

## Part 4 of 5 – Applicant Information and Signature

### Applicant Information

APPLICANT/BUSINESS NAME <b>Applegate Valley Investments, LLC</b>			PHONE NO. <b>702-768-0209</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>7350 New Hope Road</b>			FAX NO.	
CITY <b>Grants Pass</b>	STATE <b>Oregon</b>	ZIP <b>97527</b>	E-MAIL <b>airtron-inc@earthlink.net</b>	
<b>BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.</b>				

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

AGENT/BUSINESS NAME <b>Patrick and Leah Bernard, Managers</b>			PHONE NO. <b>702-768-0209</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>7350 New Hope Road</b>			FAX NO.	
CITY <b>Grants Pass</b>	STATE <b>Oregon</b>	ZIP <b>97527</b>	E-MAIL <b>airtron-inc@earthlink.net</b>	
<b>BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.</b>				

Explain in your own words what you propose to accomplish with this transfer application, and why:  
**Transfer 8.6 acres of 1902 water rights to higher priority sites that currently have 1980 water rights. Transfer 7.6 acres of the 1980 water rights to the lower priority sites currently covered by the 1902 rights. Change POD for Certificate 61962 and add additional points of diversion for greater flexibility for Certificates 32854, 32858 and 32863.**

If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

Check this box if this project is fully or partially funded by the American Recovery and Reinvestment Act. (Federal stimulus dollars)

### Check One Box

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

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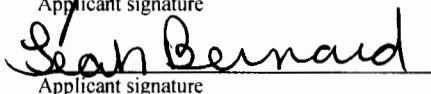
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I understand that prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: **Grants Pass Daily Courier.**

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

Applicant signature

  
Applicant signature

**Patrick Bernard, Manager**  
Print Name (and Title if applicable)

3-6-14  
Date

**Leah Bernard, Manager**  
Print Name (and Title if applicable)

3-6-14  
Date

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located?  Yes  No *If NO, include signatures of all deeded landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent (and mailing and/or e-mail addresses) from all landowners or individuals/entities to which the water right(s) were conveyed.*

Check the following boxes that apply:

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

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

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

If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. For more information see: <http://www.oregon.gov/owrd/docs/transfer-propertytransactions.pdf>

RECEIVING LANDOWNER NAME <b>NA</b>			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS				FAX NO.
CITY	STATE	ZIP	E-MAIL	

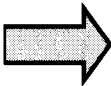
Describe any special ownership circumstances here: **None**

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

IRRIGATION DISTRICT NAME <b>NA</b>	ADDRESS	
CITY	STATE	ZIP

- Check here if water for any of the rights supplied under a water service agreement or other contract for stored water with a federal agency or other entity.

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

 To meet State Land Use Consistency Requirements, you must list all county, city, municipal corporation, or tribal governments within whose jurisdiction water will be diverted, conveyed or used.

ENTITY NAME <b>Josephine County Planning</b>	ADDRESS <b>700 Dimmick Street, Suite C</b>	
CITY <b>Grants Pass</b>	STATE <b>Oregon</b>	ZIP <b>97526</b>

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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## Part 5A of 5 – Water Right Information

Please use a separate Part 5 for each water right being changed.

### CERTIFICATE NO. 32854

#### Description of Water Delivery System

System capacity: 0.42 cubic feet per second (cfs) OR  
 \_\_\_\_\_ gallons per minute (gpm)

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

**Water is diverted from the Applegate River at POD 1 and conveyed via the Murphy Ditch to the golf course. Water is piped from the ditch to a pond where it is then pumped from three pump sites and applied by sprinklers onto the golf course.**

**Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD)**

(Note: If the POD name is not specified on the certificate, assign it a name or number here.)

POD Number	Is this POD Authorized on the Certificate or is it Proposed?	If POA	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POD 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	NA	37 S	5 W	19	NW NE	Gov. Lot 3	733' S and 267' E of N1/4 Cor. of Sec. 19
POD 3	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NA	37 S	6 W	24	SW NE	TL 301	2550' S and 1595' W of NE Cor. of Sec. 24
POD 4	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NA	37 S	6 W	24	SW NE	TL 301	2040' S and 1445' W of NE Cor. of Sec. 24
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							

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

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

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

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

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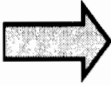


**For Place of Use or Character of Use Changes**

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

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

NA

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

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

NA

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

NA

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

NA

**Construction of Point(s) of Appropriation:**

NA

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## Part 5B of 5 – Water Right Information

Please use a separate Part 5 for each water right being changed.

### CERTIFICATE NO. 32858

#### Description of Water Delivery System

System capacity: 0.42 cubic feet per second (cfs) OR  
 \_\_\_\_\_ gallons per minute (gpm)

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

**Water is diverted from the Applegate River at POD 1 and conveyed via the Murphy Ditch to the golf course. Water is piped from the ditch to a pond where it is then pumped from three pump sites and applied by sprinklers onto the golf course.**

**Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD)**

(Note: If the POD name is not specified on the certificate, assign it a name or number here.)

POD Number	Is this POD Authorized on the Certificate or is it Proposed?	If POA	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POD 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	NA	37 S	5 W	19	NW NE	Gov. Lot 3	733' S and 267' E of N1/4 Cor. of Sec. 19
POD 3	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NA	37 S	6 W	24	SW NE	TL 301	2550' S and 1595' W of NE Cor. of Sec. 24
POD 4	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NA	37 S	6 W	24	SW NE	TL 301	2040' S and 1445' W of NE Cor. of Sec. 24
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							

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

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

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

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

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

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

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

**Certificates No. 32863 and 61962**

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

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

NA

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

NA

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

NA

**Construction of Point(s) of Appropriation:**

NA

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## Part 5C of 5 – Water Right Information

Please use a separate Part 5 for each water right being changed.

### CERTIFICATE NO. 32863

#### Description of Water Delivery System

System capacity: 0.42 cubic feet per second (cfs) OR  
 \_\_\_\_\_ gallons per minute (gpm)

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

**Water is diverted from the Applegate River at POD 1 and conveyed via the Murphy Ditch to the golf course. Water is piped from the ditch to a pond where it is then pumped from three pump sites and applied by sprinklers onto the golf course.**

**Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD)**

(Note: If the POD name is not specified on the certificate, assign it a name or number here.)

POD Number	Is this POD Authorized on the Certificate or is it Proposed?	If POA	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POD 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	NA	37 S	5 W	19	NW NE	Gov. Lot 3	733' S and 267' E of N1/4 Cor. of Sec. 19
POD 3	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NA	37 S	6 W	24	SW NE	TL 301	2550' S and 1595' W of NE Cor. of Sec. 24
POD 4	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NA	37 S	6 W	24	SW NE	TL 301'	2040' S and 1445' W of NE Cor. of Sec. 24
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							

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

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

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

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

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Please use and attach additional pages of Table 2 as needed.

**Table 2. Description of Changes to Water Right Certificate No. 32863**

List the change proposed for the acreage in each 1/4 1/4. If more than one change is proposed, specify the acreage associated with each change.

AUTHORIZED ("from lands")										PROPOSED ("to lands")																	
The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.										The listing as it would appear AFTER PROPOSED CHANGES are made.																	
Twp	Rng	Sec	1/4 1/4	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD Number from Table 1	Priority Date	Proposed Changes (see "CODES" from previous page)	Twp	Rng	Sec	1/4 1/4	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD Number from Table 1	Priority Date							
37	S	6	W	24	SW	NE	301	NA	7.8	IRR	POD 1	1902	POU/APOD	37	S	6	W	24	SE	NE	102	NA	3.8	IRR	POD 3 and 4	1902	
											37	S	6	W	24	SW	NE	301	NA	4.0	IRR	POD 3 and 4	1902				
TOTAL ACRES: 7.8										TOTAL ACRES: 7.8																	

If there is more than one POD involved in the proposed changes, specify the acreage associated with each POD.

Additional remarks: Proposed transfer is to move 3.8 acres of 1902 rights from the SWNE to cover tees, greens and fairways within the portion of the golf course located in the SENE. Additional points of diversion at POD 3 and POD 4 are proposed in the existing pond and slough that receive water from the Applegate River and the Murphy Ditch.

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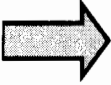
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**For Place of Use or Character of Use Changes**

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

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

**Certificates No. 32858 and 61962**

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

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

NA

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

NA

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

NA

**Construction of Point(s) of Appropriation:**

NA

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**Part 5D of 5 – Water Right Information**

Please use a separate Part 5 for each water right being changed.

**CERTIFICATE NO. 61962**

**Description of Water Delivery System**

System capacity: **0.42** cubic feet per second (cfs) **OR**  
 \_\_\_\_\_ gallons per minute (gpm)

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

**Water is diverted from a slough at POD 3 using a portable diesel pump and applied to the golf course by sprinklers.**

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

POD Number	Is this POD Authorized on the Certificate or is it Proposed?	If POA	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POD 2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	NA	37 S	6 W	24	SE NE	TL 102	2190' S and 950' W of NE Cor. of Sec. 24
POD 3	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NA	37 S	6 W	24	SW NE	TL 301	2550' S and 1595' W of NE Cor. of Sec. 24
POD 4	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NA	37 S	6 W	24	SW NE	TL 301	2040' S and 1445' W of NE Cor. of Sec. 24
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							

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

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

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

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

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Please use and attach additional pages of Table 2 as needed.

**Table 2. Description of Changes to Water Right Certificate No. 61962**

List the change proposed for the acreage in each 1/4 1/4. If more than one change is proposed, specify the acreage associated with each change.

AUTHORIZED ("from lands")										PROPOSED ("to lands")																
The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.										The listing as it would appear AFTER PROPOSED CHANGES are made.																
Twp	Rng	Sec	1/4 1/4	Tax Lot	Gvt Lot or DLC	Type of USE listed on Certificate	POD Number from Table 1	Priority Date	Proposed Changes (see "CODES" from previous page)	Twp	Rng	Sec	1/4 1/4	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD Number from Table 1	Priority Date							
37	S	6	W	24	SE	NE	102	NA	22.0	IRR	POD 2	May 30 1980	POU/POD	37	S	6	W	24	SW	NE	301	NA	7.6	IRR	POD 3 and 4	May 30 1980
														37	S	6	W	24	SE	NE	102	NA	14.1	IRR	POD 3 and 4	May 30 1980
														37	S	6	W	24	SE	NE	102	NA	0.3	SUP IRR	POD 3 and 4	May 30 1980
TOTAL ACRES: 22.0										TOTAL ACRES: 22.0																

If there is more than one POD involved in the proposed changes, specify the acreage associated with each POD.

**Additional remarks: Proposed transfer is to move 7.6 acres of 1980 rights from the tees, greens and fairways within the golf course to lower priority places of use located in Tax Lot 301 in the SWNE and to transfer the approved point of diversion at POD 2 to the proposed POD 3 and POD 4 which are located within the same slough designated on the Final Proof Survey for Certificate No. 61962. Additionally, 0.3 acres of tees, greens and fairways in the SENE located north of the pond which currently have 1980 rights will become supplemental to the 1902 rights that are proposed to be transferred onto those sites.**

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

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

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

**Certificates No. 32858 and 32863**



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

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

NA

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

NA

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

NA

**Construction of Point(s) of Appropriation:**

NA

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