

**Application for Water Right  
Temporary or Drought Temporary Transfer  
Part 1 of 5 – Minimum Requirements Checklist**



**Oregon Water Resources Department**  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1266  
(503) 986-0900  
www.oregon.gov/OWRD

**This temporary transfer application will be returned if Parts 1 through 5 and all required attachments are not completed and included.**  
For questions, please call (503) 986-0900, and ask for Transfer Section.

**FOR ALL TEMPORARY TRANSFER APPLICATIONS**

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Check all items included with this application. (N/A = Not Applicable)

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- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Temporary Transfer Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the online fee calculator at: [http://apps.wrd.state.or.us/apps/misc/wrd\\_fee\\_calculator](http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator). If you have questions, call Customer Service at (503) 986-0801.
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about Transferred Water Rights: **How many water rights are to be transferred? 3** List them here: **816697, 86698, 92937**  
Please include a separate Part 5 for each water right. (See instructions on page 6)
- N/A For standard Temporary Transfer (one to five years) **Begin Year: \_\_\_\_\_ End Year: \_\_\_\_\_.**
- N/A Temporary Drought Transfer (Only in counties where the Governor has declared drought)

**Attachments:**

- Completed Temporary Transfer Application Map.
- Completed Evidence of Use Affidavit and supporting documentation.
- Current recorded deed for the land **from** which the authorized place of use is temporarily being moved.
- N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land upon which the water right is located.)
- N/A Supplemental Form D – For water rights served by or issued in the name of a district. Complete when the temporary transfer applicant is not the district.
- N/A Oregon Water Resources Department’s Land Use Information Form with approval and signature (or signed land use form receipt stub) from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation (if necessary to convey water to the proposed place of use).

(For Staff Use Only)

**WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):**

<input type="checkbox"/> Application fee not enclosed/or is insufficient	<input type="checkbox"/> Map not included or incomplete
<input type="checkbox"/> Land Use Form not enclosed or incomplete	<input type="checkbox"/> Part _____ is incomplete
<input type="checkbox"/> Additional signature(s) required	
Other/Explanation _____	
Staff: _____ 503-986-0_____	Date: ____/____/____

## Part 2 of 5 – Temporary Transfer Application Map Checklist

Your temporary transfer application will be returned if any of the map requirements listed below are not met.

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Please be sure that the temporary transfer application map you submit includes all the required items and matches the existing water right map. Check all boxes that apply.

- N/A If more than three water rights are involved, separate maps are needed for each water right.
- Permanent quality printed with dark ink on good quality paper.
- The size of the map can be 8½ x 11 inches, 8½ x 14 inches, 11 x 17 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, one extra copy is required.
- A north arrow, a legend, and scale.
- The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet; the scale of the Final Proof/Claim of Beneficial Use Map (the map used when the permit was certificated); the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet; or a scale that has been pre-approved by the Department.
- Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.
- Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.
- Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.
- Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.
- Existing place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the water right is being changed, a separate hachuring is needed for lands left unchanged.
- N/A Proposed temporary place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.
- Existing point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water right certificate or permit.
- N/A If you are proposing a change in point(s) of diversion or well(s) to convey water to the new temporary place of use, show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

**Part 3 of 5 – Fee Worksheet**

FEE WORKSHEET for TEMPORARY (not drought) TRANSFERS			
1	Base Fee (includes temporary change to one water right for up to 1 cfs)	1	\$810.00
2	Number of water rights included in transfer: <u>        </u> (2a) Subtract 1 from the number in 3a above: <u>        </u> (2b) <i>If only one water right this will be 0</i> Multiply line 2b by \$260.00 and enter » » » » » » » » » » » » »	2	
3	Do you propose to change the place of use for a non-irrigation use? <input type="checkbox"/> No: enter 0 on line 3 » » » » » » » » » » » » » » » » » » » <input type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred: <u>        </u> (3a) Subtract 1.0 from the number in 3a above: <u>        </u> (3b) If 3b is 0, enter 0 on line 3 » » » » » » » » » » » » » » » » » » » If 3b is greater than 0, round up to the nearest whole number: <u>        </u> (3c) and multiply 4c by \$200.00, then enter on line 3	3	
4	Do you propose to change the place of use for an irrigation use? <input type="checkbox"/> No: enter 0 on line 4 » » » » » » » » » » » » » » » » » » » <input type="checkbox"/> Yes: enter the number of acres for the portions of the rights to be transferred: <u>        </u> (4a) Multiply the number of acres in 4a above by \$2.30 and enter on line 4 » »	4	
5	Add entries on lines 1 through 4 above » » » » » » » » » » » » » Subtotal:	5	
6	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 5 by 0.5 and enter on line 6 » If no box is applicable, enter 0 on line 7 » » » » » » » » » » » » » » » » » » »	6	
7	Subtract line 6 from line 5 » » » » » » » » » » » » » » » » » » » <b>Transfer Fee:</b>	7	

FEE WORKSHEET for TEMPORARY DROUGHT TRANSFERS			
1	Base Fee (includes drought application and recording fee for up to 1 cfs)	1	\$200.00
2	Enter the cfs for the portions of the rights to be transferred (see example below*): <u>        </u> (2a) Subtract 1.0 from the number in 2a above: <u>        </u> (2b) If 2b is 0, enter 0 on line 2 » » » » » » » » » » » » » » » » » » » If 2b is greater than 0, round up to the nearest whole number: <u>        </u> (2c) and multiply 2c by \$50, then enter on line 2 » » » » » » » » » » » » »	2	
3	Add entries on lines 1 through 2 above » » » » » » » » » » » » » <b>Transfer Fee:</b>	3	$50^{00}$ $250^{00}$

\*Example for Line 2a calculation to transfer 45.0 acres of Primary Certificate 12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Certificate 87654 (1/80 cfs per acre) on the same land:

1. Divide total authorized cfs by total acres in the water right (for C12345,  $1.25 \text{ cfs} \div 100 \text{ ac}$ ); then multiply by the number of acres to be transferred to get the transfer cfs ( $\times 45 \text{ ac} = 0.56 \text{ cfs}$ ).
2. If the water right certificate does not list total cfs, but identifies the allowable use as 1/40 or 1/80 of a cfs per acre; multiply number of acres proposed for change by either 0.025 (1/40) or 0.0125 (1/80). (For C87654,  $45.0 \text{ ac} \times 0.0125 \text{ cfs/ac} = 0.56 \text{ cfs}$ )
3. Add cfs for the portions of water rights on all the land included in the transfer; however **do not count cfs for supplemental rights on acreage for which you have already calculated the cfs fee for the primary right on the same land.** The fee should be assessed only once for each "on the ground" acre included in the transfer. *(In this example, blank 2a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 2b would be 0 and Line 2 would then also become 0).*

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**Part 4 of 5 – Applicant Information and Signature**

**Applicant Information**

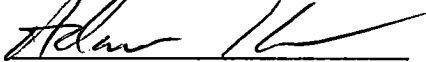
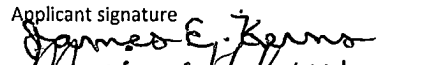
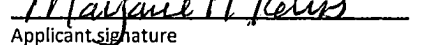
APPLICANT/BUSINESS NAME <b>Adam Kerns</b>			PHONE NO. <b>541-910-8420</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>13865 Willow Creek Ln.</b>				FAX NO.
CITY <b>Haines</b>	STATE <b>OR</b>	ZIP <b>97833</b>	E-MAIL	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

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

AGENT/BUSINESS NAME			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS				FAX NO.
CITY	STATE	ZIP	E-MAIL	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

Explain in your own words what you propose to accomplish with this transfer application and why:  
 I would like to move my older water rights to a property that has potatoes planted where I will need the water for late season use. **AND FLIP FLOP W/ANOTHER PROPERTY**  
 If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

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

	<b>ADAM KERNS</b>	<b>6/11/2021</b>
Applicant signature	Print Name (and Title if applicable)	Date
	<b>James E. Kerns</b>	<b>6-11/2021</b>
Applicant signature	Print Name (and Title if applicable)	Date
	<b>Marjorie H. Kerns</b>	
Applicant signature	Print Name (and Title if applicable)	Date

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located?  Yes  No

If NO, include signatures of all landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent from all landowners or individuals/entities (and mailing and/or e-mail addresses) to which the water right(s) has been conveyed.

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Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (NOTE: If this box is checked, you must complete and attach Supplemental Form D.)

DISTRICT NAME	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME <b>Baker County</b>	ADDRESS <b>1995 3<sup>rd</sup> St.</b>	
CITY <b>Baker City</b>	STATE <b>OR</b>	ZIP <b>97814</b>

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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## INSTRUCTIONS for editing the Application Form

To add lines to tables within the forms or to copy and paste additional Part 5 pages, please **save the application form to your computer**. Unlock the document by using one of the following instructions for your Microsoft Word software version:

### Microsoft Word 2003

Unlock the document by one of the following:

- Using the **Tools** menu => click **Unprotect Document**;

**OR**

- Using the **Forms** toolbar => click on the **Protect/Unprotect** icon.

To relock the document to enable the checkboxes to work, you will need to:

- Using the **Tools** menu => click **Protect Document**;

**OR**

- Using the **Forms** toolbar => click on the **Protect/Unprotect** icon.

### Microsoft Word 2007

- Unlock the document by clicking the **Review** tab, then click **Protect Document**, then click **Stop Protect**
- To relock the document, click **Editing Restrictions**, then click **Allow Only This Type of Editing**, select **Filling In Forms** from the drop-down menu, then check **Yes, Start Enforcing Protection**.

### Microsoft Word 2010

- Unlock the document by clicking the **Review** tab; toggle the **Restrict Editing** icon at the upper right, then click **Stop Protect** at the bottom right. Then uncheck the "**Allow only this type of editing in the document: Filling in forms**" in the "Editing restrictions" section on the right-hand list of options.
- To relock the document, check the **Editing Restrictions/Allow Only This Type of Editing/Filling In Forms** box from the drop-down menu, then check **Yes, Start Enforcing Protection**. You do not need to assign a password for the editing restrictions.

### Other Alternatives:

- Photocopy pages or tables in Part 5, ~~mark through~~ any non-applicable information, insert/attach photocopied pages to document in the appropriate location, and manually amend page numbers as necessary (e.g. Page 5 6 of 9 10).
- You may refer to additional attachments that you may include, such as separately produced tables or spreadsheets to convey large numbers of rows of place of use listings, owner/property parcels, etc. You may contact the Department at 503-986-0900 and ask for Transfer Staff if you have questions.

Once the application has been unlocked, you may:

- add rows to tables using the Table tools, and
- select and copy the pages of Part 5 and paste as many additional sets of Part 5 pages as needed at the end of the application.

After editing, re-lock the document to enable checkboxes to work.

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

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

Water Right Certificate # 86697

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**Description of Water Delivery System**

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System capacity: 40 cubic feet per second (cfs) OR  
 \_\_\_\_\_ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. WATER IS DIVERTED THROUGH THE OPEN DITCH THE POU WHERE PIVOTS ARE USED

**Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)**

(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-_____)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
1 WILCOX	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		7 S	38 E	33	NWSE		1520' N ; 1460' W FR. SE CORN. OF SECT 33
3 MYERS HUNSTON	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		7 S	38 E	34	SE NW		10' N ; 2' E FR. C' / 4 CORN OF SECT 34
2 MCCULLOUGH PIPELINE	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		7 S	38 E	33	NESE		1670' N ; 200' W FR. SE CORN OF SECT 33.
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							

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

- Place of Use (POU)
- Point of Diversion (POD)
- Additional Point of Diversion (APOD)
- Appropriation/Well (POA)
- Additional Point of Appropriation (APOA)

Check all type(s) of temporary change(s) due to drought proposed below (change "CODES" are provided in parentheses):

- Place of Use (POU)
- Character of Use (USE)
- Point of Diversion (POD)
- Point of Appropriation/Well (POA)
- Additional Point of Appropriation (APOA)
- Additional Point of Diversion (APOD)

Will all of the proposed changes affect the entire water right?

- Yes Complete only the Proposed ("to" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.
- No Complete all of Table 2 to describe the portion of the water right to be changed.

Please use and attach additional pages of Table 2 as needed.  
See page 6 for instructions.

Do you have questions about how to fill-out the tables?  
Contact the Department at 503-986-0900 and ask for Transfer Staff.

**Table 2. Description of Temporary Changes to Water Right Certificate # 86697**

List only the part of the right that will be changed. For the acreage in each ¼ ¼, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.														
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp		Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date						
EXAMPLE																										
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
"	"	"	"	"	"	"	"	"	"	EXAMPLE	"	"	"	2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
													POU/POD	8	S	3	E	3	NW	NE	200		10 <sup>2</sup>	IRR	1, 2, 3	1868
TOTAL ACRES											TOTAL ACRES															

Additional remarks: \_\_\_\_\_

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**For Place of Use Changes**

Are there other water right certificates, water use permits or ground water registrations associated with the "from" or the "to" lands?  Yes  No

If YES, list the certificate, water use permit, or ground water registration numbers: \_\_\_\_\_



Pursuant to ORS 540.525, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for temporary transfer can be included in the transfer or remain unused on the authorized place of use. If the primary water right does not revert soon enough to allow use of the supplemental right within five years, the supplemental right shall become subject to cancellation for nonuse under ORS 540.610.

**If a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation is necessary to convey the water to the new temporary place of use you must provide:**

- Well log(s) for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map. (**Tip:** You may search for well logs on the Department's web page at: [http://apps.wrd.state.or.us/apps/gw/well\\_log/Default.aspx](http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx))

**AND/OR**

- Describe the construction of the authorized and proposed well(s) in Table 3 below for any well that does not have a well log. For a *proposed well(s) not yet constructed or built*, provide "a best estimate" for each requested information element in the table. The Department recommends you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

**Table 3. Construction of Point(s) of Appropriation**

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide the information will delay the processing of your transfer application until it is received. The information is necessary for the Department to assess whether the proposed well(s) will access the same source aquifer as the authorized point(s) of appropriation (POA). The Department is prohibited by law from approving POA changes that do not access the same source aquifer.

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well, OWRD Well ID Tag No. L-___	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well - specific rate (cfs or gpm). If less than full rate of water right

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STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JAMES E KERNS  
45298 POCAHONTAS RD  
HAINES OR 97833

confirms the right to use the waters of ROCK CREEK, tributary to POWDER RIVER for IRRIGATION of 10.0 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Baker County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 6, at Page 291. The date of priority is 1868. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.25 CUBIC FOOT PER SECOND, if available at the authorized point of diversion, or its equivalent in case of rotation, measured at the points of diversion.

The points of diversion (POD) are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
7 S	38 E	WM	33	NW SE	ADDITIONAL POD: WILCOX DITCH: 1520 FEET NORTH & 1460 FEET WEST FROM SE CORNER, SECTION 33
7 S	38 E	WM	34	SE NW	ORIGINAL POD: HUNSTOCK-MEYERS DITCH: 10 FEET NORTH & 2 FEET EAST FROM C1/4 CORNER, SECTION 34

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FORTIETH of one cubic foot per second per acre.

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

Twp	Rng	Mer	Sec	Q-Q	Acres
8 S	38 E	WM	2	NW NW	10.0

The quantity of water diverted at the new point of diversion, together with that diverted at the old diversion, shall not exceed the quantity of water available at the original point of diversion.

The water user shall maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted.

The water user shall operate and maintain the headgate and measuring device, as needed. The water user shall report total flow figures when requested by the Watermaster. The Watermaster may operate the headgate and monitor accuracy of the measuring device, as needed.

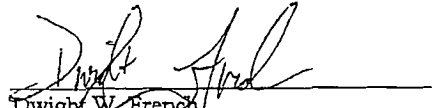
NOTICE OF RIGHT TO RECONSIDERATION OR JUDICIAL REVIEW

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

This certificate is issued to confirm an ADDITIONAL POINT OF DIVERSION approved by an order of the Water Resources Director entered March 7, 1997, at Special Order Volume 51, Page 250, approving Transfer Application 7155, and supersedes Certificate 60008, State record of Water Right Certificates.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in said decree.

Issued JAN 28 2011

  
Dwight W. French  
Administrator Water Rights and Adjudications, for  
Phillip C. Ward, Director

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

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

Water Right Certificate # 86698

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**Description of Water Delivery System**

System capacity: 40 cubic feet per second (cfs) OR  
 \_\_\_\_\_ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. WATER IS DIVERTED THROUGH THE OPEN DITCH THE POU WHERE PIVOTS ARE USED

**Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)**

(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
1 WILCOX	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		7 S	38 E	33	NWSE		1520' N ; 1460' W FR. SE CORN. OF SECT 33
3 MYERS HUNSTON	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		7 S	38 E	34	SE NW		10' N ; 2' E FR. C ¼ CORN OF SECT 34
2 MCCULLOUGH PIPELINE	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		7 S	38 E	33	NESE		1670' N ; 200' W FR. SE CORN. OF SECT 33
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							

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

- Place of Use (POU)
- Point of Diversion (POD)
- Additional Point of Diversion (APOD)
- Appropriation/Well (POA)
- Additional Point of Appropriation (APOA)

Check all type(s) of temporary change(s) due to drought proposed below (change "CODES" are provided in parentheses):

- Place of Use (POU)
- Character of Use (USE)
- Point of Diversion (POD)
- Point of Appropriation/Well (POA)
- Additional Point of Appropriation (APOA)
- Additional Point of Diversion (APOD)

Will all of the proposed changes affect the entire water right?

- Yes Complete only the Proposed ("to" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.
- No Complete all of Table 2 to describe the portion of the water right to be changed.

Please use and attach additional pages of Table 2 as needed.  
See page 6 for instructions.

Do you have questions about how to fill-out the tables?  
Contact the Department at 503-986-0900 and ask for Transfer Staff.

**Table 2. Description of Temporary Changes to Water Right Certificate # 86698**

List only the part of the right that will be changed. For the acreage in each ¼ ¼, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.												Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.													
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng		Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date						
<b>EXAMPLE</b>																										
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
"	"	"	"	"	"	"	"	"	"	EXAMPLE	"	"	"	2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
													POU/POD	85	38	E	3	NW	NE	200		20	IRR	1,2,3	1868	
TOTAL ACRES												TOTAL ACRES 20 <sup>e</sup>														

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Additional remarks: \_\_\_\_\_

**For Place of Use Changes**

Are there other water right certificates, water use permits or ground water registrations associated with the "from" or the "to" lands?  Yes  No

If YES, list the certificate, water use permit, or ground water registration numbers: \_\_\_\_\_



Pursuant to ORS 540.525, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for temporary transfer can be included in the transfer or remain unused on the authorized place of use. If the primary water right does not revert soon enough to allow use of the supplemental right within five years, the supplemental right shall become subject to cancellation for nonuse under ORS 540.610.

**If a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation is necessary to convey the water to the new temporary place of use you must provide:**

- Well log(s) for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map. (**Tip:** You may search for well logs on the Department's web page at: [http://apps.wrd.state.or.us/apps/gw/well\\_log/Default.aspx](http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx))

**AND/OR**

- Describe the construction of the authorized and proposed well(s) in Table 3 below for any well that does not have a well log. For a *proposed well(s) not yet constructed or built*, provide "a best estimate" for each requested information element in the table. The Department recommends you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

**Table 3. Construction of Point(s) of Appropriation**

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide the information will delay the processing of your transfer application until it is received. The information is necessary for the Department to assess whether the proposed well(s) will access the same source aquifer as the authorized point(s) of appropriation (POA). The Department is prohibited by law from approving POA changes that do not access the same source aquifer.

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well, OWRD Well ID Tag No. L-___	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well - specific rate (cfs or gpm). If less than full rate of water right
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										<b>JUN 14 2021</b>

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JUN 14 2021

STATE OF OREGON

COUNTY OF BAKER

OWRD

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JAMES E KERNS  
45298 POCAHONTAS RD  
HAINES OR 97833

confirms the right to use the waters of ROCK CREEK, tributary to POWDER RIVER for IRRIGATION of 20.0 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Baker County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 6, at Page 291. The date of priority is 1868. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.50 CUBIC FOOT PER SECOND, if available at the authorized point of diversion, or its equivalent in case of rotation, measured at the points of diversion.

The points of diversion (POD) are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
7 S	38 E	WM	33	NW SE	ADDITIONAL POD: WILCOX DITCH: 1520 FEET NORTH & 1460 FEET WEST FROM SE CORNER, SECTION 33
7 S	38 E	WM	34	SE NW	ORIGINAL POD: HUNSTOCK-MEYERS DITCH: 10 FEET NORTH & 2 FEET EAST FROM C1/4 CORNER, SECTION 34

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FORTIETH of one cubic foot per second per acre.

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

Twp	Rng	Mer	Sec	Q-Q	Acres
8 S	38 E	WM	2	NWNW	20.0

The quantity of water diverted at the new point of diversion, together with that diverted at the old diversion, shall not exceed the quantity of water available at the original point of diversion.

The water user shall maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted.

The water user shall operate and maintain the headgate and measuring device, as needed. The water user shall report total flow figures when requested by the Watermaster. The Watermaster may operate the headgate and monitor accuracy of the measuring device, as needed.

NOTICE OF RIGHT TO RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may either 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.

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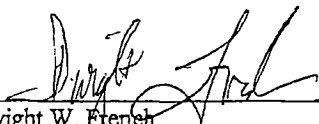
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This certificate is issued to confirm an ADDITIONAL POINT OF DIVERSION approved by an order of the Water Resources Director entered March 7, 1997, at Special Order Volume 51, Page 250, approving Transfer Application 7155, and supersedes Certificate 60009, State record of Water Right Certificates.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in said decree.

Issued JAN 28 2011

  
\_\_\_\_\_  
Dwight W. French  
Administrator Water Rights and Adjudications, for  
Phillip C. Ward, Director



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

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

Water Right Certificate # 92937

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**Description of Water Delivery System**

**JUN 14 2021**

System capacity: 40 cubic feet per second (cfs) OR  
 \_\_\_\_\_ gallons per minute (gpm)

**OWRD**

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. AN OPEN DITCH IS USED TO CONVEY WATER TO THE POU WHERE PIVOTS ARE USED.

**Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)**

(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
<u>WILCOX</u>	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		<u>7 S</u>	<u>38 E</u>	<u>33</u>	<u>NWSE</u>		<u>1580' N ; 1430' W FR. SE CORN. OF SECT. 33</u>
<u>MCCULLOUGH PIPELINE</u>	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		<u>7 S</u>	<u>38 E</u>	<u>33</u>	<u>NESE</u>		<u>1670' N ; 200' W FR. SE CORN OF SECT. 33</u>
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							

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

- Place of Use (POU)
- Point of Diversion (POD)
- Additional Point of Diversion (APOD)
- Appropriation/Well (POA)
- Additional Point of Appropriation (APOA)

Check all type(s) of temporary change(s) due to drought proposed below (change "CODES" are provided in parentheses):

- Place of Use (POU)
- Character of Use (USE)
- Point of Diversion (POD)
- Point of Appropriation/Well (POA)
- Additional Point of Appropriation (APOA)
- Additional Point of Diversion (APOD)

Will all of the proposed changes affect the entire water right?

- Yes Complete only the Proposed ("to" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.
- No Complete all of Table 2 to describe the portion of the water right to be changed.

Please use and attach additional pages of Table 2 as needed.  
See page 6 for instructions.

Do you have questions about how to fill-out the tables?  
Contact the Department at 503-986-0900 and ask for Transfer Staff.

**Table 2. Description of Temporary Changes to Water Right Certificate # 92937**

List only the part of the right that will be changed. For the acreage in each ¼ ¼, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.														
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp		Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date						
EXAMPLE																										
2	S	9	E	15	NW	100		15.0	Irrigation	POD #1 POD #2.	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901	
"	"	"	"	"	"	"	"	"	EXAMPLE	"	"	"	"	2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
BS	38E	3	NW NE	200		30°	IRR	#1	1904	POU/POD		BS	38E	2	NW NW	200		30°	IRR	#1,2	1904					
						TOTAL ACRES	30							TOTAL ACRES	30											

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Additional remarks: \_\_\_\_\_

**For Place of Use Changes**

Are there other water right certificates, water use permits or ground water registrations associated with the “from” or the “to” lands?  Yes  No

If YES, list the certificate, water use permit, or ground water registration numbers: \_\_\_\_\_



Pursuant to ORS 540.525, any “layered” water use such as an irrigation right that is supplemental to a primary right proposed for temporary transfer can be included in the transfer or remain unused on the authorized place of use. If the primary water right does not revert soon enough to allow use of the supplemental right within five years, the supplemental right shall become subject to cancellation for nonuse under ORS 540.610.

**If a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation is necessary to convey the water to the new temporary place of use you must provide:**

- Well log(s) for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map. (Tip: You may search for well logs on the Department’s web page at: [http://apps.wrd.state.or.us/apps/gw/well\\_log/Default.aspx](http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx))

**AND/OR**

- Describe the construction of the authorized and proposed well(s) in Table 3 below for any well that does not have a well log. For a *proposed well(s) not yet constructed or built*, provide “a best estimate” for each requested information element in the table. The Department recommends you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

**Table 3. Construction of Point(s) of Appropriation**

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide the information will delay the processing of your transfer application until it is received. The information is necessary for the Department to assess whether the proposed well(s) will access the same source aquifer as the authorized point(s) of appropriation (POA). The Department is prohibited by law from approving POA changes that do not access the same source aquifer.

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well, OWRD Well ID Tag No. L-___	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well - specific rate (cfs or gpm). If less than full rate of water right

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**JUN 14 2021**

**OWRD**

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JAMES E. KERNS  
45298 POCAHONTAS RD  
HAINES OR 97833

confirms the right to use the waters of ROCK CREEK, TRIBUTARY OF POWDER RIVER FOR IRRIGATION OF 98.0 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Baker County. The decree is of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 6, at Page 291. The dates of priority are 1904 FOR 38.0 ACRES AND 1874 FOR 60.0 ACRES.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
7 S	38 E	WM	33	NW SE	WILCOX DITCH - 1580 FEET NORTH AND 1430 FEET WEST FROM SE CORNER, SECTION 33

The amount of water to which this right is entitled is limited to an amount actually beneficially used for said purposes, and shall not exceed 1/40 of one cubic foot per second per acre; and shall be subject to all other conditions and limitations contained in said decree.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres	Priority
8 S	38 E	WM	3	NE NE	40.0	1874
8 S	38 E	WM	3	NW NE	38.0	1904
8 S	38 E	WM	3	N1/2 SW NE	20.0	1874

The quantity of water diverted at the new point of diversion, shall not exceed the quantity of water available at the old points of diversion described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
7 S	38 E	WM	33	NE SE	GEORGE (MCCULLOUGH) DITCH - 1700 FEET NORTH AND 224 FEET WEST FROM SE CORNER, SECTION 33
7 S	38 E	WM	33	NW SE	CHAMBERS DITCH - 1542 FEET NORTH AND 1732 FEET WEST FROM SE CORNER, SECTION 33

The diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the water user is entitled.

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

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

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The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described.

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered SEPTEMBER 13, 1978, at Special Order Volume 31, Page 212, approving Transfer Application 3000, and together with Certificate 46852, supercedes Certificate 4341, State record of Water Right Certificates.

Issued APR 07 2017



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

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# Application for Water Right Transfer

## Evidence of Use Affidavit



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

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

State of Oregon )  
 ) ss  
 County of BAKER)

**RECEIVED**  
**JUN 14 2021**  
**OWRD**

I, ADAM KERNS, in my capacity as OWNER/IRRIGATOR,  
 mailing address 13865 WILLOW CREEK LN. HAINES, OR 97814  
 telephone number (541)910-8420, being first duly sworn depose and say:

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

- Personal observation                       Professional expertise

2. I attest that:

Water was used during the previous five years on the **entire** place of use for Certificate # \_\_\_\_; **OR 86698, 86697, 92937**

My knowledge is specific to the use of water at the following locations within the last five years:

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

OR

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

(continues on reverse side)

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

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

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JUN 14 2021

[Signature]  
Signature of Affiant

6/11/2021  
Date

**OWRD**

Signed and sworn to (or affirmed) before me this 11<sup>th</sup> day of June, 2021.



[Signature]  
Notary Public for Oregon

My Commission Expires: June 21, 2022

Supporting Documents	Examples
<input type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of <b>confirming</b> water right certificate that shows issue date
<input type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none"> <li>• Power usage records for pumps associated with irrigation use</li> <li>• Fertilizer or seed bills related to irrigated crops</li> <li>• Farmers Co-op sales receipt</li> </ul>
<input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none"> <li>• District assessment records for water delivered</li> <li>• Crop reports submitted under a federal loan agreement</li> <li>• Beneficial use reports from district</li> <li>• IRS Farm Usage Deduction Report</li> <li>• Agricultural Stabilization Plan</li> <li>• CREP Report</li> </ul>
<input checked="" type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph	<p>Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added.</p> <p>Sources for aerial photos: OSU – <a href="http://www.oregonexplorer.info/imagery">www.oregonexplorer.info/imagery</a> OWRD – <a href="http://www.wrd.state.or.us">www.wrd.state.or.us</a> Google Earth – <a href="http://earth.google.com">earth.google.com</a> TerraServer – <a href="http://www.terraserver.com">www.terraserver.com</a></p>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

# Land Use Information Form



Oregon Water  
Resources  
Department

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## NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

**This form is NOT required if:**

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer,

## NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.



# Land Use Information Form



Oregon Water Resources

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JUN 14 2021

OWRD

Applicant(s): Adam Kerns

Mailing Address: 13865 Willow Creek Ln.

City: Haines

State: OR

Zip Code: 97833

Daytime Phone: 541-910-8420

## A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
<u>BS</u>	<u>38E</u>	<u>2</u>	<u>NNNW</u>	<u>200</u>	<u>EFU</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>IRR.</u>
<u>BS</u>	<u>38E</u>	<u>3</u>	<u>NWNE</u>	<u>200</u>	<u>EFU</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>IRR</u>
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____

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

Baker County

## B. Description of Proposed Use

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

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

Source of water:  Reservoir/Pond     Ground Water     Surface Water (name) Rock Creek

Estimated quantity of water needed: 4  cubic feet per second     gallons per minute     acre-feet

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

Briefly describe:

I would like to move my older water rights to fields where I have potatoes planted so I will have late season water.

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

See bottom of Page 3. →

# For Local Government Use Only

OWRD

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

**Please check the appropriate box below and provide the requested information**

Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): B020 Section 410.02(A)(1)

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

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

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

Name: Tara L. Micka Title: Planner  
 Signature: Tara L. Micka Phone: 541-523-8219 Date: 6-11-2021  
 Government Entity: Baker Co. Planning Dept.

**Note to local government representative:** Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.



**Receipt for Request for Land Use Information**

Applicant name: \_\_\_\_\_

City or County: \_\_\_\_\_ Staff contact: \_\_\_\_\_

Signature: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_

6/11/21  
 11:46 POTENTIAL LIABILITY REAL PROPERTY INQUIRY A10100  
 REF # 2021 R 7318 SPLIT ACCTS - CMD-18 Last Viewd 7318  
 MAP# LOT# A NUM CODE PCL MCL AP VA ZONE PAR# %.xxxx REAL# PR  
 08S3802 200 518 551 551 3 EFU  
 OWNER KERN, JAMES E & MARJORIE ET ALS  
 CNTRCT Pg 1  
 ADDR 13856 WILLOW CREEK LN  
 CTY/ST HAINES, OR 97833  
 SC DEF SITUS:  
 SITUS:  
 HOME ID: ACTION CDS MAPCODE 0518  
 YR AP 2021 APPR TB TYLER BOWLING  
 ACRES 5.00 SPC ASM  
 RMV M5 VALUE TOTAL AV  
 LAND NOTES  
 IMPROV  
 SUBTOT  
 LESS EXEMPTIONS:  
 LESS VET EXEMPT:  
 NET VALUES:

1-KEY 2-IMP 3-LND 7-EOJ 8-CLR 9-BACK 10-FORWARD 17-JV/TL 22-SALES 23-TAX INQ

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OWRD

REF# 7218  
5-18

REF# 17666  
8-15

08S	38E	2			200			5-18
Twp	Rge	Sec	1/4	1/16	Taxlot Number	Type	Num	Code
Map Number						Spec Int		
Taxlot Number								

**Official Record of Descriptions  
of Real Property**

Baker County Assessor's Office

Formerly part of

Description and Record of Change	Acre Change	Doc Type	Date of Entry On This Card	Deed Record	Acres Remaining
LLA to 08S 38E 3A Taxlot 100	-1.13	BS	9/19/2018	B18320214	57.05
Revised Desc: The N1/2 of Government Lot 2 of the NW1/4 (the N1/2 of the N1/2 of the NW1/4) and the N1/2 of the S1/2 of Government Lot 2 of the NW1/4 (the N1/2 of the S1/2 of the NW1/4) of Sec 2 T.8S, R.38E of the W.M., in the Co of Baker and State of OR. Exc THEREFROM the fol par: Ld located in the NW1/4 of Sec 2, T.8S, R.38E, W.M., Baker Co, OR, more pt desc as follows: Beg at the NW cor of sd NW1/4; Th N89°52'18"E, alg the N ln of sd NW1/4, 85.41'; Th S0°35'53"E, 441.92'; Th S18°44'09"W, 220.42'; Th N88°10'02"W, 16.93'; Th N0°12'10"W, 649.91' to the POB.		BS	9/19/2018	B18320214	57.05

JAC = 5-18  
J2, OS Ac = 8-15

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Code Area <b>5-24</b>	Township <b>8</b>	Range <b>38</b>	Section <b>2</b>	1/4	1/16	Parcel Number <b>200</b>	Type	Number	Formerly part of			
Map Number							Special Interest					
Tax Lot Number							History of Parcel					
History of Parcel Prior to Re-mapping <b>Ref 07318</b>							Exceptions/Additions	Date of Entry/ Acquisition	Deed Record		Acres Remainin	
Previous Account Number							Previous Tax Lot Number <b>838600</b>			Volume	Page	

**OFFICIAL RECORD OF DESCRIPTIONS  
OF REAL PROPERTY  
COUNTY ASSESSOR'S OFFICE**

**FORMERLY PART OF**

DESCRIPTION AND RECORD OF CHANGE	Date of entry on this card	Deed Record Vol. & Pg.	Acres Remaining
<p><b>SECTION 2</b></p> <p>Receipts:</p> <p>Co. Rd. <b>2.30</b></p> <p>1. Kerne Rainbow Ranch Inc <b>8128 5/21/68 68-19-025 UD</b></p> <p>2. Kerne, James E 65%; Marjorie J 35%; <b>24463 8/1/77 77-25-083 UD</b></p> <p>3. Kerne, James E &amp; Marjorie J <b>24268 5/8/78 78-14-104 Contract</b></p> <p><b>12/20/78 78-17-075 Fence</b></p> <p><b>78-14-069 Agree</b></p>			60.68

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<i>Exc. Co. Rd. 638</i> 1.82	11-89	90 78-47	076	60.68
<i>Exc. Co. Rd. 642</i> 0.68	11-89	-	-	58.18

Remarks

foregoing instrument to be their voluntary act and deed.

IN WITNESS WHEREOF, I hereunto set my hand and seal.

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JUN 14 2021

FORM No. 999--Revised 1988 Law Publishing Co., Portland, Ore. 97204

78 47 076

QUITCLAIM DEED--STATUTORY FORM

INDIVIDUAL GRANTEE

William and Audrey Schreck  
quitclaims to James S. Hicks and Mandoria Hicks  
all right, title and interest in and to the following described real property situated in Baker County, Oregon, to-wit:

North one half of the North one half of the Northwest quarter and the North one half of the South one half of the North one half of the Northwest quarter of Sec 2 in Township 5 South, Range 38 E, W.M. Southeast quarter Northeast quarter, North half Northeast quarter Section 3, Township 8 S, Range 38 E, W.M. B 38 600 5-24 58.18

considered - already in title name - IT'S  
The true consideration for this conveyance is \$ 0 (Here comply with the requirements of ORS 93.030)

Dated this 7 day of November, 1978

James S. Hicks  
Mandoria B. Schreck

Notary Public for Oregon - My commission expires: 9-23-80  
I, Myra A. Conklin, Notary Public for Oregon, personally appeared the above named James S. Hicks and Mandoria B. Schreck and acknowledged the foregoing instrument to be their voluntary act and deed.

QUITCLAIM DEED  
GRANTOR  
GRANTEE  
GRANTEE'S ADDRESS, ZIP  
NAME ADDRESS ZIP

STATE OF OREGON  
County of Baker  
I certify that the within instrument was received for record on the 21st day of Nov, 1978, at 2:30 o'clock P.M., and recorded in book on page of as life/real number  
Record of Deeds of said County.  
Witness my hand and seal of County aforesaid.  
Recording Officer  
Deputy

contract dated November 17, 1978, JOHN R. MITCHELL & COMPANY

**OF REAL PROPERTY  
COUNTY ASSESSOR'S OFFICE**

TWP.	RGE.	SEC.	1/4	1/16	PARCEL NUMBER	Type	Spec. Int. In	CODE AREA NUMBER	FORMERLY PART OF
MAP NUMBER					REAL PROP.				
TAX LOT NUMBER									

Indent each new course to this point: Ref. 07318	DESCRIPTION AND RECORD OF CHANGE	Date of entry on this card	Deed Record		Acres Remaining
			Vol.	PG.	
	8382-200				
	T8S=R38E WM				
	Sec 2 N $\frac{1}{2}$ N $\frac{1}{2}$ NW $\frac{1}{4}$ ; N $\frac{1}{2}$ S $\frac{1}{2}$ N $\frac{1}{2}$ NW $\frac{1}{4}$		146	577	60.68
	Except:				
	Co. Rd. 2.50				58.18
1.	Kerns Rainbow Ranch Inc 8128	5/21/68	68-19-026		WD
2.	Kerns, James E 65%; Marjorie J 35%; 24663	8/1/77	77-25-083		WD
	" " 26268	" "	77-28-005		WD
3.	Kerns, James E & Marjorie J	5/8/78	78-14-104		Corrects
		12/20/78	78-47-076		Contract
			78-44-069		Fence Agree

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JUN 14 2021  
**OWRD**

REF # 7324  
8-15

OWRD

08S	38E	3	A		200			5-18
Twp	Rge	Sec	1/4	1/16	Taxlot Number	Type	Num	Code
Map Number						Spec Int		
Taxlot Number								

**Official Record of Descriptions  
of Real Property**

Baker County Assessor's Office

Formerly part of

Description and Record of Change	Acre Change	Doc Type	Date of Entry On This Card	Deed Record	Acres Remaining
LLA to Taxlot 300	-3.44	BS	9/19/2018	B18320183	112.28
LLA to Taxlot 100	-0.10	BS	9/19/2018	B18320193	112.18
LLA from Taxlot 100	0.34	BS	9/19/2018	B18320203	112.52
LLA to 08S 38E Taxlot 600	-34.28	BS	9/19/2018	B18320232	78.24
Revised Desc:		BS	9/19/2018	B18320232	78.24
<p>Gov Lot 2 of the NE1/4 (the N1/2 of the NE1/4), and the W1/2 of Gov Lot 1 of the NE1/4 (the SW1/4 of the NE1/4) of Sec 3, T 8 S, R 38 E of the WM, in the Co of Baker and State of OR.</p> <p>EXC THEREFROM the fol five pars:</p> <p>Par No. 1: The E1/2 of the E1/2 of the NE1/4 of the NE1/4 of the NE1/4 of Sec 3, T 8 S, R 38 E of the WM, in the Co of Baker and State of OR.</p> <p>Par No. 2: A par in the S1/2 of the N1/2 of Sec 3, T 8 S, R 38 E of the WM, in the Co of Baker and State of OR, more pt DAF:                      BEG at the SW cor of the SW1/4 of the NE1/4 of Sec 3, sd T and R;                      Th W 40';                      Th N 170';                      Th E 180';                      Th S 170';                      Th W 140' to the POB.</p> <p>Par No. 3: Ld located in the NE1/4 of Sec 3, T 8 S, R 38 E, WM, Baker Co, OR, more pt DAF:                      Beg at the NW cor of sd NE 1/4;                      Th S0°09'15"E., alg the W ln of sd NE1/4, 580.22';                      Th S89°57'55"E., 8.03';                      Th N40°38'46"E., 766.21' to the N ln of sd NE1/4;                      Th S89°52'18"W., alg sd N ln, 508.69' to the POB.</p> <p>Par No. 4: Ld located in the NE1/4 of Sec 3, T 8 S, R 38 E, WM, Baker Co, OR, more pt DAF:                      Beg at the NW cor of the par desc in Baker Co dd #74 25 044;                      Th S0°11'59"E., 433.96';                      Th N27°38'59"W., 22.46';                      Th N0°09'05"W., 414.04' to the N ln of sd NE1/4;                      Th N89°52'18"E., alg sd N ln, 10.00' to the POB.</p> <p>Par No. 5: Ld located in the NE1/4 of Sec 3, T 8 S, R 38 E, WM, Baker Co, OR, more pt DAF:                      Exc therefrom the N 180' and exc the W 140' of the S 170'.                      TOGETHER WITH the fol:                      Ld located in the NE1/4 of Sec 3, T 8 S, R 38 E, WM, Baker Co, OR, more pt DAF: Beg at the SW cor of the par desc in Baker Co dd # 74 25 044;                      Th N0°11'59"W., 231.21';</p>					

(Continued)



REF # 7324

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08S	38E	3	A		200			5-18
Twp	Rge	Sec	1/4	1/16	Taxlot Number	Type	Num	Code
Map Number						Spec Int		
Taxlot Number								

**Official Record of Descriptions  
of Real Property**

Baker County Assessor's Office

OWRD

Formerly part of

Page 2

Description and Record of Change	Acre Change	Doc Type	Date of Entry On This Card	Deed Record	Acres Remaining
Th S27°38'59"E., 241.41'; Th S88°10'02"E., 54.28'; Th S0°12'10"E., 15.16'; Th S89°50'12"W., 165.53' to the POB.					

Code Area	Township	Range	Section	1/4	1/16	Parcel Number	Type	Number
5-24	8	38	3	A		200		

Formerly part of \_\_\_\_\_

Map Number					Special Interest				
Tax Lot Number									
History of Parcel Prior to Re-mapping <i>Ref 07324</i>									
Previous Account Number					Previous Tax Lot Number				
					<i>838 1101</i>				

Exceptions/Additions	Date of Entry/ Acquisition	Deed Record		Acres Remaining
		Volume	Page	
	<i>11-89</i>	<i>78-14-104 WD</i>		
		<i>78-44-672</i>		<i>117.43</i>
<i>Exc. Co. Rd. 638</i>	<i>11-89</i>			<i>115.72</i>

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 JUN 14 2021  
 OWRD

**OFFICIAL RECORD OF DESCRIPTIONS OF REAL PROPERTY**  
 SAGWA COUNTY ASSESSOR'S OFFICE

TAX MAP	SECTION	QUARTER	PARCEL NUMBER	AREA ACRES	PROPERTY VALUE	EXEMPTION
38	1101	A	200	120.53	119.95	

**Tax Map 38, Section 1101, Quarter A, Parcel 200**

**185-2382 Wt**  
 Sec. 3 **SW1/4, SW1/4**  
 Exempts Part of TL 1000 *0.58*  
 Exempts *Co. Rd.* *1.71*  
 1. *Kerns Rainbow Ranch Inc* *8129 5/21/68 68-12-025 W/4*  
 2. *Kerns, James E 653, Marjorie J 355* *4963 8/1/77 74-27-088 W/4*  
 3. *Kerns James El Marjorie J* *774-000 W/4*

---

**185-2382 Wt**  
 Sec 3: Lot 2 of the NW1/4 (SW1/4) excepting therefrom the *SW1/4*,  
 1/2 of Lot 1 of the NW1/4 (SW1/4), excepting therefrom the following: Beginning at the SW cor of the SW1/4; th N 40 ft; th E 170 ft; th E 100 ft; th S 120 ft; th W 140 ft to the 7086.53  
 Exempts *Co Rd* *1.71*  
 1. *Kerns, James E + Marjorie J* *26269 5/8/79 79-24-084 parcels*  
*12/28/79 79-24-089 parcel*  
*12/28/79 79-24-092*

Remarks

77 25 U83

WARRANTY 0600

KNOW ALL MEN BY THESE PRESENTS, That KERNS RAINBOW RANCH, INC.,

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by JAMES R. KERNS, an undivided 65%, and MAJORIE J. KERNS, an undivided 35%, husband and wife, hereinafter called the grantees, does hereby grant, bargain, sell and convey unto the said grantees and grantees's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of BAKER and State of Oregon, described as follows, to-wit:

In Twp. 8 S., R. 38 E., W.M.:

838  
1200  
1101  
600  
5-24  
154.67  
115.72  
58.18

~~Sec. 3: The North half of Lot 2 of the NW 1/4 (N4NW1/4) of the North half of the South half of Lot 2 of the NW 1/4 (N4NW1/4) of the West half of Lot 1 of the NW 1/4 (N4NW1/4) of the West half of Lot 2 of the NW 1/4 (N4NW1/4) of the West half of Lot 3 of the NW 1/4 (N4NW1/4) EXCEPTING THEREFROM the NW 1/4 (N4NW1/4) of the West half of Lot 3 of the NW 1/4 (N4NW1/4),~~

EXCEPTING THEREFROM the following:  
Beginning at the Northeast corner thereof;  
thence South 660 feet;  
thence West 165 feet;  
thence North 660 feet;  
thence East 660 feet to the point of beginning.

~~The East half of Lot 2 of the NW 1/4 (N4NW1/4) and the West half of Lot 1~~  
(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE) (Continued on reverse side)

To Have and to Hold the same unto the said grantees and grantees's heirs, successors and assigns forever. And said grantor hereby covenants to and with said grantees and grantees's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances

and that grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is a transfer of shares

However, the actual consideration consists of or includes other property or value given or promised which is the whole part of the consideration (indicate which). (The sentence between the symbols ©, if not applicable, should be deleted. See ORS 83.028.)

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 22<sup>nd</sup> day of June, 1977. If a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

Jim L. Kerns Pres

Janet B. Kerns, Sec

If executed by a corporation, (this corporate seal)

STATE OF OREGON,

STATE OF OREGON, County of Baker

Copy of

June 22, 1977

Personally appeared the above named

Personally appeared Jim L. Kerns and Janet B. Kerns who, being duly sworn each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of KERNS

and acknowledged the foregoing instrument to be voluntary act and deed.

Rainbow Ranch, Inc. a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in full and said corporation by authority of its board of directors, and each of them, acknowledged said instrument to be its voluntary act and deed.

(OFFICIAL SEAL)

(OFFICIAL SEAL)

Notary Public for Oregon  
My commission expires:

Notary Public for Oregon  
My commission expires: 1-25-78

GRANTOR'S NAME AND ADDRESS

STATE OF OREGON,

GRANTEE'S NAME AND ADDRESS

County of  
I certify that the within instrument was received for record on the day of 1977 at o'clock M., and recorded in book on page or as file/roll number Record of Deeds of said county. Witness my hand and seal of County aforesaid.

JAMES R. KERNS  
MAJORIE J. KERNS  
NAME, ADDRESS, ZIP

SPACE RESERVED FOR RECORDER'S USE

That a change is required all fee statements shall be sent to the following

RECEIVED

Recording Officer  
Deputy

JUN 14 2021

By (seal)

NAME, ADDRESS, ZIP

OWRD

Code Area <b>5-24</b>	Township <b>8</b>	Range <b>38</b>	Section <b>3</b>	1/4 <b>A</b>	1/16	Parcel Number <b>200</b>	Type	Number	Formerly part of
--------------------------	----------------------	--------------------	---------------------	-----------------	------	-----------------------------	------	--------	------------------

Map Number	Special Interest	History of Parcel			
Tax Lot Number		Exceptions/Additions	Date of Entry/ Acquisition	Deed Record Volume Page	Acres Remaining
History of Parcel Prior to Re-mapping <b>Ry 07324</b>					
Previous Account Number	Previous Tax Lot Number <b>838 1101</b>				

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JUN 14 2021

OWRD

Remarks					

77 25 084

of the NE¼ (SW¼NE¼),  
EXCEPTING THEREFROM the following:  
Beginning at the Southwest corner of the SW¼NE¼;  
thence West 40 feet;  
thence North 170 feet;  
thence East 180 feet;  
thence South 170 feet;  
thence West 140 feet to the point of beginning.

~~...  
...  
... north of the Rock Creek Reservoir. Home.~~

1838  
1500  
5-5  
82.83

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JUN 14 1977

OWED

19121

PL 0/

... 453 ... Deputy  
6-23-77

8 38				1101			5-24			BAKER COUNTY ASSESSOR'S OFFICE		
TWP. & RGE. N.	SEC.	1/4	1/16	TAX LOT NUMBER	TYPE	SPEC. INT. IN REAL PROP.	CODE AREA NUMBER	FORMERLY PART OF T.L. NO.	CITY			
MAP NUMBER				ACCOUNT NUMBER			1100					
INDENT EACH NEW COURSE TO THIS POINT		ADDITIONAL DESCRIPTION AND RECORD OF CHANGE					DATE OF ENTRY ON THIS CARD		DEED RECORD VOL. PG.		ACRES REMAINING	
		Ref. 07324					83834-200					
		T8S R38E WM										
		Sec. 3 N $\frac{1}{2}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$									120.59	
		Except: Part of TL 1000					0.58				119.95	
		Except: E $\frac{1}{2}$ E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ (Lot)					2.52				117.43	
		Co. Rd.					1.71				115.72	
		1. Kerns Rainbow Ranch Inc					8129 5/21/68		68-19-026		WD	
		2. Kerns, James E 65%, Marjorie J. 35%					24663 8/1/77		77-25-083		WD	
		3. Kerns, James E & Marjorie J.					" "		77-28-005		WD	
<del>SEE NEW DESC BELOW</del>												
		T8S R38E WM:										
		Sec 3: Lot 2 of the NE $\frac{1}{4}$ (N $\frac{1}{2}$ NE $\frac{1}{4}$ ) excepting there-									120.53	
		from the E $\frac{1}{2}$ E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ .					2.52				118.01	
		W $\frac{1}{2}$ of lot 1 of the NE $\frac{1}{4}$ (SW $\frac{1}{4}$ NE $\frac{1}{4}$ ), excepting										
		therefrom the following: Beginning at the SW cor										
		of the SW $\frac{1}{4}$ NE $\frac{1}{4}$ : th W 40 ft;										
		th N 170 ft; th E 180 ft;										
		th S 180 ft;										
		th W 140 ft to the POB 0.58									117.43	
		Exc: Co Rd					1.71				115.72	
		1. Kerns, James E & Marjorie H					26268 5/8/78		78-14-104		corrects	
							12/20/78		78-44-069		fence agr	
							12/20/78		78-44-072			

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JUN 14 2021

OWRD