

Application for Permanent Water Right Transfer



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

Part 1 of 5 – Minimum Requirements Checklist

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

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- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed 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 new online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator.
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 1 List them here: C-30755**
 Please include a separate Part 5 for each water right. (See instructions on page 6)
NOTE: A separate transfer application is required for each water right unless the criteria in OAR 690-380-3220 are met.

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Attachments:

- Completed Transfer Application Map.
- Completed Evidence of Use Affidavit and supporting documentation.
- N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.)
- N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district.
- N/A Oregon Water Resources Department’s Land Use Information Form with approval and signature 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.
- N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500’ from the surface water source and more than 1000’ upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability.

(For Staff Use Only)

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

- | | |
|--|--|
| <input type="checkbox"/> Application fee not enclosed/insufficient | <input type="checkbox"/> Map not included or incomplete |
| <input type="checkbox"/> Land Use Form not enclosed or incomplete | <input type="checkbox"/> Evidence of Use Form not enclosed or incomplete |
| <input type="checkbox"/> Additional signature(s) required | <input type="checkbox"/> Part _____ is incomplete |

Other/Explanation _____

Staff: _____ 503- _____ Date: ____/____/____

Part 2 of 5 – Transfer Application Map

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

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

- N/A Certified Water Right Examiner (CWRE) Stamp and Original Signature. For a list of CWREs, see http://apps.wrd.state.or.us/apps/wr/cwre_license_view/. CWRE stamp and signature are not required for substitutions.
- 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 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), 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 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME LESLIE AND RACHAEL MARTIN		PHONE NO. 541.778.3982	ADDITIONAL CONTACT NO.
ADDRESS 11777 HWY 238			FAX NO.
CITY JACKSONVILLE	STATE OR	ZIP 97530	E-MAIL LES@REDLILYVINEYARDS.COM
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 RICK PARSONS / PARSONSWATER CONSULTING LLC		PHONE NO. 541.499.0257	ADDITIONAL CONTACT NO. 303.667.5067
ADDRESS 1619 MINEAR RD			FAX NO.
CITY MEDFORD	STATE OR	ZIP 97501	E-MAIL RICK.PARSONS@PARSONSWATER.COM
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: IMPROVE EFFICIENCY OF IRRIGATION WATER DELIVERY TO PLACE OF USE (55 ACRES) ON MARTIN PROPERTY IRRIGATED WITH SUBJECT 1888 WATER RIGHT. THE PROPERTY IS CURRENTLY SUPPLIED BY THE ORIGINAL ~3.5 MILE DITCH THAT HAS FALLEN INTO DISREPAIR. A PUMP DIVERSION WAS INSTALLED IN THE APPLGATE RIVER IN 2018 ADJACENT TO THE PROPERTY FOR RE-DIVERSION OF APPLGATE LAKE WATER. IT IS THE NEW POINT OF DIVERSION TO WHICH THE MARTIN'S PRORATA OWNERSHIP IN C-30755 WILL BE TRANSFERRED.

IN ADDITION, THIS TRANSFER APPLICATION SEEKS TO CLARIFY THE PLACE OF USE ASSOCIATED WITH THE 55 ACRES ON THE MARTIN PROPERTY TO BETTER DEFINE THE LOCATION TO WHICH THE WATER RIGHT IS APPURTENANT (SEE "Additional Remarks" BELOW TABLE 2). THIS IS NOT A CHANGE IN POU BUT A REQUEST TO CLARIFY THE LOCATION OF THE POU WHERE WATER USE HAS ALWAYS OCCURRED.

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

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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By my signature below, I confirm that I understand:

- 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: ROGUE VALLEY TIMES.
- Amendments to the application may only be made in response to the Department's Draft Preliminary Determination (DPD). The applicant will have a period of at least 30 days to amend the application to address any issues identified by the Department in the DPD, or to withdraw the application. Note that amendments may be subject to additional fees, pursuant to ORS 536.050.
- Failure to complete an approved change in place of use and/or change in character of use, will result in loss of the water right (OAR 690-380-6010).
- Refunds may only be granted upon request and, as set forth in ORS 536.050(4)(a), if the Director determines that a refund of all or part of a fee is appropriate in the interests of fairness to the public or necessary to correct an error of the Department.

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



Leslie Martin
Applicant signature

LESLIE MARTIN
Print Name (and Title if applicable)

6-21-23
Date

Rachael A. Martin
Applicant signature

RACHAEL MARTIN
Print Name (and Title if applicable)

10-22-23
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: https://www.oregon.gov/owrd/WRDFormsPDF/Transfer_Property_Transactions.pdf

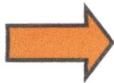
RECEIVING LANDOWNER NAME			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS				FAX NO.
CITY	STATE	ZIP	E-MAIL	
Describe any special ownership circumstances:				
The confirming Certificate shall be issued in the name of: <input type="checkbox"/> Applicant <input type="checkbox"/> Receiving Landowner				

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	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 JACKSON COUNTY	ADDRESS 10 S OAKDALE AVE #100	
CITY MEDFORD	STATE OR	ZIP 97501

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 additional rows to tables within the form.

CERTIFICATE # 30755

Description of Water Delivery System

System capacity: 5.55 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. **THE UNLINED FOWLER-OFFENBACHER DITCH DIVERTS WATER FROM THE SOUTH SIDE OF THE APPLGATE RIVER AND RUNS WESTWARD APPROXIMATELY 3.5 MILES BEFORE IT REACHES THE MARTIN PROPERTY AT THE END OF THE DITCH. A 10 PUMP PULLS WATER FROM THE DITCH AND PUMPS IT 180' UP TO A POND AT THE TOP OF THE PROPERTY. WATER FROM THE POND IS THEN RELEASED TO SUPPLY THE EASTERN ~4 ACRES OF THE POU VIA SPRINKLER SYSTEM. THE REMAINING ~51 ACRES OF POU IS FLOOD IRRIGATED FROM THE DITCH.**

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)
FOWLER-OFFENBACHER DITCH	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		38	S	3	W	28	SE	SW	10	40' N 1610' E SW CORNER SECTION 28, T38S R3W
RED LILY POD	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		38	S	4	W	25	SW	NE		890' N 1350' E FROM CENTER 1/4 CORNER SECTION 25, T38S R4W

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 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) |

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

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- 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.
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 Changes to Water Right Certificate # 30755

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" 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.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.											
Twp	Rng	Sec	¼ ¼	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	Twp		Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date			
EXAMPLE																							
2	S	9	E	15		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0	POD #5	1901	
											2	S	9	E	2	SW	NW	500		5.0	POD #6	1901	
38	S	4	W	25		8	THESE 55 ACRES REPRESENT 54% OF THE 2.55 CFS PORTION OF C- 30755 IN TRACT NO. 1 → IT IS THIS ACREAGE FOR WHICH THE POD CHANGE IS APPLIED FOR HEREIN										37	24.5	THIS ACREAGE REPRESENTS THE CLARIFIED POU FOR THE SUBJECT WATER RIGHT - SEE COMMENT BELOW TABLE				
						26												5		2			
						6												37		23			
						15												37		1.5			
																		37		2			
																	6	2					
38	S	3	W	29		9.9	THESE 22 ACRES REPRESENT 18% OF THE 3.00 CFS PORTION OF C- 30755 IN TRACT NO. 2			NO CHANGES TO CERTIFICATED LANDS IN SECTION 29													
						12.1																	
38	S	3	W	30		7	THESE 47 ACRES REPRESENT 46% OF THE 2.55 CFS PORTION OF C- 30755 IN TRACT NO. 1			NO CHANGES TO CERTIFICATED LANDS IN SECTION 30													
						15																	
						13																	
						12																	

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AUTHORIZED (the "from" or "off" lands)											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands)														
Twp	Rng	Sec	¼ ¼	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	Twp		Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date						
38	S	3	W	30			32.7	THESE 101 ACRES REPRESENT 82% OF THE 3.00 CFS PORTION OF C-30755 IN TRACT NO. 2		NO CHANGES TO CERTIFICATED LANDS IN SECTION 30																
							11.3																			
							19.8																			
							16.4																			
							11																			
							9.8																			
TOTAL ACRES:						255				TOTAL ACRES:						255	55 ACRES OF 225 TOTAL ACRES SUBJECT TO THE POD TRANSFER									

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Additional remarks:

THE CURRENT PLACE OF USE FOR 55 ACRES OF THE 1888 PRIORITY C-30755 WATER RIGHT ON THE MARTIN PROPERTY (FIGURE 1) DOES NOT COINCIDE WITH WHAT IS DESCRIBED IN THE CERTIFICATE OR DECREE MAP FROM THE 1916 ROGUE RIVER DECREE (FIGURE 2). THE CURRENT PLACE OF USE DOES COINCIDE WITH WHAT WAS MAPPED IN THE INCHOATE DECREE MAP THAT WAS DEVELOPED COINCIDENT WITH THE ROGUE RIVER 1940 SUPPLEMENTAL FINDINGS (FIGURE 3). THIS DISCREPANCY HAS BEEN OBSERVED FOR MANY YEARS AND IS SHOWN IN AN HISTORIC DISTRIBUTION MAP FROM THE DISTRICT 13 FILES (FIGURE 4). WATERMASTER SHAVON HAYNES ADVISED PAST DISTRICT 13 WATERMASTERS HAVE HONORED THE PLACE OF USE DEMONSTRATED IN THE INCHOATE DECREE MAP EVEN THOUGH THE POU DIFFERS FROM WHAT IS DESCRIBED IN THE CERTIFICATE (PERSONAL COMMUNICATION, JUNE 9, 2023; FIGURES PROVIDED BY SHAVON HAYNES).

THE DECREE MAP DOES NOT ENTIRELY CORRELATE WITH THE ACREAGES LISTED IN SECTION 25 IN C-30755. THE REASON FOR THIS INCONSISTENCY IS UNCLEAR. IT IS NOTEWORTHY THE D-13 FIELD OFFICE DISTRIBUTION MAP IDENTIFIES THAT "DECREE IN ERROR ON LOCATION OF WATER RIGHT". THE DISTRIBUTION MAP ALSO QUANTIFIES THE IRRIGATED ACREAGE IN THE VARIOUS QUARTER QUARTERS IN THE POU. THESE ACREAGE VALUES COINCIDE WITH THE CURRENT PLACE OF USE WITH A MINOR VARIATION OF THE SPLIT OF LANDS IN THE SE NW AND NE NW 1/4 1/4S (ORIGINALLY 19 ACS AND 5.5 ACS, RESPECTIVELY; REVISED TO 23 ACS AND 1.5 ACS, RESPECTIVELY). IT IS REASONABLE TO CONSIDER THE D-13 MAP WAS DEVELOPED TO IDENTIFY THE LANDS WITH SUFFICIENT SPECIFICITY FOR MANAGEMENT AND DELIVERY OF THE WATER RIGHT. THEREFORE, APPLICANT PETITIONS THE OWRD TO ISSUE A FINAL ORDER TO CLARIFY THE LANDS TO WHICH THE SUBJECT WATER

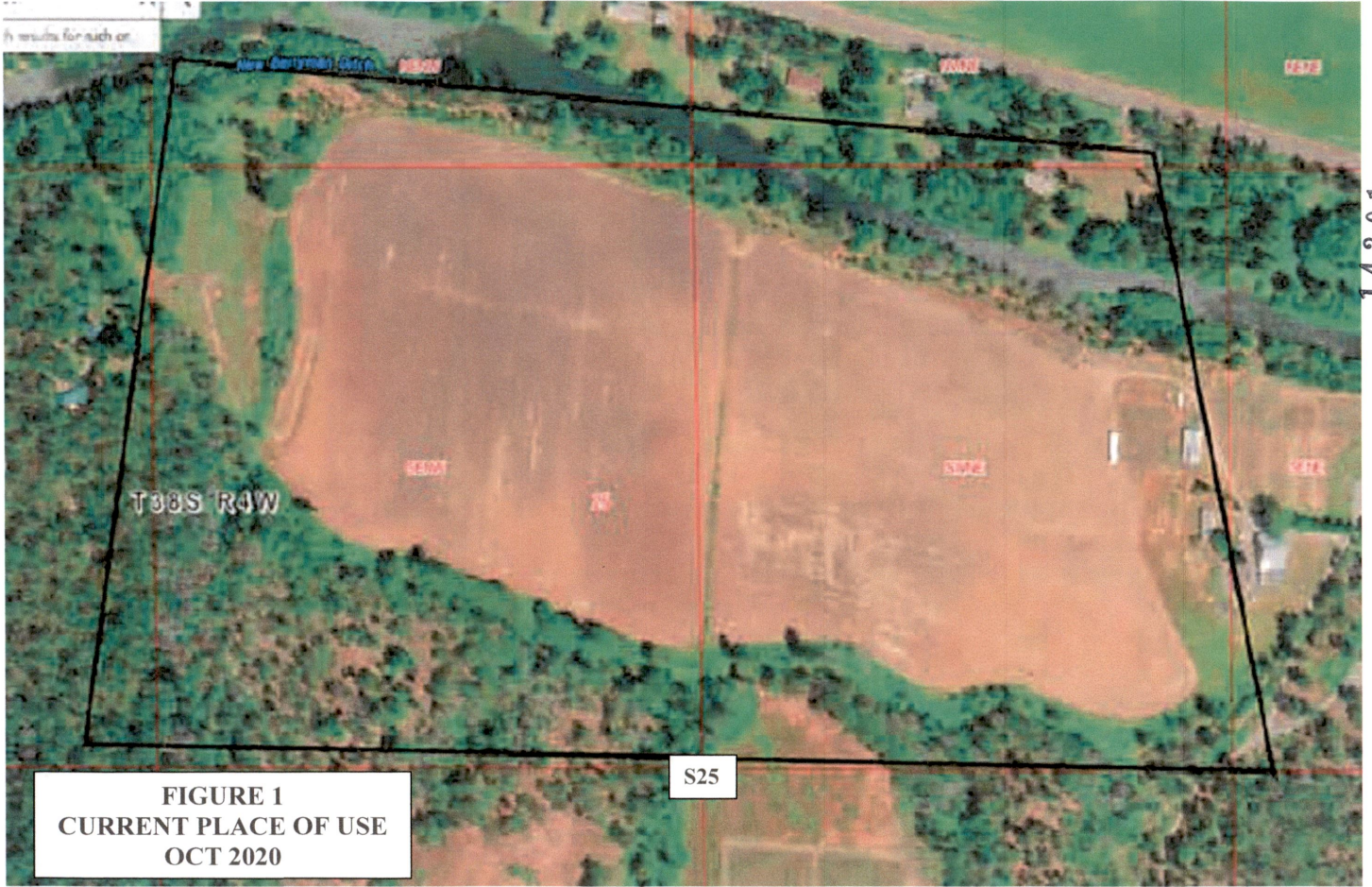
RIGHT IS APPURTENANT (O.R.S. 540.560; O.A.R. 690-380). THE PETITION FOR CLARIFICATION ONLY AFFECTS THE MARTIN'S PORTION OF THE C-30755 WATER RIGHT. THE SUBJECT 55 ACRES REPRESENTS 54% OF 2.55 CFS WATER RIGHT FOR THE 102-ACRE POU IDENTIFIED IN THE CERTIFICATE FOR TRACT NO. 1. THE PRORATA RATE FOR THE 55 ACRES IS 1.375 CFS (617 GPM).

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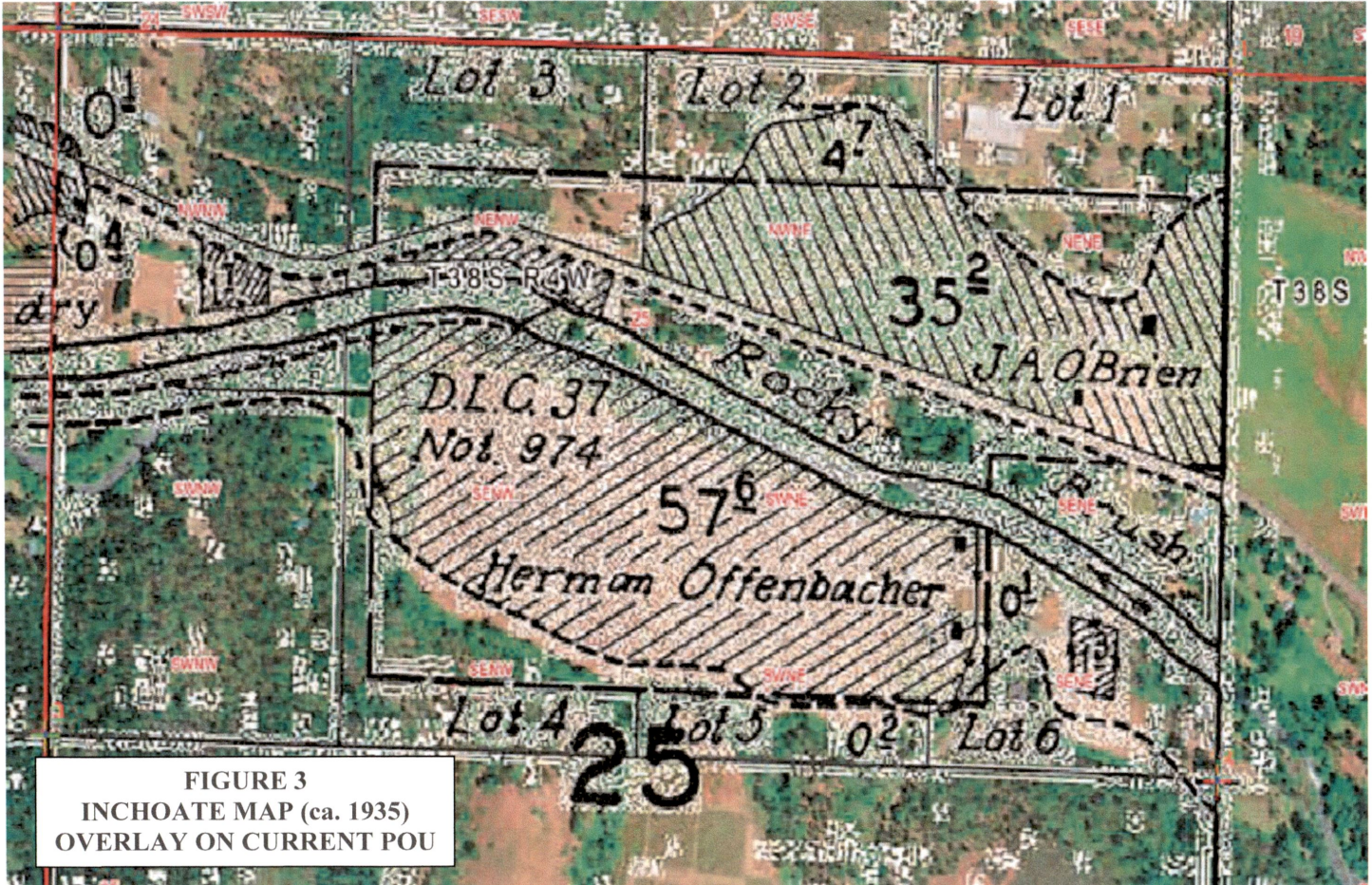


FIGURE 3
INCHOATE MAP (ca. 1935)
OVERLAY ON CURRENT POU

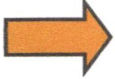
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For Place of Use or Character of Use Changes

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: S-55145.

PERMIT S-55145 WAS ORIGINALLY ESTABLISHED AT THE NEW POD AND THEREFORE NEED NOT BE CHANGED HEREIN



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)

Ground water supplemental Permit or Certificate # _____;
Surface water primary Certificate # _____.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

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

Well log(s) are attached 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

AND/OR

Describe the construction of the authorized and proposed well(s) in Table 3 for any wells that do not have a well log. For *proposed wells 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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Application for Water Right Transfer

Evidence of Use Affidavit



Oregon Water Resources Department
 725 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

I, RACHAEL MARTIN, in my capacity as WINEMAKER AND CO-OWNER,
 mailing address 11777 WY 238 JACKSONVILLE, OR 97530
 telephone number (541)778.3912, 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)
30755	38	S	4	W	WM	25	SE	NE	6 (2 ac)	4.0 Total
30755	38	S	4	W	WM	25	SW	NE	5	2.0
30755	38	S	4	W	WM	25	SW	NE		24.5
30755	38	S	4	W	WM	25	SE	NW		23.0
30755	38	S	4	W	WM	25	NE	NW		1.5
TOTAL										55.0

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)

(continues on reverse side)

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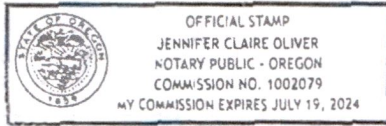
3. The water right was used for: (e.g., crops, pasture, etc.): PASTURE, LAWN, TREES, SHRUBS

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.

Rachel A. Moore
Signature of Affiant

10.26.23
Date

Signed and sworn to (or affirmed) before me this 26 day of June, 2023.



Jennifer Claire Oliver
Notary Public for Oregon

My Commission Expires: July 19, 2024

Supporting Documents	Examples
<input type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of confirming water right certificate that shows issue date
<input type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none">• Power usage records for pumps associated with irrigation use• Fertilizer or seed bills related to irrigated crops• Farmers Co-op sales receipt
<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">• District assessment records for water delivered• Crop reports submitted under a federal loan agreement• Beneficial use reports from district• IRS Farm Usage Deduction Report• Agricultural Stabilization Plan• CREP Report
<input checked="" type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph SEE FIGURE 1	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. Sources for aerial photos: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terra-server.com
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

Land Use Information Form

Applicant(s): LESLIE AND RACHAEL MARTIN

Mailing Address: 11777 HWY 238

City: JACKSONVILLE

State: OR

Zip Code: 97501

Daytime Phone: 541.778.3982

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:	Proposed Land Use:
<u>38S</u>	<u>4W</u>	<u>25</u>	<u>SWNE</u>	<u>801</u>	<u>EFU/RR-5</u>	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>IRRIGATION, DOMESTIC AND STOCK</u>
			<u>SENW</u>			<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	
			<u>NENW</u>			<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	
			<u>SENE</u>			<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

JACKSON

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water
 Water Right Transfer
 Permit Amendment or Ground Water Registration Modification
 Limited Water Use License
 Allocation of Conserved Water
 Exchange of Water

Source of water: Reservoir/Pond Ground Water Surface Water (name) APPLEGATE RIVER

Estimated quantity of water needed: 1.375 cubic feet per second gallons per minute acre-feet

Intended use of water: Irrigation Commercial Industrial Domestic for 2 household(s)
 Municipal Quasi-Municipal Instream Other STOCK

Briefly describe:

CHANGE POINT OF DIVERSION FROM DITCH HEADGATE~3.5 MILES FROM PROPERTY TO A RIVER PUMP
DIVERSION ADJACENT TO PROPERTY

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

See bottom of Page 3. →

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information MARTIN C-30755 POD CHANGE

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s):
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
7012009-00536 (vineyard)	L 4.2-1	<input checked="" type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

Name: Francisco Hernandez Title: Mayor III
 Signature: [Signature] Phone: 511-774-6907 Date: 07-17-2023
 Government Entity: _____

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.



14301
RECEIVED
AUG 07 2023
OWRD

Permanent Transfer Application Intake Checklist

Transfer # T-14301

Reviewer Corie Date 8/9/2023	Type of Change(s) Proposed: <input type="checkbox"/> POU <input checked="" type="checkbox"/> POD <input type="checkbox"/> APOD <input type="checkbox"/> POA <input type="checkbox"/> APOA <input type="checkbox"/> USE <input type="checkbox"/> Substitution <input type="checkbox"/> Gov't Action <input type="checkbox"/> Sup to Primary <input type="checkbox"/> SW to GW
Calculated Fee \$1360 Use fee calculator on back of this form	Fee Received \$1360
Certificate(s): 30755	Check <u>all</u> Certs in WRIS to confirm they are not cancelled
For multiple certificates, does application meet requirement of OAR 690-380-3220? If no, why? Use the flow chart for multiple Certs	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A
Notes: Evidence of use is present, but may be deficient.	

Application: OAR 690-380-3000; OAR 690-380-3220			
1.	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	Have ALL of the applicant's signed and dated the application? If no, whose signature is missing?
2.	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	Part 5 of application: Does the information match the description of the explanation on Part 4 of the application?
3.	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A For multiple certificates: Each certificate proposed for transfer has their own separate completed Part 5, Tables 1 & 2? If no, which certificate(s) are missing separate Part 5, Tables 1 & 2?

Map Requirements: OAR 690-380-3100			
4.	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	Has the map been completed and signed by a CWRE?
5.	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A Map Waiver? The map waiver must be issued by the Department
Notes:			

Attachments: OAR 690-380-3000			
6.	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	Evidence of Use included, signed, & notarized w/supporting documentation?
7.	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A Land Use Form included and signed by the County?
8.	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A Consent Form included, signed, and notarized?
9.	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A District: Place of use is in <u>or</u> near an irrigation district?
	<input type="checkbox"/> YES	<input type="checkbox"/> NO	If Yes, is Form D included? Name of the District
10.	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A For changes in POA/APOA – are the well logs included?
11.	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A For change in POU within Umatilla County, Supplemental Form U included?

<input checked="" type="checkbox"/>	Application complete: no deficiencies identified, assign a T-number and put this checklist in T-folder.
<input type="checkbox"/>	Application DEFICIENT: DO NOT accept - return to applicant with letter explaining deficiencies identified.

Oregon Water Resources Department
Transfer Fee Calculation for Permanent (Non-District) Transfer

Today's Date: Wednesday, August 9, 2023	Fee Calculation
Base Fee (includes one type of change to one water right for up to 1 cfs)	\$1,360.00
Fill in information below-- Check each box that applies.	
Types of Change Proposed:	
<input type="checkbox"/> Place of Use	
<input type="checkbox"/> Point of Diversion (POD)/Appropriation (POA); and/or Additional POD/POA; and/or SW POD to GW POD	
<input type="checkbox"/> Character of Use	\$0.00
Enter total number of water rights included in transfer. <input type="text" value="0"/>	\$0.00
<input type="checkbox"/> Check this box if you propose to add or change a well, or change from a surface water POD to a well.	
Enter total number of groundwater wells (POAs) included in transfer. <input type="text" value="0"/>	\$0.00
<input type="checkbox"/> Check this box if you propose to change the place of use or character of use for a NON-irrigation right.	
<input type="checkbox"/> Check this box if you propose to change the place of use or character of use for an irrigation right.	
Total Transfer CFS(rounded up to the next whole cfs):	
Subtotal:	\$1,360.00
Check each box that applies.	
<input type="checkbox"/> The transfer is necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932.	
<input type="checkbox"/> The transfer is endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat.	
Discount:	
Transfer Fee:	\$1,360.00
<input type="button" value="Return to Edit"/> <input type="button" value="Clear"/>	