

Name Jamie Erlicht

Address 10208 Briarwood Dr.  
Los Angeles, CA. 90077  
gibbs8@yahoo.com

Change in APOD

Date Filed 7/6/2018

Initial notice date 7/10/2018

DPD issued date \_\_\_\_\_

PD issued date 4/26/2019

PD notice date 4/30/2019

Date of FO 06-26-2019 Vol 113 Page 462-466  
08-07-2019 Vol 113 pags 840-844

C-Date \_\_\_\_\_

COBU due date \_\_\_\_\_

COBU Received date \_\_\_\_\_

Certificate issued 98884 & 98885 issued 1-23-2016

DESCRIPTION OF WATER RIGHT(S)

Name of Stream Rogue River

Trib. of Pacific Ocean

Use Irrigation County Jackson

Quantity of water (CFS) \_\_\_\_\_ No. of Acres \_\_\_\_\_

Name of ditch \_\_\_\_\_

App# S-6936 Per # S-4339 Cert # 43573 PR Date 12/15/1919

App# S-19648 Per # S-15221 Cert # 43575 PR Date 3/24/1942

App# \_\_\_\_\_ Per # \_\_\_\_\_ Cert # \_\_\_\_\_ PR Date \_\_\_\_\_

App# \_\_\_\_\_ Per # \_\_\_\_\_ Cert # \_\_\_\_\_ PR Date \_\_\_\_\_

App# \_\_\_\_\_ Per # \_\_\_\_\_ Cert # \_\_\_\_\_ PR Date \_\_\_\_\_

FEES PAID		
Date	Amount	Receipt #
<u>7/6/18</u>	<u>\$1,680.00</u>	<u>127244</u>

FEES REFUNDED		
Date	Amount	Receipt #
_____	_____	_____

Assignments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Irrigation District \_\_\_\_\_

Agent Evan Malepsy, Rogue Civil LLC emalepsy@rogucivil.com

CWRE \_\_\_\_\_

CC's list Jackson County

# Mailing List for Final Transfer Certificate(s)

Transfer Application: T-12966

Certificate: 98884 (C-43573)  
98885 (C-43575)

Certificate/Transfer Holder: (include copy of map)  
JAMIE ERLICHT  
10208 BRIARWOOD DR  
LOS ANGELES, CA 90077

Is the Transfer Holder(s) of record currently identified as a landowner of any tax lots involved as confirmed by the County records? YES

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

1. Watermaster District #: 13 (auto email)
2. Vault
3. File

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

4. EVAN MALEPSY, CWRE  
52 PINERIDGE LANE  
EAGLE POINT, OR 97524

## Record Marking(s):

1. Original Application# S-6936  
Old Certificate# 43573
2. Original Application# S-19648  
Old Certificate# 43575

## Copies Mailed

by: TM  
(STAFF)

on: JAN 23 2026  
(DATE)



# Oregon

Tina Kotek, Governor

Water Resources Department  
North Mall Office Building  
725 Summer Street NE, Suite A  
Salem, OR 97301  
Phone: 503-986-0900  
Fax: 503-986-0904  
[www.Oregon.gov/OWRD](http://www.Oregon.gov/OWRD)

Date Mailed:     JAN 23 2026    

## NOTICE OF CERTIFICATE ISSUANCE

Attached are certificates that confirm the water rights established under the terms of a transfer order issued by this Department.

This certificate is an order in order than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, 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.

This statement of judicial review rights is required under ORS 536.075; it does not alter or add to existing review rights or create review rights that are not otherwise provided by law.

The water must be controlled and not wasted. To change the location of the point of diversion, the character of use, or the location of use requires the advance approval of the Water Resources Director.

If you have any questions please contact Jonnine Skaug at 503-979-3943.

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JAMIE ERLICHT  
10208 BRIARWOOD DR  
LOS ANGELES CA 90077

confirms the right to the use of water perfected under the terms of Permit S-4339. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

SOURCE OF WATER: ROGUE RIVER, A TRIBUTARY OF PACIFIC OCEAN

PURPOSE OR USE: IRRIGATION OF 5.0 ACRES

MAXIMUM RATE: 0.065 CUBIC FOOT PER SECOND

DATE OF PRIORITY: DECEMBER 15, 1919

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
35 S	1 W	WM	29	NE SW	POD 2 - 3600 FEET SOUTH AND 632 FEET WEST FROM N1/4 CORNER, SECTION 29

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-EIGHTIETH of one cubic foot per second, and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	1 W	WM	29	NE SW	5.0

The quantity of water diverted at the additional point of diversion (POD 2), together with that diverted at the original point of diversion (POD 1), shall not exceed the quantity of water lawfully available at original point of diversion (POD 1) described as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
35 S	1 W	WM	29	SE NW	2	POD 1 - 2300 FEET SOUTH AND 680 FEET WEST FROM N1/4 CORNER, SECTION 29

**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 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, 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.

Water use measurement conditions:

- A. The water user shall maintain the totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, in good working order at each point of diversion.
- B. 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.

The water user shall operate and maintain the fish screen, as appropriate, at the new point of diversion, consistent with Oregon Department of Fish and Wildlife operational and maintenance standards.

The right to the use of water for the purposes aforesaid is restricted to the lands or place of use herein described, and is subject to the existing minimum flow policies established by the Water Policy Review Board.

This certificate is issued to confirm an ADDITIONAL POINT OF DIVERSION approved by an order of the Water Resources Director entered August 7, 2019, at Special Order Volume 113, Page 840, approving Transfer Application T-12966, and together with Certificate 94331, supercedes Certificate 43573, State record of Water Right Certificates.

Issued JAN 23 2026.



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

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JAMIE ERLICHT  
10208 BRIARWOOD DR  
LOS ANGELES CA 90077

confirms the right to the use of water perfected under the terms of Permit S-15221. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

SOURCE OF WATER: ROGUE RIVER, A TRIBUTARY OF PACIFIC OCEAN

PURPOSE OR USE: IRRIGATION OF 3.0 ACRES

MAXIMUM RATE: 0.0362 CUBIC FOOT PER SECOND

DATE OF PRIORITY: MARCH 24, 1942

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
35 S	1 W	WM	29	NE SW	POD 2 - 3600 FEET SOUTH AND 632 FEET WEST FROM N1/4 CORNER, SECTION 29

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-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 4.5 acre-feet per acre for each acre irrigated during the irrigation season from April 2 to October 31 of each year, and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
35 S	1 W	WM	29	NE SW	3	3.0

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

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Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
35 S	1 W	WM	29	SE NW	2	POD 1 - 2300 FEET SOUTH AND 680 FEET WEST FROM N1/4 CORNER, SECTION 29

Water use measurement conditions:

- A. The water user shall maintain the totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, in good working order at each point of diversion.
- B. 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.

The water user shall operate and maintain the fish screen, as appropriate, at the new point of diversion, consistent with Oregon Department of Fish and Wildlife operational and maintenance standards.

The right to the use of water for the purposes aforesaid is restricted to the lands or place of use herein described, and is subject to the existing minimum flow policies established by the Water Policy Review Board.

This certificate is issued to confirm an ADDITIONAL POINT OF DIVERSION approved by an order of the Water Resources Director entered August 7, 2019, at Special Order Volume 113, Page 840, approving Transfer Application T-12966, supercedes Certificate 43575, State record of Water Right Certificates.

Issued JAN 23 2026



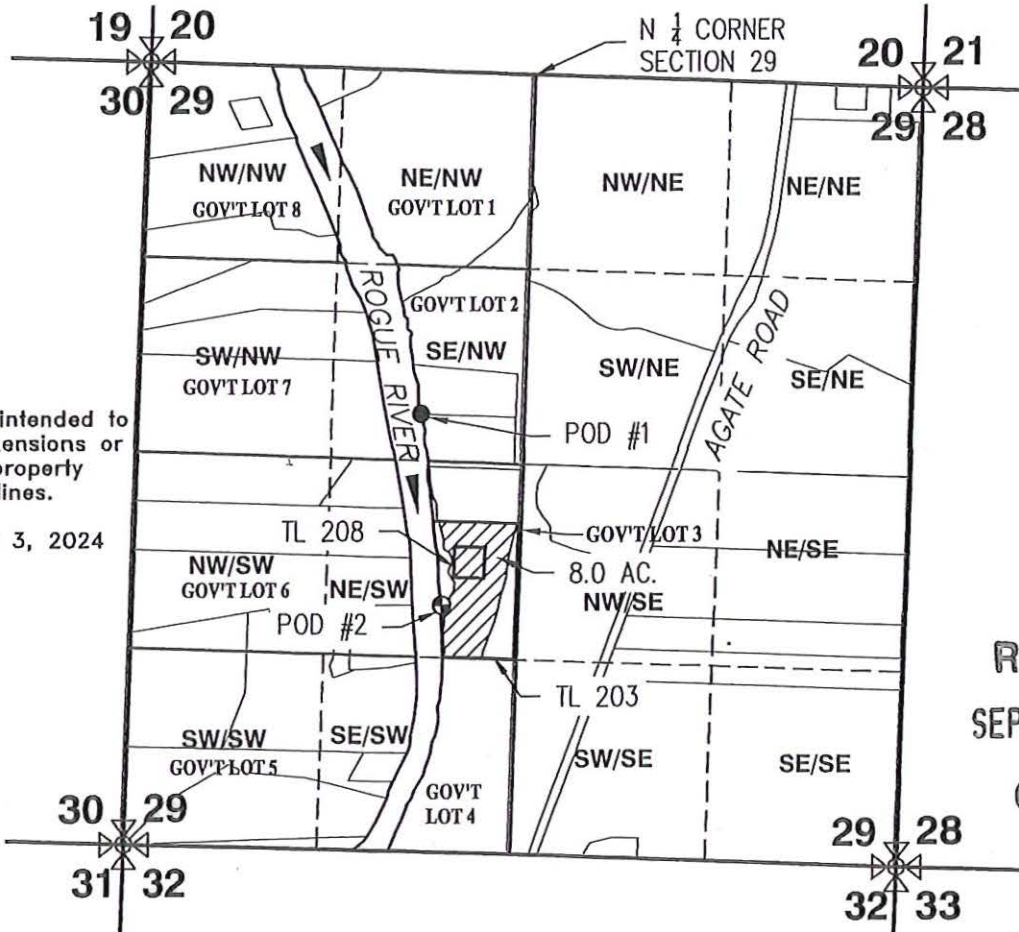
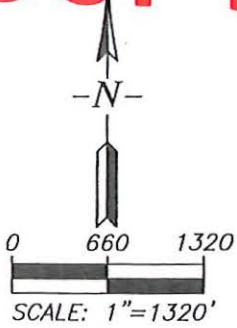
Katherine Ratcliffe  
 Water Right Services Division Administrator, for  
 Ivan Gall, Director  
 Oregon Water Resources Department

# COPY CLAIM OF BENEFICIAL USE MAP

TRANSFER: T-12966  
 ADDITIONAL POINT OF DIVERSION

FOR  
 JAMIE ERLICHT  
 10208 BRIARWOOD DRIVE  
 LOS ANGELES, CA 90077

SITUATED IN  
 SECTION 29, TOWNSHIP 35 SOUTH, RANGE 1 WEST, W.M.  
 JACKSON COUNTY, OREGON



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

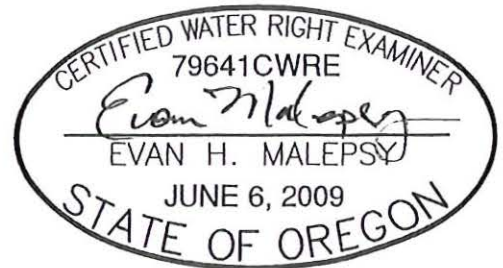
EHM-September 3, 2024

Received  
 SEP 13 2024  
 OWRD

## LEGEND

- POD #1 (ORIGINAL POINT OF DIVERSION, NOT TO BE USED) 2300' SOUTH AND 680' WEST OF NORTH QUARTER CORNER SECTION 29
- ⊕ POD #2 (POINT OF DIVERSION IN USE) FISH SCREEN, PUMP AND METER LOCATED AT BANK OF RIVER. 3600' SOUTH AND 632' WEST OF NORTH QUARTER CORNER SECTION 29

- PLACE OF USE - IRRIGATION
- 1/4-1/4 SECTION LINE



RENEWS: 12/31/2024

ROGUE CIVIL LLC  
 emalepsy@roguecivil.com 541-621-2868

# Mailing List for Proposed Transfer Certificate(s)

<b>Copies Mailed</b>	
by:	<u>TM</u> (STAFF)
on:	<u>9.23.25</u> (DATE)

**Transfer Application:** T-12966

**Certificate:**      98884  
                          \*\*\*\*\*      **(C-43573)**  
                          98885  
                          \*\*\*\*\*      **(C-43575)**

**Certificate/Transfer Holder:** (include copy of map)  
JAMIE ERLICHT  
10208 BRIARWOOD DR  
LOS ANGELES, CA 90077

Is the Transfer Holder(s) of record currently identified as a landowner of any tax lots involved as confirmed by the County records? **YES**

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

1. Watermaster District #: 13
2. File

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

3. EVAN MALEPSY, CWRE

**Record Marking(s):**

1. Original Application# S-6936  
Old Certificate# 43573
2. Original Application# S-19648  
Old Certificate# 43575



# Oregon

Tina Kotek, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

[www.oregon.gov/owrd](http://www.oregon.gov/owrd)

Date Mailed: SEP 23 2025

Reference: Transfer T-12966

Enclosed are proposed certificates of water right and a map(s). The proposed certificates represents the extent water was used within the terms of an order approving the transfer based upon a Claim of Beneficial Use, prepared by a Certified Water Right Examiner, that either you or a previous transfer holder submitted.

The certificate is the final step in the water right process. The Department encourages you to review this proposal. If you do not agree with the proposed certificates, Oregon Administrative Rule 690-330-010 (2) allows the transferee or landowner 60 days from the mailing date of this notice to request the Department to reconsider the contents of the proposed certificates.

If you do not agree with the proposed certificates, Oregon Administrative Rule 690-380-6040 allows the transferee or landowner 60 days from the mailing date of this notice to request the Department to reconsider the contents of the proposed certificates.

If your name is not listed on the proposed certificates, and you are the current landowner, and would like to have the final certificates issued in your name, you may apply through the Department to have the transfer assigned to you. If you have any questions about the assignment process, please contact Mary Bjork at 503-979-9895.

If you agree with the proposed certificates no response to this notice is required. Sometime after the 60 day period, a recommendation will be made to the Director to issue the certificates, and if the Director signs the certificates, the recorded certificates of water right will be mailed to you.

If you have any questions please contact Jonnine Skaug at 503-979-3943.

Sincerely,

Katherine Ratcliffe  
Administrator  
Water Right Services

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JAMIE ERLICHT  
10208 BRIARWOOD DR  
LOS ANGELES CA 90077

confirms the right to the use of water perfected under the terms of Permit S-4339. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

SOURCE OF WATER: ROGUE RIVER, A TRIBUTARY OF PACIFIC OCEAN

PURPOSE OR USE: IRRIGATION OF 5.0 ACRES

MAXIMUM RATE: 0.065 CUBIC FOOT PER SECOND

DATE OF PRIORITY: DECEMBER 15, 1919

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
35 S	1 W	WM	29	NE SW	POD 2 - 3600 FEET SOUTH AND 632 FEET WEST FROM N1/4 CORNER, SECTION 29

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-EIGHTIETH of one cubic foot per second, and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use is as follows:

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This certificate is issued to confirm an ADDITIONAL POINT OF DIVERSION approved by an order of the Water Resources Director entered August 7, 2019, at Special Order Volume 113, Page 840, approving Transfer Application T-12966, and together with Certificate 94331, supercedes Certificate 43573, State record of Water Right Certificates.

Issued \_\_\_\_\_

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

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JAMIE ERLICHT  
10208 BRIARWOOD DR  
LOS ANGELES CA 90077

confirms the right to the use of water perfected under the terms of Permit S-15221. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

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PURPOSE OR USE: IRRIGATION OF 3.0 ACRES

MAXIMUM RATE: 0.0362 CUBIC FOOT PER SECOND

DATE OF PRIORITY: MARCH 24, 1942

The point of diversion is located as follows:

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Issued \_\_\_\_\_

**PROPOSED**

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

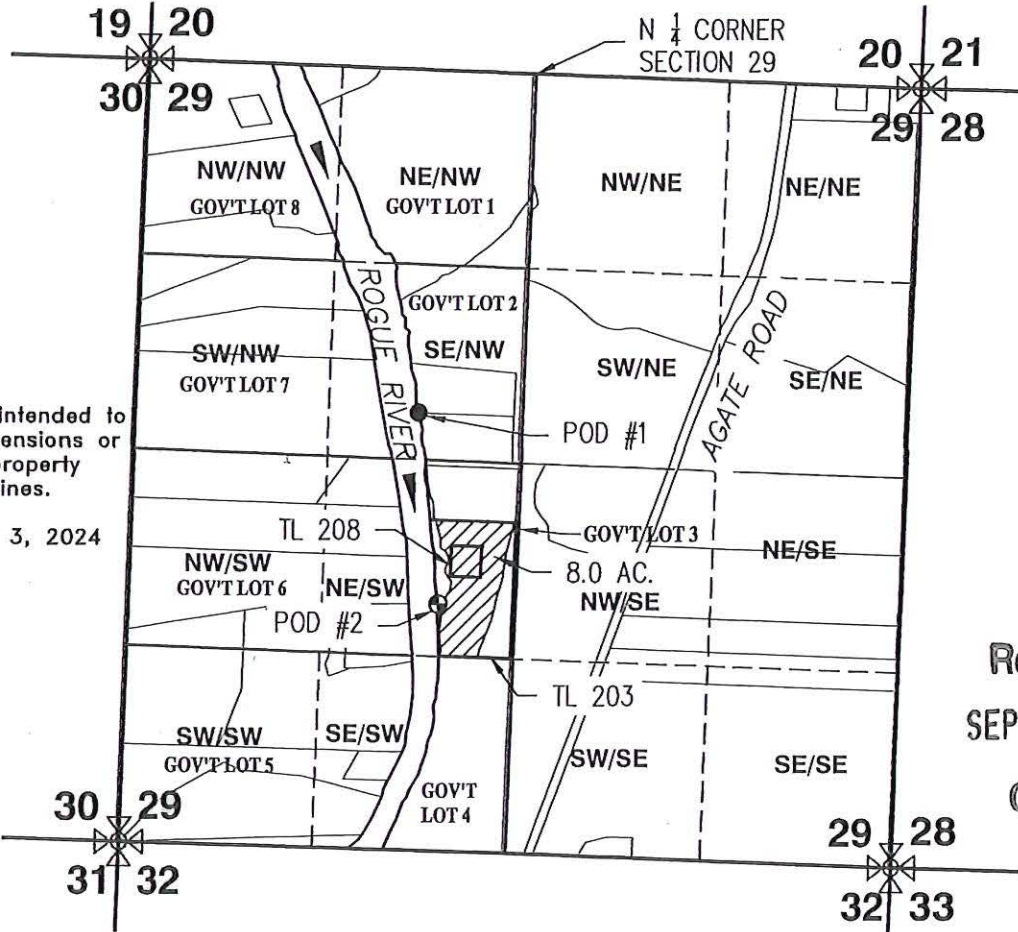
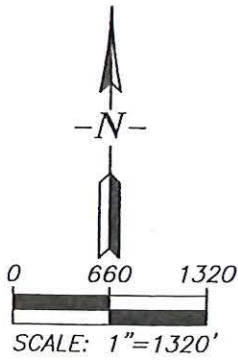
# CLAIM OF BENEFICIAL USE MAP

TRANSFER: T-12966  
 ADDITIONAL POINT OF DIVERSION

**COPY**

FOR  
 JAMIE ERLICHT  
 10208 BRIARWOOD DRIVE  
 LOS ANGELES, CA 90077

SITUATED IN  
 SECTION 29, TOWNSHIP 35 SOUTH, RANGE 1 WEST, W.M.  
 JACKSON COUNTY, OREGON



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

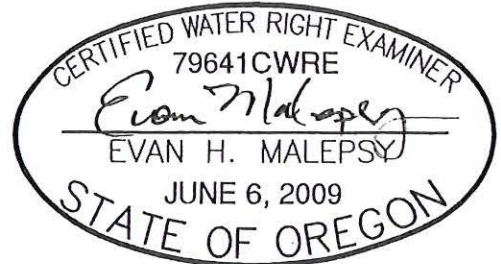
EHM-September 3, 2024

Received  
 SEP 13 2024  
 OWRD

## LEGEND

- POD #1 (ORIGINAL POINT OF DIVERSION, NOT TO BE USED) 2300' SOUTH AND 680' WEST OF NORTH QUARTER CORNER SECTION 29
- ⊕ POD #2 (POINT OF DIVERSION IN USE) FISH SCREEN, PUMP AND METER LOCATED AT BANK OF RIVER. 3600' SOUTH AND 632' WEST OF NORTH QUARTER CORNER SECTION 29

- PLACE OF USE - IRRIGATION
- 1/4-1/4 SECTION LINE



RENEWS: 12/31/2024

ROGUE CIVIL LLC  
 emalepsy@roguecivil.com 541-621-2868

TRANSFER

Memo- Proof to Satisfaction

Transfer App # <i>T-12966</i>	
WRD Reviewer (CW) <i>J Skaug</i>	Date: <i>Aug 2025</i>
WRD Peer Reviewer (PR)	Date:

App #  
S-6936  
S-19648

ORIGINAL CERT:	CHANGE REQUESTED:				RR Cert:
<i>43573</i>	<input type="checkbox"/> POU	<input type="checkbox"/> POD/POA	<input checked="" type="checkbox"/> APOD/APOA	<input type="checkbox"/> USE	<i>94331</i>
<i>43575</i>	<input type="checkbox"/> POU	<input type="checkbox"/> POD/POA	<input checked="" type="checkbox"/> APOD/APOA	<input type="checkbox"/> USE	<i>N/A</i>
	<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	

PREPARATION:

CW	PR	RESEARCH:			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> CBU Report/Map	<input checked="" type="checkbox"/> Transfer Order Ord Vol <i>SPDV 113</i> Issued Date <i>PG 462</i> <i>6/26/2019</i>	<input type="checkbox"/> Assignment <i>840</i> <i>8/7/2019</i>	<input type="checkbox"/> Transfer Extension
		<b>Electronic Folder:</b>			
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> Create CBU folder	<input checked="" type="checkbox"/> Create Work Packet Folder		
<input type="checkbox"/>	<input type="checkbox"/>	SCAN: Above documents into "CBU Folder"			
<input type="checkbox"/>	<input type="checkbox"/>	SAVE: other documents in "Work Packet Folder"			
		<input type="checkbox"/> Certificate(s)	<input checked="" type="checkbox"/> Transfer App Maps (To/From)	<input type="checkbox"/>	
		<input checked="" type="checkbox"/> OrMap Tax Lot Map	<input checked="" type="checkbox"/> Ownership Report	<input checked="" type="checkbox"/> BLM Cadastral Survey	<input type="checkbox"/> GW Logs
		<input type="checkbox"/> GW Conditions	<input type="checkbox"/> Mitigation	<input type="checkbox"/> POU Report (conflict) [POU ONLY] <i>N/A</i>	<input type="checkbox"/> Others:
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>SEARCH:</b>			
		<input checked="" type="checkbox"/> Interactive Mapper	<input type="checkbox"/> AOI	<input checked="" type="checkbox"/> Map and TaxLot ID <i>208</i>	<input type="checkbox"/> Receiving LO:
				New Landowner: <i>same</i>	

REVIEW OF CLAIM:

ORDER REQ/D	CERTIFICATE REQ'D	COMPLIED YES/NO	CONDITIONS:	NOTES:
<input checked="" type="checkbox"/> Y <input type="checkbox"/> N/A	<input type="checkbox"/> Y <input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Fish Condition	<i>7/10/24 / ODPW approval by pass not required</i>
<input checked="" type="checkbox"/> Y <input type="checkbox"/> N/A	<input type="checkbox"/> Y <input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Meter/Measuring Device	
<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 checked="" type="checkbox"/> Y <input type="checkbox"/> N	C-date: <i>10/1/2024</i>	EXT C-Date: <i>Claim Says 7/30/24</i>

REVIEW OF MAP: (Only the changes approved)

CW	PR		Notes:
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Verify POA/POD Location (New Only)	
<input type="checkbox"/>	<input type="checkbox"/>	Verify POU (New only)	
<input 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:
<i>C 43573</i>			<i>0.065 cfs</i>	<i>0.16 cfs</i>
<i>C 43575</i>			<i>0.0362 cfs</i>	<i>0.16 cfs</i>

*See Calc sheet*


**DETERMINATION:**

CW	PR	DOCUMENT	NOTES:
<input type="checkbox"/>	<input type="checkbox"/>	LETTER FOR CLARIFICATION	
<input type="checkbox"/>	<input type="checkbox"/>	DRAFT (PLEASE EXPLAIN)	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	PROPOSED	Original POD 1 no longer in use <del>Made proof</del>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	FINAL	
<input type="checkbox"/>	<input type="checkbox"/>	PROPOSED ORDER TO CANCEL	

**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 TABLES/DESCRIPTIONS	<input type="checkbox"/> PLACE OF USE TABLES, 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 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	)	RECONSIDERATION OF A FINAL
T-12966, Jackson County	)	ORDER RECORDED IN SPECIAL
	)	ORDER VOLUME 113, PAGES
	)	462 – 466, WITHDRAWING A FINAL
	)	ORDER AND ISSUING A
	)	SUPERSEDING FINAL ORDER
	)	APPROVING AN ADDITIONAL POINT
	)	OF DIVERSION

**Authority**

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

**Applicant**

JAMIE ERLICHT  
10208 BRIARWOOD DR  
LOS ANGELES, CA 90077

**Findings of Fact**

1. On July 6, 2018, Jamie Erlicht filed an application for an additional point of diversion under Certificates 43573 and 43575. The Department assigned the application number T-12966.
2. Notice of the application for transfer was published on July 10, 2018, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On January 15, 2019, the Department contacted Jamie Erlicht by telephone and on January 24, 2019, by written correspondence to notify the applicant of the deficiencies in the application. The Department requested that the deficiencies be resolved by February 15, 2019. On February 12, 2019, the Department received a valid Evidence of Use Affidavit from the applicant, resolving the deficiencies.

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.

3HP 40 PSI 20' = 0.16 cfs

4. On March 8, 2019, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-12966 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of April 8, 2019, 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.
5. On April 26, 2019, the Department issued a Preliminary Determination proposing to approve Transfer T-12966 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 April 30, 2019, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.
6. On June 26, 2019, the Department issued a Final Order for the notification, recorded at Special Order Volume 113, Pages 462 – 466. Shortly following issuance of the order, the Department determined that the order should be reconsidered due to inconsistency with the statutory authority for processing additional points of diversion due to government action. On its own motion, the Department withdrew the order and reconsidered the acreage as well as the location of a point of diversion, and the length of time allotted for beneficial use.
7. This order is issued to supersede the previous order recorded at Special Order Volume 113, pages 462 – 466, and to correct the acreage, location of a point of diversion, and to allot more time for beneficial use as was requested.

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

**Certificate:** 43573 in the name of WAYNE H. AND BERTHA O. SAFLEY (perfected under Permit S-4339)

**Use:** IRRIGATION of 5.0 ACRES

**Priority Date:** DECEMBER 15, 1919

**Rate:** 0.065 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-EIGHTIETH of one cubic foot per second per acre, and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

**Source:** ROGUE RIVER, tributary of PACIFIC OCEAN

**Authorized Point of Diversion:**

*no longer being used*

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
35 S	1 W	WM	29	SE NW	2	POD 1 - 2300 FEET SOUTH AND 680 FEET WEST OF THE N 1/4 CORNER OF SECTION 29

**Authorized Place of Use:**

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	1 W	WM	29	NE SW	5.0

9. The second right to be transferred is as follows:

**Certificate:** 43575 in the name of WAYNE H. AND BERTHA O. SAFLEY (perfected under Permit S-15221)

**Use:** IRRIGATION of 3.0 ACRES

**Priority Date:** MARCH 24, 1942

**Rate:** 0.0362 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-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 4.5 acre-feet per acre for each acre irrigated during the irrigation season from April 2 to October 31 of each year, and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

**Source:** ROGUE RIVER, tributary of PACIFIC OCEAN

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
35 S	1 W	WM	29	SE NW	2	POD 1 - 2300 FEET SOUTH AND 680 FEET WEST OF THE N 1/4 CORNER OF SECTION 29

*no longer being used*

**Authorized Place of Use:**

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
35 S	1 W	WM	29	NE SW	3	3.0

10. Transfer Application T-12966 proposes an additional point of diversion approximately 0.2 mile downstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
35 S	1 W	WM	29	NE SW	POD 2 - 3600 FEET SOUTH AND 632 FEET WEST OF THE N 1/4 CORNER OF SECTION 29

11. The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screening and/or by-pass device is necessary at the new point of diversion to prevent fish from entering the diversion and/or safely transport fish back to the body of water from which the fish were diverted and that the diversion is not currently equipped with an appropriate fish screening and/or by-pass device. This diversion may be eligible for screening cost share funds.

**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 rights are 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 rights were present within the five-year period prior to submittal of Transfer Application T-12966.
14. The proposed change would not result in enlargement of the rights.
15. The proposed change would not result in injury to other water rights.
16. All other application requirements are met.

### Conclusions of Law

The additional point of diversion proposed in Transfer Application T-12966 is consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000.

### Now, therefore, it is ORDERED:

1. The order recorded at Special Order Volume 113, pages 462 – 466 is withdrawn, is of no further force or effect, and is superseded by this order.
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 Certificates 43573 and 43575 and any related decree.
3. Water right Certificates 43573 and 43575 are cancelled. A new certificate will be issued describing that portion of the rights not affected by this transfer.
4. The quantity of water diverted at the proposed additional point of diversion (POD 2), together with that diverted at the original point of diversion (POD 1), shall not exceed the quantity of water lawfully available at the original point of diversion (POD 1).
5. 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.
6. Prior to diverting water, the water user shall install a fish screening and/or by-pass device, as appropriate, at the new point of diversion consistent with the Oregon Department of Fish and Wildlife's (ODFW) design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screen and/or by-pass device meets ODFW's criteria. Prior to submitting a Claim of Beneficial Use, the water user must obtain written approval from ODFW that the required screening and/or by-pass device

was installed to the state's criteria. The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.

7. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2024**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.
  
8. After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.

Signed at Salem, Oregon this                     AUG 07 2019                    .



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

Mailing date:                     AUG 08 2019

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That WAYNE H. AND BERTHA O. SAFLEY

of 315 N. Phoenix Road, Medford, State of Oregon, 97501, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Rogue River

a tributary of Pacific Ocean for the purpose of irrigation of 10.0 acres

under Permit No. 4339 and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from December 15, 1919 that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.13 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the Lot 2 (SE 1/4 NW 1/4), Section 29, T. 35 S., R. 1 W., W. M., 2300 feet South and 680 feet West from the NE 1/4 Corner of Section 29.

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-eightieth of one cubic foot per second per acre,

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

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

10.0 acres NE 1/4 SW 1/4 Section 29 T. 35 S., R. 1 W., W. M.

This certificate is issued to confirm a change in point of diversion approved by an order of the State Engineer entered October 24, 1973, and supersedes certificate of water right heretofore issued to James C. Luce and recorded at Page 31334, Volume 23, State Record of Water Right Certificates.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described, and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed

this date. August 30, 1976

James E. Sexson Water Resources Director

Added POP T355 R1W Sec 29 NE SW POD 2-3600' S 1/4 632' W N 1/4 corner sec 29

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That WAYNE H. AND BERTHA O. SAFLEY

of 315 N. Phoenix Road, Medford, State of Oregon, 97501, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Rogue River

a tributary of Pacific Ocean for the purpose of irrigation of 3.0 acres

under Permit No. 15221 and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from March 24, 1942

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.0362 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the Lot 2 (SE 1/4 NW 1/4), Section 29, T. 35 S., R. 1 W., W. M., 2300 feet South and 680 feet West from the NE 1/4 Corner of Section 29.

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-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 4 1/2 acre feet per acre for each acre irrigated during the irrigation season from April 2 to October 31 of each year,

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

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

3.0 acres Lot 3 (NE 1/4 SW 1/4) Section 29 T. 35 S., R. 1 W., W. M.

This certificate is issued to confirm a change in point of diversion approved by an order of the State Engineer entered October 24, 1973 and supersedes certificate of water right heretofore issued to George H. Stowell and recorded at Page 14548, Volume 12, State Record of Water Right Certificates.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described, and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed

this date. August 30, 1976

James H. Saxson Water Resources Director

Added  
POD  
T355 R1 W  
Sec 29 NR SW  
POD 2. 3600 S.  
630 W N 1/4  
corner Sec  
29

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

In the Matter of Transfer Application            )     FINAL ORDER APPROVING AN  
T-12966, Jackson County                        )     ADDITIONAL POINT OF DIVERSION

**Authority**

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

**Applicant**

JAMIE ERLICHT  
10208 BRIARWOOD DR  
LOS ANGELES, CA 90077

**Findings of Fact**

1. On July 6, 2018, Jamie Erlicht filed an application for an additional point of diversion under Certificates 43573 and 43575. The Department assigned the application number T-12966.
2. Notice of the application for transfer was published on July 10, 2018, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On January 15, 2019, the Department contacted Jamie Erlicht by telephone and on January 24, 2019, by written correspondence to notify the applicant of the deficiencies in the application. The Department requested that the deficiencies be resolved by February 15, 2019. On February 12, 2019, the Department received a valid Evidence of Use Affidavit from the applicant, resolving the deficiencies.
4. On March 8, 2019, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-12966 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of April 8, 2019, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary

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.

Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

5. On April 26, 2019, the Department issued a Preliminary Determination proposing to approve Transfer T-12966 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 April 30, 2019, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

6. The first right to be transferred is as follows:

**Certificate:** 43573 in the name of WAYNE H. AND BERTHA O. SAFLEY (perfected under Permit S-4339)  
**Use:** IRRIGATION of 10.0 ACRES  
**Priority Date:** DECEMBER 15, 1919  
**Rate:** 0.065 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-EIGHTIETH of one cubic foot per second per acre.  
**Source:** ROGUE RIVER, tributary of PACIFIC OCEAN

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
35 S	1 W	WM	29	SE NW	2	POD 1 - 2300 FEET SOUTH AND 680 FEET WEST OF THE N 1/4 CORNER OF SECTION 29

**Authorized Place of Use:**

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	1 W	WM	29	NE SW	5.0

7. The second right to be transferred is as follows:

**Certificate:** 43575 in the name of WAYNE H. AND BERTHA O. SAFLEY (perfected under Permit S-15221)  
**Use:** IRRIGATION of 3.0 ACRES  
**Priority Date:** MARCH 24, 1942  
**Rate:** 0.0362 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-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 4.5 acre-feet per acre for each acre irrigated during the irrigation season. April 2 to October 31  
**Source:** ROGUE RIVER, tributary of PACIFIC OCEAN

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
35 S	1 W	WM	29	SE NW	2	POD 1 - 2300 FEET SOUTH AND 680 FEET WEST OF THE N 1/4 CORNER OF SECTION 29

**Authorized Place of Use:**

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
35 S	1 W	WM	29	NE SW	3	3.0

8. Transfer Application T-12966 proposes an additional point of diversion approximately 0.2 mile downstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
35 S	1 W	WM	29	NE SW	POD 2 - 3600 FEET SOUTH AND 632 FEET WEST OF THE N 1/4 CORNER OF SECTION 29

9. The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screening and/or by-pass device is necessary at the new point of diversion to prevent fish from entering the diversion and/or safely transport fish back to the body of water from which the fish were diverted and that the diversion is not currently equipped with an appropriate fish screening and/or by-pass device. This diversion may be eligible for screening cost share funds.

***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 rights are 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 rights were present within the five-year period prior to submittal of Transfer Application T-12966.
12. The proposed change would not result in enlargement of the rights.
13. The proposed change would not result in injury to other water rights.
14. All other application requirements are met.

**Conclusions of Law**

The additional point of diversion proposed in Transfer Application T-12966 is consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000.

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

1. The additional point of diversion proposed in Transfer Application T-12966 is approved.

2. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 43573 and 43575 and any related decree.
3. Water right Certificates 43573 and 43575 are cancelled. A new certificate will be issued describing that portion of the rights not affected by this transfer.
4. The quantity of water diverted at the proposed additional point of diversion (POD 2), together with that diverted at the original point of diversion (POD 1), shall not exceed the quantity of water lawfully available at the original point of diversion.
5. 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.
6. Prior to diverting water, the water user shall install a fish screening and/or by-pass device, as appropriate, at the new point of diversion consistent with the Oregon Department of Fish and Wildlife's (ODFW) design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screen and/or by-pass device meets ODFW's criteria. Prior to submitting a Claim of Beneficial Use, the water user must obtain written approval from ODFW that the required screening and/or by-pass device was installed to the state's criteria. The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.
7. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2020**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.

8. After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.

Signed at Salem, Oregon this JUN 26 2019.



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

Mailing date: JUN 27 2019

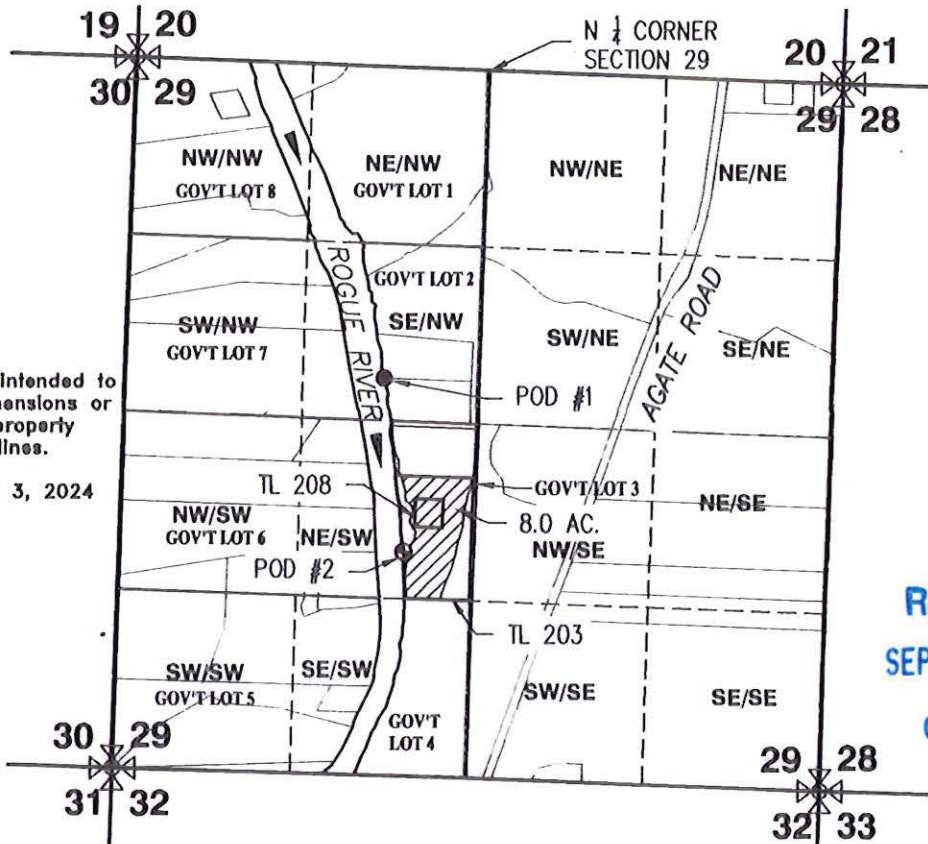
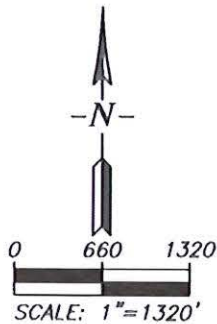
# CLAIM OF BENEFICIAL USE MAP

**COPY**

TRANSFER: T-12966  
 ADDITIONAL POINT OF DIVERSION

FOR  
 JAMIE ERLICHT  
 10208 BRIARWOOD DRIVE  
 LOS ANGELES, CA 90077

SITUATED IN  
 SECTION 29, TOWNSHIP 35 SOUTH, RANGE 1 WEST, W.M.  
 JACKSON COUNTY, OREGON



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


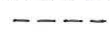
EHM-September 3, 2024

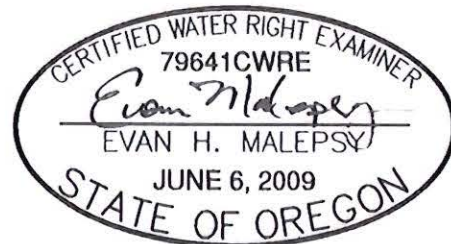
Received  
 SEP 13 2024

OWRD

## LEGEND

- POD #1 (ORIGINAL POINT OF DIVERSION, NOT TO BE USED) 2300' SOUTH AND 680' WEST OF NORTH QUARTER CORNER SECTION 29
- ⊙ POD #2 (POINT OF DIVERSION IN USE) FISH SCREEN, PUMP AND METER LOCATED AT BANK OF RIVER. 3600' SOUTH AND 632' WEST OF NORTH QUARTER CORNER SECTION 29

-  PLACE OF USE - IRRIGATION
-  1/4-1/4 SECTION LINE



RENEWS: 12/31/2024

ROGUE CIVIL LLC  
 emalepsy@roguecivil.com 541-621-2868



# Oregon

Tina Kotek, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

[www.oregon.gov/owrd](http://www.oregon.gov/owrd)

August 1, 2025

Jamie Erlicht  
10208 Briarwood Drive  
Los Angeles CA 90077

RE: Certificate Reimbursement Authority Estimate Application for Application T-12966  
- Claim of Beneficial Use (Claim) ready for processing by certificate section staff

On July 21, 2025, the Water Resources Department (Department) received a Certificate Reimbursement Authority (RA) Estimate Application (Application) for Application T-12966, along with check #1130 in the amount of \$125. A claim of beneficial use claim (Claim) was previously submitted to the Department on September 13, 2024.

The certificate section staff is currently reviewing the Claim and a preparing draft certificate; thus, your request for an expedited review under the Certificate RA Program is not needed.

Please find enclosed the RA Estimate Application and check #1130 in the amount of \$125.

Please contact me at [kerry.l.kavanagh@water.oregon.gov](mailto:kerry.l.kavanagh@water.oregon.gov) or 503-979-3208 if you have any questions.

Sincerely,

Kerry Kavanagh  
Reimbursement Authority, Certificates, Water Right Services Division

cc: File T-12966

Enclosure

# Checklist for Claims of Beneficial Use Received at CSG Counter

Application #:	WRD Reviewer: Nick Reece
Transfer #: T-12966	
Date Received: 9/13/2024	
CWRE Name: Evan Malepsey	
Priority Date (s): 12/15/1919, 3/24/1942	

## 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.

Fill in App or Transfer Number

## 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))

**MONEY SLIP**

DATE: \_\_\_\_\_ RECEIPT #: \_\_\_\_\_

RECOVER FROM: \_\_\_\_\_ APPLICATION PERMIT \_\_\_\_\_ TRANSFER \_\_\_\_\_

CASH CHECK # \_\_\_\_\_ OTHER (IDENTIFY) \_\_\_\_\_ TOTAL REQD \$ \_\_\_\_\_

COB TREASURY 4775 MISC CASH ACCT

6407 MISCELLANEOUS 4611 \_\_\_\_\_ \$ \_\_\_\_\_

6410 COPY & TAPE FEES \_\_\_\_\_ \$ \_\_\_\_\_

6419 RESEARCH FEES \_\_\_\_\_ \$ \_\_\_\_\_

6424 BASIC REVENUE (IDENTIFY) \_\_\_\_\_ \$ \_\_\_\_\_

6442 DEFORD (LAB. IDENTIFY) \_\_\_\_\_ \$ \_\_\_\_\_

6140 EXTENSION OF TIME \_\_\_\_\_ \$ \_\_\_\_\_

WATER RIGHTS

6201 SURFACE WATER \_\_\_\_\_ \$ \_\_\_\_\_ RECORD FEE \_\_\_\_\_

6203 GROUND WATER \_\_\_\_\_ \$ \_\_\_\_\_

6225 TRANSFER \_\_\_\_\_ \$ \_\_\_\_\_

WELL CONSTRUCTION

6218 WELL DRILL CONSTRUCTION \_\_\_\_\_ \$ \_\_\_\_\_ RECORD FEE \_\_\_\_\_

LANDOWNER'S PERMIT

6220 OTHER (IDENTIFY) COBU \_\_\_\_\_ \$ \_\_\_\_\_ RECORD FEE \_\_\_\_\_

COB TREASURY 4775 HYDROLOGIC \_\_\_\_\_ \$ \_\_\_\_\_

6226 POWER LICENSE FEE (FW/WR) \_\_\_\_\_ \$ \_\_\_\_\_

6227 HYDRO LICENSE FEE (FW/WR) \_\_\_\_\_ \$ \_\_\_\_\_

HYDRO APPLICATION \_\_\_\_\_ \$ \_\_\_\_\_

SPECIAL INSTRUCTIONS:

RETURN TO APPLICANT - LETTER ATTACHED

## 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

**CLAIM OF  
BENEFICIAL USE  
for Transfer New or Additional  
POD Only**



**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.**

**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 8" 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 only authorized change was a change in either point(s) of diversion or additional point(s) of diversion, or a combination of both. **YES**

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

**1. File Information**

APPLICATION #

**T-12966**

**Received  
SEP 13 2024**

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**2. Property Owner (current owner information)**

APPLICANT/BUSINESS NAME <b>Jamie Erlicht</b>		PHONE NO. <b>310-625-5585</b>	ADDITIONAL CONTACT NO. <b>None</b>
ADDRESS <b>10208 Briarwood Drive</b>			
CITY <b>Los Angeles</b>	STATE <b>CA</b>	ZIP <b>90077</b>	E-MAIL <b>gibbs8@yahoo.com</b>

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 <b>Jamie Erlicht</b>			
ADDRESS <b>10208 Briarwood Drive</b>			
CITY <b>Los Angeles</b>	STATE <b>CA</b>	ZIP <b>90077</b>	

**4. Date of Site Inspection:**

**July 31, 2024**

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

NAME	DATE	ASSOCIATION WITH THE PROJECT
<b>Brice from Hydro Flow</b>	<b>7/31/2024</b>	<b>Irrigation system installer</b>

**6. County:**

**Jackson**

**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 <b>None</b>		
ADDRESS		
CITY	STATE	ZIP

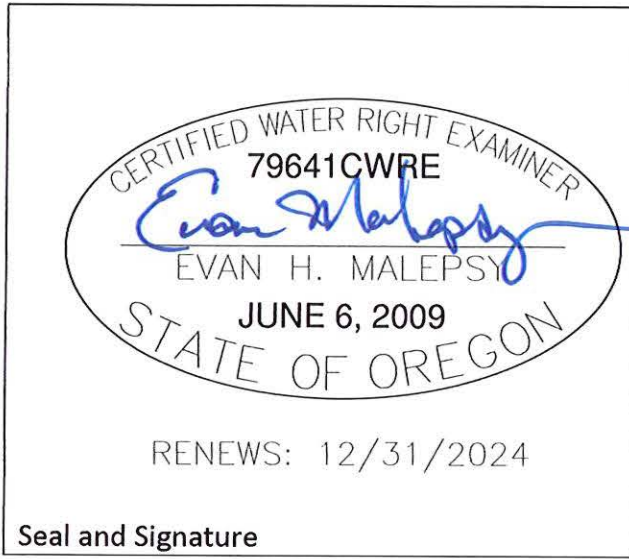
Add additional tables for owners of record as needed

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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.



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SEP 13 2024  
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CWRE NAME <b>Evan Malepsy</b>		PHONE NO. <b>541-621-2868</b>	ADDITIONAL CONTACT NO. <b>None</b>
ADDRESS <b>52 Pineridge Lane</b>			
CITY <b>Eagle Point</b>	STATE <b>OR</b>	ZIP <b>97524</b>	E-MAIL <b>emalepsy@roguecivil.com</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
	Jamie Erlicht	Owner	07/30/24

**SECTION 3**  
**CLAIM DESCRIPTION**

**Note: The Claim only needs to describe the new or additional point(s) of diversion. This Claim does not need to provide information for the original point(s) of diversion unless the original point of diversion is either a new or additional point of diversion on another right involved in this transfer.**

**1. New or additional point of diversion name or number:**

POINT OF DIVERSION (POD) NAME OR NUMBER (CORRESPOND TO MAP)	SOURCE
POD 2	Rogue River

**2. Variations:**

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

*(e.g. "The order allowed three new/additional points of diversion. The water user only developed one of the points.")*

**The original Point of Diversion, POD 1, is no longer being used and a meter was not installed at the POD 1 location.**

**3. Claim Summary:**

NEW OR ADDITIONAL POD NAME OR #	MAXIMUM RATE AUTHORIZED IN ORDER	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED
POD 2	0.1012 CFS	0.16 CFS	None

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**OWRD**

## SECTION 4 SYSTEM DESCRIPTION

Are there multiple new or additional Points of Diversion (POD)s? NO

If "YES" you will need to copy and complete a separate Section 4 for each POD.

POD Name or Number this section describes (only needed if there is more than one):

POD 2

### A. POD System Information

Provide the following information concerning the point of diversion. Information provided must describe the equipment used to appropriate water from the point of diversion.

#### 1. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Goulds	65GS30	*Unknown	Submersible	2"	2"

*\*Submersible pump in water and inaccessible during inspection*

#### 2. Motor Information

MANUFACTURER	HORSEPOWER
Goulds	3

#### 3. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
3	40	0'	20'	0.16

#### 4. Provide pump calculations:

See attached

#### 5. Measured Pump Capacity (using meter if meter was present and system was operating)

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
Not operating at time of inspection			

**Reminder: For pump calculations use the reference information at the end of this document.**

### B. Gravity Flow Pipe

(THE DEPARTMENT TYPICALLY USES THE HAZEN-WILLIAM'S FORMULA FOR A GRAVITY FLOW PIPE SYSTEM)

#### 1. Does the diversion involve a gravity flow pipe?

If "NO", items 2 through 4 relating to this section may be deleted.

**C. Gravity Flow Canal or Ditch**

(THE DEPARTMENT TYPICALLY USES MANNING’S FORMULA FOR CANALS AND DITCHES)

1. Does the diversion involve a gravity flow ditch or canal? NO

*If “NO”, items 2 through 4 relating to this section may be deleted.*

**D. Additional notes or comments related to the system:**

The original Point of Diversion, POD 1, is no longer being used and a meter was not installed at the POD 1 location.

**SECTION 5  
CONDITIONS**

All conditions contained in the transfer final order, 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 TRANSFER	DATE THE NEW AND/OR ADDITIONAL POD(S) WERE READY FOR USE <small>*THIS DATE MUST FALL BETWEEN THE “ISSUANCE DATE” AND THE “COMPLETENESS DATE”</small>
ISSUANCE DATE	8/7/2019	
COMPLETENESS DATE FROM ORDER (C)	10/1/2024	7/30/2024

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

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NO

**2. Is there an extension final order(s)?**  
*If “NO”, you may delete the following table.*

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

VOLUME	PAGE	DATE EXTENDED TO
NA		

**3. Measurement Conditions:**

a. Does the transfer final order, or any extension final order require the installation of a meter or other 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.**

b. Has a meter been installed?

YES

c. Meter Information

POD NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
POD 2	Master Meter	6978540	Working	638400 Gallons	7/10/2024
POD 1 meter was not installed due to the POD not being used					

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

4. Recording and reporting conditions

a. Is the water user required to report the water use to the Department?

NO

If "NO", item b relating to this section may be deleted.

5. Fish Screening

a. Are any points of diversion required to be screened to prevent fish from entering the point of diversion?

YES

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

Reminder: If fish screening devices were required, the COBU map must indicate their location in relation to the point of diversion.

b. Has the fish screening been installed?

YES

c. When was the fish screening installed?

DATE	BY WHOM
7/10/2024	Brice from Hydro Flow

Reminder: If the permit or transfer final order was issued on or after February 1, 2011, the fish screen is required to be approved by the Oregon Department of Fish and Wildlife regardless of the rate of diversion.

d. If the diversion involves a pump and the total diversion rate of all rights at the point of diversion is less than 225 gpm (0.5 cfs) and the permit was issued prior to February 1, 2011:

- Has the self-certification form previously been submitted to the Department? NA

If not, go to <https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>, complete and attach a copy of the 'ODFW Small Pump Screen Self Certification' form to this claim, and send a copy of it to the Oregon Department of Fish and Wildlife (ODFW).

Reminder: Failure to submit evidence of a timely installed fish screen may result in an unfavorable determination. The ODFW self certification form needs to have been previously submitted or be attached to this form.

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e. If the diversion does **not involve a pump** or the **total** diversion rate of all rights at the point of diversion is 225 gpm (0.5 cfs) or greater:

- Has the ODFW approval been previously submitted? NA

If not, contact and work with ODFW to ensure compliance. To demonstrate compliance, provide signed documentation from ODFW. A form is available at:

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

**Reminder: Failure to submit evidence of a timely installed fish screen may result in an unfavorable determination. In order to receive a favorable approval, the ODFW/WRD "Fish Screen Inspection" form needs to have been previously submitted or be attached to this form.**

**6. By-pass Devices**

- a. Are any points of diversion required to have a by-pass device to prevent fish from entering the point of diversion? YES

*If "NO", items b and c relating to this section may be deleted.*

**Reminder: If by-pass devices were required, the COBU map must indicate their location in relation to the point of diversion.**

- b. Have by-pass devices been installed? NO

- c. Describe the diversion works as related to whether a by-pass device is installed or unnecessary:

(Provide a letter from ODFW indicating the device is approved or is unnecessary. If there is no letter from ODFW, explain whether or not a by-pass device is necessary.)

DESCRIPTION (E.G. "ODFW HAS APPROVED THE BY-PASS DEVICE" OR "NO BY-PASS DEVICE IS NECESSARY BECAUSE THERE IS A DIRECT DIVERSION FROM THE STREAM VIA A PUMP ON RIVER LEFT STREAM BANK WITH FOOT VALVE DESCENDING DIRECTLY INTO NATURAL POOL.") IN ADDITION, YOU MAY ATTACH PHOTOS TO THIS CLAIM.	IF INSTALLED (DATE)	IF INSTALLED, BY WHOM
No by-pass is necessary per ODFW, see attached letter	NA	NA

**7. Other conditions required by the transfer final order or extension final order:**

- a. Was the water user required to restore the riparian area if it was disturbed? NO
- b. Was a fishway required? NO
- c. Other conditions? YES
- d. If "YES" to any of the above, identify the condition and describe the water user's actions to comply with the condition(s):

The transfer final order required a meter to be installed at the original POD and also at the additional POD. The original Point of Diversion, POD 1, is no longer being used and a meter was not installed at the POD 1 location.

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**SECTION 6  
ATTACHMENTS**

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

ATTACHMENT NAME	DESCRIPTION
ODFW Letter	Letter from ODFW regarding fish screen and by-pass
Pump Capacity	Theoretical Pump Capacity Calculation Printout

**SECTION 7  
CLAIM OF BENEFICIAL USE MAP**

The 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 identifying the location of the place of use does not require a new survey. The location of the place of use identified on the Claim map should be based on the original right of record at the time the transfer final order was issued. In transfers approved for additional points of diversion, the original points must be identified the map based on the original right of record at the time the transfer final order was issued.

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.

Aerial photo from Google Earth dated 4/14/2023 was used in combination with GPS and site inspection.

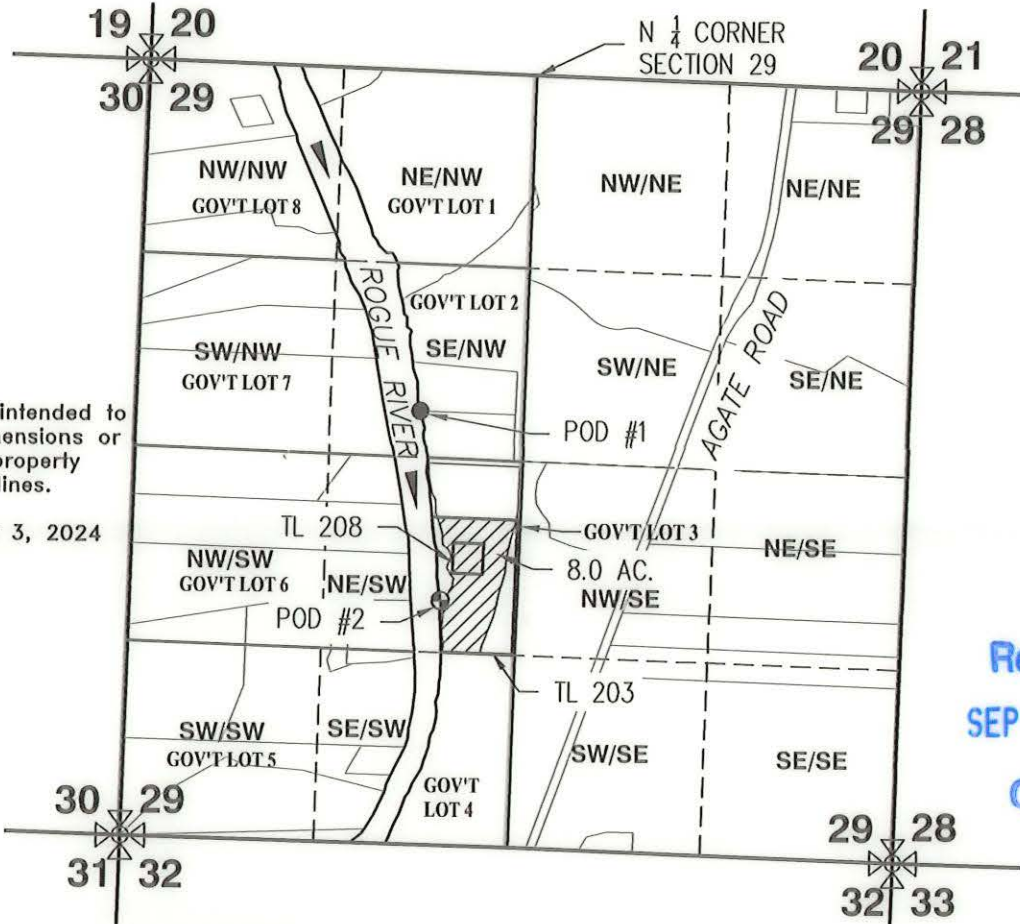
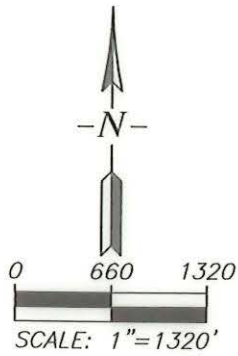
Received  
SEP 13 2024  
OWRD

# CLAIM OF BENEFICIAL USE MAP

TRANSFER: T-12966  
 ADDITIONAL POINT OF DIVERSION

FOR  
 JAMIE ERLICHT  
 10208 BRIARWOOD DRIVE  
 LOS ANGELES, CA 90077

SITUATED IN  
 SECTION 29, TOWNSHIP 35 SOUTH, RANGE 1 WEST, W.M.  
 JACKSON COUNTY, OREGON



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

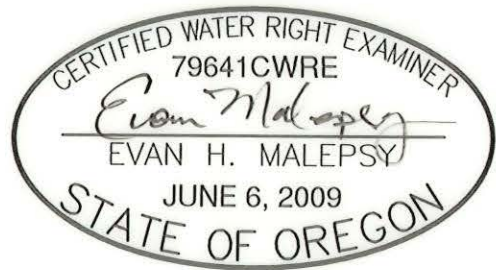
EHM-September 3, 2024

Received  
 SEP 13 2024  
 OWRD

## LEGEND

- POD #1 (ORIGINAL POINT OF DIVERSION, NOT TO BE USED) 2300' SOUTH AND 680' WEST OF NORTH QUARTER CORNER SECTION 29
- ⊕ POD #2 (POINT OF DIVERSION IN USE) FISH SCREEN, PUMP AND METER LOCATED AT BANK OF RIVER. 3600' SOUTH AND 632' WEST OF NORTH QUARTER CORNER SECTION 29

- PLACE OF USE - IRRIGATION
- 1/4-1/4 SECTION LINE



RENEWS: 12/31/2024

ROGUE CIVIL LLC  
 emalepsy@roguecivil.com 541-621-2868

## 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.)

- 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
- If irrigation, number of acres irrigated within each projected Donation Land Claims, Government Lots, Quarter-Quarters
- 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 or appropriation
- 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")
- Application and permit number or transfer number
- North arrow
- Legend
- CWRE stamp and signature

Received  
SEP 13 2024  
OWRD



# Oregon

Tina Kotek, Governor

## Department of Fish and Wildlife

Rogue Watershed District Office

1495 East Gregory Rd.

Central Point, OR 97502

Phone: 541-826-8774

Fax: 541-826-8776

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



July 11, 2024

Jamie Erlicht  
12125 Agate Rd.  
Eagle Point, OR 97524

Dear Jamie,

Regarding OWRD Transfer 12966, ODFW has determined the fish screen at the new point-of-diversion meets current fish protection criteria, and fish bypass devices are not necessary. This approval is contingent on the following: current conditions remain unchanged, screens are installed so effective screen area is submerged during operation, the screen is regularly inspected and maintained to ensure it remains in working order (including debris removal), and the screen is annually inspected when it is not in use. Thank you.

Sincerely,

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

Received

SEP 13 2024

OWRD

# Pump Capacity Calculation Sheet - Erlicht

using Department designed formula:

$$(\text{hp})(\text{efficiency}) / (\text{lift} + \text{psi head}) = \text{capacity in cfs}$$

Efficiency:

Centrifugal = 6.61

Turbine = 7.04

---

## Data Entry (fill in underlined blanks)

---

HP = 3  
Efficiency = 6.61  
Lift = 20  
PSI = 40

## Results Calculated

---

(hp)(efficiency) = 19.83  
Head based on psi = 101.6  
Total dynamic head = 121.6  
(head + lift)

**Pump Capacity = 0.16 feet per second**

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# Oregon

Tina Kotek, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

[www.oregon.gov/owrd](http://www.oregon.gov/owrd)

9/17/2024

James Erlicht  
10208 Briarwood Drive  
Los Angeles, CA 90077

On September 17<sup>th</sup>, 2024, the Water Resources Department received the Claim of Beneficial Use (COBU) for the following file:

Transfer T-12966

The COBU included a report and map. In the future the Department will review your submittal. At that time we will review these items and provide a final certificate, proposed certificate, or a request for additional information.

If you are interested in having your COBU reviewed sooner, you may pay to have your file processed immediately, using the Reimbursement Authority program, which is described at: <https://www.oregon.gov/owrd/programs/WaterRights/RA/Pages/default.aspx>

Customer Service phone: (503) 986-0900

If you sell the property, please contact the Department, or have the new owners contact the Department about the need to file an assignment.

Cc: file



# Oregon

Kate Brown, Governor

## Water Resources Department

North Mall Office Building

725 Summer St NE, Ste A

Salem, OR 97301

Phone: 503-986-0900

Fax: 503-986-0904

[www.Oregon.gov/OWRD](http://www.Oregon.gov/OWRD)

August 7, 2019

JAMIE ERLICHT  
10208 BRIARWOOD DR  
LOS ANGELES, CA 90077

Reference: T-12966 Order on Reconsideration

Enclosed is order on Reconsideration recorded in Special Order Vol. 113, Page 840-844, issued to withdraw and supersede final order recorded in Special Order Vol. 113, Page 462-466. Final order recorded in Special Order Vol. 113, Page 462-466 is of no further force or effect.

If you have any questions please contact your caseworker, Tamera Smith, by telephone at (503) 986-0864 or by e-mail at [Tamera.L.Smith@oregon.gov](mailto:Tamera.L.Smith@oregon.gov).

Sincerely,

Ashley N. Mosley  
Water Right Support  
Transfers and Conservation Section

cc: Watermaster Dist. #13 (*via email*)  
Evan Malepsy, Agent  
Eagle Point, Irrigation District  
County of Jackson

Enclosures



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

In the Matter of Transfer Application	)	RECONSIDERATION OF A FINAL
T-12966, Jackson County	)	ORDER RECORDED IN SPECIAL
	)	ORDER VOLUME 113, PAGES
	)	462 – 466, WITHDRAWING A FINAL
	)	ORDER AND ISSUING A
	)	SUPERSEDING FINAL ORDER
	)	APPROVING AN ADDITIONAL POINT
	)	OF DIVERSION

**Authority**

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

**Applicant**

JAMIE ERLICHT  
10208 BRIARWOOD DR  
LOS ANGELES, CA 90077

**Findings of Fact**

1. On July 6, 2018, Jamie Erlicht filed an application for an additional point of diversion under Certificates 43573 and 43575. The Department assigned the application number T-12966.
2. Notice of the application for transfer was published on July 10, 2018, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On January 15, 2019, the Department contacted Jamie Erlicht by telephone and on January 24, 2019, by written correspondence to notify the applicant of the deficiencies in the application. The Department requested that the deficiencies be resolved by February 15, 2019. On February 12, 2019, the Department received a valid Evidence of Use Affidavit from the applicant, resolving the deficiencies.

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

4. On March 8, 2019, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-12966 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of April 8, 2019, 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.
5. On April 26, 2019, the Department issued a Preliminary Determination proposing to approve Transfer T-12966 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 April 30, 2019, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.
6. On June 26, 2019, the Department issued a Final Order for the notification, recorded at Special Order Volume 113, Pages 462 – 466. Shortly following issuance of the order, the Department determined that the order should be reconsidered due to inconsistency with the statutory authority for processing additional points of diversion due to government action. On its own motion, the Department withdrew the order and reconsidered the acreage as well as the location of a point of diversion, and the length of time allotted for beneficial use.
7. This order is issued to supersede the previous order recorded at Special Order Volume 113, pages 462 – 466, and to correct the acreage, location of a point of diversion, and to allot more time for beneficial use as was requested.
8. The portion of the first right to be transferred is as follows:

**Certificate:** 43573 in the name of WAYNE H. AND BERTHA O. SAFLEY (perfected under Permit S-4339)  
**Use:** IRRIGATION of 5.0 ACRES  
**Priority Date:** DECEMBER 15, 1919  
**Rate:** 0.065 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-EIGHTIETH of one cubic foot per second per acre, and shall conform to such reasonable rotation system as may be ordered by the proper state officer.  
**Source:** ROGUE RIVER, tributary of PACIFIC OCEAN

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
35 S	1 W	WM	29	SE NW	2	POD 1 - 2300 FEET SOUTH AND 680 FEET WEST OF THE N 1/4 CORNER OF SECTION 29

**Authorized Place of Use:**

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	1 W	WM	29	NE SW	5.0

9. The second right to be transferred is as follows:

**Certificate:** 43575 in the name of WAYNE H. AND BERTHA O. SAFLEY (perfected under Permit S-15221)  
**Use:** IRRIGATION of 3.0 ACRES  
**Priority Date:** MARCH 24, 1942  
**Rate:** 0.0362 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-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 4.5 acre-feet per acre for each acre irrigated during the irrigation season from April 2 to October 31 of each year, and shall conform to such reasonable rotation system as may be ordered by the proper state officer.  
**Source:** ROGUE RIVER, tributary of PACIFIC OCEAN

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
35 S	1 W	WM	29	SE NW	2	POD 1 - 2300 FEET SOUTH AND 680 FEET WEST OF THE N 1/4 CORNER OF SECTION 29

**Authorized Place of Use:**

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
35 S	1 W	WM	29	NE SW	3	3.0

10. Transfer Application T-12966 proposes an additional point of diversion approximately 0.2 mile downstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
35 S	1 W	WM	29	NE SW	POD 2 - 3600 FEET SOUTH AND 632 FEET WEST OF THE N 1/4 CORNER OF SECTION 29

11. The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screening and/or by-pass device is necessary at the new point of diversion to prevent fish from entering the diversion and/or safely transport fish back to the body of water from which the fish were diverted and that the diversion is not currently equipped with an appropriate fish screening and/or by-pass device. This diversion may be eligible for screening cost share funds.

**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 rights are 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 rights were present within the five-year period prior to submittal of Transfer Application T-12966.
14. The proposed change would not result in enlargement of the rights.
15. The proposed change would not result in injury to other water rights.
16. All other application requirements are met.

### **Conclusions of Law**

The additional point of diversion proposed in Transfer Application T-12966 is consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000.

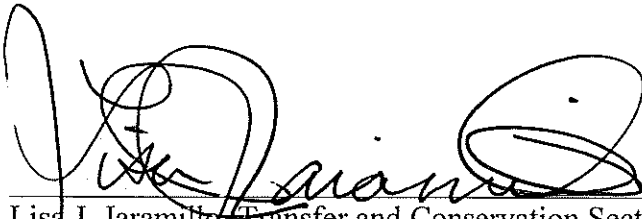
### **Now, therefore, it is ORDERED:**

1. The order recorded at Special Order Volume 113, pages 462 – 466 is withdrawn, is of no further force or effect, and is superseded by this order.
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 Certificates 43573 and 43575 and any related decree.
3. Water right Certificates 43573 and 43575 are cancelled. A new certificate will be issued describing that portion of the rights not affected by this transfer.
4. The quantity of water diverted at the proposed additional point of diversion (POD 2), together with that diverted at the original point of diversion (POD 1), shall not exceed the quantity of water lawfully available at the original point of diversion (POD 1).
5. 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.
6. Prior to diverting water, the water user shall install a fish screening and/or by-pass device, as appropriate, at the new point of diversion consistent with the Oregon Department of Fish and Wildlife's (ODFW) design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screen and/or by-pass device meets ODFW's criteria. Prior to submitting a Claim of Beneficial Use, the water user must obtain written approval from ODFW that the required screening and/or by-pass device

was installed to the state's criteria. The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.

7. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2024**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.
  
8. After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.

Signed at Salem, Oregon this AUG 07 2019



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

Mailing date: AUG 08 2019



# Oregon

Kate Brown, Governor

## Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

July 9, 2018

JAMIE ERLICHT  
10208 BRIARWOOD DR  
LOS ANGELES, CA 90077

Reference: Application T- 12966

On July 6, 2018, we received your water right Transfer application. The application was accompanied by \$1680.00. Our receipt number 127244 is enclosed.

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

Your application will be examined to determine whether additional information is needed. We will notify you if further information or corrections to the application or map are required.

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

Except as provided under ORS 540.510(3) for municipalities, you may not use water from the new point of diversion until a final order approving the transfer application has been issued by the Department.

In order to avoid any possible forfeiture of the water right, you should continue to use the water as described by your existing water right.

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

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

If you have any questions, please contact the Transfer Section at (503) 986-0807.

Cc: Watermaster Dist. #13 (*via email*)  
Evan Malepsy, Agent/CWRE  
Jackson County

Enclosure

**SMITH Tamera L \* WRD**

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**From:** COURCHANE Corey A \* WRD  
**Sent:** Tuesday, July 02, 2019 3:24 PM  
**To:** SMITH Tamera L \* WRD  
**Subject:** RE: T-12966 Draft Preliminary Determination

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Yeah check out T-13140, Gold Ring Holdings.

That should work, just did it last week.

☺  
C

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**From:** SMITH Tamera L \* WRD <[Tamera.L.Smith@oregon.gov](mailto:Tamera.L.Smith@oregon.gov)>  
**Sent:** Tuesday, July 02, 2019 3:13 PM  
**To:** COURCHANE Corey A \* WRD <[Corey.A.Courchane@oregon.gov](mailto:Corey.A.Courchane@oregon.gov)>  
**Subject:** FW: T-12966 Draft Preliminary Determination

C, In your "free" time, might you have a corrected FO I could take a look at? YOU'RE THE BEST! Thx, T

---

**From:** STARNES Patrick K \* WRD <[Patrick.K.Starnes@oregon.gov](mailto:Patrick.K.Starnes@oregon.gov)>  
**Sent:** Tuesday, July 02, 2019 3:02 PM  
**To:** SMITH Tamera L \* WRD <[Tamera.L.Smith@oregon.gov](mailto:Tamera.L.Smith@oregon.gov)>  
**Cc:** COURCHANE Corey A \* WRD <[Corey.A.Courchane@oregon.gov](mailto:Corey.A.Courchane@oregon.gov)>  
**Subject:** RE: T-12966 Draft Preliminary Determination

Check with Corey as how to issue corrected final orders. He may have a recent example to share with you (Gold Ring Holdings?)

K

\*\*\*\*\*

Kelly Starnes, Transfer Program Analyst  
Oregon Water Resources Department  
725 Summer St NE Suite A  
Salem OR 97301-1271  
Telephone: 503-986-0886 Fax: 503-986-0903  
E-mail: [patrick.k.starnes@oregon.gov](mailto:patrick.k.starnes@oregon.gov)

Please Note: Under Oregon Law, messages to and from this e-mail address may be available to the public.

\*\*\*\*\*

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**From:** SMITH Tamera L \* WRD <[Tamera.L.Smith@oregon.gov](mailto:Tamera.L.Smith@oregon.gov)>  
**Sent:** Tuesday, July 02, 2019 10:37 AM

To: STARNES Patrick K \* WRD <[Patrick.K.Starnes@oregon.gov](mailto:Patrick.K.Starnes@oregon.gov)>  
Subject: FW: T-12966 Draft Preliminary Determination

PK,

Looks like I need a correcting order for this? Please advise. Best, T

---

From: Evan Malepsy <[emalepsy@roguecivil.com](mailto:emalepsy@roguecivil.com)>  
Sent: Monday, July 01, 2019 4:44 PM  
To: SMITH Tamera L \* WRD <[Tamera.L.Smith@oregon.gov](mailto:Tamera.L.Smith@oregon.gov)>  
Subject: RE: T-12966 Draft Preliminary Determination

Hi Tamera,

I reviewed the Final Order for this transfer and noticed that the comments we submitted on the draft preliminary determination were not applied to the final. Was this an oversight, or is there some reason why the comments were not incorporated?

I spoke to Mr. Erlicht and he is concerned that one year may not enough time to get his system installed. What are our options at this point?

Thanks,

Evan Malepsy, PE CWRE  
541-621-2868  
[emalepsy@roguecivil.com](mailto:emalepsy@roguecivil.com)

## ROGUE CIVIL LLC

Civil Engineering  
Water Rights

---

From: SMITH Tamera L \* WRD <[Tamera.L.Smith@oregon.gov](mailto:Tamera.L.Smith@oregon.gov)>  
Sent: Thursday, April 4, 2019 2:41 PM  
To: Evan Malepsy <[emalepsy@roguecivil.com](mailto:emalepsy@roguecivil.com)>  
Subject: RE: T-12966 Draft Preliminary Determination

Good afternoon Evan,

Received. Reviewing the attachments today.

Thank you, Tamera

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From: Evan Malepsy [<mailto:emalepsy@roguecivil.com>]  
Sent: Tuesday, April 02, 2019 11:17 AM  
To: SMITH Tamera L \* WRD <[Tamera.L.Smith@oregon.gov](mailto:Tamera.L.Smith@oregon.gov)>  
Cc: HAYNES Shavon L \* WRD <[Shavon.L.Haynes@oregon.gov](mailto:Shavon.L.Haynes@oregon.gov)>; 'jamie erlicht' <[gibbs8@yahoo.com](mailto:gibbs8@yahoo.com)>  
Subject: RE: T-12966 Draft Preliminary Determination

Hi Tamera,

Here's the Title Company Report and the DPD with my comments. Note that Mr. Erlicht requests 5 years to make beneficial use.

For my records...please confirm that you received this email. Let me know if you have any questions.

Thanks,

Evan Malepsy, PE CWRE  
541-621-2868  
[emalepsy@roguecivil.com](mailto:emalepsy@roguecivil.com)

## ROGUE CIVIL LLC

Civil Engineering  
Water Rights

---

**From:** SMITH Tamera L \* WRD <[Tamera.L.Smith@oregon.gov](mailto:Tamera.L.Smith@oregon.gov)>  
**Sent:** Friday, March 8, 2019 4:12 PM  
**To:** jamie erlicht <[gibbs8@yahoo.com](mailto:gibbs8@yahoo.com)>; [emalepsy@roguecivil.com](mailto:emalepsy@roguecivil.com)  
**Cc:** HAYNES Shavon L \* WRD <[Shavon.L.Haynes@oregon.gov](mailto:Shavon.L.Haynes@oregon.gov)>  
**Subject:** T-12966 Draft Preliminary Determination

March 8, 2019

VIA E-MAIL

JAMIE ERLICHT  
10208 BRIARWOOD DR  
LOS ANGELES, CA 90077

Reference: Water Right Transfer Application T-12966

Your water right transfer is in one of three phases of processing. Enclosed is a draft of our Preliminary Determination regarding Transfer Application T-12966. 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 rights 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 information was prepared by the Title Company; 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.

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

The Watermaster has required water measurement devices at the diversion points 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) devices.

This transfer will require installation of a fish screen at the new diversion point **prior to diversion of water. You may not divert water prior to installation and approval of the fish screen.** You may wish to contact the ODFW staff person listed on the enclosed contact sheet for more information about the screen and to determine a reasonable timeline.

**Please note the proposed date by which all conditions must be met: October 1, 2020.** 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. The Department will publish a notice in their weekly publication, which opens a 30-day period in which the transfer can be protested.

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 April 8, 2019, a Preliminary Determination may be issued denying the application as incomplete.**

Please do not hesitate to contact me at 503-986-0898 or [tamera.l.smith@oregon.gov](mailto:tamera.l.smith@oregon.gov) if I may be of assistance.

Kindest regards,



Tamera Smith  
Transfer Specialist  
Transfer and Conservation Section

cc: Transfer Application file T-12966  
Shavon L. Haynes, District 13 Watermaster (via e-mail)  
Evan Malepsy, Agent for the applicant (via e-mail)

Attachments

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

In the Matter of Transfer Application  
T-12966, Jackson County

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)  
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**D R A F T**

PRELIMINARY DETERMINATION  
PROPOSING APPROVAL OF AN  
ADDITIONAL POINT OF DIVERSION

**Authority**

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

**Applicant**

JAMIE ERLICHT  
10208 BRIARWOOD DR  
LOS ANGELES, CA 90077

**Findings of Fact**

1. On July 6, 2018, Jamie Erlicht filed an application for an additional point of diversion under Certificates 43573 and 43575. The Department assigned the application number T-12966.
2. Notice of the application for transfer was published on July 10, 2018, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On January 15, 2019, the Department contacted Jamie Erlicht by telephone and on January 24, 2019, by written correspondence to notify the applicant of the deficiencies in the application. The Department requested that the deficiencies be resolved by February 15, 2019. On February 12, 2019, the Department received a valid Evidence of Use Affidavit from the applicant, resolving the deficiencies.

This should say "The portion of the first right to be transferred"

4. The first right to be transferred is as follows:

**Certificate:** 43573 in the name of WAYNE H. AND BERTHA O. SAFLEY (perfected under Permit S-4339)  
**Use:** IRRIGATION of 10.0 ACRES ← 5.0 acres are receiving an additional POD  
**Priority Date:** DECEMBER 15, 1919  
**Rate:** 0.065 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-EIGHTIETH of one cubic foot per second per acre.  
**Source:** ROGUE RIVER, tributary of PACIFIC OCEAN

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
35 S	1 W	WM	29	SE NW	2	POD 1 - 2300 FEET SOUTH AND 680 FEET WEST OF THE N 1/4 CORNER OF SECTION 29

**Authorized Place of Use:**

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	1 W	WM	29	NE SW	10.0

5. The second right to be transferred is as follows:

**Certificate:** 43575 in the name of WAYNE H. AND BERTHA O. SAFLEY (perfected under Permit S-15221)  
**Use:** IRRIGATION of 3.0 ACRES  
**Priority Date:** MARCH 24, 1942  
**Rate:** 0.0362 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-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 4.5 acre-feet per acre for each acre irrigated during the irrigation season. April 2 to October 31  
**Source:** ROGUE RIVER, tributary of PACIFIC OCEAN

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
35 S	1 W	WM	29	NE SW	2	POD 1 - 2300 FEET SOUTH AND 680 FEET WEST OF THE N 1/4 CORNER OF SECTION 29

This should be "SE/NW"

**Authorized Place of Use:**

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
35 S	1 W	WM	29	NE SW	3	3.0

6. Transfer Application T-12966 proposes an additional point of diversion approximately 0.2 mile downstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
35 S	1 W	WM	29	NE SW	POD 2 - 3600 FEET SOUTH AND 632 FEET WEST OF THE N 1/4 CORNER OF SECTION 29

7. The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screening and/or by-pass device is necessary at the new point of diversion to prevent fish from entering the diversion and/or safely transport fish back to the body of water from which the fish were diverted and that the diversion is not currently equipped with an appropriate fish screening and/or by-pass device. This diversion may be eligible for screening cost share funds.

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

8. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
9. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-12966.
10. The proposed change would not result in enlargement of the rights.
11. The proposed change would not result in injury to other water rights.
12. All other application requirements are met.

**Determination and Proposed Action**

The additional point of diversion proposed in Transfer Application T-12966 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-12966 is approved, the final order will include the following:*

1. *The additional point of diversion proposed in Transfer Application T-12966 is approved.*

2. *The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 43573 and 43575 and any related decree.*
3. *Water right Certificates 43573 and 43575 are cancelled. A new certificate will be issued describing that portion of the rights not affected by this transfer.*
4. *The quantity of water diverted at the proposed additional point of diversion (POD 2), together with that diverted at the original point of diversion (POD 1), shall not exceed the quantity of water lawfully available at the original point of diversion.*
5. *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.*
6. *Prior to diverting water, the water user shall install a fish screening and/or by-pass device, as appropriate, at the new point of diversion consistent with the Oregon Department of Fish and Wildlife's (ODFW) design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screen and/or by-pass device meets ODFW's criteria. Prior to submitting a Claim of Beneficial Use, the water user must obtain written approval from ODFW that the required screening and/or by-pass device was installed to the state's criteria. The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.*
7. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2020**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.*

Request five years

8. *After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.*

Dated at Salem, Oregon this \_\_\_\_\_,

**D R A F T**

---

Dwight French, Water Right Services Administrator, for  
Thomas M. Byler, Director  
Oregon Water Resources Department

This draft Preliminary Determination was prepared by: Tamera Smith. If you have any questions about the information in this document, you may reach me at 503-986-0898 or [tamera.l.smith@oregon.gov](mailto:tamera.l.smith@oregon.gov)



# Oregon

Kate Brown, Governor

Water Resources Department  
North Mall Office Building  
725 Summer St NE, Ste A  
Salem, OR 97301  
Phone: 503-986-0900  
Fax: 503-986-0904  
[www.Oregon.gov/OWRD](http://www.Oregon.gov/OWRD)

June 26, 2019

JAMIE ERLICHT  
10208 BRIARWOOD DR  
LOS ANGELES, CA 90077

REFERENCE: Transfer Application T-12966

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

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

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

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

If you have any questions related to the approval of this transfer, you may contact your caseworker, Tamera Smith, by telephone at (503) 986-0864 or by e-mail at [Tamera.L.Smith@oregon.gov](mailto:Tamera.L.Smith@oregon.gov).

Sincerely,

Ashley N. Mosley  
Water Right Services Support  
Transfers and Conservation Section

cc: Shavon L. Haynes, Watermaster Dist. #13 (via email)  
Evan Malepsy, Agent  
Eagle Point Irrigation District  
County of Jackson

Enclosure

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

In the Matter of Transfer Application                    )     FINAL ORDER APPROVING AN  
T-12966, Jackson County                                )     ADDITIONAL POINT OF DIVERSION

**Authority**

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

**Applicant**

JAMIE ERLICHT  
10208 BRIARWOOD DR  
LOS ANGELES, CA 90077

**Findings of Fact**

1. On July 6, 2018, Jamie Erlicht filed an application for an additional point of diversion under Certificates 43573 and 43575. The Department assigned the application number T-12966.
2. Notice of the application for transfer was published on July 10, 2018, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On January 15, 2019, the Department contacted Jamie Erlicht by telephone and on January 24, 2019, by written correspondence to notify the applicant of the deficiencies in the application. The Department requested that the deficiencies be resolved by February 15, 2019. On February 12, 2019, the Department received a valid Evidence of Use Affidavit from the applicant, resolving the deficiencies.
4. On March 8, 2019, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-12966 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of April 8, 2019, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary

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.

Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

5. On April 26, 2019, the Department issued a Preliminary Determination proposing to approve Transfer T-12966 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 April 30, 2019, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

6. The first right to be transferred is as follows:

**Certificate:** 43573 in the name of WAYNE H. AND BERTHA O. SAFLEY (perfected under Permit S-4339)  
**Use:** IRRIGATION of 10.0 ACRES  
**Priority Date:** DECEMBER 15, 1919  
**Rate:** 0.065 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-EIGHTIETH of one cubic foot per second per acre.  
**Source:** ROGUE RIVER, tributary of PACIFIC OCEAN

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
35 S	1 W	WM	29	SE NW	2	POD 1 - 2300 FEET SOUTH AND 680 FEET WEST OF THE N 1/4 CORNER OF SECTION 29

**Authorized Place of Use:**

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	1 W	WM	29	NE SW	5.0

7. The second right to be transferred is as follows:

**Certificate:** 43575 in the name of WAYNE H. AND BERTHA O. SAFLEY (perfected under Permit S-15221)  
**Use:** IRRIGATION of 3.0 ACRES  
**Priority Date:** MARCH 24, 1942  
**Rate:** 0.0362 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-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 4.5 acre-feet per acre for each acre irrigated during the irrigation season. April 2 to October 31  
**Source:** ROGUE RIVER, tributary of PACIFIC OCEAN

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
35 S	1 W	WM	29	SE NW	2	POD 1 - 2300 FEET SOUTH AND 680 FEET WEST OF THE N 1/4 CORNER OF SECTION 29

**Authorized Place of Use:**

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
35 S	1 W	WM	29	NE SW	3	3.0

8. Transfer Application T-12966 proposes an additional point of diversion approximately 0.2 mile downstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
35 S	1 W	WM	29	NE SW	POD 2 - 3600 FEET SOUTH AND 632 FEET WEST OF THE N 1/4 CORNER OF SECTION 29

9. The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screening and/or by-pass device is necessary at the new point of diversion to prevent fish from entering the diversion and/or safely transport fish back to the body of water from which the fish were diverted and that the diversion is not currently equipped with an appropriate fish screening and/or by-pass device. This diversion may be eligible for screening cost share funds.

***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 rights are 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 rights were present within the five-year period prior to submittal of Transfer Application T-12966.
12. The proposed change would not result in enlargement of the rights.
13. The proposed change would not result in injury to other water rights.
14. All other application requirements are met.

**Conclusions of Law**

The additional point of diversion proposed in Transfer Application T-12966 is consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000.

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

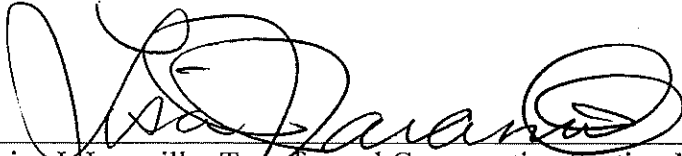
1. The additional point of diversion proposed in Transfer Application T-12966 is approved.

2. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 43573 and 43575 and any related decree.
3. Water right Certificates 43573 and 43575 are cancelled. A new certificate will be issued describing that portion of the rights not affected by this transfer.
4. The quantity of water diverted at the proposed additional point of diversion (POD 2), together with that diverted at the original point of diversion (POD 1), shall not exceed the quantity of water lawfully available at the original point of diversion.
5. 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.
6. Prior to diverting water, the water user shall install a fish screening and/or by-pass device, as appropriate, at the new point of diversion consistent with the Oregon Department of Fish and Wildlife's (ODFW) design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screen and/or by-pass device meets ODFW's criteria. Prior to submitting a Claim of Beneficial Use, the water user must obtain written approval from ODFW that the required screening and/or by-pass device was installed to the state's criteria. The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.
7. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2020**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.

8. After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.

**JUN 26 2019**

Signed at Salem, Oregon this \_\_\_\_\_.



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

Mailing date: **JUN 27 2019** \_\_\_\_\_

STATE OF OREGON  
 COUNTY OF JACKSON  
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

WAYNE H. AND BERTHA O. SAFLEY  
 315 N. PHOENIX ROAD  
 MEDFORD, OR 97501

confirms the right to use the waters of ROGUE RIVER, a tributary of PACIFIC OCEAN for IRRIGATION OF 5.0 ACRES.

This right was perfected under Permit S-4339. The date of priority is DECEMBER 15, 1919. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.065 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the stream.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Lot	Measured Distances
35 S	1 W	WM	29	SE NW	2	2300 FEET SOUTH AND 680 FEET WEST OF THE N1/4 CORNER, SECTION 29

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 a ONE-EIGHTIETH of one cubic foot per second per acre, and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	1 W	WM	29	NE SW	5.0

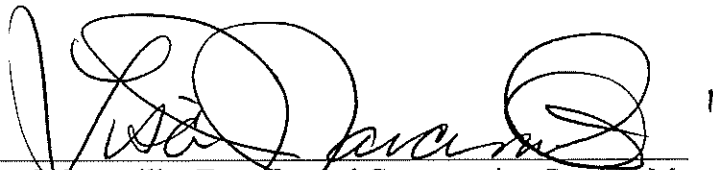
This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may petition for judicial review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

This certificate describes that portion of Water Right Certificate 43573, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered JUN 26 2019, approving Transfer Application T-12966.

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

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed JUN 26 2019.



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

**SMITH Tamera L \* WRD**

---

**From:** PHILLIPS Stacy H \* WRD  
**Sent:** Thursday, December 27, 2018 10:20 AM  
**To:** SMITH Tamera L \* WRD  
**Cc:** STARNES Patrick K \* WRD  
**Subject:** RE: T-12966 acknowledgment letter

Hey Tamera,

I got this completed for you!

*Stacy H Phillips* | Transfers and Conservation Support

**Water Resources Department** | 725 Summer St. NE, Suite A | Salem, Oregon 97301  
Ph: 503 986-0815 | Fax: 503 986-0901  
Email: [stacy.h.phillips@oregon.gov](mailto:stacy.h.phillips@oregon.gov)

---

**From:** SMITH Tamera L \* WRD  
**Sent:** Friday, December 21, 2018 9:46 AM  
**To:** PHILLIPS Stacy H \* WRD  
**Cc:** STARNES Patrick K \* WRD  
**Subject:** T-12966 acknowledgment letter

Good morning, Stacy:

It was discovered, upon review of T-12966 that the applicant failed to list that their water right and lands fall within an irrigation district. Would you please add Eagle Point ID as a stakeholder, and mail out the initial acknowledgement letter which you already mailed to the Jamie Erlicht, Evan Malepsy and County of Jackson?

I appreciate your help.

Have a great day!

Best, T

\*\*\*\*\*

*Tamera Smith* | Transfer Application Caseworker, Transfers and Conservation Section

725 Summer St. NE, Suite A | Salem, Oregon 97301 | Phone: 503.986.0898



\*\*\*\*\*



# Oregon

Kate Brown, Governor

**Water Resources Department**

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

April 26, 2019

VIA E-MAIL

JAMIE ERLICHT  
10208 BRIARWOOD DR  
LOS ANGELES, CA 90077

SUBJECT: Water Right Transfer Application T-12966

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-12966. 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, 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 Department's notice.

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

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

Please do not hesitate to contact me at 503-986-0864 or [tamera.l.smith@oregon.gov](mailto:tamera.l.smith@oregon.gov) if I may be of assistance.

Kindest regards,

Tamera Smith  
Transfer Specialist  
Transfer and Conservation Section

cc: T-12966  
Shavon L. Haynes, District 13 Watermaster (*via e-mail*)  
Evan Malepsy, 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-12966, Jackson County	)	PROPOSING APPROVAL OF AN
	)	ADDITIONAL POINT OF DIVERSION

**Authority**

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

**Applicant**

JAMIE ERLICHT  
10208 BRIARWOOD DR  
LOS ANGELES, CA 90077

**Findings of Fact**

1. On July 6, 2018, Jamie Erlicht filed an application for an additional point of diversion under Certificates 43573 and 43575. The Department assigned the application number T-12966.
2. Notice of the application for transfer was published on July 10, 2018, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On January 15, 2019, the Department contacted Jamie Erlicht by telephone and on January 24, 2019, by written correspondence to notify the applicant of the deficiencies in the application. The Department requested that the deficiencies be resolved by February 15, 2019. On February 12, 2019, the Department received a valid Evidence of Use Affidavit from the applicant, resolving the deficiencies.
4. On March 8, 2019, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-12966 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of April 8, 2019, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

Pursuant to OAR 690-380-4030, any person may file a protest or standing statement within 30 days after the last date of publication of notice of this preliminary determination.

5. The first right to be transferred is as follows:

**Certificate:** 43573 in the name of WAYNE H. AND BERTHA O. SAFLEY (perfected under Permit S-4339)  
**Use:** IRRIGATION of 10.0 ACRES  
**Priority Date:** DECEMBER 15, 1919  
**Rate:** 0.065 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-EIGHTIETH of one cubic foot per second per acre.  
**Source:** ROGUE RIVER, tributary of PACIFIC OCEAN

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
35 S	1 W	WM	29	SE NW	2	POD 1 - 2300 FEET SOUTH AND 680 FEET WEST OF THE N 1/4 CORNER OF SECTION 29

**Authorized Place of Use:**

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
35 S	1 W	WM	29	NE SW		5.0

6. The second right to be transferred is as follows:

**Certificate:** 43575 in the name of WAYNE H. AND BERTHA O. SAFLEY (perfected under Permit S-15221)  
**Use:** IRRIGATION of 3.0 ACRES  
**Priority Date:** MARCH 24, 1942  
**Rate:** 0.0362 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-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 4.5 acre-feet per acre for each acre irrigated during the irrigation season. April 2 to October 31  
**Source:** ROGUE RIVER, tributary of PACIFIC OCEAN

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
35 S	1 W	WM	29	SE NW	2	POD 1 - 2300 FEET SOUTH AND 680 FEET WEST OF THE N 1/4 CORNER OF SECTION 29

**Authorized Place of Use:**

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
35 S	1 W	WM	29	NE SW	3	3.0

7. Transfer Application T-12966 proposes an additional point of diversion approximately 0.2 mile downstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
35 S	1 W	WM	29	NE SW	POD 2 - 3600 FEET SOUTH AND 632 FEET WEST OF THE N 1/4 CORNER OF SECTION 29

8. The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screening and/or by-pass device is necessary at the new point of diversion to prevent fish from entering the diversion and/or safely transport fish back to the body of water from which the fish were diverted and that the diversion is not currently equipped with an appropriate fish screening and/or by-pass device. This diversion may be eligible for screening cost share funds.

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

9. 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 rights are subject to forfeiture under ORS 540.610.
10. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-12966.
11. The proposed change would not result in enlargement of the rights.
12. The proposed change would not result in injury to other water rights.
13. All other application requirements are met.

**Determination and Proposed Action**

The additional point of diversion proposed in Transfer Application T-12966 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-12966 is approved, the final order will include the following:*

1. *The additional point of diversion proposed in Transfer Application T-12966 is approved.*
2. *The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 43573 and 43575 and any related decree.*
3. *Water right Certificates 43573 and 43575 are cancelled. A new certificate will be issued describing that portion of the rights not affected by this transfer.*

4. *The quantity of water diverted at the proposed additional point of diversion (POD 2), together with that diverted at the original point of diversion (POD 1), shall not exceed the quantity of water lawfully available at the original point of diversion.*
5. *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.*
6. *Prior to diverting water, the water user shall install a fish screening and/or by-pass device, as appropriate, at the new point of diversion consistent with the Oregon Department of Fish and Wildlife's (ODFW) design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screen and/or by-pass device meets ODFW's criteria. Prior to submitting a Claim of Beneficial Use, the water user must obtain written approval from ODFW that the required screening and/or by-pass device was installed to the state's criteria. The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.*
7. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2020**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.*

8. *After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.*

Signed at Salem, Oregon this APR 26 2019.



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

This Preliminary Determination was prepared by: Tamera Smith. If you have any questions about the information in this document, you may reach me at 503-986-0864 or [tamera.l.smith@oregon.gov](mailto:tamera.l.smith@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.*

**Notice Regarding Service Members:** Active duty service members have a right to stay proceedings under the federal Service Members Civil Relief Act. 50 U.S.C. App. §§501-597b. You may contact the Oregon State Bar or the Oregon Military Department for more information. The toll-free telephone number for the Oregon State Bar is: 1 (800) 452-8260. The toll-free telephone number of the Oregon Military Department is: 1 (800) 452-7500. The Internet address for the United States Armed Forces Legal Assistance Legal Services Locator website is: <http://legalassistance.law.af.mil>

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

Transfer #: T-12966

**The applicant should be aware that fish screening and passage may be required for certain changes in point of diversion if the boxes below are checked.**

- Fish screening is required as a condition of this transfer. The fish screen must meet ODFW's design, construction, operational and maintenance standards.

Pursuant to ORS 498.306, cost-share funds may be available to assist in the installation of fish screening.

The applicant should contact the ODFW staff member below to obtain additional information on the design, construction, operational, and maintenance standards for the fish screen and to obtain information about ODFW's cost-sharing program for screening. **Prior to installation, the water user must obtain written approval from ODFW that the required screen meets ODFW's criteria.**

ODFW staff name: Rich Kilbane

Address: 1495 East Gregory Rd

City/State/Zip: Central Point, OR 97502

Phone: (541) 826-8774

- This transfer may trigger requirements for fish passage under ORS 509.585 because a new point of diversion will be constructed, an existing point of diversion's capacity will be increased, or an existing point of diversion will be abandoned. The applicant should contact the ODFW staff member below for a determination of whether native migratory fish are or were present at the applicable location, which will determine whether fish passage must be addressed.

ODFW staff name: Peter Samarin

Address: 1495 East Gregory Rd

City/State/Zip: Central Point, OR 97502

Phone: (541) 826-8774

**Oregon Water Resources Department**

**Measurement Condition Information for the Applicant**

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

Transfer #: T-12966

In order to avoid enlargement of the right or injury to other rights, a 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: Shavon Haynes

District: 13

Address: 10 South Oakdale

City/State/Zip: Medford Oregon

Phone: 541 774-6883

Email: shavon.l.haynes@oregon.gov

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

\*\*\*\*\*

**Approval of an Alternate Measurement Device**      T-          
*(to be filled out after consultation with the applicant, or after a site visit)*

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

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Watermaster signature

District

Date

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

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

## SMITH Tamera L \* WRD

---

**From:** Evan Malepsy <emalepsy@roguecivil.com>  
**Sent:** Tuesday, April 02, 2019 11:17 AM  
**To:** SMITH Tamera L \* WRD  
**Cc:** HAYNES Shavon L \* WRD; 'jamie erlicht'  
**Subject:** RE: T-12966 Draft Preliminary Determination  
**Attachments:** Title Company Report - Erlicht.pdf; 12966 DPD With Evan Comments (002).pdf


**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

Hi Tamera,

Here's the Title Company Report and the DPD with my comments. Note that Mr. Erlicht requests 5 years to make beneficial use.

For my records...please confirm that you received this email. Let me know if you have any questions.

Thanks,



Evan Malepsy, PE CWRE  
541-621-2868  
[emalepsy@roguecivil.com](mailto:emalepsy@roguecivil.com)

## ROGUE CIVIL LLC

Civil Engineering  
Water Rights

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**From:** SMITH Tamera L \* WRD <Tamera.L.Smith@oregon.gov>  
**Sent:** Friday, March 8, 2019 4:12 PM  
**To:** jamie erlicht <gibbs8@yahoo.com>; emalepsy@roguecivil.com  
**Cc:** HAYNES Shavon L \* WRD <Shavon.L.Haynes@oregon.gov>  
**Subject:** T-12966 Draft Preliminary Determination

March 8, 2019

VIA E-MAIL

JAMIE ERLICHT  
10208 BRIARWOOD DR  
LOS ANGELES, CA 90077

Reference: Water Right Transfer Application T-12966

Your water right transfer is in one of three phases of processing. Enclosed is a draft of our Preliminary Determination regarding Transfer Application T-12966. 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 rights 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 information was prepared by the Title Company; 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.

#### Conditions to your water right...

The Watermaster has required water measurement devices at the diversion points 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) devices.

This transfer will require installation of a fish screen at the new diversion point **prior to diversion of water. You may not divert water prior to installation and approval of the fish screen.** You may wish to contact the ODFW staff person listed on the enclosed contact sheet for more information about the screen and to determine a reasonable timeline.

**Please note the proposed date by which all conditions must be met: October 1, 2020.** 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. The Department will publish a notice in their weekly publication, which opens a 30-day period in which the transfer can be protested.

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 April 8, 2019, a Preliminary Determination may be issued denying the application as incomplete.**

Please do not hesitate to contact me at 503-986-0898 or [tamera.l.smith@oregon.gov](mailto:tamera.l.smith@oregon.gov) if I may be of assistance.

Kindest regards,

*First American Title Company*

# Property Information Division

**April 2, 2019** ✓

**Property Location:** Agate Road, Eagle Point 351W29 203 & 208

**Owner Name:** Jamie Blake Erlicht, Trustee of the Jamie Blake Erlicht  
Separate Property Trust

**Prepared By:** ✓

**Lacey King**

**MEDFORD OFFICE**

FIRST AMERICAN TITLE COMPANY OF OREGON

1225 Crater Lake Ave., 101

Medford, OR 97504

OFFICE 541.779.7250 | CUSTOMER SERVICE 541.776.4555

cservice@firstam.com

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**First American Title™**

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**First American Title™**

**Jackson County Property Profile Information**

Parcel #: 10234011  
 Tax Acct#: [REDACTED]  
 Owner: **Erlicht Jamie Blake Trustee Et Al**  
 CoOwner:  
 Site: **OR 97524**  
 Mail: 10208 Briarwood Dr  
 Los Angeles CA 90077  
 Land Use: 556 Farm - Exclusive Farm Use (EFU) -  
 Waterfront  
 Std Land Use: AFAR - Farms And Crops  
 Legal:  
 Twn/Rng/Sec: 35S / 01W / 29

**ASSESSMENT & TAX INFORMATION**

Market Total: **\$53,510.00**  
 Market Land: **\$53,510.00**  
 Market Impr:  
 Assessment Year: **2019**  
 Assessed Total: **\$643.00**  
 Exemption:  
 Taxes: **\$25.04**  
 Levy Code: 0902  
 Levy Rate: 10.0880

**PROPERTY CHARACTERISTICS**

Year Built:  
 Bedrooms:  
 Bathrooms:  
 Total SF:  
 Basement SF:  
 Lot Size: 10.17 Acres (443,005 SqFt)  
 Garage SF:  
 Heat Source:  
 Fireplace:  
 Lot:  
 Block:  
 Plat/Subdiv:  
 Zoning: County-EFU  
 School Dist: 9 Eagle Point  
 Primary School: Hillside Elementary, Lake Creek Learning  
 Center  
 Middle School: Eagle Point Middle School  
 High School: Eagle Point High School  
 Census: 2026 - 001400  
 Watershed: Shady Cove-Rogue River  
 Recreation:

**SALE & LOAN INFORMATION**

Sale Date: 12/22/2017  
 Sale Amount: \$735,000.00  
 Document #: 150607  
 Deed Type: WD  
 Loan Amount:  
 Lender:  
 Loan Type:  
 Interest Type:  
 Title Co:

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.



**First American Title™**

**Jackson County Property Profile Information**

Parcel #: 10778513  
 Tax Acct#: [REDACTED]  
 Owner: **Erlight Jamie Blake Trustee Et Al**  
 CoOwner:  
 Site: **OR 97524**  
 Mail: 10208 Briarwood Dr  
 Los Angeles CA 90077  
 Land Use: 556 Farm - Exclusive Farm Use (EFU) -  
 Waterfront  
 Std Land Use: AFAR - Farms And Crops  
 Legal:  
 Twn/Rng/Sec: 35S / 01W / 29

**ASSESSMENT & TAX INFORMATION**

**PROPERTY CHARACTERISTICS**

Market Total: **\$132,600.00**  
 Market Land: **\$132,600.00**  
 Market Impr:  
 Assessment Year: **2019**  
 Assessed Total: **\$126,750.00**  
 Exemption:  
 Taxes: **\$1,236.25**  
 Levy Code: 0902  
 Levy Rate: 10.0880

Year Built:  
 Bedrooms:  
 Bathrooms:  
 Total SF:  
 Basement SF:  
 Lot Size: 1.00 Acres (43,560 SqFt)  
 Garage SF:  
 Heat Source:  
 Fireplace:  
 Lot:  
 Block:  
 Plat/Subdiv:  
 Zoning: County-EFU  
 School Dist: 9 Eagle Point  
 Primary School: Hillside Elementary, Lake Creek Learning  
 Center  
 Middle School: Eagle Point Middle School  
 High School: Eagle Point High School  
 Census: 2026 - 001400  
 Watershed: Shady Cove-Rogue River  
 Recreation:

**SALE & LOAN INFORMATION**

Sale Date: 12/29/2017  
 Sale Amount: \$735,000.00  
 Document #: 0000043528  
 Deed Type: Warranty Deed  
 Loan Amount:  
 Lender:  
 Loan Type:  
 Interest Type:  
 Title Co: AMERITITLE

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.

**STATEMENT OF TAX ACCOUNT**  
**JACKSON COUNTY TAX COLLECTOR**  
**JACKSON COUNTY COURTHOUSE**  
**MEDFORD, OR 97501**  
**(541) 774-6541**

2-Apr-2019

Tax Account #	██████████	Lender Name	
Account Status	A	Lender ID	
Roll Type	Real	Property ID	0902
Situs Address	AGATE RD EAGLE POINT/COUNTY, OR 97524	Interest To	Apr 2, 2019

**Tax Summary**

Tax Year	Tax Type	Total Due	Current Due	Interest Due	Discount Available	Original Due	Due Date
2018	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$1,236.25	Nov 15, 2018
2017	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$1,190.19	Nov 15, 2017
2016	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$1,111.23	Nov 15, 2016
2015	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$1,113.76	Nov 15, 2015
2014	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$1,123.68	Nov 15, 2014
2013	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$1,042.76	Nov 15, 2013
2012	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$1,034.47	Nov 15, 2012
2011	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$1,051.18	Nov 15, 2011
2010	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$1,046.16	Nov 15, 2010
2009	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$1,017.48	Nov 15, 2009
2008	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$1,014.63	Nov 15, 2008
2007	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$1,004.70	Nov 15, 2007
2006	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$964.20	Nov 15, 2006
2005	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$947.88	Nov 15, 2005
2004	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$971.16	Nov 15, 2004
2003	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$948.67	Nov 15, 2003
2002	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$904.95	Nov 15, 2002
2001	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$902.07	Nov 15, 2001
2000	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$656.65	Nov 15, 2000
1999	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$618.01	Nov 15, 1999
1998	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$596.99	Nov 15, 1998
1997	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$609.60	Dec 15, 1997
1996	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$711.03	Nov 15, 1996
<b>Total</b>		\$0.00	\$0.00	\$0.00	\$0.00	\$21,817.70	

**STATEMENT OF TAX ACCOUNT**  
**JACKSON COUNTY TAX COLLECTOR**  
**JACKSON COUNTY COURTHOUSE**  
**MEDFORD, OR 97501**  
**(541) 774-6541**

2-Apr-2019

ERLICHT JAMIE BLAKE TRUSTEE ET AL  
 10208 BRIARWOOD DR  
 LOS ANGELES, CA 90077-2522

Tax Account #	██████████	Lender Name	
Account Status	A	Lender ID	
Roll Type	Real	Property ID	0902
Situs Address	AGATE RD EAGLE POINT/COUNTY, OR 97524	Interest To	Apr 2, 2019

**Tax Summary**

Tax Year	Tax Type	Total Due	Current Due	Interest Due	Discount Available	Original Due	Due Date
2018	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$25.04	Nov 15, 2018
2017	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$24.88	Nov 15, 2017
2016	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$24.74	Nov 15, 2016
2015	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$24.52	Nov 15, 2015
2014	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$24.35	Nov 15, 2014
2013	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$23.91	Nov 15, 2013
2012	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$23.72	Nov 15, 2012
2011	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$23.57	Nov 15, 2011
2010	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$23.54	Nov 15, 2010
2009	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$23.41	Nov 15, 2009
2008	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$25.23	Nov 15, 2008
2007	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$22.53	Nov 15, 2007
2006	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$22.37	Nov 15, 2006
2005	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$22.29	Nov 15, 2005
2004	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$22.54	Nov 15, 2004
2003	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$22.42	Nov 15, 2003
2002	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$22.27	Nov 15, 2002
2001	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$22.04	Nov 15, 2001
2000	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$18.19	Nov 15, 2000
1999	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$20.98	Nov 15, 1999
1998	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$20.90	Nov 15, 1998
1997	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$20.97	Dec 15, 1997
1996	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$21.68	Nov 15, 1996
<b>Total</b>		\$0.00	\$0.00	\$0.00	\$0.00	\$526.09	



THIS SPACE RES

Jackson County Official Records **2017-043528**  
R-WD  
Stn=7 BARROWKL 12/29/2017 10:37:47 AM  
\$15.00 \$10.00 \$8.00 \$11.00 \$20.00 **\$64.00**

I, Christine Walker, County Clerk for Jackson County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.  
Christine Walker - County Clerk

After recording return to:

Jamie Blake Erlicht, Trustee of the Jamie Blake Erlicht  
Separate Property Trust  
10208 Briarwood Drive  
Los Angeles, CA 90077

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

Jamie Blake Erlicht, Trustee of the Jamie Blake Erlicht  
Separate Property Trust  
10208 Briarwood Drive  
Los Angeles, CA 90077  
File No. 198420AM

---

### STATUTORY WARRANTY DEED

Gary H. Safley and Gordon W. Safley, Co-Trustees under Living Trust Agreement dated June 13, 1986,  
Grantor(s), hereby convey and warrant to

**Jamie Blake Erlicht, Trustee of the Jamie Blake Erlicht Separate Property Trust,**

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

**SEE EXHIBIT A ATTACHED HERTO AND MADE A PART HEREOF**

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

351W29 208  
351W29 203

The true and actual consideration for this conveyance is \$735,000.00.

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

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

Dated this 27<sup>th</sup> day of December, 2017

Living Trust Agreement dated June 13, 1986

[Signature]  
Gary H. Safley, co-trustee

[Signature]  
Gordon W. Safley, co-trustee

State of Oregon} ss.  
County of Jackson}

On this 27 day of December, <sup>2017</sup>, before me, Genia C Whipple a Notary Public in and for said state, personally appeared Gary H. Safley and Gordon W. Safley known or identified to me to be the person whose name is subscribed to the foregoing instrument as trustee of the Living Trust Agreement dated June 13, 1986, and acknowledged to me that he/she/they executed the same as Trustee.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

[Signature]  
Notary Public for the State of Oregon  
Residing at: Medford  
Commission Expires: 10-5-2021

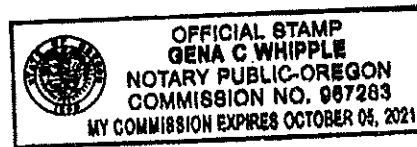


EXHIBIT A

PARCEL 1:

Commencing at the point of beginning being the Southeast corner of Government Lot No. 3 in Section 29, Township 35 South, Range 1 West of the Willamette Meridian, Jackson County, Oregon; thence North 0° 00' 06" West 917.68 feet; thence North 89° 38' 42" West 563.32 feet, more or less, to the average line high water mark of the Rogue River; thence South-Southeast along said high water mark 925.82 feet to the Southerly line of said Government Lot No. 3; thence South 89° 56' 25" East 470.13 feet, more or less, to the point of beginning.

ALSO including any existing rights or interest in real property abutting the West side of the above described premises to the center of the Rogue River between the extension of the North and South lines of the above described tract.

EXCEPTING THEREFROM a one-acre parcel of land described as follows:

Commencing at the Southeast corner of Government Lot No. 3 in Section 29, Township 35 South, Range 1 West of the Willamette Meridian, Jackson County, Oregon; thence North 0°00'06" West 541.58 feet; thence West 225 feet to the point of beginning; thence North 208.71 feet; thence West 208.71 feet; thence South 208.71 feet; thence East 208.71 feet to the point of beginning.

PARCEL 2:

Commencing at the Southeast corner of Government Lot No. 3 in Section 29, Township 35 South, Range 1 West of the Willamette Meridian, Jackson County, Oregon; thence North 0°00'06" West 541.58 feet; thence West 225 feet to the point of beginning; thence North 208.71 feet; thence West 208.71 feet; thence South 208.71 feet; thence East 208.71 feet to the point of beginning.

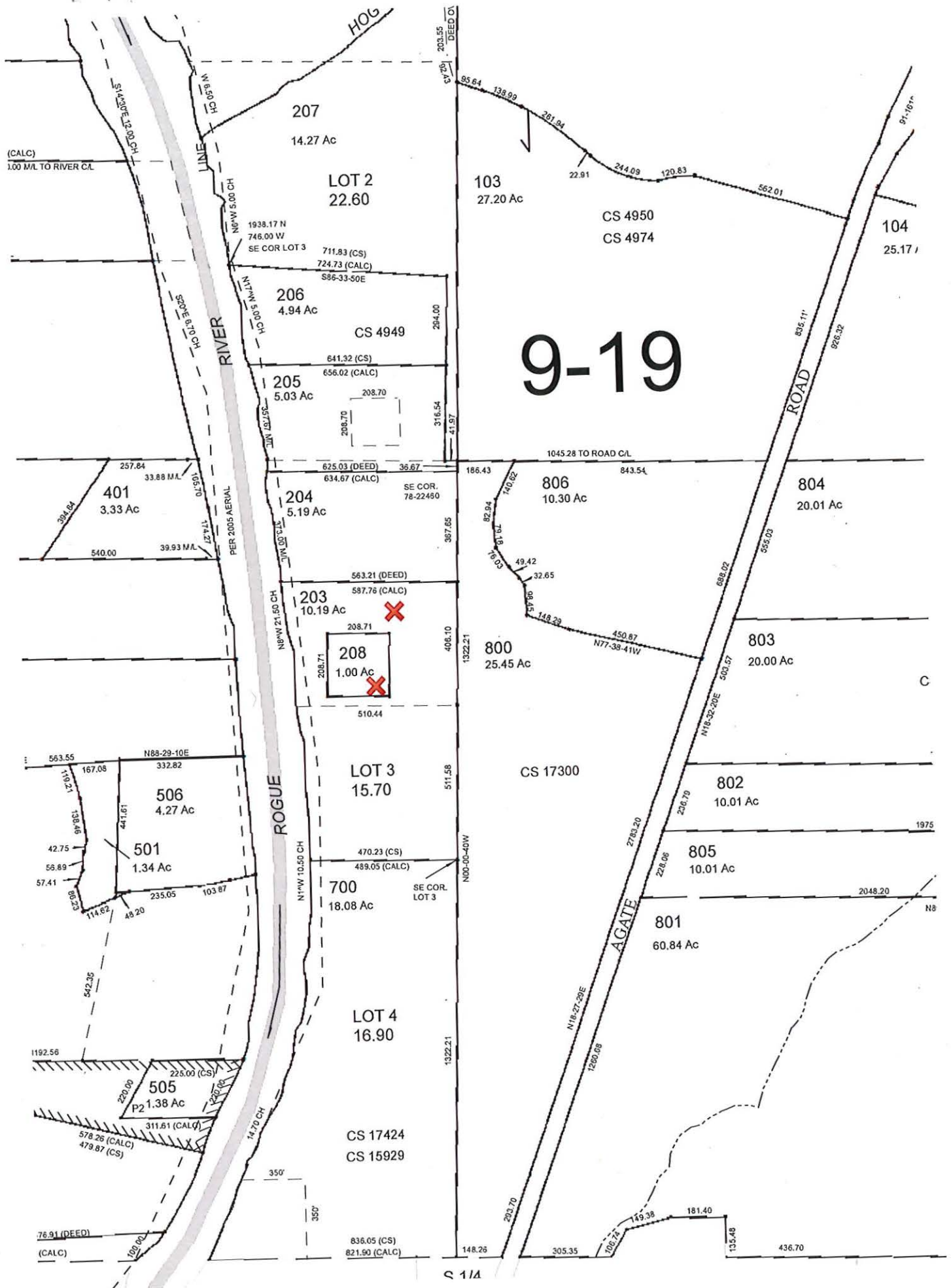
PARCEL 3:

TOGETHER WITH an easement over, upon and across an existing road being 24 feet in width as surveyed, the center line of which is described in Document No. 72-12829 and 77-10152 as follows:

Commencing at the Southeast corner of Government Lot No. 3, Section 29, Township 35 South, Range 1 West, Willamette Meridian, Jackson County, Oregon, according to the official plat recorded in Jackson County; thence North 0° 00' 06" West along the East line of said Lot 3 a distance of 511.58 feet; thence North 89° 38' 42" West 12.00 feet to the point of beginning; thence North 0° 00' 06" West, 710.34 feet; thence North 9° 57' 45" West, 102.78 feet; thence North 0° 43' East, 609.12 feet; thence North 3° 33' 57" East, 225.78 feet; thence North 0° 14' 20" East, 372.76 feet to the beginning of a curve to the right, having a radius of 70 feet; thence along said curve, with a central angle of 107° 35' 50", a distance of 131.45 feet to a point of a compound curve having a radius of 826.59 feet; thence along said curve, with a central angle of 9°38' 05", a distance of 138.997 feet to a compound curve having a radius of 1049.82 feet; thence along said curve, with a central angle of 14° 17' 45", a distance of 261.939 feet to a point of tangent; thence South 48° 14' East, 22.91 feet to the beginning of a curve to the left, having a radius of 324.7 feet; thence along said curve, with a central angle of 43° 04' 45", a distance of 244.101 feet to a point of a reverse curve having a radius of 400 feet; thence along said curve, with a central angle of 17° 18' 30", a distance of 120.834 feet to the point of tangency; thence South 73° 59' 55" East, 562.01 feet to a point in the center of Agate Road.

✓

# 9-19



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

In the Matter of Transfer Application  
T-12966, Jackson County

)  
)  
)  
)  
)

**D R A F T**

PRELIMINARY DETERMINATION  
PROPOSING APPROVAL OF AN  
ADDITIONAL POINT OF DIVERSION

**Authority**

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

**Applicant**

JAMIE ERLICHT  
10208 BRIARWOOD DR  
LOS ANGELES, CA 90077

**Findings of Fact**

1. On July 6, 2018, Jamie Erlicht filed an application for an additional point of diversion under Certificates 43573 and 43575. The Department assigned the application number T-12966.
2. Notice of the application for transfer was published on July 10, 2018, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On January 15, 2019, the Department contacted Jamie Erlicht by telephone and on January 24, 2019, by written correspondence to notify the applicant of the deficiencies in the application. The Department requested that the deficiencies be resolved by February 15, 2019. On February 12, 2019, the Department received a valid Evidence of Use Affidavit from the applicant, resolving the deficiencies.

This should say "The portion of the first right to be transferred"

4. The first right to be transferred is as follows:

**Certificate:** 43573 in the name of WAYNE H. AND BERTHA O. SAFLEY (perfected under Permit S-4339)  
**Use:** IRRIGATION of 10.0 ACRES  
**Priority Date:** DECEMBER 15, 1919  
**Rate:** 0.065 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-EIGHTIETH of one cubic foot per second per acre.  
**Source:** ROGUE RIVER, tributary of PACIFIC OCEAN

5.0 acres are receiving an additional POD

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
35 S	1 W	WM	29	SE NW	2	POD 1 - 2300 FEET SOUTH AND 680 FEET WEST OF THE N 1/4 CORNER OF SECTION 29

**Authorized Place of Use:**

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	1 W	WM	29	NE SW	10.0

5. The second right to be transferred is as follows:

**Certificate:** 43575 in the name of WAYNE H. AND BERTHA O. SAFLEY (perfected under Permit S-15221)  
**Use:** IRRIGATION of 3.0 ACRES  
**Priority Date:** MARCH 24, 1942  
**Rate:** 0.0362 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-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 4.5 acre-feet per acre for each acre irrigated during the irrigation season. April 2 to October 31  
**Source:** ROGUE RIVER, tributary of PACIFIC OCEAN

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
35 S	1 W	WM	29	NE SW	2	POD 1 - 2300 FEET SOUTH AND 680 FEET WEST OF THE N 1/4 CORNER OF SECTION 29

This should be " SE/NW"

**Authorized Place of Use:**

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
35 S	1 W	WM	29	NE SW	3	3.0

6. Transfer Application T-12966 proposes an additional point of diversion approximately 0.2 mile downstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
35 S	1 W	WM	29	NE SW	POD 2 - 3600 FEET SOUTH AND 632 FEET WEST OF THE N 1/4 CORNER OF SECTION 29

7. The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screening and/or by-pass device is necessary at the new point of diversion to prevent fish from entering the diversion and/or safely transport fish back to the body of water from which the fish were diverted and that the diversion is not currently equipped with an appropriate fish screening and/or by-pass device. This diversion may be eligible for screening cost share funds.

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

8. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
9. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-12966.
10. The proposed change would not result in enlargement of the rights.
11. The proposed change would not result in injury to other water rights.
12. All other application requirements are met.

**Determination and Proposed Action**

The additional point of diversion proposed in Transfer Application T-12966 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-12966 is approved, the final order will include the following:*

1. *The additional point of diversion proposed in Transfer Application T-12966 is approved.*

2. *The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 43573 and 43575 and any related decree.*
3. *Water right Certificates 43573 and 43575 are cancelled. A new certificate will be issued describing that portion of the rights not affected by this transfer.*
4. *The quantity of water diverted at the proposed additional point of diversion (POD 2), together with that diverted at the original point of diversion (POD 1), shall not exceed the quantity of water lawfully available at the original point of diversion.*
5. *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.*
6. *Prior to diverting water, the water user shall install a fish screening and/or by-pass device, as appropriate, at the new point of diversion consistent with the Oregon Department of Fish and Wildlife's (ODFW) design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screen and/or by-pass device meets ODFW's criteria. Prior to submitting a Claim of Beneficial Use, the water user must obtain written approval from ODFW that the required screening and/or by-pass device was installed to the state's criteria. The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.*
7. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2020**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.*

Request five years

*el to  
2024*

8. *After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.*

Dated at Salem, Oregon this \_\_\_\_\_,

**D R A F T**

\_\_\_\_\_  
Dwight French, Water Right Services Administrator, for  
Thomas M. Byler, Director  
Oregon Water Resources Department

*WRA J.*

This draft Preliminary Determination was prepared by: Tamera Smith. If you have any questions about the information in this document, you may reach me at 503-986-0898 or [tamera.l.smith@oregon.gov](mailto:tamera.l.smith@oregon.gov)

*64*

**SMITH Tamera L \* WRD**

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**From:** jamie erlicht <gibbs8@yahoo.com>  
**Sent:** Monday, February 11, 2019 12:41 PM  
**To:** SMITH Tamera L \* WRD  
**Subject:** Re: Transfer Application with OWRD T-12966

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Tamara,

Sent the fedex today so you should have by tomorrow. Hopefully this is everything you need, but if not please let me know.

Thanks again for your help and patience!

Jamie

On Jan 24, 2019, at 3:42 PM, SMITH Tamera L \* WRD <[Tamera.L.Smith@oregon.gov](mailto:Tamera.L.Smith@oregon.gov)> wrote:

Good afternoon, Jamie,

I left a message on your voicemail on January 15, 2019. The Evidence of Use included in the Transfer application for T-12966 is not signed by the Notary (only stamped), and no aerial photos were submitted as Evidence. Please mail these to my attention at the address listed no later than February 15, 2019.

If I do not receive the information requested, I will be forced to write the DPD to deny.

Please let me know if I can be of assistance.

Kindest regards,

\*\*\*\*\*

**Tamera Smith** | Transfer Application Caseworker, Transfers and Conservation Section

725 Summer St. NE, Suite A | Salem, Oregon 97301 | Phone: 503.986.0898

<image001.jpg>

\*\*\*\*\*

**SMITH Tamera L \* WRD**

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**From:** SMITH Tamera L \* WRD  
**Sent:** Tuesday, February 05, 2019 1:33 PM  
**To:** 'jamie erlicht'  
**Subject:** RE: Transfer Application with OWRD T-12966

Hi Jamie,

I haven't seen anything come through yet, thought I'd better see if you had any questions about the Evidence of Use.

Kindest regards,

**TAMERA SMITH** | [TRANSFER & CONSERVATION CASEWORKER](#)

725 Summer St. NE, Suite A | Salem, Oregon 97301 | Phone: 503.986.0898



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

---

**From:** jamie erlicht [<mailto:gibbs8@yahoo.com>]  
**Sent:** Thursday, January 24, 2019 6:42 PM  
**To:** SMITH Tamera L \* WRD  
**Subject:** Re: Transfer Application with OWRD T-12966

Thanks for your follow up - appreciate it. I will be back on town next week and get you the info.

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Kindest regards,

\*\*\*\*\*

**Tamera Smith** | Transfer Application Caseworker, Transfers and Conservation Section

**SMITH Tamera L \* WRD**

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**To:** SMITH Tamera L \* WRD  
**Subject:** Re: Transfer Application with OWRD T-12966

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

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Kindest regards,

\*\*\*\*\*

**Tamera Smith** | Transfer Application Caseworker, Transfers and Conservation Section

725 Summer St. NE, Suite A | Salem, Oregon 97301 | Phone: 503.986.0898

<image001.jpg>

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

## Watermaster Review Form: Water Right Transfer

Transfer Application: T-12966

Review Due Date: 08/07/2018

Applicant Name: Jamie Erlicht

Proposed Changes:  POU  POD  POA  USE  OTHER

Reviewer(s): S. Haynes

Date of Review: Aug. 8, 2018

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: Rogue River is ofter regulated for ISWR
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: Proposed rate of 1.2 cfs exceeds beneficial rate for rights listed in transfer
6. Check here  if it appears that downstream water rights benefit from return flows resulting from the current use of the transferred right(s)? If you check the box, generally characterize the locations where the return flows likely occur and list the water rights that benefit most: \_\_\_\_\_  N/A
7. For POD changes and instream transfers, check here  if there are channel losses between the old and new PODs or within the proposed instream reach? If you check the box, describe and, if possible, estimate the losses: \_\_\_\_\_  N/A
8. For instream transfers that propose protection of a reach beyond the mouth of the source stream:  N/A Would the quantity be measureable into the receiving stream consistent with OAR 690-077-0015(8)?  Yes  No
9. For POU changes:  N/A Is it likely the original place of use would continue to receive water from the same source?  Yes  No If "Yes", explain: \_\_\_\_\_

10. For POU or USE changes:  N/A In your best judgment, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste?  Yes  No If "Yes", explain: \_\_\_\_\_

11. 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: applicant has a diversion that can exceed water right

12. What alternatives may be available for addressing any issues identified above: unless other rights share the proposed diversion the capacity needs to be reduced

13. 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 below:

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 3)

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.*

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 3)

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-12966

In order to avoid enlargement of the right or injury to other rights, a 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: Shavon Haynes

District: 13

Address: 10 South Oakdale

City/State/Zip: Medford Oregon

Phone: 541 774-6883

Email: shavon.l.haynes@oregon.gov

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

\*\*\*\*\*

**Approval of an Alternate Measurement Device**      T-        
*(to be filled out after consultation with the applicant, or after a site visit)*

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

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Watermaster signature

District

Date

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

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

STATE OF OREGON  
**WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A  
 SALEM, OR 97301-4172

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

RECEIPT # **127244**

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

RECEIVED FROM: Jamie B Erlicht

APPLICATION	
PERMIT	
TRANSFER	<u>T-12966</u>

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

CASH:  CHECK: # 955 OTHER: (IDENTIFY)

TOTAL REC'D \$ 1,680.00

**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 46110  
 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>1,680.00</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 (FWWRD) \_\_\_\_\_ \$ \_\_\_\_\_  
 0231 HYDRO LICENSE FEE (FWWRD) \_\_\_\_\_ \$ \_\_\_\_\_  
 HYDRO APPLICATION \_\_\_\_\_ \$ \_\_\_\_\_

**TREASURY OTHER / RDX**

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

RECEIPT: **127244** DATED: 7-6-18 BY: Bilvers



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.

RECEIVED

JUL 06 2018

OWRD

**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? 2 List them here: 43573, 43575**  
 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):**

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

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

**WRD** 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
2	Types of change proposed: <input type="checkbox"/> Place of Use <input type="checkbox"/> Character of Use <input checked="" type="checkbox"/> Point of Diversion/Appropriation Number of above boxes checked = <u>1 (2a)</u> Subtract 1 from the number in line 2a = <u>0 (2b)</u> <i>If only one change, this will be 0</i> Multiply line 2b by \$930 and enter » » » » » » » » » » » » » » » »	2	0
3	Number of water rights included in transfer <u>2 (3a)</u> Subtract 1 from the number in 3a above: <u>1 (3b)</u> <i>If only one water right this will be 0</i> Multiply line 3b by \$520 and enter » » » » » » » » » » » » » » » »	3	520
4	Do you propose to add or change a well, or change from a surface water POD to a well? <input checked="" type="checkbox"/> No: enter 0 » <input type="checkbox"/> Yes: enter \$410 »	4	0
5	Do you propose to change the place of use or character of use? <input checked="" type="checkbox"/> No: enter 0 on line 5 » <input type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred (see example below*): _____ (5a) Subtract 1.0 from the number in 5a above: _____ (5b) If 5b is 0 or less, enter 0 on line 5 » If 5b is greater than 0, round up to the nearest whole number: _____ (5c) and multiply 5c by \$350, then enter on line 5 » » » » » » » » » » » » » » » »	5	0
6	Add entries on lines 1 through 5 above » » » » » » » » » » » » » » » » Subtotal:	6	1680
7	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 » If no box is applicable, enter 0 on line 7 »	7	0
8	Subtract line 7 from line 6 » » » » » » » » » » » » » » » » <b>Transfer Fee:</b>	8	1680

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 JUL 06 2018  
 OWRD

\*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:

- For irrigation calculate cfs for each water right involved as follows:
  - 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).
  - 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)
- 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) 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 » » » » » » » » » » » » » » » »	2	
3	Add entries on lines 1 through 2 above » » » » » » <b>Fee for Substitution:</b>	3	

## Part 4 of 5 – Applicant Information and Signature

### Applicant Information

APPLICANT/BUSINESS NAME <b>Jamie Erlicht</b>			PHONE NO. <b>310-625-5585</b>	ADDITIONAL CONTACT NO. <b>none</b>
ADDRESS <b>10208 Briarwood Drive</b>			FAX NO. <b>none</b>	
CITY <b>Los Angeles</b>	STATE <b>CA</b>	ZIP <b>90077</b>	E-MAIL <b>gibbs8@yahoo.com</b>	
<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.</b>				

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

AGENT/BUSINESS NAME <b>Evan Malepsy, Rogue Civil LLC</b>			PHONE NO. <b>541-621-2868</b>	ADDITIONAL CONTACT NO. <b>none</b>
ADDRESS <b>52 Pineridge Lane</b>			FAX NO. <b>none</b>	
CITY <b>Eagle Point</b>	STATE <b>OR</b>	ZIP <b>97524</b>	E-MAIL <b>emalepsy@rogucivil.com</b>	
<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.</b>				

Explain in your own words what you propose to accomplish with this transfer application, and why:  
 I wish to add an additional point of diversion from the Rogue River for Certificates 43573 and 43575. I recently purchased the subject property and wish to have more control over the operation and maintenance of the point of diversion and distribution system, in addition to creating a more efficient delivery system, by having the point of diversion located on my property.

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

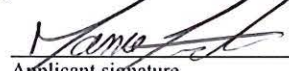
Check this box if this project is fully or partially funded by the American Recovery and Reinvestment Act. (Federal stimulus dollars)

#### 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: Mail Tribune.

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

  
 Applicant signature

**Jamie Erlicht**  
 Print Name (and Title if applicable)

6/25/18  
 Date

\_\_\_\_\_  
 Applicant signature

\_\_\_\_\_  
 Print Name (and Title if applicable)

\_\_\_\_\_  
 Date

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

Check the following boxes that apply:

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

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

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

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

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

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

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Describe any special ownership circumstances here: None

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

IRRIGATION DISTRICT NAME N/A	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME N/A	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME Jackson County	ADDRESS 10 South Oakdale	
CITY Medford	STATE OR	ZIP 97501

ENTITY NAME N/A	ADDRESS	
--------------------	---------	--

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 # 43573**

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.												Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.													
Twp	Rng	Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp		Rng	Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date				
35	S	1	W	29	NE	SW	208	3	1.0	Irrigation	1	12/15/1919	APOD	35	S	1	W	29	NE	SW	208	3	1.0	Irrigation	1 & 2	12/15/1919
35	S	1	W	29	NE	SW	203	3	4.0	Irrigation	1	12/15/1919	APOD	35	S	1	W	29	NE	SW	203	3	4.0	Irrigation	1 & 2	12/15/1919
TOTAL ACRES:							5.0						TOTAL ACRES:							5.0						

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

Additional remarks: None.

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**Part 5 of 5 – Water Right Information**

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

**CERTIFICATE # 43573**

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**Description of Water Delivery System**

**JUL 06 2018**

System capacity: 1.2 cubic feet per second (cfs) OR  
 \_\_\_\_\_ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. **The current delivery system utilizes a pump with 15HP motor to withdraw water from the Rogue River. The water is conveyed to the place of use via an 8" pipe and then via gravity flow ditches for flood irrigation.**

**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)
1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	N/A	35	S	1	W	29	SE	NW	Gov't Lot 2	2300' South and 680' West of N ¼ Corner Section 29
2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	N/A	35	S	1	W	29	NE	SW	TL 203	3600' South and 632' West of N ¼ Corner Section 29
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										

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

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

**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.

**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 # 43575**

**RECEIVED**

**Description of Water Delivery System**

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System capacity: 1.2 cubic feet per second (cfs) **OR**  
 \_\_\_\_\_ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. **The current delivery system utilizes a pump with 15HP motor to withdraw water from the Rogue River. The water is conveyed to the place of use via an 8" pipe and then via gravity flow ditches for flood irrigation.**

**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)
1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	N/A	35	S	1	W	29	SE	NW	Gov't Lot 2	2300' South and 680' West of N ¼ Corner Section 29
2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	N/A	35	S	1	W	29	NE	SW	TL 203	3600' South and 632' West of N ¼ Corner Section 29
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed										

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

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

**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.

**Water Right Transfer Cover Sheet**

Transfer T-12966

Transfer Specialist: RF

Transfer Type: Regular

Applicant Name/Address: JAMIE ERLICHT 10208 BRIARWOOD DR LOS ANGELES, CA 90077	Agent Name/Address: CWRE EVAN MALEPSY 52 PINERIDGE LANE EAGLE POINT, OR 97524	Affected Gov'ts Name/Address: County Of Jackson
Commentors: Name/Address:	Irr. District Name/Address:	Current Landowner Name/Address:

**Water Rights Affected**

Records Marked	Records Copied	App File No. or Decree Name	Permit No.	Certificate No.	RR/CR Needed	RR/CR Nos.
<input type="checkbox"/>	<input type="checkbox"/>	S-6936	S-4339	43573	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	<input type="checkbox"/>	S-19648	S-15221	43575	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

**Key Dates & Initial Actions**

Rec'd: July 6, 2018	Proposed Action(s): ADDITIONAL POINT OF DIVERSION	
Fees Pd: 1680.00	WM District: 13	ODFW District:
Initial Notice: July 10, 2018	WM Review sent:	ODFW Review sent:
Acknowledgement Letter Sent <input checked="" type="checkbox"/>		GW Review sent:

**Processing Dates & Actions**

Deficiency Contacts: \_\_\_\_\_

Newspaper quote requested: \_\_\_\_\_

not required

DPD Mailed: \_\_\_\_\_

Request for news \$ sent: \_\_\_\_\_

ODFW contact sheet sent with DPD, or  N/A

News \$ received: \_\_\_\_\_

WM measurement contact sheet sent, or  N/A

PD Signed: \_\_\_\_\_

Request to publish sent to newspaper: \_\_\_\_\_

PD Weekly Notice: \_\_\_\_\_

Affidavit of publication received: \_\_\_\_\_

DPD Review (Optional)	PD Review (Salem)	Final Order Review (Salem)
Reviewer: _____	Reviewer: _____	Reviewer: _____
Date: _____	Date: _____	Date: _____
Coordinator: _____	Coordinator: _____	Coordinator: _____
Date: _____	Date: _____	Date: _____
Signature Bin Date: _____	Signature Bin Date: _____	Signature Bin Date: _____
Comments/Special Issues:  <p align="center">APOD</p>		

Special Order Volume: Vol \_\_\_\_\_ Pages \_\_\_\_\_ Final Order Signature Date: \_\_\_\_\_

Notice of FO email'd to processors \_\_\_\_\_

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 # 43573**

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.												Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.													
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng		Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date						
35	S	1	W 29	NE	SW	203	3	3.0	Irrigation	1	3/24/1942	APOD	35	S	1	W 29	NE	SW	203	3	3.0	Irrigation	1 & 2	3/24/1942		
TOTAL ACRES:						3.0				TOTAL ACRES:						3.0										

Additional remarks: None.

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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 (N/A, not a Place of Use or Character of Use change)

If YES, list the certificate, water use permit, or ground water registration numbers: N/A.



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 # N/A;  
Surface water primary Certificate # N/A.

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**For a change from Supplemental Irrigation Use to Primary Irrigation Use**

Identify the primary certificate to be cancelled. Certificate # N/A

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

- Well log(s) are attached for each authorized and 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) (N/A, not a well system)

**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. (N/A, not a well system)

**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
N/A										

## Pump Capacity Calculation Sheet

using Department designed formula:

$(hp)(\text{efficiency}) / (\text{lift} + \text{psi head}) = \text{capacity in cfs}$

Efficiency:

Centrifugal = 6.61

Turbine = 7.04

---

### Data Entry (fill in underlined blanks)

---

HP = 15  
Efficiency = 6.61  
Lift = 6  
PSI = 30

### Results Calculated

---

(hp)(efficiency) = 99.15  
Head based on psi = 76.2  
Total dynamic head = 82.2  
(head + lift)

**Pump Capacity = 1.21 feet per second**

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# Land Use Information Form



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

Applicant(s): Jamie Erlicht

Mailing Address: 10208 Briarwood Drive

City: Los Angeles State: CA Zip Code: 90077 Daytime Phone: 310-625-5585

## A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
<u>35S</u>	<u>1W</u>	<u>29</u>	<u>NE/SW</u>	<u>203</u>	<u>EFU</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Agriculture</u>
<u>35S</u>	<u>1W</u>	<u>29</u>	<u>NE/SW</u>	<u>208</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Agriculture</u>

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

Jackson County

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## B. Description of Proposed Use

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

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

Source of water:  Reservoir/Pond     Ground Water     Surface Water (name) Rogue River

Estimated quantity of water needed: 0.1012  cubic feet per second     gallons per minute     acre-feet

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

Briefly describe:

Water right application is being submitted to add an additional point of diversion from the Rogue River for two existing water right certificates to allow more efficient delivery of water.



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

See bottom of Page 3. →

# For Local Government Use Only

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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): LDU 4.2-1
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

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

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

Not for Marijuana

Name: Mathew Langley Title: Planner I  
 Signature: *Mathew Langley* Phone: 541-274-6945 Date: 05/30/18  
 Government Entity: Jackson 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: \_\_\_\_\_  
 City or County: \_\_\_\_\_ Staff contact: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_

# Application for Water Right Transfer

## Evidence of Use Affidavit



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

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

State of <sup>California</sup> Oregon )  
 County of <sup>LOS ANGELES</sup> ~~JACKSON~~ ) SS

I, JAMIE ERLICHT, in my capacity as PROPERTY OWNER,  
 mailing address 10208 BRIARWOOD DRIVE, LOS ANGELES, CA 90077  
 telephone number (310)625-5585, being first duly sworn depose and say:

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

2. I attest that:

- Water was used during the previous five years on the **entire** place of use for Certificate # 43573 AND 43575; **OR**  
 My knowledge is specific to the use of water at the following locations within the last five years:

Certificate #	Township		Range		Mer	Sec	¼ ¼	Gov't Lot or DLC	Acres (if applicable)

**OR**

- Confirming Certificate # \_\_\_\_ has been issued within the past five years; **OR**  
 Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: \_\_\_\_ (Note: If the entire right proposed for transfer was not leased, additional evidence of use is needed for the portion not leased instream.); **OR**  
 The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.  
 Water has been used at the actual current point of diversion or appropriation for more than 10 years for Certificate # \_\_\_\_ (For Historic POD/POA Transfers)

(continues on reverse side)

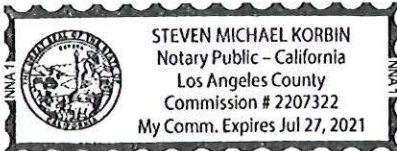
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**FEB 12 2019**  
**OWRD**

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

X [Signature]  
 Signature of Affiant

02/01/2019  
 Date

Signed and sworn to (or affirmed) before me this 1<sup>st</sup> day of February, 20 19.



[Signature]  
 Notary Public for ~~Oregon~~  
 CALIFORNIA  
 My Commission Expires: July 27, 2021

Supporting Documents	Examples
<input type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of <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	<p>Multiple photos can be submitted to resolve different areas of a water right.          If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added.</p> <p>Sources for aerial photos:          OSU – <a href="http://www.oregonexplorer.info/imagery">www.oregonexplorer.info/imagery</a>          OWRD – <a href="http://www.wrd.state.or.us">www.wrd.state.or.us</a>          Google Earth – <a href="http://earth.google.com">earth.google.com</a>          TerraServer – <a href="http://www.terraserver.com">www.terraserver.com</a></p>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

RECEIVED

FEB 12 2019

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# Application for Water Right Transfer

## Evidence of Use Affidavit



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

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

State of Oregon )  
 ) ss  
 County of JACKSON)

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I, JAMIE ERLICHT, in my capacity as PROPERTY OWNER,  
 mailing address 10208 BRIARWOOD DRIVE, LOS ANGELES, CA 90077  
 telephone number (310)625-5585, being first duly sworn depose and say:

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

- Personal observation                       Professional expertise

2. I attest that:

- Water was used during the previous five years on the **entire** place of use for Certificate # 43573 AND 43575; **OR**
- My knowledge is specific to the use of water at the following locations within the last five years:

Certificate #	Township	Range	Mer	Sec	¼ ¼	Gov't Lot or DLC	Acres (if applicable)

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

*[Signature]*  
 Signature of Affiant

6/12/18  
 Date

Signed and sworn to (or affirmed) before me this 12 day of June, 2018.



Notary Public for ~~Oregon~~ California

My Commission Expires: 02-28-2021

Supporting Documents	Examples
<input type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of <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	<p>Multiple photos can be submitted to resolve different areas of a water right.          If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added.</p> <p>Sources for aerial photos:          OSU – <a href="http://www.oregonexplorer.info/imagery">www.oregonexplorer.info/imagery</a>          OWRD – <a href="http://www.wrd.state.or.us">www.wrd.state.or.us</a>          Google Earth – <a href="http://earth.google.com">earth.google.com</a>          TerraServer – <a href="http://www.terra-server.com">www.terra-server.com</a></p>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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# WATER RIGHT TRANSFER APPLICATION MAP

CERTIFICATES: 43573 - PRIORITY DATE 12/15/1919  
43575 - PRIORITY DATE 3/24/1942

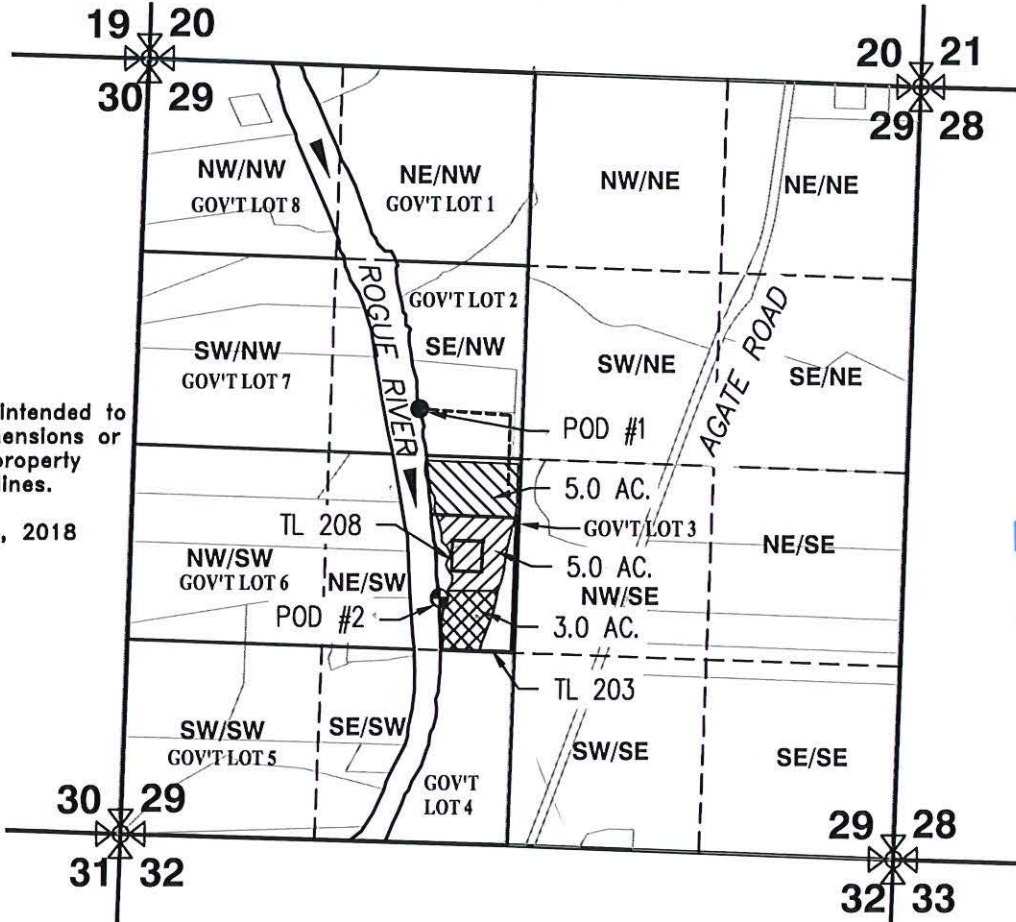
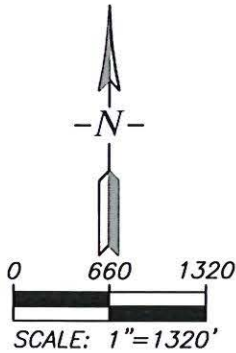
ADDITIONAL POINT OF DIVERSION

FOR

JAMIE ERLICHT  
10208 BRIARWOOD DRIVE  
LOS ANGELES, CA 90077

SITUATED IN

SECTION 29, TOWNSHIP 35 SOUTH, RANGE 1 WEST, W.M.  
JACKSON COUNTY, OREGON



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

EHM-June 19, 2018

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## LEGEND

- POD #1 (EX. POINT OF DIVERSION CERT'S 43573 & 43575) 2300' SOUTH AND 680' WEST OF NORTH QUARTER CORNER SECTION 29
- ⊕ POD #2 (ADDITIONAL POINT OF DIVERSION CERT'S 43573 & 43575) 3600' SOUTH AND 632' WEST OF NORTH QUARTER CORNER SECTION 29

- PLACE OF USE CERT. 43573 - NO CHANGES
- PLACE OF USE CERT. 43573 - ADDITIONAL POD
- PLACE OF USE CERT. 43575 - ADDITIONAL POD
- 1/4-1/4 SECTION LINE
- EX. WATERLINE (APPROXIMATE)



RENEWS: 12/31/2018

ROGUE CIVIL LLC  
emalepsy@roguecivil.com 541-621-2868

# Regular Temporary Water Right Transfer Application Checklist

Checked by AB

Date 6.15.19

**A temporary transfer must be for a change in place of use. A temporary change in POD/POA or APOD/APOA cannot be accepted as a stand-alone change.**

A change in POD/POA can accompany the temporary change in place of use, only if the proposed temporary POD/POA is supplying water to the proposed temporary place of use.

(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? 17214  
If not, the correct fee would be: \_\_\_\_\_, so the amount missing is: \_\_\_\_\_
3. Part 4 of application: Have all the applicants listed at the top of the page signed at the bottom?  
If not, whose signature is missing? \_\_\_\_\_
4. Are all listed certificates shown by WRIS as non-cancelled?  
If not, 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.

**Water Right Transfer Cover Sheet**

Transfer T-12966

Transfer Specialist: T ☺

Transfer Type: Regular

Applicant Name/Address: JAMIE ERLICHT 10208 BRIARWOOD DR LOS ANGELES, CA 90077	Agent Name/Address: CWRE EVAN MALEPSY 52 PINERIDGE LANE EAGLE POINT, OR 97524	Affected Gov'ts Name/Address: County Of Jackson
Commentors: Name/Address:	Irr. District Name/Address:	Current Landowner Name/Address:

**Water Rights Affected**

Records Marked	Records Copied	App File No. or Decree Name	Permit No.	Certificate No.	RR/CR Needed	RR/CR Nos.
<input type="checkbox"/>	<input type="checkbox"/>	S-6936	S-4339	43573	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	94331
<input type="checkbox"/>	<input type="checkbox"/>	S-19648	S-15221	43575	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

**Key Dates & Initial Actions**

Rec'd: July 6, 2018	Proposed Action(s): ADDITIONAL POINT OF DIVERSION	
Fees Pd: 1680.00	WM District: 13	ODFW District:
Initial Notice: July 10, 2018	WM Review sent:	ODFW Review sent:
Acknowledgement Letter Sent <input checked="" type="checkbox"/>	GW Review sent:	

**Processing Dates & Actions**

Deficiency Contacts: \_\_\_\_\_

Newspaper quote requested: \_\_\_\_\_

not required APOD .2 mile from POD

DPD Mailed: \_\_\_\_\_

Request for news \$ sent: \_\_\_\_\_

- ODFW contact sheet sent with DPD, or  N/A
- WM measurement contact sheet sent, or  N/A

News \$ received: \_\_\_\_\_

PD Signed: 4/26/2019

Request to publish sent to newspaper: \_\_\_\_\_

PD Weekly Notice: 4/30/2019 OPEN 5/24

Affidavit of publication received: \_\_\_\_\_

To PR 2/15 PB

NO COMMENTS

drafted FO

DPD Review (Optional)	PD Review (Salem)	Final Order Review (Salem)
Reviewer: <u>Coryn</u>	Reviewer: <u>Coryn</u>	Reviewer: <u>Aula</u>
Date: <u>2/15/19</u>	Date: <u>3/22/19</u>	Date: <u>5/31/19</u>
Coordinator: <u>PKS</u>	Coordinator: <u>PKS</u>	Coordinator: <u>PKS</u>
Date: <u>Send 3-8-19</u>	Date: <u>4-15-19</u>	Date: <u>6/25/19</u>
Signature Bin Date: _____	Signature Bin Date: _____	Signature Bin Date: <u>6/25/19</u>
Comments/Special Issues: APOD <u>to Ann, to DC 4/16 PB</u>		
<u>Reconsideration FO to sig bin 8/15/19</u>		

Special Order Volume: Vol 113 Pages 462-466 Final Order Signature Date: 06-26-2019  
 Notice of FO email'd to processors \_\_\_\_\_

# Regular Transfer Review Checklist

T- 12966

Caseworker: TR

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) <span style="float: right;">DIA</span>
<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)
<i>If transfer type not listed above, see separate checklists</i>	

FILE PREPARATION	
<input checked="" type="checkbox"/>	File Assigned (Computer Entry) <span style="float: right;">wps/water rights irrigation?</span>
<input checked="" type="checkbox"/>	Make Copies and Place in Working File: <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 <span style="float: right;">wdr/cert/copies</span> <input checked="" type="checkbox"/> Print Certificates and Place in Working File <span style="float: right;">multiple copies of table to state to cert</span>
<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>
<input type="checkbox"/>	All Stakeholders accurately listed in WRIS with email addresses if available <span style="float: right;">Edge Point 10. ✓</span>
<input type="checkbox"/>	<input checked="" type="checkbox"/> Irrigation District <input type="checkbox"/> BOR <input type="checkbox"/> Tribes Is this a Living Certificate? <input type="checkbox"/> Yes <input type="checkbox"/> No <span style="float: right;">add back</span>
<i>If Certificate in name of District or BOR, attach Additional Living Certificate Processing checklist</i>	
<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"/> Watermaster Review <input type="checkbox"/> Groundwater Review <input checked="" type="checkbox"/> ODFW Review
<input type="checkbox"/>	Public Comments Received? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<input checked="" type="checkbox"/>	If yes, print comments and place in file <input type="checkbox"/> Timely <input type="checkbox"/> Untimely
Notes:	

*Mod pod > public.comt > if blank, done. If not, go see on internet.* PR Initials CE

BASIC APPLICATION REVIEW and NOTICE (OAR 680-380-3000 and -4000)			
<input checked="" type="checkbox"/>	N/A	Note any issues here. Appropriately signed <span style="float: right;">EV of use - notary not signed, Bureau photos</span>	
<input 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 <span style="float: right;">cc on letter ✓ and many other ✓ done ✓ 1/27/21 ✓ see em</span>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Check Area of Interest – Print if needed, include in WRIS stakeholder as interested party <span style="float: right;">DOT cold - tell Stacy ✓</span>	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Ditch Co., Irr. Dist and/or BOR sent copies	
<input checked="" type="checkbox"/>	<input checked="" 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 <b>APPROVED</b> 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 checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Supp. Form D or Letter of approval from Irrigation or Water Control District	<input type="checkbox"/>	<input type="checkbox"/>	Evidence of Use is submitted with supporting documentation <b>[NOPE]</b> *
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Are the supplemental water rights included in the Transfer <input type="checkbox"/> Yes <input type="checkbox"/> No 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)) Is the water right(s) proposed for transfer a water use(s) subject to transfer? <input type="checkbox"/> Adjudicated or decreed <input checked="" type="checkbox"/> Certificated <input type="checkbox"/> Water use permit with CBU and proof to satisfaction issued <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 type="checkbox"/>		Any application deficiencies that need to be addressed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Notes: <i>Ev of use not being &amp; p/c's. local Gov not filed</i> <b>Deny</b>

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**APOD** **Reviewing The "From" and "To" Lands**  
(Use working copy of application and certificates to mark on)

CW		CW	
<input checked="" type="checkbox"/>	From: Only the authorized POD's/POA's and POU's involved are listed.	<input checked="" type="checkbox"/>	From: Application & certificate tabulations match. (Mark on appl. and cert. copies and note corrections needed)
<input checked="" type="checkbox"/>	From: Marked on certificate the acreage being affected and remaining by 1/4 1/4.	<input checked="" type="checkbox"/>	From: Marked on certificate the quantity of water being transferred, <del>cancelled</del> and remaining
<input checked="" type="checkbox"/>	From and To: Print Plat Card(s), check and note conflicts ( <u>change in pou and use only</u> )	<input checked="" type="checkbox"/>	From and To: 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
<input type="checkbox"/>	<input type="checkbox"/>	Amended Application Pages Rec'd _____ Amended Application Map Rec'd _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Scan new pages <input type="checkbox"/> Update WRIS with new pages <input type="checkbox"/> Mark replaced pages in red with 'SUPERSEDED' and place in back of file

*None*

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

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

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

CW		CW	DOCUMENTATION
<input type="checkbox"/>	<b>Validity of the Right; Not Forfeited</b> OAR 690-380-4010(2)(a) The right(s) has been used over the past five years according to the terms and conditions of the right and the right is not subject to forfeiture under ORS 540.610.	<input type="checkbox"/>	<input type="checkbox"/> <b>Evidence of Use &amp; supporting documentation</b> <input type="checkbox"/> Confirming Cert issued within last 5 years <input type="checkbox"/> Rebuttal to forfeiture (ORS 540.610(2)) <i>→ missing notary sig. + evidence 2/12/19</i>
<input checked="" type="checkbox"/>	Ready, Willing, and Able OAR 690-380-4010(2)(b) The water user is ready, willing and able to use the full amount of water allowed under the right.	<input type="checkbox"/>	<input checked="" type="checkbox"/> Current delivery system description in Part 5 of Application Notes: _____ Delivery system has the capacity to fully divert and use the rate/duty of the right
<input type="checkbox"/>	<b>Enlargement</b> <i>see pks: WM review</i> OAR 690-380-4010(2)(c) The proposed transfer would result in enlargement <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Notes: _____ (Must make a positive finding of "No enlargement").	<input checked="" type="checkbox"/>	No expansion of the right: <input checked="" type="checkbox"/> No greater rate or duty per acre than currently allowed <input checked="" type="checkbox"/> Cannot increase acreage under the right <input checked="" type="checkbox"/> Must prevent the original place of use from receiving water from the same source <input checked="" type="checkbox"/> Cannot divert more water at the new POD or POA than is legally available to that right at the original point of diversion/appropriation See deficient rate right guidance See micro irrigation guidance

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

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

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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 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 checked="" type="checkbox"/>	On (date), timely comments were received from (name), asserting (issues). The Department has considered the comments and finds: . . . . (do they assert injury/enlargement or forfeiture?)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<i>May not need to add if with finds no injury / PLS.</i> Add Watermaster Review	<input checked="" 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 checked="" type="checkbox"/>	<input type="checkbox"/>	Add ODFW fish screen requirements	<input checked="" type="checkbox"/>	<input type="checkbox"/>	See Supplemental Language Fish Screen Requirements
<input type="checkbox"/>	<input type="checkbox"/>	<del>Add ground water conditions</del>	<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 checked="" type="checkbox"/>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Add any other special provisions	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Additional findings to support determination of additional review criteria listed
<input type="checkbox"/>	<input type="checkbox"/>	Any cancellation/diminishment submitted? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/>	<input checked="" type="checkbox"/>	If yes: (See Supplemental Language Document) <input type="checkbox"/> Add Authority after 1 <sup>st</sup> paragraph <input type="checkbox"/> Add finding(s) to document cancellation/diminishment
<input type="checkbox"/>	<input type="checkbox"/>	Are the existing water rights issued in the name of a District or Bureau of Reclamation? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/>	<input checked="" 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. Notes: _____ _____ <i>See Supplemental Language Document for Living Certificates</i>

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**Determination and Conclusions of Law**

FINDINGS	DETERMINATION AND PROPOSED ACTION / 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> 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. <b>Or, if denial</b> 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. <b>Or</b> 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

N/K

#### 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



**DRAFT PRELIMINARY DETERMINATION**

**Document Preparation**

<input type="checkbox"/>	<input checked="" type="checkbox"/> N/A	Additional Supplemental Review Criteria Checklist attached	
<b>CW</b>		<b>CW</b>	
<input type="checkbox"/>	Check tenses (Find and Replace (s), is/are, was/were)	<input type="checkbox"/>	Add agent, receiving landowner, if applicable, etc.
<input type="checkbox"/>	Compare authorized PODs/POAs with marked up Certificate	<input type="checkbox"/>	Compare "from" lands with marked up Table 2 of Application and Certificate
<input type="checkbox"/>	Compare Proposed PODs/POAs with Table 1 of Application and Map	<input type="checkbox"/>	Compare Proposed Place of Use with Table 2 of Application and Map

**Remaining Right Certificate(s)**

<input checked="" type="checkbox"/>	Check tenses (Find and Replace (s), is/are, was/were)	<input checked="" type="checkbox"/>	Table format matches current template
<input checked="" type="checkbox"/>	Content format matches original certificate (e.g., rate/duty limitation)	<input checked="" type="checkbox"/>	Name and address matches originating certificate Note: Remaining rights can only be issued in the name of the current landowner(s) of the remaining rights <b>IF</b> 1) the Report of Ownership information supplied for the transfer covers all of the remaining right lands (as well as the right being transferred) <b>and</b> 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 checked="" type="checkbox"/>	All water accounted for
		<input checked="" type="checkbox"/>	Document is "Spell checked"

**Cover Letter**

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

**COMMENTS**

*PRG*

**PRELIMINARY DETERMINATION**

**Public/Newspaper Notice**

CW	N/A		CW	N/A	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Prepare public/newspaper notice using template	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Send letter to Applicant/Agent regarding newspaper notice cost
<input checked="" type="checkbox"/>		Notice and Letter are "Spellchecked"	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Funds received from Applicant/Agent for newspaper notice
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Forward Draft Newspaper Notice to Coordinator	<input type="checkbox"/>	<input checked="" 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 Notarized, signed statement of consent

**Document Preparation**

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

**Cover Letter**

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

**Data Center Review**

CW		CW	
<input checked="" type="checkbox"/>	Prepare Route Slip	<input type="checkbox"/>	<input type="checkbox"/> Prepare Revised DPD if <i>substantive changes</i> <b>OR</b> <input type="checkbox"/> Issue Preliminary Determination
<input type="checkbox"/>	File Returned		

**COMMENTS**

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

CW		CW	
<input type="checkbox"/>	Save PD document as new document 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**

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# Transfer / Data Center ROUTE SLIP

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

## 1. Transfer Caseworker:

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

Transfer Number:	T-12966
Caseworker:	T Smith
Is a Living Certificate Involved?	→ If YES... list Living Certificate number(s) HERE:
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO X	
Date delivered to T-Support:	4/16/19

## 2. Transfer Support:

Date Received from Caseworker:	4/16/2019
<input type="checkbox"/> Update Transfer/Data Center Tracking Log (...file sent to Data Center)	
Date Delivered to Data Center:	4/16/2019

## 3. Data Center:

Date Received from T-Support:-	CW 4/22/2019
<input type="checkbox"/> WRIS entry and mapping in ARCGIS. Any discrepancies noted?	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO
→ If YES... Data Center routes back to Caseworker for re-review.	
• Date file sent back to CW for re-review:	4-22-19
<input checked="" type="checkbox"/> Modified	OR <input type="checkbox"/> Determined should not be modified
• Date CW returns file to Data Center:	4-22-19
• Date WRIS entry & ARCGIS Mapping completed:	
Date Delivered to T-Support:	4/22/2019

## 4. Transfer Support:

Date Received from Data Center:	
<input type="checkbox"/> Update Transfer/Data Center Tracking Log (...file received back from Data Center)	
Date Delivered back to Caseworker:	