

Historic

Name Sharon Smith

Address 8915 Hardy Way
Gold Hill, Oregon 97535

Change in POD
Date Filed 9/18/2023
Initial notice date 9/20/2023
DPD issued date
PD issued date
PD notice date
Date of FO 6/6/2025 Vol 134 Page 896-899

C-Date
COBU due date
COBU Received date
Certificate issued

DESCRIPTION OF WATER RIGHT(s)

Name of Stream Rogue river

Trib. of Pacific Ocean

Use Irrigation County Jackson

Quantity of water (CFS) 0.342 No. of Acres 54.4

Name of ditch

App# S23502 Per # S18531 Cert # 97008 PR Date 10/28/1948

App# Per # Cert # PR Date

App# Per # Cert # PR Date

App# Per # Cert # PR Date

App# Per # Cert # PR Date

FEES PAID

Date	Amount	Receipt #
9-18-2023	\$1,360.00	141647

FEES REFUNDED

Date	Amount	Receipt #
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Assignments:

Irrigation District

Agent

CWRE Norm Daft
CC's list Jackson County Planning

☐ - 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

June 6, 2025

Sharon Smith
8915 Hardy Way
Gold Hill, OR 97525

REFERENCE: Transfer Application T-14328

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

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

If you have any questions related to the approval of this transfer, you may contact your caseworker, 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 Right Services Support
Transfers and Conservation Section

cc: Shavon L. Haynes, Watermaster Dist. # 13 (via email)

Enclosures

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

In the Matter of Transfer Application)	FINAL ORDER APPROVING
T-14328, JACKSON County)	A CHANGE IN POINT OF DIVERSION TO
)	REFLECT HISTORIC USE

Authority

ORS 540.532 establishes the process in which a water right holder may submit a request for a change in point of diversion to reflect historical use under an existing water right. OAR Chapter 690-380-2120 implements the statute and provides the Department's procedures and criteria for evaluating historic point of diversion/appropriation transfer applications.

Applicant

SHARON J. SMITH
8915 HARDY WAY
GOLD HILL, OR 97525

Findings of Fact

1. On September 18, 2023, SHARON J. SMITH filed a transfer application for authorization of a historic point of diversion under Certificate 97008. The Department assigned the application number T-14328.
2. Notice of the application for transfer was published on September 26, 2023, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. The portion of the right to be transferred is as follows:

Certificate:	97008 in the name of GENERAL DEVELOPMENT COMPANY (perfected under Permit S-18531)
Use:	IRRIGATION OF 2.1 ACRES
Priority Date:	OCTOBER 28, 1948
Rate:	0.013 CUBIC FOOT PER SECOND

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

Limit/Duty: The amount of water used for irrigation together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 4.5 acre-feet for each acre irrigated during the irrigation season FROM APRIL 2 TO OCTOBER 31 OF EACH YEAR.

Period of Use: April 2 to October 31 of each year

Source: ROGUE RIVER, a tributary of the PACIFIC OCEAN

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
36 S	3 W	WM	13	SW NE	2	POD 1 - 1550 FEET SOUTH AND 2340 FEET WEST FROM THE NE CORNER OF SECTION 13

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
36 S	3 W	WM	13	NE NW	1	2.1

4. Transfer Application T-14328 proposes to move the authorized point of diversion to reflect historical use, approximately 1080 feet downstream to:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
36 S	3 W	WM	13	NE NW	1	POD 2 - 710 FEET SOUTH AND 3147 FEET WEST FROM THE NE CORNER OF SECTION 13

5. The applicant provided a description that more accurately depicts the place of use including tax lots as follows:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	Tax lot	Acres
36 S	3 W	WM	13	NE NW	1	1100	1.5
36 S	3 W	WM	13	NE NW	1	800	0.6
Total							2.1

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

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

7. Pursuant to OAR 690-380-2120(2)(a), evidence has been submitted that the actual, current point of diversion for the water right in question, as described in Finding No. 4, has been in use for more than 10 years.
8. Pursuant to OAR 690-380-2120(2)(c), the Watermaster provided a statement that to his knowledge there has been no complaint of injury due to the use of water at the actual, current point of diversion, prior to the transfer request.

9. Pursuant to OAR 690-380-2120(3), the Department provided the applicant a list of the affected water rights and a copy of the notice to be provided to each affected water right holder. The applicant has provided written proof of service of notice of the proposed transfer on all affected water right holders.
10. Water has been used within the last five years according to the terms and conditions of the right. There is no evidence available that would demonstrate that the right is subject to forfeiture under ORS 540.610.
11. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right are present.
12. The proposed change, as conditioned, would not result in enlargement of the right.
13. The proposed change would not result in injury to other water rights.

Conclusions of Law

The proposed change in point of diversion to reflect historical use in application T-14328 is consistent with the requirements of ORS 540.532, and OAR 690-380-2120.

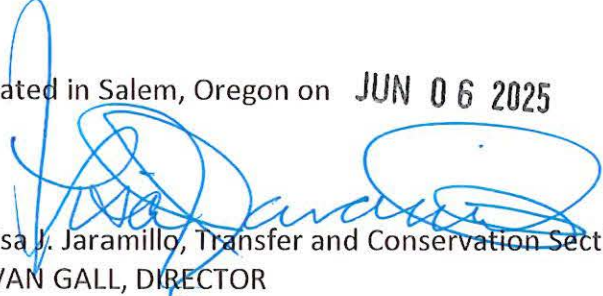
Now, therefore, it is ORDERED:

1. The change proposed in T-14328 is approved and effective immediately.
2. The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificate 97008 and any related decree.
3. Water right certificate 97008 is cancelled. Certificate 98320 will be issued to describe the change in point of diversion for the portion of the right included in T-14328. Certificate 98225 shall be issued to describe the portion of Certificate 97008 not modified by this order. Together, the new Certificates shall supersede Certificate 97008.
4. The quantity of water diverted at the new point of diversion (POD 2), shall not exceed the quantity of water lawfully available at the original point of diversion (POD 1).
5. Water use measurement conditions:
 - a. Prior to October 1, 2025, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each new point of diversion 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.
6. Prior to October 1, 2026, the water user shall install an approved fish screen at the new point of diversion and shall provide to the OWRD a written statement from Oregon Department of Fish and Wildlife (ODFW) that the installed screen meets the state's criteria, or that ODFW has determined a screen is not necessary.

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

Dated in Salem, Oregon on JUN 06 2025



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

Mailing date: JUN 09 2025

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

GENERAL DEVELOPMENT COMPANY
PO BOX 488
MEDFORD OR 97501

confirms the right to use the waters of THE ROGUE RIVER, tributary of THE PACIFIC OCEAN, for IRRIGATION of 2.1 ACRES.

This right was perfected under Permit S-18531. The date of priority is OCTOBER 28, 1948. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.013 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
36 S	3 W	WM	13	SW NE	2	1550 FEET SOUTH AND 2340 FEET WEST FROM THE NE CORNER OF SECTION 13

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 4.5 acre-feet per acre for each acre irrigated during the irrigation season FROM APRIL 2 TO OCTOBER 31 OF EACH YEAR

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

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

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
36 S	3 W	WM	13	NE NW	1	2.1

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

Water use measurement conditions:

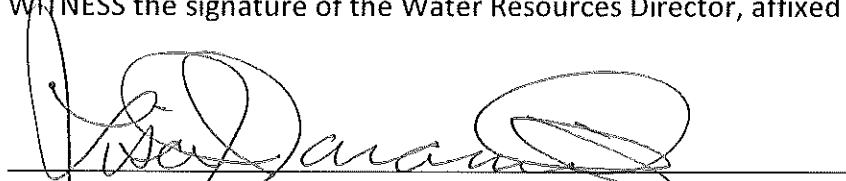
- a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of diversion (new and existing).
- b. The water user shall maintain the meters or measuring devices in good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

Prior to October 1, 2025, the water user shall install a fish screening and/or by-pass device, as appropriate, at the new point of diversion consistent with the Oregon Department of Fish and Wildlife's (ODFW) design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screen and/or by-pass device meets ODFW's criteria. Prior to submitting a Claim of Beneficial Use, the water user must obtain written approval from ODFW that the required screening and/or by-pass device was installed to the state's criteria. The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.

This certificate is issued to confirm an HISTORIC CHANGE IN POINT OF DIVERSION approved by an order of the Water Resources Director entered JUN 06 2025, approving Transfer Application T-14328, and supersedes Certificate 97008, State Record of Water Right Certificates.

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. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director, affixed JUN 06 2025.



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

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

GENERAL DEVELOPMENT COMPANY
P.O. BOX 488
MEDFORD, OR 97501

confirms the right to use the waters of ROGUE RIVER, a tributary of THE PACIFIC OCEAN, for IRRIGATION of 52.3 ACRES.

This right was perfected under Permit S-18531. The date of priority is OCTOBER 28, 1948. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.329 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
36 S	3 W	WM	13	SW NE	2	1550 FEET SOUTH AND 2340 FEET WEST FROM THE NE CORNER OF SECTION 13

The amount of water used for irrigation together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 4.5 acre-feet for each acre irrigated during the irrigation season FROM APRIL 2 TO OCTOBER 31 OF EACH YEAR.

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

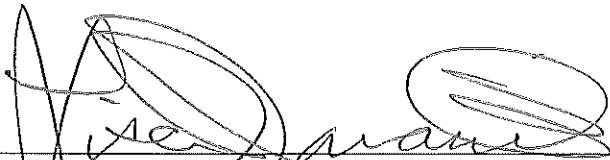
A description of the place of use to which this right is appurtenant is as follows:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
36 S	3 W	WM	12	SE SW	4	6.70
36 S	3 W	WM	12	SW SE	4	6.20
36 S	3 W	WM	13	NE NE		0.20
36 S	3 W	WM	13	NW NE		26.17
36 S	3 W	WM	13	SW NE	2	7.40
36 S	3 W	WM	13	NE NW	1	5.63
Total						52.3

This certificate describes that portion of water right Certificate 97008, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered ~~JUN 06 2025~~ approving Transfer Application T-14328.

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. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director, affixed JUN 06 2025.

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

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

WATER RIGHT TRANSFER COVER SHEET

Transfer: T-14328

Transfer Specialist: *Joan*

Transfer Type: **Historic POD Transfer**

Reimbursement Authority? ☐

Applicant: <i>J.</i> SHARON SMITH 8915 HARDY WAY GOLD HILL, OR 97525	Agent:	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"/>	S23502	S18531	97008	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>			<i>RR</i>	<input checked="" 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: September 18, 2023	Proposed Action(s): POINT OF DIVERSION	
Fees Pd: 1360.00	Acknowledgement Letter Sent <input checked="" type="checkbox"/>	Basin: 15 Rogue
Initial Public Notice: 9/28/2023	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"/> <i>No</i> ✓	Name of Newspaper: <i>NA</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
<i>DPD</i> <i>DEO</i>	Date: <i>5/9/24</i> Initials: <i>Joan</i>	Date: <i>5/14/24</i> Initials: <i>Scott</i>	Date: _____ Initials: _____	Date: _____ Initials: _____	CW Sent: <i>1/28/25</i> WM Sheet <input checked="" type="checkbox"/> ODFW Sheet: <input checked="" type="checkbox"/>	N/A
PD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____ Data Review Date: _____	Date: _____	Date: _____
FO	Date: <i>3-8-25</i> Initials: <i>Joan</i>	Date: <i>3/11/25</i> Initials: <i>Scott</i>	Date: _____ Initials: <i>Conny</i>	Date: _____ Initials: <i>Joan</i>	Date: <i>5/12/25</i> No. of docs for sig: <i>3</i>	Date: <i>6/6/2025</i>

Special Issues: *Measurement Devices / WM - ODFW - #2 Screen now*

Special Order Volume: Vol. *134* Pages *896-899*

while etc. sent also

SMITH Joan M * WRD

From: Sharon Smith <tershar80@gmail.com>
Sent: Tuesday, February 4, 2025 12:17 PM
To: SMITH Joan M * WRD
Subject: Fw: TAX LOT 363W13-800 ACCT 10985931
Attachments: Details for account number 1-098593-1.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Joan, Please let me know if this is sufficient for the Report of Ownership.

Thank you for your help
Sharon Smith

From: Tania Jimenez <JimeneTJ@jacksoncountyor.gov>
Sent: Tuesday, February 4, 2025 1:49 PM
To: 'tershar80@gmail.com' <tershar80@gmail.com>
Subject: TAX LOT 363W13-800 ACCT 10985931

Good morning,
Per conversation with Sharon Smith, I wanted to confirm that Jackson County owns TAX LOT 363W13-800. Please find the attachment with the account details.

Oregon Water Resource Department: APPLICATION T14328
ATTN: Joan Smith

Best,
Tania Stockman
Deputy Tax Collector
Accountant Specialist II

10 S Oakdale Rm 111
Medford, OR 97501
Office: 541-774-6541
Direct: 541-774-6529
Fax: 541-774-6738

To View your account or pay online: www.jacksoncountyor.gov/tax



www.jacksoncounty.org/tax

CONFIDENTIALITY NOTICE: THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL, AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR THE EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY THE SENDING PARTY IMMEDIATELY BY TELEPHONE.



Oregon

Tina Kotek, Governor

Department of Fish and Wildlife

Rogue Watershed District Office

1495 East Gregory Rd.

Central Point, OR 97502

Phone: 541-826-8774

Fax: 541-826-8776

www.odfw.com



February 4, 2025

Sharon Smith
8915 Hardy Way
Gold Hill, OR 97525

Dear Sharon,

Regarding OWRD Transfer T-14328, ODFW has determined the fish screen at the point-of-diversion meets current fish protection criteria, and fish bypass devices are not necessary. This approval is contingent on the following: current conditions remain unchanged, screens are installed so effective screen area is submerged during operation, the screen is regularly inspected and maintained to ensure it remains in working order (including debris removal), and the screen is annually inspected when it is not in use. Thank you.

Sincerely,

Josh Kelsey
Screens and Passage Coordinator
Fish Screening and Passage Program
(541) 857-2424

Account Sequence	Map TL Sequence	Assessment Year 2024 ▼	Print Window	Close Window
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Assessment Info for Account [REDACTED] Map 363W13 Taxlot 800
Report For Assessment Purposes Only Created February 04, 2025

Account Info		Tax Year 2024 Info		Land Info	
Account	[REDACTED]	Pay Taxes Online		Tax Code	[REDACTED]
Map	363W13 800			Acreage	4.26
Taxlot					Zoning
Owner	JACKSON COUNTY	Tax Report	Details		Land Class
Situs Address		Tax History	Details	UNK 4.26 Ac	
HARDY WAY CENTRAL POINT/COUNTY R		Tax Details	Details	Property Class	950
	JACKSON COUNTY	Tax Rates	Details	Unit ID	286059-1
Mailing Address				Maintenance Area	3
	MEDFORD OR, 97501			Neighborhood	000
Appraiser				Study Area	20
				Account Status	ACTIVE
				Tax Status	Non-Assessable
				Sub Type	NORMAL

Sales Data (AS 400)

☒ Value Summary Detail (For Assessment Year 2024)

☒ Market Value Summary (For Assessment Year 2024)

Code Area	Type	Acreage	RMV	M5	MAV	AV
6-03	LAND	4.26	\$ 0	\$ 0	\$ 0	\$ 0
Total:			\$ 0	\$ 0	\$ 0	\$ 0

Photos and Scanned Documents

SCANNED ASSESSOR DOCUMENTS

(See new portal) (See new portal) [Portal](#)


☒ Account Comments

9/17/07 long narrow parcel fronting the river located in the flood plain and flood way--change PC to 950 #69<<<08/25/2010 CHANGE RMV CLASS ONLY. #104>>>

☒ Exemptions / Special Assessments / Notations / Potential Liability

Notations			
Description	Tax Amount	Year Added	Value Amount
CARTOGRAPHIC ACTIVITY		2007	
ADD/ REMOVE EXEMPTION		2024	

☒ Location Map



County of Jackson, OR, Bureau of Land Management, State of Oregon, State of Oregon DOT, State of Oregon GEO, Esri Canada, Esri, HERE, Garmin, I... Powered by Esri

[Close Window](#) [Print Window](#)



JACKSON COUNTY DEVELOPMENT SERVICES

TYPE 1 LAND USE DECISION FLOODPLAIN DEVELOPMENT PERMIT STAFF REPORT

DEVELOPMENT SERVICES

Tracie Nickel, CFM
Planner III

10 South Oakdale Ave.
Medford, OR 97501
Phone: (541) 774-6951
Fax: (541) 774-6791
nickettl@jacksoncountyor.gov

OWNER: Sharon Smith
8915 Hardy Way
Gold Hill Oregon 97525

Record: 439-23-01572-ZON

MAP DESCRIPTION:

TWNSHP: 36 RANGE: 3W SECTION: 13 TAX LOT: 1100/800

LOCATION: 8915 Hardy Way, Gold Hill, Oregon

NATURE OF APPLICATION: A Floodplain Development Permit (FP) authorizing a portable river pump. Irrigation is authorized through Water Right Certificate 97008. Water is used for residential irrigation

STAFF DECISION: Approval with conditions.

I. BACKGROUND INFORMATION

- A. **Lot Size:** tax lot 1100/1.96 acres and tax lot 800/4.26 acres.
- B. **Zoning:** RR-2.5
- C. **Fire Protection:** FD #3
- D. **Access:** Hardy Way
- E. **Areas of Special Concern:** scenic resource
- F. **Overlays:** Floodplain/Wildfire
- G. **Current Land Use:** residential

II. APPLICABLE CRITERIA

To approve this application, the County must determine that the application is in conformance with Managing Development Within the Special Flood Hazard Area (SFHA) Unit #5.

III. FINDINGS OF CONFORMANCE

1) Managing Development Within the Special Flood Hazard Area (SFHA) Unit #5 page 5-18.

FINDING/CONCLUSION: This section provides discretion to the floodplain manager to exempt obviously insignificant activities from floodplain permit. Activities such as erecting a flag poles, planting a garden, farming, replacing a mailbox, painting or re-roofing a structure are considered exempt. Staff considers a removable irrigation pump as an insignificant activity because the project will not obstruct flood flows or alter drainage and will be removed between October and May.

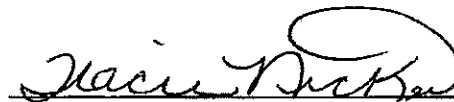
IV. **CONCLUSION:** The proposal to allow a removable irrigation pump in the Special Flood Hazard Area (SFHA) has been found to be consistent with Managing Development Within the (SFHA) Unit #5 page 5-18.

V. **DECISION:** File 439-23-01572-ZON, an application for a Type 1 land use decision to allow a flood plain development permit on property described as Township 36, Range 3 West, Section 13, Tax Lot 1100/800 is hereby approved subject to the following conditions:

- 1) **Irrigation Pump Removal:** The irrigation pump and irrigation lines shall be removed between October and May.
- 2) **Expiration:** Pursuant to LDO Section 2.6.8 this approval is valid for four (4) years from the date of the final decision and will expire unless development has been initiated, as defined in LDO Section 13.3. This approval may be extended for an additional period not to exceed two (2) year on request.

This decision is limited to the County's review of applicable zoning rules and land use law, as outlined in the Jackson County Comprehensive Plan, the Jackson County Land Development Ordinance, and the Oregon Administrative Rules and Oregon Revised Statutes relating to land use. Other County, State and Federal agencies may have regulatory review authority for development projects. The decision rendered herein neither implies nor guarantees compliance with the requirements of any other regulatory agency. It is the property owner's responsibility to ensure that the development complies with the requirements of any other regulatory agency or provisions of law prior to initiating development.

JACKSON COUNTY PLANNING DIVISION

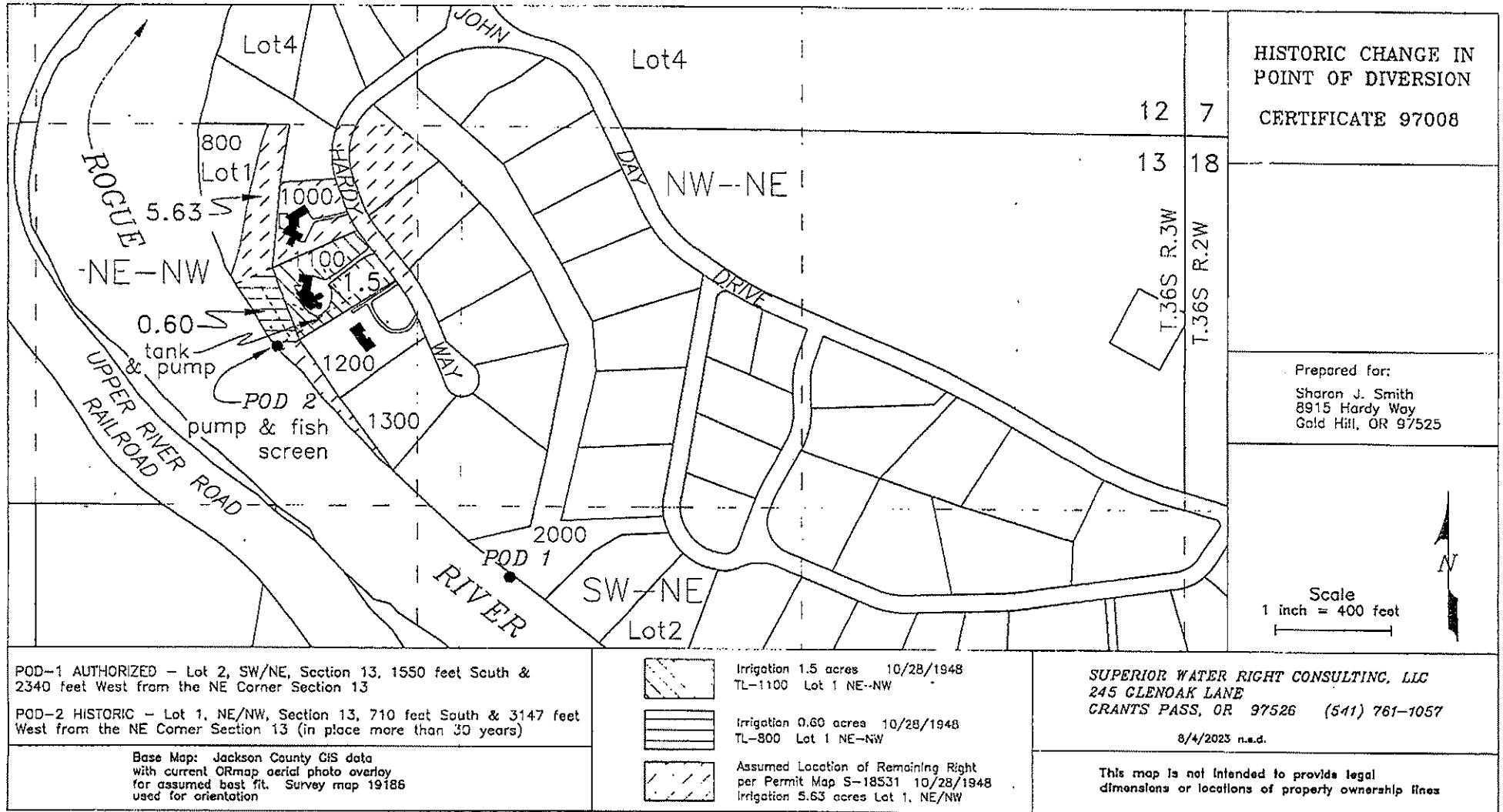


By: Tracie Nickel
Planner III

Date: February 15, 2024

Township 36 South, Range 3 West, W.M.

Jackson County, Oregon



Conditionally Approved (✓)
Approved ()
Denied ()

By: Jacir Date 2-15-2024
Jackson County Development Services

SMITH Joan M * WRD

From: normthewaterguy@charter.net
Sent: Sunday, February 18, 2024 9:05 AM
To: SMITH Joan M * WRD
Cc: ssmith078@centurylink.net
Subject: T-14328
Attachments: T-14328-Flood Plain.pdf

Hi Joan,

Please put the attached Flood Plain Development Permit in the file for T-14328.

Thank you.

Norm

Norm Daft
(541) 761-1057



**JACKSON COUNTY
DEVELOPMENT SERVICES**

TYPE 1 LAND USE DECISION

**FLOODPLAIN DEVELOPMENT PERMIT
STAFF REPORT**

**DEVELOPMENT
SERVICES**

Tracie Nickel, CFM
Planner III

10 South Oakdale Ave.
Medford, OR 97501
Phone: (541) 774-6951
Fax: (541) 774-6791
nickelt@jacksoncountyor.gov

OWNER: Sharon Smith
8915 Hardy Way
Gold Hill Oregon 97525

Record: 439-23-01572-ZON

MAP DESCRIPTION:

TWNSHP: 36 **RANGE:** 3W **SECTION:** 13 **TAX LOT:** 1100/800

LOCATION: 8915 Hardy Way, Gold Hill, Oregon

NATURE OF APPLICATION: A Floodplain Development Permit (FP) authorizing a portable river pump. Irrigation is authorized through Water Right Certificate 97008. Water is used for residential irrigation

STAFF DECISION: Approval with conditions.

I. BACKGROUND INFORMATION

- A. **Lot Size:** tax lot 1100/1.96 acres and tax lot 800/4.26 acres.
- B. **Zoning:** RR-2.5
- C. **Fire Protection:** FD #3
- D. **Access:** Hardy Way
- E. **Areas of Special Concern:** scenic resource
- F. **Overlays:** Floodplain/Wildfire
- G. **Current Land Use:** residential

II. APPLICABLE CRITERIA

To approve this application, the County must determine that the application is in conformance with Managing Development Within the Special Flood Hazard Area (SFHA) Unit #5.

III. FINDINGS OF CONFORMANCE

1) Managing Development Within the Special Flood Hazard Area (SFHA) Unit #5 page 5-18.

FINDING/CONCLUSION: This section provides discretion to the floodplain manager to exempt obviously insignificant activities from floodplain permit. Activities such as erecting a flag poles, planting a garden, farming, replacing a mailbox, painting or re-roofing a structure are considered exempt. Staff considers a removable irrigation pump as an insignificant activity because the project will not obstruct flood flows or alter drainage and will be removed between October and May.

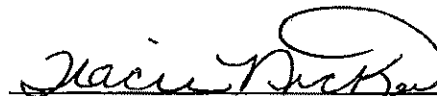
IV. **CONCLUSION:** The proposal to allow a removable irrigation pump in the Special Flood Hazard Area (SFHA) has been found to be consistent with Managing Development Within the (SFHA) Unit #5 page 5-18.

V. **DECISION:** File 439-23-01572-ZON, an application for a Type 1 land use decision to allow a flood plain development permit on property described as Township 36, Range 3 West, Section 13, Tax Lot 1100/800 is hereby approved subject to the following conditions:

- 1) **Irrigation Pump Removal:** The irrigation pump and irrigation lines shall be removed between October and May.
- 2) **Expiration:** Pursuant to LDO Section 2.6.8 this approval is valid for four (4) years from the date of the final decision and will expire unless development has been initiated, as defined in LDO Section 13.3. This approval may be extended for an additional period not to exceed two (2) year on request.

This decision is limited to the County's review of applicable zoning rules and land use law, as outlined in the Jackson County Comprehensive Plan, the Jackson County Land Development Ordinance, and the Oregon Administrative Rules and Oregon Revised Statutes relating to land use. Other County, State and Federal agencies may have regulatory review authority for development projects. The decision rendered herein neither implies nor guarantees compliance with the requirements of any other regulatory agency. It is the property owner's responsibility to ensure that the development complies with the requirements of any other regulatory agency or provisions of law prior to initiating development.

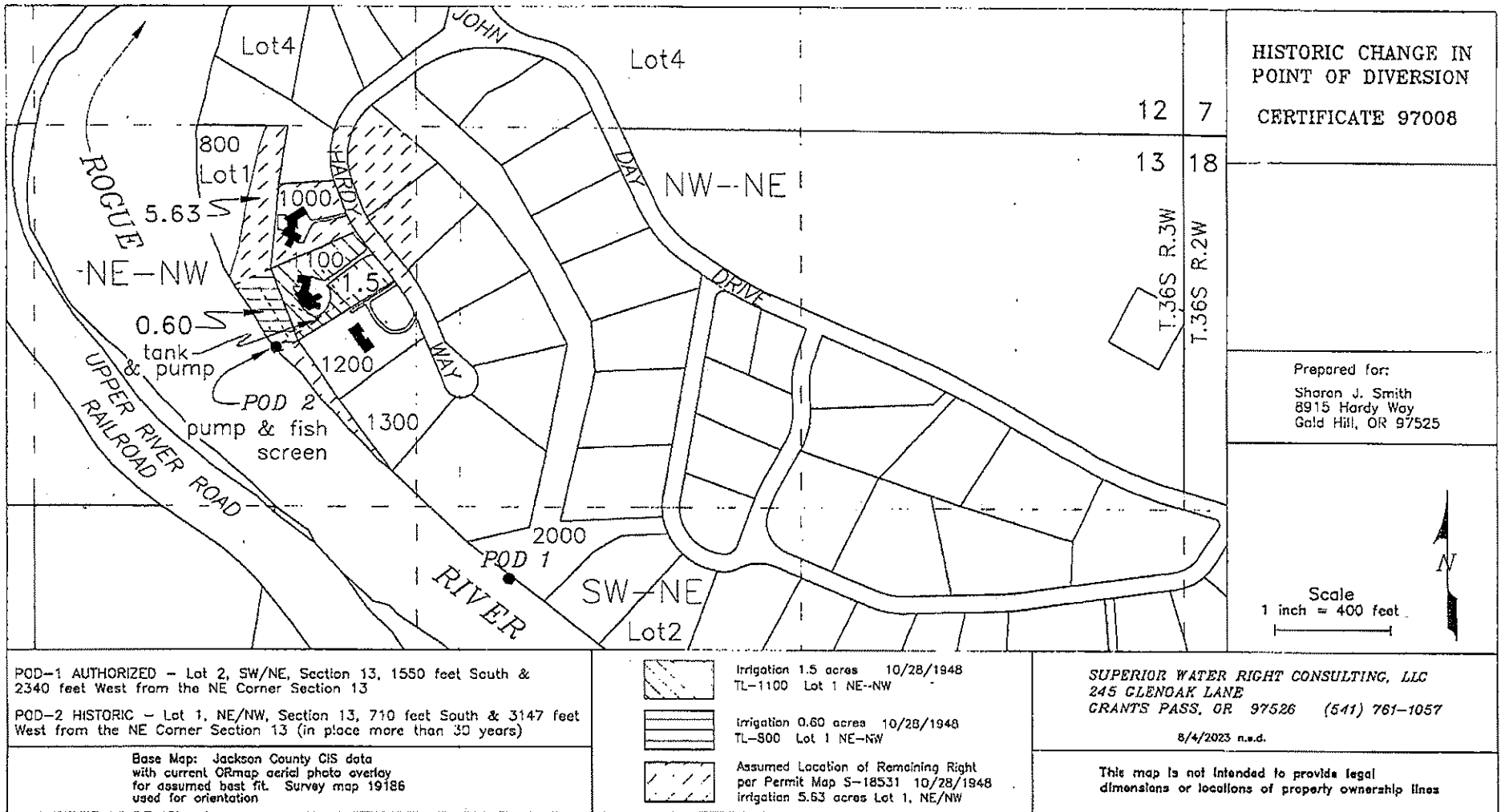
JACKSON COUNTY PLANNING DIVISION



By: Tracie Nickel
Planner III

Date: February 15, 2024

Township 36 South, Range 3 West, W.M.
Jackson County, Oregon



Conditionally Approved (✓)
Approved ()
Denied ()

By: Jacira Date 2-15-2024
Jackson County Development Services

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-14328

Review Due Date: 10/20/2023

Applicant Name: Sharon J. Smith

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:

☐

Weir

☐

Submerged Orifice

☐

Parshall Flume

☐

Flow Restrictor

☐

Other: _____

Oregon Water Resources Department

Measurement Condition Information for the Applicant

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

Transfer #: T- 14328



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



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



at each new point of diversion/appropriation.

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

Watermaster name: **Greg Wacker**District: **16**Address: **725 Summer St NE Ste A**City/State/Zip: **Salem, OR 97301**Phone: **971-719-6262**Email: **gregory.j.wacker@water.oregon.gov**

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

Approval of an Alternate Measurement Device

T-

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

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

Watermaster signature

District

Date

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

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

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

Reference Transfer #: T-14328

Date of review: 10/12/23

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

☐ **1. Screen Maintain**

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

Note: This option will yield the following:

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

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

☒ **2. Screen Now**

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

Note: This option will yield the following:

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

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

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

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

☐ **3. Screen 2 Year**

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

Note: This option will yield the following:

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

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

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

☐ **4. Screen Future**

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

Note: This option will yield the following:

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

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

☐ **5. No Screen Needed**

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

Signature

Jason Brandt
Printed Name

(541) 315-6222

Phone

SW Hydro Coordinator
Title

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

Transfer #: T-14328

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: Daniel Van Dyke

Address: 1495 E Gregory Rd

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

Phone: (541) 857-2409



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

www.oregon.gov/owrd

September 20, 2023

SHARON SMITH
8915 HARDY WAY
GOLD HILL, OR 97525

Reference: Application T- 14328

On September 18, 2023, OWRD received your water right application for an Historic POD Transfer. The application was accompanied by \$1360.00. Our receipt number 141647 is enclosed.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the requested change. A review form is also being sent to Oregon Department of Fish and Wildlife to determine if a fish screen will be required.

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

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

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

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

Enclosure

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

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

RECEIPT # **141647**

INVOICE # _____

RECEIVED FROM: Terrell H Smith
BY: Sharon J Smith

APPLICATION	
PERMIT	
TRANSFER	<u>T-14328</u>

CASH: ☐ CHECK: # 527 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 1,360.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$
OTHER: (IDENTIFY) \$

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

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

WATER RIGHTS:

0201 SURFACE WATER	\$	0202	\$
0203 GROUND WATER	\$	0204	\$
0205 TRANSFER	\$ <u>1,360.00</u>		

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 \$
0210 MONITORING WELLS \$
OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FWWRD) \$
0231 HYDRO LICENSE FEE (FWWRD) \$
HYDRO APPLICATION \$

TREASURY OTHER / RDX

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

RECEIPT:

141647

DATED:

9-18-2023

BY:

[Signature]

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



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

**This historic change in point of diversion/appropriation application will be returned if
Parts 1 through 5 and all required attachments are not completed and included.**

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

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

RECEIVED

SEP 18 2023

OWRD

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at:
http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator.
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about the Transferred Water Rights: **How many water rights are to be transferred?** 1 **List them here:** 97008

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

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

Attachments:

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

(For Staff Use Only)

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

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

Other/Explanation _____

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

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

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

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

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

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Part 3 of 5 – Fee Worksheet

FEE WORKSHEET for HISTORIC POD/POA TRANSFER			
1	Base Fee (includes Historic POD change to one water right for up to 1 cfs)	1	\$1,360
2	Number of water rights included in transfer <u>1</u> (2a) Subtract 1 from the number in 2a above: <u>0</u> (2b) <i>If only one water right this will be 0</i> Multiply line 2b by \$610 and enter » » » » » » » » » » » » » » » »	2	0
3	Do you propose to add or change a well, or change from a surface water POD to a well? <input checked="" type="checkbox"/> No: enter 0 <input type="checkbox"/> Yes: enter \$480 for the 1 st well to be added or changed <u>0</u> (3a) Do you propose to add or change additional wells? <input checked="" type="checkbox"/> No: enter 0 <input type="checkbox"/> Yes: multiply the number of additional wells by \$410 <u>0</u> (3b) Add line 3a to line 3b and enter » » » » » » » » » » » » » » » »	3	0
4	Add entries on lines 1 through 3 above » » » » » » » » Transfer Fee:	4	\$1,360

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

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SEP 18 2023

OWRD

- 14328

Part 4 of 5 – Applicant Information and Signature

Applicant Information

Note: Applicant must be an INDIVIDUAL, as defined by OAR 690-380-2120, that is “a natural person and does not include a government body, organization, business enterprise, or other such entity.”

APPLICANT/BUSINESS NAME Sharon J. Smith			PHONE NO. 541-855-1831	ADDITIONAL CONTACT NO.
ADDRESS 8915 Hardy Way			FAX NO.	
CITY Gold Hill	STATE OR	ZIP 97525	E-MAIL ssmith078@centurylink.net	
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			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS			FAX NO.	
CITY	STATE	ZIP	E-MAIL	
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:

I want to make the current pump location the authorized point of diversion as it's been used for more than 10 years

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

By signing this application, I understand that prior to Department approval of the historic change in point of diversion/appropriation, I will be required to provide landownership information and evidence that I am authorized to pursue the change as identified in OAR 690-380-4010(5).

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


Applicant signature

Sharon Smith
Print Name (and Title if applicable)

9/8/2023
Date

Applicant signature

Print Name (and Title if applicable)

Date

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

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

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

If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. For more information see:

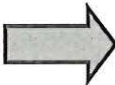
<http://www.oregon.gov/owrd/docs/transfer-propertytransactions.pdf>

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

Describe any special ownership circumstances here: _____ Tax Lot 800 is owned by Jackson County but there is no deed

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

ENTITY NAME	ADDRESS		
CITY	STATE	ZIP	

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

ENTITY NAME Jackson County Planning	ADDRESS 10 South Oakdale Ave., Rm 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 5, to copy and paste additional Part 5s, or to add additional rows to tables

CERTIFICATE # 97008

Description of Water Delivery System

System capacity: _____ cubic feet per second (cfs) OR
 25 _____ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. A 2 HP electrical centrifugal pump delivers water via a pvc pipeline to a buried holding tank with a 1.5 HP submersible pump then to impact sprinklers and drippers

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

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it the Current POD/POA that has been used for more than 10 years?	If POA, OWRD Well Log ID# (or Well ID Tag # L-__)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Current		36	S	3	W	13	SW	NE	2	1550' S & 2340' W from the NE Corner Sec. 13
2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Current		36	S	3	W	13	NE	NW	1	710' S & 3147' W from the NE Corner Sec. 13
	<input type="checkbox"/> Authorized <input type="checkbox"/> Current										
	<input type="checkbox"/> Authorized <input type="checkbox"/> Current										

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

- ☒ Point of Diversion (POD)

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

☐ Additional Point of Appropriation (APOA)

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

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

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Please use and attach additional pages of Table 2 as needed. Do you have questions about how to fill-out the tables? See page 5 for instructions, or contact the Department at 503-986-0900 and ask for Transfer Staff.

Table 2. Description of Changes to Water Right Certificate # 97008

List only the part of the right that will be changed. For the acreage in each $\frac{1}{4}$ $\frac{1}{4}$, list the change proposed. If more than one actual, current POD/POA, specify the acreage associated with each actual, current POD/POA.

Authorized ("from" lands) as they appear before the changes											Proposed Change (POD, POA, APOD, or APOA)	Current (in use for more than ten years) POD(s)/ POA(s) to be used (from Table 1)	Priority Date
Twp		Rng		Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres (if applicable)	POD(s) or POA(s) (name or number from Table 1)			
2	S	9	E	15	NE	NW	100		15.0	POD #1 POD #2	POD	POD #5	1897
11	11	11	11	11	11	11	11	11	EXAMPLE	11	11	11	11
36	S	3	W	13	NE	NW	1100	1	1.5	POD 1	POD	POD 2	1948
36	S	3	W	13	NE	NW	800	1	0.60	POD 1	POD	POD 2	1948
								Total	2.1				

Additional remarks: Tax lot 800 is owned by Jackson County but has no deed

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

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

OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

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Application for Water Right
Historic POD/POA Transfer
Watermaster Statement



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

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I, Trevor Smith, Watermaster of District 13,

state that to my knowledge, there has been no claim of injury due to use of an historic point of diversion/appropriation for Certificate 97008

from Rogue River located as follows:
(source)

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

Twp	Rng	Mer	Sec	Q-Q	DLC	GLot	Measured Distances
36S	3W	W.M.	13	NE NW		1	710 feet South & 3147 feet West from the NE corner of section 13

OR

☐ by GPS coordinates: Latitude: _____

Longitude: _____

OR

☐ as shown on the attached map.

Trevor Smith
Signature

8/22/2023
Date

14328

Land Use Information Form



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

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Applicant(s): Sharon J. Smith

Mailing Address: 8915 Hardy Way

City: Gold Hill State: OR Zip Code: 97525 Daytime Phone: 541-855-1831

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
36S	3W	13	NE-NW	1100	RR-2.5	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	residential irrigation
36S	3W	13	NE-NW	800	WR	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	residential irrigation
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

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

Jackson

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) Rogue River

Estimated quantity of water needed: 20 ☐ cubic feet per second ☒ gallons per minute ☐ acre-feet

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

Briefly describe:

I am applying to make my pump diversion the authorized point of diversion as it has been in place for more than 10 years

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

- ☐ 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:	
Floodplain Development Permit	CSD 7.2	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input checked="" 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: Planner III

Signature: Francisco Hernandez Phone: 541-774-6907 Date: 08-14-2023

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.

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

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, Sharon J. Smith, in my capacity as Property Owner

mailing address 8915 Hardy Way, Gold Hill, OR 97525

telephone number (541) 855-1831, being first duly sworn depose and say:

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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)
97008	36	S	3	W	WM	13	NE NW	1	2.1

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 # 97008 (For Historic POD/POA Transfers)

(continues on reverse side)

14328

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

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.

Shaw J. Smith
Signature of Affiant

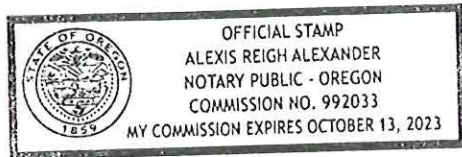
8/11/2023
Date

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Signed and sworn to (or affirmed) before me this 11 day of August, 2023.



Alexis Reigh Alexander
Notary Public for Oregon

My Commission Expires: 10-13-2023

Supporting Documents	Examples
<input type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of confirming water right certificate that shows issue date
<input checked="" type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none">• 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 type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph	<p>Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added.</p> <p>Sources for aerial photos: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terraserver.com</p>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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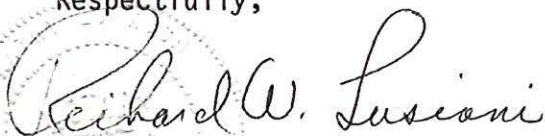
August 10, 1992

To Whom It May Concern;

Regarding Lot 4 in block 2 of Gold Rey Subdivision
Unit No.1 in Jackson County.
(Tax lot 900, T.365.,R.3W.,Sec.13A)

The lot refferd to above is next to my residence. In the past six years
I have irrigated a portion of said lot with water pumped from the
Rouge River. I have a permit to pump water from the river.

Respectfully,



Richard W. Lusiani
8881 Hardy Way
Gold Hill, Oregon 97525

SUBSCRIBED AND SWORN TO BEFORE ME

THIS 11th DAY OF Aug. 1992



NOTARY PUBLIC

Commission Ex: 6-20-93

14328

WORTHINGTON LAND DESIGN
1138 HIGHLANDS DRIVE
EAGLE POINT OREGON 97524
541 826-5635

Bonded Insured Lic. 6880

Contractor Agreement

This agreement made the 2/2/11, by and between WORTHINGTON LAND DESIGN, hereinafter called the Contractor and TERRELL & SHARON SMITH hereinafter to be called the Owner.

Article 1. Scope of the Work SEE INVOICE # 94

The Contractor shall furnish all of the materials and perform all of the work shown on the Drawings and/or described in the Specifications entitled Exhibit A, as annexed hereto as it pertains to work to be performed on the property at 8915 HARDY WAY 541 855 1831 phone #

Article 2. Time of Completion

The work to be performed under this contract shall be commenced on or before 4/23/12 and shall be completed on or before 6/23/12

Article 3. The Contract Price

The Owner shall pay the Contractor for the material and labor to be performed under the Contract the sum of **NINE THOUSAND SIX HUNDRED THIRTY FIVE NO 100**
\$ 9,635.00 Dollars, subject to additions and deductions pursuant to authorized change orders.

Article 4. Progress Payments

Payments of the Contract Price shall be paid in the manner following:

DOWN PAYMENT OF \$ ~~4,847.50~~ BALANCE ON COMPLETION OF \$ ~~4,847.50~~

5000.00 4635.00 2085.00 2550.00
Tom Bal

Article 5. General Provisions

1. All work shall be completed in a workmanship like manner and in compliance with all building codes and other applicable laws.
2. To the extent required by law all work shall be performed by individuals duly licensed and authorized by law to perform said work.
3. Contractor may at its discretion engage subcontractors to perform work hereunder, provider Contractor shall fully pay said fully pay said subcontractor and in all instances remain responsible for the proper completion of this Contract.
4. Contractor shall furnish Owner appropriate releases or waivers to lien all work performed or materials providers at the time the next periodic payment shall be due.
5. All change orders shall be in writing and signed both by Owner and Contractor.
6. Contractor warrants it is adequately insured for injury to its employees and others incurring loss or injury as result of the acts of Contractor or its employees of subcontractors.
7. Contractor shall at its own expense obtain al permits necessary for work to be performed.
8. Contractor agrees to remove all debris and leave the premises in broom clean condition.
9. In the event Owner shall fail to pay any periodic or installment payment due hereunder, Contractor may cease work; without breach pending payment or resolution of any dispute.
10. All disputes hereunder shall be resolved by binding arbitration in accordance's with rules of the American Arbitration Association.
11. Contractor shall not be liable for any delay due to circumstances beyond its control including strikes, casualty, or general unavailability of materials.
12. Contractor warrants all work for a period of 12 months following completion.

Article 6. Other Terms

Contractor shall not be held responsible for vandalism, negligence, lack of maintain, extreme weather, or acts of God.

Signed under seal this




By Lem Worthington
Contractor

By Owner

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PROPOSAL

O'BRIEN ELECTRIC - 221 N. CENTRAL - # 292 - MEDFORD, OR 97501 - 779-4062
OR.CCB #65243 CA. #514292

Wiring irrigation pump house

PROPOSAL SUBMITTED TO:

NAME: Worthington Land Design
STREET: 1138 Highlands Dr
CITY: Eagle Point
STATE: OR
ZIP CODE: 97524
PHONE NUMBER : 541-890-6300

04/26/12

WORK TO BE PERFORMED AT:

STREET: 8915 Hardy Way
CITY: Gold Hill
OWNER: Smith
ARCHITECT: N/A
PHONE NUMBER: 541-855-1851

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We hereby propose to furnish the materials, permits and perform the labor necessary for the completion of wiring including:

220V 40A subpanel and 3 branch circuits for pumps and lighting in pump house. Panel to be fed from main house. Installation of one post mounted 120V receptacle by river. Trenches (min 18" to top of conduit) and refilling to be provided by Worthington Land Design. Replace damaged 50A breaker in Meter Panel.

NOTE:

No other wiring or repair is included. Additional work to repair or replace old wiring will be billed at \$75.00 per man- hour plus materials.

Any patching/repair of wall penetrations due to this installation is not included and to be done by others.

8' ground rods need to be driven. The underground utility marking service has been contacted and will mark existing lines up to their connection. I cannot be responsible for any damage to any unknown or unmarked underground lines or fixtures due to driving the ground rods.

The above work shall be completed in a substantial workmanlike manner for \$2085.00

Two Thousand Eighty Five Dollars

With payment to be made as follows: as work progresses with balance immediately upon final inspection.

Any alteration or deviation from above specifications involving extra costs, will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance upon above work. Workmen's Compensation on above work to be taken out by Labor Ready and Public Liability Insurance on above work to be taken out by O'Brien Electric.

Respectfully submitted

Tom O'Brien

Tom O'Brien

Note: This proposal may be withdrawn by us if not accepted within 30 days.

Acceptance of Proposal: The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date: _____ Signature _____

pd. check # 1179
2085.00

14328

pd in full
for electric work
pd 1181 2674.98

WORTHINGTON LAND DESIGN
 1138 highlands dr.
 lic. 12629 & INSURED
 eagle point, or 97524
 Tel.: 541 826 5635
 Fax:

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 SEP 18 2023
 OWRD

Invoice
94

CUSTOMER ORDER NO.	DATE	PAGE
smithy	4/18/2012	1

SOLD TO:
SMITHY 8915 HARDY WAY 541 855 1831

SHIP TO:
SMITHY 8915 HARDY WAY 541 855 1831

PO NO.	TERMS	SALESPERSON	SHIP VIA	SHIP DATE	FOB
	1% 5 days / Net 15			4/18/2012	

ITEM	QUANTITY	UNIT	DESCRIPTION	TX	UNIT PRICE	AMOUNT
	1.00		NEW IRRIGATION SYSTEM THREE SPRAY ZONES BY RIVER AND THREE DRIP ZONES AROUND HOUSE AND OUT TO ROAD, NEW PIPING FOR PUMP IN RIVER TO HOLDING TANK NEW 1.5 HP PUMP, 20 GAL. PRESSURE TANK FLOAT SWITCH FOR RIVER PUMP AND LOW PRESSURE SWITCH FOR 1.5 PUMP \$ 3841.50 and labor\$ 2,250.00		\$6,491.50	\$6,491.50
	1.00		CLEAN AND GRADE FOR NEW GRASS SEED 200 lbs. fertilizer 150 lbs. tractor and labor BY RIVER		\$1,058.50	\$1,058.50
	1.00		all electric done by TOM OBRIEN ELECRC new 40 service to holding tank for two pumps and line to river and repair to service pannel		\$2,085.00	\$2,085.00

COMMENTS

SUBTOTAL	\$9,635.00
FREIGHT	\$0.00
TAX	\$0.00
TOTAL AMOUNT	\$9,635.00
AMOUNT RECEIVED	\$0.00
BALANCE DUE	\$9,635.00

328

9-7-2023

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Superior Water Right Consulting, LLC

NORM DAFT
"The Water Guy"

245 Glenoak Lane
Grants Pass, OR 97526

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

September 11, 2023

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

Transfer Section,

Please find the enclosed documents:

1. Application for Historic Change in Point of Diversion.
2. Map of water right to be transferred and remaining right
3. Land Use Information Form signed by Jackson County Planner
4. Watermaster Statment
5. Evidence of Use affidavit with supporting documentation and aerial photo
6. Death certificate of co-trustee of the property
7. A check for \$1,360.00 to cover OWRD fee

Sharon Smith is applying for a flood plain development permit as requested by Jackson County. A copy will be submitted when received

Thank you.

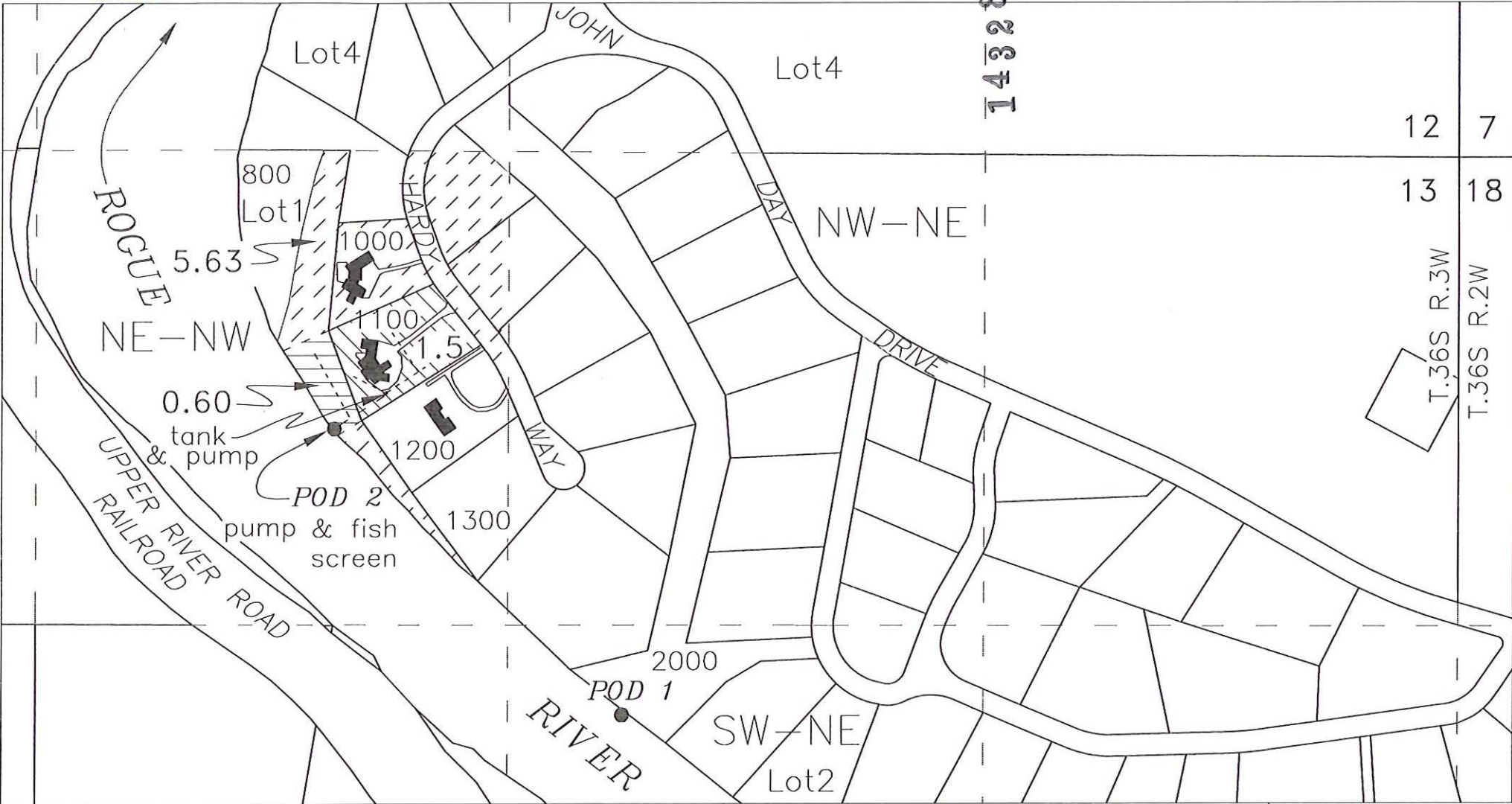
Norman E. Daft

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Township 36 South, Range 3 West, W.M.
Jackson County, Oregon



HISTORIC CHANGE IN
POINT OF DIVERSION
CERTIFICATE 97008

Prepared for:
Sharon J. Smith
8915 Hardy Way
Gold Hill, OR 97525

Scale
1 inch = 400 feet

POD-1 AUTHORIZED - Lot 2, SW/NE, Section 13, 1550 feet South & 2340 feet West from the NE Corner Section 13
POD-2 HISTORIC - Lot 1, NE/NW, Section 13, 710 feet South & 3147 feet West from the NE Corner Section 13 (in place more than 30 years)

Base Map: Jackson County GIS data
with current OReam aerial photo overlay
for assumed best fit. Survey map 19186
used for orientation

- Irrigation 1.5 acres 10/28/1948
TL-1100 Lot 1 NE-NW
- Irrigation 0.60 acres 10/28/1948
TL-800 Lot 1 NE-NW
- Assumed Location of Remaining Right
per Permit Map S-18531 10/28/1948
Irrigation 5.63 acres Lot 1, NE/NW

SUPERIOR WATER RIGHT CONSULTING, LLC
245 GLENOAK LANE
GRANTS PASS, OR 97526 (541) 761-1057
8/4/2023 n.e.d.

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