

Application for Water Right Transfer

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "N/A" to indicate "Not Applicable." As you complete this form, please refer to notes and guidance included on the application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

1. TYPE O	<u>F TRANSFER APPLICA</u>	TION			
Pleas	se check one				
Permanent Transfer Temporary Transfer (1 to 5 yrs.) total number of years: (begin year:) (end year:)	☐ Instream Transfer ☐ Permanent ☐ Time-Limited ☐ Drought Transfer ☐ Other	Is this project fully or partially funded by the American Recovery and Reinvestment Act? (Federal stimulus dollars) Yes No			
2. APP	LICANT INFORMATION	N RECEIVED			
Name: Wilson Family Ranches LLC		OCT 1 9 2009			
Address: PO Box 209		WATER RESOURCES DEPT			
City: North Powder State: OI	Zip: <u>97867</u>	SALEM, OREGON			
Home Phone: Work P	hone: <u>541-898-2288</u>	Other Phone:			
Fax: E-Mail address: john@beefnorthwest.com					
3. AGENT INFORMATION (The agent listed is authorized to represent the applicant in all matters relating to this transfer application.)					
Name: Jill Myatt, Browne Consulting LLC					
Address: 50809 Ellis Road					
City: North Powder State: Of	<u>R</u> Zip: <u>97867</u>				
Home Phone: Work Pl	hone: <u>5415235170</u>	Other Phone:			
Fax: E-Mail add 7 10967 If an agent is listed above, please c Please send all correspondence to Please send all correspondence to	Agent. Send copies of corres	pondence to Applicant; or			

4. PROPOSED CHANGE(S) TO WATER RIGHT(S)

List <u>all</u> water rights to be affected by this transfer. Indicate the certificate, permit, decree or other identifying number(s) in the table below: (Attach additional pages as necessary.)

	Application / Decree	Permit / Previous Transfer	Certificate
1.		-	64219
2.		-	64971
3.		-	1317
4.		-	
5.		-	
6.		-	

•	Attach a separate Supplemental Form A (Description of Proposed Change(s) to a Water Right)
	for <u>each</u> water right listed above.

	Check all proposed	change(s)	included in	this	transfer a	application:
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	Point of Diversion (POD) Additional Point of Diversion
○ Character of Use	☐ Point of Appropriation (POA, or well) ☐ Additional POA
☐ Instream Transfer	☐ Surface Water POD to Ground Water POA
☐ Substitution of Sup	oplemental Groundwater right for Primary Surface water right
☐ Historic POD char	nge

Reason(s) for change(s): Change from irrigation to wetland restoration, transfer place of use of a small portion of a wetland area

5. WATER DELIVERY SYSTEM

Describe the *current* water delivery system <u>or</u> the system that *was in place* at some time <u>within the last 5 years</u>. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. If the transfer involves multiple rights that have independent systems, describe each system separately.

The description must be sufficient to demonstrate that the full quantity of water to be transferred can be conveyed from the authorized source and applied at the authorized location and that the applicant is ready, willing, and able to exercise the right.

For the lands within the NWNE Section 29, SWSW Section 28, and NWNW Section 33, water is first diverted from the North Powder River into the Sunnyslope-Ellis Ditch. This ditch separates into two ditches, one flowing north of North Powder River Lane and one flowing south of North Powder River Lane. Then, within Section 32, the ditch splits again to flood irrigate the fields within Section 28 and 33. There is a headgate that diverts water from the ditch to flood irrigate the field within Section 29.

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• System capacity: <u>see below</u> cubic feet per second (cfs). If the transfer involves multiple rights that have independent systems, describe the capacity for each system separately.

C-1317 = 1.25 cfs

C-64971 = 1/40 cfs

 $C-64219\ 1898\ and\ 1904 = 2.5\ acre-feet/acre/year$

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6. EVIDENCE OF BENEFICIAL WATER USE

- Attach one or more Evidence of Use Affidavits (Supplemental Form B) demonstrating that each of the right(s) involved in the transfer have been exercised in the last five years in accordance with the terms and conditions of the right or that a presumption of forfeiture for non-use could be rebutted. The Evidence of Use Affidavit(s) must include supporting documentation such as the following:
 - ► Copies of receipts from sales of irrigated crops or for expenditures relating to use of water;
 - ► Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers;
 - ▶ Dated aerial photographs of the lands or other photographs containing sufficient detail to establish location and date of the photograph; *or*
 - ▶ If the right has <u>not</u> been used during the past five years, documentation that the presumption of forfeiture would be rebutted under ORS 540.610(2).

	7. AFFECTED DISTRICTS
•	Are any of the water rights proposed for transfer located within or served by an irrigation or other water district? \boxtimes Yes \square No
•	Will any of the water rights be located within or served by an irrigation or other water district after the proposed transfer? \boxtimes Yes \square No
•	Is 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? Yes No
	If "Yes", for any of the above, list the name and mailing address of the district, agency and/or entity:
	Powder Valley Water Control District, PO Box 189, North Powder, OR 97867
	8. LOCAL GOVERNMENTS
•	List the name and mailing address of all local governments (i.e., each county, city, municipal corporation, or tribal government within whose jurisdiction water will be diverted, conveyed or used).
	Union County, 1106 K Avenue, La Grande, OR 97850
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WATER RESOURCES DEPT SALEM, OREGON

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Last revised: 6/1/2009

9. LAND OWNERSHIP

•	Does the applicant own the lands where the portion of water right proposed for transfer is currently located? \boxtimes Yes \square No
	If "No", provide the following information. For Temporary Transfers, also include a <u>notarized statement granting consent</u> to the transfer from <u>each</u> of the landowners (for Permanent Transfers see Section 12(c)):
	Names of Current Landowner(s):
	Address:
	City:
•	Does the applicant own the lands TO which the right is being transferred?
	If "No", provide the following information:
	Names of Receiving Landowner(s):
	Address:
	City:
	Check <u>one</u> of the following:
	☐ The receiving landowner will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to this landowner.
	□ The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.
	☐ N/A. (Not applicable. Application is for an Instream Water Right Transfer.)
	10. Other Remarks (optional)

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11. ATTACHMENTS

Check each of the following attachments included with this application.

The application will be returned if all required attachments are not included.

Su	pplemental Form A – Description of Proposed Change(s) to a	Land Use Information For Proposed Changes: For Instream Transfers:	
\boxtimes	Water Right A separate Supplemental Form A is enclosed for each water right to be affected by this transfer.	Notice of the intent to file an instream transfer application has been provided to each affected local government along the proposed reach, and copies of the notices are enclosed. (For instream	
Su	pplemental Form B – Evidence of Use Affidavit(s)	transfers a Land Use Information Form is not required.)	
	At least one Evidence of Use Affidavit documenting that the right has been used during the last five years or that the right is not	For All Other Transfers: \[\text{Land Use Information Form is enclosed; or} \] \[\text{All of the following criteria are met, therefore a} \]	
	subject to forfeiture under ORS 540.610 is attached. The affidavit provided must be the original (not a copy), <u>and</u>	Land Use Information Form is not required: • In EFU zone or irrigation district, • Change in place of use only,	
\boxtimes	The Evidence of Use Affidavit must be accompanied by supporting documentation.	No structural changes needed, including diversion works, delivery facilities, other ECE	IVED
Ma	р	structures, and	
	Water Right Transfer The map must be prepared by a Certified Water Right Examiner and meet the requirements of OAR 690-380-3100 unless a waiver has been granted. The map provided must be the original, not a copy.	Fees: Amount enclosed: \$2400.00 WATER RESO See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0900.	URCES DEPT
	Temporary Transfer or Historical POD	Instream Water Right Transfers, also include:	
	Change A map meeting the requirements of OAR 690-380-3100 must be included but need not be prepared by a Certified Water Right Examiner.	Supplemental Form C – Instream Water Right Transfer Complete this form to describe the desired nature and attributes for the proposed instream water	
Wa	ater Well Report(s)/Well Log(s):	right.	
	The application is for a change in point of appropriation or change from surface water to ground water and copies of all water well reports are attached.	Temporary Transfers, also include: Recorded Deed:	
	Water well reports are not available and a description of construction details including well depth, static water level, and information necessary to establish the ground water body	The applicant must submit a copy of the current deed of record for the land from which the authorized place of use or point of diversion/appropriation is being moved.	
\boxtimes	developed or proposed to be developed is attached. N/A. The application does not involve a	Affidavit of Consent: If the applicant is NOT the owner of record for the land from which the authorized place of use or	
	change in point of appropriation or a change from surface water to ground water, so water well reports are not required.)	point of diversion/appropriation is being moved, a notarized statement from the actual owner of record consenting to the proposed transfer must be submitted.	
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Before submitting your application to the Department, be sure you have:

- Answered each question completely.
- Included all the required attachments.
- Provided original signatures for <u>all</u> named deed holders, or other parties, with an interest in the water right.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

12. SIGNATURES

	12. SIGNATURES
Ch	eck <u>one</u> of the following, as appropriate, and sign the application in the signature box below:
	In accordance with OAR 690-380-3000(13)(a), I (we) understand that prior to Department approval of a permanent transfer and upon my receipt of a draft Preliminary Determination for the proposed transfer, I (we) will be required [pursuant to OAR 690-380-4010(5)] to provide the following landownership information and evidence demonstrating that I (we) are authorized to pursue the transfer: (a) A report of ownership and lien information that has been prepared by a title company within
	 the last three months; A copy of written notification of the proposed transfer provided by the applicant to all lien holders on the subject lands unless the report of ownership and lien information shows that a water right conveyance agreement has been recorded for the subject lands. If a water right conveyance agreement has been recorded for the subject lands, a copy of the agreement and identification of the owner of the lands at the time the agreement was recorded must be submitted; and
	(c) If the landowner identified in the report of ownership and lien information is <u>not</u> the applicant, a <u>notarized statement consenting to the transfer (attached) signed by the landowner identified in the report or an authorized representative of the entity to whom the interest in the water right has been conveyed as identified in a water right conveyance agreement or other documentation demonstrating that the applicant is authorized to pursue the transfer in the absence of the consent of the landowner.</u>
	I (we) affirm that interest in the water right has been conveyed to someone other than the landowner, and documents, including a water right conveyance agreement, report of ownership and lien information, and any required lienholder notification are enclosed, demonstrating that I am (we are) authorized to pursue the transfer. I (we) understand that we may be required to provide additional information upon receipt of the draft Preliminary Determination.
	I (we) affirm that 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. Therefore, pursuant to OAR 690-380-3000(13)(b), the applicant is <u>NOT</u> required to provide the above described report of ownership arctelled lien information.
	I (we) affirm that the applicant is an entity with the authority to condemn property and is oct 1 9 2009 acquiring the property to which the water right proposed for transfer is appurtenant by condemnation. Documentation is provided with this application supporting this statement WATER RESOURCES DEPT Therefore, pursuant to OAR 690-380-3000(13)(c), the applicant is NOT required to provide the SALEM, OREGON above described report of ownership and lien information. (NOTE: Such an entity may only apply for a transfer under this subsection if it has filed a condemnation action to acquire the property.
	I (we) affirm that this is a temporary transfer and a copy of the deed for the "from" land (and affidavits of consent from any other landowners, if applicable) is enclosed.
I (v	we) affirm that the information contained in this application is true and accurate.
	Applicant signature John Sori - Manaina Memoir 13 007 Name and title if applicable (print) Date
_	Applicant signature T 10967 Name and title if applicable (print) Date

Last revised: 7/27/2007

Water Right Transfer Supplemental Form A <u>DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT</u>

List only <u>one</u> water right per page. A <u>separate Supplemental Form A</u> must be completed for <u>each</u> certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

Certificate Number or other identifying number: 64219	•	Certificate Number or other identifying number: 64219				
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1. TYPE OF CHANGE(S) PROPOSED

(Check all that apply.)

Point of Diversion or Appropriation	Place of Use	Character of Use
☐ Change (The old point of diversion or appropriation will not be used for the portion of	☐ <u>All</u> of the right will be exercised at a different location than currently	Proposed new use:
the water right affected by the transfer.)	authorized (Use of water at the current location will be	☐ Municipal
Additional (Both the old <u>and</u> new points of diversion or appropriation will be used for	discontinued.) ⊠ Only a portion of the	☐ Quasi-municipal ☐ Commercial
the portion of the water right affected by the transfer.)	right will be exercised at a different location than currently authorized (Use	☐ Industrial
☐ Historic Point of Diversion or	of water at the current location will be discontinued.)	Instream (complete and attach Supplemental Form C)
Appropriation Change (Unauthorized point of diversion or appropriation	discontinued.)	Domestic (indicate number of households)
used for more than 10 years.) Surface Water to Ground		☑ Other Wetland Restoration
Water (A new point of appropriation will be used instead of the old point of diversion. The old point of diversion will <u>not</u> be used.)		Substitution (A supplemental ground water right will be substituted for a primary surface water right.)
☐ Point of Diversion Change due to Government Action (The old point of diversion or appropriation can no longer be used due to government action.)		☐ Supplemental Use to Primary Use (Primary water right shall be cancelled and the supplemental water right will change to primary use.)
☐ Exchange (Water from another source will be used in exchange for supplying an		RECEIVED OCT 1 9 2 009
equal amount of replacement water to that source.)		WATER RESOURCES DEP

2. CURRENT WATER RIGHT INFORMATION

Water Right Subject to Transfer (check and complete one of the following):

\boxtimes	Certificated Right	64219	
		Certificate Number	Permit Number or Decree Name
	Adjudicated,		
	Non-certificated Right	Name of Decree	Page Number
	Permit for which Proof has been Approved	Permit Number	Date Claim of Beneficial Use Submitted
	Transferred Right for which Proof has been Filed	Previous Transfer Number	Date Claim of Beneficial Use Submitted
•	Name on Permit, Certificate, o	r Decree: <u>Chris Peterson</u>	
•	County: <u>Union</u>		
•	Authorized Use(s) to be Affect	ed by Transfer: <u>Irrigation</u>	
•	Priority Date(s): <u>1898, 1904</u>	(also 1889 but not affected b	by this transfer)
•	If there are multiple Priority L provided on pages 3 through 6 associated with each of the aut appropriation and places of us Source(s) of Water to be Affect Sunnyslope-Ellis Ditch	of this form must identify we horized and proposed points e. ted by Transfer:North F	which priority date is s of diversion or RECEIVED
	Tributary to: Powder Rive	<u> </u>	0/105/
	If there are multiple Sources lands pages 3 through 6 of this form the authorized and proposed page 1.	must identify which source oints of diversion or approp	is associated with each of riation and places of use.
	For applications proposing a	<u>Change in Place of Use or C</u>	Character of Use:
•	Are there Other Water Rights with this land?	s, Permits or Ground Water	Registrations associated
	\boxtimes Yes \square No \square N	/A – No Change in Place of U	se or Character of Use
	If "Yes", what are the Permit, NWNE Sec 29 and SWSW Sec		
	Pursuant to ORS 540.510, <u>any</u> a primary right proposed for to cancelled, except as provided to	ransfer must be included in	ght that is supplemental to the transfer or be

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 Certificate Number or other identifying number: 64219 	
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The following information **must be provided** <u>only</u> for those points of diversion or appropriation that **are involved in the transfer (i.e., <u>list only the portion of the water right you propose to transfer.)**Attach additional pages as necessary.</u>

Government lot and donation land claim numbers must be included in the tables below **only** if the information is reflected on the existing water right.

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

(i.e., the allowed point(s) of diversion or appropriation listed on the water right that will be affected by the proposed transfer, the "FROM" point(s) of diversion or appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L)	Source and Priority Date	Township	Range	Mer	Sec	1/4/4	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
	North Powder River; 1904 & 1898	68	38E	W M	36	NWSW		2450' East and 950' North from the SW Cor. of Sec 36, T6S R38E

	Does the v	water right	being	transferred	involve a	ground	water	source(s)?
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☐ Yes ☐ No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

A. Supply a copy of the well log(s) for <u>each</u> point of appropriation that is **clearly** labeled and associated with the corresponding well in the table above and on the accompanying application map. (<u>NOTE</u>: You may search for well logs on the Department's web page at: http://www.wrd.state.or.us)

<u>or</u>

B. If a well log is <u>not</u> available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.

Construction of Existing Authorized Point(s) of Appropriation - (Only needed if no well log is available.)

Wells in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
Bulling of the state of the sta			<u> </u>					RECE	AED
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				•		·		SALEM, C	REGON

V	ill the ENTIRE w	ater right b	e affected	l by tl	nis tra	nsfer	? 🗌 Y	es 🖂 l	No
ç ("Yes" , the remaind	der of this pa	ige does n	ot nee	d to b	e com	nleted.	Go on to	the next page.
			Č						
	"No", the following wolved in the trans								
	tach additional page			ruon c	inc .	vuici i	tgm to	<u>ve ujjecicu</u>	by the change.
		ot and donation					cluded ir	the tables b	pelow onl y if
	the informatio	on is reflected o	on the existii	ng wate	er right.	•			
	Location of Exis	ting Author	rized Plac	e of U	se to	be Af	fected		
	(i.e., the allowed lands	listed on the wa	ter right that	will be	affected	by the p	proposed	Tax Lot,	"FROM" lands)
	Source and Priority Date	Township	Range	Mer	Sec	1	· /4	DLC or	Acres
						Se	ction	Goy't Lot	(if applicable)
	North Powder River; 1904	6S	39E	W M	28	sw	sw	3200	0.3 acres
	North Powder River; 1904	6S	39E	W M	33	NW	NW	5000	1.0 acres
	North Powder River; 1898	6S	39E	W M	29	NW	NE	4100	3.3 acres
						_			
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Sur	vey coor	oposed ch dinates de	anges to escribed b	the wate elow sh	r right ir ould acci	S TO THE avolving pour arately cor al pages as	oint(s) o respond	f diversion	on and/or	approprid wn on the	ution.
	(i.e., the "I	O" point(s)	of diversion	or appropr	iation)	n or Appr	N/A - In	stream Wa	uter Right T	ransfer ing propose	d)
	urce	Township	Range		Sec	1/4 1/4 ection	Tax Lot, DLC or ov't Lot		Survey C inates from a	oordinates a recognized s ner)	
	well(ere are pro	_			ation (wel	-			re, are the	
	well, the to <u>http:/</u> If "N	or if well able belov //www.wrd	log(s) ar v. (<u>NOTE:</u> state.or.u ribe the ar	e <u>not</u> ave You may s)	ailable, a sea r ch fo	rrespondin lescribe th or well logs uction for t	e constr on the L	ruction of Departmen	f the well nt's web p	(s) using age at:	
Well	Constru l numbers	ction of I	Proposed	clearly tie		ropriation ponding wel			oed in the to	able above a	nd
Well already built? Yes/No)	If an ex well, O' Well Log (or Well No. L-	WRD I	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est, depth to water bearing stratum	Type of access port or measuring device	Total well depth
1 N 9	67								R	ECEIVE	D
107	0 /								0	CT 1 9 20)9
										RESOURCES LEM, OREGO	

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•	Certificate Number or other identifying number: 64219	

Describe proposed changes to the water right involving place of use. Information described below should accurately correspond to the proposed place of use shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Place of Use: (i.e., the "TO" lands) \square N/A – Instream Water Right Transfer (NOTE: Complete this table **only** if a <u>Change in Place of Use</u> is being proposed.)

Source	Township	Range	Мет	Sec	½ ¼ Section	a	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
North Powder River	6S	39E	W M	28	NW	sw	TL3200	0.2 ac (1904 0.3 ac (1898
							_	
						_		
			_					
								RECEIVI
					_			OCT 192
67							WAT	ER RESOURCI SALEM, OREC

Remarks: The 4.6 acres of this certificate is a change of character of use from irrigation to wetland restoration and 0.5 acres is a change of place of use. The water rights are based on the 3111 map that will be authorized. This total area is part of a three separate areas to be restored into wetland – see transfer maps.

Last revised: 7/27/2007

Water Right Transfer Supplemental Form A **DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT**

List only one water right per page. A separate Supplemental Form A must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

Continued I talked of other recentlying number. 617/1		Certificate Number or other identifying number: 64971	
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1. TYPE OF CHANGE(S) PROPOSED

(Check all that apply.)

Point of Diversion or Appropriation	Place of Use	Character of Use
☐ Change (The old point of diversion or appropriation will not be used for the portion of	☐ <u>All</u> of the right will be exercised at a different	Proposed new use:
the water right affected by the transfer.)	location than currently authorized (Use of water at the current location will be	☐ Municipal
Additional (Both the old <u>and</u> new points of diversion or	discontinued.) ⊠ Only a portion of the	☐ Quasi-municipal ☐ Commercial
appropriation will be used for the portion of the water right affected by the transfer.)	right will be exercised at a different location than currently authorized (Use	☐ Industrial
☐ Historic Point of Diversion or	of water at the current location will be	☐ Instream (complete and attach Supplemental Form C)
Appropriation Change (Unauthorized point of diversion or appropriation	discontinued.)	☐ Domestic (indicate number of households)
used for more than 10 years.) ☐ Surface Water to Ground		☑ Other Wetland Restoration
Water (A new point of appropriation will be used instead of the old point of diversion. The old point of diversion will <u>not</u> be used.)		Substitution (A supplemental ground water right will be substituted for a primary surface water right.)
☐ Point of Diversion Change due to Government Action (The old point of diversion or appropriation can no longer be used due to government action.)		☐ Supplemental Use to Primary Use (Primary water right shall be cancelled and the supplemental water right will change to primary use.)
☐ Exchange (Water from another source will be used in		RECEI\
exchange for supplying an equal amount of replacement water to that source.)		OCT 1 9

2. CURRENT WATER RIGHT INFORMATION

Water Right Subject to Transfer (check and complete one of the following):

\boxtimes	Certificated Right	64971	
		Certificate Number	Permit Number or Decree Name
П	Adjudicated,		
	Non-certificated Right	Name of Decree	Page Number
	Permit for which Proof has been Approved	Permit Number	Date Claim of Beneficial Use
	——————————————————————————————————————		Submitted
	Transferred Right for which		
ш	Proof has been Filed	Previous Transfer Number	Date Claim of Beneficial Use Submitted
•	Name on Permit, Certificate, or County: <u>Union</u> Authorized Use(s) to be Affected	_	inson
•	Admonized Use(s) to be Affecti	ed by Transfer: <u>Irrigation</u>	
	Priority Date(s): 1905 (other 1887, 1902, 1886, 1883, 1886,		ansfer listed on certificate:
,	If there are multiple Priority D provided on pages 3 through 6 associated with each of the auto appropriation and places of use	of this form must identify w horized and proposed points e.	phich priority date is of diversion or
	Source(s) of Water to be Affect Sunnyslope-Ellis Ditch	ted by Transfer: North Pov	vder River via
	Tributary to: <u>Powder River</u>		
	If there are multiple Sources li. pages 3 through 6 of this form the authorized and proposed po	must identify which source	is associated with each of
	For applications proposing a (Change in Place of Use or C	Character of Use:
	Are there Other Water Rights with this land?	, Permits or Ground Water F	Registrations associated
	⊠ Yes □ No □ N/	A – No Change in Place of Us	se or Character of Use
	If " Yes ", what are the Permit, I	· ·	
			the transfer or be RECEIVED
	cancelled, except as provided in	n OAR 690-380-2240(5).	OCT 1 9 2009

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•	Certificate Number or other identifying number: 64971

The following information must be provided <u>only</u> for those points of diversion or appropriation that are involved in the transfer (i.e., <u>list only the portion of the water right you propose to transfer.</u>) Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below **only** if the information is reflected on the existing water right.

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

(i.e., the allowed point(s) of diversion or appropriation listed on the water right that will be affected by the proposed transfer, the "FROM" point(s) of diversion or appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L)	Source and Priority Date	Township	Range	Mer	Sec	1/4 1/4	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
	North Powder River; 1905	6S	38E	W M	36	NWSW		2450' East and 950' North from the SW Cor. of Sec 36, T6S R38E

•	Does the water	right being	transferred	involve a	ground	water	source(s)?	•
---	----------------	-------------	-------------	-----------	--------	-------	------------	---

☐ Yes ☐ No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

A. Supply a copy of the well log(s) for <u>each</u> point of appropriation that is **clearly labeled** and associated with the corresponding well in the table above and on the accompanying application map. (<u>NOTE</u>: You may search for well logs on the Department's web page at: http://www.wrd.state.or.us)

<u>or</u>

B. If a well log is <u>not</u> available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.

Construction of Existing Authorized Point(s) of Appropriation – (Only needed if <u>no</u> well log is available.)

Wells in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
									EIVED
- 4004	3							720	1 9 2009
1 1096	1							WATER RE SALE	SOURCES DEPT M, OREGON

Cer	tificate Number o	r other identi	ifying nu	mber: 6	54971			
Wi	ill the ENTIRE w	vater right b	e affecte	d by tl	nis tra	nsfer? 🗌 Y	es 🖂	No
lf '	'Yes" , the remain	der of this po	age does i	not nee	d to b	e completed.	Go on to	the next page.
If '	'No" , the followin	ng informatio	n must b	e provi	ded o	nly for those	places of	use that are
inv	volved in the trans ach additional page	sfer (i.e., <u>list (</u>	only the p					
am				m numbe	ers mus	st be included ir	the tables l	pelow only if
	the information	on is reflected o	on the exist	ing wate	r right.			• •
	Location of Exis							
	(i.e., the allowed lands	s listed on the wa	ter right tha	t will be	affected	by the proposed	transfer, the	"FROM" lands)
	Source and Priority Date	Township	Range	Mer	Sec	1/4 1/4 Section	DLC or Gov't Lot	Acres (if applicable)
	North Powder River; 1905	68	39E	W M	28	sw sw	TL3200	6.8 acre
	····							
								OCT 1 9 2009
		+						ECKIA -
							,	EOT - 2000

			PROPO								
Surv acco	vey coord ompanyin Location (i.e., the "TO	inates de gapplic of Prop O' point(s)	escribed be ation map oosed Poing of diversion	pelow shop. Attach nt(s) of I or appropr	ould acci additiond Diversion iation)	rately contrately cont	rrespond necessary ropriatio] N/A – Ins	to the po v. n: stream Wat	oints sho ter Right T		
Sou		Township	Range		Sec	/4 1/4	Tax Lot, DLC or Gov't Lot		Survey Conates from	oordinates a recognized s ner)	
						_					
1	well(s listed If "Ye well, the ta http://	s) alread above. es", atta or if wel ble belo www.wro	y construction of the cons	eted? early lab re <u>not</u> av <u>:</u> You ma	Yes el the con ailable, a y search f	□ No rrespondi describe to or well log	ng well lo	N/A - No og(s) for uction of Departmen	o proposo each pro the well nt's web p	(s) using page at:	
Wel	follov Construe I numbers i	ving table ction of in this list	Proposed	l Point(s) of App	ropriatio	n or We	ll(s)		e able above a	ınd
Well already built? Yes/No)	If an exi well, OV Well Log (or Well I	sting WRD ID No. D Tag	ing applica	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
	No. L			<u> </u>			<u>* </u>		R	ECEIVE	D
1.0.0	67									ECEIVE OCT 1 9 7	009 Ces dept

Certificate Number or other identifying number: 64971

Describe proposed changes to the water right involving place of use. Information described below should accurately correspond to the proposed place of use shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Place of Use: (i.e., the "TO" lands) \square N/A – Instream Water Right Transfer (NOTE: Complete this table **only** if a <u>Change in Place of Use</u> is being proposed.)

Source	Township	Range	Mer	Sec	1/4 ½ Section	á om	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
North Powder River	6S	39E	W M	28	NW	SW	TL3200	0.5
								RECEIVE
								OCT 1 9 200
0967							WA	TER RESOURCES SALEM, OREGO

Remarks: The 6.8 acres of this certificate includes change of character of use from irrigation to wetland restoration and 0.5 acres is also changing the place of use. The water rights are based on the 3111 map that will be authorized. This total area is part of a two separate areas to be restored into wetland – see transfer maps.

T

Water Right Transfer Supplemental Form A <u>DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT</u>

List only <u>one</u> water right per page. A <u>separate Supplemental Form A</u> must be completed for <u>each</u> certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

1. TYPE OF CHANGE(S) PROPOSED

(Check all that apply.)

Point of Diversion or	Place of Use	Character of Use
Appropriation	- Trace of Ose	Character of Use
☐ Change (The old point of diversion or appropriation will	☐ <u>All</u> of the right will be exercised at a different	Proposed new use:
<u>not</u> be used for the portion of	location than currently	☐ Irrigation
the water right affected by the transfer.)	authorized (Use of water at the current location will be	☐ Municipal
Additional (Both the old <u>and</u>	discontinued.)	☐ Quasi-municipal
new points of diversion or appropriation will be used for	☑ Only a <u>portion</u> of the right will be exercised at	☐ Commercial
the portion of the water right affected by the transfer.)	a different location than	☐ Industrial
☐ Historic Point of Diversion or	currently authorized (Use of water at the current location will be	☐ Instream (complete and attach Supplemental Form C)
Appropriation Change (Unauthorized point of diversion or appropriation	discontinued.)	Domestic (indicate number of households)
used for more than 10 years.)		☑ Other Wetland Restoration
☐ Surface Water to Ground Water (A new point of appropriation will be used instead of the old point of diversion. The old point of diversion will not be used.)		Substitution (A supplemental ground water right will be substituted for a primary surface water right.)
☐ Point of Diversion Change		☐ Supplemental Use to Primary Use (Primary
due to Government Action (The old point of diversion or appropriation can no longer be used due to		water right shall be cancelled and the supplemental water right will change to primary use.)
government action.)		DECEIVED
Exchange (Water from another source will be used in		RECEIVED
exchange for supplying an		OCT 1 9 2009
equal amount of replacement water to that source.)		WATER RESOURCES D SALEM, OREGON

2. CURRENT WATER RIGHT INFORMATION

Water Right Subject to Transfer (check and complete one of the following):

\boxtimes	Certificated Right	1317	
	_ <u>-</u>	Certificate Number	Permit Number or Decree Name
	Adjudicated,		
	Non-certificated Right	Name of Decree	Page Number
	Permit for which Proof has been Approved	Permit Number	Date Claim of Beneficial Use Submitted
_	Transferred Right for which		Submitted
	Proof has been Filed	Previous Transfer Number	Date Claim of Beneficial Use Submitted
	Name on Permit, Certificate, o	r Decree: <u>Eliza Hess</u>	
•	County: <u>Union</u>		
•	Authorized Use(s) to be Affect	ed by Transfer: <u>Irrigation</u>	
•	Priority Date(s): <u>April 22, 19</u>	012	
•	If there are multiple Priority Deprovided on pages 3 through 6 associated with each of the autappropriation and places of us Source(s) of Water to be Affec Sunnyslope-Ellis Ditch	of this form must identify w horized and proposed points e.	hich priority date is of diversion or
	Tributary to: Powder River		
	If there are multiple Sources lings in pages 3 through 6 of this form the authorized and proposed portions proposing a 6	must identify which source in the property oints of diversion or appropr	s associated with each of iation and places of use.
	Are there Other Water Rights with this land?	, Permits or Ground Water F	legistrations associated
	⊠ Yes □ No □ N	A – No Change in Place of Us	e or Character of Use
	If "Yes", what are the Permit,	Registration or Certificate N	umbers? <u>S-50717</u>
	Pursuant to ORS 540.510, any		
	<u>a primary right proposed for tr</u> cancelled, except as provided i		RECEIVED
			2009

Certificate Number or other identifying number: 1317
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The following information **must be provided** <u>only</u> for those points of diversion or appropriation that **are involved in the transfer (i.e., <u>list only the portion of the water right you propose to transfer.)**Attach additional pages as necessary.</u>

Government lot and donation land claim numbers must be included in the tables below **only** if the information is reflected on the existing water right.

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

(i.e., the allowed point(s) of diversion or appropriation listed on the water right that will be affected by the proposed transfer, the "FROM" point(s) of diversion or appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L)	Source and Priority Date	Township	Range	Mer	Sec	***	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
	North Power River; April 22, 1912	68	38E	W M	36	NWSW		2450' East and 950' North from the SW Cor. of Sec 36, T6S R38E
							_	

ı	Does the water right being t	ransferred involve a	ground water source(s)?
---	------------------------------	----------------------	-------------------------

 \square Yes \boxtimes No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

A. Supply a copy of the well log(s) for <u>each</u> point of appropriation that is clearly labeled and associated with the corresponding well in the table above and on the accompanying application map. (<u>NOTE:</u> You may search for well logs on the Department's web page at: http://www.wrd.state.or.us)

<u>or</u>

B. If a well log is <u>not</u> available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.

Construction of Existing Authorized Point(s) of Appropriation – (Only needed if <u>no</u> well log is available.)

Wells in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est, depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
								RECE	VED
T 4000								OCT 1	9 2009
T 10967								WATER RESC SALEM,	OREGON

	or other identi	irying nur	nber:	1317			
Will the ENTIRE	water right b	e affecte	d by tl	his tra	ınsfer? 🗌 Y	es 🛛 N	lo
If "Yes", the remai	nder of this po	age does r	ot nee	d to b	e completed.	Go on to ti	he next page.
If "No", the follow involved in the train Attach additional page	nsfer (i.e., <u>list (</u>	only the po					
	t lot and donatio tion is reflected o					n the tables be	elow onl y if
Location of Ex							FROM" lands)
Source and Priority Date	Township	Range	Mer	Sec	1/4 1/4 Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
North Powder River; April 22, 1912	68	39E	W M	28	SW SW	TL3200	0.8 acr
							EIVED

Survey accomp Loc (i.e.,	pe proposed concordinates do anying application of Proposite "TO" point(s)	hanges to the lescribed becation map posed Poir of diversion to	the wate elow shew. Attack at(s) of or approp	er right in nould acci h additiond Diversion riation)	avolving pourately corroll pages as rendered or Appro	int(s) og respond necessar opriatio N/A – In	on: stream Water Right	own on the Transfer
(NOTE:	Complete this Township		if a <u>Cha</u> Mer	Sec	1/4 1/4 Protion	ion or A ax Lot, DLC or ov't Lot	(coordinates from	ing proposed.) Coordinates a recognized survey rner)
_								
	well(s) alread listed above. If " Yes ", atta well, or if wel	ly construction and cle all log(s) are ow. (<u>NOTE:</u>	ted? [arly late e <u>not</u> a You ma	∃ Ŷes bel the con vailable, d	□ No rresponding describe the	g well le	l in the table abound N/A - No propose og(s) for each production of the well becartment's web p	ed well(s) oposed l(s) using
	http://www.w <mark>r</mark> If " No ", desc	cribe the ar		ed constri	uction for t	he prop	osed well(s) in th	ne e
Coi Well nui	http://www.wrd If "No", desc following tab instruction of	cribe the and le: Proposed ing must be of the control of the contr	nticipat Point(clearly ti	s) of App	ropriation	or We		

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
<u>~</u>									RECEI	AFD
										9 5003
								,	ATER RESO	URCES DEP
109	67							V	SALEM,	OREGOIN

•	Certificate Number or other identifying number: 1317
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Describe proposed changes to the water right involving place of use. Information described below should accurately correspond to the proposed place of use shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Place of Use: (i.e., the "TO" lands) \square N/A – Instream Water Right Transfer (NOTE: Complete this table only if a <u>Change in Place of Use</u> is being proposed.)

Source	Township	Range	Mer	Sec	1/4 1/4 Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
North Powder River	6S	39E	W M	28	NW SW	TL3200	0.1
				-			
							RECE!
10048							DCT 1
10967							WATER RESC SALEM,

Remarks: The 0.8 acres of this certificate is a change of character of use from irrigation to wetland restoration and 0.1 acres is a change of place of use. The water rights are based on the 3111 map that will be authorized. This area is part of a two separate areas to be restored into wetland – see transfer maps.

T

October 9, 2009

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

RE: Wilson Family Ranches LLC Transfer Application

To Transfer Specialist:

The purpose of this letter is to summarize the enclosed transfer application and explain our intentions.

The water rights in our transfer application are based on the Powder Valley Water Control District 3111 map that has not yet been adopted. We were advised to use the 3111 map by our local Water Resources Department in Baker City and Greg Nelson at your office. Mr. Nelson said that the 3111 map is close to being issued therefore it would take fewer steps to use the 3111 map for our transfer application.

The purpose of this transfer application is to change the character of use of the water rights within three separate areas that total 12.3 acres. The Wilson Family Ranches is working with Ducks Unlimited to created three wetland areas. We are applying to change the use from irrigation to wetland restoration.

The 3111 map does not show water rights within the NWSW Section 28 portion of a proposed wetland area. So we are also applying to transfer the place of use of the area under the berms that will be constructed along each wetland area. 1.1 acres will be transferred to cover this portion of the wetland area and also change the character of use from irrigation to wetland restoration.

Please let me know if you have any questions or concerns.

Sincerely,

Browne Consulting LLC

541-523-5170

browneconsult@eoni.com

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WATER RESOURCES DEPT