

Gerrard 7706

Name Ronald & Marjorie Gerrard

7706

By _____
Address 79630 Delight Valley Rd.
Cottage Grove OR 97424
541-942-8655

DESCRIPTION OF WATER RIGHT

Name of stream Coast Fork Willamette

Trib. of _____ County of Lane

Use Irrigation

Quantity of water _____ No. of acres _____

Name of ditch _____

Date of priority 12-14-1961

In name of Paul E. Coldiron

_____ Adjudication, Vol. _____, page _____

App. No. 37256 Per. No. 27756 Cert. No. 33836

Certificate cancelled _____

Change in POD

Date filed 2-10-97

Date of hearing _____

Place of hearing _____

✓ Date of order 4-15-98 Vol. 52, page 395

Date for application of water 10-1-99

Proof mailed _____

Proof received _____

Certificate issued 9/27/2013 Vol. _____, page 88318

RR 75597 ✓ JMDB

Notation made on record by _____

FPD

REMARKS

NOI.D. / Russell D. Hendricks CWRE 64

Public Notice 2-18-97

FEE PAID

Date	Amount	Receipt No.
2-10-97	\$35.00	10023
2-10-97	\$50.00	10039
TOTAL . . .		
	Cert. Fee	

FEE REFUNDED

Date	Amount	Check No.

STATE OF OREGON
 COUNTY OF LANE
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RONALD AND MARJORIE GERRARD
 79630 DELIGHT VALLEY RD
 COTTAGE GROVE OR 97424

confirms the right to use the waters of COAST FORK WILLAMETTE RIVER, tributary to WILLAMETTE RIVER for IRRIGATION of 37.2 ACRES.

This right was perfected under Permit 27756. The date of priority is DECEMBER 14, 1961. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.47 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
20 S	3 W	WM	22	NE NW	53	1531 FEET SOUTH & 2353 FEET WEST FROM SE CORNER, DLC 52

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-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year; the right allowed herein for appropriation of water from the Coast Fork Willamette River shall be limited to the period when the flow of said Coast Fork is more than 135 cfs measured at its mouth.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use is as follows:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
20 S	3 W	WM	22	NW NE	1		1.1
20 S	3 W	WM	22	NW NE		53	13.3
20 S	3 W	WM	22	SW NE	4		0.2
20 S	3 W	WM	22	NE NW	2		0.3
20 S	3 W	WM	22	NE NW		53	18.8
20 S	3 W	WM	22	SE NW		54	0.2
20 S	3 W	WM	22	SE NW	3		0.7
20 S	3 W	WM	22	SE NW		53	2.6

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.

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

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
20 S	3 W	WM	22	NE NW	53	RIVER - 1330 FEET SOUTH & 2300 FEET WEST FROM SE CORNER, DLC 52
20 S	3 W	WM	22	NE NW	54	SLOUGH - 3140 FEET SOUTH & 1240 FEET WEST FROM SE CORNER, DLC 52

When required by the Department, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.


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.

Water shall be acquired from the same surface source as the original point of diversion.

The water user shall maintain a fish screen or fish by-pass device.

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered APRIL 15, 1998, at Special Order Volume 52, Page 395, approving Transfer Application 7706, and together with Certificate 75597, supersedes Certificate 33836, State record of Water Right Certificates.

Issued SEP 27 2013


Dwight W. French
Administrator, Water Right Services, for
Phillip C. Ward, Director

FINAL PROOF SURVEY
 UNDER
 APPLICATION No. T-1106

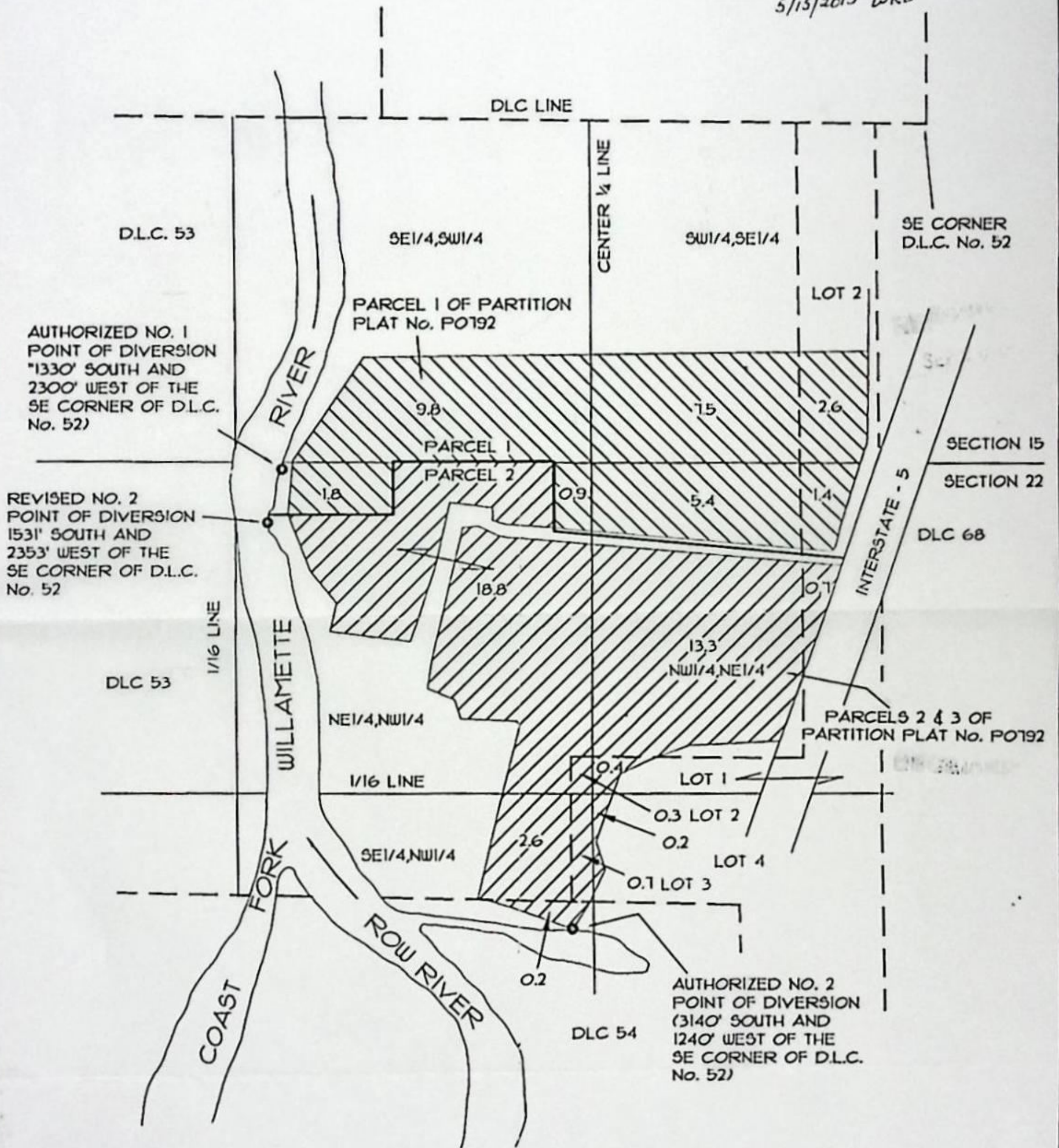
RECEIVED

SEP 20 1999

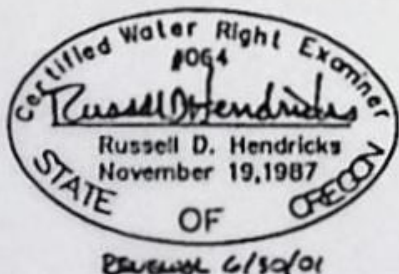
WATER RESOURCES DEPT
 BALDWIN

AUGUST 25, 1999

T20S, R3W, W.M.
 5/15/2013 WRD



SCALE: 1" = 400'



THIS MAP IS FOR THE PURPOSE
 OF IDENTIFYING THE WATER RIGHT
 ONLY AND IS NOT INTENDED TO
 PROVIDE LEGAL DIMENSIONS OR
 LOCATIONS OF PROPERTY
 OWNERSHIP LINES.



Oregon

John A. Kitzhaber, MDX Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

Date Mailed: SEP 27 2013

NOTICE OF CERTIFICATE ISSUANCE

Attached is a certificate that confirms the water rights established under the terms of a transfer order issued by this Department.

This certificate 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.

This statement of judicial review rights is required under ORS 536.075; it does not alter or add to existing review rights or create review rights that are not otherwise provided by law.

The water must be controlled and not wasted. To change the location of the point of diversion, the character of use, or the location of use requires the advance approval of the Water Resources Director.

If you have any questions please contact Gerry Clark at 503-986-0811.

Mailing List for Transfer Certificate

Application: T-7706

Certificate: 88318

Certificate/Transfer Holder: (include copy of map)

RONALD AND MARJORIE GERRARD
79630 DELIGHT VALLEY RD ✓
COTTAGE GROVE OR 97424

Copies Mailed

By: *Sarah H.*
(SUPPORT STAFF)

on: SEP 27, 2013
(DATE)

Copies of final Certificate to be sent to:

1. Watermaster #02 (Include map) ✓
2. Data Center ✓
3. Water Availability ✓
4. Vault ✓
5. File ✓

Other Persons to receive copies (proposed and/or final certificate: (Include map)

CURRENT OWNERS PER ASSESSORS OFFICE:
BERT C & KERYL J GILKISON ✓
79630 DELIGHT VALLEY SCHOOL RD
COTTAGE GROVE OR 97424

Record Marking(s):

1. Original Application# 37256 ✓
2. Old Certificate# 33836

FINAL PROOF SURVEY
 UNDER
 APPLICATION No. T-1106

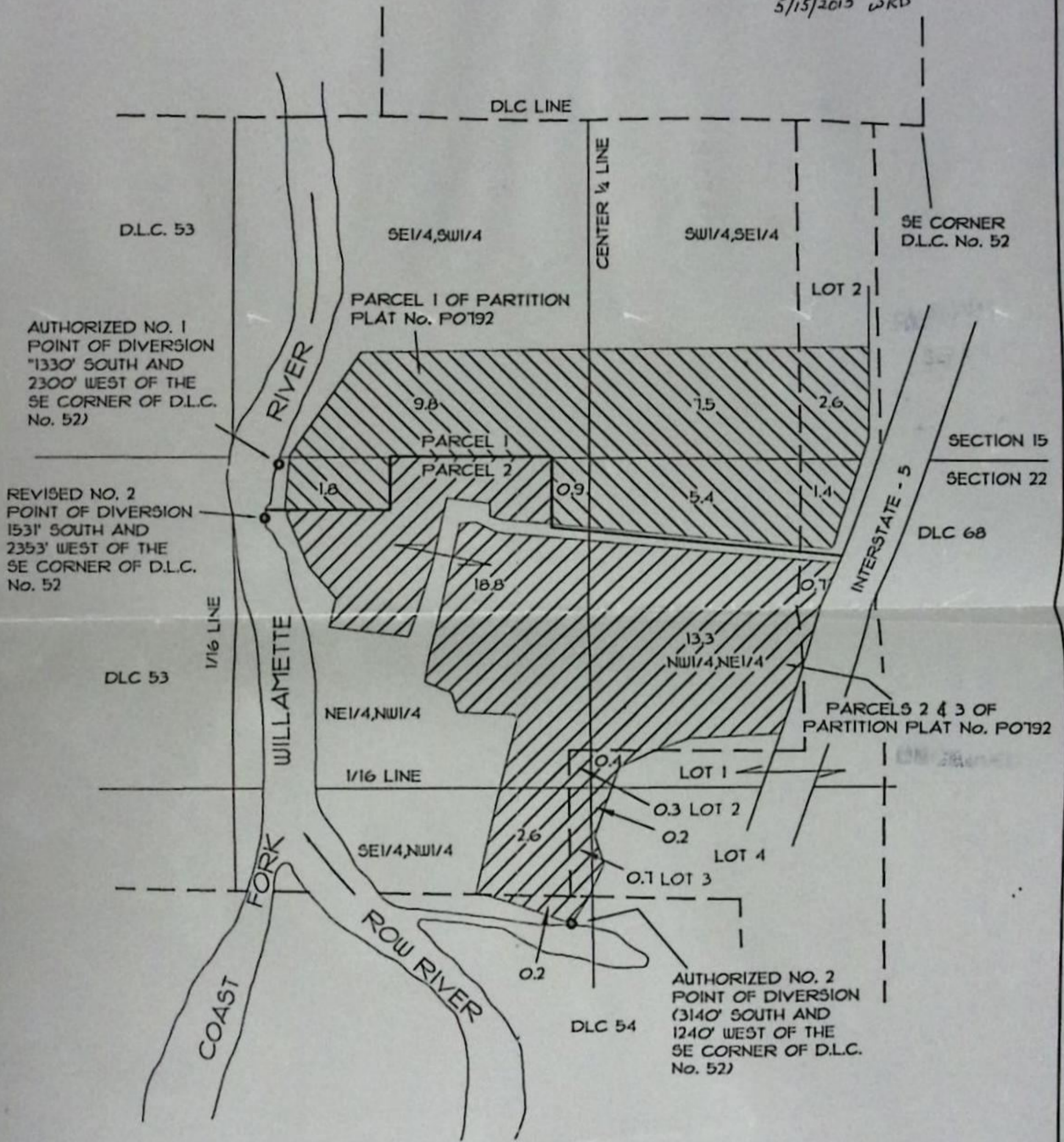
RECEIVED

SEP 20 1999

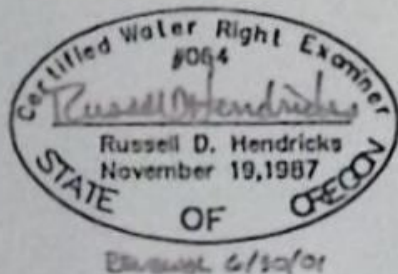
WATER RESOURCES DEPT
 BUREAU OF SURVEYING

AUGUST 25, 1999

T20S, R3W, W.M.
 5/15/2013 WRD



SCALE: 1" = 400'



THIS MAP IS FOR THE PURPOSE OF IDENTIFYING THE WATER RIGHT ONLY AND IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

MEMO

TO: FILE T-7706

FROM: SWG

DATE: 5.8, 2013

RE: DETERMINATION OF PROOF

I've determined that a PROPOSED FINAL certificate should be prepared and mailed to the permit holder consistent with:

Permit Transfer

FPS COBU

As described in the permit/transfer but as clarified by the FPS COBU

As described in the PERMIT/TRANSFER and FPS or COBU but as further specified below:

Conflict? No Yes: _____

stamped PROPOSED or assign Cert # 88318

Draft certificate(s) are available in the transfer directory.

Water Organization identified using area of interest tool? No Yes, cc: _____

Check ownership; and if there is a new owner, add them to the mailing list.

Prepare a mailing list.

Record marking: App _____ Cert _____

NOTES:



Oregon

John A. Fitzhabet, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

April 20, 1998

RONALD & MARJORIE GERRARD
79630 DELIGHT VLY RD
COTTAGE GROVE OR 97424

REFERENCE: File T-7706

Enclosed is a copy of the order approving your water right transfer application T-7706.

A time to complete the transfer is given in the order. A form for reporting completion is enclosed for your convenience.

YOU SHOULD GIVE PARTICULAR ATTENTION TO THE TIME LIMIT. The water right for any portion of the authorized change in use or change in place of use NOT carried out within the time allowed will be lost.

An extension of the time limit can be allowed only upon a showing that diligent effort has been made to complete the actual change within the time allowed.

You have the requirement to hire a Certified Water Right Examiner (CWRE) to complete a Claim of Beneficial Use report and map which must be submitted to this department within one year of the completion date authorized in the transfer. A list of CWRE's will be sent to you when we receive your notice that the project is complete and beneficial use of the water has been made.

Sincerely,

LARRY H. NUNN
Water Rights Specialist

LHN;jh

Enclosures

cc: Gene McGinnis, Watermaster
Russell Hendricks, CWRE

STATE OF OREGON

COUNTY OF LANE

ORDER APPROVING A CHANGE IN POINT OF DIVERSION

Pursuant to ORS 540.510 to 540.530, after notice was given and no objections were filed, and finding that no injury to existing water rights would result, this order approves, as conditioned or limited herein, TRANSFER 7706 submitted by

RONALD AND MARJORIE GERRARD
79630 DELIGHT VALLEY ROAD
COTTAGE GROVE, OREGON 97424.

The right to be modified, as evidenced by a portion of Certificate 33836, was perfected under Permit 27756 with a date of priority of DECEMBER 14, 1961. The right allows the use of the COAST FORK WILLAMETTE RIVER AND UNNAMED SLOUGH OF ROW RIVER, tributaries of the WILLAMETTE RIVER, for IRRIGATION OF 37.2 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.47 cubic foot per second (cfs); being 0.09 cfs from the Coast Fork Willamette River and 0.38 cfs from unnamed slough of the Row River, if available at the authorized points of diversion: NE¼ NW¼, AS PROJECTED WITHIN BOWER DLC 53, SE¼ NW¼, AS PROJECTED WITHIN VEACH DLC 54, SECTION 22, T 20 S, R 3 W, W.M.; DIVERSION POINTS LOCATED: RIVER - 1330 FEET SOUTH AND 2300 FEET WEST; SLOUGH - 3140 FEET SOUTH AND 1240 FEET WEST; BOTH FROM THE SE CORNER OF COVERDILL DLC 52, or its equivalent in case of rotation, measured at the point of diversion from the source.

The amount of water used for irrigation, together with the amount secured under an other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2¼ acre-feet for each acre irrigated during the irrigation season of each year; the right allowed herein for appropriation of water from the unnamed slough of Row River shall be limited to the period when the flow of Row River is more than 100 cfs measured at its mouth and when the flow of the Coast Fork Willamette River is more than 135 cfs measured at its mouth; the right allowed herein for appropriation of water from the Coast Fork Willamette River shall be limited to the period when the flow of said Coast Fork is more than 135 cfs measured at its mouth.

The use shall conform to any reasonable rotation system ordered by the proper state officer.

The authorized place of use is located as follows:

COAST FORK WILLAMETTE RIVER

NE¼ NW¼ 7.0 ACRES
AS PROJECTED WITHIN BOWER DLC 53

UNNAMED SLOUGH ROW RIVER

LOT 1 (NW¼ NE¼) 1.1 ACRES
NW¼ NE¼ 13.3 ACRES
AS PROJECTED WITHIN BOWER DLC 53
LOT 4 (SW¼ NE¼) 0.2 ACRE
LOT 2 (NE¼ NW¼) 0.3 ACRE
NE¼ NW¼ 11.8 ACRES
AS PROJECTED WITHIN BOWER DLC 53
LOT 3 (SE¼ NW¼) 0.7 ACRE
SE¼ NW¼ 2.6 ACRES
AS PROJECTED WITHIN BOWER DLC 53
SE¼ NW¼ 0.2 ACRE
AS PROJECTED WITHIN VEACH DLC 54
SECTION 22
TOWNSHIP 20 SOUTH, RANGE 3 WEST, W.M.

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

The applicant proposes to change the point of diversion from the Coast Fork Willamette River and unnamed slough of the Row River to a point on the Coast Fork Willamette River located at:

NE¼ NW¼, AS PROJECTED WITHIN BOWER DLC 53, SECTION 22, T 20 S, R 3 W, W.M.; 1531 FEET SOUTH AND 2353 FEET WEST FROM THE SE CORNER OF DLC 54.

THIS CHANGE TO AN EXISTING WATER RIGHT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

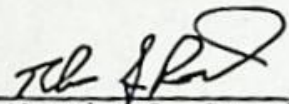
1. The proposed change shall be completed on or before October 1, 1999.
2. The quantity of water diverted at the new point of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of water lawfully available at the original point of diversion.

3. When required by the Department, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
4. Water shall be acquired from the same surface water source as the original point of diversion.
5. The water user shall install and maintain a fish screen or fish by-pass device. The type and plans of the screen or by-pass device must be approved by the Oregon Department of Fish and Wildlife prior to beginning of construction and shall be installed under the supervision of the Department of Fish and Wildlife.

The water user may participate in the Oregon Department of Fish and Wildlife's cost sharing program for installation of screening and by-pass devices in accordance with ORS 540.525.

Certificate 33836 is cancelled. A new certificate will be issued to confirm that portion of the right NOT involved in this transfer. When satisfactory proof of the completed change is received, a new certificate confirming this water right will be issued.

WITNESS the signature of the Water Resources
Director, affixed April 15, 1998.


For Martha O. Pagel, Director

STATE OF OREGON
COUNTY OF LANE
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

TERRY AND CHERYL THOMPSON
79652 DELIGHT VALLEY ROAD
COTTAGE GROVE, OREGON 97424

confirms the right to use the waters of the COAST FORK WILLAMETTE RIVER AND UNNAMED SLOUGH OF ROW RIVER, tributaries of the WILLAMETTE RIVER, for IRRIGATION OF 29.4 ACRES.

This right was perfected under Permit 27756. The date of priority is DECEMBER 14, 1961. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.36 CUBIC FOOT PER SECOND (CFS); BEING 0.12 CFS FROM THE COAST FORK WILLAMETTE RIVER AND 0.24 CFS FROM UNNAMED SLOUGH OF ROW RIVER, or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

NE¼ NW¼, AS PROJECTED WITHIN BOWER DLC 53, SE¼ NW¼, AS PROJECTED WITHIN VEACH DLC, SECTION 22, T 20 S, R 3 W, W.M.; DIVERSION POINTS LOCATED: RIVER - 1330 FEET SOUTH AND 2300 FEET WEST; SLOUGH - 3140 FEET SOUTH AND 1240 FEET WEST; BOTH FROM THE SE CORNER OF COVERDILL DLC 52.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2½ acre-feet for each acre irrigated during the irrigation season of each year; the right allowed herein for appropriation of water from the unnamed slough of Row River shall be limited to the period when the flow of Row River is more than 100 cfs measured at its mouth and when the flow of the Coast Fork Willamette River is more than 135 cfs measured at its mouth; the right allowed herein for appropriation of water from the Coast Fork Willamette River shall be limited to the period when the flow of said Coast Fork is more than 135 cfs measured at its mouth.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

COAST FORK WILLAMETTE RIVER

SE¼ SW¼ 7.8 ACRES
AS PROJECTED WITHIN BOWER DLC 53

UNNAMED SLOUGH ROW RIVER

SE¼ SW¼ 2.0 ACRES
AS PROJECTED WITHIN BOWER DLC 53
LOT 2 (SW¼ SE¼) 2.6 ACRES
SW¼ SE¼ 7.5 ACRES
AS PROJECTED WITHIN BOWER DLC 53
SECTION 15

COAST FORK WILLAMETTE RIVER

NE¼ NW¼ 1.8 ACRES
AS PROJECTED WITHIN BOWER DLC 53

UNNAMED SLOUGH ROW RIVER

LOT 1 (NW¼ NE¼) 1.4 ACRES
NW¼ NE¼ 5.4 ACRES
AS PROJECTED WITHIN BOWER DLC 53
NE¼ NW¼ 0.9 ACRE
AS PROJECTED WITHIN BOWER DLC 53
SECTION 22

TOWNSHIP 20 SOUTH, RANGE 3 WEST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 33836, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered APR 15 1998, approving Transfer Application 7706.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

WITNESS the signature of the Water Resources

Director, affixed April 15, 1998


for Martha O. Pagel, Director



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

December 16, 1999

RONALD AND MARJORIE GERRARD
79630 DELIGHT VALLEY ROAD
COTTAGE GROVE, OR 97424

REFERENCE: File T-7706

This will acknowledge that your claim of beneficial use and map in the name of RONALD AND MARJORIE GERRARD were received on SEPTEMBER 20, 1999. These will be reviewed in the future to insure they are complete and correct.

If you have any questions please contact me at (503) 378-8455, extension 263, or dial toll free (within Oregon only) at 1-800-624-3199, extension 263

Sincerely,

STEVE BROWN
Program Analyst
Certificate Section

SCB:tcb

cc: RUSSELL D. HENDRICKS, CWRE #64



STATE OF OREGON

COUNTY OF LANE

ORDER APPROVING A CHANGE IN POINT OF DIVERSION

Pursuant to ORS 540.510 to 540.530, after notice was given and no objections were filed, and finding that no injury to existing water rights would result, this order approves, as conditioned or limited herein, TRANSFER 7706 submitted by

RONALD AND MARJORIE GERRARD
79630 DELIGHT VALLEY ROAD
COTTAGE GROVE, OREGON 97424.

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The use shall conform to any reasonable rotation system ordered by the proper state officer.

The authorized place of use is located as follows:

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NE¼ NW¼ 7.0 ACRES
AS PROJECTED WITHIN BOWER DLC 53

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LOT 1 (NW¼ NE¼) 1.1 ACRES
NW¼ NE¼ 13.3 ACRES
AS PROJECTED WITHIN BOWER DLC 53
LOT 4 (SW¼ NE¼) 0.2 ACRE
LOT 2 (NE¼ NW¼) 0.3 ACRE
NE¼ NW¼ 11.8 ACRES
AS PROJECTED WITHIN BOWER DLC 53
LOT 3 (SE¼ NW¼) 0.7 ACRE
SE¼ NW¼ 2.6 ACRES
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SECTION 22
TOWNSHIP 20 SOUTH, RANGE 3 WEST, W.M.

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NE¼ NW¼, AS PROJECTED WITHIN BOWER DLC 53, SECTION 22, T 20 S, R 3 W, W.M., 1531 FEET SOUTH AND 2353 FEET WEST FROM THE SE CORNER OF DLC 54.

THIS CHANGE TO AN EXISTING WATER RIGHT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed change shall be completed on or before October 1, 1999.
2. The quantity of water diverted at the new point of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of water lawfully available at the original point of diversion.

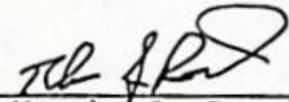
3. When required by the Department, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
4. Water shall be acquired from the same surface water source as the original point of diversion.
5. The water user shall install and maintain a fish screen or fish by-pass device. The type and plans of the screen or by-pass device must be approved by the Oregon Department of Fish and Wildlife prior to beginning of construction and shall be installed under the supervision of the Department of Fish and Wildlife.

The water user may participate in the Oregon Department of Fish and Wildlife's cost sharing program for installation of screening and by-pass devices in accordance with ORS 540.525.

Certificate 33836 is cancelled. A new certificate will be issued to confirm that portion of the right NOT involved in this transfer. When satisfactory proof of the completed change is received, a new certificate confirming this water right will be issued.

WITNESS the signature of the Water Resources

Director, affixed April 15, 1998.



For Martha O. Pagel, Director

September 10, 1999
Water Rights Department
Commerce Building
158 12th St. NE
Salem, OR 97310

RECEIVED
SEP 20 1999
WATER RESOURCES DEPT.
SALEM, OREGON

ATTN: Mr. Larry H. Nunn, Water Rights Specialist

RE: Ronald & Marjorie Gerrard
Final Proof
Transfer Appl. T-7706

Dear Mr. Nunn:

Enclosed is the Final Proof Map and miscellaneous data for the Final Claim and Beneficial Use and Site Report.

Please note that this project is for a transfer and a change in point of diversion.

General Information

Permit No. 27756
Ronald and Marjorie Gerrard
79630 Delight Valley Road
Cottage Grove, OR 97424
Parcels 2 & 3 of Partition Plat 96-P0792
(541) 8655

Water Source

Coast Fork Willamette River

Diversion Point

Point of diversion is located in the NE 1/4, NW/4, Section 22, T 20 S, R 03 W, W.M.; within the Bower DLC 53; 1531 feet South and 2353 feet West from the SE corner of DLC 52.

RECEIVED

SEP 20 1999

WATER RESOURCES DEPT.
SALEM, OREGON

Pumps and Motors

Pump - 15 hp. Cornell Model 2/W 15-2
Running at 3500 rpm
Powered by gasoline engine
Mainline - 2200 feet of 4,5 & 6 inch pipe
Laterals - 880 feet of 3 inch pipe
Twenty two Rainbird 30 (7/32" Nozzles)
A fish screen is in place on intake

Type of Uses

Seasonal irrigation use, approximately May through October, irrigation.

Water Use Calculations

"Yardstick" Method

F H A. Engineering Handbook 3-2-53

Rate of flow was determined by measuring trajectory from 5-inch horizontal open pipe end. $X = 13.75$ inches while drop was held at 6 inches. Nomograph shows flow at 390 GPM.

Survey Ties

This survey was done by inspection and field measurements. The point of diversion is shown on final proof survey.

Special Conditions

1. The proposed change shall be completed on or before October 1, 1999.
2. The quantity of water diverted at the new point of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of water lawfully available at the original point of diversion
3. When required by the Department, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

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SEP 20 1999

WATER RESOURCES DEPT.
SALEM, OREGON

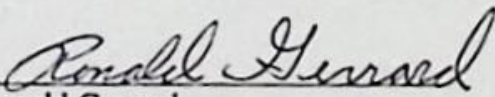
Final Proof- Page 3 of 3
Gerrard
File T-7706
09/10/99

4. Water shall be acquired from the same surface water source as the original point of diversion.
5. The water user shall install and maintain a fish screen or fish by-pass device. The type and plans of the screen or by-pass device must be approved by the Oregon Department of Fish and Wildlife prior to beginning of construction and shall be installed under the supervision of the Department of Fish and Wildlife.

The final proof survey and inspection of the use as found to be completed under the terms and conditions of transfer application T-7706 completed by me on September 10, 1999, and the facts contained in this report and accompanying final proof map are correct to the best of my knowledge.



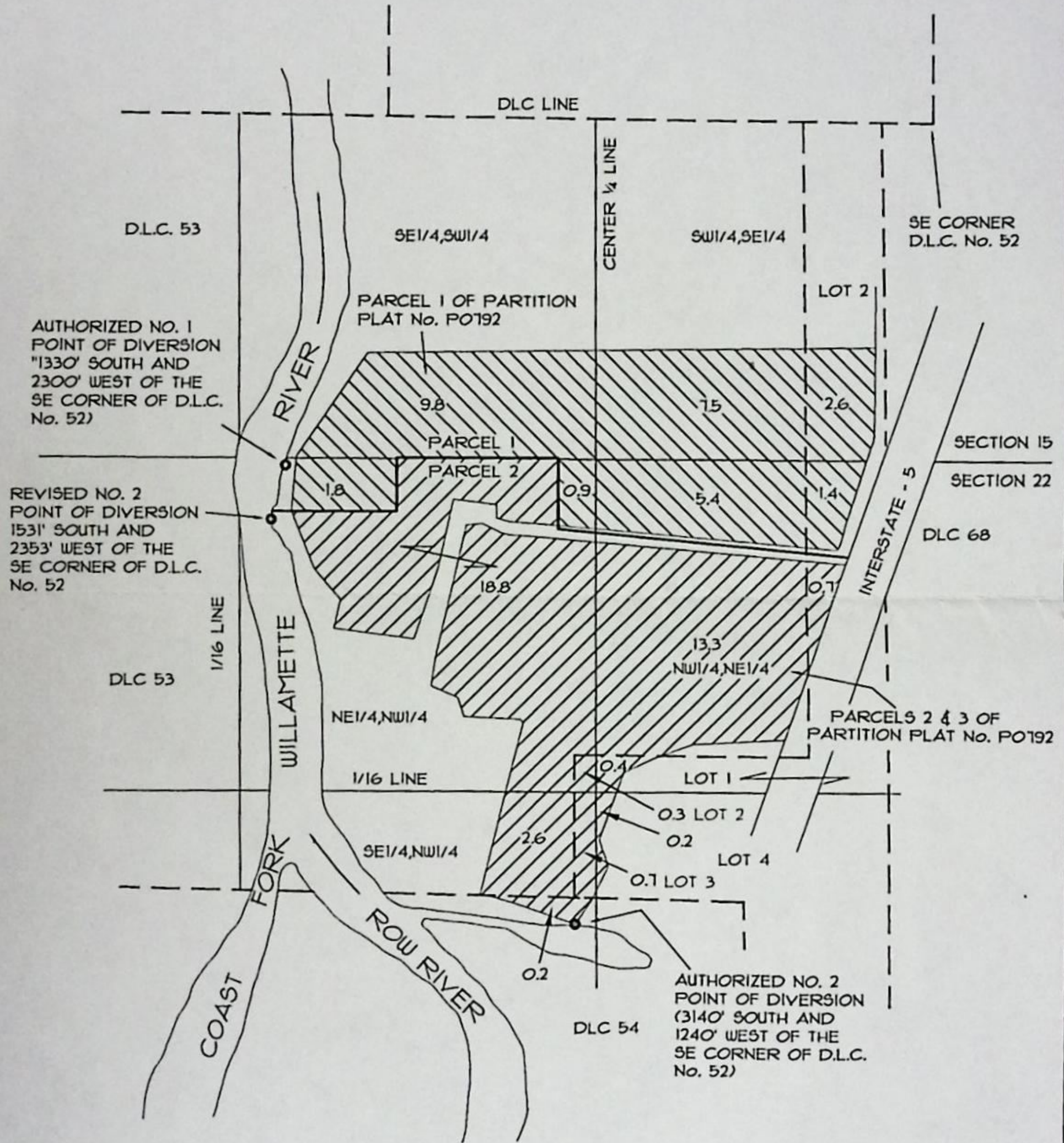
I, Ronald Gerrard, agree to the findings of the CWRE and do submit this site report and map as our Claim of Beneficial Use of the water as provided under the terms and conditions of our transfer application T-7706.


Ronald Gerrard

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 SEP 20 1999
 WATER RESOURCES DEPT.
 SALEM, OREGON

FINAL PROOF SURVEY
 UNDER
 APPLICATION No. T-1106

AUGUST 25, 1999



SCALE: 1" = 400'

Certified Water Right Examiner
 #064

 Russell D. Hendricks
 November 19, 1987
 STATE OF OREGON

THIS MAP IS FOR THE PURPOSE OF IDENTIFYING THE WATER RIGHT ONLY AND IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

Geomax

INC

ENGINEERING, LAND SURVEYING, BUILDING DESIGN
806 N. NINTH STREET COTTAGE GROVE, OREGON 97424
TELEPHONE (541) 942-0126 FAX (541) 942-7935

LETTER OF TRANSMITTAL

DATE 9/13/99

JOB NO. 96197

ATTENTION

RE FINAL PROOF - TRANSFER APPL. T-7706

TO WATER RESOURCES DEPARTMENT
158 12th STREET NE
SALEM, OR 97301-0210

WE ARE SENDING ATTACHED UNDER SEPARATE COVER VIA _____

- SAMPLES
- LITERATURE
- PLANS
- PRINTS

- SHOP DRAWINGS
- ENGINEERING DRAWINGS
- CHANGE ORDERS
- LETTERS

- CONTRACTS
- OTHER _____

THESE ARE BEING SENT:

- FOR YOUR APPROVAL FOR YOUR USE FOR YOUR REVIEW FOR YOUR COMMENTS FOR YOUR SIGNATURE

RECEIVED

SEP 20 1999

WATER RESOURCES DEPT.
SALEM, OREGON

NOTES

HERE IS AN 11" X 17" MYLAR FINAL MAP AND THE SUPPORTING INFORMATION
FOR A FINAL PROOF.

COPY TO

SIGNATURE

Russell J. Hendricks, WRE

TITLE

DATE

WATER RESOURCES DEPARTMENT

INTEROFFICE MEMO

April 13, 1998

To: Martha Pagel, Director
From: Kelly Starnes, Water Right Inspector
Subject: Transfer 7706

The applicants wish to change their point of diversion because of a change in ownership of a portion of their property and also because of vegetation build-up at the authorized point of diversion.

Notice of the transfer was published in the local paper and no protests/comments were received.

The Watermaster has said the change could be made without injury to other water rights. The transfer should be approved.

ok *flu*

RECEIVED

MAR 16 1998

WATER RESOURCES DEPT.
SALEM, OREGON

Affidavit of Publication

State of Oregon
County of Lane

I, Henrietta Cunningham being first duly sworn, depose and say that I am the legal clerk of The Cottage Grove Sentinel, a newspaper of general circulation, as defined by ORS 193.010, and 193.020, printed and published at Cottage Grove in the aforesaid county and state; that the Legal Notice of Water Right Transfer,

a printed copy of which is hereto annexed, was published once a week in the entire issue of said newspaper for 3 successive and consecutive weeks in the following issues: 2/25/98, 3/4/98 & 3/11/98.

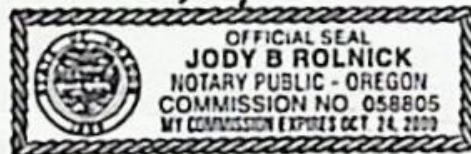
Henrietta Cunningham

Subscribed and sworn to before me
this 12th day of Mar., 1998.

Jody B. Rolnick

Notary Public for Oregon

(My commission
expires) 10/24/2000



NOTICE OF WATER RIGHT TRANSFER
7706

Ronald and Marjorie Gerrard, 79630 Delight Valley Road, Cottage Grove, Oregon, 97424 filed an application with the Water Resources Department for a change in point of diversion of water as provided by ORS 540 510 to 540 530.

Certificate 33836, in the name of Paul E. Coldiron, includes a right limited to 0.47 cubic foot per second from an unnamed slough of the Row River, with a priority date

of December 14, 1961 for irrigation of 37.2 acres.

The point of diversion for this right is in the SE_{1/4} NE_{1/4}, as projected within Veach DLC 54, Section 22, T 20 S, R 3 W, W.M.; 3140 feet South and 1240 feet West from the SE Corner of Coverdill DLC 52.

The applicant proposes to change the point of diversion to the NE_{1/4}, NW_{1/4}, as projected within Bower DLC 53, Section 22, T 20 S, R 3 W, W.M.; 1531 feet South and 2353 feet West of the SE Corner of DLC 52.

Protests may be filed by persons who think their water right may be injured by this change. Additional information or forms and rules for filing protests are available from the Water Resources Department by calling (503)-378-8455. If a protest is filed a hearing may be held.

The last date of publication is March 4, 1998. IF NO PROTEST IS FILED WITHIN 30 DAYS AFTER THE LAST DATE OF PUBLICATION, THE CHANGE MAY BE APPROVED WITHOUT A HEARING.

STATE OF OREGON

COUNTY OF LANE

ORDER APPROVING A CHANGE IN POINT OF DIVERSION

Pursuant to ORS 540.510 to 540.530, after notice was given and no objections were filed, and finding that no injury to existing water rights would result, this order approves, as conditioned or limited herein, TRANSFER 7706 submitted by

RONALD AND MARJORIE GERRARD
79630 DELIGHT VALLEY ROAD
COTTAGE GROVE, OREGON 97424.

The right to be modified, as evidenced by a portion of Certificate 33836, was perfected under Permit 27756 with a date of priority of DECEMBER 14, 1961. The right allows the use of the COAST FORK WILLAMETTE RIVER AND UNNAMED SLOUGH OF ROW RIVER, tributaries of the WILLAMETTE RIVER, for IRRIGATION OF 37.2 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.47 cubic foot per second (cfs); being 0.09 cfs from the Coast Fork Willamette River and 0.38 cfs from unnamed slough of the Row River, if available at the authorized points of diversion: NE¼ NW¼, AS PROJECTED WITHIN BOWER DLC 53, SE¼ NW¼, AS PROJECTED WITHIN VEACH DLC 54, SECTION 22, T 20 S, R 3 W, W.M.; DIVERSION POINTS LOCATED: RIVER - 1330 FEET SOUTH AND 2300 FEET WEST; SLOUGH - 3140 FEET SOUTH AND 1240 FEET WEST; BOTH FROM THE SE CORNER OF COVERDILL DLC 52, or its equivalent in case of rotation, measured at the point of diversion from the source.

The amount of water used for irrigation, together with the amount secured under an other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2½ acre-feet for each acre irrigated during the irrigation season of each year; the right allowed herein for appropriation of water from the unnamed slough of Row River shall be limited to the period when the flow of Row River is more than 100 cfs measured at its mouth and when the flow of the Coast Fork Willamette River is more than 135 cfs measured at its mouth; the right allowed herein for appropriation of water from the Coast Fork Willamette River shall be limited to the period when the flow of said Coast Fork is more than 135 cfs measured at its mouth.

The use shall conform to any reasonable rotation system ordered by the proper state officer.

The authorized place of use is located as follows:

COAST FORK WILLAMETTE RIVER

NE¼ NW¼ 7.0 ACRES
AS PROJECTED WITHIN BOWER DLC 53

UNNAMED SLOUGH ROW RIVER

LOT 1 (NW¼ NE¼) 1.1 ACRES
NW¼ NE¼ 13.3 ACRES
AS PROJECTED WITHIN BOWER DLC 53
LOT 4 (SW¼ NE¼) 0.2 ACRE
LOT 2 (NE¼ NW¼) 0.3 ACRE
NE¼ NW¼ 11.8 ACRES
AS PROJECTED WITHIN BOWER DLC 53
LOT 3 (SE¼ NW¼) 0.7 ACRE
SE¼ NW¼ 2.6 ACRES
AS PROJECTED WITHIN BOWER DLC 53
SE¼ NW¼ 0.2 ACRE
AS PROJECTED WITHIN VEACH DLC 54
SECTION 22
TOWNSHIP 20 SOUTH, RANGE 3 WEST, W.M.

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

The applicant proposes to change the point of diversion from the Coast Fork Willamette River and unnamed slough of the Row River to a point on the Coast Fork Willamette River located at:

NE¼ NW¼, AS PROJECTED WITHIN BOWER DLC 53, SECTION 22, T 20 S, R 3 W, W.M.; 1531 FEET SOUTH AND 2353 FEET WEST FROM THE SE CORNER OF DLC 54.

THIS CHANGE TO AN EXISTING WATER RIGHT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed change shall be completed on or before October 1, 1999.
2. The quantity of water diverted at the new point of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of water lawfully available at the original point of diversion.

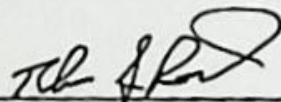
3. When required by the Department, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
4. Water shall be acquired from the same surface water source as the original point of diversion.
5. The water user shall install and maintain a fish screen or fish by-pass device. The type and plans of the screen or by-pass device must be approved by the Oregon Department of Fish and Wildlife prior to beginning of construction and shall be installed under the supervision of the Department of Fish and Wildlife.

The water user may participate in the Oregon Department of Fish and Wildlife's cost sharing program for installation of screening and by-pass devices in accordance with ORS 540.525.

Certificate 33836 is cancelled. A new certificate will be issued to confirm that portion of the right NOT involved in this transfer. When satisfactory proof of the completed change is received, a new certificate confirming this water right will be issued.

WITNESS the signature of the Water Resources

Director, affixed April 15, 1998.


For Martha O. Pagel, Director

STATE OF OREGON
COUNTY OF LANE
CERTIFICATE OF WATER RIGHT

This Is to Certify, That PAUL E. COLIRON

of Route 1, Box 648, Cottage Grove, State of Oregon ⁹¹¹²⁴, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Coast Fork Willamette River and unnamed slough of Row River

a tributary of Willamette River for the purpose of irrigation of 66.6 acres

under Permit No. 27756 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from December 14, 1961

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.83 cubic foot per second; being 0.21 c.f.s. from Coast Fork Willamette River and 0.62 c.f.s. from unnamed slough of Row River;

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within Bower DLC 53, SE $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within Veach DLC 54, Section 22, T. 20 S., R. 3 W., W. M. Diversion points located: River - 1330 feet South and 2300 feet West; Slough - 3140 feet *

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2 $\frac{1}{2}$ acre feet per acre for each acre irrigated during the irrigation season of each year; the right allowed herein for appropriation of water from the unnamed slough of Row River shall be limited to the period when the flow of Row River is more than 100 c.f.s. measured at its mouth and when the flow of the Coast Fork Willamette River is more than 135 c.f.s. measured at its mouth; the right allowed herein for appropriation of water from the Coast Fork Willamette River shall be limited to the period when the ** and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

Coast Fork	Slough
7.8 acres	2.0 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$ as projected within Bower DLC 53
	2.6 acres Lot 2 (SW $\frac{1}{4}$ SE $\frac{1}{4}$)
	7.5 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$ as projected within Bower DLC 53 Section 15
	2.5 acres Lot 1 (NW $\frac{1}{4}$ NE $\frac{1}{4}$)
	18.7 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$ as projected within Bower DLC 53
	0.2 acre Lot 4 (SW $\frac{1}{4}$ NE $\frac{1}{4}$)
	0.3 acre Lot 2 (NE $\frac{1}{4}$ NW $\frac{1}{4}$)
8.8 acres	12.7 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$ as projected within Bower DLC 53
	0.7 acre Lot 3 (SE $\frac{1}{4}$ NW $\frac{1}{4}$)
	2.6 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$ as projected within Bower DLC 53
	0.2 acre SE $\frac{1}{4}$ NW $\frac{1}{4}$ as projected within Veach DLC 54 Section 22 T. 20 S., R. 3 W., W. M.

* South and 1240 feet West; both from the SE Corner of Coverdill DLC 52.

** flow of said Coast Fork is more than 135 c.f.s. measured at its mouth.

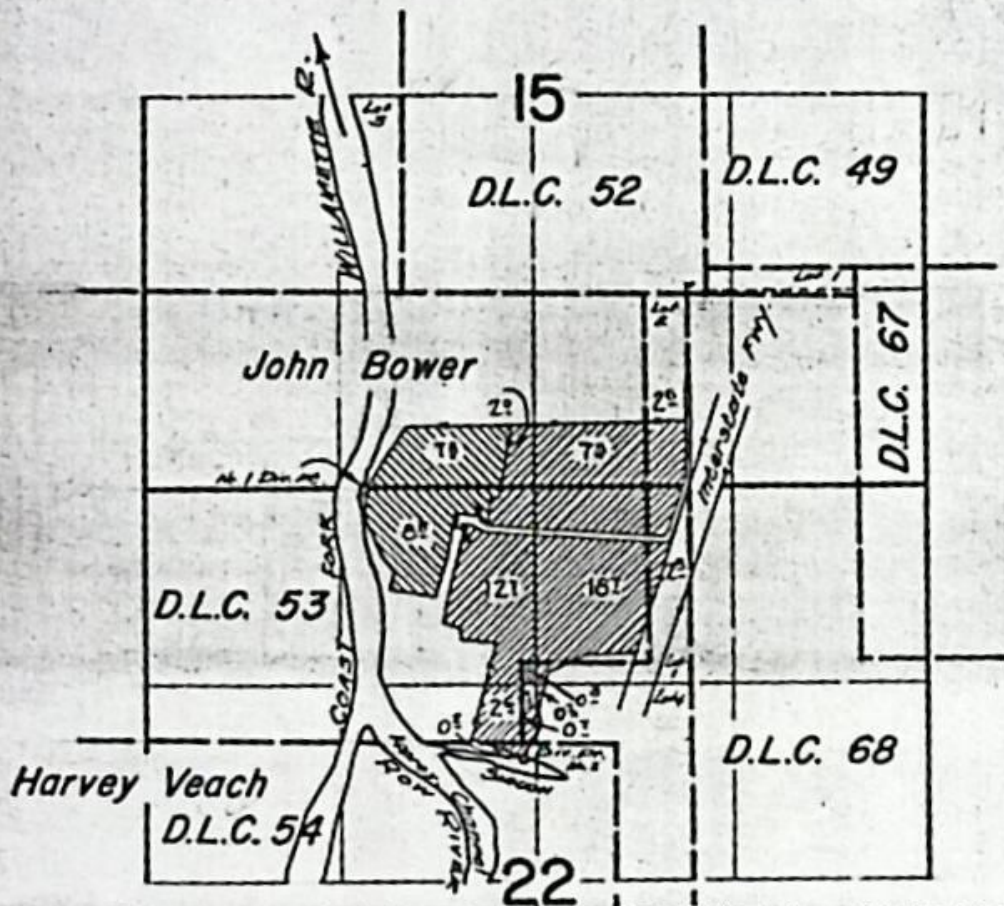
The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this date. April 26, 1967

CHRIS L. WHEELER
State Engineer

T.20S.R.3W.W.M.



Dir. Pt. No. 1 is located 1330 ft. South and 2300 ft. West from S.E. Cor. D.L.C. 52
Dir. Pt. No. 2 is located 340 ft. South and 1240 ft. West from S.E. Cor. D.L.C. 52

FINAL PROOF SURVEY
UNDER

Application No. 37256 Permit No. 27756
IN NAME OF

PAUL E. COLDIRON

Surveyed April 27 1905, by *A. Jackson*

Coast Fork

Slough

T

	1.1	Lot 1 (NWNE)
	13.3	NW NE (DLC 53)
	.2	Lot 4 (SW NE)
	.3	Lot 2 (NE NW)
7.0	11.8	NE NW (DLC 53)
	.7	Lot 3 (SE NW)
	2.6	SE NW (DLC 53)
	.2	SE NW (DLC 54)
<hr/> 7.0	<hr/> 30.2	Sec. 22
0.09 cfs	0.38 cfs	

(0.47 cfs)

RR

7.8	2.0	SE SW (DLC 53)
	2.6	Lot 2 SW SE
	7.5	SW SE (DLC 53)
		Sec. 15
	1.4	Lot 1 NWNE
	5.4	NWNE (DLC 53)
<hr/> 1.8	<hr/> .9	NE NW
9.6	19.8	Sec. 22
0.12 cfs	0.24 cfs	

(0.36 cfs)

COPY

RECEIVED

State of Oregon
WATER RESOURCES DEPARTMENT

FEB 10 1997

APPLICATION FOR TRANSFER OF WATER RIGHT WATER RESOURCES DEPT.
SALEM, OREGON

Applicant: RONALD GERRARD AND MARJORIE GERRARD

Mailing Address: 79630 DEUGHT VALLEY ROAD

COTTAGE GROVE OREGON 97424 (541) 942-8655
City or town State Zip Phone

Type of change: Point of diversion (NUMBER 2)
(In point of diversion: place of use; use heretofore made of the water)

1. WATER RIGHT

A) Is the water right in your name? NO If not, list name below:
(Yes, No)

Paul E. COLDIRON

B) Was the water right determined by a court decree? NO
(Yes, No)

1. If yes, list the title of the proceedings: _____

2. Certificate No: _____

C) Was the water right acquired by a water permit? YES
(Yes, No)

1. If yes, list the Permit No: 27756

2. Certificate No: 33836

D) Date of priority right: DECEMBER 14, 1961

E) What are your reasons for the proposed changes? Source is drying up and sale of a portion of property has changed diversion access and area of application.

F) The water will be completely applied to the proposed use on or before: May 30, 1997

2. LOCATION OF AUTHORIZED USE

A) What is the source of water (river, stream, well)? River (Coast Fork Willamette)

B) Describe the authorized point of diversion:

Location in Reference to Survey Corner	1/4, 1/4 of Section	Section	Township	Range
<u>1330'S & 2300'W of SE COR DLG# 52</u>	<u>SE, SW NE NW</u>	<u>15</u>	<u>20S</u>	<u>3W</u>
<u>3140'S & 1240'W of SE COR DLG# 52</u>	<u>SE, NW</u>	<u>22</u>	<u>20S</u>	<u>3W</u>

C) What is the name of the ditch used? N/A

D) What is the use to which the water is applied? Irrigation

E) Give the location of the authorized area irrigated or place of use other than for irrigation:

Township	Range	Section	1/4, 1/4 of Section	No. of acres irrigated
<u>SEE EXHIBIT 2.E ATTACHED</u>				

F) Is the land within an irrigation district? Yes _____ No X
If Yes, which district? _____

G) County Lane

3. LOCATION OF PROPOSED USE:

NOTE: Answer question A only if the application is for a change in the point of diversion.

A) Describe the proposed point of diversion:

Location in Reference to Survey Corner	1/4, 1/4 of Section	Section	Township	Range
<u>1531'S & 2353'W of SE COR DLG# 52</u>	<u>NE, NW</u>	<u>22</u>	<u>20S</u>	<u>3W</u>

T 7706

NOTE: Answer questions B, C, D, and E only if the application is for a change in use or place of use.

B) N/A Are the lands from which you propose to transfer your water right free of all encumbrances? _____ (Yes, No)

C) If no, give the description below of existing encumbrances:

Encumbrance	Held by	Amount

D) What is the use to which the water will be applied? _____

E) Give the proposed location of the area irrigated, or place of use if other than for irrigation:

Township	Range	Section	1/4, 1/4 of Section	No. of acres irrigated

4. EXHIBITS

The following exhibits shall be attached to and made part of the application:

- A) A map prepared by a Certified Water Right Examiner showing the location of the present and proposed points of diversion, the authorized and proposed places of use and, if any, lands from the existing right that would not be subject to transfer.
- B) A copy of the current recorded deed to the subject lands.
- C) Affidavits from any other landowners or encumbrance holders with interest in the original water right stating that they have no objection to the proposed transfer.
- D) Evidence that the water has been used within the last five years.

5. NAME AND ADDRESS OF RECEIVING LANDOWNER(S) IF OTHER THAN APPLICANT:

N/A

6. REMARKS: Authorized Irrigated acres have been revised by more accurate computer calculations, no changes to actual application areas have taken place.

I (we) Ronald D. and Marjorie A. Gerard, applicant(s), hereby swear that I (we) have read the above application for transfer of water right and that the statements made are true and correct. Dated and signed this 6th day of February, 1997.

Ronald D. Gerard
(Signature)

Marjorie A. Gerard
(Signature)

Subscribed and sworn to before me

Lynn M. Babcock
Notary Public for Oregon

(Notarial Seal)



My commission expires: 5-19-98

TRANSMITTAL

Geomax
OF OREGON, INC.

TO: WATER RESOURCES DEPARTMENT
158 12th STREET NE
SALEM, OR 97301

ENGINEERING, LAND SURVEYING, BUILDING DESIGN
806 N. NINTH STREET COTTAGE GROVE, OREGON 97424
TELEPHONE- (541) 942-0126 FAX- (541) 942-7935

FEB 10 1997

WATER RESOURCES DEPT.
SALEM, OREGON

FROM: _____

DATE: FEBRUARY 7, 1997

JOB No. 96197

SUBJECT: CERTIFICATE No. 33836 - CHANGE IN POINT OF DIVERSION

MESSAGE

ENCLOSED PLEASE FIND:

- ① APPLICATION FOR CHANGE IN POINT OF DIVERSION
- ② TWO CHECKS TOTALING \$85⁰⁰ FOR FEES
- ③ LIST OF AUTHORIZED IRRIGATED ACRES
- ④ LIST OF REVISED IRRIGATED ACRES
- ⑤ OWNERSHIP UPDATE FORM
- ⑥ DEEDS FOR BOTH OWNERSHIPS
- ⑦ PARTITION MAP SHOWING OWNERSHIP PARCELS
- ⑧ NEW WATER RIGHT MAP

A CHANGE IN OWNERSHIP AND A CHANGE IN WATER SOURCE HAS
PROMPTED THIS APPLICATION FOR A CHANGE IN POINT OF
DIVERSION AND AN OWNERSHIP UPDATE OF IRRIGATED FIELDS
LET ME KNOW IF I CAN ADD ANY INFORMATION YOU NEED.

CC _____

SIGNED: Russell D Hendricks

T 7706

COPY

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FEB 10 1997

WATER RESOURCES DEPT
SALEM, OREGON

EXHIBIT 2.4

AUTHORIZED IRRIGATED ACRES

TOWNSHIP	RANGE	SECTION	1/4, 1/4 SECTION	ACRES IRRIGATED
DIVERSION POINT 1				
20S	3W	15	SE, SW	7.8
		22	NE, NW	8.8
				16.6
DIVERSION POINT 2				
20S	3W	15	SE, SW	2.0
			Lot 2	2.6
			SW, SE	7.5
		22	Lot 1	2.5
			NW, NE	18.7
			Lot 4	0.2
			Lot 2	0.3
			NE, NW	12.7
			Lot 3	0.7
			SE, NW	2.8

2.8
0.2
0.3
50.0

T 7706

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FEB 10 1997

REVISED IRRIGATED ACRES AFTER OWNERSHIP UPDATE WATER RESOURCES DEPT SALEM, OREGON

TOWNSHIP	RANGE	SECTION	1/4, 1/4 SECTION	ACRES IRRIGATED
DIVERSION POINT 1				
20S	3W	15	SE, SW	8.9 ✓
			SW, SE	7.3 ✓
			Lot 2	2.4 ✓
		22	NE, NW	2.5 ✓
			NW, NE	5.2 ✓
			Lot 1	1.3 ✓
DIVERSION POINT 2				
20S	3W	22	NE, NW	17.6 ✓
			NW, NE	12.9 ✓
			Lot 1	1.1 ✓
			Lot 2	0.3 ✓
			Lot 3	0.7 ✓
			SE, NW	3.1 ✓
			SW, NE	0.3 ✓

27.6

63.6

T 7706

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RR
FEB 10 1997

OREGON WATER RESOURCES DEPARTMENT
WATER RIGHT OWNERSHIP UPDATE FORM

WATER RESOURCES DEPT
SALEM, OREGON

NOTICE TO SELLERS & BUYERS:

By law all water belongs to the public (ORS 537.110). In almost every instance, a permit ("water right") from the Water Resources Department is needed before using, diverting, or storing any water (ORS 537.130). However, most domestic wells do not require water rights. A water right stays with the land. In order to keep track of water right ownership, ORS 537.330 requires persons selling property that has a water right to: 1) provide evidence of the water right to the buyer and 2) notify the Water Resources Department of the water right involved with the real estate transaction. Sellers are exempted from this requirement if the water uses are served by a water district or a city.

Water that has been used for a long time in one place or that involves a water structure (like a dam) that already exists is no guarantee that there is a water right which would allow the water use to continue.

If you have any questions about this form or water right requirements, please contact your local watermaster or call the Water Resources Department at (503)378-8455.

... Note: Please type or print legibly when filling in the following information. Use additional paper if necessary.

PROPERTY SELLER INFORMATION:

Name: Ronald Gerrard
Street Address: 79630 Delight Valley Road
City: Cottage Grove state: Oregon zip: 97424
Phone: (541) 942-8655

PROPERTY BUYER INFORMATION:

Name: Terry and Cheryl Thompson
Street Address: 79652 Delight Valley Road
City: Cottage Grove state: Oregon zip: 97424
Phone: (541) 767-0627

PROPERTY DESCRIPTION (attach additional pages if necessary):

County: Lane Township: 205 Range: 3W Section: 15 1/4
Tax Lot number(s): _____
Meets & bounds description (or attach copy of property deed & tax lot map with the parcels highlighted):
Parcel 1 of Land Partition No. P0792 (see attached plat)

WATER RIGHT INFORMATION (attach copy of water right certificate or permit & final proof map if available):

Application #: _____ Permit 127756 certificate 133836
Will all lands associated with the water right be owned by the buyer? Yes No
Name of individual completing this form: Russell D. Hendricks WRE #064 phone: 942-0126
Signature: Russell D. Hendricks Date: 1/30/97

T-7706

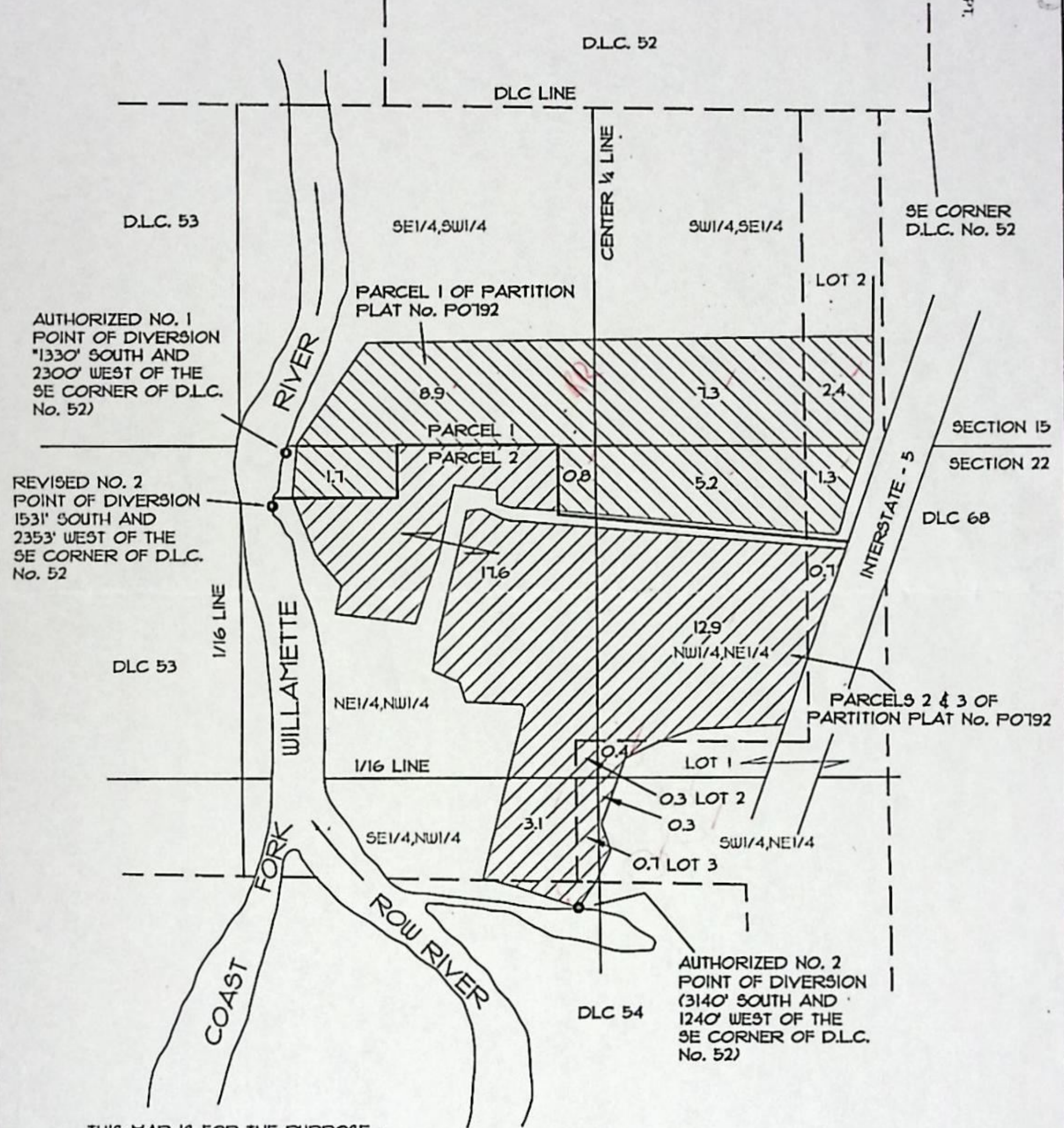
COPY

APPLICATION FOR CHANGE IN POINT OF DIVERSION AND OWNERSHIP UPDATE

FOR RON GERRARD

UNDER APPLICATION No. 37566, PERMIT No. 2T156
SECTIONS 15 AND 22, T.22S., R.3W., W.M.
LANE COUNTY, OREGON

WATER RESOURCES DEPT.
SALEM, OREGON
FEB 10 1997



AUTHORIZED NO. 1
POINT OF DIVERSION
1330' SOUTH AND
2300' WEST OF THE
SE CORNER OF D.L.C.
No. 52)

REVISED NO. 2
POINT OF DIVERSION
1531' SOUTH AND
2353' WEST OF THE
SE CORNER OF D.L.C.
No. 52

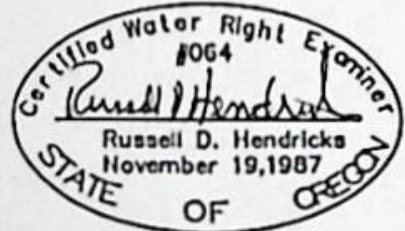
AUTHORIZED NO. 2
POINT OF DIVERSION
(3140' SOUTH AND
1240' WEST OF THE
SE CORNER OF D.L.C.
No. 52)

THIS MAP IS FOR THE PURPOSE
OF IDENTIFYING THE WATER RIGHT
ONLY AND IS NOT INTENDED TO
PROVIDE LEGAL DIMENSIONS OR
LOCATIONS OF PROPERTY
OWNERSHIP LINES.



SCALE: 1" = 400'

DATE OF SURVEY: 10/02/96



Geomax

OF OREGON, INC.

ENGINEERING, LAND SURVEYING, BUILDING DESIGN
806 N. NINTH STREET COTTAGE GROVE, OREGON 97424
TELEPHONE- (541) 942-0126 FAX- (541) 942-7935

JOB NO.: 96197	DRAWN: R.D.H./T.F.J.	CHECKED: R.D.H.
DATE: 1/28/97	REV.	

96197WRDWG-01/29/97

T 7706

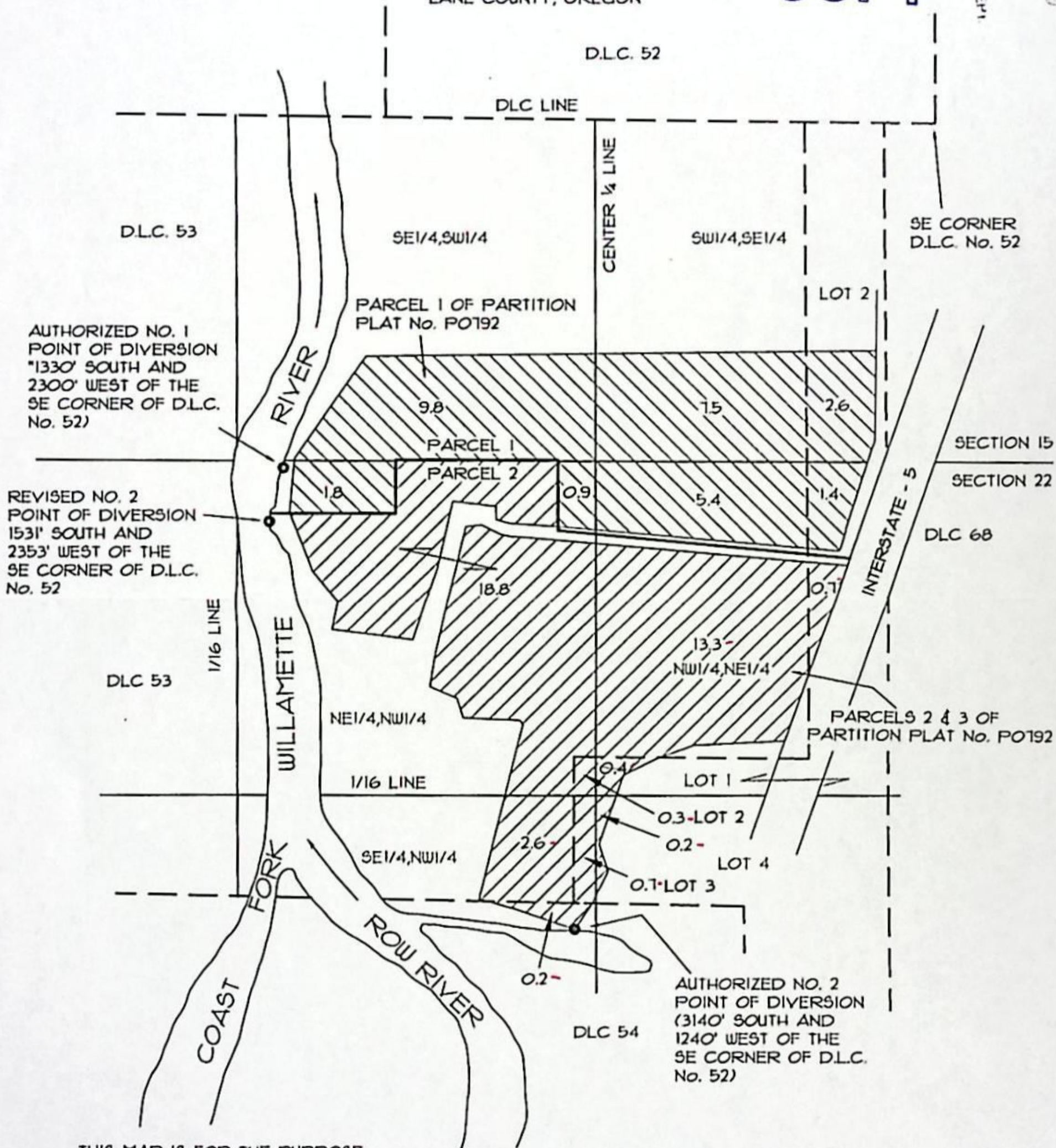
APPLICATION FOR CHANGE IN POINT OF DIVERSION AND OWNERSHIP UPDATE

FOR
RON GERRARD

UNDER APPLICATION No. 37566, PERMIT No. 21156
SECTIONS 15 AND 22, T.22S., R.3W., W.M.
LANE COUNTY, OREGON

Amended
COPY

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 WATER RESOURCES DEPT.
 SALEM, OREGON



AUTHORIZED NO. 1
POINT OF DIVERSION
"1330' SOUTH AND
2300' WEST OF THE
SE CORNER OF D.L.C.
No. 52)

REVISED NO. 2
POINT OF DIVERSION
1531' SOUTH AND
2353' WEST OF THE
SE CORNER OF D.L.C.
No. 52

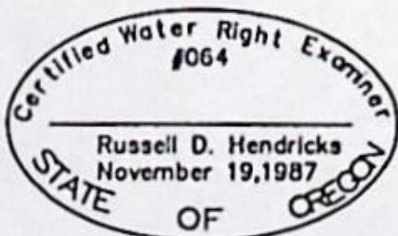
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SCALE: 1" = 400'

DATE OF SURVEY: 10/02/96



Geomax
OF OREGON, INC.

ENGINEERING, LAND SURVEYING, BUILDING DESIGN
806 N. NINTH STREET COTTAGE GROVE, OREGON 97424
TELEPHONE- (541) 942-0126 FAX- (541) 942-7935

JOB NO.: 96197	DRAWN: R.D.H./T.F.J.	CHECKED: R.D.H.
DATE: 1/28/97	REV.	AC.-1/30/98

96197WR.DWG:01/29/97

GERRARD - CHANGE IN POINT OF DIVERSION
REVISED 1/30/98

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WATER RESOURCES DEPT.
SALEM, OREGON

COPY

EXHIBIT 2 E

IRRIGATED ACRES

TOWNSHIP 20 S, RANGE 3 W

<u>DIVERSION POINT</u>	<u>SECTION</u>	<u>1/4 SECTION</u>	<u>AUTHORIZED ACRES</u>	<u>REVISED ACRES</u>
1	22	NE,NW	7.0	7.0-
2	22	LOT 1	1.1	1.1- ³
		NW,NE	13.3	13.3-
		LOT 4	0.2	0.2-
		LOT 2	0.3	0.3-
		NE,NW	12.7	11.8-
		LOT 3	0.7	0.7-
		SE,NE	2.6	2.6-
		SE,NE(DLC 54)	0.2	0.2-
			<u>38.1</u>	<u>37.2</u>

TBY
3/3/97

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FEB 28 1997

Oregon

INTEROFFICE MEMO

WATER RESOURCES DEPT.
SALEM, OREGON

TO: TRANSFER SECTION

DATE:

WATER
RESOURCES
DEPARTMENT

FROM: WATERMASTER, DISTRICT # 2
GROUNDWATER SECTION
(SIGNATURE) Gene McQuinn

SUBJECT: WATER RIGHT TRANSFER # 7706

A change in POU POD POA USE of water.

In the name(s) of Ronald + Marjorie Gerrard.

In my opinion (assuming the right is valid), the proposed change
MAY BE MADE WITHOUT INJURY ~~WOULD RESULT IN INJURY*~~ to an existing
water right.

*The approval of this transfer application would result in injury
to other water rights because _____

The existing right may not be valid because _____

Headgate notices HAVE ~~HAVE NOT~~ been issued for diversion from
the source(s) which serve(s) this right.

If for change in point of diversion, is there any intervening
point(s) for diversion between the authorized and proposed points
of diversion? (~~yes~~ or no) No

In my opinion, the order approving the subject transfer application
should include the following in regard to the appropriator
installing suitable measuring devices in the diversion works:

- (1) PRIOR to the diverting of water at the new point of diversion....
- (2) WHEN IN the judgement of the watermaster it becomes necessary....

The enclosed copy of the transfer application and map(s) is
for your records.



1317W

3850 Portland Rd NE
Salem, OR 97310
(503) 378-3739
FAX (503) 378-8130

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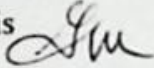
FEB 28 1997

WATER RESOURCES DEPT.
SALEM, OREGON

February 26, 1997

TO: Larry Nunn
Transfers

FROM: Gene Mc Ginnis
Watermaster



RE: Transfer T-7706
Certificate 33836

There appears a discrepancy between the amount of acres described in this transfer (63.6) and the amount of acres described on Certificate 33836 (66.6). This leaves 3.0 acres unaccounted for. Does this mean that they will loose 3.0 acres from the water right when this transfer is certificated?

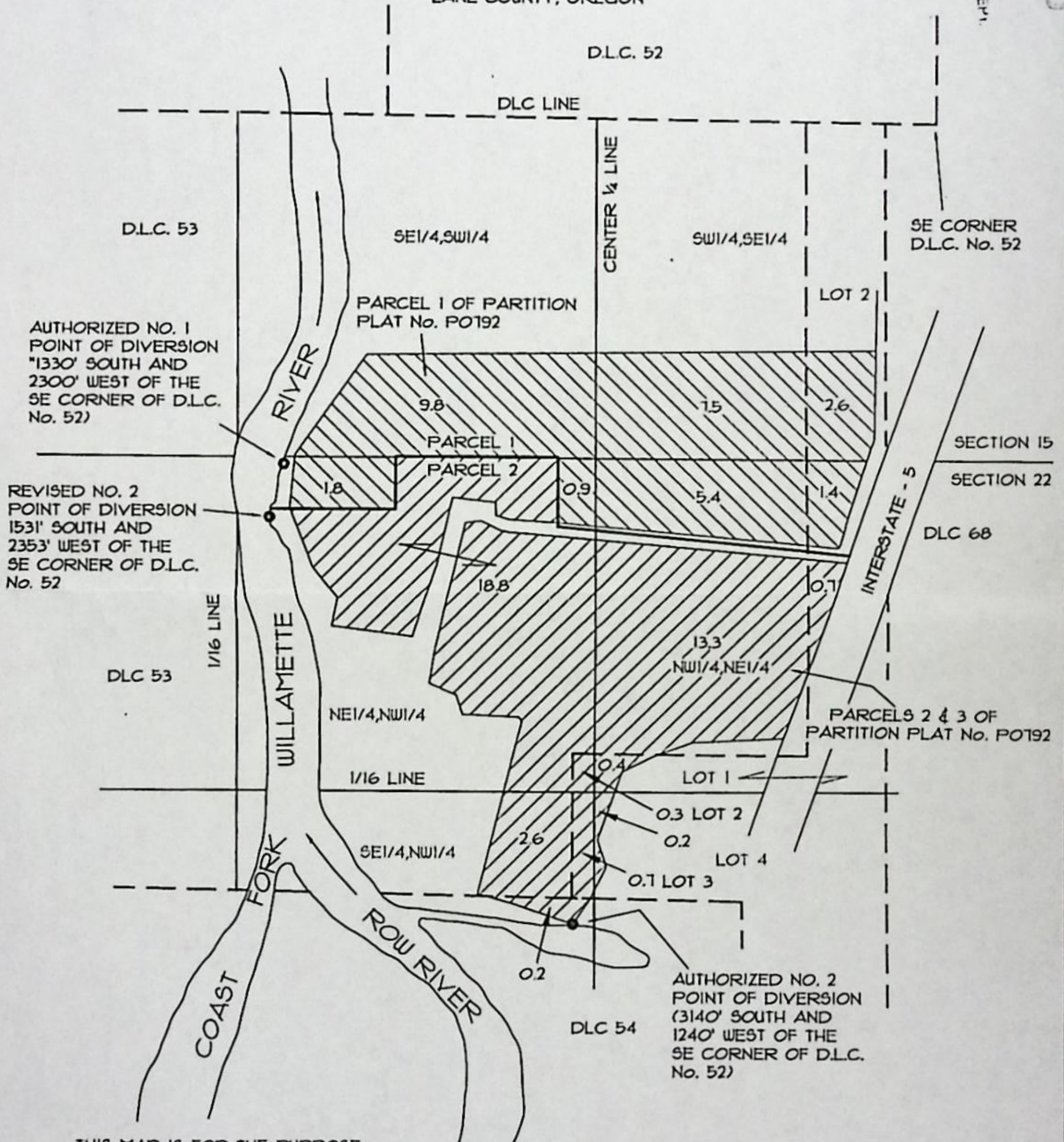
Also, I recommend that the use, described on certificate 33836, being only allowed if the Coast Fork flow at the mouth is 135 CFS or more and the Row River flow at mouth is 100 CFS or more: be a condition through the transfer process and ultimately on the final Certificate.

APPLICATION FOR CHANGE IN POINT OF DIVERSION AND OWNERSHIP UPDATE

FOR
RON GERRARD

UNDER APPLICATION No. 37566, PERMIT No. 2T156
SECTIONS 15 AND 22, T.22S., R.3W., W.M.
LANE COUNTY, OREGON

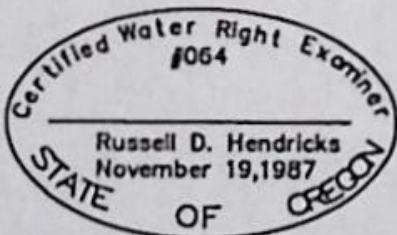
Amended
COPY
WATER RESOURCES DEPT.
SALEM, OREGON
FEB - 9 1998
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THIS MAP IS FOR THE PURPOSE
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LOCATIONS OF PROPERTY
OWNERSHIP LINES.



SCALE: 1" = 400'



DATE OF SURVEY: 10/02/96

geomax
OF OREGON, INC.

ENGINEERING, LAND SURVEYING, BUILDING DESIGN
806 N. NINTH STREET COTTAGE GROVE, OREGON 97424
TELEPHONE- (541) 942-0126 FAX- (541) 942-7935

JOB NO.: 96197	DRAWN: R.D.H./T.F.J.	CHECKED: R.D.H.
DATE: 1/28/97	REV.	AC.-1/30/98

96197WRDWG-01/29/97

GERRARD - CHANGE IN POINT OF DIVERSION
 REVISED 1/30/98

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 FEB - 9 1998
 WATER RESOURCES DEPT.
 SALEM, OREGON

COPY

EXHIBIT 2 E

IRRIGATED ACRES

TOWNSHIP 20 S, RANGE 3 W

<u>DIVERSION POINT</u>	<u>SECTION</u>	<u>1/4 SECTION</u>	<u>AUTHORIZED ACRES</u>	<u>REVISED ACRES</u>
1	22	NE,NW	7.0	7.0 ✓ ok
2	22	LOT 1	1.1	1.1 ✓ ok
		NW,NE	13.3	13.3 ✓ ok
		LOT 4	0.2	0.2 ✓ ok
		LOT 2	0.3	0.3 ✓ ok
		NE,NW	12.7	11.8 ✓ ok
		LOT 3	0.7	0.7 ✓ ok
		SE,NE	2.6	2.6 ✓ ok
		SE,NE(DLC 54)	0.2	0.2 ✓ ok
			<u>38.1</u>	<u>37.2</u>

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WATER RESOURCES
SALEM, OREGON



DEPARTMENT OF
FISH AND
WILDLIFE

SPRINGFIELD
DISTRICT OFFICE

February 6, 1998

Kelly Starnes
Water Resources Department
158 12th Street NE
Salem, OR 97310

Reference: Water Right Transfer Application 7706

Dear Mr. Starnes:

This letter is in response to your consultation request to determine if fish screening or by-pass should be required for Water Right Transfer Application 7706 from the Coast Fork Willamette River.

Oregon Department of Fish and Wildlife (ODFW) has determined there is a need for appropriate fish screening or by-pass device because of the high volume of water required to irrigate the documented acreage and, resident and migratory game fish are present.

Thank you for this opportunity to comment on this Water Right Transfer. If I can be of any further assistance please contact me at (541) 726-3515.

Sincerely,

A handwritten signature in cursive script that reads "Richard Irish".

Richard Irish
District Fish and Wildlife Biologist



3150 East Main Street
Springfield, OR 97478
(503) 726-3515
FAX (503) 726-2505



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

January 13, 1998

Oregon Department of Fish and Wildlife
Dick Irish
3150 East Main Street
Springfield, Oregon 97478

Reference: Water Right Transfer Application 7706

Enclosed is a copy of a water right transfer application from the Coast Fork Willamette River, a tributary of the Willamette River.

ORS 540.525 requires that we consult with you to determine if you want to require an appropriate fish screen or by-pass device on the proposed diversion. If you request a fish screen or by-pass device the applicant is eligible to participate in ODFW's cost sharing program for screening or by pass devices.

If you wish to request a fish screen or by-pass device, please respond within 30 days. Otherwise, we will not require screening as part of any approval order.

If you have any questions, please call me at (503)-378-8455, ext. 309.

Sincerely,

A handwritten signature in cursive script, appearing to read "Kelly Starnes".

Kelly Starnes
Water Right Inspector

enc



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

February 9, 1998

Ronald and Marjorie Gerrard
79630 Delight Valley Road
Cottage Grove, Oregon 97424

Reference: Water Right Transfer Application 7706

I have received all the information I requested in my letters of 1/12/98 to you and your CWRE, Mr. Hendricks. I have been requested to obtain one more additional item of information for your transfer application. I have to ask this with all pending water right transfer applications now.

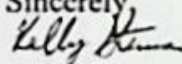
I will need a description of the water delivery system and its capacity from the authorized points of diversion. This would be the system that was used to irrigate the entire water right before the land was divided.

Also enclosed is a transfer notice which must be published in a local newspaper in the general area of the transfer (Newspapers with statewide circulation such as the Capital Press, Journal of Commerce, etc. do not qualify). The notice must be published at least once a week for three consecutive weeks. Please have the newspaper insert the appropriate final date of publication in the place indicated in the notice. Payment of the cost of publication is your responsibility, please do not send any billing to the Water Resources Department.

Please request an affidavit of publication from the newspaper following publication and have them send it to me, Kelly Starnes, at the address at the bottom of the page.

Upon receipt of the affidavit, processing will continue on the transfer application.

Please send me the information about the water delivery system within thirty days. If you have any questions, please call me at (800)-624-3199, ext. 309

Sincerely,

Kelly Starnes
Water Right Inspector

enc
cc: Gene McGinnis, Watermaster District 2
Russell D. Hendricks, CWRE

NOTICE OF WATER RIGHT TRANSFER 7706

Ronald and Marjorie Gerrard, 79630 Delight Valley Road, Cottage Grove, Oregon, 97424 filed an application with the Water Resources Department for a change in point of diversion of water as provided by ORS 540.510 to 540.530.

Certificate 33836, in the name of Paul E. Coldiron, includes a right limited to 0.47 cubic foot per second from an unnamed slough of the Row River, with a priority date of December 14, 1961 for irrigation of 37.2 acres.

The point of diversion for this right is in the SE~~X~~ NE~~X~~, as projected within Veach DLC 54, Section 22, T 20 S, R 3 W, W.M.; 3140 feet South and 1240 feet West from the SE Corner of Coverdill DLC 52.

The applicant proposes to change the point of diversion to the NE~~X~~ NW~~X~~, as projected within Bower DLC 53, Section 22, T 20 S, R 3 W, W.M.; 1531 feet South and 2353 feet West of the SE Corner of DLC 52.

Protests may be filed by persons who think their water right may be injured by this change. Additional information or forms and rules for filing protests are available from the Water Resources Department by calling (503)-378-8455. If a protest is filed a hearing may be held.

The last date of publication is [last date of publication]. IF NO PROTEST IS FILED WITHIN 30 DAYS AFTER THE LAST DATE OF PUBLICATION, THE CHANGE MAY BE APPROVED WITHOUT A HEARING.

Ron & Marjorie Gerrard
79630 Delight Valley Rd.
Cottage Grove, OR 97424

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WATER RESOURCES DEPT.
SALEM, OREGON

February 27, 1998

Mr Kelly Starnes
Water Resources Department
Commerce Building
158 12th St NE
Salem, OR 97310-0210

Dear Mr Starnes:

In reference to Water Right Transfer Application 7706, request for a description of the system used for delivery of irrigation water under the entire water right prior to the division of the property, we submit the following.

Water from Diversion point #1 was drawn using a 30hp 3 phase Cornell Model 4WB30-2 centrifugal pump with a capacity of an approximate 500gpm at 70psi. This fed a six inch aluminum hook and latch mainline, reducing to five and then to four inch depending on the set, and terminating with three inch aluminum hook and latch laterals utilizing approximately 24 Rainbird heads per set with 11/64 inch nozzles. Pressure at the lateral location was measured at 35 to 40 psi. Total lift for the system is about 7 feet.

Water from Diversion point #2 was drawn using a 15hp 3 phase Cornell Model 2 1/2W15-2 centrifugal pump with a capacity of an approximate 270gpm at 55 psi. This fed a five inch aluminum hook and latch mainline, reducing to four inch depending on the set, and terminating with three inch aluminum hook and latch laterals utilizing an approximately 24 Rainbird heads per set with 11/64 inch nozzles. Pressure readings at these laterals were 40 to 45 psi. Total lift for the system is about 6 feet.

We trust this information will satisfy the requirements of the department.

Sincerely,

Ron Gerrard



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

January 12, 1998

Ronald and Margorie Gerrard
79630 Delight Valley Road
Cottage Grove, Oregon 97424

Reference : Water Right Transfer Application 7706

I am reviewing your water right transfer application for a change in point of diversion. When I initially examined your application and map, I calculated the total revised acres against the total authorized acres and found that there are less total revised acres than the total authorized acres.

From our phone conversation on Friday, Jan. 9, I understand that there is really no change to the authorized acres involved in the transfer. This indicates to me that the cause of the difference in acres is due to use of different base maps and planimetry equipment by Mr. Hendricks, your Certified Water Rights Examiner, than what was used in the original final proof survey for the certificate. Any decrease in the acreage under the water right would result in a decrease in the quantity of water to be used by the right.

I am sending the transfer application map back to Mr. Hendricks so that he can amend it to reflect the authorized acres for Parcels 1 and 2. When he does this, he will also need to amend Part 2.(E) (the location and number of acres of that portion of the water right that will be affected by the change in point of diversion) of your transfer application. When that is finished, I will need a written statement from you telling me to amend Part 2 (E) of your transfer application.

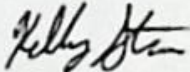
Also, in order to bring your application to completion, I will need the following items completed and sent to me:

- A land use form for your local land use planning department to complete. If you have already submitted this form to your land use department, then you should contact them and find out if they have processed it. This form has to be filled out by them and sent to us in order for your transfer application to be complete.

- A signed statement stating the water right has been used in the last five years according to the terms and conditions of the certificate.

Please send the completed Land Use form, statement of use, the amended Part 2.(E) of the application and amendment statement to me , Kelly Starnes, within sixty days. When I receive all of the requested items, I will mail you a publication notice that needs to be published in your local paper. If you have any questions, please call me at (800)-624-3199, ext. 309.

Sincerely,



Kelly Starnes
Water Right Inspector

cc: Russell D. Hendricks, CWRE
Geomax of Oregon
806 N Ninth Street
Cottage Grove, Oregon 97424



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

January 12, 1997

Russell D. Hendricks, CWRE
Geomax of Oregon, Inc.
806 North Ninth Street
Cottage Grove, Oregon 97424

Reference: Water Right Transfer Application 7706 (Gerrard)

The transfer application map you have prepared for Mr. Gerrard needs to be corrected and also to have additional acreage information added to it.

The map should show the same authorized amount of acres as found in the place of use description on the certificate (copy enclosed). I realize the water right is now divided into two parcels, but still the acres in each lot and DLC per parcel needs to be based upon the authorized acres.

Part 2(E) of the application (copy enclosed) needs to have only the acres for Mr. Gerrard's land (Parcel 2) as they are affected by the proposed diversion point.

I will also need to have added to the map the authorized acreage for the portion in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within DLC 54, Section 22.

I am returning the original transfer application map for correction. Please return the corrected map and the amended Part 2(E) of the application to me, Kelly Starnes, within sixty days. If you have any questions, please call me at (503)-378-8455 ext. 309.

Sincerely,

Kelly Starnes
Water Right Inspector

enclosures

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FEB - 9 1998

Oregon

WATER RESOURCES DEPT.
SALEM, OREGON

NOTE TO LOCAL GOVERNMENTS

WATER
RESOURCES
DEPARTMENT

The person presenting the attached request for land use information is applying for a transfer of water right. The Water Resources Department (WRD) requires its applicants to obtain land use information to be sure water rights do not result in land uses that would violate your comprehensive plan.

You will receive notice once the applicant formally submits his or her request to WRD. Please complete this form and *return it to the applicant for inclusion their application*. Your attention to this request for information is greatly appreciated by the Department. If you have questions concerning the form, please contact us at 378-3739.



Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

Description of Water Use

Note to Applicant: This sheet will provide local planning staff with a basic description of your proposed water use. Please fill out this sheet before bringing the attached land use form to your local planning office. It will help local planning offices complete your land use information form quickly.

Note to Local Planning Officials: Please initial this sheet. Do not separate it from the land use information form. If needed, please make a separate copy for your records.

Applicant Name: Ronald D. & Marjorie A. Gerrard
 Address: 79630 DELIGHT VALLEY ROAD
COTTAGE GROVE, OR 97424
 Phone: 541 942-8655

Please indicate what you will use the water for. Check all boxes that apply and fill in the blanks with key characteristics of the project

- Irrigation (crop type, golf course, nursery or greenhouse): ALFALFA, GRASS HAY
- Livestock (type of livestock, feedlot, slaughterhouse): _____
- Residential (# units, single or multi-family, # lots if partition or subdivision): _____
- Commercial (i.e., retail, office, restaurant, gas station, hotel, service, etc.): _____
- Industrial (i.e., factory, pulp mill, research and development, processing, etc.): _____
- Institutional (i.e., school, library, etc.): _____
- Mining (aggregate, metal, open pit, placer, etc.): _____
- Recreation (park, campsite, pond, etc.): _____
- Fish and Wildlife (pond, hatchery, etc.): _____
- Hydropower (dam, reservoir, power generating or transmitting facilities): _____
- Other (Name and list key characteristics): _____

Indicate sources for the proposed water use below:	Indicate the estimated quantity of water the use will require
<input checked="" type="checkbox"/> Surface Water Name sources: <u>COAST FORK WILLAMETTE RIVER</u>	<u>.83</u> Cubic feet per second. _____ Gallons per minute. _____ Acre-Feet
<input type="checkbox"/> Reservoir or pond <input type="checkbox"/> Ground Water	

Land Use Information Form: Water Right Transfers, Use of Conserved Water, Exchanges

This information is needed to determine compatibility with local comprehensive plans as required by QRS 197.180. The Water Resources Department will use this and other information to evaluate the water use application. **DO NOT FILL OUT THIS FORM IF: 1) water is to be diverted, conveyed, and/or used only on federal lands; or 2) if ALL OF THE FOLLOWING APPLY: a) the application is for a change in the place of use, b) there are no structural changes, c) the use is irrigation, and d) the use is located in irrigation districts or exclusive farm use zones.**

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WATER RESOURCES DEPT.
SALEM, OREGON

Applicant's Name: Ronald & Marjorie Gerrard
 Address: 79630 DELIGHT VALLEY ROAD
 City: Cottage Grove State: OR Zip: 97424 Day Phone: 541 746 9818

Please provide information as requested below for all tax lots on or through which water will be diverted or used. (Attach extra sheets as necessary.) Applicants for municipal use may substitute existing and proposed service area boundaries for the tax lot information requested below.

(CHECK ALL THAT APPLY)

Map #
20-03-22.1.2

TAX LOT LOCAL ID #	PLAN DESIGNATION/ZONING (e.g. Rural Residential/RR-5)	WATER DIVERTED	WATER CONVEYED	WATER USE
00200	EFU - 30 Ag/E-30	X	X	X
00300	EFU - 30 Ag/E-30	X	X	X

Please list all counties and cities within which water is proposed to be diverted, conveyed, and/or used.
LAKE

The following section must be completed by a planning official from each county and city listed unless your project will be located entirely within the city limits. In this case, only the city planning agency must complete this form. Please request additional forms as needed.

For Local Government Use Only

Local government planning officials are to complete the remainder of this form and return it to the applicant for inclusion in the application.

- a) Check the appropriate box below and provide requested information.
- Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): LC 16.22(2)(a) Go to section b) on reverse side.
 - Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below. **Note:** Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus accompanying findings is sufficient.)

(CHECK THE BOX THAT APPLIES)

Type of Land Use Approval Needed (e.g. plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Already Obtained	Already Denied	Being Pursued Satisfactorily

Ron & Marjorie Gerrard
79630 Delight Valley Rd.
Cottage Grove, OR 97424

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WATER RESOURCES DEPT.
SALEM, OREGON

February 5, 1998

Mr. Kelly Starnes
Water Resources Department
Commerce Building
158 12th St. NE
Salem, OR 97310-0210

Dear Kelly:

This letter is to confirm that the water right under Permit No. 27756 has indeed been used in accordance with the terms and conditions of the certificate during the past five years. In fact, having been used in each of the last five years.

Sincerely,

Ron Gerrard
Marjorie Gerrard

Ron & Marjorie Gerrard
79630 Delight Valley Rd.
Cottage Grove, OR 97424

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WATER RESOURCES DEPT.
SALEM, OREGON

February 5, 1998

Mr Kelly Starnes
Water Resources Department
Commerce Building
158 12th St NE
Salem, OR 97310-0210

Dear Kelly:

Regarding Water Right Transfer Application 7706, please amend Part2. (E) per the revised version dated 1/30/98 from GEOMAX of Oregon. Thank you

Sincerely,

Ron Gerrard
Marjorie Gerrard

COPY RECEIVED

State of Oregon
WATER RESOURCES DEPARTMENT
APPLICATION FOR TRANSFER OF WATER RIGHT WATER RESOURCES DEPT.
SALEM, OREGON

FEB 10 1997

Applicant: RONALD GERRARD AND MARJORIE GERRARD
Mailing Address: 79630 DEUGHT VALLEY ROAD
COTTAGE GROVE OREGON 97424 (541) 942-8655
City or town State Zip Phone
Type of change: Point of diversion (NUMBER 2)
(In point of diversion: place of use; use heretofore made of the water)

1. WATER RIGHT

- A) Is the water right in your name? NO If not, list name below:
(Yes, No) Paul E. COLDIRON
- B) Was the water right determined by a court decree? NO
(Yes, No)
 - 1. If yes, list the title of the proceedings: _____
 - 2. Certificate No: _____
- C) Was the water right acquired by a water permit? YES
(Yes, No)
 - 1. If yes, list the Permit No: 27756
 - 2. Certificate No: 33836
- D) Date of priority right: DECEMBER 14, 1961
- E) What are your reasons for the proposed changes? Source is drying up and sale of a portion of property has changed diversion access and area of application.
- F) The water will be completely applied to the proposed use on or before: May 30, 1997

2. LOCATION OF AUTHORIZED USE

A) What is the source of water (river, stream, well)? River (Coast Fork Willamette)

B) Describe the authorized point of diversion:

Location in Reference to Survey Corner	1/4, 1/4 of Section	Section	Township	Range
# 1 1330'S & 2300 W of SE COR DUC# 52	SE, SW	15	20S	3W
# 2 3140'S & 1240 W of SE COR DUC# 52	SE, NW	22	20S	3W

- C) What is the name of the ditch used? N/A
- D) What is the use to which the water is applied? Irrigation

E) Give the location of the authorized area irrigated or place of use other than for irrigation:

Township	Range	Section	1/4, 1/4 of Section	No. of acres irrigated
SEE EXHIBIT 2.E ATTACHED				

- F) Is the land within an irrigation district? Yes _____ No X
If Yes, which district? _____
- G) County Lane

3. LOCATION OF PROPOSED USE:

NOTE: Answer question A only if the application is for a change in the point of diversion.

A) Describe the proposed point of diversion:

Location in Reference to Survey Corner	1/4, 1/4 of Section	Section	Township	Range
# 2 1531'S & 2353' W of SE COR DUC# 52	NE, NW	22	20S	3W

T 7706

NOTE: Answer questions B, C, D, and E only if the application is for a change in use or place of use.

B) Are the lands from which you propose to transfer your water right free of all encumbrances? N/A (Yes, No)

C) If no, give the description below of existing encumbrances:

Encumbrance	Held by	Amount

D) What is the use to which the water will be applied? _____

E) Give the proposed location of the area irrigated, or place of use if other than for irrigation:

Township	Range	Section	1/4, 1/4 of Section	No. of acres irrigated

4. EXHIBITS

The following exhibits shall be attached to and made part of the application:

- A) A map prepared by a Certified Water Right Examiner showing the location of the present and proposed points of diversion, the authorized and proposed places of use and, if any, lands from the existing right that would not be subject to transfer.
- B) A copy of the current recorded deed to the subject lands.
- C) Affidavits from any other landowners or encumbrance holders with interest in the original water right stating that they have no objection to the proposed transfer.
- D) Evidence that the water has been used within the last five years.

5. NAME AND ADDRESS OF RECEIVING LANDOWNER(S) IF OTHER THAN APPLICANT:

N/A

6. REMARKS: Authorized Irrigated acres have been revised by more accurate computer calculations, no changes to actual application areas have taken place.

I (we) Ronald D. and Marjorie A. Gerard, applicant(s), hereby swear that I (we) have read the above application for transfer of water right and that the statements made are true and correct. Dated and signed this 6th day of February, 1997.

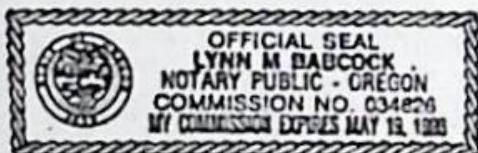
Ronald D. Gerard
(Signature)

Marjorie A. Gerard
(Signature)

Subscribed and sworn to before me

Lynn M. Babcock
Notary Public for Oregon

(Notarial Seal)



My commission expires: 5-19-98

COPY

RECEIVED

FEB 10 1997

WATER RESOURCES DEPT
SALEM, OREGON

EXHIBIT 2.4

AUTHORIZED IRRIGATED ACRES

TOWNSHIP	RANGE	SECTION	1/4, 1/4 SECTION	ACRES IRRIGATED
DIVERSION POINT 1				
20S	3W	15	SE, SW	7.8
		22	NE, NW	8.8
DIVERSION POINT 2				
20S	3W	15	SE, SW	2.0
			Lot 2	2.6
			SW, SE	7.5
		22	Lot 1	2.5
			NW, NE	18.7
			Lot 4	0.2
			Lot 2	0.3
			NE, NW	12.7
			Lot 3	0.7
			SE, NW	2.8

T 7706

COPY

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REVISED IRRIGATED ACRES AFTER OWNERSHIP UPDATE WATER RESOURCES DEPT.
SALEM, OREGON

TOWNSHIP	RANGE	SECTION	1/4,1/4 SECTION	ACRES IRRIGATED
DIVERSION POINT 1				
20S	3W	15	SE, SW	8.9
			SW, SE	7.3
			Lot 2	2.4
		22	NE, NW	2.5
			NW, NE	5.2
			Lot 1	1.3
DIVERSION POINT 2				
20S	3W	22	NE, NW	17.6
			NW, NE	12.9
			Lot 1	1.1
			Lot 2	0.3
			Lot 3	0.7
			SE, NW	3.1
			SW, NE	0.3

T 7706

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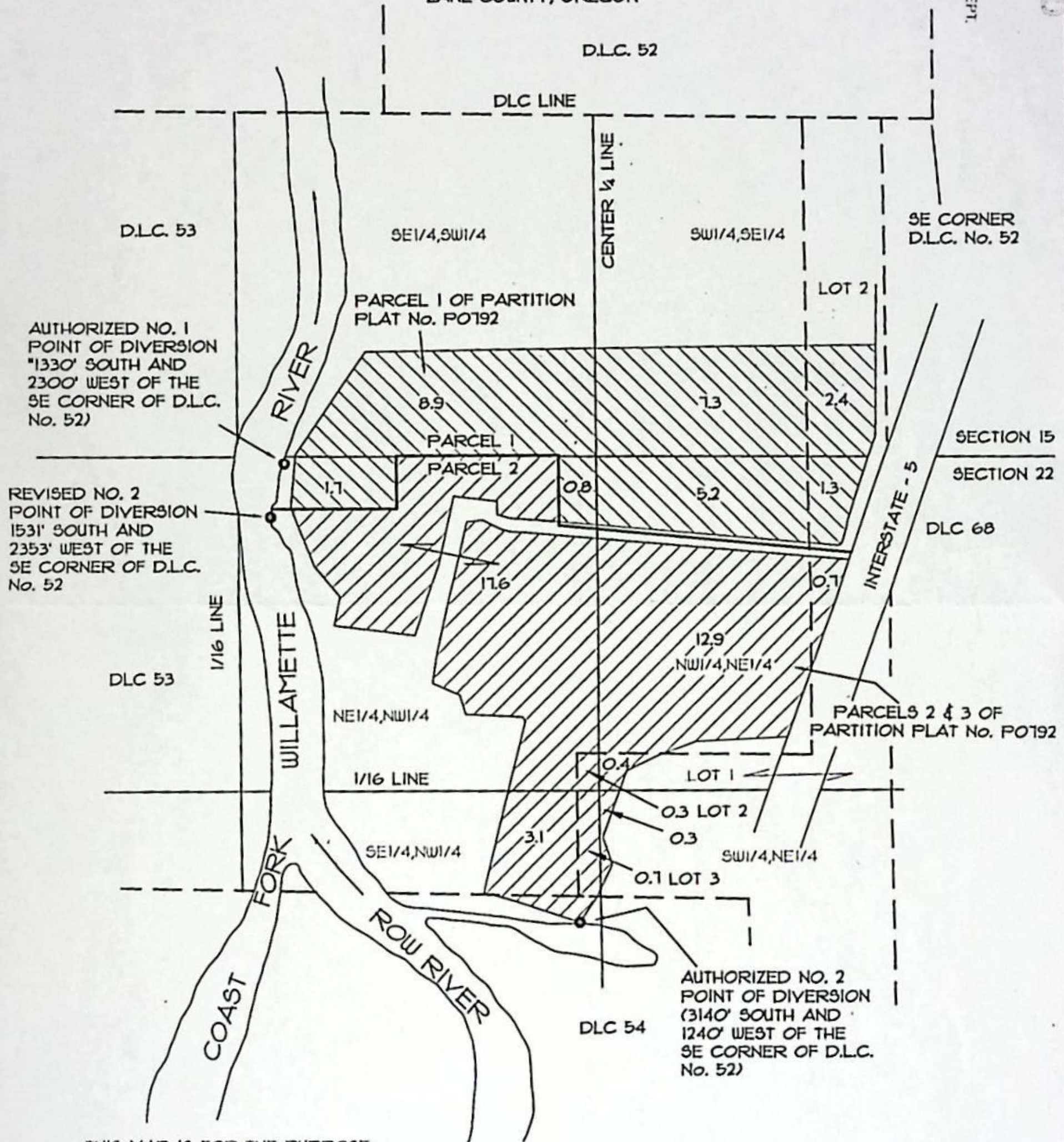
APPLICATION FOR CHANGE IN POINT OF DIVERSION AND OWNERSHIP UPDATE

FOR RON GERRARD

UNDER APPLICATION No. 37566, PERMIT No. 2T156
SECTIONS 15 AND 22, T.22S., R.3W., W.M.
LANE COUNTY, OREGON

WATER RESOURCES DEPT.
SALEM, OREGON

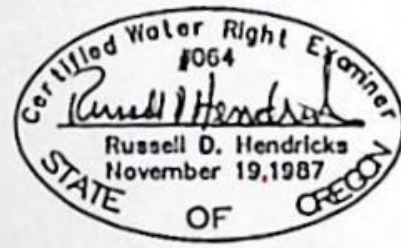
FEB 10 1997



THIS MAP IS FOR THE PURPOSE
OF IDENTIFYING THE WATER RIGHT
ONLY AND IS NOT INTENDED TO
PROVIDE LEGAL DIMENSIONS OR
LOCATIONS OF PROPERTY
OWNERSHIP LINES.



SCALE: 1" = 400'



DATE OF SURVEY: 10/02/96

Geomax
OF OREGON, INC.

ENGINEERING, LAND SURVEYING, BUILDING DESIGN
806 N. NINTH STREET COTTAGE GROVE, OREGON 97424
TELEPHONE- (541) 942-0126 FAX- (541) 942-7935

JOB NO.: 96197	DRAWN: R.D.H./T.F.J.	CHECKED: R.D.H.
DATE: 1/28/97	REV.	

96197WRDUG:01/29/97

T 7706

TRANSMITTAL

COPY

Geomax
OF OREGON, INC.

TO: WATER RESOURCES DEPARTMENT
158 12th STREET NE
SALEM, OR 97301

ENGINEERING, LAND SURVEYING, BUILDING DESIGN
806 N NINTH STREET COTTAGE GROVE, OREGON 97124
TELEPHONE- (541) 942-0126 FAX- (541) 942-7935

FEB 10 1997

WATER RESOURCES DEPT.
SALEM, OREGON

FROM: _____

DATE: FEBRUARY 7, 1997

JOB No. 96197

SUBJECT: CERTIFICATE No. 33836 - CHANGE IN POINT OF DIVERSION

MESSAGE

ENCLOSED PLEASE FIND:

- ① APPLICATION FOR CHANGE IN POINT OF DIVERSION
- ② TWO CHECKS TOTALING \$85.00 FOR FEES
- ③ LIST OF AUTHORIZED IRRIGATED ACRES
- ④ LIST OF REVISED IRRIGATED ACRES
- ⑤ OWNERSHIP UPDATE FORM
- ⑥ DEEDS FOR BOTH OWNERSHIPS
- ⑦ PARTITION MAP SHOWING OWNERSHIP PARCELS
- ⑧ NEW WATER RIGHT MAP

A CHANGE IN OWNERSHIP AND A CHANGE IN WATER SOURCE HAS
PROMPTED THIS APPLICATION FOR A CHANGE IN POINT OF
DIVERSION AND AN OWNERSHIP UPDATE OF IRRIGATED FIELDS
LET ME KNOW IF I CAN ADD ANY INFORMATION YOU NEED.

CC: _____

SIGNED: Russell D Hendricks

T 7706

RECEIVED

FEB 10 1997

OREGON WATER RESOURCES DEPARTMENT
WATER RIGHT OWNERSHIP UPDATE FORM

WATER RESOURCES DEPT
SALEM, OREGON

NOTICE TO SELLERS & BUYERS:

By law all water belongs to the public (ORS 537.110). In almost every instance, a permit ("water right") from the Water Resources Department is needed before using, diverting, or storing any water (ORS 537.130). However, most domestic wells do not require water rights. A water right stays with the land. In order to keep track of water right ownership, ORS 537.330 requires persons selling property that has a water right to: 1) provide evidence of the water right to the buyer and 2) notify the Water Resources Department of the water right involved with the real estate transaction. Sellers are exempted from this requirement if the water uses are served by a water district or a city.

Water that has been used for a long time in one place or that involves a water structure (like a dam) that already exists is no guarantee that there is a water right which would allow the water use to continue.

If you have any questions about this form or water right requirements, please contact your local watermaster or call the Water Resources Department at (503)378-8455.

... Note: Please type or print legibly when filling in the following information. Use additional paper if necessary.

PROPERTY SELLER INFORMATION:

Name: Ronald Gerrard
Street Address: 79630 Delight Valley Road
City: Cottage Grove state: Oregon Zip: 97424
Phone: (541) 942-8655

PROPERTY BUYER INFORMATION:

Name: Terry and Cheryl Thompson
Street Address: 79652 Delight Valley Road
City: Cottage Grove state: Oregon Zip: 97424
Phone: (541) 767-0627

PROPERTY DESCRIPTION (attach additional pages if necessary):

County: Lane Township: 205 Range: 3W section: 15 1/6
Tax lot number(s): _____
Meets & bounds description (or attach copy of property deed & tax lot map with the parcels highlighted):
Parcel 1 of Land Partition No. P0792 (see attached plat)

WATER RIGHT INFORMATION (attach copy of water right certificate or permit & final proof map if available):

Application #: _____ Permit 127756 certificate 133836
Will all lands associated with the water right be owned by the buyer? Yes No
Name of Individual completing this form: Russell D. Hendricks WRE#064 phone: 942-0126
Signature: Russell D. Hendricks Date: 1/30/97

7-7706

February 18, 1997

Ronald & Marjorie Gerrard
79630 Delight Valley Road
Cottage Grove, OR 97424

WATER
RESOURCES
DEPARTMENT

REFERENCE: Transfer 7706

We received your water right transfer application requesting (a change in POD) for use of water from (Coast Fork Willamette). The application was accompanied by \$ (85). Our receipt (10023 & 10039) is enclosed.

By copy of this letter, we are asking the Watermaster for his usual report regarding the potential for injury to existing water rights which may be caused the change

Due to the high number of applications received over the past few years, we are unable to complete the examination of your application in a timely manner. The average time required for transfer approval has been over two years. Applications are normally examined in the order they are received. If you have a specific reason why your application should be examined ahead of other applications, please send us a letter describing your reason. We may be able to examine your application ahead of others.

You may not use water for the new use, in the new place of use, or from the new point of diversion until the transfer application has been approved. In order to avoid any possible forfeiture of the water right, you should continue to use the water as described by your existing water right.

We will notify you if addition information or corrections to the application or map are required.

If you have any questions, please call the Water Rights Section, (800) 624-3199 or (503) 378-3739.

Sincerely,

LARRY H. NUNN
Water Rights Specialist

LHN:gjt

cc: Gene McGinnis, Watermaster
Russell D. Hendricks, CWRE

enclosure



Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

County: LANE
Transfer: 7706
Certificate: 33836
Priority Date: 12/14/1961
Name: RONALD & MARJORIE GERRARD
Address: 79630 DELIGHT VALLEY RD
Change: POD
Source: COAST FORK WILLAMETTE
Authorized POD: T20S, R3W, SEC 15, 22
Proposed POD: T20S, R3W, SEC 22

Ron & Marjorie Gerrard
79630 Delight Valley Rd.
Cottage Grove, OR 97424
PH. (541) 942-8655

RECEIVED

NOV 03 1997

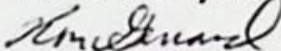
WATER RESOURCES DEPT.
SALEM, OREGON

State of Oregon
Water Resources Department
Commerce Building
158 12th St. NE
Salem, OR 97310-0210

Dear Sirs:

In March of this year (1997) we submitted an application for change of point of diversion and for revision of usage area due to the sale and division of property, effected by water right Permit # 27756 , Certificate # 33836. We received the receipt for our application fee with a letter of explanation stating that due to a backlog it may be up to two years before this is processed. At the time this appeared to be an acceptable situation but experience this past irrigation season has proven to be a problem for us due to the one point of diversion having too little flow to prevent excessive buildup of vegetation, causing chronic and expensive system problems. The other point of diversion is no longer on the subject property and although arrangements are in place to access the second point there are costly delays and issues of timing for irrigation that occur during the very hot and critical watering periods. We would sincerely appreciate your efforts to expedite this application prior to the 1998 irrigation season.

Respectfully yours,
Ron and Marjorie Gerrard



TRANSFER CHECK OFF LIST

TRANSFER FILE # 7706
 DATE RECEIVED 2-10-97
 DATE MONEY SLIPPED 2-10-97
 DATE RECEIPTED 2-10-97
 VALID WATER RIGHT? Yes No
 TEMP ALT AC ___(Bill) IRR DIST ___() PERM AMEND ___(Kelly) DIV 15 (Larry)
 CONTENTS MARKED 2-10-97
 3 COPIES MADE & STAMPED 2-13-97
 CERTIFICATE MARKED 2-12-97
 CERTIFICATE COPIED 2-12-97
 PERMIT MARKED —
 PERMIT COPIED —
 DECREE MARKED —
 DECREE COPIED —
 PULL APPLICATIONS
 FOLDER FILLED OUT* 2-13-97
 COLOR CODED Yes
 APP FOLDER MARKED 2-
 TYPE BLACK BOOK 2-13-97 (And color code)
 ENTRIES CHECKED 2-13-97 CHECKED BY Larry INIT FOLDER _____
 LETTER SENT 2-18-97
 PUBLIC NOTICE DATE 2-18-97 ID — CWRE
 COPY TO WM 2-18-97
 BLUE FORM TO WM 2-18-97
 COPY OF LETTER
 TO CWRE 2-18-97
 INDEX CARD 2-18-97
 CALENDAR CARD 2-18-97
 CARDS FILED 2-19-97

*SHRINK DATA IF THERE ARE MANY FILES INVOLVED AND TAPE TO FOLDER

5-
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20-

9612067

RECEIVED

FEB 10 1997

RONALD D. GERRARD and MARJORIE A. GERRARD

WATER RESOURCES DEPT.
SALEM, OREGON

, Grantor,

conveys and warrants to

TERRY N. THOMPSON and CHERYL R. THOMPSON, husband and wife

, Grantee,

the following described real property situated in LANE County OR
free of encumbrances except as specifically set forth herein, to-wit:

Parcel 1, Land Partition Plat No. 96-P0792, filed February 13, 1996, Lane County Oregon Records.

As disclosed by the tax roll the premises herein described have been zoned or classified for farm use. At any time that said land is disqualified for such use, the property will be subject to additional taxes or penalties and interest.

This conveyance is subject to and excepts: **RIGHTS OF THE PUBLIC IN STREETS, ROADS AND HIGHWAYS, COVENANTS, CONDITIONS, RESTRICTIONS, RESERVATIONS, EASEMENTS OF RECORD.**

SUBJECT TO: EXISTING LIEN IN FAVOR OF WENDELL & KATHLEEN TOBIASSON, RECORDED UNDER REEL NO. , RECEPTION NO. WHICH GRANTEE HEREIN ASSUMES AND AGREES TO PAY AND PERFORM (INCLUDING THE DEBT INSTRUMENT IT SECURES), AND SHALL INDEMNIFY AND HOLD THE GRANTOR HARMLESS THEREFROM.

7771FEB.22'96H02REC 5.00
7771FEB.22'96H02PFUND 10.00
7771FEB.22'96H02A&T FUND 20.00

The true consideration for this conveyance is \$ 105,000.00

"THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930."

Dated: 02/21/96

Ronald D. Gerrard
RONALD D. GERRARD

Marjorie A. Gerrard
MARJORIE A. GERRARD

State of Oregon
County of Lane — ss.
I, the County Clerk, in and for the said County, do hereby certify that the within instrument was received for record at

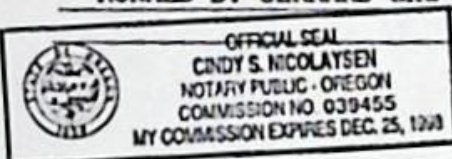
22 FEB 96 4: 18

Reel **2144R**
Lane County OFFICIAL Records
Lane County Clerk

By: Donal S. Suckat
County Clerk

STATE OF OREGON)
County of LANE) ss.

This instrument was acknowledged before me on February 21, 1996 by RONALD D. GERRARD and MARJORIE A. GERRARD



Cindy S. Nicolaysen
Notary Public for Oregon
My commission expires: 12/25/98

Until a change is requested, all tax statements shall be sent to the following address:

1552 Julia St, Eug OR 97402

T-7706

After recording return to: Western Pioneer Title Co., P.O. Box 10146, Eugene, Oregon 97440

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10
20

9612062

RECEIVED

FEB 10 1997

MERDELL TOBIASSON and KATHLEEN TOBIASSON

WATER RESOURCES DEPT.
SALEM, OREGON

conveys and warrants to

RONALD D. GERARD and MARJORIE A. GERARD, husband and wife

the following described real property situated in LANE County OR
free of encumbrances except as specifically set forth herein, to-wit:

Parcel 2, Land Partition Plat No. 96-P0792, filed February 13, 1996, Lane County Oregon Records.

As disclosed by the tax roll the premises herein described have been zoned or classified for farm use. At any time that said land is disqualified for such use, the property will be subject to additional taxes or penalties and interest.

This conveyance is subject to and except: RIGHTS OF THE PUBLIC IN STREETS, ROADS AND HIGHWAYS, COVENANTS, CONDITIONS, RESTRICTIONS, RESERVATIONS, EASEMENTS OF RECORD.

ZZLFEB.22'96R025ED 5.00
ZZLFEB.22'96R025FLND 15.00
ZZLFEB.22'96R025AT FLND 20.00

The true consideration for this conveyance is \$ 224,000.00

"THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930."

Dated: 02/21/96

Meredell Tobiasson
MERDELL TOBIASSON

Kathleen Tobiasson
KATHLEEN TOBIASSON

State of Oregon
County of Lane — ss.
I, the County Clerk, in and for the said County, do hereby certify that the within instrument was received for record at

22 FEB 96 11 16

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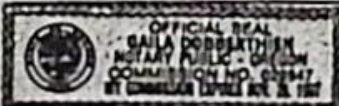
Lane County OFFICIAL RECORD
Lane County Clerk

By Donald S. Smith
County Clerk

STATE OF OREGON

County of LANE

This instrument was acknowledged before me on 2/22/96 by MERDELL TOBIASSON and KATHLEEN TOBIASSON



Gaila Dobbekthin
Notary Public for Oregon

My commission expires:

Until a change is requested, all tax statements shall be sent to the following address:

PO Box 832
Spfw OR 97477

After recording return to: Western Pioneer Title Co., P.O. Box 10146, Eugene, Oregon 97440

5-10-20

9612065

RECEIVED

FEB 10 1997

MENDILL TORIASSON and KATHLEEN TORIASSON

WATER RESOURCES DEPT. , Grantor,
SALEM, OREGON

conveys and warrants to

RONALD D. GERRARD and MARJORIE A. GERRARD, husband and wife

the following described real property situated in LANE County OR, Grantor,
free of encumbrances except as specifically set forth herein, to-wit:

Parcels 1 and 3, Land Partition Plat No. 94-P0792, filed February 13, 1996, Lane County Oregon Records.

As disclosed by the tax roll the premises herein described have been zoned or classified for farm use. At any time that said land is disqualified for such use, the property will be subject to additional taxes or penalties and interest.

This conveyance is subject to and excepts: RIGHTS OF THE PUBLIC IN STREETS, ROADS AND HIGHWAYS, COVENANTS, CONDITIONS, RESTRICTIONS, RESERVATIONS, EASEMENTS OF RECORD.

ZZZFEB, 22 '96#025EC 5.00
ZZZFEB, 22 '96#025FUD 10.00
ZZZFEB, 22 '96#025AT FUND 20.00

The true consideration for this conveyance is \$ 111,000.00

"THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.730."

Dated: 02/21/96

Mendill Toriasson
MENDILL TORIASSON

Kathleen Toriasson
KATHLEEN TORIASSON

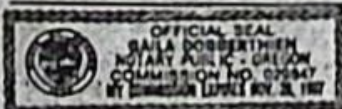
State of Oregon
County of Lane -- ss.
I, the County Clerk, in and for the said County, do hereby certify that the within instrument was received for record in

22 FEB 96 11:10
2144R
Lane County OFFICIAL Records
Lane County Clerk

By David J. Sisk
County Clerk

STATE OF OREGON)
County of LANE) ss.

This instrument was acknowledged before me on FEBRUARY 22, 1996 by MENDILL TORIASSON and KATHLEEN TORIASSON



Salla Robertson
Notary Public for Oregon
My commission expires: _____

Until a change is requested, all tax statements shall be sent to the following address:
Po Box 832 Springfield, OR 97147
After recording return to: Western Pioneer Title Co., P.O. Box 10144, Eugene, Oregon 97440

T-7706

RECEIVED

FEB 10 1997

State of Oregon
WATER RESOURCES DEPARTMENT
APPLICATION FOR TRANSFER OF WATER RIGHT WATER RESOURCES DEPT.
SALEM, OREGON

Applicant: RONALD GERRARD AND MARJORIE GERRARD

Mailing Address: 79630 DEUGHT VALLEY ROAD

COTTAGE GROVE OREGON 97424 (541) 942-8655

Type of change: Point of diversion (NUMBER 2)
(In point of diversion: place of use; use heretofore made of the water)

1. WATER RIGHT

A) Is the water right in your name? NO If not, list name below:
(Yes, No)

Paul E. COLDIRON

B) Was the water right determined by a court decree? NO
(Yes, No)

1. If yes, list the title of the proceedings: _____
2. Certificate No: _____

C) Was the water right acquired by a water permit? YES
(Yes, No)

1. If yes, list the Permit No: 27756
2. Certificate No: 33836

D) Date of priority right: DECEMBER 14, 1961

E) What are your reasons for the proposed changes? Source is drying up and sale of a portion of property has changed diversion access and area of application.

F) The water will be completely applied to the proposed use on or before: May 30, 1997

2. LOCATION OF AUTHORIZED USE

A) What is the source of water (river, stream, well)? River (Coast Fork Willamette)

B) Describe the authorized point of diversion:

1
2

Location In Reference to Survey Corner	1/4, 1/4 of Section	Section	Township	Range
1330'S & 2300 W of SE COR DLG# 52	SE, SW	15	20S	3W
3140'S & 1240 W of SE COR DLG# 52	SE, NW	22	20S	3W

C) What is the name of the ditch used? N/A

D) What is the use to which the water is applied? Irrigation

E) Give the location of the authorized area irrigated or place of use other than for irrigation:

Township	Range	Section	1/4, 1/4 of Section	No. of acres irrigated
SEE EXHIBIT 2.E ATTACHED				

F) Is the land within an irrigation district? Yes _____ No X
If Yes, which district? _____

G) County Lane

3. LOCATION OF PROPOSED USE:

NOTE: Answer question A only if the application is for a change in the point of diversion.

A) Describe the proposed point of diversion:

2

Location In Reference to Survey Corner	1/4, 1/4 of Section	Section	Township	Range
1531'S & 2353' W of SE COR DLG# 52	NE, NW	22	20S	3W

T 7706

NOTE: N/A Answer questions B, C, D, and E only if the application is for a change in use or place of use.

B) Are the lands from which you propose to transfer your water right free of all encumbrances? _____ (Yes, No)

C) If no, give the description below of existing encumbrances:

Encumbrance	Held by	Amount

D) What is the use to which the water will be applied? _____

E) Give the proposed location of the area irrigated, or place of use if other than for irrigation:

Township	Range	Section	1/4, 1/4 of Section	No. of acres irrigated

4. EXHIBITS

The following exhibits shall be attached to and made part of the application:

- A) A map prepared by a Certified Water Right Examiner showing the location of the present and proposed points of diversion, the authorized and proposed places of use and, if any, lands from the existing right that would not be subject to transfer.
- B) A copy of the current recorded deed to the subject lands.
- C) Affidavits from any other landowners or encumbrance holders with interest in the original water right stating that they have no objection to the proposed transfer.
- D) Evidence that the water has been used within the last five years.

5. NAME AND ADDRESS OF RECEIVING LANDOWNER(S) IF OTHER THAN APPLICANT:

N/A

6. REMARKS: Authorized Irrigated acres have been revised by more accurate computer calculations, no changes to actual application areas have taken place.

I (we) Ronald D. and Marjorie A. Gerard, applicant(s), hereby swear that I (we) have read the above application for transfer of water right and that the statements made are true and correct. Dated and signed this 6th day of February, 1997.

Ronald D. Gerard
(Signature)
Marjorie A. Gerard
(Signature)

Subscribed and sworn to before me

Lynn M. Babcock
Notary Public for Oregon

(Notarial Seal)



My commission expires: 5-19-98

RECEIVED

FEB 10 1997

WATER RESOURCES DEPT.
SALEM, OREGON

EXHIBIT 2.4

AUTHORIZED IRRIGATED ACRES

TOWNSHIP	RANGE	SECTION	1/4,1/4 SECTION	ACRES IRRIGATED
DIVERSION POINT 1				
20S	3W	15	SE, SW	7.8
		22	NE, NW	8.8
DIVERSION POINT 2				
20S	3W	15	SE, SW	2.0
			Lot 2	2.6
			SW, SE	7.5
		22	Lot 1	2.5
			NW, NE	18.7
			Lot 4	0.2
			Lot 2	0.3
			NE, NW	12.7
			Lot 3	0.7
			SE, NW	2.8

T 7706

RECEIVED

FEB 10 1997

REVISED IRRIGATED ACRES AFTER OWNERSHIP UPDATE WATER RESOURCES DEPT.
SALEM, OREGON

TOWNSHIP	RANGE	SECTION	1/4, 1/4 SECTION	ACRES IRRIGATED
DIVERSION POINT 1				
20S	3W	15	SE, SW	8.9
			SW, SE	7.3
			Lot 2	2.4
		22	NE, NW	2.5
			NW, NE	5.2
			Lot 1	1.3
DIVERSION POINT 2				
20S	3W	22	NE, NW	17.6
			NW, NE	12.9
			Lot 1	1.1
			Lot 2	0.3
			Lot 3	0.7
			SE, NW	3.1
			SW, NE	0.3

T 7706

TRANSMITTAL

Geomax
OF OREGON, INC.

TO: WATER RESOURCES DEPARTMENT
158 12th STREET NE
SALEM, OR 97301

ENGINEERING, LAND SURVEYING, BUILDING DESIGN
806 N NINTH STREET COTTAGE GROVE, OREGON 97424
TELEPHONE- (541) 942-0126 FAX (541) 942-7975

RECEIVED

FEB 10 1997

WATER RESOURCES DEPT.
SALEM, OREGON

FROM: _____

DATE: FEBRUARY 7, 1997

JOB No. 96197

SUBJECT: CERTIFICATE No. 33836 - CHANGE IN POINT OF DIVERSION

MESSAGE

ENCLOSED PLEASE FIND:

- ① APPLICATION FOR CHANGE IN POINT OF DIVERSION
- ② TWO CHECKS TOTALING \$5⁰⁰ FOR FEES
- ③ LIST OF AUTHORIZED IRRIGATED ACRES
- ④ LIST OF REVISED IRRIGATED ACRES
- ⑤ OWNERSHIP UPDATE FORM
- ⑥ DEEDS FOR BOTH OWNERSHIPS
- ⑦ PARTITION MAP SHOWING OWNERSHIP PARCELS
- ⑧ NEW WATER RIGHT MAP

A CHANGE IN OWNERSHIP AND A CHANGE IN WATER SOURCE HAS
PROMPTED THIS APPLICATION FOR A CHANGE IN POINT OF
DIVERSION AND AN OWNERSHIP UPDATE OF IRRIGATED FIELDS
LET ME KNOW IF I CAN ADD ANY INFORMATION YOU NEED.

CC: _____

SIGNED: Russell D Hendrichs

T 7706

RECEIVED

FEB 10 1997

OREGON WATER RESOURCES DEPARTMENT
WATER RIGHT OWNERSHIP UPDATE FORM

WATER RESOURCES DEPT.
SALEM, OREGON

NOTICE TO SELLERS & BUYERS:

By law all water belongs to the public (ORS 537.110). In almost every instance, a permit ("water right") from the Water Resources Department is needed before using, diverting, or storing any water (ORS 537.130). However, most domestic wells do not require water rights. A water right stays with the land. In order to keep track of water right ownership, ORS 537.330 requires persons selling property that has a water right to: 1) provide evidence of the water right to the buyer and 2) notify the Water Resources Department of the water right involved with the real estate transaction. Sellers are exempted from this requirement if the water uses are served by a water district or a city.

Water that has been used for a long time in one place or that involves a water structure (like a dam) that already exists is no guarantee that there is a water right which would allow the water use to continue.

If you have any questions about this form or water right requirements, please contact your local watermaster or call the Water Resources Department at (503)378-8455.

... Note: Please type or print legibly when filling in the following information. Use additional paper if necessary.

PROPERTY SELLER INFORMATION:

Name: Ronald Gerrard
Street Address: 79630 Delight Valley Road
City: Cottage Grove State: Oregon Zip: 97424
Phone: (541) 942-8655

PROPERTY BUYER INFORMATION:

Name: Terry and Cheryl Thompson
Street Address: 79652 Delight Valley Road
City: Cottage Grove State: Oregon Zip: 97424
Phone: (541) 767-0627

PROPERTY DESCRIPTION (attach additional pages if necessary):

County: Lane Township: 205 Range: 3W Section: 15 1/4
Tax Lot number(s): _____
Meets & bounds description (or attach copy of property deed & tax lot map with the parcels highlighted):
Parcel 1 of Land Partition No. P0792 (see attached plat)

WATER RIGHT INFORMATION (attach copy of water right certificate or permit & final proof map if available):

Application #: _____ Permit: 127756 certificate: 133836
Will all lands associated with the water right be owned by the buyer? Yes No
Name of individual completing this form: Russell D. Hendricks WRE #064 Phone: 942-0126
Signature: Russell D. Hendricks Date: 1/30/97

T-7706

GERRARD - CHANGE IN POINT OF DIVERSION
REVISED 1/30/98

RECEIVED
FEB - 9 1998
WATER RESOURCES DEPT.
SALEM, OREGON

EXHIBIT 2 E

IRRIGATED ACRES

TOWNSHIP 20 S, RANGE 3 W

<u>DIVERSION POINT</u>	<u>SECTION</u>	<u>1/4 SECTION</u>	<u>AUTHORIZED ACRES</u>	<u>REVISED ACRES</u>
1	22	NE,NW	7.0	7.0
2	22	LOT 1	1.1	1.1
		NW,NE	13.3	13.3
		LOT 4	0.2	0.2
		LOT 2	0.3	0.3
		NE,NW	12.7	11.8
		LOT 3	0.7	0.7
		SE,NE	2.6	2.6
		SE,NE(DLC 54)	0.2	0.2
			<u>38.1</u>	<u>37.2</u>

SURVEYORS CERTIFICATION

I, TED C. BAKER, A REGISTERED LAND SURVEYOR IN THE STATE OF OREGON, DO CERTIFY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH THE PROPER MONUMENTS THE LAND SHOWN HEREON. THE BOUNDARIES OF SAID LAND BEING DESCRIBED AS FOLLOWS:

PROPERTY DESCRIPTION

COMMENCING AT A 1972 LANE COUNTY BRASS CAP MARKING THE NORTHWEST CORNER OF THE S.B. KNOX D.L.C. #68 IN TOWNSHIP 20 SOUTH, RANGE 3 WEST OF THE WILLAMETTE MERIDIAN; THENCE S 0°34'00"W, ALONG THE CENTERLINE OF COUNTY ROAD #728, SAID CENTERLINE ALSO BEING THE WEST LINE OF D.L.C. #68, 840.70 FEET TO A POINT, THENCE LEAVING SAID CENTERLINE, S 89°43'30"W, 20.00 FEET TO A 5/8" IRON PIN SET ON THE WEST RIGHT-OF-WAY LINE OF SAID COUNTY ROAD #728, SAID IRON PIN MARKS THE INITIAL POINT OF THIS PARCEL OF LAND; THENCE S 0°34'00"W, ALONG SAID WEST RIGHT-OF-WAY LINE, 396.64 FEET TO A 5/8" IRON PIN SET ON THE WESTERLY RIGHT-OF-WAY LINE OF THE RELOCATED PACIFIC HIGHWAY I-5, SAID IRON PIN BEING AT RIGHT ANGLES TO AND 100.0 FEET OPPOSITE ENGINEERS CENTERLINE STATION 649+44.20; THENCE ALONG SAID WESTERLY RIGHT-OF-WAY LINE, S 18°57'31"W, 430.80 FEET TO A 5/8" IRON PIN, SAID PIN BEING AT RIGHT ANGLES TO AND 100.0 FEET OPPOSITE ENGINEERS CENTERLINE STATION 653+75.00, THENCE S 71°02'29"E, 25.00 FEET TO A 5/8" IRON PIN, SAID PIN BEING AT RIGHT ANGLES TO AND 75.0 FEET OPPOSITE ENGINEERS CENTERLINE STATION 653+75.00; THENCE CONTINUING ALONG SAID WESTERLY RIGHT-OF-WAY LINE S 18°57'31"W, 987.20 FEET TO A 5/8" IRON PIN, SAID PIN BEING AT RIGHT ANGLES TO AND 75.0 FEET OPPOSITE ENGINEERS CENTERLINE STATION 663+62.20; THENCE LEAVING SAID WESTERLY RIGHT-OF-WAY, N 89°36'00"W, ALONG AN EXISTING FENCE LINE, AS REFERENCED TO IN WARRANTY DEED RECORDED IN REEL 583, PAGE 96292, LANE COUNTY, OREGON OFFICIAL RECORDS, 572.02 FEET TO A 5/8" IRON PIN, THENCE SOUTH, 401.60 FEET TO A POINT, THENCE N 89°07'00"W, 54.89 FEET TO A 2" IRON PIPE MARKING THE SSE CORNER OF THE JOHN BOWERS D.L.C. #53, THENCE CONTINUING N 89°07'00"W, ALONG AN EXISTING FENCE LINE AS REFERENCED TO IN SAID WARRANTY DEED, 361.11 FEET TO A 5/8" IRON PIN, THENCE CONTINUING N 89°07'00"W, 260.00 FEET TO THE CENTER OF ROW RIVER; THENCE DOWN THE CENTER OF ROW RIVER, THE FOLLOWING COURSES AND DISTANCES: N 50°05'00"W, 282.40 FEET; THENCE N 29°45'00"W, 360.00 FEET; THENCE N 33°24'00"W, 572.00 FEET TO THE CONFLUENCE OF SAID ROW RIVER WITH THE CENTER OF THE COAST FORK OF THE WILLAMETTE RIVER; THENCE DOWN THE CENTER OF SAID COAST FORK, N 7°30'00"E, 478.00 FEET; THENCE N 19°04'00"E, 717.05 FEET; THENCE LEAVING SAID COAST FORK, N 89°43'30"E, 160.00 FEET TO A 5/8" IRON PIN SET IN AN EXISTING FENCE LINE AS REFERENCED TO IN SAID WARRANTY DEED, REEL 583, PAGE 96292; THENCE CONTINUING ALONG SAID EXISTING FENCE LINE N 89°43'30"E, 1942.40 FEET TO THE INITIAL POINT, ALL IN LANE COUNTY, OREGON AND CONTAINING 91.20 ACRES MORE OR LESS.

Ted C. Baker 2-7-96
TED C. BAKER "P.L.S. 2488" DATE

NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO DIVIDE INTO 3 PARCELS, THE PROPERTY SHOWN HEREON AND DESCRIBED IN WARRANTY DEED RECORDED APRIL 20, 1972, ON REEL 583, PAGE 96292, LANE COUNTY, OREGON DEED RECORDS. THE EXISTING FENCE LINE ON THE NORTH BOUNDARY OF THIS PROPERTY WAS USED AS A BASIS OF BEARING FOR THIS SURVEY AS DESCRIBED IN SAID WARRANTY DEED AND SHOWN ON C.S.F. 8901. THE CENTERLINE OF COUNTY ROAD NO. 728 WAS ESTABLISHED BY HOLDING A BEARING OF S 0°34'00"W FROM THE NORTHWEST CORNER OF THE S.B. KNOX DONATION LAND CLAIM AS DESCRIBED IN SAID WARRANTY DEED. THE EAST BOUNDARY OF THIS PROPERTY WAS ESTABLISHED BY SURVEYING A LINE PARALLEL TO AND 20.0 FEET WESTERLY OF SAID CENTERLINE. THE WESTERLY RIGHT-OF-WAY LINE OF THE RELOCATED PACIFIC HIGHWAY NO. 1-5 WAS ESTABLISHED BY FOUND IRON PINS AND WARRANTY DEED RECORDED MAY 6, ON REEL 37, PAGE 29017, LANE COUNTY, OREGON DEED RECORDS. THE SOUTH AND WEST BOUNDARIES OF THIS PROPERTY WERE ESTABLISHED BY HOLDING DATA FROM SAID WARRANTY DEED, REEL 583, PAGE 96292. THE INTERIOR PARCEL LINES WERE SET AT THE DIRECTION OF THE OWNER AND SO EACH PARCEL WOULD CONTAIN NO LESS THAN 30.0 ACRES.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Ted C. Baker

OREGON
JULY 23, 1981
TED C. BAKER
2488

EXPIRES 12-31-97

TRUE AND EXACT STATEMENT

I, TED C. BAKER, A REGISTERED LAND SURVEYOR IN THE STATE OF OREGON, DO CERTIFY THAT THIS IS A TRUE AND EXACT COPY OF THE FINAL PLAT AS SHOWN.

Ted C. Baker 2-7-96
TED C. BAKER "P.L.S. 2488" DATE

MAP 20-03-22
TAX LOT 100

APPROVALS

John S. Patrick 2
FOR BENNET WILSON, DIRECTOR
LAND MANAGEMENT DIVISION

K. Robert Ezell 7
LANE COUNTY SURVEYOR

Jim Gangle
LANE COUNTY ASSESSOR

DATE SUBMITTED 2/8/96

ZONING E-30, FP, & AS

OWNERS DECLARATION: KNOW ALL TOBIASSON AND KATHLEEN TOBIASSON, OF THE LAND SHOWN HEREON AND DESCRIBED TO THE LEFT AND HAS CAUSED INTO PARCELS AS SHOWN HEREON, AND UTILITY PURPOSES ACROSS PARCEL 1

Wendell Tobiasson 2/7/96
WENDELL TOBIASSON DATE

SEE POWER OF ATTORNEY
ON REEL 2138R, PAGE 96-6

ACKNOWLEDGEMENT: PERSONALLY AND KATHLEEN TOBIASSON, AS TENANT BE THE PERSONS NAMED ABOVE AND WHO ACKNOWLEDGED TO ME THAT SAID INST. SIGNED AND ATTESTED TO BEFORE ME

Wendell Tobiasson
NOTARY PUBLIC FOR THE STATE
OF OREGON, COUNTY OF LANE

NOTES

- 1) THE PROPERTY IS LOCATED IN AN AREA WHERE EROSION IS KNOWN TO OCCUR AT SIGNIFICANT RATES.
- 2) THE PROPERTY IS LOCATED IN A FLOODPLAIN. ALL DEVELOPMENT SHALL COMPLY WITH ALL DEVELOPMENT SHALL COMPLY WITH ALL FLOODPLAIN REGULATIONS. THE FLOODPLAIN SHOWN ON THIS PLAT IS TAKEN FROM RATE MAP PANELS 415591 860C & 860D.
- 3) A PORTION OF THIS PROPERTY HAS JURISDICTIONAL WETLAND ON THE 1982 INVENTORY. ALL DEVELOPMENT MUST COMPLY WITH DIVISION OF STATE LANDS AND/OR ENGINEERS WETLANDS REGULATIONS.
- 4) APPROVAL OF THIS PARTITION DOES NOT GUARANTEE THAT PARCELS 1 AND 3 QUALIFY AS HOME ZONING PROVISIONS FOR OBTAINING HOME ARE MET AND AN APPROVED SEWER SYSTEM IS LOCATED.
- 5) ALL DEVELOPMENT SHALL COMPLY WITH CLASS 1 STREAM RIPARIAN REGULATIONS.
- 6) THE PROPERTY IS WITHIN THE WILLAMETTE RIVER AND IS SUBJECT TO ALL LAWS AND REGULATIONS THERE TO, INCLUDING, BUT NOT LIMITED TO, THROUGH 390.368, INCLUSIVE.

REEL 93

R

SURVEYORS CERTIFICATION

I, TED C. BAKER, A REGISTERED LAND SURVEYOR IN THE STATE OF OREGON, DO CERTIFY THAT I HAVE CORRECTLY SURVEYED AND MARKED WITH THE PROPER MONUMENTS THE LAND SHOWN HEREON. THE BOUNDARIES OF SAID LAND BEING DESCRIBED AS FOLLOWS:

PROPERTY DESCRIPTION

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Ted C. Baker 2-7-96
 TED C. BAKER "P.L.S. 2488" DATE

NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO DIVIDE INTO 3 PARCELS, THE PROPERTY SHOWN HEREON AND DESCRIBED IN WARRANTY DEED RECORDED APRIL 20, 1972, ON REEL 583, PAGE 96292, LANE COUNTY, OREGON DEED RECORDS. THE EXISTING FENCE LINE ON THE NORTH BOUNDARY OF THIS PROPERTY WAS USED AS A BASIS OF BEARING FOR THIS SURVEY AS DESCRIBED IN SAID WARRANTY DEED AND SHOWN ON C.S.F. 8901. THE CENTERLINE OF COUNTY ROAD NO. 728 WAS ESTABLISHED BY HOLDING A BEARING OF S 0°34'00"W FROM THE NORTHWEST CORNER OF THE S.B. KNOX DONATION LAND CLAIM AS DESCRIBED IN SAID WARRANTY DEED. THE EAST BOUNDARY OF THIS PROPERTY WAS ESTABLISHED BY SURVEYING A LINE PARALLEL TO AND 20.0 FEET WESTERLY OF SAID CENTERLINE. THE WESTERLY RIGHT-OF-WAY LINE OF THE RELOCATED PACIFIC HIGHWAY NO. 1-5 WAS ESTABLISHED BY FOUND IRON PINS AND WARRANTY DEED RECORDED MAY 6, ON REEL 37, PAGE 29017, LANE COUNTY, OREGON DEED RECORDS. THE SOUTH AND WEST BOUNDARIES OF THIS PROPERTY WERE ESTABLISHED BY HOLDING DATA FROM SAID WARRANTY DEED, REEL 583, PAGE 96292. THE INTERIOR PARCEL LINES WERE SET AT THE DIRECTION OF THE OWNER AND SO EACH PARCEL WOULD CONTAIN NO LESS THAN 30.0 ACRES.

REGISTERED PROFESSIONAL LAND SURVEYOR

Ted C. Baker
 OREGON JULY 25, 1981
 TED C. BAKER 2488
 EXPIRES 12-31-97

TRUE AND EXACT STATEMENT

I, TED C. BAKER, A REGISTERED LAND SURVEYOR IN THE STATE OF OREGON, DO CERTIFY THAT THIS IS A TRUE AND EXACT COPY OF THE FINAL PLAT AS SHOWN.

Ted C. Baker 2-7-96
 TED C. BAKER "P.L.S. 2488" DATE

APPROVALS

John S. Patrick 2/12/96
 FOR BENNET WILSON, DIRECTOR
 LAND MANAGEMENT DIVISION DATE

K. Robert Ezell Feb 13, 96
 LANE COUNTY SURVEYOR DATE

Jim Gaudle 2/13/96
 LANE COUNTY ASSESSOR DATE

DATE SUBMITTED 2/8/96

ZONING E-30, FP, & AS

OWNERS DECLARATION: KNOW ALL PERSONS BY THESE PRESENT THAT WENDELL TOBIASSON AND KATHLEEN TOBIASSON, AS TENANTS IN COMMON, ARE THE OWNERS OF THE LAND SHOWN HEREON AND DESCRIBED IN THE SURVEYORS CERTIFICATION SHOWN TO THE LEFT AND HAS CAUSED SAID LAND TO BE SURVEYED AND PARTITIONED INTO PARCELS AS SHOWN HEREON, AND TO CREATE A 7.0' PRIVATE EASEMENT FOR UTILITY PURPOSES ACROSS PARCEL 1 TO SERVE PARCEL 2 AS SHOWN HEREON.

Wendell Tobiasson 2/7/96
 WENDELL TOBIASSON DATE
SEE POWER OF ATTORNEY RECORDED ON REEL 2130R, PAGE 96-07940

Kathleen Tobiasson 2/7/96
 KATHLEEN TOBIASSON DATE
by Wendell Tobiasson att in fact

ACKNOWLEDGEMENT: PERSONALLY APPEARED BEFORE ME, WENDELL TOBIASSON AND KATHLEEN TOBIASSON, AS TENANTS IN COMMON, WHO ARE KNOWN TO ME TO BE THE PERSONS NAMED ABOVE AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT SAID INSTRUMENT TO BE THEIR VOLUNTARY ACT AND DEED. SIGNED AND ATTESTED TO BEFORE ME ON THIS 7 DAY OF February, 1996.

Caroline J. [Signature]
 NOTARY PUBLIC FOR THE STATE OF OREGON, COUNTY OF LANE

NOTES

- 1) THE PROPERTY IS LOCATED IN AN AREA WHERE ARSENIC IS KNOWN TO OCCUR AT SIGNIFICANT LEVELS.
- 2) THE PROPERTY IS LOCATED IN A FLOOD HAZARD ZONE. ALL DEVELOPMENT SHALL COMPLY WITH LANE COUNTY FLOODPLAIN REGULATIONS. THE FLOOD HAZARD INFORMATION SHOWN ON THIS PLAT IS TAKEN FROM THE FLOOD INSURANCE RATE MAP PANELS 415591 860C & 870D.
- 3) A PORTION OF THIS PROPERTY HAS BEEN IDENTIFIED AS A JURISDICTIONAL WETLAND ON THE STATE-WIDE WETLAND INVENTORY. ALL DEVELOPMENT MUST COMPLY WITH THE DIVISION OF STATE LANDS AND/OR THE ARMY CORPS OF ENGINEERS WETLANDS REGULATIONS.
- 4) APPROVAL OF THIS PARTITION DOES NOT ENSURE THAT PARCELS 1 AND 3 QUALIFY AS HOMESITES. A DWELLING OR MOBILE HOME IS NOT GUARANTEED UNLESS THE APPLICABLE ZONING PROVISIONS FOR OBTAINING A DWELLING OR MOBILE HOME ARE MET AND AN APPROVED SEWAGE DISPOSAL SITE IS LOCATED.
- 5) ALL DEVELOPMENT SHALL COMPLY WITH THE LANE COUNTY CLASS 1 STREAM RIPARIAN REGULATIONS.
- 6) THE PROPERTY IS WITHIN THE WILLAMETTE RIVER GREENWAY AND IS SUBJECT TO ALL LAWS AND REGULATIONS PERTAINING THERETO INCLUDING, BUT NOT LIMITED TO, ORS 390.310 THROUGH 390.368, INCLUSIVE.
- 7) PARCEL 3 IS PARTIALLY WITHIN THE APPROACH ZONE OF THE COTTAGE GROVE AIRPORT. ANY DEVELOPMENT WITHIN THAT ZONE SHALL COMPLY WITH THE REQUIREMENTS OF THE AIRPORT SAFETY COMBINING ZONE (AS).
- 8) EASEMENT GRANTED TO UNITED STATES OF AMERICA FOR BANK PROTECTION AND RIGHT OF WAY RECORDED MARCH 24, 1952, RECEPTION NO. 70372, APPEARS TO BE BLANKET IN NATURE AND CANNOT BE LOCATED ON THIS SURVEY.
- 9) EASEMENT GRANTED TO PACIFIC POWER & LIGHT CO. FOR ANCHORS AND DOWN GUYS, RECORDED NOVEMBER 30, 1960, RECEPTION NO. 16645, APPEARS TO BE BLANKET IN NATURE AND CANNOT BE LOCATED ON THIS SURVEY.
- 10) 10' WIDE EASEMENT GRANTED TO US SPRINT COMMUNICATIONS CO., A NEW YORK GENERAL PARTNERSHIP, FOR COMMUNICATION SYSTEMS RIGHT OF WAY, RECORDED AUGUST 25, 1987, RECEPTION NO. 87-37464, CANNOT BE LOCATED WITH THE INFORMATION PROVIDED IN THIS DOCUMENT.
- 11) PUBLIC AND GOVERNMENTAL BODIES HAVE RIGHTS IN AND TO THAT PORTION OF THE PREMISES HEREIN DESCRIBED LYING BELOW THE HIGH WATER MARK OF THE ROW RIVER AND THE COAST FORK OF THE WILLAMETTE RIVER AND THE OWNERSHIP OF THE STATE OF OREGON IN AND TO THAT PORTION LYING BELOW THE HIGH WATER MARK THEREOF.

FILED
 FEB 13 1996
 COUNTY CLERK
 BY [Signature]

MINOR PARTITION PLAT FOR WENDELL TOBIASSON IN SW1/4 AND SE1/4 SECTION 15 NW1/4 AND NE1/4 SECTION 22 T20S, R3W, W.M. LANE COUNTY, OREGON BY ROBERTS SURVEYING INC. 29 WEST 29TH STREET EUGENE, OREGON 97405 PHONE (503) 345-1112

MINOR PARTITION PLAT # 3177-95 AND 3178-95

OWNER WENDELL TOBIASSON 79630 DELIGHT VALLEY SCHOOL ROAD COTTAGE GROVE, OREGON 97424

PARTITIONEER RONALD D. GERRARD P.O. BOX 832 SPRINGFIELD, OREGON 97477

TRUE AND EXACT STATEMENT
I, TED C. BAKER, A REGISTERED LAND SURVEYOR IN THE STATE OF OREGON, DO CERTIFY THAT THIS IS A TRUE AND EXACT COPY OF THE FINAL PLAT AS SHOWN.

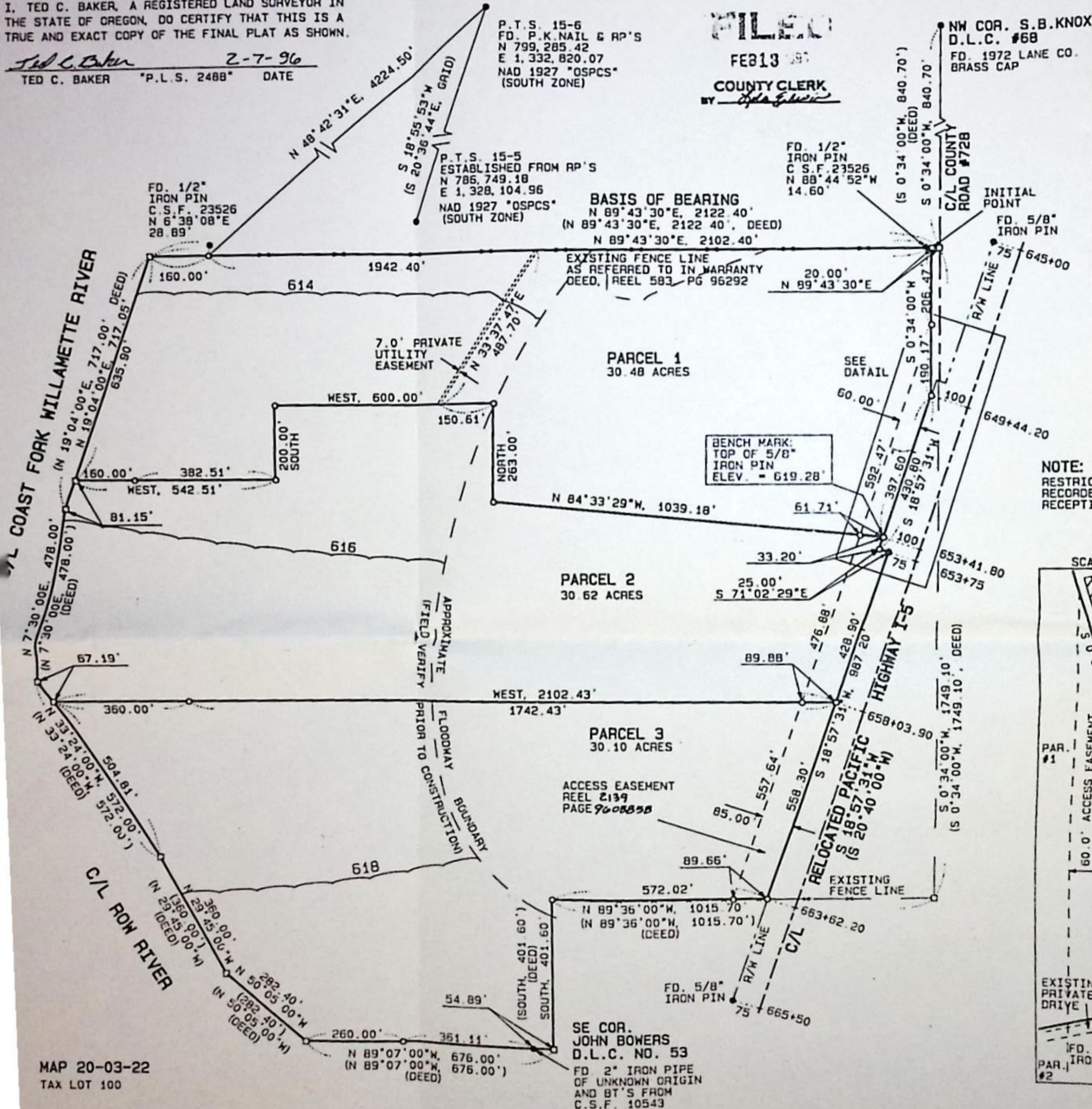
Ted C. Baker 2-7-96
TED C. BAKER *P.L.S. 2488* DATE

GEODETIC TIE

FILED
FEB 13 1996
COUNTY CLERK
BY [Signature]

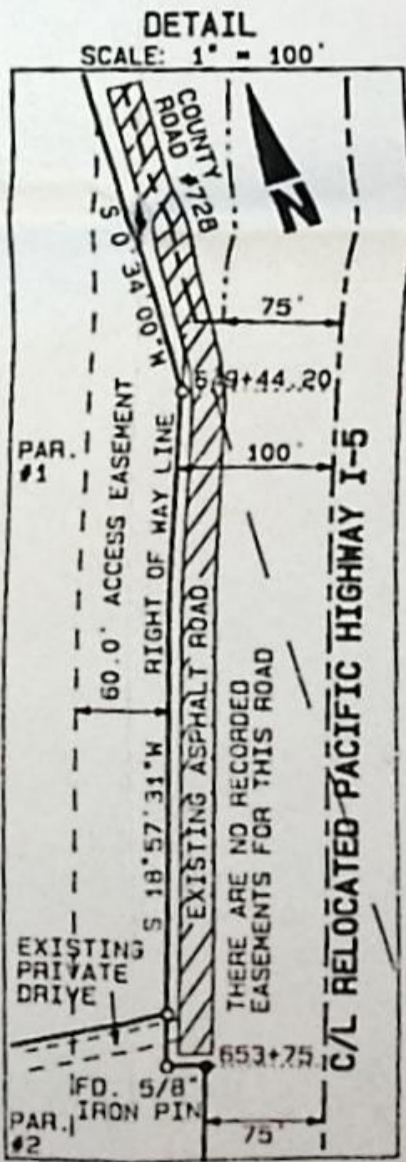
MINOR PARTITION PLAT
FOR
WENDELL TOBIASSON
IN
SW1/4 AND SE1/4 SECTION 15
NW1/4 AND NE1/4 SECTION 22
T20S, R3W, W.M.
LANE COUNTY, OREGON
BY
ROBERTS SURVEYING INC.
29 WEST 29TH STREET
EUGENE, OREGON 97405
PHONE (503) 345-1112

SCALE: 1" = 200'
JANUARY 29, 1996



- MINOR PARTITION PLAT # 3177-95 AND 3178-95
- LEGEND
- MONUMENTS FOUND AS NOTED
 - MONUMENTS SET: 5/8" X 30" IRON PINS WITH YELLOW PLASTIC CAPS STAMPED "ROBERTS SURV. INC."
 - COMPUTED POINT
 - () DATA OF RECORD
 - *OSPCS* OREGON STATE PLANE COORDINATE SYSTEM
 - 618 CONTOUR LINES
 - P.T.S. PRIMARY TRAVERSE STATION I-5

NOTE:
RESTRICTION OF ACCESS
RECORDED MAY 6, 1954
RECEPTION NO. 29017



- REFERENCES
- 1) WARRANTY DEED DATED APRIL 20, 1972 AND RECORDED ON REEL 583, PAGE 96292, LANE COUNTY DEED RECORDS
 - 2) WARRANTY DEED DATED MAY 6, 1954 AND RECORDED ON REEL 37, PAGE 29017, LANE COUNTY DEED RECORDS
 - 3) C.S.F. 8901 BY CHAS C. BAYLES
 - 4) C.S.F. 23526 BY WALDRON
 - 5) C.S.F. 10543 BY HUTCHISON

REGISTERED PROFESSIONAL LAND SURVEYOR
Ted C. Baker
OREGON
JULY 26, 1981
TED C. BAKER
2488
EXPIRES 12-31-97