

Name Todd TitusAddress 43431 Rader Lane,
Burns Oregon 97720Change in POA POA ARDADate Filed 9/14/2020Initial notice date 9/15/2020

DPD issued date

PD issued date 11/3/2021PD notice date 11/9/2021Date of FO 2/9/2022 Vol 122 Page 401-C-Date 10/01/2021COBU due date 10/01/2027

COBU Received date

Certificate issued

DESCRIPTION OF WATER RIGHT(s)

Name of Stream WellTrib. of Crane Creek, Malheur lakeUse Irrigation County Harney

Quantity of water (CFS) No. of Acres

Name of ditch

App# 6118 Per # 6-29 Cert # 49447 PR Date 9/6/1955App# 68020 Per # 67543 Cert # 53049 PR Date 4/12/1977

App# Per # Cert # PR Date

App# Per # Cert # PR Date

App# Per # Cert # PR Date

FEES PAID

Date	Amount	Receipt #
9-4-2020	\$3020.00	133402
10-15-2021	\$312.00	136633

FEES REFUNDED

Date	Amount	Receipt #
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Assignments:

Irrigation District

Agent Scott Montgomery all Paints engineering Scott@apeandb.com

CWRE

CC's list Harney county☐ - Oversized map - Location

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

In the Matter of Transfer Application	)	FINAL ORDER APPROVING A
T-13517, Harney County	)	CHANGE IN POINT OF
	)	APPROPRIATION, ADDITIONAL
	)	POINTS OF APPROPRIATION, AND
	)	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

TODD TITUS
43613 RODEO LANE
BURNS, OR 97720

Findings of Fact

1. On September 15, 2020, TODD TITUS filed an application to change the point of appropriation, additional point of appropriation and to change the place of use under Certificates 49447 and 53049. The Department assigned the application number T-13517.
2. Notice of the application for transfer was published on September 15, 2020, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On July 2, 2021, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-13517 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of August 1, 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 July 30, 2021, the agent for the applicant requested the completion date of October 1, 2026 because the applicant needs the additional time in order to acquire financing for the additional POA. The Department granted the longer time for completion per OAR 690-380-5140 (3).

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. On November 3, 2021, the Department issued a Preliminary Determination proposing to approve Transfer Application T-13517 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 November 9, 2021, and in the Burns Times-Herald newspaper on November 10 and 17, 2021, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

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

Certificate: 49447 in the name of DEE V. AND SHELIE U. DOMAN (perfected under Permit G-29)
Use: IRRIGATION of 3.6 ACRES
Priority Date: SEPTEMBER 6, 1955
Rate: 0.05 CUBIC FOOT PER SECOND, IF AVAILABLE AT THE ORIGINAL POINT OF APPROPRIATION; NE ¼ SE ¼, SECTION 6, T. 26 S., R. 34 E., W.M.; 20½ CHAINS EAST AND ¼ CHAIN SOUTH FROM CENTER, SECTION 6
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: A WELL a tributary of CRANE CREEK

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	34 E	WM	6	SE NE	2510 FEET SOUTH AND 1220 FEET WEST FROM THE NE CORNER OF SECTION 6

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
26 S	34 E	WM	6	SE NE	3.6

7. Transfer Application T-13517 proposes to move the authorized point of appropriation approximately 0.6 mile from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	34 E	WM	5	SW NW	WELL #3 - 1260 FEET NORTH AND 1320 FEET EAST FROM THE W1/4 CORNER OF SECTION 5

8. Transfer Application T-13517 also proposes an additional point of appropriation approximately 0.6 mile from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	34 E	WM	5	NW NW	WELL #4 - 50 FEET SOUTH AND 590 FEET EAST FROM THE NW CORNER OF SECTION 5

9. Transfer Application T-13517 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
25 S	34 E	WM	32	SW SE	3.6

10. The portion of the second right to be transferred is as follows:

Certificate: 53049 in the name of CONNECTICUT GENERAL LIFE INSURANCE COMPANY (perfected under Permit G-7543)

Use: IRRIGATION of 27.6 ACRES

Priority Date: APRIL 12, 1977

Rate: 0.34 CUBIC FEET 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: WELL 3, a tributary of MALHEUR LAKE

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	34 E	WM	5	SW NW	WELL #3 - 1260 FEET NORTH AND 1320 FEET EAST FROM THE W1/4 CORNER OF SECTION 5

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
26 S	34 E	WM	5	NE NW	3	3.6
26 S	34 E	WM	5	NW NW	4	7.4
26 S	34 E	WM	5	SW NW		8.4
26 S	34 E	WM	5	SE NW		6.0
26 S	34 E	WM	5	NE SW		1.5
26 S	34 E	WM	5	NW SW		0.7
					Total	27.6

11. Transfer Application T-13517 proposes an additional point of appropriation approximately 0.6 mile from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	34 E	WM	5	NW NW	WELL #4 - 50 FEET SOUTH AND 590 FEET EAST FROM THE NW CORNER OF SECTION 5

12. Transfer Application T-13517 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
25 S	34 E	WM	32	SW SE	11.9
25 S	34 E	WM	32	SE SE	15.7
					Total 27.6

Transfer Review Criteria (OAR 690-380-4010)

13. Water has been used within the last five years according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610
14. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right(s) were present within the five-year period prior to submittal of Transfer Application T-13517.
15. The proposed change would not result in enlargement of the rights.
16. The proposed change would not result in injury to other water rights.
17. All other application requirements are met.

Conclusions of Law

The change in point of appropriation, additional point of appropriation and change in place of use proposed in Transfer Application T-13517 is consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

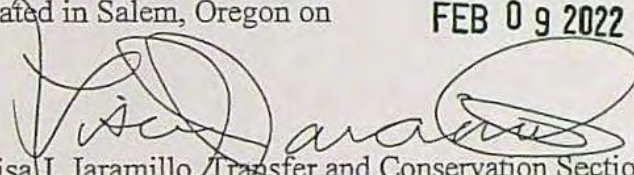
Now, therefore, it is ORDERED:

1. The change in point of appropriation, additional points of appropriation and change in place of use proposed in Transfer Application T-13517 are approved.
2. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 49447 and 53049 and any related decree.
3. Water right Certificates 49447 and 53049 are cancelled. New certificates will be issued describing those portions of the rights not affected by this transfer.
4. Under Certificate 49447, the quantity of water diverted at the new point of appropriation (Well 3), shall not exceed the quantity of water lawfully available at the original point of appropriation (Well 1).
5. Under Certificate 49447, the quantity of water diverted at the additional point of appropriation (Well 4), together with that diverted at the new point of appropriation (Well 3), shall not exceed the quantity of water lawfully available at the original point of appropriation (Well 1).
6. Under certificate 53049, the quantity of water diverted at the additional point of appropriation (Well 4), together with that diverted at the original point of appropriation (Well 3), shall not exceed the quantity of water lawfully available at the original point of appropriation (Well 3).

7. Water use measurement conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation.
 - b. The water user shall maintain the meters or measuring devices in good working order.
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.
8. Water shall be acquired from the same aquifer (water source) as the original point of appropriation.
9. The former place of use of the transferred right shall no longer receive water under the right.
10. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2026**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
11. After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.

Dated in Salem, Oregon on

FEB 09 2022


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

Mailing date: **FEB 10 2022**

STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DEE V. AND SHELIE U. DOMAN
STAR RT BOX 13321 HWY 78
BURNS, OR 97720

confirms the right to use the waters of A WELL, a tributary of CRANE CREEK for IRRIGATION of 106.7 ACRES.

This right was perfected under Permit G-29. The date of priority is SEPTEMBER 6, 1955. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.33 CUBIC FEET PER SECOND if available at the original point of appropriation; NE ¼ SE ¼, Section 6, T. 26 S., R. 34 E., W.M.; 20½ chains East and ¼ chain South from Center, Section 6, or its equivalent in case of rotation, measured at the point of diversion from the well.

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	34 E	WM	6	SE NE	2510 FEET SOUTH AND 1220 FEET WEST FROM THE NE CORNER OF SECTION 6

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

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

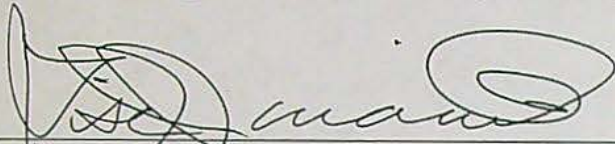
IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
26 S	34 E	WM	6	SW NE	35.3
26 S	34 E	WM	6	SE NE	31.6
26 S	34 E	WM	6	NE SE	1.2
26 S	34 E	WM	6	NW SE	38.6
Total					106.7

This certificate describes that portion of water right Certificate 49447, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered FEB 09 2022, approving Transfer Application T-13517.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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

WITNESS the signature of the Water Resources Director, affixed FEB 09 2022.

A handwritten signature in black ink, appearing to read "Lisa J. Jaramillo", written over a horizontal line.

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

STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CONNECTICUT GENERAL LIFE INSURANCE CO.
910 STEMMONS TOWER NORTH
DALLAS, TX 75207

confirms the right to use the waters of WELL NO. 3 a tributary of MALHEUR LAKE for the purpose of IRRIGATION of 122.9 ACRES.

This right was perfected under Permit G-7543. The date of priority is APRIL 12, 1977. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.54 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	34 E	WM	5	SW NW	1260 FEET NORTH AND 1320 FEET EAST FROM THE W1/4 CORNER OF SECTION 5

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

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

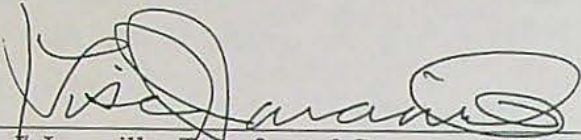
IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
26 S	34 E	WM	5	NE NW	3	31.4
26 S	34 E	WM	5	NW NW	4	28.3
26 S	34 E	WM	5	SW NW		31.6
26 S	34 E	WM	5	SE NW		31.6
Total						122.9

This certificate describes that portion of water right Certificate 53049, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered **FEB 09 2022**, approving Transfer Application T-13517.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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

WITNESS the signature of the Water Resources Director, affixed FEB - 9 2022.

A handwritten signature in black ink, appearing to read "Lisa J. Jaramillo", written over a horizontal line.

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



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

September 27, 2021

Applicant

TODD TITUS
43613 RODEO LANE
BURNS, OR 97720

SUBJECT: Water Right Transfer Application T-13517

Your water right transfer is ready for issuance of the Preliminary Determination, once the Department receives payment for publication of the newspaper notice.

Items needed before the next phase of processing...

At this time you need to:

1. submit a check for **\$312.00** (to cover cost of publication of the notice), made out to the Oregon Water Resources Department.
2. **write "for T-13517 NOTICE" on the front of your check, and**
3. submit it with the tracking stub at the bottom of this letter.

Mail the check to 725 Summer St. NE, Suite A, Salem, OR 97301-1266, **no later than October 27, 2021.**

What happens next...

Shortly after receiving payment, the Department will issue the Preliminary Determination, initiate publication in the Burns Times Herald newspaper, and also publish the notice on the Department's weekly notice. Publication of the notice will initiate a protest period during which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determination or a standing statement supporting the Department's decision.

If we do not receive payment for newspaper notice by October 27, 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 if I may be of assistance.

Sincerely,

Scott Grew

Transfer Specialist

cc: T-13517

J R. Johnson, District 10 Watermaster (*via e-mail*)

Scott D. Montgomery, Agent for the applicant (*via e-mail*)

✂-----

Attached is a check for **\$312.00 (PCA #46118)** for Newspaper Notice for Transfer T-13517 made out to Oregon Water Resources Department (or WRD)

- **"for T-13517 NOTICE" written on front of check**

Mail to: Oregon Water Resources Department
725 Summer St. NE, Suite A
Salem, OR 97301-1266

Caseworker: Scott

GREW Scott A * WRD

From: PHILLIPS Stacy H * WRD
Sent: Wednesday, September 22, 2021 3:38 PM
To: STARNES Patrick K * WRD
Cc: GREW Scott A * WRD
Subject: RE: Newspaper Estimate for Transfer Application T-13517

Hey Scott,

The quote came in for this notice. Total cost will be \$312.00.

Thanks,

Stacy H. Phillips

Restoration Program Technician

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

Office: 503-986-0898 | Work Cell: 503-979-9948



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

From: STARNES Patrick K * WRD <Patrick.K.Starnes@oregon.gov>
Sent: Wednesday, September 22, 2021 9:21 AM
To: PHILLIPS Stacy H * WRD <Stacy.H.Phillips@oregon.gov>
Cc: GREW Scott A * WRD <Scott.A.Grew@oregon.gov>
Subject: Newspaper Estimate for Transfer Application T-13517

Hi Stacy –

Scott will need a quote for the attached TRANSFER Application notice to run in the Burns Times Herald. Run time is two weeks.

Thanks!

Kelly

Kelly Starnes, Transfer Program Analyst
Oregon Water Resources Department
725 Summer St NE Suite A
Salem OR 97301-1271
Cell phone: 503-979-3511 Fax: 503-986-0903
E-mail: patrick.k.starnes@oregon.gov

Please Note: Under Oregon Law, messages to and from this e-mail address may be available to the public.

GREW Scott A * WRD

From: GREW Scott A * WRD
Sent: Tuesday, September 21, 2021 12:41 PM
To: STARNES Patrick K * WRD
Cc: GREW Scott A * WRD
Subject: Newspaper Estimate for Transfer T-13517
Attachments: T-13517-pd-notice.docm

Good Afternoon Herr Starnes,

This is a request of a Newspaper quote for T-13517 for 2 weeks in the Burns Times Herald.

Danke!

Scott Grew
Transfer Specialist
Oregon Water Resources Department
503-986-0890

**Notice of Preliminary Determination for
Water Right Transfer T-13517**

T-13517 filed by Todd Titus, 43613 Rodeo Lane, Burns, OR 97720, proposes a change of point of appropriation, additional point of appropriation and change in place of use under Certificates 49447 and 53049. Certificate 49447 allows the use of 0.05 cubic foot per second (cfs) from a well in Sec. 6, T26S, R34E, WM for irrigation in Sec. 6, T26S, R34E, WM. The applicant proposes to move the point of appropriation and an additional point of appropriation in Sec. 5, T26S, R34E, WM and to change the place of use to Sec. 32, T26S, R34E, WM. Certificate 53049 allows the use of 0.34 cfs from Well 3 in Sec. 5, T26S, R34E, WM for irrigation in Sec. 6, T26S, R34E, WM. The applicant proposes an additional point of appropriation in Sec. 5, T26S, R34E, WM and to change the place of use to Sec. 32, T26S, R34E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, a protest or standing statement within 30 days after the last date of newspaper publication of this notice, MM/DD/YEAR. Call (503) 986-0815 to obtain additional information. 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.

GREW Scott A * WRD

From: Scott <Scott@apeands.com>
Sent: Wednesday, July 28, 2021 3:16 PM
To: GREW Scott A * WRD
Cc: Todd and Deb Titus
Subject: RE: T-13517 - Issuance of Draft Preliminary Determination - Action Required!

Scott,
I've looked over the DPD at it appears to be fine to me. We need to get a price for advertising in the Burns Times Herald. We've contacted Amerititle for the ownership report.

Thanks,

Scott

*Scott Montgomery, Owner/Principal
All Points Engineering and Surveying, Inc.
(541) 548-5833*

From: GREW Scott A * WRD <Scott.A.Grew@oregon.gov>
Sent: Friday, July 02, 2021 11:18 AM
To: Scott <Scott@apeands.com>
Subject: RE: T-13517 - Issuance of Draft Preliminary Determination - Action Required!

Scott,

I dropped the hard copy in the mail for the applicant this morning.

Scott Grew
Transfer Specialist
Oregon Water Resources Department
503-986-0890

From: Scott <Scott@apeands.com>
Sent: Friday, July 2, 2021 11:12 AM
To: GREW Scott A * WRD <Scott.A.Grew@oregon.gov>
Cc: JOHNSON JR * WRD <JR.Johnson@oregon.gov>
Subject: RE: T-13517 - Issuance of Draft Preliminary Determination - Action Required!

Thank you, Scott. I'll contact the applicant and pass this on.

From: GREW Scott A * WRD <Scott.A.Grew@oregon.gov>
Sent: Friday, July 02, 2021 10:33 AM
To: Scott <Scott@apeands.com>
Cc: JOHNSON JR * WRD <JR.Johnson@oregon.gov>; GREW Scott A * WRD <Scott.A.Grew@oregon.gov>
Subject: T-13517 - Issuance of Draft Preliminary Determination - Action Required!

July 2, 2021

Applicant

TODD TITUS
43613 RODEO LANE
BURNS, OR 97720

Reference: Water Right Transfer Application T-13517

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-13517. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved. Your response and submittal of the items outlined below are required by August 1, 2021.

Required items needing your immediate attention:

1. Please carefully review the Draft Preliminary Determination to verify that it accurately reflects the changes you intend to make and to become familiar with the proposed conditions.
2. **Respond in writing** by August 1, 2021, with acknowledgement that you agree to the proposed action and conditions.
3. If you find any errors, please let me know.
4. **REQUIRED:** You must submit a **Report of Ownership** for the lands where the water right(s) are currently located (i.e., the FROM lands). This report:
 - a) Must be prepared by a title company;
 - b) Shall include a "prepared by" statement and the date the title company prepared the report printed on the cover sheet;
 - c) Must 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. Have a prepared date showing ownership at the time a water right conveyance agreement was recorded.

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

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

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

GREW Scott A * WRD

From: Scott <Scott@apeands.com>
Sent: Friday, July 30, 2021 10:56 AM
To: GREW Scott A * WRD
Cc: Neecee
Subject: RE: Customer Service Request

Scott,

You are correct. Mr. Titus needs the additional time in order to acquire financing for the additional POA. Changing the C-date to 10/1/2026 would be appreciated.

Thanks for your help.

Scott

Scott Montgomery, Owner/Principal
All Points Engineering and Surveying, Inc.
(541) 548-5833

From: GREW Scott A * WRD <Scott.A.Grew@oregon.gov>
Sent: Friday, July 30, 2021 10:50 AM
To: Scott <Scott@apeands.com>
Cc: Neecee <Neecee@apeands.com>; GREW Scott A * WRD <Scott.A.Grew@oregon.gov>
Subject: RE: Customer Service Request

Scott,

You can request a later c-date but must be for a specific reason and now is the time to do it! OAR 690-380-5140 (3) allows for it (see below).

If it were after final order then you would need to file for an extension of time and that costs more money and is unnecessary if they know they will need it upfront.

So we can extend it until 10/1/2026 because they need extra time for financing the additional POA. (does that sound correct?)

690-380-5140

(3) The time allowed by the Department for completion of an authorized change shall not be used when computing a five-year period of non-use under the provisions of ORS 540.610(1). The time for completion of the change requested in a transfer application is one full year plus the time until the next October 1. The time for completion of the change of a municipal or quasi-municipal right is five years plus the time until the next October 1. A longer time for completion may be allowed if the applicant can justify the need for a longer period of time.

Scott Grew
Transfer Specialist
Oregon Water Resources Department
503-986-0890

**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 # **136633**

INVOICE # _____

RECEIVED FROM: Titus Ranch Hay Account

BY: _____

APPLICATION	
PERMIT	
TRANSFER	<u>T-13517</u>

CASH: ☐ CHECK: ☒ 1326 OTHER: (IDENTIFY) ☐ _____

TOTAL REC'D \$ 312.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 4618 \$ _____
0207 OTHER: (IDENTIFY) Newspaper Notice \$ 312.00

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	\$ _____		

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: **136633**

DATED: 10-15-2002 BY: Mindy Carlson

PUBLIC NOTICE

Notice of Preliminary Determination for Water Right Transfer T-13517

T-13517 filed by Todd Titus, 43613 Rodeo Lane, Burns, OR 97720, proposes a change of point of appropriation, additional point of appropriation and change in place of use under Certificates 49447 and 53049. Certificate 49447 allows the use of 0.05 cubic foot per second (cfs) from a well in Sec. 6, T26S, R34E, WM for irrigation in Sec. 6, T26S, R34E, WM. The applicant proposes to move the point of appropriation and an additional point of appropriation in Sec. 5, T26S, R34E, WM and to change the place of use to Sec. 32, T26S, R34E, WM. Certificate 53049 allows the use of 0.34 cfs from Well 3 in Sec. 5, T26S, R34E, WM for irrigation in Sec. 6, T26S, R34E, WM. The applicant proposes an additional point of appropriation in Sec. 5, T26S, R34E, WM and to change the place of use to Sec. 32, T26S, R34E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, a protest or standing statement within 30 days after the last date of newspaper publication of this notice, 11/17/2021. Call (503) 986-0815 to obtain additional information. 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.

Publish Nov 10 and 17, 2021

BURNS TIMES-HERALD
355 N. Broadway, Burns, Oregon 97720
AFFIDAVIT OF PUBLICATION

STATE OF OREGON

(
(S.S.

County of Harney

I Terri L. Smith, being first and duly sworn, depose and say that I am the Advertising Manager of the Burns Times-Herald, a newspaper of general circulation, as defined by ORS 193.010 and 193.020, published at Burns, in the aforesaid County and State by the Burns Times-Herald that the

Public Notice: T-13517

a printed copy of which is hereto annexed, was published in the said newspaper for

2 successive and consecutive weeks in the following issues:
Dates of Publication: 10th & 17th November 2021

Signed Terri L. Smith
By Terri L. Smith, Advertising Manager
The Burns Times-Herald

Subscribed and sworn before me this 17th day of November 2021.

Brenda Graham
Notary Public for Oregon



No. _____

RECEIVED

STATE OF OREGON
for the
COUNTY OF HARNEY

NOV 22 2021

Filed _____, 21

OWRD

Clerk

Deputy

From the Office of _____

Attorney for _____

WATER RIGHT TRANSFER COVER SHEET

Transfer: T- 13517

Transfer Specialist: Scott

Transfer Type: Regular

Applicant: TODD TITUS 43613 RODEO LANE BURNS, OR 97720 Email: _____ Phone: _____		Agent: ☐ N/A SCOTT D. MONTGOMERY PO BOX 767 TERREBONNE, OR 97760 Email: _____ Phone: _____	
Irrigation District: ☐ N/A Email: _____		CWRE: ☐ N/A Email: _____	
Affected Local Gov'ts: ☐ N/A Harney County Planning Department Email: _____		Affected Tribal Gov't: ☐ N/A UNAVAILABLE 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.
☐	G-118	G-29	49447	☒ Yes ☐ No	
☐	G-8020	G-7543	53049	☒ Yes ☐ No	
☐				☐ Yes ☐ No	

Key Dates & Initial Actions:

Rec'd: September 15, 2020	Proposed Action(s): POINT OF APPROPRIATION; ADDITIONAL POINT OF APPROPRIATION; PLACE OF USE	
Fees Pd: 3020.00	WM District: 10	ODFW District:
Initial Public Notice: September 15, 2020	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: 9/21/21	Request for news \$ sent: 9/27/21	News \$ received:
Request to publish sent:	Affidavit of publication received:	Last day of publication:

BURNS TIMES HERALD

Document	Drafted	Peer Review	Changes Made	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: 6/18/21 Initials: Scott	Date: 6/21/21 Initials: Joan	Date: _____ Initials: _____	Date: 6/25/21 Initials: PKS	Date: 7/1/21 Initials: Scott	CW sent: 7/2/21	N/A
PD	Date: 8/27/21 Initials: Scott	Date: Corey Initials: 9/13/21	Date: _____ Initials: _____	Date: 9/14/21 Initials: PKS	Date: 9/21/21 Initials: Scott	Date: 10/22/21	Date: 11/3/2021
FO	Date: 12/10/21 Initials: Scott	Date: 12/13/21 Initials: Joan	Date: _____ Initials: _____	Date: 1/14/22 Initials: PKS	Date: 1/28/22 Initials: Scott	Date: 1/29/22	Date: 2/9/2022

Special Issues: _____

PROTEST PERIOD ENDS 12/17/21

Special Order Volume: Vol. 122 Pages _____



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

February 9, 2022

TODD TITUS
43613 RODEO LANE
BURNS, OR 97720

REFERENCE: Transfer Application T-13517

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

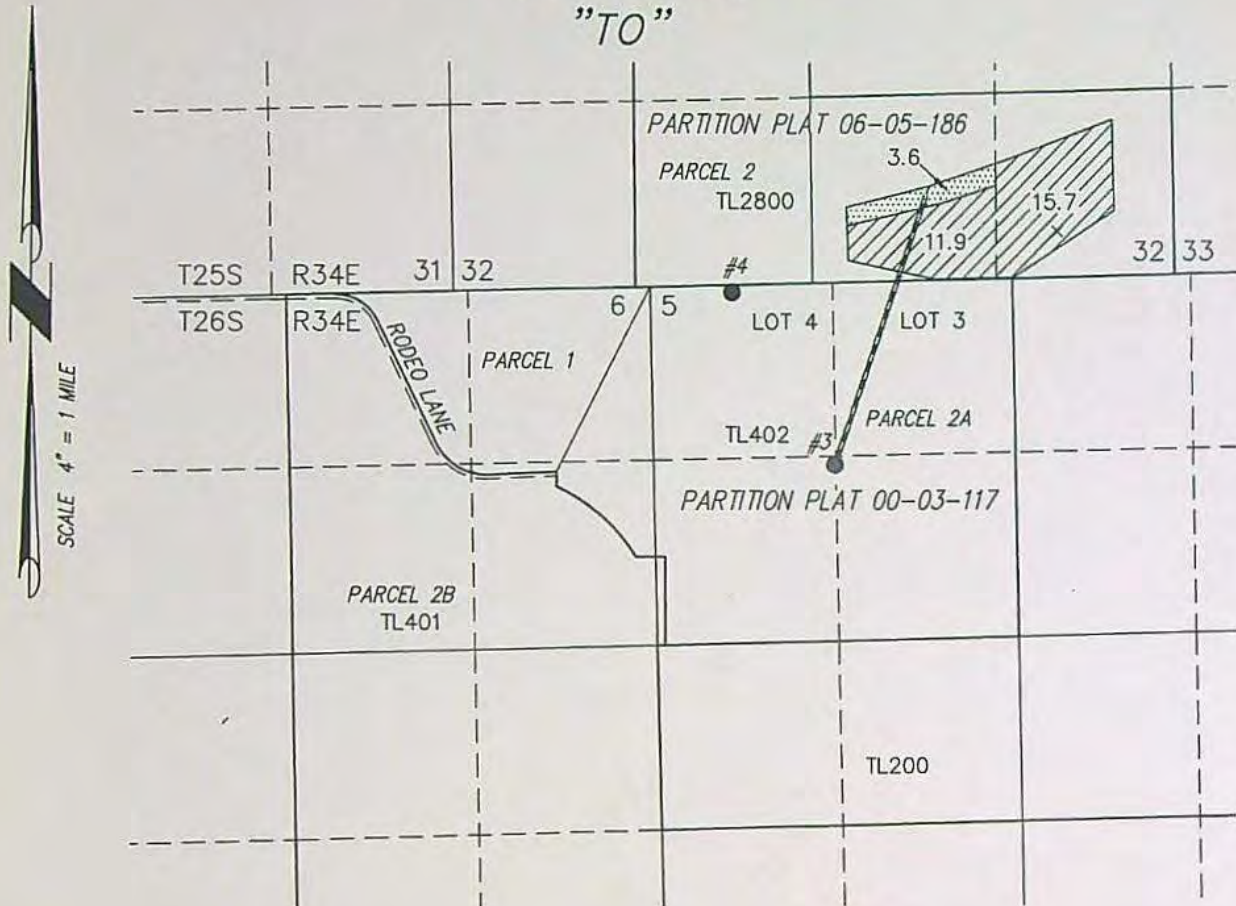
cc: J R. Johnson, Watermaster Dist. #10 (via email)
Scott Montgomery, Agent
Harney County Planning

Enclosure

MAP TO ACCOMPANY APPLICATION TO CHANGE PLACE OF USE AND POINT OF APPROPRIATION ON CERTIFICATES 49447 AND 53049 FOR TODD TITUS

TAX LOT 2800
IN SECTION 32, TOWNSHIP 25 SOUTH, RANGE 34 EAST, W.M.
HARNEY COUNTY, OREGON

"TO"



 3.6 ACRES IR FROM CERTIFICATE 49447
(G-29), AS SHOWN.

 27.6 ACRES IR FROM CERTIFICATE
53049 (G-7543), AS SHOWN.

- POA #3 G-7543 (HARN 1411)
LOCATED 1260' N & 1320' E
FROM W 1/4 CORNER SECTION 5
- POA #4 (PROPOSED)
LOCATED 50' S & 590' E FROM
NW CORNER SECTION 5

Received by OWRD

SEP 14 2020

Salem, OR



RENEWAL DATE: 12/31/2020

THIS MAP IS FOR THE PURPOSE OF LOCATING A WATER
RIGHT ONLY AND HAS NO INTENT TO PROVIDE LEGAL
DIMENSIONS OR THE LOCATION OF PROPERTY LINES.

PROJECT No. 18-122

PREPARED AT THE REQUEST OF:

TODD TITUS
43431 RODEO LANE
BURNS, OR 97720

ALL POINTS ENGINEERING
& SURVEYING, INC.

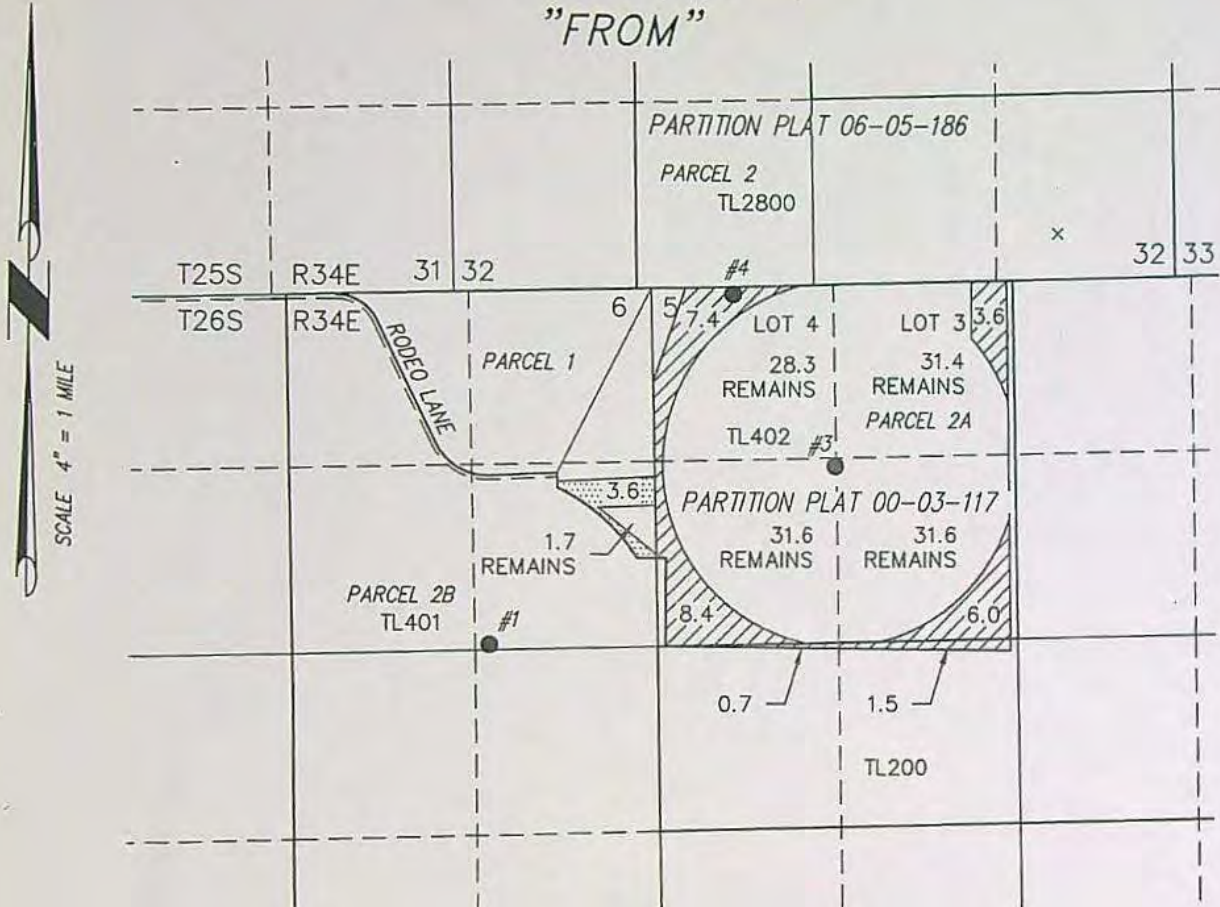


P.O. BOX 767
TERREBONNE, OREGON 97760
(541) 548-5833 PH
scott@apedns.com
www.APEandS.com

MAP TO ACCOMPANY APPLICATION TO CHANGE PLACE OF USE AND POINT OF APPROPRIATION ON CERTIFICATES 49447 AND 53049 FOR TODD TITUS

TAX LOTS 200 & 402
IN SECTIONS 5 & 6, TOWNSHIP 26 SOUTH, RANGE 34 EAST, W.M.
HARNEY COUNTY, OREGON

"FROM"



- POA #1 G-29 (HARN 1415)
LOCATED 2510' S & 1220' W
FROM NE CORNER SECTION 6
 - POA #3 G-7543 (HARN 1411)
LOCATED 1260' N & 1320' E
FROM W 1/4 CORNER SECTION 5
 - POA #4 (PROPOSED)
LOCATED 50' S & 590' E FROM
NW CORNER SECTION 5
-  3.6 ACRES IR FROM CERTIFICATE 49447
(G-29), AS SHOWN.
 27.6 ACRES IR FROM CERTIFICATE
53049 (G-7543), AS SHOWN.

Received by OWRD

SEP 14 2020

Salem, OR



RENEWAL DATE: 12/31/2020

THIS MAP IS FOR THE PURPOSE OF LOCATING A WATER
RIGHT ONLY AND HAS NO INTENT TO PROVIDE LEGAL
DIMENSIONS OR THE LOCATION OF PROPERTY LINES.

PROJECT No. 18-122

PREPARED AT THE REQUEST OF:

TODD TITUS
43431 RODEO LANE
BURNS, OR 97720

ALL POINTS ENGINEERING
& SURVEYING, INC.



P.O. BOX 767
TERREBONNE, OREGON 97760
(541) 548-5833 PH
scott@apeands.com
www.APEandS.com

13517

GREW Scott A * WRD

From: Scott <Scott@apeands.com>
Sent: Friday, August 27, 2021 2:16 PM
To: GREW Scott A * WRD
Subject: RE: Ownership Report for T-13517

Scott,
That sounds reasonable to me. Each title office seems to be a little different in procedure.
Thanks,
Scott
Scott Montgomery, Owner/Principal
All Points Engineering and Surveying, Inc.
(541) 548-5833

From: GREW Scott A * WRD <Scott.A.Grew@oregon.gov>
Sent: Friday, August 27, 2021 11:53 AM
To: Scott <Scott@apeands.com>
Cc: GREW Scott A * WRD <Scott.A.Grew@oregon.gov>
Subject: RE: Ownership Report for T-13517

Scott,

I'm back in the office. I can see from the title offices e-mail below that that what was attached is indeed that last vesting document.

What would be helpful in the future is if they can state on the cover sheet that the report was prepared for Mr. Titus and that the attached are the last vesting documents.

Thank you,

Scott Grew
Transfer Specialist
Oregon Water Resources Department
503-986-0890

From: Scott <Scott@apeands.com>
Sent: Monday, August 2, 2021 11:01 AM
To: GREW Scott A * WRD <Scott.A.Grew@oregon.gov>
Cc: JARAMILLO Lisa J * WRD <Lisa.J.Jaramillo@oregon.gov>; STARNES Patrick K * WRD <Patrick.K.Starnes@oregon.gov>
Subject: FW: Ownership Report for T-13517

Scott,
A full title report usually costs between \$300-\$500. I've been told in the past by other caseworkers that a list kit is sufficient and you see below from the title officer what a list kits entails. I've never had to order and pay for a full title report in the past. I've cc'd Lisa and Kelly for their input.
Thanks,
Scott
Scott Montgomery, Owner/Principal



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

July 2, 2021

Applicant

TODD TITUS
43613 RODEO LANE
BURNS, OR 97720

Reference: Water Right Transfer Application T-13517

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-13517. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved. Your response and submittal of the items outlined below are required by August 1, 2021.

Required items needing your immediate attention:

1. Please carefully review the Draft Preliminary Determination to verify that it accurately reflects the changes you intend to make and to become familiar with the proposed conditions.
2. **Respond in writing** by August 1, 2021, with acknowledgement that you agree to the proposed action and conditions.
3. If you find any errors, please let me know.
4. **REQUIRED:** You must submit a **Report of Ownership** for the lands where the water right(s) are currently located (i.e., the FROM lands). This report:
 - a) Must be prepared by a title company;
 - b) Shall include a "prepared by" statement and the date the title company prepared the report printed on the cover sheet;
 - c) Must 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. Have a prepared date showing ownership at the time a water right conveyance agreement was recorded.

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

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

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

Conditions to your water right...

The Watermaster has required a water measurement devices at the new diversion points 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) devices.

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 request more time, at no cost to you, during this stage of processing. **Please let me know by the comment deadline if you will need more time and explain the reasons why.**

What happens next...

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

Issuance of the Preliminary Determination will occur after we receive:

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

If we do not receive the items listed above by August 1, 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 if I may be of assistance.

Sincerely,

Scott Grew

Transfer Specialist

encs

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

In the Matter of Transfer Application
T-13517, Harney County

) **D R A F T**
)
) PRELIMINARY DETERMINATION
) PROPOSING APPROVAL OF A
) CHANGE IN POINT OF
) APPROPRIATION, ADDITIONAL
) POINTS OF APPROPRIATION, AND
) 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

TODD TITUS
43613 RODEO LANE
BURNS, OR 97720

Findings of Fact

1. On September 15, 2020, TODD TITUS filed an application to change the point of appropriation, additional point of appropriation and to change the place of use under Certificates 49447 and 53049. The Department assigned the application number T-13517.
2. Notice of the application for transfer was published on September 15, 2020, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. The portion of the first right to be transferred is as follows:

Certificate: 49447 in the name of DEE V. AND SHELIE U. DOMAN (perfected under Permit G-29)
Use: IRRIGATION of 3.6 ACRES
Priority Date: SEPTEMBER 6, 1955
Rate: 0.05 CUBIC FOOT PER SECOND, IF AVAILABLE AT THE ORIGINAL POINT OF APPROPRIATION; NE ¼ SE ¼, SECTION 6, T. 26 S., R. 34 E., W.M.; 20½ CHAINS EAST AND ¼ CHAIN SOUTH FROM CENTER, SECTION 6
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: A WELL a tributary of CRANE CREEK

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	34 E	WM	6	SE NE	2510 FEET SOUTH AND 1220 FEET WEST FROM NE CORNER OF SECTION 6

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
26 S	34 E	WM	6	SE NE	3.6

4. Transfer Application T-13517 proposes to move the authorized point of appropriation approximately 0.6 mile from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	34 E	WM	5	SW NE	WELL #3 - 1260 FEET NORTH AND 1320 FEET EAST FROM THE W1/4 CORNER OF SECTION 5

5. Transfer Application T-13517 also proposes an additional point of appropriation approximately 0.6 mile from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	34 E	WM	5	NW NW	WELL #4 - 50 FEET SOUTH AND 590 FEET EAST FROM THE NW CORNER OF SECTION 5

6. Transfer Application T-13517 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
26 S	34 E	WM	32	SW SE	3.6

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

Certificate: 53049 in the name of CONNECTICUT GENERAL LIFE INSURANCE COMPANY (perfected under Permit G-7543)

Use: IRRIGATION of 27.6 ACRES

Priority Date: APRIL 12, 1977

Rate: 0.34 CUBIC FEET 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: WELL 3, a tributary of MALHEUR LAKE

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	34 E	WM	5	SW NW	1260 FEET NORTH AND 1320 FEET EAST FROM THE W1/4 CORNER OF SECTION 5

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
26 S	34 E	WM	5	NE NW	3	3.6
26 S	34 E	WM	5	NW NW	4	7.4
26 S	34 E	WM	5	SW NW		8.4
26 S	34 E	WM	5	SE NW		6.0
26 S	34 E	WM	5	NE SW		1.5
26 S	34 E	WM	5	NW SW		0.7
Total						27.6

8. Transfer Application T-13517 proposes an additional point of appropriation approximately 0.6 mile from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	34 E	WM	5	NW NW	WELL #4 - 50 FEET SOUTH AND 590 FEET EAST FROM THE NW CORNER OF SECTION 5

9. Transfer Application T-13517 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
26 S	34 E	WM	32	SW SE	11.9
26 S	34 E	WM	32	SE SE	15.7
Total					27.6

Transfer Review Criteria (OAR 690-380-4010)

10. Water has been used within the last five years according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610
11. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right(s) were present within the five-year period prior to submittal of Transfer Application T-13517.
12. The proposed change would not result in enlargement of the rights.
13. The proposed change would not result in injury to other water rights.
14. All other application requirements are met.

Determination and Proposed Action

The change in point of appropriation, additional point of appropriation and change in place of use proposed in Transfer Application T-13517 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-13517 is approved, the final order will include the following:

- 1. The change in point of appropriation, additional points of appropriation and change in place of use proposed in Transfer Application T-13517 are approved.*
- 2. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 49447 and 53049 and any related decree.*
- 3. Water right Certificates 49447 and 53049 are cancelled. New certificates will be issued describing those portions of the rights not affected by this transfer.*
- 4. Under Certificate 49447, the quantity of water diverted at the new point of appropriation (Well 3), shall not exceed the quantity of water lawfully available at the original point of appropriation (Well 1).*
- 5. Under Certificate 49447, the quantity of water diverted at the additional point of appropriation (Well 4), together with that diverted at the new point of appropriation (Well 3), shall not exceed the quantity of water lawfully available at the original point of appropriation (Well 1).*
- 6. Under certificate 53049, the quantity of water diverted at the additional point of appropriation (Well 4), together with that diverted at the original point of appropriation (Well 3), shall not exceed the quantity of water lawfully available at the original point of appropriation (Well 3).*
- 7. Water use measurement conditions:*
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation.*
 - b. The water user shall maintain the meters or measuring devices in good working order.*
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.*
- 8. Water shall be acquired from the same aquifer (water source) as the original point of appropriation.*

9. *The former place of use of the transferred right shall no longer receive water under the right.*
10. *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 changes and full beneficial use of the water.*
11. *After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.*

Dated in Salem, Oregon on

DRAFT

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-13517

☒ 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: JR JohnsonDistrict: 10Address: 450 N Buena VistaCity/State/Zip: Burns, OR 97720Phone: 541 573 2764Email: jr.johnson@ wrd.state.or.us

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 DeviceT- *(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

November 3, 2021

Applicant

TODD TITUS
43613 RODEO LANE
BURNS, OR 97720

SUBJECT: Water Right Transfer Application T-13517

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-13517. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

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

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

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

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.

Please contact me at scott.a.grew@oregon.gov or 503-986-0890 if I may be of assistance.

Sincerely,

Scott Grew

Transfer Specialist

cc: T-13517
J R. Johnson, District 10 Watermaster (*via e-mail*)
Scott D. Montgomery, 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-13517, Harney County	)	PROPOSING APPROVAL OF A
	)	CHANGE IN POINT OF
	)	APPROPRIATION, ADDITIONAL
	)	POINTS OF APPROPRIATION, AND
	)	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

TODD TITUS
43613 RODEO LANE
BURNS, OR 97720

Findings of Fact

1. On September 15, 2020, TODD TITUS filed an application to change the point of appropriation, additional point of appropriation and to change the place of use under Certificates 49447 and 53049. The Department assigned the application number T-13517.
2. Notice of the application for transfer was published on September 15, 2020, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On July 2, 2021, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-13517 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of August 1, 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 July 30, 2021, the agent for the applicant requested the completion date of October 1, 2026 because the applicant needs the additional time in order to acquire financing for the additional POA. The Department granted the longer time for completion per OAR 690-380-5140 (3).

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.
--

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

Certificate: 49447 in the name of DEE V. AND SHELIE U. DOMAN (perfected under Permit G-29)
Use: IRRIGATION of 3.6 ACRES
Priority Date: SEPTEMBER 6, 1955
Rate: 0.05 CUBIC FOOT PER SECOND, IF AVAILABLE AT THE ORIGINAL POINT OF APPROPRIATION; NE ¼ SE ¼, SECTION 6, T. 26 S., R. 34 E., W.M.; 20½ CHAINS EAST AND ¼ CHAIN SOUTH FROM CENTER, SECTION 6
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: A WELL a tributary of CRANE CREEK

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	34 E	WM	6	SE NE	2510 FEET SOUTH AND 1220 FEET WEST FROM NE CORNER OF SECTION 6

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
26 S	34 E	WM	6	SE NE	3.6

6. Transfer Application T-13517 proposes to move the authorized point of appropriation approximately 0.6 mile from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	34 E	WM	5	SW NW	WELL #3 - 1260 FEET NORTH AND 1320 FEET EAST FROM THE W1/4 CORNER OF SECTION 5

7. Transfer Application T-13517 also proposes an additional point of appropriation approximately 0.6 mile from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	34 E	WM	5	NW NW	WELL #4 - 50 FEET SOUTH AND 590 FEET EAST FROM THE NW CORNER OF SECTION 5

8. Transfer Application T-13517 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
25 S	34 E	WM	32	SW SE	3.6

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

Certificate: 53049 in the name of CONNECTICUT GENERAL LIFE INSURANCE COMPANY (perfected under Permit G-7543)
Use: IRRIGATION of 27.6 ACRES
Priority Date: APRIL 12, 1977
Rate: 0.34 CUBIC FEET 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: WELL 3, a tributary of MALHEUR LAKE

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	34 E	WM	5	SW NW	WELL #3 - 1260 FEET NORTH AND 1320 FEET EAST FROM THE W1/4 CORNER OF SECTION 5

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
26 S	34 E	WM	5	NE NW	3	3.6
26 S	34 E	WM	5	NW NW	4	7.4
26 S	34 E	WM	5	SW NW		8.4
26 S	34 E	WM	5	SE NW		6.0
26 S	34 E	WM	5	NE SW		1.5
26 S	34 E	WM	5	NW SW		0.7
Total						27.6

10. Transfer Application T-13517 proposes an additional point of appropriation approximately 0.6 mile from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	34 E	WM	5	NW NW	WELL #4 - 50 FEET SOUTH AND 590 FEET EAST FROM THE NW CORNER OF SECTION 5

11. Transfer Application T-13517 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
25 S	34 E	WM	32	SW SE	11.9
25 S	34 E	WM	32	SE SE	15.7
Total					27.6

Transfer Review Criteria (OAR 690-380-4010)

12. Water has been used within the last five years according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610

13. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right(s) were present within the five-year period prior to submittal of Transfer Application T-13517.
14. The proposed change would not result in enlargement of the rights.
15. The proposed change would not result in injury to other water rights.
16. All other application requirements are met.

Determination and Proposed Action

The change in point of appropriation, additional point of appropriation and change in place of use proposed in Transfer Application T-13517 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-13517 is approved, the final order will include the following:

1. *The change in point of appropriation, additional points of appropriation and change in place of use proposed in Transfer Application T-13517 are approved.*
2. *The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 49447 and 53049 and any related decree.*
3. *Water right Certificates 49447 and 53049 are cancelled. New certificates will be issued describing those portions of the rights not affected by this transfer.*
4. *Under Certificate 49447, the quantity of water diverted at the new point of appropriation (Well 3), shall not exceed the quantity of water lawfully available at the original point of appropriation (Well 1).*
5. *Under Certificate 49447, the quantity of water diverted at the additional point of appropriation (Well 4), together with that diverted at the new point of appropriation (Well 3), shall not exceed the quantity of water lawfully available at the original point of appropriation (Well 1).*
6. *Under certificate 53049, the quantity of water diverted at the additional point of appropriation (Well 4), together with that diverted at the original point of appropriation (Well 3), shall not exceed the quantity of water lawfully available at the original point of appropriation (Well 3).*

7. *Water use measurement conditions:*
 - a. *Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation.*
 - b. *The water user shall maintain the meters or measuring devices in good working order.*
 - c. *The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.*
8. *Water shall be acquired from the same aquifer (water source) as the original point of appropriation.*
9. *The former place of use of the transferred right shall no longer receive water under the right.*
10. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2026**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*

GREW Scott A * WRD

From: BUCHHOLZ Sheila L * WRD
Sent: Tuesday, October 5, 2021 7:26 AM
To: BAUSTIAN Julie C * WRD; GREW Scott A * WRD
Subject: FW: PD T-13517
Attachments: PD T-13517.pdf

I'm sorry I forgot to attach the transfer! Although I know you have it, it seems it's easier if I attach it anyway.
Thanks!!
Sheila

From: BUCHHOLZ Sheila L * WRD
Sent: Tuesday, October 5, 2021 7:25 AM
To: BAUSTIAN Julie C * WRD <Julie.C.Baustian@oregon.gov>; GREW Scott A * WRD <Scott.A.Grew@oregon.gov>
Cc: MARTIN Duff A * WRD <Duff.A.Martin@oregon.gov>
Subject: PD T-13517

Hi Julie,

This PD transfer has been seen by data.

Scott,

Hello Scott,

On snap 204767, (Page 2 of the order) I believe the POU should be Township 25S, not 26S:

8. Transfer Application T-13517 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
26 S	34 E	WM	32	SW SE	3.6

And I think Well 3, (POD 1) is in the SENW not the SWNE:

6. Transfer Application T-13517 proposes to move the authorized point of appropriation approximately 0.6 mile from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	34 E	WM	5	SW NE	WELL #3 - 1260 FEET NORTH AND 1320 FEET EAST FROM THE W1/4 CORNER OF SECTION 5

On snap 204768, (Page 3 of the order) I believe the POU should be Township 25S, not 26S:

11. Transfer Application T-13517 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
26 S	34 E	WM	32	SW SE	11.9
26 S	34 E	WM	32	SE SE	15.7
				Total	27.6

And I think Well 3, (POD 1) is in the SENW not the SWNW: (This is very close, so I realize it may not change, just let me know)

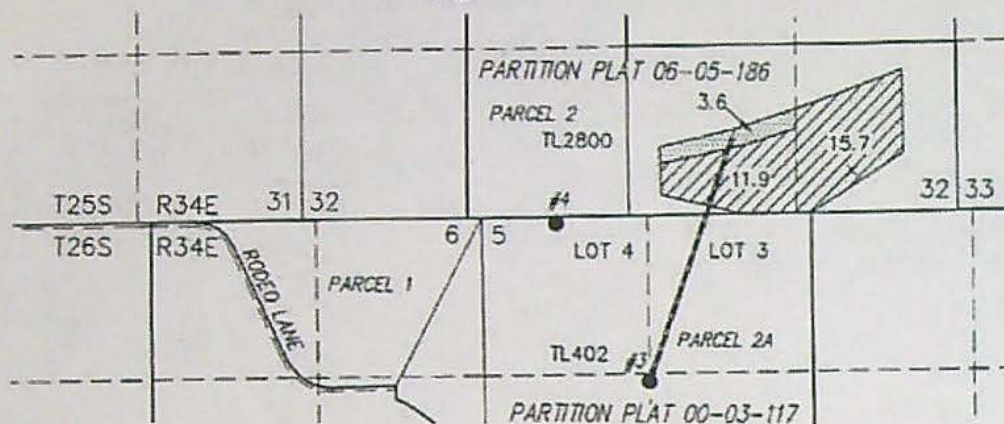
Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	34 E	WM	5	SW NW	1260 FEET NORTH AND 1320 FEET EAST FROM THE W1/4 CORNER OF SECTION 5

FOR TODD TITUS

TAX LOT 2800
IN SECTION 32, TOWNSHIP 25 SOUTH, RANGE 34 EAST, W.M.
HARNEY COUNTY, OREGON

"TO"



If any changes are made, please let me know as I will need to update WRIS accordingly.
Thanks so much!

Sheila Buchholz

Data Technician 1

725 Summer St. NE, Suite A | Salem, Oregon 97301

Email: Sheila.L.Buchholz@oregon.gov



OREGON
WATER
RESOURCES
DEPARTMENT

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

GREW Scott A * WRD

From: GREW Scott A * WRD
Sent: Tuesday, September 21, 2021 2:17 PM
To: MARTIN Duff A * WRD; BAUSTIAN Julie C * WRD
Cc: GREW Scott A * WRD
Subject: T-13517 PD review for DATA
Attachments: T-13517-pd.docm; T-13517-rr-49447-95981.docm; T-13517-rr-53049-95982.docm

Data,

Please check my PD and 2 RR for T-13517.

Thank you!

Scott Grew
Transfer Specialist
Oregon Water Resources Department
503-986-0890

Groundwater Transfer Review Summary Form

Transfer/PA # T- 13517

GW Reviewer D. Boschmann Date Review Completed: 03/10/2021

Summary of Same Source Review:

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

Summary of Injury Review:

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

Summary of GW-SW Transfer Similarity Review:

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

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



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

Ground Water Review Form:

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

Application: T-13517

Applicant Name: Todd Titus

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

Reviewer(s): Darrick E. Boschmann

Date of Review: 03/10/2021

Date Reviewed by GW Mgr. and Returned to WRSD: JTI 3/10/21

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

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

1. Basic description of the changes proposed in this transfer: _____

_____ This application is related to certificates 49447 and 53049.

_____ Certificate 49447 authorizes groundwater pumping from one well (POD 1 = HARN 1415) for primary irrigation of 110.3 acres in the Malheur Lake Basin. The following changes are proposed:

1. Add 2 APOAs ("#3" = HARN 1411; "#4" = not yet constructed).
2. Rearrange the POU.

_____ Certificate 53049 authorizes groundwater pumping from one well (POD 1 = HARN 1411) for primary irrigation of 150.5 acres in the Malheur Lake Basin. The following changes are proposed:

1. Add 1 APOA ("#4" = not yet constructed).
2. Rearrange the POU.

2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?
☒ Yes ☐ No Comments: Available data indicates a predominantly volcanic/tuffaceous sedimentary rock unit occurs beneath a predominantly basin fill sediment unit. Reports for the Malheur Lake Basin indicate groundwater occurs in both the basin fill and underlying rocks. The groundwater is hydraulically connected, making a single groundwater system occurring in different geologic units. Leonard (1970) found that near the edges of the valley there is likely good interconnection between individual water-bearing beds in the valley fill and those in the adjacent and underlying tertiary rocks.

In general, groundwater in the Harney Basin flows from several upland recharge areas to a common discharge area near Malheur and Harney Lakes, with some apparent discharge to the Malheur Basin through one or more areas along the eastern margin. While the rocks and sediments making up the aquifer system in the Harney Basin do constitute a single groundwater flow system, sub-watersheds within the basin contribute recharge to different parts of the system depending on groundwater flow-paths from recharge to discharge areas. In general, within these sub-watersheds water within the aquifer system is sourced from a common recharge area, and can therefore be considered a single source.

3. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?
☐ Yes ☒ No _____
- b) If yes, estimate the portion of the right supplied by each of the sources and describe any limitations that will need to be placed on the proposed change (rate, duty, etc.): _____
4. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another ground water right**?
☐ Yes ☒ No Comments: The proposed changes should reduce the impacts to the nearest authorized POAs by shifting a portion of the authorized pumping from HARN 1415 northeast to HARN 1411 and the proposed APOA, which are further from any existing POAs.

b) If yes, would this proposed change, at its maximum allowed rate of use, likely result in another groundwater right not receiving the water to which it is legally entitled?

☐ Yes ☐ No If yes, explain: _____

5. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another surface water source**?
☐ Yes ☒ No Comments: There are no perennial surface water sources in the vicinity of the authorized or proposed wells.

b) If yes, at its maximum allowed rate of use, what is the expected change in degree of interference with any **surface water sources** resulting from the proposed change?

Stream: _____ ☐ Minimal ☐ Significant

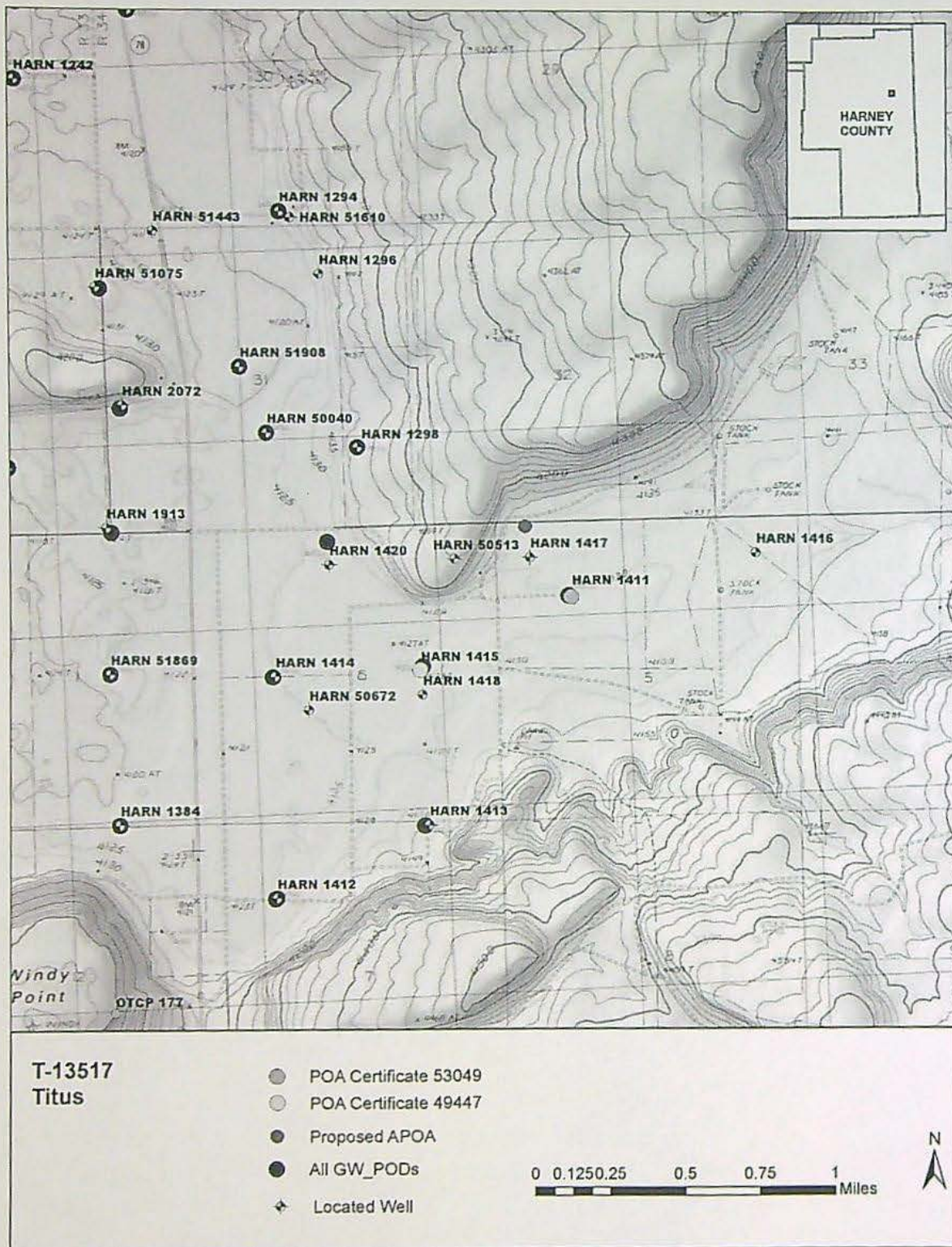
Stream: _____ ☐ Minimal ☐ Significant

Provide context for minimal/significant impact: _____

6. For SW-GW transfers, will the proposed change in point of diversion affect the surface water source similarly (as per OAR 690-380-2130) to the authorized point of diversion specified in the water use subject to transfer?

☐ Yes ☐ No Comments: _____

7. What conditions or other changes in the application are necessary to address any potential issues identified above: none.
8. Any additional comments: none.





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

Watermaster Review Form: Water Right Transfer

Transfer Application: T-13517

Review Due Date: _____

Applicant Name: Todd Titus

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

Reviewer(s): _____

Date of Review: Dec 17, 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. 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: _____
12. What alternatives may be available for addressing any issues identified above: N/A
13. 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 below:
- ☐ 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 3)
- 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.*
- 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 3)
- 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-13517

☒ 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: JR Johnson

District: 10

Address: 450 N Buena Vista

City/State/Zip: Burns, OR 97720

Phone: 541 573 2764

Email: jr.johnson@wrdd.state.or.us

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

Approval of an Alternate Measurement Device

T-

(to be filled out after consultation with the applicant, or after a site visit)

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

Watermaster signature

District

Date

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

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



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

September 15, 2020

TODD TITUS
43613 RODEO LANE
BURNS, OR 97720

Reference: Application T- 13517

On September 15, 2020, we received your water right Transfer application. The application was accompanied by \$3020.00. Our receipt number 133402 is enclosed.

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

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 or from the new point of appropriation until a final order approving the transfer application has been issued by the Department. In order to avoid any possible forfeiture of the water right, you should continue to use the water as described by your existing water right.

If the land is sold before the application is approved, the buyer's consent to the application will be required unless a recorded deed or other legal document clearly established that the water right was not conveyed in the sale.

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

If you have any questions, please contact the Transfer Section at (503) 986-0815.

Cc: Watermaster Dist. #10 *(via email)*
Harney County
Scott D. Montgomery, Agent

Enclosure

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **133402**

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

INVOICE # _____

RECEIVED FROM: Titus Ranch.
BY: _____

APPLICATION	
PERMIT	
TRANSFER	<u>T-13517</u>

CASH: ☐ CHECK: # X 206 OTHER: (IDENTIFY) ☐ _____

TOTAL REC'D \$ 3,020.00

1083 TREASURY 4170 WRD MISC CASH ACCT

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

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

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

WATER RIGHTS:

0201 SURFACE WATER \$ _____ 0202 \$ _____
0203 GROUND WATER \$ _____ 0204 \$ _____
0205 TRANSFER \$ 3,020.00

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR \$ _____ 0219 \$ _____
LANDOWNER'S PERMIT 0220 \$ _____

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

RECEIPT: **133402**

DATED: 9-4-2020 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.

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

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Transfer Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator. 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? 2 List them here: C-49447 & 53049**
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

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

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

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

FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)			
1	Base Fee (includes one type of change to one water right for up to 1 cfs)	1	\$1,160
2	Types of change proposed: ☒ Place of Use ☐ Character of Use ☒ Point of Diversion/Appropriation Number of above boxes checked = <u>2 (2a)</u> Subtract 1 from the number in line 2a = <u>1 (2b)</u> <i>If only one change, this will be 0</i> Multiply line 2b by \$930 and enter » » » » » » » » » » » » » » » »	2	\$930
3	Number of water rights included in transfer <u>2 (3a)</u> Subtract 1 from the number in 3a above: <u>1 (3b)</u> <i>If only one water right this will be 0</i> Multiply line 3b by \$520 and enter » » » » » » » » » » » » » » » »	3	\$520
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	\$410
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*): <u>0.39 (5a)</u> Subtract 1.0 from the number in 5a above: <u>-0.61 (5b)</u> If 5b is 0 or less, enter 0 on line 5 » If 5b is greater than 0, round up to the nearest whole number: <u>0 (5c)</u> and multiply 5c by \$350, then enter on line 5 » » » » » » » » » » » » » » » »	5	0
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6	\$3,020
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	\$3,020

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

FEE WORKSHEET for SUBSTITUTION			
1	Base Fee (includes change to one well)	1	\$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	

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Todd Titus		PHONE NO. 541-589-2594	ADDITIONAL CONTACT NO.
ADDRESS 43431 Rodeo Lane		FAX NO.	
CITY Burns	STATE OR	ZIP 97720	E-MAIL titusranch5@gmail.com
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

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

AGENT/BUSINESS NAME Scott D Montgomery		PHONE NO. 541-548-5833	ADDITIONAL CONTACT NO. 541-420-0401
ADDRESS PO Box 767		FAX NO.	
CITY Terrebonne	STATE OR	ZIP 97760	E-MAIL scott@apeands.com
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

Explain in your own words what you propose to accomplish with this transfer application, and why:
Applicant wants to move place of use, to areas better suited for irrigating. By using a center pivot sprinkler & gated pipe, rather than wheel lines, water should be conserved.

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

Check One Box

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

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By my signature below, I confirm that I understand:

- Prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: Burns Herald.
- Amendments to the application may only be made in response to the Department's Draft Preliminary Determination (DPD). The applicant will have a period of at least 30 days to amend the application to address any issues identified by the Department in the DPD, or to withdraw the application. Note that amendments may be subject to additional fees, pursuant to ORS 536.050.
- Failure to complete an approved change in place of use and/or change in character of use, will result in loss of the water right (OAR 690-380-6010).

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


Applicant signature

Todd Titus
Print Name (and Title if applicable)

8/24/2020
Date

Applicant signature

Print Name (and Title if applicable)

Date

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? ☒ Yes ☐ No If NO, include signatures of all deeded landowners (and mailing and/or e-mail

Check the following boxes that apply:

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

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

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

If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. For more information see: https://www.oregon.gov/owrd/WRDFormsPDF/Transfer_Property_Transactions.pdf

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

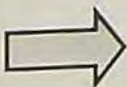
Describe any special ownership circumstances here: _____

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

IRRIGATION DISTRICT NAME NA	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME NA	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME Harney County	ADDRESS 360 N Alvord	
CITY Burns	STATE OR	ZIP 97720

ENTITY NAME NA	ADDRESS	
CITY	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 # 49447

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Description of Water Delivery System

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System capacity: 0.05 cubic feet per second (cfs) OR

_____ gallons per minute (gpm)

OWRD

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. Water is pumped from the wells and conveyed by buried conduit to sprinklers to irrigate the POU.

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)
#1	☒ Authorized ☐ Proposed	HARN 1415	26 S	34 E	6	SE	NW	401	2510' S & 1220' W from NE cor, sec 6
#3	☐ Authorized ☒ Proposed	HARN 1411	26 S	34 E	5	SW	NE	402	1260' N & 1320' E from W ¼ cor, Sec 5
#4	☐ Authorized ☒ Proposed	NOT BUILT	26 S	34 E	5	NW	NW	402	50' S & 590' E from NW Cor. Sec 5

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

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

Table 2. Description of Changes to Water Right Certificate # 49447

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see CODES from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.														
Twp	Rng	Sec	1/4	1/4	Tax Lot	Gvt Lot or DLC	Address	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date				
26	S	34	E	6	SE	NE	401		3.6	IR	#1	1955	POL/POA/AROA	25	S	34	E	32	SW	SE	2800		3.6	IR	#3 & #4	1955
TOTAL ACRES:								3.6														TOTAL ACRES:	3.6			

Additional remarks: _____

SUPERSEDING

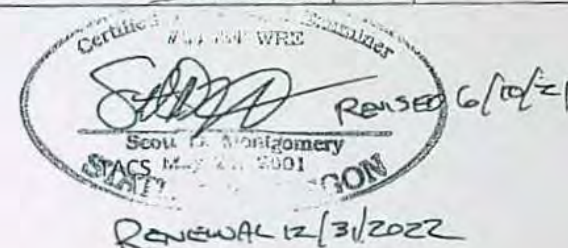
Received by OWRD

JUN 10 2021

Revised 11/6/2019

Permanent Transfer Application Form – Page 8 of 13

Salem, OR



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

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

Table 2. Description of Changes to Water Right Certificate # 49447

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see CODES from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.											
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acre	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp		Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acre	New type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date			
										POD/POA/ARPOA	25 S	34 E	32	SW	SE	2800		3.6	IR	#3 & #4	1955		
26	S	34	E 6	SW	NE	401		35.3	IR	#1	1955		26 S	34 E	6	SW	NE	401		35.3	IR	#1	1955
26	S	34	E 6	SE	NE	401/402		35.2	IR	#1	1955	POD/POA/ARPOA	26 S	34 E	6	SE	NE	401		29.9	IR	#1	1955
												POA/ARPOA	26 S	34 E	6	SE	NE	402		1.7	IR	#3 & #4	1955
26	S	34	E 6	NE	SE	401		1.2	IR	#1	1955		26 S	34 E	6	NE	SE	401		1.2	IR	#1	1955
26	S	34	E 6	NW	SE	401		38.6	IR	#1	1955		26 S	34 E	6	NW	SE	401		38.6	IR	#1	1955
TOTAL ACRES:						110.3						TOTAL ACRES:						110.3					

Additional remarks: _____

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SEP 14 2020

Salem, OR

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

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

Table 2. Description of Changes to Water Right Certificate # 49447

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.												Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.													
Twp	Rng	Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priori ty Date	Twp		Rng	Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date				
26	S	34	E	6	SW	NE	401		35.3	IR	#1	1955	POU/POA	26	S	34	E	6	SW	NE	401		35.3	IR	#1	1955
26	S	34	E	6	SE	NE	401/402		35.2	IR	#1	1955	POU/POA	26	S	34	E	6	SE	NE	401		29.9	IR	#1	1955
26	S	34	E	6	NE	SE	401		1.2	IR	#1	1955	POA/APOA	26	S	34	E	6	SE	NE	402		1.7	IR	#3 & #4	1955
26	S	34	E	6	NW	SE	401		38.6	IR	#1	1955	POU/POA/APOA	25	S	34	E	32	SW	SE	2800		3.6	IR	#3 & #4	1955
													POU/POA	26	S	34	E	6	NE	SE	401		1.2	IR	#1	1955
													POU/POA	26	S	34	E	6	NW	SE	401		38.6	IR	#1	1955
TOTAL ACRES:							110.3							TOTAL ACRES:							110.3					

Additional remarks:_____.

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For Place of Use or Character of Use Changes

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

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

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

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

Ground water supplemental Permit or Certificate # _____;

Surface water primary Certificate # _____.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

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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 rate (gpm) than 1 of wal
See well logs										
#4	no	na	300'	12"	0 to -300'	0 to -20'	-50 to -300'	50'	Sand/grav _el	

13517

CERTIFICATE # 53049

Description of Water Delivery System

System capacity: 0.35 cubic feet per second (cfs) OR

_____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. **Water is pumped from Well 3 and conveyed by buried conduit to a center pivot sprinkler and gated pipe flood irrigation system to irrigate the POU.**

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)
#3	☒ Authorized ☐ Proposed	HARN 1411	26 S	34 E	5	SW	NE	402	1260' N & 1320' E from W ¼ cor, Sec 5
#4	☐ Authorized ☒ Proposed		26 S	34 E	5	NW	NW	402	50' S & 590' E from NW Cor. Sec 5

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

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

Table 2. Description of Changes to Water Right Certificate # 53049

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.												Proposed Changes (see CODES from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.													
Twp	Rng	Sec	4-4	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) name or number (from Table 1)	Priority Date	Twp	Rng		Sec	4-4	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date						
26	S	34	E	5	NE	NW	402	3	3.6	IR	#3	1977	POU/APOA	25	S	34	E	32	SW	SE	2800		11.9	IR	#3 & #4	1977
26	S	34	E	5	NW	NW	402	4	7.4	IR	#3	1977	POU/APOA	25	S	34	E	32	SE	SE	2800		15.7	IR	#3 & #4	1977
26	S	34	E	5	SW	NW	402		8.4	IR	#3	1977	POU/APOA													
26	S	34	E	5	SE	NW	402		6.0	IR	#3	1977	POU/APOA													
26	S	34	E	5	NE	SW	200		1.5	IR	#3	1977	POU/APOA													
26	S	34	E	5	NW	SW	200		0.7	IR	#3	1977	POU/APOA													
TOTAL ACRES:									27.6					TOTAL ACRES:									27.6			

Additional remarks: _____.

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JUN 10 2021

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Salem, OR



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

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

Table 2. Description of Changes to Water Right Certificate # 53049

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AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see CODES from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.													
Twp	Rng		Sec		¼ ¼		Tax Lot	Gvt Lot or DLC	Acre	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng		Sec		¼ ¼		Tax Lot	Gvt Lot or DLC	Acre	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date	
26	S	34	E	5	NE	NW	402	3	35.0	IR	#3	1977	POU/APOA	26	S	34	E	5	NE	NW	402	3	31.4	IR	#3 & #4	1977	
26	S	34	E	5	NW	NW	402	4	35.7	IR	#3	1977	POU/APOA	26	S	34	E	5	NW	NW	402	4	28.3	IR	#3 & #4	1977	
26	S	34	E	5	SW	NW	402		40.0	IR	#3	1977	POU/APOA	26	S	34	E	5	SW	NW	402		31.6	IR	#3 & #4	1977	
26	S	34	E	5	SE	NW	402		37.6	IR	#3	1977	POU/APOA	26	S	34	E	5	SE	NW	402		31.6	IR	#3 & #4	1977	
26	S	34	E	5	NE	SW	200		1.5	IR	#3	1977	POU/APOA	25	S	34	E	32	SW	SE	2800		11.9	IR	#3 & #4	1977	
26	S	34	E	5	NW	SW	200		0.7	IR	#3	1977	POU/APOA	25	S	34	E	32	SE	SE	2800		15.7	IR	#3 & #4	1977	
TOTAL ACRES:									150.5					TOTAL ACRES:									150.5				

Additional remarks: _____.

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SUPERSEDED

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SEP 14 2020

Salem, OR

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

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

Table 2. Description of Changes to Water Right Certificate # 53049

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.														
Twp	Rng		Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp		Rng		Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date				
26	S	34	E	5	NE	NW	402	3	35.0	IR	#1	1977	POU/APOA	26	S	34	E	5	NE	NW	402	3	31.4	IR	#3 & #4	1977		
26	S	34	E	5	NW	NW	402	4	35.7	IR	#1	1977		26	S	34	E	5	NW	NW	402	4	28.3	IR	#3 & #4	1977		
26	S	34	E	5	SW	NW	402		40.0	IR	#1	1977		26	S	34	E	5	SW	NW	402		31.6	IR	#3 & #4	1977		
26	S	34	E	5	SE	NW	402		37.6	IR	#1	1977		26	S	34	E	5	SE	NW	402		31.6	IR	#3 & #4	1977		
26	S	34	E	5	NE	SW	200		1.5	IR	#1	1977		25	S	34	E	32	SW	SE	2800		11.9	IR	#3 & #4	1977		
26	S	34	E	5	NW	SW	200		0.7	IR	#1	1977		25	S	34	E	32	SE	SE	2800		15.7	IR	#3 & #4	1977		
TOTAL ACRES:									150.5						TOTAL ACRES:									150.5				

Additional remarks: _____.

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Certificate # 53049

For Place of Use or Character of Use Changes

OWRD

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: _____.

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

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

Ground water supplemental Permit or Certificate # _____;

Surface water primary Certificate # _____.

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

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

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

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L_____	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well-specific rate (cfs or gpm). If less than full rate of water right
See well log										
#4	no	na	300'	12"	0 to -300'	0 to -20'	-50' to -300'	50'	Sand/gravel	

13517

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

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

RECEIVED

STATE OF OREGON

NOV 4 1977

(Please type or print)

(Do not write above this line)

Well # 7

State Well No.

State Permit No.

265/34E-6

1415

(1) OWNER:

SALEM, OREGON

Name

D.V. Doman

Address

Princeton Oregon

(2) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary ☒ Driven ☐
Cable ☐ Jetted ☐
Dug ☐ Bored ☐

(4) PROPOSED USE (check):

Domestic ☐ Industrial ☐ Municipal ☐
Irrigation ☒ Test Well ☐ Other ☐

CASING INSTALLED:

Threaded ☐ Welded ☒

12" Diam. from 0 ft. to 214 ft. Gage 250

" Diam. from ft. to ft. Gage

" Diam. from ft. to ft. Gage

PERFORATIONS:

Perforated? ☐ Yes ☒ No.

Type of perforator used

Factory

Size of perforations 3/16 in. by 3 in.

10,680 perforations from 39 ft. to 214 ft.

perforations from ft. to ft.

perforations from ft. to ft.

(7) SCREENS:

Well screen installed? ☐ Yes ☒ No

Manufacturer's Name

Type

Model No.

Diam. Slot size Set from ft. to ft.

Diam. Slot size Set from ft. to ft.

(8) WELL TESTS:

Drawdown is amount water level is
lowered below static level

Was a pump test made? ☒ Yes ☐ No If yes, by whom?

Yield: 1000 + gal./min. with 18 ft. drawdown after 4 hrs.

" " " "

" " " "

Bailer test gal./min. with ft. drawdown after hrs.

Artesian flow g.p.m.

Temperature of water 55° Depth artesian flow encountered ft.

(9) CONSTRUCTION:

Well seal—Material used

Cement

Well sealed from land surface to 20 ft.

Diameter of well bore to bottom of seal 22 in.

Diameter of well bore below seal 22 in.

Number of sacks of cement used in well seal 27 sacks

How was cement grout placed?

Was a drive shoe used? ☐ Yes ☒ No Plugs Size: location ft.

Did any strata contain unusable water? ☐ Yes ☒ No

Type of water? depth of strata

Method of sealing strata off

Was well gravel packed? ☒ Yes ☐ No Size of gravel: 3/4 minus

Gravel placed from 20 ft. to 214 ft.

(10) LOCATION OF WELL:

County Harney Driller's well number

SE 1/4 NE 1/4 Section 6 T. 26S. R. 34E W.M.

Bearing and distance from section or subdivision corner

(11) WATER LEVEL: Completed well.

Depth at which water was first found 23 ft.

Static level 35 ft. below land surface. Date 4/21/75

Artesian pressure 214 lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing

Depth drilled ft. Depth of completed well 214 ft.

Formation: Describe color, texture, grain size and structure of materials;
and show thickness and nature of each stratum and aquifer penetrated,
with at least one entry for each change of formation. Report each change in
position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
Clay, Brown, Hard	0	15	
Sand, Fine, Brown	15	23	
Sand med unconsol	23	24	
Clay Brown, Hard	24	26	
clay, Silty, Brown SPT	26	28	35 ft
Sandstone, light med	28	52	35 ft
Lava, grey, hard	52	78	
Sand med unconsol.	78	94	
Sandstone, Brown, hard	94	142	
med grain			
Sandstone coarse + inter-			
bedded w/ coarse Sand	142	214	

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Work started 4/6 1975 Completed 4/21 1975

Date well drilling machine moved off of well 4/18 1975

Drilling Machine Operator's Certification:

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

[Signed] G. B. Richardson Date May 3, 1975
(Drilling Machine Operator)

Drilling Machine Operator's License No. 738

Water Well Contractor's Certification:

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

Name Desert drilling co.
(Person, firm or corporation) (Type or print)

Address

[Signed] Charles E Stodol
(Water Well Contractor)

Contractor's License No. 519 Date May 15 1975

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

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

WATER WELL REPORT

RECEIVED

STATE OF OREGON
(Please type or print)

NOV - 4 1977 (not write above this line)

Well # 3

State Well No. 265/34E-5

State Permit No. 1411

(1) OWNER: WATER RESOURCES DEPT.

Name D.V. Doman SALEM, OREGON
Address Princeton, Oregon

(2) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary ☐ Driven ☐
Cable ☒ Jetted ☐
Dug ☐ Bored ☐

(4) PROPOSED USE (check):

Domestic ☐ Industrial ☐ Municipal ☐
Irrigation ☒ Test Well ☐ Other ☐

CASING INSTALLED:

Threaded ☐ Welded ☒

12" Diam. from 0 ft. to 97 ft. Gage
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

PERFORATIONS:

Perforated? ☐ Yes ☒ No.

Type of perforator used

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

(7) SCREENS:

Well screen installed? ☐ Yes ☐ No

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

(8) WELL TESTS:

Drawdown is amount water level is
lowered below static level

Was a pump test made? ☒ Yes ☐ No If yes, by whom? Rosburg

Yield: 1450 gal./min. with 75 ft. drawdown after 4 hrs.

Baller test gal./min. with ft. drawdown after hrs.

Artesian flow g.p.m.

Temperature of water 55 Depth artesian flow encountered ft.

(9) CONSTRUCTION:

Well seal—Material used Cement

Well sealed from land surface to 22 ft.

Diameter of well bore to bottom of seal 17 in.

Diameter of well bore below seal 12 in.

Number of sacks of cement used in well seal 14 sacks

How was cement grout placed?

Was a drive shoe used? ☒ Yes ☐ No Plugs Size: location ft.

Did any strata contain unusable water? ☐ Yes ☒ No

Type of water? depth of strata

Method of sealing strata off

Was well gravel packed? ☐ Yes ☒ No Size of gravel:

Gravel placed from ft. to ft.

(10) LOCATION OF WELL:

County Harney Driller's well number
Center of 1/4 Section 5 T. 26 S. R. 34 E W.M.

Bearing and distance from section or subdivision corner

(11) WATER LEVEL: Completed well.

Depth at which water was first found 42 ft.

Static level 35 ft. below land surface. Date May 24, 1977

Artesian pressure lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing 12"

Depth drilled 235 ft. Depth of completed well 230 ft.

Formation: Describe color, texture, grain size and structure of materials;
and show thickness and nature of each stratum and aquifer penetrated,
with at least one entry for each change of formation. Report each change in
position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
Top soil	0	4	
Hardpan	4	17	
Light Brown clay	17	42	35
Pumice sm, sand coarse			
Clay mix	42	72	
light Brown clay	72	104	
gravel sm, clay mix	104	123	
coarse sand, gravel			
small, Brown clay mix	123	151	
coarse sand, med pumice	151	157	
med sand, sm. gravel			
Clay mix	157	192	
Hard Brown Sandstone	192	215	

Work started May 16 19 77 Completed May 24 19 77

Date well drilling machine moved off of well May 25 19 77

Drilling Machine Operator's Certification:

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

[Signed] D.V. Doman Date May 28, 19 77
(Drilling Machine Operator)

Drilling Machine Operator's License No. property owner

Water Well Contractor's Certification:

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

Name D.V. Doman
(Person, firm or corporation) (Type or print)

Address Princeton, Oregon

[Signed] D.V. Doman Date May 28, 19 77
(Water Well Contractor)

Contractor's License No. 18517

GREW Scott A * WRD

From: Scott <Scott@apeands.com>
Sent: Monday, September 14, 2020 10:25 AM
To: GREW Scott A * WRD
Subject: RE: application for Todd Titus
Attachments: DOC091420-002.pdf

Scott,

I found that the maps have the incorrect section numbers labeled in T25S, R34E. Attached are my revised maps with the section numbers corrected. Sorry to be 'piece-mealing' this info to you and hopefully you haven't started your review yet and are just checking for completeness of the application.

Best,

Scott

*Scott Montgomery, Owner/Principal
All Points Engineering and Surveying, Inc.
(541) 548-5833*

From: GREW Scott A * WRD <Scott.A.Grew@oregon.gov>
Sent: Monday, September 14, 2020 8:45 AM
To: Scott <Scott@apeands.com>
Subject: RE: application for Todd Titus

Thank you.

Scott Grew
Transfer Specialist
Oregon Water Resources Department
503-986-0890

From: Scott <Scott@apeands.com>
Sent: Saturday, September 12, 2020 11:53 AM
To: GREW Scott A * WRD <Scott.A.Grew@oregon.gov>
Subject: RE: application for Todd Titus

Scott,

I've reviewed the Table 2 for each certificate and found discrepancies with my maps. So, attached to this message are my revised Tables. Thanks,

Scott

*Scott Montgomery, Owner/Principal
All Points Engineering and Surveying, Inc.
(541) 548-5833*

From: GREW Scott A * WRD <Scott.A.Grew@oregon.gov>
Sent: Friday, September 11, 2020 8:50 AM
To: Scott <Scott@apeands.com>
Subject: RE: application for Todd Titus

Recvd Land Use form. Thank you.

Scott Grew
Transfer Specialist
Oregon Water Resources Department
503-986-0890

From: Scott <Scott@apeands.com>
Sent: Thursday, September 10, 2020 1:31 PM
To: GREW Scott A * WRD <Scott.A.Grew@oregon.gov>
Subject: RE: application for Todd Titus

Scott,
Here's a scan of the Land Use form that was omitted from the rest of the packet.
Thanks,
Scott

From: GREW Scott A * WRD <Scott.A.Grew@oregon.gov>
Sent: Thursday, September 10, 2020 12:05 PM
To: Scott <Scott@apeands.com>
Cc: GREW Scott A * WRD <Scott.A.Grew@oregon.gov>
Subject: application for Todd Titus

Scott,

The Department received an application for Todd Titus and the application is missing:

1. the Land Use Form is missing.
2. Evidence of Use for certificate 47447.

Also of note beyond minimum requirements: the Table 2s from the application do not match the acreages on the maps.

Please submit those to the Department by Friday September 18, 2020 or we will return the application as incomplete.

Scott Grew
Transfer Specialist
Oregon Water Resources Department
503-986-0890

Application for Water Right
Transfer
Consent by Deeded Landowner



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

State of Oregon)
County of Harney)ss
)

I Shelly Tiller in my/our capacity as Registered Agent for Bell A Grazing Coop.,
mailing address P.O. Box 1057, Burns, OR 97720,
telephone number 541-413-1628, duly sworn depose and say that I
consent to the proposed change(s) to Water Right Certificate Number 53049
described in a Transfer Application (T-_____) submitted by Todd Titus,
(transfer number, if known)
on the property in tax lot number(s) 200, Section 5, Township 26
South, Range 34 East, W.M., located at no situs address, end of Rodeo Lane.
(site address)

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Shelly Tiller
Signature of Affiant

08042020
Date

Signature of Affiant

Date

Subscribed and Sworn to before me this 4 day of Aug, 2020.



Melissa I Alfstad
Notary Public for Oregon

My commission expires 4-02-22.

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 HARNEY) ss

I, TODD TITUS, in my capacity as OWNER,

mailing address 43431 RODEO LANE, BURNS, OR 97720

telephone number (541)589-2594, 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 # 53049; **OR**

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

Certificate #	Township		Range		Mer	Sec	1/4 1/4		Gov't Lot or DLC	Acres (if applicable)
49447	26	S	34	E	WM	6	SE	NE		5.3

OR

☐ Confirming Certificate # _____ has been issued within the past five years; **OR**

☐ Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: _____ (Note: If the entire right proposed for transfer was not leased, additional evidence of use is needed for the portion not leased instream.); **OR**

☐ The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.

☐ 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)

13517

3. The water right was used for: (e.g., crops, pasture, etc.): CROPS
4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

Jodd Jones
Signature of Affiant

8/24/2020
Date

Signed and sworn to (or affirmed) before me this 24 day of August, 2020.



Anna Rose Clemens
Notary Public for Oregon
My Commission Expires: March 20, 2023

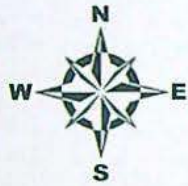
Supporting Documents	Examples
☐ Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of confirming water right certificate that shows issue date
☒ Copies of receipts from sales of irrigated crops or for expenditures related to use 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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T26S R 34E, W.M.

June 2016 aerial imagery from NRCS Gateway website imported into ArcMap GIS software in statewide Lambert projection.

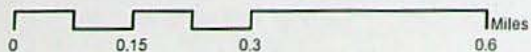


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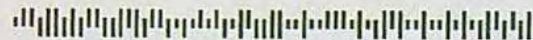
HARNEY ELECTRIC COOPERATIVE INC.
277 Lottery Lane • PO Box 587
Hines, Oregon 97738-0587

OWNED BY THOSE WE SERVE

BURNS OFFICE TELEPHONE (541) 573-2061
OROVADA SERVICE CENTER (775) 272-3336

TODD TITUS
DEBORAH L TITUS
43613 RODEO LN
BURNS OR 97720-9561

C-1 P-2



- PAYMENTS MUST BE RECEIVED OR POSTMARKED BY THE DUE DATE TO RECEIVE THE 20% DISCOUNT.
- FAILURE TO RECEIVE BILL DOES NOT EXEMPT YOU FROM MONTHLY PAYMENT. IF YOU DON'T GET A BILL, CALL HEC.
- PLEASE READ YOUR METER BY THE 15TH, IF APPLICABLE, AND RETURN STUB WITH YOUR CURRENT PAYMENT.

BILLING SUMMARY	Billing Date	09/08/2017
	Balance Forward	0.00
	Current Billing	2,975.35
	Discount if Paid by	09/25/2017 -595.07
	Amount Due if Paid by	09/25/2017 2,380.28
	Amount Due After	09/25/2017 2,975.35

Account #: [REDACTED]

Page 1 of 1

Account #	Meter #	R A T E	M U L T	Previous Reading	Present Reading	KWH Used	Energy Charge	Other Charge	Security Light
Service Description				Service From:	Service To:	Demand Used	Demand/HP Charge	Tax Charge	Gross* Amount
[REDACTED]	84411915	IR1	1.0	7521	50026	42505	2,975.35		
	87 HP IRR	REG		07/30/17	08/30/17				2,975.35 *

CK # 1284 Hax Act
Pd \$ 2380.28
9/22/17

Payments Received Since Last Billing \$1,961.96

13517

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HARNEY ELECTRIC COOPERATIVE INC.
277 Lottery Lane • PO Box 587
Hines, Oregon 97738-0587

OWNED BY THOSE WE SERVE

BURNS OFFICE TELEPHONE (541) 573-2061
OROVADA SERVICE CENTER (775) 272-3336

TODD TITUS
DEBORAH L TITUS
43613 RODEO LN
BURNS OR 97720-9561

C-1 P-2



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BILLING SUMMARY	Billing Date	06/06/2017
	Balance Forward	13.30
	Current Billing	1,279.39
	Discount if Paid by	06/25/2017 -255.88
	Amount Due if Paid by	06/25/2017 1,036.81
	Amount Due After	06/25/2017 1,292.69

Account #: [REDACTED]

Page 1 of 1

Account #	Meter #	RATE	MULT	Previous Reading	Present Reading	KWH Used	Energy Charge	Other Charge	Security Light
Service Description				Service From:	Service To:	Demand Used	Demand/HP Charge	Tax Charge	Gross* Amount
[REDACTED]	84411915	IR1	1.0	25968	44245	18277	1,279.39		
	87 HP IRR	REG		04/28/17	05/31/17				1,279.39*

*Paid
Chk # 1202 6/22/17*

Payments Received Since Last Billing \$0.00

13517

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JR)) Helena Chemical Co.
et Culver, OR 97734



Delivery Ticket

194700711

Loaded

To: TODD TITUS
43613 RODEO LN
BURNS, OR 97720

Date 07/18/2017
Time 8:36:38 AM

Customer ID 7675994 / 5414932837
Customer PO#
Salesperson 26841
Shipping Via.

Ship To: 43613 RODEO LN
BURNS, OR 97720

Description

Ticket Type Pickup

Comments:

Quantity	Description	EPA Registration #	Load Amount	Unit Price
288.000	GAL Nucleus O-Phos 8-24-0 (Bulk Gal)		288.000 BLK	
5.960	TON Ammonium Sulfate Fertilizer 8-0-0-9 (Liquid Ton)		5.960 BLK	
5.000	GAL KickStand ZN 7% (2x2.5 Gal)(Gal)		1.000 CS	
48.000	GAL Kickstand Zinc 7% (250 Gal Mini Bulk Gal)		.192 BLK	

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sl

Received by: _____ Date: _____

PURCHASER ACKNOWLEDGES AND AGREES TO THE TERMS AND CONDITIONS OF SALE NOTED ON THE REVERSE SIDE HEREOF.

TODD TITUS

Delivery Ticket 194700711

13517

(Culver (OR)) Helena Chemical Co.
505 C Street
Culver OR 97734
541-546-5222 Fax: 541-546-2237



Invoice

194730984

Bill To: TODD TITUS
43613 RODEO LN
BURNS, OR 97720
US

Invoice Date 08/16/2017
Due Date 09/15/2017

Customer ID 7675994

Salesperson 26841
Shipping Loc. 1

Ship To: 43613 RODEO LN
BURNS, OR 97720
US

Acres 140 Alfalfa
Ticket(s) 194710585

Quantity	Description	Unit Price	Total \$
7.780 Tons	8-4-0.0 7S	368.33 /Tons	2,865.61
7.780 TON	Fertilizer Delivery Fee (Ton)	25.00 /TON	194.50

*Paid
Chet
1277
9/4/17*

Sub Total 3,060.11

Amount Due 3,060.11

NOTE: By acceptance of the products or services reflected on this invoice, the purchaser agrees to be bound by all the terms and conditions of sale set forth in this invoice, including those on the reverse side of this invoice.

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Remit To: Helena Chemical Company
P O Box 742558

Los Angeles CA 90074-2558

h
ODD TITUS

Invoice 13517194730984



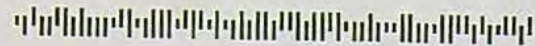
HARNEY ELECTRIC COOPERATIVE INC.
277 Lottery Lane • PO Box 587
Hines, Oregon 97738-0587

OWNED BY THOSE WE SERVE

BURNS OFFICE TELEPHONE (541) 573-2061
OROVADA SERVICE CENTER (775) 272-3336

TODD TITUS
DEBORAH L TITUS
43613 RODEO LN
BURNS OR 97720-9561

C-1 P-2



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BILLING SUMMARY	Billing Date	05/06/2016
	Balance Forward	0.00
	Current Billing	1,291.67
	Discount if Paid by	05/25/2016 -258.33
	Amount Due if Paid by	05/25/2016 1,033.34
	Amount Due After	05/25/2016 1,291.67

Account #: [REDACTED]

Page 1 of 1

Account #	Meter #	RATE	MULT	Previous Reading	Present Reading	KWH Used	Energy Charge	Other Charge	Security Light
Service Description				Service From:	Service To:	Demand Used	Demand/HP Charge	Tax Charge	Gross* Amount
[REDACTED]	84411915	IR1	1.0	42868	58441	15573	1,245.84	45.83	
	87 HP IRR	REG		03/07/16	04/26/16				1,291.67*
	84411915	IR1	1.0	42868	42868	0	1,245.84	45.83	
	87 HP IRR	REG		03/07/16	04/26/16				1,291.67*

*pd ck# 1191
May Act.
\$1033.34*

Payments Received Since Last Billing \$0.00

2016 Sept. Receipts Documents

13517

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HARNEY ELECTRIC COOPERATIVE INC.
277 Lottery Lane • PO Box 587
Hines, Oregon 97738-0587

OWNED BY THOSE WE SERVE

BURNS OFFICE TELEPHONE (541) 573-2061
OROVADA SERVICE CENTER (775) 272-3336

TODD TITUS
DEBORAH L TITUS
43613 RODEO LN
BURNS OR 97720-9561

C-1 P-2



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BILLING SUMMARY	Billing Date	08/05/2016
	Balance Forward	0.00
	Current Billing	1,711.08
	Discount if Paid by	08/25/2016 -342.22
	Amount Due if Paid by	08/25/2016 1,368.86
	Amount Due After	08/25/2016 1,711.08

Account #: [REDACTED]

Page 1 of 1

Account #	Meter #	RATE	MULT	Previous Reading	Present Reading	KWH Used	Energy Charge	Other Charge	Security Light
Service Description				Service From:	Service To:	Demand Used	Demand/HP Charge	Tax Charge	Gross* Amount
[REDACTED]	84411915	IR1	1.0	27557	52001	24444	1,711.08		
87 HP IRR		REG		07/02/16	07/30/16				1,711.08*

paid check # 1341 8-23-16

RECEIVED

SEP 04 2020

OWRD

13517

Payments Received Since Last Billing \$4,370.32



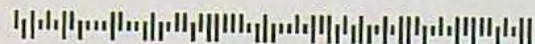
HARNEY ELECTRIC COOPERATIVE INC.
277 Lottery Lane • PO Box 587
Hines, Oregon 97738-0587

OWNED BY THOSE WE SERVE

BURNS OFFICE TELEPHONE (541) 573-2061
OROVADA SERVICE CENTER (775) 272-3336

TODD TITUS
DEBORAH L TITUS
43613 RODEO LN
BURNS OR 97720-9561

C-1 P-2



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BILLING SUMMARY	Billing Date	09/09/2016
	Balance Forward	-499.83
	Current Billing	3,297.14
	Discount if Paid by	09/25/2016 -659.43
	Amount Due if Paid by	09/25/2016 2,137.88
	Amount Due After	09/25/2016 2,797.31

Account # [REDACTED]

Page 1 of 1

Account #	Meter #	RATE	MULT	Previous Reading	Present Reading	KWH Used	Energy Charge	Other Charge	Security Light
Service Description				Service From:	Service To:	Demand Used	Demand/HP Charge	Tax Charge	Gross* Amount
[REDACTED]	84411915	IR1	1.0	52001	99103	47102	3,297.14		
87 HP IRR		REG		07/30/16	09/02/16				3,297.14*

9/24/16

CK# 1250

PD

2,137.88

13517

OWRD

SEP 04 2020

RECEIVED

Payments Received Since Last Billing \$1,368.86



HARNEY ELECTRIC COOPERATIVE INC.
 277 Lottery Lane • PO Box 587
 Hines, Oregon 97738-0587

OWNED BY THOSE WE SERVE

BURNS OFFICE TELEPHONE (541) 573-2061
 OROVADA SERVICE CENTER (775) 272-3336

TODD TITUS
 DEBORAH L TITUS
 43613 RODEO LN
 BURNS OR 97720-9561

C-1 P-2



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BILLING SUMMARY	Billing Date	10/06/2016
	Balance Forward	0.00
	Current Billing	1,302.00
	Discount if Paid by	10/25/2016 -260.40
	Amount Due if Paid by	10/25/2016 1,041.60
	Amount Due After	10/25/2016 1,302.00

Account #: [REDACTED]

Page 1 of 1

Account #	Meter #	RATE	MULT	Previous Reading	Present Reading	KWH Used	Energy Charge	Other Charge	Security Light
Service Description				Service From:	Service To:	Demand Used	Demand/HP Charge	Tax Charge	Gross* Amount
[REDACTED]	84411915	IR1	1.0	99103	17703	18600	1,302.00		
87 HP IRR		REG		09/02/16	10/01/16				1,302.00 *

*Paid
 Ck # 12545
 10/23/14*

Payments Received Since Last Billing \$2,137.88

13517

OWRD

SFP 04 2020

RECEIVED



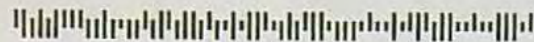
HARNEY ELECTRIC COOPERATIVE INC.
277 Lottery Lane • PO Box 587
Hines, Oregon 97738-0587

OWNED BY THOSE WE SERVE

BURNS OFFICE TELEPHONE (541) 573-2061
OROVADA SERVICE CENTER (775) 272-3336

TODD TITUS
DEBORAH L TITUS
43613 RODEO LN
BURNS OR 97720-9561

C-1 P-2



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BILLING SUMMARY	Billing Date	11/07/2016
	Balance Forward	0.00
	Current Billing	659.36
	Discount if Paid by	11/25/2016 -131.87
	Amount Due if Paid by	11/25/2016 527.49
	Amount Due After	11/25/2016 659.36

Account #: [REDACTED]

Page 1 of 1

Account #	Meter #	R A T E	M U L T	Previous Reading	Present Reading	KWH Used	Energy Charge	Other Charge	Security Light
Service Description				Service From:	Service To:	Demand Used	Demand/HP Charge	Tax Charge	Gross* Amount
[REDACTED]	84411915	IR1	1.0	17703	25945	8242	659.36		
	87 HP IRR	REG		10/01/16	10/31/16				659.36 *

Paid
Chk #
1259

13517

OWRD

SEP 04 2020

RECEIVED

Payments Received Since Last Billing \$1,041.60

(Culver (OR)) Helena Chemical Co.
505 C-Street
Culver OR 97734
541-546-5222 Fax: 541-546-2237



Invoice

194718479

Bill To: TODD TITUS
43613 RODEO LN
BURNS, OR 97720
US

Invoice Date 04/12/2016
Due Date 05/15/2016

Customer ID 7675994

Salesperson 26841
Shipping Loc. 1

Ship To: 43613 RODEO LN
BURNS, OR 97720
US

Comments: DELIVERED BY HCC - JOHN

Quantity	Description	Unit Price	Total \$
240.000	BAG Barley Haybet (50 Lb Bag)(Bag)	11.98 /BAG	2,875.20
6.000	EA Pallet - 42x48 (Ea)	8.00 /EA	48.00
6.000	EA Freight Seed	20.00 /EA	120.00

*We have
a credit*

Sub Total 3,043.20

NOTE: By acceptance of the products or services reflected on this invoice, the purchaser agrees to be bound by all the terms and conditions of sale set forth in this invoice, including those on the reverse side of this invoice.

Amount Due 3,043.20

RECEIVED

SEP 04 2020

OWRD

HD

Remit To: Helena Chemical Company
P O Box 742558

Los Angeles CA 90074-2558

TODD TITUS

Invoice 13517 194718479

(Culver (OR)) Helena Chemical Co.
505 C Street
Culver OR 97734
541-546-5222 Fax: 541-546-2237



Invoice

194719056

Invoice Date 04/25/2016
Due Date 05/15/2016

Customer ID 7675994

Salesperson 26841
Shipping Loc. 1

Ticket(s) 194697740

Bill To: TODD TITUS
43613 RODEO LN
BURNS, OR 97720
US

Ship To: 43613 RODEO LN
BURNS, OR 97720
US

Comments: DELV BY BRAD

Quantity	Description	Unit Price	Total \$
40.000 BAG	Barley Haybet (50 Lb Bag)(Bag)	11.98 /BAG	479.20
1.000 EA	Pallet - 42x48 (Ea)	8.00 /EA	8.00

Sub Total 487.20

Amount Due 487.20

NOTE: By acceptance of the products or services reflected on this invoice, the purchaser agrees to be bound by all the terms and conditions of sale set forth in this invoice, including those on the reverse side of this invoice.

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Sales Order 194715741 hd

Remit To: Helena Chemical Company
P O Box 742558

Los Angeles CA 90074-2558

TODD TITUS

Invoice

194719056

13517

ario

74th Street

OR 97914

89-2353 Fax: (541)889-2511

Lic#: AG-L0129177CP0

To: TODD TITUS (A1)
43613 RODEO LN
BURNS, OR 97720

Ship To: TODD TITUS (A1)
43613 RODEO LN
BURNS, OR 97720

Simplot

GROWER SOLUTIONS

Invoice

705071042

Invoice Date 08/24/2016
Due Date 11/20/2016

Customer ID 1995

Salesperson smithw
Shipping Loc. 1005

Acres 65
Ticket(s) 370523206, 1705031370

Comments: ACW Spread / Home Pivot

Quantity	Description	Unit Price	Total \$
Analysis: 17 - 17 - 0 - 0 - 16			
3.320 Tons	21-00-00 AMM SUL-REG [T]	431.57 /Tons	1,432.81
1.660 Tons	11-52-00 (MAP) [T]	594.73 /Tons	987.25
26.000 Bag	ALFALFA MASTERPIECE II COATED [50B]	204.21 /Bag	5,309.46
150.000 Lbs	GRASS PAIUTE ORCHARD [50L]	3.54 /Lbs	531.00
19.500 Cwt	BARLEY HAYS [1C]	28.94 /Cwt	564.33
4.980 Tons	BLENDING-NUTRITION [T]	2.50 /Tons	12.45
65.000 Acre	THIRD-PARTY BROADCAST-NUTRITION [1A]	7.40 /Acre	481.00

Interest of 1.5% per month or maximum allowable by state law will be charged on the amount of this invoice remaining unpaid one day from the date on which the same becomes due. It is understood and agreed that in the event this account is not paid in full within one month from the date on which the same becomes due the seller may assign the same for collection and the customer agrees to pay all costs including reasonable attorney's fees necessary to collect the same. Invoices with credit balances are redeemable for goods or cash. Products listed hereon are sold AS IS WITH ALL EXISTING FAULTS. THERE ARE NO WARRANTIES WHICH EXTEND BEYOND THE DESCRIPTION ON THE FACE OF THE PRODUCT LABEL and seller makes no warranty, expressed or implied as to the MERCHANTABILITY of the product. The customer assumes all risk of loss or liability resulting from the use of the above listed products.
NOTICE OF AGRICULTURAL SUPPLIER'S LIEN: Notice is hereby given that a Supplier's lien may be filed on all products sold and services performed.

Sub Total 9,318.30

Amount Due 9,318.30

Discount Options

If Paid By	Discount	Deduct	Pay This
09/15/2016	5.000%	465.91	8852.39

RECEIVED

SEP 04 2020

OWRD

Recommendation Was Made By or Provided to the Seller. Yes No

TODD TITUS (A1)

Pesticide # Andy Root AG-L1008673CPA Exp. Date 12/31/2016

Invoice

135107071042



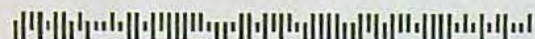
HARNEY ELECTRIC COOPERATIVE INC.
277 Lottery Lane • PO Box 587
Hines, Oregon 97738-0587

OWNED BY THOSE WE SERVE

BURNS OFFICE TELEPHONE (541) 573-2061
OROVADA SERVICE CENTER (775) 272-3336

TODD TITUS
DEBORAH L TITUS
43613 RODEO LN
BURNS OR 97720-9561

C-1 P-2



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BILLING SUMMARY	Billing Date	10/05/2017
	Balance Forward	0.00
	Current Billing	1,992.13
	Discount if Paid by	10/25/2017 -398.43
	Amount Due if Paid by	10/25/2017 1,593.70
	Amount Due After	10/25/2017 1,992.13

Account #: [REDACTED]

Page 1 of 1

Account #	Meter #	R A T E	M U L T	Previous Reading	Present Reading	KWH Used	Energy Charge	Other Charge	Security Light
Service Description				Service From:	Service To:	Demand Used	Demand/HP Charge	Tax Charge	Gross* Amount
[REDACTED]	84411915	IR1	1.0	50026	78485	28459	1,992.13		
87 HP IRR		REG		08/30/17	09/30/17				1,992.13 *

2017
Receipts
Documents

13517

OWRD

SEP 04 2017

RECEIVED

Paid
Chk # 1288
10/27/17

Payments Received Since Last Billing \$2,380.28



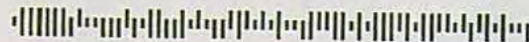
HARNEY ELECTRIC COOPERATIVE INC.
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Hines, Oregon 97738-0587

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C-1 P-2



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BILLING SUMMARY	Billing Date	08/04/2017
	Balance Forward	0.00
	Current Billing	2,452.45
	Discount if Paid by	08/25/2017 -490.49
	Amount Due if Paid by	08/25/2017 1,961.96
	Amount Due After	08/25/2017 2,452.45

Account #: [REDACTED]

Page 1 of 1

Account #	Meter #	R A T E	M U L T	Previous Reading	Present Reading	KWH Used	Energy Charge	Other Charge	Security Light
Service Description				Service From:	Service To:	Demand Used	Demand/HP Charge	Tax Charge	Gross* Amount
[REDACTED]	84411915	IR1	1.0	72486	7521	35035	2,452.45		
87 HP IRR		REG		07/02/17	07/30/17				2,452.45 *

RECEIVED
SEP 04 2020
OWRD

*Paid Check # 1274
8/22/17*

Payments Received Since Last Billing \$1,581.50

13517

Harney County

[Back](#) [Forward](#) [Search Page](#) [Logoff](#)

[Help](#)
[Detail Help](#)

Account # [REDACTED] Tax Status ASSESSABLE
Map # 26S34E000000402 Account Status ACTIVE
Code - Tax # 0420-92686 Subtype NORMAL
Owner TITUS, TODD N & DEBORAH L
Agent
Mailing Address 43431 RODEO LN
BURNS, OR 97720-9562

[Reports](#)

[Summary Report](#)

[Ledger Report](#)

[Tax Summary Report](#)

[Names](#)

[Legal Report](#)

[Improvements](#)

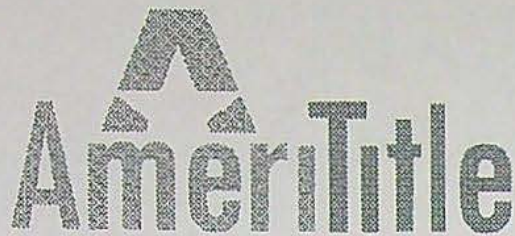
[Images](#)

[Documents/Images](#)

Link	Site	Bldg #	Stat Class	Code Area	Year Built	Eff Year Built	Description	Livable Size
I		1	143	0420	1980	1990	Two story	4848
I		2	310	0420		1980	MACHINE SHED	7525
I		3	390	0420		1980	MISCELL	0
I		4	311	0420		1980	MAINLINE 8"	1420
I		5	322	0420		2000	FREE STALL BARN	6406
I		7	322	0420	1999	1999	FREE STALL BARN	5472

DISCLAIMER AND LIMITATION OF LIABILITY

This site provides Harney County data for your convenience. Every reasonable effort has been made to assure the accuracy of data. Harney County makes no warranty, representation or guaranty as to the content, accuracy, timeliness or completeness of any of the data provided herein. Information on the Harney County web site is not guaranteed to be accurate and may contain errors and omissions. Harney County explicitly disclaims any representations and warranties, including, without limitation, the implied warranties of merchantability and fitness for a particular purpose. Harney County shall assume no liability for any errors, omissions, or inaccuracies in the information provided regardless of how caused. Harney County shall assume no liability for any decisions made or actions taken or not taken by the user of the applications in reliance upon any information or data furnished hereunder. If reliance upon computer record is intended, verification of information on source documents is required.



Property Profile

This Package Includes Information Regarding:

Multiple Parcels, 26S 34E TL 200
Bare Land Harney County, Oregon
Burns OR 97720

Harney

Prepared For:

State of Oregon
Water Resources Department

July 29, 2021

Local Contact Information:

Amerititle
111 W. Washington
Burns OR 97720

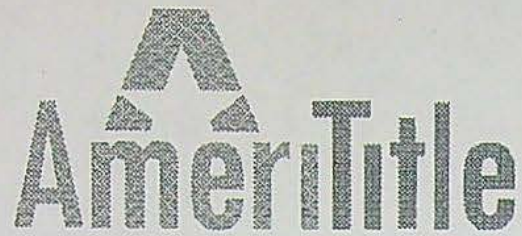
Received by OWRD

JUL 30 2021

Salem, OR

*The Information provided is Deemed Reliable but is Not Guaranteed.

NOTICE: This report is based on a search of our tract indexes of the County records. This is not a title or ownership report and no examination of the title to the property described has been made. For this reason, no liability is assumed hereunder, and AmeriTitle is not responsible beyond the amount paid for any errors and/or omissions contained herein



Property Profile

This Package Includes Information Regarding:

Multiple Parcels, 43613 Rodeo Lane
Burns OR 97720

Harney

Prepared For:

State of Oregon
Water Resources Department

July 29, 2021

Local Contact Information:

Amerititle
111 W. Washington
Burns OR 97720

Received by OWRD

JUL 30 2021

Salem, OR

*The Information provided is Deemed Reliable but is Not Guaranteed.

NOTICE: This report is based on a search of our tract indexes of the County records. This is not a title or ownership report and no examination of the title to the property described has been made. For this reason, no liability is assumed hereunder, and AmeriTitle is not responsible beyond the amount paid for any errors and/or omissions contained herein

WARRANTY DEED 127726 82 288

RA/106

BELL "A" LAND AND CATTLE COMPANY, an Oregon Corporation,
hereinafter called grantor, conveys to BELL "A" GRAZING COOPERATIVE,
INC., a non-profit corporation of the State of Oregon, all that real
property situated in Harney County, State of Oregon, described as:

Per Exhibit A attached, Pages 1 and 2,

and covenants that Grantor is the owner of the above described
property free of all encumbrances save and except Reservations
in Patents and State Deeds, and Easements of record, and save and
except those certain undivided one-half interests in the royalties
and minerals as described in Book 62, Page 556, Deeds, and will
warrant and defend the same against all persons who may lawfully
claim the same, except as shown above.

DATED this 18th day of April, 1967.



BELL "A" LAND AND CATTLE COMPANY

By: [Signature]
President

By: [Signature]
Secretary

TATE & GIBSON, Notary Public
County of Harney, Oregon
I certify that the within instrument of writing
was recorded for record on the 18th day of
April, A.D. 1967 at 4:23 P.M. and recorded in Book 82 at page 288
Deed, Harney County,
DON C. FLUTE, Clerk
By [Signature] County

STATE OF OREGON)
County of Harney) ss
April 18, 1967

Personally appeared Cameron Cliff, who being sworn,
stated that he is the President of Grantor Corporation and that
the seal affixed hereto is its seal and that this Deed was voluntarily
signed and sealed in behalf of the Corporation by authority of
its Board of Directors. Before:

Received by OWRD

JUL 30 2021

Salem, OR

[Signature]
Notary Public for Oregon

My Commission Expires: Jan. 9, 1970

EXHIBIT "A"

RANCH ARB #106

127726

Land in Harney County, Oregon, as follows:

BOOK 82 PAGE 289

In Twp. 23 S., R. 31 E., W.M.:

Sec. 21: Lots 1, 2, 3, 4, 5, 6, 7 and 8, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$.

Sec. 22: Lots 1 and 2, SE $\frac{1}{4}$ SW $\frac{1}{4}$, N $\frac{1}{2}$, N $\frac{1}{2}$ S $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$.

Sec. 23: All, SAVE AND EXCEPT highway right of way conveyed to the State of Oregon by deed recorded Feb. 2, 1967, in Book 81, Page 580, Deeds.

Sec. 24: SW $\frac{1}{4}$, SAVE AND EXCEPT highway right of way conveyed to the State of Oregon, by deed recorded Feb. 2, 1967, in Book 81, Page 580, Deeds.

Sec. 25: All, SAVE AND EXCEPT highway right of way conveyed to the State of Oregon, by deed recorded July 2, 1946, in Book 43, Page 373, Deeds.

Sec. 26: N $\frac{1}{2}$, SW $\frac{1}{4}$.

Sec. 27: Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11, N $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$.

Sec. 28: SE $\frac{1}{4}$.

Sec. 35: Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11, NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$.

In Twp. 23 S., R. 32 E., W.M.:

Sec. 10: SW $\frac{1}{4}$.

Sec. 15: All.

Sec. 22: N $\frac{1}{2}$.

Received by OWRD

JUL 30 2021

Salem, OR

In Twp. 24 S., R. 31 E., W.M.:

Sec. 2: Lots 3, 4, 5, 6, 12 and 13.

Sec. 3: Lots 1, 2, 3, 4 and 5, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$, SAVE AND EXCEPT railroad right of way conveyed to the Oregon-Washington Railroad and Navigation Company, a corporation, by deed recorded Feb. 8, 1924, in Book 31, Page 122, Deeds.

Sec. 11: NW $\frac{1}{4}$, SAVE AND EXCEPT railroad right of way conveyed to the Oregon-Washington Railroad and Navigation Company, a corporation, by deed recorded Feb. 8, 1924, in Book 31, Page 122, Deeds.

In Twp. 25 S., R. 32 $\frac{1}{2}$ E., W.M.:

Sec. 24: N $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$.

In Twp. 25 S., R. 33 E., W.M.:

Sec. 12: That portion of the S $\frac{1}{2}$ lying and being South

EXHIBIT "A"

127726

Book 82 p. 290

of the railroad right of way, SAVE AND EXCEPT highway right of way conveyed to the State of Oregon, by deed recorded Oct. 23, 1947, in Book 47, Page 198, Deeds.

Sec. 13: All, SAVE AND EXCEPT highway right of way conveyed to the State of Oregon, by deed recorded June 26, 1947, in Book 46, Page 255, Deeds.

Sec. 14: $W\frac{1}{2}$, $W\frac{1}{2}SE\frac{1}{4}$.

Sec. 23: $NW\frac{1}{4}$.

In Twp. 25 S., R. 34 E., W.M.:

Sec. 17: All, SAVE AND EXCEPT railroad right of way conveyed to the Oregon-Washington Railroad and Navigation Company, a corporation, by deed recorded June 19, 1914, in Book "X", Page 117, Deeds.

Sec. 19: Lots 1, 2, 3 and 4, $E\frac{1}{2}W\frac{1}{2}$, $E\frac{1}{2}$, SAVE AND EXCEPT highway right of way conveyed to the State of Oregon, by deed recorded June 5, 1948, in Book 49, Page 48, Deeds.

Sec. 20: $N\frac{1}{2}$, $SE\frac{1}{4}$.

Sec. 21: All.

Sec. 27: All.

Sec. 28: $W\frac{1}{2}NE\frac{1}{4}$, $SE\frac{1}{4}NE\frac{1}{4}$, $N\frac{1}{2}NW\frac{1}{4}$, $SE\frac{1}{4}NW\frac{1}{4}$, $E\frac{1}{2}SW\frac{1}{4}$.

Sec. 29: All.

Sec. 33: All.

Received by OWR

JUL 30 2021

Salem, OR

In Twp. 26 S., R. 34 E., W.M.:

Sec. 3: $SW\frac{1}{4}NW\frac{1}{4}$, $SW\frac{1}{4}$, $W\frac{1}{2}SE\frac{1}{4}$.

Sec. 4: Lots 1, 2, 3 and 4, $S\frac{1}{2}N\frac{1}{2}$, $S\frac{1}{2}SE\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}$, $N\frac{1}{2}S\frac{1}{2}$.

Sec. 5: Lots 1 and 2, $S\frac{1}{2}NE\frac{1}{4}$, $N\frac{1}{2}S\frac{1}{2}$.

Sec. 9: $N\frac{1}{2}$.

Sec. 10: $W\frac{1}{2}NE\frac{1}{4}$, $SE\frac{1}{4}NE\frac{1}{4}$, $N\frac{1}{2}NW\frac{1}{4}$, $SW\frac{1}{4}NW\frac{1}{4}$, $SE\frac{1}{4}SE\frac{1}{4}$.

Sec. 11: $S\frac{1}{2}NW\frac{1}{4}$, $SW\frac{1}{4}$.

Sec. 14: $N\frac{1}{2}NW\frac{1}{4}$.

Sec. 15: $NE\frac{1}{4}NE\frac{1}{4}$.

Together with all Water Rights and Federal Grazing Rights appurtenant to said described premises and claims of ownership and rights of ownership by way of adverse possession of any lands which may adjoin any of the herein described premises, if any, and any claims, rights and privileges by way of prescriptive rights and easements which appertain to any of the herein described lands.

BELL "A" LAND AND CATTLE COMPANY

BY:

President

BY:

Secretary

Ranch Arb #106

Page 2

402
113

20031298

Received by OWRD

JUL 30 2021

Salem, OR

STATE OF OREGON }
County of Harney } ss
I certify that the within instrument was received
for record on the 3 day of July
2021 at 4:56 o'clock P.M. and
recorded Microfilm number 20131298
Deed Records of said County.
Maria Iturriaga, County Clerk
By: [Signature] Deputy

WARRANTY DEED

SEND TAX STATEMENTS TO:

Todd N. Titus
Deborah L. Titus
35566 Hutchensen Lane
Burns, OR 97720

AFTER RECORDING RETURN TO:

Todd N. Titus
Deborah L. Titus
35566 Hutchensen Lane
Burns, OR 97720

The true and actual consideration for this conveyance is not stated in the terms of dollars because said consideration consists of or includes other property or other value given or promised which other property or value is either a part of or the whole consideration.

PAUL W. ABLES and CHERYL R. ABLES, husband and wife, as tenants by the entirety, Grantor, convey and warrant to TODD N. TITUS and DEBORAH L. TITUS, husband and wife, tenants by the entirety, Grantee, the following described real property free of encumbrances except as specifically set forth herein:

A PARCEL OF LAND located in the NW¼ of Sec. 5, NE¼ of Sec. 6, Twp. 26 S., R. 34 E., W.M., Harney County, Oregon, more particularly described as follows:

Parcel No. 2A of Partition Plat No. 00-03-117, recorded March 6, 2000,
Instrument No. 20000474, Harney County, Plat Records.

SAVE & EXCEPT Beginning at the Northeast corner of Sec. 6;
thence S. 89° 59' 52" W. along the North boundary of Sec. 6, 1413.36
feet to the Southwest corner of Sec. 32, Twp. 25 S., R. 34 E.,
W.M.;
thence S. 89° 57' 03" W. along the North boundary of Sec. 6, 897.31
feet;
thence on a 330.00 foot radius curve to the right (long chord bears S.

INSTRUMENT # 20031224

57° 38' 03" E. 353.79 feet) an arc distance of 373.39 feet;
thence S. 25° 13' 10" E. 962.71 feet;
thence on a 410.00 foot radius curve to the left (long chord bears S. 58°
15' 05" E. 446.99 feet) an arc distance of 472.74 feet;
thence N. 88° 43' 00" E. 495.65 feet;
thence N. 29° 27' 41" E. 1476.14 feet to the point of beginning.

TOGETHER WITH any and all tenements, hereditaments and appurtenances there unto belonging or used in connection therewith, and all water and water rights used upon or appurtenant to said property, however evidenced.

Code No. 4-2

Acct. No. [REDACTED]

Map No.:26S34E

Tax Lot: 402

SUBJECT TO:

1. Any fact which could be ascertained by a physical inspection or correct survey of the above property; any fact which could be ascertained by making inquiry of persons owning or in possession of adjoining property; and reservations and exceptions in patents or in Acts authorizing the issuance thereof.
2. The land herein described has been zoned or classified for farm use, and if said land is disqualified for such use, the property will be subject to additional taxes or penalties and interest.
3. Oil and gas lease to Earl C. Miller, Trustee, and assignment thereof to Oregon Oil Company, recorded February 16, 1931, Book/Page "C"/222, Harney County Public Records.
4. Reservation of gas and minerals in deed from Irvin D. Smith and Susan O. Smith recorded July 15, 1977, Book/Page 104/272, Harney County Public Records.
5. Road right of way as disclosed by affidavits recorded April 5, 1979, in Book 109, Pages 217-221, Harney County Public Records.
6. Easement as granted to Bell-A Organization, recorded February 21, 2001, Instrument No. 20010316, Harney County Public Records.
7. Easement as granted to Centurytel of Eastern Oregon, Inc., dba Centurytel, recorded August 31, 2001, Instrument No. 20011594, and re-recorded September 17, 2001,

WARRANTY DEED -2-

Received by OWRD

JUL 30 2021

Salem, OR

INSTRUMENT # 20031244

Instrument No. 20011680, Harney County Public Records.

"THIS INSTRUMENT WILL 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 APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930."

The true and actual consideration for this conveyance is stated above and is incorporated herein by this reference.

DATED this 1st day of July, 2003.

GRANTOR:

Paul W. Ables

Paul W. Ables

Cheryl R. Ables

Cheryl R. Ables

Received by OWRD

STATE OF OREGON)
) ss.
County of Clackamas)

JUL 30 2021

Salem, OR

Personally appeared the above named Paul W. Ables and Cheryl R. Ables and acknowledged the foregoing instrument to be their voluntary act and deed before me this 1 day of July, 2003.

Emily A. Ouellette

Notary Public for Oregon

My Commission Expires: April 2, 2007



2800/98

253400 Z

2700/98

263400 9

20051515

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS THAT, PAUL W. ABLES and CHERYL ABLES, husband and wife, Grantors, for and in consideration of the sum of One EIGHTY THOUSAND AND NO/100 DOLLARS paid by the Grantees, herein, do hereby grant, bargain, sell and convey unto TODD N. TITUS and DEBORAH L. TITUS, husband and wife, Grantees, the following tract of land in the County of Harney and State of Oregon, more particularly described as follows:

FOR LEGAL DESCRIPTION SEE EXHIBIT "A" ATTACHED HERETO

TO HAVE AND TO HOLD the granted premises unto the said Grantees, their heirs and assigns forever.

And the Grantors do covenant that they are lawfully seized in fee simple of the above granted premises free from all encumbrances EXCEPT,

1. Rights of the public in roads and highways.
2. Tax roll discloses the described land herein assessed as Farm Use Land & if disqualified additional tax, interest & penalties may be levied.
3. Taxes for the year 2005-2006: A lien, not yet payable.
4. Easements, reservations and restrictions of record.

and that they will, their heirs, executors and administrators, shall Warrant and forever defend the granted premises against the lawful claims and demands of all persons, except as above stated.

WITNESS our Hand and Seal this 8th day of August, in the year Two Thousand and Five.

This instrument will 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 approved uses and to determine any limits on lawsuits against Farming or Forest practice as defined in ORS 30.930

PAUL W. ABLES

CHERYL ABLES

STATE OF OREGON
COUNTY OF Clackamas

BE IT REMEMBERED, that on this 8th day of August, 2005, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named PAUL W. ABLES and CHERYL ABLES, acknowledged to me known to be the individuals described in and who executed the within and foregoing instrument and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein mentioned.

Sharon M. Thorson
Notary Public for the State of Oregon
My Commission Expires: April 2, 2007

Until a change is requested all tax statements should be sent to the following address:
Todd N. & Deborah L. Titus
43613 Rodeo Lane
Burns, Or. 97720

After recording please return to:
Todd N. & Deborah L. Titus
43613 Rodeo Lane
Burns, Or. 97720

—Space below for Recorder's use only—



STATE OF OREGON } ss
County of Harney

I certify that the within instrument was received for record on the 9th day of August, 2005, at 1:15 o'clock P.M. and recorded Microfilm number 20051515

By: Maria Iturriaga, County Clerk
Deputy

Received by OWRD

JUL 30 2021

Salem, OR

INST. #2005 1515

EXHIBIT "A"

LEGAL DESCRIPTION

LAND IN COUNTY OF HARNEY AND STATE OF OREGON

Township 25 South, Range 34 East, Willamette Meridian
Section 32: S $\frac{1}{2}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$.

Township 26 South, Range 34 East, Willamette Meridian
Section 6: A parcel of land situated in Government Lots 1 and 2, the S $\frac{1}{2}$ NE $\frac{1}{4}$, of said Section 6 and more particularly described as follows:

Beginning at the Northeast corner of said Section 6;
thence S. 89° 59' 52" W., 1413.36 feet, along the North boundary of said Section 6 and to the Southwest corner of Section 32, Township 25 South, Range 34 East, W.M.;
thence S. 89° 57' 03" W., 897.31 feet, continuing along the said North boundary;
thence on a 330.00 foot radius curve to the right (long chord bears S. 57° 38' 03" E., 353.79 feet) an arc distance of 373.39 feet;
thence S. 25° 13' 10" E., 962.71 feet;
thence on a 410.00 foot radius curve to the left (long chord bears S. 58° 15' 05" E., 446.99 feet) an arc distance of 472.74 feet;
thence N. 88° 43' 00" E., 495.65 feet;
thence N. 29° 27' 41" E., 1476.14 feet, to the Point of Beginning.

Received by OWRD

JUL 30 2021

Salem, OR

HORSE PAST. Pou #1

RECEIVED

SEP 04 2020

OWRD

14:55 14-04-2020

Lat: 43° 20' 39.78" N Lon: 118° 33' 50.36" W



ALL POINTS
ENGINEERING & SURVEYING

P.O. Box 767 (CRR)
Terrebonne, Oregon 97760

TRANSMITTAL

To:
Oregon Water Resources Department
725 Summer St. NE Suite A
Salem, OR 97301-1266

Date: 9/1/2020 Job: 18-122

Attention: Transfer Section

Re: Application for Transfer

☒ Prints ☐ Plans ☒ Map/Plat ☐ Specifications ☐ Change order ☐ Other

Copies	No.	Description
1	1	Application Maps (2 sheets letter bond)
1	2	Application Form (12 sheets letter bond)
1	3	Well logs (2 sheets letter bond)
1	4	Owner Consent Affidavit (1 sheet letter bond)
1	5	Evidence of Use Affidavit & supporting docs (2 sheets & power use)
1	6	Site Photos & Aerial Imagery (11 sheets letter bond)
1	7	Check for fee

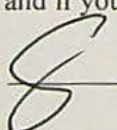
These are transmitted as checked below:

☒ For OWRD approval ☐ Approved as submitted ☐ Approved as noted
☐ Copies for distribution ☐ Returned for corrections ☐ Returned corrected prints
☐ Review and comment ☐ For bids due ☐ Other

Remarks:

Please find attached an application to transfer water rights.

Thanks and if you have questions please don't hesitate to call (541) 548-5833.

Signed: 

RECEIVED

SEP 04 2020

OWRD

13517

HORSE PAST POU #2

RECEIVED

14-04-2020

14:57 14-04-2020

Lat: 43° 20' 39.47" N Lon: 118° 33' 50.37" W

Application for Water Right Transfer Evidence of Use Affidavit



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

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

State of Oregon)
) ss

County of HARNEY)

I, TODD TITUS, in my capacity as OWNER,

mailing address 43431 RODEO LANE, BURNS, OR 97720

telephone number (541)589-2594, being first duly sworn depose and say:

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

☒ Personal observation

☐ Professional expertise

2. I attest that:

☒ Water was used during the previous five years on the **entire** place of use for
Certificate # 53049; **OR**

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

Certificate #	Township		Range		Mer	Sec	1/4		Gov't Lot or DEC	Acres (if applicable)
49447	26	S	34	E	WM	6	SE	NE		5.3

OR

☐ Confirming Certificate # _____ has been issued within the past five years; **OR**

☐ Part or all of the water right was leased instream at some time within the last five years. The
instream lease number is: _____ (Note: If the entire right proposed for
transfer was not leased, additional evidence of use is needed for the portion not leased instream.); **OR**

☐ The water right is not subject to forfeiture and documentation that a presumption of forfeiture for
non-use would be rebutted under ORS 540.610(2) is attached.

☐ 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)

13517

14025E PAST YOU #3

RECEIVED

04 2020

OWRD

19517

15:00 14-04-2020

Lat: 43° 10' 39.40" N Lon: 118° 33' 55.93" W

HORSE PASS Doc #4

RECEIVED

SEP 04 2020

OWRD

15:03 14-04-2020

Lat: 43° 20' 36.0" N Lon: 118° 33' 50.38" W

FLOW METER @ PIVOT

RECEIVED

SEP 04 2020

15:17 14-04-2020

Lat: 43° 20' 42.21" N Lon: 118° 33' 32.33" W

PIVOT

RECEIVED

SEP 04 2020

OWRD

18517

15:19 14-04-2020

Lat: 43° 20' 42.15" N Lon: 118° 33' 32.46" W

EOP

RECEIVED

SEP 04 2020

OWRD

18517

15:24 14-04-2020

Lat: 43° 20' 54.39" N Lon: 118° 33' 38.24" W

"TB" Pou #1

RECEIVED

SEP 04 2020

OWRD

15:27 14-04-2020

Lat: 43° 20' 56.31" N Lon: 118° 33' 31.43" W

"TO" Pon #2

RECEIVED

SEP 04 2020

OWRD

15:29 14-04-2020

Lat: 43° 21' 0.6" N Lon: 118° 33' 31.52" W

"TO" PCU #3 @ M/L



15:32 14-04-2020

Lat: 43° 21' 1.40" N Lon: 118° 33' 23.27" W

MAP TO ACCOMPANY APPLICATION TO CHANGE PLACE OF USE AND POINT OF APPROPRIATION ON CERTIFICATES 49447 AND 53049 FOR TODD TITUS

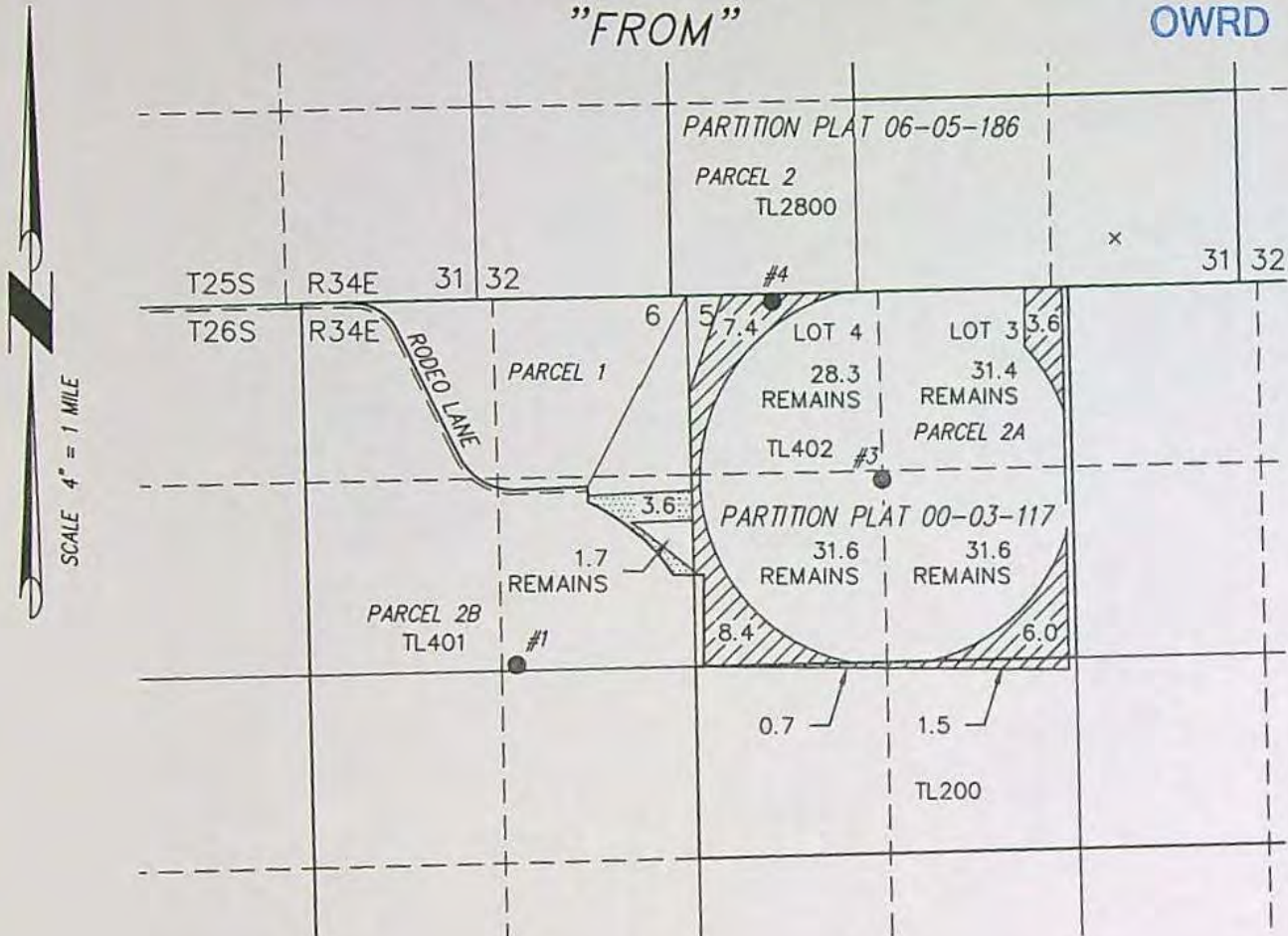
RECEIVED

SEP 04 2020

TAX LOTS 200 & 402
IN SECTIONS 5 & 6, TOWNSHIP 26 SOUTH, RANGE 34 EAST, W.M.
HARNEY COUNTY, OREGON

"FROM"

OWRD



- POA #1 G-29 (HARN 1415)
LOCATED 2510' S & 1220' W
FROM NE CORNER SECTION 6
- POA #3 G-7543 (HARN 1411)
LOCATED 1260' N & 1320' E
FROM W 1/4 CORNER SECTION 5
- POA #4 (PROPOSED)
LOCATED 50' S & 590' E FROM
NW CORNER SECTION 5

3.6 ACRES IR FROM CERTIFICATE 49447
(G-29), AS SHOWN.

27.6 ACRES IR FROM CERTIFICATE
53049 (G-7543), AS SHOWN.



RENEWAL DATE: 12/31/2020

THIS MAP IS FOR THE PURPOSE OF LOCATING A WATER
RIGHT ONLY AND HAS NO INTENT TO PROVIDE LEGAL
DIMENSIONS OR THE LOCATION OF PROPERTY LINES.

PROJECT No. 18-122

PREPARED AT THE REQUEST OF:

TODD TITUS
43431 RODEO LANE
BURNS, OR 97720

ALL POINTS ENGINEERING
& SURVEYING, INC.



P.O. BOX 767
TERREBONNE, OREGON 97760
(541) 548-5833 PH
scott@apeands.com
www.APEandS.com

13517

MAP TO ACCOMPANY APPLICATION TO CHANGE
PLACE OF USE AND POINT OF APPROPRIATION
ON CERTIFICATES 49447 AND 53049
FOR TODD TITUS

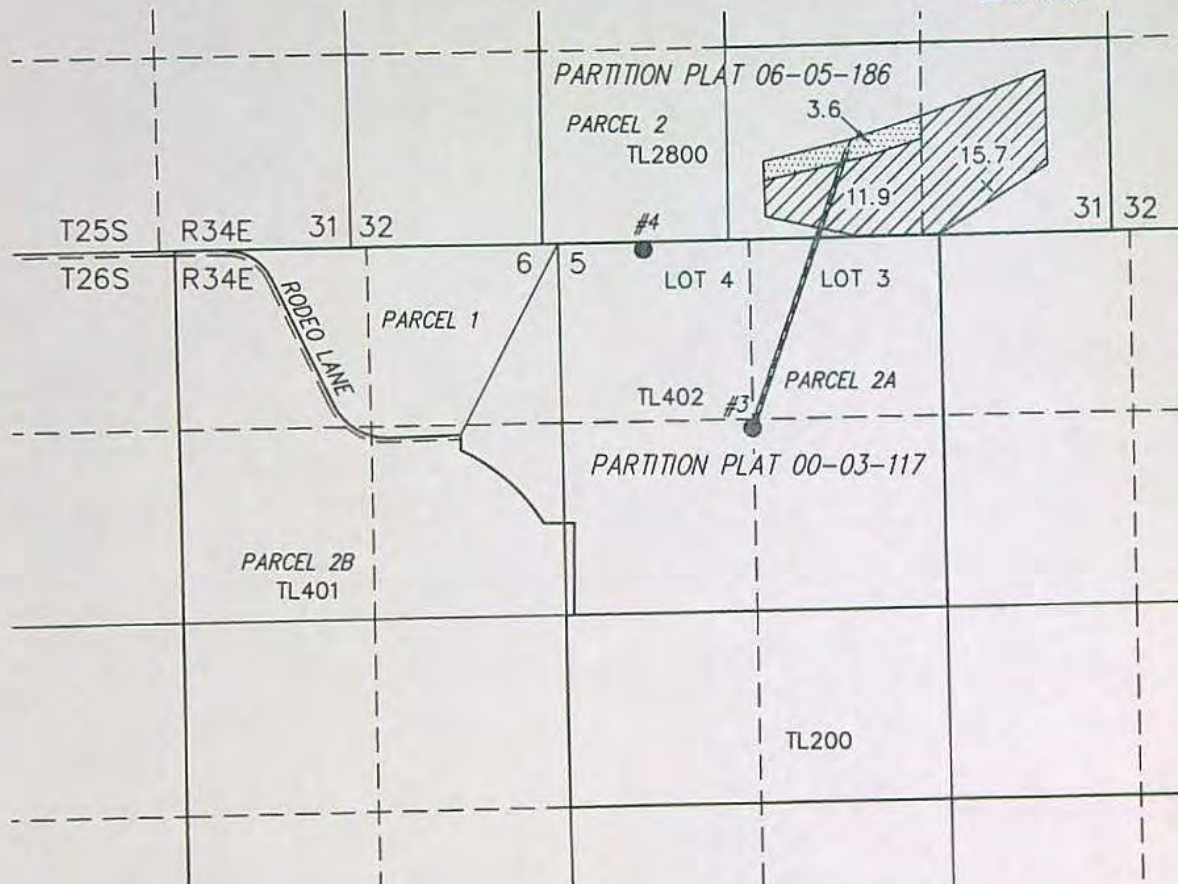
RECEIVED

TAX LOT 2800
IN SECTION 32, TOWNSHIP 25 SOUTH, RANGE 34 EAST, W.M.
HARNEY COUNTY, OREGON

SEP 04 2020

"TO"

OWRD



3.6 ACRES IR FROM CERTIFICATE 49447
(G-29), AS SHOWN.

27.6 ACRES IR FROM CERTIFICATE
53049 (G-7543), AS SHOWN.

- POA #3 G-7543 (HARN 1411)
LOCATED 1260' N & 1320' E
FROM W 1/4 CORNER SECTION 5
- POA #4 (PROPOSED)
LOCATED 50' S & 590' E FROM
NW CORNER SECTION 5



RENEWAL DATE: 12/31/2020

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Land Use Information Form



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

Applicant(s): Todd Titus

Mailing Address: 43431 Rodeo Lane

City: Burns

State: OR

Zip Code: 97720

Daytime Phone: 541-589-2594

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>25S</u>	<u>34E</u>	<u>32</u>	<u>SWSE</u>	<u>2800</u>	<u>EFRU-1</u>	☐ Diverted	☒ Conveyed	☒ Used	<u>EFRU-1</u>
_____	_____	_____	<u>SESE</u>	_____	_____	☐ Diverted	☒ Conveyed	☒ Used	_____
<u>26S</u>	<u>34E</u>	<u>5</u>	<u>NW1/4</u>	<u>402</u>	_____	☒ Diverted	☒ Conveyed	☐ Used	_____
_____	_____	_____	_____	_____	_____	☐ Diverted	☐ Conveyed	☐ Used	_____

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

Harney County

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B. Description of Proposed Use

Salem, OR

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) _____

Estimated quantity of water needed: 103.2 ☐ 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:

Water user proposes to move place of use from pivot corners to gated pipe/flood irrigated field north of the authorized place of use.

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): EEUV-1 / Hcz 3.010
- ☐ Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

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

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

Name: Brandon M. Mollen Title: Planning Director

Signature: [Signature] Phone: 541.573.6655 Date: 4/27/2020

Government Entity: Harney 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: _____

Received by OWRD

SEP 11 2020

Regular Permanent Water Right Transfer Application Checklist

Checked by Scott

Date 9/10/20

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

☒ 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: 3020
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? yes
If no, whose signature is missing? _____

☒ 4. Are all listed certificates or permits shown by WRIS as non-cancelled? yes N/C
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.

Certs & acres involved:

Changes: _____

cfs involved: _____

Source: _____

☐ Table 2 do not match the maps