

T-14207

Regular

T-14207

Name Denson Dry Creek LLC

Brad Denson

Address PO Box 737Halfway, OR 97814bdenson@daltonmgt.comChange in POUDate Filed 3/30/2023Initial notice date 4/4/2023

DPD issued date

PD issued date

PD notice date

Date of FO _____ Vol _____ Page _____

C-Date

COBU due date

COBU Received date

Certificate issued

DESCRIPTION OF WATER RIGHT(S)

Name of Stream Lake Fork CreekTrib. of North Pine CreekUse IrrigationCounty Baker

Quantity of water (CFS)

No. of Acres

Name of ditch

App# E 520Per # E 45Cert # 7058PR Date 2/1/1910

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 #
3/30/23	\$1,360.00	140406

FEES REFUNDED

Date	Amount	Receipt #
------	--------	-----------

Assignments:

Irrigation District

Agent Paul Garvin/Garvin HydroGeo LLC - Garvin@hydrogeo@gmail.comCWRE Baker County Dry Creek Ditch Company

CC's list

☐ - Oversized map - Location

Waiting to hear
Back from
Agent

**non
USE
ISSUES**

Do NOT
Process -
awaiting for final
PROC.

~~REVIEW~~

Review Folder

Table 2. Description of Changes to Water Right Certificate # 7058

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.

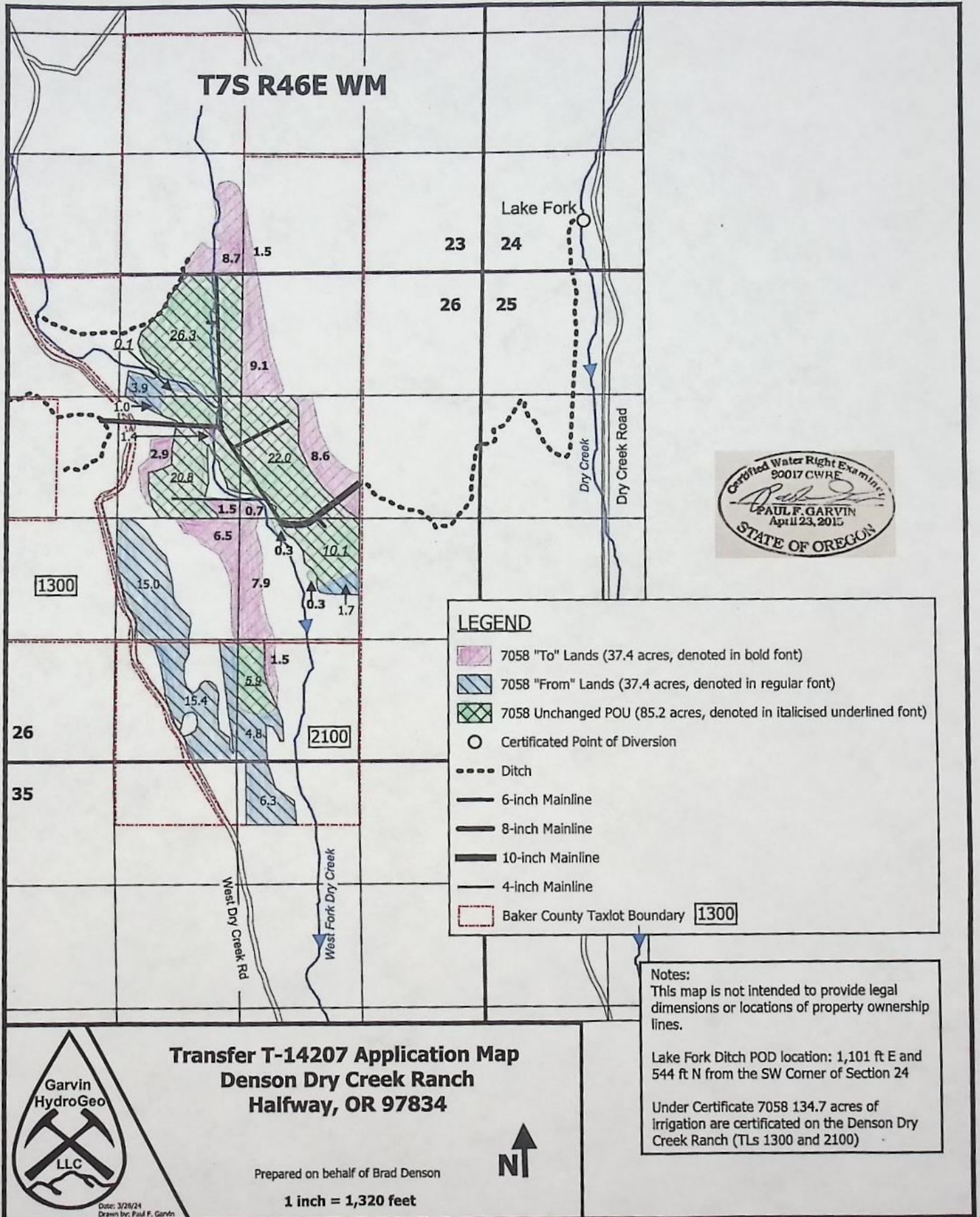
AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear 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			
EXAMPLE																							
2	S	9	E 15	NE NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E 1	NW NW	500	1	10.0		POD #5	1901	
7	S	46	E 26	NE NW	1300		3.9	IR	Lake Fork Ditch	2/17/1910	POU	7	S	46	E 23	SE SW	1300		8.7	IR	Lake Fork Ditch	2/17/1910	
7	S	46	E 26	NE SW	1300		8.5	IR	Lake Fork Ditch	2/17/1910	POU	7	S	46	E 23	SW SE	1300		1.5	IR	Lake Fork Ditch	2/17/1910	
7	S	46	E 26	SW SE	2100		3.3	IR	Lake Fork Ditch	2/17/1910	POU	7	S	46	E 26	NW NE	1300		9.1	IR	Lake Fork Ditch	2/17/1910	
7	S	46	E 26	SE SW	2100		15.4	IR	Lake Fork Ditch	2/17/1910	POU	7	S	46	E 26	SW NE	1300		9.3	IR	Lake Fork Ditch	2/17/1910	
7	S	46	E 35	NW NE	2100		6.3	IR	Lake Fork Ditch	2/17/1910	POU	7	S	46	E 26	SE NW	1300		2.0	IR	Lake Fork Ditch	2/17/1910	
												7	S	46	E 26	NW SE	1300		6.8	IR	Lake Fork Ditch	2/17/1910	
												7	S	46	E 26	SW SE	2100		1.5	IR	Lake Fork Ditch	2/17/1910	
TOTAL ACRES:						37.4						TOTAL ACRES:						37.4					

Additional remarks:

Under Certificate 7058 134.7 acres of irrigation are permitted on the Denson Property (TLs 1300 and 2100), 37.4 of those acres are requested to be moved.

Super Seeding

Superseding



Cert:7058 OR*

- ▶ [Conflict Report](#)
- ▶ [POD Characteristics](#)
- ▼ Water Availability
 - ▶ No Location Information available for WAB
- ▶ [IR Checklist](#)

Contact Information

▼ Current contact information

OWNER:
▶ DRY CREEK DITCH CO.
HALFWAY, OR 97834

Water Right Information

Status: Non-Cancelled
County: Baker
Basin: Powder
File Folder Location: Salem
[Watermaster District: 7](#)

Documents View all scanned documents

▼ Application: E 520

▶ Received: 2/17/1910

▼ Permit: E 45 [document](#), [paper map](#)

▶ Signature: 6/17/1910

▼ Certificate: 7058 [document](#), [paper map](#)

▶ Signature: 1/21/1927

▶ Type: Original

▼ Transfer(s)

Transfer	Transfer type	Status
▶ T14207 (Changes this right)	Regular Transfer	Under Review

▶ Related Documents

▶ [View right with Public Web Mapping](#)

▶ [View right with Intranet Web Mapping](#)

Point(s) of Diversion

▼ [POD 1 - LAKE FORK CREEK > NORTH PINE CREEK](#)

▼ Description

▶ Streamcode: 09274036600160250 LAKE FK CR > N PINE CR

▶ T-R-S-QQ: 6.00S-46.00E-14-

▶ Location Description:

▼ POD Rate

Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)
▶ 6.5	6.5		

▼ IRRIGATION (Primary)

Priority Date	Max Rate (cfs)	Rate (cfs)	Max Volume (af)	Volume (af)	Rate/Acre	Duty	Start Date	End Date	Ren
▶ 2/17/1910	6.5	6.5			1/80		1/1	12/31	

Place(s) of Use Add TRS grouping

▼ Use - IRRIGATION

(Primary) - 432.3 acres; Priority Date: 2/17/1910

T-R-S	QQ	DLC	Gov't Lot	Taxlot	Acres	Status	Inchoate Info	Remarks
7.00S-46.00E-25	NE NW				4.0	NC	OPP	
7.00S-46.00E-25	NW NW				4.6	NC		
7.00S-46.00E-25	SW NW				18.6	NC		
7.00S-46.00E-25	SE NW				11.0	NC		
7.00S-46.00E-25	NW SW				28.6	NC		
7.00S-46.00E-25	SW SW				9.5	NC		
7.00S-46.00E-26	SW NE				22.0	NC		
7.00S-46.00E-26	SE NE				2.4	NC		
7.00S-46.00E-26	NE NW				30.3	NC	3.9	
7.00S-46.00E-26	SW NW				0.2	NC		
7.00S-46.00E-26	SE NW				23.2	NC	8.5	
7.00S-46.00E-26	NE SW				15.0	NC		
7.00S-46.00E-26	NW SW				1.4	NC		
7.00S-46.00E-26	SW SW				2.6	NC		
7.00S-46.00E-26	SE SW				15.4	NC	15.4	
7.00S-46.00E-26	NE SE				13.6	NC		
7.00S-46.00E-26	NW SE				11.8	NC		
7.00S-46.00E-26	SW SE				10.7	NC	3.3	
7.00S-46.00E-35	NW NE				15.9	NC	6.3	
7.00S-46.00E-35	SW NE				14.6	NC		
7.00S-46.00E-35	NW NW				11.0	NC		
7.00S-46.00E-35	SW NW				5.6	NC		
7.00S-46.00E-35	SE NW				12.5	NC		
7.00S-46.00E-35	NE SW				2.9	NC		
7.00S-46.00E-36	NE NW				24.2	NC		
7.00S-46.00E-36	SE NW				0.6	NC		
8.00S-46.00E-2	SW NE				20.0	NC		
8.00S-46.00E-2	SE NE				15.0	NC		

8.00S-46.00E-2	SE NW				12.0	NC		
8.00S-46.00E-2	NE SE				20.0	NC		
8.00S-46.00E-2	NW SE				20.0	NC		
8.00S-46.00E-12	SW SE				0.8	NC		
8.00S-46.00E-12	SE SE				27.8	NC		
8.00S-46.00E-13	NE NE				4.5	NC		
Sum of Acres: 432.3								

Water Right Genealogy

-Cert:7058 OR*

[View Water Rights in same Family](#)

[Report Errors with Water Right Data](#)

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

This is to Certify, That DRY CREEK DITCH COMPANY

of Halfway, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Lake Fork of North Pine Creek a tributary of Pine Creek for the purpose of Irrigation under Permit No. E 45 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from February 17, 1910:

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 6.50 cubic feet per second;

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

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent in case of rotation.

A description of the lands irrigated under the right hereby confirmed, and to which such right is appurtenant (or, if for other purposes, the place where the water is put to beneficial use), is as follows: 4 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, 4.6 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, 13.6 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, 11 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, 28.6 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, 9.5 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 25, 22 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 2.4 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 13.6 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, 11.8 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, 10.7 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, 15 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 1.4 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, 2.6 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, 15.4 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, 30.3 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, 23.2 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, 0.2 acre in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 26, 15.9 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 14.6 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 11 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, 5.6 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 12.5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, 3.9 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 35, 24.2 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, 0.6 acre in SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 36, T. 7 S. R. 46 E. W. M. 20 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 15 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 12 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, 20 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, 20 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 2, 0.8 acre in SW $\frac{1}{4}$ SE $\frac{1}{4}$, 27.8 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 12, 4.5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 13, T. 8 S. R. 46 E. W. M., being a total of 432.3 acres, in Baker County, Oregon.

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

Rights to the use of water for power purposes are limited to a period of forty years from the date of priority of the right, as herein set forth, subject to a preference right of renewal under the laws existing at the date of the expiration of the right for power purposes, as hereby confirmed and limited.

WITNESS the signature of the State Engineer,

affixed this 21st day
of January, 1927.

RHEA LUPER

State Engineer.

RECEIVED

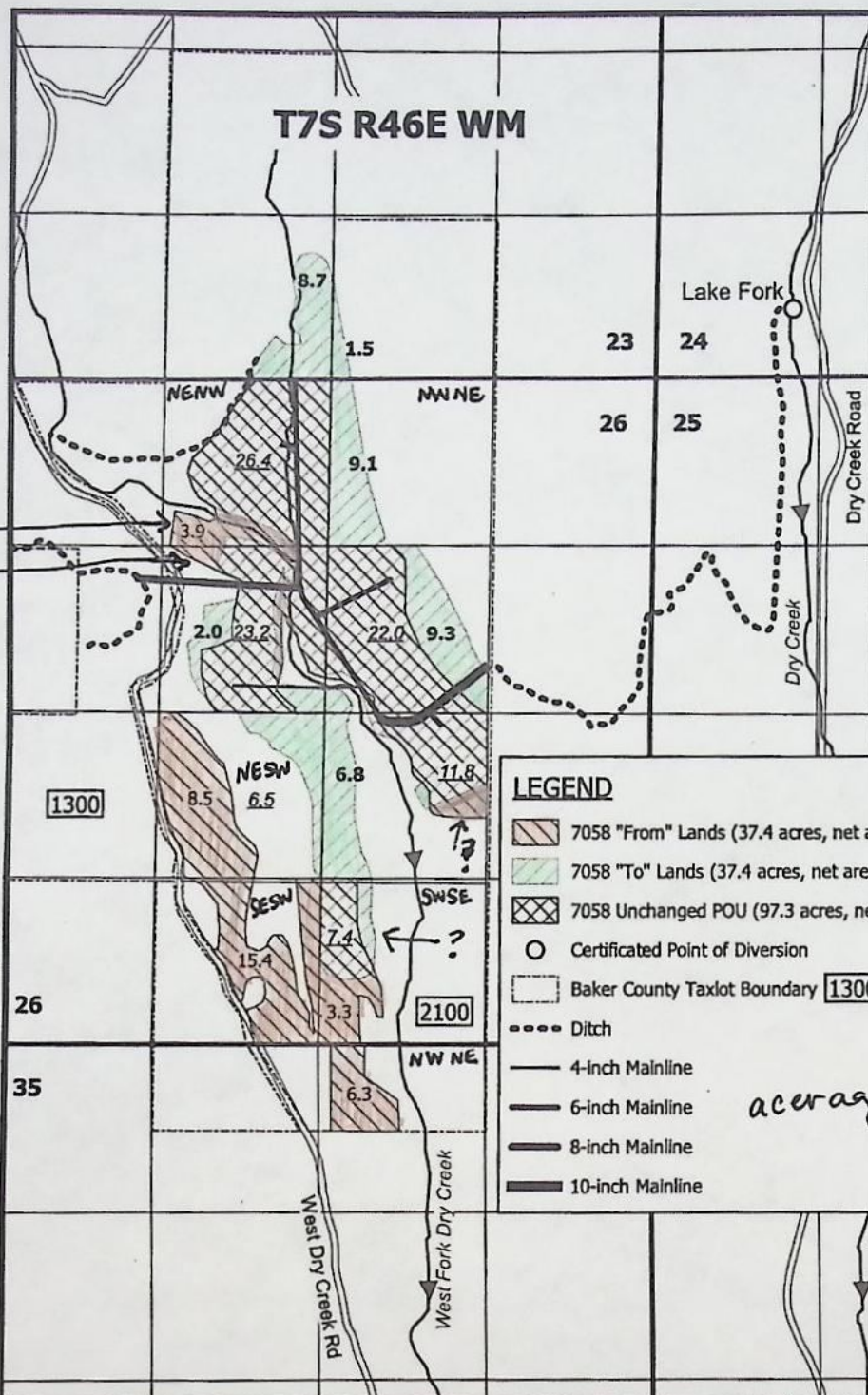
MAR 30 2023

OWHD
SALEM, OREGON



T7S R46E WM

Split
by Q-Q



LEGEND

- 7058 "From" Lands (37.4 acres, net area per QQ denoted in regular font)
- 7058 "To" Lands (37.4 acres, net area per QQ denoted in bold font)
- 7058 Unchanged POU (97.3 acres, net area per QQ denoted in italicized underlined font)
- Certificated Point of Diversion
- Baker County Taxlot Boundary **1300**
- Ditch
- 4-inch Mainline
- 6-inch Mainline
- 8-inch Mainline
- 10-inch Mainline

average by quarter quartered

Certificate 7058 Transfer Application Map Denson Dry Creek Ranch Halfway, OR 97834



Prepared on behalf of Brad Denson

1 inch = 1,320 feet



Notes:

This map is not intended to provide legal dimensions or locations of property ownership lines.

Lake Fork Ditch POD location: 1,101 ft E and 544 ft N from the SW Corner of Section 24

Under Certificate 7058 134.7 acres of irrigation are certificated on the Denson Dry Creek Ranch (TLs 1300 and 2100)

Since all area calculations are net per QQ and the from/to lands don't always overlap within the QQ, the correct net area of the to, from, and unchanged lands per QQ consists of the values denoted on this map. Areas are not denoted where zero.

14207

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 # _____

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				
EXAMPLE																								
2	S	9	E 15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E 1	NW	NW	500	1	10.0		POD #5	1901
													2	S	9	E 2	SW	NW	500		5.0		POD #6	1901
TOTAL ACRES:													TOTAL ACRES:											

Additional remarks: _____

WATER RIGHT TRANSFER COVER SHEET

Transfer: T-14207

Transfer Specialist: *Joan*

Transfer Type: Regular Transfer

Reimbursement Authority? ☐

Applicant: DENSON DRY CREEK LLC BRAD DENSON PO BOX 737 HALFWAY, OR 97834	Agent: PAUL GARVIN 1705 MAIN ST SUITE 101 BAKER CITY, OR 97814	Receiving Landowner:
Current Landowner if other than Applicant:	CWRE:	Irrigation District:
Affected Local Gov'ts: Baker County Planning Department	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.
☐	E-520	E-45	7058	☒ Yes ☐ No	
☐				☐ Yes ☐ No	
☐				☐ Yes ☐ No	

Key Dates & Initial Actions (Support Staff)

Rec'd: March 30, 2023	Proposed Action(s): PLACE OF USE	
Fees Pd: 1360.00	Acknowledgement Letter Sent ☒	Basin: 9 Powder
Initial Public Notice:	County sent cc: of Ack Letter ☒	County: BAKER
WM District: 7 David D. Bates	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: ☐	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 ☐ ODFW Sheet: ☐	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 _____

Auditing checklist

- Does the shape on the map generally match the shape on the screen?
- Was the correct map/existing data used?
- Is the geo-referenced map accurate to the layer the editor deemed to be best?
- Is the right digitized in the correct TRSQQ?
- Are all the pou/pod id accounted for and do they correspond to the correct geometry?
- Are tech initials, agency, date added, and feature quality coded fields populated?
- Are overages/underages accounted for in the delta size field?
- Have appropriate remarks been entered?

Scanned Documents

ID	Date	Type	Description	Title	Remarks	Available To Public
38524	6/17/1910	PR	Permit	Permit E45 Map Image		
67557	6/17/1910	PR	Permit	Permit E45 Image		
31203	1/21/1927	CER	Certificate	Certificate 7058 Image		
60146	1/21/1927	CER	Certificate	Certificate 7058 Map		

Snapshot

SnplD	Type	Status	Expire Date	Authority	License #	License Type	Contract #	Contract Type	Stage	WK Type	Folder Loc	Snpl Origin	Current View	Workflow ID	WMT District	Snpl Status	WRID	Family ID
59439	SW	NC							CM		SLM	CT		452281	7	SU	59439	59439

Snapshot Traits

n/a

Application

App Char	App #	Received Date	ImageID	MapID	Add'l Rec
E	520	2/17/1910			

Permit

Permit Char	Permit #	Begin Date	End Date	Signature Date	Drought Name	ImageID	MapID	Add'l Rec
E	45			6/17/1910		67557	38524	

Certificate

Certificate #	Signature Date	Original	Correcting	Confirming	Remaining	ImageID	MapID
7058	1/21/1927	Y				31203	60146

Claim

n/a

Decree

n/a

Transfer

Transfer Char	Transfer #	Originating	Terminating	Correcting	Remaining	Confirming	Type	Status
T	14207		Y				Regular Transfer	Under Review

Order

n/a

Irrigation District

n/a

Water Right Stakeholders

Dir ID	Stakeholder Type	Begin Date	End Date	Inactive	Add'l Rec	Remarks	First Name	Middle Last	Company	Other Dir Entry	Street1	Street2	City	State	Zip	County	Email	Home Phone	Company Phone	Fax
34645	OWN								DRY CREEK DITCH CO.				HALFWAY	OR	97834	BAKE				

County

County
Baker

Drought List

Drought List
n/a

Related Docs

n/a

Point of Diversions

POD Loc ID	POD Nor	POD Name	Stc Type	Streamcode	Source	In tributary To	Location (QQ-S-T-R)	Mendian	River Mile	Lat/Long	Location Description	Def	ST Flow	Max Rate	Rate	Max Acre Feet	Acre Feet	POD Type	Status	Remarks	Mapped?
57038	1		ST	LAKE FK CR > N PINE CR - 09274036600160250	LAKE FORK CREEK	NORTH PINE CREEK	14-6.00S-46.00E	Willamette				P	N	6.5	6.5			SW	NC		MAPPED BY MIGRT
Uses from this point of diversion																					
Use	P/S	Priority Date	Start Date	End Date	ST Flow	Rate/Acre	Duty	Max Rate	Rate	Max Acre Feet	Acre Feet	Surf Elev	Households	Status	Remarks						

Acres	Q/Q	S-T-R	Meridian	DLC	Gov't Lot	Taxlot	Linked PODs	Reference Info	Status	Remarks
4.5	NE NE	13-8.00S-46.00E	Willamette						NC	

Sum of Acres: 4.5	
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Workflow

n/a

[Hide Workflow Information](#)

Data Tech Log

n/a

[Hide Data Tech Log Information](#)

Comments

n/a

Water Right Genealogy

[-Cert:7058 OR *](#)

[Return to Proofing Query](#)

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

This is to Certify, That G. H. ELMER

of Halfway, State of Oregon, has a right to the use of

the waters of Lake Fork of North Pine Creek, Fish Lake Dam and Reservoir,

for the purpose of Irrigation of 78.0 acres, domestic and stock use;

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
 Baker County, and the said decree entered of record at Salem, in the Order
 Record of the STATE ENGINEER, in Volume 11, at page 255; that the priority
 of the right thereby confirmed dates from 1887;

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an
 amount actually beneficially used for said purposes, and shall not exceed one-fortieth of a cubic
 foot per second per acre, measured at the point of diversion, and a total limita-
 tion of one acre-foot per acre during July, one acre-foot per acre during August,
 and one-half acre-foot per acre during September, of each year.

A description of the lands irrigated under such right, and to which the water is appurtenant
 (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

38.5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
 39.5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$,
 Section 25,
 Township 7 South, Range 46 East, W.M.

AND said right shall be subject to all other conditions and limitations
 contained in said Decree.

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

WITNESS the signature of the State Engineer,

affixed this 18th day
 of October, 1935.

CHAS. E. STRICKLIN

State Engineer.

Recorded in State Record of Water Right Certificates, Volume 9, page 10,279.

STATE OF OREGON
COUNTY OF BAKER
CERTIFICATE OF WATER RIGHT

This Is To Certify, That FISH LAKE IMPROVEMENT DISTRICT

of Route 1, Box 221, Halfway, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Lake Fork Creek, Fish Creek, Dry Creek and West Dry Creek and 299 acre feet from* a tributary of Pine Creek for the purpose of irrigation of 215.9 acres and supplemental irrigation of 590.5 acres under Permit No. 20175 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from February 8, 1951

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 5.3 cubic feet per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 9, T. 6 S., R. 46 E., W. M.; NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 12; NE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 24; NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 25; NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 35; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 36; T. 7 S., R. 46 E., W. M.; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 2, T. 8 S., R. 46 E., W. M. Diversion points located below:

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-fortieth of one cubic foot per second per acre, or its equivalent for each acre irrigated from direct flow and shall be further limited to a diversion of not to exceed $4\frac{1}{2}$ acre feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage from reservoir constructed under permit number R-1116;

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

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

Primary	Supplemental	
12.2 acres	8.0 acres	NE $\frac{1}{4}$ NW $\frac{1}{4}$
	1.4 acres	NW $\frac{1}{4}$ NW $\frac{1}{4}$
	18.6 acres	SW $\frac{1}{4}$ NW $\frac{1}{4}$
11.9 acres	27.0 acres	SE $\frac{1}{4}$ NW $\frac{1}{4}$
	37.6 acres	NE $\frac{1}{4}$ SW $\frac{1}{4}$
	24.4 acres	NW $\frac{1}{4}$ SW $\frac{1}{4}$
2.2 acres	9.5 acres	SW $\frac{1}{4}$ SW $\frac{1}{4}$
	32.8 acres	SE $\frac{1}{4}$ SW $\frac{1}{4}$
	Section 25	
2.1 acres	2.9 acres	NE $\frac{1}{4}$ SW $\frac{1}{4}$
11.7 acres	4.5 acres	SE $\frac{1}{4}$ SW $\frac{1}{4}$
18.0 acres		NW $\frac{1}{4}$ SE $\frac{1}{4}$
32.2 acres		SW $\frac{1}{4}$ SE $\frac{1}{4}$
1.6 acres		SE $\frac{1}{4}$ SE $\frac{1}{4}$
	Section 35	

Primary	Supplemental	
	20.8 acres	NE $\frac{1}{4}$ NW $\frac{1}{4}$
0.3 acre		NW $\frac{1}{4}$ NW $\frac{1}{4}$
0.9 acre	0.6 acre	SE $\frac{1}{4}$ NW $\frac{1}{4}$

Section 36

T. 7 S., R. 46 E., W. M.

	27.4 acres	NE $\frac{1}{4}$ SW $\frac{1}{4}$
14.0 acres		NW $\frac{1}{4}$ SW $\frac{1}{4}$
10.0 acres		SW $\frac{1}{4}$ SW $\frac{1}{4}$
	26.8 acres	SE $\frac{1}{4}$ SW $\frac{1}{4}$
	22.0 acres	NW $\frac{1}{4}$ SE $\frac{1}{4}$
	39.2 acres	SW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 1

26.8 acres		NE $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres		NW $\frac{1}{4}$ NE $\frac{1}{4}$
	39.8 acres	SW $\frac{1}{4}$ NE $\frac{1}{4}$
5.6 acres	32.7 acres	SE $\frac{1}{4}$ NE $\frac{1}{4}$
17.2 acres		NE $\frac{1}{4}$ NW $\frac{1}{4}$
7.0 acres	12.0 acres	SE $\frac{1}{4}$ NW $\frac{1}{4}$
0.5 acre	12.2 acres	NE $\frac{1}{4}$ SW $\frac{1}{4}$
	30.0 acres	NE $\frac{1}{4}$ SE $\frac{1}{4}$
	39.0 acres	NW $\frac{1}{4}$ SE $\frac{1}{4}$
	34.6 acres	SW $\frac{1}{4}$ SE $\frac{1}{4}$
1.4 acres	35.0 acres	SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 2

0.3 acre	39.3 acres	NW $\frac{1}{4}$ NE $\frac{1}{4}$
	12.4 acres	NE $\frac{1}{4}$ NW $\frac{1}{4}$

Section 12

T. 8 S., R. 46 E., W. M.

* Fish Lake Reservoir constructed under Application No. R-25508, Permit No. R-1116.

Diversion points located: Lake Fork Creek - 2280 feet North and 3400 feet West from SE Corner, Section 9, T. 6 S., R. 46 E., W. M. Fish Creek - 4570 feet North and 1930 feet East from W $\frac{1}{2}$ Corner, Section 13, T. 7 S., R. 46 E., W. M. Dry Creek - 9720 feet North and 830 feet West; 6320 feet North and 1590 feet West; 5900 feet North and 1620 feet West; 1650 feet North and 1280 feet West; 570 feet North and 1280 feet West; 4560 feet South and 2130 feet West; 5220 feet South and 2460 feet West; 6160 feet South and 3000 feet West; all from the N $\frac{1}{2}$ Corner, Section 36, T. 7 S., R. 46 E., W. M. West Fork Dry Creek - 360 feet South and 4620 feet West; 2700 feet South and 4460 feet West; 5940 feet South and 3620 feet West; all from the N $\frac{1}{2}$ Corner, Section 36, T. 7 S., R. 46 E., W. M.

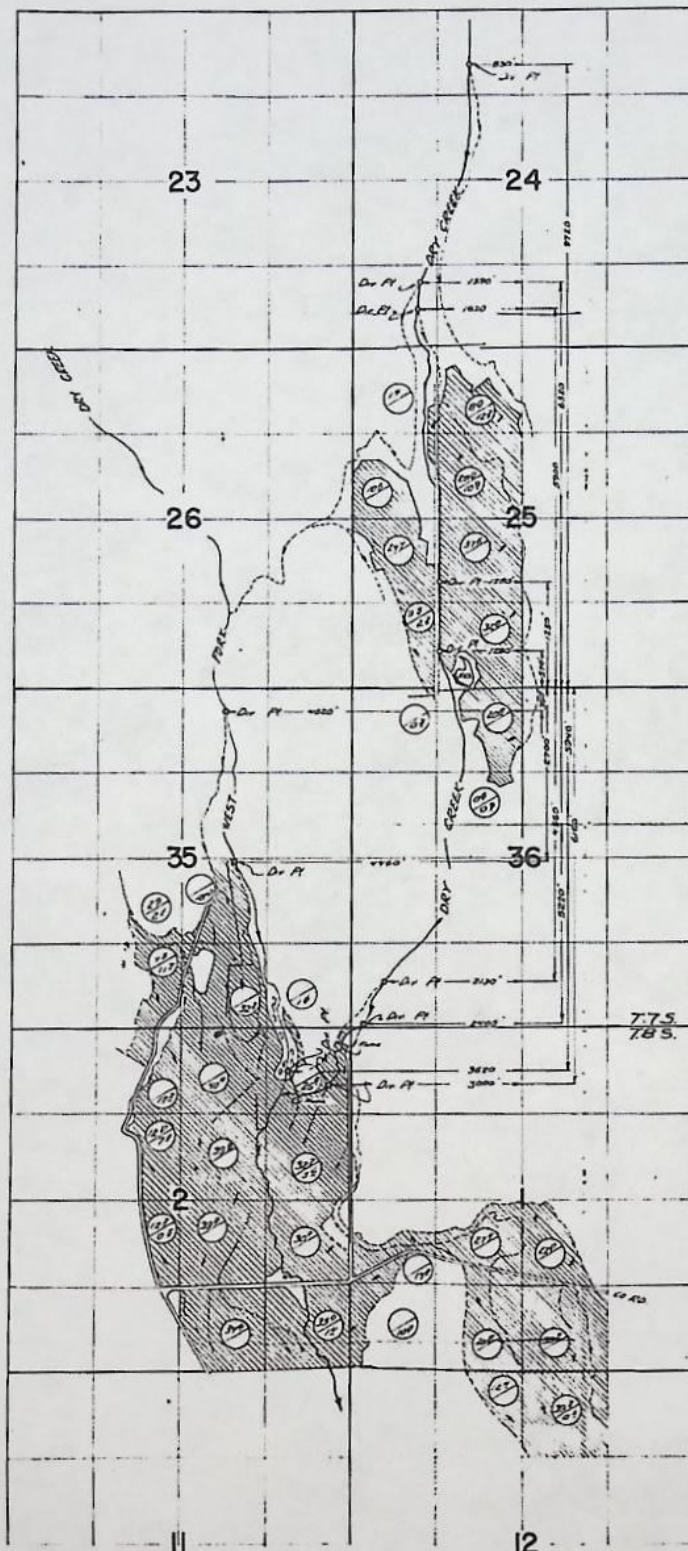
The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this 31 day of October, 1968.

CHRIS L. WHEELER
State Engineer

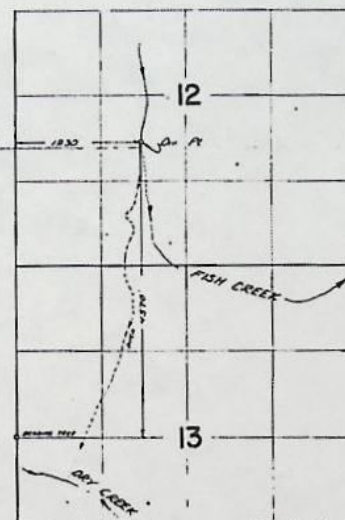
T.7&8S. R.46E.W.M.



T.6S. R.46E.W.M.



T.7S. R.46E.W.M.



FINAL PROOF SURVEY

UNDER
Application nos. - R 25508 - Permit nos. R 1116
25631 20175

IN NAME OF
FISH LAKE IMPROVEMENT DISTRICT

Surveyed Aug. 1,2,3, 1967 by V. Garner

 Lands for which prior rights exist - supplemental
 Primary irrigation

STATE OF OREGON
COUNTY OF **BAKER**
CERTIFICATE OF WATER RIGHT

This Is to Certify, That DONALD B. MARTIN

of **Route 1, Box 221, Halfway**, State of **Oregon**, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of an unnamed stream and reservoir constructed under application number **R-45494**, permit number **R-5375** a tributary of **Dry Creek** for the purpose of irrigation of **1.0 acre and supplemental irrigation of 67.2 acres**

under Permit No. **33948** of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from **October 28, 1968 for reservoir**
April 1, 1969 for unnamed stream

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed **1.3 cubic feet per second**.

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the **SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 25, T. 7 S., R. 46 E., W. M., 10 feet North and 960 feet West from Sk Corner, Section 25.**

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to **one-fortieth** of one cubic foot per second per acre or its equivalent for each acre irrigated from direct flow and shall be further limited to a diversion of not to exceed **3 $\frac{1}{2}$ acre feet per acre** for each acre irrigated during the irrigation season of each year from direct flow and storage from reservoir constructed under permit No. **R-5375** provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein,

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

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

<u>Primary</u>	<u>Supplemental</u>	
1.0 acre		SE $\frac{1}{4}$ SW $\frac{1}{4}$
	Section 25	
	20.8 acres	NE $\frac{1}{4}$ NW $\frac{1}{4}$
	1.5 acres	SE $\frac{1}{4}$ NW $\frac{1}{4}$
	Section 36	
	T. 7 S., R. 46 E., W. M.	
	2.2 acres	SW $\frac{1}{4}$ NE $\frac{1}{4}$
	13.4 acres	SE $\frac{1}{4}$ NE $\frac{1}{4}$
	29.3 acres	NE $\frac{1}{4}$ SE $\frac{1}{4}$
	Section 2	
	T. 8 S., R. 46 E., W. M.	

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

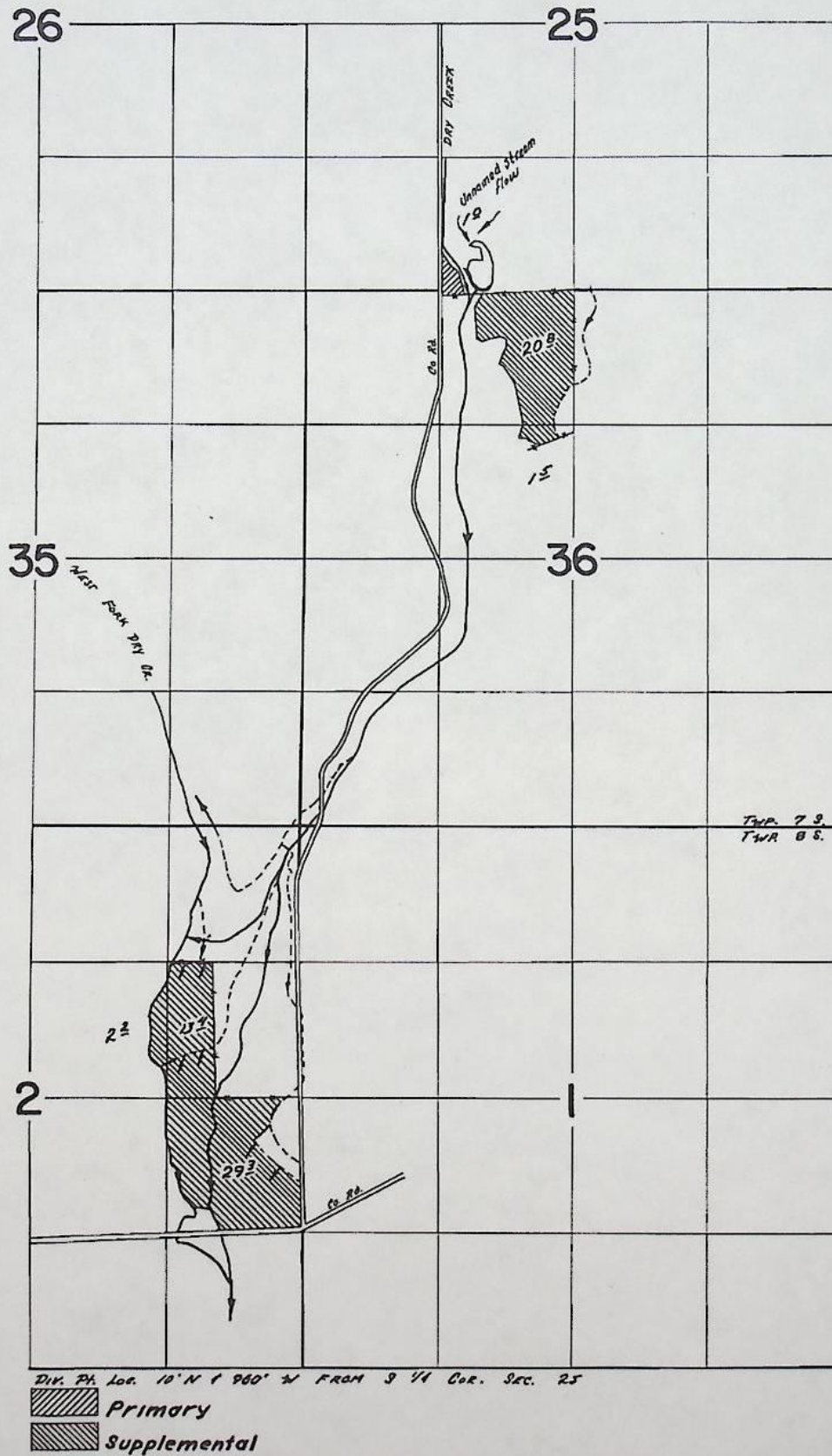
WITNESS the signature of the State Engineer, affixed

this date. **July 5, 1973**

CHRIS L. WHEELER

State Engineer

T. 78 & 8 S. R. 46 E. W.M.



STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

This is to Certify, That DRY CREEK DITCH COMPANY

of Halfway, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Lake Fork of North Pine Creek a tributary of Pine Creek for the purpose of Irrigation under Permit No. E 45 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from February 17, 1910:

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 6.50 cubic feet per second;

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

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent in case of rotation.

A description of the lands irrigated under the right hereby confirmed, and to which such right is appurtenant (or, if for other purposes, the place where the water is put to beneficial use), is as follows: 4 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, 4.6 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, 13.6 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, 11 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, 28.6 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, 9.5 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 25, 22 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 2.4 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 13.6 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, 11.8 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, 10.7 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, 15 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 1.4 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, 2.6 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, 15.4 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, 30.3 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, 23.2 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, 0.2 acre in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 26, 15.9 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 14.6 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 11 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, 5.6 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, 12.5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, 2.9 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 35, 24.2 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, 0.6 acre in SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 36, T. 7 S. R. 46 E. W. M. 20 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 15 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 12 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, 20 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, 20 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 2, 0.8 acre in SW $\frac{1}{4}$ SE $\frac{1}{4}$, 27.8 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 12, 4.5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 13, T. 8 S. R. 46 E. W. M., being a total of 432.3 acres, in Baker County, Oregon.

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

Rights to the use of water for power purposes are limited to a period of forty years from the date of priority of the right, as herein set forth, subject to a preference right of renewal under the laws existing at the date of the expiration of the right for power purposes, as hereby confirmed and limited.

WITNESS the signature of the State Engineer,

affixed this 21st day
of January, 1927.

RHEA LUPER

State Engineer.

STATE OF OREGON
COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

This Is To Certify, That FISH LAKE IMPROVEMENT DISTRICT

of Route 1, Box 221, Halfway, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Lake Fork Creek, Fish Creek, Dry Creek and West Dry Creek and 299 acre feet from* a tributary of Pine Creek for the purpose of irrigation of 215.9 acres and supplemental irrigation of 590.5 acres under Permit No. 20175 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from February 8, 1951

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 5.3 cubic feet per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 9, T. 6 S., R. 46 E., W. M.; NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 12; NE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 24; NE $\frac{1}{4}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 25; NW $\frac{1}{4}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 35; SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 36; T. 7 S., R. 46 E., W. M.; NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 2, T. 8 S., R. 46 E., W. M. Diversion points located below:

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-fortieth of one cubic foot per second per acre, or its equivalent for each acre irrigated from direct flow and shall be further limited to a diversion of not to exceed $\frac{1}{2}$ acre feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage from reservoir constructed under permit number R-1116;

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

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

Primary	Supplemental	
12.2 acres	8.0 acres	NE $\frac{1}{4}$ NW $\frac{1}{4}$
	1.4 acres	NW $\frac{1}{4}$ NW $\frac{1}{4}$
	18.6 acres	SW $\frac{1}{4}$ NW $\frac{1}{4}$
11.9 acres	27.0 acres	SE $\frac{1}{4}$ NW $\frac{1}{4}$
	37.6 acres	NE $\frac{1}{4}$ SW $\frac{1}{4}$
	24.4 acres	NW $\frac{1}{4}$ SW $\frac{1}{4}$
2.2 acres	9.5 acres	SW $\frac{1}{4}$ SW $\frac{1}{4}$
	32.8 acres	SE $\frac{1}{4}$ SW $\frac{1}{4}$
	Section 25	
2.1 acres	2.9 acres	NE $\frac{1}{4}$ SW $\frac{1}{4}$
11.7 acres	4.5 acres	SE $\frac{1}{4}$ SW $\frac{1}{4}$
18.0 acres		NW $\frac{1}{4}$ SE $\frac{1}{4}$
32.2 acres		SW $\frac{1}{4}$ SE $\frac{1}{4}$
1.6 acres		SE $\frac{1}{4}$ SE $\frac{1}{4}$
	Section 35	

PARRY

Primary	Supplemental	
	20.8 acres	NE $\frac{1}{4}$ NW $\frac{1}{4}$
0.3 acre		NW $\frac{1}{4}$ NW $\frac{1}{4}$
0.9 acre	0.6 acre	SE $\frac{1}{4}$ NW $\frac{1}{4}$

Section 36

T. 7 S., R. 46 E., W. M.

	27.4 acres	NE $\frac{1}{4}$ SW $\frac{1}{4}$
14.0 acres		NW $\frac{1}{4}$ SW $\frac{1}{4}$
10.0 acres		SW $\frac{1}{4}$ SW $\frac{1}{4}$
	26.8 acres	SE $\frac{1}{4}$ SW $\frac{1}{4}$
	22.0 acres	NW $\frac{1}{4}$ SE $\frac{1}{4}$
	39.2 acres	SW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 1

26.8 acres		NE $\frac{1}{4}$ NE $\frac{1}{4}$
40.0 acres		NW $\frac{1}{4}$ NE $\frac{1}{4}$
	39.8 acres	SW $\frac{1}{4}$ NE $\frac{1}{4}$
5.6 acres	32.7 acres	SE $\frac{1}{4}$ NE $\frac{1}{4}$
17.2 acres		NE $\frac{1}{4}$ NW $\frac{1}{4}$
7.0 acres	12.0 acres	SE $\frac{1}{4}$ NW $\frac{1}{4}$
0.5 acre	12.2 acres	NE $\frac{1}{4}$ SW $\frac{1}{4}$
	30.0 acres	NE $\frac{1}{4}$ SE $\frac{1}{4}$
	39.0 acres	NW $\frac{1}{4}$ SE $\frac{1}{4}$
	34.6 acres	SW $\frac{1}{4}$ SE $\frac{1}{4}$
1.4 acres	35.0 acres	SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 2

0.3 acre	39.3 acres	NW $\frac{1}{4}$ NE $\frac{1}{4}$
	12.4 acres	NE $\frac{1}{4}$ NW $\frac{1}{4}$

Section 12

T. 8 S., R. 46 E., W. M.

* Fish Lake Reservoir constructed under Application No. R-25508, Permit No. R-1116.

Diversion points located: Lake Fork Creek - 2280 feet North and 3400 feet West from SE Corner, Section 9, T. 6 S., R. 46 E., W. M. Fish Creek - 4570 feet North and 1930 feet East from W $\frac{1}{4}$ Corner, Section 13, T. 7 S., R. 46 E., W. M. Dry Creek - 9720 feet North and 830 feet West; 6320 feet North and 1590 feet West; 5900 feet North and 1620 feet West; 1650 feet North and 1280 feet West; 570 feet North and 1280 feet West; 4560 feet South and 2130 feet West; 5220 feet South and 2460 feet West; 6160 feet South and 3000 feet West; all from the N $\frac{1}{4}$ Corner, Section 36, T. 7 S., R. 46 E., W. M. West Fork Dry Creek - 360 feet South and 4620 feet West; 2700 feet South and 4460 feet West; 5940 feet South and 3620 feet West; all from the N $\frac{1}{4}$ Corner, Section 36, T. 7 S., R. 46 E., W. M.

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

WITNESS the signature of the State Engineer, affixed

this 31 day of October, 1968.

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 27, page 35415

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-14207

Review Due Date:

Applicant Name: Denson Dry Creek LLC

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

Reviewer(s): Marcy Osborn

Date of Review: 02/06/2024

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:
Lake Fork system is regulated every year.
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:

Please check the acreage in the NESW. The map shows acres that have moved but they are not listed in the application.

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	☐ Submerged Orifice
☐ Parshall Flume	☐ Flow Restrictor
☐ Other: _____	

Oregon Water Resources Department

Measurement Condition Information for the Applicant

(To be sent with the Draft Preliminary Determination or Final Order)

Transfer #: T- 14207



In order to avoid enlargement of the right or injury to other rights, a **weir or meter** 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: Marcy Osborn

District: 8

Address: 39155 Pocahontas Rd.

City/State/Zip: Baker City, OR 97814

Phone: 541-519-6395

Email: marcy.j.osborn@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



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 4, 2023

DENSON DRY CREEK LLC
BRAD DENSON
PO BOX 737
HALFWAY, OR 97834
Reference: Application T-14207

On March 30, 2023, the Department received your water right Permanent Transfer Application. The application was accompanied by \$1360.00. Receipt number 140406 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

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 in the new place of use 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.

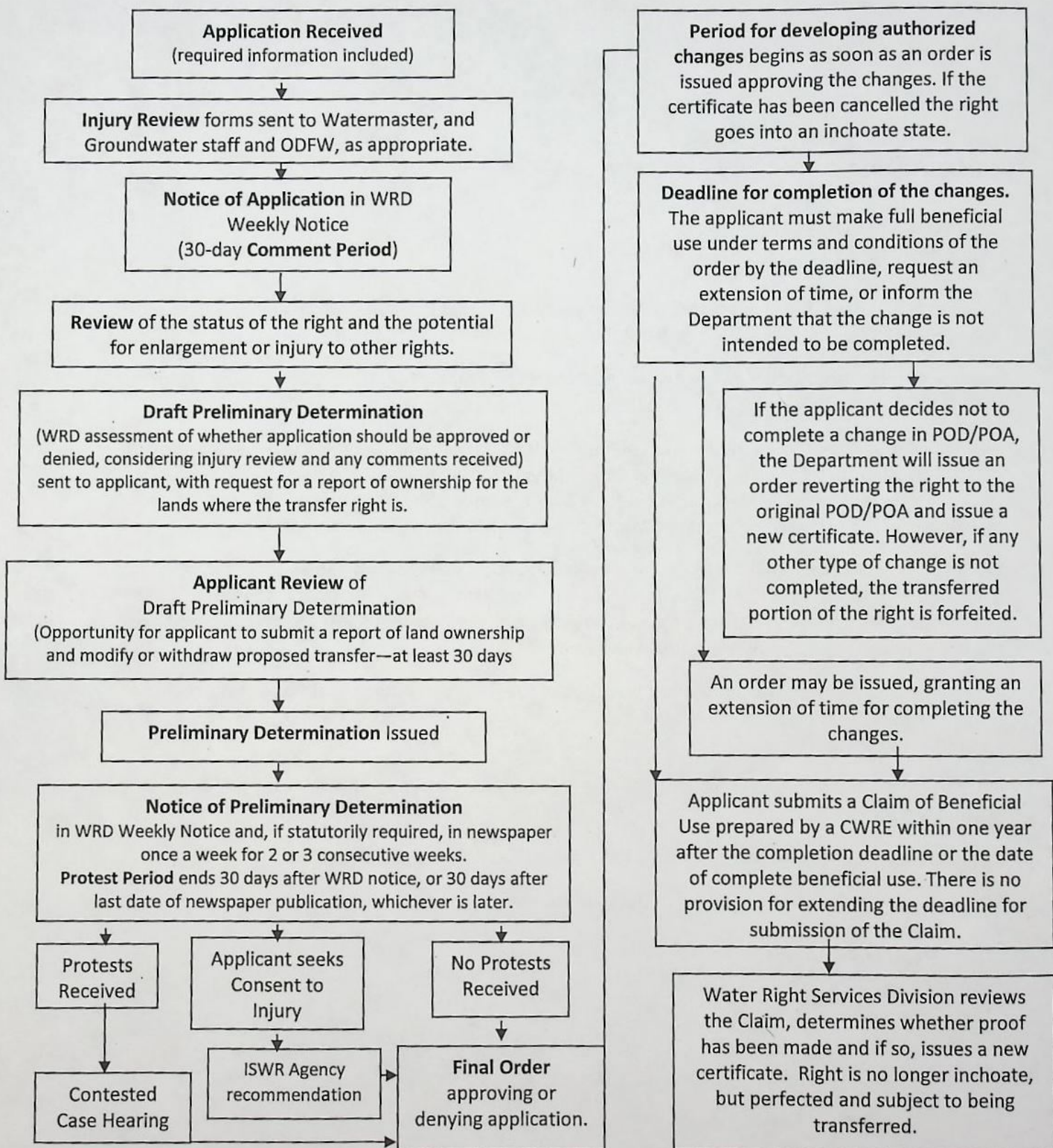
If you have any questions, please contact the Transfer Section at (503) 979-9931.

Cc: Watermaster Dist. #7, David D. Bates (*via email*)
Baker County
Paul Garvin, Agent

Enclosure

Regular Transfer Process (including "Proving Up" on the changes)

OAR 690 Division 380



Application for Permanent Water Right Transfer

Part 1 of 5 – Minimum Requirements Checklist



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

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.

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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: 7058**
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):

- | | |
|--|--|
| ☐ Application fee not enclosed/insufficient | ☐ Map not included or incomplete |
| ☐ Land Use Form not enclosed or incomplete | ☐ Evidence of Use Form not enclosed or incomplete |
| ☐ Additional signature(s) required | ☐ Part _____ is incomplete |

Other/Explanation _____

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

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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°).

FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)

FEE WORKSHEET for SUBSTITUTIONOWHD

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Brad Denson/Denson Dry Creek LLC		PHONE NO. 503-310-8403	ADDITIONAL CONTACT NO.
ADDRESS PO Box 737		FAX NO.	
CITY Halfway	STATE OR	ZIP 97814	E-MAIL bdenson@daltonmngt.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.			

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

AGENT/BUSINESS NAME PAUL GARVIN/GARVIN HYDROGEO LLC		PHONE NO. 503-347-7188	ADDITIONAL CONTACT NO.
ADDRESS 1705 Main St. Ste. 101		FAX NO.	
CITY Baker City	STATE OR	ZIP 97814	E-MAIL Garvin.hydrogeo@gmail.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:

The landowner irrigation seeks to align the certificated places of use with the actual places of use.

If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

Check One Box

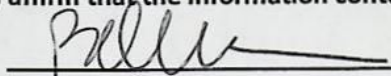
- ☒ By signing this application, I understand that, upon receipt of the draft preliminary determination and prior to Department approval of the transfer, I will be required to provide landownership information and evidence that I am authorized to pursue the transfer as identified in OAR 690-380-4010(5); **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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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: Baker City Herald.
- 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.


Applicant signature

Brad Denson/Land owner
Print Name (and Title if applicable)

3/14/2023
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			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: ☐ Applicant ☐ Receiving Landowner				

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☐ 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	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 DRY CREEK DITCH COMPANY	ADDRESS	
CITY Halfway	STATE OR	ZIP 97834

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 Baker County	ADDRESS 1995 3rd St	
CITY Baker City	STATE OR	ZIP 97814

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Part 5 of 5 – Water Right Information (1 of 2)

CERTIFICATE # 7058

Description of Water Delivery System

System capacity: 2.8 cubic feet per second (cfs) OR
 _____ gallons per minute (gpm)

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 diverted from the Lake Fork Ditch using a 30 hp Cornell centrifugal pump equipped with a 23-inch diameter x 4 ft screen with 1/8" holes flowing into a 950 ft long 10-inch diameter mainline with a vertical drop of 70 ft. The 10-in mainline tees into a 6-inch diameter mainline running north-south where it is distributed to irrigated areas via center pivots, wheel lines and handlines.

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)
Lake Fork Ditch	☒ Authorized ☐ Proposed		7 S	46 E	24	SW SW	1700	1,101 ft E and 544 ft N from the SW Corner of Section 24

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

- | | |
|--|---|
| ☒ Place of Use (POU) | ☐ Supplemental Use to Primary Use (S to P) |
| ☐ Character of Use (USE) | ☐ Point of Appropriation/Well (POA) |
| ☐ Point of Diversion (POD) | ☐ Additional Point of Appropriation (APOA) |
| ☐ Additional Point of Diversion (APOD) | ☐ Substitution (SUB) |
| ☐ Surface Water POD to Ground Water POA (SW/GW) | ☐ 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.

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Table 2. Description of Changes to Water Right Certificate # 7058

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							
EXAMPLE																											
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901	
7	S	46	E	26	NE	NW	1300		3.9	IR	Lake Fork Ditch	2/17/1910	POU	7	S	46	E	23	SE	SW	1300		8.7	IR	Lake Fork Ditch	2/17/1910	
7	S	46	E	26	NE	SW	1300		8.5	IR	Lake Fork Ditch	2/17/1910	POU	7	S	46	E	23	SW	SE	1300		1.5	IR	Lake Fork Ditch	2/17/1910	
7	S	46	E	26	SW	SE	2100		3.3	IR	Lake Fork Ditch	2/17/1910	POU	7	S	46	E	26	NW	NE	1300		9.1	IR	Lake Fork Ditch	2/17/1910	
7	S	46	E	26	NE	SW	2100		15.4	IR	Lake Fork Ditch	2/17/1910	POU	7	S	46	E	26	SW	NE	1300		9.3	IR	Lake Fork Ditch	2/17/1910	
7	S	46	E	35	SE	SW	2100		6.3	IR	Lake Fork Ditch	2/17/1910	POU	7	S	46	E	26	SE	NW	1300		2.0	IR	Lake Fork Ditch	2/17/1910	
														7	S	46	E	26	NW	SE	1300		6.8	IR	Lake Fork Ditch	2/17/1910	
TOTAL ACRES:									37.4					TOTAL ACRES:									37.4				

Additional remarks:

Under Certificate 7058 134.7 acres of irrigation are permitted on the Denson Property (TLs 1300 and 2100), 37.4 of those acres are requested to be moved. Therefore, 97.3 acres are unchanged.

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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: **10329.**

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 # _____;

Surface water primary Certificate # _____.

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SALEM, OREGON**For a change from Supplemental Irrigation Use to Primary Irrigation Use**

Identify the primary certificate to be cancelled. Certificate # _____

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

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 BAKER

I, BRAD DENSON, in my capacity as LANDOWNER/IRRIGATOR,

mailing address 48263 WEST DRY CREEK ROAD LANE

HALFWAY, OR 97834

telephone number (503)310-8403, being first duly sworn depose and say:

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 # _____; 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)
7058	7	S	46	E	WM	26	SW	NE		22.0
7058	7	S	46	E	WM	26	NW	SE		11.8
7058	7	S	46	E	WM	26	SW	SE		10.7
7058	7	S	46	E	WM	26	NE	SW		15.0
7058	7	S	46	E	WM	26	SE	SW		15.4
7058	7	S	46	E	WM	26	NE	NW		30.3
7058	7	S	46	E	WM	26	SE	NW		23.2
7058	7	S	46	E	WM	35	NW	NE		6.3

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.

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- ☐ 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)

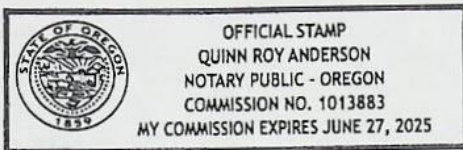
(continues on reverse side)

3. The water right was used for: (e.g., crops, pasture, etc.): _____
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]
Signature of Affiant

3/16/2023
Date

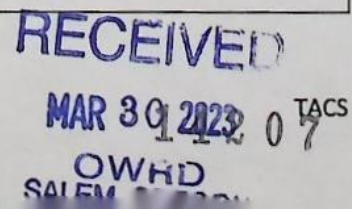
Signed and sworn to (or affirmed) before me this 16 day of March, 2023.



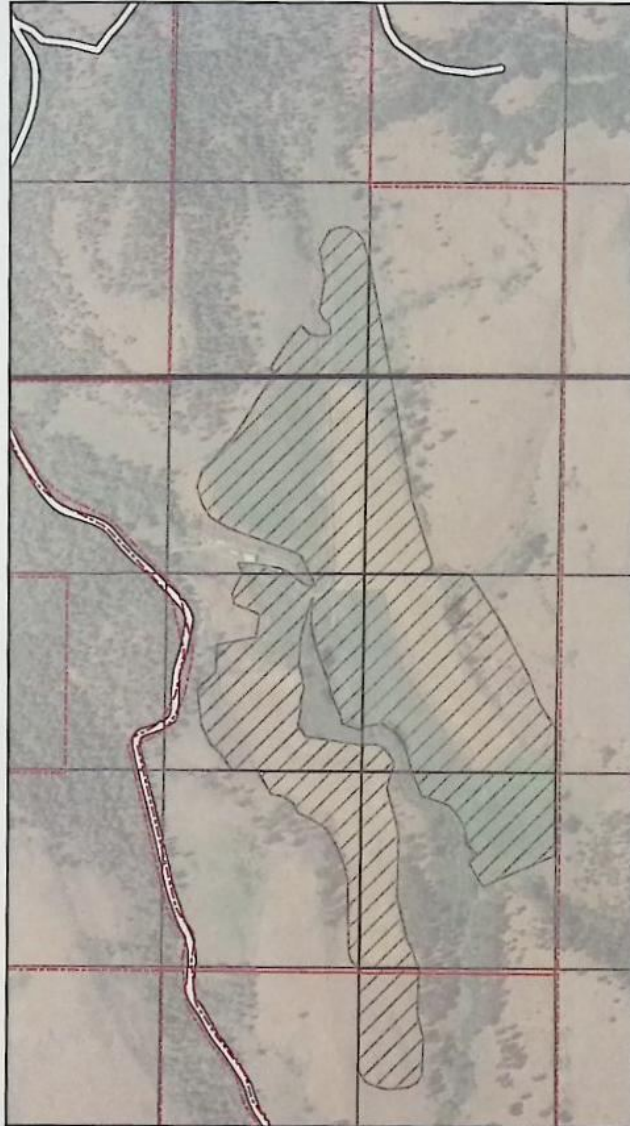
[Signature]
Notary Public for Oregon

My Commission Expires: 6/27/25

Supporting Documents	Examples
☐ 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
☐ Copies of receipts from sales of irrigated crops or for expenditures related to use of water	• Power usage records for pumps associated with irrigation use • Fertilizer or seed bills related to irrigated crops • Farmers Co-op sales receipt
☐ Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	• 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
☒ 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
☐ Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number



**Map to accompany evidence of use
affidavit
Certificate 7058 Transfer
Application Map
Denson Dry Creek Ranch
3/29/2023**



LEGEND

 Irrigated area

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SALEM, OREGON**

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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

NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

This form is NOT required if:

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and all of the following apply:
 - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; and
 - d) The application involves irrigation water uses only.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

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

Land Use Information Form

Applicant(s): Brad Denson/Denson Dry Creek LLC

Mailing Address: PO Box 737

City: Halfway

State: OR

Zip Code: 97814

Daytime Phone: 503-310-8403

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:
<u>7S</u>	<u>46E</u>	<u>23</u>	<u>SESW</u>	<u>1300</u>	<u>TG</u>	☐ Diverted	☒ Conveyed	☒ Used	<u>TG</u>
<u>7S</u>	<u>46E</u>	<u>26</u>	<u>NENW</u>	<u>1300</u>	<u>TG</u>	☐ Diverted	☒ Conveyed	☒ Used	<u>TG</u>
<u>7S</u>	<u>46E</u>	<u>26</u>	<u>NWNE</u>	<u>1300</u>	<u>EFU</u>	☐ Diverted	☒ Conveyed	☒ Used	<u>EFU</u>
<u>7S</u>	<u>46E</u>	<u>26</u>	<u>SESW</u>	<u>1300</u>	<u>TG</u>	☐ Diverted	☒ Conveyed	☒ Used	<u>TG</u>
<u>7S</u>	<u>46E</u>	<u>26</u>	<u>SWNE</u>	<u>1300</u>	<u>EFU</u>	☐ Diverted	☒ Conveyed	☒ Used	<u>EFU</u>
<u>7S</u>	<u>46E</u>	<u>26</u>	<u>NESW</u>	<u>1300</u>	<u>EFU</u>	☐ Diverted	☒ Conveyed	☒ Used	<u>EFU</u>
<u>7S</u>	<u>46E</u>	<u>26</u>	<u>NWSE</u>	<u>1300</u>	<u>EFU</u>	☐ Diverted	☒ Conveyed	☒ Used	<u>EFU</u>
<u>7S</u>	<u>46E</u>	<u>26</u>	<u>NESE</u>	<u>1300</u>	<u>EFU</u>	☐ Diverted	☒ Conveyed	☒ Used	<u>EFU</u>
<u>7S</u>	<u>46E</u>	<u>26</u>	<u>SENE</u>	<u>1300</u>	<u>EFU</u>	☐ Diverted	☒ Conveyed	☒ Used	<u>EFU</u>
<u>7S</u>	<u>46E</u>	<u>26</u>	<u>SESW</u>	<u>2100</u>	<u>EFU</u>	☐ Diverted	☒ Conveyed	☒ Used	<u>EFU</u>
<u>7S</u>	<u>46E</u>	<u>26</u>	<u>SWSE</u>	<u>2100</u>	<u>EFU</u>	☐ Diverted	☒ Conveyed	☒ Used	<u>EFU</u>
<u>7S</u>	<u>46E</u>	<u>35</u>	<u>NWNE</u>	<u>2100</u>	<u>EFU</u>	☐ Diverted	☒ Conveyed	☒ Used	<u>EFU</u>
<u>7S</u>	<u>46E</u>	<u>24</u>	<u>SWSW</u>	<u>1700</u>	<u>TG</u>	☒ Diverted	☒ Conveyed	☐ Used	<u>TG</u>
<u>7S</u>	<u>46E</u>	<u>25</u>	<u>NWNW</u>	<u>1700</u>	<u>EFU</u>	☐ Diverted	☒ Conveyed	☐ Used	<u>EFU</u>
<u>7S</u>	<u>46E</u>	<u>25</u>	<u>SWNW</u>	<u>1700</u>	<u>EFU</u>	☐ Diverted	☒ Conveyed	☐ Used	<u>EFU</u>
<u>7S</u>	<u>46E</u>	<u>26</u>	<u>SENE</u>	<u>2000</u>	<u>EFU</u>	☐ Diverted	☒ Conveyed	☐ Used	<u>EFU</u>

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

Baker County

B. Description of Proposed Use

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

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

Source of water: ☐ Reservoir/Pond ☐ Ground Water ☒ Surface Water (name) Lake Fork of N. Pine Creek

14207

Estimated quantity of water needed: 3.1

☒ 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 applicant is irrigating their land using Certificates 7058 (Lake Fork of N. Pine Creek).

This land use form is to accompany a water right transfer application in which the applicant seeks to move the certificated places of use in order to maximize use of the available water from the water right certificate.

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

See bottom of Page 3. →

RECEIVED

MAR 30 2023

OWRD
SALEM, OREGON

RECEIVED

MAR 30 2023

OWRD
SALEM, OREGON

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.

Please check the appropriate box below and provide the requested information

- ☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): BCZO Sections 410.02.A.1 & 420.02.A.7
- ☐ Land uses to be served by the proposed water uses (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:	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued

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

Name: Tara L. Micka Title: Senior Planner

Signature: Tara L. Micka Phone: 541-523-8219 Date: 3/28/2023

Government Entity: Baker City-County Planning Department

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

14207

Permanent Transfer Application Intake Checklist

Transfer # T- 14207

Checked by <u>KE</u> Date <u>4/3/23</u> Calculated Fee \$1360 Fee Received \$1360 Certificate(s): 7058	Type of Change(s) Proposed: ☒ POU ☐ POD ☐ APOD ☐ POA ☐ APOA ☐ USE ☐ Substitution ☐ Gov't Action ☐ Sup to Primary ☐ SW to GW Check all Certs in WRIS to make sure they are not cancelled
If application involves multiple certificates, does it meet OAR 690-380-3220? If no, why?	
☐ YES ☒ NO ☐ N/A	
Is the application complete? ☒ YES ☐ NO If no, why?	
Notes:	

1.	☒ YES	☐ NO	Have all the applicants signed? If not, whose signature is missing?
2.	☒ YES	☐ NO	Evidence of Use included?
3.	☒ YES	☐ NO ☐ N/A	Land Use Form included?
4.	☐ YES	☐ NO ☒ N/A	Consent Form included
5.	☒ YES	☐ NO	Part 5 of application: Has the applicant completed the entire page and does the information match the description of the explanation on Part 4 of the application?
6.	☐ YES ☐ YES	☒ NO ☐ N/A ☐ NO ☒ N/A	Has the applicant indicated that the place of use is in <u>or</u> near an irrigation district? If Yes, have they included a Form D? Name of the District
7.	☐ YES	☐ NO ☒ N/A	For multiple certificates: Do each of the certificates listed on the Min Req Checklist Page 1 have their own separate completed Part 5, Tables 1 & 2? If no, which certificates are missing a separate Part 5, Tables 1 & 2?
8.	☐ YES	☐ NO ☒ N/A	If a change in point of appropriation, have the well logs been included?
9.	☒ YES	☐ NO	Has the map been completed and signed by a CWRE?
10.	☒ YES	☐ NO	Does the map meet the requirements? If not, what is missing?
11.	☐ YES	☐ NO ☒ N/A	Map waiver included?
12.	☐ YES	☐ NO ☐ N/A	If a change in place of use is within Umatilla County, is there a Supplemental Form U included?

If there are no deficiencies identified, accept the application. Put this checklist in the transfer folder. If this application is deficient, it **CANNOT** be accepted. It should be returned with a letter explaining the deficiencies identified.

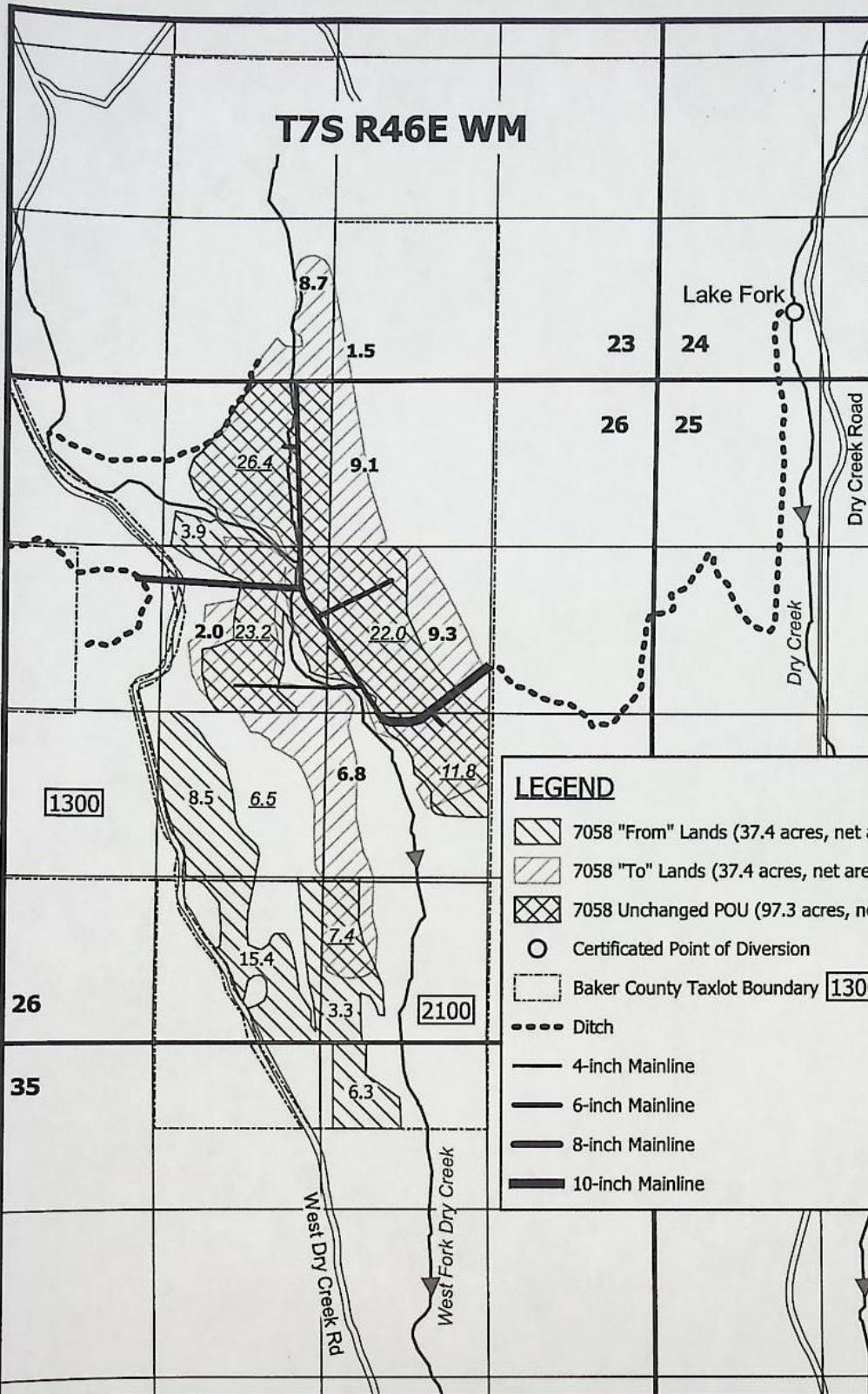
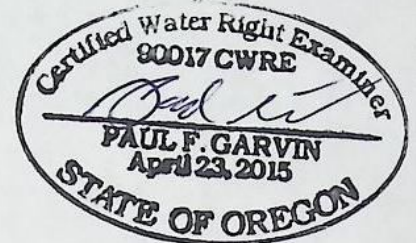
☐ Application Returned Date: _____

T7S R46E WM

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MAR 30 2023

OWAD
SALEM, OREGON



LEGEND

- 7058 "From" Lands (37.4 acres, net area per QQ denoted in regular font)
- 7058 "To" Lands (37.4 acres, net area per QQ denoted in bold font)
- 7058 Unchanged POU (97.3 acres, net area per QQ denoted in italicized underlined font)
- Certificated Point of Diversion
- Baker County Taxlot Boundary 1300
- Ditch
- 4-inch Mainline
- 6-inch Mainline
- 8-inch Mainline
- 10-inch Mainline

Notes:
This map is not intended to provide legal dimensions or locations of property ownership lines.

Lake Fork Ditch POD location: 1,101 ft E and 544 ft N from the SW Corner of Section 24

Under Certificate 7058 134.7 acres of irrigation are certificated on the Denson Dry Creek Ranch (TLs 1300 and 2100)

Since all area calculations are net per QQ and the from/to lands dont always overlap within the QQ, the correct net area of the to, from, and unchanged lands per QQ consists of the values denoted on this map. Areas are not denoted where zero.



Certificate 7058 Transfer Application Map Denson Dry Creek Ranch Halfway, OR 97834

Prepared on behalf of Brad Denson

1 inch = 1,320 feet



Date: 3/28/23
Drawn by: Paul F. Garvin

14207

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **140406**

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

INVOICE # _____

RECEIVED FROM: Denson Dry Creek Ranch
BY: LLC: Brent & Helen Denson

APPLICATION	
PERMIT	
TRANSFER	T-14207

CASH: ☐ CHECK: # 1488 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 1,360.00

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

WATER RIGHTS:

0201 SURFACE WATER \$ 0202 \$
0203 GROUND WATER \$ 0204 \$

0205 TRANSFER \$ 1,360.00

WELL CONSTRUCTION

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:

140406

DATED:

3/30/23

BY:

Lisa Denson