

# Application for Water Right Transfer



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

## Part 1 of 4 – Minimum Requirements Checklist

**This transfer application will be returned if Parts 1 through 4 and all required attachments are not completed and included.**

For questions, please call (503) 986-0900, and ask for Transfer Section.

### FOR ALL TRANSFER APPLICATIONS

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

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Transfer Application Map Checklist.
- Part 3 – Completed Transfer Application – Applicant Information and Signature.
- Part 4 – Completed Transfer Application – Water Right Information. Please include a separate Part 4 for each water right. List all water right certificates to be transferred here:  
C. 32154 (portion HPOD only).

#### Attachments:

- Completed Transfer Application Map.
- Completed Evidence of Use Affidavit and supporting documentation.
- Fees – Amount enclosed: \$ 900.00.  
See the Department's Fee Schedule at [www.wrd.state.or.us](http://www.wrd.state.or.us) or call (503) 986-0883.
- N/A Affidavit(s) of Consent.
- N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district.
- N/A Land Use Information Form with approval and signature (or signed land use form receipt stub). Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- N/A For changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation, Water Well Report/Well Log.
- N/A For Temporary Transfer (one to five years) Begin Year \_\_\_\_ End Year \_\_\_\_.
- N/A For Temporary Transfer only – Current recorded deed for the land **from** which the authorized place of use is being moved.
- N/A Temporary Drought Transfer (For use in counties where the Governor has declared drought)

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#### (For Staff Use Only)

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

- Application fee not enclosed/insufficient
- Land Use Form not enclosed or incomplete
- Additional signature(s) required
- Map not included or incomplete
- Part \_\_\_\_ is incomplete

Other/Explanation \_\_\_\_\_

Staff: \_\_\_\_\_ 503-986-0 \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

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## Part 2 of 4 – Transfer Application Map Checklist

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

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

- N/A Certified Water Right Examiner (CWRE) Stamp and Original Signature. For list of CWREs see [http://www1.wrd.state.or.us/pdfs/cwre\\_listing.pdf](http://www1.wrd.state.or.us/pdfs/cwre_listing.pdf). CWRE stamp and signature are not required for temporary changes, historic point of diversion changes, and substitutions.
- N/A If **more than three** water rights are involved, separate maps are needed for each water right.
- Permanent quality printed with dark ink on white or clear paper or film.
- The size of the map can be  $8\frac{1}{2} \times 11$  inches,  $8\frac{1}{2} \times 14$  inches, or up to 30 x 30 inches. For 30 x 30 inch maps, three (3) paper copies and an electronic copy in a .pdf, .tiff or .jpg format are required.
- A north arrow, a legend, and scale.
- The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet, the scale of the Final Proof/Claim of Beneficial Use Map (the map used when the permit was certificated), the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet, or a scale that has been pre-approved by the Department.
- Township, Range, Section,  $\frac{1}{4}$   $\frac{1}{4}$ , DLC, Government Lot, and other recognized public land survey lines.
- Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.
- Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.
- N/A Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.
- Existing place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the water right is being changed, a separate hachuring is needed for lands left unchanged.
- N/A Proposed place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.
- Existing point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water right certificate or permit.
- N/A If you are proposing a change in point(s) of diversion or well(s), show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

**Part 3 of 4 – Applicant Information and Signature**

**Applicant Information**

APPLICANT/BUSINESS NAME <i>Adolph Mary K Weinke</i>		PHONE NO. <i>5414436841</i>	ADDITIONAL CONTACT NO.
ADDRESS <i>PO Box 547</i>		FAX NO.	
CITY <i>Pilot Rock</i>	STATE <i>OR</i>	ZIP <i>97868</i>	E-MAIL <i>aweinke@centurytel.net</i>

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

AGENT/BUSINESS NAME		PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS		FAX NO.	
CITY	STATE	ZIP	E-MAIL

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)

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located?  Yes  No

If NO, include signatures of all landowners (and mailing address if different than the applicant's) or attach affidavits of consent (and mailing addresses) from all landowners or individuals/entities to which the water right(s) has been conveyed.

**Permanent Transfers Only (check one box)**

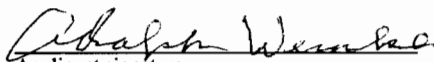
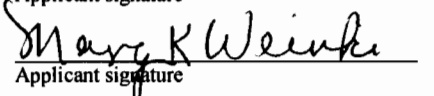
- By signing this application, I understand that, upon receipt of the draft preliminary determination and prior to Department approval of the transfer, I will be required to provide landownership information and evidence that I am authorized to pursue the transfer as identified in OAR 690-380-4010(5); **OR**
- I affirm the applicant is a municipality as defined in ORS 540.510(3)(b) and that the right is in the name of the municipality or a predecessor; **OR**
- I affirm 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 and have supporting documentation.

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

	<i>Adolph Weinke</i>	<i>4/20/10</i>
Applicant signature	Name (and title if applicable) (print)	Date
	<i>Mary K. Weinke</i>	<i>4/20/10</i>
Applicant signature	Name (and title if applicable) (print)	Date

In your own words tell us what change(s) you want made and the reason for the change(s): \_\_\_\_\_

We are requesting an historical POD change showing the current system of irrigation from a Flood/Ditch System to using an Electric powered pump in the creek. (We have two pumps).

**111067**

**Check the following boxes that apply:**

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

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

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

If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. (To learn about sale agreements please visit our web site at: <http://www1.wrd.state.or.us/pdfs/Transfer-PropertyTransactions.pdf>)

N/A  
↓

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

Describe any special ownership circumstances here: \_\_\_\_\_

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

IRRIGATION DISTRICT NAME	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	ADDRESS		
CITY	STATE	ZIP	

ENTITY NAME	ADDRESS		
CITY	STATE	ZIP	

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# Part 4 of 4 – Water Right Information

Please use a separate Part 4 for each water right being changed. See instructions at <http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml>.

## CERTIFICATE # 32154

### Description of Water Delivery System

System capacity: **0.35 (28 acres)** cubic feet per second (cfs) OR  
**157** gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. **See Attachment #11**

**Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)**  
 (Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Authorized POD	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	N/A	2 S	32 E	11	SE SE	1300	SESE Sec. 11 T.2S., R.32E., W.M. 686' N. & 1082' W. from the SE Corner Sec. 11
Pod#1	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	N/A	2 S	32 E	10	NW SE	100	GPS: N. 45.40550 W.-118.79739
Pod#2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	N/A	2 S	32 E	10	SW NE	100	GPS: N.45.40783 W.-118.80042
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							

**Check all type(s) of change(s) proposed below (change “CODES” are provided in parentheses):**

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

**Will all of the proposed changes affect the entire water right?**

- Yes Complete only the Proposed (“to” lands) section of Table 2 on the next page. Use the “CODES” listed above to describe the proposed changes.
- No Complete all of Table 2 to describe the portion of the water right to be changed.

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Please use additional pages of Table 2 as needed

**Table 2. Description of Changes to Water Right Certificate # 32154**

List only the part of the right that will be changed. For the acreage in each 1/4 1/4, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, specify the acreage associated with each POD/POA.

Authorized ("from" lands) as they appear BEFORE THE CHANGES						Proposed ("to" lands) AFTER THE CHANGES										
Twp	Rng	Sec	1/4 1/4	Tax Lot or DLC	Acreage (if applicable)	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Proposed Changes (see "CODES" from previous page)	Twp	Rng	Sec	1/4 1/4	Tax Lot or DLC	Acreage (if applicable)	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)
2 S	32 E	10	NW SE	100	15.0	Irr., Dom., & Stock	POD#1	POD#1	2 S	32 E	10	NE SE	100	10.0		POD#1
2 S	32 E	10	SE NE	100	3.0	Irr., Dom., & Stock	POD#2	POD#2	2 S	32 E	10	NW SE	100	1.5		POD#1
									2 S	32 E	10	SE NE	100	1.2		POD#1
									2 S	32 E	10	SE NE	100	0.3		POD#1
2 S	32 E	10	SW NE	100	15.0	Irr., Dom., & Stock	Authorized POD	HPOD	2 S	32 E	10	SW NE	100	15.0		POD#2
TOTAL ACRES									TOTAL ACRES						28	

**Additional remarks: This transfer is for a Historical Pod change only. A flood many years ago took out the original diversion dam and wiped out the delivery ditch. OWRD Frank Dye GPSed the two proposed pump sites that we have been using for over 10 years. We want to get our pumps legal asap. \*This transfer is pending the outcome of a Decree Correction currently being processed involving C.32154 (10 ac in the NESE not NWSE). Also see the statement from the Watermaster (HPOD) attachment #8. The footprint of the above 3 acres didn't change, but because of the way the 1/4 1/4 lines fall on the tax lot map the acres were broken up this way (1.5 ac SENE & 1.5 ac NWSE).**

**For Place of Use or Character of Use Changes**

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

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



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

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

Ground water supplemental Permit or Certificate # \_\_\_\_\_;  
Surface water primary Certificate # \_\_\_\_\_.

**For a change from Supplemental Irrigation Use to Primary Irrigation Use**

Identify the primary certificate to be cancelled. Certificate # \_\_\_\_\_

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

Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map. (Tip: You may search for well logs on the Department's web page at: [http://apps2.wrd.state.or.us/apps/gw/well\\_log/Default.aspx](http://apps2.wrd.state.or.us/apps/gw/well_log/Default.aspx))

**OR**

Describe the construction of the authorized and proposed well(s) in Table 3 for any wells that do not have a well log.

**Table 3. Construction of Point(s) of Appropriation**

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide adequate information is likely to delay the processing of your transfer application. For proposed wells, we recommend that you consult a licensed well driller, geologist, or certified water right examiner for the proper information needed to complete the table.

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well, OWRD Well ID Tag No. L-____	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well - specific rate (cfs or gpm). If less than full rate of water right

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Attachment # 11

Certificate # 32154

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

POD #1 is located on the eastern portion of the irrigated property. There is a pump in the creek and water is delivered through a pipeline and attached to either a wheel line, hand lines, or through a water gun. The water goes out on the north side of the creek only.

POD #2 is located on the western portion of the irrigated property. The water goes out on both sides of this pump. On the south side, the water flows through a pipeline and hand lines or a water gun deliver the water. On the north side, water goes across the creek in a pipe and hand lines are used to deliver the water.

We are currently in the process of installing flow meters on each pump in order to capture the 2010 water use for irrigation.

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Attachment #8

STATE OF OREGON

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

This Is to Certify, That ESTATE OF ISAAC KNOTTS  
Alonso Knotts, Agent

of Pilot Rock, State of Oregon, has a right  
to the use of the waters of East Birch Creek

a tributary of Umatilla River for the purpose of  
irrigation of 66 acres and domestic and stock use  
and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for  
Umatilla County, and the said decree entered of record at Salem, in the Order Record of  
the STATE ENGINEER, in Volume 3, at page 127; that the priority of the right thereby  
confirmed dates from 1875 for 30 acres and 1892 for 36 acres

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an  
amount actually beneficially used for said purposes, and shall not exceed 0.83 cubic feet per  
second, subject to the provisions of paragraph 33 of said decree and all other  
conditions and limitations contained in said decree.

The point of diversion is located in the NE 1/4 SE 1/4, Section 4, T. 2 S., R. 32 E., W. M.

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

0.3 SENE  
1.2 SENE  
1.5 NWSE  
Because of  
1/4 1/4 lines

15.0 acres SW 1/4 NE 1/4  
3.0 acres SE 1/4 NE 1/4  
10.0 acres NW 1/4 SE 1/4  
Section 10  
4.0 acres NE 1/4 SW 1/4  
14.0 acres SE 1/4 SW 1/4  
Section 3  
12.0 acres NE 1/4 SW 1/4  
Section 4  
T. 2 S., R. 32 E., W. M.  
4.0 acres SW 1/4 NE 1/4  
4.0 acres NE 1/4 NW 1/4  
Section 22  
T. 2 S., R. 33 E., W. M.

Weinke's portion  
- Decree corr. NESE 10 ac

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Certificate of water right issued to Estate of Isaac Knotts, Alonso Knotts,  
Agent, and recorded at page 2575, Volume 3, State Record of Water Right Cert-  
ificates, confirms a right to the use of water for irrigation of 71.0 acres.  
Subsequently, the point of diversion for the use of water appurtenant to 5.0  
acres was transferred by order of the State Engineer entered November 20, 1964.  
This certificate is issued to confirm the remaining right to the use of water  
for irrigation and supersedes the certificate heretofore issued to Estate of  
Isaac Knotts, Alonso Knotts, Agent.

And said right shall be subject to all other conditions and limitations contained in said decree.  
The right to the use of the water for the purposes aforesaid is restricted to the lands or place  
of use herein described.

WITNESS the signature of the State Engineer, affixed

this date April 20, 1965.

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 24, page 32154

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# Oregon

Theodore R. Kulongoski, Governor

Attachment # 9

## Water Resources Department

Watermaster

116 SE Dorion Avenue

Pendleton, OR 97801

Phone: (541) 278-5456

FAX: (541) 278-0287

April 20, 2010

RE: Certificate 32154.

To whom it may concern:

A portion of Certificate 32154 is located Section 10, Township 2 S., Range 32 E. WM. More specifically, the Umatilla River Decree allowed use of 15 acres in the SW1/4, NE1/4; 3 acres in the SE1/4, NE1/4 and 10 acres in the NW1/4, SE 1/4 of Section 10. These water rights are appurtenant to land owned by Mr. and Mrs. Adolph Weinke. The Weinke's have hired an attorney to help them correct a decree error regarding an incorrect place of use and when and if that is accomplished will be filing a historical point of diversion (POD) transfer to authorize the use of the two POD's from Birch Creek that have been in use for many years. The authorized POD for their water rights is located by the decree map in the SE1/4, SE1/4 of Section 11, Township 2 S., Range 32 E. WM. The athorized POD is not located on land they own and is no longer in use to serve their lands.

Based on my personal knowledge of greater than 20 years, I am not aware of any claim of injury filed due to the use of water at these two actual, current PODs.

If there are any questions regarding this letter, I can be reached at 541-278-5456.

Sincerely,

Tony Justus  
Watermaster, District 5

Cc: Adolph Weinke  
Dorothy Pedersen, Transfer Coordinator

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