

Name J. Boyd + Josephine Taylor

4423

By _____

Address Rt. 6, Box 970

Lakeview, OR 97630

Change in POU

Date filed March 5, 1980

Date of hearing _____

Place of hearing _____

Date of order 6-20-80 Vol. 33, page 356

Date for application of water 10-1-81

Proof mailed JUN 25 1990

Proof received _____

Certificate issued SEP 28 1990 Vol. _____, page 64813

DESCRIPTION OF WATER RIGHT

Name of stream Thomas Creek

Trib. of _____ County of Lake

Use irrigation + stock

Quantity of water _____ No. of acres 300[±]

Name of ditch _____

Date of priority 1888-1889

In name of Charles W. Reynolds

Goose Lake Adjudication, Vol. 6, page 570

App. No. _____ Per. No. _____ Cert. No. 5262⁹⁸

Certificate cancelled _____

Notation made on record by _____

REMARKS

W.R. I S.	
Assembled <u>2-11-85</u> by <u>SRB</u>	
Entered _____ by _____	
Verified _____ by _____	

FEES PAID

Date	Amount	Receipt No.
<u>3-5-80</u>	<u>97.50</u>	<u>16386</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

TO BE ENTERED WHERE CHECKED	INDEX CARDS:	
	Entered	Checked
☒	Name	<u>SRB</u>
☒	Stream	<u>SRB</u>
☒	Pt. of Div.	
☒	Calendar	<u>DG</u>
CHECKED TO RECORDS:		
☒	Twp. & Rge.	<u>SRB</u>
☒	Decree-vault	<u>SRB</u>
☒	Decree-safe	<u>SRB</u>
☒	Cert. of W/R	<u>SRB</u>
☒	Per. Folder	
☐	Chaindex	
☐	Cross Ref.	
☒	Power Claim	
☐	Abstracts	<u>DG</u>

334

COPY

Loan No. 2596260

NOTICE OF PLEDGE

RECEIVED

JUL 30 2009

WATER RESOURCES DEPT
SALEM, OREGON

Oregon State Water Resources Department
Division of Water Rights
158 12th NE
Salem, Oregon 97301-4172

Please be notified that the undersigned have this date executed a deed of trust in favor of the NORTHERN CALIFORNIA FEDERAL LAND BANK ASSOCIATION, FLCA, a corporation, covering certain land in Lake County, State of Oregon, together with the Trustor's right to use water for the following:

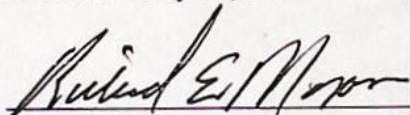
irrigation and supplemental supply under Certificate No. 3358;
irrigation of 80 acres pursuant under Certificate No. 28683;
irrigation of 308.0 acres under Certificate No. 44977;
irrigation of 110.0 acres under Certificate No. 49711;
irrigation of 300 acres and stock use under Certificate No. 49712;
irrigation of 590.3 acres under Certificate No. 49713;
irrigation of 20.0 acres under Certificate No. 64811;
irrigation of 160.0 acres under Certificate No. 64812;
irrigation of 140.0 acres under Certificate No. 81238;
irrigation of 282.9 acres under Certificate No. 81239; *T-4423 decree*
irrigation of 35.5 acres under Permit Nos. 42724 and 25279

S-49783 S-31879 T 3468

which said deed of trust is given to secure a promissory note of even date, evidencing the indebtedness identified on the records of the said association by the above loan number.

Please file this notice with your records of the above-numbered PERMITS, and direct one copy of any correspondence which could materially affect the beneficiary's security interest to the Northern California Federal Land Bank Association, FLCA, P.O. Box 929, Chico, California 95927.

Dated this July 16, 2009



Richard E. Morgan, Trustee of the Richard E.
Morgan 1998 Separate Property Trust dated January
28, 1998, as amended and restated

Receipt of the Notice of Pledge, of which this is a copy, is acknowledged. A notation of the Association's interest in the referred to Certificates has been made in the records of the Office of the Water Resources Control Board, Division of Water Rights.

(date)

(signature)

(title)

COPY

Loan No. 2596260

NOTICE OF PLEDGE

RECEIVED

JUL 30 2009

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SALEM, OREGON

Oregon State Water Resources Department
Division of Water Rights
158 12th NE
Salem, Oregon 97301-4172

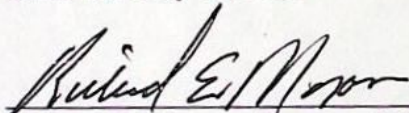
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irrigation of 80 acres pursuant under Certificate No. 28683;
irrigation of 308.0 acres under Certificate No. 44977;
irrigation of 110.0 acres under Certificate No. 49711;
irrigation of 300 acres and stock use under Certificate No. 49712; *decree*
irrigation of 590.3 acres under Certificate No. 49713;
irrigation of 20.0 acres under Certificate No. 64811;
irrigation of 160.0 acres under Certificate No. 64812;
irrigation of 140.0 acres under Certificate No. 81238;
irrigation of 282.9 acres under Certificate No. 81239;
irrigation of 35.5 acres under Permit Nos. 42724 and 25279
S-49783 S-31879 T 3468

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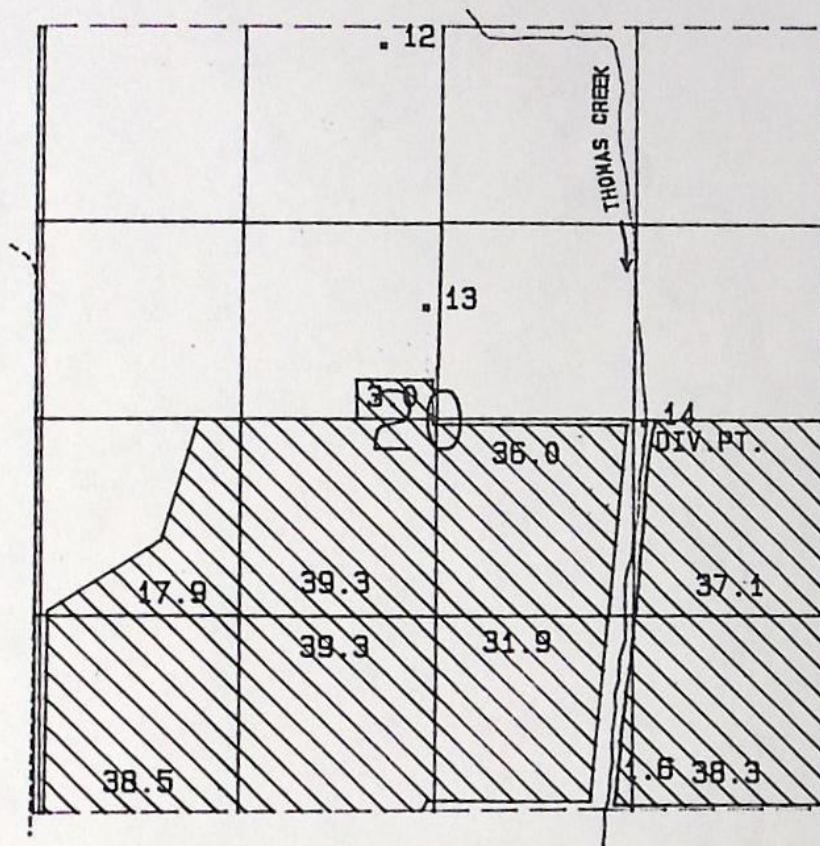
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(date)

(signature)

(title)

T.39 S., R.20 E., W.M.



SCALE: 1 = 1320

DIV. PT. LOCATED 2630 FT. S. AND 4040 FT. E. FROM NW. COR. SEC. 20

FINAL PROOF SURVEY
UNDER

TRANSFER NO. 4423

IN NAME OF

J. BOYD AND JOSEPHINE TAYLOR

Surveyed Oct. 16, 1987 By V.L. CHURCH

Photo: 379-70L JCL

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

POD
POU
USE
Add'l POD

Transfer NO. 4423

County Lake

Old Certificate NO. 5262

1. Name J. Boyd Taylor
Address Rt 6, Box 970, Lakeview, OR 97630
2. Source of Supply Thomas Cr., Trib of _____
3. Use irrigation / ~~140~~² ac 300² ac
4. Amount of Water 1/40th cfs / ac Priority Date 1888 + 1889
5. Proposed Point of Diversion _____

6. Completion Date 10-1-81

7. Place of Use:

Township	Range	Section	Forty Acre Tract	Use for Which Transfer Made
39S	20E	20	- NE SE	40 ² 37 ¹
			- NW SE	40 ² 36 ²
			- SW SE	40 ² 33 ⁵
			- SE SE	40 ² 38 ³
			- SE NW	3 ² 3 ²
			- NE SW	40 ² 39 ³
			- NW SW	40 ² 17 ² 17 ²
			- SW SW	40 ² 38 ⁵
			- SE SW	40 ² 39 ³
				282 ⁹

NER
4-20-88
JCL

NER

Info: J. Boyd Taylor HC 60 Box 5750 Lakeview Or.

POINT OF DIVERSION: 300 FE FROM $\frac{1}{2}$ N THOMAS CREEK.
WATER FEED INTO A DITCH RUNNING TO
THE EAST ALONG THE ROAD FLOWING INTO
E FORK THOMAS CREEK. DITCH RUNS WATER
FROM E FORK THOMAS CREEK & FLOOD IRRIGATE
 $\frac{1}{4}$ NE SE 40 ACRES, $\frac{1}{4}$ SE SE 40 ACRES.
THEN DITCH RUNS WATER UNDER THOMAS
CREEK USING A PIPE. THE WATER RUNS
TO A DITCH AGAIN TO FLOOD IRRIGATE
THE FOLLOWING:

- 1 - NW SE 40[±] ACRES
- 2 - SE NW 3[±] ACRES
- 3 - SW SE 40[±] ACRES
- 4 - NE SW 40[±] ACRES
- 5 - NW SW 17[±] ACRES
- 6 - SW SW 40[±] ACRES
- 7 - SE SW 40[±] ACRES

TYPE OF CROP: HAY & PASTURE.

INFO. LAND BETWEEN THOMAS CREEK AND A DITCH IS NOT
IRRIGATED. IN NW SE, SE SE

Ditch Flood irrigation all different size.

10-16-87
Vandriel H.S.

10-16-87
Zeidan F. Saleh

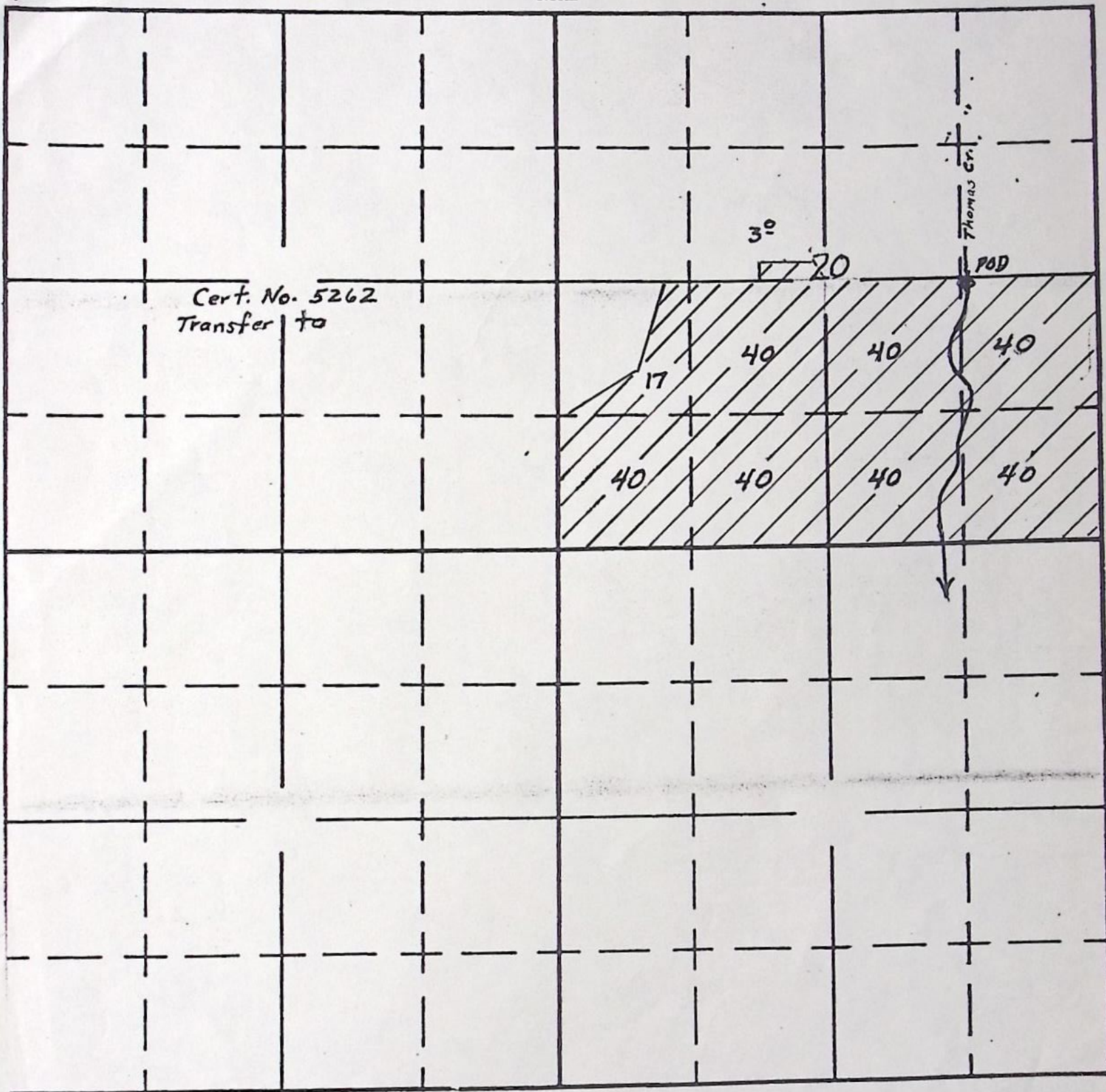
cfs OK
JTB

$$Q = \frac{282.9}{40} = 7.07 \text{ cfs}$$

TOWNSHIP 39S, RANGE 20E, W. M.

T-4423

North



South

All information on this map furnished
by applicant.

Applicant

J. Boyd Taylor

RECEIVED

MAR 5 1980

WATER RESOURCES DEPT
SALEM, OREGON

APPLICATION No.

PERMIT No.



Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE

378-3739

September 4, 1990

J. Boyd Taylor
HC 60, Box 5750
Lakeview, Oregon 97630

Reference file: transfers 3467 and 4423

Dear Mr. Taylor;

I have your letter of August 9, 1990 about the point of diversion for the Leeman - Bishop Ditch.

You may recall your transfer 3467 changed the point of diversion for the ditch for the irrigation of all land under certificate 5262. Certificate 49712 was issued confirming the change.

The location of the point of diversion on the proposed certificate under transfer 4423 is the same diversion as certificate 49712. It is located from a different survey corner, however.

Transfer 4423 just, as you noted in your letter, moved the water right north and west about 1.5 miles. It did not authorize a change in the point of diversion from that under certificate 49712.

If we are in error now, certificate 49712 must also be in error. Please let me know if this helps clear your concerns.

Sincerely,

Vestal R. Garner, Manager
Certificate Section

CC: Dennis Glender, Watermaster

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON
LAKE COUNTY

IN THE MATTER OF THE APPLICATION)
OF J. BOYD & JOSEPHINE TAYLOR)
FOR APPROVAL OF A CHANGE IN PLACE)
OF USE OF WATER)

ORDER APPROVING
TRANSFER NO. 4423

On March 5, 1980, an application was filed in the office of the Water Resources Director by J. Boyd and Josephine Taylor for approval of a change in place of use from Thomas Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 5262, Volume 6, State Record of Water Right Certificates, in the name of Charles W. Reynolds, describes a right for the use of not to exceed 1/40 cubic foot per second per acre from Thomas Creek for irrigation of a certain 40.0 acres in NE 1/4 NE 1/4, 30.0 acres in NW 1/4 NE 1/4, 40.0 acres in SW 1/4 NE 1/4, 40.0 acres in SE 1/4 NE 1/4, 40.0 acres in NE 1/4 SE 1/4, 35.0 acres in NW 1/4 SE 1/4, 40.0 acres in SW 1/4 SE 1/4 and 35.0 acres in SE 1/4 SE 1/4, Section 32, Township 39 South, Range 20 East W.M., with a date of priority of 1888 and 1889.

Water for the said right is diverted, from a point located 2640 feet North and 1360 feet East from the North Quarter Corner of Section 29, being within the NE 1/4 SE 1/4 of Section 20, Township 39 South, Range 20 East, W.M.

The applicants herein, owners of the lands above described, propose to sever the right therefrom and, without loss of priority, to irrigate in lieu thereof a certain 40.0 acres in NE 1/4 SE 1/4, 40.0 acres in NW 1/4 SE 1/4, 40.0 acres in SW 1/4 SE 1/4, 40.0 acres in SE 1/4 SE 1/4, 3.0 acres in SE 1/4 NW 1/4, 40.0 acres in NE 1/4 SW 1/4, 17.0 acres in NW 1/4 SW 1/4, 40.0 acres in SW 1/4 SW 1/4 and 40.0 acres in SE 1/4 SW 1/4 of Section 20, Township 39 South, Range 20 East, W.M..

Mr. Howard Daggett, Watermaster, has filed a statement to the effect that the proposed change in place of use may be made without injury to existing rights.

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

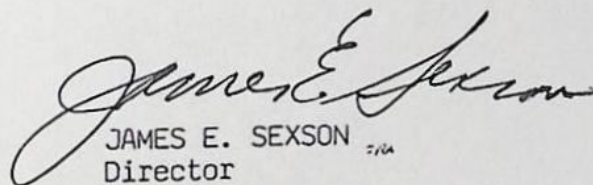
NOW, THEREFORE, it hereby is ORDERED that the requested change in place of use, as described herein, without loss of priority, is approved.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1981.

The order of the Water Resources Director entered on July 22, 1977, approving transfer application No. 3467 for a change in point of diversion of water for this and other water rights served through a common ditch system, provided for the cancellation of the certificate recorded at page 5262, Volume 6, State Record of Water Right Certificates, and for the issuance of a new confirming certificate upon receipt of proof satisfactory of the completion of the works so authorized. The applicant herein submitted a statement on July 1, 1979 that the change in point of diversion was completed.

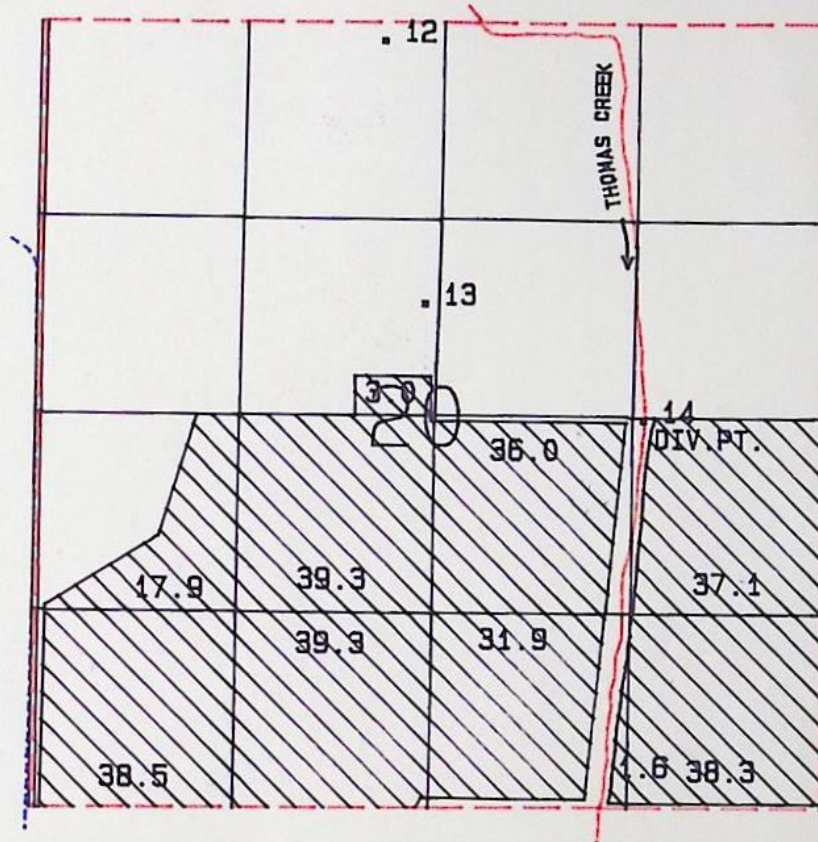
THEREFORE, it is FURTHER ORDERED that upon proof satisfactory to the Water Resources Director of completion of works and beneficial use of water to the extent intended under the provisions of this order a confirming certificate of water right shall be issued.

Dated at Salem, Oregon, this 20th day of June, 1980.


JAMES E. SEXSON
Director

T.39 S., R.20 E., W.M.

SCALE: 1 = 1320



DIV.PT. LOCATED 2630 FT. S. AND 4040 FT. E. FROM NW. COR. SEC. 20

FINAL PROOF SURVEY
UNDER

TRANSFER NO. 4423

IN NAME OF

J. BOYD AND JOSEPHINE TAYLOR

Surveyed Oct. 16, 1987 By V.L.CHURCH

Photo: 379-70L JCL

RECEIVED

JUN 30 1980

WATER RESOURCES DEPT
SALEM, OREGON

NOTICE OF COMPLETION OF CHANGE IN

place of use of water from Thomas Creek

PURSUANT TO TRANSFER APPLICATION NO. 4423

I, J. Boyd Taylor, 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 6-1-80, 1980.

6-25-80

Date

J. Boyd Taylor

Signature

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

ok
Jcy

T-4423
RECEIVED
MAR 5 1980
WATER RESOURCES DEPT
SALEM, OREGON

Application for Transfer of Water Right

To the WATER RESOURCES DIRECTOR OF OREGON:

I, J. Boyd and Josephine Taylor
(Name of applicant)
of Route 6 Box 970, Lakeview,
(Mailing address) (City)
State of Oregon, 97630, 947-3642, do hereby make application for change
(Zip Code) (Phone number)
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) Charles W. Reynolds
(If not, give name)
2. Was your water right determined by Decree of Court? Yes If so, give title of proceedings
(Yes or No)
Goose Lake Decree number of certificate 5262
3. Was your water right acquired by Water Right Permit? 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 Thomas Creek
5. What is the date of priority of your water right? 1888-1889
6. The authorized point of diversion is located 2640 ft. N and 1360 ft. E from the N $\frac{1}{2}$
(N. or S.) (E. or W.)
corner of Sec. 29 being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 20 Tp. 39S R. 20E W. M.,
(No. N. or S.) (No. E. or W.)
in the county of Lake The name of the ditch used is See Transfer #3467, V.s9,P.121-122

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 $\frac{1}{4}$ $\frac{1}{4}$ 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 and Stock
(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
39S	20E	32	NE $\frac{1}{4}$ NE $\frac{1}{4}$	40.0
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	30.0
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	40.0
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	40.0
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	40.0
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	35.0
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40.0
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	35.0

(If more space required, attach separate sheet)

300

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 and Stock
(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
39S	20E	20	NE $\frac{1}{4}$ SE $\frac{1}{4}$	40.0
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40.0
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40.0
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40.0
			SE $\frac{1}{4}$ NW $\frac{1}{4}$	3.0
			NE $\frac{1}{4}$ SW $\frac{1}{4}$	40.0
			NW $\frac{1}{4}$ SW $\frac{1}{4}$	17.0
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	40.0
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40.0
				300

(If more space required, attach separate sheet)

14. Reasons for the proposed changes are Moving older priority waters to more
productive lands.

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

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

Remarks

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, J. Boyd and Josephine Taylor, 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 1st day of March, 1980

Josephine Taylor
J. Boyd Taylor
(Name of applicant)

Subscribed and sworn to before me this 1st day of March, 1980

[Notarial Seal]

Howard Daggett
NOTARY PUBLIC FOR OREGON

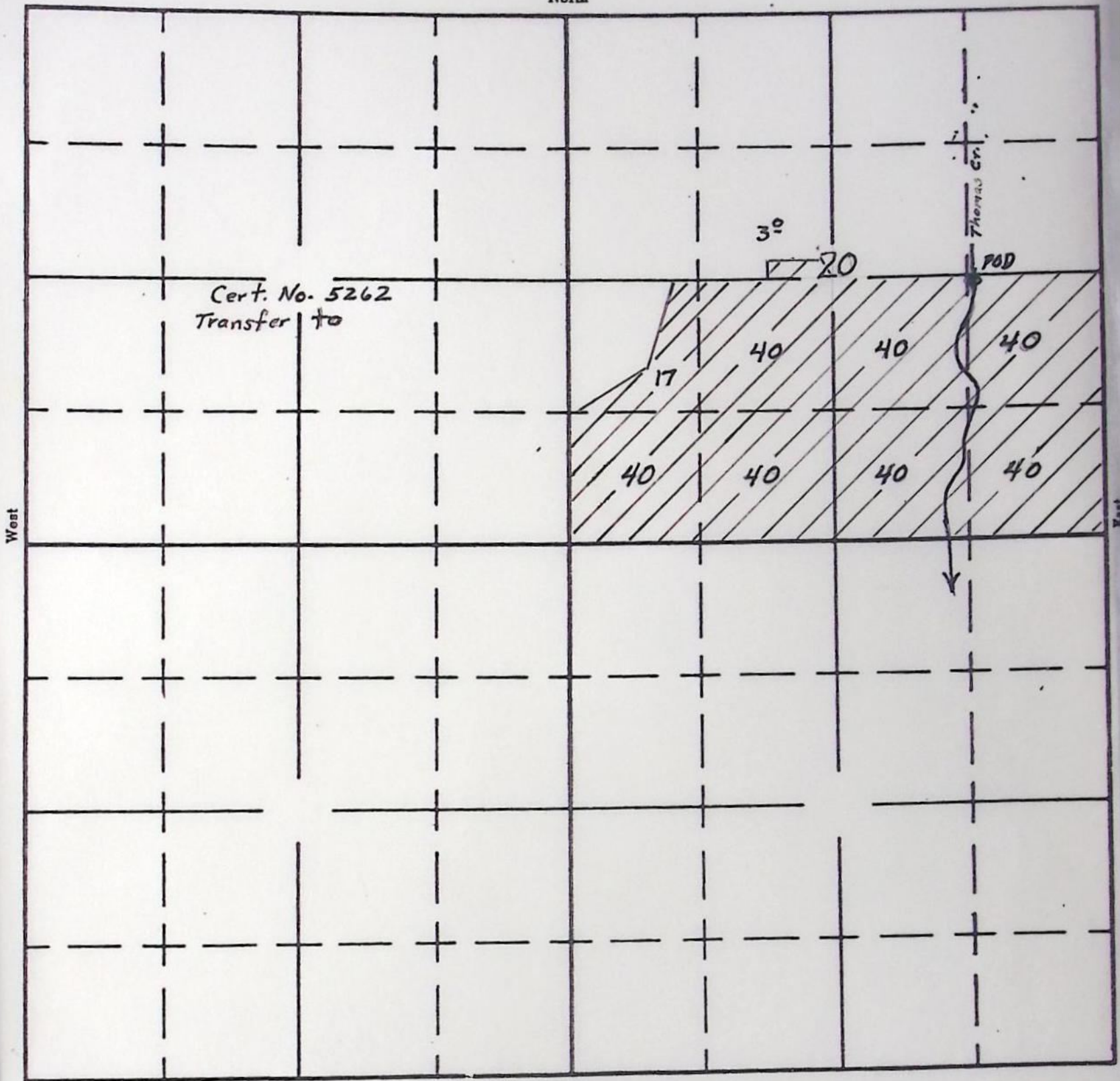
My commission expires 12-29-81



TOWNSHIP 39S, RANGE 20E, W. M.

T-4423

North



South

All information on this map furnished
by applicant.

J. Boyd Taylor
Applicant

RECEIVED

MAR 5 1980

WATER RESOURCES DEPT
SALEM, OREGON

APPLICATION No.
PERMIT No.

RECEIVED

JUN 16 1977

WATER RESOURCES DEPT
SALEM, OREGON

R20 E

(20)

New P.O.D.
2640N & 1360 E
from N $\frac{1}{4}$ Cor. Sec 29

T#3467

Completion notice
received 7-3-79

1/4 Cor
4

New ditch

Old channels

Thomas Cr.
Ditched Channel

Old P.O.D. (Lechmann-Bishop
ditch as shown on adjudication
maps and aerial photo CHZ-124
(400' S and 700' E from N $\frac{1}{4}$ Cor
Sec. 29-39-20

OK JWC

SALEM, OREGON

T

39

S

(29)

Pipe under

(28)

37

43

40

40

40

40

Pipe under

30

40

40

40

40

40

40

40

40

40

(32)

(33)

35

40

37 $\frac{3}{4}$

40

40

35

32 $\frac{5}{8}$

40 $\frac{5}{8}$

CERT. 5248
CERT 5262

CERT 5248

scale 1" = 1320'

105- R20E

Application map for J. Boyd and
Josephine Taylor of Lakeview
Oregon for change of point
of diversion on Thomas Cr.



STATE OF OREGON

INTEROFFICE MEMO

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: 3-10, 19 80FROM: ** Howard Daggett, WatermasterSUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4423IN THE NAME OF J. Boyd & Josephine Taylor

RECEIVED

MAR 11 1980

WATER RESOURCES DEPT
SALEM, OREGON

In my opinion the proposed change in place of use of water from Thomas Creek
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 . . .
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 _____

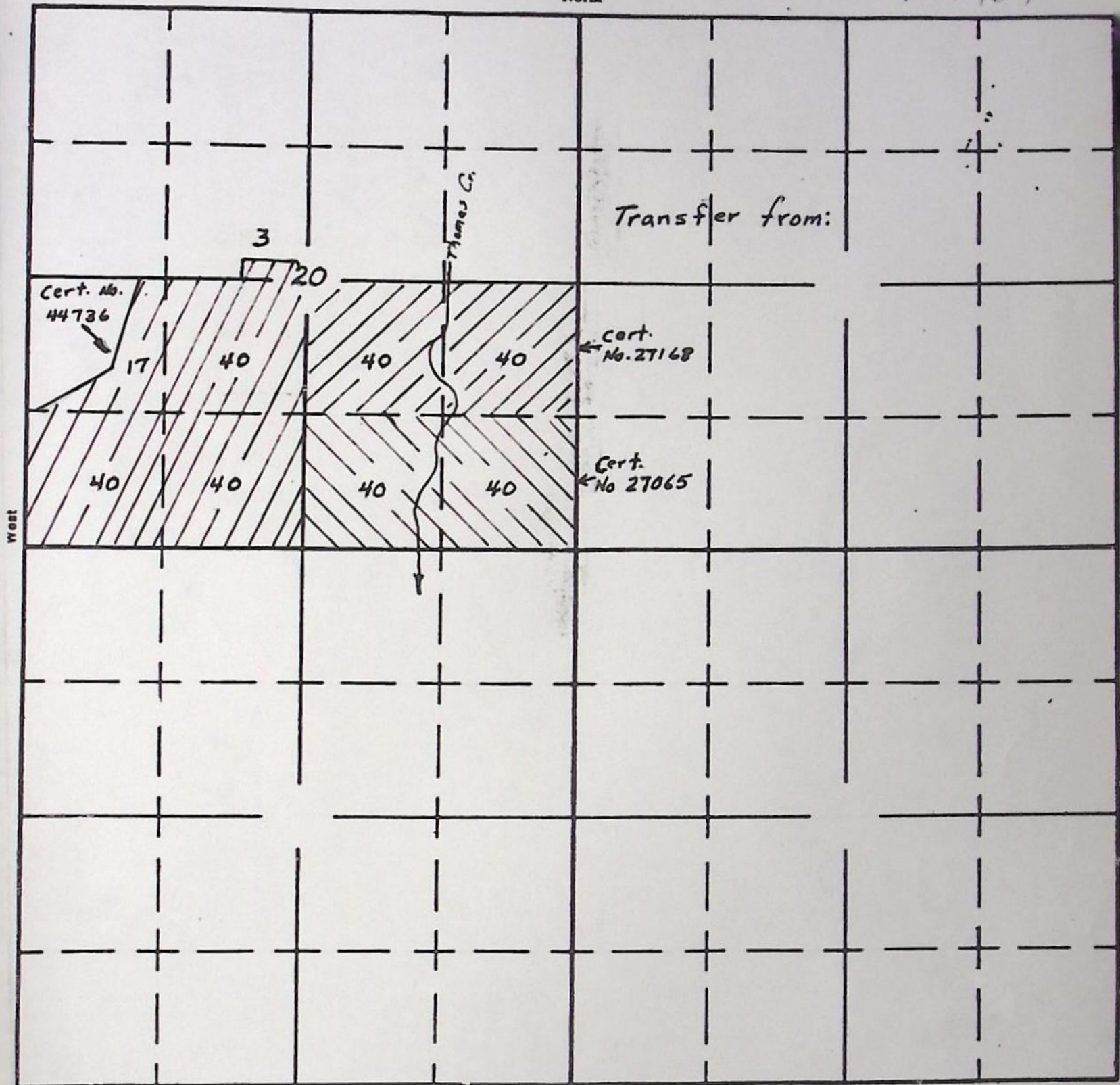
**

Howard Daggett
Watermaster's signature or initials

TOWNSHIP 39 S., RANGE 20 E., W. M.

T-4421

North



Transfer from:

Cert. No. 27168

Cert. No. 27065

South

All information on this map furnished by applicant.

APPLICATION No.
PERMIT No.

J. Boyd Taylor
Applicant

TOWNSHIP 39 S., RANGE 20 E., W. M.

1-4422

North

West

Transfer To:

Cert. No.
27168 →

Cert. No.
27065 →

Cert. No.
44736 →

32

40

40

40

40

40

40

20

40

South

APPLICATION No.
PERMIT No.

All information on this map
furnished by applicant

J. Boyd Taylor
Applicant

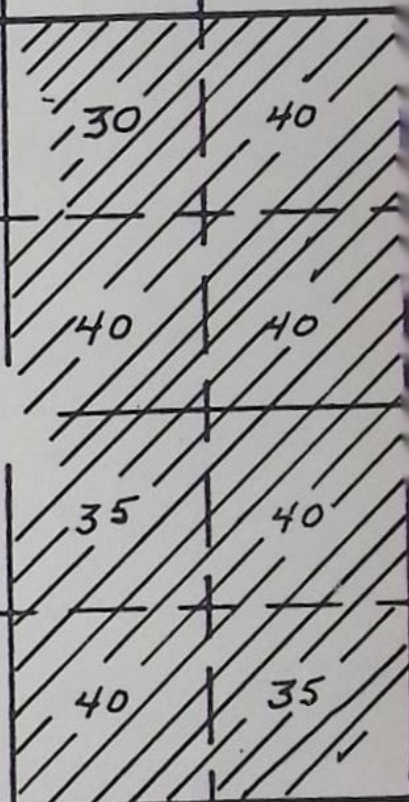
TOWNSHIP 39 S, RANGE 20 E, W. M.

T-4423

North

West

Cert. No. 5262
Transfer from



South

All information on this map furnished
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APPLICATION No.
PERMIT No.

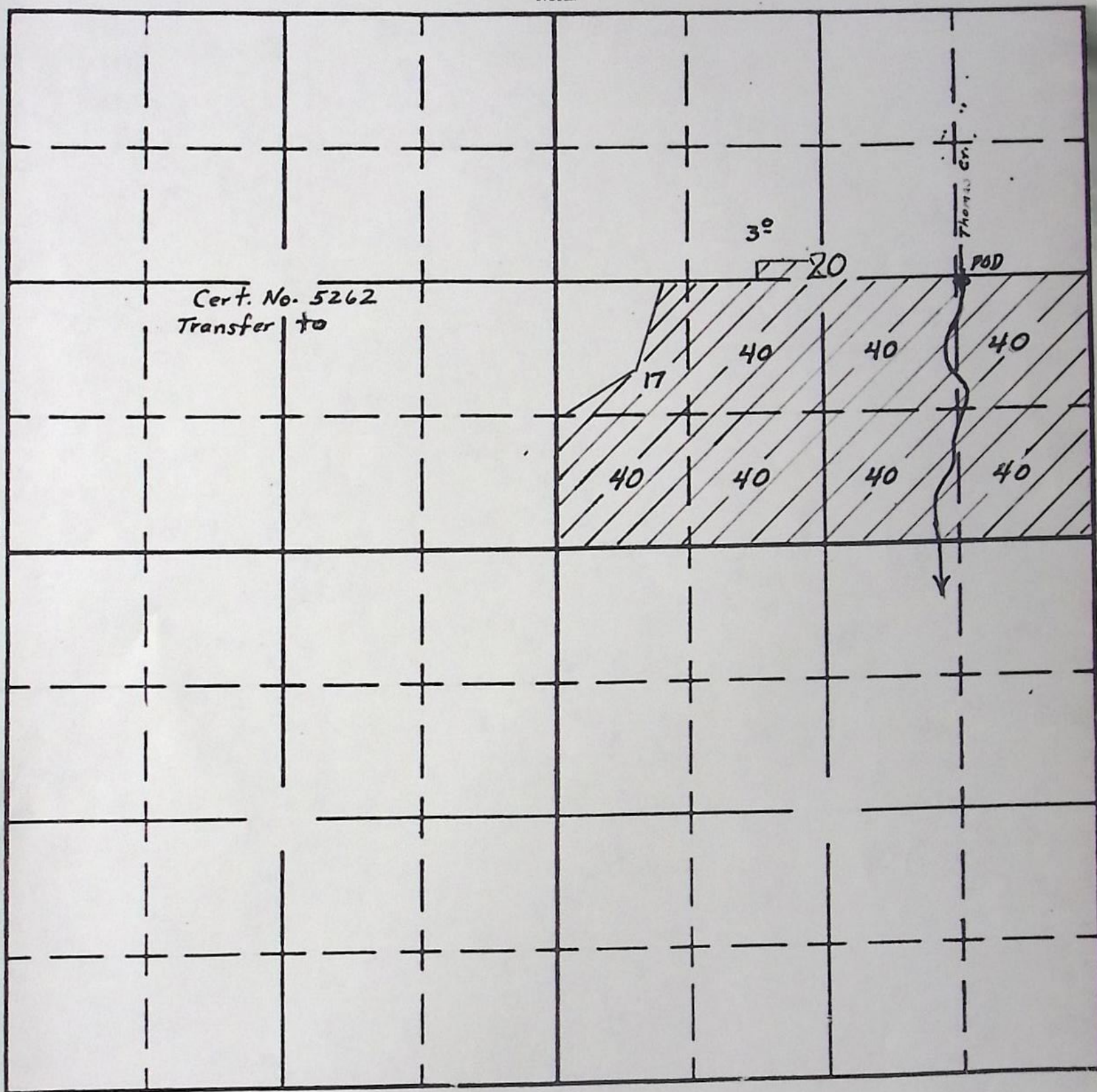
J. Boyd Taylor
Applicant

TOWNSHIP 39S, RANGE 20E, W. M.

T-4423

North

West



Cert. No. 5262
Transfer to

South

APPLICATION No.
PERMIT No.

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Applicant

J. Boyd Taylor