

Regular

Name leslie & rachel martinAddress 11777 Hwy 238Jacksonville Oregon 97530
ies@redlilywinipros.comChange in PODDate Filed 8/7/2023Initial notice date 8/23/2023

DPD issued date

PD issued date 3/7/2025PD notice date 3/11/2025Date of FO 5/8/2025 Vol 134 Page 620-624

C-Date

COBU due date

COBU Received date

Certificate issued

DESCRIPTION OF WATER RIGHT(S)

Name of Stream ApplegateTrib. of rogue riverUse Irrigation livestock dam County JACKSON

Quantity of water (CFS) No. of Acres

Name of ditch

App# Decree Per # Rogue river Cert # 30755 PR Date

App# Per # Cert # PR Date

App# Per # Cert # PR Date

App# Per # Cert # PR Date

App# Per # Cert # PR Date

FEES PAID

Date	Amount	Receipt #
8-7-23	\$1,360.00	141362

FEES REFUNDED

Date	Amount	Receipt #
------	--------	-----------

Assignments:

Irrigation District

Agent Rick Parsons Parson water Consulting

CWRE

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



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building
725 Summer St NE, Suite A
Salem, OR 97301
Phone 503 986-0900
Fax 503 986-0904

May 8, 2025

Leslie Martin
11777 Hwy 238
Jacksonville, OR 97530

REFERENCE: Transfer Application T-14301

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) 986-0892 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: Shavon L. Haynes, Watermaster Dist. # 13 (via email)
Richard F. Parsons, Agent
Jackson County Planning & Development, Local Government
Enclosure

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

In the Matter of Transfer Application)	FINAL ORDER APPROVING A CHANGE IN
T-14301, Jackson County)	POINT OF DIVERSION AND CLARIFYING A
)	PORTION OF THE PLACE OF USE

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

LESLIE MARTIN
RACHAEL MARTIN
11777 HWY 238
JACKSONVILLE, OR 97530

Findings of Fact

1. On August 7, 2023, Leslie Martin and Rachael Martin filed an application to change the point of diversion under Certificate 30755. The Department assigned the application number T-14301.
2. Notice of the application for transfer was published on August 22, 2023, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. Transfer Application T-14301 also seeks to clarify a portion of the place of use as described in Certificate 30755.

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 October 16, 2024, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-14301 to the applicants. The draft Preliminary Determination cover letter set forth a deadline of November 18, 2024, for the applicants to respond. The applicants requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
5. On March 7, 2025, the Department issued a Preliminary Determination proposing to approve Transfer T- 14301 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, and in the Rogue Valley Times newspaper on March 12 and 19, 2025, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notices.
6. The portion of the right to be transferred is as follows:

Certificate: 30755 in the name of SUCCESSORS TO JOHN & FRED OFFENBACHER for tract NO. 1, MINNIE OFFENBACHER, FREDERICK & JOSEPHINE OFFENBACHER, LANCE & STELLA OFFENBACHER, LEON & LOLA OFFENBACHER, AND KATHRYN & HALE WHEELER FOR TRACT NO. 2 (confirmed by Rogue River (F) State Water Board Decree Vol 4, Page 1)

Use: IRRIGATION OF 55 ACRES

Priority Date: 1888

Rate: 1.38 CUBIC FOOT PER SECOND FOR TRACT 1

Source: APPELGATE RIVER, a tributary of ROGUE RIVER

Authorized Point of Diversion: Not described on certificate

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Tract
38 S	4 W	WM	25	SW NE	8.0	1
38 S	4 W	WM	25	SE NW	26.0	1
38 S	4 W	WM	25	NE SW	6.0	1
38 S	4 W	WM	25	NW SE	15.0	1
Total						55.0

7. Certificate 30755 does not describe the location of the point of diversion; however, information is available from the applicant indicating that the point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
38 S	3 W	WM	28	SE SW	FOWLER-OFFENBACHER DITCH – 40 FEET NORTH AND 1610 FEET EAST FROM THE SW CORNER OF SECTION 28

8. Transfer Application T-14301 proposes to move the authorized point of diversion approximately 3.0 miles downstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
38 S	4 W	WM	25	SW NE	RED LILY POD- 890 FEET NORTH AND 1350 FEET EAST FROM THE C1/4 CORNER OF SECTION 25

9. The place of use to be clarified is as follows:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Tract
38 S	4 W	WM	25	SW NE	8.0	1
38 S	4 W	WM	25	SE NW	26.0	1
38 S	4 W	WM	25	NE SW	6.0	1
38 S	4 W	WM	25	NW SE	15.0	1
Total					55.0	

10. The place of use is clarified to reflect the lands where use has taken place and is described below:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres	Tract
38 S	4 W	WM	25	SW NE	37	24.5	1
38 S	4 W	WM	25	SW NE	5	2.0	1
38 S	4 W	WM	25	SE NE	37	2.0	1
38 S	4 W	WM	25	SE NE	6	2.0	1
38 S	4 W	WM	25	NE NW	37	1.5	1
38 S	4 W	WM	25	SE NW	37	23.0	1
Total						55.0	

11. The watermaster map shows the place of use corresponding in shape and size to the applicant's description of the lands as clarified in the table above.
12. 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)]

13. Water has been used within the last five years. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
14. 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-14301.
15. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).

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

Conclusions of Law

The change in point of diversion and the clarification of the place of use of a portion of Certificate 30755 proposed in Transfer Application T-14301 are consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore it is ORDERED:

1. The change in point of diversion and clarification of the place of use for a portion of Certificate 30755 proposed in Transfer Application T-14301 are 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 30755 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 30755 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 point of diversion (RED LILY POD) shall not exceed the quantity of water lawfully available at the original point of diversion (FOWLER OFFENBACHER DITCH).
6. Water shall be acquired from the same source of surface water as the original point of diversion.
7. The Department does not have the authority to make changes to Decreed rights without an application for Transfer as described in OAR 690-380-2200.

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. 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.

10. 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.

11. 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.

12. After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.

Dated in Salem, Oregon on **MAY 08 2025**


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

Mailing date: **MAY 09 2025**

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

SUCCESSORS TO JOHN & FRED OFFENBACHER FOR TRACT No. 1

MINNIE OFFENBACHER, FREDRICK & JOSEPHINE OFFENBACHER, LANCE & STELLA OFFENBACHER,
LEON & LOLA OFFENBACHER, AND KATHRYN & HALE WHEELER FOR TRACT No. 2
APPLEGATE, OR 97530

confirms the right to use the waters of the APPLGATE RIVER, a tributary of ROGUE RIVER for
IRRIGATION OF 47.0 ACRES, DOMESTIC AND STOCK USE IN TRACT No. 1, AND 123.0 ACRES OF
IRRIGATION, DOMESTIC AND STOCK USE IN TRACT No. 2.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Jackson County. The
decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 4, at
Page 1.

The date of priority is 1888.

That amount of water to which such right is entitled, for the purposes aforesaid is limited to an amount
actually beneficially used for said purposes and shall not exceed 1.18 cubic foot per second for Tract
No. 1, and 3.0 cubic feet per second for Tract No. 2.

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

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

Tract No. 1					
Twp	Rng	Mer	Sec	Q-Q	Acres
38 S	3 W	WM	30	NE SW	7.0
38 S	3 W	WM	30	SE SW	15.0
38 S	3 W	WM	30	SW SE	13.0
38 S	3 W	WM	30	SE SE	12.0
Total					47.0

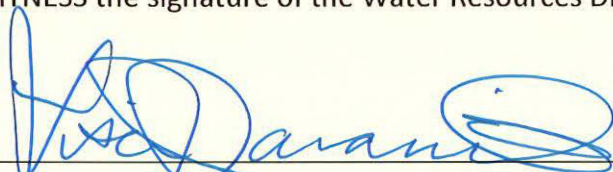
Tract No.2						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
38 S	3 W	WM	29	SW NW	39	9.9
38 S	3 W	WM	29	NW SW	39	12.1
38 S	3 W	WM	30	SE NE	39	11.3
38 S	3 W	WM	30	SW NW	39	11.0
38 S	3 W	WM	30	SE NW	39	9.8
38 S	3 W	WM	30	NE SW	39	16.4
38 S	3 W	WM	30	NE SE	39	32.7
38 S	3 W	WM	30	NW SE	39	19.8
Total						123.0

This certificate describes that portion of water right Certificate 30755, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered MAY 08 2025, approving Transfer Application T-14301.

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 MAY 08 2025.



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

WATER RIGHT TRANSFER COVER SHEET

Transfer: T-14301

Transfer Specialist: *Joan*

Transfer Type: **Regular Transfer**

Reimbursement Authority? ☐

Applicant: <i>AEU</i> LESLIE & RACHEL MARTIN 11777 HWY 238 JACKSONVILLE, OR 97530	Agent: RICK PARSONS 1619 MINEAR RD MEDFORD, OR 97501	Receiving Landowner:
Current Landowner if other than Applicant:	CWRE:	Irrigation District:
Affected Local Gov'ts: Jackson County Planning & Development County Courthouse	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		ROGUE RIVER	<input 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: August 7, 2023	Proposed Action(s): POINT OF DIVERSION	
Fees Pd: 1360.00	Acknowledgement Letter Sent <input checked="" type="checkbox"/>	Basin: 15 Rogue
Initial Public Notice: 8/22/2023	County sent cc: of Ack Letter <input checked="" type="checkbox"/>	County: JACKSON
WM District: 13 Shavon L. Haynes	WM Review request sent:	WM Review date received:
ODFW District:	ODFW Review sent:	ODFW Review date received:
Groundwater	GW Review sent:	GW Review date received:

Caseworker Actions: Newspaper & PD Notice:

Newspaper notice needed: <input type="checkbox"/>	Name of Newspaper: <i>Rogue Valley Times</i>
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: <i>3/14/24</i> Initials: <i>Joan</i>	Date: _____ Initials: _____	Date: <i>7/2/24</i> Initials: <i>Sarah</i>	Date: _____ Initials: _____	CW Sent: _____ WM Sheet <input type="checkbox"/> ODFW Sheet: <input type="checkbox"/>	N/A
PD	Date: <i>2/26/25</i> Initials: <i>Joan</i>	Date: <i>2/27/25</i> Initials: <i>Scott</i>	Date: <i>2/28/25</i> Initials: <i>CC</i>	Date: _____ Initials: _____ Data Review Date: _____	Date: _____	Date: <i>3/7/2025</i>
FO	Date: <i>3/18/25</i> Initials: <i>Joan</i>	Date: <i>3/21/25</i> Initials: <i>Scott</i>	Date: _____ Initials: <i>CC</i>	Date: <i>3-23-25</i> Initials: <i>Joan</i>	Date: <i>4/21</i> No. of docs for sig: <i>3</i>	Date: <i>5/8/2025</i>

Special Issues:

sent to Cora A 7/2/24 sent news 4/26/25 go

Special Order Volume: Vol. 134 Pages 620-624

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

INVOICE # _____

APPLICATION	
PERMIT	
TRANSFER	1-14301

TOTAL REC'D	\$ 187.80
-------------	-----------

0407	COPIES	40118	\$
0207	OTHER:	(IDENTIFY) New Yorker Notice	\$ 187.30

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

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	\$		

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 # _____

[illegible]

RECEIPT: 144810 DATED: 23/25 BY: W. H. Muller

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

Sterling Savings Bank T-14301 NOTICE

www.pubblicisticheonline.com

187.80

OWPD

MAR 03 2025

Received

Thompson Creek Winery LLC
Oregon Water Resources Department
T-14301 NOTICE

2/27/2025

5900
187.80

VALLEY PRIDE PUBLICATIONS, INC.

Publishers Of The:



Teresa L. Pearson, Publisher

8991 Rogue River Highway • P.O. Box 1485 • Rogue River, OR 97537
Phone: (541) 582-1707 • Fax: (541) 582-0201 • rrpress@rogueriverpress.com

LEGAL NOTICE

NOTICE OF PRELIMINARY DETERMINATION FOR WATER RIGHT TRANSFER T-14301

T-14301 filed by Leslie and Rachael Martin, 11777 HWY 238, Jacksonville, OR 97530, proposes a change in point of diversion under Certificate 30755. The right allows the use of 1.38 cubic foot per second from the Applegate River in Sec. 28, T38S, R4W, WM for irrigation in Sec. 25, T38S, R3W, WM. The applicant proposes to move the point of diversion in Sec. 25, T38S, R4W, 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 protest the preliminary determination or may file a standing statement. Pursuant to OAR 690-380-4030(3) and OAR 690-382-9000, protests must raise all reasonably ascertainable issues and include all reasonably available arguments supporting the person's position. In addition, protests must be accompanied by an \$950 protest fee for non-applicant, or \$480 protest fee for applicant. Call (503) 986-0935 to obtain additional information. Protests must be received by the Department on or before **April 18, 2025**, or within 30 days of the last date of publication in a newspaper, whichever is later. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

Publish: 3/12/2025, 3/19/2025

March 19, 2025

AFFIDAVIT OF PUBLICATION

State Of Oregon

ss.

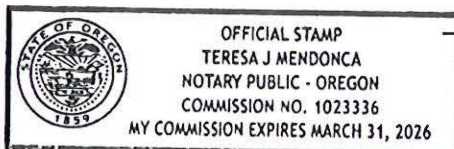
County of Jackson

I, Teresa L. Pearson, being first duly sworn, depose and say that I am publisher of the *Rogue River Press*, a newspaper of general circulation published at 8991 Rogue River Highway, Rogue River, OR, in the aforesaid county and state; that I know from my personal knowledge that a **Legal Notice: Notice of Preliminary Determination For Water Right Transfer T-14301** (T-14301 filed by Leslie and Rachael Martin, 11777 Hwy. 238, Jacksonville, OR 97530), a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for **two (2) time(s)** for the **Oregon Department of Water Resources**, in the issue(s) of: **March 12 & 19, 2025**.

Subscribed and sworn to me by

Teresa L. Pearson, Publisher, Rogue River Press

On this 19th day of March, 2025



teresa j. mendonca

Notary Public of Oregon

My commission expires on the 31st day of

march, 2026

Received

MAR 24 2025

OWRD



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

www.oregon.gov/owrd

March 7, 2025

VIA CERTIFIED MAIL AND E-MAIL

LESLIE MARTIN

RACHAEL MARTIN

11777 HWY 238

JACKSONVILLE, OR 97530

SUBJECT: Water Right Transfer Application T-14301

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-14301. 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 Rogue River Press 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-14301, Jackson County)	PROPOSING APPROVAL OF A
)	CHANGE IN POINT OF DIVERSION AND
)	CLARIFYING A PORTION OF THE
)	PLACE OF USE UNDER CERTIFICATE 30755

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

LESLIE MARTIN
RACHAEL MARTIN
11777 HWY 238
JACKSONVILLE, OR 97530

Findings of Fact

1. On August 7, 2023, Leslie Martin and Rachael Martin filed an application to change the point of diversion under Certificate 30755. The Department assigned the application number T-14301.
2. Notice of the application for transfer was published on August 22, 2023, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. Transfer Application T-14301 also seeks to clarify a portion of the place of use as described in Certificate 30755.

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

4. On October 16, 2024, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-14301 to the applicants. The draft Preliminary Determination cover letter set forth a deadline of November 18, 2024, for the applicants to respond. The applicants requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
5. The portion of the right to be transferred is as follows:

Certificate: 30755 in the name of SUCESSORS TO JOHN/FRED OFFENBACHER for tract NO. 1 MINNIE OFFENBACHER, FREDERICK & JOSEPHINE OFFENBACHER, LANCE & STELLA OFFENBACHER, LEON & LOLA OFFENBACHER, AND KATHRYN & HALE WHEELER FOR TRACT NO. 2 (confirmed by Rogue River (F) State Water Board Decree Vol 4, Page 1)

Use: IRRIGATION OF 55 ACRES

Priority Date: 1888

Rate: 1.38 CUBIC FOOT PER SECOND FOR TRACT 1

Source: APLEGATE RIVER, a tributary of ROGUE RIVER

Authorized Point of Diversion: Not described on certificate

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Tract
38 S	4 W	WM	25	SW NE	8.0	1
38 S	4 W	WM	25	SE NW	26.0	1
38 S	4 W	WM	25	NE SW	6.0	1
38 S	4 W	WM	25	NW SE	15.0	1
Total						55.0

6. Certificate 30755 does not describe the location of the point of diversion; however, information is available from the applicant indicating that the point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
38 S	3 W	WM	28	SE SW	FOWLER-OFFENBACHER DITCH – 40 FEET NORTH AND 1610 FEET EAST FROM THE SW CORNER OF SECTION 28

7. Transfer Application T-14301 proposes to move the authorized point of diversion approximately 3.0 miles downstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
38 S	4 W	WM	25	SW NE	RED LILY POD- 890 FEET NORTH AND 1350 FEET EAST FROM THE C1/4 CORNER OF SECTION 25

8. The place of use to be clarified is as follows:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Tract
38 S	4 W	WM	25	SW NE	8.0	1
38 S	4 W	WM	25	SE NW	26.0	1
38 S	4 W	WM	25	NE SW	6.0	1
38 S	4 W	WM	25	NW SE	15.0	1
Total					55.0	

9. The place of use is clarified to reflect the lands where use has taken place and is described below:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres	Tract
38 S	4 W	WM	25	SW NE	37	24.5	1
38 S	4 W	WM	25	SW NE	5	2.0	1
38 S	4 W	WM	25	SE NE	37	2.0	1
38 S	4 W	WM	25	SE NE	6	2.0	1
38 S	4 W	WM	25	NE NW	37	1.5	1
38 S	4 W	WM	25	SE NW	37	23.0	1
Total						55.0	

10. The watermaster map shows the place of use corresponding in shape and size to the applicant's description of the lands as clarified in the table above.
11. 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)]

12. Water has been used within the last five years. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
13. 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-14301.
14. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
15. The proposed point of diversion diverts water from the same source of surface water as the authorized point of diversion, as required by OAR 690-380-2110(2).
16. The proposed change, as conditioned, would not result in enlargement of the right.

17. The proposed change, as conditioned, would not result in injury to other existing water rights.
18. All other application requirements are met.

Determination and Proposed Action

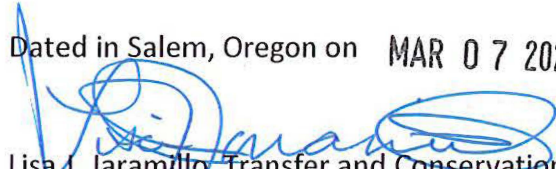
The change in point of diversion and the clarification of the place of use of a portion of Certificate 30755 proposed in Transfer Application T-14301 appear to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the transfer application will be approved.

If Transfer Application T-14301 is approved, the final order will include the following:

1. *The change in point of diversion and clarification of the place of use for a portion of Certificate 30755 proposed in Transfer Application T-14301 are 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 30755 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 30755 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 point of diversion (RED LILY POD) shall not exceed the quantity of water lawfully available at the original point of diversion (FOWLER OFFENBACHER DITCH).*
6. *Water shall be acquired from the same source of surface water as the original point of diversion.*
7. *The Department does not have the authority to make changes to Decreed rights without an application for Transfer as described in OAR 690-380-2200.*
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. *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.*
10. *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.*
11. *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.*
12. *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 or Joan.M.Smith@water.oregon.gov.

Protests

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

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

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

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

Requests for Standing

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

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

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

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

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

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

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

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

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

Notice Regarding Servicemembers: Active-duty servicemembers have a right to stay proceedings under the federal Servicemembers Civil Relief Act. 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.

T-14301

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

Successors to JOHN & FRED OFFENBACHER for Tract No. 1
 MINNIE OFFENBACHER, FREDERICK & JOSEPHINE
 This Is to Certify, That OFFENBACHER, LANCE & STELLA OFFENBACHER, LEON &
 LOLA OFFENBACHER and KATHRYN & HALE WHEELER for Tract No. 2

of Applegate, State of Oregon, has a right to the use of

the waters of Applegate River, a Tributary of Rogue River

for the purpose of irrigation of 102.0 acres, Domestic and Stock use in Tract No. 1, and
 irrigation of 123.0 acres and Domestic use in Tract No. 2

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
 Jackson County, and the said decree entered of record at Salem, in the Order Record of
 the STATE ENGINEER, in Volume 4, at page 1; that the priority of the right thereby
 confirmed dates from 1888

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an
 amount actually beneficially used for said purposes, and shall not exceed 2.55 cubic feet per
 second for Tract No. 1, and 3.00 cubic feet per second for Tract No. 2.

A description of the lands irrigated under such right, and to which the water is appurtenant
 (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

Tract No. 1

7.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
 15.0 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$
 13.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
 12.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$
 Section 30
 T. 38 S., R. 3 W., W.M.

8.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$
 26.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$
 6.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
 15.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$
 Section 25
 T. 38 S., R. 4 W., W.M.

Tract No. 2

9.9 acres in W $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$
 12.1 acres in W $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$
 Section 29
 32.7 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$
 11.3 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$
 19.8 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$
 16.4 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
 11.0 acres in E $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$
 9.8 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$
 Section 30
 T. 38 S., R. 3 W., W.M.
 Being within D. I. C. No. 39

NOTE: This certificate is issued to correct and supersede certificate heretofore
 issued to John and Fred Offenbacher and recorded in Volume 22 at page 16244, State
 Record of Water Rights, the location of
 the lands irrigated by said right, as determined by the Circuit Court
 for Jackson County.

And said right
 The right to the
 use herein described.

ed in said decree.
 lands or place of

Engineer, affixed

, 1963.

State Engineer

Recorded in State Record of Water Rights, Volume 22, page 30155

55 Acres
 OFF

170
 total
 RR

OFF
 ACRES

2.55
 CFS

3.00 CFS

102 Acres

2.55 CFS

RR 47 Acre

- 1.175

OFF 55

- 1.375

With Entered on Platfards
 Decree - make copy
 Decree - Vault

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-14301

Review Due Date: 09/21/2023

Applicant Name: Leslie and Rachael Martin

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

Reviewer(s): G. Wacker

Date of Review: 01/24/2024

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:

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:

<input type="checkbox"/> Weir	<input type="checkbox"/> Submerged Orifice
<input type="checkbox"/> Parshall Flume	<input type="checkbox"/> Flow Restrictor
<input type="checkbox"/> Other: _____	

JOHN and FRED OFFENBACHER, Applegate, Ore., (Proof 697, Vol. 10); Priority 1888; 2.55 second feet; for Irrigation of 102 acres, and Domestic and Stock use; Fowler or Offenbacher ditch; Description of place of use: 7 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$; 15 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$; 13 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$; 12 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$; Sec. 30; Tp. 38 S. R. 3 W. W. M.; 8 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$; 26 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$; 6 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$; 15 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$; Sec. 25; Tp. 38 S. R. 4 W. W. M., Jackson County Oregon. (See also Paragraph 7).

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-14301

Date of review: 9/21/23

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 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 unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

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

☐ **3. Screen 2 Year**

[Option 3 may be checked if the change is from an unscreened diversion to a HISTORIC POD or an existing POD in use for another water right, and cost-share funds are not currently available. It should NOT be checked if 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-14301

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



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

August 22, 2023

LESLIE MARTIN

11777 HWY 238

JACKSONVILLE, OR 97530

Reference: Application T-14301

On August 7, 2023, the Department received your water right Permanent Transfer Application. The application was accompanied by \$1360.00. Receipt number 141362 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 Fish and Wildlife to determine if a fish screen is needed.

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 from 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. #13, Shavon L. Haynes (*via email*)
Jackson County Planning Department
Rick Parsons, Agent

Enclosure

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT #

141362

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

INVOICE # _____

RECEIVED FROM:

Parsons Water Consulting, LLC

BY:

APPLICATION	
PERMIT	
TRANSFER	T-14301

CASH:

CHECK: #

OTHER: (IDENTIFY)

☐

1308

☐

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 \$ 0202 \$

0203 GROUND WATER \$ 0204 \$

0205 TRANSFER \$ *1,360.00*

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:

141362

DATED:

8-7-23

BY:

[Signature]

Application for Permanent Water Right 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 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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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: C-30755**
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: ____/____/____

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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Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME LESLIE AND RACHAEL MARTIN			PHONE NO. 541.778.3982	ADDITIONAL CONTACT NO.
ADDRESS 11777 HWY 238			FAX NO.	
CITY JACKSONVILLE	STATE OR	ZIP 97530	E-MAIL LES@REDLILYVINEYARDS.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 RICK PARSONS / PARSONSWATER CONSULTING LLC			PHONE NO. 541.499.0257	ADDITIONAL CONTACT NO. 303.667.5067
ADDRESS 1619 MINEAR RD			FAX NO.	
CITY MEDFORD	STATE OR	ZIP 97501	E-MAIL RICK.PARSONS@PARSONSWATER.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: IMPROVE EFFICIENCY OF IRRIGATION WATER DELIVERY TO PLACE OF USE (55 ACRES) ON MARTIN PROPERTY IRRIGATED WITH SUBJECT 1888 WATER RIGHT. THE PROPERTY IS CURRENTLY SUPPLIED BY THE ORIGINAL ~3.5 MILE DITCH THAT HAS FALLEN INTO DISREPAIR. A PUMP DIVERSION WAS INSTALLED IN THE APPLGATE RIVER IN 2018 ADJACENT TO THE PROPERTY FOR RE-DIVERSION OF APPLGATE LAKE WATER. IT IS THE NEW POINT OF DIVERSION TO WHICH THE MARTIN'S PRORATA OWNERSHIP IN C-30755 WILL BE TRANSFERRED.

IN ADDITION, THIS TRANSFER APPLICATION SEEKS TO CLARIFY THE PLACE OF USE ASSOCIATED WITH THE 55 ACRES ON THE MARTIN PROPERTY TO BETTER DEFINE THE LOCATION TO WHICH THE WATER RIGHT IS APPURTENANT (SEE "Additional Remarks" BELOW TABLE 2). THIS IS NOT A CHANGE IN POU BUT A REQUEST TO CLARIFY THE LOCATION OF THE POU WHERE WATER USE HAS ALWAYS OCCURRED.

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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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 Changes to Water Right Certificate # 30755

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 that appears AFTER PROPOSED CHANGES are made.														
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acre	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	Acre	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
38	S	4	W	25	SW	NE			8	THESE 55 ACRES REPRESENT 54% OF THE 2.55 CFS PORTION OF C- 30755 IN TRACT NO. 1 → IT IS THIS ACREAGE FOR WHICH THE POD CHANGE IS APPLIED FOR HEREIN							SW	NE	801	37	24.5	THIS ACREAGE REPRESENTS THE CLARIFIED POU FOR THE SUBJECT WATER RIGHT - SEE COMMENT BELOW TABLE				
					SE	NW			26								SW	NE		5	2					
					NE	SW			6								SE	NW		37	23					
					NW	SE			15								NE	NW		37	1.5					
																	SE	NE		37	2					
																	SE	NE		6	2					
38	S	3	W	29	SW	NW			9.9	THESE 22 ACRES REPRESENT 18% OF THE 3.00 CFS PORTION OF C- 30755 IN TRACT NO. 2			NO CHANGES TO CERTIFICATED LANDS IN SECTION 29													
					NW	SW			12.1																	
38	S	3	W	30	NE	SW			7	THESE 47 ACRES REPRESENT 46% OF THE 2.55 CFS PORTION OF C- 30755 IN TRACT NO. 1			NO CHANGES TO CERTIFICATED LANDS IN SECTION 30													
					SE	SW			15																	
					SW	SE			13																	
					SE	SE			12																	

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AUTHORIZED (the "from" or "off" lands)										Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands)											
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		
38	S	3	W	30	NE	SE			32.7	THESE 101 ACRES REPRESENT 82% OF THE 3.00 CFS PORTION OF C-30755 IN TRACT NO. 2		NO CHANGES TO CERTIFICATED LANDS IN SECTION 30										
					SE	NE			11.3													
					NW	SE			19.8													
					NE	SW			16.4													
					SW	NW			11													
					SE	NW			9.8													
TOTAL ACRES:						255						TOTAL ACRES:						255	55 ACRES OF 225 TOTAL ACRES SUBJECT TO THE POD TRANSFER			

Additional remarks:

THE CURRENT PLACE OF USE FOR 55 ACRES OF THE 1888 PRIORITY C-30755 WATER RIGHT ON THE MARTIN PROPERTY (FIGURE 1) DOES NOT COINCIDE WITH WHAT IS DESCRIBED IN THE CERTIFICATE OR DECREE MAP FROM THE 1916 ROGUE RIVER DECREE (FIGURE 2). THE CURRENT PLACE OF USE DOES COINCIDE WITH WHAT WAS MAPPED IN THE INCHOATE DECREE MAP THAT WAS DEVELOPED COINCIDENT WITH THE ROGUE RIVER 1940 SUPPLEMENTAL FINDINGS (FIGURE 3). THIS DISCREPANCY HAS BEEN OBSERVED FOR MANY YEARS AND IS SHOWN IN AN HISTORIC DISTRIBUTION MAP FROM THE DISTRICT 13 FILES (FIGURE 4). WATERMASTER SHAVON HAYNES ADVISED PAST DISTRICT 13 WATERMASTERS HAVE HONORED THE PLACE OF USE DEMONSTRATED IN THE INCHOATE DECREE MAP EVEN THOUGH THE POU DIFFERS FROM WHAT IS DESCRIBED IN THE CERTIFICATE (PERSONAL COMMUNICATION, JUNE 9, 2023; FIGURES PROVIDED BY SHAVON HAYNES).

THE DECREE MAP DOES NOT ENTIRELY CORRELATE WITH THE ACREAGES LISTED IN SECTION 25 IN C-30755. THE REASON FOR THIS INCONSISTENCY IS UNCLEAR. IT IS NOTEWORTHY THE D-13 FIELD OFFICE DISTRIBUTION MAP IDENTIFIES THAT "DECREE IN ERROR ON LOCATION OF WATER RIGHT". THE DISTRIBUTION MAP ALSO QUANTIFIES THE IRRIGATED ACREAGE IN THE VARIOUS QUARTER QUARTERS IN THE POU. THESE ACREAGE VALUES COINCIDE WITH THE CURRENT PLACE OF USE WITH A MINOR VARIATION OF THE SPLIT OF LANDS IN THE SE NW AND NE NW 1/4 1/4S (ORIGINALLY 19 ACS AND 5.5 ACS, RESPECTIVELY; REVISED TO 23 ACS AND 1.5 ACS, RESPECTIVELY). IT IS REASONABLE TO CONSIDER THE D-13 MAP WAS DEVELOPED TO IDENTIFY THE LANDS WITH SUFFICIENT SPECIFICITY FOR MANAGEMENT AND DELIVERY OF THE WATER RIGHT. THEREFORE, APPLICANT PETITIONS THE OWRD TO ISSUE A FINAL ORDER TO CLARIFY THE LANDS TO WHICH THE SUBJECT WATER

RIGHT IS APPURTENANT (O.R.S. 540.560; O.A.R. 690-380). THE PETITION FOR CLARIFICATION ONLY AFFECTS THE MARTIN'S PORTION OF THE C-30755 WATER RIGHT.THE SUBJECT 55 ACRES REPRESENTS 54% OF 2.55 CFS WATER RIGHT FOR THE 102-ACRE POU IDENTIFIED IN THE CERTIFICATE FOR TRACT NO. 1. THE PRORATA RATE FOR THE 55 ACRES IS 1.375 CFS (617 GPM).

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By my signature below, I confirm that I understand:

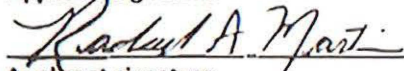
- Prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: ROGUE VALLEY TIMES.
- 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

LESLIE MARTIN
Print Name (and Title if applicable)

6-21-23
Date


Applicant signature

RACHAEL MARTIN
Print Name (and Title if applicable)

10-22-23
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

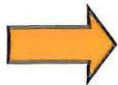
RECEIVING LANDOWNER NAME			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS			FAX NO.	
CITY	STATE	ZIP	E-MAIL	
Describe any special ownership circumstances:				
The confirming Certificate shall be issued in the name of: <input type="checkbox"/> Applicant <input type="checkbox"/> Receiving Landowner				

☐ 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	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 county, city, municipal corporation, or tribal governments within whose jurisdiction water will be diverted, conveyed or used.

ENTITY NAME JACKSON COUNTY	ADDRESS 10 S OAKDALE AVE #100	
CITY MEDFORD	STATE OR	ZIP 97501

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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Part 5 of 5 – Water Right Information

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

CERTIFICATE # 30755

Description of Water Delivery System

System capacity: 5.55 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. **THE UNLINED FOWLER-OFFENBACHER DITCH DIVERTS WATER FROM THE SOUTH SIDE OF THE APPLGATE RIVER AND RUNS WESTWARD APPROXIMATELY 3.5 MILES BEFORE IT REACHES THE MARTIN PROPERTY AT THE END OF THE DITCH. A 10 PUMP PULLS WATER FROM THE DITCH AND PUMPS IT 180' UP TO A POND AT THE TOP OF THE PROPERTY. WATER FROM THE POND IS THEN RELEASED TO SUPPLY THE EASTERN ~4 ACRES OF THE POU VIA SPRINKLER SYSTEM. THE REMAINING ~51 ACRES OF POU IS FLOOD IRRIGATED FROM THE DITCH.**

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)
FOWLER-OFFENBACHER DITCH	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		38	S	3	W	28	SE	SW	10	40' N 1610' E SW CORNER SECTION 28, T38S R3W
RED LILY POD	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		38	S	4	W	25	SW	NE		890' N 1350' E FROM CENTER 1/4 CORNER SECTION 25, T38S R4W

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 checked="" type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input 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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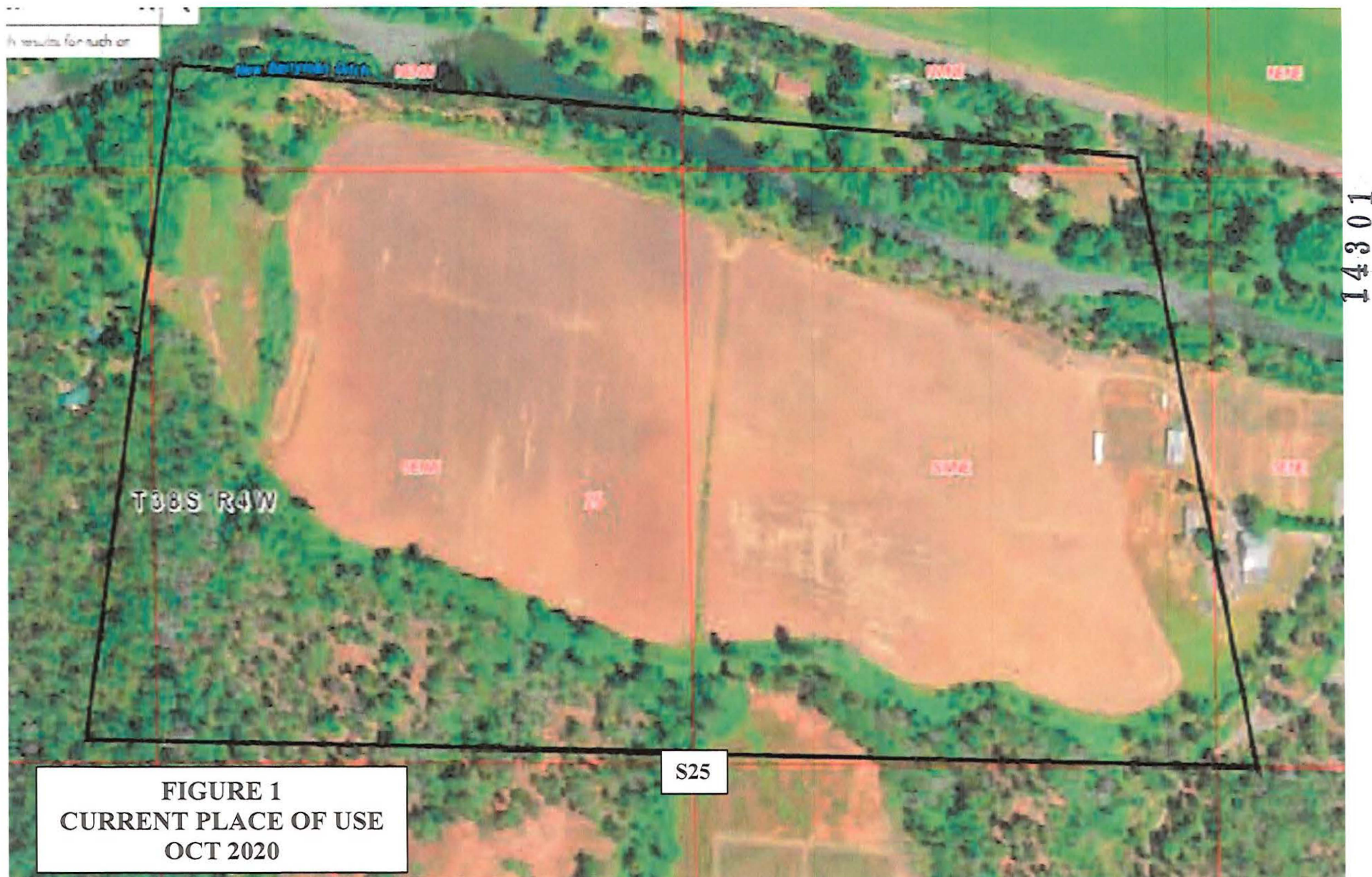
Will all of the proposed changes affect the entire water right?

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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.

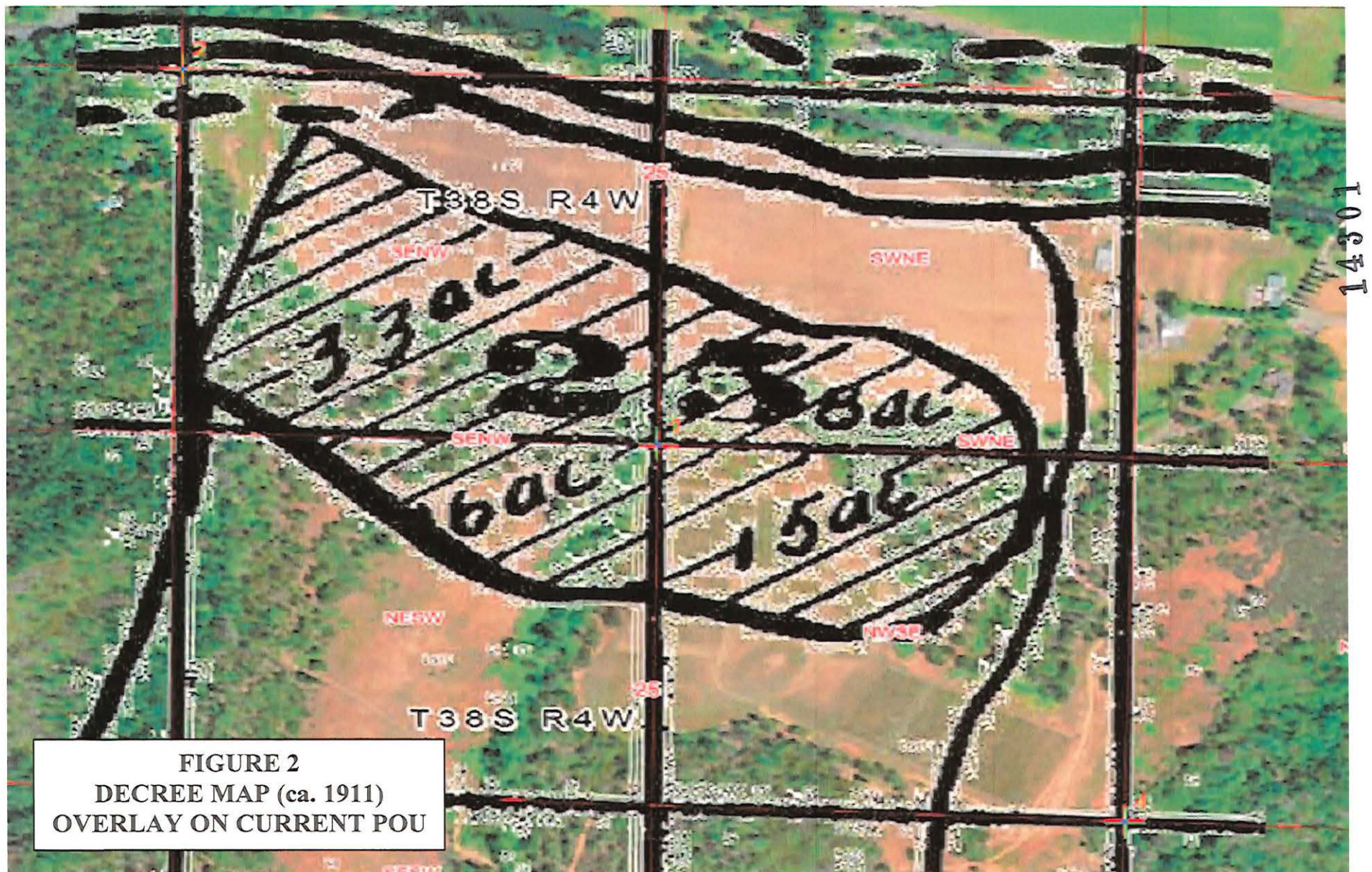
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RECEIVED

AUG 07 2023

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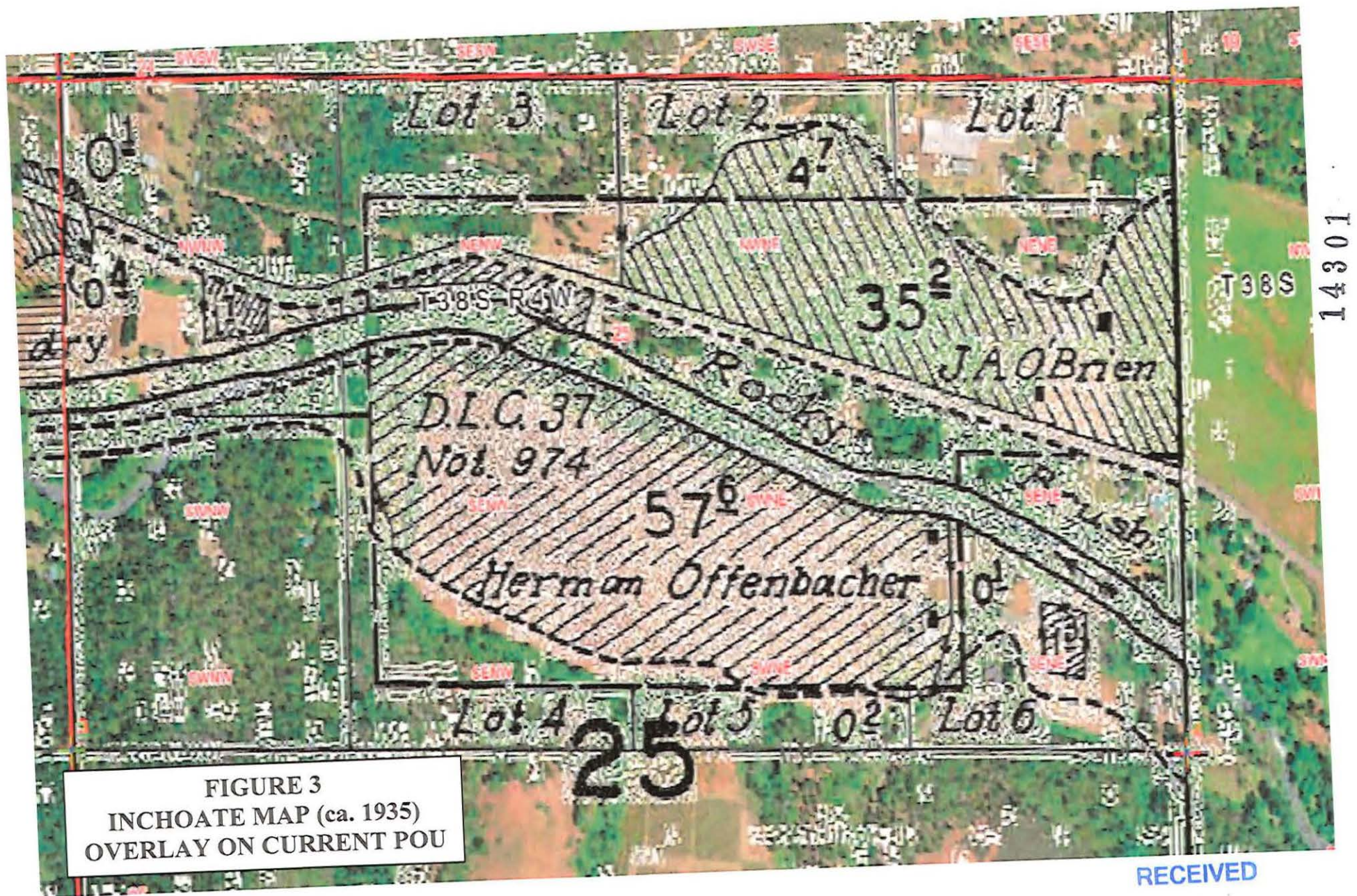


FIGURE 3
INCHOATE MAP (ca. 1935)
OVERLAY ON CURRENT POU

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 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: S-55145.

PERMIT S-55145 WAS ORIGINALLY ESTABLISHED AT THE NEW POD AND THEREFORE NEED NOT BE CHANGED HEREIN

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 # _____.

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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

14301

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)
County of JACKSON) ss

I, RACHAEL MARTIN, in my capacity as WINEMAKER AND CO-OWNER,

mailing address 11777 WY 238 JACKSONVILLE, OR 97530

telephone number (541)778.3912, 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)
30755	38	S	4	W	WM	25	SE	NE	6 (2 ac)	4.0 Total
30755	38	S	4	W	WM	25	SW	NE	5	2.0
30755	38	S	4	W	WM	25	SW	NE		24.5
30755	38	S	4	W	WM	25	SE	NW		23.0
30755	38	S	4	W	WM	25	NE	NW		1.5
TOTAL										55.0

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.): PASTURE, LAWN, TREES, 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.

Robert A. Mait
Signature of Affiant

10.26.23
Date

Signed and sworn to (or affirmed) before me this 26 day of June, 2023.



Jennifer Claire Oliver
Notary Public for Oregon

My Commission Expires: July 19 2024

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 SEE FIGURE 1	Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added. Sources for aerial photos: OSU - www.oregonexplorer.info/imagery OWRD - www.wrd.state.or.us Google Earth - earth.google.com TerraServer - www.terra-server.com
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

Land Use Information Form

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

Applicant(s): LESLIE AND RACHAEL MARTIN

Mailing Address: 11777 HWY 238

City: JACKSONVILLE

State: OR

Zip Code: 97501

Daytime Phone: 541.778.3982

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>38S</u>	<u>4W</u>	<u>25</u>	<u>SWNE</u>	<u>801</u>	<u>EFU/RR-5</u>	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>IRRIGATION, DOMESTIC AND STOCK</u>
			<u>SENW</u>			<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	
			<u>NENW</u>			<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	
			<u>SENE</u>			<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	

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

JACKSON

B. Description of Proposed Use

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

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

Source of water: ☐ Reservoir/Pond ☐ Ground Water ☒ Surface Water (name) APPLEGATE RIVER

Estimated quantity of water needed: 1.375 ☒ cubic feet per second ☐ gallons per minute ☐ acre-feet

Intended use of water: ☒ Irrigation ☐ Commercial ☐ Industrial ☒ Domestic for 2 household(s)
☐ Municipal ☐ Quasi-Municipal ☐ Instream ☒ Other STOCK

Briefly describe:

CHANGE POINT OF DIVERSION FROM DITCH HEADGATE~3.5 MILES FROM PROPERTY TO A RIVER PUMP
DIVERSION ADJACENT TO 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. →

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 MARTIN C-30755 POD CHANGE

- ☐ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s):
- ☒ Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
7012009-00536 Vinifree	660 4.2-1	<input checked="" type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

Name: Francisco Hernandez Title: Mayor III

Signature: [Signature] Phone: 541-774-6907 Date: 07-17-2023

Government Entity: _____

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

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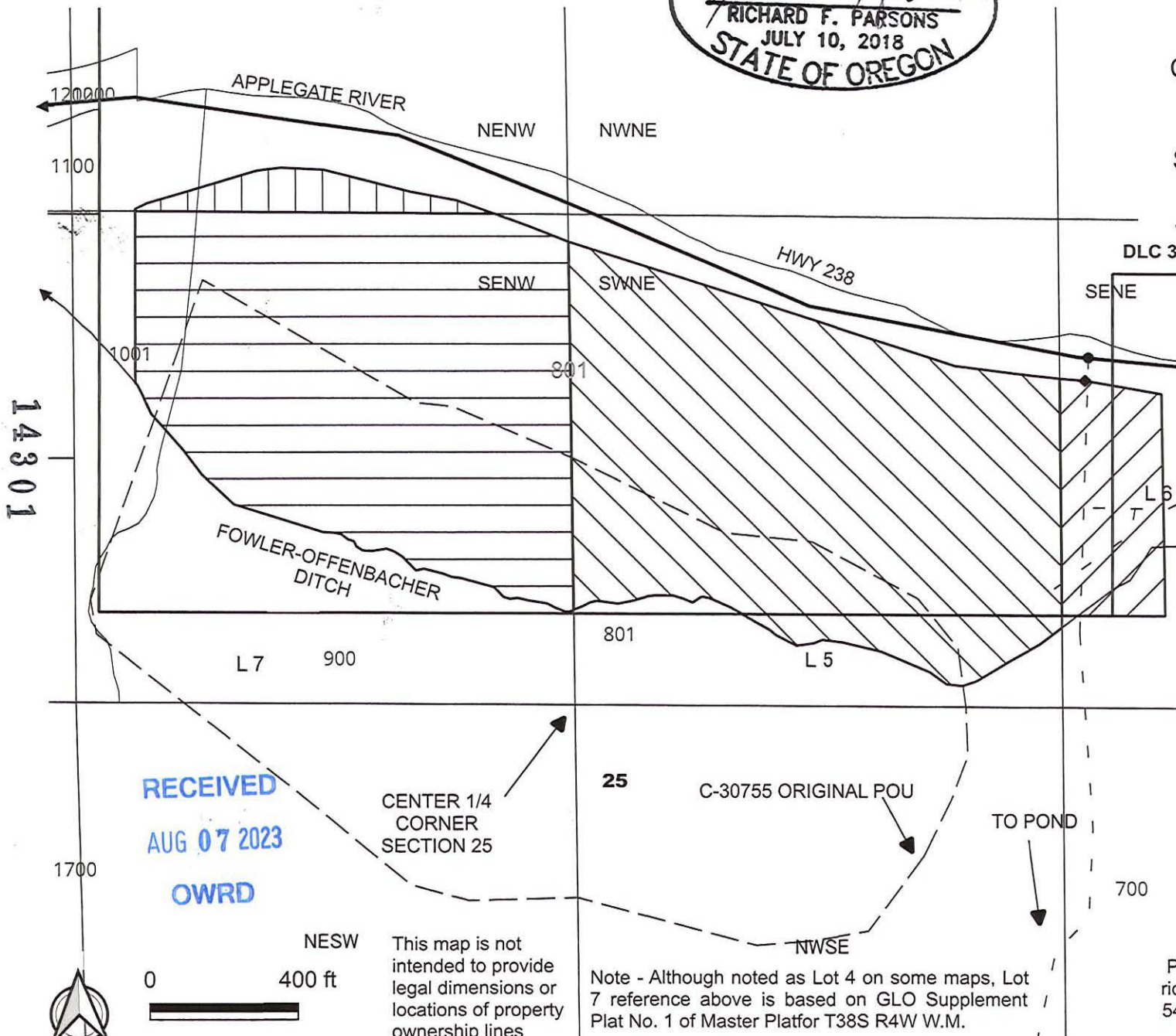
14301



LESLIE & RACHAEL MARTIN
11777 HWY 238
JACKSONVILLE, OR 97530

C-30755 POD TRANSFER AND POU CLARIFICATION

SECTION 25, TOWNSHIP 38 S
RANGE 4 W, W.M.
JACKSON COUNTY OREGON



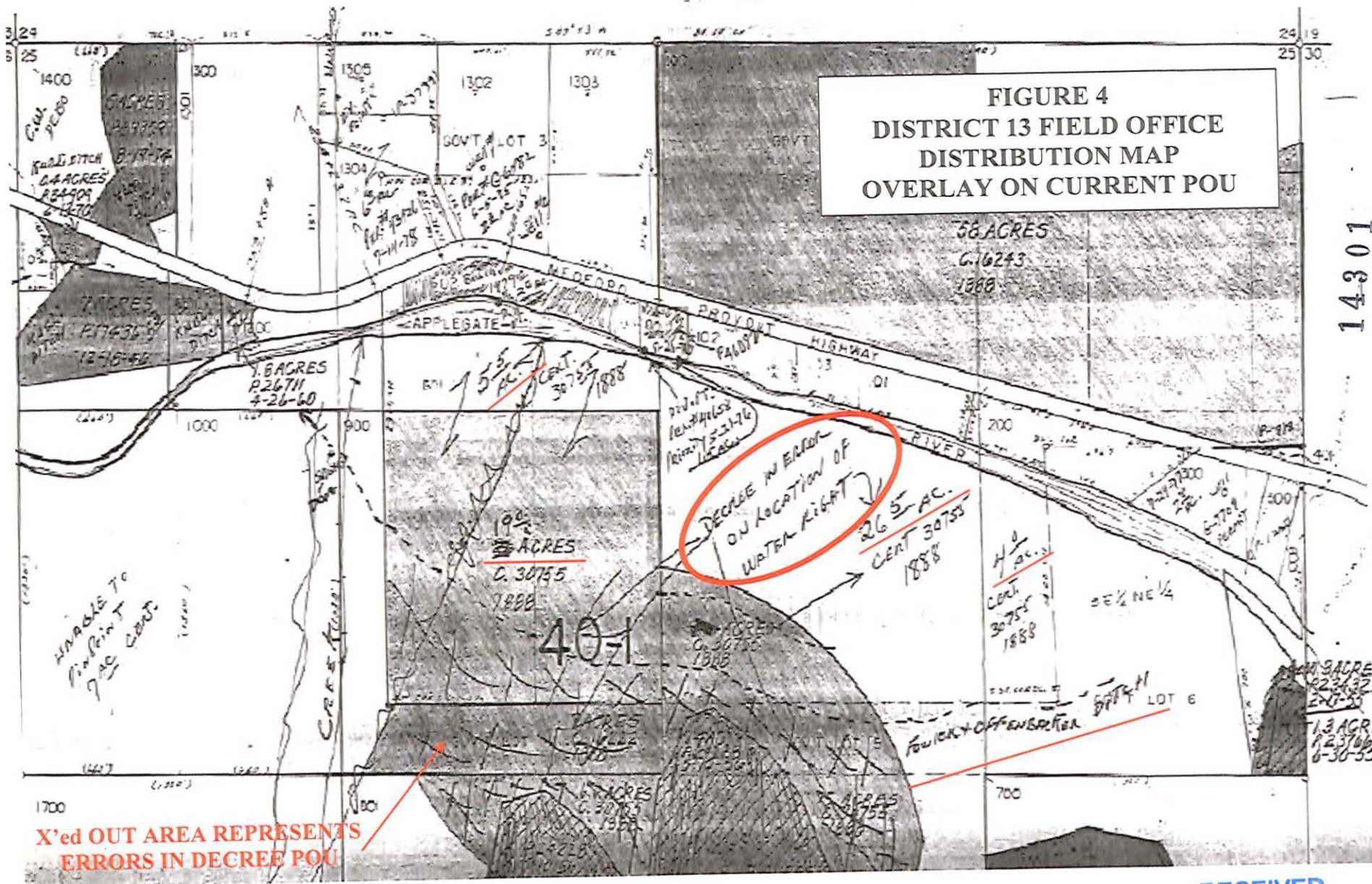
- RED LILY NEW POD and SCREEN
945' N 1350' E CENTER 1/4 CORNER
SECTION 25, T38S R4W
- ◆ ORIGINAL POD - 40' N 1610' E SW
CORNER SECTION 28, T38S R3W
- ◆ NEW POD METER
PIPELINES
- C-30755 POU - 225 ACS TOTAL
170 ACS EAST OF MAP AREA
55 ACS SECTION 25
- CLARIFIED ORIGINAL

SW NE	26.5	8
(2 in LOT 5)		
SE NW	23	26
NE NW	1.5	---
SE NE	4	---
(2 in LOT 6)		
NE SW	---	6
NW SE	---	15

Note - Although noted as Lot 4 on some maps, Lot 7 reference above is based on GLO Supplement / Plat No. 1 of Master Plat for T38S R4W W.M.

ParsonsWater Consulting LLC
rick.parsons@parsonwater.com
541.499.0257 303.667.5067





Oregon Water Resources Department
Transfer Fee Calculation for Permanent (Non-District) Transfer

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[Return](#) [Contact Us](#)

Today's Date: Wednesday, August 9, 2023		Fee Calculation
Base Fee (includes one type of change to one water right for up to 1 cfs)		\$1,360.00
Fill in information below-- Check each box that applies.		
Types of Change Proposed:		
<input type="checkbox"/> Place of Use		
<input type="checkbox"/> Point of Diversion (POD)/Appropriation (POA); and/or Additional POD/POA; and/or SW POD to GW POD		
<input type="checkbox"/> Character of Use		\$0.00
Enter total number of water rights included in transfer. <input type="text" value="0"/>		\$0.00
<input type="checkbox"/> Check this box if you propose to add or change a well, or change from a surface water POD to a well.		
Enter total number of groundwater wells (POAs) included in transfer. <input type="text" value="0"/>		\$0.00
<input type="checkbox"/> Check this box if you propose to change the place of use or character of use for a NON-irrigation right.		
<input type="checkbox"/> Check this box if you propose to change the place of use or character of use for an Irrigation right.		
Total Transfer CFS(rounded up to the next whole cfs):		
Subtotal:		\$1,360.00
Check each box that applies.		
<input type="checkbox"/> The transfer is necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932.		
<input type="checkbox"/> The transfer is endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat.		
Discount:		
Transfer Fee:		\$1,360.00
<input type="button" value="Return to Edit"/> <input type="button" value="Clear"/>		

14301

Permanent Transfer Application Intake Checklist

Transfer # T-14301

Reviewer Corie Date 8/9/2023	Type of Change(s) Proposed: <input type="checkbox"/> POU <input checked="" type="checkbox"/> POD <input 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): 30755	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: Evidence of use is present, but may be defficient.		

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 type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A
	<input type="checkbox"/> YES	<input type="checkbox"/> NO	
District: Place of use is in <u>or</u> near an irrigation district?			
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.