

T-13308

Regular

~~CANCELLED~~ REINSTATED

T-13308

Name Draper Valley Farms  
Jeff GattoAddress 1751 Draper Valley Rd  
Selma, Oregon 97538Change in UseDate Filed 12/11/2019Initial notice date 12/24/2019DPD issued date 10/15/2020PD issued date 11/19/2021PD notice date 11/24/2021Date of FO 3/31/2021 Vol 118 Page 77-83Ext of Time 9/26/2025 Vol 135 Page 687-688C-Date 10/11/2022COBU due date 10/11/2023

COBU Received date

Certificate issued

## DESCRIPTION OF WATER RIGHT(s)

Name of Stream Draper CreekTrib. of Deer CreekUse IrrigationCounty Josephine

Quantity of water (CFS)

No. of Acres

Name of ditch

App# 5-62818 Per # 5-47299 Cert # 63657 PR Date 09/22/1981

App# Per # Cert # PR Date

App# Per # Cert # PR Date

App# Per # Cert # PR Date

App# Per # Cert # PR Date

7-15-2025 App T.13308 cancelled, sov 135 Pg. 878-8-2025 App T.13308 Reinstated, sov 135 Pg. 2109

## FEES PAID

| Date       | Amount     | Receipt # |
|------------|------------|-----------|
| 12-11-19   | \$1,610.00 | 131512    |
| 1-3-2020   | \$1,610.00 | 131669    |
| 12-31-2020 | \$197.35   | 134242    |
| 7-31-2025  | \$780.00   | 145752    |

## FEES REFUNDED

| Date      | Amount    | Receipt # |
|-----------|-----------|-----------|
| 3/31/2021 | \$1130.00 | VP052037  |

Assignments:

Irrigation District

Agent Andrea Rabe - Rabe Consulting

CWRE

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



**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

RECEIPT # **131512**

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

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

RECEIVED FROM: Draper Valley Farms  
BY: \_\_\_\_\_

|             |                |
|-------------|----------------|
| APPLICATION |                |
| PERMIT      |                |
| TRANSFER    | <u>7-13308</u> |

CASH: ☐ CHECK: # 1062 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 1,610.00

**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:      |    | EXAM FEE | RECORD FEE |
|--------------------|----|----------|------------|
| 0201 SURFACE WATER | \$ | 0202     | \$         |
| 0203 GROUND WATER  | \$ | 0204     | \$         |

| 0205 TRANSFER               | \$ <u>1,610.00</u> |          |             |
|-----------------------------|--------------------|----------|-------------|
| WELL CONSTRUCTION           |                    | EXAM FEE | LICENSE FEE |
| 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 **RECEIVED**  
OBJ. CODE \_\_\_\_\_ VENDOR **OVER THE COUNTER**  
DESCRIPTION \_\_\_\_\_ \$ \_\_\_\_\_

RECEIPT: **131512**

DATED: 12-11-19 BY: Gillend



**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 # **145752**

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

RECEIVED FROM: Loe Therapeutics LLC

BY: \_\_\_\_\_

|             |         |
|-------------|---------|
| APPLICATION |         |
| PERMIT      |         |
| TRANSFER    | T-13308 |

CASH: ☐ CHECK: # 2307 OTHER: (IDENTIFY) ☐ \_\_\_\_\_

TOTAL REC'D \$ 780.00

**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 \$ 780.00

**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 # \_\_\_\_\_

DESCRIPTION \$ \_\_\_\_\_

RECEIPT:

**145752**

DATED:

7/31/25

BY:

[Signature]



**STATE OF OREGON**  
**WATER RESOURCES DEPARTMENT**

RECEIPT # **131669**

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

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

RECEIVED FROM: DVF LLC

BY: \_\_\_\_\_

APPLICATION \_\_\_\_\_

PERMIT \_\_\_\_\_

TRANSFER T-13308

CASH: ☐ CHECK: # 5124 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 1610.00

**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 \$ \_\_\_\_\_

0203 GROUND WATER \$ \_\_\_\_\_

0205 TRANSFER \$ 1,610.00

**WELL CONSTRUCTION**

0218 WELL DRILL CONSTRUCTOR \$ \_\_\_\_\_

**LANDOWNER'S PERMIT**

OTHER (IDENTIFY) \_\_\_\_\_

**EXAM FEE**

\$ \_\_\_\_\_ 0202 \$ \_\_\_\_\_

\$ \_\_\_\_\_ 0204 \$ \_\_\_\_\_

**EXAM FEE**

\$ \_\_\_\_\_ 0210 \$ \_\_\_\_\_

**RECORD FEE**

\$ \_\_\_\_\_

\$ \_\_\_\_\_

**LICENSE FEE**

\$ \_\_\_\_\_

**0536 TREASURY 0437**

0211 WELL CONST START FEE

0210 MONITORING WELLS

OTHER (IDENTIFY) \_\_\_\_\_

**0607 TREASURY 0467**

0233 POWER LICENSE FEE (FW)

0231 HYDRO LICENSE FEE (FW)

HYDRO APPLICATION

**TREASURY**

FUND \_\_\_\_\_

OBJ. CODE \_\_\_\_\_

DESCRIPTION \_\_\_\_\_

*Will need to  
refund \$1610.00  
extra fee.*

*Kelly*

*1/10/2020*

RECEIPT: **131669**

DATED: 1-3-2020 BY: Bilinski



**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

RECEIPT # **134242**

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

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

RECEIVED FROM: Room 22 LLC  
BY: \_\_\_\_\_

|             |                |
|-------------|----------------|
| APPLICATION |                |
| PERMIT      |                |
| TRANSFER    | <u>T-13308</u> |

CASH: ☐ CHECK: # 5011 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 197.35

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES 46118 \$  
0207 OTHER: (IDENTIFY) Newspaper Notice \$ 197.35

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      | \$ |      |    |

**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: **134242**

DATED: 12-31-2020 BY: [Signature]





# Oregon

Tina Kotek, Governor

## Water Resources Department

North Mall Office Building  
725 Summer St NE, Suite A  
Salem, OR 97301  
Phone 503 986-0900  
Fax 503 986-0904  
[www.oregon.gov/owrd](http://www.oregon.gov/owrd)

September 26, 2025

Jeff Gitto  
1751 Draper Valley Rd  
Selma, OR 97538

Reference: File T-13308

We have received your application for extension of the time limit to make complete application of water under T-13308. We also have your check in the amount of \$780.00. A copy of receipt number 145752 is enclosed.

The application indicates reasonable diligence toward completion of the proposed project. **The time limit to make complete application of water is extended to October 1, 2023.** The order approving the extension was entered September 26, 2025, at Vol:135, Page:687.

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 may be lost.

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 extension final order, whichever occurs first.

If you have any questions, please contact the Ann Reece at 503-979-3214.

Sincerely,

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

cc: Scott C. Ceciliani, Watermaster Dist. #14 (via email)  
Todd Zeutzius license #56123, CWRE  
Andrea Rabe, Agent

Enclosure



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

|                                              |                                    |
|----------------------------------------------|------------------------------------|
| In the Matter of Application for Extension ) | FINAL ORDER APPROVING AN EXTENSION |
| of Time for Transfer Application T-13308, )  | OF TIME FOR A PERMANENT TRANSFER   |
| Josephine County )                           |                                    |

**Applicant**

DRAPER VALLEY FARMS  
1751 DRAPER VALLEY ROAD  
SELMA, OR 97538

**Authority**

Oregon Administrative Rules (OAR) 690-380-5140(2) authorizes the Department to grant an extension of time to complete a transfer.

OAR 690-380-6020 establishes an application process and criteria for the review of extensions of time to complete a transfer as authorized by a final order issued under OAR Division 380.

OAR 690-380-6020 (3) establishes that extensions are granted for one year, from October 1 to October 1 of each year. Extensions may be granted for longer time if the applicant can justify the need for a longer period of time by submission of pertinent evidence.

**Findings of Fact**

1. On July 31, 2025, the Department received an application for extension of time for Transfer Application T-13308.
2. On March 30, 2021, the Department signed an order, which was mailed on March 31, 2021, approving Transfer Application T-13308 for change in place of use and character of use. The order was recorded in Special Order Volume 118, Pages 779-783. The order set a transfer completion date of October 1, 2022.
3. Since the approval of the transfer, the applicant has completed the changes needed for place of use and character of use prior to the original completion date of October 1, 2022, except for one totalizing flow meter. The final meter was installed after the completion date on May 17, 2023. All necessary changes have been completed for this transfer and no further work is needed.

**NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW**

This is an 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.



4. The applicant submitted a claim of beneficial use to the department on September 29, 2023.
5. The applicant has requested that the time for completion of beneficial use be extended to October 1, 2023. Consistent with OAR 690-380-6020(3), the Department will extend the transfer completion date to October 1, 2023.

#### Conclusions of Law

Pursuant to OAR 690-380-6020, the Director of the Water Resources Department concludes the applicant has shown reasonable diligence to complete the transfer within the time period established by the order approving Transfer Application T-13308.

**Now, therefore, it is ORDERED:**

The time for completion of the changes authorized by Transfer Application T-13308 shall be extended to **October 1, 2023**.

Signed at Salem, Oregon on SEP 26 2025.



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

Mailing date: SEP 29 2025



State of Oregon  
Water Resources Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1271  
(503) 986-0900

**Application for Extension of Time for  
Transfer of Water Right**

Transfer Number: T- 13308

A summary of review criteria and procedures that are generally applicable to these applications is available at [https://www.oregon.gov/owrd/WRDFormsPDF/transfer\\_extension\\_criteriareview.pdf](https://www.oregon.gov/owrd/WRDFormsPDF/transfer_extension_criteriareview.pdf)

|                                                                      |                        |                      |                                                                   |                                  |
|----------------------------------------------------------------------|------------------------|----------------------|-------------------------------------------------------------------|----------------------------------|
| Applicant = Transfer Holder of Record*<br><b>DRAPER VALLEY FARMS</b> |                        |                      | Contact Name<br><b>JEFF GITTO</b>                                 | Phone No.<br><b>541-450-2982</b> |
| Mailing Address<br><b>1751 DRAPER VALLEY ROAD</b>                    |                        |                      |                                                                   | Fax No.                          |
| City<br><b>SELMA</b>                                                 | State<br><b>OREGON</b> | Zip<br><b>97538</b>  | E-Mail<br><b>jgitto@gmail.com</b>                                 |                                  |
| Report Prepared By<br><b>Todd Zeutzius</b>                           |                        | Title<br><b>CWRE</b> | Contact Information<br><b>321 NW A St., Grants Pass, OR 97526</b> |                                  |

\*The applicant must be the transfer holder of record. If the applicant is not the transfer holder of record, the applicant must request an assignment of interest prior to submitting the transfer extension application. Alternatively, the request for assignment may be submitted simultaneously with the extension application. Separate checks for the fees is helpful. Links to assignment forms: <https://www.oregon.gov/owrd/WRDFormsPDF/assign.pdf>, [https://www.oregon.gov/owrd/WRDFormsPDF/Assign by proof.pdf](https://www.oregon.gov/owrd/WRDFormsPDF/Assign_by_proof.pdf)  
Contact information about assignments is available at <https://www.oregon.gov/owrd/programs/WaterRights/Permits/Assignment/Pages/default.aspx>

**To the WATER RESOURCES DIRECTOR OF OREGON:**

**1. I/WE, THE TRANSFER HOLDER(S) OF RECORD**, do hereby make application for an extension of time within which to complete a change in (check all that apply):

- ☐ point(s) of diversion/appropriation  
☒ place(s) of use  
☒ character of use

under the terms of a final order of the Water Resources Director entered on 3/31/2021 (month/day/year) for Transfer Number T- 13308

**2. THE FOLLOWING WORK HAS BEEN ACCOMPLISHED** toward completion of the change within the time allowed, which expired on 10/1/2022 (month/day/year):

Enter text below:

All items have been accomplished with the exception of the installation water meter before October 1, 2022 (C-Date). The Claim of Beneficial Use was also completed in September 29, 2023 and received by Oregon Water Resources on October 23, 2023.

Received  
JUL 31 2025  
OWRD



**3. TO FULLY COMPLETE THE CHANGE, it will be necessary to accomplish the following:**

Enter text below.

The water meter was installed on May 17, 2023. We are requesting that a time extension, of one year, be granted for the (C-Date) to October 1, 2023.

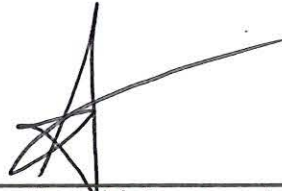
**4. I/WE ARE REQUESTING THE TIME FOR COMPLETION be extended to October 1, 2023 (year).**

*Transfer extensions can be authorized for one (1) calendar year from October 1 to October 1 of each year, or up to five (5) years for transfers involving municipal or quasi-municipal uses, unless the applicant can justify the need for a longer period of time by submission of pertinent evidence. OAR 690-380-6020 (3) and OAR 690-385-7200 (5).*

**5. I/WE CERTIFY THAT TO THE BEST OF MY/OUR KNOWLEDGE the information contained in this application is true and accurate.**

July 28, 2025

Date



Signature of Applicant(s), i.e. Transfer Holder(s) of Record

**6. IN ORDER FOR AN APPLICATION TO BE COMPLETE, it must be accompanied by the required fee. See the Department's fee schedule at [https://www.oregon.gov/owrd/WRDFormsPDF/fee\\_schedule.pdf](https://www.oregon.gov/owrd/WRDFormsPDF/fee_schedule.pdf) or call (503) 986-0900.**

**7. MAIL THE COMPLETED APPLICATION AND FEE TO:**

Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, OR 97301-1271

Received

JUL 31 2025

OWRD

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

Order of Certification in the Matter of  
Cancellation of Application T-13308

)  
)  
)

FINAL ORDER

**Findings of Fact**

1. Application T-13308, in the name of Jeff Gitto and Draper Valley Farms, was received December 11, 2019. The transfer final order approving Application T-13308 was issued March 30, 2021.
2. The transfer final order was issued approving change in place of use and character of use. It allowed the use of 0.37 cubic foot per second, from Draper Creek, a tributary of Deer Creek, for Irrigation of 18.6 acres.
3. The date for complete application of water (C-Date) was October 1, 2022.
4. The Department received a Claim of Beneficial Use on October 23, 2023.
5. The transfer order contained the below listed condition that was not complied with:

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.

6. In reviewing the Claim prepared by a Certified Water Rights Examiner, it shows that a meter was installed May 17, 2023.
7. The water user did not install a meter or another suitable measuring device between the date the transfer final order was issued (March 30, 2021) and the C-Date (October 1, 2022), as required by the transfer final order condition.

**NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW**

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and 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.

**Received**

**JUL 31 2025**

**OWRD**



8. Under the provisions of ORS 537.250, after the Water Resources Department has received a request for issuance of a water right certificate accompanied by the survey required under ORS 537.230(5) that shows, to the satisfaction of the Department, that an appropriation has been perfected in accordance with the provisions of the Water Rights Act, the Department shall issue to the applicant a certificate of the same character as that described in ORS 539.140.

#### Conclusions of Law

The transfer holder demonstrated to the satisfaction of the Department that no beneficial use was accomplished under the transfer final order. The use allowed by Application T-13308 is lost.

Now, therefore, it is **ORDERED**:

Application T-13308 is cancelled and is of no further force or effect.

Issued JUL 15 2025.

Katherine Ratcliffe  
Water Right Services Division Administrator, for  
Ivan Gall, Director  
Oregon Water Resources Department

**Received**

**JUL 31 2025**

**OWRD**



Home Office  
3441 E. Harbour Drive, Phoenix, AZ 85034  
602.437.9530  
www.ewingos.com



INVOICE 18931100

CREDIT ACCT

154

Ewing Grants Pass  
906 SW 6th St  
Grants Pass, OR 97526  
PHN 5414795524 FAX 5414762136

ORDER # 15414823

PAGE 1 of 1

ORDERED 03/23/2023

TERMS DO NOT USE 10th Prox

SOLD TO: ZOE THERAPEUTICS LLC  
# 1751 DRAPER VALLEY RD # 11  
SELMA, OR 97538-9737  
PH 5412272071

SHIP TO: ZOE THERAPEUTICS LLC  
1751 DRAPER VALLEY RD #11  
SELMA, OR 97538  
PH 5412272071

DELIVERY INSTRUCTIONS:

PO#: Creek Pump

BUYER: KELLY GARDNER

PH: 0

P21 JOB: Zoe Pipe Order

EIP#:

BY: BILLY R

QUOTE#:

EWING JOB:

JOB REF: Creek Pump

| QTY<br>ORDER | QTY<br>SHIP | QTY<br>B/O | ITEM DESCRIPTION                     | NET      | EXTENDED | LINE# |
|--------------|-------------|------------|--------------------------------------|----------|----------|-------|
| 1.00         | 1.00        | 0.00       | 48803200 WM-200-10-RS 2IN WATERMETER | 611.4000 | 611.40   | 1     |
| 1.00         | 1.00        | 0.00       | 05001070 2 X 6 GALV NIPPLE TBE       | 8.8346   | 8.83     | 2     |
| 1.00         | 1.00        | 0.00       | 05001050 2 X 4 GALV NIPPLE TBE       | 6.2406   | 6.24     | 3     |
| 1.00         | 1.00        | 0.00       | 05003160 2 GALV 150# UNION           | 29.9767  | 29.98    | 4     |
| 1.00         | 1.00        | 0.00       | 05002160 2 GALV 90 ELL MAL           | 11.7812  | 11.78    | 5     |

SUB-TOTAL: 668.23

TOTAL FREIGHT: 0.97

TAX: 0.00

Credit Card: 669.20

AMOUNT DUE: 0.00

# CARTONS

FILLED BY

DATE

SIGNATURE

Acknowledgement of receipt of goods listed above.

DELIVERED BY

DATE

PRINT NAME

NO CASH REFUNDS. Sale subject to terms and conditions on reverse

No recommendation has been made by, or provided to, the seller concerning the use of the pesticide covered by this invoice.

PROPOSITION 65 WARNING: Some of the products on your order may expose you to chemicals that are known to the State of California to cause cancer, birth defects and reproductive harm. Learn more at <https://www.p65warnings.ca.gov/>

REMIT TO:

Ewing Irrigation Products Inc.

P.O. Box 208728

Dallas, TX 75320-8728

\*\*\* REPRINT \*\*\*

2019.1 - 2019-07-05

Received  
JUL 31 2025  
OWRD



Mailing List for ~~Reinstatement~~ Order of Certification  
Scheduled Mailing Date:

**Transfer Application: T-13308**

**Certificate/Transfer Holder:** (include copy of map)

JEFF GITTO  
DRAPER VALLEY FARMS LLC  
1751 DRAPER VALLEY RD  
SELMA, OR 97538

by:

TM

(STAFF)

on:

8.8.25

(DATE)

Is the Transfer Holder(s) of record currently identified as a landowner of any tax lots involved as confirmed by the County records? **YES** and **NO**

**Copies of ~~Reinstatement~~ Transfer Certificate(s) to be sent to:**

1. Watermaster District #: 14
2. Water Availability
3. Vault
4. File

**Other persons to receive copies: (include map):**

5. TODD ZEUTZIUS, CWRE

**Current Landowner:**

6. Draper Valley Farms LLC  
EZO Property LLC  
116 S Orange Ave  
Orlando FL 32801

T-13308

Todd in Grants Pass

541 660 9531

wants to extend c-date  
to 10-2023.

toddjz@qwbsoffice.net

Oregon Department of Water Resources

|                                     |   |                             |
|-------------------------------------|---|-----------------------------|
| In the Matter of a Request for      | ) |                             |
| Reconsideration of the Cancellation | ) | Final Order in Other than a |
| of Application T-13308              | ) | Contested Case              |

On July 15, 2025, the Water Resources Department issued a Special Order Volume 135 Page 87, Cancelling Application T-13308.

The Department is reconsidering the issuance of the above referenced Cancellation Order on its own initiative.

FINDING OF FACT

1. Special Order Volume 135 Page 87, Cancelling Application T-13308 was issued July 15, 2025.
2. Within 60 calendar days after the date of the order, the agency may, on its own initiative, reconsider the cancellation order.

ULTIMATE FINDINGS OF FACT

Special Order Volume 135 Page 87, Cancelling Application T-13308. Within 60 calendar days after the date of the order, the agency may, on its own initiative, reconsider the final order.

CONCLUSIONS OF LAW

Oregon Administrative Rule 137-004-0080 allows the Department to file Requests for Reconsideration of Final Orders in Other than Contested Case and to grant reconsideration of the Cancellation Order.

ORDER

The Department hereby reconsiders and withdraws Special Order Volume 135 Page 87, Cancelling Application T-13308. Transfer Application T-13308 is now hereby reinstated.

Dated this AUG 08 2025.



Katherine Ratcliffe  
Water Right Services Division Administrator, for  
Ivan Gall, Director  
Oregon Water Resources Department

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 and OAR 690-01-005 you may either petition for judicial review or petition the Director for reconsideration of this order.



Mailing List for ~~Proposed~~ Order of Certification  
Scheduled Mailing Date:

**Transfer Application: T-13308**

**Certificate/Transfer Holder:** (include copy of map)

JEFF GITTO  
DRAPER VALLEY FARMS LLC  
1751 DRAPER VALLEY RD  
SELMA, OR 97538

by: \_\_\_\_\_

TM

(STAFF)

on: \_\_\_\_\_

7.15.2025

(DATE)

Is the Transfer Holder(s) of record currently identified as a landowner of any tax lots involved as confirmed by the County records? **YES** and **NO**

**Copies of Final Transfer Certificate(s) to be sent to:**

1. Watermaster District #: 14
2. Water Availability
3. Vault
4. File

**Other persons to receive copies: (include map):**

5. TODD ZEUTZIUS, CWRE

**Current Landowner:**

6. Draper Valley Farms LLC  
EZO Property LLC  
116 S Orange Ave  
Orlando FL 32801

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

Order of Certification in the Matter of  
Cancellation of Application T-13308

)  
)  
)

FINAL ORDER

**Findings of Fact**

1. Application T-13308, in the name of Jeff Gitto and Draper Valley Farms, was received December 11, 2019. The transfer final order approving Application T-13308 was issued March 30, 2021.
2. The transfer final order was issued approving change in place of use and character of use. It allowed the use of 0.37 cubic foot per second, from Draper Creek, a tributary of Deer Creek, for Irrigation of 18.6 acres.
3. The date for complete application of water (C-Date) was October 1, 2022.
4. The Department received a Claim of Beneficial Use on October 23, 2023.
5. The transfer order contained the below listed condition that was not complied with:

**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.**
6. In reviewing the Claim prepared by a Certified Water Rights Examiner, it shows that a meter was installed May 17, 2023.
7. The water user did not install a meter or another suitable measuring device between the date the transfer final order was issued (March 30, 2021) and the C-Date (October 1, 2022), as required by the transfer final order condition.

**NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW**

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and 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.



8. Under the provisions of ORS 537.250, after the Water Resources Department has received a request for issuance of a water right certificate accompanied by the survey required under ORS 537.230(5) that shows, to the satisfaction of the Department, that an appropriation has been perfected in accordance with the provisions of the Water Rights Act, the Department shall issue to the applicant a certificate of the same character as that described in ORS 539.140.

### **Conclusions of Law**

The transfer holder demonstrated to the satisfaction of the Department that no beneficial use was accomplished under the transfer final order. The use allowed by Application T-13308 is lost.

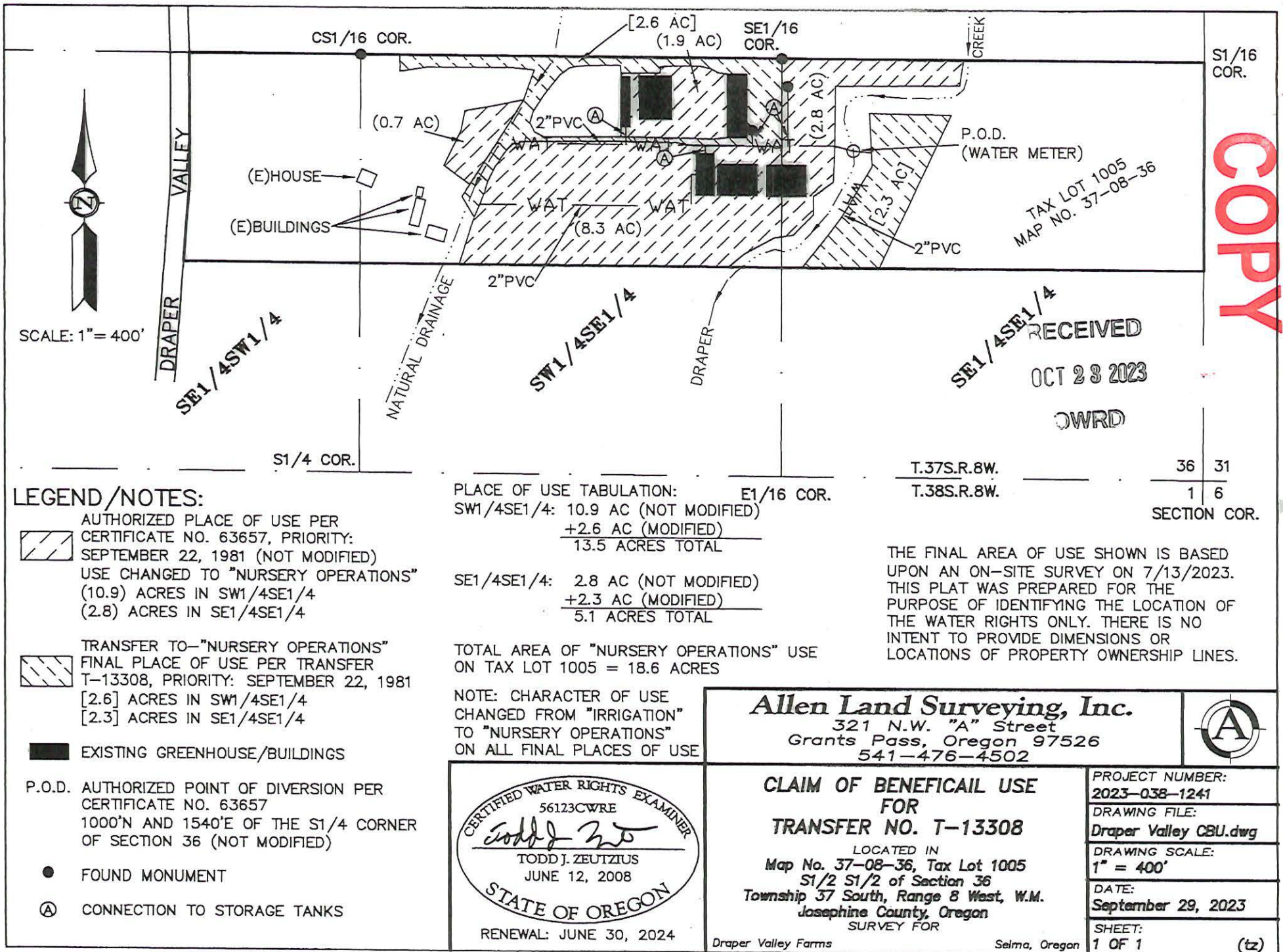
**Now, therefore, it is ORDERED:**

Application T-13308 is cancelled and is of no further force or effect.

Issued JUL 15 2025.



Katherine Ratcliffe  
Water Right Services Division Administrator, for  
Ivan Gall, Director  
Oregon Water Resources Department





## TRANSFER

Memo- Proof to Satisfaction

|                        |         |                  |
|------------------------|---------|------------------|
| Transfer App #         | T-13308 |                  |
| WRD Reviewer (CW)      | J Skaus | Date: April 2025 |
| WRD Peer Reviewer (PR) | holmes  | Date: May 25     |

|                |                                                                                                                                                     |          |
|----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------|----------|
| ORIGINAL CERT: | CHANGE REQUESTED:                                                                                                                                   | RR Cert: |
| 63651          | <input checked="" type="checkbox"/> POU <input type="checkbox"/> POD/POA <input type="checkbox"/> APOD/APOA <input checked="" type="checkbox"/> USE | N/A      |
|                | <input type="checkbox"/> POU <input type="checkbox"/> POD/POA <input type="checkbox"/> APOD/APOA <input type="checkbox"/> USE                       |          |
|                | <input type="checkbox"/> POU <input type="checkbox"/> POD/POA <input type="checkbox"/> APOD/APOA <input type="checkbox"/> USE                       |          |
|                | <input type="checkbox"/> POU <input type="checkbox"/> POD/POA <input type="checkbox"/> APOD/APOA <input type="checkbox"/> USE                       |          |

App  
8-62818

## PREPARATION:

|                                     |                          |                                                                                                                                                                                                                                    |
|-------------------------------------|--------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| CW                                  | PR                       | RESEARCH:                                                                                                                                                                                                                          |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> CBU Report/Map <input checked="" type="checkbox"/> Transfer Order<br>Ord Vol Spov 118<br>Issued Date 3/30/2021 <input type="checkbox"/> Assignment <input type="checkbox"/> Transfer Extension |
|                                     |                          | Electronic Folder:                                                                                                                                                                                                                 |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> Create CBU folder <input type="checkbox"/> Create Work Packet Folder                                                                                                                           |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | SCAN: Above documents into "CBU Folder"                                                                                                                                                                                            |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | SAVE: other documents in "Work Packet Folder"                                                                                                                                                                                      |
|                                     |                          | <input checked="" type="checkbox"/> Certificate(s) <input checked="" type="checkbox"/> Transfer App Maps (To/From) <input type="checkbox"/> BLM Cadastral Survey <input type="checkbox"/> GW Logs                                  |
|                                     |                          | <input checked="" type="checkbox"/> OrMap Tax Lot Map <input checked="" type="checkbox"/> Ownership Report <input type="checkbox"/> POU Report (conflict) <input type="checkbox"/> Others:                                         |
|                                     |                          | <input type="checkbox"/> GW Conditions <input type="checkbox"/> Mitigation [POU ONLY]                                                                                                                                              |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | SEARCH:                                                                                                                                                                                                                            |
|                                     |                          | <input checked="" type="checkbox"/> Interactive Mapper <input type="checkbox"/> AOI <input checked="" type="checkbox"/> Map and TaxLot ID <input checked="" type="checkbox"/> Receiving LO:                                        |
|                                     |                          | New Landowner: 1005 Jeff Gilts<br>Draper Valley Farms LLC<br>E20 Properties LLC<br>116 S Orange Ave, Orlando FL 32801                                                                                                              |

## REVIEW OF CLAIM:

| ORDER REQ'D                                                        | CERTIFICATE REQ'D                                       | COMPLIED YES/NO                                                  | CONDITIONS:            | NOTES:                           |
|--------------------------------------------------------------------|---------------------------------------------------------|------------------------------------------------------------------|------------------------|----------------------------------|
| <input type="checkbox"/> Y <input type="checkbox"/> N/A            | <input type="checkbox"/> Y <input type="checkbox"/> N/A | <input type="checkbox"/> Y <input type="checkbox"/> N            | Fish Condition         |                                  |
| <input checked="" type="checkbox"/> Y <input type="checkbox"/> N/A | <input type="checkbox"/> Y <input type="checkbox"/> N/A | <input type="checkbox"/> Y <input checked="" type="checkbox"/> N | Meter/Measuring Device | Installed 5/17/23 - after C-date |
| <input type="checkbox"/> Y <input type="checkbox"/> N/A            | <input type="checkbox"/> Y <input type="checkbox"/> N/A | <input type="checkbox"/> Y <input type="checkbox"/> N            | Water Use Reporting    |                                  |
| <input type="checkbox"/> Y <input type="checkbox"/> N/A            | <input type="checkbox"/> Y <input type="checkbox"/> N/A | <input type="checkbox"/> Y <input type="checkbox"/> N            | SWL (Month)            |                                  |
| <input type="checkbox"/> Y <input type="checkbox"/> N/A            | <input type="checkbox"/> Y <input type="checkbox"/> N/A | <input type="checkbox"/> Y <input type="checkbox"/> N            | Dedicated MMS tube     |                                  |
| <input type="checkbox"/> Y <input type="checkbox"/> N/A            | <input type="checkbox"/> Y <input type="checkbox"/> N/A | <input type="checkbox"/> Y <input type="checkbox"/> N            | Well Id                |                                  |
| <input type="checkbox"/> Y <input type="checkbox"/> N/A            | <input type="checkbox"/> Y <input type="checkbox"/> N/A | <input type="checkbox"/> Y <input type="checkbox"/> N            | Other:                 |                                  |
| <input checked="" type="checkbox"/> Y <input type="checkbox"/> N/A | <input type="checkbox"/> Y <input type="checkbox"/> N/A | <input type="checkbox"/> Y <input type="checkbox"/> N            | C-date: 10/1/2022      | EXT C-Date: claim says 9/1/2022  |

## REVIEW OF MAP: (Only the changes approved)

| CW                                  | PR                       | Notes:                                                                                                                                                         |
|-------------------------------------|--------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/>            | <input type="checkbox"/> | Verify POA/POD Location (New Only)                                                                                                                             |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Verify POU (New only)                                                                                                                                          |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | POU clearly identified by Use Type/Certificate                                                                                                                 |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | DLC/GOV'T LOT                                                                                                                                                  |
|                                     |                          | <input type="checkbox"/> Original Cert Map for <i>unchanged</i> POU/POD/POA (Attached for Peer Reviewer/Data) <input type="checkbox"/> Note Maps for Reference |

## POD/POA/APOD/POA ONLY: RUN CAPACITY CALCULATOR AND SAVE CALCS TO APPLICATION FOLDER:

| POD/POA-NEW/ADD'T | AUTHORIZED RATE | CLAIM RATE | CALCULATED RATE | NOTES: |
|-------------------|-----------------|------------|-----------------|--------|
| n/a               | Not             | POD A      |                 |        |



|  |  |  |  |  |
|--|--|--|--|--|
|  |  |  |  |  |
|  |  |  |  |  |

**DETERMINATION:**

| CW                                  | PR                       | DOCUMENT                 | NOTES:                               |
|-------------------------------------|--------------------------|--------------------------|--------------------------------------|
| <input type="checkbox"/>            | <input type="checkbox"/> | LETTER FOR CLARIFICATION |                                      |
| <input type="checkbox"/>            | <input type="checkbox"/> | DRAFT (PLEASE EXPLAIN)   |                                      |
| <input type="checkbox"/>            | <input type="checkbox"/> | PROPOSED                 |                                      |
| <input type="checkbox"/>            | <input type="checkbox"/> | FINAL                    |                                      |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | PROPOSED ORDER TO CANCEL | installed meter after C date 5/17/23 |

**FINAL CHECKS: Review your document; BEFORE printing proposed for Support**

| CW                       | PR                       | DID YOU CHECK?                                              | NOTES:                                                                              |
|--------------------------|--------------------------|-------------------------------------------------------------|-------------------------------------------------------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | DATA REVIEW                                                 |                                                                                     |
|                          |                          | <input type="checkbox"/> POA/POD/DAM<br>TABLES/DESCRIPTIONS | <input type="checkbox"/> PLACE OF USE TABLES,<br>INCLUDING ACRES FOR GOV'T LOTS/DLC |
| <input type="checkbox"/> | <input type="checkbox"/> | SPELL CHECK DOC                                             |                                                                                     |
| <input type="checkbox"/> | <input type="checkbox"/> | MAPS: Identified for Reference                              |                                                                                     |
| <input type="checkbox"/> |                          | CERT NUMBER ISSUED:                                         |                                                                                     |
|                          |                          | Original Cert #      App                                    | New Cert #                                                                          |
|                          |                          | Original Cert #      App                                    | New Cert #                                                                          |
|                          |                          | Original Cert #      App                                    | New Cert #                                                                          |
|                          |                          | Original Cert #      App                                    | New Cert #                                                                          |

**EXTRAS: BEFORE Printing your Final Certificate**

| CW                       | PR                       | DID YOU CHECK?                  | NOTES: |
|--------------------------|--------------------------|---------------------------------|--------|
| <input type="checkbox"/> | <input type="checkbox"/> | DATA REVIEW COMMENTS<br>UPDATED |        |
| <input type="checkbox"/> | <input type="checkbox"/> | SPELL CHECKED DOC               |        |

**CASEWORKER REVIEW COMMENTS:****PEER REVIEWER COMMENTS:**

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

In the Matter of Transfer Application  
T-13308, Josephine County

) FINAL ORDER APPROVING A  
) CHANGE IN PLACE OF USE AND  
) CHARACTER 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**

JEFF GITTO  
DRAPER VALLEY FARMS  
1751 DRAPER VALLEY RD  
SELMA, OR 97538

**Receiving Landowner**

JEFF GITTO  
1751 DRAPER VALLEY RD  
SELMA, OR 97538

**Findings of Fact**

1. On December 11, 2019, JEFF GITTO, DRAPER VALLEY FARMS filed an application to change the place of use and to change the character of use under Certificate 63657. The Department assigned the application number T-13308.
2. JEFF GITTO, 1751 DRAPER VALLEY RD, SELMA, OR 97538, is the receiving landowner who will be responsible for completion of the changes.
3. Notice of the application for transfer was published on December 24, 2019, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
4. On September 18, 2020, the Department contacted the applicant's agent by written correspondence to notify the agent of deficiencies in the application. The application map identified a change in place of use for 4.2 acres, however Table 2 did not. The map also did not identify a change in character of use from irrigation to nursery. The Department requested that the deficiencies be resolved by October 19, 2020.

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.

5. On September 30, 2020, the agent submitted a revised Table 2 and map, resolving the deficiencies.
6. On October 15, 2020, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-13308 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of November 16, 2020, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
7. On January 19, 2021, the Department issued a Preliminary Determination proposing to approve Transfer T-13308 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 January 26, 2021, and in the Grants Pass Daily Courier newspaper on January 22 and 29, 2021 pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

8. The right to be transferred is as follows:

**Certificate:** 63657 in the name of RALPH L. AND IRENE SELTZER (perfected under Permit S-47299)

**Use:** IRRIGATION of 18.6 ACRES

**Priority Date:** SEPTEMBER 22, 1981

**Rate:** 0.37 CUBIC FOOT PER SECOND

**Limit/Duty:** The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-FIFTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

**Source:** DRAPER CREEK, a tributary of DEER CREEK

**Authorized Point of Diversion:**

| Twp  | Rng | Mer | Sec | Q-Q   | Measured Distances                                                    |
|------|-----|-----|-----|-------|-----------------------------------------------------------------------|
| 37 S | 8 W | WM  | 36  | SE SE | 1000 FEET NORTH AND 1540 FEET EAST FROM THE S1/4 CORNER OF SECTION 36 |

**Authorized Place of Use:**

| IRRIGATION |     |     |     |       |       |
|------------|-----|-----|-----|-------|-------|
| Twp        | Rng | Mer | Sec | Q-Q   | Acres |
| 37 S       | 8 W | WM  | 36  | SW SE | 15.8  |
| 37 S       | 8 W | WM  | 36  | SE SE | 2.8   |
| Total      |     |     |     |       | 18.6  |

9. Transfer Application T-13308 proposes to change the character of use to nursery use.



10. Transfer Application T-13308 also proposes to change the place of use of the right to:

| NURSERY USE |     |     |     |       |       |
|-------------|-----|-----|-----|-------|-------|
| Twp         | Rng | Mer | Sec | Q-Q   | Acres |
| 37 S        | 8 W | WM  | 36  | SW SE | 11.6  |
| 37 S        | 8 W | WM  | 36  | SE SE | 7.0   |
| Total       |     |     |     |       | 18.6  |

13.5  
5.1

11. Certificate 63657 does not specify an irrigation season; however, consistent with the Illinois River Decree, the irrigation season is April 1 through November 1.

***Transfer Review Criteria [OAR 690-380-4010(2)]***

12. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
13. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-13308.
14. The proposed changes, as conditioned, would not result in enlargement of the right.
15. The proposed changes, as conditioned, would not result in injury to other water rights.
16. All other application requirements are met.

**Conclusions of Law**

The change in place of use and change in character of use proposed in Transfer Application T-13308 are consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000.

**Now, therefore, it is ORDERED:**

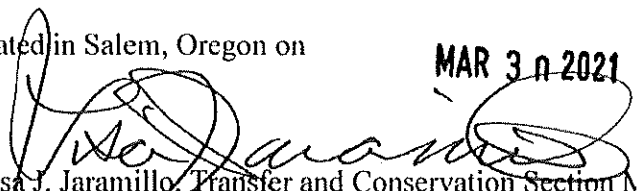
1. The change in place of use and change in character of use proposed in Transfer Application T-13308 are approved.
2. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 63657 and any related decree.
3. Water right Certificate 63657 is cancelled.
4. The rate of diversion for the change in character of use from irrigation to the proposed nursery operation use shall be limited to 0.37 cubic foot per second and shall be further limited to a total volume diverted of 65.1 acre feet (18.6 acres x 3.5 acre feet per acre) during the original season of use, being April 1 to November 1.

5. The change in character of use from irrigation to the proposed nursery use shall be further limited such that:
- a) The amount of water used for NURSERY OPERATIONS is limited to a diversion of 0.37 cubic foot per second per acre and 65.1 acre feet per acre during the irrigation season of each year.
  - b) For the irrigation of containerized nursery plants, the amount of water diverted is limited to 0.37 cubic foot per second (or its equivalent) and 65.1 acre feet per acre during the irrigation season of each year.
  - c) For the irrigation of in-ground nursery plants, the amount of water diverted is limited to 0.37 cubic foot per second (or its equivalent) and 65.1 acre feet per acre during the irrigation season of each year.
  - d) For the irrigation of any other crop, the amount of water diverted is limited to 0.37 cubic foot per second (or its equivalent) and 65.1 acre feet per acre during the irrigation season of each year. The use of water for irrigation of any other crop shall be limited to 18.6 acres.
6. 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.
7. The former place of use of the transferred right shall no longer receive water under the right.
8. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2022**. 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 changes and full beneficial use of the water.

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

Dated in Salem, Oregon on

MAR 31 2021

  
Lisa J. Jaramillo, Transfer and Conservation Section Manager, for  
THOMAS M BYLER, DIRECTOR  
Oregon Water Resources Department

Mailing date: MAR 31 2021



COPY



SCALE: 1" = 400'

VALLEY  
DRAPER

SE1/4SW1/4

(E)HOUSE  
(E)BUILDINGS

CS1/16 COR.

(0.7 AC)

NATURAL DRAINAGE

S1/4 COR.

SW1/4SE1/4

DRAPER

[2.6 AC]  
(1.9 AC)

SE1/16 COR.

(2.8 AC)

(8.3 AC)

T.37S.R.8W.  
T.38S.R.8W.

36 31

1 6  
SECTION COR.

SE1/4SE1/4

RECEIVED  
OCT 28 2023

OWRD

TAX LOT 1005  
MAP NO. 37-08-36

S1/16 COR.

### LEGEND/NOTES:



AUTHORIZED PLACE OF USE PER  
CERTIFICATE NO. 63657, PRIORITY:  
SEPTEMBER 22, 1981 (NOT MODIFIED)  
USE CHANGED TO "NURSERY OPERATIONS"  
(10.9) ACRES IN SW1/4SE1/4  
(2.8) ACRES IN SE1/4SE1/4



TRANSFER TO-"NURSERY OPERATIONS"  
FINAL PLACE OF USE PER TRANSFER  
T-13308, PRIORITY: SEPTEMBER 22, 1981  
[2.6] ACRES IN SW1/4SE1/4  
[2.3] ACRES IN SE1/4SE1/4



EXISTING GREENHOUSE/BUILDINGS

P.O.D. AUTHORIZED POINT OF DIVERSION PER  
CERTIFICATE NO. 63657  
1000'N AND 1540'E OF THE S1/4 CORNER  
OF SECTION 36 (NOT MODIFIED)

● FOUND MONUMENT

Ⓐ CONNECTION TO STORAGE TANKS

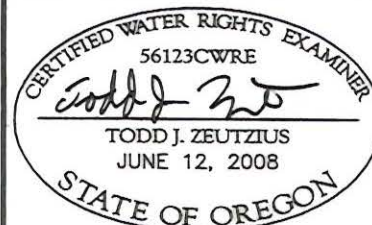
### PLACE OF USE TABULATION:

SW1/4SE1/4: 10.9 AC (NOT MODIFIED)  
+2.6 AC (MODIFIED)  
13.5 ACRES TOTAL

SE1/4SE1/4: 2.8 AC (NOT MODIFIED)  
+2.3 AC (MODIFIED)  
5.1 ACRES TOTAL

TOTAL AREA OF "NURSERY OPERATIONS" USE  
ON TAX LOT 1005 = 18.6 ACRES

NOTE: CHARACTER OF USE  
CHANGED FROM "IRRIGATION"  
TO "NURSERY OPERATIONS"  
ON ALL FINAL PLACES OF USE



RENEWAL: JUNE 30, 2024

E1/16 COR.

**Allen Land Surveying, Inc.**  
321 N.W. "A" Street  
Grants Pass, Oregon 97526  
541-476-4502



### CLAIM OF BENEFICIAL USE FOR TRANSFER NO. T-13308

LOCATED IN  
Map No. 37-08-36, Tax Lot 1005  
S1/2 S1/2 of Section 36  
Township 37 South, Range 8 West, W.M.  
Josephine County, Oregon  
SURVEY FOR

Draper Valley Farms

Selma, Oregon

PROJECT NUMBER:  
2023-038-1241

DRAWING FILE:  
Draper Valley CBU.dwg

DRAWING SCALE:  
1" = 400'

DATE:  
September 29, 2023

SHEET:  
1 OF 1

(tz)

STATE OF OREGON  
COUNTY OF JOSEPHINE  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RALPH L. AND IRENE SELTZER  
1751 DRAPER VALLEY ROAD  
SELMA, OREGON 97538

*A use  
nursery use*

confirms the right to use the waters of DRAPER CREEK, a tributary of DEER CREEK, for the purpose of IRRIGATING 18.6 ACRES.

The right has been perfected under Permit 47299. The date of priority is SEPTEMBER 22, 1981. The right is limited to not more than 0.37 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:

SE 1/4 SE 1/4, SECTION 36, T 37 S, R 8 W, W.M.; 1000 FEET NORTH AND 1540 FEET EAST FROM THE SOUTH 1/4 CORNER OF SECTION 36.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-FIFTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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

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

SW 1/4 SE 1/4 15.8 ACRES  
SE 1/4 SE 1/4 2.8 ACRES  
SECTION 36  
TOWNSHIP 37 SOUTH, RANGE 8 WEST, W.M.

*A Pom  
T37S R8W  
Sec 36*

*SWSE 11.6  
SE 2.8 7.0*

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 right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed this date DECEMBER 27, 1989.

/s/ WILLIAM H. YOUNG

Water Resources Director

Recorded in State Record of Water Right Certificates numbered 63657

62818.MDF



**CLAIM OF  
BENEFICIAL USE**  
**for Transfers Character of Use and  
Place of Use**



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

**A fee of \$230 must accompany this form for any transfer final orders  
including a water right with a priority date of July 9, 1987, or later.**

**Example – A transfer involves 5 rights and one of the rights  
has a priority date of July 9, 1987, or later, the fee is required.**

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**A separate form shall be completed for each transfer.**

This form is subject to revision. **Begin each new claim** by checking for a new version of this form at:

<https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>

The completion of this form is required by OAR 690-014-0100(1) and 690-014-0110(4).

Please type or print in dark ink. If this form is found to contain errors or omissions, it may be returned to you. **Every item must have a response.** If any requested information does not apply to the claim, insert "NA." **Do not delete or alter any section of this form unless directed by the form.** The Department may require the submittal of additional information from any water user or authorized agent.

"Section 7" of this form is intended to aid in the completion of this form and should not be submitted.

A claim of beneficial use includes both this report and a map. If the map is being mailed separately from this form, please include a note with this form indicating such.

If you have questions regarding the completion of this form, please call 503-979-9103.

The Department has a program that allows it to enter into a voluntary agreement with an applicant for expedited services. Under such an agreement, the applicant pays the cost to hire additional staff that would not otherwise be available. This program means a certificate may be issued in about a month. For more information on this program see:

<https://www.oregon.gov/OWRD/programs/WaterRights/RA/Pages/default.aspx>

**SECTION 1**

**GENERAL INFORMATION**

**Type of Authorized Change**

This Claim is being submitted for a transfer where the character of use  
and the place of use were the only changes that were authorized.

**YES**

*If additional changes were authorized, you will need to select a different form.*



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## 1. File Information

APPLICATION #

T-13308

## 2. Property Owner (current owner information)

|                                                             |                 |                           |                            |
|-------------------------------------------------------------|-----------------|---------------------------|----------------------------|
| APPLICANT/BUSINESS NAME<br>DRAPER VALLEY FARMS (JEFF GITTO) |                 | PHONE NO.<br>541-450-2982 | ADDITIONAL CONTACT NO.     |
| ADDRESS<br>1751 DRAPER VALLEY ROAD                          |                 |                           |                            |
| CITY<br>SELMA                                               | STATE<br>OREGON | ZIP<br>97538              | E-MAIL<br>JGITTO@GMAIL.COM |

If the current property owner is not the transfer holder of record, it is recommended that an assignment be filed with the Department. ***Each*** transfer holder of record must sign this form.

## 3. Transfer holder of record (this may, or may not, be the current property owner)

|                                                               |                 |              |
|---------------------------------------------------------------|-----------------|--------------|
| TRANSFER HOLDER OF RECORD<br>DRAPER VALLEY FARMS (JEFF GITTO) |                 |              |
| ADDRESS<br>1751 DRAPER VALLEY ROAD                            |                 |              |
| CITY<br>SELMA                                                 | STATE<br>OREGON | ZIP<br>97538 |

## 4. Date of Site Inspection:

JULY 13, 2023

## 5. Person(s) interviewed and description of their association with the project:

| NAME          | DATE          | ASSOCIATION WITH THE PROJECT |
|---------------|---------------|------------------------------|
| CHRIS SHIRLEY | JULY 13, 2023 | TENANT                       |
|               |               |                              |

## 6. County:

JOSEPHINE

## 7. If any property described in the place of use of the transfer final order is excluded from this report, identify the owner of record for that property (ORS 537.230(5)):

|                         |       |     |
|-------------------------|-------|-----|
| OWNER OF RECORD<br>NONE |       |     |
| ADDRESS                 |       |     |
| CITY                    | STATE | ZIP |

Add additional tables for owners of record as needed

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SECTION 2  
SIGNATURES

CWRE Statement, Seal and Signature

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge.

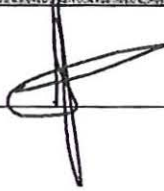


|                                      |                        |                                  |                                         |
|--------------------------------------|------------------------|----------------------------------|-----------------------------------------|
| CWRE NAME<br><b>TODD J. ZEUTZIUS</b> |                        | PHONE NO.<br><b>541-476-4502</b> | ADDITIONAL CONTACT NO.                  |
| ADDRESS<br><b>321 NW A STREET</b>    |                        |                                  |                                         |
| CITY<br><b>GRANTS PASS</b>           | STATE<br><b>OREGON</b> | ZIP<br><b>97526</b>              | E-MAIL<br><b>TODDJZ@QWESTOFFICE.NET</b> |

Transfer Holder of Record Signature or Acknowledgement

**Each** transfer holder of record must sign this form in the space provided below.

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge. I request that the Department issue a water right certificate.

| SIGNATURE                                                                           | PRINT OR TYPE NAME | TITLE | DATE      |
|-------------------------------------------------------------------------------------|--------------------|-------|-----------|
|  | Jeffrey Gitto      | Owner | 9/22/2023 |
|                                                                                     |                    |       |           |

### SECTION 3 EXTENT OF CHANGES COMPLETED

**Note: The Claim only needs to describe the changes that were authorized in the transfer final order.**

#### Change #1

#### Change in Character of Use

##### 1. Claim Summary – Authorized Use(s):

Provide the new uses authorized by the transfer final order:

| NEW USE(S) AUTHORIZED |
|-----------------------|
| NURSERY OPERATIONS    |
|                       |

##### 2. Variations:

Were all the uses developed from what was authorized by the transfer final order?

**YES**

If no, describe below.

(e.g. "The order authorized changes in character of use to industrial, commercial, and livestock. The water user did not develop the commercial use.")

|  |
|--|
|  |
|--|

#### Change #2

#### Change in Place of Use

##### 1. Claim Summary – Authorized Use:

If Irrigation or Nursery Use:

| THE # OF ACRES ALLOWED | THE # OF ACRES DEVELOPED |
|------------------------|--------------------------|
| 4.9                    | 4.9                      |
|                        |                          |

If the new use(s) was not irrigation or nursery:

| NEW USE(S) | WAS THE NEW PLACE OF USE DEVELOPED TO THE FULL EXTENT AUTHORIZED UNDER THE ORDER?<br>(INCLUDE THE LOCATION OF THE DEVELOPED PLACE USE ON THE CLAIM MAP) |
|------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|
|            | NA                                                                                                                                                      |
|            | NA                                                                                                                                                      |



## 2. Variations:

Was the use developed differently from what was authorized by the transfer final order? **YES**  
If yes, describe below.

(e.g. "The order authorized a change in place of use for 40 acres. The water user only developed 38 acres.")

**The final order authorizing 11.6 acres (the final claimed area = 13.5 areas) in the SW1/4SE1/4 and 7.0 acres (the final claimed area = 5.1 acres) in the SE1/4SE1/4. A final total of 18.6 acres claimed is equal to the total order authorized in this transfer.**

## SECTION 4

## CONDITIONS

All conditions contained in the transfer, or any extension final order shall be addressed. Reports that do not address all performance related conditions will be returned.

## 1. Time Limits:

Describe how the water user has complied with each of the development timelines established in the transfer final order and any extensions of time issued for the transfer:

|                                     | DATE FROM<br>TRANSFER  | DATE THE AUTHORIZED CHANGES WERE COMPLETED<br>*THIS DATE MUST FALL BETWEEN THE "ISSUANCE DATE" AND THE<br>"COMPLETENESS DATE" |
|-------------------------------------|------------------------|-------------------------------------------------------------------------------------------------------------------------------|
| ISSUANCE DATE                       | <b>March 30, 2021</b>  | <b>September 1, 2022</b>                                                                                                      |
| COMPLETENESS DATE<br>FROM ORDER (C) | <b>October 1, 2022</b> |                                                                                                                               |

\* MUST BE WITHIN PERIOD BETWEEN TRANSFER FINAL ORDER, OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO COMPLETE THE CHANGE

## 2. Is there an extension final order(s)?

**NO**

If "NO", you may delete the following table.

If for a transfer extension order, provide the following information:

| VOLUME     | PAGE | DATE EXTENDED TO |
|------------|------|------------------|
| <b>N/A</b> |      |                  |

## 3. Measurement Conditions:

a. Does the transfer final order require the installation of a meter or approved measuring device?

**YES**

If "NO", items b through f relating to this section may be deleted.

Reminder: If a meter or approved measuring device was required, the COBU map must indicate the location of the device in relation to the point of diversion or appropriation.

b. Has a meter been installed?

**YES**

c. Meter Information

| POD/POA<br>NAME OR # | MANUFACTURER | SERIAL #             | CONDITION<br>(WORKING OR NOT) | CURRENT METER<br>READING | DATE INSTALLED |
|----------------------|--------------|----------------------|-------------------------------|--------------------------|----------------|
| POD                  | Netafim      | 22-<br>1000259<br>17 | Working                       | 283,600                  | May 17, 2023   |
|                      |              |                      |                               |                          |                |

If a meter has been installed, items d through f relating to this section may be deleted.

d. If a meter has not been installed, has a suitable measuring device been installed and approved by the Department?

e. If "YES", provide a copy of the letter approving the device, if available. If the letter is not available provide the name and title of the Water Resources Department employee approving the measuring device, and the approximate date of the approval:

| NAME | TITLE | APPROXIMATE DATE |
|------|-------|------------------|
|      |       |                  |

f. Measurement Device Description

| DEVICE DESCRIPTION | CONDITION<br>(WORKING OR NOT) | DATE INSTALLED |
|--------------------|-------------------------------|----------------|
|                    |                               |                |

4. Other conditions required by the transfer final order:

a. Other conditions?

NO

If "YES" to any of the above, identify the condition and describe the water user's actions to comply with the condition(s):

SECTION 5  
ATTACHMENTS

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Provide a list of any additional documents you are attaching to this report:

| ATTACHMENT NAME        | DESCRIPTION                                   |
|------------------------|-----------------------------------------------|
| CBU map                | Claim of Beneficial Use Map                   |
| F & W Pump Info        | Flint & Wallings submersible pump information |
| Wheeled Sprinkler Cart | Wheeled Sprinkler information                 |
| System Description     |                                               |



## SECTION 6

### CLAIM OF BENEFICIAL USE MAP

A Claim of Beneficial Use Map must be submitted with this claim. Claims submitted without the Claim of Beneficial Use map will be returned. The map shall be submitted on polyester film at a scale of 1" = 1320 feet, 1" = 400 feet, or the original full-size scale of the county assessor map for the location.

For the purpose of this Claim, the map must identify the developed new place of use. The existing point(s) of diversion or point(s) of appropriation are required to be included on the Claim map, based on the locations described in the transfer final order.

Provide a general description of the survey method used to prepare the map. Examples of possible methods include, but are not limited to, a traverse survey, GPS, or the use of aerial photos. If the basis of the survey is an aerial photo, provide the source, date, series and the aerial photo identification number.

EXISTING CONTROL POINTS AND MONUMENT TIES WERE UTILIZED FROM THE PROPERTY OWNER'S SURVEYOR WHOM HAD PREVIOUSLY DONE SURVEY WORK ON THE PROPERTY. USING THESE EXISTING CONTROL POINTS I MADE SURVEY TIES TO THE POINTS OF DIVERSION, PIPELINES AND PLACE OF USE. MY SURVEY TIES WERE MADE USING A TRIMBLE R8 GPS RECEIVER.

#### Map Checklist

Please be sure that the map you submit includes ALL the items listed below.  
(Reminder: Incomplete maps and/or claims may be returned.)

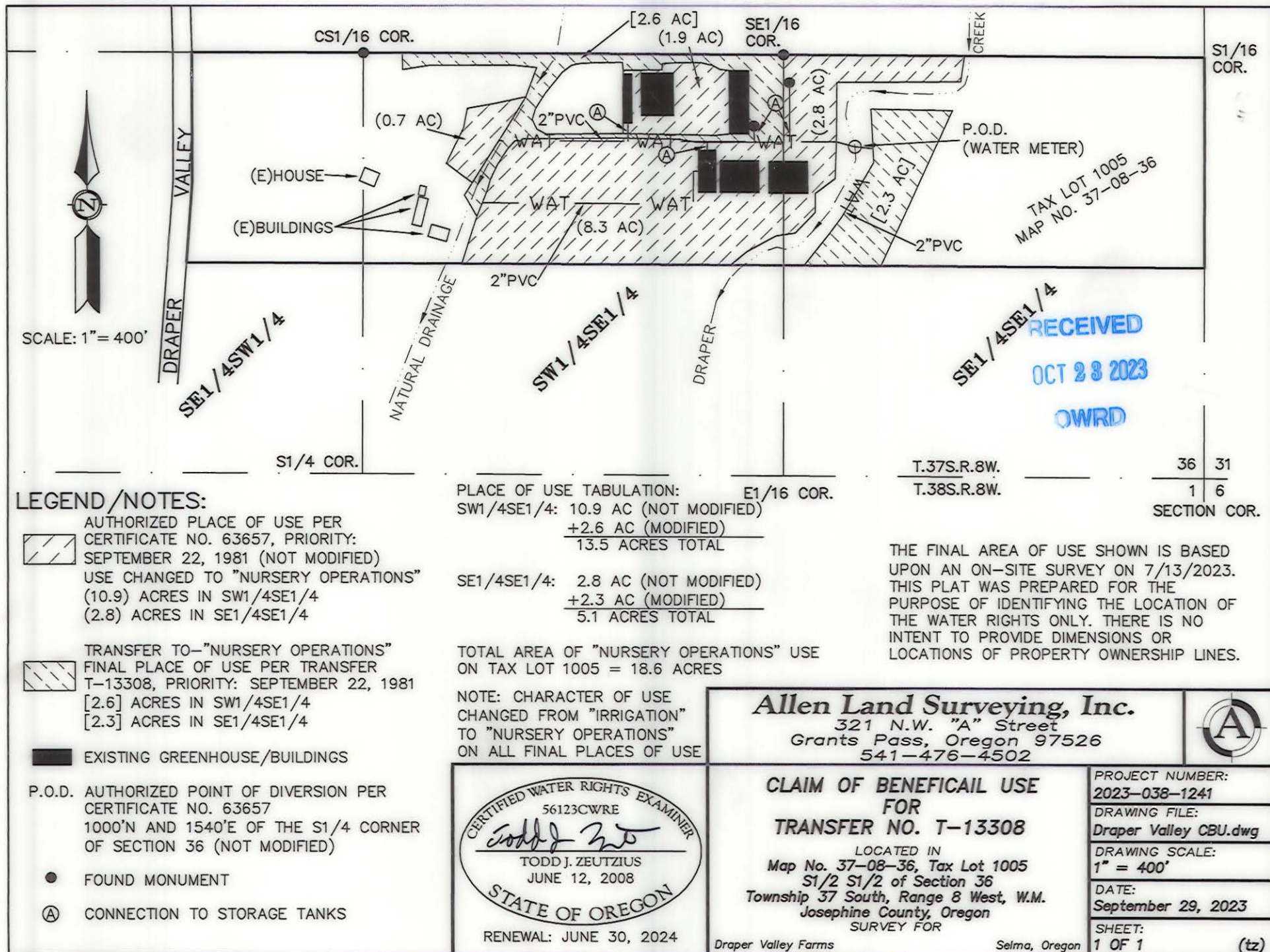
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- ☒ Map on polyester film.
- ☒ Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-size scale of the county assessor map)
- ☒ Township, Range, Section, Donation Land Claims, and Government Lots
- NA ☐ Locations of fish screens and/or fish by-pass devices in relationship to point of diversion
- ☒ Locations of meters and/or measuring devices in relationship to point of diversion
- ☒ Conveyance structures illustrated (pumps, reservoirs, pipelines, ditches, etc.) **\*Not required for this type of Claim of Beneficial Use**
- ☒ Point(s) of diversion or appropriation (illustrated and coordinates)
- ☒ Tax lot boundaries and numbers
- ☒ Source illustrated if surface water
- ☒ Disclaimer ("This map is not intended to provide legal dimensions or locations of property ownership lines")
- ☒ Transfer application number
- ☒ North arrow
- ☒ Legend
- ☒ CWRE stamp and signature





**SECTION 7**  
**REFERENCE INFORMATION FOR CWRE USE**  
*(Please DO NOT submit these pages.)*

Additional information is available at:

<https://www.oregon.gov/OWRD/programs/WaterRights/COBU/Pages/default.aspx>

Go to "Resources for Water Right Examiners (CWRE)" Page

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**MS Word Hints**

To add rows to a table, click outside the table on the far right and hit enter.

|  |  |  |
|--|--|--|
|  |  |  |
|  |  |  |
|  |  |  |



Place cursor here and  
hit return to add a row

To resolve page numbering issues, go to print preview. Page through the entire document (while in print preview), then print from print preview.





T-13308

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## WATER SYSTEM DESCRIPTION

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The following is a description of the water delivery system that was installed and being used as of my inspection conducted on July 13, 2023. The system will be described beginning at the Point of Diversion (P.O.D.) and go through the water places of beneficial use.

The final order approving the transfer of change in place of use and change of use was approved on March 30, 2021. Modifications to the existing water delivery system were made after this date to accommodate the character of use from Irrigation to Nursery Operations and Place of Use change.

The P.O.D. consists of a Flint & Walling submersible pump Model No. 4F85A50 located inside a vertical 6" PVC perforated pipe located within the waters of Draper Creek. The pump is located approximately 6' below water surface level. The pump has a maximum output of 120 gallons per minute (0.26 CFS) according to the pump curve chart. From the pump the water is conveyed through a 2" steel pipe. Next the water then goes through a 2" Netafim USA water meter, Serial No. 22-100025917 prior to a 2" steel tee.

### EAST SIDE OF DRAPER CREEK

Going east out of the steel tee water is conveyed through a 2" valve and then via an above ground 2" PVC pipeline to the place of use located on the east side of the creek (2.3 acres). The water is applied to this area via a Wheeled Sprinkler Cart, Big Sprinkler 1250K, Model R15S. I measured the output of the sprinkler to be 27 GMP at 56 PSI. When water is being applied to this area, a valve supplying water to the west side of the creek is shut off.

### WEST SIDE OF DRAPER CREEK

Going west out of the steel tee water is conveyed through a 2" valve and then via an underground 2" PVC pipeline for approximately 1100 feet. There are multiple risers of varying sizes (3/4" to 2") along the 2" underground pipeline. There are four (4) connections (2", 1-1/2" & 1") (three north and one south) to convey water into large (2500 to 5000 gallon) tanks located within greenhouse buildings and outside of buildings. Each tank has on/off floats that fills tank while the POD pump is turned on. The water from these tanks is then filtered/treated and then applied inside the greenhouses and outside to the fields.

Water is also applied to roads, within the approved place of use, via a water tanker truck as needed for dust abatement. The truck tank is filled from the 2" risers.



RENEWAL: 06/30/24





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Cart (0) | Login

## 1250K-R15S Wheeled Sprinkler Cart

**Price:** \$385.00**Quantity**

1

Free Ground Shipping within the continental US! The 1250K-R15S Sprinkler Irrigation Cart with wheels is constructed with 1-1/4" heavy gauge steel pipe and a solid 1-1/2" steel axle for weight; complemented by a durable "baked on" powder coat finish. It also comes standard with 1-1/4" standard national pipe threads and the large commercial grade R15S Max Drilve impact style sprinkler that may be set to a full or part circle spray pattern. This cart is a very popular choice and a great setup for 16 to 54 gallon per minute flow rates with coverages up to 150+ feet in diameter! (NOTE: This sprinkler cart is too large for Garden Hose use!)

The 1250K-R15S Sprinkler Irrigation Cart may be adapted to 1-1/2", or 2" supply lines, simply request a threaded adapter to convert to 1-1/2" or 2" at no extra charge when ordering. (A full performance chart may be viewed in the specifications). The 1250K-R15S sprinkler cart is most often used with our 1.5" or 2" pre-made hoses for water supply to the cart. Also, see this cart in our BigSprinkler complete irrigation packages complimented by a pump and hoses; complete and ready to pump from your pond or stream! \* **Remember to order the camlock connection needed to connect with your layflat hose, we will supply the appropriate sized bushing!**

Portable wheeled sprinkler carts are an excellent and affordable option for irrigating a variety of areas such as gardens, large yards or acreages, playgrounds, natural and artificial sports fields, horse arenas or round pens for dust control, livestock grazing paddocks, mining projects, and much more. Our carts are fabricated with care and precision in our facility with heavy steel tubing and a solid axle design to prevent tipping while the sprinkler is in operation or when pulling the supply hose to re-position the sprinkler cart. This 1250K-R15S Sprinkler Irrigation Cart can be assembled in minutes and ready to irrigate wherever and whenever you want big volume irrigation!

Quality Made in the USA!!

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## Specifications

- **Flow Rate:** 16 - 47 GPM
- **Nozzle Sizes:** 8mm, 9mm, 10mm, 11mm, 12mm, 13mm
- **Pressure:** 30 - 80 PSI (R15S Head)
- **Trajectory:** 30°
- **Sprinkler Stand Body Size:** 1-1/4" Heavy Gauge Tubing
- **Inlet Size:** 1-1/4" Standard, Adaptable to 1.5" or 2"
- **Overall Height (w/ Sprinkler):** 33"
- **Overall Length:** 34"
- **Overall Width:** 38"
- **Total Weight:** 39 lb.

| R15S Max Drive (30° Trajectory) 1.25" FNPT Connection |                   |          |                   |          |                    |          |                    |          |                     |          |
|-------------------------------------------------------|-------------------|----------|-------------------|----------|--------------------|----------|--------------------|----------|---------------------|----------|
| PSI                                                   | Nozzle 8mm (.32") |          | Nozzle 9mm (.36") |          | Nozzle 10mm (.40") |          | Nozzle 11mm (.44") |          | Nozzle 12 mm (.47") |          |
|                                                       | GPM               | Diameter | GPM               | Diameter | GPM                | Diameter | GPM                | Diameter | GPM                 | Diameter |
| 35                                                    | 16                | 117      | 21                | 121      | 26                 | 125      | 28                 | 130      | 30                  | 134      |
| 40                                                    | 17                | 123      | 22                | 128      | 28                 | 131      | 30                 | 135      | 33                  | 139      |
| 45                                                    | 18                | 128      | 24                | 134      | 29                 | 136      | 33                 | 140      | 40                  | 145      |
| 50                                                    | 19                | 133      | 26                | 138      | 31                 | 141      | 35                 | 144      | 45                  | 150      |
| 55                                                    | 20                | 139      | 27                | 142      | 33                 | 146      | 40                 | 150      | 47                  | 157      |

## Features and Benefits

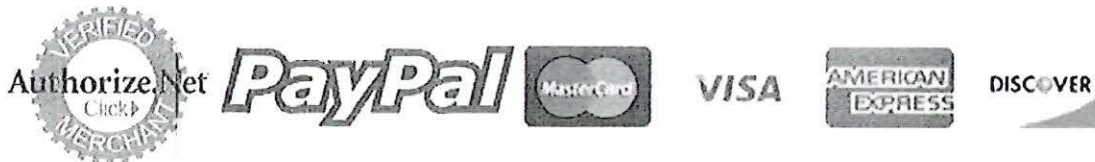
- Heavy Gauge Steel Tube Construction
- Solid 1.5" Steel Axle
- 10" Rubber Wheel Assembly
- Durable "Baked On" Powder Coat Finish
- Commercial Grade Full or Part Circle Impact Sprinkler w/ Brass Base
- Full Range of Nozzles Included (8 mm, 9 mm, 10 mm, 11 mm, 12 mm)

## Primary Applications

- General Irrigation Use
- Gardens
- Residences or Acreages
- Horse Arena Dust Control
- School Playgrounds
- Natural Sports Turf
- Artificial Sports Turf Cooling
- Mining Dust Control
- Pastures
- Hobby Farms
- Wildlife Food Plot

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## Related Products



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[Terms and Conditions](#)  
[Warranty Information](#)



4" 85 GPM • 2 thru 7 1/2 HP • 3450

RPM • 60 Cycle



FLINT & WALLING

Zonflex Family of Water Solutions

SUBMERSIBLE

PUMP AT P.O.D.

| HP Size and Model No.           | Stages | Phase | Weight   |           | Discharge Pressure PSI | DEPTH TO WATER LEVEL IN FEET - CAPACITIES IN GALLONS PER MINUTE |                |                 |                 |                 |                 |                |                 |                 |                |                |                |                |                |                |                |                |                |          |          |      |     |     |  | Maximum Pressure |  |
|---------------------------------|--------|-------|----------|-----------|------------------------|-----------------------------------------------------------------|----------------|-----------------|-----------------|-----------------|-----------------|----------------|-----------------|-----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------------|----------|----------|------|-----|-----|--|------------------|--|
|                                 |        |       | Pump End | Motor End |                        | 20                                                              | 40             | 60              | 80              | 100             | 120             | 140            | 160             | 180             | 200            | 220            | 240            | 260            | 280            | 300            | 320            | 340            | 360            | 380      | 400      | Feet | PSI |     |  |                  |  |
| 2 HP<br>4F85A20<br>4F85S20      | 4      | 1     | 13       | 30        | 0<br>20<br>40<br>60    |                                                                 | 80<br>35       | 105<br>60       | 85<br>40        | 64              | 45              |                |                 |                 |                |                |                |                |                |                |                |                |                |          |          |      | 120 | 52  |  |                  |  |
|                                 |        | 3     | 13       | 28        |                        |                                                                 |                |                 |                 |                 |                 |                |                 |                 |                |                |                |                |                |                |                |                |                |          |          |      |     |     |  |                  |  |
| 3 HP*<br>4F85A30<br>4F85S30     | 6      | 1     | 15       | 52        | 0<br>20<br>40<br>60    | 101<br>70<br>40                                                 | 88<br>56<br>25 | 103<br>75<br>43 | 91<br>61<br>30  | 77<br>48        | 63<br>34        | 51             | 33              |                 |                |                |                |                |                |                |                |                |                |          |          |      | 185 | 80  |  |                  |  |
|                                 |        | 3     | 15       | 43        |                        |                                                                 |                |                 |                 |                 |                 |                |                 |                 |                |                |                |                |                |                |                |                |                |          |          |      |     |     |  |                  |  |
| 5 HP*<br>4F85A50<br>4F85S50     | 10     | 1     | 20       | 69        | 0<br>20<br>40<br>60    |                                                                 | 109<br>73      | 102<br>65       | 110<br>94<br>57 | 103<br>86<br>49 | 95<br>78<br>41  | 87<br>70<br>23 | 79<br>62<br>40  | 71<br>54<br>36  | 63<br>46<br>25 | 55<br>38       | 48<br>30       | 40             | 32             |                |                |                |                |          |          |      | 300 | 130 |  |                  |  |
|                                 |        | 3     | 20       | 53        |                        | 100<br>81                                                       |                |                 |                 |                 |                 |                |                 |                 |                |                |                |                |                |                |                |                |                |          |          |      |     |     |  |                  |  |
| 7-1/2 HP*<br>4F85A75<br>4F85S75 | 15     | 3     | 27       | 69        | 0<br>20<br>40<br>60    |                                                                 | 109<br>97      | 104<br>92       | 110<br>99       | 106<br>94<br>81 | 101<br>89<br>76 | 95<br>83<br>70 | 106<br>90<br>65 | 102<br>85<br>59 | 97<br>79<br>54 | 91<br>79<br>66 | 85<br>74<br>49 | 80<br>68<br>38 | 74<br>63<br>32 | 69<br>57<br>32 | 64<br>52<br>25 | 59<br>47<br>34 | 53<br>41<br>27 | 48<br>36 | 43<br>30 | 38   | 450 | 195 |  |                  |  |

NOTE: Pipe friction loss in drop pipe is not included in chart above. \*For 3 HP and above, refer to Franklin handbook for proper flow rates to cool motor.

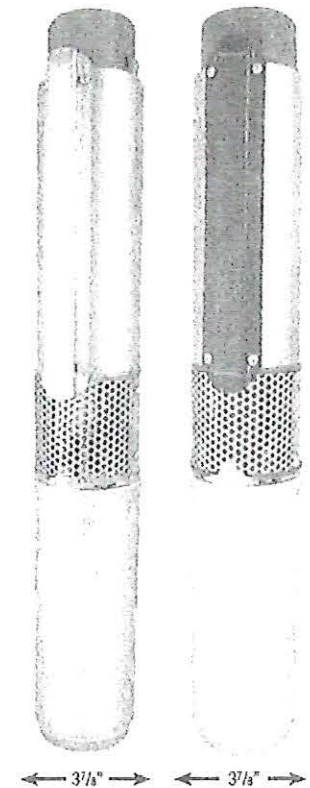
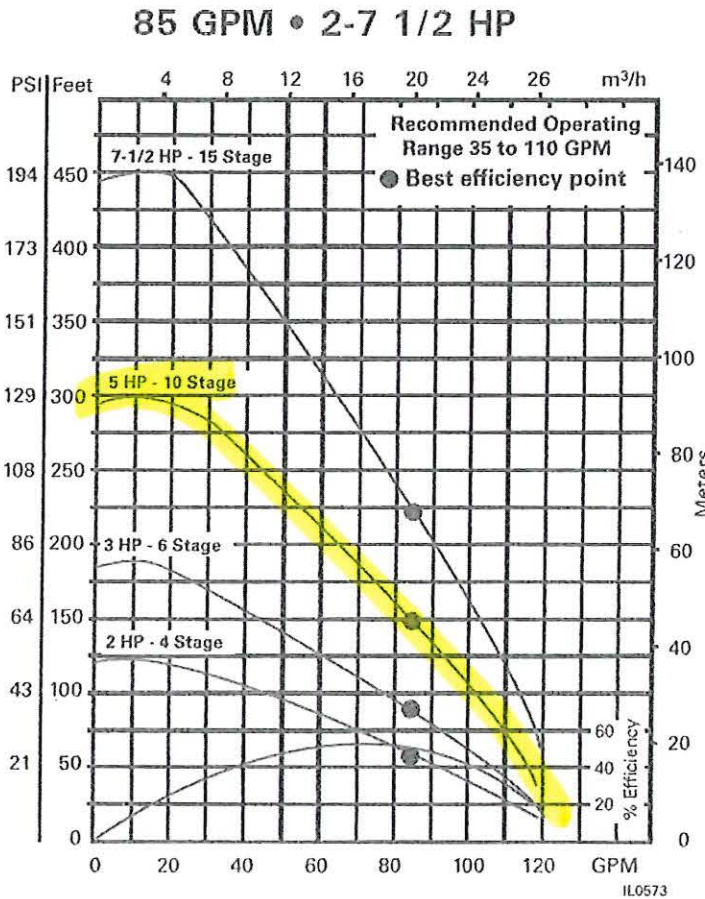
RECEIVED

OCT 23 2023

OWRD

Stainless Steel  
2" NPT

Cast Iron  
2" NPT



**FLINT & WALLING***Zuelke Family of Water Solutions*

Model No. Code      5 thru 27 GPM

4 F 10 A 05 - 30 1

4-inch minimum well diameter \_\_\_\_\_

Series \_\_\_\_\_

GPM \_\_\_\_\_

Material Construction \_\_\_\_\_

S - S.S. Castings, S.S. Shell

A - Cast Iron Castings, S.S. Shell

Motor H.P. Size \_\_\_\_\_

Motor Mfg. and Lead Type  
1 - 3-wire, Franklin  
5 - 2-wire, Franklin

Motor Voltage and Phase  
00 - 115 V 1 Ph  
30 - 230 V 1 Ph

1/2 - 1-1/2 HP Single phase pump and motor assembly includes pump/motor unit with motor leads.  
Order control box for 3-wire units separately.

On 2 - 7-1/2 HP and all 3 phase units, order pump, motor and control box separately. Magnetic starters must be purchased locally. Lead wire assembly included with motor.

Model No. Code      35, 55 &amp; 85 GPM

4 F 35 A 20

4-inch minimum well diameter \_\_\_\_\_

Series \_\_\_\_\_

GPM \_\_\_\_\_

Material Construction \_\_\_\_\_

S - S.S. Castings, S.S. Shell

A - Cast Iron Castings, S.S. Shell

Motor H.P. Size \_\_\_\_\_

**RECEIVED**  
**OCT 23 2023**  
**OWRD**

On 35, 55 & 85 GPM units order pump, motor and control box separately. Magnetic starters must be purchased locally. Lead wire assembly included with motor.

**4" FRANKLIN SUBMERSIBLE MOTORS & CONTROL BOXES**

| HP Rating | Voltage & Phase | Motor Type | Motor Thrust Rating | Motor Order Number | Control Box Order Number |
|-----------|-----------------|------------|---------------------|--------------------|--------------------------|
| 1/2       | 115V/1PH        | 3-Wire     | 300#                | 137426             | 127185                   |
|           | 230V/1PH        | 3-Wire     | 300#                | 137428             | 127189                   |
|           | 115V/1PH        | 2-Wire     | 300#                | 137412             |                          |
|           | 230V/1PH        | 2-Wire     | 300#                | 137414             |                          |
| 3/4       | 230V/1PH        | 3-Wire     | 300#                | 137430             | 127197                   |
|           | 230V/1PH        | 2-Wire     | 300#                | 137416             |                          |
| 1         | 230V/1PH        | 3-Wire     | 650#                | 137432             | 126319                   |
|           | 230V/1PH        | 2-Wire     | 650#                | 137418             |                          |
| 1-1/2     | 230V/1PH        | 3-Wire     | 650#                | 137434             | 133589                   |
|           | 230V/1PH        | 2-Wire     | 650#                | 137420             |                          |
|           | 200V/3PH        | 3-Wire     | 650#                | 137457             |                          |
|           | 230V/3PH        | 3-Wire     | 650#                | 137458             |                          |
|           | 460V/3PH        | 3-Wire     | 650#                | 137460             |                          |

| HP Rating | Voltage & Phase | Motor Type | Motor Thrust Rating | Motor Order Number | Control Box Order Number |
|-----------|-----------------|------------|---------------------|--------------------|--------------------------|
| 2         | 230V/1PH        | 3-Wire     | 650#                | 137435             | 137224+ 126321++         |
|           | 200V/3PH        | 3-Wire     | 650#                | 137461             |                          |
|           | 230V/3PH        | 3-Wire     | 650#                | 137462             |                          |
|           | 460V/3PH        | 3-Wire     | 650#                | 137464             |                          |
| 3         | 230V/1PH        | 3-Wire     | 900#                | 139422             | 136800+ 126322++         |
|           | 200V/3PH        | 3-Wire     | 900#                | 139423             |                          |
|           | 230V/3PH        | 3-Wire     | 900#                | 139424             |                          |
|           | 460V/3PH        | 3-Wire     | 900#                | 139425             |                          |
| 5         | 230V/1PH        | 3-Wire     | 1500#               | 137456             | 135269+ 137225++         |
|           | 200V/3PH        | 3-Wire     | 1500#               | 137469             |                          |
|           | 230V/3PH        | 3-Wire     | 1500#               | 137470             |                          |
|           | 460V/3PH        | 3-Wire     | 1500#               | 137472             |                          |
| 7-1/2     | 200V/3PH        | 3-Wire     | 1500#               | 137473             |                          |
|           | 230V/3PH        | 3-Wire     | 1500#               | 137474             |                          |
|           | 460V/3PH        | 3-Wire     | 1500#               | 137476             |                          |

++Standard control box.

# Checklist for Claims of Beneficial Use Received at CSG Counter

|                              |                          |
|------------------------------|--------------------------|
| Application #:               | WRD Reviewer: Nick Reece |
| Transfer #: T-13308          |                          |
| Date Received: 10/23/2023    |                          |
| CWRE Name: Todd J. Zeutzius  |                          |
| Priority Date (s): 9/22/1981 |                          |

## Fees Required:

- ☐ YES ☒ NO ☐ A fee of \$230 must accompany this form for permits with priority dates of July 9, 1987, or later.
- ☐ YES ☒ NO ☐ A fee of \$230 must accompany this form for any transfers including a water right with a priority date of July 9, 1987, or later.
- Example – A transfer involves 5 rights and one of the rights has a priority date of July 9, 1987, or later, the fee is required.

## Map Review:

- ☒ Map on polyester film (OAR 690-014-0170(1) & 310-0050(1)(b))
- ☒ Application & permit #; or transfer # (OAR 690-014-0100(1))
- ☒ Disclaimer (OAR 690-014-0170(5))
- ☒ North arrow (OAR 690-310-0050(2)(c))
- ☒ CWRE stamp and signature (OAR 690-014 & 310-0050)
- ☒ Appropriate scale (1" = 1320', 1" = 400', or the original full-size scale of the county assessor map) (014 & 310)
- ☒ Township, range, section, and tax lot numbers (OAR 690-310-0050(4))

## Report Review:

- ☒ On form provided by the Department (OAR 690-014-0100(1))
- ☒ Application & permit #; or transfer # (OAR 690-014)
- ☒ Ownership information (OAR 690-014)
- ☒ Date of survey (OAR 690-014)
- ☒ Person interviewed (OAR 690-014)
- ☒ County (OAR 690-014)
- ☒ CWRE stamp and signature (OAR 690-014-0100)
- ☒ Signature(s) of all permittee of transfer holder (OAR 690-014-0100)

## Groundwater File Review:

- ☐ Pump Test not required (Priority Date prior to December 20, 1988) \*If no, include pump test flyer w/acknowledgment letter
- ☐ Pump Test required (Priority Date on or after December 20, 1988)
- ☐ Pump Test submitted
- ☒ Pump Test not submitted

**MONEY SLIP**

|                                        |                          |                                |                  |
|----------------------------------------|--------------------------|--------------------------------|------------------|
| DATE:                                  |                          | RECEIPT #:                     |                  |
| RECOVER FROM:                          |                          | APPLICATION:                   |                  |
|                                        |                          | PERMIT                         |                  |
|                                        |                          | TRANSFER                       |                  |
| CASH CHECK #                           | OTHER (IDENTIFY)         | TOTAL RECEIVED                 |                  |
| <input type="checkbox"/>               | <input type="checkbox"/> |                                |                  |
| 0000 TREASURY 0000 MISC CASH ACCT      |                          |                                |                  |
| 0407 COPIES                            | (IDENTIFY)               |                                |                  |
| 0407 OTHER                             | (IDENTIFY)               |                                |                  |
| 0243 Instream Lease                    |                          | 0244 Multi-Purpose Water Right | 0245 Cont. Water |
| 0000 TREASURY 0000 WIND OPERATING ACCT |                          |                                |                  |
| MISCELLANEOUS 4611                     |                          |                                |                  |
| 0407 COPY & TAP FEES                   |                          |                                |                  |
| 0410 RESEARCH FEES                     |                          |                                |                  |
| 0408 MISC REVENUE (IDENTIFY)           |                          |                                |                  |
| TC162 DEPOSIT LNS (IDENTIFY)           |                          |                                |                  |
| 0340 EXTENSION OF TIME                 |                          |                                |                  |
| WATER RIGHTS                           |                          | 0202                           | 0204             |
| 0201 SURFACE WATER                     |                          |                                |                  |
| 0202 GROUND WATER                      |                          |                                |                  |
| 0203 TRANSFER                          |                          |                                |                  |
| WELL CONSTRUCTION                      |                          | 0210                           | 0210             |
| 0210 WELL DRILL CONSTRUCTION           |                          |                                |                  |
| 0210 LANDOWNER'S PERMIT                |                          |                                |                  |
| 0210 OTHER (IDENTIFY)                  |                          |                                |                  |
| 0000 TREASURY 0000 HYDROELECTRIC       |                          | 0000                           |                  |
| 0220 POWER LICENSE FEE (HYDROELECTRIC) |                          |                                |                  |
| 0220 HYDRO LICENSE FEE (HYDROELECTRIC) |                          |                                |                  |
| HYDRO APPLICATION                      |                          |                                |                  |
| SPECIAL INSTRUCTIONS:                  |                          |                                |                  |

☐ RETURN TO APPLICANT - LETTER ATTACHED

Fill in App  
or Transfer  
Number



**WATER RESOURCES DEPARTMENT**  
**REQUEST FOR DISTRIBUTION OF FUNDS**

TO: Fiscal Services Section

DATE: March \_\_, 2021

FROM: Corey Courchane - TACS

**RE: Request for Refund**

APPLICATION: T-13308

RECEIPT #: 131<sup>6</sup>69

Please prepare a refund in the amount of \$1,130.00, made payable to:

Name: DRAPER VALLEY FARMS

Address: 1751 DRAPER VALLEY RD

City: SELMA, OR 97538

46110  
0205

These funds are being paid or refunded as a result of (check one):

- ☐ Request for file to be Withdrawn
- ☒ Excess fees were collected for application
- ☐ Protest filing fees
- ☐ Standing fees
- ☐ Permit recording fees
- ☐ Other: Claim of Beneficial Use returned – Water user did not qualify to self-certify their permit

I have reviewed this distribution request and have determined the request to be justified as to the purpose indicated above. Fiscal Services is hereby authorized to process the requested distribution.

Authorized Signature:



Date:

3-12-2021



**Oregon**  
Kate Brown, Governor

**Water Resources Department**  
725 Summer St NE, Suite A  
Salem, OR 97301  
(503) 986-0900  
Fax (503) 986-0904

March , 2021

JEFF GITTO  
DRAPER VALLEY FARMS  
1751 DRAPER VALLEY RD  
SELMA, OR 97538

Reference: Transfer Application T-13308

It has come to the attention of the Oregon Water Resources Department that you submitted a check for an amount in excess of the statutory application fee for Transfer Application T-13308.

A refund check in the amount of \$1,130.00 is currently being processed and will be arriving separately at a later time.

Sincerely,

Corey Courchane  
Transfer Specialist  
Transfer and Conservation Section

Cc: Fiscal

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

|                                       |   |                            |
|---------------------------------------|---|----------------------------|
| In the Matter of Transfer Application | ) | FINAL ORDER APPROVING A    |
| T-13308, Josephine County             | ) | CHANGE IN PLACE OF USE AND |
|                                       | ) | CHARACTER 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**

JEFF GITTO  
DRAPER VALLEY FARMS  
1751 DRAPER VALLEY RD  
SELMA, OR 97538

**Receiving Landowner**

JEFF GITTO  
1751 DRAPER VALLEY RD  
SELMA, OR 97538

**Findings of Fact**

1. On December 11, 2019, JEFF GITTO, DRAPER VALLEY FARMS filed an application to change the place of use and to change the character of use under Certificate 63657. The Department assigned the application number T-13308.
2. JEFF GITTO, 1751 DRAPER VALLEY RD, SELMA, OR 97538, is the receiving landowner who will be responsible for completion of the changes.
3. Notice of the application for transfer was published on December 24, 2019, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
4. On September 18, 2020, the Department contacted the applicant's agent by written correspondence to notify the agent of deficiencies in the application. The application map identified a change in place of use for 4.2 acres, however Table 2 did not. The map also did not identify a change in character of use from irrigation to nursery. The Department requested that the deficiencies be resolved by October 19, 2020.

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.



5. On September 30, 2020, the agent submitted a revised Table 2 and map, resolving the deficiencies.
6. On October 15, 2020, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-13308 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of November 16, 2020, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
7. On January 19, 2021, the Department issued a Preliminary Determination proposing to approve Transfer T-13308 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 January 26, 2021, and in the Grants Pass Daily Courier newspaper on January 22 and 29, 2021 pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

8. The right to be transferred is as follows:

**Certificate:** 63657 in the name of RALPH L. AND IRENE SELTZER (perfected under Permit S-47299)

**Use:** IRRIGATION of 18.6 ACRES

**Priority Date:** SEPTEMBER 22, 1981

**Rate:** 0.37 CUBIC FOOT PER SECOND

**Limit/Duty:** The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-FIFTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

**Source:** DRAPER CREEK, a tributary of DEER CREEK

**Authorized Point of Diversion:**

| Twp  | Rng | Mer | Sec | Q-Q   | Measured Distances                                                    |
|------|-----|-----|-----|-------|-----------------------------------------------------------------------|
| 37 S | 8 W | WM  | 36  | SE SE | 1000 FEET NORTH AND 1540 FEET EAST FROM THE S1/4 CORNER OF SECTION 36 |

**Authorized Place of Use:**

| IRRIGATION |     |     |     |       |       |
|------------|-----|-----|-----|-------|-------|
| Twp        | Rng | Mer | Sec | Q-Q   | Acres |
| 37 S       | 8 W | WM  | 36  | SW SE | 15.8  |
| 37 S       | 8 W | WM  | 36  | SE SE | 2.8   |
| Total      |     |     |     |       | 18.6  |

9. Transfer Application T-13308 proposes to change the character of use to nursery use.

10. Transfer Application T-13308 also proposes to change the place of use of the right to:

| NURSERY USE |     |     |     |       |       |
|-------------|-----|-----|-----|-------|-------|
| Twp         | Rng | Mer | Sec | Q-Q   | Acres |
| 37 S        | 8 W | WM  | 36  | SW SE | 11.6  |
| 37 S        | 8 W | WM  | 36  | SE SE | 7.0   |
| Total       |     |     |     |       | 18.6  |

11. Certificate 63657 does not specify an irrigation season; however, consistent with the Illinois River Decree, the irrigation season is April 1 through November 1.

***Transfer Review Criteria [OAR 690-380-4010(2)]***

12. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
13. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-13308.
14. The proposed changes, as conditioned, would not result in enlargement of the right.
15. The proposed changes, as conditioned, would not result in injury to other water rights.
16. All other application requirements are met.

**Conclusions of Law**

The change in place of use and change in character of use proposed in Transfer Application T-13308 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 place of use and change in character of use proposed in Transfer Application T-13308 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 63657 and any related decree.
3. Water right Certificate 63657 is cancelled.
4. The rate of diversion for the change in character of use from irrigation to the proposed nursery operation use shall be limited to 0.37 cubic foot per second and shall be further limited to a total volume diverted of 65.1 acre feet (18.6 acres x 3.5 acre feet per acre) during the original season of use, being April 1 to November 1.

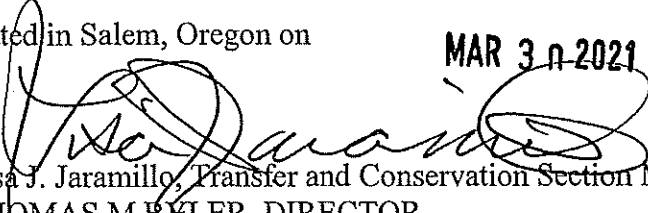
5. The change in character of use from irrigation to the proposed nursery use shall be further limited such that:
  - a) The amount of water used for NURSERY OPERATIONS is limited to a diversion of 0.37 cubic foot per second per acre and 65.1 acre feet per acre during the irrigation season of each year.
  - b) For the irrigation of containerized nursery plants, the amount of water diverted is limited to 0.37 cubic foot per second (or its equivalent) and 65.1 acre feet per acre during the irrigation season of each year.
  - c) For the irrigation of in-ground nursery plants, the amount of water diverted is limited to 0.37 cubic foot per second (or its equivalent) and 65.1 acre feet per acre during the irrigation season of each year.
  - d) For the irrigation of any other crop, the amount of water diverted is limited to 0.37 cubic foot per second (or its equivalent) and 65.1 acre feet per acre during the irrigation season of each year. The use of water for irrigation of any other crop shall be limited to 18.6 acres.
6. 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.
7. The former place of use of the transferred right shall no longer receive water under the right.
8. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2022**. 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 changes and full beneficial use of the water.



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

Dated in Salem, Oregon on

MAR 3 1 2021

  
Lisa J. Jaramillo, Transfer and Conservation Section Manager, for  
THOMAS M BYLER, DIRECTOR  
Oregon Water Resources Department

Mailing date: MAR 3 1 2021

# WATER RIGHT TRANSFER COVER SHEET

Transfer: T- 13308

Transfer Specialist:

Transfer Type: Regular

*Corey*

|                                                                                                                                 |  |                                                                                                                                            |  |
|---------------------------------------------------------------------------------------------------------------------------------|--|--------------------------------------------------------------------------------------------------------------------------------------------|--|
| <b>Applicant:</b><br>DRAPER VALLEY FARMS<br>JEFF GITTO<br>1751 DRAPER VALLEY RD<br>SELMA, OR 97538<br>Email: _____ Phone: _____ |  | <b>Agent:</b> <input type="checkbox"/> N/A<br>ANDREA RABE<br>421 COMMERCIAL STREET<br>KLAMATH FALLS, OR 97601<br>Email: _____ Phone: _____ |  |
| <b>Irrigation District:</b> <input type="checkbox"/> N/A<br>Email: _____                                                        |  | <b>CWRE:</b> <input type="checkbox"/> N/A<br>Email: _____                                                                                  |  |
| <b>Affected Local Gov'ts:</b> <input type="checkbox"/> N/A<br>Email: _____                                                      |  | <b>Affected Tribal Gov't:</b> <input type="checkbox"/> N/A<br>UNAVAILABLE<br>Email: _____                                                  |  |
| <b>Current Landowner if other than Applicant:</b> <input type="checkbox"/> N/A<br>Email: _____                                  |  | <b>Receiving Landowner:</b> <input type="checkbox"/> N/A<br>Email: _____                                                                   |  |

## Water Rights Affected

| File Marked              | App. File # or Decree Name | Permit  | Certificate | RR/CR Needed                                                        | RR/CR Nos. |
|--------------------------|----------------------------|---------|-------------|---------------------------------------------------------------------|------------|
| <input type="checkbox"/> | S-62818                    | S-47299 | 63657       | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |            |
| <input type="checkbox"/> |                            |         |             | <input type="checkbox"/> Yes <input type="checkbox"/> No            |            |
| <input type="checkbox"/> |                            |         |             | <input type="checkbox"/> Yes <input type="checkbox"/> No            |            |

## Key Dates & Initial Actions:

|                                                                 |                                                   |                                              |
|-----------------------------------------------------------------|---------------------------------------------------|----------------------------------------------|
| Rec'd: December 11, 2019                                        | Proposed Action(s): USE                           |                                              |
| Fees Pd: 1610.00                                                | WM District: 14                                   | ODFW District:                               |
| Initial Public Notice: December 24, 2019                        | WM Review sent:                                   | ODFW Review sent:                            |
| Acknowledgement Letter Sent <input checked="" type="checkbox"/> |                                                   | GW Review sent: <input type="checkbox"/> N/A |
| County sent cc: of Ack Letter <input type="checkbox"/>          | BOR notified (date): <input type="checkbox"/> N/A |                                              |
| Newspaper quote requested: 11/30/20                             | Request for news \$ sent: 12/11/20                | News \$ received: 12/31/20                   |
| Request to publish sent:                                        | Affidavit of publication received: 2/1/21         | Last day of publication: 1/29/21             |

*Grants Pass Daily Courier*

| Document | Drafted                              | Peer Review                              | Changes Made                   | Coordinator                            | Changes Made                          | Signature Bin     | Signature Date |
|----------|--------------------------------------|------------------------------------------|--------------------------------|----------------------------------------|---------------------------------------|-------------------|----------------|
| DPD      | Date: 9/30/20<br>Initials: <i>cc</i> | Date: 10/2/20<br>Initials: <i>Scott</i>  | Date: _____<br>Initials: _____ | Date: 10/12/20<br>Initials: <i>PKS</i> | Date: 10/15/20<br>Initials: <i>cc</i> | CW Sent: 10/15/20 | N/A            |
| PD       | Date: 11/9/20<br>Initials: <i>cc</i> | Date: 11/17/20<br>Initials: <i>Scott</i> | Date: _____<br>Initials: _____ | Date: 11/20/20<br>Initials: <i>PKS</i> | Date: _____<br>Initials: _____        | Date: 1/11/21     | 1/11/2021      |
| FO       | Date: 1/27/21<br>Initials: <i>cc</i> | Date: 2-13-20<br>Initials: <i>PKS</i>    | Date: _____<br>Initials: _____ | Date: 2/22/21<br>Initials: <i>PKS</i>  | Date: _____<br>Initials: _____        | Date: 3/8/21      | MAR 3 n 2021   |

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

Special Order Volume: Vol. *118* Pages *779-*



# Oregon

Kate Brown, Governor

## Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

February , 2021

JEFF GITTO  
DRAPER VALLEY FARMS  
1751 DRAPER VALLEY RD  
SELMA, OR 97538

Reference: Transfer Application T-13308

It has come to the attention of the Oregon Water Resources Department that you submitted a check for an amount in excess of the statutory application fee for Transfer Application T-13308.

A refund check in the amount of \$1,130.00 is currently being processed and will be arriving separately at a later time.

Sincerely,

Corey Courchane  
Transfer Specialist  
Transfer and Conservation Section

Cc: Fiscal



## **COURCHANE Corey A \* WRD**

---

**From:** BUCHHOLZ Sheila L \* WRD  
**Sent:** Tuesday, December 22, 2020 2:30 PM  
**To:** COURCHANE Corey A \* WRD; BAUSTIAN Julie C \* WRD  
**Cc:** MARTIN Duff A \* WRD  
**Subject:** PD T-13308

Good Afternoon,  
Heads up that this one is complete and ready to go.  
Thanks!

[Sheila Buchholz](#)

Data Technician 1

725 Summer St. NE, Suite A | Salem, Oregon 97301

Email: [Sheila.L.Buchholz@oregon.gov](mailto:Sheila.L.Buchholz@oregon.gov)



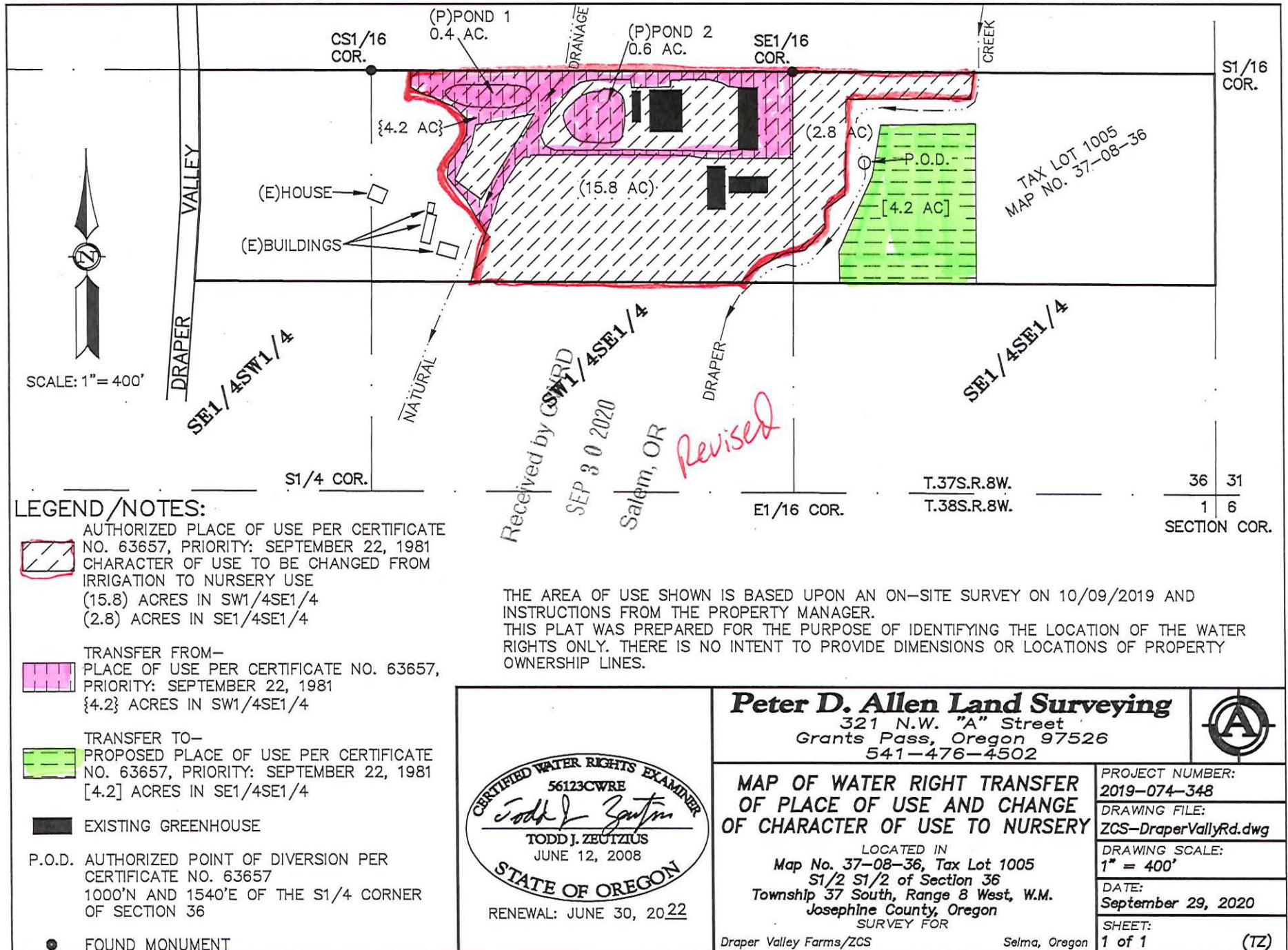
OREGON  
WATER  
RESOURCES  
DEPARTMENT

[Integrity](#) | [Service](#) | [Technical Excellence](#) | [Teamwork](#) | [Forward-Looking](#)

(...in between PD Peer Review and PD issuance)

- Attach PD and RR (if any) to the front of the Transfer file and give to Transfer Support

|                                                                                              |  |
|----------------------------------------------------------------------------------------------|--|
| Date Received from Data Center:                                                              |  |
| ▫ Update Transfer/Data Center Tracking Log (... <i>file received back from Data Center</i> ) |  |
| Date Delivered back to Caseworker:                                                           |  |





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 #63657**

List the change proposed for the acreage in each 1/4 1/4. 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)<br>The listing that appears on the certificate BEFORE PROPOSED CHANGES<br>List only that part or portion of the water right that will be changed. |     |     |     |            |                      |       |                                         |                                                         |                  |            | Proposed<br>Changes (see<br>"CODES"<br>from previous<br>page) | PROPOSED (the "to" or "on" lands)<br>The listing as it would appear AFTER PROPOSED CHANGES<br>are made. |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----|-----|------------|----------------------|-------|-----------------------------------------|---------------------------------------------------------|------------------|------------|---------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|---------|-----|------------|----------------------|-------|--------------------|-------------------------------------------|------------------|------|---|------|---------|--------|------|
| Twp                                                                                                                                                                                      | Rng | Sec | 1/4 | Tax<br>Lot | Gvt<br>Lot or<br>DLC | Acres | Type of USE<br>listed on<br>Certificate | POD(s) or<br>POA(s) (name<br>or number<br>from Table 1) | Priority<br>Date | Twp        |                                                               | Rng                                                                                                     | Sec     | 1/4 | Tax<br>Lot | Gvt<br>Lot or<br>DLC | Acres | New Type<br>of USE | POD(s) to<br>be used<br>(from<br>Table 1) | Priority<br>Date |      |   |      |         |        |      |
| EXAMPLE                                                                                                                                                                                  |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
| 2                                                                                                                                                                                        | S   | 9   | E   | 15         | NE                   | NW    | 100                                     |                                                         | 15.0             | Irrigation | POD #1<br>POD #2                                              | 1901                                                                                                    | POU/POD | 2   | S          | 9                    | E     | 1                  | NW                                        | NW               | 500  | 1 | 10.0 |         | POD #5 | 1901 |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         | 2   | S          | 9                    | E     | 2                  | SW                                        | NW               | 500  |   | 5.0  |         | POD #6 | 1901 |
| 37                                                                                                                                                                                       | S   | 8   | W   | 36         | SE                   | SE    | 1005                                    |                                                         | 2.8              | Irrigation | POD                                                           |                                                                                                         | USE     | 37  | S          | 8                    | W     | 36                 | SE                                        | SE               | 1005 | ✓ | 2.8  | Nursery |        |      |
| 37                                                                                                                                                                                       | S   | 8   | W   | 36         | SW                   | SE    | 1005                                    |                                                         | 15.0             | Irrigation | POD                                                           |                                                                                                         | USE     | 37  | S          | 8                    | W     | 36                 | SW                                        | SE               | 1005 |   | 15.0 | Nursery |        |      |
| 37                                                                                                                                                                                       | S   | 8   | W   | 36         | SW                   | SE    | 1005                                    |                                                         | 4.2              | Irrigation | POD                                                           |                                                                                                         | USE/POU | 37  | S          | 8                    | W     | 36                 | SE                                        | SE               | 1005 | ✓ | 4.2  | Nursery |        |      |
| 37                                                                                                                                                                                       | S   | 8   | W   | 36         | SW                   | SE    | 1005                                    |                                                         | 11.6             | Irrigation | POD                                                           |                                                                                                         | USE     | 37  | S          | 8                    | W     | 36                 | SW                                        | SE               | 1005 | ✓ | 11.6 | Nursery |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
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|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
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|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
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|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
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|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
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|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
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|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
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|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                         |         |     |            |                      |       |                    |                                           |                  |      |   |      |         |        |      |

Additional remarks: Changing from irrigation to nursery use with season of use being year-round. REMAINING THE SAME.

Received by OWRD

SEP 30 2020

Salem, OR

*Revised*

# Regular Transfer Review Checklist

T- 13308

Caseworker: Carey C

| TYPE OF TRANSFER                                           |                                                                              |
|------------------------------------------------------------|------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/>                        | POD, APOD or POA, APOA and/or Place of Use (690-380-2110 and 690-380-2200)   |
| Transfers Requiring Supplemental Review Criteria           |                                                                              |
| <input type="checkbox"/>                                   | Character of Use (690-380-2300)                                              |
| <input type="checkbox"/>                                   | Instream, ORS 537.348, (690-380-2200, 690-380-2300 and 690-077-065 thru 075) |
| <input type="checkbox"/>                                   | Consent to Injury of Instream (CTI) ORS 540.530, (690-380-5050)              |
| <input type="checkbox"/>                                   | Surface Water to Ground Water (SW to GW), ORS 540.531, (690-380-2130)        |
| <input type="checkbox"/>                                   | Supplemental Use to Primary Use (S to P), ORS 540.524, (690-380-2320)        |
| If transfer type not listed above, see separate checklists |                                                                              |

| FILE PREPARATION                    |                                                                                                                                                                 |
|-------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| CW                                  |                                                                                                                                                                 |
| <input checked="" type="checkbox"/> | File Assigned (Computer Entry)                                                                                                                                  |
| <input type="checkbox"/>            | Is transfer within a district boundary?                                                                                                                         |
| <input type="checkbox"/>            | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No                                                                                             |
| <input checked="" type="checkbox"/> | If yes, attach "Supplemental Processing Checklist for Transfers with a District" for additional required information.                                           |
| <input checked="" type="checkbox"/> | Make Copies and Place in Working File:                                                                                                                          |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> Application <input checked="" type="checkbox"/> Map                                                                         |
| <input checked="" type="checkbox"/> | Verify all Certificates/Permits are shown in WRIS to be non-cancelled                                                                                           |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> Print Certificates and Place in Working File                                                                                |
| <input checked="" type="checkbox"/> | Add Working file to T-file                                                                                                                                      |
| <input checked="" type="checkbox"/> | Check Public Comments                                                                                                                                           |
|                                     | <a href="https://apps.wrd.state.or.us/apps/wr/wr_public_comment_mgmt/default.aspx">https://apps.wrd.state.or.us/apps/wr/wr_public_comment_mgmt/default.aspx</a> |
| CW                                  |                                                                                                                                                                 |
| <input checked="" type="checkbox"/> | All Stakeholders accurately listed in WRIS with email addresses if available, including                                                                         |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> Irrigation District <input type="checkbox"/> BOR <input type="checkbox"/> Tribes                                                       |
| <input checked="" type="checkbox"/> | Is this a Living Certificate? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No                                                               |
| <input checked="" type="checkbox"/> | Double check all water rights/permits are included in WRIS under Transfer #                                                                                     |
| <input checked="" type="checkbox"/> | Copy and Place in Working File:                                                                                                                                 |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> Watermaster Review <input checked="" type="checkbox"/> Groundwater Review                                                   |
| <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> ODFW Review                                                                                                                 |
| <input checked="" type="checkbox"/> | Public Comments Received?                                                                                                                                       |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No                                                                                             |
| <input checked="" type="checkbox"/> | If yes, print comments and place in file                                                                                                                        |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> Timely <input type="checkbox"/> Untimely                                                                                               |
| <input checked="" type="checkbox"/> | Notes:                                                                                                                                                          |

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Scott

| BASIC APPLICATION REVIEW and NOTICE (OAR 680-380-3000 and -4000) |                                     |                                                                                           |  |
|------------------------------------------------------------------|-------------------------------------|-------------------------------------------------------------------------------------------|--|
| CW                                                               | N/A                                 |                                                                                           |  |
| <input checked="" type="checkbox"/>                              |                                     | Appropriately signed                                                                      |  |
| <input checked="" type="checkbox"/>                              |                                     | All required Attachments Received                                                         |  |
| <input checked="" type="checkbox"/>                              |                                     | Appropriate Fees Paid                                                                     |  |
| <input checked="" type="checkbox"/>                              | <input type="checkbox"/>            | Local Government [County] noticed Copy of Acknowledgment Letter                           |  |
| CW                                                               | N/A                                 |                                                                                           |  |
| <input checked="" type="checkbox"/>                              | <input type="checkbox"/>            | Check Area of Interest – Print if needed, include in WRIS stakeholder as interested party |  |
| <input checked="" type="checkbox"/>                              | <input checked="" type="checkbox"/> | Ditch Co., Irr. Dist and/or BOR sent copies                                               |  |
| <input checked="" type="checkbox"/>                              | <input type="checkbox"/>            | Overpayment of Fees, Refund Request w/FO                                                  |  |
| <input checked="" type="checkbox"/>                              | <input type="checkbox"/>            | OWRD Land Use Form matches Tax Lots, is signed by proper official and is APPROVED         |  |
|                                                                  |                                     | N/A = Must meet all 4 criteria for exemption (OAR 690-380-3000(19))                       |  |



### BASIC APPLICATION REVIEW and NOTICE (OAR 680-380-3000 and -4000) Cont'd

| CW                                  | N/A                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | CW                                  | N/A                      |                                                                                                                                                                            |
|-------------------------------------|--------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|--------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/>            | <input type="checkbox"/> | Supp. Form D or Letter of approval from Irrigation or Water Control District                                                                                                                                                                                                                                                                                                                                                                                                                    | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Evidence of Use is submitted with supporting documentation                                                                                                                 |
| <input type="checkbox"/>            | <input type="checkbox"/> | Are the supplemental water rights included in the Transfer? <input type="checkbox"/> Yes <input type="checkbox"/> No<br>If no, are they cancelling? <input type="checkbox"/> Yes <input type="checkbox"/> No                                                                                                                                                                                                                                                                                    | <input checked="" type="checkbox"/> |                          | Map meets criteria of OAR 690-380-3100                                                                                                                                     |
| <input checked="" type="checkbox"/> |                          | Water Use Subject to Transfer (OAR 690-380-0100(14))<br>Is the water right(s) proposed for transfer a water use(s) subject to transfer?<br><input type="checkbox"/> Adjudicated or decreed <input checked="" type="checkbox"/> Certificated<br><input type="checkbox"/> Water use permit with CBU and proof to satisfaction issued<br><input type="checkbox"/> Transfer app for which an order approving change has been issued and proper proof of the completion of the change has been filed | <input checked="" type="checkbox"/> |                          | Any application deficiencies that need to be addressed?<br><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Notes: <u>See deficiency letter 9/18/20</u> |

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### Reviewing the "From" and "To" Lands (Use working copy of application and certificates to mark on)

| CW                                  |                                                                                                | CW                                  |                                                                                                                         |
|-------------------------------------|------------------------------------------------------------------------------------------------|-------------------------------------|-------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> | <u>From</u> : Only the authorized POD's/POA's and POUs involved are listed.                    | <input checked="" type="checkbox"/> | <u>From</u> : Application & certificate tabulations match. (Mark on appl. and cert. copies and note corrections needed) |
| <input checked="" type="checkbox"/> | <u>From</u> : Marked on certificate the acreage being affected and remaining by ¼ ¼.           | <input checked="" type="checkbox"/> | <u>From</u> : Marked on certificate the quantity of water being transferred, cancelled, and remaining                   |
| <input checked="" type="checkbox"/> | <u>From and To</u> : Print Plat Card(s), check and note conflicts (change in pou and use only) | <input checked="" type="checkbox"/> | <u>From and To</u> : Compare water right map to Application tabulation (Table 2) to Application map for accuracy        |

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### Amended Application Pages and Maps

| CW                                  | N/A                                 |                                                                                                                            | CW                                  | N/A                      | Notes/Documentation                                                                                                                                                                                                                |
|-------------------------------------|-------------------------------------|----------------------------------------------------------------------------------------------------------------------------|-------------------------------------|--------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Amended Application Pages Rec'd <u>9/30/20</u><br>Amended Application Map Rec'd <u>9/30/20</u>                             | <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> Scan new pages<br><input checked="" type="checkbox"/> Update WRIS with new pages<br><input checked="" type="checkbox"/> Mark replaced pages in red with 'SUPERSEDED' and place in back of file |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Did the amendment change the location of the proposed POD or POA? <input type="checkbox"/> Yes <input type="checkbox"/> No | <input type="checkbox"/>            | <input type="checkbox"/> | <input type="checkbox"/> For POD changes, re-review from Watermaster or other documentation<br><input type="checkbox"/> For POA changes, re-review from GW section                                                                 |



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## Layered and Supplemental Water Rights (OAR 690-380-2240)

| CW                       | N/A                                 |                                                                                                                                                                                                                                                                                                                                                                                                    | CW                       | N/A                                 | NOTES                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
|--------------------------|-------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | OAR 690-380-2240(2) and (3)<br>Transfer of Layered Water Rights and<br>Certificates of Registration (change in use<br>or pou)<br><i>See definition of layered in OAR 690-380-0100(4)</i>                                                                                                                                                                                                           | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Are there other layered water uses subject<br>transfer, permits or certificates of registration<br>which were <u>not</u> included in the application?<br><input type="checkbox"/> Yes <input type="checkbox"/> No<br>If yes, provide applicant 30days to:<br><input type="checkbox"/> Submit application for concurrent changes<br><input type="checkbox"/> Submit affidavits for voluntary cancellations<br><input type="checkbox"/> Withdraw the application                                     |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | OAR 690-380-2240(5)<br>Transfer of Supplemental Irrigation water<br>right separately from associated primary<br>water right.<br>Transfer of supplemental irrigation right<br>may be moved separately from associated<br>primary irrigation right if another primary<br>irrigation right with similar reliability is<br>appurtenant to the lands to which the<br>supplemental right is to be moved. | <input type="checkbox"/> | <input checked="" type="checkbox"/> | Does the new primary irrigation water right have<br>similar reliability as the associated primary<br>irrigation water right? <input type="checkbox"/> Yes <input type="checkbox"/> No<br>Will the supplemental water right be used more than<br>it was when associated with previous primary right?<br>New primary right priority date: _____<br>Prior primary right priority date: _____<br>History of regulation? <input type="checkbox"/> Yes <input type="checkbox"/> No<br>Watermaster Review |

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## TRANSFER REVIEW Criteria (OAR 690-380-4010)

| CW                                  |                                                                                                                                                                                                                                                                              | CW                                  | DOCUMENTATION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|-------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> | Validity of the Right; Not Forfeited<br>OAR 690-380-4010(2)(a)<br>The right(s) has been used over the past five years<br>according to the terms and conditions of the right<br>and the right is not subject to forfeiture under ORS<br>540.610.                              | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> Evidence of Use & supporting documentation<br><input type="checkbox"/> Confirming Cert issued within last 5 years<br><input type="checkbox"/> Rebuttal to forfeiture (ORS 540.610(2)) _____                                                                                                                                                                                                                                                                                                                               |
| <input checked="" type="checkbox"/> | Ready, Willing, and Able<br>OAR 690-380-4010(2)(b)<br>The water user is ready, willing and able to use the<br>full amount of water allowed under the right.                                                                                                                  | <input checked="" type="checkbox"/> | <input checked="" type="checkbox"/> Current delivery system description in Part 5 of<br>Application<br>Notes: _____<br>Delivery system has the capacity to fully divert and use<br>the rate/duty of the right                                                                                                                                                                                                                                                                                                                                                 |
| <input checked="" type="checkbox"/> | Enlargement<br>OAR 690-380-4010(2)(c)<br>The proposed transfer would result in<br>enlargement<br><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br>Notes: <u>Rate + Duty Limitation</u><br>_____<br>(Must make a positive finding of "No enlargement"). | <input checked="" type="checkbox"/> | No expansion of the right:<br><input checked="" type="checkbox"/> No greater rate or duty per acre than currently allowed<br><input type="checkbox"/> Cannot increase acreage under the right<br><input type="checkbox"/> Must prevent the original place of use from receiving<br>water from the same source<br><input type="checkbox"/> Cannot divert more water at the new POD or POA than<br>is legally available to that right at the original point of<br>diversion/appropriation<br>See deficient rate right guidance<br>See micro irrigation guidance |

## TRANSFER REVIEW Criteria Cont'd (OAR 690-380-4010)

|                                     |                                                                                                                                                                                                                                                                   |                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|-------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> | <p>Injury</p> <p>OAR 690-380-4010(2)(d)</p> <p>The proposed transfer would result in injury</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Notes: _____</p> <p>_____</p> <p>(Must make a positive finding of "No injury").</p> | <input checked="" type="checkbox"/> | <p>The proposed transfer would result in another, existing water right not receiving previously available water to which it is legally entitled</p> <p><input checked="" type="checkbox"/> Watermaster Review. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p><input type="checkbox"/> Groundwater Review. <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A</p> <p><input type="checkbox"/> ODFW Review. <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A</p> <p>If yes, can the injury be mitigated? <input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Conditions: _____</p> <p>_____</p> <p>Also See Injurious Transfers (690-380-5030 to 5050)</p> |
| <input checked="" type="checkbox"/> | <p>Other requirements</p> <p>OAR 690-380-4010(2)(e)</p> <p>Any other requirements for water right transfers are met.</p>                                                                                                                                          | <input type="checkbox"/>            | <p>Attach supplemental criteria checklist for transfer type marked on page 1</p> <p><input type="checkbox"/> Character of Use <input type="checkbox"/> SW to GW</p> <p><input type="checkbox"/> Instream <input type="checkbox"/> Supplemental to Primary</p> <p><input type="checkbox"/> Consent to Injury of Instream Water Right</p>                                                                                                                                                                                                                                                                                                                                                                                                                                                         |

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### Additional Findings of Fact

| CW                                  | N/A                                 |                                                                        | CW                                  | N/A                      | SAMPLE FINDING                                                                                                                                                                                                                                                                              |
|-------------------------------------|-------------------------------------|------------------------------------------------------------------------|-------------------------------------|--------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Add Finding for submission of amended application pages or amended map | <input checked="" type="checkbox"/> | <input type="checkbox"/> | On ___, the applicant submitted an amended application page/map clarifying . . . .                                                                                                                                                                                                          |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Add Finding for timely comments received                               | <input type="checkbox"/>            | <input type="checkbox"/> | On (date), timely comments were received from (name), asserting (issues). The Department has considered the comments and finds: . . . .<br>(do they assert injury/enlargement or forfeiture?)                                                                                               |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Add Watermaster Review                                                 | <input type="checkbox"/>            | <input type="checkbox"/> | The District ___ Watermaster reviewed the proposed transfer application and concluded the proposed transfer would not result in enlargement of the right or injury to existing water rights. <b>OR</b> would result in injury or enlargement of the right unless it was conditioned . . . . |

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### Additional Conditions and Provisions under Review Criteria

| CW                                  | N/A                                 |                                   | CW                                  | N/A                                 | SAMPLE FINDING                                                                                   |
|-------------------------------------|-------------------------------------|-----------------------------------|-------------------------------------|-------------------------------------|--------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Add Watermaster conditions        | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | See Supplemental Language (Measurement devices) or requirements to prevent injury or enlargement |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Add ODFW fish screen requirements | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | See Supplemental Language Fish Screen Requirements                                               |
| <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Add ground water conditions       | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | See Groundwater Review / Supplemental Language                                                   |



| Additional Conditions and Provisions under Review Criteria (Cont'd) |                                     |                                                                                                                                                                 |                                     |                          |                                                                                                                                                                                                                                                      |
|---------------------------------------------------------------------|-------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------|--------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| CW                                                                  | N/A                                 |                                                                                                                                                                 | CW                                  | N/A                      | SAMPLE FINDING                                                                                                                                                                                                                                       |
| <input type="checkbox"/>                                            | <input checked="" type="checkbox"/> | Additional finding for evaluation of comments received and any actions or conditions to address comments                                                        | <input type="checkbox"/>            | <input type="checkbox"/> |                                                                                                                                                                                                                                                      |
| <input checked="" type="checkbox"/>                                 | <input type="checkbox"/>            | Add any other special provisions                                                                                                                                | <input checked="" type="checkbox"/> | <input type="checkbox"/> | Additional findings to support determination of additional review criteria listed                                                                                                                                                                    |
| <input type="checkbox"/>                                            | <input checked="" type="checkbox"/> | Any cancellation/diminishment submitted?<br><input type="checkbox"/> Yes <input type="checkbox"/> No                                                            | <input type="checkbox"/>            | <input type="checkbox"/> | If yes: (See Supplemental Language Document)<br><input type="checkbox"/> Add Authority after 1 <sup>st</sup> paragraph<br><input type="checkbox"/> Add finding(s) to document cancellation/diminishment                                              |
| <input type="checkbox"/>                                            | <input checked="" type="checkbox"/> | Are the existing water rights issued in the name of a District or Bureau of Reclamation?<br><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | <input type="checkbox"/>            | <input type="checkbox"/> | If yes, a Finding of Fact and an Order item identifying the name in which the confirming certificate will be issued and who is responsible for COBU.<br>Notes:<br><br><i>See "Supplemental Processing Checklist for Transfers within a District"</i> |

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### Determination and Conclusions of Law

| FINDINGS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | DETERMINATION AND PROPOSED ACTION /<br>CONCLUSIONS OF LAW                                                                                                                                                                                                                                                                                                   |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Based on review of the evidence submitted, the Department finds the water right(s) has/have been used [within the last five years] <b>OR</b> [within the five-year period prior to submittal of the transfer application] according to the terms and conditions of the right(s) and the right(s) is/are not subject to forfeiture.                                                                                                                                                                                                                         | The right(s) has/have been used [within the past five years] <b>OR</b> [within the five-year period prior to submittal of the transfer application] according to the terms and conditions of the right(s). <b>OR</b><br>Confirming water right Certificate XXXXX was issued within the last five years prior to submission of Transfer Application T-XXXXX. |
| Based on the information submitted [and Department records], a diversion structure and ditch sufficient to use the full amount of water allowed under the existing right(s) were present within the five-year period prior to submittal of the transfer application. <b>OR</b> Based on the information submitted [and Department records], a pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right(s) were present within the five-year period prior to submittal of the transfer application. | The Applicant is ready, willing, and able to use the full quantity of water under the right. There is no evidence in the record to suggest the right is subject to forfeiture.                                                                                                                                                                              |
| [As conditioned,] the proposed change(s) would not result in enlargement of the right.<br><b>OR, if denial</b><br>The lands currently irrigated under the right would continue to receive water from the same source resulting in enlargement of the right(s).                                                                                                                                                                                                                                                                                             | The proposed change(s) will not enlarge the right.<br><b>OR</b><br>The proposed change(s) would result in enlargement of the right.                                                                                                                                                                                                                         |



### Determination and Conclusions of Law (Cont'd)

Based on review of the record, the proposed change(s) would not result in injury to other water rights.

**OR, if denial**

The proposed change(s) would result in the routing of return flows around at least one diversion of other existing water rights, resulting in injury to those rights. **OR**

An instream water right, Certificate XXXXX, exists for the reach of the river in which the authorized point of diversion would be moved upstream, and streamflows within the reach are frequently below the levels allocated under the instream water right. Thus, the instream water right would be injured as a result of the proposed change in point of diversion.

The proposed change(s) would not result in injury to other water rights.

**OR**

The proposed change would result in injury to other water rights.

**OR**

The proposed change would result in injury to the instream water right. [See consent to injury]

☒ The application is complete. **OR**

☐ The application is incomplete

☒ All other application requirements are met. **OR**

☐ The application is incomplete because . . .

Ensure all conditions are carried forward in Order section.

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☒ N/A

### Denial of Transfer (OAR 690-380-4010(3))

OAR 690-380-4010(3)(a)

Describe the basis for the denial

☐

☐ Injury

☐ Enlargement

☐ Deficiencies not rectified

OAR 690-380-4010(3)(b)

Identify conditions or restrictions that, if included in the transfer, would allow approval of the transfer

☐

Examples: consent to injury; amend application to remove well

☐ Yes Approve with conditions

☐ No Must be denied

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**DRAFT PRELIMINARY DETERMINATION****Document Preparation**

|                                     |                              |                                                            |                                                                            |
|-------------------------------------|------------------------------|------------------------------------------------------------|----------------------------------------------------------------------------|
| <input type="checkbox"/>            | <input type="checkbox"/> N/A | Additional Supplemental Review Criteria Checklist attached |                                                                            |
| <b>CW</b>                           |                              | <b>CW</b>                                                  |                                                                            |
| <input checked="" type="checkbox"/> |                              | <input checked="" type="checkbox"/>                        | Add agent, receiving landowner, if applicable, etc.                        |
| <input checked="" type="checkbox"/> |                              | <input checked="" type="checkbox"/>                        | Compare "from" lands with marked up Table 2 of Application and Certificate |
| <input checked="" type="checkbox"/> |                              | <input checked="" type="checkbox"/>                        | Compare Proposed Place of Use with Table 2 of Application and Map          |
| <input checked="" type="checkbox"/> |                              |                                                            | Compare Proposed PODs/POAs with Table 1 of Application and Map             |

**Cover Letter**

|                                     |                          |                                                                                          |                                     |                                     |                                                                                                                                                            |
|-------------------------------------|--------------------------|------------------------------------------------------------------------------------------|-------------------------------------|-------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>CW</b>                           | <b>N/A</b>               |                                                                                          | <b>CW</b>                           | <b>N/A</b>                          |                                                                                                                                                            |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Correct Name and Address including email address                                         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | Attach supporting documents to cover letter<br><input type="checkbox"/> Completed Watermaster Contact Sheet<br><input type="checkbox"/> ODFW Contact sheet |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Include email addresses for agent and other interested parties (in cc section) of letter | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | Any special conditions explained                                                                                                                           |
|                                     |                          |                                                                                          | <input checked="" type="checkbox"/> |                                     | Document is "Spell checked"                                                                                                                                |

**Remaining Right Certificate(s)** *NA*

|                          |                                                                                       |                          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|--------------------------|---------------------------------------------------------------------------------------|--------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> | Check tenses (Find and Replace (s), is/are, was/were)                                 | <input type="checkbox"/> | Table format matches current template                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
| <input type="checkbox"/> | Content format matches original certificate (e.g., rate/duty limitation)              | <input type="checkbox"/> | Name and address matches originating certificate<br>Note: Remaining rights can only be issued in the name of the current landowner(s) of the remaining rights <u>IF</u> 1) the Report of Ownership information supplied for the transfer covers all of the remaining right lands (as well as the right being transferred) <u>and</u> 2) the applicant asks for the remaining right to be issued in its name. Otherwise, the name(s) on the remaining right will be the same as the original water right involved in the transfer. |
| <input type="checkbox"/> | Determination and remaining acres combined match acres under originating certificate? | <input type="checkbox"/> | All water accounted for                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <input type="checkbox"/> | Draft all remaining right certificates                                                | <input type="checkbox"/> | Document is "Spell checked"                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |

**COMMENTS**

|  |
|--|
|  |
|--|



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**PRELIMINARY DETERMINATION****Public/Newspaper Notice**

| CW                       | N/A                      |                                                | CW                       | N/A                      |                                                                |
|--------------------------|--------------------------|------------------------------------------------|--------------------------|--------------------------|----------------------------------------------------------------|
| <input type="checkbox"/> | <input type="checkbox"/> | Prepare public/newspaper notice using template | <input type="checkbox"/> | <input type="checkbox"/> | Send letter to Applicant/Agent regarding newspaper notice cost |
| <input type="checkbox"/> |                          | Notice and Letter are "Spellchecked"           | <input type="checkbox"/> | <input type="checkbox"/> | Funds received from Applicant/Agent for newspaper notice       |
| <input type="checkbox"/> | <input type="checkbox"/> | Forward Draft Newspaper Notice to Coordinator  | <input type="checkbox"/> | <input type="checkbox"/> | Affidavit of Publication Received                              |

**Ownership Verification**

| CW                       |                                                        | CW                       |                                                                        |
|--------------------------|--------------------------------------------------------|--------------------------|------------------------------------------------------------------------|
| <input type="checkbox"/> | The Deed/ROI matches the "from" lands                  | <input type="checkbox"/> | Compare with current tax lot map                                       |
| <input type="checkbox"/> | All owners on the Deed/ROI have signed the application | <input type="checkbox"/> | <input type="checkbox"/> N/A<br>Notarized, signed statement of consent |

**Document Preparation**

| CW                       |                                                                                                                                           | CW                       |                                                                                        |
|--------------------------|-------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|----------------------------------------------------------------------------------------|
| <input type="checkbox"/> | Save DPD document as a new document XXXXX-pd.doc                                                                                          | <input type="checkbox"/> | Hidden Findings unveiled (control "a", select Font, unmark hidden box)                 |
| <input type="checkbox"/> | Any substantive changes/amendments as result of DPD <input type="checkbox"/> Yes <input type="checkbox"/> No<br>If yes, issue revised DPD | <input type="checkbox"/> | Remove "DRAFT" from document title and any extra "carriage" returns                    |
| <input type="checkbox"/> | Update the hidden paragraph following the received notice and amendments findings (regarding is authorized to pursue transfer, etc.)      | <input type="checkbox"/> | Select the appeals language in the first page footer for the preliminary determination |
| <input type="checkbox"/> | Protest language is listed following document preparation box                                                                             | <input type="checkbox"/> | Notice Regarding Service Members is showing                                            |
|                          |                                                                                                                                           | <input type="checkbox"/> | Document is "Spell checked"                                                            |

**Cover Letter**

|                          |                       |                          |                                      |
|--------------------------|-----------------------|--------------------------|--------------------------------------|
| <input type="checkbox"/> | Cover letter prepared | <input type="checkbox"/> | Email addresses checked for accuracy |
|                          |                       | <input type="checkbox"/> | Document is "Spell checked"          |

**Remaining Right Certificate(s)**

|                          |                                                                                                                                                                                                                                                                                     |                          |                                                            |
|--------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|------------------------------------------------------------|
| <input type="checkbox"/> | Assign certificate #s to all Remaining Right Certificates                                                                                                                                                                                                                           | <input type="checkbox"/> | Document is "Spell checked"                                |
| <input type="checkbox"/> | Remaining right Certificate numbers<br>Orig. Cert. # _____ RR Cert. # _____<br>Orig. Cert. # _____ RR Cert. # _____<br>Orig. Cert. # _____ RR Cert. # _____<br>Orig. Cert. # _____ RR Cert. # _____<br>Orig. Cert. # _____ RR Cert. # _____<br>Orig. Cert. # _____ RR Cert. # _____ | <input type="checkbox"/> | Update Certificates with new Certificate numbers and print |



| Data Center Review       |                    |                          |                                                                                                                                           |
|--------------------------|--------------------|--------------------------|-------------------------------------------------------------------------------------------------------------------------------------------|
| CW                       |                    | CW                       |                                                                                                                                           |
| <input type="checkbox"/> | Prepare Route Slip | <input type="checkbox"/> | <input type="checkbox"/> Prepare Revised DPD if <i>substantive changes OR</i><br><input type="checkbox"/> Issue Preliminary Determination |
| <input type="checkbox"/> | File Returned      |                          |                                                                                                                                           |

| COMMENTS |
|----------|
|          |

COORD INITIALS

PR Initials

**FINAL ORDER****Document Preparation**

| CW                       |                                                                                                                                      | CW                       |                                                                                                                                                       |
|--------------------------|--------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> | Save PD document as new document<br>XXXXX-ord-approve.doc                                                                            | <input type="checkbox"/> | Hidden Findings unveiled (control "a", select Font, unmark hidden box)                                                                                |
| <input type="checkbox"/> | Update the hidden paragraph following the received notice and amendments findings (regarding issuance of PD)                         | <input type="checkbox"/> | Remove "PRELIMINARY DETERMINATION" from document title and replace with "FINAL ORDER", Replace "PROPOSING APPROVAL/DENIAL OF" with APPROVING/DENYING" |
| <input type="checkbox"/> | Unhide and Select the appeals language in the first page footer for the "Final Order" language; unhide Special Order Volume and page | <input type="checkbox"/> | Change "Determination and Proposed Action" to "Conclusions of Law" and update paragraph                                                               |
| <input type="checkbox"/> | Replace "If application T-XXXXX is approved . . ." with Now, therefore, it is ORDERED:                                               | <input type="checkbox"/> | Select text below "It is ORDERED" section and turn off Italics. Restart numbering at "1".                                                             |
| <input type="checkbox"/> | Delete Protest language, Document preparation box, and Notice Regarding Servicemembers; Insert "Mailing Date: _____"                 | <input type="checkbox"/> | Final Check: All Conclusions of Law have Findings to support them                                                                                     |
|                          |                                                                                                                                      | <input type="checkbox"/> | Document is "Spell checked"                                                                                                                           |

**Remaining Right Certificate**

| CW                       |                                                      | CW                       |                                                                                                                           |
|--------------------------|------------------------------------------------------|--------------------------|---------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> | Assign Certificate Number from Spreadsheet           | <input type="checkbox"/> | Update footer to read: T-XXXXX.rr.YYYYY.ini, where YYYYY is original certificate number, and ini stands for your initials |
| <input type="checkbox"/> | Input new certificate number on right side of footer | <input type="checkbox"/> | Print on Certificate paper                                                                                                |
|                          |                                                      | <input type="checkbox"/> | Document is "Spell checked"                                                                                               |

**COMMENTS**



State of Oregon  
Water Resources Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1266  
(503) 986-0900

## Application for Permanent Water Right Transfer

### Part 1 of 5 – Minimum Requirements Checklist

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

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

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

- ☐ Part 1 – Completed Minimum Requirements Checklist.
- ☐ Part 2 – Completed Transfer Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: [http://apps.wrd.state.or.us/apps/misc/wrd\\_fee\\_calculator](http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator). If you have questions, call Customer Service at (503) 986-0801.
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred?** 1 **List them here:** Cert# 63657  
Please include a separate Part 5 for each water right. (See instructions on page 6)

#### 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 Land Use Information Form with approval and signature (or signed land use form receipt stub). 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):

- ☐ Application fee not enclosed insufficient
- ☐ Map not included or incomplete
- ☐ Land Use Form not enclosed or incomplete
- ☐ Additional signature(s) required
- ☐ Part      is incomplete

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

Staff: \_\_\_\_\_ 503-986-0

Date: \_\_\_\_\_

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## Part 2 of 5 – Transfer Application Map Checklist

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](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, D.L.C., 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°).

FEE WORKSHEET for PERMANENT TRANSFER | **Part 3 of 5 – Fee Worksheet**

|   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |   |                   |
|---|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|-------------------|
| 1 | Base Fee (includes one type of change to one water right for up to 1 cfs)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 1 | \$1,160           |
|   | Types of change proposed:<br><input checked="" type="checkbox"/> Place of Use<br><input checked="" type="checkbox"/> Character of Use<br><input type="checkbox"/> Point of Diversion/Appropriation<br>Number of above boxes checked = <u>2</u> (2a)<br>Subtract 1 from the number in line 2a = <u>1</u> (2b) If only one change, this will be 0<br>Multiply line 2b by \$930 and enter » » » » » » » » » » » » » » » »                                                                                                                                                                                                                    |   | 930 <sup>00</sup> |
| 2 | Multiply line 2b by \$930 and enter » » » » » » » » » » » » » » » »                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 2 | 0                 |
|   | Number of water rights included in transfer _____ (3a)<br>Subtract 1 from the number in 3a above: _____ (3b) If only one water right this will be 0<br>Multiply line 3b by \$520 and enter » » » » » » » » » » » » » » » »                                                                                                                                                                                                                                                                                                                                                                                                                |   |                   |
| 3 | Multiply line 3b by \$520 and enter » » » » » » » » » » » » » » » »                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | 3 | 0                 |
|   | Do you propose to add or change a well, or change from a surface water POD to a well?<br><input type="checkbox"/> No; enter 0 » » » » » » » » » » » » » » » » » » » » » »<br><input type="checkbox"/> Yes; enter \$410 » » » » » » » » » » » » » » » » » » » » » »                                                                                                                                                                                                                                                                                                                                                                        |   |                   |
| 4 | Do you propose to change the place of use or character of use?<br><input type="checkbox"/> No; enter 0 on line 5 » » » » » » » » » » » » » » » » » » » » » »<br><input checked="" type="checkbox"/> Yes; enter the cfs for the portions of the rights to be transferred (see example below*):<br><u>0.37</u> (5a)<br>Subtract 1.0 from the number in 5a above: <u>1.00</u> (5b)<br>If 5b is 0 or less, enter 0 on line 5 » » » » » » » » » » » » » » » » » » » » » »<br>If 5b is greater than 0, round up to the nearest whole number: <u>1.00</u> (5c)<br>and multiply 5c by \$350, then enter on line 5 » » » » » » » » » » » » » » » » |   |                   |
| 5 | Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 5 | 0                 |
| 6 | Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 6 | 1160              |
|   | Is this transfer:<br><input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932?<br><input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat?<br>If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 »<br>If no box is applicable, enter 0 on line 7» » » » » » » » » » » » » » » »                                                                                                                                                                                |   |                   |
| 7 | Subtract line 7 from line 6 » » » » » » » » » » » » Transfer Fee:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 7 | 0                 |
| 8 | Subtract line 7 from line 6 » » » » » » » » » » » » Transfer Fee:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 8 | 1160              |

\*Example for Line 5a calculation to transfer 45.0 acres of Primary Certificate 12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Certificate 87654 (1/80 cfs per acre) on the same land:

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

## FEE WORKSHEET for SUBSTITUTION

|   |                                               |   |          |
|---|-----------------------------------------------|---|----------|
| 1 | Base Fee (includes change to one well)        | 1 | \$840.00 |
| 2 | Number of wells included in substitution (2a) | 2 |          |

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## Part 4 of 5 – Applicant Information and Signature

### Applicant Information

|                                                                                                                                                                             |                    |                                  |                        |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|----------------------------------|------------------------|
| APPLICANT/BUSINESS NAME<br><b>Jeff Gitto / Draper Valley Farms</b>                                                                                                          |                    | PHONE NO.<br><b>690 380 3000</b> | ADDITIONAL CONTACT NO. |
| ADDRESS<br><b>1751 Draper Valley Rd.</b>                                                                                                                                    |                    | FAX NO.                          |                        |
| CITY<br><b>Selma</b>                                                                                                                                                        | STATE<br><b>Or</b> | ZIP<br><b>97538</b>              | 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. |                    |                                  |                        |

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

|                                                                                                                                                                             |                    |                                  |                                            |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|----------------------------------|--------------------------------------------|
| AGENT/BUSINESS NAME<br><b>Andrea Rabe / Rabe Consulting</b>                                                                                                                 |                    | PHONE NO.<br><b>541-891-2137</b> | ADDITIONAL CONTACT NO.                     |
| ADDRESS<br><b>421 Commercial Street</b>                                                                                                                                     |                    | FAX NO.                          |                                            |
| CITY<br><b>Klamath Falls</b>                                                                                                                                                | STATE<br><b>Or</b> | ZIP<br><b>97601</b>              | E-MAIL<br><b>Andrea@rabeconsulting.com</b> |
| 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:

**Transfer water rights to nursery status using the same duty but spreading it over 12 months instead of seasonal. AND SAME SEASON OF USE.** (6)

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

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

### 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.

I understand that prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: **Grants Pass Daily Courier**

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



|                     |                                                           |                        |
|---------------------|-----------------------------------------------------------|------------------------|
|                     | <b>Jeff Gitto</b><br>Print Name (and Title if applicable) | <b>7/28/18</b><br>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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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:

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

|                                        |             |              |                        |
|----------------------------------------|-------------|--------------|------------------------|
| RECEIVING LANDOWNER NAME<br>Jeff Gitto |             | PHONE NO.    | ADDITIONAL CONTACT NO. |
| ADDRESS<br>1751 Draper Valley Rd.      |             | FAX NO.      |                        |
| CITY<br>Selma                          | STATE<br>Or | ZIP<br>97538 | E-MAIL                 |

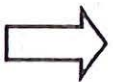
Describe any special ownership circumstances here: N/A

☐ 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<br>N/A | ADDRESS |     |
| CITY                            | STATE   | ZIP |

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

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



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

|                                 |                                   |              |
|---------------------------------|-----------------------------------|--------------|
| ENTITY NAME<br>Josephine County | ADDRESS<br>700NW DIMMICK ST STE C |              |
| CITY<br>Grants Pass             | STATE<br>OR                       | ZIP<br>97526 |

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



## 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 #63657**

### Description of Water Delivery System

System capacity: 0.37 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. Pump in stream with water delivery piped through mainline to risers, flood irrigated.

**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 # 1, - ) | Twp | Rng | Sec | 1/4 1/4 | Tax Lot, DLC or Gov't Lot | Measured Distances (from a recognized survey corner)   |
|------------------------|-------------------------------------------------------------------------------------|----------------------------------------------------|-----|-----|-----|---------|---------------------------|--------------------------------------------------------|
| <b>POD</b>             | <input checked="" type="checkbox"/> Authorized<br><input type="checkbox"/> Proposed | N/A                                                | 37S | 8W  | 36  | SE SE   | 1005                      | 1000 ft. north, 1540 ft east from south corner sect 36 |
|                        | <input type="checkbox"/> Authorized<br><input type="checkbox"/> Proposed            |                                                    |     |     |     |         |                           |                                                        |
|                        | <input type="checkbox"/> Authorized<br><input type="checkbox"/> Proposed            |                                                    |     |     |     |         |                           |                                                        |
|                        | <input type="checkbox"/> Authorized<br><input type="checkbox"/> Proposed            |                                                    |     |     |     |         |                           |                                                        |

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

- |                                                                        |                                                                   |
|------------------------------------------------------------------------|-------------------------------------------------------------------|
| <input type="checkbox"/> Place of Use (POU)                            | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input checked="" type="checkbox"/> <b>Character of Use (USE)</b>      | <input type="checkbox"/> Point of Appropriation/Well (POA)        |
| <input 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)              |

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

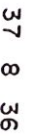
- ☒ **Yes** Complete only the Proposed ("to" or "on" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.
- ☐ **No** Complete all of Table 2 to describe the portion of the water right to be changed.

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$l'' = 400'$ 



STATE OF OREGON  
COUNTY OF JOSEPHINE  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RALPH L. AND IRENE SELTZER  
1751 DRAPER VALLEY ROAD  
SELMA, OREGON 97538

confirms the right to use the waters of DRAPER CREEK, a tributary of DEER CREEK, for the purpose of IRRIGATING 18.6 ACRES.

The right has been perfected under Permit 47299. The date of priority is SEPTEMBER 22, 1981. The right is limited to not more than 0.37 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:

SE 1/4 SE 1/4, SECTION 36, T 37 S, R 8 W, W.M.; 1000 FEET NORTH AND 1540 FEET EAST FROM THE SOUTH 1/4 CORNER OF SECTION 36.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-FIFTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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

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

SW 1/4 SE 1/4 15.8 ACRES  
SE 1/4 SE 1/4 2.8 ACRES  
SECTION 36  
TOWNSHIP 37 SOUTH, RANGE 8 WEST, W.M.

*Entirety of the  
right*

*Character  
Nursery use limited to  
0.37 cfs April - Nov  
Annual volume limitation  
is 65.1 AF/yr  
(18.6) 3.5 AF*

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 right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

WITNESS the signature of the Water Resources Director,  
affixed this date DECEMBER 27, 1989.

/s/ WILLIAM H. YOUNG

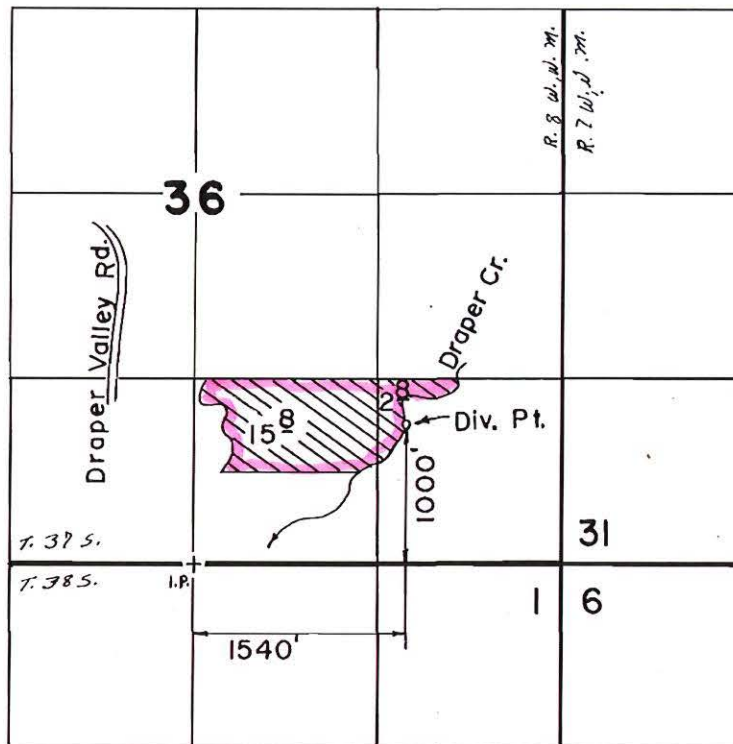
Water Resources Director

Recorded in State Record of Water Right Certificates numbered 63657

62818.MDF



T. 37 S., R. 8 W., W. M.



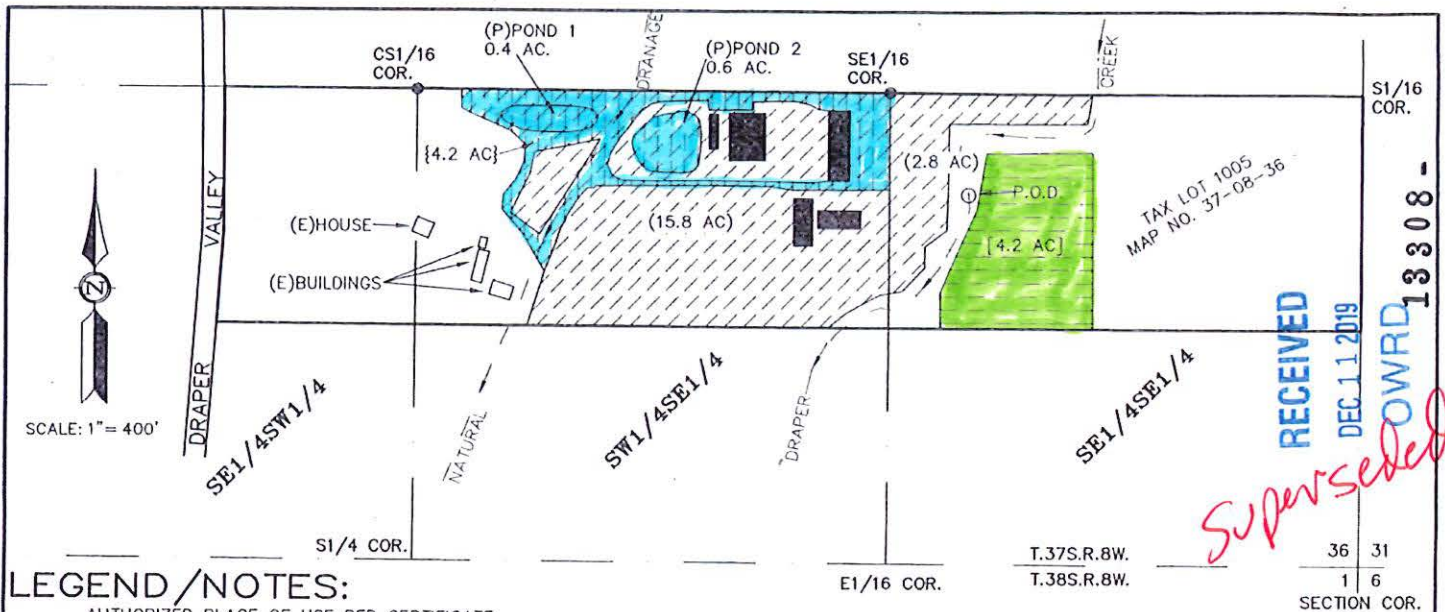
Scale: 1" = 1320'

# **FINAL PROOF SURVEY** UNDER

Application No. 62818 Permit No. 47299  
IN NAME OF

RALPH L. 8 IRENE SELTZER

Surveyed NOV. 18, 1987, by B. S. JAMES



## LEGEND/NOTES:

AUTHORIZED PLACE OF USE PER CERTIFICATE NO. 63657, PRIORITY: SEPTEMBER 22, 1981 (15.8) ACRES IN SW1/4SE1/4 (2.8) ACRES IN SE1/4SE1/4

TRANSFER FROM- PLACE OF USE PER CERTIFICATE NO. 63657, PRIORITY: SEPTEMBER 22, 1981 {4.2} ACRES IN SW1/4SE1/4

TRANSFER TO- PROPOSED PLACE OF USE PER CERTIFICATE NO. 63657, PRIORITY: SEPTEMBER 22, 1981 [4.2] ACRES IN SE1/4SE1/4

EXISTING GREENHOUSE

P.O.D. AUTHORIZED POINT OF DIVERSION PER CERTIFICATE NO. 63657 1000'N AND 1540'E OF THE S1/4 CORNER OF SECTION 36

● FOUND MONUMENT

THE AREA OF USE SHOWN IS BASED UPON AN ON-SITE SURVEY ON 10/09/2019 AND INSTRUCTIONS FROM THE PROPERTY MANAGER. THIS PLAT WAS PREPARED FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF THE WATER RIGHTS ONLY. THERE IS NO INTENT TO PROVIDE DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

|                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                  |
|---------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p> CERTIFIED WATER RIGHTS EXAMINER<br/>56123CWRE<br/>TODD J. ZEUTZIUS<br/>JUNE 12, 2008<br/>STATE OF OREGON<br/>RENEWAL: JUNE 30, 2020</p> | <p><b>Peter D. Allen Land Surveying</b><br/>321 N.W. "A" Street<br/>Grants Pass, Oregon 97526<br/>541-476-4502</p> <p><b>MAP OF WATER RIGHT<br/>TRANSFER OF<br/>PLACE OF USE</b></p> <p>LOCATED IN<br/>Map No. 37-08-36, Tax Lot 1005<br/>S1/2 S1/2 of Section 36<br/>Township 37 South, Range 8 West, W.M.<br/>Josephine County, Oregon<br/>SURVEY FOR<br/>Draper Valley Farms/ZCS Selma, Oregon</p> | <p> PROJECT NUMBER:<br/>2019-074-348<br/>DRAWING FILE:<br/>ZCS-DraperVallyRd.dwg<br/>DRAWING SCALE:<br/>1" = 400'<br/>DATE:<br/>November 27, 2019<br/>SHEET:<br/>1 of 1 (TZ)</p> |
|---------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

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 # 63657

List the change proposed for the acreage in each <sup>1</sup>/<sub>4</sub> section. 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)<br>The listing that appears on the certificate BEFORE PROPOSED CHANGES<br>List only that part or portion of the water right that will be changed. |     |     |     |            |                      |       |                                         |                                                         |                  |            | Proposed<br>Changes (see<br>"CODES"<br>from previous<br>page) | PROPOSED (the "to" or "on" lands)<br>The listing as it would appear AFTER PROPOSED CHANGES<br>are made |         |     |            |                      |       |                    |                                                     |                  |      |   |      |         |        |      |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----|-----|------------|----------------------|-------|-----------------------------------------|---------------------------------------------------------|------------------|------------|---------------------------------------------------------------|--------------------------------------------------------------------------------------------------------|---------|-----|------------|----------------------|-------|--------------------|-----------------------------------------------------|------------------|------|---|------|---------|--------|------|
| Twp                                                                                                                                                                                      | Rng | Sec | 1/4 | Tax<br>Lot | Gov<br>Lot or<br>DIC | Acres | Type of USE<br>listed on<br>Certificate | POD(s) or<br>POA(s) (name<br>or number<br>from Table 1) | Priority<br>Date | Twp        |                                                               | Rng                                                                                                    | Sec     | 1/4 | Tax<br>Lot | Gov<br>Lot or<br>DIC | Acres | New Type<br>of USE | POD(s)<br>POA(s) to<br>be used<br>(from<br>Table 1) | Priority<br>Date |      |   |      |         |        |      |
| EXAMPLE                                                                                                                                                                                  |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                        |         |     |            |                      |       |                    |                                                     |                  |      |   |      |         |        |      |
| 2                                                                                                                                                                                        | S   | 9   | E   | 15         | NE                   | NW    | 100                                     |                                                         | 15.0             | Irrigation | POD #1<br>POD #2                                              | 1901                                                                                                   | POU/POD | 2   | S          | 9                    | E     | 1                  | NW                                                  | NW               | 500  | 1 | 10.0 |         | POD #5 | 1901 |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                        |         | 2   | S          | 9                    | E     | 2                  | SW                                                  | NW               | 500  |   | 5.0  |         | POD #6 | 1901 |
| 37                                                                                                                                                                                       | s   | 8   | w   | 36         | SE                   | SE    | 1005                                    |                                                         | 2.8              | Irrigation | POD                                                           |                                                                                                        | USE     | 37  | s          | 8                    | w     | 36                 | SE                                                  | SE               | 1005 |   | 2.8  | Nursery |        |      |
| 37                                                                                                                                                                                       | s   | 8   | w   | 36         | SW                   | SE    | 1005                                    |                                                         | 15.8             | Irrigation | POD                                                           |                                                                                                        | USE     | 37  | s          | 8                    | w     | 36                 | SW                                                  | SE               | 1005 |   | 15.8 | Nursery |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                        |         |     |            |                      |       |                    |                                                     |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                        |         |     |            |                      |       |                    |                                                     |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                        |         |     |            |                      |       |                    |                                                     |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                        |         |     |            |                      |       |                    |                                                     |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                        |         |     |            |                      |       |                    |                                                     |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                        |         |     |            |                      |       |                    |                                                     |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                        |         |     |            |                      |       |                    |                                                     |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                        |         |     |            |                      |       |                    |                                                     |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                        |         |     |            |                      |       |                    |                                                     |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |     |            |                      |       |                                         |                                                         |                  |            |                                                               |                                                                                                        |         |     |            |                      |       |                    |                                                     |                  |      |   |      |         |        |      |
| TOTAL ACRES                                                                                                                                                                              |     |     |     |            |                      | 18.6  |                                         |                                                         |                  |            | TOTAL ACRES                                                   |                                                                                                        |         |     |            |                      | 18.6  |                    |                                                     |                  |      |   |      |         |        |      |

Additional remarks: Changing from irrigation to nursery use with season of use being year-round REMAINING THE SAME.

*Superseded*  
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**For Place of Use or Character of Use Changes**

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

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

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

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

Ground water supplemental Permit or Certificate # \_\_\_\_\_;

Surface water primary Certificate # \_\_\_\_\_.

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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](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 |
|-------------------------------------------|------------------------------------|---------------------------------------------|------------------|-----------------|-------------------------|---------------------------|--------------------------------------------|------------------------------------------------|---------------------------------------------|------------------------------------------------------------------------|
|                                           |                                    |                                             |                  |                 |                         |                           |                                            |                                                |                                             |                                                                        |
|                                           |                                    |                                             |                  |                 |                         |                           |                                            |                                                |                                             |                                                                        |
|                                           |                                    |                                             |                  |                 |                         |                           |                                            |                                                |                                             |                                                                        |
|                                           |                                    |                                             |                  |                 |                         |                           |                                            |                                                |                                             |                                                                        |

and assigns of the first party, and the successors in interest  
and assigns of the second party.

"Dated this 5th day of April, 1929.

G. W. Hales, Claimant  
By G. M. Esterly  
His duly authorized Agent,

FIRST PARTY.

DEEP GRAVEL MINING COMPANY,  
an Oregon corporation,

By A. E. Reames,  
Its Secretary and Agent.

SECOND PARTY."

19.

DUTY OF WATER

That considering the character of the soil, kind of crops grown, the length of the irrigation season and the water supply, the rights to the use of the waters of Illinois River and its tributaries, as herein defined, shall entitle the holders thereof to the diversion of a quantity of water which may be applied to beneficial use upon the lands to which such water is appurtenant, PROVIDED, that the quantity of water diverted shall not exceed one cubicfoot per second for each 50 acres of land irrigated during the irrigation season, which season is hereby fixed as the period from April 1st to November 1st of each year.

20.

STOCK AND DOMESTIC USE

All parties herein allowed the right to the use of water for irrigation shall be entitled to use such water for stock and domestic purposes; provided, that during the irrigation season such appropriators shall not be entitled to any water for stock or domestic purposes in addition to the quantity which they are entitled to divert for irrigation. Outside of the irrigation season, the rights to the use of water for stock and domestic purposes as herein confirmed, shall entitle the owners thereof to one-tenth of a cubic foot per second for each one thousand head of stock, measured at the place of use; provided that at no time shall more water be diverted than is reasonably necessary, and to prevent the ditches and channels used for such purposes from being completely frozen; provided, that the use of water for stock purposes shall be restricted to the ditches or channels which have customarily been used for such purposes, and that all water users shall so far as practicable, provide stock watering holes or ponds into which stock water may be diverted periodically.





Oregon Water Resources Department  
Water Rights Platcard Report

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From  $\times$  TO NC

## Search Criteria

Meridian: Willamette ▼ Township: 37 South ▼ Range: 8 West ▼ Section: 36 ▼ Records per Page: 999 Search

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[illegible]



TERRY L TIBBETTS  
Decree: ILLINOIS RIVER (F)  
Cert: 55504

Acreage Legend: 12.25 Regular  
acreage

~~12.25~~ Acreage is on a  
canceled right

(12.25) Acreage is part of a transfer and has not been proven  
up on yet (inchoate)

[12.25] Acreage has been  
suspended

\* Acreage is not  
specified

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

In the Matter of Transfer Application  
T-13308, Josephine County

) **D R A F T**  
)  
) PRELIMINARY DETERMINATION  
) PROPOSING APPROVAL OF A  
) CHANGE IN PLACE OF USE AND  
) CHARACTER 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**

JEFF GITTO  
DRAPER VALLEY FARMS  
1751 DRAPER VALLEY RD  
SELMA, OR 97538

**Receiving Landowner**

JEFF GITTO  
1751 DRAPER VALLEY RD  
SELMA, OR 97538

**Findings of Fact**

1. On December 11, 2019, JEFF GITTO, DRAPER VALLEY FARMS filed an application to change the place of use and to change the character of use under Certificate 63657. The Department assigned the application number T-13308.
2. JEFF GITTO is the receiving landowner who will be responsible for completion of the changes. *↑ address*
3. Notice of the application for transfer was published on December 24, 2019, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
4. On September 18, 2020, the Department contacted the applicant's agent by written correspondence to notify the agent of deficiencies in the application. The application map identified a change in place of use for 4.2 acres, however Table 2 did not. The map also did not identify a change in character of use from irrigation to nursery. The Department requested that the deficiencies be resolved by October 19, 2020.
5. On September 30, 2020, the agent submitted a revised Table 2 and map, resolving the deficiencies.

6. The right to be transferred is as follows:

**Certificate:** 63657 in the name of RALPH L. AND IRENE SELTZER (perfected under Permit S-47299)  
**Use:** IRRIGATION of 18.6 ACRES  
**Priority Date:** SEPTEMBER 22, 1981  
**Rate:** 0.37 CUBIC FOOT PER SECOND  
**Limit/Duty:** The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-FIFTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.  
**Source:** DRAPER CREEK, a tributary of DEER CREEK

**Authorized Point of Diversion:**

| Twp  | Rng | Mer | Sec | Q-Q   | Measured Distances                                              |
|------|-----|-----|-----|-------|-----------------------------------------------------------------|
| 37 S | 8 W | WM  | 36  | SE SE | 1000 FEET NORTH AND 1540 FEET EAST FROM S1/4 CORNER, SECTION 36 |

**Authorized Place of Use:**

| IRRIGATION |     |     |     |       |       |
|------------|-----|-----|-----|-------|-------|
| Twp        | Rng | Mer | Sec | Q-Q   | Acres |
| 37 S       | 8 W | WM  | 36  | SW SE | 15.8  |
| 37 S       | 8 W | WM  | 36  | SE SE | 2.8   |
| Total      |     |     |     |       | 18.6  |

7. Transfer Application T-13308 proposes to change the character of use to nursery use.
8. Transfer Application T-13308 also proposes to change the place of use of the right to:

| NURSERY USE |     |     |     |       |       |
|-------------|-----|-----|-----|-------|-------|
| Twp         | Rng | Mer | Sec | Q-Q   | Acres |
| 37 S        | 8 W | WM  | 36  | SW SE | 11.6  |
| 37 S        | 8 W | WM  | 36  | SE SE | 7.0   |
| Total       |     |     |     |       | 18.6  |

9. Certificate 63657 does not specify an irrigation season; however, consistent with the Illinois River Decree, the irrigation season is April 1 through November 1.

**Transfer Review Criteria [OAR 690-380-4010(2)]**

10. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
11. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-13308.



12. The proposed changes, as conditioned, would not result in enlargement of the right.
13. The proposed changes, as conditioned, would not result in injury to other water rights.
14. All other application requirements are met.

#### **Determination and Proposed Action**

The change in place of use and change in character of use proposed in Transfer Application T-13308 appears to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the transfer application will be approved.

*If Transfer Application T-13308 is approved, the final order will include the following:*

1. *The change in place of use and change in character of use proposed in Transfer Application T-13308 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 63657 and any related decree.*
3. *Water right Certificate 63657 is cancelled.*
4. *The rate of diversion for the change in character of use from irrigation to the proposed nursery operation use shall be limited to 0.37 cubic foot per second and shall be further limited to a total volume diverted of 65.1 acre feet (18.6 acres x 3.5 acre feet per acre) during the original season of use, being April 1 to November 1.*
5. *The change in character of use from irrigation to the proposed nursery use shall be further limited such that:*
  - a) *The amount of water used for NURSERY OPERATIONS is limited to a diversion of 0.37 cubic foot per second per acre and 65.1 acre feet per acre during the irrigation season of each year.*
  - b) *For the irrigation of containerized nursery plants, the amount of water diverted is limited to 0.37 cubic foot per second (or its equivalent) and 65.1 acre feet per acre during the irrigation season of each year.*
  - c) *For the irrigation of in-ground nursery plants, the amount of water diverted is limited to 0.37 cubic foot per second (or its equivalent) and 65.1 acre feet per acre during the irrigation season of each year.*
  - d) *For the irrigation of any other crop, the amount of water diverted is limited to 0.37 cubic foot per second (or its equivalent) and 65.1 acre feet per acre during the irrigation season of each year. The use of water for irrigation of any other crop shall be limited to 18.6 acres.*

6. 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.*

7. *The former place of use of the transferred right shall no longer receive water under the right.*

8. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2022**. 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 changes and full beneficial use of the water.*

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

Dated in Salem, Oregon on

**D R A F T**

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for  
THOMAS M BYLER, DIRECTOR  
Oregon Water Resources Department

This draft Preliminary Determination was prepared by Corey Courchane. If you have questions about the information in this document, you may reach me at 503-986-0825 or [corey.a.courchane@oregon.gov](mailto:corey.a.courchane@oregon.gov)



# Oregon

Kate Brown, Governor

Water Resources Department  
725 Summer St NE, Suite A  
Salem, OR 97301  
(503) 986-0900  
Fax (503) 986-0904

October , 2020

JEFF GITTO  
DRAPER VALLEY FARMS  
1751 DRAPER VALLEY RD  
SELMA, OR 97538

Reference: Water Right Transfer Application T-13308

Your water right transfer is in the first of three phases of processing. Enclosed is a draft of the Department's Preliminary Determination regarding Transfer Application T-13308. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved.

#### Items needed before the next phase of processing...

1. Please review the draft carefully to see if it accurately reflects the changes you intend to make, and to become familiar with all proposed conditions. **You will need to respond in writing** by the deadline provided below, whether you agree with the proposed action and conditions. Also we will appreciate having you let us know if there are typographical errors that need to be corrected.
2. A report of landownership for the lands to which the water right(s) are appurtenant (the FROM lands) is required. **The report must be prepared by a title company and meet the criteria below.** (*Reports may be called by various names, such as Customer Service Report, Property Analysis Report (PAR), List Pack, Lot Book Report, etc.*)
  - a) The title company's report must either be:
    - i) prepared within 3 months of the draft Preliminary Determination showing current ownership, or
    - ii) prepared within 3 months of recording of a water right conveyance agreement, or
    - iii) prepared at any time, but showing ownership at the time a water right conveyance agreement was recorded.
  - b) The ownership report shall include:
    - i) Date the ownership report was generated or prepared; and
    - ii) List of owners at that time; and
    - iii) Legal description of the property where the water right to be transferred is currently located.
  - c) You will need to submit a notarized statement of consent from any landowner listed in the ownership report who is not already included in the transfer application, or other information such as a water right conveyance agreement, if applicable.
3. Notice of this transfer will need to be published in a newspaper with general circulation in the area where the water rights are currently located. You will be responsible for the charges. Please confirm the Grants Pass Daily Courier as the newspaper you prefer to publish in so we can get an accurate estimate of the cost.



**Conditions to your water right...**

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

**Please note the proposed date by which all conditions must be met: October 1, 2022.** If the required completion date is insufficient to comply with any of the conditions, you may extend the date at no cost to you during this stage of processing. Please let me know by the comment deadline so we can make the proper arrangements to get you the time you need.

**What happens next...**

Once the Preliminary Determination is issued a publication period is required. Because of a change in character of use, the Department will publish notice of the transfer in a local newspaper having a general circulation in the area of the water right at least once per week for two consecutive weeks. You are responsible for sending a check to cover the cost of publication prior to the issuance of the Preliminary Determination and publication of notice.

Issuance of the Preliminary Determination will occur shortly after we receive:

1. Your written response to the conditions and proposed action in the draft Preliminary Determination (e-mail is acceptable); and
2. Report of ownership, and affidavits of consent from any landowners shown in the ownership report who have not signed the transfer application.

**If we do not receive the items listed above by November , 2020, a Preliminary Determination may be issued denying the application as incomplete.**

Please do not hesitate to contact me, at [corey.a.courchane@oregon.gov](mailto:corey.a.courchane@oregon.gov) or (503) 986-0825, if I may be of assistance.

Sincerely,



Corey Courchane  
Transfer Specialist  
Transfer and Conservation Section

cc: Transfer Application file T-13308  
Scott C. Ceciliani, District 14 Watermaster (*via e-mail*)  
Andrea Rabe, Agent for the applicant (*via e-mail*)

encs

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Grants Pass  
**Daily Courier**

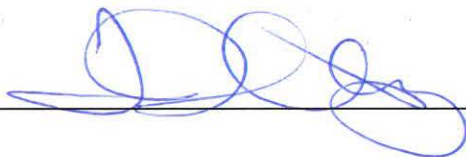
P.O. Box 1468, 409 S.E. 7th Street • Grants Pass, Oregon 97528

## AFFIDAVIT OF PUBLICATION

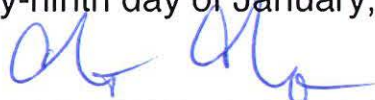
State of Oregon        )  
County of Josephine    )   ss.

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

**January 22, 2021; January 29, 2021.**



Subscribed and sworn to before me this  
twenty-ninth day of January, 2021.



Notary Public of Oregon

My commission expires the twenty first day of  
March, 2023.

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OWRD

**LEGAL NOTICE**

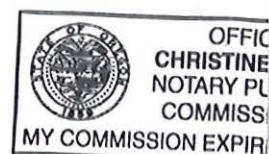
**NOTICE OF PRELIMINARY  
DETERMINATION FOR WATER  
RIGHT TRANSFER T-13308**

T-13308 filed by Jeff Gitto, Draper Valley Farms, 1751 Draper Valley Rd, Selma, OR 97538, proposes a change in place of use and character of use under Certificate 63657. The right allows the use of 0.37 cubic foot per second from Draper Creek in Sec. 36, T37S, R8W, WM for irrigation in Sec. 36, T37S, R8W, WM. The applicant proposes to change the place of use within Sec. 36, T37S, R8W, WM and to change the character of use to nursery. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, a protest or standing statement within 30 days after the last date of newspaper publication of this notice, 01/29/2021. Call (503) 986-0815 to obtain additional information. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

**IMPORTANT:** Due to COVID-19, the Department's office is closed to walk-in services. The Department encourages the submission of protests by U.S. mail. Please consider mailing early to ensure the Department receives the protest by the deadline specified above.

No. 00459947 - Jan. 22 & 29, 2021







# Oregon

Kate Brown, Governor

## Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

January 19, 2021

JEFF GITTO  
DRAPER VALLEY FARMS  
1751 DRAPER VALLEY RD  
SELMA, OR 97538

SUBJECT: Water Right Transfer Application T-13308

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-13308. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

A public notice is being published in the Department's weekly publication and in the Grants Pass Daily Courier 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.

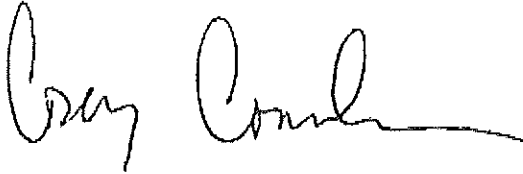
If no protest is filed, the Department will issue a Final Order consistent with the Preliminary Determination. You should receive a copy of the Final Order about 30 days after the close of the protest period.

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.

**IMPORTANT:** Due to COVID-19, the Department's office is closed to walk-in services. The Department encourages the submission of protests by U.S. mail. Please consider mailing early to ensure the Department receives the protest by the deadline specified above.

Please do not hesitate to contact me, at [corey.a.courchane@oregon.gov](mailto:corey.a.courchane@oregon.gov) or (503) 986-0825, if I may be of assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Corey Courchane". The signature is fluid and cursive, with a long horizontal stroke at the end.

Corey Courchane  
Transfer Specialist  
Transfer and Conservation Section

cc: T-13308  
Scott C. Ceciliani, District 14 Watermaster (*via e-mail*)  
Andrea Rabe, Agent for the applicant (*via e-mail*)

encs

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

|                                       |   |                            |
|---------------------------------------|---|----------------------------|
| In the Matter of Transfer Application | ) | PRELIMINARY DETERMINATION  |
| T-13308, Josephine County             | ) | PROPOSING APPROVAL OF A    |
|                                       | ) | CHANGE IN PLACE OF USE AND |
|                                       | ) | CHARACTER 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**

JEFF GITTO  
DRAPER VALLEY FARMS  
1751 DRAPER VALLEY RD  
SELMA, OR 97538

**Receiving Landowner**

JEFF GITTO  
1751 DRAPER VALLEY RD  
SELMA, OR 97538

**Findings of Fact**

1. On December 11, 2019, JEFF GITTO, DRAPER VALLEY FARMS filed an application to change the place of use and to change the character of use under Certificate 63657. The Department assigned the application number T-13308.
2. JEFF GITTO, 1751 DRAPER VALLEY RD, SELMA, OR 97538, is the receiving landowner who will be responsible for completion of the changes.
3. Notice of the application for transfer was published on December 24, 2019, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
4. On September 18, 2020, the Department contacted the applicant's agent by written correspondence to notify the agent of deficiencies in the application. The application map identified a change in place of use for 4.2 acres, however Table 2 did not. The map also did not identify a change in character of use from irrigation to nursery. The Department requested that the deficiencies be resolved by October 19, 2020.
5. On September 30, 2020, the agent submitted a revised Table 2 and map, resolving the deficiencies.

|                                                                                                                                                                                  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 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 notice of this preliminary determination. |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|



6. On October 15, 2020, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-13308 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of November 16, 2020, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

7. The right to be transferred is as follows:

**Certificate:** 63657 in the name of RALPH L. AND IRENE SELTZER (perfected under Permit S-47299)

**Use:** IRRIGATION of 18.6 ACRES

**Priority Date:** SEPTEMBER 22, 1981

**Rate:** 0.37 CUBIC FOOT PER SECOND

**Limit/Duty:** The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-FIFTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

**Source:** DRAPER CREEK, a tributary of DEER CREEK

**Authorized Point of Diversion:**

| Twp  | Rng | Mer | Sec | Q-Q   | Measured Distances                                                    |
|------|-----|-----|-----|-------|-----------------------------------------------------------------------|
| 37 S | 8 W | WM  | 36  | SE SE | 1000 FEET NORTH AND 1540 FEET EAST FROM THE S1/4 CORNER OF SECTION 36 |

**Authorized Place of Use:**

| IRRIGATION |     |     |     |       |       |
|------------|-----|-----|-----|-------|-------|
| Twp        | Rng | Mer | Sec | Q-Q   | Acres |
| 37 S       | 8 W | WM  | 36  | SW SE | 15.8  |
| 37 S       | 8 W | WM  | 36  | SE SE | 2.8   |
| Total      |     |     |     |       | 18.6  |

8. Transfer Application T-13308 proposes to change the character of use to nursery use.

9. Transfer Application T-13308 also proposes to change the place of use of the right to:

| NURSERY USE |     |     |     |       |       |
|-------------|-----|-----|-----|-------|-------|
| Twp         | Rng | Mer | Sec | Q-Q   | Acres |
| 37 S        | 8 W | WM  | 36  | SW SE | 11.6  |
| 37 S        | 8 W | WM  | 36  | SE SE | 7.0   |
| Total       |     |     |     |       | 18.6  |

10. Certificate 63657 does not specify an irrigation season; however, consistent with the Illinois River Decree, the irrigation season is April 1 through November 1.

### ***Transfer Review Criteria [OAR 690-380-4010(2)]***

11. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
12. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-13308.
13. The proposed changes, as conditioned, would not result in enlargement of the right.
14. The proposed changes, as conditioned, would not result in injury to other water rights.
15. All other application requirements are met.

### **Determination and Proposed Action**

The change in place of use and change in character of use proposed in Transfer Application T-13308 appears to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the transfer application will be approved.

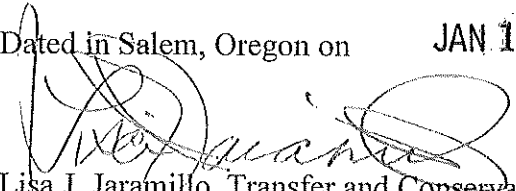
*If Transfer Application T-13308 is approved, the final order will include the following:*

1. *The change in place of use and change in character of use proposed in Transfer Application T-13308 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 63657 and any related decree.*
3. *Water right Certificate 63657 is cancelled.*
4. *The rate of diversion for the change in character of use from irrigation to the proposed nursery operation use shall be limited to 0.37 cubic foot per second and shall be further limited to a total volume diverted of 65.1 acre feet (18.6 acres x 3.5 acre feet per acre) during the original season of use, being April 1 to November 1.*
5. *The change in character of use from irrigation to the proposed nursery use shall be further limited such that:*
  - a) *The amount of water used for NURSERY OPERATIONS is limited to a diversion of 0.37 cubic foot per second per acre and 65.1 acre feet per acre during the irrigation season of each year.*
  - b) *For the irrigation of containerized nursery plants, the amount of water diverted is limited to 0.37 cubic foot per second (or its equivalent) and 65.1 acre feet per acre during the irrigation season of each year.*

- c) *For the irrigation of in-ground nursery plants, the amount of water diverted is limited to 0.37 cubic foot per second (or its equivalent) and 65.1 acre feet per acre during the irrigation season of each year.*
  - d) *For the irrigation of any other crop, the amount of water diverted is limited to 0.37 cubic foot per second (or its equivalent) and 65.1 acre feet per acre during the irrigation season of each year. The use of water for irrigation of any other crop shall be limited to 18.6 acres.*
6. *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.*
7. *The former place of use of the transferred right shall no longer receive water under the right.*
8. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2022**. 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 changes and full beneficial use of the water.*
9. *After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.*

Dated in Salem, Oregon on

JAN 19 2021

  
Lisa J. Jaramillo, Transfer and Conservation Section Manager, for  
THOMAS M BYLER, DIRECTOR  
Oregon Water Resources Department

This Preliminary Determination was prepared by Corey Courchane. If you have questions about the information in this document, you may reach me at 503-986-0825 or [corey.a.courchane@oregon.gov](mailto:corey.a.courchane@oregon.gov)

*Protests should be addressed to the attention of Water Rights Services Division, Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1266.*



**IMPORTANT:** Due to COVID-19, the Department's office is closed to walk-in services. The Department encourages the submission of protests by U.S. mail. Please consider mailing early to ensure the Department receives the protest by the deadline specified above.

**Notice Regarding Service Members:** Active duty servicemembers have a right to stay these proceedings under the federal Servicemembers Civil Relief Act. For more information contact the Oregon State Bar at 800-452-8260, the Oregon Military Department at 503-584-3571, or the nearest United States Armed Forces Legal Assistance Office through <http://legalassistance.law.af.mil>. The Oregon Military Department does not have a toll free number.



# Oregon

Kate Brown, Governor

**Water Resources Department**  
725 Summer St NE, Suite A  
Salem, OR 97301  
(503) 986-0900  
Fax (503) 986-0904

December 11, 2020

JEFF GITTO  
DRAPER VALLEY FARMS  
1751 DRAPER VALLEY RD  
SELMA, OR 97538

SUBJECT: Water Right Transfer Application T-13308

Your water right transfer is ready for issuance of the Preliminary Determination, once the Department receives payment for publication of the newspaper notice.

**Items needed before the next phase of processing...**

At this time you need to:

1. submit a check for \$197.35 (to cover cost of publication of the notice), made out to the Oregon Water Resources Department.
2. **write "for T-13308 NOTICE" on the front of your check**, and
3. submit it with the tracking stub at the bottom of this letter.

Mail the check to 725 Summer St. NE, Suite A, Salem, OR 97301-1266, **no later than January 12, 2021.**

**What happens next...**

Shortly after receiving payment, the Department will issue the Preliminary Determination, initiate publication in the Grants Pass Daily Courier newspaper, and also publish the notice on the Department's weekly notice. Publication of the notice will initiate a protest period during 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.

**If we do not receive payment for newspaper notice by January 12, 2021, a Preliminary Determination may be issued denying the application as incomplete.**

✂-----  
**Attached** is a check for \$197.35 (PCA #46118) for Newspaper Notice for Transfer T-13308 made out to Oregon Water Resources Department ( or WRD)

- **"for T-13308 NOTICE" written on front of check**

Mail to: Oregon Water Resources Department  
725 Summer St. NE, Suite A  
Salem, OR 97301-1266

Caseworker: cc

Please do not hesitate to contact me, at [corey.a.courchane@oregon.gov](mailto:corey.a.courchane@oregon.gov) or (503) 986-0825, if I may be of assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "Corey Courchane".

Corey Courchane  
Transfer Specialist  
Transfer and Conservation Section

cc: T-13308  
Scott C. Ceciliani, District 14 Watermaster *(via e-mail)*  
Andrea Rabe, Agent for the applicant *(via e-mail)*



## **COURCHANE Corey A \* WRD**

---

**From:** BAUSTIAN Julie C \* WRD  
**Sent:** Thursday, December 10, 2020 2:55 PM  
**To:** COURCHANE Corey A \* WRD  
**Subject:** 13308

Good afternoon,

The quote for legal came back at \$197.35

[Julie Baustian](#)

Water Right Support

725 Summer Street NE Ste A

Salem, Oregon 97301 | Phone 503-986-0815



[Integrity](#) | [Service](#) | [Technical Excellence](#) | [Teamwork](#) | [Forward-Looking](#)

## **COURCHANE Corey A \* WRD**

---

**From:** Lucas Gowey <lucasg@zcsea.com>  
**Sent:** Friday, November 06, 2020 2:36 PM  
**To:** COURCHANE Corey A \* WRD  
**Cc:** CECILIANI Scott C \* WRD; andrea@rabeconsulting.com; 'jeffrey gitto'  
**Subject:** RE: Draper Valley Farms, Jeff Gitto, T-13308  
**Attachments:** Title Report. 1751DraperValleyRd.pdf

Hi Corey,

Please see the attached title report showing ownership by Ezo properties LLC (which is owned by Jeff Gitto). Also the email below shows acknowledgement of the changes and terms. I believe this is everything required on our end for OWRD for formalize the approval of this application. Let me know if you have an questions or require additional information.

Thanks,



ZCSEA.com

**Lucas G. Gowey**  
Senior Project Manager  
ZCS Engineering & Architecture  
Office | 541.479.3865  
[127 NW D Street, Grants Pass, OR 97526](#)  
Grants Pass | Klamath Falls | Medford | Oregon City

---

**From:** jeffrey gitto <jgitto@gmail.com>  
**Sent:** Monday, October 19, 2020 10:48 AM  
**To:** Lucas Gowey <lucasg@zcsea.com>  
**Cc:** Scott.C.Ceciliani@oregon.gov; Corey.A.Courchane@oregon.gov; andrea@rabeconsulting.com  
**Subject:** Re: Draper Valley Farms, Jeff Gitto, T-13308  
**Importance:** High

Lucas,

Thank you for the follow up.

I have read through everything, it accurately reflects the changes we are submitted and agree with the proposed transfer as submitted.

Sincerely,  
Jeffrey Gitto

---

**From:** Andrea Rabe <[andrea@rabeconsulting.com](mailto:andrea@rabeconsulting.com)>  
**Sent:** Thursday, October 15, 2020 9:14 AM  
**To:** Lucas Gowey <[lucasg@zcsea.com](mailto:lucasg@zcsea.com)>  
**Subject:** Fwd: Draper Valley Farms, Jeff Gitto, T-13308

----- Forwarded message -----

From: COURCHANE Corey A \* WRD <[Corey.A.Courchane@oregon.gov](mailto:Corey.A.Courchane@oregon.gov)>

Date: Thu, Oct 15, 2020, 9:09 AM

Subject: Draper Valley Farms, Jeff Gitto, T-13308

To: Andrea Rabe <[andrea@rabeconsulting.com](mailto:andrea@rabeconsulting.com)>

Cc: CECILIANI Scott C \* WRD <[Scott.C.Ceciliani@oregon.gov](mailto:Scott.C.Ceciliani@oregon.gov)>

Good morning,

Please see attached, and let me know if I may be of further assistance. A hard copy will be sent to the applicant.

Thank you,

Corey Courchane

**COREY A COURCHANE | TRANSFER SPECIALIST  
TRANSFER AND CONSERVATION SECTION**

**Water Resources Department** | 725 Summer St. NE, Suite A | Salem, Oregon 97301

Ph: 503 986-0825 | Fax: 503 986-0901

Email: [corey.a.courchane@oregon.gov](mailto:corey.a.courchane@oregon.gov) | Web: <http://www.oregon.gov/OWRD>

<13308-dpd-cov.pdf><13308-dpd-approve.pdf>





# TICOR TITLE™

## Property Profile Report

*Today's Date:*

**11/05/2020** ✓

Received by OWRD

NOV 06 2020

Salem, OR

*Owner Name:*

**Draper Valley Farms LLC & Ezo Properties LLC**

*Property Address:*

**1751 Draper Valley Rd** ✓

**Selma OR 97538 9737**

*Reference Number:*

**3708360000100500** ✓

*Account Number:*



### Four Southern Oregon locations to serve you:

1555 EMcAndrews Rd, Ste 100.  
Medford, OR 97504  
541.779.2811

3539 Heathrow Way, Ste 100  
Medford, OR 97504  
541.245.6730

180 Lithia Way, Ste 101  
Ashland, OR 97520  
541.488.2240

744 NE 7th St  
Grants Pass, OR 97526  
541.476.1171

This title information has been furnished, without charge, in conformance with guidelines approved by the State of Oregon Insurance Commissioner. The Insurance Division cautions that indiscriminate use only benefiting intermediaries will not be permitted. No liability is assumed for any errors in this record.

The information compiled in this report(s) was imported from a vendor-provided database source. Although the information is deemed reliable and every effort has been taken to correct data imperfections, Ticor Title cannot be held responsible for any inaccuracies.

### TITLE AND ESCROW SERVICES

[www.ticortitleoregon.com](http://www.ticortitleoregon.com)

For all your customer service needs: [TicorSOCS@ticortitle.com](mailto:TicorSOCS@ticortitle.com)



# TICOR TITLE COMPANY

## Josephine County Property Profile Information

Parcel #: R326098  
Tax Acct # [REDACTED]  
Owner: Draper Valley Farms LLC & Ezo  
Properties LLC  
CoOwner:  
Site: 1751 Draper Valley Rd  
Selma OR 97538 - 9737  
Mail: 116 S Orange Ave  
Orlando FL 32801  
Land Use: 551 Farm - Exclusive Farm Use (EFU) -  
Improved (typical of class)  
Std Land Use: AFAR - Farms And Crops  
Twn/Rng/Sec: 37S / 08W / 36  
Legal:

### ASSESSMENT & TAX INFORMATION

Market Year: 2019  
Market Total: \$1,812,370.00  
Market Land: \$360,950.00  
Market Impr: \$1,451,420.00  
Assessment Year: 2019  
Assessed Total: \$1,221,170.00  
Exemption:  
Taxes: \$11,545.00  
Levy Code: 04  
Levy Rate: 9.3263

### SALE & LOAN INFORMATION

Sale Date: 10/08/2019  
Sale Amount: \$2,500,000.00  
Document #: 12766  
Deed Type: Deed  
Loan Amount: \$500,000.00  
Lender: \*OTHER INSTITUTIONAL LENDERS  
Loan Type:  
Interest Type:  
Title Co: TICOR TITLE

### PROPERTY CHARACTERISTICS

Year Built: 1901 1977  
Bedrooms: 3  
Bathrooms: 2  
Total Area: 2,292 SqFt  
Attic Fin/Unfin: 960 SqFt /  
Bsmt Fin/Unfin: /  
Building Type: Sfr Class 3 Single Story  
Pool: No  
Heat Source: FA.AC  
Roof Cover: CSMED  
Garage SF:  
Carport:  
Porch/Patio: /  
Lot Size: 48.00 Acres (2,090,880 SqFt)  
Neighborhood: 1800  
Lot:  
Block:  
Plat/Subdiv:  
Zoning: FR  
School Dist: Three Rivers School District  
Primary School: Evergreen Elementary School  
Middle School: Lorna Byrne Middle School  
High School: Illinois Valley High School  
Census: 1062 - 361500  
Watershed: Deer Creek  
Waterfront:  
Recreation:

Sentry Dynamics, Inc. and its customers make no representations, warranties or conditions, express or implied, as to the accuracy or completeness of information contained in this report.

### IMPROVEMENT: R3260981

Impr Desc: RESIDENTIAL  
Total SqFt: 1,332  
Bedrooms: 3  
Mfd Home:  
Year Built: 1901  
Foundation:  
Bathrooms: 2

### PARCEL ID: R326098

Ext Wall:  
Heat Type: FA.AC@229  
Condition:

|                              |                 |                           |
|------------------------------|-----------------|---------------------------|
| <b>IMPROVEMENT: R3260982</b> |                 | <b>PARCEL ID: R326098</b> |
| Impr Desc: SHED              | Year Built: 0   | Ext Wall:                 |
| Total SqFt: 384              | Foundation: FGP | Heat Type:                |
| Bedrooms: 0                  | Bathrooms: 0    | Condition:                |
| Mfd Home:                    |                 |                           |

|                              |                    |                           |
|------------------------------|--------------------|---------------------------|
| <b>IMPROVEMENT: R3260983</b> |                    | <b>PARCEL ID: R326098</b> |
| Impr Desc: DECK              | Year Built: 0      | Ext Wall:                 |
| Total SqFt: 1,660            | Foundation: M.PIER | Heat Type:                |
| Bedrooms: 0                  | Bathrooms: 0       | Condition:                |
| Mfd Home:                    |                    |                           |

|                              |                  |                           |
|------------------------------|------------------|---------------------------|
| <b>IMPROVEMENT: R3260984</b> |                  | <b>PARCEL ID: R326098</b> |
| Impr Desc: GP BLDGS          | Year Built: 2003 | Ext Wall: FBE             |
| Total SqFt: 1,800            | Foundation: FCC  | Heat Type:                |
| Bedrooms: 0                  | Bathrooms: 0     | Condition:                |
| Mfd Home:                    |                  |                           |

|                              |                   |                           |
|------------------------------|-------------------|---------------------------|
| <b>IMPROVEMENT: R3260985</b> |                   | <b>PARCEL ID: R326098</b> |
| Impr Desc: MACHINE SHED      | Year Built: 2005  | Ext Wall: FBE             |
| Total SqFt: 1,500            | Foundation: FPFGC | Heat Type:                |
| Bedrooms: 0                  | Bathrooms: 0      | Condition:                |
| Mfd Home:                    |                   |                           |

|                              |                  |                           |
|------------------------------|------------------|---------------------------|
| <b>IMPROVEMENT: R3260986</b> |                  | <b>PARCEL ID: R326098</b> |
| Impr Desc: FENCING           | Year Built: 2005 | Ext Wall:                 |
| Total SqFt: 1                | Foundation:      | Heat Type:                |
| Bedrooms: 0                  | Bathrooms: 0     | Condition:                |
| Mfd Home:                    |                  |                           |

|                              |                   |                           |
|------------------------------|-------------------|---------------------------|
| <b>IMPROVEMENT: R3260987</b> |                   | <b>PARCEL ID: R326098</b> |
| Impr Desc: GREENHOUSE        | Year Built: 2017  | Ext Wall: DPOLY           |
| Total SqFt: 5,000            | Foundation: FPFGC | Heat Type:                |
| Bedrooms: 0                  | Bathrooms: 0      | Condition:                |
| Mfd Home:                    |                   |                           |

|                              |                  |                           |
|------------------------------|------------------|---------------------------|
| <b>IMPROVEMENT: R3260988</b> |                  | <b>PARCEL ID: R326098</b> |
| Impr Desc: WATER TANKS       | Year Built: 2018 | Ext Wall:                 |
| Total SqFt: 4,500            | Foundation:      | Heat Type:                |
| Bedrooms: 0                  | Bathrooms: 0     | Condition:                |
| Mfd Home:                    |                  |                           |

|                              |                  |                           |
|------------------------------|------------------|---------------------------|
| <b>IMPROVEMENT: R3260989</b> |                  | <b>PARCEL ID: R326098</b> |
| Impr Desc: CONCRETE          | Year Built: 2018 | Ext Wall:                 |
| Total SqFt: 3,200            | Foundation:      | Heat Type:                |
| Bedrooms: 0                  | Bathrooms: 0     | Condition:                |
| Mfd Home:                    |                  |                           |

Received by OWRD  
NOV 06 2020  
Salem, OR



Transfer Record(s) Found For: [REDACTED]

|                       |                                                     |                    |                |                        |              |
|-----------------------|-----------------------------------------------------|--------------------|----------------|------------------------|--------------|
| <b>Recording Date</b> | 10/08/2019                                          | <b>Sale Amount</b> | \$2,500,000.00 | <b>Mtg 1 Amount</b>    | \$500,000.00 |
| <b>Grantee Name</b>   | EZO PROPERTIES LLC                                  | <b>Title Co</b>    | TICOR TITLE    | <b>Mtg 1 Loan Type</b> |              |
| <b>Grantor Name</b>   | YOUDALI INTL INVS LLC                               | <b>Doc #</b>       | 12766          | <b>Doc Type</b>        | G            |
| <b>Lender</b>         | YOUDALI INT'L INVS LLC *OTHER INSTITUTIONAL LENDERS |                    |                |                        |              |

|                       |                                |                    |        |                        |        |
|-----------------------|--------------------------------|--------------------|--------|------------------------|--------|
| <b>Recording Date</b> | 12/28/2017                     | <b>Sale Amount</b> | \$0.00 | <b>Mtg 1 Amount</b>    | \$0.00 |
| <b>Grantee Name</b>   | YOUDALI INTERNATIONAL INVS LLC | <b>Title Co</b>    |        | <b>Mtg 1 Loan Type</b> |        |
| <b>Grantor Name</b>   | YOUDALI INVESTMENTS LLC        | <b>Doc #</b>       | 18244  | <b>Doc Type</b>        | G      |
| <b>Lender</b>         |                                |                    |        |                        |        |

|                       |                                           |                    |                      |                        |        |
|-----------------------|-------------------------------------------|--------------------|----------------------|------------------------|--------|
| <b>Recording Date</b> | 06/30/2016                                | <b>Sale Amount</b> | \$1,125,000.00       | <b>Mtg 1 Amount</b>    | \$0.00 |
| <b>Grantee Name</b>   | YOUDALI INTERNATIONAL INVESTME INTS LLC & | <b>Title Co</b>    | FIRST AMERICAN TITLE | <b>Mtg 1 Loan Type</b> |        |
| <b>Grantor Name</b>   | CURTICE ALVIN & S 2002 TRUST              | <b>Doc #</b>       | 8447                 | <b>Doc Type</b>        | G      |
| <b>Lender</b>         |                                           |                    |                      |                        |        |

|                       |                             |                    |                      |                        |              |
|-----------------------|-----------------------------|--------------------|----------------------|------------------------|--------------|
| <b>Recording Date</b> | 08/22/2007                  | <b>Sale Amount</b> | \$0.00               | <b>Mtg 1 Amount</b>    | \$100,000.00 |
| <b>Grantee Name</b>   | CURTICE ALVIN & SANDRA 2002 | <b>Title Co</b>    | FIRST AMERICAN TITLE | <b>Mtg 1 Loan Type</b> |              |
| <b>Grantor Name</b>   |                             | <b>Doc #</b>       | 0000016514           | <b>Doc Type</b>        | T            |
| <b>Lender</b>         | UMPQUA BANK                 |                    |                      |                        |              |

|                       |                                           |                    |              |                        |        |
|-----------------------|-------------------------------------------|--------------------|--------------|------------------------|--------|
| <b>Recording Date</b> | 09/11/2002                                | <b>Sale Amount</b> | \$205,000.00 | <b>Mtg 1 Amount</b>    | \$0.00 |
| <b>Grantee Name</b>   | YOUDALI INTERNATIONAL INVESTME INTS LLC & | <b>Title Co</b>    |              | <b>Mtg 1 Loan Type</b> |        |
| <b>Grantor Name</b>   |                                           | <b>Doc #</b>       | 18986        | <b>Doc Type</b>        | G      |
| <b>Lender</b>         |                                           |                    |              |                        |        |



## Josephine County Assessment and Taxation

Search:

R326098

Example: "R000000" (Alpha-character followed by 6 digit account number).

Category:

Account ▾

Property Search

Ownership information displayed on this site may be delayed up to 7 business days from the date of entry in our database. All values are for assessment and tax purposes only.

Your query returned (1) records, please navigate results by clicking on records below.

[Clear Results](#)

**DRAPER VALLEY FARMS LLC & EZO PROPERTIES LLC 116  
S ORANGE AVE  
1751 DRAPER VALLEY RD**

Prop ID:

R326098

Map Tax Lot:

37-08-36-00-001005-00

Legal Acre:

48.00

Code Area:

04

Sale Info:

\$2,500,000 (10/08/2019)

Deed Type:

WD

Instrument:

19-012766;18-CAC-008;17-  
018244;16-014005;16-  
008447;02-019006;02-  
018986;99-14778

Year Built:

1901

Living Area:

2292

FEMA LOMA:

No

**DRAPER VALLEY FARMS**

**LLC & EZO PROPERTIES LLC**

**116 S ORANGE AVE**

**EZO PROPERTIES LLC 116 S ORANGE  
AVE**

**ORLANDO, FL 32801**

### Last Certified Values

RMV Land:

\$352,460

RMV Improvements:

\$1,649,060

RMV Totals:

\$2,001,520

Total Exemptions:

\$N/A

M5 Net Value:

\$1,741,210

M50 Assd Value:

\$1,257,690

Received by OWRD  
NOV 06 2020  
Salem, OR

• [Pay Taxes Online](#) - [Printable Version](#) - [View RMV Chart](#) - [Map](#)

Your query returned (1) records, please navigate results by clicking on records above.

[Clear Results](#)

██████ - DRAPER VALLEY FARMS LLC &

MAPNUMX: 3708360000100500  
MAPNUM: 3708360000100500  
ACCOUNT: R326098  
TWN: 37  
RNG: 08  
SEC: 36  
QQ: 00  
TAXLOT: 001005

IMP\_VALUE: 1,649,060  
LAND\_APPR: 83,650  
LAND\_MKT: 352,460  
RMV: 2,001,520  
ACREAGE: 48.00  
LEGAL\_ACRE: 48.00  
PROP\_CLASS: 551  
BLDG\_CLASS: 131

TL: 001005  
TYPE: 00

CODE: 04  
MAINT: B  
NBHD: 1800  
YR\_BLT: 1901

NAME: DRAPER VALLEY FARMS LLC &  
ADDRESS: EZO PROPERTIES LLC 116 S ORANGE  
AVE  
ADDR1: EZO PROPERTIES LLC  
ADDR2: 116 S ORANGE AVE  
CITY: ORLANDO  
STATE: FL  
ZIP: 32801  
CSZ: ORLANDO, FL 32801

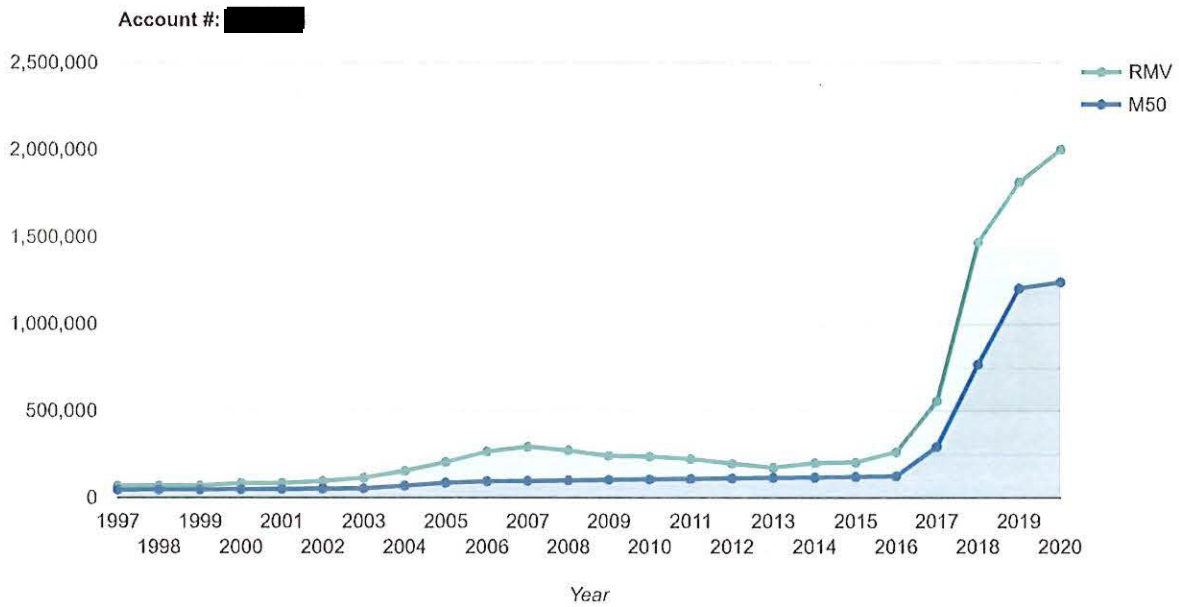
SQ\_FT: 1332  
LIVING\_AREA: 2292  
BEDRMS: 3  
ZONE: FR  
SPTB\_CODES: SFP SFPI  
MH\_VALUE: 0  
TAXES: 11,902.52  
SALE\_DATE: 10/08/2019  
SALE\_PRICE: 2,500,000  
DEED\_TYPE: WD

SITUS: 1751 DRAPER VALLEY RD  
ST\_NO: 1751  
ST\_NAME: DRAPER VALLEY  
APPR\_VALUE: 1,741,210  
ASSD\_VALUE: 1,257,690

INST\_NO: 19-012766;18-CAC-008;17-018244;16-014005;16-008447;02-019006;02-018986;99-14778  
SALE\_TYPE: SEP

Received by OWRD  
NOV 06 2020  
Salem, OR





#### Limits to Increases on Assessed Values

Every year the county assessor determines each property's real market value and calculates its maximum assessed value. Real market value (RMV) is typically the price a property would sell for in a transaction between a willing buyer and a willing seller on January 1, the assessment date for the tax year. Maximum assessed value (MAV) is the taxable limit established for each property and can only increase at a 3% annual rate. Certain property events, such as new construction of more than \$10,000 in any one year or \$25,000 within any consecutive five years, can cause the MAV to increase more than 3 percent. Property taxes are based on the lesser of the RMV or MAV, which is called the assessed value. The assessed value along with the real market value, are given on each tax statement.

#### Appeals of Assessed Values

All property is valued as of the assessment date, January 1, 2020. If you disagree with the values shown on your tax bill, you should contact the Assessor as soon as possible and no later than December 3, 2020. You may also appeal to the Board of Property Tax Appeals (BOPTA) at the County Clerk's Office on or before December 31, 2020. To avoid penalties and interest, pay the tax shown on your bill by November 15th, 2020, even if you appeal. Please see the back of your statement for additional appeal rights information.

470319063677  
TICOR TITLE

**RECORDING REQUESTED BY:**



744 NE 7th Street  
Grants Pass, OR 97526

**GRANTOR'S NAME:**  
Youdall International Investments, LLC

**GRANTEE'S NAME:**  
Ezo Properties, LLC, a Wyoming Limited Liability Company

**AFTER RECORDING RETURN TO:**  
Order No.: 470319063677-HP  
Ezo Properties, LLC, a Wyoming Limited Liability Company  
116 S. Orange Avenue  
Orlando, FL 32801

**SEND TAX STATEMENTS TO:**  
Ezo Properties, LLC  
116 S. Orange Avenue  
Orlando, FL 32801

1751 Draper Valley Rd, Selma, OR 97538

**JOSEPHINE COUNTY OFFICIAL RECORDS**

RHIANNON HENKELS, COUNTY CLERK

**2019-012766**

DED-WRD

10/08/2019 02:03 PM

Cnt=1 Pgs=2 Stn=4 LBOSS

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

**\$96.00**

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

Received by OWRD

NOV 06 2020

Salem, OR

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**STATUTORY WARRANTY DEED**

Youdall International Investments, LLC, a Florida limited liability company, Grantor, conveys and warrants to Ezo Properties, LLC, a Wyoming Limited Liability Company, Grantee, the following described real property, free and clear of encumbrances except as specifically set forth below, situated in the County of Josephine, State of Oregon:

The North half of the South half of the Southeast Quarter of Section 36, Township 37 South, Range 8 West, of the Willamette Meridian, in Josephine County, Oregon.

ALSO all that portion of the North half of the Southeast Quarter of the Southwest Quarter of Section 36, Township 37 South, Range 8 West, of the Willamette Meridian, in Josephine County, Oregon, lying Easterly of Draper Valley Road.

THE TRUE AND ACTUAL CONSIDERATION FOR THIS CONVEYANCE IS TWO MILLION FIVE HUNDRED THOUSAND AND NO/100 DOLLARS (\$2,500,000.00). (See ORS 93.030).

**Subject to:**

Current taxes, assessments, reservations in patents, and all agreements, easements, right-of-way, encumbrances, liens, setback lines, reservations, powers of special districts, covenants, conditions and restrictions as may appear of record

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

STATUTORY WARRANTY DEED

(continued)

IN WITNESS WHEREOF, the undersigned have executed this document on the date(s) set forth below.

Dated: 10/7/2019

Youdall International Investments, LLC

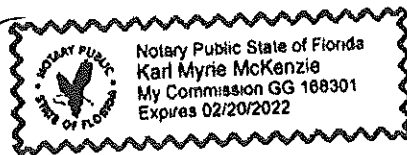
BY: SDM  
Steven D. Fieldman, Managing Member

State of Florida  
County of Orange

This instrument was acknowledged before me on 10/7/19 by  
STEVEN D. FIELDMAN as Managing Member for  
Youdall International Investments, LLC.

Karl Myrie McKenzie  
Notary Public - State of Florida

My Commission Expires: 2/28/22



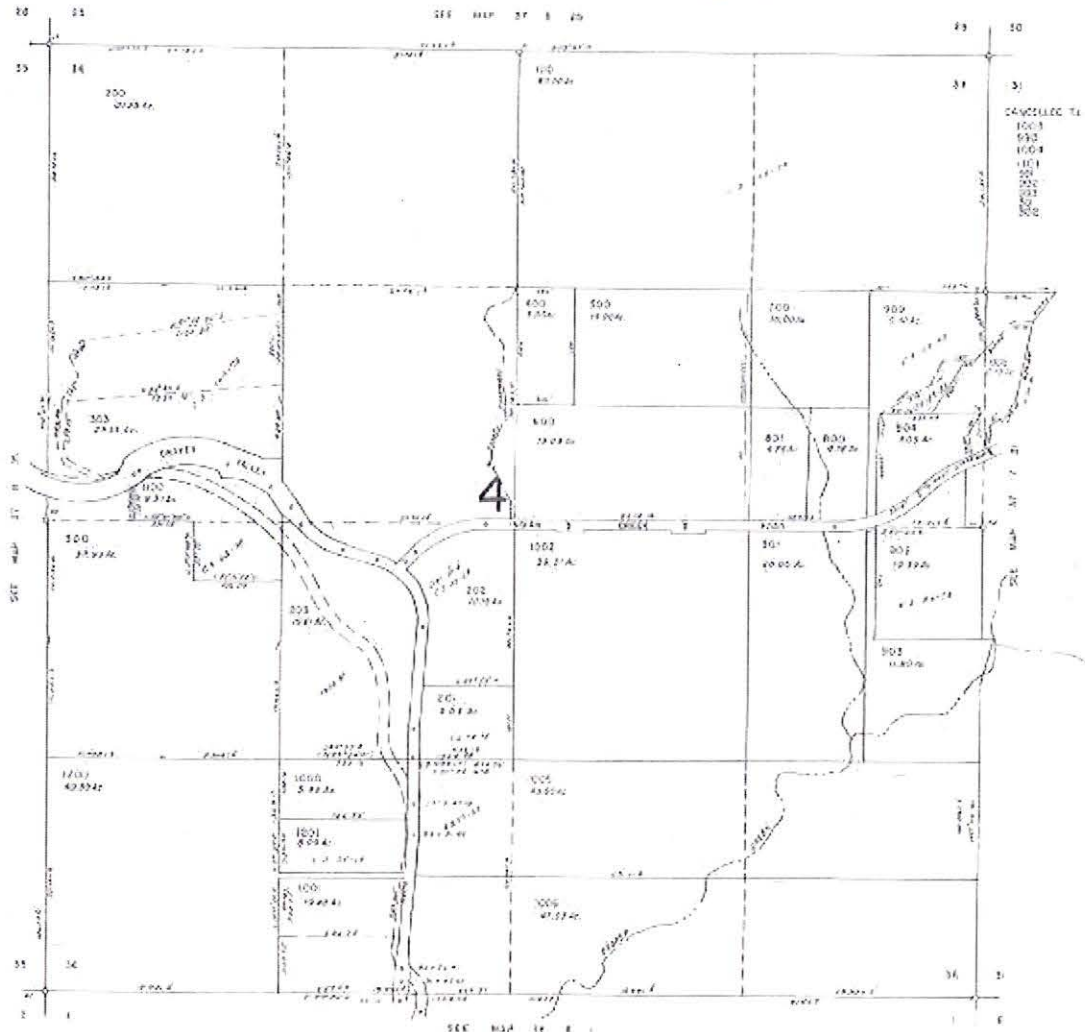


NOV 06 2020

**Salem, OR**

SECTION 36 T 37 S. R. 8 W W.M.  
JOSEPHINE COUNTY  
17-403

is prepared for  
course only

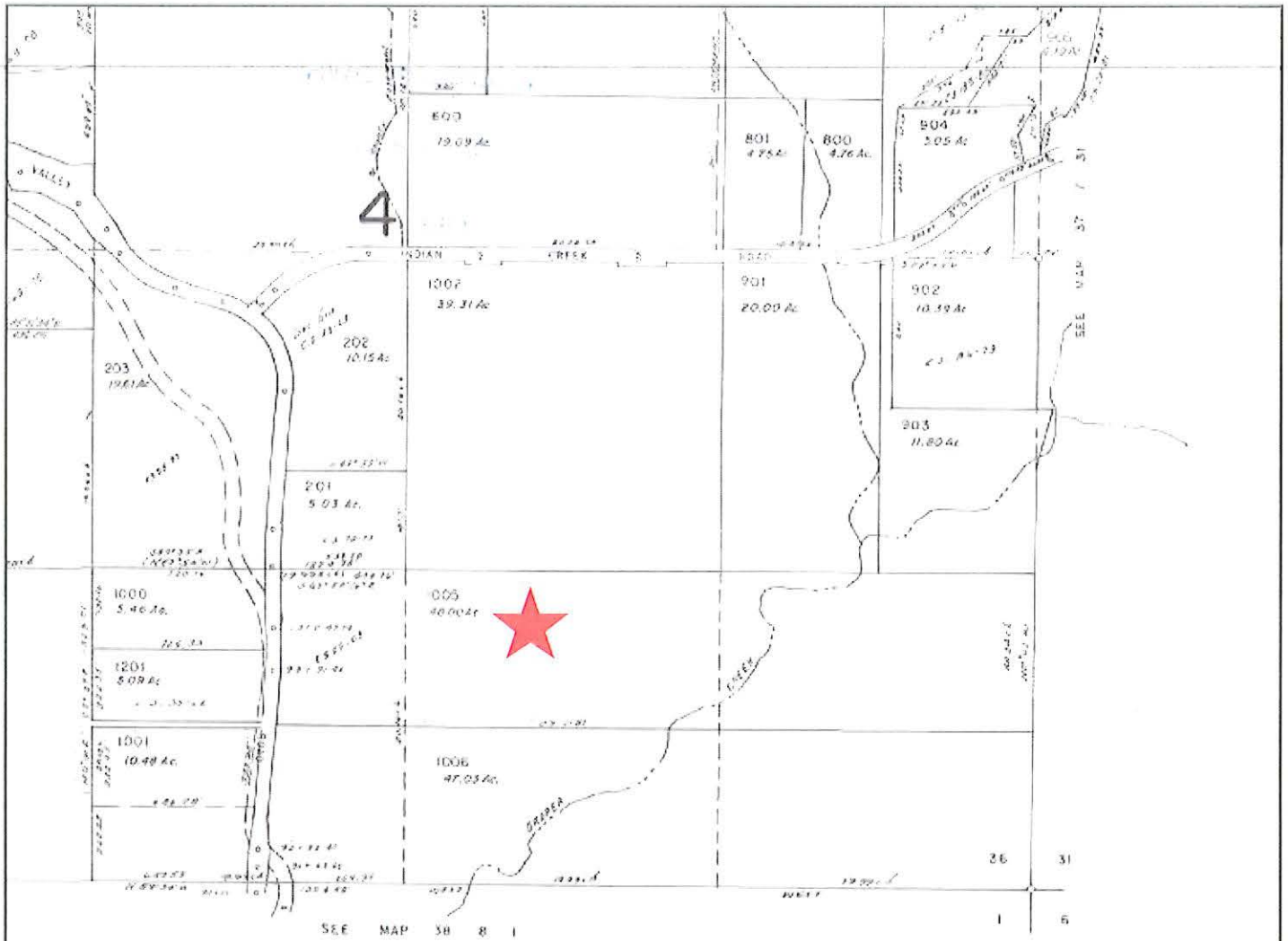


37 8 36



**TICOR TITLE COMPANY**

This map/plot is being furnished as an aid in locating the herein described land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.



37 8 36



**TICOR TITLE COMPANY**

This map/plat is being furnished as an aid in locating the herein described land in relation to adjoining streets, natural boundaries and other land, and is not a survey of the land depicted. Except to the extent a policy of title insurance is expressly modified by endorsement, if any, the company does not insure dimensions, distances, location of easements, acreage or other matters shown thereon.



Aerial Map



**TICOR TITLE COMPANY**

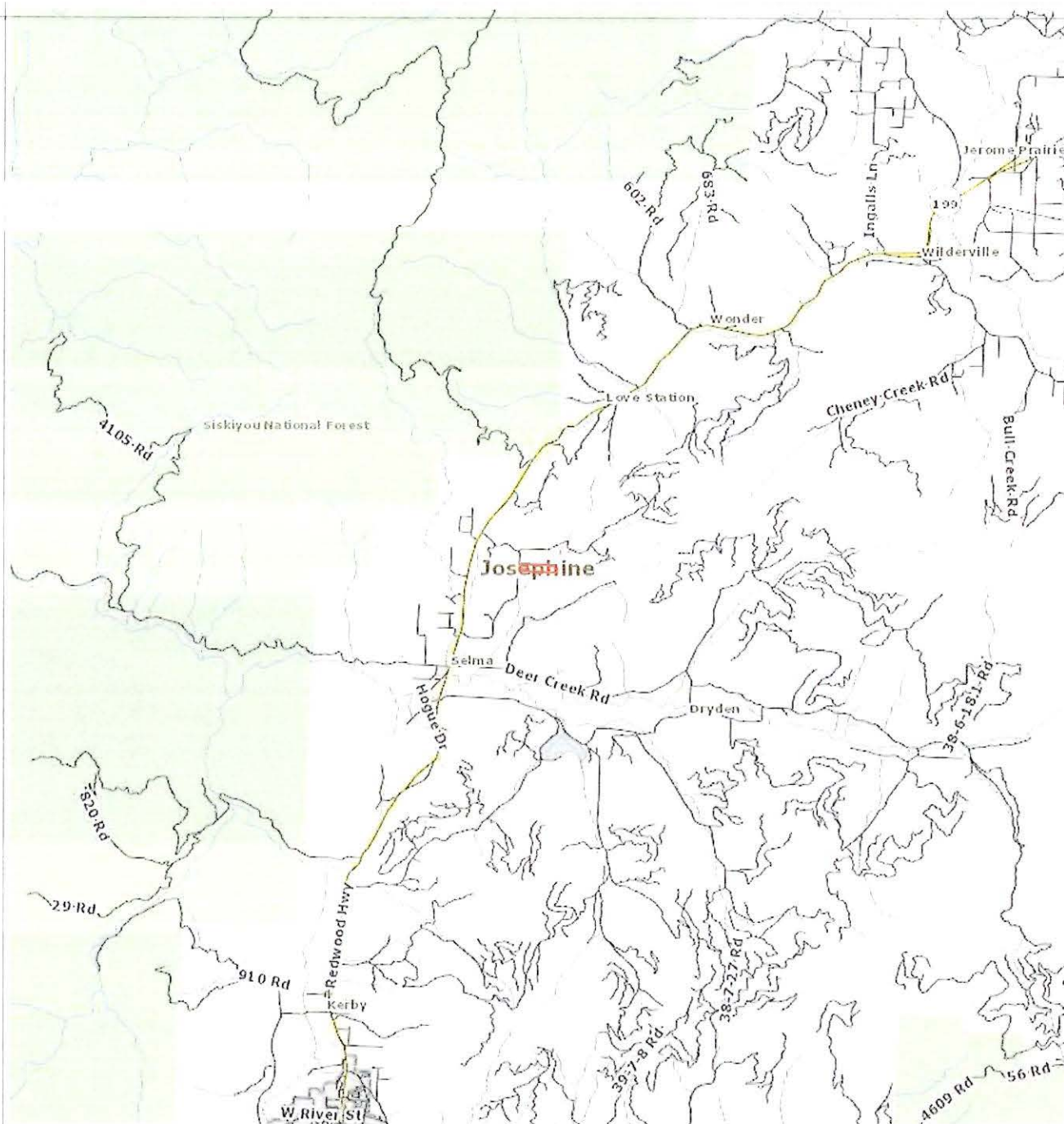
Parcel ID: R326098

Sentry Dynamics, Inc. and its customers make no representations, warranties or conditions, express or implied, as to the accuracy or completeness of information contained in this report.

Received by OWRD  
NOV 06 2020  
Salem, OR



# Flood Map



**TICOR TITLE COMPANY**

**Parcel ID: R326098**

Sentry Dynamics, Inc. and its customers make no representations, warranties or conditions, express or implied, as to the accuracy or completeness of information contained in this report.



# Oregon

Kate Brown, Governor

## Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

October 15, 2020

JEFF GITTO  
DRAPER VALLEY FARMS  
1751 DRAPER VALLEY RD  
SELMA, OR 97538

Reference: Water Right Transfer Application T-13308

Your water right transfer is in the first of three phases of processing. Enclosed is a draft of the Department's Preliminary Determination regarding Transfer Application T-13308. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved.

### Items needed before the next phase of processing...

1. Please review the draft carefully to see if it accurately reflects the changes you intend to make, and to become familiar with all proposed conditions. **You will need to respond in writing** by the deadline provided below, whether you agree with the proposed action and conditions. Also we will appreciate having you let us know if there are typographical errors that need to be corrected.
2. A report of landownership for the lands to which the water right(s) are appurtenant (the FROM lands) is required. **The report must be prepared by a title company and meet the criteria below.** (*Reports may be called by various names, such as Customer Service Report, Property Analysis Report (PAR), List Pack, Lot Book Report, etc.*)
  - a) The title company's report must either be:
    - i) prepared within 3 months of the draft Preliminary Determination showing current ownership, or
    - ii) prepared within 3 months of recording of a water right conveyance agreement, or
    - iii) prepared at any time, but showing ownership at the time a water right conveyance agreement was recorded.
  - b) The ownership report shall include:
    - i) Date the ownership report was generated or prepared; and
    - ii) List of owners at that time; and
    - iii) Legal description of the property where the water right to be transferred is currently located.
  - c) You will need to submit a notarized statement of consent from any landowner listed in the ownership report who is not already included in the transfer application, or other information such as a water right conveyance agreement, if applicable.
3. Notice of this transfer will need to be published in a newspaper with general circulation in the area where the water rights are currently located. You will be responsible for the charges. Please confirm the Grants Pass Daily Courier as the newspaper you prefer to publish in so we can get an accurate estimate of the cost.



**Conditions to your water right...**

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

**Please note the proposed date by which all conditions must be met: October 1, 2022.** If the required completion date is insufficient to comply with any of the conditions, you may extend the date at no cost to you during this stage of processing. Please let me know by the comment deadline so we can make the proper arrangements to get you the time you need.

**What happens next...**

Once the Preliminary Determination is issued a publication period is required. Because of a change in character of use, the Department will publish notice of the transfer in a local newspaper having a general circulation in the area of the water right at least once per week for two consecutive weeks. You are responsible for sending a check to cover the cost of publication prior to the issuance of the Preliminary Determination and publication of notice.

Issuance of the Preliminary Determination will occur shortly after we receive:

1. Your written response to the conditions and proposed action in the draft Preliminary Determination (e-mail is acceptable); and
2. Report of ownership, and affidavits of consent from any landowners shown in the ownership report who have not signed the transfer application.

**If we do not receive the items listed above by November 16, 2020, a Preliminary Determination may be issued denying the application as incomplete.**

Please do not hesitate to contact me, at [corey.a.courchane@oregon.gov](mailto:corey.a.courchane@oregon.gov) or (503) 986-0825, if I may be of assistance.

Sincerely,



Corey Courchane  
Transfer Specialist  
Transfer and Conservation Section

cc: Transfer Application file T-13308  
Scott C. Ceciliani, District 14 Watermaster (via e-mail)  
Andrea Rabe, Agent for the applicant (via e-mail)

encs





6. The right to be transferred is as follows:

**Certificate:** 63657 in the name of RALPH L. AND IRENE SELTZER (perfected under Permit S-47299)  
**Use:** IRRIGATION of 18.6 ACRES  
**Priority Date:** SEPTEMBER 22, 1981  
**Rate:** 0.37 CUBIC FOOT PER SECOND  
**Limit/Duty:** The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-FIFTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.  
**Source:** DRAPER CREEK, a tributary of DEER CREEK

**Authorized Point of Diversion:**

| Twp  | Rng | Mer | Sec | Q-Q   | Measured Distances                                                    |
|------|-----|-----|-----|-------|-----------------------------------------------------------------------|
| 37 S | 8 W | WM  | 36  | SE SE | 1000 FEET NORTH AND 1540 FEET EAST FROM THE S1/4 CORNER OF SECTION 36 |

**Authorized Place of Use:**

| IRRIGATION |     |     |     |       |       |
|------------|-----|-----|-----|-------|-------|
| Twp        | Rng | Mer | Sec | Q-Q   | Acres |
| 37 S       | 8 W | WM  | 36  | SW SE | 15.8  |
| 37 S       | 8 W | WM  | 36  | SE SE | 2.8   |
|            |     |     |     | Total | 18.6  |

7. Transfer Application T-13308 proposes to change the character of use to nursery use.
8. Transfer Application T-13308 also proposes to change the place of use of the right to:

| NURSERY USE |     |     |     |       |       |
|-------------|-----|-----|-----|-------|-------|
| Twp         | Rng | Mer | Sec | Q-Q   | Acres |
| 37 S        | 8 W | WM  | 36  | SW SE | 11.6  |
| 37 S        | 8 W | WM  | 36  | SE SE | 7.0   |
|             |     |     |     | Total | 18.6  |

9. Certificate 63657 does not specify an irrigation season; however, consistent with the Illinois River Decree, the irrigation season is April 1 through November 1.

***Transfer Review Criteria [OAR 690-380-4010(2)]***

10. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
11. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-13308.

12. The proposed changes, as conditioned, would not result in enlargement of the right.
13. The proposed changes, as conditioned, would not result in injury to other water rights.
14. All other application requirements are met.

#### **Determination and Proposed Action**

The change in place of use and change in character of use proposed in Transfer Application T-13308 appears to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the transfer application will be approved.

*If Transfer Application T-13308 is approved, the final order will include the following:*

1. *The change in place of use and change in character of use proposed in Transfer Application T-13308 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 63657 and any related decree.*
3. *Water right Certificate 63657 is cancelled.*
4. *The rate of diversion for the change in character of use from irrigation to the proposed nursery operation use shall be limited to 0.37 cubic foot per second and shall be further limited to a total volume diverted of 65.1 acre feet (18.6 acres x 3.5 acre feet per acre) during the original season of use, being April 1 to November 1.*
5. *The change in character of use from irrigation to the proposed nursery use shall be further limited such that:*
  - a) *The amount of water used for NURSERY OPERATIONS is limited to a diversion of 0.37 cubic foot per second per acre and 65.1 acre feet per acre during the irrigation season of each year.*
  - b) *For the irrigation of containerized nursery plants, the amount of water diverted is limited to 0.37 cubic foot per second (or its equivalent) and 65.1 acre feet per acre during the irrigation season of each year.*
  - c) *For the irrigation of in-ground nursery plants, the amount of water diverted is limited to 0.37 cubic foot per second (or its equivalent) and 65.1 acre feet per acre during the irrigation season of each year.*
  - d) *For the irrigation of any other crop, the amount of water diverted is limited to 0.37 cubic foot per second (or its equivalent) and 65.1 acre feet per acre during the irrigation season of each year. The use of water for irrigation of any other crop shall be limited to 18.6 acres.*



6. 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.*
7. *The former place of use of the transferred right shall no longer receive water under the right.*
8. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2022**. 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 changes and full beneficial use of the water.*
9. *After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.*

Dated in Salem, Oregon on

**D R A F T**

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for  
THOMAS M BYLER, DIRECTOR  
Oregon Water Resources Department

|                                                                                                                                                                                                                                                               |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>This draft Preliminary Determination was prepared by Corey Courchane. If you have questions about the information in this document, you may reach me at 503-986-0825 or <a href="mailto:corey.a.courchane@oregon.gov">corey.a.courchane@oregon.gov</a></p> |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

## COURCHANE Corey A \* WRD

---

**From:** Andrea Rabe <[andrea@rabeconsulting.com](mailto:andrea@rabeconsulting.com)>  
**Sent:** Wednesday, September 30, 2020 11:33 AM  
**To:** COURCHANE Corey A \* WRD  
**Cc:** CECILIANI Scott C \* WRD  
**Subject:** Re: Jeff Gitto, Draper Valley Farms, T-13308  
**Attachments:** OWRD Water Transfer ReSubmittal (12-10-19) changes 09302020.pdf

Please see attached.  
Andrea

On Wed, Sep 30, 2020 at 10:08 AM COURCHANE Corey A \* WRD <[Corey.A.Courchane@oregon.gov](mailto:Corey.A.Courchane@oregon.gov)> wrote:

Andrea,

Thank you for the revisions. Comparing Table 2 with the map, it appears that the 4.2 acres in the "TO" lands column in Table 2 should identify SESE of Section 36, rather than SWSE. The map seems to clearly indicate a POU change from SWSE to SESE. If that is the case, please revise Table 2 to identify the correct Q-Q for the 4.2 acres in the "TO" lands.

Thank you,

Corey

**From:** Andrea Rabe <[andrea@rabeconsulting.com](mailto:andrea@rabeconsulting.com)>  
**Sent:** Tuesday, September 29, 2020 3:01 PM  
**To:** COURCHANE Corey A \* WRD <[Corey.A.Courchane@oregon.gov](mailto:Corey.A.Courchane@oregon.gov)>  
**Cc:** CECILIANI Scott C \* WRD <[Scott.C.Ceciliani@oregon.gov](mailto:Scott.C.Ceciliani@oregon.gov)>  
**Subject:** Re: Jeff Gitto, Draper Valley Farms, T-13308

Corey--

I am attaching the pages which required changes. Please let me know if you have any questions or need something additional.

Thanks,

Andrea

On Fri, Sep 18, 2020 at 12:14 PM COURCHANE Corey A \* WRD <[Corey.A.Courchane@oregon.gov](mailto:Corey.A.Courchane@oregon.gov)> wrote:

Good afternoon,

Please see attached, and let me know if I may be of further assistance.

Thank you,

Corey Courchane

**COREY A COURCHANE | TRANSFER SPECIALIST**

**TRANSFER AND CONSERVATION SECTION**

---

**Water Resources Department** | 725 Summer St. NE, Suite A | Salem, Oregon 97301

Ph: 503 986-0825 | Fax: 503 986-0901

Email: [corey.a.courchane@oregon.gov](mailto:corey.a.courchane@oregon.gov) | Web: <http://www.oregon.gov/OWRD>

--



Andrea Rabe, PWS



## 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 # 63657

### Description of Water Delivery System

System capacity: 0.37 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. Pump in stream with water delivery piped through mainline to risers, flood irrigated.

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

| POD/POA Name or Number | Is this POD/POA Authorized on the Certificate or is it Proposed?         | If POA, OWRD Well Log ID# (or Well ID Tag # L-___) | Twp | Rng | Sec | ¼ ¼   | Tax Lot, DLC or Gov't Lot | Measured Distances (from a recognized survey corner)  |
|------------------------|--------------------------------------------------------------------------|----------------------------------------------------|-----|-----|-----|-------|---------------------------|-------------------------------------------------------|
| POD                    | <input type="checkbox"/> Authorized<br><input type="checkbox"/> Proposed | N/A                                                | 37S | 8W  | 36  | SE SE | 1005                      | 1000 ft north, 1540 ft east from south corner sect 36 |
|                        | <input type="checkbox"/> Authorized<br><input type="checkbox"/> Proposed |                                                    |     |     |     |       |                           |                                                       |
|                        | <input type="checkbox"/> Authorized<br><input type="checkbox"/> Proposed |                                                    |     |     |     |       |                           |                                                       |
|                        | <input type="checkbox"/> Authorized<br><input type="checkbox"/> Proposed |                                                    |     |     |     |       |                           |                                                       |

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

- |                                                                        |                                                                   |
|------------------------------------------------------------------------|-------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Place of Use (POU)                 | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input checked="" type="checkbox"/> Character of Use (USE)             | <input type="checkbox"/> Point of Appropriation/Well (POA)        |
| <input type="checkbox"/> Point of Diversion (POD)                      | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input 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)              |

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

- ☒ 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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 Salem, OR

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 #63657**

List the change proposed for the acreage in each 1/4 1/4. 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)<br>The listing that appears on the certificate BEFORE PROPOSED CHANGES<br>List only that part or portion of the water right that will be changed. |     |     |         |            |                      |      |                                         |                                                         |                  |            | Proposed<br>Changes (see<br>"CODES"<br>from previous<br>page) | PROPOSED (the "to" or "on" lands)<br>The listing as it would appear AFTER PROPOSED CHANGES<br>are made. |             |         |            |                      |      |                    |                                                     |                  |      |   |      |         |        |      |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|-----|---------|------------|----------------------|------|-----------------------------------------|---------------------------------------------------------|------------------|------------|---------------------------------------------------------------|---------------------------------------------------------------------------------------------------------|-------------|---------|------------|----------------------|------|--------------------|-----------------------------------------------------|------------------|------|---|------|---------|--------|------|
| Twp                                                                                                                                                                                      | Rng | Sec | 1/4 1/4 | Tax<br>Lot | Gvt<br>Lot or<br>DLC | Acre | Type of USE<br>listed on<br>Certificate | POD(s) or<br>POA(s) (name<br>or number<br>from Table 1) | Priority<br>Date | Twp        |                                                               | Rng                                                                                                     | Sec         | 1/4 1/4 | Tax<br>Lot | Gvt<br>Lot or<br>DLC | Acre | New Type<br>of USE | POD(s)<br>POA(s) to<br>be used<br>(from<br>Table 1) | Priority<br>Date |      |   |      |         |        |      |
| EXAMPLE                                                                                                                                                                                  |     |     |         |            |                      |      |                                         |                                                         |                  |            |                                                               |                                                                                                         |             |         |            |                      |      |                    |                                                     |                  |      |   |      |         |        |      |
| 2                                                                                                                                                                                        | S   | 9   | E       | 15         | NE                   | NW   | 100                                     |                                                         | 15.0             | Irrigation | POD #1<br>POD #2                                              | 1901                                                                                                    | POU/POD     | 2       | S          | 9                    | E    | 1                  | NW                                                  | NW               | 500  | 1 | 10.0 |         | POD #5 | 1901 |
|                                                                                                                                                                                          |     |     |         |            |                      |      |                                         |                                                         |                  |            |                                                               |                                                                                                         |             | 2       | S          | 9                    | E    | 2                  | SW                                                  | NW               | 500  |   | 5.0  |         | POD #6 | 1901 |
| 37                                                                                                                                                                                       | S   | 8   | W       | 36         | SE                   | SE   | 1005                                    |                                                         | 2.8              | Irrigation | POD                                                           |                                                                                                         | USE         | 37      | S          | 8                    | W    | 36                 | SE                                                  | SE               | 1005 |   | 2.8  | Nursery |        |      |
| 37                                                                                                                                                                                       | S   | 8   | W       | 36         | SW                   | SE   | 1005                                    |                                                         | 15.0             | Irrigation | POD                                                           |                                                                                                         | USE         | 37      | S          | 8                    | W    | 36                 | SW                                                  | SE               | 1005 |   | 15.0 | Nursery |        |      |
| 37                                                                                                                                                                                       | S   | 8   | W       | 36         | SW                   | SE   | 1005                                    |                                                         | 4.2              | Irrigation | POD                                                           |                                                                                                         | USE/POU     | 37      | S          | 8                    | W    | 36                 | SE                                                  | SE               | 1005 |   | 4.2  | Nursery |        |      |
| 37                                                                                                                                                                                       | S   | 8   | W       | 36         | SW                   | SE   | 1005                                    |                                                         | 11.6             | Irrigation | POD                                                           |                                                                                                         | USE         | 37      | S          | 8                    | W    | 36                 | SW                                                  | SE               | 1005 |   | 11.6 | Nursery |        |      |
|                                                                                                                                                                                          |     |     |         |            |                      |      |                                         |                                                         |                  |            |                                                               |                                                                                                         |             |         |            |                      |      |                    |                                                     |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |         |            |                      |      |                                         |                                                         |                  |            |                                                               |                                                                                                         |             |         |            |                      |      |                    |                                                     |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |         |            |                      |      |                                         |                                                         |                  |            |                                                               |                                                                                                         |             |         |            |                      |      |                    |                                                     |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |         |            |                      |      |                                         |                                                         |                  |            |                                                               |                                                                                                         |             |         |            |                      |      |                    |                                                     |                  |      |   |      |         |        |      |
|                                                                                                                                                                                          |     |     |         |            |                      |      |                                         |                                                         |                  |            |                                                               |                                                                                                         |             |         |            |                      |      |                    |                                                     |                  |      |   |      |         |        |      |
| TOTAL ACRES                                                                                                                                                                              |     |     |         |            |                      | 10.6 |                                         |                                                         |                  |            |                                                               |                                                                                                         | TOTAL ACRES |         |            |                      |      |                    | 10.6                                                |                  |      |   |      |         |        |      |

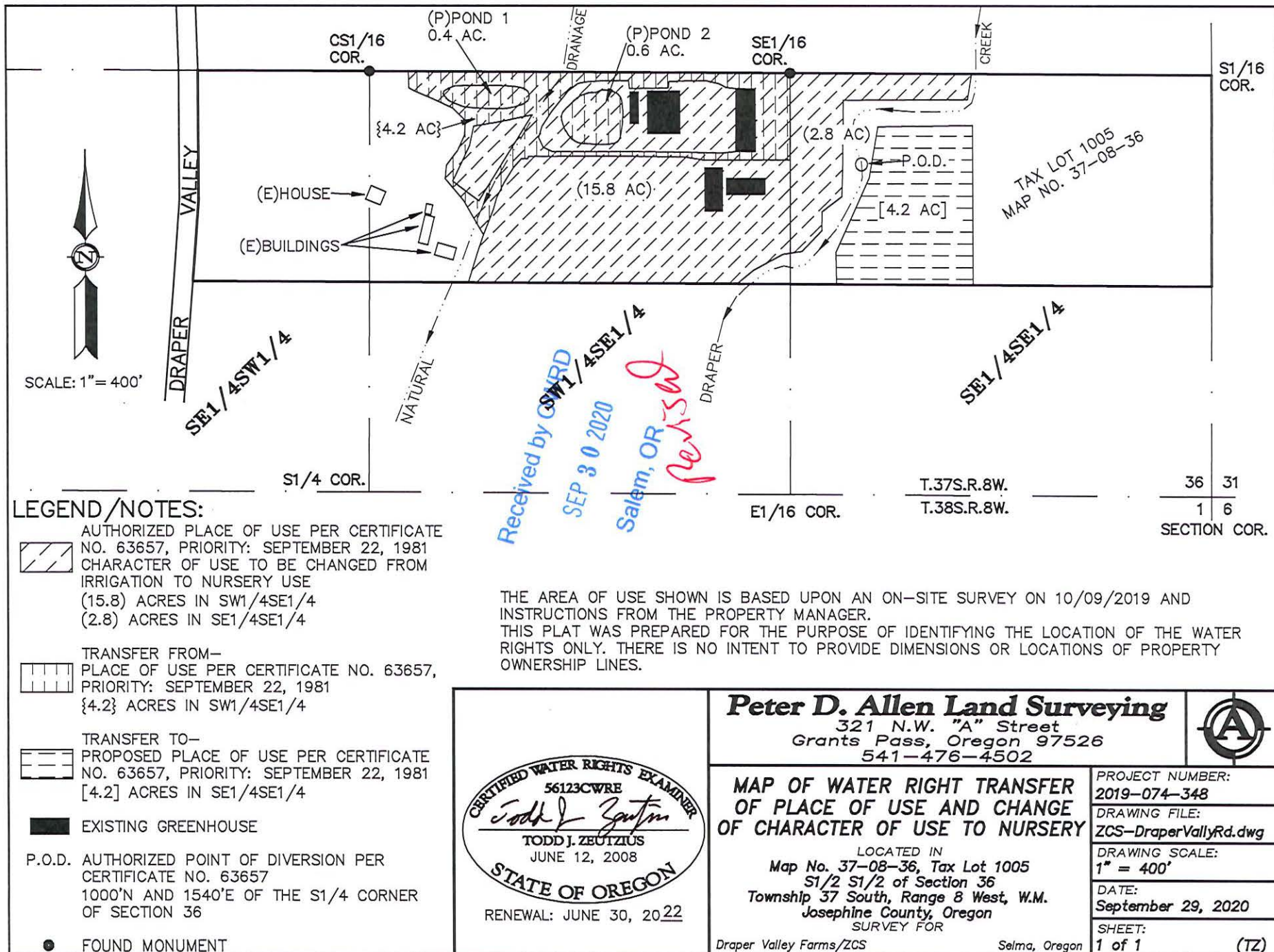
Additional remarks: Changing from irrigation to nursery use with season of use being year round. REMAINING THE SAME.

Received by OWRD

SEP 30 2020

Salem, OR









**Oregon**  
Kate Brown, Governor

**Water Resources Department**  
725 Summer St NE, Suite A  
Salem, OR 97301  
(503) 986-0900  
Fax (503) 986-0904

September 18, 2020

Jeff Gitto  
Draper Valley Farms  
1751 Draper Valley Rd  
Selma, OR 97538

REFERENCE: Water Right Transfer Application T-13308

The Department has completed an initial review of your water right transfer application. There are a couple of deficiencies that need to be resolved before we can continue processing your application:

1. The transfer application map indicates that there is a change in place of use for 4.2 acres. However, Table 2 only identifies a change in character of use for the entirety of Certificate 63657. If a change in place of use is being requested, this also needs to be identified on Table 2. Table 2 and the map have to match. Please either revise Table 2 to include the change in place of use, or revise the map to remove the change in place of use, and resubmit.
2. Also, the application map does not indicate a change in character of use. The map only identifies a "FROM and TO place of use per certificate." If a change in character of use from irrigation to nursery is taking place, this needs to be clearly identified on the map, as it is identified on Table 2. Please revise the map to clearly identify the change in character of use from irrigation to nursery, and resubmit.

**If the Department does not receive the above requested materials by October 19, 2020, a Preliminary Determination may be issued denying the application as incomplete.**

Please do not hesitate to contact me, at [corey.a.courchane@oregon.gov](mailto:corey.a.courchane@oregon.gov) or (503) 986-0825, if I may be of assistance.

Sincerely,

Corey Courchane  
Transfer Specialist  
Transfer and Conservation Section

cc: Scott Ceciliani, Watermaster, District 14  
Andrea Rabe, Rabe Consulting

## BAUSTIAN Julie C \* WRD

---

**From:** CECILIANI Scott C \* WRD  
**Sent:** Wednesday, May 06, 2020 5:18 PM  
**To:** WRD\_DL\_transferreviews  
**Cc:** JOHNSTONE Jake D \* WRD  
**Subject:** T-13308  
**Attachments:** WMR\_Transfer\_Review\_Form\_T-13308.pdf

Good Afternoon,

Attached is my Watermaster Review for T-13308.

In addition, I'd like to point out a few items pertaining to the application and application map.

1. Table 1 on Page 9 of 11: Applicant did not check the box identifying the "POD" as the authorized point of diversion.
2. The application map describes changes to the POU, which are not described in the application.
3. The transfer map does not specifically identify the lands that will undergo the change in character of use from irrigation to nursery.
4. The map also indicates two ponds, Pond 1 (0.4 AC) and Pond 2 (0.6), neither of which are permitted for storage. I've been communicating with Jeff Gitto about legal options to deal with the ponds.

Please contact me with any questions.

Thanks,

Scott

[Scott Ceciliani, GIT](#)

Watermaster, District 14

700 NW Dimmick St., Grants Pass, OR 97526.

Office 541-476-1288 | Cell 541-261-2213



[Integrity](#) | [Service](#) | [Technical Excellence](#) | [Teamwork](#) | [Forward-Looking](#)

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

Transfer Application: T-13308

Review Due Date:

Applicant Name: Jeff Gitto

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

Reviewer(s): Scott Ceciliani

Date of Review: 05/06/2020

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:  
[Please refer to the Surface Water Summary.](#)
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:

It's possible that downstream water rights may benefit from return flows if flood irrigation is being utilized; However, based on the 2016 aerial image provided by the applicant as evidence of use, it appears that flood irrigation is not the current method used to apply water.

☒ 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:

Possibly, depending on crop type and the method used for applying water.

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- 13308



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



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



at each new point of diversion/appropriation.

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

Watermaster name: Scott Ceciliani

District: 14

Address: 700 NW Dimmick Street

City/State/Zip: Grants Pass, Oregon 97526

Phone: 541-261-2213

Email: scott.c.ceciliani@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**:

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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

Kate Brown, Governor

## Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

December 19, 2019

DRAPER VALLEY FARMS  
JEFF GITTO  
1751 DRAPER VALLEY RD  
SELMA, OR 97538

Reference: Application T- 13308

On December 11, 2019, we received your water right Transfer application. The application was accompanied by \$1610.00. Our receipt number 131512 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.

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 for the new use, 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) 986-0815.

Cc: Watermaster Dist. #14 *(via email)*  
Andrea Rabe, Agent

Enclosure





Originals

# Application for Permanent Water Right Transfer

## Part 1 of 5 – Minimum Requirements Checklist

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

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

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

- ☐ Part 1 – Completed Minimum Requirements Checklist.
- ☐ Part 2 – Completed Transfer Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: [http://apps.wrd.state.or.us/apps/misc/wrd\\_fee\\_calculator](http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator). If you have questions, call Customer Service at (503) 986-0801.
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred?** 1 **List them here:** Cert# 63657  
Please include a separate Part 5 for each water right. (See instructions on page 6)

### 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 Land Use Information Form with approval and signature (or signed land use form receipt stub). 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):

- ☐ Application fee not enclosed/insufficient
- ☐ Map not included or incomplete
- ☐ Land Use Form not enclosed or incomplete
- ☐ Additional signature(s) required
- ☐ Part      is incomplete

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

Staff: \_\_\_\_\_ 503-986-0 \_\_\_\_\_

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

RECEIVED  
DEC 11 2019  
OWRD

## Part 2 of 5 – Transfer Application Map Checklist

**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/](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°).

**FEE WORKSHEET for PERMANENT TRANSFER ( Part 3 of 5 – Fee Worksheet**

|   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |   |         |
|---|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---------|
| 1 | Base Fee (includes one type of change to one water right for up to 1 cfs)                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | 1 | \$1,160 |
|   | Types of change proposed:<br><input type="checkbox"/> Place of Use<br><input type="checkbox"/> Character of Use<br><input type="checkbox"/> Point of Diversion/Appropriation<br>Number of above boxes checked = _____ (2a)<br>Subtract 1 from the number in line 2a = _____ (2b) <i>If only one change, this will be 0</i><br>Multiply line 2b by \$930 and enter » » » » » » » » » » » » » » » »                                                                                                                                                                                                         | 2 | 0       |
| 3 | Number of water rights included in transfer _____ (3a)<br>Subtract 1 from the number in 3a above: _____ (3b) <i>If only one water right this will be 0</i><br>Multiply line 3b by \$520 and enter » » » » » » » » » » » » » » » »                                                                                                                                                                                                                                                                                                                                                                         | 3 | 0       |
| 4 | Do you propose to add or change a well, or change from a surface water POD to a well?<br><input type="checkbox"/> No: enter 0 » » » » » » » » » » » » » » » » » » » » » »<br><input type="checkbox"/> Yes: enter \$410 » » » » » » » » » » » » » » » » » » » » » »                                                                                                                                                                                                                                                                                                                                        | 4 | 0       |
| 5 | Do you propose to change the place of use or character of use?<br><input type="checkbox"/> No: enter 0 on line 5 » » » » » » » » » » » » » » » » » » » » » »<br><input type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred (see example below*): _____ (5a)<br>Subtract 1.0 from the number in 5a above: _____ (5b)<br>If 5b is 0 or less, enter 0 on line 5 » » » » » » » » » » » » » » » » » » » » » »<br>If 5b is greater than 0, round up to the nearest whole number: _____ (5c)<br>and multiply 5c by \$350, then enter on line 5 » » » » » » » » » » » » » » » » | 5 | 0       |
| 6 | Add entries on lines 1 through 5 above » » » » » » » » » » » » Subtotal:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | 6 | 1160    |
| 7 | Is this transfer:<br><input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932?<br><input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat?<br>If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 »<br>If no box is applicable, enter 0 on line 7 » » » » » » » » » » » » » » » » » » » » » »                                                                                                                                   | 7 | 0       |
| 8 | Subtract line 7 from line 6 » » » » » » » » » » » » » » » » <b>Transfer Fee:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | 8 | 1160    |

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\*Example for Line 5a calculation to transfer 45.0 acres of Primary Certificate 12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Certificate 87654 (1/80 cfs per acre) on the same land:

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

**FEE WORKSHEET for SUBSTITUTION**

|   |                                                     |   |          |
|---|-----------------------------------------------------|---|----------|
| 1 | Base Fee (includes change to one well)              | 1 | \$840.00 |
| 2 | Number of wells included in substitution _____ (2a) | 2 |          |



|   |                                                                                           |   |  |
|---|-------------------------------------------------------------------------------------------|---|--|
|   | Subtract 1 from the number in 3a above: _____ (2b) <i>If only one well this will be 0</i> |   |  |
|   | Multiply line 2b by \$410 and enter » » » » » » » » » » » » » » » »                       |   |  |
| 3 | Add entries on lines 1 through 2 above » » » » » » Fee for Substitution:                  | 3 |  |

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## Part 4 of 5 – Applicant Information and Signature

### Applicant Information

|                                                                                                                                                                             |                    |                     |                                  |                        |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|---------------------|----------------------------------|------------------------|
| APPLICANT/BUSINESS NAME<br><b>Jeff Gitto / Draper Valley Farms</b>                                                                                                          |                    |                     | PHONE NO.<br><b>690 380 3000</b> | ADDITIONAL CONTACT NO. |
| ADDRESS<br><b>1751 Draper Valley Rd.</b>                                                                                                                                    |                    |                     |                                  | FAX NO.                |
| CITY<br><b>Selma</b>                                                                                                                                                        | STATE<br><b>Or</b> | ZIP<br><b>97538</b> | 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. |                    |                     |                                  |                        |

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

|                                                                                                                                                                             |                    |                     |                                            |                        |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|---------------------|--------------------------------------------|------------------------|
| AGENT/BUSINESS NAME<br><b>Andrea Rabe / Rabe Consulting</b>                                                                                                                 |                    |                     | PHONE NO.<br><b>541-891-2137</b>           | ADDITIONAL CONTACT NO. |
| ADDRESS<br><b>421 Commercial Street</b>                                                                                                                                     |                    |                     |                                            | FAX NO.                |
| CITY<br><b>Klamath Falls</b>                                                                                                                                                | STATE<br><b>Or</b> | ZIP<br><b>97601</b> | E-MAIL<br><b>Andrea@rabeconsulting.com</b> |                        |
| 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:

**Transfer water rights to nursery status using the same duty but spreading it over 12 months instead of seasonal. AND SAME SEASON OF USE.** (16)

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

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

### 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.

I understand that prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: Grants Pass Daily Courier

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



Applicant signature

Jeff Gitto  
Print Name (and Title if applicable)

7/29/18  
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

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:

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

|                                        |             |              |                        |
|----------------------------------------|-------------|--------------|------------------------|
| RECEIVING LANDOWNER NAME<br>Jeff Gitto |             | PHONE NO.    | ADDITIONAL CONTACT NO. |
| ADDRESS<br>1751 Draper Valley Rd.      |             |              | FAX NO.                |
| CITY<br>Selma                          | STATE<br>Or | ZIP<br>97538 | E-MAIL                 |

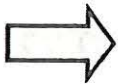
Describe any special ownership circumstances here: N/A

- ☐ 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<br>N/A | ADDRESS |     |
| CITY                            | STATE   | ZIP |

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

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



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

|                                 |                                   |              |
|---------------------------------|-----------------------------------|--------------|
| ENTITY NAME<br>Josephine County | ADDRESS<br>700NW DIMMICK ST STE C |              |
| CITY<br>Grants Pass             | STATE<br>OR                       | ZIP<br>97526 |

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



## 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 # 63657**

### Description of Water Delivery System

System capacity: 0.37 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. Pump in stream with water delivery piped through mainline to risers, flood irrigated.

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

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

| POD/POA Name or Number | Is this POD/POA Authorized on the Certificate or is it Proposed?         | If POA, OWRD Well Log ID# (or Well ID Tag # L-___) | Twp | Rng | Sec | ¼ ¼   | Tax Lot, DLC or Gov't Lot | Measured Distances (from a recognized survey corner)   |
|------------------------|--------------------------------------------------------------------------|----------------------------------------------------|-----|-----|-----|-------|---------------------------|--------------------------------------------------------|
| POD                    | <input type="checkbox"/> Authorized<br><input type="checkbox"/> Proposed | N/A                                                | 37S | 8W  | 36  | SE SE | 1005                      | 1000 ft. north, 1540 ft east from south corner sect.36 |
|                        | <input type="checkbox"/> Authorized<br><input type="checkbox"/> Proposed |                                                    |     |     |     |       |                           |                                                        |
|                        | <input type="checkbox"/> Authorized<br><input type="checkbox"/> Proposed |                                                    |     |     |     |       |                           |                                                        |
|                        | <input type="checkbox"/> Authorized<br><input type="checkbox"/> Proposed |                                                    |     |     |     |       |                           |                                                        |

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

- |                                                                        |                                                                   |
|------------------------------------------------------------------------|-------------------------------------------------------------------|
| <input type="checkbox"/> Place of Use (POU)                            | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input checked="" type="checkbox"/> Character of Use (USE)             | <input type="checkbox"/> Point of Appropriation/Well (POA)        |
| <input type="checkbox"/> Point of Diversion (POD)                      | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input 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)              |

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

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

List the change proposed for the acreage in each 1/4. If more than one change is proposed, specify the acreage associated with each change. If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

[illegible]

Additional remarks: Changing from irrigation to nursery use with season of use being year round. REMAINING THE SAME.

Superseded

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**For Place of Use or Character of Use Changes**

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

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

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

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

Ground water supplemental Permit or Certificate # \_\_\_\_\_;

Surface water primary Certificate # \_\_\_\_\_.

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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](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 |
|-------------------------------------------|------------------------------------|----------------------------------------------|------------------|-----------------|-------------------------|---------------------------|--------------------------------------------|------------------------------------------------|---------------------------------------------|------------------------------------------------------------------------|
|                                           |                                    |                                              |                  |                 |                         |                           |                                            |                                                |                                             |                                                                        |
|                                           |                                    |                                              |                  |                 |                         |                           |                                            |                                                |                                             |                                                                        |
|                                           |                                    |                                              |                  |                 |                         |                           |                                            |                                                |                                             |                                                                        |
|                                           |                                    |                                              |                  |                 |                         |                           |                                            |                                                |                                             |                                                                        |



STATE OF OREGON  
COUNTY OF JOSEPHINE  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RALPH L. AND IRENE SELTZER  
1751 DRAPER VALLEY ROAD  
SELMA, OREGON 97538

confirms the right to use the waters of DRAPER CREEK, a tributary of DEER CREEK, for the purpose of IRRIGATING 18.6 ACRES.

The right has been perfected under Permit 47299. The date of priority is SEPTEMBER 22, 1981. The right is limited to not more than 0.37 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:

SE 1/4 SE 1/4, SECTION 36, T 37 S, R 8 W, W.M.; 1000 FEET NORTH AND 1540 FEET EAST FROM THE SOUTH 1/4 CORNER OF SECTION 36.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-FIFTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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

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

SW 1/4 SE 1/4      15.8 ACRES  
SE 1/4 SE 1/4      2.8 ACRES  
SECTION 36  
TOWNSHIP 37 SOUTH, RANGE 8 WEST, W.M.

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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 right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

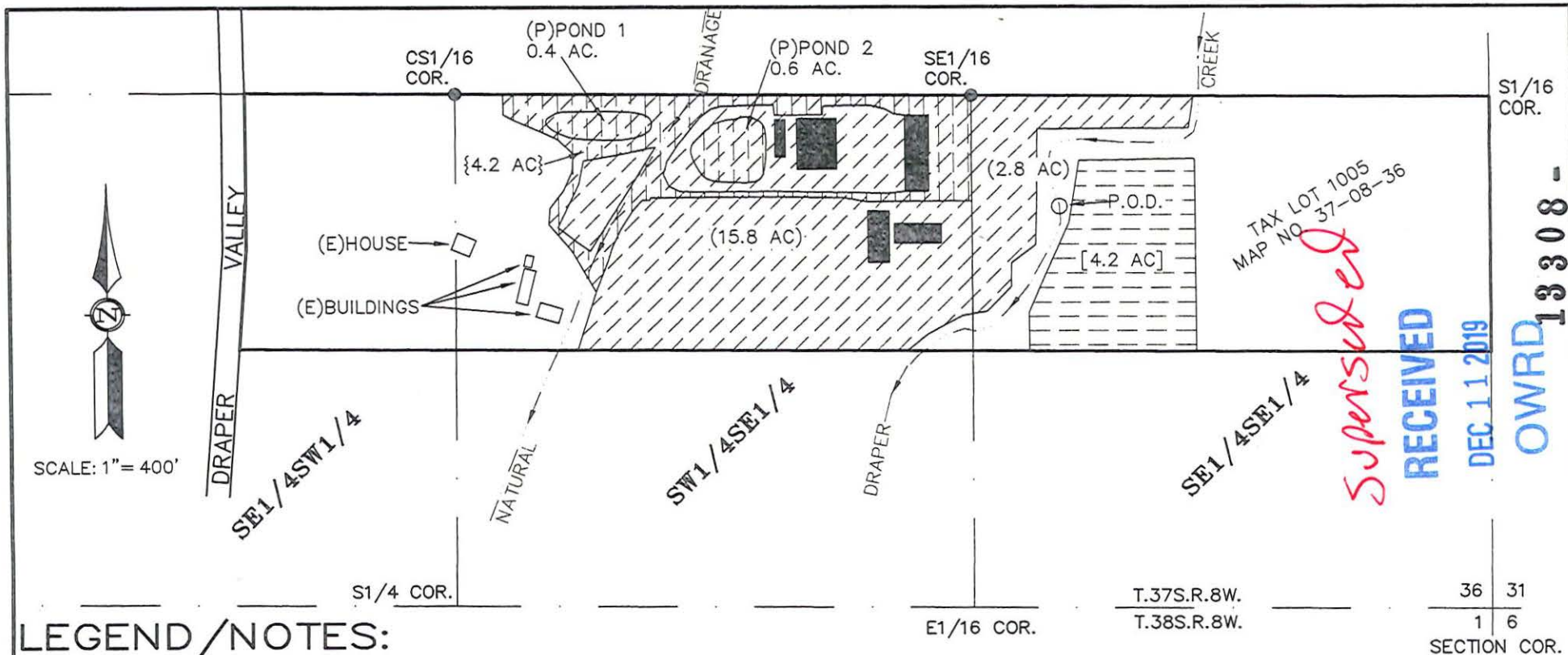
WITNESS the signature of the Water Resources Director, affixed this date DECEMBER 27, 1989.

WILLIAM H. YOUNG

Water Resources Director

Recorded in State Record of Water Right Certificates numbered 63657

62818.MDF



## LEGEND/NOTES:

 AUTHORIZED PLACE OF USE PER CERTIFICATE NO. 63657, PRIORITY: SEPTEMBER 22, 1981  
(15.8) ACRES IN SW1/4SE1/4  
(2.8) ACRES IN SE1/4SE1/4

 TRANSFER FROM—  
PLACE OF USE PER CERTIFICATE NO. 63657, PRIORITY: SEPTEMBER 22, 1981  
{4.2} ACRES IN SW1/4SE1/4

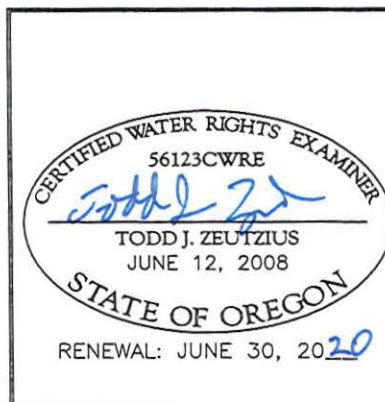
 TRANSFER TO—  
PROPOSED PLACE OF USE PER CERTIFICATE NO. 63657, PRIORITY: SEPTEMBER 22, 1981  
[4.2] ACRES IN SE1/4SE1/4

 EXISTING GREENHOUSE

P.O.D. AUTHORIZED POINT OF DIVERSION PER CERTIFICATE NO. 63657  
1000'N AND 1540'E OF THE S1/4 CORNER OF SECTION 36

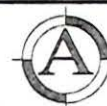
● FOUND MONUMENT

THE AREA OF USE SHOWN IS BASED UPON AN ON-SITE SURVEY ON 10/09/2019 AND INSTRUCTIONS FROM THE PROPERTY MANAGER.  
THIS PLAT WAS PREPARED FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF THE WATER RIGHTS ONLY. THERE IS NO INTENT TO PROVIDE DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.



## Peter D. Allen Land Surveying

321 N.W. "A" Street  
Grants Pass, Oregon 97526  
541-476-4502



## MAP OF WATER RIGHT TRANSFER OF PLACE OF USE

LOCATED IN  
Map No. 37-08-36, Tax Lot 1005  
S1/2 S1/2 of Section 36  
Township 37 South, Range 8 West, W.M.  
Josephine County, Oregon  
SURVEY FOR

Draper Valley Farms/ZCS

Selma, Oregon

PROJECT NUMBER:

2019-074-348

DRAWING FILE:

ZCS-DraperVallyRd.dwg

DRAWING SCALE:

1" = 400'

DATE:

November 27, 2019

SHEET:

1 of 1

(TZ)



# Land Use Information Form



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

Applicant: Jeff Gitto  
First Last

Mailing Address: 1751 Draper Valley Road

Selma Or 97538 Daytime Phone: \_\_\_\_\_  
City State Zip

## 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: |
|----------|-------|---------|-------|-----------|-------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------|--------------------|
| 37       | 8W    | 36      | SW-SE | 1005      |                                                 | <input checked="" type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used | Nursery Irrigation |
| 37       | 8W    | 36      | SE-SE | 1005      |                                                 | <input checked="" type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used | Nursery 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:

Josephine County, Selma Oregon.

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## 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) \_\_\_\_\_

Estimated quantity of water needed: \_\_\_\_\_ ☐ 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 NURSERY

Briefly describe:

CHANGING FROM IRRIGATION TO NURSERY USE; WITH SEASON  
OF USE BEING YEAR ROUND WITH SAME SEASON OF USE. LG

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

See bottom of Page 3. →



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# For Local Government Use Only

## JO CO - PLANNING

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

### Please check the appropriate box below and provide the requested information

- ☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): Section 64.020. A - Outright Uses
- ☐ 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<br>(e.g., plan amendments, rezones, conditional-use permits, etc.) | Cite Most Significant, Applicable Plan Policies &<br>Ordinance Section References | Land-Use Approval:                                                   |                                                                                      |
|-----------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|----------------------------------------------------------------------|--------------------------------------------------------------------------------------|
|                                                                                                     |                                                                                   | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued<br><input type="checkbox"/> Not Being Pursued |
|                                                                                                     |                                                                                   | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued<br><input type="checkbox"/> Not Being Pursued |
|                                                                                                     |                                                                                   | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued<br><input type="checkbox"/> Not Being Pursued |
|                                                                                                     |                                                                                   | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued<br><input type="checkbox"/> Not Being Pursued |
|                                                                                                     |                                                                                   | <input type="checkbox"/> Obtained<br><input type="checkbox"/> Denied | <input type="checkbox"/> Being Pursued<br><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.

Nursery use shall not be used for commercial activities as defined in Section 64.040.E - Conditional Uses; E. Commercial activities that are in conjunction with farm uses, as such activities are defined in Section 11.030, RLDC.

Name: Banya Aboras Title: Planner II

Signature: Banya Aboras Phone: 541-474-5427 Date: 8/15/18

Government Entity: Josephine County

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: Jeff Gitto

City or County: Josephine County Staff contact: Banya Aboras

Signature: Banya Aboras Phone: 541-474-5427 Date: 8/2/18

# Application for Water Right Transfer Evidence of Use Affidavit



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

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

State of Oregon )  
 ) ss  
County of Josephine )

I, Andrea Rabe, in my capacity as SR Environmental consultant,  
mailing address 421 Commercial Street, Klamath Falls, Oregon 97601  
telephone number (541) 891-2137, 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

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2. I attest that:

☒ Water was used during the previous five years on the entire place of use for  
Certificate # 63657; OR

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

| Certificate # | Township |  | Range |  | Mer | Sec | 1/4 1/4 | Gov't Lot<br>or DLC | Acres<br>(if applicable) |
|---------------|----------|--|-------|--|-----|-----|---------|---------------------|--------------------------|
|               |          |  |       |  |     |     |         |                     |                          |
|               |          |  |       |  |     |     |         |                     |                          |
|               |          |  |       |  |     |     |         |                     |                          |
|               |          |  |       |  |     |     |         |                     |                          |
|               |          |  |       |  |     |     |         |                     |                          |
|               |          |  |       |  |     |     |         |                     |                          |
|               |          |  |       |  |     |     |         |                     |                          |

OR

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

(continues on reverse side)

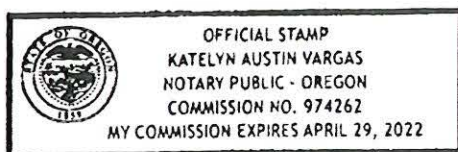


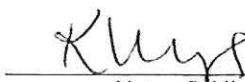
3. The water right was used for: (e.g., crops, pasture, etc.): Crops
4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

  
Signature of Affiant

7/26/18  
Date

Signed and sworn to (or affirmed) before me this 26 day of July, 2018.



  
Notary Public for Oregon

My Commission Expires: April 29, 2022

| Supporting Documents                                                                                                                                                                                                                            | Examples                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)                                                                                      | Copy of <b>confirming</b> water right certificate that shows issue date                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| <input type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water                                                                                                                           | <ul style="list-style-type: none"> <li>• Power usage records for pumps associated with irrigation use</li> <li>• Fertilizer or seed bills related to irrigated crops</li> <li>• Farmers Co-op sales receipt</li> </ul>                                                                                                                                                                                                                                                                                                                                                                               |
| <input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers                                                                                          | <ul style="list-style-type: none"> <li>• District assessment records for water delivered</li> <li>• Crop reports submitted under a federal loan agreement</li> <li>• Beneficial use reports from district</li> <li>• IRS Farm Usage Deduction Report</li> <li>• Agricultural Stabilization Plan</li> <li>• CREP Report</li> </ul>                                                                                                                                                                                                                                                                    |
| <input checked="" type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph<br><br><div style="color: blue; font-weight: bold; text-align: center;"> RECEIVED<br/> DEC 11 2019<br/> OWRD </div> | Multiple photos can be submitted to resolve different areas of a water right.<br>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.<br><br>Sources for aerial photos:<br>OSU – <a href="http://www.oregonexplorer.info/imagery">www.oregonexplorer.info/imagery</a><br>OWRD – <a href="http://www.wrd.state.or.us">www.wrd.state.or.us</a><br>Google Earth – <a href="http://earth.google.com">earth.google.com</a><br>TerraServer – <a href="http://www.terra-server.com">www.terra-server.com</a> |
| <input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years                                                                                                                                                     | Copy of instream lease or lease number                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |





**Oregon**  
Kate Brown, Governor

**Water Resources Department**  
725 Summer St NE, Suite A  
Salem, OR 97301  
(503) 986-0900  
Fax (503) 986-0904

Jeff Gitto/ Draper Valley Farms  
1751 Draper Valley Rd.  
Selma, OR. 97538

Regarding your Application for Transfer Received August 22, 2018:

The Water Resources Department has received your Application for Water Right Transfer. At this time however, we are unable to accept your application, because the minimum filing requirements are not met.

The reasons for this return are identified on the check list located on your application.

We are hereby returning the incomplete application and the fees submitted.

Should you have any questions, please do not hesitate to contact Customer Service at the address above or by telephone at 503-986-0801.

Sincerely,

Joan Smith  
Transfer Specialist

Cc: OWRD Fiscal  
Rabe Consulting (via E-mail)

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13308 -

The attached Transfer Application is deficient for the following reasons:

1. The map enclosed does not meet our minimum standards for a Transfer Application map as described in Part 2 of the application.
2. The applicant is requesting to "*Transfer water rights to nursery status using the same duty but spreading it over 12 months instead of seasonal*", this cannot be accomplished through a transfer application as we are not authorized to change the season of use.

**Permanent water right transfers include:**

(1) A change in the point of diversion or appropriation pursuant to OAR 690-380-2110, 690-380-2120 and 690-380-2130; (2) A change in the place of use pursuant to OAR 690-380-2200, 690-380-2250, and 690-380-2260; (3) A change in the character of use pursuant to OAR 690-380-2300; 690-380-2320, 690-380-2330, and 690-380-2340; and (4) A change involving municipal water rights pursuant to OAR 690-380-2410, 690-380-2420, and 690-380-2430.

**Statutory/Other Authority:** ORS 536.025 & 536.027

**Statutes/Other Implemented:** ORS 540.510 - 540.532

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## LETTER OF TRANSMITTAL

TO: Joan Smith – Transfer Specialist  
Oregon Water Resources Dept.  
725 Summer St NE, Suite A  
Salem, OR 97301

DATE: 12-10-19  
ATTENTION: Joan Smith  
JOB NUMBER: G-1031-17

JOB: Jeff Gitto – Draper Valley Farms Water Rights Transfer

We have enclosed 1 copy/copies of the following:

Preliminary  
Revised Preliminary  
Final  
Revised Final (Stamped)

Plans  
Calculations  
Specifications

Letter  
Shop Drawings  
Application

Other: WATER RIGHT TRANSFER APPLICATION

These are transmitted:

For your use  
For Submittal  
For Review and Comment  
Other:

As Requested  
For Approval

Approved as Submitted  
Approved as Noted  
Returned for Corrections

Remarks: Our original transfer application was deficient. Please see the attached re-submittal of our transfer application Maintaining the original "season of use" and providing a new map meeting OWRD minimum standards. Please give us a call if you have any questions or require additional information to process this request.

By:  
Lucas Gowey



541-479-3865

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## 2016 Aerial

Google Earth showing  
irrigated vineyards

### Legend

 1751 Draper Valley Rd

Received by OVRD

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Salem, OR

1751 Draper Valley Rd 

Google Earth

500 ft

N



## **COURCHANE Corey A \* WRD**

---

**From:** Andrea Rabe <andrea@rabeconsulting.com>  
**Sent:** Thursday, December 12, 2019 3:38 PM  
**To:** COURCHANE Corey A \* WRD  
**Subject:** Re: Jeff Gitto/Draper Valley Farms Transfer Application  
**Attachments:** Aerial showing irrigation.pdf

Please find the aerial photograph for Evidence of Use supporting documentation.

Andrea

On Wed, Dec 11, 2019 at 2:47 PM COURCHANE Corey A \* WRD <[Corey.A.Courchane@oregon.gov](mailto:Corey.A.Courchane@oregon.gov)> wrote:

Good afternoon,

I have been reviewing the Permanent Transfer Application that is requesting to change the character of use to nursery. One item is needed before I can receive this application. An Evidence of Use Affidavit was submitted, but the supporting documentation was not included. The box for aerial photo was marked, but none was submitted with the application. Pursuant to OAR 690-380-3000(12): Evidence that the water has been used over the past five years in accordance with the terms and conditions of the right or that the right is not subject to forfeiture under ORS 540.610. The evidence shall include the following information:

(a) If the right has been used during the past five years, one or more affidavits from persons, such as the owner or operator, a neighbor, crop field person for a cannery or other product buyer, or Natural Resources Conservation Service (NRCS) representatives, who can attest from personal knowledge or professional expertise that the right was exercised at the authorized location and for the authorized purpose. Such affidavits shall state the specific grounds for the affiant's knowledge, the specific use to which the water was put (e.g., the crops grown, the nursery stock watered), and the delivery system used to apply the water and include supporting documentation such as:

(A) Copies of receipts from sales of irrigated crops or for expenditures relating to use of water;

(B) Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers; or

(C) Dated aerial photographs of the lands or other photographs containing sufficient detail to establish the location and date of the photograph, or

(b) If the right has not been used during the past five years, documentation that the presumption of forfeiture would be rebutted under ORS 540.610(2).

Please submit Evidence of Use supporting documentation no later than Friday, December 13, 2019, or the application shall be returned for being incomplete.

Thank you,

# Regular Permanent Water Right Transfer Application Checklist

Checked by Given Date 12/11/19

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

☒ 1. Page 1 of application: Are all attachments that have been checked actually included?  
If not, what is missing? \_\_\_\_\_

☒ 2. Are fees included and correct? Fee paid: ~~\$1100.00~~ 1610.00  
If not, the correct fee would be: \_\_\_\_\_, so the amount missing is: \_\_\_\_\_

► If a Government Action POD change (see: Page 5): NO CHARGE

\*NOTE: [POD/APOD, POA/APOA, SW to GW, Gov Action] are all counted as one type  
POU is counted as one type  
[USE *or* (Supplemental to Primary)] are counted as one type

☒ 3. Page 3 of application: Have all the applicants listed at the top of the page signed?  
If no, whose signature is missing? \_\_\_\_\_

☒ 4. Are all listed certificates or permits shown by WRIS as non-cancelled?  
If no, which are cancelled? \_\_\_\_\_  
For each cancelled certificate, if there has been a remaining right certificate issued that covers the lands in the left side of Table 2, list its number \_\_\_\_\_ and check the #4 box at left on this checklist.

☒ 5. If any certificate is in the name of a "district", is a Supplemental Form D from that district enclosed?  
☒ N/A ☐ Form D needed from \_\_\_\_\_ (district)

6. If all #1-#5 boxes on this checklist are checked (with no remaining deficiencies identified), accept the application. Put this check sheet in the transfer folder. If #1, #2, #3, #4 or #5 on this checklist is deficient, the application cannot be accepted. It should be returned and the deficiencies listed in the "staff" section at the bottom of Application Page 1, unless the applicant or agent can resolve the deficiencies within 2-3 days.

Certs & acres involved: \_\_\_\_\_

Changes: \_\_\_\_\_

# cfs involved: \_\_\_\_\_

Source: \_\_\_\_\_





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Date Received (Date Stamp Here)

## OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: DVF LLC - Jeff Githo / Draper Valley Farms  
116 S Orange Ave Orlando FL 32801

Transaction Type: T-13308

Fees Received: \$ 1,610.00

☐ Cash

☐ Check:

Check No. 5124

Name(s) on Check: DVF LLC

Address on Check: 116 S Orange Ave  
Orlando FL 32801

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

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

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

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

Sincerely,

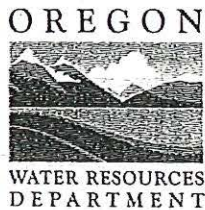
OWRD Customer Service Staff

Submission received by:

Judy F & Corey C.  
(Name of OWRD staff)

### Instructions for OWRD staff:

- Complete this Submission Receipt, and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
- Record Submission Receipt information on the "RECEIVED OVER THE COUNTER" log sheet.
- Place the Submission Receipt with check/cash in the small top drawer (i.e., "Fiscal Pick Up Drawer"). Place the Submission Receipt with submission (application/other document) in the large bottom drawer.



To Caseworker:  
Fee is only \$1160-  
Paid \$1610-  
will need  
refund

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Date Received (Date Stamp Here)

## OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Jeff Gitto / Draper Valley Farms

1751 Draper Valley Rd. Selma, OR 97538

Transaction Type: Transfer Application

Fees Received: \$ 1610.00

☐ Cash ☒ Check: Check No. 1062

Name(s) on Check: Draper Valley Farms

Address on Check: 1751 Draper Valley Rd  
Selma, OR 97538

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

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

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

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

Sincerely,

OWRD Customer Service Staff

Submission received by: Cory Middleton  
(Name of OWRD staff)

### Instructions for OWRD staff:

- Complete this Submission Receipt, and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
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