

Regular

Name Leroy or Elizabeth McBride

Address 447 Ridgeway
Ontario Oregon 97914

Change in PO
Date Filed 9/8/2020
Initial notice date 9/22/2020
DPD issued date
PD issued date 5/11/2021
PD notice date 5/18/2021
Date of FO 6/30/2021 Vol 120 Page 984-86

C-Date 10/01/2022
COBU due date 10/01/2023
COBU Received date
Certificate issued

DESCRIPTION OF WATER RIGHT(s)

Name of Stream moore Sump
Trib. of Snake river
Use irrigation County malheur
Quantity of water (CFS) _____ No. of Acres _____
Name of ditch _____
App# 6-11015 Per # 61509 Cert # 31088 PR Date 11/4/1959
App# _____ Per # _____ Cert # _____ PR Date _____
App# _____ Per # _____ Cert # _____ PR Date _____
App# _____ Per # _____ Cert # _____ PR Date _____
App# _____ Per # _____ Cert # _____ PR Date _____

FEES PAID		
Date	Amount	Receipt #
<u>9-8-2020</u>	<u>\$1,160.00</u>	<u>133440</u>

FEES REFUNDED		
Date	Amount	Receipt #

Assignments: _____

Irrigation District Warm Springs Irrigation district

Agent engineering NW

CWRE _____

CC's list malheur county



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

www.oregon.gov/owrd

April 21, 2025

McBride Cattle, LLC
Floyd LeRoy McBride
447 Ridgeway
Ontario, OR 97914

Reference: Transfer T-13519

The requested assignment signed by LeRoy McBride, as from Elizabeth and LeRoy McBride to Floyd LeRoy McBride, is being returned.

As discussed with LeRoy McBride on April 17, 2025, the current transfer holder of record for T-13519 is LeRoy McBride. A copy of the transfer final order is enclosed.

The transfer is therefore already in the name of the party being requested for assignment.

Should you have any questions, please contact me at 503-979-9895 or mary.f.bjork@water.oregon.gov.

Sincerely,

Mary F. Bjork
Water Rights Program Analyst
Water Right Services Division

Enclosures: Original Request and Fee

cc: File

**Request for Assignment
By Proof of Ownership
(If Water Right Holder is Not Available)**



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

If the Department determines that the application is incomplete, fees have not been paid, or the required documents are not acceptable, the application and all fees submitted will be returned to the applicant.

If for multiple rights, a separate form and fee for each right will be required.

I, Floyd LeRoy McBride
(Name of Party Requesting Assignment)
447 Ridgeway Ontario OR 97914 541-216-3759
(Mailing Address) (City) (State) (Zip) (Phone #)

- ☒ hereby request assignment of an entire application/permit/transfer order /limited license/groundwater statement;
- ☐ hereby request assignment of a portion of application/permit/transfer order/limited license/groundwater statement;
(You must include a map showing the portion of the application/permit/ transfer order /limited license/groundwater statement to be assigned.)

Application # _____; Permit # _____; Transfer Order # T-13519;

Limited License # _____; Groundwater Statement # _____;

Received

APR 14 2025

OWRD

Elizabeth & Leroy McBride
(Name of Current Holder of Record)
447 Ridgeway Ontario OR 97914 541-216-3759
(Mailing Address) (City) (State) (Zip) (Phone #)

Note: Write the initials (first letters) of your first and last names at the spots indicated below _____.

- 1) FLM I certify that I am the current owner of the property described in this application, permit, transfer order, limited license, or groundwater statement. I have attached proof of ownership that may include but not be limited to: a copy of the deed to the land, a copy of a land sales contract, a court order or decree, documentation of survivorship of property held jointly. The Department cannot accept a copy of a tax statement.
- 2) FLM I have the legal right to request assignment under OAR 690-310-0280 and 690-320-0060.
- 3) FLM I have not been able to contact the owner(s) of record for the above referenced transaction. I have attached proof acceptable to the Department that notice of the assignment has been given or attempted for each identified property owner not a party to the assignment. ORS 537.220(2) Failure to submit this proof will result in the return of your request. (Proof may include but not be limited to: a copy of returned certified mailing, copy of a Death Certificate, or a court order.)
- 4) FLM I further certify that the information provided herein is true and correct to the best of my knowledge.

Witness my hand this 8 day of April, 2025.
(Day) (Month) (Year)

Signature of Party Requesting Assignment LeRoy M McBride

Failure to provide any of the required information will result in the return of your application.

DO NOT WRITE IN THIS BOX



The completed "Request for Assignment" form must be submitted to the Department along with the recording fee of \$120.

MONEY SLIP

COPY

DATE: 4-14-25	RECEIPT #: 145028
---------------	-------------------

RECEIVED FROM: McBride Cattle, LLC	APPLICATION
	PERMIT
	TRANSFER

CASH ☐	CHECK # ☒ 2588	OTHER (IDENTIFY) ☐	TOTAL REC'D \$ 120.00
-------------------------------	--	---	-----------------------

1083 TREASURY	4170 MISC CASH ACCT.
---------------	----------------------

0407 COPIES	\$
OTHER: (IDENTIFY)	\$

0243 Instream Lease	0244 Muni Water Mgmt. Plan	0245 Cons. Water
---------------------	----------------------------	------------------

1083 TREASURY	4270 WRD OPERATING ACCT.
---------------	--------------------------

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

WATER RIGHTS		EXAM FEE	RECORD FEE
0201 SURFACE WATER	\$	0202	\$
0203 GROUND WATER	\$	0204	\$
0205 TRANSFER	\$		

WELL CONSTRUCTION		EXAM FEE	RECORD FEE
0218 WELL DRILL CONSTRUCTOR	\$	0219	\$
LANDOWNER'S PERMIT		0220	\$
OTHER (IDENTIFY)			

0607 TREASURY	0467 HYDROELECTRIC
---------------	--------------------

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

SPECIAL INSTRUCTIONS:

☐ RETURN TO APPLICANT -- LETTER ATTACHED

Request for Assignment By Proof of Ownership (If Water Right Holder is Not Available)



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

If the Department determines that the application is incomplete, fees have not been paid, or the required documents are not acceptable, the application and all fees submitted will be returned to the applicant.

If for multiple rights, a separate form and fee for each right will be required.

I, Floyd LeRoy McBride
(Name of Party Requesting Assignment)
447 Ridgeway Ontario OR 97914 541-216-3759
(Mailing Address) (City) (State) (Zip) (Phone #)

- ☒ hereby request assignment of an entire application/permit/transfer order /limited license/groundwater statement;
- ☐ hereby request assignment of a portion of application/permit/transfer order/limited license/groundwater statement;
(You must include a map showing the portion of the application/permit/transfer order /limited license/groundwater statement to be assigned.)

Application # _____; Permit # _____; Transfer Order # T-13519;

Limited License # _____; Groundwater Statement # _____;

Elizabeth & Leroy McBride
(Name of Current Holder of Record)

447 Ridgeway Ontario OR 97914 541-216-3759
(Mailing Address) (City) (State) (Zip) (Phone #)

not needed if
OK w/ name
Leroy McBride only
Received
APR 14 2025
OWRD

Note: Write the initials (first letters) of your first and last names at the spots indicated below _____.

- 1) FLM I certify that I am the current owner of the property described in this application, permit, transfer order, limited license, or groundwater statement. I have attached proof of ownership that may include but not be limited to: a copy of the deed to the land, a copy of a land sales contract, a court order or decree, documentation of survivorship of property held jointly. The Department cannot accept a copy of a tax statement.
- 2) FLM I have the legal right to request assignment under OAR 690-310-0280 and 690-320-0060.
- 3) FLM I have not been able to contact the owner(s) of record for the above referenced transaction. I have attached proof acceptable to the Department that notice of the assignment has been given or attempted for each identified property owner not a party to the assignment. ORS 537.220(2) Failure to submit this proof will result in the return of your request. (Proof may include but not be limited to: a copy of returned certified mailing, copy of a Death Certificate, or a court order.)
- 4) FLM I further certify that the information provided herein is true and correct to the best of my knowledge.

Witness my hand this 8 day of April, 2025.
(Day) (Month) (Year)

Signature of Party Requesting Assignment Leroy M McBride

Failure to provide any of the required information will result in the return of your application.

DO NOT WRITE IN THIS BOX



The completed "Request for Assignment" form *must* be submitted to the Department along with the recording fee of \$120.



Oregon
Kate Brown, Governor

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

June 30, 2021

FLOYD & ELIZABETH MCBRIDE
447 RIDGEWAY
ONTARIO, OR 97914

REFERENCE: Transfer Application T-13519

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

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

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

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

If you have any questions related to the approval of this transfer, you may contact your caseworker, Scott Grew, by telephone at (503) 986-0890 or by e-mail at Scott.A.Grew@oregon.gov.

Sincerely,

Julie C. Baustian
Water Right Services Support
Transfers and Conservation Section

cc: Jered L. Hoshaw, Watermaster Dist. #9 (via email)
Pat J. Woodcock, Agent
Malheur County
Warm Springs Engineering

Enclosure

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

In the Matter of Transfer Application
T-13519, Malheur County

)
)

FINAL ORDER APPROVING A
CHANGE IN PLACE OF USE

Authority

Oregon Revised Statutes (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

LEROY MCBRIDE
447 RIDGEWAY
ONTARIO, OR 97914

Findings of Fact

1. On September 8, 2020, LEROY MCBRIDE filed an application to change the place of use under Certificate 31088. The Department assigned the application number T-13519.
2. Notice of the application for transfer was published on September 22, 2020, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On February 8, 2021, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-13519 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of March 10, 2021, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
4. On May 11, 2021, the Department issued a Preliminary Determination proposing to approve Transfer Application T-13519 and sent a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published in the Department's weekly notice on May 11, 2021, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

5. The right to be transferred is as follows:

Certificate: 31088 in the name of CHARLES W. and CHRISTINE MOORE (perfected under Permit G-1509)
Use: IRRIGATION of 37.0 ACRES
Priority Date: NOVEMBER 4, 1959
Rate: 0.46 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: MOORE SUMP NO. 1 a tributary of SNAKE RIVER

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
18 S	45 E	WM	13	SE NW	27.5 CHAINS SOUTH AND 7 CHAINS WEST FROM THE N1/4 CORNER OF SECTION 13

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
18 S	45 E	WM	13	SW NE	15.0
18 S	45 E	WM	13	SE NW	22.0
				Total	37.0

6. Transfer Application T-13519 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
18 S	45 E	WM	13	NE NW	4.5
18 S	45 E	WM	13	SE NW	32.5
				Total	37.0

Transfer Review Criteria (OAR 690-380-4010)

- Water has been used within the last five years. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
- A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-13519.
- The proposed change would not result in enlargement of the right as conditioned.
- The proposed change would not result in injury to other water rights.
- All other application requirements are met.

Conclusions of Law

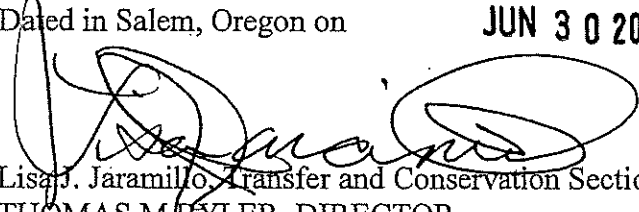
The change in place of use proposed in Transfer Application T-13519 is consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is **ORDERED**:

1. The change in place of use proposed in Transfer Application T-13519 is approved.
2. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 31088 and any related decree.
3. Water right Certificate 31088 is cancelled.
4. Water use measurement conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation.
 - 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.
5. The former place of use of the transferred right shall no longer receive water under the right.
6. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2022**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.
7. After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.

Dated in Salem, Oregon on

JUN 30 2021


Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
THOMAS M BYLER, DIRECTOR
Oregon Water Resources Department

Mailing date: **JUN 30 2021**

WATER RIGHT TRANSFER COVER SHEET

Transfer: T- 13519

Transfer Specialist: Scott

Transfer Type: Regular

Applicant: <u>LEROY MCBRIDE</u> <u>447 RIDGEWAY</u> <u>ONTARIO, OR 97914</u> Email: _____ Phone: _____		Agent: ☐ N/A <u>PAT J. WOODCOCK</u> <u>11 NW 9TH ST</u> <u>ONTARIO, OR 97914</u> Email: _____ Phone: _____	
Irrigation District: ☐ N/A Email: _____		CWRE: ☐ N/A Email: _____	
Affected Local Gov'ts: ☐ N/A <u>Malheur County Planning Department</u> Email: _____		Affected Tribal Gov't: ☐ N/A <u>UNAVAILABLE</u> Email: _____	
Current Landowner if other than Applicant: ☐ N/A Email: _____		Receiving Landowner: ☐ N/A Email: _____	

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
☐	<u>G-1615</u>	<u>G-1509</u>	<u>31088</u>	☐ Yes ☒ No	
☐				☐ Yes ☐ No	
☐				☐ Yes ☐ No	

Key Dates & Initial Actions:

Rec'd: <u>September 8, 2020</u>	Proposed Action(s): <u>PLACE OF USE</u>	
Fees Pd: <u>1160.00</u>	WM District: <u>9</u>	ODFW District:
Initial Public Notice: <u>September 22, 2020</u>	WM Review sent:	ODFW Review sent:
Acknowledgement Letter Sent ☐		GW Review sent: ☐ N/A
County sent cc: of Ack Letter ☐	BOR notified (date): ☐ N/A	
Newspaper quote requested:	Request for news \$ sent:	News \$ received:
Request to publish sent:	Affidavit of publication received:	Last day of publication:

Document	Drafted	Peer Review	Changes Made	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: <u>1/2/21</u> Initials: <u>Scott</u>	Date: <u>1/2/21</u> Initials: <u>AK</u>	Date: _____ Initials: _____	Date: <u>2/2/21</u> Initials: <u>PKS</u>	Date: <u>2/8/21</u> Initials: <u>Scott</u>	CW Sent: <u>2/8/21</u>	N/A
PD	Date: <u>4/23/21</u> Initials: <u>Scott</u>	Date: <u>4/26/21</u> Initials: <u>cc</u>	Date: _____ Initials: _____	Date: <u>5/13/21</u> Initials: <u>PKS</u>	Date: <u>5/17/21</u> Initials: <u>Scott</u>	Date: <u>5/17/21</u>	Date: <u>5/17/2021</u>
FO	Date: <u>6/14/21</u> Initials: <u>Scott</u>	Date: <u>6/15/21</u> Initials: <u>Jon</u>	Date: _____ Initials: _____	Date: <u>6/17/21</u> Initials: <u>PKS</u>	Date: <u>6/23/21</u> Initials: <u>Scott</u>	Date: _____	Date: <u>6/30/2021</u>

Special Issues: _____

Special Order Volume: Vol. 120 Pages 984-86

entirely

STATE OF OREGON
COUNTY OF MALHEUR
CERTIFICATE OF WATER RIGHT

This Is to Certify, That CHARLES W. and CHRISTINE MOORE
of Route 1, Box 215, Vale, 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
Moore Sump No. 1

a tributary of Snake River for the purpose of
irrigation of 37.0 acres

under Permit No. 0-1509 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 November 4, 1959,

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

or its equivalent in case of rotation, measured at the point of diversion from the stream.
The point of diversion is located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 13, T. 18 S., R. 45 E., W. M.
Well located 27.5 chains South and 7.0 chains West from North $\frac{1}{4}$ corner, Sec. 13.

The amount of water used for irrigation, together with the amount secured under any other
right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second
per acre, or its equivalent for each acre irrigated and shall be further limited to
a diversion of not to exceed 3 acre feet per acre for each acre irrigated during
the irrigation season of each year,

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

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

15.0 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
22.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 13
T. 18 S., R. 45 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 1 - 1967

CHRIS L. WHEELER

State Engineer



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

May 11, 2021

Applicant

LEROY MCBRIDE
447 RIDGEWAY
ONTARIO, OR 97914

SUBJECT: Water Right Transfer Application T-13519

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-13519. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

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

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

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

Please contact me at scott.a.grew@oregon.gov or 503-986-0890 should you have questions.

Sincerely,

Scott Grew

Transfer Specialist

cc: Transfer Application file T-13519
Jered L. Hoshaw, District 9 Watermaster (via e-mail)
Pat J. Woodcock, Agent for the applicant (via e-mail)

encs

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

In the Matter of Transfer Application	)	PRELIMINARY DETERMINATION
T-13519, Malheur County	)	PROPOSING APPROVAL OF A
	)	CHANGE IN PLACE OF USE

Authority

Oregon Revised Statutes (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

LEROY MCBRIDE
447 RIDGEWAY
ONTARIO, OR 97914

Findings of Fact

1. On September 8, 2020, LEROY MCBRIDE filed an application to change the place of use under Certificate 31088. The Department assigned the application number T-13519.
2. Notice of the application for transfer was published on September 22, 2020, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On February 8, 2021, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-13519 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of March 10, 2021, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
4. The right to be transferred is as follows:

Certificate:	31088 in the name of CHARLES W. and CHRISTINE MOORE (perfected under Permit G-1509)
Use:	IRRIGATION of 37.0 ACRES
Priority Date:	NOVEMBER 4, 1959
Rate:	0.46 CUBIC FOOT PER SECOND

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

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

Source: MOORE SUMP NO. 1 within the SNAKE RIVER

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
18 S	45 E	WM	13	SE NW	27.5 CHAINS SOUTH AND 7 CHAINS WEST FROM THE N1/4 CORNER OF SECTION 13

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
18 S	45 E	WM	13	SW NE	15.0
18 S	45 E	WM	13	SE NW	22.0
				Total	37.0

5. Transfer Application T-13519 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
18 S	45 E	WM	13	NE NW	4.5
18 S	45 E	WM	13	SE NW	32.5
				Total	37.0

Transfer Review Criteria (OAR 690-380-4010)

- Water has been used within the last five years. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
- A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-13519.
- The proposed change would not result in enlargement of the right as conditioned.
- The proposed change would not result in injury to other water rights.
- All other application requirements are met.

Determination and Proposed Action

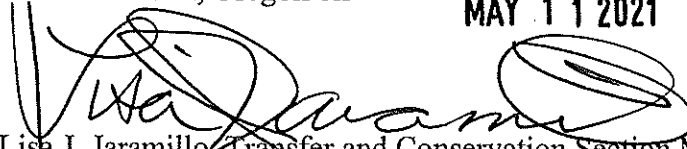
The change in place of use proposed in Transfer Application T-13519 appears to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If Transfer Application T-13519 is approved, the final order will include the following:

- 1. The change in place of use proposed in Transfer Application T-13519 is approved.*
- 2. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 31088 and any related decree.*
- 3. Water right Certificate 31088 is cancelled.*
- 4. Water use measurement conditions:*
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation.*
 - 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.*
- 5. The former place of use of the transferred right shall no longer receive water under the right.*
- 6. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before October 1, 2022. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.*
- 7. After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.*

Dated in Salem, Oregon on

MAY 11 2021


Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
THOMAS M BYLER, DIRECTOR
Oregon Water Resources Department

This Preliminary Determination was prepared by Scott Grew. If you have questions about the information in this document, you may reach him at scott.a.grew@oregon.gov or 503-986-0890.

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

IMPORTANT: Due to COVID-19, the Department's office is closed to walk-in services. The Department encourages the submission of protests by U.S. Mail. Please consider mailing early to ensure the Department receives the protest by the deadline specified above.

Notice Regarding Service Members: Active duty servicemembers have a right to stay these proceedings under the federal Servicemembers Civil Relief Act. For more information contact the Oregon State Bar at 800-452-8260, the Oregon Military Department at 503-584-3571, or the nearest United States Armed Forces Legal Assistance Office through <http://legalassistance.law.af.mil>. The Oregon Military Department does not have a toll free number.

GREW Scott A * WRD

From: Pat Woodcock <patwoodcockpe@gmail.com>
Sent: Wednesday, April 21, 2021 8:49 AM
To: GREW Scott A * WRD
Subject: Re: T-13519 - Issuance of Draft Preliminary Determination - Action Required!

Hello Scott. I just met with Leroy, and we both agreed that the "draft" appears to meet the intent of the desired transfer. He is going to get the legal description from the title company and when he brings that in I'll scan it and email it to you.

Pat J. Woodcock, PE
Engineering Northwest LLC
11 NW 9th Street
Ontario, Oregon 97914

Office: (541) 889-4432
Cell: (541) 709-0905

On Thu, Apr 15, 2021 at 9:43 AM Pat Woodcock <patwoodcockpe@gmail.com> wrote:
Thanks

On Thu, Apr 15, 2021, 8:42 AM GREW Scott A * WRD <Scott.A.Grew@oregon.gov> wrote:

The number from the application is 541-216-3759

Scott Grew

Transfer Specialist

Oregon Water Resources Department

503-986-0890

From: Pat Woodcock <patwoodcockpe@gmail.com>
Sent: Wednesday, April 14, 2021 7:07 PM
To: GREW Scott A * WRD <Scott.A.Grew@oregon.gov>
Cc: HOSHAW Jered L * WRD <Jered.L.Hoshaw@oregon.gov>
Subject: Re: T-13519 - Issuance of Draft Preliminary Determination - Action Required!

Hi Scott. Do you have Leroy's phone number?

On Wed, Apr 14, 2021, 5:43 PM GREW Scott A * WRD <Scott.A.Grew@oregon.gov> wrote:

Dear Pat,

The Department has yet to receive a response in writing to the Draft Preliminary Determination and a Report of Ownership for Transfer File T-13519.

The deadline was March 10, 2021. We spoke on the phone in early March and you said that you would get that information to me.

If the Department does not receive those items by April 22, 2021, a Preliminary Determination will be issued denying the application as incomplete.

Scott Grew

Transfer Specialist

Oregon Water Resources Department

503-986-0890

From: GREW Scott A * WRD <Scott.A.Grew@oregon.gov>

Sent: Monday, February 8, 2021 3:09 PM

To: patwoodcockpe@gmail.com

Cc: GREW Scott A * WRD <Scott.A.Grew@oregon.gov>; HOSHAW Jered L * WRD <Jered.L.Hoshaw@oregon.gov>

Subject: T-13519 - Issuance of Draft Preliminary Determination - Action Required!

February 8, 2021

Applicant

LEROY MCBRIDE



70 SW Third Ave., Ontario, OR 97914
PHONE (541)889-6451 FAX (541)889-4161

April 21, 2021
File Number: [REDACTED]
Report No.: 2
Title Officer: Mike Malmberg
Escrow Officer: Jane Reeves

SUPPLEMENTAL TITLE REPORT

Property Address: 1272 Foothill Drive, Vale, OR 97918

Policy or Policies to be issued:

ALTA LENDER'S COMMERCIAL (X) EXTENDED () STANDARD

Liability

\$910,000.00

Premium

\$2,064.00

Reissue Rate

Proposed Insured: AgAmerica Lending LLC, its successors and/or assigns,
as their interest may appear

Endorsements: OTIRO - End 209.10-06, 222-06 and 208.1-06, OTIRO End

\$375.00

206-06 ARM, OTIRO End 217-06 Access Lenders, OTIRO End 235-06

Minerals and others buildings

Local Government Lien Search

\$5.00

We are prepared to issue ALTA (06/17/06) title insurance policy(ies) of Stewart Title Guaranty Company, in the usual form insuring the title to the land described as follows:

Legal description attached hereto and made a part hereof marked Exhibit "A"

and dated as of 10th day of April 14, 2021 at 7:30 a.m., title is vested in:

Floyd Leroy McBride, an undivided one-half interest and Elizabeth Lee McBride, an undivided one-half interest, as tenants in common

The estate or interest in the land described or referred to in this Preliminary Title Report and covered herein is:

FEE SIMPLE

Received by OWRD

APR 21 2021

Salem, OR

Except for the items properly cleared through closing, Schedule B of the proposed policy or policies will not insure against loss or damage which may arise by reason of the following:

GENERAL EXCEPTIONS:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the Public Records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the Public Records.
2. Facts, rights, interests or claims which are not shown by the Public Records but which could be ascertained by an inspection of the Land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the Public Records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the subject Land onto adjoining Land or of existing improvements located on adjoining Land onto the subject Land) encumbrance, violation, variation, or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the subject Land.
5. Any lien, or right to a lien, for services, labor, material, equipment rental, or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the Public Records.

EXCEPTIONS 1 THROUGH 5 ABOVE APPLY TO STANDARD COVERAGE POLICIES AND MAY BE MODIFIED OR ELIMINATED ON AN EXTENDED COVERAGE POLICY.

SPECIAL EXCEPTIONS:

6. The 2020-2021 Taxes: A lien not yet due or payable.
7. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or any other facts, which a correct survey would disclose.
8. Any statutory lien for labor or material, which now has gained, or hereafter may gain priority over the lien of the insured mortgage.

To remove this item, the Company will require an affidavit and indemnity on a form supplied by the Company.

IF THE ABOVE EXCEPTION IS TO BE REMOVED FROM A FORTHCOMING POLICY PRIOR TO THE EXPIRATION OF THE STATUTORY LIEN PERIOD, THE COMPANY MUST BE CONTACTED REGARDING ITS UNDERWRITING REQUIREMENTS FOR EARLY ISSUE.

9. Persons in possession or claiming the right of possession.

To remove this item, the Company will require an affidavit and indemnity on a form supplied by the Company.

10. The rights of the public in and to that portion of the herein described property lying within the limits of public roads, streets or highways.
11. Taxes deferred, as disclosed by the tax roll, the premises herein described have been zoned or classified for farm use. At any time that said land is disqualified for such use the property will be subject to additional taxes or penalties and interest.
12. Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals of the Warmsprings Irrigation District.
(No inquiry has been made)

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13. Regulations, including levies, assessments, water and irrigation rights and easements for ditches and canals of the Owyhee Irrigation District.
(No inquiry has been made)
14. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:
Granted To: Idaho Power Company
Recorded: December 23, 1947
Book: 72, Page: 405
15. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:
Granted To: Harry William Burkhardt, et ux
Recorded: March 15, 1948
Book: 73, Page: 407
16. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:
Granted To: Idaho Power Company
Recorded: May 21, 1951
Book: 86, Page: 274
17. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:
Granted To: Idaho Power Company
Recorded: June 20, 1961
Book: 118, Page: 648
18. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:
Granted To: C. William Moore, et ux
Recorded: May 31, 1979
Instrument No.: 79-63672
19. Reservation of Oil, gas, minerals, including the terms and provisions contained therein, in deed from C. William Moore and Christine S. Moore, husband and wife.
Recorded: January 23, 1985
Instrument No.: 85-126160
The Company makes no representation as to the present ownership of any such interests. There may be leases, grants, exceptions or reservations of interests that are not listed.
20. Road Dedications, Easements and Right of Ways, including the terms and provisions thereof, as disclosed in Partition Plat No. 2008-21, recorded December 18, 2008, Instrument No. 2008-8503, Malheur County Records.
21. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:
Granted To: Idaho Power Company
Recorded: June 15, 2009
Instrument No.: 2009-4635

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22. A Mortgage, including the terms and provisions thereof, to secure the amount noted below and other amounts secured thereunder, if any:

Amount \$1,000,000.00

Mortgagor: Floyd Leroy McBride and Elizabeth Lee McBride, husband and wife aka F. Leroy McBride and Lee McBride

Mortgagee: Malheur Federal Credit Union, C/O Pacific Intermountain Mortgage Company

Dated: April 15, 2019

Recorded: May 13, 2019

Instrument No.: 2019-1838

Partial Release, recorded September 11, 2019, Instrument No. 2019-3427, Mortgage Records.

23. A Financing Statement filed in the Office of the County Recorder showing:

Debtor: Floyd Leroy McBride and Elizabeth Lee McBride

Secured Party: Malheur Federal Credit Union

Recorded: May 13, 2019

Instrument No.: 2019-1839

INFORMATIONAL NOTES:

Tax Information:

Taxes assessed under Code No. 43 Account No. [REDACTED] Map No. 18S4513 200

NOTE: The 2019-2020 Taxes: \$5,115.12, are Paid

NOTE: Any map or sketch enclosed as an attachment herewith is furnished for information purposes only to assist in property location with reference to streets and other parcels. No representation is made as to accuracy and the company assumes no liability for any loss occurring by reason of reliance thereon.

NOTE: Your application for title insurance was placed by reference to only a street address or tax identification number. Based on our records, we believe that the legal description in this report covers the parcel(s) of Land that you requested. If the legal description is incorrect, the parties to the transaction must notify the Company and/or the settlement company in order to prevent errors and to be certain that the correct parcel(s) of Land will appear on any documents to be recorded in connection with this transaction and on the policy of title insurance.

NOTE: Due to current conflicts or potential conflicts between state and federal law, which conflicts may extend to local law, regarding marijuana, if the transaction to be insured involves property which is currently used or is to be used in connection with a marijuana enterprise, including but not limited to the cultivation, storage, distribution, transport, manufacture, or sale of marijuana and/or products containing marijuana, the Company declines to close or insure the transaction, and this Preliminary Title Report shall automatically be considered null and void and of no force and effect.

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THIS PRELIMINARY TITLE REPORT IS NOT AN ABSTRACT OF TITLE, REPORT OF THE CONDITION OF TITLE, LEGAL OPINION, OPINION OF TITLE, OR OTHER REPRESENTATION OF THE STATUS OF TITLE. THE PROCEDURES USED BY THE COMPANY TO DETERMINE INSURABILITY OF THE TITLE, INCLUDING ANY SEARCH AND EXAMINATION, ARE PROPRIETARY TO THE COMPANY, WERE PERFORMED SOLELY FOR THE BENEFIT OF THE COMPANY, AND CREATE NO EXTRACTIONAL LIABILITY TO ANY PERSON, INCLUDING A PROPOSED INSURED.

This report is preliminary to the issuance of a policy of title insurance and shall become null and void unless a policy is issued and the full premium paid.



Michael W. Malmberg
Title Officer

End of Report

"Superior Service with Commitment and Respect for Customers and Employees"

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EXHIBIT "A"
LEGAL DESCRIPTION

Land in Malheur County, Oregon, as follows:

In Twp. 18 S., R. 45 E., W.M.:

Secs. 12 and 13: Within the SW1/4 of Section 12 and the N1/2 of Section 13, in said Township and Range, more particularly described as follows:

Parcel No. 1 of Partition Plat No. 2008-21, recorded December 18, 2008, Instrument No. 2008-8503, in the records of Malheur County, Oregon.

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Salem, OR

18S45E1
GANDILLE
320



18S45E1

RECORDING INFORMATION:

Prepared by:
Intermountain Law, P.C.
1513 N. Whitley Drive
Fruitland, ID 83619

After recording return to:
17077 # 99268

Until a change is requested,
all tax statements shall be sent to:

John & Lee McBride
447 Ridgeway
Ontario OR 97914

MALHEUR COUNTY, OR	2019-1837
D-DEED PERS REP	05/13/2019 04:24:00 PM
Cnt=1 Pgs=1	\$92.00
I, Gayle V. Troller, County Clerk for Malheur County, Oregon certify that the instrument identified herein was recorded in the Clerk's records.	
Gayle V. Troller - County Clerk	

P.1 P.P 2008-21

The true consideration for this conveyance is: \$1,300,000.00, a portion of which was paid pursuant to an IRC 1031 exchange on behalf of the Grantee, which is the whole consideration.

DEED OF PERSONAL REPRESENTATIVE

Staci N. Trenkel, Personal Representative of the Estate of Samuel L. Trenkel, deceased, which is Malheur County Court Probate No. 5997, Grantor, conveys to FLOYD LEROY MCBRIDE, an undivided one-half interest, and ELIZABETH LEE MCBRIDE, an undivided one-half interest, as tenants in common, land in Malheur County described as follows:

Land in Malheur County, Oregon, as follows:

In Twp. 18 S., R. 45 E., W.M.:

Sec. 12 and 13: Within the SE1/4SW1/4 of Section 12 and in the N1/2N1/2, SWNE and S1/2NW of Section 13, in said Township and Range, more particularly described as follows:

PARCEL NO. 1 of Partition Plat No. 2008-21, recorded December 18, 2008
as Instrument No. 2008-8503, in the records of Malheur County, Oregon.

Map 18S4513 Tax Lot 200 Code 43 Reference 13652

"BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010."

Dated this 10th day of May, 2019.

Staci N. Trenkel
Staci N. Trenkel, Personal Representative

STATE OF OREGON
County of Malheur

The foregoing Instrument was acknowledged before me this 10th day of May, 2019, by Staci N. Trenkel, Personal Representative.



Sharon Lee Miles
Notary Public - State of Oregon

Received by OWRD

APR 21 2021

Salem, OR



Elizabeth Lee McBride

📅 March 5, 2021

📍 [Ontario, Oregon](#)

Elizabeth Lee McBride Obituary

Here is Elizabeth Lee McBride's obituary. Please accept Echovita's sincere condolences.

We are sad to announce that on March 5, 2021, Elizabeth Lee McBride of Ontario, Oregon passed away. Family and friends are welcome to leave their condolences on this memorial page and share them with the family.



Oregon

Kate Brown, Governor

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

February 8, 2021

Applicant

LEROY MCBRIDE
447 RIDGEWAY
ONTARIO, OR 97914

Reference: Water Right Transfer Application T-13519

Your water right transfer is in the first of three phases of processing. Enclosed is a draft of the Department's Preliminary Determination regarding Transfer Application T-13519. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved.

Items needed before the next phase of processing...

1. Please review the draft carefully to see if it accurately reflects the changes you intend to make, and to become familiar with all proposed conditions. **You will need to respond in writing** by the deadline provided below, whether you agree with the proposed action and conditions. Also we will appreciate having you let us know if there are typographical errors that need to be corrected.
2. A report of landownership for the lands to which the water right(s) are appurtenant (the FROM lands) is required. **The report must be prepared by a title company and meet the criteria below.** (*Reports may be called by various names, such as Customer Service Report, Property Analysis Report (PAR), List Pack, Lot Book Report, etc.*)
 - a) The title company's report must either be:
 - i) prepared within 3 months of the draft Preliminary Determination showing current ownership, or
 - ii) prepared within 3 months of recording of a water right conveyance agreement, or
 - iii) prepared at any time, but showing ownership at the time a water right conveyance agreement was recorded.
 - b) The ownership report shall include:
 - i) Date the ownership report was generated or prepared; and
 - ii) List of owners at that time; and
 - iii) Legal description of the property where the water right to be transferred is currently located.
 - c) You will need to submit a notarized statement of consent from any landowner listed in the ownership report who is not already included in the transfer application, or other information such as a water right conveyance agreement, if applicable.

Conditions to your water right...

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

Please note the proposed date by which all conditions must be met: October 1, 2022. If the required completion date is insufficient to comply with any of the conditions, you may extend the date at no cost to you during this stage of processing. Please let me know by the comment deadline so we can make the proper arrangements to get you the time you need.

What happens next...

Once the preliminary determination is issued a publication period is required. The Department will publish a notice in their weekly publication, which opens a 30-day period in which the transfer can be protested.

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

1. Your written response to the conditions and proposed action in the draft Preliminary Determination (e-mail is acceptable); and
2. Report of ownership, and affidavits of consent from any landowners shown in the ownership report who have not signed the transfer application.

If we do not receive the items listed above by March 10, 2021, a Preliminary Determination may be issued denying the application as incomplete.

Please contact me at scott.a.grew@oregon.gov or 503-986-0890 should you have questions.

Sincerely,

Scott Grew

Transfer Specialist

cc: Transfer Application file T-13519
Jered L. Hoshaw, District 9 Watermaster (*via e-mail*)
Pat J. Woodcock, Agent for the applicant (*via e-mail*)

encs

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

In the Matter of Transfer Application
T-13519, Malheur County

) **D R A F T**
)
) PRELIMINARY DETERMINATION
) PROPOSING APPROVAL OF A
) CHANGE IN PLACE OF USE

Authority

Oregon Revised Statutes (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

LEROY MCBRIDE
447 RIDGEWAY
ONTARIO, OR 97914

Findings of Fact

1. On September 8, 2020, LEROY MCBRIDE filed an application to change the place of use under Certificate 31088. The Department assigned the application number T-13519.
2. Notice of the application for transfer was published on September 22, 2020, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. The right to be transferred is as follows:

Certificate: 31088 in the name of CHARLES W. and CHRISTINE MOORE (perfected under Permit G-1509)

Use: IRRIGATION of 37.0 ACRES

Priority Date: NOVEMBER 4, 1959

Rate: 0.46 CUBIC FOOT PER SECOND

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

Source: MOORE SUMP NO. 1 within the SNAKE RIVER

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
18 S	45 E	WM	13	SE NW	27.5 CHAINS SOUTH AND 7 CHAINS WEST FROM THE N1/4 CORNER OF SECTION 13

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
18 S	45 E	WM	13	SW NE	15.0
18 S	45 E	WM	13	SE NW	22.0
				Total	37.0

4. Transfer Application T-13519 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
18 S	45 E	WM	13	NE NW	4.5
18 S	45 E	WM	13	SE NW	32.5
				Total	37.0

Transfer Review Criteria (OAR 690-380-4010)

- Water has been used within the last five years. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
- A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-13519.
- The proposed change would not result in enlargement of the right as conditioned.
- The proposed change would not result in injury to other water rights.
- All other application requirements are met.

Determination and Proposed Action

The change in place of use proposed in Transfer Application T-13519 appears to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If Transfer Application T-13519 is approved, the final order will include the following:

- The change in place of use proposed in Transfer Application T-13519 are approved.*
- The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 31088 and any related decree.*
- Water right Certificate 31088 is cancelled.*

4. *Water use measurement conditions:*
 - a. *Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation.*
 - 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.*
5. *The former place of use of the transferred right shall no longer receive water under the right.*
6. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2022**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.*
7. *After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.*

Dated in Salem, Oregon on

D R A F T

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
THOMAS M BYLER, DIRECTOR
Oregon Water Resources Department

This draft Preliminary Determination was prepared by Scott Grew. If you have questions about the information in this document, you may reach him at scott.a.grew@oregon.gov or 503-986-0890.
--

Oregon Water Resources Department

Measurement Condition Information for the Applicant

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

Transfer #: T- 13519



In order to avoid enlargement of the right or injury to other rights, a Totalizing flow 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: Jered Hoshaw

District: 9

Address: 251 B Street West

City/State/Zip: Vale, OR 97918

Phone: (541)473-5130

Email: Jered.L.Hoshaw@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

**Notice of Preliminary Determination for
Water Right Transfer T-13519**

T-13519 filed by LeRoy McBride, 447 Ridgeway, Ontario, OR 97914, proposes a change of place of use under Certificate 31088. The right allows the use of 0.46 cubic foot per second from the Moore Sump No. 1 in Sec. 13, T18S, R45E, WM for irrigation in Sec. 13, T18S, R45E, WM. The applicant proposes to change the place of use within Sec. 13, T18S, R45E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may protest the preliminary determination or may file a standing statement. Pursuant to OAR 690-380-4030(3) and OAR 690-382-9000, protests must raise all reasonably ascertainable issues and include all reasonably available arguments supporting the person's position. In addition, protests must be accompanied by an \$810 protest fee for non-applicant, or \$410 protest fee for applicant. Call (503) 986-0815 to obtain additional information. Protests must be received by the Department on or before [30 days after WRD notice], or within 30 days of the last date of publication in a newspaper, whichever is later. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

IMPORTANT: Due to COVID-19, the Department's office is closed to walk-in services. The Department encourages the submission of protests by U.S. Mail. Please consider mailing early to ensure the Department receives the protest by the deadline specified above.

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-13519

Review Due Date:

Applicant Name: **Floyd Leroy McBride**

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

Reviewer(s): **Jered Hoshaw**

Date of Review: **12/08/2020**

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

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

☐ N/A

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

☒ N/A

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

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

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

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

☐ Yes ☒ No If "Yes", explain:

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

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

☐ Yes ☐ No If "Yes", explain:

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

☐ Yes ☐ No If "Yes", answer the following:

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

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

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

- iv. Do you have any other observations regarding the temporary transfer?

☐ Yes ☐ No If "Yes", describe:

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

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

- i. "Injury" will occur to other water rights that share the same source?

☐ Yes ☐ No If "Yes", explain:

- ii. "Enlargement" of the water right being transferred will occur?

☐ Yes ☐ No If "Yes", explain:

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

☒ Yes ☐ No If "Yes", explain:

- Conflicting right for "to lands" in SE,NW and NE,NW. A primary right already exists for a portion of the lands (Cert. 48051).
 - Transferring a portion of the primary (Cert. 31083) out from underneath a supplemental permit (G - 16869) in SW,NE. No record of a CBU on this permit yet. C-date is 10-1-2020 (CBU due 10-1-2021). Application T-13519 states the applicant plans on replacing primary that is being transferred with a district primary right.
 - Table 2 "to lands" some of the acreages do not match map but acres do add up in the end.

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

- Re-evaluate whether a transfer is needed as "to lands" appear to already be covered by a primary water right, or diminish to supplemental but that would also result in having two supplemental rights for a portion of the same lands from the same source.
 - Amend application to transfer rights to a place of use that will not result in conflicting primary rights for the same lands.
 - A permit amendment may need to be completed for G-16869 to avoid leaving a supplemental water right without a primary for lands in SW,NE.
 - Amend map or table 2 to reflect each other to eliminate any confusion.

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- 13519



In order to avoid enlargement of the right or injury to other rights, a **Totalizing flow 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: **Jered Hoshaw**District: **9**Address: **251 B Street West**City/State/Zip: **Vale, OR 97918**Phone: **(541)473-5130**Email: **Jered.L.Hoshaw@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

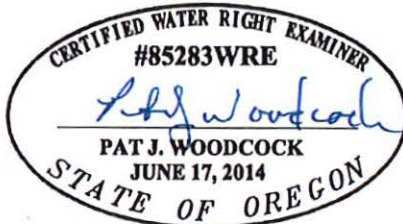
W1SHEET NO. 1 OF 1
JOB NO. 19000-4**ENGINEERING
NORTHWEST, LLC**11 NW 9th Street
Ontario, Oregon 97914
(541) 889-4432**PROPOSED TRANSFER MAP**

CERTIFICATE No. 31088

MALHEUR COUNTY, OREGON

LeRoy McBride
447 RIDGEWAY
ONTARIO, OREGON 97914Reviewed By: PAT J. WOODCOCKDrawn By: PJWPrint Date: MARCH 06, 2020Scale: AS SHOWN

ENGINEERING NORTHWEST, LLC, EXPRESSLY RESERVES THEIR COMMON LAW COPYRIGHT & OTHER PROPERTY RIGHTS IN THESE PLANS. THESE PLANS ARE NOT TO BE REPRODUCED, CHANGED, OR COPIED IN ANY FORM OR MANNER WHATSOEVER, NOR ARE THEY TO BE ASSIGNED TO A THIRD PARTY WITHOUT OBTAINING WRITTEN PERMISSION & CONSENT OF ENGINEERING NORTHWEST, LLC. SHOULD UNAUTHORIZED REUSE BY A THIRD PARTY OCCUR, ENGINEERING NORTHWEST, LLC, SHALL BE HELD HARMLESS.



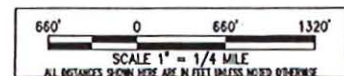
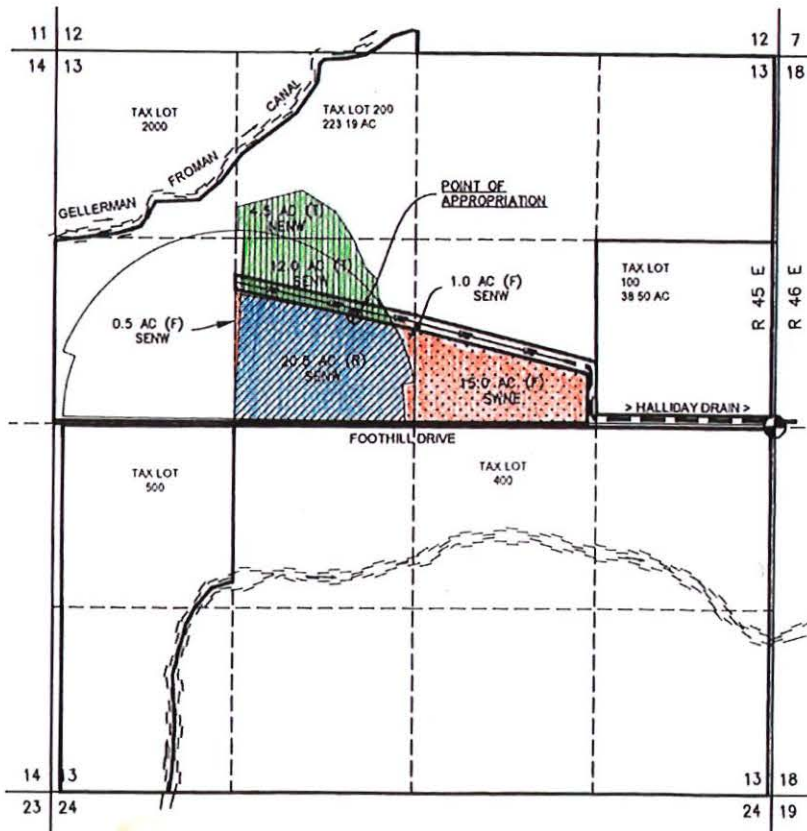
RENEWS: 6/30/2020

EXISTING POINT OF APPROPRIATION LOCATION:1,030' NORTH & 700' WEST OF THE
EAST $\frac{1}{4}$ CORNER OF SECTION 13
T. 18 S., R. 45 E., W.M.**RECEIVED****AUG 03 2020****OWRD****DISCLAIMER:**

THIS MAP WAS MADE TO BE PART OF THE TRANSFER OF A WATER RIGHT. SECTIONAL LINES SHOWN ARE APPROXIMATE AND THIS MAP IS NOT INTENDED FOR ANY OTHER USE AND DOES NOT GUARANTEE LAND OWNERSHIP.

LEGEND

DESCRIPTION	SYMBOLS
SECTION CORNER	$\begin{array}{c} 36 \\ 1 \\ 31 \\ 6 \end{array}$
RECOGNIZED SURVEY CORNER	$\odot$
POINT OF APPROPRIATION	$\textcircled{P}$
SECTION LINE	_____
QUARTER-QUARTER LINE	-----
TAX LOT LINE	_____
CANAL or RIVER	
PRIMARY WATER RIGHT AREAS via CERT. # 31088 TO BE TRANSFERRED (FROM LANDS)	16.5 ACRES
PRIMARY WATER RIGHT AREAS via CERT. # 31088 (TO LANDS)	16.5 ACRES
PRIMARY WATER RIGHT AREA via CERT. #31088 (REMAINING)	20.5 ACRES



Oregon Water Resources Department

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

Watermaster Review Form: Water Right Transfer



Oregon Water Resources Department
725 Summer St NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
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Transfer Application: T-13519

Review Due Date:

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Reviewer(s): **Jered Hoshaw**

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

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☐ 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- 13519



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at each point of diversion/appropriation (new and existing) **OR**



at each new point of diversion/appropriation.

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District: **9**

Address: **251 B Street West**

City/State/Zip: **Vale, OR 97918**

Phone: **(541)473-5130**

Email: **Jered.L.Hoshaw@oregon.gov**

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(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

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

September 22, 2020

LEROY & ELIZABETH MCBRIDE
447 RIDGEWAY
ONTARIO, OR 97914

Reference: Application T- 13519

On September 8, 2020, we received your water right Transfer application. The application was accompanied by \$1160.00. Our receipt number 133440 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) 986-0815.

Cc: Watermaster Dist. #9 (*via email*)
Malheur County Planning
Warm Springs Irrigation District
Pat J. Woodcock, 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 # **133440**

INVOICE # _____

RECEIVED FROM: McBride Cattle LLC

APPLICATION	
PERMIT	
TRANSFER	<u>T-13319</u>

BY: _____

CASH: ☐ CHECK: # 1536 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 1,160.00

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	EXAM FEE	0202	RECORD FEE
0203 GROUND WATER	\$	0204	\$
0205 TRANSFER	\$ <u>1,160.00</u>		

WELL CONSTRUCTION

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

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE	\$	CARD #	
0210 MONITORING WELLS	\$	CARD #	

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ \$ _____

RECEIPT: **133440**

DATED: 9-8-2020 BY: [Signature]

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.

RECEIVED

AUG 03 2020

OWRD

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. If you have questions, call Customer Service at (503) 986-0801.
- ☒ 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: 31088**
Please include a separate Part 5 for each water right. (See instructions on page 6)

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 (or signed land use form receipt stub) 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: _____ 503-986-0 _____ Date: ____/____/____

Part 2 of 5 – Transfer Application Map

RECEIVED

AUG 03 2020

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)			
1	Base Fee (includes one type of change to one water right for up to 1 cfs)	1	\$1,160
	Types of change proposed: ☒ Place of Use ☐ Character of Use ☐ Point of Diversion/Appropriation Number of above boxes checked = <u>1 (2a)</u> Subtract 1 from the number in line 2a = <u>0 (2b)</u> <i>If only one change, this will be 0</i>		
2	Multiply line 2b by \$930 and enter » » » » » » » » » » » » » » » »	2	0
3	Number of water rights included in transfer <u>1 (3a)</u> Subtract 1 from the number in 3a above: <u>0 (3b)</u> <i>If only one water right this will be 0</i> Multiply line 3b by \$520 and enter » » » » » » » » » » » » » » » »	3	0
4	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	
5	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	0
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6	\$1,160
7	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 » If no box is applicable, enter 0 on line 7 » » » » » » » » » » » » » » » »	7	0
8	Subtract line 7 from line 6 » » » » » » » » » » » » » » » » Transfer Fee:	8	\$1,160

*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:

- For irrigation calculate cfs for each water right involved as follows:
 - 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 ($\times 45 \text{ ac} = 0.56 \text{ cfs}$).
 - 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, $45.0 \text{ ac} \times 0.0125 \text{ cfs/ac} = 0.56 \text{ cfs}$)
- 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	\$840.00
	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 \$410 and enter » » » » » » » » » » » » » » » »	2	
3	Add entries on lines 1 through 2 above » » » » » » Fee for Substitution:	3	NA

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME LeRoy or Elizabeth		PHONE NO. 541-216-3759	ADDITIONAL CONTACT NO.
ADDRESS 447 Ridgeway		FAX NO.	
CITY Ontario	STATE OR	ZIP 97914	E-MAIL
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

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

AGENT/BUSINESS NAME Engineering Northwest		PHONE NO. 541-889-4432	ADDITIONAL CONTACT NO.
ADDRESS 11 NW 9th Street		FAX NO.	
CITY Ontario	STATE OR	ZIP 97914	E-MAIL
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

Explain in your own words what you propose to accomplish with this transfer application, and why:
We need to move the 15.0 acres of irrigation in the SW 1/4 of the NE 1/4 of Sec. 13, so that Warm Springs Irrigation District can perform an "in-district" transfer to cover the lands that are currently being irrigated with a pivot that's being supplied with Warm Springs water.

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

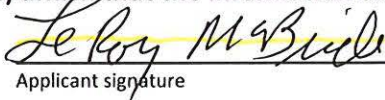
Check One Box

- ☒ 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.

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: Malheur Enterprise.
- 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).

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

 LeRoy McBride 7-23-2020
Applicant signature Print Name (and Title if applicable) 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

Check the following boxes that apply:

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

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

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

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

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

RECEIVING LANDOWNER NAME Na			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS Na				FAX NO.
CITY Na	STATE	ZIP	E-MAIL	

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Describe any special ownership circumstances here: None

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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 Warm Springs Irrigation District	ADDRESS 334 Main Street North	
CITY Vale	STATE Oregon	ZIP 97918

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

ENTITY NAME Na	ADDRESS	
CITY Na	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 Malheur County	ADDRESS 251 B Street West	
CITY Vale	STATE Oregon	ZIP 97918

ENTITY NAME Na	ADDRESS	
CITY Na	STATE	ZIP

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 # 31088

Description of Water Delivery System

System capacity: 0.46 cubic feet per second (cfs) OR
_____ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. Water is pumped out the existing sump and into a (7) tower pivot, which applies the water to the pasture.

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)
Moore Sump #1	☒ Authorized ☐ Proposed	NONE	18 S	45 E	13	SE NE	200	1,030' North & 700' West of the East 1/4 Corner of Sec. 13, T. 18 S. R. 45 E. W.M

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

1356

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.

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Revised 11/6/2019

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: **G-16869.**



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

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

Ground water supplemental Permit or Certificate # **Na**;

Surface water primary Certificate # **NA.**

RECEIVED**AUG 03 2020****For a change from Supplemental Irrigation Use to Primary Irrigation Use**

Identify the primary certificate to be cancelled. Certificate # **NA**

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

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

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-___	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well-specific rate (cfs or gpm). If less than full rate of water right
Moore Sump #1	Yes	None	Unknown	12"	Unknown	Unknown	Unknown	-10.0' bgs	Unknown	0.46

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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 MALHEUR) ss

I, LEROY MCBRIDE, in my capacity as OWNER,
mailing address 447 RIDGEWAY, ONTARIO, OREGON 97914
telephone number (541)216-3759, being first duly sworn depose and say:

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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 # 31088; **OR**

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

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

OR

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

(continues on reverse side)

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

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.

E. LeRoy McBride
Signature of Affiant

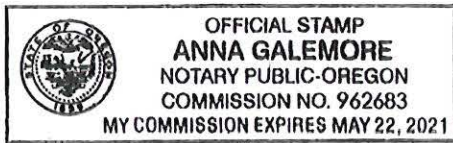
7-23-2020
Date

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Signed and sworn to (or affirmed) before me this 23rd day of July, 2020.



Anna Galemore
Notary Public for Oregon

My Commission Expires: 5-22-21

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

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Service Agreement Number	[REDACTED]	Service Period	06/03/20 - 07/01/20 (29 days)
Description/HP	25 HP	Next Read Date	08/03/2020
Pump Number	16S46E1701 / ONTARIO,OR	Cycle Number	05

Meter Number	Previous Reading	Current Reading	Energy Used (kWh)	Billing kW	Reading Type
64409919	42790	42790	0	0	Regular

SERVICE DETAILS (Irrigation Service Schedule 24S)

Service Charge, per meter per month	\$16.85
Boardman Plant Early Closure Adjustment	\$0.00
Energy Efficiency Services	\$0.67
Oregon Solar Investment	\$0.08

Current Charges - Electric Service \$17.60

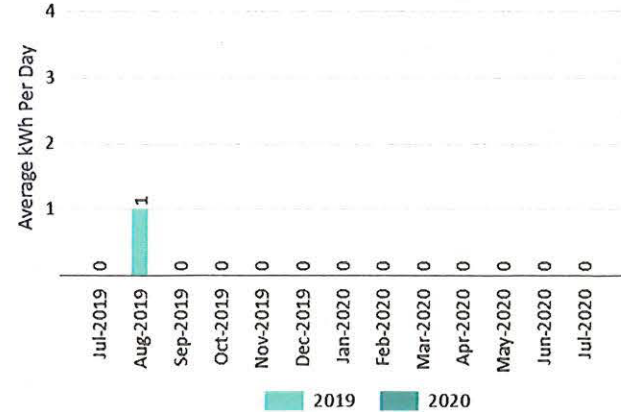
Other Adjustments	
Late Payment Charge	\$0.18

Total Adjustments \$0.18

NOTE: For an explanation of these charges, go to idahopower.com/billglossary.

HP = Horsepower kW = Kilowatt kWh = Kilowatt-hour

Average Daily Energy Use



Service Agreement Number	[REDACTED]	Service Period	06/12/20 - 07/13/20 (32 days)
Description/HP	22 HP	Next Read Date	08/12/2020
Pump Number	18S45E1301 / VALE,OR	Cycle Number	12

Meter Number	Previous Reading	Current Reading	Energy Used (kWh)	Billing kW	Reading Type
41168661	2042	10280	8,238	23	Regular

Moving? Contact your Customer Care team at least two business days before you want to end service.

NEW CONTACT INFORMATION FOR ACCOUNT NUMBER 2203852518

Has your address, phone number or email changed? Provide changes below.

Name _____

Street _____ Apt./Suite _____

City _____ State _____ Zip _____

Telephone _____

Email _____

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PAGE 1 OF 4

Billing Date 07/15/2020
Print Date 07/16/2020Due Date
08/03/2020Amount Due
\$2,584.54

LEROY MCBRIDE

Account Number: 2203852518

Previous Balance	\$1,100.29
Payments Received - Thank You	\$0.00
Balance Forward	\$1,100.29
Total Adjustments	\$11.01
Current Charges	\$1,473.24
Account Balance	\$2,584.54

Past Due Alert

This bill includes a past due balance. If you have already paid this amount, thank you. This bill does not extend the due date of the past due amount. Please pay promptly to ensure continued service. Thank you.



Irrigation Deposit Reminder

Please pay your bill by the due date. If you receive two or more reminder notices on this account during a 12-month period, a deposit will be required for all your irrigation service accounts before the next irrigation season.



Sign up for My Account!

Access your account 24/7 to pay your bill, track your use and learn to save. Visit idahopower.com/myaccount to get started.



NOTE: Any unpaid balance may be assessed a monthly charge of 1 percent.

Pump Summary

Pump No.	Description/HP	Service Period	Next Read Date	Energy Used (kWh)	Demand (kW)	Current Charges
16S46E1701	25 HP	06/03/20 - 07/01/20	08/03/2020	0	0	\$17.60
18S45E1301	22 HP	06/12/20 - 07/13/20	08/12/2020	8,238	23	\$843.26
18S45E1305	26 HP	06/12/20 - 07/13/20	08/12/2020	3,447	19	\$445.06
18S45E1306	15 HP	06/12/20 - 07/13/20	08/12/2020	860	10	\$167.32

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PLEASE DETACH AND RETURN BOTTOM PORTION WITH YOUR PAYMENT



An IDACORP Company

P.O. BOX 70, BOISE, ID 83707
208-388-2323 or 1-800-488-6151Address/Phone Correction
and/or Project Share Pledge
noted on reverse side

Account Number

Due Date
08/03/2020Amount Due
\$2,584.54

Amount Enclosed \$

Write your account number on your check or money order made payable to *Idaho Power*. Mail payment to address below. Returned checks may be resubmitted electronically, and remaining unpaid items will be charged \$20.

013871 000004473

LEROY MCBRIDE
1272 FOOTHILL DR
VALE OR 97918-5338PROCESSING CENTER
P.O. BOX 5381
CAROL STREAM IL 60197-5381

PAGE 4 OF 4

Service Agreement Number [REDACTED]
Description/HP 26 HP
Pump Number 18S45E1305 / VALE,OR

Service Period 06/12/20 - 07/13/20 (32 days)
Next Read Date 08/12/2020
Cycle Number 12

SERVICE DETAILS (Irrigation Service Schedule 24S)
CONTINUED FROM PAGE 3

Other Adjustments
Late Payment Charge \$3.64

Total Adjustments \$3.64

NOTE: For an explanation of these charges, go to idahopower.com/billglossary.
HP = Horsepower kW = Kilowatt kWh = Kilowatt-hour

Service Agreement Number [REDACTED]
Description/HP 15 HP
Pump Number 18S45E1306 / VALE,OR

Service Period 06/12/20 - 07/13/20 (32 days)
Next Read Date 08/12/2020
Cycle Number 12

Meter Number	Previous Reading	Current Reading	Energy Used (kWh)	Billing kW	Reading Type
50467048	13702	14562	860	10	Regular

SERVICE DETAILS (Irrigation Service Schedule 24S)

Service Charge, per meter per month \$16.85
Demand Charge 10 @ \$7.78 per kW \$77.80
Energy Charge 860 kWh @ \$0.074003 per kWh \$63.64
Boardman Plant Early Closure Adjustment \$0.17
PCAM @ \$-0.000308 per kWh -\$0.26
Annual Power Cost Update @ \$0.002329 per kWh \$2.00
Energy Efficiency Services \$6.33
Oregon Solar Investment \$0.79

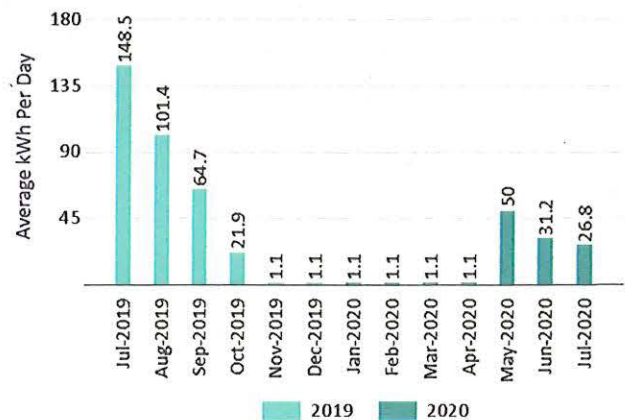
Current Charges - Electric Service \$167.32

Other Adjustments
Late Payment Charge \$1.73

Total Adjustments \$1.73

NOTE: For an explanation of these charges, go to idahopower.com/billglossary.
HP = Horsepower kW = Kilowatt kWh = Kilowatt-hour

Average Daily Energy Use



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Service Agreement Number [REDACTED]
Description/HP 22 HP
Pump Number 18S45E1301 / VALE,OR

Service Period 06/12/20 - 07/13/20 (32 days)
Next Read Date 08/12/2020
Cycle Number 12

SERVICE DETAILS (Irrigation Service Schedule 24S)

Service Charge, per meter per month	\$16.85
Demand Charge 23 @ \$7.78 per kW	\$178.94
Energy Charge 3,772 kWh @ \$0.074003 per kWh	\$279.14
Energy Charge 4,466 kWh @ \$0.070423 per kWh	\$314.51
Boardman Plant Early Closure Adjustment	\$1.64
PCAM @ \$-0.000308 per kWh	-\$2.54
Annual Power Cost Update @ \$0.002329 per kWh	\$19.19
Energy Efficiency Services	\$31.58
Oregon Solar Investment	\$3.95

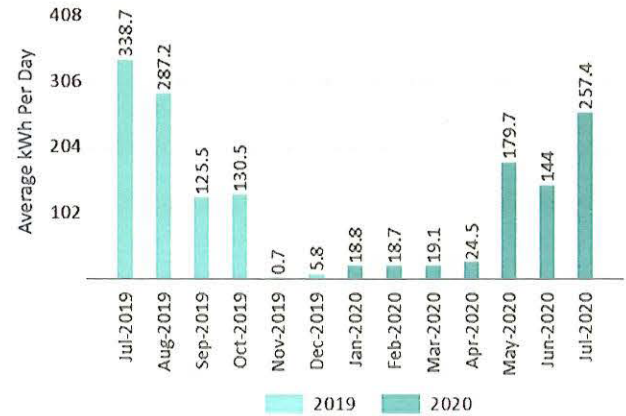
Current Charges - Electric Service \$843.26

Other Adjustments
Late Payment Charge \$5.46

Total Adjustments \$5.46

NOTE: For an explanation of these charges, go to idahopower.com/billglossary.
HP = Horsepower kW = Kilowatt kWh = Kilowatt-hour

Average Daily Energy Use



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Service Agreement Number [REDACTED]
Description/HP 26 HP
Pump Number 18S45E1305 / VALE,OR

Service Period 06/12/20 - 07/13/20 (32 days)
Next Read Date 08/12/2020
Cycle Number 12

Meter Number	Previous Reading	Current Reading	Energy Used (kWh)	Billing kW	Reading Type
46369135	1004	4451	3,447	19	Regular

SERVICE DETAILS (Irrigation Service Schedule 24S)

Service Charge, per meter per month	\$16.85
Demand Charge 19 @ \$7.78 per kW	\$147.82
Energy Charge 3,116 kWh @ \$0.074003 per kWh	\$230.59
Energy Charge 331 kWh @ \$0.070423 per kWh	\$23.31
Boardman Plant Early Closure Adjustment	\$0.69
PCAM @ \$-0.000308 per kWh	-\$1.06
Annual Power Cost Update @ \$0.002329 per kWh	\$8.03
Energy Efficiency Services	\$16.74
Oregon Solar Investment	\$2.09

Current Charges - Electric Service \$445.06

Average Daily Energy Use



CONTINUED ON PAGE 4



Supplemental Form D

Water Right Transfers Within the Boundaries of or Served by an Irrigation District or other Water Supplier (Association, Ditch Co., etc.)

[For transfers submitted under OAR Chapter 690 Division 380]



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

The Department requires non-district applicants to communicate with districts/water suppliers during the planning and preparation of transfer applications involving water rights having a point of diversion or appropriation (POD/POA) or place of use (POU) served by or located within the boundaries of an irrigation district, or other type of water supplier to which assessments are paid. In some cases consent will be required from the district or water supplier.

This form must be included with any transfer application that involves rights served by or located within the boundaries of a district or other type of water supplier.

1. APPLICANT INFORMATION

NAME LEROY OR ELIZABETH MCBRIDE		PHONE (HM)	
PHONE (WK)	CELL (541) 216-3759	FAX	
ADDRESS 447 RIDGEWAY			
CITY ONTARIO	STATE OREGON	ZIP 97914	E-MAIL**

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2. DISTRICT or WATER SUPPLIER INFORMATION

DISTRICT/WATER SUPPLIER NAME WARM SPRINGS IRRIGATION DISTRICT		PHONE (HM)	
PHONE (WK) 541-473-3951	CELL	FAX	
ADDRESS 334 MAIN STREET NORTH			
CITY VALE	STATE OREGON	ZIP 97918	E-MAIL**

** By providing an e-mail address, the applicant and/or the district/water supplier consents to receive all correspondence from the Department electronically. Copies of final order documents will also be mailed.

3. WATER RIGHTS ISSUED IN THE NAME OF, or LOCATED WITHIN, or SERVED BY AN IRRIGATION DISTRICT, OTHER DISTRICT, OR WATER SUPPLIER

a. List the water right(s) involved in this transfer:

	Application / Decree	Permit / Previous Transfer	Certificate	Is the water right in the name of a district, water supplier, or BOR*?
1.		-	31088	No
2.		-		YES ☐
3.		-		YES ☐

Attach additional pages for additional water rights if necessary.

*Bureau of Reclamation

b.

Determine a

district's/water supplier's connection to your points of diversion (POD) or appropriation (POA) and places of use (POU). [You may need to consult with your district/water supplier.]

CURRENT ASSOCIATIONS Please answer the following "yes" or "no" questions:

YES ☐ NO ☒ One or more of the current POD(s) / POA(s) involved in the transfer are served by a district/water supplier or rely on BOR water.

YES ☐ NO ☒ All or a portion of the current POU involved in this proposed transfer receives water for either primary or supplemental irrigation from the district/water supplier; i.e., the POU is currently layered with a district or BOR water supplied water right(s).

PROPOSED ASSOCIATIONS Please answer the following "yes" or "no" questions:

YES ☐ NO ☒ One or more of the proposed POD(s) / POA(s) involved in the transfer are currently served or will be served by a district/water supplier if the transfer is approved, or rely on BOR water.

YES ☐ NO ☒ All or a portion of the proposed POU involved in this proposed transfer currently receives or will receive either primary or supplemental irrigation from the district/water supplier; i.e., the POU will be layered with a district/water supplier or BOR water supplied water right(s).

COMMENTS OR ADDITIONAL INFORMATION NONE

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4. APPLICANT'S SIGNATURE

(1) I certify that I have notified the district/water supplier about the proposed water right transfer application by [check one]:

☐ email, ☐ phone, ☐ postal mail, ☒ in person, or ☐ other (please specify) _____

(2) I certify that to the best of my knowledge the information contained in this Supplemental Form D is true and accurate.

F. LeRoy McBride F. LeRoy McBride 3-13-2020
Applicant Signature Name (print) Date

5. (WHEN REQUIRED) DISTRICT or WATER SUPPLIER CONSENT TO THE PROPOSED WATER RIGHT TRANSFER

District Manager or Water Supplier consent is required if any box on this form is marked "YES."

The district/water supplier certifies the following:

(1) The district/water supplier has reviewed the applicant's proposed water right transfer application and maps; and

(2) The district/water supplier consents to the proposed water right transfer application.

13519

YES ☐ NO ☒ After proof of completion, the confirming water right certificate is to remain in the name of the U.S. Bureau of Reclamation or the district/water supplier.

YES ☐ NO ☒ The district/water supplier will be responsible for submitting the claim of beneficial use prepared by a Certified Water Rights Examiner (CWRE).

Randy Kinney
Signature of District Manager, Water Supplier

Randy Kinney Manager
Name (print), Title

3-13-2020
Date

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13519"

W1SHEET NO. 1 OF 1
JOB NO. 19000_4**ENGINEERING
NORTHWEST, LLC**11 NW 9th Street
Ontario, Oregon 97914
(541) 889-4432

TITLE CLIENT

PROPOSED TRANSFER MAP

CERTIFICATE No. 31088

MALHEUR COUNTY, OREGON

LeRoy McBride
447 RIDGEWAY
ONTARIO, OREGON 97914

Reviewed By: PAT J. WOODCOCK

Drawn By: PJW

Print Date: MARCH 06, 2020

Scale: AS SHOWN

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LEGEND

DESCRIPTION	SYMBOLS
SECTION CORNER	36 31 1 6
RECOGNIZED SURVEY CORNER	⊕
POINT OF APPROPRIATION	Ⓟ
SECTION LINE	_____
QUARTER-QUARTER LINE	- - - - -
TAX LOT LINE	_____
CANAL or RIVER	~~~~~
PRIMARY WATER RIGHT AREAS via CERT. # 31088 TO BE TRANSFERRED (FROM LANDS)	16.5 ACRES
PRIMARY WATER RIGHT AREAS via CERT. # 31088 (TO LANDS)	16.5 ACRES
PRIMARY WATER RIGHT AREA via CERT. #31088 (REMAINING)	20.5 ACRES

CERTIFIED WATER RIGHT EXAMINER
#85283WREPAT J. WOODCOCK
JUNE 17, 2014
STATE OF OREGON

RENEWES: 6/30/2020

EXISTING POINT OF APPROPRIATION LOCATION:1,030' NORTH & 700' WEST OF THE
EAST ¼ CORNER OF SECTION 13
T. 18 S., R. 45 E., W.M.

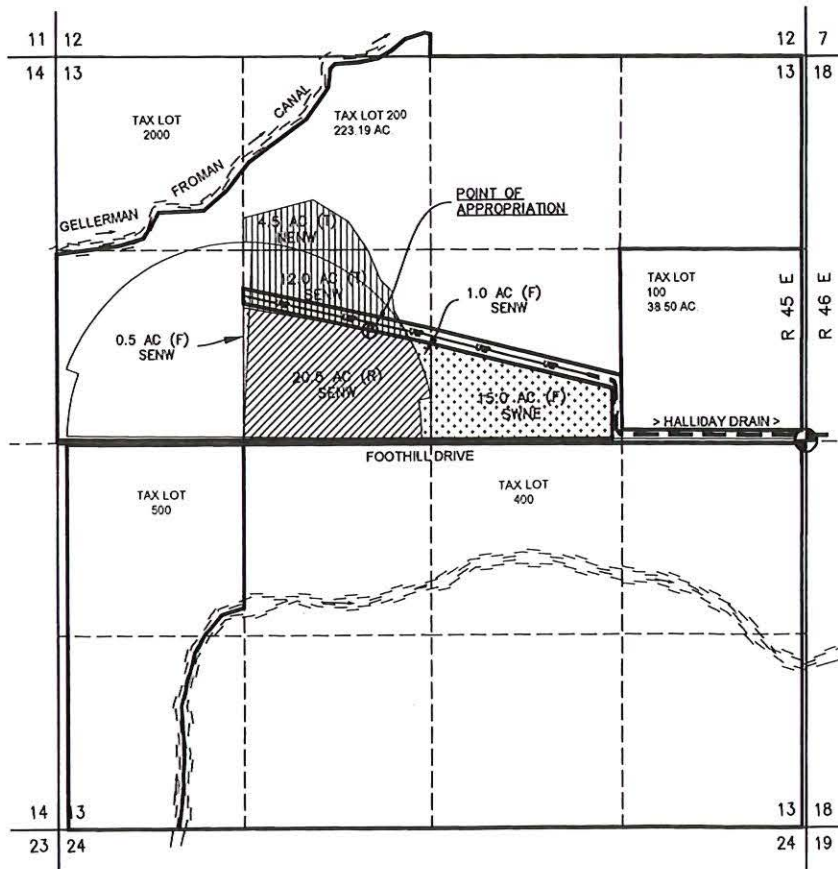
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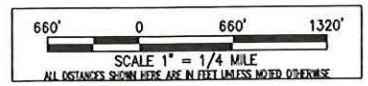
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DISCLAIMER:

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W1

SHEET NO. 1 OF 1
JOB NO. 19000_4



**ENGINEERING
NORTHWEST, LLC**

11 NW 9th Street
Ontario, Oregon 97914
(541) 889-4432

PROPOSED TRANSFER MAP

CERTIFICATE No. 31088

MALHEUR COUNTY, OREGON

LeRoy McBride
447 RIDGEWAY
ONTARIO, OREGON 97914

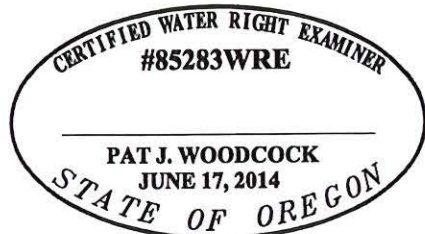
Reviewed By: PAT J. WOODCOCK

Drawn By: PJW

Print Date: MARCH 06, 2020

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RENEWS: 6/30/2020

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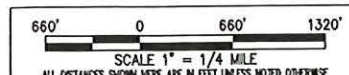
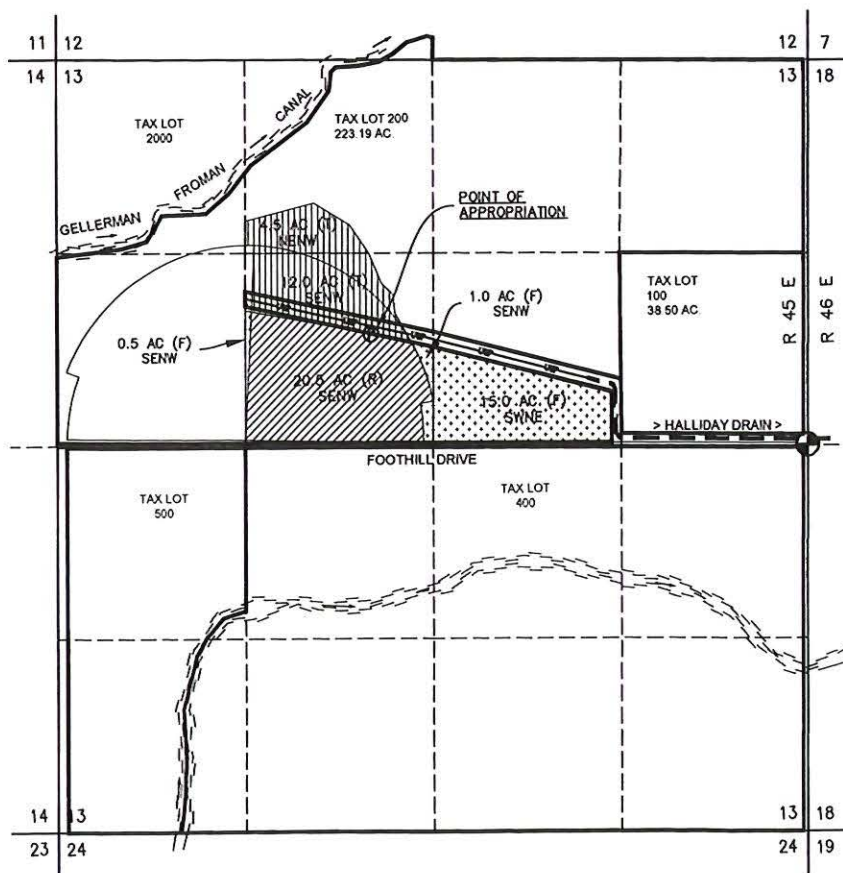
EXISTING POINT OF APPROPRIATION LOCATION:

1,030' NORTH & 700' WEST OF THE
EAST $\frac{1}{4}$ CORNER OF SECTION 13
T. 18 S., R. 45 E., W.M.

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LEGEND	
DESCRIPTION	SYMBOLS
SECTION CORNER	$\begin{array}{c} 36 \\ \\ 1 \quad 6 \end{array}$
RECOGNIZED SURVEY CORNER	
POINT OF APPROPRIATION	
SECTION LINE	_____
QUARTER-QUARTER LINE	- - - - -
TAX LOT LINE	_____
CANAL or RIVER	
PRIMARY WATER RIGHT AREAS via CERT. # 31088 TO BE TRANSFERRED (FROM LANDS)	 16.5 ACRES
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13519

W1

SHEET NO. 1 OF 1
JOB NO. 19000_4



**ENGINEERING
NORTHWEST, LLC**

11 NW 9th Street
Ontario, Oregon 97914
(541) 889-4432

TITLE
CLIENT

PROPOSED TRANSFER MAP

CERTIFICATE No. 31088

MALHEUR COUNTY, OREGON

LeRoy McBride
447 RIDGEWAY
ONTARIO, OREGON 97914

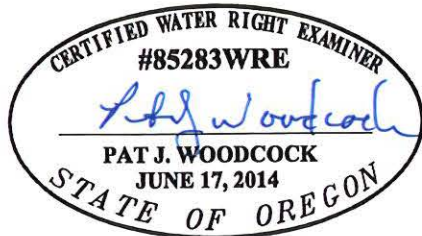
Reviewed By: PAT J. WOODCOCK

Drawn By: PJW

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RENEWS: 6/30/2020

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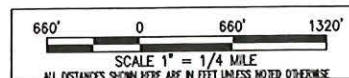
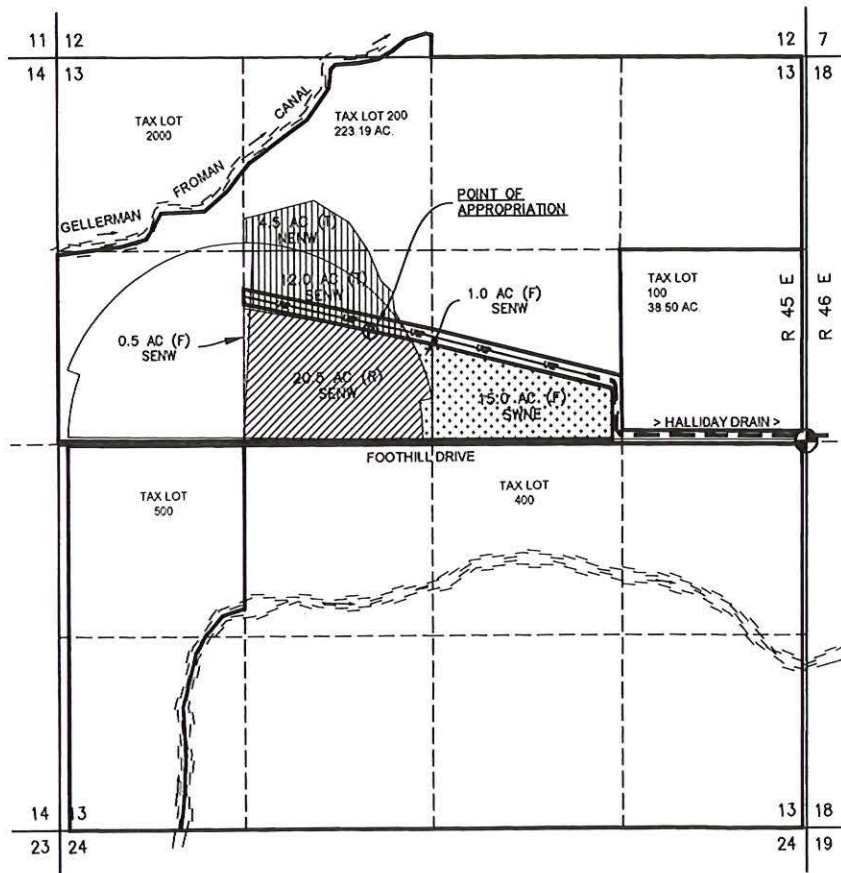
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LEGEND	
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W1

SHEET NO. 1 OF 1
JOB NO. 19000_4



**ENGINEERING
NORTHWEST, LLC**

11 NW 9th Street
Ontario, Oregon 97914
(541) 889-4432

PROPOSED TRANSFER MAP

CERTIFICATE No. 31088

MALHEUR COUNTY, OREGON

LeRoy McBride
447 RIDGEWAY
ONTARIO, OREGON 97914

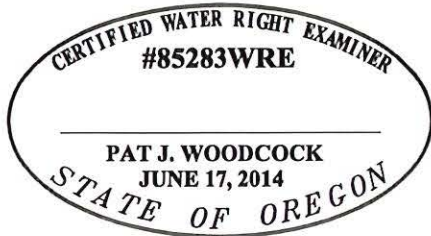
Reviewed By: PAT J. WOODCOCK

Drawn By: PJW

Print Date: MARCH 06, 2020

Scale: AS SHOWN

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RENEWS: 6/30/2020

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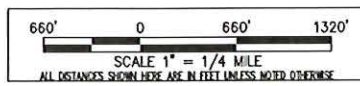
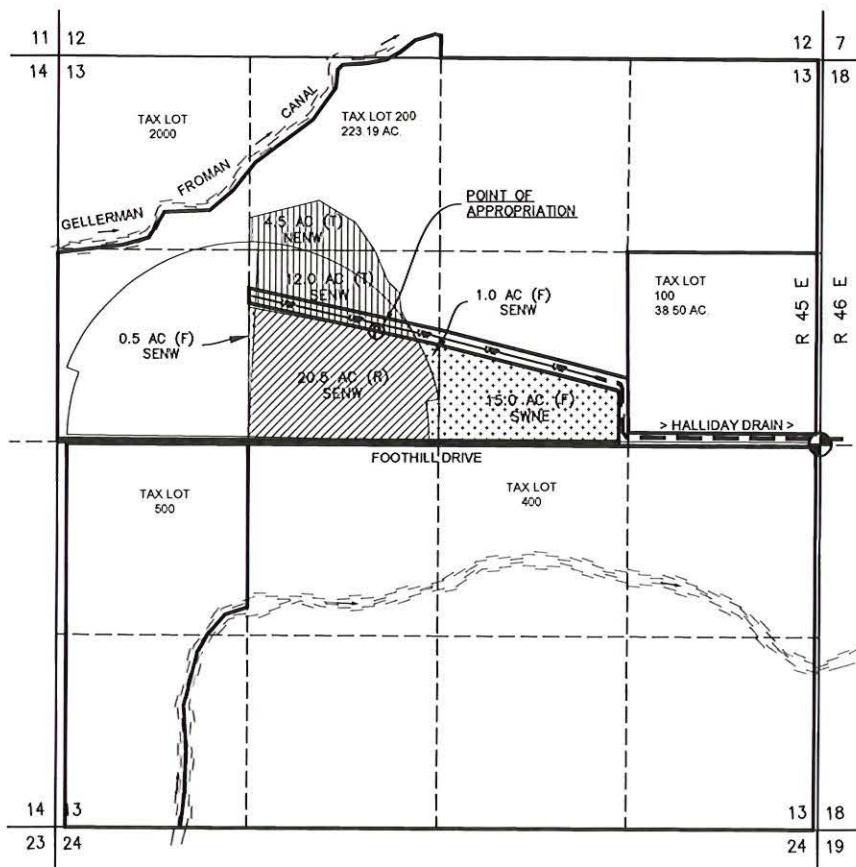
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DESCRIPTION	SYMBOLS
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POINT OF APPROPRIATION	
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PRIMARY WATER RIGHT AREA via CERT. #31088 (REMAINING)	 20.5 ACRES



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): LeRoy or Elizabeth McBride

Mailing Address: 447 Ridgeway

City: Ontario

State: Oregon Zip Code: 97914

Daytime Phone: 541-216-3759

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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>18 S</u>	<u>45 E</u>	<u>13</u>	<u>SENW</u>	<u>200</u>	<u>EFU</u>	☒ Diverted	☒ Conveyed	☒ Used	<u>EFU</u>
<u>"</u>	<u>"</u>	<u>"</u>	<u>SWNE</u>	<u>200</u>	<u>EFU</u>	☐ Diverted	☒ Conveyed	☒ Used	<u>EFU</u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	☐ Diverted	☐ Conveyed	☐ Used	<u> </u>
<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	<u> </u>	☐ Diverted	☐ Conveyed	☐ Used	<u> </u>

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

Malheur 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) Drain Ditch

Estimated quantity of water needed: 0.46 ☒ 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:

Need to transfer a portion of Water Right Cert. 31088, so that Warm Springs Irrigation can do an "in-district" transfer, to cover ground that is underneath an existing pivot.

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): MCC 6-3A-2(A)(1)
- ☐ 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
	RECEIVED	☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
	AUG 03 2020	☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
	OWRD	☐ 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: Eric Evans Title: Planning Director

Signature: [Signature] Phone: 911-473-5185 Date: 3-11-2020

Government Entity: Matthew County

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: _____



Oregon Water Resources Department
Transfer Fee Calculation for Permanent (Non-District) Transfer

[Main](#) [Help](#)
[Return](#) [Contact Us](#)

Today's Date: Wednesday, September 2, 2020		Fee Calculation
Base Fee (includes one type of change to one water right for up to 1 cfs)		\$1,160.00
Fill in information below-- Check each box that applies.		
Types of Change Proposed:		
☒ Place of Use		
☐ Point of Diversion (POD)/Appropriation (POA); and/or Additional POD/POA; and/or SW POD to GW POD		
☐ Character of Use		\$0.00
Enter total number of water rights included in transfer. 1		\$0.00
☐ Check this box if you propose to add or change a well, or change from a surface water POD to a well.		
☐ Check this box if you propose to change the place of use or character of use for a NON-irrigation right.		
☐ Check this box if you propose to change the place of use or character of use for an irrigation right.		
Total Transfer CFS(rounded up to the next whole cfs):		
Subtotal:		\$1,160.00
Check each box that applies.		
☐ The transfer is necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932.		
☐ The transfer is endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat.		
Discount:		
Transfer Fee:		\$1,160.00
Return to Edit Clear		

Spoke with
Mr McBride
9/2/2020

Regular Permanent Water Right Transfer Application Checklist

Checked by JoAN/ScotH Date _____

(If OK, check box to left; if not, fill in the blank)

Certs & acres involved:

Changes: _____

cfs involved: _____

Source: _____

☒ 1. Page 1 of application: Are all attachments that have been checked actually included?
If not, what is missing? _____

☒ 2. Are fees included and correct? Fee paid: 1160
If not, the correct fee would be: _____, so the amount missing is: _____

► If a Government Action POD change (see: Page 5): NO CHARGE

*NOTE: [POD/APOD, POA/APOA, SW to GW, Gov Action] are all counted as one type
POU is counted as one type
[USE *or* (Supplemental to Primary)] are counted as one type

☒ 3. Page 3 of application: Have all the applicants listed at the top of the page signed?
If no, whose signature is missing? _____

☒ 4. Are all listed certificates or permits shown by WRIS as non-cancelled?
If no, which are cancelled? _____
For each cancelled certificate, if there has been a remaining right certificate issued that covers the lands in the left side of Table 2, list its number _____ and check the #4 box at left on this checklist.

☒ 5. If any certificate is in the name of a "district", is a Supplemental Form D from that district enclosed?
☐ N/A ☐ Form D needed from _____ (district)

6. If all #1-#5 boxes on this checklist are checked (with no remaining deficiencies identified), accept the application. Put this check sheet in the transfer folder. If #1, #2, #3, #4 or #5 on this checklist is deficient, the application 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.