

COBU MAP # 1306

T-9733

Name Bagley Ditch Corp.
 By See Agent
 Address 39650 Clover Flat Rd
Paisley, OR 97636
541-943-3328

Change in POD
 Date filed 5-26-2004
 Date of hearing _____
 Place of hearing _____
 Date of order 11-28-05 Vol. 67, page 471
 Date for application of water _____
 Proof mailed _____
 Proof received 8/4/2021
 Certificate issued _____ Vol. _____, page _____

81703 to 81719

DESCRIPTION OF WATER RIGHT

Name of stream See inside Cover
 Trib. of See inside Cover County of Lake
 Use Irrigation
 Quantity of water _____ No. of acres _____
 Name of ditch _____
 Date of priority See Inside Cover
 In name of See Inside Cover
 _____ Adjudication, Vol. _____, page _____
 App. No. Inside Per. No. Inside Cert. No. Inside
 Certificate cancelled _____
 Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
* 5-26-04	9,100.00	67534
5-26-04	175.00	67535
5-26-04	175.00	67536
TOTAL . . .		
	Cert. Fee	

JTB* 4/14/05 transfer \$91000 to RA program R05-066 #67534

FEES REFUNDED

Date	Amount	Check No.

REMARKS

Agent: Dennis Glendene : 93291 Pike Lane : Lakeview, OR 97630 (541-947-4718)
 Reimbursement Authority Contractor: Pacific Hydrogeology

T-9733

GLENDER'S HYDRO-TECH SERVICES

Stream Flow Measurements • Pump Tests

Water Right Consulting

93291 Pike Lane
Lakeview, OR 97630
djlglender@gooselake.com

Home/Fax (541) 947-47
Cell. (541) 219-08

To
335/8E 24 SWSE
N1E SW
NW SW

NAME	USE	SOURCE	TRIB	PR DATE	APP #	PER #	CERT	CANCELED WR
Chewaucan Land & Cattle	I*	Chewaucan River	Lake Aber	12/31/1885	0	D - 2818	2818	NC
Chester Withers	IR	Chewaucan River	Lake Aber	6/22/1917	S - 3411	S - 3411	2870	NC
LP Klippel / CF Snider	IR	Chewaucan River	Lake Aber	7/11/1917	S - 5619	S - 3480	3233	NC
Mrs Susie Benefiel	IR	Chewaucan River	Lake Aber	12/31/1901	0	D - 3599	3599	NC
HA, PJ, Mrs CN Brattain	I*	Chewaucan River	Lake Aber	12/31/1878	0	D - 3604	3604	NC
HA, PJ, Mrs CN Brattain	I*	Chewaucan River	Lake Aber	12/31/1878	0	D - 3605	3605	NC
Virgil Conn	IR	Chewaucan River	Lake Aber	4/30/1900	0	D - 3622	3622	NC
MC Currier	I*	Chewaucan River	Lake Aber	12/31/1878	0	D - 3625	3625	NC
Chesterfield B. Parker Leland S. Parker	I*	Chewaucan River	Lake Aber	12/31/1878	0	D - 3629	3629	NC
John Drumon SR	IR	Chewaucan River	Lake Aber	12/31/1906	0	D - 3630	3630	NC
Mrs Ola Drumon	IR	Chewaucan River	Lake Aber	12/31/1900	0	D - 3631	3631	NC
FW Farrow	IR	Chewaucan River	Lake Aber	04/30/1894	0	D - 3635	3635	NC
Mary L. Farrow	IR	Chewaucan River	Lake Aber	12/31/1894	0	D - 3636	3636	NC
Estate of Martha J Farrow	I* / IR	Chewaucan River	Lake Aber	12/31/1901 12/31/1885	0	D - 3638	3638	NC
JD Farra	IR	Chewaucan River	Lake Aber	12/31/1900	0	D - 3639	3639	NC
Mary C Green	IR	Chewaucan River	Lake Aber	12/31/1901	0	D - 3641	3641	NC
SG Hadley / Lillian A Hadley	I*	Chewaucan River	Lake Aber	12/31/1878	0	D - 3642	3642	NC
John Hanan	I*	Chewaucan River	Lake Aber	12/31/1888	0	D - 3647	3647	NC
Frances Howell	IR	Chewaucan River	Lake Aber	12/31/1878 - 04/01/1894	0	D - 3653	3653	NC
Lester I Hampton / Frances E Howell	IR	Chewaucan River	Lake Aber	04/01/1894	0	D - 3654	3654	NC
IOOF No 177	IR	Chewaucan River	Lake Aber	4/1/1908	0	D - 3655	3655	NC
Florence Jones	I*	Chewaucan River	Lake Aber	12/31/1878	0	D - 3656	3656	NC
Estate of Geo M Jones	I*	Chewaucan River	Lake Aber	12/31/1878	0	D - 3659	3659	NC
EO Lamb	I*	Chewaucan River	Lake Aber	12/31/1878	0	D - 3662	3662	NC
ES McDonald	I*	Chewaucan River - Small Creek	Lake Aber / Chewaucan River	12/31/1878 - 12/31/1880	0	D - 3666	3666	NC
ES McDonald / JB Elds	I*	Chewaucan River	Lake Aber	12/31/1878	0	D - 3669	3669	NC
Alice M Miller	IR	Chewaucan River	Lake Aber	12/31/1901	0	D - 3671	3671	NC
WY Miller	I*	Chewaucan River	Lake Aber	12/31/1878 - 04/01/1897 - 12/31/1901	0	D - 3672	3672	NC
Flora Moore	IR	Chewaucan River	Lake Aber	12/31/1904	0	D - 3673	3673	NC
Auntie Moss	I*	Chewaucan River	Lake Aber	12/31/1878	0	D - 3675	3675	NC
Ozallaghan Brothers	I*	Chewaucan River	Lake Aber	12/31/1878	0	D - 3679	3679	NC
WB Parker	I*	Chewaucan River	Lake Aber	12/31/1878	0	D - 3683	3683	NC
RN Phelps	IR / LV	Chewaucan River	Lake Aber	12/31/1883	0	D - 3685	3685	NC
Geo Pike	I*	Chewaucan River	Lake Aber	09/18/1893	0	D - 3686	3686	NC
Harriet L. Random	I*	Chewaucan River	Lake Aber	12/31/1878	0	D - 3687	3687	NC
School District #11	IR	Chewaucan River	Lake Aber	12/31/1901	0	D - 3691	3691	NC
Mrs LB Sult	I*	Chewaucan River	Lake Aber	12/31/1878	0	D - 3695	3695	NC
SS Thayer	IR	Chewaucan River	Lake Aber	12/31/1898	0	D - 3696	3696	NC
Rosa Tucker	IR	Chewaucan River	Lake Aber	4/2/1903	0	D - 3697	3697	NC
F Wiedey	I*	Chewaucan River	Lake Aber	12/31/1878	0	D - 3698	3698	NC
Estate of Geo M Jones	I*	Chewaucan River	Lake Aber	12/31/1878	0	D - 3699	3699	NC
Northwest Townsite Co	ID	Chewaucan River	Lake Aber	12/31/1881 - 12/31/1886	T - 6980	0	72346.R R	NC
Edward Murphy	DO / IR	Brattain Ditch	Lake Aber	12/31/1885	T - 6980	0	80631.C F	NC

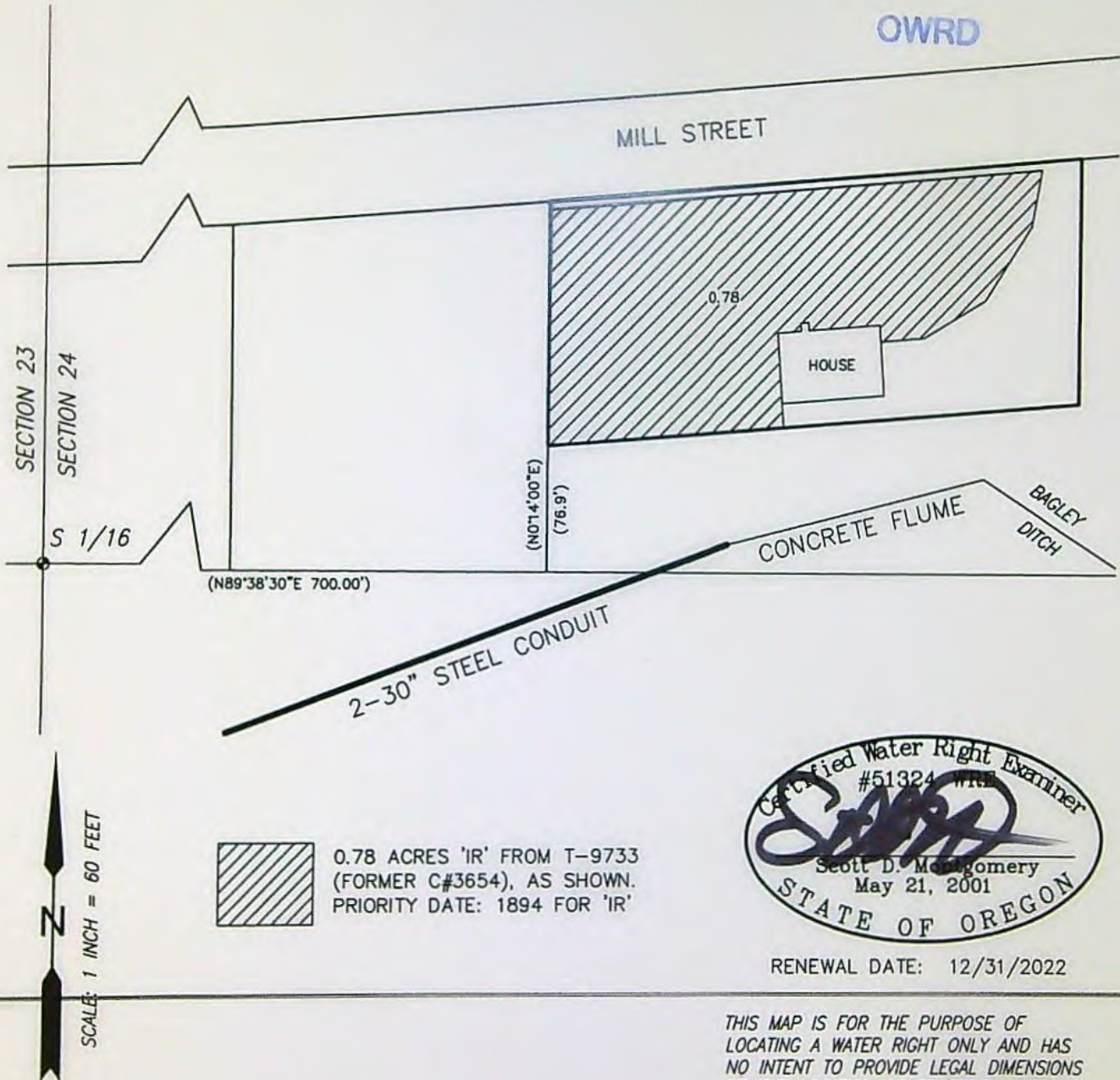
CLAIM OF BENEFICIAL USE MAP


TO CHANGE PLACE OF USE
OF T-9733 FOR
J SPEAR RANCH CO.

TAX MAP: 335 18E 2400
TAX LOT: 1301

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 0.78 ACRES 'IR' FROM T-9733
(FORMER C#3654), AS SHOWN.
PRIORITY DATE: 1894 FOR 'IR'



RENEWAL DATE: 12/31/2022

THIS MAP IS FOR THE PURPOSE OF
LOCATING A WATER RIGHT ONLY AND HAS
NO INTENT TO PROVIDE LEGAL DIMENSIONS
OR THE LOCATION OF PROPERTY LINES

PREPARED FOR:

J SPEAR RANCH CO.
39650 CLOVER FLAT RD
PAISLEY, OR 97636

PREPARED BY:



ALL POINTS ENGINEERING AND SURVEYING, INC.
P.O. BOX 767 TERREBONNE, OR 97760
(541) 548-5833 www.APEandS.com

CLAIM OF BENEFICIAL USE MAP

TO CHANGE POINT OF DIVERSION
PER T-9733 FOR
J SPEAR RANCH CO.

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TAX LOTS: 100, 200, 201, 300, 301, 600, 800, 1402, 1600, 1700, 2000, 2200, 2300, 2301, 2400, & 2500.

SOUTHEAST 1/4 SECTION 23,

TAX LOTS: 1101, 1400, 1500, 1501, 1600, 1700, 2000, 2001, 2600, 3000, 3200, 4500, & 6600.

NORTHEAST 1/4 SOUTHWEST 1/4,

TAX LOTS: 100, 101, 102, 1500, 1800, 1900, 2000, 2100, 2200, 2300, & 2301.

SOUTHEAST 1/4 SOUTHWEST 1/4,

TAX LOTS: 200, 300, 301, 400, 401, 403, 600, 1301, 1400, 1402, 1500, 1600, & 1805.

SOUTHWEST 1/4,

TAX LOTS: 500, 502, 504, & 505.

SOUTHWEST 1/4 SOUTHEAST 1/4,

TAX LOTS: 500, 600, 800, 900, 1000, 1100, 1200, 1300, 1600, 1700, 1800, 2000, 2001, 2002, 2003, 2100, 2200, 2300, 2600, 2700, 2800, 2900, & 3000,

SOUTHWEST 1/4,

SOUTHWEST 1/4,

SECTION 24,

TAX LOTS 1400, 1800, 1801, 1900, 2000, & 2101.

TOWNSHIP 33 SOUTH, RANGE 18 EAST, W.M.,

TAX LOTS: 500, 700, 800, 900, 1000, 1400, 1401, 1403, 1500, 1600, & 1800.

TOWNSHIP 33 SOUTH, RANGE 19 EAST, W.M.,

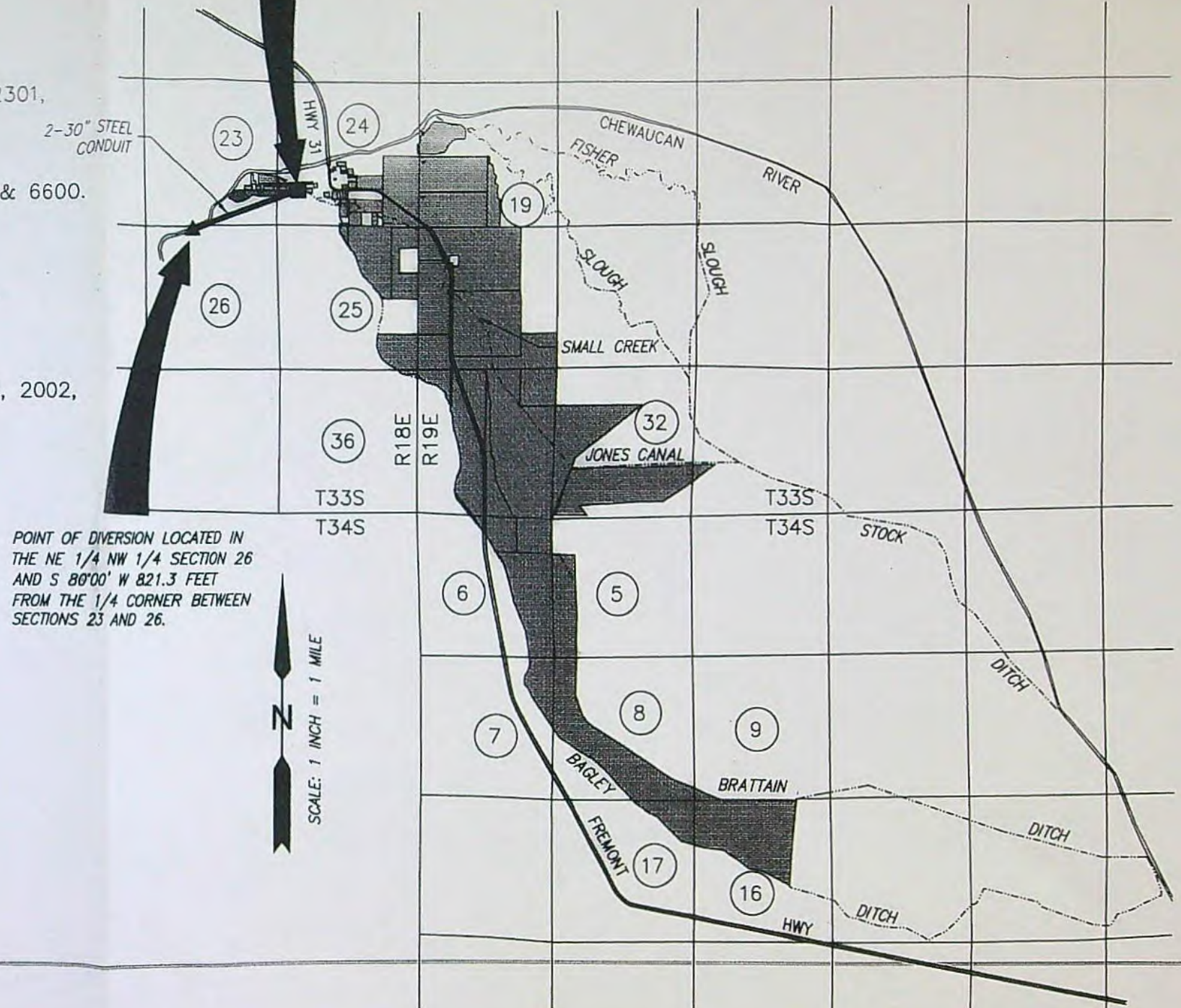
TAX LOTS: 300 & 400

TOWNSHIP 34 SOUTH, RANGE 19 EAST, W.M.,

ALL WITHIN LAKE COUNTY, OREGON

COBU MAP # 1306

MEASURING WEIRS LOCATED IN
THE SW 1/4 SW 1/4 SECTION 24
AND 1305 FEET NORTH AND 815
FEET EAST FROM THE SW CORNER
SECTIONS 24.



POINT OF DIVERSION LOCATED IN
THE NE 1/4 NW 1/4 SECTION 26
AND S 80°00' W 821.3 FEET
FROM THE 1/4 CORNER BETWEEN
SECTIONS 23 AND 26.

PREPARED FOR:

J SPEAR RANCH CO.
39650 CLOVER FLAT RD
PAISLEY, OR 97636

PREPARED BY:



ALL POINTS ENGINEERING AND SURVEYING, INC.
P.O. BOX 767
(541) 548-5833
www.APEandS.com



RENEWAL DATE: 12/31/2022

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NO INTENT TO PROVIDE LEGAL DIMENSIONS
OR THE LOCATION OF PROPERTY LINES

**CLAIM OF
BENEFICIAL USE
for Transfer with Multiple
Changes – Surface Water**



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

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A fee of \$200 must accompany this form for any Transfer final orders including a water right with a priority date of July 9, 1987, or later.

Example – A transfer involves 5 rights and one of the rights has a priority date of July 9, 1987, or later, the fee is required.

Claims received without the correct fee of \$200 will be returned.

A separate form shall be completed for each transfer.

This form is subject to revision. **Begin each new claim** by checking for a new version of this form at: http://www.oregon.gov/owrd/pages/wr/cwre_info.aspx

The completion of this form is required by OAR 690-014-0100(1) and 690-014-0110(4).

Please type or print in dark ink. If this form is found to contain errors or omissions, it may be returned to you. **Every item must have a response.** If any requested information does not apply to the claim, insert "NA." **Do not delete or alter any section of this form unless directed by the form.** The Department may require the submittal of additional information from any water user or authorized agent.

"Section 8" of this form is intended to aid in the completion of this form and should not be submitted.

A claim of beneficial use includes both this report and a map. If the map is being mailed separately from this form, please include a note with this form indicating such.

If you have questions regarding the completion of this form, please call 503-986-0900 and ask for the Certificate Section.

The Department has a program that allows it to enter into a voluntary agreement with an applicant for expedited services. Under such an agreement, the applicant pays the cost to hire additional staff that would not otherwise be available. This program means a certificate may be issued in about a month. For more information on this program see:

http://www.oregon.gov/owrd/pages/mgmt_reimbursement_authority.aspx

SECTION 1

GENERAL INFORMATION

Type of Authorized Change

This Claim is being submitted for a transfer involving multiple changes.

YES

Mark all that apply:

1. Change in POD(s) or Additional POD(s) 2. Change in Place of Use
3. Change in Character of Use

A separate section will be completed for each type of change authorized in the transfer final order.

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1. File Information

APPLICATION # T-9733

2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME Bagley Ditch Corp.		PHONE NO. 541-363-2989	ADDITIONAL CONTACT NO. 541-943-3328
ADDRESS 39650 Clover Flat Rd			
CITY Paisley	STATE OR	ZIP 97636	E-MAIL J Spear Ranch@yahoo.com

If the current property owner is not the transfer holder of record, it is recommended that an assignment be filed with the Department. ***Each transfer holder of record must sign this form.***

3. Transfer holder of record (this may, or may not, be the current property owner)

TRANSFER HOLDER OF RECORD Same as above		
ADDRESS		
CITY	STATE	ZIP

4. Date of Site Inspection: **11/18/2016 & 10/27/2020**

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

NAME	DATE	ASSOCIATION WITH THE PROJECT
Joe Villagrana	11/18/2016	Farm Manager-J. Spear Ranch
Lynda Lown	10/27/2020	Property Owner

6. County: **Lake**

7. If any property described in the place of use of the transfer final order is excluded from this report, identify the owner of record for that property (ORS 537.230(4)):

OWNER OF RECORD NA		
ADDRESS		
CITY	STATE	ZIP

Add additional tables for owners of record as needed

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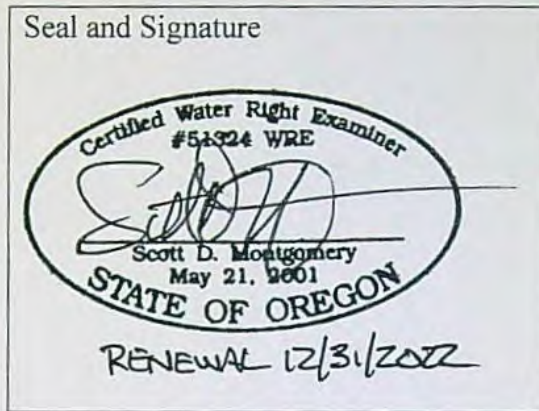
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SECTION 2
SIGNATURES

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CWRE Statement, Seal and Signature

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge.



CWRE NAME Scott D. Montgomery		PHONE No. 541-548-5833	ADDITIONAL CONTACT No. 541-420-0401
ADDRESS PO Box 767			
CITY Terrebonne	STATE OR	ZIP 97760	E-MAIL scott@apeands.com

Transfer Holder of Record Signature or Acknowledgement

Each transfer holder of record must sign this form in the space provided below.

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge. I request that the Department issue a water right certificate.

SIGNATURE	PRINT OR TYPE NAME	TITLE	DATE
	Joe Villagrana	President, Bagley Ditch Corp	7-26-21

**SECTION 3
Changes Made**

Note: The Claim only needs to describe the changes that were authorized in the transfer final order.

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Change #1

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New or Additional Point of Diversion

Change in POD(s) or Additional POD(s)

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Did the transfer order authorize a change in the points of diversion or additional points of diversion?

YES

1. New or additional point of diversion name or number:

POINT OF DIVERSION (POD) NAME OR NUMBER (CORRESPOND TO MAP)	SOURCE
POD	Chewaucan River

2. Variations:

Was the use developed differently from what was authorized by the transfer final order, or extension final? If yes, describe below.

NO

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

3. Claim Summary:

NEW OR ADDITIONAL POD NAME OR #	MAXIMUM RATE AUTHORIZED IN ORDER	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED
POD	1/25 cfs pre acre	17.04 cfs	14.32 cfs

System Description

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

NO

A. POD System Information

Provide the following information concerning the point of diversion. Information provided must describe the equipment used to appropriate water from the point of diversion.

1. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
No pump					

B. Gravity Flow Pipe

(THE DEPARTMENT TYPICALLY USES THE HAZEN-WILLIAM'S FORMULA FOR A GRAVITY FLOW PIPE SYSTEM)

1. Does the diversion involve a gravity flow pipe?

YES

2. Complete the table:

PIPE SIZE	PIPE TYPE	"C" FACTOR	AMOUNT OF FALL	LENGTH OF PIPE	SLOPE	COMPUTED RATE OF WATER FLOW (IN CFS)
2-30"	Steel	130	90'	4620 LF	0.02 '/'	148.25*

3. Provide calculations:

$$V = 1.31 \times C \times R^{0.63} \times S^{0.54}$$

$$= (1.31)(130)(0.125)^{0.63} \times (0.02)^{0.54} = 15.10 \text{ fps}$$

$$R = \frac{D}{4} = 0.625' \quad A = \frac{D^2}{4} = 4.91 \text{ sf} \quad Q = VA = 74.13 \text{ cfs per pipe or } 148.25 \text{ cfs}$$

* - when pipes are flowing full

4. If an actual measurement was taken, provide the following:

DATE OF MEASUREMENT	WHO MADE THE MEASUREMENT	MEASUREMENT METHOD	MEASURED QUANTITY OF WATER (IN CFS)
11/18/2016	Myself	Weir calculation	14.32

Attach measurement notes $Q = 3.33 \times W \times H^{3/2}$ $Q_1 = (3.33)(10)(0.4)^{3/2} = 8.42 \text{ cfs}$
 $Q_2 = (3.33)(7)(0.4)^{3/2} = 5.90 \text{ cfs}$

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C. Gravity Flow Canal or Ditch

(THE DEPARTMENT TYPICALLY USES MANNING'S FORMULA FOR CANALS AND DITCHES)

1. Does the diversion involve a gravity flow ditch or canal?

YES

2. Complete the table:

CANAL OR DITCH TYPE (MATERIAL)	TOP WIDTH OF CANAL OR DITCH	BOTTOM WIDTH OF CANAL OR DITCH	DEPTH	"N" FACTOR	AMOUNT OF FALL	LENGTH OF CANAL / DITCH	SLOPE	COMPUTED RATE (IN CFS)
Earthen	15'	10'	2'	0.025	3'	100 LF	0.03 '/'	17.04

3. Provide calculations:

$$V = 1.486 \times R^{2/3} \times S^{1/2} = (1.486)(1.52)^{2/3}(0.03)^{1/2} = 0.34 \text{ fps} \quad Q = VA = 8.52 \text{ cfs} \times 2 \text{ ditches} = 17.04 \text{ cfs}$$

$$A = \frac{15 + 10 \times 2}{2} = 25.00 \text{ sf} \quad P = 10 + (2)\text{SQRT}((2.5)^2 + (2)^2) = 16.40' \quad R = \frac{A}{P} = 1.52'$$

4. If an actual measurement was taken, provide the following:

DATE OF MEASUREMENT	WHO MADE THE MEASUREMENT	MEASUREMENT METHOD	MEASURED QUANTITY OF WATER (IN CFS)
11/18/2016	Myself	Est. Veloc x Area	12.50

Attach measurement notes. Estimated Avg Velocity of ditches was +/- 0.25 fps
 $Q = (0.25)(25) = 6.25 \text{ cfs} \times 2 \text{ ditches} = 12.50 \text{ cfs}$

Change #2

Change in Place of Use

Did the transfer order authorize a change in the place of use?

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1. Claim Summary – Authorized Use:

If Irrigation or Nursery Use:

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THE # OF ACRES ALLOWED	THE # OF ACRES DEVELOPED
0.78	0.78

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2. Variations:

Was the use developed differently from what was authorized by the transfer final order? **NO**

If yes, describe below.

(e.g. "The order authorized a change in place of use for 40 acres. The water user only developed 38 acres.")

Change #3

Change in Character of Use

Did the transfer order authorize a change in character of use?

NO

SECTION 4

CONDITIONS

All conditions contained in the transfer final order, or any extension final order shall be addressed. Reports that do not address all performance related conditions will be returned.

1. Time Limits:

Describe how the water user has complied with each of the development timelines established in the transfer final order and any extensions of time issued for the transfer:

	DATE FROM TRANSFER	DATE THE NEW AND/OR ADDITIONAL POD(S) WERE READY FOR USE *THIS DATE MUST FALL BETWEEN THE "ISSUANCE DATE" AND THE "COMPLETENESS DATE"
ISSUANCE DATE	11/28/2005	
COMPLETENESS DATE FROM ORDER (C)	10/1/2007	2005

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

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2. Is there an extension final order(s)?

NO

3. Measurement Conditions:

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a. Does the transfer final order, or any extension final order require the installation of a meter or other approved measuring device? YES

b. Has a meter been installed? YES

c. Meter Information

POD/POA NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
N Weir	NA	NA	Working	0.40 FT*	Early 2005
S Weir	NA	NA	Working	0.40 FT*	Early 2005

*Staff Gage Reading

4. Recording and reporting conditions

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

5. Fish Screening

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

b. Has the fish screening been installed? YES

c. When was the fish screening installed?

DATE	BY WHOM
Early 2005	J Spear Ranch Co

d. If the diversion **involves a pump** *and* the **total** diversion rate of all rights at the point of diversion is less than 225 gpm (0.5 cfs) and the permit was issued prior to February 1, 2011:

- Has the self-certification form previously been submitted to the Department? NA
- If not, go to <http://www.oregon.gov/owrd/Pages/pubs/forms.aspx>, complete and attach a copy of the self-certification form to this claim, and send a copy of it to the Oregon Department of Fish and Wildlife (ODFW).

e. If the diversion does **not involve a pump** *or* the **total** diversion rate of all rights at the point of diversion is 225 gpm (0.5 cfs) or greater:

- Has the ODFW approval been previously submitted? NA YES NO
- If not, contact and work with ODFW to ensure compliance. To demonstrate compliance, provide signed documentation from ODFW. A form is available at: <http://www.oregon.gov/owrd/Pages/pubs/forms.aspx>

Reminder: Failure to submit evidence of a timely installed fish screen may result in an unfavorable determination. In order to receive a favorable approval, the ODFW/WRD "Fish Screen Inspection" form needs to have been previously submitted or be attached to this form.

6. By-pass Devices

- a. Are any points of diversion required to have a by-pass device to prevent fish from entering the point of diversion? YES
- b. Have by-pass devices been installed? YES
- c. Describe the diversion works as related to whether a by-pass device is installed or unnecessary:

(Provide a letter from ODFW indicating the device is approved or is unnecessary. If there is no letter from ODFW, explain whether or not a by-pass device is necessary.)

DESCRIPTION (E.G. "ODFW HAS APPROVED THE BY-PASS DEVICE" OR "NO BY-PASS DEVICE IS NECESSARY BECAUSE THERE IS A DIRECT DIVERSION FROM THE STREAM VIA A PUMP ON RIVER LEFT STREAM BANK WITH FOOT VALVE DESCENDING DIRECTLY INTO NATURAL POOL.") IN ADDITION, YOU MAY ATTACH PHOTOS TO THIS CLAIM.	IF INSTALLED (DATE)	IF INSTALLED, BY WHOM
ODFW has approved the by-pass device	Early 2005	J Spear Ranch Co

- 7. Other conditions required by the transfer final order or extension final order: **RECEIVED**
 - a. Was the water user required to restore the riparian area if it was disturbed? AUG 04 2021 NO
 - b. Was a fishway required? NO
 - c. Other conditions? **OWRD** NO

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

**SECTION 5
ATTACHMENTS**

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

ATTACHMENT NAME	DESCRIPTION
Aerial Imagery	FSA/USDA imagery from June 2016 and 2006
Site Photos	Pics of POD, fish screening and bypass, metering device & POU
ODFW letter	Letter approving fish screening & bypass

**SECTION 6
CLAIM OF BENEFICIAL USE MAP**

The Claim of Beneficial Use Map must be submitted with this claim. Claims submitted without the Claim of Beneficial Use map will be returned. The map shall be submitted on poly film at a scale of 1" = 1320 feet, 1" = 400 feet, or the original full-size scale of the county assessor map for the location.

For the purpose of this Claim, the map identifying the location of the place of use does not require a new survey. The location of the place of use identified on the Claim map should be based on the original right of record at the time the transfer final order was issued. In transfers approved for additional points of diversion,

the original points must be identified the map based on the original right of record at the time the transfer final order was issued.

Provide a general description of the survey method used to prepare the map. Examples of possible methods include, but are not limited to, a traverse survey, GPS, or the use of aerial photos. If the basis of the survey is an aerial photo, provide the source, date, series and the aerial photo identification number.

The new POD, fish screen, metering device, and place of use were tied using a GARMEN Etrex handheld GPS receiver. Geodetic coordinates were imported to ESRI ArcMap GIS software and converted to Statewide Lambert Projection. Point data was compared with aerial imagery for accuracy.

Map Checklist

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Please be sure that the map you submit includes ALL the items listed below.
(Reminder: Incomplete maps and/or claims may be returned.)

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- Map on polyester film
- Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-size scale of the county assessor map)
- Township, Range, Section, Donation Land Claims, and Government Lots
- If irrigation, number of acres irrigated within each projected Donation Land Claims, Government Lots, Quarter-Quarters
- Locations of fish screens and/or fish by-pass devices in relationship to point of diversion
- Locations of meters and/or measuring devices in relationship to point of diversion or appropriation
- Conveyance structures illustrated (pumps, reservoirs, pipelines, ditches, etc.)
- Point(s) of diversion or appropriation (illustrated and coordinates)
- Tax lot boundaries and numbers
- Source illustrated if surface water
- Disclaimer ("This map is not intended to provide legal dimensions or locations of property ownership lines")
- Application and permit number or transfer number
- North arrow
- Legend
- CWRE stamp and signature



Oregon

Kate Brown, Governor

Department of Fish and Wildlife

Fish Division

4034 Fairview Industrial Drive SE

Salem, OR 97302

(503) 947-6201

FAX (503) 947-6202

www.dfw.state.or.us/

October 22, 2015

Joe Villagrana
Bagley Ditch Corporation
39650 Clover Flat Road
Paisley, OR 97636

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OWRD



Dear Mr. Villagrana,

The purpose of this letter is to provide Oregon Department of Fish and Wildlife's (Department) approval for the Paisley Town Weir and associated operating plan, detailed below. The operating plan incorporates screening and bypass needs for fish while meeting water needs for livestock and irrigation and establishes a timeline for implementation of baffles for the weir.

The Paisley Town Weir (PTW) is located on the south bank of the Chewaucan River approximately 1.25 miles upstream of state highway 31 in Paisley, Oregon. The PTW is located on property owned by J-Spear Ranch Company and is operated by the Bagley Ditch Corporation (BDC). Maintenance and management of the PTW is assumed by the BDC through the J-Spear ranch manager located in Paisley, Oregon.

The original PTW was a channel spanning structure that created a migration barrier to native redband trout. In 2002, the Department began discussion with the J-Spear Ranch regarding replacement of the original PTW with a structure that would allow for fish passage and screening. The original structure failed in late 2004, however funding for a new structure had been secured through an Oregon Watershed Enhancement Board (OWEB) grant submitted in October 2003. The BDC filed an application to transfer the points of diversion under water right certificates for multiple water users. Oregon Water Resources Department (OWRD) assigned the application number T-9733. The Bagley Ditch and Town Ditch were consolidated at a new point of diversion upstream of the original structure. The current structure was completed in early 2005.

The water right transfer (T-9733) requires that "The water user shall install and maintain a fish screen or fish by-pass device, as appropriate, at the new point of diversion. 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 Department approved PTW fish screening and passage designs by Dan Axness of HDR Engineering. The screen design is a screened trough in which water flows through two inclined screens, keeping fish and debris from being entrained into the ditch. Fish and debris approaching the screens are delivered back to the river via a bypass channel. The structure, as built, had to be modified due to winter icing issues (removable screen sections), and is incomplete because the baffles have yet to be installed.

The structure, as built, was not able to effectively operate under winter anchor and frazzle ice conditions. To fix this issue J-Spear Ranch installed two removable screen sections to

increase flows through the trough during the winter, reducing ice accumulation. Under the current winter operation plan the timing of reinstallation of the screen panels has varied from March 1st to March 20th depending on ice.

In 2000 and 2001, the Department monitored juvenile redband trout drift timing on the Chewaucan River near the PTW. In both 2000 and 2001 peak migration for redband trout occurred mid-March through April. In 2007 and 2008, the Department sampled the Bagley Ditch to determine when fish were being entrained. No fish were captured from December through late February.

Screen Operation:

In order for the PTW to function effectively, it must protect fish from entrainment into the Bagley Ditch and impingement upon the screen surface. Klamath Watershed District fish biologists and BDC believe an acceptable way to protect the PTW structure from icing issues and minimize entrainment risk for fishes is to remove the two removable screen sections during the winter with the following conditions:

- BDC may remove the screens no earlier than December 1 each year.
- Screen panels must be reinstalled by March 1 each year.
- The BDC may request a variance for early removal or later installation of the screens from the Department. The request must:
 - be in writing to the Lakeview Fish Biologist no less than three days from designated removal/installation dates,
 - state the reason for the request, and
 - state the beginning date for early removal or ending date for late installation.
 - The Department may verbally authorize early screen removal in an emergency (e.g. screen icing with the potential to damage the screen or prevent water flow to the ditch), but a written request must be received within three days.

By-pass Operation:

The by-pass channel diverts fish back to the river channel below the PTW intake. An adjustable swing-gate within the structure regulates the amount of water that is returned to the river. Under current operation the swing-gate is completely open when the river flows are high and the water right is being met. As flows recede, BDC adjusts the swing-gate to increase the hydraulic head within the structure to meet their water needs which reduces flows back to the river. The swing-gate is not able to be fully closed, allowing fish passage year around if flows permit.

The Department agrees with the current operation and, at this time, no changes are recommended for the operation of the fish by-pass.

Baffles:

On May 1, 2014, Department staff completed an approach velocity survey at the PTW fish screen. Twenty-one velocity measurements were taken on each screen (stream side and road side). The Department's fish screen criteria requires that approach velocities are 0.4 feet per second (ft/s) or less. On the stream side screen (left when looking downstream), five (5) of 21 approach velocity measurements exceeded 0.4 ft/s and, on the road side screen (right), 11 of 21 measurements exceeded 0.4 ft/s. Sweeping velocities ranged from -0.40 to 6.9 ft/s.

The fish screen does not currently meet the Department's fish screening criteria. Normalizing the approach velocities across the face of the screens will provide better protection for native

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fish from entrainment, injury or death, and increase sediment transportation through the screen structure. The installation and tuning of baffles behind the existing fish screen is expected to normalize the flow across the entire screen.

The Department recommends that baffles be installed and tuned, as agreed upon during original design approval process. The Department's Fish Screening Program will finish the modified baffle drawings and provide an estimate for ODFW construction and installation. BDC will be responsible for obtaining funding (e.g. water user fees, OWEB, etc.) and seeking bids from the Department and other vendors. The baffles should be installed no later than the reinstallation of the removable screen sections March 1st, 2017.

Future Considerations:

The Department may reconsider this operations plan and require modifications to the operations and maintenance of this fish screen in the future. Circumstances that would cause the Department to reconsider these operating guidelines include but are not limited to the following:

1. A change in the biological status of fish in the Chewaucan River Basin.
2. A change in the Federal or State Endangered Species Act listing or State sensitive species list indicating a greater concern for the status of fish present in Chewaucan River.
3. Modifications to the intake or system operations such that the risk of entrainment is increased.
4. An increase in the amount of water diverted above the currently permitted amount.

This letter may be used to satisfy the fish screening condition of water right permit T-9733 as described above provided the facility is operated as described in this letter.

Please contact me or the Lakeview District Fish Biologist (541-947-2950) if you have any questions or concerns.

The Department appreciates BDC's cooperation in the operation of the PTW for protection of native fish.

Sincerely,



Alan Ritchey
Fish Screening and Passage Program Manager

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Cc: Baki
Fuss
Watson



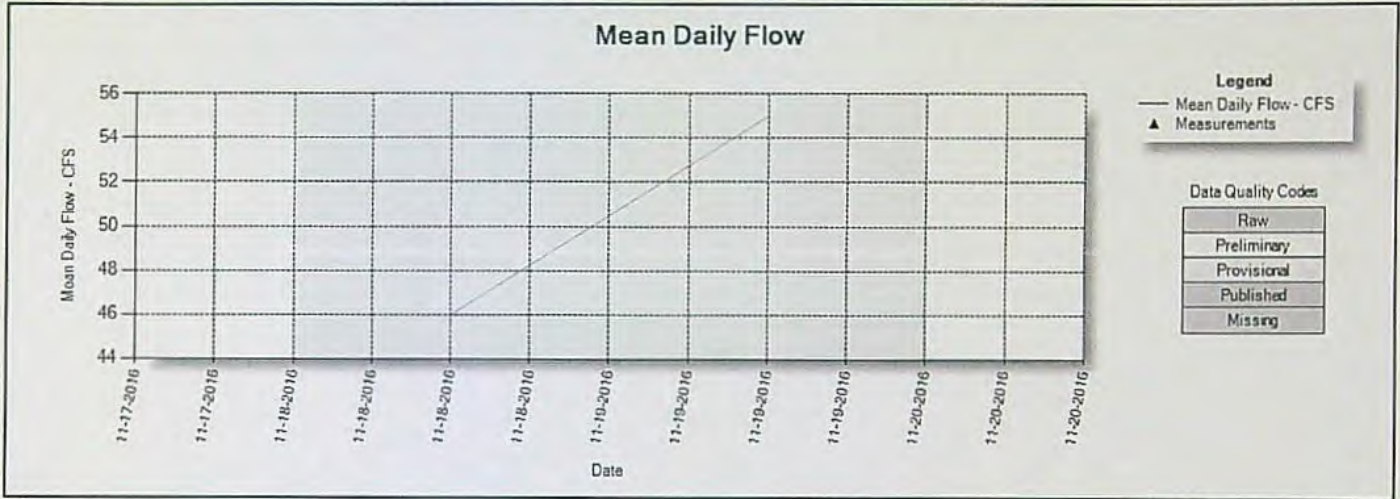
Station ID: 10384000 View: Map - Driving Directions - Station Info - Historical Stats - Rating Curve
Name: CHEWAUCAN R NR PAISLEY, OR
Operator: OWRD Status: Near Real Time Drainage Area: 275 sqmi
Latitude: 42° 41' 5.834" Longitude: -120° 34' 11.827" Datum: NAD83
Period of Operation: 4/3/1912 - Present
Most Recent Values: Mean Daily Flow: 43.4 cfs @ 06/09/2021
Instantaneous Flow: 36.8 cfs @ 06/10/2021 07:15
Instantaneous Stage: 0.37 ft @ 06/10/2021 07:15

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Starting Date: 11/18/2016 Ending Date: 11/19/2016 Dataset: Mean Daily Flow Refresh Graph
Graph Options: Linear Axis Show Measurements: Download Format: Tab Separated Download Data



T 33 S, R 18 E, W.M.



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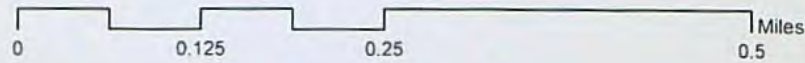
OWRD

2016 aerial imagery downloaded from NRCS Gateway website and imported into ESRI ArcMap GIS software with Oregon Statewide Lambert Projection

T 33 S, R 18 E, W.M.

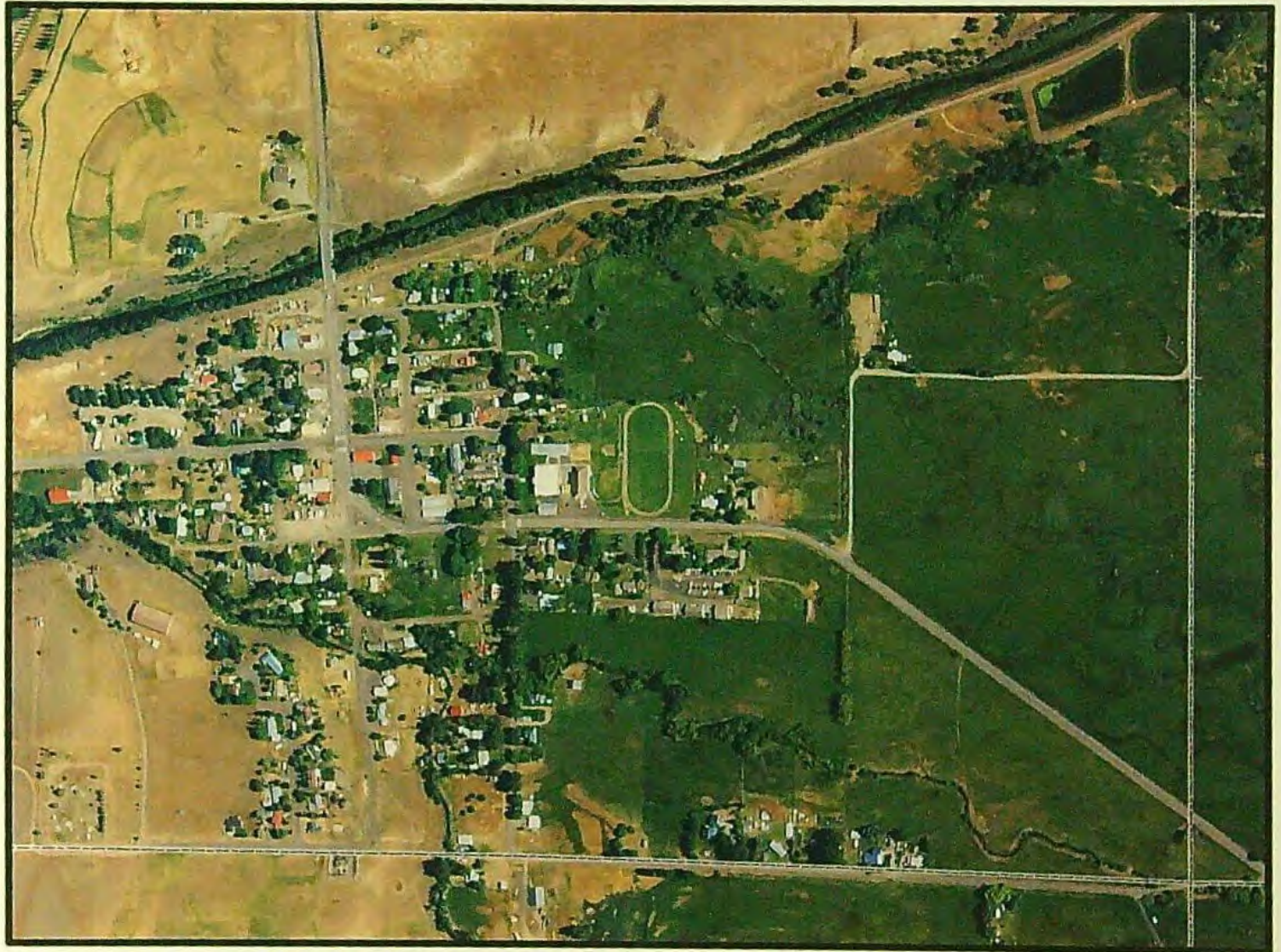


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AUG 04 2021
OWRD



2016 aerial imagery downloaded from NRCS Gateway website and imported into ESRI ArcMap GIS software with Oregon Statewide Lambert Projection

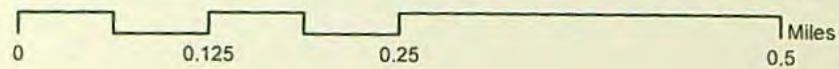
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OWRD



2016 aerial imagery downloaded from NRCS Gateway website and imported into ESRI ArcMap GIS software with Oregon Statewide Lambert Projection

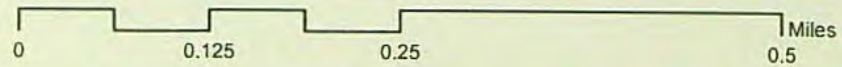
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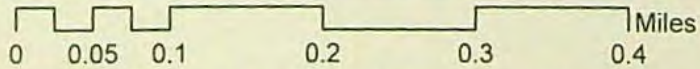


2016 aerial imagery downloaded from NRCS Gateway website and imported into ESRI ArcMap GIS software with Oregon Statewide Lambert Projection

T 33 S, R 19 E, W.M.



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OWRD

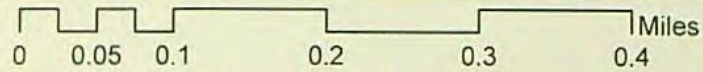


2016 aerial imagery downloaded from NRCS Gateway website and imported into ESRI ArcMap GIS software with Oregon Statewide Lambert Projection

T 33 S, R 19 E, W.M.

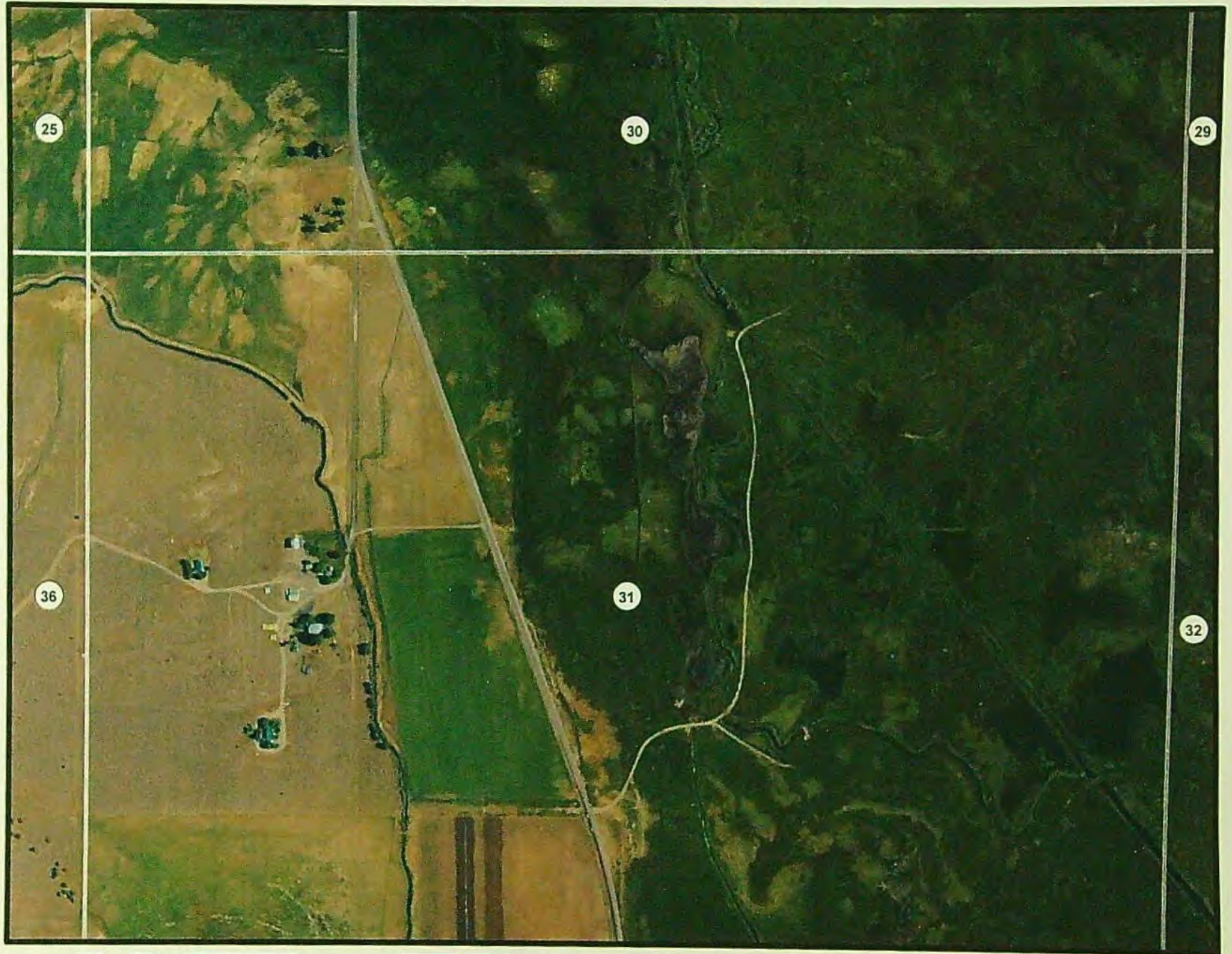


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OWRD

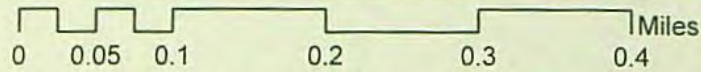


2016 aerial imagery downloaded from NRCS Gateway website and imported into ESRI ArcMap GIS software with Oregon Statewide Lambert Projection

T 33 S, R 19 E, W.M.

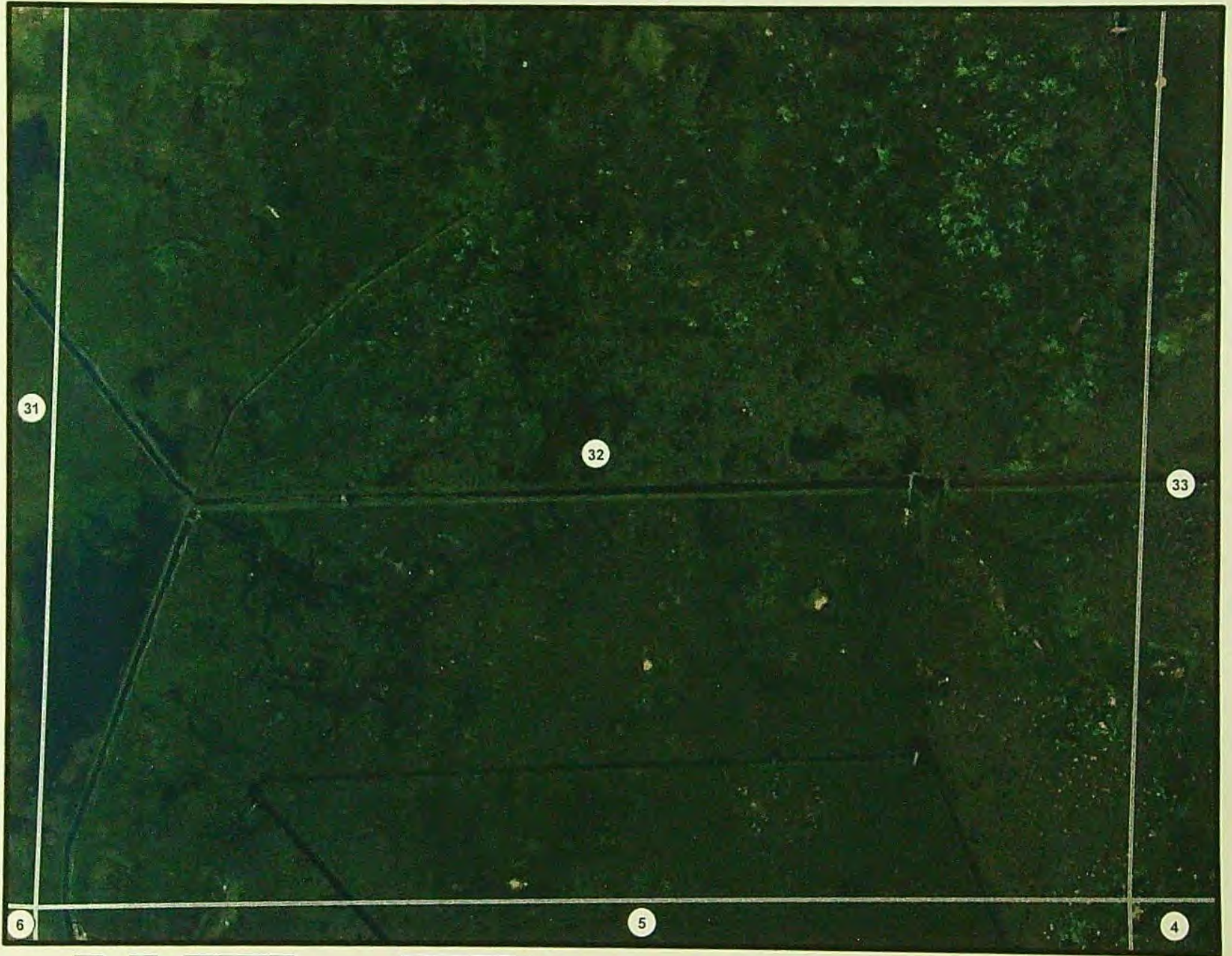


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OWRD



2016 aerial imagery downloaded from NRCS Gateway website and imported into ESRI ArcMap GIS software with Oregon Statewide Lambert Projection

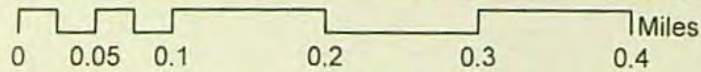
T 33 S, R 19 E, W.M.



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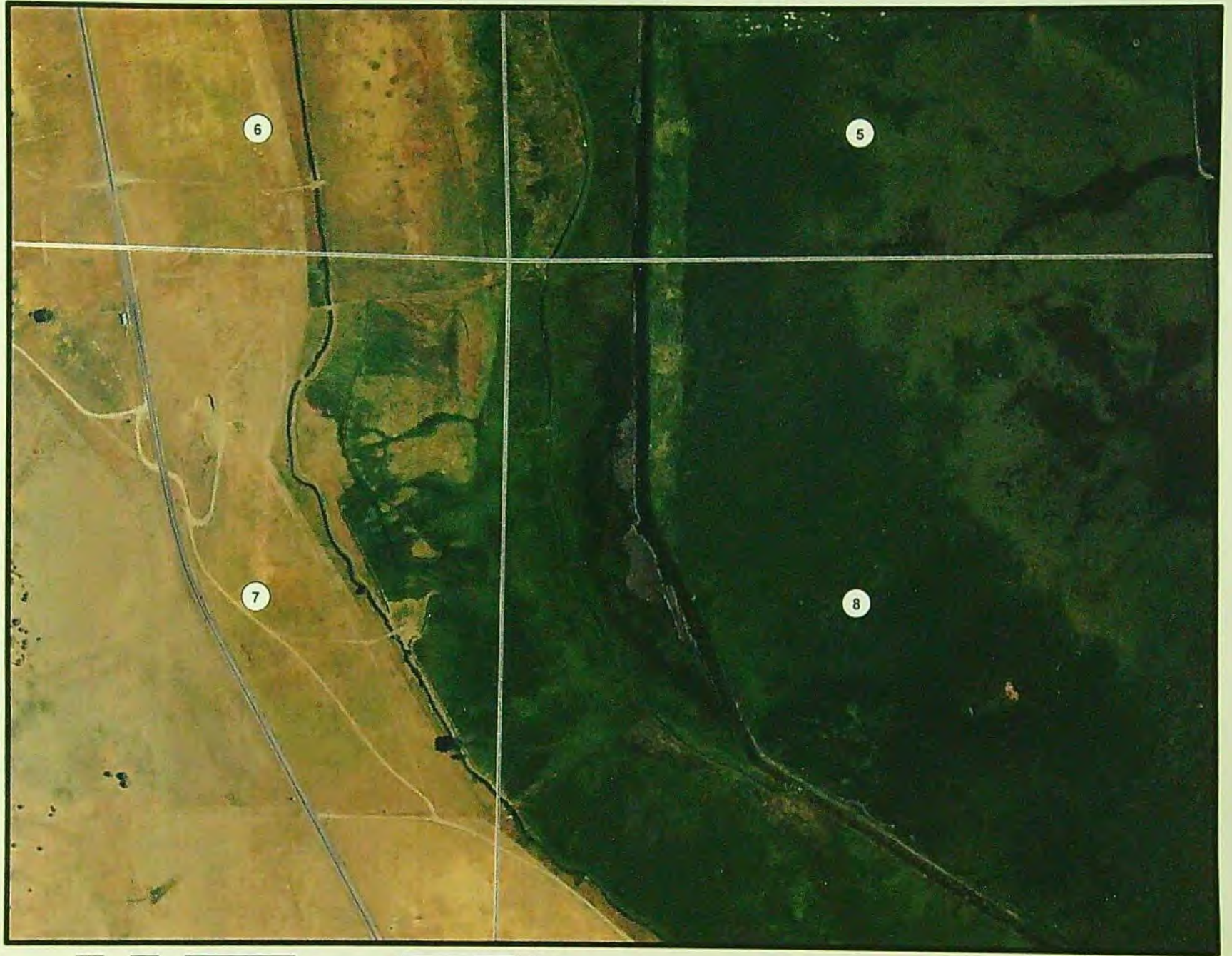
AUG 04 2021

OWRD



2016 aerial imagery downloaded from NRCS Gateway website and imported into ESRI ArcMap GIS software with Oregon Statewide Lambert Projection

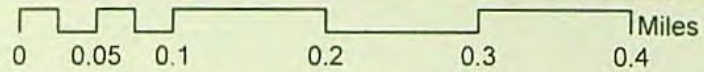
T 34 S, R 19 E, W.M.



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AUG 04 2021

OWRD



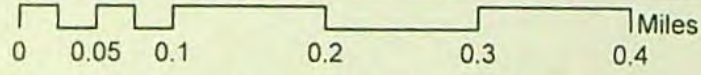
2016 aerial imagery downloaded from NRCS Gateway website and imported into ESRI ArcMap GIS software with Oregon Statewide Lambert Projection

T 34 S, R 19 E, W.M.



RECEIVED
AUG 04 2021

OWRD



2016 aerial imagery downloaded from NRCS Gateway website and imported into ESRI ArcMap GIS software with Oregon Statewide Lambert Projection

RECEIVED

AUG 04 2021

OWRD

T 33 S, R 18 E, W.M.



2016 aerial imagery downloaded from NRCS Gateway website and imported into ESRI ArcMap GIS software with Oregon Statewide Lambert Projection

SPLIT OUT OF FLOW



RECEIVED
AUG-04-2021
OWRD

13:03 27-10-2020

Lat: 42° 41' 34.29" N Lon: 120° 32' 58.53" W

42°41'35.12"N

120°32'59.16"W

13 1295.3 m

+/- 36'

RECEIVED

AUG 04 2021

OWRD

STAFF GAGE NORTH SPLIT



RECEIVED

AUG 04 2021

OWRI

13:05 27-10-2020

Lat: 42° 41' 34.56" N Lon: 120° 32' 58.32" W

42°41'34.50"N
120°32'58.49"W

1322.1 m

+19'

RECEIVED

AUG 04 2021

OWRD

STAFF GAGE SOUTH SPLIT



RECEIVED
AUG 04 2020
DOWRD

13:07 27-10-2020

Lat: 42° 41' 34.53" N Lon: 120° 32' 58.47" W

42°41'34.59"N
120°32'58.49"W

1319.3 m

+/-9.8'

RECEIVED

AUG 04 2021

OWRD



POD LOYN FROM BAGLEY PIPES



13:10 27-10-2020

Lat: 42° 41' 34.7" N Lon: 120° 33' 1.37" W

42°41'34.00"N

120°33'01.23"W

1321.1 m

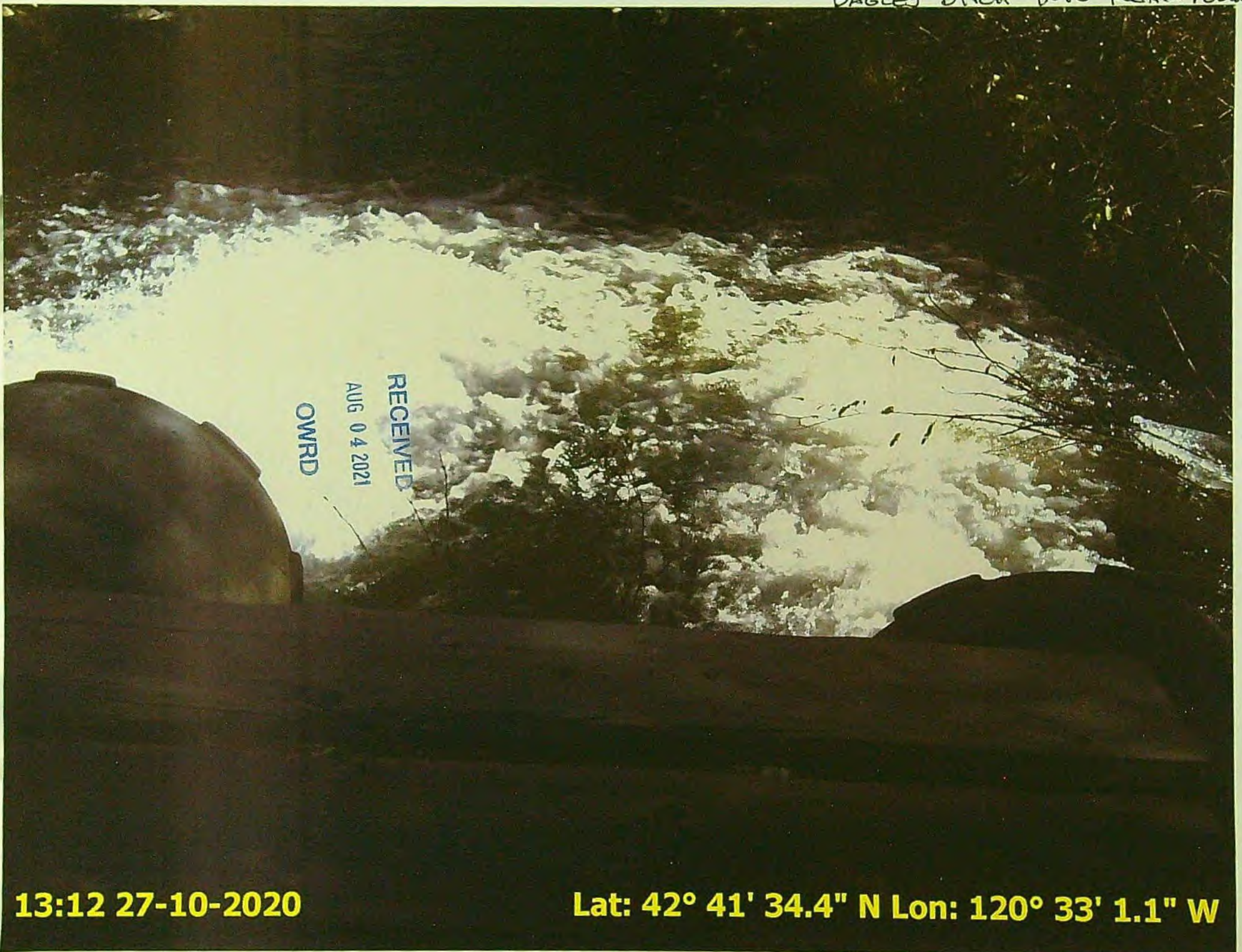
+/-9.4'

RECEIVED

AUG 04 2021

OWRD

BAGLEY DITCH INTO MEAS. FLOWE



RECEIVED
AUG 04 2021
OWRD

13:12 27-10-2020

Lat: 42° 41' 34.4" N Lon: 120° 33' 1.1" W

42°41'34.05" N
120°33'00.98" W

1319.8 m

+/- 8.9'

RECEIVED

AUG 04 2021

OWRD

POU SE

RECEIVED
AUG 04 2021
OWRD



13:15 27-10-2020

Lat: 42° 41' 34.82" N Lon: 120° 32' 59.44" W

42°41'34.72"N

170°32'59.55"W

~~13~~ 1320.0 m

+/-9.7'

RECEIVED

AUG 04 2021

OWRD

POW JPR HEAD



POW
AUG 14 2021
11:23:51 AM

13:16 27-10-2020

Lat: 42° 41' 34.68" N Lon: 120° 33' 0.39" W

42°41'34.62" N
120°33'00.38" W

1318.6 m

+/-14'

RECEIVED

AUG 04 2021

OWRD

PUMP OUT OF BULGE



RECEIVED
AUG 04 2021
OWRD

13:29 27-10-2020

Lat: 42° 41' 34.49" N Lon: 120° 33' 0.99" W

42°41'34.52"N

170°33'00.96"W

1332.4 m

~~+1-13'~~

+1-13'

RECEIVED

AUG 04 2021

OWRD

INLET TO BULGE SOUTH END

13:32 27-10-2020

Lat: 42° 41' 34.35" N Lon: 170° 33' 2.29" W

42°41'34.32" N

120°33'02.25" W

1326.2 m \pm 10.0'

RECEIVED

AUG 04 2021

OWRD

BULGE ~~RECEIVED~~ NORTH



13:35 27-10-2020

Lat: 42° 41' 36.30" N Lon: 120° 33' 3.24" W

42°41'36.32"N

120°33'03.28"W

1320.1 m

+19.2'

RECEIVED

AUG 04 2021

OWRD

Pou



13:37 27-10-2020

Lat: 42° 41' 36.32" N Lon: 120° 33' 2.4" W

42°41'36.28"N
120°33'02.03"W

1321.8 m

+1-8.2'

RECEIVED

AUG 04 2021

OWRD

Pou ~~---~~



13:38 27-10-2020

Lat: 42° 41' 36.37" N Lon: 120° 33' 1.57" W

42°41'36.40" N

120°33'01.54" W

1322.6 m +/- 4.5'

RECEIVED

AUG 04 2021

OWRD

POU - SPR. HEAD NE

13:40 27-10-2020

Lat: 42° 41' 36.44" N Lon: 120° 33' 0.32" W

42°41'36.47"N
120°33'00.27"W

13216m

+/- 8.1'

RECEIVED

AUG 04 2021

OWRD



ALL POINTS
ENGINEERING & SURVEYING, INC.
P.O. Box 767 (CRR)
Terrebonne, Oregon 97760

RECEIVED

AUG 04 2021

OWRD

TRANSMITTAL

To: Oregon Water Resources Dept
725 Summer St NE, Suite A
Salem, OR 97301-1266

Date: 8/2/2021
Attention: Certificates
RE: COBU T-9733

Prints Plans Plat Specifications.

Attached is a Claim of Beneficial Use & Final Proof Map on T-9733 for Bagley Ditch Corp.

If you have any questions, please don't hesitate to call or email me.

Copies	No.	Description
1	1	Claim of Beneficial Use (9 pages letter bond)
1	2	Final Proof Map (2 pages mylar)
1	3	Dept fish & Wildlife ltr (3 pages letter bond)
1	4	Aerial imagery (11 pages letter bond)
1	5	Site Photos (13 page letter bond)

Signed: Devin M. [Signature]



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

August 20, 2021

Bagley Ditch Corp.
39650 Clover Flat Rd
Paisley, OR 97636

WORK COPY

On August 4, 2021, the Water Resources Department received the Claim of Beneficial Use (COBU) for the following Transfer(s):

T-9733

The COBU included a report and map. The Department hopes to review your submittal within approximately 2 - 4 years. At that time we will review these items and provide a final certificate, proposed certificate, or a request for additional information.

If you are interested in having your COBU reviewed sooner, you may pay to have your file processed immediately, using the Reimbursement Authority program, which is described at:

<https://www.oregon.gov/OWRD/programs/WaterRights/RA/Pages/Certificate.aspx>

For all other questions please call our Customer Service phone: (503) 986-0900.

If you sell the property, please contact the Department, or have the new owners contact the Department about the need to file an assignment.

cc: file
Scott Montgomery, CWRE.

Checklist for Claims of Beneficial Use Received at CSG Counter

Application # <u> </u>	WRD Reviewer <u>CM</u>
Transfer # <u>9733</u>	
Date Received <u>8/4/2021</u>	
CWRE Name <u>Scott Montgomery</u>	

Priority Date: 1878 - 1917
 Fees Required:

YES NO A fee of \$200 must accompany this form for permits with priority dates of July 9, 1987, or later.

YES **(NO)** A fee of \$200 must accompany this form for any transfers including a water right with a priority date of July 9, 1987, or later.

Example - A transfer involves 5 rights and one of the rights has a priority date of July 9, 1987, or later, the fee is required.

Fill in App or Transfer Number

Map Review:

- Map on polyester film (OAR 690-014-0170(1) & 310-0050(1)(b))
- Application & permit #; or transfer # (OAR 690-014-0100(1))
- Disclaimer (OAR 690-014-0170(5))
- North arrow (OAR 690-310-0050(2)(c))
- CWRE stamp and signature (OAR 690-014 & 310-0050)
- Appropriate scale (1" = 1320', 1" = 400', or the original full-size scale of the county assessor map) (014 & 310)
- Township, range, section, and tax lot numbers (OAR 690-310-0050(4))

Report Review:

- On form provided by the Department (OAR 690-014-0100(1))
- Application & permit #; or transfer # (OAR 690-014)
- Ownership information (OAR 690-014)
- Date of survey (OAR 690-014)
- Person interviewed (OAR 690-014)
- County (OAR 690-014)
- CWRE stamp and signature (OAR 690-014-0100)
- Signature(s) of all permittee of transfer holder (OAR 690-014-0100)

MONEY SLIP	
DATE:	RECEIPT #:
RECEIVED FROM:	APPLICATION: PERMIT / TRANSFER
CASH CHECK # OTHER (IDENTIFY)	TOTAL RECEIVED \$
0043 TREASURY 4119 BASIC CASH ACCT	
0407 COPIES OTHER (IDENTIFY)	
0243 Interest Loan 0244 Min Yearly Mgmt Plan 0245 Cont. Water	
0043 TREASURY 4270 WRD OPERATING ACCT	
MISCELLANEOUS	
0407 COPY & TAPE FEES <u>4611</u>	\$
0410 RESEARCH FEES	\$
0408 MISC REVENUE (IDENTIFY)	\$
0142 DEPOSIT LNS (IDENTIFY)	\$
0240 EXTENSION OF TERM	\$
WATER RIGHTS	EXAM FEE RECORD FEE
0201 SURFACE WATER	\$ \$
0202 GROUND WATER	\$ \$
0205 TRANSFER	\$ \$
WELL CONSTRUCTION	EXAM FEE RECORD FEE
0218 WELL DRILL CONSTRUCTION	\$ \$
LANDOWNER'S PERMIT	0228 \$
OTHER (IDENTIFY) <u>COBU</u>	<u>3722.00</u>
0043 TREASURY 0467 STORAGE FEE/INC	
0273 POWER LICENSE FEE (PWWRD)	\$
0274 HYDRO LICENSE FEE (PWWRD)	\$
HYDRO APPLICATION	\$
SPECIAL INSTRUCTIONS:	

RETURN TO APPLICANT - LETTER ATTACHED

Groundwater File Review: MA

Pump Test Required? YES NO Pump Test Submitted? YES NO*

*If no, include pump test flyer w/acknowledgment letter

DATE: August 31, 2009

TO: Watermaster #12
File T-9733
Data

FROM: Sarah Henderson

RE: Certificate Correction

Enclosed is a new Certificate # 85655 issued to correct the priority date for Proof No. 54 and supersedes Certificate # 3629.

Enclosed is a new Certificate # 85656 issued to corrects the authorized uses and supersedes Certificate # 3666.

Enclosed is a new Certificate # 85657 issued to correct the authorized uses and supersedes Certificate # 3672.

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CHESTERFIELD B. PARKER AND LELAND S. PARKER
PAISLEY, OREGON

confirms the right to use the waters of Chewaucan River, tributary of Abert Lake, and Elder Creek, tributary of Chewaucan River, for irrigation of 261.33 acres, domestic and stock use.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Lake County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 5, at page 1. The date of priority is 1879 under Proof No. 54, 1878 under Proof No. 55 and 1897 under Proof No. 56.

The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 1/25 CUBIC FOOT PER SECOND PER ACRE, and shall be further limited to the aggregate quantity in acre feet per acre irrigated during the irrigation season, being the period of April 1 to September 15 of each year, as set forth for each proof described below; and said right shall be subject to all other conditions and limitations contained in said decree.

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

PROOF NO. 54

(4.8 ACRE FEET PER ACRE PER YEAR)

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 0.75 acre

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 0.27 acre

(4.4 ACRE FEET PER ACRE PER YEAR)

SE $\frac{1}{4}$ NW $\frac{1}{4}$ 0.31 acre

SECTION 30

TOWNSHIP 33 SOUTH, RANGE 19 EAST, W.M.

PROOF NO. 55

(4.4 ACRE FEET PER ACRE PER YEAR)

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 acres

SE $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 acres

SECTION 30

TOWNSHIP 33 SOUTH, RANGE 19 EAST, W.M.

NW¼ NW¼ 40.0 acres
SW¼ NW¼ 40.0 acres
SECTION 29
TOWNSHIP 33 SOUTH, RANGE 19 EAST, W.M.

PROOF NO. 56
(3.9 ACRE FEET PER ACRE PER YEAR)

SW¼ NW¼ 30.0 acres
SE¼ NW¼ 15.0 acres
NW¼ SW¼ 15.0 acres
NE¼ SW¼ 20.0 acres
NW¼ SE¼ 20.0 acres
SECTION 31
TOWNSHIP 35 SOUTH, RANGE 18 EAST, W.M.

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.

This certificate corrects the priority date for Proof No. 54 and describes that portion of the water right confirmed by Certificate 3629, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered November 28, 2005 approving Transfer Application T-9733.

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.

WITNESS the signature of the Water Resources Director, affixed AUG 31 2009


for Phillip C. Ward, Director

STATE OF OREGON
COUNTY OF LAKE
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

E.S. McDONALD
PAISLEY, OREGON

confirms the right to use the waters of a small creek rising in Section 33, T 35 S., R.18 E., W.M., tributary of Chewaucan River for irrigation of 15.0 acres and stock use.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Lake County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 5, at page 1. The date of priority is 1880 under Proof No. 110.

The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 1/25 CUBIC FOOT PER SECOND PER ACRE, and shall be further limited to a diversion of not to exceed 3.9 acre-feet per acre during the irrigation season, being the period of April 1 to September 15 of each year; and said right shall be subject to all other conditions and limitations contained in said decree.

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

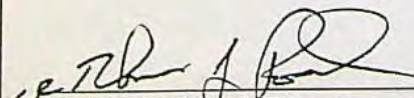
NW¼ SW¼ 15.0 acres
SECTION 34
TOWNSHIP 35 SOUTH, RANGE 18 EAST, W.M.

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.

This certificate corrects the authorized uses and describes that portion of the water right confirmed by Certificate 3666, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered 11/28/2005, approving Transfer Application T-9733.

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.

WITNESS the signature of the Water Resources Director, affixed AUG 31 2009


Phillip C. Ward, Director

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

W.Y. MILLER
PAISLEY, OREGON

confirms the right to use the waters of Chewaucan River, tributary of Abert Lake for irrigation of 1.3 acres, domestic and livestock use.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Lake County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 5, at page 1. The date of priority is 1878.

The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 1/25 CUBIC FOOT PER SECOND PER ACRE, and shall be further limited to a diversion of not to exceed 4.8 acre-feet per acre during the irrigation season, being the period of April 1 to September 30 of each year; and said right shall be subject to all other conditions and limitations contained in said decree.

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

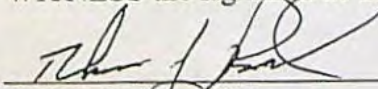
Proof No. 119
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 1.3 acres
SECTION 24
TOWNSHIP 33 SOUTH, RANGE 18 EAST, W.M.

This certificate corrects the authorized uses and describes that portion of the water right confirmed by Certificate 3672, State Record of Water Right Certificates, NOT TRANSFERRED OR CANCELLED by the provisions of an order of the Water Resources Director entered Nov. 28, 2005, approving Transfer Application T-9733.

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.

WITNESS the signature of the Water Resources Director, affixed AUG 31 2009.



Phillip C. Ward, Director

STATE OF OREGON
COUNTY OF LAKE
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CHESTERFIELD B. PARKER AND LELAND S. PARKER
PAISLEY, OREGON

confirms the right to use the waters of Chewaucan River, tributary of Abert Lake, and Elder Creek, tributary of Chewaucan River, for irrigation of 261.33 acres, domestic and stock use.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Lake County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 5, at page 1. The date of priority is 1878 under Proofs No. 54 and 55, and 1897 under Proof No. 56.

(1879 for Proof 54)

The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 1/25 CUBIC FOOT PER SECOND PER ACRE, and shall be further limited to the aggregate quantity in acre feet per acre irrigated during the irrigation season, being the period of April 1 to September 15 of each year, as set forth for each proof described below; and said right shall be subject to all other conditions and limitations contained in said decree.

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

PROOF NO. 54

(4.8 ACRE FEET PER ACRE PER YEAR)
NE $\frac{1}{4}$ NW $\frac{1}{4}$ 0.75 acre
NW $\frac{1}{4}$ NW $\frac{1}{4}$ 0.27 acre

(4.4 ACRE FEET PER ACRE PER YEAR)
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 0.31 acre
SECTION 30
TOWNSHIP 33 SOUTH, RANGE 19 EAST, W.M.

85655

PROOF NO. 55

(4.4 ACRE FEET PER ACRE PER YEAR)

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 acres

SE $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 acres

SECTION 30

TOWNSHIP 33 SOUTH, RANGE 19 EAST, W.M.

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 acres

SW $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 acres

SECTION 29

TOWNSHIP 33 SOUTH, RANGE 19 EAST, W.M.

PROOF NO. 56

(3.9 ACRE FEET PER ACRE PER YEAR)

SW $\frac{1}{4}$ NW $\frac{1}{4}$ 30.0 acres

SE $\frac{1}{4}$ NW $\frac{1}{4}$ 15.0 acres

NW $\frac{1}{4}$ SW $\frac{1}{4}$ 15.0 acres

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 20.0 acres

NW $\frac{1}{4}$ SE $\frac{1}{4}$ 20.0 acres

SECTION 31

TOWNSHIP 35 SOUTH, RANGE 18 EAST, W.M.

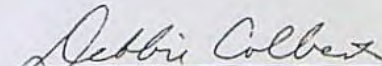
The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

This certificate describes that portion of the water right confirmed by Certificate 3629, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered November 28, 2005, approving Transfer Application T-9733.

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.

WITNESS the signature of the Water Resources Director,

affixed November 28, 2005.


Phillip C. Ward, Director

Recorded in State Record of Water Right Certificates numbered 81703.

3629 W. M. Dobkins,
Paisley, Ore.
(Proof 54, Vol. 1)

1878

4.63 185

Irrigation, domestic and stock
Small's Creek and
Ditches therefrom

Chewaucan River

40 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$;
32.5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$;
40 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$;
40 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$;
32.5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$; Sec. 30;
Tp. 33 S. R. 19 E.W.M.

(Proof 55, Vol. 1)

1878

4 160

Irrigation, domestic and stock
Innis Slough and
ditches

Chewaucan River

40 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$;
40 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$; Sec. 30;
40 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$;
40 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$; Sec. 29;
Tp. 33 S. R. 19 E.W.M.

(Proof 56, Vol. 1)

1897

2.5 100

Irrigation, domestic and stock
Dobkins Ditch

Elder Creek, trib.
of Chewaucan River

50 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$;
15 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$;
15 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$;
20 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$;
20 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$; Sec. 31;
Tp. 35 S. R. 18 E.W.M.

3630 John Drumm, Sr.
Paisley, Ore.
(Proof 57, Vol. 1)

1906

0.05 2

Irrigation

Middle Fork and Hamp-
ton, sarvey, Currier
Flume.

Chewaucan River

2 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$; Sec. 24;
Tp. 33 S. R. 18 E.W.M.

3631 Mrs. Ola Drumm,
Paisley, Ore.
(Proof 58, Vol. 1)

1900

0.25 10

Irrigation

Middle Fork and Green
Drumm Ditch

Chewaucan River

Lots 14 and 15. Second Addition
to Paisley, Oregon; Lots 10, 11,
12 and 13, Block F, Second East
Addition to Paisley, Oregon; also
a tract of land described as fol-
lows: Beginning at the SE corner
of Lot 10, Block F, Paisley, Ore-
gon, thence Northerly along the
Eastern boundary of said Block 150',
thence Easterly at right angle 100',
thence at right angle Southerly and
parallel with the Eastern boundary
of said Block F 150', thence at
right angle Westerly 100' to place
of beginning.

(Proof 59, Vol. 1)

1900

0.03 1

Irrigation

Middle Fork and
Conley Ditch

Chewaucan River

1 acre in NE $\frac{1}{4}$ SE $\frac{1}{4}$; and NW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 24; Tp. 33 S. R. 18 E.W.M.

3632 Anton Egli,
Egli, Oregon.
(Proof 60, Vol. 1)

1878

3.25 130

Irrigation, domestic and stock
Jones Slough and
Ditches therefrom

Chewaucan River

20 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$;
40 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$; Sec. 17;
40 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$; Sec. 20;
30 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$; Sec. 21;
Tp. 33 S. R. 19 E.W.M.

(Proof 61, Vol. 1)

1878

1.39 55.74

Irrigation, domestic and stock
Unnamed Ditch

Chewaucan River

20.8 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$;
14.94 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$;
20 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$; Sec. 17;
Tp. 33 S. R. 19 E.W.M.

3633 J. B. Elder,
Paisley, Ore.
(Proof 62, Vol. 1)

1873

7.29 291.5

Irrigation

70 Ditch

Crooked Creek

29.5 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$;
10 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$; Sec. 25;
33.5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$;
16.5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$;
8.5 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$;
14 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$;
29 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$; Sec. 25;
Tp. 35 S. R. 20 E.W.M.

STATE OF OREGON
COUNTY OF LAKE
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

E.S. McDONALD
PAISLEY, OREGON

confirms the right to use the waters of a small creek rising in Section 33, T 35 S., R.18 E., W.M., tributary of Chewaucan River for irrigation of 15.0 acres, ~~domestic~~ and stock use.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Lake County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 5, at page 1. The date of priority is 1880 under Proof No. 110.

The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 1/25 CUBIC FOOT PER SECOND PER ACRE, and shall be further limited to a diversion of not to exceed 3.9 acre-feet per acre during the irrigation season, being the period of April 1 to September 15 of each year; and said right shall be subject to all other conditions and limitations contained in said decree.

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

NW¼ SW¼ 15.0 acres
SECTION 34
TOWNSHIP 35 SOUTH, RANGE 18 EAST, W.M.

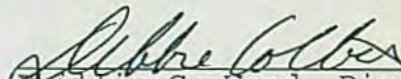
The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

This certificate describes that portion of the water right confirmed by Certificate 3666, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered November 28, 2005, approving Transfer Application T-9733.

85656

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.

WITNESS the signature of the Water Resources Director,
affixed November 28, 2005.


Phillip C. Ward, Director



Recorded in State Record of Water Right Certificates numbered 81712.

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

W.Y. MILLER
PAISLEY, OREGON

*needs to include
DO & LV*

confirms the right to use the waters of Chewaucan River, tributary of Abert Lake for irrigation of 1.3 acres.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Lake County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 5, at page 1. The date of priority is 1878.

The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 1/25 CUBIC FOOT PER SECOND PER ACRE, and shall be further limited to a diversion of not to exceed 4.8 acre-feet per acre during the irrigation season, being the period of April 1 to September 30 of each year; and said right shall be subject to all other conditions and limitations contained in said decree.

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

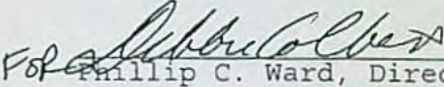
Proof No. 119
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 1.3 acres
SECTION 24
TOWNSHIP 33 SOUTH, RANGE 18 EAST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 3672, State Record of Water Right Certificates, NOT TRANSFERRED OR CANCELLED by the provisions of an order of the Water Resources Director entered *November 28, 2005*, approving Transfer Application T-9733.

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.

WITNESS the signature of the Water Resources Director,
affixed November 28, 2005.



Phillip C. Ward, Director

Recorded in State Record of Water Right Certificates numbered 81713.

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cu.Ft. per sec.	No. Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
2 E.S. McDonald & J.B. Elder (continued) (Proof 116, Vol. 2)	1878	2.58	103	Irrigation, domestic and stock	Bagley Ditch	Chewaucan River	4 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$; 37 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$; Sec. 25; 3 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$; Sec. 36; Tp. 33 S. R. 18 E.W.M. 40 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$; Sec. 30; 19 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$; Sec. 31; Tp. 33 S. R. 19 E.W.M.
21 Ruby McKay, and Ruby McKay, guardian for Joseph B. Harvey and W. H. Harvey, minors. Paisley, Ore. (Proof 117, Vol. 2)	1888	0.03	0.4	Irrigation and domestic	Moss Slough	Chewaucan River	0.4 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$; Sec. 24; Tp. 33 S. R. 18 E.W.M.
Alice M. Miller, Paisley, Ore. (Proof 118, Vol. 2)	1901	0.03	0.75	Irrigation	Small's Creek and West Street Ditch	Chewaucan River	0.75 acre in SW $\frac{1}{4}$ SE $\frac{1}{4}$; Sec. 24; Tp. 33 S. R. 18 E.W.M.
33 W. Y. Miller, Paisley, Ore. (Proof 119, Vol. 2) (Proof 120, Vol. 2)	1878	0.13	5	Irrigation, domestic and stock	Bagley Ditch and Small's Creek	Chewaucan River	5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$; Sec. 24; Tp. 33 S. R. 18 E.W.M.
(Proof 121, Vol. 2)	Apr. 1, 1894	0.13	5	Irrigation, domestic and stock	Small's Creek and Miller's Ditch	Chewaucan River	5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$; Sec. 24; Tp. 33 S. R. 18 E.W.M.
	1901	0.23	9 $\frac{1}{2}$	Irrigation, domestic and stock	Small's Creek and West Street Ditch	Chewaucan River	9 $\frac{1}{2}$ acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$; Sec. 24; Tp. 33 S. R. 18 E.W.M.
36/3 Flora Moore, Paisley, Ore. (Proof 122, Vol. 2)	1904	0.03	$\frac{1}{2}$	Irrigation	Hampton-Sherlock Ditch, Church Street Flume	Chewaucan River	Lots 11 and 12, Block C, Town of Paisley, Oregon.
36/2 Mrs. V.O.E. Morgan, Paisley, Ore. (Proof 123, Vol. 2)	1873	1.78	71	Irrigation, domestic and stock	Morgan Ditch	Avery Creek and Reed Creek	18 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$; Sec. 29; 17 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$; 22.5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$; 6.5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$; 2 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$; 5.5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$; Sec. 29; Tp. 34 S. R. 19 E.W.M.
36/1 Annie Moss Paisley, Ore. (Proof 124, Vol. 2)	1878	2.75	110	Irrigation, domestic and stock	Small's Creek and ditches therefrom	Chewaucan River	40 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$; Sec. 24; Tp. 33 S. R. 18 E.W.M. 40 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$; 30 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$; Sec. 19; Tp. 33 S. R. 19 E.W.M.
(Proof 125, Vol. 2)	1878	1.25	50	Irrigation, domestic and stock	Moss Slough and ditches therefrom	Chewaucan River	2 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$; 38 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$; Sec. 24; Tp. 33 S. R. 18 E.W.M. 10 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$; Sec. 19; Tp. 33 S. R. 19 E.W.M.
36/4 S. P. Moss, Lakeview, Ore. (Proof 126, Vol. 2)	August, 1872	20.22	808.75	Irrigation, domestic and stock	King, Spring and Moss ditches	King, Moss, White and Newland Creeks	31 $\frac{1}{2}$ acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$; 1 $\frac{1}{2}$ acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$; $\frac{1}{2}$ acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$; 2 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$; 9 $\frac{1}{2}$ acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$; 40 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$;



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

November 29, 2005

BAGLEY DITCH CORP.
39650 CLOVER FLAT RD
PAISLEY OR 97636

DENNIS R GLENDER, AGENT
8664 SW SAND RIDGE RD
CROOKED RIVER RANCH OR 97760

Reference: Transfer 9733

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

A time to complete the transfer is given the order. 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 date you completed the change or within one year of the completion date authorized in the transfer, whichever occurs first.

Sincerely,

for Doug Parrow
Natural Resource Specialist

DP:sh

cc: David Poe, Watermaster #12

Enclosure

STATE OF OREGON
COUNTY OF LAKE
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CHESTERFIELD B. PARKER AND LELAND S. PARKER
PAISLEY, OREGON

confirms the right to use the waters of Chewaucan River, tributary of Abert Lake, and Elder Creek, tributary of Chewaucan River, for irrigation of 261.33 acres, domestic and stock use.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Lake County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 5, at page 1. The date of priority is 1878 under Proofs No. 54 and 55, and 1897 under Proof No. 56.

The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 1/25 CUBIC FOOT PER SECOND PER ACRE, and shall be further limited to the aggregate quantity in acre feet per acre irrigated during the irrigation season, being the period of April 1 to September 15 of each year, as set forth for each proof described below; and said right shall be subject to all other conditions and limitations contained in said decree.

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

PROOF NO. 54

(4.8 ACRE FEET PER ACRE PER YEAR)

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 0.75 acre

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 0.27 acre

(4.4 ACRE FEET PER ACRE PER YEAR)

SE $\frac{1}{4}$ NW $\frac{1}{4}$ 0.31 acre

SECTION 30

TOWNSHIP 33 SOUTH, RANGE 19 EAST, W.M.

PROOF NO. 55
(4.4 ACRE FEET PER ACRE PER YEAR)

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 acres
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 acres
SECTION 30
TOWNSHIP 33 SOUTH, RANGE 19 EAST, W.M.

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 acres
SW $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 acres
SECTION 29
TOWNSHIP 33 SOUTH, RANGE 19 EAST, W.M.

PROOF NO. 56
(3.9 ACRE FEET PER ACRE PER YEAR)

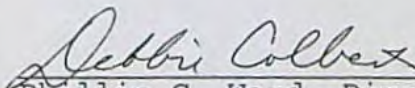
SW $\frac{1}{4}$ NW $\frac{1}{4}$ 30.0 acres
SE $\frac{1}{4}$ NW $\frac{1}{4}$ 15.0 acres
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 15.0 acres
NE $\frac{1}{4}$ SW $\frac{1}{4}$ 20.0 acres
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 20.0 acres
SECTION 31
TOWNSHIP 35 SOUTH, RANGE 18 EAST, W.M.

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.

This certificate describes that portion of the water right confirmed by Certificate 3629, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered November 28, 2005, approving Transfer Application T-9733.

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.

WITNESS the signature of the Water Resources Director,
affixed November 28, 2005.


Phillip C. Ward, Director

Recorded in State Record of Water Right Certificates numbered 81703.

STATE OF OREGON
COUNTY OF LAKE
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JOHN DRUMM, SR.
PAISLEY, OREGON

confirms the right to use the waters of Chewaucan River, tributary of Abert Lake for irrigation of 0.98 acre.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Lake County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 5, at page 1. The date of priority is 1906.

The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 1/25 CUBIC FOOT PER SECOND PER ACRE, and shall be further limited to a diversion of not to exceed 3.9 acre-feet per acre during the irrigation season, being the period of April 1 to September 15 of each year; and said right shall be subject to all other conditions and limitations contained in said decree.

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

NW $\frac{1}{4}$ SE $\frac{1}{4}$ 0.98 acre
SECTION 24
TOWNSHIP 33 SOUTH, RANGE 18 EAST, W.M.

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.

This certificate describes that portion of the water right confirmed by Certificate 3630, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered November 28, 2005, approving Transfer Application T-9733.

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.

WITNESS the signature of the Water Resources Director,
affixed November 28, 2005.

For Phillip C. Ward
Phillip C. Ward, Director



Recorded in State Record of Water Right Certificates numbered 81704.

STATE OF OREGON
COUNTY OF LAKE
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

OLA DRUMM
PAISLEY, OREGON

confirms the right to use the waters of Chewaucan River, tributary of Abert Lake for irrigation of 10.0 acres.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Lake County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 5, at page 1. The date of priority is 1900.

The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 1/25 CUBIC FOOT PER SECOND PER ACRE, and shall be further limited to a diversion of not to exceed 3.9 acre-feet per acre during the irrigation season, being the period of April 1 to September 15 of each year; and said right shall be subject to all other conditions and limitations contained in said decree.

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

Proof No. 58: the irrigation of 9.0 acres described as follows: Lots 14 and 15, Second Addition to Paisley, Oregon.

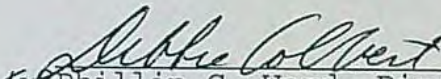
Proof No. 59: the irrigation of 1.0 acre in the Northeast quarter of Southeast quarter and Northwest quarter of Southwest quarter of Section Twenty-four, Township Thirty-three South, Range Eighteen East of Willamette Meridian, in Lake County, Oregon.

This certificate describes that portion of the water right confirmed by Certificate 3631, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered November 28, 2005, approving Transfer Application T-9733.

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.

WITNESS the signature of the Water Resources Director,
affixed November 28, 2005.


for Phillip C. Ward, Director



Recorded in State Record of Water Right Certificates numbered 81705.

STATE OF OREGON
COUNTY OF LAKE
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ESTATE OF MARTHA J. FARROW, deceased
PAISLEY, OREGON

confirms the right to use the waters of Chewaucan River, tributary of Abert Lake for irrigation of 1.58 acres, domestic and stock use.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Lake County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 5, at page 1. The date of priority is 1901 under Proof 71.

The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 1/25 CUBIC FOOT PER SECOND PER ACRE, and shall be further limited to a diversion of not to exceed 3.9 acre-feet per acre during the irrigation season, being the period of April 1 to September 15 of each year; and said right shall be subject to all other conditions and limitations contained in said decree.

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

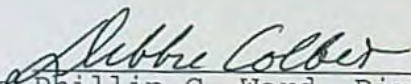
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 0.55 acre
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 1.03 acres
SECTION 24
TOWNSHIP 33 SOUTH, RANGE 18 EAST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 3638, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered November 28, 2005, approving Transfer Application T-9733.

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.

WITNESS the signature of the Water Resources Director,
affixed November 28, 2005.


For Phillip C. Ward, Director



Recorded in State Record of Water Right Certificates numbered 81706.

STATE OF OREGON
COUNTY OF LAKE
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

J. D. FARRA
PAISLEY, OREGON

confirms the right to use the waters of Chewaucan River, tributary of Abert Lake for irrigation of 0.49 acre.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Lake County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 5, at page 1. The date of priority is 1900.

The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 1/25 CUBIC FOOT PER SECOND PER ACRE, and shall be further limited to a diversion of not to exceed 3.9 acre-feet per acre during the irrigation season, being the period of April 1 to September 15 of each year; and said right shall be subject to all other conditions and limitations contained in said decree.

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

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 0.49 acre

Being Lot 1, the West $\frac{1}{2}$ of Lot 2, the South $\frac{1}{2}$ of the East $\frac{1}{2}$ of Lot 2, and the South $\frac{1}{2}$ of the West $\frac{1}{2}$ of Lot 3, in Block "K", South Addition to the Town of Paisley, in Lake County, Oregon

SECTION 24

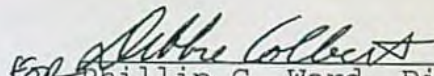
TOWNSHIP 33 SOUTH, RANGE 18 EAST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 3639, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered November 28, 2005, approving Transfer Application T-9733.

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.

WITNESS the signature of the Water Resources Director,
affixed November 28, 2005.



Phillip C. Ward, Director



Recorded in State Record of Water Right Certificates numbered 81707.

STATE OF OREGON
COUNTY OF LAKE
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

S.G. HADLEY and LILLIAN A. HADLEY
PAISLEY, OREGON

confirms the right to use the waters of Chewaucan River, tributary of Abert Lake for irrigation of 2.18 acres, domestic and stock use.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Lake County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 5, at page 1. The date of priority is 1878.

The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 1/25 CUBIC FOOT PER SECOND PER ACRE, and shall be further limited to a diversion of not to exceed 3.9 acre-feet per acre during the irrigation season, being the period of April 1 to September 30 of each year; and said right shall be subject to all other conditions and limitations contained in said decree.

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

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 1.54 acres
SECTION 24

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 0.64 acre
SECTION 25

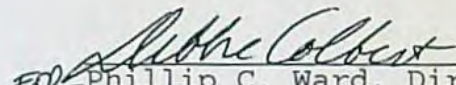
TOWNSHIP 33 SOUTH, RANGE 18 EAST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 3642, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered November 28, 2005, approving Transfer Application T-9733.

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.

WITNESS the signature of the Water Resources Director,
affixed November 28, 2005.



for Phillip C. Ward, Director



Recorded in State Record of Water Right Certificates numbered 81708.

STATE OF OREGON
COUNTY OF LAKE
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

FRANCES E. HOWELL
PAISLEY, OREGON

confirms the right to use the waters of Chewaucan River, tributary of Abert Lake for irrigation of 0.13 acre.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Lake County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 5, at page 1. The date of priority is 1889 under Proof No. 88.

The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 1/25 CUBIC FOOT PER SECOND PER ACRE, and shall be further limited to a diversion of not to exceed 3.9 acre-feet per acre during the irrigation season, being the period of April 1 to September 15 of each year; and said right shall be subject to all other conditions and limitations contained in said decree.

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

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 0.13 acre (Tax Lot 33-18-24D-1900)
SECTION 24

TOWNSHIP 33 SOUTH, RANGE 18 EAST, W.M.

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.

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

This certificate describes that portion of the water right confirmed by Certificate 3653, State Record of Water Right Certificates, NOT TRANSFERRED, BUT REDESCRIBED by the provisions of an order of the Water Resources Director entered November 28, 2005, approving Transfer Application T-9733.

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.

WITNESS the signature of the Water Resources Director,
affixed November 28, 2005.

Phillip C. Ward
For Phillip C. Ward, Director



Recorded in State Record of Water Right Certificates numbered 81709.

STATE OF OREGON
COUNTY OF LAKE
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

LESTER I. HAMPTON AND FRANCES E. HOWELL
LAKEVIEW, OREGON

confirms the right to use the waters of Chewaucan River, tributary of Abert Lake for irrigation of 0.13 acre.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Lake County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 5, at page 1. The date of priority is April 1, 1894.

The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 1/25 CUBIC FOOT PER SECOND PER ACRE, and shall be further limited to a diversion of not to exceed 3.9 acre-feet per acre during the irrigation season, being the period of April 1 to September 15 of each year; and said right shall be subject to all other conditions and limitations contained in said decree.

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

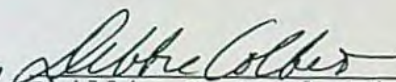
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 0.13 acre
SECTION 24
TOWNSHIP 33 SOUTH, RANGE 18 EAST, W.M.

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.

This certificate describes that portion of the water right confirmed by Certificate 3654, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered November 28, 2005.

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.

WITNESS the signature of the Water Resources Director,
affixed November 28, 2005.


For Phillip C. Ward, Director



Recorded in State Record of Water Right Certificates numbered 81710.

STATE OF OREGON
COUNTY OF LAKE
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

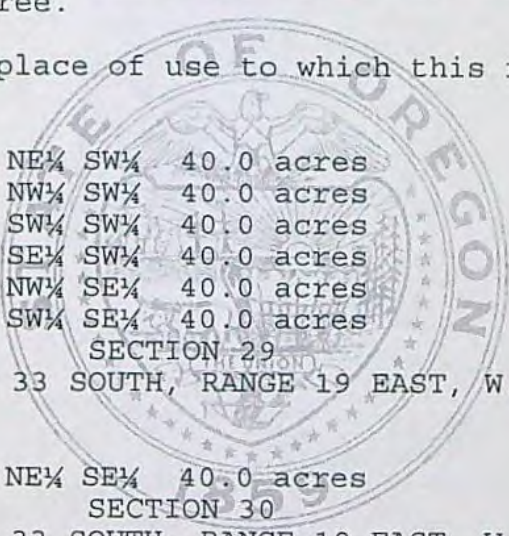
FLORENCE JONES
PAISLEY, OREGON

confirms the right to use the waters of Chewaucan River, tributary of Abert Lake for irrigation of 393.6 acres, domestic and stock use.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Lake County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 5, at page 1. The date of priority is 1878 under Proof No. 94.

The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 1/25 CUBIC FOOT PER SECOND PER ACRE, and shall be further limited to a diversion of not to exceed 4.4 acre-feet per acre during the irrigation season, being the period of April 1 to September 15 of each year; and said right shall be subject to all other conditions and limitations contained in said decree.

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



NE $\frac{1}{4}$ SW $\frac{1}{4}$ 40.0 acres
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 40.0 acres
SW $\frac{1}{4}$ SW $\frac{1}{4}$ 40.0 acres
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 40.0 acres
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 acres
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 acres

SECTION 29

TOWNSHIP 33 SOUTH, RANGE 19 EAST, W.M.

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 acres

SECTION 30

TOWNSHIP 33 SOUTH, RANGE 19 EAST, W.M.

NW $\frac{1}{4}$ NE $\frac{1}{4}$ 33.6 acres

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 acres

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 acres

SECTION 32

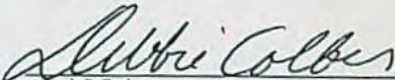
TOWNSHIP 33 SOUTH, RANGE 19 EAST, W.M.

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.

This certificate describes that portion of the water right confirmed by Certificate 3656, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered November 28, 2005, approving Transfer Application T-9733.

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.

WITNESS the signature of the Water Resources Director,
affixed November 28, 2005.


Phillip C. Ward, Director



Recorded in State Record of Water Right Certificates numbered 81711.

STATE OF OREGON
COUNTY OF LAKE
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

E.S. McDONALD
PAISLEY, OREGON

confirms the right to use the waters of a small creek rising in Section 33, T 35 S., R.18 E., W.M., tributary of Chewaucan River for irrigation of 15.0 acres, domestic and stock use.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Lake County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 5, at page 1. The date of priority is 1880 under Proof No. 110.

The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 1/25 CUBIC FOOT PER SECOND PER ACRE, and shall be further limited to a diversion of not to exceed 3.9 acre-feet per acre during the irrigation season, being the period of April 1 to September 15 of each year; and said right shall be subject to all other conditions and limitations contained in said decree.

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

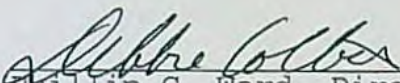
NW¼ SW¼ 15.0 acres
SECTION 34
TOWNSHIP 35 SOUTH, RANGE 18 EAST, W.M.

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.

This certificate describes that portion of the water right confirmed by Certificate 3666, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered November 28, 2005, approving Transfer Application T-9733.

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.

WITNESS the signature of the Water Resources Director,
affixed November 28, 2005.


Phillip C. Ward, Director



Recorded in State Record of Water Right Certificates numbered 81712.

STATE OF OREGON
COUNTY OF LAKE
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

W.Y. MILLER
PAISLEY, OREGON

confirms the right to use the waters of Chewaucan River, tributary of Abert Lake for irrigation of 1.3 acres.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Lake County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 5, at page 1. The date of priority is 1878.

The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 1/25 CUBIC FOOT PER SECOND PER ACRE, and shall be further limited to a diversion of not to exceed 4.8 acre-feet per acre during the irrigation season, being the period of April 1 to September 30 of each year; and said right shall be subject to all other conditions and limitations contained in said decree.

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

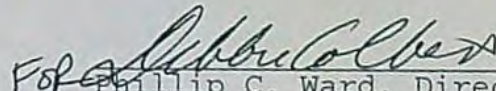
Proof No. 119
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 1.3 acres
SECTION 24
TOWNSHIP 33 SOUTH, RANGE 18 EAST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 3672, State Record of Water Right Certificates, NOT TRANSFERRED OR CANCELLED by the provisions of an order of the Water Resources Director entered November 28, 2005, approving Transfer Application T-9733.

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.

WITNESS the signature of the Water Resources Director,
affixed November 28, 2005.



Phillip C. Ward, Director



Recorded in State Record of Water Right Certificates numbered 81713.

STATE OF OREGON
COUNTY OF LAKE
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

FLORA MOORE
PAISLEY, OREGON

confirms the right to use the waters of Chewaucan River, tributary of Abert Lake for irrigation of 0.125 acre.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Lake County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 5, at page 1. The date of priority is 1904.

The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 1/25 CUBIC FOOT PER SECOND PER ACRE, and shall be further limited to a diversion of not to exceed 3.9 acre-feet per acre during the irrigation season, being the period of April 1 to September 15 of each year; and said right shall be subject to all other conditions and limitations contained in said decree.

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

Lot 11 in Block C, Town of Paisley, in Lake County, Oregon
(NE $\frac{1}{4}$ SW $\frac{1}{4}$) 0.125 acre
SECTION 24
TOWNSHIP 33 SOUTH, RANGE 18 EAST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 3673, State Record of Water Right Certificates, NOT TRANSFERRED by the provisions of an order of the Water Resources Director entered November 28, 2005, approving Transfer Application T-9733.

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.

WITNESS the signature of the Water Resources Director,
affixed November 28, 2005.

Phillip C. Ward
For Phillip C. Ward, Director



Recorded in State Record of Water Right Certificates numbered 81714.

STATE OF OREGON
COUNTY OF LAKE
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ANNIE MOSS
PAISLEY, OREGON

confirms the right to use the waters of Chewaucan River, tributary of Abert Lake for irrigation of 0.5 acre, domestic and stock use.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Lake County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 5, at page 1. The date of priority is 1878.

The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 1/25 CUBIC FOOT PER SECOND PER ACRE, and shall be further limited to a diversion of not to exceed 4.8 acre-feet per acre during the irrigation season, being the period of April 1 to September 15 of each year; and said right shall be subject to all other conditions and limitations contained in said decree.

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

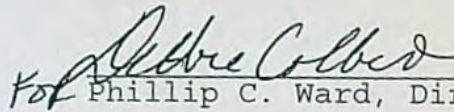
Proof 124
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 0.5 acre
SECTION 24
TOWNSHIP 33 SOUTH, RANGE 18 EAST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 3675, State Record of Water Right Certificates, NOT TRANSFERRED OR CANCELLED by the provisions of an order of the Water Resources Director entered November 28, 2005, approving Transfer Application T-9733.

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.

WITNESS the signature of the Water Resources Director,
affixed November 28, 2005.



For Phillip C. Ward, Director



Recorded in State Record of Water Right Certificates numbered 81715.

STATE OF OREGON
COUNTY OF LAKE
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

GEO. PIKE
PAISLEY, OREGON

confirms the right to use the waters of Chewaucan River, tributary of Abert Lake for irrigation of 0.87 acre, domestic and stock use.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Lake County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 5, at page 1. The date of priority is September 18, 1893.

The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 1/25 CUBIC FOOT PER SECOND PER ACRE, and shall be further limited to a diversion of not to exceed 3.9 acre-feet per acre during the irrigation season, being the period of April 1 to September 15 of each year; and said right shall be subject to all other conditions and limitations contained in said decree.

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

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 0.66 acre
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 0.21 acre
SECTION 24
TOWNSHIP 33 SOUTH, RANGE 18 EAST, W.M.

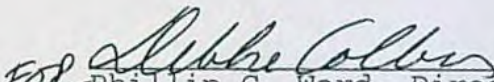
This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either petition for judicial review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

This certificate describes that portion of the water right confirmed by Certificate 3686, State Record of Water Right Certificates, NOT TRANSFERRED OR REDESCRIBED by the provisions of an order of the Water Resources Director entered November 28, 2005, approving Transfer Application T-9733.

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.

WITNESS the signature of the Water Resources Director,
affixed November 28, 2005.


for Phillip C. Ward, Director



Recorded in State Record of Water Right Certificates numbered 81716.

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DAN DONNELLY & JAN STEARMAN
P.O. BOX 102
PAISLEY, OREGON 97636

confirms the right to use the waters of Chewaucan River, tributary of Abert Lake for irrigation of 0.22 acre, domestic and stock use.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Lake County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 5, at page 1. The date of priority is 1878.

The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 1/25 CUBIC FOOT PER SECOND PER ACRE, and shall be further limited to a diversion of not to exceed 4.8 acre-feet per acre during the irrigation season, being the period of April 1 to September 30 of each year; and said right shall be subject to all other conditions and limitations contained in said decree.

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

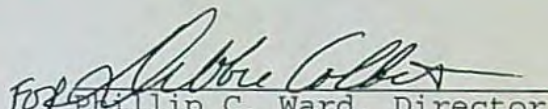
SW $\frac{1}{4}$ NW $\frac{1}{4}$ 0.22 acre
SECTION 30
TOWNSHIP 33 SOUTH, RANGE 19 EAST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 3687, State Record of Water Right Certificates, NOT TRANSFERRED OR CANCELLED by the provisions of an order of the Water Resources Director entered November 28, 2005, approving Transfer Application T-9733.

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.

WITNESS the signature of the Water Resources Director,
affixed November 28, 2005.



Phillip C. Ward, Director



Recorded in State Record of Water Right Certificates numbered 81717.

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

F. WIEDEY
PAISLEY, OREGON

confirms the right to use the waters of Chewaucan River, tributary of Abert Lake for irrigation of 135.0 acres, domestic and stock use.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Lake County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 5, at page 1. The date of priority is 1878.

The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 1/25 CUBIC FOOT PER SECOND PER ACRE, and shall be further limited to a diversion of not to exceed 4.6 acre-feet per acre during the irrigation season, being the period of April 1 to September 15 of each year; and said right shall be subject to all other conditions and limitations contained in said decree.

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

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 acres
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 30.0 acres
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 25.0 acres
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 acres

SECTION 19

TOWNSHIP 33 SOUTH, RANGE 19 EAST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 3698, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered November 28, 2005, approving Transfer Application T-9733.

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.

WITNESS the signature of the Water Resources Director,
affixed November 28, 2005.


Phillip C. Ward, Director



Recorded in State Record of Water Right Certificates numbered 81718.

STATE OF OREGON
COUNTY OF LAKE
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

NORTHWEST TOWNSITE COMPANY
308 CHESTNUT STREET
PHILADELPHIA, PENNSYLVANIA 19118

confirms the right to use the waters of Chewaucan River, tributary of Abert Lake for irrigation of 8.95 acres and domestic use.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Lake County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 4, at page 3677. The date of priority is 1881 under Proof No. 129, and 1886 under Proof No. 131.

The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 1/25 CUBIC FOOT PER SECOND PER ACRE, and shall be further limited to a diversion of not to exceed 3.9 acre-feet per acre during the irrigation season, being the period of April 1 to September 15 of each year; and said right shall be subject to all other conditions and limitations contained in said decree.

The points of diversion are located as follows:

PROOF 129: LITTLE CONN OR DRINKWATER DITCH LOCATED: NW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 23, T 33 S, R 18 E, W.M.

PROOF 131: MILL DITCH LOCATED: NE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 23, T 33 S, R 18 E, W.M.

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

PROOF NO. 129

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 1.35 ACRES
SECTION 23

NW $\frac{1}{4}$ SE $\frac{1}{4}$ 0.80 ACRE
SECTION 24

TOWNSHIP 33 SOUTH, RANGE 18 EAST, W.M.

PROOF NO. 131

NE¼ NW¼ 3.0 ACRES
NW¼ NW¼ 1.5 ACRES
NW¼ SW¼ 2.3 ACRES

SECTION 24

TOWNSHIP 33 SOUTH, RANGE 18 EAST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 72346, State Record of Water Right Certificates, NOT TRANSFERRED OR CANCELLED by the provisions of an order of the Water Resources Director entered November 28, 2005, approving Transfer Application T-9733.

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.

WITNESS the signature of the Water Resources Director,
affixed November 28, 2005.



Phillip C. Ward
Phillip C. Ward, Director

Recorded in State Record of Water Right Certificates numbered 81719.

Watermaster to deliver copies of remaining right certificate 81719 (supersedes Certificate 72346) to owners of the following tax lots along Mill Street in the town of Paisley:

Proof 129

Section 23 D, T33S, R18E

400
500
700
1100
1701
1800
1900
2100

Section 24 C, T33S, R18E

402
1401
1700

Proof 130 ?

Water Right Transfer Completion Checklist

T-9733

Transfer Specialist: Dorothy Pedersen

Water Rights Affected

App File No.	Cert or Permit No.	RR/CR Needed	RR/CR Nos.
Decreed rights	43 certificates	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	81631-81650
		<input type="checkbox"/> Yes <input type="checkbox"/> No	
		<input type="checkbox"/> Yes <input type="checkbox"/> No	

Copies Needed

Watermaster District: 12

CWRE No.: 47698

Irrig Dist Name/Address: Bagley Ditch Corporation, 39650 Clover Flat Road, Paisley, OR 97636

Commentors Name/Address: _____

Preliminary Determination

- | | |
|---|---|
| <input checked="" type="checkbox"/> Electronic Files uploaded | <input type="checkbox"/> File Folder updated |
| <input checked="" type="checkbox"/> Preliminary Determination | <input type="checkbox"/> Fee Refund Due |
| <input checked="" type="checkbox"/> PD Cover letter | <input checked="" type="checkbox"/> Newspaper Notice required |
| <input checked="" type="checkbox"/> Public Notice | |
| <input type="checkbox"/> Remaining Rights | |

Comments/Special Issues: This transfer brought to light numerous seeming discrepancies in the place of use descriptions on several of the 43 certificates involved in this movement of a shared POD. Proposed redescrptions and explanations are included in a titled section of the PD. There is also a place of use change for 0.78 acres under Certificate 3654. Documentation is in a box that should accompany this file through it's review.

Preliminary Determination Review (Salem)

Peer Reviewer: AKS Date: 9/15/05
 Coordinator: _____ Date: _____

Final Order Review (Salem)

Peer Reviewer: _____ Date: _____
 Coordinator: djp Date: 11-25-05

Comments/Special Issues: This transfer was expedited through Reimbursement Authority.

We need to get Certs 81709, 81716 to the landowner in a timely manner, w/a copy of the order.

Box of maps and other app materials in my cubicle. Day

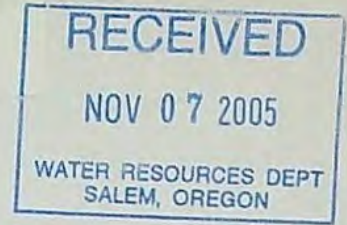
Special Order Volume: 67, Pages 471

Final Order Signature Date: 11-28-05

WRIS clone correction needed

GLENDER'S HYDRO TECH SERVICES

8664 SW Sand Ridge Rd,
Crooked River Ranch, Oregon 97760
Telephone (541) 947-4718 Cell (541) 219-0806
Telephone/Fax (541) 548-4882
E-mail djglender@msn.com



MEMO

November 4, 2005

TO: Dorothy Pedersen

FROM: Dennis R. Glender

A handwritten signature in black ink, appearing to read "D.R. Glender", written over the printed name.

SUB. T-9733 - Bagley Ditch Corp

A rectangular yellow sticky note with handwritten text in black ink that reads "EO due Nov. 21".

Dorothy,

Please find enclosed the affidavit of publication for Transfer 9733 - Bagley Ditch Corp

I hope we can expect the final order on or near the 21st of November, 2005.

Thank you for all your efforts.

cc: John Merwin, Bagley Ditch Corp.

Affidavit of Publication

STATE OF OREGON, }
County of Lake, } ss.

I, Matilda W. Flynn, being first duly sworn, depose and say that I am the

General Manager
Publisher, Editor or Business Manager

of the Lake County Examiner, a newspaper of general circulation printed and published at Lakeview in the aforesaid county and state, as defined by Chapter 193ORS, that

Water Right Transfer T-9733

_____, a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for Three successive and consecutive weeks in the following issues:

October 6, 13 & 20, 2005

Matilda W. Flynn

Subscribed and sworn to before me this

24th day of October
20 05.

Beth Furtado

Notary Public for Oregon

(My commission expires 11/15/08)



Notice of Preliminary Determination for Water Right Transfer T-9733

T-9733 filed by the Bagley Ditch Corporation, proposes a change in point of diversion under all or portions of Certificates 2818, 2870, 3233, 3599, 3604, 3605, 3622, 3625, 3629, 3630, 3631, 3635, 3636, 3638, 3639, 3641, 3642, 3647, 3653, 3654, 3655, 3656, 3659, 3662, 3666, 3669, 3671, 3672, 3673, 3675, 3679, 3683, 3685, 3686, 3687, 3691, 3695, 3696, 3697, 3698, 3699, 72346, and 80631. The rights involved in the transfer allow for uses at rates varying by certificate (priority dates 1878, 1880, 1881, 1883, 1885, 1886, 1888, 1893, 1894, 1897, 1898, 1900, 1901, 1903, 1904, 1906, 12/31/1908 and 1917) from a diversion in Sec. 23, T33S, R18E, W.M. (Chewaucan River Basin) for uses including irrigation, domestic, and/or stock watering in the S 1/2 Section 23, S 1/2 Section 24, Sections 25 and 36, T33S, R18E, W.M.; Sections 19, 30, 31, and 32 T33S, R19E, W.M.; and Sections 6, 7, 8, and 9, T34S, R19E, W.M.

The applicant proposes to change the point of diversion to another location approximately 1/2 mile upstream (Sec. 26, T33S, R18E, W.M.). T-9733 also proposes to change a portion of the place of use under Certificate 3654 from the SW 1/4 SE 1/4, Section 24, to the NW 1/4 SW 1/4 Sec. 24, T33S, R18E, W.M.

The Water Resources Department has concluded that the proposed transfer appears to be consistent with the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, with the Department a protest or standing statement within 30 days after the date of final publication of notice in the Department's weekly notice or of this newspaper notice, whichever is later. A protest form and additional information on filing protests may be obtained by calling (503) 986-0881. The last date of newspaper publication is October 20, 2005. If no protests are filed, the Department will issue a final order consistent with the preliminary determina-



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

September 23, 2005

Bagley Ditch Corporation
39650 Clover Flat Road
Paisley, Oregon 97636

SUBJECT: Transfer Application T-9733

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-9733.

A public notice is being published in the Department's weekly publication simultaneously with issuance of the Preliminary Determination. The notice initiates a 30-day period in which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determination or a standing statement supporting the Department's decision.

Because the new point of diversion is more than ¼ mile from the authorized point of diversion, the applicant is responsible for giving public notice of the transfer changes in a local newspaper having a general circulation in the area of the water right. The notice must be published at least once a week for three consecutive weeks. We have prepared the notice for you (enclosed). The deadline for individuals to file protests or standing statements is 30 days after the date of last publication. Please have the newspaper insert the date of last publication in the proper place. After publication, the Department needs to receive an affidavit specifying the dates the notice was published. Typically, the newspaper will prepare and mail an *affidavit of publication* to the Department, however you will want to request specifically that they do so. The newspaper can mail the affidavit to me at the address above.

If no protest is filed, the Department will issue a Final Order consistent with the Preliminary Determination. You should receive a copy of the Final Order about 30 days after the close of the protest period.

If a protest is filed, the application may be referred to a contested case proceeding. A contested case provides an opportunity for the proponents and opponents of the decision proposed in the Preliminary Determination to present information and arguments supporting their position in a quasi-judicial proceeding.

Sincerely,

Dorothy I. Pedersen
Field Services Division

cc: Dave Poe, District 12 Watermaster
Dennis Glender, Agent
Rodney F. Callaghan, CWRE

encs



Source: Chewaucan River, tributary to Lake Abert

Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Lot	Acres
33	S	19	E	W.M.	32	NE SW 7 13.0
33	S	19	E	W.M.	32	NW SW 4 7.0
33	S	19	E	W.M.	32	SW SW 6 25.0
33	S	19	E	W.M.	32	SE SW 24.9
33	S	19	E	W.M.	32	NE SE 14.5
33	S	19	E	W.M.	32	NW SE 14.0
33	S	19	E	W.M.	32	SW SE 20.6
33	S	19	E	W.M.	32	SE SE 14.6
33	S	19	E	W.M.	33	NW SW 8.5
33	S	19	E	W.M.	33	SW SW 1.0

3. Certificate 2818 is appurtenant to lands owned as outlined in the following table:

Owner	Address	Current Tax Lot
JR Simplot Company	P.O. Box 27, Boise, ID 83707	33 19-500

4. The second right to be transferred is as follows:

Certificate: 2870 in the name of Chester L. Withers

Use: Irrigation

Priority Date: June 22, 1917

Season of Use: None stated in certificate

Quantity (Rate): 0.05 cfs

Duty: None stated in certificate

Acres: 4.0

Source: Chewaucan River, tributary to Lake Abert

Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Acres	
33	S	18	E	W.M.	23	SW SE 4.0

5. Certificate 2870 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
Hugh and Arlene Schultz	P.O. Box 77, Paisley, OR 97636	33 18 23D-1402

6. The third right to be transferred is as follows:

Certificate: 3233 in the name of L. P. Klippel and C. F. Snider

Use: Irrigation

Priority Date: July 11, 1917

Season of Use: None stated in certificate

Quantity (Rate): 0.125 cfs

Duty: None stated in certificate

Acres: 10.0

Source: Chewaucan River, tributary to Lake Abert

Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Survey Coordinates		
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Acres		
33	S	18	E	W.M.	23	SE SE	6.0
33	S	18	E	W.M.	24	SW SW	4.0

7. Certificate 3233 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
Len and Gloria Babb	P.O. Box 29, Paisley, OR 97636	33 18 23D-2500
Len and Gloria Babb	P.O. Box 29, Paisley, OR 97636	33 18 24C-1800

8. The fourth right to be transferred is as follows:

Certificate: 3599 in the name of Mrs. Susie L. Benefiel

Use: Irrigation

Priority Date: 1901

Season of Use: April 1 to September 15

Quantity (Rate): 1/25 cfs per acre

Duty: Not to exceed 3.9 AF per acre

Acres: 0.75

Source: Chewaucan River, tributary to Lake Abert

Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Survey Coordinates		
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use (as listed on certificate; see Finding #100 for discussion):

Township		Range		Meridian	Sec	¼ ¼	Acres
33	S	18	E	W.M.	24	Lot 3 in Block L, South Addition, and Lot 8 in Second South Addition to the Town of Paisley	0.75

9. Certificate 3599 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
Edward and Dorothy Murphy	P.O. Box 137, Paisley, OR 97636	33 18 24CD-0200

10. The fifth right to be transferred is as follows:

Certificate: 3604 in the name of H. A. Brattain, P. J. Brattain and Mrs. C. N. Brattain-Small

Use: Irrigation, domestic, and stock use

Priority Date: 1878, as per Decree Vol. 5, p. 52

Season of Use: January 1 to September 30

Quantity (Rate): 1/25 cfs per acre

Duty: Not to exceed 4.8 AF per acre

Acres: 676.0

Source: Chewaucan River, tributary to Lake Abert

Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Lot	Acres
34	S	19	E	W.M.	5	SW NW	2	20.0
34	S	19	E	W.M.	5	NW SW	3	20.0
34	S	19	E	W.M.	5	SW SW	4, 5	20.0
34	S	19	E	W.M.	6	SW NE		18.0
34	S	19	E	W.M.	6	SE NE		40.0
34	S	19	E	W.M.	6	NE SE		39.0
34	S	19	E	W.M.	6	NW SE		3.0
34	S	19	E	W.M.	6	SE SE		33.0
34	S	19	E	W.M.	7	NE NE		30.0
34	S	19	E	W.M.	7	SE NE		17.0
34	S	19	E	W.M.	8	NW NW	1, 10	22.0
34	S	19	E	W.M.	8	SW NW	2	32.0
34	S	19	E	W.M.	8	NE SW	3	23.0
34	S	19	E	W.M.	8	NW SW		25.0

Township	Range	Meridian	Sec	¼ ¼	Lot	Acres
34	S	19	E	W.M.	8	SE SW 11.0
34	S	19	E	W.M.	8	NW SE 4 6.0
34	S	19	E	W.M.	8	SW SE 4 38.0
34	S	19	E	W.M.	8	SE SE 5 20.0
34	S	19	E	W.M.	9	SW SW 1 1.0
34	S	19	E	W.M.	16	NW NE 3, 6 40.0
34	S	19	E	W.M.	16	SW NE 3 40.0
34	S	19	E	W.M.	16	NE NW 2, 7 40.0
34	S	19	E	W.M.	16	NW NW 1 40.0
34	S	19	E	W.M.	16	SW NW 16.0
34	S	19	E	W.M.	16	SE NW 31.0
34	S	19	E	W.M.	17	NE NE 37.0
34	S	19	E	W.M.	17	NW NE 12.0
34	S	19	E	W.M.	17	SE NE 2.0

11. Certificate 3604 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
J-Spear Ranch Company	P.O. Box 257, Klamath Falls, OR 97601	34 19-0400

12. The sixth right to be transferred is as follows:

Certificate: 3605 in the name of H. A. Brattain, P. J. Brattain and Mrs. C. N. Brattain-Small

Use: Irrigation, domestic, and stock use

Priority Date: 1881

Season of Use: April 1 to September 15

Quantity (Rate): 1/25 cfs per acre

Duty: Not to exceed 3.9 AF per acre

Acres: 1.4

Source: Chewaucan River, tributary to Lake Abert

Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Survey Coordinates	
33	S	18	E	W.M.	23	NE SE N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use (as listed on certificate; see Finding #101 for discussion):

Township	Range	Meridian	Sec	¼ ¼	Acres	
33	S	18	E	W.M.	24	NE SW 1.4

13. Certificate 3605 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
Edward and Dorothy Murphy	P.O. Box 137, Paisley, OR 97636	33 18 24CD-400	0.7
Norman and Terry Hiatt	P.O. Box 319, Paisley, OR 97636	33 18 24CD-300	0.7

14. The seventh right to be transferred is as follows:

Certificate: 3622 in the name of Virgil Conn
Use: Irrigation
Priority Date: April, 1900
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre
Duty: Not to exceed 3.9 AF per acre
Acres: 0.75
Source: Chewaucan River, tributary to Lake Abert

Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Acres
33	S	18	E	W.M.	24	NE SW	0.75

15. Certificate 3622 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
Dale and Barbara Roberts	P.O. Box 84, Paisley, OR 97636	33 18 24CA-6600

16. The eighth right to be transferred is as follows:

Certificate: 3625 in the name of M. C. Carrier
Use: Irrigation, domestic, and stock use
Priority Date: 1878
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre
Duty: Not to exceed 3.9 AF per acre
Acres: 0.60
Source: Chewaucan River, tributary to Lake Abert

Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use (as listed on certificate; see Finding #102 for discussion):

Township		Range		Meridian	Sec	¼ ¼	Acres
33	S	18	E	W.M.	24	NE SW	0.60

17. Certificate 3625 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
Edward and Dorothy Murphy	P.O. Box 137, Paisley, OR 97636	33 18 24CD-200

18. The portion of the ninth right to be transferred is as follows:

Certificate: 3629 in the name of Chesterfield B. Parker and Leland S. Parker
Use: Irrigation, domestic, and stock use
Priority Date: 1878 (Proof 54)
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre
Duty: 4.8 AF per acre for the following lands: NE¼ NW ¼, and NW¼ NW ¼;
T33S, R18E, Section 30
4.4 AF per acre for the following lands: NW¼ NE ¼, SW¼ NE ¼, and
SE¼ NW ¼; T33S, R18E, Section 30
Acres: 183.68
Source: Chewaucan River, tributary to Lake Abert
Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Lot	Acres
33	S	19	E	W.M.	30	NW NE		40.0
33	S	19	E	W.M.	30	SW NE		32.5
33	S	19	E	W.M.	30	NE NW		39.25
33	S	19	E	W.M.	30	NW NW	1	39.73
33	S	19	E	W.M.	30	SE NW		32.19

19. Certificate 3629 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
JL Lands, Inc.	P.O. Box 66, Paisley, OR 97636	33 19-1401	159.07
Jeremiah and Carolyn O'Leary	P.O. Box 66, Paisley, OR 97636	33 19-1400	20.60
Michael J. & Mary F. O'Leary	P.O. Box 209, Paisley, OR 97636	33 19-1403	4.00

20. The portion of the tenth right to be transferred is as follows:

Certificate: 3630 in the name of John Drumm, Sr.
Use: Irrigation
Priority Date: 1906
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre
Duty: Not to exceed 3.9 AF per acre
Acres: 1.02
Source: Chewaucan River, tributary to Lake Abert
Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Acres
33	S	18	E	W.M.	24	NW SE	1.02

21. Certificate 3630 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
Dale and Karilyn Story	P.O. Box 87, Paisley, OR 97636	33 18 24D-500

22. The portion of the eleventh right to be transferred is as follows:

Certificate: 3631 in the name of Mrs. Ola Drumm
Use: Irrigation
Priority Date: 1900
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre
Duty: Not to exceed 3.9 AF per acre
Acres: 1.0
Source: Chewaucan River, tributary to Lake Abert
Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Acres
33	S	18	E	W.M.	24	NE SW	1.0

23. Certificate 3631 is appurtenant to lands owned as outlined in the following table:

Owner	Address	Current Tax Lot	Acres
Joseph P. Mitchell	P.O. Box 286, Paisley, OR 97636	33 18 24CA-1400	0.40
Larry Gerking	P.O. Box 88, Paisley, OR 97636	33 18 24CA-1500 & 1501	0.60

24. The twelfth right to be transferred is as follows:

Certificate: 3635 in the name of F. W. Farrow
Use: Irrigation
Priority Date: April 1894
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre
Duty: Not to exceed 3.9 AF per acre
Acres: 2.50
Source: Chewaucan River, tributary to Lake Abert
Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Survey Coordinates		
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Acres		
33	S	18	E	W.M.	24	SW SE	2.50

25. Certificate 3635 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
Victor and June Cormie	P.O. Box 250, Paisley, OR 97636	33 18 24D-2100 & 2200

26. The thirteenth right to be transferred is as follows:

Certificate: 3636 in the name of Mary L. Farrow
Use: Irrigation
Priority Date: 1894
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre
Duty: Not to exceed 3.9 AF per acre
Acres: 2.50
Source: Chewaucan River, tributary to Lake Abert
Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Survey Coordinates		
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Acres
33	S	18	E	W.M.	24	SW SE	2.50

27. Certificate 3636 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
Michael Nevill & Julie Naslund	P.O. Box 289, Paisley, OR 97636	33 18 24D-2300

28. The portion of the fourteenth right to be transferred is as follows:

Certificate: 3638 in the name of Estate of Martha J. Farrow, deceased
Use: Irrigation, domestic, and stock use under Proof No. 71, and irrigation under Proof No. 70
Priority Date: 1885 under Proof No. 70, and 1901 under Proof No. 71
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre
Duty: Not to exceed 3.9 AF per acre
Acres: 22.27
Source: Chewaucan River, tributary to Lake Abert

Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Proof No.	Priority	Acres
33	S	18	E	W.M.	24	NE SW	70	1885	0.05
33	S	18	E	W.M.	24	NW SE	70	1885	0.50
							71	1901	12.75
33	S	18	E	W.M.	24	SW SE	71	1901	8.97

29. Certificate 3638 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
Dwayne & Collett Broadfoot	P.O. Box 132, Paisley, OR 97636	33 18 24D-600	0.55
School District 11	P.O. Box 97, Paisley, OR 97636	33 18 24D-800	8.22
Gene & CG Vickerman	P.O. Box 35, Paisley, OR 97636	33 18 24D-900	0.72
Thomas & Barbara Hinkle	P.O. Box 131, Paisley, OR 97636	33 18 24D-1000	3.73
Edward & Dorothy Murphy	P.O. Box 137, Paisley, OR 97636	33 18 24D-1100	0.08
U.S. Forest Service	Hwy 31, Paisley, OR 97636	33 18 24D-1200	7.85
John & Paula Merwin	22952 Clover Flat Road, Paisley, OR 97636	33 18 24D-1300	0.35
Alan E. & Laura L. Parks	59234 Ft Rock Rd., Silver Lake, OR 97638	33 18 24D-1600 & 1700	0.77

30. The portion of the fifteenth right to be transferred is as follows:

Certificate: 3639 in the name of J. D. Farra
Use: Irrigation
Priority Date: 1900
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre
Duty: Not to exceed 3.9 AF per acre
Acres: 0.91
Source: Chewaucan River, tributary to Lake Abert
Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Survey Coordinates		
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Acres		
33	S	18	E	W.M.	24	SE SW	0.91

31. Certificate 3639 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
Clarence & Katherine Cramer	P.O. Box 125, Paisley, OR 97636	33 18 24CD-500	0.40
John Carlson	P.O. Box 262, Paisley, OR 97636	33 18 24CD-502	0.23
James & Ethelyn Overton	242 South G St., Lakeveiw, OR 97636	33 18 24CD-504	0.17
Terry & Mary Cramer	P.O. Box 251, Paisley, OR 97636	33 18 24CD-505	0.11

32. The sixteenth right to be transferred is as follows:

Certificate: 3641 in the name of Estate of Mary C. Green
Use: Irrigation
Priority Date: 1901
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre
Duty: Not to exceed 3.9 AF per acre
Acres: 0.75
Source: Chewaucan River, tributary to Lake Abert
Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Survey Coordinates		
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Description	Acres
33	S	18	E	W.M.	24	NE SW	Lots 8 & 9, Block F, Second Addition to Paisley and a parcel beginning from the SE Corner, Lot 8, then N 150', E100', S 150', W 100' to point of beginning	0.75

33. Certificate 3641 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
Donald J. & Karen R. Penington	22499 McArde Rd, Bend, OR 97702	33 18 24CA-1600	0.34
Elaine Murphy, et al.	P.O. Box 262, Paisley, OR 97636	33 18 24CA-1700	0.41

34. The portion of the seventeenth right to be transferred is as follows:

Certificate: 3642 in the name of S. G. Hadley and Lillian A. Hadley

Use: Irrigation, domestic, and stock use

Priority Date: 1878

Season of Use: April 1 to September 30

Quantity (Rate): 1/25 cfs per acre

Duty: Not to exceed 3.9 AF per acre

Acres: 2.82

Source: Chewaucan River, tributary to Lake Abert

Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Acres
33	S	18	E	W.M.	24	SE SW	0.46
33	S	18	E	W.M.	25	NE NW	2.36

35. Certificate 3642 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
John & Joanne Gaylord	P.O. Box 266, Paisley, OR 97636	33 18 24CD-1500	0.46
John & Joanne Gaylord	P.O. Box 266, Paisley, OR 97636	33 18-1900	2.36

36. The eighteenth right to be transferred is as follows:

Certificate: 3647 in the name of John Hanan

Use: Irrigation, domestic, and stock use

Priority Date: 1888

Season of Use: April 1 to September 15

Quantity (Rate): 1/25 cfs per acre

Duty: Not to exceed 3.9 AF per acre
Acres: 0.2
Source: Chewaucan River, tributary to Lake Abert
Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use (as listed on certificate; see Finding #103 for discussion):

Township		Range		Meridian	Sec	¼ ¼	Acres
33	S	18	E	W.M.	24	SE SW	0.20

37. Certificate 3647 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
John W. & Paula D. Merwin	22952 Clover Flat Rd., Paisley, OR 97636	33 18 24CD-100

38. The portion of the nineteenth right to be transferred is as follows:

Certificate: 3653 in the name of Frances E. Howell
Use: Irrigation
Priority Date: 1889 under Proof No. 88; April 1, 1894 under Proof No. 89
Season of Use: April 1 to September 30 under Proof No. 88; April 1 to September 15 under Proof No. 89
Quantity (Rate): 1/25 cfs per acre
Duty: Not to exceed 3.9 AF per acre
Acres: 5.47
Source: Chewaucan River, tributary to Lake Abert
Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use (as listed on certificate; see Finding #104 for discussion):

Township		Range		Meridian	Sec	¼ ¼	Acres	Proof No.
33	S	18	E	W.M.	24	Lots 1, 2, 3 and 4, Miller's Addition to the Town of Paisley	2.87	88
33	S	18	E	W.M.	24	SW SE	2.60	89

39. The portion of Certificate 3653 to be affected by T-9733 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
Ronald Schmidt	P.O. Box 925, Christmas Valley, OR 97641	33 18 24D-2001	5.20
Ellen L. Withers	P.O. Box 287, Paisley, OR 97636	33 18 24D-2002	0.27

40. The twentieth right to be transferred is as follows:

Certificate: 3654 in the name of Lester I. Hampton and Frances E. Howell
Use: Irrigation
Priority Date: April 1, 1894
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre
Duty: Not to exceed 3.9 AF per acre
Acres: 4.87
Source: Chewaucan River, tributary to Lake Abert
Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Acres
33	S	18	E	W.M.	24	SW SE	4.84

41. Certificate 3654 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
Ellen L. Withers	P.O. Box 287, Paisley, OR 97636	33 18 24D-2000	3.86
Ellen L. Withers	P.O. Box 287, Paisley, OR 97636	33 18 24D-2002	0.23
Ellen L. Withers	P.O. Box 287, Paisley, OR 97636	33 18 24D-2003	0.78

42. The twenty-first right to be transferred is as follows:

Certificate: 3655 in the name of I. O. O. F. No. 177
Use: Irrigation
Priority Date: April 1, 1908
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre
Duty: Not to exceed 3.9 AF per acre
Acres: 0.50
Source: Chewaucan River, tributary to Lake Abert
Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Acres
33	S	18	E	W.M.	24	Lots 7 & 8, Miller's Addition to the Town of Paisley (SE SW)	0.50

43. Certificate 3655 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
Sharon Fitzgerald	P.O. Box 25, Paisley, OR 97636	33 18 24CD-2301

44. The portion of the twenty-second right to be transferred is as follows:

Certificate: 3656 in the name of Florence Jones
Use: Irrigation, domestic, and stock use
Priority Date: 1878
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre: 4.40 cfs
Duty: Not to exceed 4.4 AF per acre: 484.0 AF
Acres: 110.0
Source: Chewaucan River, tributary to Lake Abert

Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Survey Coordinates		
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Acres		
33	S	19	E	W.M.	30	SE SW	15.0
33	S	19	E	W.M.	30	SW SE	15.0
33	S	19	E	W.M.	30	SE SE	40.0
33	S	19	E	W.M.	31	NE NE	40.0

45. The portion of Certificate 3656 to be affected by T-9733 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
J-Spear Ranch Co.	P.O. Box 257, Klamath Falls, OR 97601	33 19-1800

46. The twenty-third right to be transferred is as follows:

Certificate: 3659 in the name of the Estate of Geo. M. Jones, deceased
Use: Irrigation, domestic, and stock use
Priority Date: 1878
Season of Use: April 1 to September 30
Quantity (Rate): 1/25 cfs per acre
Duty: Not to exceed 4.8 AF per acre
Acres: 207.0
Source: Chewaucan River, tributary to Lake Abert

Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Lot	Acres		
33	S	19	E	W.M.	31	NW NE	4.0	
33	S	19	E	W.M.	31	SW NE	4.0	
33	S	19	E	W.M.	31	NE NW	30.0	
33	S	19	E	W.M.	31	SE NW	38.0	
33	S	19	E	W.M.	31	NE SW	35.0	
33	S	19	E	W.M.	31	SE SW	30.0	
33	S	19	E	W.M.	31	NW SE	7.0	
33	S	19	E	W.M.	31	SW SE	18.0	
34	S	19	E	W.M.	6	NW NE	2	37.0
34	S	19	E	W.M.	6	NE NW	3	4.0

47. Certificate 3659 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
J-Spear Ranch Co.	P.O. Box 257, Klamath Falls, OR 97601	33 19-1800	166.0
J-Spear Ranch Co.	P.O. Box 257, Klamath Falls, OR 97601	34 19-300	41.0

48. The twenty-fourth right to be transferred is as follows:

Certificate: 3662 in the name of E. O. Lamb
Use: Irrigation, domestic, and stock use
Priority Date: 1878
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre
Duty: Not to exceed 3.9 AF per acre
Acres: 0.70
Source: Chewaucan River, tributary to Lake Abert

Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use (as listed on certificate; see Finding #105 for discussion):

Township	Range	Meridian	Sec	¼ ¼	Acres		
33	S	18	E	W.M.	24	NE SW	0.70

49. Certificate 3662 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
John W. and Paula D. Merwin	22952 Clover Flat Rd., Paisley, OR 97636	33 18 24CD-100	0.40
Ronald Forga	P.O. Box 226, Paisley, OR 97636	33 18 24CD-102	0.30

50. The portion of the twenty-fifth right to be transferred is as follows:

Certificate: 3666 in the name of E. S. McDonald
Use: Irrigation, domestic, and stock use
Priority Date: 1878
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre
Duty: Not to exceed 4.4 AF per acre
Acres: 145.0
Source: Chewaucan River, tributary to Lake Abert
Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Survey Coordinates		
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Acres		
33	S	19	E	W.M.	30	SW NE	7.5
33	S	19	E	W.M.	30	SE NW	7.5
33	S	19	E	W.M.	30	NE SW	40.0
33	S	19	E	W.M.	30	SE SW	25.0
33	S	19	E	W.M.	30	NW SE	40.0
33	S	19	E	W.M.	30	SW SE	25.0

51. Certificate 3666 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
J-Spear Ranch Co.	P.O. Box 257, Klamath Falls, OR 97601	33 19-1600

52. The twenty-sixth right to be transferred is as follows:

Certificate: 3669 in the name of E. S. McDonald and J. B. Elder (Partners)
Use: Irrigation, domestic, and stock use
Priority Date: 1878
Season of Use: April 1 to September 30
Quantity (Rate): 1/25 cfs per acre
Duty: Not to exceed 4.8 AF per acre
Acres: 103.0
Source: Chewaucan River, tributary to Lake Abert

Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Lot	Acres
33	S	18	E	W.M.	25	SW SE		4.0
33	S	18	E	W.M.	25	SE SE		37.0
33	S	18	E	W.M.	36	NE NE		3.0
33	S	19	E	W.M.	30	SW SW	4	40.0
33	S	19	E	W.M.	31	NW NW	1	19.0

53. Certificate 3669 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
J-Spear Ranch Co.	P.O. Box 257, Klamath Falls, OR 97601	33 18-2101
J-Spear Ranch Co.	P.O. Box 257, Klamath Falls, OR 97601	33 18-2000
J-Spear Ranch Co.	P.O. Box 257, Klamath Falls, OR 97601	33 19-1600

54. The twenty-seventh right to be transferred is as follows:

Certificate: 3671 in the name of Alice Miller

Use: Irrigation

Priority Date: 1901

Season of Use: April 1 to September 15

Quantity (Rate): 1/25 cfs per acre

Duty: Not to exceed 3.9 AF per acre

Acres: 0.75

Source: Chewaucan River, tributary to Lake Abert

Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Acres
33	S	18	E	W.M.	24	SW SE	0.75

55. Certificate 3671 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
Jon A. Jones	P.O. Box 64, Paisley, OR 97636	33 18 24D-1800

56. The portion of the twenty-eighth right to be transferred is as follows:

Certificate: 3672 in the name of W. Y. Miller
Use: Irrigation, domestic, and stock use
Priority Date: 1878 under Proof No. 119, April 1, 1894 under Proof No. 120, and 1901 under Proof No. 121
Season of Use: April 1 to September 30 under Proof No. 119
 April 1 to September 15 under Proof Nos. 120 and 121
Quantity (Rate): 1/25 cfs per acre
Duty: Not to exceed 4.8 AF per acre
Acres: 17.50
Source: Chewaucan River, tributary to Lake Abert
Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Acres
33	S	18	E	W.M.	24	SE SW	3.25
33	S	18	E	W.M.	24	SW SE	14.25

57. The transferred portion of Certificate 3672 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
Curtis and Doris Weaver	P.O. Box 124, Paisley, OR 97636	33 18 24CD-1800	0.77
Mary Lou Sanchez	P.O. Box 84, Paisley, OR 97636	33 18 24CD-1900	0.80
Briggs Logging Co.	P. O. Box 582, Lakeview, OR 97630	33 18 24CD-2000	0.65
Briggs Logging Co.	P. O. Box 582, Lakeview, OR 97630	33 18 24CD-2100	0.61
Michael Gibbons	P. O. Box 42048, Eugene, OR 97404	33 18 24CD-2200	0.40
Michael Gibbons	P. O. Box 42048, Eugene, OR 97404	33 18 24CD-2300	0.02
Jon A. Jones	P.O. Box 64, Paisley, OR 97636	33 18 24D-1800	14.25

58. The portion of the twenty-ninth right to be transferred is as follows:

Certificate: 3673 in the name of Flora Moore
Use: Irrigation
Priority Date: 1904
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre
Duty: Not to exceed 3.9 AF per acre
Acres: 0.125
Source: Chewaucan River, tributary to Lake Abert

Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Acres
33	S	18	E	W.M.	24	NE SW	1/8 (0.125)

59. Certificate 3673 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
Centurytel	P.O. Box 40, Burns, OR 97720	33 18 24CA-2600

60. The portion of the thirtieth right to be transferred is as follows:

Certificate: 3675 in the name of Annie Moss
Use: Irrigation, domestic, and stock use
Priority Date: 1878
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre
Duty: Not to exceed 4.8 AF per acre
Acres: 159.3
Source: Chewaucan River, tributary to Lake Abert

Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Lot	Acres
33	S	18	E	W.M.	24	SE NE		2.0
33	S	18	E	W.M.	24	NE SE		38.0
33	S	18	E	W.M.	24	SE SE		39.3
33	S	19	E	W.M.	19	SW SW	4	40.0
33	S	19	E	W.M.	19	SE SW		40.0

61. Certificate 3675 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
Murphy Ranch	P.O. Box 256, Paisley, OR 97636	33 18 24D-100	17.66
Murphy Ranch	P.O. Box 256, Paisley, OR 97636	33 18-1400	40.0
Murphy Ranch	P.O. Box 256, Paisley, OR 97636	33 19-900	80.0
George M. & Susan R. Malone	5809 San Juan Dr., Clinton, MD 20735	33 18 24D-2700	10.27

Owner	Address	Current Tax Lot	Acres
George M. & Susan R. Malone	5809 San Juan Dr., Clinton, MD 20735	33 18 24D-2900	9.70
Anthony & Nita Cordoza	P.O. Box 288, Paisley, OR 97636	33 18 24D-2600	0.50
City of Paisley	City Hall, Paisley, OR 97636	33 18 24D-2800	1.17

62. The thirty-first right to be transferred is as follows:

Certificate: 3679 in the name of the O'Callaghan Bros

Use: Irrigation, domestic, and stock use

Priority Date: 1878

Season of Use: April 1 to September 30

Quantity (Rate): 1/25 cfs per acre

Duty: Not to exceed 4.8 AF per acre

Acres: 68.0

Source: Chewaucan River, tributary to Lake Abert

Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Survey Coordinates		
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Acres		
33	S	18	E	W.M.	25	NE NE	10.0
33	S	18	E	W.M.	25	NW NE	35.0
33	S	18	E	W.M.	25	SW NE	13.0
33	S	18	E	W.M.	25	SE NE	10.0

63. Certificate 3679 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
Murphy Ranch	P.O. Box 256, Paisley, OR 97636	33 18-1800

64. The thirty-second right to be transferred is as follows:

Certificate: 3683 in the name of W. B. Parker

Use: Irrigation, domestic, and stock use

Priority Date: 1878

Season of Use: April 1 to September 15

Quantity (Rate): 1/25 cfs per acre

Duty: Not to exceed 4.8 AF per acre

Acres: 40.0

Source: Chewaucan River, tributary to Lake Abert

Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Lot	Acres
33	S	19	E	W.M.	19	SW NW	2	35.0
33	S	19	E	W.M.	19	SE NW		5.0

65. Certificate 3683 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
Murphy Ranch	P.O. Box 256, Paisley, OR 97636	33 19 700

66. The portion of the thirty-third right to be transferred is as follows:

Certificate: 3685 in the name of R. N. Phelps
Use: Irrigation and stock use
Priority Date: 1883
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre
Duty: Not to exceed 3.9 AF per acre
Acres: 0.20
Source: Chewaucan River, tributary to Lake Abert

Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Acres
33	S	18	E	W.M.	24	NE SW	0.20

67. Certificate 3685 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
Dennis & Mollie O'Leary	P.O. Box 118, Paisley, OR 97636	33 18 24CA-3200

68. The portion of the thirty-fourth right to be transferred is as follows:

Certificate: 3686 in the name of Geo. Pike
Use: Irrigation, domestic, and stock use
Priority Date: September 18, 1893
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre

Duty: Not to exceed 3.9 AF per acre
Acres: 0.63
Source: Chewaucan River, tributary to Lake Abert

Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use (as listed on certificate; see Finding #106 for discussion):

Township		Range		Meridian	Sec	¼ ¼	Acres
33	S	18	E	W.M.	24	NW SW	0.63

69. Certificate 3686 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
David & Deanna Smith	P.O. Box 61, Paisley, OR 97636	33 18 24CA-1101

70. The portion of the thirty-fifth right to be transferred is as follows:

Certificate: 3687 in the name of Harriet L. Random
Use: Irrigation, domestic, and stock use
Priority Date: 1878
Season of Use: April 1 to September 30
Quantity (Rate): 1/25 cfs per acre
Duty: Not to exceed 4.8 AF per acre
Acres: 127.43
Source: Chewaucan River, tributary to Lake Abert

Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Lot	Acres
33	S	18	E	W.M.	25	NE NE		22.01
33	S	18	E	W.M.	25	SE NE		26.05
33	S	19	E	W.M.	30	SW NW	2	39.37
33	S	19	E	W.M.	30	NW SW	3	40.00

71. The transferred portion of Certificate 3687 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
J-Spear Ranch Co.	P.O. Box 257, Klamath Falls, OR 97636	33 19-1600	49.31
Murphy Ranch	P.O. Box 256, Paisley, OR 97636	33 19-1500	30.06

Owner	Address	Current Tax Lot	Acres
Murphy Ranch	P.O. Box 256, Paisley, OR 97636	33 18-1800	47.12
Centurytel	P.O. Box 40, Burns, OR 97720	33 18-1801	0.28
Theresa Vickerman	P.O. Box137, Paisley, OR 97636	33 18 24D-3000	0.66

72. The thirty-sixth right to be transferred is as follows:

Certificate: 3691 in the name of School District No. 11

Use: Irrigation

Priority Date: 1901

Season of Use: April 1 to September 15

Quantity (Rate): 1/25 cfs per acre

Duty: Not to exceed 3.9 AF per acre

Acres: 1.8

Source: Chewaucan River, tributary to Lake Abert

Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use (as listed on certificate; see Finding #107 for discussion):

Township		Range		Meridian	Sec	¼ ¼	Acres
33	S	18	E	W.M.	24	SE SW	1.8

73. Certificate 3691 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
School District No. 11	P.O. Box 97, Paisley, OR 97636	33 18 24D-800

74. The thirty-seventh right to be transferred is as follows:

Certificate: 3695 in the name of Mrs. L. B. Sult

Use: Irrigation, domestic, and stock use

Priority Date: 1878

Season of Use: April 1 to September 15

Quantity (Rate): 1/25 cfs per acre

Duty: Not to exceed 3.9 AF per acre

Acres: 0.7

Source: Chewaucan River, tributary to Lake Abert

Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Acres
33	S	18	E	W.M.	24	NE SW	0.4
33	S	18	E	W.M.	24	SE SW	0.3

75. Certificate 3695 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
Lora B. Carlon	P.O. Box 17, Paisley, OR 97636	33-18-24CA 2000 & 2001	0.40
John and Paula Merwin.	39650 Clover Flat Rd., Paisley, OR 97636	33 18 24CD-100	0.08
Ronald Forga	P.O. Box 226, Paisley, OR 97636	33 18 24CD-101	0.22

76. The thirty-eighth right to be transferred is as follows:

Certificate: 3696 in the name of S. S. Thayer
Use: Irrigation
Priority Date: 1898
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre: 0.024 cfs
Duty: Not to exceed 3.9 AF per acre: 2.31 AF
Acres: 0.59
Source: Chewaucan River, tributary to Lake Abert
Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use (as listed on certificate; see Finding #108):

Township		Range		Meridian	Sec	¼ ¼	Acres
33	S	18	E	W.M.	24	NE SW	0.59

77. Certificate 3696 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
Rosanna J. Bagley	P.O. Box 26, Paisley, OR 97636	33 18 24CA-4500	0.59
Laura M. Davila	2801 NE Sicamore, Bend, OR 97701		
Kathleen A. McAuliffe	P.O. Box 1226, Cottonwood, CA 96022-1226		

78. The thirty-ninth right to be transferred is as follows:

Certificate: 3697 in the name of Rosa Tucker
Use: Irrigation
Priority Date: April 2, 1903
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre

Duty: Not to exceed 3.9 AF per acre
Acres: 1/9 (0.11)
Source: Chewaucan River, tributary to Lake Abert

Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23 NE SE N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Acres
33	S	18	E	W.M.	24 NE SW 1/9 (0.11)

79. Certificate 3697 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
Thomas A. Brattain	4414 Pocahontas Rd., Baker City, OR 97814	33 18 24CA-3000

80. The portion of the fortieth right to be transferred is as follows:

Certificate: 3698 in the name of F. Wiedey
Use: Irrigation, domestic, and stock use
Priority Date: 1878
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre
Duty: Not to exceed 4.6 AF per acre
Acres: 25.0
Source: Chewaucan River, tributary to Lake Abert

Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23 NE SE N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Acres
33	S	19	E	W.M.	19 NW SE 10.0
33	S	19	E	W.M.	19 SW SE 15.0

81. Certificate 3698 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
Murphy Ranch	P.O. Box 256, Paisley, OR 97636	33 19-1000	25.00

82. The portion of the forty-first right to be transferred is as follows:

Certificate: 3699 in the name of the estate of Geo. M. Jones, deceased
Use: Irrigation, domestic, and stock use
Priority Date: 1878
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre
Duty: Not to exceed 4.4 AF per acre
Acres: 384.4
Source: Chewaucan River, tributary to Lake Abert
Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use (as listed on certificate; see Finding #108 for discussion):

Township	Range	Meridian	Sec	¼ ¼	Lot	Acres		
33	S	19	E	W.M.	31	NW NE	36.0	
33	S	19	E	W.M.	31	SW NE	36.0	
33	S	19	E	W.M.	31	SE NE	40.0	
33	S	19	E	W.M.	31	NE SE	40.0	
33	S	19	E	W.M.	31	NW SE	33.0	
33	S	19	E	W.M.	31	SW SE	12.0	
33	S	19	E	W.M.	31	SE SE	40.0	
33	S	19	E	W.M.	32	SW NE	2	6.0
33	S	19	E	W.M.	32	SW NW		40.0
33	S	19	E	W.M.	32	SE NW	3	28.8
33	S	19	E	W.M.	32	NW SW	4	25.1
33	S	19	E	W.M.	32	SW SW	5	7.5
34	S	19	E	W.M.	6	NE NE	1	40.0*

*This 40.0 acres is not listed on Certificate 3699. See Finding #109.

83. Certificate 3699 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
J-Spear Ranch	P.O. Box 257, Klamath Falls, OR 97601	33 19-1800	344.4
J-Spear Ranch	P.O. Box 257, Klamath Falls, OR 97601	34 19-300	40.0

84. The forty-second right to be transferred is as follows:

Certificate: 80631 in the name of Edward Murphy
Use: Irrigation and domestic
Priority Date: 1885
Season of Use: April 1 to September 15

Quantity (Rate): 1/25 cfs per acre

Duty: Not to exceed 3.9 AF per acre

Acres: 80.0

Source: Chewaucan River, tributary to Lake Abert

Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	24	NW SW	N 11° 02' 05" E, 1808.89 feet from the SW corner, Section 24

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Lot	Acres
33	S	19	E	W.M.	19	NE SW		40.0
33	S	19	E	W.M.	19	NW SW	3	40.0

85. Certificate 72346 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
Murphy Ranch	P.O. Box 256, Paisley, OR 97636	33 19-800	19.92
Murphy Ranch	P.O. Box 256, Paisley, OR 97636	33 19-1000	60.08

86. The portion of the forty-third right to be transferred is as follows:

Certificate: 72346 in the name of Northwest Townsite Company

Use: Irrigation and domestic

Priority Date: 1881

Season of Use: April 1 to September 15

Quantity (Rate): 1/25 cfs per acre

Duty: Not to exceed 3.9 AF per acre

Acres: 14.05

Source: Chewaucan River, tributary to Lake Abert

Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23	NW SE	None provided in certificate

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Acres
33	S	18	E	W.M.	23	NE SE	9.85
33	S	18	E	W.M.	24	NW SW	4.20

87. Certificate 72346 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
Robert Rose	P.O. Box 215, Paisley, OR 97636	33 18 23D-100	0.73
Gary & Beverly Scherer	P.O. Box 15, Paisley, OR 97636	33 18 23D-200	0.77
Eugene C. Fellows Trust, Lois E. Steele, Trustee	3009 Ira Temple Dr., No. 311, Temple, TX 76504	33 18 23D-201	0.83
Kelton & Lucille Butler	P.O. Box 121, Paisley, OR 97636	33 18 23D-300	2.16
Kelton & Lucille Butler	P.O. Box 121, Paisley, OR 97636	33 18 23D-301	0.29
Hugh & Arlene Schultz	P.O. Box 77, Paisley, OR 97636	33 18 23D-600	0.26
Vincente J. Ordaz	P.O. Box 44, Paisley, OR 97636	33 18 23D-800	0.70
Robert & Marsha Rutledge	P.O. Box 101, Paisley, OR 97636	33 18 23D-1600	0.24
Robert & Marsha Rutledge	P.O. Box 101, Paisley, OR 97636	33 18 23D-1700	0.97
Paul & Doris Aikins	P.O. Box 42, Paisley, OR 97636	33 18 23D-2000	0.80
Daniel & Noreen Shoun	P.O. Box 9, Paisley, OR 97636	33 18 23D-2200	0.60
Daniel & Noreen Shoun	P.O. Box 9, Paisley, OR 97636	33 18 23D-2301	0.30
Jeremiah & Carol O'Leary	P.O. Box 209, Paisley, OR 97636	33 18 23D-2300	0.30
Timothy & Kathryn Green	P.O. Box 251, Paisley, OR 97636	33 18 23D-2400	0.40
J-Spear Ranch Co.	P.O. Box 257, Klamath Falls, OR 97601	33 18 24C-200	0.52
J-Spear Ranch Co.	P.O. Box 257, Klamath Falls, OR 97601	33 18 24C-400	0.34
J-Spear Ranch Co.	P.O. Box 257, Klamath Falls, OR 97601	33 18 24C-600	0.22
Michael P. Branum	P.O. Box 206, Paisley, OR 97636	33 18 24C-300	0.28
Orville & Ila Branum	P.O. Box 206, Paisley, OR 97636	33 18 24C-301	0.24
Robert & Ronnie Lindsay	P.O. Box 205, Paisley, OR 97636	33 18 24C-401	0.32
Robert & Ronnie Lindsay	P.O. Box 205, Paisley, OR 97636	33 18 24C-403	0.42
Len & Gloria Babb	P.O. Box 29, Paisley, OR 97636	33 18 24C-1400	1.02
Gary & Rosvi Casteel	P.O. Box 74, Paisley, OR 97636	33 18 24C-1402	0.46
Gary & Rosvi Casteel	P.O. Box 74, Paisley, OR 97636	33 18 24C-1500	0.45
George & Norma DeLarm	P.O. Box 43, Paisley, OR 97636	33 18 24C-1600	0.43

88. Application T-9733 proposes to move the authorized point of diversion for all of the above rights approximately 1/2 mile upstream in the Chewaucan River to:

Township	Range	Meridian	Sec	¼ ¼	Survey Coordinates		
33	S	18	E	W.M.	26	NE NW	S 80° 00' W, 821.3 feet from the N 1/4 corner, Section 26

89. Application T-9733 proposes to change a portion of the place of use of certificate 3654 from:

Township		Range		Meridian	Sec	¼ ¼		Acres
33	S	18	E	W.M.	24	SW	SE	0.78

to:

Township		Range		Meridian	Sec	¼ ¼		Acres
33	S	18	E	W.M.	24	NW	SW	0.78

90. The proposed places of use under certificate 3654 are appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
Robert & Lynda Lown	P.O. Box 304, Paisley, OR 97636	33 18 24C-1301	0.78

91. Notice of the application for transfer was published pursuant to ORS 540.520 and OAR 690-380-4000. No comments were filed in response to the notice. However, the Oregon Department of Fish and Wildlife did submit correspondence requesting that a condition requiring installation of proper fish screens be included in the transfer order.
92. Water has been used within the last five years according to the terms and conditions of the rights and no evidence is available that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
93. A diversion structure and ditch sufficient to use the full amount of water allowed under the existing rights are present.
94. The proposed changes would not result in enlargement of the right.
95. The proposed changes would not result in injury to other water rights.
96. Pursuant to OAR 690-380-4010(5), upon receipt of the draft preliminary determination, the agent for the applicant submitted a response in an e-mail message dated August 24, 2005, indicating corrections to information reported in Finding 90 about the lands on which the proposed places of use are appurtenant. The corrections included deleting reference to 0.13 acres in current tax lot 33 18 24CA-2000 owned by Lora B. Carlon, and changing the ownership information for current tax lot 33 18 24C-1301 from Murphy Ranch to Robert and Lynda Lown. Those corrections to the draft have been integrated into this document.

Redescription of Lands

97. Lands irrigated or susceptible to irrigation from the Chewaucan River and tributaries were to have been investigated and mapped by the State Engineer and his assistant beginning December 16, 1912, according to published notice. However, the decree of the Circuit Court of the State of Oregon for Lake County, of record at Salem, in the Order Record of the Water Resources Director dated December 2, 1916 entered at Volume 5, Pages 3-4,

Section III states that the data were gathered and surveys on which the maps were based had been made prior to December 16, 1912. Because there was no investigation of the lands pursuant to the notice or thereafter, the decree concludes that the maps are not to be considered correct in describing placement of the water rights.

98. In several certificates the estimated number of acres and described locations are not consistent with how the Public Land Survey boundaries overlay property lots, particularly within the town of Paisley Oregon. These instances are noted herein, and the locations where the rights have always been exercised are proposed to be redescribed based on investigations made by the Water Resources Department in the years 1980-1989 and 2005, and to be consistent with the Public Land Survey and the survey of the Town of Paisley.
99. Water right claims appurtenant to properties within the town of Paisley submitted by landowners as “proof” forms, listing approximate acreage per section quarter-quarter, were not subsequently investigated to confirm the accuracy of the submitted proofs, or the map previously prepared by the State Engineer. The State Engineer’s map of Paisley lots did not list acreage or ownership of properties, but stated that the map was drafted at a scale of 1 inch = 200 feet.
100. **Certificate 3599:** According to how the Public Land Survey subdivisions overlie the surveyed lots of the town of Paisley, Oregon, Lot 3 in Block L, South Addition and Lot 8 in Second South Addition are partly in the NE ¼ of the SW ¼ and mostly in the SE ¼ of the SW ¼ of Section 24, T33S, R18E, W.M.
- a) Lake County Tax Assessor Map 33-18-24CD shows that Lot 3 in Block L, South Addition, and Lot 8 in Second South Addition to the Town of Paisley comprise the west half of current tax lot 200.
- b) The following table describes the place of use description in existing certificate 3599, and a proposed redescription based on the findings above:

Original Description of Place of Use			Proposed Redescription of Place of Use		
Certificate	¼-¼	Acres	¼-¼	Estimated Acres	Current Tax Lot
3599	Lot 3 in Block L, South Addition, and Lot 8 in Second South Addition to the Town of Paisley	0.75	NE SW (Lot 3 in Block L, South Addition) SE SW (Lot 3 in Block L, South Addition & Lot 8 in Second South Addition) to the Town of Paisley	0.01 0.74	West ½ of 33 18 24CD-200
Total: 0.75 acre			Total: 0.75 acre		
Township 33 South, Range 18 East, Section 24					

101. **Certificate 3605** describes the authorized place of use as 1.4 acres in the NE ¼ SW ¼ of Section 24, Township 33 South, Range 18 East of Willamette Meridian, Lake County, Oregon, being Lots 1, 2, 9, and 10, South Addition to the Town of Paisley, Oregon.

- a) The transfer application depicts the place of use under Certificate 3605 as being 0.7 acres in tax lot 300 and 0.7 acres in tax lot 400, tax map 33 18 24CD. As shown on the current tax assessor's map 33 18 24 CD, these tax lots correspond to Lots 1, 2, 9, and 10, South Addition of the Town of Paisley, Oregon.
- b) Based on how the Public Land Survey subdivisions overlie the surveyed lots of the town of Paisley, Oregon, Lots 1, 2, 9, and 10 of the South Addition of Paisley, Oregon are located entirely within the SE ¼ SW ¼ of Section 24, Township 33 South, Range 18 East. This location is also consistent with the original adjudication map prepared by the State Engineer, leading the Department to conclude that the land to which the right has always been appurtenant should be redescribed as 1.4 acres in the SE ¼ SW ¼ of Section 24, Township 33 South, Range 18 East of Willamette Meridian, Lake County, Oregon, being Lots 1, 2, 9, and 10, South Addition to the Town of Paisley, Oregon.
- c) The following table describes the place of use description in existing certificate 3605, and a proposed redescription based on the findings above:

Original Description of Place of Use			Proposed Redescription of Place of Use		
Certificate	¼-¼	Acres	¼-¼	Estimated Acres	Current Tax Lot
3605	NE SW, being Lots 1, 2, 9, & 10, South Addition to the Town of Paisley	1.40	SE SW, being Lots 1, 2, 9, & 10, South Addition to the Town of Paisley	1.40	33 18 24CD-300 and 400
Township 33 South, Range 18 East, Section 24					

102. **Certificate 3625** was issued based on proof Volume 1—Number 45 claiming 0.6 acre.

- a) The Department concluded, based on research of the deed records during 1983-1985, that this water right correlated with the eastern part of Tax Lot 200 in Block L of Paisley, Oregon, containing Lot 4 of the South Addition, and Lot 7 of the Second South Addition.
- b) Certificate 3625 describes the authorized place of use as 0.6 acre in the NE ¼ SW ¼ of Section 24, Township 33 South, Range 18 East of Willamette Meridian, Lake County, Oregon.
- c) Based on how the Public Land Survey subdivisions overlie the surveyed lots of the town of Paisley, Oregon, Lot 4 of the South Addition of the Town of Paisley, Oregon is located partly within the NE¼ SW¼ and SE ¼ SW ¼ of Section 24, Township 33 South, Range 18 East. Lot 7 of the Second South Addition is in the SE ¼ SW ¼. This is also consistent with the original adjudication map prepared by the State Engineer, leading the Department to conclude that the land to which the right has always been appurtenant should be redescribed in the NE¼ SW¼ and SE ¼ SW ¼ of Section 24, Township 33 South, Range 18 East of Willamette Meridian, Lake County, Oregon.

- d) The following table describes the difference between the place of use description in certificate 3625 and a proposed redescription of the place of use based on the findings above:

Original Description of Place of Use			Proposed Redescription of Place of Use		
Certificate	¼-¼	Acres	¼-¼	Estimated Acres	Current Tax Lot
3625	NE SW	0.60	NE SW (Paisley Lot 4)	0.01	33 18 24CD-east half of 200
			SE SW (Paisley Lot 4)	0.41	
			SE SW (Paisley Lot 7)	0.18	
Total		0.60 ac	Total	0.60 ac	
Township 33 South, Range 18 East, Section 24					

103. **Certificate 3647** was issued based on proof Volume 2—Number 80, claiming 0.20 acre in the SE ¼ of the SW ¼ of Section 24.

- a) Lake County deed record Vol. 24, page 531, filed February 3, 1911 acknowledged the January 9, 1911 transfer from R.L. Benefiel to S.S. Banister of a land parcel which includes the two unnumbered lots at the east end of Block L shown in the map of the Town of Paisley. The transaction was witnessed by J.E. Hanan and H. T. Stanley. John Hanan's name does not appear in the ownership records, however he was a relative of the Banisters and very possibly was living at this location at the time of the water right adjudication.
- b) The Department concluded that the Certificate 3647 water right lies within the northeast unnumbered lot in Block L, being a portion of Tax Lot 33-18-24CD-100.
- c) Based how the Public Land Survey subdivisions overlie the surveyed lots of the town of Paisley, Oregon, the east part of current Tax Lot 100 appears to include approximately 0.06 ac in the NE ¼ SW ¼, with the remainder in the SE ¼ SW ¼ of Section 24.
- d) The following table describes the difference between the place of use description in certificate 3647, and a proposed redescription of the place of use based on the Department's conclusion in the 1980s:

Original Description of Place of Use			Proposed Redescription of Place of Use		
Certificate	¼-¼	Acres	¼-¼	Estimated Acres	Current Tax Lot
3647	SE SW	0.20	NE SW	0.06	East part of 33 18 24CD-100
			SE SW	0.14	
Total		0.20	Total	0.20	
Township 33 South, Range 18 East, Section 24					

104. **Certificate 3653:** The location of the 3.0 acres under Proof No. 88 needs to be clarified.

- a) The Chewaucan River Decree, Vol. 1, page 289, as well as Certificate 3653, list the location as "Lots 1, 2, 3, and 4, Miller's Addition to the Town of Paisley, Oregon". However, Proof 88 has the following description pasted over the section for description

of the place of use: "The land owned by claimant of which this statement and proof submitted herein covers a part, is described as follows. Commencing at a point 30 feet North and 30 feet East of the South-west corner of the South-east quarter of Sec. 24, Tp. 33 S. R. 18 E. WM. thence running North 509 feet; thence running Easterly 502 feet, thence running Southerly 522 feet, thence running Westerly 497 feet to the place of beginning. The 3 acres irrigated from the Brattain ditch is in irregular shape lying in the South and West part of said tract. The balance of the tract is irrigated from the Miller Ditch."

- b) The location of 2.6 acres under Proof 89 is described in the proof form as being another part of the same property described by metes and bounds in Finding 57 above, further delineated as follows: "The 2.6 acres irrigated from Miller Ditch is in irregular shape taking in the North and East lines particularly, and cutting the West line of the land. The balance of said tract is irrigated from the "Brattain Ditch" owned by The Bagley Irrigation Company, as shown by Statement and Proof of Claimant herein filed [Proof 88]. The whole of said 5.6 acres is irrigated.
- c) Based on the location statements in Proofs 88 and 89, the place of use should be redescribed as follows when new certificates are issued:

Original Description of Place of Use			Proposed Redescription of Place of Use		
Certificate 3653	Legal Description	Acres	¼-¼	Estimated Acres	Current Tax Lot
Proof 88 (Priority 1889)	Lots 1, 2, 3 and 4, Miller's Addition to the Town of Paisley, Oregon	3.00	SW SE	0.13 (not participating in transfer— remaining right certificate to be issued)	33 18 24D-1900
				2.87 to be affected by transfer	33 18 24D-2001
Proof 89 (Priority April 1, 1894)	SW SE	2.60	SW SE	2.60 to be affected by transfer	West 0.27 ac of 33 18 24D-2002 and remaining part of 33 18 24D-2001
Total 5.60			Total 5.60		
Township 33 South, Range 18 East, Section 24					

105. **Certificate 3662** was issued based on proof Volume 2—Number 103 claiming 0.7 acre in the NE ¼ of the SW ¼ of Section 24.

- a) Deed record Vol. 44, page 255 lists sale of Lot 5 in the South Addition of Paisley to E.O. Lamb on May 23, 1912, but indicates a correction in the description in Vol. 47, p. 589, recorded September 1, 1914. The corrected description of the property takes in the majority of Lot 5 and Lot 6 in Block "L" of Paisley.
- b) Based how the Public Land Survey subdivisions overlie the surveyed lots of the town of Paisley, Oregon, this property is located partly within the NE¼ SW¼ and partly within

the SE ¼ SW ¼ of Section 24, Township 33 South, Range 18 East. This location is also consistent with the original adjudication map prepared by the State Engineer, leading the Department to conclude that the land to which the right has always been appurtenant should be redescribed as within the NE¼ SW¼ and SE ¼ SW 1/4 of Section 24, Township 33 South, Range 18 East of Willamette Meridian, Lake County, Oregon. It is estimated that approximately 0.06 acre is in the NE ¼ SW ¼ and 0.64 acre is in the SE ¼ SW¼.

- c) Lake County Tax Assessor Map 33-18-24CD shows the western part of tax lots 100 and 102 roughly coinciding with this area.
- d) The following table describes the difference between the place of use description in certificate 3662 and a proposed redescription of the place of use based on the above findings:

Original Description of Place of Use			Proposed Redescription of Place of Use		
Certificate	¼-¼	Acres	¼-¼	Estimated Acres	Current Tax Lot
3662	NE SW	0.70	NE SW	0.06	West part of 33 18 24CD-100
			SE SW	0.32	West part of 33 18 24CD-100
				0.32	West part of 33 18 24CD-102 (majority of Town Lots 5 & 6)
Total		0.70	Total	0.70	
Township 33 South, Range 18 East, Section 24					

106. **Certificate 3686:** Based on the dimensions given in Proof 143 and how the Public Land Survey subdivisions overlie the surveyed lots of the town of Paisley, Oregon, the place of use under Certificate 3686 appears to include some land in the SW SW of Section 24 T33S, R18E as well as land in the NW SW and NE SW.

Certificate 3686 is proposed to be re-described as follows:

Original Description of Place of Use			Proposed Redescription of Place of Use		
Certificate 3686	Legal Description	Acres	¼-¼	Estimated Acres	Current Tax Lot
Proof 143 (Priority September 18, 1893)	NE SW	0.50	NE SW	0.66 (not included in transfer)	33 18 24CA-4600 (0.29 ac) 33 18 24CA-4601 (0.18 ac) 33 18 24C-1102 (0.19 ac)
	NW SW	1.00	NW SW	0.54 transferred	33 18 24C-1101 (0.54 ac)
			SW SW	0.09 transferred	33 18 24C-1101 (0.09 ac)
			SE SW	0.21 (not included in transfer)	33 18 24C-1102 (0.09 ac) 33 18 24CA-4600 (0.12 ac)
Total		1.50 ac	Total	1.50 ac	
Township 33 South, Range 18 East, Section 24					

107. **Certificate 3691:** The clear location of the lands shown in the map submitted with Proof 151 matches current tax lot 33 14 24D-800 owned by School District #11 and appears to be the location to which the water right under Certificate 3691 has always been appurtenant. Based on how the Public Land Survey subdivisions overlie the surveyed lots of the town of Paisley, Oregon, this property is located within the NW¼ SE¼. The water right should be redescribed as 1.8 acres in the NW¼ SE¼, Section 24, Township 33 South, Range 18 East, W.M.
108. **Certificate 3696:** Certificate 3696 allows 1.0 acre of irrigation, however, Proof 157 for the right claims that the lot in Paisley to which the right is appurtenant is 168½' x 153'. These dimensions exactly match the meets and bounds description of the relevant property (Tax Lot 33 18 24CA-4500), which equals 0.59 acre. The right has always been limited to 0.59 acre, and should be redescribed accordingly. Current landowners Kathleen A. McAuliffe, Laura M. Davila and Rosanna J. Bagley have submitted affidavits consenting to redescription of the water right as 0.59 acre.
109. **Certificate 3699:** 40 acres of water right in the NE¼ NE¼ of Section 6, Township 34 South, Range 19 East, W.M. was claimed on the Proof 98 map for this right, though it was not listed on the tabulation in the proof, decree or Certificate 3699. This is a scrivener's error, because the total number of acres claimed includes 40 more acres than are listed. The confirming certificate for the right will correct the listing by including the 40 acres shown on the map in the NE¼ NE¼ of Section 6.

Partial Cancellation of Water Rights

110. ORS 540.621 provides that when the owner of a perfected and developed water right desires cancellation of the portion of the water right that has been abandoned, the Department may issue an order canceling the abandoned portion of the water right. Effective upon the date of the order, the water which was the subject of use under the water right shall revert to the public and become again subject to appropriation by other users.
111. The applicants have submitted affidavits authorizing cancellation of the portions of the rights listed below:

Certificate	Priority	Twp	Rng	Mer	Sec	¼-¼	Tax Lot	Acres	Owner
3672	1878	33S	18E	WM	24	SE SW	33 18 24CD-1100	0.45	City of Paisley
3675	1878	33S	18E	WM	24	SE SE	33 18 24D-2400	0.20	Michael Nevill & Julie E. Naslund
3685	1883	33S	18E	WM	24	NE SW	33 18 24CA-500, 600, 700, 800 & 801	0.63	Dennis O'Leary & Mollie A. O'Leary

Certificate	Priority	Twp	Rng	Mer	Sec	¼-¼	Tax Lot	Acres	Owner
3687	1878	33S	18E	WM	25	NE NE	33 18-1700	7.99	United States--USFS
						SE NE	33 18-1700	3.95	United State--USFS
3687	1878	33S	19E	WM	30	SW NW	33 19-1501	0.41	JL Lands, Inc.
72346	1881	33S	13E	WM	23	NE SE	33 18 23D-900 &	0.36	George E. Carlon Family Trust
							33 18 23D-1000	0.44	

Determination and Proposed Action

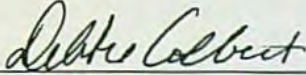
The proposed changes in point of diversion and place of use in application T-9733 appear to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000 and will be approved provided that protests are not filed pursuant to OAR 690-380-4030.

If approved, the change and subsequent use of water shall be subject to the following conditions:

1. The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in the certificates described above and any related decrees.
2. The proposed change shall be completed on or before October 1, 2006.
3. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department by October 1, 2007.
4. The quantity of water diverted at the new point of diversion shall not exceed the quantity of water lawfully available at the original point of diversion.
5. The former place of use of the transferred water under certificate 3654 shall no longer be irrigated as part of that water right.
6. Prior to diverting water, 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.
7. The water user shall install and maintain a fish screen or fish by-pass device, as appropriate, at the new point of diversion. 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 Department of Fish and Wildlife's cost-sharing program for installation of screening and by-pass devices in accordance with ORS 540.525.

8. So as to clarify the record, upon perfection of the change in point of diversion, the certificates issued for the rights originally perfected under Certificates 3599, 3605, 3625, 3647, 3653, 3662, 3686, 3691, 3696 and 3699 confirming the change shall redescribe the places of use as proposed in Findings 100-108.

Dated at Salem, Oregon this 21ST day of September, 2005.



Ed Phillip C. Ward
Director

Protests should be addressed to the attention of Field Services Division, Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1271

This Preliminary Determination was prepared by Dorothy I. Pedersen. If you have any questions about the information in this document, you may reach me at (503) 986-0890 or Dorothy.I.PEDERSEN@ wrd.state.or.us.

**Notice of Preliminary Determination for
Water Right Transfer T-9733**

T-9733 filed by the Bagley Ditch Corporation, proposes a change in point of diversion under all or portions of Certificates 2818, 2870, 3233, 3599, 3604, 3605, 3622, 3625, 3629, 3630, 3631, 3635, 3636, 3638, 3639, 3641, 3642, 3647, 3653, 3654, 3655, 3656, 3659, 3662, 3666, 3669, 3671, 3672, 3673, 3675, 3679, 3683, 3685, 3686, 3687, 3691, 3695, 3696, 3697, 3698, 3699, 72346, and 80631. The rights involved in the transfer allow for uses at rates varying by certificate (priority dates 1878, 1880, 1881, 1883, 1885, 1886, 1888, 1893, 1894, 1897, 1898, 1900, 1901, 1903, 1904, 1906, 12/31/1908 and 1917) from a diversion in Sec. 23, T33S, R18E, W.M. (Chewaucan River Basin) for uses including irrigation, domestic, and/or stock watering in the S $\frac{1}{2}$ Section 23, S $\frac{1}{2}$ Section 24, Sections 25 and 36, T33S, R18E, W.M.; Sections 19, 30, 31, and 32, T33S, R19E, W.M.; and Sections 6, 7, 8, and 9, T34S, R19E, W.M.

The applicant proposes to change the point of diversion to another location approximately 1/2 mile upstream (Sec. 26, T33S, R18E, W.M.). T-9733 also proposes to change a portion of the place of use under Certificate 3654 from the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 24, to the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 24, T33S, R18E, W.M.

The Water Resources Department has concluded that the proposed transfer appears to be consistent with the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, with the Department a protest or standing statement within 30 days after the date of final publication of notice in the Department's weekly notice or of this newspaper notice, whichever is later. A protest form and additional information on filing protests may be obtained by calling (503) 986-0881. The last date of newspaper publication is [DATE OF LAST PUBLICATION]. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

To: phgge@bctonline.com
From: Dorothy Pedersen <Dorothy.I.PEDERSEN@wr.d.state.or.us>
Subject: Fwd: T-9733 - Bagley Ditch Corp
Cc:
Bcc:
Attached:

Hi Greg,

I agree with Dennis on the changes to the T-9733 DPD. Please make the changes to Finding 89 before generating the PD and Final Order. However, I believe that Mrs. Lown's first name should be spelled "Lynda", as per Exhibit 1 of the portion of the transfer application pertaining to Certificate 3654.

Go ahead and work on preparing the final deliverables and plan on submitting them within the next few weeks, whenever you are finished. If you anticipate needing more than a couple of weeks to finish up the certificates, just send the PD, cover letter and notice first, and then follow up with the FO and certificates later.

Thanks,
Dorothy

X-Mailer: Calypso Lite Version 3.10.03.02 (4)
Date: Wed, 24 Aug 2005 10:12:00 -0700
From: "Dennis and Julie Glender" <djglender@gooselake.com>
To: Dorothy.I.PEDERSEN@wr.d.state.or.us
Subject: T-9733 - Bagley Ditch Corp
X-MIME-Autoconverted: from quoted-printable to 8bit by kettle.wr.d.state.or.us id j7OGRui31265
X-Spam-Checker-Version: SpamAssassin 2.63 (2004-01-11) on
kettle.wr.d.state.or.us
X-Spam-Status: No, hits=-4.9 required=5.0 tests=BAYES_00 autolearn=ham
version=2.63
X-Spam-Level:

Goodmorning Dorothy,

I should have the revised map for Certificate 3654.

I'm looking at items 89 and 90 on the Draft preliminary determination.

Item 89 is correct.

Item 90 is not.

The 0.13 acres going to Lara B. Carlon is not. It will remain with the original lands described in Certificate 3654.

Also, the new owners of the 0.78 acre are Robert and Linda Lown, PO Box 304, Paisley, Oregon 97636. Not the Murphy Ranch.

The rest of the document appears to be accurate.

Thank you, call or write if you have any questions,

Dennis

Dorothy Pedersen
Transfer Specialist
Oregon Water Resources Department
(503) 986-0890
FAX (503) 986-0904
Dorothy.I.PEDERSEN@wrd.state.or.us



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

August 19, 2005

Bagley Ditch Corporation
39650 Clover Flat Road
Paisley, Oregon 97636

SUBJECT: Application T-9733

Enclosed find a draft of our Preliminary Determination regarding transfer application T-9733. The draft Preliminary Determination reflects the Department's conclusion that, based on the information currently available, the transfer will be approved.

This draft is intended to provide you with an opportunity to comment on our findings and conclusions should you wish to do so. Please review the draft carefully to evaluate whether the document is consistent with your intent in seeking the transfer and whether you agree with the proposed action.

Because the new point of diversion is more than $\frac{1}{4}$ mile from the authorized point of diversion, the applicant is responsible for publishing notice of the transfer in a local newspaper having a general circulation in the area of the water right. The notice must be published at least once a week for three consecutive weeks. We will provide a copy of the required notice to you on issuance of the Preliminary Determination.

The transfer has been amended since the map for the place of use change was submitted. In order to properly document the changes to the water right, please submit a revised map, with CWRE stamp and original signature for the place of use change. The map need not be on mylar, but should be to proper scale.

Issuance of the Preliminary Determination will occur shortly after we receive both your response and the revised map describing the place of use change. You may provide your response in writing or via e-mail.

Please do not hesitate to contact me at 503-986-0890 or Dorothy.I.PEDERSEN@ wrd.state.or.us if you have questions.

Sincerely,

Dorothy I. Pedersen
Field Services Division

cc: Dave Poe, District 12 Watermaster
Dennis Glender, agent for the applicant

enc

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application)
T-9733, Lake County)

D R A F T

PRELIMINARY DETERMINATION
PROPOSING APPROVAL OF A
CHANGE IN POINT OF DIVERSION,
PLACE OF USE, REDESCRIPTIONS
OF PLACE OF USE AND PARTIAL
CANCELLATION OF WATER RIGHTS

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

Bagley Ditch Corporation
39650 Clover Flat Road
Paisley, Oregon 97636

Findings of Fact

1. The Bagley Ditch Corporation, for several property owners (listed below with each water right description), filed an application to transfer the point of diversion, under multiple Certificates. The Department assigned the application number T-9733. On August 15, 2005 Dennis Glender, agent for the applicants, amended the application, to move only 0.78 acre of the right under Certificate 3654 to a new place of use.

2. The first right to be transferred is as follows:

Certificate: 2818 in the name of Chewacan Land and Cattle Company

Use: Irrigation, watering livestock, and domestic

Priority Date: 1885 for irrigation and 1878 for domestic and stock use

Season of Use: January 1 to July 15 for irrigation

September 15 to March 6, further limited as follows:

September 15 to October 15, described as Season 1

October 15 to March 6, described as Season 2

Quantity (Rate): Irrigation (limited to 1/25 cfs per acre)

Duty: Irrigation: Not to exceed 3.9 acre-feet (AF) per acre per year
Stock watering and domestic: Not to exceed 8 cfs in the aggregate during
Season 1, and not to exceed 4 cfs in the aggregate in Season 2.

Acres: 143.1

Source: Chewacan River, tributary to Lake Abert

Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23 NE SE N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Lot	Acres
33	S	19	E	W.M.	32	NE SW 7 13.0
33	S	19	E	W.M.	32	NW SW 4 7.0
33	S	19	E	W.M.	32	SW SW 6 25.0
33	S	19	E	W.M.	32	SE SW 24.9
33	S	19	E	W.M.	32	NE SE 14.5
33	S	19	E	W.M.	32	NW SE 14.0
33	S	19	E	W.M.	32	SW SE 20.6
33	S	19	E	W.M.	32	SE SE 14.6
33	S	19	E	W.M.	33	NW SW 8.5
33	S	19	E	W.M.	33	SW SW 1.0

3. Certificate 2818 is appurtenant to lands owned as outlined in the following table:

Owner	Address	Current Tax Lot
JR Simplot Company	P.O. Box 27, Boise, ID 83707	33 19-500

4. The second right to be transferred is as follows:

Certificate: 2870 in the name of Chester L. Withers
Use: Irrigation
Priority Date: June 22, 1917
Season of Use: None stated in certificate
Quantity (Rate): 0.05 cfs
Duty: None stated in certificate
Acres: 4.0
Source: Chewaucan River, tributary to Lake Abert

Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23 NE SE N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Acres
33	S	18	E	W.M.	23 SW SE 4.0

5. Certificate 2870 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
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Hugh and Arlene Schultz	P.O. Box 77, Paisley, OR 97636	33 18 23D-1402
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6. The third right to be transferred is as follows:

Certificate: 3233 in the name of L. P. Klippel and C. F. Snider

Use: Irrigation

Priority Date: July 11, 1917

Season of Use: None stated in certificate

Quantity (Rate): 0.125 cfs

Duty: None stated in certificate

Acres: 10.0

Source: Chewaucan River, tributary to Lake Abert

Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Survey Coordinates		
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Acres		
33	S	18	E	W.M.	23	SE SE	6.0
33	S	18	E	W.M.	24	SW SW	4.0

7. Certificate 3233 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
Len and Gloria Babb	P.O. Box 29, Paisley, OR 97636	33 18 23D-2500
Len and Gloria Babb	P.O. Box 29, Paisley, OR 97636	33 18 24C-1800

8. The fourth right to be transferred is as follows:

Certificate: 3599 in the name of Mrs. Susie L. Benefiel

Use: Irrigation

Priority Date: 1901

Season of Use: April 1 to September 15

Quantity (Rate): 1/25 cfs per acre

Duty: Not to exceed 3.9 AF per acre

Acres: 0.75

Source: Chewaucan River, tributary to Lake Abert

Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Survey Coordinates		
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use (as listed on certificate; see Finding #99 for discussion):

Township		Range		Meridian	Sec	¼ ¼	Acres
33	S	18	E	W.M.	24	Lot 3 in Block L, South Addition, and Lot 8 in Second South Addition to the Town of Paisley	0.75

9. Certificate 3599 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
Edward and Dorothy Murphy	P.O. Box 137, Paisley, OR 97636	33 18 24CD-0200

10. The fifth right to be transferred is as follows:

Certificate: 3604 in the name of H. A. Brattain, P. J. Brattain and Mrs. C. N. Brattain-Small

Use: Irrigation, domestic, and stock use

Priority Date: 1878, as per Decree Vol. 5, p. 52

Season of Use: January 1 to September 30

Quantity (Rate): 1/25 cfs per acre

Duty: Not to exceed 4.8 AF per acre

Acres: 676.0

Source: Chewaucan River, tributary to Lake Abert

Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Lot	Acres
34	S	19	E	W.M.	5	SW NW 2 20.0
34	S	19	E	W.M.	5	NW SW 3 20.0
34	S	19	E	W.M.	5	SW SW 4, 5 20.0
34	S	19	E	W.M.	6	SW NE 18.0
34	S	19	E	W.M.	6	SE NE 40.0
34	S	19	E	W.M.	6	NE SE 39.0
34	S	19	E	W.M.	6	NW SE 3.0
34	S	19	E	W.M.	6	SE SE 33.0
34	S	19	E	W.M.	7	NE NE 30.0
34	S	19	E	W.M.	7	SE NE 17.0
34	S	19	E	W.M.	8	NW NW 1, 10 22.0
34	S	19	E	W.M.	8	SW NW 2 32.0
34	S	19	E	W.M.	8	NE SW 3 23.0
34	S	19	E	W.M.	8	NW SW 25.0

Township	Range	Meridian	Sec	¼ ¼	Lot	Acres		
34	S	19	E	W.M.	8	SE SW	11.0	
34	S	19	E	W.M.	8	NW SE	4	6.0
34	S	19	E	W.M.	8	SW SE	4	38.0
34	S	19	E	W.M.	8	SE SE	5	20.0
34	S	19	E	W.M.	9	SW SW	1	1.0
34	S	19	E	W.M.	16	NW NE	3, 6	40.0
34	S	19	E	W.M.	16	SW NE	3	40.0
34	S	19	E	W.M.	16	NE NW	2, 7	40.0
34	S	19	E	W.M.	16	NW NW	1	40.0
34	S	19	E	W.M.	16	SW NW		16.0
34	S	19	E	W.M.	16	SE NW		31.0
34	S	19	E	W.M.	17	NE NE		37.0
34	S	19	E	W.M.	17	NW NE		12.0
34	S	19	E	W.M.	17	SE NE		2.0

11. Certificate 3604 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
J-Spear Ranch Company	P.O. Box 257, Klamath Falls, OR 97601	34 19-0400

12. The sixth right to be transferred is as follows:

Certificate: 3605 in the name of H. A. Brattain, P. J. Brattain and Mrs. C. N. Brattain-Small

Use: Irrigation, domestic, and stock use

Priority Date: 1881

Season of Use: April 1 to September 15

Quantity (Rate): 1/25 cfs per acre

Duty: Not to exceed 3.9 AF per acre

Acres: 1.4

Source: Chewaucan River, tributary to Lake Abert

Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Survey Coordinates		
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use (as listed on certificate; see Finding #100 for discussion):

Township	Range	Meridian	Sec	¼ ¼	Acres		
33	S	18	E	W.M.	24	NE SW	1.4

13. Certificate 3605 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
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Edward and Dorothy Murphy	P.O. Box 137, Paisley, OR 97636	33 18 24CD-400	0.7
Norman and Terry Hiatt	P.O. Box 319, Paisley, OR 97636	33 18 24CD-300	0.7

14. The seventh right to be transferred is as follows:

Certificate: 3622 in the name of Virgil Conn
Use: Irrigation
Priority Date: 1900
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre
Duty: Not to exceed 3.9 AF per acre
Acres: 0.75
Source: Chewaucan River, tributary to Lake Abert
Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Acres
33	S	18	E	W.M.	24	NE SW	0.75

15. Certificate 3622 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
Dale and Barbara Roberts	P.O. Box 84, Paisley, OR 97636	33 18 24CA-6600

16. The eighth right to be transferred is as follows:

Certificate: 3625 in the name of M. C. Carrier
Use: Irrigation, domestic, and stock use
Priority Date: 1878
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre
Duty: Not to exceed 3.9 AF per acre
Acres: 0.60
Source: Chewaucan River, tributary to Lake Abert
Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use (as listed on certificate; see Finding #101 for discussion):

Township		Range		Meridian	Sec	¼ ¼	Acres
33	S	18	E	W.M.	24	NE SW	0.60

17. Certificate 3625 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
Edward and Dorothy Murphy	P.O. Box 137, Paisley, OR 97636	33 18 24CD-200

18. The portion of the ninth right to be transferred is as follows:

Certificate: 3629 in the name of Chesterfield B. Parker and Leland S. Parker
Use: Irrigation, domestic, and stock use
Priority Date: 1878 (Proof 54)
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre
Duty: 4.8 AF per acre for the following lands: NE $\frac{1}{4}$ NW $\frac{1}{4}$, and NW $\frac{1}{4}$ NW $\frac{1}{4}$; T33S, R18E, Section 30
 4.4 AF per acre for the following lands: NW $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ NE $\frac{1}{4}$, and SE $\frac{1}{4}$ NW $\frac{1}{4}$; T33S, R18E, Section 30
Acres: 183.68
Source: Chewaucan River, tributary to Lake Abert
Authorized Point of Diversion:

Township	Range	Meridian	Sec	$\frac{1}{4}$ $\frac{1}{4}$	Survey Coordinates		
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S $\frac{1}{4}$ corner, Section 23

Authorized Place of Use:

Township	Range	Meridian	Sec	$\frac{1}{4}$ $\frac{1}{4}$	Lot	Acres		
33	S	19	E	W.M.	30	NW NE	40.0	
33	S	19	E	W.M.	30	SW NE	32.5	
33	S	19	E	W.M.	30	NE NW	39.25	
33	S	19	E	W.M.	30	NW NW	1	39.73
33	S	19	E	W.M.	30	SE NW	32.19	

19. Certificate 3629 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
JL Lands, Inc.	P.O. Box 66, Paisley, OR 97636	33 19-1401	159.07
Jeremiah and Carolyn O'Leary	P.O. Box 66, Paisley, OR 97636	33 19-1400	20.60
Michael J. & Mary F. O'Leary	P.O. Box 209, Paisley, OR 97636	33 19-1403	4.00

20. The portion of the tenth right to be transferred is as follows:

Certificate: 3630 in the name of John Drumm, Sr.
Use: Irrigation
Priority Date: 1906
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre

Duty: Not to exceed 3.9 AF per acre
Acres: 1.02
Source: Chewaucan River, tributary to Lake Abert
Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Acres
33	S	18	E	W.M.	24	NW SE	1.02

21. Certificate 3630 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
Dale and Karilyn Story	P.O. Box 87, Paisley, OR 97636	33 18 24D-500

22. The portion of the eleventh right to be transferred is as follows:

Certificate: 3631 in the name of Mrs. Ola Drumm
Use: Irrigation
Priority Date: 1900
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre
Duty: Not to exceed 3.9 AF per acre
Acres: 1.0
Source: Chewaucan River, tributary to Lake Abert
Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Acres
33	S	18	E	W.M.	24	NE SW	1.0

23. Certificate 3631 is appurtenant to lands owned as outlined in the following table:

Owner	Address	Current Tax Lot	Acres
Joseph P. Mitchell	P.O. Box 286, Paisley, OR 97636	33 18 24CA-1400	0.40
Larry Gerking	P.O. Box 88, Paisley, OR 97636	33 18 24CA-1500 & 1501	0.60

24. The twelfth right to be transferred is as follows:

Certificate: 3635 in the name of F. W. Farrow
Use: Irrigation

Priority Date: April 1894

Season of Use: April 1 to September 15

Quantity (Rate): 1/25 cfs per acre

Duty: Not to exceed 3.9 AF per acre

Acres: 2.50

Source: Chewaucan River, tributary to Lake Abert

Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Acres
33	S	18	E	W.M.	24	SW SE	2.50

25. Certificate 3635 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
Victor and June Cormie	P.O. Box 250, Paisley, OR 97636	33 18 24D-2100 & 2200

26. The thirteenth right to be transferred is as follows:

Certificate: 3636 in the name of Mary L. Farrow

Use: Irrigation

Priority Date: 1894

Season of Use: April 1 to September 15

Quantity (Rate): 1/25 cfs per acre

Duty: Not to exceed 3.9 AF per acre

Acres: 2.50

Source: Chewaucan River, tributary to Lake Abert

Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Acres
33	S	18	E	W.M.	24	SW SE	2.50

27. Certificate 3636 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
Michael Nevill & Julie Naslund	P.O. Box 289, Paisley, OR 97636	33 18 24D-2300

28. The portion of the fourteenth right to be transferred is as follows:

Certificate: 3638 in the name of Estate of Martha J. Farrow, deceased
Use: Irrigation, domestic, and stock use under Proof No. 71, and irrigation under Proof No. 70

Priority Date: 1885 under Proof No. 70, and 1901 under Proof No. 71

Season of Use: April 1 to September 15

Quantity (Rate): 1/25 cfs per acre

Duty: Not to exceed 3.9 AF per acre

Acres: 22.27

Source: Chewaucan River, tributary to Lake Abert

Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Survey Coordinates		
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Proof No.	Priority	Acres		
33	S	18	E	W.M.	24	NE SW	70	1885	0.05
33	S	18	E	W.M.	24	NW SE	70	1885	0.50
							71	1901	12.75
33	S	18	E	W.M.	24	SW SE	71	1901	8.97

29. Certificate 3638 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
Dwayne & Collett Broadfoot	P.O. Box 132, Paisley, OR 97636	33 18 24D-600	0.55
School District 11	P.O. Box 97, Paisley, OR 97636	33 18 24D-800	8.22
Gene & CG Vickerman	P.O. Box 35, Paisley, OR 97636	33 18 24D-900	0.72
Thomas & Barbara Hinkle	P.O. Box 131, Paisley, OR 97636	33 18 24D-1000	3.73
Edward & Dorothy Murphy	P.O. Box 137, Paisley, OR 97636	33 18 24D-1100	0.08
U.S. Forest Service	Hwy 31, Paisley, OR 97636	33 18 24D-1200	7.85
John & Paula Merwin	22952 Clover Flat Road, Paisley, OR 97636	33 18 24D-1300	0.35
Alan E. & Laura L. Parks	59234 Ft Rock Rd., Silver Lake, OR 97638	33 18 24D-1600 & 1700	0.77

30. The portion of the fifteenth right to be transferred is as follows:

Certificate: 3639 in the name of J. D. Farra

Use: Irrigation

Priority Date: 1900

Season of Use: April 1 to September 15

Quantity (Rate): 1/25 cfs per acre

Duty: Not to exceed 3.9 AF per acre

Acres: 0.91

Source: Chewaucan River, tributary to Lake Abert

Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Survey Coordinates		
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Acres		
33	S	18	E	W.M.	24	SE SW	0.91

31. Certificate 3639 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
Clarence & Katherine Cramer	P.O. Box 125, Paisley, OR 97636	33 18 24CD-500	0.40
John Carlson	P.O. Box 262, Paisley, OR 97636	33 18 24CD-502	0.23
James & Ethelyn Overton	242 South G St., Lakeveiw, OR 97636	33 18 24CD-504	0.17
Terry & Mary Cramer	P.O. Box 251, Paisley, OR 97636	33 18 24CD-505	0.11

32. The Sixteenth right to be transferred is as follows:

Certificate: 3641 in the name of Estate of Mary C. Green

Use: Irrigation

Priority Date: 1901

Season of Use: April 1 to September 15

Quantity (Rate): 1/25 cfs per acre

Duty: Not to exceed 3.9 AF per acre

Acres: 0.75

Source: Chewaucan River, tributary to Lake Abert

Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Survey Coordinates		
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Description	Acres		
33	S	18	E	W.M.	24	NE SW	Lots 8 & 9, Block F, Second Addition to Paisley and a parcel beginning from the SE Corner, Lot 8, then N 150', E100', S 150', W 100' to point of beginning	0.75

33. Certificate 3641 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
Donald J. & Karen R. Penington	22499 McArdle Rd, Bend, OR 97702	33 18 24CA-1600	0.34

Elaine Murphy, et al.	P.O. Box 262, Paisley, OR 97636	33 18 24CA-1700	0.41
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34. The portion of the Seventeenth right to be transferred is as follows:

Certificate: 3642 in the name of S. G. Hadley and Lillian A. Hadley

Use: Irrigation, domestic, and stock use

Priority Date: 1878

Season of Use: April 1 to September 30

Quantity (Rate): 1/25 cfs per acre

Duty: Not to exceed 3.9 AF per acre

Acres: 2.82

Source: Chewaucan River, tributary to Lake Abert

Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Acres
33	S	18	E	W.M.	24	SE SW	0.46
33	S	18	E	W.M.	25	NE NW	2.36

35. Certificate 3642 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
John & Joanne Gaylord	P.O. Box 266, Paisley, OR 97636	33 18 24CD-1500	0.46
John & Joanne Gaylord	P.O. Box 266, Paisley, OR 97636	33 18-1900	2.36

36. The eighteenth right to be transferred is as follows:

Certificate: 3647 in the name of John Hanan

Use: Irrigation, domestic, and stock use

Priority Date: 1888

Season of Use: April 1 to September 15

Quantity (Rate): 1/25 cfs per acre

Duty: Not to exceed 3.9 AF per acre

Acres: 0.2

Source: Chewaucan River, tributary to Lake Abert

Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use (as listed on certificate; see Finding #102 for discussion):

Township		Range		Meridian	Sec	¼ ¼	Acres
33	S	18	E	W.M.	24	SE SW	0.20

37. Certificate 3647 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
John W. & Paula D. Merwin	22952 Clover Flat Rd., Paisley, OR 97636	33 18 24CD-100

38. The portion of the nineteenth right to be transferred is as follows:

Certificate: 3653 in the name of Frances E. Howell

Use: Irrigation

Priority Date: 1889 under Proof No. 88; April 1, 1894 under Proof No. 89

Season of Use: April 1 to September 30 under Proof No. 88; April 1 to September 15 under Proof No. 89

Quantity (Rate): 1/25 cfs per acre

Duty: Not to exceed 3.9 AF per acre

Acres: 5.47

Source: Chewaucan River, tributary to Lake Abert

Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use (as listed on certificate; see Finding #103 for discussion):

Township		Range		Meridian	Sec	¼ ¼	Acres	Proof No.
33	S	18	E	W.M.	24	Lots 1, 2, 3 and 4, Miller's Addition to the Town of Paisley	2.87	88
33	S	18	E	W.M.	24	SW SE	2.60	89

39. The portion of Certificate 3653 to be affected by T-9733 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
Ronald Schmidt	P.O. Box 925, Christmas Valley, OR 97641	33 18 24D-2001	5.20
Ellen L. Withers	P.O. Box 287, Paisley, OR 97636	33 18 24D-2002	0.27

40. The twentieth right to be transferred is as follows:

Certificate: 3654 in the name of Lester I. Hampton and Frances E. Howell

Use: Irrigation

Priority Date: April 1, 1894

Season of Use: April 1 to September 15

Quantity (Rate): 1/25 cfs per acre

Duty: Not to exceed 3.9 AF per acre
Acres: 4.87
Source: Chewaucan River, tributary to Lake Abert

Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Survey Coordinates		
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Acres		
33	S	18	E	W.M.	24	SW SE	4.84

41. Certificate 3654 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
Ellen L. Withers	P.O. Box 287, Paisley, OR 97636	33 18 24D-2000	3.86
Ellen L. Withers	P.O. Box 287, Paisley, OR 97636	33 18 24D-2002	0.23
Ellen L. Withers	P.O. Box 287, Paisley, OR 97636	33 18 24D-2003	0.78

42. The twenty-first right to be transferred is as follows:

Certificate: 3655 in the name of I. O. O. F. No. 177
Use: Irrigation
Priority Date: April 1, 1908
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre
Duty: Not to exceed 3.9 AF per acre
Acres: 0.50
Source: Chewaucan River, tributary to Lake Abert

Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Survey Coordinates		
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Acres		
33	S	18	E	W.M.	24	Lots 7 & 8, Miller's Addition to the Town of Paisley (SE SW)	0.50

43. Certificate 3655 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
Sharon Fitzgerald	P.O. Box 25, Paisley, OR 97636	33 18 24CD-2301

44. The portion of the twenty-second right to be transferred is as follows:

Certificate: 3656 in the name of Florence Jones
Use: Irrigation, domestic, and stock use
Priority Date: 1878
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre: 4.40 cfs
Duty: Not to exceed 4.4 AF per acre: 484.0 AF
Acres: 110.0
Source: Chewaucan River, tributary to Lake Abert
Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Acres
33	S	19	E	W.M.	30	SE SW	15.0
33	S	19	E	W.M.	30	SW SE	15.0
33	S	19	E	W.M.	30	SE SE	40.0
33	S	19	E	W.M.	31	NE NE	40.0

45. The portion of Certificate 3656 to be affected by T-9733 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
J-Spear Ranch Co.	P.O. Box 257, Klamath Falls, OR 97601	33 19-1800

46. The twenty-third right to be transferred is as follows:

Certificate: 3659 in the name of the Estate of Geo. M. Jones, deceased
Use: Irrigation, domestic, and stock use
Priority Date: 1878
Season of Use: April 1 to September 30
Quantity (Rate): 1/25 cfs per acre
Duty: Not to exceed 4.8 AF per acre
Acres: 207.0
Source: Chewaucan River, tributary to Lake Abert
Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Lot	Acres
33	S	19	E	W.M.	31	NW NE		4.0
33	S	19	E	W.M.	31	SW NE		4.0

Township		Range		Meridian	Sec	¼ ¼	Lot	Acres
33	S	19	E	W.M.	31	NE NW		30.0
33	S	19	E	W.M.	31	SE NW		38.0
33	S	19	E	W.M.	31	NE SW		35.0
33	S	19	E	W.M.	31	SE SW		30.0
33	S	19	E	W.M.	31	NW SE		7.0
33	S	19	E	W.M.	31	SW SE		18.0
34	S	19	E	W.M.	6	NW NE	2	37.0
34	S	19	E	W.M.	6	NE NW	3	4.0

47. Certificate 3659 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
J-Spear Ranch Co.	P.O. Box 257, Klamath Falls, OR 97601	33 19-1800	166.0
J-Spear Ranch Co.	P.O. Box 257, Klamath Falls, OR 97601	34 19-300	41.0

48. The twenty-fourth right to be transferred is as follows:

Certificate: 3662 in the name of E. O. Lamb
Use: Irrigation, domestic, and stock use
Priority Date: 1878
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre
Duty: Not to exceed 3.9 AF per acre
Acres: 0.70
Source: Chewaucan River, tributary to Lake Abert
Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use (as listed on certificate; see Finding #104 for discussion):

Township		Range		Meridian	Sec	¼ ¼	Acres
33	S	18	E	W.M.	24	NE SW	0.70

49. Certificate 3662 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
John W. and Paula D. Merwin	22952 Clover Flat Rd., Paisley, OR 97636	33 18 24CD-100	0.40
Ronald Forga	P.O. Box 226, Paisley, OR 97636	33 18 24CD-102	0.30

50. The portion of the twenty-fifth right to be transferred is as follows:

Certificate: 3666 in the name of E. S. McDonald

Use: Irrigation, domestic, and stock use
Priority Date: 1878
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre
Duty: Not to exceed 4.4 AF per acre
Acres: 145.0
Source: Chewaucan River, tributary to Lake Abert
Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Acres
33	S	19	E	W.M.	30	SW NE	7.5
33	S	19	E	W.M.	30	SE NW	7.5
33	S	19	E	W.M.	30	NE SW	40.0
33	S	19	E	W.M.	30	SE SW	25.0
33	S	19	E	W.M.	30	NW SE	40.0
33	S	19	E	W.M.	30	SW SE	25.0

51. Certificate 3666 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
J-Spear Ranch Co.	P.O. Box 257, Klamath Falls, OR 97601	33 19-1600

52. The twenty-sixth right to be transferred is as follows:

Certificate: 3669 in the name of E. S. McDonald and J. B. Elder (Partners)
Use: Irrigation, domestic, and stock use
Priority Date: 1878
Season of Use: April 1 to September 30
Quantity (Rate): 1/25 cfs per acre
Duty: Not to exceed 4.8 AF per acre
Acres: 103.0
Source: Chewaucan River, tributary to Lake Abert
Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Lot	Acres
33	S	18	E	W.M.	25	SW SE		4.0

Township		Range		Meridian	Sec	¼ ¼	Lot	Acres
33	S	18	E	W.M.	25	SE SE		37.0
33	S	18	E	W.M.	36	NE NE		3.0
33	S	19	E	W.M.	30	SW SW	4	40.0
33	S	19	E	W.M.	31	NW NW	1	19.0

53. Certificate 3669 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
J-Spear Ranch Co.	P.O. Box 257, Klamath Falls, OR 97601	33 18-2101
J-Spear Ranch Co.	P.O. Box 257, Klamath Falls, OR 97601	33 18-2000
J-Spear Ranch Co.	P.O. Box 257, Klamath Falls, OR 97601	33 19-1600

54. The twenty-seventh right to be transferred is as follows:

Certificate: 3671 in the name of Alice Miller
Use: Irrigation
Priority Date: 1901
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre
Duty: Not to exceed 3.9 AF per acre
Acres: 0.75
Source: Chewaucan River, tributary to Lake Abert
Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Acres
33	S	18	E	W.M.	24	SW SE	0.75

55. Certificate 3671 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
Jon A. Jones	P.O. Box 64, Paisley, OR 97636	33 18 24D-1800

56. The portion of the twenty-eighth right to be transferred is as follows:

Certificate: 3672 in the name of W. Y. Miller
Use: Irrigation, domestic, and stock use
Priority Date: 1878 under Proof No. 119, April 1, 1894 under Proof No. 120, and 1901 under Proof No. 121
Season of Use: April 1 to September 30 under Proof No. 119
April 1 to September 15 under Proof Nos. 120 and 121

Quantity (Rate): 1/25 cfs per acre

Duty: Not to exceed 4.8 AF per acre

Acres: 17.50

Source: Chewaucan River, tributary to Lake Abert

Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Acres
33	S	18	E	W.M.	24	SE SW	3.25
33	S	18	E	W.M.	24	SW SE	14.25

57. The transferred portion of Certificate 3672 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
Curtis and Doris Weaver	P.O. Box 124, Paisley, OR 97636	33 18 24CD-1800	0.77
Mary Lou Sanchez	P.O. Box 84, Paisley, OR 97636	33 18 24CD-1900	0.80
Briggs Logging Co.	P. O. Box 582, Lakeview, OR 97630	33 18 24CD-2000	0.65
Briggs Logging Co.	P. O. Box 582, Lakeview, OR 97630	33 18 24CD-2100	0.61
Michael Gibbons	P. O. Box 42048, Eugene, OR 97404	33 18 24CD-2200	0.40
Michael Gibbons	P. O. Box 42048, Eugene, OR 97404	33 18 24CD-2300	0.02
Jon A. Jones	P.O. Box 64, Paisley, OR 97636	33 18 24D-1800	14.25

58. The portion of the twenty-ninth right to be transferred is as follows:

Certificate: 3673 in the name of Flora Moore

Use: Irrigation

Priority Date: 1904

Season of Use: April 1 to September 15

Quantity (Rate): 1/25 cfs per acre

Duty: Not to exceed 3.9 AF per acre

Acres: 0.125

Source: Chewaucan River, tributary to Lake Abert

Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Acres
33	S	18	E	W.M.	24	NE SW	1/8 (0.125)

59. Certificate 3673 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
Centurytel	P.O. Box 40, Burns, OR 97720	33 18 24CA-2600

60. The portion of the thirtieth right to be transferred is as follows:

Certificate: 3675 in the name of Annie Moss
Use: Irrigation, domestic, and stock use
Priority Date: 1878
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre
Duty: Not to exceed 4.8 AF per acre
Acres: 159.3
Source: Chewaucan River, tributary to Lake Abert
Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Lot	Acres
33	S	18	E	W.M.	24	SE NE		2.0
33	S	18	E	W.M.	24	NE SE		38.0
33	S	18	E	W.M.	24	SE SE		39.3
33	S	19	E	W.M.	19	SW SW	4	40.0
33	S	19	E	W.M.	19	SE SW		40.0

61. Certificate 3675 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
Murphy Ranch	P.O. Box 256, Paisley, OR 97636	33 18 24D-100	17.66
Murphy Ranch	P.O. Box 256, Paisley, OR 97636	33 18-1400	40.0
Murphy Ranch	P.O. Box 256, Paisley, OR 97636	33 19-900	80.0
George M. & Susan R. Malone	5809 San Juan Dr., Clinton, MD 20735	33 18 24D-2700	10.27
George M. & Susan R. Malone	5809 San Juan Dr., Clinton, MD 20735	33 18 24D-2900	9.70
Anthony & Nita Cordoza	P.O. Box 288, Paisley, OR 97636	33 18 24D-2600	0.50
City of Paisley	City Hall, Paisley, OR 97636	33 18 24D-2800	1.17

62. The thirty-first right to be transferred is as follows:

Certificate: 3679 in the name of the O'Callaghan Bros

Use: Irrigation, domestic, and stock use

Priority Date: 1878

Season of Use: April 1 to September 30

Quantity (Rate): 1/25 cfs per acre

Duty: Not to exceed 4.8 AF per acre

Acres: 68.0

Source: Chewaucan River, tributary to Lake Abert

Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Survey Coordinates		
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Acres		
33	S	18	E	W.M.	25	NE NE	10.0
33	S	18	E	W.M.	25	NW NE	35.0
33	S	18	E	W.M.	25	SW NE	13.0
33	S	18	E	W.M.	25	SE NE	10.0

63. Certificate 3679 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
Murphy Ranch	P.O. Box 256, Paisley, OR 97636	33 18-1800

64. The thirty-second right to be transferred is as follows:

Certificate: 3683 in the name of W. B. Parker

Use: Irrigation, domestic, and stock use

Priority Date: 1878

Season of Use: April 1 to September 15

Quantity (Rate): 1/25 cfs per acre

Duty: Not to exceed 4.8 AF per acre

Acres: 40.0

Source: Chewaucan River, tributary to Lake Abert

Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Survey Coordinates		
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Lot	Acres		
33	S	19	E	W.M.	19	SW NW	2	35.0

Township		Range		Meridian	Sec	¼ ¼	Lot	Acres
33	S	19	E	W.M.	19	SE NW		5.0

65. Certificate 3683 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
Murphy Ranch	P.O. Box 256, Paisley, OR 97636	33 19 700

66. The portion of the thirty-third right to be transferred is as follows:

Certificate: 3685 in the name of R. N. Phelps
Use: Irrigation and stock use
Priority Date: 1883
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre
Duty: Not to exceed 3.9 AF per acre
Acres: 0.20
Source: Chewaucan River, tributary to Lake Abert
Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Acres
33	S	18	E	W.M.	24	NE SW	0.20

67. Certificate 3685 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
Dennis & Mollie O'Leary	P.O. Box 118, Paisley, OR 97636	33 18 24CA-3200

68. The portion of the thirty-fourth right to be transferred is as follows:

Certificate: 3686 in the name of Geo. Pike
Use: Irrigation, domestic, and stock use
Priority Date: September 18, 1893
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre
Duty: Not to exceed 3.9 AF per acre
Acres: 0.63
Source: Chewaucan River, tributary to Lake Abert
Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use (as listed on certificate; see Finding #105 for discussion):

Township		Range		Meridian	Sec	¼ ¼	Acres
33	S	18	E	W.M.	24	NW SW	0.63

69. Certificate 3686 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
David & Deanna Smith	P.O. Box 61, Paisley, OR 97636	33 18 24CA-1101

70. The portion of the thirty-fifth right to be transferred is as follows:

Certificate: 3687 in the name of Harriet L. Random
Use: Irrigation, domestic, and stock use
Priority Date: 1878
Season of Use: April 1 to September 30
Quantity (Rate): 1/25 cfs per acre
Duty: Not to exceed 4.8 AF per acre
Acres: 127.43
Source: Chewaucan River, tributary to Lake Abert
Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Lot	Acres
33	S	18	E	W.M.	25	NE NE		22.01
33	S	18	E	W.M.	25	SE NE		26.05
33	S	19	E	W.M.	30	SW NW	2	39.37
33	S	19	E	W.M.	30	NW SW	3	40.00

71. The transferred portion of Certificate 3687 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
J-Spear Ranch Co.	P.O. Box 257, Klamath Falls, OR 97636	33 19-1600	49.31
Murphy Ranch	P.O. Box 256, Paisley, OR 97636	33 19-1500	30.06
Murphy Ranch	P.O. Box 256, Paisley, OR 97636	33 18-1800	47.12
Centurytel	P.O. Box 40, Burns, OR 97720	33 18-1801	0.28
Theresa Vickerman	P.O. Box 137, Paisley, OR 97636	33 18 24D-3000	0.66

72. The thirty-sixth right to be transferred is as follows:

Certificate: 3691 in the name of School District No. 11

Use: Irrigation
Priority Date: 1901
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre
Duty: Not to exceed 3.9 AF per acre
Acres: 1.8
Source: Chewaucan River, tributary to Lake Abert
Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use (as listed on certificate; see Finding #106 for discussion):

Township		Range		Meridian	Sec	¼ ¼	Acres
33	S	18	E	W.M.	24	SE SW	1.8

73. Certificate 3691 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
School District No. 11	P.O. Box 97, Paisley, OR 97636	33 18 24D-800

74. The thirty-seventh right to be transferred is as follows:

Certificate: 3695 in the name of Mrs. L. B. Sult
Use: Irrigation, domestic, and stock use
Priority Date: 1878
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre
Duty: Not to exceed 3.9 AF per acre
Acres: 0.7
Source: Chewaucan River, tributary to Lake Abert
Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Acres
33	S	18	E	W.M.	24	NE SW	0.4
33	S	18	E	W.M.	24	SE SW	0.3

75. Certificate 3695 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
Lora B. Carlon	P.O. Box 17, Paisley, OR 97636	33-18-24CA 2000 & 2001	0.40

John and Paula Merwin.	39650 Clover Flat Rd., Paisley, OR 97636	33 18 24CD-100	0.08
Ronald Forga	P.O. Box 226, Paisley, OR 97636	33 18 24CD-101	0.22

76. The thirty-eighth right to be transferred is as follows:

Certificate: 3696 in the name of S. S. Thayer
Use: Irrigation
Priority Date: 1898
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre: 0.024 cfs
Duty: Not to exceed 3.9 AF per acre: 2.31 AF
Acres: 0.59
Source: Chewaucan River, tributary to Lake Abert
Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use (as listed on certificate; see Finding #107):

Township		Range		Meridian	Sec	¼ ¼	Acres
33	S	18	E	W.M.	24	NE SW	0.59

77. Certificate 3696 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
Rosanna J. Bagley	P.O. Box 26, Paisley, OR 97636	33 18 24CA-4500	0.59
Laura M. Davila	2801 NE Sicamore, Bend, OR 97701		
Kathleen A. McAuliffe	P.O. Box 1226, Cottonwood, CA 96022-1226		

78. The thirty-ninth right to be transferred is as follows:

Certificate: 3697 in the name of Rosa Tucker
Use: Irrigation
Priority Date: April 2, 1903
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre
Duty: Not to exceed 3.9 AF per acre
Acres: 1/9 (0.11)
Source: Chewaucan River, tributary to Lake Abert
Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼		Acres
33	S	18	E	W.M.	24	NE	SW	1/9 (0.11)

79. Certificate 3697 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
Thomas A. Brattain	4414 Pocahontas Rd., Baker City, OR 97814	33 18 24CA-3000

80. The portion of the fortieth right to be transferred is as follows:

Certificate: 3698 in the name of F. Wiedey
Use: Irrigation, domestic, and stock use
Priority Date: 1878
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre
Duty: Not to exceed 4.6 AF per acre
Acres: 25.0
Source: Chewaucan River, tributary to Lake Abert
Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼		Survey Coordinates
33	S	18	E	W.M.	23	NE	SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼		Acres
33	S	19	E	W.M.	19	NW	SE	10.0
33	S	19	E	W.M.	19	SW	SE	15.0

81. Certificate 3698 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
Murphy Ranch	P.O. Box 256, Paisley, OR 97636	33 19-1000	25.00

82. The portion of the forty-first right to be transferred is as follows:

Certificate: 3699 in the name of the estate of Geo. M. Jones, deceased
Use: Irrigation, domestic, and stock use
Priority Date: 1878
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre
Duty: Not to exceed 4.4 AF per acre
Acres: 384.4
Source: Chewaucan River, tributary to Lake Abert

Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Survey Coordinates		
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use (as listed on certificate; see Finding #108 for discussion):

Township	Range	Meridian	Sec	¼ ¼	Lot	Acres		
33	S	19	E	W.M.	31	NW NE	36.0	
33	S	19	E	W.M.	31	SW NE	36.0	
33	S	19	E	W.M.	31	SE NE	40.0	
33	S	19	E	W.M.	31	NE SE	40.0	
33	S	19	E	W.M.	31	NW SE	33.0	
33	S	19	E	W.M.	31	SW SE	12.0	
33	S	19	E	W.M.	31	SE SE	40.0	
33	S	19	E	W.M.	32	SW NE	2	6.0
33	S	19	E	W.M.	32	SW NW		40.0
33	S	19	E	W.M.	32	SE NW	3	28.8
33	S	19	E	W.M.	32	NW SW	4	25.1
33	S	19	E	W.M.	32	SW SW	5	7.5
34	S	19	E	W.M.	6	NE NE	1	40.0*

*This 40.0 acres is not listed on Certificate 3699. See Finding #108.

83. Certificate 3699 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
J-Spear Ranch	P.O. Box 257, Klamath Falls, OR 97601	33 19-1800	344.4
J-Spear Ranch	P.O. Box 257, Klamath Falls, OR 97601	34 19-300	40.0

84. The forty-second right to be transferred is as follows:

Certificate: 80631 in the name of Edward Murphy

Use: Irrigation and domestic

Priority Date: 1885

Season of Use: April 1 to September 15

Quantity (Rate): 1/25 cfs per acre

Duty: Not to exceed 3.9 AF per acre

Acres: 80.0

Source: Chewaucan River, tributary to Lake Abert

Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Survey Coordinates		
33	S	18	E	W.M.	24	NW SW	N 11° 02' 05" E, 1808.89 feet from the SW corner, Section 24

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Lot	Acres
33	S	19	E	W.M.	19	NE SW 40.0
33	S	19	E	W.M.	19	NW SW 3 40.0

85. Certificate 72346 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
Murphy Ranch	P.O. Box 256, Paisley, OR 97636	33 19-800	19.92
Murphy Ranch	P.O. Box 256, Paisley, OR 97636	33 19-1000	60.08

86. The portion of the forty-third right to be transferred is as follows:

Certificate: 72346 in the name of Northwest Townsite Company

Use: Irrigation and domestic

Priority Date: 1881

Season of Use: April 1 to September 15

Quantity (Rate): 1/25 cfs per acre

Duty: Not to exceed 3.9 AF per acre

Acres: 14.05

Source: Chewaucan River, tributary to Lake Abert

Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Survey Coordinates	
33	S	18	E	W.M.	23	NW SE None provided in certificate

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Acres	
33	S	18	E	W.M.	23	NE SE 9.85
33	S	18	E	W.M.	24	NW SW 4.20

87. Certificate 72346 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
Robert Rose	P.O. Box 215, Paisley, OR 97636	33 18 23D-100	0.73
Gary & Beverly Scherer	P.O. Box 15, Paisley, OR 97636	33 18 23D-200	0.77
Eugene C. Fellows Trust, Lois E. Steele, Trustee	3009 Ira Temple Dr., No. 311, Temple, TX 76504	33 18 23D-201	0.83
Kelton & Lucille Butler	P.O. Box 121, Paisley, OR 97636	33 18 23D-300	2.16
Kelton & Lucille Butler	P.O. Box 121, Paisley, OR 97636	33 18 23D-301	0.29
Hugh & Arlene Schultz	P.O. Box 77, Paisley, OR 97636	33 18 23D-600	0.26
Vincente J. Ordaz	P.O. Box 44, Paisley, OR 97636	33 18 23D-800	0.70
Robert & Marsha Rutledge	P.O. Box 101, Paisley, OR 97636	33 18 23D-1600	0.24

Robert & Marsha Rutledge	P.O. Box 101, Paisley, OR 97636	33 18 23D-1700	0.97
Paul & Doris Aikins	P.O. Box 42, Paisley, OR 97636	33 18 23D-2000	0.80
Daniel & Noreen Shoun	P.O. Box 9, Paisley, OR 97636	33 18 23D-2200	0.60
Daniel & Noreen Shoun	P.O. Box 9, Paisley, OR 97636	33 18 23D-2301	0.30
Jeremiah & Carol O'Leary	P.O. Box 209, Paisley, OR 97636	33 18 23D-2300	0.30
Timothy & Kathryn Green	P.O. Box 251, Paisley, OR 97636	33 18 23D-2400	0.40
J-Spear Ranch Co.	P.O. Box 257, Klamath Falls, OR 97601	33 18 24C-200	0.52
J-Spear Ranch Co.	P.O. Box 257, Klamath Falls, OR 97601	33 18 24C-400	0.34
J-Spear Ranch Co.	P.O. Box 257, Klamath Falls, OR 97601	33 18 24C-600	0.22
Michael P. Branum	P.O. Box 206, Paisley, OR 97636	33 18 24C-300	0.28
Orville & Ila Branum	P.O. Box 206, Paisley, OR 97636	33 18 24C-301	0.24
Robert & Ronnie Lindsay	P.O. Box 205, Paisley, OR 97636	33 18 24C-401	0.32
Robert & Ronnie Lindsay	P.O. Box 205, Paisley, OR 97636	33 18 24C-403	0.42
Len and Gloria Babb	P.O. Box 29, Paisley, OR 97636	33 18 24C-1400	1.02
Gary & Rosvi Casteel	P.O. Box 74, Paisley, OR 97636	33 18 24C-1402	0.46
Gary & Rosvi Casteel	P.O. Box 74, Paisley, OR 97636	33 18 24C-1500	0.45
George & Norma DeLarm	P.O. Box 43, Paisley, OR 97636	33 18 24C-1600	0.43

88. Application T-9733 proposes to move the authorized point of diversion for all of the above rights approximately 1/2 mile downstream in the Chewaucan River to:

Township	Range	Meridian	Sec	¼ ¼	Survey Coordinates		
33	S	18	E	W.M.	26	NE NW	S 80° 00' W, 821.3 feet from the N 1/4 corner, Section 26

89. Application T-9733 proposes to change a portion of the place of use of certificate 3654 from:

Township	Range	Meridian	Sec	¼ ¼	Acres		
33	S	18	E	W.M.	24	SW SE	0.78

to:

Township	Range	Meridian	Sec	¼ ¼	Acres		
33	S	18	E	W.M.	24	NW SW	0.78

90. The proposed places of use under certificate 3654 are appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
Lora B. Carlon	P.O. Box 126, Paisley, OR 97636	33 18 24CA-2000	0.13
Murphy Ranch	P.O. Box 256, Paisley, OR 97636	33 18 24C-1301	0.78

Robert + Lynda Loun P.O. Box 304, Paisley OR 97636

91. Notice of the application for transfer was published pursuant to ORS 540.520 and OAR 690-380-4000. No comments were filed in response to the notice. However, the Oregon Department of Fish and Wildlife did submit correspondence requesting that a condition requiring installation of proper fish screens be included in the transfer order.
92. Water has been used within the last five years according to the terms and conditions of the rights and no evidence is available that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
93. A diversion structure and ditch sufficient to use the full amount of water allowed under the existing rights are present.
94. The proposed change would not result in enlargement of the right.
95. The proposed change would not result in injury to other water rights.

Redescription of Lands

96. Lands irrigated or susceptible of irrigation from the Chewaucan River and tributaries were to have been investigated and mapped by the State Engineer and his assistant beginning December 16, 1912, according to published notice. However, the decree of the Circuit Court of the State of Oregon for Lake County, of record at Salem, in the Order Record of the Water Resources Director dated December 2, 1916 entered at Volume 5, Pages 3-4, Section III states that the data were gathered and surveys on which the maps were based had been made prior to December 16, 1912. Because there was no investigation of the lands pursuant to the notice or thereafter, the decree concludes that the maps are not to be considered correct in describing placement of the water rights.
97. In several certificates the estimated number of acres and locations within the Public Land Survey subdivisions do not appear consistent with modern surveying practices and current understanding of how the Public Land Survey boundaries overlay property lots, particularly within the town of Paisley Oregon. These instances are noted herein, and the actual locations where the rights have always been exercised are proposed to be redescribed based on investigations made by the Water Resources Department in the years 1980-1989 and 2005.
98. Water right claims appurtenant to properties within the town of Paisley submitted by landowners as "proof" forms, listing approximate acreage per section quarter-quarter, were not subsequently investigated to confirm the accuracy of the submitted proofs, or the map previously prepared by the State Engineer. The State Engineer's map of Paisley lots did not list acreage or ownership of properties, but stated that the map was drafted at a scale of 1 inch = 200 feet.
99. **Certificate 3599:** According to current understanding of how the Public Land Survey subdivisions overlie the surveyed lots of the town of Paisley, Oregon, Lot 3 in Block L, South Addition and Lot 8 in Second South Addition are partly in the NE $\frac{1}{4}$ of the SW $\frac{1}{4}$ and mostly in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 24, T33S, R18E, W.M.

- a) Lake County Tax Assessor Map 33-18-24CD shows that Lot 3 in Block L, South Addition, and Lot 8 in Second South Addition to the Town of Paisley comprise the west half of current tax lot 200.
- b) The following table describes the place of use description in existing certificate 3599, and a proposed redescription based on the findings above:

Original Description of Place of Use			Proposed Redescription of Place of Use		
Certificate	¼-¼	Acres	¼-¼	Estimated Acres	Current Tax Lot
3599	Lot 3 in Block L, South Addition, and Lot 8 in Second South Addition to the Town of Paisley	0.75	NE SW (Lot 3 in Block L, South Addition)	0.01	West ½ of 33 18 24CD-200
			SE SW (Lot 3 in Block L, South Addition & Lot 8 in Second South Addition) to the Town of Paisley	0.74	
Total: 0.75 acre			Total: 0.75 acre		
Township 33 South, Range 18 East, Section 24					

100. **Certificate 3605** describes the authorized place of use as 1.4 acres in the NE ¼ SW ¼ of Section 24, Township 33 South, Range 18 East of Willamette Meridian, Lake County, Oregon, being Lots 1, 2, 9, and 10, South Addition to the Town of Paisley, Oregon.

- a) The transfer application depicts the place of use under Certificate 3605 as being 0.7 acres in tax lot 300 and 0.7 acres in tax lot 400, tax map 33 18 24CD. As shown on the current tax assessor's map 33 18 24 CD, these tax lots correspond to Lots 1, 2, 9, and 10, South Addition of the Town of Paisley, Oregon.
- b) Based on current understanding of how the Public Land Survey subdivisions overlie the surveyed lots of the town of Paisley, Oregon, Lots 1, 2, 9, and 10 of the South Addition of Paisley, Oregon are located entirely within the SE ¼ SW ¼ of Section 24, Township 33 South, Range 18 East. This location is also consistent with the original adjudication map prepared by the State Engineer, leading the Department to conclude that the land to which the right has always been appurtenant should be redescribed as 1.4 acres in the SE ¼ SW ¼ of Section 24, Township 33 South, Range 18 East of Willamette Meridian, Lake County, Oregon, being Lots 1, 2, 9, and 10, South Addition to the Town of Paisley, Oregon.
- c) Department proposes to clarify the water right record and accurately identify the place of use of water under this right as:

Original Description of Place of Use			Proposed Redescription of Place of Use		
Certificate	¼-¼	Acres	¼-¼	Estimated Acres	Current Tax Lot
3605	NE SW, being Lots 1, 2, 9, & 10, South Addition to the Town of Paisley	1.40	SE SW, being Lots 1, 2, 9, & 10, South Addition to the Town of Paisley	1.40	33 18 24CD-300 and 400
Township 33 South, Range 18 East, Section 24					

101. **Certificate 3625** was issued based on proof Volume 1—Number 45 claiming 0.6 acre.

- a) The Department concluded, based on research of the deed records during 1983-1985, that this water right correlated with the eastern part of Tax Lot 200 in Block L of Paisley, Oregon, containing Lot 4 of the South Addition, and Lot 7 of the Second South Addition.
- b) Certificate 3625 describes the authorized place of use as 0.6 acre in the NE ¼ SW ¼ of Section 24, Township 33 South, Range 18 East of Willamette Meridian, Lake County, Oregon.
- c) Based on current understanding of how the Public Land Survey subdivisions overlie the surveyed lots of the town of Paisley, Oregon, Lot 4 of the South Addition of the Town of Paisley, Oregon is located partly within the NE¼ SW¼ and SE ¼ SW ¼ of Section 24, Township 33 South, Range 18 East. Lot 7 of the Second South Addition is in the SE ¼ SW ¼. This is also consistent with the original adjudication map prepared by the State Engineer, leading the Department to conclude that the land to which the right has always been appurtenant should be redescribed in the NE¼ SW¼ and SE ¼ SW 1/4 of Section 24, Township 33 South, Range 18 East of Willamette Meridian, Lake County, Oregon.
- d) The following table describes the difference between the place of use description in certificate 3625 and a proposed redescription of the place of use based on the findings above:

Original Description of Place of Use			Proposed Redescription of Place of Use		
Certificate	¼-¼	Acres	¼-¼	Estimated Acres	Current Tax Lot
3625	NE SW	0.60	NE SW (Paisley Lot 4)	0.01	33 18 24CD-east half of 200
			SE SW (Paisley Lot 4)	0.41	
			SE SW (Paisley Lot 7)	0.18	
Total		0.60 ac	Total	0.60 ac	
Township 33 South, Range 18 East, Section 24					

102. **Certificate 3647** was issued based on proof Volume 2—Number 80, claiming 0.20 acre in the SE ¼ of the SW ¼ of Section 24.

- a) Lake County deed record Vol. 24, page 531, filed February 3, 1911 acknowledged the January 9, 1911 transfer from R.L. Benefiel to S.S. Banister of a land parcel which includes the two unnumbered lots at the east end of Block L shown in the map of the Town of Paisley. The transaction was witnessed by J.E. Hanan and H. T. Stanley. John Hanan's name does not appear in the ownership records, however he was a relative of the Banisters and very possibly was living at this location at the time of the water right adjudication.
- b) The Department concluded that the Certificate 3647 water right lies within the northeast unnumbered lot in Block L, being a portion of Tax Lot 33-18-24CD-100.

- c) Based on current understanding of how the Public Land Survey subdivisions overlaid the surveyed lots of the town of Paisley, Oregon, the east part of current Tax Lot 100 appears to include approximately 0.06 ac in the NE ¼ SW ¼, with the remainder in the SE ¼ SW ¼ of Section 24.
- d) The following table describes the difference between the place of use description in certificate 3647, and a proposed redescription of the place of use based on the Department's conclusion in the 1980s:

Original Description of Place of Use			Proposed Redescription of Place of Use		
Certificate	¼-¼	Acres	¼-¼	Estimated Acres	Current Tax Lot
3647			NE SW	0.06	East part of 33 18 24CD-100
	SE SW	0.20	SE SW	0.14	
Total		0.20	Total	0.20	
Township 33 South, Range 18 East, Section 24					

103. **Certificate 3653:** The location of the 3.0 acres under Proof No. 88 needs to be clarified.

- a) The Chewaucan River Decree, Vol. 1, page 289, as well as Certificate 3653, list the location as "Lots 1, 2, 3, and 4, Miller's Addition to the Town of Paisley, Oregon". However, Proof 88 has the following description pasted over the section for description of the place of use: "The land owned by claimant of which this statement and proof submitted herein covers a part, is described as follows. Commencing at a point 30 feet North and 30 feet East of the South-west corner of the South-east quarter of Sec. 24, Tp. 33 S. R. 18 E. WM. thence running North 509 feet; thence running Easterly 502 feet, thence running Southerly 522 feet, thence running Westerly 497 feet to the place of beginning. The 3 acres irrigated from the Brattain ditch is in irregular shape lying in the South and West part of said tract. The balance of the tract is irrigated from the Miller Ditch."
- b) The location of 2.6 acres under Proof 89 is described in the proof form as being another part of the same property described by metes and bounds in Finding 57 above, further delineated as follows: "The 2.6 acres irrigated from Miller Ditch is in irregular shape taking in the North and East lines particularly, and cutting the West line of the land. The balance of said tract is irrigated from the "Brattain Ditch" owned by The Bagley Irrigation Company, as shown by Statement and Proof of Claimant herein filed [Proof 88]. The whole of said 5.6 acres is irrigated.
- c) Based on the location statements in Proofs 88 and 89, the place of use should be redescribed as follows when new certificates are issued:

Original Description of Place of Use			Proposed Redescription of Place of Use		
Certificate	Legal Description	Acres	¼-¼	Estimated Acres	Current Tax Lot
3653					
Proof 88 (Priority 1889)	Lots 1, 2, 3 and 4, Miller's Addition to the Town of	3.00	SW SE	0.13 (not participating in transfer—remaining right certificate to be	33 18 24D-1900

	Paisley, Oregon			issued)	
				2.87 to be affected by transfer	33 18 24D-2001
Proof 89 (Priority April 1, 1894)	SW SE	2.60	SW SE	2.60 to be affected by transfer	West 0.27 ac of 33 18 24D-2002 and remaining part of 33 18 24D-2001
Total		5.60	Total		5.60
Township 33 South, Range 18 East, Section 24					

104. **Certificate 3662** was issued based on proof Volume 2—Number 103 claiming 0.7 acre in the NE ¼ of the SW ¼ of Section 24.

- a) Deed record Vol. 44, page 255 lists sale of Lot 5 in the South Addition of Paisley to E.O. Lamb on May 23, 1912, but indicates a correction in the description in Vol. 47, p. 589, recorded September 1, 1914. The corrected description of the property takes in the majority of Lot 5 and Lot 6 in Block "L" of Paisley.
- b) Based on current understanding of how the Public Land Survey subdivisions overlie the surveyed lots of the town of Paisley, Oregon, this property is located partly within the NE¼ SW¼ and partly within the SE ¼ SW ¼ of Section 24, Township 33 South, Range 18 East. This location is also consistent with the original adjudication map prepared by the State Engineer, leading the Department to conclude that the land to which the right has always been appurtenant should be redescribed as within the NE¼ SW¼ and SE ¼ SW 1/4 of Section 24, Township 33 South, Range 18 East of Willamette Meridian, Lake County, Oregon. It is estimated that approximately 0.06 acre is in the NE ¼ SW ¼ and 0.64 acre is in the SE ¼ SW¼.
- c) Lake County Tax Assessor Map 33-18-24CD shows the western part of tax lots 100 and 102 roughly coinciding with this area.
- d) The following table describes the difference between the place of use description in certificate 3662 and a proposed redescription of the place of use based on the above findings:

Original Description of Place of Use			Proposed Redescription of Place of Use		
Certificate	¼-¼	Acres	¼-¼	Estimated Acres	Current Tax Lot
3662	NE SW	0.70	NE SW	0.06	West part of 33 18 24CD-100
			SE SW	0.32	West part of 33 18 24CD-100
				0.32	West part of 33 18 24CD-102 (majority of Town Lots 5 & 6)
Total		0.70	Total	0.70	
Township 33 South, Range 18 East, Section 24					

105. **Certificate 3686:** Based on the dimensions given in Proof 143 and current understanding of how the Public Land Survey subdivisions overlie the surveyed lots of the town of

Paisley, Oregon, the place of use under Certificate 3686 appears to include some land in the SW SW of Section 24 T33S, R18E as well as land in the NW SW and NE SW.

Certificate 3686 is proposed to be re-described as follows:

Original Description of Place of Use			Proposed Redescription of Place of Use		
Certificate 3686	Legal Description	Acres	¼-¼	Estimated Acres	Current Tax Lot
Proof 143 (Priority September 18, 1893)	NE SW	0.50	NE SW	0.66 (not included in transfer)	33 18 24CA-4600 (0.29 ac) 33 18 24CA-4601 (0.18 ac) 33 18 24C-1102 (0.19 ac)
	NW SW	1.00	NW SW	0.54 transferred	33 18 24C-1101 (0.54 ac)
			SW SW	0.09 transferred	33 18 24C-1101 (0.09 ac)
			SE SW	0.21 (not included in transfer)	33 18 24C-1102 (0.09 ac) 33 18 24CA-4600 (0.12 ac)
Total		1.50 ac	Total		1.50 ac
Township 33 South, Range 18 East, Section 24					

106. **Certificate 3691:** The clear location of the lands shown in the map submitted with Proof 151 matches current tax lot 33 14 24D-800 owned by School District #11 and appears to be the location to which the water right under Certificate 3691 has always been appurtenant. Based on current understanding of how the Public Land Survey subdivisions overlie the surveyed lots of the town of Paisley, Oregon, this property is located within the NW¼ SE¼. The water right should be re-described as 1.8 acres in the NW¼ SE¼, Section 24, Township 33 South, Range 18 East, W.M.
107. **Certificate 3696:** Certificate 3696 allows 1.0 acre of irrigation, however, Proof 157 for the right claims that the lot in Paisley to which the right is appurtenant is 168½' x 153'. These dimensions exactly match the meets and bounds description of the relevant property (Tax Lot 33 18 24CA-4500), which equals 0.59 acre. The right appears to have always been limited to 0.59 acre, and should be re-described accordingly. Current landowners Kathleen A. McAuliffe, Laura M. Davila and Rosanna J. Bagley have submitted affidavits consenting to re-description of the water right as 0.59 acre.
108. **Certificate 3699:** 40 acres of water right in the NE¼ NE¼ of Section 6, Township 34 South, Range 19 East, W.M. was claimed on the Proof 98 map for this right, though it was not listed on the tabulation in the proof, decree or Certificate 3699. This appears to be a scrivener's error, because the total number of acres claimed includes 40 more acres than are listed. The confirming certificate for the right should correct the listing by including the 40 acres shown on the map in the NE¼ NE¼ of Section 6.

Partial Cancellation of Water Rights

109. ORS 540.621 provides that when the owner of a perfected and developed water right desires cancellation of the portion of the water right that has been abandoned, the

Department may issue an order canceling the abandoned portion of the water right. Effective upon the date of the order, the water which was the subject of use under the water right shall revert to the public and become again subject to appropriation by other users.

110. The applicants have submitted affidavits authorizing cancellation of the portions of the rights listed below:

Certificate	Priority	Twp	Rng	Mer	Sec	¼-¼	Tax Lot	Acres	Owner
3672	1878	33S	18E	WM	24	SE SW	33 18 24CD-1100	0.45	City of Paisley
3675	1878	33S	18E	WM	24	SE SE	33 18 24D-2400	0.20	Michael Nevill & Julie E. Naslund
3685	1883	33S	18E	WM	24	NE SW	33 18 24CA-500, 600, 700, 800 & 801	0.63	Dennis O'Leary & Mollie A. O'Leary
3687	1878	33S	18E	WM	25	NE NE	33 18-1700	7.99	United States--USFS
						SE NE	33 18-1700	3.95	United State--USFS
3687	1878	33S	19E	WM	30	SW NW	33 19-1501	0.41	JL Lands, Inc.
72346	1881	33S	13E	WM	23	NE SE	33 18 23D-900 &	0.36	George E. Carlon Family Trust
							33 18 23D-1000	0.44	

Determination and Proposed Action

The proposed changes in point of diversion and place of use in application T-9733 appear to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000 and will be approved provided that protests are not filed pursuant to OAR 690-380-4030.

If approved, the change and subsequent use of water shall be subject to the following conditions:

1. The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in the certificates described above and any related decrees.
2. The proposed change shall be completed on or before October 1, 2006.
3. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department by October 1, 2007.
4. The quantity of water diverted at the new point of diversion shall not exceed the quantity of water lawfully available at the original point of diversion.

5. The former place of use of the transferred water under certificate 3654 shall no longer be irrigated as part of that water right.
6. Prior to diverting water, 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.
7. The water user shall install and maintain a fish screen or fish by-pass device, as appropriate, at the new point of diversion. 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 Department of Fish and Wildlife's cost-sharing program for installation of screening and by-pass devices in accordance with ORS 540.525.
8. So as to clarify the record, upon perfection of the change in point of diversion, the certificates issued for the rights originally perfected under Certificates 3599, 3605, 3625, 3647, 3653, 3662, 3686, 3691, 3696 and 3699 confirming the change shall redescribe the places of use as proposed in Findings 100-108.

Dated at Salem, Oregon this _____ day of _____, 2005.

Phillip C. Ward
Director

This Preliminary Determination was prepared by Dorothy I. Pedersen. If you have any questions about the information in this document, you may reach me at (503) 986-0890 or Dorothy.I.PEDERSEN@wrd.state.or.us.

GLENDER'S HYDRO TECH SERVICES

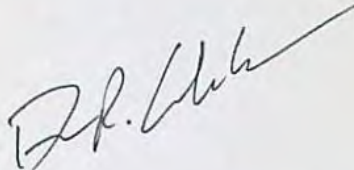
93291 PIKE LN LAKEVIEW, OREGON 97630
Telephone/Fax (541) 947-4718 Cell (541) 219-0806
E-mail djglender@gooselake.com

MEMO

August 12, 2005

TO: Certificate 3654

FROM: Dennis R. Glender

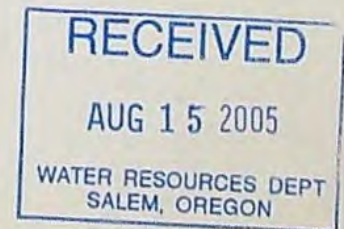


SUB. Clarification of location of use for Certificate 3654, T-9733

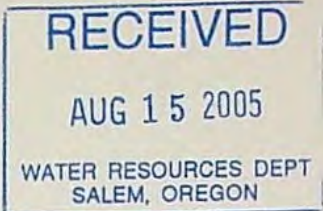
Please find and amended application for Certificate 3654, T-9733.

Please find also a partial cancellation of 0.13 acres. Because water rights were located for the TO property in Certificate 3695, a water right transfer to these acres is not needed. I was unable to secure another party to transfer the water rights to.

Also please find a bill of sale of water rights from Ellen Withers to Glender's Hydro Tech Services (GHTS). I own the 0.13 acres and voluntarily cancel 0.13 acres as indicated in the affidavit.



AFFIDAVIT FOR THE PARTIAL CANCELLATION OF A WATER RIGHT CERTIFICATE



State of Oregon)
County of Lake) ss

I/We (or authorized agent), Dennis R. Glender, Glender's Hydro Tech SWS
residing at 93291 Pike Lane, Lakeview, OR 97630
telephone (541) 947-4718, being first duly sworn depose and say:

1. I/We are the legal owner(s) of the property described as tax lot number 33-18-240, 2003, within the SW 1/4 SE 1/4, Section 24, Township 33 N, Range 18 E, W, of the Willamette Meridian, in Lake County, Oregon, as shown on the attached map and described in the attached deed and legal description and made part of this affidavit;

2. A portion of water right certificate number 3654 issued to Lester T. Hampton, Francis E. Howell with a date of priority of 4/1/1894 for use of 0.20 cubic foot per second of water from Chewowcan River (source) for the purpose of Irrigation (use) is appurtenant to my/our property;

3. The appurtenant water right is not located within the boundaries of an irrigation district (if the right is located within a district, name it here:).

4. I/We have abandoned any and all interest in the portion of this water right shown on the attached map and described as follows:
The right to the use of 0.05 cubic foot per second from Chewowcan River for Irrigation (use), and irrigation of 0.13 acres located: (if applicable)

SW 1/4 SE 1/4 0.13 Acres
1/4 1/4 Acres
1/4 1/4 Acres
Section

Township 33 N, Range 18 E, W, WM; and

5. I/We request the portion of the water right described above be canceled.

[Signature]
Signature of legal owner as listed on deed, or authorized agent

8/12/2005
Date

Signature of legal co-owner as listed on deed (if applicable)

Date

Subscribed and Sworn to Before Me this 12 day of August, 2005.



[Signature]
Notary Public for Oregon

My Commission Expires 8-24-08

PLEASE ATTACH A LEGIBLE COPY OF : 1) A DEED WHICH LISTS LAND OWNERS AND INCLUDES A LEGAL DESCRIPTION OF AFFECTED LANDS, AND 2) AN ADJUDICATION MAP, WATER RIGHT FINAL PROOF MAP, OR A TAX LOT MAP WITH THE PORTION OF THE ABANDONED RIGHT CLEARLY DRAWN AND IDENTIFIED. IF ACTING AS AN AUTHORIZED AGENT, INCLUDE COPY OF POWER OF ATTORNEY OR OTHER DOCUMENTS GRANTING AUTHORITY TO ACT ON BEHALF OF LEGAL OWNER(S).

To Whom it may Concern 4/30/04

Sale of water Right
from Tax Lot 33-18 24D
2003

Covering 0.91 acres

fm. Ellen L. Withers

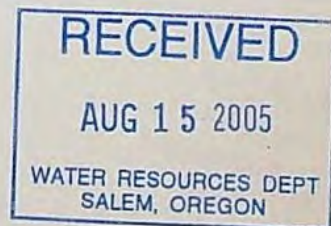
to. Rob't & Linda Lown
Lora B. Carlson Maya

Effective this date 4/30/04
for the sum of \$600.00 non-
refundable, payable this date

pd in full
ck #1805
G.H.T.S
4/30/04
EW

Ellen L. Withers
4/30/04

Need
recorded quit
claim deed
to transfer
0.13ac to
Dennis Glender
or have Ellen Withers
cancel



From: "Doug Parrow" <Douglas.M.PARROW@wrd.state.or.us>
To: "'Dennis and Julie Glender'" <djglender@gooselake.com>
Cc: "Dorothy Pedersen" <Dorothy.I.PEDERSEN@wrd.state.or.us>
Subject: RE: Water Right Transfer 9733
Date: Tue, 5 Jul 2005 15:12:50 -0700
X-Mailer: Microsoft Office Outlook, Build 11.0.6353
Thread-Index: AcWBbh6elfTQu314S8uo2+m6ZYnTOWAPuHGA
X-Spam-Checker-Version: SpamAssassin 2.63 (2004-01-11) on
kettle.wrd.state.or.us
X-Spam-Status: No, hits=-4.9 required=5.0 tests=BAYES_00 autolearn=ham
version=2.63
X-Spam-Level:

Dennis,

Dorothy and I are both available to meet anytime during those dates. Why don't you pick a day and time?

Let's plan on walking through the remaining issues and identifying the most efficient method to address them. If that means that Dorothy needs to spend some time in Lakeview, then we can accommodate that.

We appreciate that this has become an even more complicated transfer than it originally was. Perhaps it would have helped if the court and the state engineer had been on the same page at the time of the adjudication. We can't do much about that now. However, we have taken the position that we can redescribe water rights in situations such as these. As I'm sure you can understand, we need to be sure that we are correct in doing so (and have build the evidentiary base to support our decision), particularly when the certificate and existing maps make it appear that the right is on somebody else's property.

Doug

-----Original Message-----

From: Dennis and Julie Glender [mailto:djglender@gooselake.com]
Sent: Tuesday, July 05, 2005 8:01 AM
To: PARROW Douglas M
Subject: Water Right Transfer 9733

Good Morning Doug,

I am looking at six new memo's from Dorothy Pedersen concerning the Bagley Dltch POD transfer 9733.

I am also looking at many hours of additonal research to complete Dorothy's requests. Most of the questions on the memo's are centered around inconsistancies relating to the original adjudication conducted by the State Engineer. The State Engineer issued water right certificates to individuals without maps, accurate proof of place of use and accurate acreages of use.

Bagley Ditch Corp is being asked to correct all of these inconsistencies. I believe that OWRD should be doing this research.

I will be in the Willamette Valley the 13th - 15th of July, 2005 and would be available to meet with you folks to try and work something out. I think that this POD transfer is becoming much too complicated.

Let me know if this works for you to meet with me.

Thanks

Dennis Glender
Glender's Hydro Tech Services

X-Mailer: Calypso Lite Version 3.10.03.02 (4)
Date: Tue, 05 Jul 2005 07:36:42 -0700
From: "Dennis and Julie Glender" <djglender@gooselake.com>
To: Dorothy.I.PEDERSEN@wrд.state.or.us
Subject: T-9733 Memo's
X-MIME-Autoconverted: from quoted-printable to 8bit by kettle.wrd.state.or.us id
j65E5BP28620
X-Spam-Checker-Version: SpamAssassin 2.63 (2004-01-11) on
kettle.wrd.state.or.us
X-Spam-Status: No, hits=-4.9 required=5.0 tests=BAYES_00 autolearn=ham
version=2.63
X-Spam-Level:

Dorothy,

I have received 6 memo's from you requesting clarification or additional information for the Bagley Ditch Transfer 9733.

It appears that there are many hours of additional research needed to complete your requests. Many of the questions you ask should be clarified by the Water Resources Department as these Certificates were issued by the State Engineer without complete review and confirmation of place of use.

I will work on these memo's as my schedule permits. I have other projects that need also attention. I cannot give a timetable when my review and response will be complete.

Dennis Glender

MEMO

Date: June 30, 2005

To: Dennis Glender

From: Dorothy Pedersen

RE: Proposed redescription of lands under Certificate 3686 (T-9733)

Certificate 3686 appears to include some land in the SW SW of Section 24 T33S, R18E as well as in the NW SW and NE SW. Based on the dimensions given in Proof 143, and current understanding of how the Public Land Survey subdivisions overlie the surveyed lots of the town of Paisley, Oregon, the place of use under Certificate 3686 is estimated to fall within quarter-quarters and tax lots as follows:

Original Description of Place of Use			Proposed Redescription of Place of Use		
Certificate 3686	Legal Description	Acres	¼-¼	Estimated Acres	Current Tax Lot
Proof 143 (Priority September 18, 1893)	NE SW	0.50	NE SW	0.66 (not included in transfer)	33 18 24CA-4600 (0.29 ac) 33 18 24CA-4601 (0.18 ac) 33 18 24C-1102 (0.19 ac)
	NW SW	1.00	NW SW	0.54 transferred	33 18 24C-1101 (0.54 ac)
			SW SW	0.09 transferred	33 18 24C-1101 (0.09 ac)
			SE SW	0.21 (not included in transfer)	33 18 24C-1102 (0.09 ac) 33 18 24CA-4600 (0.12 ac)
Total		1.50	Total		1.50
Township 33 South, Range 18 East, Section 24					

MEMO

Date: June 7, 2005

To: File T-9733

From: Dorothy Pedersen

RE: Discrepancies in descriptions of place of use and acreage under Certificates 3625, 3647, 3662 & 3695

Lands irrigated or susceptible of irrigation from the Chewaucan River and tributaries were to have been investigated and mapped by the State Engineer and his assistant beginning December 16, 1912, according to published notice. However, the decree of the Circuit Court of the State of Oregon for Lake County, of record at Salem, in the Order Record of the Water Resources Director dated December 2, 1916 entered at Volume 5, Pages 3-4, Section III states that the data were gathered and surveys on which the maps were based had been made prior to December 16, 1912. Because there was no investigation of the lands pursuant to the notice or thereafter, the decree concludes that the maps are not to be considered correct in describing placement of the water rights.

In several certificates the estimated number of acres and locations within the Public Land Survey subdivisions do not appear consistent with modern surveying practices and current understanding of how the Public Land Survey boundaries overlay property lots, particularly within the town of Paisley Oregon. These instances are noted herein, and the actual locations where the rights have always been exercised are proposed to be redescribed based on investigations made by the Lake County Watermaster's office between the years of 198- and 1989.

Water right claims appurtenant to properties within the town of Paisley submitted by landowners as "proof" forms, listing approximate acreage per section quarter-quarter, were not subsequently investigated to confirm the accuracy of the submitted proofs, or the map previously prepared by the State Engineer. The State Engineer's map of Paisley lots referred to in Finding #2 above did not list acreage or ownership of properties, but stated that the map was drafted at a scale of 1 inch = 200 feet.

Certificates 3625, 3647, 3662, and 3695 were issued based on the following proofs: Volume 1—Number 45, and Volume 2—Numbers 80, 103, 155 and 156, totaling 2.2 estimated acres. The Department concluded that these water rights correlate with the eastern part of Block L of Paisley, Oregon, containing Lots 4 and 5 of the South Addition, Lots 6 and 7 of the Second South Addition and two unnumbered lots.

Lake County Tax Assessor Map 33-18-24CD shows the following tax lots currently covering the area: the east half of tax lot 200, and all of tax lots 100, 101 and 102, totaling 1.94 acres. Based on the scale of the State Engineer's map dated November 11, 1912, that portion of Block L is estimated to include approximately 1.81 acres. The Department concludes that the total acreage

included in the rights under Certificates 3625, 3647, 3662 and 3695 could not have been more than 1.94 acres originally, leaving 0.26 acre of claimed water right unaccounted for and presumed to be merely the result of overestimation of the size of the various properties prior to survey.

The following table describes the difference between the place of use description in certificates 3625, 3647, 3662 and 3695, and a proposed redescription of the place of use based on the findings above:

Original Description of Place of Use			Proposed Redescription of Place of Use		
Certificate	¼-¼	Acres	¼-¼	Estimated Acres	Current Tax Lot
3625	NE SW	0.60	NE SW SE SW	0.03 0.66	East ½ of 33 18 24CD-200
3647	SE SW	0.20	NE SW SE SW	0.07 0.24	East part of 33 18 24CD-100
3662	NE SW	0.70	NE SW SE SW	0.10 0.60	West part of 33 18 24CD-100 and all of 33 18 24CD-102 (Town Lots 5 & 6)
3695	NE SW SE SW	0.40 0.30	--- SE SW	--- 0.26	All of 33 18 24CD-101
Total		2.20	Total	1.94 (The 0.26 ac difference is presumed never to have existed and will not be re-certificated.)	
Township 33 South, Range 18 East, Section 24					

MEMO

Date: June 6, 2005

To: File T-9733, Certificates 3671 and 3672

From: Dorothy Pedersen

RE: Acreage of Place of Use under Certificates 3671 & 3672

Certificates 3671 and 3672 are appurtenant to lands Tax Lots 33 18 24D-1800 and 33 18 24CD-1100, 1200, 1800, 1900, 2000, 2100, 2200 and 2300. The acreage claimed in the proofs (and included in the certificates) exceeds the size of the appurtenant portions of these properties by 2.18 acres. T-9733 proposes to affect all of Certificate 3671 and a portion of Certificate 3672, so the acreage under the certificates needs to be more accurately described and the discrepancies explained.

Proofs 118, 120 and 121:

Proof 118 (Certificate 3671) describes the place of use as $\frac{3}{4}$ acre. Proofs 120 and 121 (Certificate 3672) claim 5 acres and 9.25 acres respectively. Total acreage claimed by the three proofs is 0.75 ac. + 5.0 ac. + 9.25 ac. = 15.00 ac. However, the meets and bounds description of the property that includes all three proofs (Tax Lot 33 18 24D-1800) measures 1,337.07 feet along the north boundary, 417.03 feet along the east boundary, 1,337.79 feet along the south boundary and 460.01 feet along the west boundary, totaling approximately 13.85 acres.

The 1912 maps for Proofs 118, 120 and 121, if measured out at the map scale of 1 inch: 200', indicate the total property including Proofs 118, 120 and 121 would have been approximately 1,295 feet by 430 feet (12.78 acres), including an area 100' by 300' under Proof 118 (0.69 acre rather than 0.75 acre).

Therefore, I conclude that the property has never included more than 13.85 acres at most, and the additional 1.15 acres of claimed water right has never existed. I recommend that the water rights in Certificates 3671 and 3672 under Proofs 118, 120 and 121 be redescribed to accurately reflect the number of acres to which the rights have always been appurtenant by proportionally reducing the acreage to match the legal description of the lands as follows:

Original Description of Place of Use			Proposed Redescription of Place of Use		
Certificate	$\frac{1}{4}$ - $\frac{1}{4}$	Acres	$\frac{1}{4}$ - $\frac{1}{4}$	Estimated Acres	Current Tax Lot
3671 (Proof 118)	SW SE	0.75	SW SE	0.69	NW portion of 33 18 24D-1800
3672 (Proof 120)	SW SE	5.00	SW SE	13.16	Remaining portion of 33 18 24D-1800
3672 (Proof 121)	SW SE	9.25	SW SE		
Total		15.00	Total	13.85 (The 1.15 ac difference is presumed never to have existed and will not be re-certificated.)	
Township 33 South, Range 18 East, Section 24					

Proof 119:

Proof 119 also appears to have claimed more acreage than actually existed. A north-south street easement is now shown crossing part of the area claimed in Proof 119, which may account for about 0.17 acre, and possibly a narrow strip (approximately 0.26 ac) along the east edge may have become part of Green Street since Proof 119 was filed. Even with these considerations, it is difficult to conclude that the area claimed ever equaled 5.0 acres.

Original Description of Place of Use			Proposed Redescription of Place of Use		
Certificate	¼-¼	Acres	¼-¼	Estimated Acres	Current Tax Lot
3672 (Proof 119)	SE SW	5.00	SE SW	3.97	Portions of 33 18 24CD- 1100 (0.45 ac) 1200 (0.27 ac) 1800 (0.74 ac) 1900 (0.77 ac) 2000 (0.62 ac) 2100 (0.58 ac) 2200 (0.38 ac) 2300 (0.01 ac)
Total		5.00	Total	3.75 (The 1.25 ac difference is presumed never to have existed, or to have become road easement.)	
Township 33 South, Range 18 East, Section 24					

Note:

0.45 acre under Certificate 3672 in Tax Lot 33 18 24CD-1100 is to be cancelled.

0.27 acre in Tax Lot 33 18 24D-1200 is not being included in the transfer, but will be confirmed by issuance of a remaining right certificate.

GLENDER'S HYDRO TECH SERVICES

93291 PIKE LN LAKEVIEW, OREGON 97630
Telephone/Fax (541) 947-4718 Cell (541) 219-0806
E-mail djglender@gooselake.com

MEMO

May 4, 2005

TO: Dorothy Pedersen

FROM: Dennis R. Glender *D.R. Glender*

SUB. Remaining files, T-9733

Referring to OWRD letter of February 28, 2005

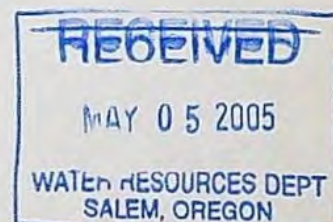
Dorothy,

Here are the remaining files that were corrected or updated as per your letter of February 28, 2005.

As we have visited recently, some items are not cut and dried but hopefully we can work through them.

Call if you have any questions. Best to call on my cell phone.

Thank you.



GLENDER'S HYDRO TECH SERVICES

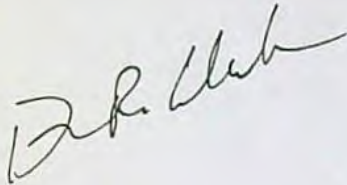
93291 PIKE LN LAKEVIEW, OREGON 97630
Telephone/Fax (541) 947-4718 Cell (541) 219-0806
E-mail djglender@gooselake.com

MEMO

April 13, 2005

TO: Dorothy Pedersen

FROM: Dennis R. Glender



SUB. Clarification T-9733

Referring to OWRD letter of February 28, 2005

Dorothy,

Please find enclosed the data required for processing of T-9733 - Bagley Ditch Corp.

I have 6 files still waiting for information and signatures and I will forward these to you as soon as possible.

RECEIVED

APR 14 2005

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

APR 14 2005

WATER RESOURCES DEPT.
SALEM, OREGON

ATTACHMENT

**LOCATION OF EXISTING HISTORICAL
POINT OF DIVERSION FOR
BAGLEY DITCH FROM CHEWAUCAN RIVER**

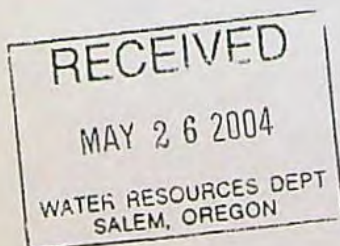
**NE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 23, T 33 S, R 18 E, WM;
N 47° 46' E 2885 FT FROM THE S $\frac{1}{4}$ CORNER,
SECTION 23
TAX LOT 33/18-1300**

**LOCATION OF PROPOSED POINT OF DIVERSION FOR
BAGLEY DITCH FROM CHEWAUCAN RIVER**

**NE $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 26, T 33 S, R 18 E, WM;
S 80° 00' W 821.3 FT FROM THE S $\frac{1}{4}$ CORNER,
SECTION 23
TAX LOT 33/18-2101**

*AN Additional POD is located in NE NW SEC 26
T 33 S, R 18 E for certificate 2870, 3233 & 72346
Approximately 100' downstream of new diversion. These
will be consolidated with new diversion.*

DHG 5/26/04



T-9733



Oregon

Theodore R. Kulongoski, 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

February 28, 2005

Dennis Glender, Agent
93291 Pike Lane
Lakeview, Oregon 97630

Re: Transfer 9733

Dear Mr. Glender,

The above referenced file has been reviewed under the Reimbursement Authority process. Our review indicates that the following information or clarification is needed:

Certificate 2818

1. Each certificate involved in this transfer requires documentation that the current owner has authorized the Bagley Ditch Corporation to submit the transfer application and has also authorized Dennis Glender to act as agent in the processing of the transfer application. Neither of these authorizations has been received for Certificate 2818. Please submit the required notarized affidavit authorizing Bagley Ditch Corporation to submit the transfer, and a statement authorizing Dennis Glender to act as agent.
2. Several encumbrances are listed on the Lot Book Service report. Encumbrances are treated as liens for the purpose of addressing the applicable requirements for notification of lien holders as stated in OAR 690-380-3000(16). Please provide evidence that all lien holders identified in the Lot Book Service report have been notified of the proposed transfer.

Certificate 3233

1. Two encumbrances are listed on the Lot Book Service report. Please provide evidence that the two lien holders identified in the Lot Book Service report have been notified of the proposed transfer.

Certificate 3605

1. One encumbrance is listed on the Lot Book Service report for Norman and Terry Hyatt. Please provide evidence that the lien holder identified in the Lot Book Service report has been notified of the proposed transfer.

Certificate 3622

1. Two encumbrances are listed on the Lot Book Service report. Please provide evidence that the two lien holders identified in the Lot Book Service report have been notified of the proposed transfer.

Certificate 3625

1. The certificate identified the place of use in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 24 (T.33S. R.18E.). However, the application indicates that the authorized place of use is in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 24. Such discrepancies have been noted with other certificates, but in some of these cases there was sufficient additional information provided to correctly determine the place of use. In this case, however, no additional information was provided to confirm the correct place of use. Therefore, please provide additional information to confirm the place of use for Certificate 3625.

Certificate 3629

1. The location for place of use as described in the application is not consistent with that given in the certificate. Please clarify and/or correct the description of the place of use in the application so that is consistent with the certificate.
2. Encumbrances are listed on the Lot Book Service reports for both JL Land Inc. and the O'Learys. Please provide evidence that all lien holders identified in the Lot Book Service reports have been notified of the proposed transfer.

Certificate 3631

1. The application indicates that the authorized place of use includes only parcels 1400, 1500, and 1501, for a total area of 1.0 acre. However, Proof 58, as given on the certificate, clearly describes the entire place of use as consisting of parcels 1400, 1500, 1501, and 1800 (tax map 33 18 24CA), all lying within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 24 (T.33S. R.18E.). The certificate is for irrigation of 11 acres, 10 of which is supposedly described in Proof 58. However, according to the dimensions shown on the tax assessor's map, the total area covered by all of the lots described in Proof 58 is only about 1.6 acres. In addition, Proof 59 describes 1.0 acre in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 24 (T.33S. R.18E.), which does not appear to be included in the application. The agent has provided information indicating that there has been some kind of mix-up between Proofs 58 and 59. Nevertheless, it is not clear from the information provided what other lands comprise the remaining 10 acres of this certificate. This information is necessary in order to prepare a remaining right certificate. Please provide clarification regarding the proper place of use descriptions for Proofs 58 and 59, and clearly identify all lands which are not included in this transfer.

Certificate 3636

1. One encumbrance is listed on the Lot Book Service report for Michael Nevill and Julie Naslund. Please provide evidence that the lien holder identified in the Lot Book Service report has been notified of the proposed transfer.

Certificate 3638

1. No supporting documentation was provided in the evidence-of-use affidavits for the USFS (24D-1200) and Alan and Laura Parks (24D-1600, 1700). Please provide an additional third party evidence-of-use affidavit for the Parks.
2. No supporting documentation (i.e., authorization of agent, affidavit authorizing Bagley Ditch to submit the transfer application, affidavits for evidence of use, and Lot Book Service

report) for Edward and Dorothy Murphy (24D TL 1100) was included with the application for Certificate 3638. Please provide the necessary supporting documentation for the Murphys for this certificate.

3. One encumbrance is listed on the Lot Book Service report for Alan and Laura Parks (24D-1600, 1700). Please provide evidence that the lien holder identified in the Lot Book Service report has been notified of the proposed transfer.

Certificate 3639

1. Encumbrances are listed on the Lot Book Service reports for both John Carlson and Terry and Mary Cramer. Please provide evidence that all lien holders identified in the Lot Book Service reports for these owners have been notified of the proposed transfer.

Certificate 3641

1. One encumbrance is listed on the Lot Book Service report for Elaine Murphy et al. Please provide evidence that the lien holder identified in the Lot Book Service report has been notified of the proposed transfer.

Certificate 3642

1. No supporting documentation (i.e., authorization of agent, affidavit authorizing Bagley Ditch to submit the transfer application, affidavits for evidence of use, and Lot Book Service report) for the Lois A. Price Life Estate (24CD-1600, 1700) was included with the application for Certificate 3642. Please provide the necessary supporting documentation for the Lois A. Price Life Estate.

Certificate 3653

1. Proof 88, as described in Certificate 3653, indicates that 3 acres of this water right occupy parcels 1800, 1900, 2000, and 2100 on tax map 33 18 24 CD. However, the agent has provided alternate documentation of Proof 88 which indicates that the land owned by the claimant occupies parcels 1900, 2001, and the west ½ of 2002 on tax map 33 18 24 D. This document also states that "the three acres irrigated from the Brattain ditch is in irregular shape lying in the South and West part of said tract." Presumably, the 2.6 acres included in Proof 89 occupy the remainder of "said tract." Please provide additional explanation to clarify which portion of the "said tract" is covered by Proof 89.
2. The application does not explicitly state the number of acres included in the transfer. Assuming the alternate documentation for Proof 88 is correct, and that parcel 1900 (tax map 33 18 24 D) is not included in the transfer, we assume that the acreage will need to be reduced by 0.13 acres (the size of parcel 1900). Therefore, it appears that the total area from Certificate 3653 to be included in this transfer is 5.47 acres. Please provide a statement either confirming this assumption or providing additional clarification.
3. No supporting documentation was provided in the evidence-of-use affidavit for Ronald Schmidt (24D-2001). Please provide an additional third party evidence-of-use affidavit for Ronald Schmidt.

4. Two encumbrances are listed on the Lot Book Service report for Ellen Withers. Please provide evidence that the two lien holders identified in the Lot Book Service report have been notified of the proposed transfer.

Certificate 3654

1. Two encumbrances are listed on the Lot Book Service report for Ellen Withers. Please provide evidence that the two lien holders identified in the Lot Book Service report have been notified of the proposed transfer.

Certificate 3659

1. Two aerial photographs (June 1994 and June 2004) were reviewed for supporting evidence of use. One significant portion of this certificate identified on the agent's map, located west of Highway 31 in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 31 (T.33S. R.19E.) appeared to be dry and uncultivated in both photographs. However, we note that the agent's map indicates that the entirety of NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 31 (T.33S. R.19E.) is included in this water right, while the certificate indicates only 30 acres are included in this quarter quarter section. We assume, therefore, that the portion that appears not to be irrigated in the aerial photographs is actually not included in this certificate. In other words, it appears that this certificate includes only the portion of the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 31 (T.33S. R.19E.) that lies to the east of Highway 31. Please provide information to either confirm these assumptions, or to give further clarification regarding evidence of use in this quarter quarter section.
2. The application has identified parcel 300 in Section 6, T.34S. R.19E. (tax map 34 19) as part of the authorized place of use. However, parcel 300 is not listed in the Lot Book Service report for J-Spear Ranch Co. Therefore, there is no evidence demonstrating that J-Spear Ranch Co. owns parcel 300 and no information indicating whether or not there are any liens on that property. Please submit a Lot Book Service report that includes parcel 300.

Certificate 3662

1. The certificate indicates that the place of use is in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 24 (T.33S. R.18E.). However, according to the transfer application, most of the authorized place of use is in the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 24. Such discrepancies have been noted with other certificates, and in some of these cases there was sufficient additional information provided to correctly determine the place of use. In this case, however, there was not enough information provided with the application to confirm the correct place of use. Therefore, please provide additional information to confirm or clarify the place of use for Certificate 3662.

Certificate 3669

1. None of the available aerial photographs provide clear evidence that all, or even most, of the lands covered by this certificate are being irrigated. Please provide additional evidence to support the evidence-of-use affidavit. A second, third party affidavit will be acceptable.

Certificate 3671

1. One encumbrance is listed on the Lot Book Service report for Jon Jones. Please provide evidence that the lien holder identified in the Lot Book Service report has been notified of the proposed transfer.

Certificate 3672

1. No supporting documentation was submitted with the evidence-of-use affidavits for Mary Lou Sanchez. Please provide additional evidence to support the evidence- of-use affidavits for this owner. An additional, third-party affidavit will be acceptable.
2. One encumbrance is listed on the Lot Book Service report for Jon Jones. Please provide evidence that the lien holder identified in the Lot Book Service report has been notified of the proposed transfer.
3. Based on the proof maps provided, it appears that parcels 1200 and 2300 (tax map 33 18 24 CD) are included in the lands covered by this certificate, yet they are not listed in Attachment #2 with the application. Therefore, we assume that the owners of these two parcels are not participating in the transfer. If this is true, we will need to know the acreages associated with the properties not included in the transfer for preparation of the remaining rights certificate. Please provide additional information to clarify which areas are not included in the transfer, and, if appropriate, provide the acreages of the remaining rights.
4. Certificate 3646, which is not included in this transfer, describes the place of use as "Lot 3 in Miller Addition to the Town of Paisley, in Lake County, Oregon." This lot is parcel 2000 (tax map 33 18 24 CD), which is reportedly one of the parcels comprising the place of use for Certificate 3672, and is also explicitly listed in Proof 88 for Certificate 3653. Please provide additional explanation to clarify these apparent conflicts.

Certificate 3673

1. The application indicates that the new certificate is to be issued to Centurytel. Additionally, the agent authorization, affidavit authorizing Bagley Ditch Co. to submit the transfer application, and the evidence-of-use affidavits are all signed by representatives of Centurytel. However, the Lot Book Service Report identifies the owner of the property as the Beaver State Telephone Company. Please provide additional information to clarify this apparent discrepancy.
2. Several encumbrances are listed on the Lot Book Service report. Please provide evidence that all lien holders identified in the Lot Book Service report have been notified of the proposed transfer.

Certificate 3675

1. Based on the information provided with the application, it appears that parcel 2500 (tax map 33 18 24 D) is included in the lands covered by this certificate, yet it is not listed in Attachment #2 with the application. Therefore, we assume that the owner of parcel 2500 is not participating in the transfer. Please provide additional information to clarify whether or not parcel 2500 is included in the transfer.
2. One encumbrance is listed on the Lot Book Service report for Anthony and Nita Cordoza. Please provide evidence that the lien holder identified in the Lot Book Service report for Anthony and Nita Cordoza has been notified of the proposed transfer.

Certificate 3683

1. The place of use for this certificate is identified as parcel 700 (T.33S. R.19E. Sec. 19, tax map 33 19). However, this parcel is not listed on any of the supporting documentation for the intended owner (i.e., agent authorization, affidavit authorizing Bagley Ditch Co. to submit the transfer application, and evidence-of-use affidavits), or in the Lot Book Service report for the owner. Therefore, there is no direct evidence that the reported owner intends to include parcel 700 in the transfer, and no proof of actual ownership of the property. Please provide the required proof of ownership (i.e., updated Lot Book Service report listing parcel 700), and revised copies of the necessary supporting documentation to indicate that the owner intends to include parcel 700 in the transfer.

Certificate 3685

1. Several encumbrances and liens are listed on the Lot Book Service report. Please provide evidence that all lien holders identified in the Lot Book Service report have been notified of the proposed transfer.

Certificate 3686

1. Certificate 3686 covers water rights on 1.5 acres, including 1.0 acre in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 24 (T.33S. R.18E.), and 0.5 acre in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 24 (T.33S. R.18E.). The application lists 1.0 acre in parcel 1101 (tax map 33 18 24C), located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 24, as the authorized place of use that is included in the transfer. Three other parcels, 1102 (tax map 33 18 24C) and 4600 and 4601 (tax map 33 18 24 CA), which are located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 24, are reportedly not participating in the transfer. Therefore, it seems that the only part of the certificate that is included in this transfer is the 1.0 acres located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 24. From the tax assessor's map, it appears that only a portion of parcel 1101 is actually in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 24. Since the total acreage of parcel 1101 is 0.95 acres, it seems that the portion of parcel 1101 that lies in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 24 must be less than 1.0 acre. Please provide additional information to clarify the location(s) and acreage(s) of the authorized place(s) of use included in this transfer.
2. One encumbrance is listed on the Lot Book Service report for David and Deanna Smith. Please provide evidence that the lien holder identified in the Lot Book Service report has been notified of the proposed transfer.

Certificate 3687

1. None of the available aerial photographs provide clear evidence that all of the lands covered by this certificate are being irrigated. Specifically, about 1/3 of the portion which lies in the SE ¼ NE ¼ of Section 25 (T.33S. R.18E.), owned by Murphy Ranch, appears to be dry. Additionally, about 1/3 of the portion which lies in the SW ¼ NW ¼ of Section 30 (T.33S. R.19E.), also owned by Murphy Ranch, appears dry. Please provide additional evidence to support the evidence-of-use affidavit provided for these areas. A second, third party affidavit will be acceptable.
2. The application has identified parcel 3000 in Section 25, T.33S. R.19E. (tax map 33 18 24D) and parcel 1500 in Section 30, T.33S. R.19E. (tax map 33 19), among others, as portions of the authorized place of use. However, neither parcel 1500 nor parcel 3000 is listed in the Lot Book Service report for Edward and Dorothy Murphy (Murphy Ranch). Therefore, there is no evidence demonstrating that Murphy Ranch owns parcels 1500 and 3000, and no information indicating whether or not there are any liens on that property. Please submit a Lot Book Service report for the Murphys that includes parcels 1500 and 3000.
3. Several encumbrances are listed on the Lot Book Service report for the Beaver State Telephone Company (a.k.a., CenturyTel?). Please provide evidence that all lien holders identified in the Lot Book Service report for the Beaver State Telephone Company have been notified of the proposed transfer.

Certificate 3695

1. The application identifies 0.7 acres in parcel 101 (tax map 33 18 24 CD) as the entire place of use for this certificate. However, based on the dimensions provided on the tax assessor's map, parcel 101 covers only about 0.26 acres. Additionally, parcel 101 lies in the SE ¼ SW ¼ of Section 24 (T.33S. R.18E.), whereas the certificate describes a portion of the water right under Proof No. 155 in the NE ¼ SW ¼ of Section 24 (T.33S. R.18E.). Please provide additional information to clarify these apparent discrepancies in location and acreage.

Certificate 3696

1. The application indicates that parcel 4500 (tax map 33 18 24 CA) is the place of use for this certificate. The certificate is for 1.0 acre, yet, based on the information provided on the tax assessor's map, parcel 4500 covers only 0.59 acres. Please provide additional information to clarify this apparent discrepancy in acreage.

Certificate 3698

1. There is a discrepancy in the certificate between the total acreage declared (184.4 acres) and the sum total of acreages listed by quarter quarter section in the place-of-use description (144.4 acres). It appears that either 40 acres were left out of the place-of-use description in the certificate, or the total acreage declared on the certificate is incorrect. The transfer application includes 40 acres in the NE ¼ NE ¼ of Section 6 (T.34S. R.19E.) that are not listed in the place-of-use description in the certificate. It appears that the agent has assumed or determined that the place of use description in the certificate is incomplete and that the 40

acres in the NE ¼ NE ¼ of Section 6 (T.34S. R.19E.) are part of this certificate. However, no information has been provided to confirm these assumptions or determinations. Please provide additional information to confirm that the 40 acres in the NE ¼ NE ¼ of Section 6 (T.34S. R.19E.) should be considered a part of this certificate.

2. The 40 acres in the NE ¼ NE ¼ of Section 6 (T.34S. R.19E.), which are included in the application, but not listed in the certificate, are located within parcel 300 on tax map 34 19 (tax lot 3419-300). This tax lot is not specifically identified in either the agent authorization, affidavit authorizing Bagley Ditch Co. to submit the transfer application, the evidence-of-use affidavit, or the Lot Book Service report. Assuming that evidence can be provided to confirm the 40 acres in the NE ¼ NE ¼ of Section 6 (T.34S. R.19E.) belong with this certificate, please also provide revised supporting documentation that includes tax lot 3419-300.

Certificate 72346

1. In order to process the transfer application and prepare the remaining right certificate, it is necessary to know the acreages for the places of use by quarter quarter section. The place of use information provided in the application (Attachment #1) shows acreages for each tax lot involved, but does not break down the acres by quarter quarter section. In most cases for this transfer, this information would be sufficient because all of the parcels included in a certificate are often in one quarter quarter section. In this instance, however, some of the parcels involved are straddling the line between Sections 23 and 24 (T.33S. R.18E.). Please provide the acreages for the place of use by quarter quarter section (see also No. 2, below).
2. The application indicates that the full 17.0 acres for Proof 129 are included in the transfer; however, it appears that several parcels covered by water right are not participating in the transfer, and the total acreage for the parcels that are participating adds up to only 14.05 acres. Please provide the acreages for the areas that are actually included in the transfer. Additionally, it would be helpful if you could provide information to clarify specifically which areas are not to be included in the transfer.
3. No supporting documentation was provided with the evidence-of-use affidavits for the Eugene C. Fellows Trust (23D-201), Hugh and Arlene Schultz (23D-600), Michael Branum (24C-300), and Len and Gloria Babb (24C-1400). Please provide additional, third party evidence-of-use affidavits for these owners.
4. Encumbrances and/or liens are listed on the Lot Book Service reports for Robert Rose (23D-100), the Eugene C. Fellows Trust (23D-201), Vincente J. Ordaz (23D-800), Timothy and Kathryn Green (23D-2400), Jeremiah and Carolyn O'Leary (23D-2300), Robert and Ronnie Lindsay (24C-401,403), and Len and Gloria Babb (24C-1400). Please provide evidence that all lien holders identified in the Lot Book Service reports for these owners have been notified of the proposed transfer.
5. The application indicates that parcel 301 (tax map 33 18 23D, Kelton and Lucille Butler) is included in the transfer. However, parcel 301 is not listed in any of the supporting documentation (i.e., authorization of agent, affidavit authorizing Bagley Ditch to submit the transfer application, affidavits for evidence of use, and Lot Book Service report) provided for the owners. Therefore, there is no ownership or lien information for parcel 301, and no

documentation indicating whether or not the owners intend to include this parcel in the transfer. If appropriate, please provide all of the necessary supporting documentation for parcel 301, including the authorization of agent, affidavit authorizing Bagley Ditch to submit the transfer application, affidavits for evidence of use, and Lot Book Service report.

6. All supporting documentation provided for Daniel and Noreen Shoun indicate that parcel 2301 (tax map 33 18 23D) is included in this transfer. However, parcel 2301 is not listed in the Lot Book Service report for Daniel and Noreen Shoun. Therefore, there is no ownership or lien information for parcel 2301. Please provide an updated Lot Book Service report for Daniel and Noreen Shoun which includes parcel 2301.

Please submit the information requested above within 30 days of the date of this letter. If you have any questions regarding the information requested, please feel free to contact me at 503-986-0890.

Sincerely,



Dorothy I. Pedersen
Field Services Division

enclosures

public notice template.txt

COUNTY: LAKE
TRANSFER: 9733
CERTIFICATE: 2818, 2870, 3233, 3599, 3604, 3605, 3622, 3625, 3629, 3630, 3631, 3635
3636, 3638, 3639, 3641, 3642, 3647, 3653, 3654, 3655, 3656, 3659, 3662
3666, 3669, 3671, 3672, 3673, 3675, 3679, 3683, 3685, 3686, 3687, 3691
3695, 3696, 3697, 3698, 3699, 72346, 80631
PRIORITY DATE: 12/31/1908, 1880, 1897, 1904, 1883, 1893, 1898, 1903, 1881, 1917, 1901
1878, 1900, 1906, 1894, 1885, 1888, 1886
NAME: BAGLEY DITCH CORP
ADDRESS: 39650 CLOVER FLAT RD; PAISLEY OR 97636
CHANGE: POD
SOURCE: CHEWAUCAN RIVER/SMALL CREEK/BRATTAIN DITCH
AUTHORIZED POD: T33S R18E 23
PROPOSED POD: T33S R18E 26

October 22, 2003

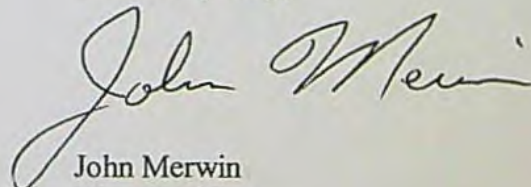
Dennis Glender
93291 Pike Lane
Lakeview, OR 97630

RE: Authorization for Dennis Glender to act as agent for Bagley Ditch Corp.

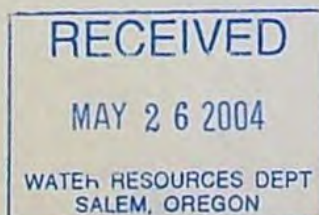
Dear Dennis:

This letter authorizes you, Dennis Glender of Glender's Hydro-Tech Services, to act as Agent for Bagley Ditch Corp. in the water right transfer process involving POD transfers on the Chewaucan River.

Yours very truly,



John Merwin
Vice President
Bagley Ditch Corp.



T-9733



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem Oregon 97301-1271
 (503) 986-0900
 www.wrd.state.or.us

Application for Water Right Transfer

Please type or print legibly in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a". Please read and refer to the instructions when completing your application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/publication/reports/index.shtml.

APPLICATION FOR:

Please check one		
<input checked="" type="checkbox"/> Water Right Transfer	<input type="checkbox"/> Temporary Transfer (# of years _____)	<input type="checkbox"/> Drought Transfer
<input type="checkbox"/> Permit Amendment		<input type="checkbox"/> Government Action Point of Diversion

1. APPLICANT INFORMATION

Name: BAGLEY DTICH CORP
First Last

Address: 39650 CLOVER FLAT RD
PAISLEY OR 97636
City State Zip

Phone: 541-943-3328 541-219-0428
Home Work Other

*Fax: _____ *E-Mail address: _____

*Optional information

2. AGENT INFORMATION

(The agent listed is authorized to represent the applicant in all matters relating to this transfer application)

Name: DENNIS GLENDER
First Last

Address: 93291 PIKE LN
LAKEVIEW OR 97630
City State Zip

Phone: 541-947-4718 541-219-0806
Home Work Other

*Fax: 541-947-4718 (CALL FIRST) *E-Mail address: djglender@gooselake.com

*Optional information



Transfer Application/1

T-9733

ATTACHMENT

**LOCATION OF EXISTING HISTORICAL
POINT OF DIVERSION FOR
BAGLEY DITCH FROM CHEWAUCAN RIVER**

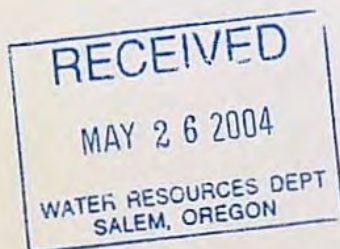
**NE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 23, T 33 S, R 18 E, WM;
N 47° 46' E 2885 FT FROM THE S $\frac{1}{4}$ CORNER,
SECTION 23
TAX LOT 33/18-1300**

**LOCATION OF PROPOSED POINT OF DIVERSION FOR
BAGLEY DITCH FROM CHEWAUCAN RIVER**

**NE $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 26, T 33 S, R 18 E, WM;
S 80° 00' W 821.3 FT FROM THE S $\frac{1}{4}$ CORNER,
SECTION 23
TAX LOT 33/18-2101**

*An Additional POD is Located in NE NW SEC 26
+ 33 S, R 18 E for certificate 2870, 3233 & 7234
Approximately 100' downstream of New Diversion. These
will be consolidated with New Diversion.*

DN 5/26/04



T-9733

7. LAND OWNERSHIP

Answer only if for change in Character of Use or Place of Use.

Use/Place of Use

Are there any lien holders identified in the Lot Book Report? Yes No

If yes, list the name and address of lien holder: _____

If yes, the applicant must provide written notification of the proposed transfer to each lien holder.

Answer only if the applicant is **not** the landowner.

Landowners

This section does not apply to water delivery entities authorized to act on behalf of their members, making permit amendment requests, or requests for changes in point of diversion or point of appropriation only.

Landowners: _____

(List all landowners shown on deed.)

Address(es): _____

City

State

Zip

The application must include notarized statements granting permission for the transfer from each landowner listed on the Lot Book Report. Attach extra sheets as necessary.

Answer only if the receiving landowner is **not** the original landowner or the applicant.

Receiving Landowner

Name: _____

Address: _____

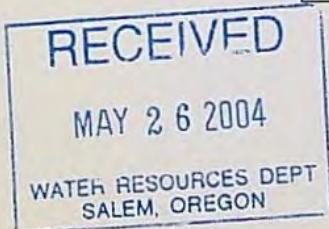
City

State

Zip

The Department's records should be changed to show this landowner is responsible for completion of the changes. This includes perfection of the changes after the final order is issued. All notices and correspondence should be sent to this landowner.

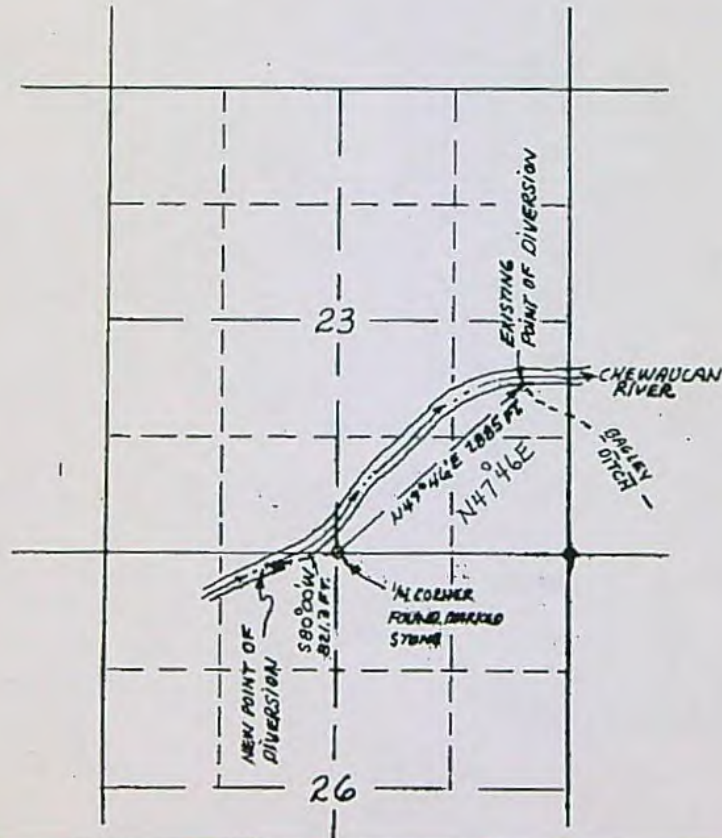
The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant.



T-9733

MAP TO ACCOMPANY APPLICATION
 FOR
 TRANSFER OF POINT OF DIVERSION
 FOR
 BAGLEY DITCH
 IN
 NE 1/4 SE 1/4 SEC. 23 AND NE 1/4 NW 1/4 SEC. 26, T33S R18E, W.M.

SCALE: 1" = 1320'



FOR: J-SPEAR RANCH CO.
 APRIL, 2004
 BY: DONALD A. GRESDER, CWRE No. 240



EXISTING POINT OF DIVERSION
 LIES IN TAX LOT 3318-00000-1200
 IN NE 1/4 SE 1/4, SECTION 23

NEW POINT OF DIVERSION LIES IN
 TAX LOT 3318-00000-2101
 IN NE 1/4 NW 1/4, SECTION 26

RECEIVED

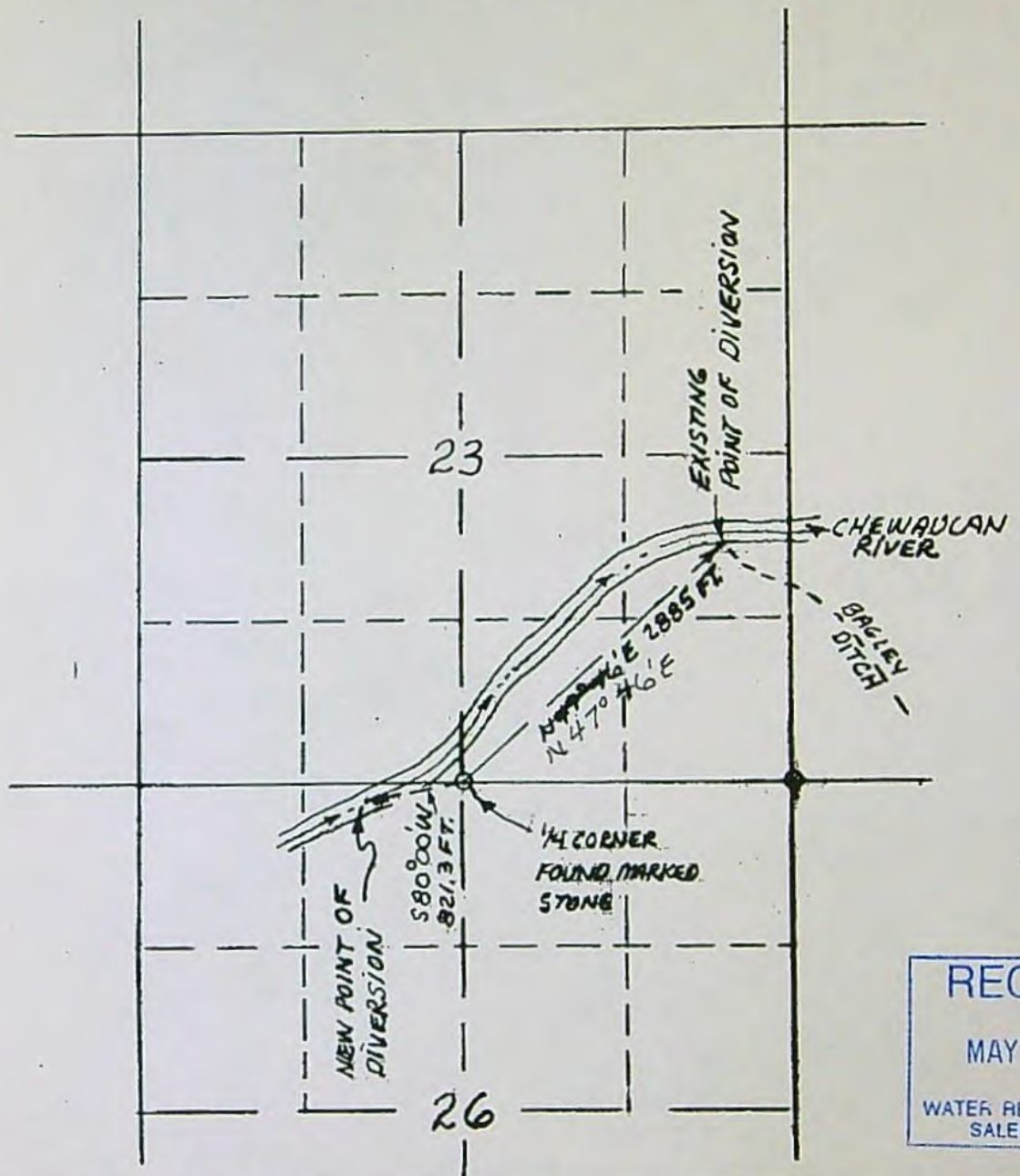
MAY 26 2004

WATER RESOURCES DEPT
 SALEM, OREGON

T-9733

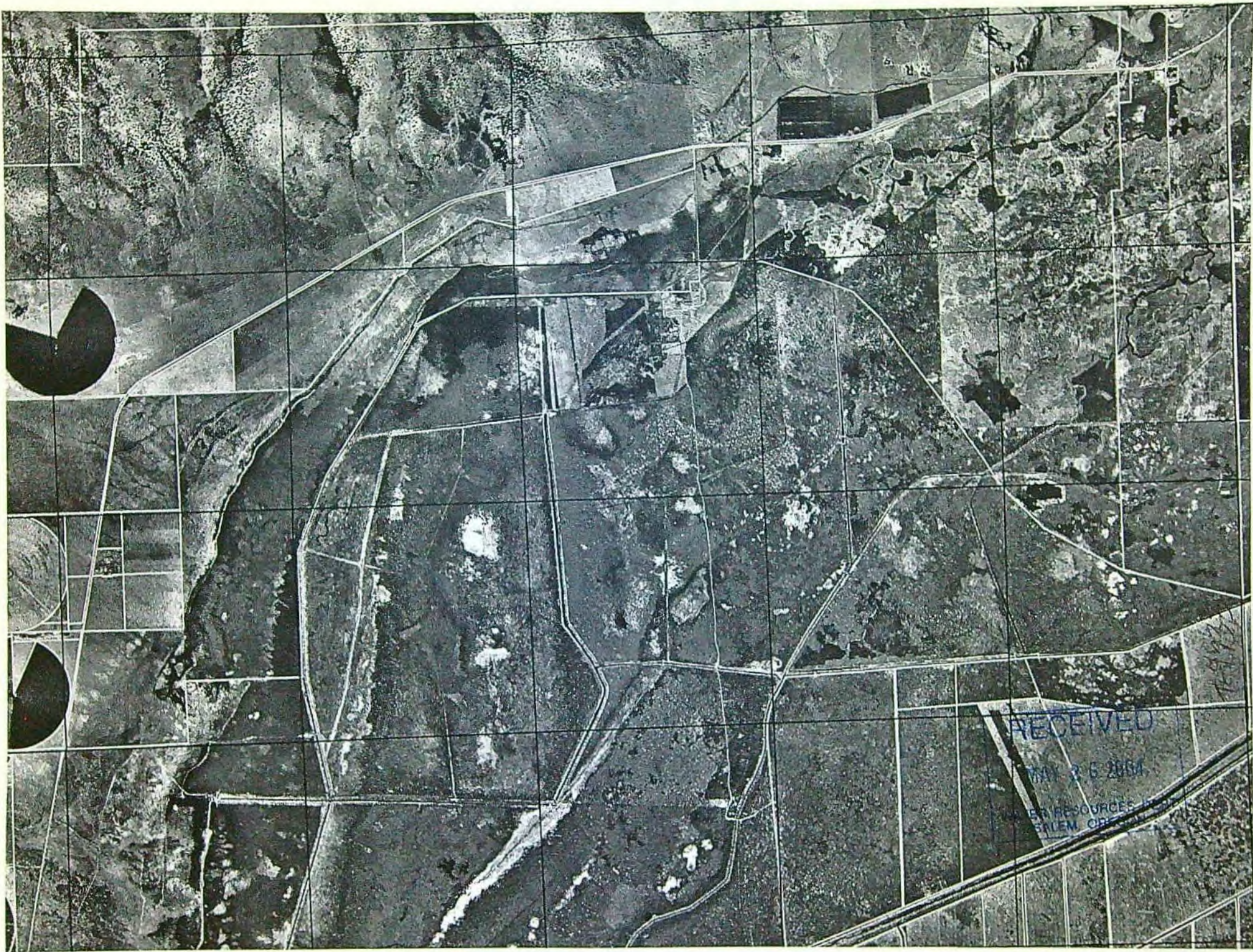
T-9733

SCALE: 1" = 1320'



FRONTIER PARCEL SER
 EXISTING P
 LIES IN TAX
 IN NE 1/4 S
 NEW POINT
 TAX LOT 33
 IN NE 1/4 NW

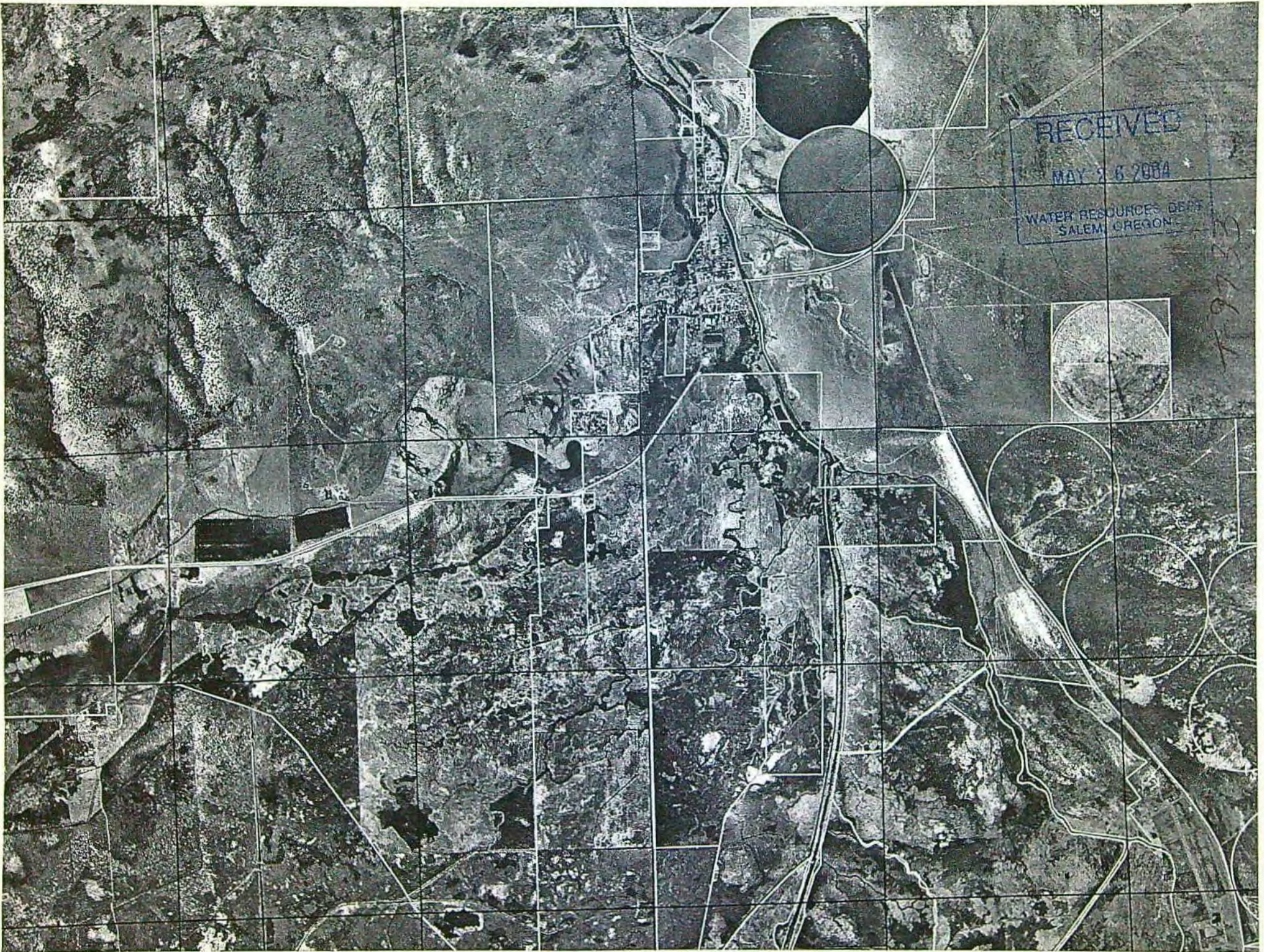
RECEIVED
 MAY 26 2004
 WATER RESOURCES DEPT
 SALEM, OREGON



RECEIVED

MAY 26 2004

EPA RESOURCES DIVISION
SALEM, OREGON



RECEIVED
MAY 26 2004
WATER RESOURCES DEPT
SALEM, OREGON

79733

T-9733

Bagley Ditch Co.

NAME	USE	SOURCE	TRIB	PR DATE	APP #	PER #	CERT	CANCELED WR
Chewanucan Land & Cattle	IR	Chewanucan River	Lake Abert	12-31-1875	⊖	D-2818	√2818	NC
Chester Withers	IR	"	"	6-22-1917	S-5595	S-3411	√2870	NC
L.P. Klippel C.F. Snider	IR	"	"	7-11-1917	S-5619	S-3480	√3233	NC
Mrs. Susie Benefiel	IR	"	"	12-31-1901	⊖	D-3599	√3599	NC
H.A., H.S., Mrs. C.M. Brattain	IR	"	"	12-31-1878	⊖	D-3604	√3604	NC
" "	IR	"	"	12-31-1878	⊖	D-3605	√3605	NC
Virgil Conn	IR	"	"	4-30-1900	⊖	D-3622	√3622	NC
M.C. Currier	IR	"	"	12-31-1878	⊖	D-3625	√3625	NC
Chesterfield B. Parker Leland S. Parker	IR	"	"	12-31-1878	⊖	D-3629	√3629	NC
John Drumm SR	IR	"	"	12-31-1906	⊖	D-3630	√3630	NC
Mrs. Ola Drumm	IR	"	"	12-31-1900	⊖	D-3631	√3631	NC
FW Farrow	IR	"	"	4-30-1894	⊖	D-3635	√3635	NC
Mary L. Farrow	IR	"	"	12-31-1894	⊖	D-3636	√3636	NC
Martha J. Farrow Deceased; estate of	IR	"	"	12-31-1901 12-31-1875	⊖	D-3638	√3638	NC
J.D. Farra	IR	Chewanucan River	Lake Abert	12-31-1900	⊖	D-3639	√3639	NC

T-9733

NAME	USE	SOURCE	TRIB	PR DATE	APP #	PER #	CERT	CANCELED WR
Mary C. Green	IR	Chewaucan River	Lake Abert	12-31-1901	⊖	D-3641	√3641	NC
S.G. Hadley William A. Hadley	I X	"	"	12-31-1878	⊖	D-3642	√3642	NC
John Haran	I X	"	"	12-31-1888	⊖	D-3647	√3647	NC
Frances Howell	IR	"	"	12-31-1878 4-1-1894	⊖	D-3653	√3653	NC
Lester I. Hampton Frances E. Howell	IR	"	"	4-1-1894	⊖	D-3654	√3654	NC
I.O.O.F. No. 177	IR	"	"	4-1-1908	⊖	D-3655	√3655	NC
Florence Jones	I X	"	"	12-31-1878	⊖	D-3656	√3656	NC
Estate of Geo M. Jones	I X	"	"	12-31-1878	⊖	D-3659	√3659	NC
E. O. Lamb	I X	"	"	12-31-1878	⊖	D-3662	√3662	NC
E.S. McDonald	I X	Chewaucan River Small creek	Lake Abert Chewaucan River	12-31-1878 12-31-1880	⊖	D-3666	√3666	NC
E.S. McDonald J. B. Elder	I X	Chewaucan River	Lake Abert	12-31-1878	⊖	D-3669	√3669	NC
Alice M. Miller	IR	"	"	12-31-1901	⊖	D-3671	√3671	NC
W. Y. Miller	I X	"	"	12-31-1878 4-1-1894 12-31-1901	⊖	D-3672	√3672	NC
Flora Moore	IR	"	"	12-31-1904	⊖	D-3673	√3673	NC
Annie Moss	I X	"	"	12-31-1878	⊖	D-3675	√3675	NC

T-9733

Bagley Ditch Co

NAME	USE	SOURCE	TRIB	PR DATE	APP #	PER #	CERT	CANCELED WR
O'Callaghan Brothers	I X	Chewanacan River	Lake Abert	12-31-1878	⊖	D-3679	√3679	NC
W.B. Parker	I X	"	"	12-31-1878	⊖	D-3683	√3683	NC
R.N. Phelps	IR LV	"	"	12-31-1883	⊖	D-3685	√3685	NC
Geo Pike	I X	"	"	9-18-1893	⊖	D-3686	√3686	NC
Harriet L. Random	I X	"	"	12-31-1898	⊖	D-3687	√3687	NC
School district #11	IR	"	"	12-31-1901	⊖	D-3691	√3691	NC
Mrs. L.B. Sutt	I X	"	"	12-31-1878	⊖	D-3695	√3695	NC
S.S. Thayer	IR	"	"	12-31-1898	⊖	D-3696	√3696	NC
Rosa Tucker	IR	"	"	4-2-1903	⊖	D-3697	√3697	NC
F. Wiedley	I X	"	"	12-31-1898	⊖	D-3698	√3698	NC
Estate of Geo H. Jones	I X	"	"	12-31-1878	⊖	D-3699	√3699	NC
Northwest Township Co.	ID	"	"	12-31-1881 12-31-1886	T-6801	⊖	√72346	NC
Edward Murphy	DO IR	Brattain Ditch	Lake Abert	12-31-1885	T-6801	⊖	√80631	NC

RR

CF

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

This is to Certify, That CHESTERFIELD B. PARKER AND LELAND S. PARKER
of Paisley, State of Oregon has a right to the use of
the waters of Chewaucan River, a tributary of Abert Lake, and Elder Creek, a
tributary of Chewaucan River
for the purpose of the irrigation of 445 acres of land, domestic and stock use
and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
Lake County, and the said decree entered of record at Salem, in the Order
Record of the STATE WATER BOARD of the State of Oregon, in Volume 5 at page 1
that the priority of the right thereby confirmed dates from 1878 as to lands under proof
No. 54 and 55 and 1897 as to lands under proof No. 56

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of 1/25 of a cubic foot per second per acre, and the aggregate quantity set forth in connection with each tract described below; and said rights shall be subject to all other conditions and limitations contained in said decree.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:
(Proof No. 54 from Chewaucan River. 4.8 acre feet per acre during each irrigation season, being the period from April 1 to September 15 of each year) 40 acres in the Northeast quarter of Northwest quarter and 40 acres in the Northwest quarter of Northwest quarter of Section Thirty, Township Thirty-three South, Range Nineteen East of Willamette Meridian in Lake County, Oregon.
(4.4 acre feet per acre during each irrigation season, being the period from April 1 to September 15th of each year) 40 acres in the Northwest quarter of Northeast quarter; 32.5 acres in the Southwest quarter of Northeast quarter and 32.5 acres in the Southeast quarter of Northwest quarter of Section Thirty, Township Thirty-three South, Range Nineteen East of Willamette Meridian, in Lake County, Oregon.

183.67 ac transferred
1.33 ac RR

(Proof No. 55 from Chewaucan River, 4.4 acre feet per acre during each irrigation season, being the period from April 1 to September 15 of each year) 40 acres in the Northeast quarter of Northeast quarter and 40 acres in the Southwest quarter of Northeast quarter of Section Thirty: 40 acres in the Northwest quarter of Northwest quarter and 40 acres in the Southwest quarter of Northwest quarter of Section Twenty-nine, Township Thirty-three South, Range Nineteen East of Willamette Meridian, in Lake County, Oregon.

RR
160 ac

(Proof No. 56 from Elder Creek. 3.9 acre feet per acre during each irrigation season, being the period from April 1 to September 15 of each year) 20 acres in the Southwest quarter of Northwest quarter; 15 acres in the Southeast quarter of Northwest quarter; 15 acres in the Northwest quarter of Southwest quarter; 20 acres in the Northeast quarter of Southwest quarter and 20 acres in the Northwest quarter of Southeast quarter of Section Thirty-One, Township Thirty-five South, Range Eighteen East of Willamette Meridian, in Lake County, Oregon.

RR
100 ac

Proof 54	Trans.	RR
NE NW 40 ac	39.25	0.75
NW NW 40 ac	39.73	0.27
NW NE 40 ac	40	-
SW NE 32.5 ac	32.5	-
SE NW 32.5 ac	32.19	0.31
	183.67	1.33

Sec 30

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

WITNESS the seal and signature of the State
Water Board, affixed this 15th day
of July, 1922

STATE WATER BOARD

(Seal of State Water Board)

By PERCY A. CUPPER
State Engineer, President

Attest:

R. W. POTTER
Secretary

Recorded in State Record of Water Right Certificates, Volume 4, page 3629

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

This is to Certify, That JOHN DRUM, Sr

of Paisley, State of Oregon has a right to the use of

the waters of Chewaucan River, a tributary of Abert Lake

for the purpose of the irrigation of 2 acres of land

and that said right has been confirmed by decrees of the Circuit Court of the State of Oregon for Lake County, and the said decrees entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 5, at page 1; that the priority of the right thereby confirmed dates from 1906

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of 1/25 of a cubic foot per second per acre, and the aggregate quantity set forth below; and said right shall be subject to all other conditions and limitations contained in said decree.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows: (3.9 acre feet per acre during each irrigation season, being the period from April 1 to September 15 of each year). 2 acres in the Northwest quarter of Southeast quarter of Section Twenty-four, Township Thirty-three South, Range Eighteen East of Willamette Meridian, in Lake County, Oregon.

2.00 ac.
- 1.02 ac transferred

0.98 ac RR

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

WITNESS the seal and signature of the State Water Board, affixed this 15th day of July, 1922

STATE WATER BOARD

(Seal of State Water Board)

By PERCY A. CUPPER
State Engineer, President

Attest:

R. W. POTTER
Secretary

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

This is to Certify, That Mrs. OLA DRUMM of Paisley, State of Oregon has a right to the use of the waters of Chevaucan River, a tributary of Abert Lake for the purpose of the irrigation of 11 acres of land

and that said right has been confirmed by decrees of the Circuit Court of the State of Oregon for Lake County, and the said decrees entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 5, at page 1; that the priority of the right thereby confirmed dates from 1900

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of 1/25 cubic feet per second per acre, and the aggregate quantity set forth in connection with each tract described below; and said rights shall be subject to all other conditions and limitations contained in said decrees.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

(Proof No. 58 - the irrigation of 10 acres described as follows: Lots 14 and 15, Second Addition to Paisley, Oregon; Lots 10, 11, 12 and 13, Block F, Second East Addition to Paisley, Oregon: Also a tract of land described as follows: Beginning at the SE corner of Lot 10, Block F, Paisley, Oregon; thence Northerly along the eastern boundary of said Block 150'; thence easterly at right angles 100'; thence at right angles southerly a parallel with the eastern boundary of said Block F, 150'; thence at right angle westerly 100' to place of beginning.

This part transferred. 1.0 ac

Proof No. 59 - 1 acre in the Northeast quarter of Southeast quarter and Northwest quarter of Southwest quarter of Section Twenty-four, Township Thirty-three South, Range Eighteen East of Willamette Meridian, in Lake County, Oregon.

All of the above lands shall be limited to 3.9 acre feet per acre during each irrigation season, being the period from April 1 to September 15 of each year.

10 acres remaining

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

WITNESS the seal and signature of the State Water Board, affixed this 15th day of July, 1922

STATE WATER BOARD

(Seal of State Water Board)

By PERCY A. CUPPER State Engineer, President

Attest:

R. W. POTTER Secretary

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

This is to Certify, That ESTATE OF MARTHA J. FARROW, deceased
of Paisley, State of Oregon has a right to the use of
the waters of Chewaucan River, a tributary of Abert Lake
for the purpose of the irrigation of 23.58 acres of land, and domestic and stock use
under Proof No. 71 and irrigation under proof No. 70
and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
County, and the said decrees entered of record at Salem, in the Order
Record of the STATE WATER BOARD of the State of Oregon, in Volume 5, at page 1;
that the priority of the right thereby confirmed dates from 1885 as to lands under proof
No. 70 and 1901 as to lands under proof No. 71

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of 1/25 of a cubic foot per second per acre, and the aggregate quantity set forth in connection with each tract described below, and said rights shall be subject to all other conditions and limitations contained in said decrees.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:
Proof No. 70 - 0.05 acres in the Northeast quarter of Southwest quarter, and 0.50 acres in the Northwest quarter of Southwest quarter of Section Twenty-four, Township Thirty-three South, Range Eighteen East of Willamette Meridian, in Lake County, Oregon.

Proof No. 71 - 13.3 acres in the Northwest quarter of Southeast quarter and 10 acres in the Southwest quarter of Southeast quarter of Section Twenty-four, Township Thirty-three South, Range Eighteen East of Willamette Meridian, in Lake County, Oregon.

All of the above described lands shall be limited to 3.9 acre feet per acre during each irrigation season, being the period from April 1 to September 15 of each year.

Proof 70	Trans	RR	Proof 71	Trans	RR
NESW 0.05ac	0.05	-	NW SE 13.3ac	12.75	0.55
NWSW 0.50ac	0.50	-	SW SE 10.0ac	8.97	1.03
Section 24	0.55ac	-	Section 24	21.72ac	1.58ac

Actually NWSE

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

WITNESS the seal and signature of the State
Water Board, affixed this 15th day
of July, 1922

STATE WATER BOARD

(Seal of State Water Board)

By PERCY A. CUPPER
State Engineer, President

Attest:

R. W. POTTER
Secretary

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

This is to Certify, That J. D. FARRA
of Paisley, State of Oregon has a right to the use of
the waters of Chowaucan River, a tributary of Abert Lake
for the purpose of the irrigation of 1.4 acres of land
and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
Lake County, and the said decrees entered of record at Salem, in the Order
Record of the STATE WATER BOARD of the State of Oregon, in Volume 5, at page 1;
that the priority of the right thereby confirmed dates from 1900

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of 1/25 of a cubic foot per second per acre; and the aggregate quantity set forth below; and said right shall be subject to all other conditions and limitations contained in said decrees.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows: (3.9 acre feet per acre during each irrigation season, being the period from April 1 to September 15 of each year) All of Block "K", South Addition to the Town of Paisley, in Lake County, Oregon.

1.4 ac -
- 0.91 ac transferred

0.49 ac RR

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

WITNESS the seal and signature of the State
Water Board, affixed this 15th day
of July, 1922

STATE WATER BOARD

(Seal of State Water Board)

By PERCY A. GURPER
State Engineer, President

Attest:

R. W. POTTER
Secretary

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

This is to Certify, That S. G. HADLEY and LILLIAN A. HADLEY
of Paisley, State of Oregon has a right to the use of
the waters of Chewaucan River, a tributary of Abert Lake
for the purpose of the irrigation of 5 acres of land, domestic and stock use

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
Lake County, and the said decree entered of record at Salem, in the Order
Record of the STATE WATER BOARD of the State of Oregon, in Volume 5, at page 1;
that the priority of the right thereby confirmed dates from 1878

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an
amount actually beneficially used for said purposes, and shall not exceed a rate of diversion
of 1/25 of a cubic foot per second per acre, and the aggregate quantity set forth
below; and said right shall be subject to all other conditions and limitations
contained in said decree.

A description of the lands irrigated under such right, and to which the water is appur-
tenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:
(329 acre feet per acre during each irrigation season, being the period from
April 1 to September 30 of each year) 2 acres in the Southeast quarter of
Southwest quarter of Section Twenty-four and 3 acres in the Northeast quarter
of Northwest quarter of Section Twenty-five, Township Thirty-three South, Range
Eighteen East of Willamette Meridian, in Lake County, Oregon.

	Trans.	RR
SE SW Sec 24 - 2.0 ac	0.46 ac	1.54 ac
NE SW Sec 25 - 3.0 ac	2.30 ac	0.64 ac
	2.82 ac	2.18 ac

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

WITNESS the seal and signature of the State
Water Board, affixed this 15th day
of July, 1922

STATE WATER BOARD

(Seal of State Water Board)

By PERCY A. CUPPER
State Engineer, President

Attest:

R. W. POTTER
Secretary

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

This is to Certify, That FRANCES E. HOWELL

of Lakeview, State of Oregon has a right to the use of the waters of Chewaucan River, a tributary of Abert Lake for the purpose of the irrigation of 5.6 acres of land

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Lake County, and the said decrees entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 5, at page 1 that the priority of the right thereby confirmed dates from 1889 as to lands under proof 88 and April 1, 1894 as to lands under proof No. 89

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of 1/25 of a cubic foot per second per acre, and the aggregate quantity set forth in connection with each tract described below; and said rights shall be subject to all other conditions and limitations contained in said decrees.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows: (Proof No. 88 for the irrigation of 3 acres from Chewaucan River, 3.9 acre feet per acre during each irrigation season, being the period from April 1 to September 30 of each year) Lots 1, 2, 3 and 4, Miller's Addition to the Town of Paisley, in Lake County, Oregon.

(Proof No. 89 for the irrigation of 2.6 acres from Chewaucan River, 3.9 acre feet per acre during each irrigation season, being the period from April 1 to September 15 of each year) 2.6 acres in the Southwest quarter of Southeast quarter of Section Twenty-four, Township Thirty-three South, Range Eighteen East of Willamette Meridian, in Lake County, Oregon.

All but 3.3 ac transferred
All transferred

5.6 ac
- 5.47 ac transferred
0.13 ac RR

Location to be re-described as per Finding #104 of T-9733 order

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

WITNESS the seal and signature of the State Water Board, affixed this 15th day of July, 1922

STATE WATER BOARD

(Seal of State Water Board)

By PERCY A. CUPPER State Engineer, President

Attest:

R. W. POTTER Secretary

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

This is to Certify, That . . . LESTER I. HAMPTON AND FRANCES E. HOWELL

of Lakeview, State of Oregon has a right to the use of the waters of Chewaucan River, a tributary of Abert Lake for the purpose of the irrigation of 5 acres of land

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Lake County, and the said decree entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 5, at page 1; that the priority of the right thereby confirmed dates from April 1, 1894

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of 1/25 of a cubic foot per second per acre, and the aggregate quantity set forth below; and said right shall be subject to all other conditions and limitations contained in said decree.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows: (3.9 acre feet per acre during each irrigation-season, being the period from April 1 to September 15 of each year) 5 acres in the Southwest quarter of Southeast quarter of Section Twenty-four, Township Thirty-three South; Range Eighteen East of Willamette Meridian, in Lake County, Oregon.

4.87ac transferred, leaving RR of 0.13ac

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

WITNESS the seal and signature of the State Water Board, affixed this 15th day of July, 1922

STATE WATER BOARD

(Seal of State Water Board):

By PERCY A. CUPPER, State Engineer, President

Attest:

R. W. POTTER, Secretary

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

This is to Certify, That FLORENCE JONES

of Paisley, State of Oregon has a right to the use of

the waters of Chewaucan River, a tributary of Abert Lake

for the purpose of the irrigation of 503.6 acres of land, domestic and stock use

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Lake County, and the said decrees entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 5, at page 2; that the priority of the right thereby confirmed dates from 1878

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of 1/25 of a cubic foot per second per acre, and the aggregate quantity set forth in connection with each tract described below; and said rights shall be subject to all other conditions and limitations contained in said decrees.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

Transferred

Proof No. 93 for 110 acres - 15 acres in the Southeast quarter of Southwest quarter; 15 acres in the Southwest quarter of Southeast quarter and 40 acres in the Southeast quarter of Southeast quarter of Section Thirty and - - - - - 40 acres in the Northeast quarter of Northeast quarter of Section Thirty-one, Township Thirty-three South, Range Nineteen East of Willamette Meridian, in Lake County, Oregon.

Proof No. 94 for 393.6 acres - 160 acres in the Southwest quarter and 80 acres in the West half of Southeast quarter of Section Twenty-nine; 40 acres in the Northeast quarter of Southeast quarter of Section Thirty; 33.6 acres in the Northwest quarter of Northeast quarter and 80 acres in the North half of Northwest quarter of Section Thirty-two, Township Thirty-three South, Range Nineteen East of Willamette Meridian, in Lake County, Oregon.

All of the above described land shall be limited to 4.4 acre feet per acre during each irrigation season, being the period from April 1 to September 15 of each year.

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

WITNESS the seal and signature of the State Water Board, affixed this 15th day of July, 1922

STATE WATER BOARD

(Seal of State Water Board)

By PERCY A. CUPPER State Engineer, President

Attest:

R. W. POTTER Secretary

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

This is to Certify, That E. S. McDONALD

of Paisley, State of Oregon has a right to the use of

the waters of Chewaucan River, a tributary of Abert Lake, and a small creek rising in Section 33, T 35 S. R. 18 E. W. M., tributary of Chewaucan River for the purpose of the irrigation of 160 acres of land, domestic and stock use

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Lake County, and the said decree entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 5, at page 1; that the priority of the right thereby confirmed dates from 1878 as to lands under proof No. 109 and 1880 as to lands under proof No. 110.

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes; and shall not exceed a rate of diversion of 1/25 of a cubic foot per second per acre, and the aggregate quantity set forth in connection with each tract described below; and said rights shall be subject to all other conditions and limitations contained in said decree.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

(Proof No. 109 for the irrigation of 145 acres of land from Chewaucan River, 4.4 acre feet per acre during each irrigation season, being the period from April 1 to September 15 of each year) 7.5 acres in the Southwest quarter of Northeast quarter; 7.5 acres in the Southeast quarter of Northwest quarter; 40 acres in the Northeast quarter of Southwest quarter; 25 acres in the Southeast quarter of Southwest quarter; 40 acres in the Northwest quarter of Southeast quarter and 25 acres in the Southwest quarter of Southeast quarter of Section Thirty, Township Thirty-three South, Range Nineteen East of Willamette Meridian, in Lake County, Oregon.

(Proof No. 110 for the irrigation of 15 acres of land from a small Creek rising in Section 33, T 35 S. R. 18 E. W. M., 3.9 acre feet per acre during each irrigation season, being the period from April 1 to September 15 of each year) 15 acres in the Northwest quarter of Southwest quarter of Section Thirty-four, Township Thirty-five South, Range Eighteen East of Willamette Meridian, in Lake County, Oregon.

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

WITNESS the seal and signature of the State Water Board, affixed this 15th day of July, 1922

STATE WATER BOARD

(Seal of State Water Board)

By PERCY A. CUPPER State Engineer, President

Attest:

R. W. POTTER Secretary

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

This is to Certify, That W. Y. MILLER
of Paisley, State of Oregon has a right to the use of
the waters of Chewaucan River, a tributary of Abert Lake

for the purpose of the irrigation of $19\frac{1}{4}$ acres of land, domestic and stock use

and that said right has been confirmed by decrees of the Circuit Court of the State of Oregon for Lake County, and the said decrees entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 5, at page 1; that the priority of the right thereby confirmed dates from 1878 as to lands under proof No. 119, April 1, 1894 as to lands under proof No. 120 and 1901 as to lands under proof No. 121

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of $\frac{1}{25}$ of a cubic foot per second per acre, and the aggregate quantity set forth in connection with each tract described below; and said rights shall be subject to all other conditions and limitations contained in said decrees.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

(Proof No. 119 for the irrigation of 5 acres. 4.8 acre feet per acre during each irrigation season, being the period from April 1 to September 30 of each year) 5 acres in the Southeast quarter of Southwest quarter of Section Twenty-four, Township Thirty-three South, Range Eighteen East of Willamette Meridian, in Lake County, Oregon. *- 3.25 ac transferred - 0.29 ac remaining in T.L. 1200*

(Proof No. 120 for the irrigation of 5 acres. 4.8 acre feet per acre during each irrigation season, being the period from April 1 to September 15 of each year) 5 acres in the Southwest quarter of Southeast quarter of Section Twenty-four, Township Thirty-three South, Range Eighteen East of Willamette Meridian, in Lake County, Oregon. *- 1.01 ac presumed to be paved over - City of Paisley roads*

(Proof No. 121 for the irrigation of $9\frac{1}{4}$ acres of land. 4.8 acre feet per acre during each irrigation season, being the period from April 1 to September 15 of each year) $9\frac{1}{4}$ acres in the Southwest quarter of Southeast quarter of Section Twenty-four, Township Thirty-three South, Range Eighteen East of Willamette Meridian, in Lake County, Oregon.

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

WITNESS the seal and signature of the State
Water Board, affixed this 15th day
of July, 192 2

STATE WATER BOARD

(Seal of State Water Board)

By PERCY A. CUPPER
State Engineer, President

Attest:

R. W. POTTER

Secretary

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

This is to Certify, That FLORA MOORE of Paisley, State of Oregon, has a right to the use of the waters of Chewaucan River, a tributary of Abert Lake for the purpose of the irrigation of 1/4 of an acre

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Lake County, and the said decree entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 5, at page 1; that the priority of the right thereby confirmed dates from 1904

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of 1/25 of a cubic foot per second per acre; and the aggregate quantity set forth below; and said right shall be subject to all other conditions and limitations contained in said decree.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows: (3.9 acre feet per acre during each irrigation season, being the period from April 1 to September 15 of each year). Lots 11 and 12 in Block C, Town of Paisley, in Lake County, Oregon.

Lot 12 transferred - 0.125 ac. T.L. 2600

Lot 11 RR - 0.125 ac. T.L. 2700

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

WITNESS the seal and signature of the State Water Board, affixed this 15th day of July, 1922

STATE WATER BOARD

(Seal of State Water Board)

By PERCY A. CUPPER State Engineer, President

Attest:

R. W. POTTER Secretary

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

This is to Certify, That ANNIE MOSS

of Paisley, State of Oregon has a right to the use of

the waters of Chewaucan River, a tributary of Abert Lake

for the purpose of the irrigation of 160 acres of land, domestic and stock use

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Lake County, and the said decree entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 5, at page 1; that the priority of the right thereby confirmed dates from 1878

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of 1/25 of a cubic foot per second per acre, and the aggregate quantity set forth below; and said right shall be subject to all other conditions and limitations contained in said decree.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

(Proof No. 124 for the irrigation of 110 acres of land) 40 acres in the Southeast quarter of Southeast quarter of Section Twenty-four, Township Thirty-three South, Range Eighteen: 40 acres in the Southwest quarter of Southwest quarter and 30 acres in the Southeast quarter of Southwest quarter of Section Nineteen, Township Thirty-three South, Range Nineteen: All East of Willamette Meridian, in Lake County, Oregon.

(Proof No. 125 for the irrigation of 50 acres of land) 2 acres in the Southeast quarter of Northeast quarter and 38 acres in the Northeast quarter of Southeast quarter of Section Twenty-four, Township Thirty-three South, Range Eighteen: 10 acres in the Southeast quarter of Southwest quarter of Section Nineteen, Township Thirty-three South, Range Nineteen: All East of Willamette Meridian, in Lake County, Oregon.

All of the above lands shall be limited to 4.8 acre feet per acre during each irrigation season, being the period from April 1 to September 15 of each year.

Proof 124	Transfer	Cancel	RR	Proof 125	Transfer	Cancel	RR
SE SE Sec 24 - 40	39.3	0.2	0.5	SE NE Sec 24 - 2	2	-	-
SWSW Sec 19 - 40	40	-	-	NE SE - 38	38	-	-
SE SW - 30	30	-	-	SE SW Sec 19 - 10	10	-	-

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

WITNESS the seal and signature of the State Water Board, affixed this 15th day of July, 1922

STATE WATER BOARD

(Seal of State Water Board)

By PERGY A. CUPPER
State Engineer, President

Attest:

R. W. POTTER
Secretary

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

This is to Certify, That **GEO. PIKE**
of Paisley, State of Oregon has a right to the use of
the waters of Chewaucan River, a tributary of Abert Lake.
for the purpose of the irrigation of 1.5 acres of land, domestic and stock use
and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
Lake County, and the said decree entered of record at Salem, in the Order
Record of the STATE WATER BOARD of the State of Oregon, in Volume 5 at page 5;
that the priority of the right thereby confirmed dates from September 18, 1893

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of 1/25 of a cubic foot per second per acre, and the aggregate quantity set forth below; and said right shall be subject to all other conditions and limitations contained in said decree.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows: (3.9 acre feet per acre during each irrigation season, being the period from April 1 to September 15 of each year) 0.5 acres in the Northeast quarter of Southwest quarter and 1 acre in the Northwest quarter of Southwest quarter of Section Twenty-four, Township Thirty-three South, Range Eighteen East of Willamette Meridian, in Lake County, Oregon.

	Redescribed	Transfer	RR
NE SW 0.5 ac	0.5	—	0.66
NW SW 1.0 ac	0.8	0.63	0.21 0.21
Section 24 ↓	↓	0.63 ac	0.87 ac
1.5	1.5		

See redescription of right in Finding #106

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

WITNESS the seal and signature of the State
Water Board, affixed this 15th day
of July, 1922

STATE WATER BOARD

(Seal of State Water Board)

By **PERCY A. CUPPER**
State Engineer, President

Attest:

R. W. POTTER
Secretary

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

This is to Certify, That HARRIET L. RANDOM

of Paisley, State of Oregon has a right to the use of

the waters of Chewaucan River, a tributary of Abert Lake

for the purpose of the irrigation of 140 acres of land, domestic and stock use

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Lake County, and the said decree entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 5, at page 1; that the priority of the right thereby confirmed dates from 1878

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of 1/25 of a cubic foot per second per acre, and the aggregate quantity set forth below; and said right shall be subject to all other conditions and limitations contained in said decree.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

(4.8 acre feet per acre during each irrigation season, being the period from April 1 to September 30 of each year) 30 acres in the Northeast quarter of Northeast quarter and 30 acres in the Southeast quarter of Northeast quarter of Section Twenty-five, Township Thirty-three South, Range Eighteen; 40 acres in the Southwest quarter of Northwest quarter and 40 acres in the Northwest quarter of Southwest quarter of Section Thirty, Township Thirty-three South, Range Nineteen, All East of Willamette Meridian, in Lake County, Oregon.

	Transferred	Carroll RR	RR
NE NE 30	22.01	7.99	—
SE NE 30	26.05	3.95	—
Section 25 T33S, R18E			
SW NW 40	39.37	0.41	0.22
NW SW 40	40.00	—	—
Section 30 T33S R19E	127.43 ac	12.35 ac	0.22 ac

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

WITNESS the seal and signature of the State Water Board, affixed this 15th day of July, 1922

STATE WATER BOARD

(Seal of State Water Board)

By PERCY A. CUEPPE
State Engineer, President

Attest:

R. W. POTTER
Secretary

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

This is to Certify, That F. WIEDEY

of Paisley, State of Oregon has a right to the use of

the waters of Chewaucan River, a tributary of Abert Lake

for the purpose of the irrigation of 1600 acres of land, domestic and stock use

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Lake County, and the said decree entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 5, at page 1; that the priority of the right thereby confirmed dates from 1878

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of 1/25 of a cubic foot per second per acre, and the aggregate quantity set forth in connection with each tract described below; and said rights shall be subject to all other conditions and limitations contained in said decree.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows: (Proof No. 159 for the irrigation of 135 acres) 40 acres in the Northeast quarter of Southeast quarter; 30 acres in the Northwest quarter of Southeast quarter; 25 acres in the Southwest quarter of Southeast quarter and 40 acres in the Southeast quarter of Southeast quarter of Section Nineteen, Township Thirty-three South, Range Nineteen East of Willamette Meridian, in Lake County, Oregon.

(Proof No. 160 for the irrigation of 25 acres) 10 acres in the Northwest quarter of Southeast quarter and 15 acres in the Southwest quarter of Southeast quarter of Section Nineteen, Township Thirty-three South, Range Nineteen East of Willamette Meridian, in Lake County, Oregon.

All of the above described lands shall be limited to 4.6 acre foot per acre during each irrigation season, being the period from April 1 to September 15 of each year.

Proof 159
NESE 40
NWSE 30
SWSE 25
SESE 40
} 135 ac RR

Proof 160
NWSE 10
SWSE 15
Section 19
} 25 ac transferred

Section 19 The right to the use of the water for irrigation purposes is restricted to the lands or place of use herein described.

WITNESS the seal and signature of the State Water Board, affixed this 15th day of July, 1922

STATE WATER BOARD

(Seal of State Water Board)

By FERCY A. CUPPER
State Engineer, President

Attest:

R. W. POTTER
Secretary

STATE OF OREGON
 COUNTY OF LAKE
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

NORTHWEST TOWNSITE COMPANY
 308 CHESTNUT STREET
 PHILADELPHIA, PENNSYLVANIA 19118

confirms the right to use the waters of the CHEWAUCAN RIVER, a tributary of LAKE ABERT, for IRRIGATION and DOMESTIC.

This right was confirmed by decree of the Circuit Court of the State of Oregon for LAKE County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 4, at Page 3677. The date of priority is 1881 under Proof No. 129, and 1886 under Proof No. 131.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.95 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

PROOF 129: LITTLE CONN OR DRINKWATER DITCH LOCATED: NW¼ SE¼, SECTION 23, T 33 S, R 18 E, W.M.

PROOF 131: MILL DITCH LOCATED: NE¼ SE¼, SECTION 23, T 33 S, R 18 E, W.M.

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-TWENTY FIFTH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.9 acre-feet for each acre irrigated during the irrigation season from April 1, to September 15 of each year.

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

		<u>RR</u>	<u>PROOF NO. 129</u>		<u>PROOF NO. 131</u>
9.95	0.8	1.35	NE¼ SE¼ 12.0 ACRES SECTION 23	NE¼ NW¼ 3.0 ACRES NW¼ NW¼ 1.5 ACRES NW¼ SW¼ 2.3 ACRES SECTION 24 TOWNSHIP 33 SOUTH RANGE 18 EAST W.M.	
4.20	0.8		NW¼ SW¼ 5.0 ACRES SECTION 24 TOWNSHIP 33 SOUTH RANGE 18 EAST W.M.		
14.05	0.8	2.15			
			+	6.8 ac	
			↓		
			8.95 ac RR		

This certificate describes that portion of the water right confirmed by Certificate 3677, State Record of Water Right Certificates, NOT modified by the provisions of an order of the State Engineer, entered July 16, 1964, at Special Order Volume 13, page 408, cancelling a portion of the right, and the Water Resources Director entered MAY 22 1996, approving Transfer Application 6801.

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 and is subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director,
affixed MAY 22 1996.

Ms/ MARTHA O. PAGEL
Martha O. Pagel, Director

Recorded in State Record of Water Right Certificates numbered 72346.

T-6801.drg

C-72346

NOT PARTICIPATING IN
TRANSFER

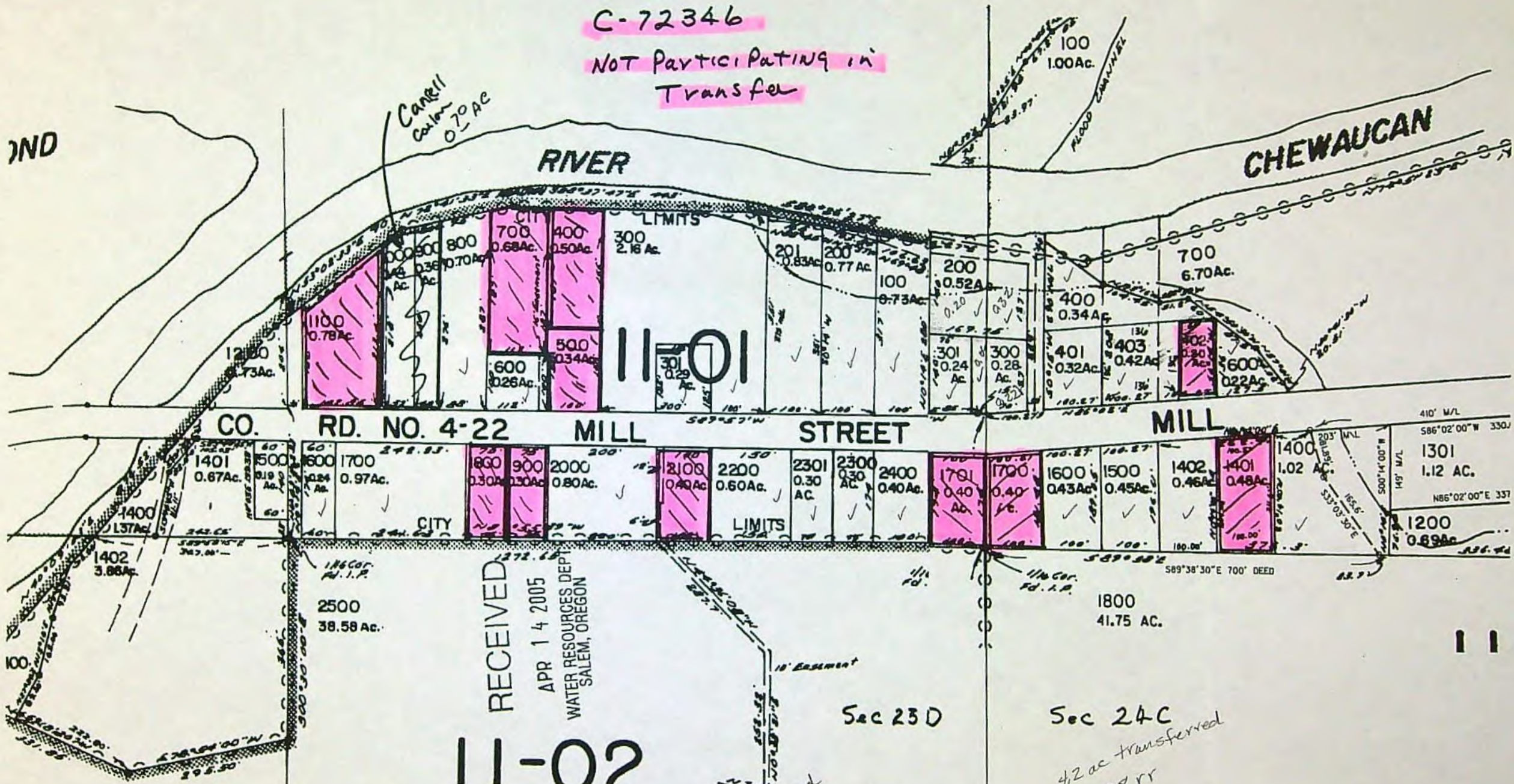
IND

Cancel
Canton
0.70 AC

100
1.00Ac.

RIVER

CHEWAUCAN



11-02

RECEIVED
APR 14 2005
WATER RESOURCES DEPT
SALEM, OREGON

Sec 23D

Sec 24C

9.85 transferred

0.70 cancel?
10.55 -50 1.45ac rr

4.2 ac transferred
50 0.8 rr

Under Proof 129
+ All of Proof 131

11

THE ATTACHED CHECK IS IN PAYMENT OF ITEMS LISTED BELOW - PLEASE DETACH BEFORE DEPOSITING.

DATE

DESCRIPTION

AMOUNT

4-3-04

#149

\$9100.00

RECEIVED

MAY 26 2004

WATER RESOURCES DEPT
SALEM OREGON

J-SPEAR RANCH CO.

P.O. BOX 257

KLAMATH FALLS, OREGON 97601

PHONE (541) 884-3177

FAX (541) 884-2697

No. 18757

Ranch At
Paisley, Oregon
97636

Withers Ditch

Withers Ditch

5619
3480

5619
3480

8 Acres

7 Acres
1716

Chenoweth

River

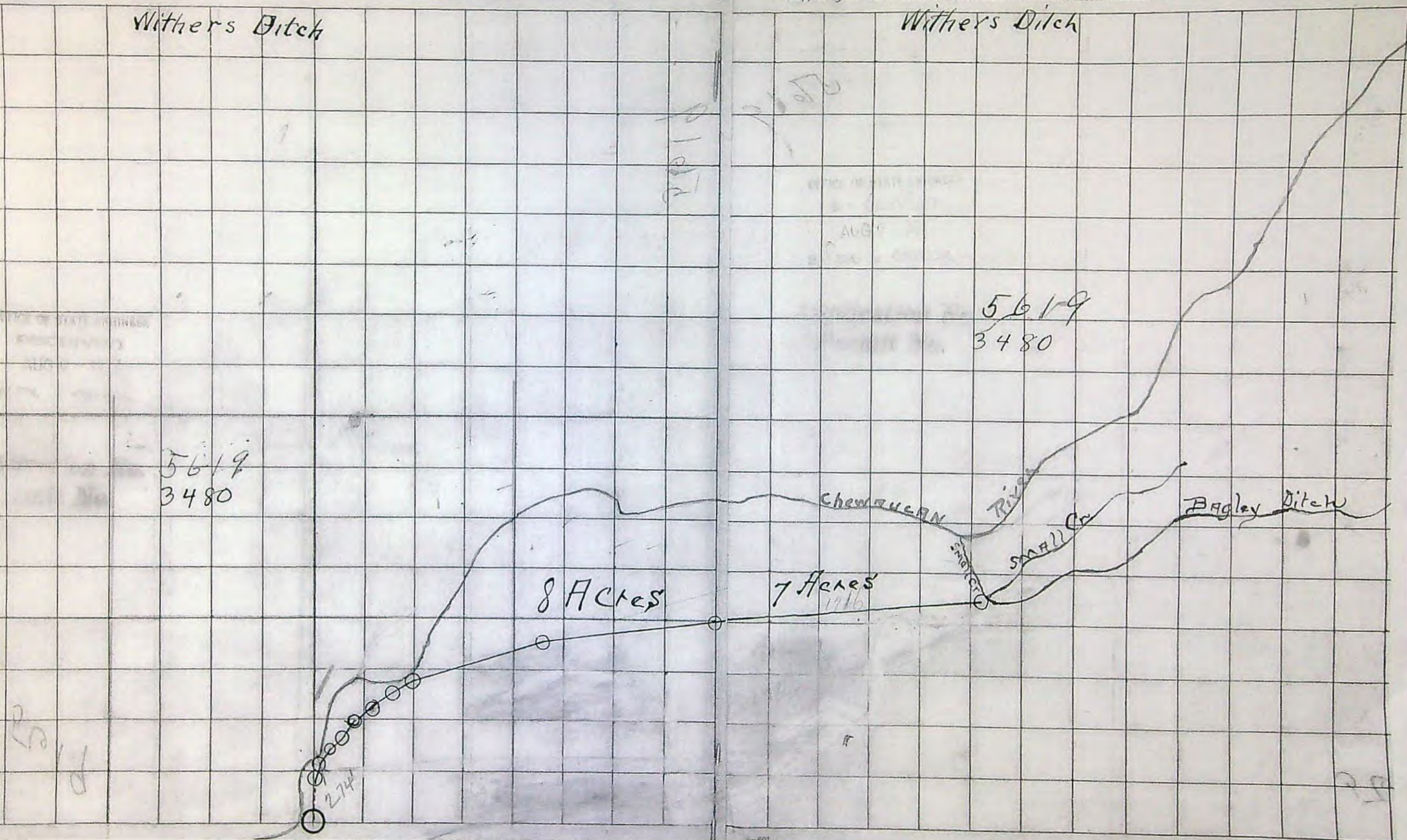
Small Cr

Bagley Ditch

274

50
10

20





Oregon

Theodore R. Kulongoski, 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

October 22, 2004

BAGLEY DITCH CORP.
39650 CLOVER FLAT RD
PAISLEY OR 97636

DENNIS R GLENDER
93921 PIKE LANE
LAKEVIEW OR 97630

Reference: Transfer 9733

On 5-26-2004 we received your water right transfer application requesting changes in points of diversion. The application was accompanied by \$9100, receipt 67534 and \$175.00, receipt 67535 and \$175.00, receipt 67536.

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

Your application will be examined to determine if additional information is needed. You will be contacted following this examination. A number of other transfer applications are also awaiting review. As a result, it may be some time before we are able to process your application. If you wish to have your application processed more quickly, you may want to consider use of the Department's reimbursement authority. Under this authority an applicant may receive expedited review by paying the full cost for a pre-qualified contractor to process the applications. For more info on the Reimbursement Authority program, see the website at www.wrd.state.or.us/programs/index.shtml or by calling the transfer section.

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. If the land is sold before the transfer is approved, you will need to obtain consent from the buyer to complete the transfer.

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

If you have any questions, please call the Transfer Section, (503)986-0883.

cc: David Poe, Watermaster #12

enclosure

TRANSFER CHECK OFF LIST

TRANSFER FILE # 9733
 DATE RECEIVED 5-26-04
 DATE MONEY SLIPPED 5-26-04
 DATE RECEIPTED 5-26-04
 VALID WATER RIGHT? Yes No
 TEMP ALT AC ___ (Greg) IRR DIST ___ (Greg) PERM AMEND ___ (Kelly) DIV 15 (Bernie Assigns)
 TEMP Div 15 ___ (Bernie) ISWR ___ COPIES TO LIAISON ___

LETTER FROM ATTORNEY ___ YES (PUT INFO ON FRONT COVER) NO

FOLDER FILLED OUT*
 INDEX CARD
 ENTERED IN DB

F # ___
 CONTENTS MARKED
 COLOR CODED Yes
 4 COPIES MADE & STAMPED ___

CERTIFICATE MARKED yes
 CERTIFICATE COPIED yes
~~PULL APPLICATIONS~~
~~APP FOLDER MARKED~~
~~FINAL PROOF MAP COPIED~~
~~PERMIT MARKED~~
~~PERMIT COPIED~~
~~PERMIT MAP COPIED~~
~~DECREE MARKED~~
~~DECREE COPIED~~
~~ADJUDICATION MAP COPIED~~

ENTRIES CHECKED _____ CHECKED BY _____ INIT FOLDER _____
 PUBLIC NOTICE DATE 10-26-04 (PREPARED & COPIED)
 LETTER SENT yes Irrigation District no (copy of app & map)
 COPY TO WM yes
 BLUE FORM TO WM yes Orange Perm Amend/Yellow Temp/Grn Dist/Lav Alt Acr/pink his
 COPY TO GW no POA, APOA, or [SW TO GW ONLY(as POD)]
 BLUE FORM TO GW no Orange Perm Amend/Yellow Temp/Grn Dist/Lav Alt Acr/pink his
 COPY TO CWRE yes
 LETTER TO ODFW yes ALL Surface water POU/USE (POD and APOD FISH SCREENS)
 TRANSFER SENT TO: Salem SW -- NCR -- SCR -- ER

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

**BAGLEY DITCH CORP
POINT OF DIVERSION TRANSFER**

- 1. Page 1, 5 & 6 of application/fee's**
- 2. Point of diversion map**
- 3. Authorization for agent**
- 4. ODFW letter of cooperation**
- 5. Land use form Paisley/Lake Co.**

- 6. Tax assessor list of owners**
- 7. Aerial photo overview**
- 8. List of owners with water rights**

T-9733

Bagley Ditch Co.

NAME	USE	SOURCE	TRIB	PR DATE	APP #	PER #	CERT	CANCELED WR
Chewancon Land & Cattle	IA	Chewancon River	Lake Abert	12-31-1885	⊖	D-2818	√2818	NC
Chester Withers	IR	"	"	6-22-1917	S-5595	S-3411	√2870	NC
L.P. Klippel C.F. Snider	IR	"	"	7-11-1917	S-5619	S-3480	√3233	NC
Mrs. Susie Benefiel	IR	"	"	12-31-1901	⊖	D-3599	√3599	NC
H.A., A.S., Mrs. C.W. Brattain	IA	"	"	12-31-1878	⊖	D-3604	√3604	NC
" "	IA	"	"	12-31-1878	⊖	D-3605	√3605	NC
Virgil Conn	IR	"	"	4-30-1900	⊖	D-3622	√3622	NC
M.C. Currier	IA	"	"	12-31-1878	⊖	D-3625	√3625	NC
Chesterfield B. Parker Leland S. Parker	IA	"	"	12-31-1878	⊖	D-3629	√3629	NC
John Drumm SR	IR	"	"	12-31-1906	⊖	D-3630	√3630	NC
Mrs. Ola Drumm	IR	"	"	12-31-1900	⊖	D-3631	√3631	NC
FW Farrow	IR	"	"	4-30-1894	⊖	D-3635	√3635	NC
Mary L. Farrow	IR	"	"	12-31-1894	⊖	D-3636	√3636	NC
Martha J. Farrow Deceased; estate of	IA IR	"	"	12-31-1901 12-31-1885	⊖	D-3638	√3638	NC
J.D. Farra	IR	Chewancon River	Lake Abert	12-31-1900	⊖	D-3639	√3639	NC

T-9733

NAME	USE	SOURCE	TRIB	PR DATE	APP #	PER #	CERT	CANCELED WR
Mary C. Green	IR	Chewaucan River	Lake Abert	12-31-1901	⊖	D-3641	√3641	NC
S.G. Hadley William A. Hadley	IX	"	"	12-31-1878	⊖	D-3642	√3642	NC
John Haran	IX	"	"	12-31-1888	⊖	D-3647	√3647	NC
Frances Howell	IR	"	"	12-31-1878 4-1-1894	⊖	D-3653	√3653	NC
Lester I. Hampton Frances E. Howell	IR	"	"	4-1-1894	⊖	D-3654	√3654	NC
I.O.O.F. No. 177	IR	"	"	4-1-1908	⊖	D-3655	√3655	NC
Florence Jones	IX	"	"	12-31-1878	⊖	D-3656	√3656	NC
Estate of Geo M. Jones	IX	"	"	12-31-1878	⊖	D-3659	√3659	NC
E. O. Lamb	IX	"	"	12-31-1878	⊖	D-3662	√3662	NC
E.S. McDonald	IX	Chewaucan River Small Creek	Lake Abert Chewaucan River	12-31-1878 12-31-1880	⊖	D-3666	√3666	NC
E.S. McDonald J. B. Elder	IX	Chewaucan River	Lake Abert	12-31-1878	⊖	D-3669	√3669	NC
Alice M. Miller	IR	"	"	12-31-1901	⊖	D-3671	√3671	NC
W. Y. Miller	IX	"	"	12-31-1878 4-1-1894 12-31-1901	⊖	D-3672	√3672	NC
Flora Moore	IR	"	"	12-31-1904	⊖	D-3673	√3673	NC
Annie Moss	IX	"	"	12-31-1878	⊖	D-3675	√3675	NC

T-9733

Bagley Ditch Co

NAME	USE	SOURCE	TRIB	PR DATE	APP #	PER #	CERT	CANCELED WR
O'Callaghan Brothers	I#	Chewancon River	Lake Abert	12-31-1878	⊖	D-3679	√3679	NC
W.B. Parker	I#	"	"	12-31-1878	⊖	D-3683	√3683	NC
R.M. Phelps	IR LV	"	"	12-31-1883	⊖	D-3685	√3685	NC
Geo Pike	I#	"	"	9-18-1893	⊖	D-3686	√3686	NC
Harriet L. Random	I#	"	"	12-31-1878	⊖	D-3687	√3687	NC
School district #11	IR	"	"	12-31-1901	⊖	D-3691	√3691	NC
Mrs. L.B. Sutt	I#	"	"	12-31-1878	⊖	D-3695	√3695	NC
S.S. Thayer	IR	"	"	12-31-1898	⊖	D-3696	√3696	NC
Rosa Tucker	IR	"	"	4-2-1903	⊖	D-3697	√3697	NC
F. Wiedley	I#	"	"	12-31-1878	⊖	D-3698	√3698	NC
Estate of Geo M. Jones	I#	"	"	12-31-1878	⊖	D-3699	√3699	NC
Northwest Township Co.	ID	"	"	12-31-1881 12-31-1886	T-6801	⊖	J72346	NC
Edward Murphy	DO IR	Brattain Ditch	Lake Abert	12-31-1885	T-6801	⊖	√80631	NC

RR

CF



Oregon

Theodore R. Kulongoski, 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

October 22, 2004

Curtis Edwards
Oregon Department of Fish and Wildlife
P O Box 1214
Lakeview, OR 97630

Reference: Transfer # 9733

Enclosed for your review is a copy of a water right transfer application from **Chewaucan River, Small Creek, Brattain Ditch**, tributary of **Lake Aber and Chewaucan River**.

Consistent with the Oregon Plan, we are soliciting your input on whether the proposed transfer would injure an instream water right or any other water right in which ODFW has an interest. If you believe that the transfer would injure a water right, please describe the nature of the injury and provide any supporting information which you have available.

ORS 540.525 and 540.532 require that we consult with you to determine if a fish screen or by-pass device should be required in conjunction with a permanent or historic change in a point of diversion. If you request a fish screen or by-pass device, we will include such a condition in the transfer order and the applicant will be eligible to participate in ODFW's cost sharing program for screening and by-pass devices.

We must receive your response in our Salem office

Attention: Transfer Section
Water Resources Department
725 SUMMER ST NE SUITE A
SALEM OR 97301-4172

by November 23, 2004 in order to consider it in our decision on the application and to include the appropriate conditions in any approval order. We will presume that you do not have comments and do not intend to request fish screens or by-pass devices if we do not receive a response.

If you have questions, please call 503-986-0883.

Enclosure

cc: Wm # 12, David Poe
Applicant

**Oregon Department of Fish and Wildlife
Transfer Comment Form**

Reference: Transfer # 9733

We have reviewed the application for transfer and provide the following comments:

Please check one of the boxes related to potential injury to water rights.

- There does not appear to be a potential for injury to instream or other water rights as a result of the transfer.
- We believe that the transfer would injure the instream or other water right(s) on _____, tributary to _____. The nature of the injury is as follows: _____

(Please attach any available supporting information.)

Please check one of the boxes related to requiring a fish screen or by-pass device.

- Pursuant to ORS 540.525 or 540.532, a condition should be included in any order approving the transfer to require the installation of a fish screen or by-pass device to prevent fish from leaving (source) and entering the diversion. The existing point of diversion is:
 - Equipped with an appropriate fish screening or by-pass device; or
 - Included on the priority list of screening projects established pursuant to section 8, chapter 933, Oregon Laws 1989.

The applicant should contact the following person to obtain additional information on the plans and specifications for the required fish screen or by-pass device and to obtain information about ODFW's cost sharing program for screening and by-pass devices:

ODFW staff name: _____
Address: _____
City/State/Zip: _____
Phone: (____) _____

- A fish screen or by-pass device should not be required as a condition of approval of the transfer.

Signature

Printed Name

Title

Please return this form to Transfer Section, Water Resources Department, 725 SUMMER ST NE SUITE A, SALEM OR 97301-4172 by November 23, 2004.



Oregon Water Resources Department Land Use Information Form

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. WRD will use this and other information to evaluate the water use application. THIS FORM IS NOT REQUIRED IF: 1) water is to be diverted, conveyed, and/or used only on federal lands; or 2) the application is for a water right transfer, allocation of conserved water, or exchange and all of the following apply: a) only the place of use is proposed for change, b) there are no structural changes, c) the use of water is for irrigation, and d) the use is located in an irrigation district or exclusive farm use zone.

To Be Completed By Applicant

This section must be completed by the individual or group that is filing an application with the Water Resources Department. Attach a copy of the map from the application to this form.

A. Applicant

Name: BAGLEY DITCH CORP
 Address: 39650 CLOVER FLAT RD
 City: PAISLEY State: OR Zip: 97636 Day Phone: 541-943-3328

B. Land and Location

Please provide information as requested below for all tax lots on or through which water will be diverted, conveyed, or used. Check "diverted" if water is diverted (taken) from its source on tax lot, "conveyed" if water is conveyed (transported) on tax lot, and "used" if water will be put to beneficial use on tax lot. More than one box may be checked. (Attach extra sheets as necessary.) Applicants for municipal use, or irrigation uses within irrigation districts, may substitute existing and proposed service area boundaries for the tax lot information requested below.

Tax Lot I.D.	Plan Designation (e.g. Rural Residential/RR-5)	Water to be: (check all that apply)	Proposed Land Use
	SEE ATTACHMENT	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	IRRIGATION
		<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	DOMESTIC
		<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	STOCK
		<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
		<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
		<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	

List counties and cities where water is proposed to be diverted, conveyed, or used. LAKE

C. Description of Proposed Use

Indicate the type of application to be filed with the Water Resources Department.

Water Use Permit Water Right Transfer Allocation of Conserved Water Exchange

Indicate the intended use of water and describe the key characteristics of the project.

Commercial Industrial Instream Irrigation
 Municipal Quasi-municipal Domestic (indicate number of households) _____
 Other DOMESTIC & STOCK

Briefly describe: POINT OF DIVERSION CHANGE, 1.138 ACRES OF CHANGE IN PLACE OF USE. NEW DIVERSION TO BE CONSTRUCTED UPSTREAM. OWEB GRANT. ODFW ALSO COOPERATOR

Indicate the source of the water to be used.

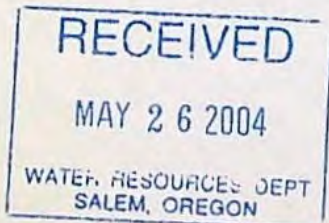
Reservoir/Pond Ground Water Surface Water CHEWAUCAN RIVER
(source)

Indicate the estimated quantity of water the use will require: 103 CFS GPM Acre-Feet

Last revised: 04/06/04

Receipt for Request for Land Use Information

State of Oregon
 Water Resources Department
 725 Summer Street NE, Suite A
 Salem, OR 97301-1271
 (503) 986-0900



T-9733

For Local Government Use Only

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

A. Allowed Use

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): 2.044. Go to section B "Approval" below.
- Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below.

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

Note: Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action/land use decision and accompanying findings are sufficient.)

B. Approval

Please provide printed name and written signature.

Name: RAY SIMMS *Ray Simms* Date: 5/4/04
4/30/04
 Title: Director City Planner Phone: 947-6093
 Signature: Ray Simms *Ray Simms* 443-3193 *Sharon Wickerman*

C. Additional Comments

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

Note: If this form cannot be completed while the applicant waits, sign and detach the receipt stub as instructed below. You will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

Name of applicant: _____

This receipt must be signed by a local government representative and returned to the applicant at the time they present this form. This receipt must be included with the application filed with the Water Resources Department if the local government cannot provide the requested land use information while the applicant waits.

City or County: _____
 Staff contact: _____ Phone: _____
 Signature: _____ Date: _____

T-9733

ATTACHMENT

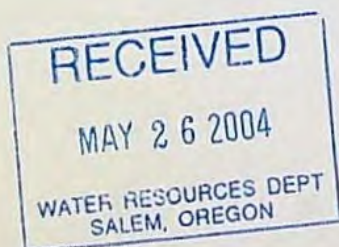
**EXISTING DIVERSION STRUCTURE IN THE SE¹/₄ SE¹/₄,
SECTION 23, T 33 S, R 18 E, WM.**

**PROPOSED DIVERSION STRUCTURE IN THE SE¹/₄ SW¹/₄,
SECTION 23, T 33 S, R 18 E, WM.**

**THE LOCATION OF THE IRRIGATED AREA IS IN THE
S¹/₂ SECTION 23 & S¹/₂ SECTION 24, SECTION 25 & 36,
T 33 S, R 18 E, WM, SECTIONS 19, 30, 31 & 32 T 33 S,
R 19 E, WM, SECTION 6, 7, 8 & 9, T 34 S, R 19 E, WM.**

FOLLOWING CERTIFICATES WILL BE AFFECTED

**C# 2818, C# 2870, C# 3233, C# 3599, C# 3604
C# 3605, C# 3622, C# 3625, C# 3629, C# 3631
C# 3635, C# 3636, C# 3638, C# 3639, C# 3641
C# 3642, C# 3653, C# 3654, C# 3655, C# 3656
C# 3659, C# 3662, C# 3666, C# 3669, C# 3671
C# 3672, C# 3673, C# 3675, C# 3679, C# 3683
C# 3685, C# 3686, C# 3687, C# 3691, C# 3695
C# 3696, C# 3697, C# 3698, C# 3699, C# 72346
C# 80631, C# 3647, C# 3630,**



T-9733

T 33 S, R 18 E, Section 23D

CERT #	TL #	ACRE'S	OWNER/s	ADDRESS	REMARKS	LB	GHTS
72346	100	0.73	ROBERT N. ROSE	P.O. BOX 215, PAISLEY, OR 97636			
	200	0.77	GARY & BEVERLY SCHERER	P.O. BOX 15, PAISLEY, OR 97636			
	201	0.83	EUGENE C FELLOWS TRUST	P.O. BOX 11, PAISLEY, OR 97636	112 SEPTEMBER LN, BORNE, TEXAS 78006		
	300	2.16	KELTON & LUCILLE BUTLER	P.O. BOX 121, PAISLEY, OR 97636			
	301	0.29	“	“			
	400	0.50	MARIE ELNAN	P.O. BOX 670676, CHUGIAK, AK 99567	NO RESPONSE		
	500	0.34	RANDALL W HODEL	P.O. BOX 48, PAISLEY, OR 97636	NO RESPONSE		
	600	0.26	HUGH & ALENE E SCHULTZ	P.O. BOX 77, PAISLEY, OR 97636			
	700	0.68	DWAYNE L & CAROL G JONES	P.O. BOX 220, PAISLEY, OR 97636	NO RESPONSE		
	800	0.70	VINCENTE J ORDAZ	P.O. BOX 44, PAISLEY, OR 97636			
	900	0.36	<u>GEORGE E. CARLON FAMILY TRUST</u>	P.O. BOX 36, SUMMER LAKE, OR 97640	CANCEL		
	1000	0.44	“	“	“		
	1100	0.78	ROBERT E DAVIS	P.O. BOX 27, PAISLEY, OR 97636			
	1600	0.24	ROBERT L & MARSHA RUTLEDGE	P.O. BOX 101, PAISLEY, OR 97636			
	1700	0.97	“	“			

RECEIVED

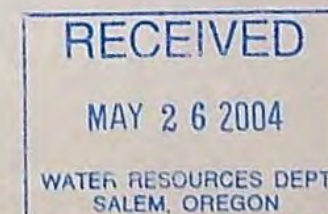
MAY 26 2004

WATER RESOURCES DEPT
SALEM, OREGON

T-9733

<u>CERT #</u>	<u>TL #</u>	<u>ACRE'S</u>	<u>OWNER/s</u>	<u>ADDRESS</u>	<u>REMARKS</u>	<u>LB</u>	<u>GHTS</u>
	1800	0.30	DELORES A EFIRD TRUSTEE	P.O. BOX 95, PAISLEY, OR 97636	NO RESPONSE		
	1900	0.30	LEN L III & SHELIA D BABB	P.O. BOX 127, PAISLEY, OR 97636	NO RESPONSE		
	2000	0.80	PAUL R & DORIS M AIKINS	P.O. BOX 42, PAISLEY, OR 97636			
	2100	0.40	ANITA BANISTER	P.O. BOX 122, PAISLEY, OR 97636	NO RESPONSE		
	2200	0.60	DANIEL L & NOREEN M SHOUN	P.O. BOX 9, PAISLEY, OR 97636			
	2301	0.30	"	"			
	2300	0.30	JEREMIAH J & CAROL O'LEARY	P.O. BOX 209, PAISLEY, OR 97636			
	2400	0.40	TIMOTHY H & KATHRYN GREEN	643 MILL ST, PAISLEY, OR 97636			
2570	1402	3.86	HUGH & ALENE E SCHULTZ	P.O. BOX 77, PAISLEY, OR 97636			
3233	2500	6.00	LEN & GLORIA BABB	P.O. BOX 29, PAISLEY, OR 97636			

T-9733



T33S, R 18 E - Section 24C

<u>CERT #</u>	<u>T L #</u>	<u>ACRE'S</u>	<u>OWNER/s</u>	<u>ADDRESS</u>	<u>REMARKS</u>	<u>LB</u>	<u>GHTS</u>
72346	200	0.52	J- SPEAR	P.O. BOX 257, KLAMATH FALLS, OR 97601			
	400	0.34	"	"			
	600	0.22	"	"			
	300	0.28	MICHAEL P BRANUM	P.O. BOX 206, PAISLEY, OR 97636			
	301	.024	ORVILLE & ILA BRANUM	P.O. BOX 206, PAISLEY, OR 97636			
	401	0.32	ROBERT J & RONNE LINDSEY	P.O. BOX 205, PAISLEY, OR 97636			
	403	0.42	"	"			
	402		EMOGENE M HAYNES	P.O. BOX 254, PAISLEY, OR 97636	NO RESPONSE		
	1400	1.02	LEN & GLORIA BABB	P.O. BOX 29, PAISLEY, OR 97636			
	1401	0.48	WILLIAM & LAUREN SCHMIDT	46965 HWY 31, SUMMER LAKE, OR 97640	NO RESPONSE		
	1402	0.46	GARY & ROSVI CASTEEL	P.O. BOX 74, PAISLEY, OR 97636			
	1500	0.45	"	"			
	1600	0.43	GEORGE & NORMA J DELARM	P.O. BOX 43, PAISLEY, OR 97636			
	1700	0.40	ROBERT R & NORMA J CARLON	P.O. BOX 259, PAISLEY, OR 97636	NO RESPONSE		
	1701	0.40	ROBERT R CARLON JR	P.O. BOX 147, PAISLEY, OR 97636	NO RESPONSE		
3686	1101	0.95	DAVID D & DEANNA SMITH	P.O. BOX 61, PAISLEY, OR 97636			
	1102	0.29	ROBERT E DAVIS	P.O. BOX 27, PAISLEY, OR 97636	NO RESPONSE		
3233	1800	4.00	LEN & GLORIA BABB	P.O. BOX 29, PAISLEY, OR 97636			
3665	800	2.57	DAVIS/PETERSON	P.O. BOX 27, PAISLEY, OR 97636	NO RESPONSE		

RECEIVED

MAY 25 2004

WATER RESOURCES DEPT
SALEM, OREGON

T-9733

T 33S, R 18 E -24 CA

<u>CERT #</u>	<u>T L #</u>	<u>ACRE'S</u>	<u>OWNER/s</u>	<u>ADDRESS</u>	<u>REMARKS</u>	<u>LB</u>	<u>GHT</u>
3685	500	0.40 (P)	DENNIS O'LEARY	P.O. BOX 118, PAISLEY, OR 97636			
	600	0.13	"	"			
	700	0.13	"	"			
	800	0.05 (P)	"	"			
	801	0.62 (P)	"	"			
	3200	0.22	"	"			
3645	4200	0.53	GERTRUDE C DUNN	P.O. BOX 90, PAISLEY, OR 97636			
3621	4100	0.34	NORMAN & JUNE CHRISTENSEN	P.O. BOX 136, PAISLEY, OR 97636			
	3600	0.68	ROBERT DAVIS	P.O. BOX 27, PAISLEY, OR 97636			
3627	4300	0.22	EDITH G SWEENEY	555 FREEMAN Dr #111, CENTRAL POINT, OR 97502			
	4301	0.22	ROBERT DALEY	P.O. BOX 36, PAISLEY, OR 97636			
3696	4500	0.59	ROSANNA J BAGLEY	P.O. BOX 26, PAISLEY, OR 97636			
3643	4800	0.32	ERIC NEGUS	605 MILL ST, PAISLEY, OR 97636			
	4802	0.11	LYLE & ANGELA NEGUS	P.O. BOX 56, SUMMER LAKE 97640			
	4801	0.16	MELVIN GARDNER	P.O. BOX 17, PAISLEY, OR 97636			
3601	4901	0.24	LOWELL & LINDA DOUGHERTY	P.O. BOX 39, PAISLEY, OR 97636			
	5000	0.24	RALPH & DEEAN MCALLISTER	P.O. BOX 96, PAISLEY, OR 97636			
	5100	0.08	PAISLEY MERCANTILE, INC	P.O. BOX 96, PAISLEY, OR 97636			
	5100A1	0.15	"	"			
	5200	0.11	CITY OF PAISLEY				
3649	4700	0.59	LYLE & ANGELA NEGUS	P.O. BOX 56, SUMMER LAKE 97640			

RECEIVED
 MAY 26 2004
 WATER RESOURCES DEPT
 SALEM, OREGON

T-9733

<u>CERT #</u>	<u>T L #</u>	<u>ACRE'S</u>	<u>OWNER/s</u>	<u>ADDRESS</u>	<u>REMARKS</u>	<u>LB</u>	<u>GHT</u>
3686	4600	0.41	ROSS H COLAHAN LIFE ESTATE	45190 HWY 31, PAISLEY, OR 97636			
	4601	0.18	MARK A & ERIN K DOUGLAS	940 STRATTON ST, PAISLEY, OR 97636			
3631	1400		JOSEPH B & PALLI MITCHELL	P.O. BOX 286, PAISLEY, OR 97636			
	1500	0.42	LARRY J GERKING	P.O. BOX 88, PAISLEY, OR 97636	PALLI DECEASED		
	1501	0.34	"	"			
	1800	0.41	ROBERT DALEY	P.O. BOX 36, PAISLEY, OR 97636			
3641	1700	0.41	ELAINE MURPHY ET AL	P.O. BOX 239, PAISLEY, OR 97636			
3615	1900	0.21	ROBERT DALEY	P.O. BOX 36, PAISLEY, OR 97636			
	2900	0.23	"	"			
3626	2100	0.41	FRANCIS A GAYLORD	P.O. BOX 297, PAISLEY, OR 97636			
	2101	0.17	"				
3673	2700	0.10	DORIS A & TODD J SMITH	P.O. BOX 138, PAISLEY, OR 97636			
	2600		BEAVER STATE TELEPHONE CO	BOX E, ILWACO, WA 98624	CENTURYTEL, BURNS OR		
3614	2200	0.29	WILMETTE & BLASINGAM ANGUS	P.O. BOX 53, PAISLEY, OR 97636			
3697	3000	0.25	THOMAS A BRATTAIN	44414 POCAHONTAS RD, BAKER CITY, OR 97814			
3670	6300	0.19	KENNETH A & WENDY GILBERT	P.O. BOX 68, SUMMER LAKE, OR 97640			
	6400	0.19	SCHOOL DISTRICT 11				
3644	6500	0.72	"				
3622	6600	0.72	DALE N & BARBARA ROBERTS	314 HWY 31, PAISLEY, OR 97636			
1189	2800	0.31	DORIS A & TODD J SMITH	P.O. BOX 138, PAISLEY, OR 97636	PERMIT 2022		
1834	2400	0.27	FREDERICK G PAUCK	3940 SOUTHVIEW TERRACE, MEDFORD, OR 97504	PERMIT 2859		

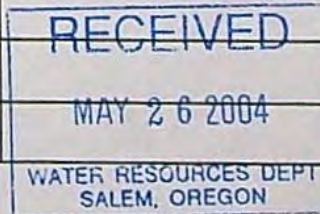
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 WATER RESOURCES DEPT
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T33S, R18E-24D

<u>CERT #</u>	<u>TL #</u>	<u>ACRE'S</u>	<u>OWNER/s</u>	<u>ADDRESS</u>	<u>REMARKS</u>	<u>LB</u>	<u>GHTS</u>
3630	300	13.86 (P)	JEFFREY J ABELL	346 GARCIELA CIRCLE, ST. AGUSTIN, FL 32086	Small part		
	400	0.55	JOHN ALAN DONNELLY	3146 SOFTWOOD CT, LANCASTER, CA 93536			
	500	1.02	DALE & KARILYN STORY	P.O. BOX 87, PAISLEY, OR 97636			
3691	800	13.50 (P)	SCHOOL DISTRICT 11	P.O. BOX 97, PAISLEY, OR 97636			
3638	800	13.50 (P)	"	"			
	600	0.54	DWAYNE & COLLETT BROADFOOT	P.O. BOX 132, PAISLEY, OR 97636			
	900	0.72	GENE & C G VICKERMAN	P.O. BOX 35, PAISLEY, OR 97636			
	1000	3.73	THOMAS & BARBARA HINKLE	P.O. BOX 131, PAISLEY, OR 97636			
	1100	0.08	EDWARD & DOROTHY MURPHY	P.O. BOX 137, PAISLEY, OR 97636			
	1200	7.85	USFS				
	1300	0.35 (P)	JOHN W & PAULA D MERWIN	22952 CLOVER FLAT RD, PAISLEY, OR 97636			
	1400	0.35 (P)	DUANE A & LINDA F YOUNG	P.O. BOX 29, PAISLEY, OR 97636			
	1500	0.34	RONALD E & MAHALA A SHANK	903 NW BECA, CORVALLIS, OR 97330			
	1501	0.31 (P)	ALFRED L & TONI BAILIE	P.O. BOX 8, PAISLEY, OR 97636			
	1600	0.52	ALAN E & LAURA L PARKS	59234 FT ROCK RD, SILVER LAKE, OR 97638			
	1700	0.28	"				
3694	700 (N½)	1.05	RAYMOND & VIRGIE HOUSTON	P.O. BOX 23, PAISLEY, OR 97630			
3671	1800	13.85 (P)	JON A JONES	P.O. BOX 64, PAISLEY, OR 97636	1894/1901		
3672	1800	13.85 (P)	"	"			

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<u>CERT #</u>	<u>T L #</u>	<u>ACRE'S</u>	<u>OWNER/s</u>	<u>ADDRESS</u>	<u>REMARKS</u>	<u>LB</u>	<u>GHTS</u>
3653	1900	0.18	NADINE & GAVIN O'SULLIVAN	P.O. BOX 313, PAISLEY, OR 97636			
	2001	5.51	RONALD SCHMIDT	P.O. BOX 925, CHRISTMAS VALLEY, OR 97641			
	2002	0.5 (P)	ELLEN L WITHERS	P.O. BOX 287, PAISLEY, OR 97636			
3654	2002	0.5 (P)	"	"			
	2000	3.53	"	"			
	2003	0.91	"	"			
3635	2100	0.41	VICTOR & JUNE CORMIE	P.O. BOX 250, PAISLEY, OR 97636			
	2200	2.02	"				
3636	2300	2.40	MICHAEL NEVILL	P.O. BOX 289, PAISLEY, OR 97636			
3675	2400	0.20	"				
	2500	0.50	GYLEEN F & STEVE VICKERMAN	P.O. BOX 296, PAISLEY, OR 97630			
	2600	0.50	ANTHONY & NITA CARDOZA	P.O. BOX 288, PAISLEY, OR 97630			
	2700	10.27	ANNIE BARRY LIFE ESTATE	5809 SAN JUAN DR, CLINTON MD 20735			
	2800	1.17	CITY OF PAISLEY				
	100	17.22	EDWARD & DOROTHY MURPHY	P.O. BOX 137, PAISLEY, OR 97636			

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<u>CERT #</u>	<u>TL #</u>	<u>ACRE'S</u>	<u>OWNER/s</u>	<u>ADDRESS</u>	<u>REMARKS</u>	<u>LB</u>	<u>GHT</u>
3634	600	0.29	DUANE A YOUNG	P.O. BOX 49, PAISLEY, OR 97636			
	700	0.57	"				
3639	500		CLARENCE & KATHERYN CRAMER	P.O. BOX 125, PAISLEY, OR 97636			
	501	0.28	ROSS & PATTY WESTGATE	P.O. BOX 47, PAISLEY, OR 97636			
	502	0.23	JOHN CARLSON	804 WILLOW ST, PAISLEY, OR 97636			
	503	0.18	JANE & RAYMOND R FLACK	9025 SE MORRISON, PORTLAND, OR 97216			
	504	0.17	JAMES & ETHELYN OVERTON	242 SOUTH G ST, LAKEVIEW, OR 97630			
	505		TERRY L & MARY CRAMER	P.O. BOX 251, PAISLEY, OR 97636			
3599	200	1.37 (P)	EDWARD & DOROTHY MURPHY	P.O. BOX 137, PAISLEY, OR 97636			
3625	200	1.37 (P)	"	"			
3605	300	0.69	"	"			
	400	0.69	NORMAN & TERRY HIATT	P.O. BOX 319, PAISLEY, OR 97636			
3662	102	0.30	RONALD E. FORGA	P.O. BOX 226, PAISLEY, OR 97636			
	100	0.69 (P)	JOHN W & PAULA D MERWIN	22952 CLOVER FLAT RD, PAISLEY, OR 97636			
3647	100	0.69 (P)	"	"			
3695	101	0.27	RONALD E. FORGA	P.O. BOX 226, PAISLEY, OR 97636			
3655	2301	0.28	SHARON FITZGERALD	P.O. BOX 25, PAISLEY, OR 97636			
3672	1100	0.45	CITY OF PAISLEY		CANCEL		
	1200	0.59 + 0.20	CATHOLIC CHURCH	P.O. BOX 29, LAKEVIEW, OR 97630			
	2200	0.34	MICHAEL GIBBONS	P.O. BOX 42048, EUGENE, OR 97404			
	2100	0.69	BRIGGS LOGGING CO	P.O. BOX 582, LAKEVIEW, OR 97630			

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WATER DELIVERED THROUGH BAGLEY DITCH, SMALLS CREEK, MOSS SLOUGH VIA SMALLS CREEK AND THE TOWN DITCH

<u>CERT NAME</u>	<u>CUR NAME</u>	<u>C#</u>	<u>ACRES</u>	<u>CFS</u>	<u>ACFT</u>	<u>IRR SEASON</u>	<u>PRIORITY</u>	<u>USE</u>	<u>LOCATION</u>	<u>REMARKS</u>
CLCC	JR SIMPLOT	2818	143.1	5.724	3.9	1/1-7/15	1885	IDS	33/19-TL 500	SMALL CR
BRATTAIN	J-SPEAR	3604	676	27.04	4.8	1/1-9/30	1878	IDS	34/19-TL 400	BAGLEY DITCH
JONES	J-SPEAR	3699	384.4	15.376	4.4	4/1-9/15	1878	IDS	33/19-TL 1800	SMALL CR
MCDONALD	J-SPEAR	3666	145	5.80	4.4	4/1-9/15	1878	IDS	33/19-TL 1600	SMALL CR
MCDONALD/ ELDER	J-SPEAR	3669	103	4.12	4.8	4/1-9/30	1878	IDS	33/18-TL 2000, 2101 33/19-TL 1600	BAGLEY DITCH
JONES	J-SPEAR	3656	110	4.40	4.4	4/1-9/15	1878	IDS	33/19-TL 1800	SMALL CR
JONES	J-SPEAR	3659	207	8.28	4.8	4/1-9/30	1878	IDS	33/19-TL 1800	BAGLEY DITCH
RANDOM	J-SPEAR	3687	140 (49.53)	5.60	4.8	4/1-9/30	1878	IDS	33/19 TL 1600	BAGLEY DITCH
RANDOM	USFS	"	(11.94)						33/18 TL 1700	CANCEL
RANDOM	BEAVER STATE	"	(0.28)						33/18 TL 1801	
RANDOM	MURPHY	"	(77.18)						33/18 TL 1800	
RANDOM	MURPHY	"	(0.66)						TL 3000 Sec 24D	
RANDON	JL LANDS INC	"	(0.41)						33/19 TL 1501	CANCEL
WIEDEY	MURPHY	3698	25	1.00	4.6	4/1-9/15	1878	IDS	33/19-TL 1000	
O'CALLAHAN	MURPHY	3679	68	2.72	4.8	4/1-9/30	1878	IDS	33/18-1800	BAGLEY
PARKER	MURPHY	3683	40	1.60	4.8	4/1-9/15	1878	IDS	33/19-TL 1000	MOSS SLOUGH
NW TOWNSITE	MURPHY	80631	80	3.20	3.9	4/1-9/15	12/31/1885	ID	33/19-TL 800, 1000	MOSS SLOUGH

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<u>CERT NAME</u>	<u>CUR NAME</u>	<u>C#</u>	<u>ACRES</u>	<u>CFS</u>	<u>ACFT</u>	<u>IRR SEASON</u>	<u>PRIORITY</u>	<u>USE</u>	<u>LOCATION</u>	<u>REMARKS</u>
HADLEY	GAYLORD	3642	3	0.12	3.9	4/1-9/30	1878	IDS	33/18-TL 1900	BAGLEY
MOSS	MURPHY	3675	50	2.00	4.8	4/1-9/15	1878	IDS	33/18-24D-TL 100 33/18-TL 1400, 33/19-TL 1000	SMALLS CR/MOSS SL
MOSS	MURPHY	3675	110 (87.66)	4.40	4.8	4/1-9/15	1878	IDS	24D TL 100, 33/18 TL 1400, 33/19-900, 1000	PROOF 124, SMALLS CR
	BERRY	"	(19.97)						24D TL 2700, 2900	
	VICKERMAN	"	(0.50)						24D TL 2500	
	CARDOZA	"	(0.50)						24D TL 2600	
	CITY OF PAISLEY	"	(1.17)						24D TL 2800	
	NEVILL	"	(0.20)						24D TL 2400	CANCEL
PARKER	JL LANDS INC	3629	80 (57.49)	3.20	4.8	4/1-9/15	1878	IDS	33/19 TL 1401	Proof 54 SMALLS CR
	J & C O'LEARY	"	(20.60)						33/19-TL 1400	
	DONNELLY	"	(1.55)						33/19-TL 1402,1502	
PARKER	JL LANDS INC	3629	105 (101.0)	4.20	4.4	4/1-9/15	1878	IDS	33/19-TL 1401	SMALLS CR
	M O'LEARY	'	(4.0)						33/19-TL 1403	
		TOTAL	2469.5	98.81						
IDS = IRR, DOM & STOCK										
ID = IRR, DOM										

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AP	TAX LOT CODE	PCLS ACCOUNT #	NAME	ADDRESS	WATER RESOURCES DEPT SALEM, OREGON	ST	ZIP CODE	ACRES
3S18E 23D	100 1101	101	8585 ROSE, ROBERT N	PO BOX 215	PAISLEY	OR	97636	.73
3S18E 23D	200 1101	101	8586 SCHERER, GARY & BEVERLY	PO BOX 15	PAISLEY	OR	97636	.77
3S18E 23D	201 1101	101	8587 FELLOWS, EUGENE C TRUST	PO BOX 11	PAISLEY	OR	97636	.83
3S18E 23D	300 1101	100	8588 BUTLER, KELTON E & LUCILLE	PO BOX 121	PAISLEY	OR	97636	2.16
3S18E 23D	301 1101	109	8589 BUTLER, KELTON E & LUCILLE	PO BOX 121	PAISLEY	OR	97636	.29
3S18E 23D	400 1101	101	8590 ELNAN, MARIE	PO BOX 670676	CHUGIAK	AK	99567	.50
3S18E 23D	500 1101	101	8591 HODEL, RANDALL W	PO BOX 48	PAISLEY	OR	97636	.34
3S18E 23D	600 1101	101	8592 SCHULTZ, HUGH L & ALENE E	PO BOX 77	PAISLEY	OR	97636	.26
3S18E 23D	700 1101	101	8593 JONES, DWAYNE L & CAROL G	PO BOX 220	PAISLEY	OR	97636	.68
3S18E 23D	800 1101	101	8594 ORDAZ, VINCENTE J	P.O. BOX 44	PAISLEY	OR	97636	.70
3S18E 23D	900 1101	101	8595 CARLON, GEORGE E FAMILY TR	PO BOX 39	SUMMER LAKE	OR	97640	.36
3S18E 23D	1000 1101	101	8596 CARLON, GEORGE E FAMILY TR	PO BOX 39	SUMMER LAKE	OR	97640	.44
3S18E 23D	1100 1101	101	8597 DAVIS, ROBERT E	PO BOX 27	PAISLEY	OR	97636	.78
3S18E 23D	1200 1102	100	8598 SCHULTZ, HUGH & ALENE	PO BOX 77	PAISLEY	OR	97636	.73
3S18E 23D	1300 1102	301	8599 FREMONT SAWMILL DIV	PO BOX 1340	LAKEVIEW	OR	97630	37.20
3S18E 23D	1400 1101	101	8600 SCHULTZ, HUGH L & ALENE E	PO BOX 77	PAISLEY	OR	97636	1.37
3S18E 23D	1401 1101	101	8601 WEBER, JUDITH E & DANIEL L	PO BOX 52	PAISLEY	OR	97636	.67
3S18E 23D	1402 1101	101	8602 SCHULTZ, HUGH L & ALENE E	PO BOX 77	PAISLEY	OR	97636	3.86
3S18E 23D	1500 1101	101	8603 RUTLEDGE, ROBERT L & MARSHA	PO BOX 101	PAISLEY	OR	97636	.19
3S18E 23D	1600 1101	101	8604 RUTLEDGE, ROBERT L & MARSHA	PO BOX 101	PAISLEY	OR	97636	.24
3S18E 23D	1700 1101	101	8605 RUTLEDGE, ROBERT L & MARSHA	PO BOX 101	PAISLEY	OR	97636	.97
3S18E 23D	1800 1101	101	8606 EFIRD, DELORES A TRUSTEE	PO BOX 95	PAISLEY	OR	97636	.30
3S18E 23D	1900 1101	101	8607 BABB, LEN L III & SHELIA D	PO BOX 127	PAISLEY	OR	97636	.30
3S18E 23D	2000 1101	101	8608 AIKINS, PAUL R & DORIS M	PO BOX 42	PAISLEY	OR	97636	.80
3S18E 23D	2100 1101	109	8609 BANISTER, ANITA B L EST ET	PO BOX 122	PAISLEY	OR	97636	.40
3S18E 23D	2200 1101	101	8610 SHOUN, DANIEL L & NOREEN M	PO BOX 9	PAISLEY	OR	97636	.60
3S18E 23D	2300 1101	100	8611 O'LEARY, JEREMIAH J & CAROL	PO BOX 209	PAISLEY	OR	97636	.30
3S18E 23D	2301 1101	100	17012 SHOUN, DANIEL L & NOREEN M	PO BOX 9	PAISLEY	OR	97636	.00
3S18E 23D	2400 1101	101	8612 GREEN, TIMOTHY H & KATHRYN	643 MILL STREET	PAISLEY	OR	97636	.40
3S18E 23D	2500 1102	550	8613 BABB, LEN & GLORIA	PO BOX 29	PAISLEY	OR	97636	38.58
3S18E 23D	2600 1102	941	8614 CITY OF PAISLEY					1.42
3S18E 24C	100 1102	400	8616 COLAHAN ENTERPRISES INC	45190	PAISLEY	OR	97636	1.00
3S18E 24C	200 1101	100	8617 J-SPEAR RANCH CO	PO BOX 257	KLAMATH FALLS	OR	97601	.52
3S18E 24C	300 1101	100	8618 BRANUM, MICHAEL P	PO BOX 206	PAISLEY	OR	97636	.28
3S18E 24C	301 1101	101	8619 BRANUM, ORVILLE E & ILA JEA	PO BOX 206	PAISLEY	OR	97636	.24
3S18E 24C	400 1101	100	8620 J-SPEAR RANCH CO	PO BOX 257	KLAMATH FALLS	OR	97601	.34
3S18E 24C	401 1101	101	8621 LINDSAY, ROBERT J & RONNE A	PO BOX 205	PAISLEY	OR	97636	.32
3S18E 24C	402 1101	109	8622 HAYNES, EMOGENE M	PO BOX 254	PAISLEY	OR	97636	.00
3S18E 24C	403 1101	101	8623 LINDSAY, ROBERT J & RONNE A	PO BOX 205	PAISLEY	OR	97636	.42
3S18E 24C	600 1101	100	8624 J-SPEAR RANCH CO	PO BOX 257	KLAMATH FALLS	OR	97601	.22
3S18E 24C	700 1101	100	8625 COLAHAN ENTERPRISES INC	45190 HWY 31	PAISLEY	OR	97636	6.70
3S18E 24C	800 1101	201	8626 DAVIS, ROBERT E 1/2	PO BOX 27	PAISLEY	OR	97636	2.57
3S18E 24C	900 1101	101	8627 HALEY, GEORGE & LYNN	53131 N OIL DRI RD	SILVER LAKE	OR	97638	.00
3S18E 24C	1000 1101	101	8628 CHEWAUCAN LAND & CATTLE CO	7309 E 21ST STREET, SUI	WICHITA	KS	67202	.40
3S18E 24C	1101 1101	101	8630 SMITH, DAVID D & DEANNA M	PO BOX 61	PAISLEY	OR	97636	.95
3S18E 24C	1102 1101	109	8631 DAVIS, ROBERT E	PO BOX 27	PAISLEY	OR	97636	.29
3S18E 24C	1103 1101	100	8632 BABB, LEN & GLORIA	PO BOX 29	PAISLEY	OR	97636	.06
3S18E 24C	1104 1101	100	8633 DE LOACH, AUDREY I	10915 NE 86TH WAY	VANCOUVER	WA	98662	.12
3S18E 24C	1200 1101	100	8634 J-SPEAR RANCH CO	PO BOX 257	KLAMATH FALLS	OR	97601	.69
3S18E 24C	1301 1101	101	18359 LOWN, W. ROBERT & LYNDIA	PO BOX 304	PAISLEY	OR	97636	1.12
3S18E 24C	1400 1101	100	8636 BABB, LEN & GLORIA	PO BOX 29	PAISLEY	OR	97636	1.02
3S18E 24C	1401 1101	101	8637 SCHMIDT, WILLIAM W & LAUREN	46965 HWY 31	SUMMER LAKE	OR	97640	.48
3S18E 24C	1402 1101	101	8638 CASTEEL, GARY E & ROSVI	PO BOX 74	PAISLEY	OR	97636	.46
3S18E 24C	1500 1101	101	8639 CASTEEL, GARY E & ROSVI	PO BOX 74	PAISLEY	OR	97636	.45
3S18E 24C	1600 1101	101	8640 DELARM, GEORGE H & NORMA J	PO BOX 43	PAISLEY	OR	97636	.43

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MAP	TAX LOT CODE	PCLS	ACCOUNT #	NAME	ADDRESS	CITY	ST	ZIP CODE	ACRES
33S18E 24C	1700 1101	100	8641	CARLON, ROBERT R & NORMA J	PO BOX 259	PAISLEY	OR	97636	.40
33S18E 24C	1701 1101	101	17001	CARLON, ROBERT R JR	PO BOX 147	PAISLEY	OR	97636	.40
33S18E 24C	1800 1101	401	8642	BABB, LEN & GLORIA	PO BOX 29	PAISLEY	OR	97636	41.75
33S18E 24C	1803 1101	100	8644	HOPPE, PIERRE & JOSEPHINE	7800 S.E. BEAVER CREEK	PAULINA	OR	97751	.09
33S18E 24C	1804 1101	109	18394	ANSETH, CLEVE & SHANNA	C/O ZX RANCH	PAISLEY	OR	97636	.26
33S18E 24C	1900 1101	930	8645	PAISLEY CEMETERY					3.69
33S18E 24C	2000 1102	093	8646	SURPRISE VALLEY ELEC CORP	PO BOX 691	ALTURAS	CA	96101	.25
33S18E 24CA	100 1102	400	16316	COLAHAN ENTERPRISES INC	45190 HWY 31	PAISLEY	OR	97636	2.38
33S18E 24CA	101 1101	940	8648	CITY OF PAISLEY					.07
33S18E 24CA	200 1102	401	8650	J R SIMPLOT COMPANY REV TR	PO BOX 27	BOISE	ID	83707	2.20
33S18E 24CA	300 1101	400	8651	COLAHAN, RAYMOND & SHARON	45190 HWY 31	PAISLEY	OR	97636	1.00
33S18E 24CA	400 1101	109	8652	J R SIMPLOT COMPANY REV TR	PO BOX 27	BOISE	ID	83707	1.17
33S18E 24CA	500 1101	201	8653	O'LEARY, DENNIS	PO BOX 118	PAISLEY	OR	97636	.40
33S18E 24CA	600 1101	201	8655	O'LEARY, DENNIS	PO BOX 118	PAISLEY	OR	97636	.13
33S18E 24CA	700 1101	200	8656	O'LEARY, DENNIS	PO BOX 118	PAISLEY	OR	97636	.13
33S18E 24CA	800 1101	200	8657	O'LEARY, DENNIS	PO BOX 118	PAISLEY	OR	97636	.05
33S18E 24CA	801 1101	200	17048	O'LEARY, DENNIS	PO BOX 118	PAISLEY	OR	97636	.62
33S18E 24CA	900 1101	100	8658	O'LEARY, DENNIS G & MOLLIE	PO BOX 118	PAISLEY	OR	97636	.10
33S18E 24CA	1000 1101	109	8659	O'LEARY, DENNIS G & MOLLIE	PO BOX 118	PAISLEY	OR	97636	.18
33S18E 24CA	1100 1101	100	8660	O'LEARY, DENNIS G & MOLLIE	PO BOX 118	PAISLEY	OR	97636	.02
33S18E 24CA	1200 1101	100	8661	OLSON, ROCKNE L & SANDRA A	PO BOX 105	PAISLEY	OR	97636	.00
33S18E 24CA	1201 1101	101	17934	MCGUIRE, ROBERT R & MARY L	PO BOX 93	PAISLEY	OR	97636	.00
33S18E 24CA	1300 1101	940	8662	CITY OF PAISLEY					.10
33S18E 24CA	1400 1101	101	8663	MITCHELL, JOSEPH B & PALLI	PO BOX 286	PAISLEY	OR	97636	.00
33S18E 24CA	1500 1101	100	8664	GERKING, LARRY J	PO BOX 88	PAISLEY	OR	97636	.42
33S18E 24CA	1501 1101	109	8665	GERKING, LARRY J	PO BOX 88	PAISLEY	OR	97636	.34
33S18E 24CA	1600 1101	101	8666	PENINGTON, DONALD & KAREN R	22490 MCARDLE RD	BEND	OR	97702	.00
33S18E 24CA	1700 1101	101	8667	MURPHY, ELAINE ETAL	PO BOX 239	PAISLEY	OR	97636	.41
33S18E 24CA	1800 1101	100	8668	DALEY, ROBERT	PO BOX 36	PAISLEY	OR	97636	.41
33S18E 24CA	1900 1101	101	8669	DALEY, ROBERT	PO BOX 36	PAISLEY	OR	97636	.21
33S18E 24CA	2000 1101	100	8670	CARLON, LORA B	PO BOX 126 17	PAISLEY	OR	97636	.17
33S18E 24CA	2001 1101	101	8671	CARLON, LORA B	PO BOX 126 17	PAISLEY	OR	97636	.21
33S18E 24CA	2100 1101	109	8672	GAYLORD, FRANCES A	PO BOX 297	PAISLEY	OR	97636	.41
33S18E 24CA	2101 1101	101	8673	GAYLORD, FRANCES A	PO BOX 297	PAISLEY	OR	97636	.17
33S18E 24CA	2200 1101	101	8674	ANGUS, WILMETTE & BLASINGAM	PO BOX 53	PAISLEY	OR	97636	.29
33S18E 24CA	2300 1101	911	8675	TRUSTEES OF M E CHURCH					.27
33S18E 24CA	2400 1101	109	8676	PAUCK, FREDERICK G	3940 SOUTHVIEW TERRACE	MEDFORD	OR	97504	.27
33S18E 24CA	2500 1101	100	8677	BENEFIEL, JOHN W & MELDA C	34 MELVIN RD	VALLEJO	CA	94589	.14
33S18E 24CA	2600 1101	093	8678	BEAVER STATE TELEPHONE CO	BOX E	ILWACO	WA	98624	.00
33S18E 24CA	2700 1101	100	8679	SMITH, DORIS A & TODD JOSEP	PO BOX 138	PAISLEY	OR	97636	.10
33S18E 24CA	2800 1101	101	8680	SMITH, DORIS A & TODD JOSEP	PO BOX 138	PAISLEY	OR	97636	.31
33S18E 24CA	2900 1101	101	8681	DALEY, ROBERT	PO BOX 36	PAISLEY	OR	97636	.23
33S18E 24CA	3000 1101	999	8682	BRATTAIN, THOMAS A	44414 POCAHONTAS ROAD	BAKER CITY	OR	97814	.25
33S18E 24CA	3100 1101	100	8683	O'LEARY, DENNIS G & MOLLIE	PO BOX 118	PAISLEY	OR	97636	.17
33S18E 24CA	3200 1101	109	8684	O'LEARY, DENNIS G & MOLLIE	PO BOX 118	PAISLEY	OR	97636	.22
33S18E 24CA	3300 1101	101	8685	CARLON, ROBERT R SR & NORMA	PO BOX 259	PAISLEY	OR	97636	.21
33S18E 24CA	3400 1101	100	8686	CARLON, ROBERT R SR & NORMA	PO BOX 259	PAISLEY	OR	97636	.10
33S18E 24CA	3500 1101	200	8687	COLAHAN ENTERPRISES INC	45190 HWY 31	PAISLEY	OR	97636	.31
33S18E 24CA	3600 1101	201	8688	DAVIS, ROBERT E 1/2	PO BOX 27	PAISLEY	OR	97636	.68
33S18E 24CA	3700 1101	200	8689	HIBDON, JAMES E JR & KATHER	PO BOX 117	PAISLEY	OR	97636	.02
33S18E 24CA	3800 1101	201	8690	HIBDON, JAMES E JR & KATHER	PO BOX 117	PAISLEY	OR	97636	.11
33S18E 24CA	3900 1101	201	8691	HIBDON, JAMES E JR & KATHER	PO BOX 117	PAISLEY	OR	97636	.11
33S18E 24CA	4000 1101	201	8692	GROSSKOPF, SCOTT RICHARD	PO BOX 201	PAISLEY	OR	97636	.11
33S18E 24CA	4100 1101	109	8693	CHRISTENSEN, NORMAN & JUNE	PO BOX 136	PAISLEY	OR	97636	.34
33S18E 24CA	4200 1101	109	8694	DUNN, GERTRUDE C	PO BOX 90	PAISLEY	OR	97636	.53

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MAP	TAX LOT CODE	PCLS ACCOUNT #	NAME	ADDRESS	WATER RESOURCES DEPT SALEM, OREGON	ST	ZIP CODE	ACRES
33S18E 24CA	4300 1101	109	8695 SWEENEY, EDITH G	555 FREEMAN ROAD #111	CENTRAL POINT	OR	97502	.22
33S18E 24CA	4301 1101	101	17819 DALEY, ROBERT	PO BOX 36	PAISLEY	OR	97636	.22
33S18E 24CA	4400 1101	109	8696 DOUGHERTY, MICHAEL M	282 COLLEGE DR NW APT.	SALEM	OR	97304	.40
33S18E 24CA	4401 1101	109	8697 WEATHERFORD, ROYCE D & BARB	PO BOX 241	PAISLEY	OR	97636	.26
33S18E 24CA	4402 1101	101	8698 STUMBO, NEVA JO	2208 NE WASCO	PORTLAND	OR	97232	.39
33S18E 24CA	4500 1101	101	8699 BAGLEY, ROSANNA J BAGLEY E	PO BOX 864	LAKEVIEW	OR	97630	.59
33S18E 24CA	4600 1101	109	8700 COLAHAN, ROSS H LIFE ESTAT	45190 HWY 31	PAISLEY	OR	97636	.41
33S18E 24CA	4601 1101	109	8701 DOUGLAS, MARK A & ERIN K	940 STRATTON ST.	PAISLEY	OR	97636	.18
33S18E 24CA	4700 1101	109	8702 NEGUS, LYLE & ANGELA	PO BOX 56	SUMMER LAKE	OR	97640	.59
33S18E 24CA	4800 1101	101	8703 NEGUS, ERIC	605 MILL STREET	PAISLEY	OR	97636	.32
33S18E 24CA	4801 1101	109	8704 GARDNER, MELVIN	PO BOX 17	PAISLEY	OR	97636	.16
33S18E 24CA	4802 1101	101	16678 NEGUS, LYLE & ANGELA	PO BOX 56	SUMMER LAKE	OR	97640	.11
33S18E 24CA	4900 1101	100	8705 MCALLISTER, RALPH E & DEEAN	PO BOX 96	PAISLEY	OR	97636	.11
33S18E 24CA	4901 1101	201	17794 DOUGHERTY, LOWELL & LINDA	PO BOX 39	PAISLEY	OR	97636	.24
33S18E 24CA	5000 1101	100	8706 MCALLISTER, RALPH E & DEEAN	PO BOX 96	PAISLEY	OR	97636	.12
33S18E 24CA	5100 1101	201	8707 PAISLEY MERCANTILE INC	BOX 96	PAISLEY	OR	97636	.08
33S18E 24CA	5100 1101	101	8708 PAISLEY MERCANTILE INC	PO BOX 96	PAISLEY	OR	97636	.15
33S18E 24CA	5200 1101	940	8709 CITY OF PAISLEY					.11
33S18E 24CA	5300 1101	201	8710 HIGH WINDS INC.	16500 DAWN ROAD	LA PINE	OR	97739	.09
33S18E 24CA	5400 1101	201	8711 HARMON, TOM & CAROL TTEES	16500 DAWN ROAD	LA PINE	OR	97739	.46
33S18E 24CA	5500 1101	940	8712 CITY OF PAISLEY					.13
33S18E 24CA	5600 1101	940	8713 CITY OF PAISLEY					.10
33S18E 24CA	5700 1101	201	8714 WITHERS, ELLEN L	P.O. BOX 287	PAISLEY	OR	97636	.10
33S18E 24CA	5800 1101	201	8715 WITHERS, ELLEN L	P.O. BOX 287	PAISLEY	OR	97636	.20
33S18E 24CA	5900 1101	941	8716 CITY OF PAISLEY					.31
33S18E 24CA	6000 1101	200	8717 DUNN, EDNA C.		PAISLEY	OR	97636	.05
33S18E 24CA	6100 1101	101	8718 MERWIN, JOHN W & PAULA D	22952 CLOVER FLAT RD	PAISLEY	OR	97636	.25
33S18E 24CA	6200 1101	100	8719 GILBERT, KENNETH A & WENDY	PO BOX 68	SUMMER LAKE	OR	97640	.13
33S18E 24CA	6300 1101	109	8720 GILBERT, KENNETH A & WENDY	PO BOX 68	SUMMER LAKE	OR	97640	.19
33S18E 24CA	6400 1101	101	8721 PAISLEY SCHOOL DIST #11	PO BOX 97	PAISLEY	OR	97636	.19
33S18E 24CA	6500 1101	921	8722 PAISLEY SCHOOL DIST #11	PO BOX 97	PAISLEY	OR	97636	.36
33S18E 24CA	6500 1101	101	18210 PAISLEY SCHOOL DIST #11	PO BOX 97	PAISLEY	OR	97636	.36
33S18E 24CA	6600 1101	101	8723 ROBERTS, DALE N & BARBARA L	PO BOX 85	PAISLEY	OR	97636	.72
33S18E 24CA	6700 1101	940	8724 CITY OF PAISLEY					.01
33S18E 24CA	6800 1102	911	16948 PAISLEY ASSEMBLY OF GOD CHU	PO BOX 269	PAISLEY	OR	97636	1.03
33S18E 24CD	100 1101	101	8725 MERWIN, JOHN W & PAULA D	22952 CLOVER FLAT ROAD	PAISLEY	OR	97636	.69
33S18E 24CD	101 1101	101	16827 FORGA, RONALD E	P.O. BOX 226	PAISLEY	OR	97636	.27
33S18E 24CD	102 1101	100	16994 FORGA, RONALD E &	149 GREEN STREET	PAISLEY	OR	97636	.30
33S18E 24CD	200 1101	101	8726 MURPHY, EDWARD M & DOROTHY	PO BOX 137	PAISLEY	OR	97636	1.37
33S18E 24CD	300 1101	101	8727 MURPHY, EDWARD M & DOROTHY	PO BOX 137	PAISLEY	OR	97636	.69
33S18E 24CD	400 1101	109	8728 HIATT, NORMAN & TERRY	PO BOX 319	PAISLEY	OR	97636	.69
33S18E 24CD	500 1101	109	8729 CRAMER, CLARENCE L & KATHER	PO BOX 125	PAISLEY	OR	97636	.00
33S18E 24CD	501 1101	109	8730 WESTGATE, ROSS & PATTY	PO BOX 47	PAISLEY	OR	97636	.28
33S18E 24CD	502 1101	109	8731 CARLSON, JOHN	804 WILLOW STREET	PAISLEY	OR	97636	.23
33S18E 24CD	503 1101	109	8732 FLACK, JANE & RAYMOND R	9025 SE MORRISON	PORTLAND	OR	97216	.18
33S18E 24CD	504 1101	100	17382 OVERTON, JAMES & ETHELYN	242 SOUTH G STREET	LAKEVIEW	OR	97630	.17
33S18E 24CD	505 1101	109	18077 CRAMER, TERRY LEROY & MARY	PO BOX 251	PAISLEY	OR	97636	.00
33S18E 24CD	600 1101	101	8733 YOUNG, DUANE A	PO BOX 49	PAISLEY	OR	97636	.29
33S18E 24CD	700 1101	101	8734 YOUNG, DUANE A	PO BOX 49	PAISLEY	OR	97636	.57
33S18E 24CD	800 1101	101	8735 HADLEY, GERALD L ET AL	PO BOX 690150	STOCKTON	CA	95269	1.20
33S18E 24CD	900 1101	101	8736 O'LEARY, JEREMIAH J & CAROL	PO BOX 209	PAISLEY	OR	97636	1.00
33S18E 24CD	1000 1101	101	8737 MURPHY, EDWARD M & DOROTHY	PO BOX 137	PAISLEY	OR	97636	.19
33S18E 24CD	1100 1101	941	8738 CITY OF PAISLEY					.45
33S18E 24CD	1200 1101	911	8739 SAINT JOHN COTHOLIC CHURCH	PO BOX 29	LAKEVIEW	OR	97630	.59
33S18E 24CD	1200 1101	101	18209 SAINT JOHN CATHOLIC CHURCH	PO BOX 29	LAKEVIEW	OR	97630	.20

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OWNER ADDRESS LIST BY MAP

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MAP	TAX LOT CODE	PCLS	ACCOUNT #	NAME	ADDRESS	WATER RESOURCES DEPT SALEM, OREGON	ST	ZIP CODE	ACRES
33S18E 24CD	1300 1101	101	8740	PAISLEY SCHOOL DIST #11	PO BOX 97	PAISLEY	OR	97636	1.14
33S18E 24CD	1400 1101	100	8741	MURPHY, EDWARD M & DOROTHY	PO BOX 137	PAISLEY	OR	97636	1.54
33S18E 24CD	1500 1101	101	8742	GAYLORD, JOHN & JOAN	PO BOX 266	PAISLEY	OR	97636	.57
33S18E 24CD	1600 1101	100	8743	PRICE, LOIS A LIFE ESTATE	C/O-3815 RESERVOIR BLVD	MINNEAPOLIS	MN	55421	.85
33S18E 24CD	1700 1101	101	8744	PRICE, R L & LOIS A LIFE E	C/O- 3815 RESERVOIR BLV	MINNEAPOLIS	MN	55421	.85
33S18E 24CD	1800 1101	101	8745	WEAVER, CURTIS WESLEY & DOR	PO BOX 124	PAISLEY	OR	97636	.69
33S18E 24CD	1900 1101	101	8746	SANCHEZ, MARY LOU TR	PO BOX 84	PAISLEY	OR	97636	.82
33S18E 24CD	2000 1101	101	8747	BRIGGS LOGGING CO	PO BOX 582	LAKEVIEW	OR	97630	.69
33S18E 24CD	2100 1101	100	8748	BRIGGS LOGGING CO	PO BOX 582	LAKEVIEW	OR	97630	.69
33S18E 24CD	2200 1101	100	8749	GIBBONS, MICHAEL	PO BOX 42048	EUGENE	OR	97404	.34
33S18E 24CD	2201 1101	101	16995	FITZGERALD, SHARON	PO BOX 25	PAISLEY	OR	97636	.28
33S18E 24CD	2300 1101	100	8750	GIBBONS, MICHAEL	PO BOX 42048	EUGENE	OR	97404	.00
33S18E 24CD	2301 1101	100	16996	FITZGERALD, SHARON	PO BOX 25	PAISLEY	OR	97636	.50
33S18E 24CD	2400 1101	101	8751	WRIGHT, DAMON H & KAREN C	7053 SW ABALONE STREET	SOUTH BEACH	OR	97366	.37
33S18E 24CD	2500 1101	101	8752	JAYNE, JAMES L & FLORENCE E	PO BOX 123	PAISLEY	OR	97636	.48
33S18E 24CD	2600 1101	109	8753	PAISLEY ASSEMBLY OF GOD E	PO BOX 269	PAISLEY	OR	97636	.00
33S18E 24CD	2700 1101	109	8754	TEMPLE, ORA D & LAVONNA B	PO BOX 128	PAISLEY	OR	97636	.52
33S18E 24CD	2800 1101	101	8755	KEMRY, DWAYNE L & LINDA	BOX 258	PAISLEY	OR	97636	.76
33S18E 24CD	2900 1101	101	8756	MERCHANT, MICHAEL J & DIANE	PO BOX 31	PAISLEY	OR	97636	.34
33S18E 24CD	3000 1101	109	8757	BRANCH, JOHN W & ELMA I TR	PO BOX 75	PAISLEY	OR	97636	.95
33S18E 24CD	3200 1101	109	8759	HOPPE, PIERRE & JOSEPHINE	7800 S.E. BEAVER CREEK	PAULINA	OR	97751	.00
33S18E 24CD	3300 1101	109	8760	COOPER, KARLY D & JODY L	1149 MARSH VIEW DRIVE	PAISLEY	OR	97636	.23
33S18E 24CD	3400 1101	109	8761	O'LEARY, JOHN F & MARIE L	39054 CLOVER FLAT RD	PAISLEY	OR	97636	.00
33S18E 24CD	3500 1101	100	8762	MONTGOMERY, ANNETTE J	PO BOX 298	PAISLEY	OR	97636	.00
33S18E 24CD	3600 1101	109	8763	MONTGOMERY, ANNETTE J	PO BOX 298	PAISLEY	OR	97636	.00
33S18E 24CD	3700 1101	109	8764	SHAFFER, DOUGLAS LEE	PO BOX 238	PAISLEY	OR	97636	.25
33S18E 24D	100 1101	551	8765	MURPHY, EDWARD M & DOROTHY	PO BOX 137	PAISLEY	OR	97636	17.22
33S18E 24D	200 1101	551	8766	BRATTAIN, THOMAS A & MARY J	44414 POCAHONTAS RD.	BAKER CITY	OR	97814	8.66
33S18E 24D	300 1101	101	8767	ABELL, JEFFREY J ET AL	346 GARCIELA CIRCLE	SAINT AUGUSTIN	FL	32086	13.84
33S18E 24D	400 1101	101	8768	DONNELLY, JOHN ALAN	3146 SOFTWOOD COURT	LANCASTER	CA	93536	.55
33S18E 24D	500 1101	101	8769	STORY, DALE & KARILYN	BOX 87	PAISLEY	OR	97636	1.02
33S18E 24D	600 1101	101	8770	BROADFOOT, DWAYNE & COLLETT	PO BOX 132	PAISLEY	OR	97636	.54
33S18E 24D	700 1101	101	8771	HOUSTON, RAYMOND C & VIRGIE	PO BOX 23	PAISLEY	OR	97636	1.05
33S18E 24D	800 1101	921	8772	SCHOOL DIST #11					13.50
33S18E 24D	900 1101	109	8773	VICKERMAN, GENE G & C G	PO BOX 35	PAISLEY	OR	97636	.72
33S18E 24D	1000 1101	201	8774	HINKLE, THOMAS C & BARBARA	PO BOX 131	PAISLEY	OR	97636	3.73
33S18E 24D	1100 1101	100	8775	MURPHY, EDWARD M & DOROTHY	PO BOX 137	PAISLEY	OR	97636	.00
33S18E 24D	1200 1101	971	8776	U S A FREMONT NATIONAL FOR					7.88
33S18E 24D	1300 1101	101	8777	MERWIN, JOHN W & PAULA D	22952 CLOVER FLAT ROAD	PAISLEY	OR	97636	.35
33S18E 24D	1400 1101	101	8778	YOUNG, DUANE A & LINDA F	PO BOX 49	PAISLEY	OR	97636	.35
33S18E 24D	1500 1101	101	8779	SHANK, RONALD E & MAHALA A	903 NW BECA	CORVALLIS	OR	97330	.34
33S18E 24D	1501 1101	109	8780	BAILIE, ALFRED L & TONI K	PO BOX 8	PAISLEY	OR	97636	.31
33S18E 24D	1600 1101	101	8781	PARKS, ALAN E & LAURA L	59234 FORT ROCK RD	SILVER LAKE	OR	97638	.52
33S18E 24D	1700 1101	101	8782	PARKS, ALAN E & LAURA L	59234 FORT ROCK RD	SILVER LAKE	OR	97638	.25
33S18E 24D	1800 1101	501	8783	JONES, JON A	PO BOX 64	PAISLEY	OR	97636	13.85
33S18E 24D	1900 1101	101	8785	O'SULLIVAN, NADINE & GAVIN	PO BOX 313	PAISLEY	OR	97636	.13
33S18E 24D	2000 1101	100	8786	WITHERS, ELLEN L	P.O. BOX 287	PAISLEY	OR	97636	3.53
33S18E 24D	2001 1101	109	8787	SCHMIDT, RONALD L	PO BOX 925	CHRISTMAS VALL	OR	97641	5.51
33S18E 24D	2002 1101	101	8788	WITHERS, ELLEN	P.O. BOX 287	PAISLEY	OR	97636	.50
33S18E 24D	2003 1101	101	18550	WITHERS, ELLEN L	114 BLUE STREET	PAISLEY	OR	97636	.91
33S18E 24D	2100 1101	101	8789	CORMIE, VICTOR L & JUNE	PO BOX 250	PAISLEY	OR	97636	.41
33S18E 24D	2200 1101	109	8790	CORMIE, VICTOR L & JUNE	PO BOX 250	PAISLEY	OR	97636	2.02
33S18E 24D	2300 1101	101	8791	NEVILL, MICHAEL	PO BOX 289	PAISLEY	OR	97636	2.04
33S18E 24D	2400 1101	101	8793	NEVILL, MICHAEL	PO BOX 289	PAISLEY	OR	97636	.20
33S18E 24D	2500 1101	101	8794	VICKERMAN, GYLEEN F & STEVE	PO BOX 296	PAISLEY	OR	97636	.50

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OWNER ADDRESS LIST BY MAP

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MAP	TAX LOT CODE	PCLS	ACCOUNT #	NAME	ADDRESS	CITY	ST	ZIP CODE	ACRES
33S18E 24D	2600 1101	109	✓8795	CARDOZA, ANTHONY & NITA	PO BOX 288	PAISLEY	OR	97636	.50
33S18E 24D	2700 1101	500	✓8796	BARRY, ANNIE - LIFE ESTATE	5809 SAN JUAN DRIVE	CLINTON	MD	20735	10.27
33S18E 24D	2800 1101	940	✓8797	CITY OF PAISLEY					1.17
33S18E 24D	2900 1102	401	✓8798	BARRY, ANNIE - LIFE ESTATE	5809 SAN JUAN DRIVE	CLINTON	MD	20735	9.70
33S18E 24D	3000 1102	401	✓8799	MURPHY, EDWARD M & DOROTHY	PO BOX 137	PAISLEY	OR	97636	.66

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WATER RESOURCES DEPT
SALEM, OREGON

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Lake County
SELECTION CARD RE-CAP

ASSNPFR
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OPTION: A3 2 3 ORDER: M EXEMPT: B SUMM/DTL: ASSESSMENT YEAR 2004
VALUES: 0 To 0 ACRE RANGE: .000 To .000
DATE FROM: to ROLL: R TREND PERCENT/MONTH: .00000

USER NAME: PMISRAEL SELECT DATE: 12/01/2003 SELECT TIME: 8:18:34
MAP # FROM MAP # TO
33S 18E 23D 0 - 33S 18E 24CB 0
33S 18E 24CD 0 - 33S 18E 25 0



T-9733

In addition to the quantity of water herein decreed for the irrigation of the marsh lands mentioned herein, the owners of irrigated lands in the Upper and Lower Chewaucan Marshes shall be entitled to divert into Upper Chewaucan Marsh, for domestic and stock purposes, such quantity of water as shall be sufficient for such purposes and to prevent complete freezing, not, however, to exceed in the aggregate a flow of forty cubic feet per second during that period of time between the 15th day of October of each year and the 1st day of March of the succeeding year, and not exceeding in the aggregate a flow of twenty cubic feet per second during that period of time between July 15th and October 15th of any year, but no owner of any said marsh lands shall be entitled, between the 15th day of October of any year and the 1st day of March of the succeeding year, to require more than twenty five cubic feet per second of such water to be diverted through the Center Canal and Outside Canal of said Upper Chewaucan Marsh.

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In addition to the water herein decreed for purposes of irrigation, each claimant entitled to use water on lands not hereinabove referred to in this paragraph 7 who by the tabulated statement in this Order contained is shown to be entitled to divert water for stock purposes or for domestic and stock purposes for use on any particular tract of land, shall be entitled to divert and use thereon for these purposes such amount of water as is reasonably necessary therefor during all times in each year when water is not being actually diverted for the irrigation of such lands.

During such time as water is actually being used by any claimant for irrigation, the water required for domestic and stock purposes shall be derived from the amount so diverted and herein allowed for irrigation except that the use by owners of marsh lands during the months of January and February of any part of the freshet flow of the river for irrigation shall not affect the right of the owners of such lands to divert in addition during any such period of use such amount of water as is herein allowed and shall be required for stock purposes on such lands during any such period.

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Rights allowed as follows:

	38,446.97	38,286.97	
Irrigation.....	38,287.11 acres		cert 3677 160 ac. cancell.
Power.....	54.00 c.f.s.		✓ - all canceled cert 3652, 3677

Findings - Dec. 27, 1915
Recorded - Vol. 2, Page 236

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Section, Tr. & Rec

Decree - NOT OFFICIAL

The irrigation season for the * * * marsh lands shall begin on the 1st day of January in each year and continue to and including the 15th day of July in each year.

The irrigation season for the lands of Wm. H. Hotchkiss * * shall begin on the 1st day of January in each year and continue to and including the 15th day of July in each year.

The irrigation season for the lands of E.S. McDonald and J.B. Elder, * * *lands irrigated by ditches and dams from Willow Creek and from Crooked Creek, and for the lands of A. C. Hotchkiss * * * shall begin on the 1st day of January of each year and continue to and including the 30th day of September in each year.

The irrigation season for the lands * * *owned by the Estate of George M. Jones * * * shall begin on the 1st day of March and continue to and including the 31st day of August in each year.

The irrigation season for the lands * * * Brattain Bros., * * shall begin on the 1st day of January of each year and continue to and including the 30th day of September of each year.

The irrigation season for all lands irrigated with waters * * through Bagley Ditch and not hereinabove * * specifically mentioned shall begin on the 1st day of April in each year and continue to and including the 30th day of September of each year.

* * * (All other lands)(and not hereinabove in this paragraph specifically mentioned) shall begin on the 1st day of April of each year and shall continue to and including the 15th day of September of each year.

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Each of the following named claimants * * * * (page 39, 40) shall be entitled to divert * * * a quantity of water equivalent in the aggregate to 4.4 acre feet per acre for each acre of such lands during each irrigation season therefor, * * *

Each of the following named claimants * * * shall be entitled to divert * * * a quantity of water equivalent in the aggregate to 4.6 acre feet per acre for each acre of such land during each irrigation season thereof, as such season is herein defined, * * * (page 40).

Rights allowed as follows:

	38,446.97	38,286.97	
Irrigation.....	38,287.11 acres		cert 3677 160 ac. cane.
Power.....	54.60 c.f.s.		✓ - all canceled cert 3652, 3677

now gather into a natural and well defined channel of said Chewaucan River and flow thence in said channel in a general southerly direction to Lake Abert, of which said water course is a tributary.

-II-

Finding II of said Findings of Fact is hereby modified so that the same shall read as follows:

That the rainfall in the Chewaucan Valley and in the vicinity of said stream and its various tributaries is insufficient for the production of profitable agricultural crops and grasses, and the lands in said valley susceptible of irrigation from said stream and its tributaries become dry, arid and unproductive without irrigation, and without irrigation are of little value; and in order to render said lands productive it is and has been at all times since the said lands have been utilized for the production of agricultural crops, necessary to use the waters of said stream and its tributaries for the irrigation of said lands, and with such irrigation the said lands yield annually profitable crops of hay, natural grasses, and the general agricultural crops usually grown in that altitude, and produce pasture for cattle, horses and other livestock.

-III-

Finding X of said Findings of Fact is hereby modified so that the same shall read as follows:

That the date fixed in the published Notice mentioned in Paragraph V of these Findings as the date when the State Engineer or his assistant would begin the investigation of the flow of said stream and the ditches diverting water therefrom was the 16th day of December 1912. Prior to said date the State Engineer had caused to be made an examination of said stream and its tributaries and of various canals and ditches diverting water therefrom and an examination and approximate measurement of the lands irrigated and susceptible of irrigation from said stream and canals, which said observations and measurements were made a matter of record in the office of said State Engineer and had also caused maps or plats to be prepared on the scale of two inches to the mile purporting to show the course of said stream and its tributaries and the location of various ditches and canals diverting waters therefrom and the legal subdivisions of land which had been irrigated or were susceptible of irrigation from the ditches and canals already constructed. The results of said observations and measurements are contained in the tabulation entitled "Information Collected by the State Engineer Relative to Various Canals from the Chewaucan River and its Tributaries", which is a part of the record herein, and the said maps are also part of the record herein. All of said data had been gathered and the surveys on which said maps were based had been made and said maps had been prepared before the said 16th day of December, 1912. Said maps and said tabulation were not prepared nor was the data upon which the same were based, nor was any data,

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information or purported data furnished by the State Engineer which has at any time been made a part of the record herein, gathered in any investigation which commenced at the date fixed in said published notice, nor in any investigation made pursuant to such published notice. Said maps were prepared and all purported data or information furnished by the State Engineer which has at any time been made a part of the record herein was obtained ex parte by said State Engineer and without notice to any of the parties herein of any investigation on which the same was based. Said maps are not correct and show upon their face that the same were not made as the result of or upon the basis of any data gathered or survey made in an investigation commencing on the 16th day of December, 1912, or at any time thereafter, or in any investigation made pursuant to such published notice, but on the contrary that the same are based entirely upon data gathered and surveys made prior to said 16th day of December, 1912.

-IV-

Finding XIV of said Findings of Fact is hereby modified so that the same shall read as follows:

Portland Irrigation Company, a corporation, as contestant, having filed a statement of contest herein against Chewacan Land and Cattle Company, a corporation, as contestee, and Chewacan Land and Cattle Company, a corporation, as contestant, having filed a notice of contest herein as against Portland Irrigation Company, a corporation, as contestee, and said Chewacan Land and Cattle Company, a corporation, as contestant, having filed a notice of contest against the Northwest Townsite Company, a corporation, as contestee, and said Northwest Townsite Company, a corporation, as contestant, having filed a notice of contest against Chewacan Land and Cattle Company, a corporation, as contestee, and Fred T. Elsey, as contestant, having filed a notice of contest herein as against the Portland Irrigation Company, a corporation, contestee, the above entitled contests came on for hearing pursuant to notice duly and regularly given, as more fully appears from the record herein, on Wednesday the 1st day of July, 1914, at the hour of ten o'clock A. M., at the Court House in Lakeview, Lake County, Oregon, whereupon by stipulation for the purpose of taking the testimony in said various contests, the said contests were consolidated and the record taken therein was by said stipulation made available in each of said contests for the purpose of determination thereof. Additional evidence respecting the matters and questions involved in said contests was offered by all of the parties to said contests, and was received by the Circuit Court on the hearing herein before said Court. The following facts are found as applicable particularly to the matters and rights involved in said contests and to the rights of the parties to said contests, to-wit:

1. Chewacan Land and Cattle Company was at the time of commencement of this proceeding, continuously since has been and now is, a corporation organized and existing

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not less than ten days thereafter, all of the evidence and testimony theretofore taken should be open to the inspection of the various claimants, or owners, or persons having a right to inspect the same at the place and during the time and period set forth in said notice, to-wit: From Monday, the 8th day of December, 1913, to and including Friday, the 19th day of December, 1913 (Sundays excluded), from the hour of ten o'clock a. m. until twelve m., and from two p. m. until five p. m. of each and every day during said period for inspection; and that said notice also set forth the County in which the determination of the State Water Board would be heard by the Circuit Court, to-wit: the Circuit Court of the State of Oregon, for the County of Lake; that said testimony evidence and proofs were by said Superintendent kept open to such public inspection at the place named in said notice ten full days during the period aforesaid; that on Wednesday, the 17th day of December, 1913, said Superintendent did give notice, by registered mail, to each of the claimants herein that the proofs, evidence and testimony taken would be further open to public inspection for a period of ten full days set forth in said notice, at the office of the Superintendent in Salem, Marion County, Oregon; and that the evidence, proofs and testimony taken were kept open during the full period fixed in said notice last referred to, at the place therein specified; due proof of the holding of said inspections, and of the sending of said notices by registered mail being a part of the record herein.

X.

That at the time specified in said original notice, the duly qualified assistant of the State Engineer of the State of Oregon did proceed to make an examination of said stream, and its tributaries, and of the ditches and canals diverting water therefrom and an examination and approximate measurement of the lands irrigated and susceptible of irrigation from said ditches and canals, which said observations and measurements were made a matter of record in the office of said State Engineer; that the State Engineer did prepare a plat or map, on a scale of measurement of two inches to the mile, showing with substantial accuracy the course of said stream, and its tributaries, and the location of each ditch and canal diverting water therefrom and the legal subdivisions of land which have been irrigated or are susceptible of irrigation from the ditches and canals already constructed, blue prints and copies of said maps, duly certified to by said engineer being now on file herein and a part of the record hereof.

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XI.

That upon the completion of the taking of testimony herein in the original hearings as hereinbefore set forth, and after the period for inspection had expired, the following contests were duly and regularly initiated against the rights claimed by various of said claimants, as follows, to-wit:

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the soil is to a considerable extent held until spring, when it aids in saturating the lands, and thereby diminishes the amount required for this purpose from the stream flow after the beginning of the growing season. Under present conditions therefore, the owners of the marsh lands should be held entitled to use such early freshets, and, to permit such use, the irrigation season for such lands is found to begin January 1st in each year and continue until July 15th in each year." Similar considerations apply in determining the beginning of the irrigation season for the lands of Wm. H. Hotchkiss, situate below the Lower Marsh, and which contain 556.2 acres irrigated from the main channel of the Chewaucan River. The irrigation season for said lands of Wm. H. Hotchkiss begins on the 1st day of January in each year and continues until the 15th day of July in each year.

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The same considerations apply also to the lands of E. S. McDonald and J. B. Elder and to the lands of A. C. Hotchkiss irrigated from Crooked Creek and Willow Creek. The flow of these tributaries is even more irregular than that of the main Chewaucan River. These lands are used for the growth of upland hays, and the irrigating season for said lands is therefore found to begin on the 1st day of January in each year and to continue until and including the 30th day of September in each year.

The irrigation season for the lands belonging to the estate of George M. Jones, deceased (represented herein by Frances J. Snider and Anna F. Jones as Executrices of said estate) in the Little Chewaucan Valley begins on the 1st day of March and continues to and including the 31st day of August of each year.

For many years and for more than ten years prior to the commencement of this proceeding the owners of the land containing 676 acres situate in Sections 5, 6, 7, 8, 16 and 17, Township 34 South, Range 19, East, W. M., now owned by Brattain Bros. a corporation (substituted for H. A. Brattain, P. J. Brattain and Mrs. C. N. Brattain-Small), which are irrigated from the Bagley Ditch, have employed the waters of the Chewaucan River diverted through said Bagley Ditch for spring and fall irrigation and the use of said waters for said purposes has been and is a use thereof for beneficial purposes. It is therefore found that the irrigation season for said lands begins on the 1st day of January of each year and continues to and including the 30th day of September in each year.

The irrigation season for all other lands irrigated from said Bagley Ditch begins on the 1st day of April in each year and continues to and including the 30th day of September of each year. The irrigation season for all other uplands now irrigated with the waters of the Chewaucan River (not heretofore in this subdivision (e) specifically mentioned) begins on the 1st day of April in each year and continues until and including the 15th day of September in each year.

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each of said water courses above mentioned such amount as shall be sufficient to meet the aggregate requirements (limited as herein specified) of the owners of uplands who are entitled to divert or use water from said water courses respectively.

A considerable percentage of the water used for irrigation on the delta uplands after use in such irrigation returns to the channels of Small Creek, Paisley Slough, Fisher Slough and Jones Slough above the points where said water courses enter the Upper Chewaucan Marsh, and such water in said channels at said points is capable of measurement before being applied to the marsh lands. The water herein allowed for the irrigation of the marsh lands within the Upper and Lower Chewaucan Marshes, in so far as the same is derived through Small Creek, Paisley Slough, Jones Slough and Fisher Slough should therefore be measured in the channels of said water courses at the respective points where such channels enter the Upper Chewaucan Marsh. All other water diverted for use on the marsh lands (whether situate within the Upper or Lower Chewaucan Marsh) should be measured at the heads of the canals or ditches (such as the Upper Center Canal and the Upper Outside Canal) through which such water is diverted from the river at or above the northerly end of the Upper Chewaucan Marsh.

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The irrigators of lands in the Upper Chewaucan Marsh shall not interfere with or prevent water diverted for lands situate within the Lower Chewaucan Marsh from passing to such lands. Those certain contracts, copies of which are attached as Exhibits "X", "Y" and "Z" to the Statement and Proof of Claim "H" (numbered herein as Proof Number 37) of Chewaucan Land and Cattle Company are hereby confirmed.

26. Two certain reports by John H. Lewis, State Engineer of the State of Oregon dated respectively September 1, 1915, and December 6, 1915, and a report purporting to be made by John Dubuis under date of September 1st, 1915, are contained in the record herein as certified to this Court by the Secretary of the State Water Board of Oregon. Said reports were not nor was any thereof made in conformity with law, but the same and each thereof were made ex parte and without notice to any of the claimants herein and none of the purported data and information contained in said reports was gathered in any investigation provided for by law nor in any investigation of which any such claimant herein had any notice or knowledge, but all of the purported data and information contained in said reports as having been obtained by said State Engineer or by said John Dubuis was gathered ex parte and without notice to or knowledge of any claimant herein, and said reports were not nor was any thereof nor any of the purported data or information therein contained which purports to have been gathered or reported by said State Engineer or by said John Dubuis proved as evidence in this proceeding; but said reports were made and received by said State Water Board without notice to or knowledge of any of the claimants herein, and after said State Water Board had refused to receive further evidence or testimony herein. Said John Dubuis is not and has not at any time been an Assistant State Engineer, but at the time of gathering the purported information

contained in the report purporting to be made by him under date of September 1, 1915, and at the time of making said report was Assistant Secretary of the Desert Land Board of the State of Oregon. Said Reports and the purported data and information therein contained are hearsay and incompetent as evidence for or against any claimant in this proceeding. Said reports should not nor should any of them have been received or used by said State Water Board or any member thereof nor made a part of the record herein, but the contents of said reports, even if considered as evidence, in so far as the same are in conflict with any facts stated in these findings, are disproved by other evidence herein.

- V -

The last sentence of subdivision 5 of paragraph XV of said Findings is hereby modified so as to read as follows:

That by virtue of the construction of said ditch as aforesaid, the predecessors in interest of said Christina and William Schmidt did appropriate for the irrigation of said premises in said Section 18 the waters of said Willow Creek, and are entitled to an appropriation of said waters dating from the year 1898 for the land so described in Section 18, and are entitled to an appropriation of said springs and feeders dating from said year 1878 for the said lands.

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- VI -

Subdivision 9 of Paragraph XV of said Findings is hereby modified so that the same shall read as follows:

9. That the Oregon Valley Land Company is a corporation organized and existing under the laws of the State of South Dakota. That prior to 1890 the predecessors in interest of the said Oregon Valley Land Company entered upon Willow Creek and constructed several dams and ditches and weirs, whereby the waters of said Willow Creek were diverted over and across the lands described opposite the name of said Oregon Valley Land Company in the tabulated statement contained in the Order of Determination herein. That at said time said predecessor in interest, the Heryford Township 34 and Township 35 South, Range 20 East, Land and Cattle Company, a corporation, was the owner of certain lands in Township 35 and Township 36 South, Range 21 East of W. M., in Lake County, Oregon. That said predecessor in interest of said Oregon Valley Land Company commencing prior to said year 1890, constructed a system of dams and ditches for the regulation of the flow of water in said Willow Creek, and for the diversion of the same into said ditches, and thereby applied the waters of said Willow Creek to the lands described in the tabulated statement herein under and opposite the name of said Oregon Valley Land Company (or persons substituted for said Company in this proceeding) for the irrigation thereof. That the irrigation season begins with the first freshets after the first day of January of each year, and terminates the 30th day of September in each year, during which season the waters of Willow Creek have been heretofore diverted

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Recorded - Vol. 12, P. 256

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from Decree Dec. 2, 1916
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E. S. McDONALD, Plaintiff,
vs.
ROBERT WILSON and RHEA LUPER,
State Engineer of the State of
Oregon, Defendants.

SUIT IN EQUITY TO QUIET TITLE
AND TO AMEND DECREE.

DECREE

The default of the defendant, Rhea Luper, State Engineer of the State of Oregon, having heretofore been entered in this cause, and the Court having made and filed herein its Findings of Fact and Conclusions at Law, and plaintiff at this time appearing by Arthur D. Hay, his attorney, and now moving for a decree herein, as prayed for in his complaint herein on file: and the Court having considered such motion, and being fully advised in the premises:

IT IS THEREFORE CONSIDERED, ORDERED, ADJUDGED AND DECREED, that the plaintiff has a good and valid right by appropriation, diversion and use to all of the waters of Antelope Creek, a tributary of Chewaucan River, but not exceeding 3.9 acre feet per acre, for the irrigation of his lands described as 6.3 acres of land in the northwest quarter of the southeast quarter and 2.1 acres of land in the southwest quarter of the southeast quarter of section twenty-two (22), in township thirty-five (35), South, Range eighteen (18), east, of the Willamette Meridian, with date of relative priority as of the year 1890, and to a reasonable use of said waters for the purpose of watering of livestock on said lands at all season of the year.

IT IS FURTHER CONSIDERED, ORDERED, ADJUDGED AND DECREED, that the defendant, Robert Wilson and all persons claiming by, through or under him be, and they are hereby forever enjoined and debarred from asserting any claim whatever in or to said waters, or in or to the use thereof or of any part thereof, adverse to said plaintiff.

IT IS FURTHER CONSIDERED, ORDERED, ADJUDGED AND DECREED, that the decree heretofore, on December 2, 1916, made and entered by this Court in the Matter of the Determination of the Relative Rights to the Use of the Waters of the Chewaucan River and its Tributaries, a Tributary of Abert Lake, be, and the same is hereby amended and modified to the extent that the right thereby decreed to plaintiff to the use of the waters of said Antelope Creek, for the irrigation of fifteen acres of land in the northwest quarter of the northeast quarter of section twenty-seven (27), township thirty-five (35) south, range eighteen (18) east, Willamette Meridian, be and the same is hereby amended and modified in accordance with the provisions of this decree as above set forth, whereby plaintiff is decreed to have a right to the use of said waters for the irrigation of his lands described as 6.3 acres of land in the northwest quarter of the southeast quarter and 2.1 acres of land in the southwest quarter of the southeast quarter of section twenty-two (22), in township thirty-five (35), south, range eighteen (18) east, of the Willamette Meridian, with date

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of relative priority as of the year 1890, and to a reasonable use of said waters for the purpose of watering of livestock on said lands at all seasons of the year.

IT IS FURTHER CONSIDERED, ORDERED, ADJUDGED AND DECREED, that the defendant, Rhea Laper, State Engineer of the State of Oregon, be, and he is hereby authorized and ordered to cancel a certain Certificate of Water Right heretofore issued to plaintiff, dated July 15, 1922, and recorded in volume 2 at page 411, Record of Water Rights of Lake County, Oregon, and in lieu thereof to issue to plaintiff a new Certificate in accordance with the terms of this decree.

AND IT IS FURTHER CONSIDERED, ORDERED, ADJUDGED AND DECREED, that neither party shall have his costs or disbursements in this cause.

Lakeview, Oregon, done in open court and dated this 5th day of November, 1923.

ORLANDO M. CORKINS, Judge.

STATE OF OREGON,)
) SS
County of Lake)

I, Carl W. Pendleton, County Clerk and Clerk of the Circuit Court of the County and State aforesaid, do hereby certify that the foregoing copy of DECREE has been by me compared with the original, and that it is a correct transcript therefrom, and the whole of such original decree as the same appears of record in my office and in my custody.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of the Circuit Court, this 7th day of April, 1935.

(SEAL)

CARL M. PENDLETON.
Clerk.

STATE OF OREGON)
) ss
County of Marion)

I, CHAS. E. STRICKLIN, State Engineer of Oregon, do hereby certify that the foregoing copy of DECREE in the Suit in Equity to Quiet Title and Amend Decree, E.S. McDonald, Plaintiff, vs. Robert Wilson and Rhea Laper, State Engineer, Defendants, in the matter of the determination of the relative rights to the use of the waters of Chewaucan River and its tributaries, has been compared with the original, and that it is a true and correct copy therefrom and of the whole thereof, as the same appears of record in my office and custody.

IN WITNESS WHEREOF, I have hereunto set my hand this 14th day of April, 1935.

CHAS. E. STRICKLIN,
State Engineer.

STATE OF OREGON

~~WATER DIVISION No. 1,~~ COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT.

THIS IS TO CERTIFY that CHEWACAN LAND AND CATTLE COMPANY, a corporation organized and existing under the laws of the State of California, whose post office address is Room Number 910 American National Bank Building, San Francisco, California, ⁹⁴¹⁰¹ has a right to the use of the waters of Chewaucan River and its tributaries, (a tributary of Lake Abert) for the purposes of irrigation, watering livestock and domestic use; that said right has been confirmed by decree of the Circuit Court of the State of Oregon in and for Lake County, and the said decree entered of record at Salem in the Order Record of the STATE WATER BOARD of Oregon, in Volume 4, at Page 1; that (except as and to the extent hereinafter otherwise declared) the priority of the right hereby confirmed dates from 1885; that the amount of water to which such right is entitled and hereby confirmed for the purposes aforesaid is, by the terms of said Decree, limited so that it shall not exceed

- (1) as respects water for irrigation, an aggregate quantity of water in each irrigation season (being the period in each year commencing January 1st and ending July 15th, both dates included) equivalent in the aggregate to 3.9 acre feet per acre for each acre included in the lands here below described, such water to be diverted at a rate not exceeding that which will represent a flow of $1/25$ of one cubic foot per second of time per acre for the number of acres contained in the lands here below described; and
- (2) as respects water for livestock and domestic purposes, such quantity of water (to be additional to that specified in the preceding subdivision (1) hereof), to be used by said Chewacan Land and Cattle Company and other owners of lands entitled to divert water through Small's Creek, as shall be sufficient for such purposes and to prevent complete freezing, not however to exceed in the aggregate a flow of eight cubic feet per second of time during the period between the 15th day of October of one year and the 6th day of March of the succeeding year, and not to exceed in the aggregate a flow of 4 cubic feet per second of time during the period between September 15th and October 15th of each year.

T-9733

That as between the following named persons and their respective successors in interest, namely: Chewacan Land and Cattle Company, a corporation, Fred T. Elsey Wm. H. Hotchkiss, Christina Schmidt and William Schmidt, E. S. McDonald and J. B. Elder, A. C. Hotchkiss, Frances J. Snider and Anna F. Jones as executrices of the last will and testament of George M. Jones, deceased, W. Y. Miller, Brattain Bros., a corporation, John O'Callaghan and Dennis O'Callaghan, copartners doing business under the name of O'Callaghan Bros., C. E. Campbell, H. A. Brattain, P. J. Brattain and Mrs. C.N.Brattain-Small, H. A. Brattain, Fred Weidey, Anton Egli, Florence Jones, Cynthia I. McCall, W. B. Parker, W. M. Dobkins, Harriet L. Random, M. C. Currier, M. H. Lauritzen, E. S. McDonald, and J. B. Elder, copartners doing business under the name of McDonald & Elder, and Annie Moss,

- (a) the rights of said persons respectively to divert and use waters of the Chewacan River for domestic and stock purposes shall have equal priority and apriority as of the year 1878;
- (b) the right of Brattain Bros., a corporation, to use the waters of said river, diverted through Bagley Ditch for the irrigation of 676 acres described in the Proof of Claim numbered 13 which is referred to in said Decree, is prior in time and right to any right of Chewacan Land and Cattle Company or of William H. Hotchkiss to divert water for the irrigation of any land owned by either of said parties at the date of said Decree; and
- (c) as between William H. Hotchkiss and all persons owning any land in the Upper or Lower Chewacan Marshes (including Chewacan Land and Cattle Company), the right of said William H. Hotchkiss to use waters for the irrigation of any lands irrigated by him from said Chewacan River below said Chewacan Marshes is subordinate in time and right to the rights of each of the owners of lands in said Marshes to divert and use waters in said River for the irrigation of their said lands;

A description of the lands irrigated under such rights and to which the water hereby confirmed is appurtenant, or, if for other purposes, the place where such water is put to beneficial use, (which lands contain an aggregate of 143.1 acres) is as follows:

MAIN DIVERSION AND
APPURTENANT WORKS:

ACREAGE

DESCRIPTION OF LAND

Small's Creek, Jones
Ditch and Jones Levee,

143.1

13 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
7 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$
25 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$
14.5 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$
14 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$
20.6 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
14.6 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$
24.9 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$
Sec. 32
8.5 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$
1 acre in SW $\frac{1}{4}$ SW $\frac{1}{4}$
Sec. 33
Tp 33 S. R. 19 E. W. M.

The right to the use of the water aforesaid and hereby confirmed is restricted to the lands or place of use herein described; but nothing herein contained shall prevent the use by Chewacan Land and Cattle Company of the ditches, water courses or works herein mentioned for the purposes of diverting through the same, water which it may be entitled to divert and use upon other lands than those hereinabove described.

By the terms of said Decree, provision is made respecting the manner in which and the conditions upon which persons who, after the date of said Decree, shall acquire a right to divert or store any surplus waters of said river at a point or points above the lands of said Chewacan Land and Cattle Company situate in the Upper or Lower Chewacan Marshes, may so divert or store such water, and for the manner in which and the conditions under which the water diverted or used by said Chewacan Land and Cattle Company upon the lands herein described shall be measured and charged against the quantity of water which it is entitled to use upon said lands. For a more particular specification of the provisions of said Decree and of the rights of said Chewacan Land and Cattle Company to and in respect of the use of the waters of said Chewacan River and its tributaries upon the lands herein above described, reference is hereby made to said Decree and to the Order of Determination of the State Water Board, as modified by said Decree, heretofore entered in that certain proceeding before said Water Board and before said Circuit Court, entitled "In the Matter of the Determination of the Relative Rights to the use of the Waters of the Chewacan River and its Tributaries, a tributary of Lake Abert." And the rights herein described shall be subject to all other conditions and limitations contained in said decree.

WITNESS the seal and signature of the State Water Board affixed
this 26th day of October, 1920.

S T A T E W A T E R B O A R D

By P E R C Y A . C U P P E R ,

(SEAL OF STATE WATER BOARD)

S T A T E E N G I N E E R , P R E S I D E N T .

Attest:

R. W. POTTER,

Secretary.

STATE OF OREGON

WATER DIVISION NO.

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

(For rights perfected under original, enlargement or secondary permits)

This is to Certify, That CHESTER L. WITHERS

of Paisley, State of Oregon, has made proof to the satisfaction of the STATE WATER BOARD of Oregon, of a right to the use of the waters of Chewaucan River, a tributary of Abert Lake, for the purpose of the irrigation of 4 acres of land

under Permit No. 3411 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon and duly confirmed by order of the STATE WATER BOARD of Oregon, made and entered of record in the Record of Proceedings of said Board, at Salem, in Volume 1, at page 368, on the 17th day of November, 1920; that the priority of the right hereby confirmed dates from June 22, 1917; 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 0.05 cubic feet per second, or its equivalent in case of rotation. The use hereunder shall conform to any reasonable rotation system ordered by the proper State Officer. A description of the lands under such right, and to which the water hereby confirmed is appurtenant, or, if for other purposes, the place where such water is put to beneficial use, is as follows: 4 acres in the Southwest quarter of Southeast quarter of Section Twenty-three, Township Thirty-three South, Range ~~Eighteen~~ East of Willamette Meridian, in Lake County, Oregon.

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

Rights to the use of water for power purposes are limited to a period of forty years from the date of priority of the right, as herein set forth, subject to a preference right of renewal under the laws existing at the date of the expiration of the right for power purposes, as hereby confirmed and limited.

Witness the seal and signature of the STATE WATER BOARD affixed this 1st day of December, 1920.

STATE WATER BOARD

(SEAL OF STATE WATER BOARD)

By PERCY A. CUPPER, State Engineer, President

Attest: R. W. POTTER, Secretary

T-9733

STATE OF OREGON

WATER DIVISION NO.

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

(For rights perfected under original, enlargement or secondary permits)

This is to Certify, That L. P. KLIPPEL AND C. F. SNIDER

of Paisley, State of Oregon 91636, has made proof to the satisfaction of the STATE WATER BOARD of Oregon, of a right to the use of the waters of Chewaucan River, a tributary of Abert Lake

for the purpose of the irrigation of 10 acres of land

under Permit No. 3480 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon and duly confirmed by order of the STATE WATER BOARD of Oregon, made and entered of record in the Record of Proceedings of said Board, at Salem, in Volume 1

at page 389, on the 13th day of April, 1921; that the priority of the right hereby confirmed dates from July 11, 1917; 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 0.125 cubic feet per second, or its equivalent in case of rotation. The use hereunder shall conform to any reasonable rotation system ordered by the proper State Officer.

A description of the lands under such right, and to which the water hereby confirmed is appurtenant, or, if for other purposes, the place where such water is put to beneficial use, is as follows: 6 acres in the Southeast quarter of Southeast quarter of Section Twenty-three and 4 acres in the Southwest quarter of Southwest quarter of Section Twenty-four, Township Thirty-three South, Range Eighteen East of Willamette Meridian, in Lake County, Oregon.

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

Rights to the use of water for power purposes are limited to a period of forty years from the date of priority of the right, as herein set forth, subject to a preference right of renewal under the laws existing at the date of the expiration of the right for power purposes, as hereby confirmed and limited.

Witness the seal and signature of the STATE

WATER BOARD affixed this 13th day

of April, 1921.

STATE WATER BOARD

(SEAL OF STATE WATER BOARD)

By PERCY A. CUPPER State Engineer, President

Attest: R. W. POTTER Secretary

T-9733

STATE OF OREGON

COUNTY OF WASHINGTON

CERTIFICATE OF WATER RIGHT

This is to Certify, That MRS. SUSIE L. BENEFIELD of the City of Paisley, State of Oregon 97634 has a right to the use of the waters of Chewaucan River, a tributary of Lake Abert for the purpose of the irrigation of 0.75 acres of land

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Lake County, and the said decree entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 35, at page 1; that the priority of the right thereby confirmed dates from 1901

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of 1/25 of a cubic foot per second per acre, and the aggregate quantity set forth below; and said right shall be subject to all other conditions and limitations contained in said decree.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows: (3.9 acre feet per acre during each irrigation season, being the period from April 1 to September 15th of each year) Lot 3 in Block 1, South Addition, and Lot 8 in Second South Addition to the Town of Paisley, in Lake County, Oregon.

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

WITNESS the seal and signature of the State Water Board, affixed this 15th day of July, 1922

STATE WATER BOARD

(Seal of State Water Board)

By PERCY A. CUPPER State Engineer, President

Attest:

R. W. POTTER Secretary

T-9733

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

This is to Certify, That H. A. BRATTAIN, P. J. BRATTAIN AND MRS. C. N. BRATTAIN - SMALL of Paisley, State of Oregon 97636 has a right to the use of

the waters of Chewaucen River, a tributary of Lake Abert

for the purpose of the irrigation of 676 acres of land, domestic and stock use

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Lake County, and the said decree entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 5, at page 17; that the priority of the right thereby confirmed dates from 1883

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of 1/25 of a cubic foot per second per acre, and the aggregate quantity set forth below; and said right shall be subject to all other conditions and limitations contained in said decree.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows: (4.8 acre feet per acre during each irrigation season, being the period from January 1 to September 30 of each year).

18 acres in the Southwest quarter of Northeast quarter; 40 acres in the South east quarter of Northeast quarter; 39 acres in the Northeast quarter of Southeast quarter; 3 acres in the Northwest quarter of Southeast quarter and 33 acres in the Southeast quarter of Southeast quarter of Section Six: 20 acres in the Southwest quarter of North west quarter; 20 acres in the Northwest quarter of Southwest quarter and 20 acres in the Southwest quarter of Southwest quarter of Section Five: 30 acres in the Northeast quarter of Northeast quarter and 17 acres in the Southeast quarter of Northeast quarter of Section Seven: 22 acres in the Northwest quarter of Northwest quarter; 32 acres in the Southwest quarter of Northwest quarter; 23 acres in the Northeast quarter of Southwest quarter; 25 acres in the Northwest quarter of Southwest quarter; 11 acres in the Southeast quarter of Southwest quarter; 6 acres in the Northwest quarter of Southeast quarter; 38 acres in the Southwest quarter of Southeast quarter; 20 acres in the Southeast quarter of Southeast quarter of Section Eight: 1 acre in the Southwest quarter of Southwest quarter of Section Nine: 40 acres in the Northwest quarter of Northeast quarter; 40 acres in the Southwest quarter of Northeast quarter; 40 acres in the Northeast quarter of Northwest quarter; 40 acres in the Northwest quarter of Northwest quarter; 16 acres in the Southwest quarter of Northwest quarter and 31 acres in the Southeast quarter of Northwest quarter of Section Sixteen: 37 acres in the Northeast quarter of Northeast quarter; 12 acres in the North west quarter of Northeast quarter and 2 acres in the Southeast quarter of Northeast quarter of Section Seventeen, Township Thirty-four South, Range Nineteen East of Willamette Meridian, in Lake County, Oregon.

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

WITNESS the seal and signature of the State Water Board, affixed this 15th day of July, 1922

STATE WATER BOARD

(Seal of State Water Board)

By PERCY A. CUPPER State Engineer, President

Attest:

R. W. POTTER Secretary

T-9733

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

This is to Certify, That H. A. BRATTAIN, P. J. BRATTAIN and Mrs. C.N.

of Paisley, State of Oregon 97634 has a right to the use of

the waters of Chewaucan River, a tributary of Lake Abert

for the purpose of the irrigation of 1.4 acres of land, domestic and stock use

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Lake County, and the said decree entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 5, at page 1; that the priority of the right thereby confirmed dates from 1881

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of 1/25 of a cubic foot per second per acre, and the aggregate quantity set forth below; and said right shall be subject to all other conditions and limitations contained in said decree.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows: (3.9 acre feet per acre during each irrigation season, being the period from April 1 to September 15 of each year) 1.4 acres in the Northeast quarter of Southwest quarter of Section Twenty-four, Township Thirty-three South, Range Eighteen East of Willamette Meridian, Lake County, Oregon, being Lots 1, 2, 9 and 10, South Addition to the Town of Paisley, Oregon.

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

WITNESS the seal and signature of the State Water Board, affixed this 15th day of July, 1922.

STATE WATER BOARD

(Seal of State Water Board)

By HERCY A. CUPPER State Engineer, President

Attest:

R. W. POTTER

Secretary

T-9733

XV

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

This is to Certify, That VIRGIL GONN of Paisley, State of Oregon, 976.36 has a right to the use of the waters of Chewaucan River, a tributary of Abert Lake for the purpose of the irrigation of 3/4 of an acre of land

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Lake County, and the said decree entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 5, at page 1; that the priority of the right thereby confirmed dates from April, 1900

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of 1/25 of a cubic foot per second per acre; and the aggregate quantity set forth below; and said right shall be subject to all other conditions and limitations contained in said decree.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows: (3.9 acre feet per acre during each irrigation season, being the period from April 1 to September 15 of each year)

3/4 of an acre in the Northeast quarter of Southwest quarter of Section Twenty-four, Township Thirty-three South, Range Eighteen East of Willamette Meridian, in Lake County, Oregon.

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

WITNESS the seal and signature of the State Water Board, affixed this 15th day of July, 1922

STATE WATER BOARD

(Seal of State Water Board)

By PERCY A. CUPPER State Engineer, President

Attest:

R. W. POTTER Secretary

Recorded in State Record of Water Right Certificates, Volume 4, page 3622

T-9733

V
OR

STATE OF OREGON

COUNTY OF LAKE YTHUOOD

CERTIFICATE OF WATER RIGHT

This is to Certify, That M. G. CURRIER

of Paisley, State of Oregon has a right to the use of

the waters of Chewaucan River, a tributary of Lake Abert

for the purpose of the irrigation of 0.6 acres of land, domestic and stock use

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Lake County, and the said decree entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 5, at page 1; that the priority of the right thereby confirmed dates from 1878

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of 1/25 of a cubic foot per second per acre, and the aggregate quantity set forth below; and said right shall be subject to all other conditions and limitations contained in said decree.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows: (3.9 acre feet per acre during each irrigation season, being the period from April 1 to September 15 of each year) 0.6 acres in the Northeast quarter of Southwest quarter of Section Twenty-four, Township Thirty-three South, Range Eighteen East of Willamette Meridian, in Lake County, Oregon.

OR

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

WITNESS the seal and signature of the State Water Board, affixed this 15th day of July 1922

STATE WATER BOARD

(Seal of State Water Board)

By PERCY A. CUPPER State Engineer, President

Attest:

R. W. POTTER Secretary

Recorded in State Record of Water Right Certificates, Volume 4, page 3625

T-9733

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

This is to Certify, That CHESTERFIELD B. PARKER AND LELAND S. PARKER

of Paisley, State of Oregon 97636 has a right to the use of

the waters of Chewaucan River, a tributary of Abert Lake, and Elder Creek, a tributary of Chewaucan River for the purpose of the irrigation of 445 acres of land, domestic and stock use

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Lake County, and the said decree entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 5 at page 1878 as to lands under proofs that the priority of the right thereby confirmed dates from No. 54 and 55 and 1897 as to lands under proof No. 56

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of 1/25 of a cubic foot per second per acre, and the aggregate quantity set forth in connection with each tract described below; and said rights shall be subject to all other conditions and limitations contained in said decree.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

(Proof No. 54 from Chewaucan River. 4.8 acre feet per acre during each irrigation season, being the period from April 1 to September 15 of each year) 40 acres in the Northeast quarter of Northwest quarter and 40 acres in the Northwest quarter of Northwest quarter of Section Thirty, Township Thirty-three South, Range Nineteen East of Willamette Meridian in Lake County, Oregon.

(4.4 acre feet per acre during each irrigation season, being the period from April 1 to September 15th of each year) 40 acres in the Northwest quarter of Northeast quarter; 32.5 acres in the Southwest quarter of Northeast quarter and 32.5 acres in the Southeast quarter of Northwest quarter of Section Thirty, Township Thirty-three South, Range Nineteen East of Willamette Meridian, in Lake County, Oregon.

(Proof No. 55 from Chewaucan River, 4.4 acre feet per acre during each irrigation season, being the period from April 1 to September 15 of each year) 40 acres in the Northeast quarter of Northeast quarter and 40 acres in the Southeast quarter of Northeast quarter of Section Thirty: 40 acres in the Northwest quarter of Northwest quarter and 40 acres in the Southwest quarter of Northwest quarter of Section Twenty-nine, Township Thirty-three South, Range Nineteen East of Willamette Meridian, in Lake County, Oregon.

(Proof No. 56 from Elder Creek. 3.9 acre feet per acre during each irrigation season, being the period from April 1 to September 15 of each year) 20 acres in the Southwest quarter of Northwest quarter; 15 acres in the Southeast quarter of Northwest quarter; 15 acres in the Northwest quarter of Southwest quarter; 20 acres in the Northeast quarter of Southwest quarter and 20 acres in the Northwest quarter of Southeast quarter of Section Thirty-one, Township Thirty-five South, Range Eighteen East of Willamette Meridian, in Lake County, Oregon.

V
OK

STATE OF OREGON

COUNTY OF

CERTIFICATE OF WATER RIGHT

This is to certify,

[Faint, mostly illegible text describing the water right certificate details, including names and locations.]

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

WITNESS the seal and signature of the State Water Board, affixed this 15th day of July, 1922

STATE WATER BOARD

(Seal of State Water Board)

By PERCY A. CUPPER State Engineer, President

Attest:

R. W. POTTER Secretary

STATE OF OREGON

COUNTY OF LAKE YTHUOD

CERTIFICATE OF WATER RIGHT

This is to Certify, That JOHN DRUM, Sr

of Paisley, State of Oregon 97636 has a right to the use of the waters of Chewaucan River, a tributary of Abert Lake for the purpose of the irrigation of 2 acres of land

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Lake County, and the said decree entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 5, at page 1; that the priority of the right thereby confirmed dates from 1906

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of 1/25 of a cubic foot per second per acre, and the aggregate quantity set forth below; and said right shall be subject to all other conditions and limitations contained in said decree.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use); is as follows: (3.9 acre feet per acre during each irrigation season, being the period from April 1 to September 15 of each year) 2 acres in the Northwest quarter of the Southeast quarter of Section Twenty-four, Township Thirty-three South, Range Eighteen East of Willamette Meridian, in Lake County, Oregon.

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

WITNESS the seal and signature of the State Water Board, affixed this 15th day of July, 1922

(Seal of State Water Board)

By PERCY A. CUPPER State Engineer, President

Attest:

R. W. POTTER Secretary

Recorded in State Record of Water Right Certificates, Volume 4, page 3630

T-9733

V
OK

STATE OF OREGON

COUNTY OF LAKE COUNTY

CERTIFICATE OF WATER RIGHT

This is to Certify, That Mrs. OLA DRUMM

of Paisley, State of Oregon 97634 has a right to the use of the waters of Chewaucan River, a tributary of Abert Lake for the purpose of the irrigation of 11 acres of land

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Lake County, and the said decree entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 5 at page 1; that the priority of the right thereby confirmed dates from 1900

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of 1/25 cubic feet per second per acre, and the aggregate quantity set forth in connection with each tract described below; and said rights shall be subject to all other conditions and limitations contained in said decree.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows: (Proof No. 58 - the irrigation of 10 acres described as follows: Lots 14 and 15, Second Addition to Paisley, Oregon; Lots 10, 11, 12 and 13, Block F, Second East Addition to Paisley, Oregon; Also a tract of land described as follows: Beginning at the SE corner of Lot 10, Block F, Paisley, Oregon; thence Northerly along the eastern boundary of said Block 150'; thence easterly at right angles 100'; thence at right angles southerly and parallel with the eastern boundary of said Block F, 150'; thence at right angles westerly 100' to place of beginning.

Proof No. 59 - 1/4 acre in the Northeast quarter of Southeast quarter and Northwest quarter of Southwest quarter of Section Twenty-four, Township Thirty-three South, Range Eighteen East of Willamette Meridian, in Lake County, Oregon.

All of the above lands shall be limited to 3.9 acre feet per acre during each irrigation season, being the period from April 1 to September 15 of each year.

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

WITNESS the seal and signature of the State Water Board, affixed this 15th day of July, 1922

STATE WATER BOARD

(Seal of State Water Board)

By PERCY A. CUPPER State Engineer, President

Attest:

R. W. POTTER

Secretary

T-9733

STATE OF OREGON

COUNTY OF LAKE COUNTY

CERTIFICATE OF WATER RIGHT

This is to Certify, That F. W. FARROW of Paisley, State of Oregon has a right to the use of the waters of Chewaucan River, a tributary of Abert Lake for the purpose of the irrigation of 2 1/2 acres of land

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Lake County, and the said decree entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 15, at page 1; that the priority of the right thereby confirmed dates from April 1894

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of 1/25 of a cubic foot per second per acre, and the aggregate quantity set forth below; and said right shall be subject to all other conditions and limitations contained in said decree.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows: (3.9 acre feet per acre during each irrigation season, being the period from April 1 to September 15 of each year) 2 1/2 acres in the Southwest quarter of Southeast quarter of Section Twenty-four, Township Thirty-three South, Range Eighteen East of Willamette Meridian, in Lake County, Oregon.

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

WITNESS the seal and signature of the State Water Board, affixed this 15th day of July, 1922

STATE WATER BOARD

(Seal of State Water Board)

By PERCY A. CUPPER State Engineer, President

Attest:

R. W. POTTER Secretary

T-9733

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

This is to Certify, That MARY L. FARROW, of the County of Lake

of Paisley, State of Oregon 97636 has a right to the use of

the waters of Chewaucan River, a tributary of Abert Lake

for the purpose of the irrigation of 2 1/2 acres of land

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Lake County, and the said decree entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 5, at page 101; that the priority of the right thereby confirmed dates from 1894

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of 1/25 of a cubic foot per second per acre, and the aggregate quantity set forth below; and said right shall be subject to all other conditions and limitations contained in said decree.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

(3.9 acre feet per acre during each irrigation season, being the period from April 1 to September 15 of each year) 2 1/2 acres in the Southwest quarter of Southeast quarter of Section Twenty-four, Township Thirty-three South, Range Eighteen East of Willamette Meridian, in Lake County, Oregon.

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

WITNESS the seal and signature of the State

Water Board, affixed this 15th day of July, 1922

STATE WATER BOARD

(Seal of State Water Board)

By PERCY A. CUPPER, State Engineer, President

Attest:

R. W. POTTER, Secretary

Recorded in State Record of Water Right Certificates, Volume 4, page 3636

T-9733

V OR

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

This is to Certify, That ESTATE OF MARTHA J. FARROW, deceased

of Paisley, State of Oregon 9.7636 has a right to the use of

the waters of Chewaucan River, a tributary of Abert Lake

for the purpose of the irrigation of 23.58 acres of land, and domestic and stock use under Proof No. 71 and irrigation under proof No. 70

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Lake County, and the said decree entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 5, at page 1; that the priority of the right thereby confirmed dates from 1885 as to lands under proof No. 70 and 1901 as to lands under proof No. 71

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of 1/25 of a cubic foot per second per acre, and the aggregate quantity set forth in connection with each tract described below, and said rights shall be subject to all other conditions and limitations contained in said decree.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

Proof No. 70 - 0.05 acres in the Northeast quarter of Southwest quarter, and 0.50 acres in the Northwest quarter of Southwest quarter of Section Twenty-four, Township Thirty-three South, Range Eighteen East of Willamette Meridian, in Lake County, Oregon.

Proof No. 71 - 13.3 acres in the Northwest quarter of Southeast quarter and 10 acres in the Southwest quarter of Southeast quarter of Section Twenty-four, Township Thirty-three South, Range Eighteen East of Willamette Meridian, in Lake County, Oregon.

All of the above described lands shall be limited to 3.9 acre feet per acre during each irrigation season, being the period from April 1 to September 15 of each year.

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

WITNESS the seal and signature of the State

Water Board, affixed this 15th day

of July, 1922

STATE WATER BOARD

(Seal of State Water Board)

By PERCY A. CUPPER State Engineer, President

Attest:

R. W. POTTER Secretary

Recorded in State Record of Water Right Certificates, Volume 4, page 3638.

T-9733

OR

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

This is to Certify, That J. D. FARRA of Paisley, State of Oregon has a right to the use of the waters of Chewaucan River, a tributary of Abert Lake for the purpose of the irrigation of 1.4 acres of land

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Lake County, and the said decree entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 5, at page 1; that the priority of the right thereby confirmed dates from 1900

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of 1/25 of a cubic foot per second per acre; and the aggregate quantity set forth below; and said right shall be subject to all other conditions and limitations contained in said decree.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows: (3.9 acre feet per acre during each irrigation season, being the period from April 1 to September 15 of each year) All of Block "K", South Addition to the Town of Paisley, in Lake County, Oregon.

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

WITNESS the seal and signature of the State Water Board, affixed this 15th day of July, 1922

STATE WATER BOARD

(Seal of State Water Board)

By PERCY A. GURPER State Engineer, President

Attest:

R. W. POTTER Secretary

Recorded in State Record of Water Right Certificates, Volume 4, page 3639

T-9733

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

This is to Certify, That **MARY C. GREEN** of **Watsonville**, State of **California** **95076** has a right to the use of the waters of **Chewaucan River**, a tributary of **Abert Lake** for the purpose of **the irrigation of 3/4 of an acre of land** and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for **Lake** County, and the said decree entered of record at Salem, in the Order Record of the **STATE WATER BOARD** of the State of Oregon, in Volume **5**, at page **1**; that the priority of the right thereby confirmed dates from **1901**

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of **1/25 of a cubic foot per second per acre**, and the aggregate quantity set forth below; and said right shall be subject to all other conditions and limitations contained in said decree.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows: **(3.9 acre feet per acre during each irrigation season, being the period from April 1 to September 15 of each year) Lots 8 and 9, Block F, Second Addition to the Town of Paisley, Oregon; and a piece beginning at the Southeast corner of Lot 8, Block F, said Second Addition; thence North 150'; thence East 100'; thence South 150'; thence West 100' to the place of beginning.**

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

WITNESS the seal and signature of the State Water Board, affixed this **15th** day of **July**, 1922

STATE WATER BOARD

(Seal of State Water Board)

By **PERCY A. CUPPER** State Engineer, President

Attest:

R. W. POTTER Secretary

Recorded in State Record of Water Right Certificates, Volume **4**, page **3641**

OK

T-9733

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

This is to Certify, That S. G. HADLEY and LILLIAN A. HADLEY of Paisley, State of Oregon 97636 has a right to the use of the waters of Chewaucan River, a tributary of Abert Lake for the purpose of the irrigation of 5 acres of land, domestic and stock use,

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Lake County, and the said decree entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 5, at page 1; that the priority of the right thereby confirmed dates from 1878.

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of 1/25 of a cubic foot per second per acre, and the aggregate quantity set forth below; and said right shall be subject to all other conditions and limitations contained in said decree.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows: (339 acre feet per acre during each irrigation season, being the period from April 1 to September 30 of each year) 2 acres in the Southeast quarter of Southwest quarter of Section Twenty-four and 3 acres in the Northeast quarter of Northwest quarter of Section Twenty-five, Township Thirty-three South, Range Eighteen East of Willamette Meridian, in Lake County, Oregon.

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

WITNESS the seal and signature of the State Water Board, affixed this 15th day of July, 1922

STATE WATER BOARD

(Seal of State Water Board)

By PERCY A. CUPPER State Engineer, President

Attest:

R. W. POTTER Secretary

Recorded in State Record of Water Right Certificates, Volume 4, page 3642.

T-9733

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

This is to Certify, That JOHN HANAN of Warm Springs, State of Oregon has a right to the use of the waters of Chewaucan River, a tributary of Abert Lake for the purpose of the irrigation of 0.20 acres of land, domestic and stock use and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Lake County, and the said decree entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 5, at page 1; that the priority of the right thereby confirmed dates from 1888

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of 1/25 of a cubic foot per second per acre, and the aggregate quantity set forth below; and said right shall be subject to all other conditions and limitations contained in said decree.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows: (3.9 acre feet per acre during each irrigation season, being the period from April 1 to September 15 of each year) 0.20 acres in the Southeast quarter of Southwest quarter of Section Twenty-four, Township Thirty-three South, Range Eighteen East of Willamette Meridian, in Lake County, Oregon.

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

WITNESS the seal and signature of the State Water Board, affixed this 15th day of July, 1922

(Seal of State Water Board)

STATE WATER BOARD

By PERCY A. CUPPER
State Engineer, President

Attest:

R. W. POTTER
Secretary

Recorded in State Record of Water Right Certificates, Volume 4, page 3647

OK

T-9733

STATE OF OREGON

COUNTY OF LAKE COUNTY

CERTIFICATE OF WATER RIGHT

This is to Certify, That FRANCES E. HOWELL of Lakeview, State of Oregon has a right to the use of the waters of Chewaucan River, a tributary of Abert Lake for the purpose of the irrigation of 5.6 acres of land

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Lake County, and the said decree entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 5, at page 1; that the priority of the right thereby confirmed dates from 1889 as to lands under proof 88 and April 1, 1894 as to lands under proof No. 89

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of 1/25 of a cubic foot per second per acre, and the aggregate quantity set forth in connection with each tract described below; and said rights shall be subject to all other conditions and limitations contained in said decree.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

(Proof No. 88 for the irrigation of 3 acres from Chewaucan River, 3.9 acre feet per acre during each irrigation season, being the period from April 1 to September 30 of each year) Lots 1, 2, 3 and 4, Miller's Addition to the Town of Paisley, in Lake County, Oregon.

(Proof No. 89 for the irrigation of 2.6 acres from Chewaucan River, 3.9 acre feet per acre during each irrigation season, being the period from April 1 to September 15 of each year) 2.6 acres in the Southwest quarter of Southeast quarter of Section Twenty-four, Township Thirty-three South, Range Eighteen East of Willamette Meridian, in Lake County, Oregon.

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

WITNESS the seal and signature of the State Water Board, affixed this 15th day of July, 1922

STATE WATER BOARD

(Seal of State Water Board)

By PERCY A. CUPPER State Engineer, President

Attest:

R. W. POTTER

Secretary

T-9733

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

This is to Certify, That LESTER I. HAMPTON AND FRANCES E. HOWELL of Lakeview, State of Oregon 97630 has a right to the use of the waters of Chewaucan River, a tributary of Abert Lake for the purpose of the irrigation of 5 acres of land.

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Lake County, and the said decree entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 5, at page 1; that the priority of the right thereby confirmed dates from April 1, 1894

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of 1/25 of a cubic foot per second per acre, and the aggregate quantity set forth below; and said right shall be subject to all other conditions and limitations contained in said decree.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows: (3.9 acre feet per acre during each irrigation season, being the period from April 1 to September 15 of each year) 5 acres in the Southwest quarter of Southeast quarter of Section Twenty-four, Township Thirty-three South, Range Eighteen East of Willamette Meridian, in Lake County, Oregon.

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

WITNESS the seal and signature of the State Water Board, affixed this 15th day of July, 1922

STATE WATER BOARD

(Seal of State Water Board)

By PERCY A. CUPPER State Engineer, President

Attest:

R. W. POTTER

Secretary

Recorded in State Record of Water Right Certificates, Volume 4, page 3654

T-9733

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

This is to Certify, That I. O. O. F. NO. 1177 of Paisley

of Paisley, State of Oregon 97636 has a right to the use of

the waters of Chewaucan River, a tributary of Abert Lake

for the purpose of the irrigation of 0.50 acres of land

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Lake County, and the said decree entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 5, at page 1; that the priority of the right thereby confirmed dates from April 1, 1908

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of 1/25 of a cubic foot per second per acre, and the aggregate quantity set forth below; and said right shall be subject to all other conditions and limitations contained in said decree.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows: (3.9 acre feet per acre during each irrigation season, being the period from April 1 to September 15 of each year) Lots 7 and 8, Miller's Addition to the Town of Paisley, in Lake County, Oregon.

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

WITNESS the seal and signature of the State Water Board, affixed this 15th day of July, 1922

STATE WATER BOARD

(Seal of State Water Board)

By PERCY A. CUPPER State Engineer, President

Attest:

R. W. POTTER Secretary

T-9733

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

This is to Certify, That FLORENCE JONES of Paisley, State of Oregon, 97636 has a right to the use of the waters of Chewaucan River, a tributary of Abert Lake for the purpose of the irrigation of 503.6 acres of land, domestic and stock use and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Lake County, and the said decree entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 5 at page 158; that the priority of the right thereby confirmed dates from 1878

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of 1/25 of a cubic foot per second per acre, and the aggregate quantity set forth in connection with each tract described below; and said rights shall be subject to all other conditions and limitations contained in said decree. A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

Proof No. 93 for 110 acres - 15 acres in the Southeast quarter of Southwest quarter; 15 acres in the Southwest quarter of Southeast quarter and 40 acres in the Southeast quarter of Southeast quarter of Section Thirty and 40 acres in the Northeast quarter of Northeast quarter of Section Thirty-one, Township Thirty-three South, Range Nineteen East of Willamette Meridian, in Lake County, Oregon.

Proof No. 94 for 393.6 acres - 160 acres in the Southwest quarter and 80 acres in the West half of Southeast quarter of Section Twenty-nine; 40 acres in the Northeast quarter of Southeast quarter of Section Thirty; 33.6 acres in the Northwest quarter of Northeast quarter and 80 acres in the North half of Northwest quarter of Section Thirty-two, Township Thirty-three South, Range Nineteen East of Willamette Meridian, in Lake County, Oregon.

All of the above described land shall be limited to 4.4 acre feet per acre during each irrigation season, being the period from April 1 to September 15 of each year.

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

WITNESS the seal and signature of the State Water Board, affixed this 15th day of July, 1922

(Seal of State Water Board)

By PERCY A. CUPPER State Engineer, President

Attest:

R. W. POTTER Secretary

Recorded in State Record of Water Right Certificates, Volume 4, page 3656

T-9733

STATE OF OREGON

COUNTY OF LAKEVIEW

CERTIFICATE OF WATER RIGHT

This is to Certify, That ESTATE OF GEO. M. JONES, deceased

of Lakeview, State of Oregon 97630 has a right to the use of

the waters of Chewaucan River, a tributary of Abert Lake

for the purpose of the irrigation of 207 acres of land, domestic and stock use

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Lakeview County, and the said decree entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 5, at page 1; that the priority of the right thereby confirmed dates from 1878

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of 1/25 of a cubic foot per second per acre, and the aggregate quantity set forth below; and said right shall be subject to all other conditions and limitations contained in said decree.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows: (4.8 acre feet per acre during each irrigation season, being the period from April 1 to September 30 of each year) 4 acres in the Northwest quarter of Northeast quarter; 4 acres in the Southwest quarter of Northeast quarter; 30 acres in the Northeast quarter of Northwest quarter; 38 acres in the Southeast quarter of Northwest quarter; 35 acres in the Northeast quarter of Southwest quarter; 30 acres in the Southeast quarter of Southwest quarter; 7 acres in the Northwest quarter of Southeast quarter and 18 acres in the Southwest quarter of Southeast of Section Thirty-one, Township Thirty-three South, Range Nineteen; 37 acres in the Northwest quarter of Northeast quarter and 4 acres in the Northeast quarter of Northwest quarter of Section Six, Township Thirty-four South, Range Nineteen, All East of Willamette Meridian, in Lake County, Oregon.

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

WITNESS the seal and signature of the State Water Board, affixed this 15th day of July, 1922

STATE WATER BOARD

(Seal of State Water Board)

By PERCY A. CUPPER, State Engineer, President

Attest:

R. W. POTTER, Secretary

Recorded in State Record of Water Right Certificates, Volume 4, page 3659

T-9733

PC-87-14

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

This is to Certify, That E. O. LAMB of Paisley, State of Oregon has a right to the use of the waters of Chewaucan River, a tributary of Abert Lake for the purpose of the irrigation of 0;7 acres of land, domestic and stock use.

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Lake County, and the said decree entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 5, at page 1; that the priority of the right thereby confirmed dates from 1878

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of 1/25 of a cubic foot per second per acre, and the aggregate quantity set forth below; and said right shall be subject to all other conditions and limitations contained in said decree.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use) is as follows: (3.9 acre feet per acre during each irrigation season, being the period from April 1 to September 15 of each year) 0.7 acres in the Northeast quarter of Southwest quarter of Section Twenty-four, Township Thirty-three South, Range Eighteen East of Willamette Meridian, in Lake County, Oregon.

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

WITNESS the seal and signature of the State Water Board, affixed this 15th day of July, 1922

STATE WATER BOARD (Seal of State Water Board) By PERCY A. CUPPER State Engineer, President

Attest: R. W. POTTER Secretary

T-9733

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

This is to Certify, That AT E. S. McDONALD of and by

of Paisley, State of Oregon 97630 has a right to the use of

the waters of Chewaucan River, a tributary of Abert Lake, and a small creek rising in Section 33, T 35 S. R. 18 E. W. M., tributary of Chewaucan River for the purpose of the irrigation of 160 acres of land, domestic and stock use

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Lake County, and the said decree entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 5, at page 1; that the priority of the right thereby confirmed dates from 1878 as to lands under proof No. 109 and 1880 as to lands under proof No. 110

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of 1/25 of a cubic foot per second per acre, and the aggregate quantity set forth in connection with each tract described below; and said rights shall be subject to all other conditions and limitations contained in said decree

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

(Proof No. 109 for the irrigation of 145 acres of land from Chewaucan River, 4.4 acre feet per acre during each irrigation season, being the period from April 1 to September 15 of each year) 7.5 acres in the Southwest quarter of Northeast quarter; 7.5 acres in the Southeast quarter of Northwest quarter; 40 acres in the Northeast quarter of Southwest quarter; 25 acres in the Southeast quarter of Southwest quarter; 40 acres in the Northwest quarter of Southeast quarter and 25 acres in the Southwest quarter of Southeast quarter of Section Thirty, Township Thirty-three South, Range Nineteen East of Willamette Meridian, in Lake County, Oregon.

(Proof No. 110 for the irrigation of 15 acres of land from a small Creek rising in Section 33, T 35 S. R. 18 E. W. M., 3.9 acre feet per acre during each irrigation season, being the period from April 1 to September 15 of each year) 15 acres in the Northwest quarter of Southwest quarter of Section Thirty-four, Township Thirty-five South, Range Eighteen East of Willamette Meridian, in Lake County, Oregon.

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

WITNESS the seal and signature of the State Water Board, affixed this 15th day of July, 1922

STATE WATER BOARD

(Seal of State Water Board)

By PERCY A. CUPPER State Engineer, President

Attest:

R. W. POTIER

Secretary

T-9733

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

This is to Certify, That E. S. McDONALD and A. B. ELDER (Partners) of Paisley, State of Oregon 97636 has a right to the use of the waters of Chewaucan River, a tributary of Abert Lake for the purpose of the irrigation of 103 acres of land, domestic and stock use

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Lake County, and the said decree entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 5, at page 1; that the priority of the right thereby confirmed dates from 1878

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of 1/25 of a cubic foot per second per acre, and the aggregate quantity set forth below; and said right shall be subject to all other conditions and limitations contained in said decree.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows: (4.8 acre feet per acre during each irrigation season, being the period from April 1 to September 30 of each year) - 4 acres in the Southwest quarter of Southeast quarter and 37 acres in the Southeast quarter of Southeast quarter of Section Twenty-five and 3 acres in the Northeast quarter of Northeast quarter of Section Thirty-six, Township Thirty-three South, Range Eighteen; 40 acres in the Southwest quarter of Southwest quarter of Section Thirty and 19 acres in the Northwest quarter of Northwest quarter of Section Thirty-one, Township Thirty-three South, Range Nineteen, all East of Willamette Meridian, in Lake County, Oregon.

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

WITNESS the seal and signature of the State Water Board, affixed this 15th day of July, 1922

STATE WATER BOARD

(Seal of State Water Board)

By PERCY A. CUPPER State Engineer, President

Attest:

R. W. POTTER Secretary

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

This is to Certify, That ALICE M. MILLER of Paisley, State of Oregon 97636 has a right to the use of the waters of Chewaucan River, a tributary of Abert Lake for the purpose of the irrigation of 3/4 of an acre of land

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Lake County, and the said decree entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 5, at page 1; that the priority of the right thereby confirmed dates from 1901

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of 1/25 of a cubic foot per second per acre, and the aggregate quantity set forth below; and said right shall be subject to all other conditions and limitations contained in said decree.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows: (3.9 acre-feet per acre during each irrigation season, being the period from April 1 to September 15 of each year) 3/4 of an acre in the Southwest quarter of Southeast quarter of Section Twenty-four, Township Thirty-three South, Range Eighteen East of Willamette Meridian, in Lake County, Oregon.

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

WITNESS the seal and signature of the State Water Board, affixed this 15th day of July, 1922

STATE WATER BOARD

(Seal of State Water Board)

By PERCY A. CUPPER State Engineer, President

Attest:

R. W. POTTER Secretary

V OR

T-9733

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

This is to Certify, That W. Y. MILLER of said

of Paisley, State of Oregon 97636 has a right to the use of the waters of Chewaucan River, a tributary of Abert Lake for the purpose of the irrigation of 19 1/4 acres of land, domestic and stock use

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Lake County, and the said decree entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 5, at page 1; that the priority of the right thereby confirmed dates from 1878 as to lands under proof No. 119, April 1, 1894 as to lands under proof No. 120 and 1901 as to lands under proof No. 121

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of 1/25 of a cubic foot per second per acre, and the aggregate quantity set forth in connection with each tract described below; and said rights shall be subject to all other conditions and limitations contained in said decrees.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

(Proof No. 119 for the irrigation of 5 acres. 4.8 acre feet per acre during each irrigation season, being the period from April 1 to September 30 of each year) 5 acres in the Southeast quarter of Southwest quarter, of Section Twenty-four, Township Thirty-three South, Range Eighteen East of Willamette Meridian, in Lake County, Oregon.

(Proof No. 120 for the irrigation of 5 acres. 4.8 acre feet per acre during each irrigation season, being the period from April 1 to September 15 of each year) 5 acres in the Southwest quarter of Southeast quarter of Section Twenty-four, Township Thirty-three South, Range Eighteen East of Willamette Meridian, in Lake County, Oregon.

(Proof No. 121 for the irrigation of 9 1/4 acres of land. 4.8 acre feet per acre during each irrigation season, being the period from April 1 to September 15 of each year) 9 1/4 acres in the Southwest quarter of Southeast quarter of Section Twenty-four, Township Thirty-three South, Range Eighteen East of Willamette Meridian, in Lake County, Oregon.

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

WITNESS the seal and signature of the State Water Board, affixed this 15th day of July, 1922

STATE WATER BOARD

(Seal of State Water Board)

By PERCY A. CUPPER State Engineer, President

Attest:

R. W. POTTER Secretary

Recorded in State Record of Water Right Certificates, Volume 4, page 3672

T-9733

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

This is to Certify, That FLORA MOORE of Paisley, State of Oregon, 97636 has a right to the use of the waters of Chewaucan River, a tributary of Abert Lake for the purpose of the irrigation of 1/4 of an acre

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Lake County, and the said decree entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 5, at page 1; that the priority of the right thereby confirmed dates from 1904

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of 1/25 of a cubic foot per second per acre, and the aggregate quantity set forth below; and said right shall be subject to all other conditions and limitations contained in said decree.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows: (3.9 acre feet per acre during each irrigation season, being the period from April 1 to September 15 of each year). Lots 11 and 12 in Block C, Town of Paisley, in Lake County, Oregon.

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

WITNESS the seal and signature of the State Water Board, affixed this 15th day of July, 1922

STATE WATER BOARD

(Seal of State Water Board)

By PERCY A. CUPPER State Engineer, President

Attest:

R. W. POTTER

Secretary

Recorded in State Record of Water Right Certificates, Volume 4, page 3673

T-9733

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

This is to Certify, That ANNIE MOSS of Paisley

of Paisley, State of Oregon has a right to the use of

the waters of Chewaucan River, a tributary of Abert Lake

for the purpose of the irrigation of 160 acres of land, domestic and stock use

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Lake County, and the said decree entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 15 at page 18; that the priority of the right thereby confirmed dates from 1878

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of 1/25 of a cubic foot per second per acre, and the aggregate quantity set forth below; and said right shall be subject to all other conditions and limitations contained in said decree.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

(Proof No. 124 for the irrigation of 110 acres of land) 40 acres in the Southeast quarter of Southeast quarter of Section Twenty-four, Township Thirty-three South, Range Eighteen; 40 acres in the Southwest quarter of Southwest quarter and 30 acres in the Southeast quarter of Southwest quarter of Section Nineteen, Township Thirty-three South, Range Nineteen; All East of Willamette Meridian, in Lake County, Oregon.

(Proof No. 125 for the irrigation of 50 acres of land) 2 acres in the Southeast quarter of Northeast quarter and 38 acres in the Northeast quarter of Southeast quarter of Section Twenty-four, Township Thirty-three South, Range Eighteen; 10 acres in the Southeast quarter of Southwest quarter of Section Nineteen, Township Thirty-three South, Range Nineteen; All East of Willamette Meridian, in Lake County, Oregon.

All of the above lands shall be limited to 4.8 acre feet per acre during each irrigation season, being the period from April 1 to September 15 of each year.

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

WITNESS the seal and signature of the State Water Board, affixed this 15th day of July, 1922

STATE WATER BOARD

(Seal of State Water Board)

By PERCY A. CUPPER State Engineer, President

Attest:

R. W. POTTER Secretary

T-9733

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

This is to Certify, That O'CALLAGHAN PROS of Paisley

of Paisley, State of Oregon, 97636 has a right to the use of

the waters of Chewaucan River, a tributary of Abert Lake

for the purpose of the irrigation of 68 acres of land, domestic and stock use

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Lake County, and the said decree entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 5 at page 1 that the priority of the right thereby confirmed dates from 1878

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of 1/25 of a cubic foot per second per acre, and the aggregate quantity set forth below; and said right shall be subject to all other conditions and limitations contained in said decree.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use) is as follows:

4.8 acre feet per acre during each irrigation season, being the period from April 1 to September 30 of each year, 10 acres in the Northeast quarter of Northeast quarter; 35 acres in the Northwest quarter of Northeast quarter; 13 acres in the Southwest quarter of Northeast quarter and 10 acres in the Southeast quarter of Northeast quarter of Section Twenty-five, Township Thirty-three South, Range Eighteen East of Willamette Meridian, in Lake County, Oregon.

Witness the seal and signature of the State Water Board, affixed this 15th day of July, 1922.

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

WITNESS the seal and signature of the State

Water Board, affixed this 15th day of July, 1922

STATE WATER BOARD

(Seal of State Water Board) By PERCY A. CUPPER State Engineer, President

Attest:

R. W. POTTER Secretary

Recorded in State Record of Water Right Certificates, Volume 4, page 3679

T-9733

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

This is to Certify, That W. B. PARKER of Paisley

of Paisley, State of Oregon 97636 has a right to the use of

the waters of Chewaucan River, a tributary of Abert Lake

for the purpose of the irrigation of 40 acres of land, domestic and stock use

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Lake County, and the said decree entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 35, at page 1; that the priority of the right thereby confirmed dates from 1878

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of 1/25 of a cubic foot per second per acre, and the aggregate quantity set forth below; and said right shall be subject to all other conditions and limitations contained in said decree.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

(4.8 acre feet per acre during each irrigation season, being the period from April 1 to September 15th of each year) 35 acres in the Southwest quarter of Northwest quarter and 5 acres in the Southeast quarter of Northwest quarter of Section Nineteen, Township Thirty-three South, Range Nineteen East of Willamette Meridian, in Lake County, Oregon.

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

WITNESS the seal and signature of the State

Water Board, affixed this 15th day

of July, 1922

STATE WATER BOARD

(Seal of State Water Board)

By PERCY A. CUPPER State Engineer, President

Attest:

R. W. POTTER Secretary

Recorded in State Record of Water Right Certificates, Volume 4, page 3683

T-9733

V OR

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

This is to Certify, That R. N. PHELPS, of the County of Lake, State of Oregon.

has a right to the use of the waters of Chewaucan River, a tributary of Abert Lake for the purpose of the irrigation of 0.83 acres of land and stock use

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Lake County, and the said decree entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 15, at page 1; that the priority of the right thereby confirmed dates from 1883

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of 1/25 of a cubic foot per second per acre, and the aggregate quantity set forth below; and said right shall be subject to all other conditions and limitations contained in said decree.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows: (3.9 acre feet per acre during each irrigation season, being the period from April 1 to September 15 of each year) 0.83 acres in the Northeast quarter of Southwest quarter of Section Twenty-four, Township Thirty-three South, Range Eighteen East of Willamette Meridian, in Lake County, Oregon.

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

WITNESS the seal and signature of the State

Water Board, affixed this 15th day of July, 1922

STATE WATER BOARD

(Seal of State Water Board)

By PERCY A. CUPPER, State Engineer, President

Attest:

F. W. POTTER

Secretary

Recorded in State Record of Water Right Certificates, Volume 4, page 3685.

T-9733

OR

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

This is to Certify, That GEO. PIKE of Paisley, State of Oregon 97634 has a right to the use of the waters of Chewaucan River, a tributary of Abert Lake for the purpose of the irrigation of 1.5 acres of land, domestic and stock use

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Lake County, and the said decree entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 5 at page 1; that the priority of the right thereby confirmed dates from September 18, 1893

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of 1/25 of a cubic foot per second per acre, and the aggregate quantity set forth below; and said right shall be subject to all other conditions and limitations contained in said decree.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows: (3.9 acre feet per acre during each irrigation season, being the period from April 1 to September 15 of each year) 0.5 acres in the Northeast quarter of Southwest quarter and 1 acre in the Northwest quarter of Southwest quarter of Section Twenty-four, Township Thirty-three South, Range Eighteen East of Willamette Meridian, in Lake County, Oregon.

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

WITNESS the seal and signature of the State Water Board, affixed this 15th day of July, 1922

STATE WATER BOARD By PERCY A. CUPPER State Engineer, President

Attest: R. W. POTTER Secretary

Recorded in State Record of Water Right Certificates, Volume 4, page 3686

V OR

T-9733

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

This is to Certify, That HARRIET L. RANDON of the County of Lake, State of Oregon

has a right to the use of the waters of Cheaucan River, a tributary of Abert Lake for the purpose of the irrigation of 140 acres of land, domestic and stock use

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Lake County, and the said decree entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 5, at page 1878; that the priority of the right thereby confirmed dates from 1878

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of 1/25 of a cubic foot per second per acre, and the aggregate quantity set forth below; and said right shall be subject to all other conditions and limitations contained in said decree.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows: (4.8 acre feet per acre during each irrigation season, being the period from April 1 to September 30 of each year) 30 acres in the Northeast quarter of Northeast quarter and 30 acres in the Southeast quarter of Northeast quarter of Section Twenty-five, Township Thirty-three South, Range Eighteen; 40 acres in the Southwest quarter of Northwest quarter and 40 acres in the Northwest quarter of Southwest quarter of Section Thirty, Township Thirty-three South, Range Nineteen, All East of Willamette Meridian, in Lake County, Oregon.

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

WITNESS the seal and signature of the State

Water Board, affixed this 15th day

of July, 1922

STATE WATER BOARD

(Seal of State Water Board)

By PERCY A. CUPPER State Engineer, President

Attest:

R. W. POTTER Secretary

Recorded in State Record of Water Right Certificates, Volume 4, page 3687

T-9733

OR

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

This is to Certify, That SCHOOL DISTRICT No. 11 of said

of Paisley, State of Oregon 9736 has a right to the use of

the waters of Chewaucan River, a tributary of Abert Lake

for the purpose of the irrigation of 1.8 acres of land

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Lake County, and the said decree entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 5 at page 1; that the priority of the right thereby confirmed dates from 1901

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of 1/25 of a cubic foot per second per acre, and the aggregate quantity set forth below, and said right shall be subject to all other conditions and limitations contained in said decree.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

(3.9 acre feet per acre during each irrigation season, being the period from April 1 to September 15 of each year) 1.8 acres in the Southeast quarter of Southwest quarter of Section Twenty-four, Township Thirty-three South, Range Eighteen East of Willamette Meridian, in Lake County, Oregon.

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

WITNESS the seal and signature of the State Water Board, affixed this 15th day of July, 1922

STATE WATER BOARD

(Seal of State Water Board)

By PERCY A. CUPPER State Engineer, President

Attest:

R. W. POTTER

Secretary

Recorded in State Record of Water Right Certificates, Volume 4, page 3691

T-9733

V OR

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

This is to Certify, That Mrs. L. B. SULT of said

of Paisley, State of Oregon 97636 has a right to the use of

the waters of Chewaucan River, a tributary of Abert Lake

for the purpose of the irrigation of 0.7 acres of land, domestic and stock use

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Lake County, and the said decree entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 15 at page 1; that the priority of the right thereby confirmed dates from 1878

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of 1/25 of a cubic foot per second per acre; and the aggregate quantity set forth in connection with each tract described below; and said rights shall be subject to all other conditions and limitations contained in said decree.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

(Proof No. 155 for the irrigation of 0.4 acres) 0.4 acres in the North-east quarter of Southwest quarter of Section Twenty-four, Township Thirty-three South, Range Eighteen East of Willamette Meridian, in Lake County, Oregon.

(Proof No. 156 for the irrigation of 0.3 acres) 0.3 acres in the South-east quarter of Southwest quarter of Section Twenty-four, Township Thirty-three South, Range Eighteen East of Willamette Meridian, in Lake County, Oregon,

All of the above described land shall be limited to 3.9 acre feet per acre during each irrigation season, being the period from April 1 to September 15 of each year.

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

WITNESS the seal and signature of the State Water Board, affixed this 15th day of July, 1922

STATE WATER BOARD

(Seal of State Water Board)

By PERCY A. CUPPER State Engineer, President

Attest:

R. W. POTTER Secretary

Recorded in State Record of Water Right Certificates, Volume 4, page 3695

T-9733

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

This is to Certify, That S. S. THAYER of Paisley, State of Oregon, has a right to the use of

the waters of Chewaucan River, a tributary of Abert Lake for the purpose of the irrigation of 1 acre of land

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Lake County, and the said decree entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 51 at page 100; that the priority of the right thereby confirmed dates from 1898

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of 1/25 of a cubic foot per second per acre, and the aggregate quantity set forth below; and said right shall be subject to all other conditions and limitations contained in said decree.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use) is as follows: (3.9 acre feet per acre during each irrigation season, being the period from April 1 to September 15 of each year) 1 acre, being a Lot in the Town of Paisley, Lake County, Oregon.

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

WITNESS the seal and signature of the State Water Board, affixed this 15th day of July, 1922

STATE WATER BOARD

(Seal of State Water Board)

By PERCY R. CUPPER State Engineer, President

Attest:

R. W. POTTER Secretary

T-9733

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

This is to Certify, That HELENA WROSA TUCKER, ditto of said

of said County of Paisley, State of Oregon 97636 has a right to the use of

the waters of Chewaucan River, a tributary of Abert Lake

for the purpose of the irrigation of 1/9 of an acre of land

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Lake County, and the said decree entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 175, at page 1; that the priority of the right thereby confirmed dates from April 2, 1903

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of 1/25 of a cubic foot per second per acre, and the aggregate quantity set forth below; and said right shall be subject to all other conditions and limitations contained in said decree.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

(3.9 acre feet per acre during each irrigation season, being the period from April 1 to September 15 of each year) Lots 2 and 3, Block H, Second North Addition to the Town of Paisley, in Lake County, Oregon.

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

WITNESS the seal and signature of the State

Water Board, affixed this 15th day

of July, 1922

STATE WATER BOARD

(Seal of State Water Board)

By PERCY A. CUPPER, State Engineer, President

Attest:

R. W. POTTER

R. W. POTTER

Secretary

Secretary

Recorded in State Record of Water Right Certificates, Volume 147, page 3692

T-9733

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

This is to Certify, That ... of Paisley, State of Oregon has a right to the use of the waters of Chewaucan River, a tributary of Abert Lake for the purpose of the irrigation of 160 acres of land, domestic and stock use and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Lake County, and the said decree entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume ... at page ...; that the priority of the right thereby confirmed dates from 1878

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of 1/25 of a cubic foot per second per acre, and the aggregate quantity set forth in connection with each tract described below, and said rights shall be subject to all other conditions and limitations contained in said decree.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows: (Proof No. 159 for the irrigation of 135 acres) 40 acres in the Northeast quarter of Southeast quarter; 30 acres in the Northwest quarter of Southeast quarter; 25 acres in the Southwest quarter of Southeast quarter and 40 acres in the Southeast quarter of Southeast quarter of Section Nineteen, Township Thirty-three South, Range Nineteen East of Willamette Meridian, in Lake County, Oregon.

(Proof No. 160 for the irrigation of 25 acres) 10 acres in the Northwest quarter of Southeast quarter and 15 acres in the Southwest quarter of Southeast quarter of Section Nineteen, Township Thirty-three South, Range Nineteen East of Willamette Meridian, in Lake County, Oregon.

All of the above described lands shall be limited to 4.6 acre feet per acre during each irrigation season, being the period from April 1 to September 15 of each year.

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

WITNESS the seal and signature of the State Water Board, affixed this 15th day of July, 1922

STATE WATER BOARD

(Seal of State Water Board) By PERCY A. CUPPER State Engineer, President

Attest: R. W. POTTER Secretary

Recorded in State Record of Water Right Certificates, Volume 4, page 3698

OR

T-9733

STATE OF OREGON

COUNTY OF LAKE COUNTY

CERTIFICATE OF WATER RIGHT

This is to Certify, That ESTATE OF GEO. M. JONES, deceased

of Lakeview, State of Oregon 97630 has a right to the use of

the waters of Chewaucan River, a tributary of Abert Lake

for the purpose of the irrigation of 384.4 acres of land, domestic and stock use

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Lake County, and the said decree entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 55 at page 1; that the priority of the right thereby confirmed dates from 1878

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a gate of diversion of 1/25 of a cubic foot per second per acre, and the aggregate quantity set forth below; and said right shall be subject to all other conditions and limitations contained in said decree.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

(4.4 acre feet per acre during each irrigation season, being the period from April 1 to September 15 of each year) 36 acres in the Northwest quarter of Northeast quarter; 36 acres in the Southwest quarter of Northeast quarter; 40 acres in the Southeast quarter of Northeast quarter; 40 acres in the Northeast quarter of Southeast quarter; 33 acres in the Northwest quarter of Southeast quarter; 12 acres in the Southwest quarter of Southeast quarter and 40 acres in the Southeast quarter of Southeast quarter of Section Thirty-one; 6 acres in the Southwest quarter of Northeast quarter; 40 acres in the Southwest quarter of Northwest quarter; 28.8 acres in the Southeast quarter of Northwest quarter; 25.1 acres in the Northwest quarter of Southwest quarter and 7.5 acres in the Southwest quarter of Southwest quarter of Section Thirty-two, Township Thirty-three South, Range Nineteen East of Willamette Meridian, in Lake County, Oregon.

L
OK

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

WITNESS the seal and signature of the State

Water Board, affixed this 15th day of July, 1922

STATE WATER BOARD

(Seal of State Water Board)

By PERCY A. CUPPER State Engineer, President

Attest:

R. W. POTTER Secretary

Recorded in State Record of Water Right Certificates, Volume 4 W, page 3699

T-9733

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

EDWARD MURPHY
P.O. BOX 137
PAISLEY, OR 97636

confirms the right to use the waters of CHEWAUCAN RIVER, a tributary of ABERT LAKE, for IRRIGATION OF 80.0 ACRES AND DOMESTIC.

This right was confirmed by decree of the Circuit Court of the State of Oregon for LAKE COUNTY. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 5, at Page 1. The date of priority is 1885.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed A RATE OF DIVERSION OF 1/25 OF A CUBIC FOOT PER SECOND PER ACRE, LIMITED TO 3.9 ACRE FEET PER ACRE DURING EACH IRRIGATION SEASON, BEING THE PERIOD FROM APRIL 1 TO SEPTEMBER 15 OF EACH YEAR (IF AVAILABLE AT THE ORIGINAL POINT OF DIVERSION DESCRIBED AS THE LOWER CONN DITCH LOCATED WITHIN THE SE 1/4 NE 1/4, SECTION 24, TOWNSHIP 33 SOUTH, RANGE 18 EAST, W.M), or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

BRATTAIN DITCH - NW 1/4 SW 1/4, SECTION 24, TOWNSHIP 33 SOUTH, RANGE 18 EST, W.M.; NORTH 11°02'05" EAST 1808.89 FEET FROM THE SW CORNER OF SECTION 24.

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

NE 1/4 SW 1/4 40.0 ACRES
NW 1/4 SW 1/4 40.0 ACRES
SECTION 19
TOWNSHIP 33 SOUTH, RANGE 19 EAST, W.M.

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the 60 days of the date of service.

T-6801.SB

Certificate Number 80631

T-9733

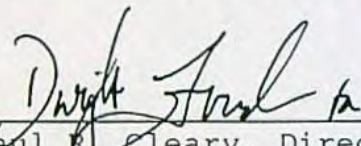
The water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall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

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered MAY 22, 1996, and together with Certificate 72346, supersedes Certificate 3677, State Record of Water Right Certificates.

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 and is subject to all other conditions and limitations contained in said decree.

Issued MARCH 18, 2004.



Paul R. Cleary, Director
Water Resources Department



Recorded in State Record of Water Right Certificates Number 80631.

STATE OF OREGON
COUNTY OF LAKE
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO
NORTHWEST TOWNSITE COMPANY
308 CHESTNUT STREET
PHILADELPHIA, PENNSYLVANIA 19118

confirms the right to use the waters of the CHEWAUCAN RIVER, a tributary of LAKE ABERT, for IRRIGATION and DOMESTIC.

This right was confirmed by decree of the Circuit Court of the State of Oregon for LAKE County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 4, at Page 3677. The date of priority is 1881 under Proof No. 129, and 1886 under Proof No. 131.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.95 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

PROOF 129: LITTLE CONN OR DRINKWATER DITCH LOCATED: NW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 23, T 33 S, R 18 E, W.M.

PROOF 131: MILL DITCH LOCATED: NE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 23, T 33 S, R 18 E, W.M.

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-TWENTY FIFTH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.9 acre-feet for each acre irrigated during the irrigation season from April 1, to September 15 of each year.

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

PROOF NO. 129

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 12.0 ACRES
SECTION 23

NW $\frac{1}{4}$ SW $\frac{1}{4}$ 5.0 ACRES
SECTION 24
TOWNSHIP 33 SOUTH
RANGE 18 EAST
W.M.

PROOF NO. 131

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 3.0 ACRES
NW $\frac{1}{4}$ NW $\frac{1}{4}$ 1.5 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 2.3 ACRES
SECTION 24
TOWNSHIP 33 SOUTH
RANGE 18 EAST
W.M.

T-9733

This certificate describes that portion of the water right confirmed by Certificate 3677, State Record of Water Right Certificates, NOT modified by the provisions of an order of the State Engineer, entered July 16, 1964, at Special Order Volume 13, page 408, cancelling a portion of the right, and the Water Resources Director entered MAY 22 1996, approving Transfer Application 6801.

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 and is subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director,
affixed MAY 22 1996.

Ms/ MARTHA O. PAGEL
Martha O. Pagel, Director

Recorded in State Record of Water Right Certificates numbered 72346.

T-6801.drg

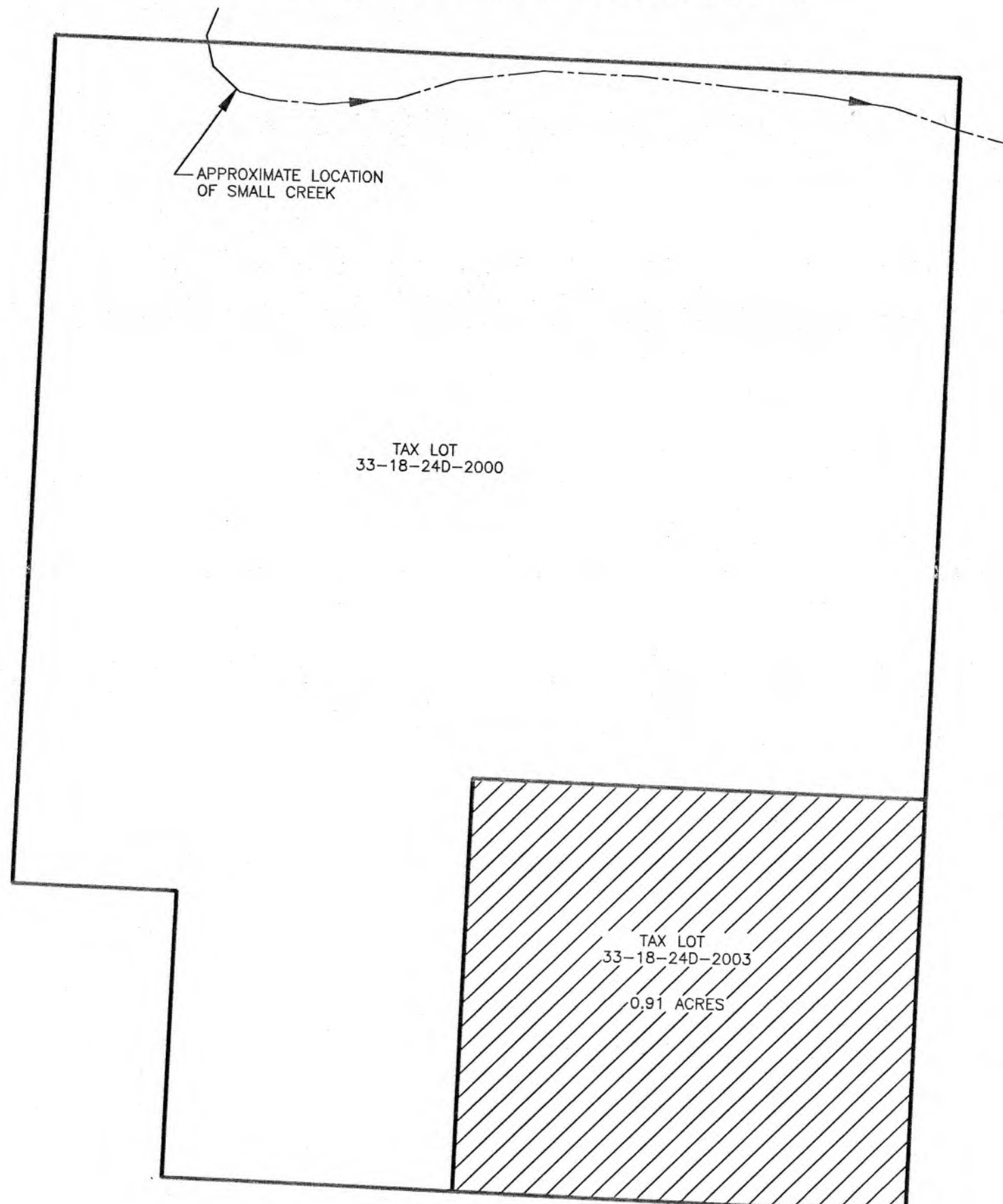
MAP TO ACCOMPANY APPLICATION TO CHANGE PLACE OF USE

LOCATED WITHIN SECTION 24
TOWNSHIP 33 SOUTH, RANGE 18 EAST, W.M.
LAKE COUNTY, OREGON

Superseded by map received 9/1/05

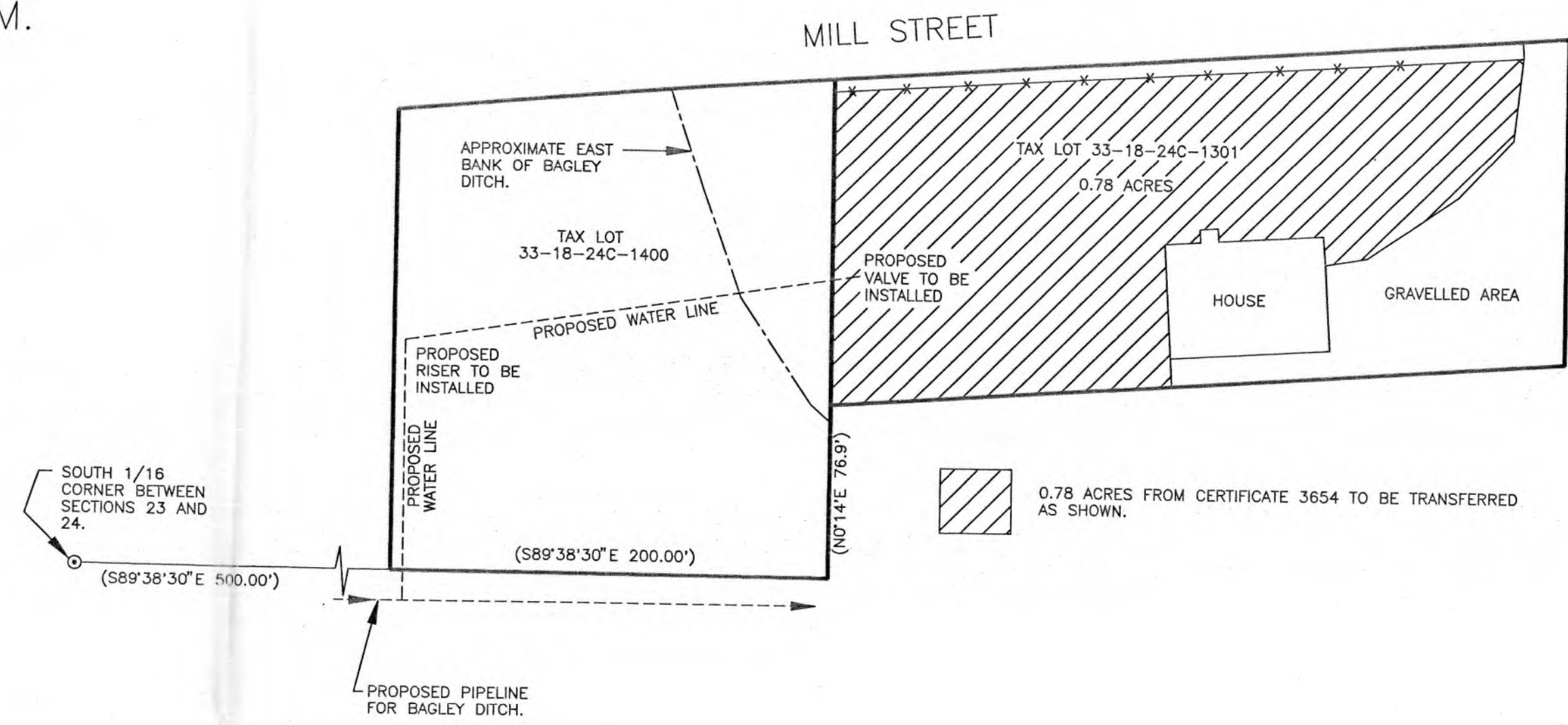
TRANSFERRING TO:
LOWN
PARCEL OF LAND LOCATED WITHIN THE NW1/4SW1/4 OF SECTION 24
TOWNSHIP 33 SOUTH, RANGE 18 EAST, W.M., LAKE COUNTY, OREGON

TRANSFERRING FROM:
PARCEL OF LAND LOCATED WITHIN THE SW1/4SE1/4 OF SECTION 24,
TOWNSHIP 33 SOUTH, RANGE 18 EAST, W.M., LAKE COUNTY, OREGON



0.91 ACRES FROM CERTIFICATE 3654 TO BE TRANSFERRED AS SHOWN.

POINT BEARS N89°50'02"E AT 949.45' FROM THE SOUTH 1/4 CORNER OF SECTION 24, TOWNSHIP 33 SOUTH, RANGE 18 EAST, W.M., LAKE COUNTY, OREGON AS PER RECORD SURVEY 5683. AS FILED IN THE LAKE COUNTY SURVEYOR'S OFFICE.

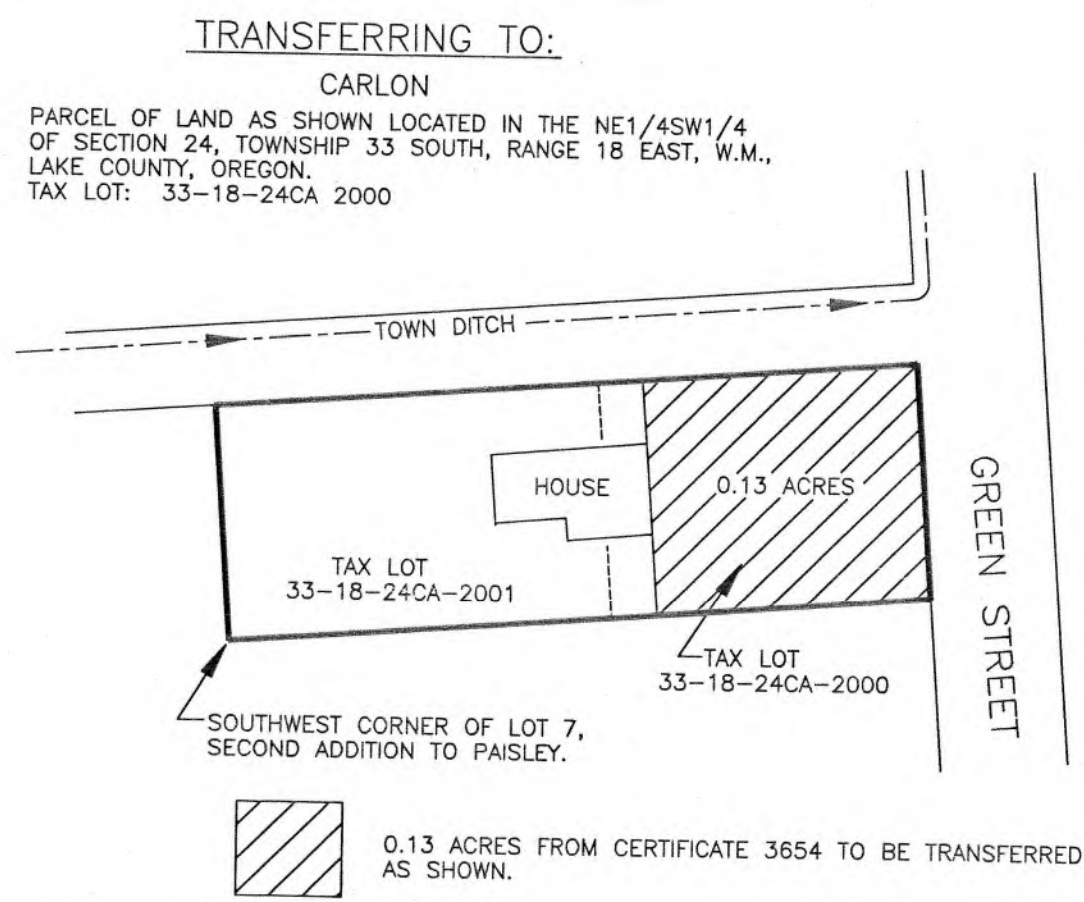


LEGEND

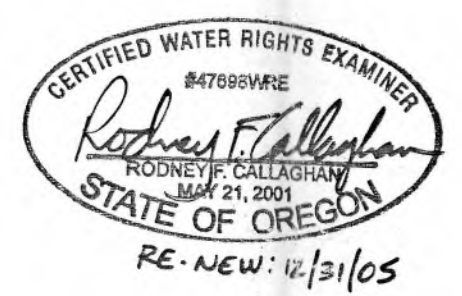
- ⊙ COMPUTED POSITION ONLY.
- () DATA AS PER RECORD SURVEY 4667 AS FILED IN THE LAKE COUNTY SURVEYOR'S OFFICE.
- *- DENOTES EXISTING FENCE.

DIVERSION POINT

BEING MOVED AS PER BAGLEY DITCH CORPORATION MASTER APPLICATION.



0.13 ACRES FROM CERTIFICATE 3654 TO BE TRANSFERRED AS SHOWN.



SCALE 1"=60'

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MAY 26 2004
WATER RESOURCES DEPT
SALEM, OREGON

THIS MAP IS FOR THE PURPOSE OF LOCATING A WATER RIGHT ONLY AND HAS NO INTENT TO PROVIDE LEGAL DIMENSIONS OR THE LOCATION OF PROPERTY LINES.

PREPARED FOR:
W. ROBERT AND LYNDA LOWN
P.O. BOX 304
PAISLEY, OR 97636
LORA B. CARLON
P.O. BOX 126
PAISLEY, OR 97636

PREPARED BY:
CLS CALLAGHAN LAND SURVEYING
427 SOUTH H STREET
LAKEVIEW, OR 97630
(541) 947-5841

DATE: 5/25/2004 DRAWING: 200412A

T-9733



LOT BOOK SERVICE

Date: December 29, 2003

Fee: \$150.00

Order No.: 0006666

Page 1 of 3

We have searched our Tract Indices as to the following described property:

SEE ATTACHED EXHIBIT "A"

fee simple title as of December 22, 2003, at 8:00 a.m. is vested in

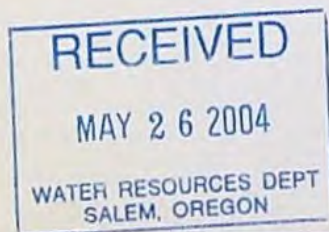
Edward M. Murphy and Dorothy M. Murphy, as tenants by the entirety, as to Parcel 1, 3, 4, 5, 6, 7 and 8 ; Edward M. Murphy and Dorothy M. Murphy, as tenants by the entirety, and Martin F. Murphy, as to Parcel 2;

We also find the following apparent encumbrances within ten years prior to the effective date hereof:

NONE

We have also searched our General Index for judgments and state and federal tax liens against the above named grantees and find the following:

NONE



We also find the following unpaid taxes and/or city liens:

NONE

Note A: Taxes for the fiscal year 2003-2004, paid.
Account No: 8570 Parcel 1 Map No: 3318-1400
Amount: \$174.06 Code No: 1102

Note B: Taxes for the fiscal year 2003-2004, paid.
Account No: 8574 Parcel 2 Map No: 3318-1800
Amount: \$335.32 Code No: 1102

Note C: Taxes for the fiscal year 2003-2004, paid.
Account No: 8726 Parcel 3 Map No: 331824CD-200
Amount: \$145.19 Code No: 1101

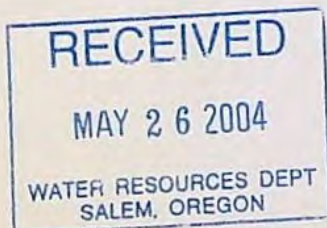
Note D: Taxes for the fiscal year 2003-2004, paid.
Account No: 8727 Parcel 4 Map No: 331824CD-300
Amount: \$721.46 Code No: 1101

Note E: Taxes for the fiscal year 2003-2004, paid.
Account No: 8765 Parcel 5 Map No: 331824D-100
Amount: \$182.66 Code No: 1101

Note F: Taxes for the fiscal year 2003-2004, paid.
Account No: 8808 Parcel 6 Map No: 3319-800
Amount: \$49.02 Code No: 1102

Note G: Taxes for the fiscal year 2003-2004, paid.
Account No: 8809 Parcel 7 Map No: 3319-900
Amount: \$309.21 Code No: 1102

Note H: Taxes for the fiscal year 2003-2004, paid.
Account No: 8810 Parcel 8 Map No: 3319-1000
Amount: \$871.54 Code No: 1102

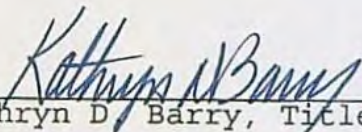


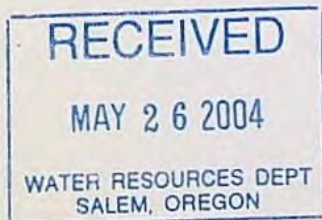
THIS IS NOT A TITLE REPORT, since no examination has been made of the title to the above described property. Our search for apparent encumbrances was limited to our Tract Indices for a ten year period only, and therefore above listings do not include additional matters which may have been disclosed by an examination of the record title. We assume no liability in connection with this Lot Book Service and will not be responsible for errors or omissions therein. The charge for this service will not include supplemental reports, rechecks or other services.

This Lot Book Search is being made with the understanding that it does not represent any form of title insurance and is not a commitment for a policy of insurance. The information provided herein is not a full examination of the subject property. Further, if any person, corporation, or entity of any kind should use this report as a basis to produce a title insurance policy, it should be understood that it is clearly outside of Oregon Law. Any liability hereunder is limited to the amount paid for said report.

Thank you for your business,

AMERITITLE


Kathryn D. Barry, Title Examiner



19733

0006666

EXHIBIT "A"

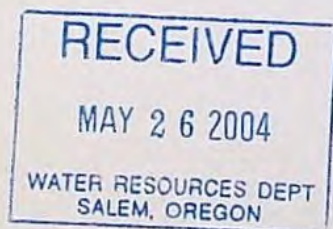
In the County of Lake, State of Oregon, as follows:

Parcel 1

Township 33 South, Range 18 East of the Willamette Meridian, Section 24: That part of the E1/2 SE1/4 lying Northeasterly of the Fremont Highway as the same is now located; and SE1/4 NE1/4, EXCEPTING THEREFROM a tract of land described as:

Beginning at the Northeast corner of the SE1/4 NE1/4 of Section 24, Township 33 South, Range 18 East of the Willamette Meridian, thence West 208 feet; thence South and parallel to the section line 416 feet; thence East to the East line of said Section 24; thence North 416 feet to the point of beginning, ALSO EXCEPTING THEREFROM a tract of land, which was deeded to the City of Paisley (Sewer Lagoon) recorded October 27, 1969, in Book 153 at Page 670, Lake County Deed Records, Oregon.

3318-1400 Ref. 8570



19733

00066666

EXHIBIT "A"

In the County of Lake, State of Oregon, as follows:

Parcel 2

Township 33 South, Range 18 East of the Willamette Meridian,
Section 25: NE1/4, EXCEPTING THEREFROM THE FOLLOWING:

Beginning at a point on the East line of Section 25, Township 33 South, Range 18 East of the Willamette Meridian, said point being South 00 degrees 17'00" West 751 feet as measured along the Section line from the Northeast corner of said Section 25; thence continuing along said Section line, South 00 degrees 17'00" West 874.5 feet; thence North 89 degrees 30'00" West 600 feet; thence North 00 degrees 17'00" East 858.7 feet; thence North 89 degrees 01'00" East 600.3 feet to the point of beginning; (Book 128 at Page 310 Riggs Deed)

ALSO EXCEPTING THEREFROM a parcel of land situated in the NE1/4 of Section 25, Township 33 South, Range 18 East of the Willamette Meridian, more particularly described as follows:

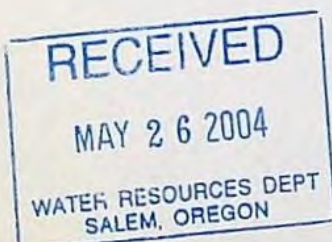
Commencing at a scribed stone marking the Northeast corner of said Section 25; thence South 00 degrees 17'00" West along the Easterly line of said Section 25, 136.73 feet to a 1/2 inch iron pin marking the POINT OF BEGINNING for this description; thence continuing South 00 degrees 17'00" West along said Section line, 100.00 feet to a 1/2 inch iron pin; thence leaving said section line North 89 degrees 43'00" West, 99.41 feet to a 1/2 inch iron pin on the edge of a dirt road; thence North 26 degrees 07'49" West along the edge of said dirt road, 111.66 feet to a 1/2 inch iron pin; thence leaving said dirt road South 89 degrees 43'00" East, 149.08 feet to the point of beginning.
(Book 168 at Page 167 Rickert to Beaver State Telephone Deed)

3318-1800 Ref. 8574

Parcel 3

Lots 3 and 4 in the South Addition to the Town of Paisley, Oregon, and Lots 7 and 8 in the Second South Addition to the Town of Paisley, Oregon, as per the Plats of said Additions on file and of record in the office of the County Clerk of Lake County, Oregon.

331824CD-200 Ref. 8726



19733

0006666

EXHIBIT "A"

In the County of Lake, State of Oregon, as follows:

Parcel 4

Lot 2 of Block L of the South Addition to the Town of Paisley in Lake County, Oreogn; Lot 9 of Block L of the Second South Addition to the Town of Paisley, Oregon, all as more fully appears on the official plat thereof on file and of record in the office of the County Clerk of Lake County, Oregon.

331824CD-300 Ref. 8727

Parcel 5

That part of the E1/2 SE1/4 of Section 24, Township 33 South, Range 18 East of the Willamette Meridian, lying Northeasterly of the Fremont Highway as the same is now located lying within the City Limits of Paisley, Oregon, only, **EXCEPTING THEREFROM** that portion lying within Lake County Road No. 4-21.

331824D-100 Ref. 8765

Parcel 6

Township 33 South, Range 19 East of the Willamette Meridian, Section 19: The W1/2 NW1/4 SW1/4.

3319-800 Ref. 8808

Parcel 7

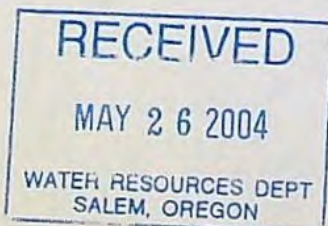
Township 33 South, Range 19 East of the Willamette Meridian, Section 19: That part of the S1/2 SW1/4 lying Northeasterly of Fremont Highway as the same is now located.

3319-1000 Ref. 8810

Parcel 8

Township 33 South, Range 19 East of the Willamette Meridian, Section 19: The E1/2 of Government Lot 3; NE1/4 SW1/4; SE1/4.

3319-1000 Ref. 8810



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WATER RESOURCES DEPT
SALEM, OREGON

SCALE IN FEET
0 2000 4000

INSERT OF
PARCEL 204



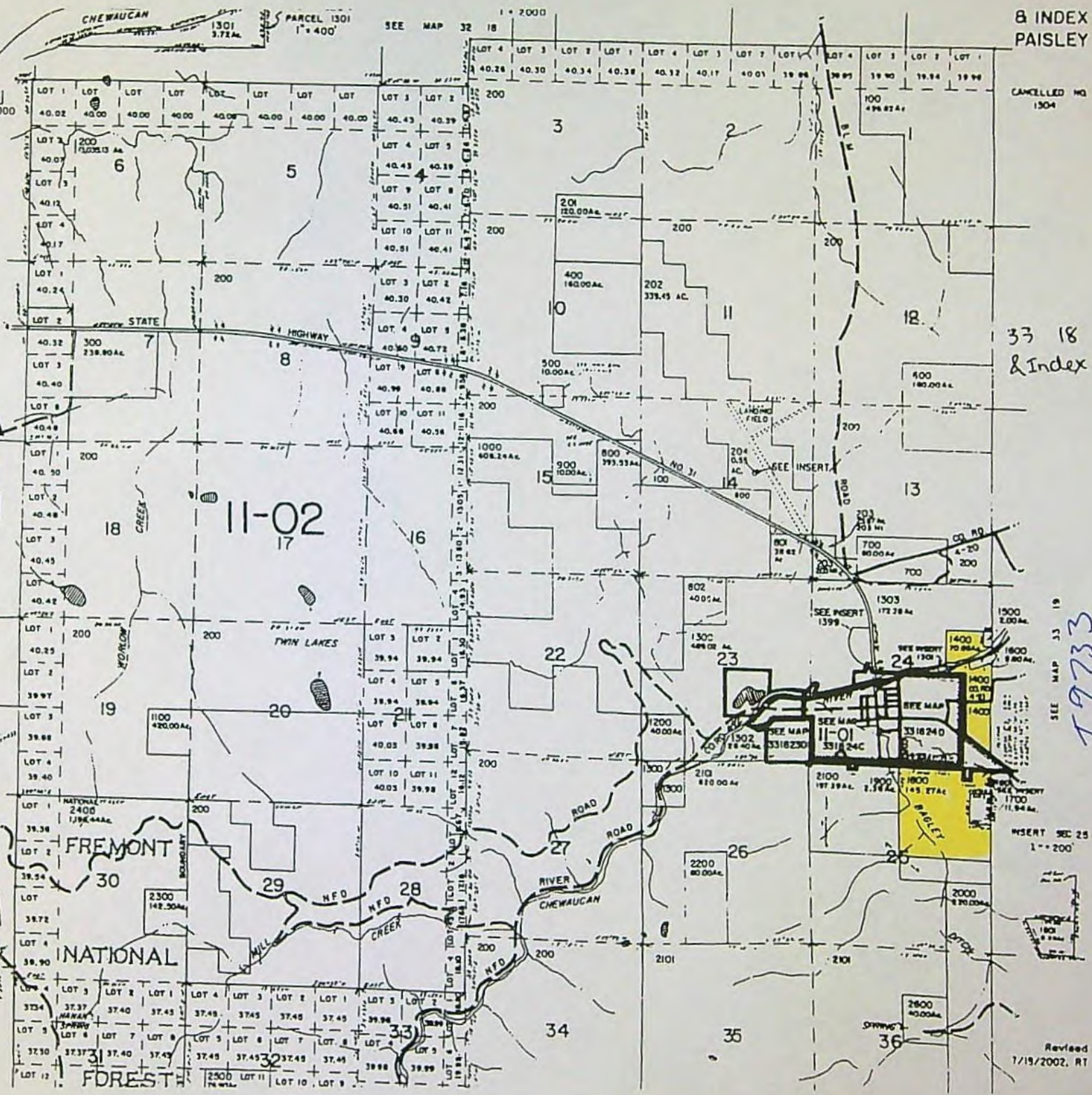
T.L. 1399
INSERT
1" = 400'



AmeriTitle

THIS SKETCH IS MADE SOLELY FOR THE
PURPOSE OF ASSISTING IN LOCATING
CERTAIN PREMISES AND NO LIABILITY IS
ASSUMED FOR VARIATIONS IF ANY, IN
DIMENSIONS AND LOCATIONS ASCERTAINED
BY ACTUAL SURVEY.

SEE MAP 33 17 N



8 INDEX
PAISLEY

CANCELLED NO
1304

33 18
& Index

SEE MAP 33 19
T-9733

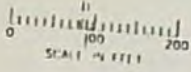
INSERT SEC 25
1" = 200'

Revised
7/19/2002, RT

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

SE 1/4 SEC. 24 T.33S R.18E W.M.
LAKE COUNTY

33 18 24 CD
PAISLEY



1" = 100'
SEE MAP 33 18 24CA

CANCELLED NO.
3100



AmeriTitle
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ASSUMED FOR VARIATIONS IF ANY, IN
DIMENSIONS AND LOCATIONS ASCERTAINED
BY ACTUAL SURVEY.

↑ 9733

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MAY 26 2004
WATER RESOURCES DEPT
SALEM, OREGON

SEE MAP 33 18 24C

SEE MAP 33 18 24D

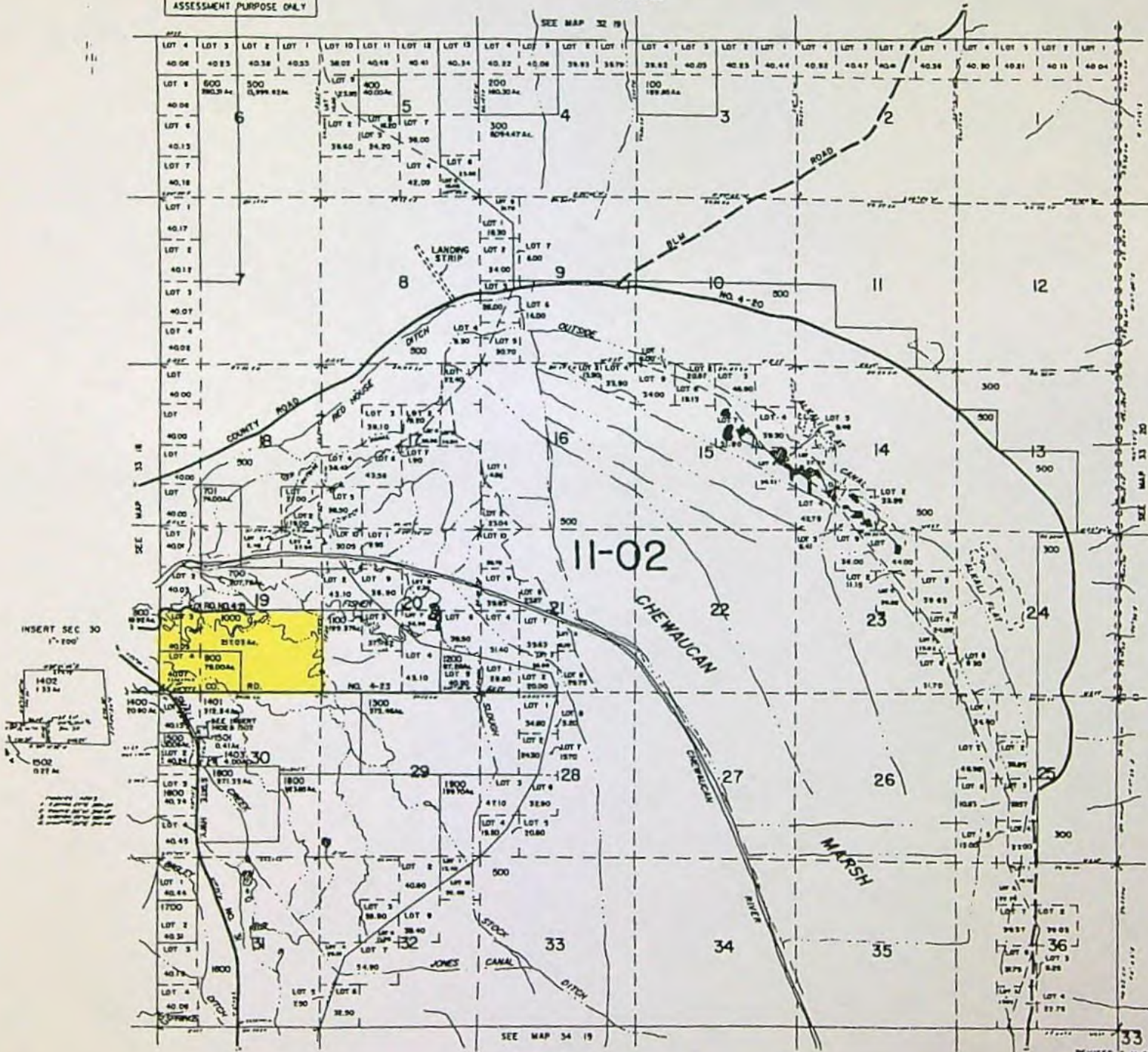
SEE MAP 33 18 25

Revised
5/17/01, RT

33 18 24 CD
PAISLEY

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

1" = 2000



AmeriTit

THIS SKETCH IS MADE SOLELY FOR PURPOSE OF ASSISTING IN LOC CERTAIN PREMISES AND NO LIABILITY ASSUMED FOR VARIATIONS IF ANY DIMENSIONS AND LOCATIONS ASCERTAINED BY ACTUAL SURVEY.

79733

RECEIVED

MAY 26 2004

WATER RESOURCES DEPT
SALEM, OREGON

Reimbursement Authority Correspondence

Gina Beaman

From: Salem Opeifa [Salem.B.OPEIFA@wrđ.state.or.us]
Sent: Monday, November 14, 2005 11:59 AM
To: Gina BEAMAN
Subject: Fund Transfer -T-9733

Please transfer the sum of \$9,100.00 as paid on the receipt#: 67534 to the reimbursement authority account for Bagley Ditch Corp (T-9733) the PCA is 47120. Let me know what else you might need.

Salem Opeifa
Loan Servicing Specialist
(503) 986-0929 phone
(503) 986-0904 fax

ROS-6C

from 46111-0205
to 47120-0408

MPCD - ROS-06C

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

Superseded

In the Matter of Transfer Application)
T-9733, Lake County)
)

D R A F T
PRELIMINARY DETERMINATION

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

Bagley Ditch Corporation
39650 Clover Flat Road
Paisley, Oregon 97636

Findings of Fact

1. The Bagley Ditch Corporation, for several property owners (listed below with each water right description), filed an application to transfer the point of diversion, under multiple Certificates. The Department assigned the application number T-9733.

2. The first right to be transferred is as follows:

Certificate: 2818 in the name of Chewacan Land and Cattle Company

Use: Irrigation, watering livestock, and domestic

Priority Date: 1885 for irrigation and 1878 for domestic and stock use

Season of Use: January 1 to July 15 for irrigation

September 15 to March 6, further limited as follows:

September 15 to October 15, described as Season 1

October 15 to March 6, described as Season 2

Quantity (Rate): Irrigation (limited to 1/25 cfs per acre): ~~5.72 cfs~~

Duty: Irrigation: Not to exceed 3.9 acre-feet (AF) per acre per year
Stock watering and domestic: Not to exceed 8 cfs in the aggregate during Season 1, and not to exceed 4 cfs in the aggregate in Season 2.

Acres: 143.1

Source: Chewacan River, tributary to Lake Abert

Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Survey Coordinates
33	S	18 E	W.M.	23	NE SE		N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Acres	
33	S	19	E	W.M.	32	NE SW	7	13.0
33	S	19	E	W.M.	32	NW SW	4	7.0
33	S	19	E	W.M.	32	SW SW	6	25.0
33	S	19	E	W.M.	32	SE SW		24.9
33	S	19	E	W.M.	32	NE SE		14.5
33	S	19	E	W.M.	32	NW SE		14.0
33	S	19	E	W.M.	32	SW SE		20.6
33	S	19	E	W.M.	32	SE SE		14.6
33	S	19	E	W.M.	33	NW SW		8.5
33	S	19	E	W.M.	33	SW SW		1.0

3. ✓ Certificate 2818 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
JR Simplot Company	P.O. Box 27, Boise, ID 83707	33 19-500

4. The second right to be transferred is as follows:

Certificate: 2870 in the name of Chester L. Withers
Use: Irrigation
Priority Date: June 22, 1917
Season of Use: None stated in certificate
Quantity (Rate): 0.05 cfs
Duty: None stated in certificate
Acres: 4.0
Source: Chewaucan River, tributary to Lake Abert
Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Acres
33	S	18	E	W.M.	23	SW SE	4.0

5. ✓ Certificate 2870 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
Hugh and Arlene Schultz	P.O. Box 77, Paisley, OR 97636	33 18 23D-1402

6. The third right to be transferred is as follows:

✓ **Certificate:** 3233 in the name of L. P. Klippel and C. F. Snider
Use: Irrigation
Priority Date: July 11, 1917
Season of Use: None stated in certificate
Quantity (Rate): 0.125 cfs
Duty: None stated in certificate
Acres: 10.0
Source: Chewacan River, tributary to Lake Abert
Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Acres
33	S	18	E	W.M.	23	SE SE	6.0
33	S	18	E	W.M.	24	SW SW	4.0

7. ✓ Certificate 3233 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
Len and Gloria Babb	P.O. Box 29, Paisley, OR 97636	33 18 23D-2500
Len and Gloria Babb	P.O. Box 29, Paisley, OR 97636	33 18 24C-1800

8. The fourth right to be transferred is as follows:

Certificate: 3599 in the name of Mrs. Susie L. Renefiel
Use: Irrigation
Priority Date: 1901
Season of Use: April 1, to September 15
Quantity (Rate): 0.036 cfs *per acre*
Duty: Not to exceed 3.9 AF per acre: ~~2.93 AF~~
Acres: 0.75
Source: Chewacan River, tributary to Lake Abert
Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Acres
33	S	18	E	W.M.	24	SE SW	0.01 (0.75)

9. Certificate 3599 is appurtenant to lands owned as outlined in the following table.

lots 3+8 only include 0.69 ac (100' x 300') being ~ 0.01 ac in NESR 0.68 ac in SESR

Owner	Address	Current Tax Lot
Edward and Dorothy Murphy	P.O. Box 137, Paisley, OR 97636	33 18 24CD-0200

10. The fifth right to be transferred is as follows:

Certificate: 3604 in the name of H. A. Brattain, P. J. Brattain and Mrs. C. N. Brattain-Small

Use: Irrigation, domestic, and stock use

Priority Date: ~~December 31, 1878~~

Season of Use: January 1 to September 30

Quantity (Rate): 1/25 cfs per acre: ~~27.04~~ cfs

Duty: Not to exceed 4.8 AF per acre: ~~3244.8~~ AF

Acres: 676.0

Source: Chewacan River, tributary to Lake Abert

Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Acres
34	S	19	E	W.M.	5	SW NW	20.0 ✓
34	S	19	E	W.M.	5	NW SW	20.0 ✓
34	S	19	E	W.M.	5	SW SW	20.0 ✓
34	S	19	E	W.M.	6	SW NE	18.0 ✓
34	S	19	E	W.M.	6	SE NE	40.0 ✓
34	S	19	E	W.M.	6	NE SE	39.0 ✓
34	S	19	E	W.M.	6	NW SE	3.0 ✓
34	S	19	E	W.M.	6	SE SE	33.0 ✓
34	S	19	E	W.M.	7	NE NE	30.0 ✓
34	S	19	E	W.M.	7	SE NE	17.0 ✓
34	S	19	E	W.M.	8	NW NW	1, 10 22.0 ✓
34	S	19	E	W.M.	8	SW NW	2 32.0 ✓
34	S	19	E	W.M.	8	NE SW	3 23.0 ✓
34	S	19	E	W.M.	8	NW SW	25.0 ✓
34	S	19	E	W.M.	8	SE SW	11.0 ✓
34	S	19	E	W.M.	8	NW SE	4 6.0 ✓
34	S	19	E	W.M.	8	SW SE	4 38.0 ✓
34	S	19	E	W.M.	8	SE SE	5 20.0 ✓
34	S	19	E	W.M.	9	SW SW	1 1.0 ✓
34	S	19	E	W.M.	16	NW NE	3, 6 40.0 ✓

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Acres	
34	S	19	E	W.M.	16	SW NE	3	40.0 ✓
34	S	19	E	W.M.	16	NE NW	2, 7	40.0 ✓
34	S	19	E	W.M.	16	NW NW	1	40.0 ✓
34	S	19	E	W.M.	16	SW NW		16.0 ✓
34	S	19	E	W.M.	16	SE NW		31.0 ✓
34	S	19	E	W.M.	17	NE NE		37.0 ✓
34	S	19	E	W.M.	17	NW NE		12.0 ✓
34	S	19	E	W.M.	17	SE NE		2.0 ✓

11. Certificate 3604 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
J-Spear Ranch Company	P.O. Box 257, Klamath Falls, OR 97601	34 19-0400

12. The sixth right to be transferred is as follows:

Certificate: 3605 in the name of H. A. Brattain, P. J. Brattain and Mrs. C. N. Brattain-Small

Use: Irrigation, domestic, and stock use

Priority Date: 1881

Season of Use: April 1 to September 15

Quantity (Rate): 1/25 cfs per acre: ~~0.056~~ efs

Duty: Not to exceed 3.9 AF per acre: ~~5.46~~ AF

Acres: 1.4

Source: Chewacan River, tributary to Lake Abert

Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Acres
33	S	18	E	W.M.	24	NE SW	1.4

13. In addition to the requested change in point of diversion, the transfer application sought to clarify the place of use for Certificate 3605.

14. Certificate 3605 describes the authorized place of use as 1.4 acres in the NE ¼ SW ¼ of Section 24, Township 33 South, Range 18 East of Willamette Meridian, Lake County, Oregon, being Lots 1, 2, 9, and 10, South Addition to the Town of Paisley, Oregon.

15. The transfer application depicts the place of use under Certificate 3605 as being 0.7 acres in tax lot 300 and 0.7 acres in tax lot 400, tax map 33 18 24CD. As shown on the current tax assessor's map 33 18 24 CD, these tax lots correspond to Lots 1, 2, 9, and 10, South Addition of the Town of Paisley, Oregon.

16. *Based on current understanding of how the Public Land Survey subdivisions overlie the surveyed lots of the town of Paisley*
 Lots 1, 2, 9, and 10 of the South Addition of Paisley, Oregon are located entirely within the SE ¼ SW ¼ of Section 24, Township 33 South, Range 18 East. This location is also consistent with the original adjudication map prepared by the State Engineer. ~~This information leads the Department to conclude that the quarter-quarter section description given in Certificate 3605 is in error.~~ *It happens that* The land to which the right has always been appurtenant should be described as 1.4 acres in the SE ¼ SW ¼ of Section 24, Township 33 South, Range 18 East of Willamette Meridian, Lake County, Oregon, being Lots 1, 2, 9, and 10, South Addition to the Town of Paisley, Oregon. Given this conclusion, the Department should take action to clarify the water right record and accurately identify the place of use of water under this right.

17. Certificate 3605 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
Edward and Dorothy Murphy	P.O. Box 137, Paisley, OR 97636	33 18 24CD-400	0.7
Norman and Terry Hiatt	P.O. Box 319, Paisley, OR 97636	33 18 24CD-300	0.7

18. The seventh right to be transferred is as follows:

Certificate: 3622 in the name of Virgil Conn
Use: Irrigation
Priority Date: April 1900
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre: ~~0.03 cfs~~
Duty: Not to exceed 3.9 AF per acre: ~~2.93 AF~~
Acres: 0.75
Source: Chewacan River, tributary to Lake Abert
Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Acres
33	S	18	E	W.M.	24	NE SW	0.75

19. Certificate 3622 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
Dale and Barbara Roberts	P.O. Box 84, Paisley, OR 97636	33 18 24CA-6600

20. The eighth right to be transferred is as follows:

Certificate: 3625 in the name of M. C. Currier
Use: Irrigation, domestic, and stock use
Priority Date: April 1878
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre: ~~0.024 cfs~~
Duty: Not to exceed 3.9 AF per acre: ~~2.34 AF~~
Acres: 0.60
Source: Chewacan River, tributary to Lake Abert
Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Acres
33	S	18	E	W.M.	24	NE SW	0.60

21. Certificate 3625 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
Edward and Dorothy Murphy	P.O. Box 137, Paisley, OR 97636	33 18 24CD-200

RR 22. The portion of the ninth right to be transferred is as follows:

Certificate: 3629 in the name of Chesterfield B. Parker and Leland S. Parker
Use: Irrigation, domestic, and stock use
Priority Date: 1878 (Proof 54)
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre: 27.04 cfs
Duty: 4.4 AF per acre for the following lands: NE¼ NW ¼, and NW¼ NW ¼; T33S, R18E, Section 30
4.8 AF per acre for the following lands: NW¼ NE ¼, SW¼ NE ¼, and SE¼ NW ¼; T33S, R18E, Section 30
Acres: 183.68
Source: Chewacan River, tributary to Lake Abert

Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Acres
33	S	19	E	W.M.	30	NW NE	40.0
33	S	19	E	W.M.	30	SW NE	32.5
33	S	19	E	W.M.	30	NE NW	39.25
33	S	19	E	W.M.	30	NW NW	39.73
33	S	19	E	W.M.	30	SE NW	32.19

23. Certificate 3629 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
JL Land, Inc.	P.O. Box 66, Paisley, OR 97636	33 19-1401	159.07
Jeremiah and Carolyn O'Leary	P.O. Box 66, Paisley, OR 97636	33 19-1400	20.60
Michael J. & Mary F. O'Leary	P.O. Box 209, Paisley, OR 97636	33 19-1403	4.00

RR 24. The portion of the tenth right to be transferred is as follows:

Certificate: 3630 in the name of John Drumm, Sr.

Use: Irrigation

Priority Date: 1906

Season of Use: April 1 to September 15

Quantity (Rate): 1/25 cfs per acre: ~~0.041 cfs~~

Duty: Not to exceed 3.9 AF per acre: ~~3.98 AF~~

Acres: 1.02

Source: Chewacan River, tributary to Lake Abert

Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Acres
33	S	18	E	W.M.	24	NW SE	1.02

25. Certificate 3630 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot

Dale and Karilyn Story	P.O. Box 87, Paisley, OR 97636	33 18 24D-500
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RR

26. The portion of the eleventh right to be transferred is as follows:

Certificate: 3631 in the name of Mrs. Ola Drumm
Use: Irrigation
Priority Date: 1900
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre: ~~0.040 cfs~~
Duty: Not to exceed 3.9 AF per acre: ~~3.90 AF~~
Acres: 1.0
Source: Chewacan River, tributary to Lake Abert
Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Acres
33	S	18	E	W.M.	24	NE SW	1.0

27. Certificate 3631 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
Joseph P. Mitchell	P.O. Box 286, Paisley, OR 97636	33 18 24CA-1400	0.40
Larry Gerking	P.O. Box 88, Paisley, OR 97636	33 18 24CA-1500 & 1501	0.60

28. The twelfth right to be transferred is as follows:

Certificate: 3635 in the name of F. W. Farrow
Use: Irrigation
Priority Date: ~~April~~ 1894
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre: ~~0.10 cfs~~
Duty: Not to exceed 3.9 AF per acre: ~~9.75 AF~~
Acres: 2.50 — *only 2.43 ac in T.L.s*
Source: Chewacan River, tributary to Lake Abert
Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Lot	DLC	Acres
33	S	18	E	W.M.	24	SW SE			2.50

29. Certificate 3635 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
Victor and June Cormie	P.O. Box 250, Paisley, OR 97636	33 18 24D-2100 & 2200

30. The thirteenth right to be transferred is as follows:

Certificate: 3636 in the name of Mary L. Farrow

Use: Irrigation

Priority Date: 1894

Season of Use: April 1 to September 15

Quantity (Rate): 1/25 cfs per acre: ~~0.10 cfs~~

Duty: Not to exceed 3.9 AF per acre: ~~9.75 AF~~

Acres: 2.50

Source: Chewacan River, tributary to Lake Abert

Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Lot	DLC	Survey Coordinates
33	S	18	E	W.M.	23	NE SE			N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Lot	DLC	Acres
33	S	18	E	W.M.	24	SW SE			2.50

31. Certificate 3636 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
Michael Nevill <i>+ Julie Washburn</i>	P.O. Box 289, Paisley, OR 97636	33 18 24D-2300

32. The portion of the fourteenth right to be transferred is as follows:

Certificate: 3638 in the name of Estate of Martha J. Farrow, deceased

Use: Irrigation, domestic, and stock use under Proof No. 71, and irrigation under Proof No. 70

Priority Date: 1885 under Proof No. 70, and 1901 under Proof No. 71

Season of Use: April 1 to September 15

Quantity (Rate): 1/25 cfs per acre: ~~0.891 cfs~~

Duty: Not to exceed 3.9 AF per acre: ~~86.85 AF~~

Acres: 22.27

Source: Chewacan River, tributary to Lake Abert

RR

Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Acres
33	S	18	E	W.M.	24	NE SW	0.05
33	S	18	E	W.M.	24	NW SE	13.25
33	S	18	E	W.M.	24	SW SE	8.97

33. Certificate 3638 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
Dwayne & Collett Broadfoot	P.O. Box 132, Paisley, OR 97636	33 18 24D-600	0.55
School District 11	P.O. Box 97, Paisley, OR 97636	33 18 24D-800	8.22
Gene & CG Vickerman	P.O. Box 35, Paisley, OR 97636	33 18 24D-900	0.72
Thomas & Barbara Hinkle	P.O. Box 131, Paisley, OR 97636	33 18 24D-1000	3.73
Edward & Dorothy Murphy	P.O. Box 137, Paisley, OR 97636	33 18 24D-1100	0.08
U.S. Forest Service	Hwy 31, Paisley, OR 97636	33 18 24D-1200	7.85
Joyn & Paula Merwin	22952 Clover Flat Road, Paisley, OR 97636	33 18 24D-1300	0.35
Alan E. & Laura L. Parks	59234 Ft Rock Rd., Silver Lake, OR 97638	33 18 24D-1600 & 1700	0.77

RR 34. The portion of the fifth right to be transferred is as follows:

Certificate: 3639 in the name of Estate of J. D. Farra

Use: Irrigation

Priority Date: 1900

Season of Use: April 1 to September 15

Quantity (Rate): 1/25 cfs per acre: ~~0.036 cfs~~

Duty: Not to exceed 3.9 AF per acre: ~~3.55 AF~~

Acres: 0.91

Source: Chewacan River, tributary to Lake Abert

Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Lot	DLC	Acres
33	S	18	E	W.M.	24	SE SW			0.91

35. Certificate 3639 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
Clarence & Katheryn Cramer	P.O. Box 125, Paisley, OR 97636	33 18 24CD-500	0.40
John Carlson	P.O. Box 262, Paisley, OR 97636	33 18 24CD-502	0.23
James & Etheyln Overton	242 South G St., Lakeveiw, OR 97636	33 18 24CD-504	0.17
Terry & Mary Cramer	P.O. Box 251, Paisley, OR 97636	33 18 24CD-505	0.11

36. The Sixteenth right to be transferred is as follows:

Certificate: 3641 in the name of ~~Estate of~~ Mary C. Green

Use: Irrigation

Priority Date: 1901

Season of Use: April 1 to September 15

Quantity (Rate): 1/25 cfs per acre: ~~0.030 cfs~~

Duty: Not to exceed 3.9 AF per acre: ~~2.93 AF~~

Acres: 0.75

Source: Chewacan River, tributary to Lake Abert

Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Lot	DLC	Survey Coordinates
33	S	18	E	W.M.	23	NE SE			N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Lot	DLC	Acres
33	S	18	E	W.M.	24	NE SW			0.75

37. Certificate 3641 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
Donald J. & Karen R. Penington	22499 McArdle Rd, Bend, OR 97702	33 18 24CA-1600	0.34
Elaine Murphy, et al.	P.O. Box 262, Paisley, OR 97636	33 18 24CA-1700	0.41

RR 38. The portion of the Seventeenth right to be transferred is as follows:

Certificate: 3642 in the name of S. G. Hadley and Lillian A. Hadley

Use: Irrigation, domestic, and stock use
Priority Date: 1878
Season of Use: April 1 to September 30
Quantity (Rate): 1/25 cfs per acre: ~~0.113~~ cfs
Duty: Not to exceed 3.9 AF per acre: ~~11.0~~ AF
Acres: 2.82
Source: Chewacan River, tributary to Lake Abert
Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Lot	DLC	Survey Coordinates
33	S	18	E	W.M.	23	NE SE			N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Lot	DLC	Acres
33	S	18	E	W.M.	24	SE SW			0.46
33	S	18	E	W.M.	25	NE NW			2.36

39. Certificate 3642 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
John & Joan ^{ne} Gaylord	P.O. Box 266, Paisley, OR 97636	33 18 24CD-1500	0.46
John & Joan ^{ne} Gaylord	P.O. Box 266, Paisley, OR 97636	33 18-1900	2.36

40. The eighteenth right to be transferred is as follows:

Certificate: 3647 in the name of John Hanan
Use: Irrigation, domestic, and stock use
Priority Date: 1888
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre: ~~0.008~~ cfs
Duty: Not to exceed 3.9 AF per acre: ~~0.78~~ AF
Acres: 0.2
Source: Chewacan River, tributary to Lake Abert
Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Lot	DLC	Survey Coordinates
33	S	18	E	W.M.	23	NE SE			N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Lot	DLC	Acres
33	S	18	E	W.M.	24	NE SW			0.20

41. Certificate 3647 is appurtenant to lands owned as outlined in the following table.

Need to verify location

Owner	Address	Current Tax Lot
John W. & Paula D. Merwin	22952 Clover Flat Rd., Paisley, OR 97636	33 18 24CD-100

RR
0.130e
★
Discrepancy over POW
for Proof 89

42. The portion of the nineteenth right to be transferred is as follows:

Certificate: 3653 in the name of Frances E. Howell
Use: Irrigation
Priority Date: 1889 under Proof No. 88; April 1, 1894 under Proof No. 89
Season of Use: April 1 to September 30 under Proof No. 88; April 1 to September 15 under Proof No. 89
Quantity (Rate): 1/25 cfs per acre: ~~0.219~~ efs
Duty: Not to exceed 3.9 AF per acre: ~~21.33~~ AF
Acres: 5.47
Source: Chewacan River, tributary to Lake Abert
Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Acres
33	S	18	E	W.M.	24	SW SE	5.47

43. Certificate 3653 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
Ronald Schmidt	P.O. Box 925, Christmas Valley, OR 97641	33 18 24D-2001	5.22
Ellen L. Withers	P.O. Box 287, Paisley, OR 97636	33 18 24D-2002	0.25

44. The portion of the twentieth right to be transferred is as follows:

Certificate: 3654 in the name of Lester I. Hampton and Frances E. Howell
Use: Irrigation
Priority Date: April 1, 1894
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre: ~~0.188~~ efs
Duty: Not to exceed 3.9 AF per acre: ~~18.29~~ AF
Acres: 4.69 — Cert says 5.0 ac, T.L.s have only 4.69
Source: Chewacan River, tributary to Lake Abert

★

Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Survey Coordinates
33	S	18 E	W.M.	23	NE SE		N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Acres
33	S	18 E	W.M.	24	SW SE		4.69

45. Certificate 3654 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
Ellen L. Withers	P.O. Box 287, Paisley, OR 97636	33 18 24D-2000	3.53
Ellen L. Withers	P.O. Box 287, Paisley, OR 97636	33 18 24D-2002	0.25
Ellen L. Withers	P.O. Box 287, Paisley, OR 97636	33 18 24D-2003	0.91

46. The twentyfirst right to be transferred is as follows:

Certificate: 3655 in the name of I. O. O. F. No. 177

Use: Irrigation

Priority Date: April 1, 1908

Season of Use: April 1 to September 15

Quantity (Rate): 1/25 cfs per acre: ~~0.020 cfs~~

Duty: Not to exceed 3.9 AF per acre: ~~1.95 AF~~

Acres: 0.50

Source: Chewacan River, tributary to Lake Abert

Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Survey Coordinates
33	S	18 E	W.M.	23	NE SE		N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Acres
33	S	18 E	W.M.	24	SE SW		0.50

47. Certificate 3655 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
Sharon Fitzgerald	P.O. Box 25, Paisley, OR 97636	33 18 24CD-2301

48. The portion of the twenty-second right to be transferred is as follows:

Certificate: 3656 in the name of Florence Jones

Use: Irrigation, domestic, and stock use
Priority Date: 1878
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre: ~~4.40~~-cfs
Duty: Not to exceed 4.4 AF per acre: ~~484.0~~ AF
Acres: 110.0
Source: Chewacan River, tributary to Lake Abert
Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Acres
33	S	19	E	W.M.	30	SE SW	15.0
33	S	19	E	W.M.	30	SW SE	15.0
33	S	19	E	W.M.	30	SE SE	40.0
33	S	19	E	W.M.	31	NE NE	40.0

49. Certificate 3656 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
J-Spear Ranch Co.	P.O. Box 257, Klamath Falls, OR 97601	33 19-1800

50. The twenty-third right to be transferred is as follows:

Certificate: 3659 in the name of the Estate of Geo. M. Jones, deceased
Use: Irrigation, domestic, and stock use
Priority Date: 1878
Season of Use: April 1 to September 30
Quantity (Rate): 1/25 cfs per acre: ~~8.28~~-cfs
Duty: Not to exceed 4.8 AF per acre: ~~993.6~~ AF
Acres: 207.0
Source: Chewacan River, tributary to Lake Abert
Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Acres
33	S	19	E	W.M.	31	NW NE	4.0
33	S	19	E	W.M.	31	SW NE	4.0
33	S	19	E	W.M.	31	NE NW	30.0

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Acres	
33	S	19	E	W.M.	31	SE NW	38.0	
33	S	19	E	W.M.	31	NE SW	35.0	
33	S	19	E	W.M.	31	SE SW	30.0	
33	S	19	E	W.M.	31	NW SE	7.0	
33	S	19	E	W.M.	31	SW SE	18.0	
34	S	19	E	W.M.	6	NW NE	2	37.0
34	S	19	E	W.M.	6	NE NW	3	4.0

51. Certificate 3659 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
J-Spear Ranch Co.	P.O. Box 257, Klamath Falls, OR 97601	33 19-1800	166.0
J-Spear Ranch Co.	P.O. Box 257, Klamath Falls, OR 97601	34 19-300	41.0

52. The twenty-fourth right to be transferred is as follows:

Certificate: 3662 in the name of E. O. Lamb
Use: Irrigation, domestic, and stock use
Priority Date: 1878
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre: ~~0.028 cfs~~
Duty: Not to exceed 3.9 AF per acre: ~~2.73 AF~~
Acres: 0.70
Source: Chewacan River, tributary to Lake Abert
Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Acres
33	S	18	E	W.M.	24	NE SW	0.70

53. Certificate 3662 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
John W. and Paula D. Merwin	22952 Clover Flat Rd., Paisley, OR 97636	33 18 24CD-100	0.35 0.40
Ronald Forga	P.O. Box 226, Paisley, OR 97636	33 18 24CD-102	0.35 0.30

54. The portion of the twenty-fifth right to be transferred is as follows:

RR

Certificate: 3666 in the name of E. S. McDonald
Use: Irrigation, domestic, and stock use
Priority Date: 1878
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre: ~~5.80 cfs~~
Duty: Not to exceed 4.4 AF per acre: ~~638.0 AF~~
Acres: 145.0
Source: Chewacan River, tributary to Lake Abert
Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Acres
33	S	19	E	W.M.	30	SW NE	7.5
33	S	19	E	W.M.	30	SE NW	7.5
33	S	19	E	W.M.	30	NE SW	40.0
33	S	19	E	W.M.	30	SE SW	25.0
33	S	19	E	W.M.	30	NW SE	40.0
33	S	19	E	W.M.	30	SW SE	25.0

55. Certificate 3666 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
J-Spear Ranch Co.	P.O. Box 257, Klamath Falls, OR 97601	33 19-1600

56. The twenty-sixth right to be transferred is as follows:

Certificate: 3669 in the name of E. S. McDonald and J. B. Elder (Partners)
Use: Irrigation, domestic, and stock use
Priority Date: 1878
Season of Use: April 1 to September 30
Quantity (Rate): 1/25 cfs per acre: ~~4.12 cfs~~
Duty: Not to exceed 4.8 AF per acre: ~~494.4 AF~~
Acres: 103.0
Source: Chewacan River, tributary to Lake Abert
Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Acres	
33	S	18	E	W.M.	25	SW SE	4.0	
33	S	18	E	W.M.	25	SE SE	37.0	
33	S	18	E	W.M.	36	NE NE	3.0	
33	S	19	E	W.M.	30	SW SW	4	40.0
33	S	19	E	W.M.	31	NW NW	1	19.0

57. Certificate 3669 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
J-Spear Ranch Co.	P.O. Box 257, Klamath Falls, OR 97601	33 18-2101
J-Spear Ranch Co.	P.O. Box 257, Klamath Falls, OR 97601	33 18-2000
J-Spear Ranch Co.	P.O. Box 257, Klamath Falls, OR 97601	33 19-1600

58. The twenty-seventh right to be transferred is as follows:

Certificate: 3671 in the name of Alice Miller
Use: Irrigation
Priority Date: April 1, 1908 *1901*
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre: ~~0.030 cfs~~
Duty: Not to exceed 3.9 AF per acre: ~~2.93 AF~~
Acres: 0.75
Source: Chewacan River, tributary to Lake Abert
Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Acres
33	S	18	E	W.M.	24	SW SE	0.75

59. Certificate 3671 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
Jon A. Jones	P.O. Box 64, Paisley, OR 97636	33 18 24D-1800

RR 60. The portion of the twenty-eighth right to be transferred is as follows:

Certificate: 3672 in the name of W. Y. Miller

Use: Irrigation, domestic, and stock use
Priority Date: 1878 under Proof No. 119, April 1, 1894 under Proof No. 120, and 1901 under Proof No. 121
Season of Use: April 1 to September 30 under Proof No. 119
 April 1 to September 15 under Proof Nos. 120 and 121
Quantity (Rate): 1/25 cfs per acre: ~~0.70~~ cfs
Duty: Not to exceed 4.8 AF per acre: ~~84.0~~ AF
Acres: 17.49
Source: Chewacan River, tributary to Lake Abert
Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Acres
33	S	18	E	W.M.	24	SE SW	<u>3.24</u>
33	S	18	E	W.M.	24	SW SE	14 ¼ (14.25)

61. Certificate 3672 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
Curtis and Doris Weaver	P.O. Box 124, Paisley, OR 97636	33 18 24CD-1800	<u>0.74</u>
Mary Lou Sanchez	P.O. Box 84, Paisley, OR 97636	33 18 24CD-1900	0.92 <u>0.77</u>
Briggs Logging Co.	P. O. Box 582, Lakeview, OR 97630	33 18 24CD-2000	<u>0.62</u>
Briggs Logging Co.	P. O. Box 582, Lakeview, OR 97630	33 18 24CD-2100	<u>0.58</u>
Michael Gibbons	P. O. Box 42048, Eugene, OR 97404	33 18 24CD-2200	<u>0.38</u>
Michael Gibbons	P. O. Box 42048, Eugene, OR 97404	33 18 24CD-2300	<u>0.01</u>
Jon A. Jones	P.O. Box 64, Paisley, OR 97636	33 18 24D-1800	14.25 13.85

RR+
Cancel

62. The portion of the twenty-ninth right to be transferred is as follows:

Certificate: 3673 in the name of Flora Moore
Use: Irrigation
Priority Date: 1904
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre: 0.005 cfs
Duty: Not to exceed 3.9 AF per acre: 0.488 AF
Acres: 0.125

OK

RR

Source: Chewacan River, tributary to Lake Abert

Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Acres
33	S	18	E	W.M.	24	NE SW	1/8 (0.125)

63. Certificate 3673 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
Centurytel	P.O. Box 40, Burns, OR 97720	33 18 24CA-2600

64. The portion of the thirtieth right to be transferred is as follows:

Certificate: 3675 in the name of Annie Moss
Use: Irrigation, domestic, and stock use
Priority Date: 1878
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre: 6.37 cfs
Duty: Not to exceed 4.8 AF per acre: 764.6 AF
Acres: 159.3
Source: Chewacan River, tributary to Lake Abert
Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Acres	
33	S	18	E	W.M.	24	SE NE	2.0	
33	S	18	E	W.M.	24	NE SE	38.0	
33	S	18	E	W.M.	24	SE SE	39.3	
33	S	19	E	W.M.	2479	SW SW	4	40.0
33	S	19	E	W.M.	2479	SE SW		40.0

65. Certificate 3675 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
Murphy Ranch	P.O. Box 256, Paisley, OR 97636	33 18 24D-100	17.66
Murphy Ranch	P.O. Box 256, Paisley, OR 97636	33 18-1400	40.0

*Cancel
T.L. 2400-0-20ac
RR T.C. 2500
Hickman-0-50ac*

Murphy Ranch	P.O. Box 256, Paisley, OR 97636	33 19-900	80.0
George M. & Susan R. Malone	5809 San Juan Dr., Clinton, MD 20735	33 18 24D-2700	10.27
George M. & Susan R. Malone	5809 San Juan Dr., Clinton, MD 20735	33 18 24D-2900	9.70
Anthony & Nita Cordoza	P.O. Box 288, Paisley, OR 97636	33 18 24D-2600	0.50
City of Paisley	City Hall, Paisley, OR 97636	33 18 24D-2800	1.17

OK 66. The thirty-first right to be transferred is as follows:

Certificate: 3679 in the name of the O'Callaghan Bros
Use: Irrigation, domestic, and stock use
Priority Date: 1878
Season of Use: April 1 to September 30
Quantity (Rate): 1/25 cfs per acre: 2.72 cfs
Duty: Not to exceed 4.8 AF per acre: 326.4 AF
Acres: 68.0
Source: Chewacan River, tributary to Lake Abert
Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Survey Coordinates
33	S 18 E	W.M.	23	NE SE			N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Acres
33	S 18 E	W.M.	25	NE NE			10.0
33	S 18 E	W.M.	25	NW NE			35.0
33	S 18 E	W.M.	25	SW NE			13.0
33	S 18 E	W.M.	25	SE NE			10.0

67. Certificate 3679 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
Murphy Ranch	P.O. Box 256, Paisley, OR 97636	33 18-1800

OK 68. The thirty-second right to be transferred is as follows:

Certificate: 3683 in the name of W. B. Parker
Use: Irrigation, domestic, and stock use
Priority Date: 1878
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre: 1.60 cfs
Duty: Not to exceed 4.8 AF per acre: 192.0 AF

Acres: 40.0
Source: Chewacan River, tributary to Lake Abert
Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Lot	DLC	Survey Coordinates
33	S	18	E	W.M.	23	NE SE			N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Lot	DLC	Acres
33	S	19	E	W.M.	19	SW NW	2		35.0
33	S	19	E	W.M.	19	SE NW			5.0

69. Certificate 3683 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
Murphy Ranch	P.O. Box 256, Paisley, OR 97636	33 19-700

70. The portion of the thirty-third right to be transferred is as follows:

Certificate: 3685 in the name of R. N. Phelps
Use: Irrigation and stock use
Priority Date: 1883
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre: 0.008 cfs
Duty: Not to exceed 3.9 AF per acre: 0.78 AF
Acres: 0.20
Source: Chewacan River, tributary to Lake Abert
Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Lot	DLC	Survey Coordinates
33	S	18	E	W.M.	23	NE SE			N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Lot	DLC	Acres
33	S	18	E	W.M.	24	NE SW			0.20

71. Certificate 3685 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
Dennis & Mollie O'Leary	P.O. Box 118, Paisley, OR 97636	33 18 24CA-3200

72. The portion of the thirty-fourth right to be transferred is as follows:

Certificate: 3686 in the name of Geo. Pike

*Part Cancellation
0.63 ac*

RR

Use: Irrigation, domestic, and stock use
Priority Date: September 18, 1893
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre: 0.040 cfs
Duty: Not to exceed 3.9 AF per acre: 3.90 AF
Acres: 1.0
Source: Chewacan River, tributary to Lake Abert
Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Acres
33	S	18	E	W.M.	24	NW SW	1.0

73. Certificate 3686 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
David & Deanna Smith	P.O. Box 61, Paisley, OR 97636	33 18 24CA-1101

74. The portion of the thirty-fifth right to be transferred is as follows:

Certificate: 3687 in the name of Harriet L. Random
Use: Irrigation, domestic, and stock use
Priority Date: 1878
Season of Use: April 1 to September 30
Quantity (Rate): 1/25 cfs per acre: 5.11 cfs
Duty: Not to exceed 4.8 AF per acre: 612.72 AF
Acres: 127.65
Source: Chewacan River, tributary to Lake Abert
Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Acres
33	S	18	E	W.M.	25	NE NE	22.96 22.01
33	S	18	E	W.M.	25	SE NE	26.10 26.05
33	S	19	E	W.M.	30	SW NW	39.59
33	S	19	E	W.M.	30	NW SW	40.00

75. Certificate 3687 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
J-Spear Ranch Co.	P.O. Box 257, Klamath Falls, OR 97636	33 19-1600	49. ³¹ 53
Murphy Ranch	P.O. Box 256, Paisley, OR 97636	33 ¹⁹ 18-1500	30.06
Murphy Ranch	P.O. Box 256, Paisley, OR 97636	33 18-1800	47.12
Centurytel	P.O. Box 40, Burns, OR 97720	33 18-1801	0.28
Theresa Vickerman	P.O. Box 137, Paisley, OR 97636	33 18 24D-3000	0.66

T.C. 1502 not addressed

Add T.C. 1572?

76. The thirty-sixth right to be transferred is as follows:

Need to re-describe

Certificate: 3691 in the name of School District No. 11
Use: Irrigation
Priority Date: 1901
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre: ~~0.072 cfs~~
Duty: Not to exceed 3.9 AF per acre: ~~7.02 AF~~
Acres: 1.8
Source: Chewacan River, tributary to Lake Abert
Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Acres
33	S	18	E	W.M.	24	SE SW*	1.8

re-description to match proof 151 (NWSE)

77. Certificate 3691 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
School District No. 11	P.O. Box 97, Paisley, OR 97636	33 18 24D-800

78. The thirty-seventh right to be transferred is as follows:

Needs re-description + investigation of original lands owned in 1913

Certificate: 3695 in the name of Mrs. L. B. Sult
Use: Irrigation, domestic, and stock use
Priority Date: 1878
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre: ~~0.028 cfs~~
Duty: Not to exceed 3.9 AF per acre: ~~2.73 AF~~
Acres: 0.7
Source: Chewacan River, tributary to Lake Abert

Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Acres
33	S	18	E	W.M.	24	NE SW	0.704
						SE SW	0.3

79. Certificate 3695 is appurtenant to lands owned as outlined in the following table.

Adjust, if needed

Owner	Address	Current Tax Lot	Acres
John and Paula Merwin.	39650 Clover Flat Rd., Paisley, OR 97636	33 18 24CD-100	0.10
Ronald Forga	P.O. Box 226, Paisley, OR 97636	33 18 24CD-101	0.30
Ronald Forga	P.O. Box 226, Paisley, OR 97636	33 18 24CD-102	0.30

80. The thirty-eighth right to be transferred is as follows:

Certificate: 3696 in the name of S. S. Thayer
Use: Irrigation
Priority Date: 1898
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre: ~~0.024~~ cfs
Duty: Not to exceed 3.9 AF per acre: ~~2.31~~ AF
Acres: 0.59
Source: Chewacan River, tributary to Lake Abert
Authorized Point of Diversion:

Need redescription

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Acres
33	S	18	E	W.M.	24	NE SW	0.59

81. Certificate 3696 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
Rosanna J. Bagley	P.O. Box 26, Paisley, OR 97636	33 18 24CA-4500	0.59
Laura M. Davila	2801 NE Sicamore, Bend, OR 97701	33 18 24CA-4500	0.59

Kathleen A. McAuliffe	P.O. Box 1226, Cottonwood, CA 96022-1226	33 18 24CA-4500	0.59
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OK

82. The thirty-ninth right to be transferred is as follows:

Certificate: 3697 in the name of Rosa Tucker
Use: Irrigation
Priority Date: April 2, 1903
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre: ~~0.44~~ cfs
Duty: Not to exceed 3.9 AF per acre: ~~0.43~~ AF
Acres: 1/9 (0.11)
Source: Chewacan River, tributary to Lake Abert
Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Acres
33	S	18	E	W.M.	24	NE SW	1/9 (0.11)

83. Certificate 3697 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot
Thomas A. Brattain	4414 Pocahontas Rd., Baker City, OR 97814	33 18 24CA-3000

84. The portion of the fortieth right to be transferred is as follows:

RR for
Proof 159 land

Certificate: 3698 in the name of F. Wiedy
Use: Irrigation, domestic, and stock use
Priority Date: 1878
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre: 5.11 cfs
Duty: Not to exceed 4.6 AF per acre: 612.72 AF
Acres: 25.0
Source: Chewacan River, tributary to Lake Abert
Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Acres
33	S	19	E	W.M.	19	NW SE	10.0
33	S	19	E	W.M.	19	SW SE	15.0

85. Certificate 3698 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
Murphy Ranch	P.O. Box 256, Paisley, OR 97636	33 19-1000	30.06 25.00

86. The portion of the forty-first right to be transferred is as follows:

Certificate: 3699 in the name of the estate of Geo. M. Jones, deceased
Use: Irrigation, domestic, and stock use
Priority Date: 1878
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre: ~~15.38~~ cfs
Duty: Not to exceed 4.4 AF per acre: ~~1691.36~~ AF
Acres: 384.4
Source: Chewacan River, tributary to Lake Abert
Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Survey Coordinates
33	S	18	E	W.M.	23	NE SE	N 47° 46' E, 2885 feet from the S ¼ corner, Section 23

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Acres	
33	S	19	E	W.M.	31	NW NE	36.0	
33	S	19	E	W.M.	31	SW NE	36.0	
33	S	19	E	W.M.	31	SE NE	40.0	
33	S	19	E	W.M.	31	NE SE	40.0	
33	S	19	E	W.M.	31	NW SE	33.0	
33	S	19	E	W.M.	31	SW SE	12.0	
33	S	19	E	W.M.	31	SE SE	40.0	
33	S	19	E	W.M.	32	SW NE	2	6.0
33	S	19	E	W.M.	32	SW NW		40.0
33	S	19	E	W.M.	32	SE NW	3	28.8
33	S	19	E	W.M.	32	NW SW	4	25.1
33	S	19	E	W.M.	32	SW SW	5	7.5
34	S	19	E	W.M.	6	NE NE	1	40.0

Correct scrivener's omission on Cert 3699

87. Certificate 3699 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
J-Spear Ranch	P.O. Box 257, Klamath Falls, OR 97601	33 19-1800	344.4
J-Spear Ranch	P.O. Box 257, Klamath Falls, OR 97601	34 19-300	40.0

88. The forty-second right to be transferred is as follows:

Certificate: 80631 in the name of Edward Murphy
Use: Irrigation and domestic
Priority Date: 1885
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre: 5.11 cfs
Duty: Not to exceed 3.9 AF per acre: 612.72 AF
Acres: 80.0
Source: Chewacan River, tributary to Lake Abert
Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Survey Coordinates
33	S	18	E	W.M.	24	NW SW	N 11° 02' 05" E, 1808.89 feet from the SW corner, Section 24

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Acres
33	S	19	E	W.M.	19	NE SW	40.0
33	S	19	E	W.M.	19	NW SW	3 40.0

89. Certificate 72346 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
Murphy Ranch	P.O. Box 256, Paisley, OR 97636	33 19-800	19.92
Murphy Ranch	P.O. Box 256, Paisley, OR 97636	33 19-1000	60.08

90. The portion of the forty-third right to be transferred is as follows:

Certificate: 72346 in the name of Northwest Townsite Company
Use: Irrigation and domestic
Priority Date: 1881
Season of Use: April 1 to September 15
Quantity (Rate): 1/25 cfs per acre: 0.56 cfs
Duty: Not to exceed 3.9 AF per acre: 54.80 AF
Acres: 14.05
Source: Chewacan River, tributary to Lake Abert

Authorized Point of Diversion:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Survey Coordinates
33	S	18 E	W.M.	23	NW SE		None provided in certificate

Authorized Place of Use:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Acres
33	S	18 E	W.M.	23	NE SE		9.85
33	S	18 E	W.M.	24	NW SW		4.20

91. Certificate 72346 is appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
Robert Rose	P.O. Box 215, Paisley, OR 97636	33 18 23D-100	0.73
Gary & Beverly Scherer	P.O. Box 15, Paisley, OR 97636	33 18 23D-200	0.77
Eugene C. Fellows Trust, Lois E. Steele, Trustee	3009 Ira Temple Dr., No. 311, Temple, TX 76504	33 18 23D-201	0.83
Kelton & Lucille Butler	P.O. Box 121, Paisley, OR 97636	33 18 23D-300	2.16
Kelton & Lucille Butler	P.O. Box 121, Paisley, OR 97636	33 18 23D-301	0.29
Hugh & Arlene Schultz	P.O. Box 77, Paisley, OR 97636	33 18 23D-600	0.26
Vincente J. Ordaz	P.O. Box 44, Paisley, OR 97636	33 18 23D-800	0.70
Robert & Marsha Rutledge	P.O. Box 101, Paisley, OR 97636	33 18 23D-1600	0.24
Robert & Marsha Rutledge	P.O. Box 101, Paisley, OR 97636	33 18 23D-1700	0.97
Paul & Doris Aikins	P.O. Box 42, Paisley, OR 97636	33 18 23D-2000	0.80
Daniel & Noreen Shoun	P.O. Box 9, Paisley, OR 97636	33 18 23D-2200	0.60
Daniel & Noreen Shoun	P.O. Box 9, Paisley, OR 97636	33 18 23D-2301	0.30
Jeremiah & Carol O'Leary	P.O. Box 209, Paisley, OR 97636	33 18 23D-2300	0.30
Timothy & Kathryn Green	P.O. Box 251, Paisley, OR 97636	33 18 23D-2400	0.40
J-Spear Ranch Co.	P.O. Box 257, Klamath Falls, OR 97601	33 18 24C-200	0.52
J-Spear Ranch Co.	P.O. Box 257, Klamath Falls, OR 97601	33 18 24C-400	0.34
J-Spear Ranch Co.	P.O. Box 257, Klamath Falls, OR 97601	33 18 24C-600	0.22
Michael P. Branum	P.O. Box 206, Paisley, OR 97636	33 18 24C-300	0.28

Orville & Ila Branum	P.O. Box 206, Paisley, OR 97636	33 18 24C-301	0.24
Robert & Ronnie Lindsay	P.O. Box 205, Paisley, OR 97636	33 18 24C-401	0.32
Robert & Ronnie Lindsay	P.O. Box 205, Paisley, OR 97636	33 18 24C-403	0.42
Len and Gloria Babb	P.O. Box 29, Paisley, OR 97636	33 18 24C-1400	1.02
Gary & Rosvi Casteel	P.O. Box 74, Paisley, OR 97636	33 18 24C-1402	0.46
Gary & Rosvi Casteel	P.O. Box 74, Paisley, OR 97636	33 18 24C-1500	0.45
George & Norma DeLarm	P.O. Box 43, Paisley, OR 97636	33 18 24C-1600	0.43

92. Application T-9733 proposes to move the authorized point of diversion approximately 1/2 mile downstream in the Chewacan River to:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Survey Coordinates
33	S	18	E	W.M.	26	NE NW	S 80° 00' W, 821.3 feet from the N 1/4 corner, Section 26

93. Application T-9733 proposes to change a portion of the place of use of certificate 3654 to:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Acres
33	S	18	E	W.M.	24	NE SW	0.13
33	S	18	E	W.M.	24	NW SW	0.78

94. The changes in place of use under certificate 3654 are appurtenant to lands owned as outlined in the following table.

Owner	Address	Current Tax Lot	Acres
Lora B. Carlon	P.O. Box 126, Paisley, OR 97636	33 18 24CA-2000	0.13
Murphy Ranch	P.O. Box 256, Paisley, OR 97636	33 18 24C-1301	0.78

95. Notice of the application for transfer was published pursuant to ORS 540.520 and OAR 690-380-4000. No comments were filed in response to the notice. However, the Oregon Department of Fish and Wildlife did submit correspondence indicating that a condition requiring installation of proper fish screens should be included in the transfer order.

96. Water has been used within the last five years according to the terms and conditions of the rights and no evidence is available that would demonstrate that the rights are subject to forfeiture under ORS 540.610.

97. A diversion structure and ditch sufficient to use the full amount of water allowed under the existing rights are present.

98. The proposed change would not result in enlargement of the right.

99. The proposed change would not result in injury to other water rights.

Determination and Proposed Action

The proposed changes in point of diversion and place of use in application T-9733 appear to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000 and will be approved provided that protests are not filed pursuant to OAR 690-380-4030.

If approved, the change and subsequent use of water shall be subject to the following conditions:

1. The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in the certificates described above and any related decrees.
2. The proposed change shall be completed on or before October 1, 2006.
3. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department by October 1, 2007.
4. The quantity of water diverted at the new point of diversion shall not exceed the quantity of water lawfully available at the original point of diversion.
5. The former place of use under certificate 3654 shall no longer be irrigated as part of that water right.
6. Prior to diverting water, 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.
7. The water user shall install and maintain a fish screen or fish by-pass device, as appropriate, at the new point of diversion. 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 Department of Fish and Wildlife's cost-sharing program for installation of screening and by-pass devices in accordance with ORS 540.525.
8. So as to clarify the record, upon perfection of the change in point of diversion, the certificate issued for the right originally perfected under Certificate 3605 confirming the change shall describe the place of use as:

1.4 acres in the SE ¼ SW ¼, Section 24, in Township 33 South, Range 18 East, , W.M., Lake County, Oregon, being Lots 1, 2, 9, and 10, South Addition of the Town of Paisley, Oregon.

Dated at Salem, Oregon this _____ day of _____, 2004.

Phillip C. Ward
Director

This Preliminary Determination was prepared by _____. If you have any questions about the information in this document, you may reach me at (503) _____ or _____@wrd.state.or.us.

From: "Greg Kupillas" <phggek@bctonline.com>
 To: <Dorothy.I.Pedersen@wrд.state.or.us>
 Subject: Bagley Ditch DPD

-->

Dorothy,

I think I've done about as much as I can with the Bagley Ditch DPD for now. The draft DPD is attached, along with the cover letter for your review. I prepared the cover letter assuming that all remaining issues will be resolved before we issue the DPD. On the DPD, you will notice several places where I've highlighted items or sections in yellow. Below are brief descriptions of the issues related to those highlighted portions.

Redescribe + reduce
 * C3599: This is one of those in Block L of the South Addition. The certificate says 0.75 acres, but the lot described in the certificate can only be 0.69 acre (100 ft x 300 ft). Also, I estimate about 0.01 acre lies in the NW SE, while the rest is in the SW SE.

yes
 C3605: This is another one in Block L of the South Addition that we have discussed. There appears to be enough evidence to conclude that the quarter-quarter description in the certificate is in error.

* C3625: This is one of those in Block L of the South Addition that is depicted in the application to be located within Lots 4, 5, 6, and 7 and two unnamed parcels. We have determined that there is not enough documentary evidence to assign certificates 3625, 3647, 3662, and 3695 to these locations.

OK
 C3629: We need confirmation from Dennis Glender that my proposed allocation of acres, considering the location of TL 1402 (which is not participating) relative to the surrounding parcels, is acceptable.

* C3647: See C3625

— C3654: The Cert says 5 acres. However, the actual acreage of the lots described in the Cert is 4.69. Do we stick with 5 acres or go with the 4.69? If we revise the acreage to 4.69, what happens to the remaining 0.41 acres?

Redescribe + reduce?
 * C3662: See C3625

? C3672: The acreages for the parcels participating in the transfer are 3.24 acres (total for all parcels within Proof

119 that are in the transfer) and 14.25 (Proofs 120 and 121). The acreages of the parcels not participating (parcel 1200 did not respond, and 1100 is cancelled) add up to about 0.70 acre. The remainder is $19.25 - 3.24 - 14.25 - 0.70 = 1.06$ acres. We need to determine what to do with that remaining 1.06 acres.

~~A~~ C3695: See C3625

I have taken my best shot at the DPD so far, including adding language for C3605 to describe the Department's determination that the certificate's description of the quarter-quarter is in error. You will notice that for each certificate I have added a table that lists the ownership of the lands included in the transfer. Please review what I have done so far and let me know if you have any suggestions on revisions I could make before I leave on vacation on June 1.

One more thing: I noticed in the example Final Order you e-mailed to me yesterday (for Cert 13872) that one of the sections you highlighted states "The right evidenced by Certificate 13872 was confirmed by decree of the Circuit Court of the State of Oregon for Josephine County. The decree is recorded in the Order Record of the State Engineer in Volume 13, at page 70." Do we need to have a similar statement for each of the certificates for Bagley Ditch? So far, I have not included these statements.

I don't think so

Regards,

Greg Kupillas, R.G., C.W.R.E.

Pacific Hydro-Geology Inc.

18477 S. Valley Vista Rd.

Mulino, OR 97042

503.632.5016



T9733_dpd.doc



cov-let.doc

Reply-To: <phggek@bctonline.com>
 From: "Greg Kupillas" <phggek@bctonline.com>
 To: "'Dorothy Pedersen'" <Dorothy.I.PEDERSEN@wrд.state.or.us>
 Subject: Remaining Needed Info for Bagley Ditch
 Date: Tue, 17 May 2005 10:48:10 -0700
 X-Security: MIME headers sanitized on kettle.wrd.state.or.us
 See <http://www.impsec.org/email-tools/sanitizer-intro.html>
 for details. \$Revision: 1.139 \$Date: 2003-09-07 10:14:23-07
 X-Mailer: Microsoft Outlook, Build 10.0.2627
 X-Spam-Checker-Version: SpamAssassin 2.63 (2004-01-11) on
 kettle.wrd.state.or.us
 X-Spam-Status: No, hits=-3.7 required=5.0 tests=BAYES_00,FORGED_OUTLOOK_TAGS,
 HTML_50_60,HTML_MESSAGE autolearn=no version=2.63
 X-Spam-Level:

-->

Dorothy,

After reviewing the responses to the request for information letter, I still have a few questions. These are discussed below.

Need Proof

C3625

?
 Dennis Glender's response to the location question for this certificate failed to provide any documentation to support why we should accept that the actual location is in the SE SW instead of the NE SW of the section as stated in the certificate. In Dennis' response, he says himself that ... "Tax Lot 200 is mostly contained in the SE ¼ SW ¼." He goes on to say that "The State Engineer did not require or determine the accuracy of this claim. If we simply call out the location of this right as Tax Lot 200,it will be most accurate as to location." I would be more than happy to give Dennis the benefit of the doubt in this case (and a few others like it), but I do not feel I have the authority to do it. Please advise.

*Based on proof of claims?
 copies in WM office?
 need doc. evidence for file to corroborate
 Dennis' conclusions*

C3629

Dennis says that TLs 1402 and 1502 are not participating in the transfer for a total of 1.55 acres. Dennis apparently is proposing that this 1.55 acres should be subtracted from the NE NW of Section 30 (T33S, R19E). However, I note that TL 1502 does not appear to cover any land included in this transfer, so only the omission of TL 1402, with a size of 1.33 acres, should affect the acreages. Based on the tax assessor's map, TL 1402 covers portions of the NE NW, NW NW, and SE NW of Section 30 (T33S, R19E). Using the dimensions of the tax lot boundaries for TL 1402, I have estimated that the acreages within the NE NW, NW NW, and SE NW quarter quarter sections are 0.75, 0.27, and 0.31 acres, respectively. Based on my estimates, I propose a different distribution of acreages for the lands included in the transfer:

*I will run this by Dennis
 - He agrees*

All within Section 30, T33S, R19E

NW NE 40.0 acres (no change)

SW NE 32.5 acres (no change)

NE NW 39.25 acres (revised from 38.45 per DG)

NW NW 19.13 acres (revised from 19.40 per DG)

SE NW 28.19 acres (revised from 28.5 per DG)

I believe this accurately reflects the affect that eliminating TL 1402 will have on the transfer. We have the option now of presenting this proposal to the applicant (Dennis) to see if he agrees, or just putting it in the DPD. If we do just put it in the DPD, then we might have to first present what the applicant proposed, and then show what we are suggesting, with supporting explanation, etc. It might just be easier and cleaner if we can get Dennis to agree before completing the DPD. Please advise.

C3631

I did not get any response to our inquiries regarding this certificate. Either I just didn't get it in my packet, or no response was submitted. Could you please check and let me know. I must have clarification on this question in order to complete the remaining rights certificate for this one.

Need to ask again for written statement - OK, received 5/25/05

C3662

Need Proof

I find that Dennis' response to this only confuses the issue. He provides some evidence that Lot 5 was originally in a different location, but offers no explanation as to why this is relevant. If we can accept that the certificate just got the location slightly wrong, putting the water right in the adjacent QQ section (a la C3625), then maybe this one goes away. Please advise.

- researching proof

C3672

Dennis overlooked a tiny tax lot (TL 2300), and therefore, has not provided all of the supporting documentation. Dennis has provided evidence that the person who owns the adjacent lot also owns TL 2300 (Michael Gibbons) and states there are no encumbrances on TL 2300. Dennis "begs relief" from having to get a new Lot Book Report, etc. Under the circumstances, I think we should accept what we have and move on. Do you agree? *Yes*

Also, regarding, the overlap with C3646, it makes sense to me to just not include C3646 in the transfer if it is redundant. What do you think?

Yes

C3686

This is another case where there is a difference between the location in the application and the location in the certificate which could be explained by inaccurate estimation by the State Engineer at the time of where the QQ section lines were located. If we can accept this, then we could say that all of TL 1101 (33 18 24C) could be included in the transfer. Technically speaking, however, only about 0.6 or 0.7 acres of TL 1101 appears to lie within the NW SW of Section 24 (T33S, R18E), with the remainder in the SW SW. Please advise.

- check proof - I believe it was originally partly in SW SW

C3695

Need Proof

After looking at the maps Dennis submitted with the application, I determined that the transfer was supposed to include both TLs 101 and 102, which have a total acreage of about 0.65 acres, but the application only listed TL 101. Now Dennis says the application should also include TL 100 for 0.40 acres. However, TL 100 is already included in C3647 for 0.2 acres. The total acreage in TL 100 is no more than 0.31 acres, so if we assume that the portion of TL 100 not covered by C3647 is part of C3695, it could be no more than about 0.1 acres, not 0.4 acres. It seems like TL has now been added to round out the acreage in response to the request for info letter. However, adding TL 100, which is also included in C3647, only further confuses the issue.

On top of all of this, Dennis still has not clarified the discrepancy in location, that is, the certificate says 0.4 acres in the NE SW and 0.3 acres in the SE SW. Both TLs 101 and 102 are entirely within the SE SW, and only about 0.1 acre of TL 100 is in the NE SW. As with other certificates, if we can accept that this is all due to an error by the State Engineer, then perhaps the location issue goes away. That still leaves us with the issue of potential overlap of TL 100 on certificates 3647 and 3695. What should we do?

Proof

C3696

I agree that the lot size should be reduced from 1.0 acre to 0.59 acres. What should we do about the remaining 0.41 acres? Technically, this area never really existed, so can we simply correct it through the transfer process, or is there some other procedure we need to follow? Please advise.

*~~Voluntary Consent~~ affidavit
more accurate description based on*

C3699

First note that I incorrectly identified this item as C3698 in the request for info letter. Based on the additional documentation provided by Dennis, it seems clear that the omission of the 40 acres in the NE NE Section 6 (T34S, R19E) on the certificate was a scrivener's error. Do you know how we correct this?

Finding

C72346

Referring to item number 5: According to the information provided by Dennis that was included in my packet, I got all of the required documentation for TL 301 (33 18 23D, Kelton and Lucille Butler) except a "Lot Book Service" report. Maybe he submitted it, but I did not get it for some reason. Could you check to see if it is in the files. If not, we'll have to ask Dennis for this again.

*Lot Book report lists T.L.300 but Attachment A includes
T.L.301*

That's all. I'll look forward to your responses. Meanwhile, I will be cranking out the DPD as best I can.

Regards,

Greg Kupillas, R.G., C.W.R.E.

Pacific Hydro-Geology Inc.

18477 S. Valley Vista Rd.

Mulino, OR 97042

503.632.5016

To: <phggek@bctonline.com>
From: Dorothy Pedersen <Dorothy.I.PEDERSEN@wrд.state.or.us>
Subject: Re: Bagley Ditch
Cc:
Bcc:
Attached:

Greg,

Yes, just accept the April 22, 2004 letter as documentation of ODFW's request for fish passage. They probably did not think there was a need to reiterate the request on the later standard comment form.

Most of the problems with the tax lot assignments to certificates seem to be in the South Addition and Second South Addition (Block L). The certificates assigned to that block are 3605, 3599, 3625, 3695 and 3647.

The decree describes the location of the 3605 right as "1.4 acres in the Northeast quarter of Southwest quarter of Section Twenty-four.....being Lots 1, 2, 9 and 10, South Addition to the Town of Paisley, Oregon." However, the original adjudication map prepared by John H. Lewis, State Engineer clearly shows that these lots are mostly in the SE SW, with a small portion in the NE SW (and the modern tax lot maps also show it that way). Therefore, I think we can conclude that there was a scrivener's error in the original description and that the land to which the right has always been appurtenant should be redescribed as: [the original lot description], being (approximate acreage) in the NE SW and (approximate acreage) SE SW]..... This seems to clearly correspond with tax lots 300 and 400 as in the application.

Certificate 3599's location is clearly identified in the decree as "Lot 3, Block L, South Addition, and Lot 8, Second South Addition. No $\frac{1}{4}$ $\frac{1}{4}$ or acreage description is included, but appears to match the west portion of modern tax lot 200, which would be approximately 0.7 acre, in NE SW, and mostly SE SW.

The rest of the block, being lots 4, 5, 6, 7 and two unnamed parcels cannot be assigned to certificates 3625, 3695 and 3647 with any certainty without more documentary evidence. I can see some alternative ways that the certificates might match up with the lots, that could solve some of the acreage questions, but will wait to see what we can find out from the proofs and possibly historic deed records.

Dorothy

At 11:52 AM 5/19/2005, you wrote:

-->

Dorothy,

One other thing (and very likely not the last): I have searched my files from a response from ODFW. I note that they submitted a letter to the OWRD dated April 22, 2004 in which they requested a waiver of 50% of the application fees for the transfer, and discussed removal of the Paisley Town weir, and removal of fish barriers, among other things. Also in the files is a letter from the OWRD dated October 22, 2004 (note: the OWRD request came after the ODFW letter), requesting a response from the ODFW by November 23, 2004. I cannot find any response from the ODFW in my files. Could you check your files to see if a response was submitted? If not, can we accept the ODFW April 22, 2004 letter as documentation of their desire to have fish passage at the new POD?

Regards,

Greg Kupillas, R.G., C.W.R.E.

Pacific Hydro-Geology Inc.

18477 S. Valley Vista Rd.

Mulino, OR 97042

503.632.5016

Dorothy Pedersen
Transfer Specialist
Oregon Water Resources Department
(503) 986-0890
FAX (503) 986-0904
Dorothy.I.PEDERSEN@wrd.state.or.us

Reply-To: <phggek@bctonline.com>
From: "Greg Kupillas" <phggek@bctonline.com>
To: "Dorothy Pedersen" <Dorothy.I.PEDERSEN@wrд.state.or.us>
Subject: RE: T-9733 (Bagley Ditch) Information request letter
Date: Fri, 25 Feb 2005 18:05:17 -0800
X-Security: MIME headers sanitized on kettle.wrd.state.or.us
See <http://www.impsec.org/email-tools/sanitizer-intro.html>
for details. \$Revision: 1.139 \$Date: 2003-09-07 10:14:23-07
X-Mailer: Microsoft Outlook, Build 10.0.2627
X-Spam-Checker-Version: SpamAssassin 2.63 (2004-01-11) on
kettle.wrd.state.or.us
X-Spam-Status: No, hits=1.6 required=5.0 tests=FORGED_OUTLOOK_TAGS,HTML_40_50,
HTML_MESSAGE autolearn=no version=2.63
X-Spam-Level: *

Dorothy,

Your comments are provided below with my responses in bold.

I looked over the letter and have a couple of comments. I talked with
Dennis Glender and explained that we will be asking for documentation that
lienholders have been informed of the transfer, as well as asking for some
other missing documentation and explanations about seeming discrepancies. **I hope he
is not surprised or disappointed to get a 10-page letter.**

I also found out that the proof claims are handwritten documents (in most
cases not accompanied by maps) that were bound into books and retained in
the Watermaster office, rather than at the courthouse. Dennis has borrowed
them from the Watermaster while putting together the transfer application. **That
helps to understand the source of the information on proofs. Thanks.**

The problems with proof 58 and 59 (concerning Certificate 3631) came about
partly from errors in one of the handwritten descriptions and partly from
the pages being bound out of the correct order. Evidently the 10 acres is
under another certificate that has not been included in the transfer, due
to errors in the decree that are to be settled in court.

**I have no trouble accepting this explanation, but we still need to know what should
be in the certificate so we can know what is not to be included in the transfer to
allow us to prepare the remaining right certificate.**

I think some of the other errors you have identified are clerical-type

errors that we can correct as the transfer order cancels certificates and results in superseding certificates that can correct the errors. Hopefully Dennis can give us a written description of the errors that pertain to the transferred portions of the affected certificates, so they can be put into findings in the order that will track the errors and their corrections. **Yes, I hope so.**

Certificate 3638, #1: Have you considered aerial photo evidence of irrigation as documentation to back up the affidavits for the Vickermans, USFS and the Parks? It looks to me as though those tax lots show water use, though the affidavits don't really give much specifics about how the water was used. I guess I don't see enough evidence of non-use to feel that we would gain much by asked for additional third-party affidavits. Am I missing something?

Initially, I guess I dismissed aerial photos as evidence of use for all but the larger users. After looking at the photo covering this certificate, I agree that it should be sufficient for Vickerman and USFS. However, because I have no way to enlarge the photos (at least not that I have been able to figure out), I would say I cannot see enough detail to make a positive determination for Parks. I thought we had already established that we would accept additional, third-party affidavits in the absence of other supporting documentation. So I suppose what we gain by getting the additional affidavit(s) is the documentation necessary to establish proof of use. I recommend we still request an additional, third party affidavit for Parks.

You expressed some concern that the affidavits don't give much specific information about how the water was used. If that level of detail is important, then I have maybe been too lenient in my review. Because of the nature and scope of this transfer, and based on feedback from you, I have actually made some real efforts to find reasons to give the applicant the benefit of the doubt in numerous instances when I felt the information was sketchy or marginal. If I had applied the same level of scrutiny to this transfer that I did to my first one, I probably would have ended up with a 25-page letter. It is difficult to know where to draw the line, and I want to do this according to the standards and policies of the Department. Any additional feedback from you on this subject would be welcome.

Certificate 3653, #3: Again, it appears to me that we might be able to consider the aerial photo as supporting evidence. Do you agree, or do you have concerns about whether the photo indicates sufficient use?

From the aerial photo, it looks somewhat dry. Without the ability to enlarge the photo, I cannot make a positive determination. I recommend we request an additional, third party affidavit.

Certificate 3671, #1: The aerial photo appears to indicate irrigation and shows a house. Do you agree that is sufficient documentation of use? Yes, I agree.

Certificate 3672, #1: The photo seems to indicate water use in T.L. 1800 (Jon Jones), but is less conclusive on T.L. 1900 (Mary Lou Sanchez). In addition, the affidavit from Mary Lou Sanchez was actually signed by Curt Weaver, so it seems rather shaky. I think we could live with the photo evidence for Jon Jones, but should ask for more from Mary Lou Sanchez. Do you agree? Yes, I agree.

Certificate 72346, #3: The aerial photo seems to show evidence of irrigation and a house in T.L. 23D-201 (Eugene C. Fellows Trust, so I'd say we accept the photo evidence. The affidavit for Hugh and Arlene Schultz only lists T.L. 1402, but the other documentation includes T.L. 600. I'd say we need an affidavit to address water use on T.L. 600. The affidavit for Len and Gloria Babb's property is signed by Len Babb and Martin F. Murphy. It is not clear to me in what capacity Martin F. Murphy has knowledge of the irrigation, so I suggest we get clarification or a separate affidavit from him.

Regarding TL 23D-201: I cannot get enough detail from the photo to make a positive determination. I recommend we request the additional, third party affidavit for this owner (Eugene C. Fellows Trust).

Regarding the affidavit for Hugh and Arlene Schultz: The affidavit in my file is for TL 600 (only), so I would say the Schultz's single affidavit is OK, but we still need supporting documentation. Because of the size of their lot, I would recommend we request the additional, third-party affidavit.

Regarding the affidavit for Len and Gloria Babb: I did not notice that Martin Murphy had also signed the affidavit (it makes me wonder what else I have missed). However, I assumed that since Len Babb signed the affidavit, it would be acceptable. If so, then we still need supporting documentation. Given the size of the lot, I would recommend we request the additional, third-party affidavit.

Certificate 72346, #7: The affidavits were embossed by the notary, which probably did not show in the copies, so they are valid. Since Ila Jean Branum has the same last name as Michael Branum, it is likely that they are related, and seems reasonable that she may have taken the papers with her when visiting Michael in South Carolina. I say we just accept the affidavits as sufficient evidence.

You're right, the embossed seals did not show up on my copies. I already considered the scenario you described for Ila Jean, but I guess I was too skeptical to accept it as more than a theory. If you are comfortable that we have enough information to accept Ila Jean's affidavit, then so am I.

Please let me know if you need anything else, or would like to discuss any of this further.

Regards,

Greg Kupillas, R.G., C.W.R.E.

Pacific Hydro-Geology Inc.

18477 S. Valley Vista Rd.

Mulino, OR 97042

503.632.5016

-----Original Message-----

From: Dorothy Pedersen [mailto:Dorothy.I.PEDERSEN@wrld.state.or.us]

Sent: Friday, February 25, 2005 11:24 AM

To: phggek@bctonline.com

Subject: T-9733 (Bagley Ditch) Information request letter

Let me know if you agree with my suggestions, or if you stand by your original requests. You have looked at this much more fully than I have. When I hear back from you I'll prepare to send the letter out, modified slightly if needed.

Thank you!

Dorothy

Dorothy Pedersen

Transfer Specialist

Oregon Water Resources Department

(503) 986-0890

FAX (503) 986-0904

Dorothy.I.PEDERSEN@wrd.state.or.us

To: "Dennis and Julie Glender" <djglender@gooselake.com>
From: Dorothy Pedersen <Dorothy.I.PEDERSEN@wrd.state.or.us>
Subject: T-9733 water right discrepancies
Cc: David Poe
Bcc:
Attached: S:\groups\fs\transfer\Transfer Files\9700-9799\9733\9733-3671&3672-MEMO.doc;
S:\groups\fs\transfer\Transfer Files\9700-9799\9733\9733-3625-3647-3662-3695-MEMO.doc;

Hi Dennis,

We are nearly ready to issue the draft preliminary determination for T-9733, however, I'd like you to check over the following memos regarding some of the apparent discrepancies between the water rights of record and current information about the appurtenant properties.

Let me know if you have comments on the proposed redescrptions, or can supply any further information to clarify the historic location and extent of these water rights.

Thanks,
Dorothy

Dorothy Pedersen
Transfer Specialist
Oregon Water Resources Department
(503) 986-0890
FAX (503) 986-0904
Dorothy.I.PEDERSEN@wrd.state.or.us

Oregon Water Resources Department



State of Oregon
Water Resources Department
725 Summer Street NE, Suite A, Salem, OR. 97301-1271
Phone: 503-986-0900
<http://www.wrd.state.or.us>

FAX TRANSMITTAL

To: Linda Krause

Fax Number: (414) 359-5556

Date: 5/3/05

Pages: 3, including cover sheet

From: Dorothy Pedersen

Phone: 503-986-0890

Comments:

The following certificates of water right describe the water rights that will be affected by the point of diversion change proposed by transfer T-9733. The water use will remain appurtenant to these properties, but will be diverted from the river at a different point than originally authorized.

DIRECTOR'S OFFICE

- Water Resources Commission
- Legislation and Rules
- Public Information

FIELD SERVICES

- Regional Liaisons
- Transfers
- Hydrographics

NORTHWEST REGION

- District 16 Watermaster

ADMINISTRATIVE SERVICES

- Fiscal / Accounting
- Human Resources / Personnel
- Water Development Loan Fund
- Support Services

TECHNICAL SERVICES

- Dam Safety
- Enforcement
- Ground Water
- Information Services
- GIS/Mapping
- Water Use Reporting

Fax: 503-986-0902

WATER RIGHTS

- Water Rights Information
- Adjudications
- Hydroelectric
- Certificates / Final Proofs
- Hearings / Contested Cases

Fax: 503-986-0901

Fax: 503-986-0903 or
503-986-0904

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

This is to Certify, That J. D. FARRA

of Paisley, State of Oregon has a right to the use of the waters of Chowaucan River, a tributary of Abert Lake for the purpose of the irrigation of 1.4 acres of land

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Lake County, and the said decree entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 5, at page 1; that the priority of the right thereby confirmed dates from 1900

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of 1/25 of a cubic foot per second per acre; and the aggregate quantity set forth below; and said right shall be subject to all other conditions and limitations contained in said decree.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows: (3.9 acre feet per acre during each irrigation season, being the period from April 1 to September 15 of each year) All of Block "K", South Addition to the Town of Paisley, in Lake County, Oregon.

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

WITNESS the seal and signature of the State Water Board, affixed this 15th day of July, 1922

STATE WATER BOARD

(Seal of State Water Board)

By PERCY A. GUPPER State Engineer, President

Attest:

R. W. POTTER Secretary

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

This is to Certify, That VIRGIL CONN

of Paisley, State of Oregon has a right to the use of

the waters of Chowaucan River, a tributary of Abert Lake

for the purpose of the irrigation of 3/4 of an acre of land

and that said right has been confirmed by decrees of the Circuit Court of the State of Oregon for Lake County, and the said decrees entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 5, at page 1; that the priority of the right thereby confirmed dates from April, 1900

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of 1/25 of a cubic foot per second per acre; and the aggregate quantity set forth below; and said right shall be subject to all other conditions and limitations contained in said decrees.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows: (3.9 acre feet per acre during each irrigation season, being the period from April 1 to September 15 of each year)

3/4 of an acre in the Northeast quarter of Southwest quarter of Section Twenty-four, Township Thirty-three South, Range Eighteen East of Willamette Meridian, in Lake County, Oregon.

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

WITNESS the seal and signature of the State Water Board, affixed this 15th day of July, 1922

STATE WATER BOARD

(Seal of State Water Board)

By PERCY A. CUPPER, State Engineer, President

Attest:

R. W. POTTER, Secretary

To: "Dennis and Julie Glender" <djglender@gooselake.com>
Subject: Re: Update on Bagley Ditch POD transfer 9733
Cc: phggeek@bctonline.com

Thank you Dennis. We'll look forward to receiving your package.
Dorothy

At 04:29 PM 3/31/2005, you wrote:

Dorothy,

I wanted to let you know that I am getting close to completing the update on transfer 9733, Bagley Ditch Corp POA.

I have few affidavits that need to be returned to me and I can put the package together. You will find some of my answers to your questions very interesting and the data to support them is very unique. I'll try and have the package on the way to you by Friday April 8, 2005.

Later,

Dennis Glender

Dorothy Pedersen
Transfer Specialist
Oregon Water Resources Department
(503) 986-0890
FAX (503) 986-0904
Dorothy.I.PEDERSEN@wrd.state.or.us

Business Registry Business Name Search

Business Entity Names returned for:

Name: BAGLEY DITCH CORP

Using: Exact Words in Any Word Order

01-18-2005

09:12

New Search

Assumed business name

Record No	Entity Type	Entity Status	Registry Number	Name Status	Name	Assoc Search
1	ABN	Inactive INA	390612-88	CUR	BAGLEY DITCH CORP.	
2	DNP	Active ACT	196752-97	CUR	BAGLEY DITCH CORP.	
3	DBC	ACT	000350-14	CUR	THE BAGLEY IRRIGATING DITCH COMPANY OF CHEWAUCAN VALLEY	


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Domestic Business Corporation

Domestic Non-profit Corporation

OREGON SECRETARY OF STATE
► Corporation Division

HOME SEARCH CONTACT US **business referral center** **business name search** oregon business guide
 information referral list business registry/renewal forms/fees notary public
 uniform commercial code uniform commercial code search custom searches & lists

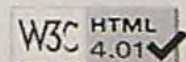


Business Name Search

Business Entity Types	
Code	Description
ABN	ASSUMED BUSINESS NAME
AOG	ACT OF GOVERNMENT
DBC	DOMESTIC BUSINESS CORPORATION
DBT	DOMESTIC BUSINESS TRUST
DCOOP	COOPERATIVE
DDINP	DISTRICT IMPROVEMENT NONPROFIT
DDIP	DISTRICT IMPROVEMENT PROFIT
DIL	DOMESTIC INDUSTRIAL LOAN
DLLC	DOMESTIC LIMITED LIABILITY COMPANY
DLLP	DOMESTIC REGISTERED LIMITED LIABILITY PARTNERSHIP
DLP	DOMESTIC LIMITED PARTNERSHIP
DNP	DOMESTIC NONPROFIT CORPORATION
DPC	DOMESTIC PROFESSIONAL CORPORATION
FBC	FOREIGN BUSINESS CORPORATION
FBT	FOREIGN BUSINESS TRUST
FIL	FOREIGN INDUSTRIAL LOAN
FLLC	FOREIGN LIMITED LIABILITY COMPANY
FLLP	FOREIGN REGISTERED LIMITED LIABILITY PARTNERSHIP
FLP	FOREIGN LIMITED PARTNERSHIP
FNP	FOREIGN NONPROFIT CORPORATION
FPC	FOREIGN PROFESSIONAL CORPORATION
REG	REGISTERED NAME
RES	RESERVED NAME

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For comments or suggestions regarding the operation of this site,
 please contact : businessregistry.sos@state.or.us



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Business Registry Business Name Search

[New Search](#)

Business Entity Data

01-14-2005
08:42

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Duration Date	Renewal Date
196752-97	DNP	ACT	OREGON	01-20-2004		01-20-2005
Entity Name	BAGLEY DITCH CORP.					
Foreign Name						
Non Profit Type	MUTUAL BENEFIT WITH MEMBERS					

[New Search](#)

Associated Names

Type	AGT	REGISTERED AGENT	Start Date	01-20-2004	Resign Date
Name	THOMAS	M	SHAW		
Addr 1	404 S 4TH ST				
Addr 2					
CSZ	KLAMATH FALLS	OR	97601	Country	UNITED STATES OF AMERICA

[New Search](#)

Name History

Business Entity Name	Name Type	Name Status	Start Date	End Date
BAGLEY DITCH CORP.	EN	CUR	01-20-2004	

Please read before ordering [Copies](#).

[New Search](#)

Summary History

Image Date	Action	Transaction Date	Effective Date	Status	Name/Agent Change	Dissolved By
01-20-2004	ARTICLES OF INCORPORATION	01-20-2004		FI	Agent	

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Business Registry Business Name Search

New Search

Business Entity Data

01-18-2005

09:18

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Duration Date	Renewal Date
000350-14	DBC	ACT	OREGON	02-22-1886		02-22-2005
Entity Name	THE BAGLEY IRRIGATING DITCH COMPANY OF CHEWAUCAN VALLEY					
Foreign Name						

This Business Entity is due for renewal and can be renewed online using



or



Online Renewal Instructions:

Please verify all data is correct, and then [Renew Online](#)

After renewing, to amend your business's information, use this form: [PDF](#)

New Search

Associated Names

Type	PPB PRINCIPAL PLACE OF BUSINESS					
Addr 1	404 S 4TH ST					
Addr 2	PO BOX 257					
CSZ	KLAMATH FALLS	OR	97601	0000	Country	UNITED STATES OF AMERICA

Type	AGT	REGISTERED AGENT			Start Date	02-25-1994	Resign Date
Name	THOMAS	J	SHAW				
Addr 1	404 S 4TH ST						
Addr 2	PO BOX 257						
CSZ	KLAMATH FALLS	OR	97601		Country	UNITED STATES OF AMERICA	

Type	PRE	PRESIDENT				
Name	THOMAS	J	SHAW			
Addr 1	404 S 4TH ST					
Addr 2	PO BOX 257					
CSZ	KLAMATH FALLS	OR	97601		Country	UNITED STATES OF AMERICA

Type	SEC	SECRETARY				
Name	DONALD	A	ISENSEE			
Addr 1	404 S 4TH ST					
Addr 2	PO BOX 257					
CSZ	KLAMATH FALLS	OR	97601		Country	UNITED STATES OF AMERICA

New Search

Name History

Business Entity Name	Name Type	Name Status	Start Date	End Date
THE BAGLEY IRRIGATING DITCH COMPANY OF CHEWAUCAN VALLEY	EN	CUR	02-22-1886	

Please read before ordering Copies.

New Search

Summary History

Image Date	Action	Transaction Date	Effective Date	Status	Name/Agent Change	Dissolved By
02-17-2004	ANNUAL REPORT PAYMENT	02-17-2004		SYS		
02-13-2003	ANNUAL REPORT PAYMENT	02-13-2003		SYS		
02-12-2002	ANNUAL REPORT PAYMENT	02-12-2002		SYS		
02-13-2001	ANNUAL REPORT PAYMENT	02-13-2001		SYS		
02-15-2000	STRAIGHT RENEWAL	02-15-2000		FI		
02-26-1999	NOTICE	03-01-1999		SYS		
03-02-1999	STRAIGHT RENEWAL	02-17-1999		FI		
02-09-1998	STRAIGHT RENEWAL	01-27-1998		FI		
02-19-1998	CHANGED RENEWAL	01-27-1998		FI		
02-28-1997	STRAIGHT RENEWAL	02-12-1997		FI		
02-28-1996	STRAIGHT RENEWAL	02-09-1996		FI		
02-21-1995	STRAIGHT RENEWAL	02-21-1995		FI		
03-04-1994	NOTICE	03-08-1994		SYS		
03-07-1994	AMENDED RENEWAL	02-25-1994		FI		
03-07-1994	AGENT/AUTH REP CHNG	02-25-1994		FI		
02-26-1993	NOTICE	03-02-1993		SYS		
03-01-1993	AMENDED RENEWAL	02-23-1993		FI		
03-01-1993	AGENT/AUTH REP CHNG	02-23-1993		FI		
01-31-1992	AMENDED RENEWAL	01-28-1992		FI		
02-21-1991	STRAIGHT RENEWAL	02-20-1991		FI		
02-22-1990	STRAIGHT RENEWAL	02-12-1990		FI		
02-10-1989	STRAIGHT RENEWAL	02-07-1989		FI		
02-26-1988	NOTICE	03-01-1988		SYS		
03-02-1988	STRAIGHT RENEWAL	03-01-1988		FI		
02-23-1987	AMENDED RENEWAL	02-18-1987		FI		
02-06-1986	STRAIGHT RENEWAL	01-31-1986		FI		
02-22-1985	STRAIGHT RENEWAL	02-15-1985		FI		

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To: phggekbctonline.com
From: Dorothy Pedersen <Dorothy.I.PEDERSEN@wrld.state.or.us>
Subject: T-9733 (Bagley Ditch) Information request letter
Cc:
Bcc:
Attached:

Good morning Greg,

I looked over the letter and have a couple of comments. I talked with Dennis Glender and explained that we will be asking for documentation that lienholders have been informed of the transfer, as well as asking for some other missing documentation and explanations about seeming discrepancies.

I also found out that the proof claims are handwritten documents (in most cases not accompanied by maps) that were bound into books and retained in the Watermaster office, rather than at the courthouse. Dennis has borrowed them from the Watermaster while putting together the transfer application.

The problems with proof 58 and 59 (concerning Certificate 3631) came about partly from errors in one of the handwritten descriptions and partly from the pages being bound out of the correct order. Evidently the 10 acres is under another certificate that has not been included in the transfer, due to errors in the decree that are to be settled in court.

I think some of the other errors you have identified are clerical-type errors that we can correct as the transfer order cancels certificates and results in superseding certificates that can correct the errors. Hopefully Dennis can give us a written description of the errors that pertain to the transferred portions of the affected certificates, so they can be put into findings in the order that will track the errors and their corrections.

Certificate 3638, #1: Have you considered aerial photo evidence of irrigation as documentation to back up the affidavits for the Vickermans, USFS and the Parks? It looks to me as though those tax lots show water use, though the affidavits don't really give much specifics about how the water was used. I guess I don't see enough evidence of non-use to feel that we would gain much by asked for additional third-party affidavits. Am I missing something?

Certificate 3653, #3: Again, it appears to me that we might be able to consider the aerial photo as supporting evidence. Do you agree, or do you have concerns about whether the photo indicates sufficient use?

Certificate 3671, #1: The aerial photo appears to indicate irrigation and shows a house. Do you agree that is sufficient documentation of use?

Certificate 3672, #1: The photo seems to indicate water use in T.L. 1800 (Jon Jones), but is less conclusive on T.L. 1900 (Mary Lou Sanchez). In addition, the affidavit from Mary Lou Sanchez was actually signed by Curt Weaver, so it seems rather shaky. I think we could live with the photo evidence for Jon Jones, but should ask for more from Mary Lou Sanchez. Do you agree?

Certificate 72346, #3: The aerial photo seems to show evidence of irrigation and a house in T.L. 23D-201 (Eugene C. Fellows Trust, so I'd say we accept the photo evidence. The affidavit for Hugh and Arlene Schultz only lists T.L. 1402, but the other documentation includes T.L. 600. I'd say we need an affidavit to address water use on T.L. 600. The affidavit for Len and Gloria Babb's property is signed by Len Babb and Martin F. Murphy. It is not clear to me in what capacity Martin F. Murphy has knowledge of the irrigation, so I suggest we get clarification or a separate affidavit from him.

Certificate 72346, #7: The affidavits were embossed by the notary, which probably did not show in the copies, so they are valid. Since Ila Jean Branum has the same last name as Michael Branum, it is likely that they are related, and seems reasonable that she may have taken the papers with her when visiting Michael in South Carolina. I say we just accept the affidavits as sufficient evidence.

Let me know if you agree with my suggestions, or if you stand by your original requests. You have looked at this much more fully than I have. When I hear back from you I'll prepare to send the letter out, modified slightly if needed.

Thank you!

Dorothy

Dorothy Pedersen

Transfer Specialist

Oregon Water Resources Department

(503) 986-0890

FAX (503) 986-0904

Dorothy.I.PEDERSEN@wrd.state.or.us

To: phggek@bctonline.com
From: Dorothy Pedersen <Dorothy.I.PEDERSEN@wrd.state.or.us>
Subject: T-9733 (Bagley Ditch) insights
Cc:
Bcc:
Attached:

Greg,

I spoke with Dennis Glender to let him know how we were coming on the review, and find out more about the origin of the maps.

He was aware that some affidavits are missing, so he'll not be too surprised at receiving a deficiency letter in the next few weeks.

The maps were drawn up by him back in about 1985-6 when he was the watermaster for that area. He used final proof maps and his own investigation to determine the lands to which the water right was actually appurtenant.

Dennis mentioned that some property owners in Paisley declined to participate in this transfer. Since the original POD will no longer be available if the transfer is approved, those water right holders will either need to file their own transfer applications for a change in POD, or risk their rights becoming subject to forfeiture after 5 continuous years of non-use. The Bagley Ditch company has anticipated the possibility that those water users may wish to move to the new POD after this transfer is approved, so the new POD and delivery system are designed with the capacity to divert the additional cfs, should it be required.

He also remarked that there was a scrivener's error on one of the old certificates. I think it resulted in the duplication of some acreage on two certificates. Have you found anything like that? If so, it could be noted in the DPD-PD-FO and corrected when new certificates are issued.

Dennis was pleased that the review is proceeding well.

Dorothy

Dorothy Pedersen
Transfer Specialist
Oregon Water Resources Department
(503) 986-0890
FAX (503) 986-0904
Dorothy.I.PEDERSEN@wrd.state.or.us

To: maryanne.webster@or.usda.gov
From: Dorothy Pedersen <Dorothy.I.PEDERSEN@wrd.state.or.us>
Subject: Request for color aerial photography
Cc:
Bcc:
Attached:

Maryanne,

In a phone conversation with you on January 11th, I explained our need for recent color aerial photos of some lands in Township 33 South, Ranges 18 and 19, in order to evaluate the use of irrigation water on lands involved in a water right transfer. The time period we are wanting to capture is the years 1999 through 2003 (up to May of 2004).

You mentioned that you could email such photo images to us by section, at a specified scale. We would like to request electronic photo images for the following sections:

T33S R18E Sections 23, 24, 25 and 36
T33S R19E Sections 19, 29, 30, 31, 32 and 33
T34S R19E Sections 5, 6, 7, 8, 9, 16 and 17
T35S R18E Section 34

The scale of the photos is not critical, but should be known. The scale of the maps we will be comparing the photos to is 1 mile = 4 inches. That would be easiest for comparison, but 1 mile = 8" would be just about as easy to use, and might reveal more detail, so either scale would be acceptable.

Please also indicate the dates of the photography.

Thank you very much!

Dorothy

Dorothy Pedersen
Transfer Specialist
Oregon Water Resources Department
(503) 986-0890
FAX (503) 986-0904
Dorothy.I.PEDERSEN@wrd.state.or.us

from Greg Kupillas 1/27/05

Request for color photos

Evidence of Use and "From" Land Check
Bagley Ditch Transfer

Certificate Number	Proposed EOU Support	EOU Confirmed	"From" Lands Confirmed	Remarks
2818	Photo?	No		
2870	Photo	No		Photo inconclusive
3233	Photo	No		Photo inconclusive
3599	2nd Affi	Yes		
3604	Photo			
3605	2nd Affi	No		Incorrect QQ in Affis for TL 300 (Murphy)
3622	2nd Affi	Yes		
3625	2nd Affi	No		Problem with location discrepancy
3629	Photo			Auth POU description in error
3630	2nd Affi	Yes		
3631	2nd Affi	Yes		
3635	2nd Affi	Yes		
3636	2nd Affi	Yes		
3638	2nd Affi	No		4 of 8 need 2nd, nothing at all for 1 of 8
3639	2nd Affi	Yes		
3641	2nd Affi/Photo	Yes/No		Have B&W, need to see color photos
3642	2nd Affi	No		1 of 2 needs all documentation (see notes)
3647	2nd Affi	Yes		
3653	2nd Affi	No		1 of 2 needs 2nd Affi
3654	2nd Affi	No		Have Affis, but signature pages missing
3655	2nd Affi	Yes		
3656	Photo			
3659	Photo			
3662	2nd Affi	Yes		
3666	Photo			<i>Call's for land in T355 R18E Sec 34?</i>
3669	Photo			
3671	2nd Affi			Needs 2nd third party Affi
3672	2nd Affi	Yes/No		2 of 5 need 2nd third party Affi
3673	2nd Affi	Yes		
3675	Photos/2nd	No/Yes		OK for 2nd Affi. Need check photos
3679	Photo			
3683	Photo			
3685	2nd Affi	Yes		
3686	2nd Affi	Yes		
3687	Photos/2nd	No/Yes		OK for 2nd Affi. Need check photos
3691	2nd Affi	Yes		
3695	2nd Affi	Yes		
3696	2nd Affi	Yes		
3697	2nd Affi	Yes		
3698	Photo			
3699	Photo			
72346	2nd/Photo	Yes/No		4 of 17 need 2nd. Need check photo
80631	Photo			

OREGON

Date: 29-DEC-2004

LAKE
HC 64 BOX 18; LAKEVIEW, OR 97630-0000
Telephone Number: (541) 947-2367

41037 (CHZ) Square Mile Land Use: 8340

PROG	%COV	YEAR	SCL	FILM	FMT	QTY	RECT	REMARKS
NAIP04	39	2004	2	NC	MR	1		Natural Color Compressed Mosaic
NAIP03	41	2003	2	NC	MR	1		Natural Color Compressed Mosaic
NAIP03		2003	2	NC	GT	289		Ortho Rectified
NDOP	100	1994	10	BW	PS	1		Black and White High Gloss Image Plot
NDOP	100	1994	1	BW	MR	3		Black and White Compressed Mosaic
NAIP03		2003	40	CP				
NAPP3	100	2001	40	BW			N	
NAPP2	100	1994	40	BW			N	
FSA	(P)	1989	40	BW	LI	3	Y	PROJECT SHEETS 24,27,34
NAPP1	10	1988	40	CIRP	SI	2	Y	PARTIAL COVERAGE
NHAP1	100	1982	60	CIRP			N	
FSA	(P)	1981	40	BW	PI	5	N	8982
FSA	(P)	1980	40	BW	PI	16	N	8981 A&B
FSA	(P)	1970	20	BW	PI	2	N	8980
FSA	(P)	1969	20	BW	PI	13	N	8979 A&B
FSA	(P)	1961	20	BW	PI	13	N	8978 A&B

LANE
1600 VALLEY RVR DR STE 230; EUGENE, OR 97401-2129
Telephone Number: (541) 465-6443

41039 (DBQ) Square Mile Land Use: 4610

PROG	%COV	YEAR	SCL	FILM	FMT	QTY	RECT	REMARKS
NAIP04	93	2004	2	NC	MR	2		Natural Color Compressed Mosaic
NAIP03	68	2003	2	NC	MR	1		Natural Color Compressed Mosaic
NAIP03		2003	2	NC	GT	276		Ortho Rectified
NDOP	100	1994	8	BW	PS	1		Black and White High Gloss Image Plot
NDOP	100	1994	1	BW	MR	2		Black and White Compressed Mosaic
NAIP03		2003	40	CP				
NAPP3	100	2000	40	BW			N	
NAPP2	100	1994	40	BW	DI	2	Y	PARTIALLY RECTIFIED
FSA	(P)	1989	40	BW	LI	2	Y	PROJECT SHEETS 18,23
NHAP1	100	1982	60	CIRP			N	
FSA	(P)	1979	40	BW	PI	12	N	8987 A&B
FSA	(P)	1968	20	BW	PI	12	N	8986 A&B
NRCS	(P)	1967	20	BW	PI	5	N	8985
NRCS	(P)	1966	20	BW	PI	3	N	8984
FSA	(P)	1960	20	BW	PI	7	N	8983

T335 R18 E
19 E

2003 aerial photography (color) is available
via email -

Request T, R, Sec. and scale desired
send request to marianne.webster@or.usda.gov

Aerial Imagery Catalog Listing
librariated at the

USDA - FSA
Aerial Photography Field Office
2222 West 2300 South
Salt Lake City, UT 84119-2020

801.975.3503 - Sales Section
801.975.3532 - Fax
801.975.3502 - TDD

sales@apfo.usda.gov
www.apfo.usda.gov

This catalog listing shows the various imagery coverage used by the U.S. Department of Agriculture (USDA). It shows imagery used primarily by the Farm Service Agency (FSA) and the Natural Resources and Conservation Service (NRCS).

Coverage is listed alphabetically by county. A Federal Information Processing Standard (FIPS) numerical code was assigned to each county after July 1, 1971. The previous imagery was assigned an alpha code.

Some form of an index (i.e. digital, line, photo, spot) is available for most imagery projects. The number of index sheets required for each project is shown on this listing.

Rectified enlargements are available from imagery used for FSA programs. Rectified means scale, tip and tilt data has been computed through an analytical aerotriangulation system and this allows for the production of true-to-scale enlargements for indicated projects. A limited amount of rectification data is also available for some NRCS projects.

Aerial imagery is now available in a digital format on CD-ROM, DVD, and 8mm tape. Compressed seamless and tone balanced county mosaics and the associated 7.5' tiles (MDOQ) are available where a compressed county mosaic is indicated in the catalog listing. Imagery secured with a digital camera is currently limited to the State of Hawaii.

Scanning Aerial photography film on repository at the APFO can also produce digital imagery products. Please review information provided at www.apfo.usda.gov/digitalproducts.html, or contact our sales office for further details on these products.

Offered in the catalog listing at each of the county's headings, is the FSA office address and phone number for that particular county. You may wish to visit this office to view the current rectified imagery and have them assist you in purchasing aerial photography from the APFO.

*\$50.00/CD-ROM = 1 county
Need^{file} viewer, or PowerPoint
www.apfo.usda.gov*

Glossary of Terms:

PROG	The program type used to identify the imagery. NAIP = National Agricultural Imagery Program NDOP = National Digital Ortho Program NAPP = National Aerial Photography Program USDA = U.S. Department of Agriculture Cooperative Program NHAP = National High Altitude Program FSA = Farm Service Agency NRCS = Natural Resource and Conservation Service *** Program types are frequently changed due to acquisition of new coverage.
%COV	The percentage of the county or project covered. If this is anything other than a 100%, research will be required to determine if your area of interest falls within the partially flown area.
YEAR	The majority year the source imagery was obtained.
RES/SCL	The metric resolution of the digital imagery (ex. 1 = 1 Meter Resolution) or the representative fraction scale of the photography (ex. 20 = 1:20,000)
BND/FILM	The original film type used in acquisition or the default storage format. BIP = Band Interleaved by Pixel BSQ = Band Sequential BIL = Band Interleaved by line NC = Natural Color CP = Color Positive CN = Color Negative BW = Black and White (Generally a negative film base). CIRP = Color Infrared Positive CIRN = Color Infrared Negative
FMT	Graphic Image Format(s) GT = GeoTiff (Georeferenced Tagged Image File) MR = MrSid (Multi-Resolution Seamless Image [compressed]) PS = Postscript TF = TIFF (Tagged Image File) Index Format(s) DI = Digital Index* LI = Line Index* SI = Spot Index* * A detailed line map indicating roll and exposure needed for coverage of that area. The number listed indicates the number of sheets available for that program area. PI = Photo Index A mosaic assembly of prints covering the program area.
QTY	Graphic Image Format(s) - The number of image files required to write off the complete project or county. Index Format(s) - The number of sheets available for that program area.
RECT	If "Y", rectification data is available. Scale accurate enlargements can be photographically reproduced.
REMARKS	Various notes pertinent to specific Program acquisitions.

Please contact us with any questions regarding the varying types of remarks for further details.

Customer Services: (801) 975-3503
(FAX): (801) 975-3532
(TDD): (801) 975-3502
Or email: sales@apfo.usda.gov

Reply-To: <phggek@bctonline.com>
 From: "Greg Kupillas" <phggek@bctonline.com>
 To: <Dorothy.I.Pedersen@wr.d.state.or.us>
 Subject: Bagley Ditch
 Date: Thu, 13 Jan 2005 17:09:26 -0800
 X-Security: MIME headers sanitized on kettle.wrd.state.or.us
 See <http://www.impsec.org/email-tools/sanitizer-intro.html>
 for details. \$Revision: 1.139 \$Date: 2003-09-07 10:14:23-07
 X-Mailer: Microsoft Outlook, Build 10.0.2627
 X-Spam-Checker-Version: SpamAssassin 2.63 (2004-01-11) on
 kettle.wrd.state.or.us
 X-Spam-Status: No, hits=1.3 required=5.0 tests=FORGED_OUTLOOK_TAGS,HTML_50_60,
 HTML_MESSAGE autolearn=no version=2.63
 X-Spam-Level: *

--> *5-5595/Permit 5-3411/Cert 2870 - worthless map*
S-3411 - Not in cabinet
S-5619 - "Withers ditch" map is the app map for 5-3480/Permit 5-5619/Cert 3233
 Dorothy, *T-6980 T-6801 - FPmap*
Decree

I have ground my way through the application to do my completeness checklist. The next thing I need to do is review the aerial photos for the evidence of use verification. Then I will need to do a final "From" lands check. However, before I go any farther, there are a few general issues/questions I have related to this transfer.

Need to Check

1) There are very few proof maps provided to show actual POUs for each certificate. In some cases, a map is not necessary, because some certificates list the specific lots which can then be identified on the tax assessor's maps. In the absence of a proof map or specific lot description, often the best we can do is verify that the property given in the application is in the same quarter quarter section listed in the certificate. This may be as good as it gets, but I wonder if more maps are available corresponding with the "proofs" for these certificates.

Decree map

2) Is Bagley Ditch Corporation an irrigation district? If not, what distinguishes a private ditch corporation from an irrigation district?

*Irrigation District formed under ~~OR 545~~ ORS Chapter 545
 Petition of ^{3%} landowners, hearing by County Court, division of districts, ^{+ set boundaries} election of board*

*ORS Chapter 554 Corporations for Irrigation, etc. - file document w/sec. of State, articles of incorporation etc.
 non-profit*

3) The only application maps provided with this transfer that are stamped by a CWRE include the one map showing the change in point of diversion, and another showing the one small change in POU. All other maps showing the locations of the affected POUs were apparently provided by the agent, and are not stamped by a CWRE. Does this meet with the Department's requirements? Should I rely on these maps for verification of "From" lands? - *FPmap OK if ΔPOD to serve entire right 380-3100(2)(c)*

4) Many of the lot book reports indicate encumbrances such as mortgages and trust deeds; however, no letters of notification to "lien holders" have been provided by the applicant. Are mortgages and trust deeds and other "encumbrances" not specifically listed as "liens" to be considered the same as liens for the purpose of identifying parties that are required to be notified of the proposed transfer? - *Yes*

5) Many of the certificates involve several separate tax lots owned by separate individuals. In several cases, not

all of the property owners covered by a given certificate have agreed to participate in this transfer. Since the original POD will be removed, what happens to those water right holders that are not participating in the transfer? Are their rights now subject to cancellation by the Department? Do remaining right certificates need to be prepared for these water right holders, and then eventually cancelled through forfeiture (since they will not be useable with the original POD)? Inquiring minds want to know.

They would be subject to forfeiture after 5 yrs. non-use

Make finding that those lands are not included

6) How particular do we (I) need to be regarding the completeness of information provided in the application? As an example, some property owners have filled out their own evidence of use affidavits, and have not filled in the quarter quarter sections, or left out some other small bits of information. In most cases, I can reasonably assume the intent, and probably complete the draft PD based on my assumptions. By exercising my best judgment and making educated assumptions, can I meet the Department's standards and the rule of law, or do I need to insist that all of the particulars are provided?

yes, as long as it is reasonably obvious that those lands are the ones the water was applied to + maps show location that matches the deed location

I look forward to your responses.

Regards,

Greg Kupillas, R.G., C.W.R.E.

Pacific Hydro-Geology Inc.

18477 S. Valley Vista Rd.

Mulino, OR 97042

503.632.5016

To: phggeek@bctonline.com
Subject: Evidence of use for T-9733

Hi Greg,

I talked to Dennis Glender and found out that most of the lands involved in the T-9733 POD change are either small properties with non-commercial water uses, for which we have agreed to accept a second affidavit as acceptable documentation of use, or they are smaller portions of much larger cattle operations, using flood irrigation for hay or pasture for cattle being raised on the property. Those operations don't have good ways of documenting the use of water on certain portions of land. We have agreed to accept the submitted aerial photography for the areas that clearly appear to be farmed.

I understand that some newer color aerial photography of that area may now be available, but it was not accessible at the time the application was being prepared. Keep track of the Township, Range and Sections where irrigation use appears questionable in the poor quality black and white copied photos. I am hoping that the questionable areas will not be extensive. For those areas, we will request either additional dated color aerial photos or additional affidavits from persons who would have knowledge of the use of water on those lands.

In the end, we should either have sufficient evidence to conclude that the acres proposed for transfer are not subject to forfeiture, or to pursue cancellation for non-use.

Does this answer your question?

Dorothy

Dorothy Pedersen
Transfer Specialist
Oregon Water Resources Department
(503) 986-0890
FAX (503) 986-0904
Dorothy.I.PEDERSEN@wrd.state.or.us

To: phggekbctonline.com
Subject: Templates for T-9733 (Bagley Ditch)
X-Attachments: S:\groups\fs\transfer\Templates\standard\PD_to_FO.dot;
S:\groups\fs\transfer\Templates\standard\DPD_cov_approve.dot;
S:\groups\fs\transfer\Templates\standard\DPD_SW.dot;
S:\groups\fs\transfer\Templates\standard\PD_cov_fav_nni.dot;
S:\groups\fs\transfer\Templates\standard\PD_cov_unfav_nni.dot;
S:\groups\fs\transfer\Templates\standard\PD_notice.dot;
S:\groups\fs\transfer\Templates\standard\DeficLet.dot;

Greg,

Hopefully I've attached fresh templates of all the types needed for this transfer. Let me know if you need any for remaining rights.

Dorothy

Dorothy Pedersen
Transfer Specialist
Oregon Water Resources Department
(503) 986-0890
FAX (503) 986-0904
Dorothy.I.PEDERSEN@wrd.state.or.us

Revised 7/5/05
**Reimbursement Authority Process
 Itemized Estimate Sheet
 for
Water Rights Transfer**

Application Number T-9733
 Name of Applicant: Bagley Ditch Corp.

Proposed Timeline

10/26/04	Public Notice (start of 30-day comment period).
	Completion of draft preliminary determination--1 week after contracts signed and removal of deficiencies, but not before the end of the Public Notice comment period and receipt of all agency reviews (Watermaster, groundwater and ODFW as applicable).
	Deadline for applicant review of draft preliminary determination--30 days or more after draft PD mailed to applicant, depending on issues to be resolved.
	Completion of contract work: Submittal of preliminary determination, PD cover letter, Final Order, public notice (and remaining rights certificates if applicable)--*within 3 business days after comments received from applicant that the draft is satisfactory, or after the end of the period for applicant to comment on draft PD and remedy deficiencies.

For purposes of water right transfers, all deliverables must be in Microsoft Word except remaining right certificates for which electronic copies of the existing certificates are currently available in WordPerfect.

Estimate

	Item	Time
1	Review of application for completeness.	26.0
2	Review of "From" lands to confirm consistency with existing right(s) and ownership.	16.0
3	Review of "To" lands for conflicts and preparation of draft deficiency letter (if necessary).	18.0
4	Preparation of draft preliminary determination and cover letter.	24.0
5	Preparation of "final" preliminary determination, public notice, cover letter, Final Order, (and remaining right certificate(s) if necessary).	11.0
Total Estimated Time:		95.0

(Indicate the estimated amount of time, in 1/2 hour increments, needed to complete each item listed.)

Prior to preparing an estimate, contact Department staff if work could not be performed consistent with the proposed timeline. In developing the estimate, review the transfer application, transfer map, existing certificate, and final proof map. Pay particular attention to the clarity of the existing rights and the complexity of the request.

Name of Consultant: Pacific Hydro-Geology

Authorized Representative: *Don A. [Signature]*

Date: *7/5/05*

**Reimbursement Authority Process
Itemized Estimate Sheet
for
Water Rights Transfer**

Application Number T-9733

Name of Applicant: Bagley Ditch Corp.

Proposed Timeline

10/26/04	Public Notice (start of 30-day comment period).
1/26/05	Completion of draft preliminary determination--1 week after contracts signed and removal of deficiencies, but not before the end of the Public Notice comment period and receipt of all agency reviews (Watermaster, groundwater and ODFW as applicable).
3/1/05	Deadline for applicant review of draft preliminary determination--30 days or more after draft PD mailed to applicant, depending on issues to be resolved.
3/10/05	Completion of contract work: Submittal of preliminary determination, PD cover letter, Final Order, public notice (and remaining rights certificates if applicable)--within 3 business days after comments received from applicant that the draft is satisfactory, or after the end of the period for applicant to comment on draft PD and remedy deficiencies.

For purposes of water right transfers, all deliverables must be in Microsoft Word except remaining right certificates for which electronic copies of the existing certificates are currently available in WordPerfect.

Estimate

	Item	Time
1	Review of application for completeness.	12
2	Review of "From" lands to confirm consistency with existing right(s) and ownership.	21.5
3	Review of "To" lands for conflicts and preparation of draft deficiency letter (if necessary).	7
4	Preparation of draft preliminary determination and cover letter.	12.5
5	Preparation of "final" preliminary determination, public notice, cover letter, Final Order, (and remaining right certificate(s) if necessary).	12
Total Estimated Time:		65

(Indicate the estimated amount of time, in ½ hour increments, needed to complete each item listed.)

Prior to preparing an estimate, contact Department staff if work could not be performed consistent with the proposed timeline. In developing the estimate, review the transfer application, transfer map, existing certificate, and final proof map. Pay particular attention to the clarity of the existing rights and the complexity of the request.

Name of Consultant: Pacific Hydrogeology Inc.

Authorized Representative: _____

Date: 12/1/04

To: phggek@bctonline.com
Subject: Public Notice for T-9733

Greg,

In looking at the template for the public notice and comparing it with the elements that OAR 690-380-4020 requires, I think the public notice can be constructed so that it is not TOO cumbersome.

The notice needs to show the applicant's name, type of change(s) proposed and the cfs involved, as well as the source and the location of the POU. I think you can give the total cfs that will be affected by the POD change from a named source as one amount, then give the Township/Range/Section of the existing PODs, and the T/R/S of the proposed POD. Then you might list the numbers of the certificates to be affected by the change, followed in each case by the priority year in parentheses, lumped by type of use and T/R/S of the POU. This would compact the list as much as possible.

Any way you do it, the public notice is going to take a fair amount of time to prepare, but try to limit the information to section, (not ¼ ¼ sections), and lump things together as much as you can. The tables organized by T/R/S prepared by the agent may be helpful as a start.

Let me know if you have further questions. This project is going to be a real exercise in organization!

Hope that helps,
Dorothy

Dorothy Pedersen
Transfer Specialist
Oregon Water Resources Department
(503) 986-0890
FAX (503) 986-0904
Dorothy.I.PEDERSEN@wrdd.state.or.us

To: phggekbctonline.com
Subject: T-9733 (Bagley Ditch Corp.)
Cc: Salem Opeifa
X-Attachments: S:\groups\fs\transfer\In Progress\Pedersen\Expedite\9733\9733-estimate.doc;

Hi Greg,

I'm sending the file materials for T-9733 (Bagley Ditch Co.) to you today, in a box and a tube. We're sending them regular mail, so they should get to you sometime next week.

An estimate form is attached. I took a wild guess at the time schedule. Since you'll be fitting this project in around your other work, just let us know if you want to alter the schedule.

The agent may be able to send some of the typed out contact information and lands listings in digital format. Let us know if you would find that helpful.

Thanks,

Dorothy

Dorothy Pedersen
Transfer Specialist
Oregon Water Resources Department
(503) 986-0890
FAX (503) 986-0904
Dorothy.I.PEDERSEN@wrd.state.or.us

**Reimbursement Authority Process
Itemized Estimate Sheet
for
Water Rights Transfer**

Application Number T-9733

Name of Applicant: Bagley Ditch Corp.

Proposed Timeline

10/26/04	Public Notice (start of 30-day comment period).
1/26/05	Completion of draft preliminary determination--1 week after contracts signed and removal of deficiencies, but not before the end of the Public Notice comment period and receipt of all agency reviews (Watermaster, groundwater and ODFW as applicable).
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Estimate

	Item	Time
1	Review of application for completeness.	
2	Review of "From" lands to confirm consistency with existing right(s) and ownership.	
3	Review of "To" lands for conflicts and preparation of draft deficiency letter (if necessary).	
4	Preparation of draft preliminary determination and cover letter.	
5	Preparation of "final" preliminary determination, public notice, cover letter, Final Order, (and remaining right certificate(s) if necessary).	
Total Estimated Time:		

(Indicate the estimated amount of time, in ½ hour increments, needed to complete each item listed.)

Prior to preparing an estimate, contact Department staff if work could not be performed consistent with the proposed timeline. In developing the estimate, review the transfer application, transfer map, existing certificate, and final proof map. Pay particular attention to the clarity of the existing rights and the complexity of the request.

Name of Consultant: Pacific Hydrogeology Inc.

Authorized Representative: _____ Date: _____

Shipping Checklist for Reimbursement Authority File

File T- 9733 Applicant: Bagley Ditch Corp. Agent: Dennis Glender

Ship to Contract Consultant: Pacific Hydrogeology

Items included:

- Copy of front of file folder
- Reimbursement Authority Estimate Application
- Transfer Application form
- Transfer map
- Evidence of use affidavit
- Supporting documentation for evidence of use
- Land-use Information form
- Lot book report (or deed if instream transfer, or application received before 7/1/03)
- Certificate or copy of decree for each right to be transferred
- Final Proof map or decree map for each right to be transferred
- Well logs (if change in POA, or SW POD to GW POA change)
- Watermaster review (all transfers)
- ODFW review, or letter indicating that ODFW comments were requested (if change in POD)
- GW review (if Δ POA, or POD to POA change)
- Copy of receipt for processing fees
- _____
- _____
- Itemized Estimate sheet for contractor

Additional things to check:

- All regular application processing fees paid
- Reimbursement Authority \$125 fee paid for preparing estimate
- Date of WRD initial Public Notice 10/26/04

File contents copied by Trent Hand Date 11/18/04

Make a copy of this shipping checklist when completed and place in original file

GLENDER'S HYDRO TECH SERVICES

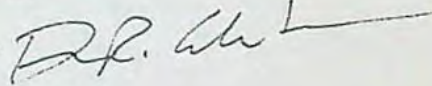
93291 Pike Ln LAKEVIEW, OREGON 97630
Telephone/Fax (541) 947-4718 Cell (541) 219-0806
E-mail djglender@gooselake.com

FAX

November 16, 2004

TO: Oregon Water Resources Dept
c/o Dorothy Pedersen

FROM: Dennis R. Glender



SUBJ: Reimbursement Authority Estimate Application for Water Right Transfer 9733

Please find attached a Reimbursement Authority Estimate Application for Water Right Transfer 9733 in the name of Bagley Ditch Corp..

Please use excess application fee's of \$125.00 already on file with OWRD to cover the cost of this application.

Thank you for your help.

**WATER RESOURCES DEPARTMENT
REIMBURSEMENT AUTHORITY ESTIMATE APPLICATION**

House Bill 2551(2003 Oregon Laws) authorizes the Oregon Water Resources Department to expedite or enhance regulatory processes voluntarily requested under the agreement. The voluntary agreement can be entered into with any person requesting services and agreeing to pay the Department's costs of providing the service.

The Department has established a pool of qualified contractors to perform expedited services for water right transfers, water right permits extensions, and water right certificates.

The purpose of this application is to obtain an estimate from the next qualified contractor in the appropriate pool. There is a non-refundable application fee of \$125.00 per request. The contractor will provide an estimate of the cost and of the time required to process and develop a recommendation on the request of a: (check one):

<u>REQUEST</u>	<u>TYPE</u>	<u>FILE NUMBER</u>
<input checked="" type="checkbox"/>	Transfer Application	<u>9733</u>
<input type="checkbox"/>	Certificate Request	_____
<input type="checkbox"/>	Extension of Time Request	_____

<u>Applicant Information</u>		<u>Applicant's Representative/Contact</u>
Name: (Please Print)	<u>Bayley Ditch Corp</u>	<u>Dennis R. Glender</u>
Address:	<u>39650 clover flat Rd.</u>	<u>93291 Pike Ln</u>
	<u>Paisley, OR 97636</u>	<u>Lakedew, OR 97630</u>
Phone:	<u>(541) 219-0428</u>	<u>(541)947-4718 (541) 219-0806</u>
Fax	<u>(541) 943-3590</u>	<u>(541)947-4718 call first</u>
E-Mail Address:	<u>jmerwin@centurytel.net</u>	<u>djglender@gooselake.com</u>

I understand the following:

- There is a non-refundable application fee of \$125.00 per request.
- That upon receipt of my non-refundable application fee in the amount of \$ 125.00, OWRD will assign my request to the next contractor in the pool of contractors performing expedited services.
- That this fee covers the copying, the mailing cost, as well as the cost for the contractor to evaluate and provide the estimate for processing of the request.
- That OWRD will provide all pertinent information to the assigned contractor within three (3) business days.
- That OWRD will, within fourteen (14) days, notify me in writing of the estimates of costs and time frame for the expedited service.
- That upon receiving the estimates I may agree or decline to enter into a formal contract to pay the estimated cost in advance to initiate the expedited service.
- An incomplete or inaccurate application may delay the process and increase the cost to process my request.
- Expedited processing does not guarantee a favorable review of my request.

I certify that I am the (check one) Applicant Applicant's Representative Other (Please specify) _____

Signature: D.R. Glender

Name: Dennis R. Glender

Glender's Hydro Tech Services

OWRD USE ONLY

Contractor Assigned:	Total Amount Paid: \$
OWRD Approval:	

STATE OF OREGON
WATER RESOURCES DEPARTMENT

725 Summer St. N.E. Ste. A
 97301-4172

RECEIPT # **67536**

INVOICE # _____

RECEIVED FROM: W.

BY: _____

CASH: CHECK: #

** Craig Foster*
ODFW contact, if
questions
Craig, A. Foster@state.or.us
(503) 657-2000 x248

T9733
\$175.00

1083 TREASURY

0407 COPIES
 OTHER

0243 I/S Lease

MISC
 0407 COPY

0410 RESEARCH

0408 MISC REVENUE: (IDENTIFY)

TC162 DEPOSIT LIAB. (IDENTIFY)

0240 EXTENSION OF TIME

WATER RIGHTS:

0201 SURFACE WATER

0203 GROUND WATER

0205 TRANSFER

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR

LANDOWNER'S PERMIT

OTHER (IDENTIFY)

EXAM FEE
\$
\$
\$175.00
EXAM FEE
\$

0202
0204

RECORD FEE
\$
\$
LICENSE FEE
\$
\$

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE

0210 MONITORING WELLS

OTHER (IDENTIFY)

\$
\$

CARD #
CARD #

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FWWRD)

0231 HYDRO LICENSE FEE (FWWRD)

HYDRO APPLICATION

\$
\$
\$

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ \$ _____

RECEIPT: **67536**

DATED: 5/26/04 BY: Linda Doepker

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **67536**

INVOICE # _____

RECEIVED FROM: W. Robert Lown

APPLICATION	
PERMIT	
TRANSFER	T9733

BY: _____

CASH: CHECK: # 10130 OTHER: (IDENTIFY)

TOTAL REC'D \$ 175.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES		\$
OTHER: (IDENTIFY)		\$
0243 I/S Lease	0244 Muni Water Mgmt. Plan	0245 Cons. Water

**RECEIVED
OVER THE COUNTER**

4270 WRD OPERATING ACCT

MISCELLANEOUS		
0407 COPY & TAPE FEES		\$
0410 RESEARCH FEES		\$
0408 MISC REVENUE: (IDENTIFY)		\$
TC162 DEPOSIT LIAB. (IDENTIFY)		\$
0240 EXTENSION OF TIME		\$
WATER RIGHTS:		
0201 SURFACE WATER	EXAM FEE \$	0202 RECORD FEE \$
0203 GROUND WATER	\$	0204 \$
0205 TRANSFER	\$ <u>175.00</u>	
WELL CONSTRUCTION		
0218 WELL DRILL CONSTRUCTOR	EXAM FEE \$	0219 LICENSE FEE \$
LANDOWNER'S PERMIT		0220 \$
OTHER (IDENTIFY)		

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE	\$	CARD #
0210 MONITORING WELLS	\$	CARD #
OTHER (IDENTIFY)		

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FWWRD)		\$
0231 HYDRO LICENSE FEE (FWWRD)		\$
HYDRO APPLICATION		\$

TREASURY OTHER / RDX

FUND _____ TITLE _____
 OBJ. CODE _____ VENDOR # _____
 DESCRIPTION _____ \$ _____

RECEIPT: **67536**

DATED: 5/26/04 BY: Linda Doepker

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **67535**

INVOICE # _____

RECEIVED FROM: Lora B. Mayea

APPLICATION	
PERMIT	
TRANSFER	<u>T-9733</u>

BY: _____

CASH: CHECK: # 7080 OTHER: (IDENTIFY)

TOTAL REC'D \$ 175.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407	COPIES		\$
	OTHER: (IDENTIFY)		\$
0243	I/S Lease		
	0244 Muni Water Mgmt. Plan		
	0245 Cons. Water		

**RECEIVED
OVER THE COUNTER**

4270 WRD OPERATING ACCT

MISCELLANEOUS			
0407	COPY & TAPE FEES		\$
0410	RESEARCH FEES		\$
0408	MISC REVENUE: (IDENTIFY)		\$
TC162	DEPOSIT LIAB. (IDENTIFY)		\$
0240	EXTENSION OF TIME		\$
WATER RIGHTS:			
0201	SURFACE WATER	EXAM FEE \$	0202 RECORD FEE \$
0203	GROUND WATER	\$	0204 \$
0205	TRANSFER	\$ <u>175.00</u>	
WELL CONSTRUCTION			
0218	WELL DRILL CONSTRUCTOR	EXAM FEE \$	0219 LICENSE FEE \$
	LANDOWNER'S PERMIT		0220 \$
	OTHER (IDENTIFY)		

0536 TREASURY 0437 WELL CONST. START FEE

0211	WELL CONST START FEE	\$	CARD #
0210	MONITORING WELLS	\$	CARD #
	OTHER (IDENTIFY)		

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233	POWER LICENSE FEE (FWWRD)		\$
0231	HYDRO LICENSE FEE (FWWRD)		\$
	HYDRO APPLICATION		\$

TREASURY OTHER / RDX

FUND _____ TITLE _____
 OBJ. CODE _____ VENDOR # _____
 DESCRIPTION _____ \$ _____

RECEIPT: **67535**

DATED: 5/26/04 BY: Linda Dreyer

STATE OF OREGON
WATER RESOURCES DEPARTMENT

725 Summer St. N.E. Ste. A
 SALEM, OR 97301-4172
 (503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **67534**

INVOICE # _____

RECEIVED FROM: <u>J-Spear Ranch Co.</u>	APPLICATION
BY: _____	PERMIT
CASH: <input type="checkbox"/> CHECK:# <input checked="" type="checkbox"/> <u>18757 OTHER: (IDENTIFY) <input type="checkbox"/> _____</u>	TRANSFER <u>T-9733</u>
TOTAL REC'D \$ <u>9100</u>	

1083 TREASURY 4170 WRD MISC CASH ACCT		
0407	COPIES	\$
_____	OTHER: (IDENTIFY) _____	\$
0243 I/S Lease _____	0244 Muni Water Mgmt. Plan _____	0245 Cons. Water _____

RECEIVED
OVER THE COUNTER

4270 WRD OPERATING ACCT		
MISCELLANEOUS		
0407	COPY & TAPE FEES	\$
0410	RESEARCH FEES	\$
0408	MISC REVENUE: (IDENTIFY) _____	\$
TC-162	DEPOSIT LIAB. (IDENTIFY) _____	\$
0240	EXTENSION OF TIME	\$
WATER RIGHTS:		
0201	SURFACE WATER	\$
0203	GROUND WATER	\$
0205	TRANSFER	\$ <u>9,100.00</u>
WELL CONSTRUCTION		
0218	WELL DRILL CONSTRUCTOR	\$
_____	LANDOWNER'S PERMIT	\$
_____	OTHER (IDENTIFY) _____	\$

EXAM FEE	RECORD FEE
\$ _____	0202 \$ _____
\$ _____	0204 \$ _____
\$ <u>9,100.00</u>	
EXAM FEE	LICENSE FEE
\$ _____	0219 \$ _____
	0220 \$ _____

0536 TREASURY 0437 WELL CONST. START FEE		
0211	WELL CONST START FEE	\$ _____
0210	MONITORING WELLS	\$ _____
_____	OTHER (IDENTIFY) _____	\$ _____

0607 TREASURY 0467 HYDRO ACTIVITY			LIC NUMBER
0233	POWER LICENSE FEE (FW/WRD)		\$
0231	HYDRO LICENSE FEE (FW/WRD)		\$
_____	HYDRO APPLICATION		\$

TREASURY	OTHER / RDX
FUND _____	TITLE _____
OBJ. CODE _____	VENDOR # _____
DESCRIPTION _____	\$ _____

RECEIPT: **67534**

DATED: 5/26/04 BY: Linda Doe