

Regular

Name SJD Properties, LLC

Address 1898 NW Sunview Pl
Grants Pass, OR 97526

Change in APD
Date Filed 6/27/2023
Initial notice date _____
DPD issued date _____
PD issued date 3/7/2025
PD notice date 3/11/2025
Date of FO 4/24/2025 Vol 134 Page 403-406

C-Date _____
COBU due date _____
COBU Received date _____
Certificate issued _____

Assignments: _____

Irrigation District _____

Agent Jennifer Darby

CWRE _____
CC's list _____

☐ - Oversized map - Location _____

DESCRIPTION OF WATER RIGHT(S)

Name of Stream Applegate River

Trib. of Rogue River

Use Primary Irrigation County Josephine

Quantity of water (CFS) _____ No. of Acres _____

Name of ditch _____

App# Vol 116, Page 523 Per # Decree Cert # 95642 PR Date 1899

App# _____ Per # _____ Cert # _____ PR Date _____

App# _____ Per # _____ Cert # _____ PR Date _____

App# _____ Per # _____ Cert # _____ PR Date _____

| FEES PAID | | |
|------------------|-------------------|---------------|
| Date | Amount | Receipt # |
| <u>6/27/2023</u> | <u>\$1,360.00</u> | <u>141022</u> |

| 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

April 21, 2025

SJD Properties LLC
1898 NW Sunview Pl
Grants Pass, OR 97526

REFERENCE: Transfer Application T-14268

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

The time allowed to complete the transfer is specified in the final order. YOU SHOULD GIVE PARTICULAR ATTENTION TO THE TIME LIMIT. The water right for any portion of the authorized change in character of use or change in place of use NOT carried out within the time allowed will be lost.

An extension of the time limit can be allowed only upon a showing that diligent effort has been made to complete the actual change(s) within the time allowed.

You are required to hire a Certified Water Rights Examiner (CWRE) to complete a Claim of Beneficial Use report and map which must be submitted to this Department within one year of the date you complete the change(s) or within one year of the completion date authorized in the transfer final order, whichever occurs first.

If you have any questions related to the approval of this transfer, you may contact your caseworker, Joan Smith, by telephone at (503) 979-0892 or by e-mail at Joan.m.smith@water.oregon.gov.

Sincerely,

David V. Jones Jr
Water Rights Services Support
Transfers and Conservation Section

cc: Scott C. Ceciliani, Watermaster Dist. # 14 (via email)
Jennifer Darby, Agent
Irrigation District: Murphy Electric Irrigation, Inc

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

| | | |
|---------------------------------------|---|-------------------------------|
| In the Matter of Transfer Application |) | FINAL ORDER APPROVING AN |
| T-14268, Josephine County |) | ADDITIONAL POINT OF DIVERSION |

Authority

Oregon Revised Statutes (ORS) 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

SJD PROPERTIES LLC
1898 NW SUNVIEW PL
GRANTS PASS, OR 97526

Findings of Fact

1. On June 27, 2023, SJD Properties LLC filed an application for an additional point of diversion under Certificate 95642. The Department assigned the application number T-14268.
2. Notice of the application for transfer was published on July 11, 2023, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On July 30, 2024, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-14268 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of August 30, 2024, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

4. On March 7, 2025, the Department issued a Preliminary Determination proposing to approve Transfer T-14268 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on March 11, 2025, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

5. The portion of the right to be transferred is as follows:

Certificate: 95642 in the name of MURPHY ELECTRIC IRRIGATION INC. (confirmed by Rogue River (F) State Water Board)

Use: IRRIGATION OF 0.5 ACRES

Priority Date: FEBRUARY 1899

Rate: 0.007 CUBIC FOOT PER SECOND

Source: APPLGATE RIVER, tributary to the ROGUE RIVER

Authorized Points of Diversion:

| Twp | Rng | Mer | Sec | Q-Q | Measured Distances |
|------|-----|-----|-----|-------|--|
| 37 S | 5 W | WM | 21 | SE NW | MURPHY ELECTRIC IRRIGATION, INC. DITCH - 1550 FEET SOUTH AND 2200 FEET EAST FROM THE NW CORNER OF SECTION 21 |
| 38 S | 4 W | WM | 6 | SW SW | NORTHSIDE DITCH - 950 FEET NORTH AND 200 FEET EAST FROM THE SW CORNER OF SECTION 6 |

Authorized Place of Use:

| IRRIGATION | | | | | | |
|------------|-----|-----|-----|-------|-----|-------|
| Twp | Rng | Mer | Sec | Q-Q | DLC | Acres |
| 37 S | 5 W | WM | 19 | NE NE | 40 | 0.5 |

6. Transfer Application T-14268 proposes an additional point of diversion approximately 1.5 miles downstream to:

| Twp | Rng | Mer | Sec | Q-Q | DLC | Measured Distances |
|------|-----|-----|-----|-------|-----|--|
| 37 S | 5 W | WM | 19 | SE NE | 40 | POD 1 - 1375 FEET SOUTH AND 525 FEET WEST FROM THE NE CORNER OF SECTION 19 |

7. 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 [OAR 690-380-0100(14), 690-380-4010(2) and 690-380-2110(2)]

8. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
9. A water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-14268.

10. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
11. The proposed point of diversion diverts water from the same source of surface water as the authorized points of diversion, as required by OAR 690-380-2110(2).
12. The proposed change, as conditioned, would not result in enlargement of the right.
13. The proposed change, as conditioned, would not result in injury to other existing water rights.
14. All other application requirements are met.

Conclusions of Law

The additional point of diversion proposed in Transfer Application T-14268 is consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore it is ORDERED:

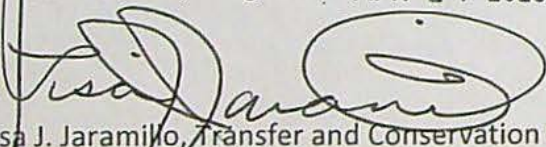
1. The additional point of diversion proposed in Transfer Application T-14268 is approved.
2. The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificate 95642 and any related decree.
3. Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new point of diversion.
4. Water right Certificate 95642 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.
5. The quantity of water diverted at the new additional point of diversion (POD 1), together with that diverted at the original points of diversion (MURPHY ELECTRIC IRRIGATION, INC DITCH and NORTHSIDE DITCH), shall not exceed the quantity of water lawfully available at the original points of diversion (MURPHY ELECTRIC IRRIGATION, INC DITCH and NORTHSIDE DITCH).
6. Water shall be acquired from the same source of surface water as the original points of diversion.

7. Water use measurement conditions:

- a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of diversion.
- 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.

8. 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.
9. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2026**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.
10. After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.

Dated in Salem, Oregon on **APR 21 2025**



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
IVAN GALL, DIRECTOR
Oregon Water Resources Department

Mailing date: APR 22 2025

STATE OF OREGON

COUNTY OF JOSEPHINE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MURPHY ELECTRIC IRRIGATION INC.
C/O LEWIS HAYES
8217 NEW HOPE RD
GRANTS PASS, OR 97526

confirms the right to use the waters of APPLGATE RIVER, a tributary of ROGUE RIVER for IRRIGATION of 7.35 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Josephine County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 16, at Page 523. The date of priority is FEBRUARY 1899.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.11 CUBIC FOOT PER SECOND, if available at the original point of diversion—Northside Ditch.

The points of diversion are located as follows:

| Twp | Rng | Mer | Sec | Q-Q | Measured Distances |
|------|-----|-----|-----|-------|--|
| 37 S | 5 W | WM | 21 | SE NW | MURPHY ELECTRIC IRRIGATION, INC. DITCH - 1550 FEET SOUTH AND 2200 FEET EAST FROM THE NW CORNER OF SECTION 21 |
| 38 S | 4 W | WM | 6 | SW SW | NORTHSIDE DITCH - 950 FEET NORTH AND 200 FEET EAST FROM THE SW CORNER OF SECTION 6 |

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

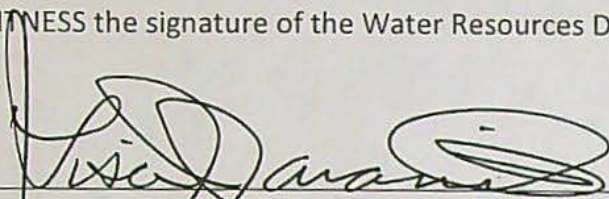
| IRRIGATION | | | | | | | |
|------------|-----|-----|-----|-------|------|-------|-------|
| Twp | Rng | Mer | Sec | Q-Q | GLot | DLC | Acres |
| 37 S | 5 W | WM | 19 | NE NE | 2 | | 0.35 |
| 37 S | 5 W | WM | 19 | NE NE | | 40 | 7.00 |
| | | | | | | Total | 7.35 |

This certificate describes that portion of water right Certificate 95642, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered APR 21 2025, approving Transfer Application T-14268.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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 and is subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director, affixed APR 21 2025.

A handwritten signature in black ink, appearing to read "Lisa J. Jaramillo", is written over a horizontal line.

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
IVAN GALL, DIRECTOR
Oregon Water Resources Department

WATER RIGHT TRANSFER COVER SHEET

Transfer: T-14268

Transfer Specialist: Joan

Transfer Type: Regular Transfer

Reimbursement Authority? ☐

| | | |
|--|---|-----------------------------|
| Applicant: Sjd Properties Llc SJD PROPERTIES LLC 1898 NW SUNVIEW PL GRANTS PASS, OR 97526 | Agent: JENNIFER DARBY 1898 SUNVIEW PL GRANTS PASS, OR 97526 | Receiving Landowner: |
| Current Landowner if other than Applicant: | CWRE: | Irrigation District: |
| Affected Local Gov'ts: | Affected Tribal Gov't: | BOR Notified (date): |

Water Rights Affected

| File Marked | App. File # or Decree Name | Permit | Certificate | RR/CR Needed | RR/CR Nos. |
|--------------------------|----------------------------|--------|-------------|---|------------|
| <input type="checkbox"/> | Decree Vol. 16, Page 523 | | 95642 | <input checked="" type="checkbox"/> Yes <input 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 (Support Staff)

| | | |
|---------------------------------------|---|--|
| Rec'd: June 29, 2023 | Proposed Action(s): ADDITIONAL POINT OF DIVERSION | |
| Fees Pd: 1360.00 | Acknowledgement Letter Sent <input checked="" type="checkbox"/> | Basin: <u>Rogue River</u> |
| Initial Public Notice: | County sent cc: of Ack Letter <input type="checkbox"/> | County: <u>Josephine</u> |
| WM District: 5 Gregory M. Silbernagel | WM Review request sent: <input checked="" type="checkbox"/> | WM Review date received: <input checked="" type="checkbox"/> |
| ODFW District: | ODFW Review sent: <input checked="" type="checkbox"/> | ODFW Review date received: <input checked="" type="checkbox"/> |
| Groundwater | GW Review sent: | GW Review date received: |

Caseworker Actions: Newspaper & PD Notice:

| | |
|---|--|
| Newspaper notice needed: <input type="checkbox"/> | Name of Newspaper: |
| Newspaper notice sent to coordinator: | Newspaper notice quote requested (NRS1): |
| Request for news \$ sent: | News \$ received: |
| Affidavit of publication received: | Last day of publication: |

Peer Review:

| Document | Drafted | Peer Review | Coordinator | Changes Made | Signature Bin | Signature Date |
|----------|--|--|---|---|---|------------------------|
| DPD | Date: <u>10/21/23</u> Initials: <u>Joan</u> | Date: <u>11/1/23</u> Initials: <u>Scott</u> | Date: _____ Initials: _____ | Date: _____ Initials: _____ | CW Sent: _____ WM Sheet <input type="checkbox"/> ODFW Sheet: <input type="checkbox"/> | N/A |
| PD | Date: <u>11/24</u> Initials: <u>Joan</u> | Date: <u>12/5/24</u> Initials: <u>AW</u> | Date: <u>12-24</u> Initials: <u>KAC</u> | Date: _____ Initials: <u>AW</u> Data Review Date: _____ | Date: <u>2-26-25</u> | Date: <u>3/1/2025</u> |
| FO | Date: <u>3/13/25</u> Initials: <u>Joan</u> | Date: <u>3/14/25</u> Initials: <u>Scott</u> | Date: <u>3/21/25</u> Initials: <u>CC</u> | Date: _____ Initials: _____ | Date: <u>4/14/25</u> No. of docs for sig: <u>2</u> | Date: <u>4/21/2025</u> |

Special Issues: re-sent 10/2/24 / re-sent 11/26/24

Special Order Volume: Vol. 134 Pages 403-406

Grants Pass
Daily Courier

P.O. Box 1468, 409 S.E. 7th Street • Grants Pass, Oregon 97528

Received
MAR 27 2025
OWRD

AFFIDAVIT OF PUBLICATION

State of Oregon)
County of Josephine) ss.

I, Sarah Hannon, being first duly sworn, depose and say that I am a manager of Courier Publishing Co., printer of the Grants Pass Daily Courier, a newspaper of general circulation in Josephine and Jackson Counties in Oregon, as defined by ORS 193.010 and 193.020; printed and published at Grants Pass, in the aforesaid counties and state; that the LEGAL NOTICE, a printed copy of which is herein enclosed, was published in the entire issue of said paper, for two insertions, on the following dates:

March 12, 2025; March 19, 2025.

LEGAL NOTICE

Notice of Preliminary Determination for Water Right Transfer T-14268

T-14268 filed by SJD Properties LLC, 1898 NW Sunview PL, Grants Pass, OR 97526, proposes a change in additional point of diversion under Certificate 95642. The right allows the use of 0.007 cubic foot per second from the Applegate River in Sec. 21, T37S, R5W, WM and Sec. 6, T38S, R4W, WM for irrigation in Sec. 19, T37S, R5W, WM. The applicant proposes an additional point of diversion in Sec. 19, T37S, R5W, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, a protest or standing statement within 30 days after the last date of newspaper publication of this notice, 03/19/2025. Call (503) 986-0935 to obtain additional information. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

No. 00509961 - 03/12, 03/19, 2025



Subscribed and sworn to before me this
twenty-first day of March, 2025.



Notary Public of Oregon





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

March 7, 2025

VIA CERTIFIED MAIL AND E-MAIL

SJD PROPERTIES LLC
1898 NW SUNVIEW PL
GRANTS PASS, OR 97526

SUBJECT: Water Right Transfer Application T-14268

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-14268. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

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

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

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

Please don't hesitate to contact me at 503-986-0892 or Joan.M.Smith@water.oregon.gov, if I may be of assistance.

Sincerely,

Joan Smith
Transfer Specialist
Transfer and Conservation Section

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

| | | |
|---------------------------------------|---|-------------------------------|
| In the Matter of Transfer Application |) | PRELIMINARY DETERMINATION |
| T-14268, Josephine County |) | PROPOSING APPROVAL OF AN |
| |) | ADDITIONAL POINT OF DIVERSION |

Authority

Oregon Revised Statutes (ORS) 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

SJD PROPERTIES LLC
1898 NW SUNVIEW PL
GRANTS PASS, OR 97526

Findings of Fact

1. On June 27, 2023, SJD Properties LLC filed an application for an additional point of diversion under Certificate 95642. The Department assigned the application number T-14268.
2. Notice of the application for transfer was published on July 11, 2023, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On July 30, 2024, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-14268 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of August 30, 2024, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

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

4. The portion of the right to be transferred is as follows:

Certificate: 95642 in the name of MURPHY ELECTRIC IRRIGATION INC. (confirmed by Rogue River (F) State Water Board)
Use: IRRIGATION OF 0.5 ACRES
Priority Date: FEBRUARY 1899
Rate: 0.007 CUBIC FOOT PER SECOND
Source: APPEL GATE RIVER, tributary to the ROGUE RIVER

Authorized Points of Diversion:

| Twp | Rng | Mer | Sec | Q-Q | Measured Distances |
|------|-----|-----|-----|-------|--|
| 37 S | 5 W | WM | 21 | SE NW | MURPHY ELECTRIC IRRIGATION, INC. DITCH - 1550 FEET SOUTH AND 2200 FEET EAST FROM THE NW CORNER OF SECTION 21 |
| 38 S | 4 W | WM | 6 | SW SW | NORTHSIDE DITCH - 950 FEET NORTH AND 200 FEET EAST FROM THE SW CORNER OF SECTION 6 |

Authorized Place of Use:

| IRRIGATION | | | | | | |
|------------|-----|-----|-----|-------|-----|-------|
| Twp | Rng | Mer | Sec | Q-Q | DLC | Acres |
| 37 S | 5 W | WM | 19 | NE NE | 40 | 0.5 |

5. Transfer Application T-14268 proposes an additional point of diversion approximately 1.5 miles downstream to:

| Twp | Rng | Mer | Sec | Q-Q | DLC | Measured Distances |
|------|-----|-----|-----|-------|-----|--|
| 37 S | 5 W | WM | 19 | SE NE | 40 | POD 1 - 1375 FEET SOUTH AND 525 FEET WEST FROM THE NE CORNER OF SECTION 19 |

6. 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 [OAR 690-380-0100(14), 690-380-4010(2) and 690-380-2110(2)]

7. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
8. A water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-14268.
9. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).

10. The proposed point of diversion diverts water from the same source of surface water as the authorized points of diversion, as required by OAR 690-380-2110(2).
11. The proposed change, as conditioned, would not result in enlargement of the right.
12. The proposed change, as conditioned, would not result in injury to other existing water rights.
13. All other application requirements are met.

Determination and Proposed Action

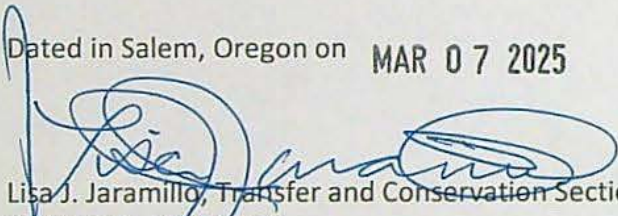
The additional point of diversion proposed in Transfer Application T-14268 appears to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the transfer application will be approved.

If Transfer Application T-14268 is approved, the final order will include the following:

1. *The additional point of diversion proposed in Transfer Application T-14268 is approved.*
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 95642 and any related decree.*
3. *Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new point of diversion.*
4. *Water right Certificate 95642 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.*
5. *The quantity of water diverted at the new additional point of diversion (POD 1), together with that diverted at the original points of diversion (MURPHY ELECTRIC IRRIGATION, INC DITCH and NORTHSIDE DITCH), shall not exceed the quantity of water lawfully available at the original points of diversion (MURPHY ELECTRIC IRRIGATION, INC DITCH and NORTHSIDE DITCH).*
6. *Water shall be acquired from the same source of surface water as the original points of diversion.*
7. *Water use measurement conditions:*
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of diversion.*
 - 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.
8. 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.
 9. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2026**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.
 10. After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.

Dated in Salem, Oregon on **MAR 07 2025**


Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
IVAN GALL, DIRECTOR
Oregon Water Resources Department

This Preliminary Determination was prepared by Joan Smith. If you have questions about the information in this document, you may reach me at 503-986-0892

Protests

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

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

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

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

Requests for Standing

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

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

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

After the protest period has ended, the Director will either issue a Final Order or schedule a contested case hearing. The contested case hearing will be scheduled only if a protest has been filed under OAR 690-380-4030. In accordance with OAR 690-380-4200, notice and conduct of the hearing shall:

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

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

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

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

Notice Regarding Servicemembers: Active-duty servicemembers have a right to stay proceedings under the federal Servicemembers Civil Relief Act. 50 U.S.C. App. §§501-597b. For more information contact the Oregon State Bar at 800-452-8260, the Oregon Military Department at 971-355-4127, or the nearest United States Armed Forces Legal Assistance Office through <http://legalassistance.law.af.mil>.

If you have questions about how to file a protest or if you have previously filed a protest and you want to know the status, please contact Will Davidson at 503-507-2749.

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

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

Oregon Department of Fish and Wildlife
Water Right and Diversion Transfer Comment Form
(ODFW provides to WRD so that WRD can make findings according to statutory requirements.)

Reference Transfer #: T-14268

Date of review: 7/25/23

A. Please check box if you believe there is a potential for injury to an instream water right.

☐ The Oregon Department of Fish and Wildlife (ODFW) believes this proposed transfer may injure an instream water right(s) on [stream] , tributary to , because .

(Please attach any available supporting information.)

**Note: This review has been completed with the understanding that the proposed transfer is associated with C95642, not C95632 which is indicated in the application. If that is not accurate, please contact ODFW. It appears that the authorized POD for C95642 is upstream of the new proposed POD associated with this transfer on the Applegate River. If that is not accurate, please contact ODFW.*

Note: This will prompt WRD to make a determination whether the transfer will injure an instream water right. (OWRD makes the determination of injury to a water right, while ODFW's role is to raise concerns, and to evaluate proposed mitigation and net benefit to the resource if OWRD consents to injury of an instream water right.)

B. Please check one of the following five boxes related to fish screen requirements pursuant to ORS 540.525 or 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 listed 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

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

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.

☐ **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 listed 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 may withdraw water at the new point of diversion without a screen until October 1, 20__. 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.]

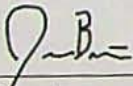
Note: This option will yield the following:

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-14268

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: Josh Kelsey

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

Watermaster Review Form: Water Right Transfer



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

Transfer Application: T-14268

Review Due Date: 7/29/2023

Applicant Name: SJD Properties LLC

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

Reviewer(s): **Scott Ceciliani**

Date of Review: 09/01/2023

1. Do you have evidence that the right has not been used in the last 5 years and that the presumption of forfeiture would not likely be rebuttable? ☐ Yes ☒ No If "Yes", attach evidence (e.g. dated aerial photo showing pavement or building on the land for >5 yrs.)
2. Is there a history of regulation on the source that serves this (or these) right(s) that has involved the transferred right(s) and downstream water rights? ☐ Yes ☒ No Generally characterize the frequency of any regulation or explain why regulation has not occurred:
3. Have headgate notices been issued for the source that serves the transferred right(s)?
☐ Yes ☐ No ☒ Records not available.
4. In your estimation, after the proposed change, would distribution of water for the right(s) result in regulation of other water rights that would not have occurred if use under the original right(s) was/were maximized? ☐ Yes ☒ No If "Yes", explain:
5. In your estimation, if the proposed change is approved, are there upstream water rights that would be affected? ☐ Yes ☒ No If "Yes", describe how the rights would be affected and list the rights most affected:
Include - If available at the original point of diversion.

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

☒ N/A

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

☒ N/A

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

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

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

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

☐ Yes ☐ No If "Yes", explain:

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

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

☐ Yes ☐ No If "Yes", explain:

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

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

- i. Were there any problems with more acres being irrigated (or wetted) than were authorized under the temporary transfer? ☐ Yes ☐ No If "Yes", explain:
- ii. Did the designated areas that were to remain dry (or not wetted) under the temporary transfer actually remain dry? ☐ Yes ☐ No If "No", explain:
- iii. Did the applicant comply with and meet all of the conditions of the temporary transfer? ☐ Yes ☐ No If "No", explain:
- iv. Do you have any other observations regarding the temporary transfer? ☐ Yes ☐ No If "Yes", describe:
- v. Did the applicant demonstrate to the Department through monitoring and site inspections by the Watermaster that neither injury nor enlargement occurred as a result of the temporary transfer? ☐ Yes ☐ No If "No", explain:

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

i. "Injury" will occur to other water rights that share the same source? ☐ Yes ☐ No If "Yes", explain:

ii. "Enlargement" of the water right being transferred will occur? ☐ Yes ☐ No If "Yes", explain:

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

☐ Yes ☒ No If "Yes", explain:

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

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

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

☒ A Headgate should be required prior to diverting water.

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

*a. Before water use may begin under this order, the water user shall install a **totalizing flow meter***, or, with prior approval of the Director, another suitable measuring device, ☐ at each point of diversion/appropriation (new and existing) OR at each new point of diversion/appropriation ☒ with the exception that water rights issued to the Bureau of Reclamation or an irrigation district (or similar entity) are not subject to this condition.*

b. The water user shall maintain the meters or measuring devices in good working order.

c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

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

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

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

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

☐ Weir

☐ Parshall Flume

☒ Other: Totalizing flow meter, or, with prior approval, another suitable measuring device

☐ Submerged Orifice

☐ Flow Restrictor

Oregon Water Resources Department

Measurement Condition Information for the Applicant

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

Transfer #: T- 14268

In order to avoid enlargement of the right or injury to other rights, a **totalizing flow meter** will be required to be installed **prior to diversion of water**, as a condition of this transfer:at each point of diversion/appropriation (new and existing) **OR**

at each new point of diversion/appropriation.

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

Watermaster name: Scott Ceciliani

District: 14

Address: 700 NW Dimmick Street

City/State/Zip: Grants Pass, OR 97526

Phone: Office: 541-476-1288 Cell: 541-261-2213

Email: o wrd.district14@water.oregon.gov Scott.C.Ceciliani@water.oregon.gov

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

Approval of an Alternate Measurement Device

T- 14268

*(to be filled out after consultation with the applicant, or after a site visit)*On behalf of the Director, I authorize use of the following suitable **alternate measurement device**:

 Watermaster signature

 District

 Date

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

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

Permanent Transfer Application Intake Checklist

Transfer # T-14268

| | |
|---|--|
| Reviewer Arla Date 06/27/23 | Type of Change(s) Proposed: <input type="checkbox"/> POU <input type="checkbox"/> POD <input checked="" type="checkbox"/> APOD <input type="checkbox"/> POA <input type="checkbox"/> APOA <input type="checkbox"/> USE <input type="checkbox"/> Substitution <input type="checkbox"/> Gov't Action <input type="checkbox"/> Sup to Primary <input type="checkbox"/> SW to GW |
| Calculated Fee \$1360 Use fee calculator on back of this form | |
| Fee Received \$1360 | |
| Certificate(s): 95642 | Check <u>all</u> Certs in WRIS to confirm they are not cancelled |
| For multiple certificates, does application meet requirement of OAR 690-380-3220? If no, why? Use the flow chart for multiple Certs | |
| <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A | |
| Notes: Certificate 95632 is incorrect - Correct Certificate is 95642 | |

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

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

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

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

Permanent Transfer Application Intake Checklist

[illegible]



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 29, 2023

SJD PROPERTIES LLC
1898 NW SUNVIEW PL
GRANTS PASS, OR 97526
Reference: Application T-14268

On June 27, 2023, the Department received your water right Permanent Transfer Application. The application was accompanied by \$1360.00. Receipt number 141022 is enclosed.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the requested change. A review form will also be sent to Oregon department of wildlife.

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

Except as provided under ORS 540.510(3) for municipalities, you may not use water the new point of diversion until a final order approving the transfer application has been issued by the Department. In order to avoid any possible forfeiture of the water right, you should continue to use the water as described by your existing water right.

If the land is sold before the application is approved, the buyer's consent to the application will be required unless a recorded deed or other legal document clearly established that the water right was not conveyed in the sale.

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) 986-0935.

Cc: Watermaster Dist. #5, Gregory M. Silbernagel (*via email*)
Jennifer Darby, Agent

Enclosure

**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 # **141022**

INVOICE # _____

RECEIVED FROM: James B. Darby
BY: Jennifer A. Darby

| | |
|-------------|---------|
| APPLICATION | |
| PERMIT | |
| TRANSFER | T-14268 |

CASH: ☐ CHECK: # 525 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

MISCELLANEOUS

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

WATER RIGHTS:

| | | | |
|--------------------|-------------|------|------------|
| 0201 SURFACE WATER | EXAM FEE | 0202 | RECORD FEE |
| 0203 GROUND WATER | \$ | 0204 | \$ |
| 0205 TRANSFER | \$ 1,360.00 | | |

WELL CONSTRUCTION

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

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ CARD# _____
0210 MONITORING WELLS \$ CARD# _____
OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

RECEIPT:

141022

DATED:

6-27-23

BY:

Lisa D. Myron

Application for Permanent Water Right Transfer



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

Part 1 of 5 – Minimum Requirements Checklist

This transfer application will be returned if Parts 1 through 5 and all required attachments are not completed and included.

For questions, please call (503) 986-0900, and ask for Transfer Section.

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

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Transfer Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at:
http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator.
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 1 List them here: ~~95632~~ 95642 CJ 7/10/23**
Please include a separate Part 5 for each water right. (See instructions on page 6)
NOTE: A separate transfer application is required for each water right unless the criteria in OAR 690-380-3220 are met.

Attachments:

- ☒ Completed Transfer Application Map.
- ☒ Completed Evidence of Use Affidavit and supporting documentation.
- ☐ ☒ N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.)
- ☒ ☐ N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district.
- ☒ ☐ N/A Oregon Water Resources Department's Land Use Information Form with approval and signature from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if all of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- ☐ ☒ N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
- ☐ ☒ N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500' from the surface water source and more than 1000' upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability.

(For Staff Use Only)

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

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

Other/Explanation _____

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

Application for Permanent Water Right Transfer



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

Part 1 of 5 – Minimum Requirements Checklist

This transfer application will be returned if Parts 1 through 5 and all required attachments are not completed and included.

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For questions, please call (503) 986-0900, and ask for Transfer Section.

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

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- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Transfer Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at:
http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator.
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 1 List them here: 95632**

Please include a separate Part 5 for each water right. (See instructions on page 6)

NOTE: A separate transfer application is required for each water right unless the criteria in OAR 690-380-3220 are met.

Attachments:

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- ☒ Completed Transfer Application Map.
- ☒ Completed Evidence of Use Affidavit and supporting documentation.
- ☐ ☒ N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.)
- ☒ ☐ N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district.
- ☒ ☐ N/A Oregon Water Resources Department's Land Use Information Form with approval and signature from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if all of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- ☐ ☒ N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
- ☐ ☒ N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500' from the surface water source and more than 1000' upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability.

(For Staff Use Only)

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

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

Other/Explanation _____

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

Part 2 of 5 – Transfer Application Map

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

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

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

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FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)

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1. For irrigation calculate cfs for each water right involved as follows:
 - a. Divide total authorized cfs by total acres in the water right (for C12345, $1.25 \text{ cfs} \div 100 \text{ ac}$); then multiply by the number of acres to be transferred to get the transfer cfs ($\times 45 \text{ ac} = 0.56 \text{ cfs}$).
 - b. If the water right certificate does not list total cfs, but identifies the allowable use as 1/40 or 1/80 of a cfs per acre; multiply number of acres proposed for change by either 0.025 (1/40) or 0.0125 (1/80). (For C87654, $45.0 \text{ ac} \times 0.0125 \text{ cfs/ac} = 0.56 \text{ cfs}$)
2. Add cfs for the portions of water rights on all the land included in the transfer; however **do not count cfs for supplemental rights on acreage for which you have already calculated the cfs fee for the primary right on the same land**. The fee should be assessed only once for each "on the ground" acre included in the transfer. (In this example, blank 5a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 5b would be 0 and Line 5 would then also become 0).

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Part 4 of 5 – Applicant Information and Signature

Applicant Information

| | | | | |
|---|--------------------|---------------------|---------------------------------------|------------------------|
| APPLICANT/BUSINESS NAME SJD Properties, LLC | | | PHONE NO. 907 229-0629 | ADDITIONAL CONTACT NO. |
| ADDRESS 1898 NW Sunview PL | | | FAX NO. | |
| CITY Grants Pass | STATE OR | ZIP 97526 | E-MAIL brantdarby@yahoo.com | |
| BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED. | | | | |

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

| | | | | |
|---|--------------------|---------------------|--------------------------------------|------------------------|
| AGENT/BUSINESS NAME Jennifer Darby | | | PHONE NO. 907 229-0629 | ADDITIONAL CONTACT NO. |
| ADDRESS 1898 Sunview PL | | | FAX NO. | |
| CITY Grants Pass | STATE OR | ZIP 97526 | E-MAIL jenwest74@yahoo.com | |
| BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED. | | | | |

Explain in your own words what you propose to accomplish with this transfer application, and why:
We would like to have the diversion point on our property and use the same pump for another water right
If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

Check One Box

- ☒ By signing this application, I understand that, upon receipt of the draft preliminary determination and prior to Department approval of the transfer, I will be required to provide landownership information and evidence that I am authorized to pursue the transfer as identified in OAR 690-380-4010(5); OR
- ☐ I affirm the applicant is a municipality as defined in ORS 540.510(3)(b) and that the right is in the name of the municipality or a predecessor; OR
- ☐ I affirm the applicant is an entity with the authority to condemn property and is acquiring by condemnation the property to which the water right proposed for transfer is appurtenant and have supporting documentation.

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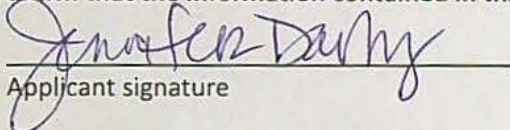
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By my signature below, I confirm that I understand:

- Prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: Grants Pass Daily Courier
- Amendments to the application may only be made in response to the Department's Draft Preliminary Determination (DPD). The applicant will have a period of at least 30 days to amend the application to address any issues identified by the Department in the DPD, or to withdraw the application. Note that amendments may be subject to additional fees, pursuant to ORS 536.050.
- Failure to complete an approved change in place of use and/or change in character of use, will result in loss of the water right (OAR 690-380-6010).
- Refunds may only be granted upon request and, as set forth in ORS 536.050(4)(a), if the Director determines that a refund of all or part of a fee is appropriate in the interests of fairness to the public or necessary to correct an error of the Department.

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


Applicant signature

Jennifer Darby agent 6-25-23
Print Name (and Title if applicable) Date

Applicant signature

Print Name (and Title if applicable) Date

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? ☒ Yes ☐ No*

*If NO, include signatures of all deeded landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent (and mailing and/or e-mail addresses) from all landowners or individuals/entities to which the water right(s) were conveyed.

Check the following boxes that apply:

- ☒ The applicant is responsible for completion of change(s). Notices and correspondence should continue to be sent to the applicant.
- ☐ The receiving landowner will be responsible for completing the proposed change(s) after the final order is issued. Copies of notices and correspondence should be sent to this landowner.
- ☐ Both the receiving landowner and applicant will be responsible for completion of change(s). Copies of notices and correspondence should be sent to this landowner and the applicant.

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

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

If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. For more information see: https://www.oregon.gov/owrd/WRDFormsPDF/Transfer_Property_Transactions.pdf

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

☒ Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (Tip: Complete and attach Supplemental Form D.)

| | | |
|--|-------------------------------------|---------------------|
| IRRIGATION DISTRICT NAME Murphy Electric Irrigation, Inc | ADDRESS 227 New Hope Road | |
| CITY Grants Pass | STATE OR | ZIP 97527 |

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

| | | |
|-------------|---------|-----|
| ENTITY NAME | ADDRESS | |
| CITY | STATE | ZIP |



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

| | | |
|-------------|---------|-----|
| ENTITY NAME | ADDRESS | |
| CITY | STATE | ZIP |

| | | |
|-------------|---------|-----|
| ENTITY NAME | ADDRESS | |
| CITY | STATE | ZIP |

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Part 5 of 5 – Water Right Information

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

CERTIFICATE # ~~95632~~ 95642

Description of Water Delivery System

CJ 7/10/23

System capacity: 8 CFS cubic feet per second (cfs) OR gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. Water is provided via the Northside Irrigation Ditch then by pipeline to property.

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

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

| POD/POA Name or Number | Is this POD/POA Authorized on the Certificate or is it Proposed? | If POA, OWRD Well Log ID# (or Well ID Tag # L-___) | Twp | Rng | Sec | ¼ ¼ | Tax Lot, DLC or Gov't Lot | Measured Distances (from a recognized survey corner) |
|------------------------|---|--|------|-----|-----|-------|---------------------------|--|
| 2 | <input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed | | 37 S | 5 W | 21 | SE NW | | 1550 ft. South & 2200 ft. East from the NW corner Section 21 |
| 3 | <input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed | | 38 S | 4 W | 6 | SW SW | | 950 ft. North & 200 ft. East from the SW corner Section 6 |
| 1 | <input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed | | 37 S | 5 W | 19 | SE NE | 40 | 1375 ft. South & 525 ft. West from the NE corner Section 19 |
| | <input type="checkbox"/> Authorized <input type="checkbox"/> Proposed | | | | | | | |

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

- | | |
|--|---|
| <input type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input type="checkbox"/> Character of Use (USE) | <input type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input checked="" type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Substitution (SUB) |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV) |

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

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

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

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

[illegible]

Additional remarks: We have submitted an application to use stored water from Applegate Lake Reservoir for the rest of our property.

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

SUPERSEDED

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

Table 2. Description of Changes to Water Right Certificate # 95632

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

| AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed. | | | | | | | | | | | | Proposed Changes (see "CODES" from previous page) | PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made. | | | | | | | | | | | | | | | | | | |
|--|-----|-----|-----|---------|----------------------|-------|---|---|------------------|------------|---------------|---|---|--------------|---------|----------------------|-------|--------------------|--|------------------|-----|----|------|--|--------|------|--|--|--|--|--|
| Twp | Rng | Sec | ¼ ¼ | Tax Lot | Gvt Lot or DLC | Acres | Type of USE listed on Certificate | POD(s) or POA(s) (name or number from Table 1) | Priority Date | Twp | Rng | | Sec | ¼ ¼ | Tax Lot | Gvt Lot or DLC | Acres | New Type of USE | POD(s)/ POA(s) to be used (from Table 1) | Priority Date | | | | | | | | | | | |
| EXAMPLE | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 2 | S | 9 | E | 15 | NE | NW | 100 | | 15.0 | Irrigation | POD #1 POD #2 | 1901 | POU/POD | 2 | S | 9 | E | 1 | NW | NW | 500 | 1 | 10.0 | | POD #5 | 1901 | | | | | |
| | | | | | | | | | | | | | | 2 | S | 9 | E | 2 | SW | NW | 500 | | 5.0 | | POD #6 | 1901 | | | | | |
| 37 | S | 5 | W | 19 | NE | NE | 504 | 40 | 0.5 | irrigation | 2,3 | 1899 | | 37 | S | 5 | W | 19 | NE | NE | 504 | 40 | 0.5 | | 1,2,3 | 1899 | | | | | |
| | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
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| TOTAL ACRES: | | | | | | | | | 0.5 | | | | | TOTAL ACRES: | | | | | | | | | 0.5 | | | | | | | | |

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Additional remarks: We have submitted an application to use stored water from Applegate Lake Reservoir for the rest of our property OWRD

For Place of Use or Character of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: _____.



Pursuant to ORS 540.510, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

For Substitution (ground water supplemental irrigation will be substituted for surface water primary irrigation)

Ground water supplemental Permit or Certificate # _____;

Surface water primary Certificate # _____.

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

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

- ☐ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.

Tip: You may search for well logs on the Department's web page at:

http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

| Proposed or Authorized POA Name or Number | Is well already built? (Yes or No) | If an existing well: OWRD Well ID Tag No. L-_____ | Total well depth | Casing Diameter | Casing Intervals (feet) | Seal depth(s) (intervals) | Perforated or screened intervals (in feet) | Static water level of completed well (in feet) | Source aquifer (sand, gravel, basalt, etc.) | Well-specific rate (cfs or gpm). If less than full rate of water right |
|---|------------------------------------|---|------------------|-----------------|-------------------------|---------------------------|--|--|---|--|
| | | | | | | | | | | |
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Certificate # 95632

For Place of Use or Character of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: _____.



Pursuant to ORS 540.510, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

For Substitution (ground water supplemental irrigation will be substituted for surface water primary irrigation)

Ground water supplemental Permit or Certificate # _____;

Surface water primary Certificate # _____.

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

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

- ☐ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.

Tip: You may search for well logs on the Department's web page at:

http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

| Proposed or Authorized POA Name or Number | Is well already built? (Yes or No) | If an existing well: OWRD Well ID Tag No. L-____ | Total well depth | Casing Diameter | Casing Intervals (feet) | Seal depth(s) (intervals) | Perforated or screened intervals (in feet) | Static water level of completed well (in feet) | Source aquifer (sand, gravel, basalt, etc.) | Well-specific rate (cfs or gpm). If less than full rate of water right |
|---|------------------------------------|--|------------------|-----------------|-------------------------|---------------------------|--|--|---|--|
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14268-

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

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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 JOSEPHINE)

Jennifer Darby
I, BRANT DARBY, in my capacity as PROPERTY OWNER UNDER SJD PROPERTIES INC.,

mailing address 1898 NW SUNVIEW PL, GRANTS PASS, OR 97526

telephone number (907)229-0629, being first duly sworn depose and say:

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

☒ Personal observation

☐ Professional expertise

2. I attest that:

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

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

| Certificate # | Township | | Range | | Mer | Sec | ¼ ¼ | | Gov't Lot or DLC | Acres (if applicable) |
|---------------|----------|---|-------|---|-----|-----|-----|----|---------------------|--------------------------|
| 95642 | 37 | S | 5 | W | WM | 19 | NE | NE | 40 | 0.50 |
| | | | | | | | | | | |
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OR

☐ Confirming Certificate # _____ has been issued within the past five years; OR

☐ Part or all of the water right was leased instream at some time within the last five years. The
instream lease number is: _____ (Note: If the entire right proposed for
transfer was not leased, additional evidence of use is needed for the portion not leased instream.); OR

☐ The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use
would be rebutted under ORS 540.610(2) is attached.

☐ Water has been used at the actual current point of diversion or appropriation for more than
10 years for Certificate # _____ (For Historic POD/POA Transfers)

(continues on reverse side)

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

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

Jennifer Ann Doherty
Signature of Affiant

May 30, 2023
Date

Signed and sworn to (or affirmed) before me this 30th day of May, 2023.



Patrick Spencer Reedy
Notary Public for Oregon

My Commission Expires: July 22, 2025

| Supporting Documents | Examples |
|--|--|
| <input type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate) | Copy of confirming water right certificate that shows issue date |
| <input type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water | <ul style="list-style-type: none"> • Power usage records for pumps associated with irrigation use • Fertilizer or seed bills related to irrigated crops • Farmers Co-op sales receipt |
| <input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers | <ul style="list-style-type: none"> • District assessment records for water delivered • Crop reports submitted under a federal loan agreement • Beneficial use reports from district • IRS Farm Usage Deduction Report • Agricultural Stabilization Plan • CREP Report |
| <input checked="" type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph <div style="text-align: center;"> RECEIVED JUN 27 2023 OWRD </div> | <p>Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added.</p> <p>Sources for aerial photos: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terra-server.com</p> |
| <input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years | Copy of instream lease or lease number |

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Google 6/29/2018

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Sentry Foreign

APPLICATION FOR TRANSFER

Additional Point of Diversion - Certificate ~~95632~~ ⁹⁵⁶⁴²

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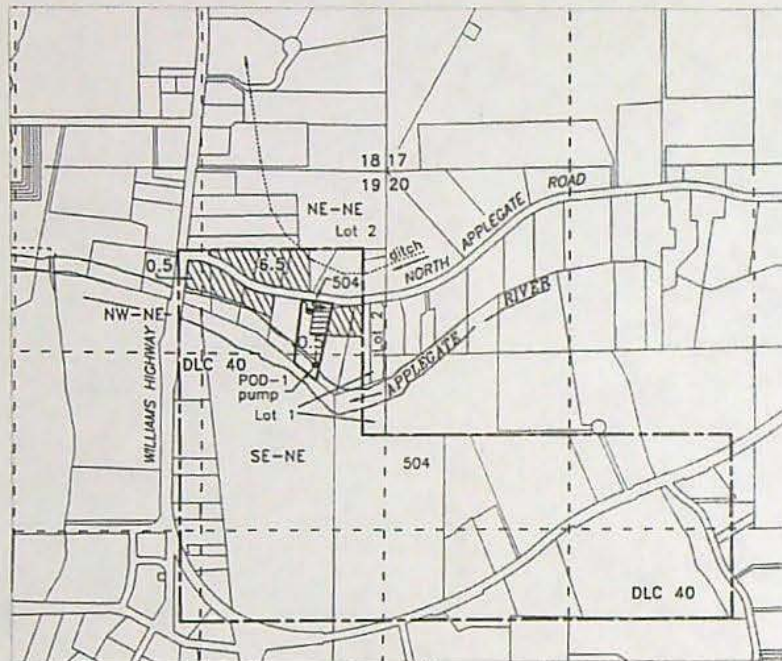
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CJ 7/10/23

SECTIONS 19 & 20, TOWNSHIP 37 SOUTH, RANGE 5 WEST, W.M.

JOSEPHINE COUNTY OREGON



Legend

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Authorized per Certificate:


Points of Diversion - #2 SE/NW Section 21, T37S, R5W, WM: 1550 feet South & 2200 feet East from NW corner Section 21: #3 SW/SW Section 6, T38S, R4W, WM: Northside Ditch - 950 feet North & 200 feet East from SW corner Section 6

Additional:

Point of Diversion - #1 - DLC 40, SE/NE Section 19, T37S, R5W, WM: 1375 feet South & 525 feet West from NE corner Section 19

APPLICANT: SJD Properties, LLC
1898 NW Sunview PL
Grants Pass, OR 97526

 Tax Lot 504
Existing place of use: 0.5 Acres - Additional POD

 *REMAINING RIGHT - 7.0 Acres (*Interpretation of Murphy Electric Irrigation, Inc. records, Inchoate Map, Permit Map S-23592 and current Google aerial photos. Previous mapping appears to have included approximately 0.5 Acres in the NW-NE as being within NE-NE of Sec. 19)

Base map Josephine County GIS Tax Lots over Inchoate Map, Oregon
Map aerial photo & 6-29-18 Google aerial photo
for assumed best fit

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



NORTH

Scale

1 inch = 1320 feet

JORDAN ENGINEERING
460 JORDAN LANE
ROSEBURG, OR 97471
(541) 673-1931

Revised 6/9/2023 - n.e.d.

14268 - Revised 7/10/23

Jordan Engineering

Structural·Civil·Geotech

460 Jordan Lane
Roseburg, OR 97471
541-430-6926

Oregon Water Resources Department
Kim French
Transfer Specialist

June 26, 2023

Kim,

It is very disconcerting that the transfer application for SJD Properties, LLC was returned in the mail without acceptance.

First of all, a telephone call to me may have remedied the issue. Since you had the receipt from County Planning and some time had passed since I mailed the packet, we may have had the Land Use Form in hand by the time you sent the application packet back. It likely could have been E-mailed to you.

Second, when looking at the Department's web site for transfer forms, the Land Use Form that is listed was filled out and delivered to the County. The signed receipt stub from that form was included with the transfer application. Please read the NOTE TO APPLICANTS in the Land Use Form for transfers. It states: "Applications received by WRD without the Land Use Form "or" (added quotations) receipt stub will be returned to you." Again, this Land Use Form is the form included with transfer forms on the Department's web site.

The Department's written instructions were followed. The receipt stub was included with the transfer application.

I am re-mailing to the Department, the application packet with a copy of the now completed and signed Land Use Form.

This application is somewhat time sensitive for evidence of use as originally enclosed. I therefore expect, since the Department instructions were followed, that the official date received will be noted as the first date received prior to the application being mailed back to me.

On a final note, the Administrative Rule you printed in your letter does not match the current rule as shown on the Department's web site. The following, as of 6/24/2023, is what is what is currently listed on-line for OAR 690-380-3000 (19):

OAR 690-380-3000

Application for Transfer (19) Land use information as outlined in the Department's Land Use Planning Procedures Guide, except for those transfers that meet the following four requirements:

It says nothing about a completed and signed Land Use Form. It refers to a Land Use Planning Procedures Guide but doesn't say where that can be found.

OAR 690-005-0015 (7) refers to the Land Use Planning and Procedures Guide as being non-rule text submitted by the Department as part of its SAC program. This appears to only be a process to assure Comprehensive Plan compatibility.

As consultants, we depend heavily on the Department's web site and communication with staff.

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Page 1 of 2

14268 -

When we follow what is online, and it is not accurate or current, it can make us look somewhat incompetent to our clients.

We pride ourselves on our relationship with the Department and our knowledge of Department rules and procedures. Lack of communication and dependence on perhaps outdated or incorrect information undermines it.

In other words, (Mr. Norm Daft included) with many decades of service protecting not only our client but the Department and the public in general interpreting intent of what appears to be clear instructions, these lapse in common professional courtesy regardless of one's work load and/or Departmental policies is paramount in assisting us in not only our own standing with the client but makes it extremely difficult to mitigate clients misrepresentation of the Department through our representation.

In short we do not care how the Department wishes to have instructions interpreted but it has to be at the very least clear in common understanding to us in the field like others having had more decades of service than we wish to count of experience including, Mr. Norm Daft and myself of following/interpreting instructions in the public arena.

Please make a simple phone call and/or Email.

Respectfully,



Clay Jordan
P.E., S.E., GeoTec, CWRE

Enclosed: Return packet plus now available land use form.

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Page 2 of 2

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Structural-Civil-Geotech
460 Jordan Lane
Roseburg, OR 97471
541-673-1931

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Water Resources Department
725 Summer St. NE, Suite A
Salem, OR 97301

Application For Transfer:

Certificate 95632

95642

CJ 7/10/23

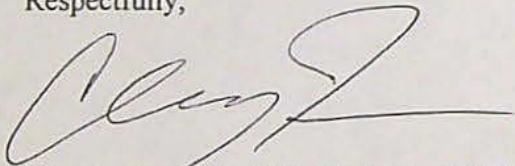
June 13, 2023

Sir:

Inclosed are the Transfer Application form, paper map, Corporation Division as SJD Properties, LLC with Jennifer Darby as Agent, Corporation Division as Murphy Electric Irrigation Inc. with John Catlett as President, Supplemental Form D, Land Use Receipt, Transfer Evidence of Use Affidavit with map and Check No. 525 in the sum of \$1,360 made out to the Department.

If there are any questions please officially contact the applicant with a copy to me.

Respectfully,



Clay Jordan, P.E., S.E., Geotech, CWRE

cc: James and Jennifer Darby

file: Darby- Transfer Cert95632.wpd

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Jordan Engineering

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541-673-1931

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Water Resources Department
725 Summer St. NE, Suite A
Salem, OR 97301

Application For Transfer:
Certificate 95632

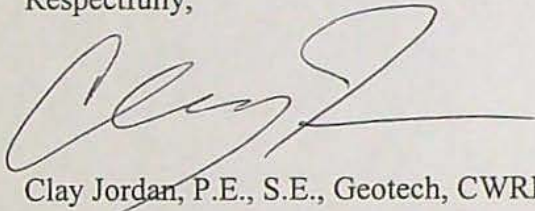
June 13, 2023

Sir:

Inclosed are the Transfer Application form, paper map, Corporation Division as SJD Properties, LLC with Jennifer Darby as Agent, Corporation Division as Murphy Electric Irrigation Inc. with John Catlett as President, Supplemental Form D, Land Use Receipt, Transfer Evidence of Use Affidavit with map and Check No. 525 in the sum of \$1,360 made out to the Department.

If there are any questions please officially contact the applicant with a copy to me.

Respectfully,



Clay Jordan, P.E., S.E., Geotech, CWRE

cc: James and Jennifer Darby
file: Darby- Transfer Cert95632.wpd

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HOME

OREGON SECRETARY OF STATE
► **Corporation Division**

Business Xpress **business name search** oregon business guide

license directory business registry/renewal forms/fees notary public

uniform commercial code uniform commercial code search documents & data services

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Business Name Search[New Search](#)[Printer Friendly](#)**Business Entity Data**

05-08-2023 17:01

| Registry Nbr | Entity Type | Entity Status | Jurisdiction | Registry Date | Next Renewal Date | Renewal Due? |
|--------------|---------------------|---------------|--------------|---------------|-------------------|--------------|
| 2028196-94 | DLLC | ACT | OREGON | 10-14-2022 | 10-14-2023 | |
| Entity Name | SJD PROPERTIES, LLC | | | | | |
| Foreign Name | | | | | | |

[New Search](#)[Printer Friendly](#)**Associated Names**

| | | | | | | | |
|--------|--------------------|-----------------------------|-------|--|---------|--------------------------|--|
| Type | PPB | PRINCIPAL PLACE OF BUSINESS | | | | | |
| Addr 1 | 1898 NW SUNVIEW PL | | | | | | |
| Addr 2 | | | | | | | |
| CSZ | GRANTS PASS | OR | 97526 | | Country | UNITED STATES OF AMERICA | |

Please click [here](#) for general information about registered agents and service of process.

| | | | | | | | |
|--------|--------------------|------------------|-------|------------|------------|--------------------------|--|
| Type | AGT | REGISTERED AGENT | | Start Date | 10-14-2022 | Resign Date | |
| Name | JENNIFER | | DARBY | | | | |
| Addr 1 | 1898 NW SUNVIEW PL | | | | | | |
| Addr 2 | | | | | | | |
| CSZ | GRANTS PASS | OR | 97526 | | Country | UNITED STATES OF AMERICA | |

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| Type | SEC | SECRETARY | | | | | Resign Date | |
| Name | DEBBIE | | BECKER-KIDWELL | | | | | RECEIVED |
| Addr 1 | 8227 NEW HOPE RD | | | | | | | |
| Addr 2 | | | | | | | | |
| CSZ | GRANT'S PASS | | OR | 97527 | Country | UNITED STATES OF AMERICA | | JUN 15 2023 |

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Name History

| Business Entity Name | Name Type | Name Status | Start Date | End Date |
|---|-----------|-------------|------------|----------|
| MURPHY ELECTRIC IRRIGATION INCORPORATED | EN | CUR | 07-11-1947 | |









































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Summary History

| Image Available | Action | Transaction Date | Effective Date | Status | Name/Agent Change | Dissolved By |
|---|-------------------------------------|------------------|----------------|--------|-------------------|--------------|
|  | AMENDED ANNUAL REPORT | 07-09-2022 | | FI | | |
|  | AMENDED ANNUAL REPORT | 07-23-2021 | | FI | | |
|  | AMENDED ANNUAL REPORT | 06-15-2020 | | FI | | |
|  | AMENDED ANNUAL REPORT | 07-09-2019 | | FI | | |
|  | AMENDED ANNUAL REPORT | 06-20-2018 | | FI | | |
|  | AMENDED ANNUAL REPORT | 07-06-2017 | | FI | | |
|  | AMNDMT TO ANNUAL RPT/INFO STATEMENT | 02-11-2017 | | FI | Agent | |
|  | AMENDED ANNUAL REPORT | 06-09-2016 | | FI | | |
|  | AMENDED ANNUAL REPORT | 06-10-2015 | | FI | | |
|  | AMENDED ANNUAL REPORT | 06-06-2014 | | FI | | |
|  | AMENDED ANNUAL REPORT | 06-17-2013 | | FI | Agent | |
|  | AMENDED ANNUAL REPORT | 06-12-2012 | | FI | | |
|  | AMENDED ANNUAL REPORT | 06-06-2011 | | FI | | |
|  | AMENDED ANNUAL REPORT | 06-04-2010 | | FI | | |
|  | AMENDED ANNUAL REPORT | 06-11-2009 | | FI | | |
|  | AMENDED ANNUAL REPORT | 06-10-2008 | | FI | | |
|  | ANNUAL REPORT | 06-07-2007 | | FI | | |
|  | ANNUAL REPORT PAYMENT | 06-08-2006 | | SYS | | |
|  | ANNUAL REPORT PAYMENT | 06-06-2005 | | SYS | | |
|  | ANNUAL REPORT PAYMENT | 06-04-2004 | | SYS | | |
|  | ANNUAL REPORT PAYMENT | 06-10-2003 | | SYS | | |
|  | ANNUAL REPORT PAYMENT | 06-07-2002 | | SYS | | |
|  | AMENDED ANNUAL REPORT | 06-14-2001 | | FI | | |
|  | STRAIGHT RENEWAL | 06-15-2000 | | FI | | |
|  | STRAIGHT RENEWAL | 06-03-1999 | | FI | | |
|  | STRAIGHT RENEWAL | 06-19-1998 | | FI | | |
|  | STRAIGHT RENEWAL | 06-03-1997 | | FI | | |
|  | STRAIGHT RENEWAL | 05-30-1996 | | FI | | |
|  | CHANGED RENEWAL | 05-30-1996 | | FI | | |
|  | STRAIGHT RENEWAL | 06-07-1995 | | FI | | |
|  | STRAIGHT RENEWAL | 06-03-1994 | | FI | | |
|  | STRAIGHT RENEWAL | 06-04-1993 | | FI | | |
|  | AMENDED RENEWAL | 06-12-1992 | | FI | | |
|  | STRAIGHT RENEWAL | 05-29-1991 | | FI | | |
|  | AMENDED RENEWAL | 06-12-1990 | | FI | | |
|  | STRAIGHT RENEWAL | 05-30-1989 | | FI | | |
|  | STRAIGHT RENEWAL | 05-31-1988 | | FI | | |
|  | STRAIGHT RENEWAL | 06-03-1987 | | FI | | |
|  | STRAIGHT RENEWAL | 06-02-1986 | | FI | | |
|  | STRAIGHT RENEWAL | 09-03-1985 | | FI | | |

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For comments or suggestions regarding the operation of this site,
please contact : corporation.division@sos.oregon.gov

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met John
murphy at the

Supplemental Form D

Water Right Transfers Within the Boundaries of or Served by an Irrigation District or other Water Supplier (Association, Ditch Co., etc.)

[For transfers submitted under OAR Chapter 690 Division 380]

OREGON



WATER RESOURCES
DEPARTMENT

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

The Department requires non-district applicants to communicate with districts/water suppliers during the planning and preparation of transfer applications involving water rights having a point of diversion or appropriation (POD/POA) or place of use (POU) served by or located within the boundaries of an irrigation district, or other type of water supplier to which assessments are paid. In some cases consent will be required from the district or water supplier.

This form must be included with any transfer application that involves rights served by or located within the boundaries of a district or other type of water supplier.

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1. APPLICANT INFORMATION

| | | | |
|-----------------------------|----------------------|--------------|----------|
| NAME SJD PROPERTIES, LLC | | PHONE (HM) | |
| PHONE (WK) | CELL 907 229-0629 | FAX | |
| ADDRESS 1898 SUNVIEW PL | | | |
| CITY GRANTS PASS | STATE OR | ZIP 97526 | E-MAIL** |

2. DISTRICT or WATER SUPPLIER INFORMATION

| | | | |
|---|-------------|----------------------------|----------|
| DISTRICT/WATER SUPPLIER NAME MURPHY ELECTRIC IRRIGATION, INC | | PHONE (HM) 541 846-3032 | |
| PHONE (WK) | CELL | FAX | |
| ADDRESS 6063 WILLIAMS HWY | | | |
| CITY GRANTS PASS | STATE OR | ZIP 97527 | E-MAIL** |

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** By providing an e-mail address, the applicant and/or the district/water supplier consents to receive all correspondence from the Department electronically. Copies of final order documents will also be mailed.

3. WATER RIGHTS ISSUED IN THE NAME OF, or LOCATED WITHIN, or SERVED BY AN IRRIGATION DISTRICT, OTHER DISTRICT, OR WATER SUPPLIER

a. List the water right(s) involved in this transfer:

| | Application / Decree | Permit / Previous Transfer | Certificate | Is the water right in the name of a district, water supplier, or BOR*? |
|----|----------------------|----------------------------|------------------|--|
| 1. | | - | 95632 | YES <input checked="" type="checkbox"/> |
| 2. | | - | 95642 | YES <input type="checkbox"/> |
| 3. | | - | CJ 7/10/23 | YES <input type="checkbox"/> |

Attach additional pages for additional water rights if necessary.

*Bureau of Reclamation

met John
murphy at ch

Supplemental Form D

SUPERSEDED

Water Right Transfers Within the Boundaries of or Served by an Irrigation District or other Water Supplier (Association, Ditch Co., etc.)

[For transfers submitted under OAR Chapter 690 Division 380]



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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| | | | |
|-----------------------------|----------------------|--------------|----------|
| NAME SJD PROPERTIES, LLC | | PHONE (HM) | |
| PHONE (WK) | CELL 907 229-0629 | FAX | |
| ADDRESS 1898 SUNVIEW PL | | | |
| CITY GRANTS PASS | STATE OR | ZIP 97526 | E-MAIL** |

OWRD

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| | | | |
|---|-------------|----------------------------|----------|
| DISTRICT/WATER SUPPLIER NAME MURPHY ELECTRIC IRRIGATION, INC | | PHONE (HM) 541 846-3032 | |
| PHONE (WK) | CELL | FAX | |
| ADDRESS 6063 WILLIAMS HWY | | | |
| CITY GRANTS PASS | STATE OR | ZIP 97527 | E-MAIL** |

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| | Application / Decree | Permit / Previous Transfer | Certificate | Is the water right in the name of a district, water supplier, or BOR*? |
|----|----------------------|----------------------------|-------------|--|
| 1. | | - | 95632 | YES <input checked="" type="checkbox"/> |
| 2. | | - | | YES <input type="checkbox"/> |
| 3. | | - | | YES <input type="checkbox"/> |

Attach additional pages for additional water rights if necessary.

*Bureau of Reclamation

- b. Determine a district's/water supplier's connection to your points of diversion (POD) or appropriation (POA) and places of use (POU). [You may need to consult with your district/water supplier.]

CURRENT ASSOCIATIONS Please answer the following "yes" or "no" questions:

- YES ☒ NO ☐ One or more of the current POD(s) / POA(s) involved in the transfer are served by a district/water supplier or rely on BOR water.
- YES ☒ NO ☐ All or a portion of the current POU involved in this proposed transfer receives water for either primary or supplemental irrigation from the district/water supplier; i.e., the POU is currently layered with a district or BOR water supplied water right(s).

PROPOSED ASSOCIATIONS Please answer the following "yes" or "no" questions:

- YES ☒ NO ☐ One or more of the proposed POD(s) / POA(s) involved in the transfer are currently served or will be served by a district/water supplier if the transfer is approved, or rely on BOR water.
- YES ☒ NO ☐ All or a portion of the proposed POU involved in this proposed transfer currently receives or will receive either primary or supplemental irrigation from the district/water supplier; i.e., the POU will be layered with a district/water supplier or BOR water supplied water right(s).

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COMMENTS OR ADDITIONAL INFORMATION

4. APPLICANT'S SIGNATURE

- (1) I certify that I have notified the district/water supplier about the proposed water right transfer application by [check one]:

☒ email, ☐ phone, ☐ postal mail, ☐ in person, or ☐ other (please specify) brantdarby@yahoo.com

- (2) I certify that to the best of my knowledge the information contained in this Supplemental Form D is true and accurate.

Jennifer Darby
Applicant Signature

Jennifer Darby
Name (print)

5-25-23
Date

5. (WHEN REQUIRED) DISTRICT or WATER SUPPLIER CONSENT TO THE PROPOSED WATER RIGHT TRANSFER

District Manager or Water Supplier consent is **required** if any box on this form is marked "YES."

The district/water supplier certifies the following:

- (1) The district/water supplier has reviewed the applicant's proposed water right transfer application and maps; and
- (2) The district/water supplier consents to the proposed water right transfer application.

YES ☒ NO ☐ After proof of completion, the confirming water right certificate is to remain in the name of the U.S. Bureau of Reclamation or the district/water supplier.

YES ☐ NO ☒ The district/water supplier will be responsible for submitting the claim of beneficial use prepared by a Certified Water Rights Examiner (CWRE).

Jon Catlett
Signature of District Manager /Water Supplier

JON CATLETT
Name (print), Title PRESIDENT

06/01/23
Date



Community Development - Planning Division
700 NW Dimmick, Suite C
Grants Pass, OR 97526

(541) 474-5421
planning@josephinecounty.gov

Receipt Number: PL23-00782

Payer/Payee: SUPERIOR WATER RIGHT CONSULTING,
LLC
245 GLENOAK LANE
GRANTS PASS OR 97526

Cashier: Tami Smith

Date: 06/09/2023

Primary Parcel: 370519A0000504 Project Description: OWRD

PL-2023-00822 LAND USE INFORMATION RESPONSE 6789 NORTH APPLGATE RD

| Fee Description | Fee Amount | Amount Paid | Fee Balance |
|-------------------------------|------------|-------------|-------------|
| Land Use Information Response | \$125.00 | \$125.00 | \$0.00 |
| | \$125.00 | \$125.00 | \$0.00 |

| Payment Method | Reference Number | Payment Amount |
|--------------------|------------------|-----------------|
| CHECK | 1710 | \$125.00 |
| Total Paid: | | \$125.00 |

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Land Use Information Form



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

Applicant(s): SJD Properties

Mailing Address: 1898 NW Sunview PL

City: Grants Pass

State: OR

Zip Code: 97526

Daytime Phone: 907 229-0629

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>37S</u> | <u>5W</u> | <u>19</u> | <u>NE NE</u> | <u>504</u> | <u>RR5</u> | <input checked="" type="checkbox"/> Diverted | <input checked="" type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | <u>irrigation</u> |
| <u>37S</u> | <u>5W</u> | <u>19</u> | <u>SE NE</u> | <u>504</u> | <u>RR5</u> | <input checked="" type="checkbox"/> Diverted | <input checked="" type="checkbox"/> Conveyed | <input checked="" type="checkbox"/> Used | <u>irrigation</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:

Josephine

B. Description of Proposed Use

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

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

Source of water: ☐ Reservoir/Pond ☐ Ground Water ☒ Surface Water (name) Applegate River

Estimated quantity of water needed: 0.008 ☒ 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:

We are applying for an additional point of diversion using a pump on our property

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

See bottom of Page 3. →

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JO CO - PLANNING

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For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

- ☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): Section 19.61.020.J, JCC.
- ☐ 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 |
| | RECEIVED | <input type="checkbox"/> Obtained <input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued |
| | JUN 27 2023 | <input type="checkbox"/> Obtained <input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued |
| | OWRD | <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: Onnie Heater Title: Associate Planner

Signature: [Signature] Phone: 541-474-5109 Date: 6-14-23

Government Entity: Josephine County Community Development

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.

Josephine County Planning
700 NW Dimmick Street
Suite C
Grants Pass, OR 97526

Receipt for Request for Land Use Information

Applicant name: SOD Properties

City or County: Josephine County Staff contact: Tami Smith

Signature: [Signature] Phone: 541-474-5109 Date: 6-9-23



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

www.oregon.gov/owrd

June 21, 2023

Jordan Engineering
Attn: Clay Jordan
460 Jordan Lane
Roseburg, OR 97471

RE: Application for a Permanent Water Right Transfer – SJD Properties, LLC

Dear Clay Jordan:

The Water Resources Department received the Application for Permanent Water Right Transfer for SJD Properties, LLC. Unfortunately, we are unable to accept the application because it does not meet the minimum filing requirements outlined in Oregon Administrative Rules Chapter 690, Division 380

The specific reason the application cannot be accepted at this time is due to the following:

- A completed, approved, and signed Oregon Water Resources Department's Land Use Form was not included. (OAR 690-380-3000(19))

The land use form included with the application included only the receipt. Although the receipt is accepted for a Water Right Application, a Permanent Transfer application must include a land use form that has been completed, **approved**, and signed by the county planning official. The signed receipt is not accepted in the Transfers Section. A Land Use form appropriate for a transfer is enclosed for your convenience.

Due to the reason listed above, we are returning your application and the associated fees.

If you have any questions, please feel free to contact me at kim.r.french@water.oregon.gov or 503 979-9607.

Sincerely,

Kim French
Transfer Specialist
Transfer and Conservation Section

cc: OWRD Fiscal
Clay Jordan – Jordan Engineering
TACS Return File

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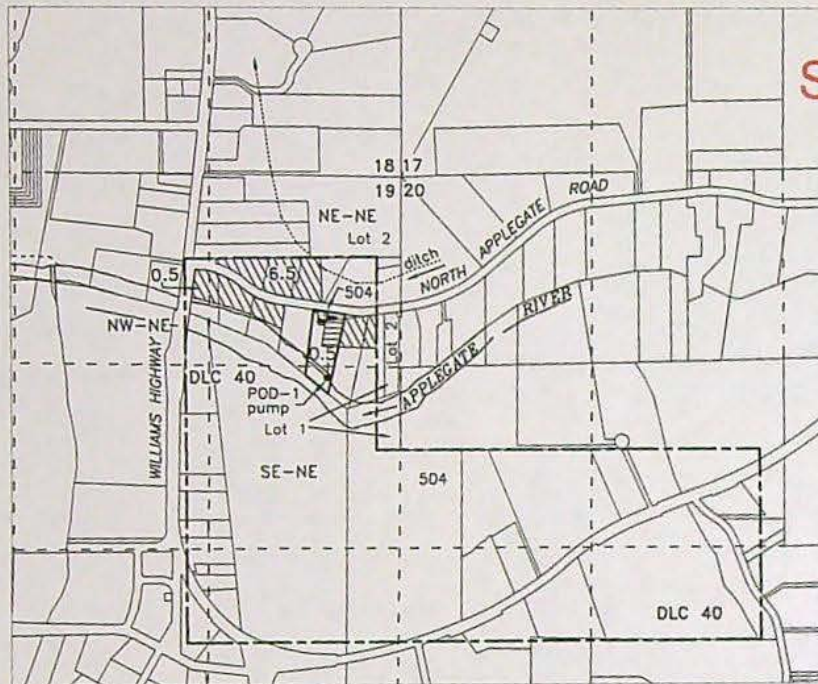
14268 -

APPLICATION FOR TRANSFER

Additional Point of Diversion - Certificate 95632

SECTIONS 19 & 20, TOWNSHIP 37 SOUTH, RANGE 5 WEST, W.M.

JOSEPHINE COUNTY OREGON



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Legend


Authorized per Certificate:


Points of Diversion - #2 SE/NW Section 21, T37S, R5W, WM: 1550 feet South & 2200 feet East from NW corner Section 21: #3 SW/SW Section 6, T38S, R4W, WM: Northside Ditch - 950 feet North & 200 feet East from SW corner Section 6

Additional:

Point of Diversion - #1 - DLC 40, SE/NE Section 19, T37S, R5W, WM: 1375 feet South & 525 feet West from NE corner Section 19

APPLICANT: SJD Properties, LLC
1898 NW Sunview PL
Grants Pass, OR 97526

 Tax Lot 504
Existing place of use: 0.5 Acres - Additional POD

 *REMAINING RIGHT - 7.0 Acres (*Interpretation of Murphy Electric Irrigation, Inc. records, Inchoate Map, Permit Map S-23592 and current Google aerial photos. Previous mapping appears to have included approximately 0.5 Acres in the NW-NE as being within NE-NE of Sec. 19)

Base map Josephine County GIS Tax Lots over Inchoate Map, Oregon
Map aerial photo & 6-29-18 Google aerial photo
for assumed best fit

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



NORTH

Scale

1 inch = 1320 feet

JORDAN ENGINEERING
460 JORDAN LANE
ROSEBURG, OR 97471
(541) 673-1931

Revised 6/9/2023 - n.e.d.

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Part 5 of 5 – Water Right Information

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

CERTIFICATE # 95632

Description of Water Delivery System

System capacity: **8 CFS** cubic feet per second (cfs) OR
_____ gallons per minute (gpm)

SUPERSEDED

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. Water is provided via the Northside Irrigation Ditch then by pipeline to property.

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

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

| POD/POA Name or Number | Is this POD/POA Authorized on the Certificate or is it Proposed? | If POA, OWRD Well Log ID# (or Well ID Tag # L-___) | Twp | Rng | Sec | ¼ ¼ | Tax Lot, DLC or Gov't Lot | Measured Distances (from a recognized survey corner) |
|------------------------|---|--|------|-----|-----|-------|---------------------------|--|
| 2 | <input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed | | 37 S | 5 W | 21 | SE NW | | 1550 ft. South & 2200 ft. East from the NW corner Section 21 |
| 3 | <input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed | | 38 S | 4 W | 6 | SW SW | | 950 ft. North & 200 ft. East from the SW corner Section 6 |
| 1 | <input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed | | 37 S | 5 W | 19 | SE NE | 40 | 1375 ft. South & 525 ft. West from the NE corner Section 19 |
| | <input type="checkbox"/> Authorized <input type="checkbox"/> Proposed | | | | | | | |

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

- | | |
|--|---|
| <input type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input type="checkbox"/> Character of Use (USE) | <input type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input checked="" type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Substitution (SUB) |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV) |

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

OWRD

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



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Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: STD Properties, LLC
1898 NW Sunview Pl, Grants Pass OR 97526

Transaction Type: Transfer

Fees Received: \$ 1360.00

☐ Cash

☒ Check;

Check No. 525

Name(s) on Check: James & Jennifer Darby

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete.

If determined to be incomplete, your submission and the accompanying fees will be returned with an explanation of deficiencies that must be addressed in order for the submittal to be accepted.

If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810.

Sincerely,

OWRD Customer Service Staff

Submission received by:

Corie Lourien

(Name of OWRD staff)

Instructions for OWRD staff:

- Complete this Submission Receipt and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
- Record Submission Receipt information on the "RECEIVED OVER THE COUNTER" log sheet.
- Fold and put one copy of the Submission Receipt with check/cash into the Safe slot. Place the other copy of the Submission Receipt with submission (application/other document) in the top drawer of filing cabinet.

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