

T-10406

T-10406

TEMPORARY

Name John Deck

By _____

Address 25362 High Pass RoadJunction City, OR 97448541-998-4697Change in Pou

Date filed _____

Date of hearing _____

Place of hearing _____

Date of order 8-17-07 Vol. 73, page 85

Date for application of water _____

Proof mailed _____

Proof received _____

Certificate issued _____ Vol. _____, page _____

DESCRIPTION OF WATER RIGHT

Name of stream Owens CreekTrib. of Bear Creek County of LaneUse IR

Quantity of water _____ No. of acres _____

Name of ditch _____

Date of priority 4/2/1946In name of C. J. Mahary

_____ Adjudication, Vol. _____, page _____

App. No. 521529 Per. No. 516883 Cert. No. 19516

Certificate cancelled _____

Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>6-11-07</u>	<u>195.00</u>	<u>88072</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

REMARKS

NOTED/CWRE
Lane County



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

August 21, 2007

JOHN DECK
25362 HIGH PASS ROAD
JUNCTION CITY OR 97448

Reference: Temporary Transfer 10406

Enclosed is a copy of the order approving your temporary water right transfer application.

The change shall be effective at the end of the 2006 irrigation season. The use shall revert to the authorized place of use at the end of the 2008 irrigation season.

Sincerely,

for Doug Parrow
Natural Resource Specialist

DP:sh

cc: Watermaster #2

Enclosure

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Transfer Application	)	FINAL ORDER APPROVING A
T-10406, Lane County	)	TEMPORARY CHANGE IN PLACE OF
	)	USE

Authority

ORS 540.505 to 540.580 establish the process in which a water right holder may submit a request to temporarily transfer the place of use and, if necessary to convey the water to the temporary place of use, the point of diversion authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

JOHN DECK
25362 HIGH PASS ROAD
JUNCTION CITY OR 97448

Findings of Fact

Background

1. On June 11, 2007, John Deck filed an application to temporarily change the place of use under Certificate 19156 for a period of two years. The Department assigned the application number T-10406.
2. On June 21, 2007, an amendment to the map and application were submitted to the Department that offered clarification of the proposed place of use.
3. The entire right to be transferred is as follows:

Certificate: 19516 in the name of C. J. MAHONY (perfected under Permit S-16883)

Use: IRRIGATION of 20 ACRES

Priority Date: APRIL 2, 1946

Rate: 0.25 CUBIC FOOT PER SECOND (cfs)

Limit/Duty: ONE-EIGHTIETH cfs per acre, not to exceed 2.5 acre-feet per acre during the irrigation season of each year

Source: OWENS CREEK, tributary to BEAR CREEK

NOTICE OF RIGHT TO PETITION FOR 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.

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q
16 S	5 W	WM	6	NW NW

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
16 S	5 W	WM	6	NE NW	13.6
16 S	5 W	WM	6	NW NW	6.4

4. Application T-10406 proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
15 S	5 W	WM	31	SW SW	7.4
15 S	5 W	WM	31	SE SW	5.8
16 S	5 W	WM	6	NE NW	2.2
16 S	5 W	WM	6	NW NW	4.6

5. Notice of the application for temporary transfer was published on June 26, 2007, pursuant to ORS 540.520 and OAR 690-380-4000. No comments were filed in response to the notice.
6. Water has been used within the last five years according to the terms and conditions of the right, and there is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
7. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right are present.
8. The proposed change would not result in enlargement of the right.
9. The proposed change would not result in injury to other water rights. This finding is made through an abbreviated review recognizing that the transfer may be revoked under ORS 540.523(6) if the Department later finds that the transfer is causing injury to any existing water right.

Conclusions of Law

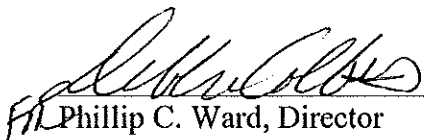
The temporary change in place of use proposed in application T-10406 is consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

Now, therefore, it is ORDERED:

1. The change in place of use proposed in application T-10406 is approved.
2. The former place of use **shall not** be irrigated as part of this water right during the 2007 or 2008 irrigation seasons.
3. The use shall revert to the authorized place of use at the end of the 2008 irrigation season.

4. The approval of this temporary transfer may be revoked or modified if the Department finds the change causes injury to any existing water right.
5. A subsequent application for permanent transfer of Certificate 19516 shall be subject to a full and complete review to determine consistency with the requirements of OAR Chapter 690, Division 380. Approval of this temporary transfer does not establish a precedent for approval of a subsequent application filed for a permanent transfer.
6. The use of water at the temporary place of use authorized by this transfer shall be in accordance with the terms and conditions of Certificate 19516.
7. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.
8. When required by the Department, the water user shall install, maintain and operate an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
9. When required by the Department, the water user shall install, maintain and operate a headgate to control and regulate the quantity of water diverted. The type and plans of the headgate must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

Dated at Salem, Oregon this 17th day of August, 2007.


Phillip C. Ward, Director

Mailing Date: AUG 22 2007

Water Right Transfer Checklist

Transfer T-10406

Transfer Specialist: Susan Douthit

Transfer Type: Temporary

Applicant Name/Address: John Deck, 25362 High Pass Rd, Junction City, OR 97448

Agent Name/Address: NONE

CWRE Name/Number: NONE

Rec Landowner Name/Address: NONE

Irr. District Name/Address: NONE

Affected Gov'ts Name/Address: Lane County

Commentors: Name/Address: NONE

Water Rights Affected

Records Marked	Records Copied	App File No. or Decree Name	Permit No.	Certificate No.	RR/CR Needed	RR/CR Nos.
☒	☒	S 21529	S 16883	19516	☐ Yes ☐ No	
☐	☐				☐ Yes ☐ No	
☐	☐				☐ Yes ☐ No	

Key Dates & Initial Actions

Rec'd: <u>06/11/07</u>	Proposed Action(s): POU POD HST APOD USE OTHER: POU	
Fees Pd: <u>195</u>	WM District: <u>2</u>	ODFW District: <u>Jeff Ziller</u>
Initial Notice: <u>06/26/07</u>	WM Review sent: <u>06/28/07</u>	ODFW Review sent: <u>06/28/07</u>
Acknowledgement Letter Sent ☒		GW Review sent: <u>NONE</u>

Processing Dates & Actions

Deficiency Contacts: _____

Newspaper Pub Affid Due: _____

☐ not required

DPD Mailed: _____

Affid of Pub Rec'd: _____

☐ ODFW contact sheet sent with DPD, or ☐ N/A

Last Day Published: _____

PD Mailed: _____

Affidavit Reminder Sent: _____

PD Weekly Notice: _____

Reminder Deadline: _____

Preliminary Determination

☐ Electronic Files uploaded

☐ Preliminary Determination

☐ PD Cover letter

☐ Fee Refund Due

☐ PD Notice

☐ Remaining Rights

☐ File Assigned/ ModPod updated

DPD Review (Optional)	PD Review (Salem)	Final Order Review (Salem)
Reviewer: _____	Reviewer: _____	Reviewer: <u>SDP</u>
Date: _____	Date: _____	Date: <u>8/14/07</u>
Coordinator: _____	Coordinator: _____	Coordinator: <u>SDP</u>
Date: _____	Date: _____	Date: <u>8/14/07</u>
Comments/Special Issues:		

Special Order Volume: Vol 73 Pages 85

Final Order Signature Date: 8-17-07

Notice of FO email'd to processors Susan

Water Rights Platcard Report

Meridian: WILLAMETTE - Township: 15 - South - Range: 5 - West - Section: 31 - Records per Page: 100

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Unkown QQ
Select Inchoate: T 6910 CF (REG) *		4/30/1928	IRRIGATION																							(13)	
Additional Info: MARTHA BRONSON App: S11262 Permit: S8460																											
Select Cert:7997 OR *		5/14/1918	IRRIGATION						9																		
Additional Info: J R TURNBOW App: S6114 Permit: S3836 Cert: 7997																											
Select Cert:11311 OR *		8/16/1932	IRRIGATION						14																		
Additional Info: GEO SCHULMERICH App: S14686 Permit: S10663 Cert: 11311																											
Select Cert:11586 OR CN		4/30/1928	IRRIGATION																						5		
Additional Info: JOHN W/NINA C WYNN App: S11262 Permit: S8460 Cert: 11586																											
Select Cert:41995 OR *		5/26/1967	IRRIGATION						4.6	0.1																	
Additional Info: CHARLES/JOANNE ROSS App: S43656 Permit: S32635 Cert: 41995																											
Select Cert:11311 OR *		8/16/1932	POWER DEVELOPMENT						*																		
Additional Info: GEO SCHULMERICH App: S14686																											

Water Rights Platcard Report

Meridian: WILLAMETTE

Township: 16

South Range: 5

West Section: 6

Records per Page: 100

Search

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): Q(160):	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unkown QQ
Select Inchoate: T 6910 CF (REG) *		4/30/1928	IRRIGATION					(35)	(30)															
Additional Info: MARTHA BRONSON App: S11262 Permit: S8460																								
Select Cert:11586 OR CN		4/30/1928	IRRIGATION CN					0	35	20	10													
Additional Info: JOHN W/NINA C WYNN App: S11262 Permit: S8460 Cert: 11586																								
Select Cert:19516 OR *	T10406	4/2/1946	IRRIGATION									13.6	6.4											
Additional Info: C.J. MAHONY App: S21529 Permit: S16883 Cert: 19516																								

Acreage Legend: 12.25 Regular acreage

~~12.25~~ Acreage is on a canceled right

(12.25) Acreage is part of a transfer and has not been proven up on yet (Inchoate)

[12.25] Acreage has been suspended

* Acreage is not specified

from OKD
to D

subject



Lane County
Assessment and Taxation
PROPERTY INFORMATION



Account # [REDACTED]

Map, Tax Lot, & SIC # 15-05-31-00-00700

Site Address: 25362 HIGH PASS RD JUNCTION CITY OR 97448		
Owner Address: 25362 HIGH PASS RD JUNCTION CITY, OR 97448		Owner Address: 25362 HIGH PASS RD JUNCTION CITY, OR 97448
This property has more than two owner records: No		
Taxpayer Address: 25362 HIGH PASS RD JUNCTION CITY, OR 97448		
Additional Account Numbers for this Tax Lot: 0020832		
Account Type:	Real Property	Special Assessment Program (if applicable) : Zoned Farm
Account Acreage:	142.50	
Pending Property Change	No	
Property Class:	Farm	

Property Value and Taxes

	<u>Land Value</u>	<u>Improvement Value</u>	<u>Total Value</u>	
	<u>Real Market</u>	<u>Real Market</u>	<u>Real Market</u>	<u>Assessed</u>
2006	607,032	266,150	873,182	291,236
	<u>Taxable Value</u>	<u>2006 Taxes</u>	<u>Tax Code Area</u>	
2006	291,236	\$2,520.24	06901	

Residential Building # 1 (of 1) If there are multiple dwellings, building characteristics will display for only one of the dwellings.

		Square feet	Base	Finished		
Year Built:	1988	Basement			Bsmt Garage Sqft	
% Improvmt Complete	100	First	1948	1948	Att Garage Sqft	
		Second			Det Garage Sqft	
		Attic			Att Carport Sqft	
		Total	1948	1948		

Square footage information for manufactured homes may not currently be available.
For questions on data appearing on this report, call (541) 682-4321
DISCLAIMER

Assessment & Taxation

Taxmaps



15053100

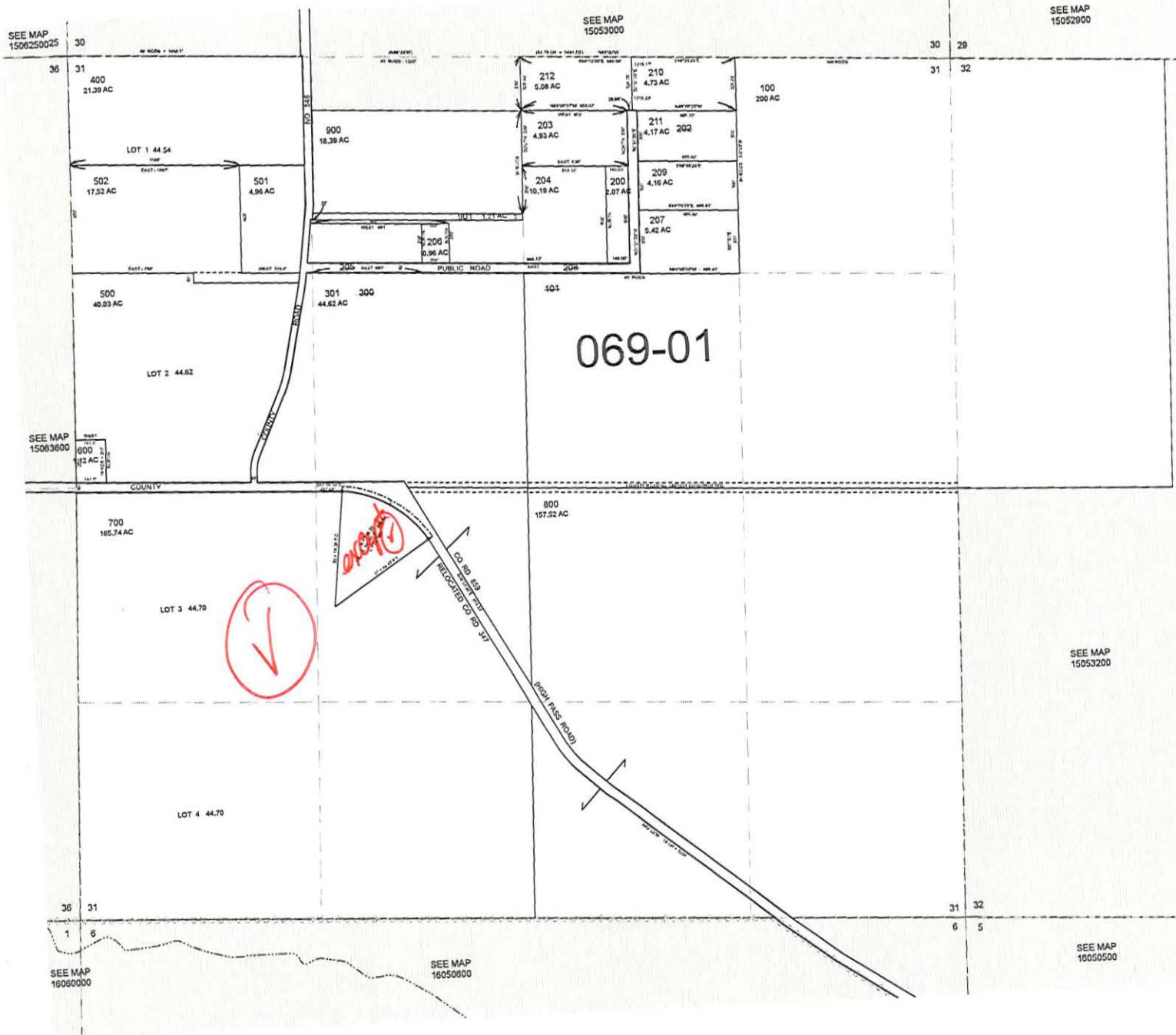
REVISION: 1/11/2007 - LCAT105 - CONVERT MAP TO GIS

SECTION 31 T.15S. R.5W. W.M.
Lane County
1" = 400'

FOR ASSESSMENT AND
TAXATION ONLY

GIS DATA
1/17/2007 4:18:12 PM : kcat/gg

CANCELLED:
300
205
208
101
202



15053100

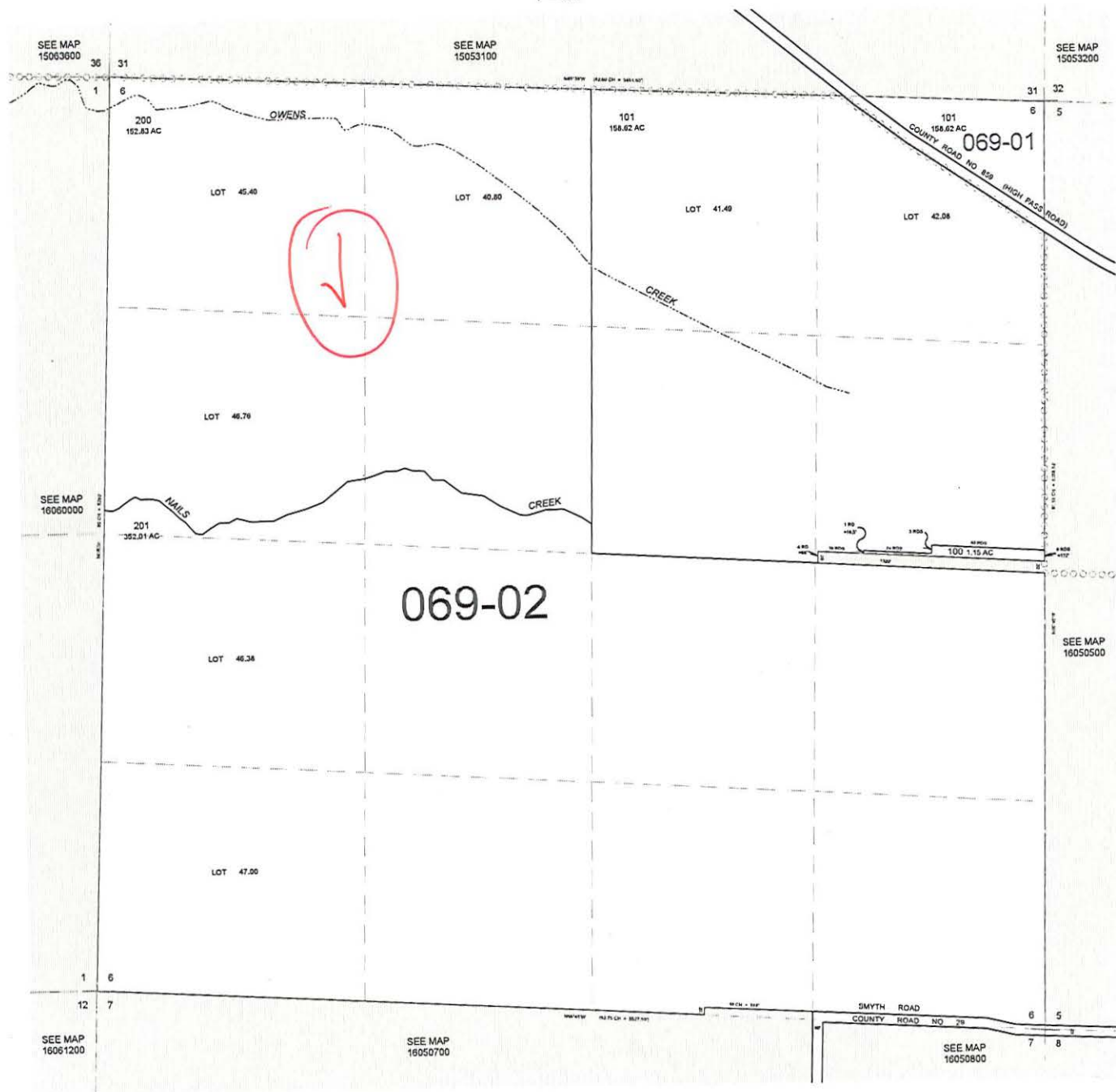
FOR ASSESSMENT AND
TAXATION ONLY

SECTION 6 T.16S. R.5W. W.M.
Lane County
1" = 400'

16050600

GIS DATA
1/3/2007 1:40:47 PM : katieba

CANCELLED:



REVISIONS
15050600 - LCAT148 - CONVERT MAP TO GIS

16050600



Oregon Department of Fish & Wildlife
South Willamette Watershed District
7118 NE Vandenberg Ave
Corvallis, OR 97330
Phone: (541) 757-4186
Fax: (541) 757-4252

Fax Transmittal

To: Transfer Section From: Karen Hains

Fax #: 5039860903

Date: 8/6/07 Total # of Pages: 5

(including cover page)

RE: 10406 transfer

☒ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ For Your Info

Comments:

Return by 7-27-07

Oregon Department of Fish and Wildlife
Water Right and Diversion Transfer Comment Form
(ODFW provides to WRD so that WRD can make findings according to statutory requirements.)

Reference Transfer #: 10406

A. Please check box if you believe there is a potential for injury to an instream water right.

- ☐ The Oregon Department of Fish and Wildlife (ODFW) believes this proposed transfer may injure an instream water right(s) on

_____, tributary to _____. Because,
(Stream)

(Please attach any available supporting information.)

Note: This will prompt WRD to further evaluate and make a determination whether the transfer will injure an instream water right. (WRD is the agency that makes the determination of injury to a water right, while ODFW's role is to raise concerns and to evaluate proposed mitigation and net benefit to the resource if WRD requests concurrence with injury to an instream water right.)

B. Please check one of the following four boxes related to requiring a fish screen and/or by-pass device pursuant to ORS 540.525 or 540.532:

- ☐ 1. The new Point of Diversion (POD) requires a fish screening and/or by-pass device and is currently equipped with an appropriate fish screening and/or by-pass device.

Note: This option will yield the following:

Finding of Fact: The Oregon Department of Fish and Wildlife has determined that a fish screening and/or by-pass device is necessary at the new point of diversion to prevent fish from entering the diversion and/or safely transport fish back to the body of water from which the fish were diverted and that the diversion is currently equipped with an appropriate fish screening and/or by-pass device.

Condition: The water user shall maintain and operate a fish screening and/or by-pass device, as appropriate, at the point of diversion consistent with the Oregon Department of Fish and Wildlife's operational and maintenance standards.

- ☐ 2. The new Point of Diversion (POD) requires a fish screening and/or by-pass device prior to water being diverted. The diversion may be eligible for cost share assistance under ODFW's cost share program.

Option 2 should generally be selected if listed fish species are present at the point of diversion and/or the originating water right diversion is currently screened. If Option 2 is

Please return all 4 pages to: Transfers Section, Water Resources Department,
725 Summer St. NE, Suite A, Salem, OR 97301-1271

The electronic version of this form is available at: <http://www1.wrd.state.or.us/msword/ODFWScreen.doc>.

selected, provide contact information on the "Fish Screening and Passage Information" sheet. The new diversion may be eligible for cost-share.

Note: This option will yield the following:

Finding of Fact: The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screening and/or by-pass device is necessary at the new point of diversion to prevent fish from entering the diversion and/or safely transport fish back to the body of water from which the fish were diverted and that the diversion is not currently equipped with an appropriate fish screening and/or by-pass device. This diversion may be eligible for screening cost share funds.

Condition: Prior to diverting water, the water user shall install a fish screening and/or by-pass device, as appropriate, at the new point of diversion consistent with the Oregon Department of Fish and Wildlife's (ODFW) design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screen and/or by-pass device meets ODFW's criteria. Prior to submitting a Claim of Beneficial Use, the water user must obtain written approval from ODFW that the required screening and/or by-pass device was installed to the state's criteria. The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.

- ☐ 3. The new Point of Diversion (POD) requires a fish screening and/or by-pass device. However, the diversion may be used for up to two years pending a determination of whether cost share assistance under ODFW's cost share program is available.

If Option 3 is selected, provide contact information on the "Fish Screening and Passage Information" sheet. Except in extraordinary circumstances, Option 3 should NOT be checked if listed fish species are present at the point of diversion, the originating water right diversion is screened, cost-share funds are currently available, or the diversion is not eligible for ODFW's cost-share program. If extraordinary circumstances are present, please explain:

Note: This option will yield the following:

Finding of Fact: The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screening and/or by-pass device is necessary at the new point of diversion to prevent fish from entering the diversion and/or safely transport fish back to the body of water from which the fish were diverted and that the diversion is not currently equipped with an appropriate fish screening and/or by-pass device. Listed fish species are not present at the point of diversion, the originating water right diversion is not screened, cost-share funds are not currently available, and the proposed diversion may be eligible for ODFW's cost-share program. A grace period of two years is appropriate until such time as cost share funds become available to assist in the construction of a fish screening and/or by-pass device. If cost share funds do not become available, the water user must screen within the indicated time period regardless of the availability of cost share funding.

Condition: Within two years after the date of this order, the water user shall install a fish screening and/or by-pass device, as appropriate, at the new point of diversion consistent with the Oregon Department of Fish and Wildlife's (ODFW) design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screen and/or by-pass device meets ODFW's criteria. The water user may withdraw water at the new point of diversion without screening or by-pass devices until two years after the date of this order. Prior to submitting a Claim of Beneficial Use, the water user must obtain written approval from ODFW that the required screening and/or by-pass device was installed to the state's criteria. The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.

- ☐ 4. The new Point of Diversion (POD) does not currently require a fish screen and/or by-pass device, however, the permittee may be required in the future to install, maintain, and operate fish screening and/or by-pass devices.

Note: This option will yield the following:

Finding of Fact: The Oregon Department of Fish and Wildlife has determined that a fish screening and/or by-pass device may be required in the future at the new point of diversion to prevent fish from entering the diversion and/or safely transport fish back to the body of water from which the fish were diverted and that the diversion is not currently equipped with an appropriate fish screening and/or by-pass device.

Condition: Within one year after receiving written notification from the Oregon Department of Fish and Wildlife (ODFW) that a fish screening and/or by-pass device is required, the water user shall install a screening and/or by-pass device, as appropriate, at the new point of diversion. The fish screening and/or by-pass device must meet ODFW's design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screening and/or by-pass device meets ODFW's criteria. Once installed the water user shall maintain and operate the fish screening and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.

Signature

Printed Name

Title

() _____
Phone

Review Checklist**T-10406****Processor: Susan Douthit****Application**

- ☒ The type of change is clearly indicated.
- ☒ The application is appropriately signed.
- ☒ Appropriate fees were paid. ☐ If overpayment, Refund Request to be sent with FO
- ☒ Land use form matches affected tax lots and is signed by proper official. (*from ALL affected Govt's*)
- ☒ ~~Ditch company, district and/or BOR, sent a copy of the application and map, if appropriate.~~
- ☒ All required attachments received.

Water right subject to transfer

- ☐ Certificated right or Proof accepted "to the satisfaction...."
- ☐ The right been exercised according to terms & conditions of certificate.
- ☒ Delivery system has the capacity to fully divert the rate/duty of the right.
- ☒ No information in record that suggests forfeiture.
- ☒ No conflicts identified on the plat cards and plat card reports printed.
- ☒ Affidavits prepared for rights that need to be canceled or diminished.

Application Map

- ☐ The map has an original CWRE signature.
- ☒ The map size and scale accurate and appropriate per OAR 690-380-3100(1)(b)(c)&(d).
- ☐ All authorized and proposed POD's/POA's and POU's shown and clearly labeled.
- ☒ Metes and bounds for the POD's/POA's are properly described on the map.
- ☒ The POD/POA dimensions & 1/4 1/4 on map match the transfer application and certificate descriptions.
- ☒ Map acres match the tabulation on the certificate.
- ☒ Have final proof maps/deed maps for the rights. ☐ Application map matches certificate FPS.
- ☒ Have necessary aerial photos.

Determining the "From" and "To" Lands (*make working copy of application and certificates to mark on*)

- ☐ Only the authorized POD's/POA's and POU's to be transferred are listed.
- ☐ Application & certificate tabulations match. (*Mark on appl. and cert. copies and note corrections needed*)
- ☒ Marked on certificate the acreage being transferred, cancelled and remaining by 1/4 1/4.

Ownership

- ☒ The deed/ROLI matches the "from" lands. (Don't need to check "to" lands.)
- ☒ Have current tax lot map. (*If transfer application is several years old, contact assessor's office*)
- ☒ The applicant is the owner of the "from" lands.
- ☒ All owners on the deed/ROLI have signed the application. *all*
- ☐ If necessary, there is a notarized, signed statement of consent from landowners other than applicant.
- ☒ If necessary, there is a copy of written notification to each lien holder identified on ROLI.
- ☒ Agent has authorization to make decisions.

Evaluation (materials needed for peer reviewer in bold)

- | | | | | |
|--|---|---|---|---|
| ☒ application complete | ☒ map | ☒ FPS | ☐ evidence of use | ☒ land-use form |
| ☒ deed/ROLI | ☒ certificate | ☒ fees paid | ☒ well logs | ☒ plat card |
| ☒ audit | ☒ dpd | | | |

- Reviews/comments/conditions received? ☒ Watermaster *via email 8-3* ☐ ODFW ☐ GW
- Headgate ☒ When in the judgment ☐ Prior to diverting ☐ Existing and maintain
- Measuring Devices ☐ When in the judgment ☐ Prior to diverting ☐ Existing and maintain
- Fish Screen Devices ☐

Injury: Y N Enlargement: Y N

Conditions to avoid enlargement/injury –

Susan Douthit

From: Michael Mattick
Sent: Wednesday, August 01, 2007 4:22 PM
To: Susan Douthit
Subject: RE: temp transfer T-10406 - John Deck

Right. You are the second person who's said that.
Somehow I didn't see that that item, # 12, needs 2 responses, but I've got it now.

Thanks,
MM

Michael J. Mattick
District 2 Watermaster
ph 541 682-3620
fax 541 746-1861
220 5th St, Springfield, OR 97477
generally open 8:30 am until 4:00 pm
Water Resources Department Web Page: www.wrd.state.or.us

From: Susan Douthit
Sent: Wednesday, August 01, 2007 11:55 AM
To: Michael Mattick
Subject: RE: temp transfer T-10406 - John Deck

I've included the "when required by the Department" standard condition for measurement and headgates.

~S

Susan Douthit
503-986-0858

From: Michael Mattick
Sent: Tuesday, July 31, 2007 6:45 PM
To: Susan Douthit
Subject: RE: temp transfer T-10406 - John Deck

Here you go.

Sorry to make you bug me.
I don't have a problem with the transfer but the maps make little sense to me.
They have no scale
Currently, the right is adjacent to the creek. After the transfer it still will be. The current right is in Section 6.
I guess I can understand what they want to do, 12 acres in section 31 and 8 in section 6. .

I guess I am OK with the map though it could be better.

Thanks,
MM

8/6/2007

Michael J. Mattick
District 2 Watermaster
ph 541 682-3620
fax 541 746-1861
220 5th St, Springfield, OR 97477
generally open 8:30 am until 4:00 pm
Water Resources Department Web Page: www.wrd.state.or.us

From: Susan Douthit
Sent: Tuesday, July 31, 2007 6:58 AM
To: 'Michael.J.MATTICK@ wrd.state.or.us'
Subject: temp transfer T-10406 - John Deck

Hello,

Any chance you can find a little time for the Watermaster review on the Deck temporary transfer?

If you could email your comments I'd sure appreciate it.

~S

Susan Douthit
Transfer Specialist
725 Summer St. NE
Salem, OR 97301
(503)986-0858
Susan.M.Douthit@ wrd.state.or.us
www.wrd.state.or.us

8/6/2007

ORIGINALS

Transfer Application and Map

Receipt

Deed or Lot Book Report

Notarized Consent

Evidence of Use Affidavit

Land Use Information Form

Lien Holder Notification *(if applicable)*

Report of Ownership and Lien Info *(if applicable)*

&

Other Supporting Documentation

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **88072**

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: Deck Family Farm

BY: _____

CASH: ☐ CHECK: # 1029 OTHER: (IDENTIFY) ☐

APPLICATION	
PERMIT	
TRANSFER	<u>T-10406</u>

TOTAL REC'D \$ 195.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$
OTHER: (IDENTIFY) \$

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES \$
0410 RESEARCH FEES \$
0408 MISC REVENUE: (IDENTIFY) \$
TC162 DEPOSIT LIAB. (IDENTIFY) \$
0240 EXTENSION OF TIME \$

WATER RIGHTS:

0201 SURFACE WATER	\$	0202	\$
0203 GROUND WATER	\$	0204	\$
0205 TRANSFER	\$ <u>195.00</u>		

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR	\$	0219	\$
LANDOWNER'S PERMIT		0220	\$

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE	\$	CARD #	
0210 MONITORING WELLS	\$	CARD #	

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)		\$
0231 HYDRO LICENSE FEE (FW/WRD)		\$
HYDRO APPLICATION		\$

TREASURY OTHER / RDX

FUND _____ TITLE _____
OBJ. CODE _____ VENDOR # _____
DESCRIPTION _____ \$ _____

RECEIPT: **88072**

DATED: 6-11-07 BY: L. Parille



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

ATTN: Kelly Starns.

Fax: 503-986-0903.
Application for Water Right
Transfer

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "N/A" to indicate "Not Applicable." As you complete this form, please refer to notes and guidance included on the application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

1. TYPE OF TRANSFER APPLICATION

Please check one	
☐ Permanent Transfer	☐ Instream Transfer
☒ Temporary Transfer	☐ Permanent
• total number of years:	☐ Time-Limited
(begin year: <u>2007</u>)	☐ Drought Transfer
(end year: <u>2009</u>)	☐ Other

2. APPLICANT INFORMATION

Name: John Deck _____
First Last
Address: 25362 High Pass Road _____
Junciton City, OR 97448 _____
City State Zip
Phone: (541) 998-4697 _____
Home Work Other
Fax: _____ E-Mail address: jdeck88@gmail.com _____

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SALEM, OREGON

3. AGENT INFORMATION

(The agent listed is authorized to represent the applicant in all matters relating to this transfer application.)

Name: _____
First Last
Address: _____
City State Zip
Phone: _____
Home Work Other
Fax: _____ E-Mail address: _____

- If an agent is listed above, please check one of the following:
- ☐ Please send all correspondence to Agent. Send *copies* of correspondence to Applicant; or
 - ☐ Please send all correspondence to Applicant. Send *copies* of correspondence to Agent.

T 10406

4. PROPOSED CHANGE(S) TO WATER RIGHT(S)

- List **all** water rights to be affected by this transfer. Indicate the certificate, permit, decree or other identifying number(s) in the table below: *(Attach additional pages as necessary.)*

	Application / Decree	Permit / Previous Transfer	Certificate
1.	21529	16883	
2.			
3.			
4.			
5.			
6.			

- Attach a **separate Supplemental Form A** (*Description of Proposed Change(s) to a Water Right*) for **each** water right listed above.
- Check **all** proposed change(s) included in this transfer application:

☒ Place of Use ☐ Point of Diversion ☐ Additional Point of Diversion
☐ Character of Use ☐ Point of Appropriation ☐ Additional Point of Appropriation
☐ Instream Transfer ☐ Surface Water source to Ground Water source

- Reason(s) for change(s): To irrigate ground under cultivation_____

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5. WATER DELIVERY SYSTEM

- Describe the **current** water delivery system or the system that **was in place** at some time within the last 5 years. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. If the transfer involves multiple rights that have independent systems, describe each system separately.

The description must be sufficient to demonstrate that the full quantity of water to be transferred can be conveyed from the authorized source and applied at the authorized location and that the applicant is ready, willing, and able to exercise the right.

Pump at owens creek where road crosses creek.

- System capacity: 125 cubic feet per second (cfs). If the transfer involves multiple rights that have independent systems, describe the capacity for each system separately.

3 phase power and 20 hp pump. 4" Main Line
and 1 big gm sprinkler plus 25 sprinklers

T 10406

6. EVIDENCE OF BENEFICIAL WATER USE

- Blawley
Laws
Receipt
- Attach one or more **Evidence of Use Affidavits** (Supplemental Form B) demonstrating that each of the right(s) involved in the transfer have been exercised in the last five years in accordance with the terms and conditions of the right or that a presumption of forfeiture for non-use could be rebutted. The Evidence of Use Affidavit(s) **must include supporting documentation** such as the following: (see Attachment)

- ▶ Copies of receipts from sales of irrigated crops or for expenditures relating to use of water;
- ▶ Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers;
- ▶ Dated aerial photographs of the lands or other photographs containing sufficient detail to establish location and date of the photograph; *or*
- ▶ If the right has **not** been used during the past five years, documentation that the presumption of forfeiture would be rebutted under ORS 540.610(2).

7. AFFECTED DISTRICTS AND LOCAL GOVERNMENTS

- Are any of the water rights proposed for transfer located within or served by an irrigation or other water district? ☐ Yes ☒ No
- Will any of the water rights be located within or served by an irrigation or other water district after the proposed transfer? ☐ Yes ☒ No
- Is water for any of the rights supplied under a water service agreement or other contract for stored water with a federal agency or other entity? ☐ Yes ☒ No

If "Yes", for any of the above, list the name and mailing address of the district, agency and/or entity:

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SALEM, OREGON

- List the name and mailing address of all affected local governments (e.g., county, city, municipal corporation, and tribal governments within whose jurisdiction the rights are located).

Lane County

T 10406

8. LAND OWNERSHIP

- Does the applicant own the lands **FROM** which the right is being transferred? ☒ Yes ☐ No

If "No", provide the following information. For Temporary Transfers, also include a notarized statement granting consent to the transfer from each of the landowners:

Names of Current Landowner(s): _____
First Last

Address: _____

City State Zip

- Does the applicant own the lands **TO** which the right is being transferred?

☒ Yes

☐ No

☐ N/A - NOT APPLICABLE TO INSTREAM TRANSFERS

If "No", provide the following information:

Names of Receiving Landowner(s): _____
First Last

Address: _____

City State Zip

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- Check one of the following:

☐ The receiving landowner will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to this landowner.

☐ The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.

☒ N/A. (Not applicable. Application is for an Instream Water Right Transfer.)

T 10406

9. ATTACHMENTS

Check each of the following attachments included with this application.
The application will be returned if all required attachments are not included.

Supplemental Form A –

Description of Proposed Change(s) to a Water Right

- ☐ A separate Supplemental Form A is enclosed for each water right to be affected by this transfer.

Supplemental Form B –

Evidence of Use Affidavit(s)

- ☐ At least one Evidence of Use Affidavit documenting that the right has been used during the last five years or that the right is not subject to forfeiture under ORS 540.610 is attached. The affidavit provided must be the original (not a copy), and
- ☐ The Evidence of Use Affidavit must be accompanied by supporting documentation.

Map

- ☐ *Water Right Transfer*
The map must be prepared by a Certified Water Right Examiner and meet the requirements of OAR 690-380-3100 unless a waiver has been granted. The map provided must be the original, not a copy.
- ☐ *Temporary Transfer or Historical POD Change*
A map meeting the requirements of OAR 690-380-3100 must be included but need not be prepared by a Certified Water Right Examiner.

Water Well Report(s)/Well Log(s):

- ☐ The application is for a change in point of appropriation or change from surface water to ground water and copies of all water well reports are attached.
- ☐ Water well reports are not available and a description of construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed is attached.
- ☐ N/A. The application does not involve a change in point of appropriation or a change from surface water to ground water, so water well reports are not required.)

Land Use Information Form:

- ☐ Enclosed; *or*
- ☐ Not Required if all of the following are met:
- ① In EFU zone or irrigation district,
 - ② Change in place of use only,
 - ③ No structural changes needed, including diversion works, delivery facilities, other structures, *and*
 - ④ Irrigation only.

Fees:

- ☐ Amount enclosed: \$ _____
See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0900.

Instream Water Right Transfers, also include:

Supplemental Form C –

Instream Water Right Transfer

- ☐ Complete this form to describe the desired nature and attributes for the proposed instream water right.

Temporary Transfers, also include:

Recorded Deed:

- ☐ The applicant must submit a copy of the current deed of record for the land **from** which the authorized place of use or point of diversion/appropriation is being moved.

Affidavit of Consent:

- ☐ If the applicant is **NOT** the owner of record for the land **from** which the authorized place of use or point of diversion/appropriation is being moved, a notarized statement from the actual owner of record consenting to the proposed transfer must be submitted.

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SALEM, OREGON

Before submitting your application to the Department, be sure you have:

- Answered each question completely.
- Included all the required attachments.
- Provided original signatures for **all** named deed holders, or other parties, with an interest in the water right.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

10. SIGNATURES

▪ Check one of the following, as appropriate, and sign the application in the signature box below:

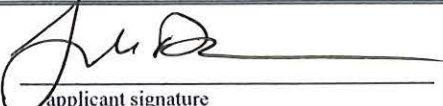
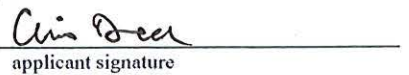
☒ In accordance with OAR 690-380-3000(13)(a), I (we) understand that prior to Department approval of a permanent transfer and upon my receipt of a draft Preliminary Determination for the proposed transfer, I (we) will be required [pursuant to OAR 690-380-4010(5)] to provide the following landownership information and evidence demonstrating that I (we) are authorized to pursue the transfer:

- (a) A report of ownership and lien information that has been prepared by a title company *within the last three months*;
- (b) A copy of written notification of the proposed transfer provided by the applicant to **all** lien holders on the subject lands unless the report of ownership and lien information shows that a water right conveyance agreement has been recorded for the subject lands. *If a water right conveyance agreement has been recorded for the subject lands, a copy of the agreement and identification of the owner of the lands at the time the agreement was recorded must be submitted; and*
- (c) If the landowner identified in the report of ownership and lien information is **not** the applicant, a notarized statement consenting to the transfer (attached) signed by the landowner identified in the report or an authorized representative of the entity to whom the interest in the water right has been conveyed as identified in a water right conveyance agreement or other documentation demonstrating that the applicant is authorized to pursue the transfer in the absence of the consent of the landowner.

☐ I (we) affirm that the applicant is a municipality, as defined in ORS 540.510(3)(b), and that the right is in the name of the municipality or a predecessor. Therefore, pursuant to OAR 690-380-3000(13)(b), the applicant is **NOT** required to provide the above described report of ownership and lien information.

☐ I (we) affirm that the applicant is an entity with the authority to condemn property and is acquiring the property to which the water right proposed for transfer is appurtenant by condemnation. Documentation is provided with this application supporting this statement. Therefore, pursuant to OAR 690-380-3000(13)(c), the applicant is **NOT** required to provide the above described report of ownership and lien information. (NOTE: Such an entity may only apply for a transfer under this subsection if it has filed a condemnation action to acquire the property.)

▪ I (we) affirm that the information contained in this application is true and accurate.

 applicant signature	Tom Deck name (print)	5/16/07 date
 applicant signature	Chris Deck name (print)	5/16/07 date

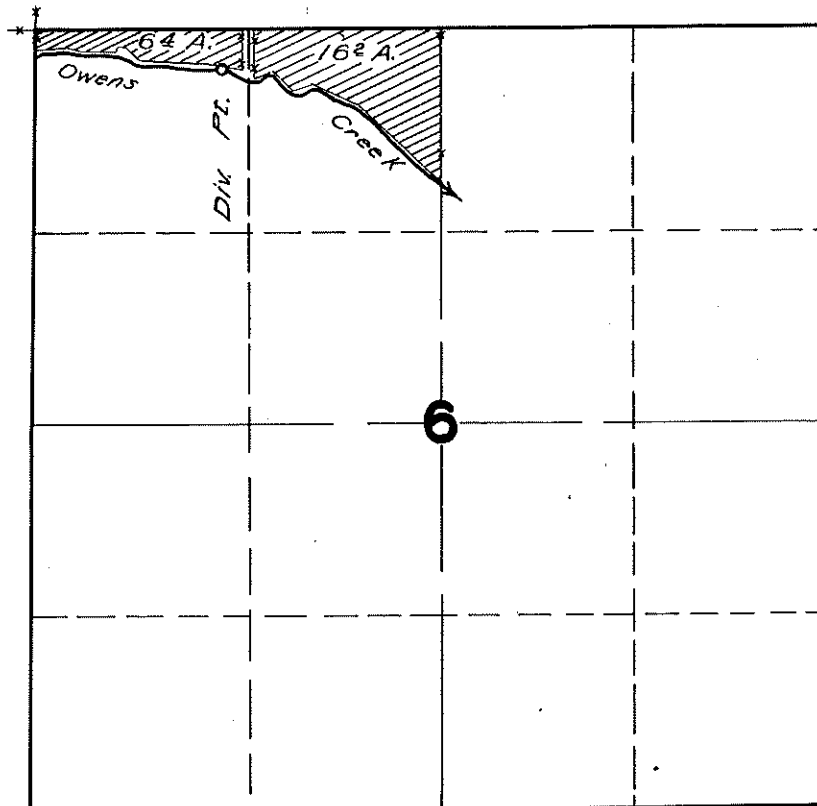
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**WATER RESOURCES DEPT
SALEM, OREGON**

T 10406

T.16S. R.5 W. W.M



FINAL PROOF SURVEY

UNDER

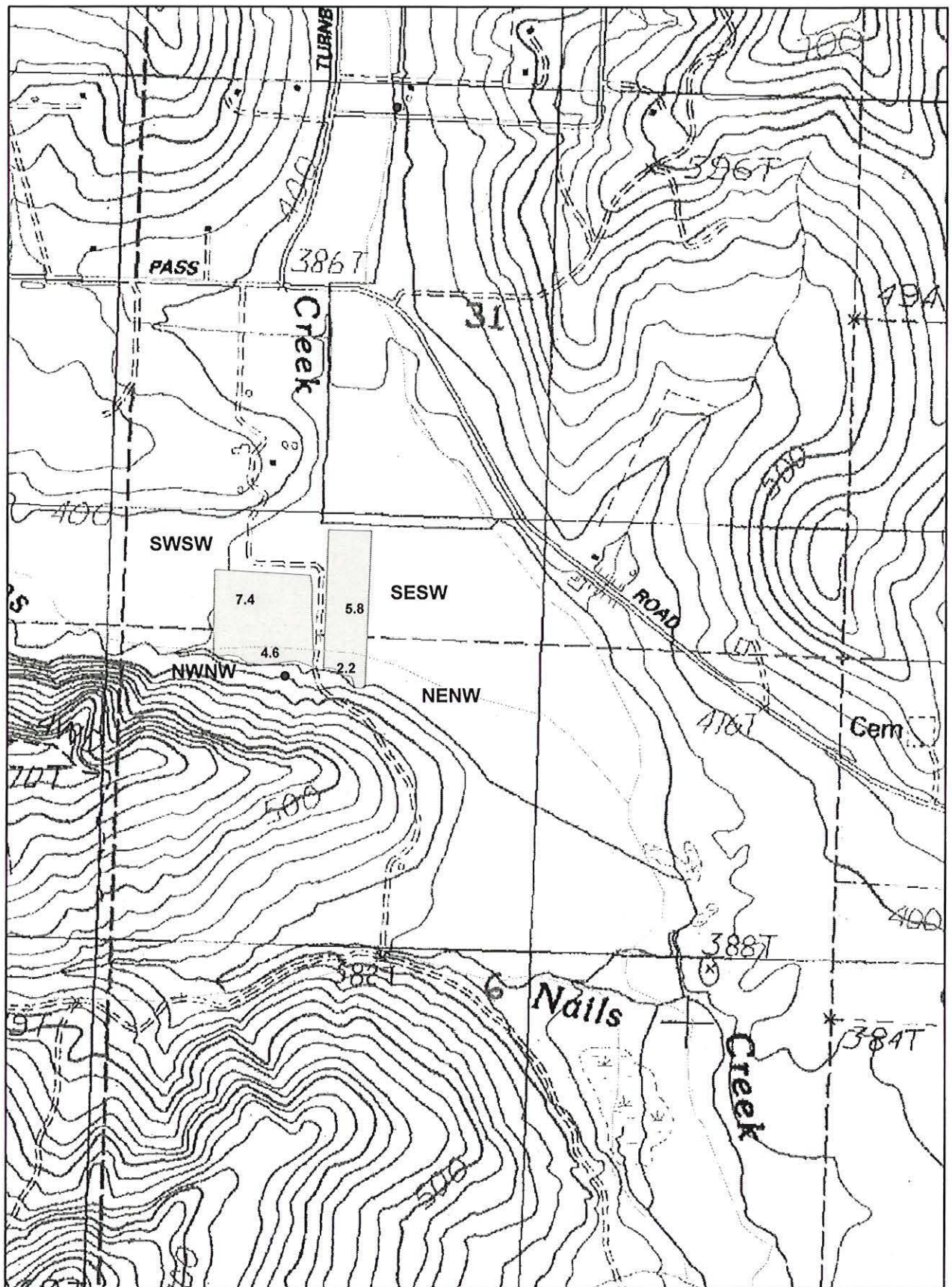
Application No. 21529... Permit No. 16883.

IN NAME OF

C. J. MAHONEY

Surveyed MAY...11, 1950, by H.L. COFFMAN

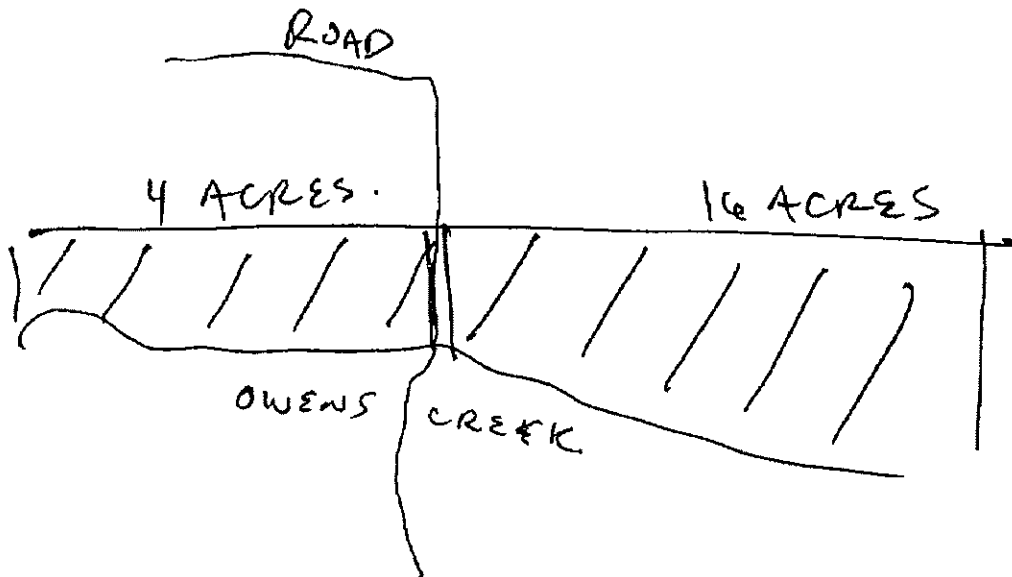
Temporary Transfer T-10406



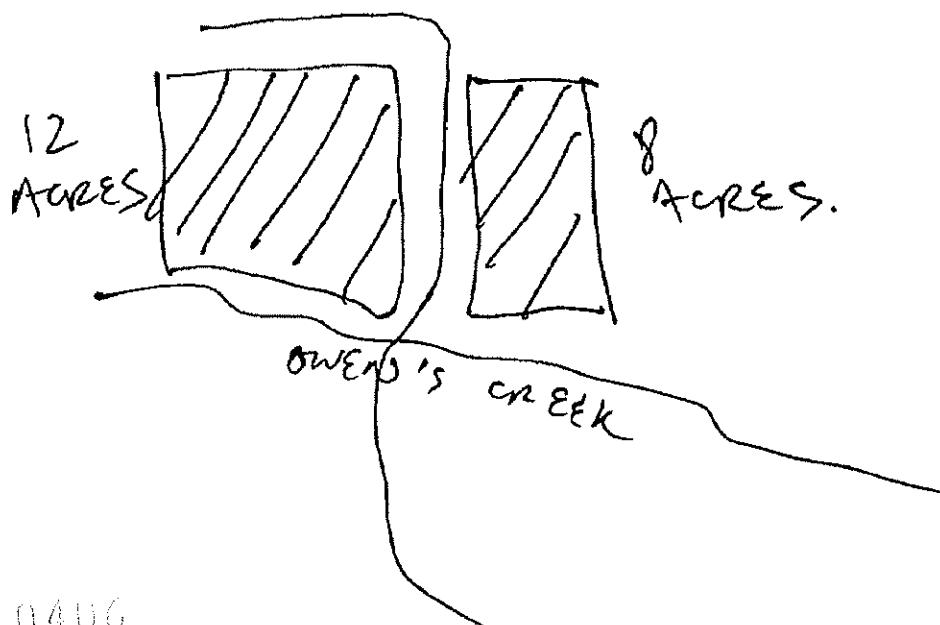
Deck Family Farm

SUPPLEMENT A

OLD WATER RIGHT.



NEW WATER RIGHT (PROPOSED)



Existing Water Right

Creek

Owens

T16S R5 S4

670T

Nails

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WATER RESOURCES DEPT
SALEM, OREGON

Temporary Water Right

2007 2009

PASS

Creek

Owens

12
ACRES

8
ACRES

T16S R3 S6

6701

Nails

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WATER RESOURCES DEPT
SALEM, OREGON

Existing Water Right

Creek

Owens

T16S R5 S6

6707

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WATER RESOURCES DEPT
SALEM, OREGON

Nails

Water Right Transfer Supplemental Form A

DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

List only one water right per page. A separate Supplemental Form A must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

▪ Certificate Number or other identifying number: Permit # 16883

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

Point of Diversion or Appropriation	Place of Use	Character of Use
☐ Change (The old point of diversion or appropriation will <u>not</u> be used for the portion of the water right affected by the transfer.) ☐ Additional (Both the old <u>and</u> new points of diversion or appropriation will be used for the portion of the water right affected by the transfer.) ☐ Historic Point of Diversion or Appropriation Change (Unauthorized point of diversion or appropriation used for more than 10 years.) ☐ Surface Water to Ground Water (A new point of appropriation will be used <u>instead of</u> the old point of diversion. The old point of diversion will <u>not</u> be used.) ☐ Point of Diversion Change due to Government Action (The old point of diversion or appropriation can no longer be used due to government action.) ☐ Exchange (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)	☐ All of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.) ☒ Only a portion of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.)	Proposed new use: ☐ Irrigation ☐ Municipal ☐ Quasi-municipal ☐ Commercial ☐ Industrial ☐ Instream (complete and attach <i>Supplemental Form C</i>) ☐ Domestic (indicate number of households) _____ ☐ Other _____ ☐ Substitution (A supplemental ground water right will be substituted for a primary surface water right.) ☐ Supplemental Use to Primary Use (Primary water right shall be cancelled and the supplemental water right will change to primary use.)

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WATER RESOURCES DEPT
SALEM, OREGON

2. CURRENT WATER RIGHT INFORMATION

Water Right Subject to Transfer (check and complete one of the following):

☒ Certificated Right	App # 21529	16883
	Certificate Number	Permit Number or Decree Name
☐ Adjudicated, Non-certificated Right	Name of Decree	Page Number
☐ Permit for which Proof has been Approved	Permit Number	Date Claim of Beneficial Use Submitted
☐ Transferred Right for which Proof has been Filed	Previous Transfer Number	Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: C J Mahoney
- County: Lane
- Authorized Use(s) to be Affected by Transfer: irrigation
- Priority Date(s): April 2, 1946

If there are multiple Priority Dates identified on the water right, any information provided on pages 3 through 6 of this form must identify which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.

- Source(s) of Water to be Affected by Transfer: Owens Cr.

Tributary to: Bear Cr.

If there are multiple Sources listed on the water right, any information provided on pages 3 through 6 of this form must identify which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.

For applications proposing a Change in Place of Use or Character of Use:

- Are there **Other Water Rights**, Permits or Ground Water Registrations associated with this land?

☐ Yes ☒ No ☐ N/A – No Change in Place of Use or Character of Use

If "Yes", what are the Permit, Registration or Certificate Numbers?

Pursuant to ORS 540.510, any "layered" water use or a right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled, except as provided in OAR 690-380-2240(5).

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WATER RESOURCES DEPT
SALEM, OREGON

▪ Certificate Number or other identifying number: _____

*The following information **must be provided only** for those points of diversion or appropriation that are involved in the transfer (i.e., list only the portion of the water right you propose to transfer.) Attach additional pages as necessary.*

*Government lot and donation land claim numbers must be included in the tables below **only** if the information is reflected on the existing water right.*

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

(i.e., the allowed point(s) of diversion or appropriation listed on the water right that will be affected by the proposed transfer, the "FROM" point(s) of diversion or appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-_____)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)

▪ Does the water right being transferred involve a ground water source(s)?

☐ Yes ☒ No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

A. *Supply a copy of the well log(s) for each point of appropriation that is **clearly labeled** and associated with the corresponding well in the table above and on the accompanying application map. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)*

or

B. *If a well log is **not** available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.*

Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no well log is available.)

Wells in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth

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SALEM, OREGON

▪ Certificate Number or other identifying number: _____

The following information must be provided only for those places of use that are involved in the transfer (i.e., list only the portion of the water right you propose to transfer.) Attach additional pages as necessary.

*Government lot and donation land claim numbers must be included in the tables below **only** if the information is reflected on the existing water right.*

Location of Existing Authorized Place of Use to be Affected:

(i.e., the allowed lands listed on the water right that will be affected by the proposed transfer, the "FROM" lands)

[illegible]

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SALEM, OREGON

▪ Certificate Number or other identifying number: _____

3. PROPOSED CHANGES TO THE WATER RIGHT

Describe proposed changes to the water right involving point(s) of diversion and/or appropriation. Survey coordinates described below should accurately correspond to the points shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Point(s) of Diversion or Appropriation:

(i.e., the "TO" point(s) of diversion or appropriation)

☐ N/A – Instream Water Right Transfer

(NOTE: Complete this table **only** if a Change in Point of Diversion or Appropriation is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
	116S	5	W	6			
	15S		W	31			

- If there are proposed point(s) of appropriation (wells) listed in the table above, are the well(s) already constructed? ☐ Yes ☐ No ☐ N/A - No proposed well(s) listed above.

If "Yes", attach and clearly label the corresponding well log(s) for each proposed well, or if well log(s) are not available, describe the construction of the well(s) using the table below. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)

If "No", describe the anticipated construction for the proposed well(s) in the following table:

Construction of Proposed Point(s) of Appropriation or Well(s)

Well numbers in this listing must be **clearly tied** to corresponding well location(s) described in the table above and shown on the accompanying application map.

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth

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▪ Certificate Number or other identifying number: _____

Describe proposed changes to the water right involving place of use. Information described below should accurately correspond to the proposed place of use shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Place of Use: (i.e., the "TO" lands) ☐ N/A – Instream Water Right Transfer

(NOTE: Complete this table only if a Change in Place of Use is being proposed.)

[illegible]

Remarks:

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WATER RESOURCES DEPT
SALEM, OREGON

Temporary Water Right

2007-2009

Creek

Owens

12
Acres

8
Acres

T. 16 S. R. 5 E. S. 6

6701

Nails

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WATER RESOURCES DEPT
SALEM, OREGON

We, Jerome & Sylvia Deck (co-owners), grant John & Christine Deck (co-owners), permission to implement a temporary transfer of water rights for the water rights located at 25362 High Pass Road, Junction City, Oregon (Application # 21529, Permit #16833). This temporary transfer commences in 2007 and will last 2 years. Transfer Application being sent to Oregon Water Resources Department in June of 2007.

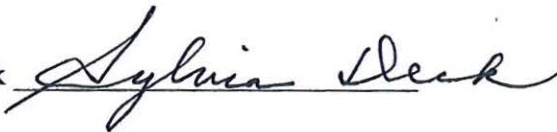
Jerome Deck



Date

06/07/2007

Sylvia Deck



Date

06/07/2007

State of California

County of Santa Cruz

Subscribed and sworn to (or affirmed) before me this

7 day of June, 2007

by Jerome & Sylvia Deck personally known to me
or proved to me on the basis of satisfactory evidence to
be the person(s) who appeared before me.

Signature of Notary



RECEIVED

JUN 21 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

Jun 06 07 08:09a

Groundwork Organics

1-541-998-1705

p.1

Blachly LaneP.O. BOX 70
Junction City, OR 97448
www.blachlylane.coopCOX GABE B
30699 MAPLE DR
JUNCTION CITY OR 97448STATEMENT DATE
09/05/2006

(541) 688-8711 • (800) 446-8418

09/20/2006

SERVICE DESCRIPTION	METER NO.	RATE	METER READINGS		METER MULTIPLIER	KILOWATT HOURS USED	CODE	
			PREVIOUS	PRESENT				
Balance From Last Billing								172.41
No Payments Received								172.41
Balance Into Billing								
Irrigation Pump	3517	53	15484	20385	29	1	4901	307.70
25362 HIGH PASS RD		Dist. #3	Jul13	Aug11				
Facilities Charge								29.00

Average KWH per Day: 169



BALANCE INTO BILLING SHOULD BE PAID BY 15TH OF MONTH.

NO PAYMENT RECEIVED SINCE LAST BILL

BEGINNING BALANCE	CHARGES	PAYMENTS	ADJUSTMENTS	
172.41	336.70	.00	.00	509.11

SOME MEMBERS MAY RECEIVE A REQUEST BY LETTER OR PHONE TO PARTICIPATE IN A SURVEY ABOUT ENERGY USAGE. THE SURVEY IS CONDUCTED BY A FIRM HIRED BY PACIFIC NORTHWEST GENERATING CO-OP (PNGC), OUR POWER SUPPLIER. THE SURVEY WILL HELP PNGC BETTER MANAGE OUR POWER NEEDS AND KEEP RATES AS LOW AS POSSIBLE. THOSE OF YOU THAT ARE POWER OF COMMUNITY MEMBERS WILL RECEIVE ANOTHER SURVEY ON RENEWABLE ENERGY.

TRIANGLE LAKE GRANGE WILL BE HOLDING A FUNDRAISER ON SEPT. 16, AT THE TRIANGLE LK PARK-HWY 36. THERE WILL BE FUN, GAMES AND A BBQ CHICKEN DINNER STARTING AT 1:00PM. PROCEEDS WILL GO TOWARD THE PURCHASE OF THE PARK CARETAKER'S RESIDENCE.

FOR \$3.00 PROMPT PAYMENT CREDIT, PAYMENT FOR THE TOTAL SHOULD BE IN THE OFFICE BY THE 20TH OF THE MONTH

Account # [REDACTED]
CURRENT BILL 336.70
31 - 60 DAYS 172.41
61 - 90 DAYS .00
OVER 90 DAYS .00

TOTAL DUE 509.11

=====

Printed on recycled paper

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JUN 11 2007

WATER RESOURCES DEPT
SALEM, OREGON

T 10406

EXHIBIT "A"

The Southwest 1/4 of Section 31, Township 15 South, Range 5 West, Willamette Meridian, in Lane County, Oregon.

ALSO: That portion of the Northwest 1/4 of Section 6, lying North of the center of Nails Creek in Township 16 South, Range 5 West, Willamette Meridian, Lane County, Oregon.

EXCEPT that portion of the Southwest 1/4 of Section 31, Township 15 South, Range 5 West, Willamette Meridian, described in deed to Lane County, recorded July 23, 1963, Reception No. 18873, Lane County Oregon Records.

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**WATER RESOURCES DEPT
SALEM, OREGON**

I 10406

WARRANTY DEED

WPT 210979

10-80932

TAX ACCT. NO. 20832/1293032 57180 MAP NO. 15-05-31-00-00700 16-05-06-00-00200

HUGH NEVEN JENSEN and LAFONA E. JENSEN, Grantor,
conveys and warrants to

JOHN B. DECK and CHRISTINE M. DECK, husband and wife and JEROME B. DECK and
SYLVIA R. DECK, husband and wife, Grantee,

the following described real property situated in LANE County, OR, free of
encumbrances except as specifically set forth herein, to-wit:

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

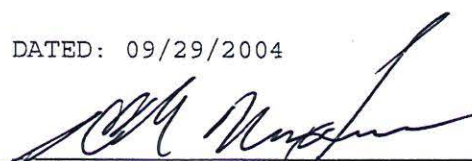
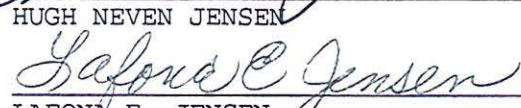
AS DISCLOSED BY THE TAX ROLL THE PREMISES HEREIN DESCRIBED HAVE BEEN
ZONED OR CLASSIFIED FOR FARM USE.

This conveyance is subject to and excepts:
RIGHTS OF THE PUBLIC IN STREETS, ROADS AND HIGHWAYS, COVENANTS, CONDITIONS,
RESTRICTIONS, RESERVATIONS, EASEMENTS OF RECORD AND 2004-2005 REAL PROPERTY
TAXES, A LIEN NOT YET PAYABLE.

The true consideration for this conveyance is \$800,000.00 PAID BY A QUALIFIED
INTERMEDIARY AS PART OF AN IRC 1031 EXCHANGE.

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 PROPERTY
SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY
APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST
PRACTICES AS DEFINED IN ORS 30.930.

DATED: 09/29/2004


HUGH NEVEN JENSEN

LAFONA E. JENSEN

Division of Chief Deputy Clerk
Lane County Deeds and Records

2004-077135



\$31.00

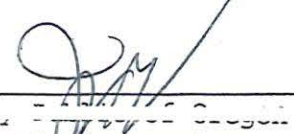
00630697200400771350020027

10/04/2004 11:24:37 AM

RPR-DEED Cnt=1 Stn=8 CASHIER 01
\$10.00 \$11.00 \$10.00

STATE OF OREGON)
) ss.
County of LANE)

This instrument was acknowledged before me on SEPTEMBER 29, 2004,
by HUGH NEVEN JENSEN and LAFONA E. JENSEN.


My commission expires: _____



Until a change is requested, all tax statements shall be sent to the following
address: John B. Deck and Christine M. Deck
25326 High Pass Road, Junction City, OR 97448

After recording return to:
Western Pioneer Title Co., P. O. Box 10146, Eugene, OR 97440

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