

STAFF REPORT

Planning Department File No. 2025-03-016

CONDITIONAL USE APPLICATION FOR A NON-FARM DWELLING

Planning Commission Public Meeting Date: April 24, 2025

- 1. APPLICANT:** Cole and Anne Hood
789 Mendiola Rd
Nyssa, Oregon 97913
- 2. OWNER OF RECORD:** Cole and Anne Hood
789 Mendiola Rd
Nyssa, Oregon 97913
- 3. PROPOSED ACTION:** Conditional Use approval for one non-farm dwelling.
- 4. PROPERTY IDENTIFICATION:** Tax Lot 600, T21S, R46E, Sec.14; Malheur County Reference #15466.
- 5. PROPERTY LOCATION AND DIRECTIONS:** Adjacent to 789 Mendiola Rd in Nyssa, Oregon
- 6. ZONING:** Exclusive Farm Use (EFU).
- 7. PARCEL SIZE:** The parcel is 42.62 acres.
- 8. PARCEL USE:** Vacant, with water rights (applicant is transferring 0.5 acres of water rights per Owyhee Irrigation District.
- 9. SURROUNDING USE:** All the surrounding properties are employed in farm or range use and have single-family residences.
- 10. ACCESS:** Private easement off of Mendiola Road next to Hwy 201.
- 11. SANITATION REQUIREMENTS:** An approved sanitation system will be required from Malheur County Environmental Health in Vale, Oregon.
- 12. FIRE PROTECTION:** The parcel is within the Adrian Rural Fire Protection District. (Letter Attached).

13. NATURAL HAZARDS: none.

14. WATER RIGHTS: The property currently has 19.8 acres of water rights in the location where the proposed dwelling will be located. Owyee Irrigation District provided a letter stating the owners have applied for a water transfer of 0.5 acres of water rights in the location of the proposed dwelling.

15. SOIL TYPE: The soils on this property are class II, III and class IV. The proposed homesite is within soil class IV. The soils information, which is attached, shows that non-irrigated soil becomes a class VI.

16. ZONING HISTORY: The subject property did a boundary line adjustment with tax lot 601, which is owned by Cole and Anne Hood. No other known zoning history.

GENERAL CONDITIONAL USE CRITERIA

MCC 6-6-7 - GENERAL CRITERIA TO EVALUATE SUITABILITY: In considering the suitability of proposed conditional uses, the Planning Commission shall base its decision upon the following criteria:

A. Comprehensive Plan goals and policies, as applicable.

B. Specific plan recommendations

Proposed Finding: MCC 6-6-8-1 regulates the conditional use process for a non-farm dwelling.

C. Existing development and viewpoints of property owners in the surrounding area.

Proposed Finding: Letter notice was sent to adjacent property owners on March 26, 2025 and published in the Argus Observer on April 2nd, 2025. No written comments have been received.

D. Availability of services and utilities.

Proposed Finding: The parcel is located within the Adrian Rural Fire Protection District. All utility services are available and near by to this tax lot.

E. The effect of the proposed use on the stability of the community's social and economic characteristics.

Proposed Finding: The proposed dwelling will have no negative effect on the farming/ranching practices that would interfere with the stability of the community's social and economic characteristics.

- F. It does not interfere with traditional fish and wildlife use of habitats determined critical or sensitive in the Fish and Wildlife Habitat Protection Plan for Malheur County.

Proposed Finding: The proposed dwelling is not located in an area that contains fish or wildlife deemed critical or sensitive, and will not interfere with traditional fish and wildlife.

G. General Criteria

1. Increasing setbacks of structures to reduce possibilities of overshadowing adjoining property, noise, odor or night lighting nuisances.

Proposed Finding: The proposal is to build a house on this parcel. The proposed residence will not overshadow adjoining property. This criterion is met.

2. Landscaping improvements for the visual benefits of the subject site and for the improved appearance of the neighborhood and County.

Proposed Finding: The proposed dwelling will not deteriorate the appearance of the neighborhood. This criterion is met.

3. Location and size of driveway access points and right-of-way widening and improvement for present and future traffic circulation and safety.

Proposed Finding: The subject parcel will have an easement off Mendiola Road. The Nyssa Road Assessment District #2 submitted a letter stating they have no objections as long as access to the new parcel is located where the old railroad bed meets Mendiola Road. All access roads must meet International Fire Code as administered by the Adrian Fire District.

4. Visual screening of outdoor waste and storage areas.

Proposed Finding: The proposed development is for a dwelling. Outdoor waste storage will be minimal. This criterion is met.

5. Control and focusing of outdoor lighting to avoid glare being directed beyond property limits.

Proposed Finding: Control of outdoor lighting will not be necessary. This criteria is met.

6. Special criteria listed below, as applicable:

H. Allowance of Certain Uses: A use allowed under Section 6-3A-3 of this Title shall be approved only where it is found that the use will not:

1. Force a significant change in accepted farm or forest practices on surrounding lands devoted to farm or forest use; or
2. Significantly increase cost of accepted farm or forest practices on surrounding lands devoted to farm or forest use. (Ord. 86, 12-7-1993)

Proposed Finding: This proposed dwelling will not have any impact to existing current uses in the area. The proposed non-resource dwelling will not force significant change in accepted farm or forest practices on surrounding lands devoted to farm use, nor significantly increase the cost of accepted farm practices.

SPECIFIC CONDITIONAL USE CRITERIA

MMC 6-6-8-1 - NONRESOURCE DWELLINGS IN EFU, ERU OR EFFU ZONES:

A. The use:

1. Is compatible with farm uses and is consistent with ORS 215.243; and

Proposed Finding: The granting of this application will not result in loss of natural resources, and the amount of open land used for agriculture use will not change. Therefore, the proposed use is compatible with farm use.

2. Does not interfere seriously with accepted farming practices on adjacent lands; and

Proposed Finding: The proposal is for a non-farm dwelling. Due to the location of the proposed building site and the distance to other existing developments, this will not interfere seriously with the accepted farming practices on adjacent land.

3. Does not materially alter the stability of the overall land use pattern of the area; and

Proposed Finding: This proposed location of the non-farm dwelling will not materially alter the stability of the overall land use pattern of the area. This criterion is met.

Added by OAR 660-033-130(4)(a)(D) - June 1, 1998: In determining whether a proposed non-farm dwelling will alter the stability of the land use pattern in the area, a county shall consider the cumulative impact of possible new non-farm dwellings and parcels on other lots or parcels in the area similarly situated. To address this standard, the county shall;

- i. Identify a study area for the cumulative impacts analysis. The study area shall include at least 2000 acres or a smaller area not less than 1000 acres, if the smaller area is a distinct agricultural area based on topography, soil types, land use pattern, or the type of farm or ranch operations or practices that distinguish it from other adjacent agricultural areas. Findings shall describe the study area, its boundaries and the location of the subject parcel within this area, why the selected area is representative of the land use pattern surrounding the subject parcel and is adequate to conduct the analysis required by this standard. Lands zoned for rural residential or other urban or non-resource uses shall not be included in the study area.
 - ii. Identify within the study area the broad types of farm uses (irrigated or non-irrigated crops, pasture or grazing lands), the number, location and type of existing dwellings (farm, non-farm, hardship, etc.), and the dwelling development trends since 1993. Determine the potential number of non-farm / lot-of-record dwellings that could be approved under subsections (3)(a), (3)(d) and section (4) of this rule, including identification of predominant soil classifications, the parcels created prior to January 1, 1993, and the parcels larger than the minimum lot size that may be divided to create new parcels for non-farm dwellings under ORS 215.263(4). The findings shall describe the existing land use pattern of the study area including the distribution and arrangement of existing uses and the land use pattern that could result from approval of the possible non-farm dwellings under this subparagraph:
 - iii. Determine whether approval of the proposed non-farm /lot-of-record dwellings together with existing non-farm dwellings will materially alter the stability of the land use pattern in the area. The stability of the land use pattern will be materially altered if the cumulative effect of existing and potential non-farm dwellings will make it more difficult for the existing types of farms in the area to continue operation due to diminished opportunities to expand, purchase or lease farmland, acquire water rights or diminish the number of tracts or acreage in farm use in a manner that will destabilize the overall character of the study area.
4. Is situated on generally unsuitable land for the production of farm crops or livestock considering the terrain, adverse soil or land conditions, drainage and flooding, location and size of tract.
- B. As a condition of approval, the owner is required to allow the following statement to be entered into the chain of title for the non-farm parcel:

“The property herein described is situated in or near a resource (farm or ranch) zone, where the intent is to encourage agricultural use and minimize conflicts with non-resource uses. Non-resource residents may be subjected to common, customary and accepted farm and ranch practices that are conducted in accordance with federal and state laws but ordinarily and necessarily produce noise, dust, smoke and other impacts. The grantees, including their heirs, assigns and lessees, by the recording of this statement, and in return for allowing a non-resource dwelling on this property, hereby accept the

potential impacts of accepted farm and ranch practices as normal and necessary and part of the risk of establishing a dwelling in this area, and grantee acknowledges the need to avoid activities that conflict with nearby resource uses.” Evidence shall be provided showing the lot or parcel upon which the dwelling is proposed to be located has been disqualified for valuation at true cash value for farm use under ORS 308.113.

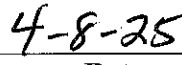
Proposed Finding: The non-resource dwelling will be located on land that has not been farmed in several years as shown on google map for 3 years (2018, 2023, and 2025). This property does have water rights, which 0.50 acres (location of the proposed dwelling) are being transferred by the owners of the property.

PROPOSED CONDITIONS OF APPROVAL

1. Adequate firebreaks shall be constructed and maintained to minimize danger from potential wildfire.
2. The driveway must be constructed to meet the International Fire Code standards and the Nyssa Road Assessment District #2.
3. This approval is valid for two years from the date of the approval order. Substantial action must be taken within this time period or the approval will lapse. The Malheur County Development Code does allow for a two (2) year extension, one (1) time.

Recommendation is to approve this conditional use application for a nonfarm dwelling on tax lot 600 in T21,R46,S14, as the criteria has been satisfied.


Carol Parker, Planning Director


Date

EXHIBITS

Exhibit 1: Map showing tax lot 600
Exhibit 2: Soils Map
Exhibit 3: NRCS Soils map
Exhibit 4: 2018 Map showing Tax Lot 600 not farmed
Exhibit 5: 2022 Map showing Tax Lot 600 not farmed
Exhibit 6: 2025 Map showing Tax Lot 600 not farmed
Exhibit 7: Conditional Use Application
Exhibit 8: Nyssa Road Assessment District #2 letter
Exhibit 9: Owyhee Irrigation District letter and maps
Exhibit 10: Adrian Rural Fire District letter



Malheur County Online Map



Query

Tasks

Results

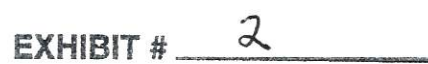
Reference Number Search _Query result

Displayed features:1/1

HOOD, COLE & ANNE

MapNumber	21S46E14
Taxlot	600
MapTaxlot	21S46E1400600
Assessors	More info
ORMap	More info
SepticInfo	More info
REF	15466
CONTRACTBU	
ADD1	
ADD2	P O BOX 322
CITYSTATE	ADRIAN, OR
ZIP	97901
TCA	34
ZONING	C-A1
TOTACRE	42.62
TAXES	5,547.03
ASSLND	60,543
ASSIMP	320,286
MKLND	501,940
MKIMP	668,310
SITUSADD	0
CITY	
YRBL	0
LOTSF	0
SLDATE	20210830
SLAMT	700,000

EXHIBIT #



Soil Map—Malheur County, Oregon, Northeastern Part

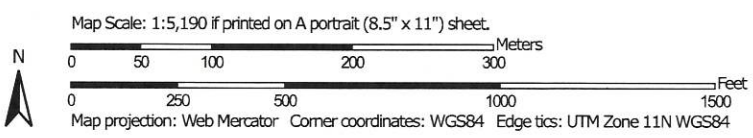


EXHIBIT # 3



Natural Resources
Conservation Service

Web Soil Survey
National Cooperative Soil Survey

4/3/2025
Page 1 of 3




Google Earth
Image © 2025 Maxar Technologies

EXHIBIT

Untitled Map ²⁰²²

Write a description for your map.

Legend


 789 Mendiola Rd



Untitled Map *2025*

Write a description for your map.

Legend

 789 Mendiola Rd



Willow Ave

Willow Ave

EXHIBIT # *6*

789 Mendiola Rd

Succor Creek Hwy

201



1000 ft

Google Earth

Image © 2025 Airbus

Cole and Anne Hood
789 Mendiola Rd
Nyssa, OR 97913
805.674.8671
Spur_annie4@hotmail.com
3/23/25

Malhuer County Planning and Zoning Department
251 B St. West #12
Vale, Oregon 97918

Subject: Non-Farm Dwelling Application for Tax Lot 600, 789 Mendiola Rd., Nyssa, Oregon

Dear Planning and Zoning Committee,

We, Anne and Cole Hood, are the owners of Tax Lot 600 at 789 Mendiola Rd. in Nyssa, Oregon, and are submitting this application for approval of a non-farm dwelling on the property. Currently, the land is used as pasture, and while it serves this purpose, it is not prime cropland. The addition of a non-farm dwelling will not interfere with the agricultural use of the land, as the remaining areas outside of the dwelling site will continue to be utilized as pasture.

The purpose of this dwelling is to bring our parents closer to their grandchildren, fostering family connections and supporting the well-being of multiple generations. The proposed residents will be a hardworking couple who will contribute positively to the community. Their presence will not cause any disruptions but rather add to the local growth and stability.

Additionally, there is only one bordering neighbor to the south, who is in full support of this proposed dwelling. Given the rural nature of the lot and the continued use of pastureland, we believe that this addition aligns with the county's zoning goals and will have no adverse impact on the surrounding area.

We appreciate your time and consideration of our application and look forward to your response. Please feel free to contact us if any further information is needed.

Sincerely,

Cole and Anne Hood

EXHIBIT #

7



MALHEUR COUNTY

251 B Street West, #12 Vale, Oregon 97918

PLANNING DEPARTMENT

Phone (541)473-5185

File Number: 2025-03-016
Application Fee: 200.-
Date Received: 3-25-25
Date Deemed Complete: 3-25-25

CONDITIONAL USE APPLICATION

LANDOWNER INFORMATION

Name: Cole and Anne Hood
Address: 789 Mendiola Rd
City/State/Zip: Nyssa, OR, 97913
Phone: 541-212-4781
Email: annie@srquarterhorses.com

APPLICANT INFORMATION ☒ Check box if same

Name: _____
Address: _____
City/State/Zip: _____
Phone: _____
Email: _____

PROPERTY INFORMATION

Township: 21 Range: 46 Section: 14 Tax Lot: 600 Ref #: 15466 Acres: 42.62 Zoning: C-A1
Address: N/A
Current use: Empty Lot/ Pasture Use of surrounding properties: Farming, Rural Dwellings
Proposed use: Rural Residential Permitted subject to section: _____
Water source: Well Sewage disposal method: Septic
Are the wetlands/water waterways on your property? ☐ No ☒ Yes (description): Kingman Drainage
Do you own neighboring property? ☐ No ☒ Yes (description): Tax Lot 601
Name of road providing access: Mendiola Rd

LEGAL PARCEL STATUS

Partition: _____ Subdivision: _____
or Most Recent Pre- 09/04/1974 Deed #: _____ Date Filed: _____
Current Deed #: _____ Date Filed: _____

*The deed and a map showing the property described in the deed(s) must accompany this application.

*Additional descriptive maps and pictures may be attached.

SIGNATURES:

Property Owner(s): Ann Hall Date: 3/16/25
Property Owner(s): [Signature] Date: 3/16/25
Applicant(s): Ann Hall Date: 3/16/25
Applicant(s): [Signature] Date: 3/16/25

PLEASE NOTE: Before this application will be processed, you must supply all requested information and forms, and address all listed or referenced criteria. Pursuant to ORS 215.428, this office will review the application for completeness and notify Applicant of any deficiencies within 30 days of submission. By signing this form, the property owner or property owner's agent is granting permission for Planning Staff to conduct site inspections on the property.

SHADED AREA TO BE COMPLETED BY PLANNING DEPARTMENT

Legal Parcel Deed/Land Use Action: _____ Previous Map and Tax Lot: <u>214614 TL600</u> Past Land Use Actions: If yes, list file #(s) <u>lot line adjustment between TL600 & 601</u>	<input type="checkbox"/> NO <input checked="" type="checkbox"/> YES
Subject to previous conditions? Assessor Property Class: _____ Zoning: <u>EFU</u>	<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES
Water Resources: Are there bodies of water or wetlands (seasonal or permanent) on property or adjacent properties? Describe (include setback distances): _____ <input type="checkbox"/> Fish bearing <input type="checkbox"/> Non fish bearing <input type="checkbox"/> Seasonal Creek <input type="checkbox"/> Irrigation ditch <input type="checkbox"/> Wetland <input type="checkbox"/> Pond/Lake <input type="checkbox"/> Not identified (Note: Check buffers. Different zones have different setback requirements that may require a more extensive permitting process.)	<input type="checkbox"/> NO <input type="checkbox"/> YES
Access: County or ODOT approach permit on file? <input type="checkbox"/> NO <input checked="" type="checkbox"/> YES, # <u>Mendiola Rd</u>	<input checked="" type="checkbox"/> NO <input type="checkbox"/> YES
Address: Address exists and has been verified to be correct? Address needs to be assigned after approval?	<input type="checkbox"/> NO <input checked="" type="checkbox"/> YES
Fire District: <u>Adrian FD</u>	



MALHEUR COUNTY PLANNING DEPARTMENT

251 B Street West, #12 Vale, Oregon 97918

Phone (541)473-5185

CONDITIONAL USE PERMIT

DETAILED SPECIFIC WRITTEN REQUEST

The subject property has been in the applicant's family for 5 years. The applicant is requesting for a non-farm dwelling to build a home on its own tax lot, for the applicants parents to live in. This will allow them to be closer to grandchildren and family.

(Attach additional pages if necessary)

DETAILED STRUCTURAL INFORMATION

PROPOSED IMPROVEMENTS				
Structure/Development	Length	Width	Height	Square Footage
Dwelling	50	50	16	2500
Driveway	2000	14		
Accessory Structure				
Agricultural Structure	40	40		2000
Other				
EXISTING				
Dwelling				
Accessory Structure				
Agricultural Structure				
Other				

CONDITIONAL USE CRITERIA – Malheur County Code (MCC) CHAPTER 6-6-7

1. The proposal must be consistent with the goals and objectives of the Comprehensive Plan and MCC.
2. Taking into account location, size, design and operational characteristics of the proposed use, describe how your proposal is compatible with the surrounding area and development of abutting properties by outright permitted uses:
The proposed use is compatible with the current mix of farm uses, farm dwellings and non-farm dwellings in area. The proposed house and garage will be similar in style and size to those in the area and will fit harmoniously.

Describe the operational characteristics (hours of operation, equipment used, etc.) of the proposed use:
Single family personal residence.

Describe the number of people/employees/customers associated with the proposed use:
Single family with 2 occupants- Married couple.

3. What are the existing developments and viewpoints of property owners in the surrounding area?
The proposed use is compatible with current mix of farm uses, farm dwellings and non-farm dwellings. Mix of feelings from neighbors. Supportive and non-supportive. Neighbors that the property line shares to south is in full support.
4. The proposed use cannot exceed or significantly burden public facilities and services available to the area. Please describe the impact the proposed use will have on the following public facilities and services and provide letters from the appropriate entities:

Roads: The traffic will be negligible. See letter from The Rural Road District

Fire & Police Protection: Safety impact would be negligible; see letter from Adrian Rural Fire.

Sewer & Water: A compliant septic system and well would be added per applicable rules.

Electrical & Telephone: Utilities are nearby and applicant will assume the expense of extending needed services to the property.

Solid Waste Disposal: Waste management provides solid waste removal service in the area and the applicant will secure such services.

5. What effect will the proposed use have on the stability of the community's social and economic characteristics?
A new family dwelling would have a positive impact on the socioeconomics of the area and have no negative effect on farming activity in the area. The addition of a family participating in community activities and supporting local businesses would have a positive impact on the community.
6. Demonstrate that the proposed use will not interfere with traditional fish and wildlife use of habitats determined critical or sensitive in the fish and wildlife habitat protection plan for Malheur County.
The proposed dwelling is not located in an area that would interfere with migration patterns or traditional fish and wildlife activity.
7. How will the proposed use increase setbacks of structures to reduce possibilities of overshadowing adjoining property, noise, odor or night lighting nuisances during development and operation?
The proposed dwelling would be set back on the property so as not to overshadow or have an impact on the surrounding properties.
8. What are the proposed landscaping improvements for the visual benefit of the subject site and for the improved appearance of the neighborhood and County?
Native landscaping and maintenance of the area around the dwelling and on the parcel associated with it would be completed and maintained in a manner so as to improve the overall appearance.
9. The location and size of driveway access points and right of way widening and improvement for present and future traffic circulation consistent with the adopted County road standards or the standards of the appropriate road district and the access management standards of the Malheur County Transportation System Plan.
Access to the proposed dwelling would be from Mendiola Road
There is already an existing access point from Mendiola rd that would be point of use for driveway access.

10. What is the proposed visual screening of the outdoor waste and storage areas?

The single family dwelling would produce minimal waste which would be picked up by the local waste disposal service. Any storage areas would be screened from view by the public with necessary landscaping.

11. What efforts will be in place to control and focus the outdoor lighting to avoid glare being directed beyond property limits?

Outdoor lighting should be minimal and residents would take necessary steps to ensure that it would not interrupt/infringe upon surrounding properties.

12. Demonstrate how the proposed use will not significantly increase the cost of, or force a significant change to, accepted farm or forest practices on surrounding lands devoted to or available for farm and forest use.

Describe the agricultural uses (orchards, wheat, grazing, etc.) that are within 0.25 miles of the proposed development. How will the proposed development interact with surrounding agriculture uses?

The proposed home will not have any impact on the current use of properties in the area. It will not be in conflict nor force change to any farming practices or residential activities that are currently in place.

Last Updated 01/28/2020

NON-RESOURCE DWELLING – Malheur County Code (MCC) 6-6-8-1

1. Describe how the proposed dwelling is compatible with farm uses and is consistent with ORS 215.243:

The proposed dwelling would be consistent with other rural/residential activities in the area.

It would maintain the current complement of residential homes, well-spaced and so as not to interfere with current farming practices. The ground is non-productive and will not be farmed.

2. Demonstrate that the dwelling will not interfere seriously with accepted farming practices on adjacent lands:

The proposed dwelling would not impact access to current farms or surrounding residential properties.

3. Demonstrate that the dwelling will be situated on generally unsuitable land for the production of farm crops or livestock considering the terrain, adverse soil or land conditions, drainage and flooding, location and size of tract:

The property is a total of 42 acres, the land is unsuitable for farming due to soil conditions as well as rocky. The dwelling would only be used for a small section, approx 2 acres, thus allowing the rest of the land to be used as pasture as it is currently for livestock. This land has not been used for farm land in the past, only small amount of livestock grazing which will not be changed.

4. Demonstrate that the dwelling will not materially alter the stability of the overall land use pattern of the area, by conducting the "Cumulative Impacts Analysis".

A. What are the types of soils that have been identified within the study area? This land in subject has class 4 soil type, as well as 2 and 3. The class 4 is where we would like to place the dwelling. This data is also

- B. What are the types and numbers of existing dwellings that have been identified within the study area?

Primary Farm dwellings _____ Non-farm dwellings _____

Farm hand/labor dwellings _____ Hardship dwellings _____

- C. What are the types of farm use occurring in the study area (row crops, pasture, range land, feed crops)? _____

There is

proposed plot plan New Home on bare land

* No current power

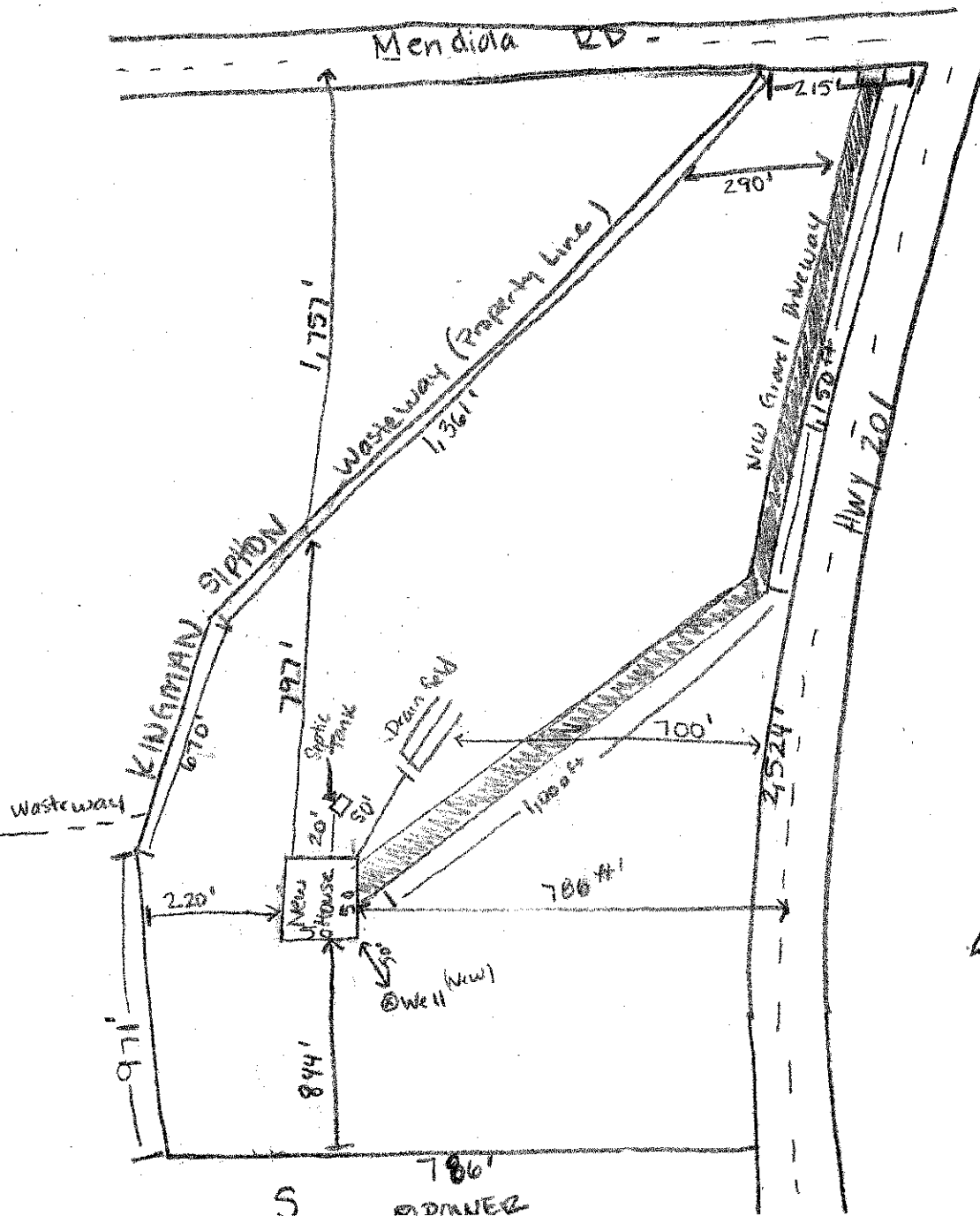
* No current Well

Cole and Anne Hood - (805) 674-8671
789 Mendiola Rd. Nyssa, OR 97913

Tax lot # 600

Map # (21346 E1400600)

N



Nyssa Road Assessment District #2

**P.O. Box 2761
Nyssa, OR 97913**

March 25, 2025

Malheur County Planning & Zoning
251 B Street W
Vale, OR 97918

To Whom It May Concern,

The Nyssa Road Assessment District #2 has no objections to Cole and Anne Hood obtaining a conditional use permit to split off a portion of land at 789 Mendiola Road, Nyssa Oregon. The Road District has no objections as long as access to the new parcel is located where the old railroad bed meets Mendiola Road.
Map # 21546 E1400600

Sincerely,

Wes Allison, Supervisor
Nyssa Road District #2



OWYHEE IRRIGATION DISTRICT

422 Thunderegg Blvd Nyssa, OR 97913
Ph# (541) 372-3540 - Fax# (541) 372-2437
Email: office@oidnh.gov
<https://www.oidnh.gov>

To Whom It May Concern,

The property located at 789 Mendiola Rd, Nyssa, OR 97913, 21S46E14 SW/NW Taxlot 600 has irrigatable water right acres within the Owyhee Irrigation District. The internal Parcel # is 4801, the current owner of record is Anne & Cole Hood.

Indicated on the attached Map, there are irrigatable water rights currently sitting on the location of the proposed project.

Owyhee Irrigation District has agreed to submit a water transfer at the end of 2025 with the District Transfer Packet to OWRD to include this property & the requested transfer to move these water rights from the current location to another location of the property. The attached map indicated the current location & proposed new location for approximately 0.5 acres of water rights.

The Patron solely holds the responsibility to apply for the water transfer & complete all necessary steps & costs to move the water rights in the 2025 Transfer Application

Please reach out to the District Office if you have any questions.

Sincerely,

Krista Kinzer
Office Manager
Owyhee Irrigation District

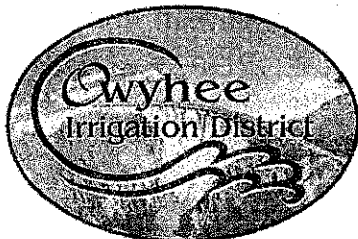
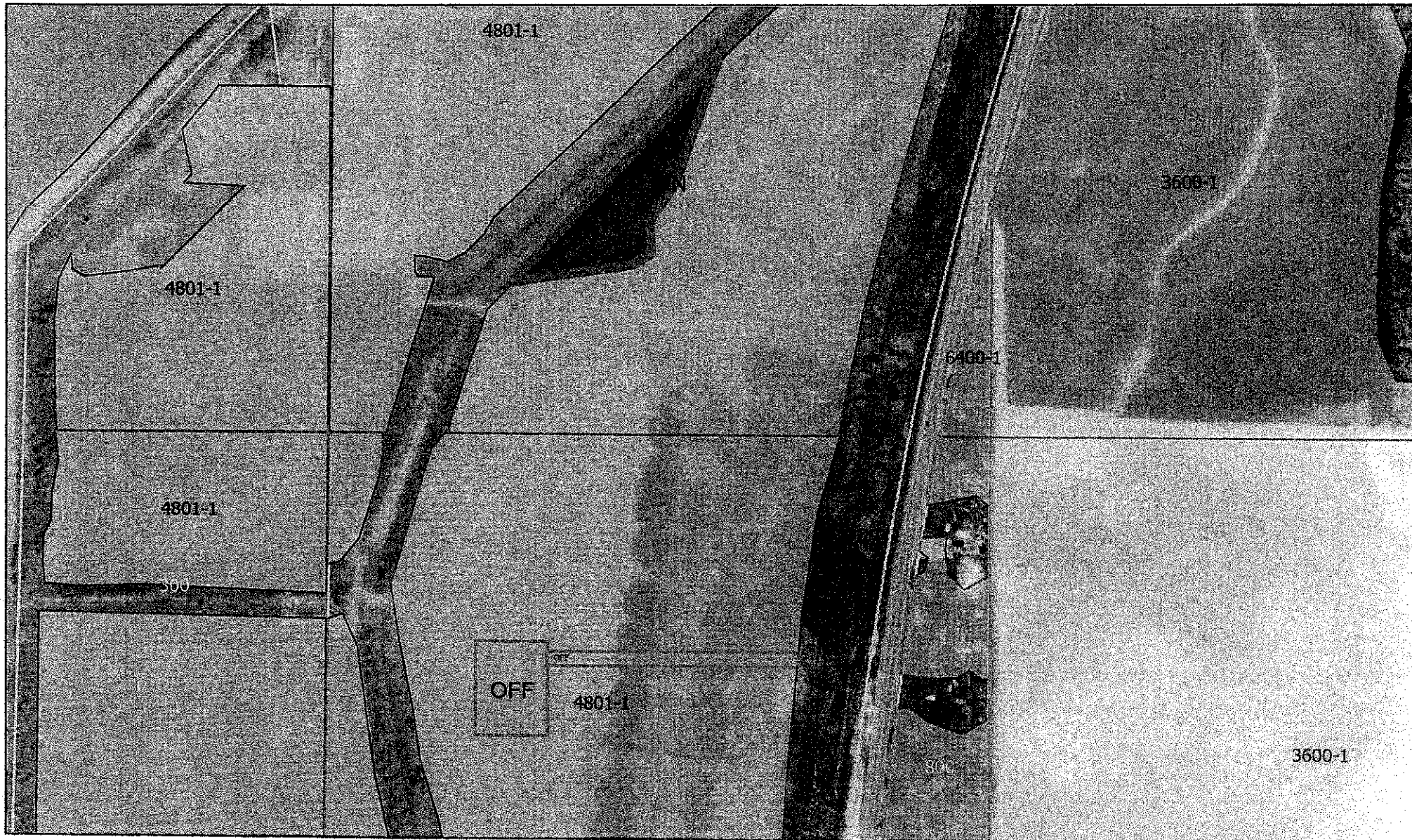


EXHIBIT # 9

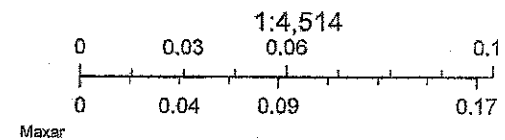
Hood Water Transfer Request

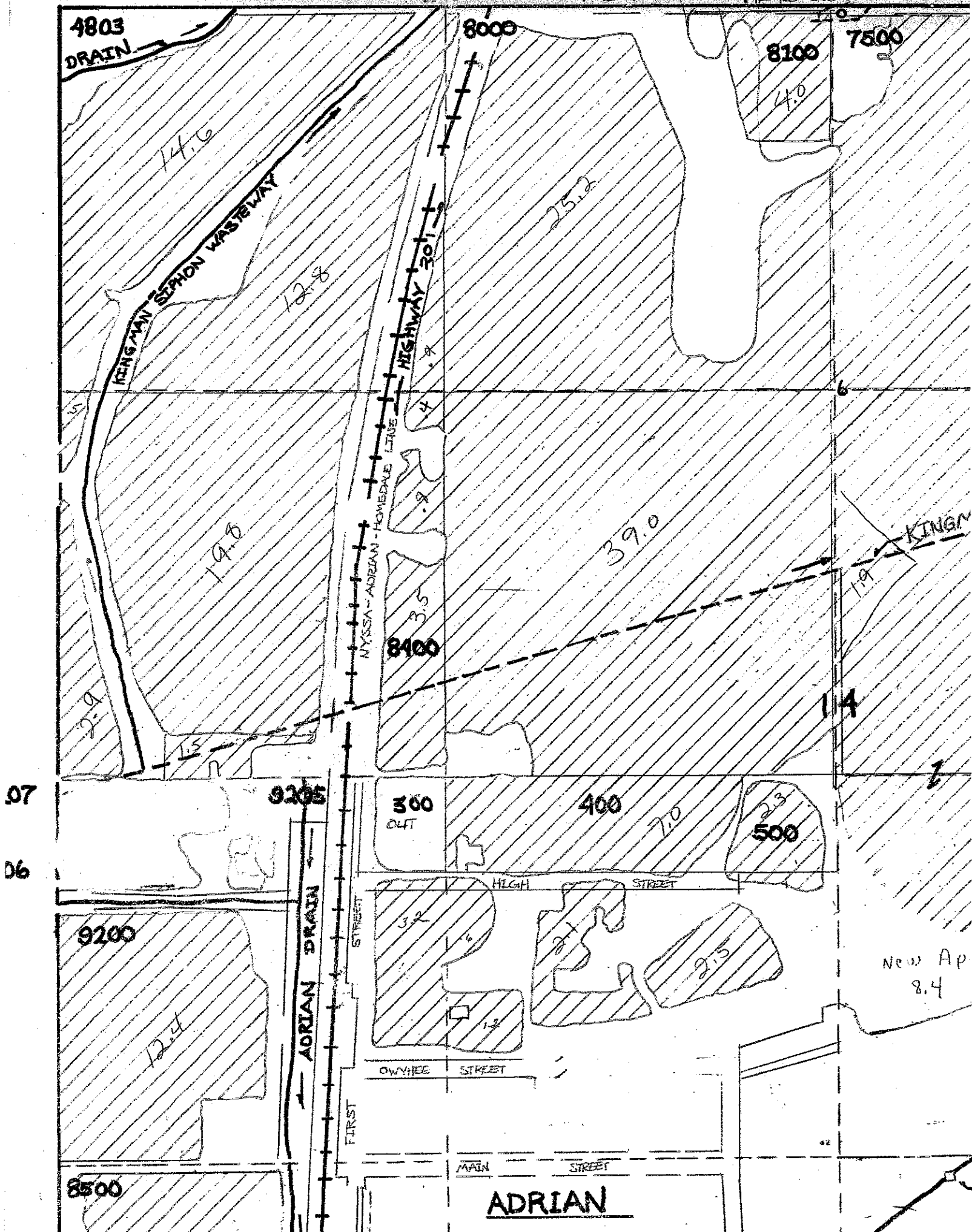


2/25/2025, 8:23:59 AM

Override 1 Place of Use (Certificate) Exist POU
Override 1 75691 Taxlots

21S46E14 SW/NW





Adrian Rural Fire Protection District

Date:

To whom it may concern,

The following address is in the Adrian Rural Fire District. If you have any questions regarding the information below please feel free to contact me at (541)372-2354.

Property Owner: Cole and Annie Hood

Address: TBD, 789 Mendocino Rd, Nyssa, Oregon 97913

Map#: 2134614

Lot#: 600

Code: 34

PCL/MCL:

AP:

Zone: C-A1

Reference: 15466

Minimum 20' wide all weather road.

Sincerely,

George Martin

Chief

Adrian Rural Fire Protection District