

Name S-87373
 WILLOW CREEK DIST IMPROVEMENT CO
 By c/o MARTHA O PAGEL
 SCHWABE, WILLIAMSON & WYATT
 Address 530 CENTER ST NE, SUITE 400
SALEM OR 97301

CIS

Priority JAN 6 2009
 County MORROW WM# 21

RELATED FILES

Application No. 87373
 Permit No. S-54801
 Certificate No. _____

_____ Date _____
DENIED _____
MISFILED _____
WITHDRAWN _____
CANCELLED _____

FEES PAID

Date	Amount	Receipt No.
1.6.09	17.60	95288
1.6.09	26.69	95289
1.6.09	50.22	95290
1.6.09	89.67	95291
1.6.09	132.03	95292
1.6.09	215.92	95293
1.6.09	492.01	95294
1.6.09	829.83	95295
1.6.09	1036.03	95296
	Cert. Fee	

FEES REFUNDED

Date	Amount	Receipt No.
1.7.09		300

ASSIGNMENTS

Date	To Whom	EXT - Date	Address - \$	Receipt
		5-18-15	575.00	115897

DEVELOPMENT _____ Date _____
 Completion 4-6-2015
 Extended to _____
 Final Proof received _____
 Proposed Cert. Mailed _____

REMARKS T-11313 ΔPOU Vol 88 pg. 331
 T-11314 ΔPOU Vol 88 pg. 336
 T-11512 Vol 91 pg 1021
 T-11664 AP00
 T-12135 AP0D
 T-14242 ΔPOU Vol. 129 Pgs. 535-546
 T-14363 Temp ΔPOU, P0D Vol. 129, P. 1160

MAP LOCATION

XS - 1.9.2009



SCHWABE, WILLIAMSON & WYATT
ATTORNEYS AT LAW

Equitable Center, 530 Center St., NE, Suite 400, Salem, OR 97301
Phone 503.540.4262 | Fax 503.399.1645 | www.schwabe.com
Shonee D. Langford

Tim Wallin
Manager, Water Rights Section
Oregon Water Resources Department
725 Summer St NE Ste A
Salem, OR 97301-1271



Oregon

Tina Kotek, Governor

APP: S-87373

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

www.oregon.gov/owrd

June 27, 2025

Keith Tiegs
PO BOX 3110
Pasco, WA 99302

REFERENCE: District Temporary Transfer Application T-14571

Enclosed is a copy of the final order approving your TEMPORARY water right transfer application.

The temporary change shall be effective at the **beginning of the 2025 irrigation season**. The use shall revert to the original authorized place of use at the **end of the 2025 irrigation season**.

If you have any questions related to the approval of this temporary transfer, you may contact your caseworker, Scott Grew, by telephone at (503) 986-0890 or by e-mail at Scott.a.grew@water.oregon.gov.

Sincerely,

David V. Jones Jr
Water Rights Services Support
Transfers and Conservation Section

cc: Kenneth C. Thiemann, Watermaster Dist. # 21 (via email)
William Porfily, Agent
Irrigation District: Willow Creek District Improvement Company
U.S. Bureau of Reclamation
Morrow County, Local Government

Enclosure

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

In the Matter of Transfer Application)	FINAL ORDER APPROVING TEMPORARY
T-14571, Morrow County)	CHANGES IN PLACES OF USE AND POINTS
)	OF DIVERSION

Authority

Oregon Revised Statute (ORS) 540.505 to 540.580 establish the process in which a water right holder may submit a request to temporarily transfer the place of use and, if necessary to convey the water to the temporary place of use, the point of diversion authorized under an existing water right.

Oregon Administrative Rule (OAR) Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

BAKER PRODUCE SOUTH
C/O KEITH TIEGS
PO BOX 3110
PASCO, WA 99302

Findings of Fact

1. On December 2, 2024, Baker Produce South, C/O Keith Tiegs filed an application to temporarily change the places of use under Certificates 94969, 96377, 94970, and Permits S-54980, and S-55268, and to change the places of use and points of diversion to serve the proposed places of use under Certificates 82489, 30021, and 94967, for a period of 1 year. The Department assigned the application number T-14571.
2. Notice of the application for transfer was published on December 10, 2024, pursuant to OAR 690-380-4000.
3. The portion of the first right to be temporarily transferred is as follows:
Certificate: 82489 in the name of JANE PENLAND (confirmed by decree of the Circuit Court of the State of Oregon for Morrow County. Recorded at Special Order Volume 1, at Page 73.)

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Use: IRRIGATION of 9.8 ACRES
Priority Date: 1875
Rate: 0.22 CUBIC FOOT PER SECOND
Source: WILLOW CREEK, tributary to the COLUMBIA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q
1 S	25 E	WM	34	N½ NE

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	25 E	WM	34	NE NE	8.8
1 S	25 E	WM	34	NW NE	1.0
Total					9.8

4. Temporary Transfer Application T-14571 proposes to temporarily change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	25 E	WM	10	NE NE	0.2
2 S	25 E	WM	10	SE NE	9.6
Total					9.8

5. A change in point of diversion is necessary to convey the water to the proposed temporary place of use. Temporary Transfer Application T-14571 proposes to move the authorized point of diversion approximately 6.27 miles upstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distance
2 S	26 E	WM	27	NE NW	HEPPNER-LEXINGTON PIPELINE -1120 FEET SOUTH AND 1820 FEET EAST FROM THE NW CORNER OF SECTION 27

6. The second right to be temporarily transferred is as follows:

Certificate: 30021 in the name of NEWT O'HARRA (perfected under Permit S-20861)
Use: IRRIGATION of 33.9 ACRES
Priority Date: NOVEMBER 9, 1951
Rate: 0.57 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE SIXTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 4.0 acre-feet for each acre irrigated during the irrigation season of each year.
Source: WILLOW CREEK a tributary of COLUMBIA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q
1 S	25 E	WM	35	NE SE

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	25 E	WM	35	SW NE	2.8
1 S	25 E	WM	35	NW NW	1.4
1 S	25 E	WM	35	SW NW	5.1
1 S	25 E	WM	35	SE NW	11.6
1 S	25 E	WM	35	NE SE	3.2
1 S	25 E	WM	35	NW SE	9.8
Total					33.9

7. Temporary Transfer Application T-14571 proposes to temporarily change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	25 E	WM	2	NW NW	33.9

8. A change in point of diversion is necessary to convey the water to the proposed temporary place of use. Temporary Transfer Application T-14571 proposes to move the authorized point of diversion approximately 6.27 miles upstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distance
2 S	26 E	WM	27	NE NW	HEPPNER-LEXINGTON PIPELINE -1120 FEET SOUTH AND 1820 FEET EAST FROM THE NW CORNER OF SECTION 27

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

Certificate: 94969 in the name of ELMER E. PADBERG (perfected under Permit G-6828)

Use: IRRIGATION of 304.2 ACRES and SUPPLEMENTAL IRRIGATION of 38.5 ACRES

Priority Date: OCTOBER 1, 1973

Rate: 2.23 CUBIC FEET PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

Source: PADBERG WELL within the WILLOW CREEK BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 S	25 E	WM	35	NW SE	WELL #1: 1810 FEET NORTH AND 1680 FEET WEST FROM THE SE CORNER OF SECTION 35

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
1 S	25 E	WM	34	NW NE		16.2
1 S	25 E	WM	34	SW NE		39.3
1 S	25 E	WM	34	NW SE		14.5
1 S	25 E	WM	35	SW NE		0.4
1 S	25 E	WM	35	SE NW		6.3
1 S	25 E	WM	35	NE SW		33.2
1 S	25 E	WM	35	SE SW		13.1
1 S	25 E	WM	35	NE SE		4.9
1 S	25 E	WM	35	NW SE		20.5
1 S	25 E	WM	35	SW SE		40.0
1 S	25 E	WM	35	SE SE		26.8
2 S	25 E	WM	2	NE NE	1	12.8
2 S	25 E	WM	2	NW NE	2	28.7
2 S	25 E	WM	2	SW NE		33.9
2 S	25 E	WM	2	SE NE		8.3
2 S	25 E	WM	2	NE NW	3	5.3
					Total	304.2

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	
1 S	25 E	WM	34	NE NE	8.5	
1 S	25 E	WM	34	NW NE	0.8	
1 S	25 E	WM	35	SW NE	2.8	
1 S	25 E	WM	35	NW NW	1.4	
1 S	25 E	WM	35	SW NW	5.1	
1 S	25 E	WM	35	SE NW	10.0	
1 S	25 E	WM	35	NE SE	2.2	
1 S	25 E	WM	35	NW SE	7.7	
					Total	38.5

10. Temporary Transfer Application T-14571 proposes to temporarily change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
1 S	25 E	WM	35	NE SW		0.2
1 S	25 E	WM	35	SE SW		12.0
1 S	25 E	WM	35	NE SE		3.5
1 S	25 E	WM	35	NW SE		11.0
1 S	25 E	WM	35	SW SE		40.0
1 S	25 E	WM	35	SE SE		26.8

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
1 S	25 E	WM	2	NE NE	1	10.6
1 S	25 E	WM	2	NW NE	2	23.4
1 S	25 E	WM	2	NE NW	3	3.7
1 S	25 E	WM	2	SW NW		31.1
1 S	25 E	WM	2	SE SW		2.0
1 S	25 E	WM	2	SW SE		2.2
1 S	25 E	WM	11	NE NE		1.1
1 S	25 E	WM	11	NW NE		36.4
1 S	25 E	WM	11	SW NE		31.7
1 S	25 E	WM	11	SE NE		0.6
1 S	25 E	WM	11	NE NW		37.9
1 S	25 E	WM	11	NW NW		0.8
2 S	25 E	WM	11	SW NW		0.4
2 S	25 E	WM	11	SE NW		28.8
					Total	304.2

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	
2 S	25 E	WM	2	NW NW	28.7	
2 S	25 E	WM	10	NE NE	0.2	
2 S	25 E	WM	10	SE NE	9.6	
					Total	38.5

11. The portion of the fourth right to be temporarily transferred is as follows:

Certificate: 94967 in the name of ELMER E. PADBERG (perfected under Permit S-48116)

Use: SUPPLEMENTAL IRRIGATION of 304.0 ACRES

Priority Date: AUGUST 3, 1983

Rate: 2.26 CUBIC FEET PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-SIXTIETH of one cubic foot per second per acre, and shall be further limited to a diversion of not to exceed 3.0 acre-feet for each acre irrigated during the irrigation season of each year, provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitations allowed herein, provided further that although declared herein to be for supplemental irrigation in part the right allowed may, in the interest of conserving the groundwater supplies, be exercised at times when water is available in the groundwater supply provided that the total quantity diverted from all sources of supply does not exceed the limitation allowed herein.

Source: WILLOW CREEK, a tributary of COLUMBIA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 S	25 E	WM	35	NE SE	1550 FEET NORTH AND 640 FEET WEST FROM THE SE CORNER OF SECTION 35

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	25 E	WM	34	NW NE	16.2
1 S	25 E	WM	34	SW NE	39.3
1 S	25 E	WM	34	NW SE	14.5
1 S	25 E	WM	35	SW NE	0.4
1 S	25 E	WM	35	SE NW	6.3
1 S	25 E	WM	35	NE SW	33.8
1 S	25 E	WM	35	SE SW	13.1
1 S	25 E	WM	35	NE SE	4.1
1 S	25 E	WM	35	NW SE	20.5
1 S	25 E	WM	35	SW SE	40.0
1 S	25 E	WM	35	SE SE	26.8
2 S	25 E	WM	2	NE NE	12.8
2 S	25 E	WM	2	NW NE	28.7
2 S	25 E	WM	2	SW NE	33.9
2 S	25 E	WM	2	SE NE	8.3
2 S	25 E	WM	2	NE NW	5.3
Total					304.0

12. Temporary Transfer Application T-14571 proposes to temporarily change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
1 S	25 E	WM	35	NE SW		0.2
1 S	25 E	WM	35	SE SW		12.0
1 S	25 E	WM	35	NE SE		3.5
1 S	25 E	WM	35	NW SE		11.0
1 S	25 E	WM	35	SW SE		40.0
1 S	25 E	WM	35	SE SE		26.6
2 S	25 E	WM	2	NE NE	1	10.6
2 S	25 E	WM	2	NW NE	2	23.4
2 S	25 E	WM	2	NE NW	3	3.7
2 S	25 E	WM	2	SW SW		31.1
2 S	25 E	WM	2	SE SW		2.0
2 S	25 E	WM	2	SW SE		2.2
2 S	25 E	WM	11	NE NE		1.1
2 S	25 E	WM	11	NW NE		36.4
2 S	25 E	WM	11	SW NE		31.7
2 S	25 E	WM	11	SE NE		0.6
2 S	25 E	WM	11	NE NW		37.9
2 S	25 E	WM	11	NW NW		0.8
2 S	25 E	WM	11	SW NW		0.4

Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
2 S	25 E	WM	11	SE NW		28.8
					Total	304.0

13. A change in point of diversion is necessary to convey the water to the proposed temporary place of use. Temporary Transfer Application T-14363 proposes to move the authorized point of diversion approximately 6.27 miles upstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distance
2 S	26 E	WM	27	NE NW	HEPPNER-LEXINGTON PIPELINE -1120 FEET SOUTH AND 1820 FEET EAST FROM THE NW CORNER OF SECTION 27

14. The portion of the fifth right to be temporarily transferred is as follows:

Certificate: 96377 in the name of FRANK TIEGS, LLC, ANDY AND ANDREA FLETCHER, LEE PADBERG (perfected under Permit G-15586)

Use: IRRIGATION USE ON 130.1 ACRES; IRRIGATION USE TO MAKE UP DEFICIENCY IN RATE ON 468.6 ACRES

Priority Date: APRIL 3, 2003

Rate: Not to exceed 1.86 CUBIC FEET PER SECOND (CFS), being 1.63 CFS for IRRIGATION of 130.1, 1.86 CFS for IRRIGATION to make up a deficiency in rate on 468.6 ACRES in any combination not to exceed 1.86 CFS; FURTHER LIMITED TO 1.86 CFS FROM Well 1.

Limit/Duty: The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

Period of Use: MARCH 1 THROUGH OCTOBER 31

Source: A WELL in WILLOW CREEK BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 S	25 E	WM	35	NW SE	WELL 1 (ORIGINAL) - 1810 FEET NORTH AND 1680 FEET WEST FROM THE SE CORNER OF SECTION 35

Authorized Place of Use:

FRANK TIEGS, LLC					
IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	25 E	WM	34	NE NE	0.3
1 S	25 E	WM	34	SE NE	1.4
1 S	25 E	WM	34	NE NW	10.9
1 S	25 E	WM	34	NW NW	21.9
1 S	25 E	WM	34	SW NW	30.4
1 S	25 E	WM	34	SE NW	16.8
1 S	25 E	WM	34	NE SE	0.3

FRANK TIEGS, LLC					
IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	25 E	WM	34	NW SE	0.3
1 S	25 E	WM	34	SW SE	0.1
1 S	25 E	WM	34	SE SE	3.3
1 S	25 E	WM	35	NE SW	0.7
1 S	25 E	WM	35	SW SW	4.0
1 S	25 E	WM	35	SE SW	11.6
2 S	25 E	WM	2	NW NE	9.3
2 S	25 E	WM	2	NE NW	7.9
2 S	25 E	WM	2	SW NW	7.8
2 S	25 E	WM	2	SE NW	3.1
Total					130.1

FRANK TIEGS, LLC					
IRRIGATION USE TO MAKE UP DEFIEICIENY IN RATE					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	25 E	WM	34	NE NE	8.8
1 S	25 E	WM	34	NW NE	17.0
1 S	25 E	WM	34	SW NE	39.3
1 S	25 E	WM	34	SE NE	0.5
1 S	25 E	WM	34	NW SE	14.5
1 S	25 E	WM	35	SW NE	3.2
1 S	25 E	WM	35	NW NW	2.0
1 S	25 E	WM	35	SW NW	5.1
1 S	25 E	WM	35	SE NW	16.3
1 S	25 E	WM	35	NE SW	37.0
1 S	25 E	WM	35	SE SW	13.1
1 S	25 E	WM	35	NE SE	7.1
1 S	25 E	WM	35	NW SE	28.2
1 S	25 E	WM	35	SW SE	40.0
1 S	25 E	WM	35	SE SE	26.6
2 S	25 E	WM	2	NE NE	12.8
2 S	25 E	WM	2	NW NE	28.7
2 S	25 E	WM	2	SW NE	33.9
2 S	25 E	WM	2	SE NE	8.3
2 S	25 E	WM	2	NE NW	5.3
2 S	25 E	WM	3	NE SE	29.2
2 S	25 E	WM	3	NW SE	30.1
2 S	25 E	WM	3	SW SE	30.9
2 S	25 E	WM	3	SE SE	30.7
Total					468.6

15. Temporary Transfer Application T-14571 proposes to temporarily change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	25 E	WM	2	SW SW	1.9

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	25 E	WM	3	SE SE	3.4
1 S	25 E	WM	10	NE NE	38.3
1 S	25 E	WM	10	NW NE	3.4
1 S	25 E	WM	10	SW NE	1.8
1 S	25 E	WM	10	SE NE	21.8
1 S	25 E	WM	11	NW NW	32.8
1 S	25 E	WM	11	SW NW	26.7
				Total	130.1

IRRIGATION TO MAKE UP DEFICIENCY OF RATE					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	25 E	WM	35	NE SW	0.2
1 S	25 E	WM	35	SE SW	12.0
1 S	25 E	WM	35	NE SE	3.5
1 S	25 E	WM	35	NW SE	11.0
1 S	25 E	WM	35	SW SE	40.0
1 S	25 E	WM	35	SE SE	26.6
2 S	25 E	WM	2	NE NE	10.6
2 S	25 E	WM	2	NW NE	23.4
2 S	25 E	WM	2	NE NW	3.7
2 S	25 E	WM	2	NW NW	33.9
2 S	25 E	WM	2	SW NW	31.1
2 S	25 E	WM	2	SE SW	2.0
2 S	25 E	WM	2	SW SE	2.2
2 S	25 E	WM	3	NE NE	31.4
2 S	25 E	WM	3	NW NE	28.7
2 S	25 E	WM	3	SW NE	29.7
2 S	25 E	WM	3	SE NE	31.1
2 S	25 E	WM	10	NE NE	0.2
2 S	25 E	WM	10	SE NE	9.6
2 S	25 E	WM	11	NE NE	1.1
2 S	25 E	WM	11	NW NE	36.4
2 S	25 E	WM	11	SW NE	31.7
2 S	25 E	WM	11	SE NE	0.6
2 S	25 E	WM	11	NE NW	37.9
2 S	25 E	WM	11	NW NW	0.8
2 S	25 E	WM	11	SW NW	0.4
2 S	25 E	WM	11	SE NW	28.8
				Total	468.6

16. The portion of the sixth right to be temporarily transferred is as follows:

Certificate: 94970 in the name of ELMER E. PADBERG (perfected under Permit G-6828)
Use: IRRIGATION of 120.9 ACRES
Priority Date: OCTOBER 1, 1973
Rate: 0.72 CUBIC FOOT PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: PADBERG WELL within the WILLOW CREEK BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 S	25 E	WM	35	NW SE	1810 FEET NORTH AND 1680 FEET WEST FROM THE SE CORNER OF SECTION 35

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	25 E	WM	3	NE SE	29.2
2 S	25 E	WM	3	NW SE	30.1
2 S	25 E	WM	3	SW SE	30.9
2 S	25 E	WM	3	SE SE	30.7
Total					120.9

17. Temporary Transfer Application T-14571 proposes to temporarily change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	25 E	WM	3	NE NE	31.4
2 S	25 E	WM	3	NW NE	28.7
2 S	25 E	WM	3	SW NE	29.7
2 S	25 E	WM	3	SE NE	31.1
Total					120.9

18. The portion of the seventh right to be temporarily transferred is as follows:

Permit: S-54980 in the name of WILLOW CREEK DISTRICT IMPROVEMENT CO.
Use: SUPPLEMENTAL IRRIGATION of 478.0 ACRES
Priority Date: JANUARY 6, 2009
Quantity: 470.82 ACRE-FEET
Rate/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall not exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Period of Use: MARCH 31 THROUGH OCTOBER 31
Source: WILLOW CREEK RESERVOIR, constructed under Permit R-10880, tributary to WILLOW CREEK

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	26 E	WM	27	NE NW	TD1 -1120 FEET SOUTH AND 1820 FEET EAST FROM THE NW CORNER OF SECTION 27

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION WITH PRIMARY CERTIFICATE 82489					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	25 E	WM	34	NE NE	8.8
1 S	25 E	WM	34	NW NE	1.0
				Total	9.8

SUPPLEMENTAL IRRIGATION WITH PRIMARY CERTIFICATE 30021					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	25 E	WM	35	SW NE	2.8
1 S	25 E	WM	35	NW NW	1.4
1 S	25 E	WM	35	SW NW	5.1
1 S	25 E	WM	35	SE NW	11.6
1 S	25 E	WM	35	NE SE	3.2
1 S	25 E	WM	35	NW SE	9.8
				Total	33.9

SUPPLEMENTAL IRRIGATION WITH PRIMARY CERTIFICATE 94969					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	25 E	WM	34	NW NE	16.2
1 S	25 E	WM	34	SW NE	39.3
1 S	25 E	WM	34	NW SE	14.5
1 S	25 E	WM	35	SW NE	0.4
1 S	25 E	WM	35	SE NW	6.3
1 S	25 E	WM	35	NE SW	33.2
1 S	25 E	WM	35	SE SW	13.1
1 S	25 E	WM	35	NE SE	4.9
1 S	25 E	WM	35	NW SE	20.5
1 S	25 E	WM	35	SW SE	40.0
1 S	25 E	WM	35	SE SE	26.8
2 S	25 E	WM	2	NE NE	12.8
2 S	25 E	WM	2	NW NE	28.7
2 S	25 E	WM	2	SW NE	33.9
2 S	25 E	WM	2	SE NE	8.3
2 S	25 E	WM	2	NE NW	5.3
				Total	304.2

SUPPLEMENTAL IRRIGATION WITH PRIMARY CERTIFICATE 96377					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	25 E	WM	34	NE NE	0.3
1 S	25 E	WM	34	SE NE	1.4
1 S	25 E	WM	34	NE NW	10.9
1 S	25 E	WM	34	NW NW	21.9
1 S	25 E	WM	34	SW NW	30.4
1 S	25 E	WM	34	SE NW	16.8
1 S	25 E	WM	34	NE SE	0.3
1 S	25 E	WM	34	NW SE	0.3
1 S	25 E	WM	34	SW SE	0.1
1 S	25 E	WM	34	SE SE	3.3
1 S	25 E	WM	35	NE SW	0.7
1 S	25 E	WM	35	SW SW	4.0
1 S	25 E	WM	35	SE SW	11.6
2 S	25 E	WM	2	NW NE	9.3
2 S	25 E	WM	2	NE NW	7.9
2 S	25 E	WM	2	SW NW	7.8
2 S	25 E	WM	2	SE NW	3.1
				Total	130.1

19. Temporary Transfer Application T-14571 proposes to temporarily change the place of use of the right to:

SUPPLEMENTAL IRRIGATION WITH PRIMARY CERTIFICATE 82489					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	25 E	WM	10	NE NE	0.2
2 S	25 E	WM	10	SE NE	9.6
				Total	9.8

SUPPLEMENTAL IRRIGATION WITH PRIMARY CERTIFICATE 30021					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	25 E	WM	2	NW NW	33.9

SUPPLEMENTAL IRRIGATION WITH PRIMARY CERTIFICATE 94969						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
1 S	25 E	WM	35	NE SW		0.2
1 S	25 E	WM	35	SE SW		12.0
1 S	25 E	WM	35	NE SE		3.5
1 S	25 E	WM	35	NW SE		11.0
1 S	25 E	WM	35	SW SE		40.0
1 S	25 E	WM	35	SE SE		26.8
2 S	25 E	WM	2	NE NE	1	10.6
2 S	25 E	WM	2	NW NE	2	23.4
2 S	25 E	WM	2	NE NW	3	3.7
2 S	25 E	WM	2	SW NW		31.1

SUPPLEMENTAL IRRIGATION WITH PRIMARY CERTIFICATE 94969						
Twp	Rng	Mer	Sec	Q-Q	Glots	Acres
2 S	25 E	WM	2	SE SW		2.0
2 S	25 E	WM	2	SW SE		2.2
2 S	25 E	WM	11	NE NE		1.1
2 S	25 E	WM	11	NW NE		36.4
2 S	25 E	WM	11	SW NE		31.7
2 S	25 E	WM	11	SE NE		0.6
2 S	25 E	WM	11	NE NW		37.9
2 S	25 E	WM	11	NW NW		0.8
2 S	25 E	WM	11	SW NW		0.4
2 S	25 E	WM	11	SE NW		28.8
					Total	304.2

SUPPLEMENTAL IRRIGATION WITH PRIMARY CERTIFICATE 96377						
Twp	Rng	Mer	Sec	Q-Q	Acres	
1 S	25 E	WM	2	SW SW	1.9	
1 S	25 E	WM	3	SE SE	3.4	
1 S	25 E	WM	10	NE NE	38.3	
1 S	25 E	WM	10	NW NE	3.4	
1 S	25 E	WM	10	SW NE	1.8	
1 S	25 E	WM	10	SE NE	21.8	
1 S	25 E	WM	11	NW NW	32.8	
1 S	25 E	WM	11	SW NW	26.7	
					Total	130.1

20. The portion of the eighth right to be temporarily transferred is as follows:

- Permit:** S-55268 in the name of WILLOW CREEK DISTRICT IMPROVEMENT COMPANY
- Use:** SUPPLEMENTAL IRRIGATION of 598.9 ACRES
- Priority Date:** MARCH 8, 2018
- Quantity:** 236.0 ACRE-FEET (OR AS FURTHER LIMITED BY CONTRACT)
- Rate/Duty:** The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.
- Period of Use:** MARCH 1 THROUGH OCTOBER 31
- Source:** WILLOW CREEK RESERVOIR, constructed under Permit R-10880, TRIBUTARY TO WILLOW CREEK

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	26 E	WM	27	NE NW	TD1 HEPNER TO LEXINGTON PIPELINE -1120 FEET SOUTH AND 1820 FEET EAST FROM THE NW CORNER OF SECTION 27

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION WITH PRIMARY CERTIFICATE 82489					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	25 E	WM	34	NE NE	8.8
1 S	25 E	WM	34	NW NE	1.0
				Total	9.8

SUPPLEMENTAL IRRIGATION WITH PRIMARY CERTIFICATE 30021					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	25 E	WM	35	SW NE	2.8
1 S	25 E	WM	35	NW NW	1.4
1 S	25 E	WM	35	SW NW	5.1
1 S	25 E	WM	35	SE NW	11.6
1 S	25 E	WM	35	NE SE	3.2
1 S	25 E	WM	35	NW SE	9.8
				Total	33.9

SUPPLEMENTAL IRRIGATION WITH PRIMARY CERTIFICATE 94969					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	25 E	WM	34	NW NE	16.2
1 S	25 E	WM	34	SW NE	39.3
1 S	25 E	WM	34	NW SE	14.5
1 S	25 E	WM	35	SW NE	0.4
1 S	25 E	WM	35	SE NW	6.3
1 S	25 E	WM	35	NE SW	33.2
1 S	25 E	WM	35	SE SW	13.1
1 S	25 E	WM	35	NE SE	4.9
1 S	25 E	WM	35	NW SE	20.5
1 S	25 E	WM	35	SW SE	40.0
1 S	25 E	WM	35	SE SE	26.8
2 S	25 E	WM	2	NE NE	12.8
2 S	25 E	WM	2	NW NE	28.7
2 S	25 E	WM	2	SW NE	33.9
2 S	25 E	WM	2	SE NE	8.3
2 S	25 E	WM	2	NE NW	5.3
				Total	304.2

SUPPLEMENTAL IRRIGATION WITH PRIMARY CERTIFICATE 96377					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	25 E	WM	34	NE NE	0.3
1 S	25 E	WM	34	SE NE	1.4
1 S	25 E	WM	34	NE NW	10.9
1 S	25 E	WM	34	NW NW	21.9
1 S	25 E	WM	34	SW NW	30.4
1 S	25 E	WM	34	SE NW	16.8

SUPPLEMENTAL IRRIGATION WITH PRIMARY CERTIFICATE 96377					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	25 E	WM	34	NE SE	0.3
1 S	25 E	WM	34	NW SE	0.3
1 S	25 E	WM	34	SW SE	0.1
1 S	25 E	WM	34	SE SE	3.3
1 S	25 E	WM	35	NE SW	0.7
1 S	25 E	WM	35	SW SW	4.0
1 S	25 E	WM	35	SE SW	11.6
2 S	25 E	WM	2	NW NE	9.3
2 S	25 E	WM	2	NE NW	7.9
2 S	25 E	WM	2	SW NW	7.8
2 S	25 E	WM	2	SE NW	3.1
Total					130.1

SUPPLEMENTAL IRRIGATION WITH PRIMARY CERTIFICATE 94970					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	25 E	WM	3	NE SE	29.2
2 S	25 E	WM	3	NW SE	30.1
2 S	25 E	WM	3	SW SE	30.9
2 S	25 E	WM	3	SE SE	30.7
Total					120.9

21. Temporary Transfer Application T-14571 proposes to temporarily change the place of use of the right to:

SUPPLEMENTAL IRRIGATION WITH PRIMARY CERTIFICATE 82489					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	25 E	WM	10	NE NE	0.2
1 S	25 E	WM	10	SE NE	9.6
Total					9.8

SUPPLEMENTAL IRRIGATION WITH PRIMARY CERTIFICATE 30021					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	25 E	WM	2	NW NW	33.9

SUPPLEMENTAL IRRIGATION WITH PRIMARY CERTIFICATE 94969						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
1 S	25 E	WM	35	NE SW		0.2
1 S	25 E	WM	35	SE SW		12.0
1 S	25 E	WM	35	NE SE		3.5
1 S	25 E	WM	35	NW SE		11.0
1 S	25 E	WM	35	SW SE		40.0
1 S	25 E	WM	35	SE SE		26.8

SUPPLEMENTAL IRRIGATION WITH PRIMARY CERTIFICATE 94969						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
2 S	25 E	WM	2	NE NE	1	10.6
2 S	25 E	WM	2	NW NE	2	23.4
2 S	25 E	WM	2	NE NW	3	3.7
2 S	25 E	WM	2	SW NW		31.1
2 S	25 E	WM	2	SE SW		2.0
2 S	25 E	WM	2	SW SE		2.2
2 S	25 E	WM	11	NE NE		1.1
2 S	25 E	WM	11	NW NE		36.4
2 S	25 E	WM	11	SW NE		31.7
2 S	25 E	WM	11	SE NE		0.6
2 S	25 E	WM	11	NE NW		37.9
2 S	25 E	WM	11	NW NW		0.8
2 S	25 E	WM	11	SW NW		0.4
2 S	25 E	WM	11	SE NW		28.8
					Total	304.2

SUPPLEMENTAL IRRIGATION WITH PRIMARY CERTIFICATE 96377						
Twp	Rng	Mer	Sec	Q-Q	Acres	
1 S	25 E	WM	2	SW SW	1.9	
1 S	25 E	WM	3	SE SE	3.4	
1 S	25 E	WM	10	NE NE	38.3	
1 S	25 E	WM	10	NW NE	3.4	
1 S	25 E	WM	10	SW NE	1.8	
1 S	25 E	WM	10	SE NE	21.8	
1 S	25 E	WM	11	NW NW	32.8	
1 S	25 E	WM	11	SW NW	26.7	
					Total	130.1

SUPPLEMENTAL IRRIGATION WITH PRIMARY CERTIFICATE 96370						
Twp	Rng	Mer	Sec	Q-Q	Acres	
2 S	25 E	WM	3	NE NE	31.4	
2 S	25 E	WM	3	NW NE	28.7	
2 S	25 E	WM	3	SW NE	29.7	
2 S	25 E	WM	3	SE NE	31.1	
					Total	120.9

22. Temporary Transfer Application T-14571 proposes to temporarily transfer water rights within the boundaries of Willow Creek District Improvement District. The district was notified of the proposed temporary transfer and consents to the proposed temporary water right Transfer application.

Temporary Transfer Review Criteria

23. Water has been used within the last five years according to the terms and conditions of the rights. There is no evidence available that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
24. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights are present.
25. The proposed changes would prevent the lands from which the water rights are removed during the period of the temporary transfer from receiving water under the transferred rights, as required by ORS 540.523(7).
26. The proposed changes would not result in injury to other water rights. This finding is made through an abbreviated review recognizing that the transfer may be revoked under ORS 540.523(5) if the Department later finds that the transfer is causing injury to any existing water right.

Conclusions of Law

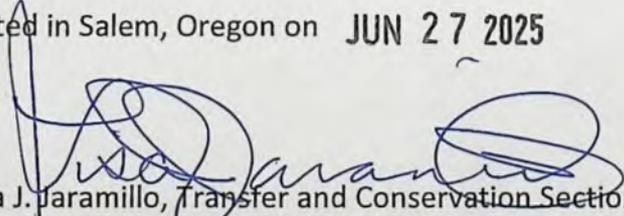
The temporary changes in place of use under Certificates 94969, 96377, 94970, and Permits S-54980 and S-55268, and the change in places of use and points of diversion to serve the proposed places of use under Certificates 82489, 30021, and 94967 proposed in Temporary Transfer Application T-14571 are consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

Now, therefore, it is ORDERED:

1. The temporary changes in place of use under Certificates 94969, 96377, 94970, and Permits S-54980 and S-55268, and the change in places of use and points of diversion to serve the proposed places of use under Certificates 82489, 30021, and 94967 proposed in Temporary Transfer Application T-14571 are approved.
2. The former places of use **shall not** be irrigated as part of these water rights during the 2025 irrigation seasons.
3. The use shall revert to the authorized places of use at the end of the 2025 irrigation season. The authorization to use the proposed temporary points of diversion shall be terminated concurrently.
4. The approval of this temporary transfer may be revoked or modified if the Department finds the changes cause injury to any existing water right.
5. The quantity of water diverted at the proposed temporary points of diversion shall not exceed the quantity of water lawfully available at the original points of diversion.

6. A subsequent application for permanent transfer of Certificates 82489, 30021, 94969, 94967, 96377, and 94970 shall be subject to a full and complete review to determine consistency with the requirements of OAR Chapter 690, Division 380. Approval of this temporary transfer does not establish a precedent for approval of a subsequent application filed for a permanent transfer.
7. A subsequent application for permit amendments of Permits S-54980 and S-55268 shall be subject to a full and complete review to determine consistency with the requirements of OAR Chapter 690, Division 380. Approval of this temporary transfer does not establish a precedent for approval of a subsequent application filed for a permanent transfer.
8. The use of water at the temporary places of use authorized by this transfer shall be in accordance with the terms and conditions of Certificates 82489, 30021, 94969, 94967, 96377, 94970, and Permits S-54980 and S-55268.
9. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.
10. Water use measurement conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation (new and existing).
 - b. The water user shall maintain the meters or measuring devices in good working order.
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.
11. The use of the remaining water rights described by Certificates 82489, 30021, 94969, 94967, 96377, 94970, and Permits S-54980 and S-55268 shall continue to be in accordance with the terms and conditions of Certificates 82489, 30021, 94969, 94967, 96377, 94970, and Permits S-54980 and S-55268.

Dated in Salem, Oregon on JUN 27 2025


Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
IVAN GALL, DIRECTOR
Oregon Water Resources Department

Mailing Date: JUN 30 2025



App: ⁹87373
Oregon

Tina Kotek, Governor

Permit: ⁵54980

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

www.oregon.gov/owrd

April 18, 2024

Frank Tiegs
PO Box 3110
Pasco, WA 99302

REFERENCE: District Temporary Transfer Application T-14363

Enclosed is a copy of the final order approving your TEMPORARY water right transfer application.

The temporary change shall be effective at the **beginning of the 2024 irrigation season**. The use shall revert to the original authorized place of use at the **end of the 2024 irrigation season**.

If you have any questions related to the approval of this temporary transfer, you may contact your caseworker, Arla Davis, by telephone at (503) 979-3129 or by e-mail at Arla.l.davis@water.oregon.gov.

Sincerely,

Elyse D. Richman
Water Rights Services Support
Transfers and Conservation Section

cc: Kenneth C. Thiemann, Watermaster Dist. # 21 (via email)
William Porfily, Agent
Irrigation District: Willow Creek District Improvement Co
U.S. Bureau of Reclamation
Morrow County, Local Government

Enclosure

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

In the Matter of Transfer Application)	FINAL ORDER APPROVING TEMPORARY
T-14363, MORROW County)	CHANGES IN PLACES OF USE AND POINTS
)	OF DIVERSION

Authority

Oregon Revised Statute (ORS) 540.505 to 540.580 establish the process in which a water right holder may submit a request to temporarily transfer the place of use and, if necessary to convey the water to the temporary place of use, the point of diversion authorized under an existing water right.

Oregon Administrative Rule (OAR) Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

FRANK TIEGS, LLC
PO BOX 3110
PASCO, WA 99302

Findings of Fact

1. On November 27, 2023, FRANK TIEGS, LLC, filed an application to temporarily change the places of use under Certificates 94969, 96377, 94970, and Permits S-54980 and S-55268, and to change the places of use and points of diversion to serve the proposed places of use under Certificates 30021, 82489, and 94967, for a period of 1 year. The Department assigned the application number T-14363.
2. Notice of the application for transfer was published on December 19, 2023, pursuant to OAR 690-380-4000.
3. On December 7, 2023, the Department contacted the agent for the applicant by phone regarding a deficiency in the application, specifically the applicant did not sign the application.
4. On December 15, 2023, the agent sent an amended application page with the applicant's signature, satisfying the deficiency.

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

5. On February 1, and 5, 2024, the Department contacted the agent for the applicant regarding deficiencies in table 2 for Certificates 94967, 94969, and 96377 and Permits S-54980 and S-55268, specifically the "from" and "to" acres in Table 2 of Transfer Application T-14363 were incorrect.
6. On February 5, 2024, the agent for the applicant submitted amended application pages and maps, satisfying the deficiencies.
7. The watermaster requires that the applicant secure the headgate located at the Willow Creek point of diversion, described in Finding of Fact 10 and completely block the flood ditch serving the north acres being transferred off. The from lands under Certificates 30021 and 82489, previously approved under Temporary District Transfer T-14215, continued receiving water during the 2023 season. Uncontrollable and un-metered flood ditch irrigation from Willow Creek was allowed to irrigate the off lands, resulting in enlargement of the rights. The headgate needs to be secured upstream from the reservoir and must be capable of regulating flow, as well as the flood ditch serving the off lands, must be completely blocked during the term of Temporary Transfer Application T-14363.
8. On March 21, 2024, the Department contacted the agent for the applicant regarding deficiencies in the application, specifically the "from" maps for Certificate 82989, and Permits S-54980 and S-55268, do not include the portion of the water rights not proposed for transfer, the "from" lands described in table 2 for Permit S-55268 requests 0.6 more acres than are available in the NW NW of Section 35, T1S, R25E, WM, and the "to" lands for Permit S-54980 incorrectly describes the acres in the SE SE of Section 35, T1S, R25E, WM as 26.6 acres.
9. On March 22, 2024, the agent for the applicant submitted amended application pages and maps, satisfying the deficiencies.
10. The first right to be temporarily transferred is as follows:

Certificate: 30021 issued in the name NEWT O'HARRA (perfected under Permit S-20861)
Use: IRRIGATION of 33.9 acres
Priority Dates: NOVEMBER 9, 1951
Rate: 0.57 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-SIXTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 4.0 acre-feet for each acre irrigated during the irrigation season of each year.
Source: WILLOW CREEK, a tributary of COLUMBIA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q
1 S	25 E	WM	35	NE SE

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	25 E	WM	35	SW NE	2.8
1 S	25 E	WM	35	NW NW	1.4
1 S	25 E	WM	35	SW NW	5.1
1 S	25 E	WM	35	SE NW	11.6
1 S	25 E	WM	35	NE SE	3.2
1 S	25 E	WM	35	NW SE	9.8
Total					33.9

11. Temporary Transfer Application T-14363 proposes to temporarily change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	25 E	WM	3	NW NE	28.7
2 S	25 E	WM	3	SW NE	5.2
Total					33.9

12. A change in point of diversion is necessary to convey the water to the proposed temporary place of use. Temporary Transfer Application T-14363 proposes to move the authorized point of diversion approximately 6.27 miles upstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distance
2 S	26 E	WM	.27	NE NW	HEPPNER-LEXINGTON PIPELINE -1120 FEET SOUTH AND 1820 FEET EAST FROM THE NW CORNER OF SECTION 27

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

Certificate: 82489 issued in the name JANE PENLAND (confirmed by decree of the Circuit Court of the State of Oregon for Morrow County. Recorded at Special Order Volume 1, at Page 73.)

Use: IRRIGATION of 9.8 acres

Priority Date: 1875

Rate: 0.22 CUBIC FOOT PER SECOND

Source: WILLOW CREEK, tributary to the COLUMBIA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q
1 S	25 E	WM	34	N½ NE

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	25 E	WM	34	NE NE	8.8
1 S	25 E	WM	34	NW NE	1.0
Total					9.8

14. Temporary Transfer Application T-14363 proposes to temporarily change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	25 E	WM	3	SW NE	9.8

15. A change in point of diversion is necessary to convey the water to the proposed temporary place of use. Temporary Transfer Application T-14363 proposes to move the authorized point of diversion approximately 6.27 MILES UPSTREAM to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distance
2 S	26 E	WM	27	NE NW	HEPPNER-LEXINGTON PIPELINE -1120 FEET SOUTH AND 1820 FEET EAST FROM THE NW CORNER OF SECTION 27

16. The portion of the third right to be temporarily transferred is as follows:

Certificate: 94967 issued in the name of ELMER E. PADBERG (perfected under Permit S-48116)

Use: SUPPLEMENTAL IRRIGATION of 435.5 acres

Priority Date: AUGUST 3, 1983

Rate: 3.24 CUBIC FEET PER SECOND

Limit/ Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-SIXTIETH of one cubic foot per second per acre, and shall be further limited to a diversion of not to exceed 3.0 acre-feet for each acre irrigated during the irrigation season of each year, provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitations allowed herein, provided further that although declared herein to be for supplemental irrigation in part the right allowed may, in the interest of conserving the groundwater supplies, be exercised at times when water is available in the groundwater supply provided that the total quantity diverted from all sources of supply does not exceed the limitation allowed herein.

Source: WILLOW CREEK, a tributary the COLUMBIA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 S	25 E	WM	35	NE SE	1550 FEET NORTH AND 640 FEET WEST FROM THE SE CORNER OF SECTION 35

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	G-Lot	Acres
1 S	25 E	WM	34	NW NE		16.2
1 S	25 E	WM	34	SW NE		39.3
1 S	25 E	WM	34	SE NE		31.3
1 S	25 E	WM	34	NE SE		17.6
1 S	25 E	WM	34	NW SE		9.9
1 S	25 E	WM	34	SE SE		9.1

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	G-Lot	Acres
1 S	25 E	WM	35	SW NE		0.4
1 S	25 E	WM	35	SW NW		19.0
1 S	25 E	WM	35	SE NW		6.3
1 S	25 E	WM	35	NE SW		37.3
1 S	25 E	WM	35	NW SW		30.4
1 S	25 E	WM	35	SW SW		24.8
1 S	25 E	WM	35	SE SW		13.5
1 S	25 E	WM	35	NE SE		4.1
1 S	25 E	WM	35	NW SE		20.5
1 S	25 E	WM	35	SW SE		40.0
1 S	25 E	WM	35	SE SE		26.8
2 S	25 E	WM	2	NE NE	1	12.8
2 S	25 E	WM	2	NW NE	2	28.7
2 S	25 E	WM	2	SW NE		33.9
2 S	25 E	WM	2	SE NE		8.3
2 S	25 E	WM	2	NE NW	3	5.3
Total						435.5

17. A change in point of diversion is necessary to convey the water to the proposed temporary place of use. Temporary Transfer Application T-14363 proposes to move the authorized point of diversion approximately 6.27 MILES UPSTREAM to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distance
2 S	26 E	WM	27	NE NW	HEPPNER-LEXINGTON PIPELINE -1120 FEET SOUTH AND 1820 FEET EAST FROM THE NW CORNER OF SECTION 27

18. Transfer Application T-14363 proposes to temporarily change the place of use of the right to:

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
1 S	25 E	WM	35	NE SW		18.6
1 S	25 E	WM	35	NW SW		16.6
1 S	25 E	WM	35	SW SW		16.5
1 S	25 E	WM	35	SE SW		12.0
1 S	25 E	WM	35	NE SE		3.5
1 S	25 E	WM	35	NW SE		11.0
1 S	25 E	WM	35	SW SE		40.0
1 S	25 E	WM	35	SE SE		26.8
2 S	25 E	WM	2	NE NE	1	10.4
2 S	25 E	WM	2	NW NE	2	27.0
2 S	25 E	WM	2	SW NE		33.9
2 S	25 E	WM	2	SE NE		5.5
2 S	25 E	WM	2	NE NW	3	3.7
2 S	25 E	WM	2	SE SW		2.0
2 S	25 E	WM	2	SW SE		2.2
2 S	25 E	WM	3	NE NE	1	31.1
2 S	25 E	WM	3	SW NE		16.0
2 S	25 E	WM	3	SE NE		30.0
2 S	25 E	WM	10	NE NE		0.2
2 S	25 E	WM	10	SE NE		10.7
2 S	25 E	WM	11	NE NE		1.1
2 S	25 E	WM	11	NW NE		33.4

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
2 S	25 E	WM	11	SW NE		31.7
2 S	25 E	WM	11	SE NE		0.6
2 S	25 E	WM	11	NE NW		21.0
2 S	25 E	WM	11	NW NW		0.8
2 S	25 E	WM	11	SW NW		0.4
2 S	25 E	WM	11	SE NW		28.8
Total						435.5

19. The portion of the fourth right to be temporarily transferred is as follows:

Certificate: 94969 issued in the name of ELMER E. PADBERG (perfected under Permit G-6828)

Use: IRRIGATION of 434.9 acres and SUPPLEMENTAL IRRIGATION of 38.5 acres

Priority Date: OCTOBER 1, 1973

Rate: 2.83 CUBIC FEET PER SECOND

Limit/ Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

Source: PADBERG WELL within the WILLOW CREEK BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 S	25 E	WM	35	NW SE	WELL #1: 1810 FEET NORTH AND 1680 FEET WEST FROM THE SE CORNER OF SECTION 35

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
1 S	25 E	WM	34	NW NE		16.2
1 S	25 E	WM	34	SW NE		39.3
1 S	25 E	WM	34	SE NE		31.3
1 S	25 E	WM	34	NE SE		17.6
1 S	25 E	WM	34	NW SE		8.3
1 S	25 E	WM	34	SE SE		9.1
1 S	25 E	WM	35	SW NE		0.4
1 S	25 E	WM	35	SW NW		19.2
1 S	25 E	WM	35	SE NW		6.3
1 S	25 E	WM	35	NE SW		37.3
1 S	25 E	WM	35	NW SW		30.4
1 S	25 E	WM	35	SW SW		24.8
1 S	25 E	WM	35	SE SW		13.5
1 S	25 E	WM	35	NE SE		4.9
1 S	25 E	WM	35	NW SE		20.5
1 S	25 E	WM	35	SW SE		40.0
1 S	25 E	WM	35	SE SE		26.8
2 S	25 E	WM	2	NE NE	1	12.8

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
2 S	25 E	WM	2	NW NE	2	28.7
2 S	25 E	WM	2	SW NE		33.9
2 S	25 E	WM	2	SE NE		8.3
2 S	25 E	WM	2	NE NW	3	5.3
Total						434.9

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	25 E	WM	34	NE NE	8.5
1 S	25 E	WM	34	NW NE	0.8
1 S	25 E	WM	35	SW NE	2.8
1 S	25 E	WM	35	NW NW	1.4
1 S	25 E	WM	35	SW NW	5.1
1 S	25 E	WM	35	SE NW	10.0
1 S	25 E	WM	35	NE SE	2.2
1 S	25 E	WM	35	NW SE	7.7
Total					38.5

20. Transfer Application T-14363 proposes to temporarily change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
1 S	25 E	WM	35	NE SW		18.6
1 S	25 E	WM	35	NW SW		16.6
1 S	25 E	WM	35	SW SW		16.5
1 S	25 E	WM	35	SE SW		12.0
1 S	25 E	WM	35	NE SE		3.5
1 S	25 E	WM	35	NW SE		11.0
1 S	25 E	WM	35	SW SE		40.0
1 S	25 E	WM	35	SE SE		26.8
2 S	25 E	WM	2	NE NE	1	10.4
2 S	25 E	WM	2	NW NE	2	27.0
2 S	25 E	WM	2	SW NE		33.9
2 S	25 E	WM	2	SE NE		5.5
2 S	25 E	WM	2	NE NW	3	3.7
2 S	25 E	WM	2	SE SW		2.0
2 S	25 E	WM	2	SW SE		2.2
2 S	25 E	WM	3	NE NE	1	31.1
2 S	25 E	WM	3	SW NE		16.0
2 S	25 E	WM	3	SE NE		30.0
2 S	25 E	WM	10	NE NE		0.2
2 S	25 E	WM	10	SE NE		10.7
2 S	25 E	WM	11	NE NE		1.1
2 S	25 E	WM	11	NW NE		33.4
2 S	25 E	WM	11	SW NE		31.7
2 S	25 E	WM	11	NE NW		21.0
2 S	25 E	WM	11	NW NW		0.8
2 S	25 E	WM	11	SW NW		0.4
2 S	25 E	WM	11	SE NW		28.8
Total						434.9

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	25 E	WM	3	NW NE	28.7
2 S	25 E	WM	3	SW NE	9.8
Total					38.5

21. The portion of the fifth right to be temporarily transferred is as follows:

Certificate: 94970 issued in the name of ELMER E. PADBERG (perfected under Permit G-6828)

Use: IRRIGATION of 120.9 acres

Priority Date: OCTOBER 1, 1973

Rate: 0.72 CUBIC FOOT PER SECOND

Limit/ Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: PADBERG WELL WITHIN THE WILLOW CREEK BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 S	25 E	WM	35	NW SE	WELL #1: 1810 FEET NORTH AND 1680 FEET WEST FROM THE SE CORNER OF SECTION 35

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	25 E	WM	35	SE SE	0.4
2 S	25 E	WM	2	NE NE	1.5
2 S	25 E	WM	2	NW NE	2.7
2 S	25 E	WM	2	NE SW	19.8
2 S	25 E	WM	2	NW SW	25.5
2 S	25 E	WM	2	SW SW	33.3
2 S	25 E	WM	2	SE SW	27.3
2 S	25 E	WM	2	NE SE	13.0
2 S	25 E	WM	2	NW SE	28.8
2 S	25 E	WM	2	SW SE	36.5
2 S	25 E	WM	2	SE SW	18.0
Total					206.8

22. Transfer Application T-14363 proposes to temporarily change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	25 E	WM	34	SE NE	31.8
1 S	25 E	WM	34	NE SE	15.5
1 S	25 E	WM	34	SE SE	6.3
1 S	25 E	WM	35	SW NE	1.0
1 S	25 E	WM	35	SW NW	16.8
1 S	25 E	WM	35	SE NW	4.8
1 S	25 E	WM	35	NE SW	18.8

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	25 E	WM	35	NW SW	11.7
1 S	25 E	WM	35	SW SW	6.8
1 S	25 E	WM	35	SE SW	1.0
1 S	25 E	WM	35	NW SE	6.4
2 S	25 E	WM	2	NW NW	32.5
2 S	25 E	WM	2	SW NW	32.5
2 S	25 E	WM	3	NW SE	1.0
2 S	25 E	WM	3	NW SE	1.0
2 S	25 E	WM	3	SW SE	1.0
2 S	25 E	WM	3	SE SE	1.0
2 S	25 E	WM	11	NE NW	16.9
Total					206.8

23. The portion of the sixth right to be temporarily transferred is as follows:

Certificate: 96377 issued in the names FRANK TIEGS, LLC, ANDY AND ANDREA FLETCHER, AND LEE PADBERG (perfected under Permit G-15586)

Use: IRRIGATION of 130.1 acres, and IRRIGATION for 686.0 acres to make up a deficiency in rate

Priority Date: APRIL 3, 2003

Rate: Not to exceed 3.68 CUBIC FEET PER SECOND (CFS), BEING 1.63 CFS for IRRIGATION of 130.1 acres and 3.68 CFS for supplemental irrigation to make up a deficiency in rate for 601.2 acres in any combination not to exceed 3.3 CFS, and as further limited on the certificate in combination with other uses.

Limit/Duty: The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE EIGHTIETH of one cubic foot per second and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

Source: WELL 1 IN THE WILLOW CREEK BASIN

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 S	25 E	WM	35	NW SE	WELL #1 (ORIGINAL): 1810 FEET NORTH AND 1680 FEET WEST FROM THE SE CORNER OF SECTION 35

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	25 E	WM	34	NE NE	0.3
1 S	25 E	WM	34	SE NE	1.4
1 S	25 E	WM	34	NE NW	10.9
1 S	25 E	WM	34	NW NW	21.9
1 S	25 E	WM	34	SW NW	30.4
1 S	25 E	WM	34	SE NW	16.8
1 S	25 E	WM	34	NE SE	0.3
1 S	25 E	WM	34	NW SE	0.3
1 S	25 E	WM	34	SW SE	0.1
1 S	25 E	WM	34	SE SE	3.3
1 S	25 E	WM	35	NE SW	0.7

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	25 E	WM	35	SW SW	4.0
1 S	25 E	WM	35	SE SW	11.6
2 S	25 E	WM	2	NW NE	9.3
2 S	25 E	WM	2	NE NW	7.9
2 S	25 E	WM	2	SW NW	7.8
2 S	25 E	WM	2	SE NW	3.1
Total					130.1

IRRIGATION TO MAKE UP DEFICIENCY IN RATE					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	25 E	WM	34	NE NE	8.8
1 S	25 E	WM	34	NW NE	17.0
1 S	25 E	WM	34	SW NE	39.3
1 S	25 E	WM	34	SE NE	31.3
1 S	25 E	WM	34	NE SE	17.6
1 S	25 E	WM	34	NW SE	14.5
1 S	25 E	WM	34	SE SE	9.1
1 S	25 E	WM	35	SW NE	3.2
1 S	25 E	WM	35	NW NW	0.9
1 S	25 E	WM	35	SW NW	24.3
1 S	25 E	WM	35	SE NW	16.3
1 S	25 E	WM	35	NE SW	37.3
1 S	25 E	WM	35	NW SW	30.4
1 S	25 E	WM	35	SW SW	24.8
1 S	25 E	WM	35	SE SW	13.5
1 S	25 E	WM	35	NE SE	7.1
1 S	25 E	WM	35	NW SE	28.2
1 S	25 E	WM	35	SW SE	40.0
1 S	25 E	WM	35	SE SE	27.0
2 S	25 E	WM	2	NE NE	14.3
2 S	25 E	WM	2	NW NE	31.4
2 S	25 E	WM	2	SW NE	33.9
2 S	25 E	WM	2	SE NE	8.3
2 S	25 E	WM	2	NE NW	5.3
2 S	25 E	WM	2	NE SW	19.8
2 S	25 E	WM	2	NW SW	25.5
2 S	25 E	WM	2	SW SW	33.3
2 S	25 E	WM	2	SE SW	27.3
2 S	25 E	WM	2	NE SE	13.0
2 S	25 E	WM	2	NW SE	28.8
2 S	25 E	WM	2	SW SE	36.5
2 S	25 E	WM	2	SE SE	18.0
Total					686.0

24. Transfer Application T-14363 proposes to temporarily change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	25 E	WM	2	SW SW	1.9
2 S	25 E	WM	3	SE SW	3.4
2 S	25 E	WM	10	NE NE	38.3

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	25 E	WM	10	NW NE	3.4
2 S	25 E	WM	10	SW NE	1.8
2 S	25 E	WM	10	SE NE	21.8
2 S	25 E	WM	11	NW NW	32.8
2 S	25 E	WM	11	SW NW	26.7
Total					130.1

IRRIGATION to MAKE UP DEFICIENCY IN RATE					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	25 E	WM	34	SE NE	31.8
1 S	25 E	WM	34	NE SE	15.5
1 S	25 E	WM	34	SE SE	6.3
1 S	25 E	WM	35	SW NE	1.0
1 S	25 E	WM	35	SW NW	16.8
1 S	25 E	WM	35	SE NW	4.8
1 S	25 E	WM	35	NE SW	37.4
1 S	25 E	WM	35	NW SW	28.3
1 S	25 E	WM	35	SW SW	23.3
1 S	25 E	WM	35	SE SW	13.0
1 S	25 E	WM	35	NE SE	3.5
1 S	25 E	WM	35	NW SE	17.4
1 S	25 E	WM	35	SW SE	40.0
1 S	25 E	WM	35	SE SE	26.8
2 S	25 E	WM	2	NE NE	10.4
2 S	25 E	WM	2	NW NE	27.0
2 S	25 E	WM	2	SW NE	33.9
2 S	25 E	WM	2	SE NE	5.5
2 S	25 E	WM	2	NE NW	3.7
2 S	25 E	WM	2	NW NW	32.5
2 S	25 E	WM	2	SW NW	32.5
2 S	25 E	WM	2	SE SW	2.0
2 S	25 E	WM	2	SW SE	2.2
2 S	25 E	WM	3	NE NE	31.1
2 S	25 E	WM	3	NW NE	28.7
2 S	25 E	WM	3	SW NE	31.0
2 S	25 E	WM	3	SE NE	30.0
2 S	25 E	WM	3	SE SE	1.0
2 S	25 E	WM	3	NE SE	1.0
2 S	25 E	WM	3	NW SE	1.0
2 S	25 E	WM	3	SW SE	1.0
2 S	25 E	WM	10	NE NE	0.2
2 S	25 E	WM	10	SE NE	10.7
2 S	25 E	WM	11	NE NW	37.9
2 S	25 E	WM	11	NW NW	0.8
2 S	25 E	WM	11	SW NW	0.4
2 S	25 E	WM	11	SE NW	28.8
2 S	25 E	WM	11	NE NE	1.1
2 S	25 E	WM	11	NW NE	33.4
2 S	25 E	WM	11	SW NE	31.7
2 S	25 E	WM	11	SE NE	0.6
Total					686.0

25. The portion of the seventh right to be temporarily transferred is as follows:

Permit: S-54980 issued in the name of WILLOW CREEK DISTRICT IMPROVEMENT COMPANY

Use: SUPPLEMENTAL IRRIGATION OF 609.3 ACRES

Priority Date: JANUARY 6, 2009

Max Volume: 600.1 ACRE-FEET

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall not exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: WILLOW CREEK RESERVOIR (Permit R-10880), tributary to WILLOW CREEK

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	26 E	WM	27	NE NW	HEPPNER-LEXINGTON PIPELINE -1120 FEET SOUTH AND 1820 FEET EAST FROM THE NW CORNER OF SECTION 27.

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Primary Cert.
1 S	25 E	WM	34	NE NE	0.3	96377
1 S	25 E	WM	34	NE NE	8.8	82489
1 S	25 E	WM	34	NW NE	16.2	94969
1 S	25 E	WM	34	NW NE	1.0	82489
1 S	25 E	WM	34	SW NE	39.3	94969
1 S	25 E	WM	34	SE NE	31.3	94969
1 S	25 E	WM	34	SE NE	1.4	96377
1 S	25 E	WM	34	NE NW	10.9	96377
1 S	25 E	WM	34	NW NW	21.9	96377
1 S	25 E	WM	34	SW NW	30.4	96377
1 S	25 E	WM	34	SE NW	16.8	96377
1 S	25 E	WM	34	NE SE	17.6	94969
1 S	25 E	WM	34	NE SE	0.3	96377
1 S	25 E	WM	34	NW SE	9.4	94969
1 S	25 E	WM	34	NW SE	0.3	96377
1 S	25 E	WM	34	SW SE	0.1	96377
1 S	25 E	WM	34	SE SE	8.0	94969
1 S	25 E	WM	34	SE SE	3.3	96377
1 S	25 E	WM	35	SW NE	0.4	94969
1 S	25 E	WM	35	SW NE	2.8	30021
1 S	25 E	WM	35	NW NW	1.4	30021
1 S	25 E	WM	35	NW NW	0.6	94969
1 S	25 E	WM	35	SW NW	5.1	30021
1 S	25 E	WM	35	SW NW	19.2	94969
1 S	25 E	WM	35	SE NW	11.6	30021
1 S	25 E	WM	35	SE NW	6.3	94969
1 S	25 E	WM	35	NE SW	37.3	94969
1 S	25 E	WM	35	NE SW	0.7	96377
1 S	25 E	WM	35	NW SW	30.4	94969
1 S	25 E	WM	35	SW SW	24.8	94969
1 S	25 E	WM	35	SW SW	4.0	96377

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Primary Cert.
1 S	25 E	WM	35	SE SW	13.5	94969
1 S	25 E	WM	35	SE SW	11.6	96377
1 S	25 E	WM	35	NE SE	3.2	30021
1 S	25 E	WM	35	NE SE	4.9	94969
1 S	25 E	WM	35	NW SE	9.8	30021
1 S	25 E	WM	35	NW SE	20.5	94969
1 S	25 E	WM	35	SW SE	40.0	94969
1 S	25 E	WM	35	SE SE	26.8	94969
2 S	25 E	WM	2	NE NE	12.8	94969
2 S	25 E	WM	2	NW NE	28.7	94969
2 S	25 E	WM	2	NW NE	9.3	96377
2 S	25 E	WM	2	SW NE	33.9	94969
2 S	25 E	WM	2	SE NE	8.3	94969
2 S	25 E	WM	2	NE NW	5.3	94969
2 S	25 E	WM	2	NE NW	7.9	96377
2 S	25 E	WM	2	SW NW	7.8	96377
2 S	25 E	WM	2	SE NW	3.1	96377
Total					609.3	

26. Transfer Application T-14363 proposes to temporarily change the place of use of the right to:

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Primary Cert.
1 S	25 E	WM	35	NE SW	18.6	94969
1 S	25 E	WM	35	NW SW	16.6	94969
1 S	25 E	WM	35	SW SW	16.5	94969
1 S	25 E	WM	35	SE SW	12.0	94969
1 S	25 E	WM	35	NE SE	3.5	94969
1 S	25 E	WM	35	NW SE	11.0	94969
1 S	25 E	WM	35	SW SE	40.0	94969
1 S	25 E	WM	35	SE SE	26.8	94969
2 S	25 E	WM	2	NE NE	10.4	94969
2 S	25 E	WM	2	NW NE	27.0	94969
2 S	25 E	WM	2	SW NE	33.9	94969
2 S	25 E	WM	2	SE NE	5.5	94969
2 S	25 E	WM	2	NE NW	3.7	94969
2 S	25 E	WM	2	SW SW	1.9	96377
2 S	25 E	WM	2	SE SW	2.0	94969
2 S	25 E	WM	2	SW SE	2.2	94969
2 S	25 E	WM	3	NE NE	31.1	94969
2 S	25 E	WM	3	NW NE	28.7	30021
2 S	25 E	WM	3	SW NE	5.2	30021
2 S	25 E	WM	3	SW NE	9.8	82489
2 S	25 E	WM	3	SW NE	16.0	94969
2 S	25 E	WM	3	SE NE	30.0	94969
2 S	25 E	WM	3	SE SE	3.4	96377
2 S	25 E	WM	10	NE NE	0.2	94969
2 S	25 E	WM	10	NE NE	38.3	96377
2 S	25 E	WM	10	NW NE	3.4	96377
2 S	25 E	WM	10	SW NE	1.8	96377

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Primary Cert.
2 S	25 E	WM	10	SE NE	10.7	94969
2 S	25 E	WM	10	SE NE	21.8	96377
2 S	25 E	WM	11	NE NE	1.1	94969
2 S	25 E	WM	11	NW NE	33.4	94969
2 S	25 E	WM	11	SW NE	31.7	94969
2 S	25 E	WM	11	SE NE	0.6	94969
2 S	25 E	WM	11	NE NW	21.0	94969
2 S	25 E	WM	11	NW NW	0.8	94969
2 S	25 E	WM	11	NW NW	32.8	96377
2 S	25 E	WM	11	SW NW	0.4	94969
2 S	25 E	WM	11	SW NW	26.7	96377
2 S	25 E	WM	11	SE NW	28.8	94969
					609.3	

27. The portion of the eighth right to be temporarily transferred is as follows:

Permit: S-55268 issued in the name of WILLOW CREEK DISTRICT IMPROVEMENT COMPANY
Use: SUPPLEMENTAL IRRIGATION OF 810.9 ACRES
Priority Date: JANUARY 6, 2009
Max Volume: 323.0 ACRE-FEET
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to a diversion of not exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: WILLOW CREEK RESERVOIR (Permit R-10880), tributary to WILLOW CREEK

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	26 E	WM	27	NE NW	HEPPNER-LEXINGTON PIPELINE -1120 FEET SOUTH AND 1820 FEET EAST FROM THE NW CORNER OF SECTION 27

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Primary Cert
1 S	25 E	WM	34	NE NE	0.3	96377
1 S	25 E	WM	34	NE NE	8.8	82489
1 S	25 E	WM	34	NW NE	16.2	94969
1 S	25 E	WM	34	NW NE	1.0	82489
1 S	25 E	WM	34	SW NE	39.3	94969
1 S	25 E	WM	34	SE NE	1.4	96377
1 S	25 E	WM	34	SE NE	31.3	94969
1 S	25 E	WM	34	NE NW	10.9	96377
1 S	25 E	WM	34	NW NW	21.9	96377
1 S	25 E	WM	34	SW NW	30.4	96377
1 S	25 E	WM	34	SE NW	16.8	96377
1 S	25 E	WM	34	NE SE	17.6	94969
1 S	25 E	WM	34	NE SE	0.3	96377

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Primary Cert
1 S	25 E	WM	34	NW SE	9.4	94969
1 S	25 E	WM	34	NW SE	0.3	96377
1 S	25 E	WM	34	SW SE	0.1	96377
1 S	25 E	WM	34	SE SE	3.3	96377
1 S	25 E	WM	34	SE SE	8.0	94969
1 S	25 E	WM	35	SW NE	2.8	30021
1 S	25 E	WM	35	SW NE	0.4	94969
1 S	25 E	WM	35	NW NW	1.4	30021
1 S	25 E	WM	35	SW NW	19.2	94969
1 S	25 E	WM	35	SW NW	5.1	30021
1 S	25 E	WM	35	SE NW	6.3	94969
1 S	25 E	WM	35	SE NW	11.6	30021
1 S	25 E	WM	35	NE SW	37.3	94969
1 S	25 E	WM	35	NE SW	0.7	96377
1 S	25 E	WM	35	NW SW	30.4	94969
1 S	25 E	WM	35	SW SW	4.0	96377
1 S	25 E	WM	35	SW SW	24.8	94969
1 S	25 E	WM	35	SE SW	13.5	94969
1 S	25 E	WM	35	SE SW	11.6	96377
1 S	25 E	WM	35	NE SE	4.9	94969
1 S	25 E	WM	35	NE SE	3.2	30021
1 S	25 E	WM	35	NW SE	9.8	30021
1 S	25 E	WM	35	NW SE	20.5	94969
1 S	25 E	WM	35	SW SE	40.0	94969
1 S	25 E	WM	35	SE SE	26.8	94969
2 S	25 E	WM	2	NE NE	12.8	94969
2 S	25 E	WM	2	NW NE	28.7	94969
2 S	25 E	WM	2	NW NE	9.3	96377
2 S	25 E	WM	2	SW NE	33.9	94969
2 S	25 E	WM	2	SE NE	8.3	94969
2 S	25 E	WM	2	NE NW	5.3	94969
2 S	25 E	WM	2	NE NW	7.9	96377
2 S	25 E	WM	2	SW NW	7.8	96377
2 S	25 E	WM	2	SE NW	3.1	96377
2 S	25 E	WM	2	NE SW	19.8	94970
2 S	25 E	WM	2	NW SW	25.5	94970
2 S	25 E	WM	2	SW SW	33.3	94970
2 S	25 E	WM	2	SE SW	27.3	94970
2 S	25 E	WM	2	NE SE	13.0	94970
2 S	25 E	WM	2	NW SE	28.8	94970
2 S	25 E	WM	2	SW SE	36.5	94970
2 S	25 E	WM	2	NE SE	18.0	94970
Total					810.9	

28. Transfer Application T-14363 proposes to temporarily change the place of use of the right to:

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Primary Cert.
1 S	25 E	WM	34	SE NE	31.8	94970
1 S	25 E	WM	34	NE SE	15.5	94970
1 S	25 E	WM	34	SE SE	6.3	94970

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Primary Cert.
1 S	25 E	WM	35	SW NE	0.4	94970
1 S	25 E	WM	35	SW NW	16.8	94970
1 S	25 E	WM	35	SE NW	4.8	94970
1 S	25 E	WM	35	NE SW	18.8	94970
1 S	25 E	WM	35	NW SW	11.7	94970
1 S	25 E	WM	35	SW SW	6.8	94970
1 S	25 E	WM	35	SE SW	1.0	94970
1 S	25 E	WM	35	NW SE	6.4	94970
1 S	25 E	WM	35	NE SW	18.6	94969
1 S	25 E	WM	35	NW SW	16.6	94969
1 S	25 E	WM	35	SW SW	16.5	94969
1 S	25 E	WM	35	SE SW	12.0	94969
1 S	25 E	WM	35	NE SE	3.5	94969
1 S	25 E	WM	35	NW SE	11.0	94969
1 S	25 E	WM	35	SW SE	40.0	94969
1 S	25 E	WM	35	SE SE	26.8	94969
2 S	25 E	WM	2	NE NE	10.4	94969
2 S	25 E	WM	2	NW NE	27.0	94969
2 S	25 E	WM	2	SW NE	33.9	94969
2 S	25 E	WM	2	SE NE	5.5	94969
2 S	25 E	WM	2	NE NW	3.7	94969
2 S	25 E	WM	2	NW NW	32.5	94970
2 S	25 E	WM	2	SW NW	32.5	94970
2 S	25 E	WM	2	SW SW	1.9	96377
2 S	25 E	WM	2	SE SW	2.0	94969
2 S	25 E	WM	2	SW SE	2.2	94969
2 S	25 E	WM	3	NE NE	31.1	94969
2 S	25 E	WM	3	NW NE	28.7	30021
2 S	25 E	WM	3	SW NE	5.2	30021
2 S	25 E	WM	3	SW NE	9.8	82489
2 S	25 E	WM	3	SW NE	16.0	94969
2 S	25 E	WM	3	SE NE	30.0	94969
2 S	25 E	WM	3	SE SE	3.4	96377
2 S	25 E	WM	10	NE NE	0.2	94969
2 S	25 E	WM	10	NE NE	38.3	96377
2 S	25 E	WM	10	NW NE	3.4	96377
2 S	25 E	WM	10	SW NE	1.8	96377
2 S	25 E	WM	10	SE NE	10.7	94969
2 S	25 E	WM	10	SE NE	21.8	96377
2 S	25 E	WM	11	NE NE	1.1	94969
2 S	25 E	WM	11	NE NE	16.9	94970
2 S	25 E	WM	11	NW NE	33.4	94969
2 S	25 E	WM	11	SW NE	31.7	94969
2 S	25 E	WM	11	NE NW	21.0	94969
2 S	25 E	WM	11	NW NW	0.8	94969
2 S	25 E	WM	11	NW NW	32.8	96377
2 S	25 E	WM	11	SW NW	0.4	94969
2 S	25 E	WM	11	SW NW	26.7	96377
2 S	25 E	WM	11	SE NW	28.8	94969
					810.9	

29. Temporary Transfer Application T-14363 proposes to temporarily transfer water rights within the boundaries of Willow Creek District Improvement Company. The district was notified of the proposed temporary transfer and did not provide any comments.
30. Temporary Transfer Application T-14363 proposes to temporarily transfer water rights served by a Bureau of Reclamation storage project. The Bureau was notified of the proposed temporary transfer and did not provide any comments.

Temporary Transfer Review Criteria

31. Water has been used within the last five years according to the terms and conditions of the rights. There is no evidence available that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
32. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights are present.
33. The proposed changes, as conditioned, would prevent the lands from which the water right is removed during the period of the temporary transfer from receiving water under the transferred rights, as required by ORS 540.523(7). The from lands under Certificates 30021 and 82489, previously approved under Temporary District Transfer T-14215, continued receiving water during the 2023 season. Uncontrollable and un-metered flood ditch irrigation from Willow Creek was allowed to irrigate the off lands, resulting in enlargement of the rights. The headgate needs to be secured upstream from the reservoir and must be capable of regulating flow, as well as the flood ditch serving the off lands, must be completely blocked during the term of Temporary Transfer Application T-14363.
34. The proposed changes would not result in injury to other water rights. This finding is made through an abbreviated review recognizing that the transfer may be revoked under ORS 540.523(5) if the Department later finds that the transfer is causing injury to any existing water right.

Conclusions of Law

The temporary changes in places of use and points of diversion to convey water to the temporary place of use proposed in Temporary Transfer Application T-14363 are consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

Now, therefore, it is ORDERED:

1. The temporary changes in places of use under Certificates 94969, 94970, 96377, and Permits S-54980 and S-55268 proposed in Temporary Transfer Application T-14363 are approved.
2. The temporary changes in places of use and change in points of diversion to convey water to the temporary place of use under Certificates 30021, 82489, and 94967, proposed in Temporary Transfer Application T-14363 are approved.

3. The former places of use **shall not** be irrigated as part of these water right during the 2024 irrigation season.
4. The use shall revert to the authorized place of use at the end of the 2024 irrigation season. The authorization to use the proposed temporary points of diversion shall be terminated concurrently.
5. The approval of this temporary transfer may be revoked or modified if the Department finds the changes cause injury to any existing water right.
6. The quantity of water diverted at the proposed temporary points of diversion shall not exceed the quantity of water lawfully available at the original points of diversion.
7. A subsequent application for permanent transfer of Certificates 30021, 82489, 94967, 94969, 94970, 96377, shall be subject to a full and complete review to determine consistency with the requirements of OAR Chapter 690, Division 380. Approval of this temporary transfer does not establish a precedent for approval of a subsequent application filed for a permanent transfer.
8. A subsequent application for a permit amendment of Permits S-54980 and S-55268, shall be subject to a full and complete review to determine consistency with the requirements of ORS 537.211. Approval of this temporary transfer does not establish a precedent for approval of a subsequent application filed for a Permit Amendment.
9. The use of water at the temporary place of use authorized by this transfer shall be in accordance with the terms and conditions of Certificates 30021, 82489, 94967, 94969, 94970, 96377 and Permits S-54980 and S-55268.
10. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.
11. The watermaster requires that the applicant secure the headgate located at the Willow Creek point of diversion, described in Finding of Fact 10 and completely block the flood ditch serving the north acres being transferred off. The from lands under Certificates 30021 and 82489, previously approved under Temporary District Transfer T-14215, continued receiving water during the 2023 season. Uncontrollable and un-metered flood ditch irrigation from Willow Creek was allowed to irrigate the off lands, resulting in enlargement of the rights. The headgate needs to be secured upstream from the reservoir and must be capable of regulating flow, as well as the flood ditch serving the off lands, must be completely blocked during the term of Temporary Transfer Application T-14363.
12. Water use measurement conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of diversion.
 - b. The water user shall maintain the meters or measuring devices in good working order.

- c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.
13. The use of the remaining water rights described by Certificates 30021, 82489, 94967, 94969, 94970, 96377 and Permits S-54980 and S-55268 shall continue to be in accordance with the terms and conditions of Certificates 30021, 82489, 94967, 94969, 94970, 96377 and Permits S-54980 and S-55268.

Dated in Salem, Oregon on **APR 18 2024**



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
DOUGLAS E. WOODCOCK, ACTING DIRECTOR
Oregon Water Resources Department

Mailing Date: **APR 19 2024**



Oregon

Tina Kotek, Governor

App-S-87373 Permit-S-54480

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

www.oregon.gov/owrd

December 20, 2023

Willow Creek District Improvement Co.
55805 Hwy 74
Heppner, OR 97836

REFERENCE: District Transfer T-14242

Enclosed is a copy of the final order approving your District Transfer.

The time allowed to complete the transfer is specified in the final order. You are required to submit a claim of beneficial use to this Department within one year of the date you complete the change(s) or within one year of the completion date authorized final order whichever comes first. If necessary, you may request more time by filing for transfer extension. All extensions are subject to approval.

To file a claim please include:

1. **A CLAIM OF BENEFICIAL USE form**
2. **A CLAIM OF BENEFICIAL USE SITE REPORT**
3. **A Claim of Beneficial Use Map** (this map does not need to be prepared by a Certified Water Rights Examiner (CWRE))

All forms needed to file a claim for a district transfer are available at
<https://www.oregon.gov/OWRD/programs/WaterRights/Transfers/DistTransfer/Pages/Forms.aspx>

If you have any questions related to the approval of this transfer, you may contact your caseworker Ann Reece by telephone at (503) 979-3214 or by e-mail at Ann.L.Reece@water.oregon.gov.

Sincerely,

Elyse Richman
Water Right Services Support
Transfers and Conservation Section

cc: Kenneth C. Thiemann, Watermaster Dist. # 21 (via email)
William Porfily, Agent

Enclosure

Use: IRRIGATION of 67.0 acres

Priority Dates: 1895

Rate: 1.12 CUBIC FEET PER SECOND (CFS); BEING 1.12 CFS AT EVANS DITCH, 1.12 CFS AT WCDIC POD, AND 0.68 CFS AT POD 3 IN ANY COMBINATION

Source: WILLOW CREEK, A TRIBUTARY OF THE COLUMBIA RIVER

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	26 E	WM	8	SW SW	EVANS DITCH POD 1 (ORIGINAL) - 60 FEET NORTH AND 600 FEET EAST FROM SW CORNER, SECTION 8
2 S	26 E	WM	7	SE NW	POD 3 (ADDITIONAL POD UNDER T-6743) - 2350 FEET SOUTH AND 3040 FEET WEST FROM NE CORNER, SECTION 7
2 S	26 E	WM	27	NE NW	WCDIC POD (ADDITIONAL) - 1120 FEET SOUTH AND 1820 FEET EAST FROM NW CORNER, SECTION 27

Authorized Place of Use:

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres	Tax Lot	Water User
2 S	26 E	WM	7	NE NW		26.0	1202	THOMPSON
2 S	26 E	WM	7	NW NW	1	10.0	1202	THOMPSON
2 S	26 E	WM	7	SE NW		9.0	1202	THOMPSON
2 S	26 E	WM	7	NE SW		4.0	1202	THOMPSON
2 S	26 E	WM	7	NW SE		18.0	1202	THOMPSON
Total						67.0		

4. Transfer Application T-14242 proposes to change the place of use of the right to:

Proposed Place of Use:

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres	Tax Lot	Water User
2 S	26 E	WM	7	NE NE		0.4	1203	THOMPSON
2 S	26 E	WM	7	NW NE		12.1	1203	THOMPSON
2 S	26 E	WM	7	SW NE		10.4	1202 & 1203	THOMPSON
2 S	26 E	WM	7	NE NW		28.2	1202 & 1203	THOMPSON
2 S	26 E	WM	7	NW NW	1	11.6	1202	THOMPSON
2 S	26 E	WM	7	SE NW		4.3	1202	THOMPSON
Total						67.0		

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

Certificate: 96666 issued in the names of WILLOW CREEK DISTRICT IMPROVEMENT COMPANY and BRIAN THOMPSON (confirmed by decree of the Circuit Court of the State of Oregon for Morrow County)

Use: IRRIGATION of 44.26 acres

Priority Dates: 1891 AND 1905

Rate: 0.42 CUBIC FOOT PER SECOND (CFS) AS OF DATE 1891 AND 0.38 CFS AS OF DATE 1905

Source: WILLOW CREEK, A TRIBUTARY OF THE COLUMBIA RIVER

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	26 E	WM	17	NW SE	POD #2 (ORIGINAL) - 1915 FEET NORTH AND 2670 FEET EAST FROM SW CORNER, SECTION 17.
2 S	26 E	WM	27	NE NW	WCDIC POD (ADDITIONAL) - 1120 FEET SOUTH AND 1820 FEET EAST FROM NW CORNER, SECTION 27

Authorized Place of Use:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User
2 S	26 E	WM	17	NE NW	1.00	2100	THOMPSON
2 S	26 E	WM	17	NW NW	28.00	2100	THOMPSON
2 S	26 E	WM	17	SW NW	4.00	2100	THOMPSON
2 S	26 E	WM	17	SE NW	8.87	2100	THOMPSON
2 S	26 E	WM	17	NE SW	2.39	2100	THOMPSON
Total					44.26		

6. Transfer Application T-14242 proposes to change the place of use of the right to:

Proposed Place of Use:

IRRIGATION								
Priority Date	Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User
1891	2 S	25 E	WM	12	NE SW	2.90	300	THOMPSON
1891	2 S	25 E	WM	12	NW SE	8.40	300	THOMPSON
1891	2 S	26 E	WM	17	NE NW	1.30	2100	THOMPSON
1891	2 S	26 E	WM	17	NW NW	6.66	2100	THOMPSON
1891	2 S	26 E	WM	17	SW NW	3.24	2100	THOMPSON
1891	2 S	26 E	WM	17	SE NW	2.50	2100	THOMPSON
TOTAL						25.00		
1905	2 S	26 E	WM	17	NW NW	10.10	2100	THOMPSON
1905	2 S	26 E	WM	17	SW NW	7.06	2100	THOMPSON
1905	2 S	26 E	WM	17	SE NW	2.10	2100	THOMPSON
TOTAL						19.26		

7. Certificate 96666 was issued to confirm an additional point of diversion as proposed in Transfer T-11699. Certificate 96666 superseded the entirety of Certificate 114. Certificate 114 was issued from a decree of the Circuit Court of the State of Oregon for Morrow County dated December 4, 1910, which confirmed a total of 44.26 acres in the Findings and Determination for Water Division No. 2, Gilliam, and Morrow Counties, dated April 13, 1910. The place of use listed in the decree, and Certificates 114 and 96666 each authorized a total of 44.26 acres at the same location as the 44.26 listed as the authorized place of use as shown in Finding of Fact # 6, above. Both Certificates 114 and 96666 contained the same scrivener's error, wherein 1891 was listed as the priority date for 25 acres, and 1905 was listed as the priority date for 23 acres, which exceeded the total authorized acreage by over

3 acres. In this transfer T-14242, the applicant requested to transfer the total 44.26 acres, and designated 25 acres having a priority date of 1891, and 19.26 acres having a priority date of 1905.

8. The portion of the third right to be transferred is as follows:

Certificate: 42435 issued in the name of EVANS RANCH (perfected under Permit G-4368)

Use: IRRIGATION of 96.5 ACRES, and SUPPLEMENTAL IRRIGATION of 66.6 ACRES

Priority Date: OCTOBER 31, 1968

Rate: 1.33 CUBIC FOOT PER SECOND

Limit/ Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year; provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein.

Source: A WELL, TRIBUTARY OF WILLOW CREEK

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	26 E	WM	7	SW NE	2110 FEET SOUTH AND 2630 FEET WEST FROM THE NE CORNER OF SECTION 7

Authorized Place of Use:

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres	Tax Lot	Water User
2 S	26 E	WM	7	NW NE		12.7	1202 & 1203	THOMPSON
2 S	26 E	WM	7	SW NE		32.4	1202 & 1203	THOMPSON
2 S	26 E	WM	7	SE NE		1.6	1203	THOMPSON
2 S	26 E	WM	7	NE NW		9.6	1202 & 1203	THOMPSON
2 S	26 E	WM	7	NW NW	1	7.8	1202	THOMPSON
2 S	26 E	WM	7	SW NW	2	1.3	1202	THOMPSON
2 S	26 E	WM	7	SE NW		19.1	1202	THOMPSON
2 S	26 E	WM	7	NE SE		2.0	1202	THOMPSON
2 S	26 E	WM	7	NW SE		10.0	1202	THOMPSON
Total						96.5		

SUPPLEMENTAL IRRIGATION									
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres	Tax Lot	Water User	Primary Right
2 S	26 E	WM	7	NE NW		26.0	1202	THOMPSON	96673
2 S	26 E	WM	7	NW NW	1	10.0	1202	THOMPSON	96673
2 S	26 E	WM	7	SE NW		9.0	1202	THOMPSON	96673
2 S	26 E	WM	7	NE SW		3.6	1202	THOMPSON	96673

SUPPLEMENTAL IRRIGATION									
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres	Tax Lot	Water User	Primary Right
2 S	26 E	WM	7	NW SE		18.0	1202	THOMPSON	96673
Total						66.6			

9. Transfer Application T-14242 proposes to change the place of use of the right to:

Proposed Place of Use:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User
2 S	25 E	WM	12	NE SW	1.0	300	THOMPSON
2 S	25 E	WM	12	SE SW	2.9	300	THOMPSON
2 S	25 E	WM	12	NW SE	2.6	300	THOMPSON
2 S	25 E	WM	12	SW SE	33.1	300	THOMPSON
2 S	25 E	WM	12	SE SE	11.2	300	THOMPSON
2 S	26 E	WM	7	NE NE	1.4	1203	THOMPSON
2 S	26 E	WM	7	NW NE	0.6	1203	THOMPSON
2 S	26 E	WM	7	SW NE	13.0	1202 & 1203	THOMPSON
2 S	26 E	WM	7	SE NE	2.4	1203	THOMPSON
2 S	26 E	WM	7	NE NW	1.0	1202	THOMPSON
2 S	26 E	WM	7	SE NW	4.0	1202	THOMPSON
2 S	26 E	WM	7	NE SW	1.0	1202	THOMPSON
2 S	26 E	WM	7	NW SE	22.3	1202	THOMPSON
Total					96.5		

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User
2 S	26 E	WM	17	NW NE	12.1	1203	THOMPSON
2 S	26 E	WM	17	SW NE	10.4	1202 & 1203	THOMPSON
2 S	26 E	WM	17	NE NW	28.2	1202 & 1203	THOMPSON
2 S	26 E	WM	17	NW NW	11.6	1202	THOMPSON
2 S	26 E	WM	17	SE NW	4.3	1202	THOMPSON
Total					66.6		

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

Certificate: 38861 issued in the name of JOHN F. MOLLAHAN & MILLIS I. MOLLAHAN
(perfected under Permit G-4331)

Use: IRRIGATION of 168.84 ACRES and SUPPLEMENTAL IRRIGATION OF 34.16 ACRES

Priority Date: SEPTEMBER 24, 1968

Rate: 1.75 CUBIC FEET PER SECOND

Limit/ Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of

each year; provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein.

Source: A WELL, TRIBUTARY OF WILLOW CREEK

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	26 E	WM	17	SE NW	3390 FEET NORTH AND 2120 FEET EAST FROM THE SW CORNER OF SECTION 17

Authorized Place of Use:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User
2 S	26 E	WM	17	SW NW	13.20	2100	THOMPSON
2 S	26 E	WM	17	SE NW	15.63	2100	THOMPSON
2 S	26 E	WM	17	NE SW	32.51	2100	THOMPSON
2 S	26 E	WM	17	NW SW	33.20	2100	THOMPSON
2 S	26 E	WM	17	SW SW	34.50	2100	THOMPSON
2 S	26 E	WM	17	SE SW	39.80	2100	THOMPSON
Total					168.84		

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Primary Right
2 S	26 E	WM	17	NE NW	0.50	2100	THOMPSON	96666
2 S	26 E	WM	17	NW NW	19.20	2100	THOMPSON	96666
2 S	26 E	WM	17	SW NW	3.20	2100	THOMPSON	96666
2 S	26 E	WM	17	SE NW	8.87	2100	THOMPSON	96666
2 S	26 E	WM	17	NE SW	2.39	2100	THOMPSON	96666
Total					34.16			

11. Transfer Application T-14242 proposes to change the place of use of the right to:

Proposed Place of Use:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User
2 S	25 E	WM	12	NE SE	22.20	300	THOMPSON
2 S	25 E	WM	12	NW SE	26.60	300	THOMPSON
2 S	25 E	WM	12	SW SE	0.30	300	THOMPSON
2 S	25 E	WM	12	SE SE	8.80	300	THOMPSON
2 S	26 E	WM	17	SE NW	4.94	2100	THOMPSON
2 S	26 E	WM	17	NE SW	28.50	2100	THOMPSON
2 S	26 E	WM	17	NW SW	30.50	2100	THOMPSON
2 S	26 E	WM	17	SW SW	24.10	2100	THOMPSON
2 S	26 E	WM	17	SE SW	22.90	2100	THOMPSON
Total					168.84		

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User
2 S	26 E	WM	17	NE NW	1.30	2100	THOMPSON
2 S	26 E	WM	17	NW NW	16.76	2100	THOMPSON
2 S	26 E	WM	17	SW NW	10.30	2100	THOMPSON
2 S	26 E	WM	17	SE NW	4.60	2100	THOMPSON
2 S	26 E	WM	17	NE SW	0.40	2100	THOMPSON
2 S	26 E	WM	17	NW SE	0.80	2100	THOMPSON
Total					34.16		

12. The portion of the fifth right to be transferred is as follows:

Water Use Permit: S-54980 issued in the name of WILLOW CREEK DISTRICT IMPROVEMENT COMPANY

Use: SUPPLEMENTAL IRRIGATION of 376.6 acres

Priority Date: JANUARY 6, 2009

Maximum Volume: 369.1 ACRE-FEET

Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall not exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: WILLOW CREEK RESERVOIR (Permit R-10880), tributary to WILLOW CREEK

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	26 E	WM	7	SE NW	THOMPSON POD 1: 2350 FEET SOUTH AND 3040 FEET WEST FROM THE NE CORNER OF SECTION 7
2 S	26 E	WM	17	NE SW	THOMPSON POD 2: 800 FEET SOUTH FROM THE C ¹ / ₄ CORNER OF SECTION 17
2 S	26 E	WM	27	NE NW	TD1- HEPPNER-LEXINGTON PIPELINE: 1120 FEET SOUTH AND 1820 FEET EAST FROM THE NW CORNER OF SECTION 27

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION									
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres	Taxlot	Water User	Primary Right
2 S	26 E	WM	7	NW NE		12.70	1202 & 1203	THOMPSON	42435
2 S	26 E	WM	7	SW NE		32.40	1202 & 1203	THOMPSON	42435
2 S	26 E	WM	7	SE NE		1.60	1203	THOMPSON	42435
2 S	26 E	WM	7	NE NW		9.60	1202 & 1203	THOMPSON	42435
2 S	26 E	WM	7	NE NW		26.00	1202	THOMPSON	96673

SUPPLEMENTAL IRRIGATION									
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres	Taxlot	Water User	Primary Right
2 S	26 E	WM	7	NW NW	1	7.80	1202	THOMPSON	42435
2 S	26 E	WM	7	NW NW	1	10.00	1202	THOMPSON	96673
2 S	26 E	WM	7	SW NW	2	1.30	1202	THOMPSON	42435
2 S	26 E	WM	7	SE NW		19.10	1202	THOMPSON	42435
2 S	26 E	WM	7	SE NW		9.00	1202	THOMPSON	96673
2 S	26 E	WM	7	NE SW		4.00	1202	THOMPSON	96673
2 S	26 E	WM	7	NE SE		2.00	1202	THOMPSON	42435
2 S	26 E	WM	7	NW SE		10.00	1202	THOMPSON	42435
2 S	26 E	WM	7	NW SE		18.00	1202	THOMPSON	96673
2 S	26 E	WM	17	NE NW		1.00	2100	THOMPSON	96666
2 S	26 E	WM	17	NW NW		28.00	2100	THOMPSON	96666
2 S	26 E	WM	17	SW NW		13.20	2100	THOMPSON	38861
2 S	26 E	WM	17	SW NW		4.00	2100	THOMPSON	96666
2 S	26 E	WM	17	SE NW		15.63	2100	THOMPSON	38861
2 S	26 E	WM	17	SE NW		8.87	2100	THOMPSON	96666
2 S	26 E	WM	17	NE SW		32.51	2100	THOMPSON	38861
2 S	26 E	WM	17	NE SW		2.39	2100	THOMPSON	96666
2 S	26 E	WM	17	NW SW		33.20	2100	THOMPSON	38861
2 S	26 E	WM	17	SW SW		34.50	2100	THOMPSON	38861
2 S	26 E	WM	17	SE SW		39.80	2100	THOMPSON	38861
TOTAL						376.60			

13. Transfer Application T-14242 proposes to change the place of use of the right to:

Proposed Place of Use:

SUPPLEMENTAL IRRIGATION									
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres	Taxlot	Water User	Primary Right
2 S	25 E	WM	12	NE SW		1.00	300	THOMPSON	42435
2 S	25 E	WM	12	NE SW		2.90	300	THOMPSON	96666-1891
2 S	25 E	WM	12	SE SW		2.90	300	THOMPSON	42435
2 S	25 E	WM	12	NE SE		22.20	300	THOMPSON	38861
2 S	25 E	WM	12	NW SE		26.60	300	THOMPSON	38861
2 S	25 E	WM	12	NW SE		2.60	300	THOMPSON	42435
2 S	25 E	WM	12	NW SE		8.40	300	THOMPSON	96666-1891
2 S	25 E	WM	12	SW SE		33.10	300	THOMPSON	42435
2 S	25 E	WM	12	SW SE		0.30	300	THOMPSON	38861
2 S	25 E	WM	12	SE SE		11.20	300	THOMPSON	42435
2 S	25 E	WM	12	SE SE		8.80	300	THOMPSON	38861
2 S	26 E	WM	7	NE NE		1.40	1203	THOMPSON	42435
2 S	26 E	WM	7	NE NE		0.40	1203	THOMPSON	96673
2 S	26 E	WM	7	NW NE		0.60	1203	THOMPSON	42435
2 S	26 E	WM	7	NW NE		12.10	1202 & 1203	THOMPSON	96673
2 S	26 E	WM	7	SW NE		13.00	1202 & 1203	THOMPSON	42435
2 S	26 E	WM	7	SW NE		10.40	1202 & 1203	THOMPSON	96673
2 S	26 E	WM	7	SE NE		2.40	1203	THOMPSON	42435

SUPPLEMENTAL IRRIGATION									
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres	Taxlot	Water User	Primary Right
2 S	26 E	WM	7	NE NW		1.00	1202	THOMPSON	42435
2 S	26 E	WM	7	NE NW		28.20	1202 & 1203	THOMPSON	96673
2 S	26 E	WM	7	NW NW	1	11.60	1202	THOMPSON	96673
2 S	26 E	WM	7	SE NW		4.00	1202	THOMPSON	42435
2 S	26 E	WM	7	SE NW		4.30	1202	THOMPSON	96673
2 S	26 E	WM	7	NE SW		1.00	1202	THOMPSON	42435
2 S	26 E	WM	7	NW SE		22.30	1202	THOMPSON	42435
2 S	26 E	WM	17	NE NW		1.30	2100	THOMPSON	96666 -1891
2 S	26 E	WM	17	NW NW		6.66	2100	THOMPSON	96666 - 1891
2 S	26 E	WM	17	NW NW		10.10	2100	THOMPSON	96666-1905
2 S	26 E	WM	17	SW NW		3.24	2100	THOMPSON	96666 - 1891
2 S	26 E	WM	17	SW NW		7.06	2100	THOMPSON	96666-1905
2 S	26 E	WM	17	SE NW		2.50	2100	THOMPSON	96666 - 1891
2 S	26 E	WM	17	SE NW		2.10	2100	THOMPSON	96666-1905
2 S	26 E	WM	17	SE NW		4.94	2100	THOMPSON	38861
2 S	26 E	WM	17	NE SW		28.50	2100	THOMPSON	38861
2 S	26 E	WM	17	NW SW		30.50	2100	THOMPSON	38861
2 S	26 E	WM	17	SW SW		24.10	2100	THOMPSON	38861
2 S	26 E	WM	17	SE SW		22.90	2100	THOMPSON	38861
TOTAL						376.60			

14. The portion of the sixth right to be transferred is as follows:

Water Use Permit: S-55268 issued in the name of WILLOW CREEK DISTRICT IMPROVEMENT COMPANY

Use: SUPPLEMENTAL IRRIGATION of 376.6 acres

Priority Date: MARCH 8, 2018

Maximum Volume: 150.6 ACRE-FEET

Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to a diversion of not exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: WILLOW CREEK RESERVOIR (Permit R-10880), tributary to WILLOW CREEK

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	26 E	WM	27	NE NW	TD1 - HEPPNER-LEXINGTON PIPELINE: 1120 FEET SOUTH AND 1820 FEET EAST FROM THE NW CORNER OF SECTION 27

Authorized Place of Use

SUPPLEMENTAL IRRIGATION									
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres	Taxlot	Water User	Primary Right
2 S	26 E	WM	7	NW NE		12.70	1202 & 1203	THOMPSON	42435
2 S	26 E	WM	7	SW NE		32.40	1202 & 1203	THOMPSON	42435

SUPPLEMENTAL IRRIGATION									
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres	Taxlot	Water User	Primary Right
2 S	26 E	WM	7	SE NE		1.60	1203	THOMPSON	42435
2 S	26 E	WM	7	NE NW		9.60	1202 & 1203	THOMPSON	42435
2 S	26 E	WM	7	NE NW		26.00	1202	THOMPSON	96673
2 S	26 E	WM	7	NW NW	1	7.80	1202	THOMPSON	42435
2 S	26 E	WM	7	NW NW	1	10.00	1202	THOMPSON	96673
2 S	26 E	WM	7	SW NW	2	1.30	1202	THOMPSON	42435
2 S	26 E	WM	7	SE NW		19.10	1202	THOMPSON	42435
2 S	26 E	WM	7	SE NW		9.00	1202	THOMPSON	96673
2 S	26 E	WM	7	NE SW		4.00	1202	THOMPSON	96673
2 S	26 E	WM	7	NE SE		2.00	1202	THOMPSON	42435
2 S	26 E	WM	7	NW SE		10.00	1202	THOMPSON	42435
2 S	26 E	WM	7	NW SE		18.00	1202	THOMPSON	96673
2 S	26 E	WM	17	NE NW		1.00	2100	THOMPSON	96666
2 S	26 E	WM	17	NW NW		28.00	2100	THOMPSON	96666
2 S	26 E	WM	17	SW NW		13.20	2100	THOMPSON	38861
2 S	26 E	WM	17	SW NW		4.00	2100	THOMPSON	96666
2 S	26 E	WM	17	SE NW		15.63	2100	THOMPSON	38861
2 S	26 E	WM	17	SE NW		8.87	2100	THOMPSON	96666
2 S	26 E	WM	17	NE SW		32.51	2100	THOMPSON	38861
2 S	26 E	WM	17	NE SW		2.39	2100	THOMPSON	96666
2 S	26 E	WM	17	NW SW		33.20	2100	THOMPSON	38861
2 S	26 E	WM	17	SW SW		34.50	2100	THOMPSON	38861
2 S	26 E	WM	17	SE SW		39.80	2100	THOMPSON	38861
TOTAL						376.60			

15. Transfer Application T-14242 proposes to change the place of use of the right to:

Proposed Place of Use:

SUPPLEMENTAL IRRIGATION									
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres	Taxlot	Water User	Primary Right
2 S	25 E	WM	12	NE SW		1.00	300	THOMPSON	42435
2 S	25 E	WM	12	NE SW		2.90	300	THOMPSON	96666-1891
2 S	25 E	WM	12	SE SW		2.90	300	THOMPSON	42435
2 S	25 E	WM	12	NE SE		22.20	300	THOMPSON	38861
2 S	25 E	WM	12	NW SE		26.60	300	THOMPSON	38861
2 S	25 E	WM	12	NW SE		2.60	300	THOMPSON	42435
2 S	25 E	WM	12	NW SE		8.40	300	THOMPSON	96666-1891
2 S	25 E	WM	12	SW SE		33.10	300	THOMPSON	42435
2 S	25 E	WM	12	SW SE		0.30	300	THOMPSON	38861
2 S	25 E	WM	12	SE SE		11.20	300	THOMPSON	42435
2 S	25 E	WM	12	SE SE		8.80	300	THOMPSON	38861
2 S	26 E	WM	7	NE NE		1.40	1203	THOMPSON	42435
2 S	26 E	WM	7	NE NE		0.40	1203	THOMPSON	96673
2 S	26 E	WM	7	NW NE		0.60	1203	THOMPSON	42435
2 S	26 E	WM	7	NW NE		12.10	1202 & 1203	THOMPSON	96673

SUPPLEMENTAL IRRIGATION									
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres	Taxlot	Water User	Primary Right
2 S	26 E	WM	7	SW NE		13.00	1202 & 1203	THOMPSON	42435
2 S	26 E	WM	7	SW NE		10.40	1202 & 1203	THOMPSON	96673
2 S	26 E	WM	7	SE NE		2.40	1203	THOMPSON	42435
2 S	26 E	WM	7	NE NW		1.00	1202	THOMPSON	42435
2 S	26 E	WM	7	NE NW		28.20	1202 & 1203	THOMPSON	96673
2 S	26 E	WM	7	NW NW	1	11.60	1202	THOMPSON	96673
2 S	26 E	WM	7	SE NW		4.00	1202	THOMPSON	42435
2 S	26 E	WM	7	SE NW		4.30	1202	THOMPSON	96673
2 S	26 E	WM	7	NE SW		1.00	1202	THOMPSON	42435
2 S	26 E	WM	7	NW SE		22.30	1202	THOMPSON	42435
2 S	26 E	WM	17	NE NW		1.30	2100	THOMPSON	96666 -1891
2 S	26 E	WM	17	NW NW		6.66	2100	THOMPSON	96666 - 1891
2 S	26 E	WM	17	NW NW		10.10	2100	THOMPSON	96666-1905
2 S	26 E	WM	17	SW NW		3.24	2100	THOMPSON	96666 - 1891
2 S	26 E	WM	17	SW NW		7.06	2100	THOMPSON	96666-1905
2 S	26 E	WM	17	SE NW		2.50	2100	THOMPSON	96666 - 1891
2 S	26 E	WM	17	SE NW		2.10	2100	THOMPSON	96666-1905
2 S	26 E	WM	17	SE NW		4.94	2100	THOMPSON	38861
2 S	26 E	WM	17	NE SW		28.50	2100	THOMPSON	38861
2 S	26 E	WM	17	NW SW		30.50	2100	THOMPSON	38861
2 S	26 E	WM	17	SW SW		24.10	2100	THOMPSON	38861
2 S	26 E	WM	17	SE SW		22.90	2100	THOMPSON	38861
TOTAL						376.60			

16. The Department finds that the district permanent transfer application was submitted according to ORS 540.580 and OAR 690-385-4000, contains the information required under OARs 690-385-4200 and OAR 690-385-2000, and includes maps meeting the requirements of OARs 690-385-4300 and 690-385-2200.
17. The Department finds that the proposed district permanent transfer meets all the criteria set forth in ORS 540.580 and OAR 690-385-4000.
18. The water right is subject to transfer as defined in OAR 690-385-0100(17).
19. The proposed change in places of use, as conditioned will not result in enlargement of the right as defined in OAR 690-385-0100(4).
20. The proposed change in place of use will not result in injury to other water rights as defined in OAR 690-385-0100(6).
21. Any other applicable requirements for district permanent water right transfers are met as required in OAR 690-385-4500.

008 11 200

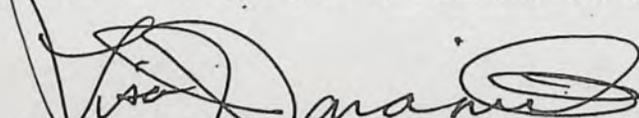
Conclusion of Law

The proposed changes in place of use as proposed in Transfer Application T-14242 comply with and satisfy the requirements of ORS 540.580 and OAR 690-385-4500.

Now, therefore, it is ORDERED:

1. The proposed changes in place of use, as conditioned, to the water right evidenced by Certificates 96666, 96673, 38861, 42435, and Permits S-54980 and S-55268 are approved.
2. The places of use from which the water rights are transferred off by Transfer T-14242 shall no longer be irrigated; Certificates 96666, 96673, 38861, and 42435, are cancelled.
3. Permits S-54980 and S-55268 are modified as described in Findings of Facts #11 & 12 and 13 & 14.
4. Water Use Measurement Conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of diversion (new and existing).
 - b. The water user shall maintain the meters or measuring devices in good working order.
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.
5. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2025**. A Claim of Beneficial Use shall be submitted by WCDIC to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
6. After proof of completion, new certificates confirming the rights transferred from Certificates 96666, 96673, 38861, and 42435 will be issued. Any water right certificate issued to confirm changes to Certificates 96666 and 96673 under Transfer T-14242 are to remain in the name of the name of Willow Creek District Improvement Company.

Dated in Salem, Oregon on DEC 19 2023



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
Douglas E. Woodcock, Acting Director
Oregon Water Resources Department

Issuance/Mailing Date. DEC 20 2023



G-87373
Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

May 17, 2023

WILLOW CREEK DISTRICT IMPROVEMENT COMPANY

530 CENTER ST NE, STE 400

SALEM, OR 97301

Reference: T-12605 Superseding Correcting Final Order

Enclosed is a correcting final order recorded in Special Order Vol. 128 Page 394-395 issued to correct a scrivener's error in the order recorded in Special Order Vol. 113 Page 129-133.

If you have any questions please contact your caseworker, Ann Reece, by telephone at (503) 979-3214 or by e-mail at Ann.L.Reece@water.oregon.gov.

Sincerely,

Flor Pena

Water Right Support

Transfers and Conservation Section

cc: Watermaster Dist. #21, Kenneth C. Thiemann (via email)

Enclosures

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

In the Matter of Special Order Volume 113,)
 Pages 129-133 Confirming T-12605, Morrow)
 County)
)

CORRECTING ORDER FOR DETERMINATION
 OF SATISFACTORY PROOF OF COMPLETION
 FOR PERMANENT DISTRICT TRANSFER
 T-12605

Applicant

WILLOW CREEK DISTRICT IMPROVEMENT COMPANY
 C/O BRIAN THOMPSON
 55805 HWY 74
 HEPPNER, OR 97836

Findings of Fact

1. On October 18, 2017, the Department signed a final order approving Transfer Application T-12605, which was mailed on October 27, 2017, and recorded in Special Order Volume 107, Pages 5-12, involving Certificates 82491, 82490, and Permits S-54980 and G-15586.
2. The final order approving the transfer contained a scrivener's error in the township in the proposed place of use of four parcels. The order approved the following parcels as indicated in the table below:

IRRIGATION (C. 82491) & SUPPLEMENTAL IRRIGATION (C.82490)							
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User
3 S	25 E	WM	3	NE SE	31.80	600	THOMPSON
3 S	25 E	WM	3	NW SE	26.90	600	THOMPSON
3 S	25 E	WM	3	SW SE	27.80	600	THOMPSON
3 S	25 E	WM	3	SE SE	33.50	600	THOMPSON

3. Consistent with the proposed place of use table and map submitted with the transfer application for Transfer T-12605, the township for the proposed place of use for the four parcels should have been listed in the final order as follows (correction shown in **bold**):

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

IRRIGATION (C. 82491) & SUPPLEMENTAL IRRIGATION (C.82490)							
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User
2 S	25 E	WM	3	NE SE	31.80	600	THOMPSON
2 S	25 E	WM	3	NW SE	26.90	600	THOMPSON
2 S	25 E	WM	3	SW SE	27.80	600	THOMPSON
2 S	25 E	WM	3	SE SE	33.50	600	THOMPSON

- On May 23, 2019, the Department issued a final order making a Determination of Satisfactory Proof for completion of permanent district Transfer T-12605 (DSP order) which was recorded in Special Order Volume 113, Pages 129-133. The DSP order failed to correct the error described in Finding of Fact #2 (corrected in Finding of Fact #3), above.
- This correcting order is being issued to correct the scrivener's error in the DSP order recorded in Special Order Volume 113, Pages 129-133.
- Consistent with the final proof map in the Claim of Beneficial use for Transfer T-12605, the place of use for the parcel described in Tables 1 and 2, Rows 12-15, in the DSP order issued May 23, 2019, , should be confirmed as follows (correction shown in **bold**):

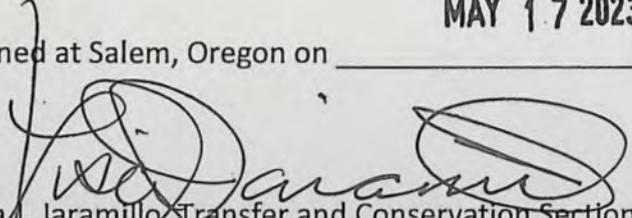
IRRIGATION (C. 82491) & SUPPLEMENTAL IRRIGATION (C.82490)							
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User
2 S	25 E	WM	3	NE SE	29.20	600	THOMPSON
2 S	25 E	WM	3	NW SE	30.10	600	THOMPSON
2 S	25 E	WM	3	SW SE	30.90	600	THOMPSON
2 S	25 E	WM	3	SE SE	30.70	600	THOMPSON

Now, therefore, it is ORDERED:

- The DSP order, as recorded in Order Special Order Volume 113, Pages 129-133 is hereby corrected as shown in Finding of Fact #5, above.
- All other provisions of Order Special Order Volume 113, Pages 129-133 remain in effect.

MAY 17 2023

Signed at Salem, Oregon on _____.


 Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
 Douglas E. Woodcock, Acting Director
 Oregon Water Resources Department

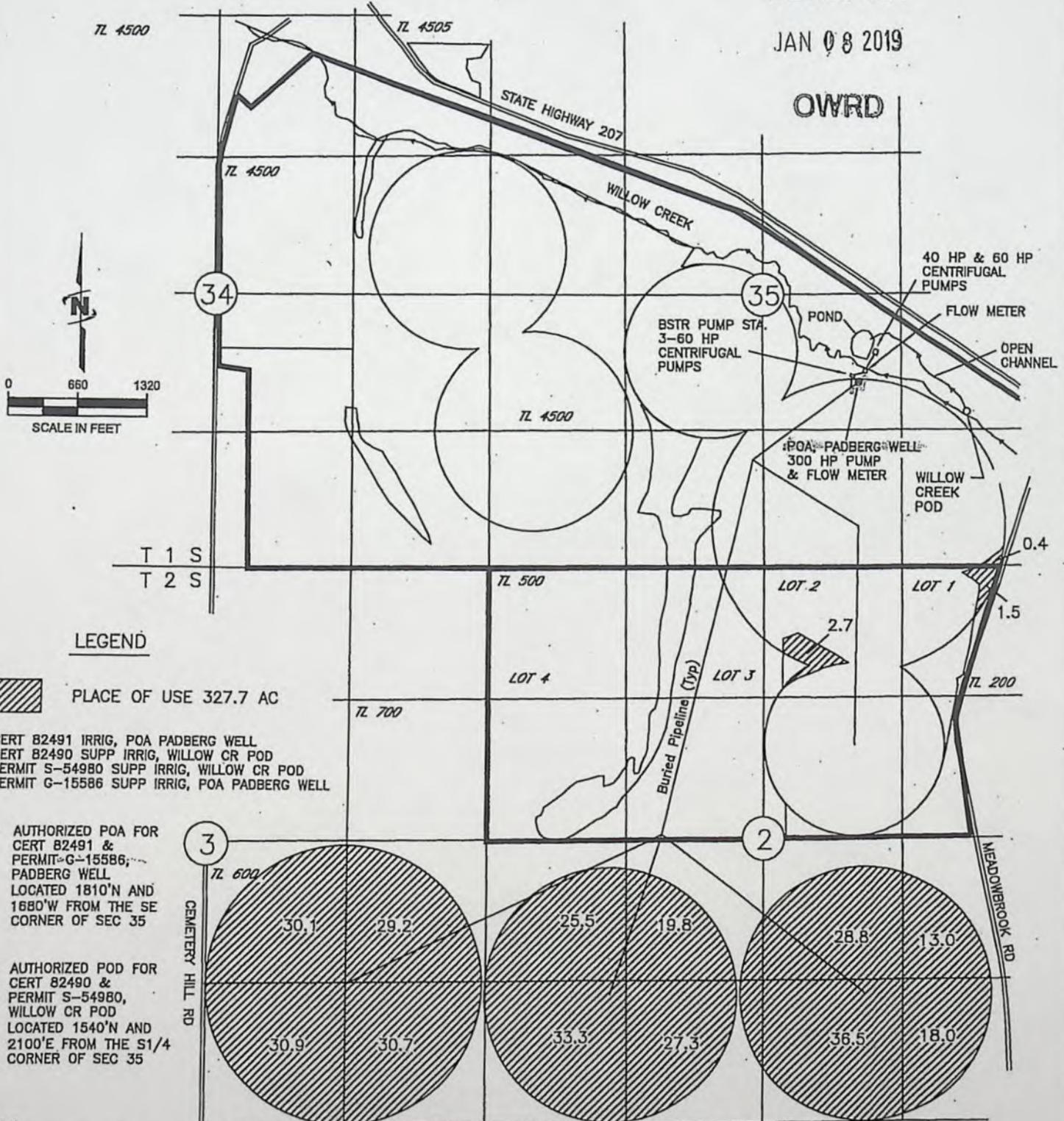
Mailing Date: **MAY 18 2023**

CLAIM OF BENEFICIAL USE MAP FOR T-12605
 IN THE NAME OF WILLOW CREEK DISTRICT IMPROVEMENT CO.
 FOR MEADOWBROOK FARM, LLC
 INVOLVING A CHANGE IN PLACE OF USE FOR PORTIONS OF
 CERT 82490, CERT 82491, PERMIT S-54980 & PERMIT G-15586
 T1&T2S, R25E W.M., MORROW COUNTY

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LEGEND



PLACE OF USE 327.7 AC

CERT 82491 IRRIG, POA PADBERG WELL
 CERT 82490 SUPP IRRIG, WILLOW CR POD
 PERMIT S-54980 SUPP IRRIG, WILLOW CR POD
 PERMIT G-15586 SUPP IRRIG, POA PADBERG WELL

● AUTHORIZED POA FOR
 CERT 82491 &
 PERMIT G-15586;
 PADBERG WELL
 LOCATED 1810'N AND
 1880'W FROM THE SE
 CORNER OF SEC 35

○ AUTHORIZED POD FOR
 CERT 82490 &
 PERMIT S-54980,
 WILLOW CR POD
 LOCATED 1540'N AND
 2100'E FROM THE S1/4
 CORNER OF SEC 35

NOTE:
 THE PURPOSE OF THIS MAP IS TO IDENTIFY THE APPROXIMATE LOCATION
 OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION
 RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.

Map Prepared
 12/21/2018
 DGV Consulting, PLLC

Route Slip.....Extension of Time Progress Report

1. Extension Specialist: Progress Report Review

Date Report was Due: October 1, 2020 (= "Deadline Date" for the corresponding ECP work flow record in WRIS)

Date Report Received: September 30, 2020

Report Complete: YES
 NO - Send letter requesting missing information.
 letter mailed on: November 13, 2020

2. Support Staff: Publish on the Department's Public Notice

315 320 OAR Division under which Progress Report was required

Publish on Public Notice Date: 10/10/2020

Update workflow in WRIS

(Fill in Extension Checkpoint 'Completed Date' in appropriate "ECP" work flow record and

add record for Checkpoint Public Notice ("EPR" or "EP2")

Return file to Jeffrey Pierceall

3. Extension Specialist: Prepare Progress Report Confirmation Letter

See progress report procedures.doc (date / mail out after 30 day comment period)

Date Confirmation Letter Needed: November 13, 2020

Update Progress Report Worksheet.xls

Send to permit holder + anyone who made comments after 30 day public notice
CC: Watermaster _____

File _____

PUBLIC NOTICE INFORMATION

Permit Holder's Name: Willow Creek Irrigation District Co. Attn: Shonee Langford

Application: S-87373

Permit: S-54980

County: Morrow

Source: Willow Creek Reservoir, tributary to Willow Creek

Use: irrigation and supplemental irrigation of 2538.14 acres

Next 2025



Oregon

Kate Brown, Governor

January 22, 2021

Willow Creek Irrigation District Co.
Shonee Langford

Water Resources Department

North Mall Office Building

725 Summer St NE, Ste A

Salem, OR 97301

Phone: 503-986-0900

Fax: 503-986-0904

www.Oregon.gov/OWRD

REFERENCE: Application S-87373 / Permit S-54980

Dear Permit Holder:

The Water Right Services Division received your written progress report for Permit S-54980. Receipt of the progress report was published on the Department's weekly Public Notice, dated October 6, 2020. The Department did not receive any public comment on the progress report.

After reviewing your Progress Report, the Department determined that diligence toward completion of the project and compliance with the terms and conditions of the permit and extension has been demonstrated.

Your next written progress report for Permit S-54980 is due no later than **October 1, 2025**. The report must be received by the Department no sooner than 30 days prior to the due date.

For your convenience, I have enclosed your next *Progress Report Form*. Please calendar this October 1, 2025 due date, as no further reminders will be sent.

As per your most recent extension, the date by which water must be applied to full beneficial use within the terms and conditions of your permit is October 1, 2030. ***Failure to submit a written progress report will most likely result in any future extensions being denied.***

If you have any questions, please feel free to contact me by telephone at (503) 986-0802.

Sincerely,

Jeffrey D. Pierceall

Extensions

Water Right Services Division

Enclosure

cc: Application S-87373
Watermaster District 21 – Ken Thiemann



COURCHANE Corey A * WRD

From: Langford, Shonee D. <SLangford@SCHWABE.com>
Sent: Thursday, March 22, 2018 12:42 PM
To: COURCHANE Corey A * WRD
Subject: RE: Willow Creek District Improvement Co., Permit S-54980 [IWOV-pdx.FID3283902]
Attachments: FW: Emert Lower POD; FW: Emert pod in action; FW: Emert Ranch Screen Projects.; FW: Mark McElligott Screen for T 12068 and T 12135; March 2018 Updated Copy of 87373 POD info progress report 2017.xlsx

Corey,
Here's an updated spreadsheet with additional information you requested on December 6. I've also attached some emails documenting some of the fish screen installations.

Best regards,

Shonee

Shonee D. Langford
530 Center St. NE, Suite 730
Salem, OR 97301
Direct: 503-540-4261

From: COURCHANE Corey A * WRD [<mailto:Corey.A.Courchane@oregon.gov>]
Sent: Wednesday, December 06, 2017 9:16 AM
To: Langford, Shonee D. <SLangford@SCHWABE.com>
Subject: RE: Willow Creek District Improvement Co., Permit S-54980 [IWOV-PDX.FID3283902]

Shonee,

Sorry for the late reply, as I have been out of the office since November 6. Mabelle and I put together a spreadsheet (attached) for Willow Creek so we could track the progress being made during their extension. This was put together with the information that is available within the file. Could you update the spreadsheet (particularly the highlighted areas) with the information you have, and return to me so I may add it to the most recent progress report? Let me know if you need any additional information.

Thank you,

Corey

COREY A COURCHANE | EXTENSION SPECIALIST

Water Resources Department | 725 Summer St. NE, Suite A | Salem, Oregon 97301
Ph: 503 986-0825 | Fax: 503 986-0901
Email: corey.a.courchane@oregon.gov | Web: <http://www.oregon.gov/OWRD>

From: Langford, Shonee D. [<mailto:SLangford@SCHWABE.com>]
Sent: Wednesday, November 01, 2017 10:51 AM
To: COURCHANE Corey A * WRD
Subject: RE: Willow Creek District Improvement Co., Permit S-54980 [IWOV-PDX.FID3283902]

Corey,

I've discussed with the water user's consultant. To the best of his knowledge, all of the ODFW-approved points of diversion that are identified on the progress report have been used to divert stored water under the permit and will continue to be used going forward, with one exception. The new POD under T-11664 (described as POD TD1 under the permit) has not yet been used, but will likely be ready for use next season.

Please let me know if you need anything else.

Thanks,

Shonee

Shonee D. Langford
530 Center St. NE, Suite 730
Salem, OR 97301
Direct: 503-540-4261

From: COURCHANE Corey A * WRD [<mailto:Corey.A.Courchane@oregon.gov>]
Sent: Wednesday, November 01, 2017 7:41 AM
To: Langford, Shonee D. <SLangford@SCHWABE.com>
Subject: Willow Creek District Improvement Co., Permit S-54980

Good morning Shonee,

I have only one question concerning the recent submission of the progress report: Is water currently being appropriated from all points of diversion that are identified on the progress report? No rush on the response.

Thank you,

Corey A Courchane

COREY A COURCHANE | EXTENSION SPECIALIST

Water Resources Department | 725 Summer St. NE, Suite A | Salem, Oregon 97301
Ph: 503 986-0825 | Fax: 503 986-0901
Email: corey.a.courchane@oregon.gov | Web: <http://www.oregon.gov/OWRD>

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Willow Creek District Improvement Company Application S-87373 Att

POD	Currently using water (Yes or No) as of June 1, 2017	Installed Totalizing Flowmeter (Yes or No)	Installed Fish Screen (Yes or No) and date of install
Hoskins Map #1			
1	Yes	Yes	Yes
3	No	No	No
Damon Map #2A and 2B			
1	Yes	Yes	Yes by ODFW 2006
2	Yes	Yes	Yes by ODFW 2009
3	No	No	No
Neiffer Map #3A and 3 B			
1	Yes	Yes	Yes
2	No	No	No
3	Yes	Yes	Yes
McElligott Map #4			
1	No	No	No
2	Yes	Yes	Yes 4-26-2017
Emert Ranches Map #5			
2	Yes	Yes	Yes 4-21-2017
3	Yes	Yes	Yes 4-27-2017
4	No	No	No
5	Yes	Yes	Yes 4-26-2017
Thompson Map #6B and 6C			
1	Yes	Yes	Yes
2	Yes	Yes	Yes
TD1	No	Yes	Yes
Meyer Map #7			
1	Yes	Yes	Yes
Harrison Map #8			
1	No	No	No
2	Yes	Yes	Yes
Temple Map #9			
1	Yes	Yes	Yes

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	2	Yes	Yes	Yes
Shattuck/Barrow Map #10				
	1	Yes	Yes	Yes

ichement for Progress Report 2017

Approval of Fish Screen installation from ODFW (Yes or No)
Approved 6/1/2017
Not being used
Approved 9/28/2017
Approved 9/28/2017
No
Approved 10/5/2016
This POD has been abandoned
Approved 10/5/2016 - If pump is replaced will need another approval
Yes
Yes
Abandoned
Yes
Approved 6/1/2017- If pump is replaced will need another approval
Approved 6/1/2017- If pump is replaced will need another approval
Design approved, fish screen and ladder installed by Jan. 1, 2018
Approved 6/1/2017- If pump is replaced will need another approval
Approved 12/11/2013
Approved 6/1/2017

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 OWRD

Approved 6/1/2017
Approved 6/1/2017

COURCHANE Corey A * WRD

From: Dale Van Schoiack <dalevconsulting@gmail.com>
Sent: Friday, March 16, 2018 11:31 AM
To: 'Bill Porfily'
Cc: 'Joe McElligott'
Subject: FW: Emert Lower POD
Attachments: IMG_1060.JPG

Regarding the Emert Ranch Lower POD.

Bill, attached is a picture of the Emert Ranch Lower POD that I sent to ODFW on April 27, 2017.

This email and picture documents that the screen was installed in April of 2017.

Dale

DGV Consulting, PLLC
Dale VanSchoiack, PE, CWRE
2141 S. Lyle, Kennewick, WA 99337
509 627 8717
dalevconsulting@gmail.com

From: Dale VanSchoiack <dalevconsulting@gmail.com>
Sent: Thursday, April 27, 2017 10:05 AM
To: ken.j.loffink@state.or.us
Cc: 'Joe McElligott' <joejerimac@me.com>; Bill Porfily <wporfily@gmail.com>
Subject: Emert Lower POD

Good morning Ken,

I previously sent you a picture of the Emert Upper POD screen Installation. Joe then sent pictures of the POD 5 installation with the Clemons screen. Attached is a picture of the Emert Lower POD screen installation.

Dale

DGV Consulting, PLLC
Dale G. VanSchoiack, PE, CWRE
2141 S. Lyle St. Kennewick, WA 99337
Phone: 509-627-8717 Fax: 509-585-2832
dalevconsulting@gmail.com

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COURCHANE Corey A * WRD

From: Dale Van Schoiack <dalevconsulting@gmail.com>
Sent: Friday, March 16, 2018 11:47 AM
To: 'Bill Porfily'
Cc: 'Joe McElligott'
Subject: FW: Emert pod in action
Attachments: IMG_1065.JPG; Untitled attachment 35858.txt; IMG_1066.JPG; Untitled attachment 35861.txt; IMG_1068.JPG; Untitled attachment 35864.txt; IMG_1070.JPG; Untitled attachment 35867.txt; IMG_1072.JPG; Untitled attachment 35870.txt

Regarding Emert Ranch POD 5 fish screen.

Bill attached are photos of the screen installation at the Emert Ranch POD 5 site I received from Joe on April 26, 2017. He sent them to you, me and ODFW.

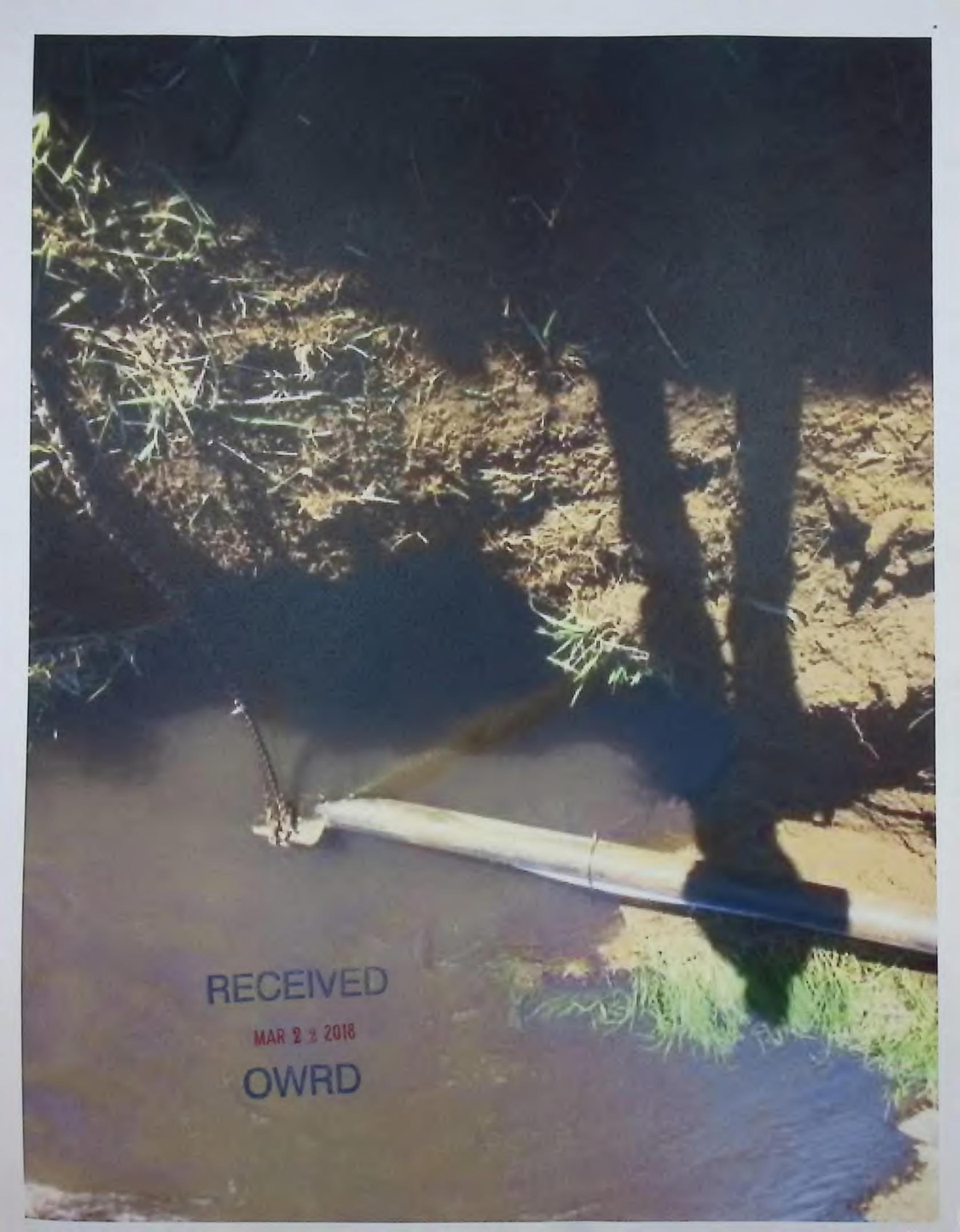
This email documents the screen for the Emert Ranch POD 5 was installed in April of 2017.

Dale

DGV Consulting, PLLC
Dale VanSchoiack, PE, CWRE
2141 S. Lyle, Kennewick, WA 99337
509 627 8717
dalevconsulting@gmail.com

-----Original Message-----

From: Joe McElligott <joejerimac@me.com>
Sent: Wednesday, April 26, 2017 9:10 AM
To: Dale VanSchoiack <dalevconsulting@gmail.com>; Willaim Porfily <wporfily@gmail.com>; ken.j.loffink@state.or.us
Subject: Emert pod in action



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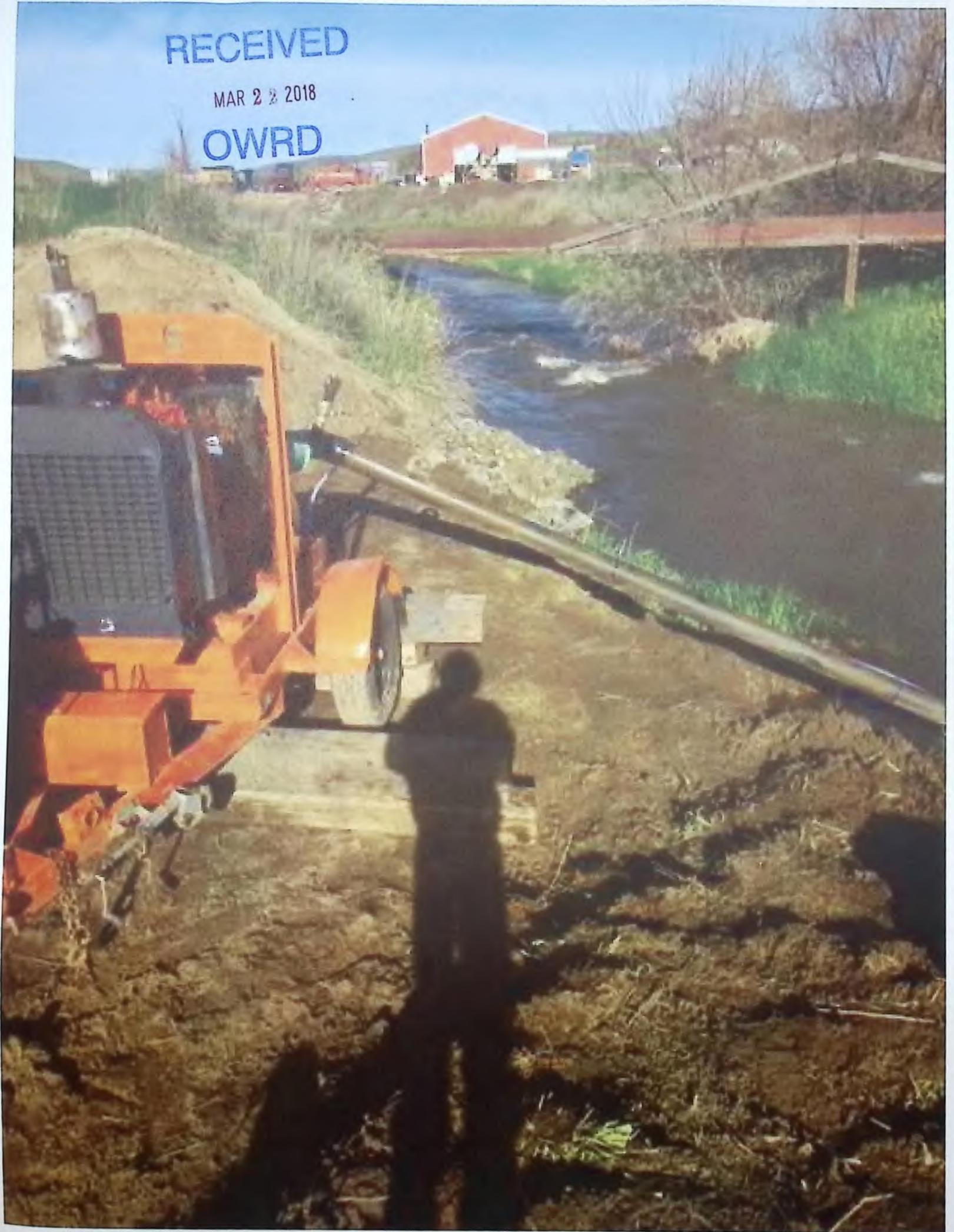
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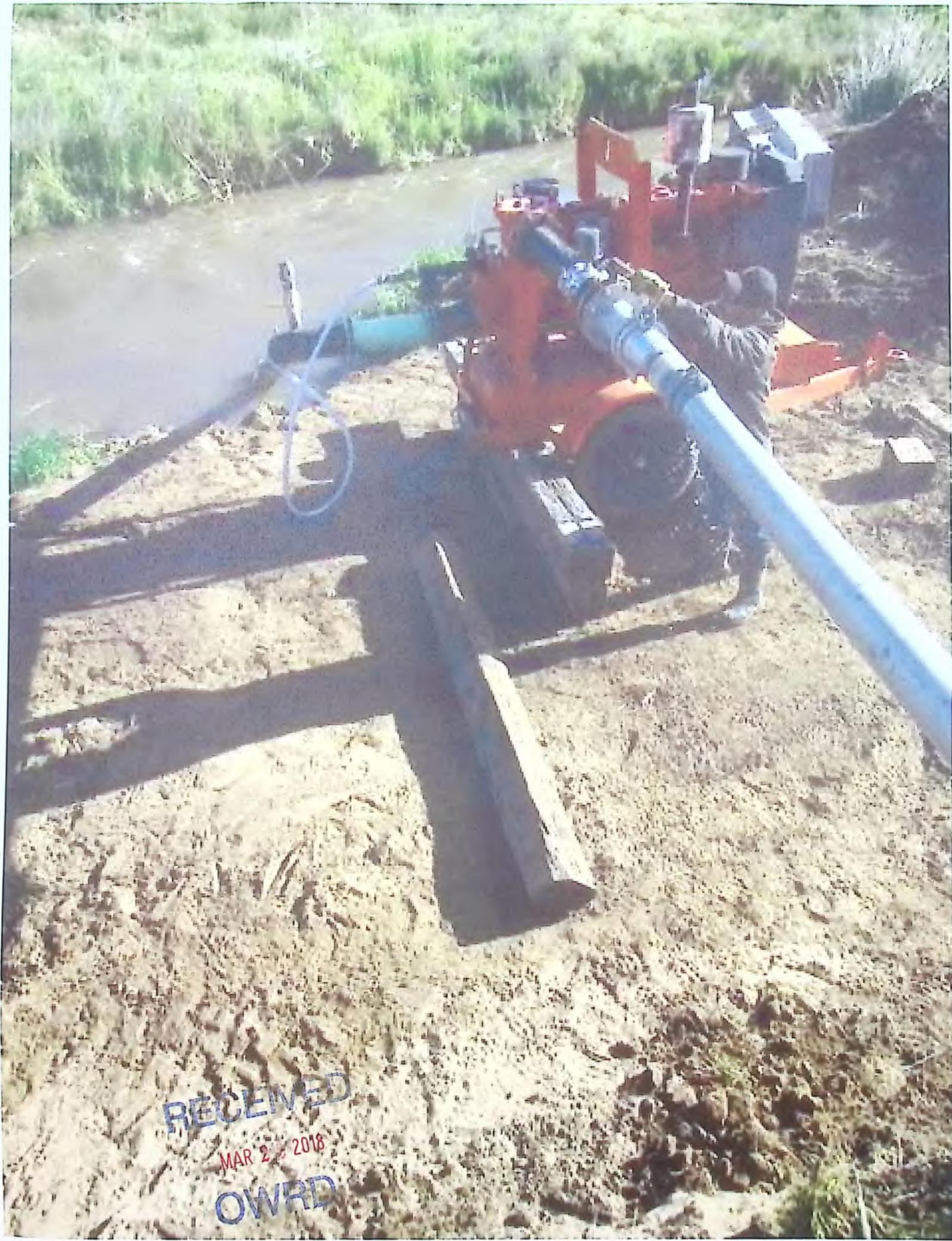




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COURCHANE Corey A * WRD

From: Dale Van Schoiack <dalevconsulting@gmail.com>
Sent: Friday, March 16, 2018 11:37 AM
To: 'Bill Porfily'
Cc: 'Joe McElligott'
Subject: FW: Emert Ranch Screen Projects.
Attachments: IMG_1055.jpg

Regarding the Emert Upper POD fish screen.

Bill, attached is a copy of an email I sent to ODFW on April 21st, 2017. I includes a picture of the Emert Ranch Upper POD.

This documents that the screen for the Upper POD was installed in April of 2017.

Dale

DGV Consulting, PLLC
Dale VanSchoiack, PE, CWRE
2141 S. Lyle, Kennewick, WA 99337
509 627 8717
dalevconsulting@gmail.com

From: Dale VanSchoiack <dalevconsulting@gmail.com>
Sent: Friday, April 21, 2017 8:48 AM
To: ken.j.loffink@state.or.us
Cc: 'Joe McElligott' <joejerimac@me.com>
Subject: Emert Ranch Screen Projects.

Good morning Ken,

I talked to Joe McElligott this morning regarding the Emert Ranch Screen projects. He told me the screens at the Upper and Lower PODs are operational and he has been using them. He said that Tracy Wyllie had visited the site on March 24th. However, the screens at the Upper and Lower PODs were immersed to the point where they could not be seen. The heavy snowpack has created a muddy runoff this spring.

We are wondering if you plan to have someone do a follow up site visit. As an alternative, If you would like we will take pictures of the screen installations once the water recedes and clears up and send them to you. The image attached is the upper POD.

Dale

DGV Consulting, PLLC
Dale G. VanSchoiack, PE, CWRE
2141 S. Lyle St. Kennewick, WA 99337
Phone: 509-627-8717 Fax: 509-585-2832
dalevconsulting@gmail.com

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COURCHANE Corey A * WRD

From: Dale Van Schoiack <dalevconsulting@gmail.com>
Sent: Friday, March 16, 2018 11:27 AM
To: 'Bill Porfily'
Cc: 'Joe McElligott'
Subject: FW: Mark McElligott Screen for T 12068 and T 12135
Attachments: IMG_1097.JPG; IMG_1099.JPG; Permit S_54980.pdf

Regarding Mark McElligott's Willow Creek POD.

Attached is a copy of an email I sent to Ken Loffink (ODFW) on May 10, 2010.

It includes a picture of the fish screen. As I recall I had Joe pull this out of the creek to take a picture so I could send it to ODFW. This would document that the screen was installed in May of 2017.

DGV Consulting, PLLC
Dale VanSchoiack, PE, CWRE
2141 S. Lyle, Kennewick, WA 99337
509 627 8717
dalevconsulting@gmail.com

From: Dale VanSchoiack
Sent: Wednesday, May 10, 2017 3:41 PM
To: ken.j.loffink@state.or.us
Cc: 'Joe McElligott' ; Bill Porfily
Subject: Mark McElligott Screen for T 12068 and T 12135

Hi Ken,

I presume you received my 4/27/17 email regarding approval of the fish screen for Mark McElligott. One of the transfers, T 12135, has a time sensitive ODFW approval requirement. You would not necessarily be aware of it without more knowledge as relates to T 12135. The Final Order Approving T 12135 notes, under item 2 on page 1 of 10, that the permit holder provided consent for the applicant to amend Permit S-54839. Permit S-54839 was indeed amended and when the amendment occurred Permit was superseded by a new permit, Permit S-54980. I have included a copy of Permit S-54980 with this email. If you refer to the box just after the permit holders name and address on page 1 of 10 you will see the reference that the new permit supersedes Permit S-54839.

On page 8 of 10 of Permit S-54980 there is a Fish Screen Condition, which states:

On or before June 1, 2017, the water user shall install, maintain, and operate fish screening on each authorized POD consistent with current ODFW standards. PODs not current screened must have the required screen in place and functional, and approved in writing by ODFW on or before June 1, 2017, prior to diversion of water. PODs screened but without ODFW written approval, must obtain approval in writing on or before June 1, 2017. If a fish screen without ODFW written approval is not installed on or before June 1, 2017, that authorized POD will be excluded on the final certificate.

Given the above condition on the permit we would appreciate receiving written approval of the fish screen installation for Mark McElligott's T 12608 and T 12135 prior to the June 1, 2017 date.

I provided copies of the transfer documents, a sketch of the screen and pump installation, and google image of the POD site and a manufacturer's information on the screen with my 4/27/17 email. At that time, I did not have a photo of the actual screen. I now have photos of the actual screen. I have included two pictures of the screen with this email. If you need additional information please let me know.

Please acknowledge receipt of this email.

I apologize for the urgency of this request.

Thank you for your assistance.

Dale

DGV Consulting, PLLC

Dale G. VanSchoiack, PE, CWRE

2141 S. Lyle St. Kennewick, WA 99337

Phone: 509-627-8717 Fax: 509-585-2832

dalevconsulting@gmail.com



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Kate Brown, Governor

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Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone (503) 986-0900

Fax (503) 986-0904

www.wrd.state.or.us

October 27, 2017

WILLOW CREEK DISTRICT IMPROVEMENT COMPANY
530 CENTER ST NE, STE 400
SALEM, OR 97301

REFERENCE: District Transfer T-12605

Enclosed is a copy of the final order approving your District transfer.

The time allowed to complete the transfer is specified in the final order. You are required to submit a claim of beneficial use to this Department within one year of the date you complete the change(s) or within one year of the completion date authorized final order whichever comes first. If necessary, you may request more time by filing for transfer extension. All extensions are subject to approval.

To file a claim please include:

1. A CLAIM OF BENEFICIAL USE form, available at :
http://www.oregon.gov/owrd/pubs/docs/forms/COBU_District_Perm_Transfer_7_13.pdf
2. A CLAIM OF BENEFICIAL USE SITE REPORT
http://www.oregon.gov/owrd/pubs/docs/forms/site_report_form.pdf
3. A Final Proof Map (this map does not need to be prepared by a Certified Water Rights Examiner (CWRE))

If you have any questions related to the approval of this transfer, you may contact your caseworker by telephone at (503) 986-0858 or by e-mail at Ann.L.Reece@oregon.gov.

Sincerely,

Marissa Andrews

Water Right Services Support

cc: Kenneth C. Thiemann, Watermaster Dist. # 21 (via email)
Ann Reece
Landowners (other or receiving)

Enclosure



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

In the Matter of Transfer Application) FINAL ORDER APPROVING
T-12605, Morrow County) A DISTRICT PERMANENT TRANSFER
) FOR PLACE OF USE

Authority

ORS 540.570 to 540.580 establishes the process in which a district may submit a request to transfer a water right within district boundaries. OAR Chapter 690, Division 385 implements the statutes and provides the Department's procedures and criteria for evaluating district transfer applications.

Applicant

WILLOW CREEK DISTRICT IMPROVEMENT COMPANY
C/O BRIAN THOMPSON
55805 HWY 74
HEPPNER, OR 97836

Findings of Fact

1. On March 6, 2017, Willow Creek District Improvement Company filed a district transfer application to permanently change the place of use under Certificates 82491, 82490, and Surface Water Permit S-54980 and Groundwater permit G-15586. The Department assigned the application number T-12605.
2. Notice of the District Permanent Transfer Application was published on March 14, 2017, pursuant to ORS 540.580 and OAR 690-385-4400. No comments were filed in response to the notices.
3. On July 13, 2017, and again on August 3, 2017, the Department contacted the agent for the applicant with regard to deficiencies in the application.
4. On August 8, 2017, the applicant's agent provided amended application pages and a map addressing the deficiencies in the application.
5. The portion of first the right to be transferred is as follows:
Certificate: 82491 in the name of ELMER E. PADBERG (perfected under Permit G-6828)
Use: IRRIGATION OF 327.7 ACRES
Priority Date: OCTOBER 1, 1973
Rate: 2.05 CUBIC FEET PER SECOND

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Within 20 days after this final order is issued (i.e., mailing date), the district or any protestant may file with the commission exceptions to the final order. The commission shall issue an order granting or denying the exceptions within 30 days after receiving the exceptions. ORS 540.580(10).

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: PADBERG WELL within the WILLOW CREEK BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 S	25 E	WM	35	NW SE	1810 FEET NORTH AND 1680 FEET WEST FROM THE SE CORNER OF SECTION 35

Authorized Place of Use:

PRIMARY IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
1 S	25 E	WM	34	NE NE	4.20	4500	THOMPSON	THOMP 2017
1 S	25 E	WM	34	SE NE	7.30	4500	THOMPSON	THOMP 2017
1 S	25 E	WM	34	NE SE	22.10	4500	THOMPSON	THOMP 2017
1 S	25 E	WM	34	NW SE	19.60	4500	THOMPSON	THOMP 2017
1 S	25 E	WM	34	SW SE	30.00	4500	THOMPSON	THOMP 2017
1 S	25 E	WM	34	SE SE	27.60	4500	THOMPSON	THOMP 2017
1 S	25 E	WM	35	NW NW	0.10	4500	THOMPSON	THOMP 2017
1 S	25 E	WM	35	SW NW	13.60	4500	THOMPSON	THOMP 2017
1 S	25 E	WM	35	SE NW	7.00	4500	THOMPSON	THOMP 2017
1 S	25 E	WM	35	NE SW	2.00	4500	THOMPSON	THOMP 2017
1 S	25 E	WM	35	NW SW	9.60	4500	THOMPSON	THOMP 2017
1 S	25 E	WM	35	SW SW	11.20	4500	THOMPSON	THOMP 2017
1 S	25 E	WM	35	SE SW	14.90	4500	THOMPSON	THOMP 2017
1 S	25 E	WM	35	NE SE	2.40	4500	THOMPSON	THOMP 2017
1 S	25 E	WM	35	NW SE	5.50	4500	THOMPSON	THOMP 2017
1 S	25 E	WM	35	SE SE	4.70	4500	THOMPSON	THOMP 2017
1 S	25 E	WM	2	NE NE	4.80	4500	THOMPSON	THOMP 2017
1 S	25 E	WM	2	NW NE	2.00	4500	THOMPSON	THOMP 2017
1 S	25 E	WM	2	SW NE	2.90	4500	THOMPSON	THOMP 2017
1 S	25 E	WM	2	SE NE	1.10	4500	THOMPSON	THOMP 2017
1 S	25 E	WM	2	NE NW	26.80	4500	THOMPSON	THOMP 2017
1 S	25 E	WM	2	NW NW	39.20	4500	THOMPSON	THOMP 2017
1 S	25 E	WM	2	SW NW	32.20	4500	THOMPSON	THOMP 2017
1 S	25 E	WM	2	SE NW	36.90	4500	THOMPSON	THOMP 2017
Total:					327.7			

6. Transfer Application T-12605 proposes to change the place of use to:

Proposed Place of Use:

PRIMARY IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
1 S	25 E	WM	35	SE SE	0.40	4500	THOMPSON	THOMP 2017
2 S	25 E	WM	2	NE NE	1.50	500	THOMPSON	THOMP 2017
2 S	25 E	WM	2	NW NE	2.70	500	THOMPSON	THOMP 2017

PRIMARY IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
2 S	25 E	WM	2	NE SW	20.70	600	THOMPSON	THOMP 2017
2 S	25 E	WM	2	NW SW	23.60	600	THOMPSON	THOMP 2017
2 S	25 E	WM	2	SW SW	31.90	600	THOMPSON	THOMP 2017
2 S	25 E	WM	2	SE SW	29.30	600	THOMPSON	THOMP 2017
2 S	25 E	WM	2	NE SE	13.80	600	THOMPSON	THOMP 2017
2 S	25 E	WM	2	NW SE	28.10	600	THOMPSON	THOMP 2017
2 S	25 E	WM	2	SW SE	36.30	600	THOMPSON	THOMP 2017
2 S	25 E	WM	2	SE SE	19.40	600	THOMPSON	THOMP 2017
3 S	25 E	WM	3	NE SE	31.80	600	THOMPSON	THOMP 2017
3 S	25 E	WM	3	NW SE	26.90	600	THOMPSON	THOMP 2017
3 S	25 E	WM	3	SW SE	27.80	600	THOMPSON	THOMP 2017
3 S	25 E	WM	3	SE SE	33.50	600	THOMPSON	THOMP 2017
Total:					327.7			

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

Certificate: 82490 in the name of ELMER E. PADBERG (perfected under Permit S-48116)

Use: SUPPLEMENTAL IRRIGATION of 327.7 ACRES

Priority Date: AUGUST 3, 1983

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-SIXTIETH of one cubic foot per second per acre, and shall be further limited to a diversion of not to exceed 3.0 acre-feet for each acre irrigated during the irrigation season of each year, provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein, provided further that although declared herein to be for supplemental irrigation in part the right allowed may, in the interest of conserving the groundwater supplies, be exercised at times when water is available in the groundwater supply provided that the total quantity diverted from all sources of supply does not exceed the limitation allowed herein.

Source: WILLOW CREEK, tributary to the COLUMBIA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 S	25 E	WM	35	NE SE	1550 FEET NORTH AND 640 FEET WEST FROM THE SE CORNER OF SECTION 35

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
1 S	25 E	WM	34	NE NE	4.20	4500	THOMPSON	THOMP 2017
1 S	25 E	WM	34	SE NE	7.30	4500	THOMPSON	THOMP 2017
1 S	25 E	WM	34	NE SE	22.10	4500	THOMPSON	THOMP 2017
1 S	25 E	WM	34	NW SE	19.60	4500	THOMPSON	THOMP 2017
1 S	25 E	WM	34	SW SE	30.00	4500	THOMPSON	THOMP 2017

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
1 S	25 E	WM	34	SE SE	27.60	4500	THOMPSON	THOMP 2017
1 S	25 E	WM	35	NW NW	0.10	4500	THOMPSON	THOMP 2017
1 S	25 E	WM	35	SW NW	13.60	4500	THOMPSON	THOMP 2017
1 S	25 E	WM	35	SE NW	7.00	4500	THOMPSON	THOMP 2017
1 S	25 E	WM	35	NE SW	2.00	4500	THOMPSON	THOMP 2017
1 S	25 E	WM	35	NW SW	9.60	4500	THOMPSON	THOMP 2017
1 S	25 E	WM	35	SW SW	11.20	4500	THOMPSON	THOMP 2017
1 S	25 E	WM	35	SE SW	14.90	4500	THOMPSON	THOMP 2017
1 S	25 E	WM	35	NE SE	2.40	4500	THOMPSON	THOMP 2017
1 S	25 E	WM	35	NW SE	5.50	4500	THOMPSON	THOMP 2017
1 S	25 E	WM	35	SE SE	4.70	4500	THOMPSON	THOMP 2017
1 S	25 E	WM	2	NE NE	4.80	4500	THOMPSON	THOMP 2017
1 S	25 E	WM	2	NW NE	2.00	4500	THOMPSON	THOMP 2017
1 S	25 E	WM	2	SW NE	2.90	4500	THOMPSON	THOMP 2017
1 S	25 E	WM	2	SE NE	1.10	4500	THOMPSON	THOMP 2017
1 S	25 E	WM	2	NE NW	26.80	4500	THOMPSON	THOMP 2017
1 S	25 E	WM	2	NW NW	39.20	4500	THOMPSON	THOMP 2017
1 S	25 E	WM	2	SW NW	32.20	4500	THOMPSON	THOMP 2017
1 S	25 E	WM	2	SE NW	36.90	4500	THOMPSON	THOMP 2017
Total:					327.7			

8. Transfer Application T-12605 proposes to change the place of use to:

Proposed Place of Use:

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
1 S	25 E	WM	35	SE SE	0.40	4500	THOMPSON	THOMP 2017
2 S	25 E	WM	2	NE NE	1.50	500	THOMPSON	THOMP 2017
2 S	25 E	WM	2	NW NE	2.70	500	THOMPSON	THOMP 2017
2 S	25 E	WM	2	NE SW	20.70	600	THOMPSON	THOMP 2017
2 S	25 E	WM	2	NW SW	23.60	600	THOMPSON	THOMP 2017
2 S	25 E	WM	2	SW SW	31.90	600	THOMPSON	THOMP 2017
2 S	25 E	WM	2	SE SW	29.30	600	THOMPSON	THOMP 2017
2 S	25 E	WM	2	NE SE	13.80	600	THOMPSON	THOMP 2017
2 S	25 E	WM	2	NW SE	28.10	600	THOMPSON	THOMP 2017
2 S	25 E	WM	2	SW SE	36.30	600	THOMPSON	THOMP 2017
2 S	25 E	WM	2	SE SE	19.40	600	THOMPSON	THOMP 2017
3 S	25 E	WM	3	NE SE	31.80	600	THOMPSON	THOMP 2017
3 S	25 E	WM	3	NW SE	26.90	600	THOMPSON	THOMP 2017
3 S	25 E	WM	3	SW SE	27.80	600	THOMPSON	THOMP 2017
3 S	25 E	WM	3	SE SE	33.50	600	THOMPSON	THOMP 2017
Total:					327.7			

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

Water Use Permit: S-54980 in the name of WILLOW CREEK DISTRICT
IMPROVEMENT CO. (application number S-87373)

Use: SUPPLEMENTAL IRRIGATION of 327.7 ACRES

Priority Date: JANUARY 6, 2009

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall not exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: WILLOW CREEK RESERVOIR (constructed under Permit R-10800), tributary to WILLOW CREEK

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 S	25 E	WM	35	NE SE	1540 FEET NORTH AND 2100 FEET EAST FROM THE SE CORNER OF SECTION 35

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
1 S	25 S	WM	34	NE NE	4.20	4500	THOMPSON	THOMP 2017
1 S	25 S	WM	34	SE NE	7.30	4500	THOMPSON	THOMP 2017
1 S	25 S	WM	34	NE SE	22.10	4500	THOMPSON	THOMP 2017
1 S	25 S	WM	34	NW SE	19.60	4500	THOMPSON	THOMP 2017
1 S	25 S	WM	34	SW SE	30.00	4500	THOMPSON	THOMP 2017
1 S	25 S	WM	34	SE SE	27.60	4500	THOMPSON	THOMP 2017
1 S	25 S	WM	35	NW NW	0.10	4500	THOMPSON	THOMP 2017
1 S	25 S	WM	35	SW NW	13.60	4500	THOMPSON	THOMP 2017
1 S	25 S	WM	35	SE NW	7.00	4500	THOMPSON	THOMP 2017
1 S	25 S	WM	35	NE SW	2.00	4500	THOMPSON	THOMP 2017
1 S	25 S	WM	35	NW SW	9.60	4500	THOMPSON	THOMP 2017
1 S	25 S	WM	35	SW SW	11.20	4500	THOMPSON	THOMP 2017
1 S	25 S	WM	35	SE SW	14.90	4500	THOMPSON	THOMP 2017
1 S	25 S	WM	35	NE SE	2.40	4500	THOMPSON	THOMP 2017
1 S	25 S	WM	35	NW SE	5.50	4500	THOMPSON	THOMP 2017
1 S	25 S	WM	35	SE SE	4.70	4500	THOMPSON	THOMP 2017
2 S	25 S	WM	2	NE NE	4.80	4500	THOMPSON	THOMP 2017
2 S	25 S	WM	2	NW NE	2.00	4500	THOMPSON	THOMP 2017
2 S	25 S	WM	2	SW NE	2.90	4500	THOMPSON	THOMP 2017
2 S	25 S	WM	2	SE NE	1.10	4500	THOMPSON	THOMP 2017
2 S	25 S	WM	2	NE NW	26.80	4500	THOMPSON	THOMP 2017
2 S	25 S	WM	2	NW NW	39.20	4500	THOMPSON	THOMP 2017
2 S	25 S	WM	2	SW NW	32.20	4500	THOMPSON	THOMP 2017
2 S	25 S	WM	2	SE NW	36.90	4500	THOMPSON	THOMP 2017
Total:					327.7			

10. Transfer Application T-12605 proposes to change the place of use to:

Proposed Place of Use:

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
1 S	25 S	WM	35	SE SE	0.40	4500	THOMPSON	THOMP 2017
2 S	25 S	WM	2	NE NE	1.50	500	THOMPSON	THOMP 2017

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
2 S	25 S	WM	2	NW NE	2.70	500	THOMPSON	THOMP 2017
2 S	25 S	WM	2	NE SW	20.70	600	THOMPSON	THOMP 2017
2 S	25 S	WM	2	NW SW	23.60	600	THOMPSON	THOMP 2017
2 S	25 S	WM	2	SW SW	31.90	600	THOMPSON	THOMP 2017
2 S	25 S	WM	2	SE SW	29.30	600	THOMPSON	THOMP 2017
2 S	25 S	WM	2	NE SE	13.80	600	THOMPSON	THOMP 2017
2 S	25 S	WM	2	NW SE	28.10	600	THOMPSON	THOMP 2017
2 S	25 S	WM	2	SW SE	36.30	600	THOMPSON	THOMP 2017
2 S	25 S	WM	2	SE SE	19.40	600	THOMPSON	THOMP 2017
2 S	25 S	WM	3	NE SE	31.80	600	THOMPSON	THOMP 2017
2 S	25 S	WM	3	NW SE	26.90	600	THOMPSON	THOMP 2017
2 S	25 S	WM	3	SW SE	27.80	600	THOMPSON	THOMP 2017
2 S	25 S	WM	3	SE SE	33.50	600	THOMPSON	THOMP 2017
Total:					327.7			

11. The portion of the fourth right to be transferred is as follows:

Water Use Permit: G-15586 in the name of LEE PADBERG

Use: SUPPLEMENTAL IRRIGATION to make up a deficiency in rate of 327.7 ACRES

Priority Date: APRIL 3, 2003

Limit/Duty: The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, and 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: WELL 1 in the WILLOW CREEK BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 S	25 E	WM	35	NW SE	WELL 1-1810 FEET NORTH AND 1680 FEET WEST FROM THE SE CORNER OF SECTION 35

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
1 S	25 S	WM	34	NE NE	4.20	4500	THOMPSON	THOMP 2017
1 S	25 S	WM	34	SE NE	7.30	4500	THOMPSON	THOMP 2017
1 S	25 S	WM	34	NE SE	22.10	4500	THOMPSON	THOMP 2017
1 S	25 S	WM	34	NW SE	19.60	4500	THOMPSON	THOMP 2017
1 S	25 S	WM	34	SW SE	30.00	4500	THOMPSON	THOMP 2017
1 S	25 S	WM	34	SE SE	27.60	4500	THOMPSON	THOMP 2017
1 S	25 S	WM	35	NW NW	0.10	4500	THOMPSON	THOMP 2017
1 S	25 S	WM	35	SW NW	13.60	4500	THOMPSON	THOMP 2017
1 S	25 S	WM	35	SE NW	7.00	4500	THOMPSON	THOMP 2017
1 S	25 S	WM	35	NE SW	2.00	4500	THOMPSON	THOMP 2017
1 S	25 S	WM	35	NW SW	9.60	4500	THOMPSON	THOMP 2017
1 S	25 S	WM	35	SW SW	11.20	4500	THOMPSON	THOMP 2017

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
1 S	25 S	WM	35	SE SW	14.90	4500	THOMPSON	THOMP 2017
1 S	25 S	WM	35	NE SE	2.40	4500	THOMPSON	THOMP 2017
1 S	25 S	WM	35	NW SE	5.50	4500	THOMPSON	THOMP 2017
1 S	25 S	WM	35	SE SE	4.70	4500	THOMPSON	THOMP 2017
2 S	25 S	WM	2	NE NE	4.80	4500	THOMPSON	THOMP 2017
2 S	25 S	WM	2	NW NE	2.00	4500	THOMPSON	THOMP 2017
2 S	25 S	WM	2	SW NE	2.90	4500	THOMPSON	THOMP 2017
2 S	25 S	WM	2	SE NE	1.10	4500	THOMPSON	THOMP 2017
2 S	25 S	WM	2	NE NW	26.80	4500	THOMPSON	THOMP 2017
2 S	25 S	WM	2	NW NW	39.20	4500	THOMPSON	THOMP 2017
2 S	25 S	WM	2	SW NW	32.20	4500	THOMPSON	THOMP 2017
2 S	25 S	WM	2	SE NW	36.90	4500	THOMPSON	THOMP 2017
Total:					327.7			

12. Transfer Application T-12605 proposes to change the place of use to:

Proposed Place of Use:

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
1 S	25 S	WM	35	SE SE	0.40	4500	THOMPSON	THOMP 2017
2 S	25 S	WM	2	NE NE	1.50	500	THOMPSON	THOMP 2017
2 S	25 S	WM	2	NW NE	2.70	500	THOMPSON	THOMP 2017
2 S	25 S	WM	2	NE SW	20.70	600	THOMPSON	THOMP 2017
2 S	25 S	WM	2	NW SW	23.60	600	THOMPSON	THOMP 2017
2 S	25 S	WM	2	SW SW	31.90	600	THOMPSON	THOMP 2017
2 S	25 S	WM	2	SE SW	29.30	600	THOMPSON	THOMP 2017
2 S	25 S	WM	2	NE SE	13.80	600	THOMPSON	THOMP 2017
2 S	25 S	WM	2	NW SE	28.10	600	THOMPSON	THOMP 2017
2 S	25 S	WM	2	SW SE	36.30	600	THOMPSON	THOMP 2017
2 S	25 S	WM	2	SE SE	19.40	600	THOMPSON	THOMP 2017
2 S	25 S	WM	3	NE SE	31.80	600	THOMPSON	THOMP 2017
2 S	25 S	WM	3	NW SE	26.90	600	THOMPSON	THOMP 2017
2 S	25 S	WM	3	SW SE	27.80	600	THOMPSON	THOMP 2017
2 S	25 S	WM	3	SE SE	33.50	600	THOMPSON	THOMP 2017
Total:					327.7			

13. The Department finds that the district permanent transfer application satisfies the criteria of OAR 690-385-4000 and contains the information required under OAR 690-385-4200 and includes maps meeting the requirements of OAR 690-385-4300.

14. The water rights are subject to transfer as defined in OAR 690-385-0100(17).

15. The proposed change in place of use will not result in enlargement of the right.

16. The proposed change in place of use as conditioned will not result in injury to other water rights.

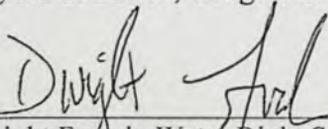
Conclusions of Law

The proposed changes in place of use as proposed in Transfer Application T-12605 satisfy the requirements of ORS 540.574(3) and 540.580.

Now, therefore, it is ORDERED:

1. The proposed changes in place of use to the water right evidenced by Certificates 82491, 82490, and Water Use Permits S-54980 and G-15586 are approved.
2. The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificates 82491, 82490, and water use Permits S-54980, G-15586 and any related decree.
3. The former places of use shall no longer be irrigated as part of this water right.
4. Water use measurement conditions:
 - a. **Before water use may begin** under this order, the water user shall install totalizing flow meters, or, with prior approval of the Director, other suitable measuring devices, at each point of diversion (new and existing).
 - b. The water user shall maintain the meters or measuring devices in good working order.
 - c. The water user shall allow the Watermaster access to the meters or measuring device(s); provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.
5. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2018**. A Claim of Beneficial Use shall be submitted by Willow Creek District Improvement Co. to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
6. Water right Certificates 82491, 82490, and water use Permits S-54980, G-15586 are modified. The Department will issue superseding Certificates describing the rights when it determines it is necessary for record keeping.

Signed at Salem, Oregon this 15 day of October 2017.



Dwight French, Water Right Services Administrator for
THOMAS M. BYLER, DIRECTOR
Oregon Department of Water Resources

Mailing Date: OCT 27 2017



Oregon

Kate Brown, Governor

5-87373

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone (503) 986-0900

Fax (503) 986-0904

www.wrd.state.or.us

August 18, 2015

MATT MCELLIGOTT
49026 HWY 30
NORTH POWDER, OR 97867

Reference: Application T- 12135

On August 17, 2015, we received your water right Transfer application. The application was accompanied by \$1000.00. Our receipt number 117035 is enclosed.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the requested change. A review form will also be sent to Oregon Department of Fish and Wildlife to determine if a fish screen is needed.

Your application will be examined to determine whether additional information is needed. We will notify you if further information or corrections to the application or map are required.

This application may require publication of a notice for two consecutive weeks in a newspaper with general circulation in the area where the water right is located. If it is determined that newspaper notice will be required, the Department will prepare the notice and notify you of the cost. You will be responsible for submitting payment to the Department prior to publication of the notice.

Except as provided under ORS 540.510(3) for municipalities, you may not use water from the new point of diversion until a final order approving the application has been issued by the Department.

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

If you have any questions, please contact the Transfer Section at (503) 986-0807.

Cc: Watermaster Dist. #21 (via email)
Molly Reid, Agent
Willow Creek Improvement District
US Bureau of Reclamation

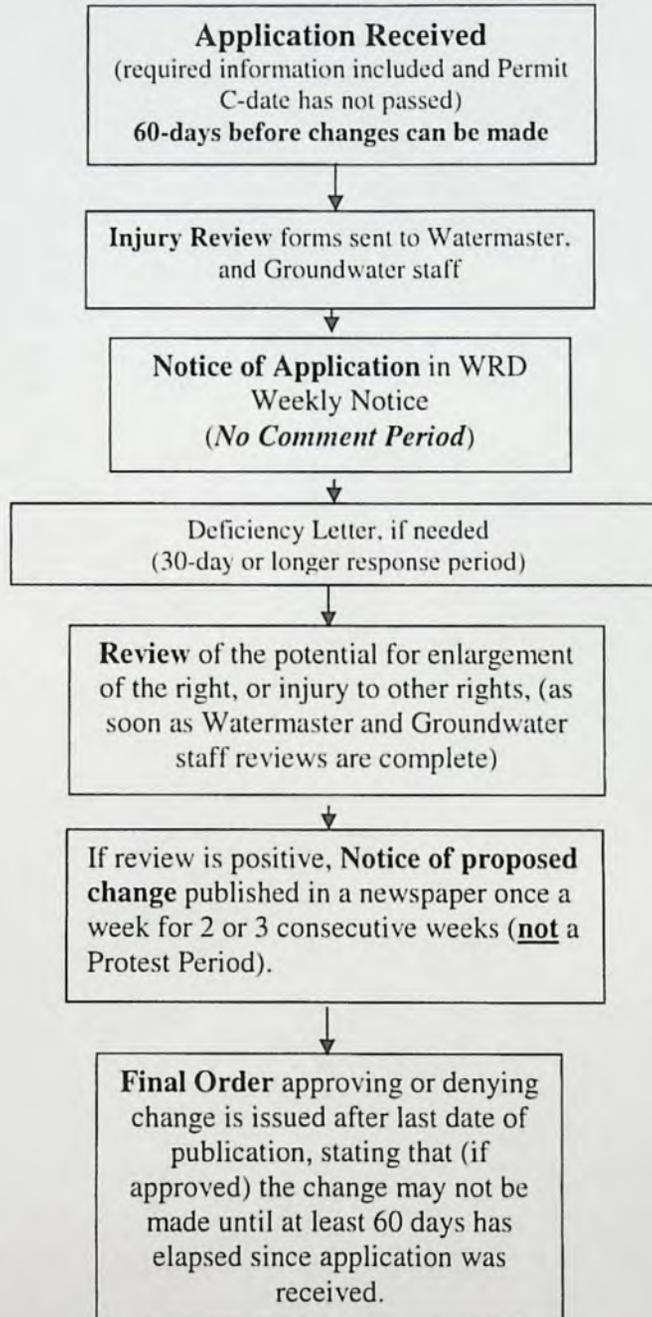
Enclosure



Permit Amendment Process

ORS 537.211

Changes: POD/POA, Place of Use



Transfer Applications: Permit Amendments

The holder of a water right permit may apply to change a point of diversion or appropriation or to change the place of use pursuant to ORS 537.211 (4).

Notice is given that the following applications for Permit Amendments have been received by the Department. If the proposed change in point of diversion or appropriation is for a distance greater than 1/4 mile or includes intervening diversion points, notice also will be published in a local newspaper.

Transfer	T 12135
Water Right	Permit: S-54839
County/Basin	Morrow / Umatilla (7)
Applicant Name	MCELLIGOTT, MATT 49026 HWY 30 NORTH POWDER, OR 97867
Proposed Change	ADDITIONAL POINT OF DIVERSION
Sources/TRSQ40Q160	A RESERVOIR > WILLOW CREEK / 2.00S 26.00E 35 NWSE WILLOW CREEK > COLUMBIA RIVER / 2.00S 26.00E 27 SENW WILLOW CREEK > COLUMBIA RIVER / 2.00S 26.00E 27 SWNE WILLOW CREEK > COLUMBIA RIVER / 2.00S 26.00E 8 SWSW WILLOW CREEK > COLUMBIA RIVER / 2.00S 26.00E 21 NESW WILLOW CREEK > COLUMBIA RIVER / 2.00S 26.00E 21 SWSE WILLOW CREEK > COLUMBIA RIVER / 2.00S 26.00E 7 SENW WILLOW CREEK > COLUMBIA RIVER / 2.00S 26.00E 17 NESW WILLOW CREEK > COLUMBIA RIVER / 2.00S 25.00E 1 SWNE WILLOW CREEK > COLUMBIA RIVER / 1.00S 23.00E 1 SWSE WILLOW CREEK > COLUMBIA RIVER / 1.00S 24.00E 12 SENE WILLOW CREEK > COLUMBIA RIVER / 1.00S 24.00E 11 SENE WILLOW CREEK > COLUMBIA RIVER / 1.00S 24.00E 11 SWNE WILLOW CREEK > COLUMBIA RIVER / 1.00S 24.00E 11 SENW WILLOW CREEK > COLUMBIA RIVER / 1.00S 24.00E 10 NENE WILLOW CREEK > COLUMBIA RIVER / 1.00S 25.00E 36 SWSW WILLOW CREEK > COLUMBIA RIVER / 1.00S 25.00E 35 NESE WILLOW CREEK > COLUMBIA RIVER / 1.00S 25.00E 28 NENW WILLOW CREEK > COLUMBIA RIVER / 1.00S 25.00E 28 NESE WILLOW CREEK > COLUMBIA RIVER / 1.00S 25.00E 27 SWSW WILLOW CREEK > COLUMBIA RIVER / 1.00S 25.00E 20 NWSE
Use/Quantity	IRRIGATION / 2500.000 AF
Priority Date	01/06/2009

Transfer	T 12136
Water Right	Permit: G-17062
County/Basin	Harney / Malheur Lake (12)
Applicant Name	GOLDEN RULE FARMS INC. PO BOX 255 CHRISTMAS VALLEY, OR 97641
Proposed Change	ADDITIONAL POINT OF APPROPRIATION, PLACE OF USE
Sources/TRSQ40Q160	A WELL > MILLER CANYON / 23.00S 26.00E 12 SWSW A WELL > MILLER CANYON / 23.00S 26.00E 12 SESE A WELL > MILLER CANYON / 23.00S 26.00E 12 NWNW A WELL > MILLER CANYON / 23.00S 26.00E 12 NENE
Use/Quantity	IRRIGATION / 10.600 CFS
Priority Date	08/31/2012

WILLOW CREEK DISTRICT IMPROVEMENT CO. Application S-87373 received from Shonne Langford on 6/30/2015

POD	TOTALIZING FLOW METER INSTALLED (Yes or No)	ODFW CURRENT STANDARD FISH SCREEN INSTALLED (YES or No)	WRITTEN ODFW APPROVAL OF FISH SCREEN (Yes or No)
HOSKINS MAP #1			
	1 Yes	Yes	No
	3 No	No	No
DAMON MAP #2A AND 2B			
	1 Yes. *making Appl. to Change this POD to new Pipeline	YES	No
	2 Yes. *making Appl. to Change this POD to new Pipeline	YES	No
	3 Yes. *making Appl. to Change this POD to new Pipeline	YES	No
NEIFFER MAP #3A AND 3B			
	1 Has not developed under this permit		
	2 Has not developed under this permit		
	3 YES	YES	No
McELLAGOTT MAP #4	No. Making transfer application to Change POD	No	
	1		
EMERT RANCHES MAP #5			
	2 No. Has H2O Master Approved Measuring Flume	No	No
	3 No. Has H2O Master Approved Measuring Flume	No	No
	4 No	No	No
	5 No	No	No
THOMPSON MAP #6B AND 6C			
	1 Yes. *making Appl. to Change this POD to new Pipeline	YES	No
	2 Yes. *making Appl. to Change this POD to new Pipeline	YES	No
MEYER MAP #7			
	1 Yes. *making Appl. to Change this POD to new Pipeline	YES	No
HARRISON MAP #8			
	1 Discontinue		
	2 YES	YES	YES
TEMPLE MAP #9			
	1 Yes. *making Appl. to Change this POD to new Pipeline	YES	No
	2 Yes. *making Appl. to Change this POD to new Pipeline	YES	No
SHATTUCK/BARROW MAP #10			
	1 Yes. *making Appl. to Change this POD to new Pipeline	YES	No
	*This new Pipeline is being designed with approved	Fish Screens and approved Flow Meter.	

BAMBERGER Machelle A * WRD

From: PEDERSEN Dorothy I
Sent: Wednesday, May 27, 2015 8:53 AM
To: BAMBERGER Machelle A
Subject: Permit S-54770 Willow Creek

Machelle,

Here is some information I received from Ken Thiemann related to the measuring condition in Permit S-54770 (Willow Creek Improvement District):

All users have instantaneous totalizing flow meters installed except for the flumes on the Emert Ranch that were approved by Mike Ladd, as long as they keep flow books. I have had conversations with Joe McElligott (Operator for Emert) about the flow books. He assures me that his field staff is keeping the flow books up to date.

It would be good to have this documented in the water right file, for future reference.

Dorothy I. Pedersen
Water Measurement Analyst
Hydrographics Section
Oregon Water Resources Department
725 Summer St. NE
Salem, OR 97301-1266
(503) 986-0824



Oregon

Kate Brown, Governor

Department of Fish and Wildlife

Fish Division
4034 Fairview Industrial Drive SE
Salem, OR 97302
(503) 947-6201
FAX (503) 947-6202
www.dfw.state.or.us/

RECEIVED

JUN 08 2015

Schwabe, Williamson & Wyatt



May 29, 2015

WILLOW CREEK DISTRICT IMPROVEMENT CO.
SHONEE LANGFORD
530 CENTER ST NE SUITE 400
SALEM, OR 97301

The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screen is necessary at all points of diversion (POD's) associated with the Willow Creek District Improvement Company who order water from Willow Creek Reservoir under permit S-54770. Fish screens are necessary to prevent fish from entering the POD's; some of those POD's are not currently equipped with an appropriate fish screen. A grace period of two years is being granted to allow landowners time to acquire the appropriate screening. The required screening may be eligible for ODFW's cost share program and/or the tax incentive program. The water users must screen within the indicated time regardless of the availability of cost share funding.

By June 1, 2017 the permit holder shall install an approved fish screen at all POD's diverting water authorized in permit S-54770 or any subsequent permit amendments approved by the Oregon Water Resources Department (OWRD). The permit holder may withdraw water at the authorized POD's without an approved screen until May 31, 2017. The permit holder shall provide to OWRD all written statements from ODFW that an installed screen at the specified authorized locations meets the state's criteria.

The permit holder shall maintain and operate the fish screen at the point of diversion consistent with ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly and is unsuccessful in working with the permit holder to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

For additional information, feel free to contact me.

Bill Duke
Umatilla District Fish Biologist
Phone: 541-276-2344
Fax: 541-276-4414
William.b.duke@state.or.us

BAMBERGER Machelles A * WRD

From: Langford, Shonee D. <SLangford@SCHWABE.com>
Sent: Tuesday, June 30, 2015 12:45 PM
To: 'BAMBERGER Machelles A'
Cc: 'LADD Mike F'; 'THIEMANN Ken C'
Subject: RE: Willow Creek District Improvement Company, Permit S-54770, Fish Screen
Attachments: 2015.06.16 WM revised 87373-POD-INFO-Ext-2015.xlsx; OWRD Fish Screens & Measuring Devices 87373-POD-INFO-Ext-2015.xlsx; 3519_001.pdf

Machelle,

This email provides additional justification to support the Application for Extension of Time filed by the Willow Creek District Improvement Company (District). I have attached two spreadsheets addressing the individual landowners' compliance with measuring device and fish screen requirements – one prepared by the watermaster, Ken Thiemann (only the flow meter column is filled in) and the other prepared by the District's consultant, Bill Porfily. Also attached is a May 29, 2015 letter from ODFW's Bill Duke, granting a two year grace period for installation of required fish screening.

As you know, some landowners need to install fish screening and/or obtain ODFW's approval of current fish screening on existing diversions. In addition, several landowners are planning to change from existing diversions to a new approximately 8-mile pipeline. The District and two of its members filed a permit amendment application (T-11664) for permission to construct a new point of diversion for the pipeline. That application has been on hold, because it needs to be revised to include additional landowners and their diversions. Ultimately, the pipeline is expected to replace approximately 9 existing diversions and deliver water to roughly 80 percent of the permitted lands. The District needs time to amend the application, obtain OWRD approval, construct the pipeline, comply with metering and fish screen requirements at the new diversion, and fully apply water to beneficial use. The District has permission to lay pipeline across property not owned by the District or its members, but still needs to identify the exact location in some areas. Once underway, construction could take several years to complete, and then the affected landowners would need at least 2-3 years to divert and apply water to beneficial use.

Based on the above considerations, the District reiterates its request for a 15-year extension to October 1, 2030. Alternatively, if the Department deems that request to be unjustified, the District requests at least a 10-year extension to October 1, 2025, based on the following potential timeline for completion of the above-described actions:

- 2016 – Changes to/ OWRD approval of application T-11664
- 2018 – Finish working with landowners/surveyor as needed to identify exact location of new pipeline
- 2022 – Complete construction of new pipeline, required fish screen, etc.
- Oct. 1, 2025 – Fully apply permitted water to beneficial use

We appreciate your consideration. Please let me know if you have questions or need additional information to complete your review.

Best Regards,

Shonee

Shonee Langford | Schwabe, Williamson & Wyatt | Direct: 503-540-4261 | Fax: 503-796-2900

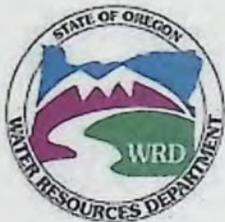
From: BAMBERGER Machel A [<mailto:machelle.a.bamberger@state.or.us>]
Sent: Tuesday, June 02, 2015 12:59 PM
To: 'LADD Mike F'; Langford, Shonee D.
Cc: COURCHANE Corey A (corey.a.courchane@state.or.us); THIEMANN Ken C; BAMBERGER Machel A
Subject: RE: Willow Creek District Improvement Company, Permit S-54770, Fish Screen

Shonee;
We will not issue the PFO for 30 days. If you could also fill out the spreadsheet Corey emailed you that would be useful also. If you have ANY questions, please feel free to contact me.

Machelle

Machelle A Bamberger | Extension Specialist

Water Resources Department | 725 Summer St. NE, Suite A | Salem, Oregon 97301
Ph: 503 986-0802 | Fax: 503 986-0901
Email: Machelle.A.Bamberger@wrд.state.or.us | Web:<http://www.wrd.state.or.us>



From: Langford, Shonee D. [<mailto:SLangford@SCHWABE.com>]
Sent: Tuesday, June 02, 2015 10:15 AM
To: 'LADD Mike F'
Cc: COURCHANE Corey A (corey.a.courchane@state.or.us); THIEMANN Ken C; BAMBERGER Machel A
Subject: RE: Willow Creek District Improvement Company, Permit S-54770, Fish Screen

Thank you, Mike. We will absolutely need more time than 2 years.

Machelle, I will send you an email as soon as possible, hopefully by end of today. In the meantime I ask that issuance of the Proposed Final Order be delayed to allow time for additional consideration.

Shonee

Shonee Langford | Schwabe, Williamson & Wyatt | Direct: 503-540-4261 | Fax: 503-796-2900

From: LADD Mike F [<mailto:michael.f.ladd@state.or.us>]
Sent: Tuesday, June 02, 2015 9:49 AM
To: Langford, Shonee D.
Cc: COURCHANE Corey A (corey.a.courchane@state.or.us); THIEMANN Ken C; BAMBERGER Machel A
Subject: Willow Creek District Improvement Company, Permit S-54770, Fish Screen

Per our talk this morning, please write an e-mail (please copy me) to Machel Bamberger (Salem Office, time extensions) and explain to her all the moving parts associated with the project the district is working on to justify more than a two year time extension. Work yet to be done: ie. amending a recently filed permit amendment (add more pods), installation of approved fish screens on the old pods associated with the delivery point for the Willow Creek

Reservoir water (S-54770), installation of fish screens needed on the new pipeline(s), securing funding for the project and then getting it all installed. I doubt that all this can be done in two years.

Please let me know if you have any questions.

Mike Ladd
Regional Manager, North Central Region
Oregon Water Resources Department
116 SE Dorion Ave
Pendleton, OR 97801
(541) 278-5456

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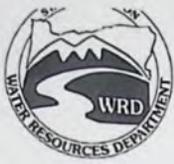
WILLOW CREEK DISTRICT IMPROVEMENT CO. Application 5-8/3/15

POD	TOTALIZING FLOW METER INSTALLED (Yes or No)	ODFW CURRENT STANDARD FISH SCREEN	WRITTEN ODFW APPROVAL OF FISH	WM Notes 7/30/2015
HOSKINS MAP #1				
1 PACS ~RM 49.72	Yes	Yes	No	SCREEN INSTALLED
3 JOHN'S ~RM 49.91	No	No	No	PUMP INSTALLED NO SCREEN UNDER USES HOSKINS #1 C-161
DAMON MAP #2A AND 2B				
1 ~RM 46.05	Yes. *making Appl. to Change this POD to new	YES	No	
2 ~RM 48.12	Yes. *making Appl. to Change this POD to new	YES	No	STATIONARY SCREEN INSTALLED
3 ~RM 48.9	Yes. *making Appl. to Change this POD to new	YES	No	NO INFRASTRUCTURE NEED TO ADD POD @
NEIFFER MAP #3A AND 3B				
1 ~RM 40.21	Has not developed under this permit		SELF CLEANING SCREEN INSTALLED & OPERATING	47.76 SW NW USES @ ~RM 40.0
2 ~RM 40.0	Has not developed under this permit			COULD NOT VERIFY LOOKED LIKE A SCREEN INSTALLED
3 ~RM 27.5	YES	YES	No	
McELIGOTT MAP #4				
1 ~RM 34.85	No. Making transfer	No	T-12068 UNDER REVIEW APOD @ ~RM 33.75	No SCREEN
EMERT RANCHES MAP #5				
2 ~RM 33.75	No. Has H2O Master Approved Measuring	No	No	No SCREEN
3 ~RM 33.36	No. Has H2O Master Approved Measuring	No	No	No SCREEN
4 ~RM 33.0	No	No	No	No INFRASTRUCTURE
5 ~RM 32.24	No	No	No	No INFRASTRUCTURE
THOMPSON MAP #6B				
1 BRIAN'S ~RM	Yes. *making Appl. to Change this POD to new	YES	No	FLOW OVER SCREEN INSTALLED & OPERATING.
2 TERRY'S ~RM	Yes. *making Appl. to Change this POD to new	YES	No	FLOW OVER FISH SCREEN INSTALLED & OPERATING
MEYER MAP #7				
1 ~RM	Yes. *making Appl. to Change this POD to new	YES	No	CALLED OWNER COULD NOT VERIFY FISH SCREEN
HARRISON MAP #8				
1 ~RM 38.78	Discontinue			USES FROM ~RM 38.20
2 ~RM 38.20	YES	YES	YES	INSTALLED & OPERATING SCREEN ON SUCTION LINE PUMP
TEMPLE MAP #9				
1 ~RM 42.61	Yes. *making Appl. to Change this POD to new	YES	No	COULD NOT VERIFY TOO ANY SCREEN INSTALLED DEEP & SWIFT
2 ~RM 43.26	Yes. *making Appl. to Change this POD to new	YES	No	NO SCREEN OR MEASUREMENT DEVICE ON DITCH
SHATTUCK/BARROW MAP				
1 ~RM 43.26	Yes. *making Appl. to Change this POD to new	YES	No	SMALL SCREEN ON PUMP INLET.
	*This new Pipeline is being designed with	Fish Screens and approved Flow Meter.		

JIN
BOUGE

WILLOW CREEK DISTRICT IMPROVEMENT CO. Application S-87373

POD	TOTALIZING FLOW METER INSTALLED (Yes or No) as of 7/31/2015	ODFW CURRENT STANDARD FISH SCREEN INSTALLED (YES or No)	WRITTEN ODFW APPROVAL OF FISH SCREEN (Yes or No)
HOSKINS MAP #1			
1	Yes	Yes	ODFW letter dated 6/1/2017
3	No	Yes	ODFW letter dated 6/1/2017
DAMON MAP #2A AND 2B			
1	Yes	Yes	ODFW letter dated 9/28/17
2	Yes	Yes	ODFW letter dated 9/28/17
3	Yes	No (water not being diverted from POD)	ODFW letter dated 9/28/17
NEIFFER MAP #3A AND 3B			
1	Has not developed		
2	Has not developed	Yes	ODFW letter dated 10/5/2016
3	Yes	Yes	ODFW letter dated 10/5/2016
McELGOTT MAP #4			
1	No	No	ODFW letter dated 10/12/2017 only approves of design; does not indicate installed
2 (APOA T-12135 2/2016)		No	ODFW letter dated 5/23/2017 only approves of design; does not indicate installed
EMERT RANCHES MAP #5			
2	No	No	ODFW letter dated 5/19/2017 Individual POD not defined; only approves of design; does not indicate installed
3	No	No	ODFW letter dated 5/19/2017 Individual POD not defined; only approves of design; does not indicate installed
4	No	No	ODFW letter dated 5/19/2017 Individual POD not defined; only approves of design; does not indicate installed
5	No	No	ODFW letter dated 5/19/2017 Individual POD not defined; only approves of design; does not indicate installed
THOMPSON MAP #6B AND 6C			
1	Yes	Yes	ODFW letter dated 6/1/2017
2	Yes	Yes	ODFW letter dated 6/1/2017
TD1 (APOA T-11664 2/2016)			
		No	ODFW letter dated 10/6/2015 only approves of design; does not indicate installed
MEYER MAP #7			
1	Yes	Yes	ODFW letter dated 6/1/2017
HARRISON MAP #8			
1	Discontinue		
2	Yes	Yes	ODFW letter dated 12/11/2013
TEMPLE MAP #9			
1	Yes	Yes	ODFW letter dated 6/1/2017
2	Yes	Yes	ODFW letter dated 6/1/2017
SHATTUCK/BARROW MAP #10			
1	Yes	Yes	ODFW letter dated 6/1/2017



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

**Extension of Time
 Progress Reporting Form
 For Checkpoints**

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

Permit Holder: Willow Creek District Improvement Co. Application S-87373 Permit S-54980

Progress Report Form for 2017

Report Due no later than October 1, 2017

DO NOT SUBMIT PRIOR TO 30 DAYS BEFORE DUE DATE

As authorized in ORS 690-315-0050(6), this progress report is required in order to ensure diligence is exercised in the development and perfection of Permit S-54980. FAILURE TO SUBMIT THIS REPORT WILL MOST LIKELY RESULT IN ANY FUTURE EXTENSION BEING DENIED.

DATES	LIST ALL WORK ACCOMPLISHED and FINANCIAL INVESTMENTS For the period of time between February 8, 2012 and October 1, 2017	FINANCIAL INVESTMENT
06-2016	ODFW approval of fish screen Hoskins POD #1 & 3	3,600
	ODFW approval of fish screen McElligott POD #1	N/A*
05-2017	ODFW approval of fish screen McElligott POD #2	1,800
05-2016	ODFW approval of fish screen Emert Ranches POD #2	85,000
05-2016	ODFW approval of fish screen Emert Ranches POD #3	85,000
05-2017	ODFW approval of fish screen Temple POD #1 & 2	2,500
05-2017	ODFW approval of fish screen Shattuck POD #1	1,400
10-2016	ODFW approval of fish screen Neiffer POD #2 & 3	3,600
12-2013	ODFW approval of fish screen Harrison POD #2	1,800
03-2017	ODFW approval of fish screen Thompson POD #1 & 2 and Meyer Map #7 POD #1 (now Thompson)	6,000
06-2016	ODFW approval of fish screen Damon POD #1 & 2	3,600
10-2015	ODFW approval of fish screen designs for POD TD1 (under T-11664)	
	Submitted documented ODFW approval of fish screens on all points of diversion	Attached

RECEIVED
 OCT 12 2017
 OWRD

* This POD will not be claimed in the Claim of Beneficial Use Report

- Describe actions taken to comply with terms/conditions of the permit and/or previous extension. Patrons of the District have complied with the Fish Screen requirements and the District has complied with the reporting of water usage from the Willow Creek Reservoir.
- Total number of acres irrigated to date: 2440 acres (NA if not applicable)
- Provide the maximum rate, or duty if applicable, of water diverted for beneficial use under this permit, if any, made to date.

Maximum duty used to date= 1906 Ac-ft cfs (cubic feet per second)

Report the rate in the same units of measurement as specified in the permit, being cfs (cubic feet per second), gpm (gallons per minute) or AF (acre-feet). Do not provide daily, monthly or annual water volume totals.

INCOMPLETE REPORTS WILL BE RETURNED. AN ANSWER IS REQUIRED IN EACH ITEM.

Signature Shanee D. Langford Date 10/12/17

Printed Name/Title Shanee D. Langford, Attorney for Willow Creek District Improvement Co.

For OWRD use only

Diligence Shown Yes No

Date Public Noticed: _____

Reviewed by: Corey

Date: 10/16/17

COURCHANE Corey A * WRD

From: Langford, Shonee D. <SLangford@SCHWABE.com>
Sent: Wednesday, November 01, 2017 10:51 AM
To: COURCHANE Corey A * WRD
Subject: RE: Willow Creek District Improvement Co., Permit S-54980 [IWOV-PDX.FID3283902]

Corey,

I've discussed with the water user's consultant. To the best of his knowledge, all of the ODFW-approved points of diversion that are identified on the progress report have been used to divert stored water under the permit and will continue to be used going forward, with one exception. The new POD under T-11664 (described as POD TD1 under the permit) has not yet been used, but will likely be ready for use next season.

Please let me know if you need anything else.

Thanks,

Shonee

Shonee D. Langford
530 Center St. NE, Suite 730
Salem, OR 97301
Direct: 503-540-4261

From: COURCHANE Corey A * WRD [<mailto:Corey.A.Courchane@oregon.gov>]
Sent: Wednesday, November 01, 2017 7:41 AM
To: Langford, Shonee D. <SLangford@SCHWABE.com>
Subject: Willow Creek District Improvement Co., Permit S-54980

Good morning Shonee,

I have only one question concerning the recent submission of the progress report: Is water currently being appropriated from all points of diversion that are identified on the progress report? No rush on the response.

Thank you,

Corey A Courchane

COREY A COURCHANE | EXTENSION SPECIALIST

Water Resources Department | 725 Summer St. NE, Suite A | Salem, Oregon 97301
Ph: 503 986-0825 | Fax: 503 986-0901
Email: corey.a.courchane@oregon.gov | Web: <http://www.oregon.gov/OWRD>

NOTICE: This email may contain material that is confidential, privileged and/or attorney work product for the sole use of the intended recipient. Any review, reliance or

Route Slip.....Extension of Time Progress Report

1. Extension Specialist: Progress Report Review

Date Report was Due: 10/1/2017 (= "Deadline Date" for the corresponding ECP work flow record in WRIS)

Date Report Received: 10/12/2017

Report Complete: YES

NO – Send letter requesting missing information.

letter mailed on: _____

2. Support Staff: Publish on the Department's Public Notice

315 320 OAR Division under which Progress Report was required

Publish on Public Notice Date: 10-17-17

Update workflow in WRIS

(Fill in Extension Checkpoint 'Completed Date' in appropriate "ECP" work flow record and

add record for Checkpoint Public Notice ("EPR" or "EP2")

Return file to Corey Courchane.

3. Extension Specialist: Prepare Progress Report Confirmation Letter

See progress report procedures.doc

(date / mail out after 30 day comment period)

Date Confirmation Letter Needed: _____

Update Progress Report Worksheet.xls

Send to permit holder + anyone who made comments after 30 day public notice
CC: Watermaster _____

File _____

PUBLIC NOTICE INFORMATION

Permit Holder's Name: Willow Creek District Improvement Co. Attn:

Application: S-87373

Permit: S-54980

County: Morrow

Source: Willow Creek Reservoir, constructed under Permit R-10880, tributary to Willow Creek

Use: Primary irrigation and supplemental irrigation of 2538.14 acres

OCT 13 2017

SALEM, OR

October 11, 2017

Shonee D. Langford
T: 503-540-4261
slangford@schwabe.com

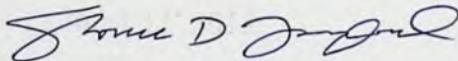
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271

RE: Progress Report

To Whom it May Concern:

Enclosed for filing on behalf of Willow Creek District Improvement Company is a Progress Report for Permit S-54980. Please direct any questions to me.

Best regards,



Shonee D. Langford

SDL

Enclosure

cc: *(all via email; w/encl.)*
Brian Thompson
Bill Porfily

PDX\125006\186790\SDL\21636384.1



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

**Extension of Time
 Progress Reporting Form
 For Checkpoints**

TO THE DIRECTOR OF THE OREGON WATER RESOURCES DEPARTMENT

Permit Holder: Willow Creek District Improvement Co. Application S-87373 Permit S-54980

Progress Report Form for 2017

RECEIVED BY OWRD

Report Due no later than October 1, 2017

DO NOT SUBMIT PRIOR TO 30 DAYS BEFORE DUE DATE

OCT 13 2017

As authorized in ORS 690-315-0050(6), this progress report is required in order to ensure diligence is exercised in the development and perfection of Permit S-54980. FAILURE TO SUBMIT THIS REPORT WILL MOST LIKELY RESULT IN ANY FUTURE EXTENSION BEING DENIED.

DATES	LIST ALL WORK ACCOMPLISHED and FINANCIAL INVESTMENTS For the period of time between February 8, 2012 and October 1, 2017	FINANCIAL INVESTMENT
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	ODFW approval of fish screen McElligott POD #1	N/A*
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10-2015	ODFW approval of fish screen designs for POD TD1 (under T-11664)	
	Submitted documented ODFW approval of fish screens on all points of diversion	Attached

* This POD will not be claimed in the Claim of Beneficial Use Report

2. Describe actions taken to comply with terms/conditions of the permit and/or previous extension. Patrons of the District have complied with the Fish Screen requirements and the District has complied with the reporting of water usage from the Willow Creek Reservoir.

3. Total number of acres irrigated to date: 2440 acres (NA if not applicable)

4. Provide the maximum rate, or duty if applicable, of water diverted for beneficial use under this permit, if any, made to date.

Maximum duty used to date= 1906 Ac-ft cfs (cubic feet per second)

Report the rate in the same units of measurement as specified in the permit, being cfs (cubic feet per second), gpm (gallons per minute) or AF (acre-feet). Do not provide daily, monthly or annual water volume totals.

INCOMPLETE REPORTS WILL BE RETURNED. AN ANSWER IS REQUIRED IN EACH ITEM.

Signature Shonice D. Langford Date 10/11/17

Printed Name/Title Shonice D. Langford, Attorney for Willow Creek District Improvement Co.

For OWRD use only

Diligence Shown Yes No

Date Public Noticed: _____

Reviewed by: _____

Date: _____

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WILLIAMSON & WYATT®

SDL

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OR 970
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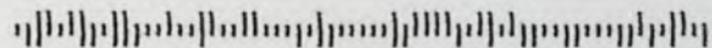


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Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271

97301-126673



October 12, 2017

Shonee D. Langford
T: 503-540-4261
slangford@schwabe.com

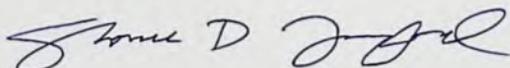
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271

RE: Progress Report

To Whom it May Concern:

On October 11, 2017 (yesterday), I submitted the attached progress report on behalf of Willow Creek District Improvement Company, but forgot to include additional attachments. The enclosed packet includes all attachments to the progress report. Please disregard yesterday's incomplete filing.

Best regards,



Shonee D. Langford

SDL
Enclosure

cc: *(all via email; w/encl.)*
Brian Thompson
Bill Porfily

PDX\125006\186790\SDL\21648462.1

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OCT 12 2017
OWRD



Oregon

Kate Brown, Governor

Department of Fish and Wildlife
John Day Fish Screening and Passage
357 Patterson Bridge Rd.
P.O. Box 515
John Day, OR 97845
Voice: 541-575-0561
FAX (541) 575-0868
www.dfw.state.or.us/

June 1, 2017

RECEIVED

OCT 12 2017

OWRD



Mac Hoskins
53542 Hwy. 74
Heppner, OR 97836

Dear Mr. Hoskins,

Your fish screen was inspected on March 23, 2017, in reference to water right permit number S-54980 POD #1 & #3. This letter confirms that this site meets state and federal criteria for an adequate fish screen as approved by ODFW. This site is located on the property near GPS coordinates 45.36689, -119.56747 in Morrow County.

In regards to the inspection of this fish screen located on Willow Creek, the following has been determined:

1. The screen is a passive screen similar to a Sure-Flo, model SFS4 wrapped with 3/32" stainless steel perforated plate.
2. The current 15 HP Berkeley pump is pumping at a maximum rate of 350 GPM or 0.78 CFS. If the current pump is replaced an inspection will be required to ensure that the fish screen continues to meet state and federal criteria.
3. According to Oregon Water Resources Department permit S-54980 POD #1 this diversion is allowed to take 0.78 CFS, being 0.665 CFS for 39.9 acres with March 1894 priority date, and 0.115 CFS for 6.91 acres with 1908 priority date.
4. This is an end of pipe fish screen, therefore no fish by-pass device or fishway is necessary.

Please contact me if you have any questions regarding this letter.

Sincerely,

Tracy Wyllic

Tracy Wyllic
Fish Screening and Passage Coordinator

CC: Oregon Water Resources Department



Oregon

Kate Brown., Governor

Department of Fish and Wildlife
John Day Fish Screening and Passage
357 Patterson Bridge Rd.
P.O. Box 515
John Day, OR 97845
Voice: 541-575-0561
FAX (541) 575-0868
www.dfw.state.or.us/

June 1, 2017

RECEIVED

OCT 12 2017

OWRD



Richard Temple
64409 Meadowbrook Rd.
Lexington, OR 97839

Dear Mr. Temple,

Your fish screen was inspected on May 24, 2017, in reference to water right permit number S-54980 (T-11699) POD #1 & #2. This letter confirms that this site meets state and federal criteria for an adequate fish screen as approved by ODFW. This site is located on the property near GPS coordinates 45.43065, -119.65603 in Morrow County.

In regards to the inspection of this fish screen located on Willow Creek, the following has been determined:

1. The screen is a passive screen similar to a Sure-Flo, model SFS4 wrapped with 3/32" stainless steel perforated plate.
2. The current 7.5 HP Berkeley pump is pumping at a maximum rate of 60 GPM or 0.134 CFS. If the current pump is replaced an inspection will be required to ensure that the fish screen continues to meet state and federal criteria.
3. According to Oregon Water Resources Department permit S-54980 POD #9 is allowed to supplement the 0.21 CFS of primary surface water rights from storage per conversation with the District 21 Watermaster.
4. This is an end of pipe fish screen, therefore no fish by-pass device or fishway is necessary.

Please contact me if you have any questions regarding this letter.

Sincerely,

Tracy Wyllie
Fish Screening and Passage Coordinator

CC: Oregon Water Resources Department



Oregon

Kate Brown., Governor

Department of Fish and Wildlife
John Day Fish Screening and Passage
357 Patterson Bridge Rd.
P.O. Box 515
John Day, OR 97845
Voice: 541-575-0561
FAX (541) 575-0868
www.dfw.state.or.us/

June 1, 2017

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OCT 12 2017

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Cristopher T. Shattuck
PO Box 295
Heppner, OR 97836

Dear Mr. Shattuck,

Your fish screen was inspected on May 24, 2017, in reference to water right permit number S-54980 (T-11699) POD #1. This letter confirms that this site meets state and federal criteria for an adequate fish screen as approved by ODFW. This site is located on the property near GPS coordinates 45.4247, -119.64695 in Morrow County.

In regards to the inspection of this fish screen located on Willow Creek, the following has been determined:

1. The screen is a passive screen manufactured by the water user made with 10" PVC on a 4" T with 3/32" round openings.
2. The current 15 HP Berkeley pump is pumping at a maximum rate of 200 GPM or 0.45 CFS. If the current pump is replaced an inspection will be required to ensure that the fish screen continues to meet state and federal criteria.
3. According to Oregon Water Resources Department permit S-54980 POD #10 is allowed to supplement the 0.26 CFS of primary surface water rights from storage per conversation with the District 21 Watermaster.
4. This is an end of pipe fish screen, therefore no fish by-pass device or fishway is necessary.

Please contact me if you have any questions regarding this letter.

Sincerely,

Tracy Wyllie

Tracy Wyllie
Fish Screening and Passage Coordinator

CC: Oregon Water Resources Department



Oregon

Kate Brown., Governor

Department of Fish and Wildlife

John Day Fish Screening and Passage

357 Patterson Bridge Rd.

P.O. Box 515

John Day, OR 97845

Voice: 541-575-0561

FAX (541) 575-0868

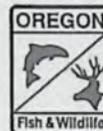
www.dfw.state.or.us/

October 5, 2016

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OCT 12 2017

OWRD



Duane Neiffer
67795 McNab Ln.
Ione, OR 97843

Dear Mr. Neiffer,

Your fish screen was inspected on October 4, 2016, in reference to water right permit number S-54980 POD #2. This letter confirms that a National Marine Fisheries Service criteria fish screen as approved by ODFW is located on the property near GPS coordinates 45.447199, -119.699084 in Morrow County.

In regards to the inspection of this fish screen located on Willow Creek, the following has been determined:

1. The screen is a Sure-Flo, model SWS6.
2. This screen is approved for water use up to 625 GPM or 1.39 CFS. The current Cornell pump is pumping at a maximum rate of 400 GPM or 0.89 CFS.
3. According to Oregon Water Resources Department permit S-54980 POD #2 this diversion is allowed to take 0.55 CFS.
4. This is an end of pipe fish screen, therefore no fish by-pass device or fishway is necessary.

Please contact me if you have any questions regarding this letter.

Sincerely,

Tracy Wyllie

Tracy Wyllie
Fish Screening and Passage Coordinator

Enclosure

CC: Oregon Water Resources Department



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OCT 12 2017
OWRD

OREGON DEPARTMENT OF FISH AND WILDLIFE
OREGON WATER RESOURCES DEPARTMENT

FISH SCREEN INSPECTION FORM

Applicant

Name: Duane Neiffer

Address: 67795 McNab Ln., Ione, OR 97843 Phone 541-377-1851

Application Number: _____ Water Right Permit Number: S-54980, POD #2

Water Right Amount (cfs) 0.55 Water Right Transfer Number:

Diversion

Stream: Willow Creek Tributary to: Columbia River

Address (if different than applicants): _____

Diversion Type (gravity or pump): Pump Location: 1S, 25E, Sec. 28

GPS Coordinates: 45.447199, -119.699084

Pump Information

Brand: Cornell

Horsepower: 30

Intake Size: 4"

Screen Information

Type/Brand: Sure-Flo Installed by: Duane Neiffer

Date Installed: April 1, 2014

Date of Inspection: October 4, 2016

Manufacturer: Sure-Flo

Model #: SWS6

Inspected by: Tracy Wyllie

Agency: Oregon Department of Fish & Wildlife

Comments:

- Screen meets current state criteria for fish protection.
- Screen does not meet current state criteria for fish protection.
- Another screen inspection should be done before water use begins.
- Fish passage meets current criteria
- Fish passage does not meet current criteria
- Fish passage not required
- Bypass structure meets current state criteria
- Bypass does not meet current state criteria
- Bypass Structure not required



Oregon

Kate Brown, Governor

Department of Fish and Wildlife
John Day Fish Screening and Passage
357 Patterson Bridge Rd.
P.O. Box 515
John Day, OR 97845
Voice: 541-575-0561
FAX (541) 575-0868
www.dfw.state.or.us/

October 5, 2016

RECEIVED
OCT 12 2017
OWRD



Duane Neiffer
67795 McNab Ln.
Ione, OR 97843

Dear Mr. Neiffer,

Your fish screen was inspected on October 4, 2016, in reference to water right permit number S-54980 POD #3. This letter confirms that a National Marine Fisheries Service criteria fish screen as approved by ODFW is located on the property near GPS coordinates 45.50183, -119.88776 in Morrow County.

In regards to the inspection of this fish screen located on Willow Creek, the following has been determined:

1. The screen is a Clemons, model CW400.
2. This screen is approved for water use by National Marine Fisheries Service up to 485 GPM or 1.08 CFS.
3. According to Oregon Water Resources Department there is no rate associated under permit S-54980 POD #3.
4. Based on the current Berkeley pump on the date of inspection the maximum withdrawal rate is 650 GPM or 1.45 CFS. If the current Berkeley pump is replaced, an inspection will be required to ensure that the fish screen continues to meet National Marine Fisheries Service criteria.
5. This is an end of pipe fish screen, therefore no fish by-pass device or fishway is necessary.

Please contact me if you have any questions regarding this letter.

Sincerely,

Tracy Wyllie

Tracy Wyllie
Fish Screening and Passage Coordinator

Enclosure

CC: Oregon Water Resources Department

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OCT 12 2017
OWRD



OREGON DEPARTMENT OF FISH AND WILDLIFE
OREGON WATER RESOURCES DEPARTMENT

FISH SCREEN INSPECTION FORM

Applicant

Name: Duane Neiffer
Address: 67795 McNab Ln., Ione, OR 97843 Phone 541-377-1851
Application Number: _____ Water Right Permit Number: S-54980
Water Right Amount (cfs) _____ Water Right Transfer Number: _____

Diversion

Stream: Willow Creek Tributary to: Columbia River
Address (if different than applicants): _____
Diversion Type (gravity or pump): Pump Location: 1S, 23E, Sec. 1
GPS Coordinates: 45.50183, -119.88776

Pump Information

Brand: Berkeley Horsepower: 30 Intake Size: 6"

Screen Information

Type/Brand: Clemons Installed by: Weinbarger Irrigation Service
Date Installed: September 25, 2016 Date of Inspection: October 4, 2016
Manufacturer: Clemons Model #: CW400
Inspected by: Tracy Wylie Agency: Oregon Department of Fish & Wildlife

Comments:

- Screen meets current state criteria for fish protection.
- Screen does not meet current state criteria for fish protection.
- Another screen inspection should be done before water use begins.
- Fish passage meets current criteria
- Fish passage does not meet current criteria
- Fish passage not required
- Bypass structure meets current state criteria
- Bypass does not meet current state criteria
- Bypass Structure not required



Oregon

Department of Fish and Wildlife
John Day Fish Screen and Passage Shop
357 Patterson Bridge Rd.
PO Box 515
John Day, OR 97845
Voice (541) 575-0561
FAX (541) 575-0868

December 11, 2013

In concern of:
Travis Harrison
58906 Hwy 74
Lexington OR, 97839

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OCT 12 2017
OWRD



Mr. Harrison,

In reference to the water transfer T-11512. The screen located Willow Creek was inspected by myself on 12-05-2013. This site meets criteria for an adequate screening and by-pass device. Please find along with this letter, a copy of the inspection record. Feel free to contact me at 541-575-0561 or Adam.M.Wulf@state.or.us . Thank you for your time.

Sincerely,

Adam Wulf
Regional Fish Screening and Passage Field Coordinator

cc. Ken Dowden



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OREGON DEPARTMENT OF FISH AND WILDLIFE
OREGON WATER RESOURCES DEPARTMENT

FISH SCREEN INSPECTION FORM

Applicant

Name: Travis Harrison
Address: 58906 Hwy 74, Lexington Phone 541-379-5269
Application Number: _____ Water Right Permit Number: _____
Water Right Amount (cfs) 0.85 Water Right Transfer Number: T-11512

Diversion

Stream: Willow Creek Tributary to: Columbia River
Address (if different than applicants): _____
Diversion Type (gravity or pump): Pump Location: , , Sec.
GPS Coordinates: 45.46223, -119.72327

Pump Information

Brand: Baldor Horsepower: 40 Intake Size: 6"

Screen Information

Type/Brand: Sturgeon Installed by: Water User
Date Installed: 03 / 30 / 2013 Date of Inspection: 12 / 05 / 2013
Manufacturer: Clemons Model #: ST10
Inspected by: *Aden Ruff* Agency: ODFW JDSP

Comments:

- Screen meets current state criteria for fish protection.
- Screen does not meet current state criteria for fish protection.
- Another screen inspection should be done before water use begins.
- Fish passage meets current criteria
- Fish passage does not meet current criteria
- Fish passage not required
- Bypass structure meets current state criteria
- Bypass does not meet current state criteria
- Bypass Structure not required



Oregon

Kate Brown., Governor

Department of Fish and Wildlife

John Day Fish Screening and Passage

357 Patterson Bridge Rd.

P.O. Box 515

John Day, OR 97845

Voice: 541-575-0561

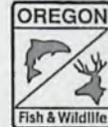
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OCT 12 2017

OWRD



June 1, 2017

Brian Thompson
55805 Hwy. 74
Heppner, OR 97836

Dear Mr. Thompson,

Your fish screen was inspected on March 23, 2017, in reference to water right permit number S-54980 POD #1 (T-11699). This letter confirms that this site meets state and federal criteria for an adequate fish screen as approved by ODFW. Site POD #1 is located on the property near GPS coordinates 45.40835, -119.62806 in Morrow County.

In regards to the inspection of this fish screen located on Willow Creek, the following has been determined:

1. The screen is a passive horizontal flat plate fish screen installed off-stream channel similar to the Farmers Screen design with 3/32" stainless steel perforated plate for fish to flow over and return to the creek via 12" bypass. The screen contains 44 square feet of wetted screen material. The water flow to the screen is controlled by a properly functioning headgate.
2. The current 30 and 50 HP Cornell pumps at POD #1 are pumping at a maximum rate of 1122 GPM or 2.5 CFS. If the current pumps are replaced an inspection will be required to ensure that the fish screen continues to meet state and federal criteria.
3. According to Oregon Water Resources Department certificate S-54980 POD #1 is allowed to supplement 1.12 CFS of primary surface water rights, and the 3.61 CFS of primary groundwater rights from storage per conversation with the District 21 Watermaster.

Please contact me if you have any questions regarding this letter.

Sincerely,

Tracy Wyllie

Tracy Wyllie
Fish Screening and Passage Coordinator

CC: Oregon Water Resources Department



Oregon

Kate Brown., Governor

Department of Fish and Wildlife
John Day Fish Screening and Passage
357 Patterson Bridge Rd.
P.O. Box 515
John Day, OR 97845
Voice: 541-575-0561
FAX (541) 575-0868
www.dfw.state.or.us/

June 1, 2017

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OCT 12 2017
OWRD



Brian Thompson
55805 Hwy. 74
Heppner, OR 97836

Dear Mr. Thompson,

Your fish screen at Terry's diversion was inspected on March 23, 2017, in reference to water right permit number S-54980 POD #2 (T-11699). This letter confirms that this site meets state and federal criteria for adequate fish screens as approved by ODFW. Site POD #2 is located near GPS coordinates 45.39513, -119.60917 in Morrow County.

In regards to the inspection of this fish screen located on Willow Creek, the following has been determined:

1. The screen is a passive horizontal flat plate fish screen installed off-stream channel similar to the Farmers Screen design with 3/32" stainless steel perforated plate for fish to flow over and return to the creek via 12" bypass. The screen contains 44 square feet of wetted screen material. The water flow to the screen is controlled by a properly functioning headgate.
2. The current 30 and 75 HP Cornell pumps at POD #2 are pumping at a maximum rate of 1122 GPM or 2.5 CFS with the majority of the pumping at 500 GPM with the 75 HP pump as confirmed by the Watermaster. If the current pumps are replaced an inspection will be required to ensure that the fish screen continues to meet state and federal criteria.
3. According to Oregon Water Resources Department permit S-54980 (T-11699) POD #2 is allowed to supplement the 0.80 CFS of primary surface water rights and the 1.46 CFS of primary groundwater rights from storage per conversation with the District 21 Watermaster.

Please contact me if you have any questions regarding this letter.

Sincerely,

Tracy Wyllie
Fish Screening and Passage Coordinator

CC: Oregon Water Resources Department



Oregon

Kate Brown., Governor

Department of Fish and Wildlife

John Day Fish Screening and Passage

357 Patterson Bridge Rd.

P.O. Box 515

John Day, OR 97845

Voice: 541-575-0561

FAX (541) 575-0868

www.dfw.state.or.us/

June 1, 2017

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OCT 12 2017
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Brian Thompson
55805 Hwy. 74
Heppner, OR 97836

Dear Mr. Thompson,

Your fish screens were inspected on March 23, 2017, in reference to water right permit number S-54980 POD #1 (T-11699) on Map #7. This letter confirms that this site meets state and federal criteria for adequate fish screens as approved by ODFW. Site POD #1 is located near GPS coordinates 45.43488, -119.66345 in Morrow County.

In regards to the inspection of these fish screens located on Willow Creek, the following has been determined:

1. The two screens are passive combine concave screens with 12 mesh, and they are installed off-stream channel. The screen wetted surface area is 22.19 and 15.09 square feet respectively.
2. There are currently three pumps at POD #1 on the date of inspection. The 40 HP Cornell pump is pumping at a maximum rate of 900 GPM or 2.01 CFS, this is the primary pump used at this site. The 60 HP Cornell pump is pumping a maximum rate of 500 GPM or 1.11 CFS, this is a backup pump that is rarely ran. The third pump a 40 HP Cornell is typically only used for a brief period in between hay cutting with a maximum rate of 450 GPM or 1.00 CFS. If any of the current pumps are replaced, an inspection will be required to ensure that the fish screens continue to meet National Marine Fisheries Service criteria.
3. According to Oregon Water Resources Department permit S-54980 POD #1 on Map #7 is allowed to supplement the 0.84 CFS of primary surface water rights and the 6.22 CFS of primary ground water rights. The maximum amount of surface water pumped at this site is 2.5 CFS with the current infrastructure. The primary ground water well provides the additional water required to irrigate Meadowbrook Farms as per conversation with the District 21 Watermaster.
4. These are end of pipe fish screens, therefore no fish bypass device or fishway is necessary.

Please contact me if you have any questions regarding this letter.

Sincerely,

Tracy Wyllie

Tracy Wyllie
Fish Screening and Passage Coordinator

CC: Oregon Water Resources Department



Oregon

Kate Brown., Governor

Department of Fish and Wildlife
John Day Fish Screening and Passage
357 Patterson Bridge Rd.
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John Day, OR 97845
Voice: 541-575-0561
FAX (541) 575-0868
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OCT 12 2017
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September 28, 2017

Bernard Damon
2315 Rocky Lane
Eugene, OR 97401

Dear Mr. Damon,

Concerning the condition of screening your diversions on Willow Creek under the water right transfer document T-11699, this letter refers to "Findings of Fact" lines 13, 14, 22, 23 and 24 of that document. Below are specifications of the fish screens and their locations on Willow Creek:

1. Under "Findings of Fact" lines 13 and 14, a Pump-Rite L500 fish screen rated for no more than 500 Gallon per Minute (GPM) was installed in 2006 by ODFW. Lines 13 and 14 are listed under the name "John Hughes", but this is a diversion used and owned by Bernard Damon. This screen meets state and federal screen criteria for the specified amount above. The screen is located near these coordinates: 45.40059, -119.614932.
2. Under "Findings of Fact" lines 22, 23 and 24 for Bernard Damon, a Pump-Rite L500 fish screen rated for no more than 500 GPM was installed in 2006 by ODFW for the specified Point of Diversion (POD) #1. This screen meets state and federal screen criteria for the specified amount above. The screen is located near these coordinates: 45.377569, -119.590891.
3. Under "Findings of Fact" lines 22, 23 and 24 for Bernard Damon, a Sure-Flo SCS6-DD fish screen rated for no more than 725 GPM was installed in 2009 by ODFW for the specified POD #4. This screen meets state and federal screen criteria for the specified amount above. The screen is located near these coordinates: 45.382313, -119.593315.
4. Under "Findings of Fact" lines 22 and 24 for Bernard Damon, there is no fish screen at POD #3, but Bernard Damon is not currently pumping at this location. All water is currently being diverted at POD #1 and #4 only. If water is ever diverted at POD #3, a criteria fish screen will need to be installed before water is withdrawn. POD #3 is near these coordinates: 45.387459, -119.598746.

Permit S-54980

POD 1

POD 2

↑
POD's as ID'd
by permit

cc

10/17/17

Please contact me if you have any questions regarding this letter.

Sincerely,

Tracy Myllie

John Day Fish Screen and Passage Program

C: Oregon Water Resources Department, Ken Thiemann



Oregon

Kate Brown, Governor

Department of Fish and Wildlife

Fish Division
4034 Fairview Industrial Dr SE
Salem, OR 97302
503-947-6200
Fax: 503-947-6202
www.dfw.state.or.us

May 23, 2017

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Mark McElligott
Emert Ranches, Inc.
PO Box 331
Ione, OR 97843

RE: Mark McElligott Fish Screen Approval for Permit S54980 (Transfers T 12135 and T 12068)

Mr. McElligott,

The Oregon Department of Fish and Wildlife (ODFW) has reviewed the proposed screen for the point of diversion (POD) associated with water right permit S54980 and water right transfers T 12135 and T 12068. The POD is located at latitude 45.495 and longitude -119.779, and diverts water from Willow Creek, a tributary of the Columbia River located in Morrow County. The proposed new fish screen is a Clemons CW 1700WW suction screen which measures 28 inches in length by 26 inches in diameter (15.81ft²) and is approved to adequately screen up to 3 cfs (1346 gpm) and still meet fish screening criteria. Per water right transfer T-12068, the POD has an authorized withdrawal rate of 1.53 cfs (687 gpm), therefore the proposed fish screen will meet all fish screening criteria for this diversion. The screen shall be maintained and operated as designed to ensure it functions adequately for protection of fish at this site. This includes installing the screen so that all of the effective screen area is submerged when in use, regularly inspecting and removing debris as necessary, and annual inspection of the screen when it is not in use.

Thank you for your time and effort on this project. If you have any questions, please contact me at 503-947-6256.

Sincerely,

Ken Loffink
Statewide Fish Screening Coordinator

Cc: Bill Duke – ODFW, Tracy Wyllie- ODFW, Dale VanSchoiack- DVG Consulting



Oregon

Kate Brown, Governor

Department of Fish and Wildlife

Fish Division

4034 Fairview Industrial Drive SE

Salem, OR 97302

(503) 947-6201

FAX (503) 947-6202

www.dfw.state.or.us/

October 12, 2017

Dale G. VanSchoiack, PE, CWRE
DGV Consulting, PLLC
2141 S. Lyle St., Kennewick, WA 99112

Emert Ranches, Inc.
Joseph McElligott
PO Box 4
Ione, OR 97843

POD not defined
- Design only
- Does not state
installed



RE: Emert Ranch Fish Screen: Correction to Diversion Section Location in 5/19/16 Letter

Mr. VanSchoiack and Mr. McElligott,

The Oregon Department of Fish and Wildlife (ODFW) has reviewed the proposed screens for two points of diversion (POD) at the Emert Ranch (lower POD and upper POD). These points of diversion are on Willow Creek, located in Morrow County (T1S-R24E-S11), and are associated with water right transfer T-9454, which creates two new PODs for six existing water right certificates. ODFW has reviewed the proposed 78-inch diameter ISI cone screen design, which is proposed for both PODs and has determined that the screen will meet or exceed ODFW fish screening criteria for the 8 cfs peak diversion rate at Emert Ranch, if installed and operated as designed. This includes installing the screens so that all of the effective screen area is submerged below the annual low water elevation, regularly inspecting and removing debris as necessary, and annual inspection of the screens when they are not in use.

Thank you for your time and effort on this project. If you have any questions, please contact me at 503-947-6256.

Sincerely,

Tracy Wyllie

Tracy Wyllie
Acting Statewide Fish Screening Coordinator

Cc: Joel Watts - ODFW, Bill Duke - ODFW, Gerald Clark - OWRD



Oregon

Kate Brown, Governor

Department of Fish and Wildlife

Fish Division

4034 Fairview Industrial Drive SE

Salem, OR 97302

(503) 947-6201

FAX (503) 947-6202

www.dfw.state.or.us/

October 12, 2017

Dale G. VanSchoiack, PE, CWRE
DGV Consulting, PLLC
2141 S. Lyle St., Kennewick, WA 99337

Emert Ranches, Inc.
Joseph McElligott
PO Box 4
Ione, OR 97843

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RE: Emert Ranch Fish Screen: Correction to Diversion Section Location in 5/19/16 Letter

Mr. VanSchoiack and Mr. McElligott,

The Oregon Department of Fish and Wildlife (ODFW) has reviewed the proposed screens for two points of diversion (POD) at the Emert Ranch (lower POD and upper POD). These points of diversion are on Willow Creek, located in Morrow County (T1S-R24E-S11), and are associated with water right transfer T-9454, which creates two new PODs for six existing water right certificates. ODFW has reviewed the proposed 78-inch diameter ISI cone screen design, which is proposed for both PODs and has determined that the screen will meet or exceed ODFW fish screening criteria for the 8 cfs peak diversion rate at Emert Ranch, if installed and operated as designed. This includes installing the screens so that all of the effective screen area is submerged below the annual low water elevation, regularly inspecting and removing debris as necessary, and annual inspection of the screens when they are not in use.

Thank you for your time and effort on this project. If you have any questions, please contact me at 503-947-6256.

Sincerely,

Tracy Wyllie
Acting Statewide Fish Screening Coordinator

Cc: Joel Watts - ODFW, Bill Duke - ODFW, Gerald Clark - OWRD



Oregon

Kate Brown, Governor

Department of Fish and Wildlife

Fish Division
4034 Fairview Industrial Dr SE
Salem, OR 97302
503-947-6200
Fax: 503-947-6202
www.dfw.state.or.us

May 19, 2016

Dale G. VanSchoiack, PE, CWRE
DGV Consulting, PLLC
2141 S. Lyle St. Kennewick, WA 99337

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OCT 12 2017



Emert Ranches Inc..
Joseph McElligott
PO Box 4
Ione, OR 97843

RE: Emert Ranch Fish Sc

Mr. VanSchoiack and Mr. I

The Oregon Department of screens for two points of di (POD). These points of dive R24E-S12), and are associa PODs for six existing water diameter ISI cone screen de that the screen will meet or diversion rate at Emert Ran

installing the screens so that all of the effective screen area is submerged below the annual low water elevation, regularly inspecting and removing debris as necessary, and annual inspection of the screen when it is not in use.

Thank you for your time and effort on this project. If you have any questions, please contact me at 503-947-6256.

Sincerely,

Ken Loffink
Statewide Fish Screening Coordinator

Cc: Joel Watts- ODFW, Bill Duke - ODFW

Does not define POD

Approves design only

Does not indicate installed

proposed
and upper
County (TIS-
ates two new
posed 78-inch
s determined
cfs peak
ncludes



Oregon

Kate Brown, Governor

Department of Fish and Wildlife

Fish Division
4034 Fairview Industrial Dr SE
Salem, OR 97302
503-947-6200
Fax: 503-947-6202
www.dfw.state.or.us

May 19, 2016

Dale G. VanSchoiack, PE, CWRE
DGV Consulting, PLLC
2141 S. Lyle St. Kennewick, WA 99337

Emert Ranches Inc..
Joseph McElligott
PO Box 4
Ione, OR 97843

RECEIVED
OCT 12 2017
OWRD



RE: Emert Ranch Fish Screen

Mr. VanSchoiack and Mr. McElligott,

The Oregon Department of Fish and Wildlife (ODFW) has reviewed the proposed screens for two points of diversion (POD) at the Emert Ranch (lower POD and upper POD). These points of diversion are on Willow Creek, located in Morrow County (T1S-R24E-S12), and are associated with water right transfer T-9454, which creates two new PODs for six existing water right certificates. ODFW has reviewed the proposed 78-inch diameter ISI cone screen design, which is proposed for both PODs, and has determined that the screen will meet or exceed ODFW fish screening criteria for the 8 cfs peak diversion rate at Emert Ranch, if installed and operated as designed. This includes installing the screens so that all of the effective screen area is submerged below the annual low water elevation, regularly inspecting and removing debris as necessary, and annual inspection of the screen when it is not in use.

Thank you for your time and effort on this project. If you have any questions, please contact me at 503-947-6256.

Sincerely,

Ken Loffink
Statewide Fish Screening Coordinator

Cc: Joel Watts- ODFW, Bill Duke - ODFW



Oregon

Kate Brown, Governor

Department of Fish and Wildlife

Fish Division
4034 Fairview Industrial Drive SE
Salem, OR 97302
(503) 947-6201
FAX (503) 947-6202
www.dfw.state.or.us/

October 6, 2015

Joe Collier
Natural Resources Conservation Service
3990 Midway Drive
Baker City, OR 97814

RECEIVED

OCT 12 2017



Re: Heppner/Lexington Diversion St

POD not defined
- approves of
Design - does not
say installed

Dear Mr. Collier,

The Oregon Department of Fish and Wildlife reviewed the Heppner/Lexington diversion structure designs provided by the Natural Resources Conservation Service. The project will be located northwest of Heppner in Morrow County, Oregon (T2S-R26E-S27). ODFW has determined that the structure, if built to the designs, is expected to meet or exceed ODFW fish screening criteria up to 25 cfs. ODFW appreciates the National Resources Conservation Service's commitment to protecting fisheries resources at this site.

If you have any questions, please feel free to contact me (503) 947-6217.

Pete Baki
Statewide Fish Screening Coordinator

Cc: Joel Watts, Ken Loffink, Bill Duke - ODFW



Oregon

Kate Brown, Governor

Department of Fish and Wildlife

Fish Division
4034 Fairview Industrial Drive SE
Salem, OR 97302
(503) 947-6201
FAX (503) 947-6202
www.dfw.state.or.us/

October 6, 2015

Joe Collier
Natural Resources Conservation Service
3990 Midway Drive
Baker City, OR 97814

RECEIVED
OCT 12 2017
OWRD



Re: Heppner/Lexington Diversion Structure

Dear Mr. Collier,

The Oregon Department of Fish and Wildlife (ODFW) has reviewed the Heppner/Lexington diversion structure designs provided by the Natural Resources Conservation Service. The project will be located northwest of Heppner in Morrow County, Oregon (T2S-R26E-S27). ODFW has determined that the structure, if built to the designs, is expected to meet or exceed ODFW fish screening criteria up to 25 cfs. ODFW appreciates the National Resources Conservation Service's commitment to protecting fisheries resources at this site.

If you have any questions, please feel free to contact me (503) 947-6217.

Pete Baki
Statewide Fish Screening Coordinator

Cc: Joel Watts, Ken Loffink, Bill Duke - ODFW

CLARK Gerald E * WRD

From: CLARK Gerald E * WRD
Sent: Wednesday, June 07, 2017 4:27 PM
To: WYLLIE Tracy D; Brian Thompson
Cc: LOFFINK Ken J; THIEMANN Kenneth C * WRD; DUKE William B
Subject: RE: Permit S-54980: Thompson Fish Screen Certifications

Tracy,

Thank you for copying me on this message. I will place a copy of the approval letter in each file.

Gerry

Gerry Clark
Water Right Services Division
Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301

Phone: 503-986-0811

From: Tracy Wyllie [<mailto:tracy.d.wyllie@state.or.us>]
Sent: Thursday, June 01, 2017 5:42 PM
To: Brian Thompson
Cc: CLARK Gerald E; LOFFINK Ken J; THIEMANN Kenneth C * WRD; DUKE William B
Subject: Permit S-54980: Thompson Fish Screen Certifications

Brian,

The attachments contain a scanned copy of the fish screen certification forms for Permit S-54980 for Thompson Map #6B and 6C. I will send the original documents to you in the mail. Please let me know if I can be of any further assistance.

Regards,

Tracy Wyllie
Fish Screening & Passage Liaison
Oregon Department of Fish & Wildlife
P.O. Box 515
357 Patterson Bridge Rd.
John Day, OR 97845
541-575-0561
541-620-8850 Cell
541-575-0868 Fax
Tracy.D.Wyllie@state.or.us



Oregon

Kate Brown, Governor

S-87373

Fish and Wildlife
Screening and Passage
Coordinator
Person Bridge Rd.
P.O. Box 515
Day, OR 97845
Phone: 541-575-0561
Fax: (541) 575-0868
www.dfw.state.or.us/



June 1, 2017

Brian Thompson
55805 Hwy. 74
Heppner, OR 97836

Dear Mr. Thompson,

Your fish screen at Terry's diversion was inspected on March 23, 2017, in reference to water right permit number S-54980 POD #2 (T-11699). This letter confirms that this site meets state and federal criteria for adequate fish screens as approved by ODFW. Site POD #2 is located near GPS coordinates 45.39513, -119.60917 in Morrow County.

In regards to the inspection of this fish screen located on Willow Creek, the following has been determined:

1. The screen is a passive horizontal flat plate fish screen installed off-stream channel similar to the Farmers Screen design with 3/32" stainless steel perforated plate for fish to flow over and return to the creek via 12" bypass. The screen contains 44 square feet of wetted screen material. The water flow to the screen is controlled by a properly functioning headgate.
2. The current 30 and 75 HP Cornell pumps at POD #2 are pumping at a maximum rate of 1122 GPM or 2.5 CFS with the majority of the pumping at 500 GPM with the 75 HP pump as confirmed by the Watermaster. If the current pumps are replaced an inspection will be required to ensure that the fish screen continues to meet state and federal criteria.
3. According to Oregon Water Resources Department permit S-54980 (T-11699) POD #2 is allowed to supplement the 0.80 CFS of primary surface water rights and the 1.46 CFS of primary groundwater rights from storage per conversation with the District 21 Watermaster.

Please contact me if you have any questions regarding this letter.

Sincerely,

Tracy Wyllie
Fish Screening and Passage Coordinator

CC: Oregon Water Resources Department



Oregon

Kate Brown, Governor

Department of Fish and Wildlife
John Day Fish Screening and Passage
357 Patterson Bridge Rd.
P.O. Box 515
John Day, OR 97845
Voice: 541-575-0561
FAX (541) 575-0868
www.dfw.state.or.us/

June 1, 2017



Brian Thompson
55805 Hwy. 74
Heppner, OR 97836

Dear Mr. Thompson,

Your fish screen at Terry's diversion was inspected on March 23, 2017, in reference to water right permit number S-54980 POD #2 (T-11699). This letter confirms that this site meets state and federal criteria for adequate fish screens as approved by ODFW. Site POD #2 is located near GPS coordinates 45.39513, -119.60917 in Morrow County.

In regards to the inspection of this fish screen located on Willow Creek, the following has been determined:

1. The screen is a passive horizontal flat plate fish screen installed off-stream channel similar to the Farmers Screen design with 3/32" stainless steel perforated plate for fish to flow over and return to the creek via 12" bypass. The screen contains 44 square feet of wetted screen material. The water flow to the screen is controlled by a properly functioning headgate.
2. The current 30 and 75 HP Cornell pumps at POD #2 are pumping at a maximum rate of 1122 GPM or 2.5 CFS with the majority of the pumping at 500 GPM with the 75 HP pump as confirmed by the Watermaster. If the current pumps are replaced an inspection will be required to ensure that the fish screen continues to meet state and federal criteria.
3. According to Oregon Water Resources Department permit S-54980 (T-11699) POD #2 is allowed to supplement the 0.80 CFS of primary surface water rights and the 1.46 CFS of primary groundwater rights from storage per conversation with the District 21 Watermaster.

Please contact me if you have any questions regarding this letter.

Sincerely,

Tracy Wyllie
Fish Screening and Passage Coordinator

CC: Oregon Water Resources Department



Oregon

Kate Brown, Governor

Department of Fish and Wildlife
John Day Fish Screening and Passage
357 Patterson Bridge Rd.
P.O. Box 515
John Day, OR 97845
Voice: 541-575-0561
FAX (541) 575-0868
www.dfw.state.or.us/

June 1, 2017



Brian Thompson
55805 Hwy. 74
Heppner, OR 97836

Dear Mr. Thompson,

Your fish screen was inspected on March 23, 2017, in reference to water right permit number S-54980 POD #1 (T-11699). This letter confirms that this site meets state and federal criteria for an adequate fish screen as approved by ODFW. Site POD #1 is located on the property near GPS coordinates 45.40835, -119.62806 in Morrow County.

In regards to the inspection of this fish screen located on Willow Creek, the following has been determined:

1. The screen is a passive horizontal flat plate fish screen installed off-stream channel similar to the Farmers Screen design with 3/32" stainless steel perforated plate for fish to flow over and return to the creek via 12" bypass. The screen contains 44 square feet of wetted screen material. The water flow to the screen is controlled by a properly functioning headgate.
2. The current 30 and 50 HP Cornell pumps at POD #1 are pumping at a maximum rate of 1122 GPM or 2.5 CFS. If the current pumps are replaced an inspection will be required to ensure that the fish screen continues to meet state and federal criteria.
3. According to Oregon Water Resources Department certificate S-54980 POD #1 is allowed to supplement 1.12 CFS of primary surface water rights, and the 3.61 CFS of primary groundwater rights from storage per conversation with the District 21 Watermaster.

Please contact me if you have any questions regarding this letter.

Sincerely,

Tracy Wyllie

Tracy Wyllie
Fish Screening and Passage Coordinator

CC: Oregon Water Resources Department

CLARK Gerald E * WRD

From: CLARK Gerald E * WRD
Sent: Wednesday, June 07, 2017 4:26 PM
To: WYLLIE Tracy D; Cristopher Shattuck
Cc: LOFFINK Ken J; THIEMANN Kenneth C * WRD; DUKE William B
Subject: RE: Permit S-54980: Shattuck & Temple Fish Screen Certifications

Tracy,

Thank you for copying me on this message. I will place a copy of the approval letter in each file.

Gerry

Gerry Clark
Water Right Services Division
Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301

Phone: 503-986-0811

From: Tracy Wyllie [<mailto:tracy.d.wyllie@state.or.us>]
Sent: Thursday, June 01, 2017 6:02 PM
To: Cristopher Shattuck
Cc: CLARK Gerald E; LOFFINK Ken J; THIEMANN Kenneth C * WRD; DUKE William B
Subject: Permit S-54980: Shattuck & Temple Fish Screen Certifications

Cristopher,

The attachments contain a scanned copy of the fish screen certification forms for Permit S-54980 for Shattuck/Barrow Map #10 and Temple Map #9. I will send the original documents in the mail to you and Richard. Please let me know if I can be of any further assistance.

Regards,

Tracy Wyllie
Fish Screening & Passage Liaison
Oregon Department of Fish & Wildlife
P.O. Box 515
357 Patterson Bridge Rd.
John Day, OR 97845
541-575-0561
541-620-8850 Cell
541-575-0868 Fax
Tracy.D.Wyllie@state.or.us



Oregon

Kate Brown, Governor

Department of Fish and Wildlife
John Day Fish Screening and Passage
357 Patterson Bridge Rd.
P.O. Box 515
John Day, OR 97845
Voice: 541-575-0561
FAX (541) 575-0868
www.dfw.state.or.us/

June 1, 2017



Richard Temple
64409 Meadowbrook Rd.
Lexington, OR 97839

Dear Mr. Temple,

Your fish screen was inspected on May 24, 2017, in reference to water right permit number **S-54980** (T-11699) POD #1 & #2. This letter confirms that this site meets state and federal criteria for an adequate fish screen as approved by ODFW. This site is located on the property near GPS coordinates 45.43065, -119.65603 in Morrow County.

In regards to the inspection of this fish screen located on Willow Creek, the following has been determined:

1. The screen is a passive screen similar to a Sure-Flo, model SFS4 wrapped with 3/32" stainless steel perforated plate.
2. The current 7.5 HP Berkeley pump is pumping at a maximum rate of 60 GPM or 0.134 CFS. If the current pump is replaced an inspection will be required to ensure that the fish screen continues to meet state and federal criteria.
3. According to Oregon Water Resources Department permit S-54980 POD #9 is allowed to supplement the 0.21 CFS of primary surface water rights from storage per conversation with the District 21 Watermaster.
4. This is an end of pipe fish screen, therefore no fish by-pass device or fishway is necessary.

Please contact me if you have any questions regarding this letter.

Sincerely,

Tracy Wyllie
Fish Screening and Passage Coordinator

CC: Oregon Water Resources Department



Oregon

Kate Brown., Governor

Department of Fish and Wildlife
John Day Fish Screening and Passage
357 Patterson Bridge Rd.
P.O. Box 515
John Day, OR 97845
Voice: 541-575-0561
FAX (541) 575-0868
www.dfw.state.or.us/

June 1, 2017



Cristopher T. Shattuck
PO Box 295
Heppner, OR 97836

Dear Mr. Shattuck,

Your fish screen was inspected on May 24, 2017, in reference to water right permit number **S-54980** (T-11699) POD #1. This letter confirms that this site meets state and federal criteria for an adequate fish screen as approved by ODFW. This site is located on the property near GPS coordinates 45.4247, -119.64695 in Morrow County.

In regards to the inspection of this fish screen located on Willow Creek, the following has been determined:

1. The screen is a passive screen manufactured by the water user made with 10" PVC on a 4" T with 3/32" round openings.
2. The current 15 HP Berkeley pump is pumping at a maximum rate of 200 GPM or 0.45 CFS. If the current pump is replaced an inspection will be required to ensure that the fish screen continues to meet state and federal criteria.
3. According to Oregon Water Resources Department permit S-54980 POD #10 is allowed to supplement the 0.26 CFS of primary surface water rights from storage per conversation with the District 21 Watermaster.
4. This is an end of pipe fish screen, therefore no fish by-pass device or fishway is necessary.

Please contact me if you have any questions regarding this letter.

Sincerely,

Tracy Wyllie
Fish Screening and Passage Coordinator

CC: Oregon Water Resources Department

CLARK Gerald E * WRD

From: CLARK Gerald E * WRD
Sent: Wednesday, June 07, 2017 4:19 PM
To: WYLLIE Tracy D
Cc: CLARK Gerald E; LOFFINK Ken J; THIEMANN Kenneth C * WRD; DUKE William B; Brian Thompson
Subject: RE: Permit S-54980: Thompson Fish Screen Certification for Meadowbrook POD#1 on Map #7

Tracy,

Thank you for copying me on this message. I will place a copy of the approval letter in each file.

Gerry

Gerry Clark
Water Right Services Division
Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301

Phone: 503-986-0811

From: Tracy Wyllie [<mailto:tracy.d.wyllie@state.or.us>]
Sent: Monday, June 05, 2017 3:26 PM
To: Brian Thompson
Cc: CLARK Gerald E; LOFFINK Ken J; THIEMANN Kenneth C * WRD; DUKE William B
Subject: Permit S-54980: Thompson Fish Screen Certification for Meadowbrook POD#1 on Map #7

Brian,

The attachment contains a scanned copy of the fish screen certification form for Permit S-54980, Meyer POD #1 on Map #7 for Meadowbrook Farms. I will send the original documents to you in the mail. Please let me know if I can be of any further assistance.

Regards,

Tracy Wyllie
Fish Screening & Passage Liaison
Oregon Department of Fish & Wildlife
P.O. Box 515
357 Patterson Bridge Rd.
John Day, OR 97845
541-575-0561
541-620-8850 Cell
541-575-0868 Fax
Tracy.D.Wyllie@state.or.us



Oregon

Kate Brown., Governor

Department of Fish and Wildlife
John Day Fish Screening and Passage
357 Patterson Bridge Rd.
P.O. Box 515
John Day, OR 97845
Voice: 541-575-0561
FAX (541) 575-0868
www.dfw.state.or.us/

June 1, 2017



Brian Thompson
55805 Hwy. 74
Heppner, OR 97836

Dear Mr. Thompson,

Your fish screens were inspected on March 23, 2017, in reference to water right permit number S-54980 POD #1 (T-11699) on Map #7. This letter confirms that this site meets state and federal criteria for adequate fish screens as approved by ODFW. Site POD #1 is located near GPS coordinates 45.43488, -119.66345 in Morrow County.

In regards to the inspection of these fish screens located on Willow Creek, the following has been determined:

1. The two screens are passive combine concave screens with 12 mesh, and they are installed off-stream channel. The screen wetted surface area is 22.19 and 15.09 square feet respectively.
2. There are currently three pumps at POD #1 on the date of inspection. The 40 HP Cornell pump is pumping at a maximum rate of 900 GPM or 2.01 CFS, this is the primary pump used at this site. The 60 HP Cornell pump is pumping a maximum rate of 500 GPM or 1.11 CFS, this is a backup pump that is rarely ran. The third pump a 40 HP Cornell is typically only used for a brief period in between hay cutting with a maximum rate of 450 GPM or 1.00 CFS. If any of the current pumps are replaced, an inspection will be required to ensure that the fish screens continue to meet National Marine Fisheries Service criteria.
3. According to Oregon Water Resources Department permit S-54980 POD #1 on Map #7 is allowed to supplement the 0.84 CFS of primary surface water rights and the 6.22 CFS of primary ground water rights. The maximum amount of surface water pumped at this site is 2.5 CFS with the current infrastructure. The primary ground water well provides the additional water required to irrigate Meadowbrook Farms as per conversation with the District 21 Watermaster.
4. These are end of pipe fish screens, therefore no fish bypass device or fishway is necessary.

Please contact me if you have any questions regarding this letter.

Sincerely,

Tracy Wyllie
Fish Screening and Passage Coordinator

CC: Oregon Water Resources Department

CLARK Gerald E * WRD

From: CLARK Gerald E * WRD
Sent: Wednesday, June 07, 2017 4:21 PM
To: WYLLIE Tracy D
Cc: LOFFINK Ken J; THIEMANN Kenneth C * WRD; DUKE William B
Subject: RE: Permit S-54980: Hoskins Fish Screen Certification

Tracy,

Thank you for copying me on this message. I will place a copy of the approval letter in the.

Gerry

Gerry Clark
Water Right Services Division
Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301

Phone: 503-986-0811

From: Tracy Wyllie [<mailto:tracy.d.wyllie@state.or.us>]
Sent: Thursday, June 01, 2017 6:15 PM
To: CLARK Gerald E
Cc: LOFFINK Ken J; THIEMANN Kenneth C * WRD; DUKE William B
Subject: Permit S-54980: Hoskins Fish Screen Certification

Gerry,

The attachment contains a scanned copy of the fish screen certification form for Permit S-54980 for Hoskins Map #1. I will send the original document to Mr. Hoskins in the mail. Please let me know if I can be of any further assistance.

Regards,

Tracy Wyllie
Fish Screening & Passage Liaison
Oregon Department of Fish & Wildlife
P.O. Box 515
357 Patterson Bridge Rd.
John Day, OR 97845
541-575-0561
541-620-8850 Cell
541-575-0868 Fax
Tracy.D.Wyllie@state.or.us



Oregon

Kate Brown, Governor

Department of Fish and Wildlife
John Day Fish Screening and Passage
357 Patterson Bridge Rd.
P.O. Box 515
John Day, OR 97845
Voice: 541-575-0561
FAX (541) 575-0868
www.dfw.state.or.us/

June 1, 2017



Mac Hoskins
53542 Hwy. 74
Heppner, OR 97836

Dear Mr. Hoskins,

Your fish screen was inspected on March 23, 2017, in reference to water right permit number S-54980 POD #1 & #3. This letter confirms that this site meets state and federal criteria for an adequate fish screen as approved by ODFW. This site is located on the property near GPS coordinates 45.36689, -119.56747 in Morrow County.

In regards to the inspection of this fish screen located on Willow Creek, the following has been determined:

1. The screen is a passive screen similar to a Sure-Flo, model SFS4 wrapped with 3/32" stainless steel perforated plate.
2. The current 15 HP Berkeley pump is pumping at a maximum rate of 350 GPM or 0.78 CFS. If the current pump is replaced an inspection will be required to ensure that the fish screen continues to meet state and federal criteria.
3. According to Oregon Water Resources Department permit S-54980 POD #1 this diversion is allowed to take 0.78 CFS, being 0.665 CFS for 39.9 acres with March 1894 priority date, and 0.115 CFS for 6.91 acres with 1908 priority date.
4. This is an end of pipe fish screen, therefore no fish by-pass device or fishway is necessary.

Please contact me if you have any questions regarding this letter.

Sincerely,

Tracy Wyllie

Tracy Wyllie
Fish Screening and Passage Coordinator

CC: Oregon Water Resources Department

S-87373

CLARK Gerald E * WRD

From: LADD Michael F * WRD
Sent: Tuesday, April 04, 2017 12:28 PM
To: CLARK Gerald E * WRD; THIEMANN Kenneth C * WRD
Cc: Bill Porfily (bporfily@my180.net)
Subject: RE: Permit S-54980?

Thanks Gerry for getting back to us on the question regarding filing a new permit amendment. Bill, I hope this helps so you can go forward with the plans to extinguish the old permit amendment and file a new one to show the new POD being on the Emert property. Let us know if you have any questions.

From: CLARK Gerald E * WRD
Sent: Tuesday, April 04, 2017 10:31 AM
To: THIEMANN Kenneth C * WRD
Cc: LADD Michael F * WRD; Bill Porfily (bporfily@my180.net)
Subject: RE: Permit S-54980?

Ken,

I had a chance to discuss this with Dwight this morning. I did confirm that is not anything that would preclude the Company from requesting a new or additional point of diversion through the permit amendment process after the screen date of June 1, 2017. It would be fair to expect that any new or additional point of diversion would be required to have an approved fish screen.

Please let me know if you have any additional questions.

Gerry

Gerry Clark
Water Right Services Division
Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301

Phone: 503-986-0811

From: CLARK Gerald E * WRD
Sent: Tuesday, April 04, 2017 9:01 AM
To: THIEMANN Kenneth C * WRD
Cc: LADD Michael F * WRD; Bill Porfily (bporfily@my180.net)
Subject: RE: Permit S-54980?

Ken,

I was out for a few days. I am looking into your question today and will provide a response later today.

Gerry

Gerry Clark
Water Right Services Division

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

Phone: 503-986-0811

From: THIEMANN Kenneth C * WRD
Sent: Thursday, March 30, 2017 10:59 AM
To: CLARK Gerald E * WRD
Cc: LADD Michael F * WRD; Bill Porfily (bporfily@my180.net)
Subject: Permit S-54980?

Good morning Gerry,

In reference to the Willow Creek Reservoir storage water permit (S-54980) fish screen deadline 6/1/2017.

How do we deal with a permit amendment that is approved for an additional point of diversion after the screen deadline date?

I was just curious because Joe McElligott has decided to go through the reversion process and reapply for the Upper POD on Emert's property that we previously discussed, which has a certified screen installed.

I have copied Mike Ladd and Bill Porfily (Joe's consultant) to this email and I would appreciate it if you would respond to all as I will be out of the office next week. This will hopefully keep everyone on the same page.

Thanks for all your help.

"Water is always worth protecting"

*Ken Thiemann
Watermaster, District #21
Oregon Water Resources Department
PO Box 427
Condon, OR 97823
Ph: (541) 384-4207
Fax: (541) 384-2166
Gilliam Court House
221 S. Oregon St., Suite 221
Condon, OR 97823*

CLARK Gerald E * WRD

From: THIEMANN Kenneth C * WRD
Sent: Tuesday, March 28, 2017 2:34 PM
To: 'Joe McElligott (joejerimac@me.com)'
Cc: LADD Michael F * WRD; CLARK Gerald E * WRD
Subject: Changing the APOD in Transfer 12068 and Permit Amendment 12135?

Good afternoon Mr. McElligott,

Mike Ladd asked me to follow up with you to discuss your question about using the Emert upper Point Of Diversion (POD) as the location of the Additional Point Of Diversion (APOD) for LJ's property instead of the approved APOD located on LJ's property.

I spoke with senior Salem staff and they explained that the Land Use approval and public notice for the existing transfer doesn't include the Emert property which leaves you the following options:

1. Develop the APOD as approved.
OR
2. Request reversion, which would require a written letter from you asking for reversion of the transfer. This will allow you to resubmit your transfer application with the Emert upper POD as the APOD for LJ's place.

I hope this helps, and please contact me if you have any further questions. Have a nice afternoon.

"Water is always worth protecting"

*Ken Thiemann
Watermaster, District #21
Oregon Water Resources Department
PO Box 427
Condon, OR 97823
Ph: (541) 384-4207
Fax: (541) 384-2166
Gilliam Court House
221 S. Oregon St., Suite 221
Condon, OR 97823*



Oregon
Kate Brown, Governor

Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301
(503) 986-0900
Fax (503) 986-0904

File

March 7, 2017

Willow Creek District Improvement Co.
Attn: Shonee Langford
530 Center St NE, Suite 400
Salem, OR 97301

REFERENCE: Application S-87373 / Permit S-54839

Dear Permit Holder:

On October 30, 2015, the Department issued a Final Order approving an Extension of Time for Permit S-54839. The Final Order contained a condition to submit a progress report to the Department by October 1, 2017.

This letter is being sent to you as a reminder the progress report is due on October 1, 2017.

For your convenience, I have enclosed a **Progress Report Form** for you to fill out and submit. In order to maintain the ability to continue developing water under this permit, you should submit your progress report no later than October 1, 2017.

As per your most recent extension, the date by which water must be applied to full beneficial use within the terms and conditions of your permit is October 1, 2030.

Failure to submit written progress reports will most likely result in any future extensions being denied.

If you have any questions concerning this matter, you may contact me by telephone at (503) 986-0825.

Sincerely,

Corey A Courchane
Extensions
Water Rights Services Division

Enclosure

cc: Application S-87373
Watermaster District 21 – Ken Thiemann

S-87373



Oregon

Kate Brown., Governor

Department of Fish and Wildlife

John Day Fish Screening and Passage

357 Patterson Bridge Rd.

P.O. Box 515

John Day, OR 97845

Voice: 541-575-0561

FAX (541) 575-0868

www.dfw.state.or.us/

October 5, 2016



Duane Neiffer
67795 McNab Ln.
Ione, OR 97843

Dear Mr. Neiffer,

In reference to water right permit number S-54980 POD #1. This letter confirms that POD #1 is not currently in use. POD #1 is located on the property near location: Township 1S, Range 25E, Meridian: Willamette, Section 27, Q-Q: SW SW, Measured Distance: 1200 feet north and 120 feet east from the SW corner of section 27 in Morrow County.

Please contact me if you have any questions regarding this letter.

Sincerely,

Tracy Wyllie

Tracy Wyllie
Fish Screening and Passage Coordinator

CC: Oregon Water Resources Department

RECEIVED BY OWRD

JAN 31 2017

SALEM, OR



Oregon

Kate Brown, Governor

Department of Fish and Wildlife
 John Day Fish Screening and Passage
 357 Patterson Bridge Rd.
 P.O. Box 515
 John Day, OR 97845
 Voice: 541-575-0561
 FAX (541) 575-0868
www.dfw.state.or.us/

October 5, 2016



Duane Neiffer
 67795 McNab Ln.
 Ione, OR 97843

Dear Mr. Neiffer,

Your fish screen was inspected on October 4, 2016, in reference to water right permit number S-54980 POD #2. This letter confirms that a National Marine Fisheries Service criteria fish screen as approved by ODFW is located on the property near GPS coordinates 45.447199, -119.699084 in Morrow County.

In regards to the inspection of this fish screen located on Willow Creek, the following has been determined:

1. The screen is a Sure-Flo, model SWS6.
2. This screen is approved for water use up to 625 GPM or 1.39 CFS. The current Cornell pump is pumping at a maximum rate of 400 GPM or 0.89 CFS.
3. According to Oregon Water Resources Department permit S-54980 POD #2 this diversion is allowed to take 0.55 CFS.
4. This is an end of pipe fish screen, therefore no fish by-pass device or fishway is necessary.

Please contact me if you have any questions regarding this letter.

Sincerely,

Tracy Wyllie

Tracy Wyllie
 Fish Screening and Passage Coordinator

Enclosure

CC: Oregon Water Resources Department

RECEIVED BY OWRD

JAN 31 2017

SALEM, OR



**OREGON DEPARTMENT OF FISH AND WILDLIFE
OREGON WATER RESOURCES DEPARTMENT**

FISH SCREEN INSPECTION FORM

Applicant

Name: Duane Neiffer
 Address: 67795 McNab Ln., Ione, OR 97843 Phone 541-377-1851
 Application Number: _____ Water Right Permit Number: S-54980, POD #2
 Water Right Amount (cfs) 0.55 Water Right Transfer Number:

Diversion

Stream: Willow Creek Tributary to: Columbia River
 Address (if different than applicants): _____
 Diversion Type (gravity or pump): Pump Location: 1S, 25E, Sec. 28
 GPS Coordinates: 45.447199, -119.699084

Pump Information

Brand: Cornell Horsepower: 30 Intake Size: 4"

Screen Information

Type/Brand: Sure-Flo Installed by: Duane Neiffer
 Date Installed: April 1, 2014 Date of Inspection: October 4, 2016
 Manufacturer: Sure-Flo Model #: SWS6
 Inspected by: Tracy Wyllie Agency: Oregon Department of Fish & Wildlife

Comments:

- Screen meets current state criteria for fish protection.
- Screen does not meet current state criteria for fish protection.
- Another screen inspection should be done before water use begins.
- Fish passage meets current criteria
- Fish passage does not meet current criteria
- Fish passage not required
- Bypass structure meets current state criteria
- Bypass does not meet current state criteria
- Bypass Structure not required

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SALEM, OR

5-87373



Oregon

Kate Brown.. Governor

Department of Fish and Wildlife
John Day Fish Screening and Passage
357 Patterson Bridge Rd.
P.O. Box 515
John Day, OR 97845
Voice: 541-575-0561
FAX (541) 575-0868
www.dfw.state.or.us/

October 5, 2016



Duane Neiffer
67795 McNab Ln.
Ione, OR 97843

Dear Mr. Neiffer,

Your fish screen was inspected on October 4, 2016, in reference to water right permit number S-54980 POD #3. This letter confirms that a National Marine Fisheries Service criteria fish screen as approved by ODFW is located on the property near GPS coordinates 45.50183, -119.88776 in Morrow County.

In regards to the inspection of this fish screen located on Willow Creek, the following has been determined:

1. The screen is a Clemons, model CW400.
2. This screen is approved for water use by National Marine Fisheries Service up to 485 GPM or 1.08 CFS.
3. According to Oregon Water Resources Department there is no rate associated under permit S-54980 POD #3.
4. Based on the current Berkeley pump on the date of inspection the maximum withdrawal rate is 650 GPM or 1.45 CFS. If the current Berkeley pump is replaced, an inspection will be required to ensure that the fish screen continues to meet National Marine Fisheries Service criteria.
5. This is an end of pipe fish screen, therefore no fish by-pass device or fishway is necessary.

Please contact me if you have any questions regarding this letter.

Sincerely,

Tracy Wyllie

Tracy Wyllie
Fish Screening and Passage Coordinator

Enclosure

CC: Oregon Water Resources Department

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**OREGON DEPARTMENT OF FISH AND WILDLIFE
OREGON WATER RESOURCES DEPARTMENT**

FISH SCREEN INSPECTION FORM

Applicant

Name: Duane Neiffer
 Address: 67795 McNab Ln., Ione, OR 97843 Phone 541-377-1851
 Application Number: _____ Water Right Permit Number: S-54980
 Water Right Amount (cfs) _____ Water Right Transfer Number: _____

Diversion

Stream: Willow Creek Tributary to: Columbia River
 Address (if different than applicants): _____
 Diversion Type (gravity or pump): Pump Location: 1S, 23E, Sec. 1
 GPS Coordinates: 45.50183, -119.88776

Pump Information

Brand: Berkeley Horsepower: 30 Intake Size: 6"

Screen Information

Type/Brand: Clemons Installed by: Weinbarger Irrigation Service
 Date Installed: September 25, 2016 Date of Inspection: October 4, 2016
 Manufacturer: Clemons Model #: CW400
 Inspected by: Tracy Wyllie Agency: Oregon Department of Fish & Wildlife

Comments:

- Screen meets current state criteria for fish protection.
- Screen does not meet current state criteria for fish protection.
- Another screen inspection should be done before water use begins.
- Fish passage meets current criteria
- Fish passage does not meet current criteria
- Fish passage not required
- Bypass structure meets current state criteria
- Bypass does not meet current state criteria
- Bypass Structure not required

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