

Name Reginald F. Paddon

By

Address Box 72-B, Umpqua Star Rt
Oakland, OR 97462Change in POUDate filed Jan. 3, 1980

Date of hearing

Place of hearing

Date of order 1-28-80 Vol. 32, page 694Date for application of water 10-1-81

Proof mailed

Proof received

Certificate issued FEB 25 1980 Vol. 42, page 49003Aug 21, 2009Aug 28, 2009 85765Surveyed 7/15/86See 59687
to per 1/82

REMARKS

Card for C NOV 20 1981

10/10/02 Nut + Veronica Spencer, 25615 NE 128th Ave, Battle Ground, WA 98604Attn: NORTHWEST FARM CREDIT SERVICES P.O. Box 1490 Roseburg OR 974706/18/2009STEPHEN E & PHYLLIS J MURPHY
4746 FT MCKAY RD
OAKLAND OR 97462

4360

DESCRIPTION OF WATER RIGHT

Name of stream Calapooya CreekTrib. of _____ County of DouglasUse irrigationQuantity of water _____ No. of acres 513

Name of ditch _____

Date of priority Dec. 15, 1952In name of Esselstrom Logging Co.

Adjudication, Vol. _____, page _____

App. No. 27910^{SR} Per. No. 21982 Cert. No. 22389^{SR}

Certificate cancelled _____

Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>1-3-80</u>	<u>50.50</u>	<u>15552</u>
<u>6-18-09</u>	<u>50.00</u>	<u>96820</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

TO BE ENTERED WHERE CHECKED	INDEX CARDS:	Entered	Checked
☒	Name	<u>Reg</u>	<u>Reg</u>
☒	Stream	<u>Reg</u>	<u>Reg</u>
☒	Pl. of Div.	<u>Reg</u>	<u>Reg</u>
☒	Calendar	<u>Reg</u>	<u>Reg</u>
☒	CHANGED TO RECORD		
☒	Topog. Map	<u>SR</u>	<u>SR</u>
☒	Deed Book	<u>SR</u>	<u>SR</u>
☒	Deed Index	<u>SR</u>	<u>SR</u>
☒	Per. order	<u>SR</u>	<u>SR</u>
☒	Grant Index	<u>SR</u>	<u>SR</u>
☒	Cross Ref	<u>SR</u>	<u>SR</u>
☒	Power of Atty	<u>SR</u>	<u>SR</u>
☒	Abstracts	<u>SR</u>	<u>SR</u>

STATE OF OREGON

COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

KURT & VERONICA SPENCER
6459 OAK HILL RD
ROSEBURG OR 97471

NORTHWEST FARM CREDIT SERVICES, FLCA
PO BOX 1490
ROSEBURG OR 97470

STEPHEN E. MURPHY
PHYLLIS J. MURPHY
4746 FT MCKAY RD
OAKLAND, OR 97462

confirms the right to use the waters of CALAPOOYA CREEK, tributary to the UMPQUA RIVER for IRRIGATION of 51.2 ACRES.

This right was perfected under Permit 21982. The date of priority is DECEMBER 15, 1952. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.64 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	DLC	Measured Distances
25 S	6 W	WM	29	NW SE	900	42	110 FEET NORTH & 1220 FEET EAST FROM THE SW CORNER OF WM. C BURK DLC 42

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	DLC	Acres
25 S	6 W	WM	28	NW NW	800	63	11.9
25 S	6 W	WM	28	SW NW	800	63	3.0
25 S	6 W	WM	29	NE NE	800	63	12.5
25 S	6 W	WM	29	SE NE	800	63	8.9

NOTICE OF RIGHT TO RECONSIDERATION OR JUDICIAL REVIEW

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

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	DLC	Acres
25 S	6 W	WM	29	NE NE	801	42	1.9
25 S	6 W	WM	29	NW NE	801	42	2.0
25 S	6 W	WM	29	SW NE	801	42	6.5
25 S	6 W	WM	29	SE NE	801	42	2.7
25 S	6 W	MW	29	SE NE	801	63	1.8

This certificate is issued to correct an error in the identity of the water right holders of record. The original certificate, issued on August 21, 2009, did not reflect the partial assignment approved on June 18, 2009. This certificate supercedes certificate 85725.

This certificate is issued to confirm a change in change in place of use approved by an order of the Water Resources Director entered January 28, 1980, at Special Order Volume 32, Page 694, approving Transfer Application 4360, and together with Certificate 49003, supercedes Certificate 22389, State record of Water Right Certificates.

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.

Issued AUG 28 2009


Phillip C. Ward, Director

STATE OF OREGON

COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

KURT & VERONICA SPENCER
6459 OAK HILL RD
ROSEBURG OR 97471

NORTHWEST FARM CREDIT SERVICES, FLCA
PO BOX 1490
ROSEBURG OR 97470

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NOTICE OF RIGHT TO RECONSIDERATION OR JUDICIAL REVIEW

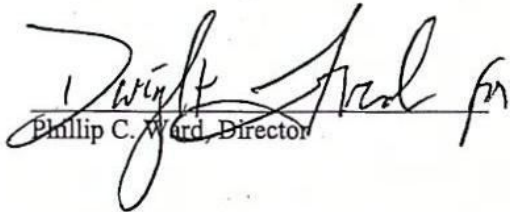
This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may either petition for judicial review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

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25 S	6 W	WM	29	SE NE	801	42	2.7
25 S	6 W	MW	29	SE NE	801	63	1.8

This certificate is issued to confirm a change in place of use approved by an order of the Water Resources Director entered January 28, 1980, at Special Order Volume 32, Page 694, approving Transfer Application 4360, and together with Certificate 49003, supercedes Certificate 22389, State record of Water Right Certificates.

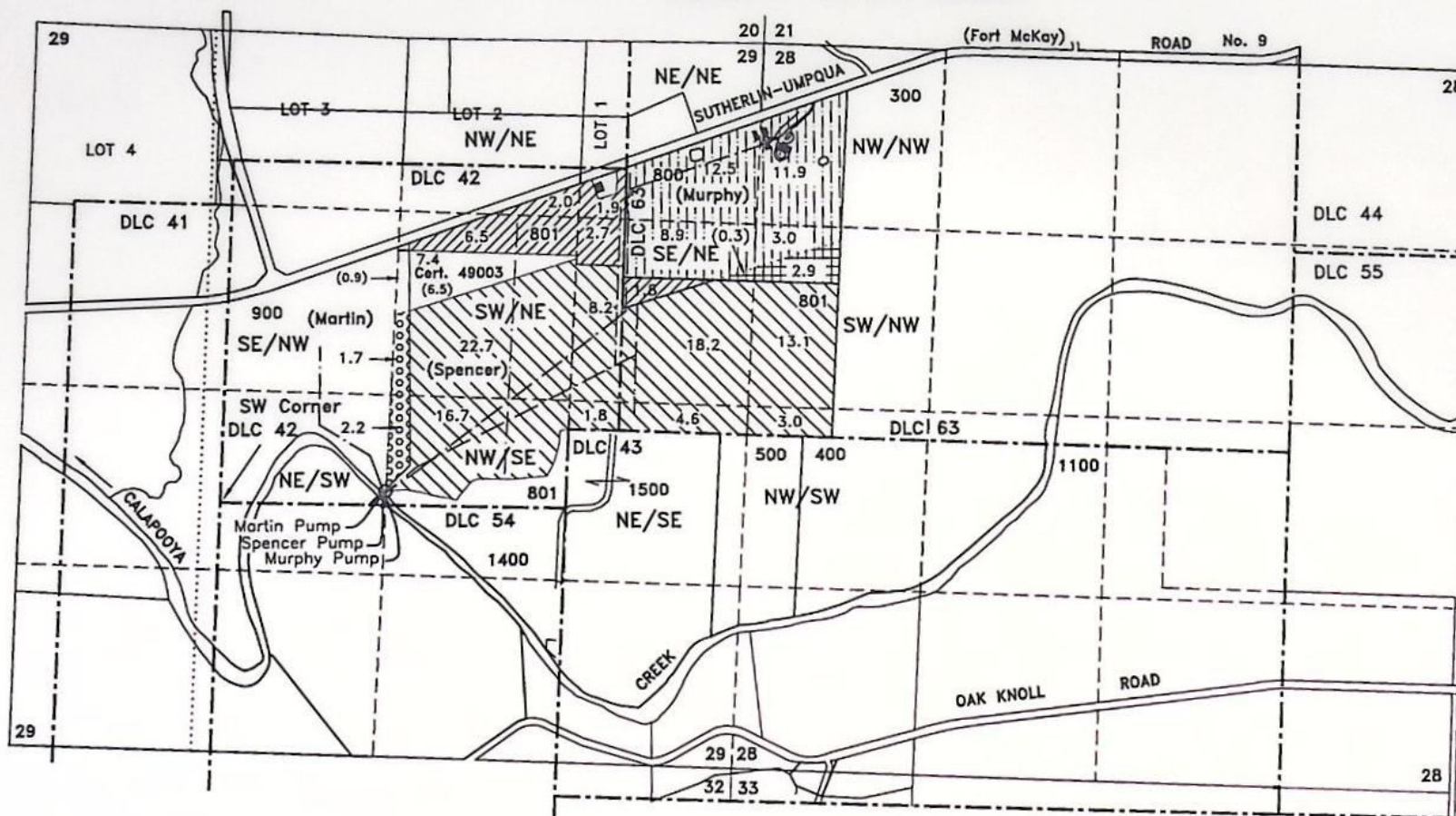
The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

Issued AUG 21 2009


Phillip C. Ward, Director

CLAIM OF BENEFICIAL USE MAP FOR:
 TRANSFER 4360 AND PERMIT 45243 (APPLICATION 59687)
 TAX LOT 801, SECTIONS 28 & 29, TOWNSHIP 25 SOUTH RANGE 6 WEST, W.M.
 DOUGLAS COUNTY, OREGON

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 WATER RESOURCES DEPT
 SALT LAKE CITY, UTAH



Point of Diversion (3-Portable Pumps) - NW/SE, section 29, 110 feet north and 1220 feet east from the southwest corner of Wm. C. Burk DLC 42

----- Buried mainline

 Transfer 4360 Spencer - 14.9 acres
Priority - December 15, 1952

 Permit 45243 Spencer - 88.3 acres
Priority - January 3, 1980

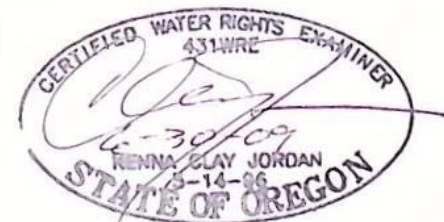
 Transfer 4360 Murphy - 36.3 acres
Priority - December 15, 1952

 Permit 45243 Murphy - 3.2 acres
Priority - January 3, 1980

 Permit 45243 Martin - 3.9 acres
Priority - January 3, 1980

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

Base map from Douglas County GIS database over 2004 aerial photo



JORDAN ENGINEERING
 460 JORDAN LANE
 ROSEBURG, OR 97471
 (541) 673-1931

Revised 2/6/2009 n.e.d.



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

Request for Assignment

If for multiple rights, a separate form and fee for each right will be required.

I, Kurt & Veronica Spencer
(Name of Applicant / Permit / Transfer Holder)

6459 Oak Hill Rd Roseburg, OR 97471 541 451-1802
(Mailing address) (City) (State) (Zip) (Phone #)

☐ ...hereby assign all my interest in and to application/permit/transfer;

☒ ...hereby assign all my interest in and to a portion of application/permit/transfer;

(You must include a map showing the portion of the application/permit to be assigned.)

MAP INCLOSED THIS ASSIGNMENT ONLY INVOLVES TAX LOT 800 + 801

☐ ...hereby assign a portion of my interest in and to the entire application/permit/transfer;

Application # _____, Permit # _____; Transfer # 4360
-OR-

GR Statement # _____, GR Certificate of Registration # _____

as filed in the office of the Water Resources Director, to:

Stephen E + Phyllis J Murphy
(Name of New Owner)

4746 Ft McKay Rd OAKLAND, OR 97462 541 459-5225
(Mailing address) (City) (State) (Zip) (Phone #)

NOTE: If there are other owners of the property described in this Application, Permit, Transfer or Certificate of Ground Water Registration, you must provide a list of all other owners' names and mailing addresses and attach it to this form.

I hereby certify that I have notified all other owners of the property described in this Application, Permit or Certificate of Registration of this request for assignment.

Witness my hand this 16 day of June, 2009.

Applicant/Permit holder _____

Applicant/Permit holder _____

DO NOT WRITE IN THIS BOX

This certifies assignment and record change at Oregon Water Resources Department effective 8:00 a.m. on date of receipt at Salem, Oregon.
Fee receipt # 96820
Water Rights Division [Signature]

The completed "Request for Assignment" form must be submitted to the Department along with a recording fee of \$50.

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JUN 18 2009

WR

Last updated: June 1, 2007

Request for Assignment/1

WATER RESOURCES DEPT
SALEM, OREGON

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON
DOUGLAS COUNTY

IN THE MATTER OF THE APPLICATION)
OF REGINALD F. PADDON FOR APPROVAL)
OF A CHANGE IN PLACE OF USE OF)
WATER FROM CALAPOOYA CREEK -)

ORDER APPROVING
TRANSFER NO. 4360

On January 3, 1980, an application was filed in the office of the Water Resources Director by Reginald F. Paddon for approval of a change in place of use of water from Calapooya Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 22389, Volume 16, State Record of Water Right Certificates, in the name of Esselstrom Logging Company, describes a right which includes the use of not to exceed 0.64 cubic foot per second from Calapooya Creek for irrigation of a certain 24.5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 7.6 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 1.0 acre in NE $\frac{1}{4}$ SE $\frac{1}{4}$ and 18.1 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 29, Township 25 South, Range 6 West, W.M., all as projected within Burk D.L.C. No. 42, with a date of priority of December 15, 1952.

Water for the said right is diverted from a point located 110 feet North and 1220 feet East from the Southwest Corner of W.C. Burk D.L.C. No. 42, being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 29, Township 25 South, Range 6 West, W.M.

The applicant herein, owner of the lands above described, proposes to sever the right therefrom and, without loss of priority, to irrigate in lieu thereof a certain ^{11.9}~~11.6~~ acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ and ^{3.0}~~2.5~~ acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 28, as projected within T. Barnard D.L.C. No. 63; ^{12.5}~~13.4~~ acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ and ^{8.9}~~11.1~~ acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 29, as projected within T. Barnard D.L.C. No. 63; ^{2.0}~~2.4~~ acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, ^{1.8}~~1.5~~ acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, ^{2.0}~~2.2~~ acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, and ^{2.7}~~6.5~~ acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 29, as projected within W.C. Burk D.L.C. No. 42, all in Township 25 South, Range 6 West, W.M.

Mr. M. John Youngquist, 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.

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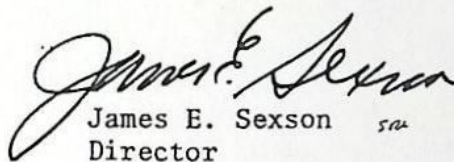
WATER RESOURCES DEPT
SALEM, OREGON

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. *ok - in compliance*

It is FURTHER ORDERED that the certificate recorded at page 22389, Volume 16, State Record of Water Right Certificates, is canceled; and in lieu thereof a new certificate be issued covering the balance of the right NOT involved in this proceeding; and upon proof satisfactory to the Water Resources Director of completion of works and beneficial use of water to the extent intended under the provisions of this order, a confirming certificate of water right shall be issued to the applicant herein.

Dated at Salem, Oregon this 28th day of January, 1980.


James E. Sexson *sm*
Director

Notes to Contractor:

- 1) Map on polyester film.*
- 2) File has been assigned to Spencers and NW Farm Credit Services, PCC*
- 3) Templates will be provided.*

CLAIM OF BENEFICIAL USE

The completion of this form is required by OAR 690-014-0100(1) and 690-014-0110(4).

Please type or print in dark ink. If this form is found to contain errors or omissions, it may be returned to you. Every numbered item must have a response. If any requested information does not apply to the Claim, insert "n/a." Do not delete any section of this form unless directed by the form. The Department may require the submittal of additional information from any water user or authorized agent. A separate form shall be completed for each permit or transfer final order.

I. General Information

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1. File Information

Application Number (G, R, S or T)	Permit Number (if applicable)	WATER RESOURCES DEPT
T-4360		SALEM, OREGON

2. Property owner (current owner information)

*also assigned to
NW farm*

not assigned to

a. Individuals

Name	Kurt & Veronica Spencer <i>Boi</i>	Stephen E. & Phyllis J. Murphy <i>Boi</i>
Mailing Address	6459 Oak Hill Road	4646 Fort McKay Road
City/State/Zip	Roseburg, OR 97470	Oakland, OR 97462
Phone #	(541) 459-1802	
Fax #		
e-mail address		

b. Businesses/Organizations

Name		RECEIVED
Mailing Address		
City/State/Zip		MAY 19 2009
Phone		
Fax		WATER RESOURCES DEPT
e-mail		SALEM, OREGON

If the current property owner is not the permittee or transfer holder of record, it is recommended that an assignment be filed with the Department. The COBU must be signed by the permit/transfer holder of record.

3. Permittee / Transferee of record (this may, or may not, be the current property owner)

c. Individuals

	Individual 1	
Name	Kurt M. & Veronica J. Spencer	Assigned from Paddon
Mailing Address		<i>also assigned to NW Farm Credit</i>
City/State/Zip		

d. Businesses/Organizations

Name	
Contact Person and Title	
Mailing Address	
City/State/Zip	

✓ 4. Date of Site Inspection: 7/31/2007, 2/19/2008 and 1/29/2009

5. Person(s) interviewed and description of their association with the project:

Name	Date	Association with the project
✓ Kurt Spencer	7/31/07	Property owner TL-801
	2/19/08	
✓ Stephen Murphy	1/29/09	Property Owner TL-800

✓ 6. County: Douglas County

7. Tax Lot Information:

Tax map number	Tax lot number
✓ T25S R6W Section 29	801 (801 is also partially in section 28)
✓ T25S R6W Section 29	800 (800 is also partially in section 28)

8. If any property described in the place of use of the permit or transfer final order is excluded from this report, identify the owner of record for that property (ORS 537.230(3)):

**Mark "NA" if there are no owners of property not included in this claim

Name	NA	RECEIVED MAY 19 2009 WATER RESOURCES DEPT SALEM, OREGON RECEIVED
Contact Person and Title		
Mailing Address		
City/State/Zip		
Phone #		

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WATER RESOURCES DEPT
SALEM, OREGON

II. Points of Diversion/Appropriation and Place of Use

For each point of diversion or appropriation, provide the following information. If the claim is for more than one point of diversion/appropriation, copy and complete this section for each point of diversion or appropriation.

1. Provide a general narrative description of the distribution works. This description must trace the water system from the point of diversion or appropriation to and include the place of use:

Water is pumped 2 Centrifugal pumps) from Calapooya Creek into 2 buried mainline systems. Risers are used to connect wheel lines and hand lines with impact sprinklers.

2. Point of diversion/appropriation name or number (correspond to map):

Point of diversion/appropriation name or number (correspond to map)	Well log ID # for all work performed on the well (if applicable)	Well tag # (if applicable)
Spencer Pump, Murphy Pump		

Attach each well log available for the well (include the log for the original well and any subsequent alterations, reconstructions, and deepenings)

3. Point of diversion/appropriation source and, if from surface water, the tributary:

Source	Tributary to
✓ Calapooya Creek	Umpqua River

4. Point of diversion/appropriation location:

(DLC, Government Lot, 1/4 1/4, Section, Township, Range)	Reference to a recognized public land survey corner by distance and bearing or by coordinates
✓ DLC 42, NE/SW, Section 29, T25S R6W, WM ✓	110 feet north and 1220 feet east from the southwest corner of Wm. C. Burk DLC 42

5. Actual use(s), period of use, and rate for each use:

Uses	If irrigation, list crop type	When water is used	Rate for use
Irrigation	Pasture grass	Irrigation season	(0.186 Spencer)
Irrigation	Pasture grass, Orchard	Irrigation season	(0.454 Murphy)

Total Quantity of Water 0.64 cfs

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Air
Transfer WATER RESOURCES DEPT
SALEM, OREGON

6. Place of use for the point of diversion or appropriation:

DLC	Owner	1/4 1/4	Section	Township	Range	Use	# of primary acres	# of supplemental acres
42	Spencer	NE/NE	29	25S	6W	IR ✓	1.9	2.4
42	Spencer	NW/NE	29	25S	6W	IR ✓	2.0	2.2
42	Spencer	SW/NE	29	25S	6W	IR ✓	6.5	6.5
42	Spencer	SE/NE	29	25S	6W	IR ✓	2.6 2.7	1.5
63	Spencer	SE/NE	29	25S	6W	IR ✓	1.8	X
63	Murphy	NW/NW	28	25S	6W	IR ✓	11.9	11.6
63	Murphy	SW/NW	28	25S	6W	IR ✓	3.0	2.5
63	Murphy	NE/NE	29	25S	6W	IR ✓	12.5	13.4
63	Murphy	SE/NE	29	25S	6W	IR ✓	8.9	11.1
								51.2

Total Acres Irrigated
(51.2 ACRES)

14.9 Acres Spencer
36.3 Acres Murphy

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SALEM, OREGON

Groundwater Source Information (Well and Sump)

**If the appropriation is not from ground water (well or sump), this section, items 1-5, can be deleted.

Reservoir Data

**If this claim is not for a reservoir, or the system does not involve a reservoir as part of the distribution system, this section, items 1-7, can be deleted.

Storage tank data

**If this system does not include a storage tank as part of the distribution system, this section, item 1, can be deleted.

Gravity flow pipe (The Department typically uses the Hazen-William's formula for a gravity flow pipe system)

**If this claim does not rely on a gravity flow pipe to convey the water as part of the distribution system, this section, items 1-3, can be deleted.

Gravity flow canal or ditch (The Department typically uses Manning's formula for canals and ditches)

**If this claim does not rely on a gravity flow canal or ditch to convey the water as part of the distribution system, this section, items 1-3, can be deleted.

System Information:

Provide the following information concerning the diversion and delivery system. Trace the flow of water from the point of diversion/appropriation to the place of use.

1. Pump information

Brand	Model	Serial Number	Type (centrifugal, turbine or submersible)	Intake size	Discharge size
Berkley	B3ZPL	M7492	(SPENCER) Centrifugal	8 inch	7.5 inch
Berkley	B3ZPL	M7211	(MURPHY) Centrifugal	4 inch	3 inch

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2. Motor information

Brand	Model	Horsepower	Max RPM	Voltage
Marathon	6K 284TTDP7302BB (Frame #284JP)	30 (Spencer)	3515	460 3-phase
Baldor	JPM2534T	30	3500	230/460 3 phase

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3. Meter information (if required in permit or transfer final order)

Make	Serial #	Condition (working or not)	Current meter reading	Notes
NA				

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4. Measurement device description

Device description	Condition (working or not)	Notes
NA		

WATER RESOURCES DEPT
SALEM, OREGON

5. Measured pump capacity (using meter if meter was present and system was operating)

Initial meter reading	Ending meter reading	Duration of time	Total pump output
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Not measured		observed	
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6. Theoretical pump capacity

Horsepower	Operating psi	Lift from source to pump *If a well, the water level during pumping (see pump test results)	Lift from pump to place of use	Total pump output
30 (Spencer)	60	6 feet	14 ave.	1.15 CFS
30 (Murphy)	60	6 feet	15 ave.	1.14 CFS

7. Provide pump calculations in the box below:

$$Q = \frac{(HP)(6.61)}{(LIFT+PRESSURE)} = \text{CFS}$$

$$Q = \frac{(30)(6.61)}{(20 + 152.4)} = \text{CFS}$$

$$= 1.15 \text{ CFS Spencer}$$

$$Q = \frac{(HP)(6.61)}{(LIFT+PRESSURE)} = \text{CFS}$$

$$Q = \frac{(30)(6.61)}{(21 + 152.4)} = \text{CFS}$$

$$= 1.14 \text{ CFS Murphy}$$

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8. Mainline information

Mainline size	Length	Type of pipe	Buried or above ground
7.5 inch	2100 feet	PVC	Buried (Spencer)
6 inch	2700	PVC	Buried (Spencer)
4 inch	4480	PVC	Buried (Murphy)

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9. Lateral or handline information

Lateral or handline size	Length	Type of pipe	Buried or above ground
3 inch	4000 feet	aluminum	Above ground (Spencer)
3 inch	1520 feet	Aluminum	Above ground (Murphy)
4 inch	1540 feet	Aluminum	Above ground (Murphy)
1.75 inch	320 feet	Aluminum	Above ground (Murphy)
5/8 inch	500 feet	Hose	Above ground (Murphy)

WATER RESOURCES DEPT
SALEM, OREGON

10. Sprinkler information Make and model:

Make	Model	Size	Operating psi	Sprinkler output	Maximum number used	Total sprinkler output
Rainbird	30	5/32	55	5.2 gpm	100	1.16 cfs (Spencer)
Rainbird	30	3/8	50	27.5 gpm	1	0.06 cfs (Murphy)
Rainbird	30	3/16	50	7.2 gpm	23	0.37 cfs (Murphy)
Rainbird	30	11/64	50	6.0 gpm	3	0.04 cfs (Murphy)
Rainbird	30	9/64	50	4.0 gpm	9	0.08 cfs (Murphy)
Rainbird	30	5/32	50	5.0 gpm	25	0.28 cfs (Murphy)
Nelson	F33	9/64	50	4.0 gpm	1	0.01 cfs (Murphy)
Nelson	F33	11/64	50	6.0 gpm	1	0.01 cfs (Murphy)
Nelson	F33	3/16	50	7.2 gpm	10	0.16 cfs (Murphy)

Nelson	unknown	1/8	50	3.2 gpm	2	0.01 cfs (Murphy)
--------	---------	-----	----	---------	---	-------------------

Refer to the chart of sprinkler output at various pressures for most nozzle sizes attached to this document.

$$Q_{\text{sprinklers}} = \frac{(\text{max \# heads})(\text{gpm/head})}{448.8 \text{ gpm/cfs}} = \text{cfs}$$

Spencer 1.16 cfs → using WPD calculator
E 50 PSI
yields 1.16 cfs

Murphy 1.02 cfs
Total 2.18 cfs

check using WPD calculator

11. Additional notes or comments related to the system:

Spencer

This system is also used for permit 43243 and certificate 49003. Length and size of buried pipe estimated based on riser location and current owner information. System installed prior to this owner. Property has been divided since transfer order approved.

Murphy

This system is also use for permit 43243. Length and size of buried pipe estimated based on riser location and current owner information. System installed prior to this owner. Hoses and various household type sprinklers are used near the house – not included in calculations.

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III. CONDITIONS

WATER RESOURCES DEPT
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Please pay special attention to this section. All conditions contained in the permit or transfer final order shall be addressed. Reports that do not address all performance related conditions will be returned.

1. Time Limits:

- Permits or transfer Final Orders contain any or all of the following dates; the date when the actual construction work was to begin, the date when the construction was to be completed, and the date when the complete application of water to the proposed use is to be completed by. These dates may be referred to as ABC dates. Describe how the water user has complied with each of the development timelines established in the permit or transfer final order:

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	Dates from permit or transfer final order	Date accomplished	Description of actions taken by water user to comply with the time limits
Begin construction			
Complete construction			
Complete application of water	10/1/1981 ✓	Prior to 1981	Diversion point and system installed prior to current owners. Current land owner (Spencer) worked on farm in 1980's. It is reported water was applied to all land under his ownership prior to completion date. Murphy is newer owner and both owners have irrigated since they have owned their property. There is no evidence to suggest

irrigation did not occur by the completion date.

2. Initial Water Level Measurements:

****If the Claim is for surface water or a reservoir, or if the water user was not required to submit static water level measurements, items b through e relating to this section can be deleted.**

- a. Was the water user required to submit an initial static water level measurement?

NA

3. Annual Static Water Level Measurements:

****If the Claim is for surface water or a reservoir, or if the water user was not required to submit static water level measurements, items b through e relating to this section can be deleted.**

- a. Was the water user required to submit annual static water level measurements?

NA

4. Measurement, recording, and reporting conditions:

- a. Does the permit or transfer final order require the installation of a meter or approved measuring device?

NO

If a meter or approved measuring device was required, the COBU map must indicate the location of the device in relation to the point of diversion or appropriation.

****If "NO", items b through g relating to this section can be deleted.**

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5. Fish Screening and/or By-pass Devices

- a. Are any points of diversion required to be screened and/or have a by-pass device to prevent fish from entering the point of diversion?

NO

If fish screening and/or by-pass devices were required, the COBU map must indicate their location in relation to the point of diversion.

****If "NO", items b through i relating to this section can be deleted**

6. Pump Test (Required for ground permits prior to issuance of a certificate, but not a requirement of permit development)

- a. Did the permit require the submittal of a pump test?

NA

- b. Has the pump test been previously submitted to the Department?

NA

- c. Has the pump test been approved by the Department?

NA

- d. If no, is the pump test attached to this Claim?

NA

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7. Other Permit Conditions (examples: special well construct standards, water conservation plans, no obstructions to fish without a fishway, etc.; number as appropriate.)

NONE

IV. Variations, Attachments, Conclusions, Map and Signatures

Variations

Include a description of variations from the permit or transfer final order

Transfer for 51.2 acres. 14.9 acres are claimed by Spencer; 36.3 acres can be claimed by Murphy. Acreage per ¼ ¼ slightly different than order.

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Attachments

If you are attaching any documents to this report, provide a list below:

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Attachment name	Description

Permit and Transfer Final Order Rates and System Rates Comparisons:

POD or POA name or #	Maximum rate allowed by permit or transfer final order	Calculated theoretical rate of water based on system	Actual amount of water measured (if measured)	Developed use	# of acres allowed by permit or transfer final order	# of acres developed
Spencer Pump	(0.186 cfs)	1.15 cfs = pump 1.16 = sprinkler	na	Irrigation	14.9 / 2.6 + 2.6 + 11.1	14.9 ✓
Murphy Pump	(0.454 cfs)	1.02 cfs = sprinkler 1.14 cfs (see p. 5)	na	Irrigation	36.3 27.5 +	36.3 ✓
TOTALS	0.64	2.17 cfs	na	Irrigation	51.2 ✓	51.2 ✓

Claim of Beneficial Use Map

The Claim of Beneficial Use Map must be submitted with this Claim. Claims submitted without the Claim of Beneficial Use map will be returned. The map shall be submitted on poly film at a scale of 1" = 1320', 1" = 400', or the original full-size scale of the county assessor map for the location.

In the following box, provide a general description of the survey method used to prepare the map. Examples of possible methods include, but are not limited to, a traverse survey, GPS, or the use of aerial photos. If the basis of the survey is an aerial photo, provide the source, date, series and the aerial photo identification number.

GIS tax lot maps and aerial photos (2004) from Douglas County. Field inspection and laser range-finder With accuracy ± 1 foot used for distance and elevation. 2005 FSA aerial photos and Douglas County 2004 aerial photos for comparison.

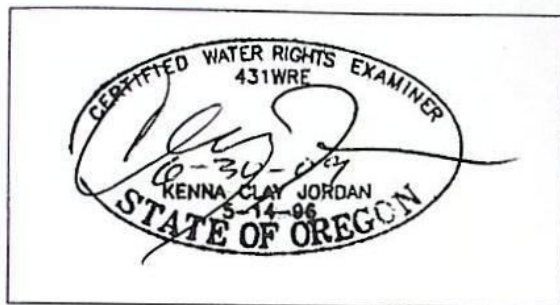
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CWRE Statement, Seal and Signature

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge.



✓

Permit or Transfer Holders Signature or Acknowledgement

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge. I request that the Department issue a water right certificate.

Stephen E Murphy Stephen E Murphy 2/10/09 ✓
Signature Print or type name Date

Phyllis J. Murphy Phyllis J. Murphy 2/10/09 ✓
Signature Print or type name Date

Kurt Spencer Kurt Spencer 2-10-09 ✓
Signature Print or type name Date

Veronica J. Spencer Veronica J. Spencer 2-10-09 ✓
Signature Print or type name Date

Margaret Fabrizio Margaret Fabrizio 2-20-09 ✓
Signature Print or type name Date

→ NW Form Credit Services Rep + per CWRS's cover letter

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CLAIM OF BENEFICIAL USE MAP FOR:

TRANSFER 4360

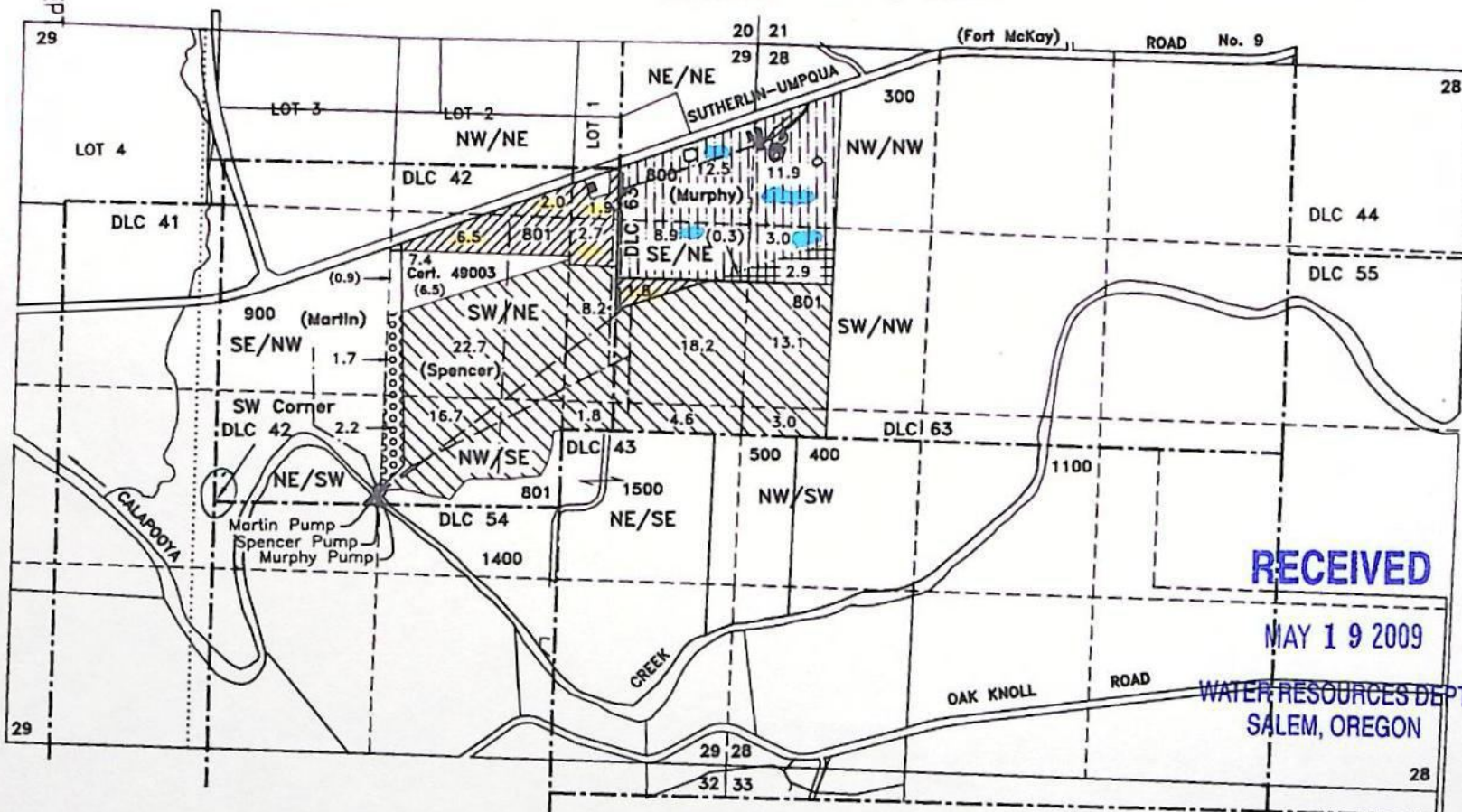
AND

PERMIT 45243 (APPLICATION 59687)

TAX LOT 801, SECTIONS 28 & 29, TOWNSHIP 25 SOUTH RANGE 6 WEST, W.M.

1800

DOUGLAS COUNTY, OREGON



STATE OF OREGON

COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

KURT & VERONICA SPENCER
6459 OAK HILL RD
ROSEBURG OR 97471

NORTHWEST FARM CREDIT SERVICES, FLCA
PO BOX 1490
ROSEBURG OR 97470

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WATER RESOURCES DEPT
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confirms the right to use the waters of CALAPOOYA CREEK, tributary to the UMPQUA RIVER for IRRIGATION of 51.2 ACRES.

This right was perfected under Permit 21982. The date of priority is DECEMBER 15, 1952. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.64 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	DLC	Measured Distances
25 S	6 W	WM	29	NE SW	900	42	110 FEET NORTH & 1220 FEET EAST FROM SW THE SW CORNER OF WM. C BURK DLC 42

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	DLC	Acres	Owner
25 S	6 W	WM	28	NW NW	800	63	11.9	Murphy
25 S	6 W	WM	28	SW NW	800	63	3.0	Murphy
25 S	6 W	WM	29	NE NE	800	63	12.5	Murphy
25 S	6 W	WM	29	SE NE	800	63	8.9	Murphy

NOTICE OF RIGHT TO RECONSIDERATION OR JUDICIAL REVIEW

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

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Tax Lot	DLC	Acres	Owner
25 S	6 W	WM	29	NE NE	801	42	1.9	Spencer
25 S	6 W	WM	29	NW NE	801	42	2.0	Spencer
25 S	6 W	WM	29	SW NE	801	42	6.5	Spencer
25 S	6 W	WM	29	SE NE	801	42	2.7	Spencer
25 S	6 W	MW	29	SE NE	801	63	1.8	Spencer

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.

This certificate is issued to confirm a change in change in place of use approved by an order of the Water Resources Director entered January 28, 1980, at Special Order Volume 32, Page 694, approving Transfer Application 4360, and together with Certificate 49003, supercedes Certificate 22389, State record of Water Right Certificates.

Issued _____.

Phillip C. Ward, Director

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SALEM, OREGON

**WATER RESOURCES DEPARTMENT
REIMBURSEMENT AUTHORITY ESTIMATE APPLICATION**

House Bill 2551 (2003 Oregon Laws) authorizes the Oregon Water Resources Department to expedite or enhance regulatory processes voluntarily requested under the agreement. The voluntary agreement can be entered into with any person requesting services and agreeing to pay the Department's costs of providing the service.

The Department has established a pool of qualified contractors to perform expedited services for water right transfers, water right permits extensions, and water right certificates.

The purpose of this application is to obtain an estimate from the next qualified contractor in the appropriate pool. There is a non-refundable application fee of \$125.00 per request. The contractor will provide an estimate of the cost and of the time required to process and develop a recommendation on the request of a: (check one):

<u>REQUEST</u>	<u>TYPE</u>	<u>FILE NUMBER</u>
☐	Transfer Application	_____
☒	Certificate Request	T-4360
☐	Extension of Time Request	_____

<u>Applicant Information</u>		<u>Applicant's Representative/Contact</u>
Name: (Please Print)	Kurt Spencer	
Address:	6459 Oak Hill Rd.	
	Roseburg, OR 97471	
Phone:		
Fax		
E-Mail Address:		

I understand the following:

- There is a non-refundable application fee of \$125.00 per request.
- That upon receipt of my non-refundable application fee in the amount of \$ 125.00, OWRD will assign my request to the next contractor in the pool of contractors performing expedited services.
- That this fee covers the copying, the mailing cost, as well as the cost for the contractor to evaluate and provide the estimate for processing of the request.
- That OWRD will provide all pertinent information to the assigned contractor within three (3) business days.
- That OWRD will, within fourteen (14) days, notify me in writing of the estimates of costs and time frame for the expedited service.
- That upon receiving the estimates I may agree or decline to enter into a formal contract to pay the estimated cost in advance to initiate the expedited service.
- An incomplete or inaccurate application may delay the process and increase the cost to process my request.
- Expedited processing does not guarantee a favorable review of my request.
- Send completed Application and payment to:

OWRD – Reimbursement Authority Program
725 Summer St. NE, Suite A
Salem, OR 97301-1266.

I certify that I am the (check one) ☒ Applicant ☐ Applicant's Representative ☐ Other (Please specify) _____

Signature: _____

Name: _____

OWRD USE ONLY

Contractor Assigned: _____

OWRD Approval: _____

Total Amount Paid: \$ _____

JUL 17 2008

WATER RESOURCES DEPT
SALEM, OREGON

Revised: 6/21/2004

17 copies
3/19/2009
CU.

Sprecher

h09 166 09

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DOUGLAS COUNTY

IN THE MATTER OF THE APPLICATION)
OF REGINALD F. PADDON FOR APPROVAL)
OF A CHANGE IN PLACE OF USE OF)
WATER FROM CALAPOOYA CREEK -)
- - - - -

ORDER APPROVING
TRANSFER NO. 4360

On January 3, 1980, an application was filed in the office of the Water Resources Director by Reginald F. Paddon for approval of a change in place of use of water from Calapooya Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 22389, Volume 16, State Record of Water Right Certificates, in the name of Esselstrom Logging Company, describes a right which includes the use of not to exceed 0.64 cubic foot per second from Calapooya Creek for irrigation of a certain 24.5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 7.6 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 1.0 acre in NE $\frac{1}{4}$ SE $\frac{1}{4}$ and 18.1 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 29, Township 25 South, Range 6 West, W.M., all as projected within Burk D.L.C. No. 42, with a date of priority of December 15, 1952.

Water for the said right is diverted from a point located 110 feet North and 1220 feet East from the Southwest Corner of W.C. Burk D.L.C. No. 42, being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 29, Township 25 South, Range 6 West, W.M.

The applicant herein, owner of the lands above described, proposes to sever the right therefrom and, without loss of priority, to irrigate in lieu thereof a certain 11.6 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ and 2.5 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 28, as projected within T. Barnard D.L.C. No. 63; 13.4 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ and 11.1 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 29, as projected within T. Barnard D.L.C. No. 63; 2.4 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, 1.5 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 2.2 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, and 6.5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 29, as projected within W.C. Burk D.L.C. No. 42, all in Township 25 South, Range 6 West, W.M.

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

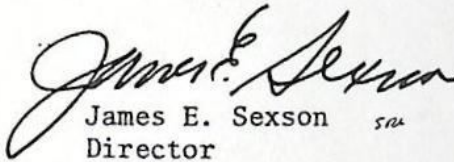
No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

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. *ok-in compliance*

It is FURTHER ORDERED that the certificate recorded at page 22389, Volume 16, State Record of Water Right Certificates, is canceled; and in lieu thereof a new certificate be issued covering the balance of the right NOT involved in this proceeding; and upon proof satisfactory to the Water Resources Director of completion of works and beneficial use of water to the extent intended under the provisions of this order, a confirming certificate of water right shall be issued to the applicant herein.

Dated at Salem, Oregon this 28th day of January, 1980.


James E. Sexson *sm*
Director

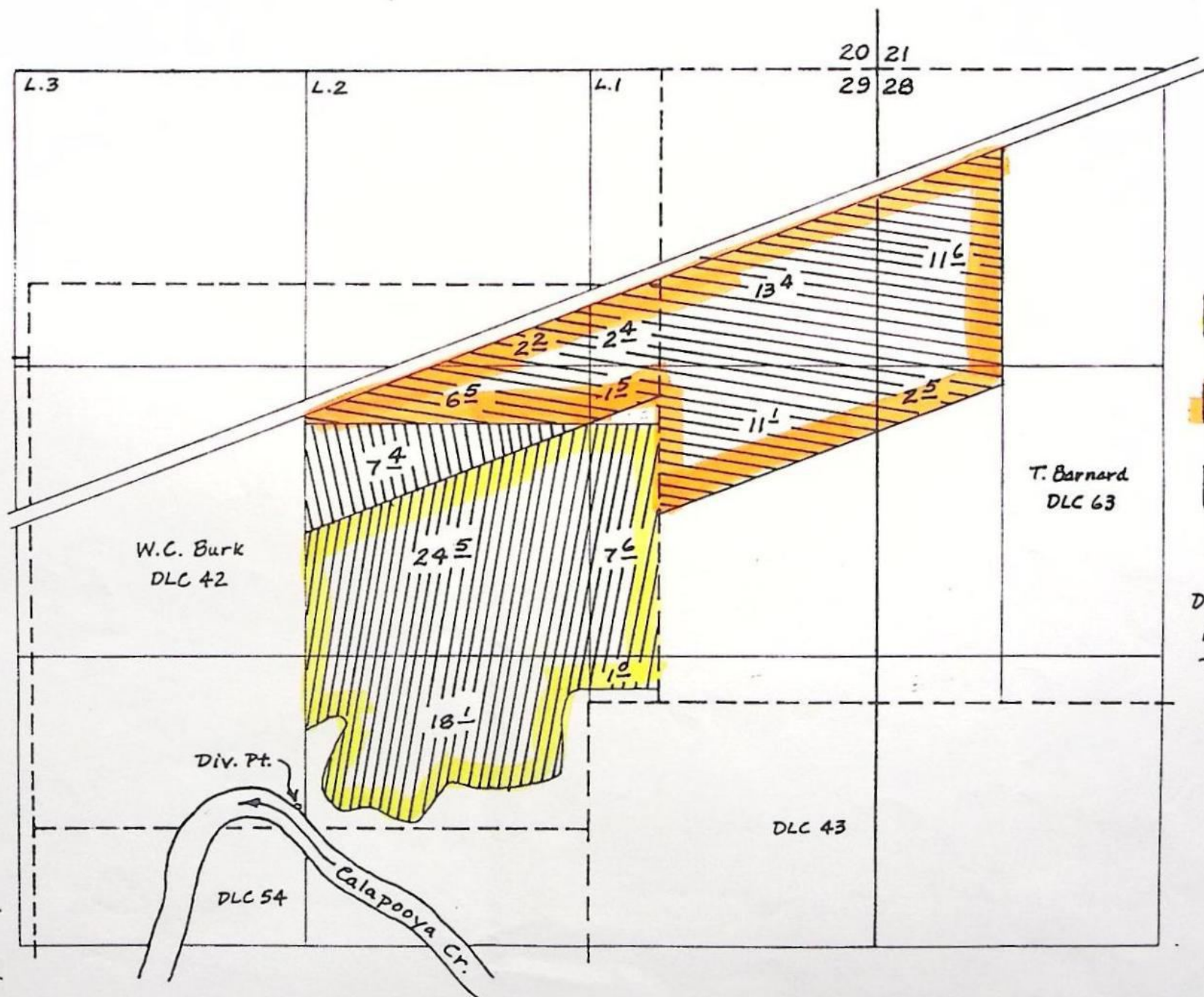
Notes to Contractor:

- 1) Map on polyester film.*
- 2) File has been assigned to Spencers and NW Farm Credit Services, PCC*
- 3) Templates will be provided.*

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WATER RESOURCES DEPT
SALEM, OREGON

N



Transfer from

Transfer to

Unchanged

Scale : $8'' = 1 \text{ mile}$

Div. Pt. 110' N and
1220' E from SW cor.
DLC 42

Jordan Engineering

Structural & Civil

460 Jordan Lane
Roseburg, OR 97470
541-673-1931

Water Resources Department
Mr. Gerald E. Clark
725 Summer St. NE, Suite A
Salem, OR 97301

Claim of Beneficial Use:
Mr. Kurt and Veronica Spencer
1. T-4360
2. S-45243

March 2, 2009

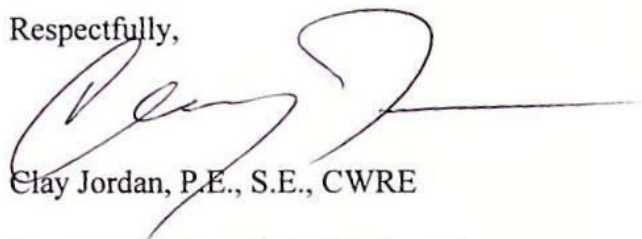
Mr. Clark:

Inclosed are two Claim of Beneficial Use (COBU) forms for the Spencer's, Transfer 4360 and Permit 45243. Both the transfer and permit have been assigned by the original applicant, Mr. Paddon, to the Spencers. See signed copies in Department's files. Each of the two COBU include the full claim for all the lands involved. For clarity only one map is used with a duplicate for each of the two COBU claims. In addition, each of the two claims are requesting a reimbursement authority estimate to expedite the Department's review in order to issue each a Certificate.

Both of these claims are pre-CWRE programs still requiring the obligation in time, for the Water Resources Department to process the claims. At Mr. Spencer's option, he is adsorbing this total cost for all involved including that of the Water Resources Department. It is therefore requested that the Department will take this into consideration and expedite the claims within the Department without any additional cost to Mr. Spencer.

If there are any questions or additional information needed please contact me at your earliest convenience.

Respectfully,



Clay Jordan, P.E., S.E., CWRE

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WATER RESOURCES DEPT
SALEM, OREGON

file: COBU_T-4360_S-45243.wpd

cc: Mr. & Ms. Spencer
Northwest Farm Credit Services %Ms. Margaret Fabrizius
Mr. & Ms. Murphy
Ms. Martin
Mr. Norm Daft

Inclosures:

- 1) T-4360 and P-45243 each:
 1. Claim of Beneficial Use form.
 2. Mylar map, 11x8.5

Previous Inclosure: (On file at department)

1. Reimbursement Authority Estimate Application. (\$125 each) Check No. 1285 for \$250.

CLAIM OF BENEFICIAL USE

The completion of this form is required by OAR 690-014-0100(1) and 690-014-0110(4).

Please type or print in dark ink. If this form is found to contain errors or omissions, it may be returned to you. Every numbered item must have a response. If any requested information does not apply to the Claim, insert "n/a." Do not delete any section of this form unless directed by the form. The Department may require the submittal of additional information from any water user or authorized agent. A separate form shall be completed for each permit or transfer final order.

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I. General Information

1. File Information

Application Number (G, R, S or T)	Permit Number (if applicable)	WATER RESOURCES DEPT
T-4360		SALEM, OREGON

2. Property owner (current owner information)

a. Individuals

Name	Kurt & Veronica Spencer	Stephen E. & Phyllis J. Murphy
Mailing Address	6459 Oak Hill Road	4646 Fort McKay Road
City/State/Zip	Roseburg, OR 97470	Oakland, OR 97462
Phone #	(541) 459-1802	
Fax #		
e-mail address		

b. Businesses/Organizations

Name	
Mailing Address	
City/State/Zip	
Phone	
Fax	
e-mail	

If the current property owner is not the permittee or transfer holder of record, it is recommended that an assignment be filed with the Department. The COBU must be signed by the permit/transfer holder of record.

3. Permittee / Transferee of record (this may, or may not, be the current property owner)

c. Individuals

	Individual 1	
Name	Kurt M. & Veronica J. Spencer	Assigned from Paddon
Mailing Address		
City/State/Zip		

d. Businesses/Organizations

Name	
Contact Person and Title	
Mailing Address	
City/State/Zip	

4. Date of Site Inspection: 7/31/2007, 2/19/2008 and 1/29/2009

5. Person(s) interviewed and description of their association with the project:

Name	Date	Association with the project
Kurt Spencer	7/31/07	Property owner TL-801
	2/19/08	
Stephen Murphy	1/29/09	Property Owner TL-800

6. County: Douglas County

7. Tax Lot Information:

Tax map number	Tax lot number
T25S R6W Section 29	801 (801 is also partially in section 28)
T25S R6W Section 29	800 (800 is also partially in section 28)

8. If any property described in the place of use of the permit or transfer final order is excluded from this report, identify the owner of record for that property (ORS 537.230(3)):

**Mark "NA" if there are no owners of property not included in this claim

Name	NA
Contact Person and Title	
Mailing Address	
City/State/Zip	
Phone #	

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WATER RESOURCES DEPT
SALEM, OREGON

II. Points of Diversion/Appropriation and Place of Use

For each point of diversion or appropriation, provide the following information. If the claim is for more than one point of diversion/appropriation, copy and complete this section for each point of diversion or appropriation.

1. Provide a general narrative description of the distribution works. This description must trace the water system from the point of diversion or appropriation to and include the place of use:

Water is pumped 2 Centrifugal pumps) from Calapooya Creek into 2 buried mainline systems. Risers are used to connect wheel lines and hand lines with impact sprinklers.

2. Point of diversion/appropriation name or number (correspond to map):

Point of diversion/appropriation name or number (correspond to map)	Well log ID # for all work performed on the well (if applicable)	Well tag # (if applicable)
Spencer Pump, Murphy Pump		

Attach each well log available for the well (include the log for the original well and any subsequent alterations, reconstructions, and deepenings)

3. Point of diversion/appropriation source and, if from surface water, the tributary:

Source	Tributary to
Calapooya Creek	Umpqua River

4. Point of diversion/appropriation location:

(DLC, Government Lot, ¼ ¼, Section, Township, Range)	Reference to a recognized public land survey corner by distance and bearing or by coordinates
DLC 42, NE/SW, Section 29, T25S R6W, WM	110 feet north and 1220 feet east from the southwest corner of Wm. C. Burk DLC 42

5. Actual use(s), period of use, and rate for each use:

Uses	If irrigation, list crop type	When water is used	Rate for use
Irrigation	Pasture grass	Irrigation season	(0.186 Spencer)
Irrigation	Pasture grass, Orchard	Irrigation season	(0.454 Murphy)

Total Quantity of Water **0.64 cfs**

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SALEM, OREGON

6. Place of use for the point of diversion or appropriation:

DLC	Owner	1/4 1/4	Section	Township	Range	Use	# of primary acres	# of supplemental acres
42	Spencer	NE/NE	29	25S	6W	IR	1.9	
42	Spencer	NW/NE	29	25S	6W	IR	2.0	
42	Spencer	SW/NE	29	25S	6W	IR	6.5	
42	Spencer	SE/NE	29	25S	6W	IR	2.6	
63	Spencer	SE/NE	29	25S	6W	IR	1.8	
63	Murphy	NW/NW	28	25S	6W	IR	11.9	
63	Murphy	SW/NW	28	25S	6W	IR	3.0	
63	Murphy	NE/NE	29	25S	6W	IR	12.5	
63	Murphy	SE/NE	29	25S	6W	IR	8.9	

Total Acres Irrigated
(51.2 ACRES)

14.9 Acres Spencer
36.3 Acres Murphy

Groundwater Source Information (Well and Sump)

**If the appropriation is not from ground water (well or sump), this section, items 1-5, can be deleted.

Reservoir Data

**If this claim is not for a reservoir, or the system does not involve a reservoir as part of the distribution system, this section, items 1-7, can be deleted.

Storage tank data

**If this system does not include a storage tank as part of the distribution system, this section, item 1, can be deleted.

Gravity flow pipe (The Department typically uses the Hazen-William's formula for a gravity flow pipe system)

**If this claim does not rely on a gravity flow pipe to convey the water as part of the distribution system, this section, items 1-3, can be deleted.

Gravity flow canal or ditch (The Department typically uses Manning's formula for canals and ditches)

**If this claim does not rely on a gravity flow canal or ditch to convey the water as part of the distribution system, this section, items 1-3, can be deleted.

System Information:

Provide the following information concerning the diversion and delivery system. Trace the flow of water from the point of diversion/appropriation to the place of use.

1. Pump information

Brand	Model	Serial Number	Type (centrifugal, turbine or submersible)	Intake size	Discharge size
Berkley	B3ZPL	M7492	(SPENCER) Centrifugal	8 inch	7.5 inch
Berkley	B3ZPL	M7211	(MURPHY) Centrifugal	4 inch	3 inch

2. Motor information

Brand	Model	Horsepower	Max RPM	Voltage
Marathon	6K 284TTDP7302BB (Frame #284JP)	30 (Spencer)	3515	460 3-phase
Baldor	JPM2534T	30	3500	230/460 3 phase

3. Meter information (if required in permit or transfer final order)

Make	Serial #	Condition (working or not)	Current meter reading	Notes
NA				RECEIVED

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4. Measurement device description

Device description	Condition (working or not)	Notes
NA		WATER RESOURCES DEPT SALEM, OREGON

5. Measured pump capacity (using meter if meter was present and system was operating)

Initial meter reading	Ending meter reading	Duration of time	Total pump output
-----------------------	----------------------	------------------	-------------------

		observed	
Not measured			

6. Theoretical pump capacity

Horsepower	Operating psi	Lift from source to pump *If a well, the water level during pumping (see pump test results)	Lift from pump to place of use	Total pump output
30 (Spencer)	60	6 feet	14 ave.	1.15 CFS
30 (Murphy)	60	6 feet	15 ave.	1.14 CFS

7. Provide pump calculations in the box below:

$$Q = \frac{(HP)(6.61)}{(LIFT+PRESSURE)} = \text{CFS} \quad Q = \frac{(30)(6.61)}{(20 + 152.4)} = \text{CFS} = 1.15 \text{ CFS Spencer}$$

$$Q = \frac{(HP)(6.61)}{(LIFT+PRESSURE)} = \text{CFS} \quad Q = \frac{(30)(6.61)}{(21 + 152.4)} = \text{CFS} = 1.14 \text{ CFS Murphy}$$

8. Mainline information

Mainline size	Length	Type of pipe	Buried or above ground
7.5 inch	2100 feet	PVC	Buried (Spencer)
6 inch	2700	PVC	Buried (Spencer)
4 inch	4480	PVC	Buried (Murphy)

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9. Lateral or handline information

Lateral or handline size	Length	Type of pipe	Buried or above ground
3 inch	4000 feet	aluminum	Above ground (Spencer)
3 inch	1520 feet	Aluminum	Above ground (Murphy)
4 inch	1540 feet	Aluminum	Above ground (Murphy)
1.75 inch	320 feet	Aluminum	Above ground (Murphy)
5/8 inch	500 feet	Hose	Above ground (Murphy)

WATER RESOURCES DEPT
SALEM, OREGON

10. Sprinkler information Make and model:

Make	Model	Size	Operating psi	Sprinkler output	Maximum number used	Total sprinkler output
Rainbird	30	5/32	55	5.2 gpm	100	1.16 cfs (Spencer)
Rainbird	30	3/8	50	27.5 gpm	1	0.06 cfs (Murphy)
Rainbird	30	3/16	50	7.2 gpm	23	0.37 cfs (Murphy)
Rainbird	30	11/64	50	6.0 gpm	3	0.04 cfs (Murphy)
Rainbird	30	9/64	50	4.0 gpm	9	0.08 cfs (Murphy)
Rainbird	30	5/32	50	5.0 gpm	25	0.28 cfs (Murphy)
Nelson	F33	9/64	50	4.0 gpm	1	0.01 cfs (Murphy)
Nelson	F33	11/64	50	6.0 gpm	1	0.01 cfs (Murphy)
Nelson	F33	3/16	50	7.2 gpm	10	0.16 cfs (Murphy)

Nelson	unknown	1/8	50	3.2 gpm	2	0.01 cfs (Murphy)
--------	---------	-----	----	---------	---	-------------------

Refer to the chart of sprinkler output at various pressures for most nozzle sizes attached to this document.

Spencer 1.16 cfs

$$Q_{\text{sprinklers}} = \frac{(\text{max \# heads})(\text{gpm/head})}{448.8 \text{ gpm/cfs}} = \text{cfs}$$

Murphy 1.02 cfs

Total 2.18 cfs

11. Additional notes or comments related to the system:

Spencer

This system is also used for permit 43243 and certificate 49003. Length and size of buried pipe estimated based on riser location and current owner information. System installed prior to this owner. Property has been divided since transfer order approved.

Murphy

This system is also use for permit 43243. Length and size of buried pipe estimated based on riser location and current owner information. System installed prior to this owner. Hoses and various household type sprinklers are used near the house – not included in calculations.

III. CONDITIONS

Please pay special attention to this section. All conditions contained in the permit or transfer final order shall be addressed. Reports that do not address all performance related conditions will be returned.

1. Time Limits:

- Permits or transfer Final Orders contain any or all of the following dates; the date when the actual construction work was to begin, the date when the construction was to be completed, and the date when the complete application of water to the proposed use is to be completed by. These dates may be referred to as ABC dates. Describe how the water user has complied with each of the development timelines established in the permit or transfer final order:

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	Dates from permit or transfer final order	Date accomplished	Description of actions taken by water user to comply with the time limits
Begin construction			
Complete construction			
Complete application of water	10/1/1981	Prior to 1981	Diversion point and system installed prior to current owners. Current land owner (Spencer) worked on farm in 1980's. It is reported water was applied to all land under his ownership prior to completion date. Murphy is newer owner and both owners have irrigated since they have owned their property. There is no evidence to suggest

		irrigation did not occur by the completion date.
--	--	--

2. Initial Water Level Measurements:

**If the Claim is for surface water or a reservoir, or if the water user was not required to submit static water level measurements, items b through e relating to this section can be deleted.

a. Was the water user required to submit an initial static water level measurement? NA

3. Annual Static Water Level Measurements:

**If the Claim is for surface water or a reservoir, or if the water user was not required to submit static water level measurements, items b through e relating to this section can be deleted.

a. Was the water user required to submit annual static water level measurements? NA

4. Measurement, recording, and reporting conditions:

a. Does the permit or transfer final order require the installation of a meter or approved measuring device?
NO

If a meter or approved measuring device was required, the COBU map must indicate the location of the device in relation to the point of diversion or appropriation.

**If "NO", items b through g relating to this section can be deleted.

5. Fish Screening and/or By-pass Devices

a. Are any points of diversion required to be screened and/or have a by-pass device to prevent fish from entering the point of diversion? NO

If fish screening and/or by-pass devices were required, the COBU map must indicate their location in relation to the point of diversion.

**If "NO", items b through i relating to this section can be deleted

6. Pump Test (Required for ground permits prior to issuance of a certificate, but not a requirement of permit development)

a. Did the permit require the submittal of a pump test? NA

b. Has the pump test been previously submitted to the Department? NA

c. Has the pump test been approved by the Department? NA

d. If no, is the pump test attached to this Claim? NA

7. Other Permit Conditions (examples: special well construct standards, water conservation plans, no obstructions to fish without a fishway, etc.; number as appropriate.) NONE

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IV. Variations, Attachments, Conclusions, Map and Signatures

Variations

Include a description of variations from the permit or transfer final order

Transfer for 51.2 acres. 14.9 acres are claimed by Spencer; 36.3 acres can be claimed by Murphy. Acreage per ¼ ¼ slightly different than order.

Attachments

If you are attaching any documents to this report, provide a list below:

Attachment name	Description

Permit and Transfer Final Order Rates and System Rates Comparisons:

POD or POA name or #	Maximum rate allowed by permit or transfer final order	Calculated theoretical rate of water based on system	Actual amount of water measured (if measured)	Developed use	# of acres allowed by permit or transfer final order	# of acres developed
Spencer Pump	(0.186 cfs)	1.15 cfs	na	Irrigation	14.9	14.9
Murphy Pump	(0.454 cfs)	1.02 cfs	na	Irrigation	36.3'	36.3
TOTALS	0.64	2.17 cfs	na	Irrigation	51.2	51.2

Claim of Beneficial Use Map

The Claim of Beneficial Use Map must be submitted with this Claim. Claims submitted without the Claim of Beneficial Use map will be returned. The map shall be submitted on poly film at a scale of 1" = 1320', 1" = 400', or the original full-size scale of the county assessor map for the location.

In the following box, provide a general description of the survey method used to prepare the map. Examples of possible methods include, but are not limited to, a traverse survey, GPS, or the use of aerial photos. If the basis of the survey is an aerial photo, provide the source, date, series and the aerial photo identification number.

GIS tax lot maps and aerial photos (2004) from Douglas County. Field inspection and laser range-finder With accuracy ± 1 foot used for distance and elevation. 2005 FSA aerial photos and Douglas County 2004 aerial photos for comparison.

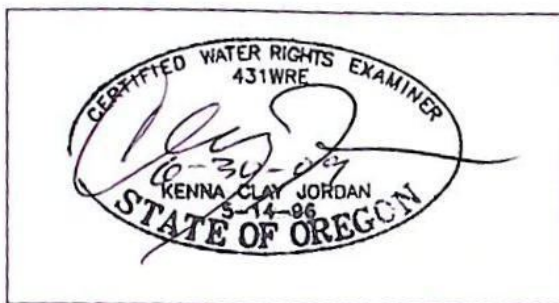
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CWRE Statement, Seal and Signature

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge.



Permit or Transfer Holders Signature or Acknowledgement

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge. I request that the Department issue a water right certificate.

Stephen E Murphy Stephen E Murphy 2/10/09
Signature Print or type name Date

Phyllis J. Murphy Phyllis J. Murphy 2/10/09
Signature Print or type name Date

Kurt Spencer Kurt Spencer 2-10-09
Signature Print or type name Date

Veronica J. Spencer Veronica J. Spencer 2-10-09
Signature Print or type name Date

Margaret Fabrizio Margaret Fabrizio 2-20-09
Signature Print or type name Date

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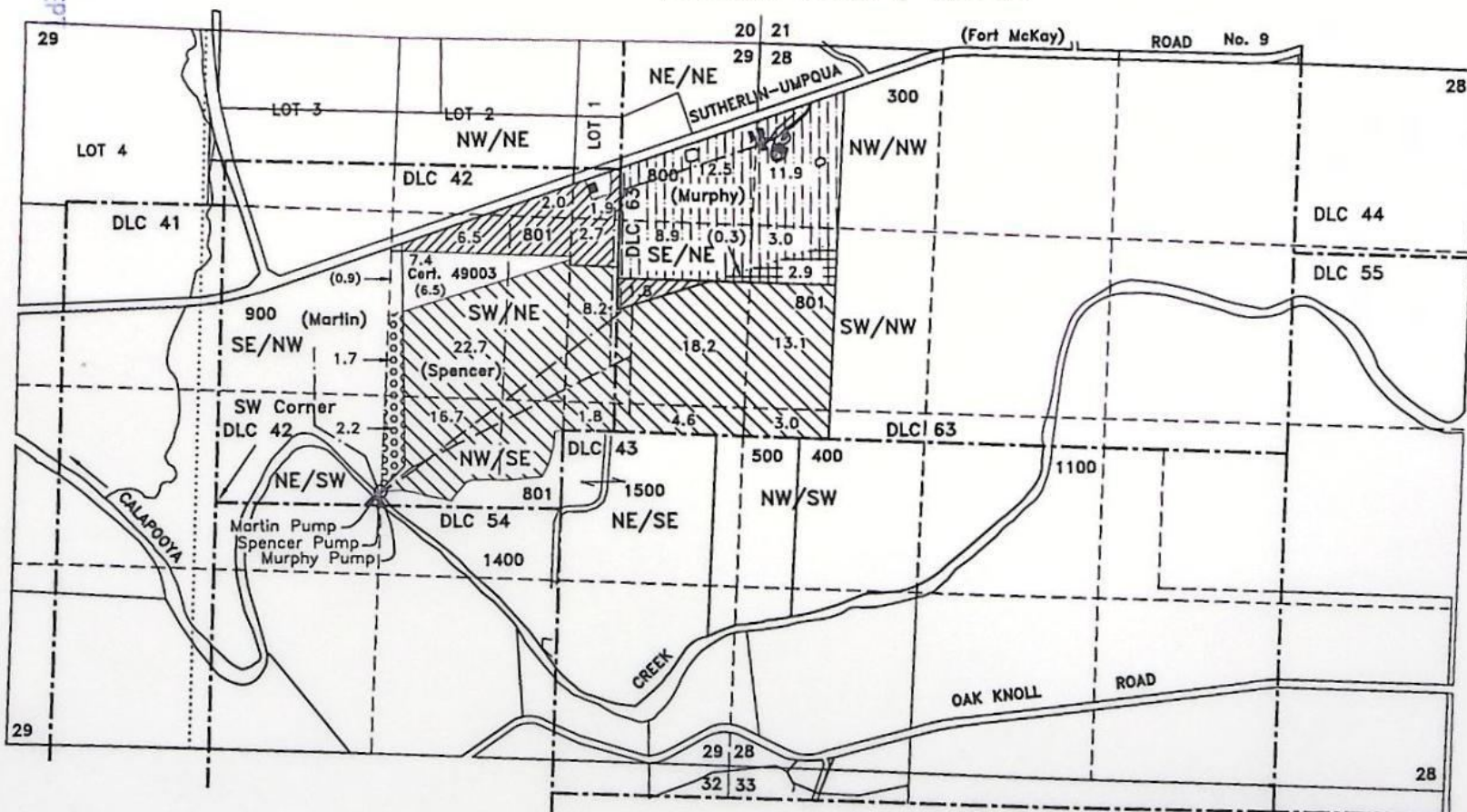
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CLAIM OF BENEFICIAL USE MAP FOR:

TRANSFER 4360 AND PERMIT 45243 (APPLICATION 59687)
TAX LOT 801, SECTIONS 28 & 29, TOWNSHIP 25 SOUTH RANGE 6 WEST, W.M.
DOUGLAS COUNTY, OREGON



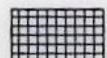
Point of Diversion (3-Portable Pumps) - NW/SE, section 29, 110 feet north and 1220 feet east from the southwest corner of Wm. C. Burk DLC 42

----- Buried mainline

 Transfer 4360 Spencer - 14.9 acres
Priority - December 15, 1952

 Permit 45243 Spencer - 88.3 acres
Priority - January 3, 1980

 Transfer 4360 Murphy - 36.3 acres
Priority - December 15, 1952

 Permit 45243 Murphy - 3.2 acres
Priority - January 3, 1980

 Permit 45243 Martin - 3.9 acres
Priority - January 3, 1980

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

Base map from Douglas County GIS
database over 2004 aerial photo



JORDAN ENGINEERING
460 JORDAN LANE
ROSEBURG, OR 97471
(541) 673-1931

Revised 2/6/2009 n.e.d.

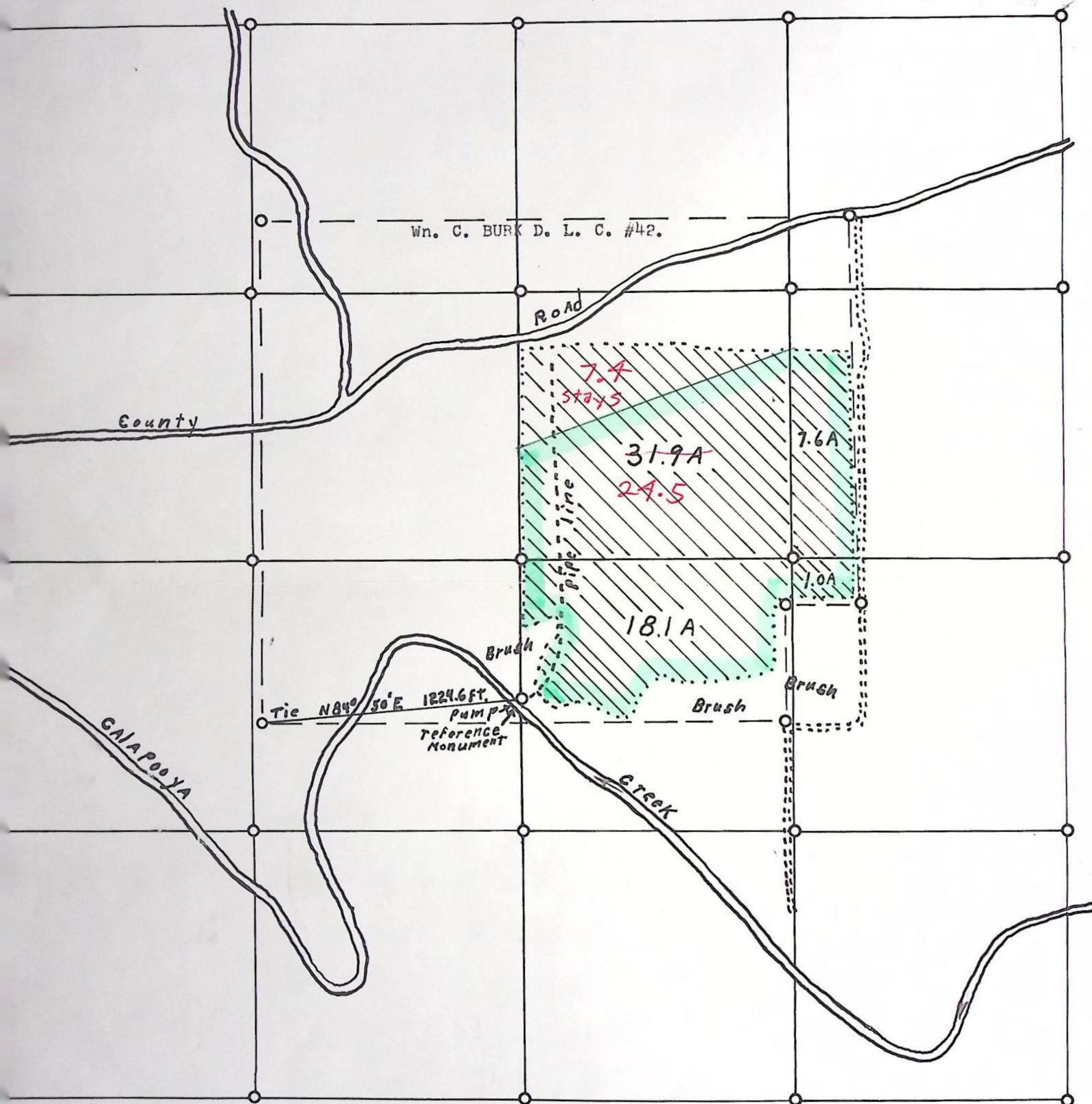
T-4360

WATER USE APPLICATION MAP

Permit No. _____

Scale 1" = 500'

SECT. 29, T. 25 S., R. 6 W. W.M.



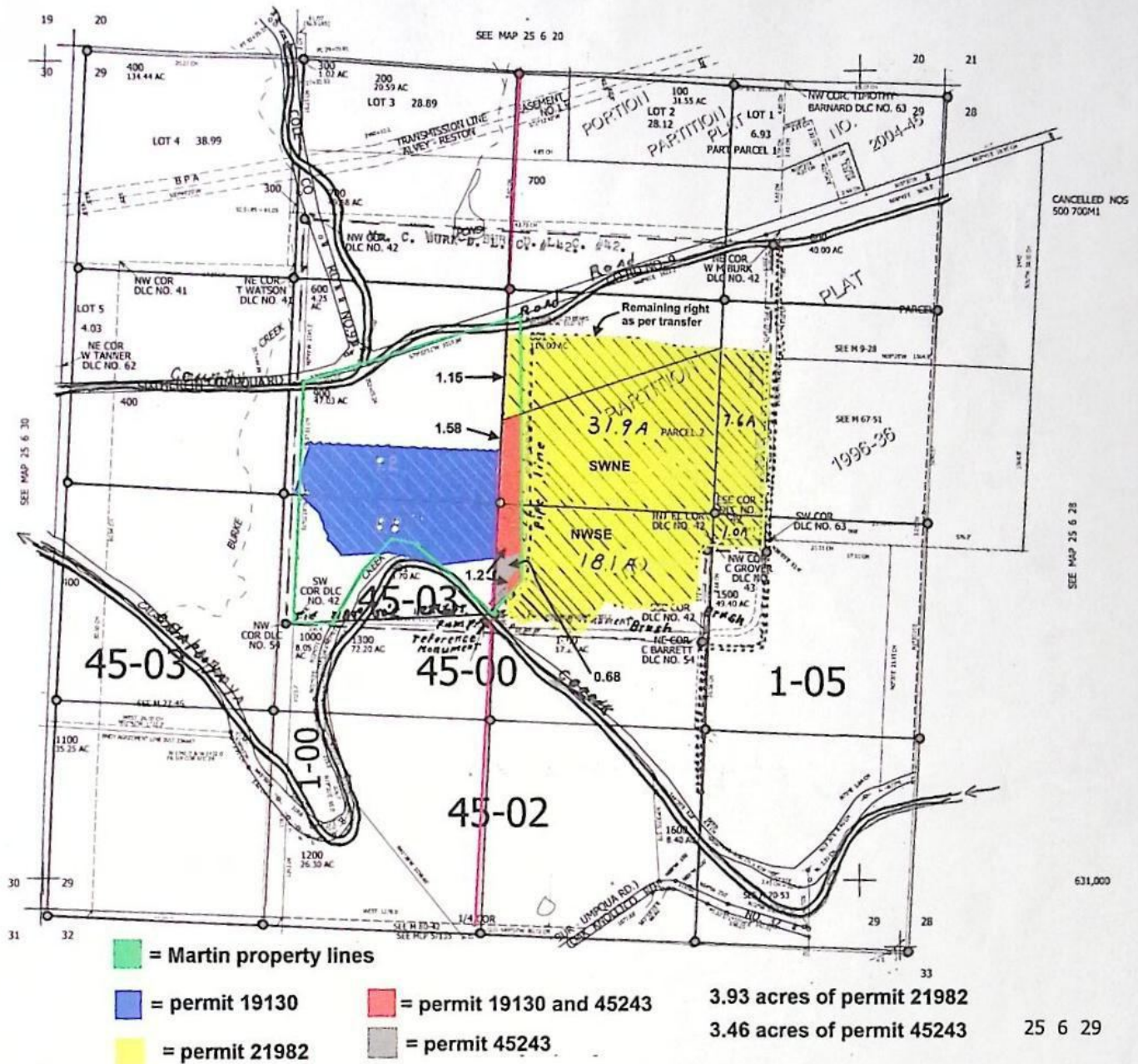
I, WILFORD N. HAINES of DRAIN, OREGON do hereby certify that this map was made from notes taken during an actual survey made by me on April 3, 1952; that the monument shown on this map consisting of 1 1/2" iron pipe 36" driven 30" in the ground is N84°E. 1224.6 ft. from the SW. Cor. of the Wn. C. BURK D.L.C. # 42.

REGISTERED
OREGON
LAND SURVEYOR

Wilford N. Haines

MAY 7, 1948
WILFORD N. HAINES
239

Application No. 27910
Permit No. 21952



My Assessment of Martin Property In Relation to Permit 21982 (T-4360) and Permit 45243

Permit 21982

- 1.15 acres SWNE - remaining right not involved in transfer
- 1.58 acres SWNE - in transfer
- 1.20 acres NWSE - in transfer

Permit 45243

- 1.58 acres SWNE - on top of Permit 21982
- 1.20 acres NWSE - on top of Permit 21982
- 0.68 acres NWSE - on previously uncovered ground

DRH

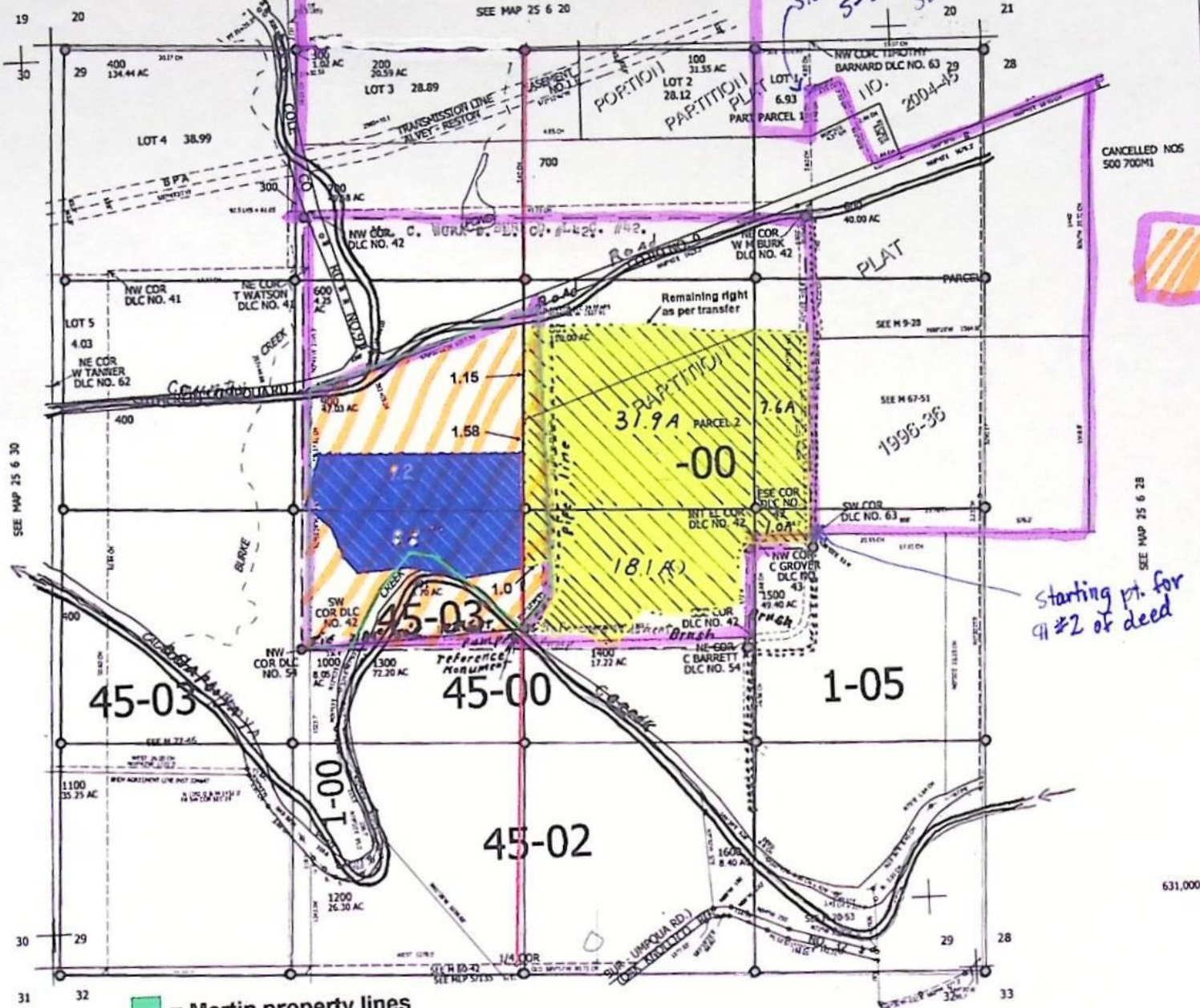
THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY.

SEC.29 T.25S. R.6W. W.M.
DOUGLAS COUNTY
Scale: 1" = 1000'

REVISED ON
2-22-08

Starting pt. for deed in
5-59687 file (owned by
Submitted by Reginald F. Padden
1/3/1990)

N



Excluded
from deed
property

Starting pt. for
#1 of deed

- = Martin property lines
- = permit 19130
- = permit 21982

3.73 acres of permit 21982 on
Martin property

25 6 29

4,143,000

Jordan Engineering
Structural & Civil

460 Jordan Lane
Roseburg, OR 97470
541-673-1931

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WATER RESOURCES DEPT
SALEM, OREGON

Mr. Kurt Spencer
6459 Oak Hill Rd.
Roseburg, Or 97470

Transfer No. 4360

May 5, 2008

Mr. Spencer:

Inclosed find supporting documentation associated with the Transfer No. 4360. As per our phone conversations, subsequent research and review of the tax lot 900/801 common property line and the 1950's surveyed water rights map description of the "pipe line" appears to be both the same. It is worth noting that older described water rights viewed with today's available technology of descriptions, the so noted "pipe line" associated with non-tied corners with section lines is of interest. Please note the water right Permit No. 19130 on tax lot 900 and Permit No. 21982 application maps were drafted at the same time by the same surveyor, Mr. Wilford N. Haines and clearly they both abut each other irregardless of their locations.

It appears that permit 19130 is on tax lot 900 west of the 1/4 line of section 29. Also that permit 21982 is east of the 1/4 line of section 29 and in part west of the "pipe line" now assumed common property line.

It is also evident the approved transfer 4360 transferring in part permit 21982, then Certificate 49003, transferred water rights overlaying on tax lot 900. This is that area between the 1/4 line of section 29 and the common property line assumed "pipe line" map description.

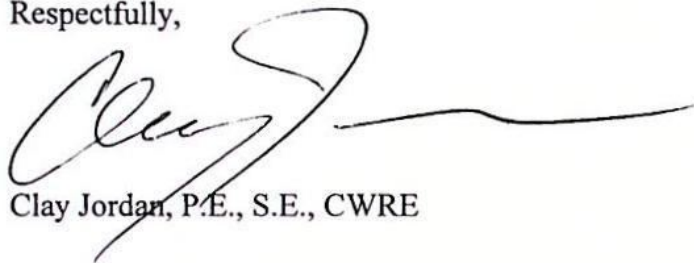
The inclosed copies of deed records appear to indicate the transfer 4360 that was applied for by Mr. Paddon and approved in 1980 while still under land contract with the owner, Mr. Baird for tax lot 801. This water right transfer 4360 was approved 8 plus years before Joseph and Janice Martin purchased the land tax lot 900 with its remaining rights as described in the approved transfer 4360. At this time it is unknown whether Mr. Paddon had written or verbal permission from Mr. Fosbrink, the owner of tax lot 900 in 1980, to transfer that portion between the 1/4 line and common property line between tax lot 900 and 801. In perspective, all was to be notified in the Department's notices, Mr. John Youngquist, then Watermaster filed a statement in effect of "...without injury..." and with no dissent or further objections having been filed, the transfer was approved in 1980. This was all before the land, tax lot 900, was purchased by the Martins.

As it is understood now, Joseph and Janice Martin purchased the land in 1989, tax lot 900, in

Jordan Engineering
May 5, 2008

good faith with the understanding of the water rights as used and approved for such use. This would include the transfer 4360 as described and approved. Therefore in order to proceed with the Claim of Beneficial Use for the Transfer No. 4360, consent to proceed will need to be authorized by all involved.

Respectfully,

A handwritten signature in black ink, appearing to read 'Clay Jordan', followed by a long horizontal line.

Clay Jordan, P.E., S.E., CWRE

file: 4360dispute.wpd

cc: Mr. Norm Daft

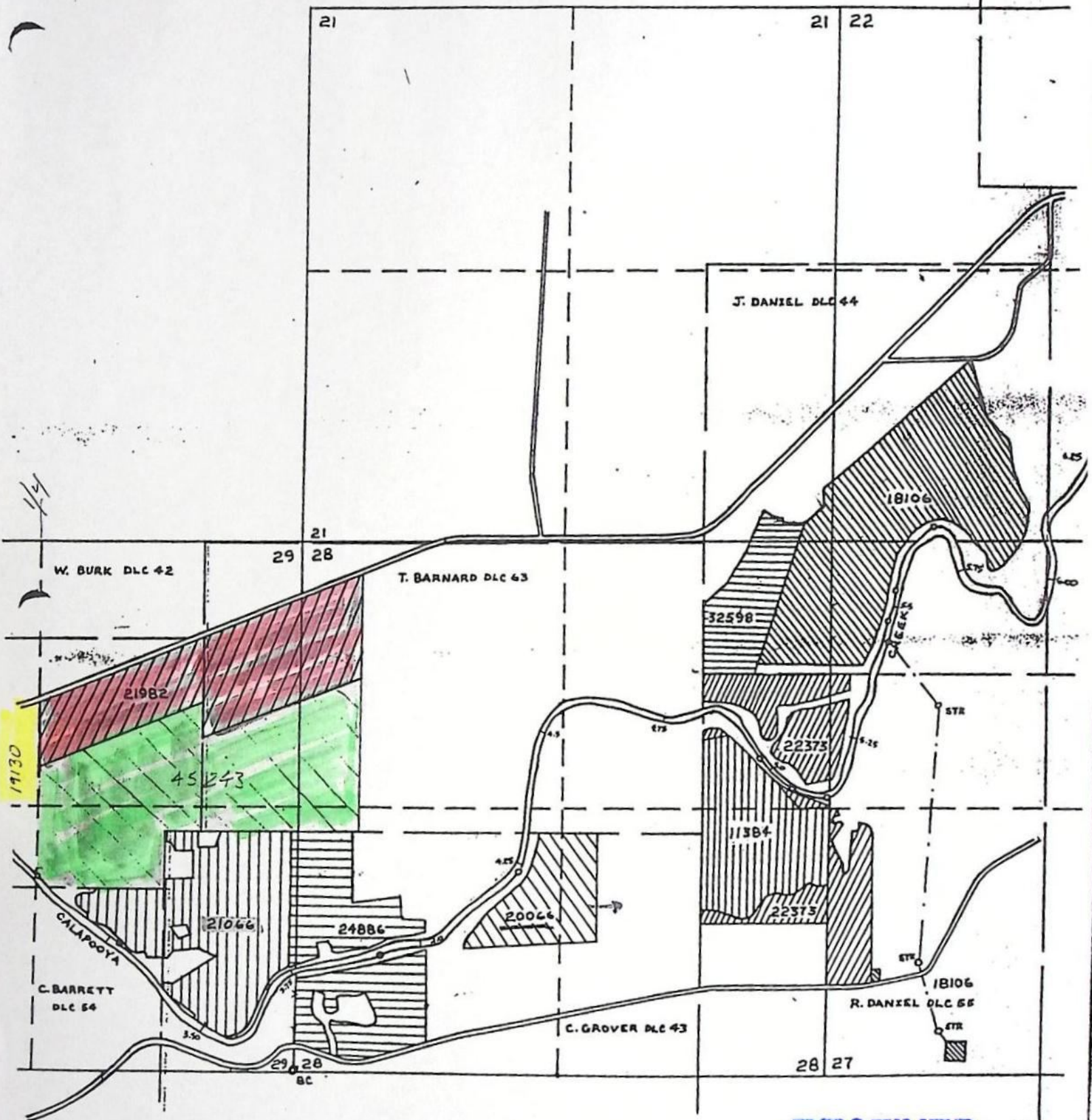
Ms. Debbie L. Colbert, Administrator
Oregon Water Resources Department

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SALEM, OREGON**

T. 25 S., R. 6 W.



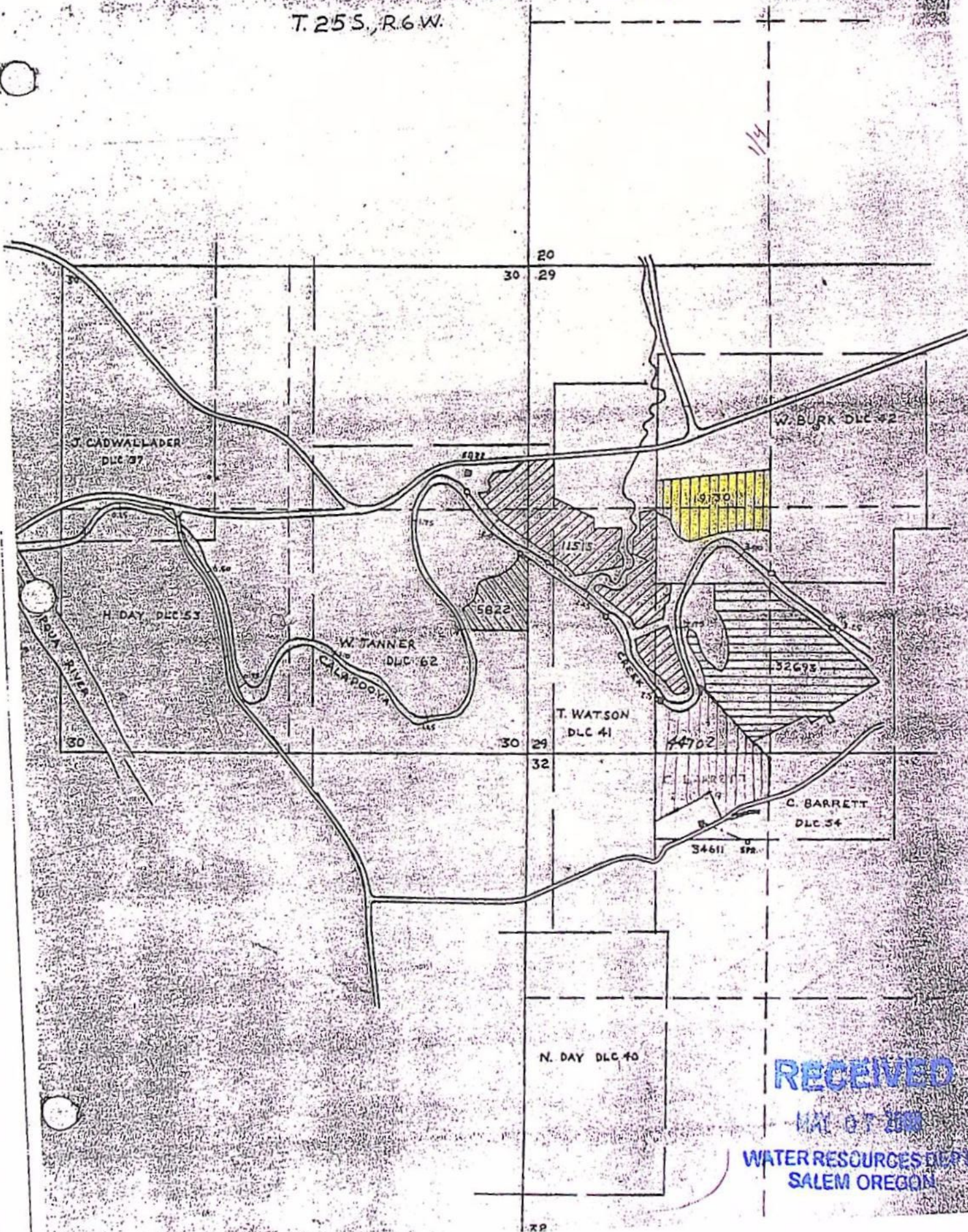
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WATER RESOURCES DEPT
SALEM OREGON

KC

T. 25 S., R. 6 W.



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MAY 07 2000

WATER RESOURCES DEPT
SALEM OREGON

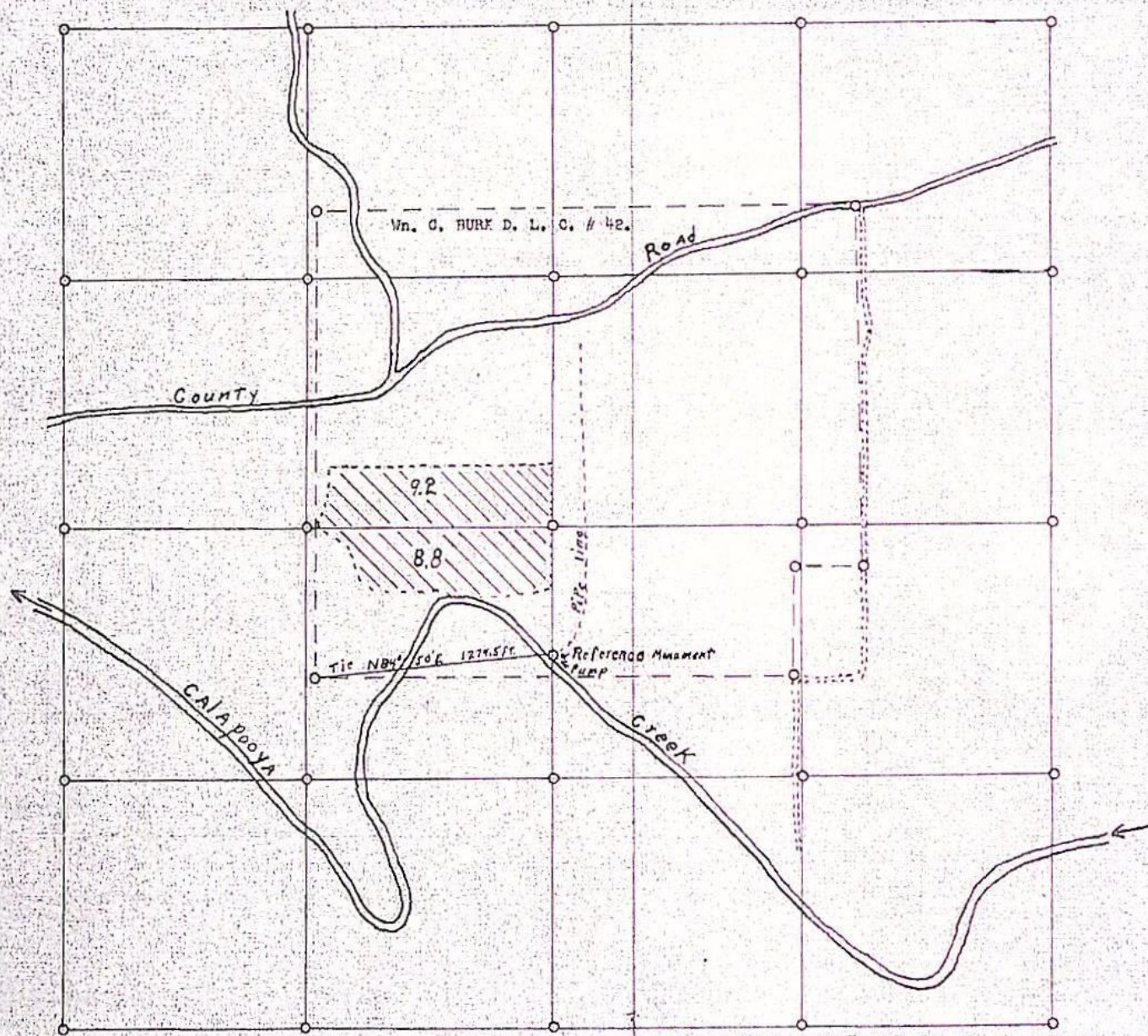
WATER USE APPLICATION MAP

Scale 1" = 500'

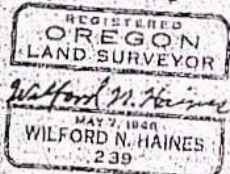
SECT. 29, T.25 S., R.6 E. W.M.

App. # 24324

Permit No. 19130



I, WILFORD N. HAINES of DRAIN OREGON do hereby certify that this map was made from notes taken during an actual survey made by me on April 3, 1952; that the monument shown on this map consisting of a 1" iron pipe 36" long driven 30" in the ground is N. 84° 50' E. 1224.6 ft. from the SW Cor. of the Wm. C. BURK D. L. C. # 42.

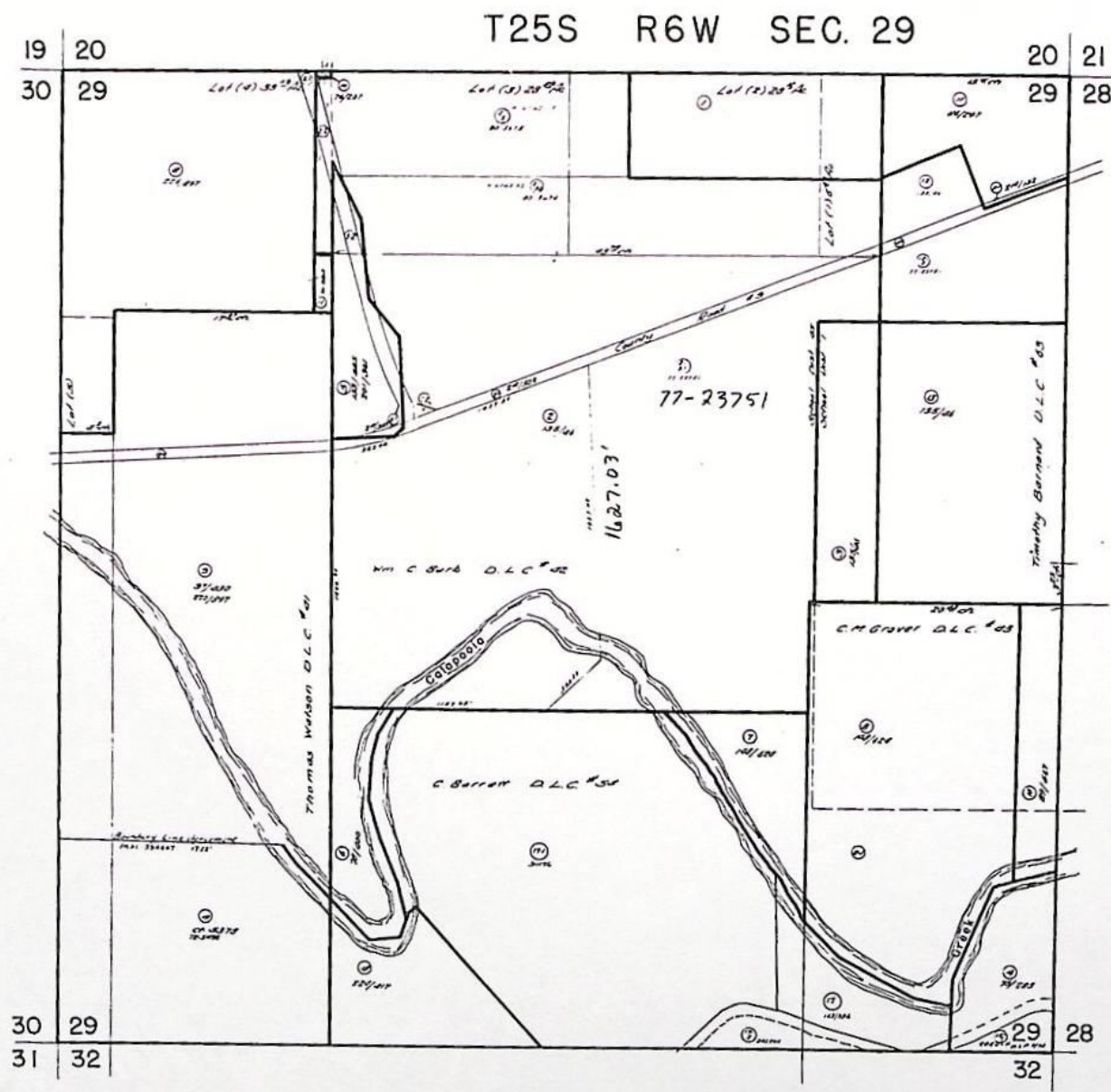


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SALEM OREGON

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1950s T25s R6W



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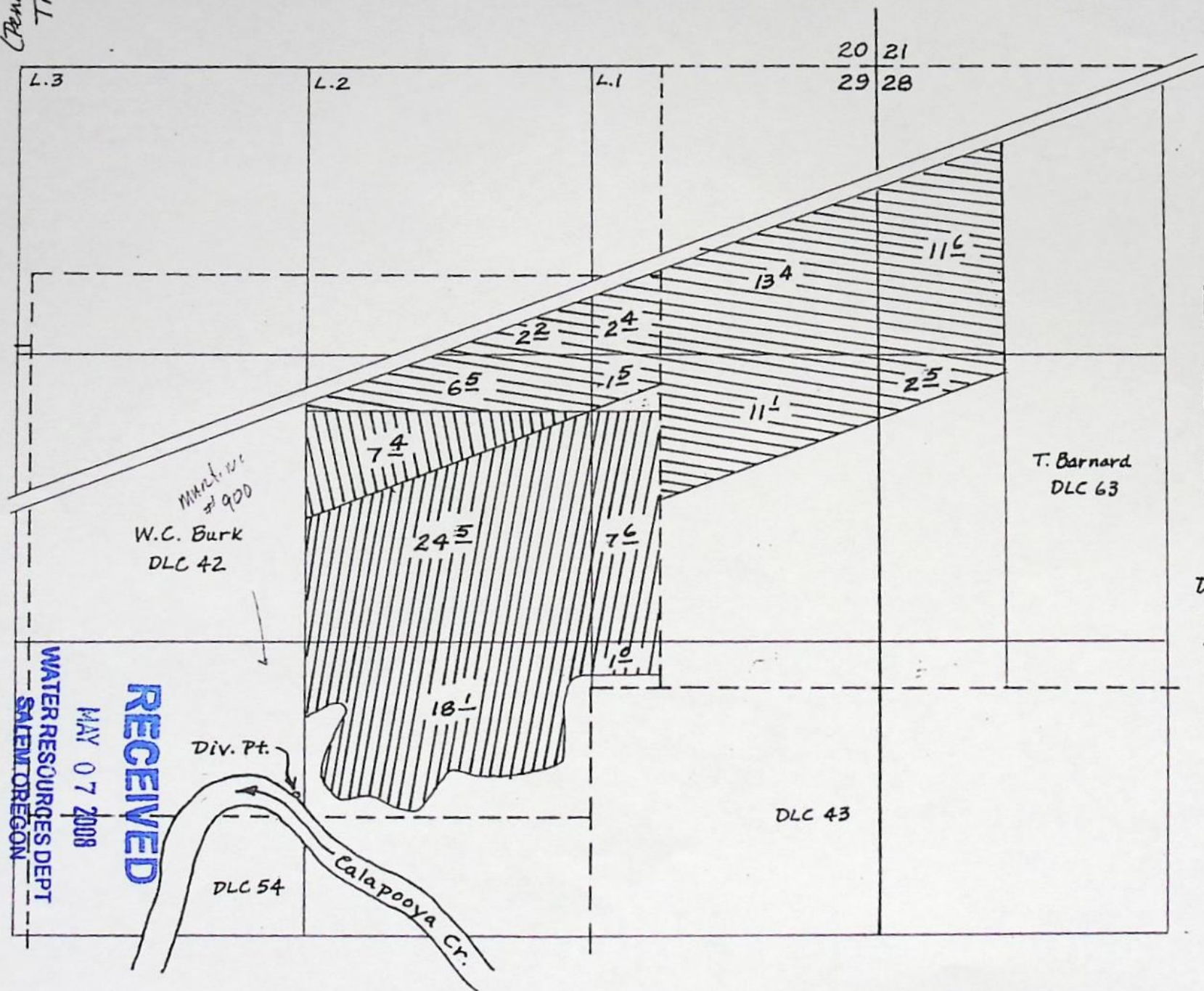
WATER RESOURCES DEPT
SALEM OREGON

AN

Permit # 21982

(Pending
Transfer)

T.25S. R.6W. W.M.



Transfer from



Transfer to
12 Permit



Unchanged

Scale : 8" = 1 mile

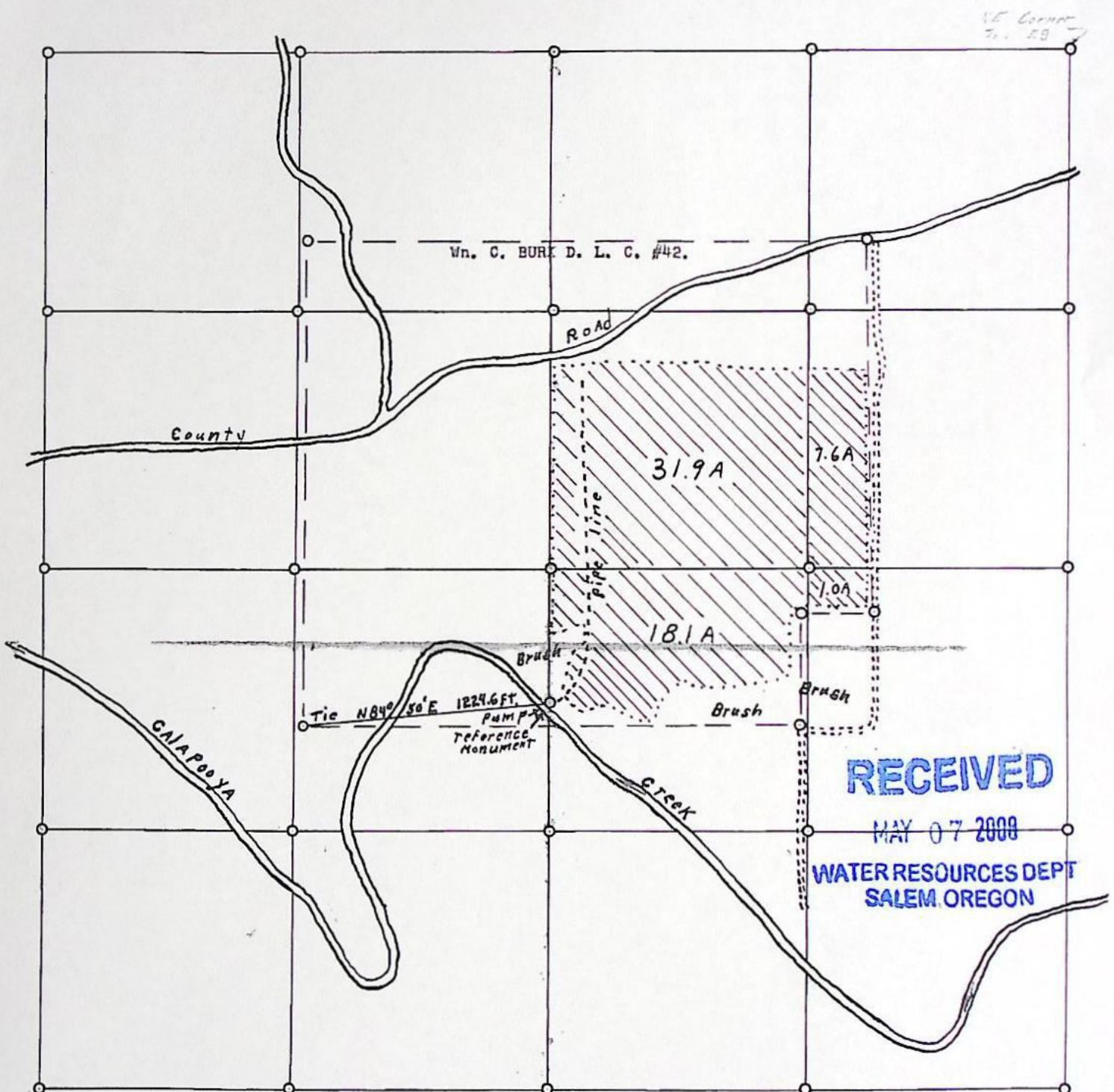
Div. Pt. 110' N and
1220' E from SW cor.
DLC 42

WATER USE APPLICATION MAP

Permit No. _____

Scale 1" = 500'

SECT. 29, T. 25 S., R. 6 W. W.M.



I, WILFORD N. HAINES of DRAIN, OREGON do hereby certify that this map was made from notes taken during an actual survey made by me on April 3, 1952; that the monument shown on this map consisting of 1 1/2" iron pipe 36" driven 30" in the ground is N84°E. 1224.6 ft. from the SW. Cor. of the Wn. C. BURK D.L.C. # 42.

REGISTERED
OREGON
LAND SURVEYOR

Wilford N. Haines
MAY 7 1940
WILFORD N. HAINES
239

Application No. 27910
Permit No. 21982

* APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Oregon

I, Alvin Kropf (Name of applicant)
 of Oakland (Mailing address),
 State of Oregon, do hereby make application for a permit to appropriate the
 following described public waters of the State of Oregon, SUBJECT TO EXISTING RIGHTS:

If the applicant is a corporation, give date and place of incorporation

1. The source of the proposed appropriation is Calapooya Creek (Name of stream),
 a tributary of Umpqua River.
 2. The amount of water which the applicant intends to apply to beneficial use is 0.32
 cubic feet per second. (If water is to be used from more than one source, give quantity from each)

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

4. The point of diversion is located 300 yds. N. 175 yds. E. from the S. W.
120 ft. 200 ft. (N. or S.) (E. or W.)
 corner of Wm. C. Burk D.L.C. (Section or subdivision)
Portable pumping between these two points.

(If preferable, give distance and bearing to section corner)

(If there is more than one point of diversion, each must be described. Use separate sheet if necessary)
 being within the NE 1/4 SW 1/4 of Sec. 29, Tp. 25 S.
 (Give smallest legal subdivision) (N. or S.)
 R. 6 W., W. M., in the county of Douglas
 (E. or W.)

5. The _____ to be _____ (Miles or feet)
 (Main ditch, canal or pipe line)
 in length, terminating in the _____ of Sec. _____, Tp. _____
 (Smallest legal subdivision) (N. or S.)
 R. _____, W. M., the proposed location being shown throughout on the accompanying map.
 (E. or W.)

DESCRIPTION OF WORKS

Diversion Works—

6. (a) Height of dam No dam feet, length on top _____ feet, length at bottom _____
 feet; material to be used and character of construction _____
 (Loose rock, concrete, masonry,
 rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate _____
 (Timber, concrete, etc., number and size of openings)

(c) If water is to be pumped give general description cent. pump
gasoline engine (Size and type of pump)
 (Size and type of engine or motor to be used, total head water is to be lifted, etc.)
12 - 12 gpm sprinklers

* A different form of application is provided where storage works are contemplated.

** Application for permits to appropriate water for the generation of electricity, with the exception of municipalities, must be made to the Hydroelectric Commission. Either of the above forms may be secured, without cost, together with instructions by addressing the State Engineer, Salem, Oregon.

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Canal System or Pipe Line—

7. (a) Give dimensions at each point of canal where materially changed in size, stating miles from headgate. At headgate: width on top (at water line) feet; width on bottom feet; depth of water feet; grade feet fall per one thousand feet.

(b) At miles from headgate: width on top (at water line) feet; width on bottom feet; depth of water feet; grade feet fall per one thousand feet.

(c) Length of pipe, 500 ft.; size at intake, 2 in.; size at ft. from intake in.; size at place of use in.; difference in elevation between intake and place of use, 15 ft. Is grade uniform? Yes Estimated capacity, sec. ft.

8. Location of area to be irrigated, or place of use

Township	Range	Section	Forty-acre Tract	Number Acres To Be Irrigated
25 S	6 W	29	NE $\frac{1}{4}$ SW $\frac{1}{4}$	18
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	7
			Total	25

Property on which water is to be used is a part of that more explicitly described by applicant as follows: Beginning at apoint four 80/100 chains South of the North-west corner of the T. Barnard donation land claim running thence N. 68 $\frac{1}{2}$ ° E. three 14/100 chains S 21 $\frac{1}{2}$ ° E. eight 50/100 chains to the middle of the present county road (from which a rock 15 x 12 x 8" bears N 21 $\frac{1}{2}$ ° W 30 distant, thence following said County road N 63 3/4° E eighteen 95/100 chains to a point from which a rock 30 x 8 x 6 bears South 40 links, thence South thirty eight 50/100 chains to the south boundary of the T. Barnard donation and to a rock 30 x 8 x 6 from which an ash 8" in diameter marked B T bears N 86 $\frac{1}{2}$ ° W 2 23/100 chains distant, thence west along said boundary twenty-three 70/100 chains to the southwest corner of said chain, thence North twenty-nine chains to the NE corner of the W. C. Burkes donation land claim, thence west along the North boundary of said claim to the N. W. corner of said claim thence continuing west to the west boundary of lot No. three thence North along the west boundary of lot No. three and of the east half of the S W quarter of section 20 to N W corner of same thence east to the center of section 20 thence continuing east four 85/100 chains, thence south to a point five 60/100 chains north of the north boundary of the W. C. Burke donation thence east to the west boundary of (Cont.)

(a) Character of soil loam

(b) Kind of crops raised Ladino Clover pasture feed

Power or Mining Purposes—

9. (a) Total amount of power to be developed theoretical horsepower.

(b) Quantity of water to be used for power sec. ft.

(c) Total fall to be utilized feet.
(Head)

(d) The nature of the works by means of which the power is to be developed

(e) Such works to be located in of Sec.
(Legal Subdivision)

Tp., R., W. M.
(No. N. or S.) (No. E. or W.)

(f) Is water to be returned to any stream?
(Yes or No)

(g) If so, name stream and locate point of return

....., Sec., Tp., R., W. M.
(No. N. or S.) (No. E. or W.)

(h) The use to which power is to be applied is

(i) The nature of the mines to be served

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SALEM, OREGON

(Cont. from Remarks)

to the northwest corner of the tract a 4 x 4 inch cedar post, set in the ground scribed N. W. corner Baird; thence north $89^{\circ} 5'$ east 159.9 feet to the northeast corner of the tract, a 5 x 6 x 14 inch sand stone boulder, set in the ground, thence along the easterly line fence of the tract and the westerly right-of-way line of a county road south $5^{\circ} 45'$ east 346.6 feet to the fence post thence along said easterly line fence and westerly right-of-way of county road south $36^{\circ} 0'$ east 70.0 feet to the fence post; thence along said easterly line fence and westerly right-of-way line of county road south $38^{\circ} 0'$ east 194.0 feet to the fence post thence along said easterly line fence and westerly right-of-way line of county road south $2^{\circ} 34'$ east 490.0 feet to the south east corner fence post of the tract thence along southerly line fence of the tract and northerly right-of-way of the main county road south $52^{\circ} 30'$ west 16.7 feet then along the south line fence to the tract and north right-of-way line of said main county road south $85^{\circ} 44'$ west 295.5 feet to the place of beginning, containing 6.8 acres, more or less.

Legal description of the property to accompany application No. 24324

(Sgd) Alvin Kropf

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MAY 07 2008

WATER RESOURCES DEPT
SALEM, OREGON

Municipal or Domestic Supply—

10. (a) To supply the city of
..... County, having a present population of
(Name of)
and an estimated population of in 19.....

(b) If for domestic use state number of families to be supplied

(Answer questions 11, 12, 13, and 14 in all cases)

11. Estimated cost of proposed works, \$..500.00.....
12. Construction work will begin on or before ..Commenced.....
13. Construction work will be completed on or before ..2.. years after approval.....
14. The water will be completely applied to the proposed use on or before 3 " " ".....

(Sgd) Alvin Kropf
(Signature of applicant)

Remarks: (Cont.) the T. Barnard donation north three 58/100 chns to the place of the beginning all lying in section 28, 29, and 20 in T 25 S R 6W of the Willamette Meridian in Douglas County Oregon and 230 08/100 acres.

Also beginning at a point 3 chs and 25 lks. South and 14 chs and 97 lks west from the quarter section point on the line between section 28 and 29 in township 25 south of range six west and running thence north 28 chs. and 94 lks thence west 43 chs and 73 lks thence south 37 chs and 61 lks thence north 89° degrees 49' east 38 chs and 66 lks thence north 8 chs and 68 lks thence east 5 chs and 58 lks to the place of beginning and containing 160.61 acres more or less (reserving a right of way 20 ft in width through that portion of said land lying north of the county road and being a strip twenty feet wide along the road now traveled by W.C. Burke, S.P. White, Augusta Stevens and others to reach the county road, said right of way to be used and maintained only as a gateway.

Also beginning at a point six and 76/100 chains south and four and 10/100 chs east of the northwest corner of the T. Barnards donation land claim number 63; thence running north 68° and 30' East two and 14/100 chs thence south 21° 30' east five and 26/100 chs to center of county road; Thence south 68° 30' west two and 14/100 chs thence north 21° 30' west five and 26/100 chs to place of beginning and containing 1.28 acres, more or less all being located in section 29 Twsp 25 south range six west of Willamette Meridian.

Excepting the property commencing 20 27/100 chs east of section corner between section 19, 20, 29, and 30 running north two chains thence east 92 1/2 links south 16 25/100 lks west 92 1/2 links north 14 25/100 links to place of beginning, all lying in section 20 and 29 Twsp 25 south of Range 6 west in Douglas County, Oregon, containing 1 1/2 acres, more or less.

Also excepting the land beginning at a point 4.80 chains south of the northwest corner of the T. Barnard donation land claim No. 63; running thence north 68° 30' east 3.11 chs thence south 21 1/2° east 3.32 chs thence south 68° 38' west 4.37 chs, thence north 3.48 chs to place of beginning, containing 1.25 acres, more or less, all lying in section 29 Twsp 25 south of Range 6 west of the Willamette Meridian in Douglas County, State of Oregon.

Excepting therefrom the following beginning at the southwest corner fence post of the tract from which the southwest corner of Wm. C. Burke donation land claim No. 42 in Twsp 25 south, Range 6 west of the Willamette Meridian bears south 142.3 feet; thence along the west line fence of the tract north 1° 57' west 1103.3 feet
STATE OF OREGON, } (Cont. on separate page)

County of Marion, }

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before, 19.....

WITNESS my hand this day of, 19.....

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MAY 07 2008

WATER RESOURCES DEPT
SALEM OREGON

STATE ENGINEER

Application No. 21324

Permit No. 19130

PERMIT
TO APPROPRIATE THE PUBLIC
WATERS OF THE STATE
OF OREGON

Division No. District No.

This instrument was first received in the
office of the State Engineer at Salem, Oregon,
on the 9th day of December,
1949, at 10:00 o'clock A. M.

Returned to applicant:

Corrected application received:

Approved:

March 30, 1950

Recorded in book No. 47 of

Permits on page 19130

CHAS. E. STRICKLIN

STATE ENGINEER

Drainage Basin No. 16 Page 3

Fees Paid \$15.00

PERMIT

STATE OF OREGON, }
County of Marion, } ss.

This is to certify that I have examined the foregoing application and do hereby grant the same,
SUBJECT TO EXISTING RIGHTS and the following limitations and conditions:

The right herein granted is limited to the amount of water which can be applied to beneficial use
and shall not exceed 0.32 cubic feet per second measured at the point of diversion from the
stream, or its equivalent in case of rotation with other water users, from Calapooya Creek

The use to which this water is to be applied is Irrigation

If for irrigation, this appropriation shall be limited to 1/80th of one cubic foot per
second or its equivalent for each acre irrigated and shall be further limited to a
diversion of not to exceed 2 1/2 acre feet per acre for each acre irrigated during the
irrigation season of each year,

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WATER RESOURCES DEPT
SALEM, OREGON

and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

The priority date of this permit is December 9, 1949

Actual construction work shall begin on or before March 30, 1951 and shall
thereafter be prosecuted with reasonable diligence and be completed on or before

October 1, 1952

Complete application of the water to the proposed use shall be made on or before

October 1, 1953

WITNESS my hand this 30th day of March, 1950.

CHAS. E. STRICKLIN

STATE ENGINEER

Permits for power development are subject to the payment of annual fees as provided in sections 1 and 2, chapter 74, Oregon Laws 1923.

State Printing Dept. 28175

Application No. 59687

Permit No. 45243

STATE OF OREGON WATER RESOURCES DEPARTMENT

Application for Permit to appropriate Surface Water

RECEIVED

JAN 31 1980

WATER RESOURCES DEPT
SALEM, OREGON

I, REGINALD F. PADDON
(Name of Applicant)
of Box 72-B Umpqua AR OR
(Mailing Address) OAKLAND
(City)
State of OREGON 97462 Phone No. 459-2577
(Zip Code) do hereby

make application for a permit to appropriate the following described waters of the State of Oregon:

1. The source of the proposed appropriation is Calapooya Creek
a tributary of Umpqua River

2. The point of diversion is to be located 110.3 ft. N and 1219.6 ft. E
(N. or S.) (E. or W.)
from the SW corner of Wm. C. Burk DLC 42
(Public Land Survey Corner)

(If there is more than one point of diversion, each must be described)

being within the NE SW
SE $\frac{1}{4}$ of the $\frac{1}{4}$ of
Sec. 29 Tp. 25 S R. 6 W, W. M., in the county of Douglas
(N. or S.) (E. or W.)

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

Township	Range	Section	List $\frac{1}{4}$ $\frac{1}{4}$ of Section	List use and/or number of acres to be irrigated
25S	6W	29	NW $\frac{1}{4}$ SE $\frac{1}{4}$	24.0A *
		"	SW $\frac{1}{4}$ NE $\frac{1}{4}$	24.5A *
		"	SE $\frac{1}{4}$ NE $\frac{1}{4}$	8.0A *
		"	SE $\frac{1}{4}$ NE $\frac{1}{4}$	19.8A **
		"	NE $\frac{1}{4}$ SE $\frac{1}{4}$	1.5A *
		"	NE $\frac{1}{4}$ SE $\frac{1}{4}$	5.0A **
25S	6W	28	SW $\frac{1}{4}$ NW $\frac{1}{4}$	15.0A **
		"	NW $\frac{1}{4}$ SW $\frac{1}{4}$	3.0A **
				100.8A Total

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MAY 07 2008

WATER RESOURCES DEPT
SALEM OREGON

* As projected within W.C. Burk DLC 42

** As projected within T. Barnard DLC 63

4. The amount of water which the applicant intends to apply to beneficial use is 1.25
cubic feet per second.....
(If water is to be used from more than one source, give quantity from each)

5. The use to which the water is to be applied is Irrigation

6. DESCRIPTION OF WORKS

Include dimensions and type of construction of diversion dam and headgate, length and dimensions of supply ditch or pipeline, size and type of pump and motor, type of irrigation system to adequately describe the proposed distribution system.

Proposed irrigation system consists
of 35 H.P. electric pump, 8" discharge
into an underground system of 8" P.V.C.
pipe with risers at intervals to
connect surface lines. (3"). Proposed
system to be engineered by Soil
Conservation Service and to be
installed by owner.

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MAY 07 2003

WATER RESOURCES DEPT
SALEM OREGON

If for domestic use state number of families to be supplied

7. Construction work will begin on or before October 1, 1980

8. Construction work will be completed on or before October 1, 1981

9. The water will be completely applied to the proposed use on or before October 1, 1982

Application No. 59687

Permit No. 45213

Remarks:.....

.....
.....
.....
.....
.....
.....

[Signature]
Signature of Applicant

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for..... correction and completion.....

In order to retain its priority, this application must be returned to the Water Resources Director with corrections on or before June 20, 19 80.....

WITNESS my hand this 21 day of April 19 80.....

James E. Sexson Water Resources Director

By *[Signature]*
Wayne J. Overcash

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MAY 12 1980
WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED
MAY 07 2008
WATER RESOURCES DEPT
SALEM, OREGON

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the 3rd day of January 19 80..... at 11:10 o'clock
..... A.M.

Application No. 59687

45243
Permit No.

Application No. 59687

Permit No. 45243

Permit to appropriate the Public Waters of the State of Oregon

This is to certify that I have examined the foregoing application and do hereby grant the same SUBJECT TO EXISTING RIGHTS INCLUDING THE EXISTING FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD and the following limitations and conditions:

The right herein granted is limited to the amount of water which can be applied to beneficial use and shall not exceed 1.26 cubic feet per second measured at the point of diversion from the stream, or its equivalent in case of rotation with other water users, from Calapooya Creek

The use to which this water is to be applied is irrigation

If for irrigation, this appropriation shall be limited to 1/80 of one cubic foot per second or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2 1/2 acre feet per acre for each acre irrigated during the irrigation season of each year.

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WATER RESOURCES DEPT
SALEM, OREGON

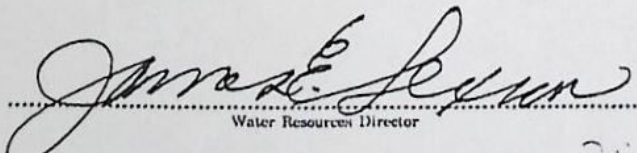
and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

The priority date of this permit is January 3, 1980

Actual construction work shall begin on or before November 26, 1981 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1982

Complete application of the water to the proposed use shall be made on or before October 1, 1983

WITNESS my hand this 26th day of November, 1980


Water Resources Director

452243

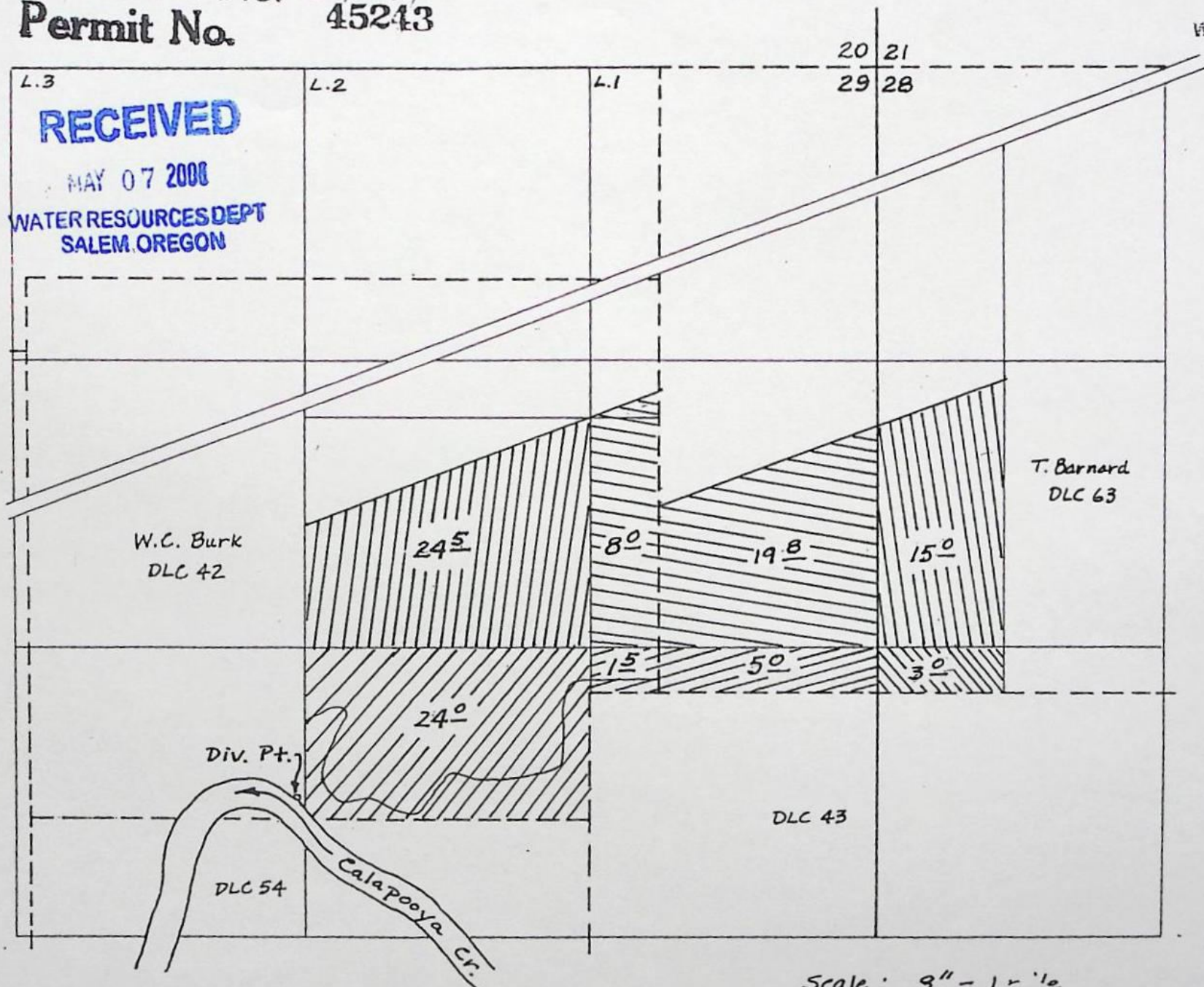
Application No. 59687
Permit No. 45243

T. 25 S. R. 6 W. W.M.

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JAN 31 1980

WATER RESOURCES DEPT
SALEM, OREGON



Scale: 9" = 1 mile

Div. Pt.:) and) 'E from SW Cor. DLC 42.

OFFICIAL RECORDS
OF DESCRIPTIONS
OF
REAL PROPERTIES

1-05 1-15
45-03
45-00
45-01

25 6 29

900

CODE
AREA
NUMBER

TWP RGE SEC 1/4 1/16

PARCEL

TYPE XC

HAP NUMBER

NUMBER

SPEC INT

TAX LOT NUMBER

OLD ACCT. NO. 1-05 1-15 6062.00 6062.06 6062.07
OLD TAX LOT NO. 2 FORMERLY PART OF

Name and Tax Lot Information

DATE OF ENTRY
ON THIS CARD

FILED RECORD
VOL PAGE

ACRES
REMAINING

Fosbrink, Smith B & Margaret J.

12-30-81

605- 08730

52.73

MARTIN, JOSEPH L & JANICE E

8-8-89

89 11254

WD

Code Change 45-01 to 45-00

5-6-94

CCJ 207/379

That part lying in code 45-03 to 1-15 6062.00
Remainder in code 45-00 to 45-01 6062.06
5.70

547.94

CCJ 235/785

That part lying in code 45-03 to 1-15 6062.01
Remainder in code 45-00 to 45-01 6062.06

CODE CHANGE 45-03 TO 1-15
ADD 1-00

3-3-95

BDY BRD

MARTIN, JOSEPH L. &
MARTIN, JANICE E. &

12/10/98

98- 26690

WD

MISS. UMPQUA REPO
DIS. UMPQUA REPO

1-15-01-00
2-10-99

CCJ 207/176

That part lying in code 45-03 to 1-15 6062.01
Remainder in code 45-00 to 45-01 6062.06

That part lying in code 6062.00 1-00 5.70

Remainder in code 6062.06 45-00 5.70

That part lying in code 6062.07 1-00 9203

Remainder in code 6062.07 1-00 9203

5-26-99

CCJ 205/1239

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MAY 07 2008

WATER RESOURCES DEPT
SALEM, OREGON

COUNTY FORM - 303-040 (5-77)

ORE. DEPT. OF REV.

OLD ACCT. NO. 6062:05
OLD TAX LOT NO. _____

4-75
1-00
45-00

25	6	29
----	---	----

80

CODE
AREA
NUMBER

1246

REF

57C

1990

•

P. L. R. C. L. I.

ΠΡΕ

20

MAP NUMBER

ДРУКЪ СЪН

SPLO

12i

TAX LOT NUMBER

FORMERLY PART OF. 800

Kind and Tax Lot Information

DATE OF ENTRY
ON THIS CARD.

DEED RECORD

VOL 1 - 33102500

Р.С.Н.А.К.Г.К.

That page living in endo 6062 PS 953.00 0054c

Remainder in code 6055.02 : 1-15 5.00 ARE-

That part lying in code 605503-600-1049

PADDON, BOB P & KATHLEEN H TRS

R & K PADDON LIVING TRUST +10.00

4-19-96

PP1996-36

115.55

SPENCER KURT MORGAN & VERONICA J.

4-25-96

7590 | u

②

DISS. UMPQUA RFPD

2-10-99

25 207/11

170

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~~MAY 07 2008~~

WATER RESOURCES DEPT
SALEM OREGON

COUNTRY : (CUBA)

89-11254

WARRANTY DEED - STATUTORY FORM

BOOK 1068 PAGE 162

GRANTOR:

SMITH B. FOSBRINK and MARGARET J. FOSBRINK, husband and wife

GRANTEE:

JOSEPH L. MARTIN and JANICE E. MARTIN, husband and wife

Grantor conveys and warrants to Grantee the following described real property free of encumbrances except as specifically set forth herein situated in Douglas County, Oregon, to wit:

SEE EXHIBIT 'A' ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF

The said property is free from encumbrances except farm use tax assessment, regulations, rights of way, rights of the public, reservations and easements of record and 1989/90 taxes

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT THE PERSON ACQUIRING FEE TITLE TO THE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

The true consideration for this conveyance is \$200,000.00. (Here comply with the requirements of ORS 93.030)

Dated this 28 day of July, 19 89Smith B. Fosbrink
SMITH B. FOSBRINKMargaret J. Fosbrink
MARGARET J. FOSBRINKSTATE OF OREGON, County of Douglas ss.

This instrument was acknowledged before me on July 28, 19 89, by SMITH B. FOSBRINK, MARGARET J. FOSBRINK.

Shirley D. Schell
Notary Public for Oregon
My Commission expires 4-16-93

SEND TAX STATEMENT TO:
GRANTEE U B L
5620 Ft. McKay Road
Oakland, OR 97462

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MAY 07 2008

WATER RESOURCES DEPT
SALEM, OREGONUMPOVA TITLE & ESCROW SERVICES 215824
25-06-29 - -900

BEGINNING at a 1/2 inch iron rod on the Southerly right of way of the Sutherlin-Umpqua Road No. 9, from which the one-quarter corner between Sections 20 and 29, Township 25 South, Range 6 West, Willamette Meridian, bears North 1° 31' 06" West 1537.91 feet; thence along said Southerly right of way line South 70° 33' 51" West 1057.34 feet to a point; thence along the arc of a 1939.86 foot radius curve right (the long chord of which bears South 76° 22' 12" West) 382.64 feet to a point on the West line of Wm. C. Burk Donation Land Claim No. 42; thence along said West line South 1° 02' 29" West 1440.36 feet to the Southwest corner of said Donation Land Claim No. 42; thence along the South line of Donation Land Claim No. 42, South 89° 22' 19" East 1157.05 feet to a point; thence North 47° 12' 54" East 395.23 feet to a 1/2 inch iron rod; thence North 1° 51' 12" West 1627.03 feet to the point of beginning. This parcel situated in Section 29, Township 25 South, Range 6 West, Willamette Meridian, Douglas County, Oregon.

Order No. 21524

STATE OF OREGON)
COUNTY OF DOUGLAS) ss.
I, GAY FIELDS, COUNTY CLERK AND RECORDER
OF CONVEYANCES, DO HEREBY CERTIFY THAT
THIS INSTRUMENT WAS RECORDED

1989 JUL 28 PM 2:07

DOUGLAS COUNTY CLERK.

IN THE OFFICIAL RECORDS OF DOUGLAS COUNTY

BY Charles H. Burnett
DEPUTY

FEE 10.00 PR

89-11254

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MAY 07 2008

WATER RESOURCES DEPT.
SALEM, OREGON

MEMORANDUM AGREEMENT

BOOK 658 PAGE 1022

77-23751

THIS MEMORANDUM will acknowledge that JAMES H. BAIRD and JOSEPHINE R. BAIRD, husband and wife, as Sellers, and REGINALD F. PADDON and KATHLEEN H. PADDON, husband and wife, as Purchasers, have entered into a written contract of sale dated December 8, 1977, for the sale by Sellers to Purchasers of the following described property situate in Douglas County, Oregon, to-wit:

See Exhibit "A" attached hereto, incorporated by reference and made a part hereof as if set out herein at this point verbatim.

SUBJECT TO roads and highways and the rights of the public therein; rights of way of record; and unrecorded oil and gas lease dated December 1, 1976, from James H. Baird and Josephine R. Baird, husband and wife, to Mobil Oil Corporation, a New York corporation, as disclosed by "Memorandum of Oil and Gas Lease" recorded December 23, 1976, in Book 620, Page 51, Records of Douglas County, Oregon, Recorder's No. 76-20898.

This memorandum is made for the purpose of giving notice of the existence of said contract to all who may be concerned.

Until a change is requested, all tax statements shall be sent to the following address: Mr. and Mrs. Reginald F. Paddon, Creston Star Route, Paso Robles, California, 93446.

The true and actual consideration to be paid for this transfer is \$ 146,200.00 .

DATED this 8th day of December, 1977.

X James H. Baird
James H. Baird

Reginald F. Paddon
Reginald F. Paddon

X Josephine R. Baird
Josephine R. Baird

Kathleen H. Paddon
Kathleen H. Paddon

COMMERCIAL TITLE CO.
P.O. Box 155
Salem, Oregon 97301

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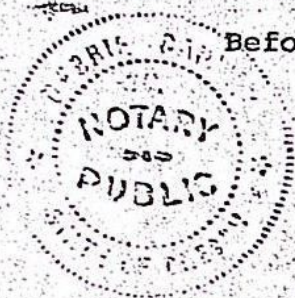
MAY 07 2008

WATER RESOURCES DEPT
SALEM, OREGON

STATE OF OREGON)
) ss.
County of Douglas)

BOOK 658 PAGE 1023

Personally appeared the above-named James H. Baird and Josephine R. Baird and acknowledged the foregoing instrument to be their voluntary act and deed.



Before me, this 8th day of December, 1977.

Debbie Gindway
Notary Public for Oregon
My commission expires: 7/26/81

STATE OF OREGON)
) ss.
County of Douglas)

Personally appeared the above-named Reginald F. Paddon and Kathleen H. Paddon and acknowledged the foregoing instrument to be their voluntary act and deed.



Before me, this 8th day of December, 1977.

Debbie Gindway
Notary Public for Oregon
My commission expires: 7/20/81

After recording return to:
Mr. & Mrs. Reginald Paddon
Creston, 545 White
Rayo, Volcan, CA 93446

COMMERCIAL TITLE CO.
P. O. Box 1323
Roseburg, Oregon 97470

Page 2 - Memorandum Agreement.

RECEIVED

MAY 07 2008

WATER RESOURCES DEPT
SALEM OREGON

That portion of the following described property lying Southerly of Sutherlin - Umpqua County Road No. 9:

BEGINNING at a point 4.80 chains South of the Northwest corner of the T. Barnard Donation Land Claim, running thence North $68\frac{1}{2}^{\circ}$ East 3.14 chains, South $21\frac{1}{2}^{\circ}$ East 8.50 chains to the middle of the present County Road (from which a rock 15 x 12 x 8 inches bears North $21\frac{1}{2}^{\circ}$ West 30 links distant); thence following said County Road North $68\frac{3}{4}^{\circ}$ East 18.95 chains to a point from which a rock 30 x 8 x 6 inches bears South 40 links; thence South 38.50 chains to the south boundary of the T. Barnard Donation Land Claim and to a rock 30 x 8 x 6 inches from which an ash 8 inches in diameter marked "BT" bears North $86\frac{1}{2}^{\circ}$ West 2.23 chains distant; thence West along said boundary 23.70 chains to the Southwest corner of said claim; thence North 29 chains to the Northeast corner of the W. C. Burk Donation Land Claim; thence West along the north boundary of said claim to the Northwest corner of said claim; thence continuing West to the west boundary of Lot 3; thence North along the west boundary of Lot 3 and of the East half of the Southwest quarter of Section 20 to the Northwest corner of same; thence East to the center of Section 20; thence continuing East 4.85 chains; thence South to a point 5.60 chains North of the north boundary of the W. C. Burk Donation Land Claim; thence East to the west boundary of the T. Barnard Donation Land Claim; thence North 3.58 chains to the place of beginning, all lying in Sections 28, 29, and 20, Township 25 South, Range 6 West, Willamette Meridian, Douglas County, Oregon.

ALSO beginning at a point 3.23 chains South and 14.97 chains West from the quarter section post on the line between Sections 28 and 29, Township 25 South, Range 6 West, Willamette Meridian, and running thence North 28.94 chains; thence West 43.73 chains; thence South 37.61 chains; thence North $89^{\circ} 49'$ East 38.66 chains; thence North 8.68 chains; thence East 5.58 chains to the place of beginning, all in Douglas County, Oregon. Reserving therefrom a right of way 20 feet in width through that portion of said land lying North of the County road and being a strip 20 feet wide along the road now traveled by W. C. Burck, S. P. White, Augusta Stevens, and others to reach the County road. Said right of way to be used and maintained only as a gateway.

EXCEPTING THEREFROM the land beginning at a $\frac{1}{2}$ " iron rod on the southerly right of way of the Sutherlin-Umpqua Road No. 9, from which the one quarter corner between Sections 20 and 29, Township 25 South, Range 6 West, Willamette Meridian, bears North $1^{\circ} 31' 06''$ West 1537.91 feet; thence along said southerly right of way line South $70^{\circ} 33' 51''$ West 1057.34 feet to a point; thence along the arc of a 1939.86 foot radius curve right (the long chord of which bears South $76^{\circ} 22' 12''$ West) 382.64 feet to a point on the west line of Wm. G. Burk Donation Land Claim No. 42; thence along said west line South $1^{\circ} 02' 29''$ West 1440.36 feet to the southwest corner of said Donation Land Claim No. 42; thence along the south line of Donation Land Claim No. 42, South $89^{\circ} 22' 19''$ East 1157.05 feet to a point; thence North $47^{\circ} 12' 54''$ East 395.23 feet to a $\frac{1}{2}$ " iron rod; thence North $1^{\circ} 51' 12''$ West 1627.03 feet to the point of beginning. This parcel situated in Section 29, Township 25 South, Range 6 West, Willamette Meridian, Douglas County, Oregon.

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MAY 07 2008

WATER RESOURCES DEPT
SALEM, OREGON

BOOK 658 PAGE 1025

STATE OF OREGON)
COUNTY OF DOUGLAS) ss.

I, DORIS L. WADSWORTH, COUNTY CLERK
AND RECORDER OF CONVEYANCES, IN AND FOR
SAID COUNTY, DO HEREBY CERTIFY THAT THE
WITHIN INSTRUMENT WAS RECORDED THIS DAY:

DEC 9 1977

3:41 PM

BY

Mary L. Beal

DEPUTY

NO.

77-23751

FEE

9⁰⁰/₁₀₀

DOUGLAS COUNTY OFFICIAL RECORDS

RECEIVED

MAY 07 2008

WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

MAY 07 2008

WATER RESOURCES DEPT
SALEM, OREGON

MAP FILE M57-6

SURVEY FOR PROPERTY DESCRIPTION

IN SEC. 29, T.25S., R.6 W.W.M.

FOR-- SMITH B. FOSBRINK

BY-- BAUGHMAN SURVEYING SERVICE

APRIL, 1975

COUNTY SURVEYORS FILE DATA

DO NOT REMOVE FROM OFFICE

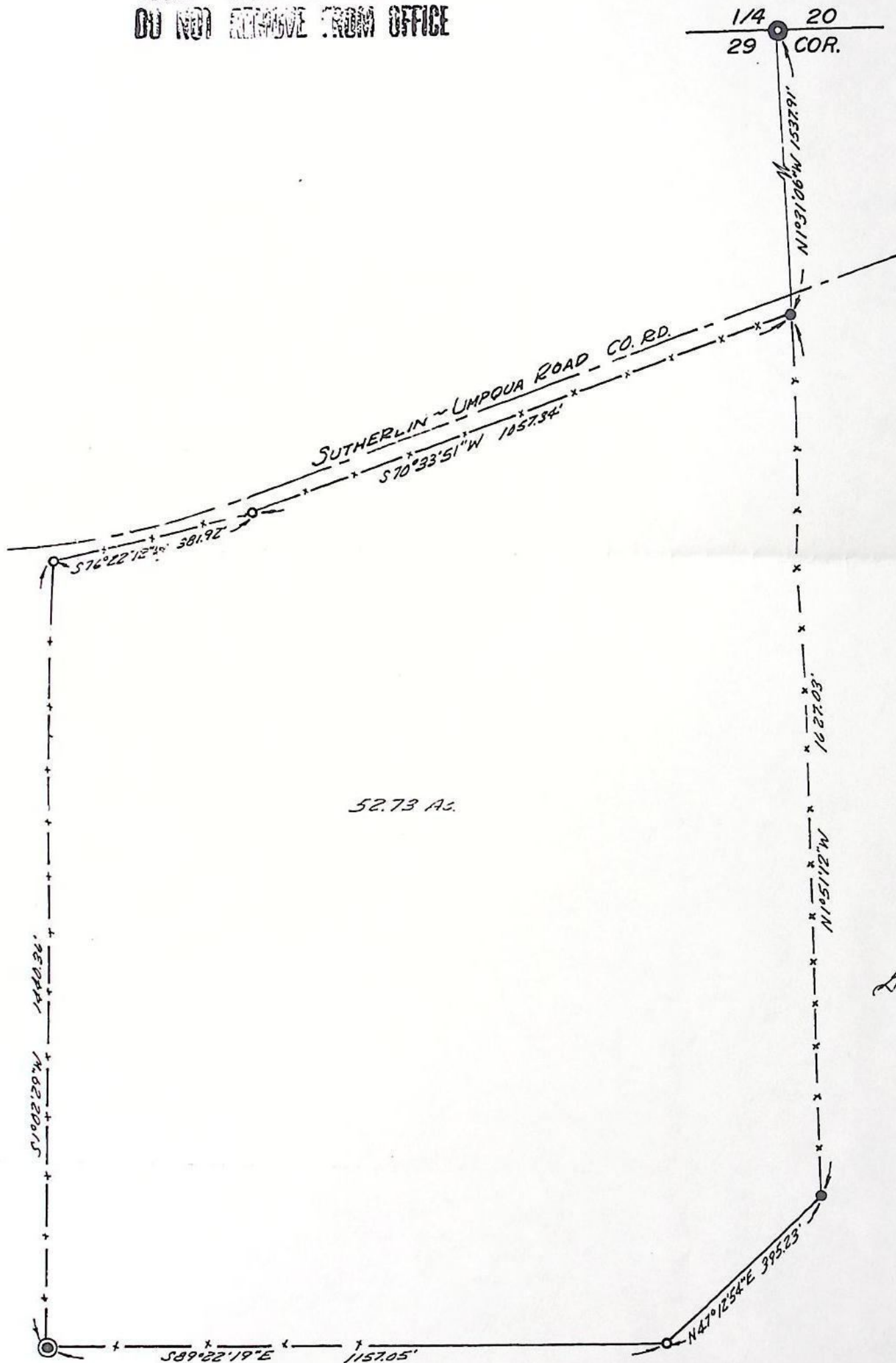
SCALE 1"=200'

FILED

RECEIVED

MAY

COUNTY SURVEYOR
DOUGLAS COUNTY, ORE.



Handwritten signature
SURVEYOR

LEGEND

- o not set
- set 1/2" I.R.
- ⊙ iron bar
- ⊙ brass cup

M57-6

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OCT 10 2002

WATER RESOURCES DEPT.
SALEM, OREGON

REQUEST FOR ASSIGNMENT

I, (permit holder, applicant) Reginald F. Paddon

25615 NE 128th Avenue

Battleground, WA 98604

(360) 666-1710

(mailing address)

(City, State, Zip)

(Phone)

CHECK ONE

☒ [X] hereby assign all my interest in and to application/permit;

☐ [] hereby assign all my interest in and to a portion of application/permit (include a map showing portion of application assigned);

☐ [] hereby assign a portion of my interest in and to the entire application/permit;

Application # 7-4260⁰²/5-27910, Permit # 21982;

OR GR Statement # _____, GR Certificate of Registration # _____ as
filed in the office of the Water Resources Director. TO:

Northwest Farm Credit Services, PCA and Kurt M. Spencer and Veronica J. Spencer
(name of new owner)

2222 Northwest Kline Street, PO Box 1490
(address)

Roseburg, OR 97470-0356
(city, state, zip)

(541)-464-6700
Phone

6459 Oakhill Rd.
(address)

Roseburg, OR 97470
(city, state, zip)

(541) 913-1802
Phone

(Note: If there are other owners of the property described in this Application, Permit or Certificate of Groundwater Registration you must attach a list of their names and addresses to this form.)

I hereby certify that I have notified all other owners of the property described in this Application, Permit or Certificate of Registration of this request for assignment.

Witness my hand this 5th day of October, 2002

Applicant/Permit Holder

Reginald F. Paddon
Reginald F. Paddon

PLEASE DO NOT WRITE IN THIS BOX

- This certifies assignment and record change at Oregon Water Resources Department effective 8:00a.m. on date of receipt at Salem, Oregon.
- Fee receipt # 56217
- For Director by Jerry Sauter, Program Analyst in Water Rights Division J.S.

The completed assignment must be submitted to the Water Resources Department together with a recording fee of \$25. Additional pages will cost \$5 per page.

WATER RESOURCES DEPARTMENT
158 12TH STREET NE
SALEM, OREGON 97310-0210

*Author/Coat Registration, OK 10/16/02
Permit - J.M.P.*

**Oregon Water Resources Department
Water Right Ownership Update Form**

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SEP 12 2001

WATER RESOURCES DEPT.
SALEM, OREGON

NOTICE TO SELLERS & BUYERS:

Oregon law requires persons selling property with a water right to: 1) Provide evidence of the water right to the buyer and 2) Notify the Water Resources Department of the water right involved with the real estate transaction. Sellers are exempted from this requirement if the water uses are served by a water district or a city.

By law, all water belongs to the public [ORS 537.110]. In almost every instance, a permit ("water right") from the Water Resources Department is needed before using, diverting, or storing any water [ORS 537.130]. However, most domestic wells do not require water rights. A water right stays with the land.

Water that has been used for a long time in one place or that involves a water structure (like a dam) that already exists is no guarantee that there is a water right which would allow the water use to continue.

If you have any questions about this form or water right requirements, please contact your local watermaster or call the Water Resources Department's Water Rights Information staff at 378-3066.

Note: Please type or print legibly when filling in the following information. Use additional paper if necessary.

Property Seller Information:

Name: SAMUEL C. & GLADYS F. ROBINSON
Street Address: 4546 Fort McKay Road
City: Oakland State: OR Zip: 97462
Phone: _____

Property Buyer Information:

Name: MILDRED R. COMFORT
Street Address: PO Box T
City: Sutherlin State: OR Zip: 97479
Phone: _____

Property Description (attach additional pages if necessary):

County: Douglas Township: 25S Range: 06W Section: 29
Tax lot number(s): 800

Meets & bounds description (or attach copy of property deed & tax-lot map with the parcels highlighted):
Parcel 1 of LAND PARTITION PLAT NO. 1996 0036, Surveyor's Records of Douglas County,
Oregon, Recorder's Instrument No. 96 08334

Water Right Information (attach copy of water right permit or certificate & final proof map if available):

Application #: _____ Permit #: 21982 and 45243 Certificate #: _____
Will all the lands associated with this water right be owned by the buyer? Yes ☐ No ☐

Name of individual completing this form: _____

Phone: _____

Signature: Mildred R. Comfort

Date: _____

Water Resources Department, Data Center.

153 12th St. NE
Salem, OR 97301-4172

STATE OF OREGON

COUNTY OF

DOUGLAS

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

ESSELSTROM LOGGING COMPANY

of 1600 Brown Avenue, Roseburg, State of Oregon 97470, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Calapooya Creek

a tributary of Umpqua River
irrigation of 7.4 acres

for the purpose of

under Permit No. 21982 and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from December 15, 1952
that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.09 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, as projected within Burk DLC 42, Section 29, T. 25 S., R. 6 W., W.M.; 110 feet North and 1220 feet East from SW corner DLC 42

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2 $\frac{1}{2}$ acre feet per acre for each acre irrigated during the irrigation season of each year

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

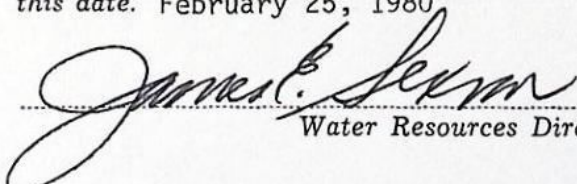
7.4 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
Section 29
T. 25 S., R. 6 W., W.M.
as projected within Burk DLC 42

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 22389, Volume 16, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on January 28, 1980, approving transfer application No. 4360. The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed

this date. February 25, 1980


Water Resources Director



STATE OF OREGON

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INTEROFFICE MEMO

JAN 16 1980

WATER RESOURCES DEPT.

SALEM, OREGON

TO: TRANSFERS, WATER RIGHTS DIVISION DATE: JANUARY 14, 1980.

FROM: ** M. John Youngquist, Watermaster

SUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4360

IN THE NAME OF Reginald F. Paddon

In my opinion the proposed change in place of use of water from Calapooya 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.

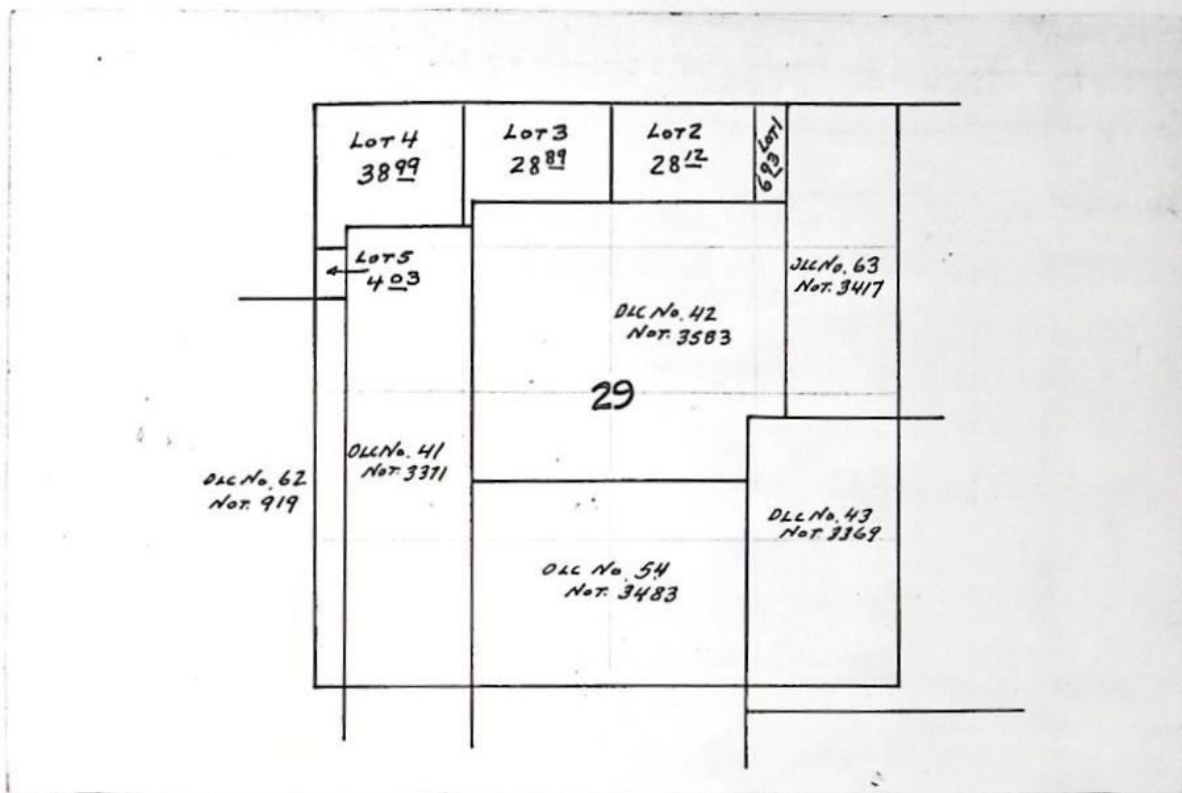
If for change in point of diversion, is there any intervening point of diversion
between the authorized and the proposed points of diversion? NO (N/A)
(yes or no)

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 _____

** 
Watermaster's signature or initials



[illegible]

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
ACREAGE IN LOT OR LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT. IF OTHER THAN 40 ACRES																		
																2 ⁰	0 ⁵	Tk. 3480 Y. 28 P. 70 43957
																	0²	Tk. 3480 Y. 28 P. 70
																		57890 44242 4
																		58288
Mun				Mun				Mun										

T-4360

Permit No. 21982

22389

Application No. 27910

County Douglas

Proof of Appropriation of Water

RECEIVED

JAN 15 1957

STATE ENGINEER

SALEM, OREGON

1. Name Esselstrom Logging Co. 2. Address 1600 Brown Ave. SE, Roseburg, Oregon
3. Source of supply Calapooya Creek
- Tributary of Umpqua River
4. Amount of water 0.73 cfs 5. Priority date December 15, 1952
6. Use irrigation 1/80th and 2 1/2 a.f.
in Burk DLC #42
7. Location of point of diversion NW 1/4 SE 1/4 / (Legal Subdivision) Sec. 29, Twp. 25 S, Range 6 W, W. M.
8. The description of land given below corresponds to that found in your permit covering land to be irrigated, or, if for other purposes, the place of use.

Township	Range	Section	Legal Subdivision	No. Acres Actually Irrigated
25 S	6 W	29	SW 1/4 NE 1/4 As projected within Burk DLC #42	31.9
			NW 1/4 SE 1/4 " " " " " "	18.1
			NE 1/4 SE 1/4 " " " " " "	1.0
			SE 1/4 NE 1/4 " " " " " "	7.6
				58.6

I have read the above and foregoing proof of appropriation of water; I know the contents thereof, and that the facts therein stated are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 11 day of Jan,

1952.

Esselstrom Logging Co.
By Claude A. Esselstrom, Partner

T-4360
RECEIVED

JAN 31 1980

WATER RESOURCES DEPT
SALEM, OREGON

Application for Transfer of Water Right

To the WATER RESOURCES DIRECTOR OF OREGON:

Exam \$ 20.00
300L 10.00
2120.25 5.25
\$ 35.25

I, REGINALD F. PADDON
(Name of applicant)
of Box 72-B Umpqua STAR RT. OAKLAND
(Mailing address) (City)
State of OREGON, 97462, 459-2577, 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? Esselstrom Logging Co.
(If not, give name)

2. Was your water right determined by Decree of Court? No If so, give title of proceedings
(Yes or No)
number of certificate

3. Was your water right acquired by Water Right Permit? Yes If so, give number
(Yes or No)
of permit 21982 Number of certificate 23389
A27910 22389

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 Kalapooya Creek

5. What is the date of priority of your water right? Dec.

6. The authorized point of diversion is located 110.3 ft. N and 1219.6 ft. E from the SW
(N. or S.) (E. or W.)
corner of WC Burk DLC48 being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 29 Tp. 25S R. 6W W. M.,
(No. N. or S.) (No. E. or W.)
in the county of Douglas The name of the ditch used is

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

7. The proposed point of diversion is located _____ 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
(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
25S	6W	29	NW $\frac{1}{4}$ SE $\frac{1}{4}$	18.1 *
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	1.0 *
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	24.5 *
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	7.6 *
	(7.4 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ to remain unchanged)			51.2
	* As projected within WC Burk DLC 42			

(If more space required, attach separate sheet)

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

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

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

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

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

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT
Mortgage	James H. Baird	\$95,850.00

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
25S	6W	28	NW $\frac{1}{4}$ NW $\frac{1}{4}$	11.6 **
			SW $\frac{1}{4}$ NW $\frac{1}{4}$	2.5 **
		29	NE $\frac{1}{4}$ NE $\frac{1}{4}$	13.4 **
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	2.4 *
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	11.1 **
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	1.5 *
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	2.2 *
			SW $\frac{1}{4}$ NE $\frac{1}{4}$	6.5 *

(If more space required, attach separate sheet)

* As projected within W.C. Burk DLC 42

** As projected within T. Barnard DLC 63

14. Reasons for the proposed changes are to irrigate more productive lands
with older water right.

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

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

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, REGINALD F. PADDON, 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 31st day of Dec., 1979.

[Signature]
(Name of applicant)

Subscribed and sworn to before me this 31st day of December, 1979.

[Notarial Seal]



[Signature]
NOTARY PUBLIC FOR OREGON

My commission expires 8/20/82