

T-13809

GR MOD

T-13809

Name Jeremy PrattAddress 3439 NE Sandy Blvd #350
Portland OR 97232

DESCRIPTION OF WATER RIGHT(S)

Name of Stream SumpTrib. of unnamed streamUse IrrigationCounty Jackson

Quantity of water (CFS)

No. of Acres

Name of ditch

App# Per #

Cert # GR 3387 PR Date 8/10/93

App# Per #

Cert # PR Date

App# Per #

Cert # PR Date

App# Per #

Cert # PR Date

App# Per #

Cert # PR Date

Change in POADate Filed 8/26/2021Initial notice date 9/1/2021

DPD issued date

PD issued date 7/25/2023PD notice date 7/25/2023Date of FO 9/12/2023 Vol 129 Page 71-74

C-Date

COBU due date

COBU Received date

Certificate issued

FEES PAID

Date	Amount	Receipt #
<u>8-26-2021</u>	<u>\$1,250.00</u>	<u>136263</u>
<u>7-10-2023</u>	<u>\$478.18</u>	<u>141127</u>

FEES REFUNDED

Date	Amount	Receipt #
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Assignments:

Irrigation District

Agent Evan Malecki - Rogue Civil LLC

CWRE

CC's list Jackson County☐ - Oversized map - Location



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

www.oregon.gov/owrd

September 12, 2023

JEREMY PRATT
3439 NE SANDY BOULEVARD #356
PORTLAND, OR 97232

REFERENCE: Groundwater Registration Modification Application T-13809

Enclosed is a copy of the final order approving recognition of your Groundwater Registration Modification application.

If you have any questions related to the approval of this temporary transfer, you may contact your caseworker, Corey Courchane by telephone at (503) 979-3917 or by e-mail at Corey.A.Courchane@oregon.gov.

Sincerely,

Julie C. Baustian
Water Right Services Support
Transfers and Conservation Section

cc: Shavon L. Haynes, Watermaster Dist. # 13 (via email)
Jackson County
Evan Malepsy, Agent

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Groundwater	)	FINAL ORDER APPROVING RECOGNITION
Registration Modification Application	)	OF MODIFICATIONS IN POINTS OF
T-13809, Jackson County	)	APPROPRIATION AND PLACE OF USE

Authority

Oregon Revised Statutes (ORS) 537.610, 537.705 and 540.505 to 540.580 establish the process in which the holder of a certificate of registration may submit a request for recognition of modifications to the place of use, character of use or point of appropriation under a groundwater certificate of registration.

Oregon Administrative Rules (OAR) Chapter 690, Divisions 382 and 380 implement the statutes and provide the Department's procedures and criteria for evaluating groundwater registration modification applications.

Applicant

JEREMY PRATT
3439 NE SANDY BOULEVARD, #356
PORTLAND, OR 97232

Findings of Fact

1. On August 26, 2021, JEREMY PRATT filed a groundwater registration modification application to modify the point of appropriation and place of use under Registration Application GR-3387 (Certificate of Registration GR-3128). The Department assigned the application number T-13809.
2. On September 2, 2021, Registration Application GR-3387 (Certificate of Registration GR-3128) was assigned from WILLIAM M. FOLEY to JEREMY PRATT.
3. Notice of the application for groundwater registration modification was published on September 7, 2021, pursuant to OAR 690-382-0600. No comments were filed in response to the notice.

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, 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. On April 21, 2023, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-13809 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of May 22, 2023, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
5. On July 25, 2023, the Department issued a Preliminary Determination proposing to approve Transfer T-13809 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on July 25, 2023, and in the Medford Mail Tribune newspaper on July 26 and August 2, 2023, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

6. The groundwater registration to be modified is as follows:

Registration: Application GR-3387 (Certificate of Registration GR-3128), in the name of WILLIAM M. FOLEY (*assigned to JEREMY PRATT*)

Use: IRRIGATION of 16.0 ACRES

Tentative

Priority Date: AUGUST 10, 1953

Quantity: 120 GALLONS PER MINUTE

Source: SUMP

Original Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
36 S	3 W	WM	27	SE NE	900 FEET SOUTH AND 1700 FEET WEST FROM THE NE CORNER OF DLC 38

Original Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
36 S	3 W	WM	27	SE NE	16.0

7. The Department received information from the applicant that better describes the original point of appropriation under Registration Application GR-3387 (Certificate of Registration GR-3128), as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
36 S	3 W	WM	27	SE NE	SUMP - 267 FEET SOUTH AND 2256 FEET WEST FROM THE NE CORNER OF DLC 38

8. Groundwater Registration Modification Application T-13809 proposes to modify the location of the original point of appropriation approximately 1640 feet from the original well to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
36 S	3 W	WM	26	SW NW	POA 2 - 998 FEET SOUTH AND 960 FEET WEST FROM THE NE CORNER OF DLC 38

9. Groundwater Registration Modification Application T-13809 also proposes to modify the place of use under the groundwater registration to:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
36 S	3 W	WM	26	SW NE	6		0.8
36 S	3 W	WM	26	SW NW		38	2.2
36 S	3 W	WM	26	SE NW	7		6.8
36 S	3 W	WM	26	NE SW			0.5
36 S	3 W	WM	26	NW SW		38	2.1
36 S	3 W	WM	26	NW SE			0.1
36 S	3 W	WM	27	SE NE			3.5
Total							16.0

Review Criteria for Groundwater Registration Modification Applications [OAR 690-382-0700(2)]

10. The proposed modifications would not result in enlargement of the groundwater registration.
11. The proposed modifications would not result in a state Scenic Waterway not receiving previously available water during periods in which streamflows are less than the quantities determined by the Department to be necessary to meet the requirements of ORS 390.835.
12. The proposed modifications would not result in injury to other water rights.

Conclusions of Law

The modification in point of appropriation and modification in place of use proposed in Groundwater Registration Modification T-13809 is consistent with the requirements of ORS 537.610, 537.705, 540.505 to 540.580 and OAR 690-382-1000.

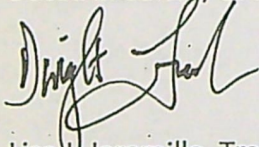
Now, therefore, it is ORDERED:

1. The modifications to Registration Application GR-3387 (Certificate of Registration GR-3128) proposed in Groundwater Registration Modification Application T-13809 are recognized. Recognition of the modifications shall not be construed as a final determination of the right to appropriate groundwater under the certificate of registration or modification. Such a determination will occur in an adjudication proceeding under ORS 537.670 to 537.695.

2. The use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Registration Application GR-3387 (Certificate of Registration GR-3128) and any related decree.
3. Water shall be acquired from the same aquifer (water source) as the original point of appropriation.
4. Water shall no longer be appropriated from the original point of appropriation as part of this groundwater certificate of registration.
5. The quantity of water diverted at the new point of appropriation (POA 2), shall not exceed the quantity of water lawfully available at the original point of appropriation (POA 1).
6. The former place of use of the modified groundwater registration shall no longer receive water as part of the groundwater certificate of registration.
7. 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 the new point of appropriation.
 - 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.

Dated in Salem, Oregon on

SEP 12 2023



Lisa Jaramillo, Transfer and Conservation Section Manager, for
DOUGLAS E. WOODCOCK, ACTING DIRECTOR
Oregon Water Resources Department

Mailing date: SEP 13 2023

WATER RIGHT TRANSFER COVER SHEET

Transfer: T- 13809

Transfer Specialist: *Corey*

Transfer Type: GR Modification Transfer

Applicant: JEREMY PRATT 3439 NE SANDY BOULEVARD #356 PORTLAND, OR 97232 Email: _____ Phone: _____	Agent: <input type="checkbox"/> N/A EVAN MALEPSY 52 PINERIDGE LANE EAGLE POINT, OR 97524 Email: _____ Phone: _____
Irrigation District: <input type="checkbox"/> N/A Email: _____	CWRE: <input type="checkbox"/> N/A Email: _____
Affected Local Gov'ts: <input type="checkbox"/> N/A Jackson County Planning & Development county Courthouse Email: _____	Affected Tribal Gov't: <input type="checkbox"/> N/A UNAVAILABLE Email: _____
Current Landowner if other than Applicant: <input type="checkbox"/> N/A Email: _____	Receiving Landowner: <input type="checkbox"/> N/A Email: _____

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
<input type="checkbox"/>			GR-3387	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	

Key Dates & Initial Actions:

Rec'd: August 26, 2021	Proposed Action(s): POINT OF APPROPRIATION; PLACE OF USE	
Fees Pd: 1250.00	WM District: 13	ODFW District:
Initial Public Notice: September 7, 2021	WM Review sent:	ODFW Review sent:
Acknowledgement Letter Sent <input checked="" type="checkbox"/>		GW Review sent: <input type="checkbox"/> N/A
County sent cc: of Ack Letter <input type="checkbox"/>	BOR notified (date): <input type="checkbox"/> N/A	
Newspaper quote requested: 6/16/23	Request for news \$ sent:	News \$ received:
Request to publish sent:	Affidavit of publication received:	Last day of publication:

Medford Mail Tribune

Document	Drafted	Peer Review	Changes Made	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: 3/20/23 Initials: <i>cc</i>	Date: 3/21/23 Initials: <i>SWH</i>	Date: _____ Initials: _____	Date: 4/18/23 Initials: <i>PLS</i>	Date: 4/21/23 Initials: <i>cc</i>	CW Sent: 4/21/23	N/A
PD	Date: 5/13/23 Initials: <i>cc</i>	Date: 5/17/23 Initials: <i>Acc</i>	Date: _____ Initials: _____	Date: 6/14/23 Initials: <i>PLS</i>	Date: 6/16/23 Initials: <i>cc</i>	Date: 7/17/23	Date: 7/28/2023
FO	Date: 8/10/23 Initials: <i>cc</i>	Date: 8/16/23 Initials: <i>Acc</i>	Date: _____ Initials: _____	Date: 9/1/23 Initials: <i>PLS</i>	Date: _____ Initials: _____	Date: 9/6/23	Date: 9/12/2023

Special Issues: _____

Special Order Volume: Vol. 129 Pages 71-74

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Groundwater	)	FINAL ORDER APPROVING RECOGNITION
Registration Modification Application	)	OF MODIFICATIONS IN POINTS OF
T-13809, Jackson County	)	APPROPRIATION AND PLACE OF USE

Authority

Oregon Revised Statutes (ORS) 537.610, 537.705 and 540.505 to 540.580 establish the process in which the holder of a certificate of registration may submit a request for recognition of modifications to the place of use, character of use or point of appropriation under a groundwater certificate of registration.

Oregon Administrative Rules (OAR) Chapter 690, Divisions 382 and 380 implement the statutes and provide the Department's procedures and criteria for evaluating groundwater registration modification applications.

Applicant

JEREMY PRATT
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PORTLAND, OR 97232

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Use: IRRIGATION of 16.0 ACRES

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Priority Date: AUGUST 10, 1953

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Source: SUMP

Original Point of Appropriation:

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Review Criteria for Groundwater Registration Modification Applications [OAR 690-382-0700(2)]

10. The proposed modifications would not result in enlargement of the groundwater registration.
11. The proposed modifications would not result in a state Scenic Waterway not receiving previously available water during periods in which streamflows are less than the quantities determined by the Department to be necessary to meet the requirements of ORS 390.835.
12. The proposed modifications would not result in injury to other water rights.

Conclusions of Law

The modification in point of appropriation and modification in place of use proposed in Groundwater Registration Modification T-13809 is consistent with the requirements of ORS 537.610, 537.705, 540.505 to 540.580 and OAR 690-382-1000.

Now, therefore, it is ORDERED:

1. The modifications to Registration Application GR-3387 (Certificate of Registration GR-3128) proposed in Groundwater Registration Modification Application T-13809 are recognized. Recognition of the modifications shall not be construed as a final determination of the right to appropriate groundwater under the certificate of registration or modification. Such a determination will occur in an adjudication proceeding under ORS 537.670 to 537.695.

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Dated in Salem, Oregon on

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
DOUGLAS E. WOODCOCK, ACTING DIRECTOR
Oregon Water Resources Department

Mailing date: _____

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Groundwater	)	PRELIMINARY DETERMINATION
Registration Modification Application	)	PROPOSING APPROVAL OF RECOGNITION
T-13809, Jackson County)	OF MODIFICATIONS IN POINTS OF
)	APPROPRIATION AND PLACE OF USE

Authority

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Applicant

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2. On September 2, 2021, Registration Application GR-3387 (Certificate of Registration GR-3128) was assigned from WILLIAM M. FOLEY to JEREMY PRATT.
3. Notice of the application for groundwater registration modification was published on September 7, 2021, pursuant to OAR 690-382-0600. No comments were filed in response to the notice.

Pursuant to OAR 690-380-4030, any person may file a protest or standing statement within 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later of this preliminary determination.

4. On April 21, 2023, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-13809 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of May 22, 2023, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer. ✓

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Priority Date: AUGUST 10, 1953

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6. The Department received information from the applicant that better describes the original point of appropriation under Registration Application GR-3387 (Certificate of Registration GR-3128), as follows:

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8. Groundwater Registration Modification Application T-13809 also proposes to modify the place of use under the groundwater registration to:

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Twsp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
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36 S	3 W	WM	26	SE NW	7		6.8
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36 S	3 W	WM	27	SE NE			3.5
Total							16.0

Review Criteria for Groundwater Registration Modification Applications [OAR 690-382-0700(2)]

9. The proposed modifications would not result in enlargement of the groundwater registration.
10. The proposed modifications would not result in a state Scenic Waterway not receiving previously available water during periods in which streamflows are less than the quantities determined by the Department to be necessary to meet the requirements of ORS 390.835.
11. The proposed modifications would not result in injury to other water rights.

Determination and Proposed Action

The modification in point of appropriation and modification in place of use proposed in Groundwater Registration Modification T-13809 appear to be consistent with the requirements of ORS 537.610, 537.705, 540.505 to 540.580 and OAR 690-382-1000. If protests are not filed pursuant to OAR 690-382-0900, the modification will be approved.

If Groundwater Registration Modification T-13809 is approved, the final order will include the following:

1. *The modifications to Registration Application GR-3387 (Certificate of Registration GR-3128) proposed in Groundwater Registration Modification Application T-13809 are recognized. Recognition of the modifications shall not be construed as a final determination of the right to appropriate groundwater under the certificate of registration or modification. Such a determination will occur in an adjudication proceeding under ORS 537.670 to 537.695.*
2. *The use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Registration Application GR-3387 (Certificate of Registration GR-3128) and any related decree.*
3. *Water shall be acquired from the same aquifer (water source) as the original point of appropriation.*

4. *Water shall no longer be appropriated from the original point of appropriation as part of this groundwater certificate of registration.*
5. *The quantity of water diverted at the new point of appropriation (POA 2), shall not exceed the quantity of water lawfully available at the original point of appropriation (POA 1).*
6. *The former place of use of the modified groundwater registration shall no longer receive water as part of the groundwater certificate of registration.*
7. *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 the new point of appropriation.*
 - 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.*

Dated in Salem, Oregon on

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
DOUGLAS E. WOODCOCK, ACTING DIRECTOR
Oregon Water Resources Department

This Preliminary Determination was prepared by Corey Courchane. If you have questions about the information in this document, you may reach me at 503-979-3917 or corey.a.courchane@water.oregon.gov

Protests

Under the provisions of ORS 540.520(6) & (7) and OAR 690-380-4030, within 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later, any person may file, jointly or severally, a protest expressing opposition of approval of the transfer application and disagreement with this Preliminary Determination or a standing statement in support of this Preliminary Determination. If this Preliminary Determination determines that a change in point of diversion or appropriation would result in injury, the applicant may file a notification of intent to pursue approval of the transfer under OAR 690-380-5030 to 690-380-5050. Protests and standing

statements must be received by the Water Resources Department within 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later.

Protests must be in writing and received in hard copy form with the appropriate statutory protest filing fee; protests cannot be filed by electronic mail. [OAR 690-002-0025(3) and 690-380-0100(9)]. The protest must include the following:

- The person's name, address, and telephone number;
- All reasonably ascertainable issues and all reasonably available arguments supporting the person's position by the close of the protest period. Failure to raise a reasonably ascertainable issue in a protest or failure to provide sufficient specificity to afford the Department an opportunity to respond to the issue may preclude consideration of the issue during the hearing;
- If you are the applicant, a protest fee of \$480 required by ORS 536.050; and
- If you are not the applicant, a protest fee of \$950 required by ORS 536.050 and proof of service of the protest upon the applicant.

Requests for Standing

Under the provisions of OAR 690-380-4030(5), the Department shall provide to persons who have filed standing statements as defined under OAR 690-380-0100(11) notice of any differences between the Department's Preliminary Determination and the Final Order, notice of a hearing on the application under OAR 137-003-0535, and an opportunity to request limited party status or party status in the hearing.

Requests for standing must be received in the Water Resources Department no later than 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later. Requests for standing must be in writing, and must include the following:

- The requester's name, mailing address and telephone number;
- If the requester is representing a group, association or other organization, the name, address and telephone number of the represented group;
- A statement that the requester supports the preliminary determination as issued.

After the protest period has ended, the Director will either issue a Final Order or schedule a contested case hearing. The contested case hearing will be scheduled only if a protest has been

filed under OAR 690-380-4030. In accordance with OAR 690-380-4200, notice and conduct of the hearing shall:

- Be under the applicable provisions of ORS 183.310 to 183.550, pertaining to contested cases, and the hearing shall be held in the area where the rights are located unless all parties stipulate otherwise; and
- If a protest has asserted that a water right to be transferred has been forfeited through non-use, include the notice and procedures described in OAR 690-017-0500 to 690-017-0900.

If after hearing the Department issues a proposed Final Order finding that a change in point of diversion or appropriation will result in injury, the applicant may file a notification of intent to pursue approval of the transfer under OAR 690-380-5030 to 690-380-5050 within 15 days of receipt of the proposed order. Notwithstanding 690-002-0175, if the applicant files a notification of intent to pursue approval of the transfer under 690-380-5030 to 690-380-5050, the deadline for filing exceptions to the proposed order shall be 30 days after the Department provides notice to the parties that the transfer does not meet the requirements of 690-380-5030 to 690-380-5050.

If you do not request a hearing within 30 days after the close of the protest period, or if you withdraw a request for a hearing, notify the Department or the administrative law judge that you will not appear, or fail to appear at a scheduled hearing, the Director may issue a final order by default. If the Director issues a Final Order by default, the Department designates the relevant portions of its files on this matter, including all materials that you have submitted relating to this matter, as the record for purpose of proving a *prima facie* case upon default.

You may be represented by an attorney at the hearing. Legal aid organizations may be able to assist a party with limited financial resources. Generally, partnerships, corporations, associations, governmental subdivisions, or public or private organizations are represented by an attorney. However, consistent with OAR 690-002-0020 and OAR 690-137-0555, an agency representative may represent partnerships, corporations, associations, governmental subdivisions or public, or private organizations if the Department determines that appearance of a person by an authorized representative will not hinder the orderly and timely development of the record in this case.

Notice Regarding Servicemembers: Active duty servicemembers have a right to stay proceedings under the federal Servicemembers Civil Relief Act. For more information contact the Oregon State Bar at 1-800-452-8260, the Oregon Military Department at 971-355-4420, or the nearest United States Armed Forces Legal Assistance Office through <http://legalassistance.law.af.mil>. The Oregon Military Department does not have a toll free number.

replace
with
current
OR MOD
template
language.

Will Davidson at 503-986-0801 ✓

If you have questions about how to file a protest or if you have previously filed a protest and you want to know the status, please contact ~~Patricia McCarty at 503-979-9160~~

Commented [CCA*W1]: Kelly, I think this needs to be updated since she retired?

If you have questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at 503-986-0900.

Address any correspondence to: Oregon Water Resources Department, Transfer and Conservation Section, 725 Summer Street NE, Suite A, Salem OR 97301-1266.



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building
725 Summer St NE, Suite A
Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

www.oregon.gov/owrd

June , 2023

JEREMY PRATT

3439 NE SANDY BOULEVARD, #356

PORTLAND, OR 97232

SUBJECT: Groundwater Registration Modification T-13809

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-13809. This document is an intermediate step in the approval process; water may not be used legally as proposed in the groundwater registration modification application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

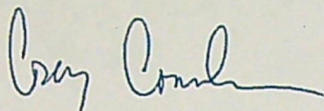
A public notice is being published in the Department's weekly publication and in the Medford Mail Tribune newspaper, simultaneously with issuance of the Preliminary Determination. The notice initiates a period in which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determination or a standing statement supporting the Department's decision. The protest period will end 30 days after the last date of newspaper publication, whichever is later.

If no protest is filed, the Department will issue a Final Order consistent with the Preliminary Determination. You should receive a copy of the Final Order about 30 days after the close of the protest period.

If a protest is filed, the application may be referred to a contested case proceeding. A contested case provides an opportunity for the proponents and opponents of the decision proposed in the Preliminary Determination to present information and arguments supporting their position in a quasi-judicial proceeding.

Please do not hesitate to contact me, at corey.a.courchane@water.oregon.gov or (503) 979-3917, if I may be of assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "Corey Courchane".

Corey Courchane
Allocation of Conserved Water
Transfer and Conservation Section

cc: GR Modification application file T-13809
Shavon L. Haynes, District 13 Watermaster (*via e-mail*)
Evan Malepsy, Agent for the applicant (*via e-mail*)

enc

*didn't see
GW review
in file
so i printed it.
x0*

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Groundwater
Registration Modification Application
T-13809, Jackson County

)
)
)
)
)
)
DRAFT

PRELIMINARY DETERMINATION
PROPOSING APPROVAL OF RECOGNITION
OF MODIFICATIONS IN POINTS OF
APPROPRIATION AND PLACE OF USE

Authority

Oregon Revised Statutes (ORS) 537.610, 537.705 and 540.505 to 540.580 establish the process in which the holder of a certificate of registration may submit a request for recognition of modifications to the place of use, character of use or point of appropriation under a groundwater certificate of registration.

Oregon Administrative Rules (OAR) Chapter 690, Divisions 382 and 380 implement the statutes and provide the Department's procedures and criteria for evaluating groundwater registration modification applications.

Applicant

JEREMY PRATT
3439 NE SANDY BOULEVARD, #356
PORTLAND, OR 97232

Findings of Fact

1. On August 26, 2021, JEREMY PRATT filed a groundwater registration modification application to modify the point of appropriation and place of use under Registration Application GR-3387 (Certificate of Registration GR-3128). The Department assigned the application number T-13809.13809
2. On September 2, 2021, Registration Application GR-3387 (Certificate of Registration GR-3128 ~~Error! Reference source not found.~~) was assigned from WILLIAM M. FOLEY to JEREMY PRATT JEREMY PRATT.
3. Notice of the application for groundwater registration modification was published on September 7, 2021, pursuant to OAR 690-382-0600. No comments were filed in response to the notice.

4. The groundwater registration to be modified is as follows:

Registration: Application GR-3387 (Certificate of Registration GR-3128), in the name of WILLIAM M. FOLEY (*assigned to JEREMY PRATT*)

Use: IRRIGATION of 16.0 ACRES

Tentative

Priority Date: AUGUST 10, 1953

Quantity: 120 GALLONS PER MINUTE

Source: SUMP

Original Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
36 S	3 W	WM	27	SE NE	900 FEET SOUTH AND 1700 FEET WEST FROM THE NE CORNER OF DLC 38

Commented [CCA*W1]: Verified handwritten in GR file; make FOF that distance does not match what's on the GR map?

Original Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
36 S	3 W	WM	27	SE NE	16.0

5. The Department received information from the applicant that better describes the original point of appropriation under Registration Application GR-3387 (Certificate of Registration GR-3128), as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
36 S	3 W	WM	26	SW NW	SUMP - 267 FEET SOUTH AND 2256 FEET WEST FROM THE NE CORNER OF DLC 38

where did you find this

6. Groundwater Registration Modification Application T-13809 proposes to modify the location of the original point of appropriation approximately 1640 feet from the original well to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
36 S	3 W	WM	26	SW NW	POA 2 - 998 FEET SOUTH AND 960 FEET WEST FROM THE NE CORNER OF DLC 38

7. Groundwater Registration Modification Application T-13809 also 13809 proposes to modify the place of use under the groundwater registration to:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
36 S	3 W	WM	26	SW NE	6		0.80
36 S	3 W	WM	26	SW NW		38	2.20
36 S	3 W	WM	26	SE NW	7		6.80
36 S	3 W	WM	26	NE SW			0.50
36 S	3 W	WM	26	NW SW		38	2.10
36 S	3 W	WM	26	NW SE			0.10

only one decimal

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
36 S	3 W	WM	27	SE NE			3.50
Total							16.0

only one electrical
OK 16.0

Review Criteria for Groundwater Registration Modification Applications [OAR 690-382-0700(2)]

8. The proposed modifications would not result in enlargement of the groundwater registration.
9. The proposed modifications would not result in a state Scenic Waterway not receiving previously available water during periods in which streamflows are less than the quantities determined by the Department to be necessary to meet the requirements of ORS 390.835.
10. The proposed modifications would not result in injury to other water rights.

Determination and Proposed Action

The modification in point of appropriation and modification in place of use proposed in Groundwater Registration Modification T-1380913809 appear to be consistent with the requirements of ORS 537.610, 537.705, 540.505 to 540.580 and OAR 690-382-1000. If protests are not filed pursuant to OAR 690-382-0900, the modification will be approved.

If Groundwater Registration Modification T-1380913809 is approved, the final order will include the following:

1. The modifications to Registration Application GR-3387 (Certificate of Registration GR-3128 ~~Error! Reference source not found.~~) proposed in Groundwater Registration Modification Application T-1380913809 are recognized. Recognition of the modifications shall not be construed as a final determination of the right to appropriate groundwater under the certificate of registration or modification. Such a determination will occur in an adjudication proceeding under ORS 537.670 to 537.695.
2. The use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Registration Application GR-3387 (Certificate of Registration GR-3128 ~~Error! Reference source not found.~~) and any related decree.
3. Water shall be acquired from the same aquifer (water source) as the original point of appropriation.
4. Water shall no longer be appropriated from the original point of appropriation as part of this groundwater certificate of registration.
5. The quantity of water diverted at the new point of appropriation (POA 2), shall not exceed the quantity of water lawfully available at the original point of appropriation (POA 1).

6. The former place of use of the modified groundwater registration shall no longer receive water as part of the groundwater certificate of registration.

Remove excessive space

7. 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 the new point of appropriation.
- 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.

Commented [CCA*W2] : Kelly, Shavon also requested SWL at old and new POA. I haven't added anything beyond measuring tube, and I don't think I've ever added SWL measurements. Are we allowed to include, and do we even have language?

Dated in Salem, Oregon on

D R A F T

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
DOUGLAS E. WOODCOCK, ACTING DIRECTOR
Oregon Water Resources Department

This draft Preliminary Determination was prepared by Corey Courchane. If you have questions about the information in this document, you may reach me at 503-979-3917 or corey.a.courchane@water.oregon.gov



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

www.oregon.gov/owrd

April , 2023

VIA E-MAIL

Applicant

JEREMY PRATT

3439 NE SANDY BOULEVARD, #356

PORTLAND, OR 97232

SUBJECT: Groundwater Registration Modification T-13809

Your Groundwater Registration Modification is in one of three phases of processing. Enclosed is a draft of our Preliminary Determination regarding Groundwater Registration (GR) Modification Application T-1380913809. The document reflects the Department's conclusion that, based on the information currently available, the modification will be approved.

Required items needing your immediate attention:

1. Please carefully review the Draft Preliminary Determination to verify that it accurately reflects the changes you intend to make and to become familiar with the proposed conditions.
2. **Respond in writing** by MAY , 2023, with acknowledgement that you agree to the proposed action and conditions.
3. If you find any errors, please let me know.
4. **REQUIRED:** You must submit a **Report of Ownership** for the lands where the water right(s) are currently located (i.e., the FROM lands). This report:
 - a) Must be prepared by a title company;
 - b) Shall include a "prepared by" statement and the date the title company prepared the report printed on the cover sheet;
 - c) Must be:
 - i. Prepared within 3 months of the Draft Preliminary Determination showing current ownership; OR
 - ii. Prepared within 3 months of recording of a water right conveyance agreement; OR
 - iii. Have a prepared date showing ownership at the time a water right conveyance agreement was recorded.

Updated language to reflect OAR 690-382-0700(6)

no earlier than 3 months prior to the date of issuance of the Draft Preliminary Determination

the date the

was recorded

for the FROM land

If water right conveyance agreements are involved, it is helpful to provide copies of those agreements along with the Report of Ownership.

IMPORTANT: In order for the Department to clearly understand the date that the title company prepared the Report of Ownership, the title company must indicate/state the date that they prepared the report on the coversheet and/or first page of the report.

- d) Must include a list of owners at the time the report was generated; **AND**
 - e) Must include a legal description of the property where the water right to be transferred is currently located (i.e., the FROM lands).
5. You must provide a notarized statement of consent signed by any landowner listed in the Report of Ownership who is not already included in the transfer application. The Department's statement of consent form (**Consent By Deeded Landowner**) is available at:
https://www.oregon.gov/OWRD/WRDFormsPDF/consent_to_transfer_form.pdf
6. Notice of this transfer will need to be published in a newspaper with general circulation in the area where the water rights are currently located. You will be responsible for the charges.

Conditions to your GR Modification...

The Watermaster has required a water measurement device(s) at the new point of appropriation prior to appropriation of water. Enclosed is a contact information sheet to assist you in pursuing additional information or approval of the required (or alternate) device(s).

What happens next...

Once the Preliminary Determination is issued a publication period is required. Because there is more than ¼ mile between the new and the authorized points of appropriation, the Department will publish notice of the modification in a local newspaper having a general circulation in the area of the water right at least once per week for two consecutive weeks. You are responsible for sending a check to cover the cost of publication prior to the issuance of the Preliminary Determination and publication of notice (see below). As outlined in OAR 690-380-4020(3), publication costs include both the direct cost of the notice and indirect processing costs (not to exceed 20% of the direct costs) for processing.

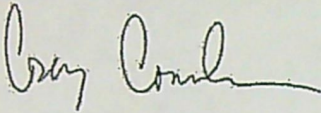
Issuance of the Preliminary Determination will occur shortly after we receive:

- 1. Your written response to the conditions and proposed action in the Draft Preliminary Determination (e-mail is acceptable); and
- 2. The Report of ownership, and affidavits of consent from any landowners shown in the ownership report who have not signed the transfer application. The title company must indicate/state the date that they prepared the ownership report on the coversheet and/or first page of the report.

If we do not receive the items listed above by May , 2023, a Preliminary Determination may be issued denying the application as incomplete.

Please do not hesitate to contact me, at corey.a.courchane@water.oregon.gov or (503) 979-3917, if I may be of assistance.

Sincerely,

A handwritten signature in dark ink, appearing to read "Corey Courchane", with a long horizontal flourish extending to the right.

Corey Courchane
Allocation of Conserved Water
Transfer and Conservation Section

cc: GR Modification application file T-1380913809
Shavon L. Haynes, District 13 Watermaster (*via e-mail*)
Evan Malepsy, agent for the applicant (*via e-mail*)

enc

**Notice of Preliminary Determination for
Groundwater Registration Modification T-13809**

T-13809~~13809~~ filed by Jeremy Pratt, 3439 NE Sandy Boulevard #356, Portland, OR 97232, proposes a modification in point of appropriation and place of use under Registration Application GR-3387 (Certificate of Registration GR-3128). The registration allows the use of 120 gallons per minute from a sump in Sec. 27, T36S, R3W, WM for irrigation in Sec. 27, T36S, R3W, WM. The applicant proposes to move the point of appropriation to Sec. 26, T36S, R3W, WM and to change the place of use to Sects. 26 and 27, T36S, R3W, WM. The Water Resources Department proposes to approve the modification, based on the requirements of ORS Chapter 540 and OAR 690-382-1000.

Any person may file, jointly or severally, a protest or standing statement within 30 days after the last date of newspaper publication of this notice, MM/DD/YEAR. Call (503) 979-9931 to obtain additional information. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

*Should this say = "Department proposes to
approve the recognition of
modifications" ?*

Part 3 of 4 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Jeremy Pratt			PHONE NO. 503-805-7523	ADDITIONAL CONTACT NO. None
ADDRESS 3439 NE Sandy Boulevard, # 356			FAX NO. None	
CITY Portland	STATE OR	ZIP 97232	E-MAIL j.pratt@nectarpx.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

APPLICANT/BUSINESS NAME Evan Malepsy/Rogue Civil LLC			PHONE NO. 541-621-2868	ADDITIONAL CONTACT NO. None
ADDRESS 52 Pineridge Lane			FAX NO. None	
CITY Eagle Point	STATE OR	ZIP 97524	E-MAIL emalepsy@roguccivil.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 modification; and why:
We wish to change the point of appropriation and place of use for GR-3387. We are relatively new owners of the properties and have decided to irrigate a different area than GR-3387. In addition, a new point of appropriation closer to the new place of use will allow more efficient delivery of water.
 If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

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

(Check one box)

- ☒ By signing this application, I (we) understand that, upon receipt of the draft preliminary determination and prior to Department approval of the Groundwater modification, I (we) will be required to provide landownership information and evidence that I am authorized to pursue the modification as identified in OAR 690-382-0400(16)(a);
OR
- ☐ I (we) 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 (we) affirm that the applicant is an entity with the authority to condemn property and is acquiring the property to which the Groundwater registration proposed for modification is appurtenant by condemnation and have attached supporting documentation.

RECEIVED

AUG 26 2021

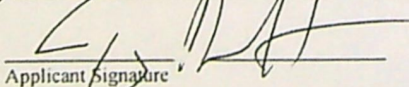
OWRD

I understand that prior to Department approval of the groundwater registration modification, 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 groundwater registration 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 paper: Medford Mail Tribune.

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

RECEIVED

JUL 13 2021


 Applicant Signature

Jeremy Pratt
 Print Name (and Title if applicable)

7/3/21
 Date

13809 OWRD

Is the applicant the sole owner of the land on which the Groundwater registration modification or portion thereof, 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 Groundwater registration has been conveyed.*

Check the appropriate box, if applicable:

- ☐ Check here if the Groundwater registration proposed for modification is or will be located within or served by an irrigation or other water district.

IRRIGATION DISTRICT NAME NA	ADDRESS	
CITY	STATE	ZIP

- ☐ Check here if water for the Groundwater registration is supplied under a water service agreement or other contract with a federal agency or other entity.

ENTITY NAME NA	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	ADDRESS 10 South Oakdale	
CITY Medford	STATE OR	ZIP 97501

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

RECEIVED

AUG 26 2021

OWRD

RECEIVED

JUL 13 2021

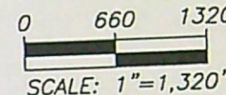
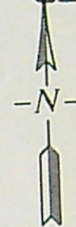
OWRD

13809

OWRD

JUL 13 2021

RECEIVED



60809

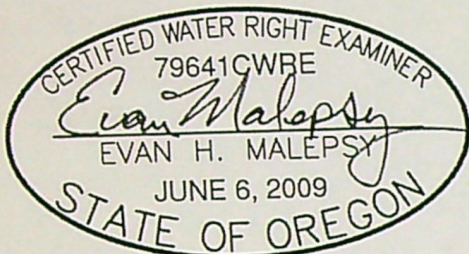
GROUNDWATER REGISTRATION MODIFICATION MAP

GROUNDWATER REGISTRATION: GR-3387, PRIORITY DATE 8/10/1953
CHANGE IN POINT OF APPROPRIATION AND PLACE OF USE

RECEIVED

AUG 26 2021

OWRD



RENEWS: 12/31/2022

FOR
JEREMY PRATT
3439 NE SANDY BOULEVARD #356
PORTLAND, OR 97232

SITUATED IN
SECTION 26 & 27, TOWNSHIP 36 SOUTH, RANGE 3 WEST, W.M.
WITHIN RIGGS DLC #45
JACKSON COUNTY, OREGON

LEGEND

● POA 1
EXISTING POINT OF APPROPRIATION
900' SOUTH AND 1700' WEST FROM
NE CORNER DLC 38 (PER GR-3387
CLAIM)

⊕ POA 2
NEW POINT OF APPROPRIATION
WELL LOG: JACK 9123
998' SOUTH AND 960' WEST FROM
NE CORNER DLC 38

"FROM LANDS" 12.5 AC.

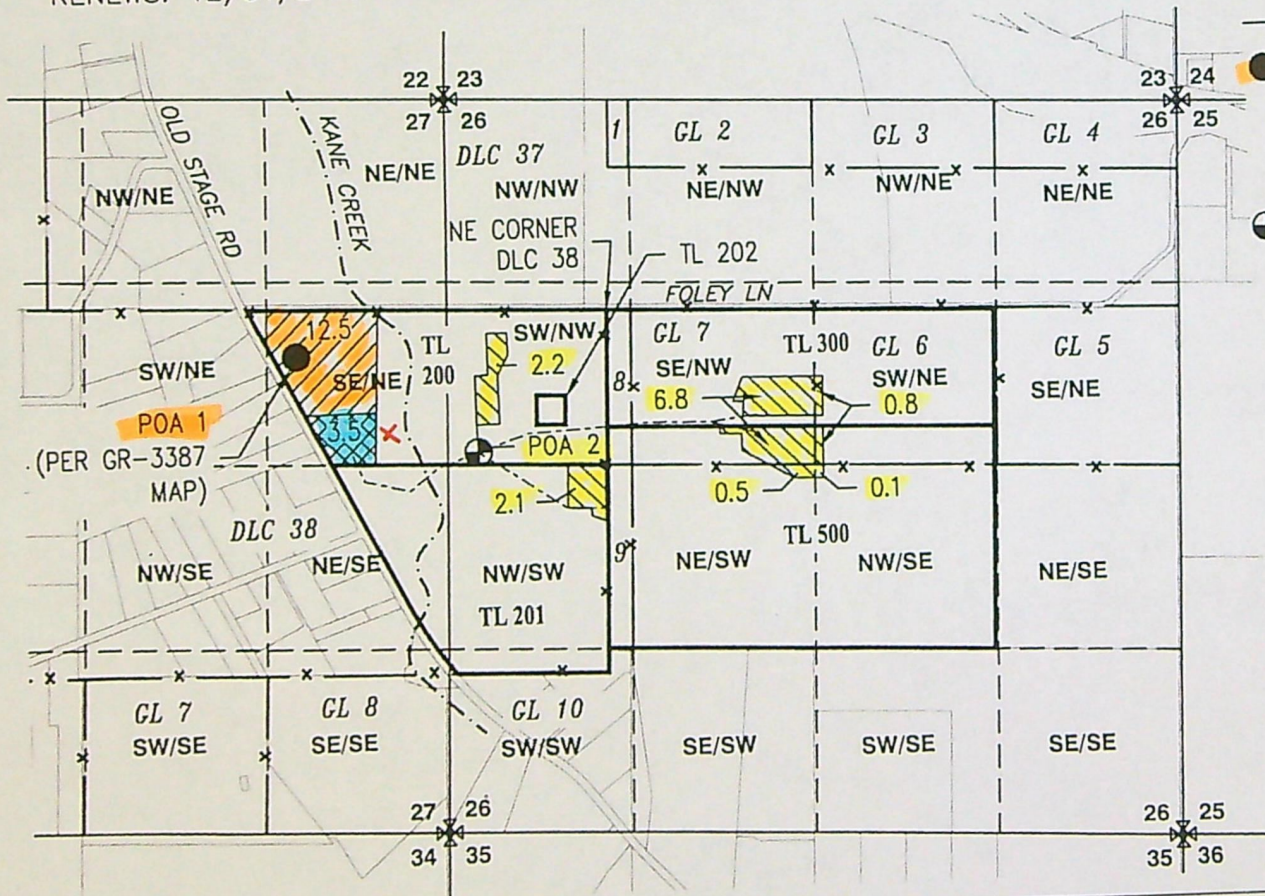
"TO LANDS" 12.5 AC.

REMAINING 3.5 AC.

--- 1/4-1/4 SECTION LINE
-x- DLC/GOV. LOT BOUNDARY
- - - WATERLINE

This map is not intended to
provide legal dimensions or
locations of property
ownership lines.

EHM-April 13, 2021
ROGUE CIVIL LLC
emalepsy@roguecivil.com
541-621-2868



↑
x - 900'S
1700'W from NE
DLC 38

Registration No. GR - 3387

Certificate No. GR 3128

Registration Statement

OF CLAIMANT OF RIGHT TO APPROPRIATE GROUND WATER

TO THE STATE ENGINEER OF OREGON:

I, WILLIAM W. FOLEY
 of R. 1. Box 325 CENTRAL POINT County of JACKSON
 State of OREGON do hereby make application for a certificate of registration as evidence
 of a right to appropriate ground water.

1. Source from which water is withdrawn is SUMD
 (Flowing well, pump well, infiltration trench, or tunnel)

2. Location is: 1 1/2 MILES SOUTH OF GOLD HILL GIRE
 (Approximate distance and direction from nearest city or town)

and is more particularly described as follows:

(a) SE 1/4 of NE 1/4 of Sec. 27, Twp. 36S, Rge. 3W
 (Give distance and bearing to corner of section or other legal subdivision)
 being within (Smallest legal subdivision)

or (b) within limits of recorded platted property, town or city:

in Lot _____, Block _____ of _____
 (Name of plat or addition)
 (If within city or town, give name) County of _____

3. Construction Work was begun on Aug 10, 1953; was completed on Aug 12, 1953
 (Date) (Date)
 and the ground water claimed was first used for the purposes set out below on Aug 20, 1953
 (Date)
 since which time the water has been used INTERMITTENTLY
 (Continuously or Intermittently)
 from Aug 20, 1953 to JUNE 1958
 (Date) (Date)

4. Quantity of water claimed and used is 120 gallons per minute; _____ acre
 feet per year.

5. Purpose or Purposes for which water is used IRRIGATION

DOMESTIC INDUSTRIAL
 (Domestic, irrigation, municipal, manufacturing, industrial, etc.)

6. Description of Well: Depth 12 feet. Type Dug SUMD
 (Dug or drilled)
 diameter 16 x 10 inches. Elevation of ground at well site 1300 feet, mean sea level.
 (As near as known)
 Depth to water table 6 feet.

7. Capacity of Well: _____ g.p.m. with _____ feet drawdown.

_____ g.p.m. with _____ feet drawdown.

Date of test _____

If Flowing Well: Measured discharge _____ g.p.m. on _____
 (Date)

Shut-in pressure at ground surface _____ lbs. per sq. in. on _____
 (Date)

Water is controlled by _____
 (Cap, valve, etc.)

inch diameter	from	to	feet
inch diameter	from	to	feet
inch diameter	from	to	feet
inch diameter	from	to	feet

Describe and show depth of shoe, plug, adapter, liner or other details:

9. Perforated Casings or Screens:

(Number per foot and size of perforations, or describe screen)	from	to
	from	to
	from	to
	from	to
	from	to

10. Log of Well: (Describe each stratum or formation clearly, indicate if water bearing, and give thickness and depth as indicated.)

[illegible]

If log of well is not available, give name and address of driller.

11. Infiltration Trench: Covered or open C.P.C.N.

Dimensions: Length 7.5 ft. Minimum depth 1.0 ft. Maximum depth ft.

Bottom width ft. Discharge g.p.m. Date of test

12. Tunnel: Type of lining

Dimensions: _____

(Length, course, and cross sectional size)

Position of water bearing stratum with reference to portal of tunnel

Log of tunnel: (Preceding table for log of well may be used, if desired. Give footage from portal and character of materials, as pertinent.)

- ### 13. Pumping Equipment:

(a) Pump BERKELEY 6 H.P. CENT Capacity 100 GALS g.p.m.
(Make, type and size)

(Make, type and size)

(b) Motor WISCONSIN AIR COOLED 6 H.P.

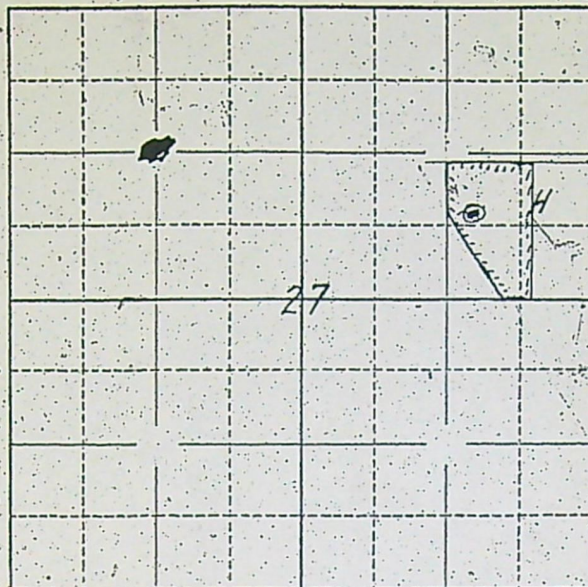
(Type and horsepower)

14. Location of area irrigated or to be irrigated, or place of use if for purposes other than irrigation.

[illegible]

15. If the ground water supply is supplemental to an existing water supply, identification of any application for a permit, permit, certificate or adjudicated right to appropriate water made or held by the registrant.

Township 36 S. Range 3 W., W.M.
North



Locate well and acreage of irrigated land on plat.

Scale: 2" = 1 Mile

STATE OF OREGON

County of Jackson

I, William M. Foley, being first duly sworn, do hereby certify that I have read the foregoing Registration Statement and that all of the items therein contained are true to the best of my knowledge and belief.

(Signature of Registrant)

Subscribed and sworn to before me this 30th day of July, 1958

My commission expires July 16, 1959

(Notary Public)

(SEAL)

CERTIFICATE OF REGISTRATION

STATE OF OREGON

County of Marion

This is to certify that the foregoing Registration Statement was received in the office of the State Engineer on the 31 day of July, 1958, at 8:00 o'clock A. M. and has been duly recorded in said office in Book No. 13 of Registration Statements on page GR-3128

Witness my hand this 16th day of June, 1959

(State Engineer)

By

(Deputy)

GR-3128



State of Oregon
Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900

Application for Groundwater Registration Modification

RECEIVED

JUL 13 2021

OWRD

Part 1 of 5 – Minimum Requirements Checklist

This Groundwater Registration Modification application will be returned if Parts 1 through 4 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 included with this application (N/A = Not Applicable)

AUG 26 2021

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Application Map Checklist.
- ☒ Part 3 – Completed Applicant Information and Signature.
- ☒ Part 4 – Completed Groundwater Registration Modification Application – Groundwater Registration Information. (Only one Groundwater registration per application, unless the Groundwater registrations to be modified are layered).
- ☒ Completed Groundwater Registration Modification Application Map (Does not have to be prepared by a Certified Water Right Examiner).
- ☒ Groundwater registration modification fees – Amount enclosed: **\$ 1,250.** (\$875.00 for a place of use change only; \$1,250.00 for any other change or combination).

OWRD

Attachments:

- ☒ ☐ N/A Request for Assignment Form and statutory fee. This form needs to be completed if the applicant owns the land to which the registration is appurtenant and is **not** the registration certificate holder of record. The Request for Assignment Form is available at <https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>.
Assignment is not needed for any person or entity who can demonstrate authorization to request recognition of a modification (e.g. legal representative, power of attorney, agent, etc.) or the applicant is named on the certificate of registration, or has been assigned to the certificate of registration.
- ☒ ☐ 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.

(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"/> Assignment Form and fee not enclosed/insufficient |
| <input type="checkbox"/> Additional signature(s) required | <input type="checkbox"/> Part _____ is incomplete |

Other/Explanation _____

Staff:

503-986-0

Date:

/ /

13809

Part 2 of 4 – Groundwater Registration Modification Map Checklist

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

Please be sure that the map you submit includes all the items listed below and meets the requirements of OAR 690-380-3100, however, the map does not have to be prepared by a Certified Water Right Examiner. Check all boxes that apply.

- ☒ 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 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 appropriation such as main pipelines, canals, and ditches.
- ☒ Existing place of use that includes hachuring, 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 registration is being changed, a separate hachuring is needed for the portion of the registration left unchanged.
- ☒ ☐ N/A If you are proposing a modification in place of use, show the proposed place of use with hachuring including 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 appropriation with distance and bearing or coordinates from a recognized survey corner.
- ☒ ☐ N/A If you are proposing a modification in point(s) of appropriation, 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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1380 JUL 13 2021

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Please use and attach additional pages of Table 2 as needed.
See page 5 for instructions.

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

Table 2. Description of Modifications to Registration GR-3387 (Certificate # GR-3387) 3/28

List only the part of the registration that will be modified. For the acreage in each ¼ ¼, list the modification proposed. If more than one modification, specify the acreage associated with each modification. If more than one POA, specify the acreage associated with each POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears in the registration BEFORE PROPOSED CHANGES List only that part or portion of the groundwater registration 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	Acre	Type of USE listed on Certificate	POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acre	New Type of USE	POA(s) to be used (from Table 1)	Priority Date				
EXAMPLE																								
36 S	3	W	27	SE	NE	200	DLC 38	12.5	Irrigation	POA 1	8/10/ 1953	POU & POA	36 S	3	W	26	SW	NW	200	DLC 38	2.2 ✓	Irrigation	POA 2	8/10/ 1953
												POU & POA	36 S	3	W	26	SE	NW	300 500	GL 7	6.8 ✓	Irrigation	POA 2	8/10/ 1953
												POU & POA	36 S	3	W	26	SW	NE	300 500	GL 6	0.8 ✓	Irrigation	POA 2	8/10/ 1953
												POU & POA	36 S	3	W	26	NW	SE	500		0.1 ✓	Irrigation	POA 2	8/10/19 53
												POU & POA	36 S	3	W	26	NE	SW	500		0.5 ✓	Irrigation	POA 2	8/10/ 1953
												POU & POA	36 S	3	W	26	NW	SW	201	DLC 38	2.1 ✓	Irrigation	POA 2	8/10/ 1953
36 S	3	W	27	SE	NE	200	DLC 38	3.5	Irrigation	POA 1	8/10/ 1953	POA	36 S	3	W	27	SE	NE	200	DLC 38	3.5 ✓	Irrigation	POA 2	8/10/ 1953
TOTAL ACRES							16.0	TOTAL ACRES 16.0 ✓																

Additional remarks: POA 1 was located in the field and matches the location shown on the GR-3387 map. The coordinates for POA 1 from the claim do not match the field location or the claim map.

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Part 4 of 4 – Groundwater Registration Information

Please use a separate Part 4 for each registration being modified. See instructions on page 5, to copy and paste additional Part 4s, or to add additional rows to tables within the form.

Table 1. Location of Authorized and Proposed Point(s) of Appropriation (POA)

(Note: If the POA name is not specified in the registration, assign it a name or number here.)

POA Name or Number	Is this POA Authorized by the registration or is it Proposed?	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)
POA 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	NONE	36 S	3 W	27	SE NE	200	900' S and 1700' W from NE corner DLC 38
POA 2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	JACK 9123	36 S	3 W	26	SW NW	200	998' S and 960' W from NE corner DLC 38
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							

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

☒ Place of Use (POU)

☒ Point of Appropriation (well) (POA)

☐ Character of Use (USE)

☐ Additional Point of Appropriation (APOA)

Will all of the proposed changes affect the entire Groundwater registration?

☒ 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 registration to be changed.

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13809 AUG 26 2021

OWRD

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JUL 13 2021

OWRD



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

www.oregon.gov/owrd

June 30, 2023

Applicant

JEREMY PRATT

3439 NE SANDY BOULEVARD, #356

PORTLAND, OR 97232

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JUL 10 2023

OWRD

SUBJECT: Groundwater Registration Modification Application T-13809

Your water right Groundwater Registration Modification is ready for issuance of the Preliminary Determination, once the Department receives payment for publication of the newspaper notice.

Items needed before the next phase of processing...

At this time you need to:

1. submit a check for \$478.18 (to cover cost of publication of the notice), made out to the Oregon Water Resources Department.
2. **write "for T-13809 NOTICE" on the front of your check, and**
3. submit it with the tracking stub at the bottom of this letter.

Mail the check to 725 Summer St. NE, Suite A, Salem, OR 97301-1266, **no later than July 31, 2023.**

What happens next...

Shortly after receiving payment, the Department will issue the Preliminary Determination, initiate publication in The Oregonian newspaper, and also publish the notice on the Department's weekly notice. Publication of the notice will initiate a protest period during which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determination or a standing statement supporting the Department's decision.

If we do not receive payment for newspaper notice by July 31, 2023, a Preliminary Determination may be issued denying the application as incomplete.

X-----

Attached is a check for \$478.18 (PCA #46118) for Newspaper Notice for GR MOD T-13809 made out to Oregon Water Resources Department (or WRD)

- **"for T-13809 NOTICE" written on front of check**

Mail to: Oregon Water Resources Department
725 Summer St. NE, Suite A
Salem, OR 97301-1266

Caseworker: cc

Tad 2010/10/10

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # 141127

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: Nectar Markets LLC

BY: _____

CASH: ☐ CHECK: # 110221 OTHER: (IDENTIFY) ☐

APPLICATION _____
PERMIT _____
TRANSFER T-13809

TOTAL REC'D \$ 478.18

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 46118 \$ _____
OTHER: (IDENTIFY) Newspaper Notice \$ 478.18

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES \$ _____
0410 RESEARCH FEES \$ _____
0408 MISC REVENUE: (IDENTIFY) _____ \$ _____
TC162 DEPOSIT LIAB. (IDENTIFY) _____ \$ _____
0240 EXTENSION OF TIME \$ _____

WATER RIGHTS:

0201 SURFACE WATER EXAM FEE \$ _____ 0202 RECORD FEE \$ _____
0203 GROUND WATER \$ _____ 0204 \$ _____

0205 TRANSFER \$ _____

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR EXAM FEE \$ _____ 0219 LICENSE FEE \$ _____
LANDOWNER'S PERMIT 0220 \$ _____

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____ CARD# _____
0210 MONITORING WELLS \$ _____ CARD# _____

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD) \$ _____
0231 HYDRO LICENSE FEE (FW/WRD) \$ _____
HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ \$ _____

RECEIPT: 141127 DATED: 7.10.23 BY: M Calox

Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

Nectar Markets LLC
Document No
Document Date
T-13809
6/30/2023

Oregon Water Resources
Department

July 6, 2023

110221

Amount 478.18
Discount 0.00
Net Amount 478.18

RECEIVED

JUL 10 2023

OWRP

Total

478.18

AD#: 0010693900

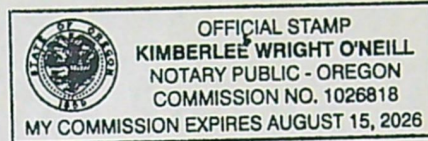
State of Oregon,) ss

County of Multnomah)

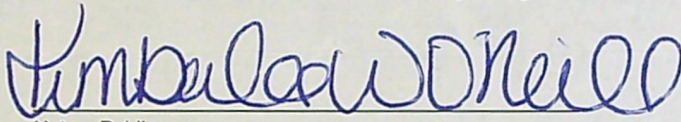
Jenelle Clinton being duly sworn, deposes that he/she is principal clerk of Oregonian Media Group; that The Oregonian is a public newspaper published in the city of Portland, with general circulation in Oregon, and this notice is an accurate and true copy of this notice as printed in said newspaper, was printed and published in the regular edition and issue of said newspaper on the following date(s):

The Oregonian 07/26, 08/02/2023


Principal Clerk of the Publisher



Sworn to and subscribed before me this 9th day of August 2023


Notary Public

**Notice of Preliminary Determination
for Groundwater Registration
Modification T-13809**

T-13809 filed by Jeremy Pratt, 3439 NE Sandy Boulevard #356, Portland, OR 97232, proposes a modification in point of appropriation and modification in place of use under Registration Application GR-3387 (Certificate of Registration GR-3128). The registration allows the use of 120 gallons per minute from a sump in Sec. 27, T36S, R3W, WM for Irrigation in Sec. 27, T36S, R3W, WM. The applicant proposes to move the point of appropriation to Sec. 26, T36S, R3W, WM and to change the place of use to Sects. 26 and 27, T36S, R3W, WM. The Water Resources Department proposes to approve the modification, based on the requirements of ORS Chapter 540 and OAR 690-382-1000.

Any person may file, jointly or severally, a protest or standing statement within 30 days after the last date of newspaper publication of this notice, 08/02/2023. Call (503) 979-9931 to obtain additional information. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

RECEIVED

AUG 11 2023

OWRD



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building
725 Summer St NE, Suite A
Salem, OR 97301
Phone 503 986-0900
Fax 503 986-0904
www.oregon.gov/owrd

July 25, 2023

JEREMY PRATT

3439 NE SANDY BOULEVARD, #356
PORTLAND, OR 97232

SUBJECT: Groundwater Registration Modification T-13809

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-13809. This document is an intermediate step in the approval process; water may not be used legally as proposed in the groundwater registration modification application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

A public notice is being published in the Department's weekly publication and in the Medford Mail Tribune newspaper, simultaneously with issuance of the Preliminary Determination. The notice initiates a period in which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determination or a standing statement supporting the Department's decision. The protest period will end 30 days after the last date of newspaper publication, whichever is later.

If no protest is filed, the Department will issue a Final Order consistent with the Preliminary Determination. You should receive a copy of the Final Order about 30 days after the close of the protest period.

If a protest is filed, the application may be referred to a contested case proceeding. A contested case provides an opportunity for the proponents and opponents of the decision proposed in the Preliminary Determination to present information and arguments supporting their position in a quasi-judicial proceeding.

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

<input type="checkbox"/> Return Receipt (hardcopy)	\$
<input type="checkbox"/> Return Receipt (electronic)	\$
<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$

Postage

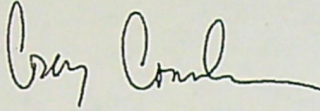
Postmark
Here

JEREMY PRATT
3439 NE SANDY BOULEVARD 356
PORTLAND, OR 97232

7021 1970 0001 3950 3334

Please do not hesitate to contact me, at corey.a.courchane@water.oregon.gov or (503) 979-3917, if I may be of assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Corey Courchane". The signature is fluid and cursive, with the first name "Corey" and last name "Courchane" clearly distinguishable.

Corey Courchane
Allocation of Conserved Water
Transfer and Conservation Section

cc: GR Modification application file T-13809
Shavon L. Haynes, District 13 Watermaster (*via e-mail*)
Evan Malepsy, Agent for the applicant (*via e-mail*)

enc

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Groundwater	)	PRELIMINARY DETERMINATION
Registration Modification Application	)	PROPOSING APPROVAL OF RECOGNITION
T-13809, Jackson County	)	OF MODIFICATIONS IN POINTS OF
	)	APPROPRIATION AND PLACE OF USE

Authority

Oregon Revised Statutes (ORS) 537.610, 537.705 and 540.505 to 540.580 establish the process in which the holder of a certificate of registration may submit a request for recognition of modifications to the place of use, character of use or point of appropriation under a groundwater certificate of registration.

Oregon Administrative Rules (OAR) Chapter 690, Divisions 382 and 380 implement the statutes and provide the Department's procedures and criteria for evaluating groundwater registration modification applications.

Applicant

JEREMY PRATT
3439 NE SANDY BOULEVARD, #356
PORTLAND, OR 97232

Findings of Fact

1. On August 26, 2021, JEREMY PRATT filed a groundwater registration modification application to modify the point of appropriation and place of use under Registration Application GR-3387 (Certificate of Registration GR-3128). The Department assigned the application number T-13809.
2. On September 2, 2021, Registration Application GR-3387 (Certificate of Registration GR-3128) was assigned from WILLIAM M. FOLEY to JEREMY PRATT.
3. Notice of the application for groundwater registration modification was published on September 7, 2021, pursuant to OAR 690-382-0600. No comments were filed in response to the notice.

Pursuant to OAR 690-380-4030, any person may file a protest or standing statement within 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later of this preliminary determination.
--

4. On April 21, 2023, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-13809 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of May 22, 2023, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
5. The groundwater registration to be modified is as follows:

Registration: Application GR-3387 (Certificate of Registration GR-3128), in the name of WILLIAM M. FOLEY (*assigned to JEREMY PRATT*)

Use: IRRIGATION of 16.0 ACRES

Tentative

Priority Date: AUGUST 10, 1953

Quantity: 120 GALLONS PER MINUTE

Source: SUMP

Original Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
36 S	3 W	WM	27	SE NE	900 FEET SOUTH AND 1700 FEET WEST FROM THE NE CORNER OF DLC 38

Original Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
36 S	3 W	WM	27	SE NE	16.0

6. The Department received information from the applicant that better describes the original point of appropriation under Registration Application GR-3387 (Certificate of Registration GR-3128), as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
36 S	3 W	WM	27	SE NE	SUMP - 267 FEET SOUTH AND 2256 FEET WEST FROM THE NE CORNER OF DLC 38

7. Groundwater Registration Modification Application T-13809 proposes to modify the location of the original point of appropriation approximately 1640 feet from the original well to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
36 S	3 W	WM	26	SW NW	POA 2 - 998 FEET SOUTH AND 960 FEET WEST FROM THE NE CORNER OF DLC 38

8. Groundwater Registration Modification Application T-13809 also proposes to modify the place of use under the groundwater registration to:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
36 S	3 W	WM	26	SW NE	6		0.8
36 S	3 W	WM	26	SW NW		38	2.2
36 S	3 W	WM	26	SE NW	7		6.8
36 S	3 W	WM	26	NE SW			0.5
36 S	3 W	WM	26	NW SW		38	2.1
36 S	3 W	WM	26	NW SE			0.1
36 S	3 W	WM	27	SE NE			3.5
Total							16.0

Review Criteria for Groundwater Registration Modification Applications [OAR 690-382-0700(2)]

9. The proposed modifications would not result in enlargement of the groundwater registration.
10. The proposed modifications would not result in a state Scenic Waterway not receiving previously available water during periods in which streamflows are less than the quantities determined by the Department to be necessary to meet the requirements of ORS 390.835.
11. The proposed modifications would not result in injury to other water rights.

Determination and Proposed Action

The modification in point of appropriation and modification in place of use proposed in Groundwater Registration Modification T-13809 appear to be consistent with the requirements of ORS 537.610, 537.705, 540.505 to 540.580 and OAR 690-382-1000. If protests are not filed pursuant to OAR 690-382-0900, the modification will be approved.

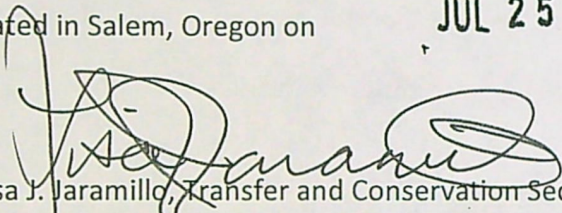
If Groundwater Registration Modification T-13809 is approved, the final order will include the following:

- 1. The modifications to Registration Application GR-3387 (Certificate of Registration GR-3128) proposed in Groundwater Registration Modification Application T-13809 are recognized. Recognition of the modifications shall not be construed as a final determination of the right to appropriate groundwater under the certificate of registration or modification. Such a determination will occur in an adjudication proceeding under ORS 537.670 to 537.695.*
- 2. The use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Registration Application GR-3387 (Certificate of Registration GR-3128) and any related decree.*
- 3. Water shall be acquired from the same aquifer (water source) as the original point of appropriation.*

4. *Water shall no longer be appropriated from the original point of appropriation as part of this groundwater certificate of registration.*
5. *The quantity of water diverted at the new point of appropriation (POA 2), shall not exceed the quantity of water lawfully available at the original point of appropriation (POA 1).*
6. *The former place of use of the modified groundwater registration shall no longer receive water as part of the groundwater certificate of registration.*
7. *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 the new point of appropriation.*
 - 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.*

Dated in Salem, Oregon on

JUL 25 2023


Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
DOUGLAS E. WOODCOCK, ACTING DIRECTOR
Oregon Water Resources Department

This Preliminary Determination was prepared by Corey Courchane. If you have questions about the information in this document, you may reach me at 503-979-3917 or corey.a.courchane@water.oregon.gov

Protests

Under the provisions of ORS 540.520(6) & (7) and OAR 690-380-4030, within 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later, any person may file, jointly or severally, a protest expressing opposition of approval of the transfer application and disagreement with this Preliminary Determination or a standing statement in support of this Preliminary Determination. If this Preliminary Determination determines that a change in point of diversion or appropriation would result in injury, the applicant may file a notification of intent to pursue approval of the transfer under OAR 690-380-5030 to 690-380-5050. Protests and standing

statements must be received by the Water Resources Department within 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later.

Protests must be in writing and received in hard copy form with the appropriate statutory protest filing fee; protests cannot be filed by electronic mail. [OAR 690-002-0025(3) and 690-380-0100(9)]. The protest must include the following:

- The person's name, address, and telephone number;
- All reasonably ascertainable issues and all reasonably available arguments supporting the person's position by the close of the protest period. Failure to raise a reasonably ascertainable issue in a protest or failure to provide sufficient specificity to afford the Department an opportunity to respond to the issue may preclude consideration of the issue during the hearing;
- If you are the applicant, a protest fee of \$480 required by ORS 536.050; and
- If you are not the applicant, a protest fee of \$950 required by ORS 536.050 and proof of service of the protest upon the applicant.

Requests for Standing

Under the provisions of OAR 690-380-4030(5), the Department shall provide to persons who have filed standing statements as defined under OAR 690-380-0100(11) notice of any differences between the Department's Preliminary Determination and the Final Order, notice of a hearing on the application under OAR 137-003-0535, and an opportunity to request limited party status or party status in the hearing.

Requests for standing must be received in the Water Resources Department no later than 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later. Requests for standing must be in writing, and must include the following:

- The requester's name, mailing address and telephone number;
- If the requester is representing a group, association or other organization, the name, address and telephone number of the represented group;
- A statement that the requester supports the preliminary determination as issued.

After the protest period has ended, the Director will either issue a Final Order or schedule a contested case hearing. The contested case hearing will be scheduled only if a protest has been

filed under OAR 690-380-4030. In accordance with OAR 690-380-4200, notice and conduct of the hearing shall:

- Be under the applicable provisions of ORS 183.310 to 183.550, pertaining to contested cases, and the hearing shall be held in the area where the rights are located unless all parties stipulate otherwise; and
- If a protest has asserted that a water right to be transferred has been forfeited through non-use, include the notice and procedures described in OAR 690-017-0500 to 690-017-0900.

If after hearing the Department issues a proposed Final Order finding that a change in point of diversion or appropriation will result in injury, the applicant may file a notification of intent to pursue approval of the transfer under OAR 690-380-5030 to 690-380-5050 within 15 days of receipt of the proposed order. Notwithstanding 690-002-0175, if the applicant files a notification of intent to pursue approval of the transfer under 690-380-5030 to 690-380-5050, the deadline for filing exceptions to the proposed order shall be 30 days after the Department provides notice to the parties that the transfer does not meet the requirements of 690-380-5030 to 690-380-5050.

If you do not request a hearing within 30 days after the close of the protest period, or if you withdraw a request for a hearing, notify the Department or the administrative law judge that you will not appear, or fail to appear at a scheduled hearing, the Director may issue a final order by default. If the Director issues a Final Order by default, the Department designates the relevant portions of its files on this matter, including all materials that you have submitted relating to this matter, as the record for purpose of proving a *prima facie* case upon default.

You may be represented by an attorney at the hearing. Legal aid organizations may be able to assist a party with limited financial resources. Generally, partnerships, corporations, associations, governmental subdivisions, or public or private organizations are represented by an attorney. However, consistent with OAR 690-002-0020 and OAR 690-137-0555, an agency representative may represent partnerships, corporations, associations, governmental subdivisions or public, or private organizations if the Department determines that appearance of a person by an authorized representative will not hinder the orderly and timely development of the record in this case.

Notice Regarding Servicemembers: Active duty servicemembers have a right to stay proceedings under the federal Service Members Civil Relief Act. You may contact the Oregon State Bar or the Oregon Military Department for more information. The toll free telephone number for the Oregon State Bar is 1 (800) 452-8260. The toll free telephone number for the Oregon Military Department is 1 (800) 452-7500. The internet address for the United States Armed Forces Legal Assistance Legal Services Locator website is:
<http://legalassistance.law.af.mil>.

If you have questions about how to file a protest or if you have previously filed a protest and you want to know the status, please contact Will Davidson at 503-986-0801.

If you have questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at 503-986-0900.

Address any correspondence to: Oregon Water Resources Department, Transfer and Conservation Section, 725 Summer Street NE, Suite A, Salem OR 97301-1266.

OWRD RECEIVED

corey.a.courchane, 5/1/2023, 12:03:19 PM

FIRST AMERICAN TITLE

Property Research Report

SUBJECT PROPERTY

Old Stage Rd
10167660
363W260000200
Jackson

OWNER

Pratt, Jeremy
Hartford, Kaitlyn

DATE PREPARED

05/01/2023

PREPARED BY

lrking@firstam.com



First American Title

Customer Service Department

541.776.4555

cservice@firstam.com

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IMPORTANT – READ CAREFULLY: THIS REPORT IS NOT AN INSURED PRODUCT OR SERVICE OR A REPRESENTATION OF THE CONDITION OF TITLE TO REAL PROPERTY. IT IS NOT AN ABSTRACT, LEGAL OPINION, OPINION OF TITLE, TITLE INSURANCE COMMITMENT OR PRELIMINARY REPORT, OR ANY FORM OF TITLE INSURANCE OR GUARANTY. THIS REPORT IS ISSUED EXCLUSIVELY FOR THE BENEFIT OF THE APPLICANT THEREFOR, AND MAY NOT BE USED OR RELIED UPON BY ANY OTHER PERSON. THIS REPORT MAY NOT BE REPRODUCED IN ANY MANNER WITHOUT FIRST AMERICAN'S PRIOR WRITTEN CONSENT. FIRST AMERICAN DOES NOT REPRESENT OR WARRANT THAT THE INFORMATION HEREIN IS COMPLETE OR FREE FROM ERROR, AND THE INFORMATION HEREIN IS PROVIDED WITHOUT ANY WARRANTIES OF ANY KIND, AS-IS, AND WITH ALL FAULTS, AS A MATERIAL PART OF THE CONSIDERATION GIVEN IN EXCHANGE FOR THE ISSUANCE OF THIS REPORT, RECIPIENT AGREES THAT FIRST AMERICAN'S SOLE LIABILITY FOR ANY LOSS OR DAMAGE CAUSED BY AN ERROR OR OMISSION DUE TO INACCURATE INFORMATION OR NEGLIGENCE IN PREPARING THIS REPORT SHALL BE LIMITED TO THE FEE CHARGED FOR THE REPORT, IF ANY. RECIPIENT ACCEPTS THIS REPORT WITH THIS LIMITATION AND AGREES THAT FIRST AMERICAN WOULD NOT HAVE ISSUED THIS REPORT BUT FOR THE LIMITATION OF LIABILITY DESCRIBED ABOVE. FIRST AMERICAN MAKES NO REPRESENTATION OR WARRANTY AS TO THE LEGALITY OR PROPRIETY OF RECIPIENT'S USE OF THE INFORMATION HEREIN.



First American Title™

Jackson County Property Profile Information

Parcel #: 10167660

Tax Acct#: 363W260000200

Owner: **Pratt, Jeremy**

CoOwner: Hartford, Kaitlyn

Site: **Old Stage Rd**

OR 97502

Mail: 3439 Sandy Blvd 356

Portland OR 97232 - 1959

Land Use: 550 Farm - Exclusive Farm Use (EFU) - Vac:

Std Land Use: AMSC - Agricultural Misc

Legal:

TwN/Rng/Sec: 36S / 03W / 26

ASSESSMENT & TAX INFORMATION

Market Total: **\$472,960.00**

Market Land: **\$472,960.00**

Market Impr:

Assessment Year: **2023**

Assessed Total: **\$48,351.00**

Exemption:

2022 Taxes: **\$540.62**

Levy Code: 0603

Levy Rate: 9.2753

SALE & LOAN INFORMATION

Sale Date: 12/18/2015

Sale Amount: \$825,000.00

Document #: 41609

Deed Type: CONT

Loan Amount:

Lender:

Loan Type:

Interest Type:

Title Co:

PROPERTY CHARACTERISTICS

Year Built:

Bedrooms:

Bathrooms:

Total SF:

Basement SF:

Lot Size: 58.07 Acres (2,529,529 SqFt)

Garage SF:

Heat Source:

Fireplace:

Lot:

Block:

Plat/Subdiv:

Zoning: County-EFU

School Dist: 6 Central Point

Primary School: PATRICK ELEMENTARY SCHOOL

Middle School: HANBY MIDDLE SCHOOL

High School: CRATER SCHOOL OF BUSINESS INNOVA

Census: 1014 - 003001

Watershed: Gold Hill-Rogue River

Recreation:

Sentry Dynamics, Inc. and its customers make no representations, warranties or conditions, express or implied, as to the accuracy or completeness of information contained in this report.

STATEMENT OF TAX ACCOUNT
JACKSON COUNTY TAX COLLECTOR
JACKSON COUNTY COURTHOUSE
MEDFORD, OR 97501
(541) 774-6541

1-May-2023

PRATT JEREMY/HARTFORD KAITLYN
C/O MICHAEL OLSON
3439 NE SANDY BLVD 356
PORTLAND OR 97232-1959

Tax Account #	10167660	Lender Name	
Account Status	A	Loan Number	
Roll Type	Real	Property ID	0603
Situs Address	OLD STAGE RD CENTRAL POINT/COUNTY OR	Interest To	May 1, 2023

Tax Summary

Tax Year	Tax Type	Total Due	Current Due	Interest Due	Discount Available	Original Due	Due Date
2022	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$540.62	Nov 15, 2022
2021	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$489.47	Nov 15, 2021
2020	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$499.64	Nov 15, 2020
2019	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$465.87	Nov 15, 2019
2018	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$447.72	Nov 15, 2018
2017	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$442.96	Nov 15, 2017
2016	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$425.08	Nov 15, 2016
2015	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$403.69	Nov 15, 2015
2014	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$431.55	Nov 15, 2014
2013	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$395.86	Nov 15, 2013
2012	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$391.82	Nov 15, 2012
2011	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$368.38	Nov 15, 2011
2010	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$356.78	Nov 15, 2010
2009	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$360.41	Nov 15, 2009
2008	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$350.56	Nov 15, 2008
2007	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$334.60	Nov 15, 2007
2006	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$358.47	Nov 15, 2006
2005	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$331.69	Nov 15, 2005
2004	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$317.38	Nov 15, 2004
2003	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$325.77	Nov 15, 2003
2002	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$332.11	Nov 15, 2002
2001	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$290.28	Nov 15, 2001
2000	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$296.70	Nov 15, 2000
1999	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$231.28	Nov 15, 1999
1999	FEE	\$0.00	\$0.00	\$0.00	\$0.00	\$76.27	Nov 15, 1999
1998	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$228.62	Nov 15, 1998
1997	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$228.39	Dec 15, 1997
1996	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$219.42	Nov 15, 1996
1995	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$238.25	Nov 15, 1995
1995	FEE	\$0.00	\$0.00	\$0.00	\$0.00	\$61.06	Nov 15, 1995
1991	FEE	\$0.00	\$0.00	\$0.00	\$0.00	\$68.73	Nov 15, 1991
Total		\$0.00	\$0.00	\$0.00	\$0.00		

Docoon
Pa 267387(TD)

RECORDING REQUESTED BY:

Ticor Title Company of Oregon
1555 E. McAndrews, Suite 100
Medford, OR 97504

GRANTOR'S NAME:
TP Harvey Testamentary Trust

GRANTEE'S NAME:
Jeremy Pratt and Kaitlyn Hartford

SEND TAX STATEMENTS TO:
Jeremy Pratt and Kaitlyn Hartford

Part D # 15610

AFTER RECORDING RETURN TO:

Escrow No: 470315043879-TTJA37

363W26 201 / 10167678

8554 Old Stage Rd.
Central Point, OR 97502

Jackson County Official Records 2016-007968
R-WD
Stn=14 SHINGLJS 03/15/2016 03:30:28 PM
\$10.00 \$11.00 \$10.00 \$8.00 \$20.00 \$59.00

Jackson County Official Records 2016-020503
R-WD
Stn=14 SHINGLJS 06/27/2016 03:51:23 PM
\$20.00 \$11.00 \$10.00 \$8.00 \$20.00 \$69.00

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

This Warranty Deed is being re-recorded to
correct legal description.

SPACE ABOVE THIS LINE FOR RECORDER'S USE

STATUTORY SPECIAL WARRANTY DEED IN FULFILLMENT OF CONTRACT

Fred Harvery, Trustee TP Harvey Testamentary Trust, Grantor, conveys and specially warrants to

Jeremy Pratt and Kaitlyn Hartford not as tenants by the entirety Grantee, the following described real
property, free of encumbrances created or suffered by the Grantor except as specifically set forth below,
situated in the County of Jackson, State of Oregon:

All that portion of Donation Land Claim No. 38 in Township 36 South, Range 3 West of the
Willamette Meridian in Jackson County, Oregon, lying Easterly of the County Road, known as Old
Stage Road.

Saving and excepting therefrom the North 1140 feet thereof.

See Attached Exhibit 1A"

Subject to and excepting:

Covenants, Conditions, Restrictions, Reservations, set back lines, Power of Special Districts, and
easements of Record, if any.

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.

THE TRUE CONSIDERATION FOR THIS CONVEYANCE IS FULFILLMENT OF THAT CERTAIN
CONTRACT RECORDED AS , JACKSON COUNTY, OREGON. (See ORS 93.030)

DATED: 12/18/15

470315043879-TTJA37

Deed (Special Warranty in Fulfillment of Contract - Statutory)

This instrument filed for record as an accommodation
only. It has not been examined as to its
execution or as to its effect upon the title.
First American Title Co.

1

TP Harvey Testamentary Trust

BY: [Signature] Trustee

Fred Harvey, Trustee

State of CA

COUNTY of Shasta

This instrument was acknowledged before me on December 18, 2015

by Fred Harvey, Trustee

[Signature], Notary Public - State of CA
My commission expires: 11-2-17



California All Purpose Acknowledgement

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CA

ss

COUNTY OF Shasta

On December 18, 2015 before me, Sherry A. Smith, Notary Public
(Insert Name of Notary Public and Title)

personally appeared Fred Harvey, Trustee
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

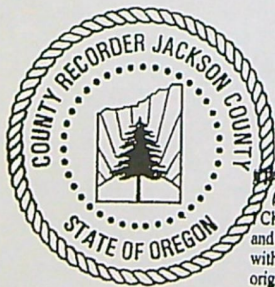
I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



[Signature]
Notary Public

2



STATE OF OREGON
County of Jackson

Christine D. Walker, County Clerk and Recorder of the above named County and State do hereby certify that the foregoing copy has been by me compared with the original, and that it is a transcript therefrom, and of the whole of such original as the same appears on file or of record in my office and in my care and custody.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Recorder, this 24th day of June A.D., 2016

Christine D. Walker, Jackson County Clerk

By Kathy Barrowcliff Deputy

Kathy Barrowcliff

PRELIMINARY REPORT

(Continued)

Order No.: 470315043879-TTJA37

EXHIBIT "A"

PARCEL NO. 1:

All that portion of Donation Land Claim No. 38 in Township 36 South, Range 3 West of the Willamette Meridian in Jackson County, Oregon, lying Easterly of the County Road, known as Old Stage Road. Saving and excepting therefrom the North 1140 feet thereof.

PARCEL NO. 2:

The North 1140 feet of the following:

All that portion of Donation Land Claim No. 38 in Township 36 South, Range 3 West of the Willamette Meridian in Jackson County, Oregon, lying Easterly of the County Road, known as Old Stage Road.

EXCEPTING THEREFROM all that portion described as follows:

Commencing at the Northeast Corner of Donation Land Claim No. 38 in Township 36 South, Range 3 West of the Willamette Meridian in Jackson County, Oregon; thence South along the East line of described Donation Land Claim No. 38, 640 feet; the West 305 feet to the true point of beginning; thence South 208 feet; thence West 208 feet; thence North 208 feet; thence East 208 feet to the true point of beginning.

PARCEL NO. 3:

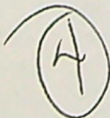
Commencing at the Northeast Corner of Donation Land Claim No. 38 in Township 36 South, Range 3 West of the Willamette Meridian in Jackson County, Oregon; thence South along the East line of described Donation Land Claim No. 38, 640 feet; the West 305 feet to the true point of beginning; thence South 208 feet; thence West 208 feet; thence North 208 feet; thence East 208 feet to the true point of beginning.

PARCEL NO. 4:

Beginning at the Northwest corner of Government Lot 8, in Section 26, Township 36 South, Range 3 West of the Willamette Meridian, Jackson County, Oregon; thence East 41.85 chains to the Northeast corner of Government Lot 6; thence South 13.142 chains; thence West 41.85 chains to the Westerly line of Government Lot 8; thence North 13.142 chains to the point of beginning, being the Northwest corner of Government Lot 8.

PARCEL NO. 5:

Beginning 13.142 chains South from the Northwest corner of Government Lot 8, in Section 26, Township 36 South, Range 3 West of the Willamette Meridian, Jackson County, Oregon and running thence South to the Southwest corner of Government Lot 9, in said Section, running thence East to the Southwest corner of the Northeast Quarter of the Southeast Quarter of said Section; and from said point running thence North to a point 13.142 chains South from the Northeast corner of Government Lot 6 in said Section, and from said point running West to the place of beginning.



22 23
27 26

101
73.86 Ac
LOT 1 3.30 Ac
LOT 2
15.84 Ac

SE COR NO. 4
V. 112, P. 54

FOLEY

2214.18 (DEED)
2232.22 (CALC)

200
58.07 Ac



NE COR
DLC 38
JOHN
SWINDEN

300
39.88 Ac

301
3.95 Ac

302
2.71 Ac

303
2.71 Ac

202
0.99 Ac

LOT 8
3.20 Ac

LOT 7
34.52 Ac

500
103.72 Ac

SEE MAP 36 3W 27

STAGE
COLONIAL
WAY

201
54.29 Ac

LOT 9
3.20 Ac

SE COR
DLC 38

900
2.90 Ac

909
2.96 Ac

700
22.03 Ac

701
16.44 Ac

908
5.22 Ac

903
2.49 Ac

902
3.49 Ac

910
5.08 Ac

912
6.10 Ac

901
3.40 Ac

CS 15861

CS 5833

CS 4483

CS 3657

CS 16489

800



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

www.oregon.gov/owrd

April 21, 2023

VIA E-MAIL

Applicant

JEREMY PRATT

3439 NE SANDY BOULEVARD, #356

PORTLAND, OR 97232

SUBJECT: Groundwater Registration Modification T-13809

Your Groundwater Registration Modification is in one of three phases of processing. Enclosed is a draft of our Preliminary Determination regarding Groundwater Registration (GR) Modification Application T-13809. The document reflects the Department's conclusion that, based on the information currently available, the modification will be approved.

Required items needing your immediate attention:

1. Please carefully review the Draft Preliminary Determination to verify that it accurately reflects the changes you intend to make and to become familiar with the proposed conditions.
2. **Respond in writing** by MAY 22, 2023, with acknowledgement that you agree to the proposed action and conditions.
3. If you find any errors, please let me know.
4. **REQUIRED:** You must submit a **Report of Ownership** for the lands where the water right(s) are currently located (i.e., the FROM lands). This report:
 - a) Must be prepared by a title company;
 - b) Shall include a "prepared by" statement and the date the title company prepared the report printed on the cover sheet;
 - c) Must be:
 - i. Prepared no earlier than 3 months prior to the date of issuance of the Draft Preliminary Determination showing current ownership; **OR**
 - ii. Prepared within 3 months of the date of a water right conveyance agreement; **OR**
 - iii. Show ownership for the FROM land at the time a water right conveyance agreement was recorded.

If water right conveyance agreements are involved, it is helpful to provide copies of those agreements along with the Report of Ownership.

IMPORTANT: In order for the Department to clearly understand the date that the title company prepared the Report of Ownership, the title company must indicate/state the date that they prepared the report on the coversheet and/or first page of the report.

- d) Must include a list of owners at the time the report was generated; **AND**
 - e) Must include a legal description of the property where the water right to be transferred is currently located (i.e., the FROM lands).
5. You must provide a notarized statement of consent signed by any landowner listed in the Report of Ownership who is not already included in the transfer application. The Department's statement of consent form (**Consent By Deeded Landowner**) is available at:
[https://www.oregon.gov/OWRD/WRDFormsPDF/consent to transfer form.pdf](https://www.oregon.gov/OWRD/WRDFormsPDF/consent%20to%20transfer%20form.pdf)
6. Notice of this transfer will need to be published in a newspaper with general circulation in the area where the water rights are currently located. You will be responsible for the charges.

Conditions to your GR Modification...

The Watermaster has required a water measurement device(s) at the new point of appropriation prior to appropriation of water. Enclosed is a contact information sheet to assist you in pursuing additional information or approval of the required (or alternate) device(s).

What happens next...

Once the Preliminary Determination is issued a publication period is required. Because there is more than ¼ mile between the new and the authorized points of appropriation, the Department will publish notice of the modification in a local newspaper having a general circulation in the area of the water right at least once per week for two consecutive weeks. You are responsible for sending a check to cover the cost of publication prior to the issuance of the Preliminary Determination and publication of notice (see below). As outlined in OAR 690-380-4020(3), publication costs include both the direct cost of the notice and indirect processing costs (not to exceed 20% of the direct costs) for processing.

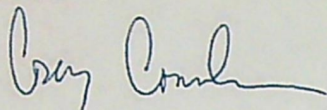
Issuance of the Preliminary Determination will occur shortly after we receive:

1. Your written response to the conditions and proposed action in the Draft Preliminary Determination (e-mail is acceptable); and
2. The Report of ownership, and affidavits of consent from any landowners shown in the ownership report who have not signed the transfer application. The title company must indicate/state the date that they prepared the ownership report on the coversheet and/or first page of the report.

If we do not receive the items listed above by May 22, 2023, a Preliminary Determination may be issued denying the application as incomplete.

Please do not hesitate to contact me, at corey.a.courchane@water.oregon.gov or (503) 979-3917, if I may be of assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "Corey Courchane", with a stylized, flowing script.

Corey Courchane
Allocation of Conserved Water
Transfer and Conservation Section

cc: GR Modification application file T-1380913809
Shavon L. Haynes, District 13 Watermaster (*via e-mail*)
Evan Malepsy, agent for the applicant (*via e-mail*)

enc

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Groundwater
Registration Modification Application
T-13809, Jackson County

)
)
)
)
)
)

D R A F T

PRELIMINARY DETERMINATION
PROPOSING APPROVAL OF RECOGNITION
OF MODIFICATIONS IN POINTS OF
APPROPRIATION AND PLACE OF USE

Authority

Oregon Revised Statutes (ORS) 537.610, 537.705 and 540.505 to 540.580 establish the process in which the holder of a certificate of registration may submit a request for recognition of modifications to the place of use, character of use or point of appropriation under a groundwater certificate of registration.

Oregon Administrative Rules (OAR) Chapter 690, Divisions 382 and 380 implement the statutes and provide the Department's procedures and criteria for evaluating groundwater registration modification applications.

Applicant

JEREMY PRATT
3439 NE SANDY BOULEVARD, #356
PORTLAND, OR 97232

Findings of Fact

1. On August 26, 2021, JEREMY PRATT filed a groundwater registration modification application to modify the point of appropriation and place of use under Registration Application GR-3387 (Certificate of Registration GR-3128). The Department assigned the application number T-13809.
2. On September 2, 2021, Registration Application GR-3387 (Certificate of Registration GR-3128) was assigned from WILLIAM M. FOLEY to JEREMY PRATT.
3. Notice of the application for groundwater registration modification was published on September 7, 2021, pursuant to OAR 690-382-0600. No comments were filed in response to the notice.

4. The groundwater registration to be modified is as follows:

Registration: Application GR-3387 (Certificate of Registration GR-3128), in the name of WILLIAM M. FOLEY (*assigned to JEREMY PRATT*)

Use: IRRIGATION of 16.0 ACRES

Tentative

Priority Date: AUGUST 10, 1953

Quantity: 120 GALLONS PER MINUTE

Source: SUMP

Original Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
36 S	3 W	WM	27	SE NE	900 FEET SOUTH AND 1700 FEET WEST FROM THE NE CORNER OF DLC 38

Original Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
36 S	3 W	WM	27	SE NE	16.0

5. The Department received information from the applicant that better describes the original point of appropriation under Registration Application GR-3387 (Certificate of Registration GR-3128), as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
36 S	3 W	WM	26	SW NW	SUMP - 267 FEET SOUTH AND 2256 FEET WEST FROM THE NE CORNER OF DLC 38

6. Groundwater Registration Modification Application T-13809 proposes to modify the location of the original point of appropriation approximately 1640 feet from the original well to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
36 S	3 W	WM	26	SW NW	POA 2 - 998 FEET SOUTH AND 960 FEET WEST FROM THE NE CORNER OF DLC 38

7. Groundwater Registration Modification Application T-13809 also proposes to modify the place of use under the groundwater registration to:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
36 S	3 W	WM	26	SW NE	6		0.8
36 S	3 W	WM	26	SW NW		38	2.2
36 S	3 W	WM	26	SE NW	7		6.8
36 S	3 W	WM	26	NE SW			0.5
36 S	3 W	WM	26	NW SW		38	2.1
36 S	3 W	WM	26	NW SE			0.1
36 S	3 W	WM	27	SE NE			3.5
						Total	16.0

Review Criteria for Groundwater Registration Modification Applications [OAR 690-382-0700(2)]

8. The proposed modifications would not result in enlargement of the groundwater registration.
9. The proposed modifications would not result in a state Scenic Waterway not receiving previously available water during periods in which streamflows are less than the quantities determined by the Department to be necessary to meet the requirements of ORS 390.835.
10. The proposed modifications would not result in injury to other water rights.

Determination and Proposed Action

The modification in point of appropriation and modification in place of use proposed in Groundwater Registration Modification T-13809 appear to be consistent with the requirements of ORS 537.610, 537.705, 540.505 to 540.580 and OAR 690-382-1000. If protests are not filed pursuant to OAR 690-382-0900, the modification will be approved.

If Groundwater Registration Modification T-13809 is approved, the final order will include the following:

1. *The modifications to Registration Application GR-3387 (Certificate of Registration GR-3128) proposed in Groundwater Registration Modification Application T-13809 are recognized. Recognition of the modifications shall not be construed as a final determination of the right to appropriate groundwater under the certificate of registration or modification. Such a determination will occur in an adjudication proceeding under ORS 537.670 to 537.695.*
2. *The use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Registration Application GR-3387 (Certificate of Registration GR-3128) and any related decree.*
3. *Water shall be acquired from the same aquifer (water source) as the original point of appropriation.*
4. *Water shall no longer be appropriated from the original point of appropriation as part of this groundwater certificate of registration.*
5. *The quantity of water diverted at the new point of appropriation (POA 2), shall not exceed the quantity of water lawfully available at the original point of appropriation (POA 1).*
6. *The former place of use of the modified groundwater registration shall no longer receive water as part of the groundwater certificate of registration.*

7. *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 the new point of appropriation.*
- 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.*

Dated in Salem, Oregon on

D R A F T

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
DOUGLAS E. WOODCOCK, ACTING DIRECTOR
Oregon Water Resources Department

This draft Preliminary Determination was prepared by Corey Courchane. If you have questions about the information in this document, you may reach me at 503-979-3917 or corey.a.courchane@water.oregon.gov



Groundwater Transfer Review Summary Form

Transfer/PA # T- 13809

GW Reviewer Joe Kemper Date Review Completed: 11/15/2021

Summary of Same Source Review:

☐ The proposed change in point of appropriation is not within the same aquifer as per OAR 690-380-2110(2).

Summary of Injury Review:

☐ The proposed transfer will result in another, existing water right not receiving previously available water to which it is legally entitled or result in significant interference with a surface water source as per 690-380-0100(3).

Summary of GW-SW Transfer Similarity Review:

☐ The proposed SW-GW transfer doesn't meet the definition of "similarly" as per OAR 690-380-2130.

This is only a summary. Documentation is attached and should be read thoroughly to understand the basis for determinations.



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271
(503) 986-0900
www.wrd.state.or.us

Ground Water Review Form:

- ☐ Water Right Transfer
☐ Permit Amendment
☒ GR Modification
☐ Other

Application: T-13809

Applicant Name: Jeremy Pratt

Proposed Changes: ☐ POA ☒ APOA ☐ SW→GW ☐ RA
☐ USE ☐ POU ☐ OTHER

Reviewer(s): Joe Kemper

Date of Review: 11/15/2021

Date Reviewed by GW Mgr. and Returned to WRSD: JTI 12/14/21

The information provided in the application is insufficient to evaluate whether the proposed transfer may be approved because:

- ☐ The water well reports provided with the application do not correspond to the water rights affected by the transfer.
- ☐ The application does not include water well reports or a description of the well construction details sufficient to establish the ground water body developed or proposed to be developed.
- ☐ Other _____

-
1. Basic description of the changes proposed in this transfer: The applicant proposes to add an additional point of appropriation (JACK 9123) to the currently permitted sump POA under GR-3387 and change the location of a portion of the place of use.
 2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?
☒ Yes ☐ No Comments: Both the sump under GR-3387 and JACK 9213 access an aquifer hosted in unconsolidated sediments (tens of feet of clays/gravels in a clay-rich matrix interbedded with cleaner zones of sands/gravels) deposited over bedrock. The sediment package has varying thickness (10-150 feet) depending on the topography of the underlying bedrock. Well reports filed in the vicinity indicate that coarse-grained zones within the sediments transmit significant amounts of water to wells, but there does not appear to be a laterally extensive, fine-grained deposit of sufficient thickness to separate the sediments into distinct aquifers. The sump accesses the top 5-10 feet of the aquifer, while JACK 9213 fully penetrates the sediment package down to bedrock at 136 feet BLS.

The sediments conceal contacts between metamorphosed sediments and volcaniclastics of the Applegate Group and granodiorite of the Gold Hill pluton (Wiley et al, 2006), so the exact lithology underlying a given point is uncertain.

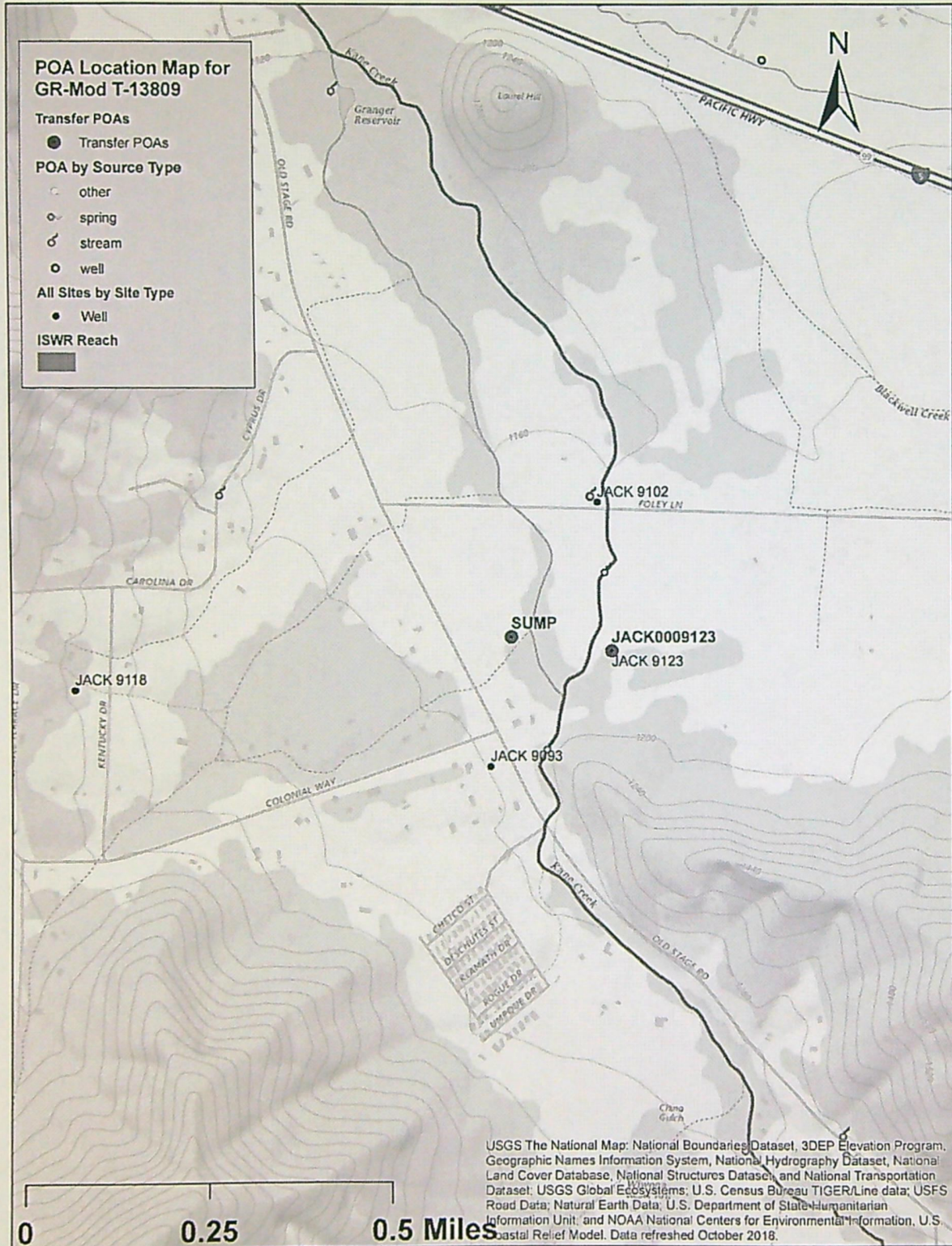
3. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?
☐ Yes ☒ No JACK 9213 is open to the very top of bedrock from 136-138 feet BLS, but this is not considered to be an additional source of groundwater.

- b) If yes, estimate the portion of the right supplied by each of the sources and describe any limitations that will need to be placed on the proposed change (rate, duty, etc.): NA
4. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another ground water right**?
☒ Yes ☐ No Comments: The closest groundwater user is JACK 9102, which is located slightly closer to JACK 9123 (1075 feet) than the sump (1125 feet), which may cause a slight increase in well-to-well interference. Otherwise, moving groundwater production from the sump to JACK 9123 should reduce well-to-well interference with most groundwater users because JACK 9123 is further from adjacent tax lots to the west and north. Tax lot 300, 500, and 201 are owned by the applicant and are partially covered by the POU of this water right transaction. As such, this review does not evaluate injury to wells on those tax lots.
- b) If yes, would this proposed change, at its maximum allowed rate of use, likely result in another groundwater right not receiving the water to which it is legally entitled?
☐ Yes ☒ No If yes, explain: Any increases in interference with JACK 9201 are expected to be minor.
5. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another surface water source**?
☒ Yes ☐ No Comments: Kane Creek flows directly over the target aquifer, where groundwater levels are largely coincident with Kane Creek. The aquifer likely has an efficient hydraulic connection with Kane Creek. The sump is located 500 feet from Kane Creek and JACK 9123 is located 150 feet from Kane Creek. Moving groundwater production to JACK 9123 will increase interference with Kane Creek.
- b) If yes, at its maximum allowed rate of use, what is the expected change in degree of interference with any **surface water sources** resulting from the proposed change?
Stream: Kane Creek ☒ Minimal ☐ Significant
- Provide context for minimal/significant impact: Groundwater use from the current valid sump likely results in a high degree of interference with streamflow in Kane Creek. Shifting groundwater pumpage from the sump to JACK 9123 will likely increase expected stream depletion because the well is 350 feet closer to the stream. The timing and extent of that stream depletion is estimated using the Hunt (1999) model. Results indicate that groundwater use from either POA will impact Kane Creek, but the proposed use will not result in a significant increase in stream depletion.
6. For SW-GW transfers, will the proposed change in point of diversion affect the surface water source similarly (as per OAR 690-380-2130) to the authorized point of diversion specified in the water use subject to transfer?
☐ Yes ☐ No Comments: NA
7. What conditions or other changes in the application are necessary to address any potential issues identified above: NA
8. Any additional comments: NA

References

- Hunt, B. 1999. Unsteady Stream Depletion from Ground Water Pumping. *Journal of Hydrologic Engineering*, Vol 8(1), pp 12-19
- OWRD Groundwater Information System Database – Accessed 11/15/2021.
- Theis, C.V., 1935. The relation between the lowering of the piezometric surface and the rate and duration of discharge of a well using groundwater storage, *Am. Geophys. Union Trans.*, vol. 16, pp. 519-524.
- Wiley, T.J., 2006, Preliminary geologic map of the Gold Hill and Rogue River quadrangles, Jackson and Josephine Counties, Oregon: Oregon Department of Geology and Mineral Industries, Open-File Report O-06-18, scale 1:24,000

Transfer Map



Stream Depletion Modeling

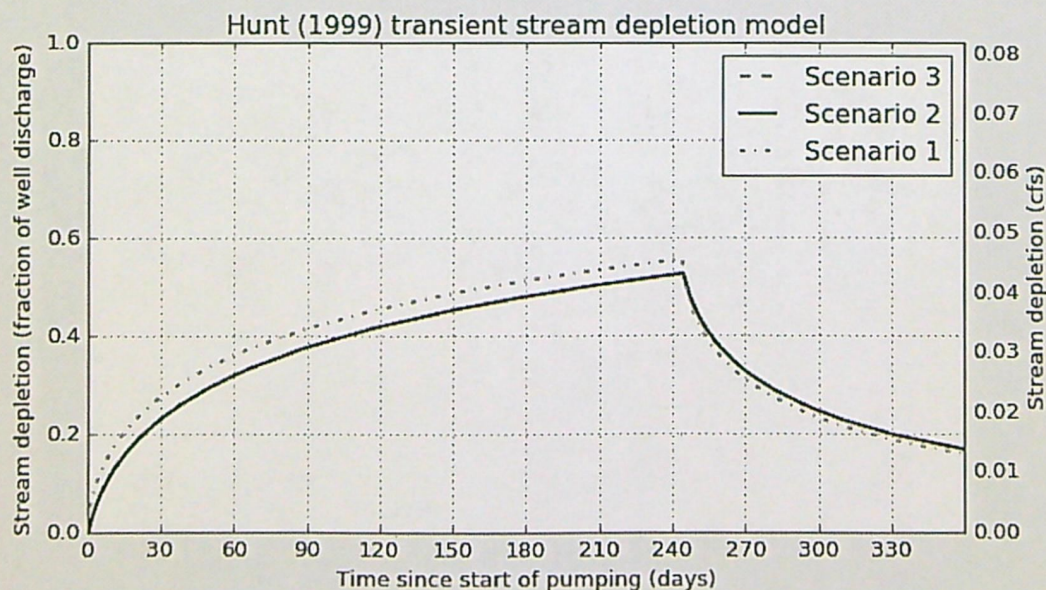
The pumping scenario modeled here represents pumping the full permitted volume (16 acres of 2.5-ft duty irrigation or 40 AF) over an expected irrigation season (244 days) which is approximately 0.082 cfs.

Application type:	T
Application number:	13809
Well number:	1
Stream Number:	1
Pumping rate (cfs):	0.082
Pumping duration (days):	244
Pumping start month number (3=March)	3.0

Parameter	Symbol	Scenario 1	Scenario 2	Scenario 3	Units
Distance from well to stream	a	150	500	500	ft
Aquifer transmissivity	T	1000	1000	1000	ft ² /day
Aquifer storativity	S	0.01	0.01	0.01	-
Aquitard vertical hydraulic conductivity	Kva	0.1	0.1	0.1	ft/day
Not used		10.0	20.0	30.0	
Aquitard thickness below stream	babs	5	5	5	ft
Not used		0.2	0.2	0.2	
Stream width	ws	20	20	20	ft

Stream depletion for Scenario 2:

Days	10	330	360	30	60	90	120	150	180	210	240	270	300
Depletion (%)	12	20	17	23	32	38	42	45	48	50	52	33	25
Depletion (cfs)	0.01	0.02	0.01	0.02	0.03	0.03	0.03	0.04	0.04	0.04	0.04	0.03	0.02



Watermaster Review Form: Water Right Transfer



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

Transfer Application: T-13809

Review Due Date: 01/25/2022

Applicant Name: Jeremy Pratt

Proposed Changes: ☐ POU ☐ POD ☒ POA ☒ USE ☐ OTHER

Reviewer(s): S. Haynes

Date of Review: 01/25/2022

1. Do you have evidence that the right has not been used in the last 5 years and that the presumption of forfeiture would not likely be rebuttable? ☐ Yes ☒ No If "Yes", attach evidence (e.g. dated aerial photo showing pavement or building on the land for >5 yrs.)
2. Is there a history of regulation on the source that serves this (or these) right(s) that has involved the transferred right(s) and downstream water rights? ☒ Yes ☐ No Generally characterize the frequency of any regulation or explain why regulation has not occurred:

Kane Creek has an ISWR under C-59706 which is often not met. Application IS- 88943 is also in the vicinity
3. Have headgate notices been issued for the source that serves the transferred right(s)?
☐ Yes ☐ No ☒ Records not available.
4. In your estimation, after the proposed change, would distribution of water for the right(s) result in regulation of other water rights that would not have occurred if use under the original right(s) was/were maximized? ☒ Yes ☐ No If "Yes", explain:
C-36762 is junior and may be regulated off if a call for water is made
5. In your estimation, if the proposed change is approved, are there upstream water rights that would be affected? ☒ Yes ☐ No If "Yes", describe how the rights would be affected and list the rights most affected:
It is estimated that application IS-88943 may be impacted along the reach

6. Check here ☐ if it appears that downstream water rights benefit from return flows resulting from the current use of the transferred right(s)? If you check the box, generally characterize the locations where the return flows likely occur and list the water rights that benefit most:

☒ N/A

7. For POD changes and instream transfers, check here if there are channel losses between the old and new PODs or within the proposed instream reach? If you check the box, describe and, if possible, estimate the losses:

☒ N/A

8. For instream transfers that propose protection of a reach beyond the mouth of the source stream:

☒ N/A Would the quantity be measureable into the receiving stream consistent with OAR 690-077-0015(8)? ☐ Yes ☐ No

9. For POU changes: ☐ N/A Is it likely the original place of use would continue to receive water from the same source? ☐ Yes ☒ No If "Yes", explain:

10. For POU or USE changes: ☐ N/A In your best judgment, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste?

☒ Yes ☐ No If "Yes", explain:

Source of water for this application is at a depth greater than what is currently at the existing POA. Conditions should be included that the water user can only use water that is available at the original POA.

11. For POU changes that involve micro-irrigation: ☒ N/A

- a. Has the applicant made changes (absent a transfer) to convert to micro-irrigation within the current place of use boundary of the water right proposed for transfer, and previously demonstrated to the Department through monitoring and site inspections by the Watermaster that the proposed transfer will not result in injury or enlargement?

☐ Yes ☐ No If "Yes", explain:

- b. Has a temporary transfer of this nature been previously filed and approved on the same lands (or portions thereof) as those lands involved in this transfer?

☐ Yes ☐ No If "Yes", answer the following:

- i. Were there any problems with more acres being irrigated (or wetted) than were authorized under the temporary transfer? ☐ Yes ☐ No If "Yes", explain:

- ii. Did the designated areas that were to remain dry (or not wetted) under the temporary transfer actually remain dry? ☐ Yes ☐ No If "No", explain:

- iii. Did the applicant comply with and meet all of the conditions of the temporary transfer? ☐ Yes ☐ No If "No", explain:

- iv. Do you have any other observations regarding the temporary transfer?

☐ Yes ☐ No If "Yes", describe:

- v. Did the applicant demonstrate to the Department through monitoring and site inspections by the Watermaster that neither injury nor enlargement occurred as a result of the temporary transfer? ☐ Yes ☐ No If "No", explain:

- c. To the best of your knowledge, if this transfer is approved, does it appear that:

- i. "Injury" will occur to other water rights that share the same source?

☐ Yes ☐ No If "Yes", explain:

- ii. "Enlargement" of the water right being transferred will occur?

☐ Yes ☐ No If "Yes", explain:

12. Are there other issues not identified through the above questions that should be considered in determining whether the change "can be effected without injury to other rights"?

☒ Yes ☐ No If "Yes", explain:

Source water is at a lower level than at the original POA, new POA is closer to Kane Creek and my injury exist IS application and IS water rights

13. What alternatives may be available for addressing any issues identified above:

If approved use should allowed only if available at original POA and should subordinate priority to existing surface water rights

14. Do conditions need to be included in the transfer order to avoid enlargement of the right or injury to other rights? ☐ No ☒ Yes, as checked and provided below:

☐ For POU changes that involve micro-irrigation, provide the monitoring and reporting conditions necessary to prevent injury/enlargement:

☐ A Headgate should be required prior to diverting water.

☒ Measurement Devices for POD or POA: (if this condition is selected, also fill in the top sections of Page 4)

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/appropriation (new and existing) OR at each new point of diversion/appropriation ☐ with the exception that water rights issued to the Bureau of Reclamation or an irrigation district (or similar entity) are not subject to this condition.*

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.

☐ Reservoir water use measurement: (if this condition is selected, also fill in the top sections of Page 4)

a. Before water use may begin under this order, the water user shall install staff gages, or, with prior approval of the Director, other suitable measuring devices, that measure the entire range and stage between empty and full in each reservoir. Staff gages shall be United States Geological Survey style.*

b. Before water use may begin under this order, if the reservoir is located in channel, weirs or other suitable measuring devices must be installed upstream and downstream of the reservoir, and, an adjustable outlet valve must be installed. The water user shall maintain such devices in good working order. A written waiver may be obtained, if in the judgment of the Director, the installation of weirs or other suitable measuring devices, or the adjustable outlet valve, will provide no public benefit.

* The following alternative device(s) should be substituted for the bold, underlined device in the above selected condition:

- | | |
|---|--|
| <input type="checkbox"/> Weir | <input type="checkbox"/> Submerged Orifice |
| <input type="checkbox"/> Parshall Flume | <input type="checkbox"/> Flow Restrictor |
| <input checked="" type="checkbox"/> Other: <u>TFM</u> at new POA, annual SWL at old and new POA | |

Oregon Water Resources Department

Measurement Condition Information for the Applicant

(To be sent with the Draft Preliminary Determination or Final Order)

Transfer #: T- 13809



In order to avoid enlargement of the right or injury to other rights, a _____ will
be required to be installed prior to diversion of water as a condition of this transfer:

at each point of diversion/appropriation (new and existing) **OR**

at each new point of diversion/appropriation.

For additional information, or to obtain approval of a different type of measurement device, the applicant should contact the area Watermaster:

Watermaster name: Shavon Haynes

District: 13

Address: 10 South Oakdale

City/State/Zip: Medford Oregon

Phone: (541) 218-5125

Email: shavon.l.haynes@water.oregon.gov

Note: If a device other than the one specified in the Preliminary Determination or Final Order is approved by the Watermaster, fill out and mail the form below to the Salem office.

Approval of an Alternate Measurement Device

T-

(to be filled out after consultation with the applicant, or after a site visit)

On behalf of the Director, I authorize use of the following suitable alternate measurement device:

 Watermaster signature

 District

 Date

If this form is used for approval of an alternative measurement device, it must be mailed to:

Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266

Land Use Information Form

SEP 09 2021

Salem, OR



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

Applicant

NAME JEREMY PRATT		PHONE (HM) 503-805-7523	
PHONE (WK) SAME	CELL SAME	FAX NONE	
ADDRESS 3439 NE SANDY BOULEVARD, #356			
CITY PORTLAND	STATE OR	ZIP 97232	E-MAIL* J.PRATT@NECTARPD.COM

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	26	SE/NW	300, 500	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farm
36S	3W	26	SW/NE	300, 500	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farm
36S	3W	26	NE/SW	500	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farm
36S	3W	26	NW/SE	500	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farm
36S	3W	26	SW/NW	200	EFU	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farm
36S	3W	26	NW/SW	201	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farm

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

Jackson County.

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 Groundwater Registration Modification
☐ Limited Water Use License ☐ Allocation of Conserved Water ☐ Exchange of Water

Source of water: ☐ Reservoir/Pond ☒ Groundwater ☐ Surface Water (name)

Estimated quantity of water needed: 120 ☐ 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:

The Applicant is submitting an application for a Groundwater Registration Modification to move the point of appropriation and place of use to a different location on his property. The irrigation is to be used for marijuana cultivation.

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.

SEP 09 2021

For Local Government Use Only**Salem, OR**

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:	
Type 1. LUI for Marijuana production	439-16-00726-20N 439-16-00727-20N 439-20-01827-20N	<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.

Conditions of approval have not been met

NAME <u>Dawn Rittiman</u>		TITLE: <u>Planner III</u>
SIGNATURE <u>[Signature]</u>	PHONE: <u>541-774-6922</u>	DATE: <u>-2021</u>
GOVERNMENT ENTITY <u>Jackson County Development Services</u>		

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: _____



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

September 7, 2021

JEREMY PRATT
3439 NE SANDY BOULEVARD #356
PORTLAND, OR 97232

Reference: Application T- 13809

On August 26, 2021, OWRD received your water Groundwater Registration Modification application. The application was accompanied by \$1250.00. Our receipt number 136263 is enclosed.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the requested change. A review form will also be sent to our groundwater staff to determine whether the proposed well accesses the same source of water as the original well.

This application may require publication of a notice for two consecutive weeks in a newspaper with general circulation in the area where the water right is located. If it is determined that newspaper notice will be required, the Department will prepare the notice and notify you of the cost. You will be responsible for submitting payment to the Department prior to publication of the notice.

You may not use water in the new place of use or from the new point of appropriation until a final order approving recognition of the groundwater registration modification application has been issued by the Department. If the land is sold before the modification is approved, the buyer's consent to the modification will be required unless a recorded deed or other legal document clearly established that the groundwater registration was not conveyed in the sale.

Please refer to the following page for a chart showing the steps and expected timelines for the processing of your application.

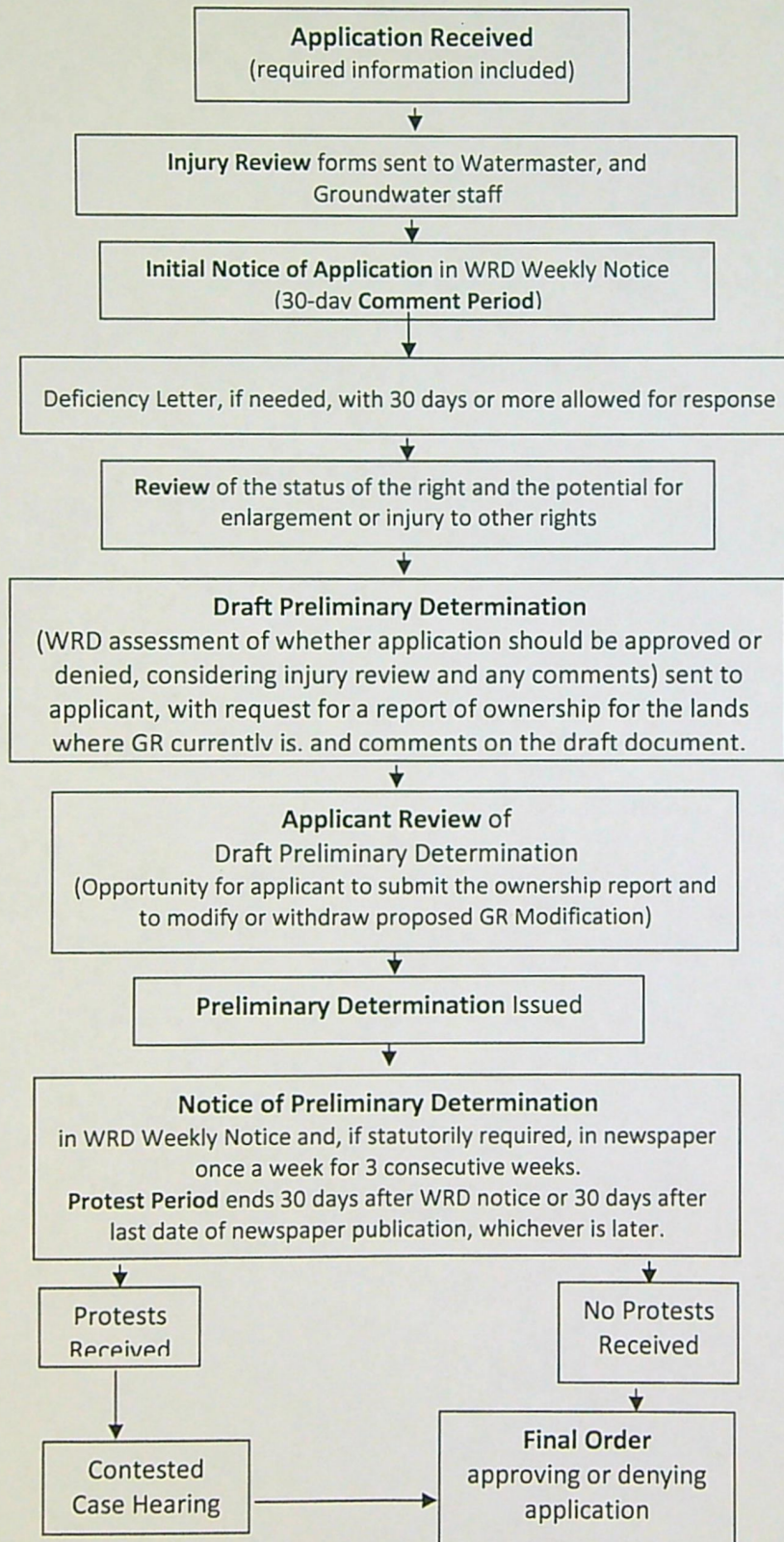
If you have any questions, please contact the Transfer Section at (503) 986-0815.

Cc: Watermaster Dist. #13, Shavon L. Haynes (via email)
Evan Malepsy, Agent
Jackson County

Enclosure

Groundwater Registration Modification Process

OAR 690 Division 382



**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **136263**

INVOICE # _____

RECEIVED FROM: JJS Holding LLC

BY: _____

APPLICATION	
PERMIT	
TRANSFER	<u>T-13809</u>

CASH: ☐ CHECK # X 4104 OTHER: (IDENTIFY) ☐ _____

TOTAL REC'D \$ 1250.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____

OTHER: (IDENTIFY) \$ _____

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES \$ _____

0410 RESEARCH FEES \$ _____

0408 MISC REVENUE: (IDENTIFY) \$ _____

TC162 DEPOSIT LIAB. (IDENTIFY) \$ _____

0240 EXTENSION OF TIME \$ _____

WATER RIGHTS:

0201 SURFACE WATER \$ _____

0203 GROUND WATER \$ _____

0205 TRANSFER \$ 1250.00

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR \$ _____

LANDOWNER'S PERMIT \$ _____

OTHER (IDENTIFY) _____

EXAM FEE

\$ _____

\$ _____

\$ 1250.00

EXAM FEE

\$ _____

RECORD FEE

0202 \$ _____

0204 \$ _____

LICENSE FEE

0219 \$ _____

0220 \$ _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____

0210 MONITORING WELLS \$ _____

OTHER (IDENTIFY) _____

CARD#

CARD#

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD) \$ _____

0231 HYDRO LICENSE FEE (FW/WRD) \$ _____

HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION \$ _____

RECEIPT:

136263

DATED: 8-26-2001 BY: Mindy Carlson



State of Oregon
Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900

Application for Groundwater Registration Modification

Part 1 of 5 – Minimum Requirements Checklist

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This Groundwater Registration Modification application will be returned if Parts 1 through 4 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 included with this application (N/A = Not Applicable)

AUG 26 2021

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Application Map Checklist.
- ☒ Part 3 – Completed Applicant Information and Signature.
- ☒ Part 4 – Completed Groundwater Registration Modification Application – Groundwater Registration Information. (Only one Groundwater registration per application, unless the Groundwater registrations to be modified are layered).
- ☒ Completed Groundwater Registration Modification Application Map (Does not have to be prepared by a Certified Water Right Examiner).
- ☒ Groundwater registration modification fees – Amount enclosed: \$ 1,250.
(\$875.00 for a place of use change only; \$1,250.00 for any other change or combination).

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Attachments:

- ☒ ☐ N/A Request for Assignment Form and statutory fee. This form needs to be completed if the applicant owns the land to which the registration is appurtenant and is **not** the registration certificate holder of record. The Request for Assignment Form is available at <https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>.
Assignment is not needed for any person or entity who can demonstrate authorization to request recognition of a modification (e.g. legal representative, power of attorney, agent, etc.) **or** the applicant is named on the certificate of registration, or has been assigned to the certificate of registration.
- ☒ ☐ 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.

(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"/> Assignment Form and fee not enclosed/insufficient |
| <input type="checkbox"/> Additional signature(s) required | <input type="checkbox"/> Part _____ is incomplete |

Other/Explanation _____

Staff: _____

503-986-0

Date: _____

/ /

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Part 2 of 4 – Groundwater Registration Modification Map Checklist

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

Please be sure that the map you submit includes all the items listed below and meets the requirements of OAR 690-380-3100, however, the map does not have to be prepared by a Certified Water Right Examiner. Check all boxes that apply.

- ☒ 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 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 appropriation such as main pipelines, canals, and ditches.
- ☒ Existing place of use that includes hachuring, 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 registration is being changed, a separate hachuring is needed for the portion of the registration left unchanged.
- ☒ ☐ N/A If you are proposing a modification in place of use, show the proposed place of use with hachuring including 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 appropriation with distance and bearing or coordinates from a recognized survey corner.
- ☒ ☐ N/A If you are proposing a modification in point(s) of appropriation, 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 4 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Jeremy Pratt			PHONE NO. 503-805-7523	ADDITIONAL CONTACT NO. None
ADDRESS 3439 NE Sandy Boulevard, # 356				FAX NO. None
CITY Portland	STATE OR	ZIP 97232	E-MAIL j.pratt@nectarpdx.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

APPLICANT/BUSINESS NAME Evan Malepsy/Rogue Civil LLC			PHONE NO. 541-621-2868	ADDITIONAL CONTACT NO. None
ADDRESS 52 Pineridge Lane				FAX NO. None
CITY Eagle Point	STATE OR	ZIP 97524	E-MAIL emalepsy@roguecivil.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 modification; and why:
 We wish to change the point of appropriation and place of use for GR-3387. We are relatively new owners of the properties and have decided to irrigate a different area than GR-3387. In addition, a new point of appropriation closer to the new place of use will allow more efficient delivery of water.
 If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

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

(Check one box)

- ☒ By signing this application, I (we) understand that, upon receipt of the draft preliminary determination and prior to Department approval of the Groundwater modification, I (we) will be required to provide landownership information and evidence that I am authorized to pursue the modification as identified in OAR 690-382-0400(16)(a);
OR
- ☐ I (we) 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 (we) affirm that the applicant is an entity with the authority to condemn property and is acquiring the property to which the Groundwater registration proposed for modification is appurtenant by condemnation and have attached supporting documentation.

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I understand that prior to Department approval of the groundwater registration modification, 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 groundwater registration 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 paper: Medford Mail Tribune.

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

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JUL 13 2021



[Signature]
Applicant Signature

Jeremy Pratt
Print Name (and Title if applicable)

7/3/21
Date

Applicant Signature

Print Name (and Title if applicable)

Date

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Is the applicant the sole owner of the land on which the Groundwater registration modification or portion thereof, 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 Groundwater registration has been conveyed.*

Check the appropriate box, if applicable:

- ☐ Check here if the Groundwater registration proposed for modification is or will be located within or served by an irrigation or other water district.

IRRIGATION DISTRICT NAME NA	ADDRESS	
CITY	STATE	ZIP

- ☐ Check here if water for the Groundwater registration is supplied under a water service agreement or other contract with a federal agency or other entity.

ENTITY NAME NA	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	ADDRESS 10 South Oakdale	
CITY Medford	STATE OR	ZIP 97501

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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Part 4 of 4 – Groundwater Registration Information

Please use a separate Part 4 for each registration being modified. See instructions on page 5, to copy and paste additional Part 4s, or to add additional rows to tables within the form.

Table 1. Location of Authorized and Proposed Point(s) of Appropriation (POA)

(Note: If the POA name is not specified in the registration, assign it a name or number here.)

POA Name or Number	Is this POA Authorized by the registration or is it Proposed?	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)
POA 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	NONE	36 S	3 W	27	SE NE	200	900' S and 1700' W from NE corner DLC 38
POA 2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	JACK 9123	36 S	3 W	26	SW NW	200	998' S and 960' W from NE corner DLC 38
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							

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

- | | |
|--|---|
| <input checked="" type="checkbox"/> Place of Use (POU) | <input checked="" type="checkbox"/> Point of Appropriation (well) (POA) |
| <input type="checkbox"/> Character of Use (USE) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |

Will all of the proposed changes affect the entire Groundwater registration?

- ☐ 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 registration to be changed.

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Please use and attach additional pages of Table 2 as needed.
See page 5 for instructions.

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

Table 2. Description of Modifications to Registration GR-3387 (Certificate # GR-3387)

List only the part of the registration that will be modified. For the acreage in each 1/4 1/4, list the modification proposed. If more than one modification, specify the acreage associated with each modification. If more than one POA, specify the acreage associated with each POA.

AUTHORIZED (the “from” or “off” lands) The listing that appears in the registration BEFORE PROPOSED CHANGES List only that part or portion of the groundwater registration 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	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	POA(s) to be used (from Table 1)	Priority Date		
EXAMPLE																								
36 S	3	W	27	SE	NE	200	DLC 38	12.5	Irrigation	POA 1	8/10/ 1953	POU & POA	36 S	3	W	26	SW	NW	200	DLC 38	2.2	Irrigation	POA 2	8/10/ 1953
												POU & POA	36 S	3	W	26	SE	NW	300 500	GL 7	6.8	Irrigation	POA 2	8/10/ 1953
												POU & POA	36 S	3	W	26	SW	NE	300 500	GL 6	0.8	Irrigation	POA 2	8/10/ 1953
												POU & POA	36 S	3	W	26	NW	SE	500		0.1	Irrigation	POA 2	8/10/19 53
												POU & POA	36 S	3	W	26	NE	SW	500		0.5	Irrigation	POA 2	8/10/ 1953
												POU & POA	36 S	3	W	26	NW	SW	201	DLC 38	2.1	Irrigation	POA 2	8/10/ 1953
36 S	3	W	27	SE	NE	200	DLC 38	3.5	Irrigation	POA 1	8/10/ 1953	POA	36 S	3	W	27	SE	NE	200	DLC 38	3.5	Irrigation	POA 2	8/10/ 1953
TOTAL ACRES								16.0						TOTAL ACRES								16.0		

Additional remarks: POA 1 was located in the field and matches the location shown on the GR-3387 map. The coordinates for POA 1 from the claim do not match the field location or the claim map.

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Groundwater Registration # GR-3387 (Certificate # GR-3387)

For a modification in place of use or character of use:

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

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

CERTIFICATE 28325



Pursuant to OAR 690-382-0200, any "layered" water use, such as an irrigation right that is supplemental to a primary irrigation right proposed for transfer, must be concurrently transferred with the registration or be cancelled. Any change to a water right must be filed separately in a transfer application. Any change to a water use permit must be filed separately with a permit amendment. Any modification to a Groundwater registration on the "to" lands must be filed separately with a Groundwater registration modification.

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

- ☐ Well log(s) are attached for each well 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/)

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 adequate information is likely to delay the processing of your modification 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
POA 1	Yes	NONE	12'	None	None	None	None	6'	Gravel	120 gpm
POA 2	Yes	JACK 9123	138'	6"	0'-136'	0'-68'	70'-136'	20'	Gravel	130 gpm

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Well Flow Test

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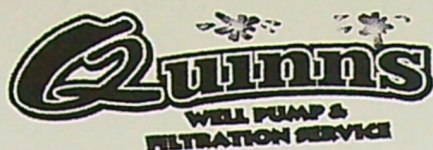
JUL 13 2021

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Test ID: 7166
Street Address: 8554 OLD STAGE
CENTRAL POINT, OR 97502

Test Date: Feb 19, 2021
Service Tech: JIM HENDERSON

Name: FARM MGR - SLOAN CALLAHAN
Billing Address: 8554 OLD STAGE
CENTRAL POINT, OR 97502
Telephone: 530-339-6762

Test Requirements: 4 HOUR WELL FLOW ON WELL #2

Remarks: THE FLOW METER WAS MAXED OUT, THE WELL PRODUCES OVER
130GPM.

Equipment Used: EXISTING EQUIPMENT

Source: WELL #2

Well Depth: 140 Pumping Level: 0 Diameter: 18 Seal: Yes Vent: Yes Pop Off Valve: No

Water Color: CLEAR Taste: N/A Odor: NONE

Flow Data

Time	Flow	Level	Meter
09:15 AM	130 GPM	37 feet	1950.00 Gallons
09:30 AM	130 GPM		3900.00 Gallons
09:45 AM	130 GPM		5850.00 Gallons
10:00 AM	130 GPM		7800.00 Gallons
10:15 AM	130 GPM		9750.00 Gallons
10:30 AM	130 GPM		11700.00 Gallons
10:45 AM	130 GPM		13650.00 Gallons
11:00 AM	130 GPM		15600.00 Gallons
11:15 AM	130 GPM		17550.00 Gallons
11:30 AM	130 GPM		19500.00 Gallons
11:45 AM	130 GPM		21450.00 Gallons
12:00 PM	130 GPM		23400.00 Gallons
12:15 PM	130 GPM		25350.00 Gallons
12:30 PM	130 GPM		27300.00 Gallons
12:45 PM	130 GPM		29250.00 Gallons
01:00 PM	130 GPM		31200.00 Gallons
01:15 PM	130 GPM		33150.00 Gallons

Total Time

4 Hours

Total Gallons

33150.00 Gallons

GPM = Gallons per minute being pumped out of well.

Level = The distance from the top of the well to the water level in the well.

Meter = Total gallons of water pumped from well.

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Alpine Environmental Consultants, LLC

12208 Antioch Road

White City, Oregon 97503

541.944.4685

jwilliams@alpine-env-llc.com

April 14, 2021

Mr. Jeremy Pratt
3439 NE Sandy Boulevard, #356
Portland, OR 97232

RE: Water Rights Technical Memorandum in Support of Groundwater Registration
Modification Project for GR-3387, 8554 Old Stage Road in Central Point, Oregon

Dear Mr. Pratt,

Per your request, Alpine Environmental Consultants, LLC (AEC) has prepared this technical memorandum documenting our observations and professional opinion regarding a proposed modification to an existing Groundwater Registration (GR) located at the property addressed as 8455 Old Stage Road in Central Point, Oregon (the Site). Specifically, AEC collected hydrogeologic data associated with a water supply sump dug at the Site in 1953 and an irrigation well drilled at the Site in 1977. Based on an evaluation of these data, AEC has concluded the formations in which the 1953 Dug Sump and the 1977 Irrigation Well constitute the "same source" as loosely defined by the Oregon Water Resources Department (WRD). The location of the Site is illustrated on **Figure 1** and **Figure 2**.

BACKGROUND

Working with you and Mr. Evan Malepsy of Rogue Civil, LCC, AEC understands the 1953 Dug Sump identified as GR-3387 is now dry and that you wish to transfer the existing water right to the 1977 Irrigation Well. AEC also understands that in order to accomplish this, Mr. Malepsy is preparing a formal water rights modification package for submittal to WRD. Based on a review of email communications between Mr. Malepsy and Mr. Joe Kemper of WRD, one condition of this water rights transfer is that the water from the 1953 Dug Sump and the 1977 Irrigation Well must be withdrawn from the "same source."

While the WRD does not currently have a formal definition of "same source," the definition for aquifer is explicitly identified in two sections of the Oregon Administrative Rules (OARs):

- OAR 690-008-0001(1) – “Aquifer” means a water-bearing body of naturally occurring earth materials that is sufficiently permeable to yield usable quantities of water to wells and/or springs.
- OAR 690-200-0050(9) – “Aquifer” means a geologic formation, group of formations, or part of a formation that contains saturated and permeable material capable of transmitting water in sufficient quantity to supply wells or springs and the contains water that is similar throughout in characteristics such as potentiometric head, chemistry, and temperature (see Figure 200-2).

The locations of the 1953 Dug Sump associated with GR-3387, identified as Point of Appropriation 1 (POA 1), and the existing 1977 Irrigation Well to which the groundwater right is proposed to be transferred, identified as POA 2, are illustrated on **Figure 2**.

1953 Dug Sump Characteristics

The Registration Statement for the 1953 Dug Sump is included as **Attachment 1**. Characteristics of the 1953 Dug Sump include the following:

- Constructed in August 1953.
- The formation in which the sump was installed was described as “sand.”
- The sump dimensions were 12 feet deep, 16 feet wide, and either 10 or 70 feet long. This potential discrepancy regarding length is associated with legibility issues, though the length is likely 70 feet because there is separate reference to the trench being 70 feet long.
- Depth to water table was 6 feet at that time.

1977 Irrigation Well Characteristics

The well log for the 1977 Irrigation Well is included as **Attachment 2**. The well log is identified by WRD as JACK 9123 and characteristics of the 1977 Irrigation Well include the following:

- Constructed in May 1977.
- The formations documented in the log include soil, gravel, clay, “claystone”, and granite. These materials likely constitute a mixture of colluvium and alluvium, underlain by bedrock.
- The well depth was 138 below grade.
- The static depth to water 20 feet below grade at that time.
- Quinn’s Well Pump & Filtration Service (Quinn’s) ran a pumping test on this irrigation well on February 19, 2021. The pre-pumping static depth to water was 37 feet below the top of casing, or approximately 35 feet below grade. A copy of Quinn’s records are attached as **Attachment 3**.

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Alpine Environmental Consultants, LLC

Mr. Jeremy Pratt
April 14, 2021

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Test Pit Observations Adjacent to 1953 Dug Sump

On February 15, 2021, Mr. Jonathan Williams of AEC visited the Site to collect and record hydrogeologic observations of a test pit that was excavated earlier that morning adjacent to the 1953 Dug Sump. The test pit was excavated by Mr. George Villa of Altered Fields using a Kubota KX-080-4 tracked excavator. Photographs taken during this Site visit are included as **Attachment 4**.

Observations made during this Site visit included the following:

- Based on information from Mr. Villa, test pit excavation activities were initiated at approximately 0745 and completed at approximately 1145.
- The test pit was approximately 18 feet deep.
- The lithology of the upper 4 feet consisted of a loose dark brown moist loam.
- From a depth of approximately 4 feet to approximately 18 feet below grade, the lithology consisted of a tan brown loose to mildly dense moist loam with some semi-rounded cobbles. At the bottom of the test pit, the percentage of semi-rounded cobbles increased to approximately 75 percent. These materials likely consist of colluvium, with the semi-rounded cobbles present near the test pit bottom likely representing the C horizon of the underlying bedrock. Mr. Villa indicated excavation of all of the material, including the material at the bottom of the test pit, was fairly easy to excavate and none of the material was hard.
- At 1415 there were approximately 6 inches of water in the bottom of the test pit. Mr. Villa indicated the water level had not changed noticeably since the excavation had been completed at 1145.

Data Evaluation and Conclusions

The lithologies of the 1953 Dug Sump and the 1977 Irrigation Well are similar, consisting of colluvium and/or alluvium. These lithologies likely qualify both of these features being completed in same aquifer or "same source."

AEC also compared the historical and current water level elevation data from the 1953 Sump and the 1977 Irrigation Well, and these data are presented in **Table 1**. To account for different land surface elevations, approximate land surface elevations at these two locations were derived from Google Earth. In conjunction with land surface elevations, the depths to water at these locations were then used to calculate the estimated water table elevations (i.e. land surface elevation minus the depth to the water table, or piezometric surface). Based on these calculations, the estimated water table elevations at the 1953 Dug Sump and the 1977 Irrigation Well at the times of construction were 1,158 and 1,157 feet above mean sea level (amsl), respectively. However, it should be noted the 1977 Irrigation Well was constructed 24 years after the 1953 Dug Sump. The estimated water table elevations proximal to the 1953 Dug

Mr. Jeremy Pratt
April 14, 2021

Sump and the 1977 Irrigation well in February 2021 were 1,146 and 1,142 feet amsl, respectively.

These estimated water table elevations at the 1953 Dug Sump and the 1977 Irrigation Well were approximately equivalent to each other both at their times of construction and in February 2021. Per the definition of "Aquifer" provided in OAR 690-200-0050(9), the approximately equivalent groundwater elevations (i.e. potentiometric heads) in the 1953 Dug Sump and the 1977 Irrigation Well at the time of construction and in February 2021 indicate both features (i.e. the sump and the well) are constructed in the "same source," or aquifer.

Based on similar lithologies and similar groundwater elevations at the time of construction and in February 2021, AEC concludes the 1953 Dug Sump and the 1977 Irrigation Well qualify as being completed in the "same source" or aquifer.

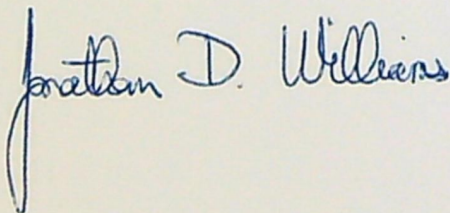
Qualifications

Mr. Jonathan Williams received a Bachelor of Science degree in Geology, with honors, from Duke University in 1987. He has over 28 years of experience working with geologic and environmental reports, including Phase I ESAs. Mr. Williams has been a Registered Geologist in the State of Oregon since 1996, and has 40-hour HAZWOPER training.

Please feel free to contact me at 541-944-4685 or jwilliams@alpine-enc-llc.com if you have any questions about the information documented in this memorandum.

Sincerely,

Alpine Environmental Consultants, LLC



Jonathan D. Williams, RG
Senior Hydrogeologist, Principal

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Mr. Jeremy Pratt
April 14, 2021

Attachments:

Limitations

Figure 1 – General Site Location Map

Figure 2 – Site Location Map Detail

Table 1 – Estimated Groundwater Elevations

Attachment 1 – 1953 Dug Sump, GR-3387

Attachment 2 – 1977 Irrigation Well Log, JACK 9123

Attachment 3 – Quinn's Pump Service Records for 1977 Irrigation Well, February 19,
2021.

Attachment 4 – Photographic Log, Excavation Adjacent to 1953 Sump

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LIMITATIONS

The purpose of an environmental assessment is to reasonably evaluate the potential for or actual impact of past practices on a given site area. In performing an environmental assessment, it is understood that a balance must be struck between a reasonable inquiry into the environmental issues and an exhaustive analysis of each conceivable issue of potential concern. This environmental assessment contains professional opinions as to the environmental issues of concern and/or additional actions, which may be addressed to the property. In rendering its professional opinion, we warrant that services provided hereunder were performed, within the limits described, consistent with current generally accepted environmental consulting principles and practices. No other warranty, express or implied, is made. The following paragraphs discuss the assumptions and parameters under which such an opinion is rendered.

No investigation is thorough enough to exclude the presence of hazardous materials at a given site. If hazardous conditions have not been identified during the assessment, such a finding should not therefore be construed as a guarantee of the absence of such materials on the site, but rather as the result of the services performed within the scope, limitations, and cost of the work performed.

Any opinions or recommendations presented apply to site conditions existing when services were performed. We are unable to report on or accurately predict events that may change the site conditions after the described services are performed, whether occurring naturally or caused by external forces. We assume no responsibility for conditions we were not authorized to investigate, or conditions not generally recognized as environmentally unacceptable when services were performed.

Environmental conditions may exist at the site that cannot be identified by visual observation. Where the scope of services was limited to observations made during site reconnaissance, interviews, review of readily available reports and literature or any combination, any conclusions or recommendations or both are necessarily based in part on information supplied by others, the accuracy or sufficiency of which we may not have independently reviewed.

Where subsurface work was performed, our professional opinions are based in part on interpretation of data from discrete sampling locations that may not represent actual conditions at unsampled locations.

Except where there is express concern of our client, or where specific environmental contaminants have been previously reported by others, naturally occurring toxic substances, potential environmental contaminants inside buildings, or contaminant concentrations that are not of current environmental concern may not be reflected in this document.

We are not responsible for any potential impact of changes in applicable environmental standards, practices, or regulations following performance of services, on the conclusions or recommendations, or both, of the study.

Services hereunder were performed consistent with our agreement and understanding with, and solely for the use of, our client. Opinions and recommendations are intended for the client, purpose, site, location, time frame, and project parameters indicated. We are not responsible for subsequent separation, detachment, or partial use of this document. Any reliance on this report by a third party shall be at such party's sole risk.

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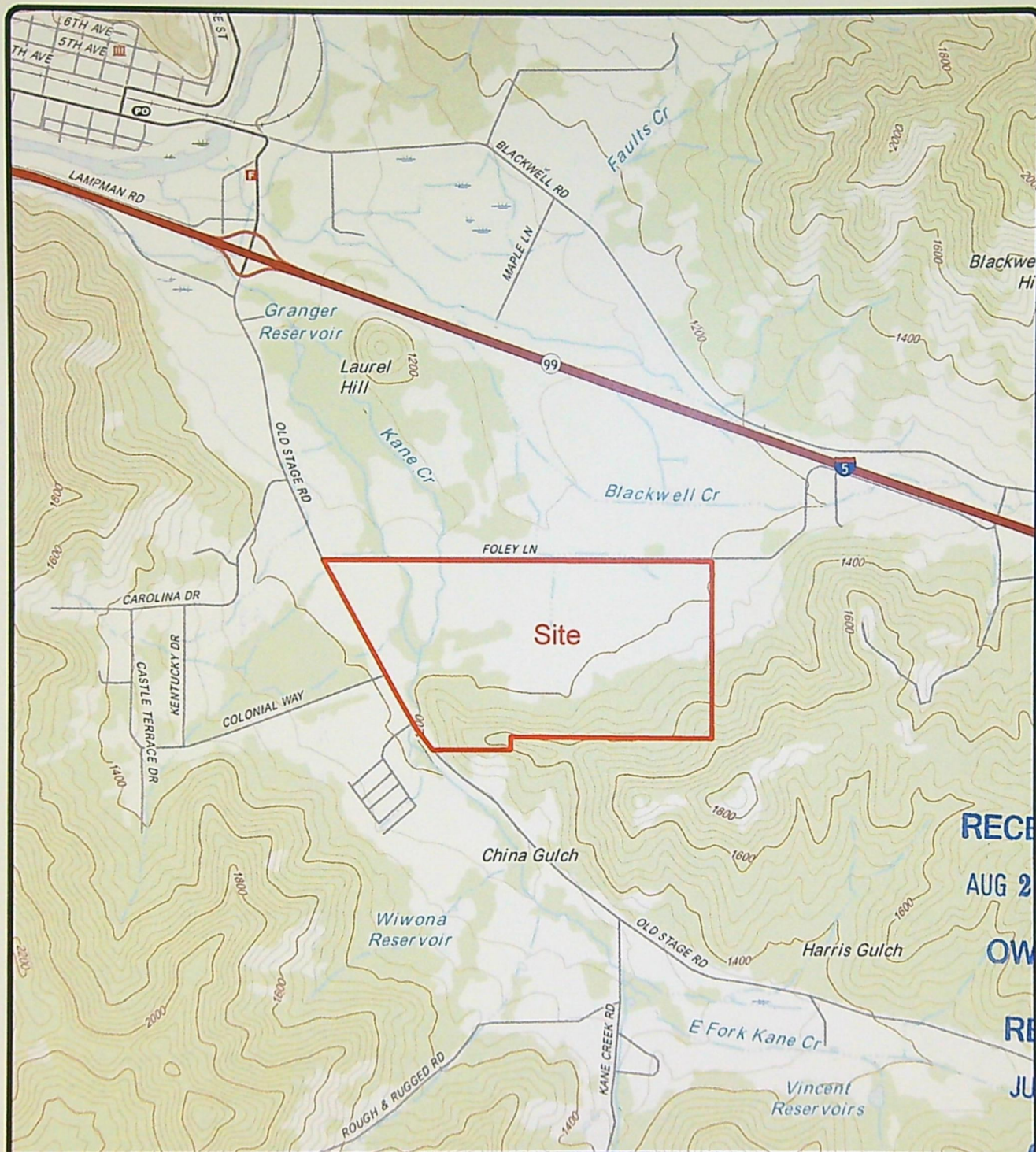
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SOURCE: U.S.G.S. 7.5 MINUTE TOPOGRAPHIC QUADRANGLES
GOLD HILL, OR (2020)

LEGEND

SCALE
0 2,000 4,000
FEET

— Approximate Site Boundary



ALPINE ENVIRONMENTAL CONSULTANTS, LLC

DATE: 4/10/21

DRAWN BY: SRM

Figure 1
General Site Location Map
Groundwater Registration Modification Project
8554 Old Stage Road
Central Point, Oregon



SOURCE: GOOGLE EARTH (2020)

LEGEND

- POA 1 ● Approximate Location of Existing Point of Appropriation
- POA 2 ● Approximate Location of New Point of Appropriation
- Irrigation Well Log Number 9123
- Approximate Site Boundary

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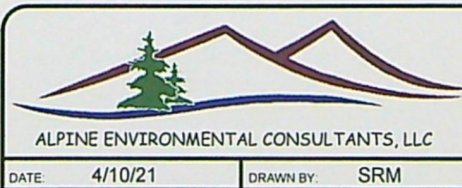
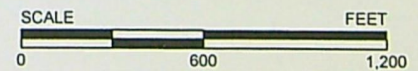


Figure 2
Site Location Map Detail
Groundwater Registration Modification Project
8554 Old Stage Road
Central Point, Oregon

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Table 1
 Estimated Groundwater Elevations at 1953 Dug Sump and 1977 Irrigation Well
 Groundwater Registration Modification Project
 8554 Old Stage Road in Central Point, Oregon

	Estimated Land Surface Elevation Derived From Google Earth (ft amsl)	Recorded Depth to Water When Constructed (feet bg)	Year Constructed	Approximate Groundwater Elevation When Installed (feet amsl)	Recorded Depth to Water in February 2021 (feet bg)	Groundwater Elevation (feet amsl) in February 2021
1953 Dug Sump	1164	6	1953	1158	18	1146
1977 Irrigation Well	1177	20	1977	1157	35	1142
Comments				Comment 1		Comment 2

Notes:

feet amsl = feet above mean sea level.

feet bg = feet below grade.

Depth to water measured at well assumes top of casing has a 2-foot casing stickup above grade.

Comment 1 = These groundwater elevations are approximately equivalent. However, there is a measurement date difference of 24 years.

Comment 2 = These groundwater elevations are approximately equivalent as well. Furthermore, inferred presence of irrigation wells in the center of the valley should be expected to develop a cone of depression.

ATTACHMENT 1

1953 Dug Sump, GR-3387

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Registration Statement

Registration No. GR - 3387

Certificate No. GR 3128

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OF CLAIMANT OF RIGHT TO APPROPRIATE GROUND WATER

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TO THE STATE ENGINEER OF OREGON:

I, WILLIAM W. FOLEY
 of R. 1 Box 325 CENTRAL POINT County of JACKSON
(Mailing address)
 State of OREGON, do hereby make application for a certificate of registration as evidence
 of a right to appropriate ground water.

1. Source from which water is withdrawn is SOUND
(Flowing well, pump well, infiltration trench, or tunnel)

2. Location is: 1 1/2 MILES SOUTH OF GOLD HILL GRC
(Approximate distance and direction from nearest city or town)

and is more particularly described as follows:

(a) SE 1/4 of NE 1/4 of Sec. 27, Twp. 36S, Rge. 3W
(Give distance and bearing to corner of section or other legal subdivision)
 being within SE 1/4 of NE 1/4 of Sec. 27, Twp. 36S, Rge. 3W
(Smallest legal subdivision) (or S.) (or W.)

or (b) within limits of recorded platted property, town or city:

in Lot _____, Block _____ of _____
(Name of plat or addition)
 _____ County of _____
(If within city or town, give name)

3. Construction Work was begun on Aug 10, 1953; was completed on Aug 12, 1953
(Date) (Date)
 and the ground water claimed was first used for the purposes set out below on Aug 20, 1953
(Date)
 since which time the water has been used INTERMITTENTLY
(Continuously or Intermittently)
 from Aug 20, 1953 to JUNE 1958
(Date) (Date)

4. Quantity of water claimed and used is 120 gallons per minute; _____ acre
 feet per year.

5. Purpose or Purposes for which water is used IRRIGATION
DOMESTIC - IRRIGATION
(Domestic, irrigation, municipal, manufacturing, industrial, etc.)

6. Description of Well: Depth 12 feet. Type Dug Sound
(Dug or drilled)
 diameter 16" x 10" Elevation of ground at well site 1300 feet, mean sea level.
(As near as known)
 Depth to water table 6 feet.

7. Capacity of Well: _____ g.p.m. with _____ feet drawdown.
 _____ g.p.m. with _____ feet drawdown.

Date of test _____

If Flowing Well: Measured discharge _____ g.p.m. on _____
(Date)

Shut-in pressure at ground surface _____ lbs. per sq. in. on _____
(Date)

Water is controlled by _____
(Cap, valve, etc.)

inch diameter	from	to	feet
inch diameter	from	to	feet
inch diameter	from	to	feet
inch diameter	from	to	feet

9. Perforated Casings or Screens:

(Number per foot and size of perforations, or describe screen) from to

from to

from to

from to

[illegible]

QWRD

GR. 3128

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Dimensions: Length 7.5 ft. Minimum depth 1.5 ft. Maximum depth ft.

Bottom width ft. Discharge g.p.m. Date of test

12. Tunnel: Type of lining

Dimensions: (Length, course, and cross sectional size)

Position of water bearing stratum with reference to portal of tunnel

Log of tunnel: (Preceding table for log of well may be used, if desired. Give footage from portal and character of materials, as pertinent.)

13. Pumping Equipment:

(a) Pump BERKELEY G.H.P. CENT. Capacity 100 GALS g.p.m.
(Make, type and size)

(b) Motor WISCONSIN AIR COOLED 6 H.P.
(Type and horsepower)

14. Location of area irrigated or to be irrigated, or place of use if for purposes other than irrigation.

[illegible]

15. If the ground water supply is supplemental to an existing water supply, identification of any application for a permit, permit, certificate or adjudicated right to appropriate water made or held by the registrant.

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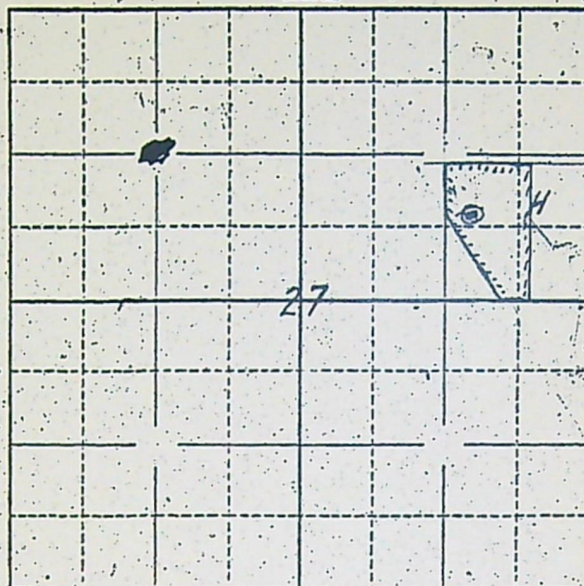
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Township 36 S. Range 3 W., W.M.
North



Locate well and acreage of irrigated land on plat.

Scale: 2" = 1 Mile

STATE OF OREGON

County of Jackson

I, William M. Foley, being first duly sworn, do hereby certify that I have read the foregoing Registration Statement and that all of the items therein contained are true to the best of my knowledge and belief.

(Signature of Registrant)

Subscribed and sworn to before me this 30th day of July, 1958

My commission expires July 16, 1959

(Notary Public)

(SEAL)

CERTIFICATE OF REGISTRATION

STATE OF OREGON

County of Marion

This is to certify that the foregoing Registration Statement was received in the office of the State Engineer on the 31 day of July, 1958, at 8:00 o'clock A. M. and has been duly recorded in said office in Book No. 13 of Registration Statements on page GR 3128

Witness my hand this 16th day of June, 1959

(State Engineer)

By

13809
(Deputy)

GR - 3128

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ATTACHMENT 2

1977 Irrigation Well Log, JACK 9123

The original and first copy of this report are to be filed with the

WATER RESOURCES DEPARTMENT,
SALEM, OREGON 97310
within 30 days from the date
of well completion.

STATE OF OREGON

(Please type or print)

(Do not write above this line)

State Well No. 365/BW-21

State Permit No. _____

Name Louis Burns
Address 8554 Old Stage Rd.,
Gold Hill, Or.

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐
If abandonment, describe material and procedure in Item 12.

Rotary	<input checked="" type="checkbox"/>	Driven	<input type="checkbox"/>	Domestic	<input type="checkbox"/>	Industrial	<input type="checkbox"/>	Municipal	<input type="checkbox"/>
Cable	<input type="checkbox"/>	Jetted	<input type="checkbox"/>	Irrigation	<input checked="" type="checkbox"/>	Test Well	<input type="checkbox"/>	Other	<input type="checkbox"/>
Dug	<input type="checkbox"/>	Bored	<input type="checkbox"/>						

Threaded ☐ Welded ☒

6" Diam. from 0 ft. to 136 ft. Gage 250
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

Perforated? ☒ Yes ☐ No.

Type of perforator used	torch		
Size of perforations	14	in. by 1/8	in.
264	perforations from 70	ft. to 136	ft.
	perforations from	ft. to	ft.
	perforations from	ft. to	ft.

Well screen installed? ☐ Yes ☒ No

Manufacturer's Name

Type Model No.

Diam. Slot size Set from ft. to ft.

Diam. Slot size Set from ft. to ft.

Drawdown is amount water level is lowered below static level

Was a pump test made? ☐ Yes ☒ No If yes, by whom?

Yield:	gal./min. with	ft. drawdown after	hrs.
"	"	"	"
" <u>AIR</u>	"	"	"
Bailer test <u>100</u>	gal./min. with <u>100</u>	ft. drawdown after <u>1 1/2</u>	hrs.
Artesian flow	g.p.m.		
Temperature of water	Depth artesian flow encountered ft.		

Well seal—Material used Cement

Well sealed from land surface to 68 ft.

Diameter of well bore to bottom of seal 10 in.

Diameter of well bore below seal 6 in.

Number of sacks of cement used in well seal 10 sacks

How was cement grout placed? poured

Was a drive shoe used? ☒ Yes ☐ No Plugs Size: location ft.

Did any strata contain unusable water? ☐ Yes ☒ No

Type of water? depth of strata

Method of sealing strata off

Was well gravel packed? ☐ Yes ☒ No Size of gravel:

Gravel placed from ft. to ft.

County Jackson Driller's well number 42
 1/4 1/4 Section 27 T. 36S R. 3W W.M.
 Bearing and distance from section or subdivision corner

Depth at which water was first found 78 70 ft.
 Static level 20 ft. below land surface. Date 5/12/77
 Artesian pressure _____ lbs. per square inch. Date _____

Diameter of well below casing 6

Depth drilled 138 ft. Depth of completed well 138 ft.

Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
Soil--brown	0	3	
Gravel--brown & gray	3	21	
Clay--brown	21	45	
Gravel--brown & gray	45	54	
Clay--brown	54	60	
Claystone--brown	60	70	
Gravel--brown & gray	70	136	
Granite--gray	136	138	

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MAY 23 1977

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WATER RESOURCES DEPT
SALEM, OREGON

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Work started	5/9	1977	Completed	5/12	1977
Date well drilling machine moved off of well	5/12	1977			

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.

[Signed] L. J. McLaughlin Date 5/20, 1977
(Drilling Machine Operator)

Drilling Machine Operator's License No. 483

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

Name Virgle Gribble Well Drilling
(Person, firm or corporation) (Type or print)

Address 8380 Ramsey Rd., Gold Hill, Ore.

[Signed] Wayne Milkowski

Contractor's License No. 461 Date 5/20 1977

(USE ADDITIONAL SHEETS IF NECESSARY)

SP-43656-119

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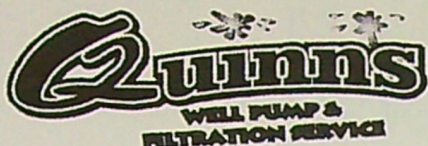
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ATTACHMENT 3

Quinn's Pump Service Records for 1977 Irrigation Well
February 19, 2021

Well Flow Test



Test ID: 7166
Street Address: 8554 OLD STAGE
CENTRAL POINT, OR 97502

Test Date: Feb 19, 2021
Service Tech: JIM HENDERSON

Name: FARM MGR - SLOAN CALLAHAN
Billing Address: 8554 OLD STAGE
CENTRAL POINT, OR 97502
Telephone: 530-339-6762

Test Requirements: 4 HOUR WELL FLOW ON WELL #2

Remarks: THE FLOW METER WAS MAXED OUT, THE WELL PRODUCES OVER 130GPM.

Equipment Used: EXISTING EQUIPMENT

Source: WELL #2

Well Depth: 140 Pumping Level: 0 Diameter: 18 Seal: Yes Vent: Yes Pop Off Valve: No

Water Color: CLEAR Taste: N/A Odor: NONE

Flow Data

Time	Flow	Level	Meter
09:15 AM	130 GPM	37 feet	1950.00 Gallons
09:30 AM	130 GPM		3900.00 Gallons
09:45 AM	130 GPM		5850.00 Gallons
10:00 AM	130 GPM		7800.00 Gallons
10:15 AM	130 GPM		9750.00 Gallons
10:30 AM	130 GPM		11700.00 Gallons
10:45 AM	130 GPM		13650.00 Gallons
11:00 AM	130 GPM		15600.00 Gallons
11:15 AM	130 GPM		17550.00 Gallons
11:30 AM	130 GPM		19500.00 Gallons
11:45 AM	130 GPM		21450.00 Gallons
12:00 PM	130 GPM		23400.00 Gallons
12:15 PM	130 GPM		25350.00 Gallons
12:30 PM	130 GPM		27300.00 Gallons
12:45 PM	130 GPM		29250.00 Gallons
01:00 PM	130 GPM		31200.00 Gallons
01:15 PM	130 GPM		33150.00 Gallons

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Total Time

4 Hours

Total Gallons

33150.00 Gallons

GPM = Gallons per minute being pumped out of well.

Level = The distance from the top of the well to the water level in the well.

Meter = Total gallons of water pumped from well.

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ATTACHMENT 4

Photographic Log of Test Pit Excavation Adjacent to 1953 Dug Sump
February 15, 2021



1. Test Pit Excavation.



4. Test Pit Excavation.



2. Test Pit Excavation with separate piles of different lithologies.



3. Test location relative to 1953 Dug Sump.

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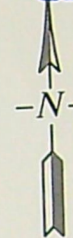
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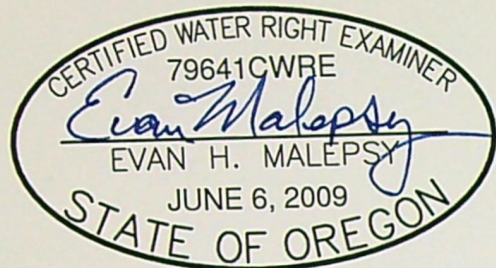
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GROUNDWATER REGISTRATION MODIFICATION MAP

GROUNDWATER REGISTRATION: GR-3387, PRIORITY DATE 8/10/1953
CHANGE IN POINT OF APPROPRIATION AND PLACE OF USE

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RENEWS: 12/31/2022

FOR
JEREMY PRATT
3439 NE SANDY BOULEVARD #356
PORTLAND, OR 97232

SITUATED IN
SECTION 26 & 27, TOWNSHIP 36 SOUTH, RANGE 3 WEST, W.M.
WITHIN RIGGS DLC #45
JACKSON COUNTY, OREGON

LEGEND

● POA 1
EXISTING POINT OF APPROPRIATION
900' SOUTH AND 1700' WEST FROM
NE CORNER DLC 38 (PER GR-3387
CLAIM)

● POA 2
NEW POINT OF APPROPRIATION
WELL LOG: JACK 9123
998' SOUTH AND 960' WEST FROM
NE CORNER DLC 38

"FROM LANDS" 12.5 AC.

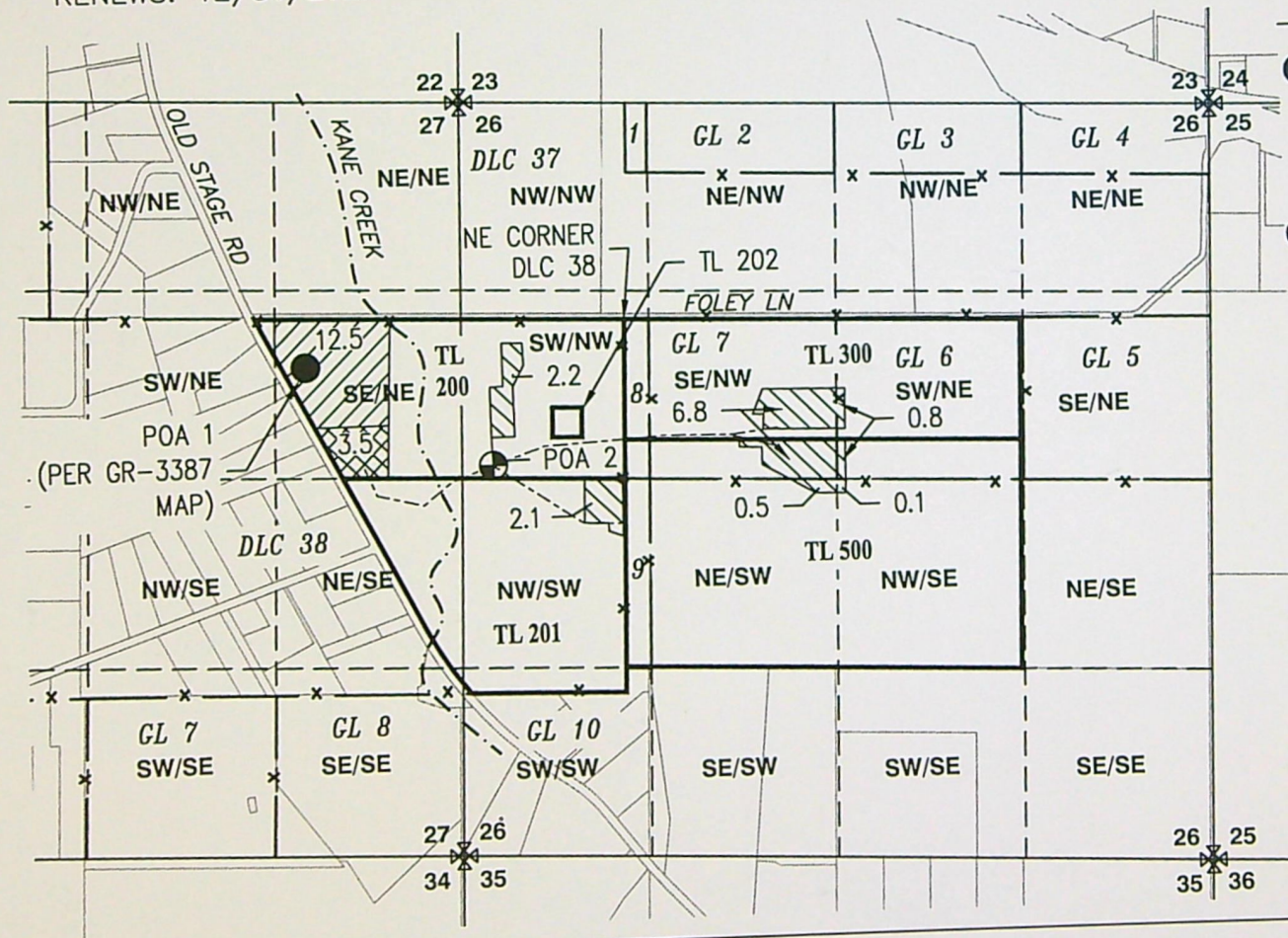
"TO LANDS" 12.5 AC.

REMAINING 3.5 AC.

--- 1/4-1/4 SECTION LINE
-x- DLC/GOV. LOT BOUNDARY
- - - WATERLINE

This map is not intended to
provide legal dimensions or
locations of property
ownership lines.

EHM-April 13, 2021
ROGUE CIVIL LLC
emalepsy@roguecivil.com
541-621-2868



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Attachment 2: Land Use Information Form

Land Use Information Form

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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

NAME JEREMY PRATT		PHONE (HM) 503-805-7523	
PHONE (WK) SAME	CELL SAME	FAX NONE	
ADDRESS 3439 NE SANDY BOULEVARD, #356			
CITY PORTLAND	STATE OR	ZIP 97232	E-MAIL* J.PRATT@NECTARPD.COM

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	26	SE/NW	300, 500	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farm
36S	3W	26	SW/NE	300, 500	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farm
36S	3W	26	NE/SW	500	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farm
36S	3W	26	NW/SE	500	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farm
36S	3W	27	SE/NE	200	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farm
36S	3W	27	SW/NW	200	EFU	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farm
36S	3W	27	NW/SW	201	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	Farm

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

Jackson County.

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 Groundwater Registration Modification
☐ Limited Water Use License ☐ Allocation of Conserved Water ☐ Exchange of Water

Source of water: ☐ Reservoir/Pond ☒ Groundwater ☐ Surface Water (name)

Estimated quantity of water needed: 120 ☐ 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:

The Applicant is submitting an application for a Groundwater Registration Modification to move the point of appropriation and place of use to a different location on his property. The irrigation is to be used for marijuana cultivation.

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.

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Attachment 2: Land Use Information Form

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:	
		<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
		<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	TITLE:
SIGNATURE	PHONE:
GOVERNMENT ENTITY	DATE:

RECEIVED

AUG 26 2021

OWRD

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: Jeremy Pratt

City or County: Jackson County Staff contact: Dawn Rittiman

Signature: [Signature] Phone: (541) 774-6922 Date: 04/09/21

13809

Land Use Information Form
Page 3 of 3

52 Pineridge Lane
Eagle Point, OR 97524
541-621-2868
emalepsy@roquecivil.com

RECEIVED

JUL 13 2021

OWRD

Rogue Civil LLC

RECEIVED

AUG 26 2021

OWRD

Transmittal

To: Jeremy Pratt **From:** Evan Malepsy
Re: GR Modification (GR-3387) **Date:** 04/14/2021

☒ For Review ☐ Please Comment ☐ Please Reply ☒ For Signature

Hi Jeremy,

Enclosed are the following:

1. Application for Groundwater Registration Modification
2. Land Use Form with receipt from Jackson County
3. Groundwater Registration Modification Map
4. Well Log for proposed new point of appropriation
5. Well flow test for proposed new point of appropriation
6. Request for Assignment by Proof of Ownership
7. Property deed
8. Technical Memorandum prepared by Alpine Environmental Consultants, LLC

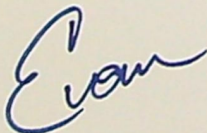
Please review and let me know if you have any questions. If acceptable, please sign the application on page 3 and include a check for \$1,250 made out to Oregon Water Resources Department.

Also, a notarized signature is required on the Request for Assignment along with another check for \$100 made out to Oregon Water Resources Department.

Include this transmittal and mail the whole package (originals) to the address on the front of the application.

I recommend you make a copy for your records.

Thanks,



Groundwater Registration Modification (GR Mod) Application Checklist

Checked by Scott

Date 9/1/21

(If OK, check box to left; if not, fill in the blank)

- ☒ 1. Is the name of the GR Mod applicant(s) the same as the GR claim holder(s) of record?

If not, one of the following must be included with the application:

- ___ a) A written statement from the GR claim holder, consenting to the proposed GR Mod Application (if the GR claim holder(s) of record is the current property owner), **OR**.
- ☒ b) A concurrent "Request for Assignment" to move the GR claim into the GR Mod applicant's name must be submitted (if the GR Mod applicant(s) is the current property owner), **OR**
- ___ c) A concurrent "Request for Assignment" to move the GR claim into the name of a third party (who now owns the property) must be submitted, **and** the third party will need to provide a written statement consenting to the proposed GR Mod Application.

If not, what is missing? _____

- ☒ 2. Page 1 of application: Are all attachments that have been checked actually included?

If not, what is missing? _____

- ☒ 3. Are fees included and correct? 1250

If not, the correct fee would be: _____, so the amount missing is: _____

- If application proposes ONLY a change in place of use = \$875.00
- If application proposes any other change or combination of changes = \$1,250.00

- ☒ 4. Page 3 of application: Have all the applicants listed at the top of the page signed at the bottom? Yes

If not, whose signature is missing? _____

- ☒ 5. If all #1-#4 boxes on this checklist are checked (with no remaining deficiencies identified), accept the application. Put this check sheet in the transfer folder.

If #1, #2, #3, or #4 on this checklist is deficient, the application CANNOT be accepted.

It should be returned and the deficiencies listed in the "staff" section at the bottom of Application Page 1, unless the applicant or agent can resolve the deficiencies within 2-3 days.

need land use form (signed land use form) ~~to~~
accepted b/c language
reappeared onto new
"revised" form