

Name Gene Hanson for Ron Byerly

By _____

Address 4501 Coal Mine Road
Medford, OR 97501

Change in POU, POD

Date filed April 12, 1979

Date of hearing _____

Place of hearing _____

Date of order 4-30-79 Vol. 32, page 63

Date for application of water 10-1-80

Proof mailed _____

Proof received _____

Certificate issued 12/15/2006 Vol. _____, page 82 376
82 788

to sur 7/81

4198

DESCRIPTION OF WATER RIGHT

Name of stream Larsen Creek

Trib. of _____ County of Jackson

Use _____

Quantity of water _____ No. of acres 15^e

Name of ditch Anderson Ditch

Date of priority 1903

In name of Edmona M. Anderson

Rogue River Adjudication, Vol. 4, page 7

App. No. _____ Per. No. _____ Cert. No. 15918

Certificate cancelled _____

Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>4-12-79</u>	<u>45-</u>	<u>10244</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

REMARKS

CARD FOR C NOV. 4. 1980

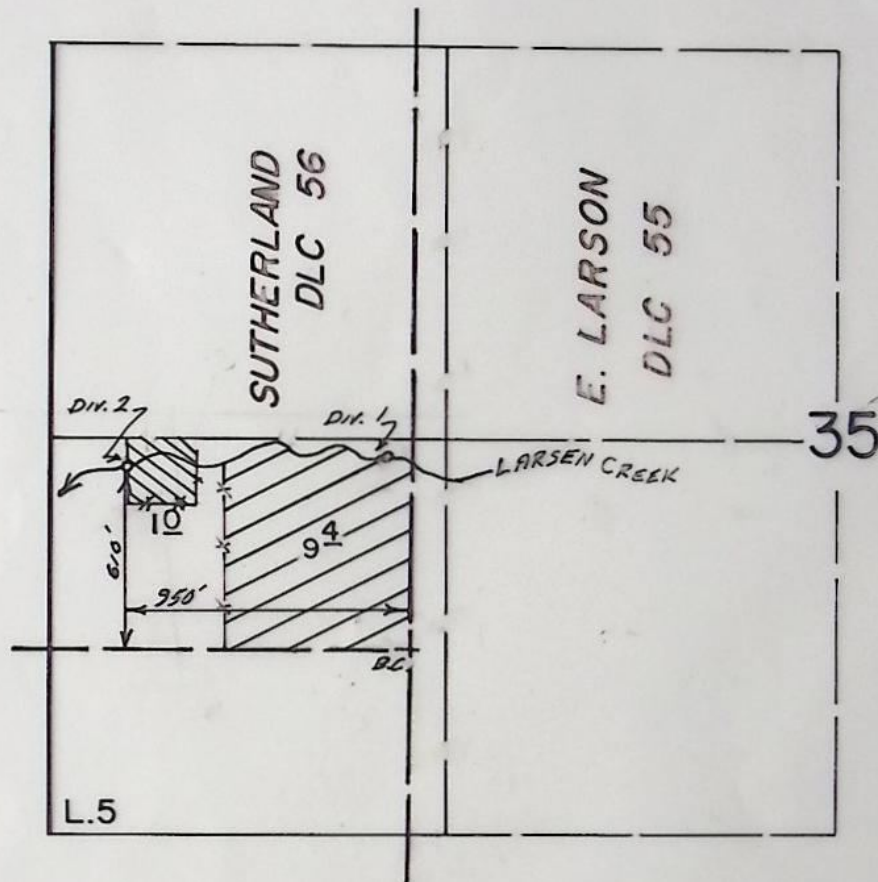
W.R.I.S.	
Assembled <u>5-1-83</u> by <u>SW</u>	
Entered _____ by _____	
Verified _____ by _____	

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

401

T. 37 S., R. 1 W., W.M.

RECEIVED
JUN 30 1995
WATER RESOURCES DEPT.
SALEM, OREGON



Diversion 1

Diversion 2

Scale 1" = 660'

Div. Pt. 1: 1100' E & 60' S from
the W 1/4 Cor.

FINAL PROOF SURVEY UNDER

Transfer No. 4198

Application No. Permit No.
IN NAME OF

FRANK GODDARD & RICHARD HAKES

March 31, 1993

Surveyed April 1, 1993, by S. DeHaas.....

41629-279-2324

6/95

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 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.

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

GENE HANSON AND/OR RON BYERLY
4501 COAL MINE RD
MEDFORD, OREGON 97501

confirms the right to use the waters of LARSEN CREEK, a tributary of BEAR CREEK, for IRRIGATION OF 10.4 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for JACKSON County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 4, at Page 1. The date of priority is 1903.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.13 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion are located as follows:

DIVERSION 1: NW 1/4 SW 1/4, SECTION 35, T 37 S, R 1 W, W.M.; 60 FEET SOUTH AND 1100 FEET EAST FROM THE W 1/4 CORNER, SECTION 35

DIVERSION 2: ANDERSON DITCH: NW 1/4 SW 1/4, SECTION 35, T 37 S, R 1 W, W.M.; 610 FEET NORTH AND 950 FEET WEST FROM THE SE CORNER, SUTHERLAND DLC 56

The quantity of water diverted at the new point of diversion, together with that diverted at the old diversion, shall not exceed the quantity of water available at the old point of diversion under the subject right, and shall not exceed 0.13 cubic foot per second.

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

DIVERSION 1 DIVERSION 2
NW 1/4 SW 1/4 9.4 ACRES 1.0 ACRE
ALL AS PROJECTED WITHIN SUTHERLAND DLC 56
SECTION 35
TOWNSHIP 37 SOUTH, RANGE 1 WEST, W.M.

When in the judgment of the Watermaster it becomes necessary to install headgates and measuring devices:

the diversion works shall include an in-line flow meter, a weir, or other suitable device for measuring the water to which the wateruser is entitled;

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

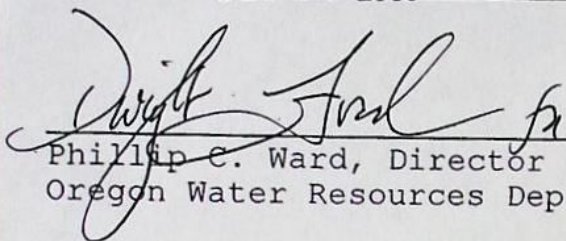
This certificate is issued to confirm a change in PLACE OF USE AND POINT OF DIVERSION approved by an order of the Water Resources Director entered APRIL 30, 1979, approving Transfer Application 4198, and together with Certificate 82376, supersedes Certificate 15918, State Record of Water Right Certificates.

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

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director, affixed

DEC 15 2006


Phillip C. Ward, Director
Oregon Water Resources Department



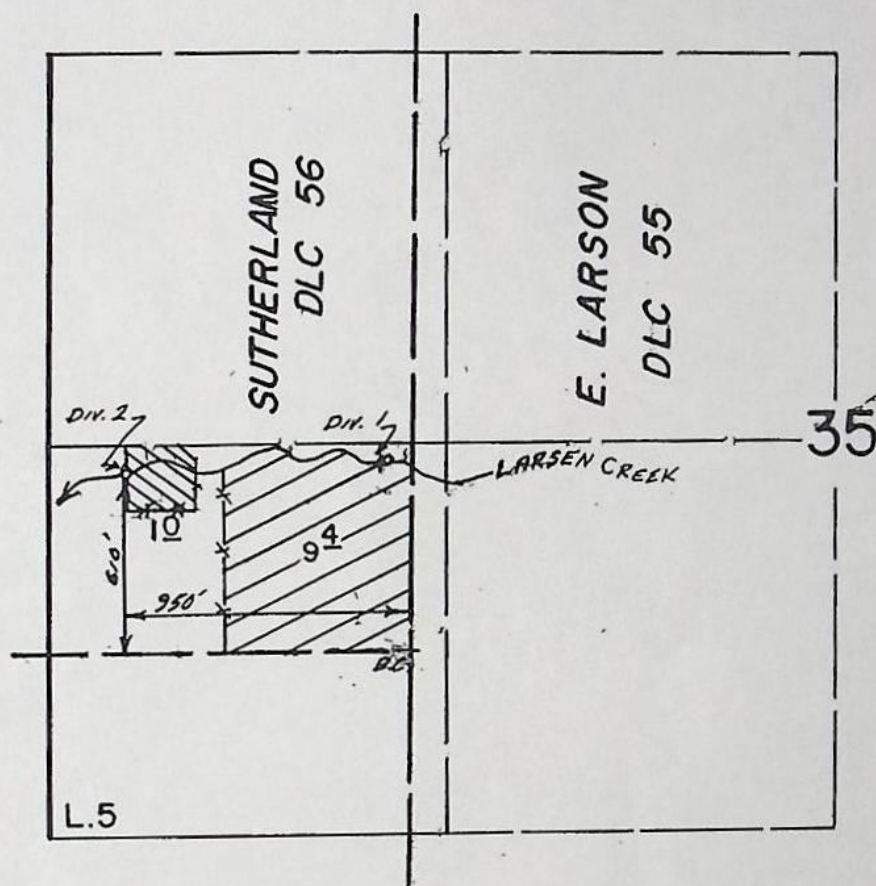
Recorded in State Record of Water Right Certificates numbered 82788.

T-4198.JWG

T. 37 S., R. 1 W., W.M.

RECEIVED

JUN 30 1995
WATER RESOURCES DEPT.
SALEM, OREGON



▨ Diversion 1

▨ Diversion 2

Scale 1" = 660'

Div. Pt. 1: 1100' E & 60' S from
the W 1/4 Cor.

FINAL PROOF SURVEY UNDER

Transfer No. 4198

Application No. Permit No.
IN NAME OF

FRANK GODDARD & RICHARD HAKES

March 31, 1993

Surveyed April 1, 1993, by S. DeHaas

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 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.

STATE OF OREGON
COUNTY OF JACKSON
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

GENE HANSON AND/OR RON BYERLY
4501 COAL MINE RD
MEDFORD, OREGON 97501

confirms the right to use the waters of LARSEN CREEK, a tributary of BEAR CREEK, for DOMESTIC AND STOCK USE.

This right was confirmed by decree of the Circuit Court of the State of Oregon for JACKSON County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 4, at Page 1. The date of priority is 1903.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.01 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

ANDERSON DITCH: NW 1/4 SW 1/4, SECTION 35, T 37 S, R 1 W, W.M.; 60 FEET SOUTH AND 1100 FEET EAST FROM THE W 1/4 CORNER, SECTION 35

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

SW 1/4 NW 1/4
ALL AS PROJECTED WITHIN SUTHERLAND DLC 56
SECTION 35
TOWNSHIP 37 SOUTH, RANGE 1 WEST, W.M.

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 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.

STATE OF OREGON
COUNTY OF JACKSON
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

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4501 COAL MINE RD
MEDFORD, OREGON 97501

confirms the right to use the waters of LARSEN CREEK, a tributary of BEAR CREEK, for DOMESTIC AND STOCK USE.

This right was confirmed by decree of the Circuit Court of the State of Oregon for JACKSON County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 4, at Page 1. The date of priority is 1903.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.01 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

ANDERSON DITCH: NW 1/4 SW 1/4, SECTION 35, T 37 S, R 1 W, W.M.; 60 FEET SOUTH AND 1100 FEET EAST FROM THE W 1/4 CORNER, SECTION 35

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

SW 1/4 NW 1/4
ALL AS PROJECTED WITHIN SUTHERLAND DLC 56
SECTION 35
TOWNSHIP 37 SOUTH, RANGE 1 WEST, W.M.

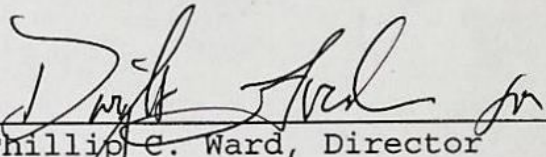
This certificate describes that portion of the water right confirmed by Certificate 15918, Volume 13, State Record of Water Right certificates, NOT modified by the provisions of an order of the Water Resources Director entered APRIL 30, 1979, approving Transfer Application 4198.

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

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director, affixed

DEC 15 2006



Phillip C. Ward, Director
Oregon Water Resources Department

Recorded in State Record of Water Right Certificates numbered 82376

T-4198rr.JWG

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON
JACKSON COUNTY

IN THE MATTER OF THE APPLICATION)
OF GENE HANSON & RON BYERLY FOR)
APPROVAL OF CHANGES IN PLACE OF)
USE & POINT OF DIVERSION OF WATER)

ORDER APPROVING
TRANSFER NO. 4198

On April 12, 1979, an application was filed in the office of the Water Resources Director by Gene Hanson and Ron Byerly for approval of changes in place of use and point of diversion of water from Larsen Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 15918, Volume 13, State Record of Water Right Certificates, in the name of Edmona M. Anderson, describes a right for the use of not to exceed 0.22 cubic foot per second from Larsen Creek for irrigation of a certain 15.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 35, Township 37 South, Range 1 West, W.M., with a date of priority of 1903.

Water for said right is diverted, through the Anderson Ditch, from a point located 60 feet South and 1100 feet East from the West Quarter Corner of Section 35, being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35, Township 37 South, Range 1 West, W.M.

The applicants herein, owners of the lands above described, propose to change the place of use therefrom and, without loss of priority, to irrigate in lieu thereof a certain 15.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35, Township 37 South, Range 1 West, W.M. The applicants herein also propose to change from the point of diversion located above, without loss of priority, to a point located 150 feet South and 370 feet East from the West Quarter Corner of Section 35, being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35, Township 37 South, Range 1 West, W.M. for irrigation of a certain 1.0 acre of the lands above described in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 35.

Mr. David C. Hendrix, Watermaster, has filed a statement to the effect that the proposed changes in place of use and point of diversion may be made without injury to existing rights.

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

NOW, THEREFORE, it hereby is ORDERED that the requested changes in place of use and point of diversion, as described herein, without loss of priority, are approved.

11/31/83

It is FURTHER ORDERED that the quantity of water diverted at the new point of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of water available at the old point of diversion under the subject right, and shall not exceed 0.22 cubic foot per second.

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

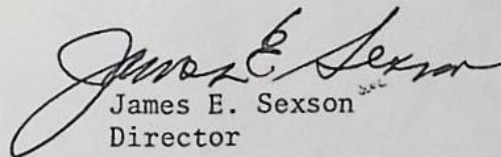
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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

It is FURTHER ORDERED that the construction work shall be completed and the change in point of diversion made and said water so transferred shall be applied to beneficial use on or before October 1, 1980.

It is FURTHER ORDERED that the certificate of water right recorded at page 15918, Volume 13, 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 applicants herein.

Dated at Salem, Oregon this 30th day of April, 1979.


James E. Sexson
Director

30; Tp. 38 S. R. 1 E. W. M., Jackson County, Oregon.

SPRING BRANCH OF BEAR CREEK.

¹⁵⁹⁰⁷ EUGENIA F. JACKSON, Medford, Ore. (Proof 61, Vol. 2); Priority 1891; 0.03 second foot; for Irrigation of $\frac{1}{2}$ acre, and Domestic use; Tile and water pipe; Description of place of use: $\frac{1}{2}$ acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$; Sec. 32; Tp. 38 S. R. 1 E. W. M., Jackson County, Oregon.

DURKEY CREEK,

A Tributary of Bear Creek.

¹⁵⁹⁰⁸ LOUIS WERTH, Ashland, Ore. (Proof 62, Vol. 2); Priority 1880; 0.20 second foot; for Irrigation of 12 acres; Werth ditch; Description of place of use: 6 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$; 6 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$; Sec. 19; Tp. 38 S. R. 1 E. W. M., Jackson County, Oregon.

GERKY CREEK,

A Tributary of Bear Creek.

¹⁵⁹⁰⁹ G. S. BUTLER, Ashland, Ore. (Proof 63, Vol. 2); Priority 1895; 0.12 second foot; for Irrigation of 7 acres, and stock; Butler ditch; Description of place of use: 3 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$; 2 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$; 2 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$; Sec. 36, Tp. 38 S. R. 1 E. W. M., Jackson County, Oregon.

UNNAMED TRIBUTARY OF BEAR CREEK.

¹⁵⁹¹⁰ J. S. RASOR, Ashland, Ore. (Proof 64, Vol. 2); Priority 1908; 0.17 second foot; for Irrigation of 10 acres; Rasor ditch; Description of place of use: 2 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$; Sec. 2; 8 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$; Sec. 3; Tp. 39 S. R. 1 E. W. M., Jackson County, Oregon.

WRIGHTS CREEK,

A Tributary of Bear Creek.

¹⁵⁹¹¹ G. F. BILLINGS, Ashland, Ore. (Proofs 65 and 66, Vol. 2); Priority 1874; 0.22 second foot; for Irrigation of 17 acres, and Stock; Mark-Brown ditch; Description of place of use: 5 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$; Sec. 5, Tp. 39 S. R. 1 E. W. M.; 12 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$; Sec. 32; Tp. 38 S. R. 1 E. W. M., Jackson County, Oregon.

¹⁵⁹¹² Priority 1873; 0.38 second foot; for Irrigation of 30 acres; Meyer-Billings ditch ($\frac{1}{4}$ int.); Description of place of use: 16 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$; 14 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$; Sec. 32; Tp. 38 S. R. 1 E. W. M., Jackson County, Oregon.

¹⁵⁹¹² G. F. BILLINGS, RALPH BILLINGS, and F. M. BILLINGS, Ashland, Ore. (Proof 67, Vol. 2); Priority 1869; 0.24 second foot; for Irrigation of 19 acres, and Domestic and Stock; W. C. Meyer ditch; Description of place of use: 8 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$; 5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$; Sec. 5; Tp. 39 S. R. 1 E. W. M.; 2 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$; 4 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$; Sec. 32; Tp. 38 S. R. 1 E. W. M., Jackson County, Oregon.

¹⁵⁹¹³ ERIC WEREN, Ashland, Ore. (Proof 68, Vol. 2); Priority 1891; 0.06 second foot; for Irrigation of 4 acres; Weren ditch; Description of place of use: 4 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$; Sec. 5; Tp. 39 S. R. 1 E. W. M., Jackson County, Oregon.

DANN SPRING,

A Tributary of Wright Creek.

¹⁵⁹¹⁴ W. W. DANN, Ashland, Ore. (Proof

68 $\frac{1}{2}$, Vol. 2); Priority 1885; 0.10 second foot; for Irrigation of 6 acres; Dann pipe and ditch; Description of place of use: 6 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$; Sec. 5; Tp. 39 S. R. 1 E. W. M., Jackson County, Oregon.

WILD CAT GULCH

A Tributary of Bear Creek.

¹⁵⁹¹⁵ G. F. BILLINGS, Ashland, Ore. (Proof 69, Vol. 2); Priority 1882; 0.10 second foot; for Irrigation of 7 acres, and Stock; Billings ditch; Description of place of use: 7 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$; Sec. 32; Tp. 38 S. R. 1 E. W. M., Jackson County, Oregon.

¹⁵⁹¹⁶ EUGENIA F. JACKSON, Medford, Ore. (Proof 70, Vol. 2); Priority 1882; 0.09 second foot; for Irrigation of 5 acres, and Stock; Jackson ditch; Description of place of use: 2 $\frac{1}{2}$ acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$; Sec. 31; 2 $\frac{1}{2}$ acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$; Sec. 32; Tp. 38 S. R. 1 E. W. M., Jackson County, Oregon.

JACKSON SULPHUR SPRINGS,

A Tributary of Bear Creek.

¹⁵⁹¹⁷ EUGENIA F. JACKSON, Medford, Ore. (Proof 110A, Vol. 2); Priority 1862; 0.13 second foot; for Irrigation of 5 acres, Domestic and Stock, and Sanitarium and Natatorium purposes; Tile and Pipe; Description of place of use: The entire flow of the said springs, which are mineral in character, are situate on claimant's land in SE $\frac{1}{4}$ Sec. 31, Tp. 38 S. R. 1 E. W. M., and chiefly valuable for medicinal purposes, as well as for domestic and household use. Irrigated lands in SE $\frac{1}{4}$; Sec. 31, Tp. 38 S. R. 1 E. W. M., Jackson County, Oregon.

LARSEN CREEK,

A Tributary of Bear Creek.

¹⁵⁹¹⁸ EDMONA M. ANDERSON, Phoenix, Ore. (Proof 110B, Vol. 2); Priority 1903; 0.22 second foot; for Irrigation of 15 acres and Domestic and Stock use; Anderson ditch; Description of place of use: 15 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$; Sec. 35; Tp. 37 S. R. 1 E. W. M., Jackson County, Oregon.

¹⁵⁹¹⁹ DONNA A. GRAFFIS, Phoenix, Ore. (Proof 110C, Vol. 2); Priority 1903; 0.15 second foot; for Irrigation of 10 acres, and Domestic and Stock; Graffis ditch; Description of place of use: 10 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$; Sec. 34; Tp. 37 S. R. 1 E. W. M., Jackson County, Oregon.

WALKER CREEK,

A Tributary of Bear Creek.

¹⁵⁹²⁰ L. L. ANDREWS, Corona, Riverside County, Calif. (Proof 249, Vol. 5); Priority 1894; 0.06 second foot; for Irrigation of 2 $\frac{1}{2}$ acres; Andrews ditch; Description of place of use: 2 $\frac{1}{2}$ acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$; Sec. 33; Tp. 38 S. R. 2 E. W. M., Jackson County, Oregon.

¹⁵⁹²¹ F. W. MOORE, Ashland, Ore. (Proof 250, Vol. 5); Priority 1878; 0.20 second foot; for Irrigation of 10 acres, and Domestic and Stock; Murphy ditch No. 1; Description of place of use: 10 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$; Sec. 6; Tp. 39 S. R. 2 E. W. M., Jackson County, Oregon.

¹⁵⁹²² J. J. MURPHY, Ashland, Ore. (Proof 251, Vol. 5); Priority 1878; 0.20 second foot; for Irrigation of 10 acres, and Domestic use; Murphy Ditch No. 1; Description of place of use: 7 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$;

3 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$; Sec. 6; Tp. 39 S. R. 2 E. W. M., Jackson County, Oregon.

¹⁵⁹²³ (Proof 252, Vol. 5) Priority 1860; 0.54 second foot; for Irrigation of 43 acres, and Domestic and Stock use; Murphy ditch No. 2; Description of place of use: 7 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$; 13 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$; Sec. 6; 5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$; 12 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$; Sec. 7; Tp. 39 S. R. 2 E. W. M., 6 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$; Sec. 12; Tp. 39 S. R. 1 E. W. M., Jackson County, Oregon.

¹⁵⁹²⁴ AUGUSTA NEIL, Ashland, Ore. (Proof 253, Vol. 5); Priority 1880; 0.25 second foot; for Irrigation of 20 acres; Owen-Nell-Smith ditch; Description of place of use: 20 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$; Sec. 12; Tp. 39 S. R. 1 E. W. M., Jackson County, Oregon.

¹⁵⁹²⁵ C. E. OWEN, Ashland, Ore. (Proof 254, Vol. 5); Priority 1880; 0.38 second foot; for Irrigation of 30 acres; Owen-Nell-Smith ditch; Description of place of use: 30 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$; Sec. 12; Tp. 39 S. R. 1 E. W. M., Jackson County, Oregon.

¹⁵⁹²⁶ PHOEBE M. SMITH, Ashland, Ore. (Proof 255, Vol. 5); Priority 1880; 0.20 second foot; for Irrigation of 10 acres; Owen-Nell-Smith ditch; Description of place of use: 5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$; 5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$; Sec. 12; Tp. 39 S. R. 1 E. W. M., Jackson County, Oregon.

BABE CREEK AND DEEP HOLLOW

GULCH,

Tributaries of Walker Creek.

¹⁵⁹²⁷ WILLIAM MYER and FRANK M. CALKINS, Ashland, Ore. (Proof 256, Vol. 5); Priority 1885; 1.25 second feet; for Irrigation of 100 acres, and Domestic and Stock use; Small ditches; Description of place of use: 5 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$; 5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$; 24 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$; 16 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$; 5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$; 10 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$; Sec. 23; 3 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$; 5 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$; 6 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$; Sec. 26; Tp. 38 S. R. 2 E. W. M., Jackson County, Oregon.

¹⁵⁹²⁸ ERNEST APPLIGATE, Ashland, Ore. (Proof 257, Vol. 5); Priority 1883; 0.20 second foot; for Irrigation of 11 acres, and Stock; Applegate ditch; Description of place of use: 11 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$; Sec. 27; Tp. 38 S. R. 2 E. W. M., Jackson County, Oregon.

¹⁵⁹²⁹ (Proof 258, Vol. 5); Priority 1892; 0.10 second foot; for Irrigation of 4 acres, and Stock; Upper ditch; Description of place of use: 1 acre in NW $\frac{1}{4}$ NW $\frac{1}{4}$; Sec. 26; 3 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$; Sec. 27; Tp. 38 S. R. 2 E. W. M., Jackson County, Oregon.

COVE CREEK,

A Tributary of Walker Creek, and Springs at Head of Cove Creek.

¹⁵⁹³⁰ CHAS. A. HENRY, Ashland, Ore. (Proof 259, Vol. 5); Priority 1891; 0.42 second foot; for Irrigation of 25 acres; and stock; Small ditches; Description of place of use: 10 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$; Sec. 1; 10 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$; Sec. 12; Tp. 39 S. R. 2 E. W. M.; 5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$; Sec. 6; Tp. 39 S. R. 3 E. W. M., Jackson County, Oregon.

COVE CREEK,

A Tributary of Walker Creek.

¹⁵⁹³¹ J. J. MURPHY, Ashland, Ore. (Proofs

① T-4198 ⁷ Δ 800, POD

① For correct description see
letter of C. A. Smith 7-12-49
Watermaster

Memorandum

To: Don Knauer

Date: May 20, 1997

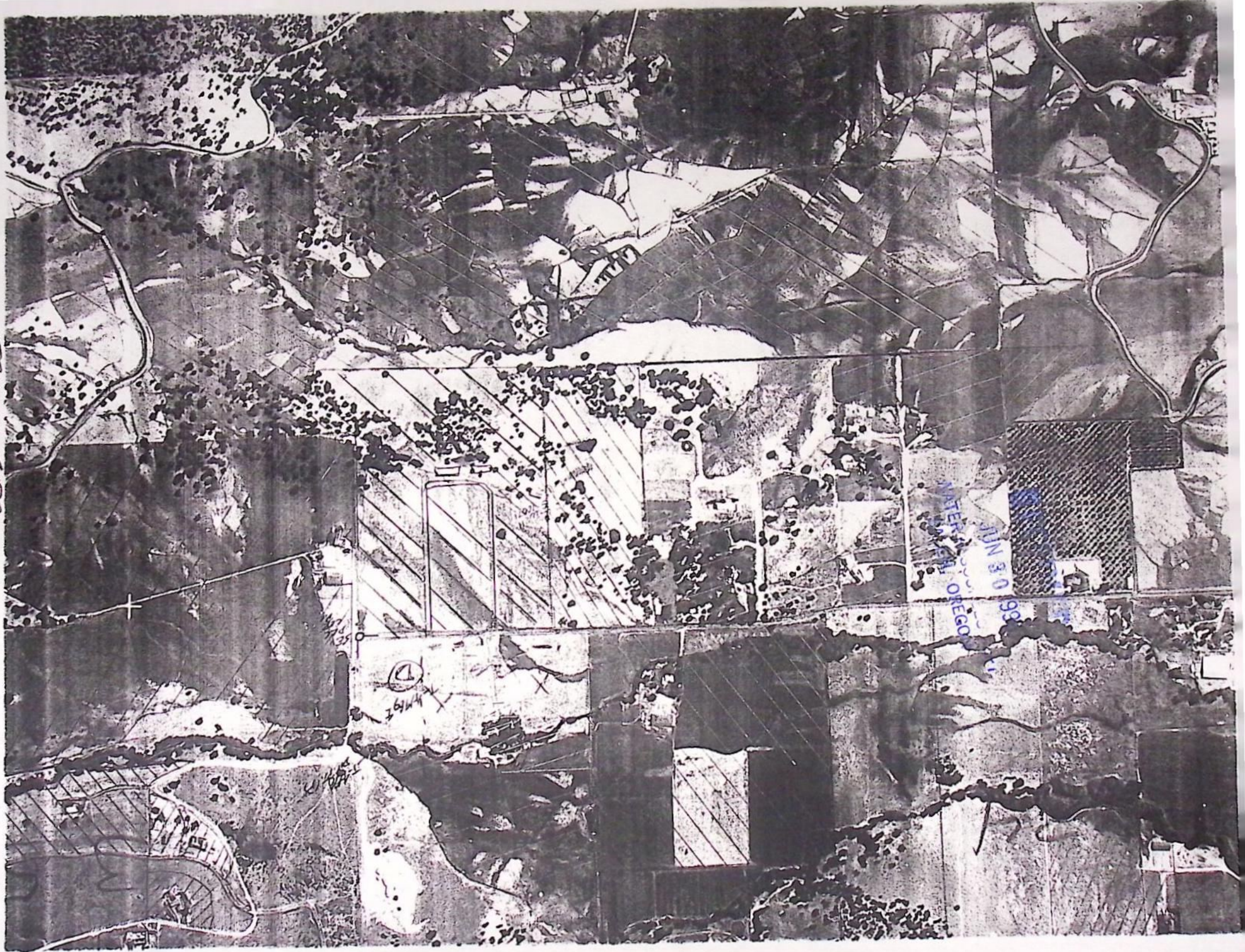
From: Steve Brown

Reference: Transfer 4198 - Goddard and Hakes

The owners of the land involved in the transfer appear to be Goddard and Hakes (1993). An assignment to the current owners is required. In addition, while the map does not illustrate the number of acres by ownership, I believe the splitting of the area by ownership would help explain our findings.

When the order approved the transfer was entered, the location and use of the water for domestic and livestock was omitted. Since the original right described the place of use of the domestic and stock, the final certificate should reflect the decreed location of the domestic and stock. My main concern is that we do not use the transfer process to change the location without a transfer request or petition to the court to correct the decree, of course assuming an error was made.

7/20/62 4103



(1983)

RECEIVED
T-1188

T-4198

JUN 30 1995

RECEIVED
NATURAL RESOURCES DEPT.
ASSEMBLY OREGON
JUN 30 1995
JUN 12 1979

WATER RESOURCES DEPT.
ASLEND OREGON
GAL 12 1979

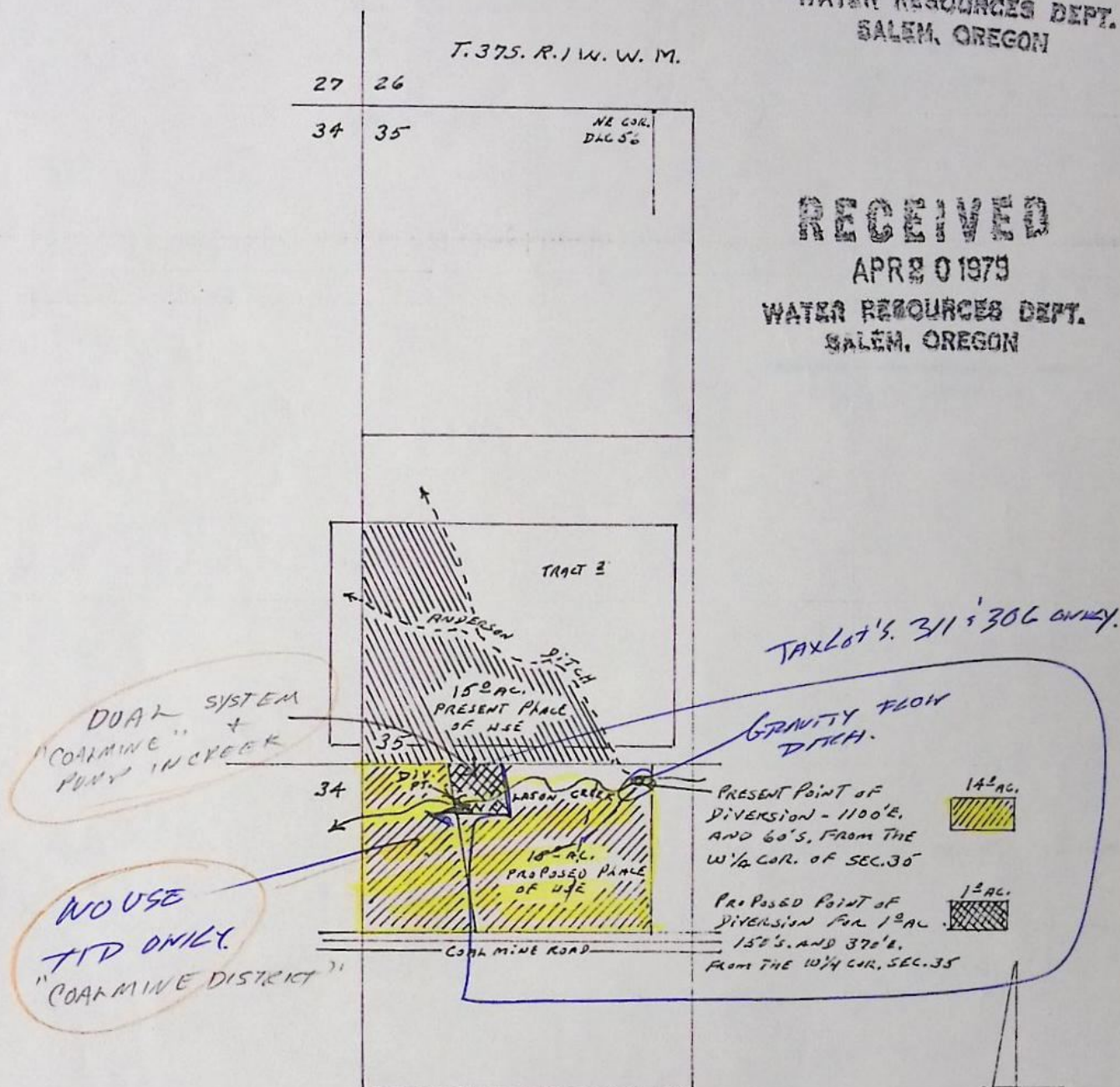
ADAM ORE
GAX 12 1979

WATER RESOURCES DEPT.
SALEM, OREGON

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 100. *Curculionidae*

APR 9 1979

WATER RESOURCES DEPT.
SALEM, OREGON



27	26
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34	35
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NE COR.
DALL 5th

TRACT 2

DOAL SYSTEM
"COALMINE" +
PUMP INCREASE

NO USE
TID ONLY.
"COARMININE DISTRICT"

TAX Lot's 311 & 306 ONLY.

GRAVITY FLOW
DITCH.

- PRESENT POINT OF
DIVERSION - 1100'E,
AND 60'S, FROM THE
W/4 COR. OF SEC. 30

PROPOSED POINT OF
DIVERSION FOR 1st AL.
150'S. AND 370'E.
FROM THE W 1/4 COR. SEC. 35

MAP TO Accompany Application of
GENE HANSEN AND/OR RON DYERLY
FOR CIPOL AND CIPOL FOR [REDACTED] OF
CERT. # 15918 Priority 1903

4-6-79

SCALE 8" = 1 MILE

THIS MAP PREPARED BY:

FROM INFORMATION FURNISHED BY THE APPLICANT.

CORRECTION APPROVED BY
E. F. H.

INFO: TALKED TO OWNER RICHARD HAKES, 1000 CLAY ST, ASHLAND.
SITE @ COAL MINE ROAD.

PHONE# 482-3862

THIS RIGHT IS PRIMARY RIGHT.

TAXENT I.D. IS SUPPLEMENTAL ON SAME TAX LOTS.
THIS IS ON TAX LOT'S 311: 306.

SOURCE: LARSEN CREEK

DIV: DAM IN CREEK INTO EARTHEN DITCH.
FLOODS PASTURE EARLY SEASON.

USE: PASTURE, MAY

LIFT: FALL: 0' TO 8'

TIE: 41029-27A-232L
MENT: DLC CR

- TID PHOTO - 24"X24" PHOTO.

B. DuJean Delham

FIELD EXAMINER

SWR 3/31/93

INFO: MET WITH NEW OWNER OF T.L. 308, FRANK GODDARD.

HE EXPLAIN SYSTEM. PUMP IN LARSEN CREEK, ALL

SOLID BURIED SYSTEM FOR LAWN: GARDEN, FOR THE

1st ACRE. SITE: 4501 COAL MINE RD, MEDFORD, OR 97504.

PUMP: 1 H.P. @ 3450 GPM. C.D.P., ELECT.

SOURCE: LARSEN CREEK

TYPE: ALL BURIED, MAX. SPRINKLERS = 4 RB'S.

USE: LAWN: GARDEN

TIE: 41029-27A-232L (TID PHOTO)

LIFT: SUCTION: 10' DISCHARGE: 8' TO 4'

B. DuJean Delham

FIELD EXAMINER SWR

4-1-93

REMARKS: OWNER GODDARD KNOWS HIS TAX LOT HAS ONLY
TID. THIS WATER RIGHT IS LOST ON THIS LOT
BY NON-USE OF OVER 5 YEARS.

POD
POU
IIE

USE

Add'l POD

JUN 30 1995

USE
1 POD
JUN 5 1968
WATER RESOURCES DEPT.
COUNTY SALEM, OREGON
Jackson

Old Certificate No. 15918

1. Name Gene Hanson or Ron Beverly FRANK CORDARD / RICHARD
Address ^{SITE} 4501 Coal Mine Rd, Medford, OR 97501 HAKES.

2. Source of Water Larsen Cr. Trib of Bear Cr.

3. Use inv. of 16.4 ACPTS

4. Amount of Water ~~0.22 cfs~~ 0.13-E

5. Priority Date 1903 — DIV#1: 1100'E:60'S from N1402.

6. Proposed Point of Diversion ~~150'S~~ + ~~390'E~~ from ~~114' Corner~~ Spr 35

with NW SW, S 35, T 37 S, R 1 W, Wm for 1 ac in NW SW
(old POD for balance)

7. Completion Date 10-1-80

8. Place of Use:

[illegible]

NER
6/93
NER
6/93 Jig

RECEIVED

APR 20 1979

WATER RESOURCES DEPT.

Application for Transfer of Water Right

RECEIVED

APR 12 1979

WATER RESOURCES DEPT.
SALEM, OREGON

T-4198

To the WATER RESOURCES DIRECTOR OF OREGON:

I, Gene Hanson and/or Ron Byerly
(Name of applicant)
of 4501 Coal Mine Road, Medford
(Mailing address) (City)
State of Oregon, 97501, 773-2333, do hereby make application for change
(Zip Code) (Phone number)
in place of use and 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? no- Edmona M. Anderson
(If not, give name)
2. Was your water right determined by Decree of Court? yes If so, give title of proceedings
(Yes or No) Rogue River Decree number of certificate 15918 *14, 27*
3. Was your water right acquired by Water Right Permit? no If so, give number
(Yes or No) of permit none Number of certificate none

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 Larsen Creek
5. What is the date of priority of your water right? 1903
6. The authorized point of diversion is located 60 ft. S. and 1100 ft. E. from the W $\frac{1}{4}$
(N. or S.) (E. or W.)
corner of sec. 35 being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35 Tp. 37S. R. 1 W. W. M.,
(No. N. or S.) (No. E. or W.)
in the county of Jackson The name of the ditch used is Anderson Ditch

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

7. The proposed point of diversion is located 150 ft. S. and 370 ft. E. from the W $\frac{1}{4}$
(N. or S.) (E. or W.)
corner of sec. 35 being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35 Tp. 37S. R. 1 W. W. M.,
(No. N. or S.) (No. E. or W.)
in the county of Jackson The name of the ditch to be used is pump

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 $\frac{1}{4}$ - $\frac{1}{4}$ of Section	Number Acres To Be Irrigated
37S.	1W.	35	SW $\frac{1}{4}$ NW $\frac{1}{4}$	15 acres
				see remarks

(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 $\frac{1}{4}$ - $\frac{1}{4}$ of Section	Number Acres To Be Irrigated
37S.	1W.	35	NW $\frac{1}{4}$ SW $\frac{1}{4}$	14 ac. CIPOU only
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	1 ac. CIPOU & CIPOD

(If more space required, attach separate sheet)

14. Reasons for the proposed changes are to better facilitate the use of water

15. Construction work will be completed on or before Oct. 1, 1980

16. The water will be completely applied to the proposed use on or before Oct. 1, 1981

Remarks The domestic and stock use portion of this water right
has been used in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 35, T. 37S., R. 1W. since 1903
Certificate No. GR-704 will be supplemental to the right involved in
this transfer Certificate No. 15918 E.F.H.

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.

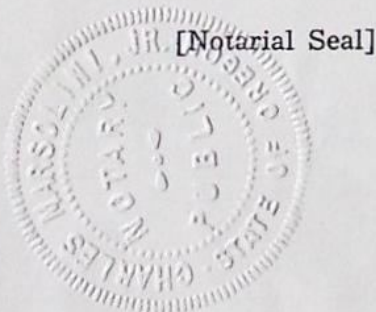
AFFIDAVIT OF APPLICANT

I, RONALD J. BYERLY - GENE HANSEN, 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 6 day of April, 1979.

[Signature]
Gene J. Hansen
(Name of applicant)

Subscribed and sworn to before me this 6th day of April, 1979.



[Signature]
NOTARY PUBLIC FOR OREGON

My commission expires 8/25/82

RECEIVED

DEC 16 1980

WATER RESOURCES DEPT
SALEM, OREGON

NOTICE OF COMPLETION OF CHANGE IN

place of use & point of diversion of water from Larsen Creek

PURSUANT TO TRANSFER APPLICATION NO. 4198

I, EUGENE F. HANSEN, 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 10-1-, 1980

12-1-80
Date

Eugene F. Hansen
Signature

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

OK
LH

T-4198

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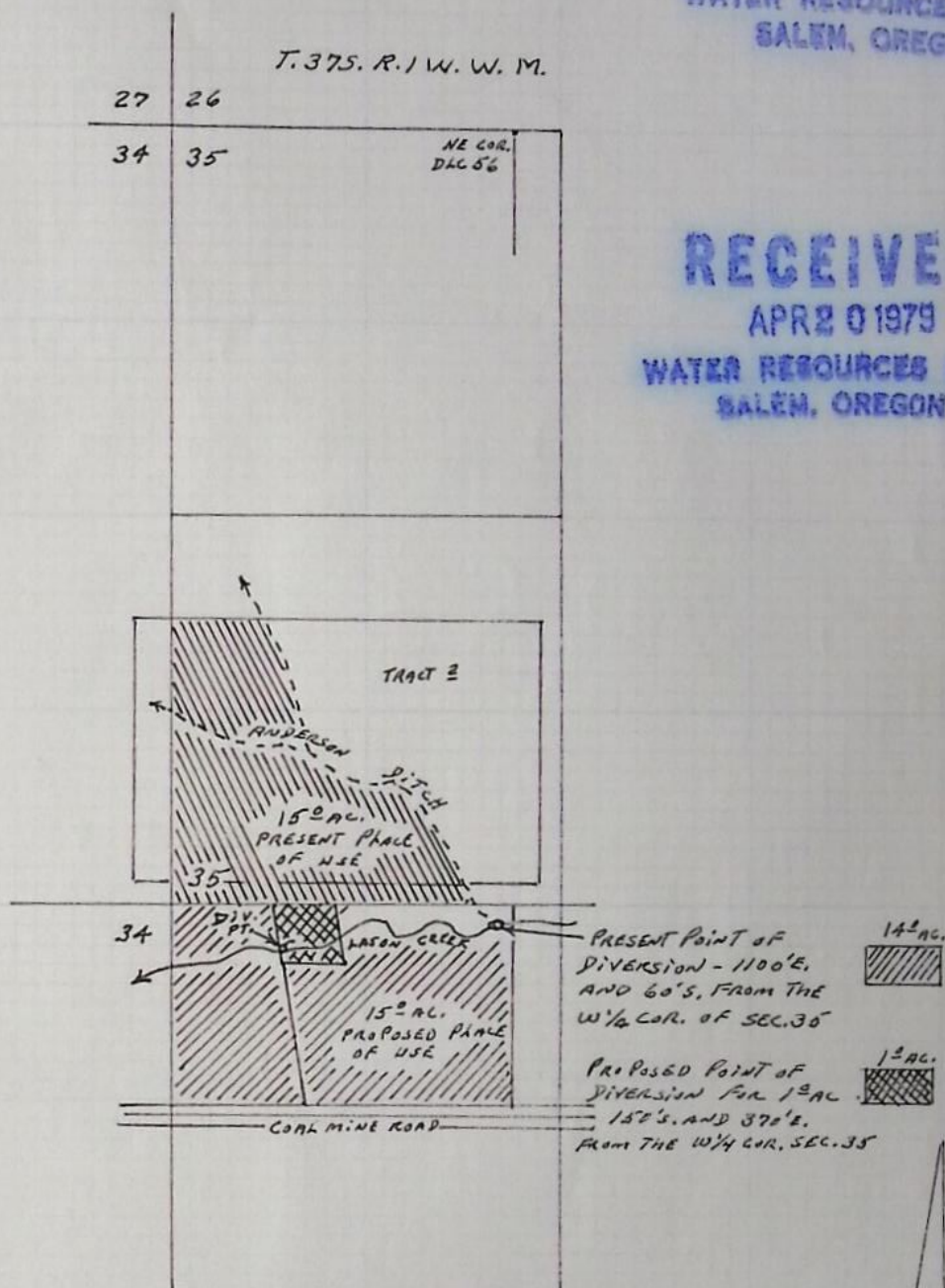
APR 12 1979

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

APR 20 1979

WATER RESOURCES DEPT.
SALEM, OREGON



MAP TO ACCOMPANY APPLICATION OF
GENE HANSEN AND/OR RON BYERLY
FOR CIPON AND CIPED FOR [REDACTED]
CERT. # 15918 PRIORITY 1903

4-6-79

SCALE 8" = 1 MILE

THIS MAP PREPARED BY:

John F. Cummings
FROM INFORMATION FURNISHED BY
THE APPLICANT.

CORRECTION APPROVED BY

E. F. H.

Lot 6
215

Lot 7
30⁰⁶

Lot 8
30⁰⁶

Lot 9
30⁰⁶

DLC No. 56
Not. 48

35

DLC No. 55
Not. 6351

Lot 5
1721

Lot 4
2786

Lot 3
1735

Lot 2
2300

Lot 1
2300

DLC No. 54
Not. 6346

TOWNSHIP <u>37S</u> RANGE <u>1W</u> W. M.													SECTION <u>35</u>					
NE				NW				SW				SE				APPLICA- TION NUMBER	PERMIT NUMBER	CERTIFI- CATE NUMBER
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
DLC 55				DLC 55 DLC 56				DLC 55 DLC 56 DLC 54				DLC 55						
Lot 9 Lot 8				Lot 7 Lot 6				Lot 5 Lot 4 Lot 3				Lot 2 Lot 1						
TOTAL ACREAGE IN SUBDIVISION AS SHOWN ON GOVERNMENT PLAT																		
				15												D-cree, Vol 4 Page 7	15918	
								Res.								R	26969 R 1585	26852
				16 ⁶ 1 ⁰												26970 22729	26853	
				Stock												29630 23341		
				15 ⁰												27-28 6-7-4	←	
2 ⁴				2 31 2				32 38 10 8								28535 25915		
				10 ⁵												Suppl. 28535 25915		
																CZ 3R1539 SP 1471		
				15 ⁰												T-4198 (out)		
				15 ⁰												T-4198 (in)		



STATE OF OREGON

INTEROFFICE MEMO

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: April 19, 1979.FROM: ** David C. Hendrix, WatermasterSUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4198IN THE NAME OF Gene Hanson & Ron Byerly**RECEIVED**

APR 20 1979

WATER RESOURCES DEPT.
SALEM, OREGON

In my opinion the proposed changes in place of use & point of diversion from Larsen Creek.
MAY BE MADE WITHOUT INJURY ~~WOULD RESULT IN INJURY~~ to an existing water right.

Headgate notices ~~HAVE NOT~~ ^{Have not} been issued for diversion from the sources which
serves this right.

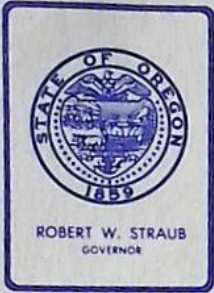
If for change in point of diversion, is there any intervening point of diversion
between the authorized and the proposed points of diversion? No
(yes or no)

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 . . .
 X (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 _____

** David C. Hendrix
Watermaster's signature or initials



RECEIVED

APR 12 1979

WATER RESOURCES DEPT.
SALEM, OREGON

Water Resources Department

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

April 11, 1979

T-4198

Water Resources Department
Mill Creek Office Park
Salem, Oregon 97310

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

Dear Mr. Carver:

I am enclosing an application in the name of Gene Hansen and/or Ron Byerly, of mailing address 4501 Coal Mine Road, Medford, Oregon 97501, for change in place of use and change in point of diversion, together with Mr. Hansen's check in the sum of \$45 to cover transfer fees, their map tracing, and legal land description.

It is my opinion that this proposed transfer may be made without injury to existing rights; also I believe the second provision relative to measuring devices would be the best to incorporate within the order.

Very truly yours,

John F. Cummins,

Assistant Watermaster, District 13

JFC:sr

enclosures

T-4198

EDWARD A. MCGINTY *Professional Land Surveyor*

P. O. BOX 1531
MEDFORD, OREGON 97501
PHONE 772-5259

RECEIVED

APR 12 1979

WATER RESOURCES DEPT.
SALEM, OREGON

DESCRIPTION

December 20, 1977
77-42

GENE HANSEN TO RON BYERLY

TRACT NO. 2 (28.0 ACRES)

Commencing at the Northeast corner of Section 34, Township 37 South, Range 1 West, Willamette Meridian, Jackson County, Oregon; thence North $89^{\circ} 40' 07''$ West 129.88 feet to a 1 inch iron pin; thence South $0^{\circ} 09' 20''$ West 1672.80 feet to a $5/8$ inch iron pin, being the point of beginning; thence continuing South $0^{\circ} 09' 20''$ West 891.54 feet to a $5/8$ inch iron pin; thence South $89^{\circ} 35' 20''$ East 1365.46 feet to a $5/8$ inch iron pin on the westerly line of Donation Land Claim No. 55; thence North $0^{\circ} 02' 35''$ East along said line a distance of 896.08 feet to a $5/8$ inch iron pin; thence North $89^{\circ} 46' 45''$ West 1363.69 feet to the point of beginning.

CONTAINS 28.00 Acres more or less.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Edward A. McGinty
OREGON
JULY 10, 1953
EDWARD A. MCGINTY
301

T-4198

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APR 12 1979

WATER RESOURCES DEPT.
SALEM, OREGON

DESCRIPTION

Mr. Eugene Hansen

January 5, 1978

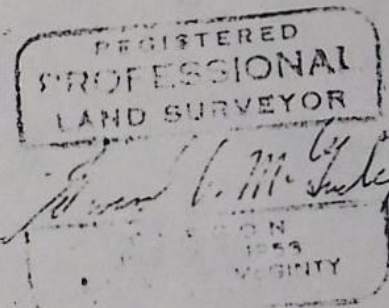
77-42

TRACT NO. 5:

Commencing at the Corner of Section 34, Township 37 South, Range 1 West, Willamette Meridian, Jackson County, Oregon; thence North 89° 40' 07" West (record N. 89° 40' 20" W.), 129.88 feet to a 1 inch iron pin; thence South 0° 09' 20" West 2564.34 feet to a 5/8 inch iron pin, being the point of beginning; thence continuing South 0° 09' 20" West 803.94 feet to a 5/8 inch iron pin on the center line of Coal Mine Road; thence South 89° 35' 30" East 615.84 feet to a spike; thence North 7° 40' 10" West 522.59 feet to a 5/8 inch iron pin; thence North 88° 23' 50" East 72.79 feet to a 5/8 inch iron pin; thence North 7° 37' 32" West, 286.76 feet to a 5/8 inch iron pin; thence North 89° 35' 20" West 578.62 feet to the point of beginning.

CONTAINS 10.82 Acres, more or less.

SUBJECT TO that portion lying within Coal Mine Road, being 0.28 Acres, more or less.



T-4198

EDWARD A. MCGINTY *Professional Land Surveyor*

P. O. BOX 1531
MEDFORD, OREGON 97501
PHONE 772-5259

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APR 12 1979

**WATER RESOURCES DEPT.
SALEM, OREGON**

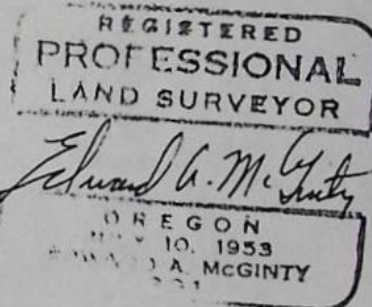
DESCRIPTION
December 20, 1977
77-42

GENE HANSEN TO RON BYERLY

TRACT NO. 3 (OPTION)

Commencing at the Northeast corner of Donation Land Claim NO. 56 situated in Section 35, Township 37 South, Range 1 West, Willamette Meridian, Jackson County, Oregon; thence South $0^{\circ} 02' 35''$ West 2568.93 feet to a $5/8$ inch iron pin on the Westerly line of Donation Land Claim No. 56, being the point of beginning; thence continuing South $0^{\circ} 02' 35''$ West 803.88 feet to a $3/4$ inch iron pipe on the center of Coal Mine Road; thence North $89^{\circ} 35' 30''$ West along the center of said Road 751.20 feet; thence North $7^{\circ} 40' 10''$ West 522.59 feet to a $5/8$ inch iron pin; thence North $88^{\circ} 23' 50''$ East 72.79 feet to a $5/8$ inch iron pin; thence North $7^{\circ} 37' 32''$ West 286.76 feet to a $5/8$ inch iron pin; thence South $89^{\circ} 35' 20''$ East 786.84 feet to the point of beginning.

CONTAINS 14.39 Acres more or less.

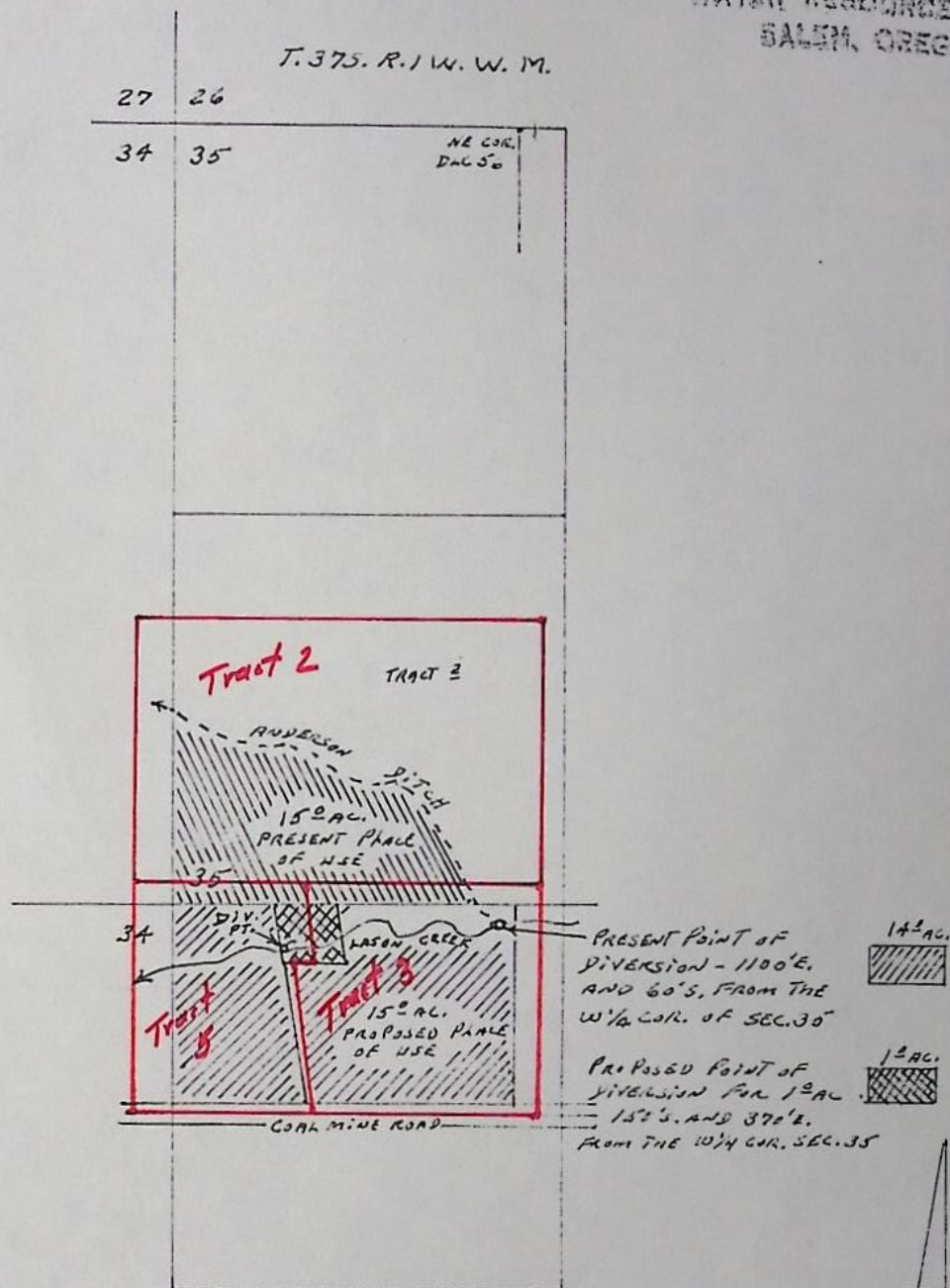


T-4198

RECEIVED

APR 12 1979

WATER RESOURCES DEPT.
SALEM, OREGON



MAP TO ACCOMPANY APPLICATION OF
GENE HANSEN AND/OR RON BYRBY
FOR CIPOL AND CIPOL FOR [REDACTED]
CERT. # 15318 Priority 1963

4-6-79

SCALE 8" = 1 MILE

THIS MAP PREPARED BY:

John F. [Signature]

FOR INFORMATION AND [REDACTED]

DATE [REDACTED]