

STEPS TO COMPLETE 540.580 WATER TRANSFER

1. District checks recipient's land to assure that the proposed site is irrigable, that the District can deliver the new water, and that the recipient is prepared to prove up (beneficially use) the water in the new location this irrigation season (see Item #9 below).
2. District requests title search from title company on applicant's property, and interest holder(s)' release, if applicable. Title search is not necessary for self-to-self transfer.
3. Applicant and recipient hire a Certified Water Rights Examiner to map the water off the old land and onto the new land (CWRE should contact the District for a base map). Maps are submitted to the District on Mylar (must be received by the District at least two weeks prior to the Board Meeting).
4. District prepares paperwork for signatures:
 - a. Notice of District Permanent Transfer (540.580)
 - b. Agreement for Purchase of Water
 - c. Consent by Seller to Transfer Water
 - d. Affidavit of Non-Abandonment by Seller
 - e. Beneficial Use Statement
 - f. Prove-up Statement
5. Applicant and recipient sign paperwork and pay fees (\$500.00 per transfer, plus \$210.00 if title search is required, plus \$50.00 per divider change if required).
6. Transfer goes to the Board for approval (second Tuesday of the month). The August Board Meeting is the last Board Meeting to which transfers will be submitted for approval for that year.
7. Immediately following the Board Meeting, a copy of the Notice of District Permanent Transfer and a copy of the CWRE map are submitted to the local Oregon Water Resources Department (OWRD) for approval. If the Notice of District Permanent Transfer is not denied within two weeks after submittal, only then can the water be used in the new location.
8. Transferred water will not be delivered until recipient is prepared to beneficially apply the water.
9. New District policy, effective January 1, 2001, requires that when water is transferred to a new location, that new location must be proved up (beneficially used) by the end of the current irrigation season. If the recipient fails to prove up the water, the transfer will not be included in the District's petition, the transfer fees will not be refunded, and the transfer will be withdrawn. If the recipient wants the transfer resubmitted the following year, another fee will be required. In the meantime, the water will remain on the applicant's property.
10. District surveys property by the end of the irrigation season in which the transfer occurs to determine if beneficial use has been accomplished, and if original CWRE map is an accurate representation of area of beneficial use. District requires that the recipient sign a Site Report. If the District's survey reveals a different location from the original, a new map (Mylar) must be prepared by the recipient's CWRE, and at the recipient's expense, to submit with the final proof. However, the total water right cannot be changed.
11. By December 31, the Notice of District Permanent Transfer and CWRE map are included in the 540.580 District Petition and submitted to the Salem office of the OWRD for approval. OWRD will issue an Order approving the Petition. Applicant and recipient will be notified by the District that the Order has been issued.
12. District submits final proof, including final map, to Salem office of OWRD. Upon OWRD's approval of final proof, applicant and recipient will be notified that the transfer is complete.