

# Application for Permanent Water Right Transfer



Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1266  
(503) 986-0900  
www.oregon.gov/OWRD

## Part 1 of 4 – Minimum Requirements Checklist

**This transfer application will be returned if Parts 1 through 4 and all required attachments are not completed and included.**  
For questions, please call (503) 986-0900, and ask for Transfer Section.

Check all items included with this application. (N/A = Not Applicable)

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Transfer Application Map Checklist.
- Part 3 – Completed Applicant Information and Signature.
- Part 4 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 1 (one) List them here: Cert. 7812**  
Please include a separate Part 4 for each water right. (See instructions on page 6)  
**NOTE: A separate transfer application is required for each water right unless the criteria in OAR 690-380-3220 are met.**
- Application Fee** - payable by check to the Oregon Water Resources Department: **\$3,675**
- Attachments:**
- Completed Transfer Application Map. **Attachment 1**
- Completed Evidence of Use Affidavit and supporting documentation. **Attachment 2**
- N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.) **Attachment 3**
- N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district.
- N/A Oregon Water Resources Department’s Land Use Information Form with approval and signature from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone. **Attachment 4**
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
- N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500’ from the surface water source and more than 1000’ upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability.

(For Staff Use Only)

**WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):**

<input type="checkbox"/> Application fee not enclosed/insufficient	<input type="checkbox"/> Map not included or incomplete
<input type="checkbox"/> Land Use Form not enclosed or incomplete	<input type="checkbox"/> Evidence of Use Form not enclosed or incomplete
<input type="checkbox"/> Additional signature(s) required	<input type="checkbox"/> Part _____ is incomplete

Other/Explanation \_\_\_\_\_

Staff: \_\_\_\_\_ 503- \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

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Your transfer application will be returned if any of the map requirements listed below are not met.

Please be sure that the transfer application map you submit includes all the required items and matches the existing water right map. Check all boxes that apply.

- N/A Certified Water Right Examiner (CWRE) Stamp and Original Signature. For a list of CWREs, see [http://apps.wrd.state.or.us/apps/wr/cwre\\_license\\_view/](http://apps.wrd.state.or.us/apps/wr/cwre_license_view/). CWRE stamp and signature are not required for substitutions.
- N/A If **more than three** water rights are involved, separate maps are needed for each water right.
- Permanent quality printed with dark ink on good quality paper.
- The size of the map can be **8½ x 11 inches**, 8½ x 14 inches, 11 x 17 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, one extra copy is required.
- A north arrow, a legend, and scale.
- The scale of the map must be: **1 inch = 400 feet**, 1 inch = 1,320 feet, the scale of the Final Proof/Claim of Beneficial Use Map (the map used when the permit was certificated), the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet, or a scale that has been pre-approved by the Department.
- Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.
- Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.
- Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.
- Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.
- Existing place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the water right is being changed, a separate hachuring is needed for lands left unchanged.
- N/A Proposed place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.
- Existing point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water right certificate or permit.
- N/A If you are proposing a change in point(s) of diversion or well(s), show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

## Part 3 of 4 – Applicant Information and Signature

### Applicant Information

APPLICANT/BUSINESS NAME <b>Madsen Spring Water Association (Pat Shannon, President)</b>			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS <b>2467 Mustang Ct</b>				FAX NO.
CITY <b>West Linn</b>	STATE <b>OR</b>	ZIP <b>97068</b>	E-MAIL <b>*ALL COMMUNICATION VIA MAIL</b>	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

**Agent Information** – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT/BUSINESS NAME <b>Robert Long, CWRE (CwM-H2O, LLC)</b>			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS <b>311 B Avenue, Suite P</b>				FAX NO.
CITY <b>Lake Oswego</b>	STATE <b>OR</b>	ZIP <b>97034</b>	E-MAIL <b>*ALL COMMUNICATION VIA MAIL</b>	

AGENT/BUSINESS NAME <b>Laura Schroeder (Schroeder Law Offices)</b>			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS <b>1915 NE Cesar E. Chavez Blvd</b>				FAX NO.
CITY <b>Portland</b>	STATE <b>OR</b>	ZIP <b>97212</b>	E-MAIL <b>*ALL COMMUNICATION VIA MAIL</b>	

BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.

**Explain in your own words what you propose to accomplish with this transfer application, and why:**

*This transfer proposes a change in place of use and character of use for the domestic use portion of Certificate 7812. The certificate originally allowed for up to 0.5 cfs for irrigation of 5.0 acres and for domestic uses. The certificate only defined the place of use based on the irrigation acreage (see "From" lands) and so it is assumed the domestic use was intended for this place of use as well. The irrigation portion of the right, which was equivalent to 0.0625 cfs, was voluntarily cancelled by the Forest Service in the early 1980s, leaving 0.4375 cfs of domestic use remaining.*

*This transfer proposes to change the type of use for the 0.4375 cfs from domestic to Quasi-municipal to meet the varied water uses historically and currently needed by the Madsen Spring Water Association. Secondly, the place of use is proposed to change from the 5.0 acres originally listed to the Water Association's customer service area.*

*These two changes will result in a water right that is aligned with the use needed by the Association.*

#### Check One Box

- By signing this application, I understand that, upon receipt of the draft preliminary determination and prior to Department approval of the transfer, I will be required to provide landownership information and evidence that I am authorized to pursue the transfer as identified in OAR 690-380-4010(5); **OR**
- I affirm 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; **OR**
- I affirm the applicant is an entity with the authority to condemn property and is acquiring by condemnation the property to which the water right proposed for transfer is appurtenant and have supporting documentation.

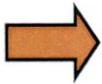
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**By my signature below, I confirm that I understand:**

- Prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: The Bend Bulletin.
- Amendments to the application may only be made in response to the Department's Draft Preliminary Determination (DPD). The applicant will have a period of at least 30 days to amend the application to address any issues identified by the Department in the DPD, or to withdraw the application. Note that amendments may be subject to additional fees, pursuant to ORS 536.050.
- Failure to complete an approved change in place of use and/or change in character of use, will result in loss of the water right (OAR 690-380-6010).
- Refunds may only be granted upon request and, as set forth in ORS 536.050(4)(a), if the Director determines that a refund of all or part of a fee is appropriate in the interests of fairness to the public or necessary to correct an error of the Department.

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



*[Handwritten Signature]*  
 Applicant signature *Water Association*

*PAT SHANNON, President MSWA*  
 Print Name (and Title if applicable) *1/27/26*  
 Date

**SIGN HERE**

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located?  Yes  No\*

*\*If NO, include signatures of all deeded landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent (and mailing and/or e-mail addresses) from all landowners or individuals/entities to which the water right(s) were conveyed.*

Check the following boxes that apply:

- The applicant is responsible for completion of change(s). Notices and correspondence should continue to be sent to the applicant.
- The receiving landowner will be responsible for completing the proposed change(s) after the final order is issued. Copies of notices and correspondence should be sent to this landowner.
- Both the receiving landowner and applicant will be responsible for completion of change(s). Copies of notices and correspondence should be sent to this landowner and the applicant.

At this time, are the lands in this transfer application in the process of being sold?  Yes  No

If YES, and you know who the new landowner will be, please complete the receiving landowner information table below. If you do not know who the new landowner will be, then a request for assignment will have to be filed for at a later date.

If a property sells, the certificated water right(s) located on the land belongs to the new owner, unless a sale agreement or other document states otherwise: **N/A**

RECEIVING LANDOWNER NAME			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS				FAX NO.
CITY	STATE	ZIP	E-MAIL	
Describe any special ownership circumstances:				
The confirming Certificate shall be issued in the name of: <input type="checkbox"/> Applicant <input type="checkbox"/> Receiving Landowner				

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Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (Tip: Complete and attach Supplemental Form D.) **N/A**

IRRIGATION DISTRICT NAME	ADDRESS	
CITY	STATE	ZIP

Check here if 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. **N/A**

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

To meet State Land Use Consistency Requirements, you must list all county, city, municipal corporation, or tribal governments within whose jurisdiction water will be diverted, conveyed or used.

ENTITY NAME <b>Jefferson County – Planning Department</b>	ADDRESS <b>85 SE D Street</b>	
CITY <b>Madras</b>	STATE <b>OR</b>	ZIP <b>97741</b>

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**Part 4 of 4 – Water Right Information**

Please use a separate Part 4 for each water right being changed. See instructions on page 6, to copy and paste additional Part 4s, or to add additional rows to tables within the form.

**CERTIFICATE # 7812**

**Description of Water Delivery System**

System capacity: 0.50 cubic feet per second (cfs) **OR**  
224 gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. **Water is collected at the spring source and piped through a gravity-flow mainline northeast to the place of use. Quasi-municipal use occurs at various residential and commercial connections within the service area.**

**Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)**  
 (Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec		¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
<b>POD-1</b> (Madsen Spring)	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	N/A	13	S	9	E	10	SE	NW	1300	130' N and 710' W of the Center Corner, Sec 10	

**Check all type(s) of change(s) proposed below (change "CODES" are provided in parentheses):**

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Place of Use (POU)                 | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input checked="" type="checkbox"/> Character of Use (USE)             | <input type="checkbox"/> Point of Appropriation/Well (POA)        |
| <input type="checkbox"/> Point of Diversion (POD)                      | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD)          | <input type="checkbox"/> Substitution (SUB)                       |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV)              |

**Will all of the proposed changes affect the entire water right?**

- Yes Complete only the Proposed ("to" or "on" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.
- No Complete all of Table 2 to describe the portion of the water right to be changed.

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**For Place of Use or Character of Use Changes**

Are there other water right certificates, water use permits or ground water registrations associated with the "from" or the "to" lands?  Yes  No

If YES, list the certificate, water use permit, or ground water registration numbers:

Certificates 47702, 48243, 53330, 53337, 53338, 53443, 54544, 58120, 58387, 65528, 71812, and 80608

Pursuant to ORS 540.510, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

**For Substitution** (ground water supplemental irrigation will be substituted for surface water primary irrigation)

Ground water supplemental Permit or Certificate # \_\_\_\_\_;

Surface water primary Certificate # \_\_\_\_\_;

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**For a change from Supplemental Irrigation Use to Primary Irrigation Use**

Identify the primary certificate to be cancelled. Certificate # \_\_\_\_\_

**For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:**

Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.

**Tip:** You may search for well logs on the Department's web page at:

[http://apps.wrd.state.or.us/apps/gw/well\\_log/Default.aspx](http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx)

**AND/OR**

Describe the construction of the authorized and proposed well(s) in Table 3 for any wells that do not have a well log. For *proposed wells not yet constructed or built*, provide "a best estimate" for each requested information element in the table. The Department recommends you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

**Table 3. Construction of Point(s) of Appropriation**

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide the information will delay the processing of your transfer application until it is received. The information is necessary for the department to assess whether the proposed well(s) will access the same source aquifer as the authorized point(s) of appropriation (POA). The Department is prohibited by law from approving POA changes that do not access the same source aquifer.

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. _____	Total well depth	Casing Diameter	Casing intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well-specific rate (cfs or gpm). If less than full rate of water right
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____	_____	_____	_____

**ATTACHMENT 2**  
**Application for Water Right**  
**Transfer**  
**Evidence of Use Affidavit**



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

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more spacing.  
 Supporting documentation must be attached.

State of Oregon )  
 ) ss  
 County of JEFFERSON

I, PAT SHANNON, in my capacity as PRESIDENT OF MADSEN SPRING WATER ASSOCIATION,  
 mailing address 2467 MUSTANG CT, WEST LINN, OR 97068  
 telephone number (503) 348-1595, being first duly sworn depose and say:

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1. My knowledge of the exercise or status of the water right is based on (check one):

- Personal observation                       Professional expertise

2. I attest that:

Water was used during the previous five years on the **entire** place of use for  
Certificate #7812; OR

My knowledge is specific to the use of water at the following locations within the last five years:

Certificate #	Township	Range	Mer	Sec	¼ ¼	Gov't Lot or DLC	Acres (if applicable)

OR

- Confirming Certificate # \_\_\_\_\_ has been issued within the past five years; **OR**
- Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: \_\_\_\_\_ (Note: If the entire right proposed for transfer was not leased, additional evidence of use is needed for the portion not leased instream.); **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.
- Water has been used at the actual current point of diversion or appropriation for more than 10 years for Certificate # \_\_\_\_\_ (For Historic POD/POA Transfers)

(continues on reverse side)

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3. The water right was used for: (e.g., crops, pasture, etc.): DOMESTIC USES

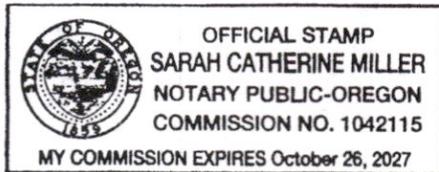
4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

[Signature], President Madsen Springs  
Water Association (MSWA)  
Signature of Affiant

1/22/26  
Date

**SIGN HERE**

Signed and sworn to (or affirmed) before me this 22 day of Jan., 2026.



[Signature]  
Notary Public for Oregon

My Commission Expires: Oct. 26, 2027

Supporting Documents	Examples
<input type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of <b>confirming</b> water right certificate that shows issue date
<input type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none"> <li>• Power usage records for pumps associated with irrigation use</li> <li>• Fertilizer or seed bills related to irrigated crops</li> <li>• Farmers Co-op sales receipt</li> </ul>
<input checked="" type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers  <u>*Madsen Springs Water Association OHA water system records 2021-2025.</u>	<ul style="list-style-type: none"> <li>• District assessment records for water delivered</li> <li>• Crop reports submitted under a federal loan agreement</li> <li>• Beneficial use reports from district</li> <li>• IRS Farm Usage Deduction Report</li> <li>• Agricultural Stabilization Plan</li> <li>• CREP Report</li> </ul>
<input type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph	<p>Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added.</p> <p>Sources for aerial photos: OSU – <a href="http://www.oregonexplorer.info/imagery">www.oregonexplorer.info/imagery</a> OWRD – <a href="http://www.wrd.state.or.us">www.wrd.state.or.us</a> Google Earth – <a href="http://earth.google.com">earth.google.com</a> TerraServer – <a href="http://www.terraserver.com">www.terraserver.com</a></p>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

**OHA Drinking Water Service AWS ID: 91172 ---- MADSEN SPRING WTR ASSOC**  
**Annual Water System Fee**

Learn more about this fee.

Select Fee Year: 2025 ▾

**INVOICE STATUS**

<b>Fee for 2025</b>	
Status:	<b>Paid</b>
Fee:	\$150.00
Late Fee:	N/A
Amount Paid:	\$150.00
<b>Balance Due for 2025:</b>	<b>\$0.00</b>
+ Balances Due from Other Years:	\$0.00
<b>Total Balance Due:</b>	<b>\$0.00</b>

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**Payments Received**

Paid By	Payment Method	Date Received	Amount	Transaction ID
MADSEN SPRING WTR ASSOC	Check	7/22/2025	\$150.00	150655-1

**FEE DETERMINATION**

The 2025 fee for this water system was determined using information in our database on 05/20/2025.

**Criteria for Fee Determination**

System Type:	Transient Non-community
Connections:	20
Population Served:	40
Treatment*:	No
Purchased:	No
Wholesale:	No

\*Current water treatment is listed on this water system's main page.

**Fee Determination Matrix** - Highlighted row indicates this water system's fee.

Fee Category	Connections	Population Served	Fee	Late Fee
Oregon very small system	--	--	\$ 75.00	\$ 25.00

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**OHA Drinking Water Services AWS ID: 91172 ---- MADSEN SPRING WTR ASSOC**  
**Annual Water System Fee**

Learn more about this fee.

Select Fee Year: 2024 ▾

**INVOICE STATUS**

<b>Fee for 2024</b>	
Status:	<b>Paid</b> <i>Late</i>
Fee:	\$150.00
Late Fee (applied 08/01/2024):	\$50.00
Amount Paid:	\$200.00
<b>Balance Due for 2024:</b>	<b>\$0.00</b>
+ Balances Due from Other Years:	\$0.00
<b>Total Balance Due:</b>	<b>\$0.00</b>

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**Payments Received**

Paid By	Payment Method	Date Received	Amount	Transaction ID
MADSEN SPRING WTR ASSOC	Check	8/23/2024	\$200.00	115974-1

**FEE DETERMINATION**

The 2024 fee for this water system was determined using information in our database on 04/30/2024.

**Criteria for Fee Determination**

System Type:	Transient Non-community
Connections:	20
Population Served:	40
Treatment*:	No
Purchased:	No
Wholesale:	No

\*Current water treatment is listed on this water system's main page.

**Fee Determination Matrix** - Highlighted row indicates this water system's fee.

Fee Category	Connections	Population Served	Fee	Late Fee
Oregon very small system	--	--	\$ 75.00	\$ 25.00

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**OHA Drinking Water Service ID: 91172 ---- MADSEN SPRING WTR ASSOC**  
**Annual Water System Fee**

Learn more about this fee.

Select Fee Year: 2023 ▾

**INVOICE STATUS**

**Fee for 2023**

Status:	<b>Paid</b>
Fee:	\$150.00
Late Fee:	N/A
Amount Paid:	\$150.00
<b>Balance Due for 2023:</b>	<b>\$0.00</b>
+ Balances Due from Other Years:	\$0.00
<b>Total Balance Due:</b>	<b>\$0.00</b>

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**Payments Received**

Paid By	Payment Method	Date Received	Amount	Transaction ID
MADSEN SPRING WATER SYSTEM	Check	7/12/2023	\$150.00	74372-1

**FEE DETERMINATION**

The 2023 fee for this water system was determined using information in our database on 05/04/2023.

**Criteria for Fee Determination**

System Type:	Transient Non-community
Connections:	20
Population Served:	40
Treatment*:	No
Purchased:	No
Wholesale:	No

\*Current water treatment is listed on this water system's main page.

**Fee Determination Matrix** - Highlighted row indicates this water system's fee.

Fee Category	Connections	Population Served	Fee	Late Fee
Oregon very small system	--	--	\$ 75.00	\$ 25.00

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**OHA Drinking Water Service PWS ID: 91172 ---- MADSEN SPRING WTR ASSOC**  
**Annual Water System Fee**

Learn more about this fee.

Select Fee Year: 2022 ▾

**INVOICE STATUS**

**Fee for 2022**

Status:	<b>Paid</b> <i>Late</i>
Fee:	\$150.00
Late Fee:	<i>Waived</i>
Amount Paid:	\$150.00
<b>Balance Due for 2022:</b>	<b>\$0.00</b>
+ Balances Due from Other Years:	\$0.00
<b>Total Balance Due:</b>	<b>\$0.00</b>

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**Payments Received**

Paid By	Payment Method	Date Received	Amount	Transaction ID
MADSEN SPRING WATER ASSOC - ED YOUNG	Check	10/10/2022	\$150.00	46329-1

**FEE DETERMINATION**

The 2022 fee for this water system was determined using information in our database on 04/28/2022.

**Criteria for Fee Determination**

System Type:	Transient Non-community
Connections:	20
Population Served:	40
Treatment*:	No
Purchased:	No
Wholesale:	No

\*Current water treatment is listed on this water system's main page.

**Fee Determination Matrix** - Highlighted row indicates this water system's fee.

Fee Category	Connections	Population Served	Fee	Late Fee
Oregon very small system	--	--	\$ 75.00	\$ 25.00

14812 - =

**OHA Drinking Water Services AWS ID: 91172 ---- MADSEN SPRING WTR ASSOC**  
**Annual Water System Fee**

Learn more about this fee.

Select Fee Year: 2021 ▾

**INVOICE STATUS**

Fee for 2021	
Status:	Paid
Fee:	\$150.00
Late Fee:	N/A
Amount Paid:	\$150.00
<b>Balance Due for 2021:</b>	<b>\$0.00</b>
+ Balances Due from Other Years:	\$0.00
<b>Total Balance Due:</b>	<b>\$0.00</b>

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**Payments Received**

Paid By	Payment Method	Date Received	Amount	Transaction ID
MADSEN SPRING WTR ASSOC	Check	6/16/2021	\$150.00	001762

**FEE DETERMINATION**

The 2021 fee for this water system was determined using information in our database on 04/27/2021.

Criteria for Fee Determination	
System Type:	Transient Non-community
Connections:	20
Population Served:	40
Treatment*:	No
Purchased:	No
Wholesale:	No

\*Current water treatment is listed on this water system's main page.

**Fee Determination Matrix** - Highlighted row indicates this water system's fee.

Fee Category	Connections	Population Served	Fee	Late Fee
Oregon very small system	--	--	\$ 75.00	\$ 25.00

14812 -

ATTACHMENT 3

Application for  
Water Right Transfer

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



Consent by Deeded Landowner

State of Oregon )  
County of Deschutes - NP )ss  
~~Jefferson~~ )

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I Holly Jewkes in my/our capacity as **Forest Supervisor**,  
mailing address 63095 Deschutes Market Rd, Bend, OR  
telephone number 541-610-3402, duly sworn depose and say that I/We  
consent to the proposed change(s) to Water Right Certificate Number 7812  
described in a Water Right Transfer Application (T- *Not Yet Assigned* ),  
(transfer number, if known)  
submitted by Madsen Spring Water Association  
on the property in tax lot number(s) 0100, 0200, 1000, 1002, 1003, 1100, and 1300,  
Section 10 Township 13 South Range 9 East W.M.,  
located at no situs address assigned  
(site address)

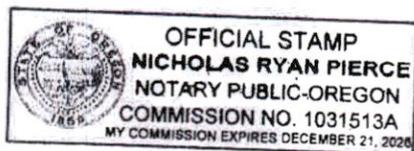
Holly Jewkes  
Signature of Affiant

6/20/25  
Date

\_\_\_\_\_  
Signature of Affiant

\_\_\_\_\_  
Date

Subscribed and Sworn to before me this 20<sup>th</sup> day of June, 2025.



Nicholas Ryan Pierce  
Notary Public for Oregon

My commission expires 12-21-2026

# Land Use Information Form



Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1266  
(503) 986-0900  
www.oregon.gov/OWRD

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## NOTE TO APPLICANTS

In order for your application to be processed by the Oregon Water Resources Department (OWRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be diverted, conveyed, used, and developed. The planning official may choose to complete the form while you wait or return the "Receipt Acknowledging Request for Land Use Information" to you. Applications received by OWRD without the Land Use Information Form, or the signed receipt, will be returned to you. **IMPORTANT:** Please note that while OWRD can accept a signed receipt as part of intake for an application for a new permit to use or store water, a completed Land Use Information Form is required for OWRD's acceptance of all other applications. Please be aware that your application cannot be approved without land use approval.

### This form is NOT required if:

- 1) Water is to be diverted, conveyed, and used on federal lands only; **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. The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
  - b. The application involves a change in place of use only;
  - c. The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; **and**
  - d. The application involves irrigation water uses only.

## NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for a new water right or modifying an existing water right. The Oregon Water Resources Department (OWRD) requires applicants to obtain land use information to ensure the water right does not result in land uses that are incompatible with your comprehensive plan. Please complete the form and return it to the applicant for inclusion in their application. **NOTE:** For new water right applications only, if you are unable to complete this form while the applicant waits, you may complete the "Receipt Acknowledging Request for Land Use Information" and return it to the applicant.

You will receive notice via OWRD's weekly Public Notice once the applicant formally submits their request to OWRD. The notice will give more information about OWRD's water right process and provide additional comment opportunities. If you previously only completed the receipt for an application for a new permit to use or store water, you will have 30 days from the Public Notice date to complete the Land Use Information Form and return it to OWRD. Your attention to this request for information is greatly appreciated. If you have questions concerning this form, please contact OWRD's Customer Service Group at 503-986-0900 or WRD\_DL\_customerservice@water.oregon.gov.

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# Land Use Information Form



**Oregon Water Resources Department**  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1266  
(503) 986-0900  
www.oregon.gov/OWRD

NAME Madsen Spring Water Association (Pat Shannon, President)				PHONE	
MAILING ADDRESS 2467 Mustang Ct					
CITY West Linn		STATE OR	ZIP 97068	EMAIL *All communications via mail	

## A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. 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:
13S	9E	10	NWNE	0100	FM	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	FM
			SWNE	0100	FM	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	FM
			SENE	0200	CC	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	CC
				1000	CC	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	CC
				1002	CC	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	CC
				1003	CC	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	CC
				1100	FM	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	FM
			1300	CC	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	CC	

\*No change in land use is proposed.

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

-Jefferson County

**NOTE:** A separate Land Use Information Form must be completed and submitted for each county and city, as applicable.

## B. Description of Proposed Use

Type of application to be filed with the Oregon Water Resources Department:

- Permit to Use or Store Water   
 Water Right Transfer   
 Permit Amendment or Ground Water Registration Modification  
 Limited Water Use License   
 Exchange of Water   
 Allocation of Conserved Water

Source of water:   
 Reservoir/Pond   
 Ground Water   
 Surface Water (name) Madsen Spring

Estimated quantity of water needed: 0.4375   
 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:

This transfer proposes to change the domestic use portion of Certificate 7812 to Quasi-municipal and to change the place of use to cover the Madsen Spring Water Association's service area.

**Note to applicant:** For new water right applications only, if the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt on the bottom of page 4 and include it with the application filed with the Oregon Water Resources Department.

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## 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 the proposed water use(s), including proposed construction, are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): N/A
- Land uses to be served by the proposed water use(s), 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:
		<input type="checkbox"/> Obtained <input type="checkbox"/> Being Pursued <input type="checkbox"/> Denied <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Being Pursued <input type="checkbox"/> Denied <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Being Pursued <input type="checkbox"/> Denied <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Being Pursued <input type="checkbox"/> Denied <input type="checkbox"/> Not Being Pursued

Local governments are invited to express special land use concerns or make recommendations to the Oregon Water Resources Department regarding this proposed use of water in the box below or on a separate sheet.

Zoning: Camp Sherman Rural Center (CSRC)  
 Tax Accts: 8144, 12030, 8270, 8272, 11826, 8151, 8273, 813A

JEFFERSON COUNTY  
 COMMUNITY DEVELOPMENT DEPT.  
 85 SE "D" STREET  
 MADRAS OREGON 97741

Name: Tanya Cloutier Title: Assistant Planner  
 Signature: Tanya Cloutier Date: 5/19/25  
 Governmental Entity: Jefferson Co. Phone: 541-475-4462

**Receipt Acknowledging Request for Land Use Information**

**Note to Local Government Representative:**  
 Please complete this form and return it to the applicant. For new water right applications only, if you are unable to complete this form while the applicant waits, you may complete this receipt and return it to the applicant. If you sign the receipt, you will have 30 days from the date of OWRD's Public Notice of the application to submit the completed Land Use Information Form to Oregon Water Resources Department. Please note while OWRD can accept a signed receipt as part of intake for an application for a new permit to use or store water, a completed Land Use Information Form is required for all other applications.

Applicant Name: \_\_\_\_\_

Staff Name: \_\_\_\_\_ Title: \_\_\_\_\_

Staff Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Governmental Entity: \_\_\_\_\_ Phone: \_\_\_\_\_

14812 -

**ATTACHMENT 5**

**SPRING AND PIPELINE EASEMENT RELATED DOCUMENTS**

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OWRD

14812 -

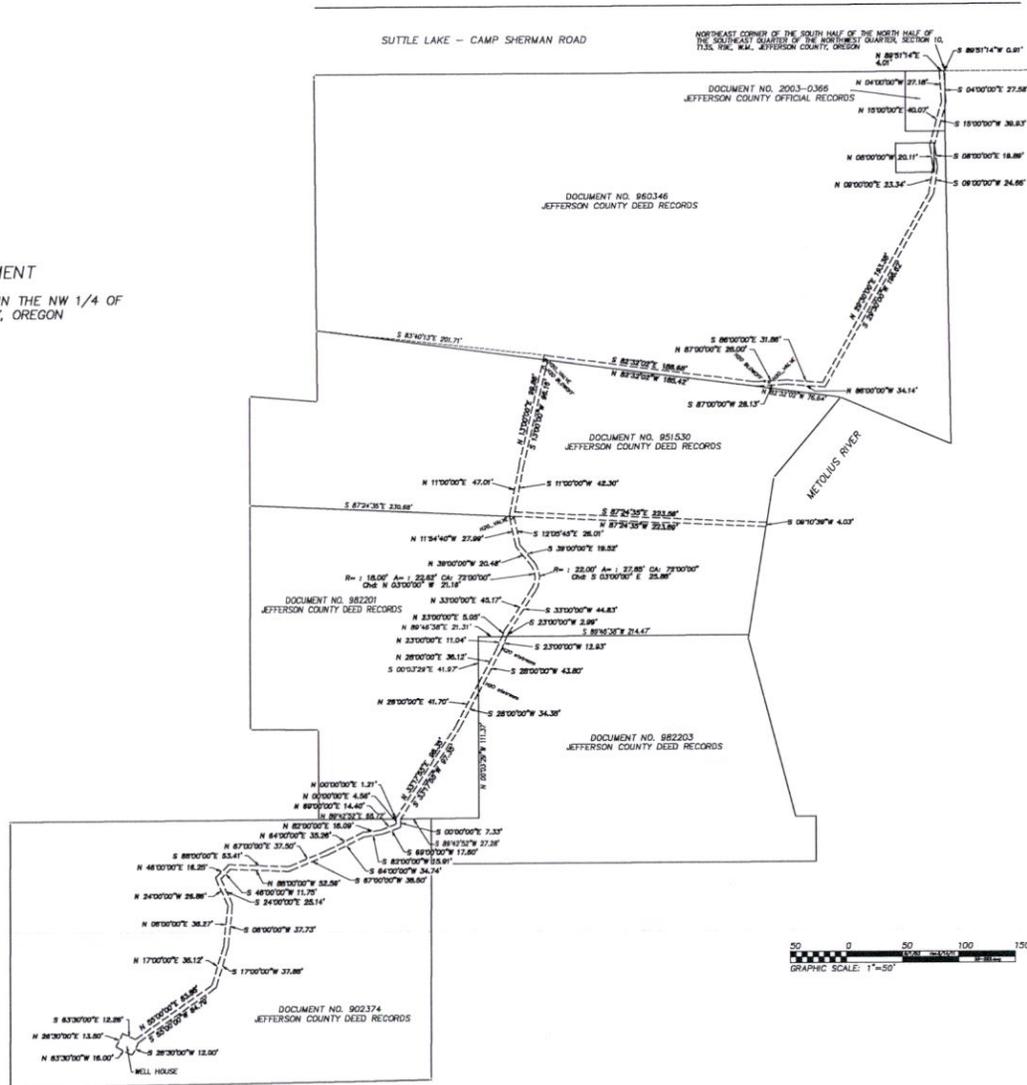
Course of Pipeline Easement from Spring across  
Taxlots 1300, 1003, 1002, 1000, and 0200.

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EXHIBIT MAP

MADSEN SPRINGS WATERLINE EASEMENT

OVER, UNDER AND ACROSS PARCELS OF LAND SITUATED IN THE NW 1/4 OF  
SECTION 10, T13S, R9E, W.M., JEFFERSON COUNTY, OREGON



EASEMENT

After recording, this Easement shall be delivered to:

Nancy L. Rittgers  
1855 Woodstock Cir NW  
Salem, OR 97034-1222

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FEB 02 2026  
OWRD

TL 1000

The consideration for the Easement shall be the granting by Grantee to Grantor, her heirs, successors and assigns, as owner of the property across which this Easement runs, a membership interest in Madsen Spring Water Association, with all of the rights and obligation of a residential member, pursuant to the Bylaws of the Association, Articles I through XIII, which shall include an obligation to pay annual dues and Grantor's pro rata share of any special assessments that may be charged.

NANCY L. RITTGERS (hereinafter Grantor) conveys to MADSEN SPRING WATER ASSOCIATION, a nonprofit mutual benefit corporation, its successors and assigns (hereinafter Grantee) a perpetual nonexclusive easement to use a strip of land ten (10) feet wide, the centerline being over the existing water line documented on Exhibit "A" attached hereto and by this reference incorporated herein (hereinafter the easement), and located across the property of Grantor (hereinafter the property).

The terms of this Easement are as follows:

1. Grantee, its agents, independent contractors and invitees shall use the easement strip for an underground water line, and in conjunction with such use may construct, reconstruct, maintain and repair an underground water line located thereon. Grantee shall give Grantor thirty (30) days prior written notice, sent by US mail return receipt requested, or as much oral notice as is reasonably possible in case of an emergency, prior to entering the property for construction, maintenance or repair of the water line.
2. The Grantor, her heirs, successors and assigns, reserves the right to relocate the water line or her connection thereto at her expense pursuant to the same standards as currently constructed. Prior to moving said line Grantor shall give Grantee 30 days written notice. The movement shall be approved by Grantee, in writing during said 30-day period, which shall not be unreasonably withheld and in cooperation with Grantee's systems operator. The relocated line shall not compromise the gravity flow system.
3. Grantee agrees to indemnify and defend Grantor from any loss, claim or liability to Grantor arising in any manner out of Grantee's use of the easement strip. Grantee shall pay Grantor for any property of Grantor's damaged by Grantee's use of this easement. However, there shall be a \$1,000.00 limit on damages to trees or other landscaping vegetation. Grantee assumes all risk arising out of its use of the easement strip and Grantor shall have no liability to Grantee or others for any condition existing thereon. Grantee agrees and represents that Grantee is accepting the easement on the premises "AS IS."
4. This Easement is appurtenant to the water system operated by Grantee located at Camp Sherman in Jefferson County, Oregon. The water system uses Madsen Spring as its source, as authorized by that Certificate of Water Right #7812 granted to W.F. Jackson under Permit #7721, with priority date of October 12, 1926, as recorded at Page 7812, volume 8, State Record of Water Rights Certificates.
5. In the event Grantor, her heirs or assigns are denied the use of water from the water line by government authority or Grantees, except for reason of non-payment of the association annual dues or her pro rata share of special assessments, the Association, its successors or assigns, shall pay Grantor \$10,000.00, inflation adjusted. Grantees shall have two (2) years to pay Grantor after written notice from

Grantor. Grantee shall have only a financial obligation and no liability for finding an alternate water source. The Association's refusal to pay said amount would automatically terminate the easement granted herein. If the line or any portion thereof is not used by Grantees for a period of five (5) years or otherwise abandoned by Grantees; then in either event, the Easement as to the portion not used shall automatically terminate and Grantees, her successors and assigns, shall upon request execute a recordable document evidencing such termination.

6. This easement is granted subject to all prior easements or encumbrances of record.
7. Grantor, her heirs or assigns, the Association members personally, and the Association, agree not to seek regulation or shut off of water to Grantor's property from the line.
8. In the event the parties are required to litigate the provisions of this Easement, the losing party shall be responsible for the reasonable costs of litigation and attorney fees of the prevailing party.

IN WITNESS WHEREOF, the parties have caused this instrument to be executed this 11<sup>th</sup> day of December, 2025.

GRANTOR:

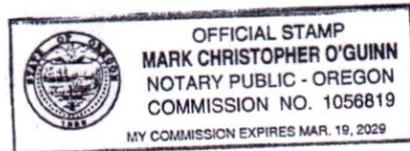
Nancy L. Rittgers  
Nancy L. Rittgers

State of Oregon  
County of Marion

This record was acknowledged before me on 12/11/25  
by Nancy L. Rittgers

Signature of notarial officer: [Signature]

Stamp (if required):



Title of office: Notary Public  
My commission expires: 03/19/2029

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FEB 02 2026  
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GRANTEE:

Madsen Spring Water Association

State of Oregon

County of Clackamas

This record was acknowledged before me on (date) 12/22/2025

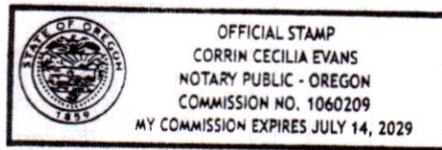
by (name(s) of individual(s)) Susan Hatley

as (type of authority, such as officer or trustee) Secretary/Treasurer

of (name of party on behalf of whom record was executed) Madsen Spring Water Association

Signature of notarial officer: Corrin Evans

Stamp (if required):



Title of office: Notary Public

My commission expires: July 14<sup>th</sup> 2029

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**Jefferson County**  
**2025 Real Property Assessment Report**  
 Account 12898

Map **130910-BD-01300 A2**  
 Code - Tax ID 0312 - 12898

Tax Status Non-Assessable  
 Account Status Active  
 Subtype NORMAL

Legal Descr See Record

Mailing **MADSEN SPRINGS WATER ASSOCIATION**  
 ROBERT E ERVIN  
 18140 SE STONEWOOD DR  
 GLADSTONE OR 97027-1164-1164

Deed Reference # See Record  
 Sales Date/Price See Record  
 Appraiser FLANDE, KATRINA

Property Class 991 MA SA NH  
 RMV Class 201 08 74 000

Site	Situs Address	City
		CAMP SHERMAN

Value Summary						
Code Area		RMV	MAV	AV	RMV Exception	CPR %
0312	Land	0		Land	0	
	Impr	2,600		Impr	0	
<b>Code Area Total</b>		2,600	0	0	0	
<b>Grand Total</b>		2,600	0	0	0	

Land Breakdown									
Code Area	ID #	RFPD	Ex	Plan Zone	Value Source	Trend %	Size	Land Class	Trended RMV

Improvement Breakdown									
Code Area	ID #	Year Built	Stat Class	Description	Trend %	Total Sqft	Ex%	MS Acct	Trended RMV
0312	2	1960	830	Treatwater	115	60			2,600
<b>Code Area Total</b>						60			2,600

Exemptions / Special Assessments / Notations
<b>Notations</b>
■ NON PROFIT WATER ASSOCIATION (307.210)

Contig Accts 8151, 12344  
 Comments Real land acct.# 8151

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 FEB 02 2026  
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# Improvement Summary

JEFFERSON County

For Assessment Year 2025

Account ID 12898

Map 130910-BD-01300 A2

Situs

Mailing MADSEN SPRINGS WATER ASSOCIATION

ROBERT E ERVIN  
18140 SE STONEWOOD DR  
GLADSTONE OR 97027-1164-1164

Bldg	Code Area	Stat Class	Year Built	Comp %	Description	Sqft
2	0312	830	1960	100	830 - Treatwater	60

Total RMV

\$2,600

Received  
FEB 02 2026  
OWRD

21-7992

BOOK 49 PAGE 384

WARRANTY DEED

LEON L. FOSTER and SYLVIA F. FOSTER, husband and wife, hereinafter called grantor, convey to RICHARD C. NIEDERHOF and JENIFER O. NIEDERHOF, husband and wife, 65 per cent, and C. H. NIEDERHOF and GLADYS T. NIEDERHOF, husband and wife, 35 per cent, as tenants in common, and as between husbands and wives as tenants by the entirety, all that real property situated in Jefferson County, State of Oregon, described as:

Beginning at a point on the North-South centerline of Section 10 in Township 13 South, Range 9 East of the Willamette Meridian, Jefferson County, Oregon, at a point 507.40 feet South 0°08'08" East of the Northeast corner of the South half of the South half of the Southeast one-quarter of the Northwest one-quarter of said section; thence South 89°47'07" West 126.14 feet to a 1/2 inch pipe; thence North 0°00'30" West 70.00 feet to a 1/2 inch pipe; thence North 53°36'36" East 156.20 feet to a 1/2 inch pipe on said North-South centerline of Section 10; thence South 0°08'08" East 160.00 feet to the point of beginning;

TOGETHER with a roadway easement along the existing roadway across the grantor's property in the Northwest one-quarter and Southwest one-quarter lying adjacent to the East-West centerline of said Section 10, Jefferson County, Oregon, commencing at the Western boundary of the property, thence Easterly approximately 1100.00 feet along the Northerly side of the centerline; thence in a Southeasterly direction approximately 300.00 feet to the above-described property;

TOGETHER with a water line easement commencing at a spring North of the centerline and following easement now in place along the centerline and adjacent to the road to the property described above;

Grantees shall have a right to water from the spring and the right to maintain the pipe and easement as in place and any equipment or pumping devices located at said spring; grantees shall pay the sum of \$25.00 per year for such right to the grantor, grantor's heirs and assigns, and both the road easement and the water line easement shall be to the grantees, their heirs and assigns;

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and covenant that grantor is the owner of the above-described property free of all encumbrances except 1972-73 taxes, a lien but not yet payable, and will warrant and defend the same against all persons who may lawfully claim the same, except as shown above.

The true and actual consideration for this transfer is \$ 27,500.00  
Dated this 19 day of September, 1972.

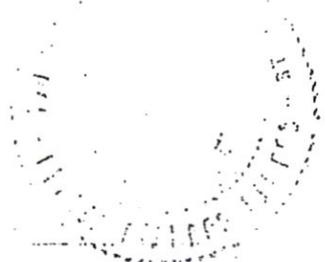
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FEB 02 2026  
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Leon L. Foster  
Leon L. Foster  
Sylvia F. Foster  
Sylvia F. Foster

STATE OF OREGON )  
County of Deschutes ) ss.  
September 19, 1972.

Personally appeared the above-named LEON L. FOSTER and SYLVIA F. FOSTER and acknowledged the foregoing instrument to be their voluntary act. Before me:

Donna A. McPherson  
Notary Public for Oregon  
My Commission Expires: 4-30-74



STATE OF OREGON } #105568  
County of Jefferson } ss. XX LEON L. FOSTER, ETUX  
to  
RICHARD C. NIEDERHOF, etux  
I certify that the within instrument was received for record on the 22 day of  
September, A. D. 19 72 at 1:15 o'clock P.M., and recorded in book  
49 on page 384 Record of Deeds of said County.  
Witness my hand and seal of County affixed  
ELAINE L. HENDERSON By June Hasleach  
County Clerk. Deputy

Received  
FEB 02 2026  
OWRD

EASEMENT

After recording, this Easement shall be delivered to:

Jefferson County Official Records  
Katherine Zemke, County Clerk

2019-1201

Brookhaven Limited Partnership  
Attn: Nancy Fischer  
3075 NW Cornell Rd.  
Portland, OR 97210



\$106.00

04/16/2019 04:29:14 PM

D-EAS Cnt=1 Stn=19 LORIY  
\$20.00 \$11.00 \$60.00 \$10.00 \$5.00

**BROOKHAVEN LIMITED PARTNERSHIP** (hereinafter, "Grantor") conveys to **MADSEN SPRING WATER ASSOCIATION**, an unincorporated association (hereinafter, "Grantee" or the "Association"), its successors and assigns, a perpetual nonexclusive easement to use a strip of land ten (10) feet wide and crossing the property of Grantor, which property comprises Parcel 1 and Parcel 2, more particularly described on that certain Partition Plat 2008-11, recorded in the Jefferson County Property Records on August 8, 2008, as Document No. 2008-002870 (the "Property"). The easement is more particularly described in Exhibit A, attached hereto and by this reference expressly incorporated herein (the "Easement").

The consideration for this Easement shall be the granting by Grantee, its heirs, successors, and assigns, as owners of the Property across which the Easement runs, the rights to residential membership interests in Madsen Spring Water Association for the Property parcels, should Grantor, its heirs, successors, and assigns desire in the future such membership interests for one or both Property parcels, with all of the rights and obligations of a residential member, pursuant to the Bylaws of the Association, Articles I through IX, attached (as may be amended from time to time), which membership rights, once invoked, shall include an obligation to pay annual dues and Grantor's *pro rata* share of any special assessments that may be charged in connection with said membership(s).

The terms of this Easement are as follows:

1. Grantee, its agents, independent contractors, and invitees, shall use the Easement for an underground water line, which has been installed to the satisfaction of the parties. In conjunction with the water line, Grantee may reconstruct, maintain, and repair said underground water line located on the Easement, but shall repair and restore the disturbed property to its original condition to the extent possible after each such repair. Grantee shall give Grantor thirty (30) days' prior written notice, sent by Certified Mail, return receipt requested, or in case of emergency, as much notice as is reasonably possible, prior to entering the property for maintenance or repair of the water line.

2. The water line shall be maintained at a depth of 30", or as close to 30" deep as reasonably possible. The water line shall be maintained with a continuous locator wire, and the pipe shall be maintained in a professional and workmanlike manner using the best materials as suitable for the construction of such a pipeline. In addition, Grantee shall install, and Grantor shall reimburse Grantee labor and materials for, two T connections, one for each tax lot, and each with valve and backflow prevention device, together with a 24" access box with covers, as shown on Exhibit A. The Grantor, its heirs, successors, and assigns, reserves the right to relocate the water line or their connection(s) thereto at their expense pursuant to the same standards set forth above. Prior to moving said line, Grantors shall give Grantee thirty (30) days' written notice. The relocation shall be subject to the prompt and

professional consent of the Grantee, in cooperation with Grantee's systems operator, which consent shall not be unreasonably withheld. The relocated line shall not compromise the gravity flow system.

3. Grantee agrees to indemnify and defend Grantor from any loss, claim, or liability to Grantor arising in any manner out of Grantee's use of the easement strip. Grantee shall pay Grantor for any property of Grantor damaged by Grantee's use of this easement. However, there shall be a \$1,000 limit on damages to trees or other landscaping vegetation. Grantee assumes all risk arising out of its use of the easement strip, and Grantor shall have no liability to Grantee or others for any condition existing thereon. Grantee agrees and represents that Grantee is accepting the easement on the premises "AS IS".

4. This Easement is appurtenant to the water system operated by Grantee located at Camp Sherman in Jefferson County, Oregon. The water system uses Madsen Spring as its source, as authorized by that Certificate of Water Right #7812 granted to W.F. Jackson under Permit #7721, with priority date of October 12, 1926, as recorded at Page 7812, Volume 8, of the State Record of Water Rights Certificates, a copy of which certificate is attached.

5. In the event that Grantor, its heirs, successors, or assigns, are denied the use of water from the water line by Grantees or efforts of members of Grantee, except for reason of non-payment of the association annual dues or pro rata share of special assessments, the Association, its successors or assigns, shall pay to Grantors \$10,000.00, inflation adjusted, for an alternate water source. Grantees shall have two (2) years to pay Grantor following notice from Grantor. Grantees shall have a financial obligation only and shall have no liability for finding an alternate water source. If the source is a well, it shall be owned by Grantor, its heirs and assigns, and used exclusively for the Property. The Association's refusal to pay said amount would automatically terminate this Easement. This paragraph 5 shall apply to the memberships, if any, for the Property parcels.

6. This easement is granted subject to all prior easements or encumbrances of record.

7. Grantor, its heirs, successors, or assigns, the Association members personally, and the Association agree not to seek regulation or shut-off of water to Grantor's property from the line.

8. In the event the parties are required to litigate the provisions of this Easement, the losing party shall be responsible for the reasonable costs of litigation and attorney fees of the prevailing party.

IN WITNESS WHEREOF, the parties have caused this instrument to be executed this 5<sup>th</sup> day of April, 2019.

**GRANTOR:**  
**BROOKHAVEN LIMITED PARTNERSHIP**

By: Nancy Fischer  
Nancy Fischer, Partner

**GRANTEE:**  
**MADSEN SPRING WATER ASSOCIATION**

By: Roger White  
Roger White, President

Exhibits: A-Easement legal description

[Notarizations on next page.]

Received  
FEB 02 2026  
OWRD

14812 -

STATE OF OREGON )  
 ) ss.  
County of Deschutes )

This instrument was acknowledged before me this 5<sup>th</sup> day of April, 2019, by Nancy Fischer, Partner in Brookhaven Limited Partnership, an Oregon limited partnership, on behalf of the limited partnership.



Kristi Lee Tubbin  
NOTARY PUBLIC FOR Oregon  
My Commission Expires: July 29, 2022

STATE OF OREGON )  
 ) ss.  
County of Deschutes )

This instrument was acknowledged before me this 28<sup>th</sup> day of March, 2019, by Roger White, the President of Madsen Spring Water Association, an unincorporated association, on behalf of the unincorporated association.



Kristi Lee Tubbin  
NOTARY PUBLIC FOR Oregon  
My Commission Expires: July 29, 2022

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A PERPETUAL NONEXCLUSIVE EASEMENT OVER, UNDER AND ACROSS PARCELS 1 AND 2, PARTITION PLAT NO. 2008-11, SITUATED IN THE SOUTHEAST QUARTER OF THE NORTHWEST QUARTER OF SECTION 10, TOWNSHIP 13 SOUTH, RANGE 9 EAST, WILLAMETTE MERIDIAN, JEFFERSON COUNTY, OREGON. SAID EASEMENT IS 10' WIDE, 5' ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE.

BEGINNING AT A POINT ON THE NORTH LINE OF SAID PARCEL 1, WHICH BEARS S 87°24'30"E, 232.71 FEET FROM THE NORTHWEST CORNER OF SAID PARCEL 1;  
THENCE, ON SAID CENTERLINE, S 11°59'24" E, 27.03 FEET;  
THENCE S 38°59'24" E, 20.00 FEET TO THE BEGINNING OF A 20.00 FOOT RADIUS CURVE TO THE RIGHT;  
THENCE ON THE ARC OF SAID CURVE, 25.13 FEET, THROUGH A CENTRAL ANGLE OF 72°00'00", (CHORD BEARS S 02°59'24" E, 23.51 FEET);  
THENCE S 33°00'36" W, 43.40' TO A POINT ON THE LINE COMMON TO SAID PARCELS 1 AND 2, WHICH BEARS N 89°46'18" E, 68.45 FEET FROM THE NORTHWEST CORNER OF SAID PARCEL 2;  
THENCE S 33°00'36" W, 1.60 FEET;  
THENCE S 23°00'36" W, 16.00 FEET;  
THENCE S 28°00'36" W, 78.00 FEET;  
THENCE S 33°18'31" W, 45.10 FEET TO A POINT ON THE LINE COMMON TO SAID PARCELS 1 AND 2, WHICH BEARS S 00°02'03" W, 122.36 FEET FROM THE NORTHWEST CORNER OF SAID PARCEL 2;  
THENCE S 33°18'31" W, 52.75 FEET;  
THENCE S 00°00'36" W, 0.61 FEET TO AND TERMINATING AT A POINT ON THE SOUTH LINE OF SAID PARCEL 1, WHICH BEARS N 89°42'52" E, 70.72 FEET FROM THE SOUTHWEST CORNER OF SAID PARCEL 1

3-22-2019  
REGISTERED  
PROFESSIONAL  
LAND SURVEYOR  
OREGON  
JULY 17, 1981  
FREDERICK A. AST, JR.  
1838  
Releas 12-31-2019

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FEB 02 2026  
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EXHIBIT A

14812 -

OFFICIAL RECORD OF DESCRIPTIONS  
OF REAL PROPERTY 271-4  
JEFFERSON COUNTY ASSESSOR'S OFFICE

13	9	10	B D	1000	31-2
TWP. S.	RGE E.	SEC.	1/4 1/16	TAX LOT NUMBER	TYPE SPEC. INT IN REAL PROP.
MAP NUMBER				ACCOUNT NUMBER	CODE AREA NUMBER

FORMERLY PART OF T.L. NO. \_\_\_\_\_

INDENT EACH NEW COURSE TO THIS POINT

8270

ADDITIONAL DESCRIPTION AND RECORD OF CHANGE Page 1 of 2

DATE OF ENTRY ON THIS CARD

DEED RECORD VOL. PG

ACRES REMAINING

**Taxlot 1000**

A tract of land in the SE $\frac{1}{4}$ NW $\frac{1}{4}$  of Sec 10 T13S R9E WM more particularly des as fol:  
Baap on the Power Pole L<sup>+</sup>ne which pt is also the SW cor of the Mendenhall land and is located S 89° 31' 46" W 566.68 ft and S 0° 52' E 223.4 ft fm the NE cor of the S $\frac{1}{2}$ N $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$  of Sec 10;  
th S 0° 52' E 63.2 ft alg the sd power line;  
th N 85° 45' 28" W 530.0 ft alg the fence line to the E bndry of the Knutsen tract as presently located;  
th S 0° 10' 33" E 117.3 ft;  
th S 77° 40' W 250.0 ft to the W line of the SE $\frac{1}{4}$ NW $\frac{1}{4}$  of sd Sec 10;  
th S 0° 10' 33" E 249.7 ft alg sd W line to the SW cor of the N $\frac{1}{2}$ S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$  of sd Sec 10;  
th N 89° 20' 04" E 1198 ft tap 0.3 ft N of a 5 ft length of  $\frac{1}{2}$  inch pipe driven 2 ft into the stream bed of a small creek where it enters the Metolius River;  
th alg the W edge of the sd river N 15° 57' W 157.6 ft;  
th N 13° 12" E 144.8 ft;  
th N 31° 18' E 93 ft tap on the fence line where it comes to the river;  
th N 82° 50' W 468.92 ft alg the sd fence line being the S bndry of the Mendenhall land to the POB. WD

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FEB 02 2026  
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27 318 10.18

Subject to:  
water rights  
easement for rdwy  
Exc:

T L 1001 (% Haines)

6.0 acres Cont  
Revisc Acreage survey

10 27 67 42 63 4.18

5/6/74 3 59 + .05  
9.23

Code Change to 31-2 Camp Sherman Rural Fire  
T.L. 1002 (1.13 AC.) Request

7 6 73  
5/6/74 owner request 3-1

(OVER)

13 9 10 B D 1000 31-2

OFFICIAL RECORD OF DESCRIPTIONS  
OF REAL PROPERTY  
JEFFERSON COUNTY ASSESSOR'S OFFICE

TWP. S. RGE. E. SEC. 1/4 3/16 TAX LOT NUMBER TYPE SPEC. INT. IN REAL PROP. CODE AREA NUMBER

MAP NUMBER

ACCOUNT NUMBER

FORMERLY PART OF T.L. NO.

INDENT EACH NEW COURSE TO THIS POINT

#8270

ADDITIONAL DESCRIPTION AND RECORD OF CHANGE

Page 2 of 2

DATE OF ENTRY ON THIS CARD

DEED RECORD VOL PG

ACRES REMAINING

EXCEPT:

A 1.56 Ac Parcel Trans to TL 13 9 10BD 1002 31-2

Boundary Adjust

10 15 85

#155804

1.54

Boundary Adjustment

10 4 85

#155773

Agreement for Easement

10 15 85

#155805

Agreement for Easement

10 15 85

#155806

Release of Easement

12/31/87

#880051

Hendricks, M M

Dth Cert

2/6/88

#882966

Notice to taxing districts

3/15/89

ORS308.225

A P Hendricks to Rittgers 1/2 & Hendricks G W 1/2 WD

02/17/89

#891852

Hendricks, GW & PA to Rittgers, NL & KW

CT

3-24-93

930753

Hendricks, GW & PA to Rittgers, NL & KW

WD

4-17-95

951530

Easement

12-20-93

934225

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FEB 02 2026

OWRD

QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, That MAE MOSCHETTI, A Single Woman, hereinafter called Grantor, in consideration of ONE and No/100 (\$1.00) DOLLARS, to Grantor paid, the receipt whereof hereby is acknowledged, does hereby re-mise, release and quitclaim unto THE PUBLIC, hereinafter called Grantee, and unto Grantee's successors and assigns all of the Grantor's right, title and interest in that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Jefferson, State of Oregon, described as follows, to-wit:

The West 20 feet of the following described real property:

A tract of land in the South Half of the North Half of the Southeast quarter of the Northwest quarter of Section 10, Township 13 South, Range 9 East of the Willamette Meridian, Jefferson County, Oregon, and described as follows:

Beginning at the Northeast corner of the South half of the North half of the Southeast quarter of the Northwest quarter of Section 10 and running thence South 89°31'46" West 566.68 feet along the North line to a power pole set on the corner; thence South 0°52' East 223.4 feet along the power line; thence South 82°50' East 468.92 feet along the fence line to the River; thence South 66°51'43" East 106.6 feet to the Southeast corner of the South half of the North half of the Southeast quarter of the Northwest quarter of said Section 10; thence North 0°00'30" West 328.44 feet along the East line of the Southeast quarter of the Northwest quarter of said Section 10, to the point of beginning;

Excepting therefrom that certain tract of land more particularly described as follows, to-wit: BEGINNING at the Northeast corner of the South half of the North half of the Southeast quarter of the Northwest quarter of said Section 10; thence South along the East line of said tract a distance of 30 feet; thence West along a line parallel to the North line of said tract a distance of 25 feet; thence North along a line parallel to the East line of said tract a distance of 30 feet; thence East along the North line of said tract a distance of 25 feet; more or less, to the point of beginning, and

excepting therefrom portions of the above described real property heretofore conveyed by deed recorded in Jefferson County Deed Book 37 at page 374; Jefferson County Deed Book 37 at page 375 and Jefferson County Deed Volume 36 at page 517.

TO HAVE AND TO HOLD The same unto the said Grantee and Grantee's successors and assigns forever.

In construing this deed the singular includes the plural as the circumstances may require.

Received  
FEB 02 2026

OWRD

Witness Grantor's hand and seal this 29<sup>th</sup> day of July, A. D. 1966.

x Maie Moschetti (SEAL)

STATE OF CALIFORNIA )  
County of Alameda ) ss. July 29, 1966

Personally appeared the above named MAE MOSCHETTI, A Single Woman,  
and acknowledged the foregoing instrument to be her voluntary act and deed.

Before me:

John J. Walasek

NOTARY PUBLIC FOR CALIFORNIA  
My Commission Expires:

JOHN J. WALASEK, Notary Public  
My Commission Expires July 1, 1970

STATE OF OREGON } #088753  
County of Jefferson } ss. MAE MOSCHETTI  
I certify that the within instrument was received for record on the 15 day of  
August, A.D. 19 66 at 9:40 o'clock A.M., and recorded in book  
40 on page 376 Record of Deeds of said County.  
Witness my hand and seal of County affixed.  
NELLIE WATTS By June Stalder  
County Clerk. Deputy.



January 28, 2026

Oregon Water Resources Department  
Attn: *Water Rights Services Division*  
725 Summer St. NE Ste A  
Salem, Oregon 97301

**REIMBURSEMENT AUTHORITY APPLICATION FOR TRANSFER RELATED TO CERTIFICATE 7812**

Dear OWRD Staff,

On behalf of Madsen Spring Water Association (MSWA), CwM-H2O (CwM) would like to submit the water right transfer application accompanying this letter. The transfer proposes to change the place of use and character of use for the domestic-use portion of Certificate 7812 with the goal of aligning the right with the use needed by the Association. The certificate place of use includes uses on federal lands and conveyance across private lands. Multiple supplemental documents have been included to account for these facts. The application package includes the following items:

- An application for the Transfer Reimbursement Authority (RA),
- A \$125 check (#415) for the RA fee,
- An Application for Permanent Water Right Transfer and check for \$3,675 fee (#416),
- A stamped transfer map (Attachment 1),
- A complete Evidence of Use Affidavit (Attachment 2),
- A Consent from Landowner affidavit from the US Forest Service (Attachment 3),
- An approved LUCS form from the County (Attachment 4),
- Spring and Pipeline Easement-related documents (Attachment 5).

If you have any questions about the transfer application and information contained therein, please do not hesitate to contact CwM.

Sincerely,

**CwM H2O, L.L.C.**

A handwritten signature in blue ink, appearing to read "R Long", is written over a faint blue circular stamp.

Robert Long, CWRE

Received  
FEB 02 2026  
OWRD