

T-10454

T-10454

TEMPORARY

Name Steve Yancey Laina Ryan
 Address 14481 SW Twin Lakes Rd
Powell Butte OR 97753
541 504-0695 541-419-5553 cell

Change in POU
 Date Filed 9-5-07
 Initial notice date 9-18-07
 DPD issued date _____
 PD issued date _____
 PD notice date _____
 Date of FO 10/29/2007 Vol 73 Page 553

C-Date _____
 COBU due date _____
 COBU Received date _____
 Certificate issued _____

DESCRIPTION OF WATER RIGHT(S)

Name of Stream Dry RiverTrib. of Crooked RiverUse IRCounty Crook

Quantity of water (CFS) _____

No. of Acres _____

Name of ditch _____

App #	Per #	Cert #	PR Date
<u>21332</u>	<u>18675</u>	<u>21686</u>	<u>1945</u>
App #	Per #	Cert #	PR Date
App #	Per #	Cert #	PR Date
App #	Per #	Cert #	PR Date
App #	Per #	Cert #	PR Date

FEES PAID		
Date	Amount	Receipt #
<u>9/5/07</u>	<u>202.40</u>	<u>89503</u>

FEES REFUNDED		
Date	Amount	Receipt#

Assignments: _____

Irrigation District N/A

Agent _____

CWRE _____

CC's list Crook County 300 E 3rd St. Prineville, OR 97754CIO: Dink & Carol Garside 147 SW Bent Loop Powell Butte, OR 97753RIO: Laina Ryan, Steve Yancey 14481 SW Twin Lakes Rd Powell Butte OR 97753☐ - Oversized map - Location _____

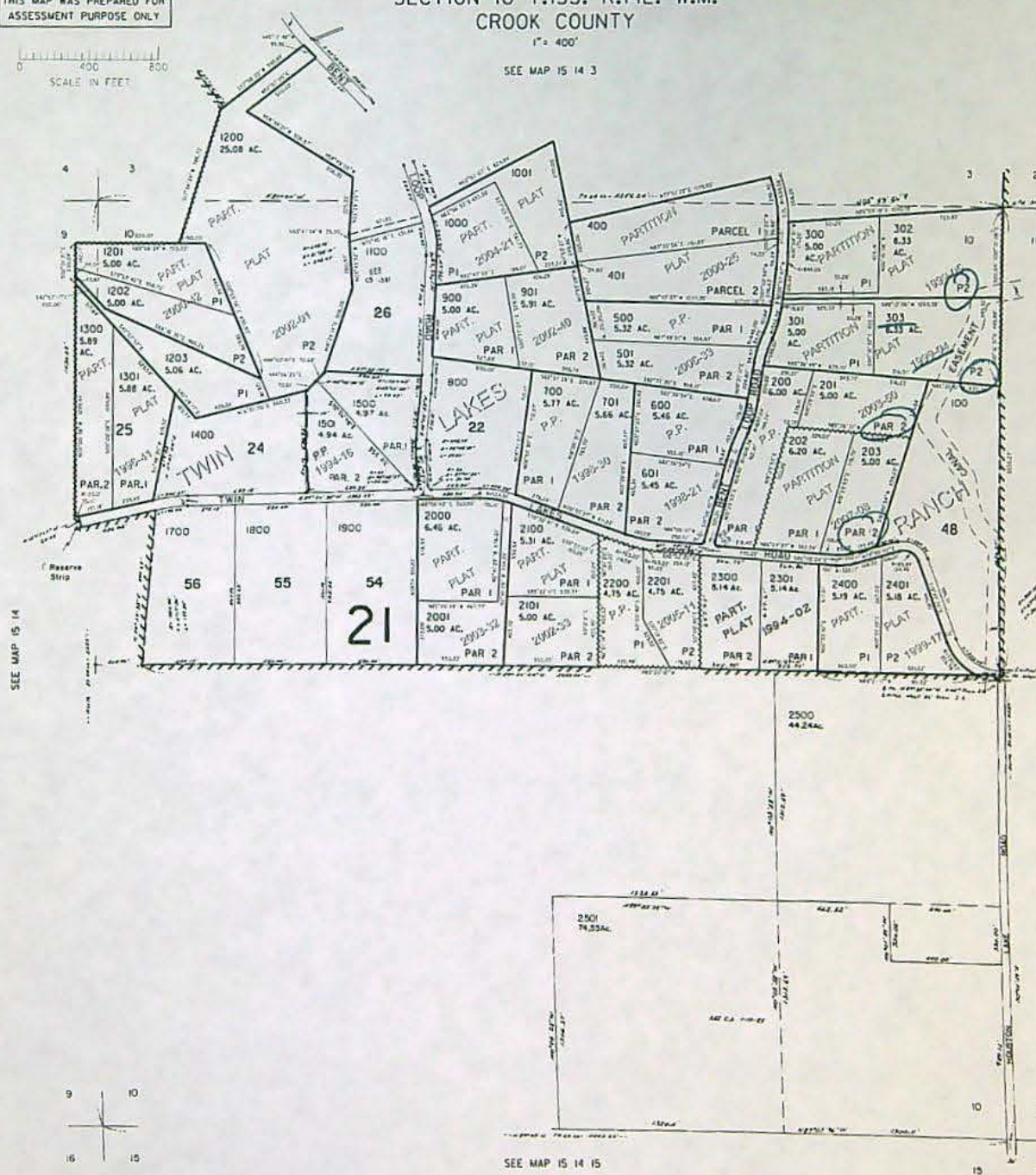
DISCUSSION

 $1'' = 400'$

SEE MAP IS 14 15

CANCELLED NO'S
1001
1101
1600

15 14 10



WATER RESOURCES DEPARTMENT

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIPT # **89503**RECEIVED FROM: Steve Yancey &BY: Laina Ryan

APPLICATION	
PERMIT	
TRANSFER	<u>T-10454</u>

CASH: ☐ CHECK: # 3599 OTHER: (IDENTIFY) ☐TOTAL REC'D \$ 202.40**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407	COPIES	<u>PCA 46111</u>	\$
	OTHER:	(IDENTIFY)	\$

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT**MISCELLANEOUS**

0407	COPY & TAPE FEES	\$
0410	RESEARCH FEES	\$
0408	MISC REVENUE: (IDENTIFY)	\$
TC162	DEPOSIT LIAB. (IDENTIFY)	\$
0240	EXTENSION OF TIME	\$

WATER RIGHTS:

	EXAM FEE		RECORD FEE	
0201	SURFACE WATER	\$	0202	\$
0203	GROUND WATER	\$	0204	\$
0205	TRANSFER	\$ <u>202.40</u>		

WELL CONSTRUCTION

	EXAM FEE		LICENSE FEE	
0218	WELL DRILL CONSTRUCTOR	\$	0219	\$
	LANDOWNER'S PERMIT		0220	\$

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211	WELL CONST START FEE	\$	CARD #	
0210	MONITORING WELLS	\$	CARD #	
	OTHER	(IDENTIFY)		

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233	POWER LICENSE FEE (FW/WRD)		\$
0231	HYDRO LICENSE FEE (FW/WRD)		\$
	HYDRO APPLICATION		\$

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ \$ _____

RECEIPT: **89503**DATED: 9-5-07 BY: [Signature]

Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

ORIGINALS

Transfer Application and Map

Receipt

Deed or Lot Book Report

Notarized Consent

Evidence of Use Affidavit

Land Use Information Form

Lien Holder Notification *(if applicable)*

Report of Ownership and Lien Info *(if applicable)*

&

Other Supporting Documentation

*- Application Filled out with help From Jeremy Biffin
District Watermaster



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

Application for Water Right Transfer

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "N/A" to indicate "Not Applicable." As you complete this form, please refer to notes and guidance included on the application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

1. TYPE OF TRANSFER APPLICATION

Please check one	
☐ Permanent Transfer	☐ Instream Transfer
☒ Temporary Transfer (1 to 5 yrs.)	☐ Permanent
• total number of years: <u>1</u>	☐ Time-Limited
(begin year: <u>07</u>)	☐ Drought Transfer
(end year: <u>08</u>)	☐ Other

2. APPLICANT INFORMATION

Name: Laina Ryan
First Last
Address: Steve Gancey
14481 SW Twin Lakes Rd
Powell Butte OR 97253
City State Zip
Phone: 541-504-0695 541-419-5553
Home Work Other
Fax: 541-504-0694 E-Mail address: _____

3. AGENT INFORMATION

(The agent listed is authorized to represent the applicant in all matters relating to this transfer application.)

Name: _____
First Last
Address: _____
City State Zip
Phone: _____
Home Work Other
Fax: _____ E-Mail address: _____

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- If an agent is listed above, please check one of the following:
 - ☐ Please send all correspondence to Agent. Send *copies* of correspondence to Applicant; or
 - ☐ Please send all correspondence to Applicant. Send *copies* of correspondence to Agent.

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4. PROPOSED CHANGE(S) TO WATER RIGHT(S)

- List **all** water rights to be affected by this transfer. Indicate the certificate, permit, decree or other identifying number(s) in the table below: *(Attach additional pages as necessary.)*

	Application / Decree	Permit / Previous Transfer	Certificate
1.	21332	18675	21686
2.			
3.			
4.			
5.			
6.			

- Attach a **separate Supplemental Form A** *(Description of Proposed Change(s) to a Water Right)* for **each** water right listed above.

- Check **all** proposed change(s) included in this transfer application:

- ☒ Place of Use ☐ Point of Diversion (POD) ☐ Additional Point of Diversion
☐ Character of Use ☐ Point of Appropriation (POA, or well) ☐ Additional POA
☐ Instream Transfer ☐ Surface Water POD to Ground Water POA
☐ Substitution of Supplemental Groundwater right for Primary Surface water right
☐ Historic POD change ☐ Other

- Reason(s) for change(s): The South Field did not have water rights, but was being irrigated. The Temp transfer will save the crop.

5. WATER DELIVERY SYSTEM

- Describe the **current** water delivery system **or** the system that **was in place** at some time **within the last 5 years**. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. If the transfer involves multiple rights that have independent systems, describe each system separately.

The description must be sufficient to demonstrate that the full quantity of water to be transferred can be conveyed from the authorized source and applied at the authorized location and that the applicant is ready, willing, and able to exercise the right.

The water is pumped from the wastewater to a ditch that is flood irrigated by gravity.

- System capacity: 1.0 cubic feet per second (cfs). If the transfer involves multiple rights that have independent systems, describe the capacity for each system separately.

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6. EVIDENCE OF BENEFICIAL WATER USE

- Attach one or more **Evidence of Use Affidavits** (Supplemental Form B) demonstrating that each of the right(s) involved in the transfer have been exercised in the last five years in accordance with the terms and conditions of the right or that a presumption of forfeiture for non-use could be rebutted. The Evidence of Use Affidavit(s) **must include supporting documentation** such as the following:
 - ▶ Copies of receipts from sales of irrigated crops or for expenditures relating to use of water;
 - ▶ Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers;
 - ▶ Dated aerial photographs of the lands or other photographs containing sufficient detail to establish location and date of the photograph; *or*
 - ▶ If the right has **not** been used during the past five years, documentation that the presumption of forfeiture would be rebutted under ORS 540.610(2).

7. AFFECTED DISTRICTS

- Are any of the water rights proposed for transfer located within or served by an irrigation or other water district? ☐ Yes ☒ No
- Will any of the water rights be located within or served by an irrigation or other water district after the proposed transfer? ☐ Yes ☒ No
- Is water for any of the rights supplied under a water service agreement or other contract for stored water with a federal agency or other entity? ☐ Yes ☒ No

If "Yes", for any of the above, list the name and mailing address of the district, agency and/or entity:

8. LOCAL GOVERNMENTS

- List the name and mailing address of all local governments (i.e., each county, city, municipal corporation, or tribal government within whose jurisdiction water will be diverted, conveyed or used).

Coos County

300 E 3rd St.

Prineville, OR 97754

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9. LAND OWNERSHIP

- Does the applicant own the lands **FROM** which the right is being transferred? ☐ Yes ☒ No

If "No", provide the following information. For Temporary Transfers, also include a notarized statement granting consent to the transfer from each of the landowners (for Permanent Transfers see Section 12(c)):

Names of Current Landowner(s): Dirk & Carol Garside
First Last

Address: 147 SW Bent Loop
Powell Butte OR 97753
City State Zip

- Does the applicant own the lands **TO** which the right is being transferred?

☒ Yes

☐ No

☐ N/A - NOT APPLICABLE TO INSTREAM TRANSFERS

If "No", provide the following information:

Names of Receiving Landowner(s): Laina Stern Ryan Yancy
First Last

Address: 14481 SW Twin Lakes Rd
Powell Butte OR 97753
City State Zip

- Check one of the following:

☒ The receiving landowner will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to this landowner.

☐ The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.

☐ N/A. (Not applicable. Application is for an Instream Water Right Transfer.)

10. Other Remarks (optional)

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11. ATTACHMENTS

Check each of the following attachments included with this application.
The application will be returned if all required attachments are not included.

Supplemental Form A –

Description of Proposed Change(s) to a Water Right

- ☒ A separate Supplemental Form A is enclosed for each water right to be affected by this transfer.

Supplemental Form B –

Evidence of Use Affidavit(s)

- ☒ At least one Evidence of Use Affidavit documenting that the right has been used during the last five years or that the right is not subject to forfeiture under ORS 540.610 is attached. The affidavit provided must be the original (not a copy), and
- ☐ The Evidence of Use Affidavit must be accompanied by supporting documentation.

Map

- ☐ *Water Right Transfer*
The map must be prepared by a Certified Water Right Examiner and meet the requirements of OAR 690-380-3100 unless a waiver has been granted. The map provided must be the original, not a copy.

☒ *Temporary Transfer or Historical POD Change*

A map meeting the requirements of OAR 690-380-3100 must be included but need not be prepared by a Certified Water Right Examiner.

Water Well Report(s)/Well Log(s):

- ☐ The application is for a change in point of appropriation or change from surface water to ground water and copies of all water well reports are attached.
- ☐ Water well reports are not available and a description of construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed is attached.
- ☒ N/A. The application does not involve a change in point of appropriation or a change from surface water to ground water, so water well reports are not required.)

Land Use Information For Proposed Changes:

For Instream Transfers:

- ☐ Notice of the intent to file an instream transfer application has been provided to each affected local government along the proposed reach, and copies of the notices are enclosed. (For instream transfers a Land Use Information Form is not required.)

For All Other Transfers:

- ☐ Land Use Information Form is enclosed; or
- ☒ All of the following criteria are met, therefore a Land Use Information Form is not required:
- ❶ In EFU zone or irrigation district,
 - ❷ Change in place of use only,
 - ❸ No structural changes needed, including diversion works, delivery facilities, other structures, and
 - ❹ Irrigation only.

Fees:

- ☒ Amount enclosed: \$ 202.40
See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0900.

Instream Water Right Transfers, also include:

Supplemental Form C –

Instream Water Right Transfer

- ☐ Complete this form to describe the desired nature and attributes for the proposed instream water right.

Temporary Transfers, also include:

Recorded Deed:

- ☒ The applicant must submit a copy of the current deed of record for the land from which the authorized place of use or point of diversion/appropriation is being moved.

Affidavit of Consent:

- ☒ If the applicant is NOT the owner of record for the land from which the authorized place of use or point of diversion/appropriation is being moved, a notarized statement from the actual owner of record consenting to the proposed transfer must be submitted.

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Before submitting your application to the Department, be sure you have:

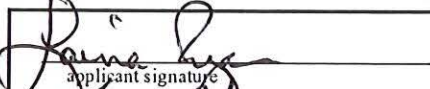
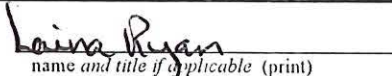
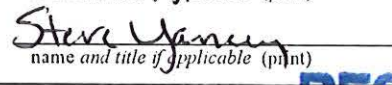
- Answered each question completely.
- Included all the required attachments.
- Provided original signatures for all named deed holders, or other parties, with an interest in the water right.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

12. SIGNATURES

- Check one of the following, as appropriate, and sign the application in the signature box below:

- ☐ In accordance with OAR 690-380-3000(13)(a), I (we) understand that prior to Department approval of a permanent transfer and upon my receipt of a draft Preliminary Determination for the proposed transfer, I (we) will be required [pursuant to OAR 690-380-4010(5)] to provide the following landownership information and evidence demonstrating that I (we) are authorized to pursue the transfer:
- (a) A report of ownership and lien information that has been prepared by a title company *within the last three months*;
- (b) A copy of written notification of the proposed transfer provided by the applicant to all lien holders on the subject lands unless the report of ownership and lien information shows that a water right conveyance agreement has been recorded for the subject lands. *If a water right conveyance agreement has been recorded for the subject lands, a copy of the agreement and identification of the owner of the lands at the time the agreement was recorded must be submitted; and*
- (c) If the landowner identified in the report of ownership and lien information is not the applicant, a notarized statement consenting to the transfer (*attached*) signed by the landowner identified in the report or an authorized representative of the entity to whom the interest in the water right has been conveyed as identified in a water right conveyance agreement or other documentation demonstrating that the applicant is authorized to pursue the transfer in the absence of the consent of the landowner.
- ☐ I (we) affirm that interest in the water right has been conveyed to someone other than the landowner, and documents, including a water right conveyance agreement, report of ownership and lien information, and any required lienholder notification are enclosed, demonstrating that I am (we are) authorized to pursue the transfer. I (we) understand that we may be required to provide additional information upon receipt of the draft Preliminary Determination.
- ☐ I (we) affirm that the applicant is a municipality, as defined in ORS 540.510(3)(b), and that the right is in the name of the municipality or a predecessor. Therefore, pursuant to OAR 690-380-3000(13)(b), the applicant is NOT required to provide the above described report of ownership and lien information.
- ☐ I (we) affirm that the applicant is an entity with the authority to condemn property and is acquiring the property to which the water right proposed for transfer is appurtenant by condemnation. Documentation is provided with this application supporting this statement. Therefore, pursuant to OAR 690-380-3000(13)(c), the applicant is NOT required to provide the above described report of ownership and lien information. (*NOTE: Such an entity may only apply for a transfer under this subsection if it has filed a condemnation action to acquire the property.*)
- ☒ I (we) affirm that this is a temporary transfer and a copy of the deed for the "from" land (and affidavits of consent from any other landowners, if applicable) is enclosed.

- I (we) affirm that the information contained in this application is true and accurate.

 applicant signature	 name and title if applicable (print)	<u>8/30/07</u> date
 applicant signature	 name and title if applicable (print)	<u>8/30/07</u> date

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Last revised: 7/27/2007

Transfer Application/6

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FS

Water Right Transfer Supplemental Form A

DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

List only one water right per page. A separate Supplemental Form A must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

▪ Certificate Number or other identifying number: 21686

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

Point of Diversion or Appropriation	Place of Use	Character of Use
☐ Change (The old point of diversion or appropriation will <u>not</u> be used for the portion of the water right affected by the transfer.) ☐ Additional (Both the old <u>and</u> new points of diversion or appropriation will be used for the portion of the water right affected by the transfer.) ☐ Historic Point of Diversion or Appropriation Change (Unauthorized point of diversion or appropriation used for more than 10 years.) ☐ Surface Water to Ground Water (A new point of appropriation will be used <u>instead of</u> the old point of diversion. The old point of diversion will <u>not</u> be used.) ☐ Point of Diversion Change due to Government Action (The old point of diversion or appropriation can no longer be used due to government action.) ☐ Exchange (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)	☐ All of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.) ☒ Only a portion of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.)	Proposed new use: ☒ Irrigation ☐ Municipal ☐ Quasi-municipal ☐ Commercial ☐ Industrial ☐ Instream (complete and attach <i>Supplemental Form C</i>) ☐ Domestic (indicate number of households) _____ ☐ Other _____ ☐ Substitution (A supplemental ground water right will be substituted for a primary surface water right.) ☐ Supplemental Use to Primary Use (Primary water right shall be cancelled and the supplemental water right will change to primary use.)

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2. CURRENT WATER RIGHT INFORMATION

Water Right Subject to Transfer (check and complete one of the following):

☒ Certificated Right	<u>21686</u> Certificate Number	<u>18675</u> Permit Number or Decree Name
☐ Adjudicated, Non-certificated Right	 Name of Decree	 Page Number
☐ Permit for which Proof has been Approved	 Permit Number	 Date Claim of Beneficial Use Submitted
☐ Transferred Right for which Proof has been Filed	 Previous Transfer Number	 Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: Eldon F. Eugene D + Wanda L. Hargis
- County: Crook
- Authorized Use(s) to be Affected by Transfer: Irrigation
- Priority Date(s): 12/18/1945

*If there are **multiple Priority Dates** identified on the water right, any information provided on **pages 3 through 6** of this form **must identify** which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

- Source(s) of Water to be Affected by Transfer: Old River Bed, (Any River)

Tributary to: Crooked River

*If there are **multiple Sources** listed on the water right, any information provided on **pages 3 through 6** of this form **must identify** which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

For applications proposing a Change in Place of Use or Character of Use:

- Are there **Other Water Rights**, Permits or Ground Water Registrations associated with this land?

☐ Yes ☒ No ☐ N/A – No Change in Place of Use or Character of Use

If "Yes", what are the Permit, Registration or Certificate Numbers? _____

Pursuant to ORS 540.510, any "layered" water use or a right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled, except as provided in OAR 690-380-2240(5).

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▪ Certificate Number or other identifying number: 21686

The following information **must be provided** only for those points of diversion or appropriation that **are involved in the transfer** (i.e., list only the portion of the water right you propose to transfer.) Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

(i.e., the allowed point(s) of diversion or appropriation listed on the water right that will be affected by the proposed transfer, the "FROM" point(s) of diversion or appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-____)	Source and Priority Date	Township	Range	Mer	Sec	1/4 1/4	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)	
	Old River Bed 12/18/1945	15	14	W	10	SENE		1245' N E 300' W From the E 1/4 corner of Section 10, of	15-14-10 W.M.

- Does the water right being transferred involve a ground water source(s)?

☐ Yes ☒ No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

A. Supply a copy of the well log(s) for each point of appropriation that is **clearly labeled** and associated with the corresponding well in the table above and on the accompanying application map. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)

or

B. If a well log is **not** available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.

Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no well log is available.)

Wells in this listing must be **clearly tied** to corresponding well location(s) described in the table above and shown on the accompanying application map.

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth

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- Certificate Number or other identifying number:

Will the ENTIRE water right be affected by this transfer? ☐ Yes ☒ No

If "Yes", the remainder of this page does not need to be completed. Go on to the next page.

*If “No”, the following information **must be provided** only for those places of use that **are involved in the transfer** (i.e., list only the portion of the water right to be affected by the change.) Attach additional pages as necessary.*

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

Location of Existing Authorized Place of Use to be Affected:

(i.e., the allowed lands listed on the water right that will be affected by the proposed transfer, the "FROM" lands)

[illegible]

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▪ Certificate Number or other identifying number: 21686

3. PROPOSED CHANGES TO THE WATER RIGHT

Describe proposed changes to the water right involving point(s) of diversion and/or appropriation. Survey coordinates described below should accurately correspond to the points shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Point(s) of Diversion or Appropriation:

(i.e., the "TO" point(s) of diversion or appropriation)

☐ N/A - Instream Water Right Transfer

(NOTE: Complete this table only if a Change in Point of Diversion or Appropriation is being proposed.)

Source	Township	Range	Mer	Sec	1/4 1/4 Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
Old River Beel	SAME POD TO be utilized.						

- If there are proposed point(s) of appropriation (wells) listed in the table above, are the well(s) already constructed? ☐ Yes ☐ No ☒ N/A - No proposed well(s) listed above.

If "Yes", attach and **clearly label** the corresponding well log(s) for each proposed well, **or** if well log(s) are not available, describe the construction of the well(s) using the table below. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)

If "No", describe the anticipated construction for the proposed well(s) in the following table:

Construction of Proposed Point(s) of Appropriation or Well(s)

Well numbers in this listing must be **clearly tied** to corresponding well location(s) described in the table above and shown on the accompanying application map.

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth

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▪ Certificate Number or other identifying number: 21686

Describe proposed changes to the water right involving place of use. Information described below should accurately correspond to the proposed place of use shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Place of Use: (i.e., the "TO" lands) ☐ N/A – Instream Water Right Transfer

(NOTE: Complete this table only if a Change in Place of Use is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
Old River Bed	15	14	W ½	11	SWNW	300	2.4

Remarks: _____

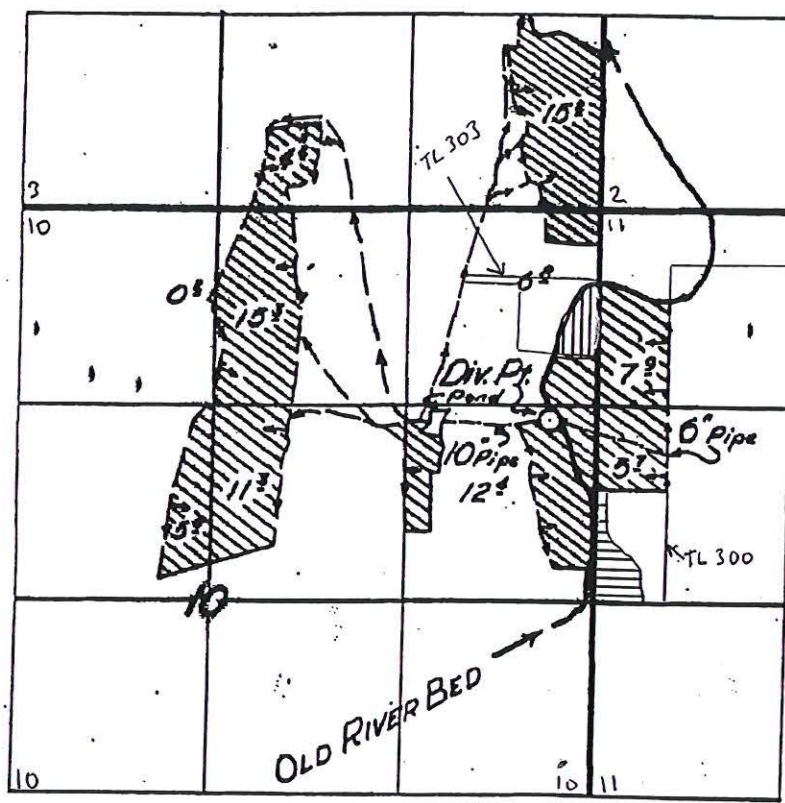
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T. 15 S. R. 14 E. W. M.
 Sec 10 & 11
 Scale = 1" = 1320'



- on lands
 - off lands

Temp Transfer MAP

UNDER

Application No. _____ Permit No. _____
 IN NAME OF _____

Surveyed 10 May 1955, by T. JONES

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WATER RESOURCES DEPT
 SALEM OREGON

T 10454

1955-Z

Water Right Transfer Checklist

Transfer T-10454

Transfer Specialist: Susan Douthit

Transfer Type: Temporary

Applicant Name/Address: Steve Yancey, Laina Ryan, 14481 SW Twin Lakes Rd, Powell Butte OR 97753

Agent Name/Address: NONE

CWRE Name/Number: NONE

Rec Landowner Name/Address: CLO: Dirk & Carol Garside 147 SW Bent Loop Powell Butte OR 97753

Irr. District Name/Address: NONE

Affected Gov'ts Name/Address: Crook County, 300 E 3rd Street Prineville, OR 97754

Commentors: Name/Address: NONE

Water Rights Affected

Records Marked	Records Copied	App File No. or Decree Name	Permit No.	Certificate No.	RR/CR Needed	RR/CR Nos.
☒	☒	S 21332	S 18675	21686	☐ Yes ☐ No	
☐	☐				☐ Yes ☐ No	
☐	☐				☐ Yes ☐ No	

Key Dates & Initial Actions

Rec'd: <u>09/05/07</u>	Proposed Action(s): POU POD HST APOD USE OTHER: POU	
Fees Pd: <u>202.40</u>	WM District: <u>11</u>	ODFW District: <u>Steve Marx</u>
Initial Notice: <u>09/18/07</u>	WM Review sent: <u>09/18/07</u> <u>9/17</u>	ODFW Review sent: <u>09/14/07</u> <u>10/9/07</u>
Acknowledgement Letter Sent ☒		GW Review sent: <u>NONE</u>

Processing Dates & Actions

Deficiency Contacts: _____

Newspaper Pub Affid Due: _____

☐ not required

~~DPD Mailed: _____~~

Affid of Pub Rec'd: _____

☐ ODFW contact sheet sent with DPD, or ☐ N/A

Last Day Published: _____

PD Mailed: _____

Affidavit Reminder Sent: _____

PD Weekly Notice: _____

Reminder Deadline: _____

Preliminary Determination

☐ Electronic Files uploaded

☐ Preliminary Determination

☐ PD Cover letter

☐ Fee Refund Due

☐ PD Notice

☐ Remaining Rights

☐ File Assigned/ ModPod updated

DPD Review (Optional)	PD Review (Salem)	Final Order Review (Salem)
Reviewer: _____	Reviewer: _____	Reviewer: <u>Cami Jacob</u>
Date: _____	Date: _____	Date: <u>10/22/07</u>
Coordinator: _____	Coordinator: _____	Coordinator: <u>AKP</u>
Date: _____	Date: _____	Date: <u>10/22/07</u>
Comments/Special Issues: <u>Δ pou 2.4 ac. 2007-2008 08/10-22-07</u> <u>Confirmed seasons w/ Jeremy</u>		

Special Order Volume: Vol 73 Pages 553

Final Order Signature Date: 10/29/2007

Notice of FO email'd to processors _____

Review Checklist

T-10454

Processor: Susan Douthit

Application

- ☒ The type of change is clearly indicated. *A pour*
- ☒ The application is appropriately signed.
- ☒ Appropriate fees were paid. *200 + 2.40* ☐ If overpayment, Refund Request to be sent with FO
- EFU* ☐ Land use form matches affected tax lots and is signed by proper official. (from ALL affected Govt's)
- ☐ Ditch company, district and/or BOR, sent a copy of the application and map, if appropriate.
- ☒ All required attachments received.

Water right subject to transfer

- ☒ Certificated right or Proof accepted "to the satisfaction..."
- ☒ The right been exercised according to terms & conditions of certificate.
- ☒ Delivery system has the capacity to fully divert the rate/duty of the right.
- ☒ No information in record that suggests forfeiture.
- ☐ No conflicts identified on the plat cards and plat card reports printed.
- ☐ Affidavits prepared for rights that need to be canceled or diminished.

Application Map

- ☐ The map has an original CWRE signature.
- ☐ The map size and scale accurate and appropriate per OAR 690-380-3100(1)(b)(c)&(d).
- ☒ All authorized and proposed POD's/POA's and POU's shown and clearly labeled.
- ☒ Metes and bounds for the POD's/POA's are properly described on the map. *(Add'l info)*
- ☒ The POD/POA dimensions & 1/4 1/4 on map match the transfer application and certificate descriptions.
- ☒ Map acres match the tabulation on the certificate.
- ☒ Have final proof maps/decree maps for the rights. ☒ Application map matches certificate FPS.
- ☒ Have necessary aerial photos. *arc map*

Determining the "From" and "To" Lands (make working copy of application and certificates to mark on)

- ☒ Only the authorized POD's/POA's and *POUs* to be transferred are listed.
- ☒ Application & certificate tabulations match. (Mark on appl. and cert. copies and note corrections needed)
- ☒ Marked on certificate the acreage being transferred, cancelled and remaining by 1/4 1/4.

Ownership

- ☐ The deed/ROLI matches the "from" lands. (Don't need to check "to" lands.)
- ☒ Have current tax lot map. (If transfer application is several years old, contact assessor's office)
- ☐ The applicant is the owner of the "from" lands.
- ☒ All owners on the deed/ROLI have signed the application. *Dink + Carol consent*
- ☒ If necessary, there is a notarized, signed statement of consent from landowners other than applicant.
- ☐ If necessary, there is a copy of written notification to each lien holder identified on ROLI.
- ☐ Agent has authorization to make decisions.

Evaluation (materials needed for peer reviewer in bold)

- | | | | | |
|--|---|---|---|---|
| ☒ application complete | ☒ map | ☒ FPS | ☒ evidence of use | ☒ land-use form |
| ☒ deed/ROLI | ☒ certificate | ☒ fees paid | ☐ well logs | ☒ plat card |
| ☐ audit | ☐ dpt | | | |

Reviews/comments/conditions received?

☐ Watermaster☐ ODFW☐ GW

Headgate

☐ When in the judgment☐ Prior to diverting☐ Existing and maintain

Measuring Devices

☐ When in the judgment☐ Prior to diverting☐ Existing and maintain

Fish Screen Devices

☐Injury: Y *N*Enlargement: Y *N*

Conditions to avoid enlargement/injury –



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

October 31, 2007

LAINA RYAN & STEVE YANCEY
14481 SW TWIN LAKES ROAD
POWELL BUTTE OR 97753

Reference: Temporary Transfer 10454

Enclosed is a copy of the order approving your temporary water right transfer application.

The change shall be effective at the end of the 2007 irrigation season. The use shall revert to the authorized place of use at the end of the 2008 irrigation season.

Sincerely,

for Susan Douthit
Transfer Specialist

SD:lp

cc: Jeremy Giffin, Watermaster #11
Dirk & Carol Garside
File
Data

Enclosure

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Transfer Application	)	FINAL ORDER APPROVING A
T-10454, Crook County	)	TEMPORARY CHANGE IN PLACE OF
	)	USE

Authority

ORS 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to temporarily transfer the place of use and, if necessary to convey the water to the temporary place of use, the point of diversion authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicants

LAINA RYAN AND STEVE YANCEY
14481 SW TWIN LAKES ROAD
POWELL BUTTE, OR 97753

Findings of Fact

Background

1. On September 5, 2007, Laina Ryan and Steve Yancey filed an application to temporarily change the place of use under Certificate 21686 for a period of two years. The Department assigned the application number T-10454.

2. The portion of the right to be transferred is as follows:

Certificate: 21686 in the name of ELDON F., EUGENE D. AND WANDA L. HARGIS
(perfected under Permit S-18675)

Use: IRRIGATION of 2.4 ACRES

Priority Date: DECEMBER 18, 1945

Rate: 0.06 CUBIC FOOT PER SECOND (cfs)

Limit/Duty: ONE-FORTIETH cfs per acre, not to exceed 4.0 acre-feet per acre during the irrigation season of each year

Source: OLD RIVER BED, tributary to CROOKED RIVER

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q
15 S	14 E	WM	10	SE NE

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
15 S	14 E	WM	10	NE NE	2.4

3. Certificate 21686 does not list the survey coordinates of the authorized point of diversion, however, information is available from the applicant indicating that the survey coordinates for the authorized point of diversion are located as follows:

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
15 S	14 E	WM	10	SE NE	1245 FEET NORTH AND 300 FEET WEST FROM THE E1/4 CORNER OF SECTION 10

4. Transfer Application T-10454 proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Acres
15 S	14 E	WM	11	SW NW	303	2.4

5. Notice of the application for temporary transfer was published on September 18, 2007, pursuant to ORS 540.520 and OAR 690-380-4000. No comments were filed in response to the notice.
6. Water has been used within the last five years according to the terms and conditions of the right, and there is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
7. A pump and ditch sufficient to use the full amount of water allowed under the existing right are present.
8. The proposed change would not result in enlargement of the right.
9. The proposed change would not result in injury to other water rights. This finding is made through an abbreviated review recognizing that the transfer may be revoked under ORS 540.523(6) if the Department later finds that the transfer is causing injury to any existing water right.

Conclusions of Law

The temporary change in place of use proposed in Transfer Application T-10454 is consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

Now, therefore, it is ORDERED:

1. The change in place of use proposed in Transfer Application T-10454 is approved.
2. The former place of use **shall not** be irrigated as part of this water right during the 2007 and 2008 irrigation seasons.
3. The use shall revert to the authorized place of use at the end of the 2008 irrigation season.
4. The approval of this temporary transfer may be revoked or modified if the Department finds the change causes injury to any existing water right.
5. A subsequent application for permanent transfer of Certificate 21686 shall be subject to a full and complete review to determine consistency with the requirements of OAR Chapter 690, Division 380. Approval of this temporary transfer does not establish a precedent for approval of a subsequent application filed for a permanent transfer.
6. The use of water at the temporary place of use authorized by this transfer shall be in accordance with the terms and conditions of Certificate 21686.
7. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.
8. When required by the Department, the water user shall install an in-line flow meter or other suitable device for measuring and recording the quantity of water used. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
9. When required by the Department, the water user shall install, maintain and operate a headgate to control and regulate the quantity of water diverted. The type and plans of the headgate must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
10. The use of the remaining water right described by Certificate 21686 shall continue to be in accordance with the terms and conditions of Certificate 21686.

Dated at Salem, Oregon this 29th day of October, 2007.


Phillip C. Ward, Director

Mailing Date: NOV 01 2007

STATE OF OREGON
COUNTY OF CROOK
CERTIFICATE OF WATER RIGHT

This Is To Certify, That ELDON F., EUGENE D. AND WANDA L. HAROIS
of Powell Butte, State of Oregon, has made proof
to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of
Old River Bed
a tributary of Crooked River for the purpose of
irrigation
under Permit No. 18675 of the State Engineer, and that said right to the use of said waters
has been perfected in accordance with the laws of Oregon; that the priority of the right hereby
confirmed dates from December 18, 1945
that the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed
2.10 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream.
The point of diversion is located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 10, Township 15 South, Range
14 East, W.M.

add'l info = 1245' N + 300' W, E $\frac{1}{4}$, 10

The amount of water used for irrigation, together with the amount secured under any other
right existing for the same lands, shall be limited to one-fortieth of one cubic foot per second
per acre, or its equivalent for each acre irrigated and shall be further limited to
a diversion of not to exceed 4.0 acre feet per acre for each acre irrigated during
the irrigation season of each year.

and shall
conform to such reasonable rotation system as may be ordered by the proper state officer.
A description of the place of use under the right hereby confirmed, and to which such right is
appurtenant, is as follows:

15.2 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$
4.2 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 3
6.8 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$
15.3 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$
11.3 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$
12.4 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$
0.2 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$
5.0 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$

Section 10

7.9 acres in the NW $\frac{1}{4}$ NW $\frac{1}{4}$
5.7 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$

Section 11

Township 15 South, Range 14 East, W.M.

Land on which water is to be used is part of the property described as follows: Beginning at
the SW corner of the NW $\frac{1}{4}$ of Section 11, Township 15 South, Range 14 East of the W.M., thence
East 450 ft., thence North 810 ft., thence 30 ft. West, thence North 1285 ft., thence West
500 ft., thence South 2380 ft. in a meandering direction following the hill, thence East
350 ft. to point of beginning, containing 31 $\frac{1}{2}$ acres more or less. Beginning at a point 2640
ft. North from the SW corner of the NW Quarter of Section 11, Township 15 South, Range 14 East of
the Willamette Meridian, thence North 1200 ft., thence West 600 ft., thence South 1350 ft.,
thence East 600 ft., thence North 150 ft., to point of beginning, containing 18 $\frac{1}{2}$ acres, more
or less. Beginning at a point 2270 ft. West from the SW corner of the NW quarter of Section
11, Township 15 South, Range 14 East of the Willamette Meridian, thence North 5280 ft. in
a meandering direction following the hill, thence West 650 ft., thence South 5280 ft. in a
meandering direction to the hill, thence East 650 ft. to point of beginning. Containing 80
acres, more or less. All located in Crook County, Oregon.

*025
2.4*
*0.06
on
cfs*

temp to SW $\frac{1}{4}$ NW $\frac{1}{4}$, 11

-2.4

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed.

this 21st day of September, 1956

LEWIS A. STANLEY State Engineer

Recorded in State Record of Water Right Certificates, Volume 16, page 21686

* - Application Filled out with help From Jeremy Giffin
District Watermaster



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

Application for Water Right Transfer

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "N/A" to indicate "Not Applicable." As you complete this form, please refer to notes and guidance included on the application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

1. TYPE OF TRANSFER APPLICATION

Please check one	
☐ Permanent Transfer	☐ Instream Transfer
☒ Temporary Transfer (1 to 5 yrs.)	☐ Permanent
• total number of years: <u>1</u>	☐ Time-Limited
(begin year: <u>07</u>)	☐ Drought Transfer
(end year: <u>08</u>)	☐ Other

2. APPLICANT INFORMATION

2 yrs? verified on phone w/ Mr. Gancey 9/24/07

Name: Steve First Ryan Last

Address: 14481 SW Twin Lakes Rd
Powell Butte OR 97253
City State Zip

Phone: 541-504-0695 541-419-5553
Home Work Other

Fax: 541-504-0694 E-Mail address: _____

3. AGENT INFORMATION

(The agent listed is authorized to represent the applicant in all matters relating to this transfer application.)

Name: _____
First Last

Address: _____
City State Zip

Phone: _____
Home Work Other

Fax: _____ E-Mail address: _____

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WATER RESOURCES DEPT
SALEM OREGON

- If an agent is listed above, please check one of the following:
 - ☐ Please send all correspondence to Agent. Send copies of correspondence to Applicant; or
 - ☐ Please send all correspondence to Applicant. Send copies of correspondence to Agent.

T 10454

4. PROPOSED CHANGE(S) TO WATER RIGHT(S)

- List **all** water rights to be affected by this transfer. Indicate the certificate, permit, decree or other identifying number(s) in the table below: (Attach additional pages as necessary.)

	Application / Decree	Permit / Previous Transfer	Certificate
1.	21332	18675	21686
2.			
3.			
4.			
5.			
6.			

- Attach a **separate Supplemental Form A** (Description of Proposed Change(s) to a Water Right) for **each** water right listed above.

- Check **all** proposed change(s) included in this transfer application:

- ☒ Place of Use ☐ Point of Diversion (POD) ☐ Additional Point of Diversion
☐ Character of Use ☐ Point of Appropriation (POA, or well) ☐ Additional POA
☐ Instream Transfer ☐ Surface Water POD to Ground Water POA
☐ Substitution of Supplemental Groundwater right for Primary Surface water right
☐ Historic POD change ☐ Other

- Reason(s) for change(s): The South Field did not have water rights, but was being irrigated. The Temp transfer will save the crop.

5. WATER DELIVERY SYSTEM

- Describe the **current** water delivery system **or** the system that **was in place** at some time **within the last 5 years**. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. If the transfer involves multiple rights that have independent systems, describe each system separately.

The description must be sufficient to demonstrate that the full quantity of water to be transferred can be conveyed from the authorized source and applied at the authorized location and that the applicant is ready, willing, and able to exercise the right.

The water is pumped from the wastewater to a ditch that is flood irrigated by gravity.

- System capacity: 1.0 cubic feet per second (cfs). If the transfer involves multiple rights that have independent systems, describe the capacity for each system separately.

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WATER RESOURCES DEPT
SALEM, OREGON

6. EVIDENCE OF BENEFICIAL WATER USE

- Attach one or more **Evidence of Use Affidavits** (Supplemental Form B) demonstrating that each of the right(s) involved in the transfer have been exercised in the last five years in accordance with the terms and conditions of the right or that a presumption of forfeiture for non-use could be rebutted. The Evidence of Use Affidavit(s) **must include supporting documentation** such as the following:
 - ▶ Copies of receipts from sales of irrigated crops or for expenditures relating to use of water;
 - ▶ Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers;
 - ▶ Dated aerial photographs of the lands or other photographs containing sufficient detail to establish location and date of the photograph; *or*
 - ▶ If the right has **not** been used during the past five years, documentation that the presumption of forfeiture would be rebutted under ORS 540.610(2).

7. AFFECTED DISTRICTS

- Are any of the water rights proposed for transfer located within or served by an irrigation or other water district? ☐ Yes ☒ No
- Will any of the water rights be located within or served by an irrigation or other water district after the proposed transfer? ☐ Yes ☒ No
- Is water for any of the rights supplied under a water service agreement or other contract for stored water with a federal agency or other entity? ☐ Yes ☒ No

If "Yes", for any of the above, list the name and mailing address of the district, agency and/or entity:

8. LOCAL GOVERNMENTS

- List the name and mailing address of all local governments (i.e., each county, city, municipal corporation, or tribal government within whose jurisdiction water will be diverted, conveyed or used).

Coos County

300 E 3rd St.

Prineville, OR 97754

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WATER RESOURCES DEPT
SALEM, OREGON

T 10454

9. LAND OWNERSHIP

- Does the applicant own the lands **FROM** which the right is being transferred? ☐ Yes ☒ No

If "No", provide the following information. For Temporary Transfers, also include a notarized statement granting consent to the transfer from each of the landowners (for Permanent Transfers see Section 12(c)).

Names of Current Landowner(s): Dirk & Carol Garside
First Last

Address: 147 SW Bent Loop
Powell Butte OR 97753
City State Zip

- Does the applicant own the lands **TO** which the right is being transferred?

☒ Yes ☐ No ☐ N/A - NOT APPLICABLE TO INSTREAM TRANSFERS

If "No", provide the following information:

Names of Receiving Landowner(s): Laina Steve Ryan Yancey
First Last

Address: 14481 SW Twin Lakes Rd
Powell Butte OR 97753
City State Zip

- Check one of the following:

- ☒ The receiving landowner will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to this landowner.
- ☐ The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.
- ☐ N/A. (Not applicable. Application is for an Instream Water Right Transfer.)

10. Other Remarks (optional)

T 10454

11. ATTACHMENTS

Check each of the following attachments included with this application.
The application will be returned if all required attachments are not included.

Supplemental Form A –

Description of Proposed Change(s) to a Water Right

- ☒ A separate Supplemental Form A is enclosed for each water right to be affected by this transfer.

Supplemental Form B –

Evidence of Use Affidavit(s)

- ☒ At least one Evidence of Use Affidavit documenting that the right has been used during the last five years or that the right is not subject to forfeiture under ORS 540.610 is attached. The affidavit provided must be the original (not a copy), and
- ☐ The Evidence of Use Affidavit must be accompanied by supporting documentation.

Map

- ☐ *Water Right Transfer*
The map must be prepared by a Certified Water Right Examiner and meet the requirements of OAR 690-380-3100 unless a waiver has been granted. The map provided must be the original, not a copy.
- ☒ *Temporary Transfer or Historical POD Change*
A map meeting the requirements of OAR 690-380-3100 must be included but need not be prepared by a Certified Water Right Examiner.

Water Well Report(s)/Well Log(s):

- ☐ The application is for a change in point of appropriation or change from surface water to ground water and copies of all water well reports are attached.
- ☐ Water well reports are not available and a description of construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed is attached.
- ☒ N/A. The application does not involve a change in point of appropriation or a change from surface water to ground water, so water well reports are not required.)

Land Use Information For Proposed Changes:

For Instream Transfers:

- ☐ Notice of the intent to file an instream transfer application has been provided to each affected local government along the proposed reach, and copies of the notices are enclosed. (*For instream transfers a Land Use Information Form is not required.*)

For All Other Transfers:

- ☐ Land Use Information Form is enclosed; *or*
- ☒ All of the following criteria are met, therefore a Land Use Information Form is not required:
- ❶ In EFU zone or irrigation district,
 - ❷ Change in place of use only,
 - ❸ No structural changes needed, including diversion works, delivery facilities, other structures, *and*
 - ❹ Irrigation only.

Fees:

- ☒ Amount enclosed: \$ 202.40
See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0900.

Instream Water Right Transfers, also include:

Supplemental Form C –

Instream Water Right Transfer

- ☐ Complete this form to describe the desired nature and attributes for the proposed instream water right.

Temporary Transfers, also include:

Recorded Deed:

- ☒ The applicant must submit a copy of the current deed of record for the land from which the authorized place of use or point of diversion/appropriation is being moved.

Affidavit of Consent:

- ☒ If the applicant is NOT the owner of record for the land from which the authorized place of use or point of diversion/appropriation is being moved, a notarized statement from the actual owner of record consenting to the proposed transfer must be submitted.

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WATER RESOURCES DEPT
SALEM, OREGON

Before submitting your application to the Department, be sure you have:

- Answered each question completely.
- Included all the required attachments.
- Provided original signatures for all named deed holders, or other parties, with an interest in the water right.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

12. SIGNATURES

- Check one of the following, as appropriate, and sign the application in the signature box below:

- ☐ In accordance with OAR 690-380-3000(13)(a), I (we) understand that prior to Department approval of a permanent transfer and upon my receipt of a draft Preliminary Determination for the proposed transfer, I (we) will be required [pursuant to OAR 690-380-4010(5)] to provide the following landownership information and evidence demonstrating that I (we) are authorized to pursue the transfer:

- (a) A report of ownership and lien information that has been prepared by a title company *within the last three months*;
- (b) A copy of written notification of the proposed transfer provided by the applicant to all lien holders on the subject lands unless the report of ownership and lien information shows that a water right conveyance agreement has been recorded for the subject lands. *If a water right conveyance agreement has been recorded for the subject lands, a copy of the agreement and identification of the owner of the lands at the time the agreement was recorded must be submitted, and*
- (c) If the landowner identified in the report of ownership and lien information is not the applicant, a notarized statement consenting to the transfer (attached) signed by the landowner identified in the report or an authorized representative of the entity to whom the interest in the water right has been conveyed as identified in a water right conveyance agreement or other documentation demonstrating that the applicant is authorized to pursue the transfer in the absence of the consent of the landowner.

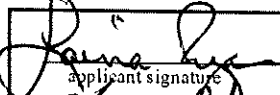
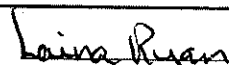
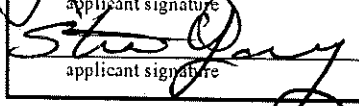
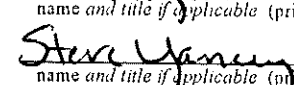
- ☐ I (we) affirm that interest in the water right has been conveyed to someone other than the landowner, and documents, including a water right conveyance agreement, report of ownership and lien information, and any required lienholder notification are enclosed, demonstrating that I am (we are) authorized to pursue the transfer. I (we) understand that we may be required to provide additional information upon receipt of the draft Preliminary Determination.

- ☐ I (we) affirm that the applicant is a municipality, as defined in ORS 540.510(3)(b), and that the right is in the name of the municipality or a predecessor. Therefore, pursuant to OAR 690-380-3000(13)(b), the applicant is NOT required to provide the above described report of ownership and lien information.

- ☐ I (we) affirm that the applicant is an entity with the authority to condemn property and is acquiring the property to which the water right proposed for transfer is appurtenant by condemnation. Documentation is provided with this application supporting this statement. Therefore, pursuant to OAR 690-380-3000(13)(c), the applicant is NOT required to provide the above described report of ownership and lien information. (NOTE: Such an entity may only apply for a transfer under this subsection if it has filed a condemnation action to acquire the property.

- ☒ I (we) affirm that this is a temporary transfer and a copy of the deed for the "from" land (and affidavits of consent from any other landowners, if applicable) is enclosed.

- I (we) affirm that the information contained in this application is true and accurate.

 applicant signature	 name and title if applicable (print)	8/30/07 date
 applicant signature	 name and title if applicable (print)	8/30/07 date

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WATER RESOURCES DEPT
SALEM, OREGON

Water Right Transfer Supplemental Form A

DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

List only one water right per page. A separate Supplemental Form A must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

▪ Certificate Number or other identifying number: 21686

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

Point of Diversion or Appropriation	Place of Use	Character of Use
☐ Change (The old point of diversion or appropriation will <u>not</u> be used for the portion of the water right affected by the transfer.) ☐ Additional (Both the old <u>and</u> new points of diversion or appropriation will be used for the portion of the water right affected by the transfer.) ☐ Historic Point of Diversion or Appropriation Change (Unauthorized point of diversion or appropriation used for more than 10 years.) ☐ Surface Water to Ground Water (A new point of appropriation will be used <u>instead of</u> the old point of diversion. The old point of diversion will <u>not</u> be used.) ☐ Point of Diversion Change due to Government Action (The old point of diversion or appropriation can no longer be used due to government action.) ☐ Exchange (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)	☐ All of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.) ☒ Only a portion of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.)	Proposed new use: ☒ Irrigation ☐ Municipal ☐ Quasi-municipal ☐ Commercial ☐ Industrial ☐ Instream (complete and attach <i>Supplemental Form C</i>) ☐ Domestic (indicate number of households) _____ ☐ Other _____ ☐ Substitution (A supplemental ground water right will be substituted for a primary surface water right.) ☐ Supplemental Use to Primary Use (Primary water right shall be cancelled and the supplemental water right will change to primary use.)

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WATER RESOURCES DEPT
SALEM OREGON

2. CURRENT WATER RIGHT INFORMATION

Water Right Subject to Transfer (check and complete one of the following):

☒ Certificated Right	<u>21686</u> Certificate Number	<u>18675</u> Permit Number or Decree Name
☐ Adjudicated, Non-certificated Right	_____ Name of Decree	_____ Page Number
☐ Permit for which Proof has been Approved	_____ Permit Number	_____ Date Claim of Beneficial Use Submitted
☐ Transferred Right for which Proof has been Filed	_____ Previous Transfer Number	_____ Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: Eldon F. Eugene D + Wanda L. Hargis
- County: Crook
- Authorized Use(s) to be Affected by Transfer: Irrigation
- Priority Date(s): 12/18/1945

*If there are **multiple Priority Dates** identified on the water right, any information provided on **pages 3 through 6** of this form **must identify** which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

- Source(s) of Water to be Affected by Transfer: Old River Bed, (Any River)

Tributary to: Crooked River

*If there are **multiple Sources** listed on the water right, any information provided on **pages 3 through 6** of this form **must identify** which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

For applications proposing a Change in Place of Use or Character of Use:

- Are there **Other Water Rights**, Permits or Ground Water Registrations associated with this land?

☐ Yes ☒ No ☐ N/A – No Change in Place of Use or Character of Use

If "Yes", what are the Permit, Registration or Certificate Numbers? _____

Pursuant to ORS 540.510, any "layered" water use or a right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled, except as provided in OAR 690-380-2240(5).

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WATER RESOURCES DEPT
SALEM, OREGON

T 10454

▪ Certificate Number or other identifying number: 21686

The following information **must be provided** only for those points of diversion or appropriation that **are involved in the transfer** (i.e., list only the portion of the water right you propose to transfer.) Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below **only** if the information is reflected on the existing water right.

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

(i.e., the allowed point(s) of diversion or appropriation listed on the water right that will be affected by the proposed transfer, the "FROM" point(s) of diversion or appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-)	Source and Priority Date	Township	Range	Mer	Sec	1/4 1/4	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
	Old River Bed 12/18/1945	15	14	W	10	SENE		1245' N E 300' W From the E 1/4 Corner of Section 10, of 15-14-1 W.M.

- Does the water right being transferred involve a ground water source(s)?

☐ Yes ☒ No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

A. Supply a copy of the well log(s) for each point of appropriation that is **clearly labeled** and associated with the corresponding well in the table above and on the accompanying application map. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)

or

B. If a well log is **not** available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.

Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no well log is available.)

Wells in this listing must be **clearly tied** to corresponding well location(s) described in the table above and shown on the accompanying application map.

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth

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WATER RESOURCES DEPT
SALEM OREGON

21684

☒ No

If "No", the following information must be provided only for those places of use that are involved in the transfer (i.e., list only the portion of the water right to be affected by the change.) Attach additional pages as necessary.

Location of Existing Authorized Place of Use to be Affected:

[illegible]

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WATER RESOURCES DEPT
SALEM OREGON

T 10454_{Sup}

Description of Proposed Change(s) to a Water Right

▪ Certificate Number or other identifying number: 21686

3. PROPOSED CHANGES TO THE WATER RIGHT

Describe proposed changes to the water right involving point(s) of diversion and/or appropriation. Survey coordinates described below should accurately correspond to the points shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Point(s) of Diversion or Appropriation:

(i.e., the "TO" point(s) of diversion or appropriation)

☐ N/A - Instream Water Right Transfer

(NOTE: Complete this table only if a Change in Point of Diversion or Appropriation is being proposed.)

Source	Township	Range	Mer	Sec	1/4 1/4 Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
Old River Beel	SAME POD To be utilized.						

- If there are proposed point(s) of appropriation (wells) listed in the table above, are the well(s) already constructed? ☐ Yes ☐ No ☒ N/A - No proposed well(s) listed above.

If "Yes", attach and **clearly label** the corresponding well log(s) for each proposed well, **or** if well log(s) are **not** available, describe the construction of the well(s) using the table below. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)

If "No", describe the anticipated construction for the proposed well(s) in the following table:

Construction of Proposed Point(s) of Appropriation or Well(s)

Well numbers in this listing must be **clearly tied** to corresponding well location(s) described in the table above and shown on the accompanying application map.

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No (or Well ID Tag No. L-)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth

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WATER RESOURCES DEPT
SALEM OREGON

T 10454

▪ Certificate Number or other identifying number: 21684

Describe proposed changes to the water right involving place of use. Information described below should accurately correspond to the proposed place of use shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Place of Use: (i.e., the "TO" lands) ☐ N/A – Instream Water Right Transfer

(NOTE: Complete this table only if a Change in Place of Use is being proposed.)

[illegible]

Remarks: _____

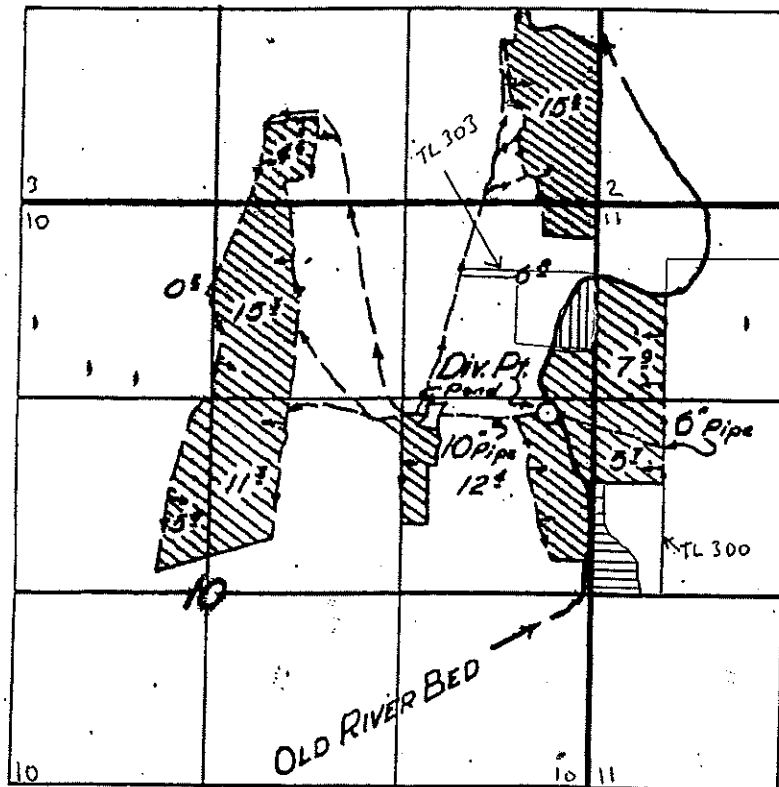
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~~SEP 05 2007~~

WATER RESOURCES DEPT
SALEM OREGON

T 10454

T. 15S. R. 14E. W.M.
 Sec 10 & 11
 Scale = 1" = 1320'



▨ - ON lands

▩ - OFF lands

Temp Transfer MAP

UNDER

Application No. _____ Permit No. _____
 IN NAME OF _____

Surveyed 10 May 1955, by T. JONES

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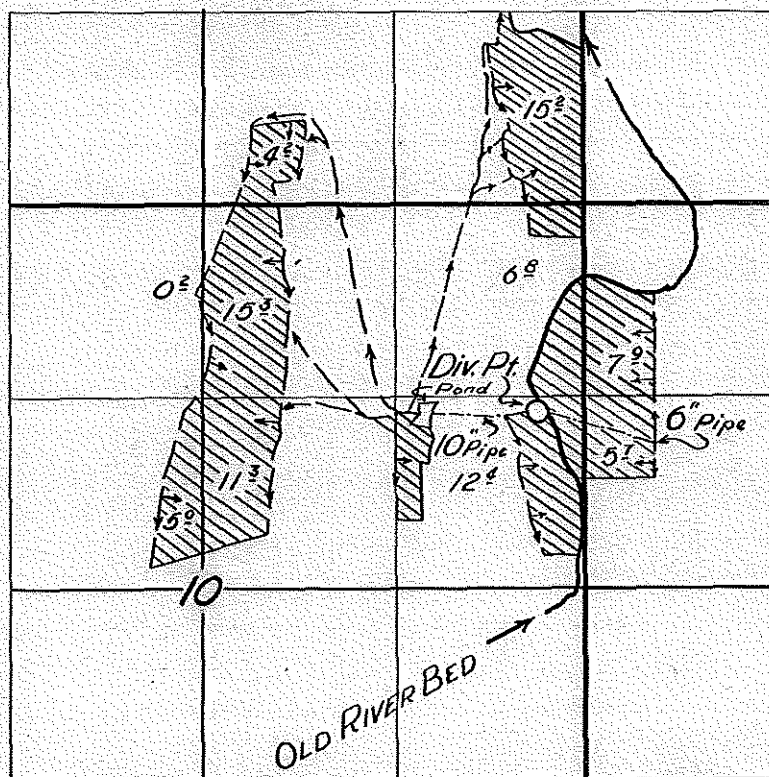
SEP 05 2007

WATER RESOURCES DEPT
 SALEM OREGON

T 10454

1955-Z

T. 15 S. R. 14 E. W.M.



FINAL PROOF SURVEY
UNDER

Application No. 21332 Permit No. 18675
IN NAME OF

ELDON F., EUGENE D. & WANDA L. HARGIS

Surveyed 10 May 1955, by T. JONES

1955-Z



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271
(503) 986-0900
www.wrd.state.or.us

Watermaster Review Form: Water Right Transfer

Transfer Application: T-10454

Review Due Date: 10-17-07

Applicant Name: Laina Ryan/Steve Yancey

Proposed Changes: ☒ POU ☐ POD ☐ POA ☐ USE ☐ OTHER

Reviewer(s): Giffin

Date of Review: Sep. 25, 2007

1. Do you have information suggesting that the water rights may be subject to forfeiture?
☐ Yes ☒ No If "Yes", describe the information and indicate if you intend to file a cancellation affidavit or if you need additional time to determine if a cancellation affidavit should be filed: These are wastewater rights and are not always available, but I have checked them over the years and when not watered the landowner was always ready willing and able.
2. Is there a history of regulation on the source that serves the right proposed for transfer that has involved the right and downstream water rights? ☐ Yes ☒ No Generally characterize the frequency of any regulation or explain why regulation has not occurred:

3. Check here if it appears that downstream water rights benefit from return flows resulting from the current use of the right? ☐ If you check the box, generally characterize the locations where the return flows likely occur and list the water rights that benefit most:

4. Are there upstream water rights that would be affected by the proposed change?
☐ Yes ☒ No If "Yes", describe how the rights would be affected and list the rights most affected: _____
5. For POD changes and instream transfers, check here if there are channel losses between the old and new PODs or within the proposed instream reach? ☐ If you check the box, describe and, if possible, estimate the losses: _____
6. Would distribution of water for the right after the proposed change result in regulation of other water rights that would not have occurred if use of the existing right was maximized?
☐ Yes ☒ No If "Yes", explain: _____
7. For POU changes, would the original place of use continue to receive water from the same source? ☐ Yes ☒ No ☐ N/A If "Yes", explain: _____
8. For POU or USE changes, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste? ☐ Yes ☒ No If "Yes", explain: _____
9. Are there other issues not identified through the above questions? ☐ Yes ☒ No If "Yes", explain: _____

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SEP 27 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

10. What alternatives may be available for addressing any issues identified above: _____
11. Have headgate notices been issued for the source that serves the right? ☐ Yes ☒ No
12. What water control and measurement conditions should be included in the transfer:

Measurement Devices	☐ Present and should be maintained.	☐ Should be required prior to diverting water.	☒ May be required in the future.
Headgates	☐ Present and should be maintained.	☐ Should be required prior to diverting water.	☒ May be required in the future.

Water Rights Platcard Report

from OK

Meridian: WILLAMETTE - Township: 15 - South - Range: 14 - East - Section: 10 - Records per Page: 100

9/24/2007

IL608,
IL626,
IL627,
IL631,
IL632,
IL633,
IL635,
IL636,
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T8514,

9/24/2007

9/24/2007

9/24/2007

9/24/2007

[illegible]

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T9983,
T9981,
T9982,
T9984,
T9985,
T10004,
T10018,
T10035,
T10036,
T10058

Select Inchoate: T 9314 CF (DST) *

STORAGE

Additional Info:
CENTRAL OREGON IRRIGATION DISTRICT
Decree: DESCHUTES RIVER (F)

(1.3)

Select Inchoate: T 9423 (DRO) WD

STORAGE WD

Additional Info:
CENTRAL OREGON IRRIGATION DISTRICT

(1.3)

9/24/2007

IL567,
IL568,
IL569,
IL570,
IL571,
IL581,
IL584,
IL599,
IL600,
IL608,
IL611,
IL619,
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IL772,
IL773,
IL435,
IL436,
IL437,
IL438,
IL439,
IL440,
IL441,
IL442,
IL446,
IL447,
IL449,
IL450,
IL451

Select Inchoate: IL 772 CF (IL) WD

2/28/1913 SUPPLEMENTAL WD
IRRIGATION
(Suppl'mtl)

Additional Info:
CENTRAL OREGON IRRIGATION DISTRICT
App: S13180
Permit: S23256

21.3 9.8 33.7

Select Inchoate: IL 370 CF (IL) DN

2/28/1913 SUPPLEMENTAL DN
IRRIGATION
(Suppl'mtl)

Additional Info:
CENTRAL OREGON IRRIGATION DISTRICT
App: S13180
Permit: S23256

21.3 9.8 33.7

Acreage Legend: 12.25 Regular
acreage

~~12.25~~ Acreage is on a
canceled right

(12.25) Acreage is part of a transfer and
has not been proven up on yet
(inchoate)

[12.25] Acreage has been
suspended

* Acreage is not
specified

Water Rights Platcard Report

Meridian: WILLAMETTE Township: 15 South Range: 14 East Section: 11 Records per Page: 100 Search

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Go/t Lot	QQ(40) Q(160)	NE HE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW
Select Inchoate: T 7739 CF (REG) *		12/28/1978	IRRIGATION								(4.8)								
Additional Info: ANDREW D WALLACE App: G9049 Permit: G8720																			
Select Cert:11951 OR *		8/29/1927	IRRIGATION																
Additional Info: ADELINE WILLIAMS App: S11729 Permit: S8140 Cert: 11951																			
Select Cert:21686 OR *	T10454	12/18/1945	IRRIGATION									7.9	5.7						
Additional Info: ELDON F HARGIS App: S21332 Permit: S18675 Cert: 21686																			
Select Cert:29052 CF CN	IL4, IL7, IL73, T7513, T4397, T3176, Z5, T6123, T6295, T4591, T5989, T4626, T5303, T3030, T2572, T3465, T2707, T2425, T7574		IRRIGATION	CN				37	38	39	36	38		29	36	38	32	39	39
Additional Info: CENTRAL OREGON IRRIGATION DISTRICT Decree: DESCHUTES RIVER (F) Cert: 29052																			
Select Cert:64442 OR *		11/6/1984	IRRIGATION									8.8	0.8	0.1	18				
Additional Info: KEITH KNOCH App: G11319 Permit: G10447 Cert: 64442																			
Select Cert:65629 OR *		3/27/1986	IRRIGATION												10				
Additional Info: NORMAN L CURRY App: G11499 Permit: G10625 Cert: 65629																			
Select Cert:68756 OR CN		12/11/1978	IRRIGATION	CN				8.4	36.8	39.4	22.4					34.8	38	40	34
Additional Info: WAMPLER WERTH FARMS App: G9049 Permit: G8720 Cert: 68756																			
Select Cert:68756 OR CN		12/28/1978	IRRIGATION	CN							15.2								
Additional Info: WAMPLER WERTH FARMS App: G9049 Permit: G8720 Cert: 68756																			
Select Cert:76358 CF *	T9283, T9769, T9440, T9462, T9441, IL187, IL142, CW39, CW42, T9721, T9722, T9723, T9605, T10224, T9784, T9785, T10259, T10257, T10258, T10256, T10267, T10276, T10274, T10278, IL823, IL824, IL825, IL495, IL496, IL497, IL498, IL520, IL521,		IRRIGATION				10	2.5				18.7		13.3	8				5.3
Additional Info: CENTRAL OREGON IRRIGATION DISTRICT Decree: DESCHUTES RIVER (F) Cert: 76358																			

[illegible]

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9/24/2007

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T9748,
IL826,
IL833,
IL834,
IL835,
IL852,
T9836,
T9763,
IL651,
IL654,
IL675,
IL698,
IL702,
IL703,
IL704,
IL705,
IL706,
IL707,
IL708,
IL709,

9/24/2007

9/24/2007

Permit: G8720																			
Select	Inchoate: T 9341 RR (REG) *	12/28/1978	SUPPLEMENTAL IRRIGATION (Suppl'mtl)																
Additional Info: WAMPLER AND WERTH FARMS App: G9049 Permit: G8720																			
Select	Cert:80689 RR *	T9936, T10156	12/11/1978 SUPPLEMENTAL IRRIGATION (Suppl'mtl)																
Additional Info: WAMPLER AND WERTH FARMS App: G9049 Permit: G8720 Cert: 80689																			
Select	Cert:76714 CF *	IL495, IL496, IL497, IL498, IL516, IL517, IL518, IL519, IL520, IL521, IL522, IL523, IL524, IL525, IL526, IL527, IL528, IL529, IL530, IL531, IL532, IL533, IL534, IL535, IL536, IL537, IL538, IL539, IL540, IL542, IL543, IL544, IL545, IL546, IL547, IL548, IL549, IL567, IL568, IL569, IL570, IL571, IL581, IL584, IL599, IL600, IL608, IL611, IL619, IL626, IL627, IL631, IL632, IL633, IL635, IL636, IL637, IL638, IL639, IL640, IL641, IL645, IL368, IL369, IL370, IL372, IL373, IL374, IL375, IL376, IL377, IL378, IL379, IL380, IL381, IL382, IL383, IL384, IL385, IL386, IL387, IL388, IL389, IL390, IL391, IL392, IL393, IL394, IL395, IL396, IL397, IL398, IL399, IL400, IL401, IL402, IL403, IL404, IL405, IL406,	2/28/1913	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	10	2.5				18.7	13.3	8							5.3

			IL414, IL464, T10390, T10389, T10429, IL651, IL654, IL675, IL677, IL678, IL679, IL772, IL773, IL435, IL436, IL437, IL438, IL439, IL440, IL441, IL442, IL446, IL447, IL449, IL450, IL451										
Select	Inchoate: IL 772 CF (IL) WD	2/28/1913	SUPPLEMENTAL WD IRRIGATION (Suppl'mtl)	10	2.5			10.7	13.3	0			5.3
Additional Info: CENTRAL OREGON IRRIGATION DISTRICT App: S13180 Permit: S23256													
Select	Inchoate: IL 370 CF (IL) DN	2/28/1913	SUPPLEMENTAL DN IRRIGATION (Suppl'mtl)	10	2.5			10.7	13.3	0			5.3
Additional Info: CENTRAL OREGON IRRIGATION DISTRICT App: S13180 Permit: S23256													
Acreage Legend: 12.25 Regular acreage 12.25 Acreage is on a canceled right (12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate) . [12.25] Acreage has been suspended * Acreage is not specified													

Indicate in this column whether or not the item is satisfied.

Temporary Transfer Application – OAR 690-380 3000 & 3100

Completeness Checklist

Applicant's Name: Lainn Ryan/Steve Yancey

(Form last revised: March 13, 2007)

Section A – Status of Right

Is this a Water Right that can be transferred?

[OAR 690-380-0100(14)]

NOTE: The Department can accept a Transfer application for any right that is:

- ___ 1) an adjudication with a court decree; *or*
___ 2) a certificate that is not cancelled; *or*
___ 3) a transfer that's been approved & A COBU has been received by the Department

If the subject right does not fall into any of the above categories, **RETURN** the application & fee to the applicant.

Section B – Type of Change

Is the proposed change(s) allowed under the Temporary Transfer process?

[ORS 540.523]

NOTE: Only POU changes are allowed on Temporary Transfers.

UNLESS... POA/POD change is necessary to convey water to the new temp place of use.

OR - Character of Use of storage right (R-xxxxx)

OR - In the Deschutes Basin, a change in Use from irrigation to municipal is allowed.

If the application proposes a change other than those listed above, **RETURN** the application & fee to the applicant.

Section C - Fees

Have the appropriate fees been paid?

Total Required Fees: 202.40

Fee Schedule – ORS 536.050(1)(i)

Total Fees Paid: 202.40

\$175 - Base (1st CFS of water)

+ \$1 - Per acre of land irrigated

Fees Due (if any): 0

+ \$75 - For each cfs or fraction thereof beyond the 1st cfs for non-irrigated land

Refund Due (if any): 0

If the applicant has **NOT** submitted the total fees required, **RETURN** the application & deficient fee to the applicant.

Section D – Completeness

Is the Temporary Transfer application complete?

All required elements necessary for a complete temporary transfer application are listed below.

Indicate whether or not the applicant has answered and/or supplied attachments to adequately address each of the following items. If any one of the items is deficient, then the application is incomplete.

NOTE: For reference, the application page number upon which each item is requested is identified.

If the application is **NOT** complete, **RETURN** the application & fee to the applicant.

• Type of transfer application clearly marks Temporary and indicates the number of years. 1 (Page 1)

• Applicant's name, mailing address and contact information. (Page 1)

• Agent's name, mailing address and contact information, if applicable. (Page 1)

• Are the water rights to be affected by this temporary transfer listed? (Page 2)

If there are multiple water rights listed..... The applicant must supply a separate "set" of Supplemental Form A for each water right to be transferred.

Checklist for Supplemental Form A – (Attachments)	
OK	• Certificate # filled in on each page? (Page 1)
OK	• Type of change(s) proposed clear? POU (Page 1)
OK	• Current Water Right information is complete? (Page 2)
OK	• If for a change in POU... (Page 2) Are there any “layered” irrigation rights, permits, or GR registrations appurtenant to the same place of use as the water right proposed to be transferred? YES NO If YES..... the other “layered” water uses subject to transfer must either change concurrently or be cancelled, except as provided in OAR 690-380-2240(5). OR...applicant indicates supplemental right will not be exercised on “From” lands Are they included in application? If not, contact applicant or agent.
OK	• Location description of the authorized POA/POD to be changed. (Page 3) NOTE: Ensure that the location coordinates listed in the application match the point and location coordinates illustrated on the application map. Additionally, if the existing authorized source is ground water (POA), the applicant must either: N/A 1) supply a copy of the well log(s), <u>or</u> N/A 2) if well logs are not available, describe the construction of the well(s) in the table provided on page 3 of the supplemental form A application.
OK	• Location description of the existing authorized POU and associated acres (if applicable). (Page 4) NOTE: Ensure that the location and number of acres listed per ¼ ¼ in the application match those illustrated on the application map. 2.4
N/A	• Location description of the proposed POA/POD. (Page 5) NOTE: Ensure that the proposed location coordinates listed in the application match the proposed point and location coordinates illustrated on the application map. Additionally, if the proposed source is ground water (POA), the applicant must either: N/A 1) supply a copy of the well log(s), <u>or</u> N/A 2) if well logs are not available <u>or</u> the well is not yet constructed, describe the construction of the well(s) in the table provided on page 5 of the application.
OK	• Location description of the proposed POU and associated acres (if applicable). (Page 6) NOTE: Ensure that the location and number of acres listed per ¼ ¼ in the application match those illustrated on the application map.
Return back to Page 2 of transfer application	
OK	• The type of change(s) being proposed. POU (Page 2)
OK	• Reason for the temporary transfer. (Page 2)
OK	• Description of current water delivery system. (Page 2)
OK	• System Capacity. 1.0 (Page 2)
Checklist for Supplemental Form B – (Attachments)	
OK	• Is there a box checked in #1? (Page 1)

OK	Is there a box checked in #2?	(Page 1)
OK	Does the description of POU on page 4 of the supplemental form A application, match authorized POU in question #3?	(Page 1)
OK	In question #4 and #5 are they filled out.	(Page 2)
OK	Is there a box checked in #6?	(Page 2)
OK	Is the #6 supporting documentation included with application?	(Page 2)
OK	Is there an original signature of the notary and notary stamp?	(Page 2)
	Return back to Page 3 of transfer application	
None	Affected districts and local governments. If within a district/local government jurisdiction, ensure that name & mailing address is provided. And agreement with district to deliver water to "To" lands	(Page 3)
OK	Is the applicant the Landowner of the "from" and "to" Lands? YES NO If NO..... The applicant must list current landowner name & address. And include a notarized statement granting consent to the transfer from each landowner.	(Page 4)
OK	Who will be responsible for completion of the changes? Applicant/Rec. LO Is a box checked? If no box is checked the applicant or agent must be contacted. (Same)	(Page 4)
OK	- Map..... - if more than 3 rights are included in transfer, is there a separate map for each water right? - If larger than 8 1/2 X 14 - then 3 copies of map is needed & an electronic pdf of map - north arrow size & scale other: _____ - authorized acreage per 1/4 1/4 matches the water right - authorized POD/POA and POU (clearly shown, labeled & matches application listing) - point plotted for the authorized POD/POA agrees with location coordinates on supplemental form A and WR - proposed POD/POA and/or POU (clearly shown, labeled & matches application "proposed" listing) - location coordinates accurately describe the point identified as the proposed POD/POA	(Page 5)
N/A	Land Use form, if applicable. Is the form signed by the local planning department staff? May be needed if the POD/POA or POU is moving a great distance <u>and</u> off of land originally involved in WR.	(Page 5)
N/A	If a groundwater right is involved, are the well logs or a description included.	(Page 5)
OK	Is a copy of the current deed included for the From lands?	(Page 5)
OK	Signature(s) of applicant(s): Are one of the boxes checked? (not needed for Temporary Transfer) <u>All</u> applicants listed on page 1 of the application <u>must</u> sign the application.	(Page 6)
WRD Completeness Reviewer's Name: <u>S. Henderson</u> Date: _____		



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

September 18, 2007

LAINA RYAN
STEVE YANCEY
14481 SW TWIN LAKES ROAD
POWELL BUTTE OR 97753

Reference: Temporary Transfer 10454

On September 5, 2007 we received your water right transfer application. The application was accompanied by \$202.40. Our receipt 89503 is enclosed.

By copy of this letter, we are asking the Watermaster for his report regarding the potential for injury to existing water rights which may be caused by the change.

Pursuant to OAR 690-380-8010, the lands from which an irrigation water right is to be transferred and the land to which the right is to be transferred may not both receive water during the same season. If the temporary transfer is approved during an irrigation season and water has already been used at the currently authorized location during that season, then the temporary transfer will not take effect until the following season.

We will notify you if additional information or corrections to the application or map are required.

If you have any questions, please call the Transfer Section, (503)986-0900.

cc: Watermaster #11

Steve Marx, ODFW
Dirk & Carol Garside

enclosure



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

725 Summer Street NE, Suite A

Salem, OR 97301-1271

503-986-0900

FAX 503-986-0904

Notice of Application for Water Right Transfer, Temporary Transfer, or Permit Amendment 09/18/07

The Department seeks comment on the recently-filed application listed below. Any person may comment on the application. Comments must be received by the Department within 30 days of the date of this notice. The Director may presume that the transfer would be allowed by, and compatible with comprehensive plans unless an affected local government informs the Director otherwise within 30 days of this notice.

County: Crook
Transfer: T -10454
Water Right: Cert:21686 OR *
Priority Date: 1945
Name: LAINA RYAN/STEVE YANCEY
Address: 14481 SW TWIN LAKES ROAD; POWELL BUTTE OR 97753
Change: POU
Source: DRY RIVER > CROOKED RIVER
Authorized POU: T15S R14E 10
Proposed POU: T15S R14E 11

The holder of a water right may apply to permanently change an existing water use subject to transfer. A transfer application may involve any of the following changes: Point of diversion or appropriation (POD; POA); Additional point of diversion or appropriation (APOD; APOA); Historic POD (HIST); Place of use (POU); Character of use (USE); Instream (ISWR); Substitution (SUB); or Exchange (EXCH).

The holder of a water right subject to transfer may request to temporarily change the place of use of the water for up to 5 years and, if necessary to convey the water, to temporarily change the point of diversion or appropriation.

The holder of a water right permit may apply to change a point of diversion (POD) or appropriation (POA) or to change the place of use (POU).

Any person who provides comments within the comment period will receive a copy of the Department's preliminary determination of whether the application should be approved or rejected after the Department has completed a review of the application and will be provided an opportunity to protest the application and preliminary determination at that time. Comments should be sent to the Transfers Section at the Department's Salem office.

4. The water right was exercised for the authorized purpose described below (e.g., crops grown):

Irrigation - grass for grazing livestock
Cattle and horse

5. The water delivery system used to apply water as authorized by the right is described below:

Water is pumped from the wasteway to a
ditch that is flood irrigated by gravity.

6. One or more of the following documentation supporting the above statements is attached:

- ☐ Copy of a water right certificate that was issued within the last five years (not a remaining right certificate),
- ☐ Copies of receipts from sales of irrigated crops or for expenditures relating to the use of water,
- ☐ Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers,
- ☐ Dated aerial photographs of the lands or other photographs containing sufficient detail to establish the location and date of the photograph,
- ☐ Dedicated power usage records or receipts,
- ☐ Instream lease number _____,
- ☒ Other: Farm land lease with neighbor

RECEIVED

SEP 05 2007

WATER RESOURCES DEPT
SALEM, OREGON

Cara Harsick

8-31-07

Dan Dault

8-31-07

Signature of Affiant

Date

Signed and sworn to (or affirmed) before me this 31 day of August, 2007.



Alice M. Thurman

Notary Public for Oregon

My Commission Expires: 5-14-2014

T 10454

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more space. Supporting documentation must be attached.

FARMLAND LEASE

This Farmland Lease (hereinafter "Lease") is entered into this 1st day of May, 2007, by and between the Lessor: Dirk Garbide, and the Lessee: Steve Young.

For the valuable consideration described below, the sufficiency of which is hereby acknowledged, Lessor and Lessee do hereby covenant, contract and agree as follows:

GRANT OF LEASE: Lessor does hereby lease unto Lessee approximately 2.5 acres of land located in [county] Crook, [state] Oregon, described as follows: Tm 15 14 10 TL 303
147 SW Bent Loop, Powell Butte OR 97253

And to be used only as follows: Grazing livestock

All buildings and structures on the leased land will be for the exclusive use of the Lessee unless otherwise provided herein. Lessor and his designees reserve the right of ingress and egress across the leased land to obtain access to adjacent land.

TERM AND PAYMENT: This Lease shall commence on May 1st, 2007, and expire on See notes, 20 . For said term, Lessee agrees to pay Lessor total rent of \$ 18.00 per head
Rent shall be paid: ☒ monthly, in equal installments of \$ determined month to month by number of head per month.

☐ yearly, in equal installments of \$ per year.

Rent shall be paid in advance for the given month or year, with the first payment to be made upon execution of this Lease, and payments thereafter to be made no later than the first day (or day) of each rental period.

CONSEQUENCE OF BREACH: In the event of breach of this Lease by the failure of Lessee to timely pay the rent herein set forth, or by any other violation of the terms hereof, then Lessor may, at his option, terminate this Lease, evict Lessee, and recover the total rental for the entire term of this Lease, in the amount of \$, as Lessor's contractual damages. Lessor shall also be entitled to recover all attorney fees and costs of court from Lessee.

SPECIAL PROVISIONS:

Lease is renewable year to year.

THIS LEASE REPRESENTS THE ENTIRE AGREEMENT BETWEEN THE PARTIES AND MAY NOT BE ALTERED OTHER THAN BY A WRITING SIGNED BY BOTH PARTIES. THIS LEASE IS BINDING ON THE HEIRS, TRANSFEREES AND ASSIGNS OF THE PARTIES, HOWEVER LESSEE MAY NOT TRANSFER, SUB-LET OR ASSIGN HIS/HER LEASE WITHOUT THE WRITTEN CONSENT OF LESSOR. THIS LEASE IS MADE UNDER APPLICABLE LAW AND IS NOT TO BE CONSTRUED AS A LIMITATION ON ANY LEGAL RIGHTS AND REMEDIES AVAILABLE TO THE PARTIES UNDER APPLICABLE LAW.

* * *

WITNESS THE SIGNATURES OF THE PARTIES:

LESSOR: Dirk Garbide Date: 5/1/07

LESSOR: Steve Young Date: 5/1/07

RECEIVED
SEP 05 2007
WATER RESOURCES DEPT
SALEM OREGON

08/30/07

To: Oregon Water Resources Department

From: Dirk and Carol Garside

This letter serves as notice of our consent for the temporary transfer of 2.4 acres of water rights from our property located at TM15-14-10 TL303 to property owned by Steve Yancey and Laina Ryan at TM15-14-11 TL300.

Dirk Garside 8-31-07
Dirk Garside Date

Carol Garside 8-31-07
Carol Garside Date

Signed and sworn to (or affirmed) before me this 31 day of August, 2007

Alice M. Thurman

Notary Public of Oregon



My Commission Expires 5-14-2010

T 10454

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SEP 05 2007
WATER RESOURCES DEPT
SALEM OREGON

Title Order No. 59268
Escrow No. 307357-PY

After recording return to:
Dirk D. Garside, et ux
PO Box 796
Prineville, OR 97754

Until a change is requested all tax statements shall be sent to the
following address.

Dirk D. Garside, et ux
PO Box 796
Prineville, OR 97754

Name, Address, Zip

This space reserved for recorder's use

STATE OF OREGON } ss 163277
COUNTY OF CROOK }
I CERTIFY THAT THE WITHIN INSTRUMENT WAS
RECEIVED FOR RECORD ON THE 20th DAY OF
June 2001 AT 2:45 P. M.
AND RECORDED IN Deeds
RECORDS OF SAID COUNTY MP NO. 163277
DEANNA E. UERMAN, CROOK COUNTY CLERK
BY *Luella J. [Signature]* DEPUTY

26

STATUTORY WARRANTY DEED

Dane Strausz, Grantor, conveys and warrants to Dirk ^{DC} Garside and Carol ^{JK} Garside, husband and wife, Grantee, the following described real property free of encumbrances, except as specifically set forth herein situated in Crook county, OREGON, to wit:

Parcel Two (2) of Partition Plat No. 1999-04 Recorded in Partitions MF No. 146906 Records of Crook County, Oregon, and being a partition of Parcel Two (2) of Partition Plat No. 1991-14 Located in Lot 46 of Twin Lakes Ranch-Phase I.

This property is free from encumbrances, EXCEPT: All those items of record, if any, as of the date of this deed, including any real property taxes due, but not yet payable.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

The true consideration for this conveyance is \$149,000.00.
(93.030)

(Here comply with the requirements of ORS

Dated this 04 day of JUNE 2001.

Dane E. Strausz
Dane E. Strausz

STATE OF OREGON, County of Lincoln

This instrument was acknowledged before me on June 4, 2001
by DANE E. STRAUZ



Kathleen L. McDonald
Notary Public for Oregon
My commission expires 1/28/03

T 10454

RECEIVED
SEP 05 2007
WATER RESOURCES DEP
SALEM OREGON

**P.O. Box 488
Redmond, OR 97756
548-2318**

DATE: 2/16/07
SOLD TO: Steve Yancy
ADDRESS:

[illegible]

52009

Thank You

P.O. Box 488
Redmond, OR 97756
548-2318

DATE: 4/28/08
SOLD TO: Steve Yancy
ADDRESS:

[illegible]

50881

Thank You

T 10454

RECEIVED
SEP 05 2007
WATER RESOURCES DEPT
SALEM OREGON

Villastrigo Livestock & Custom Haying
13315 SW Houston Lake Road
Powell Butte, Or 97753
541-419-4017

Job Description

\$Cost

Cut, rake, bale and haul
32 tons

\$40.00 a ton

85 bale of hay I took

Make checks payable to
Villastrigo Livestock

RECEIVED

SEP 05 2007

WATER RESOURCES DEPT
SALEM OREGON

T 10454

\$Total Cost

\$1,280.00

№ 18654

Mail Remittance To:
1790 N W Industrial Park Road
Prineville, Oregon 97754

Steve Yancey
PO Box 200
Pawnee Butte, Or. 97753

Ship By _____

[illegible]

Please Remit From Invoice – No Statement Issued

T 10454

PLEASE PAY
LAST AMOUNT
IN THIS COLUMN