

T-10395

T-10395

RA

Name Cynthia A. Edwards

By _____

Address 13238 East Evans Creek RdRogue River or 97537541-582-1789Change in POD POU

Date filed _____

Date of hearing _____

Place of hearing _____

Date of order 11-28-07 Vol. 73, page 680

Date for application of water _____

Proof mailed _____

Proof received _____

Certificate issued _____ Vol. _____, page _____

CERTIFICATES ISSUED APRIL 15, 2010

86153

86154

86155

86156

86157

83538
83539
83540
83541
83542

REMARKS

DESCRIPTION OF WATER RIGHT

Name of stream Mays Creek Evans CRTrib. of Evans CR, Rogue County of JacksonUse IR DO LV

Quantity of water _____ No. of acres _____

Name of ditch _____

Date of priority 1901, 1947, 1917, 1923, 1956In name of Paul, Cytha, Dick & Streets Bagley + Saunders, David BlairRogue River Adjudication, Vol. _____, page _____

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

Certificate cancelled _____

Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>5/29/07</u>	<u>\$25.00</u>	<u>87797</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

App	Permit	Cert
		51335-
S22312		50143-
S5457	S3312	43986
S9287	S6124	43985
S31240	S24619	24152-

NOID/CWRE: Joseph Strahl #222Jackson County 10 South Oakdale, RM 100 Medford OR 97501Public Notice: 6/5/07Contractor: Newton/EnviroLogicContact: Superior Water Right Consulting 245 GlenOak Lane Grants Pass, OR 97526541-761-1057 541-479-9866

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **87797**

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

INVOICE # _____

RECEIVED FROM: Martin Usiak

BY: _____

CASH: ☐ CHECK:# 1125 OTHER: (IDENTIFY) ☐

APPLICATION

PERMIT

TRANSFER T-10395

TOTAL REC'D \$ 825.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 47119

1108 OTHER: (IDENTIFY) Reimbursement

\$ _____

\$ 125.00

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

0203 GROUND WATER

0205 TRANSFER

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR

LANDOWNER'S PERMIT

OTHER (IDENTIFY) _____

EXAM FEE

\$ _____

\$ _____

\$ 700.00

EXAM FEE

\$ _____

RECORD FEE

\$ _____

\$ _____

LICENSE FEE

\$ _____

\$ _____

**RECEIVED
OVER THE COUNTER**

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE

0210 MONITORING WELLS

OTHER (IDENTIFY) _____

\$ _____

\$ _____

CARD # _____

CARD # _____

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: **87797**

DATED: 5/29/07

BY: L. Pasell

STATE OF OREGON
COUNTY OF JACKSON
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CYNTHIA A. EDWARDS
13238 EAST EVANS CREEK RD
ROGUE RIVER, OR 97537

confirms the right to use the waters of MAY CREEK, tributary to EVANS CREEK for IRRIGATION of 0.8 ACRE.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Jackson County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 4, at Page 1. The date of priority is 1901.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.014 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	Measured Distances
35 S	3 W	WM	5	NE SW	PORTABLE PUMP MOVED WITHIN THE REACH BETWEEN A POINT 85 FEET SOUTH AND 2260 FEET EAST, AND A POINT 480 FEET SOUTH AND 2015 FEET EAST, BOTH FROM THE W1/4 CORNER, SECTION 5

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

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	NW NW	0.2
35 S	3 W	WM	5	SE NW	0.6

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

The quantity of water diverted at the new reach within which a portable pump diverts water, shall not exceed the quantity of water lawfully available at the original point of diversion.

Diversion of water under this right is limited to availability of water at the original diversion point on May Creek being:

TwP	Rng	Mer	Sec	Q-Q	Measured Distances
34 S	3 W	WM	32	SE NW	35 FEET NORTH AND 1675 FEET EAST FROM THE W1/4 CORNER, SECTION 32

When May Creek goes dry, irrigation will end under this right, even if there is still water in Evans Creek.

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.

The water user shall maintain and operate the in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted, as required by the Department.

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered NOVEMBER 28, 2007, at Special Order Volume 73, Page 680, approving Transfer Application 10395, and together with Certificate 83542, supersedes Certificate 51335, State record of Water Right Certificates.

This right is subject to all other conditions or limitations contained in said decree.

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 APR 15 2010



Dwight W. French
Administrator Water Rights and Adjudications, for
Phillip C. Ward, Director
Oregon Water Resources Department

Mailing List for Transfer Certificate

Mailing Date:

Application: T-10395

Certificate: 86157

Certificate Holder:

CYNTHIA A. EDWARDS ✓
13238 EAST EVANS CREEK RD
ROGUE RIVER, OR 97537

by: Copies

Mailed

Connie Oase
(STAFF)

on:

APR 15 2010

(DATE)

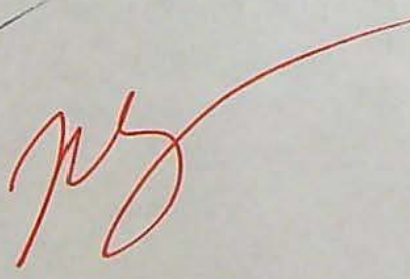
Copies of Final Certificate to be sent to:

1. Watermaster District #13 (Include Map) ✓
2. Data Center (include copy of map) ✓
3. Water Availability ✓
4. Vault ✓
5. File ✓

Other persons to receive copies: (include map):

1. Joseph Strahl, CWRE ✓
2. Norm Daft, Applicant's Representative ✓

Record Marking(s):

1. Original Application(s) NA
 2. Old Certificate# 51335
 3. Decree- Volume 4, Page 1
- 

STATE OF OREGON
COUNTY OF JACKSON
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CYNTHIA A. EDWARDS
13238 EAST EVANS CREEK RD
ROGUE RIVER, OR 97537

confirms the right to use the waters of MAY CREEK, tributary to EVANS CREEK for IRRIGATION of 3.6 ACRES.

This right was perfected under Permit S-17593. The date of priority is MARCH 6, 1947. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.045 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	Measured Distances
35 S	3 W	WM	5	NE SW	PORTABLE PUMP MOVED WITHIN THE REACH BETWEEN A POINT 85 FEET SOUTH AND 2260 FEET EAST, AND A POINT 480 FEET SOUTH AND 2015 FEET EAST, BOTH FROM THE W1/4 CORNER, SECTION 5

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 4.5 acre-feet per acre for each acre irrigated during the irrigation season from April 2 to October 31 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 to which this right is appurtenant is as follows:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	SE NW	3.3
35 S	3 W	WM	5	NE SW	0.3

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

The quantity of water diverted at the new reach within which a portable pump diverts water, shall not exceed the quantity of water lawfully available at the original point of diversion.

Diversion of water under this right is limited to availability of water at the original diversion point on May Creek being:

TwP	Rng	Mer	Sec	Q-Q	Measured Distances
34 S	3 W	WM	32	SE NW	35 FEET NORTH AND 1675 FEET EAST FROM THE W1/4 CORNER, SECTION 32

When May Creek goes dry, irrigation will end under this right, even if there is still water in Evans Creek.

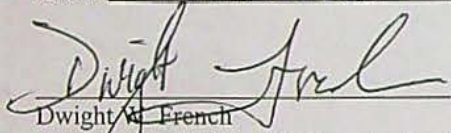
The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.

The water user shall maintain and operate the in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted, as required by the Department.

This certificate is issued to confirm a change in POINT OF DIVERSION AND PLACE FOF USE approved by an order of the Water Resources Director entered NOVEMBER 28, 2007, at Special Order Volume 73, Page 680, approving Transfer Application 10395, and together with Certificate 83541, supersedes Certificate 50143, 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 and is subject to the existing minimum flow policies established by the Water Policy Review Board.

Issued APR 15 2010



Dwight W. French
Administrator Water Rights and Adjudications, for
Phillip C. Ward, Director
Oregon Water Resources Department

Mailing List for Transfer Certificate

Application: T-10395

Certificate: 86153

Certificate Holder:

CYNTHIA A. EDWARDS ✓
13238 EAST EVANS CREEK RD
ROGUE RIVER, OR 97537

by: Copies

Mailed

Connie Dase
(STAFF)

on:

APR 15 2010

(DATE)

Copies of Final Certificate to be sent to:

1. Watermaster District #13 (Include Map) ✓
2. Data Center (include copy of map) ✓
3. Water Availability ✓
4. Vault ✓
5. File ✓

Other persons to receive copies: (include map):

1. Joseph Strahl, CWRE ✓
2. Norm Daft, Applicant's Representative ✓

Record Marking(s):

1. Original Application(s) S-22312 ✓
2. Old Certificate# 50143 ✓

STATE OF OREGON
COUNTY OF JACKSON
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CYNTHIA A. EDWARDS
13238 EAST EVANS CREEK RD
ROGUE RIVER, OR 97537

confirms the right to use the waters of MAY CREEK, tributary to EVANS CREEK, for SUPPLEMENTAL IRRIGATION of 7.2 ACRES.

This right was perfected under Permit S-24619. The date of priority is DECEMBER 4, 1956. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.09 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	Measured Distances
35 S	3 W	WM	5	NE SW	PORTABLE PUMP MOVED WITHIN THE REACH BETWEEN A POINT 85 FEET SOUTH AND 2260 FEET EAST, AND A POINT 480 FEET SOUTH AND 2015 FEET EAST, BOTH FROM THE W1/4 CORNER, SECTION 5

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 4.5 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 to which this right is appurtenant is as follows:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	SW NW	1.2
35 S	3 W	WM	5	SE NW	6.0

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

The quantity of water diverted at the new reach within which a portable pump diverts water, shall not exceed the quantity of water lawfully available at the original point of diversion.

Diversion of water under this right is limited to availability of water at the original diversion point on May Creek being:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
34 S	3 W	WM	32	SE NW	35 FEET NORTH AND 1675 FEET EAST FROM W1/4 CORNER, SECTION 32

When May Creek goes dry, irrigation will end under this right, even if there is still water in Evans Creek.

The water user shall maintain and operate fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.

The water user shall maintain and operate the in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted, as required by the Department.

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered NOVEMBER 28, 2007, at Special Order Volume 73, Page 680, approving Transfer Application 10395, and together with Certificate 83538, supersedes Certificate 24152, 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 APR 15 2010



Dwight W. French
Administrator Water Rights and Adjudications, for
Phillip C. Ward, Director
Oregon Water Resources Department

Mailing List for Transfer Certificate

Mailing Date:

Copies
Mailed

Application: T-10395

Certificate: 86154

By: *Corinne Vance*

Certificate Holder:

On: APR 15 2010

CYNTHIA A. EDWARDS ✓
13238 EAST EVANS CREEK RD
ROGUE RIVER, OR 97537

Copies of Final Certificate to be sent to:

1. Watermaster District #13 (Include Map) ✓
2. Data Center (include copy of map) ✓
3. Water Availability ✓
4. Vault ✓
5. File

Other persons to receive copies: (include map):

1. Joseph Strahl, CWRE ✓
2. Norm Daft, Applicant's Representative ✓

Record Marking(s):

1. Original Application(s) S-31240 ✓
2. Old Certificate# 24152 ✓

STATE OF OREGON
COUNTY OF JACKSON
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CYNTHIA A. EDWARDS
13238 EAST EVANS CREEK RD
ROGUE RIVER, OR 97537

confirms the right to use the waters of EVANS CREEK, tributary to ROGUE RIVER for IRRIGATION of 7.2 ACRES.

This right was perfected under Permit S-6124. The date of priority is DECEMBER 1, 1923. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.09 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	Measured Distances
35 S	3 W	WM	5	NE SW	PORTABLE PUMP MOVED WITHIN THE REACH BETWEEN A POINT 85 FEET SOUTH AND 2260 FEET EAST, AND A POINT 480 FEET SOUTH AND 2015 FEET EAST, BOTH FROM THE W 1/4 CORNER, SECTION 5

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 per acre and 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	Acres
35 S	3 W	WM	5	SW NW	1.2
35 S	3 W	WM	5	SE NW	6.0

The quantity of water diverted at the new reach within which a portable pump diverts water, shall not exceed the quantity of water lawfully available at the original point of diversion located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
35 S	3 W	WM	5	SE NW	650 FEET NORTH AND 2610 FEET EAST FROM THE W 1/4 CORNER OF SECTION 5

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

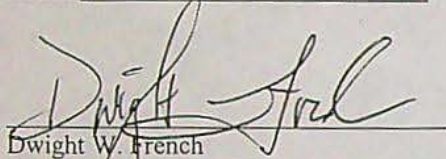
The water user shall maintain and operate fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.

The water user shall maintain and operate the in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted, as required by the Department.

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered NOVEMBER 28, 2007, at Special Order Volume 73, Page 680, approving Transfer Application 10395, and together with Certificate 83539, supersedes Certificate 43985, 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 and is subject to the existing minimum flow policies established by the Water Policy Review Board.

Issued APR 15 2010.



Dwight W. French
Administrator Water Rights and Adjudications, for
Phillip C. Ward, Director
Oregon Water Resources Department

Mailing List for Transfer Certificate

Mailing Date:

Application: T-10395

Certificate: 86155

Certificate Holder:

CYNTHIA A. EDWARDS ✓
13238 EAST EVANS CREEK RD
ROGUE RIVER, OR 97537

by: Copies

Mailed

Connie Davis
(STAFF)

on:

4/15/2010

(DATE)

Copies of Final Certificate to be sent to:

1. Watermaster District #13 (Include Map) ✓
2. Data Center (include copy of map) ✓
3. Water Availability ✓
4. Vault ✓
5. File ✓

Other persons to receive copies: (include map):

1. Joseph Strahl, CWRE ✓
2. Norm Daft, Applicant's Representative ✓

Record Marking(s):

1. Original Application(s) S-9287 ✓
2. Old Certificate# 43985 ✓

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CYNTHIA A. EDWARDS
13238 EAST EVANS CREEK RD
ROGUE RIVER, OR 97537

confirms the right to use the waters of EVANS CREEK, tributary to ROGUE RIVER for IRRIGATION of 3.6 ACRES.

This right was perfected under Permit S-3312. The date of priority is MARCH 27, 1917. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.045 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:

Tw p	Rng	Mer	Sec	Q-Q	Measured Distances
35 S	3 W	WM	5	NE SW	PORTABLE PUMP MOVED WITHIN THE REACH BETWEEN A POINT 85 FEET SOUTH AND 2260 FEET EAST, AND A POINT 480 FEET SOUTH AND 2015 FEET EAST, BOTH FROM THE W1/4 CORNER, SECTION 5

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 per acre and 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	Acres
35 S	3 W	WM	5	SW NW	3.6

The quantity of water diverted at the new reach within which a portable pump diverts water, shall not exceed the quantity of water lawfully available at the original point of diversion located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
35 S	3 W	WM	5	SE NW	650 FEET NORTH AND 2610 FEET EAST FROM THE W 1/4 CORNER OF SECTION 5

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

The water user shall maintain and operate fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.

The water user shall maintain and operate the in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted, as required by the Department.

This certificate is issued to confirm a change in POINT OF DIVERSION AND PLACE FOF USE approved by an order of the Water Resources Director entered NOVEMBER 28, 2007, at Special Order Volume 73, Page 680, approving Transfer Application 10395, and together with Certificate 83540, supersedes Certificate 43986, 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 and is subject to the existing minimum flow policies established by the Water Policy Review Board.

Issued APR 15 2010.



Dwight W. French
Administrator Water Rights and Adjudications, for
Phillip C. Ward, Director
Oregon Water Resources Department

Mailing List for Transfer Certificate

Mailing Date:

Application: T-10395

Certificate: 86156

Certificate Holder:

CYNTHIA A. EDWARDS ✓
13238 EAST EVANS CREEK RD
ROGUE RIVER, OR 97537

by: Copies

Mailed

Connie Dance
(STAFF)

on: APR 15 2010

(DATE)

Copies of Final Certificate to be sent to:

1. Watermaster District #13 (Include Map) ✓
2. Data Center (include copy of map) ✓
3. Water Availability ✓
4. Vault ✓
5. File ✓

Other persons to receive copies: (include map):

1. Joseph Strahl, CWRE ✓
2. Norm Daft, Applicant's Representative ✓

Record Marking(s):

1. Original Application(s) S-5457 ✓
2. Old Certificate# 43986 ✓



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

APRIL 15, 2010

NOTICE OF CERTIFICATE ISSUANCE

Attached are certificates that confirm the water rights established under the terms of a transfer order issued by this department.

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within **60 days of the mailing date stated above** as specified by ORS 183.484(2).

This statement of judicial review rights is required under ORS 536.075; it does not alter or add to existing review rights or create review rights that are not otherwise provided by law.

The water must be controlled and not wasted. To change the location of the point of diversion, the character of use, or the location of use requires the advance approval of the Water Resources Director.

If you have any questions please contact Gerry Clark at 503-986-0811.

STATE OF OREGON
COUNTY OF JACKSON
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CYNTHIA A. EDWARDS
13238 EAST EVANS CREEK RD
ROGUE RIVER, OR 97537

confirms the right to use the waters of MAY CREEK, tributary to EVANS CREEK for IRRIGATION of 3.6 ACRES.

This right was perfected under Permit S-17593. The date of priority is MARCH 6, 1947. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.045 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	Measured Distances
35 S	3 W	WM	5	NE SW	PORTABLE PUMP MOVED WITHIN THE REACH BETWEEN A POINT 85 FEET SOUTH AND 2260 FEET EAST, AND A POINT 480 FEET SOUTH AND 2015 FEET EAST, BOTH FROM THE W1/4 CORNER, SECTION 5

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 4.5 acre-feet per acre for each acre irrigated during the irrigation season from April 2 to October 31 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 to which this right is appurtenant is as follows:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	SE NW	3.3
35 S	3 W	WM	5	NE SW	0.3

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

86153

The quantity of water diverted at the new reach within which a portable pump diverts water, shall not exceed the quantity of water lawfully available at the original point of diversion.

Diversion of water under this right is limited to availability of water at the original diversion point on May Creek being:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
34 S	3 W	WM	32	SE NW	35 FEET NORTH AND 1675 FEET EAST FROM THE W1/4 CORNER, SECTION 32

When May Creek goes dry, irrigation will end under this right, even if there is still water in Evans Creek.

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.

The water user shall maintain and operate the in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted, as required by the Department.

This certificate is issued to confirm a change in POINT OF DIVERSION AND PLACE FOF USE approved by an order of the Water Resources Director entered NOVEMBER 28, 2007, at Special Order Volume 73, Page 680, approving Transfer Application 10395, and together with Certificate 83541, supersedes Certificate 50143, 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 and is subject to the existing minimum flow policies established by the Water Policy Review Board.

Issued _____

PROPOSED

Phillip C. Ward, Director

Recorded in State Record of Water Right Certificates Number *****.

STATE OF OREGON
COUNTY OF JACKSON
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CYNTHIA A. EDWARDS
13238 EAST EVANS CREEK RD
ROGUE RIVER, OR 97537

confirms the right to use the waters of MAY CREEK, tributary to EVANS CREEK, for SUPPLEMENTAL IRRIGATION of 7.2 ACRES.

This right was perfected under Permit S-24619. The date of priority is DECEMBER 4, 1956. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.09 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	Measured Distances
35 S	3 W	WM	5	NE SW	PORTABLE PUMP MOVED WITHIN THE REACH BETWEEN A POINT 85 FEET SOUTH AND 2260 FEET EAST, AND A POINT 480 FEET SOUTH AND 2015 FEET EAST, BOTH FROM THE W1/4 CORNER, SECTION 5

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 4.5 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 to which this right is appurtenant is as follows:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	SW NW	1.2
35 S	3 W	WM	5	SE NW	6.0

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified in ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either petition for judicial review or demand 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.

PROPOSED

The quantity of water diverted at the new reach within which a portable pump diverts water, shall not exceed the quantity of water lawfully available at the original point of diversion.

Diversion of water under this right is limited to availability of water at the original diversion point on May Creek being:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
34 S	3 W	WM	32	SE NW	35 FEET NORTH AND 1675 FEET EAST FROM W1/4 CORNER, SECTION 32

When May Creek goes dry, irrigation will end under this right, even if there is still water in Evans Creek.

The water user shall maintain and operate fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.

The water user shall maintain and operate the in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted, as required by the Department.

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered NOVEMBER 28, 2007, at Special Order Volume 73, Page 680, approving Transfer Application 10395, and together with Certificate 83538, supersedes Certificate 24152, 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 _____

PROPOSED

Phillip C. Ward, Director

Recorded in State Record of Water Right Certificates Number *****.

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CYNTHIA A. EDWARDS
 13238 EAST EVANS CREEK RD
 ROGUE RIVER, OR 97537

confirms the right to use the waters of EVANS CREEK, tributary to ROGUE RIVER for IRRIGATION of 7.2 ACRES.

This right was perfected under Permit S-6124. The date of priority is DECEMBER 1, 1923. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.09 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	Measured Distances
35 S	3 W	WM	5	NE SW	PORTABLE PUMP MOVED WITHIN THE REACH BETWEEN A POINT 85 FEET SOUTH AND 2260 FEET EAST, AND A POINT 480 FEET SOUTH AND 2015 FEET EAST, BOTH FROM THE W 1/4 CORNER, SECTION 5

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 per acre and 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	Acres
35 S	3 W	WM	5	SW NW	1.2
35 S	3 W	WM	5	SE NW	6.0

The quantity of water diverted at the new reach within which a portable pump diverts water, shall not exceed the quantity of water lawfully available at the original point of diversion located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
35 S	3 W	WM	5	SE NW	650 FEET NORTH AND 2610 FEET EAST FROM THE W 1/4 CORNER OF SECTION 5

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

The water user shall maintain and operate fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.

The water user shall maintain and operate the in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted, as required by the Department.

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered NOVEMBER 28, 2007, at Special Order Volume 73, Page 680, approving Transfer Application 10395, and together with Certificate 83539, supersedes Certificate 43985, 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 and is subject to the existing minimum flow policies established by the Water Policy Review Board.

Issued _____

PROPOSED

Phillip C. Ward, Director

Recorded in State Record of Water Right Certificates Number *****.

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CYNTHIA A. EDWARDS
13238 EAST EVANS CREEK RD
ROGUE RIVER, OR 97537

confirms the right to use the waters of EVANS CREEK, tributary to ROGUE RIVER for IRRIGATION of 3.6 ACRES.

This right was perfected under Permit S-3312. The date of priority is MARCH 27, 1917. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.045 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:

Tw P	Rng	Mer	Sec	Q-Q	Measured Distances
35 S	3 W	WM	5	NE SW	PORTABLE PUMP MOVED WITHIN THE REACH BETWEEN A POINT 85 FEET SOUTH AND 2260 FEET EAST, AND A POINT 480 FEET SOUTH AND 2015 FEET EAST, BOTH FROM THE W 1/4 CORNER, SECTION 5

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 per acre and 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	Acres
35 S	3 W	WM	5	SW NW	3.6

The quantity of water diverted at the new reach within which a portable pump diverts water, shall not exceed the quantity of water lawfully available at the original point of diversion located as follows:

TwP	Rng	Mer	Sec	Q-Q	Measured Distances
35 S	3 W	WM	5	SE NW	650 FEET NORTH AND 2610 FEET EAST FROM THE W 1/4 CORNER OF SECTION 5

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

86156

The water user shall maintain and operate fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.

The water user shall maintain and operate the in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted, as required by the Department.

This certificate is issued to confirm a change in POINT OF DIVERSION AND PLACE FOF USE approved by an order of the Water Resources Director entered NOVEMBER 28, 2007, at Special Order Volume 73, Page 680, approving Transfer Application 10395, and together with Certificate 83540, supersedes Certificate 43986, 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 and is subject to the existing minimum flow policies established by the Water Policy Review Board.

Issued _____

PROPOSED

Phillip C. Ward, Director

Recorded in State Record of Water Right Certificates Number *****.

STATE OF OREGON
COUNTY OF JACKSON
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CYNTHIA A. EDWARDS
13238 EAST EVANS CREEK RD
ROGUE RIVER, OR 97537

confirms the right to use the waters of MAY CREEK, tributary to EVANS CREEK for IRRIGATION of 0.8 ACRE.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Jackson County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 4, at Page 1. The date of priority is 1901.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.014 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	Measured Distances
35 S	3 W	WM	5	NE SW	PORTABLE PUMP MOVED WITHIN THE REACH BETWEEN A POINT 85 FEET SOUTH AND 2260 FEET EAST, AND A POINT 480 FEET SOUTH AND 2015 FEET EAST, BOTH FROM THE W1/4 CORNER, SECTION 5

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

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	NW NW	0.2
35 S	3 W	WM	5	SE NW	0.6

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified in 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.

The quantity of water diverted at the new reach within which a portable pump diverts water, shall not exceed the quantity of water lawfully available at the original point of diversion.

Diversion of water under this right is limited to availability of water at the original diversion point on May Creek being:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
34 S	3 W	WM	32	SE NW	35 FEET NORTH AND 1675 FEET EAST FROM THE W1/4 CORNER, SECTION 32

When May Creek goes dry, irrigation will end under this right, even if there is still water in Evans Creek.

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.

The water user shall maintain and operate the in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted, as required by the Department.

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered NOVEMBER 28, 2007, at Special Order Volume 73, Page 680, approving Transfer Application 10395, and together with Certificate 83542, supersedes Certificate 51335, State record of Water Right Certificates.

This right is subject to all other conditions or limitations contained in said decree.

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

PROPOSED

Phillip C. Ward, Director

Recorded in State Record of Water Right Certificates Number *****.

T-10395-cf-51335.ra

Mailing List for Transfer Certificate

Mailing Date:

Application: T-10395

Certificate:

Certificate Holder:

CYNTHIA A. EDWARDS ✓
13238 EAST EVANS CREEK RD
ROGUE RIVER, OR 97537

by: Copies
Mailed

Connie Davis
(STAFF)

on:

E3 JAN 22 2010

(DATE)

Copies of Final Certificate to be sent to:

1. Watermaster District #13 (Include Map) ✓
2. Data Center (include copy of map)
3. Water Availability
4. Vault
5. File ✓

Other persons to receive copies: (include map):

1. Joseph Strahl, CWRE ✓
2. Norm Daft, Applicant's Representative ✓

Record Marking(s):

1. Original Application(s) NA
2. Old Certificate# 51335
3. Decree- Volume 4, Page 1

T 51335 c.a.

Mailing List for Transfer Certificate

Mailing Date:

Application: T-10395

Certificate:

Certificate Holder:

CYNTHIA A. EDWARDS ✓
13238 EAST EVANS CREEK RD
ROGUE RIVER, OR 97537

by: Copies
Mailed

(STAFF)

on:

Connie Vance

JAN 22 2010

(DATE)

Copies of Final Certificate to be sent to:

1. Watermaster District #13 (Include Map) ✓
2. Data Center (include copy of map)
3. Water Availability
4. Vault
5. File ✓

Other persons to receive copies: (include map):

1. Joseph Strahl, CWRE ✓
2. Norm Daft, Applicant's Representative ✓

Record Marking(s):

1. Original Application(s) S-5457
2. Old Certificate# 43986

4 3986 c.a.

Mailing List for Transfer Certificate

Mailing Date:

Application: T-10395

Certificate:

Certificate Holder:

CYNTHIA A. EDWARDS ✓
13238 EAST EVANS CREEK RD
ROGUE RIVER, OR 97537

by: Copies
Mailed

(STAFF)

on:

Connie Jones

JAN 22 2010

(DATE)

Copies of Final Certificate to be sent to:

1. Watermaster District #13 (Include Map) ✓
2. Data Center (include copy of map)
3. Water Availability
4. Vault
5. File ✓

Other persons to receive copies: (include map):

1. Joseph Strahl, CWRE ✓
2. Norm Daft, Applicant's Representative ✓

Record Marking(s):

1. Original Application(s) S-9287
2. Old Certificate# 43985

ant
43985 s.a.

Mailing List for Transfer Certificate

Mailing Date:

Application: T-10395

Certificate:

Certificate Holder:

CYNTHIA A. EDWARDS ✓
13238 EAST EVANS CREEK RD
ROGUE RIVER, OR 97537

by: Copies
Mailed

(STAFF)

on:

Connie Vance

JAN 22 2010

(DATE)

Copies of Final Certificate to be sent to:

1. Watermaster District #13 (Include Map) ✓
2. Data Center (include copy of map)
3. Water Availability
4. Vault
5. File ✓

Other persons to receive copies: (include map):

1. Joseph Strahl, CWRE
2. Norm Daft, Applicant's Representative

Record Marking(s):

1. Original Application(s) S-31240
2. Old Certificate# 24152

Cert 24152

Mailing List for Transfer Certificate

Mailing Date:

Application: T-10395

Certificate:

Certificate Holder:

CYNTHIA A. EDWARDS
13238 EAST EVANS CREEK RD
ROGUE RIVER, OR 97537

by: Copies
Mailed

Cornie Vance
(STAFF)

on:
JAN 22 2010

(DATE)

Copies of Final Certificate to be sent to:

1. Watermaster District #13 (Include Map) ✓
2. Data Center (include copy of map)
3. Water Availability
4. Vault
5. File ✓

Other persons to receive copies: (include map):

1. Joseph Strahl, CWRE ✓
2. Norm Daft, Applicant's Representative ✓

Record Marking(s):

1. Original Application(s) S-22312
2. Old Certificate# 50143

Cert 50143



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

DATE MAILED: JAN 22 2010

NOTICE

RE: Transfer 10395

Enclosed are proposed certificates of water rights and maps which illustrate the location of the rights. The proposed certificates represent the extent water was used within the terms of an order approving the transfer based upon a Claim of Beneficial Use prepared by your Certified Water Right Examiner.

If you do not agree with the proposed certificates, Oregon Administrative Rule 690-015-0125 allows the transferee or landowner 60 days from the mailing date of this notice to request the Department to reconsider the contents of the proposed certificate.

If you agree with the proposed certificates and wish to have the certificates issued before the 60 day period described above expires, please notify the Department by letter, fax or e-mail. If you do not contact the Department, sometime after the 60 day period has expired, the recorded certificates of water right will be mailed to the transfer holder.

If you have any questions please contact Gerry Clark at 503-986-0811.

Sincerely,

Dwight French
Administrator
Water Rights and Adjudication Section

Final Deliverables Cover Sheet for Certificates

Application #: T-10395 Permit #: _____

Project Name: Cynthia Edwards

The following items are enclosed:

- ☒ The completed Reimbursement Authority COBU Checklist including the conflict check printout;
- ☒ If applicable, a copy of any letter requesting additional/missing information;
- ☒ Marked up copy of permit or transfer final order identifying the extent of development and any notes documenting your determination regarding the extent of beneficial use;
- ☒ The completed proposed certificate and mailing list;
- ☒ In addition to the paper copies listed above, provide an electronic copy* of:
 - ☒ Proposed certificate and mailing list;
 - ☒ Letter requesting additional information.

***NOTE:**

- WRD will only accept electronic copies in the following programs:
- a. WordPerfect, or
 - b. MS Word - "rich text" format only

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AUG 07 2009

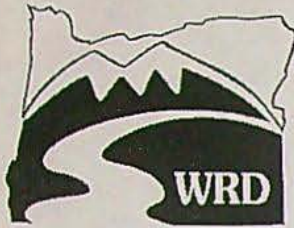
**WATER RESOURCES DEPT
SALEM, OREGON**

Signature of Contractor: *Cynthia Edwards* Date: 8/6/09

For WRD use only:

WRD approval by: _____ Date: _____

Reimbursement Authority COBU Checklist (CWRE) — Post June 30, 2004 Claims



Application # _____

Permit # _____

Transfer # 10395

Contractor's Name Pacific Hydro-Geology Inc.

This purpose of this checklist is to document the extent the completeness of the referenced file. This worksheet represents the review performed by a contractor. OWRD staff will perform a review and make a recommendation to the Director concerning the extent of beneficial use if any.

Review Results:

- _____ My review indicates that the use has been developed to the full extent as described in the permit or transfer order.
- X_____ My review indicates that the use has not been developed to the full extent as described in the permit or transfer order and I would recommend the following limitations:
Acreage perfected under C51335 is 0.2 acres less than authorized by order. Proposed certificate reflects the reduction in acreage and corresponding reduction in rate.
- X_____ A copy of the marked up permit or transfer final order identifying the extent of development and any notes documenting the determination regarding the extent of beneficial use.
- X_____ My review indicates that the use has not been developed as described in the permit or transfer order for the following reasons: *See notes, above.*

Proposed Actions:

Send letter recommending extension to cure deficiencies (attach draft copy of letter to this document in addition to an electronic copy submitted to WRD): *See accompanying request-for-info letter.*

Other: Applicant has GEN

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AUG 07 2009

WATER RESOURCES DEPT
SALEM, OREGON

Map Review:

- ☒ Map on mylar/polyester film (OAR 690-014-0170(1) & 310-0050(1)(b))
- ☒ Application & permit #; or transfer # (OAR 690-014-0100(1))
- ☒ Disclaimer (OAR 690-014-0170(5))
- ☒ North arrow (OAR 690-310-0050(2)(c))
- ☒ CWRE stamp and signature (OAR 690-014 & 310-0050)
- ☒ Appropriate scale (1" = 1320', 1" = 400', or the original full-size scale of the county assessor map) (014 & 310)
- ☒ Township, range, section, and tax lot numbers (OAR 690-310-0050(4))
- ☒ Source illustrated if surface water (OAR 690-014-0170(3))
- ☒ Point(s) of diversion or appropriation (illustrated) (OAR 690-014(4) & 690-310-0050)
- ☒ Point(s) of diversion or appropriation (coordinates) (OAR 690-014(4) & 690-310-0050)
- ☒ Conveyance structures illustrated (pump, pipelines, ditches, etc.) (OAR 690-310-0050)
- ☒ Description of the location, in relation to the point of diversion or appropriation, of any fish screens, by-pass devices, and measuring devices required (OAR 690-014(4))
- ☒ Place of use (1/4 1/4, or projected 1/4 1/4 lines within DLCs, or Gov Lots; if irrigation, # of acres in each subdivision; if for domestic or human consumption, location of dwelling or spigot) (OAR 690-310-0050, 690-014, 690-380-6010)

Report Review:

- ☒ On form or format provided by the Department (OAR 690-014-0100(1))
- ☒ Application & permit #; or transfer # (OAR 690-014)
- ☒ Ownership information (OAR 690-014)
- ☒ Date of survey (OAR 690-014)
- ☒ Person interviewed (OAR 690-014)
- ☒ County (OAR 690-014)
- ☒ Tax lot information (OAR 690-014)
- ☒ Description of conveyances system (from POD to POU) (OAR 690-014-0100)
- ☒ Source(s) of water (OAR 690-014-0100)
- ☒ Point of diversion/appropriation location (OAR 690-014-0100)
- ☒ Use, period of use, and rate for use (OAR 690-014-0100)
- ☒ Place of use location (OAR 690-014-0100)
- ☒ Type of use (OAR 690-014-0100)
- ☒ Extent of use (OAR 690-014-0100)
- ☒ Rate and Duty (OAR 690-014-0100)
- ☒ Diversion rate for each use (OAR 690-014-0100)
- ☒ Diversion works description (pump make, serial model, capacity, and description) (OAR 690-014-0100)
- ☒ System capacity (OAR 690-014-0100)
- ☒ Calculated capacity of system (required)
- ☒ Measured amount of use (optional)
- ☒ Permit/Transfer Final Order Conditions (OAR 690-014-0100)
 - ☒ Time limits
 - ☒ Initial water level measurements
 - ☒ Annual static water level measurements
 - ☒ Measurement, recording, and reporting
 - ☒ Meter/measuring device
 - ☒ Water use reporting
 - ☒ Fish screening and/or by-pass *By-pass not addressed*
 - ☒ Pump test (ground water)
 - ☒ Other conditions *Cond. 5 of Order not mentioned*
- ☒ CWRE stamp and signature (OAR 690-014-0100)
- ☒ Signature(s) of permittee or transfer holder (OAR 690-014-0100)

DEF = deficient

N/A = Not Applicable

CLA = Needs further clarification, see COMMENT under the appropriate item

NOTE: This checklist is not to be assumed that all the elements of the permit or order have been satisfied.

Other:

☒ Conflict Check

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AUG 07 2009

WATER RESOURCES DEPT
SALEM, OREGON

Certificate for T-10395 Conflict Check. No Conflicts Identified

WJK

7/31/09

Water Rights Platcard Report

Meridian: Willamette Township: 35 South Range: 3 West Section: 5 Records per 6 Page: Search New Platcards Maps! Learn about * Mapped by Type * Mapped by Use

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	Q(40):	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Unknow
							Q(160):	NE	NE	NE	NE	NW	NW	NW	NW	SW	SW	SW	SW	SE	SE	SE	SE	SE	SE	SE	SE	QQ
Select	Cert:43253 OR *	12/9/1969	DOMESTIC																	*								
Additional Info: SAMUEL A BLACKMON App: S46580 Permit: S34811 Cert: 43253																												
Select	Cert:83538 RR *	12/4/1956	DOMESTIC									*																
Additional Info: DAVID BLAIR App: S31240 Permit: S24619 Cert: 83538																												
Select	Cert:24152 OR CN	T10395	12/4/1956	DOMESTIC AND LIVESTOCK	CN							*																
Additional Info: DAVID BLAIR App: S31240 Permit: S24619 Cert: 24152																												
Select	App:P 81690 *	10/24/1996	FIRE PROTECTION									*																
Additional Info: CLIFFORD CUSTER App: P81690																												
Select	App:P 81690 *	10/24/1996	FISH CULTURE									*																
Additional Info: CLIFFORD CUSTER App: P81690																												
Select	Permit:S 37563 CN	12/19/1972	IRRIGATION	CN																								
Additional Info: RAYMOND A PRYTS, JR. App: S49920 Permit: S37563																												

1 2 3 4 5 6 7 8 9 10

1 2 3 4 5 6 7 8 9 10

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

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Water Rights Platcard Report

Meridian: Willamette Township: 35 South Range: 3 West Section: 5 Records per 6 Page: Search

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Water Right	Changing Xfers	Priority	Use	Use Status	Dt.C	Gov't Lot	Q-Q(40): Q(160):	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Unknow
Select Cert:3243 OR CN		11/8/1918	IRRIGATION	CN				9	3	4	6													
Additional Info: D F NEATHAMER App: S6321 Permit: S3937 Cert: 3243																								
Select Cert:3571 OR CN		3/27/1917	IRRIGATION	CN								12	8											
Additional Info: E M RICHMAN App: S5457 Permit: S3312 Cert: 3571																								
Select Cert:7487 OR CN		12/1/1923	IRRIGATION	CN				17	8															
Additional Info: JOHN, MARK & L A NEATHAMER App: S9287 Permit: S6124 Cert: 7487																								
Select Cert:7488 OR CN		12/1/1923	IRRIGATION	CN								11	20	9										
Additional Info: R E & E M RICHMAN App: S9287 Permit: S6124 Cert: 7488																								
Select Cert:8616 OR *		2/25/1926	IRRIGATION								2													
Additional Info: J L WEIDE App: S10612 Permit: S7206 Cert: 8616																								
Select Cert:16147 OR *		12/31/1906	IRRIGATION							2														
Additional Info: DAN NEATHAMMER Decree: ROGUE RIVER FINAL DECREE Cert: 16147																								

1 2 3 4 5 6 7 8 9 10

1 2 3 4 5 6 7 8 9 10

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

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Water Rights Platcard Report

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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	Unknown
Q(160)	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
Select Cert:16148 OR CN		12/31/1901	IRRIGATION	CN								24	3		9					
Additional Info: STREETS BAGLEY & SAUNDERS Decree: ROGUE RIVER FINAL DECREE Cert: 16148																				
Select Cert:19597 OR CN		3/6/1947	IRRIGATION	CN								20.5	2	17						
Additional Info: DAVID BLAIR App: S22312 Permit: S17593 Cert: 19597																				
Select Cert:29857 OR *		5/16/1957	IRRIGATION									3.2	8.1	8.7	10.1					
Additional Info: J H WOOD App: S31405 Permit: S24834 Cert: 29857																				
Select Cert:32774 OR CN		5/1/1899	IRRIGATION	CN												±0	5-2			
Additional Info: JESSE NEATHAMER Decree: ROGUE RIVER (F) STATE WATER BOARD Cert: 32774																				
Select Cert:37482 CF CN		5/1/1899	IRRIGATION	CN												±0	5-2			
Additional Info: JESSE NEATHAMMER Decree: ROGUE RIVER (F) STATE WATER BOARD Cert: 37482																				
Select Cert:38238 OR *		9/11/1967	IRRIGATION											0.5						
Additional Info: A.E. FRANCKE App: S44048 Permit: S32918 Cert: 38238																				

1 2 3 4 5 6 7 8 9 10

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Water Rights Platcard Report

Meridian: Willamette Township: 35 South Range: 3 West Section: 5

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Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): Q(160):	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Unknown
Select Cert:38341 OR *		2/20/1967	IRRIGATION																					
Additional Info: LEROY M SINSABAUGH App: S43293 Permit: S32357 Cert: 38341																								
Select Cert:38550 OR *		7/14/1965	IRRIGATION																					
Additional Info: HARLEY J LUSE JR App: S41091 Permit: S30610 Cert: 38550																								
Select Cert:39365 CF CN		5/1/1899	IRRIGATION CN															±0	5.2					
Additional Info: JESSE NEATHAMMER Decree: ROGUE RIVER (F) STATE WATER BOARD Cert: 39365																								
Select Cert:40376 CF CN		12/1/1923	IRRIGATION CN																					
Additional Info: LEROY M SINSABAUGH App: S9287 Permit: S6124 Cert: 40376																								
Select Cert:40377 CF *		11/8/1918	IRRIGATION																					
Additional Info: LEROY M SINSABAUGH App: S6321 Permit: S3937 Cert: 40377																								
Select Cert:40378 RR CN		5/1/1899	IRRIGATION CN															5	5.2					
Additional Info: JESSE NEATHAMMER Decree: ROGUE RIVER (F) STATE WATER BOARD Cert: 40378																								

1 2 3 4 5 6 7 8 9 10

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

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Meridian: Willamette

Township: 35

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Water Right	Changing Xfers	Priority	Use	Use Status	PLC	Gov't Lot	Q(40): Q(100):	NE NE	NW NE	SW NE	SE NE	NW NW	SW NW	SE NW	NE SW	NW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unknown QQ
Select Cert:43985 CF RR CN Additional Info: PAUL DICKEY App: S9287 Permit: S6124 Cert: 43985	T10395	12/1/1923	IRRIGATION	CN									1.4	10								
Select Cert:43986 RR CN Additional Info: CYTHA DICKEY App: S5457 Permit: S3312 Cert: 43986	T10395	3/27/1917	IRRIGATION	CN									11.5	0.5								
Select Cert:44081 CF * Additional Info: DEWEY M BAGLEY Decree: ROGUE RIVER (F) STATE WATER BOARD Cert: 44081		5/1/1899	IRRIGATION												5							
Select Cert:44950 CF * Additional Info: LEROY M SINSABAUGH App: S9287 Permit: S6124 Cert: 44950		12/1/1923	IRRIGATION				17	3														
Select Cert:46270 RR CN Additional Info: DAVID BLAIR App: S22312 Permit: S17593 Cert: 46270		3/6/1947	IRRIGATION	CN									17									
Select Cert:47285 CF * Additional Info: EARL E/MERRY J SAMSON App: S9287 Permit: S6124 Cert: 47285		12/1/1923	IRRIGATION										9.6	2								

1 2 3 4 5 6 7 8 9 10

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

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Water Right	Changed Xfers	Priority	Use	Use Status	DLC	Gov't	QQ(40)	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Unknown
						Li	Q(100)	NE	NE	NE	NE	NW	NW	NW	NW	SW	SW	SW	SW	SE	SE	SE	SE	QQ
Select Cert:47286 CF *		3/27/1917	IRRIGATION												0.5	4								
Additional Info: EARL E/MERRY J SAMSON App: S5457 Permit: S3312 Cert: 47286																								
Select Cert:48917 CF *		5/1/1899	IRRIGATION														5	5.2						
Additional Info: JOHN B/NORMA J JENEZON Decree: ROGUE RIVER (F) STATE WATER BOARD Cert: 48917																								
Select Cert:49187 OR *		6/13/1973	IRRIGATION																					
Additional Info: RALPH L WEIDE App: S50658 Permit: S38272 Cert: 49187																								
Select Cert:50143 RR CN	T10395	3/6/1947	IRRIGATION CN												17									
Additional Info: DAVID BLAIR App: S22312 Permit: S17593 Cert: 50143																								
Select Cert:50148 RR CN		12/31/1901	IRRIGATION CN									22	3		9									
Additional Info: STREETS BAGLEY & SAUNDERS Decree: ROGUE RIVER (F) STATE WATER BOARD Cert: 50148																								
Select Cert:51335 RR CN	T10395	12/31/1901	IRRIGATION CN									10	3		9									
Additional Info: STREETS BAGLEY AND SAUNDERS Decree: ROGUE RIVER (F) STATE WATER BOARD Cert: 51335																								

1 2 3 4 5 6 7 8 9 10

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

Water Rights Platcard Report

Meridian: Willamette Township: 35 South Range: 3 West Section: 5

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New Platcards Maps!
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Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): Q(160):	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Unknown
Select Cert:54920 CF *		12/1/1923	IRRIGATION																	
Additional Info: LEROY M SINSABAUGH App: S9287 Permit: S6124 Cert: 54920																				
Select Cert:57467 OR *		4/17/1975	IRRIGATION																	
Additional Info: WALTER E/MAMIE ZAHLMANN App: S53005 Permit: S40009 Cert: 57467																				
Select Cert:65185 OR *		8/19/1974	IRRIGATION																	
Additional Info: EARL E SAMSON App: S52336 Permit: S42550 Cert: 65185																				
Select Cert:75253 CF *		3/6/1947	IRRIGATION																	
Additional Info: DONALD R HEWITT App: S22312 Permit: S17593 Cert: 75253																				
Select Inchoate: T 10395 CF (REG) *		12/31/1901	IRRIGATION																	
Additional Info: CYNTHIA EDWARDS Decree: ROGUE RIVER (F) STATE WATER BOARD																				
Select Inchoate: T 10395 CF (REG) *		3/6/1947	IRRIGATION																	
Additional Info: CYNTHIA EDWARDS App: S22312 Permit: S17593																				

1 2 3 4 5 6 7 8 9 10

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

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Water Rights Platcard Report

Meridian: Willamette

Township: 35

South

Range: 3

West

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New Platcard Maps!
Learn about * Mapped by type * Mapped by use

Water Right	Changing Xfers	Priority	Use	Use Status	DIC	Gov't Lot	QQ(40)	NE	NW	SW	SE	NE	NW	SW	SE	NW	SW	SE	NW	SW	SE	NW	SW	SE	Unknown
Select Inchoate: T 10395 CF (REG) *		3/27/1917	IRRIGATION																						
Additional Info: CYNTHIA EDWARDS App: S5457 Permit: S3312																									
Select Inchoate: T 10395 CF (REG) *		12/1/1923	IRRIGATION																						
Additional Info: CYNTHIA EDWARDS App: S9287 Permit: S6124																									
Select Cert:83628 OR *		10/27/1989	IRRIGATION					22.1				4.6													
Additional Info: ANTHONY L S EWAIT App: G11979 Permit: G11233 Cert: 83628																									
Select Cert:84098 OR *		10/27/1989	IRRIGATION					9.9			0.1														
Additional Info: ARTHUR WORTH App: G11980 Permit: G11217 Cert: 84098																									
Select Cert:83539 RR *		12/1/1923	IRRIGATION																						
Additional Info: PAUL DICKEY App: S9287 Permit: S6124 Cert: 83539																									
Select Cert:83540 RR *		3/27/1917	IRRIGATION																						
Additional Info: CYTHA DICKEY App: S5457 Permit: S3312 Cert: 83540																									

1 2 3 4 5 6 7 8 9 10

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

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Water Rights Platcard Report

Meridian: Willamette

Township: 35

South

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New Platcards Maps!

Learn about * Mapped by Type * Mapped by Use

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): Q(160):	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Unknown QQ
Select Cert:83541 RR * Additional Info: DAVID BLAIR App: S22312 Permit: S17593 Cert: 83541		3/6/1947	IRRIGATION																									
Select Cert:83542 RR * Additional Info: STREETS BAGLEY AND SAUNDERS Decree: ROGUE RIVER (F) STATE WATER BOARD Cert: 83542		12/31/1901	IRRIGATION																									
Select Cert:83538 RR * Additional Info: DAVID BLAIR App: S31240 Permit: S24619 Cert: 83538		12/4/1956	LIVESTOCK																									
Select App:P 81690 * Additional Info: CLIFFORD CUSTER App: P81690		10/24/1996	STORAGE																									
Select Cert:24152 OR CN Additional Info: DAVID BLAIR App: S31240 Permit: S24619 Cert: 24152	T10395	12/4/1956	SUPPLEMENTAL CN IRRIGATION (Suppl'mtl)																									
Select Cert:46270 RR CN Additional Info: DAVID BLAIR App: S22312 Permit: S17593 Cert: 46270		3/6/1947	SUPPLEMENTAL CN IRRIGATION (Suppl'mtl)																									

1 2 3 4 5 6 7 8 9 10

Acreage Legend: 12.25 Regular
acreage12.25 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

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Water Rights Platcard Report

Meridian: Willamette Township: 35 South Range: 3 West Section: 5 Records per 6 Page: Search New Platcards Maps! Learn about * Mapped by Type * Mapped by Use

Water Right	Changing Xfers	Priority	Use	Used Status	Dec	Q(40)	Q(160)	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Unknown
Select Cert:50143 RR CN Additional Info: DAVID BLAIR App: S22312 Permit: S17593 Cert: 50143	T10395	3/6/1947	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	CN		20.5	2																					
Select Cert:65185 OR * Additional Info: EARL E SAMSON App: S52336 Permit: S42550 Cert: 65185		8/19/1974	SUPPLEMENTAL IRRIGATION (Suppl'mtl)																									
Select Inchoate: T 10395 CF (REG) * Additional Info: CYNTHIA EDWARDS App: S31240 Permit: S24619		12/4/1956	SUPPLEMENTAL IRRIGATION (Suppl'mtl)																									
Select Cert:83538 RR * Additional Info: DAVID BLAIR App: S31240 Permit: S24619 Cert: 83538		12/4/1956	SUPPLEMENTAL IRRIGATION (Suppl'mtl)			8																						
Select Cert:83541 RR * Additional Info: DAVID BLAIR App: S22312 Permit: S17593 Cert: 83541		3/6/1947	SUPPLEMENTAL IRRIGATION (Suppl'mtl)			20.5	1.3																					

1 2 3 4 5 6 7 8 9 10

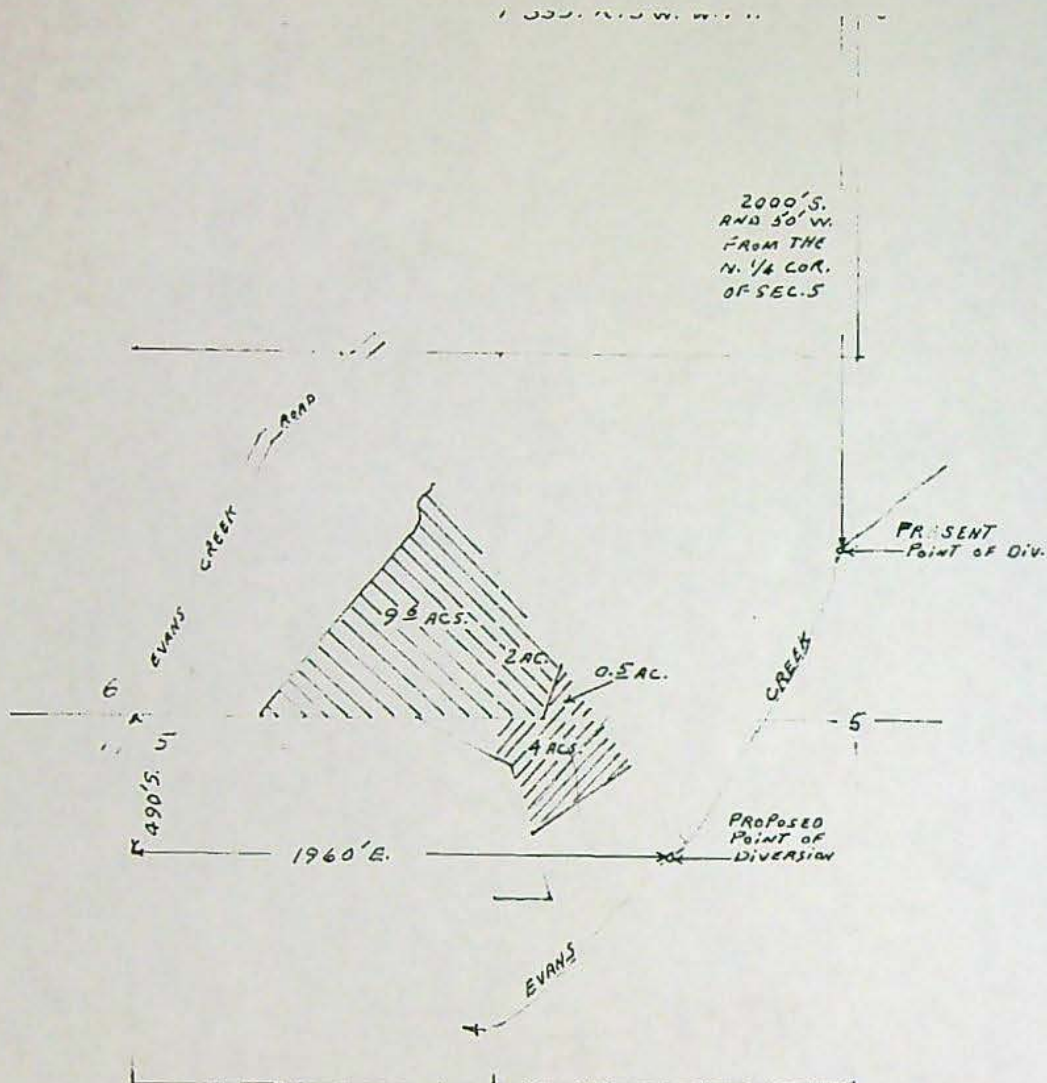
Acreage Legend: 12.25 Regular acreage 42-25 Acreage is on a canceled right (12.25) Acreage is part of a transfer and has not been proven up on yet (Inchoate) [12.25] Acreage has been suspended * Acreage is not specified

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SALEM, OREGON

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App Map T-3118

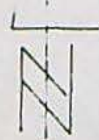


MAP TO ACCOMPANY APPLICATION OF
EARL E. AND/OR MERRY J. SAMSON
FOR CHANGE IN POINT OF DIVERSION

PERMIT #
6124
DEC. 1, 1923

PERMIT #
3312
MARCH 27, 1917

SCALE 8" = 1 MILE



8-12-74

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SALEM, OREGON



Oregon

Theodore R. Kulengoski, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301 1271
503-986-0900
FAX 503-986-0904

June __, 2009

Cynthia Edwards
13238 East Evans Creek Rd.
Rogue River, Oregon 97537

RE: File T-10395

Dear Ms. Edwards,

The above referenced file has been reviewed under the Reimbursement Authority process. Our review indicates that the following information or clarification is needed:

1. The COBU site report does not include information describing how the condition requiring installation of a bypass device has been addressed. Based on the description of the portable pump system, a bypass device may not be required. In any case, in accordance with the conditions included in the Final Order for Transfer 10395, the Department requires documentation from the Oregon Department of Fish and Wildlife (ODFW) that either an approved by-pass device was in place and functional before diversion of any water, or that a by-pass device is not required at the authorized point of diversion. Please provide additional documentation from the ODFW that the required by-pass device was installed, or that one is not needed.

Please submit the information requested above, or submit an application for an extension of time, within 30 days of the date of this letter. If you have any questions regarding the information requested, please feel free to contact me at 503-986-0811.

Sincerely,

Gerry Clark
Certificate Specialist

enclosures

cc: Joseph L. Strahl, CWRE #222
Norm Daft, Applicant's Representative

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SALEM, OREGON

11. Application T-10395 proposes to change the place of use and move the authorized point of diversion for a portion of the right. The new authorized point of diversion is approximately 1 mile downstream at:

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Survey Coordinates
35S	3W	WM	5	NE SW	308	PORTABLE PUMP TO BE MOVED WITHIN THE REACH BETWEEN A POINT 85 FEET SOUTH AND 2660 FEET EAST, AND A POINT 480 FEET SOUTH AND 2015 FEET EAST FROM THE WEST ¼ CORNER OF SECTION 5.

12. Application T-10395 proposes the new place of use for this portion of the right to be:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	SE NW	3.3
35S	3 W	WM	5	NE SW	0.3

13. The portion of the fifth right to be transferred is as follows:

Certificate: 51335 in the name of Streets, Bagley and Saunders (confirmed by Rogue River (F) State Water Board decree)

Use: IRRIGATION of ~~1.0~~ ^{0.8} ACRE *GFK*

Priority Date: 1901 ^{0.011}

Rate: 0.014 CUBIC FOOT PER SECOND

Source: MAY CREEK, tributary to EVANS CREEK

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
34 S	3 W	WM	32	SE NW	35 FEET NORTH AND 1675 FEET EAST FROM THE W1/4 CORNER OF SECTION 32

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	NW NW	0.2
35 S	3 W	WM	5	SE NW	0.8

14. Application T-10395 proposes to move the authorized point of diversion for this portion of the right approximately 1 mile downstream to:

Twp	Rng	Mer	Sec	Q-Q	GLot	Survey Coordinates
35S	3W	WM	5	NE SW	308	PORTABLE PUMP TO BE MOVED WITHIN THE REACH BETWEEN A POINT 85 FEET SOUTH AND 2660 FEET EAST, AND A POINT 480 FEET SOUTH AND 2015 FEET EAST FROM THE WEST ¼ CORNER OF SECTION 5.

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15. Notice of the application for transfer was published on June 5, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
16. 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.
17. On August 3, 2007, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-10395 to the applicant. The draft Preliminary Determination set forth a deadline of September 7, 2007, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination with correction of some identified scrivener's errors in Finding of Fact No. 24 of the draft document, and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
18. On September 12, 2007, the Department issued a Preliminary Determination proposing to approve Transfer T-10395 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on September 18, 2007, and in the Grants Pass Daily Courier newspaper on October 3, 10 and 17, 2007, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

Transfer Review Criteria [OAR 690-380-4010(2)]

19. Water has been used within the last five years according to the terms and conditions of the rights, and there is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610
20. Pumps, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Application T-10395.
21. The proposed change would not result in enlargement of the rights provided the diversion of water under Certificates 24152 and 51225 and a portion of Certificate 50143 is limited to availability of water at the original diversion points on May Creek. Therefore, when May Creek, the water source for Certificate 24152 and 51225 and a portion of Certificate 50143 goes dry, irrigation will end under those portions of those water rights, even if there is still water in Evans Creek.
22. The proposed changes would not result in injury to other water rights.

- Certs for 24152, 51335, & 50143*
5. ^{*this right*} Diversion of water under the transferred portions of the rights evidenced by Certificates 24152 and 51335 and 50143 is limited to availability of water at the original diversion point on May Creek, being:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
34 S	3 W	WM	32	SE NW	35 FEET NORTH AND 1675 FEET EAST FROM THE WEST ¼ CORNER OF SECTION 32

When May Creek goes dry, irrigation will end under the transferred portions of those water rights, even if there is still water in Evans Creek.

6. The former place of use of the transferred rights shall no longer receive water under the rights.
7. ~~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.~~
8. ~~Prior to diverting water, the water user shall install 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. The water user shall maintain and operate the measuring device as required by the Department~~
9. The approved changes shall be completed and full beneficial use of the water shall be made on or before **October 1, 2009**. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
10. When satisfactory proof of the completed changes is received, new certificates confirming the rights transferred will be issued.

*In Compliance
max use
less than 225
gpm
(SENSUS)
To Cert*

Dated at Salem, Oregon this 28 day of November 2007.

Phillip C. Ward
Phillip C. Ward, Director

Mailing date: NOV 29 2007

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*Documentation showing by-pass device
has either been constructed or is not
needed has not been provided.*

WEX

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

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

RECEIVED

AUG 07 2009

THIS CERTIFICATE ISSUED TO

CYNTHIA A. EDWARDS
13238 EAST EVANS CREEK RD
ROGUE RIVER, OR 97537

WATER RESOURCES DEPT
SALEM, OREGON

confirms the right to use the waters of MAYS CREEK, tributary to EVANS CREEK, for SUPPLEMENTAL IRRIGATION of 7.2 ACRES.

This right was perfected under Permit S-24619. The date of priority is DECEMBER 4, 1956. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.090 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	Measured Distances
35 S	3 W	WM	5	NE SW	WITHIN THE REACH BETWEEN A POINT 85 FEET SOUTH AND 2260 FEET EAST, AND A POINT 480 FEET SOUTH AND 2015 FEET EAST, BOTH FROM THE W1/4 CORNER, SECTION 5

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 4.5 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 to which this right is appurtenant is as follows:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	SW NW	1.20
35 S	3 W	WM	5	SE NW	6.00

The quantity of water diverted at the new reach within which a portable pump will divert water, shall not exceed the quantity of water lawfully available at the original point of diversion.

--

Diversion of water under this right is limited to availability of water at the original diversion point on May Creek being:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
34 S	3 W	WM	32	SE NW	35 FEET NORTH AND 1675 FEET EAST FROM W1/4 CORNER, SECTION 32

When May Creek goes dry, irrigation will end under this right, even if there is still water in Evans Creek.

The water user shall maintain and operate fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.

The water user shall maintain and operate the in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted, as required by the Department.

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered NOVEMBER 28, 2007, at Special Order Volume 73, Page 680, approving Transfer Application 10395, and together with Certificate 83538, supersedes Certificate 24152, 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 _____.

Phillip C. Ward, Director

Recorded in State Record of Water Right Certificates Number *****.

RECEIVED

AUG 07 2009

WATER RESOURCES DEPT
SALEM, OREGON

Mailing List for Transfer Certificate

Mailing Date:

Application: T-10395

Certificate:

Certificate Holder:

CYNTHIA A. EDWARDS
13238 EAST EVANS CREEK RD
ROGUE RIVER, OR 97537

by: Copies
Mailed

(STAFF)
on:

(DATE)

Copies of Final Certificate to be sent to:

1. Watermaster District #13 (Include Map)
2. Data Center (include copy of map)
3. Water Availability
4. Vault
5. File

Other persons to receive copies: (include map):

1. Joseph Strahl, CWRE
2. Norm Daft, Applicant's Representative

Record Marking(s):

1. Original Application(s) S-31240
2. Old Certificate# 24152

RECEIVED

AUG 07 2009

WATER RESOURCES DEPT
SALEM, OREGON

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

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

RECEIVED

AUG 07 2009

**WATER RESOURCES DEPT
SALEM, OREGON**

THIS CERTIFICATE ISSUED TO

CYNTHIA A. EDWARDS
13238 EAST EVANS CREEK RD
ROGUE RIVER, OR 97537

confirms the right to use the waters of EVANS CREEK, tributary to ROGUE RIVER for IRRIGATION of 7.2 ACRES.

This right was perfected under Permit S-6124. The date of priority is DECEMBER 1, 1923. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.090 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	Measured Distances
35 S	3 W	WM	5	NE SW	WITHIN THE REACH BETWEEN A POINT 85 FEET SOUTH AND 2260 FEET EAST, AND A POINT 480 FEET SOUTH AND 2015 FEET EAST, BOTH FROM THE W1/4 CORNER, SECTION 5

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 per acre and 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	Acres
35 S	3 W	WM	5	SW NW	1.20
35 S	3 W	WM	5	SE NW	6.00

The quantity of water diverted at the new reach within which a portable pump will divert water, shall not exceed the quantity of water lawfully available at the original point of diversion.

The water user shall maintain and operate fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.

The water user shall maintain and operate the in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted, as required by the Department.

This certificate is issued to confirm a change in POINT OF DIVERSION AND PLACE FOF USE approved by an order of the Water Resources Director entered NOVEMBER 28, 2007, at Special Order Volume 73, Page 680, approving Transfer Application 10395, and together with Certificate 83539, supersedes Certificate 43985, 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 and is subject to the existing minimum flow policies established by the Water Policy Review Board.

Issued _____.

Phillip C. Ward, Director

Recorded in State Record of Water Right Certificates Number *****.

RECEIVED

AUG 07 2009

**WATER RESOURCES DEPT
SALEM, OREGON**

Mailing List for Transfer Certificate

Mailing Date:

Application: T-10395

Certificate:

Certificate Holder:

CYNTHIA A. EDWARDS
13238 EAST EVANS CREEK RD
ROGUE RIVER, OR 97537

by: Copies
Mailed

(STAFF)
on:

(DATE)

Copies of Final Certificate to be sent to:

1. Watermaster District #13 (Include Map)
2. Data Center (include copy of map)
3. Water Availability
4. Vault
5. File

Other persons to receive copies: (include map):

1. Joseph Strahl, CWRE
2. Norm Daft, Applicant's Representative

Record Marking(s):

1. Original Application(s) S-9287
2. Old Certificate# 43985

RECEIVED

AUG 07 2009

WATER RESOURCES DEPT
SALEM, OREGON

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

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CYNTHIA A. EDWARDS
13238 EAST EVANS CREEK RD
ROGUE RIVER, OR 97537

confirms the right to use the waters of EVANS CREEK, tributary to ROGUE RIVER for IRRIGATION of 3.6 ACRES.

This right was perfected under Permit S-3312. The date of priority is MARCH 27, 1917. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.045 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	Measured Distances
35 S	3 W	WM	5	NE SW	WITHIN THE REACH BETWEEN A POINT 85 FEET SOUTH AND 2260 FEET EAST, AND A POINT 480 FEET SOUTH AND 2015 FEET EAST, BOTH FROM THE W1/4 CORNER, SECTION 5

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 per acre and 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	Acres
35 S	3 W	WM	5	SW NW	3.6

The quantity of water diverted at the new reach within which a portable pump will divert water, shall not exceed the quantity of water lawfully available at the original point of diversion.

The water user shall maintain and operate fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.

The water user shall maintain and operate the in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted, as required by the Department.

RECEIVED

AUG 07 2009

WATER RESOURCES DEPT
SALEM, OREGON

This certificate is issued to confirm a change in POINT OF DIVERSION AND PLACE FOF USE approved by an order of the Water Resources Director entered NOVEMBER 28, 2007, at Special Order Volume 73, Page 680, approving Transfer Application 10395, and together with Certificate 83540, supersedes Certificate 43986, 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 and is subject to the existing minimum flow policies established by the Water Policy Review Board.

RECEIVED

AUG 07 2009

**WATER RESOURCES DEPT
SALEM, OREGON**

Issued _____.

Phillip C. Ward, Director

Recorded in State Record of Water Right Certificates Number *****.

T-10395-cf-43986.ra

Page 2 of 2

RECEIVED

AUG 07 2009

**WATER RESOURCES DEPT
SALEM, OREGON**

Mailing List for Transfer Certificate

Mailing Date:

Application: T-10395

Certificate:

Certificate Holder:

CYNTHIA A. EDWARDS
13238 EAST EVANS CREEK RD
ROGUE RIVER, OR 97537

by: Copies
Mailed

(STAFF)

on:

(DATE)

Copies of Final Certificate to be sent to:

1. Watermaster District #13 (Include Map)
2. Data Center (include copy of map)
3. Water Availability
4. Vault
5. File

Other persons to receive copies: (include map):

1. Joseph Strahl, CWRE
2. Norm Daft, Applicant's Representative

Record Marking(s):

1. Original Application(s) S-5457
2. Old Certificate# 43986

RECEIVED

AUG 07 2009

WATER RESOURCES DEPT
SALEM, OREGON

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

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

RECEIVED

AUG 07 2009

WATER RESOURCES DEPT
SALEM, OREGON

THIS CERTIFICATE ISSUED TO

CYNTHIA A. EDWARDS
13238 EAST EVANS CREEK RD
ROGUE RIVER, OR 97537

confirms the right to use the waters of MAYS CREEK, tributary to EVANS CREEK for IRRIGATION of 3.6 ACRES.

This right was perfected under Permit S-17593. The date of priority is MARCH 6, 1947. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.045 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	Measured Distances
35 S	3 W	WM	5	NE SW	WITHIN THE REACH BETWEEN A POINT 85 FEET SOUTH AND 2260 FEET EAST, AND A POINT 480 FEET SOUTH AND 2015 FEET EAST, BOTH FROM THE W1/4 CORNER, SECTION 5

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 4.5 acre-feet per acre for each acre irrigated during the irrigation season from April 2 to October 31 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 to which this right is appurtenant is as follows:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	SE NW	3.30
35 S	3 W	WM	5	NE SW	0.30

The quantity of water diverted at the new reach within which a portable pump will divert water, shall not exceed the quantity of water lawfully available at the original point of diversion.

Diversion of water under this right is limited to availability of water at the original diversion point on May Creek being:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
34 S	3 W	WM	32	SE NW	35 FEET NORTH AND 1675 FEET EAST FROM THE W1/4 CORNER, SECTION 32

When May Creek goes dry, irrigation will end under this right, even if there is still water in Evans Creek.

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.

The water user shall maintain and operate the in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted, as required by the Department.

This certificate is issued to confirm a change in POINT OF DIVERSION AND PLACE FOF USE approved by an order of the Water Resources Director entered NOVEMBER 28, 2007, at Special Order Volume 73, Page 680, approving Transfer Application 10395, and together with Certificate 83541, supersedes Certificate 50143, 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 and is subject to the existing minimum flow policies established by the Water Policy Review Board.

Issued _____.

Phillip C. Ward, Director

Recorded in State Record of Water Right Certificates Number *****.

RECEIVED

AUG 07 2009

**WATER RESOURCES DEPT
SALEM, OREGON**

Mailing List for Transfer Certificate

Mailing Date:

Application: T-10395

Certificate:

Certificate Holder:

CYNTHIA A. EDWARDS
13238 EAST EVANS CREEK RD
ROGUE RIVER, OR 97537

by: Copies
Mailed

(STAFF)

on:

(DATE)

Copies of Final Certificate to be sent to:

1. Watermaster District #13 (Include Map)
2. Data Center (include copy of map)
3. Water Availability
4. Vault
5. File

Other persons to receive copies: (include map):

1. Joseph Strahl, CWRE
2. Norm Daft, Applicant's Representative

Record Marking(s):

1. Original Application(s) S-22312
2. Old Certificate# 50143

RECEIVED

AUG 17 2009

WATER RESOURCES DEPT
SALEM, OREGON

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

STATE OF OREGON
COUNTY OF JACKSON
CERTIFICATE OF WATER RIGHT

RECEIVED

AUG 07 2009

WATER RESOURCES DEPT
SALEM, OREGON

THIS CERTIFICATE ISSUED TO

CYNTHIA A. EDWARDS
13238 EAST EVANS CREEK RD
ROGUE RIVER, OR 97537

confirms the right to use the waters of MAYS CREEK, tributary to EVANS CREEK for IRRIGATION of 0.8 ACRE.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Jackson County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 4, at Page 1. The date of priority is 1901.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.011 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	Measured Distances
35 S	3 W	WM	5	NE SW	WITHIN THE REACH BETWEEN A POINT 85 FEET SOUTH AND 2260 FEET EAST, AND A POINT 480 FEET SOUTH AND 2015 FEET EAST, BOTH FROM THE W1/4 CORNER, SECTION 5

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

IRRIGATION					
TwP	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	NW NW	0.20
35 S	3 W	WM	5	SE NW	0.60

The quantity of water diverted at the new reach within which a portable pump will divert water, shall not exceed the quantity of water lawfully available at the original point of diversion.

Diversion of water under this right is limited to availability of water at the original diversion point on May Creek being:

TwP	Rng	Mer	Sec	Q-Q	Measured Distances
34 S	3 W	WM	32	SE NW	35 FEET NORTH AND 1675 FEET EAST FROM THE W1/4 CORNER, SECTION 32

When Mays Creek goes dry, irrigation will end under this right, even if there is still water in Evans Creek.

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.

The water user shall maintain and operate the in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted, as required by the Department.

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered NOVEMBER 28, 2007, at Special Order Volume 73, Page 680, approving Transfer Application 10395, and together with Certificate 83542, supersedes Certificate 51335, State record of Water Right Certificates.

This right is subject to all other conditions or limitations contained in said decree.

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 _____.

Phillip C. Ward, Director

Recorded in State Record of Water Right Certificates Number *****.

T-10395-cf-51335.ra

RECEIVED

AUG 07 2009

**WATER RESOURCES DEPT
SALEM, OREGON**

Mailing List for Transfer Certificate

Mailing Date:

by: Copies
Mailed

Application: T-10395

(STAFF)

on:

Certificate:

Certificate Holder:

(DATE)

CYNTHIA A. EDWARDS
13238 EAST EVANS CREEK RD
ROGUE RIVER, OR 97537

Copies of Final Certificate to be sent to:

1. Watermaster District #13 (Include Map)
2. Data Center (include copy of map)
3. Water Availability
4. Vault
5. File

Other persons to receive copies: (include map):

1. Joseph Strahl, CWRE
2. Norm Daft, Applicant's Representative

Record Marking(s):

1. Original Application(s) NA
2. Old Certificate# 51335
3. Decree- Volume 4, Page 1

RECEIVED

AUG 07 2009

WATER RESOURCES DEPT
SALEM, OREGON

Gerry Clark

From: Greg [phggek@bctonline.com]
Sent: Wednesday, August 05, 2009 5:03 PM
To: Gerry Clark
Subject: E-deliverables for RA Cert for T-10395
Attachments: 10395-cf-24152-prpsd-cert.doc; 10395-cf-43985-prpsd-cert.doc; 10395-cf-43986-prpsd-cert.doc; 10395-cf-50143-prpsd-cert.doc; 10395-cf-51335-prpsd-cert.doc; 10395-Info-Rqst-Let.doc; 10395-checklist.pdf

Gerry,

The E-deliverables for T-10395 are attached. One thing I noted that I guessed is probably not an issue and did not include in the Request-for-info letter: The COBU site report did not mention anything about Condition #5.

I will probably just put the hard copy deliverables in the mail sometime in the next day or so.

Please let me know if you need anything else.

Regards,

Gregory E. Kupillas, R.G., C.W.R.E.

Pacific Hydro-Geology Inc.
18487 S. Valley Vista Road
Mulino, Oregon 97042-8741
(503) 632-5016

E-mail message checked by Spyware Doctor (6.0.1.441)
Database version: 6.12960
<http://www.pctools.com/spyware-doctor-antivirus/>

8/31/2009

**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 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	<u>T-10395</u>

<u>Applicant Information</u>		<u>Applicant's Representative/Contact</u>
Name: (Please Print)	<u>Cynthia Edwards</u>	<u>Norm Daft</u>
Address:	<u>13238 E. Evans Cr Rd</u>	<u>245 Glenoak Ln</u>
	<u>Rogue River, OR 97537</u>	<u>Grants Pass, OR 97526</u>
Phone:	<u>(541) 582-1789</u>	<u>(541) 761-1057</u>
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 one (1) business day.
- 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.

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

Signature: _____

Name: Cynthia Edwards

OWRD USE ONLY

Contractor Assigned: Pacific Hydro

OWRD Approval: _____

Total Amount Paid: \$ _____

5/20/2009

31 pages

C.U.

RO9 261 09

MAY 18 2009

Revised: 6/21/2004

WATER RESOURCES DEPT
SALEM, OREGON

MEMORANDUM

TO: CONTRACTOR
FROM: GERRY CLARK 
SUBJECT: REIMBURSEMENT AUTHORITY CERTIFICATE PROJECT
APPLICATION T-10395 (EDWARDS)
DATE: 5/19/2009

Additional project information:

1. The original maps are on mylar/polyester film.
2. This project will require the preparation of five proposed certificate documents.
3. The order has been marked to indicate compliance with conditions.
4. The Department will provide a draft of the proposed certificate for your use.

COPY

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 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	<u>T-10395</u>

Applicant Information		Applicant's Representative/Contact
Name: (Please Print)	<u>Cynthia Edwards</u>	<u>Norm Daft</u>
Address:	<u>13238 E. Evans Cr Rd</u>	<u>245 Glenoak Ln</u>
	<u>Rogue River, OR 97537</u>	<u>Grants Pass, OR 97526</u>
Phone:	<u>(541) 582-1789</u>	<u>(541) 761-1057</u>
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 one (1) business day.
- 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.

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

Signature: [Signature]

Name: Cynthia Edwards

OWRD USE ONLY

Contractor Assigned:

OWRD Approval:

RECEIVED

Total Amount Paid: \$

MAY 18 2009

Revised: 6/21/2004

WATER RESOURCES DEPT
SALEM, OREGON

209 261 09

COPY

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # 96473

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

INVOICE # _____

RECEIVED FROM: <u>M. Usiak</u>	APPLICATION
BY: _____	PERMIT
CASH: ☐ CHECK: # <u>1064</u> OTHER: (IDENTIFY) ☐	TRANSFER
TOTAL REC'D \$ <u>125.00</u>	

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES <u>47124</u> <u>R09 261 09</u>	\$
<u>0408</u> OTHER: (IDENTIFY) <u>Reimbursement Authority</u>	\$ <u>125.00</u>
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	EXAM FEE \$ 0202 RECORD FEE \$
0203 GROUND WATER	\$ 0204 \$
0205 TRANSFER	\$
WELL CONSTRUCTION	
0218 WELL DRILL CONSTRUCTOR	EXAM FEE \$ 0219 LICENSE FEE \$
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 _____	\$

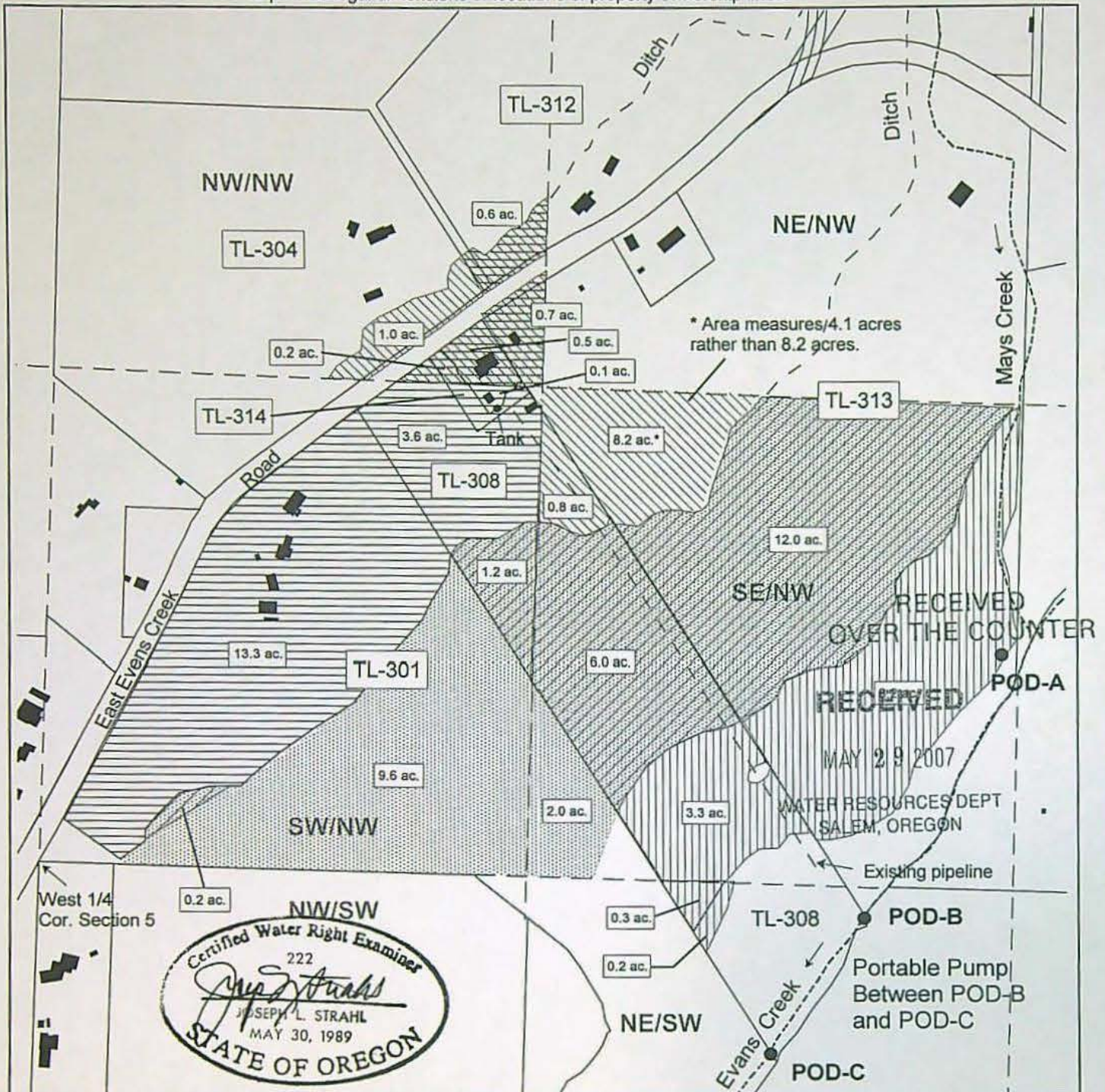
RECEIPT: 96473

DATED: 5/18/09 BY: X. Bell

Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

Change in Point of Diversion and Place of Use Section 5, Township 35 South, Range 3 West W.M. Tax Lots 308 and 314 Jackson County

This map is for the purpose of identifying water rights and is not intended to provide legal dimensions or locations of property ownership lines.



Point of diversion from Mays Creek - Certificates 24152, 51335 and 50143 - SE/NW, Section 32, T. 34 S., R.3W., WM, 35 feet N. and 1675 feet E. from the West 1/4 Corner Section 32.

POD-A - Existing Point of Diversion for Certificates 43985 and 43986 - SE/NW, Section 5, T.35 S., R.3 W., WM. 650 feet N. and 2610 feet E. from the West 1/4 Corner Section 5.

Proposed Point of Diversion for all water rights on Tax lots 308 and 314, NE/SW, between POD-B, 85 feet S. and 2660 feet E. and POD-C, 480 feet S. and 2015 feet E., Both from the West 1/4 Corner of Section 5, T35 S, R.3 W., W.M.

-  Certificate 51335 (Decree), 1901, Mays Cr. Change in Point of Diversion (POD) only, for 0.2 acres NW/NW, and 0.8 ac. SE/NW, Cancel 0.5 ac. in NW/NW, . Remaining Right - 2.3 ac. NW/NW and 8.2 ac. SE/NW, all in Section 5.
-  Certificate 50143 (Permit 17593) 3/6/1947 Mays Cr. & Reservoir. Change in POD & Place of Use 3.6 ac. (primary) FROM SW/NW, TO 3.3 ac. SE/NW and 0.3 ac. NE/SW, Cancel 0.1 ac. (primary) SW/NW, 0.7 ac. (supplemental) NW/NW; Remaining right - 1.3 ac. (supplemental) NW/NW and 13.3 ac. (primary) SW/NW, all in Section 5.
-  Certificate 43986 (Permit 3312) 5/27/1917 Evans Cr. (East Evans Cr.) Change in POD and Place of Use FROM 3.3 ac. SE/NW and 0.3 ac. NE/SW TO 3.6 ac. SW/NW; Cancel 0.2 ac. NE/SW; Remaining Right 8.2 acres SE/NW, all in Section 5.
-  Certificate 43985 (Permit 6124) 12/1/1923, Evans Cr. (E.F. Evans Cr.) Change POD only for 1.2 ac. SW/NW and 6.0 ac. SE/NW. Remaining Right 0.2 ac. SW/NW and 12.0 ac. SE/NW all in Section 5.
-  Certificate 24152 (Permit 24619) 12/4/1956 Mays Cr. (Supplemental). Change in POD only for 1.2 ac. SW/NW and 6.0 ac. SE/NW. Remaining Right, 14 ac. SE/NW and 9.8 ac. SW/NW.

Applicant - Cynthia A. Edwards
13238 East Evans Creek Rd., Rogue River, OR 97537

Scale
1 inch = 400 feet



4/19/2007 - n.e.d.

This form is subject to revision. Begin each new claim by checking for a new version of this form and downloading a new one if necessary.

If you have questions regarding the completion of this form, contact:

Gerry Clark by e-mail at Gerald.E.CLARK@wrđ.state.or.us or by phone at 503-986-0811,

Or Jerry Gainey by e-mail at Jerry.W.GAINEY@wrđ.state.or.us or by phone at 503-986-0812.

The Department has a new program that allows a permit holder to pay the cost to have a private contractor review of the claim and, if appropriate, prepare a certificate. This new program means a certificate can be issued in about a month. The Department has a list of trained contractors that are selected on a rotating basis. For more information on this program see: <http://www.wrđ.state.or.us/programs/index.shtml>.

**This box can be deleted

Oregon Water Resources Department
725 Summer St. NE, Suite A
Salem, OR 97301-1266

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

1. File Information

Application Number (G, R, S or T)	Permit Number (if applicable)
T-10395	

2. Property owner (current owner information)

a. Individuals

Name	Cynthia Edwards	
Mailing Address	13238 East Evans Creek Road	
City/State/Zip	Rogue River, OR 97537	
Phone #	(541) 582-1789	
Fax #		
e-mail address		

b. Businesses/Organizations

Name	
Contact Person and Title	
Mailing Address	
City/State/Zip	
Phone	
Fax	
e-mail	

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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	Individual 2
Name	Cynthia Edwards	
Mailing Address		
City/State/Zip		

d. Businesses/Organizations

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

4. Date of Site Inspection: April 29, 2009

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

Name	Date	Association with the project
Marty Usiak	4/29/2009	Occupant
Cynthia Edwards	4/29/2009	Owner / Occupant

6. County: Jackson

7. Tax Lot Information:

Tax map number	Tax lot number
36S 3W 5	314
36S 3W 5	308

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 #	

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

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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 from the creek using a portable diesel pump. Sections of portable aluminum pipe connects the pump to a pvc buried mainline with 9 risers. Aluminum swing pipes and laterals are connected to risers. Impact sprinklers are used to apply water to irrigated areas. Pump intake is equipped with a Sure-Flo Self cleaning fish screen SCS-3.

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)
Portable pump between POD 1 and POD 2		

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
E. Fk. Evans Creek (aka Evans Creek)	Evans Creek

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
NE/SW section 5, T35S, R3W, W.M.	A portable pump to be located within the reach between POD 1, 85 feet south & 2260 feet east and POD 2, 480 feet south & 2015 feet east from the West 1/4 corner section 5

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, garden, fruit trees	During irrigation season as needed	0.191 pri 0.09 sup

Total Quantity of Water 0.191 PRI 0.09 SUP

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

certificate	1/4 1/4	Section	Township	Range	Use	# of primary acres	# of supplemental acres
51335	NWNW	5	35S	3W	IR	0.2	

51335	SENW	5	35S	3W	IR	0.6	
50143	SENW	5	35S	3W	IR	3.3	
50143	NESW	5	35S	3W	IR	0.3	
43986	SWNW	5	35S	3W	IR	3.6	
43985	SWNW	5	35S	3W	IR	1.2	
43985	SENW	5	35S	3W	IR	6.0	
24152	SWNW	5	35S	3W	IR		1.2
24152	SENW	5	35S	3W	IR		6.0

Total Acres Irrigated 15.2 PRI, 7.2 SUP

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.**

1. If the system involved a storage tank, complete the table below:

Material (concrete, fiberglass, metal, etc.)	Capacity in gallons	Above ground or buried

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
CORNELL	1.5 YHEM309- 5	NA	CENTRIFUGAL	2 INCH	2 INCH

2. Motor information

Brand	Model	Horsepower	Max RPM	Voltage
-------	-------	------------	---------	---------

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ISUZU	3CBICZP01	27.5	2600	DIESEL
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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
SENSUS	69420389	NEW	2726600 GAL	

4. Measurement device description

Device description	Condition (working or not)	Notes
NA		

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

Initial meter reading	Ending meter reading	Duration of time observed	Total pump output
NA			

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
27.5	80 +/-	5	50 ft. ave.	

7. Provide pump calculations in the box below:

$$Q = \frac{(Hp)(6.61)}{(\text{lift} + \text{pressure in ft.})} = \text{cfs} \quad Q = \frac{(27.5)(6.61)}{(55 + 203.2)} = 0.7 \text{ cfs}$$

8. Mainline information

Mainline size	Length	Type of pipe	Buried or above ground
4 inch	980 ft	Pvc	buried
3 inch	615 ft	Pvc	buried
4 inch	360 ft	Aluminum	Above ground

9. Lateral or handline information

Lateral or handline size	Length	Type of pipe	Buried or above ground
2 inch swing pipe	50 ft	Aluminum	Above
3 inch swing pipe	60 ft	Aluminum	Above
2 inch handline	810	Aluminum	Above

10. Sprinkler information Make and model:

Make	Model	Size	Operating psi	Sprinkler output	Maximum number used	Total sprinkler output
Rainbird	30	5/32	50	5 gpm	2	10 gpm
Rainbird	20JH	5/32	50	5 gpm	27	135 gpm
Rainbird	25BPJ	5/32	50	5 gpm	2	10 gpm

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

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

$$155 \text{ gpm} = 0.35 \text{ cfs}$$

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11. Additional notes or comments related to the system:

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:**

a. 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:

	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	Oct. 10 2009	Sept. 2008	Purchased pipe, pump, sprinklers, install mainlines etc. Irrigate all areas with water rights

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.

4. **Measurement, recording, and reporting conditions:**

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

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.

b. Has a meter been installed? YES

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c. Provide the date the meter was installed:

September 2008

d. If a meter has not been installed, has a suitable measuring device been installed and approved by the Department? NA

e. If "YES", provide a copy of the letter approving the device, if available. If the letter is not available provide the name and title of the Water Resources Department employee approving the measuring device, and the approximate date of the approval:

Name	Title	Approximate date
NA		

f. Is the water user required to report the water use to the Department? NO

g. Have the reports been submitted? NA

If the reports have not been submitted, attach a copy of the reports if available.

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? YES

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**

b. Has the fish screening been installed? YES

c. When was the fish screening installed?

Date	By whom
Sept 2008	contractor

d. Is the **total** diversion rate of all rights at the point of diversion less than 0.5 cfs? YES

e. If the total diversion rate is less than 0.5 cfs, has the water user self certified the fish screen. YES

f. Has a self certification form been previously submitted to the Department? NO

g. If not, is the self certification form attached to this Claim? YES

h. If the total diversion rate is greater than 0.5 cfs, has ODFW approved the screening? NA

i. Has the water user previously submitted a letter from ODFW approving the screening? NO

j. If not, is the approval letter attached to the Claim? NO

k. Has the by-pass device been installed? NA

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SALEM, OREGON

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1. Describe the by-pass device:

When installed	By whom	Approved by ODFW	Description
NA			

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? YES NO
- c. Has the pump test been approved by the Department? YES NO
- d. If no, is the pump test attached to this Claim? YES NO

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

**POD 1 incorrectly described in transfer order. Described correctly in this report.
0.2 acres C-51335, lost due to construction of arena area.**

Attachments

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

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Attachment name	Description
Fish Screen self-certification	Self certification

**WATER RESOURCES DEPT
SALEM, OREGON**

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
Reach between 1 & 2	0.194	0.35 cfs	NA	Irrigation	15.4	15.2

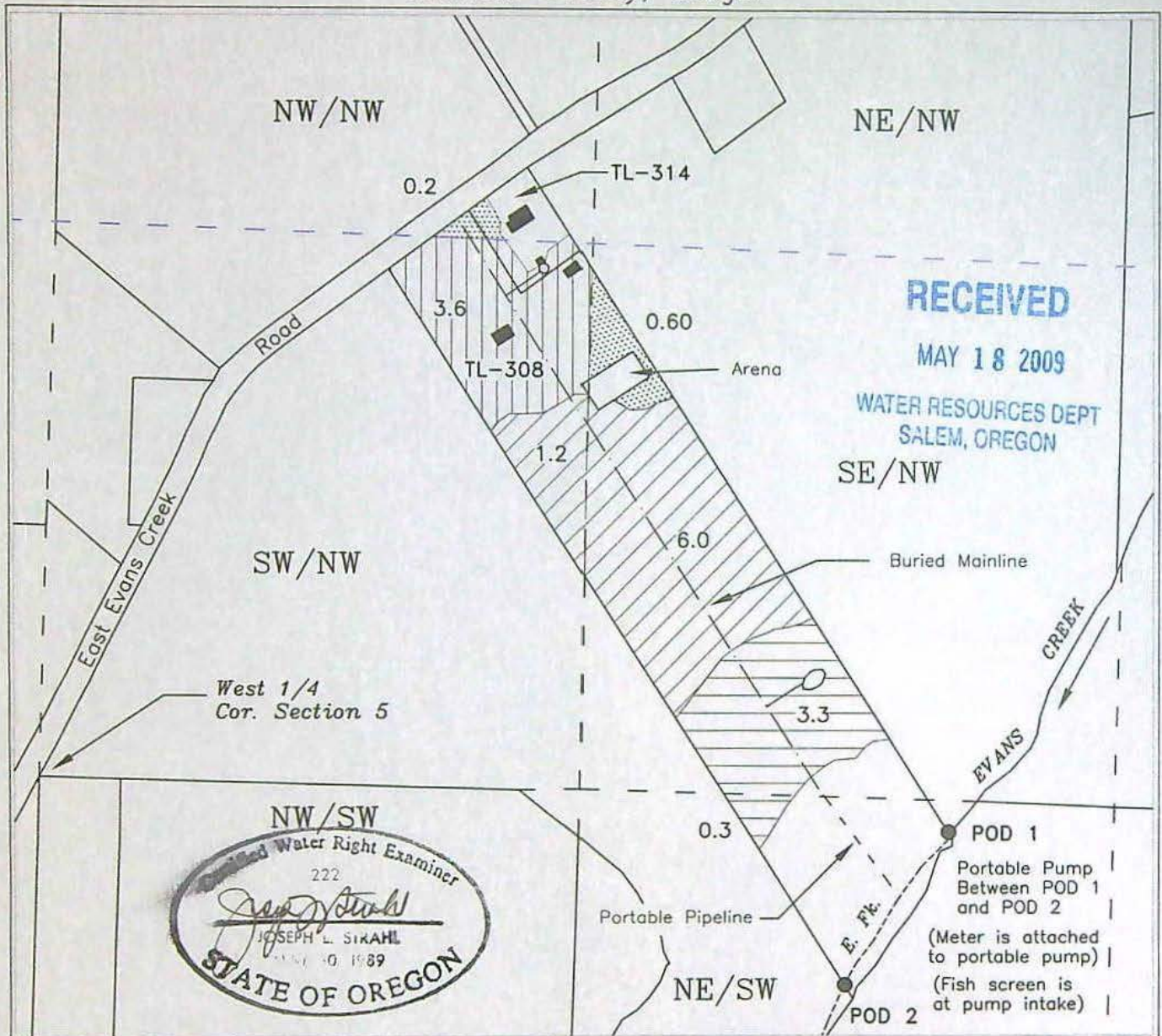
Claim of Beneficial Use Map

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.

CLAIM OF BENEFICIAL USE T-10395

In The Name Of: CYNTHIA EDWARDS

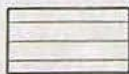
Section 5, Township 35 South, Range 3 West, W.M.
Jackson County, Oregon



POINT OF DIVERSION - NE/SW, . Between POD-1, 85 feet south & 2260 feet east and POD-2, 480 feet south & 2015 feet east, both from the west 1/4 corner section 5, T.35S, R.3W, W.M.



Certificate 51335, Mays Cr.
0.80 acres, 1901



Certificate 50143, Mays Cr. & Reservoir
3.6 acres, 3/6/1947



Certificate 43986 Evans Cr. (E.Fk.)
3.6 acres, 5/27/1917

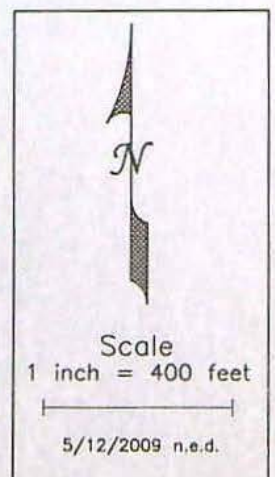


Certificate 43985, Evans Cr. (E.Fk.)
7.2 acres, 12/1/1923

Certificate 24152 Mays Cr.
7.2 acres, Supplemental 12/4/1956

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

Base Map: Jackson County GIS data
with 2005 FSA aerial photo overlay



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.

Field inspection with 2005 FSA aerial photo. Elevations determined with hand level and tape
Base map – Jackson County GIS data

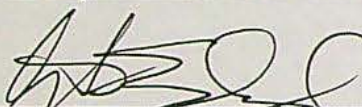
CWRE Statement, Seal and Signature

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.

 Cynthia Edwards 5/14/09
Signature Print or type name Date

Signature Print or type name Date

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WATER RESOURCES DEPT
SALEM, OREGON



OREGON DEPARTMENT of FISH and WILDLIFE

FISH SCREENING PROGRAM

SMALL PUMP SCREEN SELF CERTIFICATION

The Oregon Water Resources Department in coordination and cooperation with the Oregon Department of Fish and Wildlife includes screen requirements on pumps to protect fish as a condition of many surface water and/or reservoir water right permits. This is done in accordance with ORS 537.153.

The Oregon Department of Fish and Wildlife does not usually inspect small pump screens at **pumped diversions less than 225 gpm** (gallons per minute), but furnishes the following fish screening criteria information to the water right permit holder:

Screen material open area must be at least 27% of the total wetted screen area.

Perforated plate: Openings shall not exceed 3/32 or 0.0938 inches (2.38 mm).

Mesh/Woven wire screen: Square openings shall not exceed 3/32 or 0.0938 inches (2.38 mm) in the narrow direction, e.g., 3/32 inch x 3/32 inch open mesh.

Profile bar screen/Wedge wire: Openings shall not exceed 0.0689 inches (1.75 mm) in the narrow direction.

Screen area must be large enough not to cause fish impact. Wetted screen area depends on the water flow rate and the water approach velocity. **Approach velocity** is the water velocity perpendicular to and approximately three inches in front of any part of the screen face.

An Active pump screen is a self-cleaning screen that has a proven cleaning system. The **screen approach velocity for active pump screens** shall not exceed 0.4 fps (feet per second) or 0.12 mps (meters per second). The wetted screen area in square feet is calculated by dividing the maximum water flow rate in cubic feet per second (1 cfs = 449 gpm) by 0.4 fps.

A Passive pump screen is a screen that has no cleaning system other than periodic manual cleaning. **Screen approach velocity for passive pump screens** shall not exceed 0.2 fps or 0.06 mps. The wetted screen area in square feet is calculated by dividing the maximum water flow rate by 0.2 fps.

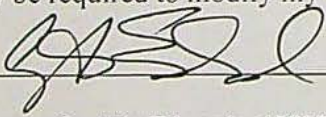
For further information on fish screening please contact:

Oregon Department of Fish and Wildlife, Statewide Fish Screening Coordinator: 503.947.6229

Oregon Department of Fish and Wildlife, Screening Program Administrative Specialist: 503.947.6224

As evidence of having met fish screen installation requirements, please sign the certification and send to:
Oregon Water Resources Department, Water Rights Section, 725 Summer Street NE, Suite A, Salem, OR 97301-1271.

Certification: I certify that my small pumped diversion of less than 225 gpm meets fish screening criteria, and that I will maintain it to comply with regulatory criteria. I also understand that should fish screening standards change, I may be required to modify my installation to meet applicable standards.

Applicant Signature:  Date: 5/14/09 WRD File #: T-10395

Printed Name and Address: Cynthia Edwards, 13238 E. Evans Crk. Rd., Rogur River, OR 97537

Phone: (541) 582-1789 Fax: ()

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**WATER RESOURCES DEPT
SALEM, OREGON**

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

In the Matter of Transfer Application	)	FINAL ORDER APPROVING
T-10395, Jackson County	)	CHANGES IN POINT OF DIVERSION
	)	AND PLACE OF USE, AND PARTIAL
	)	CANCELLATION OF WATER RIGHTS

Authority

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use 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.

ORS 540.621 establishes the process for the owner of land to which a water right is appurtenant to certify under oath that the water right, or a portion thereof, has been abandoned and to voluntarily request that it be cancelled.

Applicant

CYNTHIA A. EDWARDS
13238 EAST EVANS CREEK RD
ROGUE RIVER, OREGON 97537

Findings of Fact

Background

1. On May 29, 2007, Cynthia A. Edwards filed an application to change the place of use for a portion of the lands under Certificates 50143, 43986 and the point of diversion for a portion of the lands described under Certificates 51335, 50143, 43986, 43985 and 24152. The Department assigned the application number T-10395.
2. The portion of the first right to be transferred is as follows:
Certificate: 24152 in the name of David S. Blair (perfected under Permit S-24619)
Use: SUPPLEMENTAL IRRIGATION of 7.2 ACRES
Priority Date: DECEMBER 4, 1956
Rate: 0.09 CUBIC FOOT PER SECOND

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.

Limit/Duty: ONE-EIGHTIETH cfs per acre, not to exceed 4.5 acre-feet per acre per year
Source: MAY CREEK, tributary to EVANS CREEK

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q
34 S	3 W	WM	32	SE NW

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	SW NW	1.2
35 S	3 W	WM	5	SE NW	6.0

3. Certificate 24152 does not describe the location coordinates of the point of diversion, measured from a survey corner, however information is available from the transfer application map indicating that the point of diversion is located as follows:

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
34 S	3 W	WM	32	SE NW	35 FEET NORTH AND 1675 FEET EAST FROM THE WEST ¼ CORNER OF SECTION 32

4. Application T-10395 proposes to move the authorized point of diversion for these lands approximately 1 mile downstream to:

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Survey Coordinates
35S	3W	WM	5	NE SW	308	PORTABLE PUMP TO BE MOVED WITHIN THE REACH BETWEEN A POINT 85 FEET SOUTH AND 2660 FEET EAST, AND A POINT 480 FEET SOUTH AND 2015 FEET EAST FROM THE WEST ¼ CORNER OF SECTION 5.

5. The portion of the second right to be transferred is as follows:

Certificate: 43985 in the name of Paul B. and Cytha G. Dickey (perfected under Permit S-6124)

Use: IRRIGATION of 7.2 ACRES

Priority Date: DECEMBER 1, 1923

Rate: 0.09 CUBIC FOOT PER SECOND

Limit/Duty: ONE-EIGHTIETH cfs per acre

Source: EVANS CREEK, tributary to the ROGUE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
35 S	3 W	WM	5	SE NW	650 FEET NORTH AND 2610 FEET EAST FROM THE W1/4 CORNER OF SECTION 5

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	SW NW	1.2
35 S	3 W	WM	5	SE NW	6.0

6. Application T-10395 proposes to move the authorized point of diversion for these lands approximately 1/7th mile downstream to:

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Survey Coordinates
35S	3W	WM	5	NE SW	308	PORTABLE PUMP TO BE MOVED WITHIN THE REACH BETWEEN A POINT 85 FEET SOUTH AND 2660 FEET EAST, AND A POINT 480 FEET SOUTH AND 2015 FEET EAST FROM THE WEST ¼ CORNER OF SECTION 5.

7. The portion of the third right to be transferred is as follows:

Certificate: 43986 in the name of Paul B. and Cytha G. Dickey (perfected under Permit S-3312)

Use: IRRIGATION of 3.6 ACRES

Priority Date: MARCH 27, 1917

Rate: 0.045 CUBIC FOOT PER SECOND

Limit/Duty: ONE-EIGHTIETH cfs per acre

Source: EVANS CREEK, tributary to the ROGUE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
35 S	3 W	WM	5	SE NW	650 FEET NORTH AND 2610 FEET EAST FROM THE W1/4 CORNER OF SECTION 5

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	SE NW	3.3
35 S	3 W	WM	5	NE SW	0.3

8. Application T-10395 proposes to change the place of use and move the authorized point of diversion approximately 1/7th mile downstream for this portion of the right. The proposed new point of diversion is:

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Survey Coordinates
35S	3W	WM	5	NE SW	308	PORTABLE PUMP TO BE MOVED WITHIN THE REACH BETWEEN A POINT 85 FEET SOUTH AND 2660 FEET EAST, AND A POINT 480 FEET SOUTH AND 2015 FEET EAST FROM THE WEST ¼ CORNER OF SECTION 5.

9. Application T-10395 proposes the new place of use to be:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	SW NW	3.6

10. The portion of the fourth right to be transferred is as follows:

Certificate: 50143 in the name of David S. Blair (perfected under Permit 17593)

Use: IRRIGATION OF 3.6 ACRES

Priority Date: MARCH 6, 1947

Rate: 0.045 CUBIC FOOT PER SECOND

Limit/Duty: ONE-EIGHTIETH per acre for each acre irrigated from direct flow, not to exceed 4.5 acre-feet per acre per year for each acre irrigated during the irrigation season from April 2 to October 31 of each year from direct flow and storage

Source: MAY CREEK, tributary to EVANS CREEK

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
34 S	3 W	WM	32	SE NW	35 FEET NORTH AND 1675 FEET EAST FROM THE W1/4 CORNER OF SECTION 32

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	SW NW	3.6

11. Application T-10395 proposes to change the place of use and move the authorized point of diversion for a portion of the right. The new authorized point of diversion is approximately 1 mile downstream at:

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Survey Coordinates
35S	3W	WM	5	NE SW	308	PORTABLE PUMP TO BE MOVED WITHIN THE REACH BETWEEN A POINT 85 FEET SOUTH AND 2660 FEET EAST, AND A POINT 480 FEET SOUTH AND 2015 FEET EAST FROM THE WEST ¼ CORNER OF SECTION 5.

12. Application T-10395 proposes the new place of use for this portion of the right to be:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	SE NW	3.3
35S	3 W	WM	5	NE SW	0.3

13. The portion of the fifth right to be transferred is as follows:

Certificate: 51335 in the name of Streets, Bagley and Saunders (confirmed by Rogue River (F) State Water Board decree)

Use: IRRIGATION of 1.0 ACRE

Priority Date: 1901

Rate: 0.014 CUBIC FOOT PER SECOND

Source: MAY CREEK, tributary to EVANS CREEK

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
34 S	3 W	WM	32	SE NW	35 FEET NORTH AND 1675 FEET EAST FROM THE W1/4 CORNER OF SECTION 32

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	NW NW	0.2
35 S	3 W	WM	5	SE NW	0.8

14. Application T-10395 proposes to move the authorized point of diversion for this portion of the right approximately 1 mile downstream to:

Twp	Rng	Mer	Sec	Q-Q	GLot	Survey Coordinates
35S	3W	WM	5	NE SW	308	PORTABLE PUMP TO BE MOVED WITHIN THE REACH BETWEEN A POINT 85 FEET SOUTH AND 2660 FEET EAST, AND A POINT 480 FEET SOUTH AND 2015 FEET EAST FROM THE WEST ¼ CORNER OF SECTION 5.

15. Notice of the application for transfer was published on June 5, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
16. 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.
17. On August 3, 2007, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-10395 to the applicant. The draft Preliminary Determination set forth a deadline of September 7, 2007, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination with correction of some identified scrivener's errors in Finding of Fact No. 24 of the draft document, and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
18. On September 12, 2007, the Department issued a Preliminary Determination proposing to approve Transfer T-10395 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on September 18, 2007, and in the Grants Pass Daily Courier newspaper on October 3, 10 and 17, 2007, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

Transfer Review Criteria [OAR 690-380-4010(2)]

19. Water has been used within the last five years according to the terms and conditions of the rights, and there is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610
20. Pumps, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Application T-10395.
21. The proposed change would not result in enlargement of the rights provided the diversion of water under Certificates 24152 and 51225 and a portion of Certificate 50143 is limited to availability of water at the original diversion points on May Creek. Therefore, when May Creek, the water source for Certificate 24152 and 51225 and a portion of Certificate 50143 goes dry, irrigation will end under those portions of those water rights, even if there is still water in Evans Creek.
22. The proposed changes would not result in injury to other water rights.

Partial Cancellation of a Water Right

23. On May 29, 2007, three affidavits were received certifying that portions of three water rights have been abandoned and requesting cancellation of the portions of the rights were received from Cynthia A. Edwards.

24. The portion of the first right to be cancelled is as follows:

Certificate: 43986 in the name of Paul B. and Cytha G. Dickey (perfected under Permit S-3312)

Use: IRRIGATION of 0.2 ACRE

Priority Date: MARCH 27, 1917

Rate: 0.002 CUBIC FOOT PER SECOND

Limit/Duty: ONE-EIGHTIETH cfs per acre

Source: EVANS CREEK, tributary to the ROGUE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
35 S	3 W	WM	5	SE NW	650 FEET NORTH AND 2610 FEET EAST FROM THE W1/4 CORNER OF SECTION 5

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	NE SW	0.2

25. The portion of the second right to be cancelled is as follows:

Certificate: 50143 in the name of David S. Blair (perfected under Permit S-17593)

Use: IRRIGATION of 0.1 acre and SUPPLEMENTAL IRRIGATION of 0.7 acre

Priority Date: MARCH 6, 1947

Rate: 0.01 CUBIC FOOT PER SECOND

Limit/Duty: ONE-EIGHTIETH, cfs per acre, for each acre irrigated from direct flow, not to exceed 4.5 acre-feet per acre for each acre irrigated during the irrigation season from April 2 to October 31 of each year from direct flow and storage from reservoir

Source: MAY CREEK, tributary to EVANS CREEK

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
34 S	3 W	WM	32	SE NW	35 FEET NORTH AND 1675 FEET EAST FROM THE W1/4 CORNER OF SECTION 32

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	SW NW	0.1

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	NW NW	0.7

26. The portion of the third right to be cancelled is as follows:

Certificate: 51335 in the name of Streets, Bagley and Saunders (confirmed by Rogue River (F) State Water Board decree)

Use: IRRIGATION of 0.5 ACRE

Priority Date: 1901

Rate: 0.007 CUBIC FOOT PER SECOND

Source: MAY CREEK, tributary to EVANS CREEK

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
34 S	3 W	WM	32	SE NW	35 FEET NORTH AND 1675 FOOT EAST FROM THE W1/4 CORNER OF SECTION 32

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	NW NW	0.5

Conclusions of Law

The changes in place of use for portions of lands under Certificates 50143, 43986 and changes in the point of diversion under Certificates 51335, 50143, 43986, 43985, and 24152, proposed in application T-10395 are consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000 and the abandoned portions of the rights should be cancelled.

Now, therefore, it is ORDERED:

1. The changes in place of use for portions of lands under Certificates 50143, 43986 and the point of diversion under Certificates 51335, 50143, 43986, 43985, 24152 proposed in application T-10395 are approved. The portions of the rights that have been abandoned are cancelled.
2. Water right certificates 51335, 50143, 43986, 43985, 24152 are cancelled. New certificates will be issued describing the portions of the rights not affected by this transfer and cancellation.
3. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 51335, 50143, 43986, 43985, 24152 and any related decree.
4. The quantity of water diverted at the new reach within which a portable pump will divert water, shall not exceed the quantity of water lawfully available at the original point of diversion.

- Certs for 24152, 51335, & 50143*
5. ^{*this right*} ~~Diversion of water under the transferred portions of the rights evidenced by Certificates 24152 and 51335 and 50143 is limited to availability of water at the original diversion point on May Creek, being:~~

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
34 S	3 W	WM	32	SE NW	35 FEET NORTH AND 1675 FEET EAST FROM THE WEST ¼ CORNER OF SECTION 32

When May Creek goes dry, irrigation will end under the transferred portions of those water rights, even if there is still water in Evans Creek.

6. The former place of use of the transferred rights shall no longer receive water under the rights.
7. ~~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.~~ *In Compliance max use less than 225 gpm*
8. ~~Prior to diverting water, the water user shall install 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. The water user shall maintain and operate the measuring device as required by the Department~~ *In Compliance (SENSUS) To Cut*
9. The approved changes shall be completed and full beneficial use of the water shall be made on or before **October 1, 2009**. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
10. When satisfactory proof of the completed changes is received, new certificates confirming the rights transferred will be issued.

Dated at Salem, Oregon this 28 day of November 2007.


Phillip C. Ward, Director

Mailing date: NOV 29 2007

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

David S. Blair
Route 1, Box 100
Rogue River, Oregon 97537

confirms the right to use the waters of Mays Creek, tributary to Evans Creek, for SUPPLEMENTAL IRRIGATION OF 31.8 ACRES, DOMESTIC USE FOR 1 FAMILY AND STOCK.

This right was perfected under Permit S-24619. The date of priority is December 4, 1956. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.42 cubic foot per second (cfs), being 0.40 cfs for supplemental irrigation, 0.01 cfs for domestic and 0.01 cfs for stock, 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
34 S	3 W	WM	32	SE NW

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 4½ 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 to which this right is appurtenant is as follows:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	NE NW	8.0
35 S	3 W	WM	5	SW NW	9.8
35 S	3 W	WM	5	SE NW	14.0

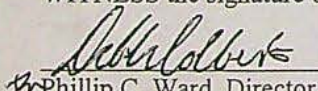
DOMESTIC USE FOR 1 FAMILY AND STOCK					
Twp	Rng	Mer	Sec	Q-Q	
35 S	3 W	WM	5	NE NW	

This certificate describes that portion of the water right confirmed by Certificate 24152, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered NOV 28 2007, approving Transfer Application 10395.

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

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

WITNESS the signature of the Water Resources Director, affixed NOV 28 2007


Phillip C. Ward, Director
T-10395.RA-DIP

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

Paul B. and Cytha G. Dickey
Rogue River, Oregon 97537

confirms the right to use the waters of Evans Creek, tributary to the Rogue River, for IRRIGATION OF 12.2 ACRES.

This right was perfected under Permit S-6124. The date of priority is December 1, 1923. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.152 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	Survey Coordinates
35 S	3 W	WM	5	SE NW	650 feet North and 2610 feet East from the W1/4 Corner of Section 5.

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, and 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	Acres
35 S	3 W	WM	5	SW NW	0.2
35 S	3 W	WM	5	SE NW	12.0

This certificate describes that portion of the water right confirmed by Certificate 43985, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered NOV 28 2007, approving Transfer Application 10395.

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

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed NOV 28 2007.


Phillip C. Ward, Director

STATE OF OREGON
COUNTY OF JACKSON
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

Paul B. and Cytha G. Dickey
Rogue River, Oregon 97537

confirms the right to use the waters of Evans Creek, tributary to the Rogue River, for IRRIGATION OF 8.2 ACRES.

This right was perfected under Permit S-3312. The date of priority is March 27, 1917. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.103 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	Survey Coordinates
35 S	3 W	WM	5	SE NW	650 feet North and 2610 feet East from the W1/4 Corner of Section 5.

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, and 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	Acres
35 S	3 W	WM	5	SE NW	8.2

This certificate describes that portion of the water right confirmed by Certificate 43986, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered NOV 28 2007, approving Transfer Application 10395.

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

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed NOV 28 2007.


Phillip C. Ward, Director

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

David S. Blair
Route 1, Box 100
Rogue River, Oregon 97537

confirms the right to use the waters of May Creek and reservoir constructed under Permit R-872, tributary to Evans Creek, for IRRIGATION OF 13.3 ACRES AND SUPPLEMENTAL IRRIGATION OF 21.8 ACRES.

This right was perfected under Permit S-17593. The date of priority is March 6, 1947. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.44 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	Survey Coordinates
34 S	3 W	WM	32	SE NW	35 feet North and 1675 feet East from the W $\frac{1}{4}$ Corner of Section 32

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 from direct flow and shall be further limited to a diversion of not to exceed 4 $\frac{1}{2}$ acre-feet per acre for each acre irrigated during the irrigation season from April 2 to October 31 of each year from direct flow and storage from reservoir constructed under Permit R-872 and 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	Acres
35 S	3 W	WM	5	SW NW	13.3

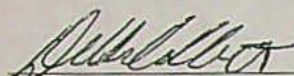
SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	NE NW	20.5
35 S	3 W	WM	5	NW NW	1.3

This certificate describes that portion of the water right confirmed by Certificate 50143, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered NOV 28 2007, approving Transfer Application 10395.

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

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed NOV 28 2007.



Phillip C. Ward, Director

son

STATE OF OREGON
COUNTY OF JACKSON
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

Streets, Bagley and Saunders
Ashland, Oregon 97520

confirms the right to use the waters of May Creek, tributary to Evans Creek, for IRRIGATION OF 28.5 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Jackson County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 4, at Page 1. The date of priority is 1901.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.408 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	Survey Coordinates
34 S	3 W	WM	32	SE NW	35 feet North and 1675 feet East from the W¼ Corner of Section 32

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

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	NE NW	18.0
35 S	3 W	WM	5	NW NW	2.3
35 S	3 W	WM	5	SE NW	8.2

This certificate describes that portion of the water right confirmed by Certificate 51335, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered NOV 28 2007, approving Transfer Application 10395.

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

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

WITNESS the signature of the Water Resources Director, affixed NOV 28 2007.


Phillip C. Ward, Director

Gerry Clark

From: Gerry Clark
Sent: Tuesday, August 04, 2009 10:40 AM
To: 'Greg'
Subject: RE: RA Cert for T-10395, Cynthia Edwards
Attachments: 10395-cf-51335-prop-to Contractor.doc; 10395-cf-24152-prop-to Contractor.doc; 10395-cf-43985-prop-to Contractor.doc; 10395-cf-43986-prop-to Contractor.doc; 10395-cf-50143-prop-to Contractor.doc

Greg,

Here are the templates you requested.

Gerry

Gerry Clark
Water Rights Specialist/Certificates
725 Summer St. NE, Ste. A
Salem, OR 97301

Phone: 503-986-0811
Fax: 503-986-0901

<http://www.wrd.state.or.us/>

From: Greg [mailto:phggek@bctonline.com]
Sent: Friday, July 31, 2009 1:49 PM
To: Gerry Clark
Subject: RA Cert for T-10395, Cynthia Edwards

Gerry:

I've completed my review of the COBU and done the conflict check. I find one possible conflict that I was not able to clarify with information available on line. Could you send me a copy of the transfer application map (not the Final Proof Survey) for T-3118?

Also, I am ready to begin preparing the proposed certificates, so could you send me the templates for the five of them?

Thanks,

Gregory E. Kupillas, R.G., C.W.R.E.

Pacific Hydro-Geology Inc.
18487 S. Valley Vista Road
Mulino, Oregon 97042-8741
(503) 632-5016

8/4/2009

Gerry Clark

From: Greg [phggek@bctonline.com]
Sent: Friday, May 22, 2009 11:10 AM
To: Gerry Clark
Subject: RA Cert for T-10395, Edwards

NO 4/1/09 JC
Called Greg on May 22
Told him we would need
to ask CWR and water
user about the by-pass
device and get a letter
from ODFW.

Gerry:

I've reviewed this file to make my estimate of time for processing. I noticed that you (or Jerry G.) indicated on the transfer order that the "fish screening and/or by-pass device" condition has been met (see Condition #7). The COBU includes a completed and signed self certification form which should satisfy the fish screening condition; however, there is no documentation that ODFW has either approved a by-pass device or determined that one is not necessary.

Based on more than one conversation I've had with you in the past on the subject of bypass devices, I believe that this COBU has not provided sufficient evidence that the by-pass device condition has been met. More specifically, I have been made to understand that even if the use of a bypass device is not applicable because water is withdrawn through a pump intake equipped with a fish screen, and regardless of whether that fish screen can be self certified or must be approved by ODFW, documentation must be provided to show that either ODFW has approved the by-pass device or determined that one is not required. I also understand that if the fish screen condition has been met, and the by-pass device requirement is irrelevant, then the determination by ODFW that the by-pass device is not required can be made after the C-date.

If I am correct in my understanding of this issue, then Edwards will need to get the ODFW to document that a by-pass device is required before the COBU is complete. This will affect my estimate, because I will need to account for additional time for preparation of a deficiency letter, etc.

Please let me know what the Department's position is on this issue. If your decision is to not require information on the by-pass device, I assume that will serve as precedent affecting all future claims for surface water permits or transfers which include the by-pass device condition language.

Regards,

Greg Kupillas

E-mail message checked by Spyware Doctor (6.0.1.441)
Database version: 6.12450
<http://www.pctools.com/spyware-doctor-antivirus/>

5/22/2009



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

November 28, 2007

CYNTHIA A. EDWARDS
13238 EAST EVANS CREEK RD
ROGUE RIVER OR 97537

Reference: Transfer 10395

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

A time to complete the transfer is given the order. YOU SHOULD GIVE PARTICULAR ATTENTION TO THE TIME LIMIT. The water right for any portion of the authorized change in use or change in place of use NOT carried out within the time allowed will be lost.

An extension of the time limit can be allowed only upon a showing that diligent effort has been made to complete the actual change within the time allowed.

You have the requirement to hire a Certified Water Right Examiner (CWRE) to complete a Claim of Beneficial Use report and map which must be submitted to this department within one year of the date you completed the change or within one year of the completion date authorized in the transfer, whichever occurs first.

Sincerely,

 Doug Parrow
Natural Resource Specialist

DP:sh

cc: Watermaster #13
Joseph Strahl, CWRE

Enclosure

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

In the Matter of Transfer Application	)	FINAL ORDER APPROVING
T-10395, Jackson County	)	CHANGES IN POINT OF DIVERSION
	)	AND PLACE OF USE, AND PARTIAL
	)	CANCELLATION OF WATER RIGHTS

Authority

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use 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.

ORS 540.621 establishes the process for the owner of land to which a water right is appurtenant to certify under oath that the water right, or a portion thereof, has been abandoned and to voluntarily request that it be cancelled.

Applicant

CYNTHIA A. EDWARDS
13238 EAST EVANS CREEK RD
ROGUE RIVER, OREGON 97537

Findings of Fact

Background

1. On May 29, 2007, Cynthia A. Edwards filed an application to change the place of use for a portion of the lands under Certificates 50143, 43986 and the point of diversion for a portion of the lands described under Certificates 51335, 50143, 43986, 43985 and 24152. The Department assigned the application number T-10395.
2. The portion of the first right to be transferred is as follows:
Certificate: 24152 in the name of David S. Blair (perfected under Permit S-24619)
Use: SUPPLEMENTAL IRRIGATION of 7.2 ACRES
Priority Date: DECEMBER 4, 1956
Rate: 0.09 CUBIC FOOT PER SECOND

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.

Limit/Duty: ONE-EIGHTIETH cfs per acre, not to exceed 4.5 acre-feet per acre per year
Source: MAY CREEK, tributary to EVANS CREEK

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q
34 S	3 W	WM	32	SE NW

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	SW NW	1.2
35 S	3 W	WM	5	SE NW	6.0

3. Certificate 24152 does not describe the location coordinates of the point of diversion, measured from a survey corner, however information is available from the transfer application map indicating that the point of diversion is located as follows:

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
34 S	3 W	WM	32	SE NW	35 FEET NORTH AND 1675 FEET EAST FROM THE WEST ¼ CORNER OF SECTION 32

4. Application T-10395 proposes to move the authorized point of diversion for these lands approximately 1 mile downstream to:

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Survey Coordinates
35S	3W	WM	5	NE SW	308	PORTABLE PUMP TO BE MOVED WITHIN THE REACH BETWEEN A POINT 85 FEET SOUTH AND 2660 FEET EAST, AND A POINT 480 FEET SOUTH AND 2015 FEET EAST FROM THE WEST ¼ CORNER OF SECTION 5.

5. The portion of the second right to be transferred is as follows:

Certificate: 43985 in the name of Paul B. and Cytha G. Dickey (perfected under Permit S-6124)

Use: IRRIGATION of 7.2 ACRES

Priority Date: DECEMBER 1, 1923

Rate: 0.09 CUBIC FOOT PER SECOND

Limit/Duty: ONE-EIGHTIETH cfs per acre

Source: EVANS CREEK, tributary to the ROGUE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
35 S	3 W	WM	5	SE NW	650 FEET NORTH AND 2610 FEET EAST FROM THE W1/4 CORNER OF SECTION 5

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	SW NW	1.2
35 S	3 W	WM	5	SE NW	6.0

6. Application T-10395 proposes to move the authorized point of diversion for these lands approximately 1/7th mile downstream to:

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Survey Coordinates
35S	3W	WM	5	NE SW	308	PORTABLE PUMP TO BE MOVED WITHIN THE REACH BETWEEN A POINT 85 FEET SOUTH AND 2660 FEET EAST, AND A POINT 480 FEET SOUTH AND 2015 FEET EAST FROM THE WEST ¼ CORNER OF SECTION 5.

7. The portion of the third right to be transferred is as follows:

Certificate: 43986 in the name of Paul B. and Cytha G. Dickey (perfected under Permit S-3312)

Use: IRRIGATION of 3.6 ACRES

Priority Date: MARCH 27, 1917

Rate: 0.045 CUBIC FOOT PER SECOND

Limit/Duty: ONE-EIGHTIETH cfs per acre

Source: EVANS CREEK, tributary to the ROGUE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
35 S	3 W	WM	5	SE NW	650 FEET NORTH AND 2610 FEET EAST FROM THE W1/4 CORNER OF SECTION 5

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	SE NW	3.3
35 S	3 W	WM	5	NE SW	0.3

8. Application T-10395 proposes to change the place of use and move the authorized point of diversion approximately 1/7th mile downstream for this portion of the right. The proposed new point of diversion is:

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Survey Coordinates
35S	3W	WM	5	NE SW	308	PORTABLE PUMP TO BE MOVED WITHIN THE REACH BETWEEN A POINT 85 FEET SOUTH AND 2660 FEET EAST, AND A POINT 480 FEET SOUTH AND 2015 FEET EAST FROM THE WEST ¼ CORNER OF SECTION 5.

9. Application T-10395 proposes the new place of use to be:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	SW NW	3.6

10. The portion of the fourth right to be transferred is as follows:

Certificate: 50143 in the name of David S. Blair (perfected under Permit 17593)

Use: IRRIGATION OF 3.6 ACRES

Priority Date: MARCH 6, 1947

Rate: 0.045 CUBIC FOOT PER SECOND

Limit/Duty: ONE-EIGHTIETH per acre for each acre irrigated from direct flow, not to exceed 4.5 acre-feet per acre per year for each acre irrigated during the irrigation season from April 2 to October 31 of each year from direct flow and storage

Source: MAY CREEK, tributary to EVANS CREEK

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
34 S	3 W	WM	32	SE NW	35 FEET NORTH AND 1675 FEET EAST FROM THE W1/4 CORNER OF SECTION 32

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	SW NW	3.6

11. Application T-10395 proposes to change the place of use and move the authorized point of diversion for a portion of the right. The new authorized point of diversion is approximately 1 mile downstream at:

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Survey Coordinates
35S	3W	WM	5	NE SW	308	PORTABLE PUMP TO BE MOVED WITHIN THE REACH BETWEEN A POINT 85 FEET SOUTH AND 2660 FEET EAST, AND A POINT 480 FEET SOUTH AND 2015 FEET EAST FROM THE WEST ¼ CORNER OF SECTION 5.

12. Application T-10395 proposes the new place of use for this portion of the right to be:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	SE NW	3.3
35S	3 W	WM	5	NE SW	0.3

13. The portion of the fifth right to be transferred is as follows:

Certificate: 51335 in the name of Streets, Bagley and Saunders (confirmed by Rogue River (F) State Water Board decree)

Use: IRRIGATION of 1.0 ACRE

Priority Date: 1901

Rate: 0.014 CUBIC FOOT PER SECOND

Source: MAY CREEK, tributary to EVANS CREEK

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
34 S	3 W	WM	32	SE NW	35 FEET NORTH AND 1675 FEET EAST FROM THE W1/4 CORNER OF SECTION 32

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	NW NW	0.2
35 S	3 W	WM	5	SE NW	0.8

14. Application T-10395 proposes to move the authorized point of diversion for this portion of the right approximately 1 mile downstream to:

Twp	Rng	Mer	Sec	Q-Q	GLot	Survey Coordinates
35S	3W	WM	5	NE SW	308	PORTABLE PUMP TO BE MOVED WITHIN THE REACH BETWEEN A POINT 85 FEET SOUTH AND 2660 FEET EAST, AND A POINT 480 FEET SOUTH AND 2015 FEET EAST FROM THE WEST ¼ CORNER OF SECTION 5.

15. Notice of the application for transfer was published on June 5, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
16. 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.
17. On August 3, 2007, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-10395 to the applicant. The draft Preliminary Determination set forth a deadline of September 7, 2007, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination with correction of some identified scrivener's errors in Finding of Fact No. 24 of the draft document, and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
18. On September 12, 2007, the Department issued a Preliminary Determination proposing to approve Transfer T-10395 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on September 18, 2007, and in the Grants Pass Daily Courier newspaper on October 3, 10 and 17, 2007, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

Transfer Review Criteria [OAR 690-380-4010(2)]

19. Water has been used within the last five years according to the terms and conditions of the rights, and there is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610
20. Pumps, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Application T-10395.
21. The proposed change would not result in enlargement of the rights provided the diversion of water under Certificates 24152 and 51225 and a portion of Certificate 50143 is limited to availability of water at the original diversion points on May Creek. Therefore, when May Creek, the water source for Certificate 24152 and 51225 and a portion of Certificate 50143 goes dry, irrigation will end under those portions of those water rights, even if there is still water in Evans Creek.
22. The proposed changes would not result in injury to other water rights.

Partial Cancellation of a Water Right

23. On May 29, 2007, three affidavits were received certifying that portions of three water rights have been abandoned and requesting cancellation of the portions of the rights were received from Cynthia A. Edwards.

24. The portion of the first right to be cancelled is as follows:

Certificate: 43986 in the name of Paul B. and Cytha G. Dickey (perfected under Permit S-3312)

Use: IRRIGATION of 0.2 ACRE

Priority Date: MARCH 27, 1917

Rate: 0.002 CUBIC FOOT PER SECOND

Limit/Duty: ONE-EIGHTIETH cfs per acre

Source: EVANS CREEK, tributary to the ROGUE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
35 S	3 W	WM	5	SE NW	650 FEET NORTH AND 2610 FEET EAST FROM THE W1/4 CORNER OF SECTION 5

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	NE SW	0.2

25. The portion of the second right to be cancelled is as follows:

Certificate: 50143 in the name of David S. Blair (perfected under Permit S-17593)

Use: IRRIGATION of 0.1 acre and SUPPLEMENTAL IRRIGATION of 0.7 acre

Priority Date: MARCH 6, 1947

Rate: 0.01 CUBIC FOOT PER SECOND

Limit/Duty: ONE-EIGHTIETH, cfs per acre, for each acre irrigated from direct flow, not to exceed 4.5 acre-feet per acre for each acre irrigated during the irrigation season from April 2 to October 31 of each year from direct flow and storage from reservoir

Source: MAY CREEK, tributary to EVANS CREEK

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
34 S	3 W	WM	32	SE NW	35 FEET NORTH AND 1675 FEET EAST FROM THE W1/4 CORNER OF SECTION 32

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	SW NW	0.1

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	NW NW	0.7

26. The portion of the third right to be cancelled is as follows:

Certificate: 51335 in the name of Streets, Bagley and Saunders (confirmed by Rogue River (F) State Water Board decree)

Use: IRRIGATION of 0.5 ACRE

Priority Date: 1901

Rate: 0.007 CUBIC FOOT PER SECOND

Source: MAY CREEK, tributary to EVANS CREEK

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
34 S	3 W	WM	32	SE NW	35 FEET NORTH AND 1675 FOOT EAST FROM THE W1/4 CORNER OF SECTION 32

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	NW NW	0.5

Conclusions of Law

The changes in place of use for portions of lands under Certificates 50143, 43986 and changes in the point of diversion under Certificates 51335, 50143, 43986, 43985, and 24152, proposed in application T-10395 are consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000 and the abandoned portions of the rights should be cancelled.

Now, therefore, it is ORDERED:

1. The changes in place of use for portions of lands under Certificates 50143, 43986 and the point of diversion under Certificates 51335, 50143, 43986, 43985, 24152 proposed in application T-10395 are approved. The portions of the rights that have been abandoned are cancelled.
2. Water right certificates 51335, 50143, 43986, 43985, 24152 are cancelled. New certificates will be issued describing the portions of the rights not affected by this transfer and cancellation.
3. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 51335, 50143, 43986, 43985, 24152 and any related decree.
4. The quantity of water diverted at the new reach within which a portable pump will divert water, shall not exceed the quantity of water lawfully available at the original point of diversion.

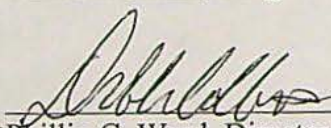
5. Diversion of water under the transferred portions of the rights evidenced by Certificates 24152 and 51335 and 50143 is limited to availability of water at the original diversion point on May Creek, being:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
34 S	3 W	WM	32	SE NW	35 FEET NORTH AND 1675 FEET EAST FROM THE WEST ¼ CORNER OF SECTION 32

When May Creek goes dry, irrigation will end under the transferred portions of those water rights, even if there is still water in Evans Creek.

6. The former place of use of the transferred rights shall no longer receive water under the rights.
7. 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.
8. Prior to diverting water, the water user shall install 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. The water user shall maintain and operate the measuring device as required by the Department.
9. The approved changes shall be completed and full beneficial use of the water shall be made on or before **October 1, 2009**. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
10. When satisfactory proof of the completed changes is received, new certificates confirming the rights transferred will be issued.

Dated at Salem, Oregon this 28 day of November 2007.


Phillip C. Ward, Director

Mailing date: NOV 29 2007

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

David S. Blair
Route 1, Box 100
Rogue River, Oregon 97537

confirms the right to use the waters of Mays Creek, tributary to Evans Creek, for SUPPLEMENTAL IRRIGATION OF 31.8 ACRES, DOMESTIC USE FOR 1 FAMILY AND STOCK.

This right was perfected under Permit S-24619. The date of priority is December 4, 1956. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.42 cubic foot per second (cfs), being 0.40 cfs for supplemental irrigation, 0.01 cfs for domestic and 0.01 cfs for stock, 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
34 S	3 W	WM	32	SE NW

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 4½ 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 to which this right is appurtenant is as follows:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	NE NW	8.0
35 S	3 W	WM	5	SW NW	9.8
35 S	3 W	WM	5	SE NW	14.0

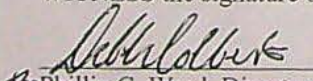
DOMESTIC USE FOR 1 FAMILY AND STOCK				
Twp	Rng	Mer	Sec	Q-Q
35 S	3 W	WM	5	NE NW

This certificate describes that portion of the water right confirmed by Certificate 24152, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered NOV 28 2007, approving Transfer Application 10395.

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

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

WITNESS the signature of the Water Resources Director, affixed NOV 28 2007.


Phillip C. Ward, Director
T-10395.RA-DIP

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

Paul B. and Cytha G. Dickey
Rogue River, Oregon 97537

confirms the right to use the waters of Evans Creek, tributary to the Rogue River, for IRRIGATION OF 12.2 ACRES.

This right was perfected under Permit S-6124. The date of priority is December 1, 1923. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.152 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	Survey Coordinates
35 S	3 W	WM	5	SE NW	650 feet North and 2610 feet East from the W1/4 Corner of Section 5.

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

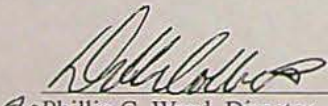
A description of the place of use to which this right is appurtenant is as follows:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	SW NW	0.2
35 S	3 W	WM	5	SE NW	12.0

This certificate describes that portion of the water right confirmed by Certificate 43985, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered NOV 28 2007, approving Transfer Application 10395.

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

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed NOV 28 2007.
Phillip C. Ward, Director

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

Paul B. and Cytha G. Dickey
Rogue River, Oregon 97537

confirms the right to use the waters of Evans Creek, tributary to the Rogue River, for IRRIGATION OF 8.2 ACRES.

This right was perfected under Permit S-3312. The date of priority is March 27, 1917. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.103 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	Survey Coordinates
35 S	3 W	WM	5	SE NW	650 feet North and 2610 feet East from the W1/4 Corner of Section 5.

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, and 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:

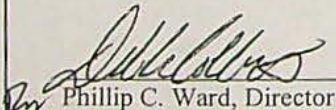
IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	SE NW	8.2

This certificate describes that portion of the water right confirmed by Certificate 43986, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered NOV 28 2007, approving Transfer Application 10395.

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

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed NOV 28 2007.


Phillip C. Ward, Director

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

David S. Blair
Route 1, Box 100
Rogue River, Oregon 97537

confirms the right to use the waters of May Creek and reservoir constructed under Permit R-872, tributary to Evans Creek, for IRRIGATION OF 13.3 ACRES AND SUPPLEMENTAL IRRIGATION OF 21.8 ACRES.

This right was perfected under Permit S-17593. The date of priority is March 6, 1947. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.44 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	Survey Coordinates
34 S	3 W	WM	32	SE NW	35 feet North and 1675 feet East from the W $\frac{1}{4}$ Corner of Section 32

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 from direct flow and shall be further limited to a diversion of not to exceed 4 $\frac{1}{2}$ acre-feet per acre for each acre irrigated during the irrigation season from April 2 to October 31 of each year from direct flow and storage from reservoir constructed under Permit R-872 and 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	Acres
35 S	3 W	WM	5	SW NW	13.3

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	NE NW	20.5
35 S	3 W	WM	5	NW NW	1.3

This certificate describes that portion of the water right confirmed by Certificate 50143, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered NOV 28 2007, approving Transfer Application 10395.

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

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed NOV 28 2007.



Phillip C. Ward, Director

sm

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

Streets, Bagley and Saunders
Ashland, Oregon 97520

confirms the right to use the waters of May Creek, tributary to Evans Creek, for IRRIGATION OF 28.5 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Jackson County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 4, at Page 1. The date of priority is 1901.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.408 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	Survey Coordinates
34 S	3 W	WM	32	SE NW	35 feet North and 1675 feet East from the W¼ Corner of Section 32

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

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	NE NW	18.0
35 S	3 W	WM	5	NW NW	2.3
35 S	3 W	WM	5	SE NW	8.2

This certificate describes that portion of the water right confirmed by Certificate 51335, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered NOV 28 2007, approving Transfer Application 10395.

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

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

WITNESS the signature of the Water Resources Director, affixed NOV 28 2007.
Phillip C. Ward, Director



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

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

☐ Time-Limited

• total number of years: _____

(begin year: _____)

(end year: _____)

☐ Drought Transfer

☐ Other

2. APPLICANT INFORMATION

Name: _____
Cynthia A. Edwards
First Last

Address: _____
13238 East Evans Creek Road

_____ OR 97537
Rogue River State Zip
City

Phone: _____
541 582-1789
Home Work Other

Fax: _____ E-Mail address: _____

3. AGENT INFORMATION

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

Name: _____
First Last

Address: _____
MAY 29 2007

_____ WATER RESOURCES DEPT
SALEM, OREGON
City State Zip

Phone: _____
Home Work Other

Fax: _____ E-Mail address: _____

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- 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.

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.	Rogue River	T-5123	51335
2.	22312	17593 / T-4560	50143
3.	5457	3312 / T-3118	43986
4.	9287	6124 / T-3117	43985
5.	31240	24619	24152
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 locate the diversions on property where used.

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.

Water from both sources has been diverted from creek at subject property, see affidavit of
of use for description of system

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- System capacity: 0.2 + cubic feet per second (cfs). If the transfer involves multiple rights that have independent systems, describe the capacity for each system separately.

NA

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6. EVIDENCE OF BENEFICIAL WATER USE

- 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:
 - ▶ 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:

- 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).

Jackson County
10 South Oakdale, Room 100
Medford, OR 97501

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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

- 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.)

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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:
- ❶ In EFU zone or irrigation district,
 - ❷ Change in place of use only,
 - ❸ No structural changes needed, including diversion works, delivery facilities, other structures, *and*
 - ❹ Irrigation only.

Fees:

- ☒ Amount enclosed: \$ 700.00
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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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	<u>Cynthia Edwards</u> name (print)	<u>5/25/07</u> date
 applicant signature	 name (print)	 date

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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: 50143

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</u> of 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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2. CURRENT WATER RIGHT INFORMATION

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

☒ Certificated Right	50143	17593
	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: David S. Blair
- County: Jackson
- Authorized Use(s) to be Affected by Transfer: Irrigation
- Priority Date(s): March 6, 1947

*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: Mays Creek and Reservoir

Tributary to: Evans Creek (E.F.)

*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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▪ Certificate Number or other identifying number: 50143

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)
	Mays Creek & Reservoir	34 S	3 W	W M	32	SW/NW	1300 1100	35 FT. N. & 1675 FT. E. FROM THE W ¼, SECTION 32

▪ 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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Source and Priority Date	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
Certificate Number or other identifying number: <u>50143</u>							

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)
E.F. EVANS CR., BELOW MAYS CREEK	35S	3W	W M	5	NE SW	308	PORTABLE PUMP BETWEEN A POINT 85 FT. S. & 2660 FT. E., AND A POINT 480 FT. S. & 2015 E. BOTH FROM THE W ¼ CORNER SECTION 5

- 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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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: 51335

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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2. CURRENT WATER RIGHT INFORMATION

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

☒ Certificated Right	51335 Certificate Number	Rogue River Decree 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: Streets, Bagley and Saunders
- County: Jackson
- Authorized Use(s) to be Affected by Transfer: Irrigation
- Priority Date(s): 1901

*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: Mays Creek

Tributary to: Evans Creek (E. F.)

*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? C-50143

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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▪ Certificate Number or other identifying number: 51335

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)
	Mays Creek 1901	34 S	3 W	W M	32	SE/NW	1300 1100	35 ft. N & 1675 ft. E. from the W1/4 corner section 32

- 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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WATER RESOURCES DEPT
SALEM, OREGON

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: 24152

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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2. CURRENT WATER RIGHT INFORMATION

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

☒ Certificated Right	24152	24619
	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: David S. Blair
- County: Jackson
- Authorized Use(s) to be Affected by Transfer: Supplemental Irrigation 7.2 acres
(supplemental to Certificate 43985)
- Priority Date(s): December 4, 1956

*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: Mays Creek

Tributary to: Evans Creek (E. F.)

*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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- Certificate Number or other identifying number: 24152

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)
	Mays Creek 12/4/1956	34S	3W	W M	32	SE/NW	1300 1100	35 FT. N. & 1675 FT. E. FROM THE W ¼ CORNER SECTION 32

- 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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Source and Priority Date	Township	Range	Mer	Sec	1/4 1/4 Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)

▪ Certificate Number or other identifying number: 24152

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	1/4 1/4 Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
E.F. Evans Cr. Below confluence with Mays Cr.	35S	3W	W M	5	NE SW	308	PORTABLE PUMP BETWEEN A POINT 85 FT. S., & 2660 FT. E. AND A POINT 480 FT. S., & 2015 FT. E. FROM THE W 1/4 CORNER SECTION 5

- 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.

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WATER RESOURCES DEPT
SALEM, OREGON

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: 43986

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</u> of 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
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2. CURRENT WATER RIGHT INFORMATION

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

☒ Certificated Right	43985	3312
	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: Paul S. and Cytha G. Dickey
- County: Jackson
- Authorized Use(s) to be Affected by Transfer: Irrigation 3.6 acres
- Priority Date(s): March 27, 1917

*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: Evans Creek (E.F.)

Tributary to: Rogue River

*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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- Certificate Number or other identifying number: 43986

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)
	Evans Creek (E.F.) 3/27/1917	35S	3W	W M	5	SE/NW	313	650 FT. N. & 2610 FT. E. FROM THE W ¼ CORNER SECTION 5

- 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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Source and Priority Date	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
■ Certificate Number or other identifying number: <u>43986</u>							

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)
Evans Creek (E.F.)	35S	3W	W M	5	NE SW	308	PORTABLE PUMP BETWEEN A POINT 85 FT. S., & 2660 FT. E. AND A POINT 480 FT. S., & 2015 E. BOTH FROM THE W ¼ CORNER SECTION 5

- 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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WATER RESOURCES DEPT
SALEM, OREGON

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: 43985 _____

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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2. CURRENT WATER RIGHT INFORMATION

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

☒ Certificated Right	43985	6124
	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: Paul B. and Cytha G. Dickey
- County: Jackson
- Authorized Use(s) to be Affected by Transfer: Irrigation 7.2 acres
- Priority Date(s): December 1, 1923

*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: Evans Creek (EF)

Tributary to: Rogue River

*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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▪ Certificate Number or other identifying number: 43985

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)
	Evans Creek 12/1/1923	35S	3W	W M	5	SE/NW	313	650 FT. N., & 2610 FT. E. FROM THE W ¼ CORNER SECTION 5

▪ 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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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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- Certificate Number or other identifying number: 43985

*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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Source and Priority Date	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
■ Certificate Number or other identifying number: <u>43985</u>							

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)
Evans Creek (EF)	35S	3W	W M	5	NE SW	308	PORTABLE PUMP BETWEEN A POINT 85 FT. S., & 2660 FT. E., AND A POINT 480 FT. S., & 2015 FT. E. FROM THE W ¼ CORNER SECTION 5

- 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

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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Remarks: This right is supplemented by Certificate 24152

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**WATER RESOURCES DEPT
SALEM, OREGON**

STATE OF OREGON
COUNTY OF JACKSON
CERTIFICATE OF WATER RIGHT

This Is to Certify, That DAVID S. BLAIR

of Rt. 1, Box 100, Rogue River, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Kays Creek a tributary of Evans Creek for the purpose of supplemental irrigation, domestic use for 1 family and stock under Permit No. 24619 of the State Engineer, 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 4, 1956.

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 0.51 cubic foot per second, being 0.49 cubic foot per second for irrigation, 0.01 cubic foot per second for domestic and 0.01 cubic foot per second for stock,

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 32, Township 34 South, Range 3 West, W.M.

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 $4\frac{1}{2}$ 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:

	T	Cancel	RR	
8.0 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$			8.0	
stock & domestic in the NE $\frac{1}{4}$ NW $\frac{1}{4}$			Stk + Dom	
11.0 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$	1.2		9.9	
20.0 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$	6.0		14.0	
Section 5				
Township 35 South, Range 3 West, W.M.				
Total	7.2	0	31.8 Stk + Dom	39 Stk + Dom
CFS	0.09	0	0.40 0.01 0.01	0.49 0.01 stk 0.01 Dom
				0.51

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

RECEIVED

WITNESS the signature of the State Engineer, affixed

this 24th day of June, 1958.

RECEIVED
OVER THE COUNTER MAY 29 2007

WATER RESOURCES DEPT
SALEM, OREGON

LEWIS A. STANLEY

State Engineer

Recorded in State Record of Water Right Certificates, Volume 17, page 24152

Suppl to
C-43985

STATE OF OREGON
COUNTY OF JACKSON
CERTIFICATE OF WATER RIGHT

This Is to Certify, That **PAUL B. AND CYTHA G. DICKEY**

of Rogue River, State of Oregon, 97537, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Evans Creek

a tributary of Rogue River
irrigation of 19.4 acres

for the purpose of

under Permit No. 6124 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 1, 1923

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 0.242 cubic foot per second

0.01247

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 5, T. 35 S., R. 3 W., W. M., 650 feet North and 2610 feet East from the W $\frac{1}{2}$ Corner of Section 5.

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,

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:

	T	Cancel	RR	Total
1.4 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$	1.2	0	0.2	
18.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$	6.0	0	1.2	
Section 5				
T. 35 S., R. 3 W., W. M.	7.2		12.2	19.4
CFS	0.09	0	0.152	0.242

This certificate represents that portion of the water right confirmed by the prior certificate recorded at Page 7488, Volume 7, State Record of Water Right Certificates as modified by an order of the State Engineer entered on January 28, 1966, NOT modified by an order of the Water Resources Director entered on July 21, 1976, approving transfer application No. 3117. 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

RECEIVED

this date. November 23, 1976

MAY 29 2007

James E. Sexson

Water Resources Director

WATER RESOURCES DEPT
Recorded in State Record of Water Right Certificates, Volume 36, page 43985
SALEM, OREGON

**RECEIVED
OVER THE COUNTER**

STATE OF OREGON

COUNTY OF

JACKSON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That DAVID S. BLAIR

of Route 1, Box 100, Rogue River, State of Oregon 97537, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Mays Creek and reservoir constructed under Permit R-872

a tributary of Evans Creek ^{39.5 Total} for the purpose of irrigation of 17.0 acres and supplemental irrigation of 22.5 acres

under Permit No. 17593 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 March 6, 1947

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 0.495 cubic foot per second

0.01253

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 32, T34S, R3W, WM; 35 feet North and 1,675 feet East from W $\frac{1}{2}$ Corner, Section 32.

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 from direct flow and shall be further limited to a diversion of not to exceed 4 $\frac{1}{2}$ acre-feet per acre for each acre irrigated during the irrigation season from April 2 to October 31 of each year from direct flow and storage from reservoir constructed under Permit R-872,

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:

SEE NEXT PAGE

RECEIVED

MAY 29 2007

WATER RESOURCES DEPT
SALEM, OREGONRECEIVED
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	T	Cancel	RR	Total
Primary 17.0 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 5 Township 35 South, Range 3 West, WM	3.6	0.1	13.3	17
Supplemental 20.5 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$ 2.0 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 5 Township 35 South, Range 3 West, WM			20.5	
		0.7	1.3	22.5
Total	3.6	0.8	35.1	39.5
CFS	0.045	0.010	0.44	0.495

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 46270, Volume 38, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on October 15, 1980, approving Transfer Application 4560.

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

The right to the use of the water for the 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

RECEIVED

WITNESS the signature of the Water Resources Director, affixed this date. August 5, 1981

MAY 29 2007

James E. Seum
Water Resources Director

WATER RESOURCES DEPT

Recorded in State Record of Water Right Certificates, Volume 44, page 50143

RECEIVED

OVER THE COUNTER

STATE OF OREGON
COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That **PAUL B. AND CYTHA G. DICKEY**

of Rogue River, State of Oregon, 97537, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Evans Creek

a tributary of Rogue River for the purpose of irrigation of 12.0 acres

under Permit No. 3312 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 March 27, 1917

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 0.15 cubic foot per second

0.0125

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 5, T. 35 S., R. 3 W., W. M., 650 feet North and 2610 feet East from the W $\frac{1}{2}$ Corner of Section 5.

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,

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

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

11.5 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$	3.3	Cancel	RR	8.2
0.5 acre NE $\frac{1}{4}$ SW $\frac{1}{4}$	0.3	0.2		
Section 5				
T. 35 S., R. 3 W., W. M.	TOTAL 3.6	0.2		8.2 = 12

This certificate describes that portion of the water right confirmed by the prior certificate recorded at Page 3571, Volume 4, State Record of Water Right Certificates as modified by an order of the State Engineer entered on January 28, 1966, NOT modified by an order of the Water Resources Director entered on July 21, 1976, approving transfer application No. 3118. 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

RECEIVED

this date. November 23, 1976

MAY 29 2007

James E. Saxson
Water Resources Director

WATER RESOURCES DEPT

Recorded in State Record of Water Right Certificates, Volume 36, page 43986

**RECEIVED
OVER THE COUNTER**

STATE OF OREGON

COUNTY OF

JACKSON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That STREETS, BAGLEY and SAUNDERS

of Ashland, State of Oregon 97520, has
a right to the use of the waters of
Mays Creek

a tributary of Evans Creek for the purpose of
irrigation of 30.0 acres

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Jackson County, and the said decree entered of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 4, at page 1; that the priority of the right thereby confirmed dates from 1901

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.43 cubic foot per second

0.01433

The point of diversion is located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 32, T34S, R3W, WM: Mays Creek Ditch - 35 feet North and 1,675 feet East from W $\frac{1}{2}$ Corner, Section 32

A description of the place of use under the right, and to which such right is appurtenant, is as follows:	T		Cancel	RR
18.0 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$				18.0
3.0 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$	0.2	0.5		2.3
9.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$	0.8			8.2
Section 5				
Township 35 South, Range 3 West, WM				
Total -	1.0	0.5		28.5 = 30
CFs -	0.014	0.007		0.409 = .43

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 50148, Volume 44, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on October 29, 1982, approving Transfer Application 5123.

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

And said right shall be subject to all other conditions and limitations contained in said decree. The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the Water Resources Director, affixed

RECEIVED

this date December 28, 1982

MAY 29 2007

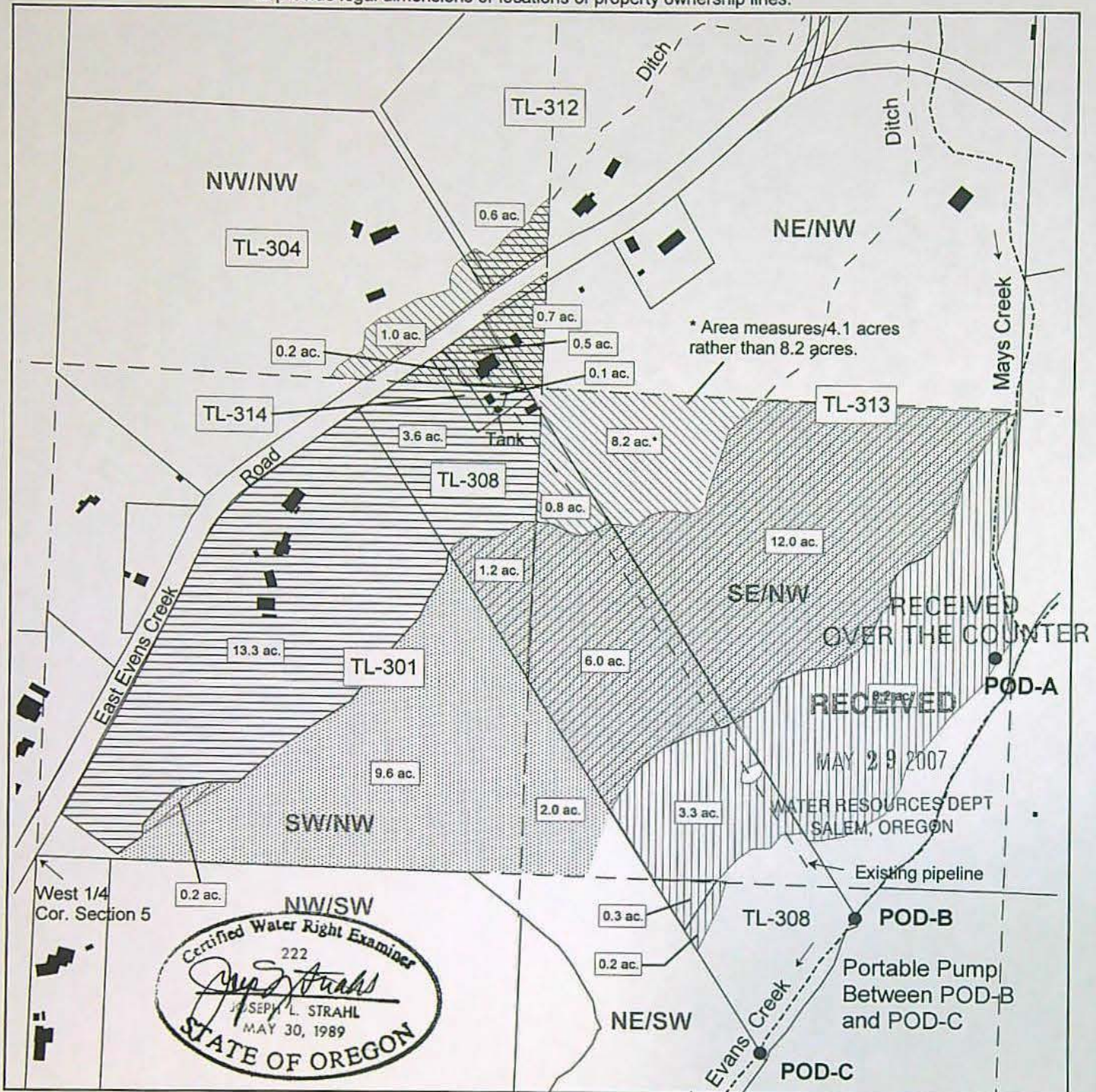
James E. Seem
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 46, page 51335
SALEM, OREGON

RECEIVED
OVER THE COUNTER

Change in Point of Diversion and Place of Use Section 5, Township 35 South, Range 3 West W.M. Tax Lots 308 and 314 Jackson County

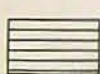
This map is for the purpose of identifying water rights and is not intended to provide legal dimensions or locations of property ownership lines.



Point of diversion from Mays Creek - Certificates 24152, 51335 and 50143 - SE/NW, Section 32, T. 34 S., R.3W., WM, 35 feet N. and 1675 feet E. from the West 1/4 Corner Section 32.

POD-A - Existing Point of Diversion for Certificates 43985 and 43986 - SE/NW, Section 5, T.35 S., R.3 W., WM. 650 feet N. and 2610 feet E. from the West 1/4 Corner Section 5.

Proposed Point of Diversion for all water rights on Tax lots 308 and 314, NE/SW, between POD-B, 85 feet S. and 2660 feet E. and POD-C, 480 feet S. and 2015 feet E., Both from the West 1/4 Corner of Section 5, T35 S, R.3 W., W.M.

-  Certificate 51335 (Decree), 1901, Mays Cr. Change in Point of Diversion (POD) only, for 0.2 acres NW/NW, and 0.8 ac. SE/NW, Cancel 0.5 ac. in NW/NW, . Remaining Right - 2.3 ac. NW/NW and 8.2 ac. SE/NW, all in Section 5.
-  Certificate 50143 (Permit 17593) 3/6/1947 Mays Cr. & Reservoir. Change in POD & Place of Use 3.6 ac. (primary) FROM SW/NW, TO 3.3 ac. SE/NW and 0.3 ac. NE/SW, Cancel 0.1 ac. (primary) SW/NW, 0.7 ac. (supplemental) NW/NW; Remaining right - 1.3 ac. (supplemental) NW/NW and 13.3 ac. (primary) SW/NW, all in Section 5.
-  Certificate 43986 (Permit 3312) 5/27/1917 Evans Cr. (East Evans Cr.) Change in POD and Place of Use FROM 3.3 ac. SE/NW and 0.3 ac. NE/SW TO 3.6 ac. SW/NW; Cancel 0.2 ac. NE/SW; Remaining Right 8.2 acres SE/NW, all in Section 5.
-  Certificate 43985 (Permit 6124) 12/1/1923, Evans Cr. (E.F. Evans Cr.) Change POD only for 1.2 ac. SW/NW and 6.0 ac. SE/NW. Remaining Right 0.2 ac. SW/NW and 12.0 ac. SE/NW all in Section 5.
-  Certificate 24152 (Permit 24619) 12/4/1956 Mays Cr. (Supplemental). Change in POD only for 1.2 ac. SW/NW and 6.0 ac. SE/NW. Remaining Right, 14 ac. SE/NW and 9.8 ac. SW/NW.

Applicant - Cynthia A. Edwards
13238 East Evans Creek Rd., Rogue River, OR 97537

Scale
1 inch = 400 feet



4/19/2007 - n.e.d.

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MAY 29 2007

WATER RESOURCES DEPARTMENT
REIMBURSEMENT AUTHORITY ESTIMATE APPLICATION WATER RESOURCES DEPT
SALEM, OREGON

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):

REQUEST	TYPE	FILE NUMBER
☒	Transfer Application	<u>1-10395</u>
☐	Certificate Request	
☐	Extension of Time Request	

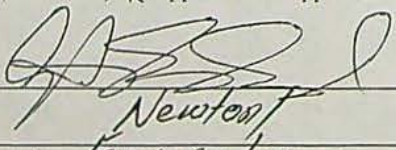
Applicant Information		Applicant's Representative/Contact
Name: (Please Print)	Cynthia A. Edwards	Superior Water Right Consulting, LLC
Address:	13238 East Evans Creek Rd.	245 Glenoak Lane
	Rogue River, OR 97537	Grants Pass, OR 97526
Phone:	541 582-1789	541 761-1057
Fax		541 479-9866
E-Mail Address:		normthewaterguy@charter.net

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: 5/25/07

OWRD USE ONLY

Contractor Assigned: <u>Envirologic</u>	Total Amount Paid: \$
OWRD Approval:	

STATE OF OREGON
COUNTY OF JACKSON
CERTIFICATE OF WATER RIGHT

This Is to Certify, That DAVID S. BLAIR

of Rt. 1, Box 100, Rogue River, State of Oregon ⁹⁷⁵³⁷, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Mays Creek

a tributary of Evans Creek for the purpose of supplemental irrigation, domestic use for 1 family and stock under Permit No. 24619 of the State Engineer, 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 4, 1956,

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 0.51 cubic foot per second, being 0.49 cubic foot per second for irrigation, 0.01 cubic foot per second for domestic and 0.01 cubic foot per second for stock,

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 32, Township 34 South, Range 3 West, W.M.

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 $4\frac{1}{2}$ 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:

8.0 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$
stock & domestic in the NE $\frac{1}{4}$ NW $\frac{1}{4}$
11.0 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$
20.0 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 5
Township 35 South, Range 3 West, W.M.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this 24th day of June, 1958.

LEWIS A. STANLEY

State Engineer

Recorded in State Record of Water Right Certificates, Volume 17, page 24152

T-10395

WRIS tract 6/30/58

STATE OF OREGON

COUNTY OF

JACKSON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That PAUL B. AND CYTHA G. DICKEY

of Rogue River, State of Oregon, 97537, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Evans Creek

a tributary of Rogue River for the purpose of irrigation of 19.4 acres

under Permit No. 6124 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 1, 1923

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 0.242 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 SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 5, T. 35 S., R. 3 W., W. M., 650 feet North and 2610 feet East from the W $\frac{1}{2}$ Corner of Section 5.

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,

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:

1.4 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
18.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 5
T. 35 S., R. 3 W., W. M.

This certificate represents that portion of the water right confirmed by the prior certificate recorded at Page 7488, Volume 7, State Record of Water Right Certificates as modified by an order of the State Engineer entered on January 28, 1966, NOT modified by an order of the Water Resources Director entered on July 21, 1976, approving transfer application No. 3117. 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. November 23, 1976

James E. Sexson

Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 36, page 43985

T-10395

✓ R.R. 68

STATE OF OREGON

COUNTY OF

JACKSON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That PAUL B. AND CYTHA G. DICKEY

of Rogue River, State of Oregon, 97537, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Evans Creek

a tributary of Rogue River for the purpose of irrigation of 12.0 acres

under Permit No. 3312 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 March 27, 1917

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 0.15 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 SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 5, T. 35 S., R. 3 W., W. M., 650 feet North and 2610 feet East from the W $\frac{1}{2}$ Corner of Section 5.

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,

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:

11.5 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$

0.5 acre NE $\frac{1}{4}$ SW $\frac{1}{4}$

Section 5

T. 35 S., R. 3 W., W. M.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at Page 3571, Volume 4, State Record of Water Right Certificates as modified by an order of the State Engineer entered on January 28, 1966, NOT modified by an order of the Water Resources Director entered on July 21, 1976, approving transfer application No. 3118. 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. November 23, 1976

James E. Sexson
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 36, page 43986

T-10395

STATE OF OREGON

COUNTY OF

JACKSON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That DAVID S. BLAIR

of Route 1, Box 100, Rogue River, State of Oregon 97537, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Mays Creek and reservoir constructed under Permit R-872

a tributary of Evans Creek for the purpose of irrigation of 17.0 acres and supplemental irrigation of 22.5 acres

under Permit No. 17593 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 March 6, 1947

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 0.495 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 SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 32, T34S, R3W, WM; 35 feet North and 1,675 feet East from W $\frac{1}{4}$ Corner, Section 32.

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 from direct flow and shall be further limited to a diversion of not to exceed 4 $\frac{1}{2}$ acre-feet per acre for each acre irrigated during the irrigation season from April 2 to October 31 of each year from direct flow and storage from reservoir constructed under Permit R-872,

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:

SEE NEXT PAGE

T-10395

Primary
17.0 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 5
Township 35 South, Range 3 West, WM

Supplemental
20.5 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
2.0 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 5
Township 35 South, Range 3 West, WM

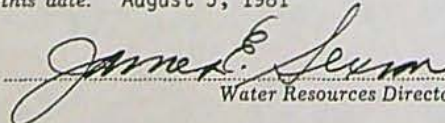
This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 46270, Volume 38, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on October 15, 1980, approving Transfer Application 4560.

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

The right to the use of the water for the 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. August 5, 1981


Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 44 , page 50143

✓ RR

STATE OF OREGON

COUNTY OF

JACKSON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That STREETS, BAGLEY and SAUNDERS

of Ashland, State of Oregon 97520, has
a right to the use of the waters of
Mays Creek

a tributary of Evans Creek for the purpose of
irrigation of 30.0 acres

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
Jackson County, and the said decree entered of record at Salem, in the Order Record of
the WATER RESOURCES DIRECTOR, in Volume 4, at page 1; that the priority of the right
thereby confirmed dates from 1901

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an
amount actually beneficially used for said purposes, and shall not exceed 0.43 cubic foot per
second

The point of diversion is located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 32, T34S, R3W, WM: Mays Creek
Ditch - 35 feet North and 1,675 feet East from W $\frac{1}{4}$ Corner, Section 32

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

18.0 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
3.0 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
9.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 5

Township 35 South, Range 3 West, WM

This certificate describes that portion of the water right confirmed by the
prior certificate recorded at page 50148, Volume 44, State Record of Water Right
Certificates, NOT modified by the provisions of an order of the Water Resources
Director entered on October 29, 1982, approving Transfer Application 5123.

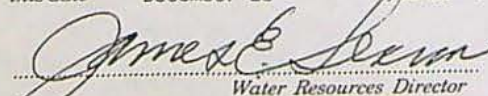
The issuance of this superseding certificate does not confirm the status of the
water right in regard to the provisions of ORS 540.610 pertaining to forfeiture
or abandonment.

And said right shall be subject to all other conditions and limitations contained in said decree.
The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein
described.

WITNESS the signature of the Water Resources Director, affixed

this date December 28

1982


Water Resources Director

T-10395

Recorded in State Record of Water Right Certificates, Volume 46, page 51335

ECTION

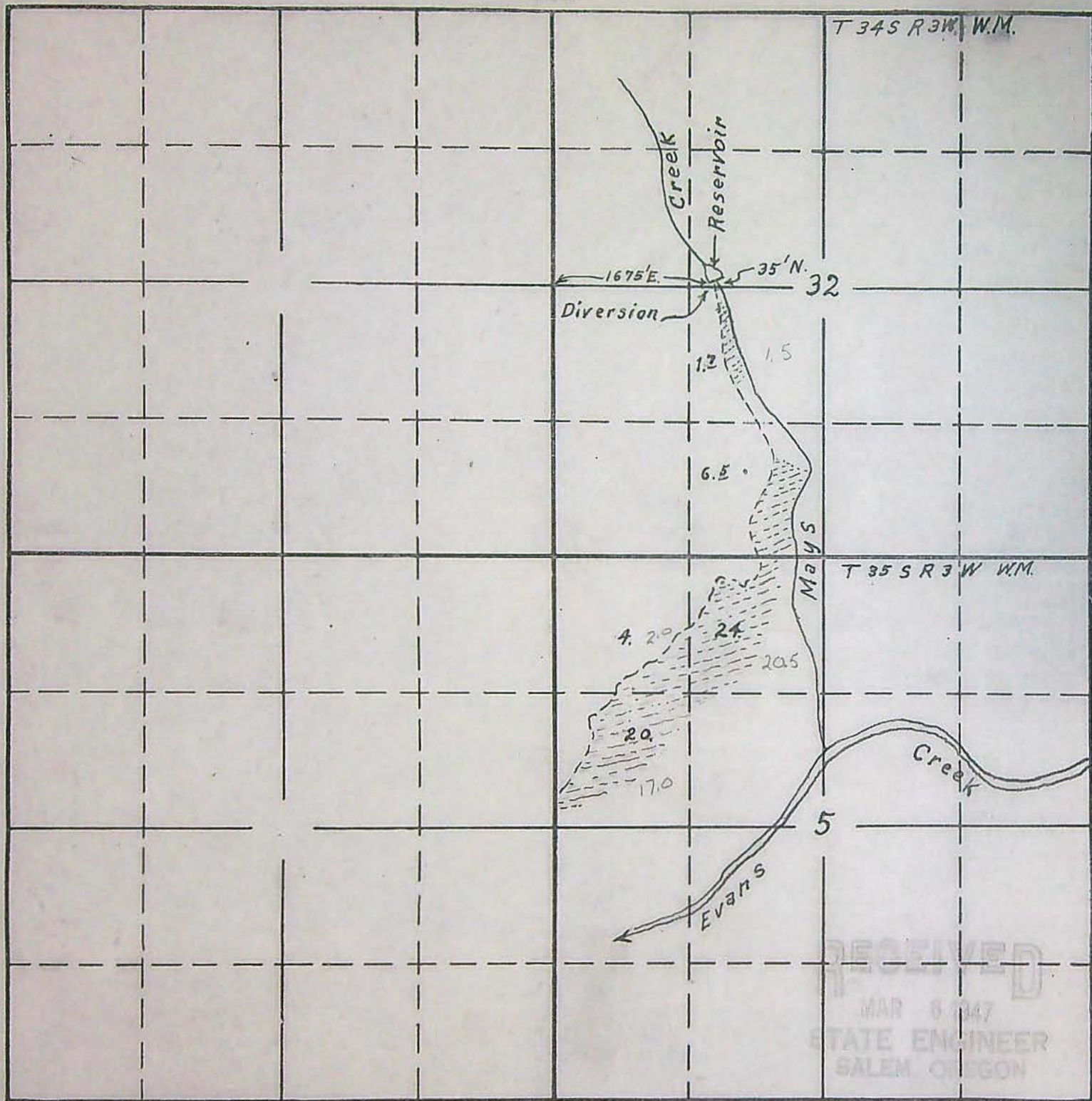
32

5

TOWNSHIP ^{34S}_{35S}, RANGE ^{3W}_{3W}, W. M.

COPY

North



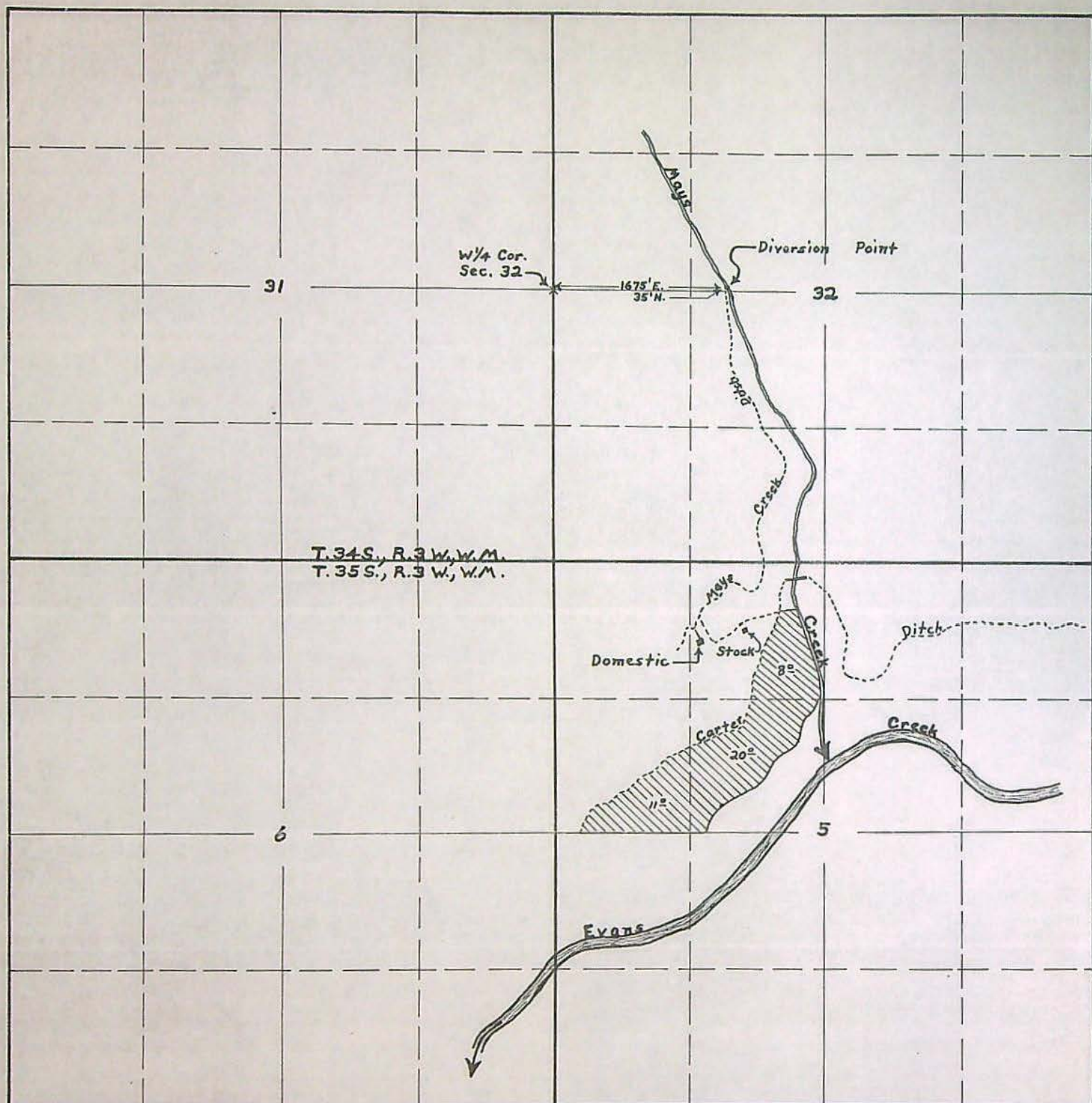
Map to accompany application of
David S. Blair - for use of water
from Mays Cr. for storage purposes
and for supplimental irrigation

South

APPLICATION No. 22312
PERMIT No. 17593

This office 2/25/47

COPY



Map to accompany application of
David S. Blair, for use of water from
Mays Creek for Supplemental Irrigation,
Stock and Domestic purposes.

This Office --- October 15, 1956

David C. Hendrix, Watermaster

RECEIVED
OCT 4 1956
STATE ENGINEER
SALEM, OREGON

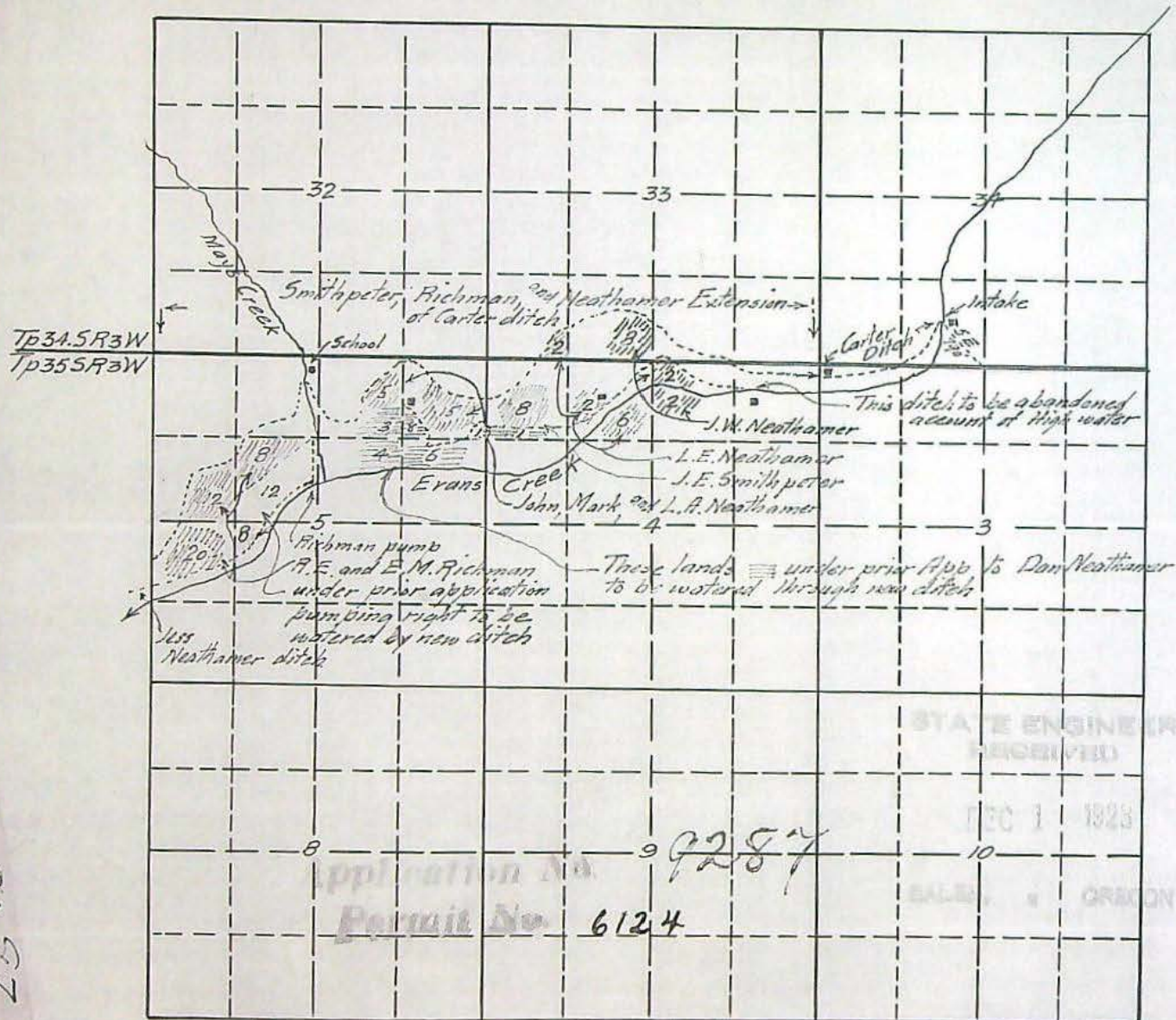
Application No. 31240
Permit No. 24619

COPY

MAP

Accompanying application of J.W, L.E, JOHN, MARK, and L.A. Neathamer, J.E. Smithpeter, R.E and E.M. Richman of Rogue River, Jackson County, Oregon. for permit to the flood and surplus waters of Evans Creek, Jackson County, Oregon. for the purpose of irrigation.

November 27th 1923.



Lands under Permit 3957
Certificate 3243 to
D.E. Neathamer

Lands under Permit 3312
Certificate 3571 to
E.M. Richman

Permission applied
for to convey water
to these lands by means of new
ditch under this applica-
tion.

Map made from notes and measurements taken in the field by Mark Neathamer the same correctly showing the lands to be irrigated together with streams and ditches in immediate vicinity. Compiled by.

Fred. N. Cummings. C.E.

Grants Pass
Daily Courier

P.O. Box 1468, 409 S.E. 7th Street • Grants Pass, Oregon 97528

AFFIDAVIT OF PUBLICATION

State of Oregon)
County of Josephine) ss.

I, Deborah M. Thomas, being first duly sworn, depose and say that I am the manager of Courier Publishing Co., printer of the Grants Pass Daily Courier, a newspaper of general circulation, as defined by ORS 193.010 and 193.020; printed and published at Grants Pass, in the aforesaid county and state; that the LEGAL NOTICE, a printed copy of which is herein enclosed, was published in the entire issue of said paper, for three insertions, on the following dates:

October 3, 2007; October 10, 2007; October 17, 2007.

Deborah M. Thomas

Subscribed and sworn to before me this
seventeenth day of October, 2007.

Chris Craine

Notary Public of Oregon

My commission expires the thirteenth day of
April, 2011.

LEGAL NOTICE

Notice of Preliminary Determination for Water Right Transfer T-10395

T-10395 filed by Cynthia Edwards, 13238 East Evans Creek Road, Rogue River, Oregon 97537, proposes a change in points of diversion and places of use under Certificates 51335, 50143, 43986, 43985, and 24152. The rights allow the use of varying cfs (priority dates range from 1901 to December 4, 1956) from diversions in Sec. 32, T 34 S, R 3 W, W.M. and Sec. 5, T 35 S, R 3 W, W.M. (Evans Creek Basin) for irrigation and supplemental irrigation in Sec. 5. The applicant proposes to change the point of diversion for a portion of the lands to another location approximately 1 mile south (Sec. 5, T 35 S, R 3 W, W.M.); and to change the place of use for a portions of the lands within Sec. 5, T 35 S, R 3 W, W.M. The Water Resources Department has concluded that the proposed transfer appears to be consistent with the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, with the Department a protest or standing statement within 30 days after the date of final publication of notice in the Department's weekly notice or of this newspaper notice, whichever is later. A protest form and additional information on filing protests may be obtained by calling (503) 986-0881. The last date of newspaper publication is Wednesday, October 17, 2007. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

No. 00109929 - October 3, 10 & 17, 2007

RECEIVED

OCT 24 2007

WATER RESOURCES DEPT
SALEM OREGON





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

September 13, 2007

Cynthia Edwards
13238 East Evans Creek Road
Rogue River, Oregon 97537

SUBJECT: Transfer Application T-10395

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-10395. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

A public notice is being published in the Department's weekly publication simultaneously with issuance of the Preliminary Determination. The notice initiates a 30-day period in which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determination or a standing statement supporting the Department's decision.

Because at least one new point of diversion is more than $\frac{1}{4}$ mile from the authorized point of diversion, the applicant is responsible for giving public notice of the transfer changes in a local newspaper having a general circulation in the area of the water right. The notice must be published at least once a week for three consecutive weeks. We have prepared the notice for you (enclosed). The deadline for individuals to file protests or standing statements is 30 days after the date of last publication. Please have the newspaper insert the date of last publication in the proper place.

After publication, the Department needs to receive an affidavit specifying the dates the notice was published. Please have the newspaper prepare and mail an original *affidavit of publication* to the Department, to me at the address above by **October 31, 2007**.

If no protest is filed, the Department will issue a Final Order consistent with the Preliminary Determination. You should receive a copy of the Final Order about 30 days after the close of the protest period.

If a protest is filed, the application may be referred to a contested case proceeding. A contested case provides an opportunity for the proponents and opponents of the decision proposed in the Preliminary Determination to present information and arguments supporting their position in a quasi-judicial proceeding.

Sincerely,

Dorothy I. Pedersen
Field Services Division

cc: Larry Menteer, District 13 Watermaster
Joseph L. Strahl, CWRE#222

encs



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

In the Matter of Transfer Application	)	PRELIMINARY DETERMINATION
T-10395, Jackson County	)	PROPOSING APPROVAL OF
	)	CHANGES IN POINT OF DIVERSION
	)	AND PLACE OF USE, AND PARTIAL
	)	CANCELLATION OF WATER RIGHTS

Authority

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use 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.

ORS 540.621 establishes the process for the owner of land to which a water right is appurtenant to certify under oath that the water right, or a portion thereof, has been abandoned and to voluntarily request that it be cancelled.

Applicant

CYNTHIA A. EDWARDS
13238 EAST EVANS CREEK RD
ROGUE RIVER, OREGON 97537

Findings of Fact

Background

1. On May 29, 2007, Cynthia A. Edwards filed an application to change the place of use for a portion of the lands under Certificates 50143, 43986 and the point of diversion for a portion of the lands described under Certificates 51335, 50143, 43986, 43985 and 24152. The Department assigned the application number T-10395.
2. The portion of the first right to be transferred is as follows:
Certificate: 24152 in the name of David S. Blair (perfected under Permit S-24619)
Use: SUPPLEMENTAL IRRIGATION of 7.2 ACRES
Priority Date: DECEMBER 4, 1956
Rate: 0.09 CUBIC FOOT PER SECOND
Limit/Duty: ONE-EIGHTIETH cfs per acre, not to exceed 4.5 acre-feet per acre per year

Pursuant to OAR 690-380-4030, any person may file a protest or standing statement within 30 days after the last date of publication of notice of this preliminary determination.
--

Source: MAY CREEK, tributary to EVANS CREEK

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q
34 S	3 W	WM	32	SE NW

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	SW NW	1.2
35 S	3 W	WM	5	SE NW	6.0

3. Certificate 24152 does not describe the location coordinates of the point of diversion, measured from a survey corner, however information is available from the transfer application map indicating that the point of diversion is located as follows:

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
34 S	3 W	WM	32	SE NW	35 FEET NORTH AND 1675 FEET EAST FROM THE WEST $\frac{1}{4}$ CORNER OF SECTION 32

4. Application T-10395 proposes to move the authorized point of diversion for these lands approximately 1 mile downstream to:

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Survey Coordinates
35S	3W	WM	5	NE SW	308	PORTABLE PUMP TO BE MOVED WITHIN THE REACH BETWEEN A POINT 85 FEET SOUTH AND 2660 FEET EAST, AND A POINT 480 FEET SOUTH AND 2015 FEET EAST FROM THE WEST $\frac{1}{4}$ CORNER OF SECTION 5.

5. The portion of the second right to be transferred is as follows:

Certificate: 43985 in the name of Paul B. and Cytha G. Dickey (perfected under Permit S-6124)

Use: IRRIGATION of 7.2 ACRES

Priority Date: DECEMBER 1, 1923

Rate: 0.09 CUBIC FOOT PER SECOND

Limit/Duty: ONE-EIGHTIETH cfs per acre

Source: EVANS CREEK, tributary to the ROGUE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
35 S	3 W	WM	5	SE NW	650 FEET NORTH AND 2610 FEET EAST FROM THE W1/4 CORNER OF SECTION 5

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	SW NW	1.2
35 S	3 W	WM	5	SE NW	6.0

6. Application T-10395 proposes to move the authorized point of diversion for these lands approximately 1/7th mile downstream to:

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Survey Coordinates
35S	3W	WM	5	NE SW	308	PORTABLE PUMP TO BE MOVED WITHIN THE REACH BETWEEN A POINT 85 FEET SOUTH AND 2660 FEET EAST, AND A POINT 480 FEET SOUTH AND 2015 FEET EAST FROM THE WEST 1/4 CORNER OF SECTION 5.

7. The portion of the third right to be transferred is as follows:

Certificate: 43986 in the name of Paul B. and Cytha G. Dickey (perfected under Permit S-3312)

Use: IRRIGATION of 3.6 ACRES

Priority Date: MARCH 27, 1917

Rate: 0.045 CUBIC FOOT PER SECOND

Limit/Duty: ONE-EIGHTIETH cfs per acre

Source: EVANS CREEK, tributary to the ROGUE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
35 S	3 W	WM	5	SE NW	650 FEET NORTH AND 2610 FEET EAST FROM THE W1/4 CORNER OF SECTION 5

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	SE NW	3.3
35 S	3 W	WM	5	NE SW	0.3

8. Application T-10395 proposes to change the place of use and move the authorized point of diversion approximately 1/7th mile downstream for this portion of the right. The proposed new point of diversion is:

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Survey Coordinates
35S	3W	WM	5	NE SW	308	PORTABLE PUMP TO BE MOVED WITHIN THE REACH BETWEEN A POINT 85 FEET SOUTH AND 2660 FEET EAST, AND A POINT 480 FEET SOUTH AND 2015 FEET EAST FROM THE WEST 1/4 CORNER OF SECTION 5.

9. Application T-10395 proposes the new place of use to be:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	SW NW	3.6

10. The portion of the fourth right to be transferred is as follows:

Certificate: 50143 in the name of David S. Blair (perfected under Permit 17593)

Use: IRRIGATION OF 3.6 ACRES

Priority Date: MARCH 6, 1947

Rate: 0.045 CUBIC FOOT PER SECOND

Limit/Duty: ONE-EIGHTIETH per acre for each acre irrigated from direct flow, not to exceed 4.5 acre-feet per acre per year for each acre irrigated during the irrigation season from April 2 to October 31 of each year from direct flow and storage

Source: MAY CREEK, tributary to EVANS CREEK

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
34 S	3 W	WM	32	SE NW	35 FEET NORTH AND 1675 FEET EAST FROM THE W1/4 CORNER OF SECTION 32

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	SW NW	3.6

11. Application T-10395 proposes to change the place of use and move the authorized point of diversion for a portion of the right. The new authorized point of diversion is approximately 1 mile downstream at:

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Survey Coordinates
35S	3W	WM	5	NE SW	308	PORTABLE PUMP TO BE MOVED WITHIN THE REACH BETWEEN A POINT 85 FEET SOUTH AND 2660 FEET EAST, AND A POINT 480 FEET SOUTH AND 2015 FEET EAST FROM THE WEST ¼ CORNER OF SECTION 5.

12. Application T-10395 proposes the new place of use for this portion of the right to be:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	SE NW	3.3
35S	3 W	WM	5	NE SW	0.3

13. The portion of the fifth right to be transferred is as follows:

Certificate: 51335 in the name of Streets, Bagley and Saunders (confirmed by Rogue River (F) State Water Board decree)

Use: IRRIGATION of 1.0 ACRE

Priority Date: 1901

Rate: 0.014 CUBIC FOOT PER SECOND

Source: MAY CREEK, tributary to EVANS CREEK

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
34 S	3 W	WM	32	SE NW	35 FEET NORTH AND 1675 FEET EAST FROM THE W1/4 CORNER OF SECTION 32

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	NW NW	0.2
35 S	3 W	WM	5	SE NW	0.8

14. Application T-10395 proposes to move the authorized point of diversion for this portion of the right approximately 1 mile downstream to:

Twp	Rng	Mer	Sec	Q-Q	GLot	Survey Coordinates
35S	3W	WM	5	NE SW	308	PORTABLE PUMP TO BE MOVED WITHIN THE REACH BETWEEN A POINT 85 FEET SOUTH AND 2660 FEET EAST, AND A POINT 480 FEET SOUTH AND 2015 FEET EAST FROM THE WEST ¼ CORNER OF SECTION 5.

15. Notice of the application for transfer was published on June 5, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
16. 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.
17. On August 3, 2007, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-10395 to the applicant. The draft Preliminary Determination set forth a deadline of September 7, 2007, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination with correction of some identified scrivener's errors in Finding of Fact No. 24 of the draft document, and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

Transfer Review Criteria [OAR 690-380-4010(2)]

18. Water has been used within the last five years according to the terms and conditions of the rights, and there is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610
19. Pumps, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Application T-10395.
20. The proposed change would not result in enlargement of the rights provided the diversion of water under Certificates 24152 and 51225 and a portion of Certificate 50143 is limited to availability of water at the original diversion points on May Creek. Therefore, when May Creek, the water source for Certificate 24152 and 51225 and a portion of Certificate 50143 goes dry, irrigation will end under those portions of those water rights, even if there is still water in Evans Creek.
21. The proposed changes would not result in injury to other water rights.

Partial Cancellation of a Water Right

22. On May 29, 2007, three affidavits were received certifying that portions of three water rights have been abandoned and requesting cancellation of the portions of the rights were received from Cynthia A. Edwards.
23. The portion of the first right to be cancelled is as follows:
Certificate: 43986 in the name of Paul B. and Cytha G. Dickey (perfected under Permit S-3312)
Use: IRRIGATION of 0.2 ACRE
Priority Date: MARCH 27, 1917

Rate: 0.002 CUBIC FOOT PER SECOND

Limit/Duty: ONE-EIGHTIETH cfs per acre

Source: EVANS CREEK, tributary to the ROGUE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
35 S	3 W	WM	5	SE NW	650 FEET NORTH AND 2610 FEET EAST FROM THE W1/4 CORNER OF SECTION 5

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	NE SW	0.2

24. The portion of the second right to be cancelled is as follows:

Certificate: 50143 in the name of David S. Blair (perfected under Permit S-17593)

Use: IRRIGATION of 0.1 acre and SUPPLEMENTAL IRRIGATION of 0.7 acre

Priority Date: MARCH 6, 1947

Rate: 0.01 CUBIC FOOT PER SECOND

Limit/Duty: ONE-EIGHTIETH, cfs per acre, for each acre irrigated from direct flow, not to exceed 4.5 acre-feet per acre for each acre irrigated during the irrigation season from April 2 to October 31 of each year from direct flow and storage from reservoir

Source: MAY CREEK, tributary to EVANS CREEK

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
34 S	3 W	WM	32	SE NW	35 FEET NORTH AND 1675 FEET EAST FROM THE W1/4 CORNER OF SECTION 32

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	SW NW	0.1

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	NW NW	0.7

25. The portion of the third right to be cancelled is as follows:

Certificate: 51335 in the name of Streets, Bagley and Saunders (confirmed by Rogue River (F) State Water Board decree)

Use: IRRIGATION of 0.5 ACRE

Priority Date: 1901

Rate: 0.007 CUBIC FOOT PER SECOND

Source: MAY CREEK, tributary to EVANS CREEK

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
34 S	3 W	WM	32	SE NW	35 FEET NORTH AND 1675 FOOT EAST FROM THE W1/4 CORNER OF SECTION 32

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	NW NW	0.5

Determination and Proposed Action

The changes in place of use for portions of lands under Certificates 50143, 43986 and changes in the point of diversion under Certificates 51335, 50143, 43986, 43985, and 24152, proposed in application T-10395 appear to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000 and the abandoned portions of the rights should be cancelled. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved and the abandoned rights will be cancelled.

If application T-10395 is approved, the final order will include the following:

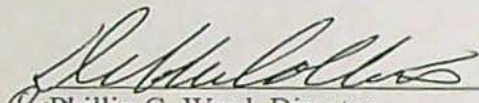
- 1. The changes in place of use for portions of lands under Certificates 50143, 43986 and the point of diversion under Certificates 51335, 50143, 43986, 43985, 24152 proposed in application T-10395 are approved. The portions of the rights that have been abandoned are cancelled.*
- 2. Water right certificates 51335, 50143, 43986, 43985, 24152 are cancelled. New certificates will be issued describing the portions of the rights not affected by this transfer and cancellation.*
- 3. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 51335, 50143, 43986, 43985, 24152 and any related decree.*
- 4. The quantity of water diverted at the new reach within which a portable pump will divert water, shall not exceed the quantity of water lawfully available at the original point of diversion.*
- 5. Diversion of water under the transferred portions of the rights evidenced by Certificates 24152 and 51335 and 50143 is limited to availability of water at the original diversion point on May Creek, being:*

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
34 S	3 W	WM	32	SE NW	35 FEET NORTH AND 1675 FEET EAST FROM THE WEST ¼ CORNER OF SECTION 32

When May Creek goes dry, irrigation will end under the transferred portions of those water rights, even if there is still water in Evans Creek.

6. *The former place of use of the transferred rights shall no longer receive water under the rights.*
7. *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.*
8. *Prior to diverting water, the water user shall install 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. The water user shall maintain and operate the measuring device as required by the Department*
9. *The approved changes shall be completed and full beneficial use of the water shall be made on or before **October 1, 2009**. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*
10. *When satisfactory proof of the completed changes is received, new certificates confirming the rights transferred will be issued.*

Dated at Salem, Oregon this 12 day of September 2007.


Phillip C. Ward, Director

This Preliminary Determination was prepared by a Reimbursement Authority contractor. If you have questions about the information in this document, you may reach Dorothy Pedersen at 503-986-0890 or Dorothy.I.Pedersen@wrdd.state.or.us.

Protests should be addressed to the attention of Field Services Division, Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1266.

**Notice of Preliminary Determination for
Water Right Transfer T-10395**

T-10395 filed by Cynthia Edwards, 13238 East Evans Creek Road, Rogue River, Oregon 97537, proposes a change in points of diversion and places of use under Certificates 51335, 50143, 43986, 43985 and 24152. The rights allow the use of varying cfs (priority dates range from 1901 to December 4, 1956) from diversions in Sec. 32, T 34 S, R 3 W, W.M. and Sec. 5, T 35 S, R 3 W, W.M. (Evans Creek Basin) for irrigation and supplemental irrigation in Sec. 5. The applicant proposes to change the point of diversion for a portion of the lands to another location approximately 1 mile south (Sec. 5, T 35 S, R 3 W, W.M.); and to change the place of use for a portions of the lands within Sec. 5, T 35 S, R 3 W, W.M. The Water Resources Department has concluded that the proposed transfer appears to be consistent with the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, with the Department a protest or standing statement within 30 days after the date of final publication of notice in the Department's weekly notice or of this newspaper notice, whichever is later. A protest form and additional information on filing protests may be obtained by calling (503) 986-0881. The last date of newspaper publication is [DATE OF LAST PUBLICATION]. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

STATE OF OREGON

COUNTY OF

JACKSON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That EARL E. & MERRY J. SAMSON

of 13236 E. Evans Creek Rd., Rogue River, State of Oregon, 97537, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Evans Creek

a tributary of Rogue River
irrigation of 11.6 acres

for the purpose of

under Permit No. 6124 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 1, 1923

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 0.145 cubic foot per second

(1.15 1/80 cfs)

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 5, T. 35 S., R. 3 W., W. M., 660 feet South and 1840 feet East from the W $\frac{1}{4}$ Corner, Section 5

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-eighth of one cubic foot per second per acre,

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:

9.6 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$

2.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$

Section 5

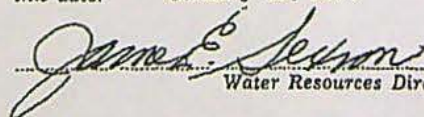
T. 35 S., R. 3 W., W. M.

This certificate is issued to confirm a change in point of diversion approved by an order of the Water Resources Director entered July 21, 1976 and together with certificate of water right recorded on Page 43985, Volume 36, State Record of Water Right Certificates and a cancellation order of the Water Resources Director entered July 19, 1976 supersedes certificate of water right recorded on Page 7488, Volume 7, State Record of Water Right Certificates. 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

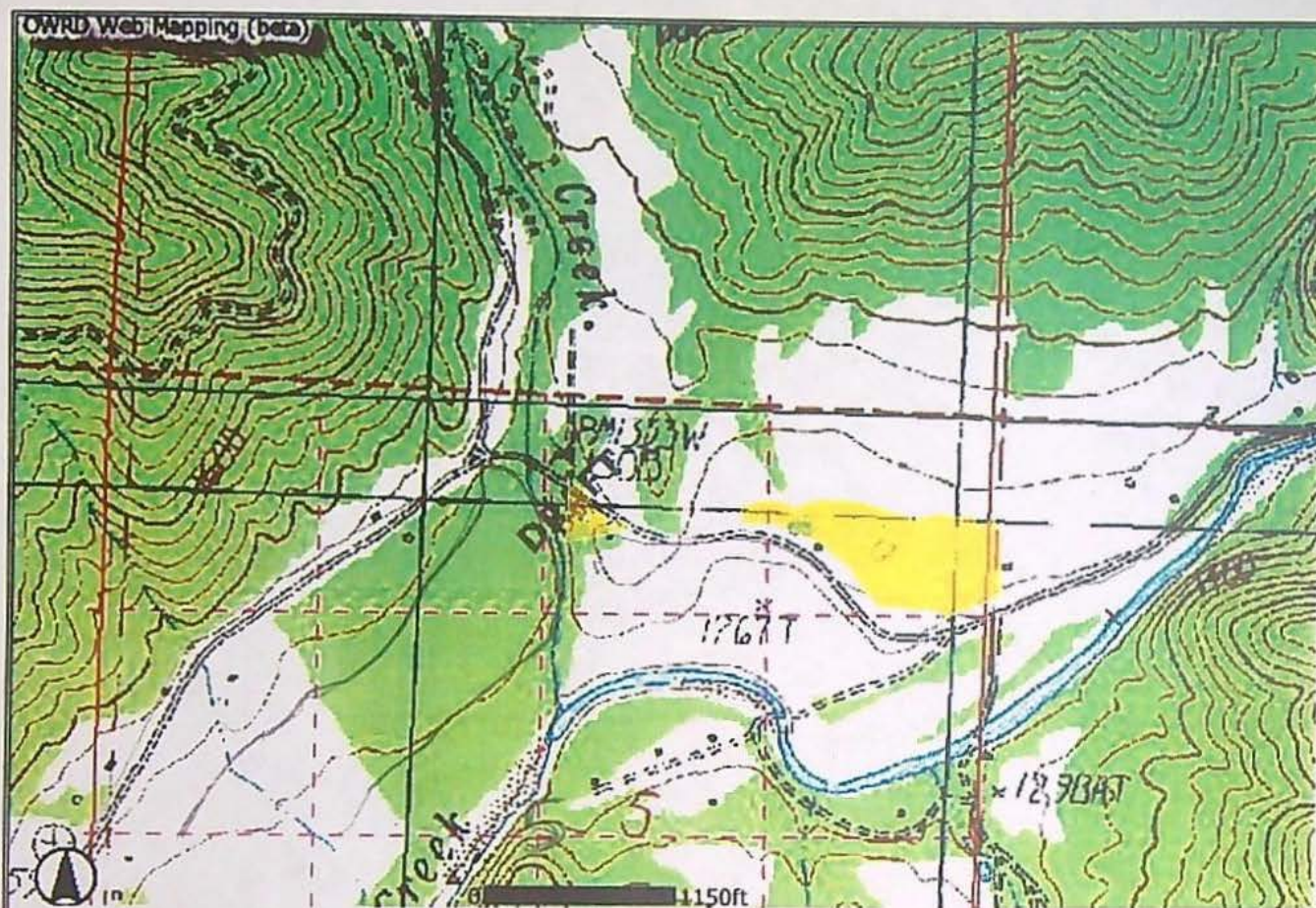
this date. January 29, 1979


Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 40

, page 47285
CONFLICT

47285

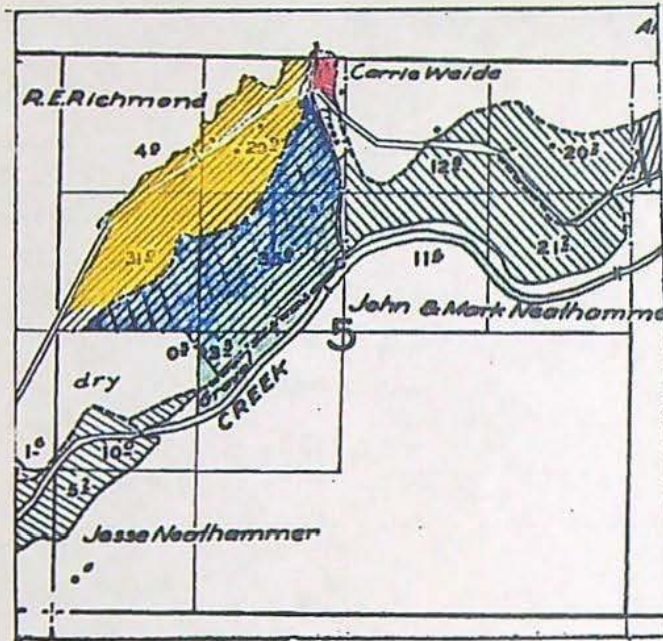


WRIS lands

Per 12/1/07
C/L 12/1/07

WRD "Magic" Map undated

T. 35 S., R. 3 W., W.M.



- Per. 17593 Mar. 6, 1947 Mays Ck. & Res.
- Per. 7206 Feb. 25, 1926 Evans Ck. Neathamer Ext. Carter ditch
- Per. 3312 Apr. 6, 1918 Evans Ck. Jesse Neatheimer ditch
- Per. 6124 Dec. 1, 1923 Evans Ck. Ext. of Carter ditch (et al)
- Per. 24619 Dec. 4, 1956 Mays Ck. Mays Ck. ditch SUPPLEMENTAL

• Ch. Pt. of Div., Trsf. D - 113 affects only Per. 3312 & 6124.

Vested W/R 1901 Mays Ck. Mays Ck. ditch

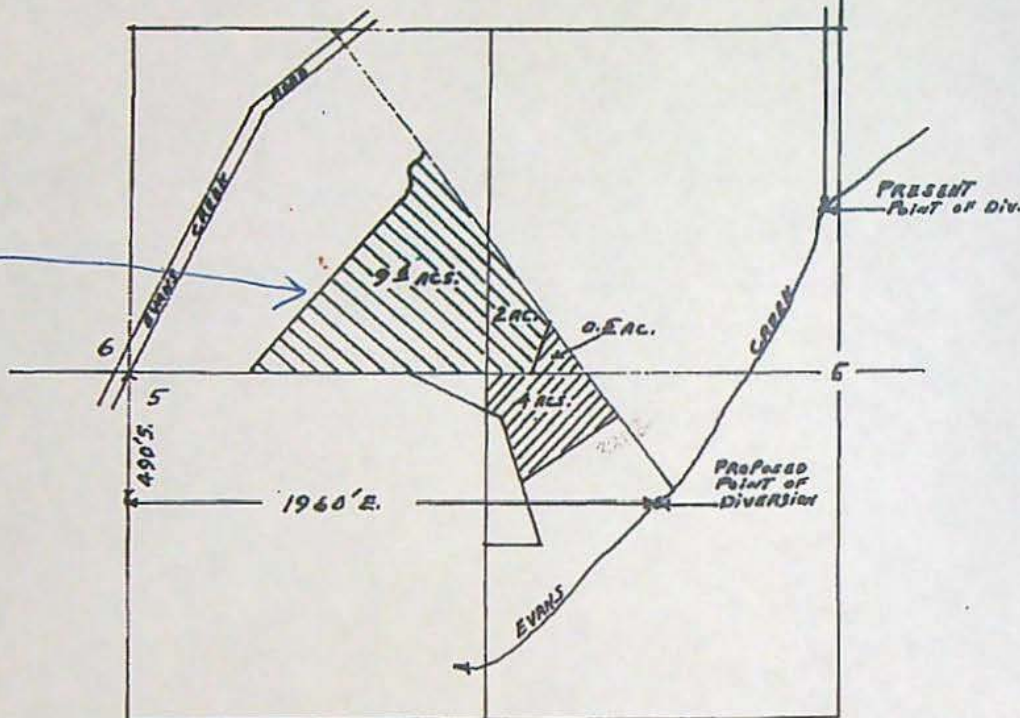
modification / xfer
to undated
WRD map

T.34S. R.3W. W.M. 32

T.35S. R.3W. W.M. 5

2000'S.
AND 50' W
FROM THE
N. 1/4 COR.
OF SEC. 5

probably
47285
lands



MAP To ACCOMPANY APPLICATION OF
EARL E. AND/OR MERRY J. SAMSON
FOR CHANGE IN POINT OF DIVERSION

change of Pou
that resulted
in 43985, 43986
i.e. these lands
from per 6124 do
not go to 43985
43986

SCALE 8" = 1 MILE

PERMIT #
6124
DEC. 1, 1923

PERMIT #
3312
MARCH 27, 1917

RECEIVED

AUG 19 1974

STATE ENGINEER
SALEM, OREGON

8-12-74

T-3117
3118

STATE OF OREGON

COUNTY OF

JACKSON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

EARL E. & MERRY J. SAMSON

of 13236 E. Evans Creek Rd., Rogue River, State of Oregon, 97537, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Evans Creek

a tributary of Rogue River
irrigation of 4.5 acres

for the purpose of

under Permit No. 3312 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 March 27, 1917

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 0.056 cubic foot per second

(is 1/20th)

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 5, T. 35 S., R. 3 W., W. M., 660 feet South and 1840 feet East from the NW $\frac{1}{4}$ Corner, Section 5

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,

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:

0.5 acre SE $\frac{1}{4}$ NW $\frac{1}{4}$ 4.0 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$

Section 5

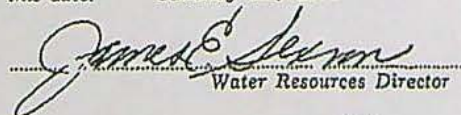
T. 35 S., R. 3 W., W. M.

This certificate is issued to confirm a change in point of diversion approved by an order of the Water Resources Director entered July 21, 1976 and together with certificate of water right recorded on Page 43986, Volume 36, State Record of Water Right Certificates and a cancellation order of the Water Resources Director entered July 19, 1976 supersedes certificate of water right recorded on Page 3571, Volume 4, State Record of Water Right Certificates. 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. January 29, 1979


Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 40, page 47286

47286

Find Location

Basin
Rogue

Township
Township: S
Range: W
Section:

Find Water Right Application Number

G
Permit Number
G
Cert Number
Claim Number
GR

Tools

POU is shifted - should be slid S+W

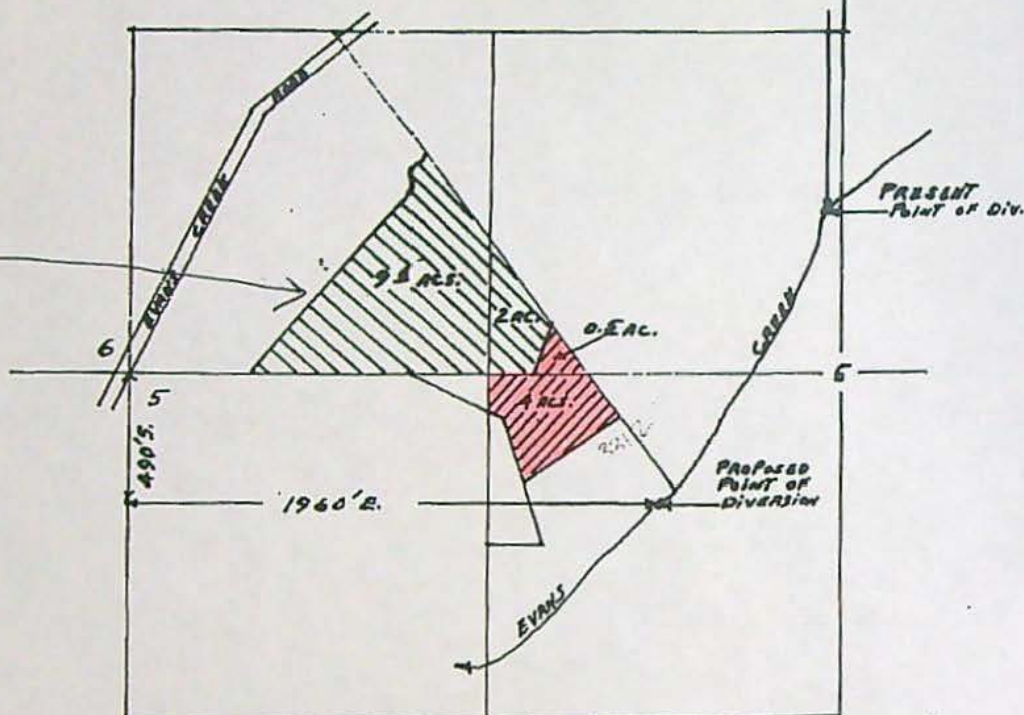
modification / xfer
to undated
WFO map

T.34S. R.3W. W.M. 32

T.35S. R.3W. W.M. 5

2000'S.
and 50' W
from T.M.
N. 1/2 Cor.
of SEC. 5

probably
47285
lands



MAP TO ACCOMPANY APPLICATION OF
EARL E. AND/OR MERRY J. SAMSON
FOR CHANGE IN POINT OF DIVERSION

change of Pou
that resulted
in 43985, 43986
i.e. these lands
from per 612400
not go to 43985
43986

SCALE 8" = 1 MILE

PERMIT #
6124
DEC. 1, 1923

PERMIT #
3312
MARCH 27, 1917

RECEIVED

AUG 19 1974

STATE ENGINEER
SALEM, OREGON

8-12-74

T-3117
3118

STATE OF OREGON
COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That PAUL B. AND CYTHA G. DICKEY

of Rogue River, State of Oregon, 97537, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Evans Creek

a tributary of Rogue River
irrigation of 12.0 acres

for the purpose of

under Permit No. 3312 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 March 27, 1917 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 0.15 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 SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 5, T. 35 S., R. 3 W., W. M., 650 feet North and 2610 feet East from the W $\frac{1}{2}$ Corner of Section 5.

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,

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: RR TR

Cont 8.2 11.5 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$ 3.3
0.12R 0.5 acre NE $\frac{1}{4}$ SW $\frac{1}{4}$ 0.3
0.2 8.2 Section 5 3.6 0.045 $\frac{1}{8}$ TR
0.02 $\frac{1}{8}$ 10 $\frac{1}{8}$ T. 35 S., R. 3 W., W. M.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at Page 3571, Volume 4, State Record of Water Right Certificates as modified by an order of the State Engineer entered on January 28, 1966, NOT modified by an order of the Water Resources Director entered on July 21, 1976, approving transfer application No. 3118. 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. November 23, 1976

James E. Sexson
Water Resources Director

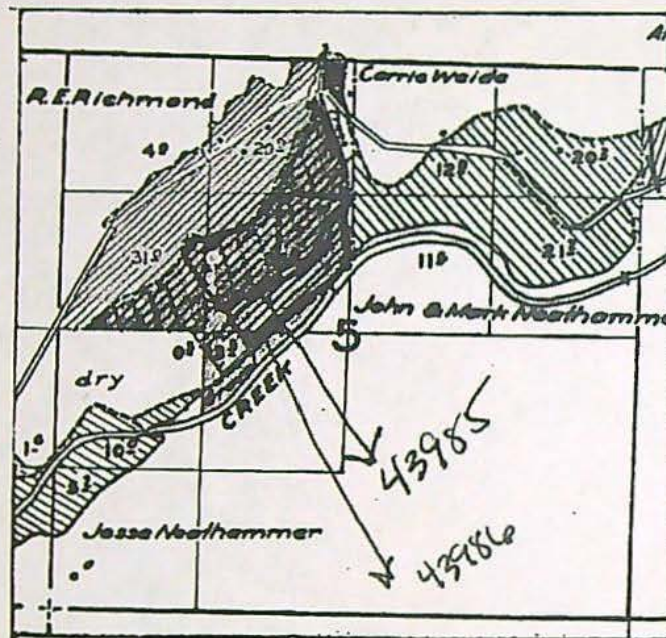
Recorded in State Record of Water Right Certificates, Volume 36, page 43986

F 10395

Dep

relates to 43985
43986

T. 35 S., R. 3 W., W.M.



50143 → Per. 17593 Mar. 6, 1947 Mays Ck. & Res.

Per. 7206 Feb. 25, 1926 Evans Ck. Neathamer Ext. Carter ditch

43986 — Per. 3312 Apr. 6, 1918 Evans Ck. Jesse Neatheimer ditch

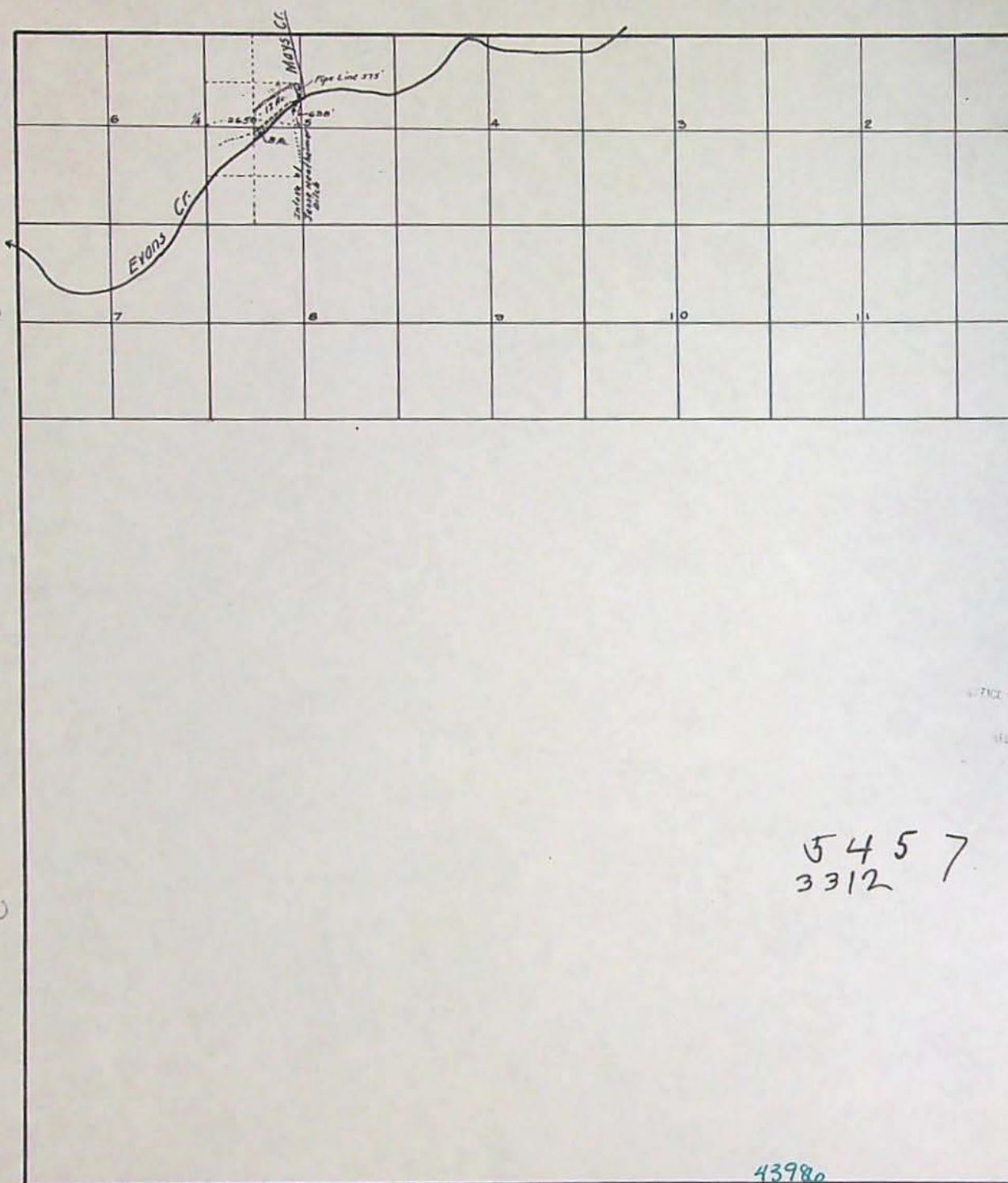
43985 — Per. 6124 Dec. 1, 1923 Evans Ck. Ext. of Carter ditch (et al)

Per. 24619 Dec. 4, 1956 Mays Ck. Mays Ck. ditch SUPPLEMENTAL

• Ch. Pt. of Div., Traf. D - 113 affects only Per. 3312 & 6124.

Vested W/R 1901 Mays Ck. Mays Ck. ditch

Township 35 South, Range 3 West, Willamette Meridian.



5457
3312

43980

CERTIFICATE OF SURVEYOR

I, A. T. Brown, of Medford Oregon, do hereby certify that this map was made from notes taken during an actual survey made by me on March 9, 1917, and that it correctly represents the works described in the accompanying application, together with the location of all streams and other ditches in the immediate vicinity, and has shown thereon the area in each smallest legal subdivision which it is proposed to irrigate.

A. T. Brown.
Surveyor.

STATE OF OREGON
COUNTY OF JACKSON
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

EARL E. AND MERRY J. SAMSON
13236 EAST EVANS CREEK ROAD
ROGUE RIVER, OREGON 97537

confirms the right to use the waters of EVANS CREEK, a tributary of the ROGUE RIVER, for the purpose of PRIMARY IRRIGATION OF 6.4 ACRES AND SUPPLEMENTAL IRRIGATION OF 13.0 ACRES.

This right has been perfected under Permit 42550. The date of priority is AUGUST 19, 1974. This right is limited to 0.24 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

NE 1/4 SW 1/4, SECTION 5, T 35 S, R 3 W, W.M.; 660 FEET SOUTH AND 1840 FEET EAST FROM THE W 1/4 CORNER OF SECTION 5.

The amount of water used for irrigation under this right, 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) and 4.5 acre-feet for each acre irrigated during the irrigation season of each year.

The right shall be limited to any deficiency in the available supply of any prior right for the same land and shall not exceed the limitation allowed herein.

This right shall conform to any reasonable rotation system ordered by the proper state officer.

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

	<u>PRIMARY</u>	<u>SUPPLEMENTAL</u>
SW 1/4 NW 1/4	3.5 ACRES	13.0 ACRES
NE 1/4 SW 1/4	2.6 ACRES	
NW 1/4 SW 1/4	0.3 ACRE	
SECTION 5		
TOWNSHIP 35 SOUTH, RANGE 3 WEST, W.M.		

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 right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed
FEBRUARY 12, 1991.

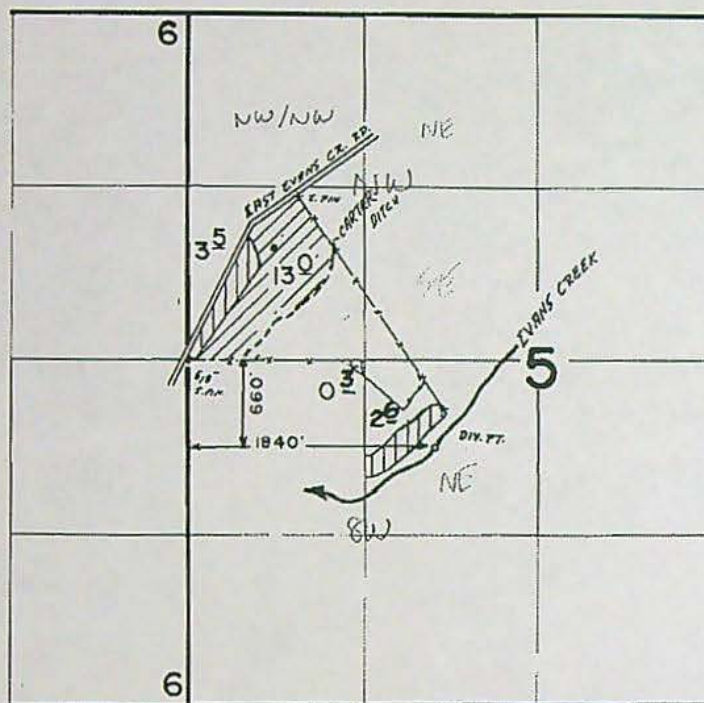
/s/ WILLIAM H. YOUNG

William H. Young

Recorded in State Record of Water Right Certificates numbered 65185.

52336

T.35S., R.3W., W.M.



N

SCALE
1" = 1320'

 PRIMARY

 SUPPLEMENTAL

FINAL PROOF SURVEY
UNDER

Application No. 52336 Permit No. 42550
IN NAME OF

EARL E. & or MERRY J. SAMSON

Surveyed Nov. 13, 1984, by J.R. WOODROOF

Be

Dorothy Pedersen

From: Dorothy Pedersen
Sent: Tuesday, September 04, 2007 3:13 PM
To: 'CYNTHIA EDWARDS'
Subject: RE: Application T-10395

Attachments: notification to lien holder-from applicant.doc



notification to lien
holder-fr...

Cynthia,

The contractor noticed that the report of ownership and lien information references a trust deed. You need to send a simple notification of the transfer to the Grantee/Beneficiary: Mortgage Electronic Registration Systems, Inc. (MERS).

I suggest that you send the notice to them at the address of the trustee, Pacific Northwest Title of Oregon, Inc. Then send us a copy of the notice that you have sent. We do not need to receive a response from MERS or the title company. I have attached a sample notice, which you may use, if you wish, as an example format.

Shortly after we receive the copy of your notice to MERS, we will issue the Preliminary Determination and send it and the newspaper notice to you.

Thank you,
Dorothy

Dorothy Pedersen
(503) 986-0890

-----Original Message-----

From: CYNTHIA EDWARDS [mailto:dunlin1@msn.com]
Sent: Tuesday, August 21, 2007 12:13 PM
To: Dorothy Pedersen
Subject: Application T-10395

Dear Ms. Pedersen,

Thank you for your recent response regarding our water rights transfer application, T-10395. With the one exception of a typo, about which I believe Norm Daft has e-mailed you, we agree with the determination and will forward a report of ownership and lien information prepared by First American Title in Rogue River within the next two days. Please let me know if there is any additional information that I owe you and, once you have received the title company's report, forward the wording of the statement that we need to publish in a local paper for 3 weeks.

Thank you.

Sincerely,

Cynthia Edwards

Cynthia Edwards, PhD
13238 E Evans Creek Road
Rogue River, OR 97537
541-582-1789



CAROL J. CARMICHAEL
Vice President / General Counsel

DIRECT LINE
(503) 520-7003
EMAIL
carolc@pnwtor.com

September 11, 2007

Cynthia Edwards, PhD
13238 E. Evans Creek Road
Rogue River, OR 97537

Re: Your letter of September 5, 2007
Water Right Transfer

COPY

Dear Ms. Edwards:

Your letter of September 5, 2007, has been forwarded to me for response.

Please be advised that Pacific Northwest Title of Oregon, Inc., (PNWTO) is named as a Trustee for Mortgage Electronic Registration Systems, Inc (MERS), only on a trust deed. This document is a loan document. The Trustee named on that document is used for preparation of the documentation showing that the debt has been paid or for foreclosure of the document in the event of non-payment. *There is no active relationship of Trustor/Trustee between MERS and PNWTO.*

Therefore, you will need to serve MERS directly if such service is required for your transfer. Because there is not adequate information for me to simply forward your letter, I am sending you this letter. MERS will need the address of the real property and/or the MERS number which is on the recorded trust deed. You can obtain a copy from your local title and escrow company.

The address for MERS is:

MERS
1595 Spring Hill Rd, Suite 310
Vienna, Virginia 22182

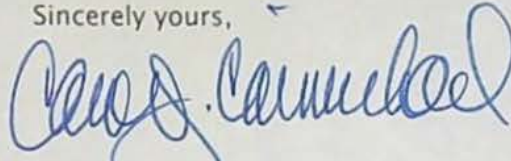
RECEIVED
SEP 12 2007
WATER RESOURCES DEPT
SALEM OREGON

Phone: (800) 646-6377

Fax: (703) 748-0183

If you have any questions regarding the above, please feel free to call me.

Sincerely yours,



Carol J. Carmichael

CJC/mk

Cc: Dorothy Pederson

RECEIVED

SEP 12 2007

WATER RESOURCES DEPT
SALEM OREGON

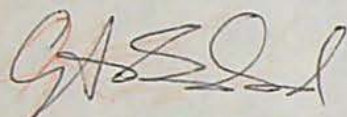
Dorothy I. Pedersen
Field Services Division
Water Resources Department
North Mail Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266

Dear Ms. Pedersen,

Thank you for your recent e-mail response regarding our water rights transfer application, T-10395 and for changing the one typo as per Norm Daft. Enclosed please find a report of ownership and lien information prepared by First American Title in Rogue River. Please let me know if there is any additional information that I owe you and also please forward the wording of the statement that we need to publish in a local paper for 3 weeks (e-mail would be fine - my e-mail address is below).

Thank you.

Sincerely,



Cynthia Edwards, PhD
13238 E Evans Creek Road
Rogue River, OR 97537
541-582-1789
dunlin1@msn.com

RECEIVED

AUG 27 2007

WATER RESOURCES DEPT
SALEM OREGON

Dorothy Pedersen

From: CYNTHIA EDWARDS [dunlin1@msn.com]
Sent: Tuesday, August 21, 2007 12:13 PM
To: Dorothy Pedersen
Subject: Application T-10395

Dear Ms. Pedersen,

Thank you for your recent response regarding our water rights transfer application, T-10395. With the one exception of a typo, about which I believe Norm Daft has e-mailed you, we agree with the determination and will forward a report of ownership and lien information prepared by First American Title in Rogue River within the next two days. Please let me know if there is any additional information that I owe you and, once you have received the title company's report, forward the wording of the statement that we need to publish in a local paper for 3 weeks.

Thank you.

Sincerely,

Cynthia Edwards

Cynthia Edwards, PhD
13238 E Evans Creek Road
Rogue River, OR 97537
541-582-1789
dunlin1@msn.com

Dorothy Pedersen

From: Norm Daft [normthewatguy@charter.net]
Sent: Monday, August 20, 2007 10:02 AM
To: Dorothy Pedersen
Subject: Transfer 10395 (Edwards)

Dorothy,

The applicant provided me a copy of the DPD for review.

I have the following comment:

Page 7 of 9, Finding 24; Authorized place of use (C-51335): area to be canceled should read NW/NW 0.5 acres rather than NE/SW 0.2 acres.

The applicant may be sending you a written response or an E-Mail response shortly. They should also be sending you the ownership and lien information shortly.

Have a great day.

Norm

541-761-1057



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 3, 2007

Cynthia Edwards
13238 East Evans Creek Road
Rogue River, Oregon 97537

SUBJECT: Application T-10395

Enclosed find a draft of our Preliminary Determination regarding transfer application T-10395. The draft Preliminary Determination reflects the Department's conclusion that, based on the information currently available, the transfer will be approved. This draft is intended to provide you with an opportunity to comment on our findings and conclusions should you wish to do so. Please review the draft carefully to evaluate whether the document is consistent with your intent in seeking the transfer, and whether you agree with the proposed action.

Please note that there are some limitations due to the fact that May Creek typically dries up before Evans Creek. May Creek is the water source for Certificate 24152 and 51335 and a portion of 50143. The amount of water available for use at the new point of diversion is limited to the amount available at the old point of diversion. Therefore when May Creek goes dry, irrigation ends on the transferred portion of the water right, even if there is still water in Evans Creek.

Because the new points of diversion are more than ¼ mile from the authorized point of diversion, the applicant is responsible for publishing notice of the transfer in a local newspaper having a general circulation in the area of the water right. The notice must be published at least once a week for three consecutive weeks. We will provide a copy of the required notice to you on issuance of the Preliminary Determination.

At this time, you must submit a report of ownership and lien information prepared by a title company within the last three months, as required by OAR 690-380-4010(5). If there are additional lienholders identified in the report that have not previously been notified of the transfer, you must send notice of the transfer to them, and submit copies of each such notice to the Department to document that each lienholder has been informed of the transfer.

Issuance of the Preliminary Determination will occur shortly after we receive both your response and the report of ownership and lien information. If we do not receive your response and the report by September 7, 2007, a Preliminary Determination may be issued denying the application. You may provide your response in writing or via e-mail.

Please do not hesitate to contact me at 503-986-0890 or Dorothy.I.Pedersen@wrdd.state.or.us if you have questions.

Sincerely,

Dorothy I. Pedersen
Field Services Division

cc: Larry Menteer, District 13 Watermaster

enc



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

In the Matter of Transfer Application
T-10395, Jackson County

) **D R A F T**
)
) PRELIMINARY DETERMINATION
) PROPOSING APPROVAL OF
) CHANGES IN POINT OF DIVERSION
) AND PLACE OF USE, AND PARTIAL
) CANCELLATION OF A WATER
) RIGHT

Authority

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use 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.

ORS 540.621 establishes the process for the owner of land to which a water right is appurtenant to certify under oath that the water right, or a portion thereof, has been abandoned and to voluntarily request that it be cancelled.

Applicant

CYNTHIA A. EDWARDS
13238 EAST EVANS CREEK RD
ROGUE RIVER OR 97537

Findings of Fact

Background

1. On May 29, 2007, Cynthia A. Edwards filed an application to change the place of use for a portion of the lands under Certificates 50143, 43986 and the point of diversion for a portion of the lands described under Certificates 51335, 50143, 43986, 43985 and 24152. The Department assigned the application number T-10395.

2. The portion of the first right to be transferred is as follows:

Certificate: 24152 in the name of David S Blair (perfected under Permit S-24619)

Use: SUPPLEMENTAL IRRIGATION of 7.2 ACRES

Priority Date: DECEMBER 4, 1956

Rate: 0.09 CUBIC FOOT PER SECOND

Limit/Duty: ONE-EIGHTIETH cfs per acre, not to exceed 4.5 acre-feet per acre per year
FOR SUPPLEMENTAL IRRIGATION

Source: MAY CREEK, tributary to EVANS CREEK

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q
34 S	3 W	WM	32	SE NW

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	SW NW	1.2
35 S	3 W	WM	5	SE NW	6.0

3. Certificate 24152 does not describe the location coordinates of the point of diversion, measured from a survey corner, however information is available from the transfer application map indicating that the point of diversion is located as follows:

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
34 S	3 W	WM	32	SE NW	35 FEET NORTH AND 1675 FEET EAST FROM THE WEST ¼ CORNER OF SECTION 32

4. Application T-10395 proposes to move the authorized point of diversion for these lands approximately 1 mile downstream to:

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Survey Coordinates
35S	3W	WM	5	NE SW	308	PORTABLE PUMP TO BE MOVED WITHIN THE REACH BETWEEN A POINT 85 FEET SOUTH AND 2660 FEET EAST, AND A POINT 480 FEET SOUTH AND 2015 FEET EAST FROM THE WEST ¼ CORNER OF SECTION 5.

5. The portion of the second right to be transferred is as follows:

Certificate: 43985 in the name of Paul B. and Cytha G. Dickey (perfected under Permit S-6124)

Use: IRRIGATION of 7.2 ACRES

Priority Date: DECEMBER 1, 1923

Rate: 0.09 CUBIC FOOT PER SECOND

Limit/Duty: ONE-EIGHTIETH cfs per acre

Source: EVANS CREEK, tributary to ROGUE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
35 S	3 W	WM	5	SE NW	650 FEET NORTH AND 2610 EET EAST FROM THE W1/4 CORNER OF SECTION 5

Authorized Place of Use:

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	SW NW	1.2
35 S	3 W	WM	5	SE NW	6.0

6. Application T-10395 proposes to move the authorized point of diversion for these lands approximately 1/7 mile downstream to:

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Survey Coordinates
35S	3W	WM	5	NE SW	308	PORTABLE PUMP TO BE MOVED WITHIN THE REACH BETWEEN A POINT 85 FEET SOUTH AND 2660 FEET EAST, AND A POINT 480 FEET SOUTH AND 2015 FEET EAST FROM THE WEST ¼ CORNER OF SECTION 5.

7. The portion of the third right to be transferred is as follows:

Certificate: 43986 in the name of Paul B. and Cytha G. Dickey (perfected under Permit S-3312)

Use: IRRIGATION of 3.6 ACRES

Priority Date: MARCH 27, 1917

Rate: 0.045 CUBIC FOOT PER SECOND

Limit/Duty: ONE-EIGHTIETH cfs per acre

Source: EVANS CREEK, tributary to ROGUE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
35 S	3 W	WM	5	SE NW	650 FEET NORTH AND 2610 FEET EAST FROM THE W1/4 CORNER OF SECTION 5

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	SE NW	3.3
35 S	3 W	WM	5	NE SW	0.3

8. Application T-10395 proposes to change the place of use and move the authorized point of diversion approximately 1/7th mile downstream for this portion of the right. The proposed new point of diversion is:

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Survey Coordinates
35S	3W	WM	5	NE SW	308	PORTABLE PUMP TO BE MOVED WITHIN THE REACH BETWEEN A POINT 85 FEET SOUTH AND 2660 FEET EAST, AND A POINT 480 FEET SOUTH AND 2015 FEET EAST FROM THE WEST ¼ CORNER OF SECTION 5.

9. Application T-10395 proposes the new place of use to be:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	SW NW	3.6

10. The portion of the fourth right to be transferred is as follows:

Certificate: 50143 in the name of David S. Blair (perfected under Permit 17593)

Use: IRRIGATION OF 3.6 ACRES

Priority Date: MARCH 6, 1947

Rate: 0.045 CUBIC FOOT PER SECOND

Limit/Duty: ONE-EIGHTIETH per acre for each acre irrigated from direct flow, not to exceed 4.5 acre-feet per acre per year for each acre irrigated during the irrigation season from April 2 to October 31 of each year from direct flow and storage

Source: MAY CREEK, tributary to EVANS CREEK

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
34 S	3 W	WM	32	SE NW	35 FEET NORTH AND 1675 FEET EAST FROM THE W1/4 CORNER OF SECTION 32

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	SW NW	3.6

11. Application T-10395 proposes to change the place of use and move the authorized point of diversion for a portion of the right. The new authorized point of diversion is approximately 1 mile downstream at:

Twp	Rng	Mer	Sec	Q-Q	Tax Lot	Survey Coordinates
35S	3W	WM	5	NE SW	308	PORTABLE PUMP TO BE MOVED WITHIN THE REACH BETWEEN A POINT 85 FEET SOUTH AND 2660 FEET EAST, AND A POINT 480 FEET SOUTH AND 2015 FEET EAST FROM THE WEST ¼ CORNER OF SECTION 5.

12. Application T-10395 proposes the new place of use for this portion of the right to be:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	SE NW	3.3
35S	3 W	WM	5	NE SW	0.3

13. The portion of the fifth right to be transferred is as follows:

Certificate: 51335 in the name of Bagley and Saunders Streets (confirmed by Rogue River (F) State Water Board decree)

Use: IRRIGATION of 1.0 ACRE

Priority Date: 1901

Rate: 0.014 CUBIC FOOT PER SECOND

Source: MAY CREEK, tributary to EVANS CREEK

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
34 S	3 W	WM	32	SE NW	35 FEET NORTH AND 1675 FEET EAST FROM THE W1/4 CORNER OF SECTION 32

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	NW NW	0.2
35 S	3 W	WM	5	SE NW	0.8

14. Application T-10395 proposes to move the authorized point of diversion for this portion of the right approximately 1 mile downstream to:

Twp	Rng	Mer	Sec	Q-Q	GLot	Survey Coordinates
35S	3W	WM	5	NE SW	308	PORTABLE PUMP TO BE MOVED WITHIN THE REACH BETWEEN A POINT 85 FEET SOUTH AND 2660 FEET EAST, AND A POINT 480 FEET SOUTH AND 2015 FEET EAST FROM THE WEST ¼ CORNER OF SECTION 5.

15. Notice of the application for transfer was published on June 5, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
16. 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.

Transfer Review Criteria [OAR 690-380-4010(2)]

17. Water has been used within the last five years according to the terms and conditions of the rights, and there is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610
18. Pumps, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Application T-10395.
19. The proposed change would not result in enlargement of the rights provided the diversion of water under Certificates 24152 and 51225 and a portion of Certificate 50143 is limited to availability of water at the original diversion points on May Creek. Therefore, when May Creek, the water source for Certificate 24152 and 51225 and a portion of Certificate 50143 goes dry, irrigation will end under those portions of those water rights, even if there is still water in Evans Creek.
20. The proposed changes would not result in injury to other water rights.

Partial Cancellation of a Water Right

21. Three affidavits certifying that a portion of a water right has been abandoned and requesting cancellation of the portion of the right were received from Cynthia A. Edwards.
22. The portion of the first right to be cancelled is as follows:
Certificate: 43986 in the name of PAUL B. and CYTHA G DICKEY (perfected under Permit S-3312)
Use: IRRIGATION of 0.2 ACRE
Priority Date: MARCH 27, 1917
Rate: 0.002 CUBIC FOOT PER SECOND
Limit/Duty: ONE-EIGHTIETH cfs per acre
Source: EVANS CREEK, tributary to ROGUE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
35 S	3 W	WM	5	SE NW	650 FEET NORTH AND 2610 FEET EAST FROM THE W1/4 CORNER OF SECTION 5

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	NE SW	0.2

23. The portion of the second right to be cancelled is as follows:

Certificate: 50143 in the name of DAVID S. BLAIR (perfected under Permit S-17593)

Use: IRRIGATION of 0.1 acre and SUPPLEMENTAL IRRIGATION of 0.7 acre

Priority Date: MARCH 6, 1947

Rate: 0.01 CUBIC FOOT PER SECOND

Limit/Duty: ONE-EIGHTIETH, cfs per acre, for each acre irrigated from direct flow, not to exceed 4.5 acre-feet per acre for each acre irrigated during the irrigation season from April 2 to October 31 of each year from direct flow and storage from reservoir

Source: MAY CREEK, tributary to EVANS CREEK

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
34 S	3 W	WM	32	SE NW	35 FEET NORTH AND 1675 FEET EAST FROM THE W1/4 CORNER OF SECTION 32

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	SW NW	0.1

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	NW NW	0.7

24. The portion of the third right to be cancelled is as follows:

Certificate: 51335 in the name of STREETS BAGLEY & SAUNDERS (confirmed by Rogue River (F) State Water Board decree)

Use: IRRIGATION of 0.5 ACRE

Priority Date: 1901

Rate: 0.007 CUBIC FOOT PER SECOND

Source: MAY CREEK, tributary to EVANS CREEK

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
34 S	3 W	WM	32	SE NW	35 FEET NORTH AND 1675 FOOT EAST FROM THE W1/4 CORNER OF SECTION 32

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
35 S	3 W	WM	5	NE SW	0.2

NW NW

0.5 - Typo identified by applicant

Determination and Proposed Action

The changes in place of use for portions of lands under Certificates 50143, 43986 and changes in the point of diversion under Certificates 51335, 50143, 43986, 43985, 24152 proposed in application T 10395 appear to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000 and the abandoned portions of the rights should be cancelled. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved and the abandoned rights will be cancelled.

If application T-10395 is approved, the final order will include the following:

- 1. The changes in place of use for portions of lands under Certificates 50143, 43986 and the point of diversion under Certificates 51335, 50143, 43986, 43985, 24152 proposed in application T-10395 are approved. The portions of the rights that have been abandoned are cancelled.*
- 2. Water right certificates 51335, 50143, 43986, 43985, 24152 are cancelled. New certificates will be issued describing the portions of the rights not affected by this transfer and cancellation.*
- 3. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 51335, 50143, 43986, 43985, 24152 and any related decree.*
- 4. The quantity of water diverted at the new reach within which a portable pump will divert water, shall not exceed the quantity of water lawfully available at the original point of diversion.*
- 5. Diversion of water under the transferred portions of the rights evidenced by Certificates 24152 and 51335 and 50143 is limited to availability of water at the original diversion point on May Creek, being:*

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
34 S	3 W	WM	32	SE NW	35 FEET NORTH AND 1675 FEET EAST FROM THE WEST ¼ CORNER OF SECTION 32

When May Creek goes dry, irrigation will end under the transferred portions of those water rights, even if there is still water in Evans Creek.

- 6. The former place of use of the transferred rights shall no longer receive water under the rights.*
- 7. 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.

8. *Prior to diverting water, the water user shall install 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. The water user shall maintain and operate the measuring device as required by the Department*
9. *The approved changes shall be completed and full beneficial use of the water shall be made on or before **October 1, 2008**. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*
10. *When satisfactory proof of the completed changes is received, new certificates confirming the rights transferred will be issued.*

Dated at Salem, Oregon this _____ day of _____ 2007.

D R A F T

Phillip C. Ward, Director

This draft Preliminary Determination was prepared by a Reimbursement Authority contractor. If you have questions about the information in this document, you may reach Dorothy Pedersen at 503-986-0890 or Dorothy.I.Pedersen@wrdd.state.or.us.



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

June 4, 2007

CYNTHIA A EDWARDS
13238 EAST EVANS CREEK RD
ROGUE RIVER OR 97537

Reference: Transfer 10395

On May 29, 2007 we received your water right transfer application. The application was accompanied by \$825.00. Our receipt 87797 is enclosed.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the change.

Your application will be examined to determine if additional information is needed. You will be contacted following this examination.

Except as provided under ORS 540.510(3) for municipalities, you may not use water for the new use, in the new place of use or from the new point of diversion until the transfer application has been approved. In order to avoid any possible forfeiture of the water right, you should continue to use the water as described by your existing water right. If the land is sold before the transfer is approved, the buyer's consent to the transfer will be required unless a recorded deed or other legal document clearly established that the water right was not conveyed in the sale.

We will notify you if additional information or corrections to the application or map are required.

If you have any questions, please call the Transfer Section, (503)986-0883.

cc: Watermaster #13
Joseph Strahl, CWRE
Jay Doino, ODFW

enclosure

RA



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271
(503) 986-0900
www.wrd.state.or.us

Watermaster Review Form: Water Right Transfer

Transfer Application: T-10395

Review Due Date: 7/3/07

Applicant Name: Cynthia Edwards

Proposed Changes: ☒ POU ☒ POD ☐ POA ☐ USE ☐ OTHER

Reviewer(s): Larry Menteer, Dist 13

Date of Review: Jul. 2, 2007

1. Do you have information suggesting that the water rights may be subject to forfeiture?
☐ Yes ☒ No If "Yes", describe the information and indicate if you intend to file a cancellation affidavit or if you need additional time to determine if a cancellation affidavit should be filed: _____
2. Is there a history of regulation on the source that serves the right proposed for transfer that has involved the right and downstream water rights? ☒ Yes ☐ No Generally characterize the frequency of any regulation or explain why regulation has not occurred:
Every 3-5 years Evans Creek is regulated in this reach for senior use. This right will be affected.
3. Check here if it appears that downstream water rights benefit from return flows resulting from the current use of the right? ☐ If you check the box, generally characterize the locations where the return flows likely occur and list the water rights that benefit most:

4. Are there upstream water rights that would be affected by the proposed change?
☐ Yes ☒ No If "Yes", describe how the rights would be affected and list the rights most affected: _____
5. For POD changes and instream transfers, check here if there are channel losses between the old and new PODs or within the proposed instream reach? ☒ If you check the box, describe and, if possible, estimate the losses: May Creek, the water source for a portion of this water right, goes dry earlier than Evans Creek. Edwards needs to know that when May Creek is dry, irrigation ends on that portion of the water right, even if there is still water in Evans Creek.
6. Would distribution of water for the right after the proposed change result in regulation of other water rights that would not have occurred if use of the existing right was maximized?
☐ Yes ☒ No If "Yes", explain: _____
7. For POU changes, would the original place of use continue to receive water from the same source? ☐ Yes ☒ No ☐ N/A If "Yes", explain: _____

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JUL 05 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

8. For POU or USE changes, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste? ☐ Yes ☒ No
If "Yes", explain: _____
9. Are there other issues not identified through the above questions? ☐ Yes ☒ No If
"Yes", explain: _____
10. What alternatives may be available for addressing any issues identified above: _____
11. Have headgate notices been issued for the source that serves the right? ☒ Yes ☐ No
12. What water control and measurement conditions should be included in the transfer:

Measurement Devices	☐ Present and should be maintained.	☒ Should be required prior to diverting water.	☐ May be required in the future.
Headgates	☐ Present and should be maintained.	☐ Should be required prior to diverting water.	☐ May be required in the future.

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SALEM, OREGON

Please return by 7-3-07

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)

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WATER RESOURCES DEPT
SALEM, OREGON

Reference Transfer #: 10395

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

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Oregon Department of Fish and Wildlife
Additional Fish Screening and Passage Information for the Applicant

(To be completed by ODFW for WRD to provide to the applicant.)

Transfer # 10395

The applicant should be aware that fish screening and passage may be required for certain changes in point of diversion if the boxes below are checked.

- ☐ Fish screening and/or fish by-pass devices are required as a condition of this transfer. The fish screen and/or by-pass device must meet ODFW's design, construction, operational and maintenance standards. Fish screening prevents fish from entering the diversion, while a by-pass device safely transports fish back to the body of water from which the fish were diverted.

Pursuant to ORS 498.306, cost share funds may be available to assist in the installation of fish screening and by-pass devices at diversions.

The applicant should contact the ODFW staff below to obtain additional information on the design, construction, operational, and maintenance standards for the required fish screening and/or by-pass device and to obtain information about ODFW's cost sharing program for screening and by-pass devices. **Prior to installation, the water user must obtain written approval from ODFW that the required screening and/or by-pass device meets ODFW's criteria.**

ODFW staff name: Rich Kibane

Address: 1495 East Gregory Road

City/State/Zip: Central Point, OR 97532

Phone: (541) 826-8774

- ☐ This transfer may trigger requirements for fish passage under ORS 509.585 because a new point of diversion will be constructed, an existing point of diversion's capacity will be increased, or an existing point of diversion will be abandoned. The applicant should contact the ODFW staff below for a determination of whether native migratory fish are or were present at the applicable location, which will determine whether fish passage must be addressed.

ODFW staff name: _____

Address: _____

City/State/Zip: _____

Phone: () _____

CONFLICT REVIEW Summary T-10395

No conflict -
G/S to work on correcting
interactive map

(need orig map for 47285 ; wris map location
primary IRR
@ 1/both
not consistent w/
CERTIFICATE DESCRIP

①

②

47286 : Suspect miss located slightly in
wris. need orig map. If wris location
primary IRR
@ 1/both
correct than have 2 primary
IRR RIGHTS for 43986 lands (would
also impact 50143, as POLY are just swapping
for 43986/50143)

③

65185 : Paper map shows conflict of primary
IRR on same lands : 65185 & 50143 RR
both
primary
@ 1/both

7/23 update: this appears to be significantly
misrepresented in wris. Permit 0214 covers
43985 & 47285, with a possible 1974 xfer
which puts the lands not where wris has them
and

so 47285 is actually primary IRR for
24152

T-10395
CONFLICT ✓

I think this is the "real" 4785 lands

47285
Primary IRR
@ Yeo
weis map location not consistent with written or permit map

47286: weis mapped primary IRR location - suspected miss located
both @ Yeo

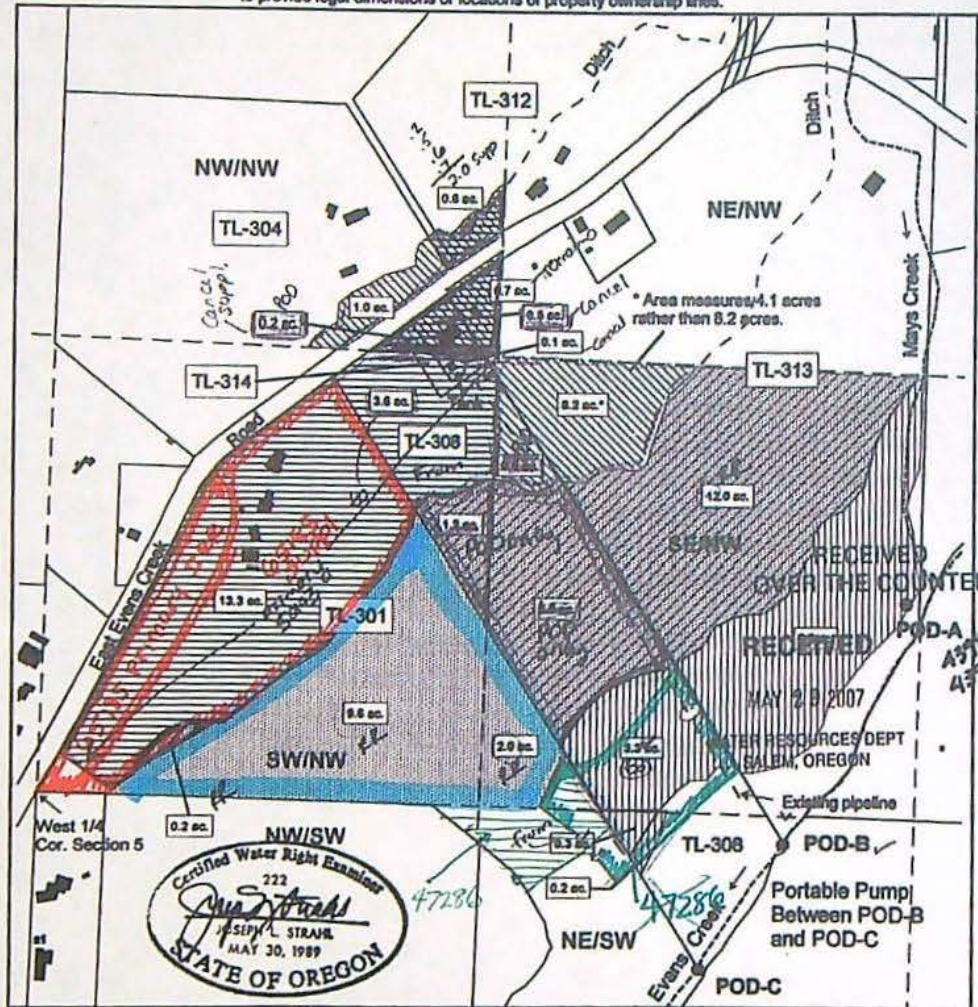
65185: paper map shows conflict for RR 50143
both @ Yeo

Primary
@ Yeo

Change in Point of Diversion and Place of Use Section 5, Township 35 South, Range 3 West W.M.

Tax Lots 308 and 314
Jackson County

This map is for the purpose of identifying water rights and is not intended to provide legal dimensions or locations of property ownership lines.



Point of diversion from Mays Creek - Certificates 24152, 51335 and 50143 - SE/NW, Section 32, T. 34 S., R.3W., WM, 35 feet N. and 1675 feet E. from the West 1/4 Corner Section 32.

POD-A - Existing Point of Diversion for Certificates 43985 and 43986 - SE/NW, Section 5, T.35 S., R.3 W., WM, 650 feet N. and 2810 feet E. from the West 1/4 Corner Section 5.

Proposed Point of Diversion for all water rights on Tax lots 308 and 314, NE/SW, between POD-B, 85 feet S. and 2660 feet E. and POD-C, 480 feet S. and 2015 feet E., Both from the West 1/4 Corner of Section 5, T35 S., R.3 W., W.M.

Certificate 51335 (Decree), 1901, Mays Cr., Change in Point of Diversion (POD) only, for 0.2 acres NW/NW, and 0.8 ac. SE/NW, Cancel 0.5 ac. in NW/NW, . Remaining Right - 2.3 ac. NW/NW and 8.2 ac. SE/NW, all in Section 5.

Certificate 50143 (Permit 17593) 3/8/1947 Mays Cr. & Reservoir. Change in POD & Place of Use 3.6 ac. (primary) FROM SW/NW, TO 3.3 ac. SE/NW and 0.3 ac. NE/SW, Cancel 0.1 ac. (primary) SW/NW, 0.7 ac. (supplemental) NW/NW; Remaining right - 1.3 ac. (supplemental) NW/NW and 13.3 ac. (primary) SW/NW, all in Section 5.

Certificate 43986 (Permit 3312) 5/27/1917 Evans Cr. (East Evans Cr.) Change in POD and Place of Use FROM 3.3 ac. SE/NW and 0.3 ac. NE/SW TO 3.6 ac. SW/NW; Cancel 0.2 ac. NE/SW; Remaining Right 8.2 acres SE/NW, all in Section 5.

Certificate 43985 (Permit 6124) 12/1/1923, Evans Cr. (E.F. Evans Cr.) Change POD only for 1.2 ac. SW/NW and 6.0 ac. SE/NW. Remaining Right 0.2 ac. SW/NW and 12.0 ac. SE/NW all in Section 5.

Certificate 24152 (Permit 24619) 12/4/1966 Mays Cr. (Supplemental). Change in POD only for 1.2 ac. SW/NW and 6.0 ac. SE/NW. Remaining Right, 14 ac. SE/NW and 9.8 ac. SW/NW.

Cynthia A. Edwards
13238 East Evans Creek Rd., Rogue River, OR 97537

Scale
1 inch = 400 feet

4/19/2007 - n.e.d.

T-10395

map check between COBU
560 4
117 xfer
 Δ POO only map

4
xfer
map

Δ P00 only

Δ PDD only

5123

24152

ACCOUNTING FOR THE LANDS IN DEPTS

24152 map missing 8 acres based on 1956 map
all suppl.

43986 location a little diff but acres all accounted for

43985 is undated color map less 1974 xfer map
leaves an unexplained loss of acres in NE/WW
which are no longer described in cert.
which are displayed on undated colored
wet map

50143 xfer map missing RR 20.5 acres - shown on WRD map but not ided there as suppl.

51335 xfer map missing All 18.0 acres primary
on NE/NW (suppl right on these lands from
50143)

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: 50143

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 instead of 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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2. CURRENT WATER RIGHT INFORMATION

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

☒ Certificated Right	50143	17593
	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: David S. Blair
- County: Jackson
- Authorized Use(s) to be Affected by Transfer: Irrigation
- Priority Date(s): March 6, 1947

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: Mays Creek and Reservoir

Tributary to: Evans Creek (E.F.)

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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▪ Certificate Number or other identifying number: 50143

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)
	Mays Creek & Reservoir	34 S	3 W	W M	32	SW/NW	1300 1100	35 FT. N. & 1675 FT. E. FROM THE W ¼, SECTION 32 <i>NOT on rfer map</i>

- 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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Source and Priority Date	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
Certificate Number or other identifying number: <u>50143</u>							

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)
E.F. EVANS CR., BELOW MAYS CREEK	35S	3W	W M	5	NE SW	308	PORTABLE PUMP BETWEEN A POINT 85 FT. S. & 2660 FT. E. AND A POINT 480 FT. S. & 2015 E. BOTH FROM THE W ¼ CORNER SECTION 5

- 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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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: 51335

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 instead of 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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2. CURRENT WATER RIGHT INFORMATION

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

☒ Certificated Right	51335	Rogue River Decree
	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: Streets, Bagley and Saunders
- County: Jackson
- Authorized Use(s) to be Affected by Transfer: Irrigation
- Priority Date(s): 1901

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: Mays Creek

Tributary to: Evans Creek (E. F.)

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? C-50143

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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▪ Certificate Number or other identifying number: 51335

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)
	Mays Creek 1901	34 S	3 W	W M	32	SE/NW	1300 1100	35 ft. N & 1675 ft. E. from the W1/4 corner section 32
								Not on map

▪ 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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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
---	----------	----------------------------	-----------------------------	---	---------------	---------------------------	--	--	---------------------

▪ Certificate Number or other identifying number: 51335

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]

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: 24152

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.) <i>partial</i> ☐ 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 instead of 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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2. CURRENT WATER RIGHT INFORMATION

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

☒ Certificated Right	24152 ✓ Certificate Number	24619 ✓ 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: David S. Blair
- County: Jackson
- Authorized Use(s) to be Affected by Transfer: Supplemental Irrigation 7.2 acres ✓
(supplemental to Certificate 43985)
- Priority Date(s): December 4, 1956 ✓

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: Mays Creek ✓

Tributary to: Evans Creek (E. F.) ✓

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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▪ Certificate Number or other identifying number: 24152

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)
	Mays Creek 12/4/1956	34S	3W	W M	32	SE/NW	1300 1100	35 FT. N. & 1675 FT. E. FROM THE W ¼ CORNER SECTION 32 NOT ON MAP

▪ 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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Source and Priority Date	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)

▪ Certificate Number or other identifying number: 24152

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)
E.F. Evans Cr. Below confluence with Mays Cr.	35S	3W	W M	5	NE SW	308	PORTABLE PUMP BETWEEN A ✓ POINT 85 FT. S., & 2660 FT. E. AND A POINT 480 FT. S., & 2015 FT. E. ✓ FROM THE W ¼ CORNER SECTION 5

- 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.

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WATER RESOURCES DEPT
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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: 43986

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.)	☐ All 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 _____
☐ 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.)	☒ 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.)	☐ Substitution (A supplemental ground water right will be substituted for a primary surface water right.)
☐ Historic Point of Diversion or Appropriation Change (Unauthorized point of diversion or appropriation used for more than 10 years.)		☐ Supplemental Use to Primary Use (Primary water right shall be cancelled and the supplemental water right will change to primary use.)
☐ Surface Water to Ground Water (A new point of appropriation will be used instead of 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.)		

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WATER RESOURCES DEPT
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2. CURRENT WATER RIGHT INFORMATION

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

☒ Certificated Right	<u>43985 43986 X</u> Certificate Number	<u>3312</u> 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: Paul S. and Cytha G. Dickey
- County: Jackson
- Authorized Use(s) to be Affected by Transfer: Irrigation 3.6 acres ✓ cancel 0.2
- Priority Date(s): March 27, 1917 ✓

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: Evans Creek (E.F.)

Tributary to: Rogue River

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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▪ Certificate Number or other identifying number: 43986

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)
	Evans Creek (E.F.) 3/27/1917	35S	3W	W M	5	SE/NW	313	650 FT. N. & 2610 FT. E. FROM THE W ¼ CORNER SECTION 5 ✓

- 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

Source and Priority Date	Township	Range	Mer	Sec	1/4 1/4 Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
Certificate Number or other identifying number: <u>43986</u>							

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	1/4 1/4 Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
Evans Creek (E.F.)	35S	3W	W M	5	NE SW	308	PORTABLE PUMP BETWEEN A POINT 85 FT. S., & 2660 FT. E. AND A POINT 480 FT. S., & 2015 E. BOTH FROM THE W 1/4 CORNER SECTION 5

- 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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SALEM, OREGON

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: 43985

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 instead of 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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2. CURRENT WATER RIGHT INFORMATION

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

☒ Certificated Right	43985 ✓ Certificate Number	6124 ✓ 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: Paul B. and Cytha G. Dickey
- County: Jackson
- Authorized Use(s) to be Affected by Transfer: Irrigation 7.2 acres ✓
- Priority Date(s): December 1, 1923 ✓

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: Evans Creek (EF) ✓

Tributary to: Rogue River

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

yes suppl 2452 is being tfer also

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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▪ Certificate Number or other identifying number: 43985

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)
	Evans Creek 12/1/1923	35S	3W	W M	5	SE/NW	313	650 FT. N., & 2610 FT. E. FROM THE W ¼ CORNER SECTION 5

- 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

03 84637



After recording return to:
First American Title
P.O. box 478
Rogue River, OR 97415

Until a change is requested all tax statements
shall be sent to the following address:

Cynthia A. Edwards
523 Hillside Rd
REDWOOD CITY, CA
94062

File No.: 7164-295073 (RLH)

Date: December 10, 2003

11

THIS SPACE RESERVED FOR RECORDER'S USE

15
5
11

FA-20023760-RT

STATUTORY WARRANTY DEED

ABEL E. PEREZ AND MIRTHA R. PEREZ,

as tenants by the entirety, Grantor, conveys and warrants to **CYNTHIA A. EDWARDS**, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

This property is free from liens and encumbrances, EXCEPT:

- The assessment roll and the tax roll disclose that the within described premises were specially assessed as farm land. If the land has become or becomes disqualified for the special assessment under the statute, an additional tax and interest and/or penalty may be levied retroactively.
- The statutory powers and assessments, if any, of the Evans Valley Irrigation District
- Rights of the public or private parties in and to any portion lying within public roadways or existing roadways or driveways.
- East Evans Creek cannot be insured as a definite boundary since it is and has been subject to possible relocation due to changes in the course of said creek.
- Easements and Restrictive Covenants of record.

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.

CONSIDERATION: \$330,000.00

Page 1 of 3

/

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SALEM, OREGON

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03 84637

APN: 1-078428-1

Statutory Warranty Deed
- continued

File No.: 7164-295073 (RLH)
Date: 12/10/2003

The true consideration for this conveyance is **\$330,000.00**. (Here comply with requirements of ORS 93.030)

Abel E. Perez
Abel E. Perez

Mirtha R. Perez
Mirtha R. Perez

STATE OF Oregon)
)ss.
County of Jackson)

This instrument was acknowledged before me on this 16 day of December, 2003
by Abel E. Perez and Mirtha R. Perez.



R. Hansen
Notary Public for Oregon
My commission expires: 9/24/05

Page 2 of 3

2

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03 84637

APN: 1-078428-1

Statutory Warranty Deed
- continued

File No.: 7164-295073 (RLH)
Date: 12/10/2003

EXHIBIT A

LEGAL DESCRIPTION:

Commencing at the West quarter corner of Section 5, Township 35 South, Range 3 West, Willamette Meridian, Jackson County, Oregon; thence North 89° 38' East along the East-West center line of said Section, 1694.5 feet to a 1 inch iron pipe; thence South 34° 7' East, 630 feet to the centerline of East Evans Creek, being the true point of beginning; thence North 34° 7' West, 2200 feet to a 1 inch iron pipe at the Southeast right of way line of East Evans Creek Road; thence Northeasterly along the right of way line of East Evans Creek Road, 425 feet; thence South 34° 7' East, 2000 feet, more or less, to the centerline of East Evans Creek; thence Southwesterly 470 feet on the centerline of East Evans Creek, to the true point of beginning.

Jackson County, Oregon
Recorded
OFFICIAL RECORDS

DEC 17 2003

[Signature]
COUNTY CLERK

Page 3 of 3

3

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SALEM, OREGON

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Water Right Transfer Supplemental Form B
AFFIDAVIT ATTESTING TO THE USE OF WATER

State of Oregon)
) ss
 County of JACKSON)

I, Cynthia A. Edwards, in my capacity as Landowner,
 mailing address 13238 East Evans Creek Road, Rogue River, OR 97537
 telephone number (541) 582-1789, being first duly sworn depose
 and say:

1. I attest that:

- ☒ Water was used during the previous five years on the entire authorized place of use of the water right proposed for transfer as described on the accompanying transfer application; or
- ☐ The water right was leased instream at some time within the last five years. The instream lease number is as follows: _____; or
- ☐ The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.

2. My knowledge of the exercise or status of the water right is based on (check one):

☒ Personal observation ☐ Professional expertise

3. My knowledge is specific to the use of water at the following locations:

Township		Range		Mer	Sec	1/4 1/4 Section		Gov't Lot or DLC	Acres (if applicable)
35	S	3	W	W M	5	NW	NW		0.2
						SW	NW		4.8
						SE	NW		10.1
						NE	SW		0.3

3.6 50143
1.2

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4. The water right was exercised for the authorized purpose described below (e.g., crops grown):

Hay (orchard grass/timothy) has been harvested from this property each year since I have owned it. The hay has been used primarily for my own horses, except in 2005, which was such a bad year that it was given away for cow hay. The irrigation system has been used both to fertilize the fields (liquid fertilizer) and to irrigate for hay production as well as grazing pasture for horses. In 2004, some of the excess hay was sold (see attached receipt).

5. The water delivery system used to apply water as authorized by the right is described below:

18.2 hp fuel powered pump at creek. 5.5 hp fuel powered pumps at pond and 3500 gal. tank; 2.5 hp electric pump at holding tank. 200' of 3" and 460' of 2" hand lines; 3" line from creek to pond and mainline w/2" risers along east side of property that terminates at tank. 14 RB 20 JH & 2 RB 25 BPJ w/11/64 nozzles, 30 RB 2045PJ and 40 Champion IF7H sprinklers ~4.8 gpm

6. One or more of the following documentation supporting the above statements is attached:

- ☐ Copy of a water right certificate that was issued within the last five years (not a remaining right certificate),
- ☒ Copies of receipts from sales of irrigated crops or for expenditures relating to the 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 the location and date of the photograph,
- ☐ Dedicated power usage records or receipts,
- ☐ Instream lease number _____,
- ☐ Other: _____

Signature of Affiant

Date

Signed and sworn to (or affirmed) before me this 23rd day of May, 2007 on

Notary Public for Oregon



My Commission Expires: 5/27/2010
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Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

725 Summer Street NE, Suite A

Salem, OR 97301-1271

503-986-0900

FAX 503-986-0904

Notice of Application for Water Right Transfer, Temporary Transfer, or Permit Amendment 06/05/07

The Department seeks comment on the recently-filed application listed below. Any person may comment on the application. Comments must be received by the Department within 30 days of the date of this notice. The Director may presume that the transfer would be allowed by, and compatible with comprehensive plans unless an affected local government informs the Director otherwise within 30 days of this notice.

County: Jackson
Transfer: T -10395
Water Right: Cert:24152 OR *, Cert:43985 CF RR *, Cert:43986 CF RR *,
Cert:50143 RR *, Cert:51335 RR *
Priority Date: 1901, 1947, 1917, 1923, 1956
Name: CYNTHIA A. EDWARDS
Address: 13238 EAST EVANS CREEK RD; ROGUE RIVER OR 97537
Change: POU, POD
Source: EVANS CREEK > ROGUE RIVER
MAY CREEK > EVANS CREEK
Authorized POU: T35S R3W 5
Authorized POD: T34S R3W 32
T35S R3W 5
Proposed POU: T35S R3W 5
Proposed POD: T35S R3W 5

The holder of a water right may apply to permanently change an existing water use subject to transfer. A transfer application may involve any of the following changes: Point of diversion or appropriation (POD; POA); Additional point of diversion or appropriation (APOD; APOA); Historic POD (HIST); Place of use (POU); Character of use (USE); Instream (ISWR); Substitution (SUB); or Exchange (EXCH).

The holder of a water right subject to transfer may request to temporarily change the place of use of the water for up to 5 years and, if necessary to convey the water, to temporarily change the point of diversion or appropriation.

The holder of a water right permit may apply to change a point of diversion (POD) or appropriation (POA) or to change the place of use (POU).

Any person who provides comments within the comment period will receive a copy of the Department's preliminary determination of whether the application should be approved or rejected after the Department has completed a review of the application and will be provided an opportunity to protest the application and preliminary determination at that time. Comments should be sent to the Transfers Section at the Department's Salem office.

STATE OF OREGON
COUNTY OF JACKSON
CERTIFICATE OF WATER RIGHT

This Is to Certify, That DAVID S. BLAIR
of Rt. 1, Box 100, Rogue River, State of Oregon, has made proof
to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of
Mays Creek
a tributary of Evans Creek for the purpose of
supplemental irrigation, domestic use for 1 family and stock
under Permit No. 24619 of the State Engineer, 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 4, 1956,

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
0.51 cubic foot per second, being 0.49 cubic foot per second for irrigation,
0.01 cubic foot per second for domestic and 0.01 cubic foot per second for stock,

or its equivalent in case of rotation, measured at the point of diversion from the stream.
The point of diversion is located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 32, Township 34 South, Range 3
West, W.M.

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 $4\frac{1}{2}$ 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:

T	8.0 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$
-	stock & domestic in the NE $\frac{1}{4}$ NW $\frac{1}{4}$
1.2	11.0 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$
6.0	20.0 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$
	Section 5
7.2	Township 35 South, Range 3 West, W.M.
0.09 IS	

RR
5.0
stock & Dom
9.8
14.0
31.8
0.40 IS
0.01 Dom
0.01 Stock

map ok

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of
use herein described.

WITNESS the signature of the State Engineer, affixed

this 24th day of June, 1958.

LEWIS A. STANLEY

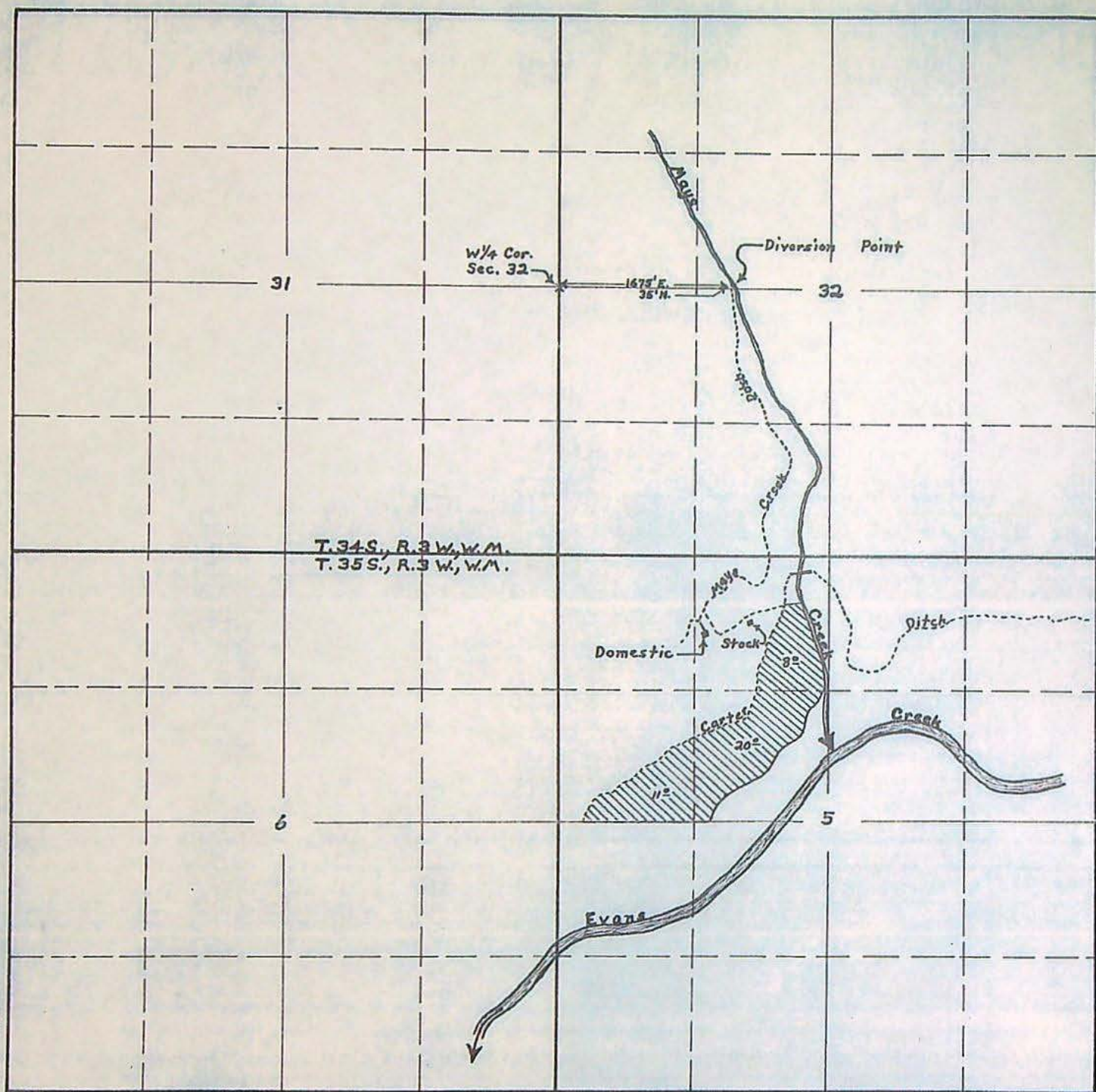
State Engineer

Recorded in State Record of Water Right Certificates, Volume 17, page 24152

T-10395

WRIS Tr 660/8561

WPPD



Map to accompany application of
David S. Blair, for use of water from
Mays Creek for Supplemental Irrigation,
Stock and Domestic purposes.

This Office --- October 15, 1956

David C. Hendrix, Watermaster

24152

Application No. 31240
Permit No. 24619

STATE OF OREGON

COUNTY OF

JACKSON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That PAUL B. AND CYTHA G. DICKEY

of Rogue River, State of Oregon, 97537, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Evans Creek

a tributary of Rogue River
irrigation of 19.4 acres

for the purpose of

under Permit No. 6124 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 1, 1923

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 0.242 cubic foot per second

0.01247

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 5, T. 35 S., R. 3 W., W. M., 650 feet North and 2610 feet East from the W $\frac{1}{2}$ Corner of Section 5.

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,

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:

	T	Cancel	RR	Total
1.4 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$	1.2	0	0.2	
18.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$	6.0	0	1.2	
Section 5	7.2			
T. 35 S., R. 3 W., W. M.	0.09	0	12.2	19.4
CFS			0.152	0.242

This certificate represents that portion of the water right confirmed by the prior certificate recorded at Page 7488, Volume 7, State Record of Water Right Certificates as modified by an order of the State Engineer entered on January 28, 1966, NOT modified by an order of the Water Resources Director entered on July 21, 1976, approving transfer application No. 3117. 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

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this date. November 23, 1976

MAY 29 2007

James E. Sexson

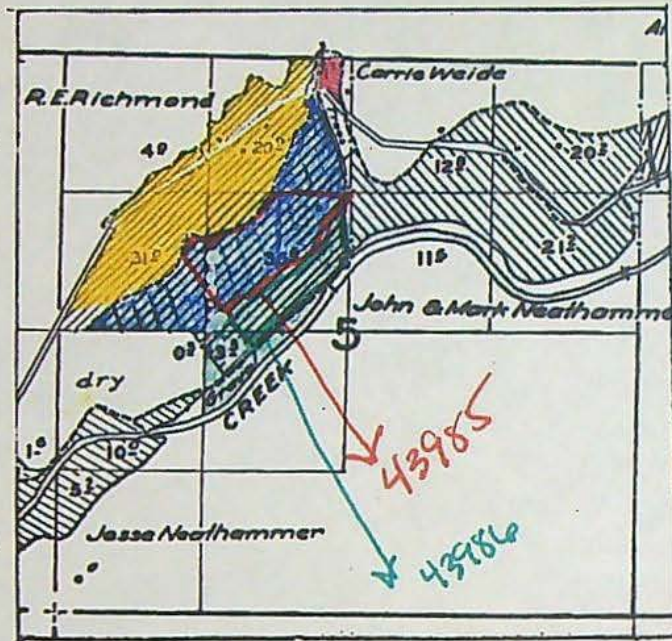
Water Resources Director

WATER RESOURCES DEPT
Recorded in State Record of Water Right Certificates, Volume 36, page 43985
SALEM, OREGON

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relates to 43985
43986

T. 35 S., R. 3 W., W.M.



- 50143 → Per. 17593 Mar. 6, 1947 Mays Ck. & Res.
- Per. 7206 Feb. 25, 1926 Evans Ck. Neathamer Ext. Carter ditch
- 43986 — Per. 3312 Apr. 6, 1918 Evans Ck. Jesse Neatheimer ditch
- 43985 — Per. 6124 Dec. 1, 1923 Evans Ck. Ext. of Carter ditch (et al)
- Per. 24619 Dec. 4, 1956 Mays Ck. Mays Ck. ditch SUPPLEMENTAL
- Ch. Pt. of Div., Traf. D - 113 affects only Per. 3312 & 6124.
- Vested w/r 1901 Mays Ck. Mays Ck. ditch

STATE OF OREGON

COUNTY OF JACKSON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That DAVID S. BLAIR

of Route 1, Box 100, Rogue River, State of Oregon 97537, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Mays Creek and reservoir constructed under Permit R-872

a tributary of Evans Creek ^{39.5 Total} for the purpose of irrigation of 17.0 acres and supplemental irrigation of 22.5 acres

under Permit No. 17593 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 March 6, 1947

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 0.495 cubic foot per second

0.01253

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 32, T34S, R3W, WM; 35 feet North and 1,675 feet East from W $\frac{1}{4}$ Corner, Section 32.

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 from direct flow and shall be further limited to a diversion of not to exceed 4 $\frac{1}{2}$ acre-feet per acre for each acre irrigated during the irrigation season from April 2 to October 31 of each year from direct flow and storage from reservoir constructed under Permit R-872,

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:

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	T	Cancel	R.R	Total
✓ Primary 17.0 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$ ✓ Section 5 Township 35 South, Range 3 West, WM	3.6	0.1	13.3	17
Supplemental 20.5 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$ 2.0 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$ ✓ Section 5 Township 35 South, Range 3 West, WM		0.7	20.5 1.3	22.5
Total	3.6	0.8	35.1	39.5
CFS	0.045	0.010	0.44	0.495

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 46270, Volume 38, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on October 15, 1980, approving Transfer Application 4560.

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

The right to the use of the water for the 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
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this date. August 5, 1981

MAY 29 2007

WATER RESOURCES DEPT
OREGON

Recorded in State Record of Water Right Certificates, Volume 44, page 50143

James E. Seum
Water Resources Director

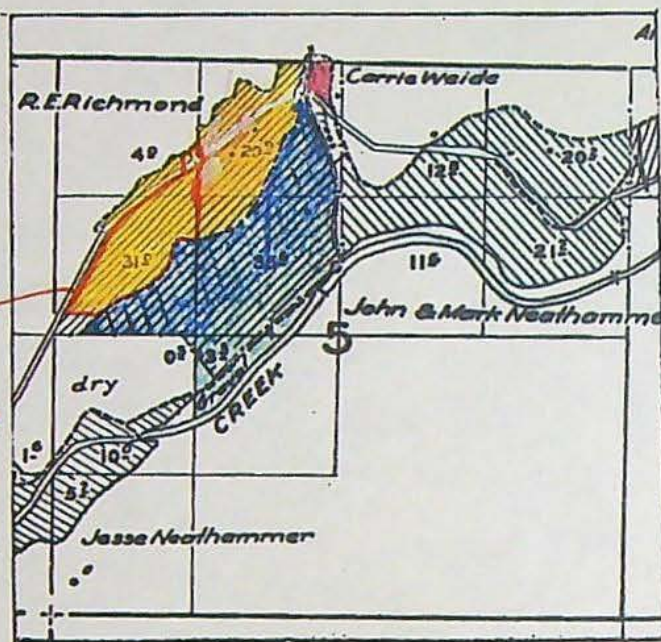
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OVER THE COUNTER

50143
T-10395

T. 35 S., R. 3 W., W.M.

50143
lands
which are
part of
T-10395



- Per. 17593 Mar. 6, 1947 Mays Ck. & Res.
- Per. 7206 Feb. 25, 1926 Evans Ck. Neathamer Ext. Carter ditch
- Per. 3312 Apr. 6, 1918 Evans Ck. Jesse Neathamer ditch
- Per. 6124 Dec. 1, 1923 Evans Ck. Ext. of Carter ditch (et al)
- Per. 24619 Dec. 4, 1956 Mays Ck. Mays Ck. ditch SUPPLEMENTAL

● Ch. Pt. of Div., Traf. D - 113 affects only Per. 3312 & 6124.

Vested W/R 1901 Mays Ck. Mays Ck. ditch

SECTION

32
5

TOWNSHIP ^{34 S}_{35 S}, RANGE ^{3 W}_{3 W}, W. M.

North



Map to accompany application of
David S. Blair - for use of water
from Mays Cr. for storage purposes
and for supplemental irrigation

South

22312

17-78F

APPLICATION No. 22312
PERMIT No. 17593

G 5043

This office 2/25/47

STATE OF OREGON

COUNTY OF

JACKSON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That STREETS, BAGLEY and SAUNDERS

of Ashland, State of Oregon 97520, has
a right to the use of the waters of
Mays Creek

a tributary of Evans Creek for the purpose of
irrigation of 30.0 acres

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
Jackson County, and the said decree entered of record at Salem, in the Order Record of
the WATER RESOURCES DIRECTOR, in Volume 4, at page 1; that the priority of the right
thereby confirmed dates from 1901

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an
amount actually beneficially used for said purposes, and shall not exceed 0.43 cubic foot per
second

The point of diversion is located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 32, T34S, R3W, WM: Mays Creek
Ditch - 35 feet North and 1,675 feet East from W $\frac{1}{4}$ Corner, Section 32

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

18.0 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$	18.0	0.001
3.0 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$	2.8	0.005
9.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$	8.2	0.001
Section 5	28.9	0.007
Township 35 South, Range 3 West, WM	1.0	0.014 cfs
		0.408 cfs
		0.007 cfs

This certificate describes that portion of the water right confirmed by the
prior certificate recorded at page 50148, Volume 44, State Record of Water Right
Certificates, NOT modified by the provisions of an order of the Water Resources
Director entered on October 29, 1982, approving Transfer Application 5123.

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

And said right shall be subject to all other conditions and limitations contained in said decree.
The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein
described.

WITNESS the signature of the Water Resources Director, affixed

this date December 28

1982

James E. Seem
Water Resources Director

T-10395

Recorded in State Record of Water Right Certificates, Volume 46, page 51335

MAR

V.R. DPP

51335

Find Location

Basin
Rogue ☐

Township
Township: S ☐
Range: W ☐
Section: ☐

Find Water Right Application Number
G ☐
Permit Number
G ☐
Cert Number

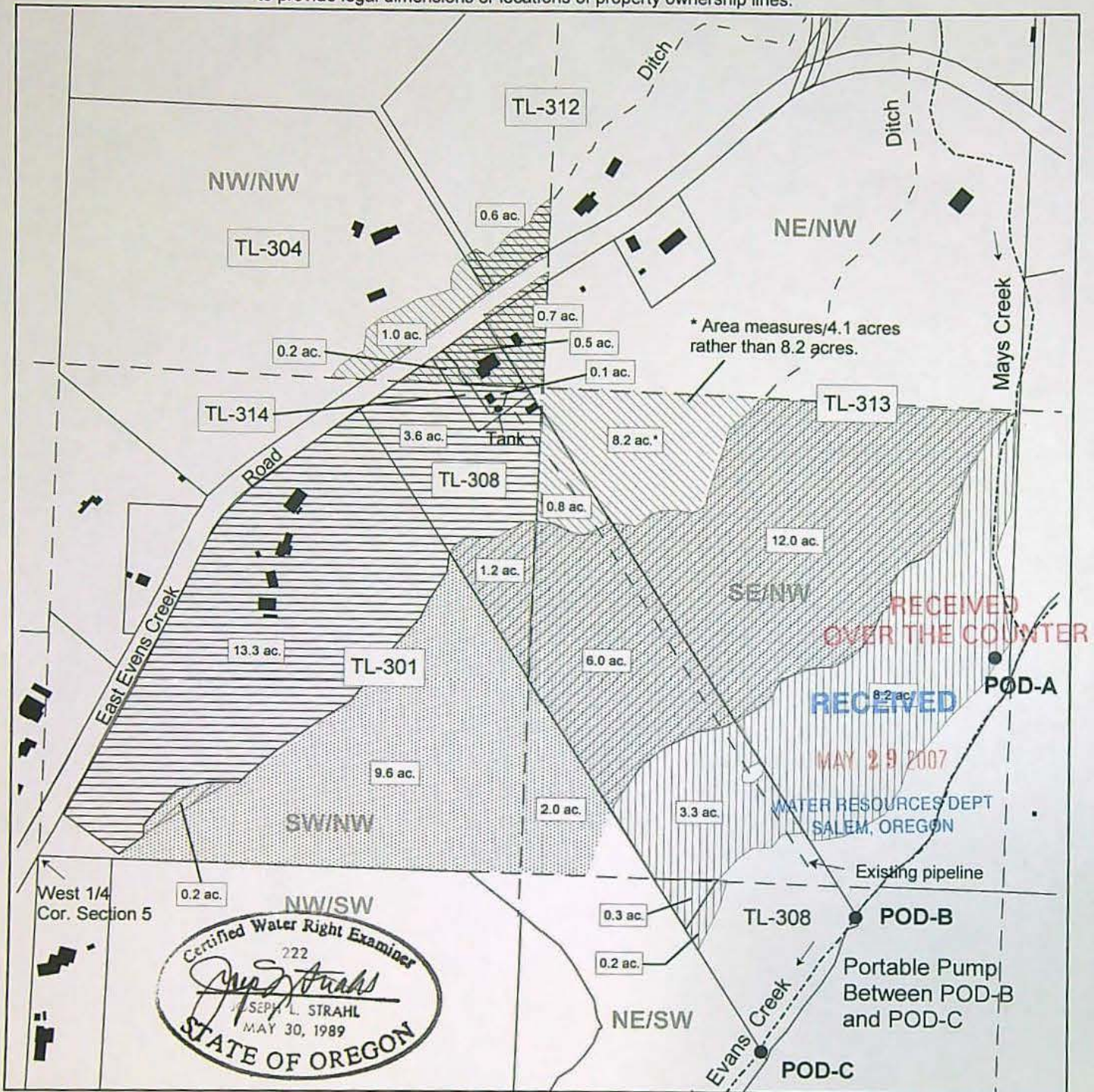
Claim Number
GR ☐

Tools

slightly off to NE if move to SW consistent
w/ x fer map

Change in Point of Diversion and Place of Use Section 5, Township 35 South, Range 3 West W.M. Tax Lots 308 and 314 Jackson County

This map is for the purpose of identifying water rights and is not intended to provide legal dimensions or locations of property ownership lines.



Point of diversion from Mays Creek - Certificates 24152, 51335 and 50143 - SE/NW, Section 32, T. 34 S., R.3W., WM, 35 feet N. and 1675 feet E. from the West 1/4 Corner Section 32.

POD-A - Existing Point of Diversion for Certificates 43985 and 43986 - SE/NW, Section 5, T.35 S., R.3 W., WM. 650 feet N. and 2610 feet E. from the West 1/4 Corner Section 5.

Proposed Point of Diversion for all water rights on Tax lots 308 and 314, NE/SW, between POD-B, 85 feet S. and 2660 feet E. and POD-C, 480 feet S. and 2015 feet E., Both from the West 1/4 Corner of Section 5, T35 S, R.3 W., W.M.

-  Certificate 51335 (Decree), 1901, Mays Cr., Change in Point of Diversion (POD) only, for 0.2 acres NW/NW, and 0.8 ac. SE/NW, Cancel 0.5 ac. in NW/NW, . Remaining Right - 2.3 ac. NW/NW and 8.2 ac. SE/NW, all in Section 5.
-  Certificate 50143 (Permit 17593) 3/6/1947 Mays Cr. & Reservoir. Change in POD & Place of Use 3.6 ac. (primary) FROM SW/NW, TO 3.3 ac. SE/NW and 0.3 ac. NE/SW, Cancel 0.1 ac. (primary) SW/NW, 0.7 ac. (supplemental) NW/NW; Remaining right - 1.3 ac. (supplemental) NW/NW and 13.3 ac. (primary) SW/NW, all in Section 5.
-  Certificate 43986 (Permit 3312) 5/27/1917 Evans Cr. (East Evans Cr.) Change in POD and Place of Use FROM 3.3 ac. SE/NW and 0.3 ac. NE/SW TO 3.6 ac. SW/NW; Cancel 0.2 ac. NE/SW; Remaining Right 8.2 acres SE/NW, all in Section 5.
-  Certificate 43985 (Permit 6124) 12/1/1923, Evans Cr. (E.F. Evans Cr.) Change POD only for 1.2 ac. SW/NW and 6.0 ac. SE/NW. Remaining Right 0.2 ac. SW/NW and 12.0 ac. SE/NW all in Section 5.
-  Certificate 24152 (Permit 24619) 12/4/1956 Mays Cr. (Supplemental). Change in POD only for 1.2 ac. SW/NW and 6.0 ac. SE/NW. Remaining Right, 14 ac. SE/NW and 9.8 ac. SW/NW.

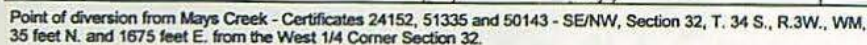
Applicant - Cynthia A. Edwards
13238 East Evans Creek Rd., Rogue River, OR 97537

Scale
1 inch = 400 feet



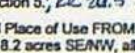
4/19/2007 - n.e.d.

This map is for the purpose of identifying water rights and is not intended to provide legal dimensions or locations of property ownership lines.



POD-A - Existing Point of Diversion for Certificates 43985 and 43986 - SE/NW, Section 5, T.35 S., R.3 W., WM.
650 feet N. and 2810 feet E. from the West 1/4 Corner Section 5.

Proposed Point of Diversion for all water rights on Tax lots 308 and 314, NE/SW, between POD-B, 85 feet S. and 2660 feet E. and POD-C, 480 feet S. and 2015 feet E., Both from the West 1/4 Corner of Section 5, T35 S, R3 W., W.M.

-  Certificate 51335 (Decree), 1901, Mays Cr. Change in Point of Diversion (POD) only, for 0.2 acres NW/4NW, and 0.8 ac. SE/4NW, Cancel 0.5 ac. in NW/4NW, - Remaining Right - 2.3 ac. NW/4NW and 8.2 ac. SE/4NW, all in Section 5.
-  Certificate 50143 (Permit 17503) 3/8/1947 Mays Cr. & Reservoir. Change in POD & Place of Use 3.8 ac. (primary) FROM SW/4NW, TO 3.3 ac. SE/4NW and 0.3 ac. NE/4SW, Cancel 0.1 ac. (primary) SW/4NW, 0.7 ac. (supplemental) NW/4NW; Remaining Right - 1.3 ac. (supplemental) NW/4NW and 13.3 ac. (primary) SW/4NW, all in Section 5; *2.2 2Q.5 Suppl. NE/4NW*
-  Certificate 43086 (Permit 3312) 5/27/1917 Evans Cr. (East Evans Cr.) Change in POD and Place of Use FROM 3.3 ac. SE/4NW and 0.3 ac. NE/4SW TO 3.6 ac. SW/4NW; Cancel 0.2 ac. NE/4SW; Remaining Right 8.2 acres SE/4NW, all in Section 5.
-  Certificate 43985 (Permit 6124) 12/1/1923, Evans Cr. (E.F. Evans Cr.) Change POD only for 1.2 ac. SW/4NW and 6.0 ac. SE/4NW. Remaining Right 0.2 ac. SW/4NW and 12.0 ac. SE/4NW all in Section 5.
-  Certificate 24152 (Permit 24610) 12/4/1956 Mays Cr. (Supplemental) Change in POD only for 1.2 ac. SW/4NW and 6.0 ac. SE/4NW. Remaining Right, 14 ac. SE/4NW and 9.8 ac. SW/4NW; *2 ac. NE/4NW*
- 

Applicant - Cynthia A. Edwards
13238 East Evans Creek Rd., Rogue River, OR 97537

1 inch = 400 feet

4/18/2007 - n.p.d.

ORIGINALS

Transfer Application and Map

Amendments/Revisions to Appl & 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



First American

First American Title Insurance Company of Oregon
1225 Crater Lake Ave, Ste 101
Medford, OR 97504
Phn - (541)779-7250
Fax - (541)734-4715

PAR REPORT

CYNTHIA A. EDWARDS
13238 EAST EVANS CREEK ROAD
ROGUE RIVER, OR 97537

August 24, 2007
File No.: 7169-1103124

Attn:

Re:

Fee \$85.00

According to a search of our tract indices for the following described property, First American Title Insurance Company of Oregon (hereinafter referred to as "The Company" certifies as follows):

Legal Description of the property:

The land referred to in this report is described in Exhibit A attached hereto.

and as of August 20, 2007 at 8:00 a.m.

We find that the last deed of record runs to:

Cynthia A. Edwards

We have also searched our General Index for Judgments and State and Federal Liens against the Grantee(s) named above and find:

-NONE-

Recorded voluntary liens and tax information:

1. Taxes for the fiscal year 2007-2008 a lien due, but not yet payable.
2. The assessment roll and the tax roll disclose that the within described premises were specially zoned or classified for Farm use. If the land has become or becomes disqualified for such use under the statute, an additional tax or penalty may be imposed.

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August 24, 2007

3. Deed of Trust and the terms and conditions thereof.

Grantor/Trustor: Cynthia A. Edwards
Grantee/Beneficiary: Mortgage Electronic Registration Systems, Inc., "MERS" solely as
a nominee for Mortgage Market, Inc.
Trustee: Pacific Northwest Title of Oregon, Inc.
Amount: \$180,000.00
Dated: December 09, 2003
Recorded: December 17, 2003
Recording Information: 03-84638

NOTE: Taxes for the year 2006-2007 PAID IN FULL

Tax Amount: \$949.28
Map No.: 35 3W 05 TL 314
Property ID: 1-078428-1
Tax Code No.: 62-02

NOTE: Taxes for the year 2006-2007 PAID IN FULL

Tax Amount: \$79.91
Map No.: 35 3W 05 TL 308
Property ID: 1-063451-1
Tax Code No.: 62-02

NOTE: An application to Exempt Mobile Home from Registration and Titling was recorded April 19, 2004 as Document No. 2004-020922 of Jackson County Official Records.

NOTE: The address of the property described herein is:

13238 EAST EVANS CREEK ROAD , ROGUE RIVER, OR 97537

NOTE: The 2006-2007 tax assessed value for the herein described property is as follows:

Land: \$ 448,480.00
Improvements: \$ 64,900.00
Parcel No.: 1-078428-1 and
1-063451-1

THIS IS NOT a title report since no examination has been made of the title to the above described property. This report does not purport to show all encumbrances and no representation is made as to the sufficiency of the title of the above parties. Liability of the Company for this lien search is limited to the charge made thereof.

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Exhibit "A"

Real property in the County of JACKSON, State of Oregon, described as follows:

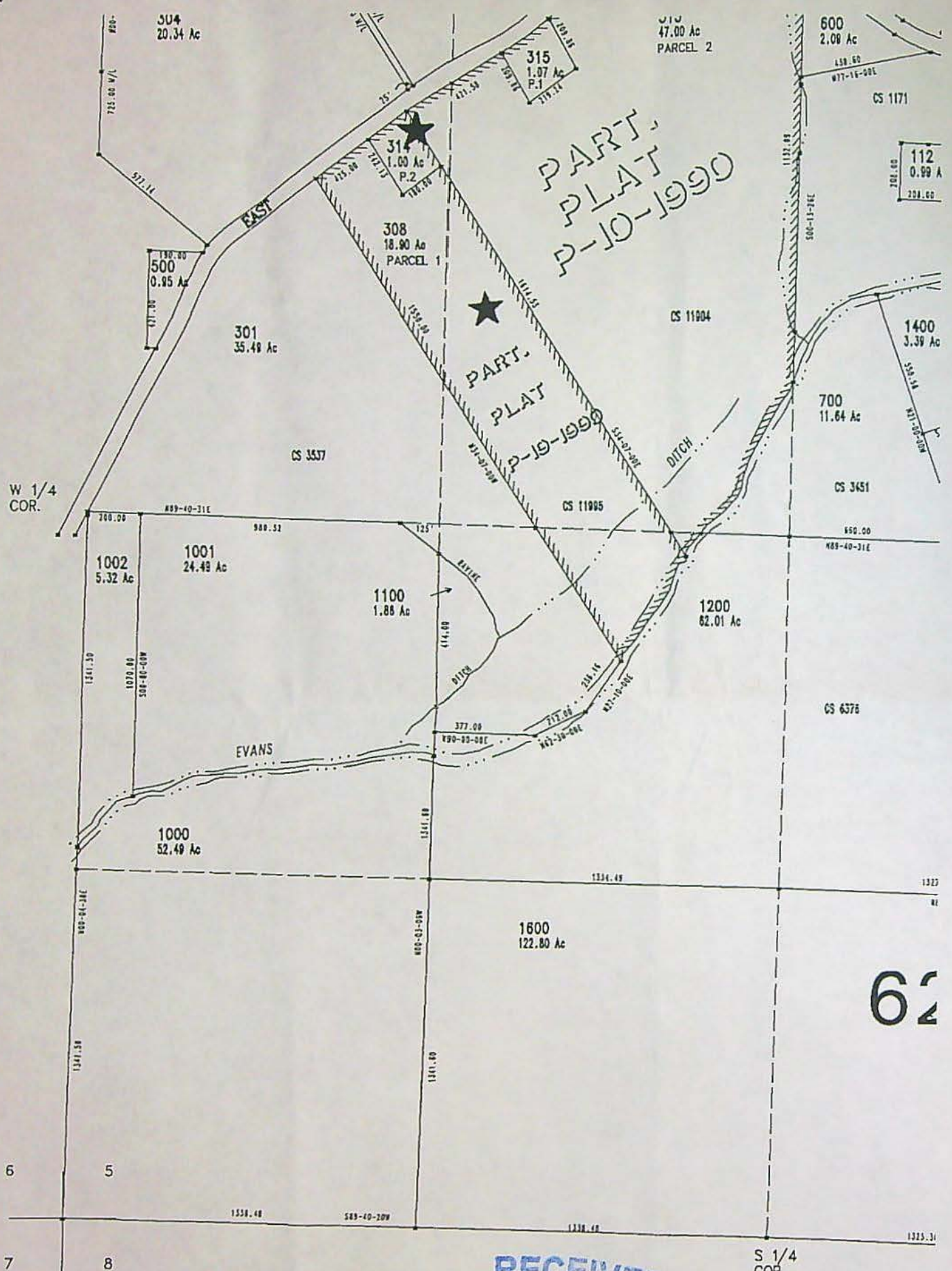
Commencing at the West quarter corner of Section 5, Township 35 South, Range 3 West, Willamette Meridian, Jackson County, Oregon; thence North 89° 38' East along the East-West center line of said Section, 1694.5 feet to a 1 inch iron pipe; thence South 34° 7' East, 630 feet to the centerline of East Evans Creek, being the true point of beginning; thence North 34° 7' West, 2200 feet to a 1 inch iron pipe at the Southeast right of way line of East Evans Creek Road; thence Northeasterly along the right of way line of East Evans Creek Road, 425 feet; thence South 34° 7' East, 2000 feet, more or less, to the centerline of East Evans Creek; thence Southwesterly 470 feet on the centerline of East Evans Creek, to the true point of beginning.

Tax Parcel Number: 1-078428-1 and 1-063451-1

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SALEM, OREGON**



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AUG 27 2007

WATER RESOURCES DEPT
SALEM OREGON

September 5, 2007

Mortgage Electronic Registration Systems, Inc.
c/o Trustee: Pacific Northwest Title of Oregon, Inc.
9020 SW Washington Square Rd., Suite 120
Tigard, OR 97223

REFERENCE: Water Right Transfer (T-10395) for Cynthia Edwards

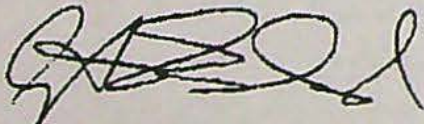
To Whom It May Concern:

I am the owner of a portion of land involved in a water right transfer application that proposes to change the points of diversion, change the place of use and cancel a portion of the water rights. Our property is located on tax lots 308 and 314 in the NW $\frac{1}{4}$ and NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 5, Township 35 South, Range 3 West, WM, Jackson County, Oregon. The portion of water rights being cancelled on our parcels (tax lot 308 & 314) totals 0.8 acre of primary right and 0.7 acre of supplemental right. This results in remaining water rights of 15.4 acres of primary and 7.2 acres of supplemental on tax lots 308 and 314. The proposed point of diversion will be located on tax lot 308, which is under our ownership.

As part of this proposed transfer, we are required to notify any lien holder that may have an interest in the property involved in the transfer.

If you have any questions, you may contact us at (541) 582-1789, or you may contact Dorothy Pederson, Transfer Specialist, with the Oregon Water Resources Department at (503) 986-0890.

Sincerely,



Cynthia Edwards, PhD
13238 E Evans Creek Road
Rogue River, OR 97537

cc: Dorothy Pedersen
Transfer Specialist
OWRD
725 Summer Street NE, Suite A
Salem, OR 97301-1266

03 84637



After recording return to:
First American Title
P.O. box 478
Rogue River, OR 97415

Until a change is requested all tax statements
shall be sent to the following address:

Cynthia A. Edwards
523 Hillside Rd
REDWOOD CITY, CA
94062

File No.: 7164-295073 (RLH)
Date: December 10, 2003

11

THIS SPACE RESERVED FOR RECORDER'S USE

15
5
11

FA-20023760-RH

STATUTORY WARRANTY DEED

ABEL E. PEREZ AND MIRTHA R. PEREZ,
as tenants by the entirety, Grantor, conveys and warrants to **CYNTHIA A. EDWARDS,** Grantee, the
following described real property free of liens and encumbrances, except as specifically set forth herein:

See Legal Description attached hereto as Exhibit A and by this reference incorporated herein.

This property is free from liens and encumbrances, EXCEPT:

- The assessment roll and the tax roll disclose that the within described premises were specially assessed as farm land. If the land has become or becomes disqualified for the special assessment under the statute, an additional tax and interest and/or penalty may be levied retroactively.
- The statutory powers and assessments, if any, of the Evans Valley Irrigation District
- Rights of the public or private parties in and to any portion lying within public roadways or existing roadways or driveways.
- East Evans Creek cannot be insured as a definite boundary since it is and has been subject to possible relocation due to changes in the course of said creek.
- Easements and Restrictive Covenants of record.

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.

CONSIDERATION: \$330,000.00

Page 1 of 3

/

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SALEM, OREGON

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03 84637

APN: 1-078428-1

Statutory Warranty Deed
- continued

File No.: 7164-295073 (RLH)
Date: 12/10/2003

The true consideration for this conveyance is \$330,000.00. (Here comply with requirements of ORS 93.030)

Abel E. Perez
Abel E. Perez

Mirtha R. Perez
Mirtha R. Perez

STATE OF Oregon)
County of Jackson)ss.
)

This instrument was acknowledged before me on this 16 day of December, 2003
by Abel E. Perez and Mirtha R. Perez.



R. Hansen
Notary Public for Oregon
My commission expires: 9/24/05

Page 2 of 3

2

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03 84637

APN: 1-078428-1

Statutory Warranty Deed
- continued

File No.: 7164-295073 (RLH)
Date: 12/10/2003

EXHIBIT A

LEGAL DESCRIPTION:

Commencing at the West quarter corner of Section 5, Township 35 South, Range 3 West, Willamette Meridian, Jackson County, Oregon; thence North 89° 38' East along the East-West center line of said Section, 1694.5 feet to a 1 inch iron pipe; thence South 34° 7' East, 630 feet to the centerline of East Evans Creek, being the true point of beginning; thence North 34° 7' West, 2200 feet to a 1 inch iron pipe at the Southeast right of way line of East Evans Creek Road; thence Northeasterly along the right of way line of East Evans Creek Road, 425 feet; thence South 34° 7' East, 2000 feet, more or less, to the centerline of East Evans Creek; thence Southwesterly 470 feet on the centerline of East Evans Creek, to the true point of beginning.

Jackson County, Oregon
Recorded
OFFICIAL RECORDS

DEC 17 2003

Spokane S. [Signature]
COUNTY CLERK

Page 3 of 3

3

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SALEM, OREGON

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T 10395



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

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: _____)	☐ Drought Transfer
(end year: _____)	☐ Other

2. APPLICANT INFORMATION

Name: Cynthia A. Edwards
First Last
Address: 13238 East Evans Creek Road
Rogue River OR 97537
City State Zip
Phone: 541 582-1789
Home Work Other
Fax: _____ E-Mail address: _____

3. AGENT INFORMATION

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

Name: _____ **RECEIVED**
First Last
Address: _____ **MAY 29 2007**
City State Zip **WATER RESOURCES DEPT**
SALEM, OREGON
Phone: _____
Home Work Other
Fax: _____ E-Mail address: _____ **RECEIVED**
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- 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 10395

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.	Rogue River	T-5123	51335
2.	22312	17593 / T-4560	50143
3.	5457	3312 / T-3118	43986
4.	9287	6124 / T-3117	43985
5.	31240	24619	24152
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 locate the diversions on property where used.

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.

Water from both sources has been diverted from creek at subject property, see affidavit of
of use for description of system

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- System capacity: 0.2 + cubic feet per second (cfs). If the transfer involves multiple rights that have independent systems, describe the capacity for each system separately.

NA

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SALEM, OREGON

T 10395

6. EVIDENCE OF BENEFICIAL WATER USE

- 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:
 - ▶ 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:

- 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).

Jackson County

10 South Oakdale, Room 100

Medford, OR 97501

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SALEM, OREGON

T 10395

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

- 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.)

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SALEM, OREGON

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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.)

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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: \$ 700.00
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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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:

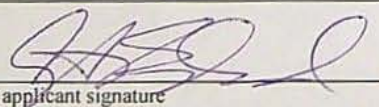
☒ In accordance with OAR 690-380-3000(13)(a), I (we) understand that prior to Department approval of a permanent transfer and upon my receipt of a draft Preliminary Determination for the proposed transfer, I (we) will be required [pursuant to OAR 690-380-4010(5)] to provide the following landownership 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	Cynthia Edwards name (print)	5/25/07 date
 applicant signature	 name (print)	 date

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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: 50143

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</u> of 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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2. CURRENT WATER RIGHT INFORMATION

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

☒ Certificated Right	50143 Certificate Number	17593 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: David S. Blair
- County: Jackson
- Authorized Use(s) to be Affected by Transfer: Irrigation
- Priority Date(s): March 6, 1947

*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: Mays Creek and Reservoir

Tributary to: Evans Creek (E.F.)

*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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▪ Certificate Number or other identifying number: 50143

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)
	Mays Creek & Reservoir	34 S	3 W	W M	32	SW/NW	1300 1100	35 FT. N. & 1675 FT. E. FROM THE W ¼, SECTION 32

- 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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Source and Priority Date	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
■ Certificate Number or other identifying number: <u>50143</u>							

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)
E.F. EVANS CR., BELOW MAYS CREEK	35S	3W	W M	5	NE SW	308	PORTABLE PUMP BETWEEN A POINT 85 FT. S. & 2660 FT. E., AND A POINT 480 FT. S. & 2015 E. BOTH FROM THE W ¼ CORNER SECTION 5

- 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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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: 51335

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</u> of 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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2. CURRENT WATER RIGHT INFORMATION

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

☒ Certificated Right	51335 Certificate Number	Rogue River Decree 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: Streets, Bagley and Saunders
- County: Jackson
- Authorized Use(s) to be Affected by Transfer: Irrigation
- Priority Date(s): 1901

*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: Mays Creek

Tributary to: Evans Creek (E. F.)

*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? C-50143

*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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- Certificate Number or other identifying number: 51335

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)
	Mays Creek 1901	34 S	3 W	W M	32	SE/NW	1300 1100	35 ft. N & 1675 ft. E. from the W1/4 corner section 32

- 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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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: 24152

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.)	☐ All 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:
☐ 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.)	☐ 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.)	☐ Irrigation
☐ Historic Point of Diversion or Appropriation Change (Unauthorized point of diversion or appropriation used for more than 10 years.)		☐ Municipal
☐ 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.)		☐ Quasi-municipal
☐ Point of Diversion Change due to Government Action (The old point of diversion or appropriation can no longer be used due to government action.)		☐ Commercial
☐ Exchange (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)		☐ 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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SALEM, OREGON

10395
Supplemental Form A

2. CURRENT WATER RIGHT INFORMATION

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

☒ Certificated Right	24152 Certificate Number	24619 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: David S. Blair
- County: Jackson
- Authorized Use(s) to be Affected by Transfer: Supplemental Irrigation 7.2 acres
(supplemental to Certificate 43985)
- Priority Date(s): December 4, 1956

*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: Mays Creek

Tributary to: Evans Creek (E. F.)

*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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▪ Certificate Number or other identifying number: 24152

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)
	Mays Creek 12/4/1956	34S	3W	W M	32	SE/NW	1300 1100	35 FT. N. & 1675 FT. E. FROM THE W ¼ CORNER SECTION 32

▪ 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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Source and Priority Date	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)

▪ Certificate Number or other identifying number: 24152

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)
E.F. Evans Cr. Below confluence with Mays Cr.	35S	3W	W M	5	NE SW	308	PORTABLE PUMP BETWEEN A POINT 85 FT. S., & 2660 FT. E. AND A POINT 480 FT. S., & 2015 FT. E. FROM THE W ¼ CORNER SECTION 5

- 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.

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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: 43986

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.)	☐ All 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 _____
☐ 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.)	☒ 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.)	☐ Substitution (A supplemental ground water right will be substituted for a primary surface water right.)
☐ Historic Point of Diversion or Appropriation Change (Unauthorized point of diversion or appropriation used for more than 10 years.)		☐ Supplemental Use to Primary Use (Primary water right shall be cancelled and the supplemental water right will change to primary use.)
☐ Surface Water to Ground Water (A new point of appropriation will be used <u>instead</u> of 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.)		

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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	43985 Certificate Number	3312 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: Paul S. and Cytha G. Dickey
- County: Jackson
- Authorized Use(s) to be Affected by Transfer: Irrigation 3.6 acres
- Priority Date(s): March 27, 1917

*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: Evans Creek (E.F.)

Tributary to: Rogue River

*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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- Certificate Number or other identifying number: 43986

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)
	Evans Creek (E.F.) 3/27/1917	35S	3W	W M	5	SE/NW	313	650 FT. N. & 2610 FT. E. FROM THE W ¼ CORNER SECTION 5

- 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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Source and Priority Date	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
Certificate Number or other identifying number: <u>43986</u>							

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)
Evans Creek (E.F.)	35S	3W	W M	5	NE SW	308	PORTABLE PUMP BETWEEN A POINT 85 FT. S., & 2660 FT. E. AND A POINT 480 FT. S., & 2015 E. BOTH FROM THE W ¼ CORNER SECTION 5

- 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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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: 43985

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 not be used for the portion of the water right affected by the transfer.)	☐ All 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 _____
☐ 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.)	☐ 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.)	☐ Substitution (A supplemental ground water right will be substituted for a primary surface water right.)
☐ Historic Point of Diversion or Appropriation Change (Unauthorized point of diversion or appropriation used for more than 10 years.)		☐ Supplemental Use to Primary Use (Primary water right shall be cancelled and the supplemental water right will change to primary use.)
☐ Surface Water to Ground Water (A new point of appropriation will be used instead of the old point of diversion. The old point of diversion will not 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.)		

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2. CURRENT WATER RIGHT INFORMATION

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

☒ Certificated Right	43985	6124
	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: Paul B. and Cytha G. Dickey
- County: Jackson
- Authorized Use(s) to be Affected by Transfer: Irrigation 7.2 acres
- Priority Date(s): December 1, 1923

*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: Evans Creek (EF)

Tributary to: Rogue River

*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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SALEM, OREGON

- Certificate Number or other identifying number: 43985

*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)

[illegible]

- 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.

[illegible]

Source and Priority Date	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
Certificate Number or other identifying number: <u>43985</u>							

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)
Evans Creek (EF)	35S	3W	W M	5	NE SW	308	PORTABLE PUMP BETWEEN A POINT 85 FT. S., & 2660 FT. E., AND A POINT 480 FT. S., & 2015 FT. E. FROM THE W ¼ CORNER SECTION 5

- 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

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

Remarks: This right is supplemented by Certificate 24152

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WATER RESOURCES DEPT
SALEM, OREGON

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STATE OF OREGON
COUNTY OF JACKSON
CERTIFICATE OF WATER RIGHT

This Is to Certify, That DAVID S. BLAIR

of Rt. 1, Box 100, Rogue River, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Mays Creek

a tributary of Evans Creek for the purpose of supplemental irrigation, domestic use for 1 family and stock under Permit No. 24619 of the State Engineer, 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 4, 1956,

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 0.51 cubic foot per second, being 0.49 cubic foot per second for irrigation, 0.01 cubic foot per second for domestic and 0.01 cubic foot per second for stock,

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 32, Township 34 South, Range 3 West, W.M.

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 $4\frac{1}{2}$ 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:

	T	Cancel	R.R.	
8.0 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$			8.0	
stock & domestic in the NE $\frac{1}{4}$ NW $\frac{1}{4}$			Stk & Dom	
11.0 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$	1.2		9.8	
20.0 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$	6.0		14.0	
Section 5				
Township 35 South, Range 3 West, W.M.				
Total	7.2	0	31.8	39
			Stk & Dom	Stk & Dom
CFS	0.09	0	0.40	0.49
			0.01	0.01 stk
			0.01	0.01 Dom
				0.51

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

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WITNESS the signature of the State Engineer, affixed

this 24th day of June, 1958.

LEWIS A. STANLEY

State Engineer

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WATER RESOURCES DEPT
SALEM, OREGON

Recorded in State Record of Water Right Certificates, Volume 17, page 24152

Suppl to
C-43985

10395

STATE OF OREGON

COUNTY OF

JACKSON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That PAUL B. AND CYTHA G. DICKEY

of Rogue River, State of Oregon, 97537, has made
proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of
Evans Creek

a tributary of Rogue River
irrigation of 19.4 acres

for the purpose of

under Permit No. 6124 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 1, 1923

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
0.242 cubic foot per second

0.01247

or its equivalent in case of rotation, measured at the point of diversion from the stream.
The point of diversion is located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 5, T. 35 S., R. 3 W., W. M.,
650 feet North and 2610 feet East from the W $\frac{1}{2}$ Corner of Section 5.

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,

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:

	T	Cancel	RR	Total
1.4 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$	1.2	0	0.2	
18.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$	6.0	0	12	
Section 5				
T. 35 S., R. 3 W., W. M.	7.2		12.2	19.4
CFS	0.09	0	0.152	0.242

This certificate represents that portion of the water right confirmed by the prior
certificate recorded at Page 7488, Volume 7, State Record of Water Right Certificates
as modified by an order of the State Engineer entered on January 28, 1966, NOT
modified by an order of the Water Resources Director entered on July 21, 1976,
approving transfer application No. 3117. 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. November 23, 1976

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James E. Sexson

Water Resources Director

MAY 29 2007

WATER RESOURCES DEPT
SALEM, OREGON

Recorded in State Record of Water Right Certificates, Volume 36, page 43985

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STATE OF OREGON

COUNTY OF

JACKSON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

DAVID S. BLAIR

of Route 1, Box 100, Rogue River, State of Oregon 97537, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Mays Creek and reservoir constructed under Permit R-872

a tributary of Evans Creek ^{39.5 Total} for the purpose of irrigation of 17.0 acres and supplemental irrigation of 22.5 acres

under Permit No. 17593 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 March 6, 1947

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 0.495 cubic foot per second

0.01253

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 32, T34S, R3W, WM; 35 feet North and 1,675 feet East from W $\frac{1}{2}$ Corner, Section 32.

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 from direct flow and shall be further limited to a diversion of not to exceed 4 $\frac{1}{2}$ acre-feet per acre for each acre irrigated during the irrigation season from April 2 to October 31 of each year from direct flow and storage from reservoir constructed under Permit R-872,

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:

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	T	Cancel	RR	Total
Primary 17.0 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 5 Township 35 South, Range 3 West, WM	3.6	0.1	13.3	17
Supplemental 20.5 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$ 2.0 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 5 Township 35 South, Range 3 West, WM			20.5	
		0.7	1.3	22.5
Total	3.6	0.8	35.1	39.5
CFS	0.045	0.010	0.44	0.495

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 46270, Volume 38, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on October 15, 1980, approving Transfer Application 4560.

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

The right to the use of the water for the 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. August 5, 1981

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MAY 29 2007

WATER RESOURCES DEPT

Recorded in State Record of Water Right Certificates, Volume 44, page 50143

James E. Seem
Water Resources Director

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STATE OF OREGON
COUNTY OF JACSON
CERTIFICATE OF WATER RIGHT

This Is to Certify, That **PAUL B. AND CYTHA G. DICKEY**

of Rogue River, State of Oregon, 97537, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Evans Creek

a tributary of Rogue River for the purpose of irrigation of 12.0 acres

under Permit No. 3312 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 March 27, 1917

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 0.15 cubic foot per second

0.0125

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 5, T. 35 S., R. 3 W., W. M., 650 feet North and 2610 feet East from the W $\frac{1}{4}$ Corner of Section 5.

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,

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:

11.5 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$	3.3	0.045	0.002	0.103	= 0.15
0.5 acre NE $\frac{1}{4}$ SW $\frac{1}{4}$	0.3	0.2			
Section 5					
T. 35 S., R. 3 W., W. M.	TOTAL 3.6	0.2	8.2		= 12

This certificate describes that portion of the water right confirmed by the prior certificate recorded at Page 3571, Volume 4, State Record of Water Right Certificates as modified by an order of the State Engineer entered on January 28, 1966, NOT modified by an order of the Water Resources Director entered on July 21, 1976, approving transfer application No. 3118. 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

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this date. November 23, 1976

MAY 29 2007

James E. Saxson
Water Resources Director

WATER RESOURCES DEPT

Recorded in State Record of Water Right Certificates, Volume 36, page 43986

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STATE OF OREGON

COUNTY OF

JACKSON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

STREETS, BAGLEY and SAUNDERS

of Ashland
a right to the use of the waters of
Mays Creek

, State of Oregon 97520 , has

a tributary of Evans Creek
irrigation of 30.0 acres

for the purpose of

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Jackson County, and the said decree entered of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 4 , at page 1 ; that the priority of the right thereby confirmed dates from 1901

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.43 cubic foot per second

0.01433

The point of diversion is located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 32, T34S, R3W, WM: Mays Creek Ditch - 35 feet North and 1,675 feet East from W $\frac{1}{2}$ Corner, Section 32

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

	T	Cancel	RR
18.0 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$			18.0
3.0 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$	0.2	0.5	2.3
9.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$	0.8		8.2
Section 5			
Township 35 South, Range 3 West, WM			
Total -	1.0	0.5	28.5 = 30
CFs -	0.014	0.007	0.409 = .43

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 50148, Volume 44, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on October 29, 1982, approving Transfer Application 5123.

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

And said right shall be subject to all other conditions and limitations contained in said decree. The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the Water Resources Director, affixed

RECEIVED

this date December 28

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MAY 29 2007

James E. Seaman
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 46 , page 51335
SALEM, OREGON

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Water Right Transfer Supplemental Form B
AFFIDAVIT ATTESTING TO THE USE OF WATER

State of Oregon)
) ss
 County of JACKSON)

I, Cynthia A. Edwards, in my capacity as Landowner,
 mailing address 13238 East Evans Creek Road, Rogue River, OR 97537
 telephone number (541) 582-1789, being first duly sworn depose
 and say:

1. I attest that:

- ☒ Water was used during the previous five years on the entire authorized place of use of the water right proposed for transfer as described on the accompanying transfer application; or
- ☐ The water right was leased instream at some time within the last five years. The instream lease number is as follows: _____; or
- ☐ The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.

2. My knowledge of the exercise or status of the water right is based on (check one):

☒ Personal observation ☐ Professional expertise

3. My knowledge is specific to the use of water at the following locations:

Township		Range		Mer	Sec	1/4 1/4 Section		Gov't Lot or DLC	Acres (if applicable)
35	S	3	W	W M	5	NW	NW		0.2
						SW	NW		4.8
						SE	NW		10.1
						NE	SW		0.3

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4. The water right was exercised for the authorized purpose described below (e.g., crops grown):

Hay (orchard grass/timothy) has been harvested from this property each year since I have owned it. The hay has been used primarily for my own horses, except in 2005, which was such a bad year that it was given away for cow hay. The irrigation system has been used both to fertilize the fields (liquid fertilizer) and to irrigate for hay production as well as grazing pasture for horses. In 2004, some of the excess hay was sold (see attached receipt).

5. The water delivery system used to apply water as authorized by the right is described below:

18.2 hp fuel powered pump at creek. 5.5 hp fuel powered pumps at pond and 3500 gal. tank; 2.5 hp electric pump at holding tank. 200' of 3" and 460' of 2" hand lines; 3" line from creek to pond and mainline w/2" risers along east side of property that terminates at tank. 14 RB 20 JH & 2 RB 25 BPJ w/11/64 nozzles, 30 RB 2045PJ and 40 Champion IF7H sprinklers

6. One or more of the following documentation supporting the above statements is attached:

- ☐ Copy of a water right certificate that was issued within the last five years (not a remaining right certificate),
- ☒ Copies of receipts from sales of irrigated crops or for expenditures relating to the 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 the location and date of the photograph,
- ☐ Dedicated power usage records or receipts,
- ☐ Instream lease number _____,
- ☐ Other: _____

Signature of Affiant

Date

Signed and sworn to (or affirmed) before me this

23rd day of May, 2007. ca



Christine E. Allen
Notary Public for Oregon

My Commission Expires:

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T 10395



Cynthia

310 @ 2.50

775.-

from Direct Jerry
bales

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T 10395

(541) 548-5277

4990 N.E. O'NEIL WAY • REDMOND, OR 97756

MAY 29 2007

WATER RESOURCES DEPT
SALEM, OREGON

**AFFIDAVIT FOR THE PARTIAL CANCELLATION OF A
WATER RIGHT CERTIFICATE**

State of Oregon)
) ss
County of Jackson)

I/We (or authorized agent), Cynthia A. Edwards,
residing at 13238 East Evans Creek Rd., Rogue River, OR 97537,
telephone 541 582-1789, being first duly sworn depose and say:

1. I/We are the legal owner(s) of the property described as tax lot number 314, within the NW 1/4 NW 1/4, Section 5, Township 35 S N/S, Range 3 W E/W, of the Willamette Meridian, in Jackson County, Oregon, as shown on the attached map and described in the attached deed and legal description and made part of this affidavit;
2. A portion of water right certificate number 51335 issued to Streets, Bagley and Saunders, with a date of priority of 1901 for use of 0.43 cubic foot per second of water from Mays Creek (source) for the purpose of Irrigation of 30 acres (use) is appurtenant to my/our property;
3. The appurtenant water right is/is not located within the boundaries of an irrigation, drainage, water improvement, or water control district, or federal reclamation project (if the right is located within a district or reclamation project, name it here: NA); and
4. I/We have abandoned any and all interest in the portion of this water right shown on the attached map and described as follows:
The right to the use of 0.007 cubic foot per second from Mays Creek
for _____, and irrigation of 0.5 acres located:
(use) (if applicable)

<u>Nw 1/4</u>	<u>Nw 1/4</u>	<u>0.5</u>	Acres
<u>1/4</u>	<u>1/4</u>		Acres
<u>1/4</u>	<u>1/4</u>		Acres

Section 5
Township 35S N/S, Range 3W E/W, WM; and
5. I/We request the portion of the water right described above be canceled.

[Signature]
Signature of legal owner as listed on deed, or authorized agent

5/23/07
Date

Signature of legal co-owner as listed on deed
(if applicable)

Date

Subscribed and Sworn to Before Me this 23rd day of May, 2007.



[Signature]
Notary Public for Oregon
My Commission Expires 5/27/2010

PLEASE ATTACH A LEGIBLE COPY OF : 1) A DEED WHICH LISTS LAND OWNERS AND INCLUDES A LEGAL DESCRIPTION OF AFFECTED LANDS, AND 2) AN ADJUDICATION MAP, WATER RIGHT FINAL PROOF MAP, OR A TAX LOT MAP WITH THE PORTION OF THE ABANDONED RIGHT CLEARLY DRAWN AND IDENTIFIED. IF ACTING AS AN AUTHORIZED AGENT, INCLUDE COPY OF POWER OF ATTORNEY OR OTHER DOCUMENTS GRANTING AUTHORITY TO ACT ON BEHALF OF LEGAL OWNER(S).

December 2004 FSD

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MAY 29 2007

WATER RESOURCES DEPT
SALEM, OREGON

T 10395

**AFFIDAVIT FOR THE PARTIAL CANCELLATION OF A
WATER RIGHT CERTIFICATE**

State of Oregon)

County of Jackson) ss

I/We (or authorized agent), Cynthia A. Edwards
residing at 13238 East Evans Creek Rd., Rogue River, OR 97537
telephone 541 582-1789, being first duly sworn depose and say:

1. I/We are the legal owner(s) of the property described as tax lot number 308 & 314, within the Nw&Sw 1/4 NW 1/4, Section 5, Township 35 S N/S, Range 3 W E/W, of the Willamette Meridian, in Jackson County, Oregon, as shown on the attached map and described in the attached deed and legal description and made part of this affidavit;
2. A portion of water right certificate number 50143 issued to David S. Blair with a date of priority of March 6, 1947 for use of 0.495 cubic foot per second of water from Mays Creek & Reservoir (source) for the purpose of Irrigation of 17 ac. & Supplemental Irrigation of 22.5 ac. (use) is appurtenant to my/our property;
3. The appurtenant water right is/is not located within the boundaries of an irrigation, drainage, water improvement, or water control district, or federal reclamation project (if the right is located within a district or reclamation project, name it here: NA); and
4. I/We have abandoned any and all interest in the portion of this water right shown on the attached map and described as follows:
The right to the use of 0.01 cubic foot per second from Mays Creek
for Supplemental Irrigation of 0.7 acres (use) and irrigation of 0.1 acres located: (if applicable)

<u>Sw 1/4 Nw 1/4</u>	<u>0.1</u>	<u>Acres</u>
<u>Nw 1/4 Nw 1/4</u>	<u>0.7</u>	<u>Acres</u>
<u>1/4 1/4</u>		<u>Acres</u>

Section 5
Township 35S N/S, Range 3W E/W, WM; and
5. I/We request the portion of the water right described above be canceled.

[Signature]
Signature of legal owner as listed on deed, or authorized agent

5/23/07
Date

[Signature]
Signature of legal co-owner as listed on deed
(if applicable)

5/23/07
Date

Subscribed and Sworn to Before Me this 23rd day of May, 2007.



Christine E. Allen
Notary Public for Oregon
My Commission Expires 5/27/2010

PLEASE ATTACH A LEGIBLE COPY OF: 1) A DEED WHICH LISTS LAND OWNERS AND INCLUDES A LEGAL DESCRIPTION OF AFFECTED LANDS, AND 2) AN ADJUDICATION MAP, WATER RIGHT FINAL PROOF MAP, OR A TAX LOT MAP WITH THE PORTION OF THE ABANDONED RIGHT CLEARLY DRAWN AND IDENTIFIED. IF ACTING AS AN AUTHORIZED AGENT, INCLUDE COPY OF POWER OF ATTORNEY OR OTHER DOCUMENTS GRANTING AUTHORITY TO ACT ON BEHALF OF LEGAL OWNER(S).

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WATER RESOURCES DEPT
SALEM, OREGON

T 10395

**AFFIDAVIT FOR THE PARTIAL CANCELLATION OF A
WATER RIGHT CERTIFICATE**

State of Oregon)

County of Jackson) ss

I/We (or authorized agent), Cynthia A. Edwards
residing at 13238 East Evans Creek Rd., Rogue River, OR 97537
telephone 541 582-1789, being first duly sworn depose and say:

1. I/We are the legal owner(s) of the property described as tax lot number 308, within the NE 1/4 SW 1/4, Section 5, Township 35 S N/S, Range 3 W E/W, of the Willamette Meridian, in Jackson County, Oregon, as shown on the attached map and described in the attached deed and legal description and made part of this affidavit;
2. A portion of water right certificate number 43986 issued to Paul B. and Cytha G. Dickey, with a date of priority of March 27, 1917 for use of 0.15 cubic foot per second of water from Evans Creek (source) for the purpose of Irrigation of 12 acres (use) is appurtenant to my/our property;
3. The appurtenant water right is/is not located within the boundaries of an irrigation, drainage, water improvement, or water control district, or federal reclamation project (if the right is located within a district or reclamation project, name it here: NA); and
4. I/We have abandoned any and all interest in the portion of this water right shown on the attached map and described as follows:
The right to the use of 0.002 cubic foot per second from Evans Creek
for (use), and irrigation of 0.2 acres located: (if applicable)

<u>Ne 1/4 SW 1/4</u>	<u>0.2</u>	<u>Acres</u>
<u>1/4 1/4</u>		<u>Acres</u>
<u>1/4 1/4</u>		<u>Acres</u>

Section 5
Township 35 S N/S, Range 3 W E/W, WM; and
5. I/We request the portion of the water right described above be canceled.

[Signature]
Signature of legal owner as listed on deed, or authorized agent

5/23/07
Date

Signature of legal co-owner as listed on deed
(if applicable)

Date

Subscribed and Sworn to Before Me this 23rd day of May, 2007.



OFFICIAL SEAL
CHRISTINE E ALLEN
NOTARY PUBLIC - OREGON
COMMISSION NO. 404322
MY COMMISSION EXPIRES MAY 27, 2010

Christine E. Allen
Notary Public for Oregon

My Commission Expires 5/27/2010

PLEASE ATTACH A LEGIBLE COPY OF : 1) A DEED WHICH LISTS LAND OWNERS AND INCLUDES A LEGAL DESCRIPTION OF AFFECTED LANDS, AND 2) AN ADJUDICATION MAP, WATER RIGHT FINAL PROOF MAP, OR A TAX LOT MAP WITH THE PORTION OF THE ABANDONED RIGHT CLEARLY DRAWN AND IDENTIFIED. IF ACTING AS AN AUTHORIZED AGENT, INCLUDE COPY OF POWER OF ATTORNEY OR OTHER DOCUMENTS GRANTING AUTHORITY TO ACT ON BEHALF OF LEGAL OWNER(S).

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WATER RESOURCES DEPT
SALEM, OREGON

T 10395



Oregon Water Resources Department Land Use Information Form

THIS FORM IS NOT REQUIRED IF: 1) water is to be diverted, conveyed, and/or used only on federal lands; or 2) the application is for a water-right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and all of the following apply: a) only the place of use is proposed for change, b) there are no structural changes, c) the use of water is for irrigation, and d) the use is located in an irrigation district or exclusive farm-use zone.

Applicant Name: Cynthia A. Edwards
Mailing Address: 13238 East Evans Creek Road
City: Rogue River State: OR Zip: 97537 Day Phone: 541-582-1789

This application is related to a Measure 37 claim. ☐ Yes ☒ No

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), or used. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g. Rural Residential/RR-5)	Water to be:	Proposed Land Use:
35S	3W	5	NW/NW	308 & 314	<u>EF4</u>	☐ Diverted ☐ Conveyed ☒ Used	Irrigation
			SW/NW	308 & 314		☐ Diverted ☒ Conveyed ☒ Used	Irrigation
			SE/NW	308		☐ Diverted ☒ Conveyed ☒ Used	Irrigation
			NE/SW	308		☒ Diverted ☒ Conveyed ☒ Used	Irrigation

List all counties and cities where water is proposed to be diverted, conveyed, or used. Jackson

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- ☐ Permit to Use or Store Water ☒ Water-Right Transfer ☐ Exchange of Water
☐ Allocation of Conserved Water ☐ Limited Water Use License
☐ Permit Amendment or Ground Water Registration Modification

Source of water: ☐ Reservoir/Pond ☐ Ground Water ☒ Surface Water (name) E.F. Evans Cr. & Mays Cr.

Estimated quantity of water needed: 87.1 ☐ cubic feet per second ☒ gallons per minute ☐ acre-feet

Intended use of water: ☒ Irrigation ☐ Commercial ☐ Industrial ☐ Domestic for household(s)
☐ Municipal ☐ Quasi-municipal ☐ Instream ☐ Other

Briefly describe: Change in point of diversion to our property and change in place of use that will switch the locations of two
water rights on our property

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt below and include it with the application filed with the Water Resources Department.

Receipt for Request for Land Use Information

State of Oregon
Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266

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WATER RESOURCES DEPT
SALEM, OREGON

10395

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form.

This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

☒ Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): 4.2 (EFU Lands)

☐ Land uses to be served by proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.)
If approvals have been obtained but all appeal periods have not ended, check "Being pursued".

Type of Land-Use Approval Needed (e.g. plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

Name: [Signature] Title: Planner II
 Signature: Roger Harada Phone: 774-6939 Date: 5-25-07
 Government Entity: Jackson County

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

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Receipt for Request for Land Use Information

Applicant name: _____
 City or County: _____ Staff contact: _____
 Signature: _____ Phone: _____ Date: _____

MAY 29 2007
**WATER RESOURCES DEPT
 SALEM, OREGON**

Dorothy Pedersen

From: Dorothy Pedersen
Sent: Wednesday, August 29, 2007 10:59 AM
To: 'Nancy'
Subject: Landowner information for T-10395

Attachments: T-10395-rolf.pdf



T-10395-rolf.pdf
(135 KB)

Hi Nancy,

Attached is the applicant's response to the DPD for T-10395 and the report of ownership and lien information. The typo that is referred to was in the cancellation section of the document, and I've already fixed it.

Please review the ownership and lien information and let me know whether we have evidence of ownership for the "from" lands, consent of all owners and notification of lienholders if needed. Once that is complete, go ahead and submit your invoice for the project!

Thank you,
Dorothy

Dorothy I. Pedersen
Field Services Division
Oregon Water Resources Department
Dorothy.I.PEDERSEN@wrd.state.or.us
503-986-0890

Dorothy Pedersen

From: Nancy [nancyesmith@h2ogeo.com]
Sent: Monday, July 23, 2007 3:20 PM
To: Dorothy Pedersen
Cc: Nancy East-Smith; Tom Calabrese
Subject: T-10395 Deliverables

Attachments: 10395_RR43986.doc; 10395_RR50143.doc; 10395_RR51335.doc; 10395-dpd-Edwards.doc; 10395_contactlist.doc; 10395_DP_cvrfav.doc; 10395_DPDcvrfav_ltr.doc; 10395_PDnotice.doc; 10395_RR24152.doc; 10395_RR43985.doc



10395_RR43986.doc
c (29 KB)



10395_RR50143.doc
c (32 KB)



10395_RR51335.doc
c (31 KB)



10395-dpd-Edward
s.doc (190 KB)...



10395_contactlist.d
oc (20 KB)



10395_DP_cvrfav.d
oc (22 KB)



10395_DPDcvrfav_l
tr.doc (22 KB)...



10395_PDnotice.doc
c (22 KB)



10395_RR24152.doc
c (32 KB)



10395_RR43985.doc
c (29 KB)

Dorothy; I am done with T-10395;

Comments are:

1: The map check was a little difficult but I do think I figured out everything in the end and the lands are all represented appropriately on the xfer map. My conclusion is some lands are slightly "off" in WRIS.

1B: I think I finally figured out the lands for 47285 which were identified as a possible conflict and I could not figure out where the lands were. Tomorrow there will be special working documents dedicated to this but I think the bottom line is that 47285 are primary rights for a portion of 24152 - Is that a conflict since only the POD is being changed for 24152.....Definetly you all need to check file 47285 to see if there is a good map. WRIS location for this cert appears to have significant issues.

2:Existing system capacity calculations are limited. The pump from the creek has sufficient capacity but insufficient information was included to determine if delivery system does. The delivery system description was generic-so hard to determine details.

3:Unresolved conflict for 50143 RR with 65185

4:Certificate 65185 also has supplemental right on xfer lands for 50143; however this is just a POU swap so not sure how this gets handled

5: Becuase the xfer actually deals with small acerages (less than 67% of right impacted) they do not show all the lands on the xfer map. This is rather confusing as the map situation was already difficult. After this transfer the RR lands really will not have adequate maps

6: Wasn't sure what option to select for headgates as no box was checked on Watermaster form.

7: Usual uncertainites about details of some language in DPD and RR - highlighted in green.

Right now I have completed all deliverables with a favorable determination.....assuming the conflict with 65185 on 50143 remaining lands is not a conflict for this transfer.....and 47285 primary rights are OK

The working documents are more plentiful than usual so I am pdfing them into separate folders and will e-mail them to you tomorrow. Once you reveiw them and let me know if

anything needs to be redone.

Nancy

----- Original Message -----

From: "Dorothy Pedersen" <pedersdi@wrд.state.or.us>
To: "Nancy" <nanciesmith@h2ogeo.com>
Sent: Thursday, July 19, 2007 2:54 PM
Subject: RE: Need Maps for T-10395

Nancy,

I've attached the maps you asked for. Hopefully they will resolve your questions.

Dorothy

Dorothy Pedersen
(503) 986-0890

-----Original Message-----

From: Nancy [mailto:nanciesmith@h2ogeo.com]
Sent: Thursday, July 19, 2007 1:25 PM
To: Dorothy Pedersen
Subject: Need Maps for T-10395

Four of the rights involved have previous transfers; I have the old maps so

I can not accurately check if the transfer application map matches the the
final proof map for the certificates; here is a list of the ones I do not
have and the latest transfer (some have had more trnasfers)

50143 last xfer T-4560
43985 last xfer T-3117
43986 last xfer T-3118
51335 last xfer T-5123

Using WRIS things look OK (except for 43985 which I had called you about)
but can not tell fore sure

Nancy

----- Original Message -----

From: "Dorothy Pedersen" <pedersdi@wrд.state.or.us>
To: "Tom Calabrese" <tomcalabrese@h2ogeo.com>
Cc: "Nancy" <nanciesmith@h2ogeo.com>
Sent: Friday, July 13, 2007 11:52 AM
Subject: Watermaster review for T-10395

Tom,

Attached is the watermaster review for T-10395 (Cynthia Edwards). Are we still on track for getting the first deliverables by July 17th? Let me know if the timetable has changed.

Thanks,

Dorothy

Dorothy I. Pedersen
Field Services Division
Oregon Water Resources Department
Dorothy.I.PEDERSEN@wrд.state.or.us

Dorothy Pedersen

From: Dorothy Pedersen
Sent: Thursday, July 19, 2007 2:54 PM
To: 'Nancy'
Subject: RE: Need Maps for T-10395

Attachments: T-5123 maps.pdf; Cert 65185 map.pdf; T-113 order.pdf; T-3117 order.pdf; T-4560 maps.pdf; 10395-background-maps.pdf



T-5123 maps.pdf
(651 KB)



Cert 65185
map.pdf (20 KB)



T-113 order.pdf
(128 KB)



T-3117 order.pdf
(136 KB)



T-4560 maps.pdf
(62 KB)



10395-background-
maps.pdf (106...

Nancy,

I've attached the maps you asked for. Hopefully they will resolve your questions.

Dorothy

Dorothy Pedersen
(503) 986-0890

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To: Dorothy Pedersen
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43985 last xfer T-3117
43986 last xfer T-3118
51335 last xfer T-5123

Using WRIS things look OK (except for 43985 which I had called you about) but can not tell fore sure

Nancy

----- Original Message -----

From: "Dorothy Pedersen" <pedersdi@wrds.state.or.us>
To: "Tom Calabrese" <tomcalabrese@h2ogeo.com>
Cc: "Nancy" <nancyesmith@h2ogeo.com>
Sent: Friday, July 13, 2007 11:52 AM
Subject: Watermaster review for T-10395

Tom,

Attached is the watermaster review for T-10395 (Cynthia Edwards). Are we still on track for getting the first deliverables by July 17th? Let me know if the timetable has changed.

Thanks,

Dorothy

Dorothy I. Pedersen
Field Services Division

Dorothy Pedersen

From: Nancy [nancyesmith@h2ogeo.com]
Sent: Thursday, July 19, 2007 12:25 PM
To: Dorothy Pedersen
Cc: Tom Calabrese
Subject: Conflict Check for T-10395

Attachments: 20070719121026.pdf



20070719121026.p
df (2 MB)

Dorothy; I have completed the conflict check and there are 3 issues; I have attached the following which should explain things and also identify what original maps would be helpful.

T-3117 map
Conflict with 47285: I think something got seriously miss located or there is a typo in the location on the certificate. None of the locations are the same. Hopefully an original map will clear this one up.

T-3118 map
Conflict with 47286: I think this is slightly miss located in WRIS; I looked at the map before the previous xfer and the original lands are slightly to the SW. (the way I read that last xfer it was only for POD so it should be the same POU place). If you move the WRIS location to the SW where it was before than there is no conflict. Once again an original map (or your experienced review of the previous xfer order) should clear this one up.

Conflict with 65185: This may be an actual conflict. As you can see the map shows two primary irrigation rights on the same lands (50143) and previously unidentified supplemental on 50143 primary rights. Both are at 1/80th. This conflict only impacts the RR - not sure if that is relevant.

Call with questions or let me know what to do. Meanwhile I will proceed on with the rest. I did not send the plat cards because it was so many pages but I can send them over today if you need them

Thanks
Nancy

----- Original Message -----

From: "Dorothy Pedersen" <pedersdi@wrdd.state.or.us>
To: "Tom Calabrese" <tomcalabrese@h2ogeo.com>
Cc: "Nancy" <nancyesmith@h2ogeo.com>
Sent: Friday, July 13, 2007 11:52 AM
Subject: Watermaster review for T-10395

Tom,

Attached is the watermaster review for T-10395 (Cynthia Edwards). Are we still on track for getting the first deliverables by July 17th? Let me know if the timetable has changed.

Thanks,

Dorothy

Dorothy I. Pedersen
Field Services Division
Oregon Water Resources Department
Dorothy.I.PEDERSEN@wrdd.state.or.us
503-986-0890

Nancy E Smith

need orig map for 47285 ; w/ris map location
not consistent w/
primary IIR
@ 1/80th
CERTIFICATE DESCRIP

Primary IIR
@ 1/80th

WRIS map location
not consistent w/
CERTIFICATE DESCRIP

②

47286: Suspect miss located slightly in
WRIS. need orig map. If WRIS location
correct than have 2 primary
primary IRR
• 1/20th
IRR RIGHTS for 43986 lands (would

primary IRR
• 1/20th

UPR RIGHTS for 43986 lands (would
also impact 50143, as POLL are just swapping
for 43986/50143)

3

65185 : Paper map shows conflict of primary
 both primary
 @ Keith
 LRR on same lands: 65185 & 50143 RR

both
primary
@ 1/2th

13-782	500 SHEETS, FILLER	5 SQUARE
42-281	50 SHEETS FIVE-EASE	5 SQUARE
42-382	100 SHEETS FIVE-EASE	5 SQUARE
42-389	200 SHEETS FIVE-EASE	5 SQUARE
42-392	100 RECYCLED WHITE	5 SQUARE
42-399	200 RECYCLED WHITE	5 SQUARE



T-10395
CONFLICT ✓

47285: ^{WRIS} Map location
Primary IRR not consistent
@ 1/800 with written
or permit map

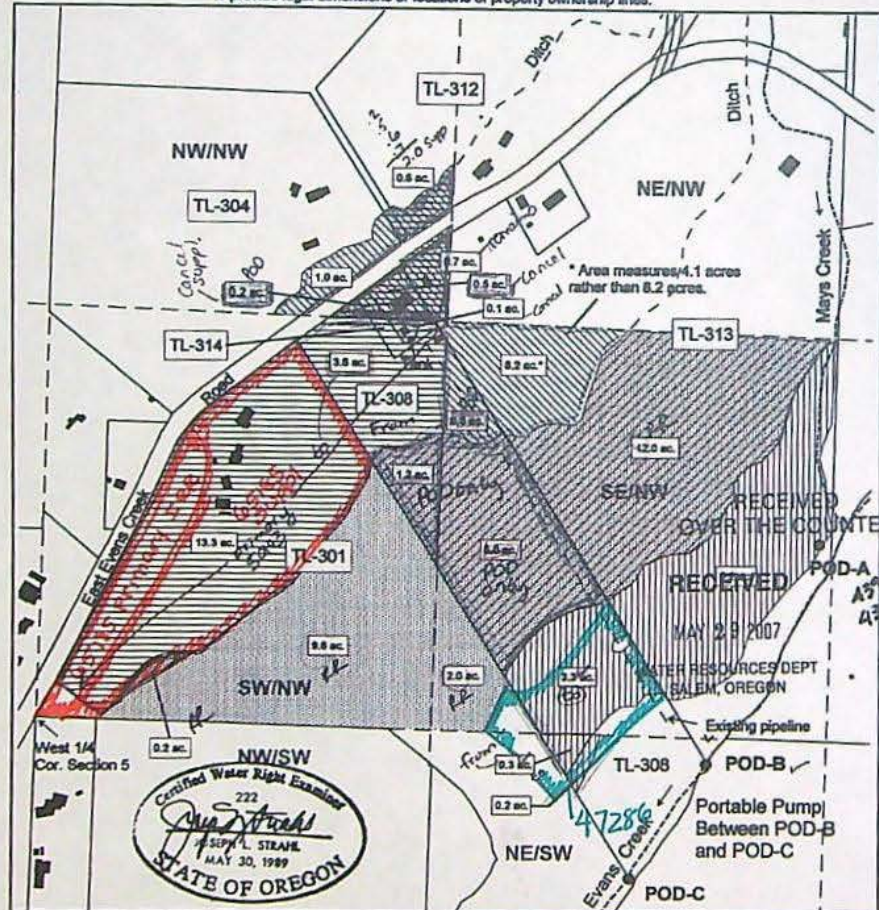
47286: wells mapped
Primary location -
IRR suspected
both miss located
@ 1/800 (if more to SW
first in 2000
perfect & no
conflict)

65185: paper map
both @ 1/800 Shows conflict
for RR 50143

Primary
&
Suppl
IRR

Change in Point of Diversion and Place of Use Section 5, Township 35 South, Range 3 West W.M. Tax Lots 308 and 314 Jackson County

This map is for the purpose of identifying water rights and is not intended
to provide legal dimensions or locations of property ownership lines.



Point of diversion from Mays Creek - Certificates 24152, 51335 and 50143 - SE/NW, Section 32, T. 34 S., R. 3W., WM, 35 feet N. and 1675 feet E. from the West 1/4 Corner Section 32.

POD-A - Existing Point of Diversion for Certificates 43985 and 43986 - SE/NW, Section 5, T. 35 S., R. 3 W., WM, 650 feet N. and 2610 feet E. from the West 1/4 Corner Section 5.

Proposed Point of Diversion for all water rights on Tax lots 308 and 314, NE/SW, between POD-B, 85 feet S. and 2660 feet E. and POD-C, 480 feet S. and 2015 feet E., Both from the West 1/4 Corner of Section 5, T. 35 S., R. 3 W., W.M.

- Certificate 51335 (Decree), 1901, Mays Cr., Change in Point of Diversion (POD) only, for 0.2 acres NW/NW, and 0.8 ac. SE/NW, Cancel 0.5 ac. in NW/NW, Remaining Right - 2.3 ac. NW/NW and 8.2 ac. SE/NW, all in Section 5.
- Certificate 50143 (Permit 17593) 3/5/1947 Mays Cr. & Reservoir, Change in POD & Place of Use 3.6 ac. (primary) FROM SW/NW, TO 3.3 ac. SE/NW and 0.3 ac. NE/SW, Cancel 0.1 ac. (primary) SW/NW, 0.7 ac. (supplemental) NW/NW; Remaining right - 1.3 ac. (supplemental) NW/NW and 13.3 ac. (primary) SW/NW, all in Section 5.
- Certificate 43985 (Permit 3312) 5/27/1917 Evans Cr. (East Evans Cr.) Change in POD and Place of Use FROM 3.3 ac. SE/NW and 0.3 ac. NE/SW TO 3.6 ac. SW/NW, Cancel 0.2 ac. NE/SW; Remaining Right 8.2 acres SE/NW, all in Section 5.
- Certificate 43985 (Permit 6124) 12/1/1923, Evans Cr. (E.F. Evans Cr.) Change POD only for 1.2 ac. SW/NW and 6.0 ac. SE/NW. Remaining Right 0.2 ac. SW/NW and 12.0 ac. SE/NW all in Section 5.
- Certificate 24152 (Permit 24619) 12/4/1958 Mays Cr. (Supplemental), Change in POD only for 1.2 ac. SW/NW and 6.0 ac. SE/NW. Remaining Right, 14 ac. SE/NW and 9.8 ac. SW/NW.

Cynthia A. Edwards
13238 East Evans Creek Rd., Rogue River, OR 97537

Scale
1 inch = 400 feet



4/19/2007 - n.e.d.

Dorothy Pedersen

From: Dorothy Pedersen
Sent: Friday, July 13, 2007 11:52 AM
To: 'Tom Calabrese'
Cc: 'Nancy'
Subject: Watermaster review for T-10395

Attachments: 10395-wm-rev.pdf



10395-wm-rev.pdf
(29 KB)

Tom,

Attached is the watermaster review for T-10395 (Cynthia Edwards). Are we still on track for getting the first deliverables by July 17th? Let me know if the timetable has changed.

Thanks,

Dorothy

Dorothy I. Pedersen
Field Services Division
Oregon Water Resources Department
Dorothy.I.PEDERSEN@wrd.state.or.us
503-986-0890

Dorothy Pedersen

From: Dorothy Pedersen
Sent: Friday, June 22, 2007 12:07 PM
To: 'Tom Calabrese'
Cc: 'Nancy'
Subject: T-10395 ODFW review

Attachments: 10395-odfw-rev.pdf



10395-odfw-rev.pdf
(80 KB)

Tom,

Attached is the ODFW review for T-10395 (Cynthia Edwards). Please add it to your file for the project, so you will have it when you are ready to start work on the project.

Have a good weekend,
Dorothy

Dorothy I. Pedersen
Field Services Division
Oregon Water Resources Department
Dorothy.I.PEDERSEN@wrd.state.or.us
503-986-0890

Dorothy Pedersen

From: Dorothy Pedersen
Sent: Wednesday, June 13, 2007 9:43 AM
To: 'Tom Calabrese'
Cc: 'Nancy'
Subject: Templates for T-10395 (Cynthia Edwards)

Attachments: 10395-dpd-template.doc; supplemental-lang.dot; Contact List.dot; RR_sw_permit.dot; DPD_cov_approve.dot; DPD_cov_reject.dot; PD_cov_fav_nni.dot; PD_cov_unfav_nni.dot; PD_notice.dot; RR_sw_decree.dot; DeficLet.dot



10395-dpd-templat
e.doc (273 KB...



supplemental-lang.
dot (162 KB)...



Contact List.dot
(26 KB)



RR_sw_permit.dot
(30 KB)



DPD_cov_approve.
dot (27 KB)



DPD_cov_reject.do
t (28 KB)



PD_cov_fav_nni.do
t (30 KB)



PD_cov_unfav_nni.
dot (30 KB)



PD_notice.dot (29
KB)



RR_sw_decree.dot
(30 KB)



DeficLet.dot (27
KB)

Hi Tom,

I've attached the templates for use with the T-10395 project for Cynthia Edwards, so you'll have them when a work order is issued.

You may also have noticed that a review checklist was included in the file packet for this project. This checklist should be filled out as you go through the review and then it should be submitted with the final deliverable cover sheet at the end of the project. We are having all the contractors, as well as Department transfer processors, use the review checklist as documentation that all relevant steps in the review have been completed. Let me know if by chance we forgot to send you the checklist.

Even though there are several rights involved, it looks as though the application and map and additional materials are well put together, so hopefully they will be easy to follow. Be sure to use the guidelines in the template and supplemental language document for integrating the partial cancellations.

Thanks,
Dorothy

Dorothy I. Pedersen
Field Services Division
Oregon Water Resources Department
Dorothy.I.PEDERSEN@wrd.state.or.us
503-986-0890

**Reimbursement Authority Process
Itemized Estimate Sheet
for
Water Rights Transfer**

Application Number T-10395

Name of Applicant: Cynthia A. Edwards

Proposed Timeline

06/05/2007	Public Notice (start of 30-day comment period).
7/17/07	Completion of draft preliminary determination--1 week after contracts signed and removal of deficiencies, but not before the end of the Public Notice comment period and receipt of all agency reviews (Watermaster, groundwater and ODFW as applicable).
8/22/07	Deadline for applicant review of draft preliminary determination--30 days or more after draft PD mailed to applicant, depending on issues to be resolved.
5 working days after DPD comments received	Completion of contract work: Submittal of PD cover letter, PD public notice (and remaining rights certificates if applicable)--within 5 business days after comments received from applicant that the draft is satisfactory, or after the end of the period for applicant to comment on draft PD and remedy deficiencies.

For purposes of water right transfers, all deliverables must be in Microsoft Word except remaining right certificates for which electronic copies of the existing certificates are currently available in WordPerfect.

Estimate

	Item	Time
1	Review of application for completeness.	2.0
2	Review of "From" lands to confirm consistency with existing right(s) and ownership.	2.5
3	Review of "To" lands for conflicts and preparation of draft deficiency letter (if necessary).	2.5
4	Preparation of draft preliminary determination, DPD cover letter and contact list.	3.0
5	Preparation of PD public notice, PD cover letter (and remaining right certificate(s) if necessary), and processing documentation. 5 R.R. certificates	3.5
Total Estimated Time:		13.5

(Indicate the estimated amount of time, in ½ hour increments, needed to complete each item listed.)

Prior to preparing an estimate, contact Department staff if work could not be performed consistent with the proposed timeline. In developing the estimate, review the transfer application, transfer map, existing certificate, and final proof map. Pay particular attention to the clarity of the existing rights and the complexity of the request.

Name of Consultant: Envirologic Resources

Authorized Representative: _____

Date: 6/8/07

Shipping Checklist for Reimbursement Authority File

File T- 10395 Applicant: Cynthia Edwards

Agent/Contact: Superior Water Right Consulting

Ship to Contractor: Newton/Envirologic

Items included:

- ☒ Copy of front of file folder
- ☒ Reimbursement Authority Estimate Application
- ☒ Transfer Application form
- ☒ Transfer map
- ☒ Evidence of use affidavit
- ☒ Supporting documentation for evidence of use
- ☒ Land-use Information form
- ☐ Lot book report (or deed if instream or temporary transfer, or application received before 7/1/03) *- need to ask for in DPD cover letter*
- ☒ Certificate or copy of decree for each right to be transferred
- ☒ Final Proof map or decree map for each right to be transferred
- ☒ Well logs (if change in POA, SW POD-to-GW POA change)
- ☐ Watermaster review (all transfers)
- ☐ ODFW review (if change in POD) *> will send to you later*
- ☒ GW review (if Δ POA, or POD-to-POA change)
- ☒ Review checklist
- ☒ Final Deliverable cover sheet
- ☒ Itemized Estimate sheet for contractor

Additional things to check:

- ☒ All regular application processing fees paid
- ☒ Reimbursement Authority \$125 fee paid for preparing estimate
- ☒ Date of WRD initial Public Notice 6-5-07

Number of sheets copied 40

File contents copied by S. Henderson Date 6-4-07

Reimbursement Authority Process Itemized Estimate Sheet for Water Rights Transfer

Application Number T-10395

Name of Applicant: Cynthia A. Edwards

Proposed Timeline

06/05/2007	Public Notice (start of 30-day comment period).
7/17/07	Completion of draft preliminary determination--1 week after contracts signed and removal of deficiencies, but not before the end of the Public Notice comment period and receipt of all agency reviews (Watermaster, groundwater and ODFW as applicable).
8/22/07	Deadline for applicant review of draft preliminary determination--30 days or more after draft PD mailed to applicant, depending on issues to be resolved.
5 working days after DPD comments received	Completion of contract work: Submittal of PD cover letter, PD public notice (and remaining rights certificates if applicable)--within 5 business days after comments received from applicant that the draft is satisfactory, or after the end of the period for applicant to comment on draft PD and remedy deficiencies.

*For purposes of water right transfers, all deliverables must be in **Microsoft Word** except remaining right certificates for which electronic copies of the existing certificates are currently available in WordPerfect.*

Estimate

	Item	Time
1	Review of application for completeness.	
2	Review of "From" lands to confirm consistency with existing right(s) and ownership.	
3	Review of "To" lands for conflicts and preparation of draft deficiency letter (if necessary).	
4	Preparation of draft preliminary determination, DPD cover letter and contact list.	
5	Preparation of PD public notice, PD cover letter (and remaining right certificate(s) if necessary), and processing documentation.	
Total Estimated Time:		

(Indicate the estimated amount of time, in ½ hour increments, needed to complete each item listed.)

Prior to preparing an estimate, contact Department staff if work could not be performed consistent with the proposed timeline. In developing the estimate, review the transfer application, transfer map, existing certificate, and final proof map. Pay particular attention to the clarity of the existing rights and the complexity of the request.

Name of Consultant: Envirologic Resources

Authorized Representative: _____

Date: _____

T-10395 Review Checklist

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.
- ☐ 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 ☐ 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

Injury: Y N Enlargement: Y N

Conditions to avoid enlargement/injury -

**Reimbursement Authority
Final Deliverables Cover Sheet
for
Transfers**

Transfer # 10395

Applicant: Cynthia A. Edwards

The following items have been submitted electronically*:

- ☐ Contact List
- ☐ Draft Preliminary Determination (DPD)
- ☐ DPD Cover Letter
- ☐ PD Notice
- ☐ PD Cover Letter
- ☐ Remaining Right Certificates (one for each right that is not entirely affected by the transfer)
- ☒ Instream Water Right Certificate (if required)

***NOTE:** Transfer documents should be submitted in MS Word format preferably, or "rich text" format.

The following items are enclosed:

- ☐ Marked copy of transfer application
- ☐ (for POU changes) Plat Card Report marked to indicate any other rights on the "From" lands
- ☐ (for POU changes) Plat Card Report marked to indicate rights overlapping proposed POU
- ☐ Notes or sketches, maps, etc. from evaluation of changes, injury evaluation, etc. that will help document what was considered in reaching the findings and determination in the Preliminary Determination.
- ☐ Copies of each certificate that is only partially included in the transfer, marked as needed to show what portion of the right is being affected, and what remains unchanged.

☐ Signature of Contractor: _____ Date: _____

For WRD use only:

WRD approval by: _____ Date: _____

RECEIVED
OVER THE COUNTER

RECEIVED

MAY 29 2007

WATER RESOURCES DEPARTMENT
REIMBURSEMENT AUTHORITY ESTIMATE APPLICATION WATER RESOURCES DEPT
SALEM, OREGON

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):

REQUEST	TYPE	FILE NUMBER
☒	Transfer Application	7-10395
☐	Certificate Request	
☐	Extension of Time Request	

Applicant Information		Applicant's Representative/Contact
Name: (Please Print)	Cynthia A. Edwards	Superior Water Right Consulting, LLC
Address:	13238 East Evans Creek Rd.	245 Glenoak Lane
	Rogue River, OR 97537	Grants Pass, OR 97526
Phone:	541 582-1789	541 761-1057
Fax		541 479-9866
E-Mail Address:		normthewaterguy@charter.net

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: _____

5/25/07

OWRD USE ONLY

Contractor Assigned: Enviro logic	Total Amount Paid: \$
OWRD Approval:	

Indicate in this column whether or not the item is satisfied.

Permanent Transfer Application – OAR 690-380 3000 & 3100

Completeness Checklist

Applicant's Name: Cynthia Edwards (Form last revised: March 13, 2007)

Section A – Status of Right

OK ☒ Is this a Water Right that can be transferred?

[OAR 690-380-0100(14)]

NOTE: The Department can accept a Transfer application for any right that is:

- ☐ 1) an adjudication with a court decree; *or*
- ☐ 2) a certificate that is not cancelled; *or*
- ☐ 3) a transfer that's been approved & A COBU has been received by the Department

If the subject right does not fall into any of the above categories, **RETURN** the application & fee to the applicant.

Section B – Type of Change

OK ☒ Is the proposed change(s) allowed under the Transfer process?

[ORS 540.510]

NOTE: Only POD, POA or POU or USE changes are allowed on Transfers.

If the application proposes a change other than those listed above, **RETURN** the application & fee to the applicant.

Section C - Fees

700 + 125 for RA ☒ Have the appropriate fees been paid?

Total Required Fees: 700

Fee Schedule – ORS 536.050(1)(h)

Total Fees Paid: 700

\$350 - Base fee (1st change and 1st CFS of water)

+ \$350 - Each additional type of change requested

Fees Due (if any): 0

+ \$175 - For each CFS, or fraction thereof, requested beyond 1st CFS
(for POU, Type of Use, or Exchange)

Refund Due (if any): 0

If the applicant has **NOT** submitted the total fees required, **RETURN** the application & deficient fee to the applicant.

Section D – Completeness

Indicate in this column whether an item is incomplete, and if so, identify the deficiency.

OK ☒ Is the Transfer application complete?

All required elements necessary for a complete transfer application are listed below.

Indicate whether or not the applicant has answered and/or supplied attachments to adequately address each of the following items. If any one of the items is deficient, then the application is incomplete.

NOTE: For reference, the application page number upon which each item is requested is identified.

If the application is **NOT** complete, **RETURN** the application & fee to the applicant.

OK • Type of transfer application (Page 1)

OK • Applicant's name, mailing address and contact information. (Page 1)

N/A • Agent's name, mailing address and contact information, if applicable. (Page 1)

yes • Are the water rights to be affected by this transfer listed? (Page 2)

If there are multiple water rights listed..... The applicant must supply a separate "set" of Supplemental Form A for each water right to be transferred.

Checklist for Supplemental Form A – (Attachments)		
OK	• Certificate # filled in on each page?	(Page 1)
	• Type of change(s) proposed clear?	(Page 1)
OK	• Current Water Right information is complete?	(Page 2)
OK	• If for a change in POU or USE..... (Page 2) Are there any “layered” irrigation rights, permits, or GR registrations appurtenant to the same place of use as the water right proposed to be transferred? YES <u>NO</u> If YES..... the other “layered” water uses subject to transfer must either change concurrently or be cancelled, except as provided in OAR 690-380-2240(5). If layered with GR, must submit a GR Modification application as well as this application. Are they included in application? If not, contact applicant or agent.	
OK	• Location description of the authorized POA/POD to be changed. (Page 3) NOTE: Ensure that the location coordinates listed in the application match the point and location coordinates illustrated on the application map. Additionally, if the existing authorized source is ground water (POA), the applicant must either: 1) supply a copy of the well log(s), <u>or</u> <u>N/A</u> 2) if well logs are not available, describe the construction of the well(s) in the table provided on page 3 of the supplemental form A application.	
OK	• Location description of the existing authorized POU and associated acres (if applicable). (Page 4) NOTE: Ensure that the location and number of acres listed per ¼ ¼ in the application match those illustrated on the application map.	
OK	• Location description of the proposed POA/POD. (Page 5) NOTE: Ensure that the proposed location coordinates listed in the application match the proposed point and location coordinates illustrated on the application map. Additionally, if the proposed source is ground water (POA), the applicant must either: 1) supply a copy of the well log(s), <u>or</u> <u>N/A</u> 2) if well logs are not available <u>or</u> the well is not yet constructed, describe the construction of the well(s) in the table provided on page 5 of the application.	
OK	• Location description of the proposed POU and associated acres (if applicable). (Page 6) NOTE: Ensure that the location and number of acres listed per ¼ ¼ in the application match those illustrated on the application map.	
Return back to Page 2 of transfer application		
OK	• The type of changes being proposed.	(Page 2)
OK	• Reason for the transfer.	(Page 2)
OK	• Description of current water delivery system.	(Page 2)
OK	• System Capacity.	(Page 2)

	Checklist for Supplemental Form B – (Attachments)	
OK	• Is there a box checked in #1?	(Page 1)
OK	• Is there a box checked in #2?	(Page 1)
OK	• Does the description of POU on page 4 of the supplemental form A application, match authorized POU in question #3?	(Page 1)
OK	• In question #4 and #5 are they filled out. 2)	(Page
OK	• Is there a box checked in #6?	(Page 2)
OK	• Is the #6 supporting documentation included with application? 2)	(Page
OK	• Is there an original signature of the notary and notary stamp? 2)	(Page
Return back to Page 3 of transfer application		
None OK	• Affected districts and local governments. If within a district/local government jurisdiction, ensure that name & mailing address is provided.	(Page 3)
OK	• Is the applicant the Landowner of the “from” and “to” Lands? YES NO If NO..... The applicant must list current landowner name & address.	(Page 4)
OK	• Who will be responsible for completion of the changes? Is a box checked? If no box is checked the applicant or agent must be contacted.	(Page 4)
OK	• Map..... (Required to be prepared by a CWRE) unless... 1. Map Waiver included with application 2. FP map with advance email or written approval 3. POD/POA without POU change and for entire right with FP map for “from” map if more than 3 rights are included in transfer, is there a separate map for each water right? If larger than 8 ½ X 14 than 3 copies of map is needed & an electronic pdf file of map north arrow size & scale other: _____ authorized acreage per ¼ ¼ matches the water right authorized POD/POA and POU (clearly shown, labeled & matches application listing) point plotted for the authorized POD/POA agrees with location coordinates on supplemental form A and WR proposed POD/POA and/or POU (clearly shown, labeled & matches application “proposed” listing) location coordinates accurately describe the point identified as the proposed POD/POA	(Page 5)
OK	• Land Use form, if applicable. Is the form signed by the local planning department staff? May be needed if the POD/POA or POU is moving a great distance <u>and</u> off of land originally involved in WR.	(Page 5)
N/A	• If a groundwater right is involved, are the well logs or a description included.	(Page 5)
N/A	• If this is an instream water right transfer, is there a form C included and filled out.	(Page 5)

- Signature(s) of applicant(s):

Are one of the boxes checked?

All applicants listed on page 1 of the application must sign the application.

WRD Completeness Reviewer's Name:

S. Henderson

Date:

5-29-07