

Name Michael Lawrence Horton

4069

By _____

Address 90541 Smith LaneEugene Or. 97401Change in P O ADate filed October 10, 1978

Date of hearing _____

Place of hearing _____

Date of order 3-19-79 Vol. 31, page 697Date for application of water completed

Proof mailed _____

Proof received _____

Certificate issued MAR 23 1987 Vol. 51, page 55942

DESCRIPTION OF WATER RIGHT

Name of stream a wellTrib. of _____ County of LANEUse irrigationQuantity of water _____ No. of acres 2.0

Name of ditch _____

Date of priority June 26, 1972In name of Estate of Cleaves C. Wright

_____ Adjudication, Vol. _____, page _____

App. No. G-4856 Per. No. G-4572 Cert. No. 38356

Certificate cancelled _____

Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>10-10-78</u>	<u>35.00</u>	<u>6639</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

REMARKS

to survey 3/79

W.R.I.S.

Assembled 4-5-83 by SPD

Entered _____ by _____

Verified _____ by _____

INDEX CARDS:

Entered

Checked

TO BE ENTERED WHERE CHECKED

☒ Name
☒ Stream
☒ Pt. of Div.
☒ Calendar
☐ Twp. & Rge.
☐ Decree-vault
☐ Decree-safe
☒ Cert. of W/R
☒ Per. Folder
☐ Chainindex
☐ Cross Ref.
☒ Power Claim
☒ Abstracts

Qg
Qg
Qg
Qg

Qg
Qg

Qg

CHECKED TO RECORDS:

Entered

Checked

069-09

Lot 2 19.62

T. 16 S, R 3 W, W. M.

SCALE 1"=400'

70114 COR
W/H 31
SEC

State Land
Board

Lot 3 / 16.57

$1/4$ NW $1/4$ SW $1/4$

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

CENTER
SEC 31

WELL

Application No. G-8030
Permit No. G 7948

SE 1/4 SW 1/4

T-4069

RECEIVED

JAN 31^{TD} 1972

1000
CLAM, OREGON

Add '1' POD

County LANE —

1. Name Michael Lawrence Horton

2. Source of Supply ground water , Trib of

3. Use irrigation

4. Amount of Water 0.11 cfs Priority Date April 30, 1969

5. Proposed Point of Diversion a well: 1300 ft S & 350 ft E from NW Corner of NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec 31, within NE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec 31, T 16S, R 3W, WM.

6. Completion Date COMPLETED

7. Place of Use:

[illegible]

May 17, 1979

INFO: MR Horton

Source: A well - 8" CASING - drilled by Clays
- 57- ft deep Well Drilling
- 9- ft SWL
- 20' DD

Use: irrigation

Crops: beets, corn, wheat, peppermint

Pump: 15 hp Centrifical

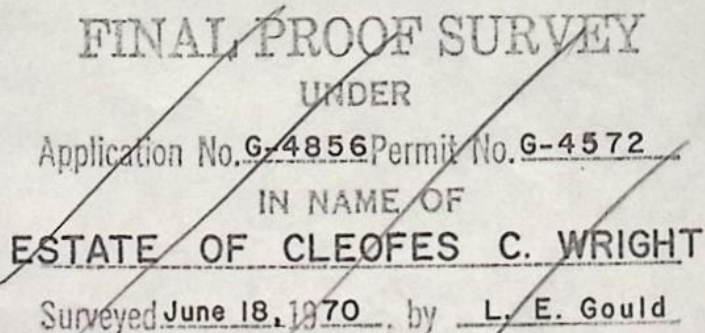
pipe: 2' 1040' 3" LATERAL Heads: 22 to 26 g 7 gal per min
? 5" MAIN heads max.

lift: discharge 10

tie: DBQ-2JJ-88.

Note: Approx 6' ft of the casing has been removed by cutting and a cat has dug out around the well so he can use a centrifical pump. Old "well" (dug hole in slough) is not being used. Also 1st ACRE NW the SE corner is not being irrigated Stephen Brown from this well; Horton does not Field Engineer own this property and never has.
this Report for G-8630 ALSO.

T. 16 & 17 S. R. 3 W. W. M.



WELL
WIR T-0982-C1*** OREGON WATER RESOURCES DEPARTMENT ***
*** WATER RIGHTS DIVISION ***
*** WATER RIGHT DATA INPUT FORM ***PAGE 1
RUN ON: 3/20/81 AT: 9:08WATER RIGHT NO. 5000040691 PERMIT NO. 064572 CERTIF. NO.
ORIG. NO. 6000048561 PREV. NO. 6000048561 SUPER. NO.

NAME: MICHAEL LAWRENCE HORTON

ADDRESS: 90541 SMITH LANE

CITY/STATE/ZIP/COUNTY: EUGENE, OR 97401

20

STREAM-ID

RIV. MI.

WM. DIST. 02 W.R. TYPE BA STATUS V

CANCEL YEAR-->

CONSTR. COMPLT--> 03 19 1979 YR. LAST USED-->

NEXT ACTION DUE-->

PRIORITY--> 06 26 1972

PUT TO USE--> 03 19 1979 LAST TRANS. DATE-->

LAST TRANS. TYPE-->

APPLICATION--> 10 10 1978

SURVEYED-->

EXAM. FEE--> 20.00

RECORDING FEE--> 15.00

PERMIT ISSUE--> 03 19 1979

CONCURRENCE-->

CYCLE STATUS-->

REPORTED FLAG-->

CONSTR. STRT.--> 03 19 1979

CERTIFIED-->

CORRES. INIT.-->

CORRES. DATE-->

POINT-OF-DIVERSION DATA;
TWNSP RNGE SECT QTR/QTR STREAM-ID

RIV. MI.

RATE

STATUS S OR P

1605 030W 31 C A

0.110

V P

** REMARKS; - - - - -
** DATED-->

** POA: 1300'S & 350'E FM NW

** COR. NE 1/4 SW 1/4, S 31. CHANGES

** POA ALL OF C-38356.

PLACE-OF-USE DATA:
TWNSP RNGE SECT QTR/QTR CNTY USE % CNSMTV ACRES STATUS S OR P

1605 030W 31 C A 20 1R 100 7.40 V P

1) 1 DB 1) 1.60 V P

** - - - - -

** - - - - -

** - - - - -

** - - - - -

W.R.I.S.

Assembled 4-5-85 by SDA

Entered _____ by _____

Verified _____ by _____

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

LANE COUNTY

IN THE MATTER OF THE APPLICATION)
OF MICHAEL LAWRENCE HORTON FOR)
APPROVAL OF A CHANGE IN POINT OF)
APPROPRIATION FROM GROUND WATER)

ORDER APPROVING
TRANSFER NO. 4069

On October 10, 1978, an application was filed in the office of the Water Resources Director by Michael Lawrence Horton for approval of a change in point of appropriation from ground water, pursuant to the provisions of ORS 537.705.

The certificate recorded at page 38356, Volume 30, State Record of Water Right Certificates, in the name of Estate of Cleofes C. Wright, describes a right for the use of not to exceed 0.11 cubic foot per second from a certain ground water aquifer for irrigation of a certain 7.4 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ and 1.6 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 31, Township 16 South, Range 3 West, W.M., with a date of priority of April 30, 1969.

Water for the said right is diverted from a well located 1140 feet South and 400 feet East from the Northwest Corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 31, being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 31, Township 16 South, Range 3 West, W.M.

The applicant herein, owner of the lands above described, proposes to change the point of appropriation therefrom, without loss of priority, to a well located 1300 feet South and 350 feet East from the Northwest Corner of the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 31, being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 31, Township 16 South, Range 3 West, W.M.

Mr. William S. Bartholomew, Hydrogologist, Water Resources Department, has filed a statement to the effect that the proposed change in point of appropriation may be made without injury to existing rights.

Mr. L. Gene McGinnis, Watermaster, has filed a statement to the effect that the proposed change in point of appropriation may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed change in point of appropriation may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested change in point of appropriation, as described herein, without loss of priority, is approved.

It is FURTHER ORDERED that the quantity of water diverted at the new point of appropriation shall not exceed the quantity of water available at the old point of

V31, 2697

appropriation under the subject right.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgment of the watermaster it becomes necessary to install measuring devices:

That the diversion works shall include an in line flow meter or other suitable device for measuring the water to which the applicant is entitled;

That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the measuring device be installed under the general supervision of said watermaster.

It is FURTHER ORDERED that NO time need be fixed for completion as the change in point of appropriation is completed.

It is FURTHER ORDERED that the certificate of water right recorded at page 38356, Volume 30, State Record of Water Right Certificates, is canceled; and upon proof satisfactory to the Water Resources Director of completion of works and beneficial use of water to the extent intended under the provisions of this order, a confirming certificate of water right shall be issued to the applicant herein.

Dated at Salem, Oregon this 19th day of March, 1979.

By *James E. Sexson* Deputy

James E. Sexson^{DAK}
Director

PL 98

Application for Transfer of Water Right

To the WATER RESOURCES DIRECTOR OF OREGON:

I, Michael Lawrence Horton

(Name of applicant)

of 90541 Smith Lane

(Mailing address)

Eugene

(City)

State of Oregon

97401

(Zip Code)

687-0257

(Phone number)

, do hereby make application for change

IN POINT OF DIVERSION

(In point of diversion; place of use; use heretofore made of the water)

1. Is the water right recorded in your name? Estate of Cleofes C. Wright

(If not, give name)

2. Was your water right determined by Decree of Court? NO If so, give title of proceedings

(Yes or No)

number of certificate

3. Was your water right acquired by Water Right Permit? YES If so, give number

(Yes or No)

of permit G-4572 Number of certificate #38356

NOTE: If the entire right of record is not directly involved in the requested change, only that part of the right that is directly involved should be considered in answering the balance of the questions on this form.

4. The source of water is well

5. What is the date of priority of your water right? June 26, 1972 April 30, 1969

6. The authorized point of diversion is located 1140 ft. south and 400 ft. east from the NW corner of Section 31 being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 31 Tp. 16 S R. 3 W W. M.,

(N. or S.)

(E. or W.)

(No. N. or S.) (No. E. or W.)

in the county of LANE The name of the ditch used is

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

7. The proposed point of diversion is located 1300 ft. south and 350 ft. east from the NW corner of Section 31 being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 31 Tp. 16 S R. 3 W W. M.,

(N. or S.)

(E. or W.)

(No. N. or S.) (No. E. or W.)

in the county of Lane The name of the ditch to be used is

8. The use to which the water is applied is crop irrigation
(Irrigation, Mining, Power, Manufacturing, etc.)

Location of area irrigated, or place of use if other than irrigation:

Township North or South	Range E. or W. of Willamette Meridian	Section	List ¼-¼ of Section	Number Acres To Be Irrigated
16 south	3 WEST	31	NW¼ of SW¼	8.2 acres
16 south	3 West	31	NE¼ of SW¼	2.8 acres
16 south	3 West	31	NE¼ of SW¼	7.4 acres
16 south	3 West	31	NW¼ of SE¼	1.6 acres

(If more space required, attach separate sheet)

9. Are you the legal owner of the above described lands? Yes
(If not owner, explain your interest)

10. To your knowledge, has any portion of the water right above described undergone a period of five or more consecutive years of nonuse? No
(Yes or No)

NOTE: Answer questions 11, 12 and 13 if application is for change in use or place of use.

11. Are the lands from which you propose to transfer your water right free of all encumbrances, including taxes, mortgages, liens, etc.? NO
(Answer Yes or No)

12. If not, give below a description of existing encumbrances:

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT
farm mortgage	Oregon State Veterans Affairs	\$62,000

13. The use to which the water is to be applied is crop irrigation
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

Location of area to be irrigated, or place of use if other than irrigation:

Township North or South	Range E. or W. of Willamette Meridian	Section	List ¼-¼ of Section	Number Acres To Be Irrigated

(If more space required, attach separate sheet)

14. Reasons for the proposed changes are The original water rights were filed before the new well was drilled and therefore do not show the true point of diversion.

15. Construction work will be completed on or before completed

16. The water will be completely applied to the proposed use on or before completed

Remarks

old well was a hand dug & abt. 30ft deep new well is 57' deep 8" casing drilled by Clay's Well drilling for Mrs. Faye Wright. 1974

NOTE: THIS APPLICATION MUST BE ACCOMPANIED BY A MAP OR MAPS SHOWING THE BEFORE AND AFTER LOCATIONS OF THE POINT OF DIVERSION AND/OR PLACE OF USE, AS THE CASE MAY BE.

AFFIDAVIT OF APPLICANT

I, Michael L. Horton, the applicant herein, being first duly sworn, depose and say that I have read the above and foregoing application for transfer of water right; that I know the contents thereof and that the statements therein made are true and correct to the best of my knowledge and belief.

In Witness Whereof, I have hereunto set my hand this 5th day of October, 1978.

Michael L. Horton
(Name of applicant)

Subscribed and sworn to before me this 5th day of October, 1978

[Notarial Seal]



Emma H. Taylor
NOTARY PUBLIC FOR OREGON

My commission expires May 22, 1981



STATE OF OREGON

INTEROFFICE MEMO

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: October 19, 1978.FROM: ** L. Gene McGinnis, WatermasterSUBJECT: WATER RIGHT TRANSFER APPLICATION NO. T-4069IN THE NAME OF Michael Lawrence Horton

In my opinion the proposed change in point of appropriation of groundwater
MAY BE MADE WITHOUT INJURY ~~WOULD RESULT IN INJURY~~* to an existing water right.

Headgate notices ~~HAVE~~ HAVE NOT been issued for diversion from the sources which
serves this right.

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

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

- (1) PRIOR to the diverting of water at the new point of diversion . . .
✓ (2) When in the judgment of the watermaster it becomes necessary . . .

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

** L. Gene McGinnis
Watermaster's signature or initials



STATE OF OREGON

INTEROFFICE MEMO

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: _____, 19__.

FROM: ** Groundwater DivisionSUBJECT: WATER RIGHT TRANSFER APPLICATION NO. T-4069IN THE NAME OF Michael Lawrence Horton

✓
WSB In my opinion the proposed change in point of appropriation of groundwater
MAY BE MADE WITHOUT INJURY ~~WOULD RESULT IN INJURY*~~ to an existing water right.

Headgate notices HAVE HAVE NOT been issued for diversion from the sources which serves this right.

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

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

- ____ (1) PRIOR to the diverting of water at the new point of diversion . . .
✓ (2) When in the judgment of the watermaster it becomes necessary . . .

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

*Clayton Haas did not file log for Faye Wright in 1974. We do have a 57 ft well filed for Robert Wlyne
of PO Box 395 Coburg. 97401, drilled 1976 and located SWSE. Apparently, we do not have well log.
Sect 31,
T16S, R3W.*

*WSB
10/20/78*

** Wm. S. Bartholomew
Watermaster's signature or initials



T-4069

Department of Veterans' Affairs
FARM AND HOME LOANS

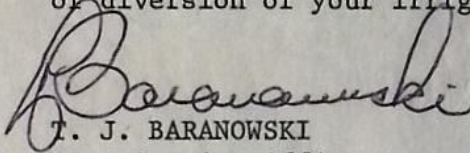
1500 VALLEY RIVER DR., SUITE 100, EUGENE, OREGON 97401

September 20, 1978

Michael L. Horton
90541 Smith Lane
Eugene, OR 97401

M82936 - HORTON, Michael L.

This Department has no objection to the proposed change in point of diversion of your irrigation well.


T. J. BARANOWSKI
Loan Service Officer
686-7849

mt

WARRANTY DEED (INDIVIDUAL)

T-4069

HERTA FAYE WRIGHT

MICHAEL L. HORTON and MARTA L. GETTY, husband and wife, hereinafter called grantor, convey(s) to

of Lane, State of Oregon, described as: all that real property situated in the County

PARCEL I:

H 6 • W 8251 00005.00

A parcel of land in the South 1/2, Section 31, Township 16 South, Range 3 West of the Willamette Meridian, said parcel being a portion of that property described in that deed recorded in Book 359, page 652, Lane County Oregon Deed Records, said parcel being described as follows:

Beginning at a point which bears South 89° 31' East 224.40 feet and South 970.2 feet from an iron rod markint the center 1/4 of said Section 31; thence North 89° 31' West 2838.00 feet, more or less, to the West line of said Section 31; thence along said West line South 349.8 feet, more or less, to the South line of the North 1/2, Southwest 1/4, said Section 31; thence along last said South line 2629.29 feet; thence North 208.71 feet; thence South 89° 31' East 208.71 feet to the West line of a 33 foot road; thence North along the last said West line 141.09 feet to the point of beginning, in Lane County, Oregon.

Dated this 15th day of March, 19 78.

Herta Faye Wright
Herta Faye Wright

STATE OF OREGON, County of Lane) ss.

March 15, 1978 personally appeared the above named
Herta Faye Wright and acknowledged the foregoing
instrument to be her voluntary act and deed.

Before me:

Janeen Moore
Notary Public for Oregon

My commission expires: 1-19-82

- * The dollar amount should include cash plus all encumbrances existing against the property to which the property remains subject or which the purchaser agrees to pay or assume.
- ** If consideration includes other property or value, add the following: "However, the actual consideration consists of or includes other property or value given or promised which is part of the/the whole consideration." (Indicate which)

WARRANTY DEED (INDIVIDUAL)

STATE OF OREGON

Cou

on tl

at

on p

By—

State of Oregon,
County of Lane—ss.

I, D.M. Penfold, Director of the Department of General Services, in and for the said County, do hereby certify that the within instrument was received for record at

15 MAR 78 10: 23

896 R

Reel

Lane County OFFICIAL Records.

D.M. Penfold, Director of the Department of General Services.

By *Shawcroft*
Deputy

C-10-53

7817422

TO

After Recording Return to:

Grantee

90541 Smith Lane

Eugene, Oregon

SEND ALL TAX STATEMENTS TO
DEPT. OF VETERANS AFFAIRS'

1225 Ferry St. S. E.

SALEM, OREGON