

MINIMUM REQUIREMENTS CHECKLIST TO BE SUBMITTED WITH APPLICATION FOR TRANSFER

Check each of the following attachments included with this application.

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

FOR ALL TRANSFER APPLICATIONS

- Transfer Application Part 1
- Transfer Application Part 2 (include a separate Part 2 for each water right)
- Map checklist
- Map
- Evidence of Use Affidavit and supporting documentation
- Land Use Information Form with approval and signature N/A - instream transfer
- Fees - Amount enclosed: \$800 (\$1600-50% = \$800)
See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0900.

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Additional Requirements, if applicable

- Water Well Report(s)/Well Log(s) - for ground water right(s)
- Affidavit(s) of Consent
- Supplemental Form D - for water rights in the name of an irrigation district

Temporary Transfer

- Recorded Deed - current deed of record for the land **from** which the authorized place of use or point of diversion/appropriation is being moved
- Specify number of years (1 to 5) _____
(for temporary transfers in the Deschutes River Basin, up to 25 years)

Instream Water Right Transfer

- Supplemental Form C - to describe the desired nature and attributes for proposed instream right

(for staff use only)

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S)

- Application fee not enclosed
- Map not included or incomplete
- Land Use Form not enclosed or complete
- Additional signature(s) required
- Part _____ is incomplete
- Other/Explanation _____

Staff: _____

Date: ____/____/____

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Map Checklist

To Be Submitted With Transfer Application

Please be sure that the map you submit includes ALL the items listed below and matches the existing water right map.

Your application WILL BE RETURNED if any of these requirements are not met.

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N/A

Certified Water Right Examiner (CWRE) Stamp and Original Signature

http://www1.wrd.state.or.us/pdfs/cwre_listing.pdf

(not required for temporary changes, historic point of diversion changes, and substitutions)

A north arrow, a legend, and scale.

Township, Range, Section Quarter-Quarter, DLC and Government lot.

Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.

Permanent quality with dark ink on white or clear paper or film.

The size of the map can be 8-1/2" x 11", 8-1/2" x 14", or up to 30"x 30" if you include three (3) copies and an electronic .PDF document of the map.

The scale of the map must be: 1" = 400 feet, 1" = 1320 feet or the scale of the Final Proof Map (the map used when the permit was certificated), the scale of the tax assessor map or a scale that has been pre-approved by the Department.

N/A

If more than three water rights are involved, separate maps for each water right.

N/A

Existing place of use that includes separate hachuring for each water right, priority date and use including number of acres per quarter-quarter. If less than the entirety of the water right is being changed, a separate hachuring 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 per quarter-quarter.

Existing diversion point(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 of diversion or well, show the proposed location and label it clearly with bearing or coordinates. If GPS coordinates are used please refer to additional requirements in OAR 690-380-3100(1)(h).

Delivery system(s) including features such as pipelines, canals, ditches, and pumps.

Tax lot boundaries (property lines) are required. Tax lot numbers are helpful.

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

Part 1 – Basic Information

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Applicant Information

APPLICANT/BUSINESS NAME CITY OF BEND ATTN: PATRICK GRIFFITHS, WATER RESOURCES COORDINATOR		PHONE NO. (541) 317-3008	FAX NO. (541) 317-3076
ADDRESS 62975 BOYD ACRES ROAD			
CITY BEND	STATE OR	ZIP 97701	EMAIL PGRIFITHS@CI.BEND.OR.US

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

AGENT/BUSINESS NAME GSI WATER SOLUTIONS, INC. ATTN: ADAM SUSSMAN		PHONE NO. (541) 753-0745	FAX NO. (541) 754-4211
ADDRESS 1600 WESTERN BLVD., SUITE 240			
CITY CORVALLIS	STATE OR	ZIP 97333	EMAIL ASUSSMAN@GSIWATERSOLUTIONS.COM

If an agent is listed above, please check one of the following:

- Please send all correspondence to Agent. Send *copies* of correspondence to Applicant; or
- Please send all correspondence to Applicant. Send *copies* of correspondence to Agent.
- Check this box if this project is fully or partially funded by the American Recovery and Reinvestment Act. (Federal stimulus dollars)

Are you the sole owner of the land on which the water right is located? Yes No

If NO, include signatures of all landowners or attach affidavits of consent from all landowners.

Permanent Transfers Only


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 am providing documentation that 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.



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


Applicant Signature


Applicant Signature

PATRICK GRIFFITHS
Name and title if applicable (print)

WAYNE PURCELL, MANAGING MEMBER
Name and title if applicable (print)

12/17/09
Date

12/29/09
Date

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In your own words tell us what changes you want made to this water right

Thirteen acres of certificate 75760 are being transferred instream to generate mitigation credits. Two acres will remain on the golf course at the authorized place of use.

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Check one of the following:

N/A - instream transfer

- The applicant is responsible for completion of change(s). Notices and correspondence should continue to be sent to the applicant and applicant's agent.
- The transfer application is being assigned to a receiving landowner who will be responsible for completing the proposed change(s) after the final order is issued. All notices and correspondence should be sent to this landowner.

RECEIVING LANDOWNER NAME		PHONE NO.	FAX NO.
ADDRESS			
CITY	STATE	ZIP	EMAIL

- Check here if any of the water rights proposed for transfer will be located within or served by an irrigation or other water district before or after the transfer.

IRRIGATION DISTRICT NAME	ADDRESS		
CITY	STATE	ZIP	

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

ENTITY NAME	ADDRESS		
CITY	STATE	ZIP	



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

ENTITY NAME CITY OF BEND PLANNING DIVISION	ADDRESS 710 NW WALL ST.		
CITY BEND	STATE OR	ZIP 97701	

ENTITY NAME DESCHUTES COUNTY PLANNING DIVISION	ADDRESS 117 NW LAFAYETTE AVE.		
CITY BEND	STATE OR	ZIP 97701	

ENTITY NAME JEFFERSON COUNTY PLANNING DIVISION	ADDRESS 85 SOUTHEAST D ST.		
CITY MADRAS	STATE OR	ZIP 97741	

Application for Water Right Transfer

Part 2 – Water Right Information

Please use additional pages of Part 2 if there are additional water rights being changed.

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PROPOSED CHANGE(S) TO CERTIFICATE # 75760

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Description of Water Delivery System

System capacity: 3.12 cubic feet per second (cfs)

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Describe the current water delivery system or the system that was in place at some time within the last 5 years. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use.

The golf course pumps directly from the Deschutes River and conveys the water through pipelines to either a storage pond near the pro shop or directly to sprinklers that serve the fairways and greens. The diversion is used to serve water right certificate 75760 and 84 acres of certificate 83571.

Table 1. Location of 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 Proposed?	If Ground Water, OWRD Well Log ID# (or Well ID Tag# L-___)	TWP	RNG	SEC	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
River's Edge #1	<input checked="" type="checkbox"/> Auth <input type="checkbox"/> Prop	N/A	17 S	12 E	29	SW NE	--	1982 feet South and 1160 feet East from the N ¼ corner of Section 29
	<input type="checkbox"/> Auth <input type="checkbox"/> Prop							
	<input type="checkbox"/> Auth <input type="checkbox"/> Prop							
	<input type="checkbox"/> Auth <input type="checkbox"/> Prop							

Will Entire Water Right Be Affected?

If YES, complete the proposed ("to" lands) section of Table 2 and check all that apply:

- | | |
|---|---|
| <input type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Type of Use (USE) |
| <input type="checkbox"/> Instream (involves USE & POU change) | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Historic POD (HPOD) | <input type="checkbox"/> Substitution (SUB) |
| <input type="checkbox"/> Surface water POD to Ground Water POA (SW to GW) | <input type="checkbox"/> Government Action POD (GOV) |

If NO, complete all of Table 2 to describe the portion of the water right to be changed.

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For Place of Use or Character of Use Changes Only

Are there other water rights certificates, permits or ground water registrations associated with the "from" or the "to" lands?

If yes, what are the certificate, permit, or registration numbers? Certificates 83571 & 76714

➔ Check for other water rights on your lands by going to <http://apps2.wrd.state.or.us/apps/wr/wrinfo/>, enter your "certificate number", push "select", then click on "view places of use from water rights in the same area"

➔ Pursuant to ORS 540.510, any "layered" water use or a right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled.

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For Temporary Transfers

Specify the number of years _____

For Substitution

Ground water supplemental certificate # _____ Surface water primary certificate # _____

For Supplemental Use to Primary Use

Primary certificate # to be cancelled _____

For Changes that Involve Ground Water Source(s)

You must either:

- A. Supply a copy of the well log(s) for each well that is clearly labeled and associated with the corresponding well 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://apps2.wrd.state.or.us/apps/gw/well_log/Default.aspx

or

- B. Fill out the following table. Describe the construction of well in Table 3 for any wells that do not have a well log.

Table 3. Construction of Point(s) of Appropriation

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.

Proposed or Authorized POA Number	Is well already built? (Yes or No)	If an existing well, OWRD 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

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AFFIDAVIT CONSENTING TO PROPOSED WATER RIGHT TRANSFER

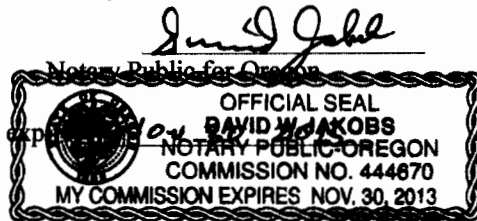
State of Oregon)
)ss
County of Deschutes)

We, Clyde W. Purcell, Mary Lou Purcell and Wayne Purcell, as Members of River's Edge Investments, LLC, being duly sworn and deposed, do consent to the proposed change(s) to water right Certificate 75760 as described in the instream transfer being submitted to OWRD by the City of Bend. The water right is appurtenant to River's Edge Golf Course property located on tax lots 4600 and 7500 in the SW 1/4 SE 1/4 of Section 20, tax lots 300, 600, and 606 in the NE 1/4 NE 1/4, tax lot 605 in the NW 1/4 NE 1/4, and tax lot 103 in the NE 1/4 NW 1/4 of Section 29, Township 17 South, Range 12 East, W.M.

Wayne Purcell
Signature of Affiant

12/29/09
Date

Subscribed and Sworn before me this 29th day of December 2009



My commission expires Nov 30 2013

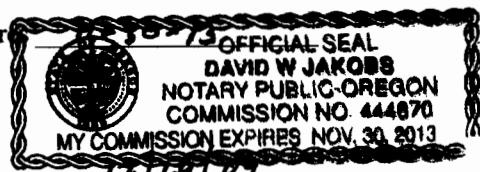
Clyde W. Purcell
Signature of Affiant

12/29/09
Date

Subscribed and Sworn before me this 29th day of December 2009

David W. Jacobs
Notary Public for Oregon

My commission expires Nov 30 2013



Mary Lou Purcell
Signature of Affiant

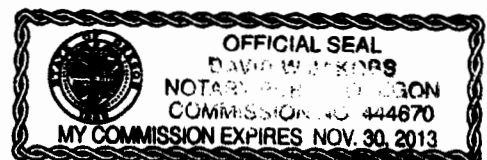
12/29/09
Date

Subscribed and Sworn before me this 29th day of December, 2009

David W. Jacobs
Notary Public for Oregon

My commission expires 11-30-13

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P.O. BOX 431
BEND, OR 97709
[541] 388-5570 TEL
[541] 388-5544 FAX
www.ci.bend.or.us

December 16, 2009

KATHIE ECKMAN
Mayor

City of Bend Planning Division
710 NW Wall St.
Bend, OR 97701

MARK CAPELL
Mayor Pro Tem

Deschutes County Planning Division
117 NW Lafayette Ave.
Bend, OR 97701

JIM CLINTON
City Councilor

Jefferson County Planning Division
85 Southeast D St.
Madras, OR 97741

JODIE BARRAM
City Councilor

JEFF EAGER
City Councilor

Re: Proposed Instream Water Right Transfer

TOM GREENE
City Councilor

The City of Bend is providing notification of our intent to transfer a water right to instream use. The transfer application is requesting to change a portion of water right certificate 75760 to instream use; being protected from the authorized point of diversion (SW ¼ NE ¼, Section 29, T 17 S, R 12 E, WM; 1982 feet South and 1160 feet East from the N ¼ corner of Section 29) on the Deschutes River to Lake Billy Chinook (~RM 120).

ORAN TEATER
City Councilor

ERIC KING
City Manager

The proposed transfer will place approximately 0.325 cubic feet per second instream with an October 10, 1903 priority date. If you have any questions regarding the proposed transfer application, or are interested in receiving additional information please call me at (541) 317-3008.

SONIA ANDREWS
Finance Director

Sincerely,

SANDRA L BAXTER
Police Chief


Patrick Griffiths
Water Resources Coordinator

LARRY HUHN
Fire Chief

PATRICIA STELL
City Recorder

Cc – Laura Wilke, Oregon Water Resources Department

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Water Right Transfer Supplemental Form C

INSTREAM WATER RIGHT TRANSFER

- Permanent Instream Transfer** or **Time-Limited Instream Transfer**
 Please contact the Department with any questions on filling out this form. Attach additional pages, if necessary.

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1. Identify the public use for which the instream right is requested (check one).

- | | |
|--|--|
| <input checked="" type="checkbox"/> Conservation, maintenance and enhancement of aquatic and fish life, wildlife, fish and wildlife habitat and other ecological values. | <input checked="" type="checkbox"/> Recreation
<input type="checkbox"/> Navigation
<input checked="" type="checkbox"/> Pollution Abatement |
|--|--|

2. Instream use proposed to be created by the instream transfer:

Originating Water Right Number (as identified in the transfer application)	Priority Date	Source	Proposed Instream Period	Rate (cfs)*	Volume (ac-ft)**
75760	10/10/1903	Deschutes R.	4/1 through 10/31	0.325	137.95
Total Volume:					137.95

* To calculate rate (if other than the rate allowed by the right), divide the volume by the number of days in the period and then divide by 1.983471; or

** To calculate volume, multiply the rate by the number of days in the period and then multiply by 1.983471.

The quantity allocated during any period may not exceed the quantity that may be used under the existing right during that period. The total volume of water for the year may not exceed the total volume of water that may be used during the year under the existing right.

Additional information: _____

3. Identify the location of the proposed instream water right.

Water is requested to be protected at a point.
 Location (i.e. the point of diversion (POD), or if the water right has more than one POD or if a POD is not described on the water right, please provide the legal description): _____

Water is requested to be protected within a reach.
 Location of proposed reach (if an instream water right reach is requested, identify the upstream and downstream extent of the reach): From the authorized POD (~ RM 165) on the Deschutes River to Lake Billy Chinook (~ RM 120)

4. Recommendations for conditions on the instream use to avoid taking away or impairing existing water rights.

- None
- Other (such conditions may include, but are not limited to, reductions in the instream flow levels in cfs per month or total ac-ft, the effective reach(es) or lake levels of the instream flow, measuring locations and the strategy for monitoring the instream flow or lake levels): _____

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5. Are there any existing instream water rights at the same point or within the same requested reach(es) or lake, or on a portion thereof:
 No Yes (identify other instream water rights): OWRD maintains a record of instream water rights within the proposed reach of the Deschutes River.

New instream water rights generally (but not always) are additive to instream water rights established under ORS 537.348 (instream transfer application process) and ORS 537.470 (allocation of conserved water) and replace a portion of instream water rights established under ORS 537.341 (state agency application process) or ORS 537.346 (conversion of minimum perennial streamflows) with an earlier priority date.

Is it your intent to have the proposed instream water right transfer be additive to any instream water right established under ORS 537.348 and ORS 537.470 and replace a portion of any instream water right established under ORS 537.341 and ORS 537.346 with an earlier priority date?
 Yes No. If no, please explain your intent below.

If the proposed conversion would add to the amounts of an existing instream water right(s) established under ORS 537.341 or 537.346, provide documentation demonstrating why additional instream flows are necessary. *Supporting documentation should include information from the Dept. of Fish and Wildlife (ODFW) (fish life), Dept. of Environmental Quality (DEQ) (pollution abatement), and/or Parks and Recreation Dept. (recreation).*

6. Is the requested instream flow intended to exceed the estimated average natural flow or level occurring from the drainage system?
 No; or
 Yes (Provide supporting documentation that demonstrates why additional flows are significant for the public use requested.); or
 Yes, and it is presumed that flows that exceed the estimated average natural flow or natural lake levels are significant because:
 The requested flow does not exceed the maximum amount of any instream water right application applied for under ORS 537.341 (state agency instream water right application process) for the same reach or portion thereof, and the requested public use is for the same public use as the aforementioned instream water right application; and
 For the specified time period that flows are requested to exceed the estimated average natural flow or lake level, the stream is in an ODFW flow restoration priority watershed (A copy of the priority watershed map indicating the specific watershed involved should be included with the application. Priority watershed maps may be found on the OWRD web page); or
 The stream is listed as water quality limited and DEQ has provided scientific information that demonstrates that increased flows would improve water quality. (The scientific information provided by DEQ should be included with the transfer application.)

7. For a time-limited instream transfer, please answer the following: - N/A -
 The time-limited instream transfer is for a specific number of years:
Begin Year _____ to End Year _____
 The time-limited instream transfer is to terminate based upon other conditions:
Conditions: _____

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