

Historic

Name Gary Jr. + Kendra D. West

Address PO Box 2231  
White city, OR 97503-0231  
begeewest@gmail.com

Change in POD

Date Filed 3/20/2023

Initial notice date 3/20/2023

DPD issued date \_\_\_\_\_

PD issued date \_\_\_\_\_

PD notice date \_\_\_\_\_

Date of FO 11/21/2023 Vol 129 Page 427

Correcting Order: 1/12/2024 129 656-657

C-Date \_\_\_\_\_

COBU due date \_\_\_\_\_

COBU Received date \_\_\_\_\_

Certificate issued \_\_\_\_\_

DESCRIPTION OF WATER RIGHT(S)

Name of Stream South Fork Little Butte Creek

Trib. of Little Butte Creek

Use Irrigation County Jackson

Quantity of water (CFS) \_\_\_\_\_ No. of Acres \_\_\_\_\_

Name of ditch \_\_\_\_\_

App# 5-6016 Per # 5-3727 Cert # 87044 PR Date 3/7/1918

App# \_\_\_\_\_ Per # \_\_\_\_\_ Cert # \_\_\_\_\_ PR Date \_\_\_\_\_

App# \_\_\_\_\_ Per # \_\_\_\_\_ Cert # \_\_\_\_\_ PR Date \_\_\_\_\_

App# \_\_\_\_\_ Per # \_\_\_\_\_ Cert # \_\_\_\_\_ PR Date \_\_\_\_\_

App# \_\_\_\_\_ Per # \_\_\_\_\_ Cert # \_\_\_\_\_ PR Date \_\_\_\_\_

FEES PAID		
Date	Amount	Receipt #
<u>3-20-2023</u>	<u>\$1,360.00</u>	<u>140341</u>

FEES REFUNDED		
Date	Amount	Receipt #

Assignments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Irrigation District \_\_\_\_\_

Agent \_\_\_\_\_

CWRE Jackson County

CC's list \_\_\_\_\_

- Oversized map - Location \_\_\_\_\_

WATER RIGHT TRANSFER COVER SHEET

Transfer: T-14193

Transfer Specialist: *Corey*

Transfer Type: Historic POD Transfer

Reimbursement Authority?

<b>Applicant:</b> GARY & KENDRA WEST PO BOX 2231 WHITE CITY, OR 97503	<b>Agent:</b> UNAVAILABLE	<b>Receiving Landowner:</b>
<b>Current Landowner if other than Applicant:</b>	<b>CWRE:</b>	<b>Irrigation District:</b>
<b>Affected Local Gov'ts:</b> Jackson County Planning & Development county Courthouse	<b>Affected Tribal Gov't:</b>	<b>BOR Notified (date):</b>

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
<input type="checkbox"/>	S-6016	S-3727	87044	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	

Key Dates & Initial Actions (Support Staff)

Rec'd: March 20, 2023	Proposed Action(s): POINT OF DIVERSION	
Fees Pd: 1360.00	Acknowledgement Letter Sent <input type="checkbox"/>	Basin: 15 Rogue
Initial Public Notice:	County sent cc: of Ack Letter <input type="checkbox"/>	County: JACKSON
WM District: 13 Shavon L. Haynes	WM Review request sent:	WM Review date received:
ODFW District:	ODFW Review sent:	ODFW Review date received:
Groundwater	GW Review sent:	GW Review date received:

Caseworker Actions: Newspaper & PD Notice:

Newspaper notice needed: <input type="checkbox"/> <i>N/A</i>	Name of Newspaper:
Newspaper notice sent to coordinator:	Newspaper notice quote requested (NRS1):
Request for news \$ sent:	News \$ received:
Affidavit of publication received:	Last day of publication:

Peer Review:

Document	Drafted	Peer Review	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	CW Sent: _____ WM Sheet <input type="checkbox"/> ODFW Sheet: <input type="checkbox"/>	<i>N/A</i>
PD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____ Data Review Date: _____	Date: _____	Date: _____
FO	Date: <i>9/26/23</i> Initials: <i>ce</i>	Date: <i>10/2/23</i> Initials: <i>Scott</i>	Date: <i>10/17/23</i> Initials: <i>PKS</i>	Date: <i>10/19/23</i> Initials: <i>ce</i>	Date: <i>11/21/2023</i> No. of docs for sig: _____	Date: _____
<i>Correcting order Special Issues.</i>	Date: <i>12/19/23</i> Initials: <i>ce</i>	Date: <i>12/19/23</i> Initials: <i>Jozm</i>	Date: <i>12/20/23</i> Initials: <i>PKS</i>	Date: <i>1/11/24</i> Initials: <i>ce</i>	Date: <i>1/11/24</i>	Date: <i>1/12/24</i>

Special Order Volume: Vol. *129* Pages *427*

Correcting Order: *129* *656-657*  
Transfer Cover Sheet



# Oregon

Tina Kotek, Governor

## Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

January 12, 2024

Gary and Kendra West  
PO Box 2231  
White City, OR 97503

Reference: T-14193 Superseding Correcting Final Order and Superseding Certificate

Enclosed is a correcting final order recorded in Special Order Vol. 129, Page 656, issued to correct a scrivener's error in the order recorded in Special Order Vol. 129, Page 427. A correcting certificate is also enclosed.

If you have any questions please contact your caseworker, Corey Courchane, by telephone at (503) 979-3917 or by e-mail at [corey.a.courchane@water.oregon.gov](mailto:corey.a.courchane@water.oregon.gov).

Sincerely,

Elyse Richman  
Water Right Support  
Transfers and Conservation Section

cc: Watermaster Dist. #13, Shavon L. Haynes (via email)

Enclosures

BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE  
STATE OF OREGON

In the Matter of Transfer Application            )     CORRECTING ORDER  
T-14193, Jackson County                        )

**Applicant**

GARY AND KENDRA WEST  
PO BOX 2231  
WHITE CITY, OR 97503

**Findings of Fact**

1. On November 21, 2023, the Department issued an order approving Transfer Application T-14193, involving Certificate 87044. The order was recorded at Special Order Volume 129, Page 427.
2. On November 27, 2023, the Department identified a scrivener's error in omission of the rate and duty paragraph as described in Certificate 87044:

"The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 4.5 acre-feet per acre for each acre irrigated during the irrigation season of each year."

3. The Department also determined that confirming Certificate 97484 incorrectly described the place of use for 2.27 acres of irrigation as follows:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
36 S	2 E	WM	33	SE NE	2.27
36 S	2 E	WM	33	SW NW	4.26
36 S	2 E	WM	33	SE NW	0.27
Total					6.80

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

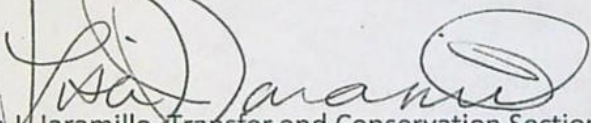
4. The place of use for irrigation of 2.27 acres is corrected to be described as follows:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
36 S	2 E	WM	32	SE NE	2.27
36 S	2 E	WM	33	SW NW	4.26
36 S	2 E	WM	33	SE NW	0.27
Total					6.80

Now, therefore, it is ORDERED:

1. The correcting order, as issued on November 21, 2023, is modified to correctly describe the rate and duty limitations, and to correctly describe the place of use for irrigation of 2.27 acres.
2. Water right Certificate 97484 is cancelled. A superseding certificate will be issued to correctly describe the authorized place of use.
3. All other provisions of Special Order Volume 129, Page 427 remain in effect.

Dated at Salem, Oregon this JAN 12 2024.

  
Lisa J. Jaramillo, Transfer and Conservation Section Manager, for  
DOUGLAS E. WOODCOCK, ACTING DIRECTOR  
Oregon Water Resources Department

Mailing Date: JAN 16 2024

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

GARY AND KENDRA WEST  
PO BOX 2231  
WHITE CITY, OR 97503

confirms the right to use the waters of SOUTH FORK LITTLE BUTTE CREEK, tributary to LITTLE BUTTE CREEK for IRRIGATION of 6.8 ACRES.

The right was perfected under Permit S-3727. The date of priority is MARCH 7, 1918. The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 0.09 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
36 S	2 E	WM	33	SW NW	POD 1 - 1185 FEET NORTH AND 560 FEET EAST FROM THE WEST 1/4 CORNER OF SECTION 33

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 4.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
36 S	2 E	WM	32	SE NE	2.27
36 S	2 E	WM	33	SW NW	4.26
36 S	2 E	WM	33	SE NW	0.27
Total					6.80

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

Water use measurement conditions:

- a. Prior to October 1, 2025, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of diversion, with the exception that water rights issued to the Bureau of Reclamation or an irrigation district (or similar entity) are not subject to this condition.
- b. The water user shall maintain the meters or measuring devices in good working order.
- c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

Prior to October 1, 2025, the water user shall install a fish screening and/or by-pass device, as appropriate, at the new point of diversion consistent with the Oregon Department of Fish and Wildlife's (ODFW) design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screen and/or by-pass device meets ODFW's criteria. Prior to submitting a Claim of Beneficial Use, the water user must obtain written approval from ODFW that the required screening and/or by-pass device was installed to the state's criteria. The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.

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

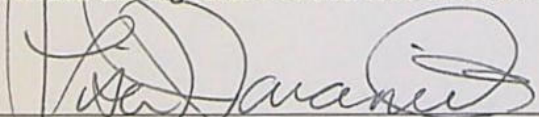
This correcting certificate is issued to confirm an HISTORIC CHANGE IN POINT OF DIVERSION approved by an order of the Water Resources Director entered JAN 12 2024, approving Transfer Application T- 14193, and supersedes Certificate 97484, State Record of Water Right Certificates.

The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

And said right shall be subject to all other conditions and limitations contained in said decree.

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 JAN 12 2024.



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for  
DOUGLAS E. WOODCOCK, ACTING DIRECTOR  
Oregon Water Resources Department

## COURCHANE Corey A \* WRD

---

**From:** MARTIN Duff A \* WRD  
**Sent:** Wednesday, December 13, 2023 7:39 AM  
**To:** COURCHANE Corey A \* WRD  
**Subject:** RE: T-14193

Hi Corey,

I'm sure you noticed that this had already been signed so maybe you needed a correcting cert? If it's not too late I also just noticed that the 2.27 is in Section 32 not 33.

Thanks,



**Duff Martin**

Water Resources Data Technician 2  
Information Services

425 Summer St NE, Salem, OR 97301

<https://www.oregon.gov/owrd/>

Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

---

**From:** COURCHANE Corey A \* WRD <Corey.A.COURCHANE@water.oregon.gov>  
**Sent:** Thursday, December 07, 2023 1:26 PM  
**To:** MARTIN Duff A \* WRD <Duff.A.MARTIN@water.oregon.gov>  
**Subject:** RE: T-14193

Good afternoon Duff,

Thank you for catching that, as you are correct. The rate and duty paragraph needs to be included. Attached is a corrected copy. I will have Lisa re-sign before it goes out the door 😊

Thank you,

Corey

**COREY A COURCHANE |  
ALLOCATION OF CONSERVED WATER**

**Water Resources Department** | 725 Summer St. NE, Suite A | Salem, Oregon 97301

Work cell: 503 979-3917 | Fax: 503 986-0901

Email: [corey.a.courchane@water.oregon.gov](mailto:corey.a.courchane@water.oregon.gov) | Web: <http://www.oregon.gov/OWRD>

---

**From:** MARTIN Duff A \* WRD <Duff.A.MARTIN@water.oregon.gov>  
**Sent:** Monday, November 27, 2023 11:13 AM



To: COURCHANE Corey A \* WRD <[Corey.A.COURCHANE@water.oregon.gov](mailto:Corey.A.COURCHANE@water.oregon.gov)>

Subject: T-14193

Hi Corey,

I think you are missing the rate and duty paragraph from Cert 97484 from T-14193. Maybe you didn't need it?

Thanks,

OREGON



WATER RESOURCES  
DEPARTMENT

**Duff Martin**

Water Resources Data Technician 2  
Information Services

425 Summer St NE, Salem, OR 97301

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Integrity | Service | Technical Excellence | Teamwork | Forward-Looking



# Oregon

Tina Kotek, Governor

## Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

November 21, 2023

GARY & KENDRA WEST  
PO BOX 2231  
WHITE CITY, OR 97503

REFERENCE: Transfer Application T-14193

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

Also enclosed is a certificate issued to confirm the historic change in point of diversion approved by the final order contained herein. Please read this document carefully and abide by the requirements.

If you have any questions related to the approval of this temporary transfer, you may contact your caseworker, Corey Courchane by telephone at (503) 979-3917 or by e-mail at [Corey.A.Courchane@oregon.gov](mailto:Corey.A.Courchane@oregon.gov).

Sincerely,

Julie C. Baustian

Water Right Services Support

Transfers and Conservation Section

cc: Shavon L. Haynes, Watermaster Dist. # 13 (via email)  
Jackson County

Enclosures

BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE  
STATE OF OREGON

In the Matter of Transfer Application     )  
T-14193, Jackson County                 )     FINAL ORDER APPROVING A CHANGE IN  
  )     POINT OF DIVERSION TO REFLECT HISTORIC  
  )     USE

**Authority**

ORS 540.532 establishes the process in which a water right holder may submit a request for a change in point of diversion to reflect historical use under an existing water right. OAR Chapter 690-380-2120 implements the statute and provides the Department’s procedures and criteria for evaluating historic point of diversion/appropriation transfer applications.

**Applicant**

GARY AND KENDRA WEST  
PO BOX 2231  
WHITE CITY, OR 97503

**Findings of Fact**

1. On April 19, 2023, GARY AND KENDRA WEST filed a transfer application for authorization of an historic point of diversion under Certificate 87044. The Department assigned the application number T-14193.
2. Notice of the application for transfer was published on March 28, 2023, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. The right to be transferred is as follows:

**Certificate:** 87044 in the name of GARY WEST (perfected under Permit S-3727)  
**Use:** IRRIGATION of 6.8 ACRES  
**Priority Date:** MARCH 7, 1918  
**Rate:** 0.09 CUBIC FOOT PER SECOND  
**Limit/Duty:** The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each

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

acre irrigated, and shall be further limited to a diversion of not to exceed 4.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

**Source:** SOUTH FORK LITTLE BUTTE CREEK, tributary to LITTLE BUTTE CREEK

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
36 S	2 E	WM	33	NE SW	POD 2 - SOUTH 79 DEGREES 45 MINUTES EAST, 2045 FEET FROM THE W1/4 CORNER OF SECTION 33

**Authorized Place of Use:**

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
36 S	2 E	WM	32	SE NE	2.27
36 S	2 E	WM	33	SW NW	4.26
36 S	2 E	WM	33	SE NW	0.27
Total					6.80

- Transfer Application T-14193 proposes to move the authorized point of diversion to reflect historical use, approximately 2757 feet downstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
36 S	2 E	WM	33	SW NW	POD 1 - 1185 FEET NORTH AND 560 FEET EAST FROM THE WEST 1/4 CORNER OF SECTION 33

- The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screening and/or by-pass device is necessary at the new point of diversion to prevent fish from entering the diversion and/or safely transport fish back to the body of water from which the fish were diverted and that the diversion is not currently equipped with an appropriate fish screening and/or by-pass device. This diversion may be eligible for screening cost share funds.

**Transfer Review Criteria (ORS 540.532 and OAR 690-380-2120)**

- Pursuant to OAR 690-380-2120(2)(a), evidence has been submitted that the actual, current point of diversion for the water right in question, as described in Finding No. 4, has been in use for more than 10 years.
- Pursuant to OAR 690-380-2120(2)(c), the Watermaster provided a statement that to his knowledge there has been no complaint of injury due to the use of water at the actual, current point of diversion, prior to the transfer request.
- The Department did not identify any affected water rights pursuant to OAR 690-380-2120(3).
- Water has been used within the last five years according to the terms and conditions of the right. There is no evidence available that would demonstrate that the right is subject to forfeiture under ORS 540.610.

10. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right are present.
11. The proposed change would not result in enlargement of the right.
12. The proposed change would not result in injury to other water rights.

**Conclusions of Law**

The proposed change in point of diversion to reflect historical use in application T-14193 is consistent with the requirements of ORS 540.532, and OAR 690-380-2120.

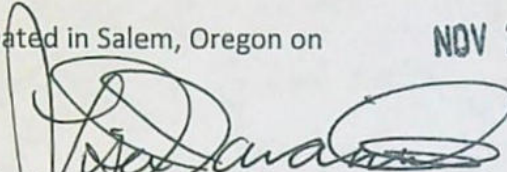
**Now, therefore, it is ORDERED:**

1. The change proposed in T-14193 is approved and effective immediately.
2. 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 Certificate 87044 and any related decree.
3. Water right certificate 87044 is cancelled. Certificate 97484 will be issued to describe the change in point of diversion for the right included in T-14193. The new Certificate shall supersede Certificate 87044.
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. Water use measurement conditions:
  - a. Prior to October 1, 2025, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of diversion, with the exception that water rights issued to the Bureau of Reclamation or an irrigation district (or similar entity) are not subject to this condition.
  - b. The water user shall maintain the meters or measuring devices in good working order.
  - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

6. Prior to October 1, 2025, the water user shall install a fish screening and/or by-pass device, as appropriate, at the new point of diversion consistent with the Oregon Department of Fish and Wildlife's (ODFW) design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screen and/or by-pass device meets ODFW's criteria. Prior to submitting a Claim of Beneficial Use, the water user must obtain written approval from ODFW that the required screening and/or by-pass device was installed to the state's criteria. The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.

Dated in Salem, Oregon on

**NOV 21 2023**



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for  
DOUGLAS E. WOODCOCK, ACTING DIRECTOR  
Oregon Water Resources Department

Mailing date:

**NOV 22 2023**

**OWRD RECEIVED**  
courchca, 11/14/2023, 8:16:32 AM

# FIRST AMERICAN TITLE

## Property Research Report

**SUBJECT PROPERTY**

3671 S F Little Butte Cr  
10750495  
362E330000403  
Jackson

**OWNER**

West, Gary Jr  
West, Kendra D

**DATE PREPARED**

11/13/2023

**PREPARED BY**

lrking@firstam.com



*First American Title*

Customer Service Department

541.776.4555

cservice@firstam.com

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**First American Title™**

**Jackson County Property Profile Information**

Parcel #: 10750495  
 Tax Acct#: [REDACTED]  
 Owner: **West, Gary Jr**  
 CoOwner: West, Kendra D  
 Site: **3671 S F Little Butte Cr**  
**OR 97524**  
 Mail: PO Box 2231  
 White City OR 97503  
 Land Use: 559 Farm - Exclusive Farm Use (EFU) - Man  
 Std Land Use: CMOB - Mobile Home Parks, Trailers  
 Legal:  
 Twn/Rng/Sec: 36S / 02E / 33

**ASSESSMENT & TAX INFORMATION**

Market Total: **\$245,800.00**  
 Market Land: **\$104,900.00**  
 Market Impr: **\$140,900.00**  
 Assessment Year: **2023**  
 Assessed Total: **\$110,980.00**  
 Exemption:  
 2022 Taxes: **\$1,071.75**  
 Levy Code: 0921  
 Levy Rate: 9.9466

**PROPERTY CHARACTERISTICS**

Year Built: 1986  
 Bedrooms:  
 Bathrooms: 2  
 Total SF: 1,404 SqFt  
 Basement SF:  
 Lot Size: 1.01 Acres (43,995 SqFt)  
 Garage SF: 768 SqFt  
 Heat Source:  
 Fireplace:  
 Lot:  
 Block:  
 Plat/Subdiv:  
 Zoning: County-EFU  
 School Dist: 9 Eagle Point  
 Primary School: Hillside Elementary  
 Middle School: Eagle Point Middle School  
 High School: Eagle Point High School  
 Census: 2039 - 002500  
 Watershed: Little Butte Creek  
 Recreation:

**SALE & LOAN INFORMATION**

Sale Date: 04/23/2004  
 Sale Amount: \$296,000.00  
 Document #: 22425  
 Deed Type: Deed  
 Loan Amount: \$135,000.00  
 Lender: JOHNSON  
 Loan Type: Private Party Lender  
 Interest Type: FIX  
 Title Co: AMERITITLE

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**IMPROVEMENT: 74753**

**PARCEL ID: 10750495**

Improvement Use: 962

Improvement Desc: MANF STRCT Double wide

Year Built: 1986

% Complete:

Condition:

Eff Year Built: 1986

Total SqFt: 1,404

Bedrooms:

Roof Type:

Finished SqFt: 1,404

Bathrooms:

Roof Mat:

Unfinished SqFt:

Garage SqFt:

1st Floor SqFt: 1,404

Basement Fin SqFt:

Carpport SqFt:

2nd Floor SqFt:

Basement Unfin SqFt:

Patio:

3rd Floor SqFt:

Attic Fin SqFt:

Fireplace:

4th Floor SqFt:

Attic Unfin SqFt:

Heat Type:

**IMPROVEMENT: 44689**

**PARCEL ID: 10750495**

Improvement Use: 300

Improvement Desc: RESIDENCE Residential Other Improvements

Year Built: 1990

% Complete:

Condition:

Eff Year Built: 1990

Total SqFt:

Bedrooms:

Roof Type:

Finished SqFt:

Bathrooms:

Roof Mat:

Unfinished SqFt:

Garage SqFt:

1st Floor SqFt:

Basement Fin SqFt:

Carpport SqFt:

2nd Floor SqFt:

Basement Unfin SqFt:

Patio:

3rd Floor SqFt:

Attic Fin SqFt:

Fireplace:

4th Floor SqFt:

Attic Unfin SqFt:

Heat Type:



**First American Title™**

**Jackson County Property Profile Information**

Parcel #: 30120071  
 Tax Acct#: [REDACTED]  
 Owner: West, Gary Jr  
 CoOwner: West, Kendra D  
 Site: 3671 S F Little Butte Cr  
 Eagle Point OR 97524 - 5526  
 Mail: 3671 Fork Little Butte Cr Rd  
 Eagle Point OR 97524 - 5526  
 Land Use: 559 Farm - Exclusive Farm Use (EFU) - Man  
 Std Land Use: CMOB - Mobile Home Parks, Trailers  
 Legal:  
 Twn/Rng/Sec: 36S / 02E / 33

**ASSESSMENT & TAX INFORMATION**

Market Total: \$103,550.00  
 Market Land:  
 Market Impr: \$103,550.00  
 Assessment Year: 2023  
 Assessed Total: \$68,960.00  
 Exemption:  
 Taxes:  
 Levy Code: 0921  
 Levy Rate: 9.9466

**PROPERTY CHARACTERISTICS**

Year Built: 1986  
 Bedrooms:  
 Bathrooms: 2  
 Total SF:  
 Basement SF:  
 Lot Size: ()  
 Garage SF:  
 Heat Source:  
 Fireplace:  
 Lot:  
 Block:  
 Plat/Subdiv:  
 Zoning: County-EFU  
 School Dist: 9 Eagle Point  
 Primary School: Hillside Elementary  
 Middle School: Eagle Point Middle School  
 High School: Eagle Point High School  
 Census: 2039 - 002500  
 Watershed: Little Butte Creek  
 Recreation:

**SALE & LOAN INFORMATION**

Sale Date: 04/23/2004  
 Sale Amount: \$296,000.00  
 Document #: 22425  
 Deed Type: Deed  
 Loan Amount: \$135,000.00  
 Lender: JOHNSON  
 Loan Type: Private Party Lender  
 Interest Type: FIX  
 Title Co: AMERITITLE

Sentry Dynamics, Inc. and its customers make no representations, warranties or conditions, express or implied, as to the accuracy or completeness of information contained in this report.



**First American Title™**

**Jackson County Property Profile Information**

Parcel #: 10709614  
 Tax Acct#: [REDACTED]  
 Owner: West, Gary Jr  
 CoOwner: West, Kendra D  
 Site: S F Little Butte Cr  
 OR 97524  
 Mail: PO Box 2231  
 White City OR 97503  
 Land Use: 559 Farm - Exclusive Farm Use (EFU) - Man  
 Std Land Use: CMOB - Mobile Home Parks, Trailers  
 Legal:  
 Twn/Rng/Sec: 36S / 02E / 33

**ASSESSMENT & TAX INFORMATION**

Market Total: **\$427,570.00**  
 Market Land: **\$286,740.00**  
 Market Impr: **\$140,830.00**  
 Assessment Year: **2023**  
 Assessed Total: **\$36,201.00**  
 Exemption:  
 2022 Taxes: **\$460.87**  
 Levy Code: 0921  
 Levy Rate: 9.9466

**PROPERTY CHARACTERISTICS**

Year Built: 2005  
 Bedrooms:  
 Bathrooms:  
 Total SF: 1,320 SqFt  
 Basement SF:  
 Lot Size: 26.01 Acres (1,132,995 SqFt)  
 Garage SF:  
 Heat Source:  
 Fireplace:  
 Lot:  
 Block:  
 Plat/Subdiv:  
 Zoning: County-EFU  
 School Dist: 9 Eagle Point  
 Primary School: Hillside Elementary  
 Middle School: Eagle Point Middle School  
 High School: Eagle Point High School  
 Census: 2039 - 002500  
 Watershed: Little Butte Creek  
 Recreation:

**SALE & LOAN INFORMATION**

Sale Date: 04/23/2004  
 Sale Amount: \$296,000.00  
 Document #: 22425  
 Deed Type: Deed  
 Loan Amount: \$135,000.00  
 Lender: JOHNSON  
 Loan Type: Private Party Lender  
 Interest Type: FIX  
 Title Co: AMERITITLE

Sentry Dynamics, Inc. and its customers make no representations, warranties or conditions, express or implied, as to the accuracy or completeness of information contained in this report.

<b>IMPROVEMENT: 147553</b>		<b>PARCEL ID: 10709614</b>	
Improvement Use: 860	Improvement Desc: FARM BLDG GP Shed	Year Built: 2013	
% Complete:	Condition:	Eff Year Built: 2016	
Total SqFt: 500	Bedrooms:	Roof Type:	
Finished SqFt: 500	Bathrooms:	Roof Mat:	
Unfinished SqFt:		Garage SqFt:	
1st Floor SqFt:	Basement Fin SqFt:	Carport SqFt:	
2nd Floor SqFt:	Basement Unfin SqFt:	Patio:	
3rd Floor SqFt:	Attic Fin SqFt:	Fireplace:	
4th Floor SqFt:	Attic Unfin SqFt:	Heat Type:	
<b>IMPROVEMENT: 126077</b>		<b>PARCEL ID: 10709614</b>	
Improvement Use: 871	Improvement Desc: FARM BLDG Hay Cover	Year Built: 2007	
% Complete:	Condition:	Eff Year Built: 1970	
Total SqFt: 576	Bedrooms:	Roof Type:	
Finished SqFt: 576	Bathrooms:	Roof Mat:	
Unfinished SqFt:		Garage SqFt:	
1st Floor SqFt:	Basement Fin SqFt:	Carport SqFt:	
2nd Floor SqFt:	Basement Unfin SqFt:	Patio:	
3rd Floor SqFt:	Attic Fin SqFt:	Fireplace:	
4th Floor SqFt:	Attic Unfin SqFt:	Heat Type:	
<b>IMPROVEMENT: 147552</b>		<b>PARCEL ID: 10709614</b>	
Improvement Use: 871	Improvement Desc: FARM BLDG Hay Cover	Year Built: 2010	
% Complete:	Condition:	Eff Year Built: 2010	
Total SqFt: 1,080	Bedrooms:	Roof Type:	
Finished SqFt: 1,080	Bathrooms:	Roof Mat:	
Unfinished SqFt:		Garage SqFt:	
1st Floor SqFt:	Basement Fin SqFt:	Carport SqFt:	
2nd Floor SqFt:	Basement Unfin SqFt:	Patio:	
3rd Floor SqFt:	Attic Fin SqFt:	Fireplace:	
4th Floor SqFt:	Attic Unfin SqFt:	Heat Type:	
<b>IMPROVEMENT: 126075</b>		<b>PARCEL ID: 10709614</b>	
Improvement Use: 852	Improvement Desc: FARM BLDG Metal Component Bldg	Year Built: 2005	
% Complete:	Condition:	Eff Year Built: 2005	
Total SqFt: 1,320	Bedrooms:	Roof Type:	
Finished SqFt: 1,320	Bathrooms:	Roof Mat:	
Unfinished SqFt:		Garage SqFt:	
1st Floor SqFt:	Basement Fin SqFt:	Carport SqFt:	
2nd Floor SqFt:	Basement Unfin SqFt:	Patio:	
3rd Floor SqFt:	Attic Fin SqFt:	Fireplace:	
4th Floor SqFt:	Attic Unfin SqFt:	Heat Type:	

**STATEMENT OF TAX ACCOUNT**  
**JACKSON COUNTY TAX COLLECTOR**  
**JACKSON COUNTY COURTHOUSE**  
**MEDFORD, OR 97501**  
**(541) 774-6541**

13-Nov-2023

WEST GARY JR/KENDRA D  
 PO BOX 2231  
 WHITE CITY OR 97503-0231

Tax Account #	[REDACTED]	Lender Name	[REDACTED]
Account Status	A	Loan Number	
Roll Type	Real	Property ID	0921
Situs Address	3671 S F LITTLE BUTTE CR EAGLE POINT/COUNTY OR	Interest To	Nov 13, 2023

**Tax Summary**

Tax Year	Tax Type	Total Due	Current Due	Interest Due	Discount Available	Original Due	Due Date
2023	ADVALOREM	\$1,132.17	\$1,167.19	\$0.00	\$35.02	\$1,167.19	Nov 15, 2023
2022	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$1,071.75	Nov 15, 2022
2021	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$1,039.96	Nov 15, 2021
2020	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$1,144.04	Nov 15, 2020
2019	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$1,132.42	Nov 15, 2019
2018	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$1,107.20	Nov 15, 2018
2017	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$1,080.94	Nov 15, 2017
2016	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$1,053.14	Nov 15, 2016
2015	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$1,015.72	Nov 15, 2015
2014	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$985.69	Nov 15, 2014
2013	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$913.80	Nov 15, 2013
2012	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$878.09	Nov 15, 2012
2011	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$856.12	Nov 15, 2011
2010	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$849.27	Nov 15, 2010
2009	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$825.42	Nov 15, 2009
2008	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$818.82	Nov 15, 2008
2007	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$848.48	Nov 15, 2007
2006	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$814.85	Nov 15, 2006
2005	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$799.64	Nov 15, 2005
2004	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$330.36	Nov 15, 2004
2003	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$322.40	Nov 15, 2003
2002	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$307.94	Nov 15, 2002
2001	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$306.07	Nov 15, 2001
2000	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$231.12	Nov 15, 2000
1999	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$216.17	Nov 15, 1999
1998	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$208.78	Nov 15, 1998
1997	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$249.46	Dec 15, 1997
1996	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$272.54	Nov 15, 1996
<b>Total</b>		<b>\$1,132.17</b>	<b>\$1,167.19</b>	<b>\$0.00</b>	<b>\$35.02</b>		

**STATEMENT OF TAX ACCOUNT**  
**JACKSON COUNTY TAX COLLECTOR**  
**JACKSON COUNTY COURTHOUSE**  
**MEDFORD, OR 97501**  
(541) 774-6541

13-Nov-2023

WEST GARY JR/KENDRA D  
PO BOX 2231  
WHITE CITY OR 97503-0231

Tax Account #	[REDACTED]	Lender Name	[REDACTED]
Account Status	A	Loan Number	[REDACTED]
Roll Type	Real	Property ID	0921
Situs Address	S F LITTLE BUTTE CR EAGLE POINT/COUNTY OR	Interest To	Nov 13, 2023

**Tax Summary**

Tax Year	Tax Type	Total Due	Current Due	Interest Due	Discount Available	Original Due	Due Date
2023	ADVALOREM	\$479.06	\$493.88	\$0.00	\$14.82	\$493.88	Nov 15, 2023
2022	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$460.87	Nov 15, 2022
2021	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$414.68	Nov 15, 2021
2020	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$449.42	Nov 15, 2020
2019	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$443.85	Nov 15, 2019
2018	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$433.26	Nov 15, 2018
2017	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$426.87	Nov 15, 2017
2016	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$414.47	Nov 15, 2016
2015	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$399.32	Nov 15, 2015
2014	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$405.65	Nov 15, 2014
2013	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$379.02	Nov 15, 2013
2012	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$370.39	Nov 15, 2012
2011	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$354.92	Nov 15, 2011
2010	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$350.72	Nov 15, 2010
2009	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$991.09	Nov 15, 2009
2008	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$40.79	Nov 15, 2008
2007	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$37.61	Nov 15, 2007
2006	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$36.45	Nov 15, 2006
2005	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$31.54	Nov 15, 2005
2004	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$31.67	Nov 15, 2004
2003	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$31.41	Nov 15, 2003
2002	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$40.03	Nov 15, 2002
2001	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$27.64	Nov 15, 2001
2000	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$25.46	Nov 15, 2000
1999	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$24.85	Nov 15, 1999
1998	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$24.58	Nov 15, 1998
1997	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$24.76	Dec 15, 1997
1996	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$28.02	Nov 15, 1996
<b>Total</b>		\$479.06	\$493.88	\$0.00	\$14.82		

**STATEMENT OF TAX ACCOUNT**  
**JACKSON COUNTY TAX COLLECTOR**  
**JACKSON COUNTY COURTHOUSE**  
**MEDFORD, OR 97501**  
**(541) 774-6541**

13-Nov-2023

WEST GARY JR /KENDRA D  
 3671 S FORK LITTLE BUTTE CR RD  
 EAGLE POINT OR 97524-5526

Tax Account #	[REDACTED]	Lender Name	
Account Status	A	Loan Number	
Roll Type	MS	Property ID	0921
Situs Address	3671 S F LITTLE BUTTE CR EAGLE POINT/COUNTY OR	Interest To	Nov 13, 2023

**Tax Summary**

Tax Year	Tax Type	Total Due	Current Due	Interest Due	Discount Available	Original Due	Due Date
2004	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$483.89	Nov 15, 2004
2003	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$472.27	Nov 15, 2003
2002	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$451.11	Nov 15, 2002
2001	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$448.25	Nov 15, 2001
2000	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$338.38	Nov 15, 2000
1999	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$316.53	Nov 15, 1999
1998	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$308.77	Nov 15, 1998
1997	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$309.61	Dec 15, 1997
1996	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$381.55	Nov 15, 1996
	<b>Total</b>	\$0.00	\$0.00	\$0.00	\$0.00		

762560-KA 16



Jackson County Official Records 2004-022425  
R-WD  
Crt=1 Str=9 WALKERC 04/23/2004 02:30:55 PM  
\$15.00 \$5.00 \$11.00 Total:\$31.00



THIS SPACE RESER

Kathleen S. Beckett, County Clerk for Jackson County, Oregon,  
certify that the instrument identified herein was recorded in the Clerk  
records. Kathleen S. Beckett - County Clerk

After recording return to:  
GARY WEST JR  
2006 KNOWLES ROAD  
Medford, OR 97501

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

GARY WEST JR  
2006 KNOWLES ROAD  
Medford, OR 97501

Escrow No. AP0762560

### STATUTORY WARRANTY DEED

TAKASHI HIRATA and MASAKO HIRATA, husband and wife, as tenants by the entirety, Grantor(s) hereby convey and warrant to GARY WEST JR and KENDRA D. WEST, husband and wife, Grantee(s) the following described real property in the County of JACKSON and State of Oregon, free of encumbrances except as specifically set forth herein:

SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE

1-075049-5	362E33, TAX LOT 403
1-070961-4	362E33, TAX LOT 401
3-012007-1	362E33, TAX LOT 403

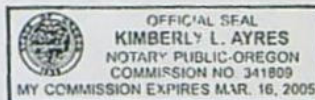
The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

The true and actual consideration for this conveyance is \$296,000.00.

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

Dated this 22<sup>nd</sup> day of April 2004.

TAKASHI HIRATA  
  
MASAKO HIRATA



State of Oregon  
County of JACKSON

This instrument was acknowledged before me on 4/22 2004 by TAKASHI HIRATA AND MASAKO HIRATA.

(Notary Public for Oregon)

My commission expires \_\_\_\_\_



EXHIBIT A

TL 401



PARCEL 1

Commencing at a 5/8 inch iron pin which bears North 1677.48 feet and West 682.61 feet from the quarter corner common to Sections 32 and 33, Township 36 South, Range 2 East, Willamette Meridian, Jackson County, Oregon, said iron pin being on the Easterly line of the County Road, which point is shown on Minor Land Partition Plat No. 9709, recorded in Volume 5, Page 136, Jackson County, Oregon, Minor Land Partitions, as a 5/8 inch iron pin on the Easterly boundary of Little Butte Creek Road, 149.11 feet North 03°00' West of the most Southwesterly corner of Parcel 1, shown on said Minor Land Partition; thence along the Easterly line of said road, South 03°00' East 149.11 feet, to a 5/8 inch iron pin; thence North 75°00' East 222.65 feet to a 5/8 inch iron pin; thence South 27°25' East 545.00 feet to a 5/8 inch iron pin and the true point of beginning; thence North 73°36'13" East, 630.23 feet to a 5/8 inch iron pin; thence continue North 73°36'13" East 278.59 feet, more or less, to the Easterly line of tract described in Volume 124, Page 556, Deed Records of Jackson County, Oregon; thence along the Easterly line of said tract as follows:

South 48°20' East 1014.0 feet; South 55°30' East 238.08 feet, more or less, to a point that is 550.0 feet North of the East-West centerline of said Section 33; thence West parallel with said East-West centerline and the East-West centerline of said Section 32, to a point on the Easterly line of the County Road; thence Northerly along said Easterly line, to a point which bears South 73°36'13" West from the true point of beginning; thence North 73°36'13" East, to the true point of beginning.

EXCEPTING THEREFROM: Commencing at a 5/8 inch iron pin which bears North 1677.48 feet and West 682.61 feet from the quarter corner common to Sections 32 and 33, Township 36 South, Range 2 East, Willamette Meridian, Jackson County, Oregon, said iron pin being on the Easterly line of the County Road, which point is shown on Minor Land Partition No. 9709, recorded in Volume 5, Page 136, Jackson County, Oregon, Minor Land Partitions, as a 5/8 inch iron pin on the Easterly boundary of Little Butte Creek Road, 149.11 feet North 03°00' West of the most Southwesterly corner of Parcel 1, shown on said Minor Land Partition; thence along the Easterly line of said road, South 03°00' East 149.11 feet, to a 5/8 inch iron pin; thence North 75°00' East 222.65 feet to a 5/8 inch iron pin; thence South 27°25' East, 545.00 feet to a 5/8 inch iron pin; thence North 73°36'13" East, 389.18 feet; thence South 16°23'47" East, 150.00 feet to the true point of beginning; thence continue South 16°23'47" East 210.00 feet; thence South 73°36'13" West 210.00 feet; thence North 16°23'47" West, 210.00 feet; thence North 73°36'13" East 210.00 feet to the true point of beginning.

Continued on next page

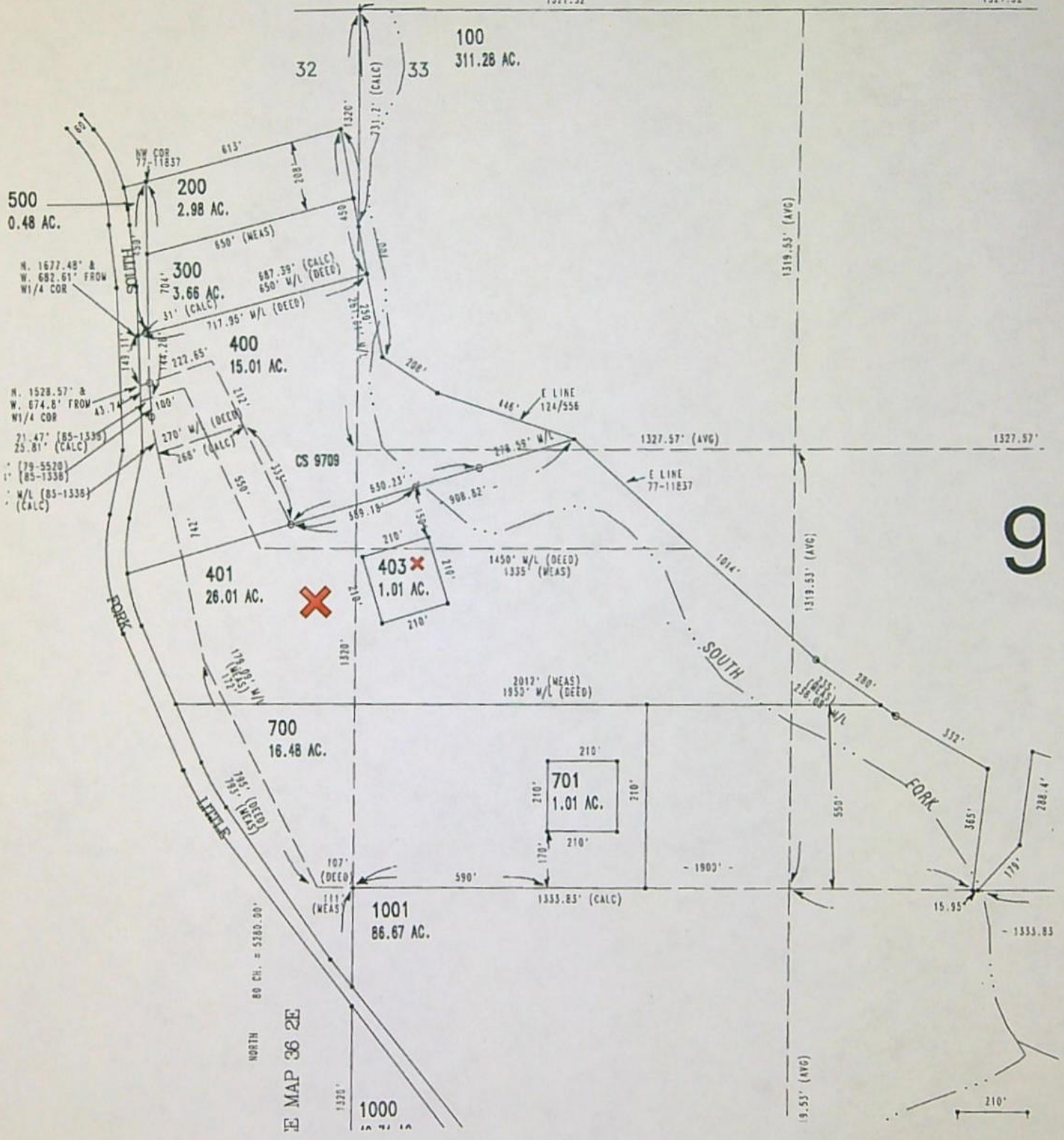
2

EXHIBIT A  
continued

PARCEL 2

Commencing at a 5/8 inch iron pin which bears North 1677.48 feet and West 682.61 feet from the quarter corner common to Sections 32 and 33, Township 36 South, Range 2 East, Willamette Meridian, Jackson County, Oregon, said iron pin being on the Easterly line of the County Road, which point is shown on Minor Land Partition No. 9709, recorded in Volume 5, Page 136, Jackson County, Oregon, Minor Land Partitions, as a 5/8 inch iron pin on the Easterly boundary of Little Butte Creek Road, 149.11 feet North 03°00' West of the most Southwesterly corner of Parcel 1, shown on said Minor Land Partition; thence along the Easterly line of said road, South 03°00' East 149.11 feet, to a 5/8 inch iron pin; thence North 75°00' East 222.65 feet to a 5/8 inch iron pin; thence South 27°25' East, 545.00 feet to a 5/8 inch iron pin; thence North 73°36'13" East, 389.18 feet; thence South 16°23'47" East, 150.00 feet to the true point of beginning; thence continue South 16°23'47" East 210.00 feet; thence South 73°36'13" West 210.00 feet; thence North 16°23'47" West, 210.00 feet; thence North 73°36'13" East 210.00 feet to the true point of beginning.

(Map No. 362E33, Tax Lot 403, Account No. 1-075049-5, Code 9-21)  
(Map No. 362E33, Tax Lot 401, Account No. 1-070961-4, Code 9-02)  
(Map No. 362E33, Tax Lot 403, Account No. 3-012007-1, Code 9-21)



9

E MAP 36 2E

NORTH 80 CH. = 5280.00'



# Oregon

Tina Kotek, Governor

## Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

[www.oregon.gov/owrd](http://www.oregon.gov/owrd)

October 19, 2023

VIA E-MAIL

### Applicant

GARY, JR. AND KENDRA D. WEST  
PO BOX 2231  
WHITE CITY, OR 97503

SUBJECT: Water Right Transfer Application T-14193

Your water right transfer change in point of diversion to reflect historical use is in the first phase of processing.

Submittal of the following required item is needed at this time:

1. You must submit a **Report of Ownership** for the lands where the water right(s) are currently located (i.e., the FROM lands). This report:
  - a) Must be prepared by a title company;
  - b) Shall include a "prepared by" statement and the date the title company prepared the report printed on the cover sheet;
  - c) Must be:
    - i. Prepared within 3 months of the Draft Preliminary Determination showing current ownership; **OR**
    - ii. Prepared within 3 months of recording of a water right conveyance agreement; **OR**
    - iii. Have a prepared date showing ownership at the time a water right conveyance agreement was recorded.

*If water right conveyance agreements are involved, it is helpful to provide copies of those agreements along with the Report of Ownership.*

**IMPORTANT:** In order for the Department to clearly understand the date that the title company prepared the Report of Ownership, the title company must indicate/state the date that they prepared the report on the coversheet and/or first page of the report.

- d) Must include a list of owners at the time the report was generated; **AND**
- e) Must include a legal description of the property where the water right to be transferred is currently located (i.e., the FROM lands).

After you have mailed or hand-delivered the Notice to the persons identified in the Proof of Service, a 30-day comment period will run. This time period will allow the affected holders of the water rights identified to provide comments on whether the requested change in point of diversion will cause injury. After this 30-day comment period, we will determine whether you have satisfied the requirements, the change does not cause injury, or if any conditions will need to be met to prevent injury.

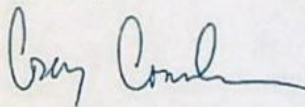
Enclosed is a copy of Oregon Department of Fish and Wildlife (ODFW) Additional Fish Screening and Passage Information for the Applicant. You will note that ODFW requires a fish screening and/or by-pass device to be installed. We will establish a deadline for compliance with this condition. Please contact the ODF&W personnel listed on the document for assistance.

The Watermaster has determined that a water measurement device is necessary at the diversion point. Enclosed is a contact information sheet to assist you in pursuing additional information or approval of the required (or alternate) device.

Issuance of the Final Order will occur shortly after we receive your response, the proof of service, and the report of ownership. The order may be issued denying the application as incomplete if I do not receive your response, proof of service, and the report of ownership by **November 20, 2023**.

Please do not hesitate to contact me, at [corey.a.courchane@water.oregon.gov](mailto:corey.a.courchane@water.oregon.gov) or (503) 979-3917, if I may be of assistance.

Sincerely,



Corey Courchane  
Allocation of Conserved Water  
Transfer and Conservation Section

cc: Transfer Application file T-14193  
Trevor Smith, District 13 Assistant Watermaster (via e-mail)  
Justin Dillon, SW Region Watermaster (via e-mail)

Enclosures:

ODFW Contact Sheet  
Watermaster Contact Sheet

**Oregon Department of Fish and Wildlife**  
**Historic Point of Diversion Fish Screen Requirement Form**  
*(ODFW provides to WRD so that WRD can make findings according to statutory requirements.)*

Reference Transfer #: T-14193

Date of review: 4/26/23

Please check one of the following five boxes related to fish screen requirements pursuant to ORS 540.532:

**1. Screen Maintain**

*[Select this option if the new Point of Diversion (POD) requires a fish screen and is currently equipped with an appropriate fish screen that will still be in compliance if the transferred water is diverted from this POD.]*

**Note:** This option will yield the following:

**Finding of Fact:** The Oregon Department of Fish and Wildlife has determined that a fish screen is necessary at the new point of diversion to prevent fish from entering the diversion and that the diversion is currently equipped with an appropriate fish screen.

**Condition:** The water user shall operate and maintain an approved fish screen at the new point of diversion. If Oregon Department of Fish and Wildlife (ODFW) determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

**2. Screen Now**

*[Option 2 should generally be selected if fish species are present at the point of diversion and/or the originating water right diversion is currently screened. If Option 2 is selected, provide contact information on the "Fish Screening and Passage Information" sheet. The new diversion may be eligible for cost-share.]*

**Note:** This option will yield the following:

**Finding of Fact:** The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screen is necessary at the new point of diversion to prevent fish from entering the diversion and that the diversion is not currently equipped with an appropriate fish screen. This diversion may be eligible for screening cost-share funds.

**Condition:** Prior to diverting water, the water user shall install an approved fish screen at the new point of diversion and shall provide to the OWRD a written statement from Oregon Department of Fish and Wildlife (ODFW) that the installed screen meets the state's criteria, or that ODFW has determined a screen is not necessary.

The water user shall operate and maintain the fish screen at the new point of diversion consistent with ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

*Please return all 3 pages to: Transfers Section, Water Resources Department,  
725 Summer St. NE, Suite A, Salem, OR 97301-1266*

**3. Screen 2 Year**

*[Option 3 may be checked if the change is from an unscreened diversion to a HISTORIC POD or an existing POD in use for another water right, and cost-share funds are not currently available. It should NOT be checked if fish species are present at the point of diversion, the originating water right diversion is screened, cost-share funds are currently available, or the diversion is not eligible for ODFW's cost-share program. Please provide contact information on the "Fish Screening and Passage Information" sheet.] If extraordinary circumstances are present, please explain: \_\_\_\_\_*

**Note:** This option will yield the following:

Finding of Fact: The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screen is necessary at the new point of diversion to prevent fish from entering the diversion and that the diversion is not currently equipped with an appropriate fish screen. Listed fish species are not present at the point of diversion, the originating water right diversion is not screened, cost-share funds are not currently available, and the proposed diversion may be eligible for ODFW's cost-share program. A grace period of two years is appropriate until such time as cost-share funds become available to assist in the construction of a fish screen. If cost-share funds do not become available, the water user must screen within the indicated time period regardless of the availability of cost-share funding.

Condition: By October 1, 20\_\_ [Within two years after the date of this order] the water user shall install an approved fish screen at the new point of diversion. The water user shall provide to OWRD a written statement from Oregon Department of Fish and Wildlife (ODFW) that the installed screen meets the state's criteria, or that ODFW has determined a screen is not necessary.

The water user shall maintain and operate the fish screen at the new point of diversion consistent with ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

**4. Screen Future**

*[Use this option if fish are not currently present, but might possibly be at some future time.]*

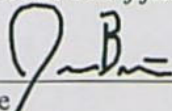
**Note:** This option will yield the following:

Finding of Fact: The Oregon Department of Fish and Wildlife has determined that the diversion is not currently equipped with an appropriate fish screen, but a fish screen may be required in the future at the new point of diversion to prevent fish from entering the diversion.

Condition: The Oregon Department of Fish and Wildlife (ODFW) may require the water user to install an approved fish screen at the new point of diversion within one year after receiving written notification that a fish screen is required. Once installed the water user shall maintain and operate the fish screen at the new point of diversion according to ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

**5. No Screen Needed**

*[Check this box if fish are not currently present, and are not expected in the future.]*

  
\_\_\_\_\_  
Signature

Jason Brandt  
Printed Name

(541) 315-6222  
Phone

SW Hydro Coordinator  
Title

**Oregon Department of Fish and Wildlife**  
**Additional Fish Screening and Passage Information for the Applicant**  
*(To be completed by ODFW for WRD to provide to the applicant.)*

Transfer #: T-14193

**The applicant should be aware that fish screening and passage may be required for certain changes in point of diversion if the boxes below are checked.**

- Fish screening is required as a condition of this transfer. The fish screen must meet ODFW's design, construction, operational and maintenance standards.

Pursuant to ORS 498.306, cost-share funds may be available to assist in the installation of fish screening.

The applicant should contact the ODFW staff member below to obtain additional information on the design, construction, operational, and maintenance standards for the fish screen and to obtain information about ODFW's cost-sharing program for screening. **Prior to installation, the water user must obtain written approval from ODFW that the required screen meets ODFW's criteria.**

ODFW staff name: Josh Kelsey

Address: 1495 E Gregory Rd

City/State/Zip: Central Point/OR/97502

Phone: (541) 826-8774

- This transfer may trigger requirements for fish passage under ORS 509.585 because a new point of diversion will be constructed, an existing point of diversion's capacity will be increased, or an existing point of diversion will be abandoned. The applicant should contact the ODFW staff member below for a determination of whether native migratory fish are or were present at the applicable location, which will determine whether fish passage must be addressed.

ODFW staff name: Jason Brandt

Address: 4192 N Umpqua Hwy

City/State/Zip: Roseburg/OR/97470

Phone: (541) 315-6222





# 439-23-00430-ZON

03/13/2023

## Land Use Compatibility

36-2E-33-401

ZONING: Exclusive Farm Use

RECORD NO: 439-23-00430-ZON

PROCESS: Type I Permit

PROJECT NAME: LUCS

ASSIGNED STAFF: HERNANFM

RECEIVED DATE: 03/09/2023

SITE ADDRESS: 3537 S F LITTLE BUTTE CR RD

### Owners

WEST GARY JR/KENDRA D  
PO BOX 2231  
WHITE CITY, OR 97503-0231

### Record Detail Description

OWRD

### Contacts

WEST GARY JR/KENDRA D  
PO BOX 2231 WHITE CITY, OR 97503-0231

DAFT, NORMAN  
245 Glenoak Lane Grants Pass, OR 97526  
normthewaterguy@charter.net  
541-761-1057

Received by OWRD

APR 19 2023

Salem, OR

Receipt for Request for Land Use Information

RECEIVED

Applicant name: NORMAN DAFT

City or County: JACKSON COUNTY

Staff contact: SFB

MAR 20 2023

Signature: Samuel F. Beeler

Phone: 541-774-6907

Date: 03/09/23

OWHD  
SALEM, OREGON

Received by OWRD

APR 19 2023

Salem, OR

# Land Use Information Form



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

Applicant(s): Gary, Jr. & Kendra D. West

Mailing Address: P.O. Box 2231

City: White City

State: OR

Zip Code: 97503-0231 Daytime Phone: (541) 826-3851

## A. Land and Location

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

Township	Range	Section	¼¼	Tax lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
<u>36S</u>	<u>2E</u>	<u>32</u>	<u>SENE</u>	<u>401</u>	<u>EFU</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>irrigation</u>
<u>36S</u>	<u>2E</u>	<u>33</u>	<u>SWNW</u>	<u>401</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>irrigation</u>
<u>36S</u>	<u>2E</u>	<u>33</u>	<u>SENW</u>	<u>401</u>	<u>EFU</u>	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>irrigation</u>
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____

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

Jackson

## B. Description of Proposed Use

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

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

Source of water:  Reservoir/Pond     Ground Water     Surface Water (name) S. Fork Little Butte Cr.

Estimated quantity of water needed: 0.09  cubic feet per second     gallons per minute     acre-feet

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

Briefly describe:

we wish to establish an authorized pump diversion on our property that's been in place for more than 10 years. The creek has meandered so the current authorized diversion can no longer be used. We already have a water right and use the water mostly for irrigating pasture. There will be no riparian disturbance.

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

See bottom of Page 3. →

APR 19 2023

### For Local Government Use Only

Salem, OR

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

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

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

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

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

Name: Francisco Hernandez Title: Planner III  
 Signature: [Signature] Phone: 531-774-6907 Date: 04-17-2023  
 Government Entity: Jackson County Development Services

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

Receipt for Request for Land Use Information

Applicant name: \_\_\_\_\_  
 City or County: \_\_\_\_\_ Staff contact: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_

# Watermaster Review Form: Water Right Transfer



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

Transfer Application: T-14194

Review Due Date: 04/21/2023

Applicant Name: Gary West

Proposed Changes:  POU  POD  POA  USE  OTHER

Reviewer(s): S. Haynes

Date of Review: 04/17/2023

1. Do you have evidence that the right has not been used in the last 5 years and that the presumption of forfeiture would not likely be rebuttable?  Yes  No If "Yes", attach evidence (e.g. dated aerial photo showing pavement or building on the land for >5 yrs.)
  
2. Is there a history of regulation on the source that serves this (or these) right(s) that has involved the transferred right(s) and downstream water rights?  Yes  No Generally characterize the frequency of any regulation or explain why regulation has not occurred:  
S Fk Little Butte Creek gets regulated for ISWR each year.
  
3. Have headgate notices been issued for the source that serves the transferred right(s)?  
 Yes  No  Records not available.
  
4. In your estimation, after the proposed change, would distribution of water for the right(s) result in regulation of other water rights that would not have occurred if use under the original right(s) was/were maximized?  Yes  No If "Yes", explain:
  
5. In your estimation, if the proposed change is approved, are there upstream water rights that would be affected?  Yes  No If "Yes", describe how the rights would be affected and list the rights most affected:

6. Check here  if it appears that downstream water rights benefit from return flows resulting from the current use of the transferred right(s)? If you check the box, generally characterize the locations where the return flows likely occur and list the water rights that benefit most:

N/A

7. For POD changes and instream transfers, check here if there are channel losses between the old and new PODs or within the proposed instream reach? If you check the box, describe and, if possible, estimate the losses:

N/A

8. For instream transfers that propose protection of a reach beyond the mouth of the source stream:

N/A Would the quantity be measureable into the receiving stream consistent with OAR 690-077-0015(8)?  Yes  No

9. For POU changes:  N/A Is it likely the original place of use would continue to receive water from the same source?  Yes  No If "Yes", explain:

10. For POU or USE changes:  N/A In your best judgment, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste?

Yes  No If "Yes", explain:

11. For POU changes that involve micro-irrigation:  N/A

- a. Has the applicant made changes (absent a transfer) to convert to micro-irrigation within the current place of use boundary of the water right proposed for transfer, and previously demonstrated to the Department through monitoring and site inspections by the Watermaster that the proposed transfer will not result in injury or enlargement?

Yes  No If "Yes", explain:

b. Has a temporary transfer of this nature been previously filed and approved on the same lands (or portions thereof) as those lands involved in this transfer?

Yes  No If "Yes", answer the following:

i. Were there any problems with more acres being irrigated (or wetted) than were authorized under the temporary transfer?  Yes  No If "Yes", explain:

ii. Did the designated areas that were to remain dry (or not wetted) under the temporary transfer actually remain dry?  Yes  No If "No", explain:

iii. Did the applicant comply with and meet all of the conditions of the temporary transfer?  Yes  No If "No", explain:

iv. Do you have any other observations regarding the temporary transfer?  Yes  No If "Yes", describe:

v. Did the applicant demonstrate to the Department through monitoring and site inspections by the Watermaster that neither injury nor enlargement occurred as a result of the temporary transfer?  Yes  No If "No", explain:

c. To the best of your knowledge, if this transfer is approved, does it appear that:

i. "Injury" will occur to other water rights that share the same source?  Yes  No If "Yes", explain:

ii. "Enlargement" of the water right being transferred will occur?  Yes  No If "Yes", explain:

12. Are there other issues not identified through the above questions that should be considered in determining whether the change "can be effected without injury to other rights"?

Yes  No If "Yes", explain:

13. What alternatives may be available for addressing any issues identified above:

14. Do conditions need to be included in the transfer order to avoid enlargement of the right or injury to other rights?  No  Yes, as checked and provided below:

For POU changes that involve micro-irrigation, provide the monitoring and reporting conditions necessary to prevent injury/enlargement:

A Headgate should be required prior to diverting water.

Measurement Devices for POD or POA: (if this condition is selected, also fill in the top sections of Page 4)

*a. Before water use may begin under this order, the water user shall install a **totalizing flow meter\***, or, with prior approval of the Director, another suitable measuring device,  at each point of diversion/appropriation (new and existing) **OR** at each new point of diversion/appropriation  with the exception that water rights issued to the Bureau of Reclamation or an irrigation district (or similar entity) are not subject to this condition.*

*b. The water user shall maintain the meters or measuring devices in good working order.*

*c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.*

Reservoir water use measurement: (if this condition is selected, also fill in the top sections of Page 4)

*a. Before water use may begin under this order, the water user shall install **staff gages\***, or, with prior approval of the Director, other suitable measuring devices, that measure the entire range and stage between empty and full in each reservoir. Staff gages shall be United States Geological Survey style.*

*b. Before water use may begin under this order, if the reservoir is located in channel, weirs or other suitable measuring devices must be installed upstream and downstream of the reservoir, and, an adjustable outlet valve must be installed. The water user shall maintain such devices in good working order. A written waiver may be obtained, if in the judgment of the Director, the installation of weirs or other suitable measuring devices, or the adjustable outlet valve, will provide no public benefit.*

\* The following alternative device(s) should be substituted for the bold, underlined device in the above selected condition:

Weir

Submerged Orifice

Parshall Flume

Flow Restrictor

Other: \_\_\_



Oregon Water Resources Department

Measurement Condition Information for the Applicant
(To be sent with the Draft Preliminary Determination or Final Order)

Transfer #: T- 14193

- Checkboxes for measurement device conditions: 'In order to avoid enlargement of the right or injury to other rights, a... will be required to be installed prior to diversion of water...' with options for 'at each point of diversion/appropriation (new and existing) OR' and 'at each new point of diversion/appropriation.'

For additional information, or to obtain approval of a different type of measurement device, the applicant should contact the area Watermaster:

Watermaster name: Shavon Haynes

District: 13

Address: 10 S Oakdale Rm 309

City/State/Zip: Medford Oregon

Phone: 541.218.5125

Email: shavon.l.haynes@water.oregon.gov

Note: If a device other than the one specified in the Preliminary Determination or Final Order is approved by the Watermaster, fill out and mail the form below to the Salem office.

\*\*\*\*\*

Approval of an Alternate Measurement Device T-
(to be filled out after consultation with the applicant, or after a site visit)

On behalf of the Director, I authorize use of the following suitable alternate measurement device:

Two horizontal lines for device description.

Watermaster signature District Date

If this form is used for approval of an alternative measurement device, it must be mailed to:

Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266



# Oregon

Tina Kotek, Governor

**Water Resources Department**

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

[www.oregon.gov/owrd](http://www.oregon.gov/owrd)

March 23, 2023

GARY & KENDRA WEST  
PO BOX 2231  
WHITE CITY, OR 97503

Reference: Application T- 14193

On March 20, 2023, OWRD received your water right application for an Historic POD Transfer. The application was accompanied by \$1360.00. Our receipt number 140341 is enclosed.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the requested change. A review form is also being sent to Oregon Department of Fish and Wildlife to determine if a fish screen will be required.

If the land is sold before the transfer is approved, the buyer's consent to the transfer will be required unless a recorded deed or other legal document clearly established that the water right was not conveyed in the sale.

Please refer to the following page for a chart showing the steps and expected timelines for the processing of your application.

If you have any questions, please contact the Transfer Section at (503) 979-9931.

Cc: Watermaster Dist. #13, Shavon L. Haynes (via email)  
Jackson County

Enclosure

**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 # **140341**

INVOICE # \_\_\_\_\_

RECEIVED FROM: Gary West Jr.  
BY: Kendra D West

APPLICATION	
PERMIT	
TRANSFER	T-14193

CASH:  CHECK: # 1123 OTHER: (IDENTIFY) 1

TOTAL REC'D \$1,360.<sup>00</sup>

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES \$  
OTHER: (IDENTIFY) \$  
0243 I/S Lease \_\_\_\_\_ 0244 Muni Water Mgmt. Plan \_\_\_\_\_ 0245 Cons. Water \_\_\_\_\_

**4270 WRD OPERATING ACCT**

MISCELLANEOUS 46110

0407 COPY & TAPE FEES \$  
0410 RESEARCH FEES \$  
0408 MISC REVENUE: (IDENTIFY) \$  
TC162 DEPOSIT LIAB. (IDENTIFY) \$  
0240 EXTENSION OF TIME \$

WATER RIGHTS:

EXAM FEE		RECORD FEE
\$	0202	\$
\$	0204	\$
\$ <u>1,360.00</u>		

WELL CONSTRUCTION

EXAM FEE		LICENSE FEE
\$	0219	\$
	0220	\$

0201 SURFACE WATER  
0203 GROUND WATER  
0205 TRANSFER  
0218 WELL DRILL CONSTRUCTOR  
LANDOWNER'S PERMIT  
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 (FW/WRD) \$  
0231 HYDRO LICENSE FEE (FW/WRD) \$  
HYDRO APPLICATION \$

**TREASURY OTHER / RDX**

FUND \_\_\_\_\_ TITLE \_\_\_\_\_  
OBJ. CODE \_\_\_\_\_ VENDOR # \_\_\_\_\_  
DESCRIPTION \_\_\_\_\_ \$

RECEIPT: **140341** DATED: 3/20/21 BY: [Signature]

**Application for  
Historic Change in Point of  
Diversion/Appropriation**  
Part 1 of 5 – Minimum Requirements Checklist

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

**This historic change in point of diversion/appropriation application will be returned if Parts 1 through 5 and all required attachments are not completed and included.**  
For questions, please call (503) 986-0900, and ask for Transfer Section.

**RECEIVED**  
**MAR 20 2023**  
**OWRD**  
**SALEM, OREGON**

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

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: [http://apps.wrd.state.or.us/apps/misc/wrd\\_fee\\_calculator](http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator).
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about the Transferred Water Rights: **How many water rights are to be transferred? 1 List them here: 87044**  
Please include a separate Part 5 for each water right. (See instructions on page 5)  
**NOTE: A separate transfer application is required for each water right unless the criteria in OAR 690-380-3220 are met.**

**Attachments:**

- Completed Application Map (Does not have to be prepared by a Certified Water Right Examiner).
- Completed Evidence of Use Affidavit and supporting documentation showing that water has been used on the land for five years prior to transfer filing AND diverted at the actual, current point of diversion/appropriation for more than 10 years.
- Statement from the local Watermaster, based upon the Watermaster's knowledge and Department records, that no complaint of injury has been made due to the use of water at the actual, current point of diversion/appropriation.
- Land Use Information Form with approval and signature (or signed land use form receipt stub).
- N/A Affidavit(s) of Consent from Landowner (if the applicant does not own the land the water right is on.)
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.

(For Staff Use Only)

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

<input type="checkbox"/> Application fee not enclosed/insufficient	<input type="checkbox"/> Map not included or incomplete
<input type="checkbox"/> Land Use Form not enclosed or incomplete	<input type="checkbox"/> Evidence of Use Form not enclosed or incomplete
<input type="checkbox"/> Additional signature(s) required	<input type="checkbox"/> Part _____ is incomplete

Other/Explanation \_\_\_\_\_

Staff: \_\_\_\_\_ 503- \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

*Per Kelly - accept app w/ missing LUES*

## Part 2 of 5 – Historic Change in Point of Diversion/Appropriation Application Map Checklist

Your historic change in point of diversion/appropriation application will be returned if any of the map requirements listed below are not met.

Please be sure that the historic change in point of diversion/appropriation application map you submit includes all the required items and matches the existing water right map. Check all boxes that apply.

- N/A If more than three water rights are involved, separate maps are needed for each water right.
- Permanent quality printed with dark ink on white or clear paper or film.
- The size of the map can be 8½ x 11 inches, 8½ x 14 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, three (3) paper copies and an electronic copy in a .pdf, .tiff or .jpg format are required.
- A north arrow, a legend, and scale.
- The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet, the scale of the Final Proof/Claim of Beneficial Use Map (the map used when the permit was certificated), the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet, or a scale that has been pre-approved by the Department.
- Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.
- Tax lot boundaries (property lines) and county tax lot numbers are required.
- Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.
- Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.
- Authorized point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water right certificate.
- Actual, current point of diversion/appropriation. Show the location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).
- Existing place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the water right is being changed, a separate hachuring is needed for lands left unchanged.
- N/A If for more than one actual, current point of diversion/appropriation. separate hachuring is needed for each place of use served by each point of diversion/appropriation, including the number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.

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**Part 3 of 5 – Fee Worksheet**

FEE WORKSHEET for HISTORIC POD/POA TRANSFER			
1	Base Fee (includes Historic POD change to one water right for up to 1 cfs)	1	\$1,360
2	Number of water rights included in transfer <u>1</u> (2a) Subtract 1 from the number in 2a above: <u>0</u> (2b) <i>If only one water right this will be 0</i> Multiply line 2b by \$610 and enter » » » » » » » » » » » » » » » » »	2	0
3	Do you propose to add or change a well, or change from a surface water POD to a well? <input checked="" type="checkbox"/> No: enter 0 <input type="checkbox"/> Yes: enter \$480 for the 1 <sup>st</sup> well to be added or changed _____ (3a)  Do you propose to add or change additional wells? <input type="checkbox"/> No: enter 0 <input type="checkbox"/> Yes: multiply the number of additional wells by \$410 _____ (3b) Add line 3a to line 3b and enter » » » » » » » » » » » » » » » » »	3	0
4	Add entries on lines 1 through 3 above » » » » » » » » <b>Transfer Fee:</b>	4	\$1,360.00

Check this box if this project is fully or partially funded by the American Recovery and Reinvestment Act. (Federal stimulus dollars)

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Part 4 of 5 – Applicant Information and Signature

Applicant Information

Note: Applicant must be an INDIVIDUAL, as defined by OAR 690-380-2120, that is "a natural person and does not include a government body, organization, business enterprise, or other such entity."

APPLICANT/BUSINESS NAME Gary, Jr. & Kendra D. West		PHONE NO. (541) 826-3851	ADDITIONAL CONTACT NO.
ADDRESS P.O. Box 2231			FAX NO.
CITY White City	STATE OR	ZIP 97503-0231	E-MAIL begeewest@gmail.com
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

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

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

Explain in your own words what you propose to accomplish with this transfer application; and why:  
 The the creek moved away from the authorized diversion years ago. We wish to establish our current diversion as the authorized diversion. It has been used for over 10 years  
 If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

By signing this application, I understand that prior to Department approval of the historic change in point of diversion/appropriation, I will be required to provide landownership information and evidence that I am authorized to pursue the change as identified in OAR 690-380-4010(5).

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



Applicant Signature

GARY WEST JR.  
Print Name (and Title if applicable)

3-10-23  
Date

Applicant Signature

Kendra West  
Print Name (and Title if applicable)

3-10-23  
Date

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located?  Yes  No If NO, include signatures of all deeded landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent (and mailing and/or e-mail addresses) from all landowners or individuals/entities to which the water right(s) were conveyed.

At this time, are the lands in this application in the process of being sold?  Yes  No

If YES, and you know who the new landowner will be, please complete the receiving landowner information table below. If you do not know who the new landowner will be, then a request for assignment will have to be filed for at a later date.

If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. For more information see: <http://www.oregon.gov/owrd/docs/transfer-propertytransactions.pdf>

RECEIVING LANDOWNER NAME			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS				FAX NO.
CITY	STATE	ZIP	E-MAIL	

Describe any special ownership circumstances here: \_\_\_\_\_

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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME JACKSON COUNTY PLANNING	ADDRESS 10 SOUTH OAKDALE AVE., ROOM 100	
CITY MEDFORD	STATE OR	ZIP 97501

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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Part 5 of 5 – Water Right Information

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

CERTIFICATE # 87044

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**Description of Water Delivery System**

System capacity: 0.12\_cubic feet per second (cfs) OR  
\_\_\_\_\_ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. A 3 HP centrifugal pump diverts water from creek into a pipeline with risers. A second 3 HP booster pump is used for the upper land. Water is applied by an irrigation gun sprinkler with various nozzle sizes.

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

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it the Current POD/POA that has been used for more than 10 years?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
1	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Current		36 S	2 E	33	SW NW		1185 feet North & 560 feet east from the West 1/4 cor. Sec. 33
2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Current		36 S	2 E	33	NE SW		South 79 degrees 45 Minutes East 2045 feet from the West 1/4 cor. Sec. 33
	<input type="checkbox"/> Authorized <input type="checkbox"/> Current							
	<input type="checkbox"/> Authorized <input type="checkbox"/> Current							

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

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

Will the historic change in point of diversion/appropriation affect the entire water right?

- Yes Complete only the proposed section of Table 2 on the next page.
- No Complete all of Table 2 to describe the portion of the water right to be changed.

Please use and attach additional pages of Table 2 as needed. Do you have questions about how to fill-out the tables? See page 5 for instructions, or contact the Department at 503-986-0900 and ask for Transfer Staff.

**Table 2. Description of Changes to Water Right Certificate # 87044**

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

Authorized ("from" lands) as they appear before the changes											Proposed Change (POD, POA, APOD, or APOA)	Current (in use for more than ten years) POD(s)/ POA(s) to be used (from Table 1)	Priority Date
Twp		Rng		Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acre (if applicable)	POD(s) or POA(s) (name or number from Table 1)			
2	S	9	E	15	NE	NW	100		15.0	POD #1 POD #2	POD	POD #5	1897
"	"	"	"	"	"	"	"	"	EXAMPLE	"	"	"	"
											POD	POD-1	1918

Additional remarks: Claim of Beneficial Use map for T-10215 shows current pump location ("pump 1"). The COBU map was drawn May 15, 2010.

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**For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:**

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

**OR**

- Describe the construction of the authorized and current well(s) in Table 3 for any wells that do not have a well log.

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

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide adequate information is likely to delay the processing of your transfer application.

Current or Authorized POA Name or Number	OWRD Well ID Tag No. L-____ (if available)	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well-specific rate (cfs or gpm). If less than full rate of water right

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STATE OF OREGON  
 COUNTY OF JACKSON  
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

GARY WEST  
 3671 S. FORK LITTLE BUTTE CREEK  
 EAGLE POINT, OR 97524

confirms the right to use the waters of SOUTH FORK LITTLE BUTTE CREEK, tributary to LITTLE BUTTE CREEK for IRRIGATION of 6.8 ACRES.

This right was perfected under Permit S-3727. The date of priority is MARCH 7, 1918. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.09 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Measured Distances
36 S	2 E	WM	33	NE SW			SOUTH 79 DEGREES 45 MINUTES EAST, 2045 FEET FROM W1/4 CORNER, SECTION 33

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 4.5 acre-feet per acre for each acre irrigated during the irrigation season of each year. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer. 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.

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

Twp	Rng	Mer	Sec	Q-Q	Acres
36 S	2 E	WM	32	SE NE	2.27
36 S	2 E	WM	33	SW NW	4.26
36 S	2 E	WM	33	SE NW	.27

*Entirety of cert*

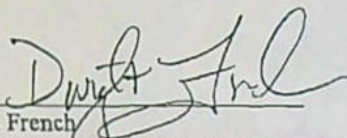
The water user shall maintain a headgate, an in-line flow meter, weir, or other suitable measuring device for measuring and recording the quantity of water diverted.

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

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

This certificate is issued to confirm a change in PLACE OF USE approved by an order of the Water Resources Director entered MAY 31, 2007 at Special Order Volume 72, Page 252, approving Transfer Application 10215, and together with Certificate 83289, supersedes Certificate 46779, State record of Water Right Certificates.

Issued MAY 13 2011

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

# Application for Water Right Transfer Evidence of Use Affidavit

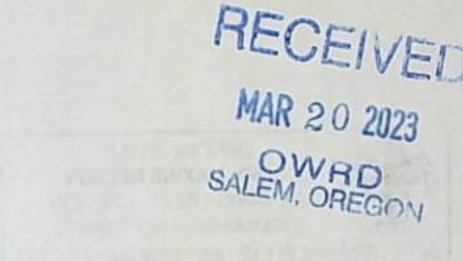


Oregon Water Resources Department  
 725 Summer Street NE, Suite A  
 Salem, Oregon 97301-1266  
 (503) 986-0900  
 www.wrd.state.or.us

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

State of Oregon )  
 ) ss  
 County of JACKSON)

I, GARY WEST, JR., in my capacity as PROPERTY OWNER,  
 mailing address P.O. BOX 2231, WHITE CITY, OR 97503-0231  
 telephone number (541-)826-3851, being first duly sworn depose and say:



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

2. I attest that:

- Water was used during the previous five years on the **entire** place of use for Certificate # \_\_\_\_\_; **OR**  
 My knowledge is specific to the use of water at the following locations within the last five years:

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

OR

- Confirming Certificate # \_\_\_\_\_ has been issued within the past five years; **OR**  
 Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: \_\_\_\_\_ (Note: If the entire right proposed for transfer was not leased, additional evidence of use is needed for the portion not leased instream.); **OR**  
 The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.  
 Water has been used at the actual current point of diversion or appropriation for more than 10 years for Certificate # 87044 (For Historic POD/POA Transfers)

(continues on reverse side)

14193

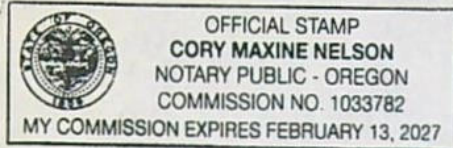
3. The water right was used for: (e.g., crops, pasture, etc.): PASTURE

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

[Signature]  
Signature of Affiant

3-10<sup>th</sup>-23  
Date

Signed and sworn to (or affirmed) before me this 10<sup>th</sup> day of March, 2023.



[Signature]  
Notary Public for Oregon

My Commission Expires: 2/13/27

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

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Gary West - Google 8-13-2012

Legend  
Untitled Polygon



Google Earth

100 ft



**Application for Water Right  
Historic POD/POA Transfer  
Watermaster Statement**



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

I, Shavon Haynes, Watermaster of District 13,

state that to my knowledge, there has been no claim of injury due to use of an historic point of diversion/appropriation for Certificate 87044

from S. Fork Little Butte Creek (source) located as follows:

By Township, Range Section and distances from a Survey Corner:

Twp	Rng	Mer	Sec	Q-Q	DLC	GLot	Measured Distances
36S	2E	W.M.	33	SW NW			1185 feet North & 560 feet East from the West ¼ Corner of Section 33

OR

by GPS coordinates: Latitude: \_\_\_\_\_

Longitude: \_\_\_\_\_

OR

as shown on the attached map.

[Signature]  
Signature

3/15/2023  
Date

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# Historic Change in POD/POA Water Right Transfer Application Completeness Checklist

Checked by: Cula

Date: 3/22/23

(If OK, check box to left; if not, fill in the blank)

- 1. Page 1 of application: Are all attachments that have been checked actually included?  
If not, what is missing? \_\_\_\_\_
- 2. Does the attached local "Watermaster Statement" indicate that, based upon the watermaster's knowledge and Department records, no complaint of injury has been made due to use of water at the actual, current point of diversion or appropriation (i.e., the historic POD/POA)?
  - If NO, a complaint of injury has NOT been made – proceed to Item #3.
  - If YES, a complaint of injury has been made – **STOP!**  
The application does **not** meet the criteria for ORS 540.532 (OAR 690-380-2120).  
→ Return the application/fees and direct the applicant to *instead* use the standard POD/POA change Transfer Application and process under ORS 540.520 & 540.530 (OAR 690-380-2110).
- 3. Is the applicant an "individual" as required by ORS 540.532 and defined in OAR 690-380-2120(7)?
  - If YES, the applicant is an "individual" – proceed to Item #4.
  - If NO, the applicant is not an "individual" – **STOP!**  
The application does **not** meet the criteria for ORS 540.532 and OAR 690-380-2120(7).  
→ Return the application/fees and direct the applicant to *instead* use the standard POD/POA change Transfer Application and process under ORS 540.520 & 540.530 (OAR 690-380-2110).
- 4. Are fees included and correct?  
If not, the correct fee would be: \_\_\_\_\_, so the amount missing is: \_\_\_\_\_
- 5. Page 3 of application: Have all the applicants listed at the top of the page signed at the bottom?  
If not, whose signature is missing? \_\_\_\_\_
- 6. Are all listed certificates or permits shown by WRIS as non-cancelled?  
If not, which are cancelled? \_\_\_\_\_  
For each cancelled certificate, if there has been a remaining right certificate issued that covers the lands in the left side of Table 2, list its number \_\_\_\_\_ and check the #4 box at left on this checklist.
- 7. If any certificate is in the name of a "district", is a Supplemental Form D from that district enclosed?  
 N/A     Form D needed from \_\_\_\_\_ (district)
- 8. If all #1-#7 boxes on this checklist are checked, accept the application. Put this check sheet in the transfer folder. If #1, #2, #3, #4, #5, #6 or #7 on this checklist is deficient, the application cannot be accepted. It should be returned and the **deficiencies listed in the "staff" section at the bottom of Application Page 1**, unless the applicant or agent can resolve the deficiencies within 2-3 days.



## Superior Water Right Consulting, LLC

NORM DAFT  
"The Water Guy"

245 Glenoak Lane  
Grants Pass, OR 97526

Phone (Cell): 541 761-1057  
[normthewaterguy@charter.net](mailto:normthewaterguy@charter.net)

March 15, 2023

Oregon Water Resources Department  
ATTN: Permit Application Section  
725 Summer Street, NE, Suite A  
Salem, OR 97301-1266

Historic Transfer

The following documents are enclosed:

1. Check in the amount of \$1,630.00
2. Historic Transfer Application - Signed
3. Transfer Application Map
4. Land Use Information Form - Receipt
5. Affidavit of Use with supporting documentation
6. Watermaster Statement

The Medford Mail Tribune has ceased publication. I don't know of any other paper.

If there are any questions or if additional information is needed, please call rather than send the application back. (541) 761-1057

Thank you,

Norm Daft

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FEB 16 2011

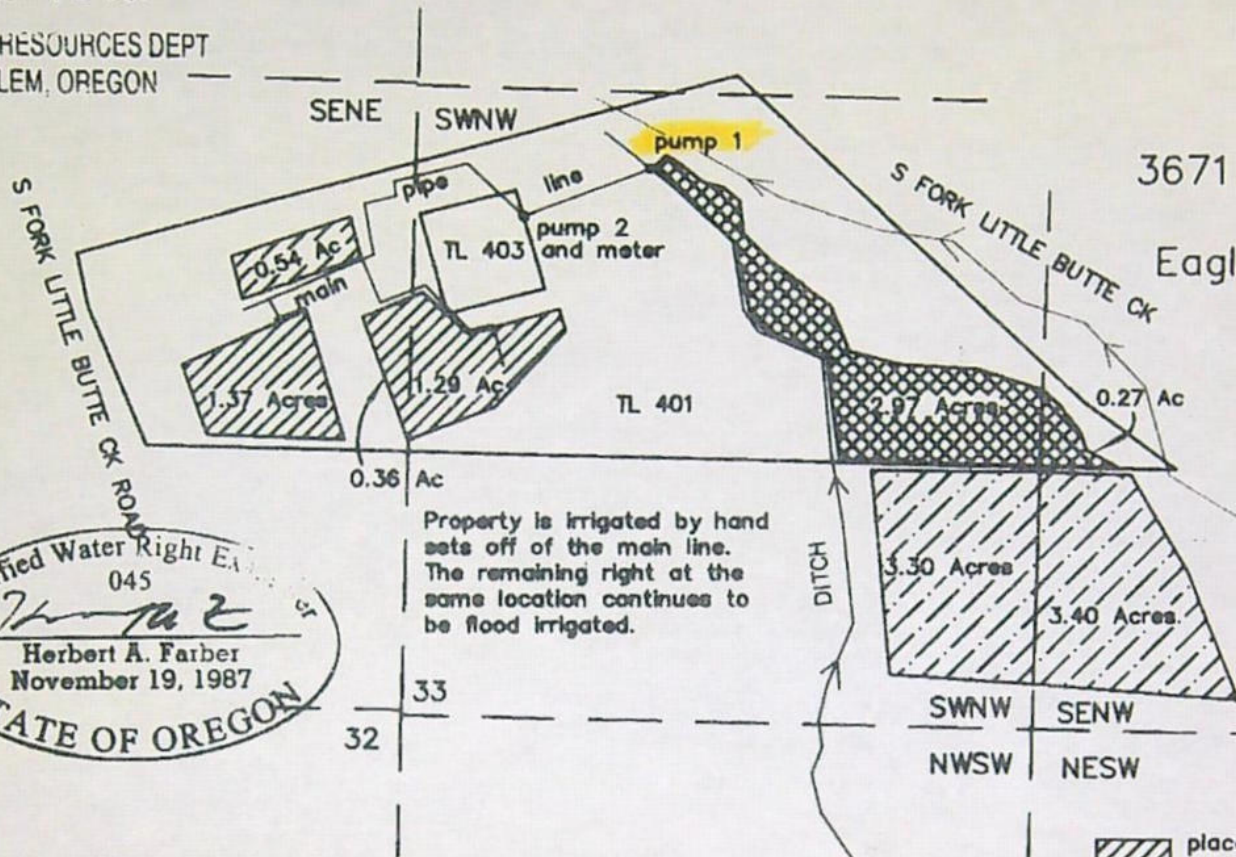
WATER RESOURCES DEPT  
SALEM, OREGON

COBU T-10215  
for

Gary West  
3671 South Fork Little Butte  
Creek Road  
Eagle Point, Oregon 97524

Assessor's Map No  
362E33-401-403

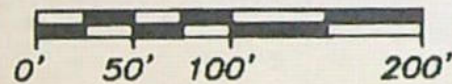
This map is not a  
boundary survey  
and is for water  
rights only.






Certified Water Right EA  
045  
*Herbert A. Farber*  
Herbert A. Farber  
November 19, 1987  
STATE OF OREGON

RENEWAL DATE 12-31-2011

SCALE: 1" = 400'



Prepared by:  
FARBER & SONS, INC.  
dba FARBER SURVEYING  
431 Oak Street  
Central Point, Oregon 97502  
(541) 664-5599

-  place of use transferred, 2.27Ac SENE-32  
1.29 Ac SWNW
-  place of use remaining at same location  
this transfer 2.97 Ac SWNW, 0.27 Ac SENW
-  CERTIFICATE 83471

DATE: **MAY 15, 2010**  
JOB NO. 1785-11

LITTLE BUTTE OF LITTLE BUTTE SURVEY COBU sheet 1.dwg

SHEET 1 OF 2

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MAR 20 2023

OWRD  
SALEM, OREGON

14193

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FEB 16 2011

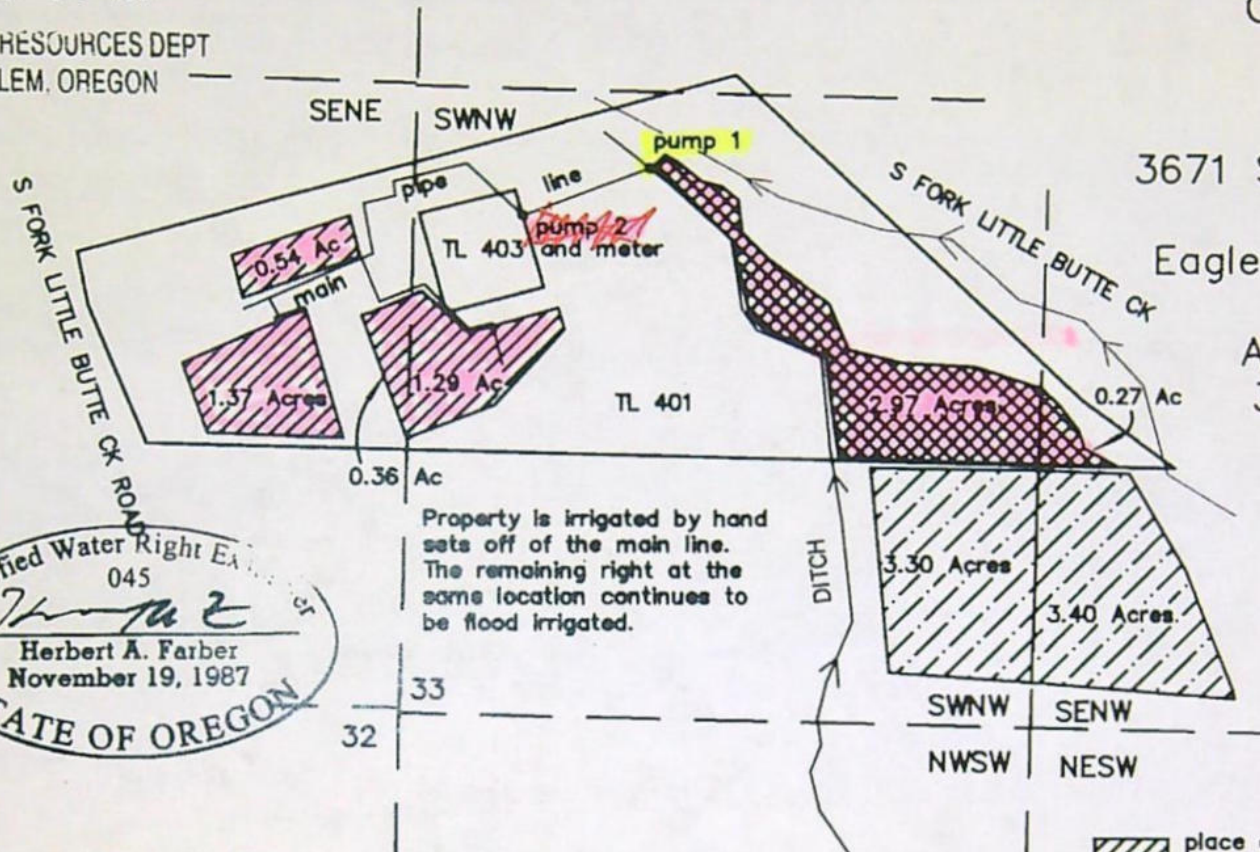
WATER RESOURCES DEPT  
SALEM, OREGON

COBU T-10215  
for

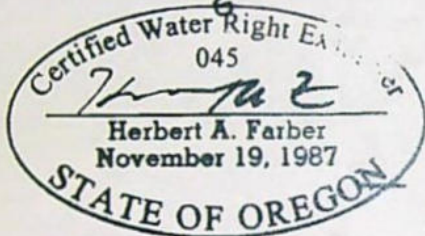
Gary West  
3671 South Fork Little Butte  
Creek Road  
Eagle Point, Oregon 97524

Assessor's Map No  
362E33-401-403

This map is not a  
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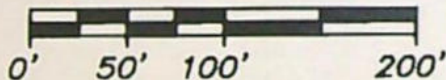


Property is irrigated by hand sets off of the main line. The remaining right at the same location continues to be flood irrigated.






RENEWAL DATE 12-31-2011

SCALE: 1" = 400'



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DATE: MAY 15, 2010  
JOB NO. 1785-11

LITTLE BUTTE\OF LITTLE BUTTE\WATER SURVEY\asbw sheet 1.dwg

SHEET 1 OF 2

RECEIVED

MAY 15 2011

WATER RESOURCES DEPT  
SALEM, OREGON

COBU T-10215

for

Gary West

3671 South Fork Little Butte

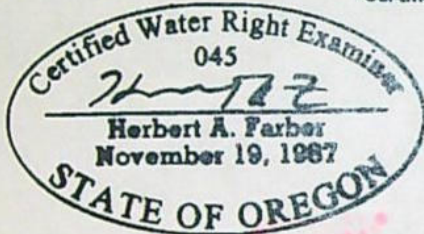
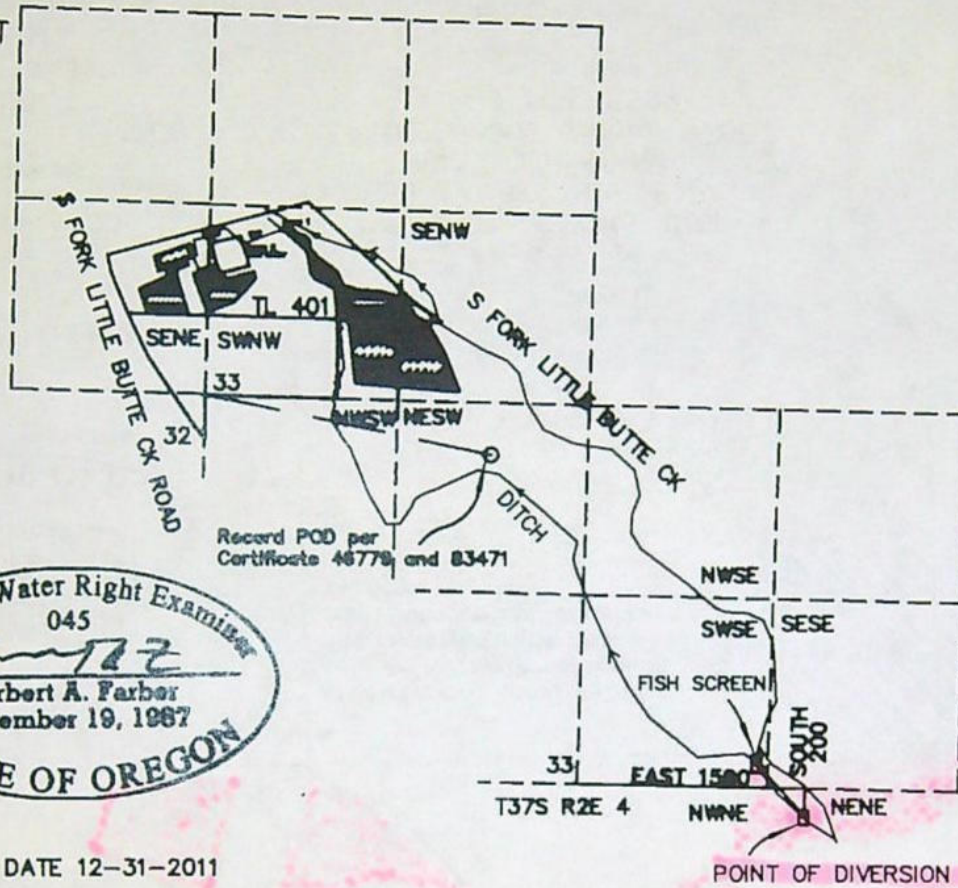
Creek Road

Eagle Point, Oregon 97524

Assessor's Map No

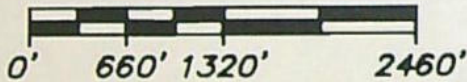
362E33-401-403

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RENEWAL DATE 12-31-2011

SCALE: 1" = 1320'



DATE: MAY 15, 2010  
JOB NO. 1765-11

LITTLE BUTTE OF LITTLE BUTTE CREEK

Prepared by:  
**FARBER & SONS, INC.**  
dba FARBER SURVEYING  
431 Oak Street  
Central Point, Oregon 97502  
(541) 664-5599

SHEET 2 OF 2



place of use transferred, 2.27Ac SENE-32  
1.29 Ac SWNW



place of use remaining at same location  
this transfer 2.97 Ac SWNW, 0.27 Ac SENE



CERTIFICATE 83471

RECEIVED

FEB 16 2011

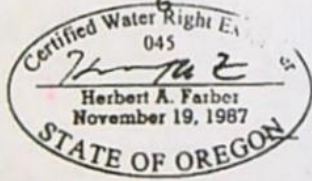
WATER RESOURCES DEPT  
SALEM, OREGON

COBU T-10215  
for

Gary West  
3671 South Fork Little Butte  
Creek Road  
Eagle Point, Oregon 97524

Assessor's Map No  
362E33-401-403

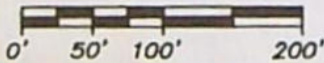
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The remaining right at the  
same location continues to  
be flood irrigated.

RENEWAL DATE 12-31-2011

SCALE: 1" = 400'






DATE: MAY 15, 2010  
JOB NO. 1785-11

LITTLE BUTTE OF LITTLE BUTTE MICRO SURVEY under sheet 1.dwg

Prepared by:  
FARBER & SONS, INC.  
dba FARBER SURVEYING  
431 Oak Street  
Central Point, Oregon 97502  
(541) 664-5599

SHEET 1 OF 2

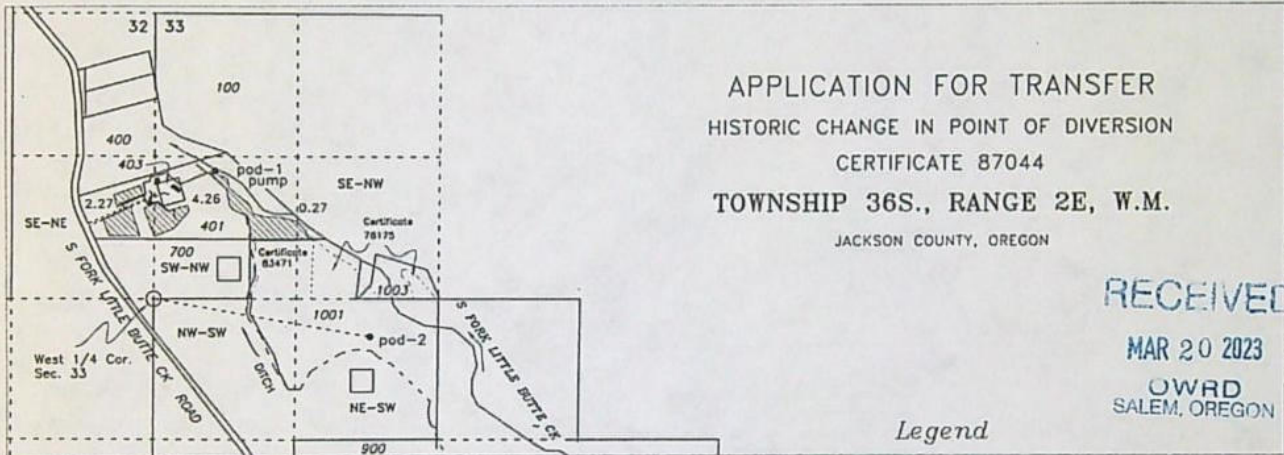
-  place of use transferred, 2.27Ac SENE-32  
1.29 Ac SWNW
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this transfer 2.97 Ac SWNW, 0.27 Ac SENW
-  CERTIFICATE 83471

RECEIVED

MAR 20 2010

DWRD  
SALEM, OREGON

14193





APPLICATION FOR TRANSFER  
 HISTORIC CHANGE IN POINT OF DIVERSION  
 CERTIFICATE 87044  
 TOWNSHIP 36S., RANGE 2E, W.M.  
 JACKSON COUNTY, OREGON

RECEIVED  
 MAR 20 2023  
 OWRD  
 SALEM, OREGON

Legend

POD-1 (Historic) SW/NW, Section 33, 1185 feet North & 560 feet East from the West 1/4 Corner Section 33  
 POD-2 (Record) NE/SW, Section 33, South 79 Degrees 45 Minutes East, 2045 Feet from the West 1/4 Corner Section 33

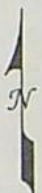
 TL-401 Irrigation of 6.8 Acres March 7, 1918  
 Buildings

**SUPERIOR WATER RIGHT CONSULTING LLC.**  
 245 GLENOAK LANE  
 GRANTS PASS, OR 97526  
 PHONE (541) 761-1057  
 normthewaterguy@charter.net

Assessor Map 364E33

Scale  
 1" = 1320'

3/7/2023 n.e.d.



This map is not intended to provide legal dimensions or locations of property ownership lines

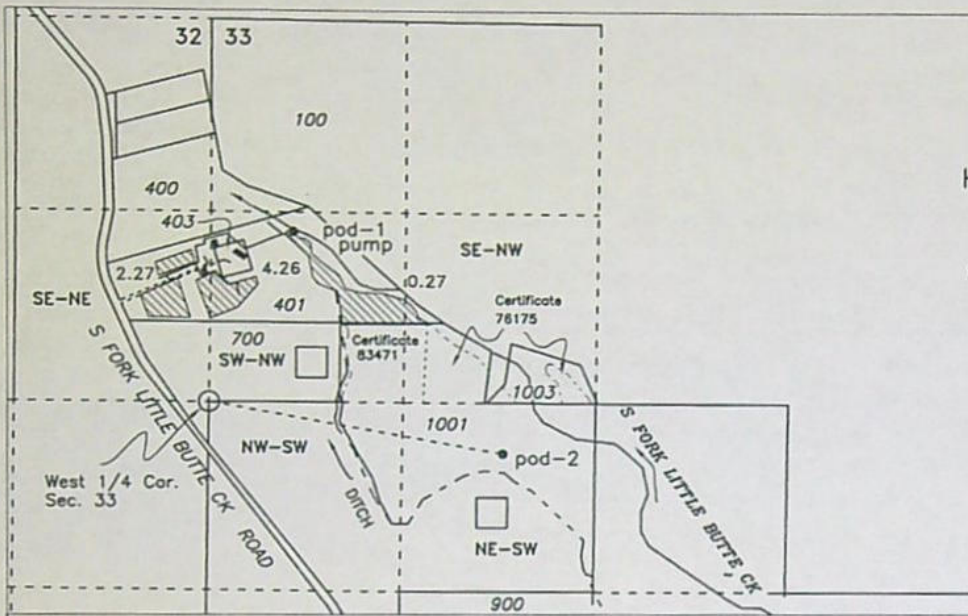
PREPARED FOR:  
 GARY JR & KENDRA D WEST  
 P.O. BOX 2231  
 WHITE CITY, OR 97503

Base Map: Jackson County GIS mapping adjusted to and oriented to survey map 80-152 MP over 7/7/2022 Google aerial photo & Oregon Map aerial photo for assumed best fit





APPLICATION FOR TRANSFER  
 HISTORIC CHANGE IN POINT OF DIVERSION  
 CERTIFICATE 87044  
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 JACKSON COUNTY, OREGON

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-  TL-401 Irrigation of 6.8 Acres March 7, 1918
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