

**TALENT IRRIGATION DISTRICT
TRANSFER APPLICATION CHECKLIST**

**(Transfers will not be accepted without all required information completed and supplied
at the time of submitting the Transfer Application)**

Is the irrigation account paid current on the "From" Lands _____

TID Application for Transfer of Water Rights completed for "From" and "To" Lands _____

Notarized Oath of Valid Water Rights & Statement Supporting Change for "From" Land _____

Paid TID non-refundable filing fee of \$750.00 _____

Copy of letter sent to the mortgage holder notifying them of water right status change (if applicable) _____
From Land _____
To Land _____

Property Profile or Par Report from a title company for _____
From Land _____
To Land _____

Copy of Warranty Deed for _____
From Land _____
To Land _____

Maps prepared by a Certified Water Rights Examiner, licensed surveyor, or other water rights examiner acceptable to the District. (See transfer packet for specifics on mapping requirements.) _____
Map for "From" Land _____
Map for "To" Land _____

Written and recorded easements for access to the District's water source for "To" Land (if needed) _____

Soil classification information supplied for the "To" Land _____

Is a turnout required for water use? Yes or No _____

Fill out, sign and date the OWRD Notice of District Permanent Transfer (This form must be signed and dated by both the "From" Land Owners and the "To" Land Owners) _____

Do the "From" Land Acres and the "To" Land Acres match exactly on the TID Application, OWRD Notice of District Permanent Transfer and the maps being submitted? _____

A photo of the place of diversion from the Districts' existing facilities and a color photo of the land that the water is going to be placed on. The photo should have any existing or proposed irrigation water lines drawn on it. _____

Aerial photograph of the "To" land tax lot _____

TALENT IRRIGATION DISTRICT WATER RIGHT TRANSFER POLICY

The Board of Directors of the Talent Irrigation District, State of Oregon Water Resources Department, and the United States Bureau of Reclamation has the authority to approve or deny an application for transfer of water right. The Board will handle each transfer on a case-by-case basis. All requests for water rights that are received go into the existing request file (waiting list). When the District receives a request for transfer of water rights it will perform a preliminary review to determine if the request is feasible. The Board reserves the right to deny an application for transfer of water right. All decisions by the Board of Directors are final. It is the policy of the Board to allow water right transfers as follows:

- 1) To land belonging to the same owner and having the same source of water,
- 2) Private transfer of water rights
- 3) To the District Water Right Transfer Pool for distribution to the next available property on the list based on earliest application and capacity available.

Existing points of delivery will remain in the same location and it will be the landowner's responsibility to get the water to the new location. In some instances, a new point of delivery will need to be established at the landowner's expense.

The Board has many factors to keep in mind when considering a transfer. The following are a few:

- 1) Is the water right valid?
- 2) Does the District have any requests to receive transferred water rights from this source?
- 3) Is the property located within the boundaries of the district?
- 4) Has the property been classified as irrigable by the United States Bureau of Reclamation?
- 5) Is the property considered eligible for water according to the State of Oregon Water Right Certificate?
- 6) Is the transfer in the best interest of the district as a whole?
- 7) Is there capacity in the canal/lateral to serve the property?
- 8) Where will the point of delivery be?

All accounts must be current before an Application for Transfer can be considered.

The applicant will, at their expense, have the area being transferred from and the area being transferred to shown on a map drawn to the same scale as the Jackson County assessor's map for each parcel of land. The map(s) must be drawn by a licensed surveyor, licensed Certified Water Rights Examiner (CWRE) or other water rights examiner acceptable to the district. The maps must include the following:

- 1) The boundaries of the irrigated area (fences, ditches, roads and road names, etc.), must be shown on a map drawn to the same scale as the Jackson County assessor's map for the parcel of land.
- 2) The acreage on each tax lot and the quarter/quarter section.
- 3) Point of delivery from existing District canal or lateral.
- 4) Location of area where any runoff will leave the property and how it will be controlled.
- 5) Supply a photocopy of the metes and bounds description for the entire tax lot involved in the transfer.
- 6) Supply proof of legal access to the water supply. Easements, right-of-ways, or ditch rights necessary for a proposed change are private matters between the applicant and the other landowners involved.
- 7) If the water right is to be delivered through a stream, the landowner is responsible for meeting all environmental, and fish and wildlife concerns, such as screening passage, etc.

The district will apply for the transfer with the Oregon Water Resources Department and the United States Bureau of Reclamation, if applicable.

The new water right landowner must pay for any additions or improvements to the district's facilities to allow use, such as:

- 1) Pump boxes, turnouts, etc.
- 2) Pipelines, ditches, etc.
- 3) Acquire and record any easements necessary for the transfer of water use and give copies of easements to the district.

The district requires sprinkler irrigation or some other proven equal water-conservation method.

The district requires metering of all new water use. The meter must read out in gallons per minute.

The landowner must obtain a Property Profile Report or Par Search through a title company of their choice and pay all expenses involved. This report may not be older than six months. A photocopy of the most recent deed showing the transfer applicant is the legal owner of the property involved in the transfer.

The district requires a photocopy of the letter from the landowner to the mortgage holder (if any) notifying them of the purposed changed in status of the water right on the "to" and "from" lands (if applicable).

A copy of the deed to the affected property must be supplied to the district.

Additional lands on any transfer can be donated to Talent Irrigation District's Transfer Pool for available transfer to the waiting list. Example: 20 acres of land being transferred to 18.5 acres of land leaves 1.5 excess acres that can be donated to TID's Transfer Pool so the water right does not extinguish.

TALENT IRRIGATION DISTRICT TRANSFER PROCESS

Landowners wishing to move all or some of their water right to another location under the SAME OWNERSHIP AND HAVING THE SAME SOURCE OF WATER, the following is required:

- 1) All accounts must be paid current.
- 2) Pay the Talent Irrigation District filing fee of \$750.00 for processing, publishing, and filing the transfer with the Oregon Water Resources Department. This is a non-refundable fee whether the transfer is approved or denied.
- 3) Proof of evidence that the water right has been used at least once for beneficial use and has not been forfeited for five or more years per ORS 540.610. This would consist of a notarized oath from the landowner stating that the water right is valid and a statement supporting the proposed change. (This form is included in this transfer packet.)
- 4) The district requires a photocopy of the letter sent from the landowner to the mortgage holder (if any) notifying them of the purposed change in status of the water right on the “to” and “from” lands if the water is being moved to a different tax lot.
- 5) A Property Profile Report or Par Search if the water is being moved to a different tax lot. A photocopy of the most recent deed to the property showing that the transfer applicants are the current owners of the property.
- 6) A map to be drawn by a licensed surveyor, licensed Certified Water Rights Examiner (CWRE) or other water rights examiner acceptable to the district. The map is to show the tax lot and area covered by the water right to be removed along with the following:
 - a. The location of each point of diversion/delivery
 - b. The location and direction of the stream flow
 - c. The location of all dams and regulating or control works
 - d. The location of main canals, ditches, pipelines, or flumes. Location of physical features (drainage, fencing, roads and road names, etc.).
 - e. Any area that will be retaining the water right.
- 7) If part of the water right is being retained in its’ original location, the owner must provide a mathematically correct map showing the remaining area of irrigation and the area(s) to be left dry on a map drawn to the same scale as the Jackson County assessor’s map for the parcel of land.

Landowners desiring to TRANSFER OFF a water right need to file an Application for Transfer of Water Right. The application consists of the following:

- 1) All accounts must be paid current.
- 2) Proof of evidence that the water right has been used at least once for beneficial use and has not been forfeited for five or more years per ORS 540.610. This would consist of a notarized oath from the landowner stating that the water right is valid and a statement supporting the proposed change. (This form is included in this transfer packet.)

- 3) The district requires a photocopy of the letter sent from the landowner to the mortgage holder (if any) notifying them of the purposed change in status of the water right on the “from” lands.
- 4) A copy of the deed to the property.
- 5) A Property Profile Report or Par Search) must be submitted with the transfer paperwork.
- 6) A map to be drawn by a licensed surveyor, Certified Water Rights Examiner (CWRE) or other water rights examiner acceptable to the district. (The district will provide this map if the water right is to be transferred back to the district.) The map is to show the tax lot and area covered by the water right to be removed along with the following:
 - a. The location of each point of diversion.
 - b. The location and direction of the stream flow.
 - c. The location of all dams and regulating or control works.
 - d. The location of main canals, ditches, pipelines, or flumes. The location of physical features (drainage, fencing, roads and road names, etc.).
 - e. Area that has been irrigated, including the exact acreage amount and the quarter/quarter section.
 - f. Location of buildings that could be impacted (including neighboring property).
 - g. The map shall be drawn to the same scale as the Jackson County Assessor’s map for that tax lot.
- 7) If part of the water right is being retained on its’ original location, the owner must provide a mathematically correct map showing the remaining area of irrigation and the area(s) to be left dry on a map drawn to the same scale as the Jackson County assessor’s map for the parcel of land. The map needs to show any portion of the water rights that are being retained.

Landowners desiring to RECEIVE a water right need to file an Application for Transfer of Water Right. The application consists of the following:

- 1) Pay the Talent Irrigation District filing fee of \$750.00 for processing, publishing, and filing the transfer with the Oregon Water Resources Department. This is a non-refundable fee whether the transfer is approved or denied.
- 2) Upon final approval, the District’s Capital Improvement Transfer Fee must be paid. This will consist of a \$220.00 flat fee for the first five acres and \$30.00 for each additional acre or portion thereof over five acres. The revenue from this charge will be used to upgrade District facilities.
- 3) The district requires a photocopy of the letter sent from the landowner to the mortgage holder (if any) notifying them of the purposed change in status of the water right on the “to” lands.
- 4) A copy of the deed to the property.
- 5) A Property Profile Report or Par Search of the property.

- 6) A map to be drawn by a licensed surveyor, Certified Water Rights Examiner (CWRE) or other water rights examiner acceptable to the district. The map is to show the tax lot and area to be covered by the water right along with the following:
 - a. The location of each point of diversion.
 - b. The location and direction of the stream flow.
 - c. The location of all dams and regulating or control works.
 - d. The location of main canals, ditches, pipelines, or flumes. The location of physical features (drainage, fencing, roads and road names, etc.).
 - e. Area to be irrigated, including the exact acreage amount and the quarter/quarter section.
 - f. Location of buildings that could be impacted (including neighboring property).
 - g. The map shall be drawn to the same scale as the Jackson County Assessor's map for that tax lot.
 - h. If the water right is to be delivered through a stream, the landowner is responsible for meeting all environmental, and fish and wildlife concerns such as screening passage, etc.

- 8) If the boundaries of the district must be altered to accommodate the transfer, the recipient must pay for all costs involved. These costs could include, but are not limited to the following: publication costs, soil surveys, archeological surveys, environmental surveys and any state or federal agency costs, etc.

**TALENT IRRIGATION DISTRICT
APPLICATION FOR TRANSFER
OF WATER RIGHTS**

1) NAME OF LANDOWNER(S) WHERE THE WATER RIGHT IS PRESENTLY LOCATED:
_____ Phone Number: _____

PHYSICAL ADDRESS: _____

ACRES & MAP DESCRIPTION OF LAND WHERE THE WATER RIGHT IS PRESENTLY LOCATED:

Township _____ Range _____ Section _____ Tax Lot _____ Acres _____

2) NAME OF LANDOWNER(S) WHERE THE WATER RIGHT IS PROPOSED TO BE MOVED TO:
_____ Phone Number: _____

PHYSICAL ADDRESS: _____

MAILING ADDRESS (IF DIFFERENT): _____

ACRES & MAP DESCRIPTION OF LAND YOU PROPOSE TO MOVE THE WATER RIGHT TO:

Township _____ Range _____ Section _____ Tax Lot _____ Acres: _____

3) HOW DO YOU PLAN TO GET THE WATER TO THE NEW PLACE OF IRRIGATION?

4) HOW DO YOU PLAN TO CONTROL RUNOFF AND WHERE WILL THE RUNOFF GO?

5) WHAT IS THE LAND CLASSIFICATION OF THE LAND BEING TRANSFERRED TO?

6) ARE THE PROPERTY TAXES CURRENT? FROM LAND: YES / NO TO LAND: YES / NO

7) ARE THE IRRIGATION CHARGES CURRENT ON THE FROM LAND? YES / NO

8) IS THERE A MORTGAGE HOLDER? FROM LAND: YES / NO TO LAND: YES / NO
If there is a mortgage holder, a photocopy of a letter from the landowner to the mortgage holder notifying them of the proposed water right status change must be supplied with this application.

9) SPECIAL COMMENTS THAT YOU FEEL SHOULD BE CONSIDERED BY THE BOARD OF DIRECTOR'S IN CONSIDERING THIS APPLICATION.

**TALENT IRRIGATION DISTRICT
APPLICATION FOR TRANSFER
OF WATER RIGHTS CONTINUED**

WHEREAS, said applicant who is transferring off water rights requests the transfer of said water right, and acknowledges that this transfer does not affect the district's right to any easements located on the property(s).

Dated this _____ day of _____, 202_

On this _____ day of _____, 202_ personally appeared the above
named _____ and
acknowledged the foregoing instrument to be (his/her/their) voluntary act and deed.

Notary Public – State of Oregon

**TALENT IRRIGATION DISTRICT
INSTRUCTIONS FOR APPLICATION FOR
TRANSFER OF WATER RIGHTS**

If you are wishing to remove the water rights from their present location and move them to another location that is under the same ownership and will be using water from the same source, AND/OR

If you are only wishing to remove all or a portion of your Talent Irrigation District water right and transfer it to the TID Water Right Transfer Pool, please complete the following information:

Line 1 List the name, phone number and physical address of the owner(s) of all properties involved. Attach a mathematically correct map of the property showing where the water right is presently located. (The district will provide this map if the water right is being transferred to the District Transfer Pool.) **If part of the water right is going to be retained, we will need a mathematically correct map of the area that will be irrigated in the future.** List the acres of water right by tax lot number. List the map description numbers in the spaces provided.

Line 2 (NOT APPLICABLE IF TRANSFERRING WATER RIGHTS BACK TO THE DISTRICT.) List the name, phone number and physical address of the owner(s) of all properties involved. Attach a **mathematically correct map** of the area to which the water right will be transferred. Include acres to be irrigated by tax lot number. List the map description numbers in the spaces provided.

Line 3 (NOT APPLICABLE IF TRANSFERRING WATER RIGHTS BACK TO THE DISTRICT.) We need to know how you plan to get the water to the new place of use. The water must come from an existing point of delivery.

Note: Easements, rights-of-way, or ditch rights necessary for a proposed change are private matters between the applicant and the other landowners involved and cannot be granted by the Water Resources Department or the District.

Line 4 (NOT APPLICABLE IF TRANSFERRING WATER RIGHTS BACK TO THE DISTRICT.) Please show on a map your plans for control of runoff. Control of runoff water is vital in avoiding neighborhood disputes. Control of runoff is the responsibility of the user, but is also a major concern to the district in that a user allowing excess runoff is not making the best use of the water. Water that one user is allowing to runoff could be used to irrigate another property and thus conserving water.

Line 5 (NOT APPLICABLE IF TRANSFERRING WATER RIGHTS BACK TO THE DISTRICT.) The National Resource Conservation Service (NRCS) office in Medford can give you the land class of a piece of property. Their telephone number is 541-664-1070 Ext 3.

Line 6 The property taxes on both the parcel being transferred from and the parcel being transferred to have to be current before the Board will approve the transfer.

Line 7 The irrigation charges on the parcel being transferred from and the parcel being transferred to (if it has established water rights) have to be current before the Board will approve the transfer.

Line 8 If there is a mortgage holder, a photocopy of a letter from the landowner to the mortgage holder notifying them of the proposed water right status change must be supplied with this application.

**OATH OF VALID WATER RIGHTS AND STATEMENT
SUPPORTING WATER RIGHT CHANGE FOR FROM LAND**

The undersigned hereby testify that the property(s) described as follows:

(Insert Map Number (Township, Range, Section, Tax Lot Numbers and Acres of each Tax Lot))

has/have been irrigated at least once in a five (5) year period and have been irrigated to a beneficial use within this time frame. The undersigned hereby supports the proposed change of water rights.

Dated this _____ day of _____, 202_

Landowner

Landowner

On this _____ day of _____ 202_ personally appear the above named

and acknowledged the foregoing instrument to be (his/her/their) voluntary act and deed.

Notary Public- State of Oregon