

Regular

Name Terry Nofziger

Address PO Box 568
Christmas Valley, OR 97641

Change in APOA

Date Filed 4/22/2024

Initial notice date 4/30/2024

DPD issued date _____

PD issued date 7-21-2025

PD notice date 7-22-2025

Date of FO 10/6/2025 Vol 135 Page 732-736

C-Date _____

COBU due date _____

COBU Received date _____

Certificate issued _____

Assignments: _____

Irrigation District _____

Agent Anderson Engineering & Surveying, Inc.
darryla@andersonengineering.com

CWRE _____

CC's list Lake County

- Oversized map - Location _____

DESCRIPTION OF WATER RIGHT(S)

Name of Stream A well

Trib. of Christmas Valley Lake

Use Irrigation County Lake

Quantity of water (CFS) _____ No. of Acres _____

Name of ditch _____

App# G-10071 Per # G-9124 Cert # 80684 PR Date 12-22-1980

App# _____ Per # _____ Cert # _____ PR Date _____

App# _____ Per # _____ Cert # _____ PR Date _____

App# _____ Per # _____ Cert # _____ PR Date _____

App# _____ Per # _____ Cert # _____ PR Date _____

FEES PAID		
Date	Amount	Receipt #
<u>4-22-24</u>	<u>\$1840.00</u>	<u>142784</u>

FEES REFUNDED		
Date	Amount	Receipt #



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

October 6, 2025

Terry L. Nofziger
PO BOX 568
Christmas Valley, OR 97641

REFERENCE: Transfer Application T-14446

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 your caseworker, Elyse Hennen, by telephone at (971) 701-5485 or by e-mail at Elyse.d.richman@water.oregon.gov.

Sincerely,

David V. Jones Jr
Water Rights Services Support
Transfers and Conservation Section

cc: Jeremy T. Giffin, Watermaster Dist. # 11 (via email)
Anderson Engineering & Surveying, Inc., Agent
Lake County, Local Government

Enclosure

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

In the Matter of Transfer Application) FINAL ORDER APPROVING AN
T-14446, Lake County) ADDITIONAL POINT OF APPROPRIATION

Authority

Oregon Revised Statutes (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. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department’s procedures and criteria for evaluating transfer applications.

Applicant

TERRY NOFZIGER
PO BOX 568
CHRISTMAS VALLEY, OR 97641

Findings of Fact

1. On April 22, 2024, Terry Nofziger, filed an application for an additional point of appropriation under Certificate 80684. The Department assigned the application number T-14446.
2. Notice of the application for transfer was published on April 30, 2024, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On June 6, 2025, the Department sent a copy of the draft Preliminary Determination to the applicant, proposing to approve Transfer Application T-14446. The draft Preliminary Determination cover letter set forth a deadline of July 7, 2025, for the applicant to respond.
4. During review of the draft Preliminary Determination, the applicant noticed that the proposed well was listed incorrectly on the map and Table 1 of the application. On June 10, 2025, the Department received an amended map and Table 1 with the correct location of the proposed well.

5. On June 23, 2025, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-14446 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of July 22, 2025, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
6. On July 21, 2025, the Department issued a Preliminary Determination proposing to approve Transfer T-14446 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 July 22, 2025, and in the Lake County Examiner newspaper on July 31 and August 6, 2025, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notices.
7. The right to be transferred is as follows:

Certificate: 80684 in the name of TERRY L. NOFZIGER (perfected under Permit G-9124)
Use: IRRIGATION OF 475.2 ACRES
Priority Date: DECEMBER 22, 1980
Rate: 5.94 CUBIC FEET PER SECOND (CFS), BEING 1.54 cfs from WELL 1, 0.99 cfs from WELL 2, 1.73 cfs from WELL 3, and 1.68 cfs from WELL 4, or its equivalent in case of rotation, measured at the wells.
Limit/Duty: 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.
Source: FOUR WELLS in the FORT ROCK BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	18 E	WM	31	SE SW	WELL 1 - 1300 FEET NORTH AND 1230 FEET WEST FROM THE S1/4 CORNER OF SECTION 31
26 S	18 E	WM	31	NE SE	WELL 2 - 1350 FEET NORTH AND 1400 FEET EAST FROM THE S1/4 CORNER OF SECTION 31
26 S	18 E	WM	32	NE SW	WELL 3 - 1340 FEET NORTH AND 1150 FEET WEST FROM THE S1/4 CORNER OF SECTION 32
26 S	18 E	WM	32	NE SE	WELL 4 - 1360 FEET NORTH AND 1580 FEET EAST FROM THE S1/4 CORNER OF SECTION 32

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
26 S	18 E	WM	31	SW NE		0.3
26 S	18 E	WM	31	SE NE		0.8
26 S	18 E	WM	31	NE SW		33.1

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
26 S	18 E	WM	31	NW SW	3	27.4
26 S	18 E	WM	31	SW SW	4	29.2
26 S	18 E	WM	31	SE SW		35.2
26 S	18 E	WM	31	NE SE		40.0
26 S	18 E	WM	31	NW SE		37.2
26 S	18 E	WM	31	SW SE		0.9
26 S	18 E	WM	32	SW NE	3	0.2
26 S	18 E	WM	32	SE NE	4	1.2
26 S	18 E	WM	32	SW NW		0.6
26 S	18 E	WM	32	SE NW		1.1
26 S	18 E	WM	32	NE SW		37.8
26 S	18 E	WM	32	NW SW		33.1
26 S	18 E	WM	32	SW SW		28.5
26 S	18 E	WM	32	SE SW		36.9
26 S	18 E	WM	32	NE SE	5	38.7
26 S	18 E	WM	32	NW SE		26.6
26 S	18 E	WM	32	SW SE		24.4
26 S	18 E	WM	32	SE SE		33.7
26 S	18 E	WM	33	NW SW	3	4.7
26 S	18 E	WM	33	SW SW		3.6
					Total	475.2

8. Transfer Application T-14446 proposes an additional point of appropriation with approximate distances from the existing points of appropriation identified as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance from Existing Wells in miles (mi.)
26 S	18 E	WM	31	SE SW	WELL #5 - 1300 FEET NORTH AND 1180 FEET WEST FROM THE SOUTH 1/4 CORNER OF SECTION 31	WELL #1 - 0.01 mi. East
						WELL #2 - 0.49 mi. West
						WELL #3 - 1.01 mi. West
						WELL #4 - 1.51 mi. West

Transfer Review Criteria [OAR 690-380-0100(14), OAR 690-380-4010(2), and OAR 690-380-2110(2)]

9. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
10. A water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-14446.
11. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).

12. The proposed point of appropriation develops groundwater from the same aquifer as the authorized points of appropriation, as required by OAR 690-380-2110(2).
13. The proposed change, as conditioned, would not result in enlargement of the right.
14. The proposed change, as conditioned, would not result in injury to other existing water rights.
15. All other application requirements are met.

Conclusions of Law


The additional point of appropriation proposed in Transfer Application T-14446 is 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 proposed in Transfer Application T-~~14446~~14446 is 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 Certificate 8068480684 and any related decree.
3. Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new point of appropriation.
4. Water right Certificate 8068480684 is cancelled.
5. The quantity of water diverted at the new additional point of appropriation (Well 5), together with that diverted at the original points of appropriation (Well 1, Well 2, Well 3, and Well 4), shall not exceed the quantity of water lawfully available at the original points of appropriation (Well 1, Well 2, Well 3, and Well 4).
6. Water shall be acquired from the same aquifer (water source) as the original points of appropriation.
7. Water use measurement conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation (new and existing).
 - b. The water user shall maintain the meters or measuring devices in good working order.

- c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.
8. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2026**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.
9. After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.

Dated in Salem, Oregon on **OCT 06 2025**


Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
IVAN GALL, DIRECTOR
Oregon Water Resources Department

Mailing Date: OCT 07 2025

TRANSFER COVER SHEET

Hennen

Transfer: T-14446

GR Application #: GR-

File Assigned- Transfer Specialist: Elyse D. Richman

Transfer Type: Regular Transfer

Reimbursement Authority?

Applicant: TERRY NOFZIGER PO BOX 568 CHRISTMAS VALLEY, OR 97641 <i>-no email, no phone</i>	Receiving Landowner: 	CWRE Agent: ANDERSON ENGINEERING & SURVEYING, INC. PO BOX 28 LAKEVIEW, OR 97630
Interested Parties: BOR (date): _____ Tribal Gov't: _____ Gov'ts: <u>Lake County</u> County: <u>LAKE</u>	Irrigation District: Check area of interest on map <input type="checkbox"/>	Additional Contact Information: → <u>darryla@andersonengineering.com</u>

Key Dates & Initial Actions (Support Staff)

Type of change(s) proposed- attach additional review checklists as necessary			
ADDITIONAL POINT OF APPROPRIATION			
If change is Historic or Substitution, application will go directly to Final Order. Add'l questions on last page for Historic and Gov't Action.			
Fees Pd:	\$1840.00	WM Review request date sent - WM District: 11	4/24/2024
Received Date:	April 22, 2024	WM Review - date received:	4/25/2024
Acknowledgement Letter Sent	Date: 4/24/2024	GW Review - date sent:	4/24/2024
County sent cc: of Ack Letter	Date: 4/24/2024	GW Review - date received:	11/7/2024
Initial Public Notice Date:	4/30/2024	ODFW Review - date sent: ODFW District:	
Comments Received:	Yes <input type="checkbox"/> No: <input checked="" type="checkbox"/>	ODFW Review - date received:	

Water Rights Affected

File Marked	No.	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
<input type="checkbox"/>	1	G-10071	G-9124	80684	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<input type="checkbox"/>	2				<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	3				<input type="checkbox"/> Yes <input type="checkbox"/> No	

I have confirmed that the information on this document is correct (or has been corrected): initials

Caseworker Actions:

Assigned in WRIS:	DPD Workflow updated:	WRIS Notes:
PD and RR sent to Data Entry:	Certified mail date:	
Newspaper notice needed: Yes <input checked="" type="checkbox"/> No: <input type="checkbox"/>	Name of Newspaper: <u>Lake County Examiner</u>	
PD notice email coordinator:	PD notice Request Date:	Amount Due: \$ 105.47
		Received date: <u>6/18/25</u>
Last day of publication: <u>8/6</u>	Affidavit received:	

DOCUMENT	Drafted		Peer Review		Policy Review		Changes		ODFW contact info: <input type="checkbox"/> included NA: <input type="checkbox"/>
	Date	initials	Date	initials	Date	initials	Date	initials	WM contact info: <input type="checkbox"/> included NA: <input type="checkbox"/>
DPD									Number of Docs for signature:
NOTICE									Date in Signature bin
PD									Signature date
FO	<u>9/8/25</u>	<u>EDH</u>	<u>9/9/25</u>	<u>Joan</u>				<u>9/10/25</u>	<u>7-21-25</u> <u>9/16/2025</u>
RR									

Special Issues:

PERMANENT TRANSFER APPLICATION CHECKLIST

RA

Transfer #: T-14446			
<input checked="" type="checkbox"/> CW	<input type="checkbox"/> PR	<input type="checkbox"/> Coord	Save all certificates in electronic "T" folder and highlight Priority Date, Rate, Use and Limit/Duty paragraph
<input type="checkbox"/> CW	<input type="checkbox"/> PR	<input type="checkbox"/> Coord	<input type="checkbox"/> Supplemental checklist for transfers w/in a District (S:\groups\wr\TACS\WRISApps Templates\Transfer Checklists\SUPP_Within District Processing Checklist 9-5-2019) If this is a Living Certificate – check with Ann Reece See Supplemental Language document for language

Transfer Application Review and Deficiencies

CW	PR	Coord			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Are all applicants/agents listed in WRIS with email addresses, if available?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Have all permit/certificates been entered in WRIS under Transfer #?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Were timely Public Comments received? (if yes, enter commenter names/email on mailing list)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Add finding for any comments received (see Supplemental Language document)					

Groundwater Modification Application Review and Deficiencies

CW	PR	Coord			
			<input checked="" type="checkbox"/> N/A		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If for a Groundwater Modification, were there any assignments? All GR Mod applicants must be the holder of record.	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Are there any past GR Modifications and/or letters documenting changes to the GR These must be accounted for in the GR Mod Order.	<input type="checkbox"/> Yes	<input type="checkbox"/> No

Review "From" and "To" Lands and/or POD/POA

CW	PR	Coord			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Are only the authorized POD(s)/POA(s)/POU listed on the "from" map?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does the "from" map match the certificate map? If No, what is different?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Compare FROM POU in application (Table 2) with certificate. Mark certificate with acres being xferred, any RR acres and any acres being cancelled.		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Compare TO POU in Table 2 with the TO Lands on map (for accuracy)		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Are any of the "from" lands being cancelled/diminished?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If Yes, were cancellation/diminution affidavits submitted? (see findings and additional authority in Supplemental Language doc)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Are any instream water rights affected? If Yes, Cert # (If Yes, check criteria for injury-upstream POD move, moving closer to SW, or return flows affected)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

Layered/Supplemental Rights

CW	PR	Coord			
			<input checked="" type="checkbox"/> N/A		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Are there any layered irrigation rights?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If Yes, were they included in application? If No, they must move with the primary, to a "like" primary, or they will be cancelled though the transfer process	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Layered right(s) Cert:		

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Are any supplemental rights being transferred? (<i>verify that it is actually a supplemental right</i>)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If Yes, are they being transferred to a "like" primary (i.e. similar reliability)?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Notes:		

Transfer Review Criteria					
CW	PR	Coord			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Validity of the right – Has the right been used in the last 5 years and is not subject to forfeiture?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> Evidence of use and supporting documentation <input type="checkbox"/> Confirming (not a remaining right) cert issued within the last 5 years <input type="checkbox"/> Rebuttal to forfeiture (ORS 540.610)		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Ready, Willing and Able – <input checked="" type="checkbox"/> Current delivery system sufficiently described in application. Does delivery system have capacity to fully divert and use the authorized rate/duty of the right?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Would the proposed transfer result in enlargement? If Yes, why? What conditions, if any, will avoid?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Would the proposed transfer result in injury? If Yes, why? What conditions, if any, will avoid?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If injury, has WM or GW provided a list of injured water right holders? <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If POD/POA/APOD/APOA change, will it be from the same source? <i>If No, deny per OAR 690-380-2110(2)</i> <input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Notes:		

Draft Preliminary Determination and Cover Letter – 12 pt. Calibri font					
CW	PR	Coord			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Prepare ModPod workareas		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Prepare DPD (<i>save as T-XXXXX-dpd-approve/deny (where XXXXX is the transfer number)</i>)		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Prepare DPD Cover letter (<i>save as T-XXXXX-dpd-cov</i>)		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Prepare Public Notice <input type="checkbox"/> and/or <input checked="" type="checkbox"/> newspaper notice (<i>if required</i>) (<i>save as T-XXXXX-pd-notice</i>)		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Prepare Remaining Right(s) (<i>if applicable</i>). Send with DPD, cover letter and notice for peer review.		

Issue Draft Preliminary Determination	
CW	
<input checked="" type="checkbox"/>	Copy DPD and cover letter for paper file
<input checked="" type="checkbox"/>	Save DPD and cover letter as PDF
<input checked="" type="checkbox"/>	Mail/email to applicant/agent/WM
<input checked="" type="checkbox"/>	Add workflow item "Draft PD Issued"

Report of Ownership Information (ROI)					
CW	PR	Coord			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Does legal description in ROI/Deed match "from" lands?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Have all owners on the ROI/Deed signed the application?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Has a notarized statement of consent been submitted? (if applicable) <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> Yes	<input type="checkbox"/> No

Newspaper Notice (if required)					
CW	PR	Coord			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Prepare/send letter to applicant/agent regarding newspaper notice cost	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	TACS Support delivered receipted funds to caseworker	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No

Preliminary Determination and Cover Letter Preparation

CW	PR	Coord	<i>See cheat sheet at (S:\groups\wr\TACS\6. Transfers\Procedures\DPD to PD Conversion 12-8-2016) for more detailed instructions</i>		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Was application amended after DPD was issued? - Make sure amended pages were scanned to WRIS (see support staff) and make sure you mark amended (replaced) pages with SUPERSEDED. Also make findings in PD.	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If Yes, what was amended?		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Did amendment change outcome from denial to approval? <i>If Yes, make findings in PD.</i>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> If POD/POA changes or changes in "from" lands – re-review required from WM <input type="checkbox"/> If POA changes – re-review required from GW		
<i>Note: If POD was amended and changed from a downstream move to upstream within an ISWR reach – Consent to Injury may be required.</i>					
<input checked="" type="checkbox"/>	Save DPD as a new document (T-XXXXX-pd-approve/deny.doc) – 12 pt. Calibri font				
<input checked="" type="checkbox"/>	Remove "Draft" from document				
<input checked="" type="checkbox"/>	Unhide hidden findings (cntrl-A, select Font, uncheck "hidden" box) and add dates				
<input checked="" type="checkbox"/>	If application was amended, add finding including date of amendment				
<input type="checkbox"/>	Change language resulting from any amendments in response to the DPD, including language under Determination and Proposed Action				
<input checked="" type="checkbox"/>	Unhide appeal (protest) language at the end of the document				
<input checked="" type="checkbox"/>	Prepare PD Cover Letter (save as T-XXXXX-pd-cov)				
<input checked="" type="checkbox"/>	Check email address(s) for accuracy				
<input type="checkbox"/>	Notes: <i>Already received ROI, NN fees</i>				
<input checked="" type="checkbox"/>	Send to caseworker/coordinator for Peer Review				

Data Center Review of PD

CW	PR	Coord	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Email PD and RR(s)(with new cert numbers) to Data* for review – indicate if file is RA *email address is in key
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Data Center will send notification that file is complete
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Make any necessary changes to PD or prepare Revised DPD (if substantive changes)

Issue Preliminary Determination

CW	
<input checked="" type="checkbox"/>	Print PD and put in Manager's box for signature and issuance (support will print cover letter)
<input type="checkbox"/>	Add workflow notes

Protest

CW	PR	Coor	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Have protests been received? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, STOP! Coordinate with Protest section.

Final Order

CW See cheat sheet at (S:\groups\wr\TACS\6. Transfers\Procedures\PD to FO Conversion 12-8-2016) for more detailed instructions

Do not issue Final Order before this date: (protest period end date or 30 days after date of last newspaper publication)

- If application had a newspaper notice, verify that Affidavit of Publication was received. Date:
- Save PD as a new document (T-XXXXX-ord-approve (or deny))
- Remove "PRELIMINARY DETERMINATION" from document title and replace with "FINAL ORDER." Unhide hidden findings (cntrl-a, select Font, uncheck "hidden" box)
- Replace "PROPOSING APPROVAL/DENIAL OF" with APPROVING/DENYING
- Replace the "judicial review/reconsideration rights" box in the first page footer for the "Final Order" judicial review language; unhide and add Special Order Volume (support will add page #)
- Update the hidden paragraph following the public notice and amendments findings (regarding issuance of PD)
- Change "Determination and Proposed Action" to "Conclusions of Law" and update paragraph
- Replace "If application T-XXXXX is approved . . ." with Now, therefore, it is ORDERED:"
- Select list of conditions below "It is ORDERED" section and turn off Italics. Check numbering (start at "1").
- Delete Protest language, Document preparation box, and Notice Regarding Servicemembers; Insert "Mailing Date: _____"
- Final Check: All Conclusions of Law are supported by Findings and Transfer Review Criteria

Remaining Rights

CW	PR	Coord	<input type="checkbox"/> N/A
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Make sure all RR certs have new cert numbers and are entered on the right side of the footer of each RR
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Update left side of footer to read: T-XXXXX.rr.YYYYY.ini, where YYYYY is original cert number and .ini stands for your initials. New certificate should be on the right.
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Print RR on certificate paper and include with Final Order for signature

Issue Final Order

CW	
<input type="checkbox"/>	Pull "Working Copy" folder from file
<input type="checkbox"/>	Print and put FO and RR in Manager's box for signature (manager will deliver to support for processing and issuance)

Notes:

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **145422**

INVOICE # _____

RECEIVED FROM: <u>Double N Hay Co Inc</u>	APPLICATION
BY: _____	PERMIT
	TRANSFER <u>T-14446</u>
CASH: <input type="checkbox"/> CHECK:# <u>X 15225</u> OTHER: (IDENTIFY) _____	TOTAL REC'D \$ <u>105.42</u>

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES <u>4618</u>	\$
<u>0207</u> OTHER: (IDENTIFY) <u>Newspaper Notice</u>	\$ <u>105.42</u>

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

4270 WRD OPERATING ACCT

MISCELLANEOUS			
0407 COPY & TAPE FEES			\$
0410 RESEARCH FEES			\$
0408 MISC REVENUE: (IDENTIFY) _____			\$
TC162 DEPOSIT LIAB. (IDENTIFY) _____			\$
0240 EXTENSION OF TIME			\$
WATER RIGHTS:		EXAM FEE	RECORD FEE
0201 SURFACE WATER		\$	0202 \$
0203 GROUND WATER		\$	0204 \$
0205 TRANSFER		\$	
WELL CONSTRUCTION		EXAM FEE	LICENSE FEE
0218 WELL DRILL CONSTRUCTOR		\$	0219 \$
LANDOWNER'S PERMIT			0220 \$
OTHER (IDENTIFY) _____			

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

RECEIPT: **145422** DATED: 6-19-25 BY: Lisa D Miller

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

**AFFIDAVIT OF PUBLICATION
STATE OF OREGON,
COUNTY OF LAKE**

Received
SEP 15 2025
OWRD

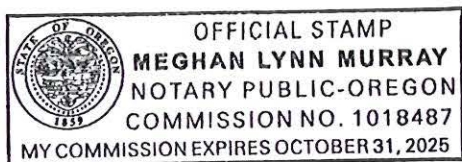
I, Kellilynne Johnson, Advertising Director, being first duly sworn, depose and say that I am the principal clerk of the publisher of the Lake County Examiner a newspaper in general circulation, as defined by Chapter 193 ORS, printed and published at Klamath Falls in the aforesaid county and state: that I know from my personal knowledge that the Legal # 6018 Water Rights Transfer T-14446 a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for: 2

Insertion(s) in the following issues: 07/30/25, 08/06/25

Total Cost: \$87.89

Kellilynne Johnson
Subscribed and sworn by Kellilynne Johnson before me
on: 9/5/25

Meghan Lynn Murray
Notary Public of Oregon
My commission expires October 31, 2025



Received
SEP 15 2025
OWRD

Notice of Preliminary Determination for Water Right Transfer T-14446

T-14446 filed by Terry Nofziger, PO Box 568, Christmas Valley, OR 97641, proposes an additional point of appropriation under Certificate 80684. The right allows the use of 5.94 cubic feet per second from four wells in Sects. 31 and 32, T26S, R18E, WM for irrigation in Sects. 31, 32, and 33, T26S, R18E, WM. The applicant proposes an additional point of appropriation in Sec. 32, T26S, R18E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, a protest or standing statement within 30 days after the last date of newspaper publication of this notice, 08/06/2025. Call (503) 986-0935 to obtain additional information. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

Dates of Publication:

July 30, 2025

August 6, 2025

6018



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

www.oregon.gov/owrd

July 21, 2025

VIA CERTIFIED MAIL AND E-MAIL

TERRY NOFZIGER
PO BOX 568
CHRISTMAS VALLEY, OR 97641

SUBJECT: Water Right Transfer Application T-14446

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-14446. 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. Please read this entire letter carefully to determine your responsibility for additional action.

A public notice is being published in the Department's weekly publication and in the Lake County Examiner newspaper, simultaneously with issuance of the Preliminary Determination. The notice initiates a 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. The protest period will end 30 days after the last date of newspaper publication.

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 don't hesitate to contact me at 971-701-5485 or at elyse.d.richman@water.oregon.gov, if I may be of assistance.

Sincerely,

Transfer Specialist
Transfer and Conservation Section

cc: Transfer Application file T-14446
Jeremy T. Giffin, District 11 Watermaster (*via e-mail*)
Anderson Engineering & Surveying, Inc., Agent for the applicant (*via e-mail*)

encs

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

In the Matter of Transfer Application)	PRELIMINARY DETERMINATION
T-14446, Lake County)	PROPOSING APPROVAL FOR AN
)	ADDITIONAL POINT OF APPROPRIATION

Authority

Oregon Revised Statutes (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. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

TERRY NOFZIGER
PO BOX 568
CHRISTMAS VALLEY, OR 97641

Findings of Fact

1. On April 22, 2024, Terry Nofziger, filed an application for an additional point of appropriation under Certificate 80684. The Department assigned the application number T-14446.
2. Notice of the application for transfer was published on April 30, 2024, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On June 6, 2025, the Department sent a copy of the draft Preliminary Determination to the applicant, proposing to approve Transfer Application T-14446. The draft Preliminary Determination cover letter set forth a deadline of July 7, 2025, for the applicant to respond.
4. During review of the draft Preliminary Determination, the applicant noticed that the proposed well was listed incorrectly on the map and Table 1 of the application. On June 10, 2025, the Department received an amended map and Table 1 with the correct location of the proposed well.

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 the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later, of this preliminary determination.

5. On June 23, 2025, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-14446 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of July 22, 2025, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
6. The right to be transferred is as follows:

Certificate: 80684 in the name of TERRY L. NOFZIGER (perfected under Permit G-9124)
Use: IRRIGATION OF 475.2 ACRES
Priority Date: DECEMBER 22, 1980
Rate: 5.94 CUBIC FEET PER SECOND (CFS), BEING 1.54 cfs from WELL 1, 0.99 cfs from WELL 2, 1.73 cfs from WELL 3, and 1.68 cfs from WELL 4, or its equivalent in case of rotation, measured at the wells.
Limit/Duty: 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.
Source: FOUR WELLS in the FORT ROCK BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	18 E	WM	31	SE SW	WELL 1 - 1300 FEET NORTH AND 1230 FEET WEST FROM THE S1/4 CORNER OF SECTION 31
26 S	18 E	WM	31	NE SE	WELL 2 - 1350 FEET NORTH AND 1400 FEET EAST FROM THE S1/4 CORNER OF SECTION 31
26 S	18 E	WM	32	NE SW	WELL 3 - 1340 FEET NORTH AND 1150 FEET WEST FROM THE S1/4 CORNER OF SECTION 32
26 S	18 E	WM	32	NE SE	WELL 4 - 1360 FEET NORTH AND 1580 FEET EAST FROM THE S1/4 CORNER OF SECTION 32

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
26 S	18 E	WM	31	SW NE		0.3
26 S	18 E	WM	31	SE NE		0.8
26 S	18 E	WM	31	NE SW		33.1
26 S	18 E	WM	31	NW SW	3	27.4
26 S	18 E	WM	31	SW SW	4	29.2
26 S	18 E	WM	31	SE SW		35.2
26 S	18 E	WM	31	NE SE		40.0
26 S	18 E	WM	31	NW SE		37.2
26 S	18 E	WM	31	SW SE		0.9
26 S	18 E	WM	32	SW NE	3	0.2
26 S	18 E	WM	32	SE NE	4	1.2

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
26 S	18 E	WM	32	SW NW		0.6
26 S	18 E	WM	32	SE NW		1.1
26 S	18 E	WM	32	NE SW		37.8
26 S	18 E	WM	32	NW SW		33.1
26 S	18 E	WM	32	SW SW		28.5
26 S	18 E	WM	32	SE SW		36.9
26 S	18 E	WM	32	NE SE	5	38.7
26 S	18 E	WM	32	NW SE		26.6
26 S	18 E	WM	32	SW SE		24.4
26 S	18 E	WM	32	SE SE		33.7
26 S	18 E	WM	33	NW SW	3	4.7
26 S	18 E	WM	33	SW SW		3.6
					Total	475.2

7. Transfer Application T-14446 proposes an additional point of appropriation with approximate distances from the existing points of appropriation identified as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance from Existing Wells in miles (mi.)
26 S	18 E	WM	31	SE SW	WELL #5 - 1300 FEET NORTH AND 1180 FEET WEST FROM THE SOUTH 1/4 CORNER OF SECTION 31	WELL #1 - 0.01 mi. East
						WELL #2 - 0.49 mi. West
						WELL #3 - 1.01 mi. West
						WELL #4 - 1.51 mi. West

Transfer Review Criteria [OAR 690-380-0100(14), OAR 690-380-4010(2), and OAR 690-380-2110(2)]

8. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
9. A water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-14446.
10. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
11. The proposed point of appropriation develops groundwater from the same aquifer as the authorized points of appropriation, as required by OAR 690-380-2110(2).
12. The proposed change, as conditioned, would not result in enlargement of the right.
13. The proposed change, as conditioned, would not result in injury to other existing water rights.

14. All other application requirements are met.

Determination and Proposed Action

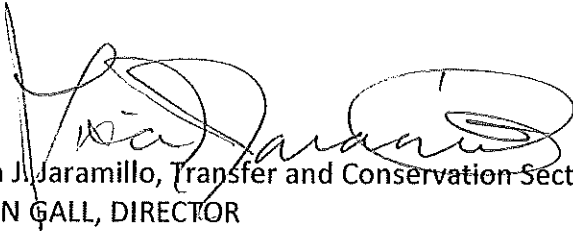
The additional point of appropriation proposed in Transfer Application T-14446 appears to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If Transfer Application T-14446 is approved, the final order will include the following:

1. *The additional point of appropriation proposed in Transfer Application T-14446 is 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 Certificate 80684 and any related decree.*
3. *Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new point of appropriation.*
4. *Water right Certificate 80684 is cancelled.*
5. *The quantity of water diverted at the new additional point of appropriation (Well 5), together with that diverted at the original points of appropriation (Well 1, Well 2, Well 3, and Well 4), shall not exceed the quantity of water lawfully available at the original points of appropriation (Well 1, Well 2, Well 3, and Well 4).*
6. *Water shall be acquired from the same aquifer (water source) as the original points of appropriation.*
7. *Water use measurement conditions:*
 - a. *Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation (new and existing).*
 - b. *The water user shall maintain the meters or measuring devices in good working order.*
 - c. *The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.*
8. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2026**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.*

9. *After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.*

Dated in Salem, Oregon on JUN 21 2025



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
IVAN GALL, DIRECTOR
Oregon Water Resources Department

This Preliminary Determination was prepared by Elyse Richman. If you have questions about the information in this document, you may reach me at 971-701-5485 or at elyse.d.richman@water.oregon.gov.

Protests

Under the provisions of ORS 540.520(6) & (7) and OAR 690-380-4030, within 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later, any person may file, jointly or severally, a protest expressing opposition of approval of the transfer application and disagreement with this Preliminary Determination or a standing statement in support of this Preliminary Determination. If this Preliminary Determination determines that a change in point of diversion or appropriation would result in injury, the applicant may file a notification of intent to pursue approval of the transfer under OAR 690-380-5030 to 690-380-5050. Protests and standing statements must be received by the Water Resources Department within 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later.

Protests must be in writing and received in hard copy form with the appropriate statutory protest filing fee; protests cannot be filed by electronic mail. [OAR 690-002-0025(3) and 690-380-0100(9)]. The protest must include the following:

- The person's name, address, and telephone number;
- All reasonably ascertainable issues and all reasonably available arguments supporting the person's position by the close of the protest period. Failure to raise a reasonably ascertainable issue in a protest or failure to provide sufficient specificity to afford the Department an opportunity to respond to the issue may preclude consideration of the issue during the hearing;

- If you are the applicant, a protest fee of \$480 required by ORS 536.050; and
- If you are not the applicant, a protest fee of \$950 required by ORS 536.050 and proof of service of the protest upon the applicant.

Requests for Standing

Under the provisions of OAR 690-380-4030(5), the Department shall provide to persons who have filed standing statements as defined under OAR 690-380-0100(11) notice of any differences between the Department's Preliminary Determination and the Final Order, notice of a hearing on the application under OAR 137-003-0535, and an opportunity to request limited party status or party status in the hearing.

Requests for standing must be received in the Water Resources Department no later than 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later. Requests for standing must be in writing, and must include the following:

- The requester's name, mailing address and telephone number;
- If the requester is representing a group, association or other organization, the name, address and telephone number of the represented group;
- A statement that the requester supports the preliminary determination as issued.

After the protest period has ended, the Director will either issue a Final Order or schedule a contested case hearing. The contested case hearing will be scheduled only if a protest has been filed under OAR 690-380-4030. In accordance with OAR 690-380-4200, notice and conduct of the hearing shall:

- Be under the applicable provisions of ORS 183.310 to 183.550, pertaining to contested cases, and the hearing shall be held in the area where the rights are located unless all parties stipulate otherwise; and
- If a protest has asserted that a water right to be transferred has been forfeited through non-use, include the notice and procedures described in OAR 690-017-0500 to 690-017-0900.

If after hearing the Department issues a proposed Final Order finding that a change in point of diversion or appropriation will result in injury, the applicant may file a notification of intent to pursue approval of the transfer under OAR 690-380-5030 to 690-380-5050 within 15 days of receipt of the proposed order. Notwithstanding 690-002-0175, if the applicant files a notification of intent to pursue approval of the transfer under 690-380-5030 to 690-380-5050, the deadline for filing exceptions to the proposed order shall be 30 days after the Department

provides notice to the parties that the transfer does not meet the requirements of 690-380-5030 to 690-380-5050.

If you do not request a hearing within 30 days after the close of the protest period, or if you withdraw a request for a hearing, notify the Department or the administrative law judge that you will not appear, or fail to appear at a scheduled hearing, the Director may issue a final order by default. If the Director issues a Final Order by default, the Department designates the relevant portions of its files on this matter, including all materials that you have submitted relating to this matter, as the record for purpose of proving a *prima facie* case upon default.

You may be represented by an attorney at the hearing. Legal aid organizations may be able to assist a party with limited financial resources. Generally, partnerships, corporations, associations, governmental subdivisions, or public or private organizations are represented by an attorney. However, consistent with OAR 690-002-0020 and OAR 690-137-0555, an agency representative may represent partnerships, corporations, associations, governmental subdivisions or public, or private organizations if the Department determines that appearance of a person by an authorized representative will not hinder the orderly and timely development of the record in this case.

Notice Regarding Servicemembers: Active-duty servicemembers have a right to stay proceedings under the federal Servicemembers Civil Relief Act. 50 U.S.C. App. §§501-597b. For more information contact the Oregon State Bar at 800-452-8260, the Oregon Military Department at 971-355-4127, or the nearest United States Armed Forces Legal Assistance Office through <http://legalassistance.law.af.mil>.

If you have questions about how to file a protest or if you have previously filed a protest and you want to know the status, please contact Will Davidson at 503-507-2749.

If you have questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at 503-986-0900.

Address any correspondence to: Oregon Water Resources Department, Transfer and Conservation Section, 725 Summer Street NE, Suite A, Salem OR 97301-1266.



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

www.oregon.gov/owrd

June 23, 2025

VIA E-MAIL AND REGULAR MAIL

TERRY NOFZIGER

PO BOX 568

CHRISTMAS VALLEY, OR 97641

Reference: Water Right Transfer Application T-14446

Your water right transfer is in the first of three phases of processing. Enclosed is a REVISED draft of the Department's Preliminary Determination regarding Transfer Application T-14446. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved. Your response and submittal of the items outlined below are required by July 22, 2025.

Required items needing your immediate attention:

1. Please carefully review the revised Draft Preliminary Determination to verify that it accurately reflects the changes you intend to make and to become familiar with the proposed conditions.
2. **Respond in writing** by July 22, 2025, with acknowledgement that you agree to the proposed action and conditions.
3. If you find any errors, please let me know.
4. Notice of this transfer will need to be published in a newspaper with general circulation in the area where the water rights are currently located. You will be responsible for the charges.

Conditions of your water right...

The Watermaster has required a water measurement device at the new diversion point prior to diversion of water. Enclosed is a contact information sheet to assist you in pursuing additional information or approval of the required (or alternate) device.

Please note the proposed date by which all conditions must be met: October 1, 2026. If the required completion date is insufficient to comply with any of the conditions, you may request more time, at no cost to you, during this stage of processing. **Please let me know by the comment deadline if you will need more time and explain the reasons why.**

What happens next...

Once the Preliminary Determination is issued a publication period is required. Because there is more than ¼ mile between the new and the authorized points of appropriation, the Department will publish notice of the transfer in a local newspaper having a general circulation in the area of the water right at least once per week for two consecutive weeks. You are responsible for sending a check to cover the cost of publication prior to the issuance of the Preliminary Determination and publication of notice. As outlined in OAR 690-380-4020(3), publication costs include both the direct cost of the notice and indirect processing costs (not to exceed 20% of the direct costs).

Issuance of the Preliminary Determination will occur shortly after we receive:

1. Your written response to the conditions and proposed action in the Draft Preliminary Determination (e-mail is acceptable); and

If we do not receive the items listed above by July 22, 2025, a Preliminary Determination may be issued denying the application as incomplete.

Please don't hesitate to contact me at 971-701-5485 or at elyse.d.richman@water.oregon.gov, if I may be of assistance.

Sincerely,



Transfer Specialist
Transfer and Conservation Section

cc: Transfer Application file T-14446
Jeremy T. Giffin, District 11 Watermaster *(via e-mail)*
Anderson Engineering & Surveying, Inc., Agent for the applicant *(via e-mail)*

encs

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

In the Matter of Transfer Application
T-14446, Lake County

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)
)
)
)

R E V I S E D

DRAFT PRELIMINARY DETERMINATION
PROPOSING APPROVAL FOR AN
ADDITIONAL POINT OF APPROPRIATION

Authority

Oregon Revised Statutes (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. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

TERRY NOFZIGER
PO BOX 568
CHRISTMAS VALLEY, OR 97641

Findings of Fact

1. On April 22, 2024, Terry Nofziger filed an application for an additional point of appropriation under Certificate 80684. The Department assigned the application number T-14446.
2. Notice of the application for transfer was published on April 30, 2024, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On June 6, 2025, the Department sent a copy of the draft Preliminary Determination to the applicant, proposing to approve Transfer Application T-14446. The draft Preliminary Determination cover letter set forth a deadline of July 7, 2025, for the applicant to respond.
4. During review of the draft Preliminary Determination, the applicant noticed that the proposed well was listed incorrectly on the map and Table 1 of the application. On June 10, 2025, the Department received an amended map and Table 1 with the correct location of the proposed well.

5. The right to be transferred is as follows:

Certificate: 80684 in the name of TERRY L. NOFZIGER (perfected under Permit G-9124)

Use: IRRIGATION OF 475.2 ACRES

Priority Date: DECEMBER 22, 1980

Rate: 5.94 CUBIC FEET PER SECOND (CFS), BEING 1.54 cfs from WELL 1, 0.99 cfs from WELL 2, 1.73 cfs from WELL 3, and 1.68 cfs from WELL 4, or its equivalent in case of rotation, measured at the wells.

Limit/Duty: 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.

Source: FOUR WELLS in the FORT ROCK BASIN

Authorized Points of Appropriation:

Twtp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	18 E	WM	31	SE SW	WELL 1 - 1300 FEET NORTH AND 1230 FEET WEST FROM THE S1/4 CORNER OF SECTION 31
26 S	18 E	WM	31	NE SE	WELL 2 - 1350 FEET NORTH AND 1400 FEET EAST FROM THE S1/4 CORNER OF SECTION 31
26 S	18 E	WM	32	NE SW	WELL 3 - 1340 FEET NORTH AND 1150 FEET WEST FROM THE S1/4 CORNER OF SECTION 32
26 S	18 E	WM	32	NE SE	WELL 4 - 1360 FEET NORTH AND 1580 FEET EAST FROM THE S1/4 CORNER OF SECTION 32

Authorized Place of Use:

IRRIGATION						
Twtp	Rng	Mer	Sec	Q-Q	GLot	Acres
26 S	18 E	WM	31	SW NE		0.3
26 S	18 E	WM	31	SE NE		0.8
26 S	18 E	WM	31	NE SW		33.1
26 S	18 E	WM	31	NW SW	3	27.4
26 S	18 E	WM	31	SW SW	4	29.2
26 S	18 E	WM	31	SE SW		35.2
26 S	18 E	WM	31	NE SE		40.0
26 S	18 E	WM	31	NW SE		37.2
26 S	18 E	WM	31	SW SE		0.9
26 S	18 E	WM	32	SW NE	3	0.2
26 S	18 E	WM	32	SE NE	4	1.2
26 S	18 E	WM	32	SW NW		0.6
26 S	18 E	WM	32	SE NW		1.1
26 S	18 E	WM	32	NE SW		37.8
26 S	18 E	WM	32	NW SW		33.1
26 S	18 E	WM	32	SW SW		28.5
26 S	18 E	WM	32	SE SW		36.9
26 S	18 E	WM	32	NE SE	5	38.7

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
26 S	18 E	WM	32	NW SE		26.6
26 S	18 E	WM	32	SW SE		24.4
26 S	18 E	WM	32	SE SE		33.7
26 S	18 E	WM	33	NW SW	3	4.7
26 S	18 E	WM	33	SW SW		3.6
					Total	475.2

6. Transfer Application T-14446 proposes an additional point of appropriation with approximate distances from the existing points of appropriation identified as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance from Existing Wells in miles (mi.)
26 S	18 E	WM	31	SE SW	WELL #5 - 1300 FEET NORTH AND 1180 FEET WEST FROM THE SOUTH 1/4 CORNER OF SECTION 31	WELL #1 - 0.01 mi. East
						WELL #2 - 0.49 mi. West
						WELL #3 - 1.01 mi. West
						WELL #4 - 1.51 mi. West

Transfer Review Criteria [OAR 690-380-0100(14), OAR 690-380-4010(2), and OAR 690-380-2110(2)]

7. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
8. A water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-14446.
9. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
10. The proposed point of appropriation develops groundwater from the same aquifer as the authorized points of appropriation, as required by OAR 690-380-2110(2).
11. The proposed change, as conditioned, would not result in enlargement of the right.
12. The proposed change, as conditioned, would not result in injury to other existing water rights.
13. All other application requirements are met.

Determination and Proposed Action

The additional point of appropriation proposed in Transfer Application T-14446 appears 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-14446 is approved, the final order will include the following:

- 1. The additional point of appropriation proposed in Transfer Application T-14446 is 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 Certificate 80684 and any related decree.*
- 3. Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new point of appropriation.*
- 4. Water right Certificate 80684 is cancelled.*
- 5. The quantity of water diverted at the new additional point of appropriation (Well 5), together with that diverted at the original points of appropriation (Well 1, Well 2, Well 3, and Well 4), shall not exceed the quantity of water lawfully available at the original points of appropriation (Well 1, Well 2, Well 3, and Well 4).*
- 6. Water shall be acquired from the same aquifer (water source) as the original points of appropriation.*
- 7. Water use measurement conditions:*
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation (new and existing).*
 - b. The water user shall maintain the meters or measuring devices in good working order.*
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.*
- 8. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2026**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.*

9. *After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.*

Dated in Salem, Oregon on

R E V I S E D D R A F T

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
IVAN GALL, DIRECTOR
Oregon Water Resources Department

This revised draft Preliminary Determination was prepared by Elyse Richman. If you have questions about the information in this document, you may reach me at 971-701-5485 or at elyse.d.richman@water.oregon.gov.



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

www.oregon.gov/owrd

June 6, 2025

VIA E-MAIL AND REGULAR MAIL

TERRY NOFZIGER

PO BOX 568

CHRISTMAS VALLEY, OR 97641

Reference: Water Right Transfer Application T-14446

Your water right transfer is in the first of three phases of processing. Enclosed is a draft of the Department's Preliminary Determination regarding Transfer Application T-14446. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved. Your response and submittal of the items outlined below are required by July 7, 2025.

Required items needing your immediate attention:

1. Please carefully review the Draft Preliminary Determination to verify that it accurately reflects the changes you intend to make and to become familiar with the proposed conditions.
2. **Respond in writing** by July 7, 2025, with acknowledgement that you agree to the proposed action and conditions.
3. If you find any errors, please let me know.
4. **REQUIRED:** You must submit a **Report of Ownership** for the lands where the water right is currently located (i.e., the FROM lands). This report:
 - a) Must be prepared by a title company;
 - b) Shall include a "prepared by" statement and the date the title company prepared the report printed on the cover sheet;
 - c) Must:
 - i. Be prepared no earlier than 3 months prior to the date of issuance of the Draft Preliminary Determination showing current ownership; **OR**
 - ii. Be prepared within 3 months of the date the water right conveyance agreement was recorded; **OR**
 - iii. Show ownership for the FROM land at the time a water right conveyance agreement was recorded.

If water right conveyance agreements are involved, it is helpful to provide copies of those agreements along with the Report of Ownership.

IMPORTANT: In order for the Department to clearly understand the date that the title company prepared the Report of Ownership, the title company must indicate/state the date that they prepared the report on the coversheet and/or first page of the report.

- d) Must include a list of owners at the time the report was generated; AND
 - e) Must include a legal description of the property where the water right to be transferred is currently located (i.e., the FROM lands).
5. You must provide a notarized statement of consent signed by any landowner listed in the Report of Ownership who is not already included in the transfer application. The Department's statement of consent form (**Consent By Deeded Landowner**) is available at: [https://www.oregon.gov/OWRD/WRDFormsPDF/consent to transfer form.pdf](https://www.oregon.gov/OWRD/WRDFormsPDF/consent%20to%20transfer%20form.pdf)
 6. Notice of this transfer will need to be published in a newspaper with general circulation in the area where the water rights are currently located. You will be responsible for the charges.

Conditions of your water right...

The Watermaster has required a water measurement device at the new diversion point prior to diversion of water. Enclosed is a contact information sheet to assist you in pursuing additional information or approval of the required (or alternate) device.

Please note the proposed date by which all conditions must be met: October 1, 2026. If the required completion date is insufficient to comply with any of the conditions, you may request more time, at no cost to you, during this stage of processing. **Please let me know by the comment deadline if you will need more time and explain the reasons why.**

What happens next...

Once the Preliminary Determination is issued a publication period is required. Because there is more than ¼ mile between the new and the authorized points of appropriation, the Department will publish notice of the transfer in a local newspaper having a general circulation in the area of the water right at least once per week for two consecutive weeks. You are responsible for sending a check to cover the cost of publication prior to the issuance of the Preliminary Determination and publication of notice. As outlined in OAR 690-380-4020(3), publication costs include both the direct cost of the notice and indirect processing costs (not to exceed 20% of the direct costs).

Issuance of the Preliminary Determination will occur shortly after we receive:

1. Your written response to the conditions and proposed action in the Draft Preliminary Determination (e-mail is acceptable); and
2. The Report of Ownership, including affidavits of consent from any landowners shown in the ownership report who have not signed the transfer application. The title company must indicate/state the date that they prepared the ownership report on the coversheet and/or first page of the report.

If we do not receive the items listed above by July 7, 2025, a Preliminary Determination may be issued denying the application as incomplete.

Please don't hesitate to contact me at 971-701-5485 or at elyse.d.richman@water.oregon.gov, if I may be of assistance.

Sincerely,

A handwritten signature in black ink that reads "Elyse Richman". The signature is written in a cursive style with a large initial "E".

Transfer Specialist
Transfer and Conservation Section

cc: Transfer Application file T-14446
Jeremy T. Giffin, District 11 Watermaster (*via e-mail*)
Anderson Engineering & Surveying, Inc., Agent for the applicant (*via e-mail*)

encs

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

In the Matter of Transfer Application)
T-14446, Lake County)

D R A F T

) PRELIMINARY DETERMINATION
) PROPOSING APPROVAL FOR AN
) ADDITIONAL POINT OF APPROPRIATION

Authority

Oregon Revised Statutes (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. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

TERRY NOFZIGER
PO BOX 568
CHRISTMAS VALLEY, OR 97641

Findings of Fact

1. On April 22, 2024, Terry Nofziger filed an application for an additional point of appropriation under Certificate 80684. The Department assigned the application number T-14446.
2. Notice of the application for transfer was published on April 30, 2024, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. The right to be transferred is as follows:
Certificate: 80684 in the name of TERRY L. NOFZIGER (perfected under Permit G-9124)
Use: IRRIGATION OF 475.2 ACRES
Priority Date: DECEMBER 22, 1980
Rate: 5.94 CUBIC FEET PER SECOND (CFS), BEING 1.54 cfs from WELL 1, 0.99 cfs from WELL 2, 1.73 cfs from WELL 3, and 1.68 cfs from WELL 4, or its equivalent in case of rotation, measured at the wells.

Limit/Duty: 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.

Source: FOUR WELLS in the FORT ROCK BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	18 E	WM	31	SE SW	WELL 1 - 1300 FEET NORTH AND 1230 FEET WEST FROM THE S1/4 CORNER OF SECTION 31
26 S	18 E	WM	31	NE SE	WELL 2 - 1350 FEET NORTH AND 1400 FEET EAST FROM THE S1/4 CORNER OF SECTION 31
26 S	18 E	WM	32	NE SW	WELL 3 - 1340 FEET NORTH AND 1150 FEET WEST FROM THE S1/4 CORNER OF SECTION 32
26 S	18 E	WM	32	NE SE	WELL 4 - 1360 FEET NORTH AND 1580 FEET EAST FROM THE S1/4 CORNER OF SECTION 32

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
26 S	18 E	WM	31	SW NE		0.3
26 S	18 E	WM	31	SE NE		0.8
26 S	18 E	WM	31	NE SW		33.1
26 S	18 E	WM	31	NW SW	3	27.4
26 S	18 E	WM	31	SW SW	4	29.2
26 S	18 E	WM	31	SE SW		35.2
26 S	18 E	WM	31	NE SE		40.0
26 S	18 E	WM	31	NW SE		37.2
26 S	18 E	WM	31	SW SE		0.9
26 S	18 E	WM	32	SW NE	3	0.2
26 S	18 E	WM	32	SE NE	4	1.2
26 S	18 E	WM	32	SW NW		0.6
26 S	18 E	WM	32	SE NW		1.1
26 S	18 E	WM	32	NE SW		37.8
26 S	18 E	WM	32	NW SW		33.1
26 S	18 E	WM	32	SW SW		28.5
26 S	18 E	WM	32	SE SW		36.9
26 S	18 E	WM	32	NE SE	5	38.7
26 S	18 E	WM	32	NW SE		26.6
26 S	18 E	WM	32	SW SE		24.4
26 S	18 E	WM	32	SE SE		33.7
26 S	18 E	WM	33	NW SW	3	4.7
26 S	18 E	WM	33	SW SW		3.6
					Total	475.2

4. Transfer Application T-14446 proposes an additional point of appropriation with approximate distances from the existing points of appropriation identified as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance from Existing Wells in miles (mi.)
26 S	18 E	WM	32	NE SW	WELL #5 - 1340 FEET NORTH AND 1100 FEET WEST FROM THE S1/4 CORNER OF SECTION 32	WELL #1 - 1.03 mi. East
						WELL #2 - 0.52 mi. East
						WELL #3 - 0.01 mi. West
						WELL #4 - 0.51 mi. West

Transfer Review Criteria [OAR 690-380-0100(14), OAR 690-380-4010(2), and OAR 690-380-2110(2)]

5. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
6. A water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-14446.
7. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
8. The proposed point of appropriation develops groundwater from the same aquifer as the authorized points of appropriation, as required by OAR 690-380-2110(2).
9. The proposed change, as conditioned, would not result in enlargement of the right.
10. The proposed change, as conditioned, would not result in injury to other existing water rights.
11. All other application requirements are met.

Determination and Proposed Action

The additional point of appropriation proposed in Transfer Application T-14446 appears 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-14446 is approved, the final order will include the following:

1. *The additional point of appropriation proposed in Transfer Application T-14446 is 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 Certificate 80684 and any related decree.*

3. *Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new point of appropriation.*
4. *Water right Certificate 80684 is cancelled.*
5. *The quantity of water diverted at the new additional point of appropriation (Well 5), together with that diverted at the original points of appropriation (Well 1, Well 2, Well 3, and Well 4), shall not exceed the quantity of water lawfully available at the original points of appropriation (Well 1, Well 2, Well 3, and Well 4).*
6. *Water shall be acquired from the same aquifer (water source) as the original points of appropriation.*
7. *Water use measurement conditions:*
 - a. *Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation (new and existing).*
 - b. *The water user shall maintain the meters or measuring devices in good working order.*
 - c. *The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.*
8. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2026**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.*
9. *After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.*

Dated in Salem, Oregon on

D R A F T

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
IVAN GALL, DIRECTOR
Oregon Water Resources Department

This draft Preliminary Determination was prepared by Elyse Richman. If you have questions about the information in this document, you may reach me at 971-701-5485 or at elyse.d.richman@water.oregon.gov.

RICHMAN Elyse D * WRD

From: RICHMAN Elyse D * WRD
Sent: Friday, June 6, 2025 11:11 AM
To: darryla@andersonengineering.com
Cc: GIFFIN Jeremy T * WRD
Subject: Terry Nofziger, T-14446
Attachments: T-14446-dpd-cov.pdf; T-14446-dpd.pdf; T-14446 measurement info form.pdf

Good morning,

Please see attached and let me know if I may be of further assistance.

Thank you,

Elyse D. Richman

she/her/hers

Transfer Specialist

725 Summer Street NE, Suite A, Salem, OR 97301

Phone: 971-701-5485



Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

Groundwater Transfer Review Summary Form

Transfer/PA # T- 14446

GW Reviewer Grayson Fish Date Review Completed: 11/7/2024

Summary of Same Source Review:

The proposed change in point of appropriation is not within the same aquifer as per OAR 690-380-2110(2).

Summary of Water Level Decline Condition Review:

Water levels at the original point(s) of appropriation have exceeded the allowed decline threshold defined by conditions in the originating water right.

Summary of Injury Review:

The proposed transfer will result in another, existing water right not receiving previously available water to which it is legally entitled or result in significant interference with a surface water source as per 690-380-0100(3).

Summary of GW-SW Transfer Similarity Review:

The proposed SW-GW transfer doesn't meet the definition of "similarly" as per OAR 690-380-2130.

This is only a summary. Documentation is attached and should be read thoroughly to understand the basis for determinations.



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

Ground Water Review Form:

- Water Right Transfer
- Permit Amendment
- GR Modification
- Other

Application: T-14446

Applicant Name: Terry Nofziger

Proposed Changes: POA APOA SW→GW RA
 USE POU OTHER

Reviewer(s): Grayson Fish

Date of Review: 11/7/2024

Date Returned to WRSD: 11/7/2024

The information provided in the application is insufficient to evaluate whether the proposed transfer may be approved because:

- The water well reports provided with the application do not correspond to the water rights affected by the transfer.
- The application does not include water well reports or a description of the well construction details sufficient to establish the ground water body developed or proposed to be developed.
- Other _____

1. Basic description of the changes proposed in this transfer: The applicant proposes to add Well #5 as an APOA to Certificate 80684. The proposed well is not yet constructed but is expected to source water from "basalt".

Currently authorized wells under Certificate 80684 are as follows:

- Well #1 – LAKE 688
- Well #2 – LAKE 689
- Well #3 – LAKE 690
- Well #4 – LAKE 691

The authorized and proposed wells are located ~2.5 miles north of Christmas Valley and are within the Fort Rock Classified area.

2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?
 Yes No Comments: Groundwater in the Fort Rock Valley-Christmas Valley area (Fort Rock Classified Area) is identified as a single groundwater system. Groundwater is found in both a shallower predominantly basin-fill sediment unit and a deeper predominantly volcanic rocks and sediments unit below. The predominantly basin fill sediment unit and the predominantly volcanic rocks and sediment unit both readily yield groundwater, and the two units are hydraulically connected.

Miller (1986) describes the groundwater source as the main groundwater reservoir. That reservoir includes groundwater in different geologic units. The reservoir has three characteristics. First, the "natural" groundwater level changes less than 1.5 feet annually, indicating the system is highly modulated. Second, the 1980s potentiometric surface was approximately 4292 feet elevation amsl basin-wide with Silver Lake an exception. Third, the reservoir consists of numerous water producing zones in several formations, all having an essentially common potentiometric level, and all being very transmissive in general.

The authorized wells produce groundwater from water bearing zones within the predominantly basin-fill sediment and/or the underlying predominantly volcanic rocks and sediment unit of the main groundwater reservoir. The proposed well will also produce groundwater from water bearing zones within the main groundwater reservoir.

3. a) Is the existing authorized POA subject to a water level decline condition?
 Yes No Comments: Certificate 80648 does not contain decline conditions.
 - b) If yes, for each POA identify the reference level, most recent spring-high water level, and whether an applicable permit decline condition has been exceeded: N/A

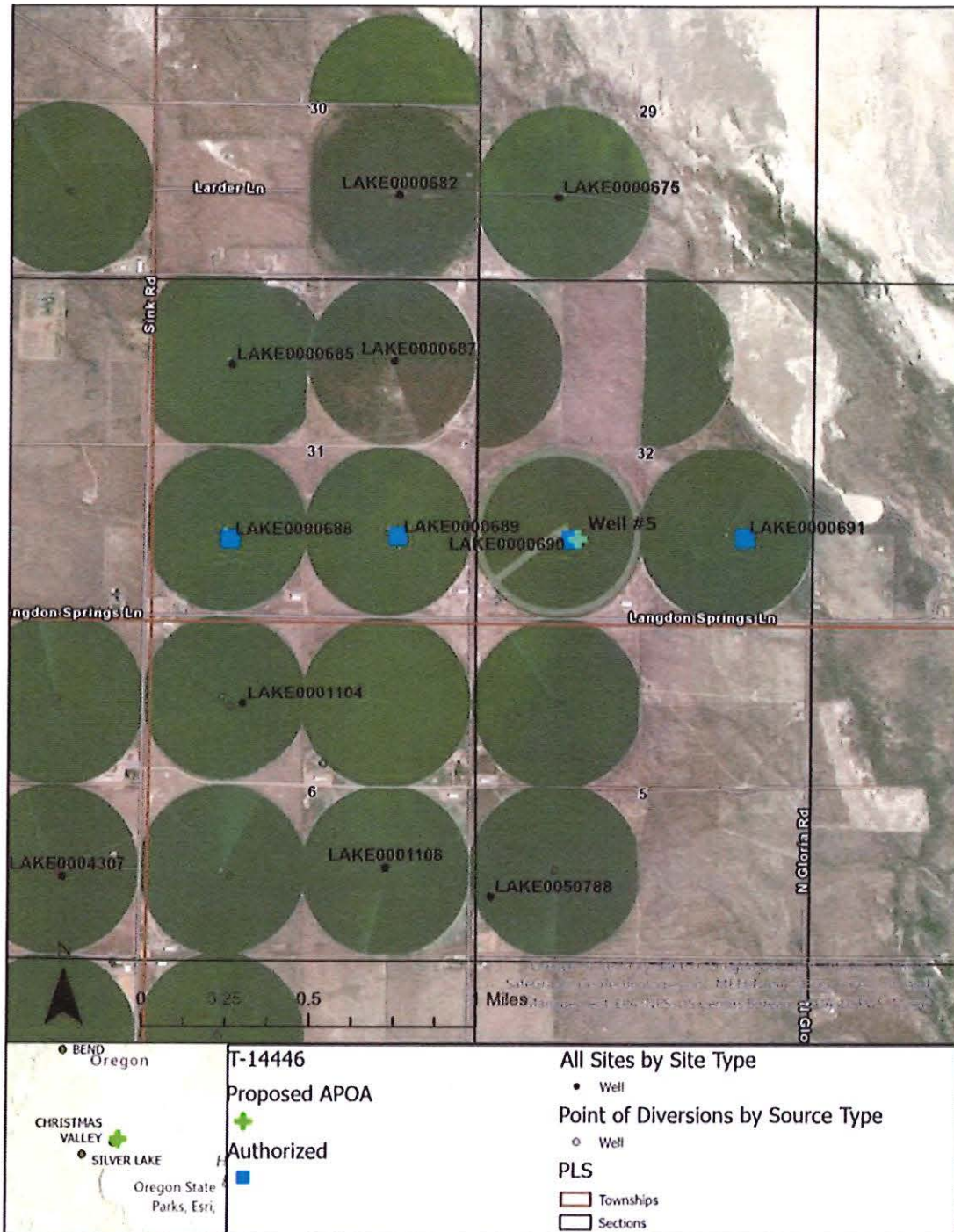
4. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?
 Yes No Comments: One source developed
 - b) If yes, estimate the portion of the right supplied by each of the sources and describe any limitations that will need to be placed on the proposed change (rate, duty, etc.): N/A

5. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another ground water right**?
 Yes No Comments: Proposed APOA Well #5 is planned to be located 50' east of authorized POA Well #3 (LAKE 690). Given the proximity of the proposed APOA to the authorized POA, this change is unlikely to result in an increase in interference with another groundwater right.
 - b) If yes, would this proposed change, at its maximum allowed rate of use, likely result in another groundwater right not receiving the water to which it is legally entitled?
 Yes No If yes, explain: N/A

6. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another surface water source**?
 Yes No Comments: Proposed APOA Well #5 is planned to be located 50' east of authorized POA Well #3 (LAKE 690). Given the proximity of the proposed APOA to the authorized POA, this change is unlikely to result in an increase in interference with another surface water source.
 - b) If yes, at its maximum allowed rate of use, what is the expected change in degree of interference with any **surface water sources** resulting from the proposed change?
 Stream: _____ Minimal Significant
 Stream: _____ Minimal Significant
 Provide context for minimal/significant impact: _____

7. For SW-GW transfers, will the proposed change in point of diversion affect the surface water source similarly (as per OAR 690-380-2130) to the authorized point of diversion specified in the water use subject to transfer?
 Yes No Comments: N/A
8. What conditions or other changes in the application are necessary to address any potential issues identified above: None.
9. Any additional comments: None.

T-14446



Watermaster Review Form: Water Right Transfer



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

Transfer Application: T-14446

Review Due Date: 05/24/2024

Applicant Name: Terry Nofziger

Proposed Changes: POU POD POA USE OTHER

Reviewer(s): Giffin

Date of Review: 04/25/2024

1. Do you have evidence that the right has not been used in the last 5 years and that the presumption of forfeiture would not likely be rebuttable? Yes No If "Yes", attach evidence (e.g. dated aerial photo showing pavement or building on the land for >5 yrs.)
2. Is there a history of regulation on the source that serves this (or these) right(s) that has involved the transferred right(s) and downstream water rights? Yes No Generally characterize the frequency of any regulation or explain why regulation has not occurred:
3. Have headgate notices been issued for the source that serves the transferred right(s)?
 Yes No Records not available.
4. In your estimation, after the proposed change, would distribution of water for the right(s) result in regulation of other water rights that would not have occurred if use under the original right(s) was/were maximized? Yes No If "Yes", explain:
5. In your estimation, if the proposed change is approved, are there upstream water rights that would be affected? Yes No If "Yes", describe how the rights would be affected and list the rights most affected:

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

N/A

7. For POD changes and instream transfers, check here if there are channel losses between the old and new PODs or within the proposed instream reach? If you check the box, describe and, if possible, estimate the losses:

N/A

8. For instream transfers that propose protection of a reach beyond the mouth of the source stream:

N/A Would the quantity be measureable into the receiving stream consistent with OAR 690-077-0015(8)? Yes No

9. For POU changes: N/A Is it likely the original place of use would continue to receive water from the same source? Yes No If "Yes", explain:

10. For POU or USE changes: N/A In your best judgment, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste?

Yes No If "Yes", explain:

11. For POU changes that involve micro-irrigation: N/A

a. Has the applicant made changes (absent a transfer) to convert to micro-irrigation within the current place of use boundary of the water right proposed for transfer, and previously demonstrated to the Department through monitoring and site inspections by the Watermaster that the proposed transfer will not result in injury or enlargement?

Yes No If "Yes", explain:

b. Has a temporary transfer of this nature been previously filed and approved on the same lands (or portions thereof) as those lands involved in this transfer?

Yes No If "Yes", answer the following:

i. Were there any problems with more acres being irrigated (or wetted) than were authorized under the temporary transfer? Yes No If "Yes", explain:

ii. Did the designated areas that were to remain dry (or not wetted) under the temporary transfer actually remain dry? Yes No If "No", explain:

iii. Did the applicant comply with and meet all of the conditions of the temporary transfer? Yes No If "No", explain:

iv. Do you have any other observations regarding the temporary transfer? Yes No If "Yes", describe:

v. Did the applicant demonstrate to the Department through monitoring and site inspections by the Watermaster that neither injury nor enlargement occurred as a result of the temporary transfer? Yes No If "No", explain:

c. To the best of your knowledge, if this transfer is approved, does it appear that:

i. "Injury" will occur to other water rights that share the same source? Yes No If "Yes", explain:

ii. "Enlargement" of the water right being transferred will occur? Yes No If "Yes", explain:

12. Are there other issues not identified through the above questions that should be considered in determining whether the change "can be effected without injury to other rights"?

Yes No If "Yes", explain:

13. What alternatives may be available for addressing any issues identified above:

14. Do conditions need to be included in the transfer order to avoid enlargement of the right or injury to other rights? No Yes, as checked and provided below:

For POU changes that involve micro-irrigation, provide the monitoring and reporting conditions necessary to prevent injury/enlargement:

A Headgate should be required prior to diverting water.

Measurement Devices for POD or POA: (if this condition is selected, also fill in the top sections of Page 4)

*a. Before water use may begin under this order, the water user shall install a **totalizing flow meter***, or, with prior approval of the Director, another suitable measuring device, at each point of diversion/appropriation (new and existing) OR at each new point of diversion/appropriation with the exception that water rights issued to the Bureau of Reclamation or an irrigation district (or similar entity) are not subject to this condition.*

b. The water user shall maintain the meters or measuring devices in good working order.

c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

Reservoir water use measurement: (if this condition is selected, also fill in the top sections of Page 4)

*a. Before water use may begin under this order, the water user shall install **staff gages***, or, with prior approval of the Director, other suitable measuring devices, that measure the entire range and stage between empty and full in each reservoir. Staff gages shall be United States Geological Survey style.*

b. Before water use may begin under this order, if the reservoir is located in channel, weirs or other suitable measuring devices must be installed upstream and downstream of the reservoir, and, an adjustable outlet valve must be installed. The water user shall maintain such devices in good working order. A written waiver may be obtained, if in the judgment of the Director, the installation of weirs or other suitable measuring devices, or the adjustable outlet valve, will provide no public benefit.

* The following alternative device(s) should be substituted for the bold, underlined device in the above selected condition:

- Weir
- Parshall Flume
- Other: ___

- Submerged Orifice
- Flow Restrictor

Oregon Water Resources Department
Measurement Condition Information for the Applicant
(To be sent with the Draft Preliminary Determination or Final Order)

Transfer #: T- 14446

- In order to avoid enlargement of the right or injury to other rights, a **Totalizing flowmeter** will be required to be installed **prior to diversion of water**, as a condition of this transfer:
- at each point of diversion/appropriation (new and existing) **OR**
 - at each new point of diversion/appropriation.

For additional information, or to obtain approval of a different type of measurement device, the applicant should contact the area Watermaster:

Watermaster name: **Jeremy Giffin**

District: **11**

Address: **231 Scalehouse Ip, STE 103**

City/State/Zip: **Bend, OR 97702**

Phone: **541-306-6885**

Email: **Jeremy.T.Giffin@water.oregon.gov**

Note: *If a device other than the one specified in the Preliminary Determination or Final Order is approved by the Watermaster, fill out and mail the form below to the Salem office.*

Approval of an Alternate Measurement Device T-
(to be filled out after consultation with the applicant, or after a site visit)

On behalf of the Director, I authorize use of the following suitable **alternate measurement device**:

Watermaster signature	District	Date
-----------------------	----------	------

If this form is used for approval of an alternative measurement device, it must be mailed to:

Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266

WATER RIGHT TRANSFER COVER SHEET

Transfer: T-14446

Transfer Specialist:

Transfer Type: Regular Transfer

Reimbursement Authority?

Applicant: Terry L. Nofziger PO Box 568 Christmas Valley, OR 97641	Agent: Anderson Engineering & Surveying, Inc. PO Box 28 Lakeview, OR 97630	Receiving Landowner:
Current Landowner if other than Applicant:	CWRE:	Irrigation District:
Affected Local Gov'ts: Lake County	Affected Tribal Gov't:	BOR Notified (date):

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	

Key Dates & Initial Actions (Support Staff)

Rec'd: April 22, 2024	Proposed Action(s): ADDITIONAL POINT OF APPROPRIATION	
Fees Pd: 1840.00	Acknowledgement Letter Sent <input checked="" type="checkbox"/>	Basin: 13 Goose & Summer Lake
Initial Public Notice: 4/30/2024	County sent cc: of Ack Letter <input checked="" type="checkbox"/>	County: LAKE
WM District: 11 Jeremy T. Giffin	WM Review request sent:	WM Review date received:
ODFW District:	ODFW Review sent:	ODFW Review date received:
Groundwater	GW Review sent:	GW Review date received:

Caseworker Actions: Newspaper & PD Notice:

Newspaper notice needed: <input type="checkbox"/>	Name of Newspaper:
Newspaper notice sent to coordinator:	Newspaper notice quote requested (NRS1):
Request for news \$ sent:	News \$ received:
Affidavit of publication received:	Last day of publication:

Peer Review:

Document	Drafted	Peer Review	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	CW Sent: _____ WM Sheet <input type="checkbox"/> ODFW Sheet: <input type="checkbox"/>	N/A
PD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____ Data Review Date: _____	Date: _____	Date: _____
FO	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ No. of docs for sig: _____	Date: _____

Special Issues: _____

Special Order Volume: Vol. _____ Pages _____



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building
725 Summer St NE, Suite A
Salem, OR 97301
Phone 503 986-0900
Fax 503 986-0904

April 24, 2024

Terry Nofziger
PO Box 568
Christmas Valley, OR 97641
Reference: Application T-14446

On April 22, 2024, the Department received your water right Permanent Transfer Application. The application was accompanied by \$1840.00. Receipt number 142784 is enclosed.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the requested change. A review form will also be sent to our groundwater staff to determine whether the proposed well accesses the same source of water as the original well.

This application may require publication of a notice for two consecutive weeks in a newspaper with general circulation in the area where the water right is located. If it is determined that newspaper notice will be required, the Department will prepare the notice and notify you of the cost. You will be responsible for submitting payment to the Department prior to publication of the notice.

Except as provided under ORS 540.510(3) for municipalities, you may not use water from the new point of appropriation until a final order approving the transfer application has been issued by the Department. 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 application is approved, the buyer's consent to the application will be required unless a recorded deed or other legal document clearly established that the water right was not conveyed in the sale.

Refer to the following page for a chart showing the steps and expected timelines for the processing of your application.

If you have any questions, please contact the Transfer Section at (503) 986-0935.

Cc: Watermaster Dist. #11, Jeremy T. Giffin (*via email*)
Anderson Engineering & Surveying, Inc., Agent
Lake County Planning Department, Local Government

Enclosure

STATE OF OREGON
WATER RESOURCES DEPARTMENT

725 Summer St. N.E. Ste. A
 SALEM, OR 97301-4172

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

RECEIPT # **142784**

INVOICE # _____

RECEIVED FROM: Anderson Engineering & Surveying, Inc.
 BY: _____

APPLICATION	
PERMIT	
TRANSFER	T-14476

CASH: CHECK:# 38139 OTHER: (IDENTIFY) _____

TOTAL REC'D \$ 1,840.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____
 OTHER: (IDENTIFY) \$ _____
 0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES 46110 \$ _____
 0410 RESEARCH FEES \$ _____
 0408 MISC REVENUE: (IDENTIFY) _____ \$ _____
 TC162 DEPOSIT LIAB. (IDENTIFY) _____ \$ _____
 0240 EXTENSION OF TIME \$ _____

WATER RIGHTS:		EXAM FEE	RECORD FEE
0201	SURFACE WATER	\$ _____	0202 \$ _____
0203	GROUND WATER	\$ _____	0204 \$ _____
0205	TRANSFER	\$ <u>1,840.00</u>	
WELL CONSTRUCTION		EXAM FEE	LICENSE FEE
0218	WELL DRILL CONSTRUCTOR	\$ _____	0219 \$ _____
	LANDOWNER'S PERMIT		0220 \$ _____
	OTHER (IDENTIFY) _____		

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

RECEIPT: **142784**

DATED: 4-22-2024 BY: m-milk

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

Application for Permanent Water Right Transfer



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

Part 1 of 5 – Minimum Requirements Checklist

This transfer application will be returned if Parts 1 through 5 and all required attachments are not completed and included.

For questions, please call (503) 986-0900, and ask for Transfer Section.

Received

APR 22 2024

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Check all items included with this application. (N/A = Not Applicable)

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Transfer Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator.
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 1 List them here: 80684**
Please include a separate Part 5 for each water right. (See instructions on page 6)
NOTE: A separate transfer application is required for each water right unless the criteria in OAR 690-380-3220 are met.

Attachments:

- Completed Transfer Application Map.
- Completed Evidence of Use Affidavit and supporting documentation.
- N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.)
- N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district.
- N/A Oregon Water Resources Department’s Land Use Information Form with approval and signature from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if all of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
- N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500’ from the surface water source and more than 1000’ upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability.

(For Staff Use Only)

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

- | | |
|--|--|
| <input type="checkbox"/> Application fee not enclosed/insufficient | <input type="checkbox"/> Map not included or incomplete |
| <input type="checkbox"/> Land Use Form not enclosed or incomplete | <input type="checkbox"/> Evidence of Use Form not enclosed or incomplete |
| <input type="checkbox"/> Additional signature(s) required | <input type="checkbox"/> Part _____ is incomplete |

Other/Explanation _____

Staff: _____ 503- _____ Date: ____/____/____

Part 2 of 5 – Transfer Application Map

Your transfer application will be returned if any of the map requirements listed below are not met.

Please be sure that the transfer application map you submit includes all the required items and matches the existing water right map. Check all boxes that apply.

- N/A Certified Water Right Examiner (CWRE) Stamp and Original Signature. For a list of CWREs, see http://apps.wrd.state.or.us/apps/wr/cwre_license_view/. CWRE stamp and signature are not required for substitutions.
- N/A If **more than three** water rights are involved, separate maps are needed for each water right.
- Permanent quality printed with dark ink on good quality paper.
- The size of the map can be 8½ x 11 inches, 8½ x 14 inches, 11 x 17 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, one extra copy is required.
- A north arrow, a legend, and scale.
- The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet, the scale of the Final Proof/Claim of Beneficial Use Map (the map used when the permit was certificated), the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet, or a scale that has been pre-approved by the Department.
- Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.
- Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.
- Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.
- Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.
- Existing place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the water right is being changed, a separate hachuring is needed for lands left unchanged.
- N/A Proposed place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.
- Existing point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water right certificate or permit.
- N/A If you are proposing a change in point(s) of diversion or well(s), show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

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APR 22 2024

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FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Terry Nofziger		PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS P.O. Box 568			FAX NO.
CITY Christmas Valley, OR 97641	STATE OR	ZIP 97641	E-MAIL
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT/BUSINESS NAME Anderson Engineering & Surveying Inc		PHONE NO. 541-947-4407	ADDITIONAL CONTACT NO.
ADDRESS P.O. Box 28			FAX NO. 541-947-2321
CITY Lakeview	STATE OR	ZIP 97630	E-MAIL darryla@andersonengineering.com
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

Explain in your own words what you propose to accomplish with this transfer application, and why:
 This transfer will replace Well #3 with a new well. Well #3 will be retained as a back-up to the new well.
 If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

Check One Box

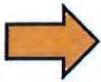
- By signing this application, I understand that, upon receipt of the draft preliminary determination and prior to Department approval of the transfer, I will be required to provide landownership information and evidence that I am authorized to pursue the transfer as identified in OAR 690-380-4010(5); **OR**
- I affirm the applicant is a municipality as defined in ORS 540.510(3)(b) and that the right is in the name of the municipality or a predecessor; **OR**
- I affirm the applicant is an entity with the authority to condemn property and is acquiring by condemnation the property to which the water right proposed for transfer is appurtenant and have supporting documentation.

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APR 22 2024
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By my signature below, I confirm that I understand:

- Prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: Lake County Examiner.
- Amendments to the application may only be made in response to the Department's Draft Preliminary Determination (DPD). The applicant will have a period of at least 30 days to amend the application to address any issues identified by the Department in the DPD, or to withdraw the application. Note that amendments may be subject to additional fees, pursuant to ORS 536.050.
- Failure to complete an approved change in place of use and/or change in character of use, will result in loss of the water right (OAR 690-380-6010).
- Refunds may only be granted upon request and, as set forth in ORS 536.050(4)(a), if the Director determines that a refund of all or part of a fee is appropriate in the interests of fairness to the public or necessary to correct an error of the Department.

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



Jerry L. McFerguson
Applicant signature

Jerry L. McFerguson
Print Name (and Title if applicable)

Owner
Date 4-18-24

Applicant signature

Print Name (and Title if applicable)

Date

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? Yes No*

*If NO, include signatures of all deeded landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent (and mailing and/or e-mail addresses) from all landowners or individuals/entities to which the water right(s) were conveyed.

Check the following boxes that apply:

- The applicant is responsible for completion of change(s). Notices and correspondence should continue to be sent to the applicant.
- The receiving landowner will be responsible for completing the proposed change(s) after the final order is issued. Copies of notices and correspondence should be sent to this landowner.
- Both the receiving landowner and applicant will be responsible for completion of change(s). Copies of notices and correspondence should be sent to this landowner and the applicant.

At this time, are the lands in this transfer application in the process of being sold? Yes No

If YES, and you know who the new landowner will be, please complete the receiving landowner information table below. If you do not know who the new landowner will be, then a request for assignment will have to be filed for at a later date.

If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. For more information see:

https://www.oregon.gov/owrd/WRDFormsPDF/Transfer_Property_Transactions.pdf

RECEIVING LANDOWNER NAME NA			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS				FAX NO.
CITY	STATE	ZIP	E-MAIL	
Describe any special ownership circumstances:				
The confirming Certificate shall be issued in the name of: <input type="checkbox"/> Applicant <input type="checkbox"/> Receiving Landowner				

Received

APR 22 2024

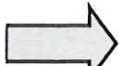
TACS

Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (Tip: Complete and attach Supplemental Form D.)

IRRIGATION DISTRICT NAME NA	ADDRESS	
CITY	STATE	ZIP

Check here if water for any of the rights supplied under a water service agreement or other contract for stored water with a federal agency or other entity.

ENTITY NAME NA	ADDRESS	
CITY	STATE	ZIP

 To meet State Land Use Consistency Requirements, you must list all county, city, municipal corporation, or tribal governments within whose jurisdiction water will be diverted, conveyed or used.

ENTITY NAME Lake County	ADDRESS 513 Center Street	
CITY Lakeview	STATE OR	ZIP 97630

ENTITY NAME	ADDRESS	
-------------	---------	--

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14446 -

Part 5 of 5 – Water Right Information

Please use a separate Part 5 for each water right being changed. See instructions on page 6, to copy and paste additional Part 5s, or to add additional rows to tables within the form.

CERTIFICATE # 80684

Received

Description of Water Delivery System

APR 22 2024

System capacity: 5.94 cubic feet per second (cfs) OR
 _____ gallons per minute (gpm)

OWRD

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. Water is pumped from 4 wells directly to 4 center pivot systems for application on the place of use

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)

(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well #1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	LAKE 688 LAKE 5767 L-98336	26 S	18 E	31	SE SW		1300' NORTH AND 1230' WEST OF S1/4 CORNER SECTION 31
Well #2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	LAKE 689	26 S	18 E	31	NE SE		1350' NORTH AND 1400' EAST OF S1/4 CORNER SECTION 31
Well #3	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	LAKE 690	26 S	18 E	32	NE SW		1340' NORTH AND 1150' WEST OF S1/4 CORNER SECTION 32
Well #4	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	LAKE 691	26 S	18 E	32	NE SE		1360' NORTH AND 1580' EAST OF S1/4 CORNER SECTION 32
Well #5	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		26 S	18 E	32	NE SW		1340' NORTH AND 1100' WEST OF S1/4 CORNER SECTION 32

Check all type(s) of change(s) proposed below (change "CODES" are provided in parentheses):

- | | |
|--|--|
| <input type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input type="checkbox"/> Character of Use (USE) | <input type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input checked="" type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Substitution (SUB) |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV) |

Will all of the proposed changes affect the entire water right?

- Yes Complete only the Proposed ("to" or "on" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.
- No Complete all of Table 2 to describe the portion of the water right to be changed.

14446 -

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Please use and attach additional pages of Table 2 as needed.
See page 6 for instructions.

Do you have questions about how to fill-out the tables?
Contact the Department at 503-986-0900 and ask for Transfer Staff.

Table 2. Description of Changes to Water Right Certificate # 80684

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.										Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date			
										APOA	26	S	18	E	31	SW	NE	200		0.3	irrigation	Well #1 Well #2 Well #3 Well #4 Well #5	12/22/1980
										APOA	26	S	18	E	31	SE	NE	200, 300		0.8	irrigation	Well #1 Well #2 Well #3 Well #4 Well #5	12/22/1980
										APOA	26	S	18	E	31	NE	SW	500		33.1	irrigation	Well #1 Well #2 Well #3 Well #4 Well #5	12/22/1980
										APOA	26	S	18	E	31	NW	SW	500	3	27.4	irrigation	Well #1 Well #2 Well #3 Well #4 Well #5	12/22/1980
										APOA	26	S	18	E	31	SW	SW	700, 701	4	29.2	irrigation	Well #1 Well #2 Well #3 Well #4 Well #5	12/22/1980

Received
APR 22 2024
OWRD

For Place of Use or Character of Use Changes

Are there other water right certificates, water use permits or ground water registrations associated with the “from” or the “to” lands? Yes No

If YES, list the certificate, water use permit, or ground water registration numbers: NA.



Pursuant to ORS 540.510, any “layered” water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

For Substitution (ground water supplemental irrigation will be substituted for surface water primary irrigation)

Ground water supplemental Permit or Certificate # NA;

Surface water primary Certificate # NA.

Received

APR 22 2024

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # NA

OWRD

For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:

Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.

Tip: You may search for well logs on the Department’s web page at:

http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

Describe the construction of the authorized and proposed well(s) in Table 3 for any wells that do not have a well log. For *proposed wells not yet constructed or built*, provide “a best estimate” for each requested information element in the table. The Department recommends you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

Table 3. Construction of Point(s) of Appropriation

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide the information will delay the processing of your transfer application until it is received. The information is necessary for the department to assess whether the proposed well(s) will access the same source aquifer as the authorized point(s) of appropriation (POA). The Department is prohibited by law from approving POA changes that do not access the same source aquifer.

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-___	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well-specific rate (cfs or gpm). If less than full rate of water right
Well #1	yes	LAKE 688 LAKE 52767 L-98336	537	14"	0-78	0-78	NA	22	shale/basalt	1.54 cfs
Well #2	yes	LAKE 689	583	14"	0-82	0-82	NA	21.5	shale/basalt	0.99 cfs
Well #3	yes	LAKE 690	422	14"	0-100	0-100	NA	18.5	basalt	1.73

14446 -

Well #4	yes	LAKE 691	483	14"	0-85	0-85	NA	22.5	basalt	1.68
Well #5	no		500	14"	0-100	0-100			basalt	1.73

Received
APR 22 2024

OWRD

14446 -

RECEIVED

WATER WELL REPORT
STATE OF OREGON

APR 3 1981
WATER RESOURCES DEPT
SALEM, OREGON

Lake
688

State Well No. 26518E-31cb
State Permit No.

(1) OWNER:

Name Terry Nofziger
Address
City State

(2) TYPE OF WORK (check):

New Well Deepening Reconditioning Abandon

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary Air Driven Domestic Industrial Municipal
Rotary Mud Dug Irrigation Test Well Other
 Bored Thermal: Withdrawal Reinjection

(4) PROPOSED USE (check):

Plastic Welded
Threaded Gauge 2.50
"Diam. from 0 ft. to 7.5 ft. Gauge
"Diam. from ft. to ft. Gauge

(5) CASING INSTALLED:

Steel Plastic
Threaded Welded
"Diam. from 0 ft. to 7.5 ft. Gauge 2.50
"Diam. from ft. to ft. Gauge

LINER INSTALLED:

"Diam. from ft. to ft. Gauge

(6) PERFORATIONS:

Perforated? Yes No
Type of perforator used
Size of perforations in. by in.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

(7) SCREENS:

Well screen installed? Yes No
Manufacturer's Name
Type Model No.
Diam. Slot Size Set from ft. to ft.
Diam. Slot Size Set from ft. to ft.

(8) WELL TESTS:

Drawdown is amount water level is lowered below static level
pump test made? Yes No If yes, by whom?
yield: gal./min. with ft. drawdown after hrs.
Air test 1600 gal./min. with drill stem at 537 ft. 1 hrs.
Bailer test gal./min. with ft. drawdown after hrs.
Artesian flow g.p.m.
Temperature of water Depth artesian flow encountered ft.

(9) CONSTRUCTION:

Special standards: Yes No
Well seal—Material used cement
Well sealed from land surface to 7.5 ft.
Diameter of well bore to bottom of seal 7.5 in.
Diameter of well bore below seal 10 in.
Number of sacks of cement used in well seal 46 sacks
How was cement grout placed? pressure grouted
Was pump installed? no Type HP Depth ft.
Was a drive shoe used? Yes No Plugs Size: location ft.
Did any strata contain unusable water? Yes No
Type of Water? depth of strata
Method of sealing strata off
Was well gravel packed? Yes No Size of gravel:
Gravel placed from ft. to ft.

(10) LOCATION OF WELL:

County Lake Driller's well number 145
NW 1/4 SW 1/4 Section 31 T.26.5 R.18E W.M.
Tax Lot # Lot Blk Subdivision
Address at well location:

(11) WATER LEVEL: Completed well.

Depth at which water was first found 356 ft.
Static level 22 ft. below land surface. Date March 18
Artesian pressure lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing 10"
Depth drilled 537 ft. Depth of completed well 537 ft.
Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
Sandy Brown soil	0	4	
Brown clay	4	17	
Green clay	17	150	
Gray clay	150	281	
Green clay	281	300	
Brown clay	300	344	
Brown shale	344	356	
Broken shale w/b	356	360	22
Brown shale	360	485	
Broken shale w/b	485	487	22
Brown shale	487	488	
Broken gray base l + w/b	488	537	

Received

APR 22 2024

OWRD

Work started March 16 1981 Completed March 18 1981
Date well drilling machine moved off of well March 19 1981

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] Stan L. Adams Date March 19 1981
(Drilling Machine Operator)
Drilling Machine Operator's License No. 1302

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 Tyl Adams
(Type or print name, firm or corporation)
Address Box 467 Christmas Valley, OR 97638
(Signed) Tyl Adams
(Water Well Contractor)
Contractor's License No. 670 Date Mar 20 1981

14446 -

LAKE 52767

WELL I.D. LABEL# 99-3-3-6-98336
 START CARD # 212655
 ORIGINAL LOG # 684 Lake

(1) LAND OWNER Owner Well I.D. _____
 First Name BJ Last Name NOFZIGER
 Company _____
 Address PO Box 726
 City Lev State OR Zip 97641

(2) TYPE OF WORK New Well Deepening Conversion
 Alteration (complete 2a & 10) Abandonment (complete 5a)

(2a) PRE-ALTERATION
 Casing: Dia + From To Gauge Stl Plstc Wld Thrd
 Material From To Amt sacks/lbs
 Seal: _____

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

(4) PROPOSED USE Domestic Irrigation Community
 Industrial/ Commercial Livestock Dewatering
 Thermal Injection Other _____

(5) BORE HOLE CONSTRUCTION Special Standard (Attach copy)
 Depth of Completed Well 537 ft.
 BORE HOLE SEAL

Dia	From	To	Material	From	To	Amt	sacks/lbs
14"	80	480				Calculated	
						Calculated	

 How was seal placed: Method A B C D E
 Other _____
 Backfill placed from _____ ft. to _____ ft. Material _____
 Filter pack from _____ ft. to _____ ft. Material _____ Size _____
 Explosives used: Yes Type _____ Amount _____

(5a) ABANDONMENT USING UNHYDRATED BENTONITE
 Proposed Amount _____ Pounds Actual Amount _____ Pounds

(6) CASING/LINER

Casing	Liner	Dia	+	From	To	Gauge	Stl	Plstc	Wld	Thrd
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>									

 Shoe Inside Outside Other Location of shoe(s) _____
 Temp casing Yes Dia _____ From _____ To _____

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

Perf/S	Casing/Screen	Screen/Slot	Slot	# of	Tele/
green	Liner	width	length	slots	pipe size

(8) WELL TESTS: Minimum testing time is 1 hour
 Pump Bailer Air Flowing Artesian

Yield gal/min	Drawdown	Drill stem Pump depth	Duration (hr)
1.50		537	1.5

 Temperature 58° °F Lab analysis Yes By _____
 Water quality concerns? Yes (describe below) TDS amount

From	To	Description	Amount	Units

(9) LOCATION OF WELL (legal description)
 County Lake Twp 26 N/S Range 18 E/W WM
 Sec 31 1/4 of the SW 1/4 Tax Lot 500
 Tax Map Number _____ Lot _____
 Lat _____ " or _____ DMS or DD
 Long _____ " or _____ DMS or DD
 Street address of well Nearest address

56891 Millican Rd Lev 97641

(10) STATIC WATER LEVEL

Existing Well / Pre-Alteration	Date	SWL (psi)	+ SWL (ft)
Completed Well	<u>11-2-16</u>		<u>22</u>

 Flowing Artesian? Dry Hole?

WATER BEARING ZONES Depth water was first found _____

SWL Date	From	To	Est Flow	SWL (psi)	+ SWL (ft)

(11) WELL LOG Ground Elevation _____

Material	From	To
14" hole	80	480
10" hole	480	537
JUST cleaned cut tool and drilled 480 14" TO 80' 480 10" TO 480 - 537		
RECEIVED BY OWRD		
MAR 06 2017		
SALEM, OR		
Date Started <u>10-3-16</u> Completed <u>11-2-16</u>		

RECEIVED BY OWRD
JAN 20 2017
SALEM, OR

(unbonded) Water Well Constructor Certification
 I certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported are true to the best of my knowledge and belief.
 License Number _____ Date APR 22 2024
 Signed _____

(bonded) Water Well Constructor Certification
 I accept responsibility for the construction, deepening, 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.
 License Number 1654 Date 1-10-17
 Signed _____
 Contact Info (optional) _____

JUN 1 1981

WATER WELL REPORT
STATE OF OREGON

RECEIVED
WATER RESOURCES DEPT
SALEM, OREGON

State Well No. 265/18E-3/da

WATER RESOURCES DEPT
SALEM, OREGON

State Permit No.

Lake 689

nc

(1) OWNER:

Name John Notziger
Address Box 457
City Christiansburg Valley State Ore

(2) TYPE OF WORK (check):

New Well Deepening Reconditioning Abandon
If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary Air Driven
Rotary Mud Dug
Cable Bored

(4) PROPOSED USE (check):

Domestic Industrial Municipal
Irrigation Test Well Other
Thermal: Withdrawal ReInjection

(5) CASING INSTALLED:

Steel Plastic
Threaded Welded
14" Diam. from 0 ft. to 82 ft. Gauge 250
" Diam. from ft. to ft. Gauge

LINER INSTALLED:

" Diam. from ft. to ft. Gauge

(6) PERFORATIONS:

Perforated? Yes No
Type of perforator used
Size of perforations in. by in.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

(7) SCREENS:

Well screen installed? Yes No
Manufacturer's Name
Type Model No.
Diam. Slot Size Set from ft. to ft.
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 No If yes, by whom?
: gal./min. with ft. drawdown after hrs.
Air test 1600 gal./min. with drill stem at 583 ft. 1 hrs.
Bailer test gal./min. with ft. drawdown after hrs.
Artesian flow g.p.m.
Temperature of water Depth artesian flow encountered ft.

(9) CONSTRUCTION:

Special standards: Yes No
Well seal—Material used ccment
Well sealed from land surface to 82 ft.
Diameter of well bore to bottom of seal 17 in.
Diameter of well bore below seal 10, 13/4 in. 46
Number of sacks of cement used in well seal sacks
How was cement grout placed? pressure grouted
Was pump installed? no Type HP Depth ft.
Was a drive shoe used? Yes No Plugs Size: location ft.
Did any strata contain unusable water? Yes No
Type of Water? depth of strata
Method of sealing strata off
Was well gravel packed? Yes No Size of gravel: ft.
Gravel placed from ft. to ft.

(10) LOCATION OF WELL:

County Latte Driller's well number 156
N 1/4 S 1/4 Section 31 T. 265 R. 18E W.M.
Tax Lot # Lot Blk Subdivision
Address at well location:

(11) WATER LEVEL: Completed well.

Depth at which water was first found 450 ft.
Static level 2 1/2 ft. below land surface. Date May 27
Artesian pressure lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing 10, 13/4
Depth drilled 583 ft. Depth of completed well 577 ft.
Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
Brown sandy soil	0	2	
Brown clay	2	18	
Greenish gray clay	18	448	
occasional pumy sand			
Brown shale - med	448	570	2 1/2
Broken seams w/B			
gray basalt - hard	570	531	
Broken basalt layered with hard solid basalt w/B	531	583	2 1/2

Received

APR 22 2024

OWRD

Work started May 23 19 81 Completed May 27 19 81
Date well drilling machine moved off of well May 28 19 81

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] Tom P Adams Date May 27 1981
(Drilling Machine Operator)

Drilling Machine Operator's License No. 1302

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 Tyle Adams
(Person, firm or corporation) (Type or print)
Address Box 101 Silver Lake Ore 971638

[Signed] Tyle Adams
(Water Well Contractor)

Contractor's License No. 690 Date May 27 19 81

NOTICE TO WATER WELL CONTRACTOR
The original and first copy of this report are to be filed with the

WATER RESOURCES DEPARTMENT,
SALEM, OREGON 97310
within 30 days from the date of well completion.

SP12658-690

14446 -

RECEIVED

WATER WELL REPORT
STATE OF OREGON

JUN 17 1981

WATER RESOURCES DEPT
SALEM, OREGON

State Well No. das/18E-22CA ³²

State Permit No.

Lake 690

(1) OWNER:

Name Tom Wofziger
Address Christmas Valley
City PO, 457 State OR

(2) TYPE OF WORK (check):

New Well Deepening Reconditioning Abandon

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary Air Driven Domestic Industrial Municipal
Rotary Mud Dug Irrigation Test Well Other
Bored Thermal: Withdrawal Reinjection

(4) PROPOSED USE (check):

Domestic Industrial Municipal
Irrigation Test Well Other
Thermal: Withdrawal Reinjection

(5) CASING INSTALLED:

Steel Plastic
Threaded Welded
14" Diam. from 0 ft. to 100 ft. Gauge 250
" Diam. from ft. to ft. Gauge

LINER INSTALLED:

" Diam. from ft. to ft. Gauge

(6) PERFORATIONS:

Perforated? Yes No
Type of perforator used
Size of perforations in. by in.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

(7) SCREENS:

Well screen installed? Yes No
Manufacturer's Name
Type Model No.
Diam. Slot Size Set from ft. to ft.
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 No If yes, by whom?
Well: gal/min. with ft. drawdown after hrs.
Air test 11000 gal/min. with drill stem at 422 ft. 1 hrs.
Bailer test gal/min. with ft. drawdown after hrs.
Artesian flow g.p.m.
Temperature of water Depth artesian flow encountered ft.

(9) CONSTRUCTION:

Special standards: Yes No
Well seal—Material used cement
Well sealed from land surface to 100 ft.
Diameter of well bore to bottom of seal 17" in.
Diameter of well bore below seal 10" in.
Number of sacks of cement used in well seal 58 sacks
How was cement grout placed? pressure grouted
Was pump installed? NO Type HP Depth ft.
Was a drive shoe used? Yes No Plugs Size: location ft.
Did any strata contain unusable water? Yes No
Type of Water? depth of strata
Method of sealing strata off
Was well gravel packed? Yes No Size of gravel: ft.
Gravel placed from ft. to ft.

(10) LOCATION OF WELL:

County Lake Driller's well number 151
NE 1/4 Sec 37 T. 265 R. 18E W.M.
Tax Lot # Lot Blk Subdivision
Address at well location:

(11) WATER LEVEL: Completed well.

Depth at which water was first found 410 ft.
Static level 18 1/2 ft. below land surface. Date
Artesian pressure lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing 10"
Depth drilled 422 ft. Depth of completed well 422 ft.
Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
<u>brown soil</u>	<u>0</u>	<u>2</u>	
<u>brown clay</u>	<u>2</u>	<u>20</u>	
<u>green clay</u>	<u>20</u>	<u>311</u>	
<u>pumy seam</u>	<u>311</u>	<u>312</u>	
<u>grey clay</u>	<u>312</u>	<u>410</u>	
<u>very broken grey basalt</u>	<u>410</u>	<u>422</u>	<u>18 1/2</u>

Received

APR 22 2024

OWRD

Work started April 27 19 81 Completed April 28 1981
Date well drilling machine moved off of well April 28 19 81

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] Lytle Adams Date Apr 29 81
(Drilling Machine Operator)
Drilling Machine Operator's License No. 1392

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 Lytle Adams (Type or print)
Address Star Rt Silver Lake Ore 97638
[Signed] Lytle Adams (Water Well Contractor)
Contractor's License No. 690 Date Apr 29 1981

NOTICE TO WATER WELL CONTRACTOR
The original and first copy of this report
are to be filed with the

WATER RESOURCES DEPARTMENT,
SALEM, OREGON 97310
within 30 days from the date of well completion.

SP-12658-690

14446 -

Application for Water Right Transfer

Evidence of Use Affidavit



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

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

State of Oregon)
) ss

County of LAKE

I, BLAINE NOFZIGER, in my capacity as AGENT,

mailing address PO Box 726 CHRISTMAS VALLEY, OR 97641

telephone number (541) 408-2745____, being first duly sworn depose and say:

Received
 APR 22 2024
 OWRD

1. My knowledge of the exercise or status of the water right is based on (check one):

- Personal observation Professional expertise

2. I attest that:

Water was used during the previous five years on the entire place of use for Certificate # 860854; OR

My knowledge is specific to the use of water at the following locations within the last five years:

Certificate #	Township	Range	Mer	Sec	¼ ¼	Gov't Lot or DLC	Acres (if applicable)

OR

- Confirming Certificate # _____ has been issued within the past five years; OR
- Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: _____ (Note: If the entire right proposed for transfer was not leased, additional evidence of use is needed for the portion not leased instream.); OR
- The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.
- Water has been used at the actual current point of diversion or appropriation for more than 10 years for Certificate # _____ (For Historic POD/POA Transfers)

(continues on reverse side)

3. The water right was used for: (e.g., crops, pasture, etc.): CROPS

4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.


Signature of Affiant

4/18/24
Date

Received
APR 22 2024
OWRD

Signed and sworn to (or affirmed) before me this 18 day of April, 2024



Notary Public for Oregon

My Commission Expires: March 25, 2028

Supporting Documents	Examples
<input type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of confirming water right certificate that shows issue date
<input checked="" type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none"> • Power usage records for pumps associated with irrigation use • Fertilizer or seed bills related to irrigated crops • Farmers Co-op sales receipt
<input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none"> • District assessment records for water delivered • Crop reports submitted under a federal loan agreement • Beneficial use reports from district • IRS Farm Usage Deduction Report • Agricultural Stabilization Plan • CREP Report
<input type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph	Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added. Sources for aerial photos: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terra-server.com
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number



16755 Finley Butte Rd
PO Box 127
LaPine OR 97739-0127

A Touchstone Energy® Cooperative

IMPORTANT INFORMATION

Your Debit/Credit Card will be charged for \$65.48 on 05/16/2023.

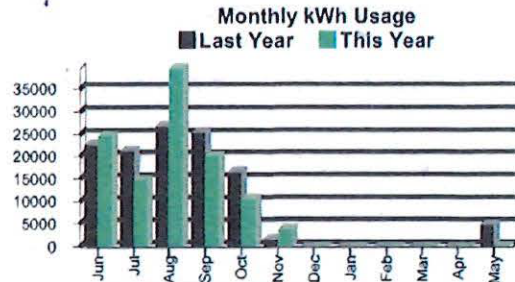
Co-Op News

MEC's office will be closed on Monday, May 29th for Memorial Day. Our after-hours outage line, (800)752-5935, is available 24 hours a day to assist you.

Received

APR 22 2024

BLAINE J NOFZIGER
PO BOX 726
CHRISTMAS VALLEY OR 97641-0000



OWRD

Average kWh Per Day
0

Account Number: [REDACTED] Service Location: PIVOT #3 75 HP
Billing Date: 05/16/2023 Billing Cycle: 3 Rate: Irr-Seasonal Bill Type: Regular

Account Detail		Electric Service Detail	
Previous Balance	3.44 Credit	Meter Number: 66559	Multiplier: 40.0
Payments Received	0.00	Reading Dates: 10/31/2022 - 04/30/2023	
Balance Forward	\$3.44 Credit	Number of Days: 181	
Energy Charge (kWh) 40 @ \$0.0479	1.92	Current Reading: 28962	
Facilities Charge	67.00	Last Reading: 28961	
Current Charges	\$68.92	kWh: 1 x 40 Multiplier = 40	
		kW: 0.044 x 40 Multiplier = 1.760	
Total Amount Due \$65.48			

Prompt Payment Discount - 1.5% will be credited to your next electric bill if your current bill is paid in full and received within 10 days of billing date.
Late Charge - \$5 or 1.5%, whichever is greater, for outstanding balances not received in our office by 5:30 PM the day prior to your next billing.

Account Number: [REDACTED] Billing Cycle: 3
Balance Forward: \$3.44 Credit
Current Charges Due Date: \$68.92
Total Amount Due: Paid with Credit/Debit Card
Relief Fund Contribution: (optional) _____
Total Amount Paid: _____



BLAINE J NOFZIGER
PO BOX 726
CHRISTMAS VALLEY OR 97641-0000

MIDSTATE ELECTRIC COOPERATIVE INC
PO BOX 127
LA PINE OR 97739-0127



14446 -



16755 Finley Butte Rd
PO Box 127
LaPine OR 97739-0127

A Touchstone Energy® Cooperative

IMPORTANT INFORMATION

Your Debit/Credit Card will be charged for \$1,515.23 on 06/20/2023.

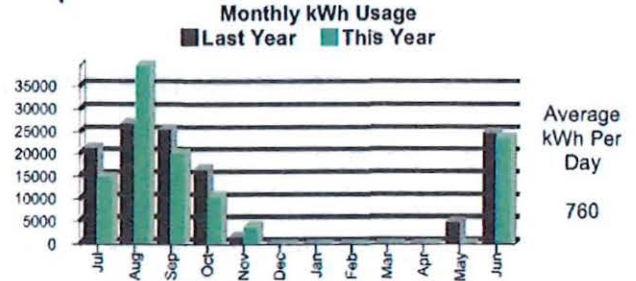
Co-Op News

MEC's office will be closed on Tuesday, July 4th for Independence Day. Our after-hours outage line, (800) 752-5935, is available 24 hours a day to assist you.

Smarthub is the center of member engagement. Manage your electric account 24/7 by accessing Smarthub at www.mse.coop.

BLAINE J NOFZIGER
PO BOX 726
CHRISTMAS VALLEY OR 97641-0000

Received
APR 22 2024
OWRD



Account Number: [REDACTED] Service Location: PIVOT #3 75 HP
Billing Date: 06/20/2023 Billing Cycle: 3 Rate: Irr-Seasonal Bill Type: Regular

Account Detail		Electric Service Detail	
Previous Balance	65.48	Meter Number: 66559	Multiplier: 40.0
Payments Received 05/16/2023	65.48 Credit	Reading Dates: 04/30/2023 - 05/31/2023	
Balance Forward	\$0.00	Number of Days: 31	
Energy Charge (kWh) 23,560 @ \$0.0479	1,128.52	Current Reading: 29551	
Demand Charge (kW) 61.680 @ \$5.20	320.74	Last Reading: 28962	
Facilities Charge	67.00	kWh: 589 x 40 Multiplier =	23,560
Prompt Pay Discount	1.03 Credit	kW: 1.542 x 40 Multiplier =	61.680
Current Charges	\$1,515.23		
Total Amount Due	\$1,515.23		

Prompt Payment Discount - 1.5% will be credited to your next electric bill if your current bill is paid in full and received within 10 days of billing date.
Late Charge - \$5 or 1.5%, whichever is greater, for outstanding balances not received in our office by 5:30 PM the day prior to your next billing.

Account Number: [REDACTED] Billing Cycle: 3

Current Charges Due Date:

Total Amount Due: Paid with Credit/Debit Card

Relief Fund Contribution: (optional) _____

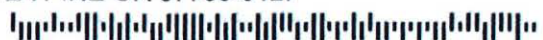
Total Amount Paid: _____



A Touchstone Energy® Cooperative

BLAINE J NOFZIGER
PO BOX 726
CHRISTMAS VALLEY OR 97641-0000

MIDSTATE ELECTRIC COOPERATIVE INC
PO BOX 127
LA PINE OR 97739-0127



14446 -





16755 Finley Butte Rd
PO Box 127
LaPine OR 97739-0127

A Touchstone Energy® Cooperative

IMPORTANT INFORMATION

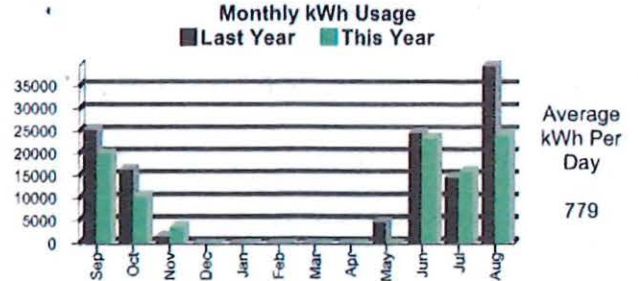
Your Debit/Credit Card will be charged for \$1,523.43 on 08/15/2023.

Co-Op News

OUR OFFICE WILL BE CLOSED ON MONDAY, SEPTEMBER 4TH FOR LABOR DAY. OUR AFTER-HOURS OUTAGE LINE, (800)752-5935, IS AVAILABLE 24 HOURS A DAY TO ASSIST YOU. Please update your contact information at www.mse.coop or call (541)536-2126, option 3.

BLAINE J NOFZIGER
PO BOX 726
CHRISTMAS VALLEY OR 97641-0000

Received
APR 22 2024
OWRD



Account Number: [REDACTED] Service Location: PIVOT #3 75 HP
Billing Date: 08/15/2023 Billing Cycle: 3 Rate: Irr-Seasonal Bill Type: Regular

Account Detail		Electric Service Detail	
Previous Balance	1,137.77	Meter Number: 66559	Multiplier: 40.0
Payments Received 07/18/2023	1,137.77 Credit	Reading Dates: 06/30/2023 - 07/31/2023	
Balance Forward	\$0.00	Number of Days: 31	
Energy Charge (kWh) 24,160 @ \$0.0479	1,157.26	Current Reading: 30558	
Demand Charge (kW) 60.880 @ \$5.20	316.58	Last Reading: 29954	
Facilities Charge	67.00	kWh: 604 x 40 Multiplier =	24,160
Prompt Pay Discount	17.41 Credit	kW: 1.522 x 40 Multiplier =	60.880
Current Charges	\$1,523.43		
Total Amount Due	\$1,523.43		

Prompt Payment Discount - 1.5% will be credited to your next electric bill if your current bill is paid in full and received within 10 days of billing date.
Late Charge - \$5 or 1.5%, whichever is greater, for outstanding balances not received in our office by 5:30 PM the day prior to your next billing.

Account Number: [REDACTED] Billing Cycle: 3

Current Charges Due Date:

Total Amount Due: Paid with Credit/Debit Card

Relief Fund Contribution: (optional)

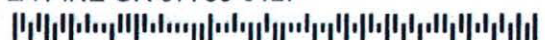
Total Amount Paid:



A Touchstone Energy® Cooperative

BLAINE J NOFZIGER
PO BOX 726
CHRISTMAS VALLEY OR 97641-0000

MIDSTATE ELECTRIC COOPERATIVE INC
PO BOX 127
LA PINE OR 97739-0127



14446 -



Recommendation Report



Grower	Permit #	Phone	Recommendation Range
DOUBLE N HAY CO INC 89091 LANGDON SPRING RD PO BOX 726 CHRISTMAS VALLEY OR 97641-0726		PH: 541-576-2355	3664408.1 - 3664409.1

Commodity	Commodity Plan/Planting ID	Grower PO	Farming Method	Proposed Date	Expiration Date	Alternate Rec Name
Alfalfa			Conventional	03/15/2024	03/22/2024	11083-Triple Threat with BORON - Dormancy.1

Farm Field / Block / Subblock	County State	Centroid	STR	Apply To	Row/Band	Land Area (acres)	Proposed Area (acres)
MILLICAN 3	Lake OR	43.270375 , -120.636030	31-026S-018E	Full Cover		116	116
MILLICAN 5	Lake OR	43.270286 , -120.616489	32-026S-018E	Full Cover		130	130
Totals						246	246

Branch	Phone	PCA	Applicator Company
Madras - OR 500 NW Cherry Ln Madras Madras OR 97741		Mike Knepp Lic#:AG-LO148691PC PH: 541-980-4843	Grower Applied Applicator: N/A

Received
APR 22 2024

WARNING: THIS PRODUCT USE RECOMMENDATION IS NOT INTENDED TO REPLACE THE EPA AND/OR STATE APPROVED LABELS FOR THESE PRODUCTS OR ENDORSE A VIOLATION OF ANY STATE AND/OR LOCAL LAWS AND REGULATIONS GOVERNING THE USE OF THESE PRODUCTS. ALWAYS READ AND FOLLOW LABEL DIRECTIONS AND COMPLY WITH ALL APPLICABLE LAWS AND REGULATIONS GOVERNING THE USE OF THESE PRODUCTS.

OWRD

Application

Method	Timing	Spray Vol.	Nozzle	Droplet	Pressure	Tank Size	Load Size	# Loads	ac/Load	ac/Final Load
Broadcast-Ground	Dormant	13 gpa				1200 Gallons	1200 Ga	2.7	92.31	61.38

Product	Manufacturer / Active Ingredient	Pest	Signal Word	Supplier	Rate	Total Product Quantity	Per Load	Final Load
CAYUSE PLUS	Wilbur-Ellis Company LLC / NITROGEN SURFACTANT	ADJUVANT	Caution	WE	5 Pt / 100 Gal	19.98 Gal	7.5 Gal	4.99 Gal
TRICOR DF 70506-103	UPL NA Inc. / METRIBUZIN	COMMON CHICKWEED, MOUSEEAR CHICKWEED	Caution	WE	0.7031 Lb / Tr Ac	172.96 Lb	64.90 Lb	43.16 Lb
DIREX 4 L 66222-54	ADAMA / DIURON	SHEPHERDSPURSE	Caution	WE	1 Pt / Tr Ac	30.75 Gal	11.54 Gal	7.67 Gal
GRAMOXONE SL 3.0 100-1652	Syngenta Crop Protection, LLC / PARAQUAT	ANNUAL BROADLEAF WEEDS, ANNUAL GRASSES	Danger	WE	1.4843 Pt / Tr Ac	45.64 Gal	17.13 Gal	11.39 Gal
CROSSHAIR	Wilbur-Ellis Company LLC / DRIFT REDUCTION AGENT, DEPOSITION AID	ADJUVANT	Warning	WE	4 Oz / Tr Ac	7.68 Gal	2.88 Gal	1.92 Gal
FOLI-GRO BORON 10%	Wilbur-Ellis Company LLC / NUTRIENT	NUTRIENT	Caution	WE	1 Pt / Tr Ac	30.75 Gal	11.54 Gal	7.67 Gal
Diluent						3063.18 Gal	1149.41 Gal	764.36 Gal

REI	PHI	Posting Responsibility	WPS Notification	Reasons for Recommendation
12 Hours	42 Day(s)	Grower	Oral warning OR Post warning signs	Pest is Present

Deliver To	Delivery Instructions

14446 -

Recommendation Notes

Products are listed in the order of mixing.

BY EXECUTING THIS PRODUCT USE RECOMMENDATION AND BEFORE USING A PRODUCT RECOMMENDED HEREIN, I HEREBY CERTIFY THAT (1) I WILL READ AND FOLLOW THE THEN-CURRENT PRODUCT LABEL AFFIXED TO SUCH PRODUCT'S CONTAINER (A SPECIMEN LABEL CAN BE OBTAINED DIRECTLY FROM WILBUR-ELLIS COMPANY UPON REQUEST) AND ALL APPLICABLE LAWS AND REGULATIONS GOVERNING THE USE OF SUCH PRODUCT, (2) THE RECOMMENDATIONS CONTAINED HEREIN ARE CONSISTENT WITH MY REVIEW AND UNDERSTANDING OF THE PRODUCT NOTICES INCLUDED WITH THIS RECOMMENDATION AND SUCH PRODUCT'S LABEL, (3) I HAVE CONSIDERED AND, IF PRACTICABLE, ADOPTED, MEASURES THAT WOULD MITIGATE ANY SIGNIFICANT ADVERSE IMPACT ON THE ENVIRONMENT AND (4) I UNDERSTAND AND AGREE THAT WILBUR-ELLIS COMPANY EXPRESSLY DISCLAIMS ANY WARRANTY OF COMPLETENESS OR ACCURACY, AND ANY AND ALL IMPLIED OR STATUTORY WARRANTIES, INCLUDING ANY WARRANTY OF FITNESS FOR A PARTICULAR USE OR WARRANTY OF MERCHANTABILITY, AND THAT WILBUR-ELLIS COMPANY SHALL NOT BE LIABLE FOR ANY DIRECT, INDIRECT, CONSEQUENTIAL, SPECIAL, OR INCIDENTAL DAMAGES ARISING OUT OF THIS PRODUCT USE RECOMMENDATION, MY USE OF THE PRODUCTS RECOMMENDED HEREIN OR MY FAILURE TO FOLLOW THE THEN-CURRENT PRODUCT LABEL AND/OR APPLICABLE LAWS AND REGULATIONS.

Signature 	Date	03/15/2024
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Received
APR 22 2024
OWRD



Recommendation Report



Grower	Permit #	Phone	Recommendation Range
DOUBLE N HAY CO INC 89091 LANGDON SPRING RD PO BOX 726 CHRISTMAS VALLEY OR 97641-0726		PH: 541-576-2355	3422900.1 - 3422900.1

Commodity	Grower PO#/UPI	Farming Method	Proposed Date	Expiration Date	Alternate Rec Name
Alfalfa		Conventional	04/08/2023	04/15/2023	11083-PIVOT 3 TRIPLE THREAT.1

Farm Field / Block / Subblock	County State	Centroid	STR	Apply To	Row/Band	Land Area (acres)	Proposed Area (acres)
MILLICAN 3	Lake OR	43.270375 , -120.636030	31-026S-018E	Full Cover		116	116
Totals						116	116

Branch	Phone	PCA	Applicator Company
Madras - OR 500 NW Cherry Ln Madras Madras OR 97741		Mike Knepp Lic#:AG-LO148691PC PH: 541-980-4843	Grower Applied Applicator: N/A

WARNING: THIS PRODUCT USE RECOMMENDATION IS NOT INTENDED TO REPLACE THE EPA AND/OR STATE APPROVED LABELS FOR THESE PRODUCTS OR ENDORSE A VIOLATION OF ANY STATE AND/OR LOCAL LAWS AND REGULATIONS GOVERNING THE USE OF THESE PRODUCTS. ALWAYS READ AND FOLLOW LABEL DIRECTIONS AND COMPLY WITH ALL APPLICABLE LAWS AND REGULATIONS GOVERNING THE USE OF THESE PRODUCTS

Application

Method	Timing	Spray Vol.	Nozzle	Droplet	Pressure	Tank Size	Load Size	# Loads	ac/Load	ac/Final Load
Broadcast-Ground		15 gpa								

Product	Manufacturer / Active Ingredient	Pest	Signal Word	Supplier	Rate	Total Product Quantity	Per Load	Final Load
CAYUSE PLUS	Wilbur-Ellis Company LLC / NITROGEN SURFACTANT	ADJUVANT	Caution	WE	8 Oz / Tr Ac	7.25 Gal		
TRICOR DF 70506-103	UPL NA Inc. / METRIBUZIN	COMMON CHICKWEED, SHEPHERDSPURS E	Caution	WE	0.7 Lb / Tr Ac	81.2 Lb		
DIREX 4 L 66222-54	ADAMA / DIURON	CHICKWEED	Caution	WE	1 Pt / Tr Ac	14.5 Gal		
GRAMOXONE SL 3.0 100-1652	Syngenta Crop Protection, LLC / PARAQUAT	ANNUAL BROADLEAF WEEDS	Danger	WE	1.4 Pt / Tr Ac	20.3 Gal		
EFFICAX	Wilbur-Ellis Company LLC / DEPOSITION AID, ESTERIFIED SEED OIL	ADJUVANT	Warning	WE	8 Oz / Tr Ac	7.25 Gal		
Diluent						1690.70 Gal		

REI	PHI	Posting Responsibility	WPS Notification	Reasons for Recommendation
12 Hours	42 Day(s)	Grower	Oral warning OR Post warning signs	Pest is Present

Deliver To	Delivery Instructions

Received

APR 22 2024

OWRD

Recommendation Notes

Mixing Order is Top to Bottom on Recommendation

BY EXECUTING THIS PRODUCT USE RECOMMENDATION AND BEFORE USING A PRODUCT RECOMMENDED HEREIN, I HEREBY CERTIFY THAT (1) I WILL READ AND FOLLOW THE THEN-CURRENT PRODUCT LABEL AFFIXED TO SUCH PRODUCTS CONTAINER (A SPECIMEN LABEL CAN BE OBTAINED DIRECTLY FROM WILBUR-ELLIS COMPANY UPON REQUEST) AND ALL APPLICABLE LAWS AND REGULATIONS GOVERNING THE USE OF SUCH PRODUCT, (2) THE RECOMMENDATIONS CONTAINED HEREIN ARE CONSISTENT WITH MY REVIEW AND UNDERSTANDING OF THE PRODUCT NOTICES INCLUDED WITH THIS RECOMMENDATION AND SUCH PRODUCT'S LABEL, (3) I HAVE CONSIDERED AND, IF PRACTICABLE, ADOPTED, MEASURES THAT WOULD MITIGATE ANY SIGNIFICANT ADVERSE IMPACT ON THE ENVIRONMENT AND (4) I UNDERSTAND AND AGREE THAT WILBUR-ELLIS COMPANY EXPRESSLY DISCLAIMS ANY WARRANTY OF COMPLETENESS OR ACCURACY, AND ANY AND ALL IMPLIED OR STATUTORY WARRANTIES, INCLUDING ANY WARRANTY OF FITNESS FOR A PARTICULAR USE OR WARRANTY OF MERCHANTABILITY, AND THAT WILBUR-ELLIS COMPANY SHALL NOT BE LIABLE FOR ANY DIRECT, INDIRECT, CONSEQUENTIAL, SPECIAL, OR INCIDENTAL DAMAGES ARISING OUT OF THIS PRODUCT USE RECOMMENDATION, MY USE OF THE PRODUCTS RECOMMENDED HEREIN OR MY FAILURE TO FOLLOW THE THEN-CURRENT PRODUCT LABEL AND/OR APPLICABLE LAWS AND REGULATIONS.

Signature 	Date	04/08/2023
---	-------------	-------------------

Received
APR 22 2024
OWRD

Farm Field / Block / Subblock	County State	Centroid	STR	Apply To	Row/Band	Proposed Area	Treated Area
MILICAN 3	Lake OR	43.270375, -120.636030	31-026S-018E	Full Cover		116	116



Surrounding Crops

	Alfalfa	

Ground Speed	Water Source

Received
APR 22 2024
OWRD

Personal Protection Equipment

Handler

Body: Long-sleeved shirt and long pants, Hand: Chemical-resistant gloves: Barrier Laminate OR Butyl Rubber OR Nitrile Rubber OR Neoprene Rubber OR Polyvinyl Chloride OR Viton OR Natural Rubber OR Polyethylene, Foot: Shoes plus socks, Eye: Protective Eyewear, Head: Not required, Frontal: Chemical-resistant apron: For Mixer/Loader OR For Cleaning Up Spills or Equipment, Breath: Respirator- NIOSH approved particulate respirator with any N, R, P, or HE filter with NIOSH approval number prefix TC-84A

Early Entry

Body: Coveralls, Hand: Chemical-resistant gloves: Barrier Laminate OR Butyl Rubber OR Nitrile Rubber OR Neoprene Rubber OR Polyvinyl Chloride OR Viton OR Natural Rubber OR Polyethylene, Foot: Shoes plus socks, Eye: Protective Eyewear, Head: Not required, Frontal: Not required, Breath: Not required

Received
APR 22 2024
OWRD

Land Use Information Form



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

Received
 APR 22 2024

OWRD

NAME Terry Nofziger			PHONE	
MAILING ADDRESS P.O. Box 568				
CITY Christmas Valley	STATE OR	ZIP 97641	EMAIL	

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts, may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
26S	18E	32	NE SW	8600	Agriculture	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	irrigation
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

Lake County

NOTE: A separate Land Use Information Form must be completed and submitted for each county and city, as applicable.

B. Description of Proposed Use

Type of application to be filed with the Oregon Water Resources Department:

- Permit to Use or Store Water
 Water Right Transfer
 Permit Amendment or Ground Water Registration Modification
 Limited Water Use License
 Exchange of Water
 Allocation of Conserved Water

Source of water: Reservoir/Pond Ground Water Surface Water (name) _____

Estimated quantity of water needed: 1.73 cubic feet per second gallons per minute acre-feet

Intended use of water: Irrigation Commercial Industrial Domestic for _____ household(s)
 Municipal Quasi-Municipal Instream Other _____

Briefly describe:

The transfer consists of drill a new Well 50 feet to the east of of Existing Well #3. Location listed above is for the well, and not the entire water right certificate

Note to applicant: For new water right applications only, if the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt on the bottom of page 4 and include it with the application filed with the Oregon Water Resources Department.

See Page 4 →

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land use plan. Do not include approval for activities such as building or grading permits.

Received
APR 22 2024

Please check the appropriate box below and provide the requested information

OWRD

- Land uses to be served by the proposed water use(s), including proposed construction, are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): Lake County Zoning Ordinance Article 3: A-2 Zone.
- Land uses to be served by the proposed water use(s), including proposed construction, involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/Land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being Pursued."**

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

Local governments are invited to express special land use concerns or make recommendations to the Oregon Water Resources Department regarding this proposed use of water in the box below or on a separate sheet.

26-18- Notifier

Name: DARWIN JOHNSON Title: Planning Director
 Signature: [Signature] Date: 18 APR 2024
 Governmental Entity: LAKE COUNTY PLANNING DEPT. Phone: 541-947-6036

Receipt Acknowledging Request for Land Use Information

Note to Local Government Representative:
 Please complete this form and return it to the applicant. For new water right applications only, if you are unable to complete this form while the applicant waits, you may complete this receipt and return it to the applicant. If you sign the receipt, you will have 30 days from the date of OWRD's Public Notice of the application to submit the completed Land Use Information Form to Oregon Water Resources Department. Please note while OWRD can accept a signed receipt as part of intake for an application for a new permit to use or store water, a completed Land Use Information Form is required for all other applications.

Applicant Name: _____

Staff Name: _____ Title: _____

Staff Signature: _____ Date: _____

Governmental Entity: _____ Phone: _____

14446 -

Permanent Transfer Application Intake Completion Checklist

Check the Certificate(s) in WRIS

Transfer # T- 14446

Checked by: <u>Jim</u>	Type of Change(s) Proposed: <i>Mark the Proposed Changes</i>	Substitution	Supplemental to Primary	POU	POD	APOD
Date: <u>4/23/24</u>		Gov Action	Surface to Ground	USE	POA	<u>APOA</u>
Fee Received: <u>1840.00</u>						
Calculated Fee: <u>1840.00</u>		How many rights to be Transferred? Certificate # <u>00604</u>				
Additional Observations: <u>Lake Co.</u>						

If OK and complete, check box to the left; if NOT, fill in.

1. Is applicant information complete? Have all applicants listed at the top of the page signed at the bottom? If no, what is missing? Whose signature is missing? _____
2. Does applicant indicate the place of use is in or near an irrigation district? Is a Form D included? N/A.
Name of the district: _____
3. Part 5 of application, has the applicant(s) completed the entire page and does the information match the description of the explanation of the reasons for transfer on Part 4 of the application?
If no, you may need to contact the applicant or agent? _____
4. Is there only one (1) water right included in this transfer application?
If no, are the criteria of OAR 690-380-3220 for more than one WR met? Yes or No _____
If no, then the transfer application CANNOT be accepted. See attached "3220" Decision Tree Flowchart.
5. For multiple certificates do each of the certificates listed on Application Page 1 have their own separate completed Part 5 tables 1 & 2?
If no, which certificate(s) are missing a separate Part 5 tables 1 & 2? NA
6. Is the map prepared and signed by a CWRE? Does the map meet requirements?
If no, what is missing? _____. Map waiver included? Yes No
7. If a change in point of appropriation (POA), have the well logs been included? N/A.
8. If a change in place of use (POU) within Umatilla County, have the applicant(s) provided a Supplemental Form U? N/A.
9. If all boxes on this checklist are checked (with no remaining deficiencies identified), ACCEPT the application. Put this application intake completeness check sheet in the transfer folder.

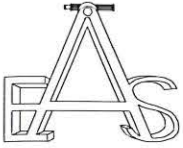
OR: If all boxes to the left are NOT checked, then this application is deficient and CANNOT be accepted. It should be returned and the deficiencies listed in the "staff" section at the bottom of Application Page 1, unless the applicant or agent can resolve the deficiencies within 2-3 days.

Actions taken: _____ Date: _____

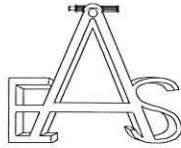
ANDERSON

ENGINEERING & SURVEYING, INC.

TRANSMITTAL LETTER



PO Box 28
17681 Hwy 395
Lakeview, Oregon 97630
(541) 947-4407
(541) 947-2321 FAX



Oregon Water Resources Department

725 Summer Street NE, Suite A

Salem, OR 97301-1266

DATE: 04-19-2024	JOB NO: 2024-040
ATTENTION:	
RE: Nofziger Water Right Transfer	

WE ARE SENDING YOU ATTACHED:

PRINTS PLANS

OTHER _____

COPIES	DATE	DESCRIPTION
1		Land Use Form
1		Application For Permanent Water Right Transfer
1		Application for Water Right Transfer
1		Proof of use (utility invoices)
1		Map to Accompany Water Right Transfer Application
1		Payment Check

THESE ARE TRANSMITTED AS CHECKED BELOW:

FOR APPROVAL FOR REVIEW AND COMMENT

AS REQUESTED FOR SIGNATURE

OTHER _____

REMARKS _____

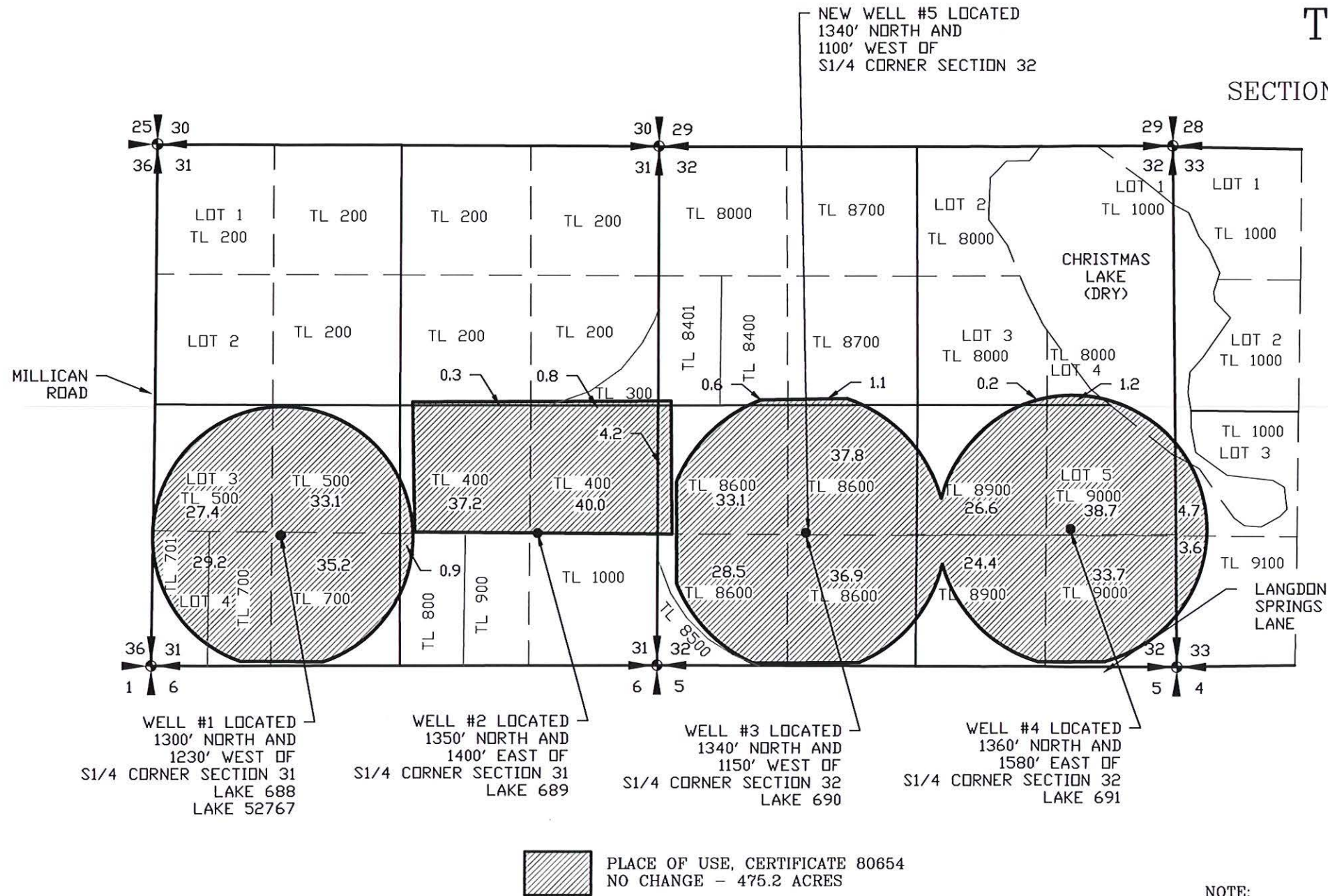
COPY TO _____ SIGNED Brifene Ortwein

If enclosures are not as noted, please notify us at once

Received
APR 22 2024
OWRD

MAP TO ACCOMPANY WATER RIGHT TRANSFER APPLICATION FOR TERRY NOFZIGER

SECTIONS 31, 32, & 33 T26S R18E W.M.
LAKE COUNTY, OREGON



CERTIFICATE NO. 80684

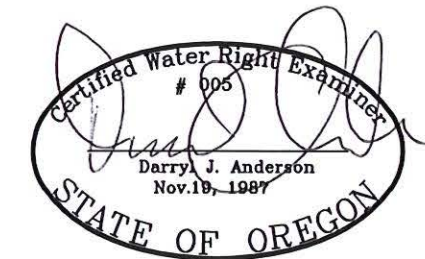
TRANSFER NO. _____

Received
APR 22 2024

OWRD



SCALE: 1"=1320'



RENEWAL 12/31/25

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

REVISION	BY

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

FOR: **BLAINE NOFZIGER**
 56891 MILLICAN ROAD
 CHRISTMAS VALLEY, OR
 97641

MAP TO ACCOMPANY WATER RIGHT TRANSFER APPLICATION
SEC. 31 & 32 T26S, R18E W.M.

DATE:	3/28/2024
SCALE:	1" = 1320'
DWG. BY:	R.C.
JOB:	2024-040
FILE:	2024-040
SHEET:	1 OF 1