

**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

A fee of \$345 must accompany this form for transfers where the application was submitted on July 9, 1987, or later.

Enter the date the transfer application was submitted:

April 6, 2023

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 503-986-0900.

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>

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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-14209

2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME Q Bar X Ranch		PHONE NO. 541-592-3382	ADDITIONAL CONTACT NO.
ADDRESS P.O. Box 3210			
CITY Kerby	STATE OR	ZIP 97531	CITY Kerby

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 Same as above		
ADDRESS		
CITY	STATE	ZIP

4. Date of Site Inspection:

6/20/2025

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

NAME	DATE	ASSOCIATION WITH THE PROJECT
Jim McCarthy	6/20/2025	Project Sponsor

6. County:

Josephine

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

OWNER OF RECORD		
ADDRESS		
CITY	STATE	ZIP

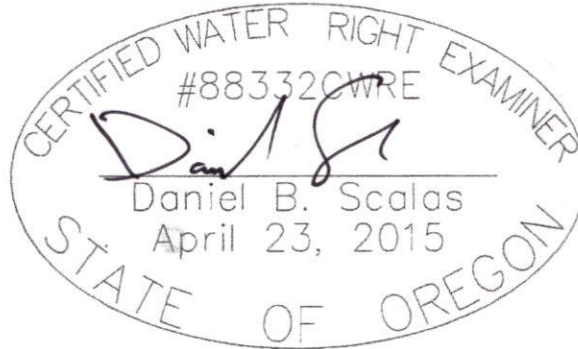
Add additional tables for owners of record as needed

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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.



RENEWAL 06/30/26

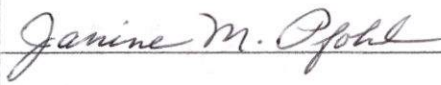
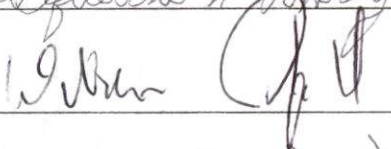
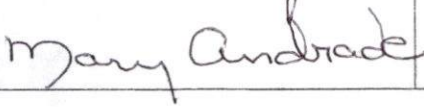
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CWRE NAME Daniel B. Scalas	PHONE NO. 541-884-4666	ADDITIONAL CONTACT NO.
ADDRESS 1435 Esplanade Ave.		
CITY Klamath Falls	STATE OR	ZIP 97601
CITY Klamath Falls		

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
	Janine Pfohl	OWNER	8-7-25
	Jacqueline Doherty	OWNER	8-5-25
	William Pfohl	OWNER	8-7-25
	Mary Andrade	owner	8-5-2025

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	Illinois River
POD 3	Illinois River

2. Variations:

Was the use developed differently from what was authorized by the transfer final order, **NO**
or extension final? If yes, describe below.

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

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	4.095 CFS	3.55 CFS	N/A
POD 3	4.445 CFS	3.56 CFS	N/A


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SECTION 4

SYSTEM DESCRIPTION

Are there multiple new or additional Points of Diversion (POD)s?

YES

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
Cornell	5YBQ18	Unknown	Centrifugal	8"	5"

2. Motor Information

MANUFACTURER	HORSEPOWER
Baldor	25 HP

3. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
25 HP	36 PSI	5'	46'	3.55 CFS

4. Provide pump calculations:

--

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)
N/A			

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?

NO

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?

YES

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2. Complete the table:

CANAL OR DITCH TYPE (MATERIAL)	TOP WIDTH OF CANAL OR DITCH	BOTTOM WIDTH OF CANAL OR DITCH	DEPTH	"N" FACTOR	AMOUNT OF FALL	LENGTH OF CANAL / DITCH	SLOPE	COMPUTED RATE (IN CFS)
Earth	21.0'	5.0'	2.3'	0.03	24.0'	16,950'	0.1%	69.1 CFS

3. Provide calculations:

See Attachment D for Gravity Flow Ditch Calculations.

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)
N/A			

Attach measurement notes.

D. Additional notes or comments related to the system:

See Attachment E for the pump manufacturer's data sheet.

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

POD 3

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
Cornell	5YBQ18	Unknown	Centrifugal	8"	5"

2. Motor Information

MANUFACTURER	HORSEPOWER
Baldor	30 HP

3. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
30 HP	42 PSI	3'	63'	3.56 CFS

4. Provide pump calculations:

--

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)
N/A			

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?

NO

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?

YES

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2. Complete the table:

CANAL OR DITCH TYPE (MATERIAL)	TOP WIDTH OF CANAL OR DITCH	BOTTOM WIDTH OF CANAL OR DITCH	DEPTH	"N" FACTOR	AMOUNT OF FALL	LENGTH OF CANAL / DITCH	SLOPE	COMPUTED RATE (IN CFS)
Earth	21.0'	5.0'	2.3'	0.03	24.0'	16,950'	0.1%	69.1 CFS

3. Provide calculations:

See Attachment D for Gravity Flow Ditch Calculations.

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)
N/A			

Attach measurement notes.

D. Additional notes or comments related to the system:

See Attachment E for the pump manufacturer's data sheet.

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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 *THIS DATE MUST FALL BETWEEN THE "ISSUANCE DATE" AND THE "COMPLETENESS DATE"
ISSUANCE DATE	4/22/2024	
COMPLETENESS DATE FROM ORDER (C)	10/1/2025	9/26/2024

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

2. Is there an extension final order(s)? NO

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

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	Seametrics	06241392	Working	42,857 gallons	9/26/2024
POD 3	Seametrics	06241391	Working	102,167 gallons	9/26/2024

4. Recording and reporting conditions

a. Is the water user required to report the water use to the Department? NO

5. Fish Screening

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

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

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c. When was the fish screening installed?

DATE	BY WHOM
9/26/2024	Siskiyou Pump Service, Inc.

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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? **N/A**

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?

YES

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 device is necessary because a fish screening device is installed at each point of diversion.	N/A	N/A

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**

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

The water user shall install a headgate to control and regulate the quantity of water diverted
- **A pipe cap is installed at each new point of diversion near the pump and flowmeter. Caps are also installed at the end of the pipes where the water is diverted into the irrigation ditch.**

SECTION 6

ATTACHMENTS

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

ATTACHMENT NAME	DESCRIPTION
Attachment A	Copy of Transfer Final Order T-14209
Attachment B	Claim of Beneficial Use Map (on mylar)
Attachment C	Claim of Beneficial Use Map (paper copy)
Attachment D	Gravity Flow Ditch Calculations
Attachment E	Pump Manufacturer's Data Sheet
Attachment F	ODFW Fish Screen Approval Letter
Attachment G	Josephine County Tax Maps 38-8-33, 39-8-4, 39-8-5, and 39-8-8

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.

The Claim of Beneficial Use Map was prepared from field measurements, NAIP 2025 aerial photography, Josephine County tax maps, and Oregon GLO maps.

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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
- ☒ N/A 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
- ☒ Quarter-Quarters illustrated and named (NE NE, NW NE, etc.)
- ☒ 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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ATTACHMENT A
Copy of Transfer Final Order T-14209

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

In the Matter of Transfer Application	)	FINAL ORDER
T-14209, Josephine County	)	APPROVING A CHANGE IN POINTS 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

Q BAR X RANCH
PO BOX 3210
KERBY, OR 97531

Findings of Fact

1. On April 6, 2023, Q BAR X RANCH filed an application to change the points of diversion under Certificates 13935, 20780, and 3394. The Department assigned the application number T-14209.
2. Notice of the application for transfer was published on April 18, 2023, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On December 20, 2023, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-14209 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of January 19, 2024, 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.
4. On February 26, 2024, the Department issued a Preliminary Determination proposing to approve Transfer Application T-14209 and sent a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published in the

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.

Department's weekly notice on February 27, 2024, and in the Daily Courier newspaper on March 1, 2024, and March 8, 2024, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

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

Certificate: 3394 in the name of J. B. KURTZ (perfected under Permit S-3680)
Use: IRRIGATION OF 20.3 ACRES
Priority Date: SEPTEMBER 28, 1917
Rate: 0.255 CUBIC FOOT PER SECOND
Limit/Duty: 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 0.255 cubic feet per second, or its equivalent in case of rotation. The use hereunder for irrigation shall conform to such reasonable rotation system as may be ordered by the proper state officer.
Source: ILLINOIS RIVER, tributary of the ROGUE RIVER

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
39 S	8 W	WM	8	SW SE	11.0
39 S	8 W	WM	8	SE SE	9.3
TOTAL					20.3

6. The applicant provided additional information to better describe the authorized point of diversion in Certificate 3394 as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
39 S	8 W	WM	20	SW NE	(POD 1) - 2280 FEET SOUTH AND 1420 FEET WEST FROM THE NE CORNER OF SECTION 20

7. Transfer Application T-14209 proposes to move the authorized point of diversion downstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance from Authorized Point of Diversion
39 S	8 W	WM	4	SW NW	POD 2 - 1440 FEET SOUTH AND 250 FEET EAST FROM THE NW CORNER OF SECTION 4	1.25 miles downstream
39 S	8 W	WM	16	NW NW	POD 3 - 750 FEET SOUTH AND 910 FEET EAST FROM THE NORTHWEST CORNER OF SECTION 16	3.2 miles downstream

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

Certificate: 13935 in the name of TWOHY BROTHERS CO. (confirmed by Illinois River Decree (F))

Use: IRRIGATION OF 49.5 ACRES AND SUPPLEMENTAL IRRIGATION OF 63.7 ACRES

Priority Date: OCTOBER 1, 1898

Limit/Duty: The amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed ONE CUBIC FOOT PER SECOND for each 50 ACRES of land irrigated during the irrigation season from April 1 to November 1 of each year.

Period of Use: April 1 to November 1

Source: ILLINOIS RIVER, tributary to the ROGUE RIVER

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
38 S	8 W	WM	33	NW NW	0.9
38 S	8 W	WM	33	SW NW	3.6
39 S	8 W	WM	8	NE NE	25.0
39 S	8 W	WM	8	SE NE	20.0
TOTAL					49.5

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
38 S	8 W	WM	33	NW SW	4.0
39 S	8 W	WM	4	NW NW	12.0
39 S	8 W	WM	5	SE NE	17.7
39 S	8 W	WM	5	NE SE	10.0
39 S	8 W	WM	5	SE SE	20.0
TOTAL					63.7

9. Certificate 13935 does not describe the location of the authorized point of diversion. The applicant has provided location of the authorized point of diversion as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
39 S	8 W	WM	20	SW NE	2280 FEET SOUTH AND 1420 FEET WEST FROM THE NE CORNER OF SECTION 20

10. Transfer Application T-14209 proposes to move the authorized point of diversion downstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance from Authorized Point of Diversion
39 S	8 W	WM	4	SW NW	POD 2 - 1440 FEET SOUTH AND 250 FEET EAST FROM THE NW CORNER OF SECTION 4	1.25 miles downstream

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Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance from Authorized Point of Diversion
39 S	8 W	WM	16	NW NW	POD 3 - 750 FEET SOUTH AND 910 FEET EAST FROM THE NORTHWEST CORNER OF SECTION 16	3.2 miles downstream

11. The portion of the third right to be transferred is as follows:

Certificate: 20780 in the name of LLOYD A. JOHNSON; C/O ALLEN & SCHULTZ, ATTORNEYS (perfected under Permit S-22718)
Use: IRRIGATION OF 96.4 ACRES
Priority Date: NOVEMBER 20, 1953
Rate: 1.93 CUBIC FEET PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-FIFTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: ILLINOIS RIVER, tributary of the ROGUE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q
39 S	8 W	WM	20	SW NE

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
38 S	8 W	WM	33	SW NW	13.9
38 S	8 W	WM	33	NW SW	15.0
39 S	8 W	WM	4	SW NW	3.0
39 S	8 W	WM	5	NE SE	20.0
39 S	8 W	WM	5	SW SE	2.0
39 S	8 W	WM	5	SE SE	10.0
39 S	8 W	WM	8	NE NE	10.0
39 S	8 W	WM	8	NW NE	5.0
39 S	8 W	WM	8	SE NE	2.3
39 S	8 W	WM	8	NE SE	11.3
39 S	8 W	WM	8	NW SE	3.9
TOTAL					96.4

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12. Certificate 20780 describes the location of the authorized point of diversion as described above; however, the applicant provided additional information to better describe the authorized point of diversion as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
39 S	8 W	WM	20	SW NE	2280 FEET SOUTH AND 1420 FEET WEST FROM THE NE CORNER OF SECTION 20

13. Transfer Application T-14209 proposes to move the authorized point of diversion downstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance from Authorized Point of Diversion
39 S	8 W	WM	4	SW NW	POD 2 - 1440 FEET SOUTH AND 250 FEET EAST FROM THE NW CORNER OF SECTION 4	1.25 miles downstream
39 S	8 W	WM	16	NW NW	POD 3 - 750 FEET SOUTH AND 910 FEET EAST FROM THE NORTHWEST CORNER OF SECTION 16	3.2 miles downstream

14. The following table describes the acreages to be irrigated under the new points of diversion:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Proposed POD
38 S	8 W	WM	33	SW NW	13.9	POD 2 and POD 3
38 S	8 W	WM	33	NW SW	15.0	POD 2 and POD 3
39 S	8 W	WM	4	SW NW	3.0	POD 2 and POD 3
39 S	8 W	WM	5	NE SE	20.0	POD 2 and POD 3
39 S	8 W	WM	5	SW SE	2.0	POD 2 and POD 3
39 S	8 W	WM	5	SE SE	10.0	POD 2 and POD 3
39 S	8 W	WM	8	NE NE	10.0	POD 2 and POD 3
39 S	8 W	WM	8	NW NE	5.0	POD 2 and POD 3
39 S	8 W	WM	8	SE NE	2.3	POD 3
39 S	8 W	WM	8	NE SE	11.3	POD 3
39 S	8 W	WM	8	NW SE	3.9	POD 3
TOTAL					96.4	

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15. 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 690-380-0100(14), 690-380-4010(2) and 690-380-2110(2)]

16. Water has been used within the five-year period prior to submittal of Transfer Application T-14209 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.

17. A water delivery system sufficient to use the full amount of water allowed under the existing rights was present within the five-year period prior to submittal of Transfer Application T-14209.
18. The water rights are subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
19. The proposed point of diversion diverts water from the same source of surface water as the authorized point of diversion, as required by OAR 690-380-2110(2).
20. The proposed changes, as conditioned, would not result in enlargement of the rights.
21. The proposed changes, as conditioned, would not result in injury to other existing water rights.
22. All other application requirements are met.

Conclusions of Law:

The change in points of diversion proposed in Transfer Application T-14209 are consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The change in points of diversion proposed in Transfer Application T-14209 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 3394, 13935, and 20780 and any related decree.
3. Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new points of diversion.
4. Water right Certificates 3394, 13935, and 20780 are cancelled. New certificates will be issued describing the portion of the rights not affected by this transfer.
5. The quantity of water diverted at the new points of diversion shall not exceed the quantity of water lawfully available at the original point of diversion.
6. The quantity of water diverted at the new points of diversion, together with that diverted at the original points of diversion, shall not exceed the quantity of water lawfully available at the original points of diversion.
7. Water shall be acquired from the same source of surface water as the original points of diversion.
8. Water use measurement conditions:

- a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of diversion.
 - b. The water user shall maintain the meters or measuring devices in good working order.
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.
9. Prior to diverting water, the water user shall install a headgate to control and regulate the quantity of water diverted. The type and plans of the headgate must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department. The water user shall maintain the headgate as required by the Department.
 10. Prior to diverting water, the water user shall install a fish screening and/or by-pass device, as appropriate, at the new points 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.
 11. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2025**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
 12. After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.

Dated in Salem, Oregon on **APR 22 2024**



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
DOUGLAS E. WOODCOCK, ACTING DIRECTOR
Oregon Water Resources Department

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Mailing date: **APR 23 2024**

ATTACHMENT B
Claim of Beneficial Use Map (on mylar)

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ATTACHMENT C
Claim of Beneficial Use Map (paper copy)

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ATTACHMENT D

Gravity Flow Ditch Calculations

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Ditch Capacity Calculator

using Manning's Formula

Pomeroy Ditch

Date: 6/23/2025

Data Entry (fill in underlined blanks)

Top Width = 21.0 feet
Bottom Width = 5.0 feet
Depth = 2.3 feet
Fall = 24 feet per 16950 feet of distance
Grade = 0.00141593 , or 0.1%
n Factor = 0.03

Results calculated

Area of cross-section = 29.9 square feet
Wetted Perimeter = 21.6481 feet
Hydraulic Radius = 1.38118
Velocity = 2.312 feet per second

Calculated Ditch Capacity = 69.1 cubic feet per second

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ATTACHMENT E

Pump Manufacturer's Data Sheet

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Company:
Name:
Date: 04/16/2024

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Pump:

Size: 5YBQ
Type: Clear Liquids
Synch Speed: 1800 rpm
Line: 9.25" x 10°
Curve: 5YBQ18

Dimensions:
Suction: 8 in
Discharge: 5 in

Fluid:

Name: Water
SG: 1
Density: 62.4 lb/ft³
Viscosity: 1.1 cP
Temperature: 60 °F

Vapor Pressure: 0.256 psi a
Atm Pressure: 14.7 psi a
Margin Ratio: 1

Search Criteria:

Flow: 1350 US gpm
Head: 50 ft
Near Miss: ---
Static Head: 0 ft

Pump Limits:

Temperature: ---
Wkg Pressure: ---
Sphere Size: 0.75 in

Motor:

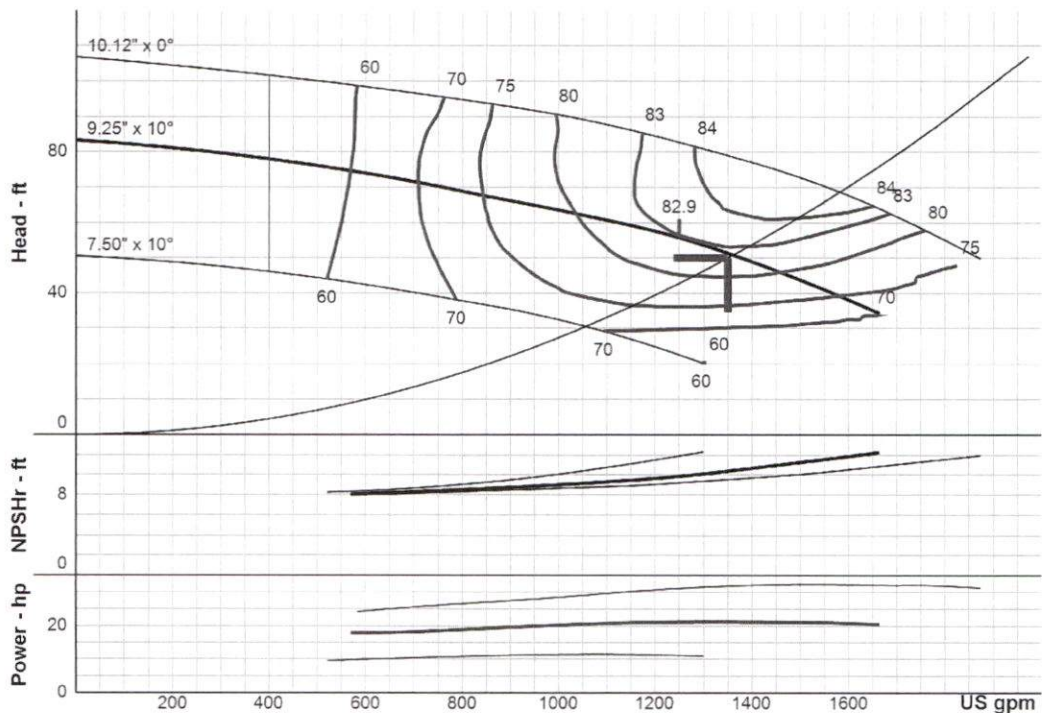
Standard: NEMA
Enclosure: TEFC
Frame: 284T
Sizing Criteria: Max Power on Design Curve

Size: 25 hp
Speed: 1800 rpm

Pump Selection Warnings:

None

--- Duty Point ---	
Flow:	1359 US gpm
Head:	50.6 ft
Eff:	81.4%
Power:	21.2 hp
NPSHr:	10.5 ft
Speed:	1775 rpm
--- Design Curve ---	
Shutoff Head:	83.3 ft
Shutoff dP:	36.1 psi
Min Flow:	400 US gpm
BEP:	82.9% @ 1249 US gpm
NOL Power:	21.2 hp @ 1249 US gpm
--- Max Curve ---	
Max Power:	32.4 hp @ 1546 US gpm



Min flow line represents the absolute lowest flow pump can operate. For flow rates to the left of the first efficiency line on the curve, consult your Cornell Sales representative. Actual efficiency and HP may vary depending on mounting configuration. Refer to Catalog curve.

Performance Evaluation:

Flow US gpm	Speed rpm	Head ft	Efficiency %	Power hp	NPSHr ft
1620	1775	36.9	73	20.7	12
1350	1775	51	81	21.2	10.4
1080	1775	61.1	81	20.6	9.29
810	1775	68.6	74	19	8.58
540	1775	75.1	58	17.8	8.07

Pump Data Sheet - Cornell

Company:
Name:
Date: 04/16/2024

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Pump:

Size: 5YBQ
Type: Clear Liquids
Synch Speed: 1800 rpm
Line: 9.88" x 10"
Curve: 5YBQ18

Dimensions:
Suction: 8 in
Discharge: 5 in

Fluid:

Name: Water
SG: 1
Density: 62.4 lb/ft³
Viscosity: 1.1 cP
Temperature: 60 °F

Vapor Pressure: 0.256 psi a
Atm Pressure: 14.7 psi a
Margin Ratio: 1

Search Criteria:

Flow: 1350 US gpm
Head: 65 ft
Near Miss: ---
Static Head: 0 ft

Pump Limits:

Temperature: ---
Wkg Pressure: ---
Sphere Size: 0.75 in

Motor:

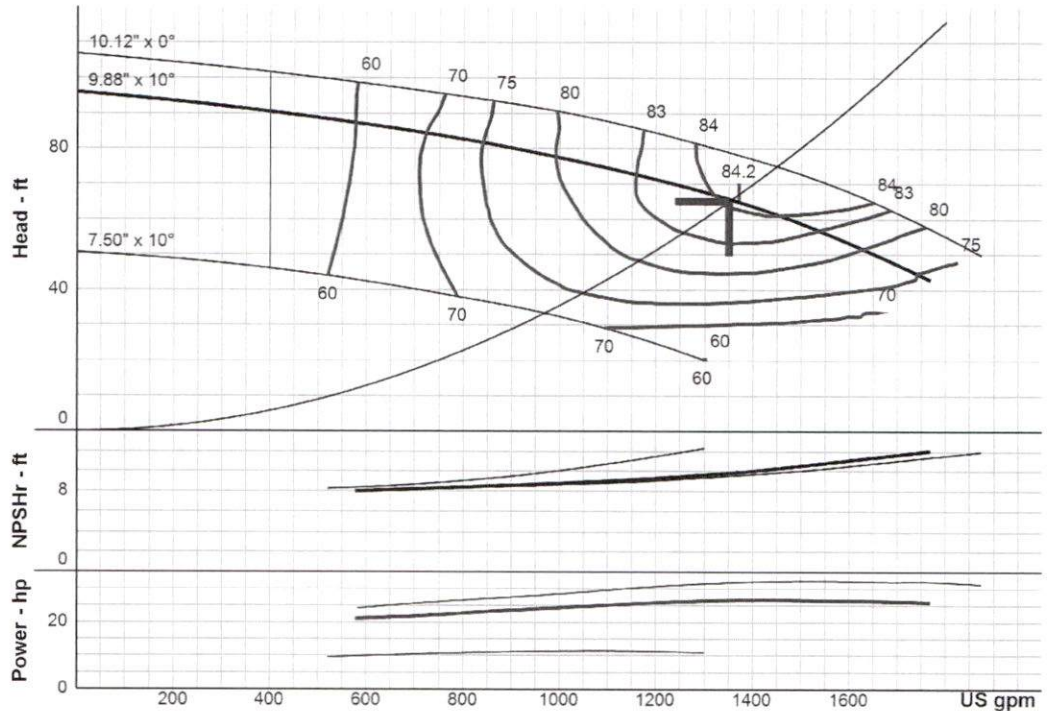
Standard: NEMA
Enclosure: TEFC
Frame: 286T
Sizing Criteria: Max Power on Design Curve

Size: 30 hp
Speed: 1800 rpm

Pump Selection Warnings:

None

--- Duty Point ---	
Flow:	1355 US gpm
Head:	65.5 ft
Eff:	84.1%
Power:	26.6 hp
NPSHr:	9.87 ft
Speed:	1775 rpm
--- Design Curve ---	
Shutoff Head:	95.9 ft
Shutoff dP:	41.5 psi
Min Flow:	400 US gpm
BEP:	84.2% @ 1371 US gpm
NOL Power:	26.7 hp @ 1455 US gpm
--- Max Curve ---	
Max Power:	32.4 hp @ 1546 US gpm



Min flow line represents the absolute lowest flow pump can operate. For flow rates to the left of the first efficiency line on the curve, consult your Cornell Sales representative. Actual efficiency and HP may vary depending on mounting configuration. Refer to Catalog curve.

Performance Evaluation:

Flow	Speed	Head	Efficiency	Power	NPSHr
US gpm	rpm	ft	%	hp	ft
1620	1775	52	80	26.5	11.2
1350	1775	65.7	84	26.6	9.85
1080	1775	75	82	25	9.02
810	1775	82.4	74	22.8	8.45
540	1775	87.8	57	21	8.02

ATTACHMENT F
ODFW Fish Screen Approval Letter

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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



June 26, 2025

Q Bar X Ranch
900 Westside Rd.
Kerby, OR 97531

Dear Dan and Mary Andrade,

Regarding OWRD Transfer T-14209, ODFW has determined the fish screens at both points-of-diversion located at approximately (42.209575, -123.660010) and (42.182246, -123.657734) meet current fish protection criteria, and fish bypass devices are not necessary. This approval is contingent on the following: 3cfs flow rate and Pump Rite M-1500 framed screens 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

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ATTACHMENT G
Josephine County Tax Maps 38-8-33,
39-8-4, 39-8-5, and 39-8-8

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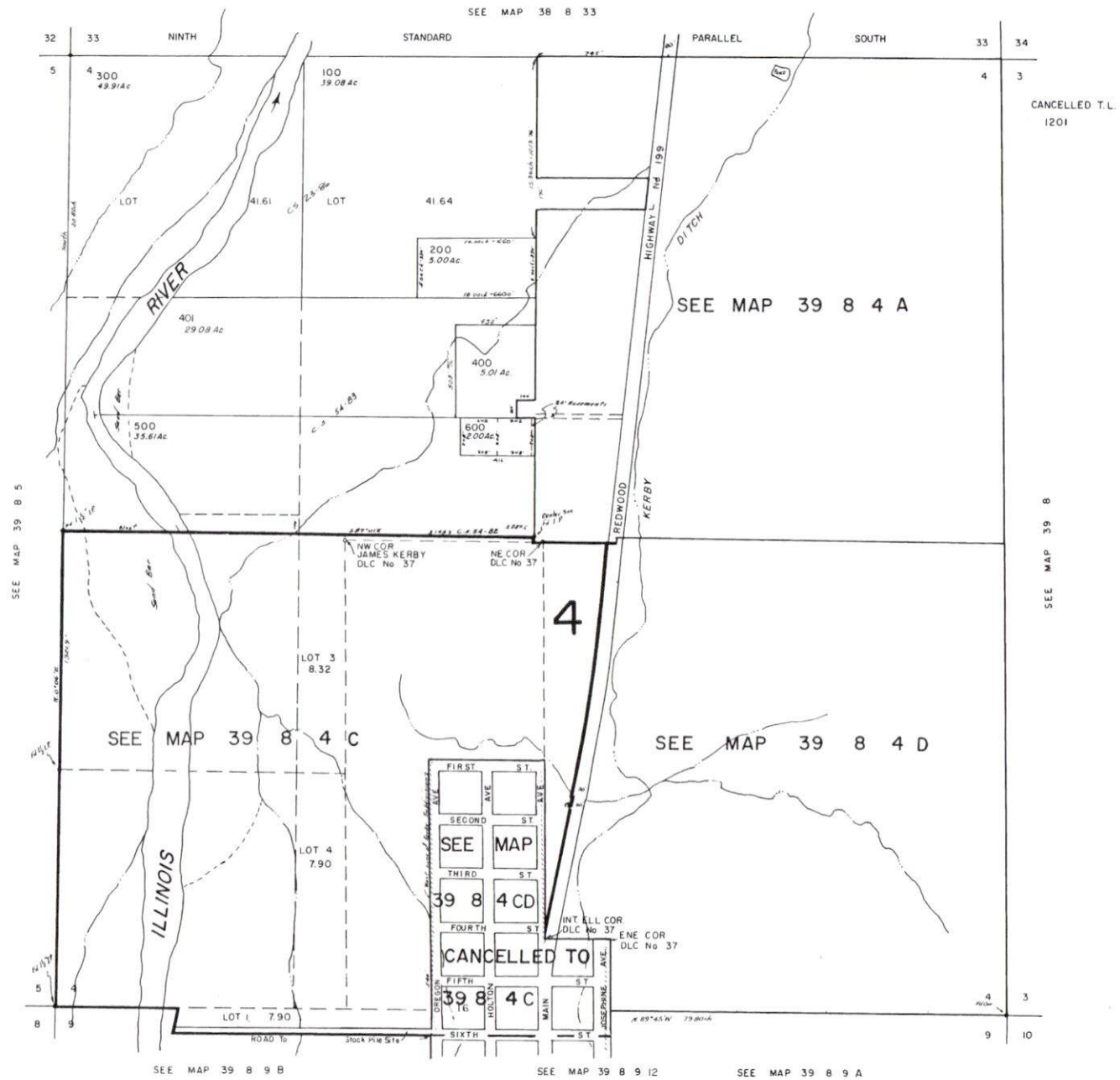
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38 08 33

38 08 33

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This map was prepared for
assessment purposes only.



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THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

0 400 800 Feet

SECTION 5 T.39S. R.8W. W.M.
JOSEPHINE COUNTY
1" = 400'

39 08 05

CANCELLED:
100



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39 08 05

OREGON WATER RESOURCES DEPARTMENT
ACCOUNT ACTIVITY RECORD

Account Name: Water Watch of Oregon

Account #: CA0016 Activity Date: 8/18/2025

Please complete and leave with Customer Service Representative. CSG, please place in ASD mailbox.

Transaction Description	Number of Items or Hours	Project Name (If Applicable)	Customer Contact Name (Person Making Copies)	OWRD Personnel Providing Assistance(Or Verifying Fees)	Amount (\$) of Activity
Deposit to Account:					
Copying: Self Service Agency Assisted					
Faxing:					
Research:					
Other: OBU T-14209	(\$345.00) 46111		Q Bar X Ranch	Sarah Benham	\$345.00
Other:					

*** Insufficient Funds in account**

Your account may be required to provide an account project number per your accounting department. If required, please have your project number ready upon any service request.