

Name Dick L. Chamberlain

4138

DESCRIPTION OF WATER RIGHT

FEES PAID

By % Ronald C. BjorkAddress 2270 Brownboro HighwayEagle Point, Or. 97524Name of stream Little Butte CreekTrib. of _____ County of TacksonUse irrigationQuantity of water _____ No. of acres 13.5Name of ditch Little Butte Irrig. Co. DitchDate of priority 1883 & 1908In name of Little Butte Irrigation CompanyLittle Butte Cr. Adjudication, Vol. 14, page 520 & 521App. No. _____ Per. No. _____ Cert. No. 42285

Certificate cancelled _____

Notation made on record by _____

Change in P.O.V.Date filed Jan. 22, 1979

Date of hearing _____

Place of hearing _____

Date of order 2-12-79 Vol. 31, page 626Date for application of water 10-1-80

Proof mailed _____

Proof received _____

Certificate issued MAR 23 1987 Vol. 51, page 55897

Date	Amount	Receipt No.
<u>1-22-79</u>	<u>30-</u>	<u>8669</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

REMARKS

Transfers 3210, 3221, 3224, & 3250: surveys made, proofs received - OK for cert. feesIssue Cert after PP on T-4138

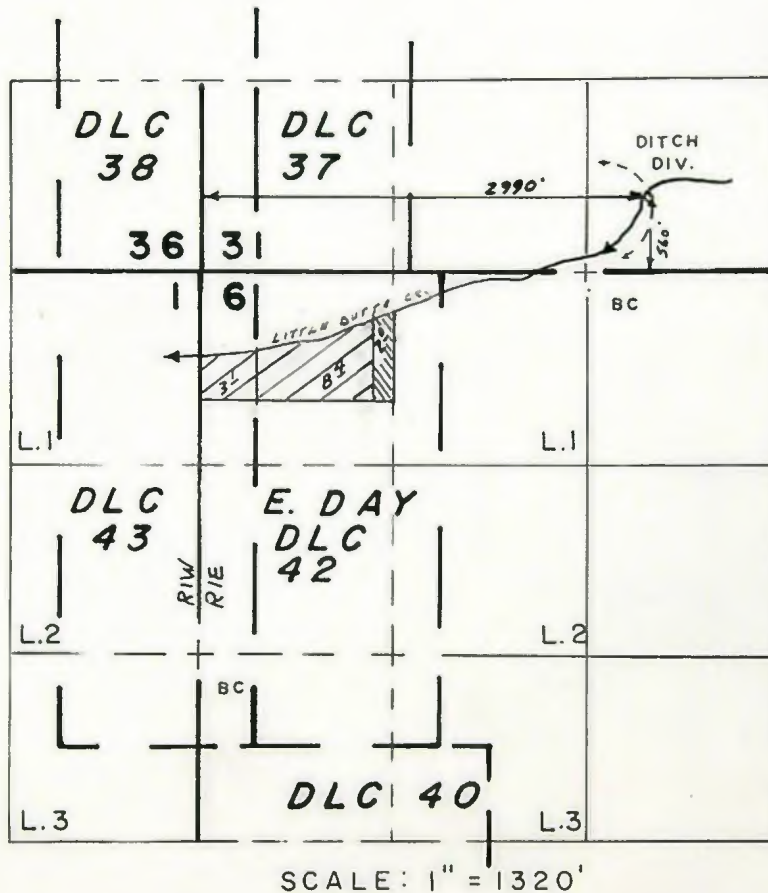
W.R.I.S.	
Assembled <u>7-17-85</u> by <u>SOD</u>	
Entered _____ by _____	
Verified _____ by _____	

TO BE ENTERED WHERE CHECKED	INDEX CARDS:		Entered	Checked
<input checked="" type="checkbox"/>	Name		<u>lg</u>	_____
<input checked="" type="checkbox"/>	Stream		<u>lg</u>	_____
<input checked="" type="checkbox"/>	Pt. of Div.		<u>lg</u>	_____
<input checked="" type="checkbox"/>	Calendar		<u>lg</u>	_____
<input checked="" type="checkbox"/>	CHECKED TO RECORDS:			
<input checked="" type="checkbox"/>	Twp. & Rge.		<u>lg</u>	_____
<input checked="" type="checkbox"/>	Decree-vault		<u>lg</u>	_____
<input checked="" type="checkbox"/>	Decree-safe		<u>lg</u>	_____
<input checked="" type="checkbox"/>	Cert. of W.R.		<u>lg</u>	_____
<input type="checkbox"/>	Per. Folder		_____	_____
<input type="checkbox"/>	Chainindex		_____	_____
<input type="checkbox"/>	Cross Ref.		_____	_____
<input checked="" type="checkbox"/>	Power Claim		<u>lg</u>	_____
<input checked="" type="checkbox"/>	Abstracts		<u>lg</u>	_____

Surveyed 10/7/85 (Bjork)

to survey 11/80

T. 35 & 36 S.
R. 1 E. & 1 W., W. M.



1883
1908

FINAL PROOF SURVEY
UNDER

TRANSFER NO. 4138

Application No. Permit No.
IN NAME OF

RONALD C. BJORK

Surveyed OCT. 7, 1985, by B. S. JAMES

Superseded by

Cert. No. _____

STATE OF OREGON

COUNTY OF JACKSON

Sp. Or. V. 28 p. 26
(Tr. 3210)Sp. Or. V. 28 p. 31
(Tr. 3221)Sp. Or. V. 28 p. 32
(Tr. 3229)

CERTIFICATE OF WATER RIGHT

This Is to Certify, That LITTLE BUTTE IRRIGATION COMPANY

of Eagle Point, State of Oregon, has a right
to the use of the waters of Little Butte Creeka tributary of Rogue River 652.27 acres for the purpose of
irrigation, domestic, and stockand that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
Jackson County, and the said decree entered of record at Salem, in the Order Record of
the STATE ENGINEER, in Volume 14, at page 498; that the priority of the right thereby
confirmed dates from 1883 for Tract No. 1 and 1908 for Tract No. 2;that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an
amount actually beneficially used for said purposes, and shall not exceed 10.998 cubic feet per
second for irrigation for Tract No. 1 and 2.37 cubic feet per second for Tract
No. 2; measured at the head of the ditch or the point where the same leaves the
natural stream, from April 1st to October 1st of each year.The point of diversion is located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 31, Township 35 South, Range 1
East, W.M. Diversion point located 560 feet North and 2990 feet East from the
SW Corner, Section 31.A description of the place of use under the right, and to which such right is appurtenant, is as
follows:549.87
551.09 acres in Tract No. 1 as follows:7.0 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$ - T-4138-POU 7² Ac34.0 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$ 30.8 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$ - T-4138-POU 4⁵ Ac10.0 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$ 15.0 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$

Section 34

4.6 Lot 4 (SW $\frac{1}{4}$ NW $\frac{1}{4}$)37.0 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$ 33.0 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$ 40.0 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$ 33.0 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$ 21.0 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$ 32.5 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$ 4.0 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$ 12.0 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 35

3.0 acre SE $\frac{1}{4}$ NW $\frac{1}{4}$ *10.0 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$ *20.0 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$ 35.0 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$ 20.0 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$ 17.5 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$ 3.5 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$ 7.5 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 36

T. 35 S., R. 1 W., W. M.

11.52 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$ 19.27 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$ - T-3150 0.17 ac POU -

Section 3

90340

~~2.5~~ ^{+2.4} ^{+1.7} ^{2.7}
 - (T-3210 2.5 Ac.) → 2.6 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
 21.0 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
 29.7 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
 6.2 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
 32.0 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
 3.0 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$ (340)
 Section 3
 T. 36 S., R. 1 W., W. M. ← 0.17 acre SE $\frac{1}{4}$ SE $\frac{1}{4}$ w/m Westgate DLC 47 sec 4
 418 3.1 acres bb w/m DLC 43
 8.4 bb w/m DLC 42
 Sec 6
 T365 R1E WM
 118.09 acres in Tract No. 2 as follows:
 102.38
 4.6 6.6 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$ - T-4138 & POU 2nd Ac.
 4.4 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
 Section 34
 0.46 acre SW $\frac{1}{4}$ NE $\frac{1}{4}$
 2.50 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
 1.10 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
 10.3 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
 Section 35
 0.3146
 - 5th Ac CANCELED Sp. Or. 34, 186 3.3
 - 10th Ac CANCELED : Sp. Or. 34, 186 8.41 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
 10.60 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
 2.90 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
 1.10 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
 11.50 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
 14.10 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
 Section 36
 T. 35 S., R. 1 W., W. M.
 4.3 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
 11.22 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
 2.7 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
 - 12.3 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
 3.7 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
 9.9 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
 Section 3
 T. 36 S., R. 1 W., W. M.
 2.0 acres bb w/m DLC 42
 Sec 6
 T365 R1E WM

Certificate of water right issued to Little Butte Irrigation Company and recorded at page 36604, Volume 28, State Record of Water Right Certificates, confirms the right to the use of water for domestic, stock and irrigation of 743.3 acres. Paragraph 19 of the Little Butte Decree and orders of the State Engineer entered July 31, 1961 and June 23, 1975, provided separate certificates be issued for the Phillips right

THIS CERTIFICATE DESCRIBES THAT PORTION OF THE WATER RIGHT CONFIRMED BY THE PRIOR CERTIFICATE OF WATER RIGHT RECORDED AT PAGE 42285 Vol 34 SRWRC, NOT MODIFIED BY THE PROVISIONS OF ORDERS OF THE WRD ENTERED 10-11-76, 5-11-78 & 2-12-79 APPROVING TRANSFER APPLICATIONS 3210, 3221, 3224, 3950, & 4138 & IS ISSUED TO CONFIRM CHANGES IN PLACE OF USE APPROVED BY THE SAME ORDERS & SUPERSEDES CERTIFICATE 42285, THE ISSUANCE ETC

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 purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this date June 25, 1975.

CHRIS L. WHEELER

State Engineer

JAN 23 1986

REPORT ON INSPECTION UNDER TRANSFER
OF WATER RIGHT FOR CHANGE IN: POD

Transfer No. 4138

County

Jackson

Old Certificate No. 42285 (orig. C-17196)

1. Name Ronald C. Bjork ✓

Address 2970 Brownsboro Hwy, Eagle Point, OR 97524

2. Source of Supply Little Butte Cr., Trib of

3. Use in 13 5/8 ac ✓

4. Amount of Water 1883 x 1908

5. Priority Date _____

6. Proposed Point of Diversion _____

7. Completion Date 10-1-80

8. Place of Use:

[illegible]

INFO: SAME OWNER & ADDRESS AS APPLIED.
TALKED TO MR. BJORK.

SOURCE: LITTLE BUTTE CREEK VIA: LITTLE BUTTE IRRIGATION
CO. MAIN CANAL.

SYSTEM: CONCRETE DAM ACROSS CREEK DIVERTS INTO
DIVERSION: EARTHEN CANAL. 8" ALUM. PIPE @ HEAD GATE
DIVERTS WATER ACROSS LITTLE BUTTE CR. INTO
LATERAL CANAL INTO FIELD.
ALL FLOOD IRRIGATION.

P.S. M: @ HEAD GATE; BERKELEY; 5 H.P. CENT., EUGL.
3" X 2"

EQUIPMENT: 200' 8" ALUM.

LIFT: 6' SUCTION
- 1' SLOPE IN PIPE TO FIELD. (HALL)
FIELD SLOPES 1/4" : 1000'

USE: HAY, PASTURE

TIE: 41029-279-1976

(MONT: BC = $\frac{1}{6}$)

B. Lee Jones

BC = $\frac{3}{6}$

W.R.E. 10-785

REMARKS: YEARS USED; 1980, 1981, 1982, 1984.

$$VH/ac = \frac{.540}{n=.011} \left[(8" - 0.66") (0.001)^{.66} \right] = \underline{1.29}$$

DRAFTING REMARKS: SE ATTACHED ASSESSOR'S MAP SHOWING BJORK PROPERTY;
PER COUNTY RECORDS, PROPERTY HAS BEEN OWNED BY
BJORK SINCE 1963

RECEIVED

JAN 23 1986

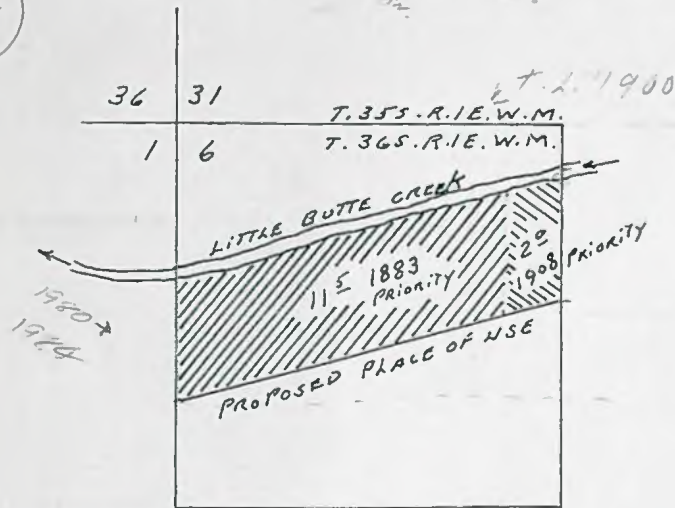
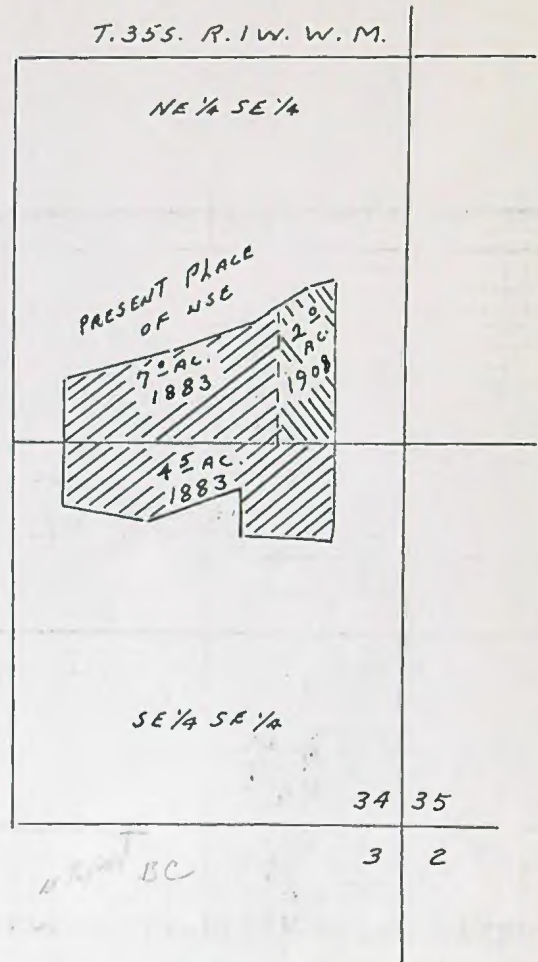
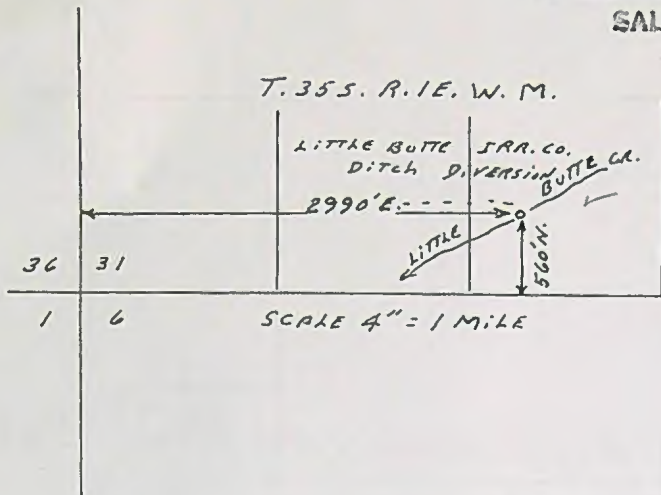
WATER RESOURCES DEPT
SALEM, OREGON

T-4138

RECEIVED

JAN 22 1979

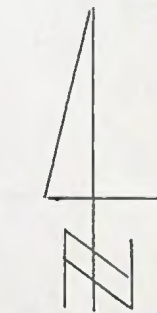
WATER RESOURCES DEPT.
SALEM, OREGON



MAP TO ACCOMPANY APPLICATION OF
DICK L. CHAMBERLAIN FOR A C.I.P.O.U.
TO RONALD C. BJORK PROPERTY

THIS MAP PREPARED BY:

John F. Cummings
FOR THE UNITED STATES OF AMERICA BY



1-17-79



Water Resources Department
MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066 or
1-800-452-7813

November 3, 1980

Ronald C. Bjork
2970 Brownsboro Highway
Eagle Point, OR 97524

Dear Mr. Bjork:

REFERENCE: File number T-4138

The notice of completion of works and use of water under the provisions of the order of the Water Resources Director approving water right transfer application number 4138, for a change in place of use of water from Little Butte Creek, was received and, in line with the general practice of this office, a survey will be made at a later date.

After the survey, proof may be made and certificate of water right issued covering the actual use of water as found by the engineer. (In case of irrigation, any lands described in the order that have not been irrigated will be automatically eliminated from the water right.)

In the meantime, the order will be evidence of the water right in question as long as the authorized beneficial use of water is continued.

Sincerely,

SAMUEL R. ALLISON
Supervisor
Transfer Section

SRA:wpc
cc: David C. Hendrix, Watermaster
0647A
2790A

C O P Y

RECEIVED
OCT 27 1980
WATER RESOURCES DEPT
SALEM, OREGON

NOTICE OF COMPLETION OF CHANGE IN

change in place of use from Little Butte Creek

PURSUANT TO TRANSFER APPLICATION NO. 4138

I, Ronald Byn, hereby certify that completion
of works and use of water to the extent intended within the provisions
of the order of the Water Resources Director approving said water
right transfer application was accomplished by June 30, 1980

Oct 15, 1980
Date

Ronald Byn
Signature

(Mail to the Water Resources Department, Salem, Oregon 97310.)

ek
Gij

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

Sp. Or. V. 28, p. 26
(Tr. 3210)Sp. Or. V. 28, p. 31
(Tr. 3221)Sp. Or. V. 28, p. 32
(Tr. 3224)

This Is to Certify, That LITTLE BUTTE IRRIGATION COMPANY

of Eagle Point, State of Oregon, has a right
to the use of the waters of Little Butte Creek

a tributary of Rogue River for the purpose of
irrigation, domestic, and stock
and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
Jackson County, and the said decree entered of record at Salem, in the Order Record of
the STATE ENGINEER, in Volume 14, at page 498; that the priority of the right thereby
confirmed dates from 1883 for Tract No. 1 and 1908 for Tract No. 2;

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an
amount actually beneficially used for said purposes, and shall not exceed 10.992 cubic feet per
second for irrigation for Tract No. 1 and 2.37 cubic feet per second for Tract
No. 2; measured at the head of the ditch or the point where the same leaves the
natural stream, from April 1st to October 1st of each year.

The point of diversion is located in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 31, Township 35 South, Range 1
East, W.M. Diversion point located 560 feet North and 2990 feet East from the
SW Corner, Section 31.

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

551.09 acres in Tract No. 1 as follows: (1883)

7.0 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$ - T-4138-POU 7² Ac
34.0 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
(Tr. 3224 2.4 Ac) & (Tr. 3221 5.0 Ac) → 30.8 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$ - T-4138-POU 4⁵ Ac
10.0 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
15.0 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 34

37.0 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
33.0 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
40.0 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
33.0 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
21.0 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
32.5 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
4.0 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
12.0 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 35

3.0 acre. SE $\frac{1}{4}$ NW $\frac{1}{4}$
10.0 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
20.0 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
35.0 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
20.0 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
17.5 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
3.5 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
7.5 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 36

T. 35 S., R. 1 W., W. M.

11.52 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
19.27 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$ - T-3750 0.17 ac POU
Section 3

2.6 acres NE $\frac{1}{2}$ NW $\frac{1}{2}$
 21.0 acres SW $\frac{1}{2}$ NW $\frac{1}{2}$
 (T-3210 2.5 Ac.) → 29.7 acres SE $\frac{1}{2}$ NW $\frac{1}{2}$
 6.2 acres NE $\frac{1}{2}$ SW $\frac{1}{2}$
 32.0 acres NW $\frac{1}{2}$ SW $\frac{1}{2}$
 3.0 acres SW $\frac{1}{2}$ SW $\frac{1}{2}$
 Section 3
 T. 36 S., R. 1 W., W. M.

118.09 acres in Tract No. 2 as follows: (1908)

6.6 acres NE $\frac{1}{2}$ SE $\frac{1}{2}$ - T-4138 & POU 22 Ac.
 4.4 acres NW $\frac{1}{2}$ SE $\frac{1}{2}$
 Section 34

0.46 acre SW $\frac{1}{2}$ NE $\frac{1}{2}$
 2.50 acres SE $\frac{1}{2}$ NE $\frac{1}{2}$
 1.10 acres NE $\frac{1}{2}$ SE $\frac{1}{2}$
 10.3 acres SW $\frac{1}{2}$ SE $\frac{1}{2}$
 Section 35

8.41 acres SW $\frac{1}{2}$ NW $\frac{1}{2}$
 10.60 acres SE $\frac{1}{2}$ NW $\frac{1}{2}$
 2.90 acres NE $\frac{1}{2}$ SW $\frac{1}{2}$
 1.10 acres NE $\frac{1}{2}$ SE $\frac{1}{2}$
 11.50 acres NW $\frac{1}{2}$ SE $\frac{1}{2}$
 14.10 acres SW $\frac{1}{2}$ SE $\frac{1}{2}$
 Section 36
 T. 35 S., R. 1 W., W. M.

4.3 acres NE $\frac{1}{2}$ NE $\frac{1}{2}$
 11.22 acres SW $\frac{1}{2}$ NE $\frac{1}{2}$
 2.7 acres NE $\frac{1}{2}$ NW $\frac{1}{2}$
 12.3 acres NW $\frac{1}{2}$ NW $\frac{1}{2}$
 3.7 acres NE $\frac{1}{2}$ SW $\frac{1}{2}$
 9.9 acres SW $\frac{1}{2}$ SW $\frac{1}{2}$
 Section 3
 T. 36 S., R. 1 W., W. M.

Certificate of water right issued to Little Butte Irrigation Company and recorded at page 36604, Volume 28, State Record of Water Right Certificates, confirms the right to the use of water for domestic, stock and irrigation of 743.3 acres. Paragraph 19 of the Little Butte Decree and orders of the State Engineer entered July 31, 1961 and June 23, 1975, provided separate certificates be issued for the Phillips right of 69.73 acres irrigation. The right to the use of water appurtenant to 4.39 acres was canceled by orders of the State Engineer entered July 31, 1961 and June 23, 1975. This certificate is issued to confirm the remaining right to the use of water for domestic, stock, and irrigation and together with certificates recorded at pages 42286 and 42287, Volume 34, State Record of Water Right Certificates, supersedes the certificate heretofore issued to Little Butte Irrigation Company.

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 purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this date June 25, 1975.

.....CHRIS L. WHEELER.....
 State Engineer

T-4138

Application for Transfer of Water Right

RECEIVED

JAN 22 1979

WATER RESOURCES DEPT.
SALEM, OREGON

To the WATER RESOURCES DIRECTOR OF OREGON:

I, Dick L. Chamberlain c/o Ronald C. Bjork
(Name of applicant)
 of 2970 Brownsboro Highway, Eagle Point,
(Mailing address) (City)
 State of Oregon, 97524, 826-6897, do hereby make application for change
(Zip Code) (Phone number)
 in place of use.
(In point of diversion; place of use; use heretofore made of the water)

1. Is the water right recorded in your name? No, Little Butte Irrigation Co.
(If not, give name)
2. Was your water right determined by Decree of Court? Yes. If so, give title of proceedings
(Yes or No)
Little Butte Decree number of certificate 42285
3. Was your water right acquired by Water Right Permit? No. If so, give number
(Yes or No)
 of permit Number of certificate

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 Little Butte Creek.
5. What is the date of priority of your water right? 1883 and 1908.
6. The authorized point of diversion is located 560 ft. N. and 2990 ft. E. from the SW
(N. or S.) (E. or W.)
 corner of Sec. 31 being within the SW 1/4 SE 1/4 of Section 31 Tp. 35 S. R. 1 E. W. M.,
(No. N. or S.) (No. E. or W.)
 in the county of Jackson. The name of the ditch used is Little Butte Irrigation Company Ditch.

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

7. The proposed point of diversion is located ft. and ft. from the
(N. or S.) (E. or W.)
 corner of being within the 1/4 1/4 of Section Tp. R. W. M.,
(No. N. or S.) (No. E. or W.)
 in the county of The name of the ditch to be used is

8. The use to which the water is applied is 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 1/4-1/4 of Section	Number Acres To Be Irrigated
35 S.	1 W.	34	NE1/4 SE1/4	7.0 ac. (1883 priority
			NE1/4 SE1/4	2.0 ac. (1908 priority
			SE1/4 SE1/4	4.5 ac. (1883 priority

(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.? Yes.
(Answer Yes or No)

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

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT

13. The use to which the water is to be applied is 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 1/4-1/4 of Section	Number Acres To Be Irrigated
36 S.	1 E.	6	NW1/4 NW1/4	11.5 ac. (1883 priority)
			NW1/4 NW1/4	2.0 ac. (1908 priority)

(If more space required, attach separate sheet)

14. Reasons for the proposed changes are to better facilitate the use of water, as the present place of use is to be subdivided.

15. Construction work will be completed on or before October 1, 1979.

16. The water will be completely applied to the proposed use on or before October 1, 1980.

Remarks

THIS APPLICATION PREPARED BY:

John F. Cummings

FROM INFORMATION FURNISHED BY

THE APPLICANT.

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, Dick L. Chamberlain, 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 3rd day of January, 1979.

Dick L. Chamberlain
(Name of applicant)

Subscribed and sworn to before me this 3rd day of January, 1979.

[Notarial Seal]

Phyllis L. Tilman
NOTARY PUBLIC FOR OREGON

My commission expires March 17, 1981.



Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066

February 14, 1979

Dick L. Chamberlain
c/o Ronald C. Bjork
2970 Brownsboro Highway
Eagle Point, Oregon 97524

RE: File No. T-4138

Dear Mr. Chamberlain:

Enclosed is a certified copy of the order of the Water Resources Director approving water right transfer application No. 4138 for a change in place of use of water from Little Butte Creek.

The time in which to accomplish completion of the works and beneficial use of the water to the extent intended, as authorized by the order, expires on October 1, 1980. A form for reporting such completion of works and use of water is enclosed for your convenience.

You should give particular attention to the time limit for carrying out the change authorized by the enclosed order. The water right for any portion of an authorized change in use theretofore made or change in place of use not carried out within the time allowed, or within an extension thereof, will be lost. An extension of the time limit can be allowed only upon a showing that diligent effort has been made to complete the actual change within the time allowed.

Sincerely,

Wayne J. Overcash
Water Rights Engineer

WJO:slm
Enclosure
cc: David C. Hendrix, Watermaster
District #13

State of Oregon

INTEROFFICE MEMORANDUM - JACKSON COUNTY

RECEIVED

FEB 7 1979

**WATER RESOURCES DEPT.
SALEM, OREGON**

TO: Wayne J. Overcash
FROM: John F. Cummins, Dist. 13, Medford
DATE: 2-6-79
SUBJECT: Chamberlain-Bjork transfer - No. T-4138

Regarding our telephone conversation of February 1st, am enclosing herewith a statement from the Eagle Point Irrigation District regarding the lands of Ronald C. Bjork.

John Cummins

EAGLE POINT IRRIGATION DISTRICT

P. O. BOX 157

EAGLE POINT, OREGON 97524

PHONE 826-3411

February 1, 1979

RECEIVED

FEB 7 1979

WATER RESOURCES DEPT.
SALEM, OREGON

Mr. Wayne Overcash
Water Masters Office
Jackson County Court House
Medford, Oregon 97501

Dear Mr. Overcash:

According to our records the property owned by Mr. Ronald C. Bjork,
2975 Brownsboro Highway, Eagle Point, Oregon.

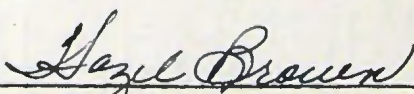
NW $\frac{1}{4}$ of NW $\frac{1}{4}$ of Township 36 South, Range 1 East, Section 6

The above described property does not have irrigation rights with
the Eagle Point Irrigation District. The property is not subject
to irrigation assessments and the Eagle Point Irrigation District
has no liens against said property.

If this office can be of any further assistance, please call us.

Sincerely yours,

EAGLE POINT IRRIGATION DISTRICT



Hazel Brown, Secretary

RECEIVED
FEB 2 1979

WATER MASTER
DISTRICT 13

M

Transfer No. 4138

Name Ronald C. Bjork
Dick L. Chamberlain

Expiration date for completion 10-1-80

Extended to

Proof to 11/80

O. K. for certificate

Ditch company or irrigation district involved is

INTEROFFICE MEMORANDUM - JACKSON COUNTY

RECEIVED

JAN 31 1979

WATER RESOURCES DEPT.
SALEM, OREGON

TO: WAYNE OVERCASH
FROM: John Cummins
DATE: 30 JANUARY 1979
SUBJECT: T-4138 CHAMBERLAIN - BJOAK

BUTTE CREST RANCH INC; IS THE OWNER OF ALL THE LAND IN QUESTION. DICK CHAMBERLAIN AND FAMILY IS BUTTE CREST RANCH INC. THEY HAVE NO OBJECTION TO TRANSFERING THE 1883 PRIORITY FIRST.

John

Dick Chamberlain & Family

67-12115

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that CLARA L. CHAMBERLAIN, a widow, grantor, in consideration of Ten and no/100 dollars (\$10.00) to her paid by BUTTE CREST RANCH, INC. an Oregon Corporation, grantee, does hereby grant, bargain, sell and convey unto the said grantee, its successors and assigns, all the following real property, with the tenements, hereditaments and appurtenances, situated in the County of Jackson and State of Oregon, bounded and described as follows, to-wit:

Commencing at the southwest corner of Donation Land Claim No. 44 in Township 36 South, Range 1 West of the Willamette Meridian in Jackson County, Oregon, thence North 89° 58' 00" East, along the south line of said Donation Land Claim No. 44, a distance of 2155.0 feet to a 5/8 inch iron pin, thence continue North 89° 58' 00" East, 12.0 feet to a fence line being the point of beginning; thence North 0° 06' 10" East, along said fence line, 644.0 feet to the easterly right-of-way of Medco Railroad; thence North 19° 20' 30" East, along said right-of-way, 108.49 feet; thence on the arc of a curve to the right, having a radius of 1950.0 feet (long chord bears North 12° 02' 45" East, 134.0 feet), a distance of 184.06 feet; thence North 69° 02' 30" East, 1196.32 feet; thence South 0° 05' 10" East 165.19 feet; thence South 8° 01' 25" West 387.69 feet to the northwest corner of Lot 1 in Block 2 of the BUTTE CREST SUBDIVISION, according to the official plat thereof, now of record; thence North 89° 58' East 134.51 feet; thence North 0° 02' West 400.0 feet; thence North 89° 58' East 110.0 feet; thence North 0° 02' West 26.45 feet; thence North 89° 58' East 170.0 feet; thence South 0° 02' East 40.0 feet; thence North 89° 58' East 170.0 feet; thence South 0° 02' East 40.0 feet; thence North 89° 58' East 110.0 feet; thence South 0° 02' East 310.65 feet; thence South 22° 30' East 129.30 feet; thence South 67° 30' West 30.0 feet; thence South 22° 30' East 121.24 feet; thence South 68° 43' 30" West 50.73 feet; thence South 0° 02' East 75.5 feet to the south line of said Donation Land Claim No. 44; thence East, along said Claim line, 339.62 feet to the southwest corner of tract described in Volume 447 page 218 of the Deed Records of Jackson County, Oregon; thence North 21° West 161.0 feet; thence North 83° East 144.0 feet; thence South 26° East 113.0 feet, more or less, to the northwesterly boundary of Little Butte Secondary Highway; thence South 34° 59' West, along said boundary, 121.0 feet to the south line of said Claim No. 44; thence East, along said Claim line, 992.7 feet to the southeast corner thereof; thence North 2653.0 feet; thence West 3135.0 feet; thence South 1640.0 feet to the south line of said Claim No. 44; thence North 89° 58' 00" East, along said south line 12.0 feet to the point of beginning. EXCEPTING THEREFROM tracts described in Volume 66 page 10 and Volume 465 page 392 of the Deed Records of Jackson County, Oregon. ALSO, subject to an easement 30.0 feet in width along the south line of said Donation Land Claim lying West of the said Little Butte Secondary Highway for road purposes.

TO HAVE AND TO HOLD the above described and granted premises unto the said grantee, its successors and assigns forever, as above stated.

RECEIVED

JAN 31 1979

WATER RESOURCES DEPT.
SALEM, OREGON

351W34-1800

268-5093

12-27-67

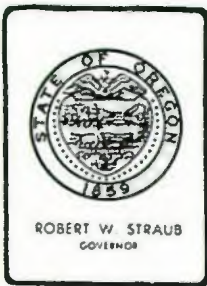
2.65'

50.4

20.62'

3

2



Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066

January 29, 1979

Dick L. Chamberlain
c/o Ronald C. Bjork
2970 Brownsboro Highway
Eagle Point, Oregon 97524

RE: File No. T-4138

Dear Mr. Chamberlain:

Your water right transfer application for approval of a change in place of use of water from Little Butte Creek, together with supporting data and payment of fees in the amount of \$30, was received on January 22, 1979. Our receipt No. 8669 is enclosed.

When examination of the application and supporting data has been completed, you will be advised of any matters requiring your further attention prior to consideration of the application for approval.

Please refer any correspondence to file No. T-4138.

Sincerely,

Wayne J. Overcash
Water Rights Engineer

WJO:lcj
cc: David C. Hendrix, Watermaster



T-4138

Water Resources Department

JACKSON COUNTY COURTHOUSE, MEDFORD, OREGON 97501 PHONE 776-7056

January 19, 1979

RECEIVED

JAN 22 1979

**WATER RESOURCES DEPT.
SALEM, OREGON**

Mr. James W. Sexson, Director
Water Resources Department
Salem, Oregon 97310

Attention: Mr. James W. Carver, Jr.
Engineer

Dear Mr. Carver:

I am enclosing an application in the name of Dick L. Chamberlain, c/o Ronald C. Bjork, of 2970 Brownsboro Highway, Eagle Point, Oregon 97524, for a change in place of use of water from the Little Butte Creek, together with a check from Ronald C. Bjork in the sum of \$30 for transfer fees, the necessary map tracing and legal land description.

It is my opinion that this change in place of use may be made without injury to existing rights.

Very truly yours,

David C. Hendrix

David C. Hendrix
Water Master, District 13

DCH:pg

enclosures

T-4138

DESCRIPTION

FROM Mr. Dick Chamberlain
January 9, 1978
Ext. No. 3

PROPERTY

RECEIVED

JAN 22 1979

WATER RESOURCES DEPT.
SALEM, OREGON

ANNEXATION TO THE CITY OF EAGLE POINT:

Commencing at the point of beginning, being the most Northwest corner of Butte Crest Unit No. 2, Sub-division in the City of Eagle Point, Jackson County, Oregon; thence North $0^{\circ} 05' 10''$ West 165.19 feet; thence South $69^{\circ} 01' 40''$ West (record S. $69^{\circ} 02' 30''$ W.) 362.00 feet; thence North $82^{\circ} 00'$ West 252.49 feet; thence North 456.52 feet; thence North $67^{\circ} 25' 20''$ East 320.79 feet; thence North $63^{\circ} 46' 50''$ East 306.68 feet, from which a $1/2$ inch iron pin bears North $28^{\circ} 50' 55''$ West 4.00 feet; thence North $58^{\circ} 30' 40''$ East 189.19 feet; thence North $73^{\circ} 36' 30''$ East 93.17 feet; thence North $69^{\circ} 02' 15''$ East 52.30 feet; thence South $0^{\circ} 01'$ West 858.53 feet; thence South $4^{\circ} 00'$ West 80.00 feet to a point on the Northerly line of said Sub-division; thence North $88^{\circ} 20' 20''$ West 169.56 feet; thence North $88^{\circ} 47' 05''$ West 109.99 feet to the point of beginning.

CONTAINS 13.50 Acres more or less.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Edward A. McGinty

OREGON
JULY 10, 1953
EDWARD A. MCGINTY
301

TO R.C. BJORK PROPERTY

608756

BARGAIN and SALE DEED

Vol. 574 Page 270

KNOW ALL MEN BY THESE PRESENTS, That HUBERT A. SMITH and MARTHA I. SMITH, husband and wife, Grantors, in consideration of Ten (\$10.00) Dollars, and other good and valuable consideration to them paid by DOLORES E. BJORK and ARNOLD C. BJORK, wife and husband; NELLA RAE JOHNSON and DORVAN R. JOHNSON, wife and husband, and RONALD C. BJORK, a single man, Grantees, do hereby grant, bargain, sell and convey unto the said Grantees, their heirs and assigns, all the following real property, with the tenements, hereditaments and appurtenances, situated in the County of Jackson and State of Oregon, to the said Dolores E. Bjork and Arnold C. Bjork, wife and husband, an undivided one-third interest to the said Nella Rae Johnson and Dorvan R. Johnson, wife and husband, an undivided one-third interest to the said Ronald C. Bjork, an undivided one-third interest, which property is bounded and described as follows, to-wit:

TRACT A: The NORTH HALF of the Silas J. Day Donation Land Claim, being designated as Claim No. 43 in Township 36 South, Range 1 West, and as Claim No. 37 in Township 35 South, Range 1 West, and as Claim No. 43 in Township 36 South, Range 1 East, and as Claim No. 38 in Township 35 South, Range 1 East of the Willamette Meridian in Jackson County, Oregon.

Also, the NORTH HALF of the Edward W. Day Donation Land Claim, being designated as Claim No. 42 in Township 36 South, Range 1 East, and as Claim No. 37 in Township 35 South, Range 1 East of the Willamette Meridian in Jackson County, Oregon.

TO HAVE AND TO HOLD the above described and granted premises unto the said grantees, their heirs and assigns forever, as above stated.

WITNESS our hands and seals this 26th day of August, 1964.

X Hubert A. Smith (SEAL)
X Martha I. Smith (SEAL)

STATE OF OREGON)

County of Jackson) ss

BE IT REMEMBERED, that on this 26th day of August, 1964, before me, the undersigned, a notary public in and for said county and state, personally appeared the within named Hubert A. Smith and Martha I. Smith who are known to me to be the identical individuals described in and who executed the within instrument and acknowledged to me that they executed the same freely and voluntarily.

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year last above written.

Notary Public for
My commission expires

State of Oregon, County of Jackson, ss
The within instrument received and filed at 11:12 a.m. the 28th day of August, 1964.
Recorded in Book 574, Page 270
Oregon, Jackson County Clerk
John H. Chaney

JOHN H. CHANEY
ATTORNEY AT LAW
SUITE 2 - THE MALL
1000 E. MAIN STREET
MEDFORD, OREGON

Bargain and Sale Deed - 1-

RECEIVED

JAN 22 1979

WATER RESOURCES DEPT.
SALEM, OREGON

9-28-64

Section 36-35-1W-9