

T-14271

Temporary

T-14271

Name Nedko
Nedko TenonovAddress 3881 Jump Off Joe Cr rd
Grants Pass OR 97526Change in POU
Date Filed 9/30/2023
Initial notice date 7/11/2023
DPD issued date _____
PD issued date _____
PD notice date _____
Date of FO 4/15/2024 Vol 129 Page 113-116C-Date _____
COBU due date _____
COBU Received date _____
Certificate issued _____Assignments: _____

Irrigation District _____

Agent GSI Water Solutions - Owen McMurtry omcmurtry@gsiws.comCWRE _____
CC's list Josephine County☐ - Oversized map - Location _____

DESCRIPTION OF WATER RIGHT(S)

Name of Stream	<u>Jump Off Joe Creek</u>			Date	<u>6-30-23</u>	FEES PAID Amount	<u>\$952.70</u>	Receipt #	<u>141054</u>
Trib. of	<u>Rogue river</u>								
Use	<u>Irrigation</u>	County	<u>Josephine</u>						
Quantity of water (CFS)				No. of Acres					
Name of ditch									
App#	<u>532720</u>	Per #	<u>525890</u>	Cert #	<u>52993</u>	PR Date	<u>10/21/1958</u>		
App#		Per #		Cert #		PR Date			
App#		Per #		Cert #		PR Date			
App#		Per #		Cert #		PR Date			
App#		Per #		Cert #		PR Date			

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

www.oregon.gov/owrd

April 15, 2024

Nedkco Tchonov
3881 Jump Off Joe Creek Rd
Grants Pass, OR 97526

REFERENCE: District Temporary Transfer Application T-14271

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

The temporary change shall be effective at the **beginning of the 2023 irrigation season**. The use shall revert to the original authorized place of use at the **end of the 2027 irrigation season**.

If you have any questions related to the approval of this temporary transfer, you may contact your caseworker, Scott Grew, by telephone at (503) 986-0890 or by e-mail at Scott.a.grew@water.oregon.gov.

Sincerely,

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

cc: Scott C. Ceciliani, Watermaster Dist. # 14 (via email)
Owen McMurtrey, Agent
Josephine County Planning Department, Local Government
Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application)	FINAL ORDER APPROVING A TEMPORARY
T-14271, Josephine County)	CHANGE IN PLACE OF USE

Authority

Oregon Revised Statute (ORS) 540.505 to 540.580 establish the process in which a water right holder may submit a request to temporarily transfer the place of use and, if necessary to convey the water to the temporary place of use, the point of diversion authorized under an existing water right.

Oregon Administrative Rule (OAR) Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

NEDKO TCHONOV
3881 JUMPOFF JOE CREEK RD
GRANTS PASS, OR 97526

Findings of Fact

1. On June 30, 2023, NEDKO TCHONOV filed an application to temporarily change the place of use under Certificate 52993 for a period of 5 years. The Department assigned the application number T-14271.
2. Notice of the application for transfer was published on July 11, 2023, pursuant to OAR 690-380-4000.
3. The portion of the right to be temporarily transferred is as follows:

Certificate:	52993 in the name of FREDERICK GEORGE FUDGE AND HARRY A. SMITH (perfected under Permit S-25890)
Use:	IRRIGATION of 1.0 ACRE
Priority Date:	OCTOBER 27, 1958
Rate:	0.02 CUBIC FOOT PER SECOND

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

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-FORTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 4.5 acre-feet per acre for each acre irrigated during the irrigation season of each year; and is subject to a stipulation with the Oregon State Game Commission recorded at page 52 and 53, Volume 4, Miscellaneous Records of the Water Resources Department, and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

Source: JUMPOFF JOE CREEK, a tributary of ROGUE RIVER

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
35 S	5 W	WM	4	NW NW	(POD 1) - 1250 FEET SOUTH AND 320 FEET EAST FROM THE NW CORNER OF SECTION 4
35 S	5 W	WM	5	NE NE	(POD 2) - 680 FEET SOUTH AND 80 FEET EAST FROM THE NW CORNER OF THE NE 1/4 NE 1/4 OF SECTION 5

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	5 W	WM	5	NW NE	0.41
35 S	5 W	WM	5	SW NE	0.59
				Total	1.00

4. Temporary Transfer Application T-14271 proposes to temporarily change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	5 W	WM	5	NW NE	1.00

Temporary Transfer Review Criteria

- Water has been used within the last five years according to the terms and conditions of the right. There is no evidence available that would demonstrate that the right is subject to forfeiture under ORS 540.610.
- A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right are present.
- The proposed change would prevent the lands from which the water right is removed during the period of the temporary transfer from receiving water under the transferred right, as required by ORS 540.523(7).

8. The proposed change would not result in injury to other water rights. This finding is made through an abbreviated review recognizing that the transfer may be revoked under ORS 540.523(5) if the Department later finds that the transfer is causing injury to any existing water right.

Conclusions of Law

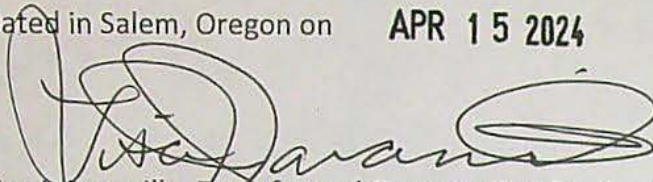
The temporary change in place of use proposed in Temporary Transfer Application T-14271 is consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

Now, therefore, it is ORDERED:

1. The temporary change in place of use proposed in Temporary Transfer Application T-14271 is approved.
2. The former place of use **shall not** be irrigated as part of this water right during the 2023, 2024, 2025, 2026, and 2027 irrigation seasons.
3. The use shall revert to the authorized place of use at the end of the 2027 irrigation season.
4. The approval of this temporary transfer may be revoked or modified if the Department finds the change causes injury to any existing water right.
5. A subsequent application for permanent transfer of Certificate 52993 shall be subject to a full and complete review to determine consistency with the requirements of OAR Chapter 690, Division 380. Approval of this temporary transfer does not establish a precedent for approval of a subsequent application filed for a permanent transfer.
6. The use of water at the temporary place of use authorized by this transfer shall be in accordance with the terms and conditions of Certificate 52993.
7. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.
8. 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.

9. The use of the remaining water right described by Certificate 52993 shall continue to be in accordance with the terms and conditions of Certificate 52993.

Dated in Salem, Oregon on **APR 15 2024**



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

Mailing Date: **APR 16 2024**

WATER RIGHT TRANSFER COVER SHEET

Transfer: T-14271

Transfer Specialist: ScottTransfer Type: Temporary TransferDROUGHT? ☐

Applicant: NEDKO TCHONOV 3881 JUMP OFF JOE CREEK RD GRANTS PASS, OR 97526	Agent: OWEN MCMURTREY 1600 SW WESTERN BLVD SUITE 240 CORVALLIS, OR 97333	Receiving Landowner:
Current Landowner if other than Applicant:	CWRE:	Irrigation District:
Affected Local Gov'ts: Josephine County Planning Department	Affected Tribal Gov't:	BOR Notified (date):

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate
<input type="checkbox"/>	S-32726	S25890	52993
<input type="checkbox"/>			
<input type="checkbox"/>			

Key Dates & Initial Actions (Support Staff)

Rec'd: June 30, 2023	Proposed Action(s): PLACE OF USE	
Fees Pd: 952.70	Acknowledgement Letter Sent <input checked="" type="checkbox"/>	Basin: 15 Rogue
Initial Public Notice: 07/11/2023	County sent cc: of Ack Letter <input checked="" type="checkbox"/>	County: JOSEPHINE
WM District: 14 Scott C. Ceciliani	WM Review request sent:	WM Review date received:
Groundwater	GW Review sent:	GW Review date received:

Peer Review:

Document	Drafted	Peer Review	Coordinator	Changes Made	Signature Bin	Signature Date
FO	Date: 1/12/24 Initials: Scott	Date: 1/19/24 Initials: Jon	Date: 3/29/24 Initials: PKS	Date: 4/4/24 Initials: Scott	Date: 4/4/24 No. of docs for sig: 1 WM Sheet <input type="checkbox"/>	Date: 4/15/24

Special Issues: _____

Special Order Volume: Vol. 129 Pages 1113-1116

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-14271

Review Due Date:

Applicant Name: Nedko Tchonov Agent: Owen McMurtrey, GSI Water Solutions

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

Reviewer(s): Scott Ceciliani *Scott Ceciliani* Date of Review: 11/17/2023

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:
Jump Off Joe Creek drainage was regulated for a senior call in 2020 & 2021.
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:

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:

A portion of the from lands is surrounded by irrigable acreage. The applicant has indicated that irrigation water is applied by sprinkler and flood. The user will need to be mindful of irrigation practices to avoid enlargement.

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:

Cert 52993 allows for the diversion of 1/40th of a cfs per acre. Rate exceeds consumptive use values in the Oregon Crop Water Use and Irrigation Requirements (Cuenca, 1992). The applicant indicated that water will be used in greenhouses.

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:

See stipulation with the Oregon State Game Commission recorded at page 52 and 52, Volume 4, Miscellaneous Records of the Water Resources Department. Stipulation is included in Cert 52993.

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

☐ Submerged Orifice

☐ Parshall Flume

☐ Flow Restrictor

☒ Other: With prior approval, another suitable measuring device

Oregon Water Resources Department

Measurement Condition Information for the Applicant

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

Transfer #: T- 14271



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 or Cell: 541-261-2213

Email: OWRD.District14@water.oregon.gov or 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-

(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

STATE OF OREGON

CERTIFICATE NO. _____

COUNTY OF

JOSEPHINE

CERTIFICATE OF WATER RIGHT

This is to certify, That

FREDERICK GEORGE FUDGE AND
HARRY A. SMITH

of 3886 Winona Rd., Grants Pass, State of Oregon 97526, has made
proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of
Jumpoff Joe Creek

a tributary of Rogue River
irrigation of 25.37 acres

for the purpose of

under Permit No. 25890 and that said right to the use of said waters has been perfected in
accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from

October 27, 1958

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is
limited to an amount actually beneficially used for said purposes, and shall not exceed

0.40 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of
diversion is located in the

NW 1/4 NW 1/4, Section 4, NE 1/4 NE 1/4,
Section 5, T35S, R5W, WM; 1250 feet South and 320 feet East from the NW
Corner, Section 4, 680 feet South and 80 feet East from NW Corner, NE 1/4
NE 1/4, Section 5.

The amount of water used for irrigation, together with the amount secured under any other right
existing for the same lands, shall be limited to one-fortieth of one cubic foot per second per
acre,

or its equivalent for each acre irrigated and shall be further
limited to a diversion of not to exceed 4 1/2 acre-feet per acre for each
acre irrigated during the irrigation season of each year; and is subject to a
stipulation with the Oregon State Game Commission recorded at page 52 and 53,
Volume 4, Miscellaneous Records of the Water Resources Department,

and shall

conform to such reasonable rotation system as may be ordered by the proper state officer.

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

3.27 acres SE 1/4 SE 1/4
Section 32
Township 34 South, Range 5 West, WM

13.60 acres NE 1/4 NE 1/4
0.90 acre NW 1/4 NE 1/4
7.20 acres SW 1/4 NE 1/4
0.40 acre SE 1/4 NE 1/4
Section 5

Township 35 South, Range 5 West, WM

This certificate describes that portion of the water right confirmed by prior
certificate 44961, NOT modified by the provisions of an order entered on
November 23, 1982, approving Transfer Application 5092.

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 purposes aforesaid is restricted to the lands or place of use herein
described and is subject to minimum flows established by the Water Policy Review Board with an effective date
prior to this right.

WITNESS the signature of the Water Resources Director, affixed

this date. April 25, 1985

.../s/...William H. Young.....
Water Resources Director

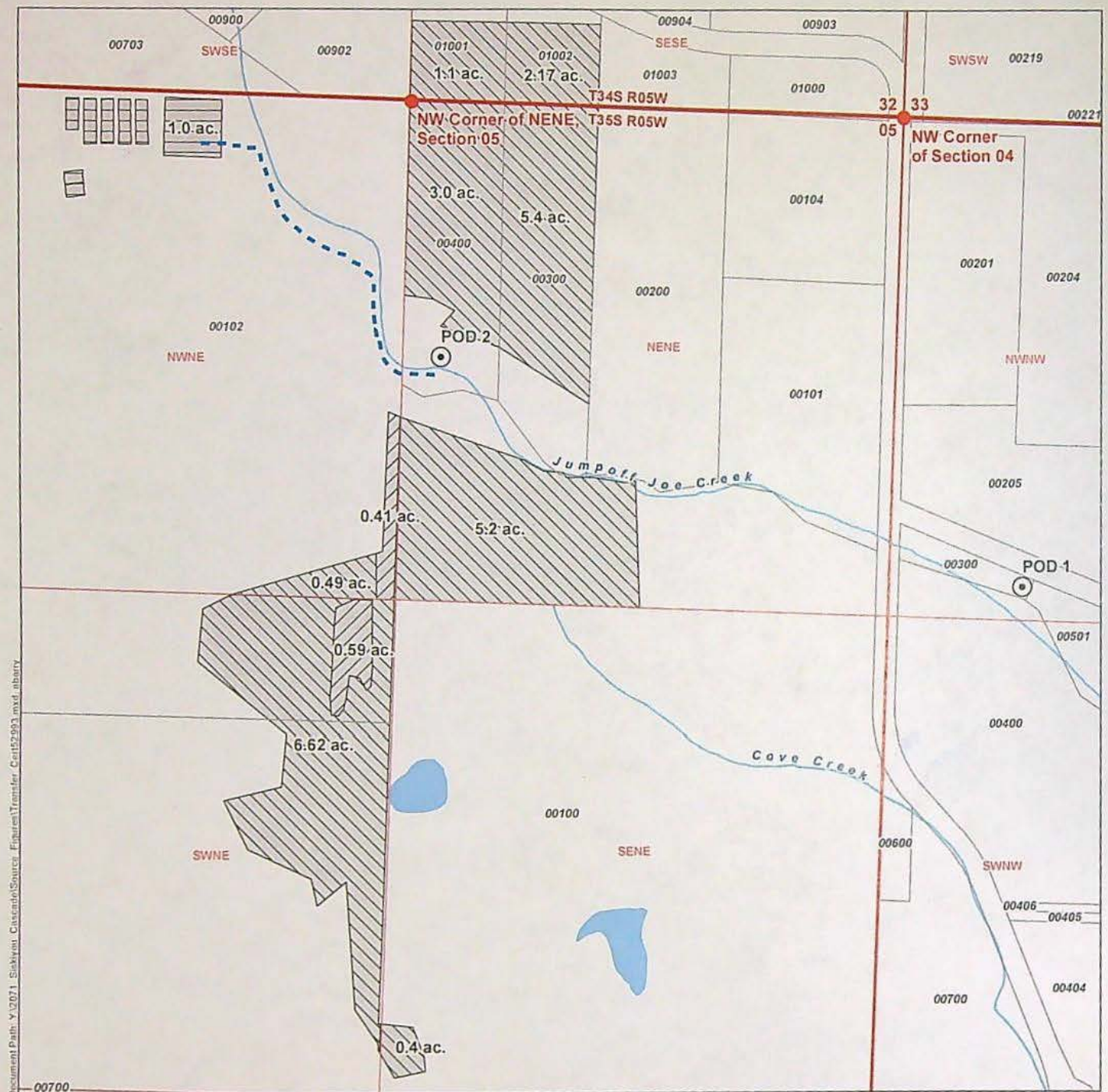
Recorded in State Record of Water Right Certificates, Volume 48, page 52993
6493C

RECEIVED

JUN 30 2023

OWRD

14271-



LEGEND

- ⊙ Authorized Point of Diversion (POD)
- Buried Pipeline
- Proposed Place of Use (POU)
 - ▨ To Lands
- Authorized Place of Use (POU)
 - ▨ From Lands
 - ▨ Remaining Lands
- ▭ Tax Lot
- ~ Watercourse
- Waterbody

Temporary Transfer Application for Certificate 52993 Siskiyou Cascade Authorized and Proposed Place of Use/ Authorized Points of Diversion Map

Josephine County
Township 35 South, Range 5 West (W.M.)

Received by OWRD

SUPERSEDING

NOV 13 2023

Salem, OR

LOCATION DESCRIPTIONS

POD 1
Located 1250 feet South and 320 feet East from the NW corner of Section 4, Township 35 South, Range 5 West (W.M.)

POD 2
Located 680 feet South and 80 feet East from the NW, NENE of Section 5, Township 35 South, Range 5 West (W.M.)

DISCLAIMER

This map was prepared for the purpose of identifying the location of a water right only and it is not intended to provide legal dimensions or location of property ownership lines.

Date: June 13, 2023

Data Sources: BLM, ESRI, OWRD, USGS, Josephine Co.



0 200 400
1 inch = 400 feet





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

July 6, 2023

NEDKO TCHONOV
3881 JUMP OFF JOE CREEK RD
GRANTS PASS, OR 97526

Reference: Application T-14271

On June 30, 2023, the Department received your water right Temporary Transfer Application. The application was accompanied by \$952.70. Receipt number 141054 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.

Except as provided under ORS 540.510(3) for municipalities, you may not **temporarily** use water at the new place of use until a final order approving the temporary transfer application has been issued by the Department. Additionally, pursuant to OAR 690-380-8010, the lands from which an irrigation water right is to be temporarily transferred and the land to which the right is to be temporarily transferred may not both receive water during the same season. If the temporary transfer is approved during an irrigation season and water has already been used at the currently authorized location during that season, then the temporary transfer will not take effect until the following season.

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

If you have any questions, please contact the Transfer Section at (503) 986-0935.

Cc: Watermaster Dist. #14, Scott C. Cecilian (via email)
Josephine County Planning
Owen McMurtrey, Agent

Enclosure

GREW Scott A * WRD

From: GREW Scott A * WRD
Sent: Friday, October 27, 2023 11:38 AM
To: omcmurtrey@gsiws.com
Cc: GREW Scott A * WRD
Subject: RE: Temporary Transfer T-14271

Hello Owen,

Just following up on our telephone conversation this morning.

If we do not receive the delivery system clarification listed below by Friday November 3, 2023, a Final Order may be issued denying the application as incomplete.

Thank you,

Scott Grew
Transfer Specialist
Oregon Water Resources Department
503-986-0890

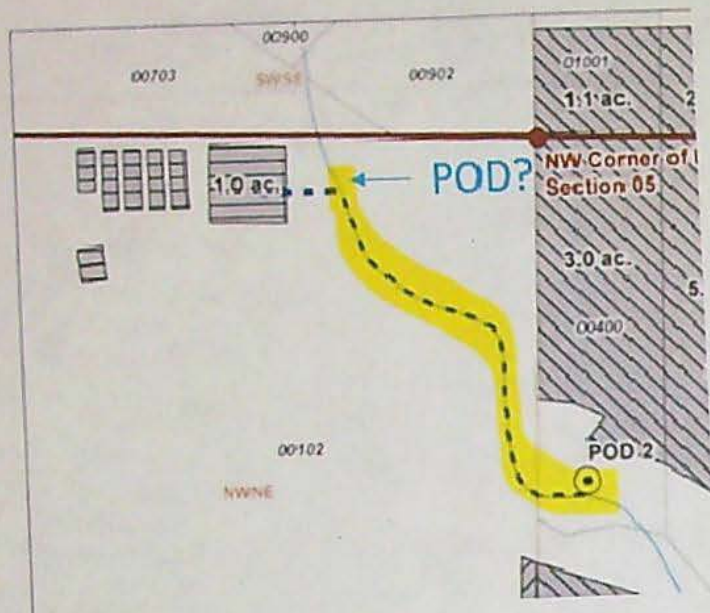
From: GREW Scott A * WRD <Scott.A.GREW@water.oregon.gov>
Sent: Friday, October 20, 2023 10:03 AM
To: omcmurtrey@gsiws.com
Cc: GREW Scott A * WRD <Scott.A.GREW@water.oregon.gov>
Subject: Temporary Transfer T-14271

Owen,

I wanted to reach out about this temporary transfer.

How are they conveying the water to the 1.0 acre temporary POU?

- Is there a pipeline to convey it?
- If it is conveyed instream, then the application will need to be amended to include a change in POD to irrigate the temp POU.
In that case the map will need to be amended to show the new temp POD.



Thank you for clarifying.

Scott Grew
 Transfer Specialist
 Oregon Water Resources Department
 503-986-0890

GREW Scott A * WRD

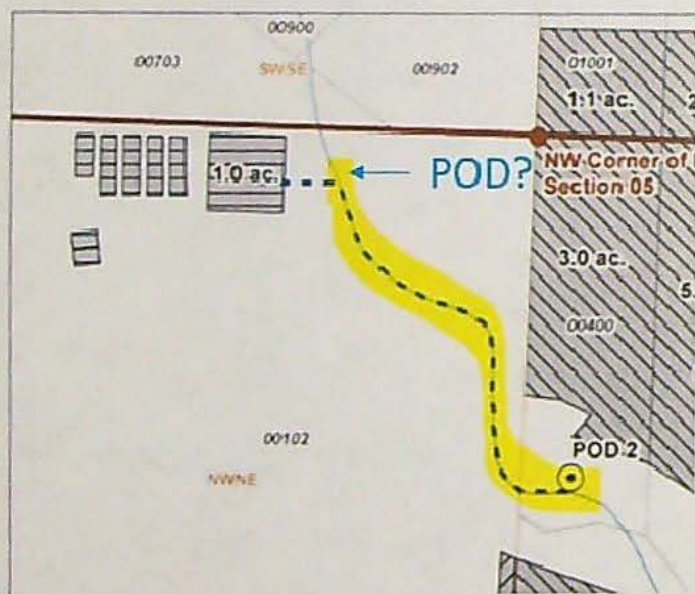
From: GREW Scott A * WRD
Sent: Friday, October 20, 2023 10:03 AM
To: omcmurtrey@gsiws.com
Cc: GREW Scott A * WRD
Subject: Temporary Transfer T-14271

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Thank you for clarifying.

Scott Grew
Transfer Specialist
Oregon Water Resources Department
503-986-0890

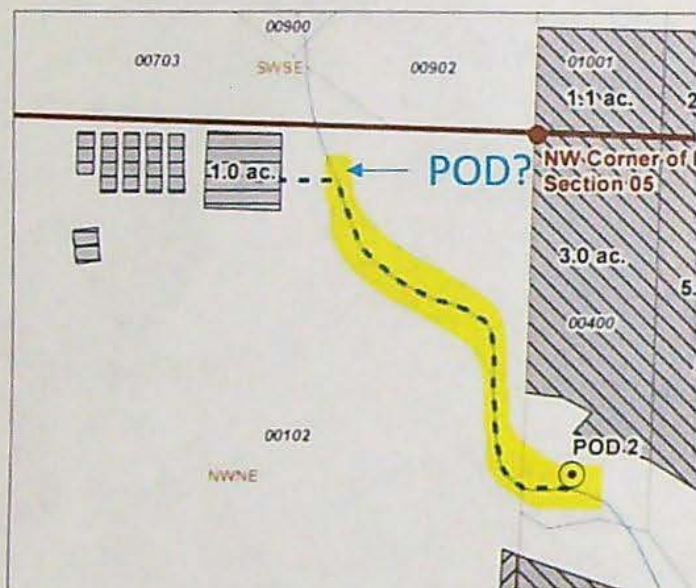
GREW Scott A * WRD

From: CECILIANI Scott C * WRD
Sent: Friday, September 1, 2023 3:39 PM
To: WRD_DL_transferreviews
Cc: GREW Scott A * WRD
Subject: T-14271

Good afternoon,

I have a few concerns that I would like to address before submitting my WM review for T-14271.

Looking at the transfer map, it appears the applicant is either planning to run a pipeline directly down Jumpoff Joe Creek, or they are implying that Jumpoff Joe Creek will be used as their conveyance system, which isn't an option. To take water out of Jumpoff Joe Creek where the dashed line exists the channel would require a downstream POD transfer or APOD, which doesn't appear to be a component of the application. I think it's important that the applicant provide clarification on this matter.



Scott – would you be able to provide me with a copy of the evidence of use imagery submitted with the application? The copy in WRIS looks like a bad scan. I have concerns over beneficial use on the 0.41 acres in the NWNE.

Thank you,

Scott Carlo Ceciliani, GIT
Watermaster, District 14
700 NW Dimmick St.
Grants Pass, OR 97526
Cell: (541) 261-2213
Office: (541) 476-1288



Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # **141054**
725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: GSI Water Solutions Inc.
BY: _____

APPLICATION _____
PERMIT _____
TRANSFER T-14271

CASH: ☐ CHECK: # 26386 OTHER: (IDENTIFY) _____

TOTAL REC'D \$ 952.70

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 \$ _____ 0202 \$ _____
0203 GROUND WATER \$ _____ 0204 \$ _____

0205 TRANSFER \$ 952.70

WELL CONSTRUCTION

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

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION \$ _____

RECEIPT: **141054** DATED: 6/30/23 BY: [Signature]

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

GSI WATER SOLUTIONS INC

Check Date: 6/21/2023

026086

Invoice Number	Date	Voucher	Amount	Discounts	Previous Pay	Net Amount
Cert 52993	6/14/2023	0022211	952.70			952.70
Oregon Water Resources Department						
Beneficial Checking	17	00245	952.70			952.70
		TOTAL				

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Application for Water Right
Temporary or Drought Temporary Transfer
Part 1 of 5 – Minimum Requirements Checklist



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

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

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

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FOR ALL TEMPORARY TRANSFER APPLICATIONS

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

OWRD

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Temporary Transfer Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. **Fee included in the amount of \$952.70.**
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Transferred Water Rights: **How many water rights are to be transferred? 1 List them here: 52993 (See Attachment A)**
Please include a separate Part 5 for each water right. (See instructions on page 6)
- ☒ ☐ N/A For standard Temporary Transfer (one to five years) **Begin Year: 2023 End Year: 2027.**
- ☐ ☒ N/A Temporary Drought Transfer (Only in counties where the Governor has declared drought)

Attachments:

- ☒ Completed Temporary Transfer Application Map. **See Attachment B**
- ☒ Completed Evidence of Use Affidavit and supporting documentation. **See Attachment C**
- ☒ Current recorded deed for the land **from** which the authorized place of use is temporarily being moved. **See Attachment D**
- ☐ ☒ N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land upon which the water right is located.)
- ☐ ☒ N/A Supplemental Form D – For water rights served by or issued in the name of a district. Complete when the temporary transfer applicant is not the 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 (if necessary to convey water to the proposed place of use).

(For Staff Use Only)

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

☐ Application fee not enclosed/insufficient ☐ Map not included or incomplete

☐ Land Use Form not enclosed or incomplete

☐ Additional signature(s) required ☐ Part _____ is incomplete

Other/Explanation _____

Staff: _____ Phone: _____ Date: ____/____/____

Part 2 of 5 – Temporary Transfer Application Map Checklist

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

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

- ☐ ☒ N/A If more than three water rights are involved, separate maps are needed for each water right.
- ☒ Permanent quality printed with dark ink on 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 temporary 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) to convey water to the new temporary place of use, 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°).

Part 3 of 5 – Fee Worksheet

FEE WORKSHEET for TEMPORARY (not drought) TRANSFERS			
1	Base Fee (includes temporary change to one water right for up to 1 cfs)	1	\$950.00
2	Number of water rights included in transfer: <u>1 (2a)</u> Subtract 1 from the number in 3a above: <u>0 (2b)</u> If only one water right this will be 0 Multiply line 2b by \$310.00 and enter » » » » » » » » » » » » » » » »	2	0
3	Do you propose to change the place of use for a non-irrigation use? <input checked="" type="checkbox"/> No: enter 0 on line 3 » » » » » » » » » » » » » » » » <input type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred: _____ (3a) Subtract 1.0 from the number in 3a above: _____ (3b) If 3b is 0, enter 0 on line 3 » » » » » » » » » » » » » » » » If 3b is greater than 0, round up to the nearest whole number: _____ (3c) and multiply 4c by \$210.00, then enter on line 3	3	0
4	Do you propose to change the place of use for an irrigation use? <input type="checkbox"/> No: enter 0 on line 4 » » » » » » » » » » » » » » » » <input checked="" type="checkbox"/> Yes: enter the number of acres in the footprint of the place of use for the portions of the rights to be transferred: <u>1.0 (4a)</u> Multiply the number of acres in 4a above by \$2.70 and enter on line 4 » »	4	2.70
5	Add entries on lines 1 through 4 above » » » » » » » » » » » Subtotal:	5	952.70
6	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 5 by 0.5 and enter on line 6 » If no box is applicable, enter 0 on line 7» » » » » » » » » » » » » » » »	6	0
7	Subtract line 6 from line 5 » » » » » » » » » » » Transfer Fee:	7	\$952.70

FEE WORKSHEET for TEMPORARY DROUGHT TRANSFERS			
1	Base Fee (includes drought application and recording fee for up to 1 cfs)	1	\$200.00
	Enter the cfs for the portions of the rights to be transferred (see example below*): <div style="text-align: right;">_____ (2a)</div> Subtract 1.0 from the number in 2a above: _____ (2b) If 2b is 0, enter 0 on line 2 » » » » » » » » » » » » » » » » If 2b is greater than 0, round up to the nearest whole number: _____ (2c) and multiply 2c by \$50, then enter on line 2 » » » » » » » » »		
2		2	
3	Add entries on lines 1 through 2 above » » » » » » » » » » Transfer Fee:	3	

*Example for Line 2a calculation to transfer 45.0 acres of Primary Certificate 12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Certificate 87654 (1/80 cfs per acre) on the same land:

1. 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 ($\times 45 \text{ ac} = 0.56 \text{ cfs}$).
2. 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, $45.0 \text{ ac} \times 0.0125 \text{ cfs/ac} = 0.56 \text{ cfs}$)
3. 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 2a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 2b would be 0 and Line 2 would then also become 0).

Part 4 of 5 – Applicant Information and Signature

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Applicant Information

APPLICANT/BUSINESS NAME Nedko Tchonov		PHONE NO. (847) 31-2-8470	ADDITIONAL CONTACT NO.
ADDRESS 3881 Jump Off Joe Creek Rd		FAX NO.	
CITY Grants Pass	STATE OR	ZIP 97526	E-MAIL hnhcorporation@gmail.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.			

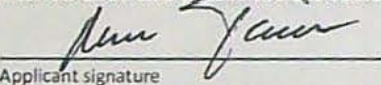
Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT/BUSINESS NAME GSI Water Solutions, Inc. Attn: Owen McMurtrey		PHONE NO. 541-257-9005	ADDITIONAL CONTACT NO.
ADDRESS 1600 SW Western Blvd, Suite 240		FAX NO.	
CITY Corvallis	STATE OR	ZIP 97333	E-MAIL omcmurtrey@gsiws.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:
The applicant proposes to temporarily change the place of use for a 1-acre portion of Certificate 52993 for the 2023 through 2027 irrigation seasons. The temporary change will allow the applicant to apply water to their greenhouses for the next five years.

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

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

	Nedko Tchonov	6-21-23
Applicant signature	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 landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent from all landowners or individuals/entities (and mailing and/or e-mail addresses) to which the water right(s) has been conveyed.

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☐ 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. (NOTE: If this box is checked, you must complete and attach Supplemental Form D.)

DISTRICT NAME N/A	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME Josephine County Community Development	ADDRESS 700 NW Dimmick St., Suite C	
CITY Grants Pass	STATE OR	ZIP 97526

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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Part 5 of 5 – Water Right Information

Water Right Certificate # 52993

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Description of Water Delivery System

System capacity: 0.40 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 pumped via a 20-HP pump into handlines. Water is applied using a combination of sprinklers and flood from the ends of the handlines.

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)
POD 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	N/A	35 S	5 W	4	NW NW	300	1250 feet South and 320 feet East from NW corner, Section 4
POD 2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	N/A	35 S	5 W	5	NE NE	400	680 feet South and 80 feet East from NW corner of the NE NE, Section 5

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

- ☒ Place of Use (POU)
 ☐ Appropriation/Well (POA)
- ☐ Point of Diversion (POD)
 ☐ Additional Point of Appropriation (APOA)
- ☐ Additional Point of Diversion (APOD)

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

- ☐ Place of Use (POU)
 ☐ Point of Appropriation/Well (POA)
- ☐ Character of Use (USE)
 ☐ Additional Point of Appropriation (APOA)
- ☐ Point of Diversion (POD)
 ☐ Additional Point of Diversion (APOD)

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

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

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

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

Table 2. Description of Temporary Changes to Water Right Certificate # 52993

List only the part of the right that will be changed. For the acreage in each ¼ ¼, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, 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
"	"	"	"	"	"	"	"	"	"	EXAMPLE	"	"	"	2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
35	S	5	W	5	NW	NE	102	--	0.41	Irrigation	POD 1, POD 2	10/27/1958	POU	35	S	5	W	5	NW	NE	102	--	1.0	Irrigation	POD 1 POD 2	10/27/1958
					SW	NE			0.59																	
TOTAL ACRES									1.0	TOTAL ACRES												1.0				

Additional remarks: _____

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14271-

For Place 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 540.525, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for temporary transfer can be included in the transfer or remain unused on the authorized place of use. If the primary water right does not revert soon enough to allow use of the supplemental right within five years, the supplemental right shall become subject to cancellation for nonuse under ORS 540.610.

If a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation is necessary to convey the water to the new temporary place of use you must provide: N/A

- ☐ Well log(s) 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 below for any well that does not have a well log. For a *proposed well(s) 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 N/A

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

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

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Application for Water Right Transfer Evidence of Use Affidavit



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

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

State of Oregon)
) ss
County of JOSEPHINE

I, NEDKO TCHONOV, in my capacity as LANDOWNER,

mailing address 3881 JUMP OFF JOE CREEK RD, GRANTS PASS, OR 97526

telephone number () - , 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)
52993	35	S	5	W	W.M.	5	NW	NE	N/A	0.41
							SW	NE	N/A	0.59

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.): CROPS

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.

[Signature]
Signature of Affiant

6.13.23
Date

Signed and sworn to (or affirmed) before me this 13th day of June, 2023.



[Signature]
Notary Public for Oregon

My Commission Expires: 6.6.25

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	<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

Evidence of Use Imagery for Certificate 52993

Siskiyou Cascade

Imagery Date: June 21, 2022



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JUN 30 2023

OWRD

14271-



THIS SPACE RESERVED FOR RECORDER'S USE

After recording return to:

Nedko Tchonov and Rositsa Tchonov

3258 N Harlem Ave Unit 504

Chicago, IL 60634

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

Nedko Tchonov and Rositsa Tchonov

3258 N Harlem Ave Unit 504

Chicago, IL 60634

File No. 334788AM

JOSEPHINE COUNTY OFFICIAL RECORDS

RHIANNON HENKELS, COUNTY CLERK

2020-002511

DED-WRD

Cnt=1 Pgs=2 Stn=3 JJOHNSON

02/20/2020 10:59 AM

\$10.00 \$11.00 \$10.00 \$60.00 \$5.00

\$96.00

I, Rhiannon Henkels, County Clerk, certify that the within document was received and duly recorded in the official records of Josephine County.

STATUTORY WARRANTY DEED

Brian R. Harman and Fern Harman, as tenants by the entirety

Grantor(s), hereby convey and warrant to

Nedko Tchonov and Rositsa Tchonov, as tenants by the entirety

Grantee(s), the following described real property in the County of Josephine and State of Oregon free of encumbrances except as specifically set forth herein:

PARCEL I:

Beginning at the North Quarter corner of Section 5, Township 35 South, Range 5 West, of the Willamette Meridian, Josephine County, Oregon; thence South 89°52'05" East 1326.39 feet to a 5/8 inch iron pipe; thence South 0°03'35" East 990 feet; thence Westerly, parallel with the North line of said Section 5 to a point which lies South 0°08'30" West 990 feet from the point of beginning; thence North 0°08'30" East to the point of beginning.

PARCEL II:

The Southerly 330 feet of the Northwest Quarter of the Northeast Quarter, and the Northerly 330 feet of the Southwest Quarter of the Northeast Quarter of Section 5, Township 35 South, Range 5 West, of the Willamette Meridian, Josephine County, Oregon.

PARCEL III:

An easement for ingress and egress as set forth in instrument recorded in Volume 264, Page 554, and conveyed in Document No. 80-01919, Official Records, Josephine County, Oregon.

FOR INFORMATION PURPOSES ONLY, THE MAP/TAX ACCT #(S) ARE REFERENCED HERE:

35-05-05-00 102

The true and actual consideration for this conveyance is \$599,900.00.

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

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14271 -

JUN 30 2023

OWRD

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 19th day of February, 2020.

Brian R Harman
Brian R. Harman

Fern Harman
Fern Harman

State of Oregon } ss
County of Josephine }

On this 19th day of February, 2020, before me, Susan Robison a Notary Public in and for said state, personally appeared Brian R. Harman and Fern Harman, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument and acknowledged to me that he/she/they executed same.
IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Susan Robison
Notary Public for the State of Oregon
Residing at: Josephine County
Commission Expires: 1-26-24



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JUN 30 2020

OWRD



June 27, 2023

Kelly Starnes
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301

RE: Temporary Transfer Application - Siskiyou Cascade

Dear Kelly:

Siskiyou Cascade is seeking to temporarily change the place of for a 1-acre portion of Certificate 52993. The proposed change will allow the applicant to apply water to their greenhouses during the 2023 through 2027 irrigation seasons.

Please find enclosed a temporary transfer application and related documents. Also enclosed is a check for the required processing fee of \$952.70.

Please contact me if you have any questions or concerns. My email address is OMcMurtrey@gsiws.com.

Sincerely,

Owen McMurtrey
Water Resources Consultant

Enclosures: Water Right Temporary Transfer Application
Check for application fee in the amount of \$952.70

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JUN 30 2023

OWRD

14271 -

Temporary Transfer Application Checklist

IF drought mark drought here

Check the Certificate(s)

Transfer # T-14271

Checked by: <u>Joan</u> Date: <u>7/15/23</u>	Type of Change(s) <u>No other changes other than those listed:</u> (Mark the proposed changes)	POU/POD	POU/APOD	<u>POU</u>
Fee Received: <u>\$ 952.70</u>		POU/POA	POU/APOA	
Calculated Fee:		How many rights to be Transferred?		
		Certificate # <u>52993</u>		
Additional observations: <u>5 year temp 2023-2027</u> <u>1 acre POU A (proposed POU is greenhouse)</u>				

If OK, check box; if not, fill in.

- ☒ 1. Is the applicant information complete? Have all the applicants listed at the top of the page signed at the bottom?
If not, what is missing? Whose signature is missing? _____
- ☒ 2. Has the applicant indicated that the place of use is in or near an irrigation district? Have they included a Form D? ☒ N/A.
Name of the District _____
- ☒ 3. Part 5 of application, have the applicants completed the entire page and does the information match the description of the explanation of the reasons on Part 4 of the application?
If not, you may need to contact the applicant or agent? _____
- ☒ 4. For multiple certificates do each of the certificates listed on Application Page 1 have their own separate completed Part 5 tables 1 & 2? 1 cert
If no, which certificates are missing a separate Part 5 tables 1 & 2? _____
- ☒ 5. Has the map been completed? Does the map meet the requirements? Can you tell which lands are off and on and where the lands are located? If not, what is missing?

- ☒ 6. If a change in point of appropriation, have the well logs been included? ☒ N/A.
- ☒ 7. If a change in place of use within Umatilla County, have the applicant(s) provided a Supplemental Form U? ☒ N/A.
- ☒ 8. If all boxes on this checklist are checked (with no remaining deficiencies identified), accept the application. Put this check sheet in the transfer folder.

OR:

- ☐ This application is deficient, and **CANNOT** be accepted. It should be returned and the deficiencies listed in the "staff" section at the bottom of Application Page 1, unless the applicant or agent can resolve the deficiencies within 2-3 days.

Actions taken: _____ date _____

Temporary Transfer Application Checklist

FEE WORKSHEET for TEMPORARY DROUGHT TRANSFERS			
1	Base Fee (includes drought application and recording fee for up to 1.0 cubic foot per second (cfs))	Line -1	\$200.00
2	Enter the cfs for the portions of the rights to be transferred (see example below*) _____ (2a) Subtract 1.0 from the number in 2a above _____ (2b) If 2b is 0 enter 0 on line 2 If 2b is greater than 0, round to the nearest whole number: _____ (2c) and multiply by \$50.00, then enter on line 2	Line -2	
3	Add entries on lines 1 through 2 above Total Fee	Line -3	

*Example for Line 2a calculation to transfer 45.0 acres of Primary Certificate 12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Certificate 87654 (1/80 cfs per acre) on the same land: 1. 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 ($\times 45 \text{ ac} = 0.56 \text{ cfs}$). 2. 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, $45.0 \text{ ac} \times 0.0125 \text{ cfs/ac} = 0.56 \text{ cfs}$) 3. 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 2a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 2b would be 0 and Line 2 would then also become 0).