

**CLAIM OF  
BENEFICIAL USE  
for Surface Water Permits  
claiming 0.1 cfs or less**



**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)

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**A fee of \$230 must accompany this form for permits  
with priority dates of July 9, 1987, or later.**

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

*In cases where a permit has been amended through the permit amendment process, a separate claim for the permit amendment is not required. Incorporate the permit amendment into the claim for the permit.*

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.

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**

**1. File Information:**

APPLICATION # <b>S-89332</b>	PERMIT # (IF APPLICABLE) <b>S-55496</b>	PERMIT AMENDMENT # (IF APPLICABLE)
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**2. Property Owner (current owner information):**

APPLICANT/BUSINESS NAME <b>Andrea Applegate</b>		PHONE No. <b>541-291-8611</b>	ADDITIONAL CONTACT No.
ADDRESS <b>7980 New Hope Road</b>			
CITY <b>Grants Pass</b>	STATE <b>Oregon</b>	ZIP <b>97527</b>	E-MAIL <b>andylamalady@gmail.com</b>

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

**3. Permit holder of record (this may, or may not, be the current property owner):**

PERMIT HOLDER OF RECORD <b>Same as Owner</b>		
ADDRESS		
CITY	STATE	ZIP

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ADDITIONAL PERMIT HOLDER OF RECORD <b>N/A</b>		
ADDRESS		
CITY	STATE	ZIP

**4. Date of Site Inspection:**

<b>January 11, 2024</b>
-------------------------

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

NAME	DATE	ASSOCIATION WITH THE PROJECT
<b>Andrea Applegate</b>	<b>Jan. 11 2024</b>	<b>Owner</b>

**6. County:**

<b>Josephine</b>
------------------

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

OWNER OF RECORD <b>N/A</b>		
ADDRESS		
CITY	STATE	ZIP

Add additional tables for owners of record as needed

**SECTION 2  
SIGNATURES**

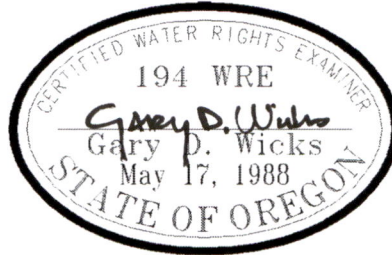
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CWRE Statement, Seal and Signature

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



**Renewal Date: 6-30-24**

CWRE NAME <b>Gary D. Wicks</b>		PHONE NO. <b>541-660-9912</b>	ADDITIONAL CONTACT NO. <b>541-479-3436</b>
ADDRESS <b>311 NE "D" Street</b>			
CITY <b>Grants Pass</b>	STATE <b>Oregon</b>	ZIP <b>97526</b>	E-MAIL <b>gdwicks@gmail.com</b>

Permit Holder's of Record Signature or Acknowledgement

***Each*** permit 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
<i>Andrea Applegate</i>	<b>Andrea Applegate</b>	<b>Owner</b>	<i>2/1/24</i>

**SECTION 3  
CLAIM DESCRIPTION**

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**1. POD source and, if from surface water, the tributary:**

POD NUMBER	SOURCE	TRIBUTARY
POD 1	Applegate Reservoir per Permit R-7810	Applegate River
APOD 2	Murphy Ditch	Applegate River
APOD 3	Exempt Reservoir 'C' per P-83004	Murphy Ditch

**2. Developed use(s), period of use, and rate for each use:**

APOD NUMBER	USES	IF IRRIGATION, LIST CROP TYPE	SEASON OR MONTHS WHEN WATER WAS USED	ACTUAL RATE OR VOLUME USED (CFS, GPM, OR AF)
3	Irrigation	Orchard Grass Pasture, Hay Fields, Lawns and Landscaping	April 1 Through November 1	18.75 acre-feet
<b>Total Quantity of Water Used</b>				<b>18.75 acre-feet</b>

**3. Provide a general narrative description of the distribution works.** This description must trace the water system from each point of diversion to the place of use:

**Water from the Applegate Reservoir per Permit No. R-7810 is diverted from the Applegate River at POD 1 at the Murphy Ditch Diversion Dam. Water is conveyed to APOD 2 via the Murphy Ditch. Water is diverted from the Murphy Ditch at APOD 2 via a 6" PVC gravity pipe to Exempt Reservoir 'C' authorized per P-83004. Water is pumped from Exempt Reservoir 'C' by a 7.5 hp pump with attached fish screen and water flow meter located inside a pump house at APOD 3. Water is conveyed to the fields, lawns and landscaping places of use via a system of 3" PVC main line underground pipes. Water is applied to the fields, lawns, and landscaping by various sprinklers.**

Reminder: The map associated with this claim must identify the location of the point(s) of diversion, Donation Land Claims (DLC), Government Lots (GLot), and Quarter-Quarters (QQ).

**4. Variations:**

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

**NO**

(e.g. "The permit allowed three points of diversion. The water user only developed one of the points." or "The permit allowed 40.0 acres of irrigation. The water user only developed 10.0 acres.")

--

**5. Claim Summary:**

POD NUMBER	MAXIMUM RATE AUTHORIZED	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED	USE	# OF ACRES ALLOWED	# OF ACRES DEVELOPED
1	None Given	78 gpm	0	Irrigation	7.5 acres	7.5 acres

**SECTION 4-1  
SYSTEM DESCRIPTION**

Are there multiple PODs?

**YES**

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):

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**POD No. 1**

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**A. Place of Use**

Attach Claim of Beneficial Use map.

**Reminder: The map associated with this claim must identify Donation Land Claims (DLC), Government Lots (Gov Lot), Quarter-Quarters (QQ), and if for irrigation, the number of acres irrigated within each projected DLC, Gov Lot, and QQ.**

**B. Diversion and Delivery System Information**

Provide the following information concerning the diversion and delivery system. Information provided must describe the equipment used to transport and apply the water from the point of diversion to the place of use.

**1. Is a pump used?**

**NO**

*If "NO" items 2 through item 5 may be deleted.*

**6. Sprinkler Information:**

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
			NA		

**7. Drip Emitter Information:**

SIZE	OPERATING PSI	EMITTER OUTPUT (GPM)	TOTAL NUMBER OF EMITTERS	MAXIMUM NUMBER USED	TOTAL EMITTER OUTPUT (CFS)
			NA		

**8. Drip Tape Information:**

DRIPPER SPACING IN INCHES	GPM PER 100 FEET	TOTAL LENGTH OF TAPE	MAXIMUM LENGTH OF TAPE USED	TOTAL TAPE OUTPUT (CFS)	ADDITIONAL INFORMATION
			NA		

**C. Storage**

**1. Does the distribution system include in-system storage (e.g. storage tank, bulge in system / reservoir)?**

**NO**

*If "NO", item 2 and 3 relating to this section may be deleted.*

**D. Gravity Flow Pipe**

1. Does the system involve a gravity flow pipe?

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

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**E. Gravity Flow Canal or Ditch**

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

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1. Is a gravity flow canal or ditch used to convey the water as part of the distribution system?

YES

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

2. Complete the table:

CANAL OR DITCH TYPE (MATERIAL)	TOP WIDTH MURPHY OR DITCH	BOTTOM WIDTH OF MURPHY DITCH	DEPTH	"n" FACTOR	AMOUNT OF FALL	LENGTH OF DITCH	SLOPE (s)	COMPUTED RATE (IN CFS)
Earth	14.6'	8.0'	3.1'	0.020	0.10'	226.6'	0.044%	88.2

3. Provide calculations:

$$A = \frac{(14.6+8.0)3.1}{2} = 35.03 \text{ sq ft} \quad P = 8.0+2\{[0.5(14.6-8.0)]^2+(3.1)^2\}^{1/2} = 17.06 \quad r = \frac{A}{P} = \frac{35.03}{17.06} = 2.053$$

$$Q = \frac{A \cdot 1.486 r^{2/3} s^{1/2}}{n} = \frac{35.03(1.486)(2.053)^{2/3}(0.00044)^{1/2}}{0.020} = 88.2 \text{ cfs}$$

4. If an actual measurement was taken, provide the following:

DATE OF MEASUREMENT	WHO MADE THE MEASUREMENT	MEASUREMENT METHOD	MEASURED QUANTITY OF WATER (IN CFS)
NONE TAKEN			

Attach measurement notes.

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

Murphy Ditch and the on-site irrigation system had been shut down for the winter at the time of the inspection. The pump had been pulled. (See attached Photo)

**SECTION 4-2**

**SYSTEM DESCRIPTION**

Are there multiple PODs?

YES

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):

**A. Place of Use**

Attach Claim of Beneficial Use map.

**B. Diversion and Delivery System Information**

Provide the following information concerning the diversion and delivery system. Information provided must describe the equipment used to transport and apply the water from the point of diversion to the place of use.

1. Is a pump used?

NO

*If "NO" items 2 through item 5 may be deleted.*

**6. Sprinkler Information:**

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
			NA		

**7. Drip Emitter Information:**

SIZE	OPERATING PSI	EMITTER OUTPUT (GPM)	TOTAL NUMBER OF EMITTERS	MAXIMUM NUMBER USED	TOTAL EMITTER OUTPUT (CFS)
			NA		

**8. Drip Tape Information:**

DRIPPER SPACING IN INCHES	GPM PER 100 FEET	TOTAL LENGTH OF TAPE	MAXIMUM LENGTH OF TAPE USED	TOTAL TAPE OUTPUT (CFS)	ADDITIONAL INFORMATION
			NA		

**C. Storage**

1. Does the distribution system include in-system storage (e.g. storage tank, bulge in system / reservoir)?

NO

*If "NO", item 2 and 3 relating to this section may be deleted.*

**D. Gravity Flow Pipe**

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

1. Does the system involve a gravity flow pipe?

YES

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

2. Complete the table:

PIPE SIZE (d)	PIPE TYPE	"C" FACTOR	AMOUNT OF FALL	LENGTH OF PIPE	SLOPE (s)	COMPUTED RATE OF WATER FLOW (IN CFS)
6"	PVC	150	2.4'	415'	0.58%	0.66 cfs (296 gpm)

**3. Provide calculations:**

$$A = \pi R^2 = \pi(0.25)^2 = 0.20 \text{ sq ft} \quad \text{Hyd. Radius, } r = 0.25d = 0.25(0.50) = 0.125'$$

$$Q = A1.31cr^{0.63}s^{0.54} = (0.20)(1.31)150(0.125)^{0.63}(0.0058)^{0.54} = 0.66 \text{ cfs}$$

**4. If an actual measurement was taken, provide the following:**

DATE OF MEASUREMENT	WHO MADE THE MEASUREMENT	MEASUREMENT METHOD	MEASURED QUANTITY OF WATER (IN CFS)
NONE TAKEN			

Attach measurement notes.

**E. Gravity Flow Canal or Ditch**

1. Is a gravity flow canal or ditch used to convey the water as part of the distribution system?

NO

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

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

Murphy Ditch and the on-site irrigation system had been shut down for the winter at the time of the inspection. The pump had been pulled. (See attached Photo)

**SECTION 4-3**

**SYSTEM DESCRIPTION**

Are there multiple PODs?

YES

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):

APOD No. 3

**A. Place of Use**

Attach Claim of Beneficial Use map.

**B. Diversion and Delivery System Information**

Provide the following information concerning the diversion and delivery system. Information provided must describe the equipment used to transport and apply the water from the point of diversion to the place of use.

1. Is a pump used?

YES

If "NO" items 2 through item 5 may be deleted.

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**2. Pump Information:**

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)
JACUZZI	75DM1.5-S/B	2F8/PT19	CENTRIFUGAL

**3. Theoretical Pump Capacity:**

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
7.5	50	2	8	0.36 cfs (162 gpm)

**4. Provide pump calculations:**

Centrifugal Pump Efficiency, $e = 6.61$	Lift Head = 10'	Pressure Head @ 50psi = 127.0
$Q = \frac{HP(e)}{\Sigma H} = \frac{7.5(6.61)}{10+127} = 0.36 \text{ cfs (162 gpm)}$		

**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)
NONE TAKEN			

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

**6. Sprinkler Information:**

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
No. 9	50	5.2	15	15	0.17 cfs (78 gpm)

Reminder: For sprinkler output determination use the reference information at the end of this document.

**7. Drip Emitter Information:**

SIZE	OPERATING PSI	EMITTER OUTPUT (GPM)	TOTAL NUMBER OF EMITTERS	MAXIMUM NUMBER USED	TOTAL EMITTER OUTPUT (CFS)
			NA		

**8. Drip Tape Information:**

DRIPPER SPACING IN INCHES	GPM PER 100 FEET	TOTAL LENGTH OF TAPE	MAXIMUM LENGTH OF TAPE USED	TOTAL TAPE OUTPUT (CFS)	ADDITIONAL INFORMATION
			NA		

**C. Storage**

1. Does the distribution system include in-system storage (e.g. storage tank, bulge in system / reservoir)?

If "NO", item 2 and 3 relating to this section may be deleted.

If "YES" is it a: Storage Tank

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 NO  
 OWRD

Bulge in System / Reservoir

YES

Complete appropriate table(s), unused table may be deleted.

**3. Bulge in System / Reservoir:**

RESERVOIR NAME OR NUMBER (CORRESPOND TO MAP)	APPROXIMATE DAM HEIGHT	APPROXIMATE CAPACITY (IN ACRE FEET)
P-83004 Exempt Reservoir "C"	0	0.4

**D. Gravity Flow Pipe**

1. Does the system involve a gravity flow pipe?

NO

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

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**E. Gravity Flow Canal or Ditch**

1. Is a gravity flow canal or ditch used to convey the water as part of the distribution system?

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NO

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

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

**Murphy Ditch and the on-site irrigation system had been shut down for the winter at the time of the inspection. The pump had been pulled. (See attached Photo)**

**SECTION 5  
CONDITIONS**

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

**1. Time Limits:**

Permits and any extension final orders contain any or all of the following dates: the date when the actual construction work was to begin, the date when the construction was to be completed, and the date when the complete application of water to the proposed use was to be completed. These dates may be referred to as ABC dates. Describe how the water user has complied with each of the development timelines established in the permit or extension final order:

	DATE FROM PERMIT	DATE ACCOMPLISHED*	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	Sept. 29, 2023		
BEGIN CONSTRUCTION (A)	Sept. 29, 2028	Oct. 15, 2023	Installed Water Meter
COMPLETE CONSTRUCTION (B)	Sept. 29, 2028	Oct. 15, 2023	Installed Water Meter
COMPLETE APPLICATION OF WATER (C)	Sept. 29, 2028	Prior to 1994	Installed Water Meter

\* MUST BE WITHIN PERIOD BETWEEN PERMIT OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO COMPLETELY APPLY WATER

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

NO

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

**3. Measurement Conditions:**

a. Does the permit, permit amendment, or any extension final order require the installation of a meter or approved measuring device? **YES**

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

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

b. Has a meter been installed? **YES**

c. Meter Information

POD NO.	MANUFACTURER	SERIAL NO.	CONDITION	CURRENT METER READING	DATE INSTALLED
APOD 3	Blue-White Industries	RT-400S4-GPM1	working	0	Oct. 15, 2023

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
March, 2000	Oregon Department of Fish and Wildlife

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.

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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):

- 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.**

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? **YES**

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? **NA**

*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? **NA**

DESCRIPTION	IF INSTALLED (DATE)	IF INSTALLED, BY WHOM
NA		

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

**(See attached letter from ODFW regarding fish screen and passage device approval.)**

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**7. Other conditions required by permit, permit amendment final order, or extension final order:**

- a. Was the water user required to restore the riparian area if it was disturbed? **NO**
- b. Other conditions? **NO**

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

**BOR Contract No. 239E102207**  
**Water Transportation Agreement with Murphy Ditch Association (See attached Doc. No. 2008-7837)**

**SECTION 6**  
**ATTACHMENTS**

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

ATTACHMENT NAME	DESCRIPTION
<b>COBU Map</b>	
<b>Document No. 2008-7837</b>	<b>Water Transportation Agreement with Murphy Ditch Association</b>
<b>ODFW Letter</b>	<b>ODFW letter addressing fish protection criteria compliance</b>
<b>Photo of pump and motor</b>	
<b>Motor ID Tag</b>	
<b>Pump ID Tag</b>	
<b>Photo of flow meter</b>	
<b>Flow Meter Display</b>	
<b>Flow Meter ID Tag</b>	
<b>Flow Meter Spec Sheet</b>	

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## 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 poly 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.

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.

**The map is based upon a traversed topographic survey of the property. The surveyed locations of picture points identified on the aerial photos were used to scale and rotate the photos into an AutoCAD drawing file. The aerial photo was then used to add detail to the drawing and to identify the place of use.**

#### 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)
- 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
- Conveyance structures illustrated (pumps, reservoirs, pipelines, ditches, etc.)
- 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

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# ATTACHMENTS

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JOSEPHINE COUNTY OFFICIAL RECORDS  
GEORGETTE BROWN, COUNTY CLERK

2008-007837



\$35.00

DEE-AGR Cnt=1 Stn=4 RECEIPTS  
\$20.00 \$11.00 \$4.00

05/13/2008 09:56:32 AM

Josephine County  
Clerk & Recorder's Office

CERTIFICATE  
PAGE

This page MUST be included  
if document is re-recorded.

DO NOT remove from original document.

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WATER TRANSPORTATION AGREEMENT

Cert # 1

THIS AGREEMENT, between the MURPHY DITCH ASSOCIATION, an association organized and existing under and by virtue of the laws of the State of Oregon, hereinafter called the Association, and Andrea Applegate, a member of the Association, hereinafter called the Member,

WITNESSITH:

WHEREAS, the Association is engaged in transporting through its distribution system the irrigation water belonging to its members, and

WHEREAS, the Member desires to have his irrigation water transported through the Association's distribution system and to enter into a water transportation agreement as required by the By-Laws of the Association,

NOW, THEREFORE, in consideration of the mutual covenants, promises and agreements herein contained, it is hereby understood and agreed:

1. The Association agrees to transport through its distribution system, subject to the limitations hereinafter provided for, .16 cubic second feet of water to be used in irrigating the following-described property:

The Northwest Quarter of the Northwest Quarter of Section 19, Township 37 South, Range 5 West of the Willamette Meridian.

Less and excepting the West 500 feet.

2. The Member here-by represents and warrants that he is the owner of a water right for the quantity of water above specified and that said water right is appurtenant to the land above described. The Association has no interest in the ownership of said water, and it does not assume any liability if, for any reason, it shall be unable to divert the water of the Member from the source of supply.

3. The Member agrees to pay for the right to have such water transported at the rates prescribed by the Board of Directors of the Association pursuant to the provisions of Article XI of the By-Laws of the Association, it being understood and agreed that each member shall be subject to the payment of the same rates, assessments and charges per cubic second foot of water transported. The determination of the quantity of water transported will be based upon the quantity of water passing through the

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weirs, diversion boxes, gates or other equipment maintained at the Member's point of diversion from the distribution system of the Association, and such determination shall be made by the Association. The member shall be liable for the charges computed by applying the rates determined by the Board of Directors to the quantity of water agreed to be transported in paragraph 1 hereof, irrespective of whether or not the Member actually has that quantity of water transported. The transportation of any water in excess of that set forth in paragraph 1, shall be paid for at the rates prescribed by the Board of Directors.

4. Payment of all charges imposed by the Board of Directors pursuant to Article XI of the By-Laws of the Association shall be made by such time as the By-Laws or the Board of Directors, as the case may be, shall specify. The Association, in addition to all other rights, may refuse to transport any water through its distribution system until all delinquent charges are paid.

5. The Articles of Association and the By-Laws of the Association and all amendments thereto, including those hereafter adopted, shall be deemed a part of this agreement, and the Member agrees to be bound and to abide thereby.

6. In case suit or action is brought by any party to this agreement against the other or against a guarantor or co-obligor of the Member, the prevailing party in such litigation shall be entitled to a judgment for reasonable attorneys fees, including the Oregon Supreme Court, which amount the losing party agrees to pay, the amount of which shall be determined by the Court, and which shall be in addition to other costs and disbursements allowed by statute.

In addition, in the event the Member is 12 months delinquent in payment of charges to the Association, and the Association seeks legal assistance to collect the same, but legal suit is not filed, the Member and all guarantors and any obligors of the Member agree to pay reasonable legal expenses incurred by the Association, and if not so paid on demand, the same may be added to the water charges against the Member.

7. The Member hereby agrees and warrants that the MURPHY DITCH ASSOCIATION shall have a lien upon the real property described in paragraph 1 heretofore for all charges computed pursuant to paragraph 3 hereof. Said lien shall attach to such property immediately upon the determination and promulgation by the Directors of the Association of the then current annual charge per acre for lands served by the MURPHY DITCH ASSOCIATION. Such annual charge per acre shall be promulgated publicly by the Directors of the MURPHY DITCH ASSOCIATION not later than the 10<sup>th</sup> day of March of each year.

Liens against the property of Members shall be subject to foreclosure and levy only after they become delinquent. An annual charge shall not be considered delinquent until it is at least 12 months overdue beyond the date it attached. In the event the MURPHY DITCH ASSOCIATION is required to retain counsel to collect, foreclose or levy upon the lien created hereunder, it shall, under the terms of paragraph 6 hereof, be entitled to a reasonable attorneys' fee therefor.

8. This contract shall be in full force and effect continuously hereafter so long as the Member shall continue to be a member of the Association.

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IN TESTIMONY WHEREOF, the parties hereto have executed this agreement this 8<sup>th</sup> day of MAY, 2008 By [Signature] as President for Murphy Ditch Association

ATTEST: SECRETARY [Signature]  
MEMBER, Andrea Applegate

GUARANTY OF PERFORMANCE

The undersigned, being a co-owner or co-vendee with the Member of the real property described above herewith agrees to be jointly and severally liable for all charges of the Association against the Member as provided in the above Water Transportation Agreement, and to be bound by all other provisions of the Water Transportation Agreement to the same extent the Member is bound.

Dated this 8<sup>th</sup> day of May, 2008

STATE OF Oregon  
COUNTY OF Josephine ss:

May 9, 2008, personally appeared the above-named Andrea Applegate Member, and acknowledged the foregoing instrument to be a voluntary act and deed.

BEFORE ME:



[Signature]  
KAREN G. LAWRENCE  
NOTARY PUBLIC FOR OREGON  
COMMISSION NO. 355705  
MY COMMISSION EXPIRES SEPTEMBER 18, 2009

STATE OF \_\_\_\_\_ )  
COUNTY OF \_\_\_\_\_ ) ss:

\_\_\_\_\_, 19\_\_\_\_, personally appeared the above-named \_\_\_\_\_, Guarantor, and acknowledged the foregoing instrument to be a voluntary act and deed.

BEFORE ME:

NOTARY PUBLIC FOR \_\_\_\_\_  
MY COMMISSION EXPIRES \_\_\_\_\_

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# 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)



January 10, 2024

Andrea Applegate  
7980 New Hope Rd.  
Grants Pass, OR 97527

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Dear Andrea,

Regarding OWRD permit S-55496, ODFW has determined the fish screen and passage devices at Point-Of-Diversion #2 (POD #2) meet current fish protection criteria. POD #3 is located in the Murphy Ditch screened by POD #2 and no fish screen or passage is necessary. Thank you.

Sincerely,

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



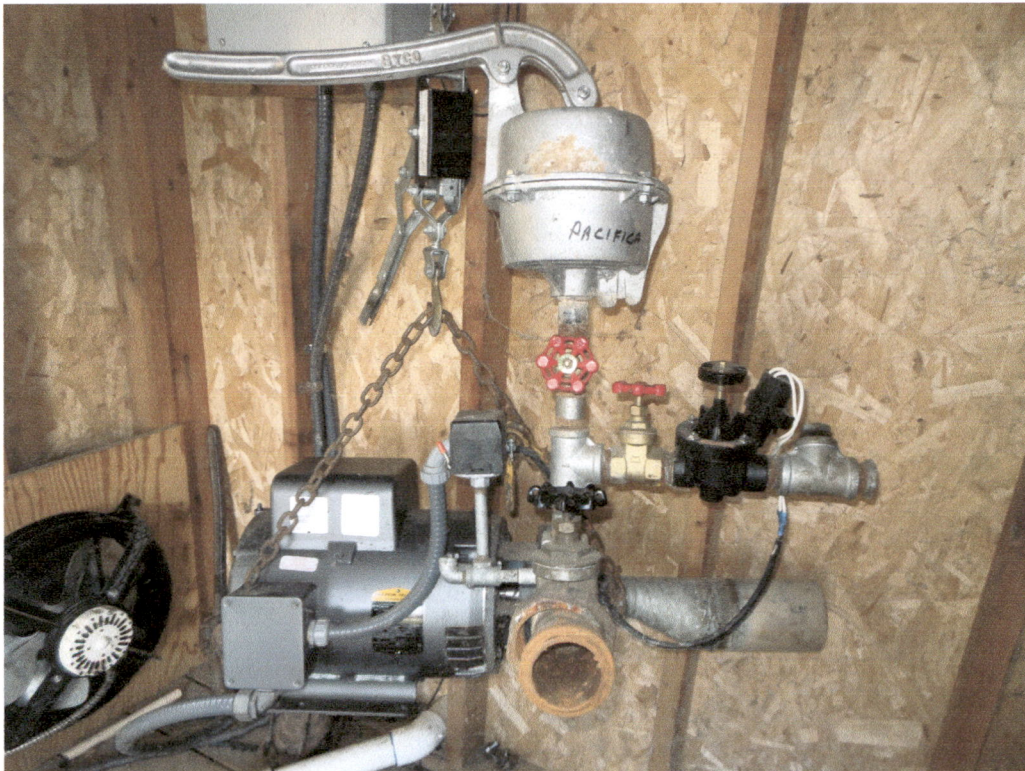
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System: Inlet Pipe, Pump, Motor, Flow Meter



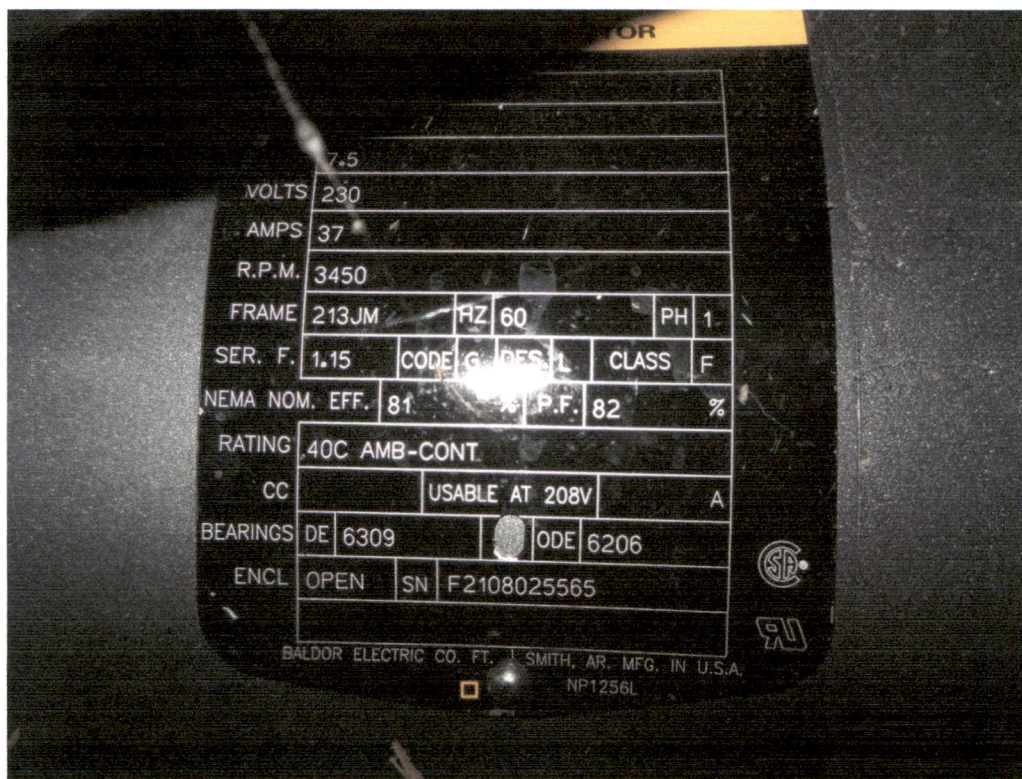
Pump and Motor



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Motor Identification Tag



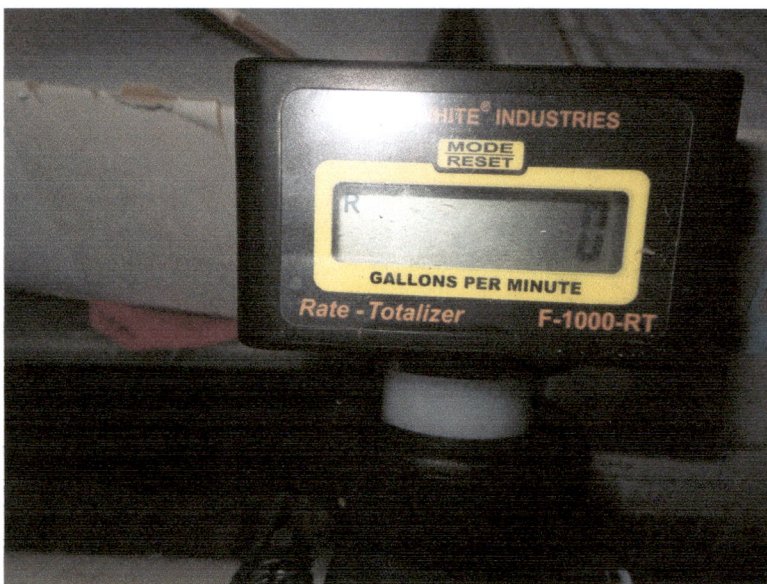
Pump Identification Tag



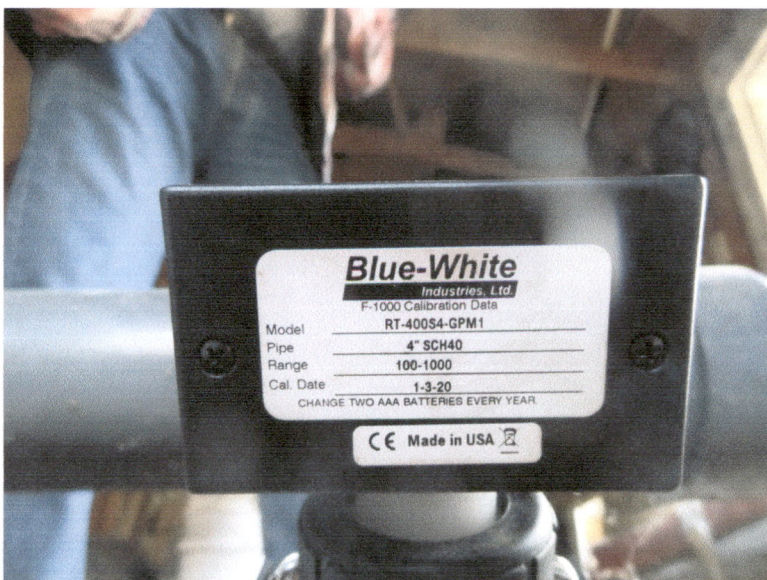
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Flow Meter



Flow Meter Display



Flow Meter Identification Tag

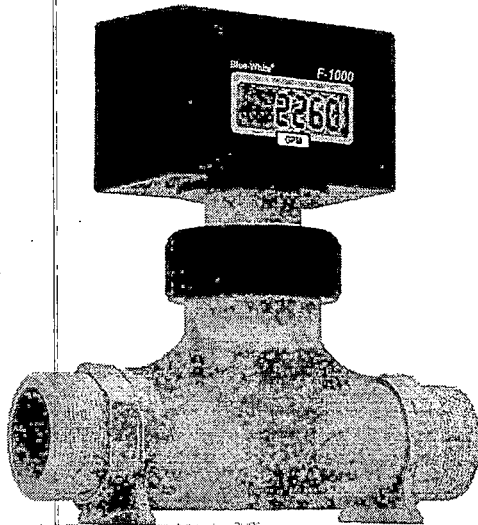
# F-1000

Digital Paddlewheel Flow Meter

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## Features

- > High accuracy digital paddlewheel technology
- > 3/8", 1/2", 3/4", 1", 1-1/2", and 2" molded inline tee models
- > Up to 12" pipe size with saddle mount units
- > Tamper proof factory programming
- > Easy to read 6 digit LCD display, up to 4 decimal places
- > Very low pressure drop
- > Total reset function can be disabled

Video link:



**NEMA 4X**

## Highlights

### Flow range

.4 - 8,000 GPM  
1 - 27,000 LPM

### Pressures

300 PSI  
(20.7 bar)

### Pressure drop

0 - 8 PSI  
(varies per model)

### Full Scale Accuracy

+/- 2%

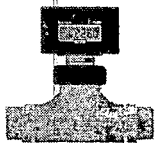
### Power supply

Battery operated

### Warranty

1 Year

## Available Models



Molded Fittings



Saddle Mount  
Fittings



PVC Fittings

