

T-14174

Regular

T-14174

Name Theodore C. Lyster III / Polly Creek Ranch LLC

DESCRIPTION OF WATER RIGHT(S)

Address PO Box 28Bend, OR 97709tlyster-rancher@gmail.comChange in POUDate Filed 2-15-2023

Initial notice date _____

DPD issued date _____

PD issued date _____

PD notice date _____

Date of FO _____ Vol _____ Page _____

C-Date _____

COBU due date _____

COBU Received date _____

Certificate issued _____

Name of Stream Mill creek
WellTrib. of Ochoco CreekOchoco Creek BasinUse Domestic/Livestock/Irrigation/Supplemental County Crook

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

Name of ditch _____

App# Decree Per # Crooked River Cert # 87898 PR Date 12/31/1868App# G13940 Per # G12971 Cert # 90836 PR Date 7/29/1996

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

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

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

FEES PAID

Date	Amount	Receipt #
2-15-23	\$2,380. ⁰⁰	140129

FEES REFUNDED

Date	Amount	Receipt #
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Assignments: _____

Irrigation District _____

Agent John A. Short / Water right services LLC - Johnshort@usa.comCWRE Crook county

CC's list _____

☐ - Oversized map - Location _____

REIMBURSEMENT AUTHORITY TRANSFER

T-14174

CONTRACT NEVER EXECUTED.

Fw: Certificate RA Estimate R13217-27 for Polly Creek Ranch LLC involving Application T-14174

From KAVANAGH Kerry L * WRD <Kerry.L.KAVANAGH@water.oregon.gov>

Date Fri 4/10/2026 1:46 PM

To tlysterrancher@gmail.com <tlysterrancher@gmail.com>; Bryce Withers <brycewrs@gmail.com>

Cc KAVANAGH Kerry L * WRD <Kerry.L.KAVANAGH@water.oregon.gov>

 1 attachment (181 KB)

RA contract_T-14174.pdf;

Hello,

I am wondering if you wish to pursue the expedited review of the claim of beneficial use for Application T-14174.

Please advise.

Thank you,
Kerry

Kerry Kavanagh

Certificate Reimbursement Authority Program Coordinator

Certificate Section, Water Rights Services Division

725 Summer St NE Suite A | Salem OR 97301 | Direct 503.979.3208

kerry.l.kavanagh@water.oregon.gov | <https://www.oregon.gov/OWRD>



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

From: KAVANAGH Kerry L * WRD <Kerry.L.KAVANAGH@water.oregon.gov>

Sent: Monday, March 16, 2026 9:24 AM

To: T.C. Lyster <tlysterrancher@gmail.com>

Cc: Bryce Withers <brycewrs@gmail.com>; KAVANAGH Kerry L * WRD <Kerry.L.KAVANAGH@water.oregon.gov>

Subject: RE: Certificate RA Estimate R13217-27 for Polly Creek Ranch LLC involving Application T-14174

Hello,

If you would like to pursue the expedited review of the claim of beneficial use for Application T-14174, please submit a check in the amount of \$1775 along with the signed agreement.

Sorry for the confusion with sending you Receipt #146959 for the certificate reimbursement authority (RA) estimate application fee.

Let me know if you have any questions.

Thank you,
Kerry

Kerry Kavanagh

Certificate Reimbursement Authority Program Coordinator
Certificate Section, Water Rights Services Division
725 Summer St NE Suite A | Salem OR 97301 | Direct 503.979.3208
kerry.l.kavanagh@water.oregon.gov | <https://www.oregon.gov/OWRD>



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From: T.C. Lyster <tlysterrancher@gmail.com>
Sent: Saturday, March 14, 2026 3:22 PM
To: KAVANAGH Kerry L * WRD <Kerry.L.KAVANAGH@water.oregon.gov>
Subject: Re: Certificate RA Estimate R13217-27 for Polly Creek Ranch LLC involving Application T-14174

Kerry:

Do I still owe the Department money? Your Receipt #146959 has me confused. If so, what do I owe for , and how much? Who do I make the check out to?

Thanks,
Ted

On Fri, Mar 13, 2026 at 3:12 PM KAVANAGH Kerry L * WRD
<Kerry.L.KAVANAGH@water.oregon.gov> wrote:

Hello,

Please find the attached estimate and agreement to review the claim of beneficial use (Claim). If the proposed agreement is acceptable to you and the water user, please return a signed copy to our office along with the payment of the estimated cost to review the claim of beneficial use.

If you have any questions, please send me an email at kerry.l.kavanagh@water.oregon.gov.

Thanks,
Kerry

Kerry Kavanagh

Certificate Reimbursement Authority Program Coordinator
Certificate Section, Water Rights Services Division
725 Summer St NE Suite A | Salem OR 97301 | Direct 503.979.3208
kerry.l.kavanagh@water.oregon.gov | <https://www.oregon.gov/OWRD>



**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

Summer St. N.E. Ste. A

SALEM, OR 97301-4172

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

RECEIPT # **146959**

INVOICE # _____

RECEIVED FROM: Lyster Properties LLC
BY: _____

APPLICATION	
PERMIT	
TRANSFER	<u>T-14174</u>

CASH: ☐ CHECK:# 2086 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 470.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 4723 R13217-21 \$
0413 OTHER: (IDENTIFY) Certificate of Appropriation \$ 125.00
 0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS 46111

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	\$

0200 OTHER (IDENTIFY) COBLL \$ 345.00

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FWWRD) \$ _____
 0231 HYDRO LICENSE FEE (FWWRD) \$ _____
 _____ HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

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

RECEIPT: **146959**

DATED: 3-7-2026 BY: [Signature]



**OREGON WATER RESOURCES DEPARTMENT
CERTIFICATE REIMBURSEMENT AUTHORITY
ESTIMATE APPLICATION**

ORS 536.055 authorizes the Oregon Water Resources Department to expedite or enhance regulatory processes voluntarily requested under the agreement.

The purpose of this application is to obtain estimates of the cost and time required to process a Certificate Request. A separate estimate application is required for each application and/or transfer number. There is a non-refundable application fee of \$125.00 per request.

<u>REQUEST</u>	<u>TYPE</u>	<u>FILE NUMBER</u>
☒	Certificate Request	Application Number _____ Permit Number _____ Transfer Number/Permit Amendment (if applicable) <u>T-14174</u>

	Applicant Information	Applicant's Representative/Contact
Name:	<u>Ted Lyster / Polly Creek Ranch, LLC</u>	<u>Bryce Withers/Water Right Services, LLC</u>
Address:	<u>PO Box 28</u>	<u>PO Box 1830</u>
	<u>Bend, OR 97709</u>	<u>Bend, OR 97709</u>
Phone:	<u>541-410-1833</u>	<u>541-389-2837</u>
Fax:	_____	_____
E-Mail Address:	<u>tlysterrancher@gmail.com</u>	<u>brycewrs@gmail.com</u>

I certify that I (check one):

- ☐ have previously filed a Claim of Beneficial Use
☒ am attaching the Claim of Beneficial Use with this request and have included the appropriate claim fee.

I understand the following:

- That upon receipt of my non-refundable application fee in the amount of **\$ 125.00**, OWRD will, within fourteen (14) days, notify me in writing of the estimates of cost and time frame for the expedited service.
- That this fee covers the reimbursement authority staff to evaluate and provide the estimate for processing of the request.
- That upon receiving the estimate I may agree or decline to enter into a formal contract to pay the estimated cost in advance to initiate the expedited service.
- An incomplete or inaccurate Claim of Beneficial Use may delay the process and increase the cost to process my request.
- Expedited processing does not guarantee a favorable review of my request.
- Send completed Application and payment to:

**Oregon Water Resources Department
 Certificate Reimbursement Authority Program
 725 Summer St. NE, Suite A
 Salem, OR 97301-1271**

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I certify that I am the (check one):

- ☐ Applicant ☒ Applicant's Representative ☐ Other (Please specify) _____

Name: Bryce Withers

Signature: 

OWRD USE ONLY: Reimbursement Authority Number: R1 3217-27

Checklist for Claims of Beneficial Use Received at CSG Counter

Application #:	WRD Reviewer: Sarah Benham
Transfer #: T-14174	
Date Received: 3/2/2025	
CWRE Name: Bryce Withers	

Fees Required:

- ☒ YES ☐ NO ☐ A fee of \$345 must accompany this form for permits with priority dates of July 9, 1987, or later. **Priority date of affected water right(s):**
2/15/2023
- ☐ YES ☐ NO ☐ A fee of \$345 must accompany this form for any transfer applications submitted July 9, 1987, or later. **Submission date of transfer application:**

Map Review:

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

Report Review:

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

Groundwater File Review:

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

MONEY SLIP

DATE:		RECEIPT #:	
RECEIVED FROM:		APPLICATION:	
		PERMIT:	
		TRANSFER:	
CASH ☐	CHECK # ☐	OTHER (IDENTIFY):	TOTAL RECEIVED: \$
CASH TREASURY		478 MISC CASH ACCT.	
6407 COPIES	(IDENTIFY)		
6407 OTHER	(IDENTIFY)		
6343 Instream Lease		6244 Multi-Year Water Plan	6245 CASH FLOW
6343 TREASURY		6245 MISC CASH ACCT.	
MISCELLANEOUS 6407 COPY & TRAIL FEES 6410 RESEARCH FEES 6408 MISC REVENUE (IDENTIFY) 6409 DEPOSIT FEE (IDENTIFY) 6410 EXTENSION OF TIME			
WATER RIGHTS		EXAM FEE	RECORD FEE
6201 SURFACE WATER		6202	
6203 GROUND WATER		6204	
6205 TRANSFER			
WELL CONSTRUCTION		BLANK FEE	RECORD FEE
6215 WELL DRILL CONSTRUCTION		6216	
6215 LANDOWNER'S POINT		6217	
6215 OTHER (IDENTIFY)			
6217 TREASURY		6217 HYDROLOGIC INFO	
6217 POWER LICENSE FEE (\$/HP/HR)		6217 HYDRO LICENSE FEE (\$/HP/HR)	
HYDRO APPLICATION		HYDRO APPLICATION	
SPECIAL INSTRUCTIONS:			

Fill in App
or Transfer
Number

☐ RETURN TO APPLICANT - LETTER ATTACHED

**CLAIM OF
BENEFICIAL USE
for Transfers
Place of Use Only**



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

A fee of \$345 must accompany this form for transfers where the application was submitted on July 9, 1987, or later.

Enter the date the transfer application was submitted:

February 15, 2023

A separate form shall be completed for each transfer.

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

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

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

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

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

If you have questions regarding the completion of this form, please call 503-986-0900.

The Department has a program that allows it to enter into a voluntary agreement with an applicant for expedited services. Under such an agreement, the applicant pays the cost to hire additional staff that would not otherwise be available. This program means a certificate may be issued in about a month. For more information on this program see:
<https://www.oregon.gov/OWRD/programs/WaterRights/RA/Pages/default.aspx>

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SECTION 1

GENERAL INFORMATION

Type of Authorized Change

This Claim is being submitted for a transfer where the only authorized change was a change in place of use.

YES NO

If additional changes were authorized, you will need to select a different form.

1. File Information

APPLICATION #

T-14174

2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME Theodore C. Lyster III / Polly Creek Ranch, LLC		PHONE NO. 541-447-1015	ADDITIONAL CONTACT NO. 541-410-1833
ADDRESS PO Box 28			
CITY Bend	STATE OR	ZIP 97709	E-MAIL tlysterrancher@gmail.com

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

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

TRANSFER HOLDER OF RECORD Same		
ADDRESS		
CITY	STATE	ZIP

4. Date of Site Inspection:

9/9/2025

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

NAME	DATE	ASSOCIATION WITH THE PROJECT
Theodore C. Lyster III	9/9/2025	Owner

6. County:

Crook

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

OWNER OF RECORD n/a		
ADDRESS		
CITY	STATE	ZIP

Add additional tables for owners of record as needed

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SECTION 2 SIGNATURES

CWRE Statement, Seal and Signature

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



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CWRE NAME Bryce Michael Withers		PHONE NO. 541-389-2837	ADDITIONAL CONTACT NO.
ADDRESS PO Box 1830			
CITY Bend	STATE OR	ZIP 97709	E-MAIL brycewrs@gmail.com

Transfer Holder(s) of Record Signature or Acknowledgement

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

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

SIGNATURE	PRINT OR TYPE NAME	TITLE	DATE
	THEODORE C. LYSAK	MANAGER Poly Creek Ranch, LLC	Feb 23, 2026

SECTION 3

EXTENT OF CHANGE COMPLETED

WATER USER

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1. Claim Summary:

If Irrigation or Nursery Use:

THE # OF ACRES ALLOWED	THE # OF ACRES DEVELOPED
Irrigation of 98.2 acres (from C-87898, 1868 priority)	98.2 acres
Supplemental Irrigation of 191.8 acres (from C-90836, 2/29/1996 Priority)	186.8 acres
Irrigation of 30.6 acres (from C-90836, 2/29/1996 Priority)	0.0 acres

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

WAS THE NEW PLACE OF USE DEVELOPED TO THE FULL EXTENT AUTHORIZED UNDER THE ORDER? (INCLUDE THE LOCATION OF THE DEVELOPED PLACE USE ON THE CLAIM MAP)
YES <u>NO</u> NA

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2. Variations:

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

If yes, describe below.

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

The order allowed the transfer of 30.6 acres of Primary Irrigation Use from C-90836, the water user did not develop the Primary Irrigation Use portion of this right and does not intend to do so. A 5 acre portion of Supplemental Irrigation from C-90836 was not developed because the underlying primary Ochoco Creek surface water right was transferred off under T-13686 to land south of US Hwy 26.

The domestic and stock portion of C-87898 was not changed by this transfer.

SECTION 4

CONDITIONS

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

1. Time Limits:

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

	DATE FROM TRANSFER	DATE THE AUTHORIZED CHANGE WAS COMPLETED *THIS DATE MUST FALL BETWEEN THE "ISSUANCE DATE" AND THE "COMPLETENESS DATE"
ISSUANCE DATE	8/29/2025	
COMPLETENESS DATE FROM ORDER (C)	10/1/2029	9/9/2025

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

2. Is there an extension final order(s)?

If "NO", you may delete the following table.

Received YES NO
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3. Measurement Conditions:

a. Does the transfer final order require the installation of a meter or approved measuring device?

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YES NO

If "NO", items b through f relating to this section may be deleted.

Reminder: If a meter or approved measuring device was required, the COBU map must indicate the location of the device in relation to the point of diversion or appropriation.

b. Has a meter been installed?

YES NO

c. Meter Information

POD/POA NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
POD #1			Weir		Prior to Transfer Final Order
Well #1-4			Hour Meter on PTO Pump		Prior to Transfer Final Order

If a meter has been installed, items d through f relating to this section may be deleted.

4. Other conditions required by the transfer final order:

a. Other conditions?

YES NO

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

SECTION 5
ATTACHMENTS

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

ATTACHMENT NAME	DESCRIPTION
CBU Map	Claim of Beneficial Use Map

SECTION 6
CLAIM OF BENEFICIAL USE MAP

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

For the purpose of this Claim, the map must identify the developed new place of use. The existing point(s) of diversion or point(s) of appropriation are required to be included on the Claim map, based on the locations described in the transfer final order.

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

[On-site direct measurement and NAIP imagery.](#)

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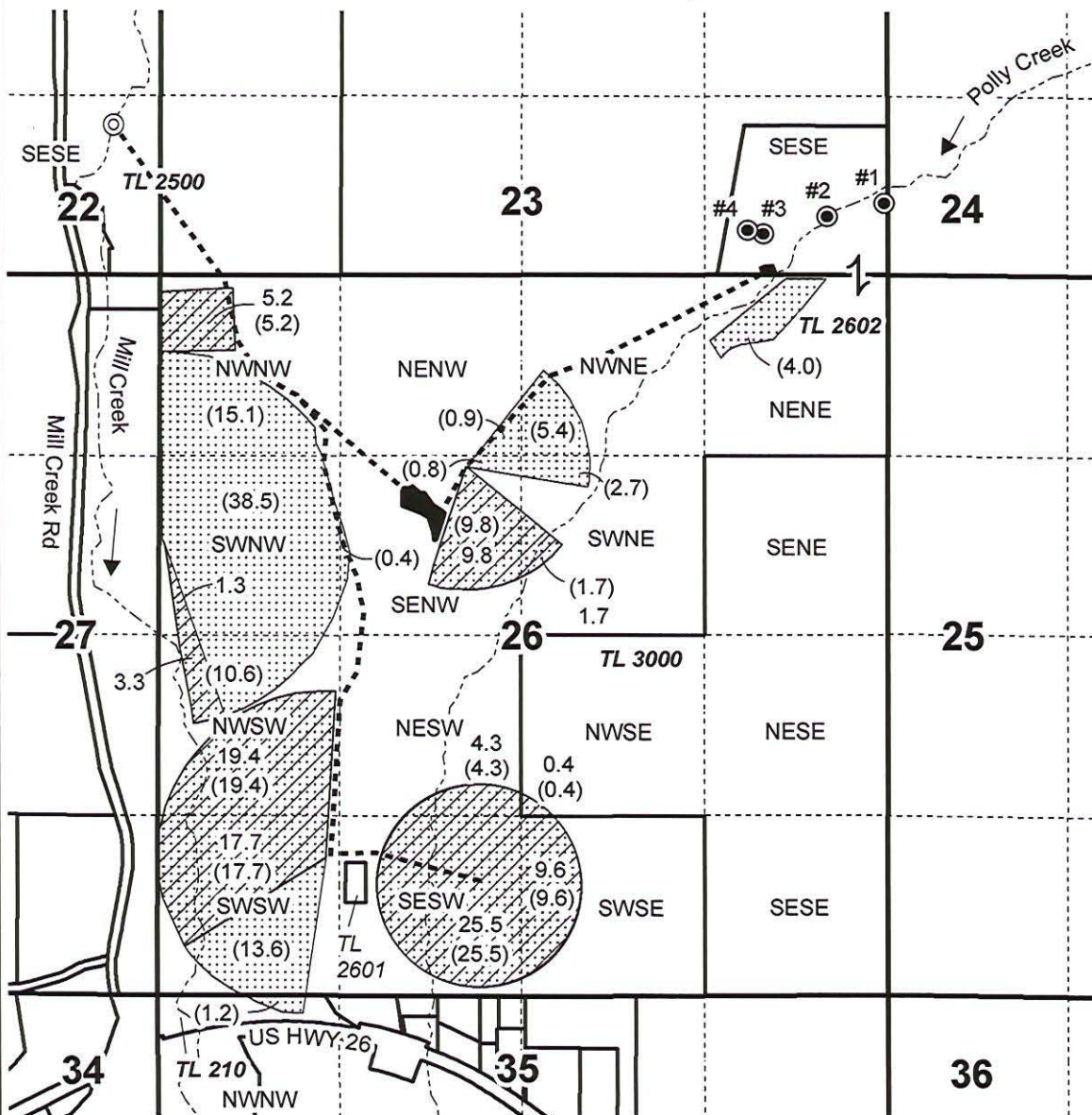
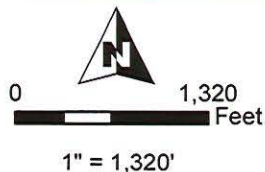
Map Checklist

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

- ☒ Map on polyester film.
- ☒ Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-size scale of the county assessor map)
- ☒ Township, Range, Section, Donation Land Claims, and Government Lots
- n/a Locations of fish screens and/or fish by-pass devices in relationship to point of diversion
- ☒ Locations of meters and/or measuring devices in relationship to point of diversion
- ☒ Conveyance structures illustrated (pumps, reservoirs, pipelines, ditches, etc.) ***Not required for this type of Claim of Beneficial Use**
- ☒ Point(s) of diversion or appropriation (illustrated and coordinates)
- ☒ Tax lot boundaries and numbers
- ☒ Quarter-Quarters illustrated and named (NE NE, NW NE, etc.)
- ☒ Source illustrated if surface water
- ☒ Disclaimer ("This map is not intended to provide legal dimensions or locations of property ownership lines")
- ☒ Transfer application number
- ☒ North arrow
- ☒ Legend
- ☒ CWRE stamp and signature

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T14S R17E, WM, CROOK COUNTY, OR



- Well
- ⊙ POD & Weir
- Ditch/Pipeline
- Creek
- Bulge-in-System
- POU IR - Mill Creek 1868 Priority
- POU (IS) 2/29/1996 Priority (from Ap. G-13940)
- Section
- Quarter Quarter
- Taxlot

POD & POA Locations:

POD: 1122' N, 346' W of NW Cor Sec 26
 Well #1 (CROO 50157): 528' N, 26' W of SE Cor Sec 23
 Well #2 (CROO 50162): 431' N, 441' W of SE Cor Sec 23
 Well #3 (CROO 3222): 304' N, 900' W of SE Cor Sec 23
 Well #4 (CROO 50163): 330' N, 1014' W of SE Cor Sec 23

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RENEWS: 06/30/2026



CLAIM OF BENEFICIAL USE MAP Polly Creek Ranch

Date: 1/23/2026

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

WATER RIGHT SERVICES, LLC
 PO BOX 1830, BEND, OR 97709
WWW.OREGONWATER.US
 info@oregonwater.us 541-389-2837

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-14174

Review Due Date:

Applicant Name: Polly Creek Ranch LLC

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

Reviewer(s): Wm. Nashem

Date of Review: 03/21/2023

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:
Almost every year Mill Creek is regulated back to 1868 sometime between late June and mid July.
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:

There is a history of water from Ochoco Creek being placed on Polly and Mill creek lands. A pipe (not shown on transfer map) extends south to north from Ochoco Creek and discharges into the Bulge-in-system (shown on Transfer map). The pipe extends under HWY26. A flow meter is advised for the pipe to verify the correct water source is used on the correct lands. Also, OWRD will monitor POU's when Mill Creek is dry late in the season to verify that Ochoco water is not being applied to non-ochoco lands.

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- 14174



In order to avoid enlargement of the right or injury to other rights, a Flow Meter on Ochoco Diversion 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: Wm. Nashem

District: 24

Address: 231 SW Scalehouse Loop, Ste. 103

City/State/Zip: Bend, OR 97702

Phone: 541/639-4109

Email: William.d.nashem@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-14174

Transfer Specialist:

Transfer Type: Regular Transfer

Reimbursement Authority? ☐

Applicant: THEODORE C. LYSTER III PO BOX 28 BEND, OR 97709	Agent: JOHN A. SHORT PO BOX 1830 BEND, OR 97709	Receiving Landowner:
Current Landowner if other than Applicant:	CWRE:	Irrigation District:
Affected Local Gov'ts: Crook 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.
☐	Decree	Crooked River	87898	☐ Yes ☐ No	
☐	G13940	G12971	90836	☐ Yes ☐ No	
☐				☐ Yes ☐ No	

Key Dates & Initial Actions (Support Staff)

Rec'd: February 15, 2023	Proposed Action(s): PLACE OF USE	
Fees Pd: 2380.00	Acknowledgement Letter Sent ☒	Basin: 5 Deschutes
Initial Public Notice:	County sent cc: of Ack Letter ☒	County: CROOK
WM District: 24 Bill D. Nashem	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 _____



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

February 22, 2023

THEODORE C. LYSTER III

PO BOX 28

BEND, OR 97709

Reference: Application T-14174

On February 15, 2023, the Department received your water right Permanent Transfer Application. The application was accompanied by \$2380.00. Receipt number 140129 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. #24, Bill D. Nashem (*via email*)

Crook County

John A. Short, Agent

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 # **140129**

INVOICE # _____

RECEIVED FROM: Lyster Properties LLC

BY: _____

APPLICATION _____

PERMIT _____

TRANSFER 1-14174

CASH: ☐ CHECK: # 1408 OTHER: (IDENTIFY) ☐ _____

TOTAL REC'D \$2,380.00

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:

0201 SURFACE WATER EXAM FEE \$ _____ 0202 \$ _____

0203 GROUND WATER EXAM FEE \$ _____ 0204 \$ _____

0205 TRANSFER EXAM FEE \$ 2380.00

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR EXAM FEE \$ _____ 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: **140129** DATED: 2/15/23 BY: Mindy Crohn

Application for Permanent Water Right Transfer

OREGON



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.

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? 2 List them here: 87898 & 90836**
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: ____/____/____

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°).

Part 3 of 5 – Fee Worksheet

FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)

[illegible]

*Example for Line 5a calculation to transfer 45.0 acres of Primary Certificate 12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Certificate 87654 (1/80 cfs per acre) on the same land:

1. For irrigation calculate cfs for each water right involved as follows:
 - a. Divide total authorized cfs by total acres in the water right (for C12345, $1.25 \text{ cfs} \div 100 \text{ ac}$); then multiply by the number of acres to be transferred to get the transfer cfs ($\times 45 \text{ ac} = 0.56 \text{ cfs}$).
 - b. If the water right certificate does not list total cfs, but identifies the allowable use as $1/40$ or $1/80$ of a cfs per acre; multiply number of acres proposed for change by either 0.025 ($1/40$) or 0.0125 ($1/80$). (For C87654, $45.0 \text{ ac} \times 0.0125 \text{ cfs/ac} = 0.56 \text{ cfs}$)
2. Add cfs for the portions of water rights on all the land included in the transfer; however do not count cfs for supplemental rights on acreage for which you have already calculated the cfs fee for the primary right on the same land. The fee should be assessed only once for each "on the ground" acre included in the transfer. (In this example, blank 5a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 5b would be 0 and Line 5 would then also become 0).

FEE WORKSHEET for SUBSTITUTION

1	Base Fee (includes change to one well)	1	\$990.00
	Number of wells included in substitution _____ (2a) Subtract 1 from the number in 2a above: _____ (2b) <i>If only one well this will be 0</i>		
2	Multiply line 2b by \$480 and enter » » » » » » » » » » » » » » » »	2	
3	Add entries on lines 1 through 2 above » » » » » » Fee for Substitution:	3	

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME THEODORE C. LYSTER III / POLLY CREEK RANCH, LLC		PHONE NO. 541-447-1015	ADDITIONAL CONTACT NO.
ADDRESS PO BOX 28		FAX NO.	
CITY BEND	STATE OR	ZIP 97709	E-MAIL tlysterrancher@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.			

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

AGENT/BUSINESS NAME JOHN A. SHORT / WATER RIGHT SERVICES, LLC		PHONE NO. 541-389-2837	ADDITIONAL CONTACT NO.
ADDRESS PO BOX 1830		FAX NO.	
CITY BEND	STATE OR	ZIP 97709	E-MAIL johnshort@usa.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:

REARRANGE POU OF 2 CERTIFICATES TO MATCH FARMING PRACTICES.

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.

RECEIVED

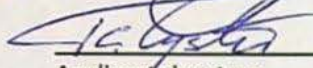
FEB 15 2023

OWRD
SALEM, OREGON

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: THE CENTRAL OREGONIAN.
- 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

T. C. Lyster, Manager
Print Name (and Title if applicable)

2/5/23
Date

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 SAME AS APPLICANT			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				

☐ 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 N/A	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 N/A	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 CROOK COUNTY PLANNING DEPARTMENT	ADDRESS 300 NE 3RD ST , ROOM 12	
CITY PRINEVILLE	STATE OR	ZIP 97754

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

RECEIVED

FEB 15 2022

OWB-D
SALEM, OREGON

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 # 87898

Description of Water Delivery System

System capacity: 1.235 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. **POD THROUGH OPEN DITCH, PUMPED THROUGH BURIED PIPELINES TO BULGE-IN-SYSTEM AND TO PIVOTS AND SPRINKLERS**

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)
POD	☒ Authorized ☐ Proposed		14	S	17	E	22	SE SE	2500 1122' N, 346' W OF NW COR SEC 26
	☐ Authorized ☐ Proposed								
	☐ Authorized ☐ Proposed								
	☐ Authorized ☐ Proposed								

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.

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 # 87898

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
													POU	14	S	17	E	26	SW	NE	2602		1.7	IR	POD	1868
													"	"	"	"	"	"	NW	NW	"		5.2	"	"	"
													"	"	"	"	"	"	SW	NW	"		1.3	"	"	"
													"	"	"	"	"	"	SE	NW	"		9.8	"	"	"
													"	"	"	"	"	"	NE	SW	"		4.3	"	"	"
													"	"	"	"	"	"	NW	SW	"		22.7	"	"	"
													"	"	"	"	"	"	SW	SW	"		17.7	"	"	"
													"	"	"	"	"	"	SE	SW	"		25.5	"	"	"
													"	"	"	"	"	"	NW	SE	3000		0.4	"	"	"
													"	"	"	"	"	"	SW	SE	2602		9.6	"	"	"
TOTAL ACRES:														TOTAL ACRES:						98.2						

Additional remarks: THERE IS NO CHANGE PROPOSED FOR THE DOMESTIC AND STOCK USE PORTION OF THE CERTIFICATE.

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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: C-90836.

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 # _____.

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

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 # **90836**

Description of Water Delivery System

System capacity: **0.49** 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. **WELLS PUMP OPEN DISCHARGE FOR FLOOD IRRIGATION AND TO BULGE PONDS, THEN PUMPED TO PLACE OF USE SPRINKLERS AND PIVOTS.**

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	☒ Authorized ☐ Proposed	CROO 50157	14	S	17	E	23	SE	SE	2602	528' N, 26' W of SE Cor S 23
WELL 2	☒ Authorized ☐ Proposed	CROO 50162	"	"	"	"	"	"	"	"	431' N, 441' W of SE Cor S 23
WELL 3	☒ Authorized ☐ Proposed	CROO 3222	"	"	"	"	"	"	"	"	304' N, 900' W of SE Cor S 23
WELL 4	☒ Authorized ☐ Proposed	CROO 50163	"	"	"	"	"	"	"	"	330' N, 1014' W of SE Cor S 23

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.

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 # 90836

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.

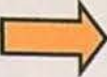
AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.										Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear 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		
										POU	14	S	17	E	23	SE	SE	2602	9.4	IR	WELLS 1-4	1996
										"	"	"	"	"	26	NE	NE	"	3.4 IR/ 4.0 IS	IR & IS	"	"
										"	"	"	"	"	"	NW	NE	"	10.0 IR/ 5.0 IS	IR & IS	"	"
										"	"	"	"	"	"	SW	NE	"	7.8 IR/ 7.3 IS	IR & IS	"	"
										"	"	"	"	"	"	NE	NW	"	1.8	IS	"	"
										"	"	"	"	"	"	NW	NW	"	20.3	IS	"	"
										"	"	"	"	"	"	SW	NW	"	38.5	IS	"	"
										"	"	"	"	"	"	SE	NW	"	12.6	IS	"	"
										"	"	"	"	"	"	NE	SW	"	4.3	IS	"	"
										"	"	"	"	"	"	NW	SW	"	30.0	IS	"	"
										"	"	"	"	"	"	SW	SW	"	31.3	IS	"	"
										"	"	"	"	"	"	SE	SW	"	25.5	IS	"	"
										"	"	"	"	"	"	NW	SE	3000	0.4	IS	"	"
										"	"	"	"	"	"	SW	SE	2602	9.6	IS	"	"
										"	"	"	"	35	NW	NW	210	1.2	IS	"	"	
TOTAL ACRES:											TOTAL ACRES:						30.6 AC. IR / 191.8 AC. IS					

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: C-83656,

C-87898, C-89614, & C-89615.

 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 # _____.

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

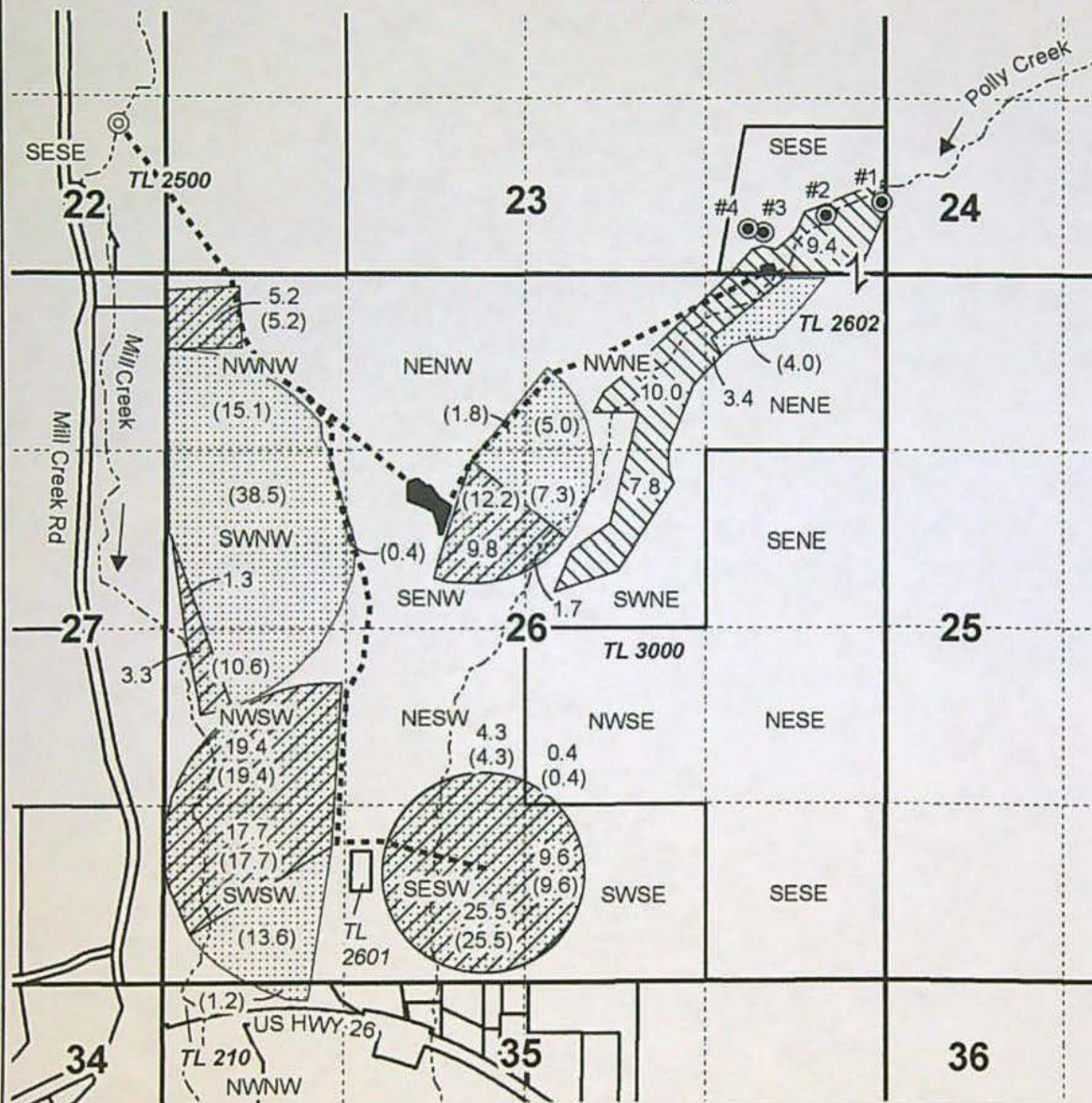
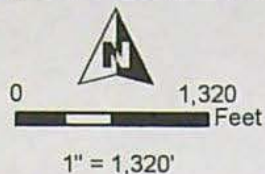
- ☐ Describe the construction of the authorized and proposed well(s) in Table 3 for any wells that do not have a well log. For *proposed wells not yet constructed or built*, provide "a best estimate" for each requested information element in the table. The Department recommends you consult a licensed 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

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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

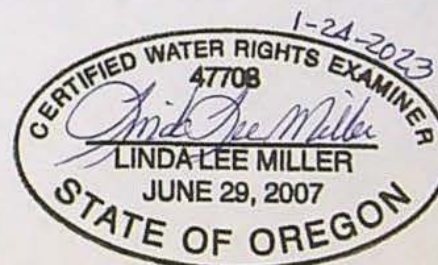
T14S R17E, WM, CROOK COUNTY, OR



- Well
- ⊙ POD
- Ditch/Pipeline
- Creek
- Bulge-in-System
- C-87898 POU IR "ON" 12/31/1868
- C-90836 POU IR "ON" 2/29/1996
- C-90836 POU (IS) "ON" 2/29/1996
- Section
- Quarter Quarter
- Taxlot

POD & POA Locations:

POD: 1122' N, 346' W of NW Cor Sec 26
 Well #1 (CROO 50157): 528' N, 26' W of SE Cor Sec 23
 Well #2 (CROO 50162): 431' N, 441' W of SE Cor Sec 23
 Well #3 (CROO 3222): 304' N, 900' W of SE Cor Sec 23
 Well #4 (CROO 50163): 330' N, 1014' W of SE Cor Sec 23



RENEWAL DATE 12/31/2024



PERMANENT TRANSFER "ON" MAP Polly Creek Ranch

Date: 1/22/2023

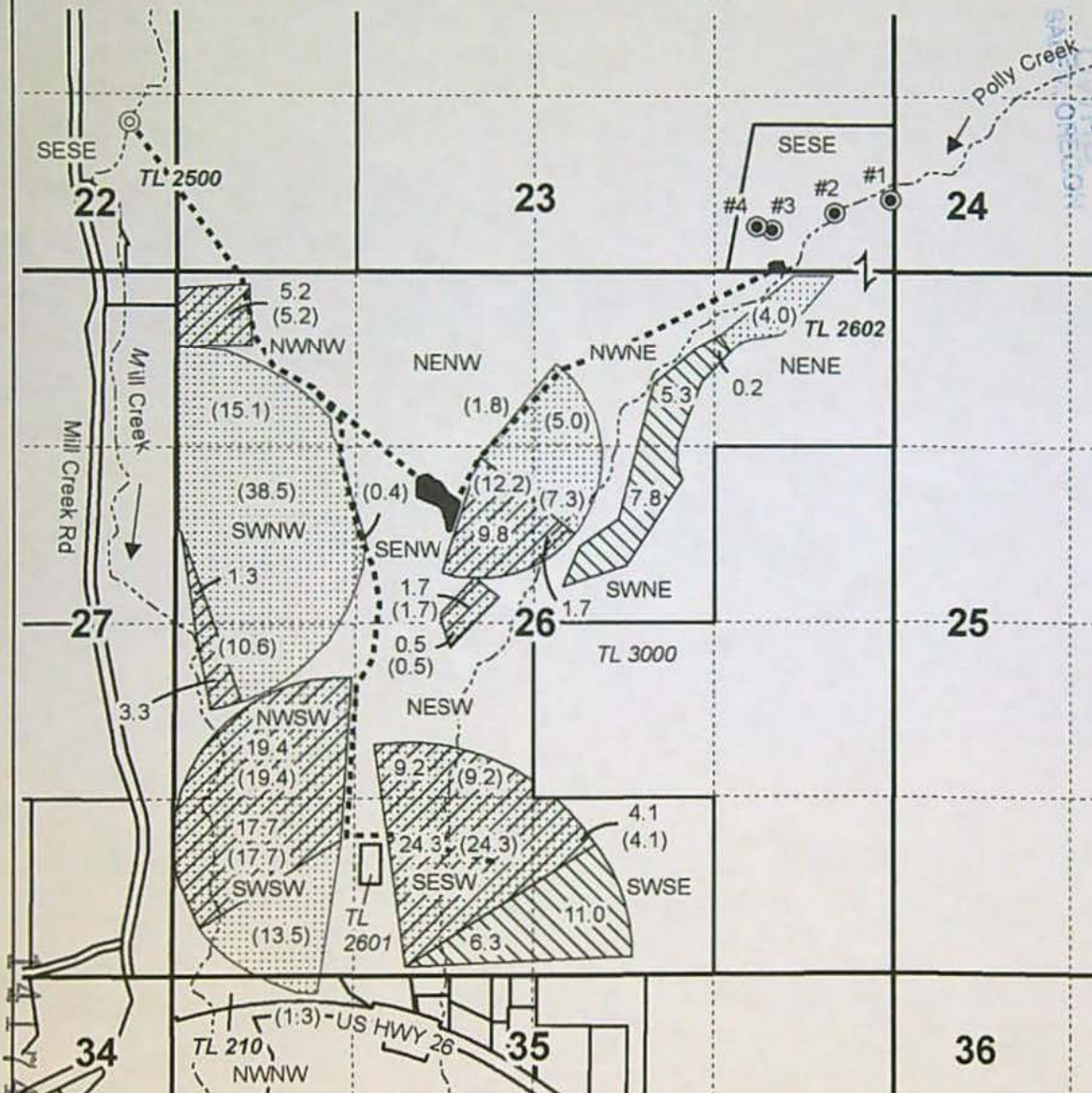
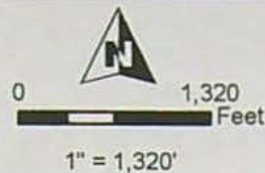
C-87898 & C-90836

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

WATER RIGHT SERVICES, LLC
 PO BOX 1830, BEND, OR 97709
 WWW.OREGONWATER.US CCB # 197121
 johnshort@usa.com 541-389-2837

14174

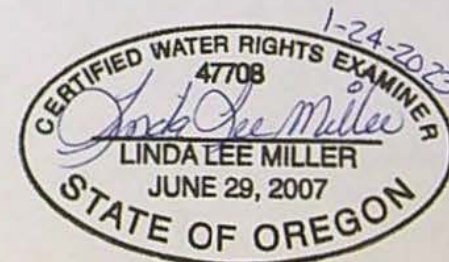
T14S R17E, WM, CROOK COUNTY, OR



- Well
- POD
- Ditch/Pipeline
- Creek
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- C-90836 POU (IS) "OFF" 2/29/1996
- Section
- Quarter Quarter
- Taxlot

POD & POA Locations:

POD: 1122' N, 346' W of NW Cor Sec 26
 Well #1 (CROO 50157): 528' N, 26' W of SE Cor Sec 23
 Well #2 (CROO 50162): 431' N, 441' W of SE Cor Sec 23
 Well #3 (CROO 3222): 304' N, 900' W of SE Cor Sec 23
 Well #4 (CROO 50163): 330' N, 1014' W of SE Cor Sec 23



RENEWAL DATE 12/31/2024



PERMANENT TRANSFER "OFF" MAP Polly Creek Ranch

Date: 1/22/2023

C-87898 & C-90836

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

WATER RIGHT SERVICES, LLC
 PO BOX 1830, BEND, OR 97709
 WWW.OREGONWATER.US CCB # 197121
 johnshort@usa.com 541-389-2837

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

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

AUG 21 1995

3222

14S/17E/26AD

(START CARD) # 80379

(1) OWNER: Well Number #8

Name Gary Gumpert
Address 28600 E Hwy 26
City Astoria State OR Zip 97103

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

(3) DRILL METHOD:
☒ Rotary Air ☐ Rotary Mud ☐ Cable ☐ Auger
☐ Other

(4) PROPOSED USE:
☐ Domestic ☐ Community ☐ Industrial ☒ Irrigation
☐ Thermal ☐ Injection ☐ Livestock ☐ Other

(5) BORE HOLE CONSTRUCTION:
Special Construction approval ☐ Yes ☒ No Depth of Completed Well 230 ft.
Explosives used ☐ Yes ☒ No Type Amount

HOLE			SEAL			Sacks or pounds
Diameter	From	To	Material	From	To	
16"	0	78	CEMENT	0	78	96 SACKS
8"	78	230				

How was seal placed: Method ☐ A ☐ B ☐ C ☐ D ☐ E
☒ Other Purge w/ 1" trimmer
Backfill placed from ft. to ft. Material
Gravel placed from ft. to ft. Size of gravel

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 12"	0	78	1250	☒	☐	☒	☐
Liner:				☐	☐	☐	☐

Final location of shoe(s) 78' NO SHOE

(7) PERFORATIONS/SCREENS:							
☐ Perforations Method				☐ Screens Type			
From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
						☐	☐
						☐	☐
						☐	☐
						☐	☐

(8) WELL TESTS: Minimum testing time is 1 hour

☐ Pump	☐ Bailor	☒ Air	☐ Flowing
Yield gal/min	Drawdown	Drill stem at	Time
100 gpm	0	730	1 hr.

Temperature of water 56° Depth Artesian Flow Found
Was a water analysis done? ☐ Yes By whom
Did any strata contain water not suitable for intended use? ☐ Too little
☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other
Depth of strata:

(9) LOCATION OF WELL by legal description:

County Crook Latitude Longitude
Township 14 or 15 Range 17 or W. WM.
Section 26 NE 1/4 SE 1/4
Tax Lot 2600 Lot Block Subdivision
Street Address of Well (or nearest address) MILL CR RD

(10) STATIC WATER LEVEL:
+1 ft. below land surface. Date 7/14/95
Artesian pressure 0 lb. per square inch. Date 7/14/95

(11) WATER BEARING ZONES:
Depth at which water was first found 135'

From	To	Estimated Flow Rate	SWL
135	154	50	+1
535	550	50	+1

(12) WELL LOG:
Ground Elevation

Material	From	To	SWL
Gravel	0	45	
Gravel Boulders + Berries	45	68	
Blue Clay	68	154	
Blue Claystone	154	175	
Hard Gray Clay + (LITE)	175	235	
Gravel Claystone	235	251	
Blue Claystone	251	475	
Hard Black Basalt	475	535	
Blue Claystone	535	730	

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NOV 8 1995
WATER RESOURCES DEPARTMENT
SALEM, OREGON

Date started 7/14/95 Completed 7/14/95
(unbonded) Water Well Constructor Certification:

I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

WWC Number
Signed Date

(bonded) Water Well Constructor Certification:

I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

WWC Number 1553
Signed Bill C. Date 7/17/95

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14174

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

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

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NOV - 6 1995

14517E/26AD

(START CARD) # 74271

(1) OWNER: Well Number #6
Name Gary Gumpert
Address 286050 Hwy 26
City Pineville State OR Zip 97134

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

(3) DRILL METHOD:
☒ Rotary Air ☐ Rotary Mud ☐ Cable ☐ Auger
☐ Other

(4) PROPOSED USE:
☐ Domestic ☐ Community ☐ Industrial ☒ Irrigation
☐ Thermal ☐ Injection ☐ Livestock ☐ Other

(5) BORE HOLE CONSTRUCTION:
Special Construction approval ☐ Yes ☒ No Depth of Completed Well 610 ft.
Explosives used ☐ Yes ☒ No Type Amount

HOLE SEAL
Diameter From To Material From To Sacks or pounds
12" 0 50 Cement 0 50 35 SACKS
8" 50 610

How was seal placed: Method ☐ A ☐ B ☐ C ☐ D ☐ E
☒ Other Type III Cement Pumped w/ Tremie
Backfill placed from ft. to ft. Material
Gravel placed from ft. to ft. Size of gravel

(6) CASING/LINER:
Diameter From To Gauge Steel Plastic Welded Threaded
Casing: 8" +2 80' 250 ☒ ☐ ☒ ☐
Liner: 6" 0 590 188 ☒ ☐ ☒ ☐

Final location of shoe(s)
(7) PERFORATIONS/SCREENS:
☒ Perforations Method FACILITY
☐ Screens Type Material
From To Slot size Number Diameter Tele/pipe size Casing Liner
440 540 1/2" 1100 1506" 6" 1/2" ☐ ☒

(8) WELL TESTS: Minimum testing time is 1 hour
☐ Pump ☐ Bailer ☒ Air ☐ Flowing
Yield gal/min Drawdown Drill stem at Time
150 gpm 0 600' 1 hr.
Temperature of water 56° Depth Artesian Flow Found 440'
Was a water analysis done? ☐ Yes By whom
Did any strata contain water not suitable for intended use? ☐ Too little
☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other
Depth of strata:

(9) LOCATION OF WELL by legal description:
County Clatsop Latitude Longitude
Township 19 N or S Range 17 E or W. WM.
Section 26 SE 1/4 NE 1/4
Tax Lot 2600 Lot Block Subdivision
Street Address of Well (or nearest address) Mill Creek Cemetery Rd.

(10) STATIC WATER LEVEL:
+2 ft. below land surface. Date 2/17/95
Artesian pressure 12 lb. per square inch. Date 2/17/95

(11) WATER BEARING ZONES:
Depth at which water was first found 440'
From To Estimated Flow Rate SWL
440' 540' 150 + 6 gpm +2

(12) WELL LOG:
Ground Elevation
Material From To SWL
CLAY + FRANKELS 0 31
GRAY CLAY-STONE 31 47
GRAY BASALT 47 365
BROWN BASALT 365 410 +2
HARD BLACK BASALT 410 590
BROWN CLAYSTONE 590 610

Date started 2/10/95 Completed 2/10/95
(unbonded) Water Well Constructor Certification:
I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.
Signed _____ WWC Number _____ Date _____
(bonded) Water Well Constructor Certification:
I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.
Signed Bill C. WWC Number 1555 Date 11/1/95

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14174

~~CR00
3284~~

50157

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NOV - 6 1995

14S/17E/26AD

(START CARD) # 77004

Well Number ~~7~~ 7

Zip 97754

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14174

Land Use Information Form



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

Applicant(s): POLLY CREEK RANCH, LLC

Mailing Address: PO BOX 28

City: BEND

State: OR

Zip Code: 97709

Daytime Phone: _____

RECEIVED

FEB 15 2023

OWRD
SALEM, OREGON

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>14 S</u>	<u>17 E</u>	<u>23, 26</u>	_____	<u>2602</u>	<u>EFU2</u>	☒ Diverted	☒ Conveyed	☒ Used	<u>IRRIGATION</u>
<u>14 S</u>	<u>17 E</u>	<u>22, 23</u>	_____	<u>2500</u>	<u>EFU2</u>	☒ Diverted	☒ Conveyed	☐ Used	“
<u>14 S</u>	<u>17 E</u>	<u>26</u>	_____	<u>3000</u>	<u>EFU2</u>	☐ Diverted	☒ Conveyed	☒ Used	“
<u>14 S</u>	<u>17 E</u>	<u>35</u>	_____	<u>201</u>	<u>RR5</u>	☐ Diverted	☒ Conveyed	☒ Used	“

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

Crook

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) MILL CREEK

Estimated quantity of water needed: 1.725 ☒ 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:

Permanent Transfer to rearrange the place of use for Irrigation and Supplemental Irrigation purposes for crops & pasture.

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. →

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): Farm use is an outright allowed use in EFD and supported by the Comprehensive plan - 18.16.010
- ☐ 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: Katie McDonald Title: Planner

Signature: Katie McDonald Phone: 541-447-8211 Date: 1-25-2023

Government Entity: Crook County Community Development

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: _____

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)
County of DESCHUTES) ss

I, JOHN A. SHORT, in my capacity as WATER RIGHT SPECIALIST,

mailing address P.O. BOX 1830, BEND, OR 97709

telephone number (541) 389-2837, being first duly sworn depose and say:

RECEIVED
FEB 15 2010
SALEM, OREGON

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 # 87898 & 90836; **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)

AND

☐ 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 & PASTURE**
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

January 24, 2023
Date

Signed and sworn to (or affirmed) before me this 24 day of January, 20 23.



Linda Lee Miller
Notary Public for Oregon

My Commission Expires: July 12, 2025

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.terraserver.com
☐ Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

RECEIVED
FEB 13 2023
OWRD
SALEM, OREGON

POLLY CREEK RANCH

MAY 2018 IMAGERY © 2018 GOOGLE EARTH™

Legend

NENE

NWNW

NENW

NWNE

NENE

NWNW

SENE

SWNW

SENW

SWNE

SENE

SWNW

26

NESE

NWSW

NESW

NWSE

NESE

NWSW

25

SESE

SWSW

SESW

SWSE

SESE

SWSW

Survey
Google Earth

NENE

NWNW

NENW

NWNE

Permanent Transfer Application Checklist

Check the Certificates in WRIS

Transfer # T- 14174

Checked by <u>Dante</u>	Type of Change(s) Proposed: <u>NO</u> other changes allowed other than those listed	
Date <u>2/17/2023</u>		
Fee Received: \$2380	☒ POU ☐ POD ☐ APOD ☐ POA ☐ APOA ☐ USE	
Calculated Fee: \$2380		How many rights to be Transferred? 2
Deficiencies and Observations:		Certificate #(s) 87898 90836

If OK, check box; if not, fill in.

- ☒ 1. Is the applicant information complete? Have all the applicants listed at the top of the page signed at the bottom?
If not, what is missing? Whose signature is missing? _____
- ☒ 2. Has the applicant indicated that the place of use is in or near an irrigation district? Have they included a Form D? ☒ N/A.
Name of the District _____
- ☒ 3. Part 5 of application, has the applicant completed the entire page and does the information match the description of the explanation of the reasons on Part 4 of the application?
If not, you may need to contact the applicant or agent? _____
- ☒ 4. For multiple certificates, do each of the certificates listed on Application Page 1 have their own separate completed Part 5 tables 1 & 2? (compare with OAR 690-380-3220-may need to return)
If no, which certificates are missing a separate Part 5, tables 1 & 2? _____
- ☒ 5. Has the map been completed and signed by a CWRE? Does the map meet the requirements?
If not, what is missing? _____. Map waiver included? ☐
- ☒ 6. If a change in point of appropriation, have the well logs been included? ☒ N/A.
- ☒ 7. If a change in place of use within Umatilla County, have the applicant(s) provided a Supplemental Form U? ☒ N/A.
- ☒ 8. Has applicant filled out the Minimum Requirements Checklist (Part 1 of 5)? Is the application complete? If not, what is missing (check Evidence of Use and Land Use)? _____
- ☒ 9. If all boxes on this checklist are checked (with no remaining deficiencies identified), accept the application. Put this check sheet in the transfer folder.

OR:

- ☐ 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 _____

Revised 12/2022.krf

14174

Permanent Transfer Application Checklist

FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)			
1	Base Fee (includes one type of change to one water right for up to 1 cfs)	1	\$1,360
	Types of change proposed: ☐ Place of Use ☐ Character of Use ☐ Point of Diversion/Appropriation Number of above boxes checked = _____ (2a) Subtract 1 from the number in line 2a = _____ (2b) <i>If only one change, this will be 0</i>		
2	Multiply line 2b by \$930 and enter » » » » » » » » » » » » » » » »	2	0
	Number of water rights included in transfer _____ (3a) Subtract 1 from the number in 3a above: _____ (3b) <i>If only one water right this will be 0</i>		
3	Multiply line 3b by \$520 and enter » » » » » » » » » » » » » » » »	3	0
	Do you propose to add or change a well, or change from a surface water POD to a well? ☐ No: enter 0 » ☐ Yes: enter \$410 »		
4		4	0
	Do you propose to change the place of use or character of use? ☐ No: enter 0 on line 5 » ☐ Yes: enter the cfs for the portions of the rights to be transferred (see example below*): _____ (5a) Subtract 1.0 from the number in 5a above: _____ (5b) If 5b is 0 or less, enter 0 on line 5 » If 5b is greater than 0, round up to the nearest whole number: _____ (5c) and multiply 5c by \$350, then enter on line 5 »		
5		5	0
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6	0
	Is this transfer: ☐ necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? ☐ endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 »		
7	If no box is applicable, enter 0 on line 7 »	7	0
8	Subtract line 7 from line 6 » Transfer Fee:	8	