

**Application for
Historic Change in Point of
Diversion/Appropriation
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 historic change in point of diversion/appropriation 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.

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

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- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed 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 the Transferred Water Rights: **How many water rights are to be transferred? 1** List them here: 97008
Please include a separate Part 5 for each water right. (See instructions on page 5)
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 Application Map (Does not have to be prepared by a Certified Water Right Examiner).
- Completed Evidence of Use Affidavit and supporting documentation showing that water has been used on the land for five years prior to transfer filing AND diverted at the actual, current point of diversion/appropriation for more than 10 years.
- Statement from the local Watermaster, based upon the Watermaster's knowledge and Department records, that no complaint of injury has been made due to the use of water at the actual, current point of diversion/appropriation.
- Land Use Information Form with approval and signature (or signed land use form receipt stub).
- N/A Affidavit(s) of Consent from Landowner (if the applicant does not own the land the water right is on.)
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.

(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: ____/____/____

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Part 2 of 5 – Historic Change in Point of Diversion/Appropriation Application Map Checklist

Your historic change in point of diversion/appropriation application will be returned if any of the map requirements listed below are not met.

Please be sure that the historic change in point of diversion/appropriation 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 white or clear paper or film.
- The size of the map can be 8½ x 11 inches, 8½ x 14 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, three (3) paper copies and an electronic copy in a .pdf, .tiff or .jpg format are 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) and county tax lot numbers are required.
- 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.
- Authorized 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.
- Actual, current point of diversion/appropriation. Show the 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°).
- 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 If for more than one actual, current point of diversion/appropriation. separate hachuring is needed for each place of use served by each point of diversion/appropriation, including the 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.

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Part 3 of 5 – Fee Worksheet

FEE WORKSHEET for HISTORIC POD/POA TRANSFER			
1	Base Fee (includes Historic POD change to one water right for up to 1 cfs)	1	\$1,360
2	Number of water rights included in transfer <u>1</u> (2a) Subtract 1 from the number in 2a above: <u>0</u> (2b) <i>If only one water right this will be 0</i> Multiply line 2b by \$610 and enter » » » » » » » » » » » » » » » »	2	0
3	Do you propose to add or change a well, or change from a surface water POD to a well? <input checked="" type="checkbox"/> No: enter 0 <input type="checkbox"/> Yes: enter \$480 for the 1 st well to be added or changed <u>0</u> (3a) Do you propose to add or change additional wells? <input checked="" type="checkbox"/> No: enter 0 <input type="checkbox"/> Yes: multiply the number of additional wells by \$410 <u>0</u> (3b) Add line 3a to line 3b and enter » » » » » » » » » » » » » » » »	3	0
4	Add entries on lines 1 through 3 above » » » » » » » » Transfer Fee:	4	\$1,360

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

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Part 4 of 5 – Applicant Information and Signature

Applicant Information

Note: Applicant must be an INDIVIDUAL, as defined by OAR 690-380-2120, that is “a natural person and does not include a government body, organization, business enterprise, or other such entity.”

APPLICANT/BUSINESS NAME Sharon J. Smith		PHONE NO. 541-855-1831	ADDITIONAL CONTACT NO.
ADDRESS 8915 Hardy Way			FAX NO.
CITY Gold Hill	STATE OR	ZIP 97525	E-MAIL ssmith078@centurylink.net
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.			

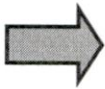
Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT/BUSINESS NAME		PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS			FAX NO.
CITY	STATE	ZIP	E-MAIL
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:
 I want to make the current pump location the authorized point of diversion as it's been used for more than 10 years
 If you need additional space, continue on a separate piece of paper and attach to the application as “Attachment 1”.

By signing this application, I understand that prior to Department approval of the historic change in point of diversion/appropriation, I will be required to provide landownership information and evidence that I am authorized to pursue the change as identified in OAR 690-380-4010(5).

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



 _____ Applicant signature	<u>Sharon Smith</u> _____ Print Name (and Title if applicable)	<u>9/8/2023</u> _____ 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 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.*

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

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

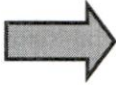
If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. For more information see: <http://www.oregon.gov/owrd/docs/transfer-propertytransactions.pdf>

RECEIVING LANDOWNER NAME			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS				FAX NO.
CITY	STATE	ZIP	E-MAIL	

Describe any special ownership circumstances here: _____ Tax Lot 800 is owned by Jackson County but there is no deed

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 or used.

ENTITY NAME Jackson County Planning	ADDRESS 10 South Oakdale Ave., Rm 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 5, to copy and paste additional Part 5s, or to add additional rows to tables

CERTIFICATE # 97008

Description of Water Delivery System

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System capacity: _____ cubic feet per second (cfs) OR
 25
 _____ 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. A 2 HP electrical centrifugal pump delivers water via a pvc pipeline to a buried holding tank with a 1.5 HP submersible pump then to impact sprinklers and drippers

Table 1. Location of Authorized and Current 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 the Current POD/POA that has been used for more than 10 years?	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)
1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Current		36 S	3 W	13	SW	NE	2	1550' S & 2340' W from the NE Corner Sec. 13
2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Current		36 S	3 W	13	NE	NW	1	710' S & 3147' W from the NE Corner Sec. 13
	<input type="checkbox"/> Authorized <input type="checkbox"/> Current								
	<input type="checkbox"/> Authorized <input type="checkbox"/> Current								

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

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

Will the historic change in point of diversion/appropriation affect the entire water right?

- Yes Complete only the proposed section of Table 2 on the next page.
 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. Do you have questions about how to fill-out the tables? See page 5 for instructions, or contact the Department at 503-986-0900 and ask for Transfer Staff.

Table 2. Description of Changes to Water Right Certificate # 97008

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 actual, current POD/POA, specify the acreage associated with each actual, current POD/POA.

Twp		Authorized ("from" lands) as they appear before the changes												Proposed Change (POD, POA, APOD, or APOA)	Current (in use for more than ten years) POD(s)/ POA(s) to be used (from Table 1)	Priority Date
Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acreage (if applicable)	POD(s) or POA(s) (name or number from Table 1)										
2	S	9	E	15	NE	NW	100			15.0		POD #1 POD #2	POD #5	1897		
"	"	"	"	"	"	"	"	"	EXAMPLE			"	"	"		
36	S	3	W	13	NE	NW	1100	1		1.5		POD 1	POD 2	1948		
36	S	3	W	13	NE	NW	800	1		0.60		POD 1	POD 2	1948		
									Total		2.1					

Additional remarks: Tax lot 800 is owned by Jackson County but has no deed

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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 current 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/)

OR

- Describe the construction of the authorized and current well(s) in Table 3 for any wells that do not have a well log.

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 adequate information is likely to delay the processing of your transfer application.

Current or Authorized POA Name or Number	OWRD Well ID Tag No. L-____ (if available)	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 Historic POD/POA Transfer Watermaster Statement



Oregon Water Resources Department
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I, Trevor Smith, Watermaster of District 13,

state that to my knowledge, there has been no claim of injury due to use of an historic point of diversion/appropriation for Certificate 97008

from Rogue River located as follows:
(source)

By Township, Range Section and distances from a Survey Corner:

Twp	Rng	Mer	Sec	Q-Q	DLC	GLot	Measured Distances
36S	3W	W.M.	13	NE NW		1	710 feet South & 3147 feet West from the NE corner of section 13

OR

by GPS coordinates: Latitude: _____

Longitude: _____

OR

as shown on the attached map.

Trevor Smith

Signature

8/22/2023

Date

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Land Use Information Form



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

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NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

This form is NOT required if:

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and **all** of the following apply:
 - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; **and**
 - d) The application involves irrigation water uses only.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

Land Use Information Form



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

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Applicant(s): Sharon J. Smith
 Mailing Address: 8915 Hardy Way
 City: Gold Hill State: OR Zip Code: 97525 Daytime Phone: 541-855-1831

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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:
36S	3W	13	NE-NW	1100	RR-2.5	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	residential irrigation
36S	3W	13	NE-NW	800	WR	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	residential irrigation
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input 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) Rogue River

Estimated quantity of water needed: 20 cubic feet per second
 gallons per minute
 acre-feet

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

Briefly describe:

I am applying to make my pump diversion the authorized point of diversion as it has been in place for more than 10 years

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

- 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:	
Floodplain Development Permit	UDO 7.2	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input checked="" 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: Planner III
 Signature: [Signature] Phone: 541-774-6907 Date: 08-14-2023
 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.



Receipt for Request for Land Use Information

Applicant name: _____
 City or County: _____ Staff contact: _____
 Signature: _____ Phone: _____ Date: _____

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, Sharon J. Smith, in my capacity as Property Owner

mailing address 8915 Hardy Way, Gold Hill, OR 97525

telephone number (541) 855-1831, being first duly sworn depose and say:

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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)
97008	36	S	3	W	WM	13	NE NW	1	2.1

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 # 97008 (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.): Landscape, garden

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.

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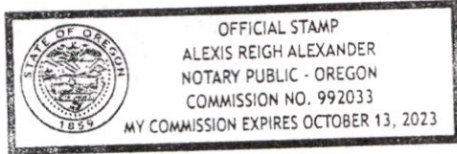
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Shaw J. Smith
Signature of Affiant

8/11/2023
Date

Signed and sworn to (or affirmed) before me this 11 day of August, 2023.



Alexis Reigh Alexander
Notary Public for Oregon

My Commission Expires: 10-13-2023

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 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"> ● 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 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 – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terraserver.com</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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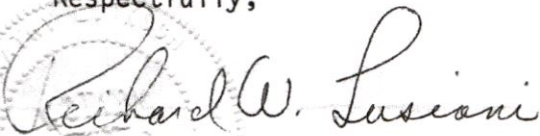
August 10, 1992

To Whom It May Concern;

Regarding Lot 4 in block 2 of Gold Rey Subdivision
Unit No.1 in Jackson County.
(Tax lot 900, T.365.,R.3W.,Sec.13A)

The lot refferd to above is next to my residence. In the past six years
I have irrigated a portion of said lot with water pumped from the
Rouge River. I have a permit to pump water from the river.

Respectfully,



Richard W. Lusiani

Richard W. Lusiani
8881 Hardy Way
Gold Hill, Oregon 97525

SUBSCRIBED AND SWORN TO BEFORE ME

THIS 14th DAY OF Aug. 19 92



NOTARY PUBLIC

Commission Ex: 6-20-93

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Contractor Agreement

This agreement made the **2/2/11**, by and between **WORTHINGTON LAND DESIGN**, hereinafter called the Contractor and **TERRELL & SHARON SMITH** hereinafter to be called the Owner.

Article 1. Scope of the Work SEE INVOICE # 94

The Contractor shall furnish all of the materials and perform all of the work shown on the Drawings and/or described in the Specifications entitled Exhibit A, as annexed hereto as it pertains to work to be performed on the property at 8915 HARDY WAY 541 855 1831 phone #

Article 2. Time of Completion

The work to be performed under this contract shall be commenced on or before **4/23/12** and shall be completed on or before **6/23/12**

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Article 3. The Contract Price

The Owner shall pay the Contractor for the material and labor to be performed under the Contract the sum of **NINE THOUSAND SIX HUNDRED THIRTY FIVE NO 100**
\$ 9,635.00 Dollars, subject to additions and deductions pursuant to authorized change orders.

Article 4. Progress Payments

Payments of the Contract Price shall be paid in the manner following:

DOWN PAYMENT OF ~~\$ 4,817.50~~ ^{5000.00} BALANCE ON COMPLETION OF ~~\$ 4,817.50~~ ^{4635.00} Tom ^{2085.00} Bal ^{2550.00}

Article 5. General Provisions

1. All work shall be completed in a workmanship like manner and in compliance with all building codes and other applicable laws.
2. To the extent required by law all work shall be performed by individuals duly licensed and authorized by law to perform said work.
3. Contractor may at its discretion engage subcontractors to perform work hereunder, provider Contractor shall fully pay said fully pay said subcontractor and in all instances remain responsible for the proper completion of this Contract.
4. Contractor shall furnish Owner appropriate releases or waivers to lien all work performed or materials providers at the time the next periodic payment shall be due.
5. All change orders shall be in writing and signed both by Owner and Contractor.
6. Contractor warrants it is adequately insured for injury to its employees and others incurring loss or injury as result of the acts of Contractor or its employees of subcontractors.
7. Contractor shall at its own expense obtain al permits necessary for work to be performed.
8. Contractor agrees to remove all debris and leave the premises in broom clean condition.
9. In the event Owner shall fail to pay any periodic or installment payment due hereunder, Contractor may cease work; without breach pending payment or resolution of any dispute.
10. All disputes hereunder shall be resolved by binding arbitration in accordance's with rules of the American Arbitration Association.
11. Contractor shall not be liable for any delay due to circumstances beyond its control including strikes, casualty, or general unavailability of materials.
12. Contractor warrants all work for a period of 12 months following completion.

Article 6. Other Terms

Contractor shall not be held responsible for vandalism, negligence, lack of maintain, extreme weather, or acts of God.

Signed under seal this





By Lem Worthington
Contractor

By Owner

14328

PROPOSAL

O'BRIEN ELECTRIC - 221 N. CENTRAL - # 292 - MEDFORD, OR 97501 - 779-4062
OR.CCB #65243 CA. #514292

04/26/12

Wiring irrigation pump house
PROPOSAL SUBMITTED TO:
NAME: Worthington Land Design
STREET: 1138 Highlands Dr
CITY: Eagle Point
STATE: OR
ZIP CODE: 97524
PHONE NUMBER : 541-890-6300

WORK TO BE PERFORMED AT: RECEIVED
STREET: 8915 Hardy Way
CITY: Gold Hill
OWNER: Smith
ARCHITECT: N/A
PHONE NUMBER: 541-855-1851
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We hereby propose to furnish the materials, permits and perform the labor necessary for the completion of wiring including:
220V 40A subpanel and 3 branch circuits for pumps and lighting in pump house. Panel to be fed from main house.
Installation of one post mounted 120V receptacle by river. Trenches (min 18" to top of conduit) and refilling to be provided by Worthington Land Design. Replace damaged 50A breaker in Meter Panel.

NOTE:

No other wiring or repair is included. Additional work to repair or replace old wiring will be billed at \$75.00 per man- hour plus materials.

Any patching/repair of wall penetrations due to this installation is not included and to be done by others.
8' ground rods need to be driven. The underground utility marking service has been contacted and will mark existing lines up to their connection. I cannot be responsible for any damage to any unknown or unmarked underground lines or fixtures due to driving the ground rods.

The above work shall be completed in a substantial workmanlike manner for \$2085.00
Two Thousand Eighty Five Dollars

With payment to be made as follows: as work progresses with balance immediately upon final inspection.

Any alteration or deviation from above specifications involving extra costs, will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance upon above work. Workmen's Compensation on above work to be taken out by Labor Ready and Public Liability Insurance on above work to be taken out by O'Brien Electric.

Respectfully submitted _____ Tom O'Brien Tom O'Brien
Tom O'Brien

Note: This proposal may be withdrawn by us if not accepted within 30 days.
Acceptance of Proposal: The above prices, specifications and conditions are satisfactory and are hereby accepted.
You are authorized to do the work as specified. Payment will be made as outlined above.

Date: _____ Signature _____

red. check # 1179
2085.00
14328.8
red in full
for electric work
ed 1181 2674.98

WORTHINGTON LAND DESIGN
 1138 highlands dr.
 lic. 12629 & INSURED
 eagle point, or 97524
 Tel.: 541 826 5635
 Fax:

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Invoice
94

CUSTOMER ORDER NO.	DATE	PAGE
smithy	4/18/2012	1

SOLD TO:		
SMITHY	8915 HARDY WAY	541 855 1831

SHIP TO:	
SMITHY 8915 HARDY WAY 541 855 1831	

PO NO.	TERMS	SALESPERSON	SHIP VIA	SHIP DATE	FOB
	1% 5 days / Net 15			4/18/2012	

ITEM	QUANTITY	UNIT	DESCRIPTION	TX	UNIT PRICE	AMOUNT
	1.00		NEW IRRIGATION SYSTEM THREE SPRAY ZONES BY RIVER AND THREE DRIP ZONES AROUND HOUSE AND OUT TO ROAD, NEW PIPING FOR PUMP IN RIVER TO HOLDING TANK NEW 1.5 HP PUMP, 20 GAL. PRESSURE TANK FLOAT SWITCH FOR RIVER PUMP AND LOW PRESSURE SWITCH FOR 1.5 PUMP \$ 3841.50 and labor\$ 2,250.00		\$6,491.50	\$6,491.50
	1.00		CLEAN AND GRADE FOR NEW GRASS SEED 200 lbs. fertilizer 150 lbs. tractor and labor BY RIVER		\$1,058.50	\$1,058.50
	1.00		all electric done by TOM OBRIEN ELECRIC new 40 service to holding tank for two pumps and line to river and repair to service pannel		\$2,085.00	\$2,085.00

COMMENTS

SUBTOTAL	\$9,635.00
FREIGHT	\$0.00
TAX	\$0.00
TOTAL AMOUNT	\$9,635.00
AMOUNT RECEIVED	\$0.00
BALANCE DUE	\$9,635.00

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9-7-2023

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SEP 18 2023

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