



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

# Application for Water Right Transfer

# 6337

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](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml).

## 1. TYPE OF TRANSFER APPLICATION

| Please check one  |  |  |
|---|--|--|
| <input checked="" type="checkbox"/> Permanent Transfer<br><input type="checkbox"/> Temporary Transfer (1 to 5 yrs.)<br>• total number of years: _____<br>(begin year: _____)<br>(end year: _____) | <input type="checkbox"/> Instream Transfer<br><input type="checkbox"/> Permanent<br><input type="checkbox"/> Time-Limited<br><input type="checkbox"/> Drought Transfer<br><input type="checkbox"/> Other | Is this project fully or partially funded by the American Recovery and Reinvestment Act? (Federal stimulus dollars)<br><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |

## 2. APPLICANT INFORMATION

Name: Vergie Broadfoot

Address: 52132 Highway 332

|        |                     |                      |                      |
|--------|---------------------|----------------------|----------------------|
|        | Milton-Freewater    | OR                   | 97862                |
|        | <small>City</small> | <small>State</small> | <small>Zip</small>   |
| Phone: | (541) 558-9422      | N/A                  | N/A                  |
|        | <small>Home</small> | <small>Work</small>  | <small>Other</small> |
| Fax:   | N/A                 | E-Mail Address:      | N/A                  |

## 3. AGENT INFORMATION

(The agent listed is authorized to represent the applicant in all matters relating to this transfer application.)

Name: Linda Walcker

Address: 51203 Fruitvale Road

|        |                     |                      |                      |
|--------|---------------------|----------------------|----------------------|
|        | Milton-Freewater    | OR                   | 97862                |
|        | <small>City</small> | <small>State</small> | <small>Zip</small>   |
| Phone: | (509) 240-4219      | N/A                  | N/A                  |
|        | <small>Home</small> | <small>Work</small>  | <small>Other</small> |
| Fax:   | N/A                 | E-Mail Address:      | N/A                  |

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- 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.

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JUL 3 - 2002

UMATILLA COUNTY RECORDS

I, **VERGIE BROADFOOT**, of Milton-Freewater, Oregon, appoint **LINDA BROADFOOT WALCKER** my Agent and attorney-in-fact ("my Agent"), with power and authority to:

1. SUPPORT. Make expenditures for my health, education, support, maintenance, and general welfare.
2. MANAGING AND DISPOSING OF ASSETS. Take possession of, retain, change the form of, manage, maintain, improve, lease, grant options on, encumber, sell, exchange, or otherwise dispose of any of my real or personal property or any interest in property, in any manner and on any terms my Agent considers to be in my best interests.
3. CHECKS AND NOTES. Receive, endorse, sign, sell, discount, deliver, and deposit checks, drafts, notes, and negotiable or nonnegotiable instruments, including any drawn on the Treasury of the United States or the state of Oregon or any other state or governmental entity.
4. FINANCIAL INSTITUTIONS. Enter into any transaction with and contract for any services rendered by a financial institution, including continuing, modifying, or terminating existing accounts; opening new accounts; drawing, endorsing, or depositing checks, drafts, and other negotiable instruments; acquiring and transferring certificates of deposit; withdrawing funds deposited in my name alone or in my name and the name of any other person or persons; and providing or receiving financial statements. "Financial institutions" means banks, trust companies, savings banks, commercial banks, savings and loan associations, credit unions, loan companies, thrift institutions, mutual fund companies, investment advisors, brokerage firms, and other similar institutions.
5. INVESTMENTS AND SECURITIES TRANSACTIONS. Invest and reinvest in common or preferred stocks, bonds, mutual funds, common trust funds, money market accounts, secured and unsecured obligations, mortgages, and other real or personal property; engage in investment transactions with any financial institution; and hold my securities in the name of my Agent's nominee or in unregistered form.
6. INSURANCE AND ANNUITY CONTRACTS. Purchase, maintain, modify, renew, convert, exchange, borrow against, surrender, cancel, and collect or select payment options under any insurance or annuity contract. This power shall extend to any insurance I own on the life of my Agent. Any receipt, release, or other instrument executed by my Agent in connection with any insurance or annuity contract shall be binding and conclusive upon all persons.
7. BUSINESS INTERESTS. Continue, participate in, sell, reorganize, or liquidate any business or other enterprise owned by me, either alone or with any other person or persons.
8. VOTING. Appear and vote for me in person or by proxy at any corporate or other meeting.
9. FLOWER BONDS. Purchase U.S. Treasury bonds redeemable at par in payment of federal estate tax, and borrow funds and pledge the bonds as collateral to make the purchase.
10. RETIREMENT PLANS. Establish, modify, contribute to, select payment options under, make elections under, receive payments from, make rollovers to, and take any other steps I might take with respect to IRA accounts and other retirement plans.
11. CREDIT CARDS. Cancel or continue my credit cards and charge accounts, use my credit cards to make purchases, and sign charge slips on my behalf.
12. COLLECTIONS. Demand and collect any money or property owed to me and give a receipt or discharge for the money or property collected.
13. DEBTS. Pay my debts and other obligations.
14. LITIGATION. Sue upon, defend, compromise, or submit to arbitration any controversies in which I may be interested; and act in my name in connection with any complaint, proceeding, or suit.
15. BORROWING. Borrow in any manner and on any terms my Agent considers to be in my best interests and give security for repayment.
16. LENDING. Lend funds to any person, provided that the loan is adequately secured and bears a reasonable rate of interest.
17. TAXES AND ASSESSMENTS. Do the following with respect to any prior tax year and future year when this power of attorney is in force: pay any tax or assessment; appear for and represent me, in person or by attorney, in all tax matters; execute any power of attorney forms required by the Internal Revenue Service, the Oregon Department of Revenue, or any other taxing authority; receive confidential information from any taxing authority; prepare, sign, and file federal, state, and local tax returns and reports for all tax matters, including income, gift, estate, inheritance, generation-skipping, sales, business, FICA, payroll, and property tax matters; execute waivers, including waivers of restrictions on assessment or collection of tax deficiencies and waivers of notice of disallowance of a claim for credit or refund; execute consents, closing agreements, and other documents related to my tax liability; make any elections available under federal or state tax law; and delegate authority or substitute another representative with respect to all matters described in this paragraph.
18. GOVERNMENT BENEFITS. Perform any act necessary or desirable in order for me to qualify for and receive all types of government benefits, including Medicare, Medicaid, Social Security, veterans', and workers' compensation benefits. The power granted under this paragraph shall include the power to dispose of any property or interest in property by any means (including making gifts or establishing and funding trusts) and the power to name or change beneficiaries under insurance policies, pay-on-death arrangements, retirement plans and accounts, and any other assets, provided that any disposition or designation shall be consistent with my existing estate plan to the extent reasonably possible.
19. DISCLAIMER. Disclaim any property, interest in property, or power to which I may be entitled; and take all steps required to make the disclaimer effective under state and federal laws, including Section 2518 of the Internal Revenue Code or any successor statute. In deciding whether to disclaim, my Agent shall consider the effect of disclaimer on taxes that may be payable, on qualification for government benefits, and on my existing estate plan.
20. ELECTIVE SHARE RIGHTS. Exercise any right to claim an elective share in any estate or under any Will.
21. FIDUCIARY POSITIONS. Resign from or renounce on my behalf fiduciary positions, including personal representative, trustee, conservator, guardian, attorney-in-fact, and officer or director of a corporation; and discharge me from further responsibility by filing accountings with a court or settling by formal or informal methods.
22. SAFE DEPOSIT BOX. Have access to and make deposits to or withdraw from any safe deposit box rented in my name alone or in my name and the name of any other person or persons.
23. MAIL. Redirect my mail.
24. CUSTODY OF DOCUMENTS. Take custody of important documents, including any Will, trust agreements, deeds, life insurance

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Linda B. Walcker  
Pub 315



Walla Walla County, WA

PA

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licies, and contracts.

25. EMPLOYEES AND ADVISORS. Employ, compensate, and discharge attorneys, accountants, investment advisors, property managers, custodians, physicians, dentists, nurses, household help, and others to render services to me or for my benefit.

26. NOMINATION OF GUARDIAN AND CONSERVATOR. To the extent permitted by state law, I nominate LINDA BROADFOOT WALCKER to act as my guardian and conservator if I become incapacitated.

27. PERFORM OTHER ACTS TO CARRY OUT THE POWERS GRANTED. Execute and deliver any written instrument and perform any other act necessary or desirable to carry out any of the powers granted to my Agent under this power of attorney, as fully as I might do personally. I ratify and confirm all acts performed by my Agent pursuant to this power of attorney.

28. THIRD PARTY RELIANCE. Third parties who rely in good faith on the authority of my Agent under this power of attorney shall not be liable to me, to my estate, or to my heirs, successors, or assigns. Third parties without actual notice of revocation may conclusively rely on the continued validity of this power of attorney. If requested, my Agent shall furnish, and a third party may conclusively rely on, an affidavit or certificate stating that (1) I was competent at the time this power of attorney was executed, (2) the power of attorney has not been revoked, (3) my Agent continues to serve as attorney-in-fact under the power of attorney, and (4) my Agent is acting within the scope of authority granted under the power of attorney. My Agent may sue or pursue other action against any third party who refuses to honor this power of attorney after such an affidavit or certificate has been provided.

29. DURABILITY. The powers granted to my Agent under this power of attorney shall continue to be exercisable even though I have become disabled or incompetent.

30. GOVERNING LAW. The validity and construction of this power of attorney shall be determined under Oregon law.

I have signed this power of attorney this 5<sup>th</sup> day of June, 1995.



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*Vergie Broadfoot*  
VERGIE BROADFOOT

STATE OF OREGON )  
County of Umatilla ) ss.

On this 15<sup>th</sup> day of June, 1995, before me personally appeared VERGIE BROADFOOT and acknowledged to me that she executed this power of attorney freely and voluntarily.

*Sheri A. Hardin*  
Notary Public for Oregon  
My commission expires: 9/22/97



State of Oregon )  
County of Umatilla )

This instrument was received and recorded on

07-03-02 at 12:50

In the record of document code type DE-PA

Location R415-0587  
Document number 2002-4150587  
Fee 31.00

Office of County Records

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*Jeanne Tompkins*  
Records Officer

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Walla Walla County, WA

PA

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## Carmen Ehlers, MD

1125 South Second Ave, Suite B, Walla Walla, WA 99362

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Phone: (509) 525-2333

Fax: (509) 525-0331

**Date:** 07/16/2009

**Subject:** VERGIE BROADFOOT  
51203 FRUIT VAIL RD  
71 STERLING  
Milton-Freewater OR 97862

Birthdate:05/19/1914  
Home:541-558-9422  
MEDICARE

**From:** Carmen Ehlers, M.D.

**Prepared  
by:** Gary J. Coleman

**To:** Printer

To Whom It May Concern, The above named patient has advanced Alzheimer's dementia and is not able to make decisions of her own. Please feel free to contact me if you have further questions. Sincerely,

**Enclosures:**



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**Sarah Henderson**

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**From:** Ken Dowden

**Sent:** Thursday, March 04, 2010 12:06 PM

**To:** Sarah Henderson

**Subject:** new transfer application coming at you

Hi Sarah, a lady by the name of Linda Walcker just came in and wanted us to look over her transfer application being filed on behalf of her mother Vergie.

Linda is requesting, because her mother Vergie, the applicant is 95 years old with dementia, that her mother NOT RECEIVE ANY CORRESPONDENCE related this transfer.

Linda stated she has Power of Attorney over her mother and is requesting that all documents and correspondence be sent to her (Linda).

So, send the acknowledgment letter and receipt to Linda only.

Thanks.

**Ken Dowden**

**N.C. Region Transfer Specialist**

**Oregon Water Resources Department**

**116 S.E. Dorion Ave.**

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

- List **all** 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. |                      | U-611                      | 26521       |
| 2. |                      | -                          |             |
| 3. |                      | -                          |             |
| 4. |                      | -                          |             |
| 5. |                      | -                          |             |
| 6. |                      | -                          |             |

- Attach a **separate Supplemental Form A** (*Description of Proposed Change(s) to a Water Right*) for **each** water right listed above.
- Check **all** proposed change(s) included in this transfer application:
  - Place of Use       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 Supplemental Groundwater right for Primary Surface water right
  - Historic POD change       Other

Reason(s) for change(s): Change Authorized POA to well historically used for many years

**5. WATER DELIVERY SYSTEM**

- 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. 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.*

Water is appropriated from the alluvial (gravel) aquifer with groundwater well. Water is conveyed throughout property with buried mainline. Water is applied to land with solid-set sprinkler system. Water is beneficially used for irrigation of orchard.

- System capacity: 0.46 cubic feet per second (cfs). If the transfer involves multiple rights that have independent systems, describe the capacity for each system separately.

N/A

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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 **not** 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?  Yes  No  
*If "Yes," list the name and mailing address of the district or water district:*  
Hudson Bay District Improvement Company – PO Box 110, Milton-Freewater, OR 97862
- Will any of the water rights be located within or served by an irrigation or other water district after the proposed transfer?  Yes  No  
*If "Yes," list the name and mailing address of the district or water district:*  
\_\_\_\_\_
- 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," list the name and mailing address of the agency or other entity:*  
\_\_\_\_\_
- Are any of the water rights proposed for transfer issued in the name of an irrigation district?  
 Yes  No  
*If "Yes," the applicant **must** attach Supplemental Form D demonstrating district concurrence with the proposed transfer.*

**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).

Umatilla County - 216 SE 4<sup>th</sup> Street - Pendleton, OR 97801

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**9. LAND OWNERSHIP**

- Does the applicant own the lands where the portion of water right proposed for transfer is currently located?  Yes  No

*If "No", provide the following information: (For Temporary Transfers, also include a **notarized statement granting consent** to the transfer from **each** of the landowners. For Permanent Transfers, see Section 12 of the application form.)*

Names of Current Landowner(s): N/A

Address: N/A

City: N/A State: N/A Zip: N/A

Does the applicant own the lands **TO** which the right is being transferred?

- Yes  No  N/A - NOT APPLICABLE TO INSTREAM TRANSFERS

*If "No", provide the following information:*

Names of Receiving Landowner(s): N/A

Address: N/A

City: N/A State: N/A Zip: N/A

Check **one** 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)**

N/A

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

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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.*

### Supplemental Form A –

**Description of Proposed Change(s) to a Water Right**

- A separate Supplemental Form A is enclosed for each water right to be affected by this transfer.

### Supplemental Form B –

**Evidence of Use Affidavit(s)**

- At least one Evidence of Use Affidavit documenting that the right(s) has been used during the last five years or that the right(s) is not subject to forfeiture under ORS 540.610 is attached. The affidavit provided must be the original (not a copy), and
- The Evidence of Use Affidavit **must** be accompanied by **supporting documentation**.

### Supplemental Form C –

**Instream Water Right Transfer Only**

- Complete this form to describe the desired nature and attributes for the proposed instream water right.

### Supplemental Form D –

**For Water Rights in the Name of an Irrigation District**

- Complete this form for any water rights proposed for transfer that are issued in the name of an irrigation

### Fees:

- Amount enclosed: \$1,200.00  
See the Department's Fee Schedule at [www.wrd.state.or.us](http://www.wrd.state.or.us) or call (503) 986-0900.

### Map:

- 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.
- Temporary Transfer or Historical POD 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.

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### Water Well Report(s)/Well Log(s):

- The application is for a change in point of appropriation or a change from surface water diversion to ground water appropriation and copies of all water well reports are attached.
- 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 developed or proposed to be developed is attached.
- N/A. The application does not involve a change in point of appropriation or a change from surface water to ground water, so water well reports are not required.)

### Land Use Information For Proposed Changes:

#### For Instream Transfers

- 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 transfers a Land Use Information Form is not required.*)

#### For All Other Transfers

- Land Use Information Form is enclosed; *or*
- All of the following criteria are met, therefore a Land Use Information Form is not required:
- ① In EFU zone or irrigation district,
  - ② Change in place of use only,
  - ③ No structural changes needed, including diversion works, delivery facilities, other structures, *and*
  - ④ Irrigation only.

### Temporary Transfers, also include:

- Recorded Deed**  
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.
- Affidavit of Consent**  
If the applicant is **NOT** the owner of record for the land **from** which the authorized place of use or point of diversion/appropriation is being moved, a notarized statement from the actual owner of record consenting to the proposed transfer must be submitted.

**Before submitting your application to the Department, be sure you have:**

- Answered each question completely.
- Included all the required attachments.
- Provided original signatures for **all** 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**

▪ Check **one** 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) and (6)] to provide the following landownership information and evidence demonstrating that I (we) am authorized to pursue the transfer:

- (a) A report of ownership information that has been prepared by a title company within the three months prior to the issuance of the draft Preliminary Determination showing current land ownership of the subject lands, unless there is a recorded water right conveyance agreement;
- (b) If applicable, a copy of any water right conveyance agreement on the subject lands. If a water right conveyance agreement has been recorded for the subject lands, the report of ownership information must be prepared by a title company within the three months of the water right conveyance agreement being recorded or show ownership of the subject property at the time the water right conveyance agreement was recorded; **and**
- (c) If the landowner identified in the report of ownership information or the individual or entity to whom the interest in the water right has been conveyed is **not** the applicant, a **notarized statement consenting to the transfer** 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.

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 **NOT** required to provide the above described report of ownership information.

I (we) affirm that the applicant is an entity with the authority to condemn property and is acquiring the property to which the water right proposed for transfer is appurtenant by condemnation. Documentation is provided with this application supporting this statement. Therefore, pursuant to OAR 690-380-3000(13)(c), the applicant is **NOT** required to provide the above described report of ownership 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 (we) affirm that this is a historic point of diversion transfer and that I (we) must provide a report of current ownership prepared by a title company prior to the Department finalizing my request.

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

|  |  |                         |
|--|--|-------------------------|
| <u>Virgie Broadfoot</u><br>Applicant signature | <u>by Linda Broadfoot-Halper</u><br>Name and title if applicable (print) | <u>3/11/10</u><br>Date  |
| <u>11034</u><br>Applicant signature            | <u>POA for Virgie</u><br>Name and title if applicable (print)            | <u>RECEIVED</u><br>Date |

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**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.

|   |
|---|
| <p>▪ Certificate Number or other identifying number: <u>26521</u></p> |
|---|

**1. TYPE OF CHANGE(S) PROPOSED**

(Check *all* that apply.)

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

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**2. CURRENT WATER RIGHT INFORMATION**

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

|  |                                    |   |
|--|------------------------------------|---|
| <input checked="" type="checkbox"/> Certified Right                  | <u>26521</u><br>Certificate Number | <u>U-611</u><br>Permit Number or Decree Name    |
| <input type="checkbox"/> Adjudicated,<br>Non-certificated Right      | _____<br>Name of Decree            | _____<br>Page Number                            |
| <input type="checkbox"/> Permit for which Proof has<br>been Approved | _____<br>Permit Number             | _____<br>Date Claim of Beneficial Use Submitted |

- Name on Permit, Certificate, or Decree: Edwin L. McEwen
- County: Umatilla
- Authorized Use(s) to be Affected by Transfer: Irrigation (supplemental)
- Priority Date(s): March 12, 1954

*If there are **multiple priority dates** identified on the water right, any information provided on **pages 3 through 6** of this form **must identify** which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

- Source(s) of Water to be Affected by Transfer: McEwen Well (gravel)

Tributary to: Johnson Creek

*If there are **multiple sources** listed on the water right, any information provided on **pages 3 through 6** of this form **must identify** which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*

**For applications proposing a Change in Place of Use or Character of Use:**

- Are there **Other Water Rights**, Permits or Ground Water Registrations associated with this land?  
 Yes     No     N/A – *No Change in Place of Use or Character of Use*

*If "Yes", what are the Permit, Registration or Certificate Numbers?* N/A

*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, except as provided in OAR 690-380-2240(5).*

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▪ Certificate Number or other identifying number: 26521

The following information must be provided only for those points of diversion or appropriation that are involved in the transfer (i.e., list only the portion of the water right you propose to transfer.) 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 or the authorized point(s) of diversion or appropriation that serves the lands being transferred, if applicable)

| If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-____) | Source and Priority Date  | Township | Range | Mer | Sec | ¼ ¼   | Tax Lot, DLC or Gov't Lot | Direction & Distance from a Recognized Survey Corner |
|---|---------------------------|----------|-------|-----|-----|-------|---------------------------|--|
| Well Log UMAT 4808  | Well (gravel) 12 MAR 1954 | 6N       | 35E   | WM  | 29  | NW NW | 900                       | 725 ft S & 825 ft E from NW Corner of Section 29     |
|   |                           |          |       |     |     |       |                           |  |

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

**or**

B. If a well log is **not** 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 |
|--|----------|-------------------------|-----------------------|--|------------|---------------------|-------------------------------------|---|------------------|
| N/A  | See      | Attached                | Well                  | Log                                      |            |                     |                                     |   |                  |
|  |          |                         |                       |  |            |                     |                                     |   |                  |

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▪ Certificate Number or other identifying number: 26521

**3. PROPOSED CHANGES TO THE WATER RIGHT**

*Describe proposed changes to the water right involving point(s) of diversion and/or appropriation. Direction and distance from a recognized survey corner described below should accurately correspond to the points shown on the accompanying application map. Attach additional pages as necessary.*

**Location of Proposed Point(s) of Diversion or Appropriation:**

*(i.e., the "TO" point(s) of diversion or appropriation)*

N/A – Instream Water Right Transfer

*(NOTE: Complete this table only if a Change in Point of Diversion or Appropriation is being proposed.)*

| Source        | Township | Range | Mer | Sec | ¼ ¼ Section | Tax Lot, DLC or Gov't Lot | Direction & Distance from a Recognized Survey Corner |
|---------------|----------|-------|-----|-----|-------------|---------------------------|--|
| Well (gravel) | 6N       | 35E   | WM  | 29  | NW NW       | 901                       | 780 ft S and 1025 ft E from NW Corner of Section 29  |
|               |          |       |     |     |             |                           |  |
|               |          |       |     |     |             |                           |  |

If there are proposed point(s) of appropriation (wells) listed in the table above, are the well(s) already constructed?  Yes  No  N/A - No proposed well(s) listed above.

*If "Yes", attach and clearly label the corresponding well log(s) for each proposed well, or if well log(s) are **not** available, describe the construction of the well(s) using the table below. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)*

*If "No", describe the anticipated construction for the proposed well(s) in the following table:*

**Construction of Proposed Point(s) of Appropriation or Well(s)**

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

| 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 |
|------------------------------|--|----------|-------------------------|-----------------------|--|------------|---------------------|-------------------------------------|---|------------------|
| Yes                          | Well Log UMAT 5092   | 6-inch   | 6-inch steel            | 72                    | N/A                                      | N/A        | 33 ft               | 33 Ft                               | N/A                                     | 91 ft            |
|                              |  |          |                         |                       |  |            |                     |                                     |   |                  |
|                              |  |          |                         |                       |  |            |                     |                                     |   |                  |
|                              |  |          |                         |                       |  |            |                     |                                     |   |                  |

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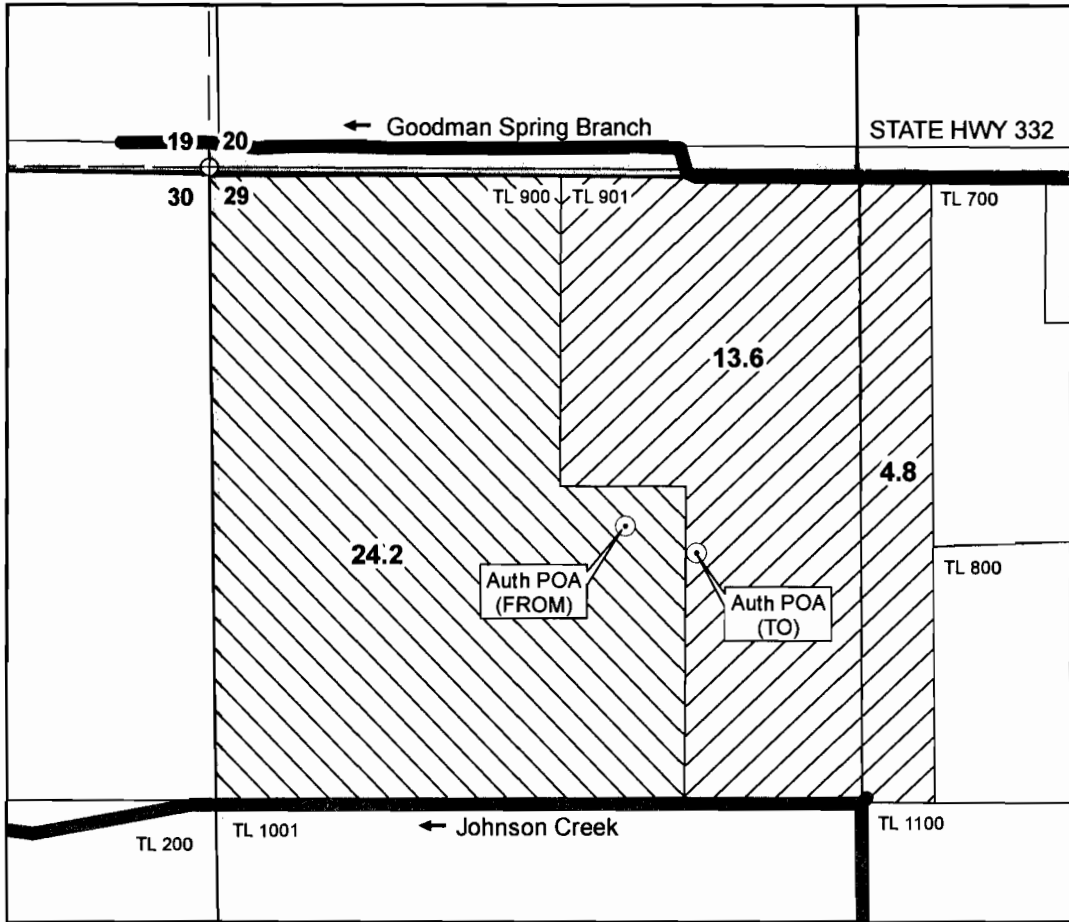








**T6N, R35E, WM  
NW/4 NW/4 of Sec 29  
Umatilla County**

1 inch = 400 feet



- **Point of Appropriation (FROM)**  
Groundwater well (gravel) located in the NW/4, NW/4, Section 29, 725 feet S and 825 feet E from NW Corner of Section 29. Well Log UMAT 4808.
- **Point of Appropriation (TO)**  
Groundwater well (gravel) located in the NW/4, NW/4, Section 29, 780 feet S and 1025 feet E from NW Corner of Section 29. Well Log UMAT 5092.

 **Place of Use (AFFECTED)**  
18.4 acres in Tax Lot 901, including:  
4.8 acres in NE NW of Section 29  
13.6 acres in NW NW of Section 29

 **Place of Use (NOT AFFECTED)**  
24.2 acres in Tax Lot 900 in NW NW Section 29

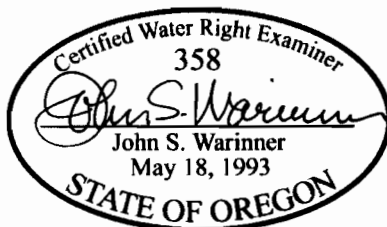
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The purpose of this map is to identify the location of a water right. It is not intended to provide information regarding the location of property ownership boundary lines.



FOUNTAINHEAD  
1204 Alvarado Terrace  
Walla Walla, WA 99362  
509.529.2646 phone

**TRANSFER MAP  
Certificate 26521**

in the name of  
VERGIE BROADFOOT

Revised 03 FEB 2010