



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

# Notice of District Permanent Water Right Transfer

*Filing of this notice must occur prior to making the change and must be included in the district's permanent transfer application, which is due no later than the end of the calendar year.*

## 1. APPLICANT INFORMATION

District: \_\_\_\_\_

Contact Person: \_\_\_\_\_ Phone: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

\*Fax: \_\_\_\_\_ \*E-Mail address: \_\_\_\_\_

*\*Optional information*

District Internal Notice Number (DINN): \_\_\_\_\_

## 2. PROPOSED CHANGE(S) TO WATER RIGHT(S)

Pursuant to ORS 540.580 and OAR Chapter 690, Division 385, the district is providing the Water Resources Department this notice of a proposed change in place of use prior to making the change. The district proposes to change the place of use for the following water rights:

CERTIFICATE NUMBER	PERMIT or TRANSFER NUMBER	DECREE (name, volume, and page)
	-	
	-	
	-	

## 3. AUTHORIZED POINTS OF DIVERSION (POD) OR APPROPRIATION (POA)

The authorized point(s) of diversion (POD) or appropriation (POA) for the water rights affected by this notice are as follows:

DECREE or CERTIFICATE	PERMIT or TRANSFER	POD / POA #	LOCATION – MEASURED DISTANCES
	-		
	-		
	-		

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

The district proposes to change the place of use of the described water rights from the authorized location listed in Table I to the location listed in Table II.

TABLE I – AUTHORIZED PLACE OF USE (POU)												
CERTIFICATE DECREE or PERMIT	POD / POA #	PRIORITY DATE	USE	LEGAL DESCRIPTION							ACRES	USER NAME
				TWP	RNG	SEC	QQ	DLC	GOV'T LOT	TAX LOT		
TOTAL:												

TABLE II – PROPOSED PLACE OF USE (POU)												
CERTIFICATE DECREE or PERMIT	POD / POA #	PRIORITY DATE	USE	LEGAL DESCRIPTION							ACRES	USER NAME
				TWP	RNG	SEC	QQ	DLC	GOV'T LOT	TAX LOT		
TOTAL:												

**5. MAPS and AUTHORIZATIONS**

- Enclosed is a map for the proposed change in place of use meeting the standards of OAR Chapter 690, Division 385.
- The water rights affected by this notice are not subject to forfeiture for nonuse under ORS 540.610.
- Each user affected by the proposed transfer has provided written authorization for the transfer and such authorization is on file with the district.
- The water rights affected by this change do not require a Land Use Compatibility Statement because ALL of the following apply: a) a change in place of use only, b) a change that does not involve the placement or modification of structures, c) the use of water is for irrigation only and d) the use is located within an irrigation district or an exclusive farm use zone.
- The undersigned understand and acknowledge that the proposed change in place of use is subject to the approval of the Water Resources Department. The undersigned also understand and acknowledge that if the Water Resources Department finds the change in place of use allowed by the district under this notice results in injury to an existing water right, the Department may direct the district to cease delivery of water to the proposed place of use or direct the district to mitigate the injury.

**6. SIGNATURES**

I certify that to the best of my knowledge the information contained in this Notice of District Permanent Transfer is true and accurate.

\_\_\_\_\_  
Signature of District Manager  
or Authorized Representative

\_\_\_\_\_  
Date

\_\_\_\_\_  
Type or Print Name of District Manager  
or Authorized Representative

\_\_\_\_\_  
Signature of User  
(authorized place of use)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of User  
(proposed place of use)

\_\_\_\_\_  
Date

**INSTRUCTIONS FOR FILING NOTICE:**

- 1) Pursuant to OAR 690-385-4100(3), the district shall deliver this Notice Form and Map(s) to the local Watermaster prior to delivering water to the proposed place of use.
- 2) Pursuant to OAR 690-385-4100(4), the district also shall concurrently deliver a copy of only the Notice Form (the inclusion of maps is not necessary) to: Oregon Water Resources Department Transfer Section 725 Summer Street NE, Suite A Salem, OR 97301-1271

# INSTRUCTIONS FOR COMPLETING THE NOTICE OF DISTRICT PERMANENT TRANSFER

## Section 1. Applicant Information

- 1) Complete the applicant information and assign each notice a District Internal Notice Number (DINN).
- 2) Districts may establish their own unique method for assigning a DINN. For example, a DINN could be based on the year followed by a notice number (e.g., 2007-01 for the first notice one of the year 2007) that allows for ordered sequencing of notices submitted by a district.

*Recommendation:* Submit a notice for each change in place of use rather than combining several separate and distinct “transactions” on one notice. Base the notice, as much as possible, on one feature of the change in place of use – either the authorized place of use or the proposed place of use. An example would be to include in one notice a change in place of use for five one-acre parcels (authorized place of use) proposed to be moved and combined into a single five-acre parcel at a new place of use (proposed place of use). In this example, the feature forming the basis for the notice is the proposed place of use and the change from several land parcels to one land parcel.

## Section 2. Proposed Change(s) to the Following Water Right(s)

- 1) List all the water rights to be affected by the change in place of use. Add rows as necessary to the table to accommodate all irrigation and supplemental irrigation rights appurtenant to the land – both rights issued in the name of a district and rights issued in the name of an individual or other entity.

*Note:* irrigation and supplemental irrigation rights may not be separated or “unlayered” from each other and must be moved together. The supplemental right must be canceled if water cannot be delivered to the proposed place of use from the existing, authorized point of diversion or appropriation.

- 2) The applicant need not fill-in certificate, permit and decree information for each water right, and may employ the following method to identify the affected water rights:
  - Fill-in only the operative water right certificate number if the water right subject to transfer is represented by a non-canceled water right certificate; or
  - Fill-in the operative non-canceled water right certificate number and include the transfer number (e.g. T-12345) if the right has been relocated by a transfer for which satisfactory proof of completion of the change has been determined by the Department; or
  - Fill-in the operative permit number of a right issued in the name of a district or the U.S. Bureau of Reclamation for which satisfactory proof of completion of the application of water to beneficial use has been determined by the Department but no certificate issued, and include the transfer number (e.g. T-12345) if the right developed under the permit has been relocated by a transfer for which satisfactory proof of completion of the change has been determined by the Department; or
  - Fill-in the permit number of a supplemental irrigation right if a certificate has not been issued for the right (supplemental irrigation rights in permit status are subject to transfer and may not be “unlayered” from the irrigation right appurtenant to the same land); or

- Fill-in only the Decree name, and volume and page number of the decree if the water right is an adjudicated right for which no certificate has been issued (e.g. Umatilla River Decree, Vol. 3, Page 242).

**Section 3. Authorized Points of Diversion (POD) or Appropriation (POA)**

- 1) List the affected water rights identified in Section II.
- 2) List the POD or POA number serving the authorized place of use if the water right describes and lists the PODs or POAs by diversion number or well number.
- 3) If the water right does not describe authorized PODs or POAs by diversion number or well number, assign a unique number to each diversion.

*Example:*

POD / POA #	LOCATION - MEASURED DISTANCES
1	T12S,R4E,12,NWNW – 1200 feet South & 500 feet East from NW Corner of Section 12
2	T12S,R4E,1,SWSW – Green Ditch: 20 feet North & 45 feet East from SW Corner of Section 1
Well #1	T12S,R4E,12,NENW – Green Well: 50 feet South and 1400 feet East from NW Corner of Section 12
Well#2	T12S,R4E,12,NENW – Blue Well: 900 feet South and 2100 feet East from NW Corner of Section 12

**Note:** The POD or POA number displayed in Section III, identifying the location of a diversion, provides a “label” for the specific diversion. The “label” or number is used under the **POD/POA#** column heading in Tables I and II to reference the authorized diversion for each place of use.

- 4) For each water right, provide the measured distances, as it appears on the water right, of the POD or POA serving as the diversion for the authorized place of use.

*Example:*

LOCATION - MEASURED DISTANCES
T12S,R4E,12,NWNW – 1200 feet South & 500 feet East from NW Corner of Section 12

**Table I - Authorized Place of Use (POU)**

- 1) Group together and sequentially display the affected water rights identified in Section II for each authorized POU. Array the POU (and the sequential listing of affected water rights) in Table I in ascending order according to Township (TWP), Range (RNG), Section (SEC), Quarter-Quarter (QQ), Donation Land Claim (DLC) if applicable, Government Lot (GOV'T LOT) if applicable, and Tax Lot. (TAX LOT)

**Recommendation:** When arraying irrigation and supplemental irrigation water rights for the same place of use, list the irrigation right first followed by the supplemental rights (see the following example).

TABLE I – AUTHORIZED PLACE OF USE (POU)													
CERTIFICATE	DECREE or PERMIT	POD / POA #	PRIORITY DATE	MEASURED DISTANCES							GOV'T LOT	TAX LOT	ACRES
				USE	TWP	RNG	SEC	QQ	DLC				
12345		2	3-25-1922	IR	12 S	4 E	12	NENW			202	14.0	
45678		1	9-16-1931	IS	12 S	4 E	12	NENW			202	3.0	
9999		WELL#1	8-14-1967	IS	12 S	4 E	12	NENW			202	11.0	
12345		2	3-25-1922	IR	12 S	4 E	12	NWNW			103	22.0	
45678		1	9-16-1931	IS	12 S	4 E	12	NWNW			103	22.0	
9999		WELL#1	8-14-1967	IS	12 S	4 E	12	NWNW			103	22.0	
<b>TOTAL:</b>												36.0	

- 2) Identify the POD or POA for the authorized place of use by inserting, under the **POD/POA#** column heading, the number describing the diversion that is displayed for the water right in Section III.
- 3) Some water right certificates, permits and decrees assign different priority dates to authorized places of use. Under **PRIORITY DATE**, insert the priority date described by the water right for the authorized place of use.
- 4) Under the **USE** column heading, insert a two-letter, abbreviated code to describe the authorized use. Several of the most common water uses associated with water rights and the attendant two-letter code are as follows:

<b>USE</b>	<b>CODE</b>	<b>USE</b>	<b>CODE</b>
Irrigation	IR	Industrial/Manufactureing	IM
Supplemental Irrigation	IS	Mining	MI
Irrigation, Domestic & Livestock	I*	Nursery	NU
Pond Maintenance	PM	Commercial	CM
Livestock	LV	Temperature Control	TC

These two-letter use codes reflect the Department’s Water Right Information System (WRIS) use codes. Less common use codes may be found at the following internet location associated with the Department’s *Water Right Information Query* website - <http://apps.wrd.state.or.us/apps/wr/wrinfo/wrinfo.php>

- 5) Insert under the **DLC** or **GOV’T LOT** heading the DLC or Government Lot number as it appears on the affected water right. These are legal subdivisions and are part of the legal description for the water right.

*Note:* Government Lot often appears or is described as “LOT” on water rights.

- 6) Insert under the **ACRES** heading the acre(s) or acre(s)-equivalent of existing water right to be modified by the notice. Display the acres(s) in a 0.00 number format unless the water right is described in greater precision. If a right is described in greater precision, format all listings of modified acres at the same level of precision. Total only the irrigation water rights because individual supplemental irrigation rights may not equal the entirety of the irrigation rights.

*Note:* The applicant may modify the table to total the acres by water right and use, or otherwise provide a summary of the water rights to be affected.

**Table II - Proposed Place of Use (POU)**

- 1) Table II describes the “new” place of use (proposed place of use) for the water rights displayed in Table I. Complete Table II in a manner similar to that for completing Table I.
- 2) To determine whether the proposed place of use is located within a Donation Land Claim or Government Lot, the applicant can access Government Land Office records and information at either of the following internet locations:
  - o Online Land Records – Oregon & Washington Bureau of Land Management <http://www.blm.gov/or/landrecords/landrecords.php>
  - o Oregon Association of County Engineers and Surveyors [http://www.aocweb.org/blm\\_or/](http://www.aocweb.org/blm_or/)

## **Section 5. Maps**

- 1) Attach maps satisfying the standards of Oregon Administrative Rule 690-385-4100. The OAR Chapter 690, Division 385 administrative rules are accessible at the following internet location:  
[http://www1.wrd.state.or.us/files/Publications/Notices/new\\_oars/OAR%20690%2C%20Div%20385%20Transfers.pdf](http://www1.wrd.state.or.us/files/Publications/Notices/new_oars/OAR%20690%2C%20Div%20385%20Transfers.pdf)
- 2) Label maps with the District Internal Notice Number (DINN).
- 3) If the applicant attaches a map depicting the authorized place of use and a separate map depicting the proposed place of use, label the maps accordingly as “Authorized POU and “Proposed POU”, “From” and “To” (as in change water right from/to), or “Off” and “On” (as in move water right off/on).

## **Section 6. Signatures**

- 1) This section includes signature lines for landowners (refer to OAR-690-385-0100(16) for the definition of user) affected by the change in place of use of the water rights. The notice need not include the users’ signatures. However, the signature lines are included to allow the applicant to use this form to maintain records necessary to satisfy notice to users under OAR 690-385-4100(c) and the requirements of Sections VII and VIII.