

T-10377

T-10377

Name Norman McDougall

By \_\_\_\_\_

Address PO Box 518

Creswell, OR 97426

541-895-8788 541-895-8787 Fax

Change in POU APD

Date filed May 2, 2007

Date of hearing \_\_\_\_\_

Place of hearing \_\_\_\_\_

Date of order 12-20-07 Vol. 73, page 821

Date for application of water \_\_\_\_\_

Proof mailed \_\_\_\_\_

Proof received 7.16.2014

Certificate issued \_\_\_\_\_ Vol. \_\_\_\_\_, page \_\_\_\_\_

### OWNERSHIP UPDATE

*for remaining right filed in 5-32248 file*

### DESCRIPTION OF WATER RIGHT

Name of stream unnamed stream

Trib. of Middle FK Willamette R. County of Lane

Use IR TAD

Quantity of water \_\_\_\_\_ No. of acres \_\_\_\_\_

Name of ditch \_\_\_\_\_

Date of priority 4/9/1958

In name of Natron Plywood Co.

32248 Adjudication, Vol. \_\_\_\_\_, page \_\_\_\_\_

App. No. 32248 Per. No. 25439 Cert. No. 32562

Certificate cancelled \_\_\_\_\_

Notation made on record by \_\_\_\_\_

### FEES PAID

Date	Amount	Receipt No.
<u>5/2/07</u>	<u>70.00</u>	<u>87382</u>
TOTAL . . .		
	Cert. Fee	

### FEES REFUNDED

Date	Amount	Check No.

### REMARKS

Agent: Michael Evans 1071 Harlow Rd Springfield OR 97477 541-746-5126 Fax 541-726-8523

NOTD/CWRE: H. Timothy Fassbender #047

Lane County 125 East 8th Avenue Eugene OR 97401

CLO: James Smekal PO Box 2114 Jasper OR 97438

Contractor: William Porfily

Public Notice: 5/8/07

COBU MAP # 1144

**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

RECEIPT # **127314**

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

INVOICE # \_\_\_\_\_

RECEIVED FROM: Norman N. McDougal

APPLICATION	
PERMIT	
TRANSFER	F-10377

BY: \_\_\_\_\_

CASH:  CHECK: # 13205 OTHER: (IDENTIFY)

TOTAL REC'D \$ 125.00

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES 47126 R12578-19 \$  
0408 OTHER: (IDENTIFY) Reimbursement Authority \$ 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)		\$
TC-162	DEPOSIT LIAB. (IDENTIFY)		\$
0240	EXTENSION OF TIME		\$

**WATER RIGHTS:**

		<b>EXAM FEE</b>		<b>RECORD FEE</b>
0201	SURFACE WATER	\$	0202	\$
0203	GROUND WATER	\$	0204	\$
0205	TRANSFER	\$		

**WELL CONSTRUCTION**

		<b>EXAM FEE</b>		<b>LICENSE FEE</b>
0218	WELL DRILL CONSTRUCTOR	\$	0219	\$
	LANDOWNER'S PERMIT		0220	\$

OTHER (IDENTIFY) \_\_\_\_\_

**0536 TREASURY 0437 WELL CONST. START FEE**

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

OTHER (IDENTIFY) \_\_\_\_\_

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

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

**TREASURY OTHER / RDX**

FUND \_\_\_\_\_ TITLE \_\_\_\_\_

OBJ. CODE \_\_\_\_\_ VENDOR # \_\_\_\_\_

DESCRIPTION \_\_\_\_\_ \$ \_\_\_\_\_

RECEIPT: **127314**

DATED: 7/16/15 BY: C. H. H. H. H.

STATE OF OREGON  
**WATER RESOURCES DEPARTMENT**

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

RECEIPT # **127771**

INVOICE # \_\_\_\_\_

RECEIVED FROM: Norman N. McDougall  
 BY: \_\_\_\_\_

APPLICATION	
PERMIT	
TRANSFER	<u>T-10377</u>

CASH:  CHECK: # 13239 OTHER: (IDENTIFY)

TOTAL REC'D \$ 842.00

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES 47126 \$  
0408 OTHER: (IDENTIFY) Reimbursement Authority \$ 842.00  
*R12578-19*

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

**4270 WRD OPERATING ACCT**

**MISCELLANEOUS**

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

**WATER RIGHTS:**

0201	SURFACE WATER	\$	0202	\$
0203	GROUND WATER	\$	0204	\$
0205	TRANSFER	\$		

**WELL CONSTRUCTION**

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

OTHER (IDENTIFY) \_\_\_\_\_

**0536 TREASURY 0437 WELL CONST. START FEE**

0211	WELL CONST START FEE	\$	CARD #	
0210	MONITORING WELLS	\$	CARD #	
	OTHER (IDENTIFY) _____			

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

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

**TREASURY OTHER / RDX**

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

RECEIPT: **127771**

DATED: 8-23-18 BY: Kilundi

**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A  
SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **87382**

INVOICE # \_\_\_\_\_

RECEIVED FROM: The McDougal  
BY: Foundation, Inc

APPLICATION	
PERMIT	
TRANSFER	<u>T-10374</u>

CASH:  CHECK:# 1565 OTHER: (IDENTIFY)

TOTAL REC'D \$ 700.00

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES \$ \_\_\_\_\_  
OTHER: (IDENTIFY) \$ \_\_\_\_\_  
0243 I/S Lease \_\_\_\_\_ 0244 Muni Water Mgmt. Plan \_\_\_\_\_ 0245 Cons. Water \_\_\_\_\_

**4270 WRD OPERATING ACCT**

**MISCELLANEOUS**

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

**WATER RIGHTS:**

0201 SURFACE WATER	\$ _____	0202	RECORD FEE	\$ _____
0203 GROUND WATER	\$ _____	0204		\$ _____
0205 TRANSFER	\$ <u>700.00</u>			

**WELL CONSTRUCTION**

0218 WELL DRILL CONSTRUCTOR	\$ _____	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: **87382**

DATED: 5/2/07 BY: [Signature]



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-10377

Review Due Date: 12-14-2007

Applicant Name: Norm McDougal

Proposed Changes:  POU  POD  POA  USE  OTHER

Reviewer(s): Mjm

Date of Review: \_\_\_\_\_

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: \_\_\_\_\_
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: \_\_\_\_\_
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: \_\_\_\_\_
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:

<b>Measurement Devices</b>	<input type="checkbox"/> Present and should be maintained.	<input type="checkbox"/> Should be required prior to diverting water.	<input checked="" type="checkbox"/> May be required in the future.
<b>Headgates</b>	<input type="checkbox"/> Present and should be maintained.	<input type="checkbox"/> Should be required prior to diverting water.	<input checked="" type="checkbox"/> May be required in the future.



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

*Review received  
8/22/07*

Transfer Application: T-10377

Review Due Date: 6-05-07 - revised 8/22/07

Applicant Name: Norman McDougal

Proposed Changes:  POU  POD  POA  USE  OTHER

Reviewer(s): M. Mattick

Date of Review: \_\_\_\_\_

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: \_\_\_\_\_
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: \_\_\_\_\_
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: \_\_\_\_\_
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: Though the new POU is about 3 miles upstream, I guess that is OK
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:

<b>Measurement Devices</b>	<input type="checkbox"/> Present and should be maintained.	<input type="checkbox"/> Should be required prior to diverting water.	<input checked="" type="checkbox"/> May be required in the future.
<b>Headgates</b>	<input type="checkbox"/> Present and should be maintained.	<input type="checkbox"/> Should be required prior to diverting water.	<input checked="" type="checkbox"/> May be required in the future.



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

*Superseded by  
Revised Review  
received 8/22/07*

Transfer Application: T-10377

Review Due Date: 6-5-07

Applicant Name: Norman McDougal

Proposed Changes:  POU  POD  POA  USE  OTHER

Reviewer(s): M. Mattick

Date of Review: Jun. 5, 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: Instream right nearly always met, few junior rights, no calls for distribution.
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: This is not exactly apropos but none of the water used at the current site will be available at the proposed site because to get to the proposed POD the water would have to flow down to a larger tributary, then UP that larger tributary to get to the proposed POD. There fore all of this water is lost to the new POD.
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: At its current POD, there are no water rights upstream to regulate, one right with the same priority shares the POD; at the new POD there are many rights upstream.
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: \_\_\_\_\_

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: To reiterate, this transfer is to take a water right whose source is an unnamed tributary to the Middle Fork of the Willamette and move the POD and POU to the Middle Fork Willamette itself at a location higher up the basin than the mouth of the unnamed trib. Can we allow that? Though I do not foresee any particular injury nor increase in regulation, it seems to me that this is a different source.
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:

<b>Measurement Devices</b>	<input type="checkbox"/> Present and should be maintained.	<input type="checkbox"/> Should be required prior to diverting water.	<input checked="" type="checkbox"/> May be required in the future.
<b>Headgates</b>	<input type="checkbox"/> Present and should be maintained.	<input type="checkbox"/> Should be required prior to diverting water.	<input checked="" type="checkbox"/> May be required in the future.

## Dorothy Pedersen

---

**From:** Dorothy Pedersen  
**Sent:** Wednesday, August 22, 2007 11:54 AM  
**To:** 'Michael J. Mattick'  
**Subject:** T-10377 Evaluation of source

Hi Michael,

Have you had a chance to evaluate whether the "unnamed tributary" authorized source for the T-10377 right (Certificate 32562) is indeed a channel of the Middle Fork Willamette River as Mike Evans asserts, rather than a separate tributary, as had been assumed?

Let me know whether you stand by your original watermaster review, or wish to revise your conclusions.

Thank you,  
Dorothy

Dorothy I. Pedersen  
Field Services Division  
Oregon Water Resources Department  
Dorothy.I.PEDERSEN@wrd.state.or.us  
503-986-0890

LAND PLANNING CONSULTANTS  
1071 HARLOW ROAD  
SPRINGFIELD OR 97477

Phone 541-726-8523

July 2, 2007

Dorothy I. Pedersen  
Field Services Division  
Oregon Water Resources Department  
North Mall Office Building  
725 Summer Street N.E., Ste A  
Salem, OR 97301-1266

**RECEIVED**  
JUL 03 2007  
WATER RESOURCES DEPT  
SALEM, OREGON

RE: Application T-10377

Dear Ms. Pedersen,

This letter responds to your June 29, 2007 preliminary determination for the requested transfer. This preliminary determination is for denial based on OAR 690-380-2110(2) that states any request for a change in point of diversion is restricted to the same source.

I believe findings assume that the existing diversion point is from an unnamed independent tributary to the Middle Fork of the Willamette River. Actually the stream is a side channel of the Middle Fork that flows from the river approximately 1300 feet South of the point of diversion, and then extends North and Southwest approximately 9300 feet where it reenters the river. The attached assessors map shows the approximate stream location which was previously the main channel as evidenced by the original channel meander lines. I've also included a 2004 aerial photo showing the Middle Fork of the Willamette River and the subject side channel.

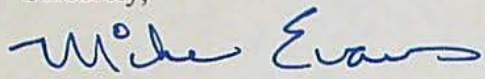
The map issued with the certificate of water right shows the subject water source as a stream flowing from the Middle Fork of the Willamette River. The map includes the following note, "stream in bed of Middle Fork of Willamette River as located by Government survey".

I believe this additional information shows the source of water for the existing water right and diversion point is the Middle Fork of the Willamette River. The proposed diversion point and water source is also the Middle Fork of the Willamette River at an upstream location. I request that you reconsider your preliminary determination on this basis.

I have asked the water rights examiner to prepare a revised map as requested in your letter and have ordered a title report. I will forward these items as soon as possible.

Thank you for your attention and please feel free to contact me if I may provide additional information.

Sincerely,

A handwritten signature in blue ink that reads "Mike Evans". The signature is written in a cursive style with a large, stylized "M" and "E".

Mike Evans

**Dorothy Pedersen**

**From:** Geri Betz [landplancon@comcast.net]  
**Sent:** Monday, October 01, 2007 11:09 AM  
**To:** Dorothy Pedersen  
**Subject:** Water Rights T-10377

Dorothy,

Thank you for your email letter of 10-01-07 and draft preliminary determination regarding transfer application T-10377.

As you requested, I will clarify the intent of the transfer request.

Certificate 32562 includes two water usages: 0.04 CFS for manufacturing and 0.79 CFS for irrigation of 62.9 acres. Both use the same point of diversion. Certificate No. 30580 also uses the same point of diversion.

Therefore, we are requesting the new point of diversion for only the 0.79 CFS portion of Certificate 32562 that will be transferred to the new location. We want to retain the existing point of diversion for the 0.04 CFS portion of 32562 used for manufacturing and for all of the 0.74 CFS authorized by Certificate 30580.

The following comments regarding the draft preliminary determination are offered:

✓ Section 2 - The source listed on the Certificate is "an unnamed stream, a tributary of the Middle Fork of the Willamette River", not a tributary to the river.

Section 3 - Survey coordinates are given from the NW corner of DLC 59 - not DLC 594.

Based upon this clarification I believe the following revisions would be needed for the final order that are listed beginning on Page 3:

2. The entire Certificate 32562 would not be cancelled but would be retained for the 0.04 CFS that will continue for the manufacturing use. *(Explained that certificate will be cancelled, but remaining right certificate will be issued for the manufacturing use.)*
5. The former place of use for manufacturing as listed on the Certificate is not part of the transfer and will continue to receive water. *(under the remaining right)*

I will give you a call in the next day or two to make certain I answered your question adequately, or please feel free to call me at 541-726-8523. Thank you for the opportunity to comment.

Mike Evans

## Dorothy Pedersen

---

**From:** Michael Mattick  
**Sent:** Wednesday, August 22, 2007 2:54 PM  
**To:** Dorothy Pedersen  
**Subject:** RE: T-10377 Evaluation of source

**Attachments:** T-10377 Revised.doc



T-10377  
Revised.doc (85 KB)

Hi Dorothy,

I will revise my review and attach it to this.

I am OK with this transfer. It is the same source. It is a small channel of the Middle Fork that winds around past the old POD.

I have been sitting on this because I need to do something with the other information I found too and I wasn't ready to but now is as good a time.

While looking for this "stream's" inlet, I found two running wells that seem to be industrial in nature, and I presume they are supplying water to the remaining lands associated with this right and the adjacent industrial uses which all have SW PODs at the same old POD where this right is from and where there are now none.

Anyway, that really has nothing to do with this transfer so I will give the Go Ahead.

Sorry to make you bug me.

Thanks,

MM

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

-----Original Message-----

**From:** Dorothy Pedersen [mailto:[pedersdi@wrd.state.or.us](mailto:pedersdi@wrd.state.or.us)]  
**Sent:** Wednesday, August 22, 2007 11:54 AM  
**To:** Michael J. Mattick  
**Subject:** T-10377 Evaluation of source

Hi Michael,

Have you had a chance to evaluate whether the "unnamed tributary" authorized source for the T-10377 right (Certificate 32562) is indeed a channel of the Middle Fork Willamette River as Mike Evans asserts, rather than a separate tributary, as had been assumed?

Let me know whether you stand by your original watermaster review, or wish to revise your conclusions.

Thank you,  
Dorothy

Dorothy I. Pedersen  
Field Services Division

## Dorothy Pedersen

---

**From:** Michael Mattick  
**Sent:** Friday, December 14, 2007 10:24 AM  
**To:** Dorothy Pedersen  
**Subject:** T-10377 Injury Review  
**Attachments:** ~\$10377 Revised.doc

Hi Dorothy,

Ken Dowden tells me I didn't complete the injury review for this file so here goes:

There is an IWR on the Middle Fork;  
I have never regulated for them;  
In IWR will not be injured by this change in POD/POD;

The new POD will be upstream of other existing appropriative water rights;  
The change will not injure those rights.

Attached is a new review form, T-10377 Revised, dated 12-14-2007 that should address everything.

Thanks,  
MM

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

# RA Mailing List for Certificate

Scheduled Mailing Date:

Application: T-10377

Certificates: 94247 (cf-32562)

Transfer Holders:

~~NORMAN MCDUGAL~~  
PO BOX 518  
CRESWELL, OR 97426

Copies Mailed	
by:	<u>KLK</u> (STAFF)
on:	<u>2-12-2019</u> (DATE)

Copies of Final Certificate to be sent to:

- ~~1.~~ Watermaster District 11 (include copy of map)
- ~~2.~~ Water Availability
- ~~3.~~ Vault
- ~~4.~~ File

Other persons to receive copies: (include map):

- ~~1.~~ Steven Recca, CWRE, EGR and Associates Inc., 2535B Prairie Rd, Eugene OR 97402
- ~~2.~~ Mike Evans, Land Planning Consultants, 475 Oakdale Avenue, Springfield OR 97477

## Landowners

- ~~1.~~ Map/Tax Lot No. 18-02-25-00-300  
Douglas R. Henton, 34047 Hampton Rd, Eugene, OR 97405
- ~~2.~~ Map/Tax Lot No. 18-02-25-00-303  
Douglas R. Henton & Sandra N. Henton, PO Box 2120, Jasper, OR 97438
- ~~3.~~ Map/Tax Lot No. 18-02-25-00-304  
McDougal Foundation Inc., PO Box 518, Creswell, OR 97426 *> same as cert holder*
- ~~4.~~ Map/Tax Lot No. 18-02-25-00-305  
Daniel Fischer, 37358 Jasper Lowell Rd, Jasper, OR 97438
- ~~5.~~ Map/Tax Lot No. 18-02-25-00-306  
Douglas R. Henton, PO Box 2120, Jasper, OR 97438
- ~~6.~~ Map/Tax Lot No. 18-02-25-00-901  
Kelli J. Fischer, 37356 Jasper Lowell Rd, Jasper, OR 97438

## Record Marking(s):

1. Original Application# S-32248
2. Old Certificate# 32562



**Oregon**  
Kate Brown, Governor

**Water Resources Department**  
725 Summer St NE, Suite A  
Salem, OR 97301  
(503) 986-0900  
Fax (503) 986-0904

**Date Mailed: February 12, 2019**

## **NOTICE OF CERTIFICATE ISSUANCE**

Attached is a certificate that confirms the water rights established under the terms of a transfer order issued by this Department.

This certificate is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and 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.

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 Kerry Kavanagh at 503-986-0927.

STATE OF OREGON

COUNTY OF LANE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

NORMAN MCDOUGAL  
 PO BOX 518  
 CRESWELL OR 97426

confirms the right to the use of water perfected under the terms of Permit S-25439. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point(s) of diversion from the source. The specific limits and conditions of the use are listed below.

SOURCE OF WATER: AN UNNAMED STREAM, A TRIBUTARY OF MIDDLE FORK WILLAMETTE RIVER  
 (WILLIMATTE RIVER)

PURPOSE OR USE: IRRIGATION OF 62.741 ACRES

MAXIMUM RATE: 0.7843 CUBIC FOOT PER SECOND

DATE OF PRIORITY: APRIL 9, 1958

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
18 S	2 W	WM	25	SW NW	8	2350 FEET SOUTH AND 1820 FEET WEST FROM N1/4 CORNER, SECTION 25

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

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
18 S	2 W	WM	25	SW NE			0.0496
18 S	2 W	WM	25	NE NW	1		1.3383
18 S	2 W	WM	25	NW NW	1, 9	52	11.4199
18 S	2 W	WM	25	SW NW	2, 8	52	18.1102
18 S	2 W	WM	25	SE NW	2, 8	52	23.0270
18 S	2 W	WM	25	NE SW	7		4.2591
18 S	2 W	WM	25	NW SE	3		4.5369

**NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW**

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and 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.

When required by the Department, the water user shall install, maintain and operate an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

When required by the Department, the water user shall install, maintain and operate a headgate to control and regulate the quantity of water diverted. The type and plans of the headgate must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

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

The quantity of water diverted at the new point of diversion shall not exceed the quantity of water lawfully available at the original point of diversion described as follows:

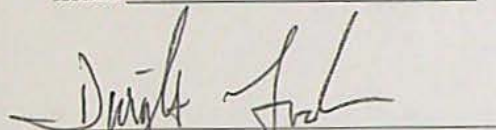
Twp	Rng	Mer	Sec	Q-Q	GLot	Survey Coordinates
18 S	2 W	WM	10	NW SW	2	1008 FEET SOUTH AND 50 FEET WEST FROM NW CORNER OF DLC 39

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

This certificate is issued to confirm changes in POINT OF DIVERSION and PLACE OF USE approved by an order of the Water Resources Director entered DECEMBER 20, 2007, at Special Order Volume 73, Page 821, approving Transfer Application 10377, and together with Certificate 83599, supersedes Certificate 32562, State record of Water Right Certificates.

**FEB 12 2019**

Issued \_\_\_\_\_



Dwight French  
Water Right Services Division Administrator, for  
Thomas M. Byler, Director  
Oregon Water Resources Department

COBU 1194 2 of 2

THIS MAP IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

Claim Map for T-10377, Township 18 S Range 2 W Section 25  
Lane County Tax Lots 18-02-25-00-300, 303, 304, 305, 306, & 901

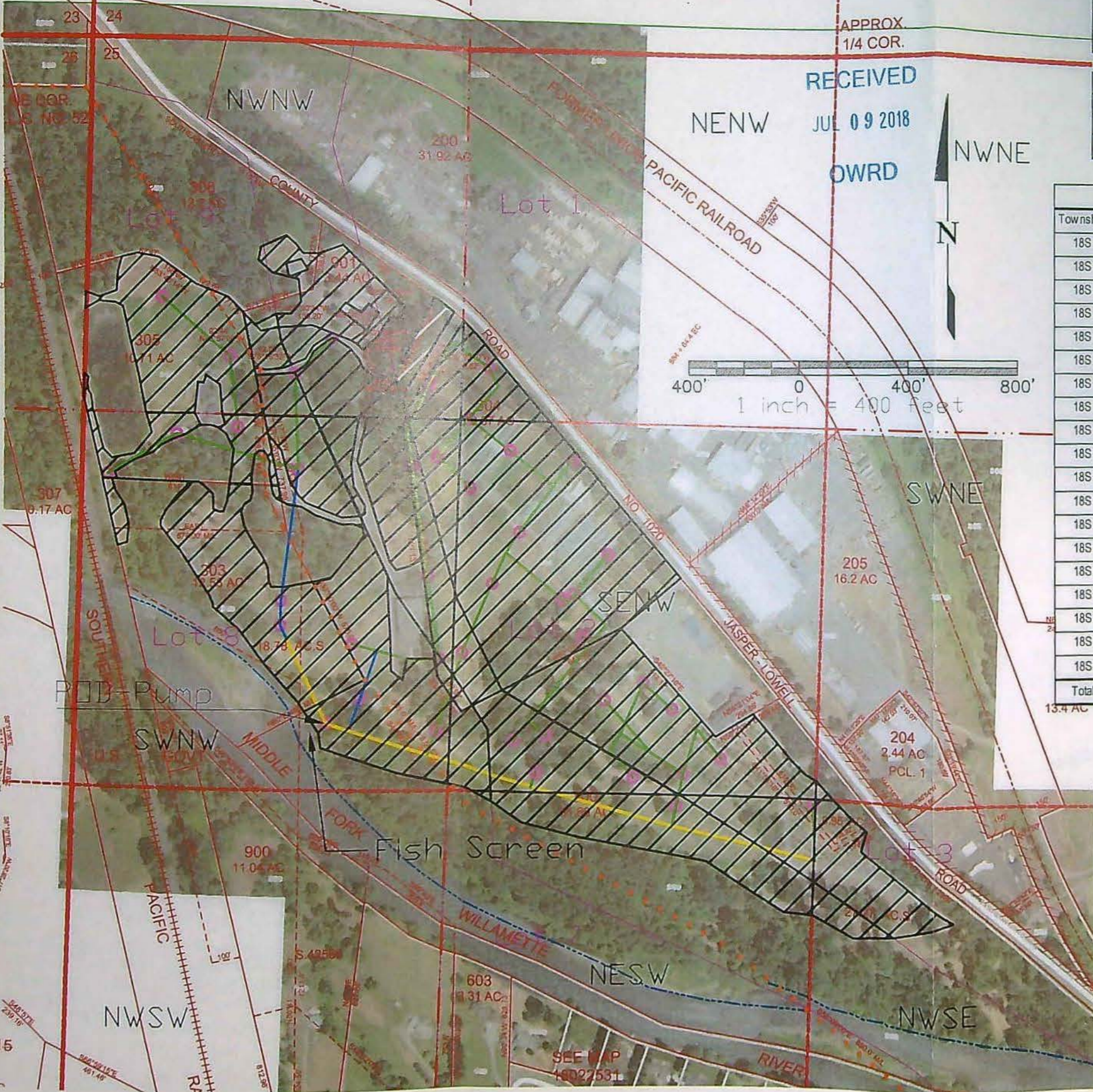
From Lands						
Township	Range	Section	1/4	1/4 1/4	Glott	Acerage
18S	2W	10	NE	SW		14.20
18S	2W	10	SE	NE		8.20
18S	2W	10	SE	NW		34.50
18S	2W	10	SE	SW		4.80
18S	2W	10	SE	SE		1.20
Total						62.90

From Lands Point of Diversion						
Township	Range	Section	1/4	1/4 1/4	Glott	
18S	2W	10	SW	NW	2	
1008 Feet S and 50 feet W of the NW corner of DLC 39						

To Lands by 1/4 1/4, Glott, and DLC							
Township	Range	Section	1/4	1/4 1/4	Glott	DLC	Acerage
18S	2W	25	NE	SW	3	-	0.0496
18S	2W	25	NW	NE	1	-	1.3383
18S	2W	25	NW	NW	1	-	1.6904
18S	2W	25	NW	NW	9	52	4.6410
18S	2W	25	NW	NW	9	-	2.9691
18S	2W	25	NW	NW	-	-	2.1194
18S	2W	25	NW	SE	2	-	18.1559
18S	2W	25	NW	SE	8	52	0.0014
18S	2W	25	NW	SE	8	-	1.0342
18S	2W	25	NW	SE	-	-	3.8355
18S	2W	25	NW	SW	2	-	1.2778
18S	2W	25	NW	SW	8	52	7.2746
18S	2W	25	NW	SW	8	-	8.2485
18S	2W	25	NW	SW	-	-	1.2659
18S	2W	25	NW	SW	-	52	0.0434
18S	2W	25	SE	NW	3	-	3.9937
18S	2W	25	SE	NW	-	-	0.5432
18S	2W	25	SW	NE	7	-	0.0279
18S	2W	25	SW	NE	-	-	4.2312
Total							62.7409

To Lands by 1/4 1/4, Glott, DLC, and Tax Lot										
Township	Range	Section	1/4	1/4 1/4	Tax Lot	Glott	Square Ft	Acerage	DLC	
18S	2W	25	NW	NW	306	9	1280.6416	0.0294		
18S	2W	25	NW	NW	901	-	72062.1405	1.6543		
18S	2W	25	NW	NW	306	-	20099.4252	0.4614		
18S	2W	25	NW	NW	901	9	2692.8438	0.0618		
18S	2W	25	NW	NW	901	1	10662.4252	0.2448		
18S	2W	25	NW	NW	304	1	34953.9261	0.8024		
18S	2W	25	NW	NE	304	1	58294.2438	1.3383		
18S	2W	25	NW	NW	300	-	157.7431	0.0036		
18S	2W	25	NW	SW	305	8	57104.0947	1.3109		
18S	2W	25	NW	SW	305		1890.7830	0.0434	52	
18S	2W	25	NW	SW	300	8	199929.7547	4.5898		
18S	2W	25	NW	SW	300	8	81917.7040	1.8806	52	
18S	2W	25	NW	SW	300	8	96510.0492	2.2156		
18S	2W	25	NW	SW	304	2	55660.3644	1.2778		
18S	2W	25	NW	SE	304	2	495966.3671	11.3858		
18S	2W	25	NW	SW	303	8	234963.4030	5.3940	52	
18S	2W	25	NW	SW	303	8	1133.8616	0.0260		
18S	2W	25	NW	SW	304	-	55144.5163	1.2659		
18S	2W	25	NW	SE	304	-	33625.4422	0.7719		
18S	2W	25	NW	SW	304	8	4627.4944	0.1062		
18S	2W	25	NW	SE	304	8	4600.3288	0.1056		
18S	2W	25	NW	SE	300	8	40447.4852	0.9285		
18S	2W	25	NW	SE	300	8	60.0651	0.0014	52	
18S	2W	25	NW	SE	300	-	133448.7723	3.0636		
18S	2W	25	NW	SE	300	2	294903.0401	6.7700		
18S	2W	25	SW	NE	300	7	1214.1426	0.0279		
18S	2W	25	SW	NE	300	-	184309.0067	4.2312		
18S	2W	25	SE	NW	300	3	71320.5295	1.6373		
18S	2W	25	NE	SW	300	3	2162.3694	0.0496		
18S	2W	25	SE	NW	300	3	102646.4909	2.3564		
18S	2W	25	NW	NW	305	9	4154.7875	0.0954		
18S	2W	25	NW	NW	305	9	199297.0082	4.5752	52	
18S	2W	25	NW	NW	300	9	121205.3059	2.7825		
18S	2W	25	NW	NW	300	9	2866.2253	0.0658	52	
18S	2W	25	NW	NW	300	1	28018.0692	0.6432		
18S	2W	25	SE	NW	300	-	23663.7164	0.5432		
Total								62.7409		

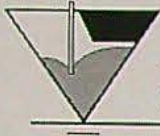
To Lands Point of Diversion							
Township	Range	Section	1/4	1/4 1/4	Tax Lot	Glott	DLC
18S	2W	25	NW	SW	300	8	
2350 Feet S and 1820 Feet W from the N 1/4 Corner of section 25							



Lot 1 Government Lots From 1855 Map

Certified Water Right Examiner  
 76773WRE  
  
 Steven I Recca  
 June 29, 2007  
 STATE OF OREGON

EXPIRATION DATE: 12/31/18



# EGR & Associates, Inc.

Engineers, Geologists and Surveyors

2535B Prairie Road  
Eugene, Oregon 97402

(514) 688-8322  
Fax (541) 688-8087

## LETTER OF TRANSMITTAL

DATE: 1/25/19	JOB NO: T-10377
ATTENTION: Kerry Kavanagh	
Revised Claim Map For T-10377	
<p><b>RECEIVED</b></p> <p><b>JAN 28 2019</b></p> <p><b>OWRD</b></p>	

TO: Oregon Water Resources Department  
Attn: Kerry Kavanagh  
725 Summer St NE, Suite A  
Salem, OR 97301

WE ARE SENDING YOU:

- Drawings       Report       Letter       Copy of Letter       Plans  
 Specifications       Change Order       \_\_\_\_\_

- VIA:  Fax Transmittal       Postal Service       Express Courier       Hand Deliver       \_\_\_\_\_

NO.	COPIES	DATE	DESCRIPTION
1	1	1/25/19	Revised Claim Map For T-10377

THESE ARE TRANSMITTED AS CHECKED BELOW:

- As Requested       For Your Use       For Approval       For Review and Comment       Returned For Corrections  
 Approved as Noted       Approved as Submitted       Return Corrected Prints       Resubmit for Approval       \_\_\_\_\_

REMARKS:

COPY TO :

SIGNED: M. Recca

THIS MAP IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

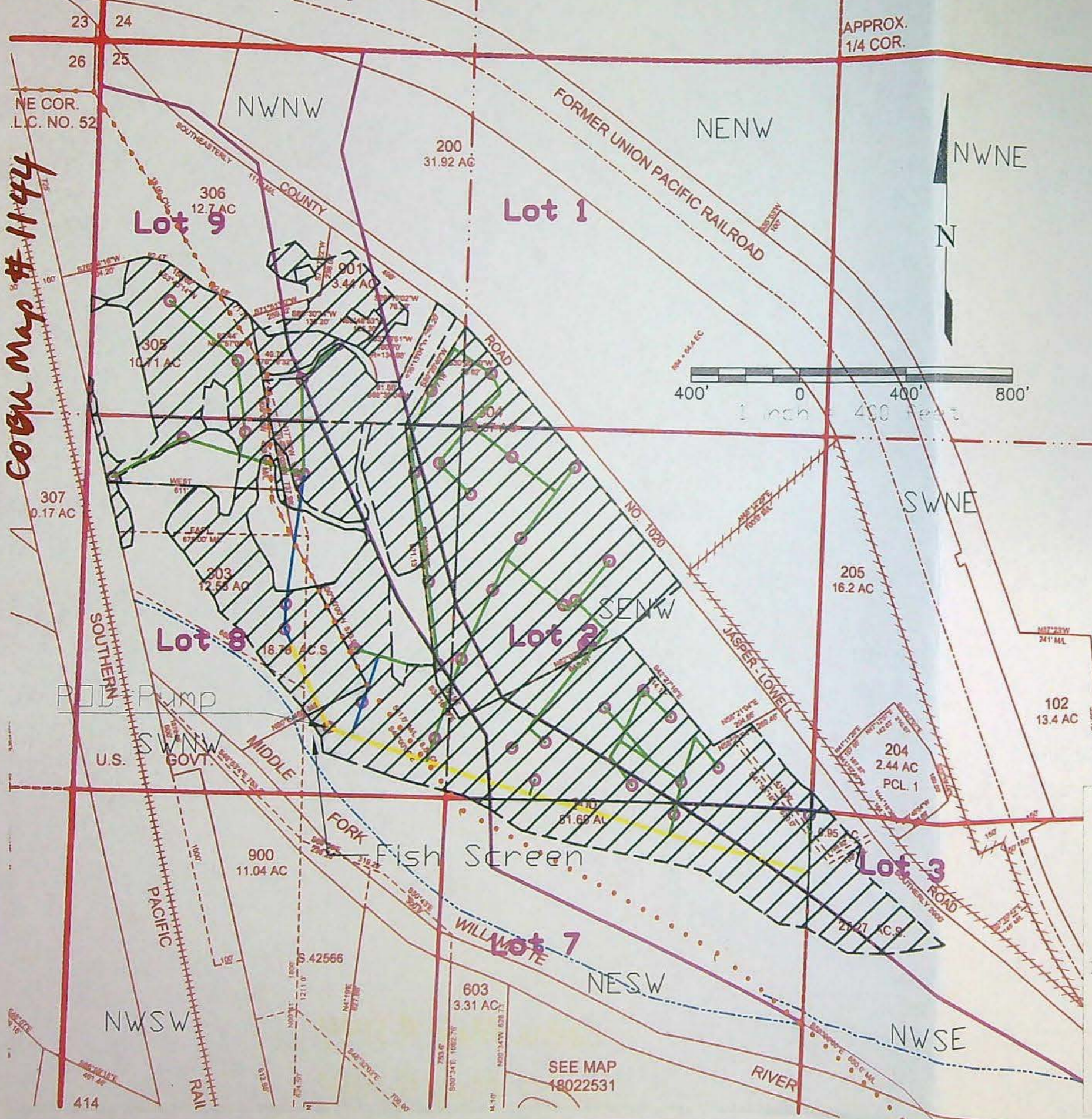
Claim Map for T-10377, Township 18 S Range 2 W Section 25  
 Lane County Tax Lots 18-02-25-00-300, 303, 304, 305, 306 & 901

Original Point of Diversion						
Township	Range	Section	1/4	1/4 1/4	Glott	DLC
18S	2W	10	SW	NW	2	NA
1008 Feet S and 50 feet W of the NW corner of DLC 39						

Point of Diversion						
Township	Range	Section	1/4	1/4 1/4	Glott	DLC
18S	2W	25	NW	SW	8	NA
2350 Feet S and 1820 Feet W from the N 1/4 Corner of section 25						

Irrigation by 1/4 1/4, Glott, and DLC							
Township	Range	Section	1/4	1/4 1/4	Glott	DLC	Acerage
18S	2W	25	NE	SW	3	-	0.0496
18S	2W	25	NW	NE	1	-	1.3383
18S	2W	25	NW	NW	1	-	1.6904
18S	2W	25	NW	NW	9	52	4.6410
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18S	2W	25	NW	SE	-	-	3.8355
18S	2W	25	SW	NE	7	-	0.0279
18S	2W	25	SW	NE	-	-	4.2312
18S	2W	25	SE	NW	3	-	3.9937
18S	2W	25	SE	NW	-	-	0.5432
Total							62.741

COBU Map # 1144



RECEIVED  
 JAN 28 2019  
 OWRD

+ Tax Lot Boundaries  
+ Section Lines  
+ Quarter Lines  
+ Quarter Lines

— Bundled 6 Irrigation Line  
— Bundled 4 Irrigation Line  
— Bundled 3 Irrigation Line

Irrigated Areas

+ Section Lines  
+ Quarter Lines  
+ Quarter Lines

• Irrigation Risers

Lot 1

Government Lots From 1855 Map

Certified Water Right Examiner  
 76773WRE  
*Steven I. Recca*  
 Steven I Recca  
 June 29, 2007  
 STATE OF OREGON

COBU Map # 1144      EXPIRATION DATE: 12/31/20

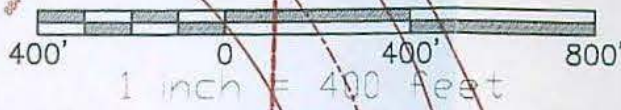
COBU 1144 2 of 2

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Claim Map for T-10377, Township 18 S Range 2 W Section 25  
 Lane County Tax Lots 18-02-25-00-300, 303, 304, 305, 306, & 901



RECEIVED  
 JUL 09 2018  
 DWRD



From Lands						
Township	Range	Section	1/4	1/4 1/4	Glott	Acerage
18S	2W	10	NE	SW		14.20
18S	2W	10	SE	NE		8.20
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Total						62.90

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18S	2W	10	SW	NW	2	
1008 Feet S and 50 feet W of the NW corner of DLC 39						

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18S	2W	25	NW	NE	1	-	1.3383
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18S	2W	25	NW	NW	9	52	4.6410
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18S	2W	25	NW	NW	-	-	2.1194
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18S	2W	25	NW	SE	8	52	0.0014
18S	2W	25	NW	SE	8	-	1.0342
18S	2W	25	NW	SE	-	-	3.8355
18S	2W	25	NW	SW	2	-	1.2778
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18S	2W	25	NW	SW	8	-	8.2485
18S	2W	25	NW	SW	-	-	1.2659
18S	2W	25	NW	SW	-	52	0.0434
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18S	2W	25	SE	NW	-	-	0.5432
18S	2W	25	SW	NE	7	-	0.0279
18S	2W	25	SW	NE	-	-	4.2312
Total							62.7409

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18S	2W	25	NW	NW	306	-	20099.4252	0.4614		
18S	2W	25	NW	NW	901	9	2692.8438	0.0618		
18S	2W	25	NW	NW	901	1	10662.4252	0.2448		
18S	2W	25	NW	NW	304	1	34953.9261	0.8024		
18S	2W	25	NW	NE	304	1	58294.2438	1.3383		
18S	2W	25	NW	NW	300	-	157.7431	0.0036		
18S	2W	25	NW	SW	305	8	57104.0947	1.3109		
18S	2W	25	NW	SW	305	-	1890.7830	0.0434	52	
18S	2W	25	NW	SW	300	8	199929.7547	4.5898		
18S	2W	25	NW	SW	300	8	81917.7040	1.8806	52	
18S	2W	25	NW	SW	300	8	96510.0492	2.2156		
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18S	2W	25	NW	SW	303	8	234963.4030	5.3940	52	
18S	2W	25	NW	SW	303	8	1133.8616	0.0260		
18S	2W	25	NW	SW	304	-	55144.5163	1.2659		
18S	2W	25	NW	SE	304	-	33625.4422	0.7719		
18S	2W	25	NW	SW	304	8	4627.4944	0.1062		
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18S	2W	25	SW	NE	300	-	184309.0067	4.2312		
18S	2W	25	SE	NW	300	3	71320.5295	1.6373		
18S	2W	25	NE	SW	300	3	2162.3694	0.0496		
18S	2W	25	SE	NW	300	3	102646.4909	2.3564		
18S	2W	25	NW	NW	305	9	4154.7875	0.0954		
18S	2W	25	NW	NW	305	9	199297.0082	4.5752	52	
18S	2W	25	NW	NW	300	9	121205.3059	2.7825		
18S	2W	25	NW	NW	300	9	2866.2253	0.0658	52	
18S	2W	25	NW	NW	300	1	28018.0692	0.6432		
18S	2W	25	SE	NW	300	-	23663.7164	0.5432		
Total										62.7409

To Lands Point of Diversion							
Township	Range	Section	1/4	1/4 1/4	Tax Lot	Glott	DLC
18S	2W	25	NW	SW	300	8	
2350 Feet S and 1820 Feet W from the N 1/4 Corner of section 25							

Certified Water Right Examiner  
 76773WRE  
 Steven I Recca  
 June 29, 2007  
 STATE OF OREGON

EXPIRATION DATE: 12/31/18

THIS MAP IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

Claim Map for T-10377, Township 18 S Range 2 W Section 25  
 Lane County Tax Lots 18-02-25-00-300, 303, 304, 305, 306, & 901



From Lands						
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18S	2W	10	NE	SW		14.20
18S	2W	10	SE	NE		8.20
18S	2W	10	SE	NW		34.50
18S	2W	10	SE	SW		4.80
18S	2W	10	SE	SE		1.20
Total						62.90

From Lands Point of Diversion						
Township	Range	Section	1/4	1/4 1/4	Glol	
18S	2W	10	SW	NW	2	

1008 Feet S and 50 feet W of the NW corner of DLC 39

To Lands by 1/4 1/4, Glot, and DLC								
Township	Range	Section	1/4	1/4 1/4	Glol	DLC	Acerage	
18S	2W	25	NE	SW	3	-	0.0496	
18S	2W	25	NW	NE	1	-	1.3383	
18S	2W	25	NW	NW	1	-	1.6904	
18S	2W	25	NW	NW	9	52	4.6410	
18S	2W	25	NW	NW	9	-	2.9691	
18S	2W	25	NW	NW	-	-	2.1194	
18S	2W	25	NW	SE	2	-	18.1559	
18S	2W	25	NW	SE	8	52	0.0014	
18S	2W	25	NW	SE	8	-	1.0342	
18S	2W	25	NW	SE	-	-	3.8355	
18S	2W	25	NW	SW	2	-	1.2778	
18S	2W	25	NW	SW	8	52	7.2746	
18S	2W	25	NW	SW	8	-	8.2485	
18S	2W	25	NW	SW	-	-	1.2659	
18S	2W	25	NW	SW	-	52	0.0434	
18S	2W	25	SE	NW	3	-	3.9937	
18S	2W	25	SE	NW	-	-	0.5432	
18S	2W	25	SW	NE	7	-	0.0279	
18S	2W	25	SW	NE	-	-	4.2312	
Total							62.7409	

To Lands by 1/4 1/4, Glot, and Tax Lot										
Township	Range	Section	1/4	1/4 1/4	Tax Lot	Glol	Square Ft	Acerage	DLC	
18S	2W	25	NW	NW	306	9	1280.6416	0.0294		
18S	2W	25	NW	NW	901	-	72062.1405	1.6543		
18S	2W	25	NW	NW	306	-	20099.4252	0.4614		
18S	2W	25	NW	NW	901	9	2692.8438	0.0618		
18S	2W	25	NW	NW	901	1	10662.4252	0.2448		
18S	2W	25	NW	NW	304	1	34953.9261	0.8024		
18S	2W	25	NW	NE	304	1	58294.2438	1.3383		
18S	2W	25	NW	NW	300	-	157.7431	0.0036		
18S	2W	25	NW	SW	305	8	57104.0947	1.3109		
18S	2W	25	NW	SW	305		1890.7830	0.0434	52	
18S	2W	25	NW	SW	300	8	199929.7547	4.5898		
18S	2W	25	NW	SW	300	8	81917.7040	1.8806	52	
18S	2W	25	NW	SW	300	8	96510.0492	2.2156		
18S	2W	25	NW	SW	304	2	55660.3644	1.2778		
18S	2W	25	NW	SE	304	2	495966.3671	11.3858		
18S	2W	25	NW	SW	303	8	234963.4030	5.3940	52	
18S	2W	25	NW	SW	303	8	1133.8616	0.0260		
18S	2W	25	NW	SW	304	-	55144.5163	1.2659		
18S	2W	25	NW	SE	304	-	33625.4422	0.7719		
18S	2W	25	NW	SW	304	8	4627.4944	0.1062		
18S	2W	25	NW	SE	304	8	4600.3288	0.1056		
18S	2W	25	NW	SE	300	8	40447.4852	0.9285		
18S	2W	25	NW	SE	300	8	60.0651	0.0014	52	
18S	2W	25	NW	SE	300	-	133448.7723	3.0636		
18S	2W	25	NW	SE	300	2	294903.0401	6.7700		
18S	2W	25	SW	NE	300	7	1214.1426	0.0279		
18S	2W	25	SW	NE	300	-	184309.0067	4.2312		
18S	2W	25	SE	NW	300	3	71320.5295	1.6373		
18S	2W	25	NE	SW	300	3	2162.3694	0.0496		
18S	2W	25	SE	NW	300	3	102646.4909	2.3564		
18S	2W	25	NW	NW	305	9	4154.7875	0.0954		
18S	2W	25	NW	NW	305	9	199297.0082	4.5752	52	
18S	2W	25	NW	NW	300	9	121205.3059	2.7825		
18S	2W	25	NW	NW	300	9	2866.2253	0.0658	52	
18S	2W	25	NW	NW	300	1	28018.0692	0.6432		
18S	2W	25	SE	NW	300	-	23663.7164	0.5432		
Total								62.7409		

To Lands Point of Diversion							
Township	Range	Section	1/4	1/4 1/4	Tax Lot	Glol	DLC
18S	2W	25	NW	SW	300	8	

2350 Feet S and 1820 Feet W from the N 1/4 Corner of section 25

# CLAIM OF BENEFICIAL USE for Transfer with Multiple Changes – Surface Water



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

A fee of \$200 must accompany this form for any Transfer final orders including a water right with a priority date of July 9, 1987, or later.

Example – A transfer involves 5 rights and one of the rights has a priority date of July 9, 1987, or later, the fee is required.

Claims received without the correct fee of \$200 will be returned.

A separate form shall be completed for each transfer.

This form is subject to revision. **Begin each new claim** by checking for a new version of this form at: [http://www.oregon.gov/owrd/pages/wr/cwre\\_info.aspx](http://www.oregon.gov/owrd/pages/wr/cwre_info.aspx)

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 item must have a response.** If any requested information does not apply to the claim, insert "NA." **Do not delete or alter 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.

"Section 8" of this form is intended to aid in the completion of this form and should not be submitted.

A claim of beneficial use includes both this report and a map. If the map is being mailed separately from this form, please include a note with this form indicating such.

If you have questions regarding the completion of this form, please call 503-986-0900 and ask for the Certificate Section.

The Department has a program that allows it to enter into a voluntary agreement with an applicant for expedited services. Under such an agreement, the applicant pays the cost to hire additional staff that would not otherwise be available. This program means a certificate may be issued in about a month. For more information on this program see:

[http://www.oregon.gov/owrd/pages/mgmt\\_reimbursement\\_authority.aspx](http://www.oregon.gov/owrd/pages/mgmt_reimbursement_authority.aspx)

## SECTION 1 GENERAL INFORMATION

### Type of Authorized Change

This Claim is being submitted for a transfer involving multiple changes. **YES**

Mark all that apply:

1.  Change in POD(s) or Additional POD(s)
2.  Change in Place of Use
3.  Change in Character of Use

*A separate section will be completed for each type of change authorized in the transfer final order.*

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1. File Information

APPLICATION # <b>T-10377</b>
---------------------------------

2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME <b>Norman McDougal</b>		PHONE NO. <b>541-895-8788</b>	ADDITIONAL CONTACT NO. <b>NA</b>
ADDRESS <b>PO Box 518</b>			
CITY <b>Creswell</b>	STATE <b>OR</b>	ZIP <b>97426</b>	E-MAIL <b>NA</b>

If the current property owner is not the transfer holder of record, it is recommended that an assignment be filed with the Department. *Each transfer holder of record must sign this form.*

3. Transfer holder of record (this may, or may not, be the current property owner)

TRANSFER HOLDER OF RECORD <b>Norman McDougal</b>			
ADDRESS <b>PO Box 518</b>			
CITY <b>Creswell</b>	STATE <b>OR</b>	ZIP <b>97426</b>	

4. Date of Site Inspection:

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

NAME	DATE	ASSOCIATION WITH THE PROJECT
<b>Mike Evans</b>	<b>9/14/2017</b>	<b>Land Planning Consultant</b>

6. County:

7. If any property described in the place of use of the transfer final order is excluded from this report, identify the owner of record for that property (ORS 537.230(4)):

OWNER OF RECORD <b>NA</b>			
ADDRESS <b>NA</b>			
CITY <b>NA</b>	STATE <b>NA</b>	ZIP <b>NA</b>	

Add additional tables for owners of record as needed

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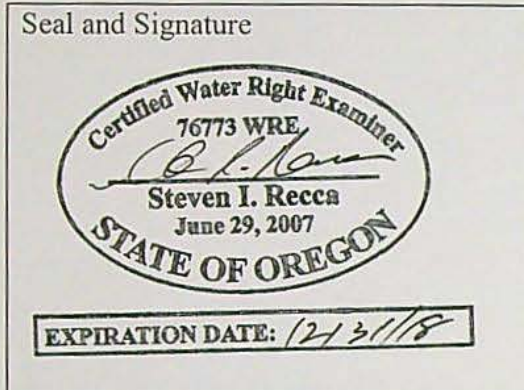
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**SECTION 2  
SIGNATURES**

CWRE Statement, Seal and Signature

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



CWRE NAME <b>Steven I. Recca</b>		PHONE NO. <b>541-688-8322</b>	ADDITIONAL CONTACT NO.	
ADDRESS <b>2535 B Prairie Road</b>				
CITY <b>Eugene</b>	STATE <b>OR</b>	ZIP <b>97402</b>	E-MAIL <b>steverecca@egrassoc.com</b>	

Transfer Holder of Record Signature or Acknowledgement

*Each transfer holder of record must sign this form in the space provided below.*

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.

SIGNATURE	PRINT OR TYPE NAME	TITLE	DATE
	<b>Norman McDougal</b>	<b>Applicant/Permit Holder of Record</b>	

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**SECTION 3  
Changes Made**

**Note: The Claim only needs to describe the changes that were authorized in the transfer final order.**

**Change #1**

**New or Additional Point of Diversion**

**Change in POD(s) or Additional POD(s)**

Did the transfer order authorize a change in the points of diversion or additional points of diversion? **YES**

*If "NO", this Section can be deleted.*

**1. New or additional point of diversion name or number:**

POINT OF DIVERSION (POD) NAME OR NUMBER (CORRESPOND TO MAP)	SOURCE
<b>Point of Diversion</b>	<b>Side Channel of the Middle Fork of Willamette River</b>

**2. Variations:**

Was the use developed differently from what was authorized by the transfer final order, or extension final? If yes, describe below. **NO**

*(e.g. "The order allowed three new/additional points of diversion. The water user only developed one of the points.")*

**3. Claim Summary:**

NEW OR ADDITIONAL POD NAME OR #	MAXIMUM RATE AUTHORIZED IN ORDER	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED
<b>Point of Diversion</b>	<b>0.79 cfs</b>	<b>0.93 cfs</b>	<b>0.82 cfs</b>

**System Description**

Are there multiple new or additional Points of Diversion (POD)s? **NO**

If "YES" you will need to copy and complete Sections A, B, or C in this Section for each POD.

POD Name or Number this section describes (only needed if there is more than one):

**A. POD System Information**

Provide the following information concerning the point of diversion. Information provided must describe the equipment used to appropriate water from the point of diversion.

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1. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Franklin Pump Systems	HC43 10 OCCP	09E04	Centrifugal	4	3

2. Motor Information

MANUFACTURER	HORSEPOWER
Baldor Reliance Industrial Motor	40 HP

3. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
40 HP	80	9 feet	73.5 feet including head losses in pipe	0.93 cfs

4. Provide pump calculations:

**Pump Capacity Calculation Sheet**  
using Department designed formula:

$(hp)(\text{efficiency}) / (\text{lift} + \text{psi head}) = \text{capacity in cfs}$

Efficiency:  
Centrifugal = 6.61  
Turbine = 7.04

---

**Data Entry (fill in underlined blanks)**

HP = 40  
Efficiency = 6.61  
Lift = 82.5 Includes head losses in pipe  
PSI = 80

**Results Calculated**

(hp)(efficiency) = 264.4  
Head based on psi = 203.2  
Total dynamic head = 285.7  
(head + lift)

Pump Capacity = 0.93 cubic feet per second  
415.477 gpm

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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 (IN CFS)
NA	NA	NA	NA

Reminder: For pump calculations use the reference information at the end of this document.

6. Additional notes or comments related to the system:

**B. Gravity Flow Pipe**

(THE DEPARTMENT TYPICALLY USES THE HAZEN-WILLIAM'S FORMULA FOR A GRAVITY FLOW PIPE SYSTEM)

1. Does the diversion involve a gravity flow pipe?

NO

**C. Gravity Flow Canal or Ditch**

(THE DEPARTMENT TYPICALLY USES MANNING'S FORMULA FOR CANALS AND DITCHES)

1. Does the diversion involve a gravity flow ditch or canal?

NO

**Change #2**

**Change in Place of Use**

Did the transfer order authorize a change in the place of use?

YES

*If "NO", this Section can be deleted.*

1. Claim Summary – Authorized Use:

If Irrigation or Nursery Use:

THE # OF ACRES ALLOWED	THE # OF ACRES DEVELOPED
62.90	62.74

2. Variations:

Was the use developed differently from what was authorized by the transfer final order?

NO

If yes, describe below.

*(e.g. "The order authorized a change in place of use for 40 acres. The water user only developed 38 acres.")*

NA

**Change #3**

**Change in Character of Use**

Did the transfer order authorize a change in character of use?

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NO

*If "NO", this Section can be deleted.*

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## SECTION 4 CONDITIONS

All conditions contained in the transfer final order, or any extension final order shall be addressed. Reports that do not address all performance related conditions will be returned.

### 1. Time Limits:

Describe how the water user has complied with each of the development timelines established in the transfer final order and any extensions of time issued for the transfer:

	DATE FROM TRANSFER	DATE THE NEW AND/OR ADDITIONAL POD(S) WERE READY FOR USE *THIS DATE MUST FALL BETWEEN THE "ISSUANCE DATE" AND THE "COMPLETENESS DATE"
ISSUANCE DATE	12/20/2007	
COMPLETENESS DATE FROM ORDER (C)	10/1/2009	6/1/2008

\* MUST BE WITHIN PERIOD BETWEEN TRANSFER FINAL ORDER, OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO COMPLETE THE CHANGE

### 2. Is there an extension final order(s)?

NO

If "NO", you may delete the following table. If for a transfer extension order, provide the following information:

### 3. Measurement Conditions:

a. Does the transfer final order, or any extension final order require the installation of a meter or other approved measuring device?

NO

If "NO", items 3b through 3f relating to this section may be deleted.

Reminder: 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.

### 4. Recording and reporting conditions

a. Is the water user required to report the water use to the Department?

NO

If "NO", item 4b relating to this section may be deleted.

### 5. Fish Screening

a. Are any points of diversion required to be screened to prevent fish from entering the point of diversion?

YES

If "NO", items 9b through 9e relating to this section may be deleted.

Reminder: If fish screening devices were required, the COBU map must indicate their location in relation to the point of diversion.

b. Has the fish screening been installed?

YES

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c. When was the fish screening installed?

DATE	BY WHOM
May 2008	McDougal Employee

**Reminder: If the permit or transfer final order was issued on or after February 1, 2011, the fish screen is required to be approved by the Oregon Department of Fish and Wildlife regardless of the rate of diversion.**

d. If the diversion involves a pump *and* the total diversion rate of all rights at the point of diversion is less than 225 gpm (0.5 cfs) and the permit was issued prior to February 1, 2011:

- Has the self-certification form previously been submitted to the Department? **NA**
- If not, go to <http://www.oregon.gov/owrd/Pages/pubs/forms.aspx> , complete and attach a copy of the self-certification form to this claim, and send a copy of it to the Oregon Department of Fish and Wildlife (ODFW).

**Reminder: Failure to submit evidence of a timely installed fish screen may result in an unfavorable determination. The ODFW self certification form needs to have been previously submitted or be attached to this form.**

e. If the diversion does **not** involve a pump *or* the total diversion rate of all rights at the point of diversion is 225 gpm (0.5 cfs) or greater:

- Has the ODFW approval been previously submitted? **NO**
- If not, contact and work with ODFW to ensure compliance. To demonstrate compliance, provide signed documentation from ODFW. A form is available at: <http://www.oregon.gov/owrd/Pages/pubs/forms.aspx>

**Reminder: Failure to submit evidence of a timely installed fish screen may result in an unfavorable determination. In order to receive a favorable approval, the ODFW/WRD "Fish Screen Inspection" form needs to have been previously submitted or be attached to this form.**

#### 6. By-pass Devices

a. Are any points of diversion required to have a by-pass device to prevent fish from entering the point of diversion? **NO**

#### 7. Other conditions required by the transfer final order or extension final order:

- a. Was the water user required to restore the riparian area if it was disturbed? **NO**
- b. Was a fishway required? **NO**
- c. Other conditions? **NO**

If "YES" to any of the above, identify the condition and describe the water user's actions to comply with the condition(s):

NA

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**SECTION 5  
ATTACHMENTS**

Provide a list of any additional documents you are attaching to this report:

ATTACHMENT NAME	DESCRIPTION
<b>Tax Lot Owners</b>	There are six tax lots involved with the transfers place of use. This is a list of the current owners of the tax lots.
<b>Claim Map With Aerial</b>	Claim map overlaid on color aerial photograph.
<b>Claim Map Without Aerial</b>	Claim map without aerial photograph in black and white.
<b>Pump Curve</b>	Pump curve from manufacturer.
<b>Tax Lot Map</b>	Current Lane County tax lot map T18S R2W S25
<b>T18S R2W Original Plat Map</b>	Original plat map for the township containing the subject property from 1855 survey.
<b>T18S R2W DLC Claims Map</b>	Survey of claims in T18S R2W dated 1861.
<b>Fish Screen Inspection Form</b>	ODFW Fish Screen Inspection Form.
<b>RLID Report Tax Lot 300</b>	Regional Land Information Database of Lane County property report for tax lot 300.
<b>RLID Report Tax Lot 303</b>	Regional Land Information Database of Lane County property report for tax lot 303.
<b>RLID Report Tax Lot 304</b>	Regional Land Information Database of Lane County property report for tax lot 304.
<b>RLID Report Tax Lot 305</b>	Regional Land Information Database of Lane County property report for tax lot 305.
<b>RLID Report Tax Lot 306 #1</b>	Regional Land Information Database of Lane County property report for tax lot 306 showing the McDougal Foundation, Inc. as property owner.
<b>RLID Report Tax Lot 306 #2</b>	Regional Land Information Database of Lane County property report for tax lot 306 showing Douglas R. Henton as property owner.
<b>RLID Report Tax Lot 901</b>	Regional Land Information Database of Lane County property report for tax lot 901.

**SECTION 6  
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 feet, 1" = 400 feet, or the original full-size scale of the county assessor map for the location.

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For the purpose of this Claim, the map identifying the location of the place of use does not require a new survey. The location of the place of use identified on the Claim map should be based on the original right of record at the time the transfer final order was issued. In transfers approved for additional points of diversion, the original points must be identified the map based on the original right of record at the time the transfer final order was issued.

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.

### Map Checklist

Please be sure that the map you submit includes ALL the items listed below.  
**(Reminder: Incomplete maps and/or claims may be returned.)**

- Map on polyester film
- Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-size scale of the county assessor map)
- Township, Range, Section, Donation Land Claims, and Government Lots
- If irrigation, number of acres irrigated within each projected Donation Land Claims, Government Lots, Quarter-Quarters
- Locations of fish screens and/or fish by-pass devices in relationship to point of diversion
- Locations of meters and/or measuring devices in relationship to point of diversion or appropriation
- Conveyance structures illustrated (pumps, reservoirs, pipelines, ditches, etc.)
- Point(s) of diversion or appropriation (illustrated and coordinates)
- Tax lot boundaries and numbers
- Source illustrated if surface water
- Disclaimer ("This map is not intended to provide legal dimensions or locations of property ownership lines")
- Application and permit number or transfer number
- North arrow
- Legend
- CWRE stamp and signature

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Tax Lot    Owner

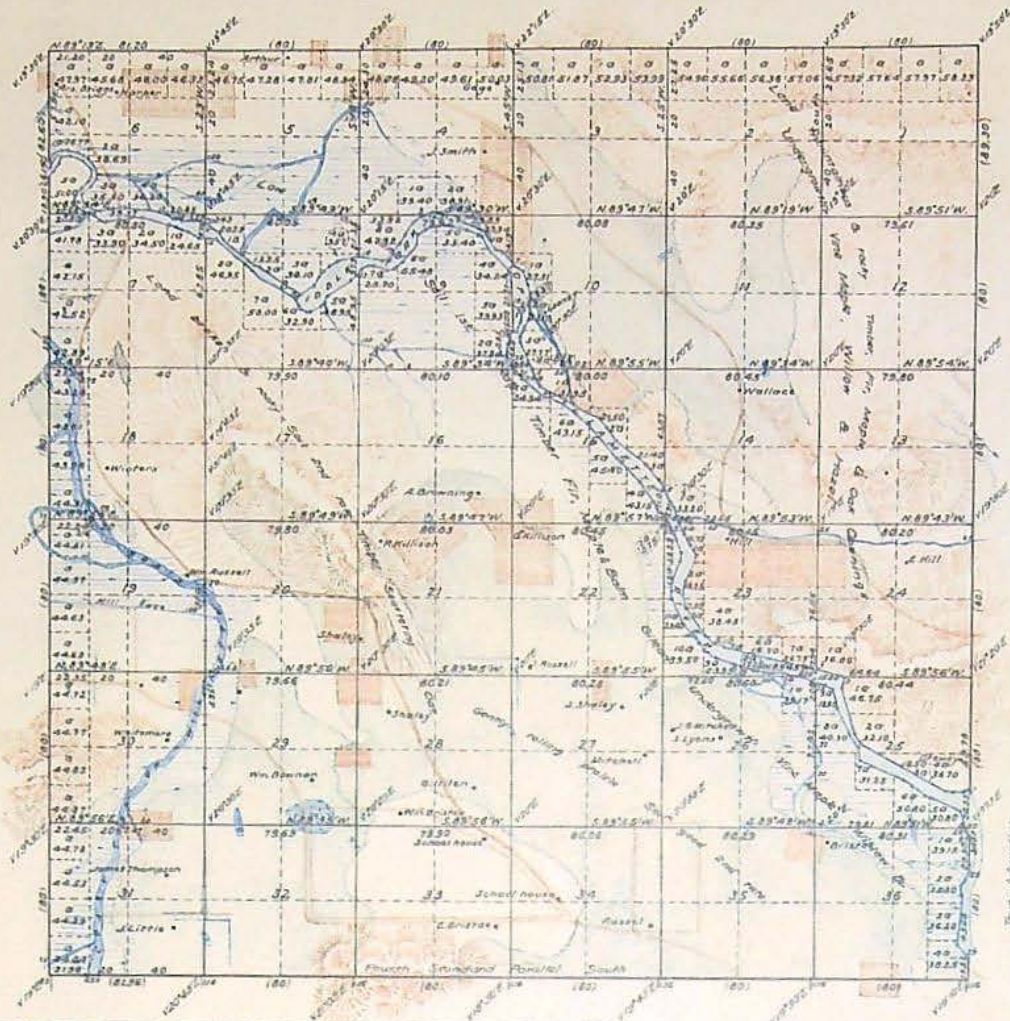
901 FISCHER KELLI J 37356 JASPER LOWELL RD JASPER, OR 97438  
306 MCDOUGAL NORMAN N PO BOX 518 CRESWELL, OR 97426  
306 HENTON DOUGLAS R PO BOX 2246 JASPER, OR 97438  
305 FISCHER DANIEL 37358 JASPER LOWELL RD JASPER, OR 97438  
304 MCDOUGAL FOUNDATION INC PO BOX 518 CRESWELL, OR 97426  
303 HENTON DOUGLAS R & SANDRA N PO BOX 2120 JASPER, OR 97438  
300 HENTON DOUGLAS R 34047 HAMPTON RD EUGENE, OR 97405

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## Township No. 18 South, Range No. 2 West, Willamette Meridian, Oregon.



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Public Survey Office  
Astoria, Oregon  
September 8, 1855  
I certify this to be a correct  
copy of the original plat on file  
in this office.

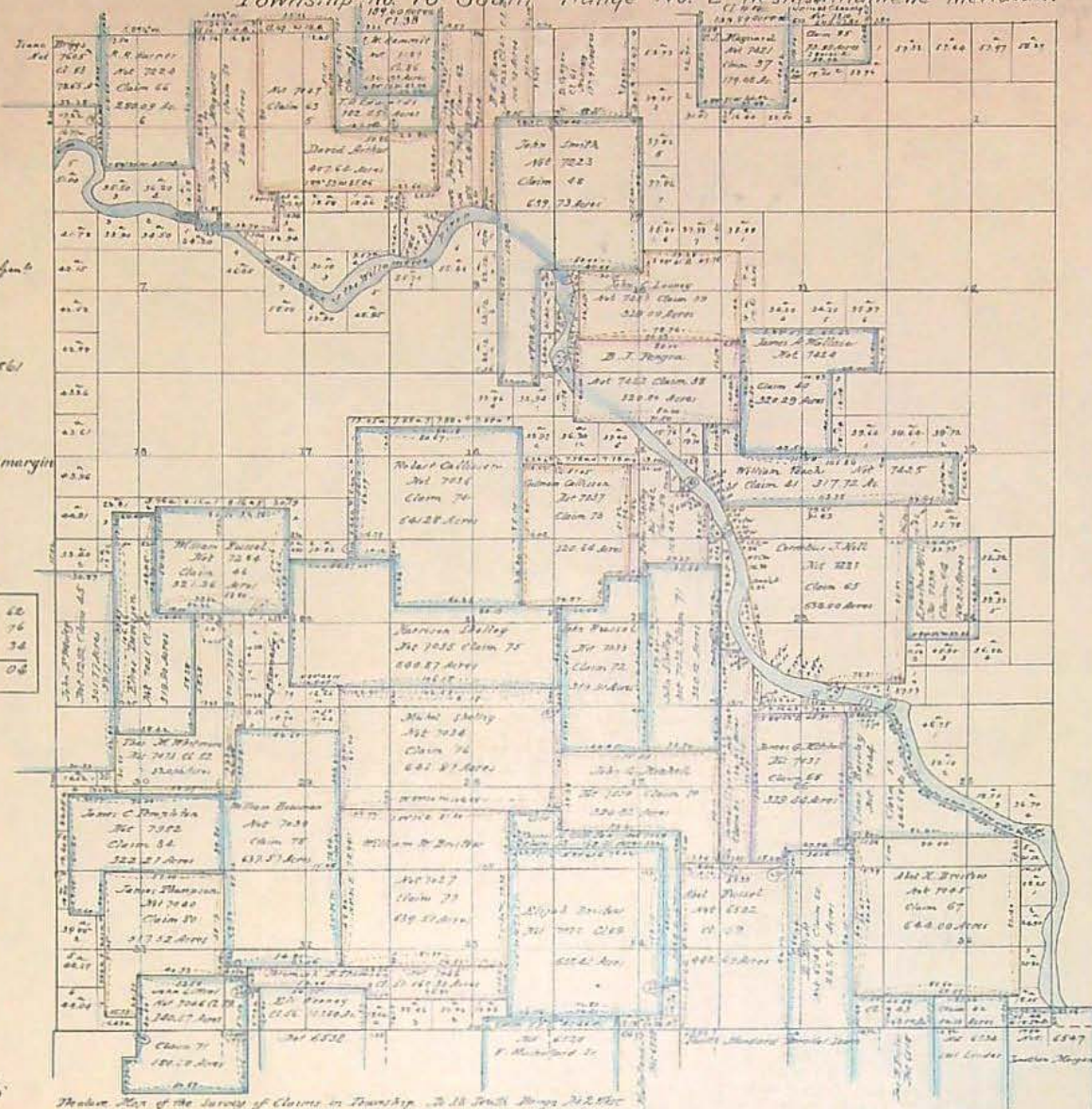
Joseph A. Young  
Chief Cadastral Engineer

Survey designated	By whom surveyed	Contract		Amt of surveys		When surveyed	When charged to
		No.	Date	Miles	chains links		
Township Lines	D. & M. C. Murphy	43	April 26th, 1854	6	03	20	Aug 1st 1855
Subdivisions	D. & M. C. Murphy	43	April 26th, 1854	60	40	28	Sept 7th 1855
Meanders				13	16	06	
Recharging Stray	Fort			6	07	58	
Total number of Acres	23,012.04						

The above map of Township No. 18 South of Range No. 2 West of the Willamette Meridian, Territory of Oregon is strictly conformable to the field notes of the survey thereof on file in this office which have been examined and approved.  
Surveyor General's Office  
Salem, September 7th 1855

C. K. Gardner  
Sur. Gen. of Oregon

Township No. 18 South, Range No. 2 West, Willamette Meridian.



In connection with Act 324 of 1871, 2245-2249 see also part  
 of Act 28/86

Rec'd with San. Supt. letter of April 15<sup>th</sup> 1881

For Surv. Gen's Certificate for Claims 61 & 62 see margin  
 on Original Plat.

Appropriated Area of Public Lands	2459 62
Private Surveys	24530 76
Total area in computation	26990 38
Total return on Township plat	23032 08

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This is a copy of the Survey of Claims in Township No. 18 South Range No. 2 West  
 of the Willamette Meridian Oregon is strictly conformable to the field notes of the survey  
 now on file in this Office, which have been examined and approved.

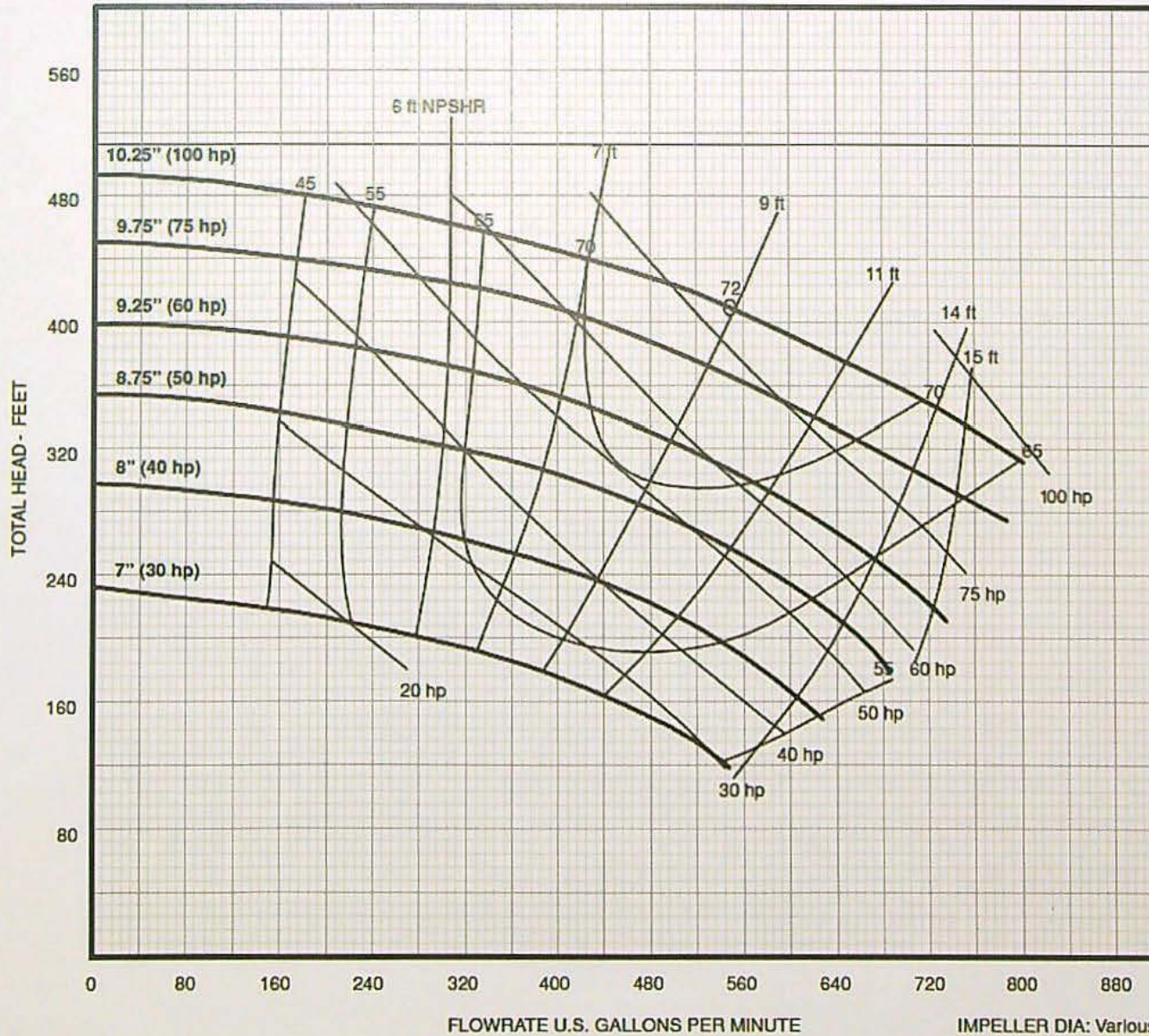
Surveyor General, Oregon  
 Eugene Oreg. April 13<sup>th</sup> 1881

*W. W. Chapman*  
 Surveyor Gen. of Oregon

In letter San. Supt.  
 July 9<sup>th</sup> 1871.

# CENTRIFUGAL PUMPS

CLOSE-COUPLED 10" - 3 x 4 - 10



IMPELLER DIA: Various  
SPEED: 3570 RPM  
SOLIDS: .69"

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OWRD



RECEIVED

JUL 09 2018

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OREGON DEPARTMENT OF FISH AND WILDLIFE  
OREGON WATER RESOURCES DEPARTMENT

FISH SCREEN INSPECTION FORM

Applicant

Name: McDougal Bros., Inc (Norman McDougal)  
Address: 600 Dale Kuni Road Creswell OR 97426 Phone 541-895-8788  
(P.O. Box 518)

Application Number: \_\_\_\_\_ Water Right Permit Number: 32562  
Water Right Amount (cfs) 0.79 Water Right Transfer Number: T10377

Diversion

Stream: MFW Hamette Tributary to: W Hamette R  
Address (if different than applicants): ~~600 Dale Kuni Rd~~ 37466 Jasper Lowell Rd, Jasper OR 97438  
Diversion Type (gravity or pump): Pump Location: T16, R2, Sec. 25  
GPS Coordinates: 10T 0509389 4869218

Pump Information

Brand: Franklin HC 4x3-7.79" Horsepower: 40 Intake Size: 6 inch

Screen Information

Type/Brand: Pump-Rite Screen Installed by: Owner  
Date Installed: 06/12/2009 Date of Inspection: 11/21/2017  
Manufacturer: Pump-Rite Screen Model #: L500  
Inspected by: Jeffrey S. Ziller Agency: Oregon Dept of Fish & Wildlife

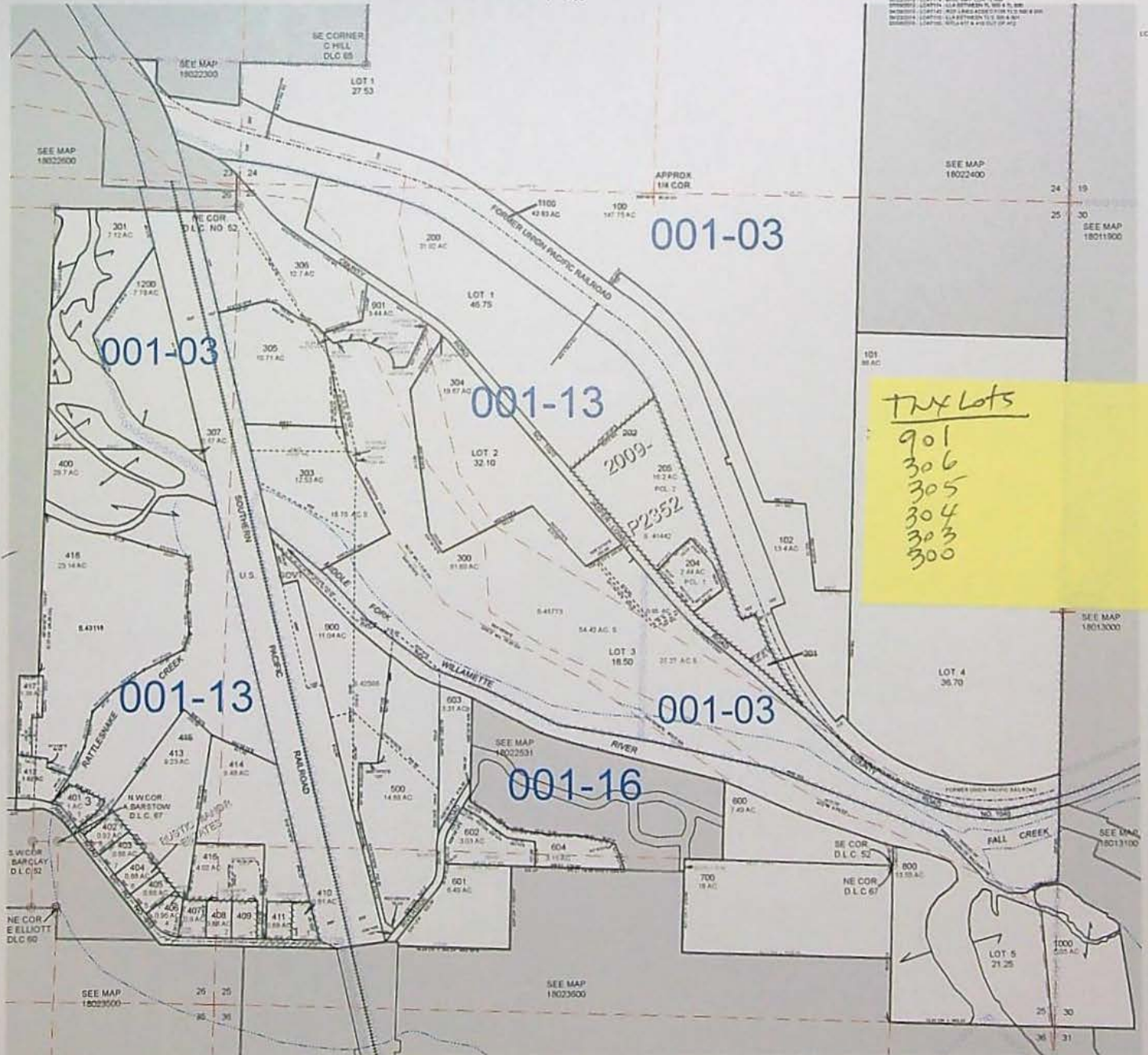
Comments:

- Screen meets current state criteria for fish protection.
- Screen does not meet current state criteria for fish protection.
- Another screen inspection should be done before water use begins.
- Fish passage meets current criteria
- Fish passage does not meet current criteria
- Fish passage not required
- Bypass structure meets current state criteria
- Bypass does not meet current state criteria
- Bypass Structure not required
- At time of inspection the pump and screen were out of water, in storage for the winter.

FOR ASSESSMENT AND TAXATION ONLY

SECTION 25 T.18S. R.2W. W.M.  
Lane County  
1" = 400'

18022500  
LCAT.DWG - 2015-02-08 08:30



18022500

CANCELLED  
202  
201  
302  
415  
203

Tnx Lots  
901  
306  
305  
304  
303  
300

RECEIVED  
JUL 09 2018  
OWRD

18022500

Detailed Property Report

Site Address 37356 JASPER LOWELL RD Jasper, OR 97438-9758  
 Map & Taxlot# 18-02-25-00-00901  
 SIC N/A  
 Tax Account# 1839149

Property Owner 1  
 FISCHER KELLI J  
 37356 JASPER LOWELL RD  
 JASPER, OR 97438  
 Tax account acreage 3.44  
 Mapped taxlot acreage<sup>1</sup> 3.43

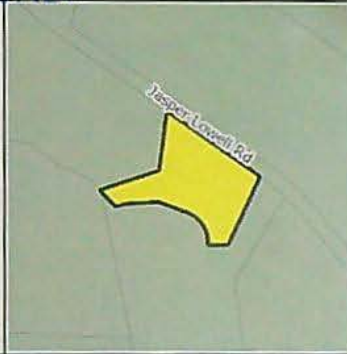
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<sup>1</sup> Mapped Taxlot Acreage is the estimated size of a taxlot as derived from the county GIS taxlot layer, and is not to be used for legal purposes

Map & Taxlot # 18-02-25-00-00901



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Business Information

RLID does not contain any business data for this address

Improvements

Dwelling 1 / Building Type » Class 5 dwelling

Assessor Photo

Assessor Sketch



[Click to enlarge photo](#)

Inspection Date	05/22/2017	Bedrooms	3	Roof Style	Hip
Building Class	5	Full Bath(s)	2	Roof Cover	Comp shingle medium
Year Built	2013	Half Bath(s)	1	Masonry Fireplace(s)	No
Effective Year Built	2013	Depreciation	3%	Improvement Complete	100 %
				Heat	Heat pump

Floor Characteristics

	<u>Base Sq Ft</u>	<u>Finished Sq Ft</u>	<u>Exterior</u>
1st Floor	2915	2915	Composition siding
Total Sq Ft	2915	2915	

Other Square Footage

Detached Garage	N/A	Attached Garage	1536
Basement Garage	N/A	Carport	N/A
Paved Patio	N/A	Paved Driveway	1024

Site Address Information

37356 JASPER LOWELL RD  
 JASPER, OR 97438-9758

House #	37356	Suffix	N/A	Pre-directional	N/A
Street Name	JASPER LOWELL	Street Type	RD	Unit type / #	N/A
Mail City	JASPER	State	OR	Zip Code	97438
Zip + 4	9758				

Land Use 1111 Single Family Housing  
 USPS Carrier Route H065

General Taxlot Characteristics

**Geographic Coordinates**  
 X 4294127 Y 851949 (State Plane X,Y)  
 Latitude 43.9798 Longitude -122.8828

**Zoning**  
 Zoning Jurisdiction Lane County  
 Lane County  
 Parent Zone F2 Impacted Forest

**Land Use**  
General Land Use  
 Code Description  
 N Mobile Homes on Lots  
 V Vacant  
 W Water

Detailed Land Use  
 Code Description  
 1150 Mobile Home - Not In Mobile Home Park  
 9100 Vacant, Unused, Undeveloped Land  
 9310 Rivers, Creeks, Streams

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**Taxlot Characteristics**  
 Incorporated City Limits none  
 Urban Growth Boundary none  
 Year Annexed N/A  
 Annexation # N/A  
 Approximate Taxlot Acreage 3.43  
 Approx Taxlot Sq Footage 149,411  
 Plan Designation Forest  
 Eugene Neighborhood N/A  
 Metro Area Nodal Dev Area No  
 Septic Yes  
 Well Yes  
 Landscaping Quality Average  
 Historic Property Name N/A  
 City Historic Landmark? No  
 National Historical Register? No

**Service Providers**

Fire Protection Provider Pleasant Hill RFPD  
 Ambulance Provider Springfield Dept of Fire & Life Safety  
 Ambulance District EC  
 Ambulance Service Area East/Central  
 LTD Service Area? No  
 LTD Ride Source? No  
 Soil Water Cons. Dist/Zone Upper Willamette / data not available  
 Emerald People's Utility District 3

**Environmental Data**

FEMA Flood Hazard Zone  
 Code Description  
 AE Areas of 100-year flood, base flood elevations determined.  
 FIRM Map Number 41039C1660F  
 Community Number 415591  
 Post-FIRM Date 12/18/1985  
 Panel Printed? Yes

Soils	Soil Map Unit#	Soil Type Description	% of Taxlot Ag Class Hydric %
	22	Camas gravelly sandy loam, occasionally flooded	68% 4 7
	95	Newberg fine sandy loam	32% 2 0

**Schools**

School District	Code	Name
	1	Pleasant Hill
Elementary School	500	Pleasant Hill
Middle School	502	Pleasant Hill
High School	502	Pleasant Hill

**Political Districts**

Election Precinct	758	State Representative District	11
City Council Ward	N/A	State Representative	Phil Barnhart
City Councilor	N/A	State Senate District	6
County Commissioner District 5 (East)		State Senator	Lee Beyer
County Commissioner	Gary Williams		
EWEB Commissioner	N/A		
LCC Board Zone	4		

**Census Information**

The information provided below is only a small sampling of the information available from the US Census Bureau. The links at the end of each section below will take you to source tables at American Fact Finder, with additional details. Those links will take you to the most current estimates, but estimates for several previous years will also be available.

To view more Census detail about this tract, visit [Census Reporter](#).

Demographic Characteristics	Tract 1600		City Limits		Lane County		Oregon	
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
Total Population	5,360	+/-419	*See below	*See below	360,273	*****	3,982,267	*****
Percent age 5 and Under	5.8%	+/-1.9	*See below	*See below	5.0%	*****	5.8%	+/-0.1
Percent Age 18 and Over	80.0%	+/-4.2	*See below	*See below	80.9%	*****	78.4%	+/-0.1
Percent Age 65 and Over	17.6%	+/-4.0	*See below	*See below	17.3%	+/-0.1	15.9%	+/-0.1
Median Age	48.1	+/-4.3	*See below	*See below	39.3	+/-0.2	39.1	+/-0.1

For a complete breakdown of population by age, gender, race, ethnicity and more, visit [American Fact Finder](#).

Housing Characteristics	Tract 1600		City Limits		Lane County		Oregon	
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
Occupied Housing Units	1,990	+/-138	*See below	*See below	146,692	+/-720	1,545,745	+/-4,059
Vacant Housing Units	246	+/-115	*See below	*See below	11,545	+/-668	160,545	+/-4,132
Percent Owner Occupied Housing Units	84.1%	+/-5.1	*See below	*See below	58.8%	+/-0.6	61.4%	+/-0.3
Percent Renter Occupied Housing Units	15.9%	+/-5.1	*See below	*See below	41.2%	+/-0.6	38.6%	+/-0.3
Homeowner Vacancy Rate	0.9%	+/-1.6	*See below	*See below	1.6%	+/-0.3	1.6%	+/-0.1
Rental Vacancy Rate	0.0%	+/-9.7	*See below	*See below	3.6%	+/-0.6	3.8%	+/-0.2
Median House Value (dollars)	247,000	+/-35,319	*See below	*See below	221,000	+/-2,536	247,200	+/-962
Median Monthly Mortgage (dollars)	1,267	+/-182	*See below	*See below	1,427	+/-17	1,563	+/-5
Median Monthly Rent (dollars)	847	+/-163	*See below	*See below	885	+/-10	941	+/-4

For a complete breakdown of housing by tenure, number of bedrooms, year built and more, visit [American Fact Finder](#).

Economic Characteristics	Tract 1600		City Limits		Lane County		Oregon	
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
Median Household Income (dollars)	56,557	+/-7,312	*See below	*See below	45,222	+/-822	53,270	+/-327
Unemployment Rate	7.6%	+/-3.9	*See below	*See below	8.7%	+/-0.5	8.1%	+/-0.2
Poverty Rate	18.7%	+/-7.6	*See below	*See below	19.7%	+/-0.8	15.7%	+/-0.2

For a complete breakdown of incomes, poverty, employment, commute patterns and more, visit [American Fact Finder](#).

Social Characteristics	Tract 1600		City Limits		Lane County		Oregon	
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
Percent Bachelor Degree or Higher	20.1%	+/-4.6	*See below	*See below	28.7%	+/-0.5	31.4%	+/-0.2
Percent High School Graduate or Higher	89.7%	+/-5.6	*See below	*See below	91.1%	+/-0.5	90.0%	+/-0.2

For a complete breakdown of educational attainment, school enrollment, marital status, ancestry and more, visit [American Fact Finder](#).

\* Outside city limits. Census data are not available.

Source: U.S. Census Bureau, 2012-2016 American Community Survey 5-Year Estimates

Explanation of Symbols:

An "\*\*\*\*\*" entry in the margin of error column indicates that the estimate is controlled, and a margin of error is not provided.

**Liens**

None

**Building Permits**

Please check the [State of Oregon ePermitting System](#).

**Land Use Applications**

RLID does not contain any landuse application data for this jurisdiction

**Petitions**

RLID does not contain any petition data for this jurisdiction

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**Tax Statements & Tax Receipts**

Account#: 1839149  
View tax statement(s) for: 2017 2016

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**Tax Receipts**

Receipt Date	Amount Received	Tax	Discount	Interest	Applied Amount
11/15/2017	\$4,412.93	\$4,412.93	\$136.48	\$0.00	\$4,549.41
11/01/2016	\$3,920.46	\$3,920.46	\$121.25	\$0.00	\$4,041.71
11/09/2015	\$2,968.04	\$2,968.04	\$91.79	\$0.00	\$3,059.83
11/17/2014	\$4,333.40	\$4,333.40	\$134.02	\$0.00	\$4,467.42
11/15/2013	\$3,104.16	\$3,104.16	\$96.00	\$0.00	\$3,200.16

Data source: Lane County Assessment and Taxation

**Owner/Taxpayer**

Owners

<b>Owner</b> FISCHER KELLI J	<b>Address</b> 37356 JASPER LOWELL RD	<b>City/State/Zip</b> JASPER, OR 97438
<b>Taxpayer</b> Party Name FISCHER KELLI J	<b>Address</b> 37356 JASPER LOWELL RD	<b>City/State/Zip</b> JASPER, OR 97438

Data source: Lane County Assessment and Taxation

**Account Status**

<b>Status</b> Active Account Current Tax Year	
Account Status	none
Remarks	none
Special Assessment Program	N/A

Data source: Lane County Assessment and Taxation

**General Tax Account Information**

Tax Account Acreage	3.44
Fire Acres	N/A
Property Class	401 - Tract, improved
Statistical Class	150 - Class 5 single family dwelling
Neighborhood	104501 - Typical Rural Pleasant Hill
Category	Land and Improvements

Data source: Lane County Assessment and Taxation

**Township-Range-Section / Subdivision Data**

Subdivision Type	N/A	Subdivision Name	N/A	Subdivision Number	N/A
Phase	N/A	Lot/Tract/Unit #	TL 00901	Recording Number	2009-070580

Data source: Lane County Assessment and Taxation

**Property Values & Taxes**

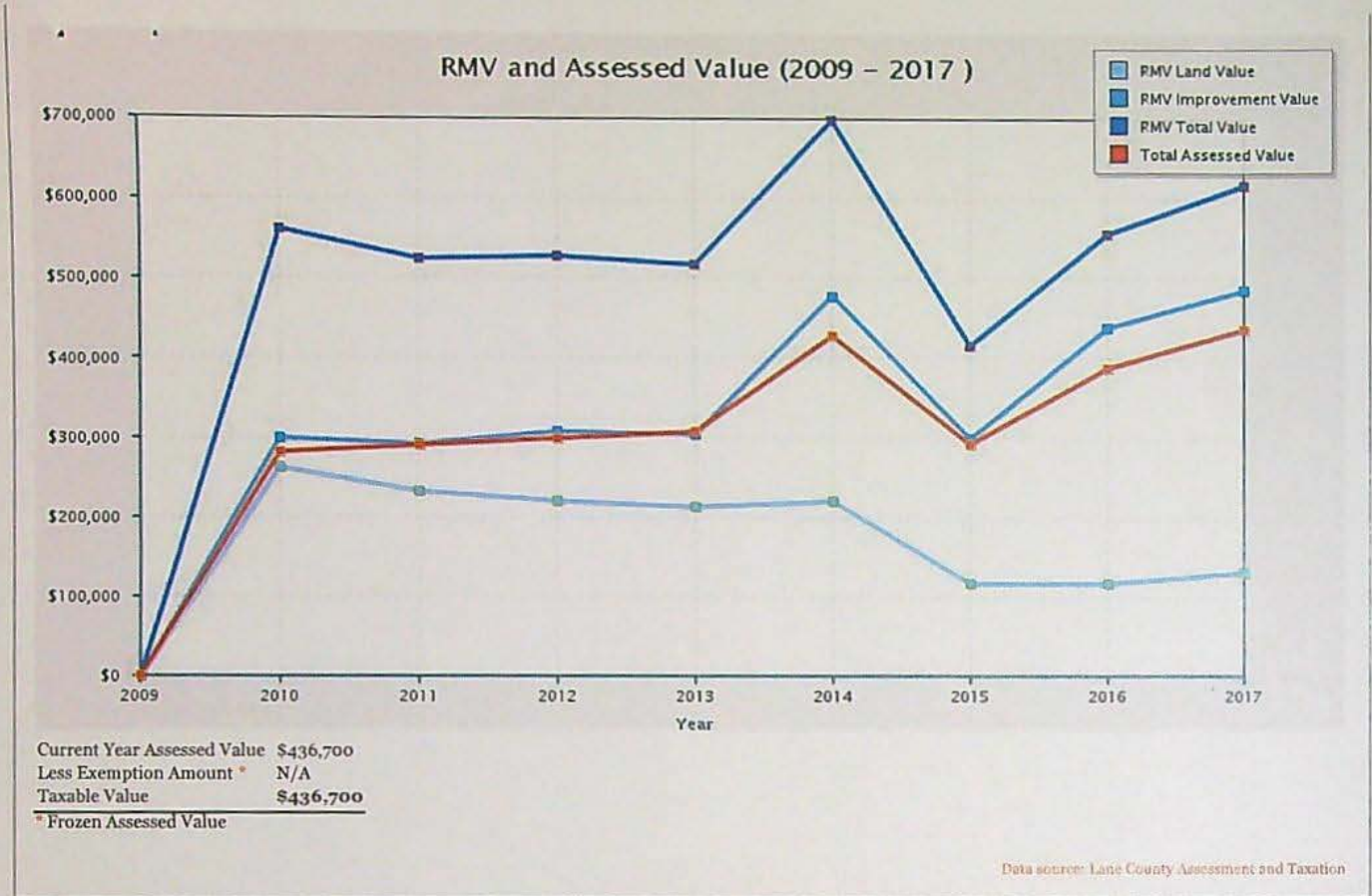
The values shown are the values certified in October unless a value change has been processed on the property. Value changes typically occur as a result of appeals, clerical errors and omitted property. The tax shown is the amount certified in October. This is the full amount of tax for the year indicated and does not include any discounts offered, payments made, interest owing or previous years owing. It also does not reflect any value changes.

Year	Real Market Value (RMV)			Total Assessed Value	Tax
	Land	Improvement	Total		
2017	\$130,819	\$486,255	\$617,074	\$436,700	\$4,549.41
2016	\$117,765	\$439,070	\$556,835	\$388,294	\$4,041.71
2015	\$117,765	\$299,220	\$416,985	\$293,096	\$3,059.83
2014	\$219,950	\$478,630	\$698,580	\$428,061	\$4,467.42
2013	\$213,936	\$304,670	\$518,606	\$307,879	\$3,200.16
2012	\$219,949	\$307,980	\$527,929	\$298,912	\$2,947.21
2011	\$232,115	\$292,669	\$524,784	\$290,206	\$2,890.65
2010	\$262,327	\$298,940	\$561,267	\$281,754	\$2,901.47
2009	\$0	\$0	\$0	\$0	\$ 0.00

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**Tax Code Area & Taxing Districts**

Tax Code Area (Levy Code) for current tax year 00113  
 Taxing Districts for TCA 00113  
 Emerald Peoples Utility District  
 Lane Community College  
 Lane County  
 Lane Education Service District  
 Pleasant Hill Rural Fire Protection Dist  
 Pleasant Hill School District 1

**\*\*NOTE** Lane County Assessment and Taxation Tax Code Area & Taxing Districts reflect the current certified year. The **Billing Rate Document** may still reference the prior year's rates and details until we receive the current report from Lane County.

Data source: Lane County Assessment and Taxation

**Sales & Ownership Changes**

Sale Date	Sale Price	Doc #	Image	Analysis Code	Multiple Accts?	Grantor(s)	Grantee(s)
10/06/2014	\$0	2014-39757		8	Yes	MCDUGAL NORMAN N	FISCHER KELLI J
12/22/2009	\$5,409	2009-70580		8	No	LYNCH CLARK W & ILUMINADA V	MCDUGAL NORMAN N

Data source: Lane County Assessment and Taxation

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**Detailed Property Report**

<b>Site Address</b> N/A <b>Map &amp; Taxlot#</b> 18-02-25-00-00306 <b>SIC</b> N/A <b>Tax Account#</b> 4272264	<b>Property Owner 1</b> MCDUGAL NORMAN N PO BOX 518 CRESWELL, OR 97426 Tax account acreage data not available Mapped taxlot acreage <sup>†</sup> 12.81
--	---

<sup>†</sup> Mapped Taxlot Acreage is the estimated size of a taxlot as derived from the county GIS taxlot layer, and is not to be used for legal purposes.

Related Accts 1812823

**Map & Taxlot # 18-02-25-00-00306**



**Business Information**

RLID does not contain any business data for this address

**Improvements**

**Dwelling 1 / Building Type » Manufactured structure**

Assessor Photo

Assessor Sketch



Click to enlarge photo



Inspection Date	12/07/2009	Effective Year Built	2006
Year Built	2006	LOIS Number	L312753
Make	Redman/Champion Homes	Length	66
Model	Silvercrest Classic 4663L	Width	27
Plate #	data not available	Quality	5+
Serial #	118-031488A B		

**Square Footage**

Garage data not available Carport data not available  
 Paved Patio data not available Driveway data not available

**Site Address Information**

No site address associated with this tax account number

**General Taxlot Characteristics**

Geographic Coordinates

X 4293480 Y 852299 (State Plane X,Y)  
 Latitude 43.9807 Longitude -122.8852

Zoning

Zoning Jurisdiction Lane County  
 Lane County  
 Parent Zone F2 Impacted Forest

**Taxlot Characteristics**

Incorporated City Limits	none
Urban Growth Boundary	none
Year Annexed	N/A
Annexation #	N/A
Approximate Taxlot Acreage	12.81
Approx Taxlot Sq Footage	558,004
Plan Designation	Forest
Eugene Neighborhood	N/A
Metro Area Nodal Dev Area	No

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<b>Land Use</b>	Septic	No
<b>General Land Use</b>	Well	No
<b>Code Description</b>	Landscaping Quality	data not available
T Timber	Historic Property Name	N/A
<b>Detailed Land Use</b>	City Historic Landmark?	No
<b>Code Description</b>	National Historical Register?	No
8310 Timberlands		

**Service Providers**

Fire Protection Provider	Pleasant Hill RFPD
Ambulance Provider	Springfield Dept of Fire & Life Safety
Ambulance District	EC
Ambulance Service Area	East/Central
LTD Service Area?	No
LTD Ride Source?	No
Soil Water Cons. Dist/Zone	Upper Willamette / data not available
Emerald People's Utility District	3

**Environmental Data**

<b>FEMA Flood Hazard Zone</b>	
<b>Code Description</b>	
AE Areas of 100-year flood, base flood elevations determined.	
X5 Areas of 500-year flood, areas of 100-year flood with average depths of less than 1 foot or with drainage areas less than 1 square mile, and areas protected by levees from 100-year flood.	
FIRM Map Number	41039C1660F
Community Number	415591
Post-FIRM Date	12/18/1985
Panel Printed?	Yes
<b>Soils</b>	
<b>Soil Map Unit# Soil Type Description</b>	<b>% of Taxlot Ag Class Hydric %</b>
22 Camas gravelly sandy loam, occasionally flooded	53% 4 7
48 Fluvents, nearly level	47% 7 89

**Schools**

	<b>Code Name</b>
School District	1 Pleasant Hill
Elementary School	500 Pleasant Hill
Middle School	502 Pleasant Hill
High School	502 Pleasant Hill

**Political Districts**

Election Precinct	758	State Representative District 11	
City Council Ward	N/A	State Representative	Phil Barnhart
City Councilor	N/A	State Senate District	6
County Commissioner District 5 (East)		State Senator	Lee Beyer
County Commissioner	Gary Williams		
EWEB Commissioner	N/A		
LCC Board Zone	4		

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Percent age 5 and Under	5.8%	+/-1.9	*See below	*See below	5.0%	*****	5.8%	+/-0.1
Percent Age 18 and Over	80.0%	+/-4.2	*See below	*See below	80.9%	*****	78.4%	+/-0.1
Percent Age 65 and Over	17.6%	+/-4.0	*See below	*See below	17.3%	+/-0.1	15.9%	+/-0.1
Median Age	48.1	+/-4.3	*See below	*See below	39.3	+/-0.2	39.1	+/-0.1

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Housing Characteristics	Tract 1600		City Limits		Lane County		Oregon	
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Percent Owner Occupied Housing Units	84.1%	+/-5.1	*See below	*See below	58.8%	+/-0.6	61.4%	+/-0.3
Percent Renter Occupied Housing Units	15.9%	+/-5.1	*See below	*See below	41.2%	+/-0.6	38.6%	+/-0.3
Homeowner Vacancy Rate	0.9%	+/-1.6	*See below	*See below	1.6%	+/-0.3	1.6%	+/-0.1
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Source: U.S. Census Bureau, 2012-2016 American Community Survey 5-Year Estimates

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**Liens**

None

**Building Permits**

Please check the [State of Oregon ePermitting System](#).

**Land Use Applications**

RLID does not contain any landuse application data for this jurisdiction

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**Petitions**

RLID does not contain any petition data for this jurisdiction

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**Tax Statements & Tax Receipts**

Account#: 4272264

View tax statement(s) for: 2017 2016

**Tax Receipts**

Receipt Date	Amount Received	Tax	Discount	Interest	Applied Amount
11/15/2017	\$780.02	\$780.02	\$24.12	\$0.00	\$804.14
11/15/2016	\$756.66	\$756.66	\$23.40	\$0.00	\$780.06
11/16/2015	\$736.79	\$736.79	\$22.79	\$0.00	\$759.58
11/17/2014	\$715.11	\$715.11	\$22.12	\$0.00	\$737.23
11/15/2013	\$691.48	\$691.48	\$21.39	\$0.00	\$712.87

Data source: Lane County Assessment and Taxation

**Owner/Taxpayer**

**Owners**

Owner	Address	City/State/Zip
MCDUGAL NORMAN N	PO BOX 518	CRESWELL, OR 97426

**Taxpayer**

Party Name	Address	City/State/Zip
MCDUGAL NORMAN N	PO BOX 518	CRESWELL, OR 97426

Data source: Lane County Assessment and Taxation

**Account Status**

Status Active Account Current Tax Year

Related Accts [1812823](#)

Account Status none  
 Remarks none  
 Special Assessment Program N/A

Data source: Lane County Assessment and Taxation

**General Tax Account Information**

Tax Account Acreage data not available  
 Fire Acres N/A  
 Property Class 409 - Tract, manufactured structure  
 Statistical Class 190 - MS on real property  
 Neighborhood 104501 - Typical Rural Pleasant Hill  
 Category Manufactured Struct. attached to land

Data source: Lane County Assessment and Taxation

**Township-Range-Section / Subdivision Data**

Subdivision Type N/A      Subdivision Name N/A      Subdivision Number N/A  
 Phase N/A      Lot/Tract/Unit # N/A      Recording Number N/A

Data source: Lane County Assessment and Taxation

**Property Values & Taxes**

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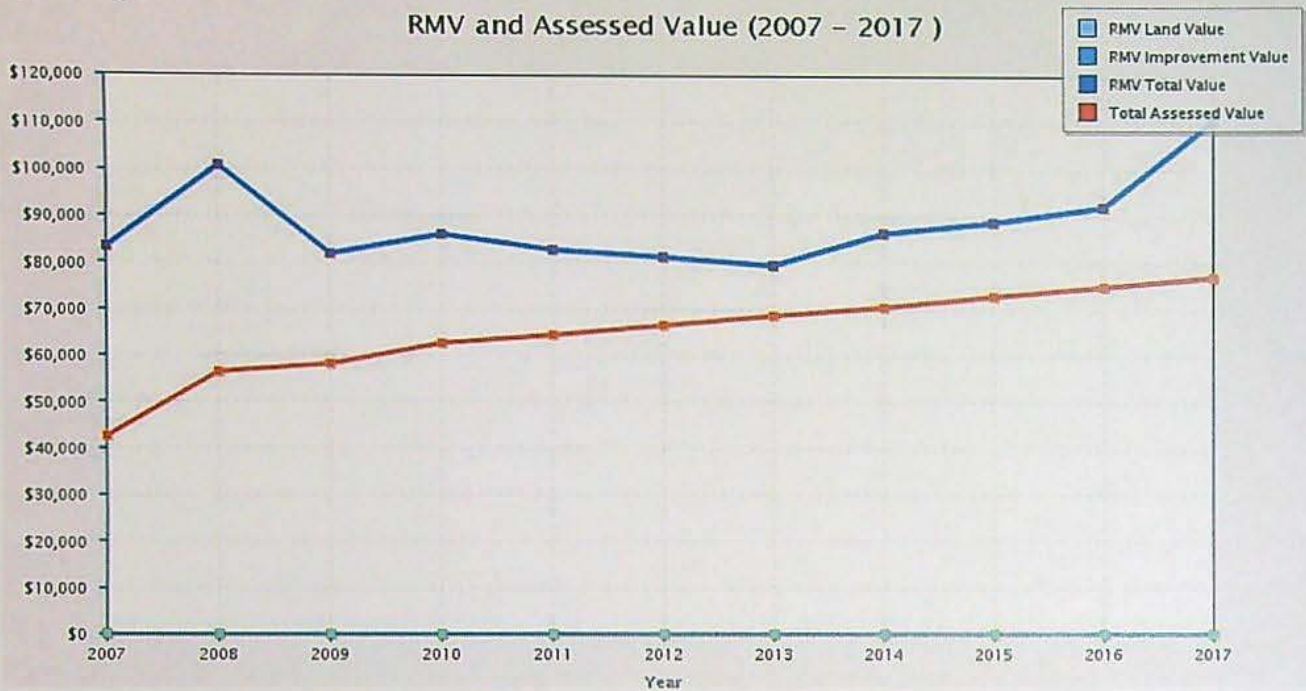
Year	Real Market Value (RMV)			Total Assessed Value	Tax
	Land	Improvement	Total		
2017	\$0	\$110,798	\$110,798	\$77,190	\$ 804.14
2016	\$0	\$92,154	\$92,154	\$74,942	\$ 780.06
2015	\$0	\$88,894	\$88,894	\$72,759	\$ 759.58
2014	\$0	\$86,326	\$86,326	\$70,640	\$ 737.23
2013	\$0	\$79,540	\$79,540	\$68,583	\$ 712.87
2012	\$0	\$81,300	\$81,300	\$66,585	\$ 656.51
2011	\$0	\$82,663	\$82,663	\$64,046	\$ 643.92
2010	\$0	\$86,140	\$86,140	\$62,763	\$ 646.33
2009	\$0	\$81,900	\$81,900	\$58,219	\$ 629.14
2008	\$0	\$100,930	\$100,930	\$56,523	\$ 592.98
2007	\$0	\$83,370	\$83,370	\$42,577	\$ 451.50

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### RMV and Assessed Value (2007 - 2017)



Current Year Assessed Value \$77,190  
 Less Exemption Amount \* N/A  
 Taxable Value \$77,190  
 \* Frozen Assessed Value

Data source: Lane County Assessment and Taxation

#### Tax Code Area & Taxing Districts

Tax Code Area (Levy Code) for current tax year 00113  
 Taxing Districts for TCA 00113  
 Emerald Peoples Utility District  
 Lane Community College  
 Lane County  
 Lane Education Service District  
 Pleasant Hill Rural Fire Protection Dist  
 Pleasant Hill School District 1

**\*\*NOTE** Lane County Assessment and Taxation Tax Code Area & Taxing Districts reflect the current certified year. The **Billing Rate Document** may still reference the prior year's rates and details until we receive the current report from Lane County.

Data source: Lane County Assessment and Taxation

#### Sales & Ownership Changes

No sales or ownership change data available.

Data source: Lane County Assessment and Taxation

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Detailed Property Report

**Site Address** 37450 JASPER LOWELL RD Jasper, OR 97438-9719  
**Map & Taxlot#** 18-02-25-00-00306  
**SIC** N/A  
**Tax Account#** 1812823

**Property Owner 1**  
 HENTON DOUGLAS R  
 PO BOX 2246  
 JASPER, OR 97438  
 Tax account acreage 12.70  
 Mapped taxlot acreage<sup>†</sup> 12.81

<sup>†</sup> Mapped Taxlot Acreage is the estimated size of a taxlot as derived from the county GIS taxlot layer, and is not to be used for legal purposes.

Related Accts 4272264

**Map & Taxlot # 18-02-25-00-00306**



**Business Information**

RLID does not contain any business data for this address

**Improvements**

No assessor photos, assessor sketches or building characteristic information is available for this tax account.

**Site Address Information**

37450 JASPER LOWELL RD  
 JASPER, OR 97438-9719

House #	37450	Suffix	N/A	Pre-directional	N/A
Street Name	JASPER LOWELL	Street Type	RD	Unit type / #	N/A
Mail City	JASPER	State	OR	Zip Code	97438
Zip + 4	9719				

Land Use 1150 Mobile Home - Not In Mobile Home Park  
 USPS Carrier Route H065

**General Taxlot Characteristics**

Geographic Coordinates  
 X 4293982 Y 852014 (State Plane X,Y)  
 Latitude 43.9799 Longitude -122.8833

Zoning  
 Zoning Jurisdiction Lane County  
 Lane County  
 Parent Zone F2 Impacted Forest

Land Use  
General Land Use  
 Code Description  
 T Timber  
Detailed Land Use  
 Code Description  
 8310 Timberlands

**Taxlot Characteristics**  
 Incorporated City Limits none  
 Urban Growth Boundary none  
 Year Annexed N/A  
 Annexation # N/A  
 Approximate Taxlot Acreage 12.81  
 Approx Taxlot Sq Footage 558,004  
 Plan Designation Forest  
 Eugene Neighborhood N/A  
 Metro Area Nodal Dev Area No  
 Septic Yes  
 Well Yes  
 Landscaping Quality Average  
 Historic Property Name N/A  
 City Historic Landmark? No  
 National Historical Register? No

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**Service Providers**

Fire Protection Provider Pleasant Hill RFPD

Ambulance Provider	Springfield Dept of Fire & Life Safety
Ambulance District	EC
Ambulance Service Area	East/Central
LTD Service Area?	No
LTD Ride Source?	No
Soil Water Cons. Dist/Zone	Upper Willamette / data not available
Emerald People's Utility District	3

**Environmental Data**

FEMA Flood Hazard Zone

**Code Description**

AE Areas of 100-year flood, base flood elevations determined.

X5 Areas of 500-year flood, areas of 100-year flood with average depths of less than 1 foot or with drainage areas less than 1 square mile, and areas protected by levees from 100-year flood.

FIRM Map Number 41039C1660F

Community Number 415591

Post-FIRM Date 12/18/1985

Panel Printed? Yes

Soils

Soil Map Unit#	Soil Type Description	% of Taxlot	Ag Class	Hydric %
22	Camas gravelly sandy loam, occasionally flooded	53%	4	7
48	Fluvents, nearly level	47%	7	89

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**Schools**

School District	Code	Name
1		Pleasant Hill
500		Pleasant Hill
502		Pleasant Hill
502		Pleasant Hill

**Political Districts**

Election Precinct	758	State Representative District	11
City Council Ward	N/A	State Representative	Phil Barnhart
City Councilor	N/A	State Senate District	6
County Commissioner District	5 (East)	State Senator	Lee Beyer
County Commissioner	Gary Williams		
EWEB Commissioner	N/A		
LCC Board Zone	4		

**Census Information**

The information provided below is only a small sampling of the information available from the US Census Bureau. The links at the end of each section below will take you to source tables at American Fact Finder, with additional details. Those links will take you to the most current estimates, but estimates for several previous years will also be available.

To view more Census detail about this tract, visit [Census Reporter](#).

Demographic Characteristics	Tract 1600		City Limits		Lane County		Oregon	
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
Total Population	5,360	+/-419	*See below	*See below	360,273	*****	3,982,267	*****
Percent age 5 and Under	5.8%	+/-1.9	*See below	*See below	5.0%	*****	5.8%	+/-0.1
Percent Age 18 and Over	80.0%	+/-4.2	*See below	*See below	80.9%	*****	78.4%	+/-0.1
Percent Age 65 and Over	17.6%	+/-4.0	*See below	*See below	17.3%	+/-0.1	15.9%	+/-0.1
Median Age	48.1	+/-4.3	*See below	*See below	39.3	+/-0.2	39.1	+/-0.1

For a complete breakdown of population by age, gender, race, ethnicity and more, visit [American Fact Finder](#).

Housing Characteristics	Tract 1600		City Limits		Lane County		Oregon	
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
Occupied Housing Units	1,990	+/-138	*See below	*See below	146,692	+/-720	1,545,745	+/-4,059
Vacant Housing Units	246	+/-115	*See below	*See below	11,545	+/-668	160,545	+/-4,132
Percent Owner Occupied Housing Units	84.1%	+/-5.1	*See below	*See below	58.8%	+/-0.6	61.4%	+/-0.3
Percent Renter Occupied Housing Units	15.9%	+/-5.1	*See below	*See below	41.2%	+/-0.6	38.6%	+/-0.3
Homeowner Vacancy Rate	0.9%	+/-1.6	*See below	*See below	1.6%	+/-0.3	1.6%	+/-0.1
Rental Vacancy Rate	0.0%	+/-9.7	*See below	*See below	3.6%	+/-0.6	3.8%	+/-0.2
Median House Value (dollars)	247,000	+/-35,319	*See below	*See below	221,000	+/-2,536	247,200	+/-962
Median Monthly Mortgage (dollars)	1,267	+/-182	*See below	*See below	1,427	+/-17	1,563	+/-5
Median Monthly Rent (dollars)	847	+/-163	*See below	*See below	885	+/-10	941	+/-4

For a complete breakdown of housing by tenure, number of bedrooms, year built and more, visit [American Fact Finder](#).

Economic Characteristics	Tract 1600		City Limits		Lane County		Oregon	
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
Median Household Income (dollars)	56,557	+/-7,312	*See below	*See below	45,222	+/-822	53,270	+/-327
Unemployment Rate	7.6%	+/-3.9	*See below	*See below	8.7%	+/-0.5	8.1%	+/-0.2

Poverty Rate 18.7% +/-7.6 \*See below \*See below 19.7% +/-0.8 15.7% +/-0.2

For a complete breakdown of incomes, poverty, employment, commute patterns and more, visit [American Fact Finder](#).

Social Characteristics	Tract 1600		City Limits		Lane County		Oregon	
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
Percent Bachelor Degree or Higher	20.1%	+/-4.6 *See below	*See below	*See below	28.7%	+/-0.5	31.4%	+/-0.2
Percent High School Graduate or Higher	89.7%	+/-5.6 *See below	*See below	*See below	91.1%	+/-0.5	90.0%	+/-0.2

For a complete breakdown of educational attainment, school enrollment, marital status, ancestry and more, visit [American Fact Finder](#).

\* Outside city limits. Census data are not available.

Source: U.S. Census Bureau, 2012-2016 American Community Survey 5-Year Estimates

Explanation of Symbols:

An '\*\*\*\*\*' entry in the margin of error column indicates that the estimate is controlled, and a margin of error is not provided.

**Liens**

None

**Building Permits**

Please check the [State of Oregon ePermitting System](#).

**Land Use Applications**

RLID does not contain any landuse application data for this jurisdiction

**Petitions**

RLID does not contain any petition data for this jurisdiction

**Tax Statements & Tax Receipts**

Account#: 1812823  
View tax statement(s) for: [2017 2016](#)

**Tax Receipts**

Receipt Date	Amount Received	Tax	Discount	Interest	Applied Amount
11/14/2017	\$294.05	\$294.05	\$9.09	\$0.00	\$303.14
11/08/2016	\$285.25	\$285.25	\$8.82	\$0.00	\$294.07
11/13/2015	\$277.76	\$277.76	\$8.59	\$0.00	\$286.35
11/17/2014	\$269.34	\$269.34	\$8.33	\$0.00	\$277.67
11/15/2013	\$260.67	\$260.67	\$8.06	\$0.00	\$268.73

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Data source: Lane County Assessment and Taxation

**Owner/Taxpayer**

**Owners**

Owner	Address	City/State/Zip
HENTON DOUGLAS R	PO BOX 2246	JASPER, OR 97438

**Taxpayer**

Party Name	Address	City/State/Zip
HENTON DOUGLAS R	PO BOX 2246	JASPER, OR 97438

Data source: Lane County Assessment and Taxation

**Account Status**

Status Active Account Current Tax Year

Related Accts [4272264](#)

Account Status none  
Remarks Potential Additional Tax  
Special Assessment Program Forest Deferral

Data source: Lane County Assessment and Taxation

**General Tax Account Information**

Tax Account Acreage 12.70

Fire Acres N/A  
 Property Class 649 - Forest, deferral by application, manufactured structure  
 Statistical Class N/A  
 Neighborhood 104501 - Typical Rural Pleasant Hill  
 Category Land and Improvements

Data source: Lane County Assessment and Taxation

**Township-Range-Section / Subdivision Data**

Subdivision Type N/A      Subdivision Name N/A      Subdivision Number N/A  
 Phase N/A      Lot/Tract/Unit # TL 00306      Recording Number 2007-059225

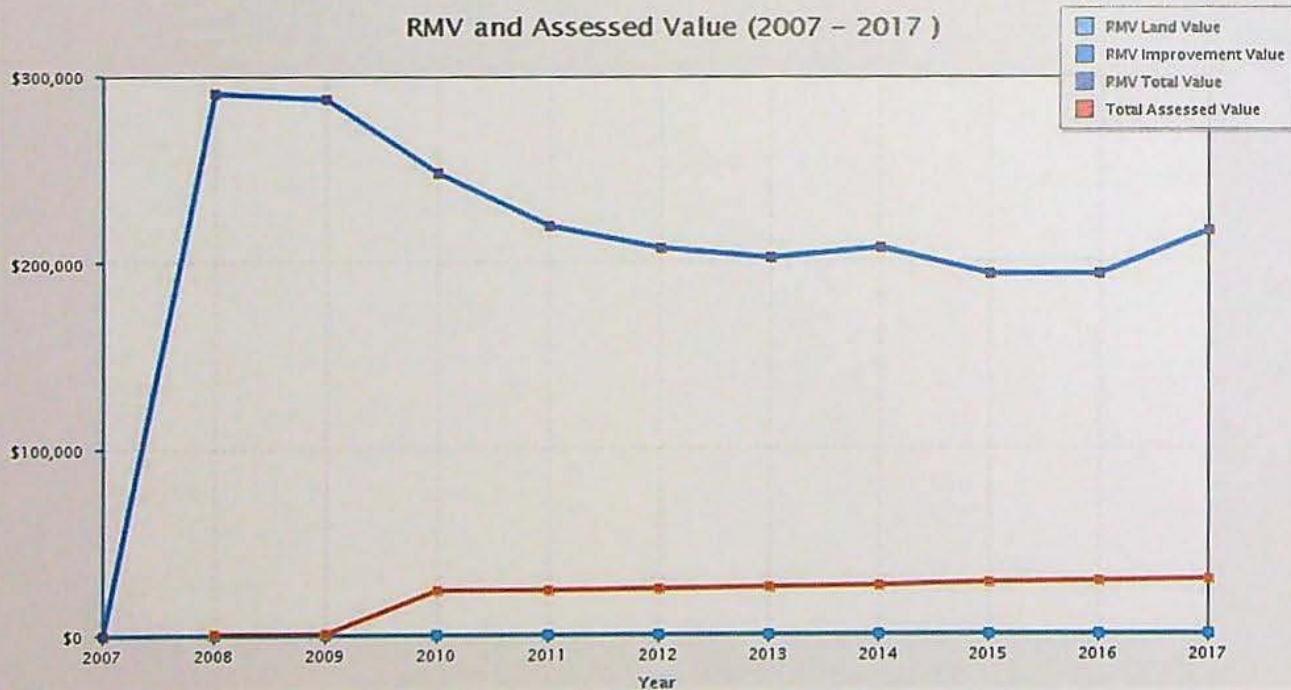
Data source: Lane County Assessment and Taxation

**Property Values & Taxes**

The values shown are the values certified in October unless a value change has been processed on the property. Value changes typically occur as a result of appeals, clerical errors and omitted property. The tax shown is the amount certified in October. This is the full amount of tax for the year indicated and does not include any discounts offered, payments made, interest owing or previous years owing. It also does not reflect any value changes.

Year	Real Market Value (RMV)			Total Assessed Value	Tax
	Land	Improvement	Total		
2017	\$216,597	\$0	\$216,597	\$29,099	\$ 303.14
2016	\$193,740	\$0	\$193,740	\$28,252	\$ 294.07
2015	\$193,740	\$0	\$193,740	\$27,429	\$ 286.35
2014	\$207,998	\$0	\$207,998	\$26,606	\$ 277.67
2013	\$202,341	\$0	\$202,341	\$25,854	\$ 268.73
2012	\$207,998	\$0	\$207,998	\$25,101	\$ 247.49
2011	\$219,451	\$0	\$219,451	\$24,370	\$ 242.74
2010	\$247,879	\$0	\$247,879	\$23,660	\$ 243.65
2009	\$287,966	\$0	\$287,966	\$773	\$ 8.35
2008	\$290,817	\$0	\$290,817	\$750	\$ 27.68
2007	\$0	\$0	\$0	\$0	\$ 0.00

RMV and Assessed Value (2007 - 2017)



Current Year Assessed Value \$29,099  
 Less Exemption Amount \* N/A  
 Taxable Value \$29,099

\* Frozen Assessed Value

Data source: Lane County Assessment and Taxation

**Tax Code Area & Taxing Districts**

Tax Code Area (Levy Code) for current tax year 00113

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Taxing Districts for TCA 00113

Emerald Peoples Utility District  
Lane Community College  
Lane County  
Lane Education Service District  
Pleasant Hill Rural Fire Protection Dist  
Pleasant Hill School District 1

**\*\*NOTE** Lane County Assessment and Taxation Tax Code Area & Taxing Districts reflect the current certified year. The **Billing Rate Document** may still reference the prior year's rates and details until we receive the current report from Lane County.

Data source: Lane County Assessment and Taxation

Sales & Ownership Changes

Sale Date	Sale Price	Doc #	Image	Analysis Code	Multiple Accts?	Grantor(s)	Grantee(s)
03/23/2015	\$0	2015-11495		8	No	MCDUGAL BROS INVESTMENTS	HENTON DOUGLAS R

Data source: Lane County Assessment and Taxation

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Detailed Property Report

Site Address 37358 JASPER LOWELL RD Jasper, OR 97438-9758  
 Map & Taxlot# 18-02-25-00-00305  
 SIC N/A  
 Tax Account# 1759800

Property Owner 1  
 FISCHER DANIEL  
 37358 JASPER LOWELL RD  
 JASPER, OR 97438  
 Tax account acreage 10.71  
 Mapped taxlot acreage<sup>1</sup> 10.71

<sup>1</sup> Mapped Taxlot Acreage is the estimated size of a taxlot as derived from the county GIS taxlot layer, and is not to be used for legal purposes.

Map & Taxlot # 18-02-25-00-00305



Business Information

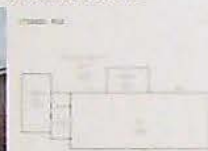
RLID does not contain any business data for this address

Improvements

Dwelling 1 / Building Type » Manufactured structure

Assessor Photo

Assessor Sketch



Click to enlarge photo

Inspection Date	03/12/2015	Effective Year Built	2006
Year Built	1999	LOIS Number	L295916
Make	Redman	Length	data not available
Model	data not available	Width	data not available
Plate #	2010-061403	Quality	data not available
Serial #	11827195AB		

Square Footage

Garage data not available Carport data not available  
 Paved Patio data not available Driveway data not available

Other Photos & Sketches for Tax Account



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Site Address Information

37358 JASPER LOWELL RD  
 JASPER, OR 97438-9758

House #	37358	Suffix	N/A	Pre-directional	N/A
Street Name	JASPER LOWELL	Street Type	RD	Unit type / #	N/A
Mail City	JASPER	State	OR	Zip Code	97438
Zip + 4	9758				

Land Use 1150 Mobile Home - Not In Mobile Home Park  
 USPS Carrier Route H065

**General Taxlot Characteristics**

**Geographic Coordinates**

X 4293670 Y 851606 (State Plane X,Y)  
 Latitude 43.9788 Longitude -122.8845

**Zoning**

**Zoning Jurisdiction** Lane County  
 Lane County  
 Parent Zone F2 Impacted Forest

**Land Use**

**General Land Use**  
 Code Description  
 N Mobile Homes on Lots  
 V Vacant

**Detailed Land Use**  
 Code Description  
 1150 Mobile Home - Not In Mobile Home Park  
 9100 Vacant, Unused, Undeveloped Land

**Taxlot Characteristics**

Incorporated City Limits none  
 Urban Growth Boundary none  
 Year Annexed N/A  
 Annexation # N/A  
 Approximate Taxlot Acreage 10.71  
 Approx Taxlot Sq Footage 466,528  
 Plan Designation Forest  
 Eugene Neighborhood N/A  
 Metro Area Nodal Dev Area No  
 Septic Yes  
 Well Yes  
 Landscaping Quality Average  
 Historic Property Name N/A  
 City Historic Landmark? No  
 National Historical Register? No

**Service Providers**

Fire Protection Provider Pleasant Hill RFPD  
 Ambulance Provider Springfield Dept of Fire & Life Safety  
 Ambulance District EC  
 Ambulance Service Area East/Central  
 LTD Service Area? No  
 LTD Ride Source? No  
 Soil Water Cons. Dist/Zone Upper Willamette / data not available  
 Emerald People's Utility District 3

**Environmental Data**

FEMA Flood Hazard Zone  
 Code Description  
 AE Areas of 100-year flood, base flood elevations determined.  
 FIRM Map Number 41039C1660F  
 Community Number 415591  
 Post-FIRM Date 12/18/1985  
 Panel Printed? Yes

Soils	Soil Map Unit#	Soil Type Description	% of Taxlot	Ag Class	Hydric %
22		Camas gravelly sandy loam, occasionally flooded	57%	4	7
48		Fluvents, nearly level	23%	7	89
95		Newberg fine sandy loam	20%	2	0

**Schools**

	Code	Name
School District	1	Pleasant Hill
Elementary School	500	Pleasant Hill
Middle School	502	Pleasant Hill
High School	502	Pleasant Hill

**Political Districts**

Election Precinct	758	State Representative District	11
City Council Ward	N/A	State Representative	Phil Barnhart
City Councilor	N/A	State Senate District	6
County Commissioner District	5 (East)	State Senator	Lee Beyer
County Commissioner	Gary Williams		
EWEB Commissioner	N/A		
LCC Board Zone	4		

**Census Information**

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Total Population	5,360	+/-419	*See below	*See below	360,273	*****	3,982,267	*****
Percent age 5 and Under	5.8%	+/-1.9	*See below	*See below	5.0%	*****	5.8%	+/-0.1
Percent Age 18 and Over	80.0%	+/-4.2	*See below	*See below	80.9%	*****	78.4%	+/-0.1
Percent Age 65 and Over	17.6%	+/-4.0	*See below	*See below	17.3%	+/-0.1	15.9%	+/-0.1
Median Age	48.1	+/-4.3	*See below	*See below	39.3	+/-0.2	39.1	+/-0.1

For a complete breakdown of population by age, gender, race, ethnicity and more, visit [American Fact Finder](#).

Housing Characteristics	Tract 1600		City Limits		Lane County		Oregon	
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
Occupied Housing Units	1,990	+/-138	*See below	*See below	146,692	+/-720	1,545,745	+/-4,059
Vacant Housing Units	246	+/-115	*See below	*See below	11,545	+/-668	160,545	+/-4,132
Percent Owner Occupied Housing Units	84.1%	+/-5.1	*See below	*See below	58.8%	+/-0.6	61.4%	+/-0.3
Percent Renter Occupied Housing Units	15.9%	+/-5.1	*See below	*See below	41.2%	+/-0.6	38.6%	+/-0.3
Homeowner Vacancy Rate	0.9%	+/-1.6	*See below	*See below	1.6%	+/-0.3	1.6%	+/-0.1
Rental Vacancy Rate	0.0%	+/-9.7	*See below	*See below	3.6%	+/-0.6	3.8%	+/-0.2
Median House Value (dollars)	247,000	+/-35,319	*See below	*See below	221,000	+/-2,536	247,200	+/-962
Median Monthly Mortgage (dollars)	1,267	+/-182	*See below	*See below	1,427	+/-17	1,563	+/-5
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Unemployment Rate	7.6%	+/-3.9	*See below	*See below	8.7%	+/-0.5	8.1%	+/-0.2
Poverty Rate	18.7%	+/-7.6	*See below	*See below	19.7%	+/-0.8	15.7%	+/-0.2

For a complete breakdown of incomes, poverty, employment, commute patterns and more, visit [American Fact Finder](#).

Social Characteristics	Tract 1600		City Limits		Lane County		Oregon	
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Percent High School Graduate or Higher	89.7%	+/-5.6	*See below	*See below	91.1%	+/-0.5	90.0%	+/-0.2

For a complete breakdown of educational attainment, school enrollment, marital status, ancestry and more, visit [American Fact Finder](#).

\* Outside city limits. Census data are not available.

Source: U.S. Census Bureau, 2012-2016 American Community Survey 5-Year Estimates

Explanation of Symbols:

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**Liens**

None	OWRD
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**Building Permits**

Please check the <a href="#">State of Oregon ePermitting System</a> .
---

**Land Use Applications**

RLID does not contain any landuse application data for this jurisdiction
--

**Petitions**

RLID does not contain any petition data for this jurisdiction
---

**Tax Statements & Tax Receipts**

Account#: 1759800					
View tax statement(s) for: <a href="#">2017</a> <a href="#">2016</a>					
<b>Tax Receipts</b>					
Receipt Date	Amount Received	Tax	Discount	Interest	Applied Amount
11/15/2016	\$12,498.36	\$11,113.15	\$89.04	\$1,385.21	\$12,587.40
10/28/2014	\$2,657.38	\$2,372.66	\$0.00	\$284.72	\$2,657.38
08/01/2013	\$1,621.65	\$1,529.86	\$0.00	\$91.79	\$1,621.65

Data source: Lane County Assessment and Taxation

**Owner/Taxpayer**

<b>Owners</b>		
<b>Owner</b>	<b>Address</b>	<b>City/State/Zip</b>
FISCHER DANIEL	37358 JASPER LOWELL RD	JASPER, OR 97438
<b>Taxpayer</b>		
<b>Party Name</b>	<b>Address</b>	<b>City/State/Zip</b>
FISCHER DANIEL	37358 JASPER LOWELL RD	JASPER, OR 97438

Data source: Lane County Assessment and Taxation

**Account Status**

<b>Status</b>	Active Account Current Tax Year
<b>Account Status</b>	none
<b>Remarks</b>	Potential Additional Tax; 97 Postponed Farm Tax \$251.20
<b>Special Assessment Program</b>	Forest Deferral

Data source: Lane County Assessment and Taxation

**General Tax Account Information**

<b>Tax Account Acreage</b>	10.71
<b>Fire Acres</b>	N/A
<b>Property Class</b>	649 - Forest, deferral by application, manufactured structure
<b>Statistical Class</b>	190 - MS on real property
<b>Neighborhood</b>	104501 - Typical Rural Pleasant Hill
<b>Category</b>	Land and Improvements

Data source: Lane County Assessment and Taxation

**Township-Range-Section / Subdivision Data**

<b>Subdivision Type</b>	N/A	<b>Subdivision Name</b>	N/A	<b>Subdivision Number</b>	N/A
<b>Phase</b>	N/A	<b>Lot/Tract/Unit #</b>	TL 00305	<b>Recording Number</b>	2002-079700

Data source: Lane County Assessment and Taxation

**Property Values & Taxes**

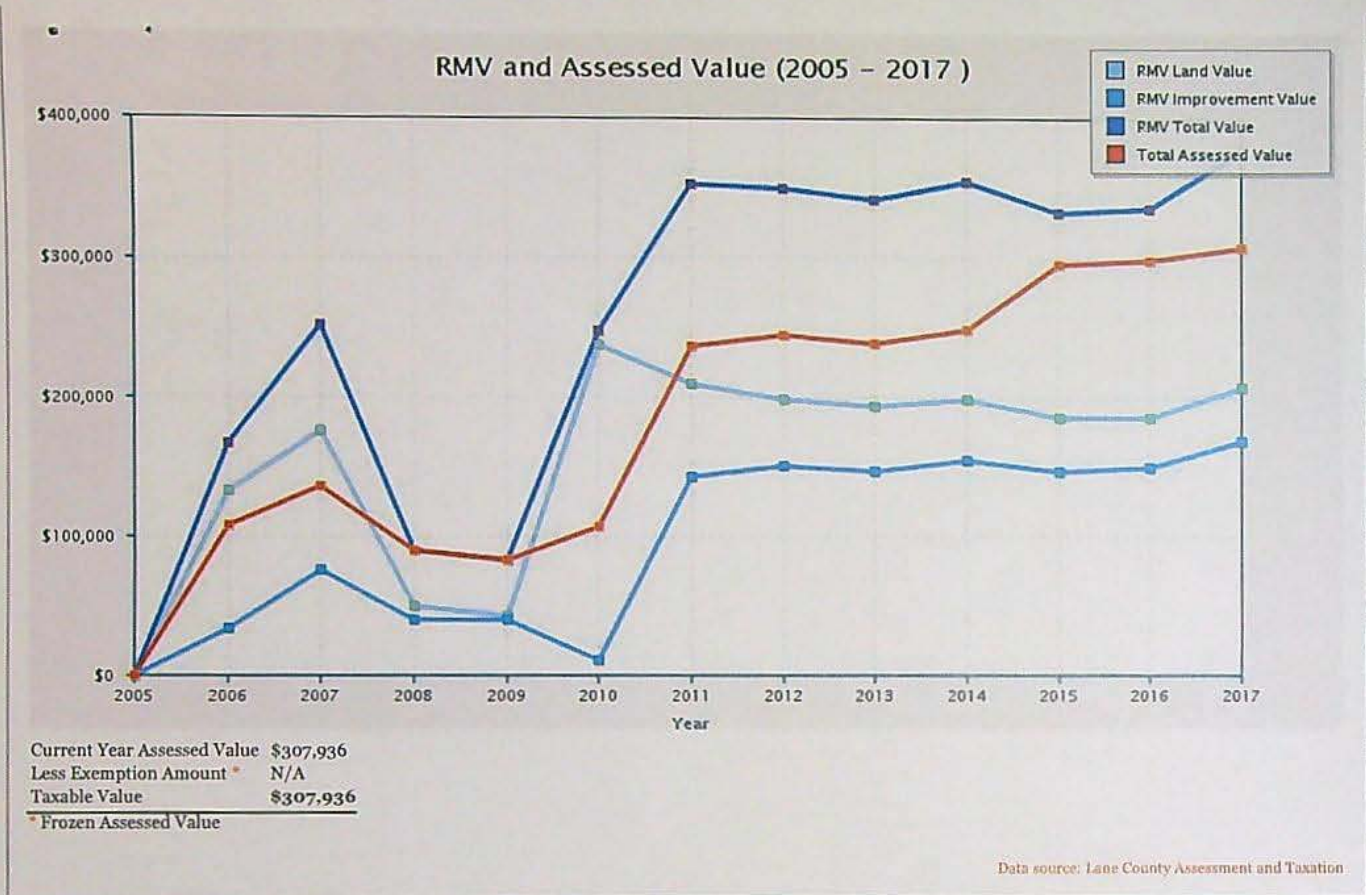
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Year	Real Market Value (RMV)			Total Assessed Value	Tax
	Land	Improvement	Total		
2017	\$207,703	\$169,038	\$376,741	\$307,936	\$3,196.18
2016	\$185,863	\$149,830	\$335,693	\$298,967	\$2,967.85
2015	\$185,863	\$146,915	\$332,778	\$296,047	\$5,752.54
2014	\$199,485	\$155,132	\$354,617	\$249,215	\$2,481.80
2013	\$194,082	\$147,424	\$341,506	\$239,263	\$2,372.66
2012	\$199,484	\$150,539	\$350,023	\$244,609	\$2,294.80
2011	\$210,428	\$142,685	\$353,113	\$236,963	\$2,268.96
2010	\$237,587	\$10,800	\$248,387	\$107,293	\$1,104.89
2009	\$43,187	\$39,740	\$82,927	\$82,927	\$ 856.03
2008	\$49,677	\$40,270	\$89,947	\$89,947	\$ 900.12
2007	\$176,220	\$75,750	\$251,970	\$135,909	\$1,441.23
2006	\$133,500	\$33,740	\$167,240	\$108,079	\$1,187.55
2005	\$0	\$0	\$0	\$0	\$ 0.00

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**Tax Code Area & Taxing Districts**

Tax Code Area (Levy Code) for current tax year 00113  
 Taxing Districts for TCA 00113  
 Emerald Peoples Utility District  
 Lane Community College  
 Lane County  
 Lane Education Service District  
 Pleasant Hill Rural Fire Protection Dist  
 Pleasant Hill School District 1

**\*\*NOTE** Lane County Assessment and Taxation Tax Code Area & Taxing Districts reflect the current certified year. The **Billing Rate Document** may still reference the prior year's rates and details until we receive the current report from Lane County.

Data source: Lane County Assessment and Taxation

**Sales & Ownership Changes**

Sale Date	Sale Price	Doc #	Image	Analysis Code	Multiple Accts?	Grantor(s)	Grantee(s)
01/29/2010	\$0	2010-5361		8	No	MCDUGAL NORMAN N	FISCHER DANIEL
10/14/2002	\$0	2002-79701		L	Yes	MCDUGAL BROS INVESTMENTS	MCDUGAL NORMAN N

Data source: Lane County Assessment and Taxation

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Detailed Property Report

Site Address 37446 JASPER LOWELL RD Jasper, OR 97438-9719  
 Map & Taxlot# 18-02-25-00-00304  
 SIC N/A  
 Tax Account# 1759784

Property Owner 1  
 MCDUGAL FOUNDATION INC  
 PO BOX 518  
 CRESWELL, OR 97426  
 Tax account acreage 19.67  
 Mapped taxlot acreage<sup>1</sup> 20.34

<sup>1</sup> Mapped Taxlot Acreage is the estimated size of a taxlot as derived from the county GIS taxlot layer, and is not to be used for legal purposes.

Map & Taxlot # 18-02-25-00-00304

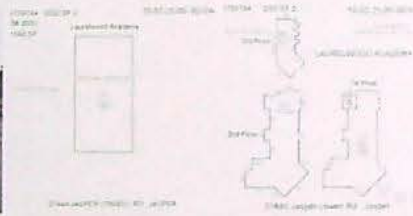


Business Information

RLID does not contain any business data for this address

Improvements

Photos & Sketches for Tax Account



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Building Part: Co1

Floor Number	1	Sq Ft	420
Occupancy Description	Storage Garage	Fireproof Steel Sq Ft	0
Use Description	Private School Dormitory	Reinforced Concrete Sq Ft	0
Year Built	2007	Fire Resistant Sq Ft	0
Effective Year Built	2007	Wood Joist Sq Ft	420
Grade	4	Pole Frame Sq Ft	0
Wall Height Ft	10	Pre-engineered Steel Sq Ft	0

Building Part: Co1

Floor Number	1	Sq Ft	7503
Occupancy Description	Dormitory	Fireproof Steel Sq Ft	0
Use Description	Private School Dormitory	Reinforced Concrete Sq Ft	0
Year Built	2007	Fire Resistant Sq Ft	0
Effective Year Built	2007	Wood Joist Sq Ft	7503
Grade	4	Pole Frame Sq Ft	0
Wall Height Ft	10	Pre-engineered Steel Sq Ft	0

Building Part: Co1

Floor Number	2	Sq Ft	7922
Occupancy Description	Dormitory	Fireproof Steel Sq Ft	0
Use Description	Private School Dormitory	Reinforced Concrete Sq Ft	0
Year Built	2007	Fire Resistant Sq Ft	0
Effective Year Built	2007	Wood Joist Sq Ft	7922
Grade	4	Pole Frame Sq Ft	0
Wall Height Ft	10	Pre-engineered Steel Sq Ft	0

Building Part: Co1

Floor Number	3	Sq Ft	2403
Occupancy Description	Dormitory	Fireproof Steel Sq Ft	0
Use Description	Private School Dormitory	Reinforced Concrete Sq Ft	0
Year Built	2007	Fire Resistant Sq Ft	0
Effective Year Built	2007	Wood Joist Sq Ft	2403
Grade	4	Pole Frame Sq Ft	0
Wall Height Ft	10	Pre-engineered Steel Sq Ft	0

**Building Part: Co4**

Floor Number	1	Sq Ft	1568
Occupancy Description	Relocatable Classroom	Fireproof Steel Sq Ft	0
Use Description	Modular Classroom	Reinforced Concrete Sq Ft	0
Year Built	2000	Fire Resistant Sq Ft	0
Effective Year Built	2000	Wood Joist Sq Ft	1568
Grade	3	Pole Frame Sq Ft	0
Wall Height Ft	9	Pre-engineered Steel Sq Ft	0

**Site Address Information**

37446 JASPER LOWELL RD  
JASPER, OR 97438-9719

House #	37446	Suffix	N/A	Pre-directional	N/A
Street Name	JASPER LOWELL	Street Type	RD	Unit type / #	N/A
Mail City	JASPER	State	OR	Zip Code	97438
Zip + 4	9719				

Land Use 1239 Other Residence Halls or Dormitories  
USPS Carrier Route H065

**General Taxlot Characteristics**

**Geographic Coordinates**

X 4295540 Y 850477 (State Plane X,Y)  
Latitude 43.9758 Longitude -122.8772

**Zoning**

**Zoning Jurisdiction** Lane County

Lane County

**Parent Zone** E25 Exclusive Farm Use (25 acre minimum)

**Land Use**

**General Land Use**

**Code Description**

Q Group Quarters

V Vacant

**Detailed Land Use**

**Code Description**

1239 Other Residence Halls or Dormitories

9100 Vacant, Unused, Undeveloped Land

**Taxlot Characteristics**

Incorporated City Limits	none
Urban Growth Boundary	none
Year Annexed	N/A
Annexation #	N/A
Approximate Taxlot Acreage	20.34
Approx Taxlot Sq Footage	886,010
Plan Designation	Agriculture
Eugene Neighborhood	N/A
Metro Area Nodal Dev Area	No
Septic	No
Well	No
Landscaping Quality	data not available
Historic Property Name	N/A
City Historic Landmark?	No
National Historical Register?	No

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**Service Providers**

Fire Protection Provider	Pleasant Hill RFPD
Ambulance Provider	Springfield Dept of Fire & Life Safety
Ambulance District	EC
Ambulance Service Area	East/Central
LTD Service Area?	No
LTD Ride Source?	No
Soil Water Cons. Dist/Zone	Upper Willamette / data not available
Emerald People's Utility District	3

**Environmental Data**

**FEMA Flood Hazard Zone**

**Code Description**

AE Areas of 100-year flood, base flood elevations determined.

X5 Areas of 500-year flood, areas of 100-year flood with average depths of less than 1 foot or with drainage areas less than 1 square mile, and areas protected by levees from 100-year flood.

FW Floodway areas inside the 100-year flood, base flood elevations determined.

FIRM Map Number 41039C1660F

Community Number 415591

Post-FIRM Date 12/18/1985  
 Panel Printed? Yes

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Soil Map Unit#	Soil Type Description	% of Taxlot	Ag Class	Hydric %
22	Camas gravelly sandy loam, occasionally flooded	66%	4	7
95	Newberg fine sandy loam	32%	2	0
24	Chapman loam	2%	1	0

**Schools**

	Code	Name
School District	1	Pleasant Hill
Elementary School	500	Pleasant Hill
Middle School	502	Pleasant Hill
High School	502	Pleasant Hill

**Political Districts**

Election Precinct	758	State Representative District	11
City Council Ward	N/A	State Representative	Phil Barnhart
City Councilor	N/A	State Senate District	6
County Commissioner District 5 (East)		State Senator	Lee Beyer
County Commissioner	Gary Williams		
EWEB Commissioner	N/A		
LCC Board Zone	4		

**Census Information**

The information provided below is only a small sampling of the information available from the US Census Bureau. The links at the end of each section below will take you to source tables at American Fact Finder, with additional details. Those links will take you to the most current estimates, but estimates for several previous years will also be available.

To view more Census detail about this tract, visit [Census Reporter](#).

Demographic Characteristics	Tract 1600		City Limits		Lane County		Oregon	
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
Total Population	5,106	+/-371 *See below	*See below	*See below	357,060	*****	3,939,233	*****
Percent age 5 and Under	5.3%	+/-1.8 *See below	*See below	*See below	5.0%	*****	5.9%	+/-0.1
Percent Age 18 and Over	78.8%	+/-4.6 *See below	*See below	*See below	80.8%	*****	78.2%	+/-0.1
Percent Age 65 and Over	17.0%	+/-3.9 *See below	*See below	*See below	16.7%	+/-0.1	15.4%	+/-0.1
Median Age	48.7	+/-5.8 *See below	*See below	*See below	39.3	+/-0.3	39.1	+/-0.2

For a complete breakdown of population by age, gender, race, ethnicity and more, visit [American Fact Finder](#).

Housing Characteristics	Tract 1600		City Limits		Lane County		Oregon	
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
Occupied Housing Units	1,947	+/-137 *See below	*See below	*See below	146,235	+/-853	1,533,430	+/-4,037
Vacant Housing Units	242	+/-118 *See below	*See below	*See below	11,275	+/-841	161,753	+/-3,792
Percent Owner Occupied Housing Units	80.9%	+/-6.6 *See below	*See below	*See below	58.7%	+/-0.6	61.3%	+/-0.3
Percent Renter Occupied Housing Units	19.1%	+/-6.6 *See below	*See below	*See below	41.3%	+/-0.6	38.7%	+/-0.3
Homeowner Vacancy Rate	1.1%	+/-1.8 *See below	*See below	*See below	1.8%	+/-0.4	1.7%	+/-0.1
Rental Vacancy Rate	0.0%	+/-8.4 *See below	*See below	*See below	3.5%	+/-0.6	4.2%	+/-0.2
Median House Value (dollars)	252,800	+/-23,599 *See below	*See below	*See below	215,300	+/-2,425	237,300	+/-1,069
Median Monthly Mortgage (dollars)	1,381	+/-127 *See below	*See below	*See below	1,433	+/-18	1,557	+/-7
Median Monthly Rent (dollars)	889	+/-140 *See below	*See below	*See below	866	+/-10	907	+/-4

For a complete breakdown of housing by tenure, number of bedrooms, year built and more, visit [American Fact Finder](#).

Economic Characteristics	Tract 1600		City Limits		Lane County		Oregon	
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
Median Household Income (dollars)	58,271	+/-6,990 *See below	*See below	*See below	44,103	+/-729	51,243	+/-271
Unemployment Rate	9.5%	+/-4.0 *See below	*See below	*See below	9.9%	+/-0.6	9.3%	+/-0.2
Poverty Rate	18.9%	+/-7.5 *See below	*See below	*See below	20.1%	+/-0.6	16.5%	+/-0.3

For a complete breakdown of incomes, poverty, employment, commute patterns and more, visit [American Fact Finder](#).

Social Characteristics	Tract 1600		City Limits		Lane County		Oregon	
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
Percent Bachelor Degree or Higher	17.7%	+/-3.6 *See below	*See below	*See below	28.4%	+/-0.6	30.8%	+/-0.2
Percent High School Graduate or Higher	90.4%	+/-4.5 *See below	*See below	*See below	91.1%	+/-0.5	89.8%	+/-0.2

For a complete breakdown of educational attainment, school enrollment, marital status, ancestry and more, visit [American Fact Finder](#).

\* Outside city limits. Census data are not available.

Source: U.S. Census Bureau, 2011-2015 American Community Survey 5-Year Estimates

Explanation of Symbols:

An '\*\*\*\*\*' entry in the margin of error column indicates that the estimate is controlled, and a margin of error is not provided.

None

**Building Permits**

Please check the [State of Oregon ePermitting System](#).

**Land Use Applications**

RLID does not contain any landuse application data for this jurisdiction

**Petitions**

RLID does not contain any petition data for this jurisdiction

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**Tax Statements & Tax Receipts**

Account#: 1759784  
View tax statement(s) for: [2017 2016](#)

<u>Tax Receipts</u>	Amount Received	Tax	Discount	Interest	Applied Amount
Receipt Date	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00

Data source: Lane County Assessment and Taxation

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**Owner/Taxpayer**

<u>Owners</u>		
Owner	Address	City/State/Zip
MCDUGAL FOUNDATION INC	PO BOX 518	CRESWELL, OR 97426
<u>Taxpayer</u>		
Party Name	Address	City/State/Zip
MCDUGAL FOUNDATION INC	PO BOX 518	CRESWELL, OR 97426

Data source: Lane County Assessment and Taxation

**Account Status**

Status: Active Account Current Tax Year

Account Status: none  
Remarks: Potential Additional Tax; 97 Postponed Farm Tax \$1080.07  
Special Assessment Program: N/A

Data source: Lane County Assessment and Taxation

**General Tax Account Information**

Tax Account Acreage: 19.67  
Fire Acres: N/A  
Property Class: 211 - Commercial, residential zone, improved  
Statistical Class: 410 - Dormitory  
Neighborhood: 80100 - Pleasant Hill  
Category: Land and Improvements

Data source: Lane County Assessment and Taxation

**Township-Range-Section / Subdivision Data**

Subdivision Type	N/A	Subdivision Name	N/A	Subdivision Number	N/A
Phase	N/A	Lot/Tract/Unit #	TL 00304	Recording Number	2002-079700

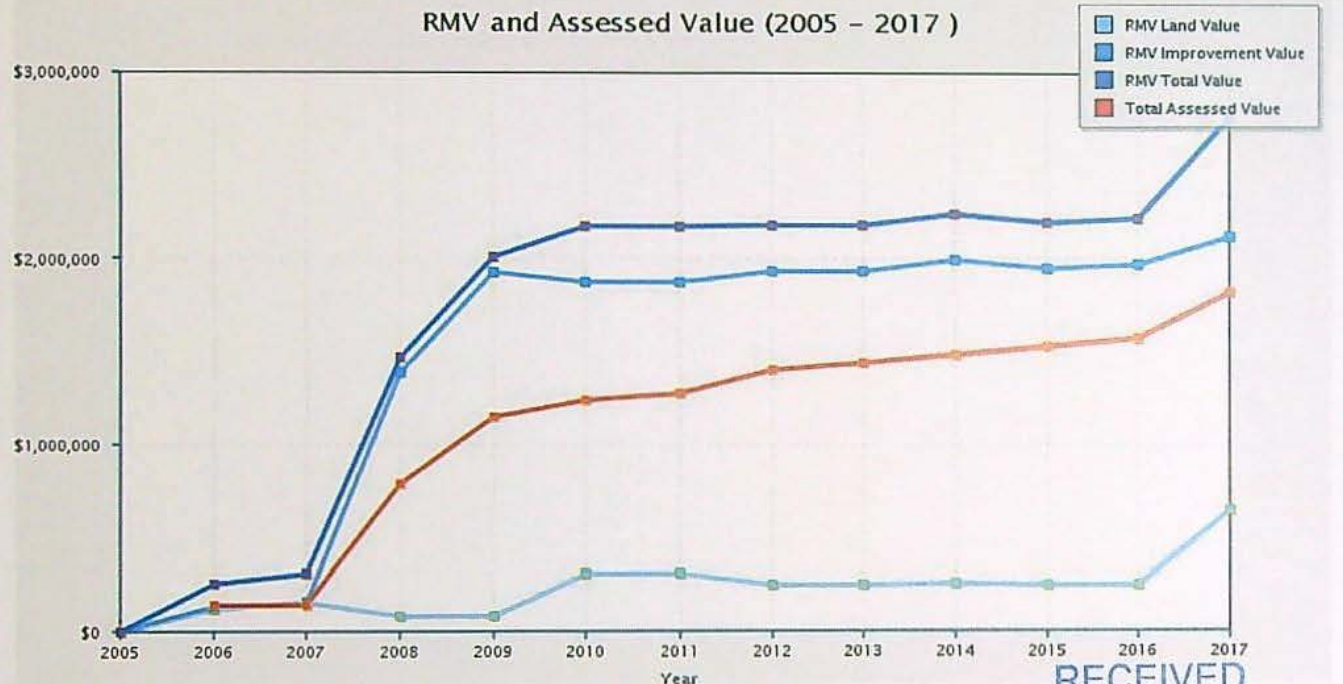
Data source: Lane County Assessment and Taxation

**Property Values & Taxes**

The values shown are the values certified in October unless a value change has been processed on the property. Value changes typically occur as a result of appeals, clerical errors and omitted property. The tax shown is the amount certified in October. This is the full amount of tax for the year indicated and does not include any discounts offered, payments made, interest owing or previous years owing. It also does not reflect any value changes.

Year	Real Market Value (RMV)			Total Assessed Value	Tax
	Land	Improvement	Total		

2017	\$642,619	\$2,122,381	\$2,765,000	\$1,822,135	\$ 0.00
2016	\$250,571	\$1,971,312	\$2,221,883	\$1,576,566	\$ 0.00
2015	\$248,091	\$1,951,795	\$2,199,886	\$1,530,647	\$ 0.00
2014	\$253,155	\$1,991,629	\$2,244,784	\$1,486,065	\$ 0.00
2013	\$245,783	\$1,933,621	\$2,179,404	\$1,442,782	\$ 0.00
2012	\$245,783	\$1,933,621	\$2,179,404	\$1,400,759	\$13,811.20
2011	\$305,850	\$1,872,238	\$2,178,088	\$1,273,350	\$ 424.92
2010	\$305,850	\$1,872,238	\$2,178,088	\$1,236,262	\$ 426.51
2009	\$79,443	\$1,930,200	\$2,009,643	\$1,144,879	\$2,117.56
2008	\$80,228	\$1,390,220	\$1,470,448	\$785,088	\$1,409.69
2007	\$156,420	\$149,180	\$305,600	\$145,336	\$1,541.20
2006	\$118,500	\$133,200	\$251,700	\$141,103	\$1,550.41
2005	\$0	\$0	\$0	\$0	\$ 0.00



Current Year Assessed Value \$1,822,135  
 Less Exemption Amount \* (\$1,822,135)  
 Taxable Value \$0  
 \* Frozen Assessed Value  
 Exemption Type Religious; Schools-Private

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Data source: Lane County Assessment and Taxation

**Tax Code Area & Taxing Districts**

Tax Code Area (Levy Code) for current tax year 00113  
 Taxing Districts for TCA 00113  
 Emerald Peoples Utility District  
 Lane Community College  
 Lane County  
 Lane Education Service District  
 Pleasant Hill Rural Fire Protection Dist  
 Pleasant Hill School District 1

**\*\*NOTE** Lane County Assessment and Taxation Tax Code Area & Taxing Districts reflect the current certified year. The **Billing Rate Document** may still reference the prior year's rates and details until we receive the current report from Lane County.

Data source: Lane County Assessment and Taxation

**Sales & Ownership Changes**

Sale Date	Sale Price	Doc #	Image	Analysis Code	Multiple Accts?	Grantor(s)	Grantee(s)
06/07/2006	\$0	2007-9311		K	Yes	LAURELWOOD ACADEMY INC	MCDOUGAL FOUNDATION INC
10/14/2002	\$0	2002-79702		L	Yes	MCDOUGAL BROS INVESTMENTS	LAURELWOOD ACADEMY INC

Data source: Lane County Assessment and Taxation

**Detailed Property Report**

**Site Address** 37362 JASPER LOWELL RD Jasper, OR 97438  
**Map & Taxlot#** 18-02-25-00-00303  
**SIC** N/A  
**Tax Account#** 1759768

**Property Owner 1**  
 HENTON DOUGLAS R & SANDRA N  
 PO BOX 2120  
 JASPER, OR 97438  
 Tax account acreage 12.53  
 Mapped taxlot acreage<sup>1</sup> 12.54

<sup>1</sup> Mapped Taxlot Acreage is the estimated size of a taxlot as derived from the county GIS taxlot layer, and is not to be used for legal purposes.

**Map & Taxlot # 18-02-25-00-00303**



**Business Information**

RLID does not contain any business data for this address

**Improvements**

**Dwelling 1 / Building Type » Class 5 dwelling**



Click to enlarge photo

Assessor Sketch



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Inspection Date	06/13/2006	Bedrooms	4	Roof Style	Gable
Building Class	5+	Full Bath(s)	2	Roof Cover	Comp shingle heavy
Year Built	2003	Half Bath(s)	1	Masonry Fireplace(s)	No
Effective Year Built	2003	Depreciation	10%	Improvement Complete	100 %
				Heat	Heat pump

**Floor Characteristics**

	<u>Base Sq Ft</u>	<u>Finished Sq Ft</u>	<u>Exterior</u>
1st Floor	1820	1820	Wood siding
2nd Floor	1793	1793	Wood siding
Attic	605	605	Wood siding
Total Sq Ft	4218	4218	

**Other Square Footage**

Detached Garage	884	Attached Garage	750
Basement Garage	N/A	Carport	N/A
Paved Patio	N/A	Paved Driveway	7152

**Site Address Information**

37362 JASPER LOWELL RD  
 JASPER, OR 97438

House #	37362	Suffix	N/A	Pre-directional	N/A
Street Name	JASPER LOWELL	Street Type	RD	Unit type / #	N/A
Mail City	JASPER	State	OR	Zip Code	97438
Zip + 4	N/A				

Land Use 1111 Single Family Housing  
 USPS Carrier Route N/A

**General Taxlot Characteristics**

**Geographic Coordinates**

X 4293725 Y 850979 (State Plane N,Y)  
 Latitude 43.9771 Longitude -122.8842

**Zoning**

**Zoning Jurisdiction** Lane County  
 Lane County  
**Parent Zone** F2 Impacted Forest

**Land Use**

**General Land Use**

**Code Description**  
 S Single Family  
 V Vacant  
 W Water

**Detailed Land Use**

**Code Description**  
 1111 Single Family Housing  
 9100 Vacant, Unused, Undeveloped Land  
 9310 Rivers, Creeks, Streams

**Taxlot Characteristics**

Incorporated City Limits none  
 Urban Growth Boundary none  
 Year Annexed N/A  
 Annexation # N/A  
 Approximate Taxlot Acreage 12.54  
 Approx Taxlot Sq Footage 546,242  
 Plan Designation Forest  
 Eugene Neighborhood N/A  
 Metro Area Nodal Dev Area No  
 Septic Yes  
 Well Yes  
 Landscaping Quality Average  
 Historic Property Name N/A  
 City Historic Landmark? No  
 National Historical Register? No

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**Service Providers**

Fire Protection Provider Pleasant Hill RFPD  
 Ambulance Provider Springfield Dept of Fire & Life Safety  
 Ambulance District EC  
 Ambulance Service Area East/Central  
 LTD Service Area? No  
 LTD Ride Source? No  
 Soil Water Cons. Dist/Zone Upper Willamette / data not available  
 Emerald People's Utility District 3

**Environmental Data**

FEMA Flood Hazard Zone  
**Code Description**  
 AE Areas of 100-year flood, base flood elevations determined.  
 FW Floodway areas inside the 100-year flood, base flood elevations determined.  
 FIRM Map Number 41039C1660F  
 Community Number 415591  
 Post-FIRM Date 12/18/1985  
 Panel Printed? Yes

Soils	Soil Map Unit#	Soil Type Description	% of Taxlot	Ag Class	Hydric %
	W	Water	32%	8	0
	22	Camas gravelly sandy loam, occasionally flooded	31%	4	7
	95	Newberg fine sandy loam	25%	2	0
	48	Fluvents, nearly level	12%	7	89

**Schools**

**Code Name**  
 School District 1 Pleasant Hill  
 Elementary School 500 Pleasant Hill  
 Middle School 502 Pleasant Hill  
 High School 502 Pleasant Hill

**Political Districts**

Election Precinct 758	State Representative District 11
City Council Ward N/A	State Representative Phil Barnhart
City Councilor N/A	State Senate District 6
County Commissioner District 5 (East)	State Senator Lee Beyer
County Commissioner Gary Williams	
EWEB Commissioner N/A	
LCC Board Zone 4	

**Census Information**

The information provided below is only a small sampling of the information available from the US Census Bureau. The links at the end of each section below will take you to source tables at American Fact Finder, with additional details. Those links will take you to the most current estimates, but estimates for several previous years will also be available.

To view more Census detail about this tract, visit [Census Reporter](#).

Demographic Characteristics	Tract 1600		City Limits		Lane County		Oregon	
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
Total Population	5,360	+/-419	*See below	*See below	360,273	*****	3,982,267	*****
Percent age 5 and Under	5.8%	+/-1.9	*See below	*See below	5.0%	*****	5.8%	+/-0.1
Percent Age 18 and Over	80.0%	+/-4.2	*See below	*See below	80.9%	*****	78.4%	+/-0.1
Percent Age 65 and Over	17.6%	+/-4.0	*See below	*See below	17.3%	+/-0.1	15.9%	+/-0.1
Median Age	48.1	+/-4.3	*See below	*See below	39.3	+/-0.2	39.1	+/-0.1

For a complete breakdown of population by age, gender, race, ethnicity and more, visit [American Fact Finder](#).

Housing Characteristics	Tract 1600		City Limits		Lane County		Oregon	
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
Occupied Housing Units	1,990	+/-138	*See below	*See below	146,692	+/-720	1,545,745	+/-4,059
Vacant Housing Units	246	+/-115	*See below	*See below	11,545	+/-668	160,545	+/-4,132
Percent Owner Occupied Housing Units	84.1%	+/-5.1	*See below	*See below	58.8%	+/-0.6	61.4%	+/-0.3
Percent Renter Occupied Housing Units	15.9%	+/-5.1	*See below	*See below	41.2%	+/-0.6	38.6%	+/-0.3
Homeowner Vacancy Rate	0.9%	+/-1.6	*See below	*See below	1.6%	+/-0.3	1.6%	+/-0.1
Rental Vacancy Rate	0.0%	+/-9.7	*See below	*See below	3.6%	+/-0.6	3.8%	+/-0.2
Median House Value (dollars)	247,000	+/-35,319	*See below	*See below	221,000	+/-2,536	247,200	+/-962
Median Monthly Mortgage (dollars)	1,267	+/-182	*See below	*See below	1,427	+/-17	1,563	+/-5
Median Monthly Rent (dollars)	847	+/-163	*See below	*See below	885	+/-10	941	+/-4

For a complete breakdown of housing by tenure, number of bedrooms, year built and more, visit [American Fact Finder](#).

Economic Characteristics	Tract 1600		City Limits		Lane County		Oregon	
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
Median Household Income (dollars)	56,557	+/-7,312	*See below	*See below	45,222	+/-822	53,270	+/-327
Unemployment Rate	7.6%	+/-3.9	*See below	*See below	8.7%	+/-0.5	8.1%	+/-0.2
Poverty Rate	18.7%	+/-7.6	*See below	*See below	19.7%	+/-0.8	15.7%	+/-0.2

For a complete breakdown of incomes, poverty, employment, commute patterns and more, visit [American Fact Finder](#).

Social Characteristics	Tract 1600		City Limits		Lane County		Oregon	
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
Percent Bachelor Degree or Higher	20.1%	+/-4.6	*See below	*See below	28.7%	+/-0.5	31.4%	+/-0.2
Percent High School Graduate or Higher	89.7%	+/-5.6	*See below	*See below	91.1%	+/-0.5	90.0%	+/-0.2

For a complete breakdown of educational attainment, school enrollment, marital status, ancestry and more, visit [American Fact Finder](#).

\* Outside city limits. Census data are not available.

Source: U.S. Census Bureau, 2012-2016 American Community Survey 5-Year Estimates

Explanation of Symbols:

An '\*\*\*\*\*' entry in the margin of error column indicates that the estimate is controlled, and a margin of error is not provided.

**Liens**

None

**Building Permits**

Please check the [State of Oregon ePermitting System](#).

**Land Use Applications**

RLID does not contain any landuse application data for this jurisdiction

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**Petitions**

RLID does not contain any petition data for this jurisdiction

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**Tax Statements & Tax Receipts**

OWRD

Account#: 1759768  
View tax statement(s) for: [2017 2016](#)

**Tax Receipts**

Receipt Date	Amount Received	Tax	Discount	Interest	Applied Amount
11/14/2017	\$5,876.36	\$5,876.36	\$181.74	\$0.00	\$6,058.10
11/08/2016	\$5,700.39	\$5,700.39	\$176.30	\$0.00	\$5,876.69
11/13/2015	\$5,550.74	\$5,550.74	\$171.67	\$0.00	\$5,722.41
11/12/2014	\$5,387.25	\$5,387.25	\$166.62	\$0.00	\$5,553.87
11/12/2013	\$5,209.29	\$5,209.29	\$161.11	\$0.00	\$5,370.40

Data source: Lane County Assessment and Taxation

**Owner/Taxpayer**

Owners

Owner	Address	City/State/Zip
HENTON DOUGLAS R & SANDRA N	PO BOX 2120	JASPER, OR 97438

Taxpayer

Party Name	Address	City/State/Zip
HENTON DOUGLAS R & SANDRA N	PO BOX 2120	JASPER, OR 97438

Data source: Lane County Assessment and Taxation

**Account Status**

Status Active Account Current Tax Year

Account Status	none
Remarks	Potential Additional Tax; 97 Postponed Farm Tax \$376.79
Special Assessment Program	Forest Deferral

Data source: Lane County Assessment and Taxation

**General Tax Account Information**

Tax Account Acreage	12.53
Fire Acres	N/A
Property Class	641 - Forest, deferral by application, improved
Statistical Class	150 - Class 5 single family dwelling
Neighborhood	104501 - Typical Rural Pleasant Hill
Category	Land and Improvements

Data source: Lane County Assessment and Taxation

**Township-Range-Section / Subdivision Data**

Subdivision Type	N/A	Subdivision Name	N/A	Subdivision Number	N/A
Phase	N/A	Lot/Tract/Unit #	TL 00303	Recording Number	2002-027663

Data source: Lane County Assessment and Taxation

**Property Values & Taxes**

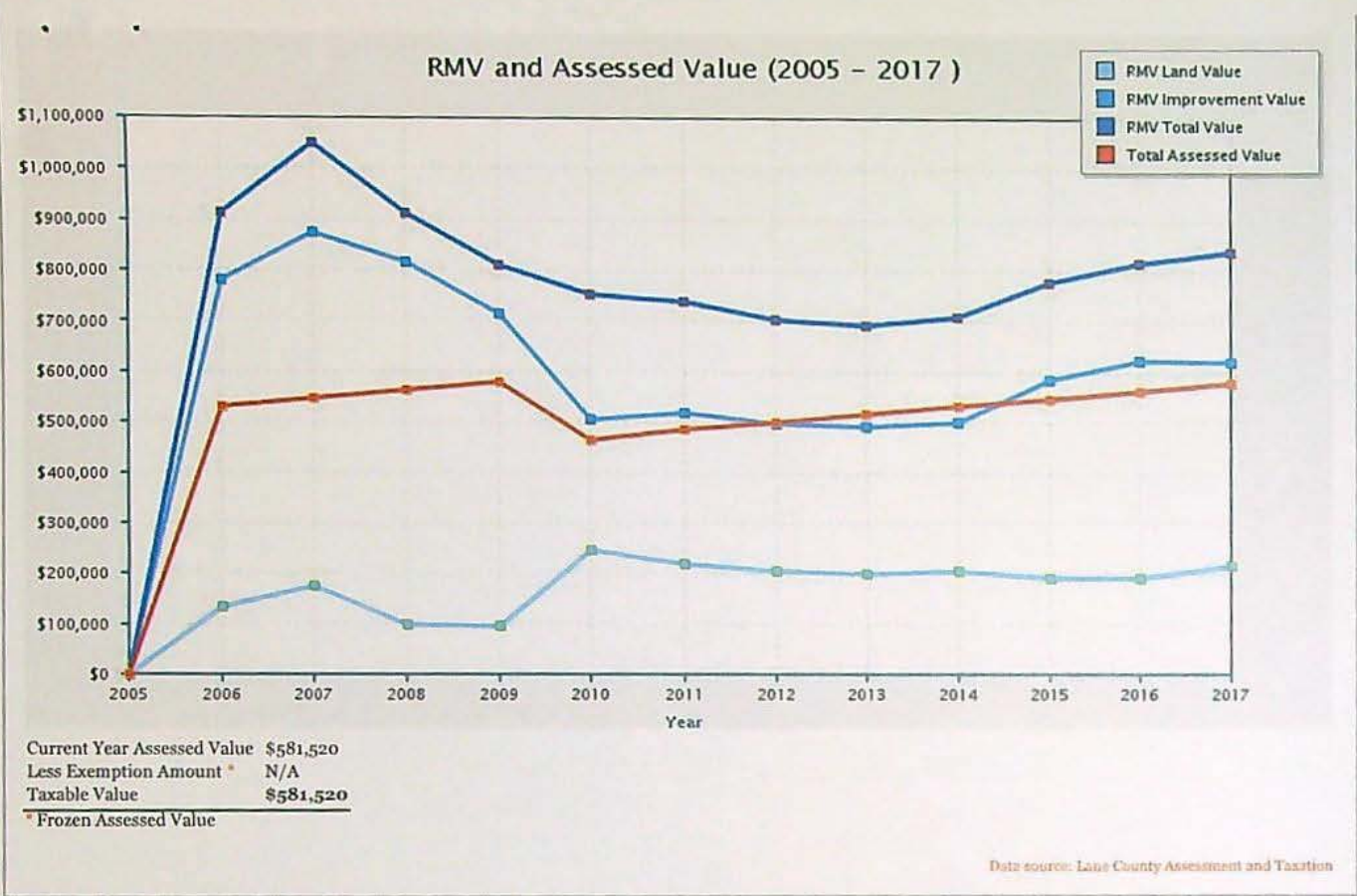
The values shown are the values certified in October unless a value change has been processed on the property. Value changes typically occur as a result of appeals, clerical errors and omitted property. The tax shown is the amount certified in October. This is the full amount of tax for the year indicated and does not include any discounts offered, payments made, interest owing or previous years owing. It also does not reflect any value changes.

Year	Real Market Value (RMV)			Total Assessed Value	Tax
	Land	Improvement	Total		
2017	\$216,163	\$622,547	\$838,710	\$581,520	\$6,058.10
2016	\$193,355	\$623,351	\$816,706	\$564,583	\$5,876.69
2015	\$193,355	\$585,610	\$778,965	\$548,139	\$5,722.41
2014	\$207,582	\$500,921	\$708,503	\$532,163	\$5,553.87
2013	\$201,938	\$491,331	\$693,269	\$516,673	\$5,370.40
2012	\$207,582	\$496,619	\$704,201	\$501,625	\$4,945.92
2011	\$219,009	\$520,395	\$739,404	\$487,014	\$5,000.93
2010	\$247,375	\$507,240	\$754,615	\$465,534	\$4,794.02
2009	\$96,984	\$714,370	\$811,354	\$579,676	\$6,264.21
2008	\$97,792	\$815,840	\$913,632	\$562,792	\$5,904.19
2007	\$176,220	\$873,190	\$1,049,410	\$546,400	\$5,794.24
2006	\$133,500	\$779,640	\$913,140	\$530,485	\$5,828.86
2005	\$0	\$0	\$0	\$0	\$ 0.00

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**Tax Code Area & Taxing Districts**

Tax Code Area (Levy Code) for current tax year 00113  
 Taxing Districts for TCA 00113  
 Emerald Peoples Utility District  
 Lane Community College  
 Lane County  
 Lane Education Service District  
 Pleasant Hill Rural Fire Protection Dist  
 Pleasant Hill School District 1

**\*\*NOTE** Lane County Assessment and Taxation Tax Code Area & Taxing Districts reflect the current certified year. The **Billing Rate Document** may still reference the prior year's rates and details until we receive the current report from Lane County.

Data source: Lane County Assessment and Taxation

**Sales & Ownership Changes**

Sale Date	Sale Price	Doc #	Image	Analysis Code	Multiple Accts?	Grantor(s)	Grantee(s)
03/19/2002	\$0	2002-27663		L	Yes	MCDUGAL BROS INVESTMENTS	HENTON DOUGLAS R & SANDRA N

Data source: Lane County Assessment and Taxation

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**Detailed Property Report**

**Site Address** 37460 JASPER LOWELL RD Jasper, OR 97438-9719  
**Map & Taxlot#** 18-02-25-00-00300  
**SIC** N/A  
**Tax Account#** 1342227

**Property Owner 1**  
 HENTON DOUGLAS R  
 34047 HAMPTON RD  
 EUGENE, OR 97405  
 Tax account acreage 54.42  
 Mapped taxlot acreage<sup>†</sup> 81.33

<sup>†</sup> Mapped Taxlot Acreage is the estimated size of a taxlot as derived from the county GIS taxlot layer, and is not to be used for legal purposes.

Code Split - Other land tax account(s) associated with this taxlot 0572162  
 Related Accts 5715598

**Map & Taxlot # 18-02-25-00-00300**



**Business Information**

RLID does not contain any business data for this address

**Improvements**

**Dwelling 1 / Building Type > Class 1 or 2 dwelling**  
Assessor Photo Assessor Sketch



Click to enlarge photo



Inspection Date	11/13/2013	Bedrooms	2	Roof Style	Gable
Building Class	2+	Full Bath(s)	2	Roof Cover	Metal
Year Built	1935	Half Bath(s)	0	Masonry Fireplace(s)	Yes
Effective Year Built	1975	Depreciation	22%	Improvement Complete	100%
				Heat	Baseboard

**Floor Characteristics**

	<u>Base Sq Ft</u>	<u>Finished Sq Ft</u>	<u>Exterior</u>
1st Floor	1340	1340	Wood siding
Basement	440	0	Masonry
Total Sq Ft	1780	1340	

**Other Square Footage**

Detached Garage	N/A	Attached Garage	N/A
Basement Garage	N/A	Carport	N/A
Paved Patio	N/A	Paved Driveway	N/A

**Other Photos & Sketches for Tax Account**

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**Site Address Information**

37460 JASPER LOWELL RD  
JASPER, OR 97438-9719

House #	37460	Suffix	N/A	Pre-directional	N/A
Street Name	JASPER LOWELL	Street Type	RD	Unit type / #	N/A
Mail City	JASPER	State	OR	Zip Code	97438
Zip + 4	9719				

Land Use 111 Single Family Housing  
USPS Carrier Route Ho65

**General Taxlot Characteristics**

**Geographic Coordinates**

X 4295771 Y 850290 (State Plane X,Y)  
Latitude 43.9753 Longitude -122.8763

**Zoning**

Zoning Jurisdiction Lane County  
Lane County  
Parent Zone F2 Impacted Forest

**Land Use**

**General Land Use**

Code	Description
D	Duplex
N	Mobile Homes on Lots
S	Single Family

**Detailed Land Use**

Code	Description
1111	Single Family Housing
1120	Two Family Housing Unit (Duplex)
1150	Mobile Home - Not In Mobile Home Park

**Taxlot Characteristics**

Incorporated City Limits	none
Urban Growth Boundary	none
Year Annexed	N/A
Annexation #	N/A
Approximate Taxlot Acreage	81.33
Approx Taxlot Sq Footage	3,542,735
Plan Designation	Forest
Eugene Neighborhood	N/A
Metro Area Nodal Dev Area	No
Septic	Yes
Well	Yes
Landscaping Quality	None
Historic Property Name	N/A
City Historic Landmark?	No
National Historical Register?	No

**Service Providers**

Fire Protection Provider	Pleasant Hill RFPD
Ambulance Provider	Springfield Dept of Fire & Life Safety
Ambulance District	EC
Ambulance Service Area	East/Central
LTD Service Area?	No
LTD Ride Source?	No
Soil Water Cons. Dist/Zone	Upper Willamette / data not available
Emerald People's Utility District	3

**Environmental Data**

**FEMA Flood Hazard Zone**

**Code Description**

FW	Floodway areas inside the 100-year flood, base flood elevations determined.
X	Areas determined to be outside of 500-year flood.
AE	Areas of 100-year flood, base flood elevations determined.
X5	Areas of 500-year flood, areas of 100-year flood with average depths of less than 1 foot or with drainage areas less than 1 square mile, and areas protected by levees from 100-year flood.

FIRM Map Number 41039C1660F  
Community Number 415591  
Post-FIRM Date 12/18/1985  
Panel Printed? Yes

**Soils**

Soil Map Unit#	Soil Type Description	% of Taxlot Ag Class Hydric %		
22	Camas gravelly sandy loam, occasionally flooded	29%	4	7
W	Water	25%	8	0
114	Riverwash	15%	8	93
95	Newberg fine sandy loam	13%	2	0
48	Fluvents, nearly level	12%	7	89
43C	Dixonville-Philomath-Hazelair complex, 3 to 12 percent slopes	3%	6	4
24	Chapman loam	1%	1	0
118	Salem gravelly silt loam	1%	2	0

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**Schools**

Code Name

School District	1	Pleasant Hill
Elementary School	500	Pleasant Hill
Middle School	502	Pleasant Hill
High School	502	Pleasant Hill

**Political Districts**

Election Precinct	758	State Representative District 11
City Council Ward	N/A	State Representative Phil Barnhart
City Councilor	N/A	State Senate District 6
County Commissioner District 5 (East)		State Senator Lee Beyer
County Commissioner	Gary Williams	
EWEB Commissioner	N/A	
LCC Board Zone	4	

**Census Information**

The information provided below is only a small sampling of the information available from the US Census Bureau. The links at the end of each section below will take you to source tables at American Fact Finder, with additional details. Those links will take you to the most current estimates, but estimates for several previous years will also be available.

To view more Census detail about this tract, visit [Census Reporter](#).

Demographic Characteristics	Tract 1600		City Limits		Lane County		Oregon	
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
Total Population	5,106	+/-371	*See below	*See below	357,060	*****	3,939,233	*****
Percent age 5 and Under	5.3%	+/-1.8	*See below	*See below	5.0%	*****	5.9%	+/-0.1
Percent Age 18 and Over	78.8%	+/-4.6	*See below	*See below	80.8%	*****	78.2%	+/-0.1
Percent Age 65 and Over	17.0%	+/-3.9	*See below	*See below	16.7%	+/-0.1	15.4%	+/-0.1
Median Age	48.7	+/-5.8	*See below	*See below	39.3	+/-0.3	39.1	+/-0.2

For a complete breakdown of population by age, gender, race, ethnicity and more, visit [American Fact Finder](#).

Housing Characteristics	Tract 1600		City Limits		Lane County		Oregon	
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
Occupied Housing Units	1,947	+/-137	*See below	*See below	146,235	+/-853	1,533,430	+/-4,037
Vacant Housing Units	242	+/-118	*See below	*See below	11,275	+/-841	161,753	+/-3,792
Percent Owner Occupied Housing Units	80.9%	+/-6.6	*See below	*See below	58.7%	+/-0.6	61.3%	+/-0.3
Percent Renter Occupied Housing Units	19.1%	+/-6.6	*See below	*See below	41.3%	+/-0.6	38.7%	+/-0.3
Homeowner Vacancy Rate	1.1%	+/-1.8	*See below	*See below	1.8%	+/-0.4	1.7%	+/-0.1
Rental Vacancy Rate	0.0%	+/-8.4	*See below	*See below	3.5%	+/-0.6	4.2%	+/-0.2
Median House Value (dollars)	252,800	+/-23,599	*See below	*See below	215,300	+/-2,425	237,300	+/-1,069
Median Monthly Mortgage (dollars)	1,381	+/-127	*See below	*See below	1,433	+/-18	1,557	+/-7
Median Monthly Rent (dollars)	889	+/-140	*See below	*See below	866	+/-10	907	+/-4

For a complete breakdown of housing by tenure, number of bedrooms, year built and more, visit [American Fact Finder](#).

Economic Characteristics	Tract 1600		City Limits		Lane County		Oregon	
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
Median Household Income (dollars)	58,271	+/-6,990	*See below	*See below	44,103	+/-729	51,243	+/-271
Unemployment Rate	9.5%	+/-4.0	*See below	*See below	9.9%	+/-0.6	9.3%	+/-0.2
Poverty Rate	18.9%	+/-7.5	*See below	*See below	20.1%	+/-0.6	16.5%	+/-0.3

For a complete breakdown of incomes, poverty, employment, commute patterns and more, visit [American Fact Finder](#).

Social Characteristics	Tract 1600		City Limits		Lane County		Oregon	
	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
Percent Bachelor Degree or Higher	17.7%	+/-3.6	*See below	*See below	28.4%	+/-0.6	30.8%	+/-0.2
Percent High School Graduate or Higher	90.4%	+/-4.5	*See below	*See below	91.1%	+/-0.5	89.8%	+/-0.2

For a complete breakdown of educational attainment, school enrollment, marital status, ancestry and more, visit [American Fact Finder](#).

\* Outside city limits. Census data are not available.

Source: U.S. Census Bureau, 2011-2015 American Community Survey 5-Year Estimates

Explanation of Symbols:

An "\*\*\*\*\*" entry in the margin of error column indicates that the estimate is controlled, and a margin of error is not provided.

**Liens**

None

**Building Permits**

Please check the [State of Oregon ePermitting System](#).

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**Land Use Applications**

RLID does not contain any landuse application data for this jurisdiction

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**Petitions**

RLID does not contain any petition data for this jurisdiction

**Tax Statements & Tax Receipts**

Account#: 1342227  
View tax statement(s) for: 2017 2016

**Tax Receipts**

Receipt Date	Amount Received	Tax	Discount	Interest	Applied Amount
11/14/2017	\$5,442.72	\$5,442.72	\$168.33	\$0.00	\$5,611.05
11/08/2016	\$5,274.37	\$5,274.37	\$163.12	\$0.00	\$5,437.49
11/16/2015	\$5,113.03	\$5,113.03	\$158.13	\$0.00	\$5,271.16
11/17/2014	\$2,083.45	\$2,083.45	\$64.44	\$0.00	\$2,147.89
11/15/2013	\$1,872.61	\$1,872.61	\$57.92	\$0.00	\$1,930.53

Data source: Lane County Assessment and Taxation

**Owner/Taxpayer**

**Owners**

Owner	Address	City/State/Zip
HENTON DOUGLAS R	34047 HAMPTON RD	EUGENE, OR 97405

**Taxpayer**

Party Name	Address	City/State/Zip
HENTON DOUGLAS R	34047 HAMPTON RD	EUGENE, OR 97405

Data source: Lane County Assessment and Taxation

**Account Status**

Status Active Account Current Tax Year

Code Split - Other land tax account(s) associated with this taxlot 0572162

Related Accts 5715598

Account Status none  
Remarks Potential Additional Tax; 97 Postponed Farm Tax \$784.55  
Special Assessment Program Forest Deferral

Data source: Lane County Assessment and Taxation

**General Tax Account Information**

Tax Account Acreage 54.42  
Fire Acres N/A  
Property Class 641 - Forest, deferral by application, improved  
Statistical Class 232 - Class 3 duplex  
Neighborhood 104501 - Typical Rural Pleasant Hill  
Category Land and Improvements

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Data source: Lane County Assessment and Taxation

**Township-Range-Section / Subdivision Data**

Subdivision Type	N/A	Subdivision Name	N/A	Subdivision Number	N/A
Phase	N/A	Lot/Tract/Unit #	TL 00300	Recording Number	N/A

Data source: Lane County Assessment and Taxation

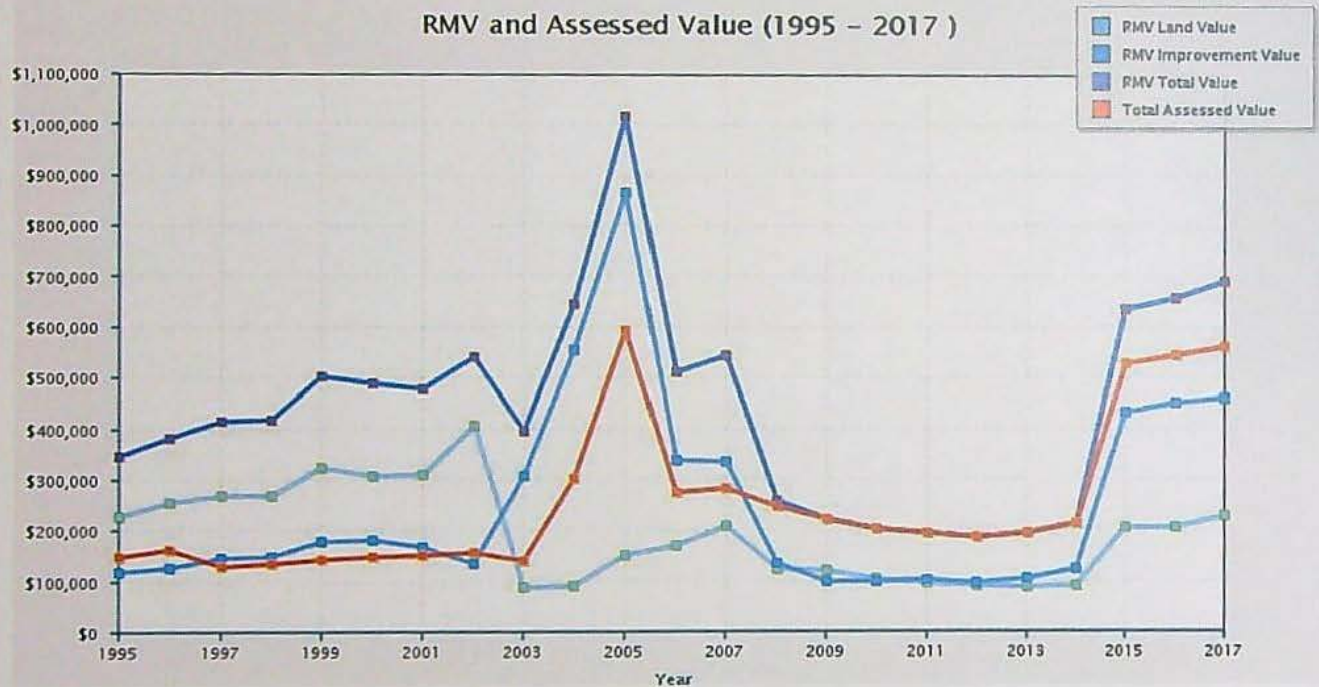
**Property Values & Taxes**

The values shown are the values certified in October unless a value change has been processed on the property. Value changes typically occur as a result of appeals, clerical errors and omitted property. The tax shown is the amount certified in October. This is the full amount of tax for the year indicated and does not include any discounts offered, payments made, interest owing or previous years owing. It also does not reflect any value changes.

Year	Real Market Value (RMV)			Total Assessed Value	Tax
	Land	Improvement	Total		
2017	\$229,433	\$459,569	\$689,002	\$560,865	\$5,611.05
2016	\$205,668	\$451,550	\$657,218	\$544,529	\$5,437.49

2015	\$205,668	\$430,682	\$636,350	\$528,670	\$5,271.16
2014	\$90,945	\$124,864	\$215,809	\$215,809	\$2,147.89
2013	\$88,945	\$105,852	\$194,797	\$194,797	\$1,930.53
2012	\$90,944	\$96,454	\$187,398	\$187,398	\$1,757.07
2011	\$95,124	\$101,053	\$196,177	\$196,177	\$1,859.18
2010	\$105,314	\$98,180	\$203,494	\$203,494	\$1,997.13
2009	\$121,985	\$99,460	\$221,445	\$221,445	\$2,285.91
2008	\$123,008	\$135,370	\$258,378	\$248,186	\$2,534.60
2007	\$209,587	\$335,760	\$545,347	\$282,799	\$2,998.91
2006	\$171,500	\$338,720	\$510,220	\$274,694	\$3,018.28
2005	\$151,143	\$865,460	\$1,016,603	\$593,348	\$6,568.60
2004	\$90,049	\$555,420	\$645,469	\$302,797	\$3,301.85
2003	\$88,862	\$308,470	\$397,332	\$141,235	\$1,482.30
2002	\$407,030	\$134,780	\$541,810	\$156,803	\$1,637.13
2001	\$310,626	\$168,480	\$479,106	\$152,356	\$1,591.47
2000	\$307,923	\$181,160	\$489,083	\$147,970	\$1,557.46
1999	\$324,130	\$179,090	\$503,220	\$143,667	\$1,480.96
1998	\$270,120	\$149,240	\$419,360	\$133,651	\$1,341.73
1997	\$270,120	\$146,310	\$416,430	\$129,758	\$1,433.52
1996	\$254,830	\$127,520	\$382,350	\$161,080	\$1,253.50
1995	\$227,530	\$118,080	\$345,610	\$148,170	\$1,158.19

RMV and Assessed Value (1995 - 2017)



Current Year Assessed Value \$560,865  
 Less Exemption Amount \* N/A  
 Taxable Value \$560,865  
 \* Frozen Assessed Value

Data source: Lane County Assessment and Taxation

Tax Code Area & Taxing Districts

Tax Code Area (Levy Code) for current tax year 00113  
 Taxing Districts for TCA 00113  
 Emerald Peoples Utility District  
 Lane Community College  
 Lane County  
 Lane Education Service District  
 Pleasant Hill Rural Fire Protection Dist  
 Pleasant Hill School District 1

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\*\*NOTE Lane County Assessment and Taxation Tax Code Area & Taxing Districts reflect the current certified year. The Billing Rate Document may still reference the prior year's rates and details until we receive the current report from Lane County.

Data source: Lane County Assessment and Taxation

Sales & Ownership Changes

Sale Date	Sale Price	Doc #	Image	Analysis Code	Multiple Accts?	Grantor(s)	Grantee(s)
12/22/2015	\$300,000	2015-62565		8	Yes	MCDUGAL NORMAN N	HENTON DOUGLAS R

06/18/2014	\$0	2014-24675		8	Yes	ANTHONY JOHN GROUF LLC	MCDUGAL NORMAN N
04/27/1999	\$0	1999-38975		0	No	MCDUGAL BROS INVESTMENTS	MCDUGAL NORMAN N
11/13/1998	\$3,575,000	1998-91909		V	data not available	TRIPP GORDON W TE	MCDUGAL BROS INVESTMENTS
01/12/1995	\$0	1995-3296		6	data not available	TRIPP, GORDON W	data not available

Data source: Lane County Assessment and Taxation

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# EGR & Associates, Inc.

Engineers, Geologists and Surveyors

2535B Prairie Road  
Eugene, Oregon 97402

(514) 688-8322  
Fax (541) 688-8087

## LETTER OF TRANSMITTAL

DATE: 6/29/18	JOB NO: 6764-17-0096
ATTENTION: Michael Evans	
RE: Claim of Beneficial Use	
<p><b>RECEIVED</b></p> <p><b>JUL 16 2018</b></p>	

TO: Michael Evans  
1071 Harlow Road  
Springfield, OR 97477

WE ARE SENDING YOU:

- |   |                                       |                                 |   |                                |
|---|---------------------------------------|---------------------------------|---|--------------------------------|
| <input type="checkbox"/> Drawings       | <input type="checkbox"/> Report       | <input type="checkbox"/> Letter | <input type="checkbox"/> Copy of Letter | <input type="checkbox"/> Plans |
| <input type="checkbox"/> Specifications | <input type="checkbox"/> Change Order | <input type="checkbox"/> _____  |   |                                |

**OWRD**

- VIA:  Fax Transmittal     Postal Service     Express Courier     Hand Deliver     \_\_\_\_\_

NO.	COPIES	DATE	DESCRIPTION
1	2	6/29/2018	Claim of Beneficial Use (one copy for your records) (one copy to be signed and sent back to EGR in the postage paid provided envelope)
2	1	6/29/2018	Claim of Beneficial Use with application to expedite process. This copy is for <b>Water Resources</b> . The maps in this copy are on special polyester film. Please sign in the two locations marked, make check payable to Oregon Water Resources Department, and send to Water Resources in the provided cardboard mailer tube.

THESE ARE TRANSMITTED AS CHECKED BELOW:

- |  |  |  |   |   |
|--|--|--|---|---|
| <input type="checkbox"/> As Requested      | <input type="checkbox"/> For Your Use          | <input type="checkbox"/> For Approval            | <input type="checkbox"/> For Review and Comment | <input type="checkbox"/> Returned For Corrections |
| <input type="checkbox"/> Approved as Noted | <input type="checkbox"/> Approved as Submitted | <input type="checkbox"/> Return Corrected Prints | <input type="checkbox"/> Resubmit for Approval  | <input type="checkbox"/> _____                    |

REMARKS:

COPY TO:

SIGNED: M. Recca

RMAN McDougal  
 priority = 4-9-1958

Sec 25, T 18S R 2W, W.M.

Completion Checklist for Claims of Beneficial Use for  
 POST JULY 1, 2004 Claims

Application #	WRD Reviewer <i>Kerry Kavanagh</i>
Transfer # <i>T-10377</i>	Claim Logged
Date Received <i>7-9-2018</i>	Oversized Map #
CWRE Name <i>Steven I Recca</i> CUPE # <i>76773</i>	

Map Review:

- Map on 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 690-014-0170(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)

*ΔPOD & ΔPOU*  
*TFD issued 12-20-07*  
*date = 10-1-09*  
*part on Cert 32562*  
*or 0.79 cfs for 12 of 62.9 acres*  
*RR Cert 43599*

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) *LANE*
- Description of conveyances system (from POD to POU) (OAR 690-014-0100)
- Source(s) of water (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 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
  - Pump test (ground water)
  - Other

*Corbill - POD - 0.79 cfs*  
*62.74 acres developed*

*TL*  
*901*  
*306*  
*305*  
*304*  
*303*  
*300*

*need* →

*need documentation from ODFW prior to installation*

- Conditions from Extension Final Order and/or Water Management Conservation Plan
- CWRE stamp and signature (OAR 690-014-0100)
- Signature(s) of permittee of transfer holder (OAR 690-014-0100)

DEF = deficient  
 N/A = Not Applicable

# Certificate Issuance Processing Checklist

Map and COBU reviewed  
 Conflict check Any Conflicts? NO  
 Check for ownership

Check Area of Interest  YES  NO  
Identified Party \_\_\_\_\_

## Staff Recommendations:

\_\_\_\_\_ Proof to the Satisfaction has been established to the full extent as described in the permit or transfer order.

Proof to the Satisfaction has been not been established to the full extent as described in the permit or transfer order and the right should be limited as follows: fewer acres 62.74ac claimed

\_\_\_\_\_ Proof to the Satisfaction has not been established for the following reasons: \_\_\_\_\_

### Proposed Actions:

\_\_\_\_\_ Send letter requesting the following items/information: \_\_\_\_\_

\_\_\_\_\_ Send letter recommending extension to cure deficiencies: \_\_\_\_\_

Can certificate be processed further?  
\_\_\_\_\_ Yes

If "Yes":

\_\_\_\_\_ Proposed  
\_\_\_\_\_ Final

Certificate # \_\_\_\_\_

Mailing list:

Proposed:

Final:

OREGON SECRETARY OF STATE  
**Corporation Division**

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Business Entity Data

02-11-2019  
12:14

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?
179163-88	ABN	ACT		11-30-1989	11-30-2019	
<b>Entity Name</b>	LAND PLANNING CONSULTANTS					
<b>Foreign Name</b>						
<b>Affidavit?</b>	N					

[New Search](#)

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Associated Names

<b>Type</b>	PPB	PRINCIPAL PLACE OF BUSINESS			
<b>Addr 1</b>	475 OAKDALE AVE				
<b>Addr 2</b>					
<b>CSZ</b>	SPRINGFIELD	OR	97477	<b>Country</b>	UNITED STATES OF AMERICA

The Authorized Representative address is the mailing address for this business.

Type	REP	AUTHORIZED REPRESENTATIVE	Start Date	11-30-1989	Resign Date
<b>Name</b>	MICHAEL	EVANS			
<b>Addr 1</b>	475 OAKDALE AVE				
<b>Addr 2</b>					
<b>CSZ</b>	SPRINGFIELD	OR	97477	<b>Country</b>	UNITED STATES OF AMERICA

<b>Type</b>	REG	REGISTRANT			
<b>Name</b>	MICHAEL	EVANS			
<b>Addr 1</b>	475 OAKDALE AVE				
<b>Addr 2</b>					
<b>CSZ</b>	SPRINGFIELD	OR	97477	<b>Country</b>	UNITED STATES OF AMERICA

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Name History

Business Entity Name	Name Type	Name Status	Start Date	End Date
LAND PLANNING CONSULTANTS	EN	CUR	11-30-1989	

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Image Available	Action	Transaction Date	Effective Date	Status	Name/Agent Change	Dissolved By
	RENEWAL PAYMENT	11-21-2017		SYS		
	RENEWAL PAYMENT	11-30-2015		SYS		
	RENEWAL PAYMENT	11-13-2013		SYS		
	RENEWAL PAYMENT	11-15-2011		SYS		
	AMENDMENT OF REGISTRATION	11-23-2009		FI		
	RENEWAL PAYMENT	11-12-2009		SYS		
	RENEWAL PAYMENT	11-20-2007		SYS		
	RENEWAL PAYMENT	11-01-2005		SYS		
	RENEWAL PAYMENT	11-05-2003		SYS		
	RENEWAL PAYMENT	11-23-2001		SYS		
	STRAIGHT RENEWAL	11-24-1999		FI		
	STRAIGHT RENEWAL	11-03-1997		FI		
	STRAIGHT RENEWAL	12-14-1995		FI		
	AMENDED RENEWAL	11-19-1993		FI		
	STRAIGHT RENEWAL	11-13-1991		FI		
	NEW FILING	11-30-1989		FI		

[New Search](#)   [Printer Friendly](#)   [Counties](#)

**Counties Filed**

Benton, Deschutes, Douglas, Lane, Linn, Marion

**Counties Not Filed (but not necessarily available)**

Baker, Clackamas, Clatsop, Columbia, Coos, Crook, Curry, Gilliam, Grant, Harney, Hood River, Jackson, Jefferson, Josephine, Klamath, Lake, Lincoln, Malheur, Morrow, Multnomah, Polk, Sherman, Tillamook, Umatilla, Union, Wallowa, Wasco, Washington, Wheeler, Yamhill

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[Policy](#) | [SOS Home](#) | [Oregon Blue Book](#) | [Oregon.gov](#)

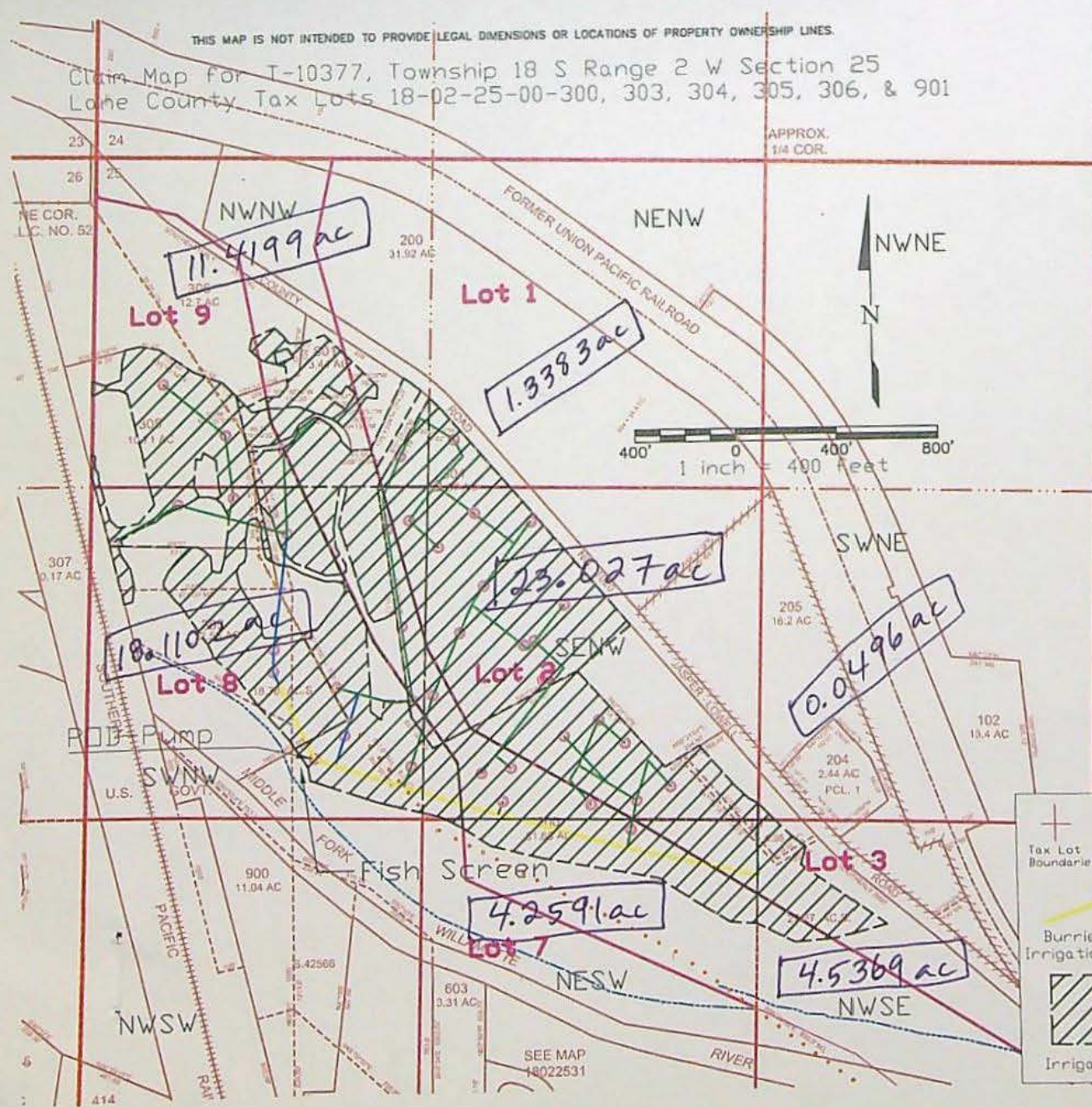
For comments or suggestions regarding the operation of this site,

Kerry's work copy

1.3383 ac = total # acres per 1/4 section

THIS MAP IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

Claim Map for T-10377, Township 18 S Range 2 W Section 25  
 Lane County Tax Lots 18-02-25-00-300, 303, 304, 305, 306, & 901



Original Point of Diversion						
Township	Range	Section	1/4	1/4	1/4	DLC
18S	2W	10	SW	NW	2	NA
1008 Feet S and 50 feet W of the NW corner of DLC 39						

Point of Diversion						
Township	Range	Section	1/4	1/4	1/4	DLC
18S	2W	25	NW	SW	8	NA
2350 Feet S and 1820 Feet W from the N 1/4 Corner of section 25						

Irrigation by 1/4 1/4, Glot, and DLC									
Township	Range	Section	1/4	1/4	1/4	Glot	DLC	Acreage	
18S	2W	25	NE	SW	3	-	-	0.0496	
18S	2W	25	NW	NE	1	-	-	1.3383	
18S	2W	25	NW	NW	1	-	-	1.6904	
18S	2W	25	NW	NW	9	52	-	4.6410	
18S	2W	25	NW	NW	9	-	-	2.9691	
18S	2W	25	NW	NW	-	-	-	2.1194	
18S	2W	25	NW	SW	2	-	-	1.2778	
18S	2W	25	NW	SW	8	52	-	7.2746	
18S	2W	25	NW	SW	8	-	-	8.2485	
18S	2W	25	NW	SW	-	-	-	1.2659	
18S	2W	25	NW	SW	-	52	-	0.0434	
18S	2W	25	NW	SE	2	-	-	18.1559	
18S	2W	25	NW	SE	8	52	-	0.0014	
18S	2W	25	NW	SE	8	-	-	1.0342	
18S	2W	25	NW	SE	-	-	-	3.8355	
18S	2W	25	SW	NE	7	-	-	0.0279	
18S	2W	25	SE	NW	3	-	-	3.9937	
18S	2W	25	SE	NW	-	-	-	0.5432	
Total								62.741	

**Lot 1** Government Lots From 1855 Map

Tax Lot Boundaries  
 DLC Lines  
 Section Lines  
 Quarter Section Lines  
 Quarter Quarter Lines

Burried 6" Irrigation Line  
 Burried 4" Irrigation Line  
 Burried 3" Irrigation Line

Irrigated Areas  
 Irrigation Risers

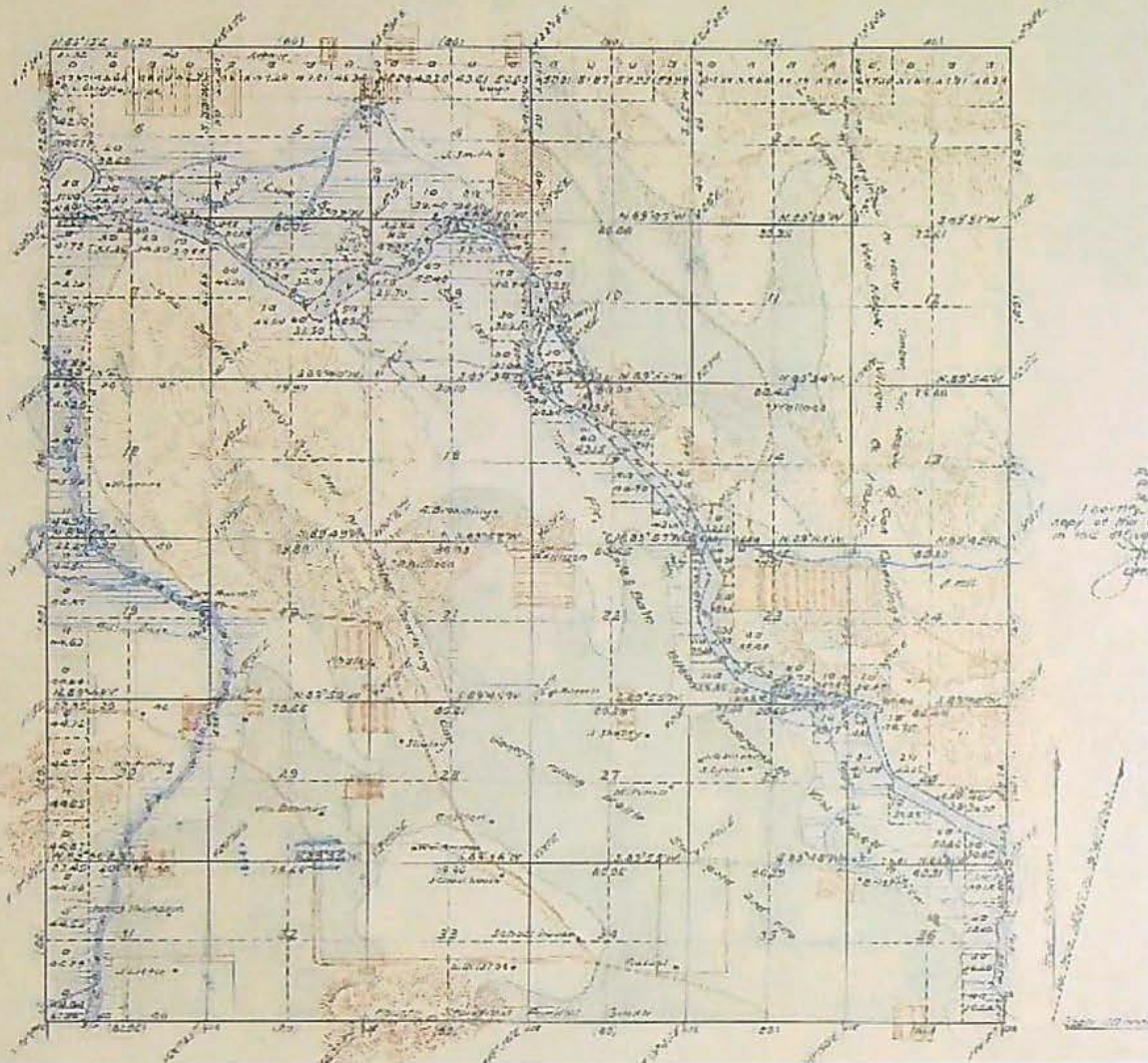
Certified Water Right Examiner  
 76773WRE  
 Steven I Recca  
 June 29, 2007  
 STATE OF OREGON  
 EXPIRATION DATE: 12/31/18

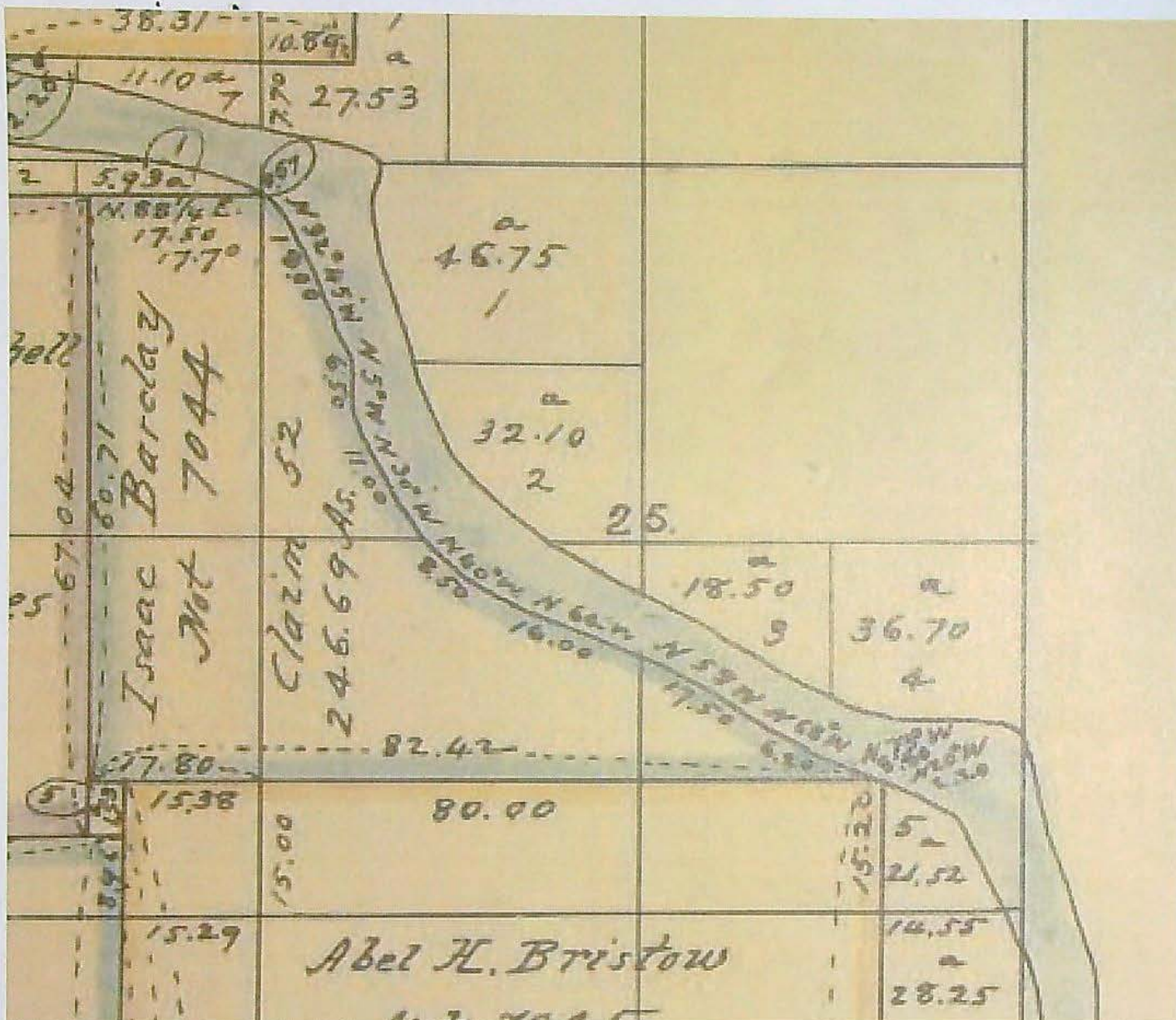
DRAFT Revised COBLE map - rec'd 1-4-2019 via email from Steven Recca, CWPE.

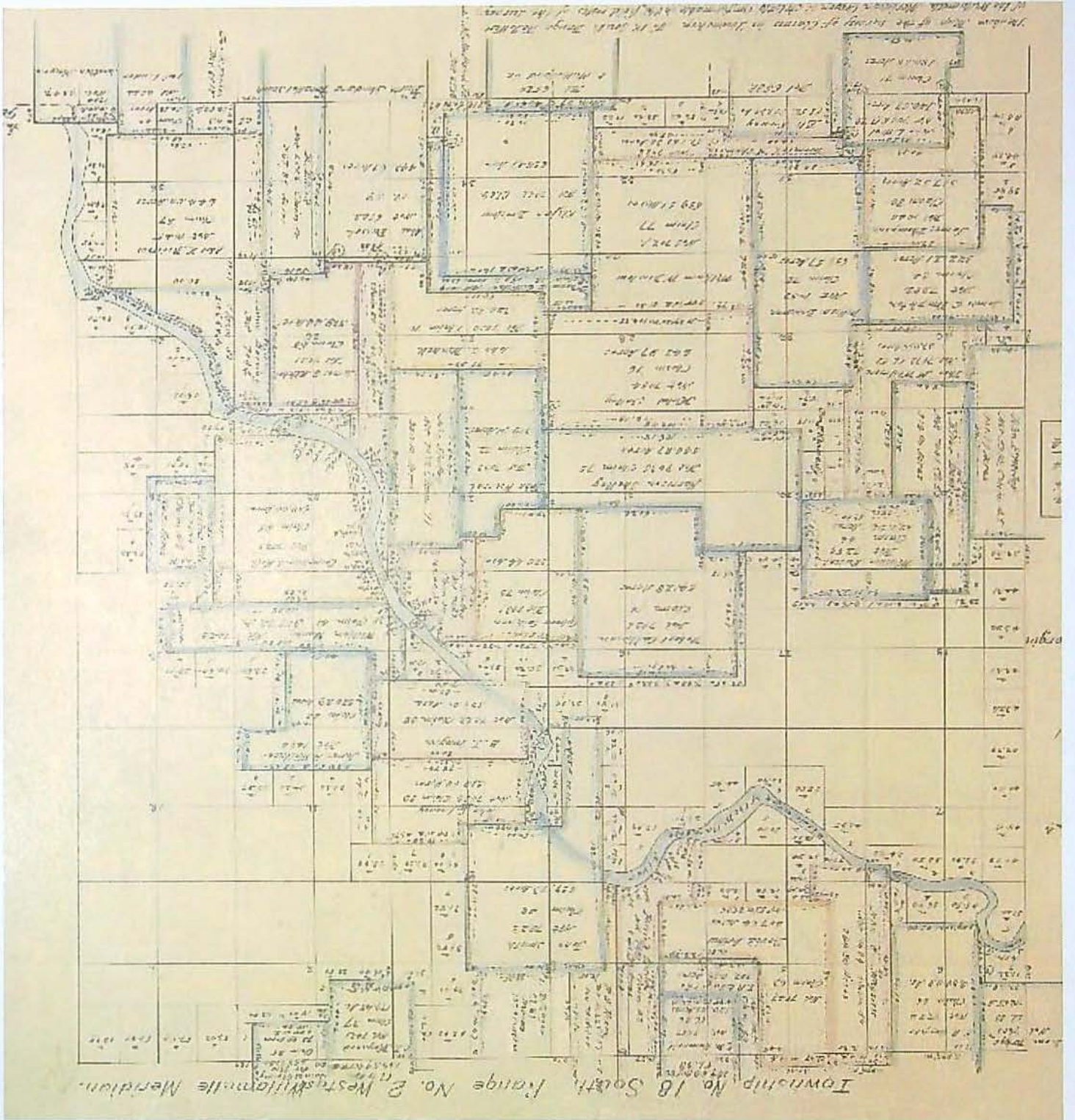
Portion of Cadastral Survey T18S, R2W, W.M. - 1855-09-07:



*Township No. 18 South, Range No. 2 West, Willamette Meridian, Oregon.*

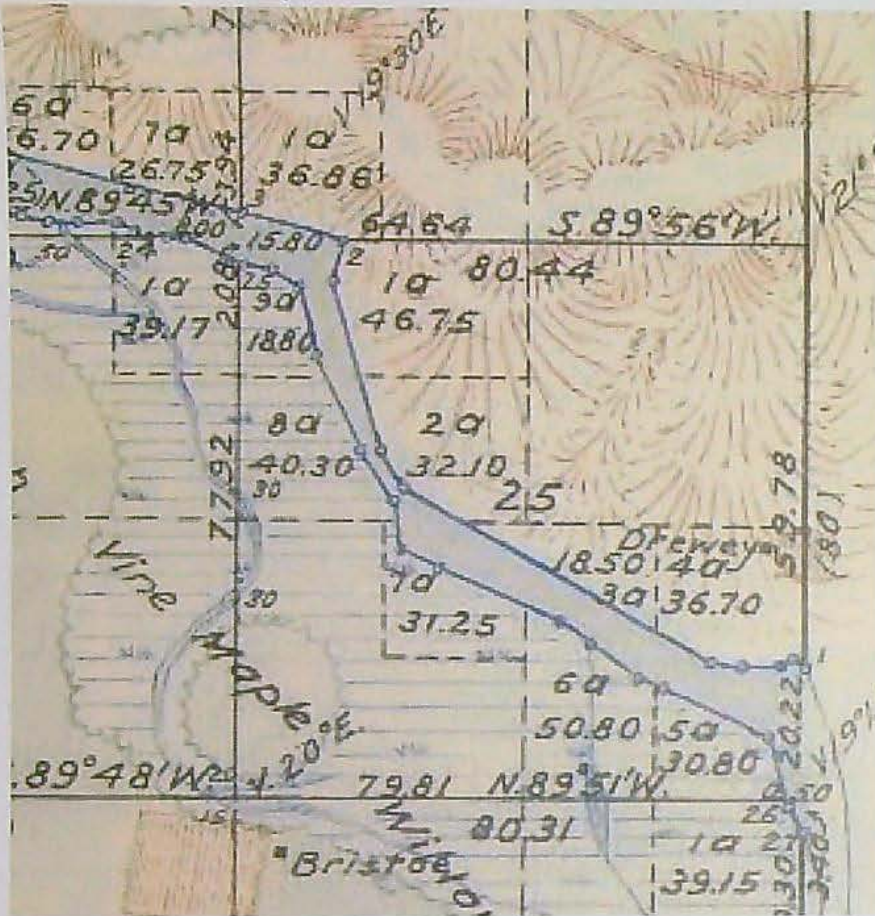




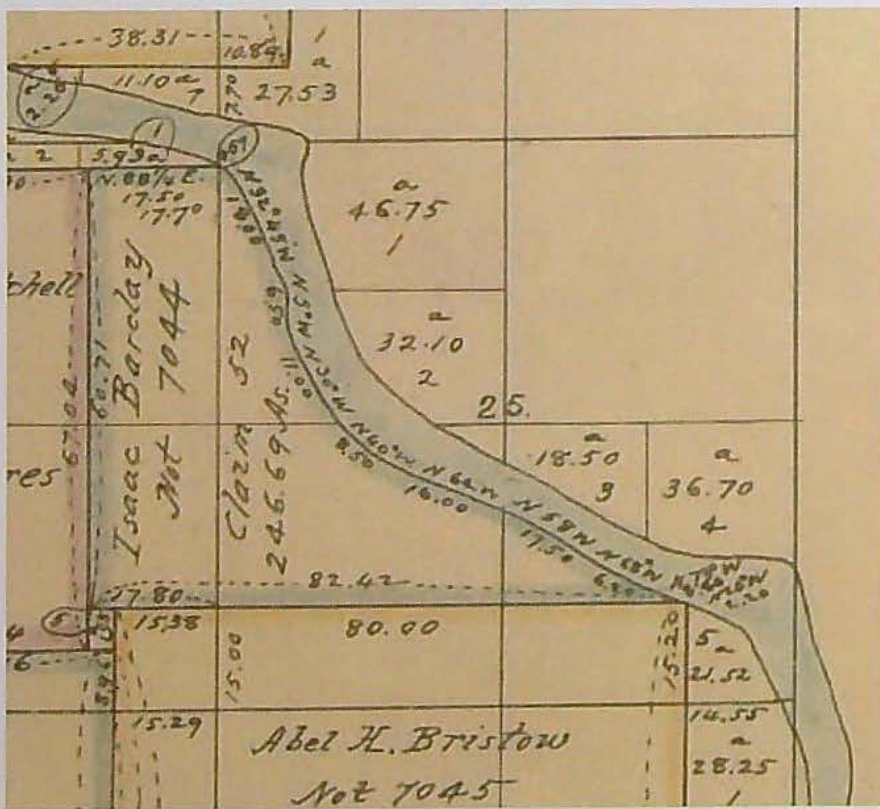


Township No. 18 South, Range No. 2 West, Williams County, Minn.

1855-09-07:



1861-04-13:



BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE  
STATE OF OREGON

In the Matter of Transfer Application )  
T-10377, Lane County )

FINAL ORDER APPROVING A )  
CHANGE IN POINT OF DIVERSION )  
AND A CHANGE IN PLACE OF USE. )

△ POD  
△ POW

**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.

**Applicant**

Norman McDougal  
P.O. Box 518  
Creswell, Oregon 97426

**Findings of Fact**

**Background**

1. On May 2, 2007, Norman McDougal filed an application to change the place of use, and add an additional point of diversion under Certificate 32562. The Department assigned the application number T-10377.
2. On October 1, 2007, Mike Evans, agent for the applicant, clarified by email that the proposal is a change in point of diversion for the transferred portion of the right, rather than an additional point of diversion.
3. The portion of the right to be transferred is as follows:  
**Certificate:** 32562 in the name of Natron Plywood Co. (perfected under Permit S-25439)  
**Use:** Irrigation of 62.9 acres  
**Priority Date:** April 9, 1958  
**Rate:** 0.79 cubic foot per second (cfs)

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 of one cfs per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2½ acre-feet per acre for each acre irrigated during the irrigation season of each year

**Source:** An unnamed stream, a tributary of the Middle Fork Willamette River

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	GLot
18 S	2 W	WM	10	NW SW	Lot 2

**Authorized Place of Use:**

Twp	Rng	Mer	Sec	Q-Q	Acres
18 S	2 W	WM	10	SW NE	14.20
18 S	2 W	WM	10	NE SE	8.20
18 S	2 W	WM	10	NW SE	34.50
18 S	2 W	WM	10	SW SE	4.80
18 S	2 W	WM	10	SE SE	1.20

4. Certificate 32562 does not list survey coordinates for the authorized point of diversion, however, the application map for Transfer Application T-10377 identifies the location of the authorized point of diversion more specifically as being:

Twp	Rng	Mer	Sec	Q-Q	GLot	Survey Coordinates
18 S	2 W	WM	10	NW SW	Lot 2	1008 FEET SOUTH AND 50 FEET WEST OF THE NW CORNER OF DLC 39

5. Application T-10377 proposes to change the point of diversion upstream approximately 4 miles to a point on the Middle Fork of Willamette River located:

Twp	Rng	Mer	Sec	Q-Q	GLot	Tax Lot	Survey Coordinates
18S	2W	WM	25	SE NW	Lot 3	305	2582 FEET SOUTH AND 1219 FEET WEST FROM THE N¼ CORNER OF SECTION 25

6. Application T-10377 also proposes to change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q	Acres
18S	2W	WM	25	SW NE	0.36
18S	2W	WM	25	NE NW	1.14
18S	2W	WM	25	NW NW	16.59
18S	2W	WM	25	SW NW	9.25
18S	2W	WM	25	SE NW	22.92
18S	2W	WM	25	NE SW	6.10
18S	2W	WM	25	NW SE	6.54
Total					62.90

7. Notice of the application for transfer was published on May 8, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.

Δ PoD

"Go"  
Lands  
Δ PoD

8. 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.
9. On June 29, 2007, the Department mailed a copy of the Preliminary Determination proposing to deny Transfer Application T-10377 to the applicant. The Preliminary Determination set forth a deadline of September 28, 2007, for the applicant to respond. Mike Evans, the applicant's agent, responded by submitting an assessor map and an aerial photo indicating the unnamed stream described in the application is a side channel of the Middle Fork of Willamette River. Mr. Evans alleged the proposed point of diversion will secure water from the same source as the authorized point of diversion and requested that the Department reconsider the determination, and he provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
10. The application original maps did not meet current mapping standards because they did not include the location of property lines for the property involved in the transfer as required by OAR 690-380-3100(2)(j). The applicant's agent provided new maps correcting this deficiency.
11. The Department investigated the source of the unnamed stream and found it to be the Middle Fork of the Willamette River. The authorized point of diversion is on a small side channel of the river rather than on a separate tributary to the river, therefore confirming that the authorized and proposed points of diversion would take water from the same source.
12. On October 1, 2007, the Department mailed a copy of the revised draft Preliminary Determination proposing to approve Transfer Application T-10377 to the applicant. The revised draft Preliminary Determination set forth a deadline of November 1, 2007, for the applicant to respond. The applicant's agent requested that the Department proceed with issuance of a Preliminary Determination and clarified that the proposed point of diversion is a change, rather than an additional point of diversion for the transferred portion of the right, and that the place of use of the manufacturing water use under the remaining portion of the right will not be changed by the action of this transfer. The agent also requested minor clerical corrections from the draft.
13. On October 17, 2007, the Department issued a Preliminary Determination proposing to approve Transfer T-10377 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 October 23, 2007, and in The Register-Guard newspaper on October 25, November 1 and November 8, 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)]***

14. Water has been used within the last five years according to the terms and conditions of the right, and there is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
15. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Application T-10377.
16. The proposed changes would not result in enlargement of the right.
17. The proposed changes would not result in injury to other water rights.

**Conclusions of Law**

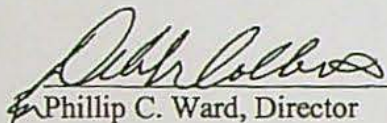
The changes in place of use and point of diversion proposed in application T-10377 are consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000.

**Now, therefore, it is ORDERED:**

1. The changes in place of use and point of diversion proposed in application T-10377 are approved.
2. Water right certificate 32562 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.
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 Certificate 32562 and any related decree.
- ✓ 4. The quantity of water diverted at the new point of diversion shall not exceed the quantity of water lawfully available at the original point of diversion.
5. The former place of use for irrigation shall no longer receive water under this transferred portion of the right.
- ✓ 6. When required by the Department, the water user shall install, maintain and operate an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
- ✓ 7. When required by the Department, the water user shall install, maintain and operate a headgate to control and regulate the quantity of water diverted. The type and plans of the headgate must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

8. 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.
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, a new certificate confirming the right transferred will be issued.

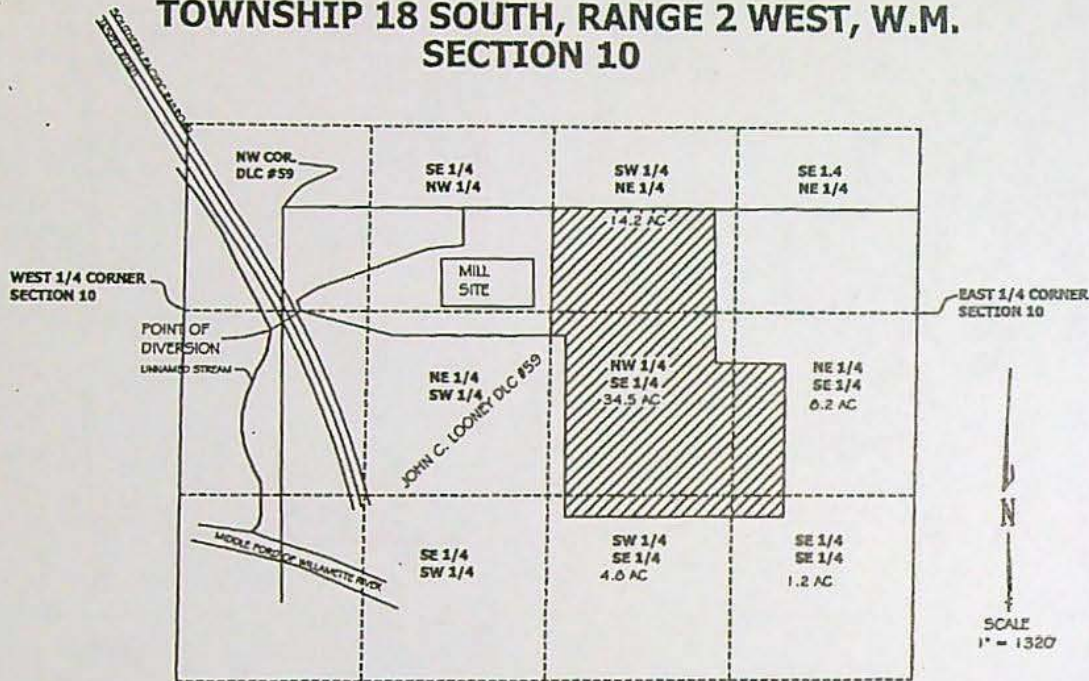
Dated at Salem, Oregon this 20 day of December 2007.


  
Phillip C. Ward, Director

Mailing date: DEC 24 2007

FROM

TOWNSHIP 18 SOUTH, RANGE 2 WEST, W.M.  
SECTION 10



 DENOTES AREA OF WATER RIGHT TO BE TRANSFERRED FROM

THE PURPOSE OF THIS MAP IS TO DEPICT THE LOCATION OF THE AREA THAT THE EXISTING WATER RIGHTS ARE TO BE TRANSFERRED FROM. THE EXISTING RIGHT HAS 62.9 ACRES FOR IRRIGATION USING 0.79 CFS. THE MILL SITE HAS RIGHTS FOR 0.34 CFS FOR MANUFACTURING PER CERTIFICATE VOL. 24, PAGE 32562

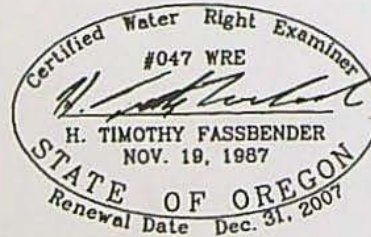
**WATER RIGHT TRANSFER  
APPLICATION MAP**

FOR  
**NORMAN McDOUGAL**  
PO BOX 518  
CRESWELL, OR 97426  
541-895-8788

BY  
**H. TIMOTHY FASSBENDER, PLS, CWRE**  
2896 SARAH LANE  
EUGENE, OR 97408  
541-485-3136

**Note:**

THIS MAP IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.



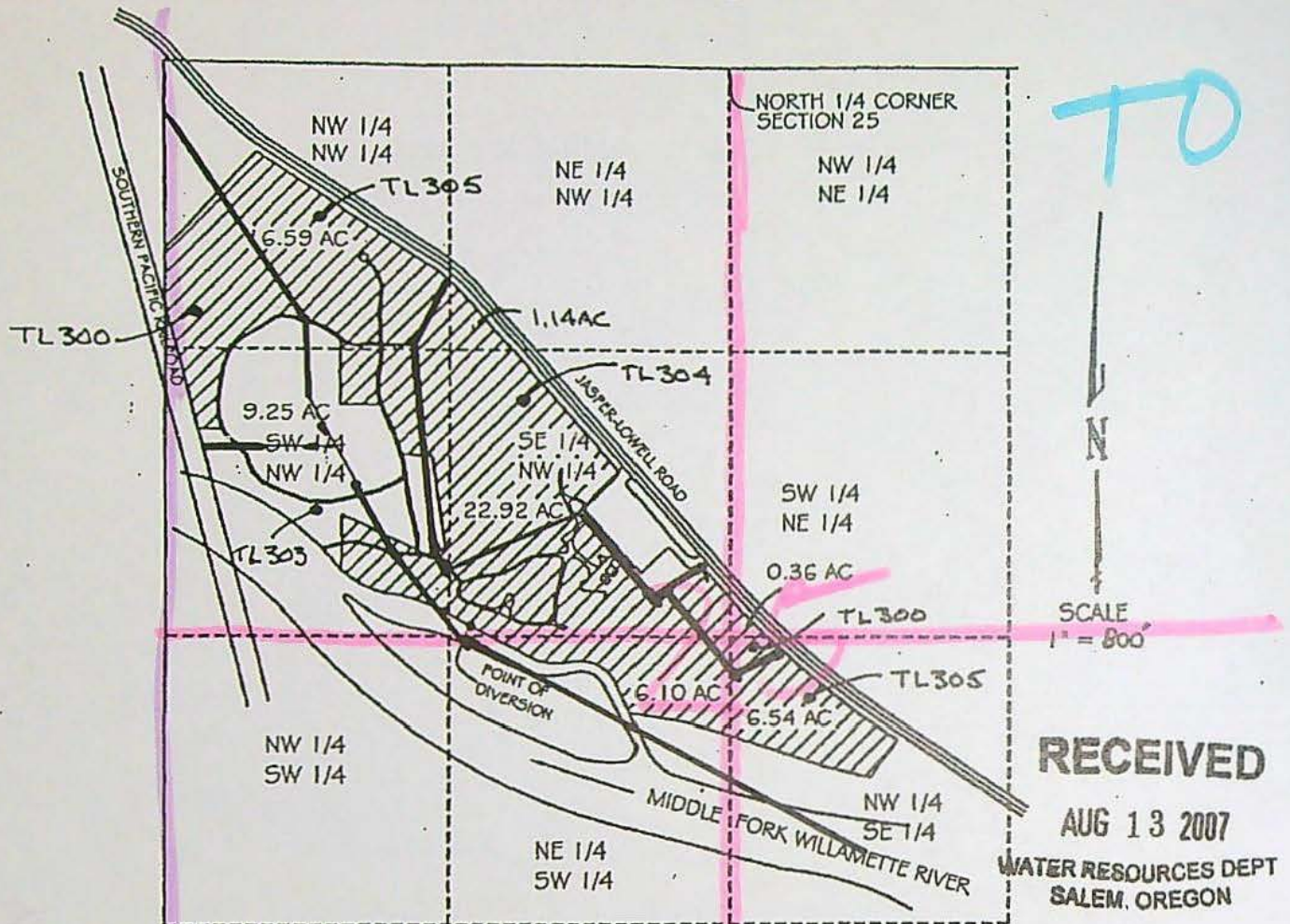
**RECEIVED**

MAY 02 2007



10377

WATER RESOURCES DEPT  
SALEM, OREGON

# TOWNSHIP 18 SOUTH, RANGE 2 WEST, W.M. SECTION 25



**RECEIVED**  
AUG 13 2007  
WATER RESOURCES DEPT  
SALEM, OREGON

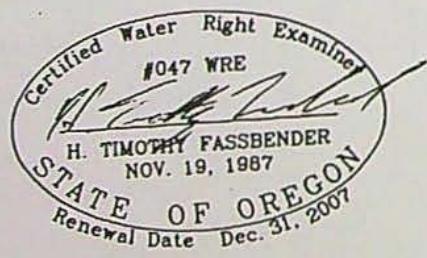
-  DENOTES AREA OF WATER RIGHT TRANSFER
-  DENOTES AREA OF EXISTING ROAD SYSTEM ON PROPERTY

**POINT OF DIVERSION LOCATION:**  
SOUTH 2582' & WEST 1219' OF  
THE NORTH 1/4 CORNER OF SECTION 25

## WATER RIGHT TRANSFER APPLICATION MAP

FOR  
**NORMAN McDOUGAL**  
PO BOX 518  
CRESWELL, OR 97426  
541-895-8788

BY  
**H. TIMOTHY FASSBENDER, PLS, CWRE**  
2896 SARAH LANE  
EUGENE, OR 97408  
541-485-3136



originating Cert

STATE OF OREGON  
COUNTY OF LANE  
CERTIFICATE OF WATER RIGHT

This Is to Certify, That NATRON PLYWOOD COMPANY

of P. O. Box 295, Springfield, 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 an unnamed stream

a tributary of Middle Fork of Willamette River (Willamette River) for the purpose of irrigation of 62.9 acres and manufacturing

under Permit No. 25439 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 April 9, 1958

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 0.83 cubic foot per second, being 0.79 c.f.s. for irrigation and 0.04 c.f.s. for manufacturing

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the Lot 2 (NW 1/4 SW 1/4), Section 10, T. 18 S., R. 2 W., 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 2 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:

- 14.2 acres SW 1/4 NE 1/4 and manufacturing
  - Manufacturing SW 1/4 NW 1/4
  - Manufacturing SE 1/4 NW 1/4
  - Manufacturing NE 1/4 SW 1/4
  - Manufacturing NW 1/4 SW 1/4
  - 8.2 acres NE 1/4 SE 1/4
  - 34.5 acres NW 1/4 SE 1/4 and manufacturing
  - 4.8 acres SW 1/4 SE 1/4
  - 1.2 acres SE 1/4 SE 1/4
- Section 10  
T. 18 S., R. 2 W., 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 date. November 17, 1965

CHRIS L. WHEELER  
State Engineer

RR Cert

STATE OF OREGON  
COUNTY OF LANE  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

NATRON PLYWOOD CO.  
P.O. BOX 295  
SPRINGFIELD, OREGON 97477

confirms the right to use the waters of AN UNNAMED STREAM, a tributary of the MIDDLE FORK WILLAMETTE RIVER, for MANUFACTURING.

This right was perfected under Permit S-25439. The date of priority is APRIL 9, 1958. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.04 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	GLot
18 S	2 W	WM	10	NW SW	2

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

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

MANUFACTURING				
Twp	Rng	Mer	Sec	Q-Q
18 S	2 W	WM	10	SW NE
18 S	2 W	WM	10	SW NW
18 S	2 W	WM	10	SE NW
18 S	2 W	WM	10	NE SW
18 S	2 W	WM	10	NW SW
18 S	2 W	WM	10	NW SE

This certificate describes that portion of the water right confirmed by Certificate 32562, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered DEC 20 2007 approving Transfer Application T-10377.

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 DEC 20 2007.

  
Phillip C. Ward, Director

THIS MAP IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

COBU 1194 2 of 2

Claim Map for T-10377, Township 18 S Range 2 W Section 25  
 Lane County Tax Lots 18-02-25-00-300, 303, 304, 305, 306, & 901

From Lands						
Township	Range	Section	1/4	1/4 1/4	Glott	Acerage
18S	2W	10	NE	SW		14.20
18S	2W	10	SE	NE		8.20
18S	2W	10	SE	NW		34.50
18S	2W	10	SE	SW		4.80
18S	2W	10	SE	SE		1.20
Total						62.90

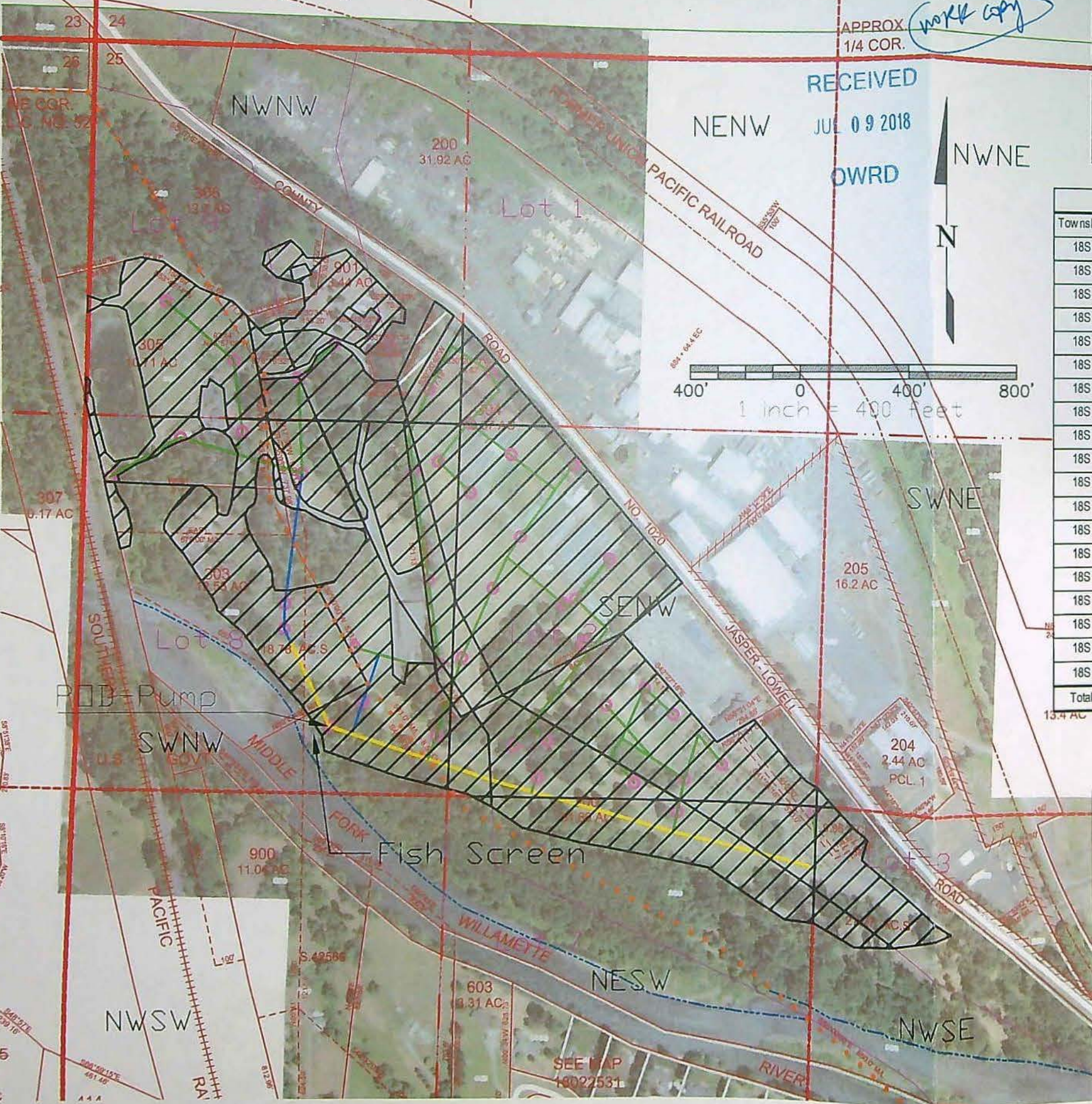
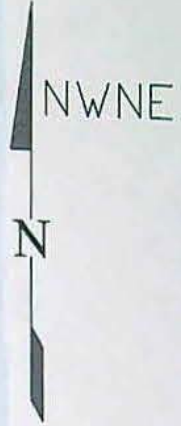
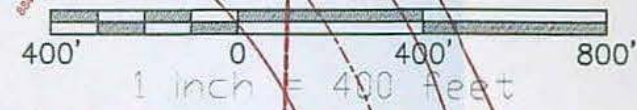
From Lands Point of Diversion						
Township	Range	Section	1/4	1/4 1/4	Glott	
18S	2W	10	SW	NW	2	
1008 Feet S and 50 feet W of the NW corner of DLC 39						

To Lands by 1/4 1/4, Glott, and DLC							
Township	Range	Section	1/4	1/4 1/4	Glott	DLC	Acerage
18S	2W	25	NE	SW	3	-	0.0496
18S	2W	25	NW	NE	1	-	1.3383
18S	2W	25	NW	NW	1	-	1.6904
18S	2W	25	NW	NW	9	52	4.6410
18S	2W	25	NW	NW	9	-	2.9691
18S	2W	25	NW	NW	-	-	2.1194
18S	2W	25	NW	SE	2	-	18.1559
18S	2W	25	NW	SE	8	52	0.0014
18S	2W	25	NW	SE	8	-	1.0342
18S	2W	25	NW	SE	-	-	3.8355
18S	2W	25	NW	SW	2	-	1.2778
18S	2W	25	NW	SW	8	52	7.2746
18S	2W	25	NW	SW	8	-	8.2485
18S	2W	25	NW	SW	-	-	1.2659
18S	2W	25	NW	SW	-	52	0.0434
18S	2W	25	SE	NW	3	-	3.9937
18S	2W	25	SE	NW	-	-	0.5432
18S	2W	25	SW	NE	7	-	0.0279
18S	2W	25	SW	NE	-	-	4.2312
Total							62.7409

To Lands by 1/4 1/4, Glott, and Tax Lot										
Township	Range	Section	1/4	1/4 1/4	Tax Lot	Glott	Square Ft	Acerage	DLC	
18S	2W	25	NW	NW	306	9	1280.6416	0.0294		
18S	2W	25	NW	NW	901	-	72062.1405	1.6543		
18S	2W	25	NW	NW	306	-	20099.4252	0.4614		
18S	2W	25	NW	NW	901	9	2692.8438	0.0618		
18S	2W	25	NW	NW	901	1	10662.4252	0.2448		
18S	2W	25	NW	NW	304	1	34953.9261	0.8024		
18S	2W	25	NW	NE	304	1	58294.2438	1.3383		
18S	2W	25	NW	NW	300	-	157.7431	0.0036		
18S	2W	25	NW	SW	305	8	57104.0947	1.3109		
18S	2W	25	NW	SW	305	-	1890.7830	0.0434	52	
18S	2W	25	NW	SW	300	8	199929.7547	4.5898		
18S	2W	25	NW	SW	300	8	81917.7040	1.8806	52	
18S	2W	25	NW	SW	300	8	96510.0492	2.2156		
18S	2W	25	NW	SW	304	2	55660.3644	1.2778		
18S	2W	25	NW	SE	304	2	495966.3671	11.3858		
18S	2W	25	NW	SW	303	8	234963.4030	5.3940	52	
18S	2W	25	NW	SW	303	8	1133.8616	0.0260		
18S	2W	25	NW	SW	304	-	55144.5163	1.2659		
18S	2W	25	NW	SE	304	-	33625.4422	0.7719		
18S	2W	25	NW	SW	304	8	4627.4944	0.1062		
18S	2W	25	NW	SE	304	8	4600.3288	0.1056		
18S	2W	25	NW	SE	300	8	40447.4852	0.9285		
18S	2W	25	NW	SE	300	8	60.0651	0.0014	52	
18S	2W	25	NW	SE	300	-	133448.7723	3.0636		
18S	2W	25	NW	SE	300	2	294903.0401	6.7700		
18S	2W	25	SW	NE	300	7	1214.1426	0.0279		
18S	2W	25	SW	NE	300	-	184309.0067	4.2312		
18S	2W	25	SE	NW	300	3	71320.5295	1.6373		
18S	2W	25	NE	SW	300	3	2162.3694	0.0496		
18S	2W	25	SE	NW	300	3	102646.4909	2.3564		
18S	2W	25	NW	NW	305	9	4154.7875	0.0954		
18S	2W	25	NW	NW	305	9	199297.0082	4.5752	52	
18S	2W	25	NW	NW	300	9	121205.3059	2.7825		
18S	2W	25	NW	NW	300	9	2866.2253	0.0658	52	
18S	2W	25	NW	NW	300	1	28018.0692	0.6432		
18S	2W	25	SE	NW	300	-	23663.7164	0.5432		
Total							62.7409			

To Lands Point of Diversion								
Township	Range	Section	1/4	1/4 1/4	Tax Lot	Glott	DLC	
18S	2W	25	NW	SW	300	8		
2350 Feet S and 1820 Feet W from the N 1/4 Corner of section 25								

RECEIVED  
 JUL 09 2018  
 DWRD  
 APPROX 1/4 COR. *work copy*



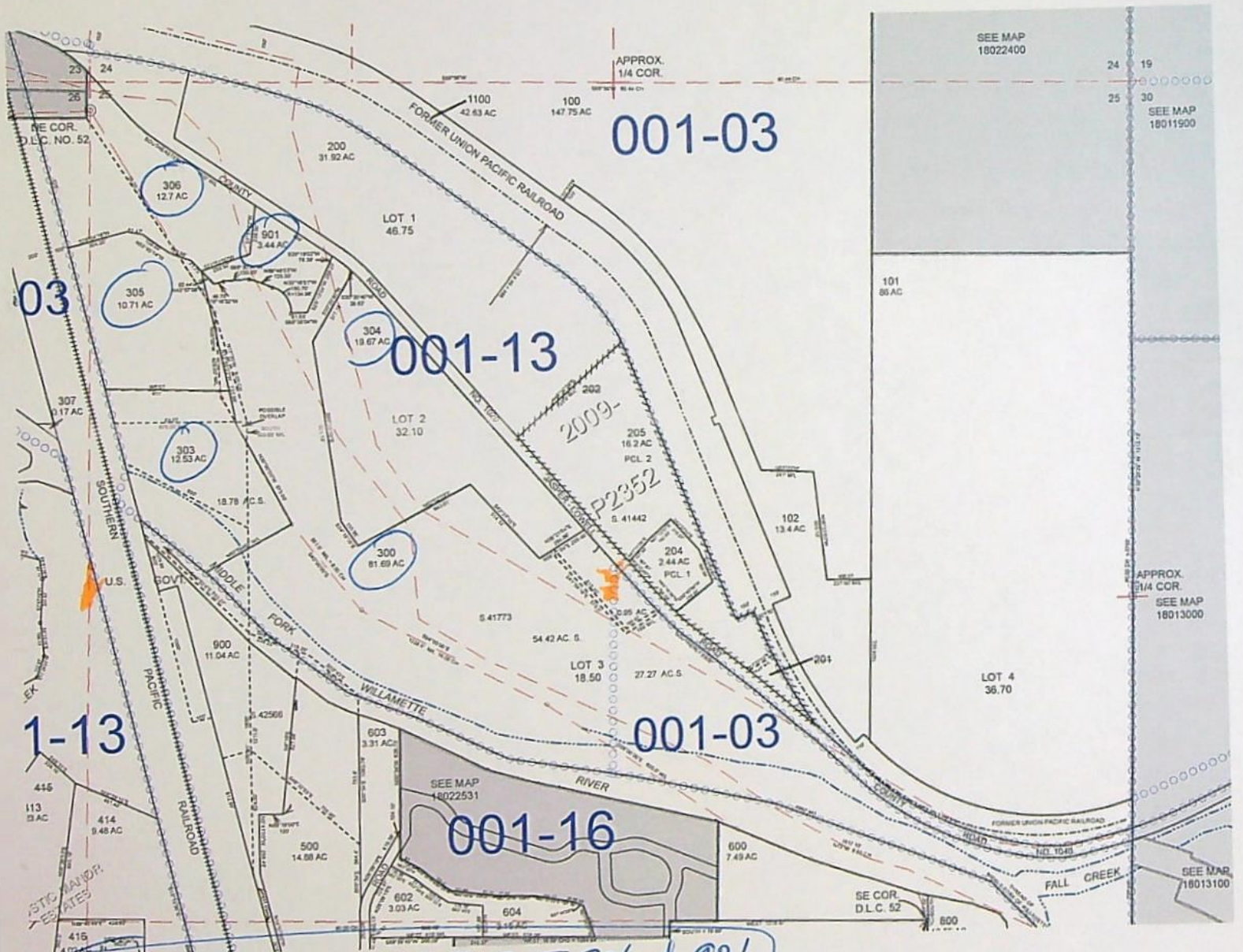
Tax Lot Boundaries  
 DLC Lines  
 Section Lines  
 Quarter Section Lines  
 Quarter Lines  
 Burried 6" Irrigation Line  
 Burried 4" Irrigation Line  
 Burried 3" Irrigation Line  
 Irrigated Areas  
 Irrigation Risers

Lot 1 Government Lots From 1855 Map

Certified Water Right Examiner  
 76773WRE  
*Steven I Recca*  
 Steven I Recca  
 June 29, 2007  
 STATE OF OREGON

EXPIRATION DATE: 12/31/18

Portion of Section 25, T18S, R2W, W.M.  
Lane County



Tax Lots 300, 303, 304, 305, 306 & 901

SECTION 25 T.18S. R.2W. W.M.  
Lane County  
1" = 400'

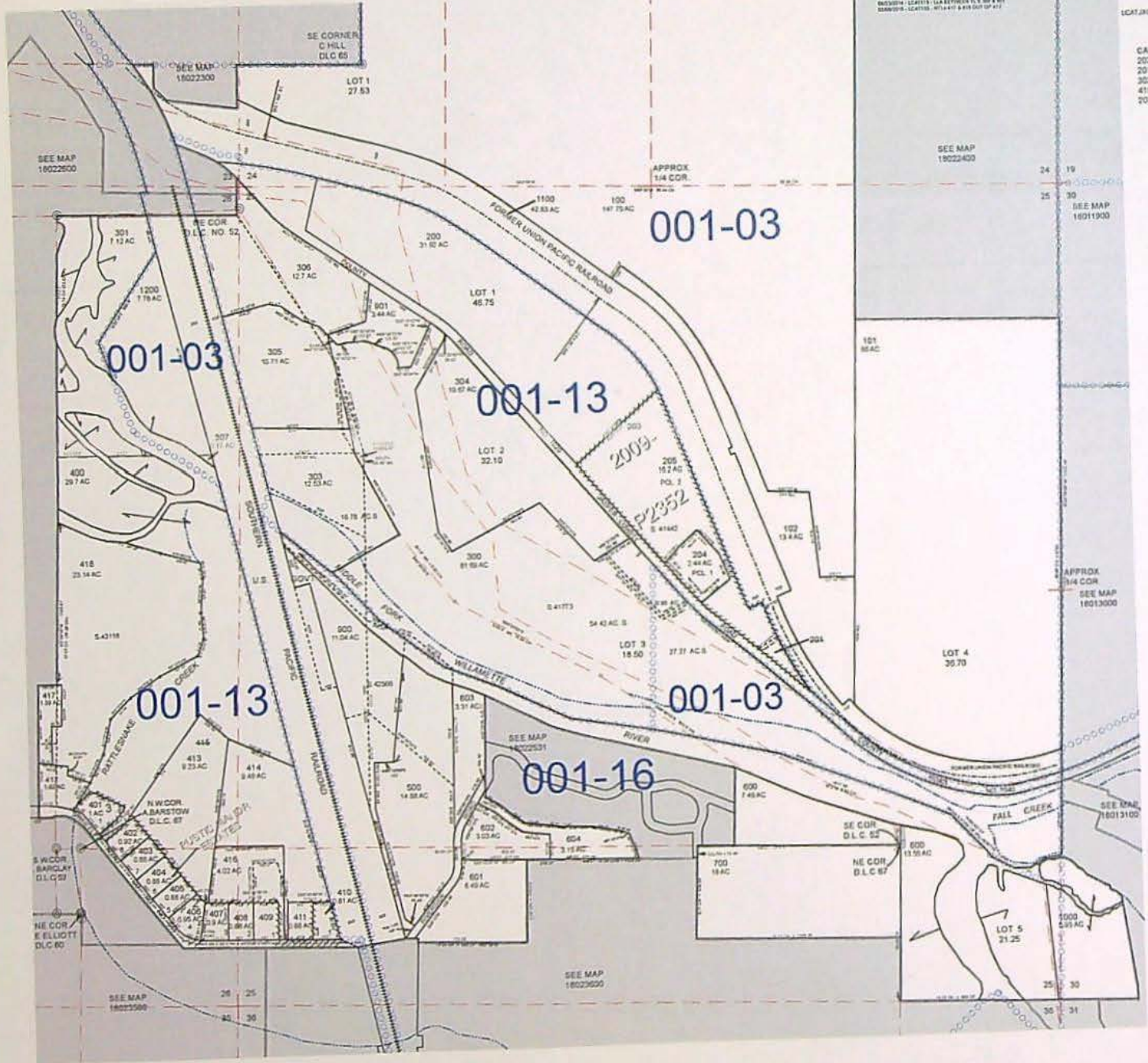
FOR ASSESSMENT AND  
TAXATION ONLY

REVISIONS  
07/2010 - LCAT110 - CORRECT MAP TO 800  
07/2010 - LCAT110 - 200 TO 400 TO 800  
08/2010 - LCAT110 - L.A. BAYVIEW D.L.C. 67  
08/2010 - LCAT110 - L.A. BAYVIEW D.L.C. 68  
08/2010 - LCAT110 - L.A. BAYVIEW D.L.C. 69  
08/2010 - LCAT110 - L.A. BAYVIEW D.L.C. 70  
08/2010 - LCAT110 - L.A. BAYVIEW D.L.C. 71  
08/2010 - LCAT110 - L.A. BAYVIEW D.L.C. 72  
08/2010 - LCAT110 - L.A. BAYVIEW D.L.C. 73  
08/2010 - LCAT110 - L.A. BAYVIEW D.L.C. 74  
08/2010 - LCAT110 - L.A. BAYVIEW D.L.C. 75  
08/2010 - LCAT110 - L.A. BAYVIEW D.L.C. 76  
08/2010 - LCAT110 - L.A. BAYVIEW D.L.C. 77  
08/2010 - LCAT110 - L.A. BAYVIEW D.L.C. 78  
08/2010 - LCAT110 - L.A. BAYVIEW D.L.C. 79  
08/2010 - LCAT110 - L.A. BAYVIEW D.L.C. 80  
08/2010 - LCAT110 - L.A. BAYVIEW D.L.C. 81  
08/2010 - LCAT110 - L.A. BAYVIEW D.L.C. 82  
08/2010 - LCAT110 - L.A. BAYVIEW D.L.C. 83  
08/2010 - LCAT110 - L.A. BAYVIEW D.L.C. 84  
08/2010 - LCAT110 - L.A. BAYVIEW D.L.C. 85  
08/2010 - LCAT110 - L.A. BAYVIEW D.L.C. 86  
08/2010 - LCAT110 - L.A. BAYVIEW D.L.C. 87  
08/2010 - LCAT110 - L.A. BAYVIEW D.L.C. 88  
08/2010 - LCAT110 - L.A. BAYVIEW D.L.C. 89  
08/2010 - LCAT110 - L.A. BAYVIEW D.L.C. 90  
08/2010 - LCAT110 - L.A. BAYVIEW D.L.C. 91  
08/2010 - LCAT110 - L.A. BAYVIEW D.L.C. 92  
08/2010 - LCAT110 - L.A. BAYVIEW D.L.C. 93  
08/2010 - LCAT110 - L.A. BAYVIEW D.L.C. 94  
08/2010 - LCAT110 - L.A. BAYVIEW D.L.C. 95  
08/2010 - LCAT110 - L.A. BAYVIEW D.L.C. 96  
08/2010 - LCAT110 - L.A. BAYVIEW D.L.C. 97  
08/2010 - LCAT110 - L.A. BAYVIEW D.L.C. 98  
08/2010 - LCAT110 - L.A. BAYVIEW D.L.C. 99  
08/2010 - LCAT110 - L.A. BAYVIEW D.L.C. 100

18022500

SEATING - 2015-08-06 DE 30

CANCELLED  
202  
201  
203  
203



18022500



**Lane County Assessment & Taxation  
Property Information Search**

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To view tax maps, visit <http://apps.lanecounty.org/TaxMap/Search.aspx>.

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**NEW! Commercial Appraisal Cards** are now available online for Lane County properties.

To access the commercial appraisal card click on the map/taxlot link (if available).

Start Over

**Account Number** [REDACTED] **Map, Tax Lot & SIC** 18-02-25-00-00300  
**Site Address** 37460 JASPER LOWELL RD JASPER OR 97438  
**Taxpayer Address** 34047 HAMPTON RD EUGENE, OR 97405  
**Additional Account Numbers for this Tax Lot** [REDACTED]

**Owner Information**

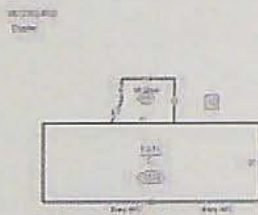
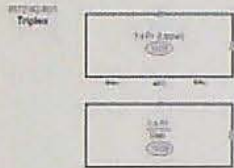
Owner	Address	City State Zip
HENTON DOUGLAS R	34047 HAMPTON RD	EUGENE, OR 97405

<b>Account Type</b>	Real Property	<b>Special Assessment Program</b>	
<b>Account</b>	27.27	Forest Deferral	
<b>Acreage</b>			
<b>Pending Property Change</b>	NO	<b>Taxlot Record</b>	<u>1802250000300</u>
<b>Property Class</b>	Forest	<b>Commercial Appraisal Card</b>	n/a

**Assessor's Photos & Sketches**

Click on any of the photo/sketch thumbnails to view and download the image full-size (opens in new window). Once in full-size view, use your browser "File>Save (Page) As" menu to download to your computer.

[About Assessor Sketches/Photos](#)



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**1234**

**Property Value and Taxes**

Real Market Value (RMV)		Total Assessed Value		
Year	Land	Improvement	Total	
2018	\$162,782	\$265,133	\$427,915	\$78,908
<b>2018 Taxable Value</b>	<b>2018 Tax</b>	<b>2018 Tax Code Area</b>	<b>**The tax shown is the amount certified for the current tax year. It does not reflect any subsequent value changes, nor does it include any discounts offered, payments made, interest owing, or previous year's owing.</b>	



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Start Over

**Account Number** [REDACTED] **Map, Tax Lot & SIC** 18-02-25-00-00303  
**Site Address** 37362 JASPER LOWELL RD JASPER OR 97438  
**Taxpayer Address** PO BOX 2120 JASPER, OR 97438  
**Additional Account Numbers for this Tax Lot**

**Owner Information**

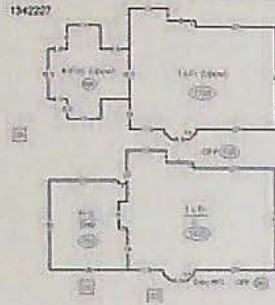
Owner	Address	City State Zip
HENTON DOUGLAS R & SANDRA N	PO BOX 2120	JASPER, OR 97438

<b>Account Type</b>	Real Property	<b>Special Assessment Program</b>	
<b>Account</b>	12.53	Forest Deferral	
<b>Acreage</b>			
<b>Pending Property Change</b>	NO	<b>Taxlot Record</b>	<u>1802250000303</u>
<b>Property Class</b>	Forest	<b>Commercial Appraisal Card</b>	n/a

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12

12

**Property Value and Taxes**

Real Market Value (RMV)			Total Assessed Value	
Year	Land	Improvement	Total	
2018	\$253,596	\$637,491	\$891,087	
				\$598,966
<b>2018 Taxable Value</b>	<b>2018 Tax</b>	<b>2018 Tax Code Area</b>	**The tax shown is the amount certified for the current tax year. It does not reflect any subsequent value changes, nor does it include any discounts offered, payments made, interest owing, or previous year's owing.	
\$598,966	** \$6,454.34	00113		

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

<b>Year Built</b>	2003	<b>Floor</b>	<b>Base Sq Ft</b>	<b>Finished Sq Ft</b>	<b>Structure</b>	<b>Sq Ft</b>
<b>%</b>	100	<b>Basement</b>	N/A	N/A	<b>Bsmt Garage</b>	N/A
<b>Improvement Complete</b>		<b>First</b>	1820	1820	<b>Att Garage</b>	750
		<b>Second</b>	1793	1793	<b>Det Garage</b>	884
		<b>Attic</b>	605	605	<b>Att Carport</b>	N/A
		<b>Total</b>	4218	4218		



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Start Over

**Account Number** [REDACTED] **Map, Tax Lot & SIC** 18-02-25-00-00304  
**Site Address** 37446 JASPER LOWELL RD JASPER OR 97438  
**Taxpayer Address** PO BOX 518 CRESWELL, OR 97426  
**Additional Account Numbers for this Tax Lot**

#### Owner Information

Owner	Address	City State Zip
MCDUGAL FOUNDATION INC	PO BOX 518	CRESWELL, OR 97426

<b>Account Type</b>	Real Property	<b>Special Assessment Program</b>	no data available
<b>Account Acreage</b>	19.67		
<b>Pending Property Change</b>	NO	<b>Taxlot Record</b>	<u>1802250000304</u>
<b>Property Class</b>	Commercial	<b>Commercial Appraisal Card</b>	n/a

#### Assessor's Photos & Sketches

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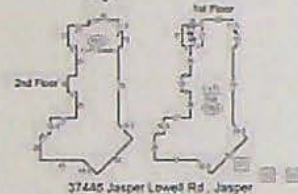
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1753704 CO1 OF 2 18-02-25-00-00304

1828 SF GLA 1448 SF GRD 2007

37445 Jasper Lowell Rd Jasper



1753704 CO2 OF 2 18-02-25-00-00304

1504 SF 1504 SF



37445 JASPER LOWELL RD, JASPER

<>

**1234**

**Property Value and Taxes**

Year	Land	Improvement	Total	Total Assessed Value
2018	\$642,619	\$2,122,381	\$2,765,000	\$1,876,799

2018 Taxable Value	2018 Tax	2018 Tax Code Area	**The tax shown is the amount certified for the current tax year. It does not reflect any subsequent value changes, nor does it include any discounts offered, payments made, interest owing, or previous year's owing.



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Start Over

**Account Number** [REDACTED] **Map, Tax Lot & SIC** 18-02-25-00-00305  
**Site Address** 37358 JASPER LOWELL RD JASPER OR 97438  
**Taxpayer Address** 37358 JASPER LOWELL RD JASPER, OR 97438  
**Additional Account Numbers for this Tax Lot**

#### Owner Information

Owner	Address	City State Zip
FISCHER DANIEL	37358 JASPER LOWELL RD	JASPER, OR 97438

<b>Account Type</b>	Real Property	<b>Special Assessment Program</b>	
<b>Account</b>	10.71	Forest Deferral	
<b>Acreage</b>			
<b>Pending Property Change</b>	NO	<b>Taxlot Record</b>	<u>1802250000305</u>
<b>Property Class</b>	Forest	<b>Commercial Appraisal Card</b>	n/a

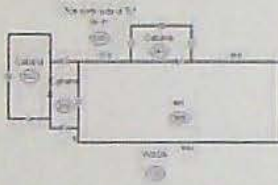
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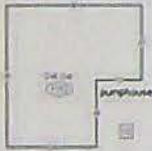
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1752600 R05



1752600 R06



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**1234**

**Property Value and Taxes**

Real Market Value (RMV)			Total Assessed Value
Year	Land	Improvement	Total
2018	\$243,927	\$191,154	\$435,081
			\$317,175

2018 Taxable Value	2018 Tax	2018 Tax Code Area
		**The tax shown is the amount certified for the current tax year. It does not reflect any subsequent value changes, nor does it include any discounts offered, payments made, interest owing, or previous year's owing.



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To access the commercial appraisal card click on the map/taxlot link (if available).

Start Over

**Account Number** [REDACTED] **Map, Tax Lot & SIC** 18-02-25-00-00306  
**Site Address** 37450 JASPER LOWELL RD JASPER OR 97438  
**Taxpayer Address** PO BOX 2120 JASPER, OR 97438  
**Additional Account Numbers for this Tax Lot**

**Owner Information**

Owner	Address	City State Zip
HENTON DOUGLAS R	PO BOX 2120	JASPER, OR 97438

<b>Account Type</b>	Real Property	<b>Special Assessment Program</b>
<b>Account</b>	12.70	Forest Deferral
<b>Acreage</b>		
<b>Pending Property Change</b>	NO	<b>Taxlot Record</b> <u>1802250000306</u>
<b>Property Class</b>	Forest	<b>Commercial Appraisal Card</b> n/a

**Property Value and Taxes**

Real Market Value (RMV)			Total Assessed Value	
Year	Land	Improvement	Total	
2018	\$254,092	\$0	\$254,092	\$29,972
<b>2018 Taxable Value</b>	<b>2018 Tax</b>	<b>2018 Tax Code Area</b>	**The tax shown is the amount certified for the current tax year. It does not reflect any subsequent value changes, nor does it include any discounts offered, payments made, interest owing, or previous year's owing.	

\$29,972      \*\*      00113  
\$322.97

**Residential Building** None

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**Commercial Building** None

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Generated by on Dec 13, 2018 at 1:07pm using Regional Land Information Database, <https://www.rlid.org/>



### Lane County Assessment & Taxation Property Information Search

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To access the commercial appraisal card click on the map/taxlot link (if available).

[Start Over](#)

**Account Number** [REDACTED] **Map, Tax Lot & SIC** 18-02-25-00-00901  
**Site Address** 37356 JASPER LOWELL RD JASPER OR 97438  
**Taxpayer Address** 37356 JASPER LOWELL RD JASPER, OR 97438  
**Additional Account Numbers for this Tax Lot**

#### Owner Information

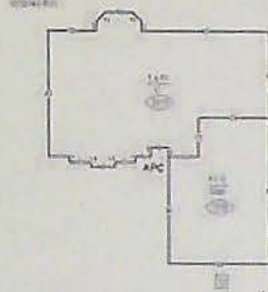
Owner	Address	City State Zip
FISCHER KELLI J	37356 JASPER LOWELL RD	JASPER, OR 97438

<b>Account Type</b>	Real Property	<b>Special Assessment Program</b>	
<b>Account</b>	3.44		no data available
<b>Acreage</b>			
<b>Pending Property Change</b>	NO	<b>Taxlot Record</b>	<u><a href="#">1802250000901</a></u>
<b>Property Class</b>	Tract	<b>Commercial Appraisal Card</b>	n/a

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12

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**Property Value and Taxes**

Real Market Value (RMV)			Total Assessed Value	
Year	Land	Improvement	Total	
2018	\$156,059	\$500,410	\$656,469	\$449,801
<b>2018 Taxable Value</b>	<b>2018 Tax</b>	<b>2018 Tax Code Area</b>	**The tax shown is the amount certified for the current tax year. It does not reflect any subsequent value changes, nor does it include any discounts offered, payments made, interest owing, or previous year's owing.	
\$449,801	** \$4,846.97	00113		

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

Year Built	2013	Floor	Base Sq Ft	Finished Sq Ft	Structure	Sq Ft
%	100				Bsmt	N/A
<b>Improvement Complete</b>		Basement	N/A	N/A	Garage	N/A
		First	2915	2915	Att	1536
		Second	N/A	N/A	Garage	
		Attic	N/A	N/A	Det	N/A
		Total	2915	2915	Garage	N/A
					Att	N/A
					Carport	N/A

# RA Mailing List for Certificate

Scheduled Mailing Date:

**Application:** T-10377

**Certificates:** \_\_\_\_\_ (cf-32562)

Transfer Holders:

NORMAN MCDUGAL  
PO BOX 518  
CRESWELL, OR 97426

Copies Mailed	
by: _____	(STAFF)
on: _____	(DATE)

Copies of Final Certificate to be sent to:

1. Watermaster District 11 (include copy of map)
2. Water Availability
3. Vault
4. File

Other persons to receive copies: (include map):

1. Steven Recca, CWRE
2. Mike Evans, Agent,

## Landowners

1. Map/Tax Lot No. 18-02-25-00-300  
Douglas R. Henton, 34047 Hampton Rd, Eugene, OR 97405
2. Map/Tax Lot No. 18-02-25-00-303  
Douglas R. Henton & Sandra N. Henton, PO Box 2120, Jasper, OR 97438
3. Map/Tax Lot No. 18-02-25-00-304  
McDougal Foundation Inc., PO Box 518, Creswell, OR 97426
4. Map/Tax Lot No. 18-02-25-00-305  
Daniel Fischer, 37358 Jasper Lowell Rd, Jasper, OR 97438
5. Map/Tax Lot No. 18-02-25-00-306  
Douglas R. Henton, PO Box 2120, Jasper, OR 97438
6. Map/Tax Lot No. 18-02-25-00-901  
Kelli J. Fischer, 37356 Jasper Lowell Rd, Jasper, OR 97438

## Record Marking(s):

1. Original Application# S-32248
2. Old Certificate# 32562



Search Criteria

Meridian: **Wlamette**    Township: **18**    South    Range: **2**    West    Section: **25**    Records per Page: **100**    Search    Platcards Maps! [Learn about](#) \* [View Map](#)

Water Right	Changing Xfers	Priority	Use	Use Status	DLG	Gov't Lot	00400: 01100:	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unknown	QQ
<a href="#">Select</a> Cert:59766 OR *		5/24/1962	AQUATIC LIFE (INSTREAM)																						
Additional Info: OREGON WATER RESOURCES DEPARTMENT App: MF537 Cert: 59766																									
<a href="#">Select</a> Permit: S 35907 CN		2/8/1971	IRRIGATION CN																						
Additional Info: ERNEST L BARLOW App: S47933 Permit: S35907																									
<a href="#">Select</a> Cert:21160 OR *		11/2/1945	IRRIGATION	52												5									
Additional Info: J S FRANK App: S21260 Permit: S16913 Cert: 21160																									
<a href="#">Select</a> Cert:21382 OR *		5/26/1947	IRRIGATION	52											5.61		2								
Additional Info: H.T.MARIAN WILLIAMS App: S22570 Permit: S17764 Cert: 21382																									
<a href="#">Select</a> Cert:24520 OR *		8/22/1947	IRRIGATION	67												1.8	6.2								
Additional Info: CHESTER W BEDORTHA App: S22782 Permit: S17943 Cert: 24520																									
<a href="#">Select</a> Cert:24521 OR *		9/8/1950	IRRIGATION	67													15.6						5.2		
Additional Info: CHESTER W BEDORTHA App: S25241 Permit: S19829 Cert: 24521																									
<a href="#">Select</a> Cert:32313 OR *		8/28/1961	IRRIGATION	52												1.1	10	3	0.1						
Additional Info: JOHN HRACHOVEC App: S37036 Permit: S27599 Cert: 32313																									
<a href="#">Select</a> Cert:32313 OR *		8/28/1961	IRRIGATION	67													3.4	0.2							
Additional Info: JOHN HRACHOVEC App: S37036 Permit: S27599 Cert: 32313																									
<a href="#">Select</a> Cert:49983 OR *		9/28/1973	IRRIGATION	52												0.9									
Additional Info: MILLARD C THOMAS App: S51276 Permit: S38724 Cert: 49983																									
<a href="#">Select</a> Cert:55182 OR *		9/22/1981	IRRIGATION	52																					
Additional Info: REAGAN E/CAROLE WELLS App: S62819 Permit: S46596 Cert: 55182																									
<a href="#">Select</a> Cert:55182 OR *		9/22/1981	IRRIGATION	67																					
Additional Info: REAGAN E/CAROLE WELLS App: S62819 Permit: S46596 Cert: 55182																									
<a href="#">Select</a> Inchoate: T 10377 CF (REG) *		4/9/1958	IRRIGATION					(0.36)	(1.14)	(16.59)	(9.25)	(22.92)	(6.1)										(6.54)		
Additional Info: NORMAN MCDUGAL App: S32248 Permit: S25439																									
<a href="#">Select</a> Cert:93193 OR *		9/30/2003	IRRIGATION	67																				12.35	3.65
Additional Info: LIZBETH CHAR BORCHARDT App: S85829 Permit: S54203 Cert: 93193																									

Acreage Legend: 12.25 Regular acreage    -42.26- 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



Oregon Water Resources Department  
Water Rights Information Query

T-10377

- [Main](#)   [Help](#)
- [Return](#)   [Contact Us](#)

Contact Information

(Click to Collapse...)

▼ Current contact information

AGENT:  
▶ NORMAN MCDUGAL  
PO BOX 518  
CRESWELL, OR 97426

Transfer Information

(Click to Collapse...)

▼ Status

- ▶ **Type:** Regular
- ▶ **Status:** Approved
- ▶ **Begin Date:** n/a
- ▶ **End Date:** n/a

▼ Proposed Action

- ▶ **Point of Diversion**
- ▶ **Place of Use**

▼ Orders associated with rights in the transfer

Volume-Page	Signature	Description
▶ <a href="#">73-821</a>	12/20/2007	APPROVING POD POU T-10377

All Scanned Documents

(Click to Collapse...)

Records per page: 3

Document Type	Document Title	Date	Remarks
Transfer Map	<a href="#">Transfer Maps</a>	5/2/2007	
Transfer Review	<a href="#">PD - T-10377</a>	10/17/2007	
Final Order	<a href="#">Approving POD POU T-10377</a>	12/20/2007	VOLUME 73 PAGE 821

Processing History

(Click to Collapse...)

Staff Person Responsible: no caseworker currently assigned

Process Step	Date Initiated	Date Completed	Comments
Received	5/2/2007	5/2/2007	
File Assigned	5/4/2007	5/14/2007	
ODFW Review	5/7/2007	6/6/2007	
Watermaster Review	5/7/2007	6/5/2007	
Transfer Initial Comment Period	5/8/2007	5/8/2007	
Reimbursement Authority	5/14/2007	10/1/2007	
File Assigned	5/15/2007	12/18/2007	
RA Applicant Agreement	6/12/2007	6/12/2007	Work Order #: R07-070S
Draft PD Issued	6/29/2007	6/29/2007	
Watermaster Review	8/22/2007	8/22/2007	
Draft PD Issued	10/1/2007	10/1/2007	
PD Issued	10/17/2007	10/17/2007	
PD Weekly Public Notice	10/23/2007	10/23/2007	
Final Order Issued	12/20/2007	12/20/2007	
Data Technician Review	3/19/2009	3/19/2009	

Completion Due (C Date)	10/1/2009	10/1/2009
CBU Due	10/1/2010	10/1/2010

**Rights this impacts** (Click to Collapse...)

	Application	Permit	Certificate	Decree	Claim
<a href="#">Cert:32562 OR CN</a>	S32248	S25439	32562		

**Results of the transfer** (Click to Collapse...)

	Application	Permit	Certificate	Decree	Claim
<a href="#">Inchoate: T 10377 CF (REG) *</a>	S32248	S25439			
<a href="#">Cert:83599 RR *</a>	S32248	S25439	83599		

Report Errors with Water Right Data

COBU map rec'd 7-9-2018

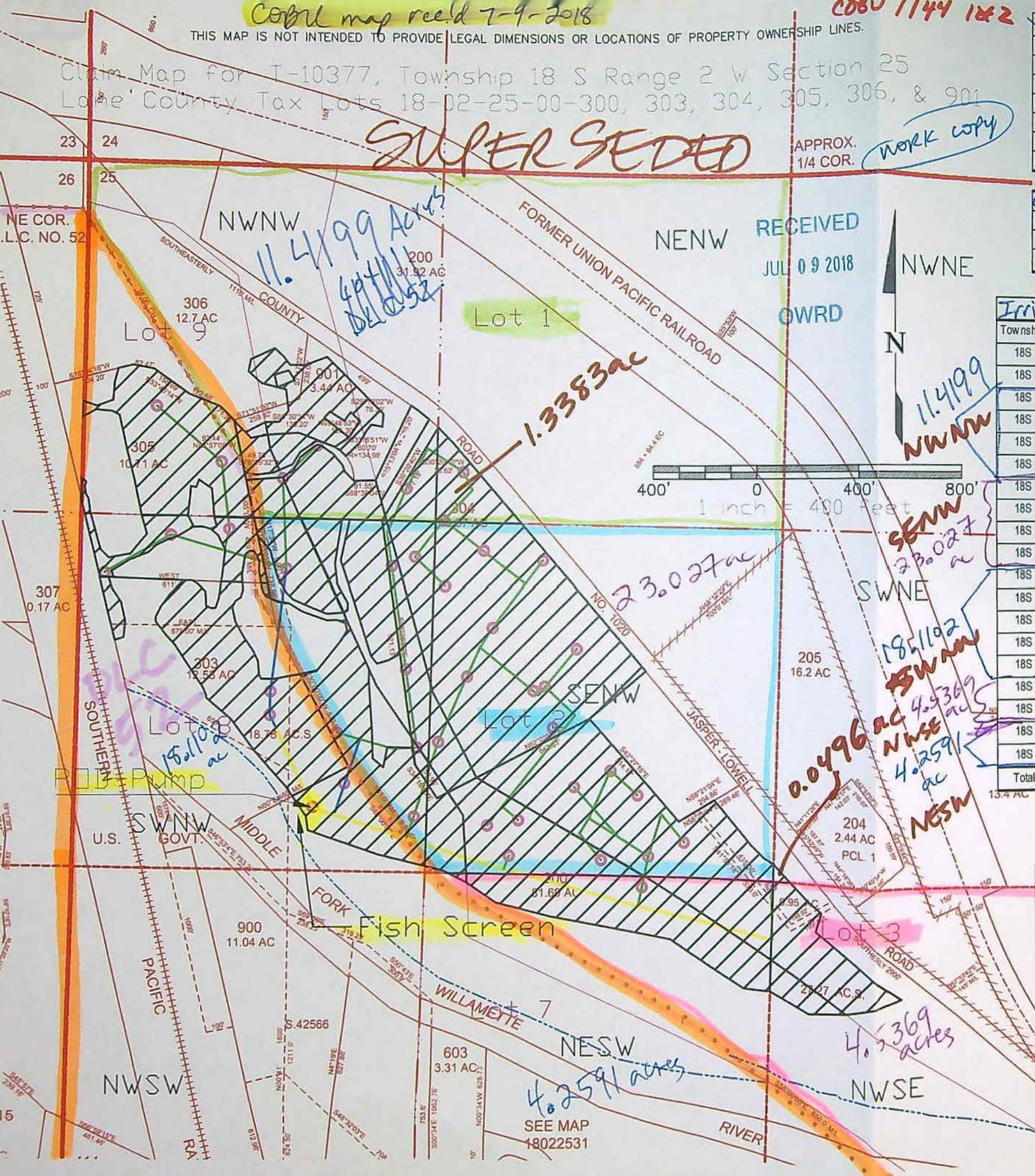
COBU 1144 1&2

THIS MAP IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

Claim Map for T-10377, Township 18 S Range 2 W Section 25  
 Lane County Tax Lots 18-02-25-00-300, 303, 304, 305, 306, & 901

**SUPERSEDED**

APPROX. 1/4 COR. WORK COPY



From Lands						
Township	Range	Section	1/4	1/4	1/4	Acreage
18S	2W	10	NE	SW		14.20
18S	2W	10	SE	NE		8.20
18S	2W	10	SE	NW		34.50
18S	2W	10	SE	SW		4.80
18S	2W	10	SE	SE		1.20
Total						62.90

To Lands by 1/4 1/4, Glot, DLC, and Tax Lot										
Township	Range	Section	1/4	1/4	1/4	Tax Lot	Glot	Square Ft	Acerage	DLC
18S	2W	25	NW	NW		306	9	1280.6416	0.0294	
18S	2W	25	NW	NW		901	-	72062.1405	1.6543	
18S	2W	25	NW	NW		306	-	20099.4252	0.4614	
18S	2W	25	NW	NW		901	9	2692.8438	0.0618	
18S	2W	25	NW	NW		901	1	10662.4252	0.2448	
18S	2W	25	NW	NW		304	1	34953.9261	0.8024	
18S	2W	25	NW	NE		304	1	58294.2438	1.3383	
18S	2W	25	NW	NW		300	-	167.7431	0.0036	
18S	2W	25	NW	SW		305	8	67104.0947	1.3109	
18S	2W	25	NW	SW		305	-	1890.7830	0.0434	52
18S	2W	25	NW	SW		300	8	199929.7547	4.5898	
18S	2W	25	NW	SW		300	8	81917.7040	1.8806	52
18S	2W	25	NW	SW		300	8	96510.0492	2.2156	
18S	2W	25	NW	SW		304	2	55660.3644	1.2778	
18S	2W	25	NW	SE		304	2	495966.3671	11.3858	
18S	2W	25	NW	SW		303	8	234963.4030	5.3940	52
18S	2W	25	NW	SW		303	8	1133.8616	0.0260	
18S	2W	25	NW	SW		304	-	56144.5163	1.2659	
18S	2W	25	NW	SE		304	-	33625.4422	0.7719	
18S	2W	25	NW	SW		304	8	4627.4944	0.1062	
18S	2W	25	NW	SE		304	8	4600.3288	0.1056	
18S	2W	25	NW	SE		300	8	40447.4852	0.9285	
18S	2W	25	NW	SE		300	8	60.0651	0.0014	52
18S	2W	25	NW	SE		300	-	133448.7723	3.0636	
18S	2W	25	NW	SE		300	2	294903.0401	6.7700	
18S	2W	25	SW	NE		300	7	1214.1426	0.0279	
18S	2W	25	SW	NE		300	-	184309.0067	4.2312	
18S	2W	25	SE	NW		300	3	71320.5295	1.6373	
18S	2W	25	NE	SW		300	3	2162.3694	0.0496	
18S	2W	25	SE	NW		300	3	102646.4909	2.3564	
18S	2W	25	NW	NW		305	9	4154.7875	0.0954	
18S	2W	25	NW	NW		305	9	199297.0082	4.5752	52
18S	2W	25	NW	NW		300	9	121205.3059	2.7825	
18S	2W	25	NW	NW		300	9	2866.2253	0.0658	52
18S	2W	25	NW	NW		300	1	28018.0692	0.6432	
18S	2W	25	SE	NW		300	-	23663.7164	0.5432	
Total									62.7409	

Original Point of Diversion						
Township	Range	Section	1/4	1/4	1/4	Glot
18S	2W	10	SW	NW		2

1008 Feet S and 50 feet W of the NW corner of DLC 39

Irrigation by									
Township	Range	Section	1/4	1/4	1/4	Glot	DLC	Acerage	
18S	2W	25	NE	SW		3	-	0.0496	
18S	2W	25	NW	NE		1	-	1.3383	
18S	2W	25	NW	NW		1	-	1.6904	
18S	2W	25	NW	NW		9	52	4.6410	
18S	2W	25	NW	NW		9	-	2.9691	
18S	2W	25	NW	NW		-	-	2.1194	*
18S	2W	25	NW	SE		2	-	18.1559	
18S	2W	25	NW	SE		8	52	0.0014	
18S	2W	25	NW	SE		8	-	1.0342	
18S	2W	25	NW	SE		-	-	3.8355	
18S	2W	25	NW	SW		2	-	1.2778	
18S	2W	25	NW	SW		8	52	7.2746	
18S	2W	25	NW	SW		8	-	8.2485	
18S	2W	25	NW	SW		-	-	1.2659	
18S	2W	25	NW	SW		-	52	0.0434	
18S	2W	25	SE	NW		3	-	3.9937	
18S	2W	25	SE	NW		-	-	0.5432	
18S	2W	25	SW	NE		7	-	0.0279	
18S	2W	25	SW	NE		-	-	4.2312	
Total								62.7409	

To Lands Point of Diversion								
Township	Range	Section	1/4	1/4	1/4	Tax Lot	Glot	DLC
18S	2W	25	NW	SW		300	8	

2350 Feet S and 1820 Feet W from the N 1/4 Corner of section 25

Tax Lot Boundaries: + + + +

DLC Lines: + + + +

Section Quarter Quarter Lines: + + + +

Burried 6" Irrigation Line: ————

Burried 4" Irrigation Line: ————

Burried 3" Irrigation Line: ————

Innigation Risers: ●

Innigated Areas: [Hatched Box]

Lot 1 Government Lots From 1855 Map

Certified Water Right Examiner  
 76773WRE  
 Steven I Recca  
 June 29, 2007  
 STATE OF OREGON

EXPIRATION DATE: 12/31/18

Application #      Permit #      Transfer #  
 T-10377

Norman McDougal      RA#  
R12578-19

**Reimbursement Authority Process  
 Itemized FINAL Sheet  
 for  
 Certificates**

	New Est. Time (hr)	Hourly Multiplier	Total Est Hours	Individual	New Hourly Rate	New Est. Cost	Date/Act. Time
1. Review of data and prepare report map	1.75	31%	2.29	Kerry	\$62.09	\$ 142.34	
2. Conflict Check	0.25	31%	0.33	Kerry	\$62.09	\$ 20.33	
3. Prep of def. letter - contingency time	0.50	31%	0.66	Kerry	\$62.09	\$ 40.67	
4. Prep of 1 draft certificate	2.00	31%	2.62	Kerry	\$62.09	\$ 162.68	
5a. Peer review - consultation	0.25		0.25	Gerry	\$59.03	\$ 14.76	
5b. Peer review	0.20		0.20	Dwight	\$86.03	\$ 17.21	
5c. Peer review - municipal-N/A	0.00		0.00	Kerri/Chris	\$49.08	\$ -	
5d. Peer reviewer of document/file	0.50	26%	0.63	Gerry	\$59.03	\$ 37.19	
6. Project Management - water right data record update (tech support)	3.25	31%	4.26	Kerry	\$62.09	\$ 264.35	
	0.60		0.60	Kerry	\$62.09	\$ 37.25	
7b. Water right data record update (data tech)	1.50		1.50	Data Tech	\$33.95	\$ 50.93	
8. Pump test - N/A	0.00		0.00	GW Staff	\$47.39	\$ -	
<b>Total</b>	<b>10.80</b>		<b>13.33</b>				
				Sub Total		<b>\$788</b>	
				10% Overhead		<b>\$78.77</b>	
				<b>TOTAL</b>		<b>\$866</b>	

OVER BY \$ 24

*Handwritten notes in yellow ink:*  
 1/22/24  
 1/22/24  
 1/22/24  
 1/22/24  
 1/22/24

Application # Permit # Transfer #  
 T-10377

Norman McDougal RA#  
 R12578-19

Reimbursement Authority Process  
 Itemized Estimate Sheet  
 for  
 Certificates

*Sheila*

	New Est. Time (hr)	Hourly Multiplier	Total Est Hours	Individual	New Hourly Rate	New Est. Cost	Date/A-t. Time
1. Review of permit application report to map	1.25	31%	1.64	Kerry	\$61.18	\$ 100.18	12-11 1-17 0.5
2. Conflict Check	0.50	31%	0.66	Kerry	\$61.18	\$ 40.07	12-11 0.5
3. Prep of def. letter - contingency time	0.50	31%	0.66	Kerry	\$61.18	\$ 40.07	12-11 0.5
4. Prep of 1 draft certificate	1.75	31%	2.29	Kerry	\$61.18	\$ 140.26	12-11 12-13 1-17 1-31 1.0 0.5 0.75
5a. Peer review - consultation	0.50		0.50	Gerry	\$58.11	\$ 29.06	
5b. Peer review	0.20		0.40	Dwight	\$85.28	\$ 34.11	
5c. Peer review - municipal-N/A	0.00		0.00	Kerri/Chris	\$49.08	\$ -	
5d. Peer reviewer of document/file	0.50	26%	0.63	Gerry	\$58.11	\$ 36.61	1-24 0.5
6. Project Management - (includes right data record update (data support))	3.00	31%	3.93	Kerry	\$61.18	\$ 240.44	8-27 12-10 12-13 1-2 1-3 1-17 1-24 1-25 7-30 1-31 2-1 0.75 0.75 1.25 0.25 0.5 0.75 0.25 0.75 0.5 0.5
7a. Water right data record update (data support)	0.60		0.60	Kerry	\$61.18	\$ 36.71	
7b. Water right data record update (data tech)	2.00		2.00	Data Tech	\$33.95	\$ 67.90	1-31 1.25 Sheila
8. Pump test - N/A	0.00		0.00	GW Staff	\$47.39	\$ -	
<b>Total</b>	<b>10.80</b>		<b>13.30</b>			<b>\$765</b>	
					Sub Total		
					10%		
					Overhead	\$76.54	
					TOTAL	\$842	

T-10377 - one cert: Change in POD and POU - TFO issued 12-20-2007, C date = 10-1-2009.  
 -- portion of Cert 32562 - 0.79 CFS for IR of 62.9 acres  
 -- prior to diverting water, install fish screening and/or by-pass device -- need written approval from ODFW  
 -- RR Cert 83599

**KAVANAGH Kerry L \* WRD**

---

**From:** GERI BETZ <landplancon@comcast.net>  
**Sent:** Monday, February 04, 2019 2:02 PM  
**To:** KAVANAGH Kerry L \* WRD  
**Subject:** Re: FW: Certificate RA Project R12578-19 for Norman McDougal involving transfer application T-10377

Hi Kerry,

Just following up to make sure you got what you needed.

Mike Evans

On January 30, 2019 at 3:24 PM KAVANAGH Kerry L \* WRD  
<[Kerry.L.Kavanagh@oregon.gov](mailto:Kerry.L.Kavanagh@oregon.gov)> wrote:

Hello Steven and Mike,

Please let me know if either of you have shared the draft certificate with Mr. McDougal.

Please let me know if you have and an opportunity to review the draft certificate.

Thanks,

Kerry

*Kerry Kavanagh* | Reimbursement Authority, Certificates, Water Right Services Division

---

**Oregon Water Resources Department** | 725 Summer St. NE, Suite A, Salem, Oregon 97301

Voice 503.986.0927 | Fax 503.986.0901

Email: [Kerry.L.Kavanagh@oregon.gov](mailto:Kerry.L.Kavanagh@oregon.gov) Web: <http://oregon.gov/ORWD>

---

**From:** KAVANAGH Kerry L \* WRD  
**Sent:** Friday, January 25, 2019 8:14 AM  
**To:** [landplancon@comcast.net](mailto:landplancon@comcast.net)  
**Cc:** 'Steven Recca'  
**Subject:** FW: Certificate RA Project R12578-19 for Norman McDougal involving transfer application T-10377

Hello Mike Evans,

Here is a copy of the email and draft certificate I sent to Steven Recca. I also placed a copy of the email and draft certificate to Norman McDougal in the US Mail today.

Kerry

*Kerry Kavanagh* | Reimbursement Authority, Certificates, Water Right Services Division

---

**Oregon Water Resources Department** | 725 Summer St. NE, Suite A, Salem, Oregon 97301

Voice 503.986.0927 | Fax 503.986.0901

Email: [Kerry.L.Kavanagh@oregon.gov](mailto:Kerry.L.Kavanagh@oregon.gov) Web: <http://oregon.gov/ORWD>

---

**From:** KAVANAGH Kerry L \* WRD  
**Sent:** Friday, January 25, 2019 7:25 AM  
**To:** 'Steven Recca'  
**Subject:** Certificate RA Project R12578-19 for Norman McDougal involving transfer application T-10377

Hello Steven,

Please find attached to this email the draft certificate for transfer application T-10377.

Please review the draft certificate and compare it to the transfer final order for accuracy and completeness:

For your convenience, here is a link to information regarding transfer application T-10377 in the Department's Water Rights Information System (WRIS) database: [https://apps.wrd.state.or.us/apps/wr/wrinfo/wr\\_transfer\\_centric.aspx?transfer\\_nbr=10377&transfer\\_char=T](https://apps.wrd.state.or.us/apps/wr/wrinfo/wr_transfer_centric.aspx?transfer_nbr=10377&transfer_char=T)

Click on "73-821" under Volume-Page to view the transfer final order.

Please provide me your comments or edits, should you have any. If you and the water user agree with the draft certificate and let me know this, then I can proceed to issue the certificate without waiting the standard 60-day notice period.

Thank you,

Kerry

*Kerry Kavanagh* | Reimbursement Authority, Certificates, Water Right Services Division

---

**Oregon Water Resources Department** | 725 Summer St. NE, Suite A, Salem, Oregon 97301

Voice 503.986.0927 | Fax 503.986.0901

Email: [Kerry.L.Kavanagh@oregon.gov](mailto:Kerry.L.Kavanagh@oregon.gov) Web: <http://oregon.gov/ORWD>

KAVANAGH Kerry L \* WRD

---

**From:** Steven Recca <steverecca@egrassoc.com>  
**Sent:** Thursday, January 31, 2019 9:48 AM  
**To:** KAVANAGH Kerry L \* WRD  
**Subject:** RE: Certificate RA Project R12578-19 for Norman McDougal involving transfer application T-10377

Kerry:

Looks good to me as presented.

Thanks!

Steven I. Recca, R.G.

EGR & Associates, Inc.  
2535B Prairie Road  
Eugene Oregon, 97402

Phone: 541-688-8322  
Fax: 541-688-8087

NOTICE: This communication may contain privileged or other confidential information. If you have received it in error, please advise the sender by reply email and immediately delete the message and any attachments without copying or disclosing the contents. Thank you.

---

**From:** KAVANAGH Kerry L \* WRD <[Kerry.L.Kavanagh@oregon.gov](mailto:Kerry.L.Kavanagh@oregon.gov)>  
**Sent:** Wednesday, January 30, 2019 3:24 PM  
**To:** Steven Recca <[steverecca@egrassoc.com](mailto:steverecca@egrassoc.com)>; [landplancon@comcast.net](mailto:landplancon@comcast.net)  
**Cc:** KAVANAGH Kerry L \* WRD <[Kerry.L.Kavanagh@oregon.gov](mailto:Kerry.L.Kavanagh@oregon.gov)>  
**Subject:** FW: Certificate RA Project R12578-19 for Norman McDougal involving transfer application T-10377

Hello Steven and Mike,

Please let me know if either of you have shared the draft certificate with Mr. McDougal.

Please let me know if you have and an opportunity to review the draft certificate.

Thanks,  
Kerry

*Kerry Kavanagh* | Reimbursement Authority, Certificates, Water Right Services Division  
Oregon Water Resources Department | 725 Summer St. NE, Suite A, Salem, Oregon 97301

---

**From:** KAVANAGH Kerry L \* WRD  
**Sent:** Friday, January 25, 2019 8:14 AM  
**To:** [landplancon@comcast.net](mailto:landplancon@comcast.net)  
**Cc:** 'Steven Recca'  
**Subject:** FW: Certificate RA Project R12578-19 for Norman McDougal involving transfer application T-10377

Hello Mike Evans,

Here is a copy of the email and draft certificate I sent to Steven Recca. I also placed a copy of the email and draft certificate to Norman McDougal in the US Mail today.

Kerry

*Kerry Kavanagh* | Reimbursement Authority, Certificates, Water Right Services Division

**Oregon Water Resources Department** | 725 Summer St. NE, Suite A, Salem, Oregon 97301  
Voice 503.986.0927 | Fax 503.986.0901  
Email: [Kerry.L.Kavanagh@oregon.gov](mailto:Kerry.L.Kavanagh@oregon.gov) Web: <http://oregon.gov/ORWD>

---

**From:** KAVANAGH Kerry L \* WRD  
**Sent:** Friday, January 25, 2019 7:25 AM  
**To:** 'Steven Recca'  
**Subject:** Certificate RA Project R12578-19 for Norman McDougal involving transfer application T-10377

Hello Steven,

Please find attached to this email the draft certificate for transfer application T-10377.

Please review the draft certificate and compare it to the transfer final order for accuracy and completeness.

For your convenience, here is a link to information regarding transfer application T-10377 in the Department's Water Rights Information System (WRIS)  
database: [https://apps.wrd.state.or.us/apps/wr/wrinfo/wr\\_transfer\\_centric.aspx?transfer\\_nbr=10377&transfer\\_char=T](https://apps.wrd.state.or.us/apps/wr/wrinfo/wr_transfer_centric.aspx?transfer_nbr=10377&transfer_char=T)  
Click on "73-821" under Volume-Page to view the transfer final order.

Please provide me your comments or edits, should you have any. If you and the water user agree with the draft certificate and let me know this, then I can proceed to issue the certificate without waiting the standard 60-day notice period.

Thank you,  
Kerry

*Kerry Kavanagh* | Reimbursement Authority, Certificates, Water Right Services Division

**Oregon Water Resources Department** | 725 Summer St. NE, Suite A, Salem, Oregon 97301  
Voice 503.986.0927 | Fax 503.986.0901  
Email: [Kerry.L.Kavanagh@oregon.gov](mailto:Kerry.L.Kavanagh@oregon.gov) Web: <http://oregon.gov/ORWD>

KAVANAGH Kerry L \* WRD

McDougal

**From:** KAVANAGH Kerry L \* WRD  
**Sent:** Wednesday, January 30, 2019 3:24 PM  
**To:** Steven Recca; landplancon@comcast.net  
**Cc:** KAVANAGH Kerry L \* WRD  
**Subject:** FW: Certificate RA Project R12578-19 for Norman McDougal involving transfer application T-10377  
**Attachments:** T-10377-cf-32562\_DRAFT-2019-01-25.pdf

Hello Steven and Mike,

Please let me know if either of you have shared the draft certificate with Mr. McDougal.

Please let me know if you have and an opportunity to review the draft certificate.

Thanks,  
Kerry

*Kerry Kavanagh* | Reimbursement Authority, Certificates, Water Right Services Division

Oregon Water Resources Department | 725 Summer St. NE, Suite A, Salem, Oregon 97301  
Voice 503.986.0927 | Fax 503.986.0901  
Email: [Kerry.L.Kavanagh@oregon.gov](mailto:Kerry.L.Kavanagh@oregon.gov) Web: <http://oregon.gov/ORWD>

---

**From:** KAVANAGH Kerry L \* WRD  
**Sent:** Friday, January 25, 2019 8:14 AM  
**To:** [landplancon@comcast.net](mailto:landplancon@comcast.net)  
**Cc:** 'Steven Recca'  
**Subject:** FW: Certificate RA Project R12578-19 for Norman McDougal involving transfer application T-10377

Hello Mike Evans,

Here is a copy of the email and draft certificate I sent to Steven Recca. I also placed a copy of the email and draft certificate to Norman McDougal in the US Mail today.

Kerry

*Kerry Kavanagh* | Reimbursement Authority, Certificates, Water Right Services Division

Oregon Water Resources Department | 725 Summer St. NE, Suite A, Salem, Oregon 97301  
Voice 503.986.0927 | Fax 503.986.0901  
Email: [Kerry.L.Kavanagh@oregon.gov](mailto:Kerry.L.Kavanagh@oregon.gov) Web: <http://oregon.gov/ORWD>

---

**From:** KAVANAGH Kerry L \* WRD  
**Sent:** Friday, January 25, 2019 7:25 AM  
**To:** 'Steven Recca'  
**Subject:** Certificate RA Project R12578-19 for Norman McDougal involving transfer application T-10377

Hello Steven,

Please find attached to this email the draft certificate for transfer application T-10377.

Please review the draft certificate and compare it to the transfer final order for accuracy and completeness.

For your convenience, here is a link to information regarding transfer application T-10377 in the Department's Water Rights Information System (WRIS)

database: [https://apps.wrd.state.or.us/apps/wr/wrinfo/wr\\_transfer\\_centric.aspx?transfer\\_nbr=10377&transfer\\_char=I](https://apps.wrd.state.or.us/apps/wr/wrinfo/wr_transfer_centric.aspx?transfer_nbr=10377&transfer_char=I)

Click on "73-821" under Volume-Page to view the transfer final order.

Please provide me your comments or edits, should you have any. If you and the water user agree with the draft certificate and let me know this, then I can proceed to issue the certificate without waiting the standard 60-day notice period.

Thank you,  
Kerry

**Kerry Kavanagh** | Reimbursement Authority, Certificates, Water Right Services Division

**Oregon Water Resources Department** | 725 Summer St. NE, Suite A, Salem, Oregon 97301

Voice 503.986.0927 | Fax 503.986.0901

Email: [Kerry.L.Kavanagh@oregon.gov](mailto:Kerry.L.Kavanagh@oregon.gov) Web: <http://oregon.gov/ORWD>

STATE OF OREGON

COUNTY OF LANE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

NORMAN MCDOUGAL  
PO BOX 518  
CRESWELL OR 97426

confirms the right to the use of water perfected under the terms of Permit S-25439. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point(s) of diversion from the source. The specific limits and conditions of the use are listed below.

SOURCE OF WATER: AN UNNAMED STREAM, A TRIBUTARY OF MIDDLE FORK WILLAMETTE RIVER (WILLIMATTE RIVER)

PURPOSE OR USE: IRRIGATION OF 62.741 ACRES

MAXIMUM RATE: 0.7843 CUBIC FOOT PER SECOND

DATE OF PRIORITY: APRIL 9, 1958

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
18 S	2 W	WM	25	SW NW	8	2350 FEET SOUTH AND 1820 FEET WEST FROM N1/4 CORNER, SECTION 25

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

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
18 S	2 W	WM	25	SW NE			0.0496
18 S	2 W	WM	25	NE NW	1		1.3383
18 S	2 W	WM	25	NW NW	1, 9	52	11.4199
18 S	2 W	WM	25	SW NW	2, 8	52	18.1102
18 S	2 W	WM	25	SE NW	2, 8	52	23.0270
18 S	2 W	WM	25	NE SW	7		4.2591
18 S	2 W	WM	25	NW SE	3		4.5369

**NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW**

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and 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.

When required by the Department, the water user shall install, maintain and operate an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

When required by the Department, the water user shall install, maintain and operate a headgate to control and regulate the quantity of water diverted. The type and plans of the headgate must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

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

The quantity of water diverted at the new point of diversion shall not exceed the quantity of water lawfully available at the original point of diversion described as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Survey Coordinates
18 S	2 W	WM	10	NW SW	2	1008 FEET SOUTH AND 50 FEET WEST FROM NW CORNER OF DLC 39

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

This certificate is issued to confirm changes in POINT OF DIVERSION and PLACE OF USE approved by an order of the Water Resources Director entered DECEMBER 20, 2007, at Special Order Volume 73, Page 821, approving Transfer Application 10377, and together with Certificate 83599, supersedes Certificate 32562, State record of Water Right Certificates.

Issued \_\_\_\_\_.

\_\_\_\_\_  
Dwight French  
Water Right Services Division Administrator, for  
Thomas M. Byler, Director  
Oregon Water Resources Department

KAVANAGH Kerry L \* WRD

---

**From:** KAVANAGH Kerry L \* WRD  
**Sent:** Friday, January 25, 2019 7:25 AM  
**To:** 'Steven Recca'  
**Subject:** Certificate RA Project R12578-19 for Norman McDougal involving transfer application T-10377  
**Attachments:** T-10377-cf-32562\_DRAFT-2019-01-25.pdf

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Please provide me your comments or edits, should you have any. If you and the water user agree with the draft certificate and let me know this, then I can proceed to issue the certificate without waiting the standard 60-day notice period.

Thank you,  
Kerry

*Kerry Kavanagh* | Reimbursement Authority, Certificates, Water Right Services Division

**Oregon Water Resources Department** | 725 Summer St. NE, Suite A, Salem, Oregon 97301  
Voice 503.986.0927 | Fax 503.986.0901  
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STATE OF OREGON

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18 S	2 W	WM	25	NW NW	1, 9	52	11.4199
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Issued \_\_\_\_\_.

\_\_\_\_\_  
Dwight French  
Water Right Services Division Administrator, for  
Thomas M. Byler, Director  
Oregon Water Resources Department

KAVANAGH Kerry L \* WRD

---

**From:** KAVANAGH Kerry L \* WRD  
**Sent:** Thursday, January 24, 2019 3:30 PM  
**To:** Steven Recca  
**Cc:** KAVANAGH Kerry L \* WRD  
**Subject:** RE: 2018-07-09 COBU map for T-10377

Hello Steven,

Your revised COBU map looks good – please submit the final revised mylar COBU map via US Mail.

I will soon be sending a draft certificate to the water user to review soon – as a pdf via email – I will cc you.

Thanks,  
Kerry

*Kerry Kavanagh* | Reimbursement Authority, Certificates, Water Right Services Division

**Oregon Water Resources Department** | 725 Summer St. NE, Suite A, Salem, Oregon 97301  
Voice 503.986.0927 | Fax 503.986.0901  
Email: [Kerry.L.Kavanagh@oregon.gov](mailto:Kerry.L.Kavanagh@oregon.gov) Web: <http://oregon.gov/ORWD>

---

**From:** Steven Recca [mailto:[steverecca@egrassoc.com](mailto:steverecca@egrassoc.com)]  
**Sent:** Friday, January 04, 2019 10:50 AM  
**To:** KAVANAGH Kerry L \* WRD  
**Subject:** RE: 2018-07-09 COBU map for T-10377

Kerry:

I think I've done what you have asked on the claim map regarding the tables. If not, please let me know. I've also made the lines for the government lot boundaries wider and changed the outlines of the irrigated areas to a dashed line so you can see the government lot boundaries through the irrigation outlines. I've attached a separate map with the irrigated areas turned off so it is easier to see the government lots. The space between the government lots is where the river was when the government lots were created.

If the new claim map is OK I will finalize it and send you a copy of acetate. If not, let me know what you need changed.

Steven I. Recca, R.G.

EGR & Associates, Inc.  
2535B Prairie Road  
Eugene Oregon, 97402

Phone: 541-688-8322  
Fax: 541-688-8087

NOTICE: This communication may contain privileged or other confidential information. If you have received it in error, please advise the sender by reply email and immediately delete the message and any attachments without copying or disclosing the contents. Thank you.

---

**From:** KAVANAGH Kerry L \* WRD <Kerry.L.Kavanagh@oregon.gov>  
**Sent:** Thursday, January 03, 2019 3:04 PM  
**To:** Steven Recca <steverecca@egrassoc.com>  
**Cc:** CLARK Gerald E \* WRD <Gerald.E.Clark@oregon.gov>  
**Subject:** RE: 2018-07-09 COBU map for T-10377

Thanks Steve,

It makes sense that the 1.2659 acre parcel would not part of GLot 8 – I will check in with Gerry Clark when he returns to the office on Monday, January 7, 2019.

Kerry

*Kerry Kavanagh* | Reimbursement Authority, Certificates, Water Right Services Division

**Oregon Water Resources Department** | 725 Summer St. NE, Suite A, Salem, Oregon 97301  
Voice 503.986.0927 | Fax 503.986.0901  
Email: [Kerry.L.Kavanagh@oregon.gov](mailto:Kerry.L.Kavanagh@oregon.gov) Web: <http://oregon.gov/ORWD>

---

**From:** Steven Recca [<mailto:steverecca@egrassoc.com>]  
**Sent:** Thursday, January 03, 2019 2:58 PM  
**To:** KAVANAGH Kerry L \* WRD  
**Subject:** RE: 2018-07-09 COBU map for T-10377

Kerry:

I'm working on it now and should have a copy for you to check by tomorrow.

In the table below that you provided, you show the highlighted entry of 1.2659 acres as being in government lot 8. That section of ground was occupied by the river channel at the time government lot 8 was created. Therefore, I believe it is not part of government lot 8.

Steve

From 2018-07-09 COBU map:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
18 S	2 W	WM	25	SW NE	3		0.0496
18 S	2 W	WM	25	NE NW	1		1.3383
18 S	2 W	WM	25	NW NW	1		1.6904
18 S	2 W	WM	25	NW NW	9	52	4.641
18 S	2 W	WM	25	NW NW	9		2.9691
18 S	2 W	WM	25	NW NW			2.1194

18 S	2 W	WM	25	SW NW	2		1.2778
18 S	2 W	WM	25	SW NW	8	52	7.2746
18 S	2 W	WM	25	SW NW	8		8.2485
18 S	2 W	WM	25	SW NW	8		1.2659
18 S	2 W	WM	25	SW NW		52	0.0434
18 S	2 W	WM	25	SE NW	2		18.1559
18 S	2 W	WM	25	SE NW	8	52	0.0014
18 S	2 W	WM	25	SE NW	8		1.0342
18 S	2 W	WM	25	SE NW			3.8355
18 S	2 W	WM	25	NE SW	7		0.0279
18 S	2 W	WM	25	NE SW			4.2312
18 S	2 W	WM	25	NW SE	3		3.9937
18 S	2 W	WM	25	NW SE			0.5432

62.741

**From:** KAVANAGH Kerry L \* WRD <[Kerry.L.Kavanagh@oregon.gov](mailto:Kerry.L.Kavanagh@oregon.gov)>  
**Sent:** Wednesday, January 02, 2019 2:09 PM  
**To:** Steven Recca <[steverecca@egrassoc.com](mailto:steverecca@egrassoc.com)>  
**Cc:** [landplancon@comcast.net](mailto:landplancon@comcast.net)  
**Subject:** FW: 2018-07-09 COBU map for T-10377

Hello Steve,

I am wondering if you have had the opportunity to prepare a revised COBU map.

Please let me know.

Thank you,  
Kerry

*Kerry Kavanagh* | Reimbursement Authority, Certificates, Water Right Services Division

**Oregon Water Resources Department** | 725 Summer St. NE, Suite A, Salem, Oregon 97301  
Voice 503.986.0927 | Fax 503.986.0901  
Email: [Kerry.L.Kavanagh@oregon.gov](mailto:Kerry.L.Kavanagh@oregon.gov) Web: <http://oregon.gov/ORWD>

**From:** KAVANAGH Kerry L \* WRD  
**Sent:** Thursday, December 13, 2018 3:05 PM  
**To:** 'steverecca@egrassoc.com'  
**Cc:** 'landplancon@comcast.net'; CLARK Gerald E \* WRD  
**Subject:** 2018-07-09 COBU map for T-10377

Hello Steve,

As we discussed in our telephone conversation today, I would like you to revise the July 9, 2018 Claim of Beneficial Use (COBU) map to make it more user friendly.

Also, as I mentioned, the place of use listing in the certificate will contain one line (or row) for the number of acres in each ¼ ¼ section, which will include any GLots and/or DLC. Here is an excerpt of my working draft certificate (not yet finalized for peer review at this time):

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

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
18 S	2 W	WM	25	SW NE			0.0496
18 S	2 W	WM	25	NE NW	1		1.3383
18 S	2 W	WM	25	NW NW	1, 9	52	11.4199
18 S	2 W	WM	25	SW NW	2, 8	52	18.1102
18 S	2 W	WM	25	SE NW	2, 8	52	23.0270
18 S	2 W	WM	25	NE SW	7		4.2591
18 S	2 W	WM	25	NW SE	3		4.5369

Also, I created an excel spreadsheet of the place of use table that will remain on the revised COBU map to be changed to the title:

“Irrigation by ¼ ¼ , GLot, DLC” – I used the sum function and came up with the total acreage of 62.741 acres – then applying the limit of 1/80 cfs per acre, I come up with a rate of 0.7843 cfs:

Application T-10377 – POU – use  
this table in draft certificate:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
18 S	2 W	WM	25	SW NE			0.0496
18 S	2 W	WM	25	NE NW	1		1.3383
18 S	2 W	WM	25	NW NW	1, 9	52	11.4199
18 S	2 W	WM	25	SW NW	2, 8	52	18.1102
18 S	2 W	WM	25	SE NW	2, 8	52	23.027
18 S	2 W	WM	25	NE SW	7		4.2591
18 S	2 W	WM	25	NW SE	3		4.5369

62.741

$$62.741 * 1/80 \text{ CFS per acre} = 0.7842625$$

-- 0.7843 cfs

From 2018-07-09 COBU map:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
18 S	2 W	WM	25	SW NE	3		0.0496
18 S	2 W	WM	25	NE NW	1		1.3383
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18 S	2 W	WM	25	NW NW	9	52	4.641
18 S	2 W	WM	25	NW NW	9		2.9691
18 S	2 W	WM	25	NW NW			2.1194
18 S	2 W	WM	25	SW NW	2		1.2778

18 S	2 W	WM	25	SW NW	8	52	7.2746
18 S	2 W	WM	25	SW NW	8		8.2485
18 S	2 W	WM	25	SW NW	8		1.2659
18 S	2 W	WM	25	SW NW		52	0.0434
18 S	2 W	WM	25	SE NW	2		18.1559
18 S	2 W	WM	25	SE NW	8	52	0.0014
18 S	2 W	WM	25	SE NW	8		1.0342
18 S	2 W	WM	25	SE NW			3.8355
18 S	2 W	WM	25	NE SW	7		0.0279
18S	2 W	WM	25	NE SW			4.2312
18S	2 W	WM	25	NW SE	3		3.9937
18S	2 W	WM	25	NW SE			0.5432

62.741

-----  
Please delete the following tables from the COBU map (located in upper right corner of the 11 x 17 map):

1. "From Lands"
2. "To Lands by ¼ ¼ , GLot, DLC, and Tax Lot"

Please modify information contained in the following tables to remain on the REVISED COBU Map (located in upper right corner of the 11 x 17 map):

1. Change the title of the "From Lands Point of Diversion" to "Original Point of Diversion".
2. Change "To Lands by ¼ ¼ , GLot, and DLC" to "Irrigation by ¼ ¼ , GLot, and DLC".
3. Change the title of the "To Lands Point of Diversion" to "Point of Diversion".

I have also scanned my "work copy" map – which may be helpful.

Thank you for your help with this map!

Kerry

**Kerry Kavanagh** | Reimbursement Authority, Certificates, Water Right Services Division

**Oregon Water Resources Department** | 725 Summer St. NE, Suite A, Salem, Oregon 97301

Voice 503.986.0927 | Fax 503.986.0901

Email: [Kerry.L.Kavanagh@oregon.gov](mailto:Kerry.L.Kavanagh@oregon.gov) Web: <http://oregon.gov/ORWD>

**KAVANAGH Kerry L \* WRD**

---

**From:** KAVANAGH Kerry L \* WRD  
**Sent:** Friday, January 25, 2019 8:14 AM  
**To:** landplancon@comcast.net  
**Cc:** 'Steven Recca'  
**Subject:** FW: Certificate RA Project R12578-19 for Norman McDougal involving transfer application T-10377  
**Attachments:** T-10377-cf-32562\_DRAFT-2019-01-25.pdf

Hello Mike Evans,

Here is a copy of the email and draft certificate I sent to Steven Recca. I also placed a copy of the email and draft certificate to Norman McDougal in the US Mail today.

Kerry

*Kerry Kavanagh* | Reimbursement Authority, Certificates, Water Right Services Division

**Oregon Water Resources Department** | 725 Summer St. NE, Suite A, Salem, Oregon 97301  
Voice 503.986.0927 | Fax 503.986.0901  
Email: [Kerry.L.Kavanagh@oregon.gov](mailto:Kerry.L.Kavanagh@oregon.gov) Web: <http://oregon.gov/ORWD>

---

**From:** KAVANAGH Kerry L \* WRD  
**Sent:** Friday, January 25, 2019 7:25 AM  
**To:** 'Steven Recca'  
**Subject:** Certificate RA Project R12578-19 for Norman McDougal involving transfer application T-10377

Hello Steven,

Please find attached to this email the draft certificate for transfer application T-10377.

Please review the draft certificate and compare it to the transfer final order for accuracy and completeness.

For your convenience, here is a link to information regarding transfer application T-10377 in the Department's Water Rights Information System (WRIS) database: [https://apps.wrd.state.or.us/apps/wr/wrinfo/wr\\_transfer\\_centric.aspx?transfer\\_nbr=10377&transfer\\_char=](https://apps.wrd.state.or.us/apps/wr/wrinfo/wr_transfer_centric.aspx?transfer_nbr=10377&transfer_char=)

I  
Click on "73-821" under Volume-Page to view the transfer final order.

Please provide me your comments or edits, should you have any. If you and the water user agree with the draft certificate and let me know this, then I can proceed to issue the certificate without waiting the standard 60-day notice period.

Thank you,  
Kerry

*Kerry Kavanagh* | Reimbursement Authority, Certificates, Water Right Services Division

KAVANAGH Kerry L \*WRD

---

**From:** KAVANAGH Kerry L \* WRD  
**Sent:** Friday, January 25, 2019 8:09 AM  
**To:** btranch@centurytel.net  
**Cc:** 'wporfily@gmail.com'  
**Subject:** Certificate RA Agreement R12607-19 for Willow Creek District Improvement Company involving transfer application T-12605  
**Attachments:** RA contract executed\_T-12605.pdf; RA\_contract receipt\_T-12605.pdf

Hello Brian and William,

Attached are copies of the fully executed Applicant's Agreement signed by the required parties and a receipt for the monies paid for these expedited services. The agreement details the terms and conditions that a work order was issued for the expedited services you requested.

If you have any questions, please call me.

Thanks,  
Kerry

*Kerry Kavanagh* | Reimbursement Authority, Certificates, Water Right Services Division

**Oregon Water Resources Department** | 725 Summer St. NE, Suite A, Salem, Oregon 97301

Voice 503.986.0927 | Fax 503.986.0901

Email: [Kerry.L.Kavanagh@oregon.gov](mailto:Kerry.L.Kavanagh@oregon.gov) Web: <http://oregon.gov/ORWD>

STATE OF OREGON

COUNTY OF LANE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

NORMAN MCDOUGAL  
PO BOX 518  
CRESWELL OR 97426

confirms the right to the use of water perfected under the terms of Permit S-25439. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point(s) of diversion from the source. The specific limits and conditions of the use are listed below.

SOURCE OF WATER: AN UNNAMED STREAM, A TRIBUTARY OF MIDDLE FORK WILLAMETTE RIVER (WILLIMATTE RIVER)

PURPOSE OR USE: IRRIGATION OF 62.741 ACRES

MAXIMUM RATE: 0.7843 CUBIC FOOT PER SECOND

DATE OF PRIORITY: APRIL 9, 1958

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
18 S	2 W	WM	25	SW NW	8	2350 FEET SOUTH AND 1820 FEET WEST FROM N1/4 CORNER, SECTION 25

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

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
18 S	2 W	WM	25	SW NE			0.0496
18 S	2 W	WM	25	NE NW	1		1.3383
18 S	2 W	WM	25	NW NW	1, 9	52	11.4199
18 S	2 W	WM	25	SW NW	2, 8	52	18.1102
18 S	2 W	WM	25	SE NW	2, 8	52	23.0270
18 S	2 W	WM	25	NE SW	7		4.2591
18 S	2 W	WM	25	NW SE	3		4.5369

**NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW**

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and 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.

When required by the Department, the water user shall install, maintain and operate an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

When required by the Department, the water user shall install, maintain and operate a headgate to control and regulate the quantity of water diverted. The type and plans of the headgate must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

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

The quantity of water diverted at the new point of diversion shall not exceed the quantity of water lawfully available at the original point of diversion described as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Survey Coordinates
18 S	2 W	WM	10	NW SW	2	1008 FEET SOUTH AND 50 FEET WEST FROM NW CORNER OF DLC 39

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

This certificate is issued to confirm changes in POINT OF DIVERSION and PLACE OF USE approved by an order of the Water Resources Director entered DECEMBER 20, 2007, at Special Order Volume 73, Page 821, approving Transfer Application 10377, and together with Certificate 83599, supersedes Certificate 32562, State record of Water Right Certificates.

Issued \_\_\_\_\_.

\_\_\_\_\_  
Dwight French  
Water Right Services Division Administrator, for  
Thomas M. Byler, Director  
Oregon Water Resources Department

**KAVANAGH Kerry L \* WRD**

---

**From:** Steven Recca <steverecca@egrassoc.com>  
**Sent:** Friday, January 04, 2019 10:50 AM  
**To:** KAVANAGH Kerry L \* WRD  
**Subject:** RE: 2018-07-09 COBU map for T-10377  
**Attachments:** COBU Map Revised 1-2019.pdf; Tax Lot Overlay showing gov lots1-2019-Layout1.pdf

Kerry:

I think I've done what you have asked on the claim map regarding the tables. If not, please let me know. I've also made the lines for the government lot boundaries wider and changed the outlines of the irrigated areas to a dashed line so you can see the government lot boundaries through the irrigation outlines. I've attached a separate map with the irrigated areas turned off so it is easier to see the government lots. The space between the government lots is where the river was when the government lots were created.

If the new claim map is OK I will finalize it and send you a copy of acetate. If not, let me know what you need changed.

Steven I. Recca, R.G.

EGR & Associates, Inc.  
2535B Prairie Road  
Eugene Oregon, 97402

Phone: 541-688-8322  
Fax: 541-688-8087

NOTICE: This communication may contain privileged or other confidential information. If you have received it in error, please advise the sender by reply email and immediately delete the message and any attachments without copying or disclosing the contents. Thank you.

---

**From:** KAVANAGH Kerry L \* WRD <Kerry.L.Kavanagh@oregon.gov>  
**Sent:** Thursday, January 03, 2019 3:04 PM  
**To:** Steven Recca <steverecca@egrassoc.com>  
**Cc:** CLARK Gerald E \* WRD <Gerald.E.Clark@oregon.gov>  
**Subject:** RE: 2018-07-09 COBU map for T-10377

Thanks Steve,

It makes sense that the 1.2659 acre parcel would not part of GLot 8 – I will check in with Gerry Clark when he returns to the office on Monday, January 7, 2019.

Kerry

**From:** Steven Recca [<mailto:steverecca@egrassoc.com>]

**Sent:** Thursday, January 03, 2019 2:58 PM

**To:** KAVANAGH Kerry L \* WRD

**Subject:** RE: 2018-07-09 COBU map for T-10377

Kerry:

I'm working on it now and should have a copy for you to check by tomorrow.

In the table below that you provided, you show the highlighted entry of 1.2659 acres as being in government lot 8. That section of ground was occupied by the river channel at the time government lot 8 was created. Therefore, I believe it is not part of government lot 8.

Steve

From 2018-07-09 COBU map:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
18 S	2 W	WM	25	SW NE	3		0.0496
18 S	2 W	WM	25	NE NW	1		1.3383
18 S	2 W	WM	25	NW NW	1		1.6904
18 S	2 W	WM	25	NW NW	9	52	4.641
18 S	2 W	WM	25	NW NW	9		2.9691
18 S	2 W	WM	25	NW NW			2.1194
18 S	2 W	WM	25	SW NW	2		1.2778
18 S	2 W	WM	25	SW NW	8	52	7.2746
18 S	2 W	WM	25	SW NW	8		8.2485
18 S	2 W	WM	25	SW NW	8		1.2659
18 S	2 W	WM	25	SW NW		52	0.0434
18 S	2 W	WM	25	SE NW	2		18.1559
18 S	2 W	WM	25	SE NW	8	52	0.0014
18 S	2 W	WM	25	SE NW	8		1.0342
18 S	2 W	WM	25	SE NW			3.8355
18 S	2 W	WM	25	NE SW	7		0.0279
18S	2 W	WM	25	NE SW			4.2312
18S	2 W	WM	25	NW SE	3		3.9937
18S	2 W	WM	25	NW SE			0.5432

62.741

From: KAVANAGH Kerry L \* WRD <[Kerry.L.Kavanagh@oregon.gov](mailto:Kerry.L.Kavanagh@oregon.gov)>  
Sent: Wednesday, January 02, 2019 2:09 PM  
To: Steven Recca <[steverecca@egrassoc.com](mailto:steverecca@egrassoc.com)>  
Cc: [landplancon@comcast.net](mailto:landplancon@comcast.net)  
Subject: FW: 2018-07-09 COBU map for T-10377

Hello Steve,

I am wondering if you have had the opportunity to prepare a revised COBU map.

Please let me know.

Thank you,  
Kerry

**Kerry Kavanagh** | Reimbursement Authority, Certificates, Water Right Services Division

**Oregon Water Resources Department** | 725 Summer St. NE, Suite A, Salem, Oregon 97301  
Voice 503.986.0927 | Fax 503.986.0901  
Email: [Kerry.L.Kavanagh@oregon.gov](mailto:Kerry.L.Kavanagh@oregon.gov) Web: <http://oregon.gov/ORWD>

---

**From:** KAVANAGH Kerry L \* WRD  
**Sent:** Thursday, December 13, 2018 3:05 PM  
**To:** 'steverecca@egrassoc.com'  
**Cc:** 'landplancon@comcast.net'; CLARK Gerald E \* WRD  
**Subject:** 2018-07-09 COBU map for T-10377

Hello Steve,

As we discussed in our telephone conversation today, I would like you to revise the July 9, 2018 Claim of Beneficial Use (COBU) map to make it more user friendly.

Also, as I mentioned, the place of use listing in the certificate will contain one line (or row) for the number of acres in each ¼ ¼ section, which will include any GLots and/or DLC. Here is an excerpt of my working draft certificate (not yet finalized for peer review at this time):

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

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
18 S	2 W	WM	25	SW NE			0.0496
18 S	2 W	WM	25	NE NW	1		1.3383
18 S	2 W	WM	25	NW NW	1, 9	52	11.4199
18 S	2 W	WM	25	SW NW	2, 8	52	18.1102
18 S	2 W	WM	25	SE NW	2, 8	52	23.0270
18 S	2 W	WM	25	NE SW	7		4.2591
18 S	2 W	WM	25	NW SE	3		4.5369

---

Also, I created an excel spreadsheet of the place of use table that will remain on the revised COBU map to be changed to the title:

"Irrigation by ¼ ¼, GLot, DLC" – I used the sum function and came up with the total acreage of 62.741 acres – then applying the limit of 1/80 cfs per acre, I come up with a rate of 0.7843 cfs:

Application T-10377 – POU – use  
this table in draft certificate:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
18 S	2 W	WM	25	SW NE			0.0496
18 S	2 W	WM	25	NE NW	1		1.3383
18 S	2 W	WM	25	NW NW	1, 9	52	11.4199
18 S	2 W	WM	25	SW NW	2, 8	52	18.1102
18 S	2 W	WM	25	SE NW	2, 8	52	23.027
18 S	2 W	WM	25	NE SW	7		4.2591
18 S	2 W	WM	25	NW SE	3		4.5369

62.741

62.741 \* 1/80 CFS per acre = 0.7842625  
-- 0.7843 cfs

From 2018-07-09 COBU map:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
18 S	2 W	WM	25	SW NE	3		0.0496
18 S	2 W	WM	25	NE NW	1		1.3383
18 S	2 W	WM	25	NW NW	1		1.6904
18 S	2 W	WM	25	NW NW	9	52	4.641
18 S	2 W	WM	25	NW NW	9		2.9691
18 S	2 W	WM	25	NW NW			2.1194
18 S	2 W	WM	25	SW NW	2		1.2778
18 S	2 W	WM	25	SW NW	8	52	7.2746
18 S	2 W	WM	25	SW NW	8		8.2485
18 S	2 W	WM	25	SW NW	8		1.2659
18 S	2 W	WM	25	SW NW		52	0.0434
18 S	2 W	WM	25	SE NW	2		18.1559
18 S	2 W	WM	25	SE NW	8	52	0.0014
18 S	2 W	WM	25	SE NW	8		1.0342
18 S	2 W	WM	25	SE NW			3.8355
18 S	2 W	WM	25	NE SW	7		0.0279
18S	2 W	WM	25	NE SW			4.2312
18S	2 W	WM	25	NW SE	3		3.9937
18S	2 W	WM	25	NW SE			0.5432

62.741

Please delete the following tables from the COBU map (located in upper right corner of the 11 x 17 map):

1. "From Lands" \*
2. "To Lands by ¼ ¼ , GLot, DLC, and Tax Lot

Please modify information contained in the following tables to remain on the REVISED COBU Map (located in upper right corner of the 11 x 17 map):

1. Change the title of the "From Lands Point of Diversion" to "Original Point of Diversion".
2. Change "To Lands by ¼ ¼ , GLot, and DLC" to "Irrigation by ¼ ¼ , GLot, and DLC".
3. Change the title of the "To Lands Point of Diversion" to "Point of Diversion".

I have also scanned my "work copy" map – which may be helpful.

Thank you for your help with this map!

Kerry

*Kerry Kavanagh* | Reimbursement Authority, Certificates, Water Right Services Division

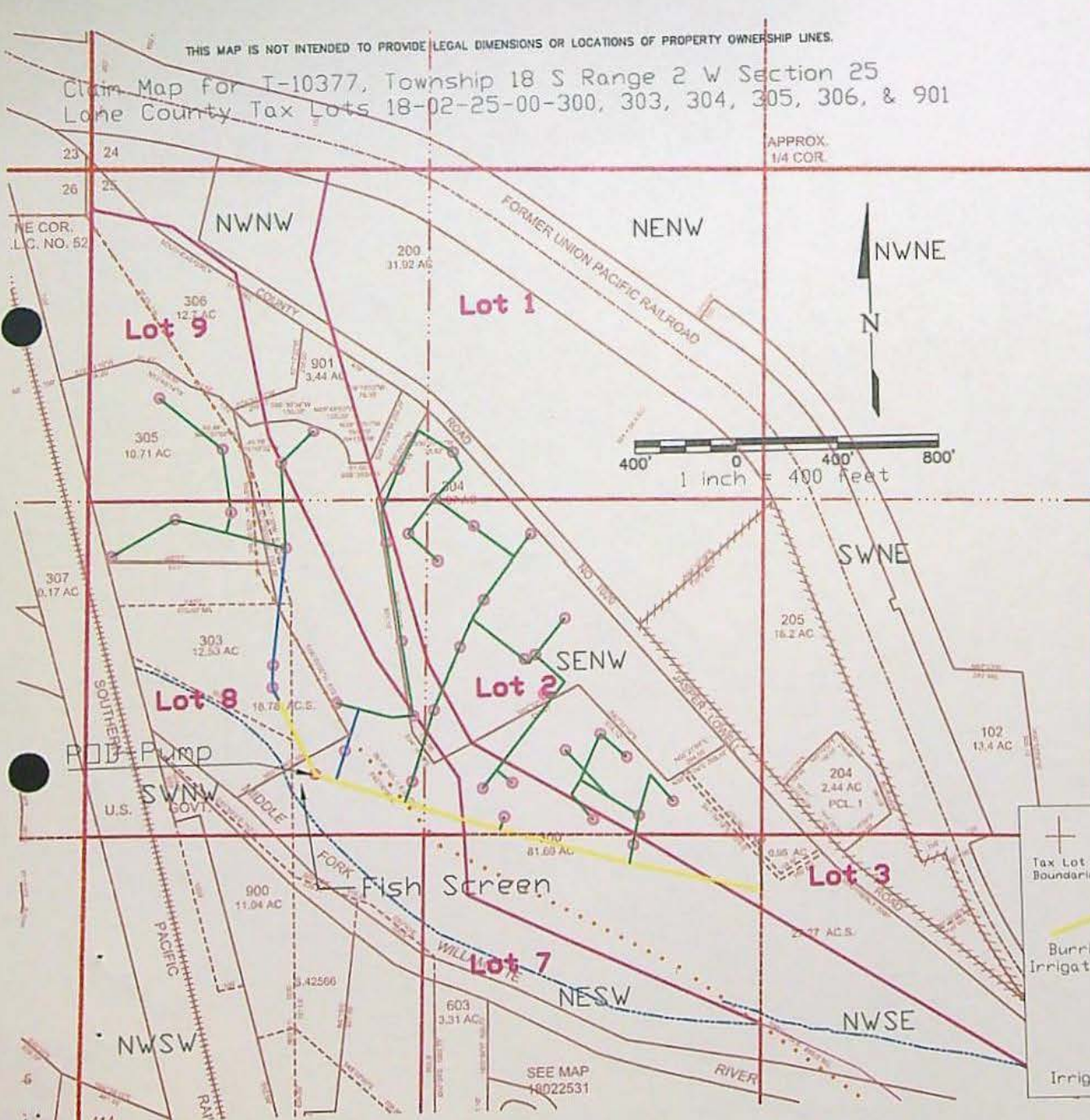
**Oregon Water Resources Department** | 725 Summer St. NE, Suite A, Salem, Oregon 97301

Voice 503.986.0927 | Fax 503.986.0901

Email: [Kerry.L.Kavanagh@oregon.gov](mailto:Kerry.L.Kavanagh@oregon.gov) Web: <http://oregon.gov/ORWD>

THIS MAP IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

Claim Map for T-10377, Township 18 S Range 2 W Section 25  
 Lone County Tax Lots 18-02-25-00-300, 303, 304, 305, 306, & 901



Original Point of Diversion						
Township	Range	Section	1/4	1/4 1/4	Glut	DLC
18S	2W	10	SW	NW	2	NA
1008 Feet S and 50 feet W of the NW corner of DLC 39						

Point of Diversion						
Township	Range	Section	1/4	1/4 1/4	Glut	DLC
18S	2W	25	NW	SW	8	NA
2350 Feet S and 1820 Feet W from the N 1/4 Corner of section 25						

Irrigation by 1/4 1/4, Glut, and DLC							
Township	Range	Section	1/4	1/4 1/4	Glut	DLC	Average
18S	2W	25	NE	SW	3	-	0.0496
18S	2W	25	NW	NE	1	-	1.3383
18S	2W	25	NW	NW	1	-	1.6904
18S	2W	25	NW	NW	9	S2	4.6410
18S	2W	25	NW	NW	9	-	2.9691
18S	2W	25	NW	NW	-	-	2.1194
18S	2W	25	NW	SW	2	-	1.2778
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18S	2W	25	NW	SW	8	-	8.2485
18S	2W	25	NW	SW	-	-	1.2659
18S	2W	25	NW	SW	-	S2	0.0434
18S	2W	25	NW	SE	2	-	18.1559
18S	2W	25	NW	SE	8	S2	0.0014
18S	2W	25	NW	SE	8	-	1.0342
18S	2W	25	NW	SE	-	-	3.8355
18S	2W	25	SW	NE	7	-	0.0279
18S	2W	25	SW	NE	-	-	4.2312
18S	2W	25	SE	NW	3	-	3.9937
18S	2W	25	SE	NW	-	-	0.5432
Total							62.741

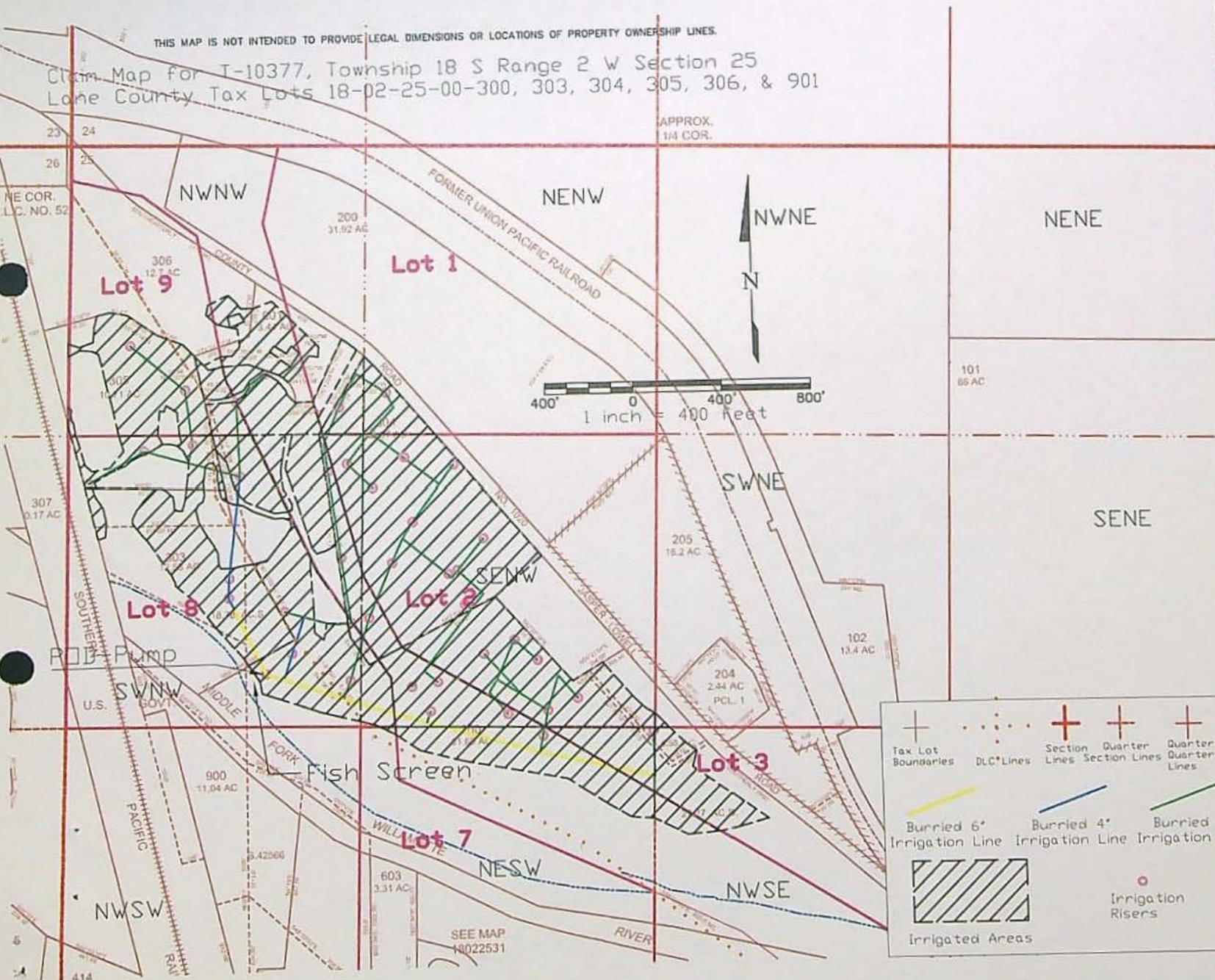
**Lot 1** Government Lots From 1855 Map

Certified Water Right Examiner  
 76773WRE  
 Steven I Recca  
 June 29, 2007  
 STATE OF OREGON

EXPIRATION DATE: 12/31/18

THIS MAP IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

Claim Map for T-10377, Township 18 S Range 2 W Section 25  
 Lane County Tax Lots 18-02-25-00-300, 303, 304, 305, 306, & 901



Original Point of Diversion						
Township	Range	Section	1/4	1/4 1/4	Glct	DLC
18S	2W	10	SW	NW	2	NA
1008 Feet S and 50 feet W of the NW corner of DLC 39						

Point of Diversion						
Township	Range	Section	1/4	1/4 1/4	Glct	DLC
18S	2W	25	NW	SW	8	NA
2350 Feet S and 1820 Feet W from the N 1/4 Corner of section 25						

Irrigation by 1/4 1/4, Glct, and DLC							
Township	Range	Section	1/4	1/4 1/4	Glct	DLC	Average
18S	2W	25	NE	SW	3	-	0.0496
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18S	2W	25	SW	NE	7	-	0.0279
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18S	2W	25	SE	NW	3	-	3.9937
18S	2W	25	SE	NW	-	-	0.5432
Total							62.741

**Lot 1** Government Lots From 1855 Map

Tax Lot Boundaries   
 DLC Lines   
 Section Lines   
 Quarter Section Lines   
 Quarter Quarter Lines

Burried 6" Irrigation Line   
 Burried 4" Irrigation Line   
 Burried 3" Irrigation Line

Irrigated Areas   
 Irrigation Risers

Certified Water Right Examiner  
 76773WRE  
 Steven I Recca  
 June 29, 2007  
 STATE OF OREGON  
 EXPIRATION DATE: 12/31/18

KAVANAGH Kerry L \* WRD

---

**From:** Steven Recca <steverecca@egrassoc.com>  
**Sent:** Thursday, January 03, 2019 2:58 PM  
**To:** KAVANAGH Kerry L \* WRD  
**Subject:** RE: 2018-07-09 COBU map for T-10377

Kerry:

I'm working on it now and should have a copy for you to check by tomorrow.

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Steve

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18 S	2 W	WM	25	SW NW	8		1.2659
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18 S	2 W	WM	25	SE NW	8	52	0.0014
18 S	2 W	WM	25	SE NW	8		1.0342
18 S	2 W	WM	25	SE NW			3.8355
18 S	2 W	WM	25	NE SW	7		0.0279
18S	2 W	WM	25	NE SW			4.2312
18S	2 W	WM	25	NW SE	3		3.9937
18S	2 W	WM	25	NW SE			0.5432

62.741

**From:** KAVANAGH Kerry L \* WRD <Kerry.L.Kavanagh@oregon.gov>  
**Sent:** Wednesday, January 02, 2019 2:09 PM  
**To:** Steven Recca <steverecca@egrassoc.com>  
**Cc:** landplancon@comcast.net  
**Subject:** FW: 2018-07-09 COBU map for T-10377

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Kerry

*Kerry Kavanagh* | Reimbursement Authority, Certificates, Water Right Services Division

**Oregon Water Resources Department** | 725 Summer St. NE, Suite A, Salem, Oregon 97301  
Voice 503.986.0927 | Fax 503.986.0901  
Email: [Kerry.L.Kavanagh@oregon.gov](mailto:Kerry.L.Kavanagh@oregon.gov) Web: <http://oregon.gov/ORWD>

---

**From:** KAVANAGH Kerry L \* WRD  
**Sent:** Thursday, December 13, 2018 3:05 PM  
**To:** 'steverecca@egrassoc.com'  
**Cc:** 'landplancon@comcast.net'; CLARK Gerald E \* WRD  
**Subject:** 2018-07-09 COBU map for T-10377

Hello Steve,

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Twtp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
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18 S	2 W	WM	25	NW NW	1, 9	52	11.4199
18 S	2 W	WM	25	SW NW	2, 8	52	18.1102
18 S	2 W	WM	25	SE NW	2, 8	52	23.0270
18 S	2 W	WM	25	NE SW	7		4.2591
18 S	2 W	WM	25	NW SE	3		4.5369

---

Also, I created an excel spreadsheet of the place of use table that will remain on the revised COBU map to be changed to the title:

“Irrigation by ¼ ¼, GLot, DLC” – I used the sum function and came up with the total acreage of 62.741 acres – then applying the limit of 1/80 cfs per acre, I come up with a rate of 0.7843 cfs:

Application T-10377 – POU – use  
this table in draft certificate:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
18 S	2 W	WM	25	SW NE			0.0496
18 S	2 W	WM	25	NE NW	1		1.3383
18 S	2 W	WM	25	NW NW	1, 9	52	11.4199
18 S	2 W	WM	25	SW NW	2, 8	52	18.1102
18 S	2 W	WM	25	SE NW	2, 8	52	23.027
18 S	2 W	WM	25	NE SW	7		4.2591
18 S	2 W	WM	25	NW SE	3		4.5369

62.741

62.741 \* 1/80 CFS per acre = 0.7842625  
-- 0.7843 cfs

From 2018-07-09 COBU map:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
18 S	2 W	WM	25	SW NE	3		0.0496
18 S	2 W	WM	25	NE NW	1		1.3383
18 S	2 W	WM	25	NW NW	1		1.6904
18 S	2 W	WM	25	NW NW	9	52	4.641
18 S	2 W	WM	25	NW NW	9		2.9691
18 S	2 W	WM	25	NW NW			2.1194
18 S	2 W	WM	25	SW NW	2		1.2778
18 S	2 W	WM	25	SW NW	8	52	7.2746
18 S	2 W	WM	25	SW NW	8		8.2485
18 S	2 W	WM	25	SW NW	8		1.2659
18 S	2 W	WM	25	SW NW		52	0.0434
18 S	2 W	WM	25	SE NW	2		18.1559
18 S	2 W	WM	25	SE NW	8	52	0.0014
18 S	2 W	WM	25	SE NW	8		1.0342
18 S	2 W	WM	25	SE NW			3.8355
18 S	2 W	WM	25	NE SW	7		0.0279
18S	2 W	WM	25	NE SW			4.2312
18S	2 W	WM	25	NW SE	3		3.9937
18S	2 W	WM	25	NW SE			0.5432

62.741

Please delete the following tables from the COBU map (located in upper right corner of the 11 x 17 map):

1. "From Lands"
2. "To Lands by ¼ ¼ , GLot, DLC, and Tax Lot"

Please modify information contained in the following tables to remain on the REVISED COBU Map (located in upper right corner of the 11 x 17 map):

1. Change the title of the "From Lands Point of Diversion" to "Original Point of Diversion".
2. Change "To Lands by ¼ ¼ , GLot, and DLC" to "Irrigation by ¼ ¼ , GLot, and DLC".
3. Change the title of the "To Lands Point of Diversion" to "Point of Diversion".

I have also scanned my "work copy" map – which may be helpful.

Thank you for your help with this map!

Kerry

***Kerry Kavanagh*** | Reimbursement Authority, Certificates, Water Right Services Division

**Oregon Water Resources Department** | 725 Summer St. NE, Suite A, Salem, Oregon 97301

Voice 503.986.0927 | Fax 503.986.0901

Email: [Kerry.L.Kavanagh@oregon.gov](mailto:Kerry.L.Kavanagh@oregon.gov) Web: <http://oregon.gov/ORWD>

**KAVANAGH Kerry L \* WRD**

---

**From:** KAVANAGH Kerry L \* WRD  
**Sent:** Wednesday, January 02, 2019 2:09 PM  
**To:** 'steverecca@egrassoc.com'  
**Cc:** landplancon@comcast.net  
**Subject:** FW: 2018-07-09 COBU map for T-10377  
**Attachments:** T-10377\_kerry\_work copy\_2018-07-09 COBU Map.pdf

Hello Steve,

I am wondering if you have had the opportunity to prepare a revised COBU map.

Please let me know.

Thank you,  
Kerry

*Kerry Kavanagh* | Reimbursement Authority, Certificates, Water Right Services Division

**Oregon Water Resources Department** | 725 Summer St. NE, Suite A, Salem, Oregon 97301  
Voice 503.986.0927 | Fax 503.986.0901  
Email: [Kerry.L.Kavanagh@oregon.gov](mailto:Kerry.L.Kavanagh@oregon.gov) Web: <http://oregon.gov/ORWD>

---

**From:** KAVANAGH Kerry L \* WRD  
**Sent:** Thursday, December 13, 2018 3:05 PM  
**To:** 'steverecca@egrassoc.com'  
**Cc:** 'landplancon@comcast.net'; CLARK Gerald E \* WRD  
**Subject:** 2018-07-09 COBU map for T-10377

Hello Steve,

As we discussed in our telephone conversation today, I would like you to revise the July 9, 2018 Claim of Beneficial Use (COBU) map to make it more user friendly.

Also, as I mentioned, the place of use listing in the certificate will contain one line (or row) for the number of acres in each ¼ ¼ section, which will include any GLots and/or DLC. Here is an excerpt of my working draft certificate (not yet finalized for peer review at this time):

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

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
18 S	2 W	WM	25	SW NE			0.0496
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Also, I created an excel spreadsheet of the place of use table that will remain on the revised COBU map to be changed to the title:

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Application T-10377 – POU – use this table in draft certificate:

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Email: [Kerry.L.Kavanagh@oregon.gov](mailto:Kerry.L.Kavanagh@oregon.gov) Web: <http://oregon.gov/ORWD>

*Norman McDougal*

KAVANAGH Kerry L \* WRD

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18 S	2 W	WM	25	SW NW	8		8.2485
18 S	2 W	WM	25	SW NW	8		1.2659
18 S	2 W	WM	25	SW NW		52	0.0434
18 S	2 W	WM	25	SE NW	2		18.1559
18 S	2 W	WM	25	SE NW	8	52	0.0014
18 S	2 W	WM	25	SE NW	8		1.0342
18 S	2 W	WM	25	SE NW			3.8355
18 S	2 W	WM	25	NE SW	7		0.0279
18S	2 W	WM	25	NE SW			4.2312
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Thank you for your help with this map!

Kerry

THIS MAP IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

COBU 1144 1&2

Claim Map for T-10377, Township 18 S Range 2 W Section 25  
 Lane County Tax Lots 18-02-25-00-300, 303, 304, 305, 306, & 901

APPROX. 1/4 COR.

work copy

From Lands						
Township	Range	Section	1/4	1/4	1/4	Average
18S	2W	10	NE	SW		14.30
18S	2W	10	SE	NE		8.20
18S	2W	10	SE	NW		34.50
18S	2W	10	SE	SW		4.80
18S	2W	10	SE	SE		1.20
Total						62.90

Point of Diversion						
Township	Range	Section	1/4	1/4	1/4	Glct
18S	2W	10	SW	NW	2	

1008 Feet S and 50 feet W of the NW corner of DLC 39

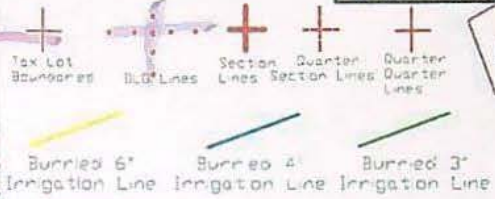
Irrigation						
Township	Range	Section	1/4	1/4	1/4	Average
18S	2W	25	NE	SW	3	0.0496
18S	2W	25	NW	NE	1	1.3383
18S	2W	25	NW	NW	1	1.6904
18S	2W	25	NW	NW	9	4.6410
18S	2W	25	NW	NW	9	2.9691
18S	2W	25	NW	NW	-	2.1194
18S	2W	25	NW	SE	2	18.1559
18S	2W	25	NW	SE	8	0.0014
18S	2W	25	NW	SE	8	1.0342
18S	2W	25	NW	SE	-	3.8355
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18S	2W	25	NW	SW	8	8.2485
18S	2W	25	NW	SW	-	1.2659
18S	2W	25	NW	SW	-	0.0434
18S	2W	25	SE	NW	3	3.9937
18S	2W	25	SE	NW	-	0.5432
18S	2W	25	SW	NE	7	0.0279
18S	2W	25	SW	NE	-	4.2112
Total						62.7409

To Lands by 1/4 1/4, Glct, DLC, and Tax Lot										
Township	Range	Section	1/4	1/4	1/4	Tax Lot	Glct	Square Ft	Average	DLC
18S	2W	25	NW	NW	306	9		1260.6416	0.0294	
18S	2W	25	NW	NW	901	-		72082.1405	1.6543	
18S	2W	25	NW	NW	306	-		20099.4252	0.4814	
18S	2W	25	NW	NW	901	9		2602.8438	0.0618	
18S	2W	25	NW	NW	901	1		10662.4232	0.2448	
18S	2W	25	NW	NW	304	1		34953.2251	0.8024	
18S	2W	25	NW	NE	304	1		5829.2433	1.3383	
18S	2W	25	NW	NW	300	-		67.7431	0.0038	
18S	2W	25	NW	SW	305	8		57104.0947	1.3109	
18S	2W	25	NW	SW	305			1890.7830	0.0434	52
18S	2W	25	NW	SW	300			199929.7547	4.5898	
18S	2W	25	NW	SW	300	8		81917.7040	1.8506	52
18S	2W	25	NW	SW	300	8		95610.0492	2.2156	
18S	2W	25	NW	SW	304	2		55660.3644	1.2778	
18S	2W	25	NW	SE	304	2		495966.3671	11.3858	
18S	2W	25	NW	SE	303	3		234963.4030	5.3940	
18S	2W	25	NW	SW	303	8		1133.8616	0.0260	
18S	2W	25	NW	SW	304	-		5144.5163	1.2659	
18S	2W	25	NW	SE	304	-		33885.4422	0.7719	
18S	2W	25	NW	SW	304	8		4827.4644	0.1062	
18S	2W	25	NW	SE	304	8		4600.3288	0.1055	
18S	2W	25	NW	SE	300	8		40447.4252	0.9285	
18S	2W	25	NW	SE	300	8		60.0851	0.0014	52
18S	2W	25	NW	SE	300	-		133448.7723	3.0036	
18S	2W	25	NW	SE	300	2		294903.0401	6.7700	
18S	2W	25	SW	NE	300	7		1214.1426	0.0279	
18S	2W	25	SW	NE	300	-		184309.0097	4.2312	
18S	2W	25	SW	NE	300	3		71320.5295	1.6373	
18S	2W	25	SW	NE	300	3		2182.3694	0.0496	
18S	2W	25	SW	NE	300	3		102546.4909	2.3554	
18S	2W	25	NW	NW	305	9		4154.7875	0.0954	
18S	2W	25	NW	NW	305	9		199297.0082	4.5752	52
18S	2W	25	NW	NW	300	9		121205.3059	2.7825	
18S	2W	25	NW	NW	300	9		2868.2253	0.0658	52
18S	2W	25	NW	NW	300	1		28018.0692	0.6432	
18S	2W	25	SE	NW	300	-		23663.7164	0.5432	
Total										62.7409

Point of Diversion						
Township	Range	Section	1/4	1/4	1/4	Glct
18S	2W	25	NW	SW	300	8

2350 Feet S and 1820 Feet W from the N 1/4 Corner of section 25

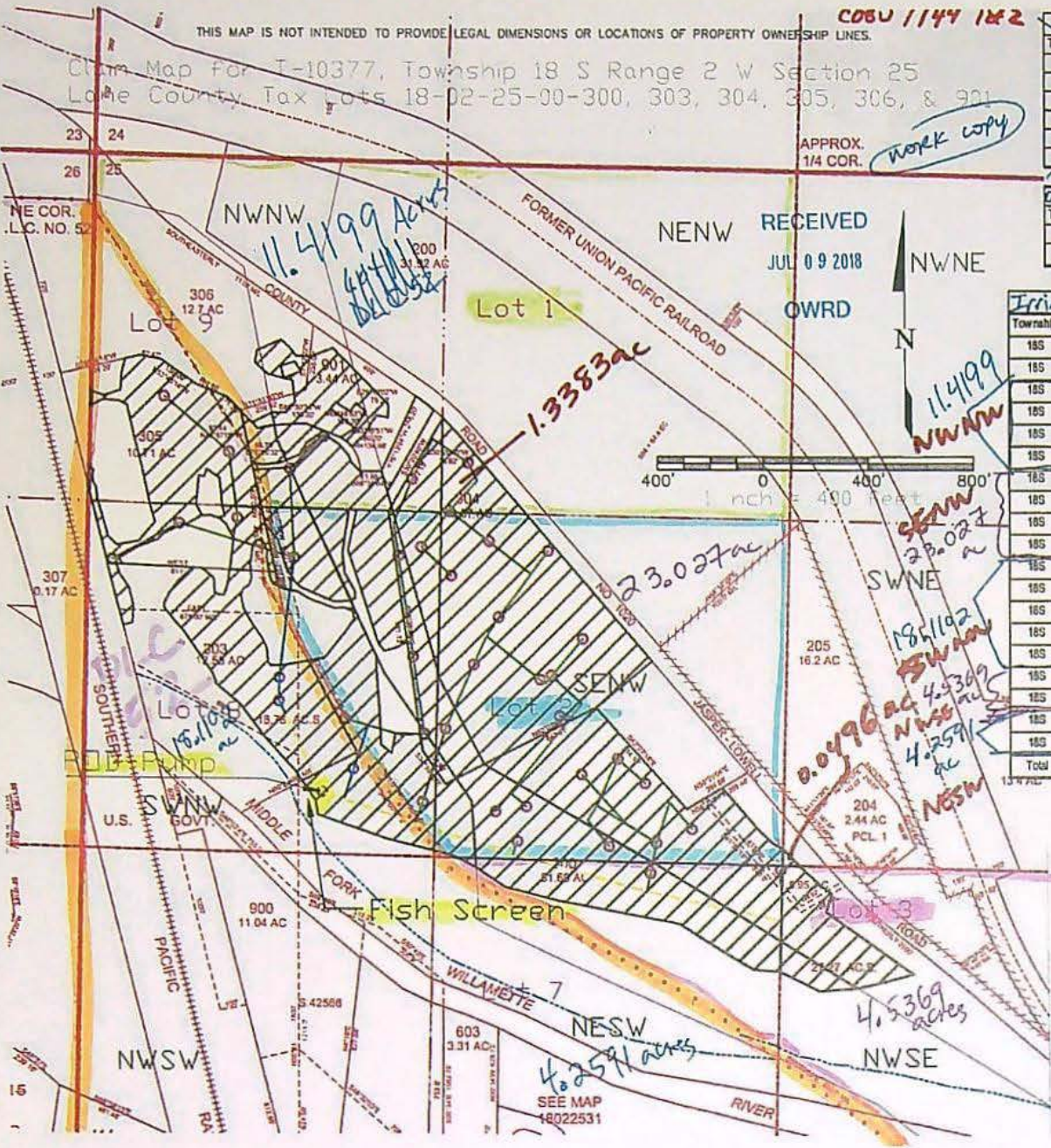
Lot 1 Government Lots From 1855 Map



Irrigation Risers

Certified Water Right Examiner  
 76773WRE  
 Steven I Recca  
 June 29, 2007  
 STATE OF OREGON

EXPIRATION DATE: 12/31/18



**KAVANAGH Kerry L \* WRD**

---

**From:** KAVANAGH Kerry L \* WRD  
**Sent:** Monday, August 27, 2018 12:54 PM  
**To:** 'steverecca@egrassoc.com'  
**Subject:** Certificate RA Agreement R12578-19 for Norman McDougal involving transfer application T-10377  
**Attachments:** RA contract executed\_T-10377.pdf; RA contract receipt\_T-10377.pdf

Hello Steve,

Attached are copies of the fully executed Applicant's Agreement signed by the required parties and a receipt for the monies paid for these expedited services. The agreement details the terms and conditions that a work order was issued for the expedited services you requested.

If you have any questions, please call me.

Thanks,  
Kerry

***Kerry Kavanagh*** | Reimbursement Authority, Certificates, Water Right Services Division

**Oregon Water Resources Department** | 725 Summer St. NE, Suite A, Salem, Oregon 97301

Voice 503.986.0927 | Fax 503.986.0901

Email: [Kerry.L.Kavanagh@oregon.gov](mailto:Kerry.L.Kavanagh@oregon.gov) Web: <http://oregon.gov/ORWD>



**OREGON WATER RESOURCES DEPARTMENT  
CERTIFICATE REIMBURSEMENT AUTHORITY  
APPLICANT'S AGREEMENT**



Contract Number: **R12578-19**

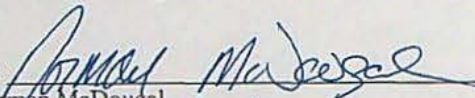
This Agreement is between the Oregon Water Resources Department, hereafter OWRD, and Noman McDougal, hereafter Applicant, hereafter known together as the parties.

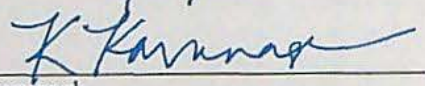
<b>OWRD Information</b>	<b>Applicant's Information</b>	<b>Applicant's Representative</b>
Project Contact: Kerry Kavanagh Reimbursement Authority Oregon Water Resources Department 725 Summer Street NE Salem, OR 97301-1271 Phone: 503-986-0927 Email: <a href="mailto:Kerry.L.Kavanagh@state.or.us">Kerry.L.Kavanagh@state.or.us</a>	Name: Norman McDougal  Address: PO Box 518 Creswell OR 97426 Phone: 541-895-8788	Name: Steve Recca Title: Representative Company: EGR & Associates Inc. Address: 2535 B Prairie Rd Eugene, OR 97402 Phone: 541-688-8322 Email: <a href="mailto:steverecca@cgrassoc.com">steverecca@cgrassoc.com</a>

- Purpose.** The purpose of this Agreement is to expedite the processing of the Claim of Beneficial Use. (Transfer Application Number: T-10377)
- Authority.** ORS 536.055 authorizes the OWRD to enter into a voluntary agreement with any applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.
- Restrictions.** Noman McDougal and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
- Effective Date and Duration.** Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service has been received by OWRD.
- Consideration.** Noman McDougal shall pay OWRD in advance for actual costs incurred by OWRD. Noman McDougal agrees to pay the full amount of \$842 to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost. The costs stated in this Agreement do not include the statutory application processing and filing fees.
- Confidentiality.** Noman McDougal agrees that any information provided to or acquired by OWRD under this Agreement will be subject to the Oregon Public Records Law and shall be considered public records.
- Indemnity.** Applicant shall defend, save, hold harmless, and indemnify the State of Oregon, OWRD, and their officers, employees, and agents from and against all claims, suits, actions, losses, damages, liabilities, costs and expenses of any nature resulting from or arising out of, or relating to the activities of Applicant or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the expedited service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.

PCA 47126

8. **Termination.** Applicant may request to terminate this agreement only in writing at any time during the process. The Applicant agrees to pay for the work done by the Reimbursement Authority personnel up until the time of the written termination request. OWRD, upon receiving such written termination request from the Applicant, will refund any unspent balance after paying the Reimbursement Authority personnel for the work done.
9. **Funds Authorized and Available.** By its execution of this Agreement, Applicants certifies that sufficient funds are authorized and available to cover the expenditures contemplated by this Agreement.
10. **Duration of Estimate.** The Estimate of Time to complete the work is no later than one hundred and twenty days (120) days once this Agreement has been fully executed and payment of the estimated cost deposited. However, this estimate is contingent on the Applicant's expeditious resolution of any deficiency and may be affected by the Department's work load. This Estimate of Time may become null and void after thirty (30) days from the date the Applicant's Agreement is mailed. If the Applicant's Agreement is not received by the Department within thirty (30) days of mailing the Agreement, the Applicant may need to re-apply for a new estimate.
11. **Completion Date.** OWRD, by the execution of this Agreement does not guarantee the completion date indicated in this Agreement. Completion date is only an estimate and may be affected by the Department's workload, issues arising from the processing of the requested services and Applicant's timely response to requests for additional information.
12. **Captions.** The captions or headings in this Agreement are for the convenience only and in no way define limit or describe the scope or intent of any provision of this Agreement.
13. **Amendment and Merger.** The terms of this Agreement shall not be waived, altered, modified, supplemented or amended in any manner whatsoever, except by written instrument signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements or representations, oral or written, not specified herein regarding this Agreement.
14. **Signatures.** All parties, by the authorized representative's signature below, hereby acknowledge that they have read this Agreement, understand it and agree to be bound by its terms and conditions.

Applicant:   
 Name: Norman McDougal  
 Date: 8/21/18

For OWRD:   
 Name: Kerry Kavanagh  
 Water Right Services Division  
 Date: 8-24-18

Mail signed Agreement to:  
  
 Kerry Kavanagh  
 Oregon Water Resources Department  
 725 Summer Street NE, Suite A  
 Salem, OR 97301-1271

PCA 47126



**OREGON WATER RESOURCES DEPARTMENT  
 CERTIFICATE REIMBURSEMENT AUTHORITY  
 APPLICANT'S AGREEMENT**



Contract Number: **R12578-19**

This Agreement is between the Oregon Water Resources Department, hereafter OWRD, and Noman McDougal, hereafter Applicant, hereafter known together as the parties.

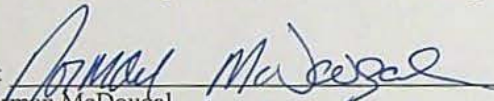
<b>OWRD Information</b>	<b>Applicant's Information</b>	<b>Applicant's Representative</b>
Project Contact: Kerry Kavanagh Reimbursement Authority Oregon Water Resources Department 725 Summer Street NE Salem, OR 97301-1271 Phone: 503-986-0927 Email: <a href="mailto:Kerry.L.Kavanagh@state.or.us">Kerry.L.Kavanagh@state.or.us</a>	Name: Norman McDougal  Address: PO Box 518 Creswell OR 97426 Phone: 541-895-8788	Name: Steve Recca Title: Representative Company: EGR & Associates Inc. Address: 2535 B Prairie Rd Eugene, OR 97402 Phone: 541-688-8322 Email: <a href="mailto:steverecca@egrassoc.com">steverecca@egrassoc.com</a>

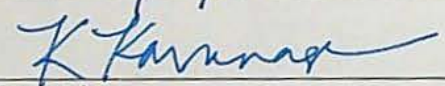
- Purpose.** The purpose of this Agreement is to expedite the processing of the **Claim of Beneficial Use**. (Transfer Application Number: T-10377)
- Authority.** ORS 536.055 authorizes the OWRD to enter into a voluntary agreement with any applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.
- Restrictions.** Noman McDougal and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
- Effective Date and Duration.** Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service has been received by OWRD.
- Consideration.** Noman McDougal shall pay OWRD in advance for actual costs incurred by OWRD. Noman McDougal agrees to pay the full amount of **\$842** to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost. The costs stated in this Agreement do not include the statutory application processing and filing fees.
- Confidentiality.** Noman McDougal agrees that any information provided under this Agreement will be subject to the Oregon Public Records Law records.
- Indemnity.** Applicant shall defend, save, hold harmless, and indemnify and their officers, employees, and agents from and against all claims, suit liabilities, costs and expenses of any nature resulting from or arising out of Applicant or its representatives, officers, employees, contractors, or agents with respect to the expedited service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.

RECEIVED  
 AUG 23 2018  
 OWRD

PCA 47126

8. **Termination.** Applicant may request to terminate this agreement only in writing at any time during the process. The Applicant agrees to pay for the work done by the Reimbursement Authority personnel up until the time of the written termination request. OWRD, upon receiving such written termination request from the Applicant, will refund any unspent balance after paying the Reimbursement Authority personnel for the work done.
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14. **Signatures.** All parties, by the authorized representative's signature below, hereby acknowledge that they have read this Agreement, understand it and agree to be bound by its terms and conditions.

Applicant:   
 Name: Norman McDougal  
 Date: 8/21/18

For OWRD:   
 Name: Kerry Kavanagh  
 Water Right Services Division  
 Date: 8-24-18

Mail signed Agreement to:  
  
 Kerry Kavanagh  
 Oregon Water Resources Department  
 725 Summer Street NE, Suite A  
 Salem, OR 97301-1271

PCA 47126

KAVANAGH Kerry L \* WRD

---

**From:** Steven Recca <steverecca@egrassoc.com>  
**Sent:** Monday, August 20, 2018 8:48 AM  
**To:** KAVANAGH Kerry L \* WRD  
**Subject:** RE: Certificate RA Estimate R12578-19 for Norman McDougal involving transfer application T-10377

Kerry:

Sorry, I didn't know this had not been taken care of yet. I've been on vacation for the last two weeks and just got back today. I will talk to my client.

Steven I. Recca, R.G.

EGR & Associates, Inc.  
2535B Prairie Road  
Eugene Oregon, 97402

Phone: 541-688-8322  
Fax: 541-688-8087

NOTICE: This communication may contain privileged or other confidential information. If you have received it in error, please advise the sender by reply email and immediately delete the message and any attachments without copying or disclosing the contents. Thank you.

---

**From:** KAVANAGH Kerry L \* WRD <[Kerry.L.Kavanagh@oregon.gov](mailto:Kerry.L.Kavanagh@oregon.gov)>  
**Sent:** Friday, August 17, 2018 11:56 AM  
**To:** Steven Recca <[steverecca@egrassoc.com](mailto:steverecca@egrassoc.com)>  
**Cc:** KAVANAGH Kerry L \* WRD <[Kerry.L.Kavanagh@oregon.gov](mailto:Kerry.L.Kavanagh@oregon.gov)>  
**Subject:** FW: Certificate RA Estimate R12578-19 for Norman McDougal involving transfer application T-10377

Hello Steve,

As of today, I have NOT received a signed contract or payment of the estimated amount for RA Project R12578-19 from Norman McDougal.

Please keep in mind that the estimate is generally "good for" 30 days from issuance – I sent the agreement/estimate on July 31, 2018. There are about 2 weeks remaining in the 30 day time window.

Do you know if Mr. McDougal is planning on pursuing the expedited review of the claim of beneficial use through the RA Program?

Thanks for your help,  
Kerry

*Kerry Kavanagh* | Reimbursement Authority, Certificates, Water Right Services Division

**Oregon Water Resources Department** | 725 Summer St. NE, Suite A, Salem, Oregon 97301

Voice 503.986.0927 | Fax 503.986.0901

Email: [Kerry.L.Kavanagh@oregon.gov](mailto:Kerry.L.Kavanagh@oregon.gov) Web: <http://oregon.gov/ORWD>

---

**From:** KAVANAGH Kerry L \* WRD

**Sent:** Tuesday, July 31, 2018 2:26 PM

**To:** 'stevericca@egrassoc.com'

**Subject:** Certificate RA Estimate R12578-19 for Norman McDougal involving transfer application T-10377

Hello Steve,

Please find the attached estimate and agreement to review the claim of beneficial use. If the proposed agreement is acceptable to you and the water user, please ask Mr. McDougal to return a signed copy to our office along with the payment of the estimated cost to review the claim of beneficial use.

If you have any questions, please call me.

Thanks,  
Kerry

*Kerry Kavanagh* | Reimbursement Authority, Certificates, Water Right Services Division

**Oregon Water Resources Department** | 725 Summer St. NE, Suite A, Salem, Oregon 97301

Voice 503.986.0927 | Fax 503.986.0901

Email: [Kerry.L.Kavanagh@oregon.gov](mailto:Kerry.L.Kavanagh@oregon.gov) Web: <http://oregon.gov/ORWD>

**KAVANAGH Kerry L \* WRD**

---

**From:** KAVANAGH Kerry L \* WRD  
**Sent:** Friday, August 17, 2018 11:56 AM  
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**Cc:** KAVANAGH Kerry L \* WRD (Kerry.L.Kavanagh@oregon.gov)  
**Subject:** FW: Certificate RA Estimate R12578-19 for Norman McDougal involving transfer application T-10377  
**Attachments:** RA contract\_T-10377.pdf; RA estimate receipt\_T-10377.pdf; RA estimate request\_T-10377.pdf

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Kerry

*Kerry Kavanagh* | Reimbursement Authority, Certificates, Water Right Services Division

**Oregon Water Resources Department** | 725 Summer St. NE, Suite A, Salem, Oregon 97301  
Voice 503.986.0927 | Fax 503.986.0901  
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Thanks,  
Kerry

*Kerry Kavanagh* | Reimbursement Authority, Certificates, Water Right Services Division

KAVANAGH Kerry L \* WRD

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If you have any questions, please call me.

Thanks,  
Kerry

*Kerry Kavanagh* | Reimbursement Authority, Certificates, Water Right Services Division

**Oregon Water Resources Department** | 725 Summer St. NE, Suite A, Salem, Oregon 97301

Voice 503.986.0927 | Fax 503.986.0901

Email: [Kerry.L.Kavanagh@oregon.gov](mailto:Kerry.L.Kavanagh@oregon.gov) Web: <http://oregon.gov/ORWD>



OREGON WATER RESOURCES DEPARTMENT  
**CERTIFICATE REIMBURSEMENT AUTHORITY**  
**APPLICANT'S AGREEMENT**



Contract Number: **R12578-19**

This Agreement is between the Oregon Water Resources Department, hereafter OWRD, and Noman McDougal, hereafter Applicant, hereafter known together as the parties.

OWRD Information	Applicant's Information	Applicant's Representative
Project Contact: Kerry Kavanagh	Name: Norman McDougal	Name: Steve Recca
Reimbursement Authority		Title: Representative
Oregon Water Resources Department		Company: EGR & Associates Inc.
725 Summer Street NE	Address: PO Box 518	Address: 2535 B Prairie Rd
Salem, OR 97301-1271	Creswell OR 97426	Eugene, OR 97402
Phone: 503-986-0927	Phone: 541-895-8788	Phone: 541-688-8322
Email: <a href="mailto:Kerry.L.Kavanagh@state.or.us">Kerry.L.Kavanagh@state.or.us</a>		Email: <a href="mailto:steverecca@egrassoc.com">steverecca@egrassoc.com</a>

1. **Purpose.** The purpose of this Agreement is to expedite the processing of the **Claim of Beneficial Use**. (Transfer Application Number: T-10377)
2. **Authority.** ORS 536.055 authorizes the OWRD to enter into a voluntary agreement with any applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.
3. **Restrictions.** Noman McDougal and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
4. **Effective Date and Duration.** Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service has been received by OWRD.
5. **Consideration.** Noman McDougal shall pay OWRD in advance for actual costs incurred by OWRD. Noman McDougal agrees to pay the full amount of **\$842** to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost. The costs stated in this Agreement do not include the statutory application processing and filing fees.
6. **Confidentiality.** Noman McDougal agrees that any information provided to or acquired by OWRD under this Agreement will be subject to the Oregon Public Records Law and shall be considered public records.
7. **Indemnity.** Applicant shall defend, save, hold harmless, and indemnify the State of Oregon, OWRD, and their officers, employees, and agents from and against all claims, suits, actions, losses, damages, liabilities, costs and expenses of any nature resulting from or arising out of, or relating to the activities of Applicant or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the expedited service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.

PCA 47126

8. **Termination.** Applicant may request to terminate this agreement only in writing at any time during the process. The Applicant agrees to pay for the work done by the Reimbursement Authority personnel up until the time of the written termination request. OWRD, upon receiving such written termination request from the Applicant, will refund any unspent balance after paying the Reimbursement Authority personnel for the work done.
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11. **Completion Date.** OWRD, by the execution of this Agreement does not guarantee the completion date indicated in this Agreement. Completion date is only an estimate and may be affected by the Department's workload, issues arising from the processing of the requested services and Applicant's timely response to requests for additional information.
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14. **Signatures.** All parties, by the authorized representative's signature below, hereby acknowledge that they have read this Agreement, understand it and agree to be bound by its terms and conditions.

Applicant: \_\_\_\_\_  
 Name: Norman McDougal  
 Date: \_\_\_\_\_

For OWRD: \_\_\_\_\_  
 Name: Kerry Kavanagh  
 Water Right Services Division  
 Date: \_\_\_\_\_

Mail signed Agreement to:

**Kerry Kavanagh**  
**Oregon Water Resources Department**  
**725 Summer Street NE, Suite A**  
**Salem, OR 97301-1271**

PCA 47126



**OREGON WATER RESOURCES DEPARTMENT  
TRANSFER REIMBURSEMENT AUTHORITY  
CERTIFICATE ESTIMATE APPLICATION**



*ORS 536.055 authorizes the Oregon Water Resources Department to expedite or enhance regulatory processes voluntarily requested under the agreement.*

*The purpose of this application is to obtain estimates of the cost and time required to process a Transfer Application Request. There is a non-refundable application fee of \$125.00 per request.*

<u>TYPE</u>	<u>FILE NUMBER</u>
Transfer Application	Transfer Number 10377

	<u>Applicant Information</u>	<u>Applicant's Representative/Contact</u>
Name:	Norman McDougal	Steven I. Recca
Address:	PO Box 518 Creswell, OR 97426	2535B Prairie Road Eugene, OR 97402
Phone:	541-895-8788	541-688-8322
Fax:		541-688-8087
E-Mail Address:		steverecca@egrassoc.com

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 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 estimate 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:  
Oregon Water Resources Department  
Transfer Reimbursement Authority Program |  
725 Summer St. NE, Suite A  
Salem, OR 97301-1271

I certify that I am the (check one):

Applicant  Applicant's Representative  Other (Please specify) \_\_\_\_\_

Name: Norman McDougal

Signature:

**RECEIVED**

**JUL 16 2018**

**OWRD**

**OWRD USE ONLY: Reimbursement Authority Number: R1 2578-19**

STATE OF OREGON

WATER RESOURCES DEPARTMENT

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

RECEIPT # 127314

INVOICE # \_\_\_\_\_

RECEIVED FROM: Norman N. McDougal

APPLICATION	
PERMIT	
TRANSFER	T-10377

CASH:  CHECK:# 813205 OTHER: (IDENTIFY)

TOTAL REC'D \$ 125.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 47126 R12578-19 \$  
 0408 OTHER: (IDENTIFY) Reimbursements Authority \$125.00  
 0243 VS 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	\$		
	EXAM FEE		LICENSE FEE
0218 WELL DRILL CONSTRUCTOR	\$	0219	\$
LANDOWNER'S PERMIT		0220	\$

OTHER (IDENTIFY) \_\_\_\_\_

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ CARD # \_\_\_\_\_  
 0210 MONITORING WELLS \$ CARD # \_\_\_\_\_  
 OTHER (IDENTIFY) \_\_\_\_\_

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FWWRD) \$  
 0231 HYDRO LICENSE FEE (FWWRD) \$  
 HYDRO APPLICATION \$

TREASURY OTHER / RDX

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

RECEIPT: 127314 DATED: 7/16/18 BY: C. Huelbrick

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

**KAVANAGH Kerry L \* WRD**

---

**From:** HAGE Trisha \* WRD  
**Sent:** Thursday, July 19, 2018 10:32 AM  
**To:** WUETHRICH Courtney A \* WRD; ZIELINSKI Vicki J \* WRD; SNYDER Lisa J \* WRD  
**Cc:** SUMPTION Mishelle K \* WRD; HALL Kimberly D \* WRD; KAVANAGH Kerry L \* WRD  
**Subject:** RE: Certificate Request

Hi Courtney,  
Please use R12578-19 and PCA 47126.  
Thanks,  
Trisha

---

**From:** WUETHRICH Courtney A \* WRD  
**Sent:** Thursday, July 19, 2018 10:29 AM  
**To:** ZIELINSKI Vicki J \* WRD; SNYDER Lisa J \* WRD; HAGE Trisha \* WRD  
**Cc:** SUMPTION Mishelle K \* WRD; HALL Kimberly D \* WRD; KAVANAGH Kerry L \* WRD  
**Subject:** Certificate Request

Good Afternoon!

Applicant: Norman McDougal

Application: T-10377

Receipt: 127314

Thank you.

*Courtney A Wuethrich*

EXECUTIVE SUPPORT SPECIALIST, ADMINISTRATIVE SERVICES DIVISION

725 Summer Street NE, Suite A Salem, OR 97301 | Phone 503-986-0865





**OREGON WATER RESOURCES DEPARTMENT**  
**TRANSFER REIMBURSEMENT AUTHORITY**  
**CERTIFICATE ESTIMATE APPLICATION**



*ORS 536.055 authorizes the Oregon Water Resources Department to expedite or enhance regulatory processes voluntarily requested under the agreement.*

*The purpose of this application is to obtain estimates of the cost and time required to process a Transfer Application Request. There is a non-refundable application fee of \$125.00 per request.*

<u>TYPE</u>	<u>FILE NUMBER</u>
Transfer Application	Transfer Number 10377

	<b>Applicant Information</b>	<b>Applicant's Representative/Contact</b>
Name:	Norman McDougal	Steven I. Recca
Address:	PO Box 518 Creswell, OR 97426	2535B Prairie Road Eugene, OR 97402
Phone:	541-895-8788	541-688-8322
Fax:		541-688-8087
E-Mail Address:		steverecca@egrassoc.com

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 of \$ 125.00, OWRD will assign my request to the next contractor in the pool of contractors performing expedited services.
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- That upon receiving the estimate I may agree or decline to enter into a formal contract to pay the estimated cost in advance to initiate the expedited service.
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- Expedited processing does not guarantee a favorable review of my request.
- Send completed Application and payment to:

**Oregon Water Resources Department**  
**Transfer Reimbursement Authority Program**  
 725 Summer St. NE, Suite A  
 Salem, OR 97301-1271

**RECEIVED**

**JUL 16 2018**

**OWRD**

I certify that I am the (check one):

Applicant     Applicant's Representative     Other (Please specify) \_\_\_\_\_

Name: Norman McDougal

Signature: *Norman McDougal*

**OWRD USE ONLY: Reimbursement Authority Number: R1 2578-19**



**OREGON WATER RESOURCES DEPARTMENT  
TRANSFER REIMBURSEMENT AUTHORITY  
ESTIMATE APPLICATION**



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	<b>Applicant Information</b>	<b>Applicant's Representative/Contact</b>
Name:	Norman McDougal	Steven I. Recca
Address:	PO Box 518 Creswell, OR 97426	2535B Prairie Road Eugene, OR 97402
Phone:	541-895-8788	541-688-8322
Fax:		541-688-8087
E-Mail Address:		steverecca@egrassoc.com

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 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 estimate 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:

**Oregon Water Resources Department  
Transfer Reimbursement Authority Program  
725 Summer St. NE, Suite A  
Salem, OR 97301-1271**

I certify that I am the (check one):

Applicant     Applicant's Representative     Other (Please specify) \_\_\_\_\_

Name: Norman McDougal

Signature:

**RECEIVED**

JUL 09 2018

**OWRD**

<b>OWRD USE ONLY: Reimbursement Authority Number: R11 _____ 17</b>
--



# 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

March 25, 2009

Leona M. Person  
2189 Stonecrest Drive  
Eugene OR 97401

Reference: Application S-32248; Permit S-25439; Certificate 32562

Dear Ms. Person:

The Department has received the Ownership Update form Mr. Robert Smejkal submitted for you. The rights referenced in the form submitted are perfected rights and have been issued a Certificate. Once a Certificate of Water Right is issued, we don't have any rules or statutes that allow us to change names on those certificated rights. The rights stay with the land so whomever owns the land, owns the water rights. I've put your Ownership Update form inside your file.

I noticed that the Original Certificate was sent in to us with the warranty deed and legal description. Enclosed please find these papers. Keep them with your records because they prove that you have a legal right to the water you are using. You have to use your rights at least once every 5 years, or you can lose your rights to the water.

Should you have any questions, you may contact the Department at the address above or by telephone at 503-986-0817.

Sincerely,

TIMMIE C. BRANDT  
Office Specialist I

Enclosures

cc: Robert A. Smejkal, Attorney  
Files S-32248 & T-10377



**SUPERSEDED** *COBU 1144 1&2*

THIS MAP IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

Claim Map for T-10377, Township 18 S Range 2 W Section 25  
 Lane County Tax Lots 18-02-25-00-300, 303, 304, 305, 306, & 901

From Lands						
Township	Range	Section	1/4	1/4 1/4	Glott	Average
18S	2W	10	NE	SW		14.20
18S	2W	10	SE	NE		8.20
18S	2W	10	SE	NW		34.50
18S	2W	10	SE	SW		4.80
18S	2W	10	SE	SE		1.20
Total						62.90

From Lands Point of Diversion						
Township	Range	Section	1/4	1/4 1/4	Glott	
18S	2W	10	SW	NW	2	

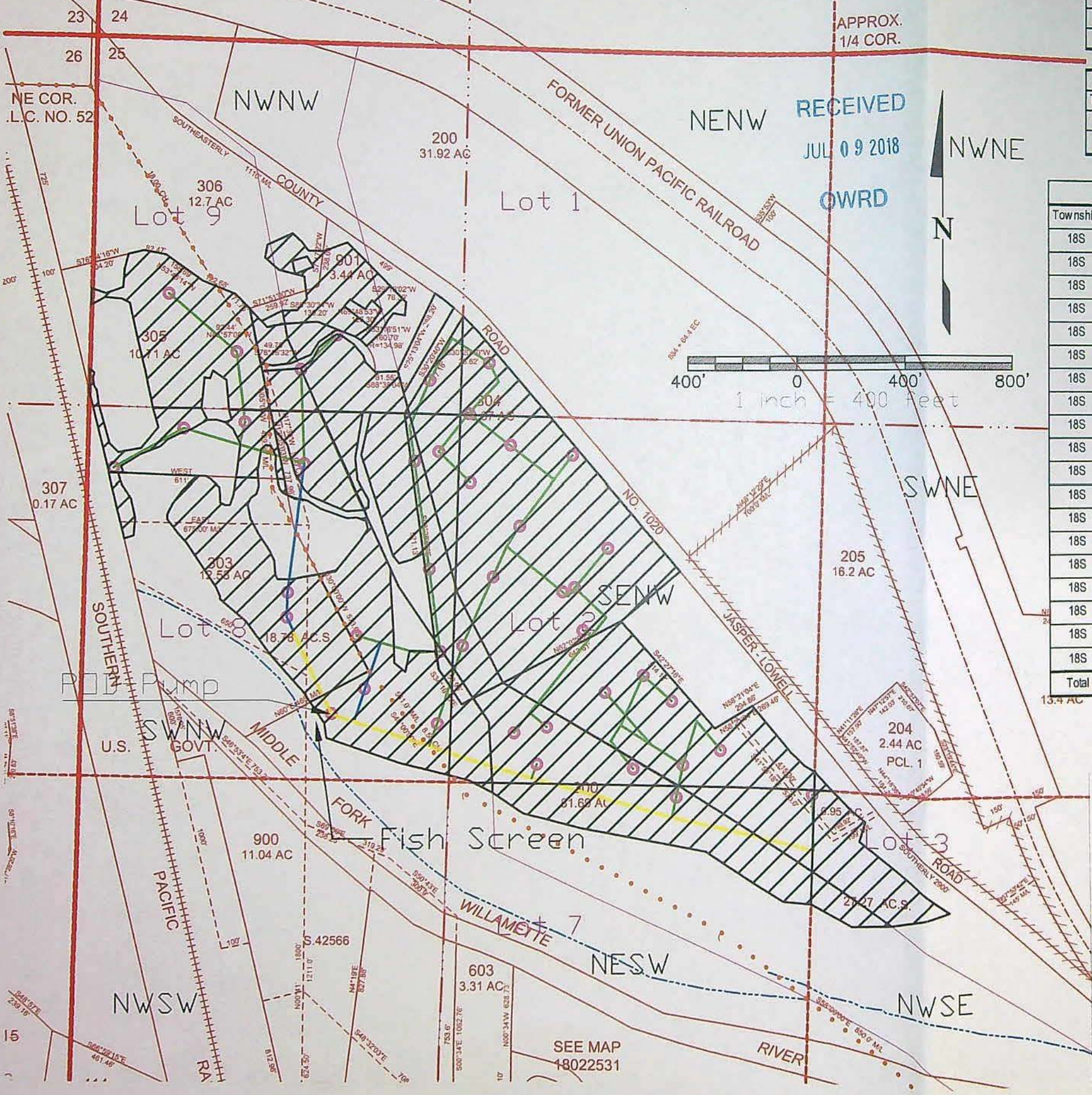
1008 Feet S and 50 feet W of the NW corner of DLC 39

To Lands by 1/4 1/4, Glott, and Tax Lot									
Township	Range	Section	1/4	1/4 1/4	Tax Lot	Glott	Square Ft	Average	DLC
18S	2W	25	NW	NW	306	9	1280.6416	0.0294	
18S	2W	25	NW	NW	901	-	72062.1405	1.6543	
18S	2W	25	NW	NW	306	-	20099.4252	0.4614	
18S	2W	25	NW	NW	901	9	2692.8438	0.0618	
18S	2W	25	NW	NW	901	1	10662.4252	0.2448	
18S	2W	25	NW	NW	304	1	34953.9261	0.8024	
18S	2W	25	NW	NE	304	1	58294.2438	1.3383	
18S	2W	25	NW	NW	300	-	157.7431	0.0036	
18S	2W	25	NW	SW	305	8	57104.0947	1.3109	
18S	2W	25	NW	SW	305		1890.7830	0.0434	52
18S	2W	25	NW	SW	300	8	19929.7547	4.5898	
18S	2W	25	NW	SW	300	8	81917.7040	1.8806	52
18S	2W	25	NW	SW	300	8	96510.0492	2.2156	
18S	2W	25	NW	SW	304	2	55660.3644	1.2778	
18S	2W	25	NW	SE	304	2	495966.3671	11.3858	
18S	2W	25	NW	SW	303	8	234963.4030	5.3940	52
18S	2W	25	NW	SW	303	8	1133.8616	0.0260	
18S	2W	25	NW	SW	304	-	55144.5163	1.2659	
18S	2W	25	NW	SE	304	-	33625.4422	0.7719	
18S	2W	25	NW	SW	304	8	4627.4944	0.1062	
18S	2W	25	NW	SE	304	8	4600.3288	0.1056	
18S	2W	25	NW	SE	300	8	40447.4852	0.9285	
18S	2W	25	NW	SE	300	8	60.0651	0.0014	52
18S	2W	25	NW	SE	300	-	133448.7723	3.0636	
18S	2W	25	NW	SE	300	2	294903.0401	6.7700	
18S	2W	25	SW	NE	300	7	1214.1426	0.0279	
18S	2W	25	SW	NE	300	-	184309.0067	4.2312	
18S	2W	25	SE	NW	300	3	71320.5295	1.6373	
18S	2W	25	NE	SW	300	3	2162.3694	0.0496	
18S	2W	25	SE	NW	300	3	102646.4909	2.3564	
18S	2W	25	NW	NW	305	9	4154.7875	0.0954	
18S	2W	25	NW	NW	305	9	199297.0082	4.5752	52
18S	2W	25	NW	NW	300	9	121205.3059	2.7825	
18S	2W	25	NW	NW	300	9	2866.2253	0.0658	52
18S	2W	25	NW	NW	300	1	28018.0692	0.6432	
18S	2W	25	SE	NW	300	-	23663.7164	0.5432	
Total								62.7409	

To Lands by 1/4 1/4, Glott, and DLC							
Township	Range	Section	1/4	1/4 1/4	Glott	DLC	Average
18S	2W	25	NE	SW	3	-	0.0496
18S	2W	25	NW	NE	1	-	1.3383
18S	2W	25	NW	NW	1	-	1.6904
18S	2W	25	NW	NW	9	52	4.6410
18S	2W	25	NW	NW	9	-	2.9691
18S	2W	25	NW	NW	-	-	2.1194
18S	2W	25	NW	SE	2	-	18.1559
18S	2W	25	NW	SE	8	52	0.0014
18S	2W	25	NW	SE	8	-	1.0342
18S	2W	25	NW	SE	-	-	3.8355
18S	2W	25	NW	SW	2	-	1.2778
18S	2W	25	NW	SW	8	52	7.2746
18S	2W	25	NW	SW	8	-	8.2485
18S	2W	25	NW	SW	-	-	1.2659
18S	2W	25	SE	NW	3	-	3.9937
18S	2W	25	SE	NW	-	-	0.5432
18S	2W	25	SW	NE	7	-	0.0279
18S	2W	25	SW	NE	-	-	4.2312
Total							62.7409

To Lands Point of Diversion							
Township	Range	Section	1/4	1/4 1/4	Tax Lot	Glott	DLC
18S	2W	25	NW	SW	300	8	

2350 Feet S and 1820 Feet W from the N 1/4 Corner of section 25



RECEIVED  
 JUL 09 2018  
 OWRD



Lot 1 Government Lots From 1855 Map

Certified Water Right Examiner  
 76773WRE  
*Steven I Recca*  
 Steven I Recca  
 June 29, 2007  
 STATE OF OREGON

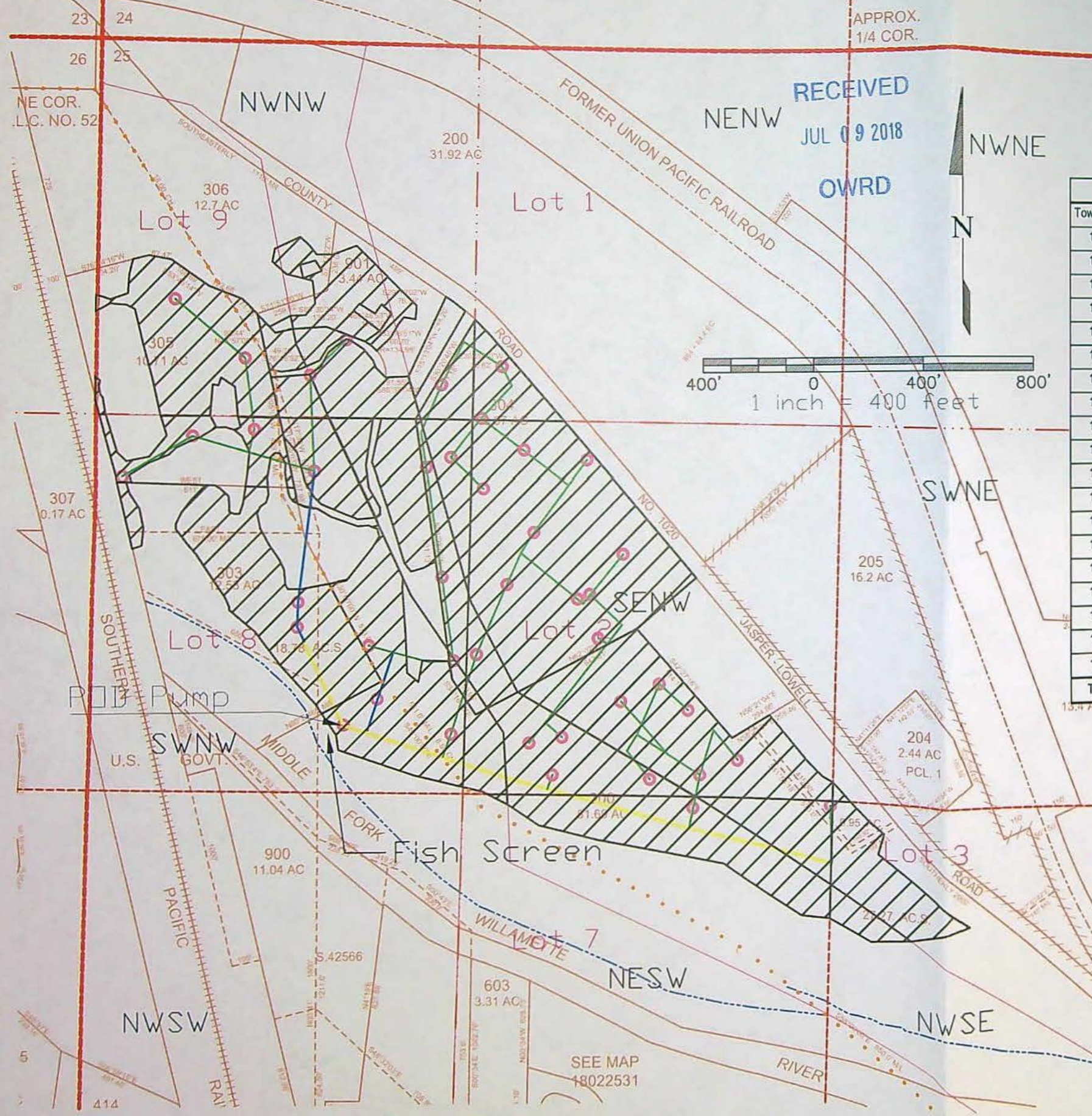
EXPIRATION DATE: 12/31/18

SEE MAP  
 18022531

**SUPERSEDED**

THIS MAP IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

Claim Map for T-10377, Township 18 S Range 2 W Section 25  
Lane County Tax Lots 18-02-25-00-300, 303, 304, 305, 306, & 901



RECEIVED  
JUL 09 2018  
OWRD

From Lands						
Township	Range	Section	1/4	1/4 1/4	Glott	Average
18S	2W	10	NE	SW		14.20
18S	2W	10	SE	NE		8.20
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Total						62.90

From Lands Point of Diversion						
Township	Range	Section	1/4	1/4 1/4	Glott	
18S	2W	10	SW	NW	2	

1008 Feet S and 50 feet W of the NW corner of DLC 39

To Lands by 1/4 1/4, Glott, and DLC								
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18S	2W	25	NW	NW	9	52	4.6410	
18S	2W	25	NW	NW	9	-	2.9691	
18S	2W	25	NW	NW	-	-	2.1194	
18S	2W	25	NW	SE	2	-	18.1559	
18S	2W	25	NW	SE	8	52	0.0014	
18S	2W	25	NW	SE	8	-	1.0342	
18S	2W	25	NW	SE	-	-	3.8355	
18S	2W	25	NW	SW	2	-	1.2778	
18S	2W	25	NW	SW	8	52	7.2746	
18S	2W	25	NW	SW	8	-	8.2485	
18S	2W	25	NW	SW	-	-	1.2659	
18S	2W	25	NW	SW	-	52	0.0434	
18S	2W	25	SE	NW	3	-	3.9937	
18S	2W	25	SE	NW	-	-	0.5432	
18S	2W	25	SW	NE	7	-	0.0279	
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18S	2W	25	NW	SW	303	8	1133.8616	0.0260		
18S	2W	25	NW	SW	304	-	55144.5163	1.2659		
18S	2W	25	NW	SE	304	-	33625.4422	0.7719		
18S	2W	25	NW	SW	304	8	4627.4944	0.1062		
18S	2W	25	NW	SE	304	8	4600.3288	0.1056		
18S	2W	25	NW	SE	300	8	40447.4852	0.9285		
18S	2W	25	NW	SE	300	8	60.0651	0.0014	52	
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18S	2W	25	NW	NW	305	9	4154.7875	0.0954		
18S	2W	25	NW	NW	305	9	199297.0082	4.5752	52	
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18S	2W	25	SE	NW	300	-	23663.7164	0.5432		
Total								62.7409		

To Lands Point of Diversion							
Township	Range	Section	1/4	1/4 1/4	Tax Lot	Glott	DLC
18S	2W	25	NW	SW	300	8	

2350 Feet S and 1820 Feet W from the N 1/4 Corner of section 25

Tax Lot Boundaries
  DLC Lines
  Section Lines
  Quarter Section Lines
  Quarter Quarter Lines

Burried 6" Irrigation Line
  Burried 4" Irrigation Line
  Burried 3" Irrigation Line

Irrigated Areas
  Irrigation Risers

Lot 1 Government Lots From 1855 Map

Certified Water Right Examiner  
76773WRE  
*Steven I Recca*  
Steven I Recca  
June 29, 2007  
STATE OF OREGON

EXPIRATION DATE: 12/31/18



RECEIVED

AUG 06 2008

WATER RESOURCES DEPT.  
SALEM, OREGON

RECORDING REQUESTED BY:  
Fidelity National Title Company of Oregon

GRANTOR'S NAME:  
Norman N. McDougal

GRANTEE'S NAME:  
Leona M. Person

SEND TAX STATEMENTS TO:  
Leona M. Person  
327 Spyglass Drive  
Eugene, OR 97401

Escrow No: 4608002499-FTEUG03

Division of Chief Deputy Clerk  
Lane County Deeds and Records 2008-019663  
\$51.00  
00988414200800196630020028  
04/06/2008 02:57:39 PM  
RPR-DEED Cnt=1 Str=4 CRSHIER 02  
\$10.00 \$20.00 \$11.00 \$10.00

SPACE ABOVE THIS LINE FOR RECORDER'S USE

WARRANTY DEED - STATUTORY FORM  
(INDIVIDUAL or CORPORATION)

Norman N. McDougal

Grantor, conveys and warrants to

Leona M. Person

Grantee, the following described real property free of encumbrances except as specifically set forth herein:

Beginning at an iron pipe marking the Northwest corner of the J. Looney Donation Land Claim No. 39, in Township 18 South, Range 2 West of the Willamette Meridian; thence East 1325.42 feet along the fence line marking the North line of said Donation Land Claim No. 39 to a point marked by an iron pin and as shown on Lane County Survey for Gordon Tripp prepared by Follett & Ford, bearing the date of June 1954, and bearing job number 194.1, said point being the True Point of Beginning; thence South 246.12 feet to an iron pin set in an existing fence line; thence South 82° 16' 1/2" West 303.54 feet along said fence line to a point marked by an iron pin and as shown on said Lane County Survey for Gordon Tripp; thence South 69° 21' 1/4" West 734.55 feet to a point and as shown on said survey; thence South 69° 21' 1/4" West 50 feet to the Southern Pacific Railroad right of way pin and as shown on said survey; thence South 58° 57' West 170.48 feet along the existing Southern Pacific Railroad right of way fence line to an iron pin set in corner thereof and as shown on said survey; thence Southeasterly along a line concentric with and 80 feet distant from the center line of the Southern Pacific Railroad as originally surveyed and following along said fence to a point and as shown on said survey, marked by an iron pin which bears South 27° 07' 1/2" East 367.70 feet from the last described point; thence following along a series of lines, (the angle points of which are marked by iron pins) each of which is 15 feet Northerly from the center line of an existing roadway, the following courses and distances: South 64° 52' 1/2" East 52.55 feet; thence South 56° 31' East 59.54 feet; thence South 61° 00' East 72.68 feet; thence South 77° 43' 1/2" East 69.14 feet; thence North 82° 24' 3/4" East 52.54 feet; thence North 59° 57' 1/4" East 75.20 feet; thence North 61° 38' 1/2" East 97.43 feet; thence South 89° 36' 1/2" East 1310.74 feet along an existing fence line to an iron pin set in the corner thereof; thence North 0° 21' 1/2" East 1001.94 feet along an existing property line fence to an iron pin set in the corner thereof; thence West 734.69 feet along the old fence marking the North line of said Donation Land Claim No. 39, to the True Point of Beginning, in Lane County, Oregon.

ALSO: Beginning at the Northwest corner of the John C. Looney Donation Land Claim No. 39, Township 18 South, Range 2 West of the Willamette Meridian; thence West 29.03 feet; thence South 909.25 feet to an iron pin marking the True Point of Beginning; thence South 47° 00' West 285.12 feet to a point marked by an iron pin; thence North 25° 15' West 276.83 feet to a point marked by an iron pin; thence South 87° 00' East 308.26 feet to a boat spike set in a sand stone ledge; thence South 25° 15' East 44.00 feet to the True Point of Beginning, in Lane County, Oregon.

EXCEPT THEREFROM: That portion deeded to Lane County in deed recorded July 18, 2007, Reception No. 2007-048810, Official Records of Lane County, Oregon.

ENCUMBRANCES: Covenants, conditions, restrictions and easements of records

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER SECTIONS 2, 3 AND 5 TO 22 OF CHAPTER 424, OREGON LAWS 2007 (BALLOT MEASURE 49 (2007)). THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS

2499-BB

INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER SECTIONS 2, 3 AND 5 TO 22 OF CHAPTER 424, OREGON LAWS 2007 (BALLOT MEASURE 49 (2007)).

RECEIVED

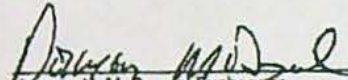
APR 06 2008

WATER RESOURCES DEPT.  
SALEM, OREGON

The true consideration for this conveyance is \$1,300,000.00.\*

\*Which is being paid to and from an accommodator pursuant to and IRC 1031 exchange

Dated April 3, 2008; If a corporate grantor, it has caused its name to be signed by order of its board of directors.

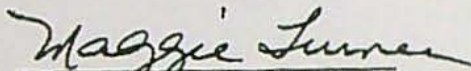
  
Norman N. McDougal, Exchangor

State of OREGON

COUNTY of Lane

This instrument was acknowledged before me on APRIL 3, 2008

by Norman N. McDougal.

  
Maggie Turner  
Notary Public - State of Oregon  
My commission expires: ~~07/26/09~~ 5/13/09



STATE OF OREGON

COUNTY OF LANE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

NATRON PLYWOOD CO.  
P.O. BOX 295  
SPRINGFIELD, OREGON 97477

confirms the right to use the waters of AN UNNAMED STREAM, a tributary of the MIDDLE FORK WILLAMETTE RIVER, for MANUFACTURING.

This right was perfected under Permit S-25439. The date of priority is APRIL 9, 1958. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.04 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	GLot
18 S	2 W	WM	10	NW SW	2

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

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

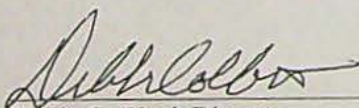
MANUFACTURING				
Twp	Rng	Mer	Sec	Q-Q
18 S	2 W	WM	10	SW NE
18 S	2 W	WM	10	SW NW
18 S	2 W	WM	10	SE NW
18 S	2 W	WM	10	NE SW
18 S	2 W	WM	10	NW SW
18 S	2 W	WM	10	NW SE

This certificate describes that portion of the water right confirmed by Certificate 32562, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered DEC 20 2007, approving Transfer Application T-10377.

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 DEC 20 2007.



Phillip C. Ward, Director

BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE  
STATE OF OREGON

RECEIVED  
AUG 06 2008  
WATER RESOURCES DEPT.  
SALEM, OREGON

In the Matter of Transfer Application ) FINAL ORDER APROVING A  
T-10377, Lane County ) CHANGE IN POINT OF DIVERSION  
) AND A CHANGE IN PLACE OF USE

**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.

**Applicant**

Norman McDougal  
P.O. Box 518  
Creswell, Oregon 97426

**Findings of Fact**

**Background**

1. On May 2, 2007, Norman McDougal filed an application to change the place of use, and add an additional point of diversion under Certificate 32562. The Department assigned the application number T-10377.
2. On October 1, 2007, Mike Evans, agent for the applicant, clarified by email that the proposal is a change in point of diversion for the transferred portion of the right, rather than an additional point of diversion.
3. The portion of the right to be transferred is as follows:

**Certificate:** 32562 in the name of Natron Plywood Co. (perfected under Permit S-25439)

**Use:** Irrigation of 62.9 acres

**Priority Date:** April 9, 1958

**Rate:** 0.79 cubic foot per second (cfs)

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 of one cfs per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2½ acre-feet per acre for each acre irrigated during the irrigation season of each year

**Source:** An unnamed stream, a tributary of the Middle Fork Willamette River

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	GLot
18 S	2 W	WM	10	NW SW	Lot 2

**Authorized Place of Use:**

Twp	Rng	Mer	Sec	Q-Q	Acres
18 S	2 W	WM	10	SW NE	14.20
18 S	2 W	WM	10	NE SE	8.20
18 S	2 W	WM	10	NW SE	34.50
18 S	2 W	WM	10	SW SE	4.80
18 S	2 W	WM	10	SE SE	1.20

4. Certificate 32562 does not list survey coordinates for the authorized point of diversion, however, the application map for Transfer Application T-10377 identifies the location of the authorized point of diversion more specifically as being:

Twp	Rng	Mer	Sec	Q-Q	GLot	Survey Coordinates
18 S	2 W	WM	10	NW SW	Lot 2	1008 FEET SOUTH AND 50 FEET WEST OF THE NW CORNER OF DLC 39

5. Application T-10377 proposes to change the point of diversion upstream approximately 4 miles to a point on the Middle Fork of Willamette River located:

Twp	Rng	Mer	Sec	Q-Q	GLot	Tax Lot	Survey Coordinates
18S	2W	WM	25	SE NW	Lot 3	305	2582 FEET SOUTH AND 1219 FEET WEST FROM THE N¼ CORNER OF SECTION 25

6. Application T-10377 also proposes to change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q	Acres
18S	2W	WM	25	SW NE	0.36
18S	2W	WM	25	NE NW	1.14
18S	2W	WM	25	NW NW	16.59
18S	2W	WM	25	SW NW	9.25
18S	2W	WM	25	SE NW	22.92
18S	2W	WM	25	NE SW	6.10
18S	2W	WM	25	NW SE	6.54
Total					62.90

7. Notice of the application for transfer was published on May 8, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.

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SALEM, OREGON

8. 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.
9. On June 29, 2007, the Department mailed a copy of the Preliminary Determination proposing to deny Transfer Application T-10377 to the applicant. The Preliminary Determination set forth a deadline of September 28, 2007, for the applicant to respond. Mike Evans, the applicant's agent, responded by submitting an assessor map and an aerial photo indicating the unnamed stream described in the application is a side channel of the Middle Fork of Willamette River. Mr. Evans alleged the proposed point of diversion will secure water from the same source as the authorized point of diversion and requested that the Department reconsider the determination, and he provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
10. The application original maps did not meet current mapping standards because they did not include the location of property lines for the property involved in the transfer as required by OAR 690-380-3100(2)(j). The applicant's agent provided new maps correcting this deficiency.
11. The Department investigated the source of the unnamed stream and found it to be the Middle Fork of the Willamette River. The authorized point of diversion is on a small side channel of the river rather than on a separate tributary to the river, therefore confirming that the authorized and proposed points of diversion would take water from the same source.
12. On October 1, 2007, the Department mailed a copy of the revised draft Preliminary Determination proposing to approve Transfer Application T-10377 to the applicant. The revised draft Preliminary Determination set forth a deadline of November 1, 2007, for the applicant to respond. The applicant's agent requested that the Department proceed with issuance of a Preliminary Determination and clarified that the proposed point of diversion is a change, rather than an additional point of diversion for the transferred portion of the right, and that the place of use of the manufacturing water use under the remaining portion of the right will not be changed by the action of this transfer. The agent also requested minor clerical corrections from the draft.
13. On October 17, 2007, the Department issued a Preliminary Determination proposing to approve Transfer T-10377 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 October 23, 2007, and in The Register-Guard newspaper on October 25, November 1 and November 8, 2007, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

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

14. Water has been used within the last five years according to the terms and conditions of the right, and there is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
15. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Application T-10377.
16. The proposed changes would not result in enlargement of the right.
17. The proposed changes would not result in injury to other water rights.

**Conclusions of Law**

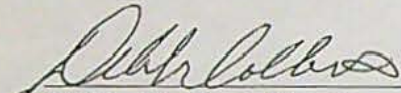
The changes in place of use and point of diversion proposed in application T-10377 are consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000.

**Now, therefore, it is ORDERED:**

1. The changes in place of use and point of diversion proposed in application T-10377 are approved.
2. Water right certificate 32562 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.
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 Certificate 32562 and any related decree.
4. The quantity of water diverted at the new point of diversion shall not exceed the quantity of water lawfully available at the original point of diversion.
5. The former place of use for irrigation shall no longer receive water under this transferred portion of the right.
6. When required by the Department, the water user shall install, maintain and operate an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
7. When required by the Department, the water user shall install, maintain and operate a headgate to control and regulate the quantity of water diverted. The type and plans of the headgate must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

8. 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.
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, a new certificate confirming the right transferred will be issued.

Dated at Salem, Oregon this 20 day of December 2007.

  
Phillip C. Ward, Director

Mailing date: DEC 24 2007

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SALEM, OREGON

**ROBERT A. SMEJKAL, P.C.**

Attorney at Law  
696 Country Club Road  
Eugene, OR 97401

Telephone: (541) 345-3330  
Facsimile: (541) 345-9211

Correspondence:  
PO Box 654, Eugene, OR 97440

Annette K. Kayser  
Legal Assistant

[bobsmejkal@qwestoffice.net](mailto:bobsmejkal@qwestoffice.net)

July 31, 2008

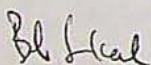
State of Oregon  
Water Resources Department  
158 12<sup>th</sup> Street NE  
Salem, OR 97301-4172

Re: Water Rights Certificate No. 32562

Dear Sir or Madam:

I have enclosed herewith an original Water Right Ownership Update Form executed by my client, Leona M. Person, together with a copy of a Warranty Deed, the original Certificate of Water Right issued on December 20, 2007, and Final Order attached thereto. I would request that you process the enclosed Water Right Ownership Update Form and provide my client with a new Certificate of Water Right issued in her name, forwarding a copy of the same the undersigned. Thank you.

Very truly yours,



Robert A. Smejkal

RAS/akk  
Enclosure

cc: Client (w/ enclosure)

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SECTION 10 T.18S. R.2W. W.M.  
Lane County  
1" = 400'

SEE MAP  
18020200

18021000

SEE MAP  
18020400

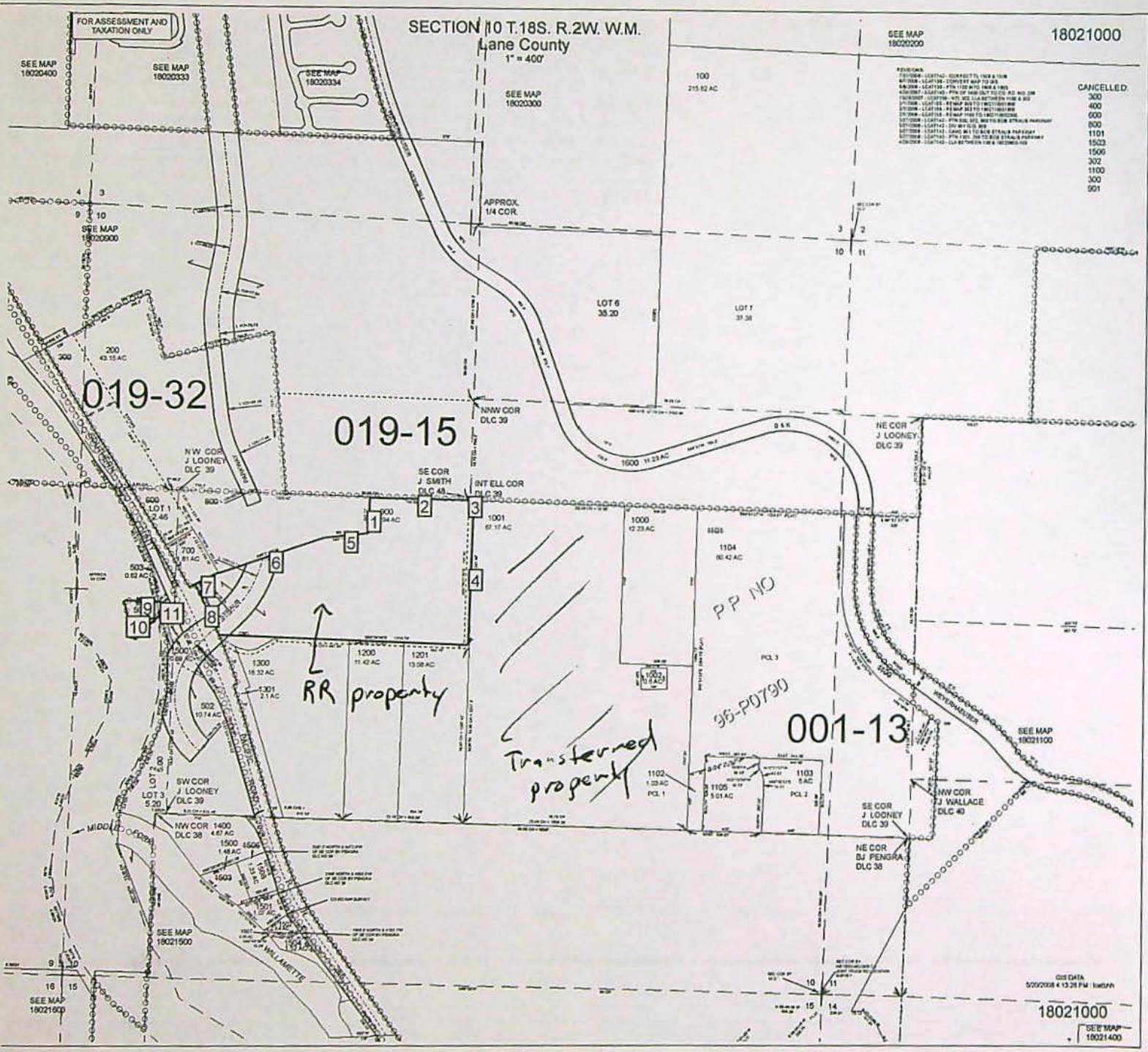
SEE MAP  
18020333

SEE MAP  
18020334

SEE MAP  
18020300

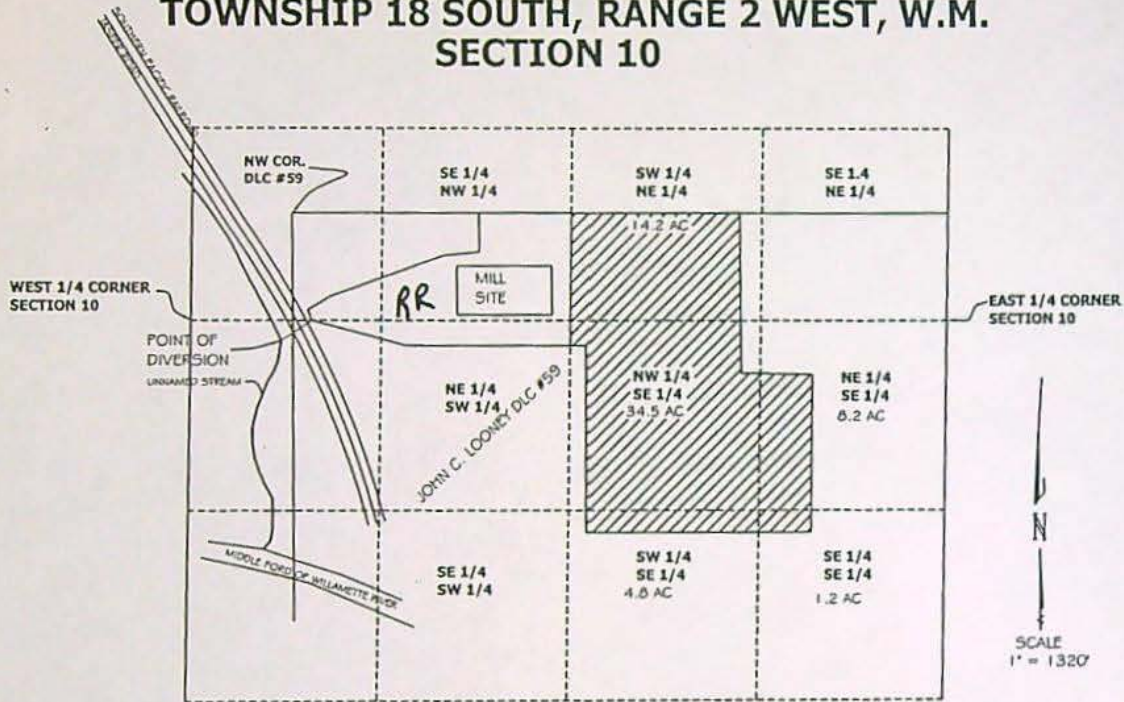
REVISIONS  
 10/2008 - LOT 142 - CORRECTED TO 1000  
 04/2008 - LOT 138 - CORRECTED MAP TO 200  
 04/2008 - LOT 138 - PPN 1102 AND 1103  
 04/2008 - LOT 138 - PPN 1102 AND 1103  
 04/2008 - LOT 138 - PPN 1102 AND 1103  
 04/2008 - LOT 138 - PPN 1102 AND 1103  
 04/2008 - LOT 138 - PPN 1102 AND 1103  
 04/2008 - LOT 138 - PPN 1102 AND 1103  
 04/2008 - LOT 138 - PPN 1102 AND 1103  
 04/2008 - LOT 138 - PPN 1102 AND 1103  
 04/2008 - LOT 138 - PPN 1102 AND 1103


CANCELLED.
300
400
500
600
1101
1503
1505
302
1100
300
901



GIS DATA  
 5/20/2008 4:13:26 PM hndp  
 18021000  
 SEE MAP  
 18021400

**TOWNSHIP 18 SOUTH, RANGE 2 WEST, W.M.  
SECTION 10**



 DENOTES AREA OF WATER RIGHT TO BE TRANSFERRED FROM

THE PURPOSE OF THIS MAP IS TO DEPICT THE LOCATION OF THE AREA THAT THE EXISTING WATER RIGHTS ARE TO BE TRANSFERRED FROM. THE EXISTING RIGHT HAS 62.9 ACRES FOR IRRIGATION USING 0.79 CFS. THE MILL SITE HAS RIGHTS FOR 0.34 CFS FOR MANUFACTURING PER CERTIFICATE VOL. 24, PAGE 32562

**WATER RIGHT TRANSFER  
APPLICATION MAP**

FOR

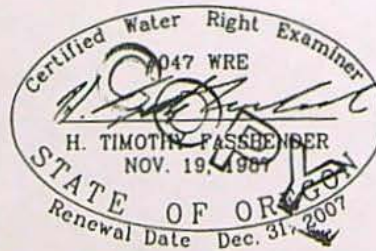
**NORMAN McDOUGAL  
PO BOX 518  
CRESWELL, OR 97426  
541-895-8788**

BY

**H. TIMOTHY FASSBENDER, PLS, CWRE  
2896 SARAH LANE  
EUGENE, OR 97408  
541-485-3136**

**Note:**

**THIS MAP IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.**



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MAY 02 2007

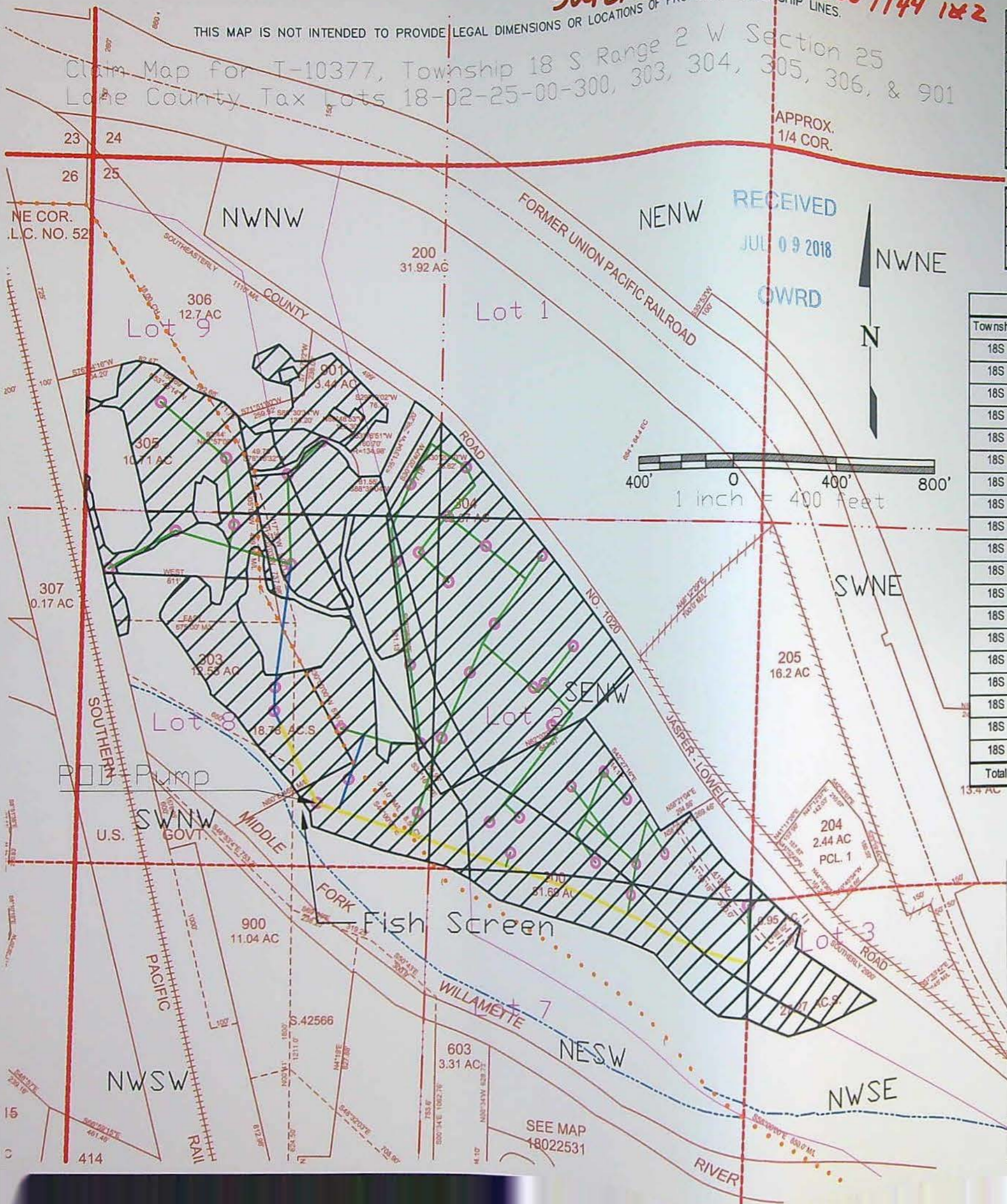
1 10377

WATER RESOURCES DEPT  
SALEM, OREGON

**SUPERSEDED** COBU 1144 1&2

THIS MAP IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

Claim Map for T-10377, Township 18 S Range 2 W Section 25  
 Lane County Tax Lots 18-02-25-00-300, 303, 304, 305, 306, & 901



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 QWRD



From Lands						
Township	Range	Section	1/4	1/4 1/4	Glott	Average
18S	2W	10	NE	SW		14.20
18S	2W	10	SE	NE		8.20
18S	2W	10	SE	NW		34.50
18S	2W	10	SE	SW		4.80
18S	2W	10	SE	SE		1.20
<b>Total</b>						<b>62.90</b>

From Lands Point of Diversion						
Township	Range	Section	1/4	1/4 1/4	Glott	
18S	2W	10	SW	NW	2	

1008 Feet S and 50 feet W of the NW corner of DLC 39

To Lands by 1/4 1/4, Glott, and DLC							
Township	Range	Section	1/4	1/4 1/4	Glott	DLC	Average
18S	2W	25	NE	SW	3	-	0.0496
18S	2W	25	NW	NE	1	-	1.3383
18S	2W	25	NW	NW	1	-	1.6904
18S	2W	25	NW	NW	9	52	4.6410
18S	2W	25	NW	NW	9	-	2.9691
18S	2W	25	NW	NW	-	-	2.1194
18S	2W	25	NW	SE	2	-	18.1559
18S	2W	25	NW	SE	8	52	0.0014
18S	2W	25	NW	SE	8	-	1.0342
18S	2W	25	NW	SE	-	-	3.8355
18S	2W	25	NW	SW	2	-	1.2778
18S	2W	25	NW	SW	8	52	7.2746
18S	2W	25	NW	SW	8	-	8.2485
18S	2W	25	NW	SW	-	-	1.2659
18S	2W	25	NW	SW	-	52	0.0434
18S	2W	25	SE	NW	3	-	3.9937
18S	2W	25	SE	NW	-	-	0.5432
18S	2W	25	SW	NE	7	-	0.0279
18S	2W	25	SW	NE	-	-	4.2312
<b>Total</b>							<b>62.7409</b>

To Lands by 1/4 1/4, Glott, and Tax Lot										
Township	Range	Section	1/4	1/4 1/4	Tax Lot	Glott	Square Ft	Average	DLC	
18S	2W	25	NW	NW	306	9	1280.6416	0.0294		
18S	2W	25	NW	NW	901	-	72062.1405	1.6543		
18S	2W	25	NW	NW	306	-	20099.4252	0.4614		
18S	2W	25	NW	NW	901	9	2692.8438	0.0618		
18S	2W	25	NW	NW	901	1	10662.4252	0.2448		
18S	2W	25	NW	NW	304	1	34953.9261	0.8024		
18S	2W	25	NW	NE	304	1	58294.2438	1.3383		
18S	2W	25	NW	NW	300	-	157.7431	0.0036		
18S	2W	25	NW	SW	305	8	57104.0947	1.3109		
18S	2W	25	NW	SW	305	-	1890.7830	0.0434	52	
18S	2W	25	NW	SW	300	8	199929.7547	4.5898		
18S	2W	25	NW	SW	300	8	81917.7040	1.8806	52	
18S	2W	25	NW	SW	300	8	96510.0492	2.2156		
18S	2W	25	NW	SW	304	2	55660.3644	1.2778		
18S	2W	25	NW	SE	304	2	495966.3671	11.3858		
18S	2W	25	NW	SW	303	8	234963.4030	5.3940	52	
18S	2W	25	NW	SW	303	8	1133.8616	0.0260		
18S	2W	25	NW	SW	304	-	55144.5163	1.2659		
18S	2W	25	NW	SE	304	-	33625.4422	0.7719		
18S	2W	25	NW	SW	304	8	4627.4944	0.1062		
18S	2W	25	NW	SE	304	8	4600.3288	0.1056		
18S	2W	25	NW	SE	300	8	40447.4852	0.9285		
18S	2W	25	NW	SE	300	8	60.0651	0.0014	52	
18S	2W	25	NW	SE	300	-	133448.7723	3.0636		
18S	2W	25	NW	SE	300	2	294903.0401	6.7700		
18S	2W	25	SW	NE	300	7	1214.1426	0.0279		
18S	2W	25	SW	NE	300	-	184309.0067	4.2312		
18S	2W	25	SE	NW	300	3	71320.5295	1.6373		
18S	2W	25	NE	SW	300	3	2162.3694	0.0496		
18S	2W	25	SE	NW	300	3	102646.4909	2.3564		
18S	2W	25	NW	NW	305	9	4154.7875	0.0954		
18S	2W	25	NW	NW	305	9	199297.0082	4.5752	52	
18S	2W	25	NW	NW	300	9	121205.3059	2.7825		
18S	2W	25	NW	NW	300	9	2866.2253	0.0658	52	
18S	2W	25	NW	NW	300	1	28018.0692	0.6432		
18S	2W	25	SE	NW	300	-	23663.7164	0.5432		
<b>Total</b>								<b>62.7409</b>		

To Lands Point of Diversion							
Township	Range	Section	1/4	1/4 1/4	Tax Lot	Glott	DLC
18S	2W	25	NW	SW	300	8	

2350 Feet S and 1820 Feet W from the N 1/4 Corner of section 25

+ Tax Lot Boundaries  
 ••••• DLC Lines  
 + Section Lines  
 + Quarter Section Lines  
 + Quarter Quarter Lines  
 --- Burried 6" Irrigation Line  
 --- Burried 4" Irrigation Line  
 --- Burried 3" Irrigation Line  
 Irrigated Areas  
 Irrigation Risers

Lot 1 Government Lots From 1855 Map

Certified Water Right Examiner  
 76773WRE  
*Steven I Recca*  
 Steven I Recca  
 June 29, 2007  
 STATE OF OREGON

EXPIRATION DATE: 12/31/18

COBU 1144 1 of 2



# 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: NORMAN McDOUGAL  
Mailing Address: PO BOX 518  
City: CRESWELL State: OR Zip: 97426 Day Phone: 895-8788

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:
18	02	25		304	EFU-40	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	IRRIGATION
				300	FZ	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	ir
				305	FZ	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	ir
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	

List all counties and cities where water is proposed to be diverted, conveyed, or used. LANE COUNTY

## 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) TRIBUTARY MIDDLE FORK WILLAMETTE RIVER

Estimated quantity of water needed: 0.79  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: WATER WILL BE PUMPED FROM A SIDE CHANNEL OF THE RIVER THROUGH DISTRIBUTION LINES FOR SURFACE IRRIGATION BY SPRINKLERS.

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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MAY 02 2007

WATER RESOURCES DEPT  
SALEM, OREGON

RECEIVED

REC'D APR 05 2007

045591-518 - LANE COUNTY

1 10377

Tools Lane County Maps X:4283521 Y:867257 Lon:122° 55' 28.97" W Lat:44° 1' 15" N

Navigation

Query/Info

Selection

System

**RECEIVED**  
 MAY 02 2007  
 WATER RESOURCES DEPT  
 SALEM, OREGON  
 RECEIVED

T 10377



# 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

May 7, 2007

NORMAN MCDOUGAL  
PO BOX 518  
CRESWELL OR 97426

Reference: Transfer 10377

On May 2, 2007 we received your water right transfer application requesting a change in place of use, and additional point of diversion for use of water from UNNAMED STREAM, tributary to MIDDLE FORK WILLAMETTE RIVER. The application was accompanied by \$700.00. Our receipt 87382 is enclosed.

By copy of this letter, we are asking the Watermaster for his 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. A number of other transfer applications are also awaiting review. As a result, it may be some time before we are able to process your application. If you wish to have your application processed more quickly, you may want to consider use of the Department's reimbursement authority. Under this authority an applicant may receive expedited review by paying the full cost for a pre-qualified contractor to process the applications. For more information on the Reimbursement Authority program, see our website at [http://www.wrd.state.or.us/OWRD/mgmt\\_reimbursement.shtml](http://www.wrd.state.or.us/OWRD/mgmt_reimbursement.shtml) or call the transfer section.

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 #2  
H. Timothy Fassbender, CWRE  
James Smejkal, Landowner  
Michael Evans, Agent  
Jeff Ziller, ODFW

enclosure



**TRANSFER CHECK OFF LIST**

**TRANSFER FILE #** 10377  
**DATE RECEIVED** 5-2-07  
**DATE MONEY SLIPPED** 5-2-07  
**DATE RECEIPTED** 5-2-07  
**VALID WATER RIGHT?**  Yes  No  
**TEMP ALT AC**  **IRR DIST**  **PERM AMEND**  **DIV 15** 1  
**TEMP Div 15**  **ISWR**   
**LETTER FROM ATTORNEY**  YES (PUT INFO ON FRONT COVER)  NO  
**FOLDER FILLED OUT\*** yes  
**ENTERED IN DB** yes  
**CONTENTS MARKED** yes  
**COLOR CODED**  Yes  
**4 COPIES MADE & STAMPED** yes  
**CERTIFICATE MARKED** yes  
**CERTIFICATE COPIED** yes  
**FULL APPLICATIONS** yes  
**APP FOLDER MARKED** yes  
**FINAL PROOF MAP COPIED** yes  
**PERMIT MARKED** no  
**PERMIT COPIED** /  
**PERMIT MAP COPIED** /  
**DECRBE MARKED** /  
**DECRBE COPIED** /  
**ADJUDICATION MAP COPIED** /  
**ENTRIES CHECKED** 5-8-07 **CHECKED BY** \_\_\_\_\_ **INIT FOLDER** \_\_\_\_\_  
**PUBLIC NOTICE DATE** 5-8-07 (PREPARED & COPIED) yes  
**LETTER SENT** yes **Irrigation District** no (copy of app & map)  
**COPY TO WM** yes  
**BLUE FORM TO WM** yes Orange Perm Amend/Yellow Temp/Grn Dist/Lav Alt Acr/pink his  
**COPY TO GW** no POA, APOA, or [SW TO GW ONLY(as POD)]  
**BLUE FORM TO GW** no Orange Perm Amend/Yellow Temp/Grn Dist/Lav Alt Acr/pink his  
**COPY TO CWRE** yes  
**LETTER TO ODFW** yes ALL Surface water POU/USE (POD and APOD FISH SCREENS)  
**TRANSFER SENT TO:** nw drawer SW --- NCR --- SCR --- ER

PRINT DATA IF THERE ARE MANY FILES INVOLVED AND GLUE TO FOLDER

# 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



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](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml).

## 1. TYPE OF TRANSFER APPLICATION

Please check one	
<input checked="" type="checkbox"/> Permanent Transfer	<input type="checkbox"/> Instream Transfer
<input type="checkbox"/> Temporary Transfer	<input type="checkbox"/> Permanent
? total number of years: _____	<input type="checkbox"/> Time-Limited
(begin year: _____)	<input type="checkbox"/> Drought Transfer
(end year: _____)	<input type="checkbox"/> Other

## 2. APPLICANT INFORMATION

Name: Norman McDougal

Address: PO Box 518

Creswell, Oregon 97426

Phone: 541-895-8788

Fax: 541-895-8787

## 3. AGENT INFORMATION

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

Name: Michael Evans

Address: 1071 Harlow Road

Springfield, Oregon 97477

Phone: 541-726-8523

Fax: 541-746-5126

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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*

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**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.	32248	25439	32562
2.			
3.			
4.			
5.			
6.			

- Attach a **separate Supplemental Form A** (*Description of Proposed Change(s) to a Water Right*) for **each** water right listed above.
- Check **all** proposed change(s) included in this transfer application:
  - X Place of Use            ? Point of Diversion            X 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): Transfer irrigation rights to new area. Manufacturing rights to remain in original location \_\_\_\_\_

**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.*

A pump is located at the diversion point that provides water via an underground supply line through a manufacturing facility then to pasture land further east where lateral distribution lines extend for irrigation use.

- System capacity: 0.79 cubic feet per second (cfs). If the transfer involves multiple rights that have independent systems, describe the capacity for each system separately.

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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:*

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

Lane County, 125 East 8<sup>th</sup> Avenue, Eugene, Oregon 97401

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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): James Smejkal

Address: PO Box 2114

Jasper, Oregon 97438-0299

- 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): Norman McDougal

Address: PO Box 518

Creswell, Oregon 97426

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: \$ 488.25  
See the Department's Fee Schedule at [www.wrd.state.or.us](http://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.

**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:

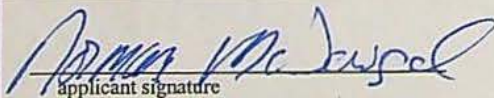
In accordance with OAR 690-380-3000(13)(a), I (we) understand that prior to Department approval of a permanent transfer and upon my receipt of a draft Preliminary Determination for the proposed transfer, I (we) will be required [pursuant to OAR 690-380-4010(5)] to provide the following landownership 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>NORMAN McDOUGAL</u> name (print)	<u>4-16-07</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: 32562 \_\_\_\_\_

### 1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

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

<input checked="" type="checkbox"/> Certificated Right	32562	25439
	Certificate Number	Permit Number or Decree Name
<input type="checkbox"/> Adjudicated, Non-certificated Right	_____	_____
	Name of Decree	Page Number
<input type="checkbox"/> Permit for which Proof has been Approved	_____	_____
	Permit Number	Date Claim of Beneficial Use Submitted
<input type="checkbox"/> Transferred Right for which Proof has been Filed	_____	_____
	Previous Transfer Number	Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: Natron Plywood Co. \_\_\_\_\_
- County: Lane \_\_\_\_\_
- Authorized Use(s) to be Affected by Transfer: Irrigation \_\_\_\_\_
- Priority Date(s): April 9, 1958 \_\_\_\_\_

*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: Unnamed stream

Tributary to: Middle Fork Willamette 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: 32562 \_\_\_\_\_

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)
	Unnamed stream April 9, 1958	18	2W	W M	10	NW of SW	501	1008' South & 50' West of NW cor. DLC 59

- 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.

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**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
NA									

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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: 32562 \_\_\_\_\_

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)

Source and Priority Date	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
April 9, 1958	18	2W	W M	10	SW NE	1001	14.2
"	"	"		"	NE SE	1001	8.2
"	"	"		"	NW SE	1001	34.5
"	"	"		"	SW SE	1001	4.8
"	"	"		"	SE SE	1001	1.2

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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: 32562 \_\_\_\_\_

### 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)
Middle Fork of the Willamette River	18	2W	W M	25	SE NW	Lot 3 TL 305	2582' SOUTH & 1219' WEST OF THE NORTH ¼ CORNER OF SECTION 25, T18S, R02W, W.M.

- 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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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
NA										

▪ Certificate Number or other identifying number: 32562 \_\_\_\_\_

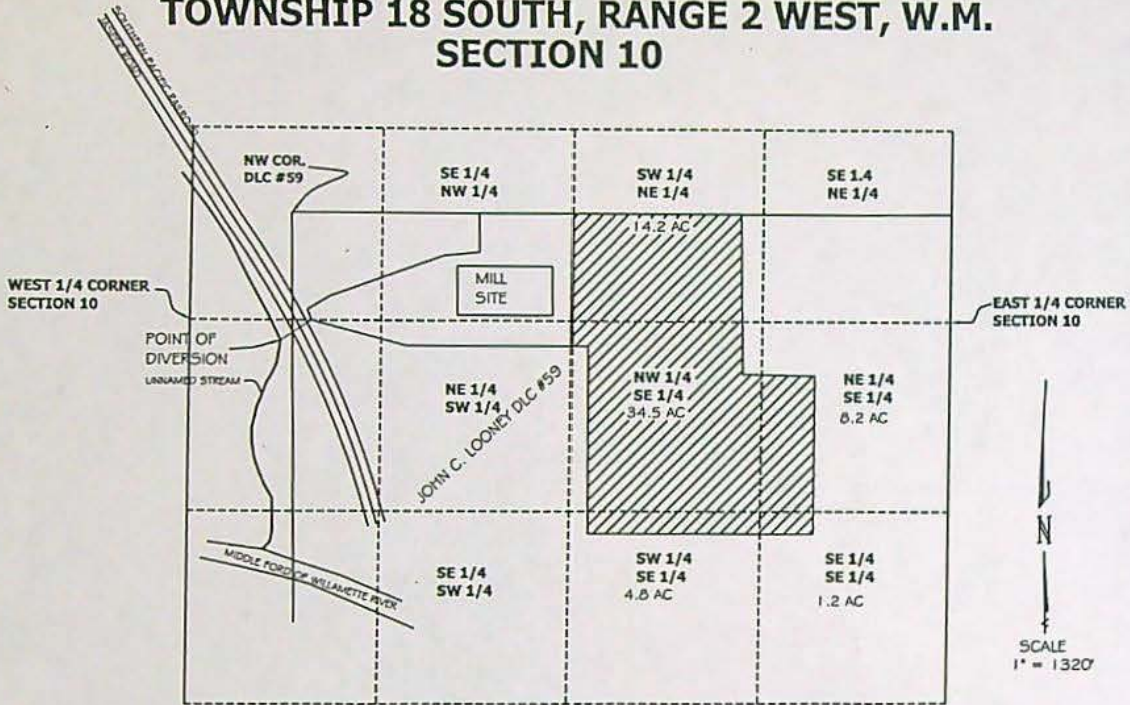
*Describe proposed changes to the water right involving place of use. Information described below should accurately correspond to the proposed place of use shown on the accompanying application map. Attach additional pages as necessary.*


**Location of Proposed Place of Use:** (i.e., the "TO" lands)     N/A – Instream Water Right Transfer  
 (NOTE: Complete this table only if a Change in Place of Use is being proposed.)

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**TOWNSHIP 18 SOUTH, RANGE 2 WEST, W.M.  
SECTION 10**



 DENOTES AREA OF WATER RIGHT TO BE TRANSFERRED FROM

THE PURPOSE OF THIS MAP IS TO DEPICT THE LOCATION OF THE AREA THAT THE EXISTING WATER RIGHTS ARE TO BE TRANSFERRED FROM. THE EXISTING RIGHT HAS 62.9 ACRES FOR IRRIGATION USING 0.79 CFS. THE MILL SITE HAS RIGHTS FOR 0.34 CFS FOR MANUFACTURING PER CERTIFICATE VOL. 24, PAGE 32562

**WATER RIGHT TRANSFER  
APPLICATION MAP**

FOR

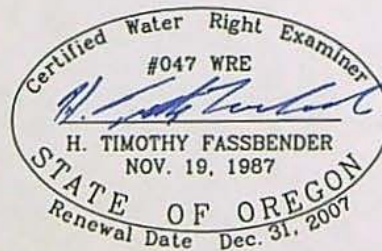
**NORMAN McDOUGAL**  
PO BOX 518  
CRESWELL, OR 97426  
541-895-8788

BY

**H. TIMOTHY FASSBENDER, PLS, CWRE**  
2896 SARAH LANE  
EUGENE, OR 97408  
541-485-3136

**Note:**

THIS MAP IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.



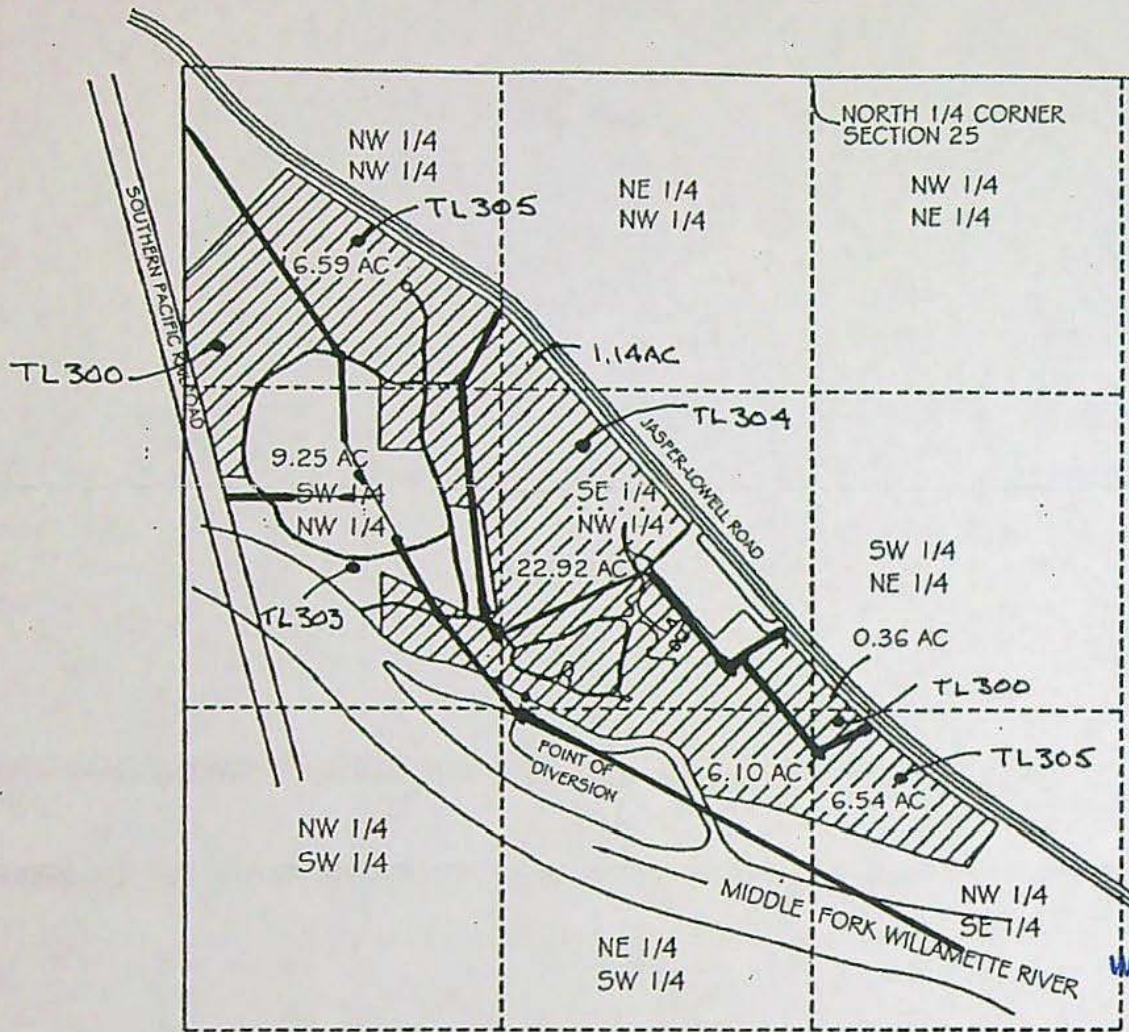
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# TOWNSHIP 18 SOUTH, RANGE 2 WEST, W.M. SECTION 25



N  
SCALE  
1" = 800'

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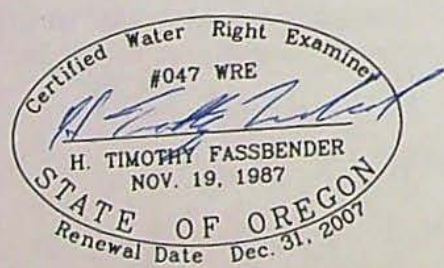
-  DENOTES AREA OF WATER RIGHT TRANSFER
-  DENOTES AREA OF EXISTING ROAD SYSTEM ON PROPERTY

## WATER RIGHT TRANSFER APPLICATION MAP

FOR  
**NORMAN McDOUGAL**  
PO BOX 518  
CRESWELL, OR 97426  
541-895-8788

POINT OF DIVERSION LOCATION:  
SOUTH 2582' & WEST 1219' OF  
THE NORTH 1/4 CORNER OF SECTION 25

BY  
**H. TIMOTHY FASSBENDER, PLS, CWRE**  
2896 SARAH LANE  
EUGENE, OR 97408  
541-485-3136



**Water Right Transfer Supplemental Form B**  
**AFFIDAVIT ATTESTING TO THE USE OF WATER**

State of Oregon )  
County of Lane ) ss

I, Norman McDougal, in my capacity as applicant of for water right transfer,  
mailing address PO Box 518, Creswell, Oregon 97426  
telephone number (541)895-8788, 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	¼ ¼ Section	Gov't Lot or DLC	Acres (if applicable)	
	18	2	W	WM	10	SW NE DLC 39	14.2
	"	"	"	"	"	NE SE	8.2
	"	"	"	"	"	NW SE	34.5
	"	"	"	"	"	SW SE	4.8
	"	"	"	"	"	SE SE	1.2

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SALEM, OREGON

(continues on reverse side)

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

4. The water right was exercised for the authorized purpose described below (e.g., crops grown):  
Irrigation of pasture land.

The water delivery system used to apply water as authorized by the right is described below:  
An 8" waterline main extends from a pump at the point of diversion through a manufacturing facility on tax lot 900 to the area of use where it is distributed by 2 6" lateral lines.

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]*  
Signature of Affiant

4-16-07  
Date

Signed and sworn to (or affirmed) before me this 16<sup>th</sup> day of APRIL, 2007.

*[Signature]*  
Notary Public for Oregon



My Commission Expires: 4-30-09

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

CONSENT

DATE: April 9, 2007

RECITALS:

A. JAMES A S. SMEJKAL is the owner of Water Rights Certificate No. 32562 concerning property located in Section 10, Township 18 South, Range 2 West, Tax Lot No. 1001, which authorizes 0.79 cubic feet per second for irrigation of 62.9 acres ("Water Rights Certificate No. 32562"); and

B. JAMES A. SMEJKAL desires to consent to the transfer of Water Rights Certificate No. 32562 to NORMAN MCDOUGAL as more particularly set forth hereafter.

CONSENT:

JAMES A. SMEJKAL does hereby consent to the conveyance of water rights to NORMAN MCDOUGAL concerning Water Rights Certificate No. 32562.

*James A. Smejkal by Robert A. Smejkal*  
JAMES A. SMEJKAL by ROBERT A. SMEJKAL, his Attorney in Fact

STATE OF OREGON )  
 ) ss.  
County of Lane )

On this 9<sup>th</sup> day of April, 2007, before me personally appeared ROBERT A. SMEJKAL, personally known to me to be the person whose name is subscribed to the within instrument as the Attorney in Fact of JAMES A. SMEJKAL, and acknowledged that he subscribed the name of JAMES A. SMEJKAL thereto as principal, and his own name as Attorney in Fact.



*Annette Kayser*  
NOTARY PUBLIC FOR OREGON

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MAY 02 2007

WATER RESOURCES DEPT  
SALEM, OREGON

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APR 18 2007

WATER RESOURCES DEPT  
SALEM OREGON

T 10377

LAND PLANNING CONSULTANTS  
1071 HARLOW ROAD  
SPRINGFIELD OR 97477

Phone 541-726-8523

April 30, 2007

Sarah Henderson  
Water Resources Department  
725 Summer Street NE, Ste. A  
Salem, OR 97301-1271

RE: Water Right Transfer Application for Norman McDougal

Dear Sarah,

In response to your letter dated April 19, 2007 and the returned application the revised application that includes the missing items is attached. Also attached is a check for the full \$700 application fee.

You will note that an additional map prepared by the CWRE is included to show both the area where a portion of the existing water rights are to be retained and the area from which the other portion will be transferred. The point of diversion for the retained water right will not be altered.

The aerial photograph submitted was taken in April 2004.

We have not yet received the land use information form from the County. We understand that it must be provided prior to final order.

Thank you for your prompt attention and please feel free to contact me if further information or clarification is needed.

Sincerely,



Mike Evans

cc: McDougal  
Fassbender

**RECEIVED**

MAY 02 2007

WATER RESOURCES DEPT  
SALEM, OREGON

T 10377

STATE OF OREGON  
COUNTY OF LANE  
**CERTIFICATE OF WATER RIGHT**

**This Is to Certify,** That **NATRON PLYWOOD COMPANY**

of P. O. Box 295, Springfield, 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 an unnamed stream

a tributary of Middle Fork of Willamette River (Willamette River) for the purpose of irrigation of 62.9 acres and manufacturing

under Permit No. 25439 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 April 9, 1958

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 0.83 cubic foot per second, being 0.79 c.f.s. for irrigation and 0.04 c.f.s. for manufacturing

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the Lot 2 (NW $\frac{1}{4}$  SW $\frac{1}{4}$ ), Section 10, T. 18 S., R. 2 W., 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 2 $\frac{1}{2}$  acre feet per acre for each acre irrigated during the irrigation season of each year,

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

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

14.2 acres SW $\frac{1}{4}$  NE $\frac{1}{4}$  and manufacturing  
Manufacturing SW $\frac{1}{4}$  NW $\frac{1}{4}$   
Manufacturing SE $\frac{1}{4}$  NW $\frac{1}{4}$   
Manufacturing NE $\frac{1}{4}$  SW $\frac{1}{4}$   
Manufacturing NW $\frac{1}{4}$  SW $\frac{1}{4}$   
8.2 acres NE $\frac{1}{4}$  SE $\frac{1}{4}$   
34.5 acres NW $\frac{1}{4}$  SE $\frac{1}{4}$  and manufacturing  
4.8 acres SW $\frac{1}{4}$  SE $\frac{1}{4}$   
1.2 acres SE $\frac{1}{4}$  SE $\frac{1}{4}$   
Section 10  
T. 18 S., R. 2 W., 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 date. November 17, 1965

CHRIS L. WHEELER

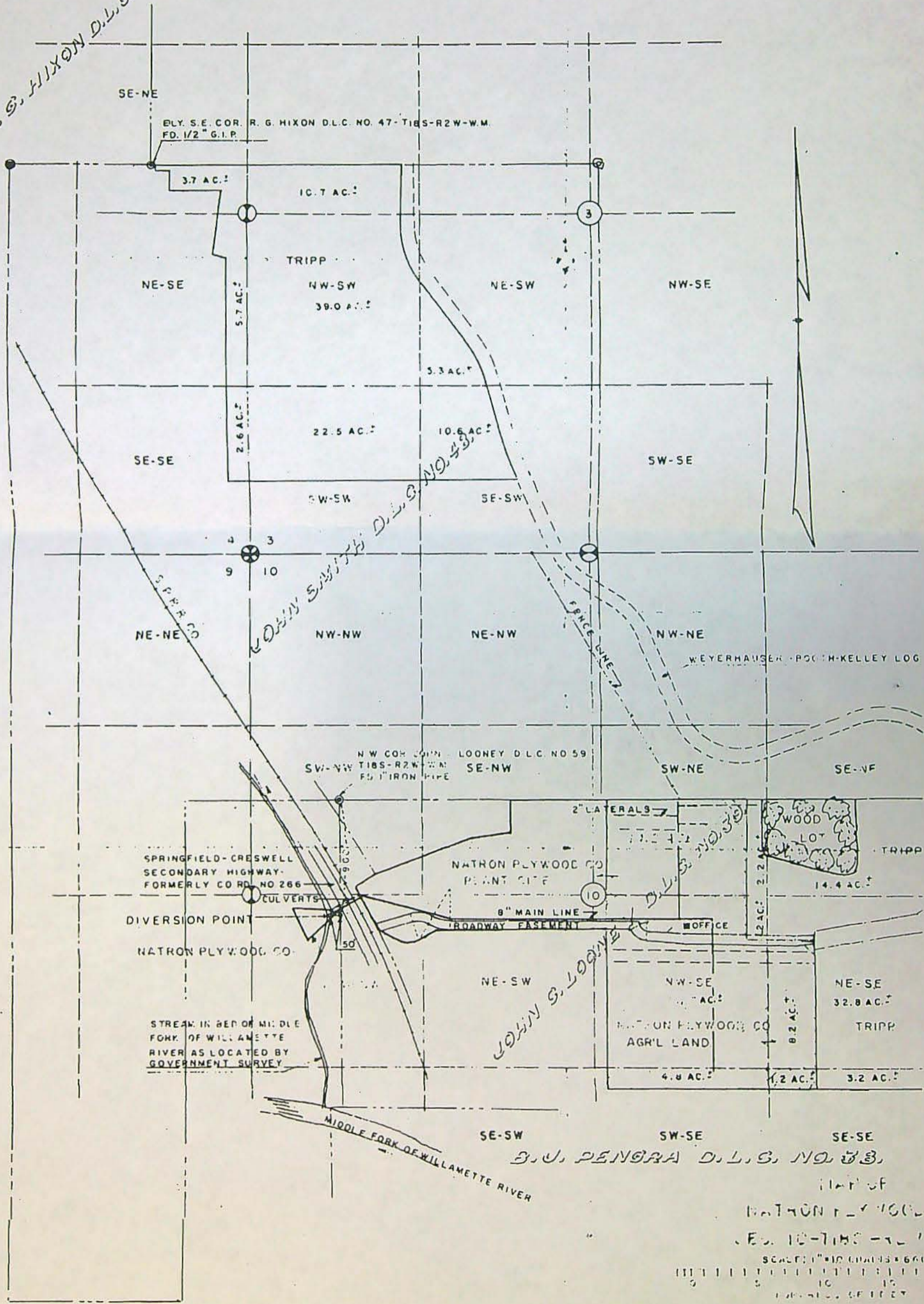
State Engineer

Recorded in State Record of Water Right Certificates, Volume 24, page 32562

VOR  
T-10377

*R. G. HIXON D.L.C. NO. 47*

4



9

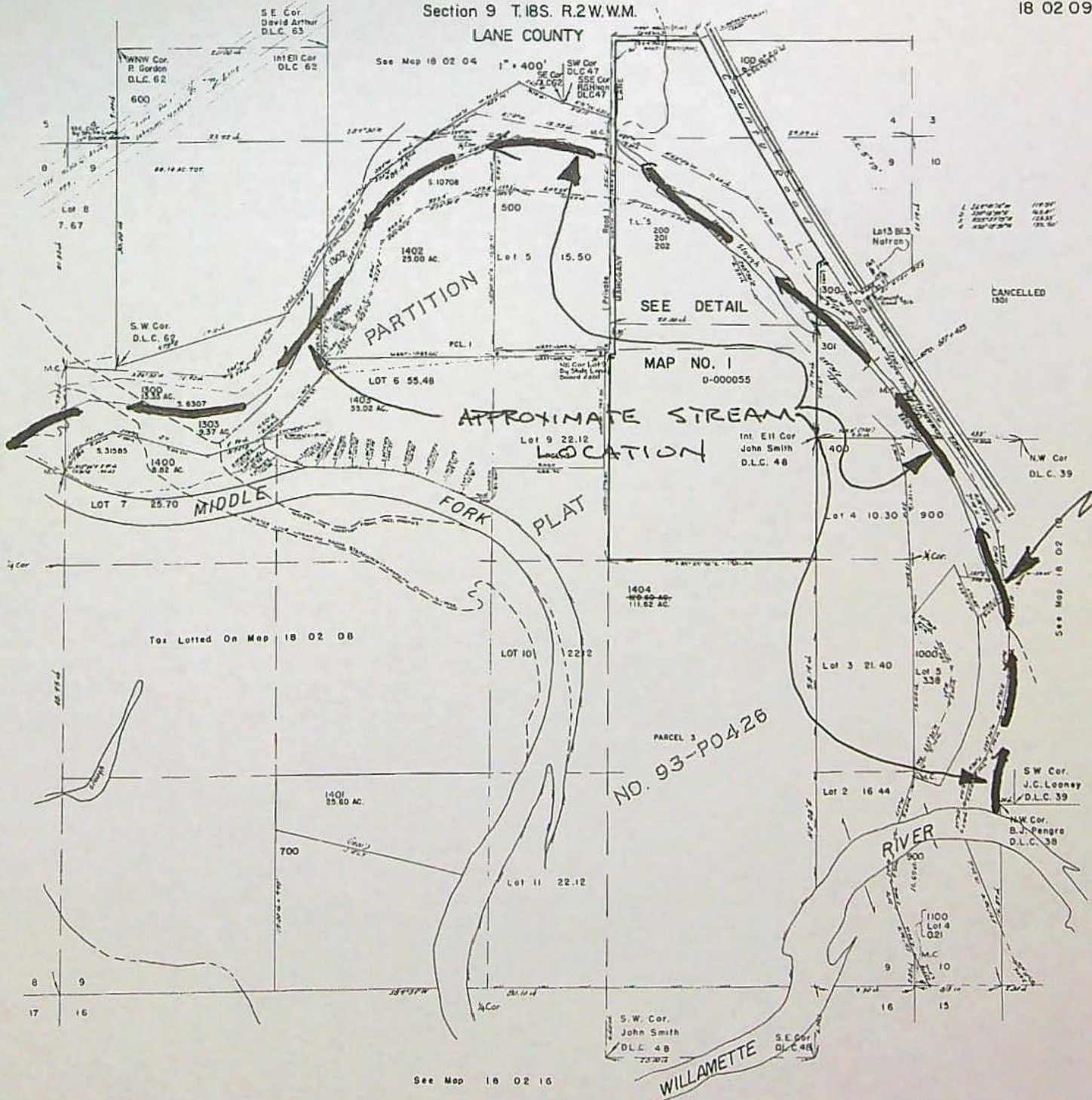
STREAM IN BED OF MIDDLE FORK OF WILLAMETTE RIVER AS LOCATED BY GOVERNMENT SURVEY

MIDDLE FORK OF WILLAMETTE RIVER

*B. U. PENGRA D.L.C. NO. 53*

Map of  
 NATRON PLYWOOD  
 FEB. 10-11-1960  
 SCALE: 1" = 100 FEET  
 10 15  
 FEET

LANE COUNTY

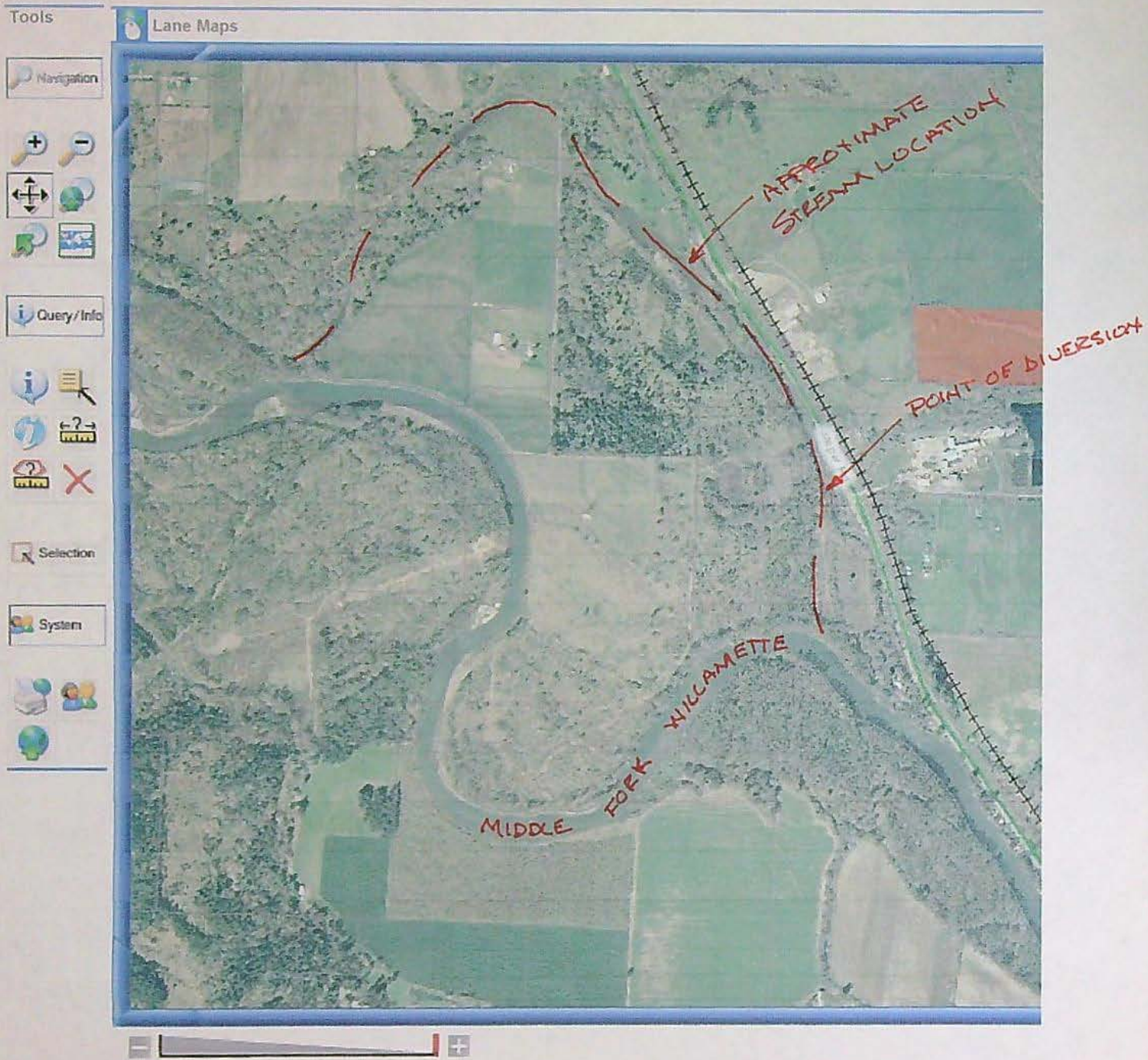


See Map 18 02 08

ZEXISTING POINT OF DIVERSION

PARCEL 3  
NO. 93-PO426

See Map 18 02 16



MAP DATE 2004



# 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 29, 2007

Michael Evans  
1071 Harlow Road  
Springfield, OR 97477

SUBJECT: Application T-10377

Enclosed find a draft of our Preliminary Determination regarding transfer application T-10377. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be DENIED. This draft is intended to provide you with an opportunity to comment on our findings and conclusions should you wish to do so and to withdraw or modify your application to resolve the issues that are prompting our decision to deny the application.

The draft Preliminary Determination proposes to deny the transfer because:

- The transfer proposes to add an additional point of diversion on the Middle Fork Willamette River. The water that is authorized at the existing point of diversion is from an Unnamed Stream, and is not available for diversion 4 miles upstream from the confluence of the Unnamed Stream with the Middle Fork Willamette River. Under OAR 690-380-2110(2), any request for a change in point of diversion is restricted to the same source.
- The transfer application indicates a request to add an "additional" point of diversion on the Middle Fork of the Willamette River for the acres being transferred (meaning that both points of diversion would be used for irrigating these acres). The Map suggests a "change" in point of diversion for these acres.
- The application maps do not meet current mapping standards because they do not include the location of property lines for the property involved in the transfer as required by OAR 690-380-3100(2)(j)".

At this time you have a choice of the following courses of action:

1. Amend the application in such a way that it could be approved (see suggestions below), in which case the Department will issue a revised Preliminary Determination based on the amended application;
2. Instruct the Department to issue the Preliminary Determination consistent with the draft (to deny the application), and protest the determination after the signed Preliminary Determination has been issued; or
3. Withdraw the application and receive a partial refund of the application fee.

The issues that we have identified could be resolved by the following alternatives:

- The diversion can be relocated to a different point on the same Unnamed Stream that is currently authorized, or to a point on the Middle Fork of the Willamette River below the confluence of the unnamed Stream with the Middle Fork of the Willamette River.
- The point of diversion change can be removed from the application, so the application would propose a place of use change only.
- If you elect to amend this transfer and pursue it, please clarify in your response to this letter whether the new point of diversion is an "additional" or a "change" in point of diversion for the acres involved in the transfer.

- Also if you decide to pursue this transfer, you will need to submit a revised map clearly showing the tax lot boundaries as required in OAR 690-380-3100(2)(j), as well as the revised point of diversion location.

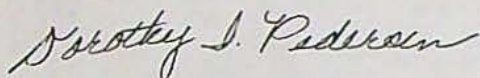
If you want to proceed with your application, at this time you must submit a report of ownership and lien information prepared by a title company within the last three months, as required by OAR 690-380-4010(5). If there are additional lien holders identified in the report that have not previously been 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 lien holder has been informed of the transfer.

Issuance of the Preliminary Determination will occur shortly after we receive both your written response and the report of ownership and lien information. If we do not receive your response and the requested materials by September 28, 2007, a Preliminary Determination may be issued denying the application. You will have an opportunity to protest the Preliminary Determination at that time.

Because the new point of diversion is more than  $\frac{1}{4}$  mile from the authorized point of diversion, the applicant will be responsible for publishing notice of the transfer in a local newspaper having a general circulation in the area of the water right after issuance of the Preliminary Determination. 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.

Please do not hesitate to contact me at 503-986-0890 or [Dorothy.I.PEDERSEN@wrд.state.or.us](mailto:Dorothy.I.PEDERSEN@wrд.state.or.us) if you have questions.

Sincerely,



Dorothy I. Pedersen  
Field Services Division

cc: Michael Mattick, District 2 Watermaster  
Norman McDougal, applicant  
H. Timothy Fassbender – CWRE #047

enc

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

In the Matter of Transfer Application )  
T-10377, Lane County )

**D R A F T**

) PRELIMINARY DETERMINATION  
) PROPOSING DENIAL OF  
) ADDITIONAL POINT OF DIVERSION,  
) AND CHANGE IN PLACE OF USE

**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.

**Applicant**

Norman McDougal  
PO BOX 518  
CRESWELL OR 97426

**Findings of Fact**

**Background**

1. On May 2, 2007, Norman McDougal (Norman McDougal) filed an application to change the place of use, and add an additional point of diversion under Certificate 32562. The Department assigned the application number T-10377.
2. The portion of the right to be transferred is as follows:

**Certificate:** 32562 in the name of Natron Plywood Co. (perfected under Permit S-25439)

**Use:** IRRIGATION OF 62.9 ACRES

**Priority Date:** APRIL 9, 1958

**Rate:** 0.79 CUBIC FOOT PER SECOND

**Limit/Duty:** ONE-EIGHTIETH CFS OR IT EQUIVALENTS FOR EACH ACRE, FOR IRRIGATION NOT TO EXCEED 2 ½ ACRE-FEET PER ACRE DURING THE IRRIGATION SEASON PER YEAR

**Source:** UNNAMED STREAM, tributary to MIDDLE FORK WILLAMETTE RIVER

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	GLot
18 S	2 W	WM	10	NW SW	Lot 2

**Authorized Place of Use:**

Twp	Rng	Mer	Sec	Q-Q	Acres
18 S	2 W	WM	10	SW NE	14.20
18 S	2 W	WM	10	NE SE	8.20
18 S	2 W	WM	10	NW SE	34.50
18 S	2 W	WM	10	SW SE	4.80
18 S	2 W	WM	10	SE SE	1.20

3. Certificate 32562 does not list survey coordinates for the authorized point of diversion, however, mapping for transfer application T-10377 identifies the location of the authorized point of diversion more specifically as being:

Twp	Rng	Mer	Sec	Q-Q	GLot	Survey Coordinates
18 S	2 W	WM	10	NW SW	Lot 2	1008 FEET SOUTH AND 50 FEET WEST OF THE NW CORNER OF DLC 594

4. Application T-10377 proposes to add an additional point of diversion approximately ¼ mile downstream on the unnamed stream and at a point on the Middle Fork of Willamette River upstream 4 miles from the mouth of the unnamed stream :

Twp	Rng	Mer	Sec	Q-Q	GLot	Survey Coordinates
18S	2W	WM	25	SE NW TL 305	Lot 3	2582 FEET SOUTH AND 1219 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 25

5. Application T-10377 also proposes to change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q	Acres
18S	2W	WM	25	SW NE	0.36
18S	2W	WM	25	NE NW	1.14
18S	2W	WM	25	NW NW	16.59
18S	2W	WM	25	SW NW	9.25
18S	2W	WM	25	SE NW	22.92
18S	2W	WM	25	NE SW	6.10
18S	2W	WM	25	NW SE	6.54
Total					62.9

6. Notice of the application for transfer was published on May 8, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
7. The application maps do not meet current mapping standards because they do not include the location of property lines for the property involved in the transfer as required by OAR 690-380-3100(2)(j).
8. Distribution of water for the right after the proposed additional point of diversion would result in regulation of other water rights if the use of the transferred right was maximized.

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

9. Water has been used within the last five years according to the terms and conditions of the right, and there is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610
10. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Application T-10377.
11. Transfer T-10377 proposes an additional point of diversion at a point on the Middle Fork Willamette River that does not have access to the water that is available at the authorized point of diversion. Under OAR 690-380-2110(2), any request for a change in point of diversion is restricted to the same source.
12. The Department is UNABLE to make an affirmative finding that the proposed change would not result in enlargement of the right, because the proposed point of diversion would access a source of water not authorized under the right.
13. The Department is UNABLE to make an affirmative finding that the proposed change would not result in injury to other water rights upstream of the proposed point of diversion, because those rights would become subject to an increased chance of regulation.

**Determination and Proposed Action**

The change in point of appropriation proposed in application T-10377 does NOT appear to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580, and OAR 690-380-5000, because the proposed point of diversion would not access water from the same source. The application will be denied provided that protests are not filed pursuant to OAR 690-380-4030.

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](mailto:Dorothy.I.Pedersen@wrdd.state.or.us).



# 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 05/08/07

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.

County: LANE  
Transfer: 10377  
Water Right: CERT 32562  
Priority Date: 1958  
Name: NORMAN MCDUGAL  
Address: PO BOX 518; CRESWELL OR 97426  
Change: POU/APOD  
Source: UNNAMED STREAM  
Authorized APOD: T18S R2W 10  
Proposed APOD: T18S R2W 25  
Authorized POU: T18S R2W 10  
Proposed POU: T18S R2W 25

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. 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. Comments should be sent to the Transfers Section at the Department's Salem office.



# 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

April 19, 2007

Norman McDougal  
P.O. Box 518  
Cresswell, OR 97426

RE: Water Right Transfer Application

We received your Instream Transfer application and fees of \$488.25 on April 18, 2007. However, the Department has determined that the application is incomplete and needs to be returned for the following reasons:

1. The application fee for a permanent transfer proposing two types of change (place of use and point of diversion) is \$700.00. Additional fees of \$211.75 are due.
2. You need to fill out the following on Supplemental Form A #3 (proposed changes to the water right):
  - a) Survey coordinates for the proposed point of diversion, from a recognized survey corner.
  - b) Listing of the proposed place of use by acreage per quarter quarter.
3. You need to supply the date that the aerial photograph was taken.
4. To meet OAR 690-380-3100 standards, a CWRE map must be submitted, showing the authorized point of diversion and place of use of the right being transferred, as well as the portion of the right that is remaining.
5. You have submitted the receipt for the lands use information endorsed by Lane County. This will suffice at the time the transfer application is filed, however, before the Department can issue a final order for the transfer, we will need to have the second page of the land use information form signed by the proper land use official, indicating that the proposed change is consistent with local land use plans.

Please re-submit the application once you have fixed the items described above.

If you have any questions please call Sarah at 503-986-0883 or Dorothy Pedersen at (503) 986-0890.

Sincerely,

402 Sarah Henderson

cc: Michael Mattick, Watermaster #2  
Michael Evans, applicant's agent  
H. Timothy Fassbender, CWRE #047

Enclosures

**RECEIVED**

MAY 02 2007

WATER RESOURCES DEPT  
SALEM, OREGON

T 10377

# MEMO

Date: August 7, 2007

To: T-10377 file

From: Dorothy Pedersen

RE: Mike Evans phoned to request permission to use a 1" to 800' scale for the revised map for T-10377. He indicated that the 1" to 1320' scale did not allow for sufficient detail to show property boundaries in the area of the transfer, however, at a scale of 1" to 400', the map would need to be oversized. A scale of 1" to 800' would allow sufficient detail in a map of standard 8½" x 11" size.

I gave tentative verbal approval to submit the map at that scale for review. If it is not satisfactory, then Mike will have the CWRE prepare a map at the standard scale, but oversized.

LAND PLANNING CONSULTANTS  
1071 HARLOW ROAD  
SPRINGFIELD OR 97477

Phone 541-726-8523

August 9, 2007

Dorothy I. Pedersen  
Field Services Division  
Oregon Water Resources Dept.  
North Mall Office Bldg.  
725 Summer Street N.E., Ste A  
Salem, OR 97301-1266

RE: Application T-10377

Dear Ms. Pedersen,

I sent a letter on July 2, 2007 that responded to the main issue discussed in your June 29, 2007 preliminary determination.

Enclosed are two additional items required in your letter:

1. A lien report dated August 3, 2007 from Fidelity National Title Company listing the ownership for the property where the water rights currently exist, and
2. A revised map showing the tax lot boundaries on the property where the water rights are proposed to be transferred. The map is the original 1320'=1 inch scale map enlarged to 800'=1 inch with tax lot boundaries shown. This scale, rather than 400'=1 inch was used to fit on an 8 1/2" x 11" size sheet. As we discussed by phone we're asking that this scale map be accepted for your initial permit processing.

I've also enclosed a copy of the County approved Land Use Information form.

Thank you for your assistance. Please contact me if you need any additional information.

Sincerely,



Mike Evans

**RECEIVED**  
AUG 13 2007  
WATER RESOURCES DEPT  
SALEM, OREGON

Please Return by  
6-5-07

Oregon Department of Fish and Wildlife  
Water Right and Diversion Transfer Comment Form

(ODFW provides to WRD so that WRD can make findings according to statutory requirements.)

Reference Transfer #: 10377

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

RECEIVED

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

SEP 26 2007  
WATERRESOURCESDEPT  
SALEM OREGON

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.

Erik R. Moberly  
Signature

Erik R. Moberly  
Printed Name

Assistant District Fish Biologist  
Title

(541 ) 726-3515 x 28  
Phone

**RECEIVED**

SEP 26 2007

WATER RESOURCES DEPT  
SALEM OREGON

**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 # 10377

**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: Erik R. Moberly  
Address: 3150 Main St.  
City/State/Zip: Springfield, Or. 97478  
Phone: (541) 726-3515 x 28

- 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: ( ) \_\_\_\_\_



# 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

October 1, 2007

Mike Evans  
Land Planning Consultants  
1071 Harlow Road  
Springfield, OR 97477

SUBJECT: Application T-10377

Enclosed find a revised draft of our Preliminary Determination regarding transfer application T-10377. 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 the Oregon Department of Fish and Wildlife has requested a fish screen and/or by-pass device at the new diversion point. Also, based on the transfer application, the document has been drafted to propose approval of an ADDITIONAL point of diversion for the transferred portion of the right, meaning that you will be "proving up on" use of both the authorized and the new points of diversion for the portion of the right at the new location. If your intent is to use only the proposed point of diversion for this portion of the right, and to use the current authorized POD only for the portion of the right that is not being transferred, **please respond to clarify that.**

Because the new point of diversion is 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.

Issuance of the Preliminary Determination will occur shortly after we receive your response. If we do not receive your response by November 1, 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@wr.d.state.or.us](mailto:Dorothy.I.PEDERSEN@wr.d.state.or.us) if you have questions.

Sincerely,

Dorothy I. Pedersen  
Field Services Division

cc: Michael Mattick, District #2 Watermaster  
Norman McDougal

enc

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

In the Matter of Transfer Application )  
T-10377, Lane County )

**D R A F T** (revised)  
PRELIMINARY DETERMINATION  
PROPOSING APPROVAL OF AN  
ADDITIONAL POINT OF DIVERSION  
AND CHANGE IN PLACE OF USE

**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.

**Applicant**

Norman McDougal  
PO BOX 518  
CRESWELL OR 97426

**Findings of Fact**

**Background**

1. On May 2, 2007, Norman McDougal filed an application to change the place of use, and add an additional point of diversion under Certificate 32562. The Department assigned the application number T-10377.

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

**Certificate:** 32562 in the name of Natron Plywood Co. (perfected under Permit S-25439)

**Use:** IRRIGATION OF 62.9 ACRES

**Priority Date:** APRIL 9, 1958

**Rate:** 0.79 CUBIC FOOT PER SECOND

**Limit/Duty:** ONE-EIGHTIETH CFS OR IT EQILALENTS FOR EACH ACRE, FOR IRRIGATION NOT TO EXCEED 2 ½ ACRE-FEET PER ACRE DURING THE IRRIGATION SEASON PER YEAR

**Source:** UNNAMED STREAM, tributary to MIDDLE FORK WILLAMETTE RIVER

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	GLot
18 S	2 W	WM	10	NW SW	Lot 2

**Authorized Place of Use:**

Twp	Rng	Mer	Sec	Q-Q	Acres
18 S	2 W	WM	10	SW NE	14.20
18 S	2 W	WM	10	NE SE	8.20
18 S	2 W	WM	10	NW SE	34.50
18 S	2 W	WM	10	SW SE	4.80
18 S	2 W	WM	10	SE SE	1.20

3. Certificate 32562 does not list survey coordinates for the authorized point of diversion, however, application map for the transfer T-10377 identifies the location of the authorized point of diversion more specifically as being:

Twp	Rng	Mer	Sec	Q-Q	GLot	Survey Coordinates
18 S	2 W	WM	10	NW SW	Lot 2	1008 FEET SOUTH AND 50 FEET WEST OF THE NW CORNER OF DLC 594

4. Application T-10377 proposes to add an additional point of diversion approximately upstream 4 miles to a point on the Middle Fork of Willamette River located:

Twp	Rng	Mer	Sec	Q-Q	GLot	Survey Coordinates
18S	2W	WM	25	SE NW TL 305	Lot 3	2582 FEET SOUTH AND 1219 FEET WEST FROM THE NORTH ¼ CORNER OF SECTION 25

5. Application T-10377 also proposes to change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q	Acres
18S	2W	WM	25	SW NE	0.36
18S	2W	WM	25	NE NW	1.14
18S	2W	WM	25	NW NW	16.59
18S	2W	WM	25	SW NW	9.25
18S	2W	WM	25	SE NW	22.92
18S	2W	WM	25	NE SW	6.10
18S	2W	WM	25	NW SE	6.54
				Total	62.9

6. Notice of the application for transfer was published on May 8, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
7. 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.
8. On June 29, 2007, the Department mailed a copy of the draft Preliminary Determination proposing to deny Transfer Application T-10377 to the applicant. The draft Preliminary Determination set forth a deadline of September 28, 2007, for the applicant to respond. Mike Evans, the applicant's agent, responded by submitting an assessor map and an aerial photo indicating the unnamed stream described in the application is a side channel of the Middle

Fork of Willamette River. Mr. Evans alleged the proposed point of diversion will secure water from the same source as the authorized point of diversion and requested that the Department reconsider the determination, and he provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

9. The application original maps did not meet current mapping standards because they do not include the location of property lines for the property involved in the transfer as required by OAR 690-380-3100(2)(j). The applicant's agent provided new maps correcting this deficiency.
10. The Department investigated the source of the unnamed stream and found it to be the Middle Fork of the Willamette River. The authorized point of diversion is on a small side channel of the river rather than on a separate tributary to the river, therefore confirming that the authorized and proposed points of diversion would take water from the same source.

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

11. Water has been used within the last five years according to the terms and conditions of the right, and there is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
12. The proposed change would not result in enlargement of the right.

**Determination and Proposed Action**

The changes in place of use and addition of a point of diversion proposed in application T-10377 appear to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

*If application T-10377 is approved, the final order will include the following:*

1. *The changes in place of use and addition of a point of diversion proposed in application T-10377 are approved.*
2. *Water right certificate 32562 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer*
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 Certificate 32562 and any related decree.*
4. *The quantity of water diverted at the new point of diversion, together with that diverted at the original point of diversion, shall not exceed the quantity of water lawfully available at the original point of diversion.*
5. *The former place of use of the transferred right shall no longer receive water under the right.*

6. *When required by the Department, the water user shall install, maintain and operate an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.*
7. *When required by the Department, the water user shall install, maintain and operate a headgate to control and regulate the quantity of water diverted. The type and plans of the headgate must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.*
8. *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.*
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, a new certificate confirming the right transferred will be issued.*

Dated at Salem, Oregon this \_\_\_\_\_ day of \_\_\_\_\_ 2007.

**D R A F T**

\_\_\_\_\_  
Phillip C. Ward, Director

This revised 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](mailto:Dorothy.I.Pedersen@wrdd.state.or.us).

**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 # 10377

**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: Erik R. Moberly

Address: 3150 Main St.

City/State/Zip: Springfield, Or. 97478

Phone: (541) 726-3515 x 28

- 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: ( ) \_\_\_\_\_

Application

- yes  The type of change is clearly indicated. *All most.*
- 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) No Tax*
- Ditch company, district and/or BOR, sent a copy of the application and map, if appropriate. *N/A*
- 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. *N/A*

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.
- yes  Have final proof maps/decree maps for the rights.  Application map matches certificate FPS.
- Have necessary aerial photos. *Tax lot Boundaries Not on MAP*

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. *NO*
- 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. *yes*
- 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)

- |  |   |   |   |   |
|--|---|---|---|---|
| <input checked="" type="checkbox"/> application complete | <input type="checkbox"/> map                    | <input checked="" type="checkbox"/> FPS | <input checked="" type="checkbox"/> evidence of use | <input checked="" type="checkbox"/> land-use form |
| <input type="checkbox"/> deed/ROLI                       | <input checked="" type="checkbox"/> certificate | <input type="checkbox"/> fees paid      | <input type="checkbox"/> well logs                  | <input checked="" type="checkbox"/> plat card     |
| <input type="checkbox"/> audit                           | <input type="checkbox"/> 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 -

**RECEIVED**

SEP 21 2007

WATER RESOURCES DEPT  
 SALEM, OREGON

## Dorothy Pedersen

---

**From:** Dorothy Pedersen  
**Sent:** Monday, October 01, 2007 8:27 AM  
**To:** 'landplancon@comcast.net'  
**Subject:** Revised draft preliminary determination for T-10377

**Attachments:** 10377-dpd(revised)-cov.doc; 10377-dpd(revised)-approve.doc



10377-dpd(revised)10377-dpd(revised)  
-cov.doc (30... -approve.doc...

Mike,

The Oregon Water Resources Department is issuing a revised draft preliminary determination for T-10377 (Norman McDougal). I have attached the draft and cover letter to this email message, in addition to putting it in the mail.

Please review the document and cover letter carefully and respond to clarify whether the transferred portion of the right will be using BOTH the authorized and proposed points of diversion, or ONLY the PROPOSED point of diversion. In addition, please let us know if you see any errors in the document or have any questions about the findings or proposed action.

Once we receive a response from you or the applicant we will shortly issue the signed Preliminary Determination, and send you a copy of the notice that will need to be published in the newspaper.

Thank you,  
Dorothy

Dorothy I. Pedersen  
Field Services Division  
Oregon Water Resources Department  
Dorothy.I.PEDERSEN@wrdd.state.or.us  
503-986-0890

## Dorothy Pedersen

---

**From:** Geri Betz [landplancon@comcast.net]  
**Sent:** Tuesday, October 09, 2007 9:05 AM  
**To:** Dorothy Pedersen  
**Subject:** Re: T-10377 Preliminary Determination

Dorothy,

Thanks for the draft - It looks great - sorry about my type-o on the DLC.

Mike

----- Original Message -----

**From:** "Dorothy Pedersen" <pedersdi@wrд.state.or.us>  
**To:** <landplancon@comcast.net>  
**Sent:** Monday, October 08, 2007 10:50 AM  
**Subject:** T-10377 Preliminary Determination

Mike,

Attached is the proposed Preliminary Determination document. I have highlighted areas with some change from the revised draft that was sent to you October 1.

The document is currently being peer reviewed in preparation for signature. I expect that the document will be signed by the end of the week.

Let me know in the next few days if you have comments.

Thank you,  
Dorothy

Dorothy I. Pedersen  
Field Services Division  
Oregon Water Resources Department  
Dorothy.I.PEDERSEN@wrд.state.or.us  
503-986-0890

STATE OF OREGON  
COUNTY OF LANE  
**CERTIFICATE OF WATER RIGHT**

**This Is to Certify, That NATRON PLYWOOD COMPANY**

of P. O. Box 295, Springfield, 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 an unnamed stream

a tributary of Middle Fork of Willamette River (Willamette River) for the purpose of irrigation of 62.9 acres and manufacturing

under Permit No. 25439 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 April 9, 1958

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 0.83 cubic foot per second, being 0.79 c.f.s. for irrigation and 0.04 c.f.s. for manufacturing

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the Lot 2 (NW $\frac{1}{4}$  SW $\frac{1}{4}$ ), Section 10, T. 18 S., R. 2 W., 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 2 $\frac{1}{2}$  acre feet per acre for each acre irrigated during the irrigation season of each year,

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

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

14.2 acres SW $\frac{1}{4}$  NE $\frac{1}{4}$  and manufacturing  
Manufacturing SW $\frac{1}{4}$  NW $\frac{1}{4}$   
Manufacturing SE $\frac{1}{4}$  NW $\frac{1}{4}$   
Manufacturing NE $\frac{1}{4}$  SW $\frac{1}{4}$   
Manufacturing NW $\frac{1}{4}$  SW $\frac{1}{4}$   
8.2 acres NE $\frac{1}{4}$  SE $\frac{1}{4}$   
34.5 acres NW $\frac{1}{4}$  SE $\frac{1}{4}$  and manufacturing  
4.8 acres SW $\frac{1}{4}$  SE $\frac{1}{4}$   
1.2 acres SE $\frac{1}{4}$  SE $\frac{1}{4}$   
Section 10  
T. 18 S., R. 2 W., 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 date. November 17, 1965

.....CHRIS L. WHEELER.....  
State Engineer



# 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

December 21, 2007

NORMAN MCDUGAL  
PO BOX 518  
CRESWELL OR 97426

Reference: Transfer 10377

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,

*Sarah Henderson*

*for* Doug Parrow  
Natural Resource Specialist

DP:sh

cc: Watermaster #2  
H. Timothy Fassbender, CWRE  
James Smejkal  
Natron Plywood Co.  
Michael Evans, Agent

Enclosure

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

In the Matter of Transfer Application            )     FINAL ORDER APROVING A  
T-10377, Lane County                            )     CHANGE IN POINT OF DIVERSION  
  )     AND A CHANGE IN PLACE OF USE

**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.

**Applicant**

Norman McDougal  
P.O. Box 518  
Creswell, Oregon 97426

**Findings of Fact**

**Background**

1. On May 2, 2007, Norman McDougal filed an application to change the place of use, and add an additional point of diversion under Certificate 32562. The Department assigned the application number T-10377.
2. On October 1, 2007, Mike Evans, agent for the applicant, clarified by email that the proposal is a change in point of diversion for the transferred portion of the right, rather than an additional point of diversion.
3. The portion of the right to be transferred is as follows:

**Certificate:** 32562 in the name of Natron Plywood Co. (perfected under Permit S-25439)

**Use:** Irrigation of 62.9 acres

**Priority Date:** April 9, 1958

**Rate:** 0.79 cubic foot per second (cfs)

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 of one cfs per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2½ acre-feet per acre for each acre irrigated during the irrigation season of each year

**Source:** An unnamed stream, a tributary of the Middle Fork Willamette River

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	GLot
18 S	2 W	WM	10	NW SW	Lot 2

**Authorized Place of Use:**

Twp	Rng	Mer	Sec	Q-Q	Acres
18 S	2 W	WM	10	SW NE	14.20
18 S	2 W	WM	10	NE SE	8.20
18 S	2 W	WM	10	NW SE	34.50
18 S	2 W	WM	10	SW SE	4.80
18 S	2 W	WM	10	SE SE	1.20

4. Certificate 32562 does not list survey coordinates for the authorized point of diversion, however, the application map for Transfer Application T-10377 identifies the location of the authorized point of diversion more specifically as being:

Twp	Rng	Mer	Sec	Q-Q	GLot	Survey Coordinates
18 S	2 W	WM	10	NW SW	Lot 2	1008 FEET SOUTH AND 50 FEET WEST OF THE NW CORNER OF DLC 39

5. Application T-10377 proposes to change the point of diversion upstream approximately 4 miles to a point on the Middle Fork of Willamette River located:

Twp	Rng	Mer	Sec	Q-Q	GLot	Tax Lot	Survey Coordinates
18S	2W	WM	25	SE NW	Lot 3	305	2582 FEET SOUTH AND 1219 FEET WEST FROM THE N¼ CORNER OF SECTION 25

6. Application T-10377 also proposes to change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q	Acres
18S	2W	WM	25	SW NE	0.36
18S	2W	WM	25	NE NW	1.14
18S	2W	WM	25	NW NW	16.59
18S	2W	WM	25	SW NW	9.25
18S	2W	WM	25	SE NW	22.92
18S	2W	WM	25	NE SW	6.10
18S	2W	WM	25	NW SE	6.54
Total					62.90

7. Notice of the application for transfer was published on May 8, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.

8. 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.
9. On June 29, 2007, the Department mailed a copy of the Preliminary Determination proposing to deny Transfer Application T-10377 to the applicant. The Preliminary Determination set forth a deadline of September 28, 2007, for the applicant to respond. Mike Evans, the applicant's agent, responded by submitting an assessor map and an aerial photo indicating the unnamed stream described in the application is a side channel of the Middle Fork of Willamette River. Mr. Evans alleged the proposed point of diversion will secure water from the same source as the authorized point of diversion and requested that the Department reconsider the determination, and he provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
10. The application original maps did not meet current mapping standards because they did not include the location of property lines for the property involved in the transfer as required by OAR 690-380-3100(2)(j). The applicant's agent provided new maps correcting this deficiency.
11. The Department investigated the source of the unnamed stream and found it to be the Middle Fork of the Willamette River. The authorized point of diversion is on a small side channel of the river rather than on a separate tributary to the river, therefore confirming that the authorized and proposed points of diversion would take water from the same source.
12. On October 1, 2007, the Department mailed a copy of the revised draft Preliminary Determination proposing to approve Transfer Application T-10377 to the applicant. The revised draft Preliminary Determination set forth a deadline of November 1, 2007, for the applicant to respond. The applicant's agent requested that the Department proceed with issuance of a Preliminary Determination and clarified that the proposed point of diversion is a change, rather than an additional point of diversion for the transferred portion of the right, and that the place of use of the manufacturing water use under the remaining portion of the right will not be changed by the action of this transfer. The agent also requested minor clerical corrections from the draft.
13. On October 17, 2007, the Department issued a Preliminary Determination proposing to approve Transfer T-10377 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 October 23, 2007, and in The Register-Guard newspaper on October 25, November 1 and November 8, 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)]*

14. Water has been used within the last five years according to the terms and conditions of the right, and there is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
15. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Application T-10377.
16. The proposed changes would not result in enlargement of the right.
17. The proposed changes would not result in injury to other water rights.

**Conclusions of Law**

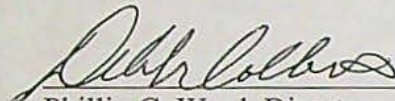
The changes in place of use and point of diversion proposed in application T-10377 are consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000.

**Now, therefore, it is ORDERED:**

1. The changes in place of use and point of diversion proposed in application T-10377 are approved.
2. Water right certificate 32562 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.
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 Certificate 32562 and any related decree.
4. The quantity of water diverted at the new point of diversion shall not exceed the quantity of water lawfully available at the original point of diversion.
5. The former place of use for irrigation shall no longer receive water under this transferred portion of the right.
6. When required by the Department, the water user shall install, maintain and operate an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
7. When required by the Department, the water user shall install, maintain and operate a headgate to control and regulate the quantity of water diverted. The type and plans of the headgate must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

8. 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.
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, a new certificate confirming the right transferred will be issued.

Dated at Salem, Oregon this 20 day of December 2007.

  
Phillip C. Ward, Director

Mailing date: DEC 24 2007

STATE OF OREGON

COUNTY OF LANE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

NATRON PLYWOOD CO.  
P.O. BOX 295  
SPRINGFIELD, OREGON 97477

confirms the right to use the waters of AN UNNAMED STREAM, a tributary of the MIDDLE FORK WILLAMETTE RIVER, for MANUFACTURING.

This right was perfected under Permit S-25439. The date of priority is APRIL 9, 1958. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.04 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	GLot
18 S	2 W	WM	10	NW SW	2

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

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

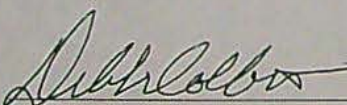
MANUFACTURING				
Twp	Rng	Mer	Sec	Q-Q
18 S	2 W	WM	10	SW NE
18 S	2 W	WM	10	SW NW
18 S	2 W	WM	10	SE NW
18 S	2 W	WM	10	NE SW
18 S	2 W	WM	10	NW SW
18 S	2 W	WM	10	NW SE

This certificate describes that portion of the water right confirmed by Certificate 32562, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered DEC 20 2007, approving Transfer Application T-10377.

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 DEC 20 2007.

  
Phillip C. Ward, Director

### Water Right Transfer Checklist

Transfer T-10377

Transfer Specialist: RA

Transfer Type: REGULAR

Applicant Name/Address: Norma McDougal; PO Box 518; Creswell, OR 97426

Agent Name/Address: Michael Evans; 1071 Harlow Rd; Springfield, OR 97477

CWRE Name/Number: H. Timothy Fassbender #047

Rec Landowner Name/Address: Current LO; James Smejkal; PO Box 2114; Jasper, OR 97438

Irr. District Name/Address: NONE

Affected Gov'ts Name/Address: Lane County; 125 East 8<sup>th</sup> Avenue; Eugene, OR 97401

Commentors: Name/Address: NONE

**Water Rights Affected**

Records Marked	Records Copied	App File No. or Decree Name	Permit No.	Certificate No.	RR/CR Needed	RR/CR Nos.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	S-32248	S-25439	32562	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	83599
<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	

**Key Dates & Initial Actions**

Rec'd: <u>05/02/07</u>	Proposed Action(s): POU POD HST APOD USE OTHER: POU/APOD	
Fees Pd: <u>700.00</u>	WM District: <u>2</u>	ODFW District: <u>Jeff Ziller</u>
Initial Notice: <u>05/08/07</u>	WM Review sent: <u>05/07/07</u>	ODFW Review sent: <u>05/07/07</u>
Acknowledgement Letter Sent <input checked="" type="checkbox"/>	GW Review sent: <u>NA</u>	

**Processing Dates & Actions**

Deficiency Contacts: NA

Newspaper Pub Affid Due: \_\_\_\_\_

not required

DPD Mailed: 4/29/07

Affid of Pub Rec'd: 11/13/07

ODFW contact sheet sent with DPD, or  N/A

Last Day Published: 1/18/07

PD Mailed: \_\_\_\_\_

Affidavit Reminder Sent: \_\_\_\_\_

PD Weekly Notice: \_\_\_\_\_

Reminder Deadline: \_\_\_\_\_

**Preliminary Determination**

Electronic Files uploaded

Preliminary Determination

PD Cover letter

Fee Refund Due

PD Notice

Remaining Rights

File Assigned/ ModPod updated

DPD Review (Optional)	PD Review (Salem)	Final Order Review (Salem)
Reviewer: _____	Reviewer: <u>PKS</u>	Reviewer: <u>Ken Darden</u>
Date: _____	Date: <u>10/9/07</u>	Date: <u>12/19/07</u>
Coordinator: _____	Coordinator: <u>JSP</u>	Coordinator: <u>JSP</u>
Date: _____	Date: <u>10/19/07</u>	Date: <u>12/19/07</u>

Comments/Special Issues:

Reimbursement Authority

POD moving upstream to another channel of the same river source that separates, then rejoins the river.

*The original POD is on a channel*

Special Order Volume: Vol 73 Pages 821

Final Order Signature Date: 12-20-07

Notice of FO email'd to processors dorothy

# GUARD PUBLISHING COMPANY

P.O. BOX 10188 PHONE (541) 485-1234  
EUGENE, OREGON 97440

Legal Notice 9965761

## Legal Notice Advertising

WATER RESOURCES DEPARTMENT  
NORTH MALL OFFICE BUILDING  
DOROTHY PEDERSEN  
725 SUMMER STREET NE, SUITE A  
SALEM, OR 97301-1266

**RECEIVED**

NOV 13 2007

**WATER RESOURCES DEPT  
SALEM, OREGON**

#

### AFFIDAVIT OF PUBLICATION

STATE OF OREGON, }  
COUNTY OF LANE, } ss.

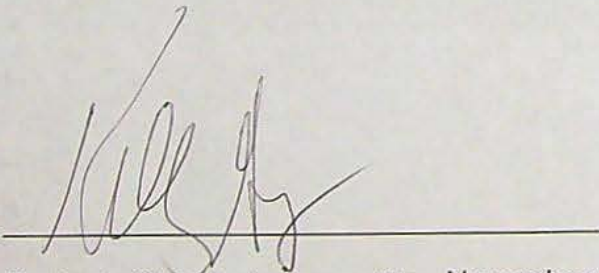
I, **Kelly Gant**, being first duly affirmed, depose and say that I am the Advertising Manager, or his principal clerk, of The Register-Guard, a newspaper of general circulation as defined in ORS 193.010 and 193.020; published at Eugene in the aforesaid county and state; that the **Public Notice** printed copy of which is hereto annexed, was published in the entire issue of said newspaper for **three** successive and consecutive **Weeks(s)** in the following issues:

**October 25, November 1, November 8, 2007**

Notice of Preliminary Determination for Water Right Transfer T-10377 T-10377 filed by Norman McDougal, P.O. Box 518, Creswell, OR 97426, proposes change the point of diversion and the place of use for a portion of Certificate 32562. The right allows the use of 0.79 cfs (priority date April 9, 1958) from a diversion in Sec. 10, T 18 S, R 2 W, W.M. (Willamette River Basin) for irrigation in Sec. 10. The applicant proposes to move the point of diversion from an unnamed stream (small side channel of the Middle Fork of the Willamette River) to another location on the Middle Fork Willamette River approximately 4 miles upstream (Sec. 25, T 18 S, R 2 W, W.M.); and to change the place of use to Sec. 25, T 18 S, R 2 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 November 8, 2007. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

No. 9965761 - November 8, 2007



Subscribed and affirmed to before me this **November 08, 2007**

Babs Ford  
Notary Public of Oregon

*Pd Noticed*  
*10-23-07*  
*Affid of Pub due 11/26*  
*FO due 12/8*

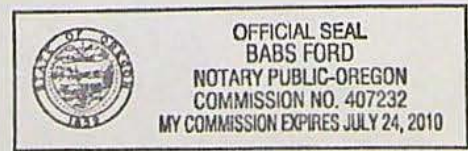
My commission expires: July 24, 2010

Account #: **74278247**

INVOICE **9965761**

Case: **Water Right Transfer T-10377**

Amt Due: **\$286.56**





# 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

October 11, 2007

Michael Evans  
Land Planning Consultants  
1071 Harlow Road  
Springfield, OR 97477

SUBJECT: Transfer Application T-10377

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-10377. 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 the new point of diversion is more than ¼ 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 request the newspaper to prepare and mail an original *affidavit of publication* to the Department to me at the address above, by **November 26, 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 Pedersen  
Field Services Division

cc: Michael Mattick District #2 Watermaster  
Applicant: Norman McDougal  
CWRE: H. Timothy Fassbender

encs

BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE  
STATE OF OREGON

In the Matter of Transfer Application            )  
T-10377, Lane County                            )  
  )  
  )    PRELIMINARY DETERMINATION  
  )    PROPOSING APPROVAL OF A  
  )    CHANGE IN POINT OF DIVERSION  
  )    AND A CHANGE IN PLACE OF USE

**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.

**Applicant**

Norman McDougal  
P.O. Box 518  
Creswell, Oregon 97426

**Findings of Fact**

*Background*

1. On May 2, 2007, Norman McDougal filed an application to change the place of use, and add an additional point of diversion under Certificate 32562. The Department assigned the application number T-10377.
2. On October 1, 2007, Mike Evans, agent for the applicant, clarified by email that the proposal is a change in point of diversion for the transferred portion of the right, rather than an additional point of diversion.

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

**Certificate:** 32562 in the name of Natron Plywood Co. (perfected under Permit S-25439)

**Use:** Irrigation of 62.9 acres

**Priority Date:** April 9, 1958

**Rate:** 0.79 cubic foot per second (cfs)

**Limit/Duty:** One-eightieth of one cfs per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2½ acre-feet per acre for each acre irrigated during the irrigation season of each year

**Source:** An unnamed stream, a tributary of the Middle Fork Willamette River

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.

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	GLot
18 S	2 W	WM	10	NW SW	Lot 2

**Authorized Place of Use:**

Twp	Rng	Mer	Sec	Q-Q	Acres
18 S	2 W	WM	10	SW NE	14.20
18 S	2 W	WM	10	NE SE	8.20
18 S	2 W	WM	10	NW SE	34.50
18 S	2 W	WM	10	SW SE	4.80
18 S	2 W	WM	10	SE SE	1.20

4. Certificate 32562 does not list survey coordinates for the authorized point of diversion, however, the application map for Transfer Application T-10377 identifies the location of the authorized point of diversion more specifically as being:

Twp	Rng	Mer	Sec	Q-Q	GLot	Survey Coordinates
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6. Application T-10377 also proposes to change the place of use of the right to:

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18S	2W	WM	25	SW NE	0.36
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18S	2W	WM	25	SW NW	9.25
18S	2W	WM	25	SE NW	22.92
18S	2W	WM	25	NE SW	6.10
18S	2W	WM	25	NW SE	6.54
Total					62.90

7. Notice of the application for transfer was published on May 8, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
8. 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.

9. On June 29, 2007, the Department mailed a copy of the Preliminary Determination proposing to deny Transfer Application T-10377 to the applicant. The Preliminary Determination set forth a deadline of September 28, 2007, for the applicant to respond. Mike Evans, the applicant's agent, responded by submitting an assessor map and an aerial photo indicating the unnamed stream described in the application is a side channel of the Middle Fork of Willamette River. Mr. Evans alleged the proposed point of diversion will secure water from the same source as the authorized point of diversion and requested that the Department reconsider the determination, and he provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
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11. The Department investigated the source of the unnamed stream and found it to be the Middle Fork of the Willamette River. The authorized point of diversion is on a small side channel of the river rather than on a separate tributary to the river, therefore confirming that the authorized and proposed points of diversion would take water from the same source.
12. On October 1, 2007, the Department mailed a copy of the revised draft Preliminary Determination proposing to approve Transfer Application T-10377 to the applicant. The revised draft Preliminary Determination set forth a deadline of November 1, 2007, for the applicant to respond. The applicant's agent requested that the Department proceed with issuance of a Preliminary Determination and clarified that the proposed point of diversion is a change, rather than an additional point of diversion for the transferred portion of the right, and that the place of use of the manufacturing water use under the remaining portion of the right will not be changed by the action of this transfer. The agent also requested minor clerical corrections from the draft.

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

13. Water has been used within the last five years according to the terms and conditions of the right, and there is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
14. The proposed changes would not result in enlargement of the right.
15. The proposed changes would not result in injury to other water rights.

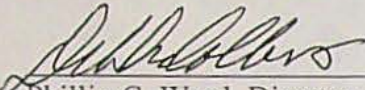
**Determination and Proposed Action**

The changes in place of use and point of diversion proposed in application T-10377 appear to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

*If application T-10377 is approved, the final order will include the following:*

1. *The changes in place of use and point of diversion proposed in application T-10377 are approved.*
2. *Water right certificate 32562 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.*
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 Certificate 32562 and any related decree.*
4. *The quantity of water diverted at the new point of diversion shall not exceed the quantity of water lawfully available at the original point of diversion.*
5. *The former place of use for irrigation shall no longer receive water under this transferred portion of the right.*
6. *When required by the Department, the water user shall install, maintain and operate an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.*
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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, a new certificate confirming the right transferred will be issued.*

Dated at Salem, Oregon this 17 day of October 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@wrд.state.or.us](mailto:Dorothy.I.Pedersen@wrд.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-10377**

T-10377 filed by Norman McDougal, P.O. Box 518, Creswell, OR 97426, proposes change the point of diversion and the place of use for a portion of Certificate 32562. The right allows the use of 0.79 cfs (priority date April 9, 1958) from a diversion in Sec. 10, T 18 S, R 2 W, W.M. (Willamette River Basin) for irrigation in Sec. 10. The applicant proposes to move the point of diversion from an unnamed stream (small side channel of the Middle Fork of the Willamette River) to another location on the Middle Fork Willamette River approximately 4 miles upstream (Sec. 25, T 18 S, R 2 W, W.M.); and to change the place of use to Sec. 25, T 18 S, R 2 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.



**From:** Jennifer DiMiceli  
**Sent:** Friday, March 20, 2009 11:09 AM  
**To:** Kelly Starnes  
**Subject:** Transfer file T10377

Hi Kelly,

I am working on updating the WRIS entry and mapping for Transfer 10377. Would it be possible for me to look through the file and make copies of any maps in it?

Thank you,  
Jenny DiMiceli

---

**From:** Timmie Brandt  
**Sent:** Friday, March 20, 2009 10:01 AM  
**To:** Jennifer DiMiceli  
**Cc:** Timmie Brandt; Jerry Sauter  
**Subject:** RE: Transfer file T10377

Hi, The file in question has some other things going on with it. An Ownership Update was sent in by a lady's lawyer. So I have given the file to Kelly Starnes so that he can determine from the legal description if the Ownership Update is talking about this portion of land under manufacturing or a different portion of land under the confirming right which is not certificated yet --- and if it is, there needs to be an assignment done on it. So, until I get the file back, I think what is in the Special Order Volume 73 Pages 821 - 825 which is in WRIS can help you out, there are things that can help you plot some. (See page 822)



*Timmie C. Brandt*  
*Water Rights Division*

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**From:** Jennifer DiMiceli  
**Sent:** Friday, March 20, 2009 8:20 AM  
**To:** Timmie Brandt  
**Subject:** Transfer file T10377

Hi Timmie,

I am working on mapping Transfer 10377 and I saw that the file was checked out to TCB on 8/26/08. Do you have this file? If so, could I look through it to find the transfer and FPS maps?

Thank you,

Jenny DiMiceli  
Water Resource Data Tech  
Information Services Division  
Oregon Water Resources Department  
(503) 986-0873



# 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: NORMAN McDOUGAL  
Mailing Address: PO BOX 518  
City: CRESWELL State: OR Zip: 97426 Day Phone: 895-8788

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:
18	02	25		304	EFU-40	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	IRRIGATION
				300	FZ	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	"
				305	FZ	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	"
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	

List all counties and cities where water is proposed to be diverted, conveyed, or used. LANE COUNTY

## 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

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Source of water:  Reservoir/Pond     Ground Water     Surface Water (name) TRIBUTARY MIDDLE FORK WILLAMETTE RIVER

Estimated quantity of water needed: 0.79  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: WATER WILL BE PUMPED FROM A SIDE CHANNEL OF THE RIVER THROUGH DISTRIBUTION LINES FOR SURFACE IRRIGATION BY SPRINKLERS.

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

REC'D APR 05 2007  
KSI SIL - LANE COUNTY

**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):  
IRRIGATION FOR FARM USE ALLOWED PER LC 16.211(2)(d) + (e) AND LC 16.212(3)(a)
- 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:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> 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.

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Name: RAFAEL SEBBA Title: PLANNER  
 Signature: [Signature] Phone: 541.682.4620 Date: 5.14.07  
 Government Entity: LANE 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.

**Receipt for Request for Land Use Information**

Applicant name: \_\_\_\_\_  
 City or County: \_\_\_\_\_ Staff contact: \_\_\_\_\_  
 Signature: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_

Indicate in this column whether or not the item is satisfied.

## Permanent Transfer Application – OAR 690-380 3000 & 3100 Completeness Checklist

Applicant's Name: Norman McDougal (Form last revised: March 13, 2007)

### Section A – Status of Right

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

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

Have the appropriate fees been paid?

Total Required Fees: 700

*Fee Schedule – ORS 536.050(1)(h)*

Total Fees Paid: 700

\$350 - Base fee (1<sup>st</sup> change and 1<sup>st</sup> CFS of water)

+ \$350 - Each additional type of change requested

Fees Due (if any): 0

+ \$175 - For each CFS, or fraction thereof, requested beyond 1<sup>st</sup> 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.

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.

• Type of transfer application (Page 1)

• Applicant's name, mailing address and contact information. (Page 1)

• Agent's name, mailing address and contact information, if applicable. (Page 1)

• 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	<ul style="list-style-type: none"> <li>• Certificate # filled in on each page? <span style="float: right;">(Page 1)</span></li> </ul>
OK	<ul style="list-style-type: none"> <li>• Type of change(s) proposed clear? <span style="float: right;">(Page 1)</span></li> </ul>
OK	<ul style="list-style-type: none"> <li>• Current Water Right information is complete? <span style="float: right;">(Page 2)</span></li> </ul>
OK	<ul style="list-style-type: none"> <li>• If for a change in <i>POU</i> or <i>USE</i>..... <span style="float: right;">(Page 2)</span></li> </ul> <p>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? <b>YES</b> <b>NO</b></p> <p>If <b>YES</b>..... the other “layered” water uses subject to transfer <b>must either change concurrently or be cancelled</b>, except as provided in OAR 690-380-2240(5).</p> <p>If layered with GR, must submit a GR Modification application as well as this application.</p> <p>Are they included in application? If not, contact applicant or agent.</p>
OK	<ul style="list-style-type: none"> <li>• Location description of the authorized <u>POA/POD</u> to be changed. <span style="float: right;">(Page 3)</span></li> </ul> <p><i>NOTE:</i> Ensure that the location coordinates listed in the application match the point and location coordinates illustrated on the application map.</p> <p>Additionally, if the existing authorized source is ground water (POA), the applicant must either:</p> <p><u>N/A</u> 1) supply a copy of the well log(s), <u>or</u></p> <p>2) if well logs are <b>not available</b>, describe the construction of the well(s) in the table provided on page 3 of the supplemental form A application.</p>
OK	<ul style="list-style-type: none"> <li>• Location description of the existing authorized POU and associated acres (if applicable). <span style="float: right;">(Page 4)</span></li> </ul> <p><i>NOTE:</i> Ensure that the location and number of acres listed per ¼ ¼ in the application match those illustrated on the application map.</p>
OK	<ul style="list-style-type: none"> <li>• Location description of the proposed POA/POD. <span style="float: right;">(Page 5)</span></li> </ul> <p><i>NOTE:</i> Ensure that the proposed location coordinates listed in the application match the proposed point and location coordinates illustrated on the application map.</p> <p>Additionally, if the proposed source is ground water (POA), the applicant must either:</p> <p><u>N/A</u> 1) supply a copy of the well log(s), <u>or</u></p> <p>2) if well logs are <b>not available</b> <u>or</u> the well is <b>not yet constructed</b>, describe the construction of the well(s) in the table provided on page 5 of the application.</p>
OK	<ul style="list-style-type: none"> <li>• Location description of the proposed POU and associated acres (if applicable). <span style="float: right;">(Page 6)</span></li> </ul> <p><i>NOTE:</i> Ensure that the location and number of acres listed per ¼ ¼ in the application match those illustrated on the application map.</p>
<b>Return back to Page 2 of transfer application</b>	
OK	<ul style="list-style-type: none"> <li>• The type of changes being proposed. <span style="float: right;">(Page 2)</span></li> </ul>
OK	<ul style="list-style-type: none"> <li>• Reason for the transfer. <span style="float: right;">(Page 2)</span></li> </ul>
OK	<ul style="list-style-type: none"> <li>• Description of current water delivery system. <span style="float: right;">(Page 2)</span></li> </ul>
OK	<ul style="list-style-type: none"> <li>• System Capacity. <span style="float: right;">(Page 2)</span></li> </ul>

	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
	<b>Return back to Page 3 of transfer application</b>	
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? <b>YES</b> <b>NO</b> If <b>NO</b> ..... 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)
See cover letter from Applicant	• 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?

OK

All applicants listed on page 1 of the application must sign the application.

WRD Completeness Reviewer's Name:

*Sarah Henderson*

Date: *5-2-07*



## Fidelity National Title Company of Oregon

### Transmittal Sheet

**DATE:** AUG 3, 2007

**TO:** LAND PLANNING CONSULTANTS  
ATTN: GERI BETZ

**FROM:** TYE W. NAGEL

**RE:** LIEN REPORT (SMEJKAL)

**ORDER NO.:**07-12

#### Message

Please find attached the Lien and Encumbrance, regarding the above entitled matter. If you should have any questions, please feel free to call me at 541-683-5422.

*Thank you for your business!*

800 WILLAMETTE STREET ■ SUITE 500 ■ EUGENE, OR 97401  
(541) 683-5422 ■ FAX (541) 683-5437



## Fidelity National Title Company of Oregon

### LIEN AND ENCUMBRANCE REPORT

**Date:** August 3, 2007  
**Order No.:** 07-12  
**Charge:** \$85.00

---

**Effective Date:**

July 30, 2007

**Owner:**

JAMES A. SMEJKAL

As disclosed by: WARRANTY DEED, recorded May 19, 1994, Reception No. 94-038125

**(a) Legal Description:**

See Exhibit "A"

**(b) Address:**

36505 Brand S. Road  
Springfield, OR 97478

800 WILLAMETTE STREET ▪ SUITE 500 ▪ EUGENE, OR 97401  
(541) 683-5422 ▪ FAX (541) 683-5437

Page No. 2  
Lien & Encumbrance Report  
Order No. 07-12

(c) Monetary liens affecting the Premises as of the effective date herein:

1. Taxes, for the fiscal year 2007-2008, a lien in an amount yet to be determined, but are not yet payable.
2. Our examination of the title to the subject property discloses no open trust deeds or mortgages. The accuracy of this conclusion should be confirmed prior to closing of the proposed transaction.

CONTINUED

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WALTER B. BROWN JR.  
JAMES O'NEAL

Page No. 3  
Lien & Encumbrance Report  
Order No. 07-12

**NOTE A:**                   **2006-2007 Taxes (PAID)**  
AMOUNT                   :\$1,293.33  
MAP NO.                   :18-02-10-00-01001  
ACCOUNT                  :0567477  
CODE                      :01-13

**NOTE B:**                   **REAL MARKET VALUATION**  
LAND                     :\$379,602  
IMPROVEMENTS         :\$103,760  
TOTAL                    :\$483,362

**NOTE C:** YOU WILL BE REVIEWING, APPROVING AND SIGNING IMPORTANT DOCUMENTS AT CLOSING. LEGAL CONSEQUENCES FOLLOW FROM THE SELECTION AND USE OF THESE DOCUMENTS. THESE CONSEQUENCES AFFECT YOUR RIGHTS AND OBLIGATIONS. YOU MAY CONSULT AN ATTORNEY ABOUT THESE DOCUMENTS. YOU SHOULD CONSULT AN ATTORNEY IF YOU HAVE QUESTIONS OR CONCERNS ABOUT THE TRANSACTION OR ABOUT THE DOCUMENTS. IF YOU WISH TO REVIEW TRANSACTION DOCUMENTS THAT YOU HAVE NOT YET SEEN, PLEASE CONTACT THE ESCROW AGENT.

**NOTE D:** We find no judgments or tax liens on James A. Smejkal.

**THIS IS NOT A TITLE REPORT:** This is an informational report only. It is not title insurance nor a guarantee. This service does not include supplemental reports or any other information. Liability is limited to the amount paid for this report.

Thank you for doing business with FIDELITY NATIONAL TITLE INSURANCE COMPANY OF OREGON. If you have any questions, please feel free to contact our office at (541) 683-5422.

**FIDELITY NATIONAL TITLE INSURANCE  
COMPANY OF OREGON**

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**TYE W. NAGEL**

Title Examiner

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SALEM, OREGON

Exhibit "A"

PARCEL 1:

Beginning at a point in the South line of the John C. Looney Donation Land Claim No. 39 in Township 18 South, Range 2 West of the Willamette Meridian, 23.49 chains West of the Southeast corner of said claim; and run thence North 34.05 chains; thence West 23.49 chains; thence South 34.05 chains to the South line of said claim; and thence East 23.49 chains to the place of beginning, in Lane County, Oregon.

EXCEPT: Beginning at an iron pipe marking the Northwest corner of the J. Looney Donation Land Claim No. 39 in Township 18 South, Range 2 West of the Willamette Meridian; thence East 2060.11 feet along a fence line marking the North line of said claim and the Easterly projection thereof to a point marked by an iron pin, said point being the true point of beginning; thence South 0° 1/2' West 2247.34 feet along an existing property line fence to a point on the South line of said claim; thence East 1571.71 feet along the South line of said claim as marked on the ground by a property line fence to a point; thence North 0° 25' West 1147.34 feet along an existing property line fence marking the property lines of land formerly owned by Newton and Agnes Cornell, husband and wife, on the West and by Otis F. and Thelma J. Jackson, husband and wife, on the East to a point; thence West 509.05 feet to a point; thence North 1100.00 feet to a point; thence West 1040.28 feet to the true point of beginning, in Lane County, Oregon.

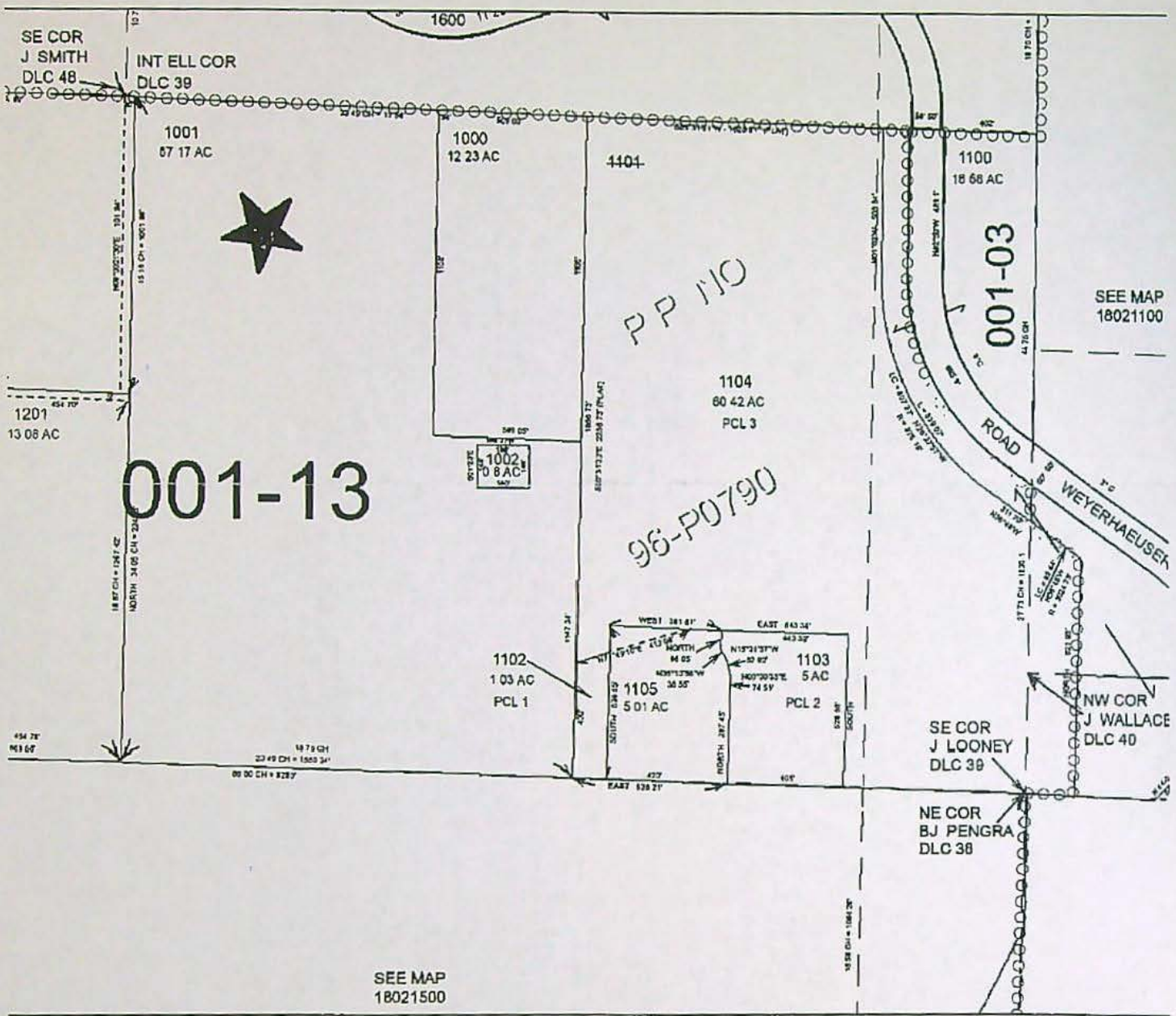
ALSO EXCEPT: Beginning at an iron pipe marking the Northwest corner of the J. Looney Donation Land Claim No. 39 in Township 18 South, Range 2 West of the Willamette Meridian; thence East 3601.48 feet along a fence line marking the North line of said claim and the Easterly projection thereof to a point; thence South 0° 25' East 1106.78 feet along an existing fence line to a point; thence South 78° 25' 1/2' West 54.06 feet along the Southerly margin of a 60 foot road easement to an angle point therein; thence South 88° 37' West 126.72 feet continuing along said margin to an iron pin marking the true point of beginning; thence South 1° 23' East 146.00 feet to a point marked by an iron pin; thence South 88° 37' West 180.00 feet to a point marked by an iron pin; thence North 1° 23' West 146.00 feet to an iron pin set on said Southerly margin; thence North 88° 37' East 180.00 feet to the true point of beginning in Lane County, Oregon.

PARCEL 2:

Beginning at an iron pipe marking the Northwest corner of the J. Looney Donation Land Claim No. 39 in Township 18 South, Range 2 West of the Willamette Meridian; thence East 2060.11 feet along a fence line marking the North line of said claim and the Easterly projection thereof to a point marked by an iron pin said point being the true point of beginning; thence South 0° 21' 1/2' West 2247.34 feet along an existing property line fence to a point on the South line of said claim; thence East 1571.71 feet along the South line of said claim as marked on the ground by a property line fence to a point; thence

Continued

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SALAS WELLS



001-13

PP NO

95-P0790

SEE MAP 18021100

SEE MAP 18021500

**FIDELITY NATIONAL TITLE COMPANY**

This sketch above is made solely for the purpose of assisting in locating said premises and the company assumes no liability for variations, if any, in dimensions and location ascertained by actual survey.

Map # 18 02 10 00 01001 000

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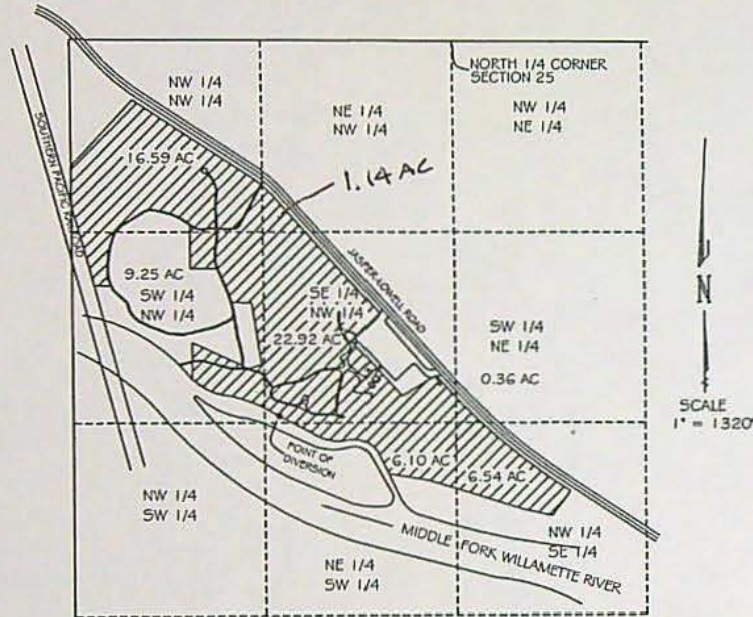
AUG 13 2007

WATER RESOURCES DEPT  
SALEM, OREGON

Superseded by  
map received

8/13/07

### TOWNSHIP 18 SOUTH, RANGE 2 WEST, W.M. SECTION 25



- DENOTES AREA OF WATER RIGHT TRANSFER
- DENOTES AREA OF EXISTING ROAD SYSTEM ON PROPERTY

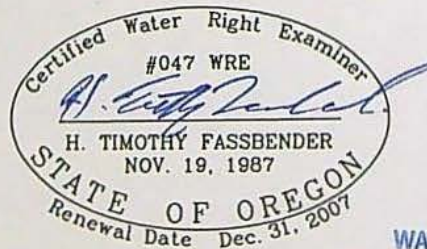
POINT OF DIVERSION LOCATION:  
SOUTH 2582' & WEST 1219' OF  
THE NORTH 1/4 CORNER OF SECTION 25

### WATER RIGHT TRANSFER APPLICATION MAP

FOR  
NORMAN McDOUGAL  
PO BOX 518  
CRESWELL, OR 97426  
541-895-8788

BY  
H. TIMOTHY FASSBENDER, PLS, CWRE  
2896 SARAH LANE  
EUGENE, OR 97408  
541-485-3136

**Note:**  
THIS MAP IS NOT INTENDED TO  
PROVIDE LEGAL DIMENSIONS OR  
LOCATIONS OF PROPERTY  
OWNERSHIP LINES.



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MAY 02 2007

WATER RESOURCES DEPT  
SALEM, OREGON

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APR 18 2007

WATER RESOURCES DEPT  
SALEM OREGON

I 10377

**Dorothy Pedersen**

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**From:** Bill Porfily [bporfily@my180.net]  
**Sent:** Wednesday, August 29, 2007 11:17 AM  
**To:** Dorothy Pedersen  
**Cc:** Salem Opeifa  
**Subject:** Transfer T-10377 Norman McDougal  
**Attachments:** Remaining Right Certificate.doc; 10377-dpd-template (2).doc; Contact list.doc; DPD Cov Letter Approving.doc; Notice of Preliminary Determination.doc; PD Cover Letter Approving.doc

Dorothy

Attached are the Deliverables for the above mention project. I have done the conflict check-checks o-k. I have check the ownership description to application map that checks o-k.

Glad we were able to approve this one after the dim start. I will send in the packet after you have looked at these.

Porfily

## Dorothy Pedersen

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**From:** Dorothy Pedersen  
**Sent:** Wednesday, August 22, 2007 1:56 PM  
**To:** 'Bill Porfily'  
**Subject:** Additional materials for T-10377

**Attachments:** 10377-08-09-07-cover-letter.pdf; 10377-landuse-form.pdf; 10377-rolif.pdf; 10377-revised-map.pdf



10377-08-09-07-co 10377-landuse-for 10377-rolif.pdf (117 10377-revised-map  
ver-letter.pdf... m.pdf (63 KB)... KB) .pdf (41 KB)

Hi Bill,

We have received the attached materials in response to the T-10377 DPD.

I am still waiting for the watermaster's response to the July 2nd letter regarding the issue of whether the "unnamed stream" authorized source was indeed a channel of the Middle Fork Willamette River. Once you have the watermaster's response, go ahead and prepare the remaining deliverables as appropriate.

Thanks,  
Dorothy

Dorothy I. Pedersen  
Field Services Division  
Oregon Water Resources Department  
Dorothy.I.PEDERSEN@wrdd.state.or.us  
503-986-0890

## Dorothy Pedersen

---

**From:** Dorothy Pedersen  
**Sent:** Tuesday, July 10, 2007 11:05 AM  
**To:** 'Bill Porfily'  
**Subject:** FW: Response to determination for T-10377

**Attachments:** 10377-dpd-response.pdf



10377-dpd-respons  
e.pdf (381 KB...

Bill,

I'll let you know when we receive the ownership and lien information, revised map and the response from the watermaster. We may need a revised DPD, to acknowledge the receipt of the additional information, and to either re-affirm or change our original determination. Another interesting one!

Dorothy

Dorothy Pedersen  
(503) 986-0890

-----Original Message-----

**From:** Dorothy Pedersen  
**Sent:** Tuesday, July 10, 2007 11:02 AM  
**To:** 'Michael J. Mattick'  
**Subject:** Response to determination for T-10377

Michael,

The DPD for T-10377 proposed to deny the change in POD from an unnamed tributary of the Middle Fork of the Willamette UPSTREAM to a point on the Middle Fork above the confluence where water from the unnamed tributary entered the Middle Fork.

Attached is the response. Please evaluate whether the new information changes your assessment of the "same source" issue, and potential injury to other water rights.

Thank you,  
Dorothy

Dorothy I. Pedersen  
Field Services Division  
Oregon Water Resources Department  
Dorothy.I.PEDERSEN@wrdd.state.or.us  
503-986-0890

## Dorothy Pedersen

---

**From:** Dorothy Pedersen  
**Sent:** Tuesday, June 12, 2007 12:41 PM  
**To:** 'Bill Porfily'  
**Subject:** Watermaster review and templates for T-10377

**Attachments:** 10377-dpd-template.doc; 10377-wm-review.pdf; Contact List.dot; PD\_notice.dot; DPD\_cov\_approve.dot; DPD\_cov\_reject.dot; PD\_cov\_fav\_nni.dot; PD\_cov\_unfav\_nni.dot; DeficLet.dot; supplemental-lang.dot



10377-dpd-templat  
e.doc (145 KB...



10377-wm-review.p  
df (30 KB)



Contact List.dot (26  
KB)



PD\_notice.dot (29  
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)



DeficLet.dot (27  
KB)



supplemental-lang.  
dot (162 KB)...

Hi Bill,

Attached are the Watermaster review and templates that you may need for working on T-10377 (Norman McDougal).

Let me know if you need anything else. You'll notice that I sent you a Review Checklist with the file packet. This will be a regular part of the deliverables for each project from now on. Please fill out the checklist as you go through the review and submit it with the final deliverable cover sheet at the end of the project.

Thanks,  
Dorothy

Dorothy I. Pedersen  
Field Services Division  
Oregon Water Resources Department  
Dorothy.I.PEDERSEN@wrdd.state.or.us  
503-986-0890

**Reimbursement Authority Process  
Itemized Estimate Sheet  
for  
Water Rights Transfer**

Application Number T-10377

Name of Applicant: Norman McDougal

**Proposed Timeline**

5/8/07	Public Notice (start of 30-day comment period).
6/25/07	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).
7/30/07	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	<b>Completion of contract work:</b> 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.	1.5
2	Review of "From" lands to confirm consistency with existing right	1.0
3	Preparation of draft deficiency letter <i>(if necessary)</i> .	1.5
4	Preparation of draft preliminary determination, DPD cover and cover letter and contact list.	4
5	Preparation of PD public notice, PD cover letter (and remaining right certificate(s) if necessary, and processing documentation	2.5
<b>Total Estimated Time:</b>		<b>10.5</b>

(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: William I. Porfily

Authorized Representative: William I. Porfily

Date: 05-29-07

## Shipping Checklist for Reimbursement Authority File

File T- 10377 Applicant: Norman McDougall

Agent/Contact: Michael Evans

Ship to Contractor: William Porfily

### 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 request 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 be sent later*
- GW review (if  $\Delta$ POA, or POD-to-POA change)
- RA 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 5/8/2007

Number of sheets copied 20

File contents copied by Lisa Paschke Date 5/15/07

**Reimbursement Authority Process  
Itemized Estimate Sheet  
for  
Water Rights Transfer**

Application Number T-10377  
Name of Applicant: Norma McDougal

**Proposed Timeline**

5/8/07	Public Notice (start of 30-day comment period).
6/25/07	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).
7/30/07	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	<b>Completion of contract work:</b> 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.	
<b>Total Estimated Time:</b>		

(Indicate the estimated amount of time, in 1/2 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: William Profily

Authorized Representative: \_\_\_\_\_ Date: \_\_\_\_\_

# T-10377 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/decree 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)

- |   |                                      |                                    |  |  |
|---|--------------------------------------|------------------------------------|--|--|
| <input type="checkbox"/> application complete | <input type="checkbox"/> map         | <input type="checkbox"/> FPS       | <input type="checkbox"/> evidence of use | <input type="checkbox"/> land-use form |
| <input type="checkbox"/> deed/ROLI            | <input type="checkbox"/> certificate | <input type="checkbox"/> fees paid | <input type="checkbox"/> well logs       | <input type="checkbox"/> plat card     |
| <input type="checkbox"/> audit                | <input type="checkbox"/> 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 # 10377

Applicant: Norma McDougal

**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)

**\*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:** \_\_\_\_\_

**WATER RESOURCES DEPARTMENT  
REIMBURSEMENT AUTHORITY ESTIMATE APPLICATION**

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

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

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

<u>REQUEST</u>	<u>TYPE</u>	<u>FILE NUMBER</u>
<input checked="" type="checkbox"/>	Transfer Application	<u>10377</u>
<input type="checkbox"/>	Certificate Request	_____
<input type="checkbox"/>	Extension of Time Request	_____

<u>Applicant Information</u>		<u>Applicant's Representative/Contact</u>
Name: (Please Print)	<u>NORMAN McDUGAL</u>	<u>MICHAEL EVANS</u>
Address:	<u>PO BOX 518</u>	<u>1071 HAZLEWOOD RD.</u>
	<u>CRESWELL, OR 97426</u>	<u>SPRINGFIELD, OR 97477</u>
Phone:	<u>541-895-8788</u>	<u>541-726-8523</u>
Fax	<u>541-895-8787</u>	<u>541-746-5126</u>
E-Mail Address:		

I understand the following:

- There is a non-refundable application fee of \$125.00 per request.
- That upon receipt of my non-refundable application fee in the amount of \$ 125.00, OWRD will assign my request to the next contractor in the pool of contractors performing expedited services.
- That this fee covers the copying, the mailing cost, as well as the cost for the contractor to evaluate and provide the estimate for processing of the request.
- That OWRD will provide all pertinent information to the assigned contractor within three (3) business days.
- That OWRD will, within fourteen (14) days, notify me in writing of the estimates of costs and time frame for the expedited service.
- That upon receiving the estimates I may agree or decline to enter into a formal contract to pay the estimated cost in advance to initiate the expedited service.
- An incomplete or inaccurate application may delay the process and increase the cost to process my request.
- Expedited processing does not guarantee a favorable review of my request.
- Send completed Application and payment to: **OWRD – Reimbursement Authority Program**  
725 Summer St. NE, Suite A  
Salem, OR 97301-1266.

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

Signature: Michael P. Evans Name: MICHAEL P. EVANS

<b>OWRD USE ONLY</b>	
Contractor Assigned: <u>Perfily</u>	Total Amount Paid: <u>\$ 125.00</u>
OWRD Approval:	

**RECEIVED**  
Revised: 6/21/2004

MAY 14 2007

WATER RESOURCES DEPT  
SALEM OREGON

FOR ASSESSMENT AND TAXATION ONLY

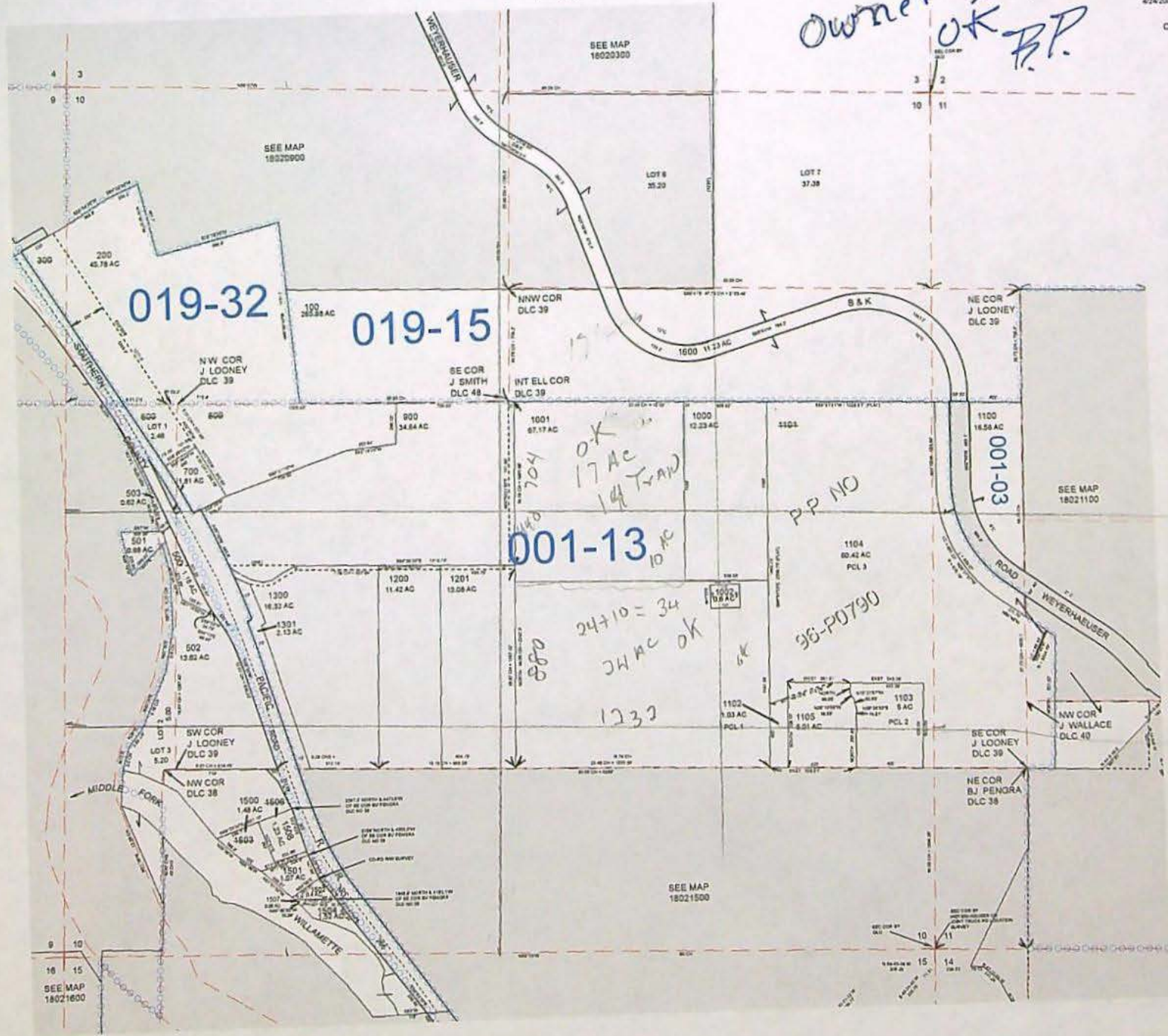
SECTION 10 T.18S. R.2W. W.M.  
Lane County  
1" = 400'

*1" = 880 ft  
owner ship  
OK R.P.*

18021000

GIS DATA  
4/24/2007 10:34:25 AM kwpf

CANCELLED:  
300  
400  
600  
800  
1101  
1503  
1505



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SEP 21 2007

WATER RESOURCES DEPT  
SALEM, OREGON

NOTES:  
7071000 - LOC 142 - CORRECT TO 100 & 100A  
8170000 - LOC 183 - CORRECT MAP TO 100  
8180000 - LOC 183 - PIN 1 FOR BOTH 100 & 100A  
8190000 - LOC 183 - PIN 1 FOR BOTH 100 & 100A  
8200000 - LOC 183 - PIN 1 FOR BOTH 100 & 100A

18021000

From

# Water Rights Platcard Report

Meridian: WILLAMETTE Township: 18 South Range: 2 West Section: 10 Records per Page: 10 Search

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40)	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unkown QQ	
Select Cert:17248 OR * Additional Info: MT JUNE FOREST PRODUCTS CO. App: R22932 Permit: R917 Cert: 17248		12/3/1947	INDUSTRIAL/MANUFACTURING USES	48										*	*										
Select Cert:17392 OR * Additional Info: MT JUNE FOREST PRODUCTS CO. App: S22933 Permit: S18077 Cert: 17392		12/3/1947	INDUSTRIAL/MANUFACTURING USES	48										*	*										
Select Cert:32562 OR * Additional Info: NATRON PLYWOOD CO. App: S32248 Permit: S25439 Cert: 32562	T10377	4/9/1958	INDUSTRIAL/MANUFACTURING USES							*				*	*	*	*					*			
Select Cert:30580 OR * Additional Info: GORDON W/JUNE K TRIPP App: S32247 Permit: S25438 Cert: 30580		4/9/1958	IRRIGATION							2.2	14.4										32.8	1.2	3.2		
Select Cert:32562 OR * Additional Info: NATRON PLYWOOD CO. App: S32248 Permit: S25439 Cert: 32562	T10377	4/9/1958	IRRIGATION							14.2											8.2	34.5	4.8	1.2	

No conflicts

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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SALEM, OREGON

# Water Rights Platcard Report

TO

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SEP 21 2007

ACROSS the RIVER

WATER RESOURCES DEPT  
SALEM, OREGON

Meridian: WILLAMETTE Township: 18 South Range: 2 West Section: 25 Records per Page: 10 Search

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	Q(40): NE	Q(40): NW	Q(40): SW	Q(40): SE	Q(160): NE	Q(160): NE	Q(160): NE	Q(160): NE	Q(160): NW	Q(160): NW	Q(160): NW	Q(160): NW	Q(160): SW	Q(160): SW	Q(160): SW	Q(160): SW	Q(160): SE	Q(160): SE	Q(160): SE	Q(160): SE	Unknown QQ
Select Permit: S 35907 CN  Additional Info: ERNEST L BARLOW App: S47933 Permit: S35907		2/8/1971	IRRIGATION	CN																			1.1	0.15			
Select Cert: 21160 OR *  Additional Info: J S FRANK App: S21260 Permit: S16913 Cert: 21160		11/2/1945	IRRIGATION		52																						
Select Cert: 21382 OR *  Additional Info: H.T./MARIAN WILLIAMS App: S22570 Permit: S17764 Cert: 21382		5/26/1947	IRRIGATION		52														5.61				2				
Select Cert: 24520 OR *  Additional Info: CHESTER W BEDORTHA App: S22782 Permit: S17943 Cert: 24520		8/22/1947	IRRIGATION		67																	1.8	6.2				
Select Cert: 24521 OR *  Additional Info: CHESTER W BEDORTHA App: S25241 Permit: S19829 Cert: 24521		9/8/1950	IRRIGATION		67																		15.6	5.2			
Select Cert: 32313 OR *  Additional Info: JOHN HRACHOVEC App: S37038 Permit: S27599 Cert: 32313		8/28/1961	IRRIGATION		52																	1.1	10	3	0.1		
Select Cert: 32313 OR *		8/28/1961	IRRIGATION		67																						

No Conflicts

ACROSS the RIVER

<p><b>Additional Info:</b>                  JOHN HRACHOVEC                  App: S37038                  Permit: S27599                  Cert: 32313</p>																				
<p>Select <b>Cert:49983 OR *</b></p>	9/28/1973	IRRIGATION	52							0.9										
<p><b>Additional Info:</b>                  MILLARD C THOMAS                  App: S51278                  Permit: S38724                  Cert: 49983</p>																				
<p>Select <b>Cert:55182 OR *</b></p>	9/22/1981	IRRIGATION	52										0.8							
<p><b>Additional Info:</b>                  REAGAN E/CAROLE WELLS                  App: S62819                  Permit: S46596                  Cert: 55182</p>																				
<p>Select <b>Cert:55182 OR *</b></p>	9/22/1981	IRRIGATION	67										0.9							
<p><b>Additional Info:</b>                  REAGAN E/CAROLE WELLS                  App: S62819                  Permit: S46596                  Cert: 55182</p>																				
1 2																				

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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 SEP 21 2007  
 WATER RESOURCES DEPT  
 SALEM, OREGON

**WATER RESOURCES DEPARTMENT  
REIMBURSEMENT AUTHORITY ESTIMATE APPLICATION**

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

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

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

<u>REQUEST</u>	<u>TYPE</u>	<u>FILE NUMBER</u>
<input checked="" type="checkbox"/>	Transfer Application	10377
<input type="checkbox"/>	Certificate Request	_____
<input type="checkbox"/>	Extension of Time Request	_____

<u>Applicant Information</u>		<u>Applicant's Representative/Contact</u>
Name: (Please Print)	NORMAN McDOUGAL	MICHAEL EVANS
Address:	PO BOX 518 CRESWELL, OR 97426	1071 HARLOW RD. SPRINGFIELD, OR 97477
Phone:	541-895-8788	541-726-8523
Fax:	541-895-8787	541-746-5126
E-Mail Address:		

I understand the following:

- There is a non-refundable application fee of \$125.00 per request.
- That upon receipt of my non-refundable application fee in the amount of **\$ 125.00**, OWRD will assign my request to the next contractor in the pool of contractors performing expedited services.
- That this fee covers the copying, the mailing cost, as well as the cost for the contractor to evaluate and provide the estimate for processing of the request.
- That OWRD will provide all pertinent information to the assigned contractor within three (3) business days.
- That OWRD will, within fourteen (14) days, notify me in writing of the estimates of costs and time frame for the expedited service.
- That upon receiving the estimates I may agree or decline to enter into a formal contract to pay the estimated cost in advance to initiate the expedited service.
- An incomplete or inaccurate application may delay the process and increase the cost to process my request.
- Expedited processing does not guarantee a favorable review of my request.
- Send completed Application and payment to: **OWRD – Reimbursement Authority Program  
725 Summer St. NE, Suite A  
Salem, OR 97301-1266.**

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

Signature: Michael P. Evans Name: MICHAEL P. EVANS

<u>OWRD USE ONLY</u>	
Contractor Assigned: <u>Porfily</u>	Total Amount Paid: \$ <u>125.00</u>
OWRD Approval: _____	

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SALEM, OREGON

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MAY 14 2007

WATER RESOURCES DEPT  
SALEM, OREGON

**Bill Porfily**

**From:** Dorothy Pedersen [pedersdi@wrdd.state.or.us]  
**Sent:** Wednesday, June 27, 2007 4:18 PM  
**To:** Bill Porfily  
**Subject:** RE: Transfer T-10377

Hi Bill,

I looked over the documents and have a few suggestions for revisions. See the "red-lined" version attached.

Also, I found some more up-to-date language that you may wish to integrate into the cover letter (below). I'm sorry when I sent you the original templates I didn't realize that there had been a revision of the DPD cover letter to deny.

Please make the revisions and re-submit the DPD and DPD cover letter.

Thanks,  
 Dorothy

-----  
 Enclosed find a draft of our Preliminary Determination regarding transfer application T-. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be DENIED. This draft is intended to provide you with an opportunity to comment on our findings and conclusions should you wish to do so and to withdraw or modify your application to resolve the issues that are prompting our decision to deny the application.

The draft Preliminary Determination proposes to deny the transfer because xxxx. The issues that we have identified could be resolved by one of the following alternatives:

- xxxx
- xxxx

If you wish to proceed with your application, you must now submit a report of ownership and lien information prepared within the last three months by a title company. 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.

If you wish to proceed with your application, [here add the paragraph about newspaper notice].

Dorothy Pedersen  
 (503) 986-0890

---

**From:** Bill Porfily [mailto:bporfily@my180.net]  
**Sent:** Wednesday, June 27, 2007 3:23 PM  
**To:** Dorothy Pedersen  
**Subject:** Re: Transfer T-10377

Dorothy

Attached are drafts of the items you suggested in your e-mail a little while ago. Please review and suggest changes that you think are needed.

6/27/2007

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 SEP 21 2007  
 WATER RESOURCES DEPT  
 SALEM, OREGON

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	GLot
18 S	2 W	WM	10	NW SW	LOT 2

Authorized Place of Use:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
18 S	2 W	WM	10	SW NE			14.20
18 S	2 W	WM	10	NE SE			8.20
18 S	2 W	WM	10	NW SE			34.50
18 S	2 W	WM	10	SW SE			4.80
18 S	2 W	WM	10	SE SE			1.20

**Comment [DIP1]:** Take out the coordinates for the authorized POI because they are not on the certificate. In this listing, only put what is on the certificate.

**Comment [DIP2]:** Take out these empty columns.

**Formatted:** Bullets and Numbering

3. [Add finding from the Supplemental Language document to describe the particulars of the authorized POD location that were not on the certificate, and indicate where the information comes from.]

4. Application T-10377 proposes to add an additional point of diversion approximately 1/4 mile downstream on the unnamed stream and at a point on the Middle Fork of Willamette River upstream 4 miles from the mouth of the unnamed stream.

**Deleted:** to a point on the Middle Fork of Willamette River

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Survey Coordinates
18S	2W	WM	25	SE NW	Lot 3 TL 305		2582 FEET SOUTH AND 1219 FT WEST FROM THE NORTH 1/4 CORNER OF SECTION 25.

**Comment [DIP3]:** Take out empty column.

**Deleted:**

**Formatted:** Bullets and Numbering

5. Application T-10377 also proposes to change the place of use of the right to:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
18S	2W	WM	25	NW NW			16.59
18S	2W	WM	25	NW NW			1.14
18S	2W	WM	25	NW NW			9.25
18S	2W	WM	25	NW NW			22.92
18S	2W	WM	25	NW NW			0.36
18S	2W	WM	25	NW NW			6.10
18S	2W	WM	25	NW NW			6.54
							62.9

**Comment [DIP4]:** Take out empty columns.

**Formatted:** Bullets and Numbering

6. Notice of the application for transfer was published on May 8, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.

7. The application maps do not meet current mapping standards because they do not include the location of property lines for the property involved in the transfer as required by OAR 690-380-3100(2)(j).

8. The Watermaster District #2 reported that distribution of water for the right after the proposed additional point of diversion would result in regulation of other water rights if the

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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  
T-10377, Lane County

)  
) **D R A F T**  
) PRELIMINARY DETERMINATION  
) PROPOSING DENIAL OF  
) ADDITIONAL POINT OF DIVERSION,  
) AND ~~CHANGE IN~~ PLACE OF USE  
)

Deleted: ADDING

**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.

**Applicant**

Norman McDougal  
PO BOX 518  
CRESWELL OR 97426

**Findings of Fact**

**Background**

1. On May 2, 2007, Norman McDougal filed an application to change the place of use, and add an additional point of diversion under Certificate 32562. The Department assigned the application number T-10377.

Deleted: Norman McDougal

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

**Certificate:** 32562 in the name of Natron Plywood Co. (perfected under Permit S-25439)

**Use:** IRRIGATION OF 62.9 ACRES

**Priority Date:** APRIL 9, 1958

**Rate:** 0.79 CUBIC ~~FOOT~~ PER SECOND

**Limit/Duty:** ONE-EIGHTIETH CFS OR IT EQUIVALENTS FOR EACH ACRE, FOR IRRIGATION NOT TO ~~EXCEED~~ 2 1/2 ACRE-FEET PER ACRE DURING THE IRRIGATION SEASON PER YEAR

Deleted: ACRES

Deleted: FEET

Deleted: EXCEED

Deleted:

**Source:** UNNAMED STREAM, tributary to MIDDLE FORK WILLAMETTE RIVER

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**Bill Porfily**

**From:** Dorothy Pedersen [pedersdi@wrd.state.or.us]  
**Sent:** Wednesday, June 27, 2007 12:27 PM  
**To:** Bill Porfily  
**Subject:** RE: T-10377

Hi Bill,

Referring to #6, I'd suggest taking out the "Deficiencies and Resolution" heading. Then

- a) Base the DPD on the proposed POD being an additional POD, consistent with the clear choice that has been checked in Supplemental Form A. You may add a note in the DPD cover letter that there is a question about whether it is to be "additional" or a "change", and ask the applicant to clarify that point in their response to the DPD, if they choose to amend the transfer and pursue it.
- b) I would suggest making this a stand alone finding and saying something like "The application maps do not meet current mapping standards because they do not include the location of property lines for the property involved in the transfer as required by OAR 690-380-3100(2)(j)". Then also put this in the cover letter, that if the applicant wishes to pursue the transfer he will need to submit a revised map that shows the property boundary lines.
- c) This statement belongs in the Transfer Review Criteria section. Look at the attached document from another transfer proposing denial because of a different source for ideas. Then follow with the findings on enlargement and injury, based on the watermaster's comments.

Since this will be proposing denial, you will end the document with a statement of the proposal to deny, then the signature block. There is no point in putting in conditions that would be included in a final order approving the transfer, when we are proposing to deny.

In the cover letter, the only remedies I see that we can offer that would allow approval are to: 1) take out the additional POD and only propose a place of use change, or 2) propose a different POD that would be below where the original tributary source comes in to the Middle Fork Willamette. He can always just withdraw the transfer application if he does not want to pursue one of these options, or he can move forward and protest the determination after the PD is issued.

Don't work up any documents at this time other than the DPD, DPD cover letter, and the contact list. We'll have to wait and see what the applicant chooses to do.

I'll call you after you have had a chance to look at this email.

Dorothy

Dorothy Pedersen  
 (503) 986-0890

**From:** Bill Porfily [mailto:bporfily@my180.net]  
**Sent:** Tuesday, June 26, 2007 4:59 PM  
**To:** Dorothy Pedersen  
**Subject:** FW: T-10377

Forgot the attachment

**From:** Bill Porfily [mailto:bporfily@my180.net]  
**Sent:** Tuesday, June 26, 2007 4:57 PM  
**To:** 'Dorothy Pedersen'  
**Subject:** T-10377

Dorothy Attached is a draft DPD. Please review it and advise what else is needed. Pay attention to 6. c)

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6/27/2007

## WORK ORDER

Work Order #: **R07-070S** to Price Agreement # **R07-070**

### Water Right Contract Work

This Work Order hereby incorporates by reference all of the terms and conditions contained in the Price Agreement between the State of Oregon acting by and through Oregon Water Resources Department and William I. Porfily.

Contractor Data	Water Resource Data
Project Contact: William I. Porfily Title: Address: PO Box 643 Stanfield, OR 97875 Phone: (541) 449-1327 Fax: (541) 449-1327 E-Mail: bporfily@gohighspeed.net	Project Officer: Dorothy Pedersen Field Services Division Address: 725 Summer Street NE, Suite A Salem, OR 97301-1266 Phone: (503) 986-0890 Fax: (503) 986-0903 E-Mail: Dorothy.I.Pedersen@wrdd.state.or.us

Work Order Effective Date: **June 12, 2007**.

**Part I. General Information.** This Work Order is in effect between the contractor and the Department for the processing of water right applications as described in the Master Agreement (**R07-070**)

**Part II. Work; Acceptance Criteria; Deliverables and Delivery Schedule:** – See **Exhibit A** (Statement of Work for delivery schedule).

**Part III. Special Considerations.** There is no Special Consideration related to this Work Order.

**Part IV. Payment Provisions.** Unless otherwise specified, payments related to this Work Order shall be made only upon receipt and approval of the final product - The Product includes all deliverables - the Final Check List, Electronic and Paper Reports.

Payment for this work shall be processed upon receiving related invoice and the completed Deliverable Cover Sheet.

**Part V. Travel and Other Expenses.**

Agency shall not reimburse Contractor for any travel expense under this Contract.

**Part VI. Contract Amendments.**

The Agency reserves the right to amend the Contract for the Anticipated Amendments, listed below, in accordance with the rules of OAR 125-246-0560.

**ANTICIPATED AMENDMENTS**

None. Unless specified by the Agency.

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Revised 4/15/04

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Exhibit A  
Statement of Work

Estimate for Water Rights Transfer

Application Number T-10377

Name of Applicant: Norman McDougal

	Item	Time
1	Review of application for completeness.	1.5
2	Review of "From" lands to confirm consistency with existing right(s) and ownership.	1.0
3	Review of "To" lands for conflicts and preparation of draft deficiency letter (if necessary).	1.5
4	Preparation of draft preliminary determination, DPD cover letter and contact list.	4.0
5	Preparation of PD public notice, PD cover letter (and remaining right certificate(s) if necessary), and processing documentation.	2.5
<b>Total Estimated Time:</b>		<b>10.5</b>

Total estimated cost is 10.5 hours at \$90.00 per hour = **\$945.00**

- **Estimated date of completion** (*Issuance of Draft Preliminary Determination*) **once a Work Order has been executed is no later than:** June 29, 2007\*

*\*Dates are contingent on the Applicant's expeditious resolution of any deficiency.*



**Reimbursement Authority Process  
Itemized Estimate Sheet  
for  
Water Rights Transfer**

Application Number T-10377

Name of Applicant: **Norman McDougal**

**Proposed Timeline**

5/8/07	Public Notice (start of 30-day comment period).
6/25/07	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).
7/30/07	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	<b>Completion of contract work:</b> 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.	1.5
2	Review of "From" lands to confirm consistency with existing right	1.0
3	Preparation of draft deficiency letter ( <i>if necessary</i> ).	1.5
4	Preparation of draft preliminary determination, DPD cover and cover letter and contact list.	4
5	Preparation of PD public notice, PD cover letter (and remaining right certificate(s) if necessary, and processing documentation	2.5
<b>Total Estimated Time:</b>		<b>10.5</b>

(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: William I. Porfily

Authorized Representative: William I. Porfily

Date: 05-29-07

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Porfily Water Rights Consulting

415 E Wheeler Street  
P.O. Box 643  
Stanfield, OR 97875

# Invoice

Date	Invoice #
5/29/2007	430

Bill To
Oregon Water Resources Department c/oSalem Opeifa 725 Summer St. NE., STE A Salem, OR 97301-1271

Ship To

P.O. Number	Terms	Rep	Ship	Via	F.O.B.	Project
	Due on receipt		5/29/2007			
Quantity	Item Code	Description			Price Each	Amount
1	Services	Reviewing transfer application, map and preparing estimate for Reimbursement Authority Process for Transfer T-10377 in the name of Norman McDougal			90.00	90.00
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					SEP 21 2007	
					WATER RESOURCES DEPT SALEM, OREGON	
					<b>Total</b>	\$90.00

## Shipping Checklist for Reimbursement Authority File

File T- 10377 Applicant: Norman McDougal

Agent/Contact: Michael Evans

Ship to Contractor: William Porfily

### 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 request 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) *> Will be sent later*
- ODFW review (if change in POD) *> Will be sent later*
- GW review (if  $\Delta$ POA, or POD-to-POA change)
- RA 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 5/8/2007

Number of sheets copied 20

File contents copied by Lisa Paschke Date 5/15/07

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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](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml).

## 1. TYPE OF TRANSFER APPLICATION

Please check one	
<input checked="" type="checkbox"/> Permanent Transfer	<input type="checkbox"/> Instream Transfer
<input type="checkbox"/> Temporary Transfer	<input type="checkbox"/> Permanent
? total number of years: _____	<input type="checkbox"/> Time-Limited
(begin year: _____)	<input type="checkbox"/> Drought Transfer
(end year: _____)	<input type="checkbox"/> Other

## 2. APPLICANT INFORMATION

Name: Norman McDougal

Address: PO Box 518

Creswell, Oregon 97426

Phone: 541-895-8788

Fax: 541-895-8787

## 3. AGENT INFORMATION

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

Name: Michael Evans

Address: 1071 Harlow Road

Springfield, Oregon 97477

Phone: 541-726-8523

Fax: 541-746-5126

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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*

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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.	32248	25439	32562
2.			
3.			
4.			
5.			
6.			

- Attach a **separate Supplemental Form A** (*Description of Proposed Change(s) to a Water Right*) for **each** water right listed above.
- Check **all** proposed change(s) included in this transfer application:
  - Place of Use      ? Point of Diversion       Additional Point of Diversion
  - ? Character of Use      ? Point of Appropriation      ? Additional Point of Appropriation
  - ? Instream Transfer      ? Surface Water source to Ground Water source
- Reason(s) for change(s): Transfer irrigation rights to new area. Manufacturing rights to remain in original location

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.*

A pump is located at the diversion point that provides water via an underground supply line through a manufacturing facility then to pasture land further east where lateral distribution lines extend for irrigation use.

- System capacity: 0.79 cubic feet per second (cfs) If the transfer involves multiple rights that have independent systems, describe the capacity for each system separately.

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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:*

---

---

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

✓ Lane County, 125 East 8<sup>th</sup> Avenue, Eugene, Oregon 97401

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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): James Smejkal ✓

Address: PO Box 2114 ✓

Jasper, Oregon 97438-0299 ✓

- 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): Norman McDougal

Address: PO Box 518

Creswell, Oregon 97426 ✓

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:
- 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: \$ 488.25  
See the Department's Fee Schedule at [www.wrd.state.or.us](http://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.

**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:

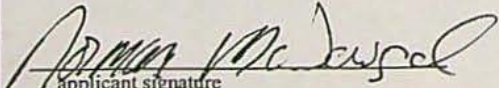
In accordance with OAR 690-380-3000(13)(a), I (we) understand that prior to Department approval of a permanent transfer and upon my receipt of a draft Preliminary Determination for the proposed transfer, I (we) will be required [pursuant to OAR 690-380-4010(5)] to provide the following landownership 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>NORMAN McDUGAL</u> name (print)	<u>4-16-07</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: 32562 \_\_\_\_\_

#### 1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

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

I think they mean to mark this as the proposed is 5 miles from the authorized

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**2. CURRENT WATER RIGHT INFORMATION**

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

<input checked="" type="checkbox"/> Certificated Right	32562 ✓ Certificate Number	25439 ✓ Permit Number or Decree Name
<input type="checkbox"/> Adjudicated, Non-certificated Right	_____ Name of Decree	_____ Page Number
<input type="checkbox"/> Permit for which Proof has been Approved	_____ Permit Number	_____ Date Claim of Beneficial Use Submitted
<input type="checkbox"/> Transferred Right for which Proof has been Filed	_____ Previous Transfer Number	_____ Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: Natron Plywood Co.
- County: Lane
- Authorized Use(s) to be Affected by Transfer: Irrigation
- Priority Date(s): April 9, 1958

*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: Unnamed stream

Tributary to: Middle Fork Willamette 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: 32562 \_\_\_\_\_

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 <sub>2</sub> )	Source and Priority Date	Township	Range	Mer	Sec	1/4	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
✓	Unnamed stream April 9, 1958	18 S	2W	W M	10	NW of SW	501	1008' South & 50' West of NW cor. DLC 594

- 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.

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SALEM, OREGON

**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
NA									

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APR 18 2007



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: 32562							

**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)
Middle Fork of the Willamette River	18 S	2W	W M	25	SE NW	Lot 3 TL 305	2582' SOUTH & 1219' WEST OF THE NORTH ¼ CORNER OF SECTION 25, T18S, R02W, W.M.

- 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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Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. 1- )	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
NA										

▪ Certificate Number or other identifying number: 32562 \_\_\_\_\_

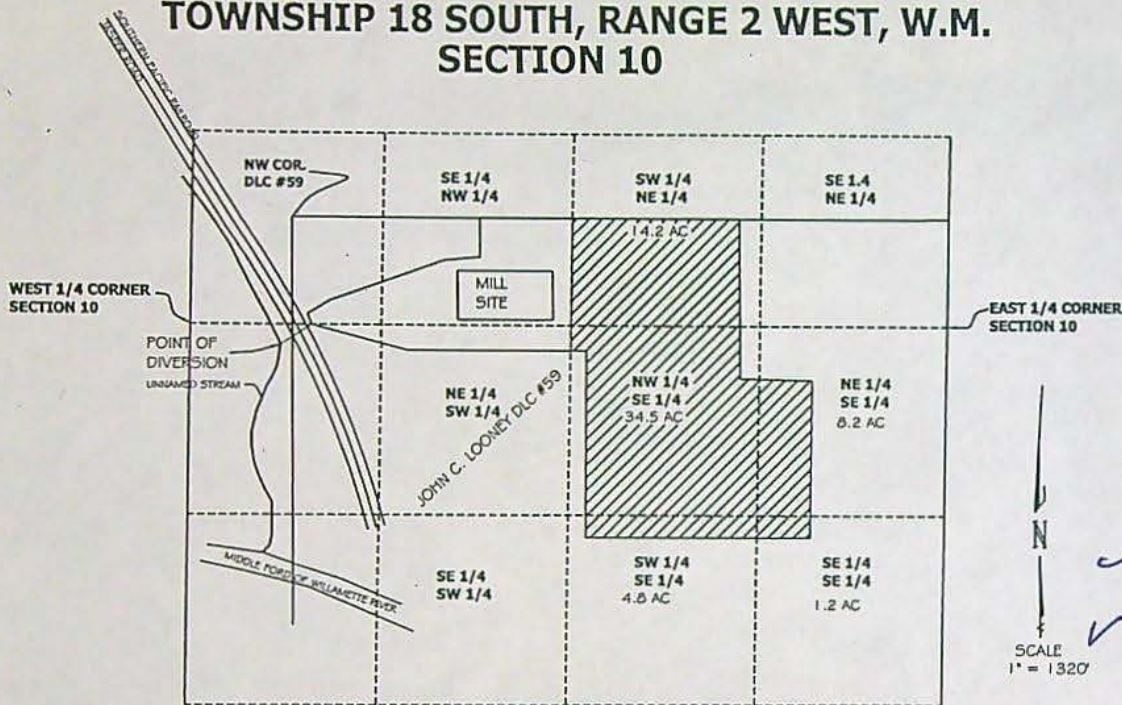
*Describe proposed changes to the water right involving place of use. Information described below should accurately correspond to the proposed place of use shown on the accompanying application map. Attach additional pages as necessary.*


**Location of Proposed Place of Use:** (i.e., the "TO" lands)     N/A – Instream Water Right Transfer  
 (NOTE: Complete this table only if a Change in Place of Use is being proposed.)

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**TOWNSHIP 18 SOUTH, RANGE 2 WEST, W.M.  
SECTION 10**



 DENOTES AREA OF WATER RIGHT TO BE TRANSFERRED FROM

THE PURPOSE OF THIS MAP IS TO DEPICT THE LOCATION OF THE AREA THAT THE EXISTING WATER RIGHTS ARE TO BE TRANSFERRED FROM. THE EXISTING RIGHT HAS 62.9 ACRES FOR IRRIGATION USING 0.79 CFS. THE MILL SITE HAS RIGHTS FOR 0.34 CFS FOR MANUFACTURING PER CERTIFICATE VOL. 24, PAGE 32562

**WATER RIGHT TRANSFER  
APPLICATION MAP**

FOR

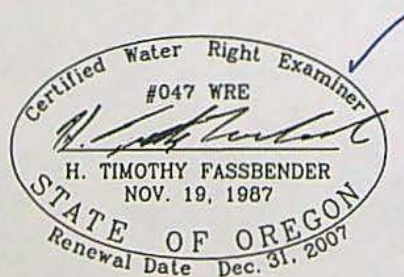
**NORMAN McDOUGAL  
PO BOX 518  
CRESWELL, OR 97426  
541-895-8788**

BY

**H. TIMOTHY FASSBENDER, PLS, CWRE  
2896 SARAH LANE  
EUGENE, OR 97408  
541-485-3136**

**Note:**

THIS MAP IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.



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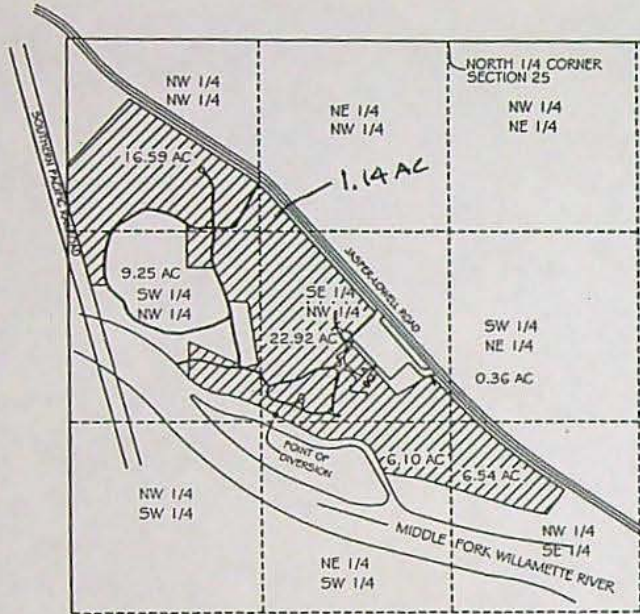
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SALEM, OREGON

1 10377


**TOWNSHIP 18 SOUTH, RANGE 2 WEST, W.M.  
SECTION 25**




NO TAX Lots  
Identified on  
map

N

SCALE  
1" = 1320'

 DENOTES AREA OF WATER RIGHT TRANSFER

 DENOTES AREA OF EXISTING ROAD SYSTEM ON PROPERTY

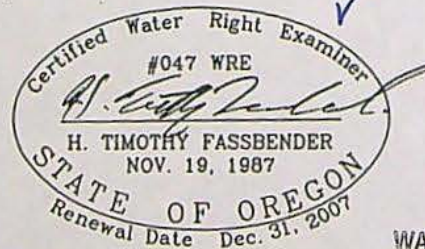
POINT OF DIVERSION LOCATION:  
SOUTH 2582' & WEST 1219' OF  
THE NORTH 1/4 CORNER OF SECTION 25

**WATER RIGHT TRANSFER  
APPLICATION MAP**

FOR  
**NORMAN McDOUGAL**  
PO BOX 518  
CRESWELL, OR 97426  
541-895-8788

BY  
**H. TIMOTHY FASSBENDER, PLS, CWRE**  
2896 SARAH LANE  
EUGENE, OR 97408  
541-485-3136

**Note:**  
THIS MAP IS NOT INTENDED TO  
PROVIDE LEGAL DIMENSIONS OR  
LOCATIONS OF PROPERTY  
OWNERSHIP LINES.



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1 10377

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APR 18 2007

WATER RESOURCES DEPT  
SALEM OREGON

LAND PLANNING CONSULTANTS  
1071 HARLOW ROAD  
SPRINGFIELD OR 97477

Phone 541-726-8523

July 2, 2007

Dorothy I. Pedersen  
Field Services Division  
Oregon Water Resources Department  
North Mall Office Building  
725 Summer Street N.E., Ste A  
Salem, OR 97301-1266

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JUL 03 2007  
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SALEM, OREGON

RE: Application T-10377

Dear Ms. Pedersen,

This letter responds to your June 29, 2007 preliminary determination for the requested transfer. This preliminary determination is for denial based on OAR 690-380-2110(2) that states any request for a change in point of diversion is restricted to the same source.

I believe findings assume that the existing diversion point is from an unnamed independent tributary to the Middle Fork of the Willamette River. Actually the stream is a side channel of the Middle Fork that flows from the river approximately 1300 feet South of the point of diversion, and then extends North and Southwest approximately 9300 feet where it reenters the river. The attached assessors map shows the approximate stream location which was previously the main channel as evidenced by the original channel meander lines. I've also included a 2004 aerial photo showing the Middle Fork of the Willamette River and the subject side channel.

The map issued with the certificate of water right shows the subject water source as a stream flowing from the Middle Fork of the Willamette River. The map includes the following note, "stream in bed of Middle Fork of Willamette River as located by Government survey".

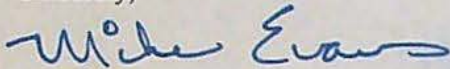
I believe this additional information shows the source of water for the existing water right and diversion point is the Middle Fork of the Willamette River. The proposed diversion point and water source is also the Middle Fork of the Willamette River at an upstream location. I request that you reconsider your preliminary determination on this basis.

I have asked the water rights examiner to prepare a revised map as requested in your letter and have ordered a title report. I will forward these items as soon as possible.

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SALEM, OREGON

Thank you for your attention and please feel free to contact me if I may provide additional information.

Sincerely,

A handwritten signature in blue ink that reads "Mike Evans". The signature is written in a cursive style with a large "M" and "E".

Mike Evans

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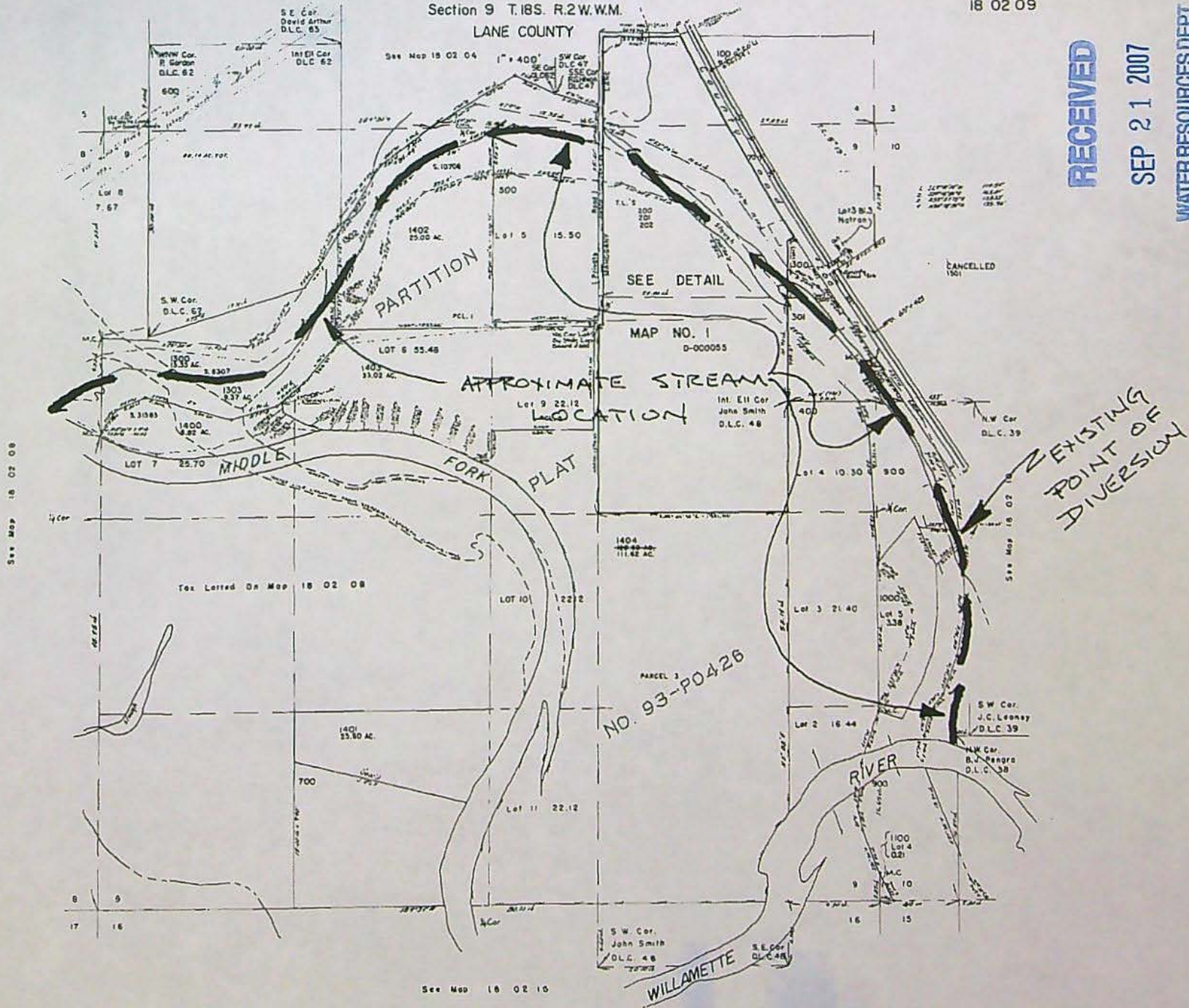
Section 9 T.18S. R.2W.W.M.  
LANE COUNTY

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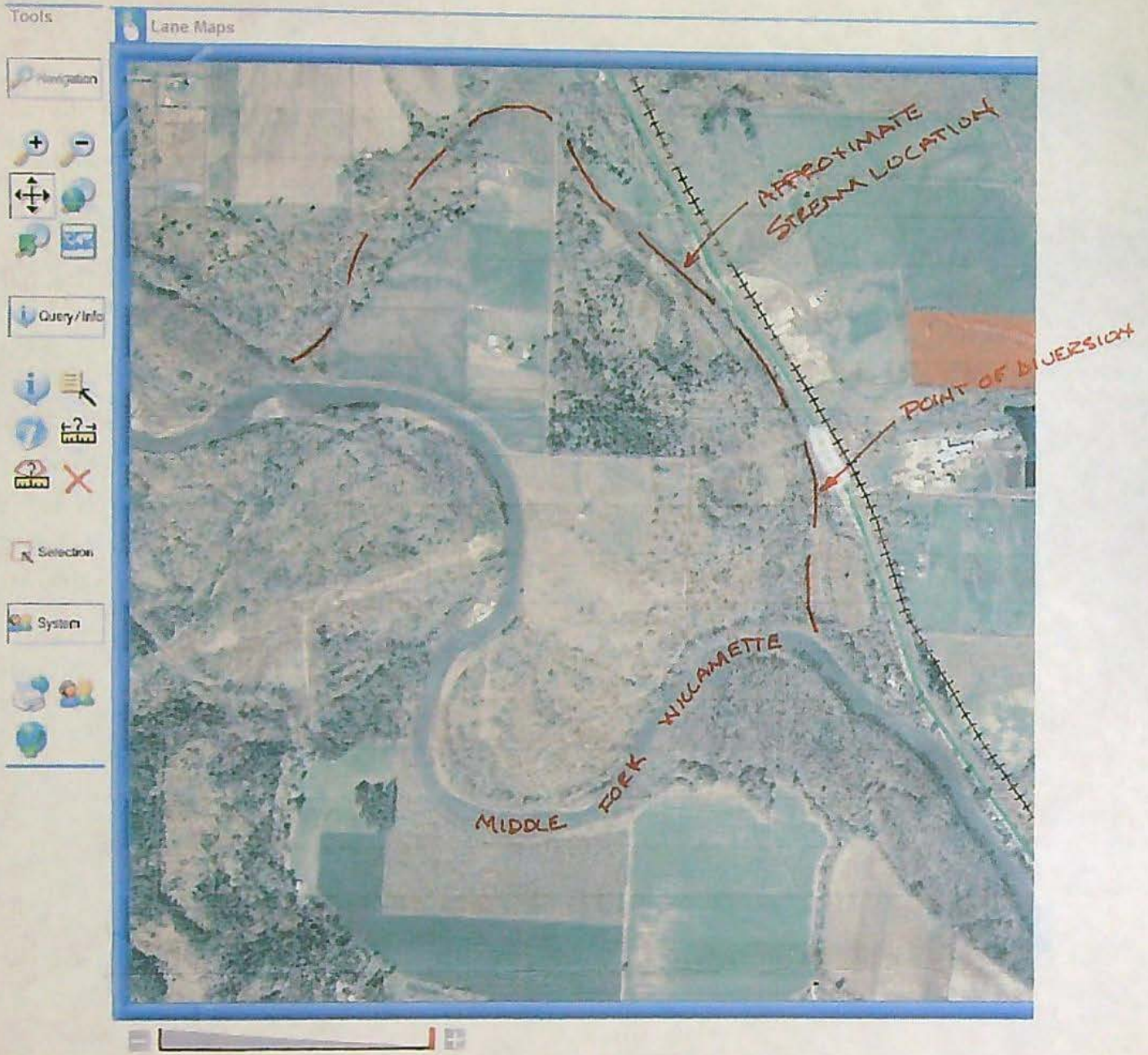
See Map 18 02 08

Tax Listed On Map 18 02 08

See Map 18 02 10

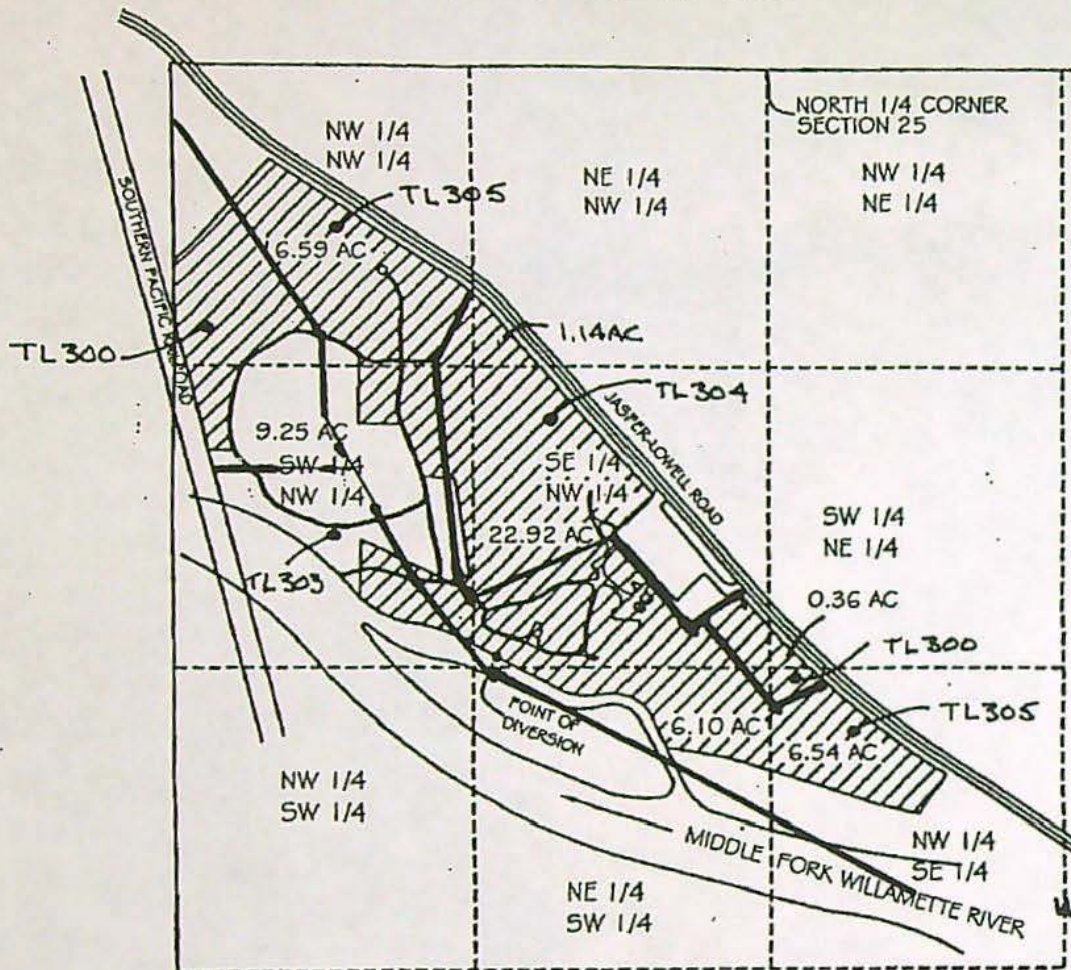
PARCEL 3  
NO. 93-PO426

EXISTING  
POINT OF  
DIVERSION



MAP DATE 2004

# TOWNSHIP 18 SOUTH, RANGE 2 WEST, W.M. SECTION 25



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DENOTES AREA OF WATER  
RIGHT TRANSFER



DENOTES AREA OF EXISTING  
ROAD SYSTEM ON PROPERTY

POINT OF DIVERSION LOCATION:  
SOUTH 2582' & WEST 1219' OF  
THE NORTH 1/4 CORNER OF SECTION 25

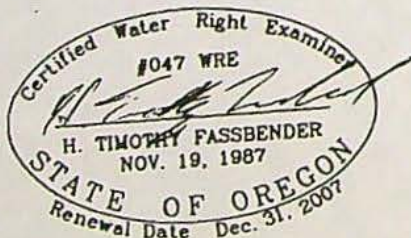
## WATER RIGHT TRANSFER APPLICATION MAP

FOR

**NORMAN McDOUGAL**  
PO BOX 518  
CRESWELL, OR 97426  
541-895-8788

BY

**H. TIMOTHY FASSBENDER, PLS, CWRE**  
2896 SARAH LANE  
EUGENE, OR 97408  
541-485-3136



LAND PLANNING CONSULTANTS  
1071 HARLOW ROAD  
SPRINGFIELD OR 97477

Phone 541-726-8523

August 9, 2007

Dorothy I. Pedersen  
Field Services Division  
Oregon Water Resources Dept.  
North Mall Office Bldg.  
725 Summer Street N.E., Ste A  
Salem, OR 97301-1266

RE: Application T-10377

Dear Ms. Pedersen,

I sent a letter on July 2, 2007 that responded to the main issue discussed in your June 29, 2007 preliminary determination.

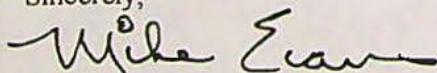
Enclosed are two additional items required in your letter:

1. A lien report dated August 3, 2007 from Fidelity National Title Company listing the ownership for the property where the water rights currently exist, and
2. A revised map showing the tax lot boundaries on the property where the water rights are proposed to be transferred. The map is the original 1320'=1 inch scale map enlarged to 800'=1 inch with tax lot boundaries shown. This scale, rather than 400'=1 inch was used to fit on an 8 1/2" x 11" size sheet. As we discussed by phone we're asking that this scale map be accepted for your initial permit processing.

I've also enclosed a copy of the County approved Land Use Information form.

Thank you for your assistance. Please contact me if you need any additional information.

Sincerely,



Mike Evans

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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: NORMAN MCDUGAL  
Mailing Address: PO BOX 518  
City: CPESWEL State: OR Zip: 97126 Day Phone: 895-8788

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:
18	02	25		304	EFU-40	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	IRRIGATION
				300	FZ	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	ir
				305	FZ	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	ir
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	

List all counties and cities where water is proposed to be diverted, conveyed, or used. LANE COUNTY

**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

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Source of water:  Reservoir/Pond  Ground Water  Surface Water (name) TRIBUTARY MIDDLE FORK WILLAMETTE RIVER

Estimated quantity of water needed: 0.79  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: WATER WILL BE PUMPED FROM A SIDE CHANNEL OF THE RIVER THROUGH DISTRIBUTION LINES FOR SURFACE IRRIGATION BY SPRINKLERS.

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

REC'D APR 05 2007  
ESI SIL -LANE COUNTY

**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):  
 IRRIGATION FOR FARM USE ALLOWED PER LC 16.211(2)(D)-(G) AND LC 16.212(3)(A)

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:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> 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: RAFAEL SEBBA Title: PLANNER  
 Signature: [Signature] Phone: 541.682.4620 Date: 5.14.07  
 Government Entity: LANE 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.

**Receipt for Request for Land Use Information**

Applicant name: \_\_\_\_\_

City or County: \_\_\_\_\_ Staff contact: \_\_\_\_\_

Signature: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_

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Last updated 12/22/06 WR



**Fidelity National Title Company of Oregon**

**Transmittal Sheet**

**DATE:** AUG 3, 2007

**TO:** LAND PLANNING CONSULTANTS  
ATTN: GERI BETZ

**FROM:** TYE W. NAGEL

**RE:** LIEN REPORT (SMEJKAL)

**ORDER NO.:**07-12

**Message**

Please find attached the Lien and Encumbrance, regarding the above entitled matter. If you should have any questions, please feel free to call me at 541-683-5422.

*Thank you for your business!*

800 WILLAMETTE STREET ■ SUITE 500 ■ EUGENE, OR 97401  
(541) 683-5422 ■ FAX (541) 683-5437

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SALEM, OREGON



## Fidelity National Title Company of Oregon

### LIEN AND ENCUMBRANCE REPORT

**Date:** August 3, 2007  
**Order No.:** 07-12  
**Charge:** \$85.00

---

**Effective Date:**

July 30, 2007

**Owner:**

JAMES A. SMEJKAL

As disclosed by: WARRANTY DEED, recorded May 19, 1994, Reception No. 94-038125

**(a) Legal Description:**

See Exhibit "A"

**(b) Address:**

36505 Brand S. Road  
Springfield, OR 97478

800 WILLAMETTE STREET ■ SUITE 500 ■ EUGENE, OR 97401  
(541) 683-5422 ■ FAX (541) 683-5437

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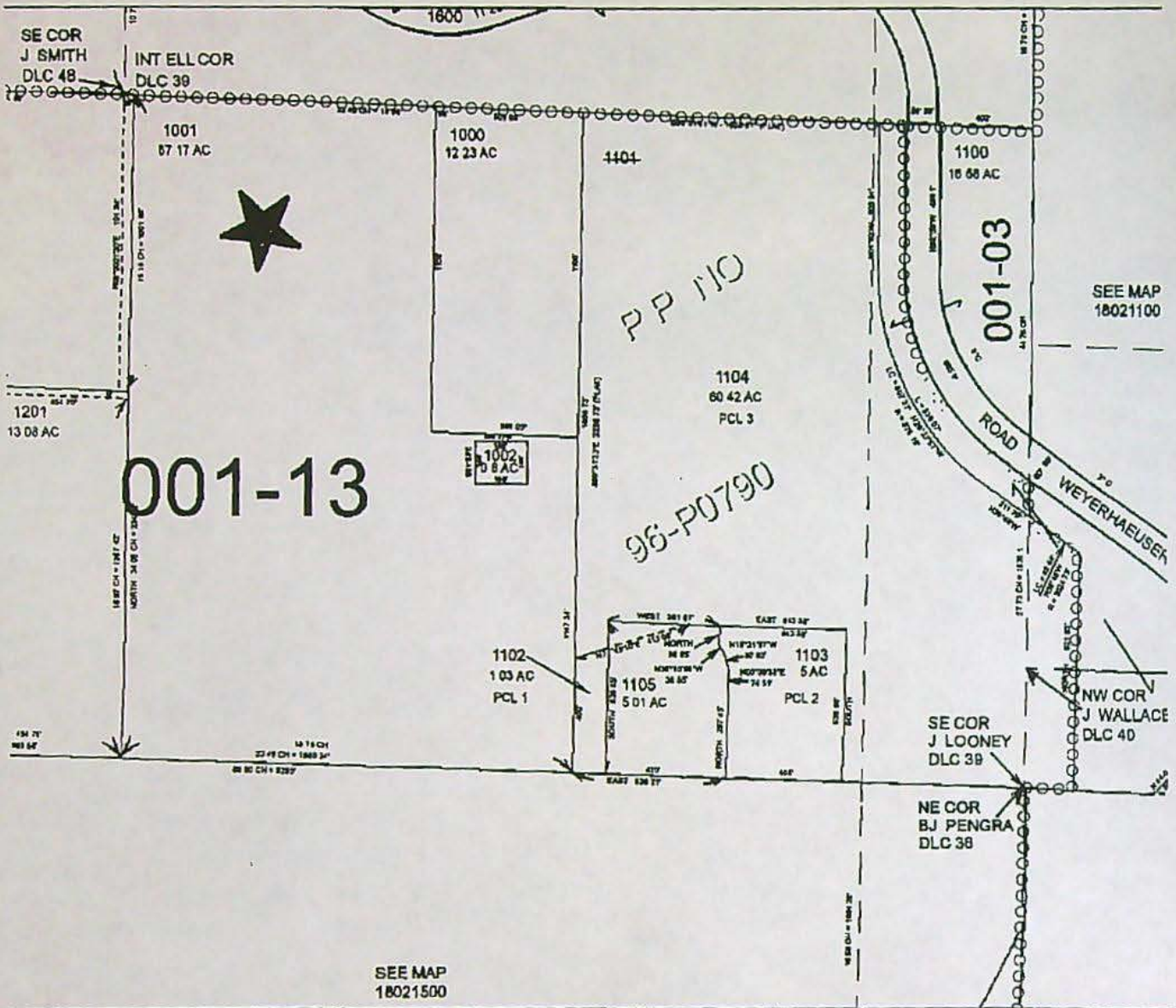
Page No. 2  
Lien & Encumbrance Report  
Order No. 07-12

(c) Monetary liens affecting the Premises as of the effective date herein:

1. Taxes, for the fiscal year 2007-2008, a lien in an amount yet to be determined, but are not yet payable.
2. Our examination of the title to the subject property discloses no open trust deeds or mortgages. The accuracy of this conclusion should be confirmed prior to closing of the proposed transaction.

CONTINUED

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**FIDELITY NATIONAL TITLE COMPANY**

This sketch above is made solely for the purpose of assisting in locating said premises and the company assumes no liability for variations, if any, in dimensions and location ascertained by actual survey.

Map # 18 02 10 00 01001 000

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Exhibit "A"

PARCEL 1:

Beginning at a point in the South line of the John C. Looney Donation Land Claim No. 39 in Township 18 South, Range 2 West of the Willamette Meridian, 23.49 chains West of the Southeast corner of said claim; and run thence North 34.05 chains; thence West 23.49 chains; thence South 34.05 chains to the South line of said claim; and thence East 23.49 chains to the place of beginning, in Lane County, Oregon.

EXCEPT: Beginning at an iron pipe marking the Northwest corner of the J. Looney Donation Land Claim No. 39 in Township 18 South, Range 2 West of the Willamette Meridian; thence East 2060.11 feet along a fence line marking the North line of said claim and the Easterly projection thereof to a point marked by an iron pin, said point being the true point of beginning; thence South 0° 21 1/2' West 2247.34 feet along an existing property line fence to a point on the South line of said claim; thence East 1571.71 feet along the South line of said claim as marked on the ground by a property line fence to a point; thence North 0° 25' West 1147.34 feet along an existing property line fence marking the property lines of land formerly owned by Newton and Agnes Cornell, husband and wife, on the West and by Otis F. and Thelma J. Jackson, husband and wife, on the East to a point; thence West 509.05 feet to a point; thence North 1100.00 feet to a point; thence West 1040.28 feet to the true point of beginning, in Lane County, Oregon.

ALSO EXCEPT: Beginning at an iron pipe marking the Northwest corner of the J. Looney Donation Land Claim No. 39 in Township 18 South, Range 2 West of the Willamette Meridian; thence East 3601.48 feet along a fence line marking the North line of said claim and the Easterly projection thereof to a point; thence South 0° 25' East 1106.78 feet along an existing fence line to a point; thence South 78° 25 1/2' West 54.08 feet along the Southerly margin of a 60-foot road easement to an angle point therein; thence South 88° 37' West 126.72 feet continuing along said margin to an iron pin marking the true point of beginning; thence South 1° 23' East 146.00 feet to a point marked by an iron pin; thence South 88° 37' West 180.00 feet to a point marked by an iron pin; thence North 1° 23' West 146.00 feet to an iron pin set on said Southerly margin; thence North 88° 37' East 180.00 feet to the true point of beginning in Lane County, Oregon.

PARCEL 2:

Beginning at an iron pipe marking the Northwest corner of the J. Looney Donation Land Claim No. 39 in Township 18 South, Range 2 West of the Willamette Meridian; thence East 2060.11 feet along a fence line marking the North line of said claim and the Easterly projection thereof to a point marked by an iron pin said point being the true point of beginning; thence South 0° 21 1/2' West 2247.34 feet along an existing property line fence to a point on the South line of said claim; thence East 1571.71 feet along the South line of said claim as marked on the ground by a property line fence to a point; thence

Continued

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Page No. 3  
Lien & Encumbrance Report  
Order No. 07-12

**NOTE A:**           **2006-2007 Taxes (PAID)**  
AMOUNT           :\$1,293.33  
MAP NO.           :18-02-10-00-01001  
ACCOUNT          :0567477  
CODE              :01-13

**NOTE B:**           **REAL MARKET VALUATION**  
LAND              :\$379,602  
IMPROVEMENTS   :\$103,760  
TOTAL             :\$483,362

**NOTE C:** YOU WILL BE REVIEWING, APPROVING AND SIGNING IMPORTANT DOCUMENTS AT CLOSING. LEGAL CONSEQUENCES FOLLOW FROM THE SELECTION AND USE OF THESE DOCUMENTS. THESE CONSEQUENCES AFFECT YOUR RIGHTS AND OBLIGATIONS. YOU MAY CONSULT AN ATTORNEY ABOUT THESE DOCUMENTS. YOU SHOULD CONSULT AN ATTORNEY IF YOU HAVE QUESTIONS OR CONCERNS ABOUT THE TRANSACTION OR ABOUT THE DOCUMENTS. IF YOU WISH TO REVIEW TRANSACTION DOCUMENTS THAT YOU HAVE NOT YET SEEN, PLEASE CONTACT THE ESCROW AGENT.

**NOTE D:** We find no judgments or tax liens on James A. Smejkal.

**THIS IS NOT A TITLE REPORT:** This is an informational report only. It is not title insurance nor a guarantee. This service does not include supplemental reports or any other information. Liability is limited to the amount paid for this report.

Thank you for doing business with FIDELITY NATIONAL TITLE INSURANCE COMPANY OF OREGON. If you have any questions, please feel free to contact our office at (541) 683-5422.

**FIDELITY NATIONAL TITLE INSURANCE  
COMPANY OF OREGON**

---

**TYE W. NAGEL**

Title Examiner

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**Water Right Transfer Supplemental Form B  
AFFIDAVIT ATTESTING TO THE USE OF WATER**

State of Oregon )  
County of Lane ) ss

I, Norman McDougal, in my capacity as applicant of for water right transfer,  
mailing address PO Box 518, Creswell, Oregon 97426  
telephone number (541)895-8788, 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	¼ ¼ Section		Gov't Lot or DLC	Acres (if applicable)
	18	2	W	WM	10	SW	NE	DLC 39	14.2
	"	"	"	"	"	NE	SE	"	8.2
	"	"	"	"	"	NW	SE	"	34.5
	"	"	"	"	"	SW	SE	"	4.8
	"	"	"	"	"	SE	SE	"	1.2

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(continues on reverse side)

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

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10377

4. The water right was exercised for the authorized purpose described below (e.g., crops grown):  
Irrigation of pasture land.

The water delivery system used to apply water as authorized by the right is described below:  
An 8" waterline main extends from a pump at the point of diversion through a manufacturing facility on tax lot 900 to the area of use where it is distributed by 2 6" lateral lines.

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: \_\_\_\_\_

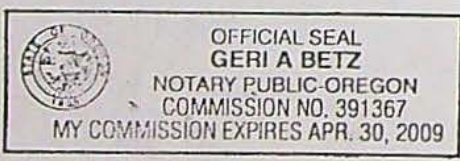
Foot

[Signature]  
Signature of Affiant

4-16-07  
Date

Signed and sworn to (or affirmed) before me this 16<sup>th</sup> day of APRIL, 2007.

[Signature]  
Notary Public for Oregon



My Commission Expires: 4-30-09

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

Tools

Lane County Maps

X:4283521 Y:867257 Lon:122° 55' 28.97" W Lat:44° 1' 15" N

Navigation

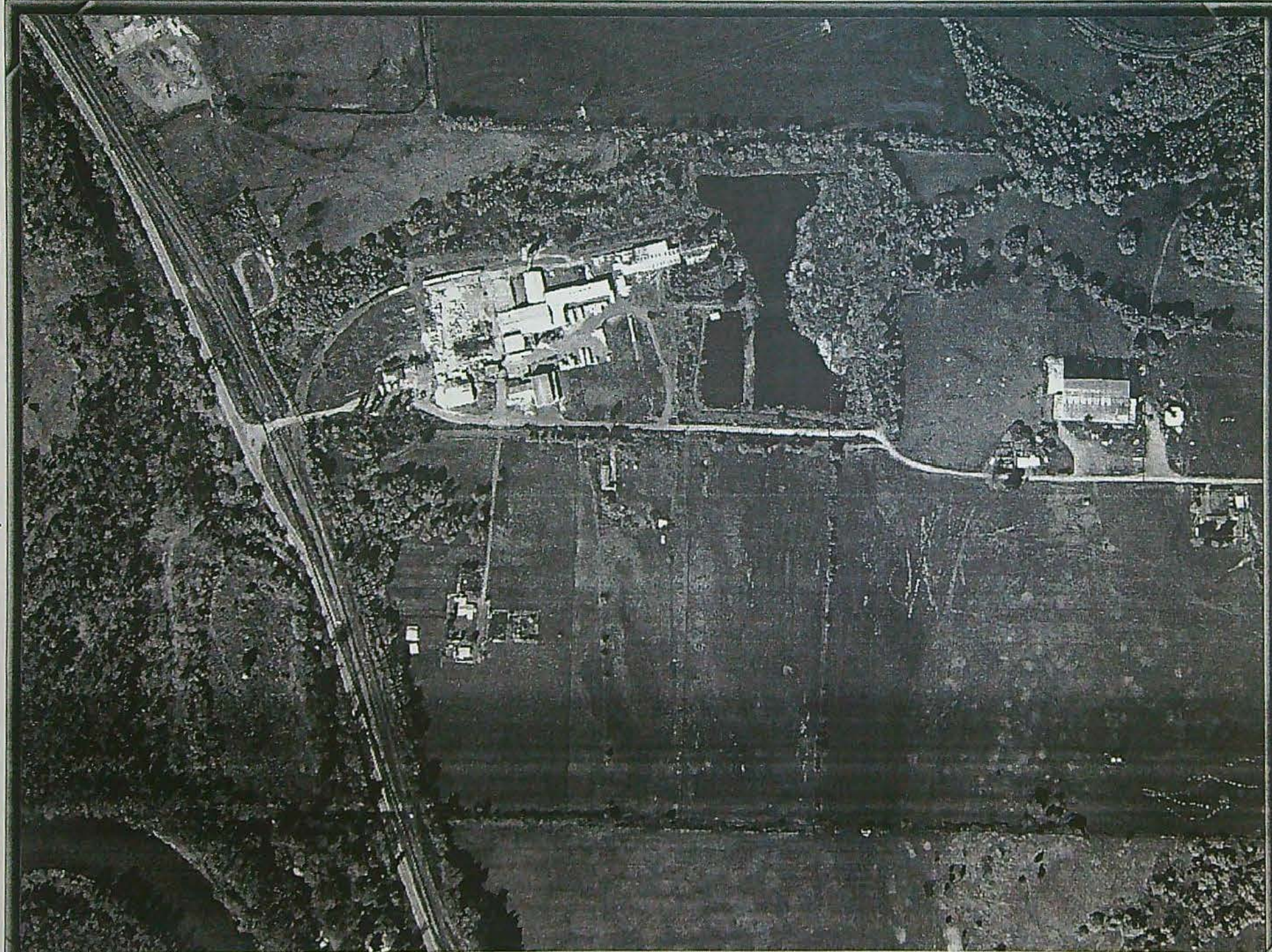


Query/Info



Selection

System



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# 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: NORMAN McDOUGAL  
Mailing Address: PO BOX 518  
City: CRESWELL State: OR Zip: 97426 Day Phone: 895-8788

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:
18	02	25		304	EFU-40	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	IRRIGATION
				300	FZ	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	"
				305	FZ	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	"
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	

*BP*

List all counties and cities where water is proposed to be diverted, conveyed, or used. LANE COUNTY

### 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) TRIBUTARY MIDDLE FORK WILLAMETTE RIVER

Estimated quantity of water needed: 0.79  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: WATER WILL BE PUMPED FROM A SIDE CHANNEL OF THE RIVER THROUGH DISTRIBUTION LINES FOR SURFACE IRRIGATION BY SPRINKLERS.

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

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State of Oregon  
Water Resources Department  
725 Summer Street NE, Suite A  
Salem, OR 97301-1266

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SALEM, OREGON

10377

REC'D APR 05 2007

042801-SIL - LANE COUNTY

STATE OF OREGON
COUNTY OF LANE
CERTIFICATE OF WATER RIGHT

This Is to Certify, That (MATRON PLYWOOD COMPANY

of P. O. Box 295, Springfield, 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 an unnamed stream

97477

a tributary of Middle Fork of Willamette River (Willamette River) for the purpose of irrigation of 62.9 acres and manufacturing

under Permit No. 25439 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 April 9, 1958

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 0.83 cubic foot per second, being 0.79 c.f.s. for irrigation and 0.04 c.f.s. for manufacturing

All that's being transferred

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the Lot 2 (NW 1/4 SW 1/4), Section 10, T. 18 S., R. 2 W., 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 2 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:

- 14.2 acres SW 1/4 NE 1/4 and manufacturing
Manufacturing SW 1/4 NW 1/4
Manufacturing SE 1/4 NW 1/4
Manufacturing NE 1/4 SW 1/4
Manufacturing NW 1/4 SW 1/4
8.2 acres NE 1/4 SE 1/4
34.5 acres NW 1/4 SE 1/4 and manufacturing
4.8 acres SW 1/4 SE 1/4
1.2 acres SE 1/4 SE 1/4
Section 10
T. 18 S., R. 2 W., W. M.

Remaining

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 date. November 17, 1965

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 24, page 32562

VOR T-10377

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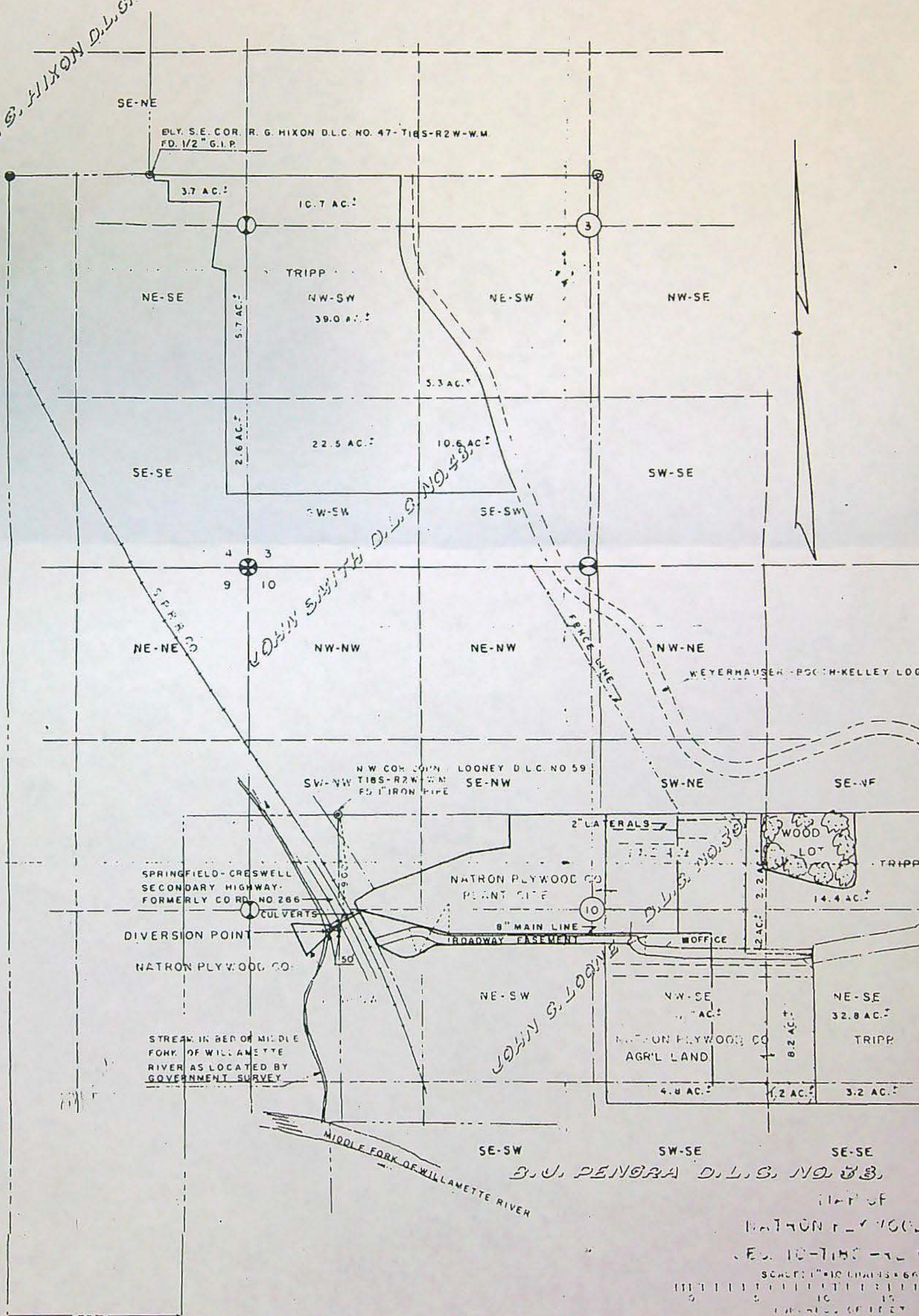
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*R. G. HIXON D.L.C. NO. 47*



4

9

CONSENT

DATE: April 9, 2007

RECITALS:

A. JAMES A S. SMEJKAL is the owner of Water Rights Certificate No. 32562 concerning property located in Section 10, Township 18 South, Range 2 West, Tax Lot No. 1001, which authorizes 0.79 cubic feet per second for irrigation of 62.9 acres ("Water Rights Certificate No. 32562"); and

B. JAMES A. SMEJKAL desires to consent to the transfer of Water Rights Certificate No. 32562 to NORMAN MCDOUGAL as more particularly set forth hereafter.

CONSENT:

JAMES A. SMEJKAL does hereby consent to the conveyance of water rights to NORMAN MCDOUGAL concerning Water Rights Certificate No. 32562.

*James A. Smejkal by Robert A. Smejkal*  
JAMES A. SMEJKAL by ROBERT A. SMEJKAL, his Attorney in Fact

STATE OF OREGON )  
 ) ss.  
County of Lane )

On this 9<sup>th</sup> day of April, 2007, before me personally appeared ROBERT A. SMEJKAL, personally known to me to be the person whose name is subscribed to the within instrument as the Attorney in Fact of JAMES A. SMEJKAL, and acknowledged that he subscribed the name of JAMES A. SMEJKAL thereto as principal, and his own name as Attorney in Fact.



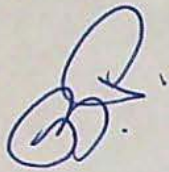
*Annette Kayser*  
NOTARY PUBLIC FOR OREGON

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LAND PLANNING CONSULTANTS  
1071 HARLOW ROAD  
SPRINGFIELD OR 97477

Phone 541-726-8523

April 30, 2007

Sarah Henderson  
Water Resources Department  
725 Summer Street NE, Ste. A  
Salem, OR 97301-1271

RE: Water Right Transfer Application for Norman McDougal

Dear Sarah,

In response to your letter dated April 19, 2007 and the returned application the revised application that includes the missing items is attached. Also attached is a check for the full \$700 application fee.

You will note that an additional map prepared by the CWRE is included to show both the area where a portion of the existing water rights are to be retained and the area from which the other portion will be transferred. The point of diversion for the retained water right will not be altered.

The aerial photograph submitted was taken in April 2004.

We have not yet received the land use information form from the County. We understand that it must be provided prior to final order.

Thank you for your prompt attention and please feel free to contact me if further information or clarification is needed.

Sincerely,

Mike Evans

cc: McDougal  
Fassbender

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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-10377

Review Due Date: 6-05-07

Applicant Name: Norman McDougal

Proposed Changes:  POU  POD  POA  USE  OTHER

Reviewer(s): M. Mattick

Date of Review: \_\_\_\_\_

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:  
 \_\_\_\_\_
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: \_\_\_\_\_
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: \_\_\_\_\_
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: Though the new POU is about 3 miles upstream, I guess that is OK
10. What alternatives may be available for addressing any issues identified above: \_\_\_\_\_

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- 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:

<b>Measurement Devices</b>	<input type="checkbox"/> Present and should be maintained.	<input type="checkbox"/> Should be required prior to diverting water.	<input checked="" type="checkbox"/> May be required in the future.
<b>Headgates</b>	<input type="checkbox"/> Present and should be maintained.	<input type="checkbox"/> Should be required prior to diverting water.	<input checked="" type="checkbox"/> May be required in the future.

*Add the following Finding after the Received Notice Finding:*

1. On \_\_\_\_\_, 200\_\_, the Department mailed a copy of the draft Preliminary Determination proposing to **approve/deny** Transfer Application T- \_\_\_\_\_ to the applicant(s). The draft Preliminary Determination set forth a deadline of \_\_\_\_\_, 200\_\_, for the applicant(s) to respond. The applicant(s) **add in here the materials that were submitted related to the source of water** and requested that the Department reconsider the determination, and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

**[then add a finding to indicate that the watermaster investigated the original and proposed source of water and what he concluded]**

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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-10377

Review Due Date: 6-5-07

Applicant Name: Norman McDougal

Proposed Changes:  POU  POD  POA  USE  OTHER

Reviewer(s): M. Mattick

Date of Review: Jun. 5, 2007

- 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: \_\_\_\_\_
- 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:  
Instream right nearly always met, few junior rights, no calls for distribution.
- 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:  
 \_\_\_\_\_
- 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: \_\_\_\_\_
- 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: This is not exactly apropos but none of the water used at the current site will be available at the proposed site because to get to the proposed POD the water would have to flow down to a larger tributary, then UP that larger tributary to get to the proposed POD. There fore all of this water is lost to the new POD. ← BP
- 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: At its current POD, there are no water rights upstream to regulate, one right with the same priority shares the POD; at the new POD there are many rights upstream.
- 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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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: To reiterate, this transfer is to take a water right whose source is an unnamed tributary to the Middle Fork of the Willamette and move the POD and POU to the Middle Fork Willamette itself at a location higher up the basin than the mouth of the unnamed trib. Can we allow that? Though I do not foresee any particular injury nor increase in regulation, it seems to me that this is a different source.
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:

<b>Measurement Devices</b>	<input type="checkbox"/> Present and should be maintained.	<input type="checkbox"/> Should be required prior to diverting water.	<input checked="" type="checkbox"/> May be required in the future.
<b>Headgates</b>	<input type="checkbox"/> Present and should be maintained.	<input type="checkbox"/> Should be required prior to diverting water.	<input checked="" type="checkbox"/> May be required in the future.

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