

**Application for Water Right  
Temporary or Drought Temporary Transfer  
Part 1 of 5 – Minimum Requirements Checklist**



**Oregon Water Resources Department**  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1266  
(503) 986-0900  
www.oregon.gov/OWRD

**This temporary transfer application will be returned if Parts 1 through 5 and all required attachments are not completed and included.**  
For questions, please call (503) 986-0900, and ask for Transfer Section.

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**FOR ALL TEMPORARY TRANSFER APPLICATIONS**

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

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Temporary Transfer Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the online fee calculator at: [http://apps.wrd.state.or.us/apps/misc/wrd\\_fee\\_calculator](http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator). If you have questions, call Customer Service at (503) 986-0801.
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Transferred Water Rights: **How many water rights are to be transferred? 2 List them here: 74512, 48966**  
Please include a separate Part 5 for each water right. (See instructions on page 6)
- N/A For standard Temporary Transfer (one to five years) **Begin Year: 2021 End Year: 2026.**
- N/A Temporary Drought Transfer (Only in counties where the Governor has declared drought)

**Attachments:**

- Completed Temporary Transfer Application Map.
- Completed Evidence of Use Affidavit and supporting documentation.
- Current recorded deed for the land **from** which the authorized place of use is temporarily being moved.
- N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land upon which the water right is located.)
- N/A Supplemental Form D – For water rights served by or issued in the name of a district. Complete when the temporary transfer applicant is not the district.
- N/A Oregon Water Resources Department’s Land Use Information Form with approval and signature (or signed land use form receipt stub) from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation (if necessary to convey water to the proposed place of use).

**(For Staff Use Only)**

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

<input type="checkbox"/> Application fee not enclosed/or is insufficient	<input type="checkbox"/> Map not included or incomplete
<input type="checkbox"/> Land Use Form not enclosed or incomplete	<input type="checkbox"/> Part <u>13601</u> is incomplete
<input type="checkbox"/> Additional signature(s) required	
Other/Explanation _____	
Staff: _____	Date: ____/____/____

## Part 2 of 5 – Temporary Transfer Application Map Checklist

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

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

- N/A If **more than three** water rights are involved, separate maps are needed for each water right.
- Permanent quality printed with dark ink on good quality paper.
- The size of the map can be 8½ x 11 inches, 8½ x 14 inches, 11 x 17 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, one extra copy is required.
- A north arrow, a legend, and scale.
- The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet; the scale of the Final Proof/Claim of Beneficial Use Map (the map used when the permit was certificated); the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet; or a scale that has been pre-approved by the Department.
- Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.
- Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.
- Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.
- Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.
- Existing place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the water right is being changed, a separate hachuring is needed for lands left unchanged.
- N/A Proposed temporary place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.
- Existing point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water right certificate or permit.
- N/A If you are proposing a change in point(s) of diversion or well(s) to convey water to the new temporary place of use, show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

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**Part 3 of 5 – Fee Worksheet**

FEE WORKSHEET for TEMPORARY (not drought) TRANSFERS			
1	Base Fee (includes temporary change to one water right for up to 1 cfs)	1	\$810.00
2	Number of water rights included in transfer: <u>2</u> (2a) Subtract 1 from the number in 3a above: <u>1</u> (2b) <i>If only one water right this will be 0</i> Multiply line 2b by \$260.00 and enter » » » » » » » » » » » » » » » »	2	260
3	Do you propose to change the place of use for a non-irrigation use? <input type="checkbox"/> No: enter 0 on line 3 » » » » » » » » » » » » » » » » <input checked="" type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred: <u>.35</u> (3a) Subtract 1.0 from the number in 3a above: <u>-0.65</u> (3b) If 3b is 0, enter 0 on line 3 » » » » » » » » » » » » » » » » If 3b is greater than 0, round up to the nearest whole number: _____ (3c) and multiply 4c by \$200.00, then enter on line 3	3	0
4	Do you propose to change the place of use for an irrigation use? <input type="checkbox"/> No: enter 0 on line 4 » » » » » » » » » » » » » » » » <input checked="" type="checkbox"/> Yes: enter the number of acres for the portions of the rights to be transferred: <u>1.4</u> (4a) Multiply the number of acres in 4a above by \$2.30 and enter on line 4 » »	4	3.22
5	Add entries on lines 1 through 4 above » » » » » » » » » » » » » » Subtotal:	5	1073.22
6	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input checked="" type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 5 by 0.5 and enter on line 6 » If no box is applicable, enter 0 on line 7 » » » » » » » » » » » » » » » »	6	536.61
7	Subtract line 6 from line 5 » » » » » » » » » » » » » » » » <b>Transfer Fee:</b>	7	<b>536.61</b>

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FEE WORKSHEET for TEMPORARY DROUGHT TRANSFERS			
1	Base Fee (includes drought application and recording fee for up to 1 cfs)	1	\$200.00
2	Enter the cfs for the portions of the rights to be transferred (see example below*): _____ (2a) Subtract 1.0 from the number in 2a above: _____ (2b) If 2b is 0, enter 0 on line 2 » » » » » » » » » » » » » » » » If 2b is greater than 0, round up to the nearest whole number: _____ (2c) and multiply 2c by \$50, then enter on line 2 » » » » » » » » » »	2	
3	Add entries on lines 1 through 2 above » » » » » » » » » » » » <b>Transfer Fee:</b>	3	

*\*Example for Line 2a calculation to transfer 45.0 acres of Primary Certificate 12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Certificate 87654 (1/80 cfs per acre) on the same land:*

1. Divide total authorized cfs by total acres in the water right (for C12345, 1.25 cfs ÷ 100 ac); then multiply by the number of acres to be transferred to get the transfer cfs (x 45 ac = 0.56 cfs).
2. If the water right certificate does not list total cfs, but identifies the allowable use as 1/40 or 1/80 of a cfs per acre; multiply number of acres proposed for change by either 0.025 (1/40) or 0.0125 (1/80). (For C87654, 45.0 ac x 0.0125 cfs/ac = 0.56 cfs)
3. Add cfs for the portions of water rights on all the land included in the transfer; however **do not count cfs for supplemental rights on acreage for which you have already calculated the cfs fee for the primary right on the same land.** The fee should be assessed only once for each "on the ground" acre included in the transfer. (In this example, blank 2a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 2b would be 0 and Line 2 would then also become 0).

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Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME <b>GIN GUEI EBNESAJJAD/JOY LUCK FARM, LLC</b>			PHONE NO. <b>302-588-9329</b>	ADDITIONAL CONTACT NO. <b>302-598-8005</b>
ADDRESS <b>225 WEST RAPP ROAD</b>			FAX NO.	
CITY <b>TALENT</b>	STATE <b>OR</b>	ZIP <b>97540</b>	E-MAIL <b>DIMENXIONLLC@GMAIL.COM</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.				

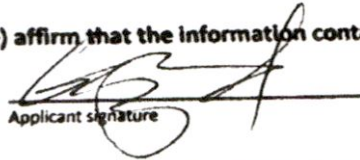
Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT/BUSINESS NAME <b>ALUNA MICHELLE HUANG</b>			PHONE NO. <b>302-588-9329</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>225 WEST RAPP ROAD</b>			FAX NO.	
CITY <b>TALENT</b>	STATE <b>OR</b>	ZIP <b>97540</b>	E-MAIL <b>ALUNAMICHELLE@HOTMAIL.COM</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.				

Explain in your own words what you propose to accomplish with this transfer application and why: Add a point of diversion from Wagner Creek downstream of our original point of diversion, to an access point on our property, to reduce seepage losses from existing conveyance ditch. Change place of use for some acreage to consolidate farming acreage in back area of farm.

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

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

  
 Applicant signature      **Gin Guei Ebnesajjad, owner**      **11/15/2020**  
 Print Name (and Title if applicable)      Date

\_\_\_\_\_  
 Applicant signature      \_\_\_\_\_      \_\_\_\_\_  
 Print Name (and Title if applicable)      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 landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent from all landowners or individuals/entities (and mailing and/or e-mail addresses) to which the water right(s) has been conveyed.

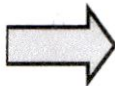
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Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (NOTE: If this box is checked, you must complete and attach Supplemental Form D.)

DISTRICT NAME	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME <b>Jackson County</b>	ADDRESS <b>10 South Oakdale Ave</b>	
CITY <b>Medford</b>	STATE <b>OR</b>	ZIP <b>97501</b>

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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

Please use a separate Part 5 for each water right being changed. See instructions on page 6, to copy and paste additional Part 5s, or to add rows to tables within the form.

**Water Right Certificate # 74512**

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**Description of Water Delivery System**

System capacity: 0.22 cubic feet per second (cfs) OR  
 \_\_\_\_\_ gallons per minute (gpm)

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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. **Open ditch diversion, pump in creek, pump in pond, buried lines, sprinklers, drip and flood irrigation.**

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

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼	¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POD-1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		38 S	1 W	35	N	N	100	620 feet south and 900 feet east from the SW corner of Section 26
POD-2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		38 S	1 W	26	NE	S	1300	2500 feet north and 2450 feet east from the SW corner of Section 26
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed								
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed								

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

- Place of Use (POU)
- Point of Diversion (POD)
- Additional Point of Diversion (APOD)
- Appropriation/Well (POA)
- Additional Point of Appropriation (APOA)

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

- Place of Use (POU)
- Character of Use (USE)
- Point of Diversion (POD)
- Point of Appropriation/Well (POA)
- Additional Point of Appropriation (APOA)
- Additional Point of Diversion (APOD)

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

**13601**

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

Please use and attach additional pages of Table 2 as needed. See page 6 for instructions.

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Do you have questions about how to fill-out the tables? Contact the Department at 503-986-0900 and ask for Transfer Staff.

**Table 2. Description of Temporary Changes to Water Right Certificate #74512**

List only the part of the right that will be changed. For the acreage in each ¼ ¼, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands)										PROPOSED (the "to" or "on" lands)									
The listing that appears on the Certificate BEFORE PROPOSED CHANGES										The listing as it would appear AFTER PROPOSED CHANGES									
List only that part or portion of the water right that will be changed.										are made.									
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Proposed Changes (see "CODES" from previous page)	Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date	
<b>EXAMPLE</b>																			
2	S	9	NE	NW	100	Irrigation	POD #1	1901	POU/POD	2	S	9	NW	500	1		POD #5	1901	
"	"	"	"	"	"	EXAMPLE	POD #2	"	"	2	S	9	SW	500			POD #6	1901	
38	S	1	NE	SW	1300	Irrigation, Stock, Domestic	POD-1	1854	APOD	38	S	1	NE	1300	65		POD-1, POD-2	1854	
38	S	1	NW	SE	1300	Irrigation, Stock, Domestic	POD-1	1864	APOD	38	S	1	NW	1300	65		POD-1, POD-2	1864	
38	S	1	SE	NW	1300	Irrigation, Stock, Domestic	POD-1	1852	APOD	38	S	1	SE	1300	65		POD-1, POD-2	1852	
38	S	1	SW	NE	1300	Irrigation, Stock, Domestic	POD-1	1854	APOD	38	S	1	SW	1300	65		POD-1, POD-2	1854	
38	S	1	SW	NE	1300	Irrigation, Stock, Domestic	POD-1	1854	APOD, POU	38	S	1	NE	1300	65		POD-1, POD-2	1854	
38	S	1	SE	NW	1300	Irrigation, Stock, Domestic	POD-1	1852	APOD, POU	38	S	1	NW	1300	65		POD-1, POD-2	1852	
38	S	1	SW	NE	1300	Irrigation, Stock, Domestic	POD-1	1854	APOD, POU	38	S	1	SW	1300	65		POD-1, POD-2	1854	

TOTAL ACRES																	8.0														
TOTAL ACRES																	8.0														

Additional remarks: \_\_\_\_\_

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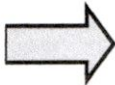
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**For Place of Use Changes**

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: 48966



Pursuant to ORS 540.525, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for temporary transfer can be included in the transfer or remain unused on the authorized place of use. If the primary water right does not revert soon enough to allow use of the supplemental right within five years, the supplemental right shall become subject to cancellation for nonuse under ORS 540.610.

**If a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation is necessary to convey the water to the new temporary place of use you must provide:**

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

**AND/OR**

- Describe the construction of the authorized and proposed well(s) in Table 3 below for any well that does not have a well log. For a *proposed well(s) not yet constructed or built*, provide "a best estimate" for each requested information element in the table. The Department recommends you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

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

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide the information will delay the processing of your transfer application until it is received. The information is necessary for the Department to assess whether the proposed well(s) will access the same source aquifer as the authorized point(s) of appropriation (POA). The Department is prohibited by law from approving POA changes that do not access the same source aquifer.

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

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

Please use a separate Part 5 for each water right being changed. See instructions on page 6, to copy and paste additional Part 5s, or to add rows to tables within the form.

**Water Right Certificate # 48966**

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**Description of Water Delivery System**

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System capacity: **0.13** cubic feet per second (cfs) OR

\_\_\_\_\_ gallons per minute (gpm)

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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. **Open ditch diversion, pump in creek, pump in pond, buried lines, sprinklers, drip and flood irrigation**

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

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POD-1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		38 S	1 W	35	N N W W	100	620 feet south and 900 feet east from the SW corner of Section 26
POD-2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		38 S	1 W	26	NE S W W	1300	2500 feet north and 2450 feet east from the SW corner of Section 26
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							

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

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Place of Use (POU)                   | <input type="checkbox"/> 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) |   |

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

- |   |   |
|---|---|
| <input type="checkbox"/> Place of Use (POU)       | <input type="checkbox"/> Point of Appropriation/Well (POA)        |
| <input type="checkbox"/> Character of Use (USE)   | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Diversion (APOD)     |

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

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

Please use and attach additional pages of Table 2 as needed.  
See page 6 for instructions.

Do you have questions about how to fill-out the tables?  
Contact the Department at 503-986-0900 and ask for Transfer Staff.

**Table 2. Description of Temporary Changes to Water Right Certificate # 48966**

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

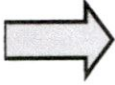
AUTHORIZED (the "from" or "off" lands)										PROPOSED (the "to" or "on" lands)											
The listing that appears on the Certificate BEFORE PROPOSED CHANGES										The listing as it would appear AFTER PROPOSED CHANGES											
List only that part or portion of the water right that will be changed.										are made.											
Twp	Rng	Sec	1/4	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Proposed Changes (see "CODES" from previous page)	Twp	Rng	Sec	1/4	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date	
<b>EXAMPLE</b>																					
2	S	9	E	15	NW	100	Irrigation	POD #1	1901	POU/POD	2	S	9	E	1	NW	500	1	10.0	POD #5	1901
"	"	"	"	"	"	"	EXAMPLE	POD #2	"	"	2	S	9	E	2	SW	500		5.0	POD #6	1901
38	S	1	W	26	SW	1300	Stock, Domestic & Irrigation	POD-1	1854	APOD	38	S	1	W	26	SW	1300	65	0.2	POD-1, POD-2	1854
38	S	1	W	26	SW	1300	Stock, Domestic & Irrigation	POD-1	1854	APOD, POU	38	S	1	W	26	NE	1300	65	0.4	POD-1, POD-2	1854
38	S	1	W	26	SW	1300	Stock, Domestic & Irrigation	POD-1	1854	APOD, POU	38	S	1	W	26	NW	1300	65	0.5	POD-1, POD-2	1854
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TOTAL ACRES										TOTAL ACRES											
1.1										1.1											

12 of 14

**For Place 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: 74512



Pursuant to ORS 540.525, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for temporary transfer can be included in the transfer or remain unused on the authorized place of use. If the primary water right does not revert soon enough to allow use of the supplemental right within five years, the supplemental right shall become subject to cancellation for nonuse under ORS 540.610.

**If a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation is necessary to convey the water to the new temporary place of use you must provide:**

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

**AND/OR**

- Describe the construction of the authorized and proposed well(s) in Table 3 below for any well that does not have a well log. For a *proposed well(s) not yet constructed or built*, provide "a best estimate" for each requested information element in the table. The Department recommends you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

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

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide the information will delay the processing of your transfer application until it is received. The information is necessary for the Department to assess whether the proposed well(s) will access the same source aquifer as the authorized point(s) of appropriation (POA). The Department is prohibited by law from approving POA changes that do not access the same source aquifer.

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

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Additional remarks: \_\_\_\_\_

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# Application for Water Right Transfer

## Evidence of Use Affidavit



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

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more spacing.  
 Supporting documentation must be attached.

State of Oregon )  
 ) ss  
 County of JACKSON )

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I, ALUNA MICHELLE, in my capacity as PROPERTY MANAGER,  
 mailing address 225 WEST RAPP ROAD, TALENT, OREGON 97540  
 telephone number (302) 588-9329, being first duly sworn depose and say:

1. My knowledge of the exercise or status of the water right is based on (check one):

- Personal observation       Professional expertise

2. I attest that:

Water was used during the previous five years on the **entire** place of use for Certificate # \_\_\_\_; **OR**

My knowledge is specific to the use of water at the following locations within the last five years:

Certificate #	Township		Range		Mer	Sec	¼ ¼		Gov't Lot or DLC	Acres (if applicable)
74512	38	S	1	W	Willa mette	26	SE	NW	1300	
74512	38	S	1	W	Willa mette	26	SW	NE	1300	
74512	38	S	1	W	Willa mette	26	NW	SE	1300	
74512	38	S	1	W	Willa mette	26	NE	SW	1300	
48966	38	S	1	W	Willa mette	26	SW	NE	1300	

**OR**

- Confirming Certificate # \_\_\_\_ has been issued within the past five years; **OR**
- Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: \_\_\_\_ (Note: If the entire right proposed for transfer was not leased, additional evidence of use is needed for the portion not leased instream.); **OR**
- The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.
- Water has been used at the actual current point of diversion or appropriation for more than 10 years for Certificate # \_\_\_\_ (For Historic POD/POA Transfers)

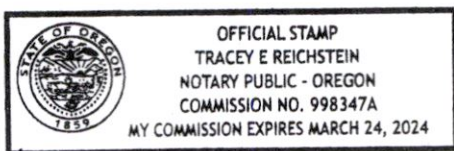
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3. The water right was used for: (e.g., crops, pasture, etc.): HAY, ORCHARD, CROPS, PASTURE, LIVESTOCK, DOMESTIC
4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

*Alan Mitchell*  
Signature of Affiant

JANUARY 13, 2021  
Date

Signed and sworn to (or affirmed) before me this 13<sup>th</sup> day of January, 2021.



*Tracey Reichstein*  
Notary Public for Oregon

My Commission Expires: March 24, 2024

Supporting Documents	Examples
<input checked="" type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of <b>confirming</b> water right certificate that shows issue date
<input checked="" type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none"> <li>• Power usage records for pumps associated with irrigation use</li> <li>• Fertilizer or seed bills related to irrigated crops</li> <li>• Farmers Co-op sales receipt</li> </ul>
<input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none"> <li>• District assessment records for water delivered</li> <li>• Crop reports submitted under a federal loan agreement</li> <li>• Beneficial use reports from district</li> <li>• IRS Farm Usage Deduction Report</li> <li>• Agricultural Stabilization Plan</li> <li>• CREP Report</li> </ul>
<input checked="" type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph	<p>Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added.</p> <p>Sources for aerial photos: OSU – <a href="http://www.oregonexplorer.info/imagery">www.oregonexplorer.info/imagery</a> OWRD – <a href="http://www.wrd.state.or.us">www.wrd.state.or.us</a> Google Earth – <a href="http://earth.google.com">earth.google.com</a> TerraServer – <a href="http://www.terra-server.com">www.terra-server.com</a></p>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE  
STATE OF OREGON

In the Matter of Transfer Application )  
T-12352, Jackson County )  
)  
)  
) FINAL ORDER APPROVING  
TEMPORARY CHANGES IN PLACE  
OF USE AND AN ADDITIONAL  
POINT 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**

GIN GUEI EBNESAJJAD  
JOY LUCK FARM, INC  
225 WEST RAPP RD  
TALENT, OR 97540

**Findings of Fact**

1. On April 25, 2016, GIN GUEI EBNESAJJAD/ JOY LUCK FARM INC filed an application to temporarily change the place of use and add a point of diversion to serve the proposed place of use under Certificate 74512 for a period of 5 years. The Department assigned the application number T-12352.
2. Notice of the application for transfer was published on May 3, 2016, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. June 10, 2016, the Department received an approved land use form for this application.
4. The portion of the right to be temporarily transferred is as follows:
  - Certificate:** 74512 in the name of FRED AND MARTHA RAPP (Confirmed by the Rogue River Decree)
  - Use:** IRRIGATION of 7.40 ACRES
  - Priority Date:** 1854 for 4.7 ACRES, 1864 for 2.70 ACRES

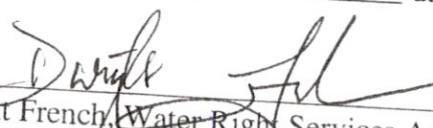
This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may petition for judicial review 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.



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. A subsequent application for permanent transfer of Certificate 74512 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.
6. The use of water at the temporary place of use authorized by this transfer shall be in accordance with the terms and conditions of Certificate 74512.
7. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.
8. 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.
9. Prior to diverting water, the water user shall install an approved fish screen at the new point of diversion and shall provide to the OWRD a written statement from Oregon Department of Fish and Wildlife (ODFW) that the installed screen meets the state's criteria, or that ODFW has determined a screen is not necessary.  
 The water user shall operate and maintain the fish screen at the new 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 water user 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.
10. The use of the remaining water right described by Certificate 74512 shall continue to be in accordance with the terms and conditions of Certificate 74512.

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Dated at Salem, Oregon this 1 day of July 2016.

  
 \_\_\_\_\_  
 Dwight French, Water Right Services Administrator, for  
 Thomas M. Byler, Director  
 Oregon Water Resources Department

Mailing Date: JUL 08 2016

**Rate:** 0.05 cubic foot per second (CFS) for Priority date 1854 and 0.16 CFS for Priority date 1864

**Limit/Duty:** The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.02 cubic foot per second (CFS) with 1852 priority, 0.24 CFS with 1854 priority, and 1.25 CFS with 1864 Priority, or its equivalent in case of rotation, measured at the point of diversion from the source.

**Source:** WAGNER CREEK tributary of BEAR CREEK

**Authorized Points of Diversion:**

Description	Priority Date
ROCKEFELLOW DITCH	1854
DAVENPORT DITCH	1864

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**Authorized Place of Use:**

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres for-Priority Date	
					1854	1864
38 S	1 W	WM	26	SW NE	1.10	-
38 S	1 W	WM	26	NE SW	3.60	-
38 S	1 W	WM	26	NW SE	-	2.55
38 S	1 W	WM	26	NW SE	-	0.15
Totals:					4.70	2.70

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5. Certificate 74512, doesn't give measured distances for the point of diversion, however information is available from the applicant indicating that the point of diversion is located as described below:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
38 S	1 W	WM	35	NW NW	517 FEET SOUTH AND 928 FEET EAST FROM THE SW CORNER OF SECTION 26

6. Temporary Transfer Application T-12352 proposes to temporarily change the place of use for some of the lands and the point of diversion of other lands with priority dates to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres by-Priority Date & Type of Change	
					1854-APOD-POU	1864- POU
38 S	1 W	WM	26	SW NE	1.10	-
38 S	1 W	WM	26	NE SW	3.60	-
38 S	1 W	WM	26	NW SE	-	2.55
38 S	1 W	WM	26	NW SE	-	0.15
Totals:					4.70	2.70

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- An additional point of diversion is necessary to convey the water to the proposed temporary place of use. Temporary Transfer Application T-12352 proposes an additional point of diversion approximately 0.8 mile downstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
38 S	1 W	WM	26	SW NE	88 FEET NORTH AND 24 FEET EAST FROM THE CENTER OF SECTION 26

- Temporary Transfer Application T-12352 proposes to temporarily transfer a water right within the boundaries of Talent Irrigation District. The district was notified of the proposed temporary transfer and did not provide comments.

**Temporary Transfer Review Criteria**

- Water has been used within the last five years according to the terms and conditions of the right. There is no evidence available that would demonstrate that the right is subject to forfeiture under ORS 540.610.
- A diversion structure and ditch sufficient to use the full amount of water allowed under the existing right are present.
- The proposed changes as conditioned would not result in enlargement of the right.
- The proposed changes as conditioned 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.
- The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screen is necessary at the new point of diversion to prevent fish from entering the diversion and that the diversion is not currently equipped with an appropriate fish screen. This diversion may be eligible for screening cost-share funds.

**Conclusions of Law**

The temporary changes in place of use and additional point of diversion to convey water to the temporary place of use proposed in application Temporary Transfer Application T-12352 are consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

**Now, therefore, it is ORDERED:**

- The temporary changes in place of use and additional point of diversion to convey water to the temporary place of use proposed in Temporary Transfer Application T-12352 as conditioned are approved.
- The former place of use **shall not** be irrigated as part of this water right during the 2016, 2017, 2018, 2019, and 2020 irrigation seasons.
- The use shall revert to the authorized place of use at the end of the 2020 irrigation season. The authorization to use the additional point of diversion shall be terminated concurrently.

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**225 West Rapp Rd, Talent, OR 97540**

Imagery date: 5/27/2016

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225 W Rapp Rd

**Legend**

-  225 W Rapp Rd
-  Wagner Park

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Google Earth

400 ft



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GRANGE CO-OP  
CENTRAL POINT STORE  
225 S. FRONT, P.O. BOX 3637  
CENTRAL POINT, OREGON 97502  
PHONE: (541) 664-6691

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Shop Online Anytime at  
grangecoop.com

ALUNA MICHELLE  
3524 ALLEY LN

CUST # 217666  
TERMS: NET EOM

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MEDFORD OR 97501-8802

INV # B27784/4  
DATE : 11/14/20  
CLERK : LISAC  
TERM # 574

MICHELLE/ALUNA

TIME : 1:31  
\*\*\*\*\*  
\* INVOICE \*  
\*\*\*\*\*

QUANTITY	UM	ITEM	DESCRIPTION	SUG. PRICE	PRICE/PER	EXTENSION
1	BG	50ARG	50# Annual Ryegrass (Gulf)	39.99	39.99 /BG	39.99 N
MID:***0509 APP:514113 XR:12778401						
** PAYMENT RECEIVED ** ** PAID IN FULL ** BANKCARD PAYMENT BKCRD#XXXXXXXXXXXX3742						
TAXABLE 0.00 NON-TAXABLE 39.99 SUB-TOTAL 39.99 TAX AMOUNT 0.00 TOTAL INVOICE 39.99						

X  
Received By \_\_\_\_\_

**Your High Mowing Organic Seeds order confirmation**

weborders <weborders@highmowingseeds.com>

Wed 5/20/20 10:50 PM

To: Aluna Huang <alunamichelle@hotmail.com>



866.735.4454 | Monday - Friday 9am - 5pm EST | Saturday 9am - 5pm EST - Sun - April

Aluna Huang:

Thank you for your order from High Mowing Organic Seeds. Once your package ships we will send you a tracking number.

If you have questions about your order, you can email us at [questions@highmowingseeds.com](mailto:questions@highmowingseeds.com).

**Your Order #1000169965**

Placed on May 21, 2020 1:36:17 AM

**Billing Info**

Aluna Huang  
225 W Rapp Rd  
Talent, Oregon, 97540  
United States  
T: 3025889329

**Shipping Info**

Aluna Huang  
225 W Rapp Rd  
Talent, Oregon, 97540-9687  
United States  
T: 3025889329

**Payment Method**

Credit Card  
Credit Card Type Visa  
Credit Card Number xxxx-3742

**Shipping Method**

Shipping Rate - Shipping Rate

Items	Qty	Price
-------	-----	-------

Items	Qty	Price
-------	-----	-------

Mammoth Sunflower SKU: 7100-L001 Size 1 LB	1	\$26.50
---	---	---------

Evening Colors Sunflower SKU: 7098-B Size 1/4 OZ	1	\$7.15
---	---	--------

Zohar F1 Sunflower  
SKU: 7099-B  
Size  
100 SEEDS

Zohar F1 Sunflower SKU: 7099-B Size 100 SEEDS	1	\$9.00
--	---	--------

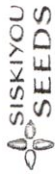
Subtotal \$42.65  
Shipping & Handling \$0.00  
Estimated Total \$42.65

High Mowing Organic Seeds

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Show order summary



Order #9237

Thank you Aluna!

Delivered

May 22

\$ 24.00

Shipping address  
Talent, Oregon



Go to

Map data ©2021

### Your shipment has been delivered

Your shipment has been delivered to the address you provided. If you haven't received it, or if you have any other problems, please contact us.

Re-order the same items

Track order with Shop

USPS tracking number:  
9400111699000458777301

### Order updates

You'll get shipping and delivery updates by email.

Get shipping updates by text

### Customer information

### Contact information

alunamichelle@hotmail.com

### Shipping address

Aluna Huang  
225 West Rapp Road  
Talent, OR 97540  
United States  
13025889329

### Shipping method

Standard Shipping

### Payment method

ending with 3742 - \$ 24.00

### Billing address

Aluna Huang  
225 West Rapp Road  
Talent, OR 97540  
United States  
13025889329

Need help? Contact us

Refund policy Terms of service

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Shipping Confirmation - Order 5800302 | Johnny's Selected Seeds

shipping@johnnyseeds.com <shipping@johnnyseeds.com>

Wed 5/20/2020 4:28 AM

To: alunamichelle@hotmail.com <alunamichelle@hotmail.com>



Shipping Confirmation

Dear ALUNA HUANG,

Thank you for ordering from Johnny's Selected Seeds. Items from your order have shipped. Please see details below. You will receive separate shipping confirmations for backordered items. Some products are shipped directly to you from our supplier and may not be trackable. If you have any questions pertaining to your order, please email us at [service@johnnyseeds.com](mailto:service@johnnyseeds.com) or call our Contact Center toll free at 1-877-564-6697.

ORDER INFORMATION

Order Date: 05/17/2020  
Order Number: 5800302

CURRENT SHIPMENT - Shipment Date: 05/19/2020

Customer ID #: 5606205

Bill to Address

ALUNA HUANG  
225 W RAPP RD  
TALENT, OR 97540

Ship to Address

ALUNA HUANG  
225 W RAPP RD  
TALENT, OR 97540

Carrier: USPS FIRST CLASS MAIL Tracking #: 9200190155575212299675

ITEM ID	QUANTITY	VARIETY/DESCRIPTION	ITEM LOT #
197G.11	1	HELENOR OG, PKT	64906
201G.11	1	NIRA OG, PKT	65502
216.11	1	BOLERO F1, PKT	64577
2198.51	1	DIVA, 250 Seeds	41569
2269G.52	1	TIPTOP PMR F1 OG, 500 Seeds	65339
2393G.50	1	ROUND OF HUNGARY OG, 100 Seeds	62186
2604G.53	1	JWS 6823 PMR F1 OG, 1M Seeds	65046
2735.11	1	HERCULES F1, PKT	64990
2784.51	2	SARAH'S CHOICE F1, 250 Seeds	53837

3515G.11	1	LUNCHBOX PEPPER MIX OG, PKT	66595
3517G.51	1	BLUSH OG, 250 Seeds	45801
3755.26	1	CRUISER, Oz.	58584

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Joy Luck Farm, LLC.

DATE: 2/15/19

NAME: Scott Ploss  
 ADDRESS:  
 SOLD BY:  CASH  C.O.D.  CHARGE ON ACCT.  MDSE RTD.  PAID OUT

QUANTITY	DESCRIPTION	PRICE	AMOUNT
1	Dozen Eggs	4-	4-
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
		12601	

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CUSTOMERS ORDER NO.

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981456

Joy Luck Farm, LLC.

DATE: 3/14/19

NAME: CYNTHIA CARE  
 ADDRESS:  
 SOLD BY:  CASH  C.O.D.  CHARGE ON ACCT.  MDSE RTD.  PAID OUT

QUANTITY	DESCRIPTION	PRICE	AMOUNT
1	Dozen Eggs	4	4-
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
		TOTAL	4-

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gog luck farm, LLC 981458

DATE: 11/23/19

NAME: Gatt Kinkade  
 ADDRESS: Weed, CA  
 SOLD BY: CASH C.O.D. CHARGE ON ACCT. MDSE RTD. PAID OUT

QUANTITY	DESCRIPTION	PRICE	AMOUNT
35	Hay	4	140
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
TOTAL			140

CUSTOMERS ORDER NO. RECEIVED BY: [Signature]

gog luck farm, LLC 981457  
225 W. Ruff Rd  
Talent, OR 97540

DATE: 11/20/19

NAME: Natalie Williams  
 ADDRESS: Eagle Point, OR  
 SOLD BY: CASH C.O.D. CHARGE ON ACCT. MDSE RTD. PAID OUT

QUANTITY	DESCRIPTION	PRICE	AMOUNT
50	Hay	4	200
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
TOTAL			200

CUSTOMERS ORDER NO. RECEIVED BY: [Signature]

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Jackson County Official Records **2016-002917**  
R-BSD  
Stn=19 FOOTENL 02/02/2016 01:25:13 PM  
\$15.00 \$11.00 \$10.00 \$8.00 \$20.00 **\$64.00**

I, Christine Walker, County Clerk for Jackson County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.  
Christine Walker - County Clerk

**RECORDING REQUESTED BY AND WHEN RECORDED MAIL TO:**

Melisa A. Button  
Hornecker Cowling LLP  
717 Murphy Road  
Medford, OR 97504

**UNTIL A CHANGE IS REQUESTED: SEND ALL TAX STATEMENTS TO:**

Joy Luck Farm, LLC  
225 W Rapp Road  
Talent, OR 97540

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**BARGAIN AND SALE DEED**

FOR VALUE RECEIVED, GIN GUEI H. EBNESAJJAD, as **Grantor**, does hereby grant, bargain, sell and convey unto, JOY LUCK FARM, LLC, an Oregon limited liability company, as **Grantee**, all that certain real property located in Jackson County, Oregon, and more particularly described as follows:

See Exhibit A.

The consideration for this transfer is ZERO DOLLARS.

TOGETHER WITH all improvements, easements, hereditaments and appurtenances thereto, and subject to such rights, easements, covenants, restrictions and zoning regulations as appear of record or based upon the premises.

**BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF**

**NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.**

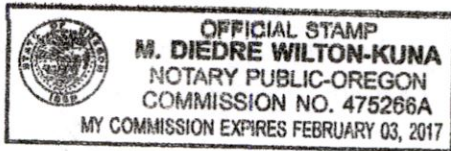
IN WITNESS WHEREOF, Grantor has hereunto subscribed her name to this instrument effective February 1, 2016.

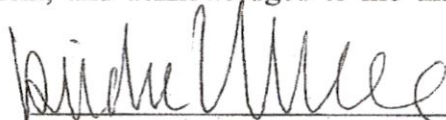
GRANTOR:

  
GIN GUEI H. EBNESAJJAD

STATE OF OREGON            )  
  ) ss.  
County of Jackson        - )

On February 1, 2016, before me, the undersigned Notary Public in and for said State, personally appeared Gin Guei H. Ebnesajjad, known or identified to me to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.



  
Notary Public for the State of Oregon  
My Commission Expires: 02/03/2017

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Exhibit A

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Commencing at a 3/4 inch iron pipe found set for the southeast corner of Donation Land Claim No. 63, Township 38 South, Range 1 West of the Willamette Meridian, Jackson County, Oregon; thence North 1855.53 feet; thence East, 1.35 feet to a 5/8 inch rebar with plastic cap set for the southeast corner of tract described in Document No. 69-04336, Official Records of Jackson County, Oregon; thence along the easterly boundary of said tract and the northerly projection thereof; North 00° 02' 43" East (record = North 00° 02' 49" East), 564.26 feet to a found 1/2 inch iron pipe located on the southerly right of way line of West Rapp (County Road); thence along said road line, North 89° 53' East, 1331.46 feet to a 5/8 inch rebar with plastic cap set for the True Point of Beginning; thence South 18° 59' 35" West, 464.17 feet; thence South 39° 44' 10" West, 405.36 feet; thence South 41° 25' 55" West, 150.60 feet; thence South 28° 44' West, 226.00 feet; thence South 50° 59' 30" East, 54.79 feet to intersect the northerly boundary of PAMONA HEIGHTS SUBDIVISION (recorded); thence Easterly along said subdivision boundary to the northeast corner of Lot 7 thereof; thence Easterly following the southerly right of way line of the "TALENT MIDDLE CANAL" of the Talent Irrigation District to an intersection with the westerly right of way line of Rapp Lane; thence northerly along said lane boundary to the southeast corner of tract described in Document No. 70-01232 said Official Records; thence Westerly, along the southerly line of said tract and its westerly extension, 220 feet; thence North 0° 08' East 433.70 feet, more or less, to the southerly right of way line of West Rapp (County) Road; thence South 89° 53' West, along said road line to the point of beginning.

13601



Oregon

Kate Brown, Governor

Department of Fish and Wildlife

Fish Division

1051 Fairview Industrial Dr. SE

Salem, OR 97302

503.947.6000

Fax: 503.947.6202

[www.dfw.state.or.us](http://www.dfw.state.or.us)

February 29, 2016



Travis Kelly, Jackson County Watermaster  
10 South Oakdale  
Medford, OR 97501

RE: OWRD application for temporary point of diversion transfer on Wagner Creek

Dear Mr. Kelly,

The Oregon Department of Fish and Wildlife (ODFW) supports Aluna Michelle's (authorized agent) application proposing to temporarily transfer a point of diversion for irrigation water downstream on Wagner Creek. This POD was formerly known as the Rapp/Parrish diversion and maintains a valid water right (Cert # 74512). The Rapp/Parrish diversion was a partial passage barrier to native migratory fish. By moving the point of diversion downstream and switching the method of diversion from a dam to a pump would result in two primary benefits to native migratory fish, improved fish passage and water left instream for a longer stream reach. In fact, ODFW encourages the applicant to permanently transfer the POD to the proposed new location and permanently abandon the current POD.

Please feel free to contact me with any questions.

Sincerely,

Jay Doino  
Western Oregon Stream Restoration Program Biologist  
Oregon Department of Fish and Wildlife  
Rogue Watershed District Office

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