

HISTORIC

Name Betty Linnell

Address 22705 East Evans Cr Rd  
White City OR 97503

Change in POD

Date Filed 9/13/2021

Initial notice date 9/21/2021

DPD issued date \_\_\_\_\_

PD issued date \_\_\_\_\_

PD notice date \_\_\_\_\_

Date of FO 6/11/24 Vol 131 Page 378-381

C-Date \_\_\_\_\_

COBU due date \_\_\_\_\_

COBU Received date \_\_\_\_\_

Certificate issued \_\_\_\_\_

Assignments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Irrigation District \_\_\_\_\_

\_\_\_\_\_

Agent \_\_\_\_\_

\_\_\_\_\_

CWRE \_\_\_\_\_

CC's list Jackson County Planning

\_\_\_\_\_

\_\_\_\_\_

- Oversized map - Location \_\_\_\_\_

DESCRIPTION OF WATER RIGHT(S)

Name of Stream Evans Creek

Trib. of Rogue river

Use Impachment / domestic County Jackson

Quantity of water (CFS) \_\_\_\_\_ No. of Acres \_\_\_\_\_

Name of ditch \_\_\_\_\_

App# Decree Per # Rogue river Cert # 44950 PR Date 10/15/1887

App# \_\_\_\_\_ Per # \_\_\_\_\_ Cert # \_\_\_\_\_ PR Date \_\_\_\_\_

App# \_\_\_\_\_ Per # \_\_\_\_\_ Cert # \_\_\_\_\_ PR Date \_\_\_\_\_

App# \_\_\_\_\_ Per # \_\_\_\_\_ Cert # \_\_\_\_\_ PR Date \_\_\_\_\_

App# \_\_\_\_\_ Per # \_\_\_\_\_ Cert # \_\_\_\_\_ PR Date \_\_\_\_\_

FEES PAID		
Date	Amount	Receipt #
9-13-2021	\$1,360. <sup>00</sup>	136405

FEES REFUNDED		
Date	Amount	Receipt #



# 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

June 11, 2024

Betty Linnell  
22705 E Evans Creek Rd  
White City, OR 97503

REFERENCE: Transfer Application T-13821

Enclosed is a copy of the final order approving your water right transfer application.

Also enclosed is a certificate issued to confirm the historic change in point of diversion approved by the final order contained herein. Please read this document carefully and abide by the requirements.

If you have any questions related to the approval of this transfer, you may contact your caseworker, Corey Courchane, by telephone at (503) 979-3917 or by e-mail at [Corey.a.courchane@water.oregon.gov](mailto:Corey.a.courchane@water.oregon.gov).

Sincerely,

Elyse D. Richman  
Water Right Services Support  
Transfers and Conservation Section

cc: Shavon L. Haynes, Watermaster Dist. # 13 (via email)  
Jackson County Planning Department, Local Government

Enclosures



**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
34 S	2 W	WM	4	NW SW	POD 1 - 380 FEET SOUTH AND 1300 FEET EAST FROM THE W1/4 CORNER OF SECTION 4

**Authorized Place of Use:**

IRRIGATION AND DOMESTIC USE					
Twp	Rng	Mer	Sec	Q-Q	Acres
34 S	2 W	WM	4	E1/2 W1/2 SW1/4 and W1/2 E1/2 SW1/4	17.0
34 S	2 W	WM	9	NE NW	1.8
Total					18.8

4. Transfer Application T-13821 proposes to move the authorized point of diversion to reflect historical use approximately 0.4 mile downstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
34 S	2 W	WM	4	SE SW	POD 2 - 1870 FEET SOUTH AND 1690 FEET EAST FROM THE W1/4 CORNER OF SECTION 4

5. The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screen is necessary at the new point of diversion to prevent fish from entering the diversion and that the diversion is not currently equipped with an appropriate fish screen. This diversion may be eligible for screening cost-share funds.

**Transfer Review Criteria (ORS 540.532 and OAR 690-380-2120)**

6. Pursuant to OAR 690-380-2120(2)(a), evidence has been submitted that the actual, current point of diversion for the water right in question, as described in Finding No. 4, has been in use for more than 10 years.
7. Pursuant to OAR 690-380-2120(2)(c), the Watermaster provided a statement that to his knowledge there has been no complaint of injury due to the use of water at the actual, current point of diversion, prior to the transfer request.
8. The Department did not identify any affected water rights pursuant to OAR 690-380-2120(3).
9. Water has been used within the last five years according to the terms and conditions of the right. There is no evidence available that would demonstrate that the right is subject to forfeiture under ORS 540.610.
10. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right are present.
11. The proposed change would not result in enlargement of the right.
12. The proposed change would not result in injury to other water rights.

## Conclusions of Law

The proposed change in point of diversion to reflect historical use in application T-13821 is consistent with the requirements of ORS 540.532, and OAR 690-380-2120.

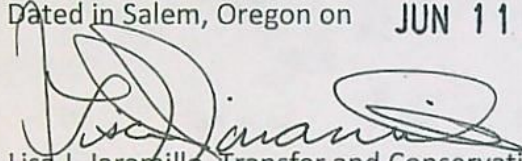
### Now, therefore, it is ORDERED:

1. The change proposed in T-13821 is approved and effective immediately.
2. The right to 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 Certificate 44956 and any related decree.
3. Water right certificate 44956 is cancelled. Certificate 97761 will be issued to describe the change in point of diversion for the right included in T-13821. The new Certificate shall supersede Certificate 44956.
4. The quantity of water diverted at the new point of diversion (POD 2); shall not exceed the quantity of water lawfully available at the original point of diversion (POD 1).
5. Water use measurement conditions:
  - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of diversion (new and existing).
  - b. The water user shall maintain the meters or measuring devices in good working order.
  - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

6. Prior to October 1, 2025, the water user shall install an approved fish screen at the new point of diversion and shall provide to the OWRD a written statement from Oregon Department of Fish and Wildlife (ODFW) that the installed screen meets the state's criteria, or that ODFW has determined a screen is not necessary.

The water user shall operate and maintain the fish screen at the new point of diversion consistent with ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

Dated in Salem, Oregon on **JUN 11 2024**



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

Mailing date: **JUN 12 2024**

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BETTY J. LINNELL  
 22705 EAST EVANS CREEK ROAD  
 WHITE CITY, OR 97503

confirms the right to use the waters of EAST FORK EVANS CREEK, a tributary of EVANS CREEK for IRRIGATION of 18.8 ACRES and DOMESTIC USE.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Jackson County, and the said decree entered of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 4, at page 1; that the priority of the right thereby confirmed dates from OCTOBER 15, 1887 that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.31 CUBIC FOOT PER SECOND.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
34 S	2 W	WM	4	SE SW	POD 2 - 1870 FEET SOUTH AND 1690 FEET EAST FROM THE W1/4 CORNER OF SECTION 4

A description of the place of use to which this right is appurtenant is as follows:

IRRIGATION AND DOMESTIC USE					
Twp	Rng	Mer	Sec	Q-Q	Acres
34 S	2 W	WM	4	E1/2 W1/2 SW1/4 and W1/2 E1/2 SW1/4	17.0
34 S	2 W	WM	9	NE NW	1.8
Total					18.8

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Water use measurement conditions:

- a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of diversion (new and existing).
- b. The water user shall maintain the meters or measuring devices in good working order.
- c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

Prior to October 1, 2025, the water user shall install an approved fish screen at the new point of diversion and shall provide to the OWRD a written statement from Oregon Department of Fish and Wildlife (ODFW) that the installed screen meets the state's criteria, or that ODFW has determined a screen is not necessary.

The water user shall operate and maintain the fish screen at the new point of diversion consistent with ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

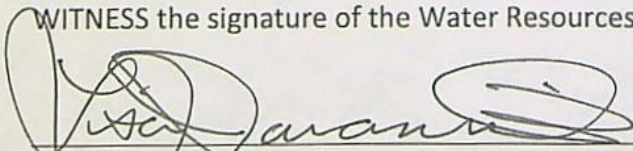
This certificate is issued to confirm an HISTORIC CHANGE IN POINT OF DIVERSION approved by an order of the Water Resources Director entered JUN 11 2024, approving Transfer Application T- 13821, and supersedes Certificate 44956, State Record of Water Right Certificates.

The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

And said right shall be subject to all other conditions and limitations contained in said decree.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

WITNESS the signature of the Water Resources Director, affixed JUN 11 2024.



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



**WATER RIGHT TRANSFER COVER SHEET**

Transfer: T- 13821

Transfer Specialist:

Transfer Type: Historic POD Transfer

*Cooley*

<b>Applicant:</b> BETTY LINNELL 22705 EAST EVANS CREEK RD WHITE CITY, OR 97503 Email: _____ Phone: _____	<b>Agent:</b> <input type="checkbox"/> N/A UNAVAILABLE Email: _____ Phone: _____
<b>Irrigation District:</b> <input type="checkbox"/> N/A Email: _____	<b>CWRE:</b> <input type="checkbox"/> N/A Email: _____
<b>Affected Local Gov'ts:</b> <input type="checkbox"/> N/A Jackson County Planning & Development county Courthouse Email: _____	<b>Affected Tribal Gov't:</b> <input type="checkbox"/> N/A UNAVAILABLE Email: _____
<b>Current Landowner if other than Applicant:</b> <input type="checkbox"/> N/A Email: _____	<b>Receiving Landowner:</b> <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"/>	DECREE	ROGUE RIVER	44956	<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: September 13, 2021	Proposed Action(s): POINT OF DIVERSION	
Fees Pd: 1360.00	WM District: 13	ODFW District:
Initial Public Notice: September 21, 2021	WM Review sent:	ODFW Review sent:
Acknowledgement Letter Sent <input type="checkbox"/>		GW Review sent: <input type="checkbox"/> N/A
County sent cc: of Ack Letter <input checked="" type="checkbox"/>	BOR notified (date): <input type="checkbox"/> N/A	
Newspaper quote requested:	Request for news \$ sent:	News \$ received:
Request to publish sent:	Affidavit of publication received:	Last day of publication:

Document	Drafted	Peer Review	Changes Made	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	CW Sent: _____	N/A
PO	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____	Date: _____
FO	Date: <u>8/18/23</u> Initials: <u>cd</u>	Date: <u>9/15/23</u> Initials: <u>Stoll</u>	Date: _____ Initials: _____	Date: <u>5/3/24</u> Initials: <u>PKS</u>	Date: <u>5/9/24</u> Initials: <u>ce</u>	Date: <u>6/7/24</u>	Date: <u>6/11/24</u>

Special Issues: \_\_\_\_\_

Special Order Volume: Vol. 131 Pages 378-381



**First American Title™**

*First American Title Insurance Company*

1225 Crater Lake Avenue, Suite 101  
Medford, OR 97504  
Phn - (541)779-7250  
Fax - (866)400-2250

**LACEY KING**  
TITLE OFFICER  
lrking@firstam.com

**LIEN AND ENCUMBRANCE SEARCH**

Betty Linnell  
22705 E Evans Creek Rd  
White City, OR 97503

May 22, 2024  
File Number: 7169-4167646

Attn:

Re: 342W09 200 and 342W04 1400



Fee: \$150.00

We hereby certify that we have searched our Tract Indices as to the following described property:

The land referred to in this report is described in Exhibit A attached hereto.

and as of May 14, 2024 at 8:00 a.m.

Vested of Record in:

Betty J. Linnell

Subject to:

1. The assessment roll and the tax roll disclose that the within described premises were specially zoned or classified for Farm use. If the land has become or becomes disqualified for such use under the statute, an additional tax or penalty may be imposed.

NOTE: Taxes for the year 2023-2024 PAID IN FULL

Tax Amount: \$576.00  
Map No.: 342W09 200  
Property ID: 1-065994-0  
Tax Code No.: 0603  
(Affects Parcel 2)

NOTE: Taxes for the year 2023-2024 PAID IN FULL

Tax Amount: \$1,104.46  
Map No.: 342W04 1400  
Property ID: 1-066068-2  
Tax Code No.: 0603  
(Affects Parcel 1)



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Medford, OR 97504  
Phn - (541)779-7250  
Fax - (866)400-2250

We have also searched our General Index for Judgment and State and Federal Tax Liens against the vestee and find the following:

NONE

This report is made for the purpose herein specified and for this reason liability hereunder is expressly limited to the sum paid therefore. THIS IS NOT a title report since no examination has been made of the title to the above described property. Our search for apparent encumbrances was limited to our Tract Indices, and therefore above listings do not include additional matters which might have been disclosed by an examination of the record title. We assume no liability in connection with this Lien and Encumbrance Search and will not be responsible for errors or omissions therein. The charge for this service will not include supplemental reports, rechecks or other services.



*First American Title*<sup>™</sup>

First American Title Insurance Company  
1225 Crater Lake Avenue, Suite 101  
Medford, OR 97504

### **Illegal Restrictive Covenants**

Please be advised that any provision contained in this document, or in a document that is attached, linked, or referenced in this document, that under applicable law illegally discriminates against a class of individuals based upon personal characteristics such as race, color, religion, sex, sexual orientation, gender identity, familial status, disability, national origin, or any other legally protected class, is illegal and unenforceable by law.



**Exhibit "A"**

Real property in the County of Jackson, State of Oregon, described as follows:

Parcel 1:

That portion of the Southwest Quarter of Section 4, Township 34 South, Range 2 West of the Willamette Meridian in Jackson County, Oregon, lying Easterly of East Evans Creek Road.

Parcel 2:

That portion of the East Half of the Northwest Quarter and the Northeast Quarter of the Southwest Quarter of Section 9 in Township 34 South, Range 2 West of the Willamette Meridian in Jackson County, Oregon, lying Easterly of East Evans Creek Road. Excepting therefrom the following: commencing at the Quarter Section corner on the North line of Section 9 in Township 34 South, Range 2 West of the Willamette Meridian in Jackson County, Oregon; thence along the Quarter Section line running North and South through the fractional center of said section 9, South 00° 22' 15" East 712.88 feet to the true Point of Beginning; thence continue South 00° 22' 15" East 612.00 feet to a 5/8 inch iron pin marking the center North 1/16th corner of said section 9; thence along the South line of said quarter-quarter, North 89° 30' 01" West 400.00 feet to a 5/8 inch iron pin; thence leaving last said line, North 04° 45' 54" West 30.13 feet to a 5/8 inch iron pin designed "A" for future reference; thence continue North 04° 45' 54" West 25.10 feet to a 5/8 inch iron pin designated "B" for future reference; thence continue North 04° 45' 54" West 75.93 feet to a 5/8 inch iron pin; thence North 07° 08' 12" West 384.75 feet to a 5/8 inch iron pin; thence North 00° 22' 15" West 100.00 feet; thence South 89° 30' 01" East, along a line parallel with the South line of said quarter-quarter, 455.38 feet to the true Point of Beginning. Also excepting therefrom the following: beginning at the Southeast corner of the Northeast Quarter of the Southwest Quarter of Section 9, said Township and Range; thence North to the center of Morrison Creek; thence centering Morrison Creek in a Northwesterly direction to the center of Morrison Creek Bridge on East Evans Creek Road; thence Southerly, along the centerline of said road to the South line of the Northeast Quarter of the Southeast Quarter of said section; thence East to the Point of Beginning.

NOTE: This Legal Description was created prior to January 01, 2008.



After recording return to:  
 First American Title  
 P.O. Box 478  
 Rogue River, OR 97537

**OWRD RECEIVED**  
 courchca, 5/23/2024, 2:40:52 PM

Until a change is requested all tax statements shall be sent to the following address:

Betty J. Linnell  
777 N.E. 7TH ST.  
Grant Pass OR 97526

342W4      1400  
                  1500  
 342W-9      200  
                  300  
                  500

File No.: 7164-288147 (RLH) FA 200 23571  
 Date: November 13, 2003

**STATUTORY WARRANTY DEED**

**Charlotte Diane Shelman and Patricia L. Mecum, Trustee under the Mecum Loving Trust, dated March 31, 2000, Grantor, conveys and warrants to Betty J. Linnell, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:**

**Legal Description attached as Exhibit 'A'**

The true consideration for this conveyance is **\$600,000.00**. (Here comply with requirements of ORS 93.030)

**This property is free from liens and encumbrances, EXCEPT:**

- For tax purposes, the herein described property has been classified as farm land and assessed at a lower valuation by the County Assessor pursuant to ORS 308.345 to 308.407. If the land becomes disqualified for the special assessment under the statute, an additional tax and interest thereon may be levied, which the grantees herein agree to assume and pay.
- Rights of the public within the limits of public roadways, and/or rights of private parties within existing roadways or driveways.
- Easements of record.
- Right to the use of roads for the purpose of transporting logs and other forest products granted to the Timber Products Company, by instrument recorded in Volume 287, Page 617, Jackson County, Oregon, Deed Records. (Affects Parcel 2)
- Morrison Creek cannot be insured as a definite boundary since it is and has been subject to possible relocation due to changes in the course of said creek. (Affects Parcels 4 and 5)
- An Agreement for private road maintenance and access, including the terms and provisions thereof recorded as Document No. 85-03343, Official Records Jackson County, Oregon. (Affects Parcel 4)

|

THIS INSTRUMENT WILL 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 APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

Charlotte Diane Shelman  
Charlotte Diane Shelman

Mecum Loving Trust

Patricia L. Mecum, Trustee  
Patricia L. Mecum, Trustee

STATE OF Oregon )  
County of Jackson )ss.  
)

This instrument was acknowledged before me on this 17 day of October, 2003  
by ~~Charlotte Diane Shelman and Patricia L. Mecum~~, Trustee under the Mecum Loving Trust  
dated March 31, 2000.

R. Hansen

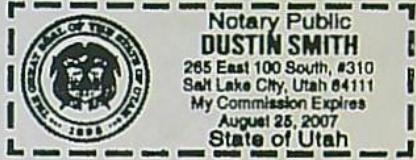


Notary Public for Oregon  
My commission expires: 9/24/05

STATE OF UTAH )  
COUNTY OF Galt Lake ) ss

Personally appeared the above named Charlotte Diane Shelman  
and acknowledged the foregoing instrument to be executed by voluntary act and  
deed before me this 21st day of November 2003.

Dustin Smith  
Notary Public for State of Oregon  
My commission expires: 08/25/07





PARCEL 1:

That portion of the Southwest Quarter of Section 4, Township 34 South, Range 2 West of the Willamette Meridian in Jackson County, Oregon, lying Easterly of East Evans Creek Road.

PARCEL 2:

That portion of the Southwest Quarter of Section 4, Township 34 South, Range 2 West of the Willamette Meridian in Jackson County, Oregon, lying Westerly of East Evans Creek Road.

PARCEL 3:

Beginning at the Northeast corner of the Northwest Quarter of the Northwest Quarter of Section 9 in Township 34 South, Range 2 West of the Willamette Meridian in Jackson County, Oregon; thence West 150.0 feet, more or less, to the center of the County Road; thence Southeasterly, along the centerline of said Road to the East line of said Northwest Quarter of the Northwest Quarter of said Section; thence North 175.0 feet, more or less, to the point of beginning.

PARCEL 4:

That portion of the East Half of the Northwest Quarter and the Northeast Quarter of the Southwest Quarter of Section 9 in Township 34 South, Range 2 West of the Willamette Meridian in Jackson County, Oregon, lying Easterly of East Evans Creek Road. EXCEPTING THEREFROM the following: Commencing at the Quarter Section corner on the North line of Section 9 in Township 34 South, Range 2 West of the Willamette Meridian in Jackson County, Oregon; thence along the Quarter Section line running North and South through the fractional center of said Section 9, South  $00^{\circ} 22' 15''$  East 712.88 feet to the true point of beginning; thence continue South  $00^{\circ} 22' 15''$  East 612.00 feet to a 5/8 inch iron pin marking the center North 1/16th corner of said Section 9; thence along the South line of said Quarter-Quarter, North  $89^{\circ} 30' 01''$  West 400.00 feet to a 5/8 inch iron pin; thence leaving last said line, North  $04^{\circ} 45' 54''$  West 30.13 feet to a 5/8 inch iron pin designed "A" for future reference; thence continue North  $04^{\circ} 45' 54''$  West 25.10 feet to a 5/8 inch iron pin designated "B" for future reference; thence continue North  $04^{\circ} 45' 54''$  West 75.93 feet to a 5/8 inch iron pin; thence North  $07^{\circ} 08' 12''$  West 384.75 feet to a 5/8 inch iron pin; thence North  $00^{\circ} 22' 15''$  West 100.00 feet; thence South  $89^{\circ} 30' 01''$  East, along a line parallel with the South line of said Quarter-Quarter, 455.38 feet to the true point of beginning. ALSO EXCEPTING THEREFROM the following: Beginning at the Southeast corner of the Northeast Quarter of the Southwest Quarter of Section 9, said Township and Range; thence North to the center of Morrison Creek; thence centering Morrison Creek in a Northwesterly direction to the center of Morrison Creek Bridge on East Evans Creek Road; thence Southerly, along the centerline of said road to the South line of the Northeast Quarter of the Southeast Quarter of said Section; thence East to the point of beginning.

PARCEL 5:

That portion of the East Half of the Northwest Quarter and the North Half of the Southwest Quarter of Section 9, Township 34 South, Range 2 West of the Willamette Meridian in Jackson County, Oregon, lying Westerly of East Evans Creek Road. EXCEPTING THEREFROM the following: Beginning at a conglomerate rock standing on the North side of Morrison Creek, 330.00 feet, more or less, West of where Evans Creek Road (County Road) crosses said creek, in Section 9 in Township 34 South, Range 2 West of the Willamette Meridian in Jackson County, Oregon, said rock is marked with a cross; thence South 198.00 feet; thence East 330.00 feet, more or less, to said County Road; thence Northerly, along the West line of said County Road, 528.00 feet; thence West 330.00 feet; thence South 294.00 feet to the point of beginning; said tract described as an agreement and recorded as Document No. 76-00193, Official Records of Jackson County, Oregon. ALSO EXCEPTING THEREFROM the following: Commencing at the Northeast corner of the Southwest Quarter of the Southwest Quarter of Section 9, Township 34 South, Range 2 West, of the Willamette Meridian in Jackson County, Oregon; thence West along the North line of said Quarter-Quarter, 25.0 feet; thence continue West, along said North line, 25.0 feet; thence North 50.0 feet; thence East parallel with and 50.0 feet North from the East-West centerline of the Southwest Quarter, 650.0 feet, more or less, to the Westerly right of way line; thence Southerly to a point on the East-West centerline of the Southwest Quarter; thence West, along said East-West centerline, to the point of beginning.

Jackson County, Oregon  
Recorded  
OFFICIAL RECORDS

NOV 25 2003  
2:00 PM  
*Heather S. [Signature]*  
COUNTY CLERK

5

## STATE OF OREGON

COUNTY OF JACKSON

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That H. K. HANNA

of Jacksonville, State of Oregon, 97530, has  
a right to the use of the waters of East Fork Evans Creek

a tributary of Evans Creek for the purpose of  
irrigation of 18.8 acres and domestic use

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for  
Jackson County, and the said decree entered of record at Salem, in the Order Record of  
the WATER RESOURCES DIRECTOR, in Volume 4, at page 1; that the priority of the  
right thereby confirmed dates from October 15, 1887

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an  
amount actually beneficially used for said purposes, and shall not exceed 0.31 cubic foot  
per second

The point of diversion is located in the NW $\frac{1}{2}$  SW $\frac{1}{4}$ , Section 4, T. 34 S., R. 2 W., W. M.,  
380 feet South and 1300 feet East from the W $\frac{1}{2}$  Corner, Section 4

A description of the place of use under the right, and to which such right is appurtenant, is as  
follows:

17.0 acres E $\frac{1}{2}$  W $\frac{1}{2}$  SW $\frac{1}{4}$   
and W $\frac{1}{2}$  E $\frac{1}{2}$  SW $\frac{1}{4}$   
Section 4  
1.8 acres NE $\frac{1}{4}$  NW $\frac{1}{4}$   
Section 9  
T. 34 S., R. 2 W., W. M.

Entirety of  
right

This certificate describes that portion of the water right confirmed by prior  
certificate 16151, NOT modified by the provisions of an order entered on  
August 12, 1977, approving transfer application No. 3628.

The issuance of this superseding certificate does not confirm the status of the  
water right in reference to OKS 540.610.

And said right shall be subject to all other conditions and limitations contained in said decree.  
The right to the use of the water for the purposes aforesaid is restricted to the lands or place of  
use herein described.

WITNESS the signature of the Water Resources Director, affixed

this date November 28, 1977

James E. Sexson  
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 37, page 44956



**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
34 S	2 W	WM	4	NW SW	POD 1 - 380 FEET SOUTH AND 1300 FEET EAST FROM THE W1/4 CORNER OF SECTION 4

**Authorized Place of Use:**

IRRIGATION AND DOMESTIC USE					
Twp	Rng	Mer	Sec	Q-Q	Acres
34 S	2 W	WM	4	E1/2 W1/2 SW1/4 and W1/2 E1/2 SW1/4	17.0
34 S	2 W	WM	9	NE NW	1.80
Total					18.8

*No NEED extra  $\phi$*

4. Transfer Application T-13821 proposes to move the authorized point of diversion to reflect historical use approximately 0.4 mile downstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
34 S	2 W	WM	4	SE SW	POD 2 - 1870 FEET SOUTH AND 1690 FEET EAST FROM THE W1/4 CORNER OF SECTION 4

5. The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screening and/or by-pass device is necessary at the new point of diversion to prevent fish from entering the diversion and/or safely transport fish back to the body of water from which the fish were diverted and that the diversion is not currently equipped with an appropriate fish screening and/or by-pass device. This diversion may be eligible for screening cost share funds.

**Transfer Review Criteria (ORS 540.532 and OAR 690-380-2120)**

6. Pursuant to OAR 690-380-2120(2)(a), evidence has been submitted that the actual, current point of diversion for the water right in question, as described in Finding No. 4, has been in use for more than 10 years.
7. Pursuant to OAR 690-380-2120(2)(c), the Watermaster provided a statement that to his knowledge there has been no complaint of injury due to the use of water at the actual, current point of diversion, prior to the transfer request.
8. The Department did not identify any affected water rights pursuant to OAR 690-380-2120(3).
9. Water has been used within the last five years according to the terms and conditions of the right. There is no evidence available that would demonstrate that the right is subject to forfeiture under ORS 540.610.
10. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right are present.

11. The proposed change would not result in enlargement of the right.
12. The proposed change would not result in injury to other water rights.

#### Conclusions of Law

The proposed change in point of diversion to reflect historical use in application T-13821 is consistent with the requirements of ORS 540.532, and OAR 690-380-2120.

#### Now, therefore, it is ORDERED:

1. The change proposed in T-13821 is approved and effective immediately.
2. The right to 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 Certificate 44956 and any related decree.
3. Water right certificate 44956 is cancelled. Certificate XXXXX will be issued to describe the change in point of diversion for the right included in T-13821. The new Certificate shall supersede Certificate 44956.
4. The quantity of water diverted at the new point of diversion (POD 2), shall not exceed the quantity of water lawfully available at the original point of diversion (POD 1).
5. Water use measurement conditions:
  - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of diversion (new and existing).
  - b. The water user shall maintain the meters or measuring devices in good working order.
  - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

6. Prior to October 1, 2024, the water user shall install a fish screening and/or by-pass device, as appropriate, at the new point of diversion consistent with the Oregon Department of Fish and Wildlife's (ODFW) design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screen and/or by-pass device meets ODFW's criteria. Prior to submitting a Claim of Beneficial Use, the water user must obtain written approval from ODFW that the required screening and/or by-pass device was installed to the state's criteria. The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.

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:*

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BETTY J. LINNELL  
22705 EAST EVANS CREEK ROAD  
WHITE CITY, OR 97503

confirms the right to use the waters of EAST FORK EVANS CREEK, a tributary of EVANS CREEK for IRRIGATION of 18.8 ACRES and DOMESTIC USE.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Jackson County, and the said decree entered of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 4, at page 1; that the priority of the right thereby confirmed dates from OCTOBER 15, 1887 that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.31 CUBIC FOOT PER SECOND.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
34 S	2 W	WM	4	SE SW	POD 2 - 1870 FEET SOUTH AND 1690 FEET EAST FROM THE W1/4 CORNER OF SECTION 4

A description of the place of use to which this right is appurtenant is as follows:

IRRIGATION AND DOMESTIC USE					
Twp	Rng	Mer	Sec	Q-Q	Acres
34 S	2 W	WM	4	E1/2 W1/2 SW1/4 and W1/2 E1/2 SW1/4	17.0
34 S	2 W	WM	9	NE NW	1.8
Total					18.8

*NO NEED extra 0*

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.



Water use measurement conditions:

- a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of diversion (new and existing).
- b. The water user shall maintain the meters or measuring devices in good working order.
- c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

Prior to October 1, 2024, the water user shall install a fish screening and/or by-pass device, as appropriate, at the new point of diversion consistent with the Oregon Department of Fish and Wildlife's (ODFW) design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screen and/or by-pass device meets ODFW's criteria. Prior to submitting a Claim of Beneficial Use, the water user must obtain written approval from ODFW that the required screening and/or by-pass device was installed to the state's criteria. The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.

This certificate is issued to confirm an HISTORIC CHANGE IN POINT OF DIVERSION approved by an order of the Water Resources Director entered \_\_\_\_\_, approving Transfer Application T- 13821, and supersedes Certificate 44956, State Record of Water Right Certificates.

The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

And said right shall be subject to all other conditions and limitations contained in said decree.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

WITNESS the signature of the Water Resources Director, affixed \_\_\_\_\_.

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



# 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](http://www.oregon.gov/owrd)

September , 2023

VIA E-MAIL

### Applicant

BETTY J. LINNELL  
22705 EAST EVANS CREEK ROAD  
WHITE CITY, OR 97503

SUBJECT: Water Right Transfer Application T-13821

Your water right transfer change in point of diversion to reflect historical use is in the first phase of processing.

Submittal of the following required item is needed at this time:

1. 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.

*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).

After you have mailed or hand-delivered the Notice to the persons identified in the Proof of Service, a 30-day comment period will run. This time period will allow the affected holders of the water rights identified to provide comments on whether the requested change in point of diversion will cause injury. After this 30-day comment period, we will determine whether you have satisfied the requirements, the change does not cause injury, or if any conditions will need to be met to prevent injury.

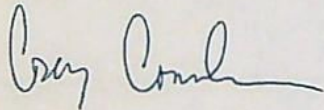
Enclosed is a copy of Oregon Department of Fish and Wildlife (ODFW) Additional Fish Screening and Passage Information for the Applicant. You will note that ODFW requires a fish screening and/or by-pass device to be installed. We will establish a deadline for compliance with this condition. Please contact the ODF&W personnel listed on the document for assistance.

The Watermaster has determined that a water measurement device is necessary at the diversion point. Enclosed is a contact information sheet to assist you in pursuing additional information or approval of the required (or alternate) device.

Issuance of the Final Order will occur shortly after we receive your response and the report of ownership. The order may be issued denying the application as incomplete if I do not receive your response, proof of service, and the report of ownership by **October , 2023**.

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

Sincerely,



Corey Courchane  
Allocation of Conserved Water  
Transfer and Conservation Section

cc: Transfer Application file T-1382113821  
Shavon L. Haynes, District 13 Watermaster (*via e-mail*)

Enclosures:

ODFW Contact Sheet  
Watermaster Contact Sheet

**Application for  
Historic Change in Point of  
Diversion/Appropriation**  
Part 1 of 5 – Minimum Requirements Checklist



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

**This historic change in point of diversion/appropriation application will be returned if Parts 1 through 5 and all required attachments are not completed and included.**  
For questions, please call (503) 986-0900, and ask for Transfer Section.

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

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: [http://apps.wrd.state.or.us/apps/misc/wrd\\_fee\\_calculator](http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator). If you have questions, call Customer Service at (503) 986-0801.
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about the Transferred Water Rights: **How many water rights are to be transferred? 1 List them here: 44956**  
Please include a separate Part 5 for each water right. (See instructions on page 5)

**Attachments:**

- Completed Application Map (Does not have to be prepared by a Certified Water Right Examiner).
- Completed Evidence of Use Affidavit and supporting documentation showing that water has been used on the land for five years prior to transfer filing AND diverted at the actual, current point of diversion/appropriation for more than 10 years.
- Statement from the local Watermaster, based upon the Watermaster's knowledge and Department records, that no complaint of injury has been made due to the use of water at the actual, current point of diversion/appropriation.
- Land Use Information Form with approval and signature (or signed land use form receipt stub).
- N/A Affidavit(s) of Consent from Landowner (if the applicant does not own the land the water right is on.)
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.

(For Staff Use Only)

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

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

Other/Explanation \_\_\_\_\_

Staff: \_\_\_\_\_ 503- \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

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

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

Please be sure that the historic change in point of diversion/appropriation application map you submit includes all the required items and matches the existing water right map. Check all boxes that apply.

- N/A If more than three water rights are involved, separate maps are needed for each water right.
- Permanent quality printed with dark ink on white or clear paper or film.
- The size of the map can be 8½ x 11 inches, 8½ x 14 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, three (3) paper copies and an electronic copy in a .pdf, .tiff or .jpg format are required.
- A north arrow, a legend, and scale.
- The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet, the scale of the Final Proof/Claim of Beneficial Use Map (the map used when the permit was certificated), the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet, or a scale that has been pre-approved by the Department.
- Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.
- Tax lot boundaries (property lines) and county tax lot numbers are required.
- Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.
- Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.
- Authorized point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water right certificate.
- Actual, current point of diversion/appropriation. Show the location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).
- Existing place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the water right is being changed, a separate hachuring is needed for lands left unchanged.
- N/A If for more than one actual, current point of diversion/appropriation. separate hachuring is needed for each place of use served by each point of diversion/appropriation, including the number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.

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Revised 7/1/2021

Historic Change in Point of Diversion/Appropriation Application – Page 2 of 8

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TACS



Part 5 of 5 – Water Right Information

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

CERTIFICATE # 44956

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Description of Water Delivery System

System capacity: 0.4 cubic feet per second (cfs) OR  
 \_\_\_\_\_ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. 8 HP electric pump to hand lines with impact sprinklers (double nozzle). Piping is above ground portable aluminum.

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it the Current POD/POA that has been used for more than 10 years?	If POA, OWRD Well Log ID# (or Well ID Tag # L- )	Twp			Rng			Sec		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POD 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Current		34	S	2	W	4	NW	SW		380 feet South & 1300 feet East from the West 1/4 Cor. Sec. 4	
POD 2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Current	<i>0.4 ac. downstream</i>	34	S	2	W	4	SE	SW		1870 feet South & 1690 feet East from the West 1/4 Cor. Sec. 4	
	<input type="checkbox"/> Authorized <input type="checkbox"/> Current											
	<input type="checkbox"/> Authorized <input type="checkbox"/> Current											

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

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

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

- Yes Complete only the proposed section of Table 2 on the next page.  
 No Complete all of Table 2 to describe the portion of the water right to be changed.

13821

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

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

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

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

RECEIVING LANDOWNER NAME			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS				FAX NO. <b>RECEIVED</b>
CITY	STATE	ZIP	E-MAIL	<b>SEP 13 2021</b>

Describe any special ownership circumstances here: \_\_\_\_\_

**OWRD**

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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME JACKSON COUNTY PLANNING	ADDRESS 10 SOUTH OAKDALE AVE., ROOM #100	
CITY MEDFORD	STATE OR	ZIP 97501

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

Explain in your own words what you propose to accomplish with this transfer application; and why:  
Authorize existing pump location that has been in place for more than 20 years

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





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

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

OR

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

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

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide adequate information is likely to delay the processing of your transfer application.

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

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13821

# Application for Water Right Transfer

## Evidence of Use Affidavit



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

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

State of Oregon )  
 ) ss  
 County of JACKSON

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I, BETTY LINELL, in my capacity as PROPERTY OWNER, IRRIGATOR,  
 mailing address 22705 EAST EVANS CREEK ROSD, WHITE CITY, OR 97503  
 telephone number (541)826-6734, being first duly sworn depose and say:

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

- Personal observation                       Professional expertise

2. I attest that:

Water was used during the previous five years on the entire place of use for Certificate # 44956; OR

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

Certificate #	Township	Range	Mer	Sec	¼ ¼	Gov't Lot or DLC	Acres (if applicable)

OR

- Confirming Certificate # \_\_\_\_\_ has been issued within the past five years; OR
- Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: \_\_\_\_\_ (Note: If the entire right proposed for transfer was not leased, additional evidence of use is needed for the portion not leased instream.); OR
- The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.
- Water has been used at the actual current point of diversion or appropriation for more than 10 years for Certificate # 44956 (For Historic POD/POA Transfers)

(continues on reverse side)

13821

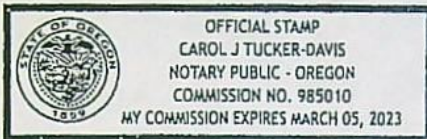
3. The water right was used for: (e.g., crops, pasture, etc.): PASTURE
4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

Betty J. Linnell  
Signature of Affiant

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SEP 13 2021

9/7/2021  
Date

Signed and sworn to (or affirmed) before me this 7 day of Sept., 2021.



Carol J. Tucker-Davis  
Notary Public for Oregon

My Commission Expires: March 5 2023

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

13821



# PACIFIC POWER

BETTY J LINNELL  
DE WAYNE LARUE  
777 NE 7TH ST  
GRANTS PASS OR 97526-1632

#5823  
9/1/25

Questions about your bill: 1-888-221-7070  
24 hours a day, 7 days a week  
www.pacificpower.net

BILLING DATE: Aug 26, 2005  
ACCOUNT NUMBER: 28814171-003 9  
DATE DUE: Sep 14, 2005  
AMOUNT DUE: \$540.63

### Your Balance With Us

Previous Account Balance	527.33
Payments/Credits	-527.33
New Charges	+540.63
Current Account Balance	\$ 540.63

### Payments Received

DATE	DESCRIPTION	AMOUNT
Aug 4, 2005	Payment Received - Thank you	527.33
Total Payments		\$ 527.33

*NOTE: Important Billing Information - We were unable to use your preferred due date because it overlaps with your next scheduled bill date. Your current due date has been set based on regulatory requirements.*

### Summary of Account Activity

<b>ITEM 2</b> ELECTRIC SERVICE	22705 E Evans Creek Rd White City OR Schedule 4 METER # 41646803	95.55
<b>ITEM 3</b> ELECTRIC SERVICE	22705 E Evans Creek Rd White City OR 8 Hp Pump Schedule 23 METER # 35159136	11.28
<b>ITEM 4</b> ELECTRIC SERVICE	22705 E Evans Creek Rd White City OR 8hp Pump-amr Meter Schedule 41 METER # 29156577	195.49
<b>ITEM 5</b> ELECTRIC SERVICE	21876 E Evans Creek Rd White City OR 8 Hp Pump-amr Meter Schedule 41 METER # 29156580	238.31

Talk with an expert  
Pacific Power has a hotline  
specifically for irrigators. If you have  
any questions about your pumping  
account or your billing, please call  
1-800-715-9238.

Looking for ways to pay?  
Try ePay and pay online with your  
checking account; it's free! Or, pay by  
phone for a small fee by dialing  
1-800-672-2403 for credit card  
payments and 1-800-285-9234 to use  
your checking account.

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Write account number on check & mail to: Pacific Power, 1033 NE 6th Ave, Portland, OR 97256-0001

See reverse

RETAIN THIS PORTION FOR YOUR RECORDS.

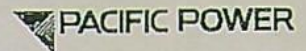
Late Payment Charge for Dragon  
A late payment charge of 1.7% may be  
charged on any balance not paid in full  
each month.

13821

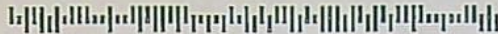
BETTY J LINNELL  
 22705 E EVANS CREEK RD  
 WHITE CITY OR 97503-8527



Questions: Call  
**1-888-221-7070**  
 24 hours a day,  
 7 days a week  
 pacificpower.net



BILLING DATE: Aug 27, 2020  
 ACCOUNT NUMBER: 28814171-003 9



DUE DATE: Sep 15, 2020

AMOUNT DUE: \$415.36

**Your Balance With Us**

Previous Account Balance	418.11
Payments/Credits	-418.11
New Charges	+415.36
<b>Current Account Balance</b>	<b>\$415.36</b>

**Payments Received**

DATE	DESCRIPTION	AMOUNT
Aug 13, 2020	Payment Received - Thank You	418.11
<b>Total Payments</b>		<b>\$418.11</b>

*Note: Important Preferred Due Date Information: We're sorry, but we were unable to use your preferred due date this month because the billing period was either unusually short or long. If the current due date for your bill is not acceptable, contact us at 1-888-221-7070 so we can make arrangements to ensure your account remains current. We apologize for the inconvenience.*

**Summary of Account Activity**

ITEM	DESCRIPTION	AMOUNT
ITEM 2 ELECTRIC SERVICE	22705 E Evans Creek Rd White City OR Residential Schedule 4 METER # 80283444 House	71.51
ITEM 5 ELECTRIC SERVICE	21876 E Evans Creek Rd White City OR 8 Hp Pump Schedule 41 METER # 77591879 South Pump	43.39
ITEM 6 ELECTRIC SERVICE	22705 E Evans Creek Rd White City OR 8 Hp Pump Schedule 23 METER # 80338327 Barn	46.07
ITEM 7 ELECTRIC SERVICE	22705 E Evans Creek Rd White City OR 8hp Pump Schedule 41 METER # 78524652 North Pump	254.39

We continue to suspend nonpayment disconnections in response to COVID-19. If you are past due or need help with your account, we encourage you to visit our website or call us now to explore flexible payment arrangements.

Energy assistance resources are available now and may be able to help. Schedule an appointment with Access at [www.accesshelps.org/energy-assistance/](http://www.accesshelps.org/energy-assistance/) or call 541-779-9020. Find out more at [pacificpower.net/assistance](http://pacificpower.net/assistance).

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Late Payment Charge for Oregon  
 A late payment charge of 2.0% may be charged on any balance not paid in full each month.

See reverse

Write account number on check & mail to: Pacific Power, PO Box 26000, Portland, OR 97256-0001

RETAIN THIS PORTION FOR YOUR RECORDS.

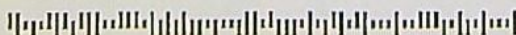
RETURN THIS PORTION WITH YOUR PAYMENT.

↑ INSERT THIS EDGE FIRST ↑

Change of Mailing Address or Phone?  
 Check here & provide information on back.



PACIFIC POWER  
 PO BOX 26000  
 PORTLAND OR 97256-0001



Account Number: 28814171-003 9

Date Due: Sep 15, 2020

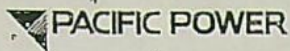
AMOUNT DUE: \$415.36

Please enter the amount enclosed.

BETTY J LINNELL  
 22705 E EVANS CREEK RD  
 WHITE CITY OR 97503-8527

H 28814171 003 917 000041536

13821



Questions about your bill: Call toll free 1-888-221-7070 pacificpower.net

BILLING DATE: Aug 27, 2020 ACCOUNT NUMBER: 28814171-003 9 DUE DATE: Sep 15, 2020 AMOUNT DUE: \$415.36

**Detailed Account Activity**

**ITEM 2 - ELECTRIC SERVICE** 22705 E Evans Creek Rd White City OR  
Residential Schedule 4

METER NUMBER	SERVICE PERIOD		ELAPSED DAYS	METER READINGS		METER MULTIPLIER	AMOUNT USED THIS MONTH
	From	To		Previous	Current		
80283444	Jul 29, 2020	Aug 26, 2020	28	18989	19647	1.0	658 kwh

Next scheduled read date: 09-25. Date may vary due to scheduling or weather.

NEW CHARGES - 08/20	UNITS	COST PER UNIT	CHARGE
Basic Charge - Single Phase			9.50
Delivery Charge	658 kwh	0.0442600	29.12
Supply Energy Charge Block 1 for 28 day(s)	658 kwh	0.0556000	36.52
Federal Tax Act Adjustment	658 kwh	-0.0044500	-2.93
Oregon Corp Activities Tax Adj		0.0041000	0.30
Public Purpose		0.0300000	2.18
Energy Conservation Charge	658 kwh	0.0034600	2.28
Low Income Assistance			0.69
B P A Columbia River Benefits for 28 day(s)	658 kwh	-0.0093400	-6.15
<b>Total New Charges</b>			<b>71.51</b>

**ITEM 5 - ELECTRIC SERVICE** 21876 E Evans Creek Rd White City OR  
8 Hp Pump Schedule 41  
Service ID: 603424417-001

METER NUMBER	SERVICE PERIOD		ELAPSED DAYS	METER READINGS		METER MULTIPLIER	AMOUNT USED THIS MONTH
	From	To		Previous	Current		
77591879	Jul 29, 2020	Aug 26, 2020	28	11794	12266	1.0	472 kwh
77591879	Demand	Aug 26, 2020			10.179	1.0	10 kw

Next scheduled read date: 09-25. Date may vary due to scheduling or weather.

NEW CHARGES - 08/20	UNITS	COST PER UNIT	CHARGE
Delivery Charge Secondary (Season End Estimated Charge Is \$300.00)	472 kwh	0.0363600	17.16
Supply Energy Sec Summer	472 kwh	0.0598700	28.26
Federal Tax Act Adjustment	472 kwh	-0.0045600	-2.15
Oregon Corp Activities Tax Adj		0.0041000	0.18
Public Purpose		0.0300000	1.30
Energy Conservation Charge	472 kwh	0.0033200	1.57
Low Income Assistance	472 kwh	0.0006900	0.33

**New Mailing Address or Phone?**

Please print your new information below and check the box on the reverse side of this Payment Stub. Thank you.

ACCOUNT NUMBER: 28814171-003 9

LAST \_\_\_\_\_ FIRST \_\_\_\_\_ M.I. \_\_\_\_\_

NEW STREET ADDRESS \_\_\_\_\_

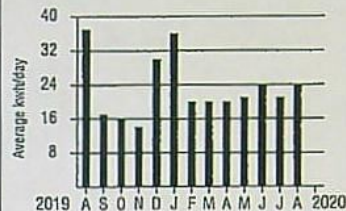
CITY \_\_\_\_\_

ST \_\_\_\_\_ ZIP \_\_\_\_\_ TELEPHONE NUMBER \_\_\_\_\_

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This product contains fiber from well-managed, independently certified forests.

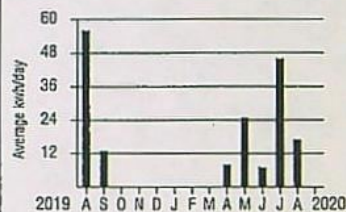
**Historical Data - ITEM 2**



**Your Average Daily kwh Usage by Month**

PERIOD ENDING	AUG 2020	AUG 2019
Avg. Daily Temp.	78	75
Total kwh	658	1060
Avg. kwh per Day	24	37
Cost per Day	\$2.55	\$3.87

**Historical Data - ITEM 5**



**Your Average Daily kwh Usage by Month**

PERIOD ENDING	AUG 2020	AUG 2019
Avg. Daily Temp.	78	75
Total kwh	472	1627
Avg. kwh per Day	17	56
Cost per Day	\$1.55	\$5.14

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BILLING DATE: Aug 27, 2020 ACCOUNT NUMBER: 28814171-003 9 DUE DATE: Sep 15, 2020 AMOUNT DUE: \$415.36

NEW CHARGES - 08/20 - CONTINUED	UNITS	COST PER UNIT	CHARGE
B P A Columbia River Benefits	472 kwh	-0.0069100	-3.26
<b>Total New Charges</b>			<b>43.39</b>

**ITEM 6 - ELECTRIC SERVICE**

22705 E Evans Creek Rd White City OR  
8 Hp Pump Schedule 23

METER NUMBER	SERVICE PERIOD		ELAPSED DAYS	METER READINGS		METER MULTIPLIER	AMOUNT USED THIS MONTH
	From	To		Previous	Current		
80338327	Jul 29, 2020	Aug 26, 2020	28	18336	18628	1.0	292 kwh
80338327	Demand	Aug 26, 2020			2.782	1.0	3 kw

Next scheduled read date: 09-25. Date may vary due to scheduling or weather.

NEW CHARGES - 08/20	UNITS	COST PER UNIT	CHARGE
Basic Charge, 1P Sec Delivery			17.35
Delivery Charge Secondary	292 kwh	0.0369400	10.79
Supply Energy Sec 1ST 3000 Kwh	292 kwh	0.0631600	18.44
Federal Tax Act Adjustment	292 kwh	-0.0042900	-1.25
Oregon Corp Activities Tax Adj		0.0041000	0.19
Public Purpose		0.0300000	1.37
Energy Conservation Charge	292 kwh	0.0034300	1.00
Low Income Assistance	292 kwh	0.0006900	0.20
B P A Columbia River Benefits	292 kwh	-0.0069100	-2.02
<b>Total New Charges</b>			<b>46.07</b>

**ITEM 7 - ELECTRIC SERVICE**

22705 E Evans Creek Rd White City OR  
8hp Pump Schedule 41  
Service ID: 603224617-003

METER NUMBER	SERVICE PERIOD		ELAPSED DAYS	METER READINGS		METER MULTIPLIER	AMOUNT USED THIS MONTH
	From	To		Previous	Current		
78524652	Jul 29, 2020	Aug 26, 2020	28	16997	19743	1.0	2,746 kwh
78524652	Demand	Aug 26, 2020			8.228	1.0	8 kw
78524652	Reactive	Aug 26, 2020			6.045	1.0	6 kvar

Next scheduled read date: 09-25. Date may vary due to scheduling or weather.

NEW CHARGES - 08/20	UNITS	COST PER UNIT	CHARGE
Delivery Charge Secondary	2,746 kwh	0.0363600	99.84
Reactive Power Charge Sec (Season End Estimated Charge Is \$120.00)	3 kvar	0.6500000	1.95
Supply Energy Sec Summer	2,746 kwh	0.0598700	164.40
Federal Tax Act Adjustment	2,746 kwh	-0.0045600	-12.52
Oregon Corp Activities Tax Adj		0.0041000	1.04
Public Purpose		0.0300000	7.64
Energy Conservation Charge	2,746 kwh	0.0033200	9.12
Low Income Assistance	2,746 kwh	0.0006900	1.89
B P A Columbia River Benefits	2,746 kwh	-0.0069100	-18.97
<b>Total New Charges</b>			<b>254.39</b>

Continuamos suspendiendo las desconexiones por falta de pago en respuesta a COVID-19. Si está atrasado o necesita ayuda con su cuenta, le recomendamos que visite nuestro sitio web o llámenos ahora para explorar arreglos de pago flexibles.

Supporting renewable energy is a powerful way to connect with customers who share your business' values. Enroll in Blue Sky today at [pacificpower.net/bluesky](http://pacificpower.net/bluesky) or call 1-800-769-3717.

**Our Commitment to Wildfire Safety**

Protecting your community while providing safe, reliable power is our highest priority.

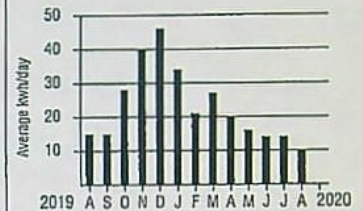
Your home or business is located in a Public Safety Power Shutoff (PSPS) area. This means that under rare and hazardous weather conditions parts of our network within the PSPS zone could be de-energized as a last resort to ensure public safety.

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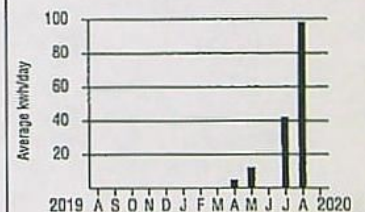
**Historical Data - ITEM 6**



**Your Average Daily kwh Usage by Month**

PERIOD ENDING	AUG 2020	AUG 2019
Avg. Daily Temp.	78	75
Total kwh	292	432
Avg. kwh per Day	10	15
Cost per Day	\$1.65	\$2.05

**Historical Data - ITEM 7**

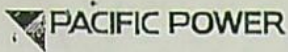


**Your Average Daily kwh Usage by Month**

PERIOD ENDING	AUG 2020	AUG 2019
Avg. Daily Temp.	78	75
Total kwh	2746	0
Avg. kwh per Day	98	0
Cost per Day	\$9.09	\$0.00

13821





Questions about your bill: Call toll free 1-888-221-7070 [pacificpower.net](http://pacificpower.net)

BILLING DATE: Aug 27, 2020 ACCOUNT NUMBER: 28814171-003 9 DUE DATE: Sep 15, 2020 AMOUNT DUE: \$415.36

In areas at a higher risk of wildfire, we are investing in wildfire mitigation technologies as an added safety measure.

If you use medical equipment that requires electricity to function, please work with your medical provider to have a back-up plan if a power outage were to happen and call our customer care center, so we can note your needs in our system.  
1-888-221-7070

For more information, visit our online wildfire safety resource center with its easy-to-use interactive map to view PSPS areas and view the 7-day status forecasts in these designated zones. [www.pacificpower.net/wildfiresafety](http://www.pacificpower.net/wildfiresafety).

#### Nuestro compromiso con la seguridad contra incendios forestales

Proteger a su comunidad al proporcionar energía segura y confiable es nuestra máxima prioridad.

Su hogar o negocio está ubicado en un área de Corte del Suministro Eléctrico por Motivos de Seguridad Pública (o por sus siglas en inglés: PSPS). Esto significa que, bajo ciertas condiciones climáticas raras y peligrosas, partes de nuestra red de servicio dentro de la zona PSPS podrían ser desactivadas proactivamente para seguridad preventiva. En áreas con mayor riesgo de incendios forestales, estamos invirtiendo en tecnologías de mitigación de incendios forestales.

Si tiene equipos médicos en su hogar que requieren electricidad para funcionar, comuníquese con su proveedor médico para tener un plan de respaldo si ocurriera un corte de electricidad. También llame a nuestro centro de atención al cliente para que podamos anotar sus necesidades en su cuenta.

Para cualquier pregunta o para obtener más información sobre lo que estamos haciendo para mantener segura a su comunidad, llame al: 1-888-225-2611.

Kui kan'ani xi na'l kaston'o sa'a ña kutua'ani te ña kui kidani ta kiño'o yuku yoton, kan'ani 888-221-7070.

Unsere Mitarbeiter im Kundenservice beraten Sie gerne zu Waldbrandvorsorge und -bekämpfung. Sie erreichen uns unter 888-221-7070.

Lub chaw saww cev saib xyuas tub lag luam yuav sib tham nrog koj txog ntawm kev nyab xeeb txog hluav taws hav zoov kub thiab kev npaj txhij. Thov hu rau 888-221-7070.

Ang isang ahente ng pangangalaga sa customer ay maaaring makipag-usap sa iyo tungkol sa kaligtasan at paghahanda sa mabilis na kumakalat na sunog o wildfire. Mangyaring tumawag sa 888-221-7070.

When you provide a check as payment, you authorize us to use the information from your check either to make a one-time electronic fund transfer from your account or to process the payment as a check transaction. When we use information from your check to make an electronic fund transfer, funds may be withdrawn from your account as soon as we receive your payment and you will not receive your check back from your financial institution. If you would like to opt out of this program and continue processing your payment as a check transaction, please call 1-800-895-0561. If you have opted out previously, please disregard this message.

To better serve you, we updated our bill alert emails. The new emails give you easy access to your bill, your energy usage graph and more. Go paperless at [pacificpower.net/paperless](http://pacificpower.net/paperless).

#### Looking for other ways to pay?

Visit [pacificpower.net/pay](http://pacificpower.net/pay) for all your options. You can choose to pay on your device using our mobile app, on our website, at a pay station in your community, or pay over the phone by calling 1-888-221-7070.

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# 439-21-02555-ZON

08/24/2021

## Land Use Compatibility

34-2W-04-1400

ZONING: Exclusive Farm Use

RECORD NO: 439-21-02555-ZON

PROCESS: ~~Type-I Permit~~

PROJECT NAME: ~~LUCS~~

ASSIGNED STAFF:

RECEIVED DATE: 08/24/2021

SITE ADDRESS: 21876 EAST EVANS CR RD

### Owners

LINNELL BETTY J  
22705 E EVANS CREEK RD  
WHITE CITY, OR 97503-8527

LINNELL BETTY J  
22705 E EVANS CREEK RD  
WHITE CITY, OR 97503-8527

### Record Detail Description

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### Contacts

Betty J. Linnell  
22705 East Evans Creek Rd. White City, OR 97503  
linnellbj@gmail.com  
(541) 826-6734

13821

# Application for Water Right Historic POD/POA Transfer Watermaster Statement



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

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I, Shavon Haynes, Watermaster of District 13,

state that to my knowledge, there has been no claim of injury due to use of an historic point of diversion/appropriation for Certificate 44956

from East Fork Evans Creek located as follows:  
(source)

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

Twp	Rng	Mer	Sec	Q-Q	DLC	GLot	Measured Distances
		W.M.					

OR

by GPS coordinates: Latitude: \_\_\_\_\_

Longitude: \_\_\_\_\_

OR

as shown on the attached map.

Signature

09/08/2021

Date

13821



Superior Water Right Consulting, LLC

NORM DAFT  
"The Water Guy"

245 Glenoak Lane  
Grants Pass, OR 97526

Phone (Cell): 541 761-1057541  
761-1057  
Home phone: 541 479-9866  
[normthewaterguy@charter.net](mailto:normthewaterguy@charter.net)

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September 9, 2021

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

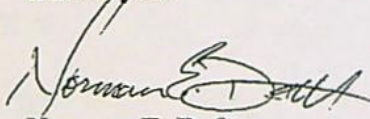
RE: Historic POD Transfer

Transfer Section,

Please find the enclosed transfer documents:

1. Historic Transfer Application signed by Betty Linnell
2. Transfer Map
3. Evidence of Use Affidavit
4. Supporting documentation of use – PP&L power bills – 9/1/2005 & 8/27/2020. Note- Power meter was changed to "smart meter" after 2005.
5. Land Use Information Form signed by Jackson County Planning
6. Watermaster Statement
7. Check for \$1,360.00

Thank you.

  
Norman E. Daft

13821

# HISTORIC CHANGE IN POINT OF DIVERSION TRANSFER

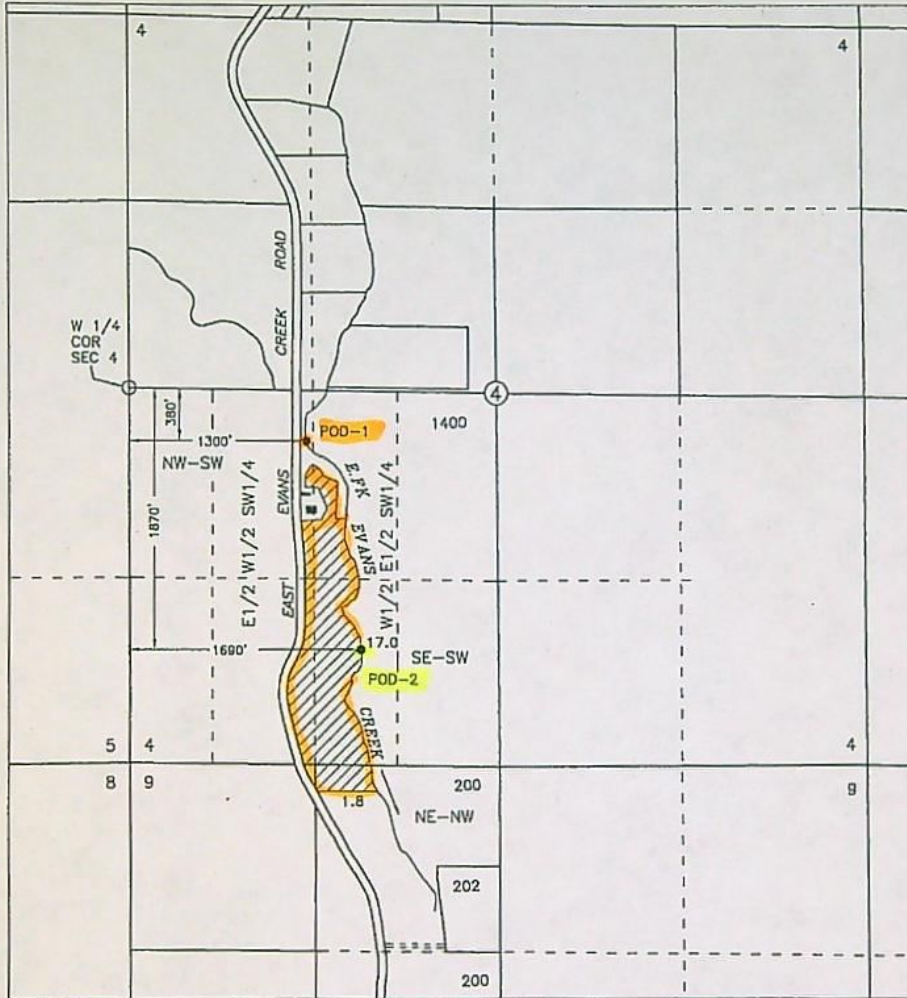
CERTIFICATE 44956

Township 34 South, Range 2 West, W.M.  
Jackson County, Oregon

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Legend

13821

**POD-1 AUTHORIZED** - NW/SW, Section 4, 380 feet South & 1300 feet East from the West 1/4 Corner Section 4

**POD-2 HISTORIC** -NW/SW, Section 4, 1870 feet South & 1690 feet East from the West 1/4 Corner Section 4. In existence more than 10 years. (GPS coordinates - 42.6389350°N 122.9492425°W - from Watermaster)

Prepared for:

Betty Linnell  
22705 East Evans Creek Road  
White City, OR 97503



Certificate 44956, Evans Cr. (E.Fk.)  
Irrigation 18.8 acres & Domestic  
10/15/1887

**SUPERIOR WATER RIGHT CONSULTING, LLC**  
245 GLENOAK LANE  
GRANTS PASS, OR 97526 (541) 761-1057

Base Map: Jackson County GIS data with current ORmap aerial photo overlay for assumed best fit. Survey map CS 10233 used for orientation

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

Scale  
1 inch = 1320 feet

8/16/2021 n.e.d.



# 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](http://www.oregon.gov/owrd)

May 9, 2024

VIA E-MAIL

### Applicant

BETTY J. LINNELL

22705 EAST EVANS CREEK ROAD

WHITE CITY, OR 97503

SUBJECT: Water Right Transfer Application T-13821

Your water right transfer change in point of diversion to reflect historical use is in the first phase of processing.

Submittal of the following required item is needed at this time:

1. 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.

*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).

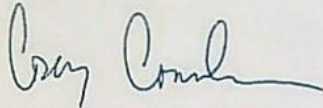
Enclosed is a copy of Oregon Department of Fish and Wildlife (ODFW) Additional Fish Screening and Passage Information for the Applicant. You will note that ODFW requires a fish screening and/or by-pass device to be installed. We will establish a deadline for compliance with this condition. Please contact the ODF&W personnel listed on the document for assistance.

The Watermaster has determined that a water measurement device is necessary at the diversion point. Enclosed is a contact information sheet to assist you in pursuing additional information or approval of the required (or alternate) device.

Issuance of the Final Order will occur shortly after we receive your response and the report of ownership. The order may be issued denying the application as incomplete if I do not receive your response, proof of service, and the report of ownership by **June 10, 2024**.

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

Sincerely,



Corey Courchane  
Allocation of Conserved Water  
Transfer and Conservation Section

cc: Transfer Application file T-1382113821  
Shavon L. Haynes, District 13 Watermaster *(via e-mail)*

Enclosures:

ODFW Contact Sheet  
Watermaster Contact Sheet

**Oregon Department of Fish and Wildlife**  
**Historic Point of Diversion Fish Screen Requirement Form**  
*(ODFW provides to WRD so that WRD can make findings according to statutory requirements.)*

Reference Transfer #: T-13821

Date of review: 10/22/21

*Please check one of the following five boxes related to fish screen requirements pursuant to ORS 540.532:*

**1. Screen Maintain**

*[Select this option if the new Point of Diversion (POD) requires a fish screen and is currently equipped with an appropriate fish screen that will still be in compliance if the transferred water is diverted from this POD.]*

**Note:** This option will yield the following:

**Finding of Fact:** The Oregon Department of Fish and Wildlife has determined that a fish screen is necessary at the new point of diversion to prevent fish from entering the diversion and that the diversion is currently equipped with an appropriate fish screen.

**Condition:** The water user shall operate and maintain an approved fish screen at the new point of diversion. If Oregon Department of Fish and Wildlife (ODFW) determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

**2. Screen Now**

*[Option 2 should generally be selected if fish species are present at the point of diversion and/or the originating water right diversion is currently screened. If Option 2 is selected, provide contact information on the "Fish Screening and Passage Information" sheet. The new diversion may be eligible for cost-share.]*

**Note:** This option will yield the following:

**Finding of Fact:** The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screen is necessary at the new point of diversion to prevent fish from entering the diversion and that the diversion is not currently equipped with an appropriate fish screen. This diversion may be eligible for screening cost-share funds.

**Condition:** Prior to diverting water, the water user shall install an approved fish screen at the new point of diversion and shall provide to the OWRD a written statement from Oregon Department of Fish and Wildlife (ODFW) that the installed screen meets the state's criteria, or that ODFW has determined a screen is not necessary.

The water user shall operate and maintain the fish screen at the new point of diversion consistent with ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

*Please return all 3 pages to: Transfers Section, Water Resources Department,  
725 Summer St. NE, Suite A, Salem, OR 97301-1266*



**3. Screen 2 Year**

*[Option 3 may be checked if the change is from an unscreened diversion to a HISTORIC POD or an existing POD in use for another water right, and cost-share funds are not currently available. It should NOT be checked if fish species are present at the point of diversion, the originating water right diversion is screened, cost-share funds are currently available, or the diversion is not eligible for ODFW's cost-share program. Please provide contact information on the "Fish Screening and Passage Information" sheet.] If extraordinary circumstances are present, please explain: \_\_\_\_\_*

**Note:** This option will yield the following:

**Finding of Fact:** The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screen is necessary at the new point of diversion to prevent fish from entering the diversion and that the diversion is not currently equipped with an appropriate fish screen. Listed fish species are not present at the point of diversion, the originating water right diversion is not screened, cost-share funds are not currently available, and the proposed diversion may be eligible for ODFW's cost-share program. A grace period of two years is appropriate until such time as cost-share funds become available to assist in the construction of a fish screen. If cost-share funds do not become available, the water user must screen within the indicated time period regardless of the availability of cost-share funding.

**Condition:** By October 1, 20\_\_ [Within two years after the date of this order] the water user shall install an approved fish screen at the new point of diversion. The water user shall provide to OWRD a written statement from Oregon Department of Fish and Wildlife (ODFW) that the installed screen meets the state's criteria, or that ODFW has determined a screen is not necessary.

The water user shall maintain and operate the fish screen at the new point of diversion consistent with ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

**4. Screen Future**

*[Use this option if fish are not currently present, but might possibly be at some future time.]*

**Note:** This option will yield the following:

**Finding of Fact:** The Oregon Department of Fish and Wildlife has determined that the diversion is not currently equipped with an appropriate fish screen, but a fish screen may be required in the future at the new point of diversion to prevent fish from entering the diversion.

**Condition:** The Oregon Department of Fish and Wildlife (ODFW) may require the water user to install an approved fish screen at the new point of diversion within one year after receiving written notification that a fish screen is required. Once installed the water user shall maintain and operate the fish screen at the new point of diversion according to ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

**5. No Screen Needed**

*[Check this box if fish are not currently present, and are not expected in the future.]*

\_\_\_\_\_  
Signature

Jason Brandt  
Printed Name

541-315-6222  
Phone

SW Hydro Coordinator  
Title

**Oregon Department of Fish and Wildlife**  
**Additional Fish Screening and Passage Information for the Applicant**  
*(To be completed by ODFW for WRD to provide to the applicant.)*

Transfer #: T-13821

**The applicant should be aware that fish screening and passage may be required for certain changes in point of diversion if the boxes below are checked.**

- Fish screening is required as a condition of this transfer. The fish screen must meet ODFW's design, construction, operational and maintenance standards.

Pursuant to ORS 498.306, cost-share funds may be available to assist in the installation of fish screening.

The applicant should contact the ODFW staff member below to obtain additional information on the design, construction, operational, and maintenance standards for the fish screen and to obtain information about ODFW's cost-sharing program for screening. **Prior to installation, the water user must obtain written approval from ODFW that the required screen meets ODFW's criteria.**

ODFW staff name: Rich Kilbane

Address: 1495 E Gregory Rd

City/State/Zip: Central Point/OR/97502

Phone: (541) 826-8774

- This transfer may trigger requirements for fish passage under ORS 509.585 because a new point of diversion will be constructed, an existing point of diversion's capacity will be increased, or an existing point of diversion will be abandoned. The applicant should contact the ODFW staff member below for a determination of whether native migratory fish are or were present at the applicable location, which will determine whether fish passage must be addressed.

ODFW staff name: Jason Brandt

Address: 4192 North Umpqua Hwy

City/State/Zip: Roseburg/OR/97470

Phone: (541) 315-6222



**Oregon**  
Kate Brown, Governor

**Water Resources Department**

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

September 21, 2021

BETTY LINNELL  
22705 EAST EVANS CREEK RD  
WHITE CITY, OR 97503

Reference: Application T- 13821

On September 13, 2021, OWRD received your water right application for an Historic POD Transfer. The application was accompanied by \$1360.00. Our receipt number 136405 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 is also being sent to Oregon Department of Fish and Wildlife to determine if a fish screen will be required.

If the land is sold before the transfer is approved, the buyer's consent to the transfer will be required unless a recorded deed or other legal document clearly established that the water right 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.

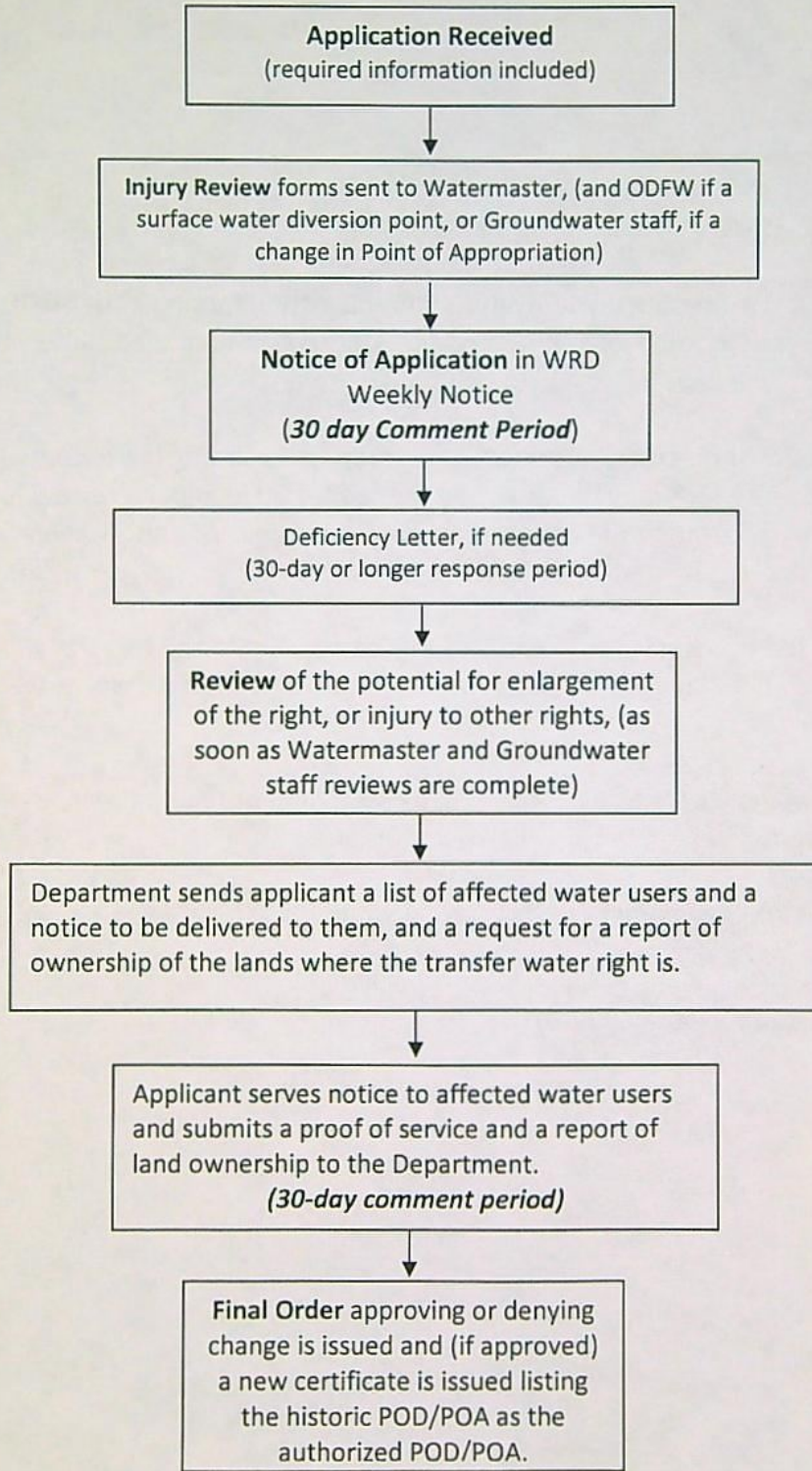
Cc: Watermaster Dist. #13, Shavon L. Haynes (via email)  
Jackson County Planning Division

Enclosure

## Historic Point of Diversion Transfer Process

OAR 690 Division 380

Changes: POD/POA to a point that has been in use for 10 years or more



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 # **136405**

INVOICE # \_\_\_\_\_

RECEIVED FROM: Betty J. Linnell  
 BY: Three Creeks Ranch

APPLICATION	
PERMIT	
TRANSFER	1-13821

CASH:  CHECK # 8412 OTHER: (IDENTIFY)

TOTAL REC'D \$ 1,360.00

**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**

<b>MISCELLANEOUS</b>			
0407	COPY & TAPE FEES	\$	
0410	RESEARCH FEES	\$	
0408	MISC REVENUE: (IDENTIFY)	\$	
TC162	DEPOSIT LIAB. (IDENTIFY)	\$	
0240	EXTENSION OF TIME	\$	
<b>WATER RIGHTS:</b>			
0201	SURFACE WATER	\$	0202
0203	GROUND WATER	\$	0204
0205	TRANSFER	\$ <u>1,360.00</u>	
<b>WELL CONSTRUCTION</b>			
0218	WELL DRILL CONSTRUCTOR	\$	0219
	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 (FWWRD)	\$
0231	HYDRO LICENSE FEE (FWWRD)	\$
	HYDRO APPLICATION	\$

**TREASURY OTHER / RDX**

FUND \_\_\_\_\_ TITLE \_\_\_\_\_  
 OBJ. CODE \_\_\_\_\_ VENDOR # \_\_\_\_\_  
 DESCRIPTION \_\_\_\_\_ \$ \_\_\_\_\_

RECEIPT: **136405**

DATED: 9-13-2021 BY: Mindy Carden

**Application for  
Historic Change in Point of  
Diversion/Appropriation  
Part 1 of 5 – Minimum Requirements Checklist**

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

**This historic change in point of diversion/appropriation application will be returned if Parts 1 through 5 and all required attachments are not completed and included.**  
For questions, please call (503) 986-0900, and ask for Transfer Section.

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**SEP 13 2021**

**OWRD**

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

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: [http://apps.wrd.state.or.us/apps/misc/wrd\\_fee\\_calculator](http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator). If you have questions, call Customer Service at (503) 986-0801.
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about the Transferred Water Rights: **How many water rights are to be transferred? 1 List them here: 44956**  
Please include a separate Part 5 for each water right. (See instructions on page 5)

**Attachments:**

- Completed Application Map (Does not have to be prepared by a Certified Water Right Examiner).
- Completed Evidence of Use Affidavit and supporting documentation showing that water has been used on the land for five years prior to transfer filing AND diverted at the actual, current point of diversion/appropriation for more than 10 years.
- Statement from the local Watermaster, based upon the Watermaster's knowledge and Department records, that no complaint of injury has been made due to the use of water at the actual, current point of diversion/appropriation.
- Land Use Information Form with approval and signature (or signed land use form receipt stub).
- N/A Affidavit(s) of Consent from Landowner (if the applicant does not own the land the water right is on.)
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.

(For Staff Use Only)

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

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

Other/Explanation \_\_\_\_\_

Staff: \_\_\_\_\_ 503- \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

**13821**

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

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

Please be sure that the historic change in point of diversion/appropriation application map you submit includes all the required items and matches the existing water right map. Check all boxes that apply.

- N/A If **more than three** water rights are involved, separate maps are needed for each water right.
- Permanent quality printed with dark ink on white or clear paper or film.
- The size of the map can be 8½ x 11 inches, 8½ x 14 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, three (3) paper copies and an electronic copy in a .pdf, .tiff or .jpg format are required.
- A north arrow, a legend, and scale.
- The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet, the scale of the Final Proof/Claim of Beneficial Use Map (the map used when the permit was certificated), the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet, or a scale that has been pre-approved by the Department.
- Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.
- Tax lot boundaries (property lines) and county tax lot numbers are required.
- Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.
- Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.
- Authorized point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water right certificate.
- Actual, current point of diversion/appropriation. Show the location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).
- Existing place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the water right is being changed, a separate hachuring is needed for lands left unchanged.
- N/A If for more than one actual, current point of diversion/appropriation. separate hachuring is needed for each place of use served by each point of diversion/appropriation, including the number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.

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Revised 7/1/2021

Historic Change in Point of Diversion/Appropriation Application – Page 2 of 8

13821

TACS





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

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

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

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

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

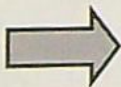
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Describe any special ownership circumstances here: \_\_\_\_\_

OWRD

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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME JACKSON COUNTY PLANNING	ADDRESS 10 SOUTH OAKDALE AVE., ROOM #100	
CITY MEDFORD	STATE OR	ZIP 97501

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

Explain in your own words what you propose to accomplish with this transfer application; and why: Authorize existing pump location that has been in place for more than 20 years  
If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

13821

Part 5 of 5 – Water Right Information

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

CERTIFICATE # 44956

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**Description of Water Delivery System**

System capacity: 0.4 cubic feet per second (cfs) OR  
 \_\_\_\_\_ gallons per minute (gpm)

OWRD

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. 8 HP electric pump to hand lines with impact sprinklers (double nozzle). Piping is above ground portable aluminum.

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

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it the Current POD/POA that has been used for more than 10 years?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POD 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Current		34 S	2 W	4	NW SW		380 feet South & 1300 feet East from the West 1/4 Cor. Sec. 4
POD 2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Current		34 S	2 W	4	SE SW		1870 feet South & 1690 feet East from the West 1/4 Cor. Sec. 4
	<input type="checkbox"/> Authorized <input type="checkbox"/> Current							
	<input type="checkbox"/> Authorized <input type="checkbox"/> Current							

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

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

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

- Yes Complete only the proposed section of Table 2 on the next page.
- No Complete all of Table 2 to describe the portion of the water right to be changed.

13821



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

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

OR

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

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

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide adequate information is likely to delay the processing of your transfer application.

Current or Authorized POA Name or Number	OWRD Well ID Tag No. L-____ (if available)	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well-specific rate (cfs or gpm). If less than full rate of water right

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# Application for Water Right Transfer

## Evidence of Use Affidavit



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

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

State of Oregon )  
 ) ss  
 County of JACKSON

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I, BETTY LINELL, in my capacity as PROPERTY OWNER, IRRIGATOR,  
 mailing address 22705 EAST EVANS CREEK ROSD, WHITE CITY, OR 97503  
 telephone number (541)826-6734, being first duly sworn depose and say:

OWRD

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

- Personal observation                       Professional expertise

2. I attest that:

Water was used during the previous five years on the **entire** place of use for  
 Certificate # 44956; OR

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

Certificate #	Township	Range	Mer	Sec	¼ ¼	Gov't Lot or DLC	Acres (if applicable)

OR

- Confirming Certificate # \_\_\_\_\_ has been issued within the past five years; OR
- Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: \_\_\_\_\_ (Note: If the entire right proposed for transfer was not leased, additional evidence of use is needed for the portion not leased instream.); OR
- The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.
- Water has been used at the actual current point of diversion or appropriation for more than 10 years for Certificate # 44956 (For Historic POD/POA Transfers)

(continues on reverse side)

13821

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

4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

Betty J Linnell  
Signature of Affiant

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SEP 13 2021

9/7/2021  
Date

Signed and sworn to (or affirmed) before me this 7 day of Sept., 2021.



Carol J Tucker-Davis  
Notary Public for Oregon

My Commission Expires: March 5 2023

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

13821

# PACIFIC POWER

BETTY J LINNELL  
DE WAYNE LARUE  
777 NE 7TH ST  
GRANTS PASS OR 97526-1632

#5823  
9/1/05

Questions about your bill: 1-888-221-7070  
24 hours a day, 7 days a week  
www.pacificpower.net

BILLING DATE: Aug 26, 2005  
ACCOUNT NUMBER: 28814171-003 9  
DATE DUE: Sep 14, 2005  
AMOUNT DUE: \$540.63

### Your Balance With Us

Previous Account Balance	527.33
Payments/Credits	-527.33
New Charges	+540.63
<b>Current Account Balance</b>	<b>\$ 540.63</b>

### Payments Received

DATE	DESCRIPTION	AMOUNT
Aug 4, 2005	Payment Received - Thank you	527.33
<b>Total Payments</b>		<b>\$ 527.33</b>

**NOTE: Important Billing Information - We were unable to use your preferred due date because it overlaps with your next scheduled bill date. Your current due date has been set based on regulatory requirements.**

**Talk with an expert**  
Pacific Power has a hotline specifically for irrigators. If you have any questions about your pumping account or your billing, please call 1-800-715-9238.

**Looking for ways to pay?**  
Try ePay and pay online with your checking account, it's free! Or, pay by phone for a small fee by dialing 1-800-672-2403 for credit card payments and 1-800-285-9234 to use your checking account.


### Summary of Account Activity

<b>ITEM 2</b> ELECTRIC SERVICE	22705 E Evans Creek Rd White City OR Schedule 4 METER # 41646803	95.55
<b>ITEM 3</b> ELECTRIC SERVICE	22705 E Evans Creek Rd White City OR 8 Hp Pump Schedule 23 METER # 35159136	11.28
<b>ITEM 4</b> ELECTRIC SERVICE	22705 E Evans Creek Rd White City OR 8hp Pump amr Meter Schedule 41 METER # 29156577	195.49
<b>ITEM 5</b> ELECTRIC SERVICE	21876 E Evans Creek Rd White City OR 8 Hp Pump-amr Meter Schedule 41 METER # 29156580	238.31

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OWRD

See reverse 

**Late Payment Charge for Oregon**  
A late payment charge of 1.7% may be charged on any balance not paid in full each month.

Write account number on check & mail to: Pacific Power, 1033 NE 6th Ave, Portland, OR 97256-0001

RETAIN THIS PORTION FOR YOUR RECORDS

13821

BETTY J LINNELL  
22705 E EVANS CREEK RD  
WHITE CITY OR 97503-8527



Questions: Call  
**1-888-221-7070**  
24 hours a day,  
7 days a week  
[pacificpower.net](http://pacificpower.net)



BILLING DATE: Aug 27, 2020  
ACCOUNT NUMBER: 28814171-003 9  
DUE DATE: Sep 15, 2020  
AMOUNT DUE: \$415.36



**Your Balance With Us**

Previous Account Balance	418.11
Payments/Credits	-418.11
New Charges	+415.36
<b>Current Account Balance</b>	<b>\$415.36</b>

**Payments Received**

DATE	DESCRIPTION	AMOUNT
Aug 13, 2020	Payment Received - Thank You	418.11
<b>Total Payments</b>		<b>\$418.11</b>

**Note: Important Preferred Due Date Information:** We're sorry, but we were unable to use your preferred due date this month because the billing period was either unusually short or long. If the current due date for your bill is not acceptable, contact us at 1-888-221-7070 so we can make arrangements to ensure your account remains current. We apologize for the inconvenience.

**Summary of Account Activity**

ITEM	DESCRIPTION	AMOUNT
ITEM 2 ELECTRIC SERVICE	22705 E Evans Creek Rd White City OR Residential Schedule 4 METER # 80283444 House	71.51
ITEM 5 ELECTRIC SERVICE	21876 E Evans Creek Rd White City OR 8 Hp Pump Schedule 41 METER # 77591879 South Pump	43.39
ITEM 6 ELECTRIC SERVICE	22705 E Evans Creek Rd White City OR 8 Hp Pump Schedule 23 METER # 80338327 Barn	46.07
ITEM 7 ELECTRIC SERVICE	22705 E Evans Creek Rd White City OR 8hp Pump Schedule 41 METER # 78524652 North Pump	254.39

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We continue to suspend nonpayment disconnections in response to COVID-19. If you are past due or need help with your account, we encourage you to visit our website or call us now to explore flexible payment arrangements.

Energy assistance resources are available now and may be able to help. Schedule an appointment with Access at [www.accesshelps.org/energy-assistance/](http://www.accesshelps.org/energy-assistance/) or call 541-779-9020. Find out more at [pacificpower.net/assistance](http://pacificpower.net/assistance).

See reverse

Write account number on check & mail to: Pacific Power, PO Box 26000, Portland, OR 97256-0001

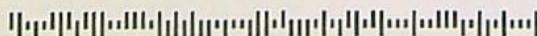
RETAIN THIS PORTION FOR YOUR RECORDS.

RETURN THIS PORTION WITH YOUR PAYMENT.

↑ INSERT THIS EDGE FIRST ↑



PACIFIC POWER  
PO BOX 26000  
PORTLAND OR 97256-0001



**Late Payment Charge for Oregon**  
A late payment charge of 2.0% may be charged on any balance not paid in full each month.

Change of Mailing Address or Phone?  
Check here & provide information on back.

Account Number: 28814171-003 9

Date Due: Sep 15, 2020

AMOUNT DUE: \$415.36

Please enter the amount enclosed.

BETTY J LINNELL  
22705 E EVANS CREEK RD  
WHITE CITY OR 97503-8527

H 28814171 003 917 000041536

13821





Questions about your bill: Call toll free 1-888-221-7070 pacificpower.net

BILLING DATE: **Aug 27, 2020** ACCOUNT NUMBER: **28814171-003 9** DUE DATE: **Sep 15, 2020** AMOUNT DUE: **\$415.36**

**Detailed Account Activity**

**ITEM 2 - ELECTRIC SERVICE** 22705 E Evans Creek Rd White City OR  
Residential Schedule 4

METER NUMBER	SERVICE PERIOD		ELAPSED DAYS	METER READINGS		METER MULTIPLIER	AMOUNT USED THIS MONTH
	From	To		Previous	Current		
80283444	Jul 29, 2020	Aug 26, 2020	28	18989	19647	1.0	658 kwh

Next scheduled read date: 09-25. Date may vary due to scheduling or weather.

NEW CHARGES - 08/20	UNITS	COST PER UNIT	CHARGE
Basic Charge - Single Phase			9.50
Delivery Charge	658 kwh	0.0442600	29.12
Supply Energy Charge Block 1 for 28 day(s)	658 kwh	0.0555000	36.52
Federal Tax Act Adjustment	658 kwh	-0.0044500	-2.93
Oregon Corp Activities Tax Adj		0.0041000	0.30
Public Purpose		0.0300000	2.18
Energy Conservation Charge	658 kwh	0.0034600	2.28
Low Income Assistance			0.69
B P A Columbia River Benefits for 28 day(s)	658 kwh	-0.0093400	-6.15
<b>Total New Charges</b>			<b>71.51</b>

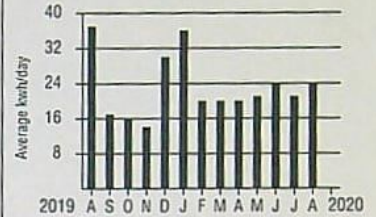
**ITEM 5 - ELECTRIC SERVICE** 21876 E Evans Creek Rd White City OR  
8 Hp Pump Schedule 41  
Service ID: 603424417-001

METER NUMBER	SERVICE PERIOD		ELAPSED DAYS	METER READINGS		METER MULTIPLIER	AMOUNT USED THIS MONTH
	From	To		Previous	Current		
77591879	Jul 29, 2020	Aug 26, 2020	28	11794	12266	1.0	472 kwh
77591879	Demand	Aug 26, 2020			10.179	1.0	10 kw

Next scheduled read date: 09-25. Date may vary due to scheduling or weather.

NEW CHARGES - 08/20	UNITS	COST PER UNIT	CHARGE
Delivery Charge Secondary (Season End Estimated Charge Is \$300.00)	472 kwh	0.0363600	17.16
Supply Energy Sec Summer	472 kwh	0.0598700	28.26
Federal Tax Act Adjustment	472 kwh	-0.0045600	-2.15
Oregon Corp Activities Tax Adj		0.0041000	0.18
Public Purpose		0.0300000	1.30
Energy Conservation Charge	472 kwh	0.0033200	1.57
Low Income Assistance	472 kwh	0.0006900	0.33

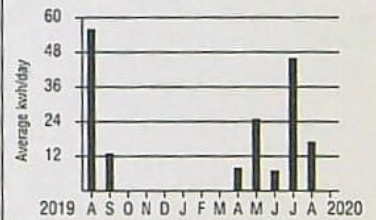
**Historical Data - ITEM 2**



**Your Average Daily kwh Usage by Month**

PERIOD ENDING	AUG 2020	AUG 2019
Avg. Daily Temp.	78	75
Total kwh	658	1060
Avg. kwh per Day	24	37
Cost per Day	\$2.55	\$3.87

**Historical Data - ITEM 5**



**Your Average Daily kwh Usage by Month**

PERIOD ENDING	AUG 2020	AUG 2019
Avg. Daily Temp.	78	75
Total kwh	472	1627
Avg. kwh per Day	17	56
Cost per Day	\$1.55	\$5.14

**New Mailing Address or Phone?**

Please print your new information below and check the box on the reverse side of this Payment Stub. Thank you.

ACCOUNT NUMBER: **28814171-003 9**

LAST \_\_\_\_\_ FIRST \_\_\_\_\_ M.I. \_\_\_\_\_

NEW STREET ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_

ST \_\_\_\_\_ ZIP \_\_\_\_\_ TELEPHONE NUMBER \_\_\_\_\_

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This product contains fiber from well managed - independently certified forests.

**RECEIVED**

**SEP 13 2021**

**OWRD**



Questions about your bill: Call toll free 1-888-221-7070 pacificpower.net

BILLING DATE: **Aug 27, 2020** ACCOUNT NUMBER: **28814171-003 9** DUE DATE: **Sep 15, 2020** AMOUNT DUE: **\$415.36**

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**SEP 13 2021**

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NEW CHARGES - 08/20 - CONTINUED	UNITS	COST PER UNIT	CHARGE
B P A Columbia River Benefits	472 kwh	-0.0069100	-3.26
<b>Total New Charges</b>			<b>43.39</b>

**ITEM 6 - ELECTRIC SERVICE**

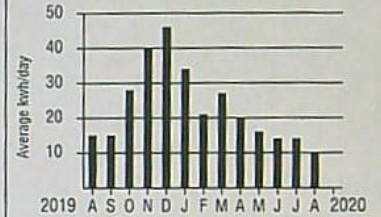
22705 E Evans Creek Rd White City OR  
8 Hp Pump Schedule 23

METER NUMBER	SERVICE PERIOD		ELAPSED DAYS	METER READINGS		METER MULTIPLIER	AMOUNT USED THIS MONTH
	From	To		Previous	Current		
80338327	Jul 29, 2020	Aug 26, 2020	28	18336	18628	1.0	292 kwh
80338327	Demand	Aug 26, 2020			2.782	1.0	3 kw

Next scheduled read date: 09-25. Date may vary due to scheduling or weather.

NEW CHARGES - 08/20	UNITS	COST PER UNIT	CHARGE
Basic Charge, 1P Sec Delivery			17.35
Delivery Charge Secondary	292 kwh	0.0369400	10.79
Supply Energy Sec 1ST 3000 Kwh	292 kwh	0.0631600	18.44
Federal Tax Act Adjustment	292 kwh	-0.0042900	-1.25
Oregon Corp Activities Tax Adj		0.0041000	0.19
Public Purpose		0.0300000	1.37
Energy Conservation Charge	292 kwh	0.0034300	1.00
Low Income Assistance	292 kwh	0.0006900	0.20
B P A Columbia River Benefits	292 kwh	-0.0069100	-2.02
<b>Total New Charges</b>			<b>46.07</b>

**Historical Data - ITEM 6**



**Your Average Daily kwh Usage by Month**

PERIOD ENDING	AUG 2020	AUG 2019
Avg. Daily Temp.	78	75
Total kwh	292	432
Avg. kwh per Day	10	15
Cost per Day	\$1.65	\$2.05

**ITEM 7 - ELECTRIC SERVICE**

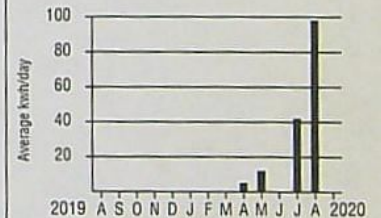
22705 E Evans Creek Rd White City OR  
8hp Pump Schedule 41  
Service ID: 603224617-003

METER NUMBER	SERVICE PERIOD		ELAPSED DAYS	METER READINGS		METER MULTIPLIER	AMOUNT USED THIS MONTH
	From	To		Previous	Current		
78524652	Jul 29, 2020	Aug 26, 2020	28	16997	19743	1.0	2,746 kwh
78524652	Demand	Aug 26, 2020			8.228	1.0	8 kw
78524652	Reactive	Aug 26, 2020			6.045	1.0	6 kvar

Next scheduled read date: 09-25. Date may vary due to scheduling or weather.

NEW CHARGES - 08/20	UNITS	COST PER UNIT	CHARGE
Delivery Charge Secondary	2,746 kwh	0.0363600	99.84
Reactive Power Charge Sec (Season End Estimated Charge Is \$120.00)	3 kvar	0.6500000	1.95
Supply Energy Sec Summer	2,746 kwh	0.0598700	164.40
Federal Tax Act Adjustment	2,746 kwh	-0.0045600	-12.52
Oregon Corp Activities Tax Adj		0.0041000	1.04
Public Purpose		0.0300000	7.64
Energy Conservation Charge	2,746 kwh	0.0033200	9.12
Low Income Assistance	2,746 kwh	0.0006900	1.89
B P A Columbia River Benefits	2,746 kwh	-0.0069100	-18.97
<b>Total New Charges</b>			<b>254.39</b>

**Historical Data - ITEM 7**



**Your Average Daily kwh Usage by Month**

PERIOD ENDING	AUG 2020	AUG 2019
Avg. Daily Temp.	78	75
Total kwh	2746	0
Avg. kwh per Day	98	0
Cost per Day	\$9.09	\$0.00

Continuamos suspendiendo las desconexiones por falta de pago en respuesta a COVID-19. Si está atrasado o necesita ayuda con su cuenta, le recomendamos que visite nuestro sitio web o llámenos ahora para explorar arreglos de pago flexibles.

Supporting renewable energy is a powerful way to connect with customers who share your business' values. Enroll in Blue Sky today at pacificpower.net/bluesky or call 1-800-769-3717.

**Our Commitment to Wildfire Safety**

Protecting your community while providing safe, reliable power is our highest priority.

Your home or business is located in a Public Safety Power Shutoff (PSPS) area. This means that under rare and hazardous weather conditions parts of our network within the PSPS zone could be de-energized as a last resort to ensure public safety.

**13821**

BILLING DATE: **Aug 27, 2020** ACCOUNT NUMBER: **28814171-003 9** DUE DATE: **Sep 15, 2020** AMOUNT DUE: **\$415.36**

In areas at a higher risk of wildfire, we are investing in wildfire mitigation technologies as an added safety measure.

If you use medical equipment that requires electricity to function, please work with your medical provider to have a back-up plan if a power outage were to happen and call our customer care center, so we can note your needs in our system.  
1-888-221-7070

For more information, visit our online wildfire safety resource center with its easy-to-use interactive map to view PSPS areas and view the 7-day status forecasts in these designated zones. [www.pacificpower.net/wildfiresafety](http://www.pacificpower.net/wildfiresafety).

#### Nuestro compromiso con la seguridad contra incendios forestales

Proteger a su comunidad al proporcionar energía segura y confiable es nuestra máxima prioridad.

Su hogar o negocio está ubicado en un área de Corte del Suministro Eléctrico por Motivos de Seguridad Pública (o por sus siglas en inglés: PSPS). Esto significa que, bajo ciertas condiciones climáticas raras y peligrosas, partes de nuestra red de servicio dentro de la zona PSPS podrían ser desactivadas proactivamente para seguridad preventiva. En áreas con mayor riesgo de incendios forestales, estamos invirtiendo en tecnologías de mitigación de incendios forestales.

Si tiene equipos médicos en su hogar que requieren electricidad para funcionar, comuníquese con su proveedor médico para tener un plan de respaldo si ocurriera un corte de electricidad. También llame a nuestro centro de atención al cliente para que podamos anotar sus necesidades en su cuenta.

Para cualquier pregunta o para obtener más información sobre lo que estamos haciendo para mantener segura a su comunidad, llame al: 1-888-225-2611.

Kui kan'ani xi na'l kaston'o sa'a ña kutua'ani te ña kui kidani ta kiño'o yuku yoton, kan'ani 888-221-7070.

Unsere Mitarbeiter im Kundenservice beraten Sie gerne zu Waldbrandvorsorge und -bekämpfung. Sie erreichen uns unter 888-221-7070.

Lub chaw sawv cev saib xyuas tub lag luam yuav sib tham nrog koj txog ntawm kev nyab xeeb txog hluav taws hav zoov kub thiab kev npaj txhij. Thov hu rau 888-221-7070.

Ang isang ahente ng pangangalaga sa customer ay maaaring makipag-usap sa iyo tungkol sa kaligtasan at paghahanda sa mabilis na kumakalat na sunog o wildfire. Mangyaring tumawag sa 888-221-7070.

When you provide a check as payment, you authorize us to use the information from your check either to make a one-time electronic fund transfer from your account or to process the payment as a check transaction. When we use information from your check to make an electronic fund transfer, funds may be withdrawn from your account as soon as we receive your payment and you will not receive your check back from your financial institution. If you would like to opt out of this program and continue processing your payment as a check transaction, please call 1-800-895-0561. If you have opted out previously, please disregard this message.

To better serve you, we updated our bill alert emails. The new emails give you easy access to your bill, your energy usage graph and more. Go paperless at [pacificpower.net/paperless](http://pacificpower.net/paperless).

#### Looking for other ways to pay?

Visit [pacificpower.net/pay](http://pacificpower.net/pay) for all your options. You can choose to pay on your device using our mobile app, on our website, at a pay station in your community, or pay over the phone by calling 1-888-221-7070.

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# 439-21-02555-ZON

08/24/2021

## Land Use Compatibility

34-2W-04-1400

ZONING: Exclusive Farm Use

RECORD NO: 439-21-02555-ZON

PROCESS: Type I Permit

PROJECT NAME: LUCS

ASSIGNED STAFF:

RECEIVED DATE: 08/24/2021

SITE ADDRESS: 21876 EAST EVANS CR RD

### Owners

LINNELL BETTY J  
22705 E EVANS CREEK RD  
WHITE CITY, OR 97503-8527

LINNELL BETTY J  
22705 E EVANS CREEK RD  
WHITE CITY, OR 97503-8527

### Record Detail Description

OWRD

### Contacts

Betty J. Linnell  
22705 East Evans Creek Rd. White City, OR 97503  
linnellbj@gmail.com  
(541) 826-6734

13821

**Application for Water Right  
Historic POD/POA Transfer  
Watermaster Statement**



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

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I, Shavon Haynes, Watermaster of District 13

state that to my knowledge, there has been no claim of injury due to use of an historic point of diversion/appropriation for Certificate 44956

from East Fork Evans Creek located as follows:  
(source)

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

Twp	Rng	Mer	Sec	Q-Q	DLC	GLot	Measured Distances
		W.M.					

OR

by GPS coordinates: Latitude: \_\_\_\_\_

Longitude: \_\_\_\_\_

OR

as shown on the attached map.

Signature

09/08/2021

Date

13821



## Superior Water Right Consulting, LLC

NORM DAFT  
"The Water Guy"

245 Glenoak Lane  
Grants Pass, OR 97526

Phone (Cell): 541 761-1057541  
761-1057  
Home phone: 541 479-9866  
[normthewaterguy@charter.net](mailto:normthewaterguy@charter.net)

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September 9, 2021

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

RE: Historic POD Transfer

Transfer Section,

Please find the enclosed transfer documents:

1. Historic Transfer Application signed by Betty Linnell
2. Transfer Map
3. Evidence of Use Affidavit
4. Supporting documentation of use – PP&L power bills – 9/1/2005 & 8/27/2020. Note- Power meter was changed to "smart meter" after 2005.
5. Land Use Information Form signed by Jackson County Planning
6. Watermaster Statement
7. Check for \$1,360.00

Thank you.

Norman E. Daft

13821

# HISTORIC CHANGE IN POINT OF DIVERSION TRANSFER

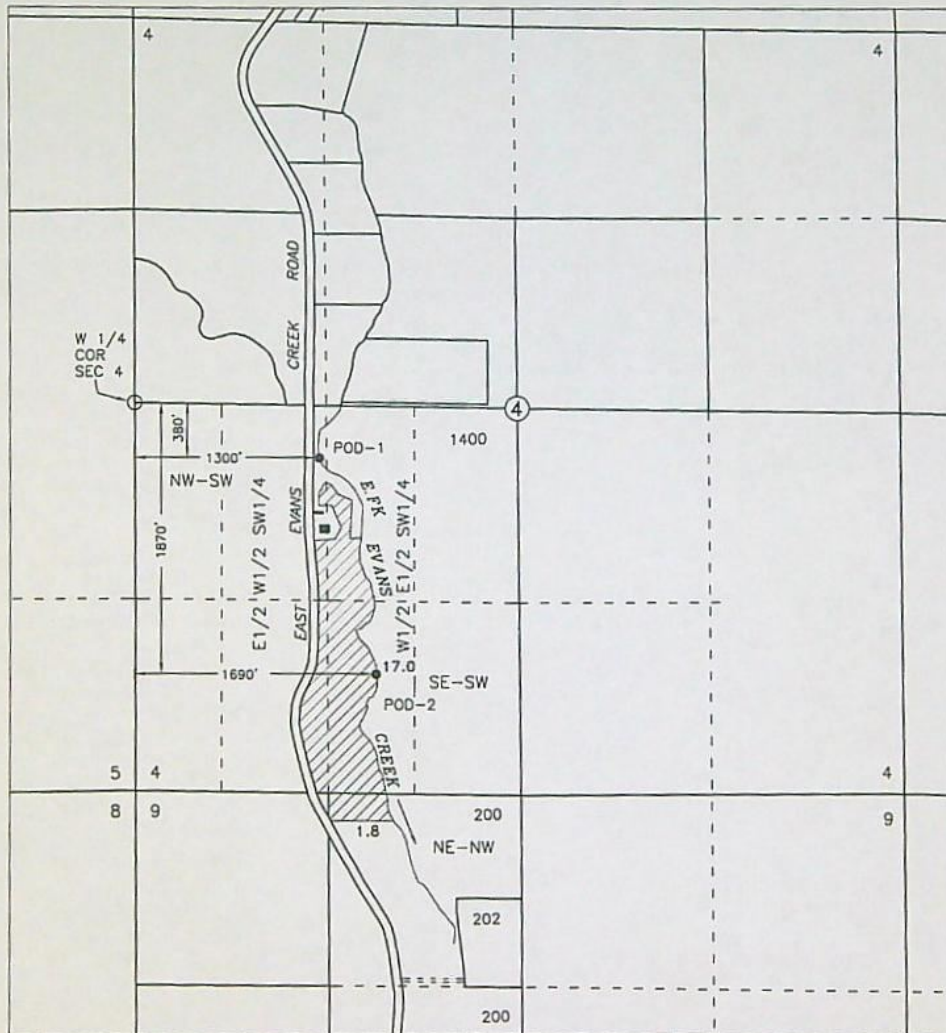
CERTIFICATE 44956

Township 34 South, Range 2 West, W.M.  
Jackson County, Oregon

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Legend

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POD-1 AUTHORIZED - NW/SW, Section 4, 380 feet South & 1300 feet East from the West 1/4 Corner Section 4

POD-2 HISTORIC - NW/SW, Section 4, 1870 feet South & 1690 feet East from the West 1/4 Corner Section 4. In existence more than 10 years. (GPS coordinates - 42.6389350° N 122.9492425° W - from Watermaster)

Prepared for:

Betty Linnell  
22705 East Evans Creek Road  
White City, OR 97503



Certificate 44956, Evans Cr. (E.Fk.)  
Irrigation 18.8 acres & Domestic  
10/15/1887

*SUPERIOR WATER RIGHT CONSULTING, LLC*  
245 GLENOAK LANE  
GRANTS PASS, OR 97526 (541) 761-1057

Base Map: Jackson County GIS data with current ORmap aerial photo overlay for assumed best fit. Survey map CS 10233 used for orientation

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

Scale  
1 inch = 1320 feet  
8/16/2021 n.e.d.

# Land Use Information Form



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

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## NOTE TO APPLICANTS

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

**This form is NOT required if:**

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

## NOTE TO LOCAL GOVERNMENTS

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

13821



# Land Use Information Form



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

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Applicant(s): Betty J. Linnell

Mailing Address: 22705 East Evans Cr. Road

City: White City

State: OR

Zip Code: 97503

Daytime Phone: 541-826-6734

## A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
<u>34S</u>	<u>2W</u>	<u>4</u>	<u>SW 1/4</u>	<u>1400</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>FARM</u>
<u>34S</u>	<u>2W</u>	<u>9</u>	<u>NESW</u>	<u>200</u>	<u>EFU</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>FARM</u>
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____

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

JACKSON 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 Ground Water Registration Modification  
 Limited Water Use License   
  Allocation of Conserved Water   
  Exchange of Water

Source of water:  Reservoir/Pond   
 Ground Water   
 Surface Water (name) EAST EVANS CREEK

Estimated quantity of water needed: 0.31  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:

Existing pump has been at current location more than 10 years. The transfer will authorize it's location. The current pump location is downstream from the authorized ditch.

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

See bottom of Page 3. →

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# For Local Government Use Only

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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): *Horses + Hay - farm uses . 4.2-1*
- 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: Francisco M. Hernandez Title: Planner III

Signature: Francisco M. Hernandez Phone: 541.774.6903 Date: 09.01.2021

Government Entity: Jackson County Development Services.

**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: \_\_\_\_\_

13821

# Historic Change in POD/POA Water Right Transfer Application Completeness Checklist

Checked by: Corey

Date: 9/15/21

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

1. Page 1 of application: Are all attachments that have been checked actually included?  
If not, what is missing? \_\_\_\_\_
2. Does the attached local "Watermaster Statement" indicate that, based upon the watermaster's knowledge and Department records, no complaint of injury has been made due to use of water at the actual, current point of diversion or appropriation (*i.e.*, *the historic POD/POA*)?
- If NO, a complaint of injury has NOT been made – proceed to Item #3.
  - If YES, a complaint of injury has been made – **STOP!**  
The application does **not** meet the criteria for ORS 540.532 (OAR 690-380-2120).  
→ Return the application/fees and direct the applicant to *instead* use the standard POD/POA change Transfer Application and process under ORS 540.520 & 540.530 (OAR 690-380-2110).
3. Is the applicant an "individual" as required by ORS 540.532 and defined in OAR 690-380-2120(7)?
- If YES, the applicant is an "individual" – proceed to Item #4.
  - If NO, the applicant is not an "individual" – **STOP!**  
The application does **not** meet the criteria for ORS 540.532 and OAR 690-380-2120(7).  
→ Return the application/fees and direct the applicant to *instead* use the standard POD/POA change Transfer Application and process under ORS 540.520 & 540.530 (OAR 690-380-2110).
4. Are fees included and correct?  
If not, the correct fee would be: \_\_\_\_\_, so the amount missing is: \_\_\_\_\_
5. Page 3 of application: Have all the applicants listed at the top of the page signed at the bottom?  
If not, whose signature is missing? \_\_\_\_\_
6. Are all listed certificates or permits shown by WRIS as non-cancelled?  
If not, which are cancelled? \_\_\_\_\_  
For each cancelled certificate, if there has been a remaining right certificate issued that covers the lands in the left side of Table 2, list its number \_\_\_\_\_ and check the #4 box at left on this checklist.
7. If any certificate is in the name of a "district", is a Supplemental Form D from that district enclosed?  
 N/A     Form D needed from \_\_\_\_\_ (district)
8. If all #1-#7 boxes on this checklist are checked, accept the application. Put this check sheet in the transfer folder. If #1, #2, #3, #4, #5, #6 or #7 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.