

Galyn Roth

T - 9461

T - 9461

Name Galyn Roth
 By _____
 Address Po Box 706
Christmas Valley, OR 97641
541-576-2116
 Change in POU/APOA/POA
 Date filed 6-5-03
 Date of hearing _____
 Place of hearing _____
 Date of order 1-22-09 Vol. 77, page 107
 Date for application of water _____
 Proof mailed _____
 Proof received _____
 Certificate issued _____ Vol. _____, page _____

DESCRIPTION OF WATER RIGHT

Name of stream wells
 Trib. of Fort Rock Basin/Paulina Marsh County of Lake
 Use Irrigation
 Quantity of water _____ No. of acres _____
 Name of ditch _____
 Date of priority 7-31-1975/4-27-1970
 In name of John Hamenck/White Sage Farms/Felix A. Frazier
 _____ Adjudication, Vol. _____, page _____
 App. No. G-7059 Per. No. G-6678 Cert. No. 52916
G-5173 B-4904 43774
 Certificate cancelled G-7841 75630
 Notation made on record by _____

FEES PAID		
Date	Amount	Receipt No.
<u>6/5/03</u>	<u>500.00</u>	<u>60365</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED		
Date	Amount	Check No.

REMARKS

NOID
CWRE #1/Bruce Estes
See also T-9420 Certificates 43774
5-10-2024 Certificates 97702, 97703 + 97704 issued. 75630

COBU MAP # 2076
 A-9
 x 2 maps

Mailing List for Final Transfer Certificate(s)

Copies Mailed	
by:	<u>TM</u> (STAFF)
on:	<u>5.10.2024</u> (DATE)

Transfer Application: T-9461

Certificate: 43774 (C-97702)
 57916 (C-97703)
 75630 (C-97704)

Certificate/Transfer Holder: (include copy of map)

GATYN ROTH
PO BOX 706
CHRISTMAS VALLEY OR 97641

Is the Transfer Holder(s) of record currently identified as a landowner of any tax lots involved as confirmed by the County records? YES

Copies of Final Transfer Certificate(s) to be sent to:

1. Watermaster District #: 11
2. Water Availability
3. Vault
4. File

Other persons to receive copies: (include map):

1. DARRYL ANDERSON, CWRE
2. APPLICANT/ BUSINESS NAME:
ROTH BACK ACRE ALND COMPANY, INC.
PO BOX 55
CHRISTMAS VALLEY OR 97641

Record Marking(s):

Original Application# G5173
Old Certificate# 43774
Original Application# G7059
Old Certificate# 57916



Oregon
Kate Brown, Governor

Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301
(503) 986-0900
Fax (503) 986-0904

Date Mailed: MAY 10 2024

NOTICE OF CERTIFICATE ISSUANCE

Attached are certificates that confirm the water rights established under the terms of a transfer order issued by this Department.

This certificate is an order in order than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and 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.

This statement of judicial review rights is required under ORS 536.075; it does not alter or add to existing review rights or create review rights that are not otherwise provided by law.

The water must be controlled and not wasted. To change the location of the point of diversion, the character of use, or the location of use requires the advance approval of the Water Resources Director.

If you have any questions please contact Jonnine Skaug at 503-979-3943.

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

GAYLN ROTH
 PO BOX 706
 CHRISTMAS VALLEY OR 97461

confirms the right to the use of water perfected under the terms of Permit G-4904. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the well. The specific limits and conditions of the use are listed below.

SOURCE OF WATER: WELLS 1 & 2 A TRIBUTARY OF PAULINA MARSH

PURPOSE OR USE: IRRIGATION OF 28.7 ACRES

MAXIMUM RATE 0.359 CUBIC FOOT PER SECOND

DATE OF PRIORITY: APRIL 27, 1970

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
25 S	17 E	WM	2	SE SE	WELL 1 (ADDITIONAL) - 4429.55 FEET SOUTH AND 557.53 FEET WEST OF NORTHWEST CORNER, SECTION 1
25 S	17 E	WM	2	SE SE	WELL 2 (ORIGINAL) - 4700 FEET SOUTH AND 580 FEET WEST FROM NE CORNER, SECTION 2

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-EIGHTIETH 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 3 acre-feet per acre for each acre irrigated during the irrigation season of each year. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres	WELL
25 S	17 E	WM	1	SW SW	0.7	1, 2
25 S	17 E	WM	2	SE SE	4.4	1
25 S	17 E	WM	2	SE SE	2.4	1, 2
25 S	17 E	WM	11	NE NE	18.8	1
25 S	17 E	WM	11	NE NE	1.4	1, 2
25 S	17 E	WM	11	NW NE	1.0	1, 2

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 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and 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.

The quantity of water diverted at the additional point of appropriation (WELL 1), together with that diverted at the original point of appropriation (WELL 2), shall not exceed the quantity of water lawfully available from the original point of appropriation (WELL 2).

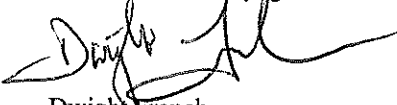
Water shall be acquired from the same aquifer (water source) as the original point of appropriation.

When required by the Department, the water user shall install, maintain and operate an inline flow meter or other suitable device for measuring and recording the quantity of water diverted. 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.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described, and is subject to the existing minimum flow policies established by the Water Policy Review Board.

This certificate is issued to confirm a change in POINT OF APPROPRIATION, ADDITIONAL POINT OF APPROPRIATION, AND PLACE OF USE approved by an order of the Water Resources Director entered January 22, 2009, at Special Order Volume 77, Page 107, approving Transfer Application T-9461, supersedes Certificate 43774, State record of Water Right Certificates.

Issued **MAY 10 2024**



Dwight French
Water Right Services Division Administrator, for
Douglas E. Woodcock, Acting Director
Oregon Water Resources Department

STATE OF OREGON
 COUNTY OF LAKE
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

GAYLN ROTH
 PO BOX 706
 CHRISTMAS VALLEY OR 97461

confirms the right to the use of water perfected under the terms of Permit G-6678. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the well. The specific limits and conditions of the use are listed below.

SOURCE OF WATER: WELL 6 IN THE FORT ROCK BASIN

PURPOSE OR USE: IRRIGATION ON 123.8 ACRES

MAXIMUM RATE: 1.55 CUBIC FEET PER SECOND

DATE OF PRIORITY: JULY 31, 1975

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
25 S	17 E	WM	1	SE NE	WELL NO. 6 - 1320.08 FEET SOUTH AND 4019.37 FEET EAST FROM NW CORNER, SECTION 1

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-EIGHTIETH 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 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

The right shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
25 S	17 E	WM	1	NE NE	1	12.7
25 S	17 E	WM	1	NW NE	2	12.3
25 S	17 E	WM	1	SW NE		37.8
25 S	17 E	WM	1	SE NE		38.2
25 S	17 E	WM	1	NE SE		11.9
25 S	17 E	WM	1	NW SE		10.9

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 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and 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.

The quantity of water diverted at the new point of appropriation (WELL 6), shall not exceed the quantity of water lawfully available at the original point of appropriation (WELL 1), as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
25 S	17 E	WM	1	SE NE	WELL 1 - 1370 FEET SOUTH AND 20 FEET WEST FROM NE CORNER, SECTION 1

Water shall be acquired from the same aquifer (water source) as the original points of appropriation.

When required by the Department, the water user shall install, maintain and operate an inline flow meter or other suitable device for measuring and recording the quantity of water diverted. 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.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

This certificate is issued to confirm a change in POINT OF APPROPRIATION approved by an order of the Water Resources Director entered January 22, 2009, at Special Order Volume 77, Page 107, approving Transfer Application T-9461, supersedes Certificate 57916, State record of Water Right Certificates.

Issued MAY 10, 2024



Dwight French
 Water Right Services Division Administrator, for
 Douglas E. Woodcock, Acting Director
 Oregon Water Resources Department

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

GAYLN ROTH
PO BOX 706
CHRISTMAS VALLEY OR 97461

confirms the right to the use of water perfected under the terms of Permit G-7841. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the well. The specific limits and conditions of the use are listed below.

SOURCE OF WATER: WELL 1 IN THE FORT ROCK BASIN

PURPOSE OR USE: IRRIGATION OF 6.3 ACRES

MAXIMUM RATE: 0.08 CUBIC FOOT PER SECOND

DATE OF PRIORITY: DECEMBER 4, 1975

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
25 S	17 E	WM	2	SE SE	WELL 1 - 100 FEET NORTH AND 630 FEET WEST FROM SE CORNER, SECTION 2

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
25 S	17 E	WM	12	NW NW	6.3

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 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and 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.

The well shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.

When required by the Department, the water user shall install, maintain and operate an inline flow meter or other suitable device for measuring and recording the quantity of water diverted. 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.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

This certificate is issued to confirm a change in PLACE OF USE approved by an order of the Water Resources Director entered January 22, 2009, at Special Order Volume 77, Page 107, approving Transfer Application T-9461, and together with Certificate 82867, supersedes Certificate 75630, State record of Water Right Certificates.

Issued MAY 10 2024



Dwight French
Water Right Services Division Administrator, for
Douglas E. Woodcock, Acting Director
Oregon Water Resources Department

TRANSFER

Memo- Proof to Satisfaction

Transfer App # T-9461	
WRD Reviewer (CW) Breck F-C	Date: Feb. 24
WRD Peer Reviewer (PR) holmes	Date: Mar 24 - agree final (amend map)

ORIGINAL CERT:	CHANGE REQUESTED:				RR Cert:
43774	<input checked="" type="checkbox"/> POU	<input checked="" type="checkbox"/> POD/POA	<input checked="" type="checkbox"/> APOD/APOA	<input type="checkbox"/> USE	
57916	<input type="checkbox"/> POU	<input checked="" type="checkbox"/> POD/POA	<input type="checkbox"/> APOD/APOA	<input type="checkbox"/> USE	
75630	<input checked="" type="checkbox"/> POU	<input type="checkbox"/> POD/POA	<input type="checkbox"/> APOD/APOA	<input type="checkbox"/> USE	82867
	<input checked="" type="checkbox"/> POU	<input type="checkbox"/> POD/POA	<input type="checkbox"/> APOD/APOA	<input type="checkbox"/> USE	

2B. 7Ac 0.359cfs
123.8Ac 1.55 cfs
6.3Ac 0.08cfs

PREPARATION:

CW	PR	RESEARCH:			
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> CBU Report/Map	<input checked="" type="checkbox"/> Transfer Order Ord 77 Vol 107 Issued Date 1/22/2009	<input type="checkbox"/> Assignment	<input type="checkbox"/> Transfer Extension
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Electronic Folder:			
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Create CBU folder	<input checked="" type="checkbox"/> Create Work Packet Folder		
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	SCAN: Above documents into "CBU Folder"			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	SAVE: other documents in "Work Packet Folder"			
		<input checked="" type="checkbox"/> Certificate(s)	<input checked="" type="checkbox"/> Transfer App Maps (To/From)	<input type="checkbox"/>	
		<input checked="" type="checkbox"/> OrMap Tax Lot Map	<input checked="" type="checkbox"/> Ownership Report	<input checked="" type="checkbox"/> BLM Cadastral Survey	<input type="checkbox"/> GW Logs
		<input type="checkbox"/> GW Conditions	<input type="checkbox"/> Mitigation	<input type="checkbox"/> POU Report (conflict) [POU ONLY]	<input type="checkbox"/> Others:
<input checked="" type="checkbox"/>	<input type="checkbox"/>	SEARCH:			
		<input checked="" type="checkbox"/> Interactive Mapper	<input type="checkbox"/> AOI	<input checked="" type="checkbox"/> Map and TaxLot ID 2517E00-00-00100, 200	<input type="checkbox"/> Receiving LO:
				New Landowner: 2517E00-00-00400	

REVIEW OF CLAIM:

ORDER REQ'D	CERTIFICATE REQ'D	COMPLIED YES/NO	CONDITIONS:	NOTES:
<input type="checkbox"/> Y <input type="checkbox"/> N/A	<input type="checkbox"/> Y <input type="checkbox"/> N/A	<input type="checkbox"/> Y <input type="checkbox"/> N	Fish Condition	
<input checked="" type="checkbox"/> Y <input type="checkbox"/> N/A	<input type="checkbox"/> Y <input type="checkbox"/> N/A	<input type="checkbox"/> Y <input type="checkbox"/> N	Meter/Measuring Device	
<input type="checkbox"/> Y <input type="checkbox"/> N/A	<input type="checkbox"/> Y <input type="checkbox"/> N/A	<input type="checkbox"/> Y <input type="checkbox"/> N	Water Use Reporting	
<input type="checkbox"/> Y <input type="checkbox"/> N/A	<input type="checkbox"/> Y <input type="checkbox"/> N/A	<input type="checkbox"/> Y <input type="checkbox"/> N	SWL (Month)	
<input type="checkbox"/> Y <input type="checkbox"/> N/A	<input type="checkbox"/> Y <input type="checkbox"/> N/A	<input type="checkbox"/> Y <input type="checkbox"/> N	Dedicated MMS tube	
<input type="checkbox"/> Y <input type="checkbox"/> N/A	<input type="checkbox"/> Y <input type="checkbox"/> N/A	<input type="checkbox"/> Y <input type="checkbox"/> N	Well Id	
<input type="checkbox"/> Y <input type="checkbox"/> N/A	<input type="checkbox"/> Y <input type="checkbox"/> N/A	<input type="checkbox"/> Y <input type="checkbox"/> N	Other:	
<input type="checkbox"/> Y <input type="checkbox"/> N/A	<input type="checkbox"/> Y <input type="checkbox"/> N/A	<input type="checkbox"/> Y <input type="checkbox"/> N	C-date: Oct. 1, 2010	EXT C-Date: Well 6 drilled in 2003

REVIEW OF MAP: (Only the changes approved)

CW	PR		Notes:
<input type="checkbox"/>	<input type="checkbox"/>	Verify POA/POD Location (New Only)	
<input type="checkbox"/>	<input type="checkbox"/>	Verify POU (New only)	Revised map required POU cert. 75630
<input type="checkbox"/>	<input type="checkbox"/>	POU clearly identified by Use Type/Certificate	incorrectly listed as 43774 (6.3ac)
<input type="checkbox"/>	<input type="checkbox"/>	DLC/GOV'T LOT	
		<input type="checkbox"/> Original Cert Map for unchanged POU/POD/POA (Attached for Peer Reviewer/Data)	<input type="checkbox"/> Note Maps for Reference

POD/POA/APOD/POA ONLY: RUN CAPACITY CALCULATOR AND SAVE CALCS TO APPLICATION FOLDER:

POD/POA-NEW/ADD'T	AUTHORIZED RATE	CLAIM RATE	CALCULATED RATE	NOTES:
well 1	0.439cfs	0.78	0.777	
well 6	1.55cfs	1.55	1.553	

DETERMINATION:

CW	PR	DOCUMENT	NOTES:
<input type="checkbox"/>	<input type="checkbox"/>	LETTER FOR CLARIFICATION	
<input type="checkbox"/>	<input type="checkbox"/>	DRAFT (PLEASE EXPLAIN)	
<input type="checkbox"/>	<input type="checkbox"/>	PROPOSED	
<input type="checkbox"/>	<input type="checkbox"/>	FINAL	
<input type="checkbox"/>	<input type="checkbox"/>	PROPOSED ORDER TO CANCEL	

FINAL CHECKS: Review your document; BEFORE printing proposed for Support

CW	PR	DID YOU CHECK?	NOTES:
<input type="checkbox"/>	<input type="checkbox"/>	DATA REVIEW	
		<input type="checkbox"/> POA/POD/DAM TABLES/DESCRIPTIONS	<input type="checkbox"/> PLACE OF USE TABLES, INCLUDING ACRES FOR GOV'T LOTS/DLC
<input type="checkbox"/>	<input type="checkbox"/>	SPELL CHECK DOC	
<input type="checkbox"/>	<input type="checkbox"/>	MAPS: Identified for Reference	
<input type="checkbox"/>		CERT NUMBER ISSUED:	
		Original Cert # App	New Cert #
		Original Cert # App	New Cert #
		Original Cert # App	New Cert #
		Original Cert # App	New Cert #

EXTRAS: BEFORE Printing your Final Certificate

CW	PR	DID YOU CHECK?	NOTES:
<input type="checkbox"/>	<input type="checkbox"/>	DATA REVIEW COMMENTS UPDATED	
<input type="checkbox"/>	<input type="checkbox"/>	SPELL CHECKED DOC	

CASEWORKER REVIEW COMMENTS:

PEER REVIEWER COMMENTS:

map- amended

*C 43774 A POA POA
Well 2 = 23.2 AC POA
(A POA -> 5.5 / POA)
0.4 AC / 0.001 CFS missing (No R.R.)*

Amended map ->

*C 57916 A POA
Well 1 -> Well 6*

C 75630 A POA

*Corrected Reference corner for confirming cert 75630 to "SE" corner see 2. PL
4/15/24*

STATE OF OREGON
COUNTY OF LAKE
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

WHITE SAGE FARMS, INC.
645 NW DIVISION
BEND, OREGON 97701

JOHN HANCOCK MUTUAL LIFE INSURANCE COMPANY
BOX 1087
TWIN FALLS, ID 83303-1087

confirms the right to use the waters of WELL #1 in the FORT ROCK BASIN for the purpose of IRRIGATING 123.8 ACRES.

The right has been perfected under Permit G-6678. The date of priority is JULY 31, 1975. The right is limited to not more than 1.55 cubic feet per second or its equivalent in case of rotation, measured at the well.

The well is located as follows:

SE 1/4 NE 1/4, SECTION 1, T 25 S, R 17 E, W.M.;
1370 FEET SOUTH & 20 FEET WEST FROM NE CORNER SECTION 1.

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-EIGHTIETH 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 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

The right 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, and to which such right is appurtenant, is as follows:

LOT 1 (NE 1/4 NE 1/4)	12.7 ACRES
LOT 2 (NW 1/4 NE 1/4)	12.3 ACRES
SW 1/4 NE 1/4	37.8 ACRES
SE 1/4 NE 1/4	38.2 ACRES
NE 1/4 SE 1/4	11.9 ACRES
NW 1/4 SE 1/4	10.9 ACRES
SECTION 1	
TOWNSHIP 25 SOUTH, RANGE 17 EAST, W.M.	

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

WITNESS the signature of the Water Resources Director,
affixed this date NOVEMBER 9, 1988.

/s/ WILLIAM H. YOUNG
Water Resources Director

Recorded in State Record of Water Right Certificates numbered 57916

G-7059

X-9461 a pou/APDA



Oregon

Tina Kotek, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

www.oregon.gov/owrd

October 2, 2023

Gayln Roth
PO Box 706
Christmas Valley, OR 97461

On September 22, 2023, the Water Resources Department received the Claim of Beneficial Use (COBU) for the following file:

Application T-9461

The COBU included a report and map. In the future the Department will review your submittal. At that time we will review these items and provide a final certificate, proposed certificate, or a request for additional information.

If you are interested in having your COBU reviewed sooner, you may pay to have your file processed immediately, using the Reimbursement Authority program, which is described at: <https://www.oregon.gov/owrd/programs/WaterRights/RA/Pages/default.aspx>

Customer Service phone: (503) 986-0900

If you sell the property, please contact the Department, or have the new owners contact the Department about the need to file an assignment.

Cc: file T-9461

Checklist for Claims of Beneficial Use Received at CSG Counter

Application #:	WRD Reviewer: Corie
Transfer #: T-9461	
Date Received: 9/22/23	
CWRE Name: Darryl Anderson	
Priority Date (s): 4/27/1970, 7/31/1975, 12/4/1975	

Fees Required:

- YES NO A fee of \$230 must accompany this form for permits with priority dates of July 9, 1987, or later.
- YES NO A fee of \$230 must accompany this form for any transfers including a water right with a priority date of July 9, 1987, or later.
 Example – A transfer involves 5 rights and one of the rights has a priority date of July 9, 1987, or later, the fee is required.

Fill in App or Transfer Number

Map Review:

- Map on polyester film (OAR 690-014-0170(1) & 310-0050(1)(b))
- Application & permit #; or transfer # (OAR 690-014-0100(1))
- Disclaimer (OAR 690-014-0170(5))
- North arrow (OAR 690-310-0050(2)(c))
- CWRE stamp and signature (OAR 690-014 & 310-0050)
- Appropriate scale (1" = 1320', 1" = 400', or the original full-size scale of the county assessor map) (014 & 310)
- Township, range, section, and tax lot numbers (OAR 690-310-0050(4))

MONEY SLIP

DATE: _____ RECEIPT #: _____

RECEIVED FROM: _____ APPLICATION: _____
 FROM: _____ PERMIT: _____
 TRANSFER: _____

6184 CHECK # _____ OTHER (IDENTIFY) _____ TOTAL RECEIPT \$ _____

6183 DEPOSIT 6185 MISC. CHRG BY BODY

6187 COPIES _____
 OTHER (IDENTIFY) _____

6183 Interest Line _____ 6204 Min. Water Right Fee _____ 6205 Cont. Fee _____

6181 INSURANCE _____ 6176 WMO OPERATING ACCT. _____

6187 MISCELLANEOUS _____
 COPY & TAPE FEES 4611 _____
 6183 PERMITS FEES _____
 6185 MISC. RECEIVING (IDENTIFY) _____
 6242 DEPOSIT (LAB. IDENTIFY) _____
 6240 EXTENSION OF TIME _____

WATER RIGHTS

6201 SURFACE WATER	EXAM FEE	6202	RECORD FEE
6202 GROUND WATER		6204	
6203 TRANSFER			

WELL CONSTRUCTION

6218 WELL DRILL CONSTRUCTION	EXAM FEE	6219	RECORD FEE
6220 LITHOLOGICAL REPORT		6221	
OTHER (IDENTIFY)			

0200 _____ COBU _____ \$220.00

6182 LIABILITY _____ 6181 WMO OPERATING ACCT. _____

6221 POWER LICENSE FEE (P/W/WR) _____ LIC NUMBER _____
 6222 HYDRO LICENSE FEE (P/W/WR) _____

HYDRO APPLICATION _____

SPECIAL INSTRUCTIONS:

RETURN TO APPLICANT - LETTER ATTACHED

Report Review:

- On form provided by the Department (OAR 690-014-0100(1))
- Application & permit #; or transfer # (OAR 690-014)
- Ownership information (OAR 690-014)
- Date of survey (OAR 690-014)
- Person interviewed (OAR 690-014)
- County (OAR 690-014)
- CWRE stamp and signature (OAR 690-014-0100)
- Signature(s) of all permittee of transfer holder (OAR 690-014-0100)

Groundwater File Review:

- Pump Test not required (Priority Date prior to December 20, 1988) *If no, include pump test flyer w/acknowledgment letter
- Pump Test required (Priority Date on or after December 20, 1988)
- Pump Test submitted
- Pump Test not submitted

CLAIM OF BENEFICIAL USE for Transfer with Multiple Changes - Groundwater



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.oregon.gov/OWRD

A fee of \$230 must accompany this form for any Transfer final orders including a water right with a priority date of July 9, 1987, or later.

Example – A transfer involves 5 rights and one of the rights has a priority date of July 9, 1987, or later, the fee is required.

A separate form shall be completed for each transfer.

This form is subject to revision. **Begin each new claim** by checking for a new version of this form at: <https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>

The completion of this form is required by OAR 690-014-0100(1) and 690-014-0110(4).

Please type or print in dark ink. If this form is found to contain errors or omissions, it may be returned to you. **Every item must have a response.** If any requested information does not apply to the claim, insert "NA." **Do not delete or alter any section of this form unless directed by the form.** The Department may require the submittal of additional information from any water user or authorized agent.

"Section 7" of this form is intended to aid in the completion of this form and should not be submitted.

A claim of beneficial use includes both this report and a map. If the map is being mailed separately from this form, please include a note with this form indicating such.

If you have questions regarding the completion of this form, please call 503-979-9103.

The Department has a program that allows it to enter into a voluntary agreement with an applicant for expedited services. Under such an agreement, the applicant pays the cost to hire additional staff that would not otherwise be available. This program means a certificate may be issued in about a month. For more information on this program see:

<https://www.oregon.gov/OWRD/programs/WaterRights/RA/Pages/default.aspx>

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GENERAL INFORMATION

Type of Authorized Change

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This Claim is being submitted for a transfer involving multiple changes.

YES

Mark all that apply:

- 1. Change in POA(s) or Additional POA(s)
- 2. Change in Place of Use
- 3. Change in Character of Use

A separate section will be completed for each type of change authorized in the transfer final order.

1. File Information

APPLICATION # T-9461

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2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME Roth Back Acre Land Company, Inc		PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS P.O. Box 55			
CITY Christmas Valley	STATE OR	ZIP 97641	E-MAIL

If the current property owner is not the transfer holder of record, it is recommended that an assignment be filed with the Department. ***Each transfer holder of record must sign this form.***

3. Transfer holder of record (this may, or may not, be the current property owner)

TRANSFER HOLDER OF RECORD Gayln Roth			
ADDRESS P.O. Box 706			
CITY Christmas Valley	STATE OR	ZIP 97461	

4. Date of Site Inspection:

6/13/2023

5. Person(s) interviewed and description of their association with the project:

NAME	DATE	ASSOCIATION WITH THE PROJECT
Dwight Roth	6/13/2023	

6. County:

Lake

7. If any property described in the place of use of the transfer final order is excluded from this report, identify the owner of record for that property (ORS 537.230(5)):

OWNER OF RECORD NA		
ADDRESS		
CITY	STATE	ZIP

Add additional tables for owners of record as needed

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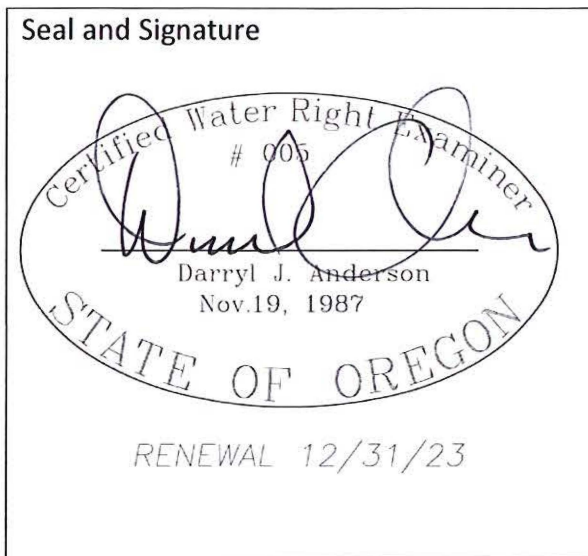
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**SECTION 2
SIGNATURES**

CWRE Statement, Seal and Signature

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge.



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CWRE NAME Darryl Anderson		PHONE NO. 541-947-4407	ADDITIONAL CONTACT NO.	
ADDRESS 17681 Highway 395				
CITY Lakeview	STATE OR	ZIP 97630	CITY Lakeview	

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Transfer Holder of Record Signature or Acknowledgement

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Each transfer holder of record must sign this form in the space provided below.

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The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge. I request that the Department issue a water right certificate.

SIGNATURE	PRINT OR TYPE NAME	TITLE	DATE
<i>Dwight Roth</i>	DWIGHT ROTH	MANAGER	8-21-2023
<i>David Roth</i>	DAVID ROTH		9-20-23
<i>Galyn Roth</i>	GALYN ROTH		9-20-23

SECTION 3
Changes Made

Note: The Claim only needs to describe the changes that were authorized in the transfer final order.

Change #1

Change in POA(s) or Additional POA(s)

Did the transfer order authorize a change in the points of appropriation or additional points of appropriation? **YES**

1. New or additional point of appropriation name or number:

POINT OF APPROPRIATION (POA) NAME OR NUMBER (CORRESPOND TO MAP)	WELL LOG ID # FOR ALL WORK PERFORMED ON THE WELL (IF APPLICABLE)	WELL TAG # (IF APPLICABLE)	SOURCE (IF LISTED IN TRANSFER FINAL ORDER)
Well 1	LAKE 210	NA	Fort Rock Basin
Well 6	LAKE 51364	L-60428	Fort Rock Basin

Attach each well log available for the well (include the log for the original well and any subsequent alterations, reconstructions, or deepenings)

If well logs are available, items A and B below can be deleted

A. If well logs are not available, provide as much of the following information as possible:

CASING DIAMETER	CASING DEPTH	TOTAL DEPTH	COMPLETION DATE OF ORIGINAL WELL	COMPLETION DATES OF ALTERATIONS	WHO THE WELL WAS DRILLED FOR	WELL DRILLED BY
12"	0-58	125	07/10/75	NA	Hui Ranch Inc	Maywell Drilling
14"	+1-63	186	02/05/03	NA	Gayln Roth	Search Drilling

B. In addition to the information requested in item "A" above, provide any other information which may help the Department locate any well logs associated with this appropriation.

Well logs LAKE 210 and LAKE 51364 attached

2. Variations:

Was the use developed differently from what was authorized by the transfer final order, or extension final? **NO**

If yes, describe below.

(e.g. "The order allowed three new/additional points of appropriation. The water user only developed one of the points.")

No variations from transfer order.

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3. Claim Summary:

NEW OR ADDITIONAL POA NAME OR #	MAXIMUM RATE AUTHORIZED	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED
Well 1	0.439 cfs		NA
Well 6	1..55 cfs	1.55 cfs	NA

System Description

Are there multiple new or additional Points of Appropriation (POA)? **YES**

If "YES" you will need to copy and complete either Section A or B in this Section for each POA.

POA Name or Number this section describes (only needed if there is more than one):

Well 1

A. POA System Information

Provide the following information concerning the point of appropriation. Information provided must describe the equipment used to appropriate water from the point of appropriation.

1. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
NA	NA	NA	turbine	8"	6"

2. Motor Information

MANUFACTURER	HORSEPOWER
Newman Electric Motor	25

3. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *IF A WELL, THE WATER LEVEL DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
25	40	125	0	0.78

4. Provide pump calculations:

See Attached

5. Measured Pump Capacity (using meter if meter was present and system was operating)

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
NA			

Reminder: For pump calculations use the reference information at the end of this document.

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6. Additional notes or comments related to the system:

Well 1 supplies water to other water rights, so the flows are higher than what is listed on the final order.

B. Groundwater Source Information (Well and Sump)

1. Is the appropriation from a dug well (sump)? NO

POA Name or Number this section describes (only needed if there is more than one):

Well 6

A. POA System Information

Provide the following information concerning the point of appropriation. Information provided must describe the equipment used to appropriate water from the point of appropriation.

1. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Worthington Vertical Pump Corp.	10H75-4	VTP-51750	Turbine	6	8

2. Motor Information

MANUFACTURER	HORSEPOWER
US Motors	50

3. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *If a well, the water level during pumping	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
50	40	125	0	1.55

4. Provide pump calculations:

See Attached

5. Measured Pump Capacity (using meter if meter was present and system was operating)

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
NA			

Reminder: For pump calculations use the reference information at the end of this document.

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6. Additional notes or comments related to the system:

NA

B. Groundwater Source Information (Well and Sump)

1. Is the appropriation from a dug well (sump)?

NO

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Change #2

Change in Place of Use

Did the transfer order authorize a change in the place of use?

YES

If "NO", this Section can be deleted.

1. Claim Summary – Authorized Use:

If Irrigation or Nursery Use:

THE # OF ACRES ALLOWED	THE # OF ACRES DEVELOPED
5.5	5.5

If the new use(s) was not irrigation or nursery:

NEW USE(S)	WAS THE NEW PLACE OF USE DEVELOPED TO THE FULL EXTENT AUTHORIZED UNDER THE ORDER? (INCLUDE THE LOCATION OF THE DEVELOPED PLACE USE ON THE CLAIM MAP)
NA	
NA	

2. Variations:

Was the use developed differently from what was authorized by the transfer final order? NO

If yes, describe below.

(e.g. "The order authorized a change in place of use for 40 acres. The water user only developed 38 acres.")

NA

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Change #3

Change in Character of Use

Did the transfer order authorize a change in character of use? NO

SECTION 4

CONDITIONS

All conditions contained in the transfer final order, or any extension final order shall be addressed. Reports that do not address all performance related conditions will be returned.

1. Time Limits:

Describe how the water user has complied with each of the development timelines established in the transfer final order and any extensions of time issued for the transfer:

	DATE FROM TRANSFER	DATE THE AUTHORIZED CHANGES WERE COMPLETED *THIS DATE MUST FALL BETWEEN THE "ISSUANCE DATE" AND THE "COMPLETENESS DATE"
ISSUANCE DATE	1/22/2009	
COMPLETENESS DATE FROM ORDER (C)	10/1/2010	Well 6 drilled in 2003

* MUST BE WITHIN PERIOD BETWEEN TRANSFER FINAL ORDER, OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO COMPLETE THE CHANGE

2. Is there an extension final order(s)? NO

3. Measurement Conditions:

a. Does the transfer final order, or any extension final order require the installation of a meter or other approved measuring device? NO

4. Recording and reporting conditions

a. Is the water user required to report the water use to the Department? NO

5. Other conditions required by the transfer final order or extension final order:

a. Were there special well construction standards? NO

b. Was submittal of a ground water monitoring plan required? NO

c. Other conditions? NO

If "YES" to any of the above, identify the condition and describe the water user's actions to comply with the condition(s):

NA

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SECTION 5
ATTACHMENTS

Provide a list of any additional documents you are attaching to this report:

ATTACHMENT NAME	DESCRIPTION
COBU Map	Claim of Beneficial Use map
Photos	Site photos
Well Logs	Well logs for Wells 1 and 6
Pump Capacity Calculation Sheet - Well 1	Pump capacity calculations for Well 1
Pump Capacity Calculation Sheet - Well 6	Pump capacity calculations for Well 6

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SECTION 6

CLAIM OF BENEFICIAL USE MAP

The Claim of Beneficial Use Map must be submitted with this claim. Claims submitted without the Claim of Beneficial Use map will be returned. The map shall be submitted on poly film at a scale of 1" = 1320 feet, 1" = 400 feet, or the original full-size scale of the county assessor map for the location.

The changes that were authorized under the transfer final order must be mapped based on the developed locations; new or additional points of appropriation and place of use.

In cases where the order involved additional points of appropriation, the additional points should be mapped based on their developed locations. The original points of appropriation should be mapped based on the original right of record at the time the transfer final order was issued.

In cases where the order involved changing the place of use for a portion of a water right, the portion of the place of use being changed should be mapped based on the developed location. If the transfer also included portions of the place of use that were not being modified, but were receiving a new or additional point of appropriation, the place of use for those lands should be mapped based on the original right of record at the time the transfer final order was issued.

Provide a general description of the survey method used to prepare the map. Examples of possible methods include, but are not limited to, a traverse survey, GPS, or the use of aerial photos. If the basis of the survey is an aerial photo, provide the source, date, series and the aerial photo identification number.

Survey performed with Real Time GPS – Corner tie is a County Surveyor brass cap located at the northeast corner of Section 2, T25S 17E, W.M.

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Map Checklist

Please be sure that the map you submit includes ALL the items listed below.
(Reminder: Incomplete maps and/or claims may be returned.)

- Map on polyester film
- Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-size scale of the county assessor map)
- Township, Range, Section, Donation Land Claims, and Government Lots
- If irrigation, number of acres irrigated within each projected Donation Land Claims, Government Lots, Quarter-Quarters
- Locations of fish screens and/or fish by-pass devices in relationship to point of diversion
- Locations of meters and/or measuring devices in relationship to point of diversion or appropriation
- Conveyance structures illustrated (pumps, reservoirs, pipelines, ditches, etc.)
- Point(s) of diversion or appropriation (illustrated and coordinates)
- Tax lot boundaries and numbers
- Source illustrated if surface water
- Disclaimer ("This map is not intended to provide legal dimensions or locations of property ownership lines")
- Application and permit number or transfer number
- North arrow
- Legend
- CWRE stamp and signature

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SECTION 7
REFERENCE INFORMATION FOR CWRE USE
(Please DO NOT submit these pages.)

Additional information is available at:

<https://www.oregon.gov/OWRD/programs/WaterRights/COBU/Pages/default.aspx>

Go to "Resources for Water Right Examiners (CWRE)" Page

MS Word Hints

To add rows to a table, click outside the table on the far right and hit enter.

← Place cursor here and hit return to add a row

To resolve page numbering issues, go to print preview. Page through the entire document (while in print preview), then print from print preview.

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Common Calculations

The Department typically uses the following calculations to determine system capacities; many of which are available to download from the Department's Web Site.

Pumps:

$$Q \text{ Pump} = \frac{(\text{horsepower})(\text{pump efficiency})}{(\text{total head in feet})} = Q \text{ in cfs}$$

Efficiency factors:

NOTE: Pump efficiency factor for centrifugal pump (75%) = 6.61
 Pump efficiency factor for turbine pump (80%) = 7.04

Centrifugal Pump, 75% eff. $\frac{(550 \text{ ft lb/sec/Hp})(.75)}{(62.4 \text{ lb/cu ft})} = 6.61 \text{ ft}^4/\text{sec/Hp}$

Turbine & Submersible Pumps, 80% eff. $\frac{(550 \text{ ft lb/sec/Hp})(.80)}{(62.4 \text{ lb/cu ft})} = 7.04 \text{ ft}^4/\text{sec/Hp}$

Total head is the sum of suction lift, pressure head, and discharge lift.

If the operating pressure is not measured, varying the assumed operational pressure in the above formulas until the calculated outputs are equal, or nearly so, will generally give the most correct theoretical capacity of the system.

Efficiencies have been assumed to be 75% for centrifugal pump installations and 80% for turbine or submersible pumps. See the list below of converted psi's to feet of head. These figures account for minor friction losses. If the system involves unusually long pipelines friction losses should be accounted for by using standard charts and formulas.

Refer to the conversion table below to compute PSI to head for pump pressure in feet.

$$[(\text{psi}/.433)(1.1)] = \text{head (in feet/psi)} = 2.54 \text{ feet head/psi}$$

PSI	HEAD	PSI	HEAD
25	63.5	55	139.7
30	76.2	60	152.4
35	88.9	65	165.1
40	101.6	70	177.8
45	114.3	75	190.5
50	127.0	80	203.2

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STATE OF OREGON WATER SUPPLY WELL REPORT (as required by ORS 537.765)

WELL I.D. # L 664128 START CARD # 153702

Instructions for completing this report are on the last page of this form.

(1) LAND OWNER Name Galyn Roth Well Number Address PO Box City CHRISTMAS VALLEY State OR Zip 97601

(2) TYPE OF WORK [X] New Well [] Deepening [] Alteration (repair/recondition) [] Abandonment

(3) DRILL METHOD: [X] Rotary Air [] Rotary Mud [] Cable [] Auger [] Other

(4) PROPOSED USE: [] Domestic [] Community [] Industrial [X] Irrigation [] Thermal [] Injection [] Livestock [] Other

(5) BORE HOLE CONSTRUCTION: Special Construction approval [] Yes [X] No Depth of Completed Well 186 ft. Explosives used [] Yes [X] No Type Amount

Table with columns for HOLE Diameter, From, To, Material, and SEAL From, To, Sacks or pounds. Includes handwritten entries for 19", 14", 11" diameters and cement, bentonite materials.

How was seal placed: Method [] A [] B [X] C [] D [] E [] Other

Backfill placed from 40 ft. to 25 ft. Material Gravel placed from ft. to ft. Size of gravel

(6) CASING/LINER: Diameter, From, To, Gauge, Steel, Plastic, Welded, Threaded. Drive Shoe used [] Inside [] Outside [] None

(7) PERFORATIONS/SCREENS: [] Perforations [] Screens. Method, Type, Material. Table with columns for From, To, Slot size, Number, Diameter, Tele/pipe size, Casing, Liner.

(8) WELL TESTS: Minimum testing time is 1 hour. [] Pump [] Bailer [X] Air [] Artesian. Yield gal/min, Drawdown, Drill stem at, Time.

Temperature of water 54° Depth Artesian Flow Found Was a water analysis done? [] Yes [] No By whom Did any strata contain water not suitable for intended use? [] Too little [] Salty [] Muddy [] Odor [] Colored [] Other Depth of strata:

(9) LOCATION OF WELL by legal description: County Lane Latitude Longitude Township 25 N or S Range 17 E or W. WM. Section 1 NW 1/4 NW 1/4 Tax Lot 200 Lot Block Subdivision Street Address of Well (or nearest address) SINUS RD 90 TO END TURN LEFT 1/2 mile

(10) STATIC WATER LEVEL: 47 ft. below land surface. Date 2-5-03 Artesian pressure lb. per square inch Date

(11) WATER BEARING ZONES: Depth at which water was first found. Table with columns: From, To, Estimated Flow Rate, SWL. Includes handwritten entry: 70, 186, 1500+, 47.

(12) WELL LOG: Ground Elevation. Table with columns: Material, From, To, SWL. Includes handwritten entries: TOP SOIL, Tan clay, Blue clay, Gray Lava rock, Black lava rock, Broken lava rock, Red cedar, Black lava rock, Red cedar.

RECEIVED MAR 07 2003 WATER RESOURCES DEPT SALEM, OREGON

RECEIVED AUG 25 2023 OWRD

Date started 1-26-03 Completed 2-5-03

(unbonded) Water Well Constructor Certification: I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief. WWC Number Signed Date

(bonded) Water Well Constructor Certification: I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief. WWC Number 16541 Signed Date 3-4-03

NOTICE TO WATER WELL CONTRACTOR

The original and first copy of this report are to be filed with the

WATER WELL REPORT

RECEIVED

STATE ENGINEER, SALEM, OREGON 97310 within 30 days from the date of well completion.

STATE OF OREGON

(Please type or print)

(Do not write above this line)

State Well No.

State Permit No.

JUN 29 1976

255/176-20

WATER RESOURCES DEPT.

(1) OWNER:

Name HUI RANCH INC. Address CHRISTMAS VALLEY ORE. PO BOX

(2) TYPE OF WORK (check):

New Well [X] Deepening [] Reconditioning [] Abandon []

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary [] Driven [] Cable [X] Jetted [] Bored []

(4) PROPOSED USE (check):

Domestic [] Industrial [] Municipal [] Irrigation [X] Test Well [] Other []

(5) CASING INSTALLED:

12" Diam. from 0 ft. to 5.8 ft. Gage 250. Threaded [] Welded [X]

(6) PERFORATIONS:

Perforated? [] Yes [X] No.

Type of perforator used

Size of perforations in. by in. perforations from ft. to ft.

(7) SCREENS:

Well screen installed? [] Yes [X] No

Manufacturer's Name Type Model No. Diam. Slot size Set from ft. to ft.

(8) WELL TESTS:

Drawdown is amount water level is lowered below static level

Was a pump test made? [] Yes [X] No If yes, by whom? gal./min. with ft. drawdown after hrs.

(9) CONSTRUCTION:

Well seal—Material used BENTONITE Well sealed from land surface to 5.8 ft. Diameter of well bore to bottom of seal 16 in.

(10) LOCATION OF WELL:

County LAKE Driller's well number SE 1/4 NE 1/4 Section 2 T. 258 R. 17E W.M.

(11) WATER LEVEL: Completed well.

Depth at which water was first found 35 ft. Static level 27 ft. below land surface. Date 7-10-75

(12) WELL LOG:

Diameter of well below casing 12 Depth drilled 125 ft. Depth of completed well 125 ft. Formation: Describe color, texture, grain size and structure of materials;

Table with columns: MATERIAL, From, To, SWL. Rows include CLAY, SHALE-LOOSE-CAY, ROCK-BLUE, ROCK-BLACK.

Work started 6-24 1975 Completed 7-10 1975 Date well drilling machine moved off of well 7-10 1975

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.

[Signed] Harry May Date 7-15, 1975 (Drilling Machine Operator) Drilling Machine Operator's License No. 307

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

Name MAYWELL DRILLING (Person, firm or corporation) Address STAR RT. @ILCHRIST ORE. [Signed] Harry May (Water Well Contractor) Contractor's License No. 556 Date 7-15, 1975

Pump Capacity Calculation Sheet - Well 1

using Department designed formula:

$$(\text{hp})(\text{efficiency}) / (\text{lift} + \text{psi head}) = \text{capacity in cfs}$$

Efficiency:

Centrifugal = 6.61

Turbine = 7.04

Data Entry (fill in underlined blanks)

HP = 25
Efficiency = 7.04
Lift = 125
PSI = 40

Results Calculated

(hp)(efficiency) = 176
Head based on psi = 101.6
Total dynamic head = 226.6
(head + lift)

Pump Capacity = 0.78 feet per second

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Pump Capacity Calculation Sheet - Well 6

using Department designed formula:

$$(\text{hp})(\text{efficiency}) / (\text{lift} + \text{psi head}) = \text{capacity in cfs}$$

Efficiency:

Centrifugal = 6.61

Turbine = 7.04

Data Entry (fill in underlined blanks)

HP = 50
Efficiency = 7.04
Lift = 125
PSI = 40

Results Calculated

(hp)(efficiency) = 352
Head based on psi = 101.6
Total dynamic head = 226.6
(head + lift)

Pump Capacity = 1.55 feet per second

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CLAIM OF BENEFICIAL USE

Inspection Photographs

Transfer T-9461

Job: 2023-005
Date: 6/12/2023



Well #1 Place of Use



Well #1 Place of Use

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Anderson Engineering & Surveying, Inc.
P.O. Box 28
17681 Hwy 395
Lakeview, Oregon 97630

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CLAIM OF BENEFICIAL USE
Inspection Photographs
Transfer T-9461

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Job: 2023-005
Date: 6/12/2023



Well #6



Well #6 Tag, Attached to Slab

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Anderson Engineering & Surveying, Inc.
P.O. Box 28
17681 Hwy 395
Lakeview, Oregon 97630

CLAIM OF BENEFICIAL USE
Inspection Photographs
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Job: 2023-005
Date: 6/12/2023



Well #6 Pivot



Well #6 Place of Use

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Anderson Engineering & Surveying, Inc.
P.O. Box 28
17681 Hwy 395
Lakeview, Oregon 97630

CLAIM OF BENEFICIAL USE
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Job: 2023-005
Date: 6/12/2023

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Well #1



Well #1 Pivot

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Anderson Engineering & Surveying, Inc.
P.O. Box 28
17681 Hwy 395
Lakeview, Oregon 97630



Oregon

Tina Kotek, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

www.oregon.gov/owrd

8/28/2023

Galyn Roth
P.O. Box 706
Christmas Valley, OR 97461

RE: Transfer T-9461

Dear Transfer Holder,

The Department has received the Claim of Beneficial Use (CBU) for the above referenced file. With this letter, I am returning your CBU and requesting the following item:

The CBU you recently submitted to the Department is being returned because it was not signed by the permit holder(s) of record as required by OAR 690-014-0100(15). In order for the Department to accept the CBU, you will need to take the following action:

Either assign the permit by having the permit holder(s) of record sign the Assignment form, or provide satisfactory proof of ownership of the land, so that the permit may be assigned to you. Enclosed are the forms necessary to complete the Assignment process.

OR

Have all transfer holders of record sign the Claim of Beneficial use.

If you have any questions concerning the Assignment application or any of the documents that may be required to complete the process, please contact Mary Bjork at 503-979-9895.

Please find enclosed the CBU materials that you recently submitted along with your check in the amount of \$230 (Upon resubmittal, a fee is not required as all priority dates associated with this transfer are before July 9th, 1987). The Department has not retained a copy of your CBU.

If you have any additional questions, please feel free to contact me at 503-986-0811.

Sincerely,

Nick Reece
Public Service Representative

Cc: file T-9461, Darryl Anderson CWRE
Enclosures: Check (5630)

RECEIVED

SEP 22 2023

OWRD

Resubmitted 9-20-23



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

January 26, 2009

GALYN ROTH
PO BOX 706
CHRISTMAS V OR 97641

REFERENCE: Transfer Application T-9461

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

The time allowed to complete the transfer is specified in the final order. YOU SHOULD GIVE PARTICULAR ATTENTION TO THE TIME LIMIT. The water right for any portion of the authorized change in character of use or change in place of use NOT carried out within the time allowed will be lost.

An extension of the time limit can be allowed only upon a showing that diligent effort has been made to complete the actual change(s) within the time allowed.

You are required to hire a Certified Water Rights Examiner (CWRE) to complete a Claim of Beneficial Use report and map which must be submitted to this Department within one year of the date you complete the change(s) or within one year of the completion date authorized in the transfer final order, whichever occurs first.

If you have any questions related to the approval of this transfer, you may contact me by telephone at (503) 986-0883 or by e-mail at Sarah.A.Henderson@wrд.state.or.us.

Sincerely,

Sarah Henderson
Executive Support
Field Services Division

cc: Watermaster Dist. #12
Bruce Estes, CWRE

Enclosure

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

Certificate: 43774 in the name of FELIX A FRAZEE (perfected under Permit G-4904)
Use: IRRIGATION of 28.7 ACRES
Priority Date: APRIL 27, 1970
Rate: 0.359 CUBIC FOOT PER SECOND
Limit/Duty: ONE-EIGHTIETH 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 3.0 acre feet per acre for each acre irrigated during the irrigation season of each year
Source: WELL 2 in the PAULINA MARSH BASIN (FORT ROCK BASIN)

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
25 S	17 E	WM	11	NE NE	4700 FEET SOUTH AND 580 FEET WEST FROM THE NE CORNER OF SECTION 2

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres for change in point of appropriation	Acres for additional point of appropriation and change in place of use
25 S	17 E	WM	2	SW SE	-	0.1
25 S	17 E	WM	2	SE SE	4.4	5.4
25 S	17 E	WM	11	NE NE	18.8	-
Total					23.2	5.5

4. Transfer Application T-9461 proposes to move the authorized point of appropriation of 23.2 acres described in Finding of Fact No. 3 approximately 200 feet from the authorized point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
25 S	17 E	WM	2	SE SE	100 FEET NORTH AND 630 FEET WEST FROM THE SE CORNER OF SECTION 2.

5. Transfer Application T-9461 proposes an additional point of appropriation for 5.5 acres described in Finding of Fact No. 3 approximately 200 feet from the authorized point of appropriation located:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
25 S	17 E	WM	2	SE SE	100 FEET NORTH AND 630 FEET WEST FROM THE SE CORNER OF SECTION 2.

6. Transfer Application T-9461 also proposes to change the place of use of the right of 5.5 acres described in Finding of Fact No. 3 to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
25 S	17 E	WM	1	SW SW	0.7
25 S	17 E	WM	2	SE SE	2.4
25 S	17 E	WM	11	NE NE	1.4
25 S	17 E	WM	11	NW NE	1.0
Total					5.5

7. The second right to be transferred is as follows:

Certificate: 57916 in the name of WHITE SAGE FARMS INC. (perfected under Permit G-6678)

Use: IRRIGATION of 123.8 ACRES

Priority Date: JULY 31, 1975

Rate: 1.55 CUBIC FEET PER SECOND

Limit/Duty: ONE-EIGHTIETH 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 3.0 acre feet per acre for each acre irrigated during the irrigation season of each year

Source: WELL 1 in the FORT ROCK BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
25 S	17 E	WM	1	SE NE	1370 FEET SOUTH AND 20 FEET WEST FROM THE NE CORNER OF SECTION 1.

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
25 S	17 E	WM	1	NE NE	1	12.7
25 S	17 E	WM	1	NW NE	2	12.3
25 S	17 E	WM	1	SW NE		37.8
25 S	17 E	WM	1	SE NE		38.2
25 S	17 E	WM	1	NE SE		11.9
25 S	17 E	WM	1	NW SE		10.9

8. Transfer Application T-9461 proposes to move the authorized point of appropriation approximately 1250 feet west from the authorized point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
25 S	17 E	WM	1	SE NE	1380 FEET SOUTH AND 1270 FEET WEST FROM THE NE CORNER OF SECTION 1.

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

Certificate: 75630 in the name of DAVE ROTH (perfected under Permit G-7841)
Use: IRRIGATION of 6.3 ACRES
Priority Date: DECEMBER 4, 1975
Rate: 0.08 CUBIC FOOT PER SECOND
Limit/Duty: ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated and shall be further limited to a diversion not to exceed 3.0 acre feet per acre for each acre irrigated during the irrigation season of each year
Source: WELL 1 in the FORT ROCK BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
25 S	17 E	WM	2	SE SE	100 FEET NORTH AND 630 FEET WEST FROM THE NE CORNER OF SECTION 2.

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
25 S	17 E	WM	2	SE SE	5.9
25 S	17 E	WM	11	NW NE	0.4

10. Transfer Application T-9461 proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
25 S	17 E	WM	12	NW NW	6.3

11. Notice of the application for transfer was published on June 17, 2003, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
12. On June 1, 2006, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-9461 to the applicant. The cover letter for the draft Preliminary Determination set forth a deadline of July 3, 2006, for the applicant to respond.
13. On October 10, 2006, the Department mailed a copy of a revised draft Preliminary Determination proposing to approve Transfer Application T-9461. The revised draft Preliminary Determination corrected errors found in the first draft. The cover letter for the revised draft set forth a deadline of November 13, 2006, for the applicant to respond.
14. On November 6, 2008, the Department issued a preliminary determination proposing to approve Transfer Application T-9461 and mailed a copy to the applicant. Additionally, notice of the preliminary determination for the transfer application was published on the Department's weekly notice on November 11, 2008, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

Transfer Review Criteria (OAR 690-380-4010)

15. Water has been used within the last five years according to the terms and conditions of the rights, and there is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
16. Pumps, pipelines, and sprinkler systems sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-9461.
17. The proposed changes would not result in enlargement of the rights.
18. The proposed change would not result in injury to other water rights.

Conclusion of Law

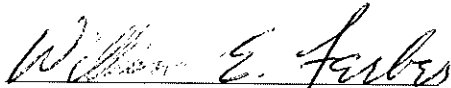
The additional point of appropriation, change in points of appropriation and change in places of use proposed in Transfer Application T-9461 are consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The additional point of appropriation, change in points of appropriation and change in places of use proposed in Transfer Application T-9461 are approved.
2. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 43774, 57916 and 75630, and any related decree.
3. Water Right Certificates 43774, 57916 and 75630 are cancelled. A new certificate will be issued describing that portion of the right described by Certificate 75630 not affected by transfer applications T-9420 and T-9461.
4. Water shall be acquired from the same aquifer (water source) as the original points of appropriation.
5. The quantity of water diverted at the proposed point of appropriation shall not exceed the quantity of water lawfully available at the original point of appropriation.
6. The quantity of water diverted at the proposed additional point of appropriation, together with that diverted at the original point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.
7. The former places of use of the transferred rights shall no longer receive water under the rights.

8. When required by the Department, the water user shall install, maintain and operate an in-line flow meter or other suitable device for measuring and recording the quantity of water diverted. 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. The approved changes shall be completed and full beneficial use of the water shall be made on or before **October 1, 2010**. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
10. When satisfactory proof of the completed changes is received, a new certificate confirming the right transferred will be issued.

Dated at Salem, Oregon this 22 day of January 2009.



Phillip C. Ward, Director

Mailing Date JAN 27 2009

STATE OF OREGON

COUNTY OF

MALHEUR

CERTIFICATE OF WATER RIGHT

This is to certify, That GUM CREEK FARMS INC. and KANSAS CITY
LIFE INSURANCE, COMPANY

of Route 2, Box 2836, Vale, State of Oregon 97918, has made
proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of
Wells 3 and 4

a tributary of Gum Creek, for the purpose of
irrigation of 318.2 acres

under Permit No. G-3167 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
September 7, 1965
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
2.81 cubic feet per second, being 2.03 cfs from Well 3 and 0.78 cfs from Well 4

or its equivalent in case of rotation, measured at the point of diversion from the well. The well is
located in the SW 1/4 NW 1/4, Section 8, T16S, R43E, WM; Well 3 - 2,600
feet South and 980 feet East from NW Corner Section 8, SE 1/4 SW 1/4,
Section 8, T16S, R43E, WM; Well 4 - 240 feet North and 2,170 feet East from SW
Corner Section 8

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-eightieth 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 3 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:

SEE NEXT PAGE

WELL 3

10.5 acres SW 1/4 NW 1/4
 1.0 acre SE 1/4 NW 1/4
 36.2 acres NE 1/4 SW 1/4
 0.5 acre NW 1/4 SW 1/4
 23.1 acres SE 1/4 SW 1/4
 27.6 acres NE 1/4 SE 1/4
 32.7 acres NW 1/4 SE 1/4
 4.3 acres SW 1/4 SE 1/4
 3.8 acres SE 1/4 SE 1/4
 Section 8

1.4 acres SW 1/4 SW 1/4
 Section 9

0.8 acre NW 1/4 NW 1/4
 Section 16

0.1 acre NE 1/4 NE 1/4
 1.0 acre NW 1/4 NE 1/4
 14.2 acres SW 1/4 NE 1/4
 3.9 acres SE 1/4 NE 1/4
 1.1 acres NE 1/4 NW 1/4
 Section 17

Township 16 South, Range 43 East, WM

WELL 4

1.5 acres SE 1/4 SW 1/4
 1.7 acres NE 1/4 SE 1/4
 1.5 acres NW 1/4 SE 1/4
 35.7 acres SW 1/4 SE 1/4
 36.2 acres SE 1/4 SE 1/4
 Section 8

1.8 acres SW 1/4 SW 1/4
 Section 9

0.8 acre NW 1/4 NW 1/4
 Section 16

34.3 acres NE 1/4 NE 1/4
 37.6 acres NW 1/4 NE 1/4
 1.9 acres SW 1/4 NE 1/4
 1.1 acres SE 1/4 NE 1/4
 1.9 acres NE 1/4 NW 1/4
 Section 17

Township 16 South, Range 43 East, WM

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 Water Resources Director, affixed

this date. December 8, 1983

.....William H. Young.....
 Water Resources Director

Water Right Transfer Completion Checklist

T-9461

Transfer Specialist: vlc/pks

Water Rights Affected

App File No.	Permit No.	Certificate No.	RR/CR Needed	RR/CR Nos.
G-5173	G-4904	43774	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
G-7059	G-6678	57916	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
T-7562	G-7841	75630	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	82867

Copies Needed

Watermaster District: 12

CWRE No.: 1

Irrig Dist Name/Address: _____

Commentors Name/Address: _____

Preliminary Determination

- | | |
|--|--|
| <input checked="" type="checkbox"/> Electronic Files uploaded
<input checked="" type="checkbox"/> Preliminary Determination
<input checked="" type="checkbox"/> PD Cover letter
<input checked="" type="checkbox"/> Public Notice
<input checked="" type="checkbox"/> Remaining Rights | <input type="checkbox"/> File Folder updated

<input checked="" type="checkbox"/> Fee Refund Due
<input type="checkbox"/> Newspaper Notice required |
|--|--|

Comments/Special Issues: APOA and ΔPOU for 5.5 acres of and ΔPOA for 23.2 acres of Certificate 43774. ΔPOA for all of Certificate 57916. ΔPOU for a portion of Certificate 75630. Remaining right certificate for Cert 75630 to be issued upon approval of T-9420.

DPD Review (Optional)	PD Review (Salem)	Final Order Review (Salem)
Reviewer: _____ Date: _____	Reviewer: pks Date: 11/13/2006	Reviewer: _____ Date: _____
Coordinator: _____ Date: _____	Coordinator: <u>DPJ</u> Date: <u>11/24/08</u>	Coordinator: _____ Date: _____

PD DPJ 11/4/08

Comments/Special Issues: APOA, POA, POU
RR Cert. 82867 shared with T-9420

Special Order Volume: 77 Pages 107

Final Order Signature Date: 1-22-09

WRIS clone correction needed

Kelly



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

November 10, 2008

Galyn Roth
P.O. Box 706
Christmas Valley, Oregon 97641

SUBJECT: Water Right Transfer Application T-9461

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve Transfer Application T-9461. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department.

A public notice is being published in the Department's weekly publication simultaneously with issuance of the Preliminary Determination. The notice initiates a 30-day period in which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determination or a standing statement supporting the Department's decision.

If no protest is filed, the Department will issue a Final Order consistent with the Preliminary Determination. You should receive a copy of the Final Order about 30 days after the close of the protest period.

If a protest is filed, the application may be referred to a contested case proceeding. A contested case provides an opportunity for the proponents and opponents of the decision proposed in the Preliminary Determination to present information and arguments supporting their position in a quasi-judicial proceeding.

Please do not hesitate to contact me at 503-986-0886 or Patrick.K.Starnes@wrdd.state.or.us if I may be of assistance.

Sincerely,

Kelly Starnes
Northwest Region Transfer Specialist

cc: Brian Mayer, District 12 Watermaster
Bruce Estes CWRE 1

encs

*Pd Noticed
11-11-08*



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

In the Matter of Transfer Application)
T-9461, Lake County)
)
)
)
)
)
)

PRELIMINARY DETERMINATION
PROPOSING APPROVAL OF AN
ADDITIONAL POINT OF
APPROPRIATION, A CHANGE IN
POINTS OF APPROPRIATION, AND A
CHANGE IN PLACES 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 transfer the point of appropriation, place of use, or character of use 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.

Applicant

Galyn Roth
P.O. Box 706
Christmas Valley, Oregon 97641

Findings of Fact

Background

1. On June 5, 2003, Galyn Roth, filed an application for an additional point of appropriation, a change in point of appropriation and a change in place of use under Certificate 43774, a change in point of appropriation under Certificate 57916, and a change in place of use under Certificate 75630. The Department assigned the application number T-9461.
2. On May 31, 2006, the transfer application and map were amended with the approval of Bruce Estes, the Certified Water Right Examiner for the applicant.
3. The portion of the first right to be transferred is as follows:
Certificate: 43774 in the name of FELIX A FRAZEE (perfected under Permit G-4904)
Use: IRRIGATION of 28.7 ACRES
Priority Date: APRIL 27, 1970
Rate: 0.359 CUBIC FOOT PER SECOND
Limit/Duty: ONE-EIGHTIETH 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

Pursuant to OAR 690-380-4030, any person may file a protest or standing statement within 30 days after the last date of publication of notice of this preliminary determination.

exceed 3.0 acre feet per acre for each acre irrigated during the irrigation season of each year

Source: WELL 2 in the PAULINA MARSH BASIN (FORT ROCK BASIN)

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
25 S	17 E	WM	11	NE NE	4700 FEET SOUTH AND 580 FEET WEST FROM THE NE CORNER OF SECTION 2

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres for change in point of appropriation	Acres for additional point of appropriation and change in place of use
25 S	17 E	WM	2	SW SE	-	0.1
25 S	17 E	WM	2	SE SE	4.4	5.4
25 S	17 E	WM	11	NE NE	18.8	-
Total					23.2	5.5

4. Transfer Application T-9461 proposes to move the authorized point of appropriation of 23.2 acres described in Finding No. 3 approximately 200 feet from the authorized point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
25 S	17 E	WM	2	SE SE	100 FEET NORTH AND 630 FEET WEST FROM THE SE CORNER OF SECTION 2.

5. Transfer Application T-9461 proposes an additional point of appropriation for 5.5 acres described in Finding No. 3 approximately 200 feet from the authorized point of appropriation located:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
25 S	17 E	WM	2	SE SE	100 FEET NORTH AND 630 FEET WEST FROM THE SE CORNER OF SECTION 2.

6. Transfer Application T-9461 also proposes to change the place of use of the right of 5.5 acres described in Finding No. 3 to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
25 S	17 E	WM	1	SW SW	0.7
25 S	17 E	WM	2	SE SE	2.4
25 S	17 E	WM	11	NE NE	1.4
25 S	17 E	WM	11	NW NE	1.0
Total					5.5

7. The second right to be transferred is as follows:

Certificate: 57916 in the name of WHITE SAGE FARMS INC. (perfected under Permit G-6678)

Use: IRRIGATION of 123.8 ACRES

Priority Date: JULY 31, 1975

Rate: 1.55 CUBIC FEET PER SECOND
Limit/Duty: ONE-EIGHTIETH 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 3.0 acre feet per acre for each acre irrigated during the irrigation season of each year
Source: WELL 1 in the FORT ROCK BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
25 S	17 E	WM	1	SE NE	1370 FEET SOUTH AND 20 FEET WEST FROM THE NE CORNER OF SECTION 1.

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
25 S	17 E	WM	1	NE NE	1	12.7
25 S	17 E	WM	1	NW NE	2	12.3
25 S	17 E	WM	1	SW NE		37.8
25 S	17 E	WM	1	SE NE		38.2
25 S	17 E	WM	1	NE SE		11.9
25 S	17 E	WM	1	NW SE		10.9

8. Transfer Application T-9461 proposes to move the authorized point of appropriation approximately 1250 feet west from the authorized point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
25 S	17 E	WM	1	SE NE	1380 FEET SOUTH AND 1270 FEET WEST FROM THE NE CORNER OF SECTION 1.

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

Certificate: 75630 in the name of DAVE ROTH (perfected under Permit G-7841)
Use: IRRIGATION of 6.3 ACRES
Priority Date: DECEMBER 4, 1975
Rate: 0.08 CUBIC FOOT PER SECOND
Limit/Duty: ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated and shall be further limited to a diversion not to exceed 3.0 acre feet per acre for each acre irrigated during the irrigation season of each year
Source: WELL 1 in the FORT ROCK BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
25 S	17 E	WM	2	SE SE	100 FEET NORTH AND 630 FEET WEST FROM THE NE CORNER OF SECTION 2.

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
25 S	17 E	WM	2	SE SE	5.9
25 S	17 E	WM	11	NW NE	0.4

10. Transfer Application T-9461 proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
25 S	17 E	WM	12	NW NW	6.3

11. Notice of the application for transfer was published on June 17, 2003, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
12. On June 1, 2006, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-9461 to the applicant. The cover letter for the draft Preliminary Determination set forth a deadline of July 3, 2006, for the applicant to respond.
13. On October 10, 2006, the Department mailed a copy of a revised draft Preliminary Determination proposing to approve Transfer Application T-9461. The revised draft Preliminary Determination corrected errors found in the first draft. The cover letter for the revised draft set forth a deadline of November 13, 2006, for the applicant to respond.

Transfer Review Criteria (OAR 690-380-4010)

14. Water has been used within the last five years according to the terms and conditions of the rights, and there is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
15. Pumps, pipelines, and sprinkler systems sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-9461.
16. The proposed changes would not result in enlargement of the rights.
17. The proposed change would not result in injury to other water rights.

Determination and Proposed Action


The additional point of appropriation, change in points of appropriation and change in places of use proposed in Transfer Application T-9461 appear to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If Transfer Application T-9461 is approved, the final order will include the following:

- 1. The additional point of appropriation, change in points of appropriation and change in places of use proposed in Transfer Application T-9461 are approved.*
- 2. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 43774, 57916 and 75630, and any related decree.*
- 3. Water Right Certificates 43774, 57916 and 75630 are cancelled. A new certificate will be issued describing that portion of the right described by Certificate 75630 not affected by transfer applications T-9420 and T-9461.*
- 4. Water shall be acquired from the same aquifer (water source) as the original points of appropriation.*
- 5. The quantity of water diverted at the proposed point of appropriation shall not exceed the quantity of water lawfully available at the original point of appropriation.*
- 6. The quantity of water diverted at the proposed additional point of appropriation, together with that diverted at the original point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.*
- 7. The former places of use of the transferred rights shall no longer receive water under the rights.*
- 8. When required by the Department, the water user shall install, maintain and operate an in-line flow meter or other suitable device for measuring and recording the quantity of water diverted. 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. The approved changes shall be completed and full beneficial use of the water shall be made on or before **October 1, 2010**. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*

10. *When satisfactory proof of the completed changes is received, a new certificate confirming the right transferred will be issued.*

Dated at Salem, Oregon this 6th day of November 2008.


Phillip C. Ward, Director
P

This Preliminary Determination was prepared by Kelly Starnes. If you have questions about the information in this document, you may reach me at 503-986-0886 or Patrick.K.Starnes@ wrd.state.or.us.

Protests should be addressed to the attention of Field Services Division, Water Resources Department, 725 Summer St. NE Suite A, Salem, OR 97301-1266.

**Notice of Preliminary Determination for
Water Right Transfer T-9461**

T-9461 filed by Galyn Roth, P. O. Box 706, Christmas Valley, Oregon, 97641, proposes an additional point of appropriation and a change in place of use and point of appropriation under Certificate 43774, a change in point of appropriation under Certificate 57916, and a change in place of use under Certificate 75630. Certificate 43774 allows the use of 0.359 cfs (priority date April 27, 1970) from Well 2 in Sec. 11, T 25 S, R 17 E, W.M. (Fort Rock Basin) for irrigation in Sects. 2 and 11. The applicant proposes a new point of appropriation located approximately 200 feet north (Sec. 2, T 25 S, R 17 E, W.M.). The applicant also proposes to change the place of use of 5.5 acres to Sects. 1, 2, and 11, T 25 S, R 17 E, W.M. Certificate 57916 allows the use of 1.55 cfs (priority date July 31, 1975) from Well 1 in Sec. 1, T 25 S, R 17 E, W.M. (Fort Rock Basin) for irrigation in Sec. 1. The applicant proposes to move the point of appropriation to a well approximately 1250 feet west (Sec. 1, T 25 S, R 17 E, W.M.). Certificate 75630 allows the use of 0.08 cfs (priority date December 4, 1975) from a well in Sec. 2, T 25 S, R 17 E, W.M. (Fort Rock Basin) for irrigation in Sects. 2 and 11. The applicant proposes to change the place of use to lands in Sec. 12, T 25 S, R 17 E, W.M. The Water Resources Department has concluded that the proposed transfer appears to be consistent with the requirements of ORS Chapter 540 and OAR 690-380-5000.

STATE OF OREGON
COUNTY OF LAKE
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DAVID AND GALYN ROTH
P.O. BOX 358
CHRISTMAS VALLEY, OREGON 97641

confirms the right to use the waters of WELL 1 in the FORT ROCK BASIN for IRRIGATION of 33.5 ACRES.

This right was perfected under Permit G-7841. The date of priority is DECEMBER 4, 1975. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.42 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

SE~~X~~ SE~~X~~, SECTION 2, T 25 S, R 17 E, WM; 100 FEET NORTH AND 630 FEET WEST FROM THE NE CORNER, SECTION 2.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use to which this right is appurtenant is as follows:

		APWA APWA	APWA APWA	RR
LOT 1 (NE X NE X)	5.3 ACRES	-	5.3	-
SE X NE X	10.3 ACRES	-	10.3	-
SW X SE X	0.9 ACRE	-	0.9	-
SE X SE X	9.7 ACRES	5.0 5.9	3.8	-
SECTION 2				
NE X NE X	3.5 ACRES	-	-	3.5
NW X NE X	3.8 ACRES	0.4	-	3.4
SECTION 11				
TOWNSHIP 25 SOUTH, RANGE 17 EAST, W.M. @		6.3	20.3	6.9
		0.08 ds	0.25 ds	0.09

The well shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.

This certificate describes that portion of the water right confirmed under Permit G-7841, NOT modified by the provisions of an order of the Water Resources Director entered MAY 08 1998, approving Transfer Application 7562

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

WITNESS the signature of the Water Resources Director,
affixed MAY 08 1998.

Martha O. Pagel, Director

Recorded in State Record of Water Right Certificates numbered 75630.
T-7562.LHN.

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

This Is to Certify, That FELIX A. FRAZEE

of Fort Rock, State of Oregon, 97735, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Well No. 2

a tributary of Paulina Marsh for the purpose of irrigation of 29.1 acres

under Permit No. G-4904 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 April 27, 1970 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 0.36 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 NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 11, T. 25 S., R. 17 E., W. M., 4700 feet South and 580 feet West from the NE Corner of Section 2.

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-eightieth 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 3 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:

9420	9461		T-9461
0.2	0.1	0.3 acre SW $\frac{1}{4}$ SE $\frac{1}{4}$	18.8 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
0.2	1.8	10.0 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$	18.8
		Section 2	Section 11
			T. 25 S., R. 17 E., W. M.
0.4	28.7		

This certificate describes that portion of the water right confirmed by the prior certificate recorded at Page 41094, Volume 33, State Record of Water Right Certificates, NOT canceled by the provisions of an order of the Water Resources Director entered on April 9, 1976.

The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described, and is subject to the existing minimum flow policies established by the Water Policy Review Board.

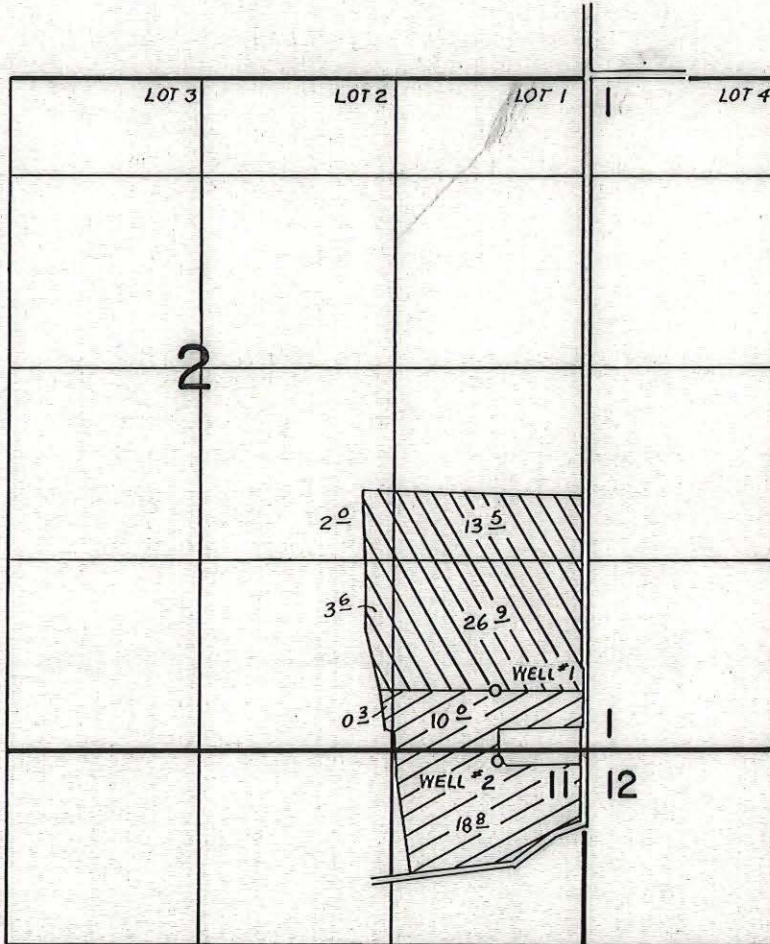
WITNESS the signature of the Water Resources Director, affixed



this date. October 18, 1976

James E. Sexson
Water Resources Director

COPY

T. 25 S. R. 17 E. W.M.



-  WELL #1 4210' S & 600' W FROM NE COR. SEC. 2
-  WELL #2 4700' S & 580' W FROM NE COR. SEC. 2

FINAL PROOF SURVEY
UNDER

Application No. G-5173 Permit No. G-4904
IN NAME OF

FELIX A. FRAZEE

Surveyed AUG. 22, 1973, by R.G. MUCKEN



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building

158 12th Street NE

Salem, OR 97301-4172

(503) 378-3739

FAX (503) 378-8130

INTEROFFICE MEMO

FORWARD TO:

Transfer Section/Salem DATE: 6-13-03
FIELD PROCESSOR WORKING ON THIS TRANSFER

FROM:

_____ WATERMASTER, DISTRICT # _____
 _____ GROUNDWATER SECTION

(SIGNATURE) Debra Melle date signed 6/16/03
signed by injury reviewer

SUBJECT: WATER RIGHT TRANSFER # 9461

A change in: POU POD APOA USE of water.

In the name(s) of Galyn Roth

In my opinion (assuming the right is valid), the proposed change

MAY BE MADE WITHOUT INJURY WOULD RESULT IN INJURY* to an existing water right. Debra

*The approval of this transfer application would result in injury to other water rights because _____

The existing right may not be valid because _____

Headgate notices HAVE HAVE NOT Been issued for diversion from the source(s) which serve(s) this right.

If for change in point of diversion, is there any intervening point(s) for diversion between the authorized and proposed points of diversion? (Yes or No) _____

In my opinion, the order approving the subject transfer application should include the following in regard to the appropriator installing suitable measuring devices in the diversion works:

_____ (1) PRIOR to the diverting of water at the new point of diversion . . .

_____ (2) WHEN IN the judgement of the watermaster it becomes necessary . . .

The enclosed copy of the transfer application and map(s) is for your records.

STATE OF OREGON
COUNTY OF LAKE
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

WHITE SAGE FARMS, INC.
645 NW DIVISION
BEND, OREGON 97701

JOHN HANCOCK MUTUAL LIFE INSURANCE COMPANY
BOX 1087
TWIN FALLS, ID 83303-1087

confirms the right to use the waters of WELL #1 in the FORT ROCK BASIN for the purpose of IRRIGATING 123.8 ACRES.

The right has been perfected under Permit G-6678. The date of priority is JULY 31, 1975. The right is limited to not more than 1.55 cubic feet per second or its equivalent in case of rotation, measured at the well.

The well is located as follows:

SE 1/4 NE 1/4, SECTION 1, T 25 S, R 17 E, W.M.;
1370 FEET SOUTH & 20 FEET WEST FROM NE CORNER SECTION 1.

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-EIGHTIETH 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 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

The right 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, and to which such right is appurtenant, is as follows:

LOT 1 (NE 1/4 NE 1/4)	12.7 ACRES
LOT 2 (NW 1/4 NE 1/4)	12.3 ACRES
SW 1/4 NE 1/4	37.8 ACRES
SE 1/4 NE 1/4	38.2 ACRES
NE 1/4 SE 1/4	11.9 ACRES
NW 1/4 SE 1/4	10.9 ACRES

SECTION 1
TOWNSHIP 25 SOUTH, RANGE 17 EAST, W.M.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

WITNESS the signature of the Water Resources Director, affixed this date NOVEMBER 9, 1988.

/s/ WILLIAM H. YOUNG
Water Resources Director

Recorded in State Record of Water Right Certificates numbered 57916

G-7059

T-94612 POU/APQA

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

This Is to Certify, That FELIX A. FRAZEE

of Fort Rock, State of Oregon, 97735, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Well No. 2

a tributary of Paulina Marsh for the purpose of irrigation of 29.1 acres

under Permit No. G-4904 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 April 27, 1970 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 0.36 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 NE 1/4 NE 1/4, Section 11, T. 25 S., R. 17 E., W. M., 4700 feet South and 580 feet West from the NE Corner of Section 2.

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-eightieth 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 3 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:

0.3 acre SW 1/4 SE 1/4 Section 2
10.0 acres SE 1/4 SE 1/4 Section 2
18.8 acres NE 1/4 NE 1/4 Section 11 T. 25 S., R. 17 E., W. M.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at Page 41094, Volume 33, State Record of Water Right Certificates, NOT canceled by the provisions of an order of the Water Resources Director entered on April 9, 1976.

The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described, and is subject to the existing minimum flow policies established by the Water Policy Review Board.

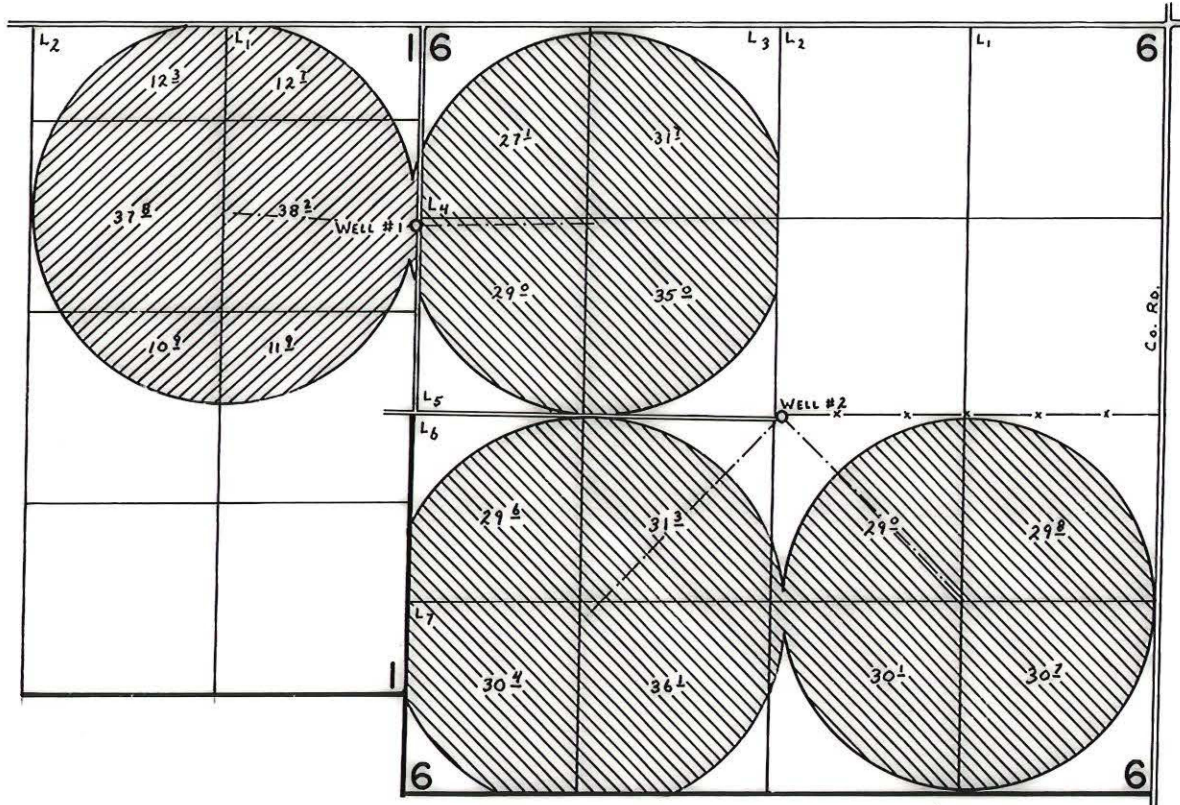
WITNESS the signature of the Water Resources Director, affixed

this date. October 18, 1976

James E. Sexson Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 35, page 43774
T-9461 A POW/APOB
T-9420 A POW/APOA

T.25S. R.17 & 18E. W.M.



WELLS LOC:

#1 - 1370'S. & 20' W. fr. N.E. COR. SEC. 1.
 #2 - 2680'S. & 2600' W. fr. N.E. COR. SEC. 6.

FINAL PROOF SURVEY UNDER

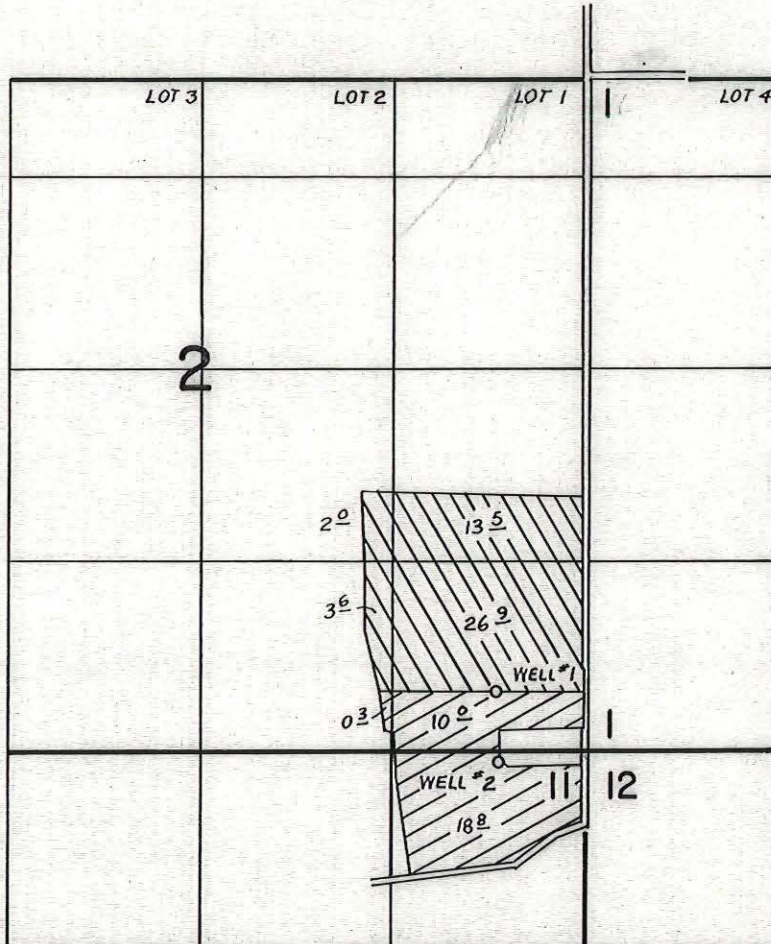
COPY



Application No. G-7059 G-6678
 G-8180 Permit No. G-7336
 IN NAME OF

..... WHITE SAGE FARMS, INC.

Surveyed Aug. 27, 1979, by C. L. HUGHES.....

T. 25 S. R. 17 E. W.M.



-  WELL #1 4210' S & 600' W FROM NE COR. SEC. 2
-  WELL #2 4700' S & 580' W FROM NE COR. SEC. 2

FINAL PROOF SURVEY
UNDER

COPY

Application No. G-5173 Permit No. G-4904
IN NAME OF

FELIX A. FRAZEE

Surveyed AUG. 22, 1973, by R.G. MUCKEN



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
503-378-3739
FAX 503-378-8130

June 12, 2003

Galyn Roth
P.O. Box 706
Christmas Valley, OR 97641

REFERENCE: Transfer 9461

On 06-05-2003 we received your water right transfer application requesting a **change in Place of use and an Additional Point of Appropriation** for use of water from **Wells**. The application was accompanied by \$ 500.00. Our receipt 60365 is enclosed.

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

Your application will be examined to determine if additional information is needed. You will be contacted following this examination. If you have a specific reason why your application should be examined ahead of other applications, please send us a letter describing your reason. We may be able to examine your application ahead of others.

You may not use water for the new use, in the new place of use or from the new point of diversion until the transfer application has been approved. In order to avoid any possible forfeiture of the water right, you should continue to use the water as described by your existing water right. If the land is sold before the transfer is approved, you will need to obtain consent from the buyer to complete the transfer.

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) 378-3739.

cc: Watermaster #12, David Poe
CWRE #1, Bruce Estes
Groundwater

enclosure

WATER RESOURCES DEPARTMENT
REQUEST FOR DISTRIBUTION OF FUNDS

TO: **Fiscal Services Section**

DATE: _____

FROM: Kelly Starnes, Transfer Specialist
Phone: 60886

SUBJECT: **TRANSFER FILE - Request for Refund**

TRANSFER FILE #: T-9461

RECEIPT #: 60365

Please prepare payment in the amount of \$200.00, made payable to:

Name: Roth and Sons, Inc.
Address: P.O. Box 706
City: Christmas Valley, Oregon 97641

These funds are being paid or refunded as a result of (check one):

- Request for file to be Rejected/Withdrawn/Misfiled
- Excess fees were collected for application
- Payment of PON
- Protest filing fee
- Other: _____

I have reviewed this distribution request and have determined the request to be justified as to the purpose indicated above. Fiscal Services is hereby authorized to process the requested distribution.

Authorized Signature: _____

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

October 10, 2006

GALYN ROTH
P.O. BOX 706
CHRISTMAS VALLEY, OREGON 97641

SUBJECT: Application T-9461

Enclosed please find a revised draft of our Preliminary Determination regarding transfer application T-9461. The revised document corrects errors that were found in the original draft. The revised document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved. This draft is intended to provide you with an opportunity to comment on our findings and conclusions should you wish to do so. Please review the draft carefully to evaluate whether the document is consistent with your intent in seeking the transfer, and whether you agree with the proposed action.

Issuance of the Preliminary Determination will occur shortly after we receive your response, or on November 13, 2006, whichever occurs first. You may provide your response in writing or via e-mail.

Please do not hesitate to contact me at 503-986-0886 or Patrick.K.Starnes@wrd.state.or.us if I may be of assistance.

Sincerely,

Kelly Starnes
Field Services Division

cc: District 12 Watermaster
Bruce Estes, CWRE #1

enc

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

In the Matter of Transfer Application)
T-9461, Lake County)
)
)
)
)
)
)

REVISED DRAFT
PRELIMINARY DETERMINATION
PROPOSING APPROVAL OF AN
ADDITIONAL POINT OF
APPROPRIATION, A CHANGE IN
POINT OF APPROPRIATION, AND
CHANGE IN PLACE OF USE

ORS 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use 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.

Applicant

GALYN ROTH
P.O. BOX 706
CHRISTMAS VALLEY, OREGON 97641

Findings of Fact

1. On June 5, 2003, Galyn Roth filed an application for an additional point of appropriation, a change in point of appropriation and place of use under Certificate 43774, a change in point of appropriation under Certificate 57916, and a change in place of use under Certificate 75630. The Department assigned the application number T-9461.
2. On May 31, 2006, the transfer application and map were amended with the approval of Bruce Estes, the certified water right examiner for the applicant.
3. The portion of the first right to be transferred is as follows:

Certificate: 43774 in the name of FELIX A. FRAZEE (perfected under Permit G-4904)
Use: IRRIGATION of 28.7 ACRES
Priority Date: APRIL 27, 1970
Rate: 0.359 CUBIC FOOT PER SECOND
Limit/Duty: ONE-EIGHTIETH of one cfs per acre, not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season.
Source: WELL 2, in the PAULINA MARSH BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
25 S	17 E	WM	11	NE NE	4700 FEET SOUTH AND 580 FEET WEST FROM THE NE CORNER OF SECTION 2.

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres for change in point of appropriation only	Acres for additional point of appropriation and change in place of use
25 S	17 E	WM	2	SW SE		0.1
25 S	17 E	WM	2	SE SE	4.4	5.4
25 S	17 E	WM	11	NE NE	18.8	
Total					23.2	5.5

4. Application T-9461 proposes to move the authorized point of appropriation of the 23.2 acres described above approximately 200 feet North from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
25 S	17 E	WM	2	SE SW	100 FEET NORTH AND 630 FEET WEST FROM THE SE CORNER OF SECTION 2.

5. Application T-9461 proposes an additional authorized point of appropriation for the 5.5 acres described above located approximately 200 feet North from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
25 S	17 E	WM	2	SE SW	100 FEET NORTH AND 630 FEET WEST FROM THE SE CORNER OF SECTION 2.

6. Application T-9461 also proposes to change the place of use of 5.5 acres of the right described above to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
25 S	17 E	WM	1	SW SW	0.7
25 S	17 E	WM	2	SE SE	2.4
25 S	17 E	WM	11	NE NE	1.4
25 S	17 E	WM	11	NW NE	1.0

7. The second right to be transferred is as follows:

Certificate: 57916 in the name of WHITE SAGE FARMS INC. (perfected under Permit G-6678)

Use: IRRIGATION of 123.8 ACRES

Priority Date: JULY 31, 1975

Rate: 1.55 CUBIC FEET PER SECOND

Limit/Duty: ONE-EIGHTIETH of one cfs per acre, not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season.

Source: WELL 1 in the FORT ROCK BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
25 S	17 E	WM	1	SE NE	1370 FEET SOUTH AND 20 FEET WEST FROM THE NE CORNER OF SECTION 1.

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
25 S	17 E	WM	1	NE NE	1	12.7
25 S	17 E	WM	1	NW NE	2	12.3
25 S	17 E	WM	1	SW NE		37.8
25 S	17 E	WM	1	SE NE		38.2
25 S	17 E	WM	1	NE SE		11.9
25 S	17 E	WM	1	NW SE		10.9

8. Application T-9461 proposes to move the authorized point of appropriation approximately 1250 feet West from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
25 S	17 E	WM	1	SE NE	1380 FEET SOUTH AND 1270 FEET WEST FROM THE NE CORNER OF SECTION 1.

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

Certificate: 75630 in the name of DAVID AND GALYN ROTH (perfected under Permit G-7841)

Use: IRRIGATION of 6.4 ACRES

Priority Date: DECEMBER 4, 1975

Rate: 0.08 CUBIC FOOT PER SECOND

Limit/Duty: ONE-EIGHTIETH of one cfs per acre, not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season.

Source: WELL 1 in the FORT ROCK BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
25 S	17 E	WM	2	SE SE	100 FEET NORTH AND 630 FEET WEST FROM THE NE CORNER OF SECTION 2.

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
25 S	17 E	WM	2	SE SE	6.0
25 S	17 E	WM	11	NW NE	0.4

10. Application T-9461 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
25 S	17 E	WM	12	NW NW	6.4

11. Notice of the application for transfer was published on June 17, 2003, pursuant to ORS 540.520 and OAR 690-380-4000. No comments were filed in response to the notice.
12. Water has been used within the last five years according to the terms and conditions of the rights, and no evidence is available that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
13. Pumps, pipelines, and sprinkler systems sufficient to use the full amount of water allowed under the existing rights are present.
14. The proposed changes would not result in enlargement of the rights.
15. The proposed changes would not result in injury to other water rights.

Determination and Proposed Action

The additional points of appropriation, change in points of appropriation, and change in places of use proposed in application T-9461, appear to be consistent with the requirements of ORS 537.705, 540.505 to 540.580, and OAR 690-380-5000, and will be approved provided that protests are not filed pursuant to OAR 690-380-4030.

If approved, the change and subsequent use of water shall be subject to the following conditions:

1. The right to use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 43774, 57916, 75630, and any related decree.
2. Water right certificates 43774, 57916, and 75630 are cancelled. A new certificate will be issued describing that portion of the right described by Certificate 75630 not involved in this transfer and Transfer Application T-9420.
3. Water shall be acquired from the same aquifer (water source) as the original points of appropriation.
4. The approved changes shall be completed and full beneficial use of the water shall be made on or before **October 1, 2008**. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
5. The quantity of water diverted at the proposed points of appropriation, together with that diverted at the original points of appropriation, shall not exceed the quantity of water lawfully available at the original points of appropriation.

6. The former place of use of the transferred water shall no longer receive water as part of these rights.
7. When required by the Department, the water user shall install and maintain an in-line flow meter or other suitable device for measuring and recording the quantity of water appropriated. 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.
8. When satisfactory proof of the completed changes is received, new certificates confirming the rights transferred will be issued.

Dated at Salem, Oregon this ____ day of _____ 2006.

D R A F T

Phillip C. Ward, Director

This draft Preliminary Determination was prepared by Kelly Starnes. If you have questions about the information in this document, you may reach me at 503-986-0886 or Patrick.K.Starnes@wrdd.state.or.us.

STATE OF OREGON
COUNTY OF LAKE
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DAVID AND GALYN ROTH
P.O. BOX 358
CHRISTMAS VALLEY, OREGON 97641

confirms the right to use the waters of WELL 1 in the FORT ROCK BASIN for IRRIGATION of 33.5 ACRES.

This right was perfected under Permit G-7841. The date of priority is DECEMBER 4, 1975. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.42 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

SE~~X~~ SE~~X~~, SECTION 2, T 25 S, R 17 E, WM; 100 FEET NORTH AND 630 FEET WEST FROM THE NE CORNER, SECTION 2.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use to which this right is appurtenant is as follows:

LOT 1 (NE X NE X)	5.3 ACRES	
SE X NE X	10.3 ACRES	
SW X SE X	0.9 ACRE	0.1
SE X SE X	9.7 ACRES	6.0
SECTION 2		
NE X NE X	3.5 ACRES	
NW X NE X	3.8 ACRES	0.4
SECTION 11		
TOWNSHIP 25 SOUTH, RANGE 17 EAST, W.M.		

The well shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.

This certificate describes that portion of the water right confirmed under Permit G-7841, NOT modified by the provisions of an order of the Water Resources Director entered MAY 08 1998, approving Transfer Application 7562

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

WITNESS the signature of the Water Resources Director,
affixed MAY 08 1998.

Martha O. Pagel, Director

Recorded in State Record of Water Right Certificates numbered 75630.
T-7562.LHN.



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department
SOUTH CENTRAL REGION
Watermaster, Distict 17
5170 Summers Lane
Klamath Falls, OR 97603
Ph: 541-883-4182
Fax: 541-885-3324
www.wrd.state.or.us

June 1, 2006

GALYN ROTH
PO BOX 706
CHRISTMAS VALLEY, OR 97641

SUBJECT: Application T-9461

Enclosed find a draft of our Preliminary Determination regarding transfer application T-9461. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved. This draft is intended to provide you with an opportunity to comment on our findings and conclusions should you wish to do so. Please review the draft carefully to evaluate whether the document is consistent with your intent in seeking the transfer, and whether you agree with the proposed action.

Issuance of the Preliminary Determination will occur shortly after we receive your response, or on July 3, 2006, whichever occurs first. You may provide your response in writing or via e-mail.

Please do not hesitate to contact me at 541-883-4182 ext 223 or Vernon.L.Church@wrd.state.or.us if I may be of assistance.

Sincerely,

Vern Church
Field Services Division

cc: David Poe, District 12 Watermaster

enc

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

In the Matter of Transfer Application)
T-9461, Lake County)
)
)
)
)
)

D R A F T
PRELIMINARY DETERMINATION
PROPOSING APPROVAL OF A
CHANGE IN POINT OF
APPROPRIATION AND PLACE OF
USE

ORS 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use 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.

Applicant

GALYN ROTH
PO BOX 706
CHRISTMAS VALLEY, OR 97641

Findings of Fact

1. *ok* Galyn Roth filed an application to transfer the a place of use, a point of appropriation, and an additional point of appropriation under Certificates 43774, 57916, and 75630. The Department assigned the application number T-9461.
2. On May 31, 2006, the map and application were amended with the approval of Bruce Estes, CWRE of the applicant.
3. The portion of the first right to be transferred is as follows:

Describe changes per cent

Certificate: in the name of FELIX A FRAZEE (perfected under Permit G-4904)

Use: IRRIGATION of 28.7 ACRES

Priority Date: APRIL 27, 1970

Rate: 0.355 CUBIC FOOT PER SECOND

Limit/Duty: ONE-EIGHTIETH cfs per acre, not to exceed 3.0 acre-feet per acre per year

Source: Well 2 in the Paulina Marsh

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
25 S	17 E	WM	11	NE NE	4700 feet South & 580 feet West from NE corner, Section 2

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
25 S	17 E	WM	2	SW SE	0.1
25 S	17 E	WM	2	SE SE	9.8

Twp	Rng	Mer	Sec	Q-Q	Acres
25 S	17 E	WM	11	NE NE	18.8

4. Application T-9461 proposes to add an the authorized point of appropriation approximately 200 feet north from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
25 S	17 E	WM	2	SE SE	100 feet North & 630 feet West from SE corner, Section 2

5. Application T-9461 also proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Add'l POA & POU Add'l POA	Acres
25 S	17 E	WM	2	SE SE	Add'l POA only	4.4
25 S	17 E	WM	11	NE NE	Add'l POA only	18.8
25 S	17 E	WM	1	SW SW	Add'l POA & POU	0.7
25 S	17 E	WM	2	SE SE	Add'l POA & POU	2.4
25 S	17 E	WM	11	NE NE	Add'l POA & POU	1.4
25 S	17 E	WM	11	NW NE	Add'l POA & POU	1.0
Total						28.7

6. The second right to be transferred is as follows:

Certificate: 57916 in the name of GALYN ROTH (perfected under Permit G-6678)

Use: IRRIGATION of 123.80 ACRES

Priority Date: JULY 31, 1975

Rate: 1.55 CUBIC FEET PER SECOND

Limit/Duty: ONE-EIGHTIETH cfs per acre, not to exceed 3 acre-feet per acre per year

Source: well #1 in the Fort Rock Basin

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	DLC Survey Coordinates
25 S	17 E	WM	1	SE NE	1370 feet South & 20 feet West from NE corner, Section 1

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
25 S	17 E	WM	1	NE NE	1	12.7
25 S	17 E	WM	1	NW NE	2	12.3
25 S	17 E	WM	1	SW NE		37.8
25 S	17 E	WM	1	SE NE		38.2
25 S	17 E	WM	1	NE SE		11.9
25 S	17 E	WM	1	NW SE		10.9
Total						123.8

7. Application T-9461 proposes to move an the authorized point of appropriation approximately ¼ mile west from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
25 S	17 E	WM	1	SE NE	Well #6 - 1380 feet South & 20 feet West from NE corner, Section 1

*Wrong
coords
←*

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

Certificate: 75630 in the name of David and Galyn Roth (perfected under Permit G-7841)

Use: IRRIGATION of 6.5 ACRES *6.4*

Priority Date: DECEMBER 4, 1975

Rate: 0.08 CUBIC FOOT PER SECOND

Limit/Duty: ONE-EIGHTIETH cfs per acre, not to exceed 3 acre-feet per acre per year

Source: well #1 in the Fort Rock Basin

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
25 S	17 E	WM	2	SE SE	100 feet North & 630 feet West from NE corner, Section 2

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
25 S	17 E	WM	2	SW SE	0.1
25 S	17 E	WM	2	SE SE	6.0
25 S	17 E	WM	11	NW NE	0.4
Total					6.5

9. Application T-7562 proposes to change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q	Acres
25 S	17 E	WM	12	NW NW	6.5

10. Notice of the application for transfer was published pursuant to ORS 540.520 and OAR 690-380-4000. No comments were filed in response to the notice.
11. Water has been used within the last five years according to the terms and conditions of the rights, and no evidence is available that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
12. The proposed change would not result in enlargement of the right.
13. The proposed change would not result in injury to other water rights.

Determination and Proposed Action

The changes in a place of use, a point of appropriation, and an additional point of appropriation proposed in application T-9461 appears to be consistent with the requirements of ORS 537.705,

540.505 to 540.580, and OAR 690-380-5000, and will be approved provided that protests are not filed pursuant to OAR 690-380-4030.

If approved, the change and subsequent use of water shall be subject to the following conditions:

1. The right to use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 43774, 57916, and 75630.
2. Water shall be acquired from the same aquifer (water source) as the original points of appropriation.
3. The approved changes shall be completed and full beneficial use of the water shall be made on or before **October 1, 2007**. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
4. The quantity of water diverted at the additional/new point of appropriation, together with that diverted at the original point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.
5. The former place of use of the transferred water shall no longer receive water as part of these rights.
6. Prior to diverting water at the new point of appropriation, the water user shall install and maintain an in-line flow meter or other suitable device for measuring and recording the quantity of water appropriated. 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.

Dated at Salem, Oregon this ____ day of _____ 2006.

D R A F T

Phillip C. Ward, Director

This draft Preliminary Determination was prepared by Vern Church. If you have questions about the information in this document, you may reach me at 541-388-2222 or Vernon.L.Church@wrdd.state.or.us.

STATE OF OREGON
COUNTY OF LAKE
CERTIFICATE OF WATER RIGHT

This Is to Certify, That FELIX A. FRAZER

of Fort Rock, State of Oregon, 97735, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Well No. 2

a tributary of Paulina Marsh for the purpose of irrigation of 29.1 acres

under Permit No. G-4904 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 April 27, 1970

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 0.36 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 NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 11, T. 25 S., R. 17 E., W. M., 4700 feet South and 580 feet West from the NE Corner of Section 2.

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-eightieth 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 3 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:

T-4920
0.2
0.2
0.4
@ 0.05 cfs

APDA only
APDA, POA
0.1 0.3 acre SW $\frac{1}{4}$ SE $\frac{1}{4}$
4.4 5.4 10.0 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
4.4 5.5 Section 2
@ 0.0692 cfs

T-4961
18.8 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$ Section 11
T. 25 S., R. 17 E., W. M.
18.8 APDA only
23.2 0.29 cfs
28.7 @ 0.359

This certificate describes that portion of the water right confirmed by the prior certificate recorded at Page 41094, Volume 33, State Record of Water Right Certificates, NOT canceled by the provisions of an order of the Water Resources Director entered on April 9, 1976.

The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

T-4961
28.7
10.1
-0
0.359

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described, and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed

this date. October 18, 1976

James E. Saxson
Water Resources Director

STATE OF OREGON
COUNTY OF LAKE
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

WHITE SAGE FARMS, INC.
645 NW DIVISION
BEND, OREGON 97701

JOHN HANCOCK MUTUAL LIFE INSURANCE COMPANY
BOX 1087
TWIN FALLS, ID 83303-1087

confirms the right to use the waters of WELL #1 in the FORT ROCK BASIN
for the purpose of IRRIGATING 123.8 ACRES.

The right has been perfected under Permit G-6678. The date of
priority is JULY 31, 1975. The right is limited to not more than 1.55
cubic feet per second or its equivalent in case of rotation, measured
at the well.

The well is located as follows:

SE 1/4 NE 1/4, SECTION 1, T 25 S, R 17 E, W.M.;
1370 FEET SOUTH & 20 FEET WEST FROM NE CORNER SECTION 1.

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-EIGHTIETH 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 3.0 acre-feet per acre for each acre
irrigated during the irrigation season of each year.

The right 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, and to which such
right is appurtenant, is as follows:

Δ POK
7-9-46! *2 1/2*

LOT 1 (NE 1/4 NE 1/4)	12.7 ACRES
LOT 2 (NW 1/4 NE 1/4)	12.3 ACRES
SW 1/4 NE 1/4	37.8 ACRES
SE 1/4 NE 1/4	38.2 ACRES
NE 1/4 SE 1/4	11.9 ACRES
NW 1/4 SE 1/4	10.9 ACRES

SECTION 1
TOWNSHIP 25 SOUTH, RANGE 17 EAST, W.M.

The right to the use of the water for the above purpose is restricted
to beneficial use on the lands or place of use described.

WITNESS the signature of the Water Resources Director,
affixed this date NOVEMBER 9, 1988.

/s/ WILLIAM H. YOUNG

Water Resources Director

Recorded in State Record of Water Right Certificates numbered 57916

G-7059



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

SOUTH CENTRAL REGION

Watermaster, District 17

5170 Summers Lane

Klamath Falls, OR 97603

Ph: 541-883-4182

Fax: 541-885-3324

www.wrd.state.or.us

June 19, 2006

Estes Surveys
60382 Arnold Road
Bend, Oregon 97702

RE: Transfer 9420 (Dave Roth) and Transfer 9461 (Galyn Roth)

Bruce,

I send the draft preliminary determinations out on these two files. I was preparing the preliminary determination for Salem. I found I made a mistake in certificate 75630. In the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 2 under transfer 9420, 0.9 acre was transferred which was what was allowed in the certificate, but under transfer 9461, 0.1 acre was transferred.

Which is allowing too many acres to be transferred out under certificate 75630 in the SW $\frac{1}{4}$ SE $\frac{1}{4}$?

Therefore, the question is how we want to correct the enlargement of the right. Sorry, did not find in the original draft preliminary determination.

Sincerely,

Vern Church
Klamath Basin Water Manager

RECEIVED

JUN 19 2003

WATER RESOURCES DEPT.
SALEM, OREGON

Water Resources Department

Commerce Building

158 12th Street NE

Salem, OR 97301-4172

(503) 378-3739

FAX (503) 378-8130



Oregon

John A. Kitzhaber, M.D., Governor

INTEROFFICE MEMO

FORWARD TO: Salem Transfer Section
FIELD PROCESSOR WORKING ON THIS TRANSFER

DATE: 6-13-03

FROM: WATERMASTER, DISTRICT # 12
 GROUNDWATER SECTION

(SIGNATURE) [Signature] signed by injury reviewer date signed 06/17/03

SUBJECT: WATER RIGHT TRANSFER # 9461

A change in: POU POD A POA USE of water.

In the name(s) of Galyn Roth

In my opinion (~~assuming the right is valid~~), the proposed change

MAY BE MADE WITHOUT INJURY WOULD RESULT IN INJURY* to an existing water right.

*The approval of this transfer application would result in injury to other water rights because _____

N/A

The existing right may not be valid because N/A

Headgate notices HAVE HAVE NOT Been issued for diversion from the source(s) which serve(s) this right. N/A

If for change in point of diversion, is there any intervening point(s) for diversion between the authorized and proposed points of diversion? (Yes or No) N/A

In my opinion, the order approving the subject transfer application should include the following in regard to the appropriator installing suitable measuring devices in the diversion works:

(1) PRIOR to the diverting of water at the new point of diversion . . .

(2) WHEN IN the judgement of the watermaster it becomes necessary . . .

The enclosed copy of the transfer application and map(s) is for your records.

COUNTY: LAKE
TRANSFER: 9461
CERTIFICATE: 57916,43774
PRIORITY DATE: 07/31/1975,04/27/1970
NAME: GALYN ROTH
ADDRESS: PO BOX 706; CHRISTMAS VALLEY OR 97641
CHANGE: POU/APOA
SOURCE: WELLS
AUTHORIZED POU: T25S R17E 1,2,11
PROPOSED POU: T25S R17E 1,2,11,12
AUTHORIZED APOA: T25S R17E 1,2,11
PROPOSED APOA: T25S R17E 1



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
503-378-3739
FAX 503-378-8130

June 12, 2003

Galyn Roth
P.O. Box 706
Christmas Valley, OR 97641

REFERENCE: Transfer 9461

On 06-05-2003 we received your water right transfer application requesting a **change in Place of use and an Additional Point of Appropriation** for use of water from **Wells**. The application was accompanied by \$ 500.00. Our receipt 60365 is enclosed.

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

Your application will be examined to determine if additional information is needed. You will be contacted following this examination. If you have a specific reason why your application should be examined ahead of other applications, please send us a letter describing your reason. We may be able to examine your application ahead of others.

You may not use water for the new use, in the new place of use or from the new point of diversion until the transfer application has been approved. In order to avoid any possible forfeiture of the water right, you should continue to use the water as described by your existing water right. If the land is sold before the transfer is approved, you will need to obtain consent from the buyer to complete the transfer.

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) 378-3739.

cc: Watermaster #12, David Poe
CWRE #1, Bruce Estes
Groundwater

enclosure

STATE OF OREGON
WATER RESOURCES DEPARTMENT

158 12TH ST. N.E.
 SALEM, OR 97301-4172
 378-8455 / 378-8130 (FAX)

RECEIPT # **60365**

INVOICE # _____

RECEIVED FROM: Roth & Sons, INC
 BY: _____

APPLICATION	
PERMIT	
TRANSFER	<u>T9461</u>

CASH: CHECK:# 1920 OTHER: (IDENTIFY)

TOTAL REC'D \$ 500.00

0401 TREASURY 0417 WRD MISC CASH ACCT

0407	COPIES		\$
	OTHER: (IDENTIFY)		\$
	OTHER: (IDENTIFY)		\$

0427 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:

0201	SURFACE WATER	EXAM FEE	0202	RECORD FEE
0203	GROUND WATER	\$	0204	\$
0205	TRANSFER	\$ <u>500.00</u>		
0218	WELL DRILL CONSTRUCTOR	EXAM FEE	0219	LICENSE FEE
	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 (FWWRD)		\$
0231	HYDRO LICENSE FEE (FWWRD)		\$
	HYDRO APPLICATION		\$

TREASURY OTHER / RDX

FUND _____ TITLE _____
 OBJ. CODE _____ VENDOR # _____
 DESCRIPTION _____ \$ _____

RECEIPT: **60365**

DATED: 6/5/03 BY: Connie Vance

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



Originals

Application for Water Right Transfer

Please type or print in black ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a." Please read and refer to the instructions when completing your application. Thank you.

RECEIVED

JUN - 5 2003

WATER RESOURCES DEPT.
SALEM, OREGON

APPLICATION FOR:

Please check one

- Water Right Transfer
- Temporary Transfer
- Permit Amendment
- Historic Point of Diversion Change
- Government Action Point of Diversion

1. APPLICANT INFORMATION

Name: Galyn Roth
First Last

Address: PO Box 706
Christmas Valley OR 97641
City State Zip

Phone: (541) 576-2116
Home Work Other

*Fax: _____ *E-Mail address: _____

*Optional information

2. TYPE OF CHANGE

- Use
- Place of Use
- Point of Diversion
- Point of Appropriation

Reason for change: to irrigate with center pivot and from better wells

Is the land within an irrigation or other water district? Yes No

If yes, include district name: _____

For Department Use

App. No. T-9461

Permit No. _____

Date _____

3. CURRENT WATER RIGHT INFORMATION

Name on Permit, Certificate, or Decree: C-57916 C-43774
John Hancock Felix Frazee

Decree: _____
 Not applicable

Permit Number: C-57916 C-43774 Certificate Number: C-57916 C-43774
 Not applicable Not applicable

Priority Date: C-57916 C-43774 Authorized Use: irrigation, irrigation

Source of Water: C-57916 Well #1 County: Lake

Are there other sources listed on the water right? Yes No

Location of Authorized Point of Diversion or Point of Appropriation:

Coordinates (from recognized survey corner)	1/4 1/4 Section	Section	Township	Range
Well #1 C-57916 1370'S & 20'W from NE cor sec 1	SE NE	1	25S	17E
Well #2 C-43774 4700'S & 580'W from NE cor sec 2	NE NE	11	25S	17E
Well #1 C-43774 & -75630 100'N & 630'W from SE cor Sec 2	SE SE	2	25S	17E

Location of Authorized Place of Use:

Township	Range	Section	Government Lot or DIC	1/4 1/4 Section	Tax Lot Number	Acres (if appropriate)
C-57916	25S	17E	Lot 1	(NE NE)	100	12.1
	"	"	Lot 2	(NW NE)	"	12.3
	"	"		SW NE	"	37.8
	"	"		SE NE	"	38.3
	"	"		NE SE	"	11.2
	"	"		NW SE	"	10.2
C-43774	25S	17E		SW SE	200	0.1
	"	"		SE SE	200	9.8
	"	"		NENE	200	18.8
C-75630	25S	17E		SW SE	200	0.1
	"	"		SE SE	200	6.0
	"	"		NENE	200	3.5
	"	"		NW NE	200	3.8

change
POA
only

Are there other lands described in the water right? Yes No

Are there other water rights or permits associated with this land? Yes No
 If yes, include a copy of all rights or permits.

Description of general delivery system (ditch measurements, pump size, number of sprinklers, etc.):

C-57916 turbine pumps to center pivot
 C-43774 & C-75630 turbine pumps to wheel lines and head lines

System capacity (in cfs): C-57916 1.6 cfs C-43774 0.83 cfs C-75630 0.12 cfs

T-9461



4. PROPOSED CHANGES TO THE WATER RIGHT

Change in Use:

Proposed use: _____

Change in Point of Diversion or Point of Appropriation:

Change

Old point of diversion or point of appropriation will not be used for this portion of the water right.

Additional

Both old and new points of diversion or points of appropriation will be used for this portion of the water right.

Location of Proposed Point of Diversion or Point of Appropriation

Coordinates (from recognized survey corner)	1/4 1/4 Section	Section	Township	Range
Well # 6 C-57916 1380' S & 1270' W from NE cor. Sec 1	SENE	1	25S	17E

Change in Place of Use:

No change C-57916

Location of Proposed Place of Use

Township	Range	Section	Government Lot or DIC	1/4 1/4 Section	Tax Lot Number	Acres (if appropriate)
C-43774	25S	17E		SESE	200	44
"	"	"		NENE	200	188
"	"	1		SW SW	200	0.1
"	"	2		SESE	200	24
"	"	"		NENE	200	1.4
"	"	"		NWNE	200	1.0
C-75630	"	12		NWNW	200	6.5

} APOA only

Remarks: _____

T-9461

RECEIVED
 JUN - 5 2003
 WATER RESOURCES DEPT.
 SALEM, OREGON

5. LAND OWNERSHIP

Use/Place of Use

Answer only if for change in Use or Place of Use.

Are the lands free of encumbrances? Yes No

If no, name of encumbrance holder: N.W. FARM CREDIT SERVICES

If no, application must include written permission for the transfer from the encumbrance holder.

Landowners

Answer only if applicant is not the landowner.

This section does not apply to water delivery entities authorized to act on behalf of their members, making permit amendment requests, or requests for changes in point of diversion or point of appropriation only.

Landowners: NA
(List all landowners shown on deed.)

Address(es): _____

_____ OR _____
City State Zip

Application must include notarized statements from all landowners shown on deed giving permission for the transfer. Use an extra sheet if necessary.

Receiving Landowner

Answer only if the receiving landowner is not the original landowner or the applicant.

Name: NA

Address: _____

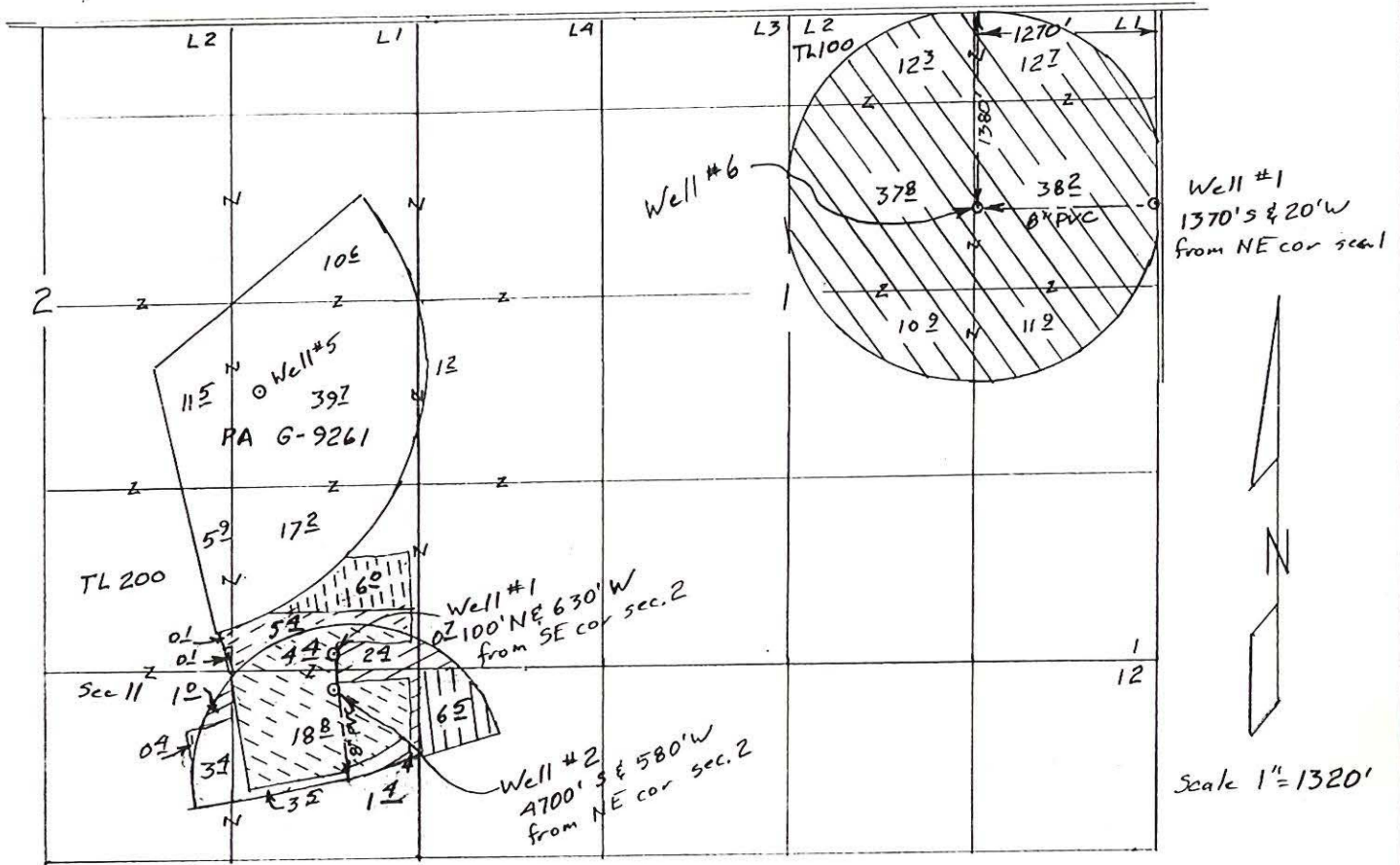
_____ OR _____
City State Zip

- The Department's records should be changed to show this landowner is responsible for completion of the changes. All notices and correspondence should be sent to this landowner.
- Applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to applicant.

T-9461

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SALEM, OREGON

TOWNSHIP 25 SOUTH, RANGE 17 EAST, W.M.



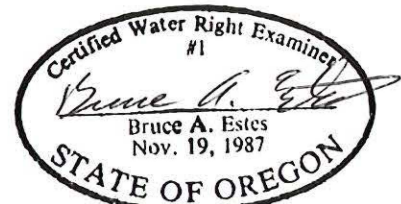
- ⊖ C-43774 5 $\frac{1}{2}$ ac. off
- ⊖ C-75630 6 $\frac{1}{2}$ ac. off
- ⊖ C-43774 Δ POA only 23 $\frac{1}{2}$ ac.
- C-75630 no change 6 $\frac{1}{2}$ ac.
- ⊗ C-43774 5 $\frac{1}{2}$ ac. on
- ⊗ C-75630 6 $\frac{1}{2}$ ac. on

⊗ C-57916 Δ POA only 123 $\frac{1}{2}$ ac.

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Renewal Dec 31, 2003

This map is for the purpose of locating a water right only and has no intent to provide legal dimensions or the location of property lines.

ESTES SURVEYS, LLC

PO Box 17519
Salem, OR 97305-7519
(503) 585-7593

60382 Arnold Rd
Bend, OR 97702
(541) 382-7391

T-9461

JUNE 3-003

WELL # 1 SEC 2 AND WELL # 2 SEC 11
AS SHOWN ON BRUCE ESTES MAP
WERE DRILLED IN 1950 TO 1960 AND
COULD FIND NO RECORD OF WELL
REPORTS.

STATIC LEVEL IS 45 AND 43 FT
12 INCH CASING TO ROCK

Edgar Potts

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STATE OF OREGON
WATER SUPPLY WELL REPORT
 (as required by ORS 537.765)

WELL I.D. # L 60428
 START CARD # 153702

Instructions for completing this report are on the last page of this form.

(1) **LAND OWNER** Well Number _____
 Name GALYN ROTH
 Address PO BOX
 City CHRISTMAS VALLEY State OR Zip 97641

(2) **TYPE OF WORK**
 New Well Deepening Alteration (repair/recondition) Abandonment

(3) **DRILL METHOD:**
 Rotary Air Rotary Mud Cable Auger
 Other _____

(4) **PROPOSED USE:**
 Domestic Community Industrial Irrigation
 Thermal Injection Livestock Other _____

(5) **BORE HOLE CONSTRUCTION:**
 Special Construction approval Yes No Depth of Completed Well 186 ft.
 Explosives used Yes No Type _____ Amount _____

HOLE			SEAL			Sacks or pounds
Diameter	From	To	Material	From	To	
19"	0	63	Cement	0	40	Cement 10
14"	63	120		25	0	Ben 72
11"	120	186				

How was seal placed: Method A B C D E
 Other _____

Backfill placed from 40 ft. to 25 ft. Material _____
 Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) **CASING/LINER:**

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 14"	41	63	750	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner:				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Drive Shoe used Inside Outside None
 Final location of shoe(s) _____

(7) **PERFORATIONS/SCREENS:**
 Perforations Method _____
 Screens Type _____ Material _____

From	To	Slot size	Number	Tele/pipe diameter	size	Casing	Liner
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>

(8) **WELL TESTS:** Minimum testing time is 1 hour
 Pump Bailer Air Flowing
 Artesian
 Yield gal/min _____ Drawdown _____ Drill stem at _____ Time _____
1500+ _____ 184 _____ 0.5

Temperature of water 54° Depth Artesian Flow Found _____
 Was a water analysis done? Yes By whom _____
 Did any strata contain water not suitable for intended use? Too little
 Salty Muddy Odor Colored Other _____
 Depth of strata: _____

(9) **LOCATION OF WELL** by legal description:
 County Lake Latitude _____ Longitude _____
 Township 25 N or S Range 17 E or W. WM.
 Section 1 1/4 NE 1/4
 Tax Lot 200 Lot _____ Block _____ Subdivision _____
 Street Address of Well (or nearest address) 9070 Fwd TURN LEFT 1/2 mile
SINUS Rd

(10) **STATIC WATER LEVEL:**
47 ft. below land surface. Date 2-5-03
 Artesian pressure _____ lb. per square inch Date _____

(11) **WATER BEARING ZONES:**
 Depth at which water was first found _____

From	To	Estimated Flow Rate	SWL
<u>70</u>	<u>184</u>	<u>1500+</u>	<u>47</u>

(12) **WELL LOG:**
 Ground Elevation _____

Material	From	To	SWL
TOP SOIL	0	2	
Tan Clay	2	55	
Blue Clay	55	57	
Grey Lamin Rock	57	59	
Black Lamin Rock	59	65	
Broken Lamin Rock	65	140	
Red Clay	140	148	
Black Lamin Rock	148	174	
Red Clay	174	184	

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Date started 1-26-03 Completed 2-5-03

(unbonded) Water Well Constructor Certification:
 I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.
 WWC Number _____
 Signed _____ Date _____

(bonded) Water Well Constructor Certification:
 I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.
 WWC Number 16541
 Signed [Signature] Date 3-4-03

7-9461

Land Use Information Form: Water Right Transfers, Use of Conserved Water, Exchanges

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. The Water Resources Department will use this and other information to evaluate the water use application. **DO NOT FILL OUT THIS FORM IF:** 1) Water is to be diverted, conveyed, and or used only on federal lands; or 2) if ALL OF THE FOLLOWING APPLY: a) the application is for a change in the place of use, b) there are no structural changes, c) the use is irrigation, and d) the use is located in irrigation districts or exclusive farm use zones.

Applicant's Name: Galen Roth
 Address: PO Box 706
 City: Christman Valley State: OR Zip: 97691 Day Phone (541) 576-2116

Please provide information as requested below for all tax lots on or through which water will be diverted or used. (Attach extra sheets as necessary.) Applicants for municipal use may substitute existing and proposed service area boundaries for the tax lot information requested below.

T. 255, R. 17E, W.M.

(CHECK ALL THAT APPLY)

See 1

See 2 & 11

TAX LOT LOCAL ID #	PLAN DESIGNATION/ZONING (e.g. Rural Residential/RR-5)	WATER DIVERTED	WATER CONVEYED	WATER USE
100		✓	✓	✓
200		✓	✓	✓

Please list all counties and cities within which water is proposed to be diverted, conveyed, and/or used.

Lake County

The following section must be completed by a planning official from each county and city listed unless your project will be located entirely within the city limits. In this case, only the city planning agency must complete this form. Please request additional forms as needed.

For Local Government Use Only

Local government planning officials are to complete the remainder of the form and return it to the applicant for inclusion in the application.

a) Check the appropriate box below and provide requested information.

- Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan.
 Cite applicable ordinance section(s): 3.01(A). Go to section b) on reverse side.
- Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below. **Note:** Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus accompanying findings is sufficient.)

(CHECK THE BOX THAT APPLIES)

Type of Land Use Approval Needed (e.g. Plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Already Obtained	Already Denied	Being Pursued Satisfactorily

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 SALEM, OREGON

1/2000

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Planning Official Initials RS

Description of Water Use

Note to Applicant: This sheet will provide local planning staff with a basic description of your proposed water use. Please fill out this sheet before bringing the attached land use form to your local planning office. It will help local planning offices complete your land use information form quickly.

Note to Local Planning Officials: Please initial this sheet. Do not separate it from the land use information form. If needed, please make a separate copy for your records.

Applicant Name: Galyn Roth
Address: PO Box 706
Christmas Valley, OR 97641
Phone: (541) 576-2116

Please indicate what you will use the water for. Check all boxes that apply and fill in the blanks with key characteristics of the project

Irrigation (crop type, golf course, nursery or greenhouse): hay

Livestock (type of livestock, feedlot, slaughterhouse): _____

Residential (# units, single or multi-family, # lots if partition or subdivision): _____

Commercial (i.e., retail, office, restaurant, gas station, hotel service, etc): _____

Industrial (i.e., factory, pulp mill, research and development, processing, etc): _____

Institutional (i.e., school, library, etc): _____

Mining (aggregate, metal, open pit, placer, etc.): _____

Recreation (park, campsite, pond, etc.): _____

Fish and Wildlife (pond, hatchery, etc.): _____

Hydropower (dam, reservoir, power generating or transmitting facilities): _____

Other (Name and list key characteristics): _____

Indicate sources for the proposed water use below	Indicate the estimated quantity of water the use will require
<input type="checkbox"/> Surface water Name sources: _____	<u>2.85</u> Cubic feet per second
<input type="checkbox"/> Reservoir or pond	_____ Gallons per minute
<input checked="" type="checkbox"/> Ground Water	_____ Acre-foot

Water Resources Department
Commerce Building
158 12th Street NE
Salem, OR 97301-4172

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SALEM, OREGON

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b) Please provide printed name and written signature.

Name: RAY SIMMS Date: 5-12-03
Title: Director Phone: 541-997-6032
Signature: [Handwritten Signature]

Local governments are invited to express special land use concerns or make recommendation to the Department regarding this proposed use of water below, or on a separate sheet.

Additional Comments:

[Lined area for additional comments]

Water Resources Department
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739

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SALEM, OREGON

T-9461

CERTIFICATE OF WATER RIGHT

This Is to Certify, That **FELIX A. FRAZEE**

of **Fort Rock**, 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 ~~two wells~~ **well #2**

97735

a tributary of **Paulina Marsh** for the purpose of ~~the irrigation of 35.1 acres~~ **29.1**

under Permit No. **G-4904** 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 **April 27, 1970**

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 ~~0.83 cubic foot per second, being 0.47 cubic foot per second from Well No. 1 and 0.36 cubic foot per second from Well No. 2~~

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the ~~NE 1/4, Section 11, T. 25 S., R. 17 E., W. M., 4210 feet South and 600 feet West, 4700 feet South and 580 feet West, both from NE Corner, Section 2.~~

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-eightieth** 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 **3 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:

Well No. 1

13.5 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
 2.0 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
 3.6 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
 26.9 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
 Section 2
 T. 25 S., R. 17 E., W. M.

Well No. 2

0.3 acre SW $\frac{1}{4}$ SE $\frac{1}{4}$
 10.0 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
 Section 2

18.8 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
 Section 11
 T. 25 S., R. 17 E., W. M.

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4-9461

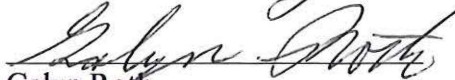
This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 41094, Volume 33, State Record of Water Right Certificates, NOT canceled by the provisions of an order of the Water Resources Director entered on April 9, 1976.

The issuance of this superseding certificate does not confirm the status of the water right in reference to C-43774

AFFIDAVIT OF USE

I, Galyn Roth, have personally irrigated the lands involved in this transfer application for hay production for the last several years. Use has been made within the last five years on all of it.

Subscribed and sworn this 12 day of May, 2003.


Galyn Roth

Subscribed and sworn to before me this 12 day of May, 2003


Notary Public for Oregon

My notarial commission expires MARCH 26, 2005

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WATER RESOURCES DEPT
SALEM, OREGON



T-9461



900 Klamath Avenue
P.O. Box 148
Klamath Falls, Oregon 97601
(541) 850-7500 / Fax (541) 850-7505

Wednesday, May 14, 2003

State of Oregon
Water Resources Department
158 12th Street, NE
Salem, OR 97310

RE: Permit# G6678

To whom it may concern,

Gayln Roth, a customer of Northwest Farm Credit services, has requested permission to move the center of a pivot irrigation system, therefore moving assigned water rights, approximately 20 feet, North and East of the current location. Because the real property and the water rights in question are used as security on a Loan with Northwest Farm Credit Services (NWFCS), permission is required before the change can be made.

Permission is hereby given for Gayln Roth to transfer water rights in the specific real property detailed as follows:

Township 25 South, Range 17 East of the Willamette Meridian, Section 1: Beginning at the Northeast corner of Section 1, thence Westerly along the North line of said Section 1, 2660 feet to the Quarter Section corner in the North line of said Section; thence Southerly along the North and South Quarter Section line within said Section 1, a distance of 2624.6 feet; thence Easterly and parallel to the North line of said Section 1, 2650.9 feet to the East line of said section 1; thence Northerly along the East line of Section 1, 2624.6 feet to the point of beginning.

All water rights currently with permit # G6678 are to remain on the above described real property.

If you have any further comments or questions regarding this action, please contact me at your earliest convenience.

Sincerely,

Mitch Stokes
Credit Officer
541.850.7500

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WATER RESOURCES DEPT.
SALEM, OREGON

cc: Gayln Roth

T. 9461

MEMORANDUM OF REAL ESTATE CONTRACT

DATE OF EXECUTION: May 24, 1989.

SELLER: FARM CREDIT BANK OF SPOKANE, a corporation, successor by merger to The Federal Land Bank of Spokane, a Federal corporation, with its office and principal place of business at West 601 First Avenue (P. O. Box TAF-C5) Spokane, Washington 99220-4005, hereinafter referred to as "Seller", and

PURCHASER: GREEN MOUNTAIN RANCH, a partnership consisting of David D. Roth and Janette K. Roth, husband and wife, and Galyn D. Roth and Kathleen E. Roth, husband and wife, hereinafter referred to as "Purchaser"

PROPERTY: Situate in Lake County, State of Oregon, to-wit:
Township 25 South, Range 17 East of the Willamette Meridian,
Section 1: Beginning at the Northeast corner of Section 1, thence Westerly along the North line of said Section 1, 2660 feet to the Quarter Section corner in the North line of said Section; thence Southerly along the North and South Quarter Section line within said Section 1, a distance of 2624.6 feet; thence Easterly and parallel to the North line of said Section 1, 2650.9 feet to the East line of said Section 1; thence Northerly along the East line of Section 1, 2624.6 feet to the point of beginning.

Township 25 South, Range 18 East of the Willamette Meridian,
Section 6: Lots 3, 4, and 5, SE1/4NW1/4.

TOGETHER WITH:

- 1) The following ground water permits:

Permit No. G6678 with a July 31, 1975 priority for 123.8 acres

Permit No. G7336 with a May 31, 1977 priority for 125 acres

INTEREST CONTRACTED TO BE TRANSFERRED: Fee Title

TRUE AND ACTUAL CONSIDERATION: \$80,000.00

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SALEM, OREGON

1. MEMORANDUM OF REAL ESTATE CONTRACT (FCBroth/FCB:REK2)

T-9461

DESCRIPTION CONTINUED:

525

Section 2, Government Lot 1, S 1/2 NE 1/4, S 1/2 NW 1/4, S 1/2;
Section 11, NE 1/4, N 1/2 NW 1/4, E 1/2 SW 1/4, SE 1/4
Section 12, All of Section
Section 13, All of Section
Section 14, E 1/2, E 1/2 W 1/2,
Section 16, SW 1/4, E 1/2
Township 25 South, Range 18 East of the Wm, Section 7, NW 1/4 NE 1/4, S 1/2 NE
1/4, NE 1/4 NW 1/4, Government Lot 2, SE 1/4 NW 1/4, Fractional S 1/2
Section 18: $N\frac{1}{2}N\frac{1}{2}$.

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SALEM, OREGON

T-9461

TRANSFER CHECK OFF LIST

TRANSFER FILE # 9461
DATE RECEIVED 6-5-03
DATE MONEY SLIPPED 6-5-03
DATE RECEIPTED 6-5-03
VALID WATER RIGHT? Yes No
TEMP ALT AC ___(Greg) IRR DIST ___(Greg) PERM AMEND ___(Kelly) DIV 15 (Bernie Assigns)
TEMP Div 15 ___ (Bernie) ISWR Bernie COPIES TO LIAISON _____

LETTER FROM ATTORNEY _____ YES (PUT INFO ON FRONT COVER) NO

FOLDER FILLED OUT*
INDEX CARD
ENTERED IN DB
TYPE BLACK BOOK (And color code)
RECORD MONEY/RECEIPT #
CONTENTS MARKED
COLOR CODED Yes
4 COPIES MADE & STAMPED

CERTIFICATE MARKED
CERTIFICATE COPIED
PULL APPLICATIONS
APP FOLDER MARKED
FINAL PROOF MAP COPIED
PERMIT MARKED _____
PERMIT COPIED _____
PERMIT MAP COPIED _____
DECREE MARKED _____
DECREE COPIED _____
ADJUDICATION MAP COPIED _____

ENTRIES CHECKED _____ CHECKED BY _____ INIT FOLDER _____
PUBLIC NOTICE DATE 6-17-03 (PREPARED & COPIED)
LETTER SENT Irrigation District (copy of app & map)
COPY TO WM
BLUE FORM TO WM Orange Perm Amend/Yellow Temp/Grn Dist/Lav Alt Acr/pink his
COPY TO GW POA, APOA, or [SW TO GW ONLY(as POD)]
BLUE FORM TO GW Orange Perm Amend/Yellow Temp/Grn Dist/Lav Alt Acr/pink his
COPY TO CWRE
LETTER TO ODFW ALL Surface water POU/USE (POD and APOD FISH SCREENS)
TRANSFER SENT TO: Salem SW --- NCR --- SCR --- ER

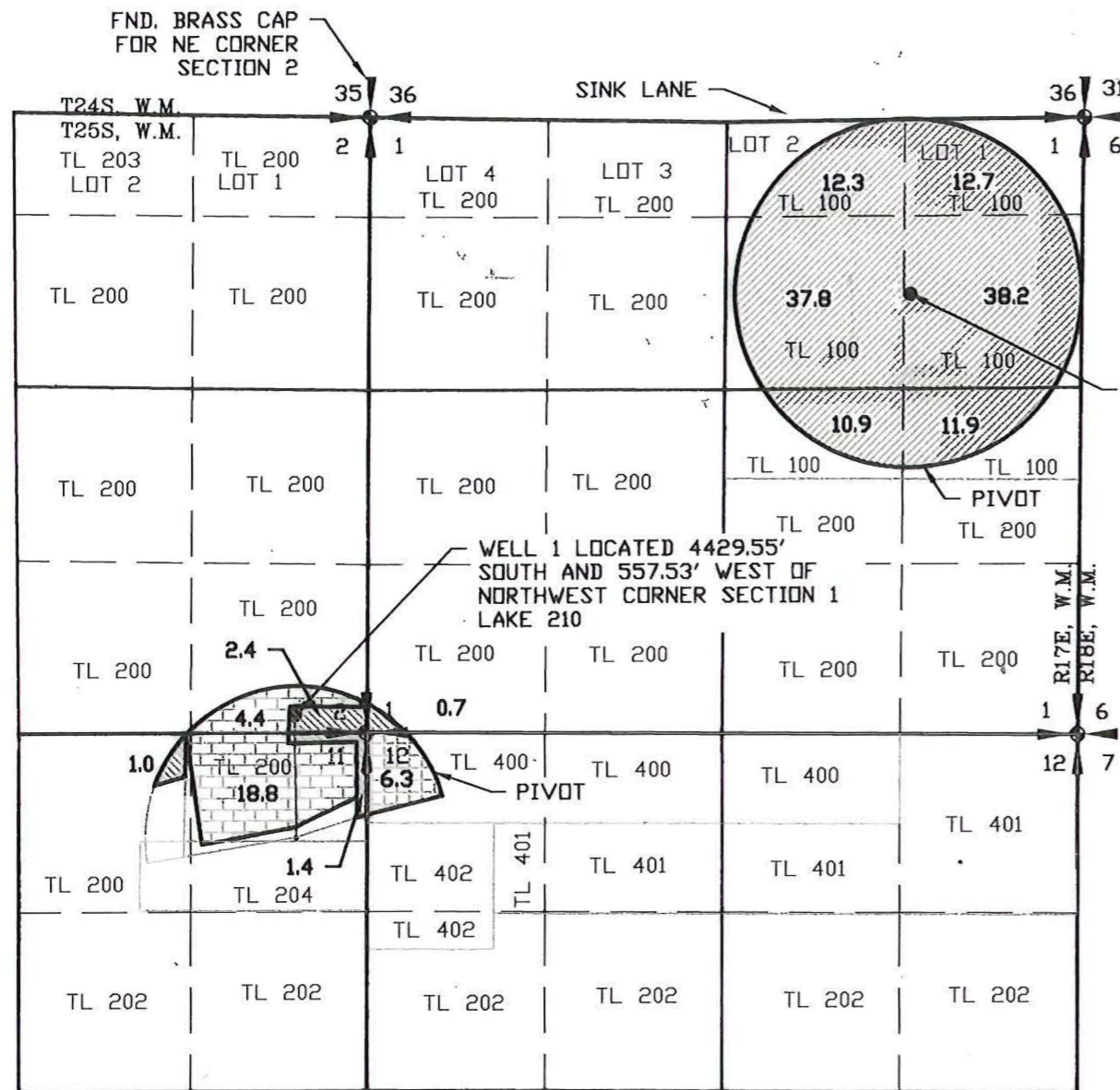
*SHRINK DATA IF THERE ARE MANY FILES INVOLVED AND GLUE TO FOLDER

COPY

CLAIM OF BENEFICIAL USE MAP

FOR GAYLN ROTH

SECTIONS 1, 2, 11 & 12, T25S R17E W.M.
LAKE COUNTY, OREGON



WELL 6 LOCATED 1320.08'
SOUTH AND 4019.37' EAST OF
NORTHWEST CORNER SECTION 1
LAKE 51364

WELL 1 LOCATED 4429.55'
SOUTH AND 557.53' WEST OF
NORTHWEST CORNER SECTION 1
LAKE 210

LEGEND

- SECTION LINE
- 1/4 SECTION LINE
- 1/16 SECTION LINE
- MAINLINE

TRANSFER NO. T-9461



SCALE: 1"=1320'



RENEWAL 12/31/23

NOTE:
PREPARATION OF THIS MAP IS FOR IDENTIFYING WATER RIGHTS ONLY. IT
HAS NO INTENT TO PROVIDE LOCATIONS OR DIMENSIONS OF PROPERTY
BOUNDARIES.

- CHANGE IN POA, NO CHANGE OF POU,
CERTIFICATE 57916 - 123.8 ACRES
- CHANGE IN POU, NO CHANGE OF POA,
CERTIFICATE 43774 - 6.3 ACRES
- CHANGE IN POA, NO CHANGE OF POU,
CERTIFICATE 43774 - 23.2 ACRES
- CHANGE IN POU, ADDITIONAL POU,
CERTIFICATE 43774 - 5.5 ACRES

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SEP 22 2023
OWRD

RECEIVED
AUG 25 2023
OWRD

REVISION	BY

**ANDERSON ENGINEERING
AND SURVEYING, INC.**

P.O. BOX 28
LAKEVIEW, OREGON 97630
(541) 947-4407/FAX: 947-2321
WWW.ANDERSONENGINEERING.COM

FOR:
DWIGHT ROTH
P.O. BOX 107
CHRISTMAS VALLEY, OR
97641

CLAIM OF BENEFICIAL MAP
TRANSFER T-9461
SEC. 1, 2, 11 & 12, T25S, R17E W.M.

DATE:	6/13/2023
SCALE:	1" = 1320'
DWG. BY:	R.C.
JOB:	2023-008
FILE:	2023-008
SHEET:	1 OF 1

COBU MAP #2076

After recording return to:
Northwest Farm Credit Services, FLCA
PO Box 148
Klamath Falls, OR 97601

Customer/Note No. 22798/301
Green Mountain Ranch

109142 FULL RELEASE - Debt Discharged

For good and valuable consideration, Lender certifies as follows:

Release/Debt Fully Discharged: The note and all other indebtedness secured by the Loan Documents having been fully discharged, the following Loan Documents are released:

The Mortgage dated June 16, 1983 and executed by David D. Roth, same person as David Roth and Janette Roth, husband and wife; Galyn D. Roth, same person as Galyn Roth and Kathleen E. Roth, husband and wife, recorded on July 8, 1983, as Instrument No. 53702, in Book 80, Page 419, in the records of Lake County, State of Oregon.

This Release shall not impair the right of Lender to hold any remaining property as security for the debt nor impair the validity, priority, or enforceability of the note or any other Loan Document.

"Loan Documents" include any note, security, or other documents of any kind and any amendments thereto, signed in connection with the note, identified by the above-listed note number.

Dated: May 15, 2003

Lender: AgAmerica, FCB, successor by merger
To The Federal Land Bank of Spokane and the
Farm Credit Bank of Spokane

[Signature]
Authorized Agent

State of Oregon)
) ss.
County of Klamath)

On May 15, 2003, before me personally appeared Mitchell K. Stokes, known to me to be an authorized agent of the corporation that executed the within instrument, and acknowledged to me that such corporation executed the same as its free act and deed; and on oath stated that he/she was authorized to execute said instrument.



[Signature]
Mindy Tuter
Notary Public for the State of Oregon
Residing at Klamath Falls
My commission expires 02/15/2004

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WATER RESOURCES DEPT
SALEM, OREGON

T-9461

State of Oregon } Reel 47
County of Lake } ss. File 245

I hereby certify that the within instrument was received and filed for record on the 21 day of May 2003 at 3:46 o'clock P.M. and recorded on page 947 in book 134 record of Mortgages of said County
[Signature]
County Clerk
By *[Signature]* Deputy

1-1-74

524

WARRANTY DEED



KNOW ALL MEN BY THESE PRESENTS, That

HUI RANCH INC., an Oregon corporation

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by DAVID D. ROTH, JANETTE ROTH, GAYLN D. ROTH and KATHLEEN E. ROTH, hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of LINN LAKE and State of Oregon, described as follows, to-wit:

Parcel No. 1: Township 24 South, Range 17 East of the WM, Section 21, S1/2 NE1/4; Section 22, SW 1/4 NE1/4, S1/2 NW1/4; NE1/4 SW 1/4; SE 1/4; Section 23, SW 1/4 SW 1/4; Section 26, W 1/2 NW 1/4; Section 27 NE 1/4 NE 1/4, S1/2 NE 1/4; -- Township 25 South, Range 17 East of the WM, Section 1, W 1/2, and That portion of the SE 1/4 of said Section 1, described as: Beginning at a point 2624.6 feet South of the Northeast corner of Section 1, Township 25 South, Range 17 East of the WM, as measured along the East line of said Section 1; thence running South along the East line of said Section 1, to the Southeast corner thereof; thence West along the South line of said Section 1, to the Southwest corner of the SE 1/4 thereof; thence North along the West line of said SE 1/4, to a point which is 2624.6 feet South of the North line of said Section 1; thence Easterly 2650.9 feet, more or less, to the point of beginning. (CONTINUED ON REVERSE)

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances EXCEPT easements of record, reservations and patents from United States of America, mineralright reservations of record.

and that grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$210,000.00.

However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration (indicate which). (The sentence between the symbols ©, if not applicable, should be deleted. See ORS 93.030.)

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 20 day of June, 1983; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

(If executed by a corporation, affix corporate seal)

RECEIVED

JUN - 5 2003

WATER RESOURCES DEPT SALEM OREGON

STATE OF OREGON,

County of _____, 19____

STATE OF OREGON, County of Linn June 20, 1983 ss.

Personally appeared Francis G. Baker and Melvin N. Royer who, being duly sworn,

each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of HUI RANCH INC., a corporation,

and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors, and each of them acknowledged said instrument to be its voluntary act and deed.

Before me: Laurend Morley Notary Public for Oregon My commission expires: 1-3-84

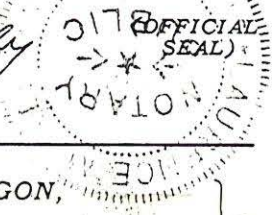
Before me: Notary Public for Oregon My commission expires:

Form fields for Grantor's Name and Address (David D. Roth, et al), Grantee's Name and Address (Laurence Morley, Attorney), and tax statement address.

STATE OF OREGON, County of Lake ss.

I certify that the within instrument was received for record on the 8th day of July, 1983, at 4:15 o'clock P.M., and recorded in book/reel/volume No. 175 on page 524 or as document/fee/file/instrument/microfilm No. Record of Deeds of said county.

Witness my hand and seal of County affixed. Fairy Lammersley Notary Public Co. Clerk Deputy



T-9461