

T-10439

T-10439

Name Richard Hunsaker

Address 88001 Heather Drive
Springfield OR 97478
541-746-8446

*PO Box 444
Walterville, OR 97489*

DESCRIPTION OF WATER RIGHT(S)

Name of Stream McKenzie River

Trib. of Willamette River

Use IR

County Lane

Quantity of water (CFS)

No. of Acres 40.6

Name of ditch

App # 530462 Per # 5-23994 Cert # 28874 PR Date 1955

App # Per # Cert # PR Date

App # Per # Cert # PR Date

App # Per # Cert # PR Date

App # Per # Cert # PR Date

FEES PAID		
Date	Amount	Receipt #
<u>8-3-07</u>	<u>800.00</u>	<u>89038</u>

Change in POU ~~POA~~ SW to GW POD

Date Filed 8-3-2007

Initial notice date 8-14-2007

DPD issued date

PD issued date

PD notice date

Date of FO 11-24-09 Vol 79 Page 194

FO Redescribing Curt 10-25-10 V. 82 p. 1169

C-Date

COBU due date

COBU Received date

Certificate issued 97504

*RR 85843
86677*

FEES REFUNDED		
Date	Amount	Receipt#

Assignments:

Irrigation District NONE

Agent EGR & Associates 2535 "B" Prairie Rd Eugene OR 97402 541-688-8322

541-688-8087 fax

CWRE Shane Hughes 392

CC's list Lane County 125 Easth Ave OR 97401

- Oversized map - Location

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 # **89038**

INVOICE # _____

RECEIVED FROM: <u>Engineering & Geologic Resources</u>	APPLICATION
BY: _____	PERMIT
CASH: <input type="checkbox"/>	TRANSFER <u>1-10439</u>
CHECK # <u>13647</u> <input checked="" type="checkbox"/>	TOTAL REC'D <u>\$800.00</u>
OTHER: (IDENTIFY) _____	

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	\$

0201 SURFACE WATER	EXAM FEE	0202	RECORD FEE
\$			\$
0203 GROUND WATER	\$	0204	\$
0205 TRANSFER	\$ <u>800.00</u>		

0218 WELL DRILL CONSTRUCTOR	EXAM FEE	0219	LICENSE FEE
\$			\$
LANDOWNER'S PERMIT		0220	\$
OTHER (IDENTIFY) _____			

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FWWRD)	\$
0231 HYDRO LICENSE FEE (FWWRD)	\$
HYDRO APPLICATION	\$

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ \$ _____

RECEIPT: **89038** DATED: 8-3-07 BY: L. Pauline

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

Mailing List for Transfer Certificate(s)

Transfer Application: T-10439

Certificate: 97504 (C-28874)

Certificate/Transfer Holder: (include copy of map)
RICHARD HUNSAKER
PO BOX 685
WALTERVILLE, OR 97489

Is the Transfer Holder(s) of record currently identified as a landowner of any tax lots involved as confirmed by the County records? YES

Copies Mailed	
by:	<u>KMWF</u> (STAFF)
on:	<u>DEC 08 2023</u> (DATE)

Copies of Transfer Certificate(s) to be sent to:

1. Watermaster District #: 2
2. Vault
3. File

Other persons to receive copies: (include map):

4. TIMOTHY FASSBENDER
2896 SARAH LN
EUGENE, OR 97408-4628

STATE OF OREGON

COUNTY OF LANE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RICHARD HUNSAKER
PO BOX 685
WALTERVILLE OR 97489

confirms the right to the use of water perfected under the terms of Permit S-23994. 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 well. The specific limits and conditions of the use are listed below.

SOURCE: A WELL IN MCKENZIE RIVER BASIN

USE: IRRIGATION OF 8.9 ACRES

RATE: 0.04 CUBIC FOOT PER SECOND

PRIORITY DATE: DECEMBER 6, 1955

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
17 S	1 W	WM	29	SW SW	WELL 1 - 36 DEGREES SOUTH 54 MINUTES 30 SECONDS EAST 1727.96 FEET FROM WEST ¼ CORNER, SECTION 29

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 is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
17 S	1 W	WM	29	NW SW	6.4
17 S	1 W	WM	29	SW SW	2.5

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.

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

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
17 S	2 W	WM	26	SE NW	

The Director may require the water user to install a totalizing flow meter or other suitable measuring device at the point of appropriation. If the Director notifies the water user to install totalizing flow meter or other measuring devices, the water user shall install such devices specified by the Director within the period allowed in the notice. Once installed, the water user shall maintain the meters or measuring devices in good working order and shall allow the Watermaster access to the meters or measuring devices.

The well from which water is taken under the right shall be constructed so that the use of the well will affect the surface water source similarly to the use of the original authorized point of diversion.

The use of water under this right shall be subject to regulation consistent with other water rights from the surface water source and to all other applicable conditions and restrictions that existed at the original point of diversion.

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

This certificate is issued to confirm a change in PLACE OF USE, POINT OF APPROPRIATION AND SURFACE WATER TO GROUND WATER approved by an order of the Water Resources Director entered November 24, 2009, at Special Order Volume 79, Page 194, approving Transfer Application T-10439, and together with Certificate 85843, supersedes Certificate 28874, State record of Water Right Certificates.

DEC 08 2023

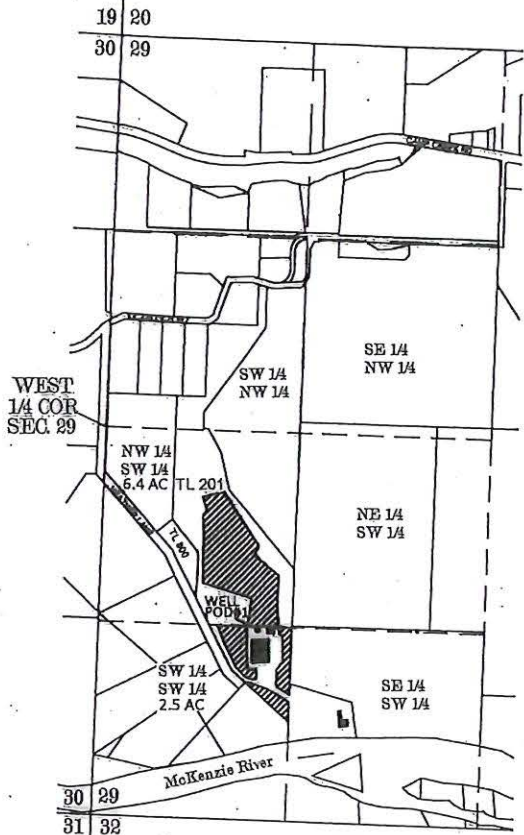
Issued _____



Dwight French
Water Right Services Division Administrator, for
Douglas E. Woodcock, Acting Director
Oregon Water Resources Department

COPY

TOWNSHIP 17 SOUTH, RANGE 1 WEST, W.M.





RECEIVED BY OWRD
 OCT 30 2017
 SALEM, OR

APPLICATION T-10439 SPECIAL ORDER VOL. 79 PG 194-198

TAX MAP NO. 17-01-29-3

WELL POD#1 LOCATION:
 S 36°54'30" W 1727.96 FEET FROM WEST 1/4 COR. SEC 29
 EAST

 DENOTES AREA OF BENEFICIAL USE OF WATER

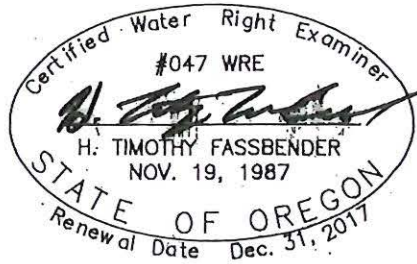
 DENOTES BUILDING LOCATION

NOTE:
 MAP PROJECTION BASED UPON OREGON STATE PLANE
 COORDINATE SYSTEM NAD 83/91 THETA ANGLE -1°36'05.2"

FINAL PROOF SURVEY
 FOR
 RICHARD HUNSAKER
 SITE ADDRESS:
 88001 HEATHER LANE
 WALTERVILLE, OR. 97489
 MAILING ADDRESS:
 29847 MINNEHAHA ROAD
 HERMISTON, OR. 97838

BY
 H. TIMOTHY FASSBENDER, PLS, CWRE
 2896 SARAH LANE
 EUGENE, OR. 97408
 JUNE 8, 2017

NOTE
 THIS MAP WAS PREPARED FOR THE PURPOSE
 OF IDENTIFYING THE LOCATION OF THE WATER
 RIGHT ONLY. IT IS NOT INTENDED TO PROVIDE
 DIMENSIONS OR LOCATION OF PROPERTY
 OWNERSHIP LINES.



HC/WRD 12/7/2023

CLARK Gerald E * WRD

From: TIM FASSBENDER <htimfass@aol.com>
Sent: Monday, December 4, 2023 1:12 PM
To: CLARK Gerald E * WRD
Subject: Re: CBU Map for T-10439 (Richard Hunsaker) - Map Question

Gerry
You are correct on the bearing, it should be SE. I probably picked the bearings in AutoCAD in reverse and didn't make the full correction in my head.
Please go ahead and make the change please.
Thanks for the catch.
Tim
Sent from my iPhone

On Dec 4, 2023, at 11:49 AM, CLARK Gerald E * WRD <Gerald.E.CLARK@water.oregon.gov> wrote:

Good Morning,

Thanks again for your help on the CWRE Program. I have appreciated your feedback.

In regards to the above referenced Transfer. We are currently preparing to issue the certificate to confirm the changes, but believe that there is an issue with the CBU map that we need addressed prior to issuance. The map is attached for your reference.

I believe that the well location bearing and distance have an error. The possible error is in the bearing. Your map indicates the bearing and distance as "WELL 1 – 36 DEGREES SOUTH 54 MINUTES 30 SECONDS WEST 1727.96 FEET FROM WEST ¼ CORNER, SECTION 29". Based on review, I believe that the correct description of the location of the well is as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
17 S	1 W	WM	29	SW SW	WELL 1 – 36 DEGREES SOUTH 54 MINUTES 30 SECONDS EAST 1727.96 FEET FROM WEST ¼ CORNER, SECTION 29

If you agree that the bearing needs to be updated, you can either provide a new, revised map, or you can authorize me to make the update to the bearing for you.

Thanks for looking into this.

Gerry

Gerry Clark
He/Him/His
Oregon Water Resources Department
Program Analyst, Certificate Section, Water Right Services Division
725 Summer Street NE, Suite A Salem, OR 97301 | Phone 503-979-9103

Mailing List for Proposed Transfer Certificate(s)

Transfer Application: T-10439

Certificate: ***** (C-28874)

Certificate/Transfer Holder: (include copy of map)

RICHARD HUNSAKER
PO BOX 685
WALTERVILLE, OR 97489

Is the Transfer Holder(s) of record currently identified as a landowner of any tax lots involved as confirmed by the County records? YES

Copies of Proposed Transfer Certificate(s) to be sent to:

1. Watermaster District #: 2
2. File

Other persons to receive copies: (include map):

3. H. Timothy Fassbender. CWRE

Record Marking(s):

1. Original Application# S30462
2. Old Certificate# 28874

Copies Mailed	
by: <u>KMWF</u>	(STAFF)
on: <u>SEP 22 2023</u>	(DATE)



Oregon

Tina Kotek, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

www.oregon.gov/owrd

SEP 22 2023

Date Mailed:

Reference: Transfer T-10439

PROPOSED

Enclosed is a proposed certificate of water right and map. The proposed certificate represents the extent water was used within the terms of an order approving the transfer based upon a Claim of Beneficial Use, prepared by a Certified Water Right Examiner, that either you or a previous transfer holder submitted.

The certificate is the final step in the water right process. The Department encourages you to review this proposal. If you do not agree with the proposed certificate, Oregon Administrative Rule 690-330-010 (2) allows the transferee or landowner 60 days from the mailing date of this notice to request the Department to reconsider the contents of the proposed certificate.

If you do not agree with the proposed certificate, Oregon Administrative Rule 690-380-6040 allows the transferee or landowner 60 days from the mailing date of this notice to request the Department to reconsider the contents of the proposed certificate.

If your name is not listed on the proposed certificate, and you are the current landowner, and would like to have the final certificate issued in your name, you may apply through the Department to have the transfer assigned to you. If you have any questions about the assignment process, please contact Mary Bjork at 503-979-9895.

If you agree with the proposed certificate and map no response to this notice is required. Sometime after the 60 day period, a recommendation will be made to the Director to issue a certificate, and if the Director signs the certificate, the recorded certificate of water right will be mailed to you.

If you have any questions please contact Breck Flanagan-Caldwell at 971-718-2934

Sincerely,

Dwight French
Administrator Water Right Services

STATE OF OREGON

COUNTY OF LANE

CERTIFICATE OF WATER RIGHT

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RICHARD HUNSAKER
PO BOX 685
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PROPOSED
Certificate ***

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Issued _____.

PROPOSED
 Dwight French
 Water Right Services Division Administrator, for
 Douglas E. Woodcock, Acting Director
 Oregon Water Resources Department

PROPOSED

TRANSFER

Memo- Proof to Satisfaction

Transfer App # <i>T-10439</i>	
WRD Reviewer (CW) <i>Breck F-C</i>	Date: <i>August 2023</i>
WRD Peer Reviewer (PR) <i>J Skeug</i>	Date: <i>Sept 23</i>

ORIGINAL CERT:	CHANGE REQUESTED:				RR Cert:
<i>28874</i>	<input checked="" type="checkbox"/> POU	<input type="checkbox"/> POD/POA	<input type="checkbox"/> APOD/APOA	<input checked="" type="checkbox"/> USE	<i>86677</i> →
	<input type="checkbox"/> POU	<input type="checkbox"/> POD/POA	<input type="checkbox"/> APOD/APOA	<input type="checkbox"/> USE	
	<input type="checkbox"/> POU	<input type="checkbox"/> POD/POA	<input type="checkbox"/> APOD/APOA	<input type="checkbox"/> USE	
	<input type="checkbox"/> POU	<input type="checkbox"/> POD/POA	<input type="checkbox"/> APOD/APOA	<input type="checkbox"/> USE	

PREPARATION:

<input type="checkbox"/> C	<input checked="" type="checkbox"/> P	RESEARCH:			
<input type="checkbox"/> W	<input checked="" type="checkbox"/> R	<input checked="" type="checkbox"/> CBU Report/Map	<input checked="" type="checkbox"/> Transfer Order Ord <i>79</i> Vol <i>194</i> Issued Date <i>11/24/2009</i>	<input type="checkbox"/> Assignment <input checked="" type="checkbox"/> n/a	<input type="checkbox"/> Transfer Extension <input checked="" type="checkbox"/> n/a
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Electronic Folder:			
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Create CBU folder	<input checked="" type="checkbox"/> Create Work Packet Folder		
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	SCAN: Above documents into "CBU Folder"			
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	SAVE: other documents in "Work Packet Folder"			
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> Certificate(s)	<input checked="" type="checkbox"/> Transfer App Maps (To/From)	<input type="checkbox"/>	
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> OrMap Tax Lot Map	<input checked="" type="checkbox"/> Ownership Report	<input checked="" type="checkbox"/> BLM Cadastral Survey	<input type="checkbox"/> GW Logs
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> GW Conditions	<input type="checkbox"/> Mitigation	<input type="checkbox"/> POU Report (conflict) [POU ONLY]	<input type="checkbox"/> Others:
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> n/a	<input type="checkbox"/> n/a	<input type="checkbox"/> n/a	<input checked="" type="checkbox"/> n/a
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	SEARCH:			
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> Interactive Mapper	<input type="checkbox"/> AOI <input checked="" type="checkbox"/> n/a	<input checked="" type="checkbox"/> Map and TaxLot ID <i>170129300201</i>	<input type="checkbox"/> Receiving LO: <input checked="" type="checkbox"/> n/a
		Research Comments: <i>Correcting Order</i>		New Landowner:	

REVIEW OF CLAIM:

ORDER REQ/D	CERTIFICATE REQ'D	COMPLIE D YES/NO	CONDITIONS:	NOTES:
<input type="checkbox"/> Y <input type="checkbox"/> N/A	<input type="checkbox"/> Y <input type="checkbox"/> N/A	<input type="checkbox"/> Y <input type="checkbox"/> N	Fish Condition	
<input type="checkbox"/> Y <input type="checkbox"/> N/A	<input type="checkbox"/> Y <input type="checkbox"/> N/A	<input type="checkbox"/> Y <input type="checkbox"/> N	Meter/Measuring Device	
<input type="checkbox"/> Y <input type="checkbox"/> N/A	<input type="checkbox"/> Y <input type="checkbox"/> N/A	<input type="checkbox"/> Y <input type="checkbox"/> N	Water Use Reporting	
<input type="checkbox"/> Y <input type="checkbox"/> N/A	<input type="checkbox"/> Y <input type="checkbox"/> N/A	<input type="checkbox"/> Y <input type="checkbox"/> N	SWL (Month)	
<input type="checkbox"/> Y <input type="checkbox"/> N/A	<input type="checkbox"/> Y <input type="checkbox"/> N/A	<input type="checkbox"/> Y <input type="checkbox"/> N	Dedicated MMS tube	
<input type="checkbox"/> Y <input type="checkbox"/> N/A	<input type="checkbox"/> Y <input type="checkbox"/> N/A	<input type="checkbox"/> Y <input type="checkbox"/> N	Well Id	
<input type="checkbox"/> Y <input type="checkbox"/> N/A	<input type="checkbox"/> Y <input type="checkbox"/> N/A	<input type="checkbox"/> Y <input type="checkbox"/> N	Other:	
<input type="checkbox"/> Y <input type="checkbox"/> N/A	<input type="checkbox"/> Y <input type="checkbox"/> N/A	<input type="checkbox"/> Y <input type="checkbox"/> N	C-date: <i>Oct. 1, 2011</i>	EXT C-Date: <i>Sept 2010 - accomplished</i>

REVIEW OF MAP: (Only the changes approved)

CW	PR		Notes:
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Verify POA/POD Location (New Only)	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Verify POU (New only)	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	POU clearly identified by Use Type/Certificate	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	DLC/GOV'T LOT	
		<input type="checkbox"/> Original Cert Map for <i>unchanged</i> POU/POD/POA (Attached for Peer Reviewer/Data)	<input type="checkbox"/> Note Maps for Reference

POD/POA/APOD/POA ONLY: RUN CAPACITY CALCULATOR AND SAVE CALCS TO APPLICATION FOLDER:

POD/POA-NEW/ADD'T	AUTHORIZE D RATE	CLAIM RATE	CALCULATED RATE	NOTES:
POA #1	0.04	0.088	1.044	

DETERMINATION:

CW	PR	DOCUMENT	NOTES:
<input type="checkbox"/>	<input type="checkbox"/>	LETTER FOR CLARIFICATION	
<input type="checkbox"/>	<input type="checkbox"/>	DRAFT (PLEASE EXPLAIN)	
<input type="checkbox"/>	<input type="checkbox"/>	PROPOSED	
<input type="checkbox"/>	<input type="checkbox"/>	FINAL	
<input type="checkbox"/>	<input type="checkbox"/>	PROPOSED ORDER TO CANCEL	

FINAL CHECKS: Review your document; BEFORE printing proposed for Support

CW	PR	DID YOU CHECK?	NOTES:
<input type="checkbox"/>	<input type="checkbox"/>	DATA REVIEW	
		<input type="checkbox"/> POA/POD/DAM TABLES/DESCRIPTIONS	<input type="checkbox"/> PLACE OF USE TABLES, INCLUDING ACRES FOR GOV'T LOTS/DLC
<input type="checkbox"/>	<input type="checkbox"/>	SPELL CHECK DOC	
<input type="checkbox"/>	<input type="checkbox"/>	MAPS: Identified for Reference	
<input type="checkbox"/>		CERT NUMBER ISSUED:	
		Original Cert # App	New Cert #
		Original Cert # App	New Cert #
		Original Cert # App	New Cert #
		Original Cert # App	New Cert #

EXTRAS: BEFORE Printing your Final Certificate

CW	PR	DID YOU CHECK?	NOTES:
<input type="checkbox"/>	<input type="checkbox"/>	DATA REVIEW COMMENTS UPDATED	
<input type="checkbox"/>	<input type="checkbox"/>	SPELL CHECKED DOC	

CASEWORKER REVIEW COMMENTS:

PEER REVIEWER COMMENTS:



Oregon
Kate Brown, Governor

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

November 2, 2017

Richard Hunsaker
PO Box 444
Walterville OR 97489

RE: Transfer T-10439

Dear Transfer Holder,

On October 30, 2017, the Department received the Claim of Beneficial Use that you submitted for the above referenced file.

Enclosed you will find your check in the amount of \$200.00. We are returning your check because the right involved in the transfer has priority date prior to July 9, 1987. Due to the priority date of the right, there is no fee required to submit the Claim.

If you have any additional questions, please feel free to contact me at 503-986-0887.

Sincerely,

Codi Holmes
Water Rights Specialist
Certificates

cc: file
H. Timothy Fassbender, CWRE

enclosures

Checklist for Claims of Beneficial Use Received at CSG Counter

Application #	WRD Reviewer <i>C. Holmes</i>
Transfer # <i>T-10439</i>	
Date Received <i>10/30/17</i>	
CWRE Name <i>H. Timothy Fastbender</i>	

Fees:

A fee of \$200 must accompany this form for permits with priority dates of July 9, 1987, or later.

A fee of \$200 must accompany this form for any transfers 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.

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))

Report Review:

- On form 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)
- CWRE stamp and signature (OAR 690-014-0100)
- Signature(s) of all permittee of transfer holder (OAR 690-014-0100)

MONEY SLIP	
DATE:	RECEIPT #:
RECEIVED FROM:	APPLICATION PERMIT TRANSFER
CASH CHECK # OTHER (IDENTIFY)	TOTAL FEES \$
<input type="checkbox"/> <input type="checkbox"/>	
0217 FEE/SLIP 0218 TRANS. CASH/FEES	
0417 CONFS. OTHER (IDENTIFY)	
0243 Interest Loan 0244 Min. Prior. Mgmt. Plan 0245 Cont. Meter	
0253 FEE/SLIP 0254 WRD OPERATING ACCT.	
MISCELLANEOUS	
0407 COPY & TRNS. FEES <i>4611</i>	
0410 RESEARCH FEES	
0408 MISC. REVENUE (IDENTIFY)	
10162 DEPOSIT LAB. (IDENTIFY)	
0240 EXTENSION OF TIME	
WATER RIGHTS	
0201 SURFACE WATER	SLIP FEE \$002
0203 GROUND WATER	0004
0206 TRANSFER	
WELL CONSTRUCTION	
0218 WELL OHL CONSTRUCTION	0219
LICENSEMENTS PERMIT	0220
0220 OTHER (IDENTIFY) <i>0220</i>	<i>0220</i>
0221 FEE/SLIP 0222 HYDROLOGICAL TRNG	
0223 POWER LICENSE FEE (FURNISH)	LIC. NUMBER
0224 HYDRO LICENSE FEE (FURNISH)	
HYDRO APPLICATION	
SPECIAL INSTRUCTIONS:	
<input type="checkbox"/> RETURN TO APPLICANT - LETTER ATTACHED	

**CLAIM OF
BENEFICIAL USE
for Permits claiming more
than 0.1 cfs and All Transfers**



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

**A fee of \$175 must accompany this form for permits
with priority dates after July 8, 1987.**

**A fee of \$175 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.**

A separate form shall be completed for each permit.

In cases where a permit has been amended through the permit amendment process, a separate claim for the permit amendment is not required. Incorporate the permit amendment into the claim for the permit.

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

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.

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

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**SECTION 1
GENERAL INFORMATION**

1. File Information

APPLICATION # (G, R, S or T)	PERMIT # (IF APPLICABLE)	PERMIT AMENDMENT # (IF APPLICABLE)
T-10439		

2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME Richard Hunsaker		PHONE NO. 541-554-7167	ADDITIONAL CONTACT NO.
ADDRESS PO Box 29847 Minnehaha Road			
CITY waterville Hermiston	STATE OR	ZIP 97489 97838	E-MAIL

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

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

PERMIT OR TRANSFER HOLDER OF RECORD Same as above		
ADDRESS		
CITY	STATE	ZIP

ADDITIONAL PERMIT OR TRANSFER HOLDER OF RECORD		
ADDRESS		
CITY	STATE	ZIP

4. Date of Site Inspection:

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

NAME	DATE	ASSOCIATION WITH THE PROJECT
Richard Hunsaker	June 8, 2017	Owner

6. County:

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

OWNER OF RECORD Richard Hunsaker		
ADDRESS 29847 Minnehaha Road		
CITY waterville Hermiston	STATE OR	ZIP 97838 97489

Add additional tables for owners of record as needed

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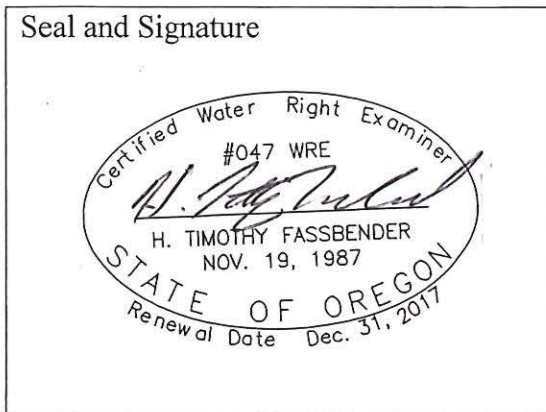
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**SECTION 2
SIGNATURES**

CWRE Statement, Seal and Signature

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



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CWRE NAME H. Timothy Fassbender		PHONE NO. 541-485-3136	ADDITIONAL CONTACT NO. 541-913-0216
ADDRESS 2896 Sarah Lane			
CITY Eugene	STATE OR	ZIP 97408	E-MAIL htimfass@aol.com

Permit or Transfer Holder's of Record Signature or Acknowledgement

Each permit or 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
	Richard Hunsaker	Owner	10-25-2017

SECTION 3

CLAIM DESCRIPTION

1. Point of diversion/appropriation name or number:

POINT OF DIVERSION/APPROPRIATION (POD/POA) NAME OR NUMBER (CORRESPOND TO MAP)	WELL LOG ID # FOR ALL WORK PERFORMED ON THE WELL (IF APPLICABLE)	WELL TAG # (IF APPLICABLE)
Well POD#1	68021	L-88068

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

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

POD/POA NAME OR NUMBER	SOURCE	TRIBUTARY
NA		

3. Developed use(s), period of use, and rate for each use:

POD/POA NAME OR NUMBER	USES	IF IRRIGATION, LIST CROP TYPE	SEASON OR MONTHS WHEN WATER WAS USED	ACTUAL RATE OR VOLUME USED (CFS, GPM, OR AF)
Well POD#1	Irrigation	Pasture	March-September	
Total Quantity of Water Used				

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

Water pumped from well to pipe system to K-line irrigation system

Reminder: The map associated with this claim must identify the location of the point(s) of diversion, Donation Land Claims (DLC), Government Lots (GLot), and Quarter-Quarters (QQ).

5. Variations:

Was the use developed differently from what was authorized by the permit, permit amendment final order, or extension final order?

NO

6. Claim Summary:

POD / POA NAME OR #	MAXIMUM RATE AUTHORIZED	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED	USE	# OF ACRES ALLOWED	# OF ACRES DEVELOPED
1	0.04 CFS	0.022 CFS	0.02 CFS	Irrigation	10ac	8.9ac

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SECTION 4 SYSTEM DESCRIPTION

Are there multiple PODs or POAs?

NO

A. Place of Use

1. Is the right for municipal use?

NO

If "YES" the table below may be deleted.

TWP	RNG	MER	SEC	QQ	GLOT	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
17S	1W	WM	29	SW/SW			IRRIGATION	2.5ac	
17S	1W	WM	29	NW/SW			IRRIGATION	6.4ac	
Total Acres Irrigated								8.9ac	

Reminder: The map associated with this claim must identify Donation Land Claims (DLC), Government Lots (GLOT), Quarter Quarters (QQ), and if for irrigation, the number of acres irrigated within each projected DLC, GLOT, and QQ.

B. Diversion and Delivery System Information

Provide the following information concerning the diversion and delivery system. Information provided must describe the equipment used to transport and apply the water from the point of diversion/appropriation to the place of use.

1. Is a pump used?

YES

If "NO" items 2 through item 6 may be deleted.

2. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
BERKELY	unknown	unknown	SUBMERSIBLE	2"	2"

3. Motor Information

MANUFACTURER	HORSEPOWER
BERKELY	20HP

4. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *IF A WELL, THE WATER LEVEL DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
20HP	40psi	20 ft	5 ft	1.04 CFS

5. Provide pump calculations:

$$(20)(6.61)/(101.6+25)=1.04 \text{ CFS}$$

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6. 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)
NO METER INSTALLED			

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

7. Is the distribution system piped? YES

If "NO" items 8 through item 11 may be deleted.

8. Mainline Information

MAINLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
6"	1,150'	PVC	BURIED
4"	1,200	PVC	BURIED

9. Lateral or Handline Information

LATERAL OR HANDLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
40ml	1,600'	POLY PIPE	33k LINE ABOVE GRD

10. Sprinkler Information

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
3/8"	40	24.4	10	10	.022 CFS

Reminder: For sprinkler output determination use the reference information at the end of this document.

11. Pivot Information

MANUFACTURER	MAXIMUM WETTED RADIUS	OPERATING PSI	TOTAL PIVOT OUTPUT (GPM)	TOTAL PIVOT OUTPUT (CFS)
NA				

12. Additional notes or comments related to the system:

C. Groundwater Source Information (Well and Sump)

1. Is the appropriation from ground water (well or sump)? YES

If "NO", items 2 through 8 relating to this section may be deleted.

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2. Describe the access port (type and location) or other means to measure the water level in the well:

PORT OPENING AT TOP OF WELL HEAD

3. If well logs are not available, provide as much of the following information as possible:

CASING DIAMETER	CASING DEPTH	TOTAL DEPTH	COMPLETION DATE OF ORIGINAL WELL	COMPLETION DATES OF ALTERATIONS	WHO THE WELL WAS DRILLED FOR	WELL DRILLED BY
See Attached Well Log						

4. In addition to the information requested in item "3" above, provide any other information which may help the Department locate any well logs associated with this appropriation.

See Attached Well Log

5. Is the appropriation from a dug well (sump)? NO

D. Storage

1. Does the distribution system include in-system storage (e.g. storage tank, bulge in system / reservoir) NO

E. Gravity Flow Pipe

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

1. Does the system involve a gravity flow pipe? NO

F. Gravity Flow Canal or Ditch

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

1. Is a gravity flow canal or ditch used to convey the water as part of the distribution system? NO

G. Reservoir

1. Does the claim involve a reservoir modified through a transfer? NO

Reminder: Complete this section if the reservoir right has been modified through the transfer process. If the claim is for a permitted reservoir use the Claim of Beneficial Use form for reservoirs.

**SECTION 5
CONDITIONS**

All conditions contained in the permit, permit amendment, 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:

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

	DATE FROM PERMIT OR TRANSFER	DATE ACCOMPLISHED*	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	Nov. 9, 2009		
BEGIN CONSTRUCTION (A)	March 2010	June 2010	Pump and Pipe system installation
COMPLETE CONSTRUCTION (B)	June 2010	July 2010	Pipe system with pump installed and begin irrigation
COMPLETE APPLICATION OF WATER (C)	September 2010	September 2010	Irrigation of pastured utilized

* MUST BE WITHIN PERIOD BETWEEN PERMIT, TRANSFER FINAL ORDER, OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO COMPLETELY APPLY WATER

2. Is there an extension final order(s)? NO

4. Initial Water Level Measurements:

a. Was the water user required to submit an initial static water level measurement? NO

5. Annual Static Water Level Measurements:

6. Pump Test (Required for most ground water permits prior to issuance of a certificate)

a. Did the permit require the submittal of a pump test? NO

7. Measurement Conditions:

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

8. Recording and reporting conditions

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

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

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9. Fish Screening

a. Are any points of diversion required to be screened to prevent fish from entering the point of diversion? NO

10. 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

11. Other conditions required by permit, permit amendment final order, extension final order, or transfer final order:

a. Were there special well construction standards? NO

b. Was submittal of a ground water monitoring plan required? NO

c. Was the water user required to restore the riparian area if it was disturbed? NO

d. Was a fishway required? NO

- e. Was submittal of a letter from an engineer required prior to storage of water? NO
- f. Was submittal of a water management and conservation plan required? NO
- g. 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):

SECTION 6 ATTACHMENTS

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

ATTACHMENT NAME	DESCRIPTION
Well Log	Well Log

SECTION 7 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.

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.

Mapping of Water Right based upon GPS field data gathered.

Map Checklist

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

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- Map on polyester film SALEM, OR
- 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

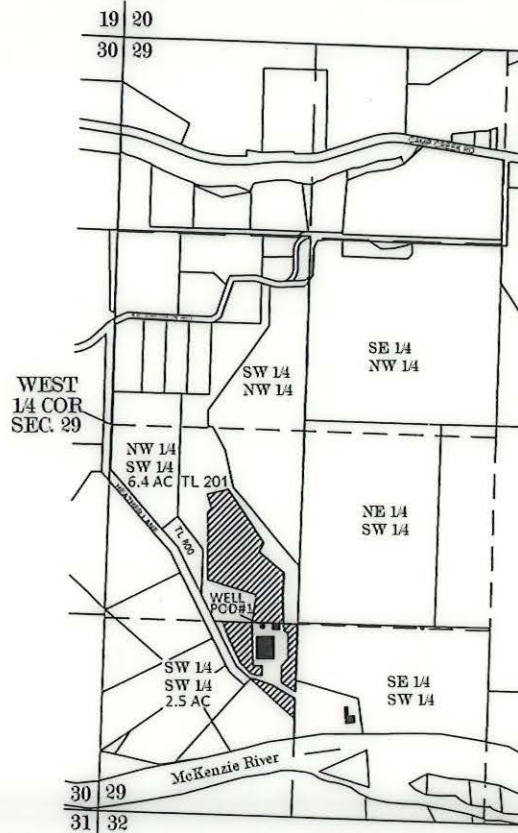
- Conveyance structures illustrated (pumps, reservoirs, pipelines, ditches, etc.)
- Point(s) of diversion or appropriation (illustrated and coordinates)
- Tax lot boundaries and numbers
- Source illustrated if surface water
- Disclaimer (“This map is not intended to provide legal dimensions or locations of property ownership lines”)
- Application and permit number or transfer number
- North arrow
- Legend
- CWRE stamp and signature

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TOWNSHIP 17 SOUTH, RANGE 1 WEST, W.M.



SCALE
1" = 1320'

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APPLICATION T-10439 SPECIAL ORDER VOL. 79 PG 194-198

TAX MAP NO. 17-01-29-3

WELL POD#1 LOCATION:

S 36°54'30" W 1727.96 FEET FROM WEST 1/4 COR. SEC 29

EAST
AC/WRD



DENOTES AREA OF BENEFICIAL USE OF WATER



DENOTES BUILDING LOCATION

NOTE:

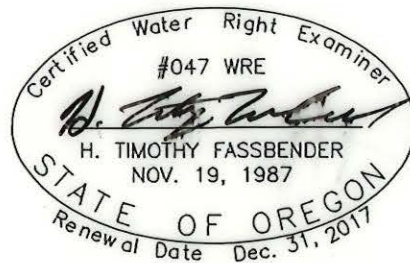
MAP PROJECTION BASED UPON OREGON STATE PLANE
COORDINATE SYSTEM NAD 83/91 THETA ANGLE -1°36'05.2"

NOTE

THIS MAP WAS PREPARED FOR THE PURPOSE
OF IDENTIFYING THE LOCATION OF THE WATER
RIGHT ONLY. IT IS NOT INTENDED TO PROVIDE
DIMENSIONS OR LOCATION OF PROPERTY
OWNERSHIP LINES.

FINAL PROOF SURVEY
FOR
RICHARD HUNSAKER
SITE ADDRESS:
88001 HEATHER LANE
WALTERVILLE, OR. 97489
MAILING ADDRESS:
29847 MINNEHAHA ROAD
HERMISTON, OR. 97838

BY
H. TIMOTHY FASSBENDER, PLS, CWRE
2896 SARAH LANE
EUGENE, OR. 97408
JUNE 8, 2017



AC/WRD 12/1/2023

68021

STATE OF OREGON
WATER SUPPLY WELL REPORT

(as required by ORS 537.765)

WELL I.D. # L 88068
START CARD # 184407

Instructions for completing this report are on the last page of this form.

(1) LAND OWNER Well Number 1
Name RICHARD HURDISAKER
Address 88001 HEATHER DR.
City SPRINGFIELD State OR. Zip 97478

(2) TYPE OF WORK
 New Well Deepening Alteration (repair/recondition) Abandonment

(3) DRILL METHOD:
 Rotary Air Rotary Mud Cable Auger
 Other _____

(4) PROPOSED USE:
 Domestic Community Industrial Irrigation
 Thermal Injection Livestock Other DUST CONTROL

(5) BORE HOLE CONSTRUCTION:
Special Construction approval Yes No Depth of Completed Well 38' ft.
Explosives used Yes No Type _____ Amount _____

HOLE		SEAL		Material	From	To	Sacks or pounds
Diameter	From	To					
10"	0'	18'	CEMENT	0'	18'	6 SACKS	
7 1/2"	18'	38'					

How was seal placed: Method A B C D E
 Other _____

Backfill placed from _____ ft. to _____ ft. Material _____
Gravel placed from _____ ft. to _____ ft. Size of gravel _____

(6) CASING/LINER:

Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing: 6"	12'	38'	220	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner:				<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Drive Shoe used Inside Outside None
Final location of shoe(s) 11/4'

(7) PERFORATIONS/SCREENS:
 Perforations Method TOUCH CUT
 Screens Type _____ Material _____

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
28'	38'	6"	12	1/4"	6"	<input checked="" type="checkbox"/>	<input type="checkbox"/>

(8) WELL TESTS: Minimum testing time is 1 hour

Yield gal/min	Drawdown	Drill stem at	Time
50 GPM	24'	38'	15'

Temperature of water 52° Depth Artesian Flow Found _____
Was a water analysis done? Yes By whom _____
Did any strata contain water not suitable for intended use? Too little
 Salty Muddy Odor Colored Other _____
Depth of strata: _____

(9) LOCATION OF WELL by legal description:
County LANE Latitude _____ Longitude _____
Township 17S N or S Range 1E E or W. WM.
Section 29 SW 1/4 SW 1/4
Tax Lot 201 Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) 88001 HEATHER DR.

(10) STATIC WATER LEVEL:
14' ft. below land surface. Date 9/24/07
Artesian pressure _____ lb. per square inch Date _____

(11) WATER BEARING ZONES:
Depth at which water was first found 24'

From	To	Estimated Flow Rate	SWL
24'	38'	50 GPM	14'

(12) WELL LOG:
Ground Elevation _____

Material	From	To	SWL
TOP SOIL EXCAVATED			
SANDY LOAM	0	8	
CLAY w/ GRAVEL	8	19	
GRAVEL & BOULDERS w/ SAND	19	38	

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WATER RESOURCES DEPT
SALEM, OREGON

Date started 9/24/07 Completed 9/24/07

(unbonded) Water Well Constructor Certification:
I certify that the work I performed on the construction, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.
WVC Number _____
Signed _____ Date _____

(bonded) Water Well Constructor Certification:
I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.
WVC Number 1723
Signed Wesley E. [Signature] Date 10/14/07

Sarah Henderson for Tr file #10439



Oregon

Theodore R. Kulongoski, Governor

January 11, 2010

Transfer 10439

Water Resources Department

Watermaster District 2

Central Lane Justice Court

220 North 5th

Springfield, OR 97477

Ph: 541-682-3620

Fax: 541-746-1861

www.wrd.state.or.us

Shane Hughes
EGR & Associates
2535B Prairie Rd
Eugene, Oregon 97402

Dear Mr. Hughes,

The Final Order approving this transfer was issued December 9, 2009. In my internal agency review, I requested clarification of the where the off lands were and the number of acres of irrigation rights remaining in each ¼ ¼. Somehow, my concerns were not relayed in the Proposed Final Order.

When I received the final order recently, I again tried to understand where the remaining acreage is in each ¼ ¼ and again have difficulty. Enclosed is a copy of the "PROPOSED UPDATED WATER RIGHT" map submitted with the transfer application. I have added ¼ ¼ lines and shaded the off lands green and the remaining lands blue. In particular, it seems there are some off lands in the SE ¼ NW ¼, which are not accounted for. I have shaded that pink. It may be that even with that not being irrigated, the irrigated area in DLC 68 in the SE ¼, NW ¼, still equals 9.8 acres, so no change was proposed. Also, in the NE ¼, NW ¼, 7 acres are removed from a total of 8.6 acres, but the acreage remaining (1.6 acres) is approximate in size to the acreage removed. I wondered if the acreage in tax lot 908 was intended to be part of what is moved off.

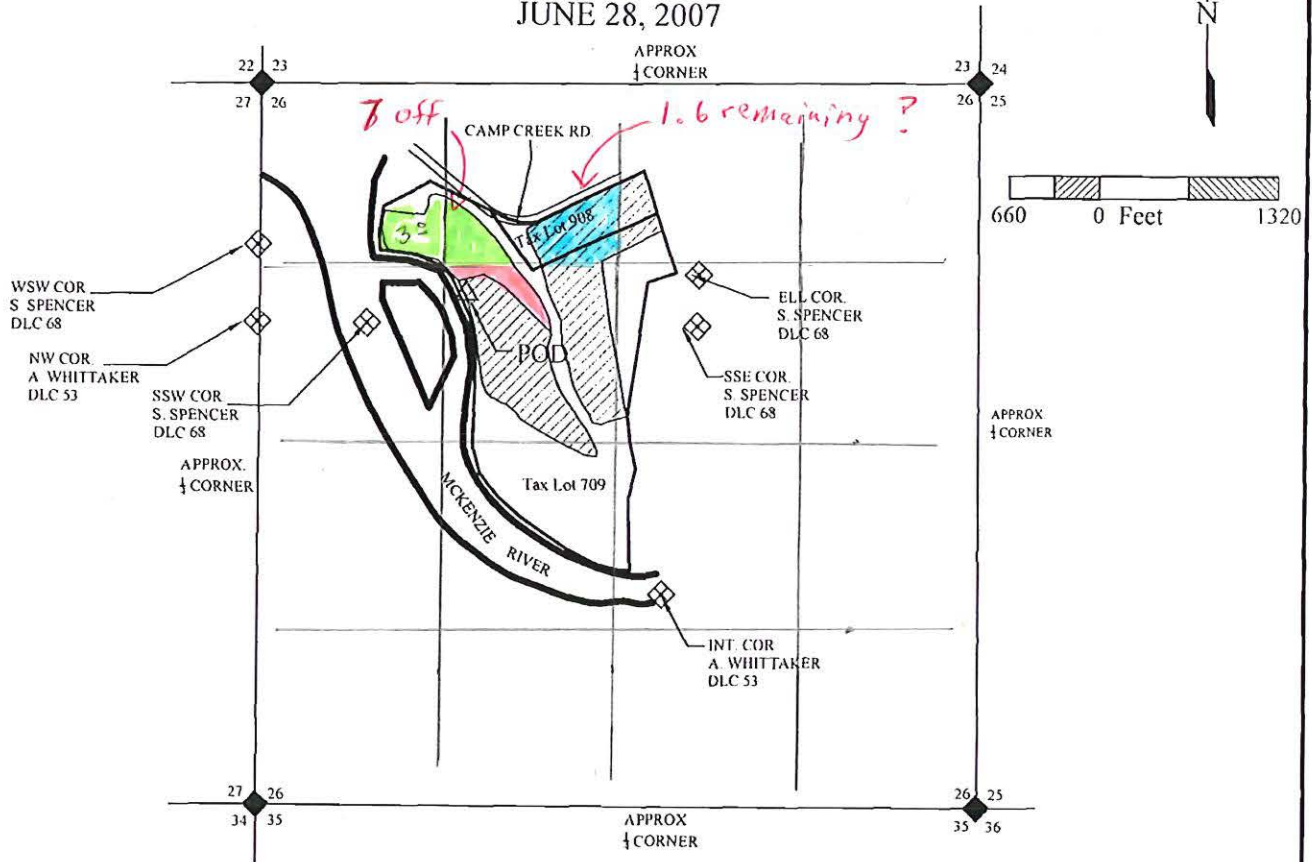
Any clarity you can provide is greatly appreciated.

Sincerely,

Michael J. Mattick
District 2 Watermaster

cc: Sarah Henderson, for the WRD file

PROPOSED UPDATED WATER RIGHT
T17S., R2W., W.M. SECTION 26
WATER RIGHT TRANSFER APPLICATION, PERMIT #23994
TAX LOTS 708 AND 709
MAPS 170226
LANE COUNTY, OREGON
JUNE 28, 2007




BASE MAPPING BY LANE COUNTY TAX MAPS 17-02-26. THIS MAP HAS BEEN PREPARED FOR THE SOLE PURPOSE OF IDENTIFYING THE REQUESTED WATER RIGHT LOCATION. THERE IS NO INTENT TO PROVIDE DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

SECTION	AREA OF USE		AREA (AC)
	1/4	1/4	
29	NW	NE	3.4
	SW	NE	0.2
	NE	NW	1.6
	NW	NW	0
	SE	NW	9.8
	SE	NW	15.2
TOTAL			30.6

No change
No chgs
-7.0
-3.0
No change
no chgs
No ch.

- LEGEND**
- SECTION LINE
 - 1/4 SECTION LINE
 - SECTION CORNER
 - DLC CORNER
 - APPROXIMATE LOCATION OF EXISTING DIVERSION POINT = 580' EAST OF DLC 68


 Certified Water Right Examiner
 892WRE
 Shane J. Hughes
 Jan. 17, 1995
 STATE OF OREGON

Renews 6/30/09



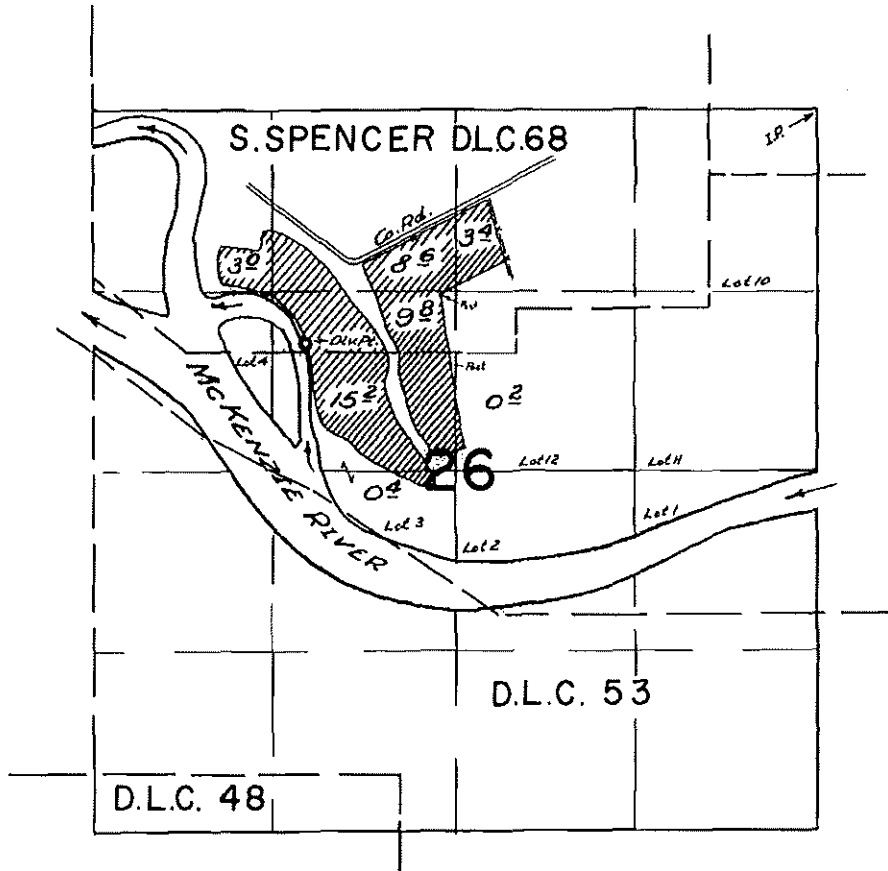
EGR & Associates, Inc.

Engineers, Geologists, and Surveyors

2535B Prairie Road
 Eugene, Oregon 97402

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

T.17S.R.2W.W.M.

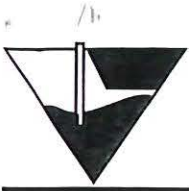


FINAL PROOF SURVEY
UNDER

Application No. 30462 Permit No. 23994
IN NAME OF

J. E. HAMER

Surveyed 4 May 1960, by M. Bish



EGR & Associates, Inc.

Engineers, Geologists and Surveyors

2535B Prairie Road
Eugene, Oregon 97402
(541) 688-8322
Fax (541) 688-8087

January 22, 2010

Transfer 10439


Michael J. Mattick
District 2 Watermaster
Central Lane Justice Court
220 North 5th
Springfield, OR 97477

Dear Mr. Mattick:

With regards to your letter of January 11, 2010 (attached), thank you for bringing this matter to our attention. The area of use chart included on the **Proposed Updated Water Right Map** for the referenced transfer contained errors. A revised **Proposed Updated Water Right Map** is attached. I have also attached a figure showing the quarter-quarter sections and irrigated area in each quarter-quarter. Where more than one irrigated area exists in a quarter-quarter, the individual areas and the total area for the quarter-quarter are shown.

If we can be of any further assistance in this matter, please let us know.

EGR & Associates, Inc.


Shane J. Hughes, P.E.
CWRE 392 WRE



EXPIRATION DATE: 6/30/11

Cc: Sarah Henderson
Richard Hunsaker

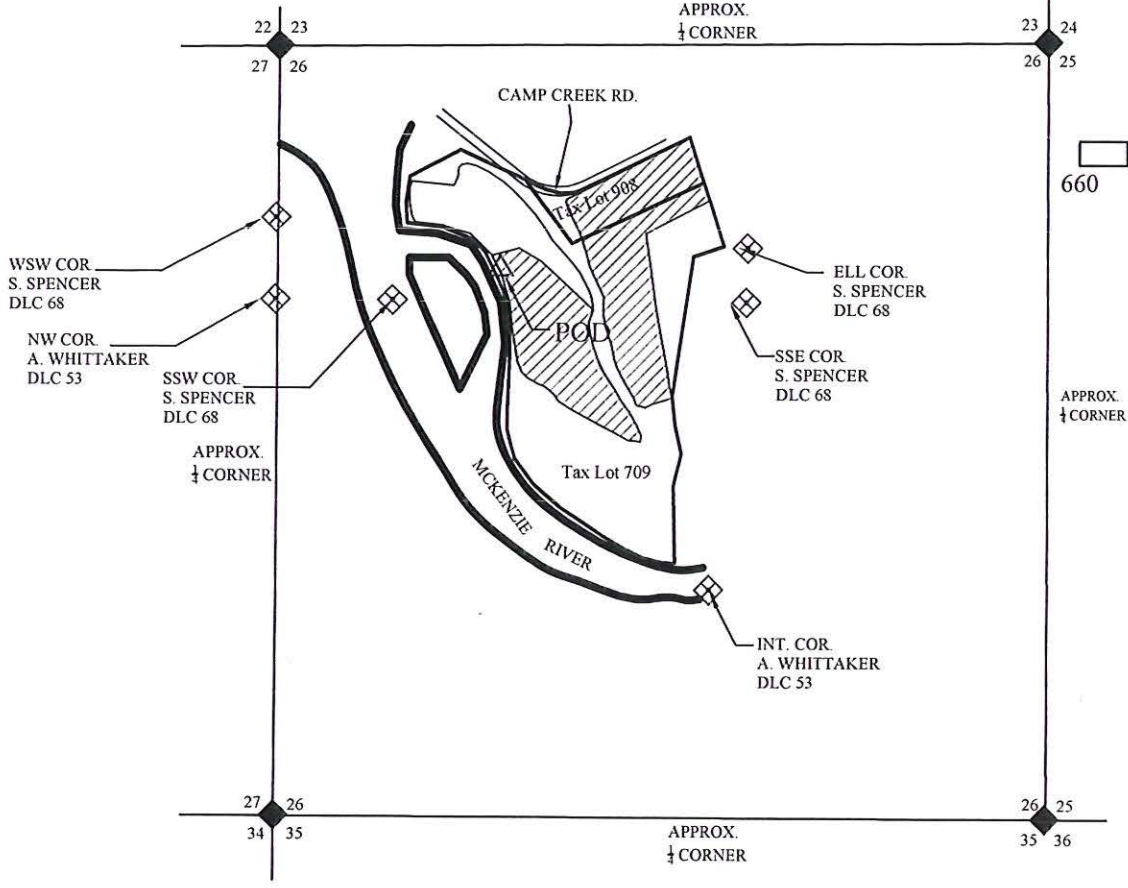
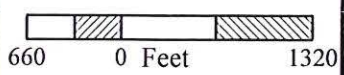
Attachments

RECEIVED

JAN 25 2010

WATER RESOURCES DEPT
SALEM, OREGON

PROPOSED UPDATED WATER RIGHT
T17S., R2W., W.M. SECTION 26
WATER RIGHT TRANSFER APPLICATION, PERMIT #23994
TAX LOTS 708 AND 709
MAPS 170226
LANE COUNTY, OREGON
JUNE 28, 2007



BASE MAPPING BY LANE COUNTY TAX MAPS 17-02-26. THIS MAP HAS BEEN PREPARED FOR THE SOLE PURPOSE OF IDENTIFYING THE REQUESTED WATER RIGHT LOCATION. THERE IS NO INTENT TO PROVIDE DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

AREA OF USE			
SECTION	1/4	1/4	AREA (AC)
26	NW	NE	2.79
	SW	NE	0.23
	NE	NW	6.07
	SE	NW	21.31
	NE	SW	0.20
TOTAL			30.60

LEGEND

- SECTION LINE
- 1/4 SECTION LINE
- ◆ SECTION CORNER
- ◻ DLC CORNER
- △ APPROXIMATE LOCATION OF EXISTING DIVERSION POINT = 580' EAST OF DLC 68

RECEIVED

JAN 25 2010

WATER RESOURCES DEPT
 SALEM, OREGON

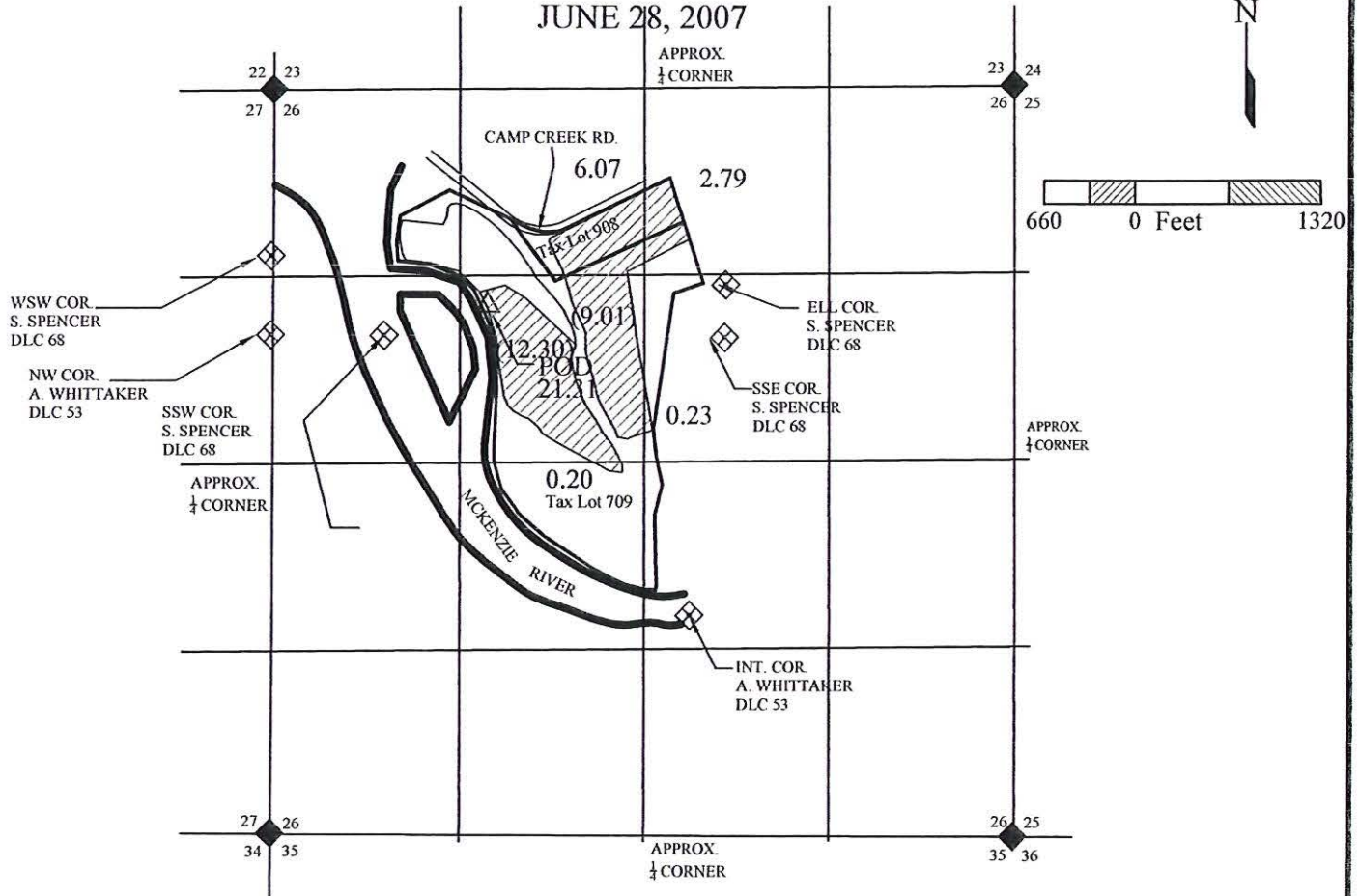


EGR & Associates, Inc.
 Engineers, Geologists, and Surveyors

2535B Prairie Road
 Eugene, Oregon 97402
 (541) 688-8322
 Fax (541) 688-8087

G:\5890 Hunsaker\07-0017\Water Right Application\070017-Proposed water right-1.dwg Jan 14, 2010 - 11:49am LAYOUT=WTR RGHT

PROPOSED UPDATED WATER RIGHT
T17S., R2W., W.M. SECTION 26
WATER RIGHT TRANSFER APPLICATION, PERMIT #23994
TAX LOTS 708 AND 709
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LANE COUNTY, OREGON
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BASE MAPPING BY LANE COUNTY TAX MAPS 17-02-26. THIS MAP HAS BEEN PREPARED FOR THE SOLE PURPOSE OF IDENTIFYING THE REQUESTED WATER RIGHT LOCATION. THERE IS NO INTENT TO PROVIDE DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

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TOTAL			30.60

LEGEND

- SECTION LINE
- 1/4 SECTION LINE
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- △ APPROXIMATE LOCATION OF EXISTING DIVERSION POINT = 580' EAST OF DLC 68

RECEIVED
JAN 25 2010
WATER RESOURCES DEPT
SALEM, OREGON

Certified Water Right Examiner
 392WRE
 Shane J. Hughes
 Jan. 17, 1995
 STATE OF OREGON



EGR & Associates, Inc.

Engineers, Geologists, and Surveyors

2535B Prairie Road
 Eugene, Oregon 97402

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

G:\5890_Humsucker\07-0017-Water Right Application\070917-Proposed water right\1.dwg, Jan 15, 2010 - 10:29am LAYOUT - WTR RIGHT



Oregon

Theodore R. Kulongoski, Governor

January 11, 2010

Transfer 10439

Shane Hughes
EGR & Associates
2535B Prairie Rd
Eugene, Oregon 97402

Dear Mr. Hughes,

The Final Order approving this transfer was issued December 9, 2009. In my internal agency review, I requested clarification of the where the off lands were and the number of acres of irrigation rights remaining in each $\frac{1}{4}$ $\frac{1}{4}$. Somehow, my concerns were not relayed in the Proposed Final Order.

When I received the final order recently, I again tried to understand where the remaining acreage is in each $\frac{1}{4}$ $\frac{1}{4}$ and again have difficulty. Enclosed is a copy of the "PROPOSED UPDATED WATER RIGHT" map submitted with the transfer application. I have added $\frac{1}{4}$ $\frac{1}{4}$ lines and shaded the off lands green and the remaining lands blue. In particular, it seems there are some off lands in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, which are not accounted for. I have shaded that pink. It may be that even with that not being irrigated, the irrigated area in DLC 68 in the SE $\frac{1}{4}$, NW $\frac{1}{4}$, still equals 9.8 acres, so no change was proposed. Also, in the NE $\frac{1}{4}$, NW $\frac{1}{4}$, 7 acres are removed from a total of 8.6 acres, but the acreage remaining (1.6 acres) is approximate in size to the acreage removed. I wondered if the acreage in tax lot 908 was intended to be part of what is moved off.

Any clarity you can provide is greatly appreciated.

Sincerely,

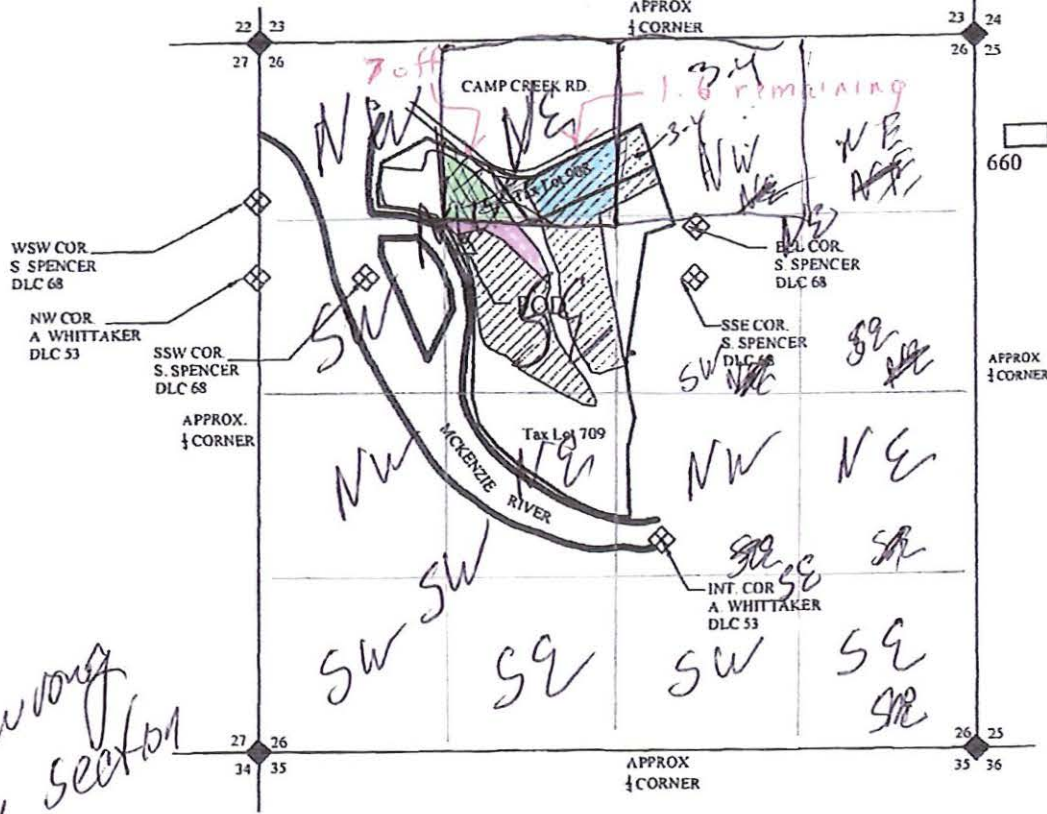
Michael J. Mattick
District 2 Watermaster

cc: Sarah Henderson, for the WRD file

Water Resources Department
Watermaster District 2
Central Lane Justice Court
220 North 5th
Springfield, OR 97477
Ph: 541-682-3620
Fax: 541-746-1861
www.wrd.state.or.us

RECEIVED
JAN 25 2010
WATER RESOURCES DEPT
SALEM, OREGON

PROPOSED UPDATED WATER RIGHT
T17S., R2W., W.M. SECTION 26
WATER RIGHT TRANSFER APPLICATION, PERMIT #23994
TAX LOTS 708 AND 709
MAPS 170226
LANE COUNTY, OREGON
JUNE 28, 2007



wrong section
↓

AREA OF USE		
SECTION	1/4 1/4	AREA (AC)
29	NW NE	3.4
	SW NE	0.2
	NE NW	1.6
	NW NW	0
	SE NW	9.8
	SE NW	15.2
	SE NW	0.4
TOTAL		30.6

BASE MAPPING BY LANE COUNTY TAX MAPS 17-02-26. THIS MAP HAS BEEN PREPARED FOR THE SOLE PURPOSE OF IDENTIFYING THE REQUESTED WATER RIGHT LOCATION. THERE IS NO INTENT TO PROVIDE DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

RECEIVED

JAN 25 2010

**WATER RESOURCES DEPT
 SALEM, OREGON**

- LEGEND**
- SECTION LINE
 - 1/4 SECTION LINE
 - SECTION CORNER
 - DLC CORNER
 - APPROXIMATE LOCATION OF EXISTING DIVERSION POINT = 580' EAST OF DLC 68

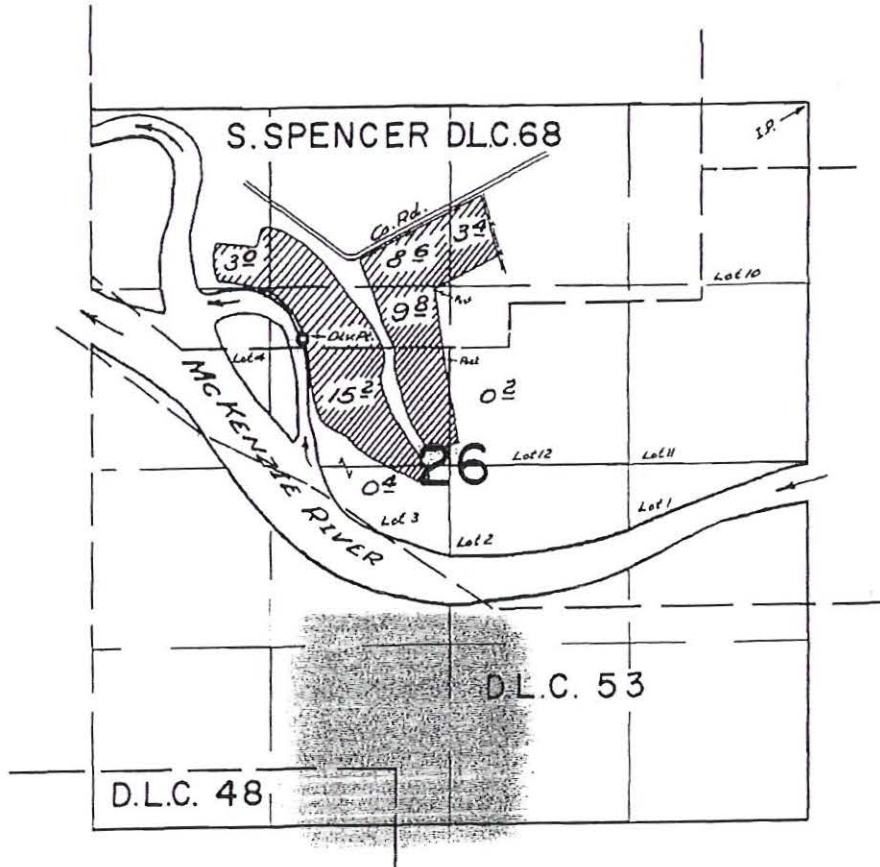
RECEIVED
Jan 23 2010

Certified Water Right Examiner
Shane J. Hughes
Jan. 17, 1995
STATE OF OREGON
Renews 6/30/09

EGR & Associates, Inc.
 Engineers, Geologists, and Surveyors
 2535B Praine Road Eugene, Oregon 97402
 (541) 688-8322 Fax (541) 688-8087

T 10439

T.17S.R.2W.W.M.



FINAL PROOF SURVEY
UNDER

RECEIVED

JAN 25 2010

WATER RESOURCES DEPT
SALEM, OREGON

Application No. 30462 Permit No. 23994
IN NAME OF

J. E. HAMER

Surveyed 4 MAY 1960, by m. Bish



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 26, 2010

Richard Hunsaker
PO Box 444
Waltersville, OR 97489

McKenzie River Trust
c/o Ryan Ruggiero
1245 Pearl Street
Eugene, OR 97401

RE: Correcting Order Re-describing a Water Right

Enclosed is a correcting final order re-describing water right certificate #85843. Also enclosed is the superseding water right certificate #86677. Please read the order and certificate carefully.

If you have any questions regarding this certificate please contact the transfer section at 503-986-0883.

Sincerely,

Sarah Henderson
Executive Support

enclosure

cc: Watermaster #2
File (T-10439)



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

In the Matter of Instream Water Right) CORRECTING ORDER
Certificate 85843, Lane County, Oregon) REDESCRIBING A WATER RIGHT

Land Owners

Richard Hunsaker
P.O. Box 444
Waltersville, OR 97489

McKenzie River Trust, c/o Ryan Ruggiero
1245 Pearl Street
Eugene, OR 97401


Findings of Fact

1. The Department issued an order approving T-10439 on November 24, 2009, which transferred 10.0 acres of the water right under Certificate 28874. The order was recorded at Special Order Volume 79, Pages 194 to 198. Certificate 85843 was also issued to describe the 30.6 acre portion of the right not modified by the transfer.
2. On January 22, 2010, Shane J. Hughes, CWRE for T-10439, submitted an updated water right map for the remaining lands. The number of acres remaining is confirmed to be 30.6, and the shape and location of the remaining water right has not changed on the ground. However, the new map describes the division of acreage within each quarter quarter section in the DLC and Government Lot differently from earlier maps, based on a current understanding of how the public land survey lines overlie the property.
3. A new remaining right certificate that is consistent with the revised map should be issued to describe the remaining portion of the right not transferred by T-10439.

Now, therefore, it is ORDERED:

1. Certificate 85843 is cancelled.
2. Water Right Certificate 86677 is issued to supersede Certificate 85843 and to consistently describe the portion of the right not modified by Transfer T-10439 and shown on the updated water right map.

Dated at Salem, Oregon this 25 day of October, 2010.


Dwight French for
PHILLIP C. WARD, DIRECTOR

Mailing date: OCT 27 2010

This is a final order in other than 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 137-004-080 and OAR 690-01-005 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

STATE OF OREGON
COUNTY OF LANE
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

RICHARD HUNSAKER
P.O. BOX 444
WALTERVILLE, OR 97489

MCKENZIE RIVER TRUST, C/O RYAN RUGGIERO
1245 PEARL STREET
EUGENE, OR 97401

confirms the right to use the waters of the MCKENZIE RIVER, a tributary to the WILLAMETTE RIVER for IRRIGATION of 30.6 ACRES.

This right was perfected under Permit S-23994. The date of priority is DECEMBER 6, 1955. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.13 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	DLC	Survey Coordinates
17 S	2 W	WM	26	SE NW	68	NOT AVAILABLE

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

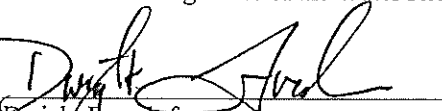
A description of the place of use to which this right is appurtenant is as follows:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
17 S	2 W	WM	26	NW NE		68	2.79
17 S	2 W	WM	26	SW NE	12		0.23
17 S	2 W	WM	26	NE NW		68	6.07
17 S	2 W	WM	26	SE NW		68	7.54
17 S	2 W	WM	26	SE NW	3		13.77
17 S	2 W	WM	26	SE NW	3		0.20
TOTAL							30.60

This certificate updates the description of the place of use listing in Certificate 85843 based on a re-description of the water right illustrated by a map prepared by Shane J. Hughes, CWRE #392 on January 15, 2010. This certificate supersedes Certificate 85843 and describes the portion of the right confirmed by Certificate 28874, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered _____, approving Transfer Application T-10439. 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 October 25, 2010


Dwight French for
PHILIP C. WARD, DIRECTOR

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within 60 days of the date of service.

STATE OF OREGON

COUNTY OF LANE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JOHN E. HAMER
RR 2, BOX 454
SPRINGFIELD, OR 97477

confirms the right to use the waters of the MCKENZIE RIVER, a tributary to the WILLAMETTE RIVER for IRRIGATION of 30.6 ACRES.

This right was perfected under Permit S-23994. The date of priority is DECEMBER 6, 1955. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.13 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	DLC	Survey Coordinates
17 S	2 W	WM	26	SE NW	68	NOT AVAILABLE

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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



IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
17 S	2 W	WM	26	NW NE		68	3.4
17 S	2 W	WM	26	SW NE	12		0.2
17 S	2 W	WM	26	NE NW		68	1.6
17 S	2 W	WM	26	SE NW		68	9.8
17 S	2 W	WM	26	SE NW	3		15.2
17 S	2 W	WM	26	SE NW	3		0.4

This certificate describes that portion of the water right confirmed by Certificate 28874, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered NOV 24 2009 approving Transfer Application T-10439.

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

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

WITNESS the signature of the Water Resources Director, affixed NOV 24 2009.


Phillip C. Ward, Director 



EGR & Associates, Inc.

Engineers, Geologists and Surveyors

2535B Prairie Road
Eugene, Oregon 97402
(541) 688-8322
Fax (541) 688-8087

October 15, 2010

Transfer 10439

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

Dear Ms. Pedersen:

Please find attached a revised **Proposed Updated Water Right Map** showing DLC boundaries and quarter section lines. The Area of Use Chart has been revised to follow the example in your letter of September 29. We have independently verified the areas. Please note that I have signed and stamped the revised map.

Please direct any additional comments or questions on this matter to my personal attention.

Sincerely,

EGR & Associates, Inc.

Steven I. Recca, R.G.
CWRE 76773 WRE

Cc: Sarah Henderson
Richard Hunsaker

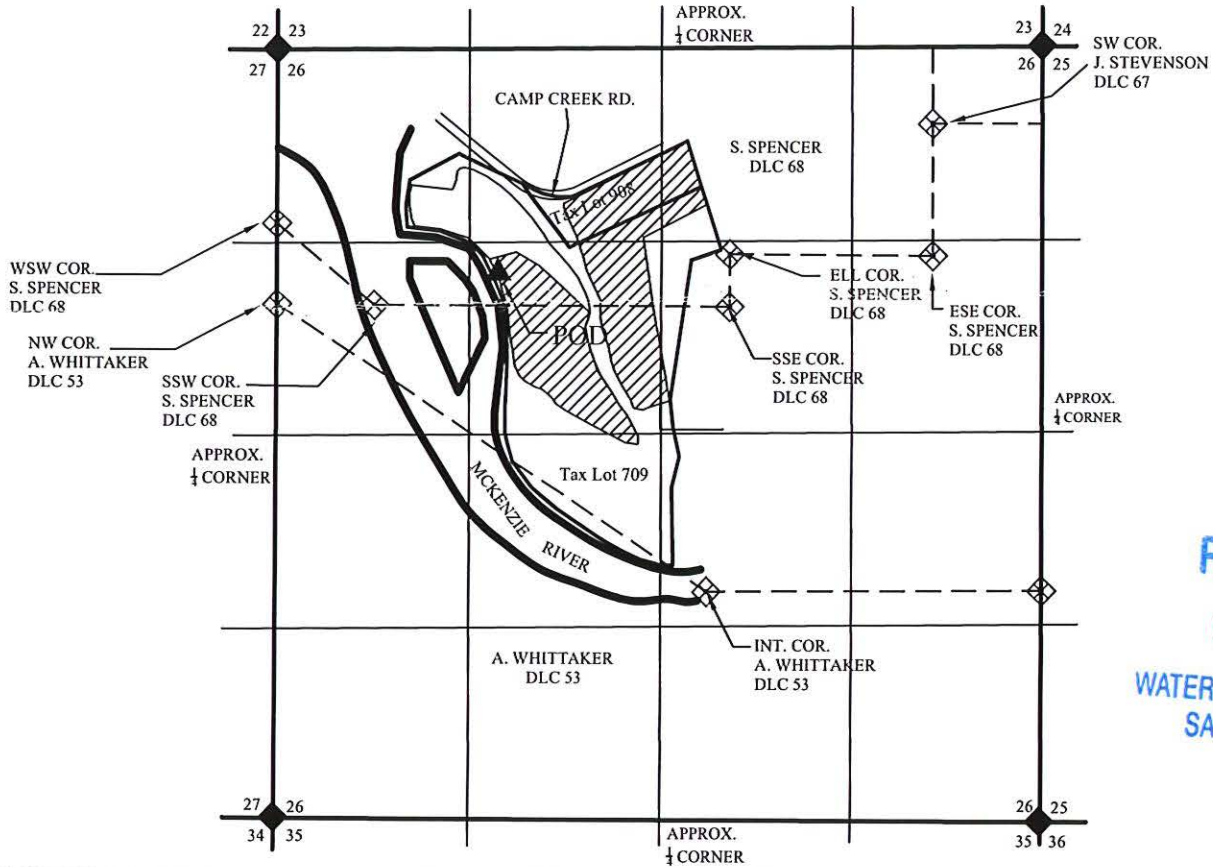
Attachment

RECEIVED

OCT 18 2010

WATER RESOURCES DEPT
SALEM, OREGON

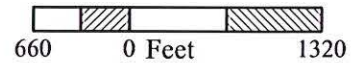
PROPOSED UPDATED WATER RIGHT
T17S., R2W., W.M. SECTION 26
WATER RIGHT TRANSFER APPLICATION, PERMIT #23994
TAX LOTS 708 AND 709
MAPS 170226
LANE COUNTY, OREGON
JUNE 28, 2007



RECEIVED
 OCT 18 2010
 WATER RESOURCES DEPT
 SALEM, OREGON

BASE MAPPING BY LANE COUNTY TAX MAPS 17-02-26. THIS MAP HAS BEEN PREPARED FOR THE SOLE PURPOSE OF IDENTIFYING THE REQUESTED WATER RIGHT LOCATION. THERE IS NO INTENT TO PROVIDE DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

AREA OF USE					
SECTION	1/4	1/4	GLot	DLC	AREA (AC)
26	NW	NE		68	2.79
26	SW	NE	12		0.23
26	NE	NW		68	6.07
26	SE	NW		68	7.54
26	SE	NW	3		13.77
26	SE	NW	3		0.20
TOTAL					30.60



- LEGEND**
- SECTION LINE
 - 1/4 SECTION LINE
 - DLC LINE
 - SECTION CORNER
 - DLC CORNER
 - APPROXIMATE LOCATION OF EXISTING DIVERSION POINT = 580' EAST OF DLC 68



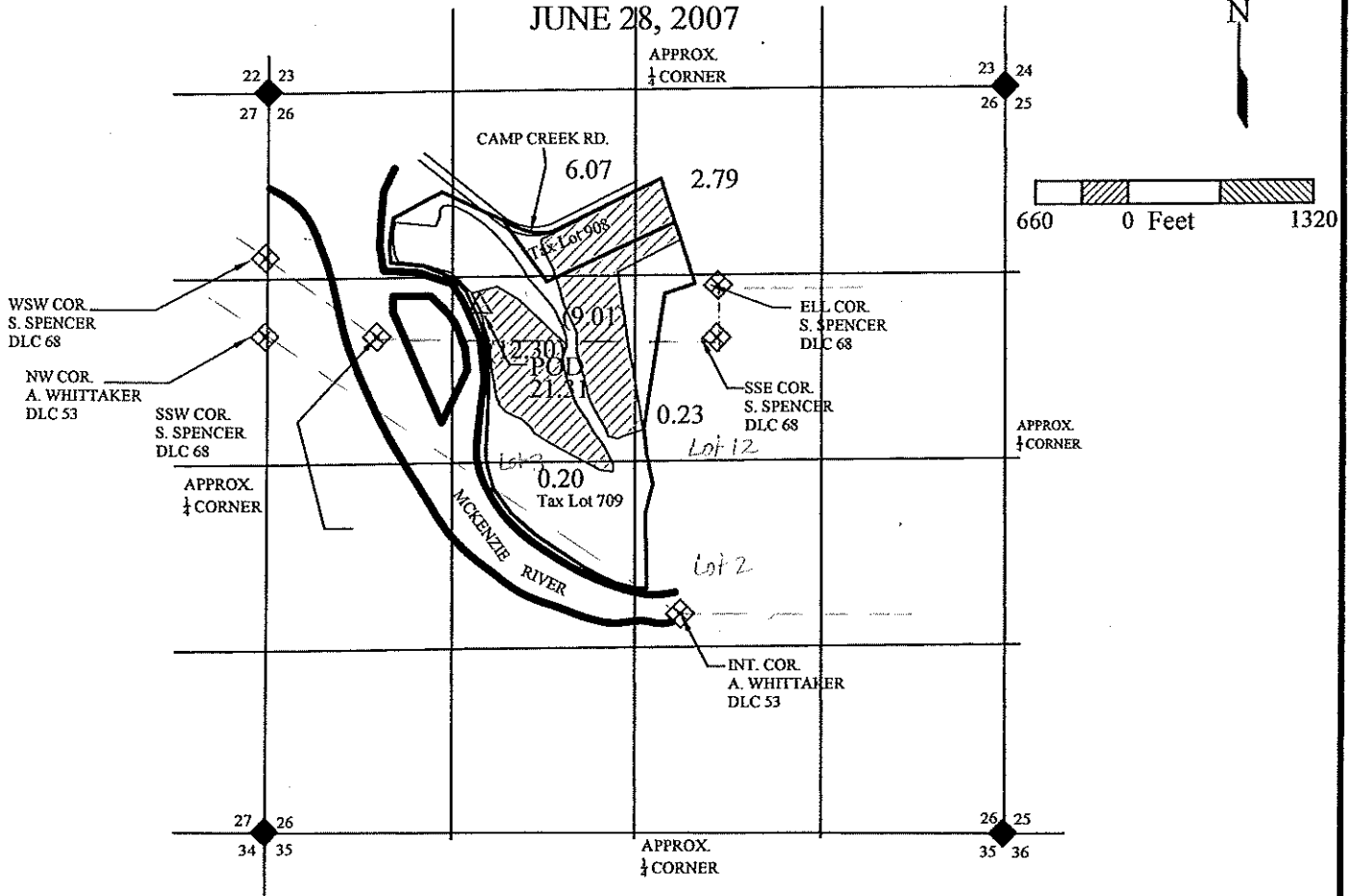
EXPIRATION DATE: 12/31/10

EGR & Associates, Inc.
 Engineers, Geologists, and Surveyors

2535B Prairie Road
 Eugene, Oregon 97402

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

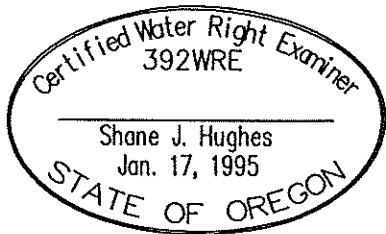
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	1/4	1/4	
26	NW	NE	2.79
	SW	NE	0.23
	NE	NW	6.07
	SE	NW	21.31
	NE	SW	0.20
TOTAL			30.60

- LEGEND**
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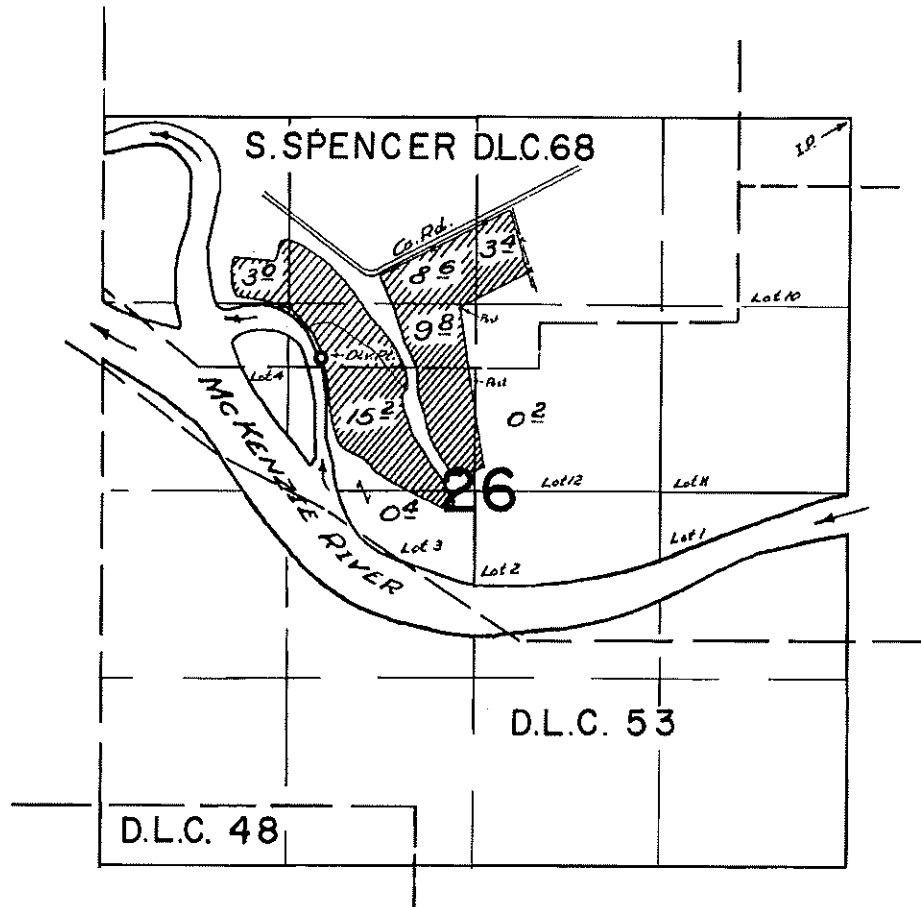
EGR & Associates, Inc.
 Engineers, Geologists, and Surveyors

2535B Prairie Road
 Eugene, Oregon 97402

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

CAS5890 - Plans/ker07-16017-Water Right Application/076017-Proposed water right-Layout, Jan 15, 2010 - 10:29am LAYOUT--WTR RIGHT

T.17S.R.2W.W.M.



FINAL PROOF SURVEY
UNDER

Application No. 30462 Permit No. 23994
IN NAME OF

J. E. HAMER

Surveyed 4 MAY 1960, by M. E. Bish



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 9, 2009

RICHARD HUNSAKER
88001 HEATHER DRIVE
SPRINGFIELD OR 97478

REFERENCE: Transfer Application T-10439

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

The time allowed to complete the transfer is specified in the final order. YOU SHOULD GIVE PARTICULAR ATTENTION TO THE TIME LIMIT. The water right for any portion of the authorized change in character of 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(s) within the time allowed.

You are required to hire a Certified Water Rights 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 complete the change(s) or within one year of the completion date authorized in the transfer final order, whichever occurs first.

If you have any questions related to the approval of this transfer, you may contact me by telephone at (503) 986-0883 or by e-mail at Sarah.A.Henderson@wrđ.state.or.us.

Sincerely,

Sarah Henderson
Executive Support
Field Services Division

cc: Watermaster Dist. #2
Shane Hughes, CWRE
EGR & Associates, Agent
John E. Hamer. Landowner
Lane County

Enclosure

5. On August 20, 2009, a new map with approved well location and documents showing hydraulic connection were received.

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

Certificate: 28874 in the name of JOHN E. HAMER (confirmed by Permit 23994)
Use: IRRIGATION of 10 ACRES
Priority Date: DECEMBER 6, 1955
Rate: 0.04 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: MCKENZIE RIVER, tributary to the WILLAMETTE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
17 S	2 W	WM	26	SE NW	UNAVAILABLE

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
17 S	2 W	WM	26	NE NW	68	7.0
17 S	2 W	WM	26	NW NW	68	3.0

7. Transfer Application T-10439 proposes to change the surface water point of diversion to a point of appropriation approximately 4 miles upstream from the existing point of diversion to:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
17 S	1 W	WM	29	SE SE	WELL 1 - 1100 FEET EAST AND 925 FEET NORTH OF SOUTHWEST CORNER OF SECTION 29.

8. Transfer Application T-10439 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
17 S	1 W	WM	29	NW SW	6.4
17 S	1 W	WM	29	SW SW	3.6

9. Notice of the application for transfer was published on August 14, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.

10. On August 27, 2009, the Department mailed a copy of the Draft Preliminary Determination proposing to approve Transfer Application T-10439 to the applicants. The applicants requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
11. On September 29, 2009, the Department issued a Preliminary Determination proposing to approve Transfer Application T-10439 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 6, 2009, and in the Eugene Register-Guard newspaper on October 10, 17 and 24, 2009, 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)]

12. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
13. 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 Transfer Application T-10439.
14. Modeling with the best available information and use of the Jenkins model suggests the proposed well will meet the requirements of ORS 540.531. Pumping of the well will likely cause at least a 50 percent stream depletion within 10 days, in accordance with OAR 690-380-2130(2)(c) and (11)(b).
15. The proposed changes would not result in enlargement of the right.
16. The proposed changes would not result in injury to other water rights.

Conclusions of Law

The change from a surface water point of diversion to a groundwater point of appropriation and change in place of use proposed in Transfer Application T-10439 are consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-2130 and 690-380-5000.

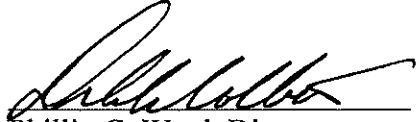
Now, therefore, it is ORDERED:

1. The change from a surface water point of diversion to a groundwater point of appropriation and change in place of use proposed in application T-10439 are approved.

2. Water right certificate 28874 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 28874 and any related decree.
4. The quantity of water diverted at the point of appropriation shall not exceed the quantity of water lawfully available at the original point of diversion.
5. The Director may require the water user to install a totalizing flow meter or other suitable measuring device at the point of appropriation. If the Director notifies the water user to install totalizing flow meters or other measuring devices, the water user shall install such devices specified by the Director within the period allowed in the notice. Once installed, the water user shall maintain the meters or measuring devices in good working order and shall allow the Watermaster access to the meters or measuring devices.
6. The former place of use of the transferred portion of the right shall no longer receive water under the right.
7. The well from which water is taken under the right shall be constructed so that the use of the well will affect the surface water source similarly to the use of the original authorized point of diversion.
8. The use of water under this right shall be subject to regulation consistent with other water rights from the surface water source and to all other applicable conditions and restrictions that existed at the original point of diversion.
9. If, within five years after approval of the transfer, the Department finds that the transfer results in substantial or undue interference with an existing ground water right due to use of the well, that would not have occurred in the absence of the transfer, the new point of appropriation shall be subordinate to the existing right injured by the transfer.
10. The original point of diversion of surface water shall not be retained as an additional or supplemental point of diversion under the transferred portion of the right. However, if within five years after approval of the transfer, the Department receives a transfer application to return to the last authorized surface water point of diversion, the application shall be approved.
11. The approved changes shall be completed and full beneficial use of the water shall be made on or before **October 1, 2011**. 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.

12. When satisfactory proof of the completed changes is received, a new certificate confirming the right transferred will be issued.

Dated at Salem, Oregon this 24th day of November 2009.


Phillip C. Ward, Director *pc*

Mailing date: DEC 1 1 2009

STATE OF OREGON

COUNTY OF LANE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JOHN E. HAMER
RR 2, BOX 454
SPRINGFIELD, OR 97477

confirms the right to use the waters of the MCKENZIE RIVER, a tributary to the WILLAMETTE RIVER for IRRIGATION of 30.6 ACRES.

This right was perfected under Permit S-23994. The date of priority is DECEMBER 6, 1955. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.13 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	DLC	Survey Coordinates
17 S	2 W	WM	26	SE NW	68	NOT AVAILABLE

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

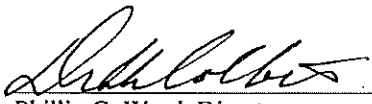
IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
17 S	2 W	WM	26	NW NE		68	3.4
17 S	2 W	WM	26	SW NE	12		0.2
17 S	2 W	WM	26	NE NW		68	1.6
17 S	2 W	WM	26	SE NW		68	9.8
17 S	2 W	WM	26	SE NW	3		15.2
17 S	2 W	WM	26	SE NW	3		0.4

This certificate describes that portion of the water right confirmed by Certificate 28874, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered NOV 24 2009, approving Transfer Application T-10439.

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

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

WITNESS the signature of the Water Resources Director, affixed NOV 24 2009.


Phillip C. Ward, Director *rw*



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

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

September 29, 2010

Shane J. Hughes, P.E., CWRE #392
2535B Prairie Road
Eugene, Oregon 97402

SUBJECT: Water Right Transfer Application T-10439

Dear Mr. Hughes,

I have in hand the revised maps and letters dated January 22, 2010 and September 21, 2010 for Richard Hunsaker's transfer T-10439. We are endeavoring to end up with one updated water right map that shows the location of the 30.6 acres remaining under irrigation after T-10439 transferred off a portion of the water right. The map of the remaining acres needs to meet OAR 690-380-3100(2e, f, & g) standards to show the quarter quarter and DLC lines and indicate how the 30.6 acres is divided into portions within quarter quarter sections, as projected within DLC boundaries.

The January map divides the acres into quarter quarter sections and shows those lines, but does not show the DLC lines or indicate which of the acres are within DLC 68. The September map shows the DLC lines, but not the quarter quarter lines, and the acreage table indicates that 16.4 acres is within the DLC 68, but not how those acres fit within the quarter quarters.

By superimposing the two maps and doing a bit of calculating, this is how I estimate the acreage will be divided in the table of the correcting certificate the Department will issue once we have the new map. Please submit, by October 29, 2010, a new map as described above that either confirms or corrects this acreage division.

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
17 S	2 W	WM	26	NW NE		68	2.79
17 S	2 W	WM	26	SW NE	12		0.23
17 S	2 W	WM	26	NE NW		68	6.07
17 S	2 W	WM	26	SE NW		68	7.54
17 S	2 W	WM	26	SE NW	3		13.77
17 S	2 W	WM	26	SE NW	3		0.20
TOTAL							30.60

Sincerely,

Dorothy I. Pedersen
Field Services Division

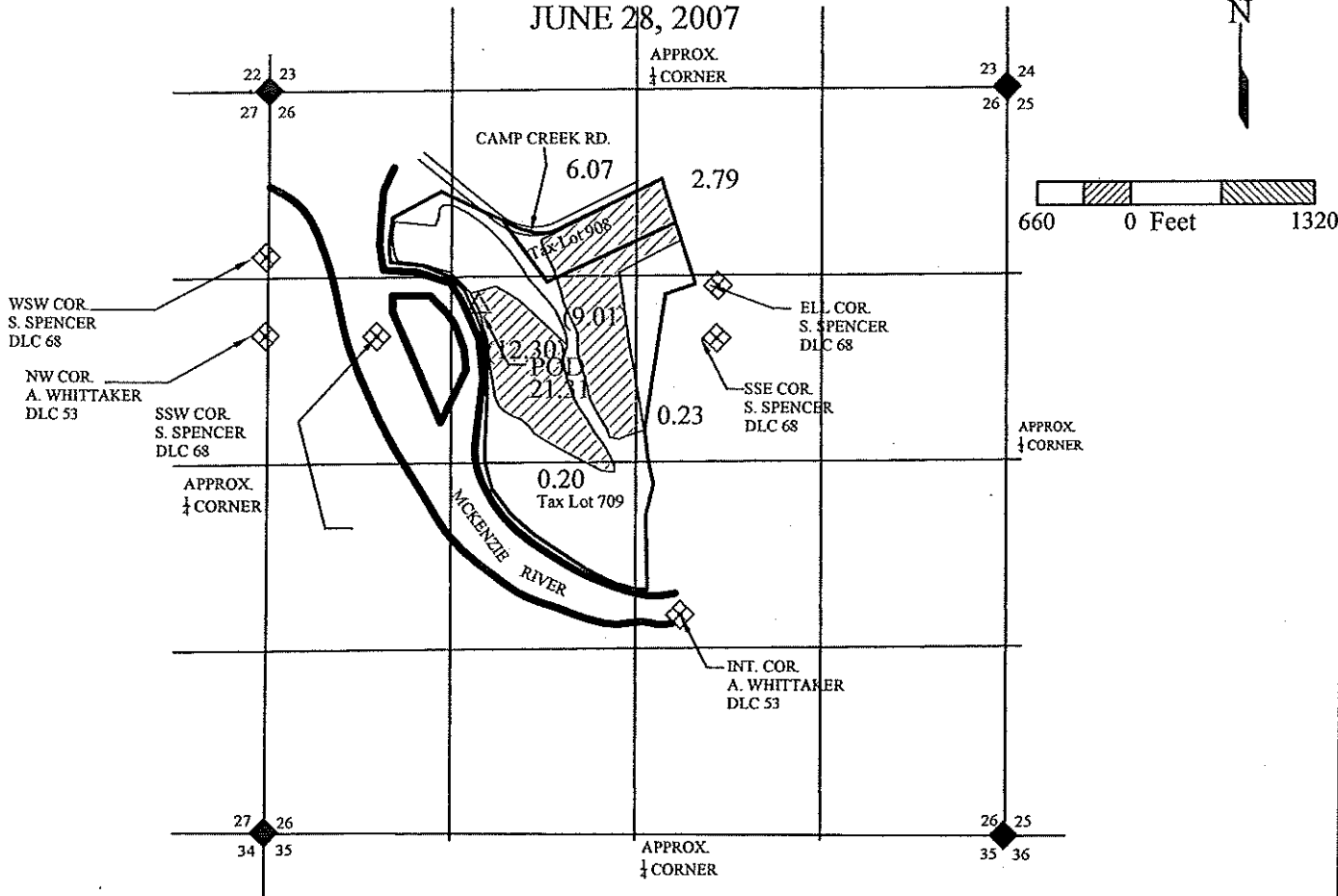
cc: **Transfer Application T-10439 file**
Michael J. Mattick, District 2 Watermaster
Richard Hunsaker, T-10439 applicant

enc



January map

PROPOSED UPDATED WATER RIGHT
T17S., R2W., W.M. SECTION 26
WATER RIGHT TRANSFER APPLICATION, PERMIT #23994
TAX LOTS 708 AND 709
MAPS 170226
LANE COUNTY, OREGON
JUNE 28, 2007

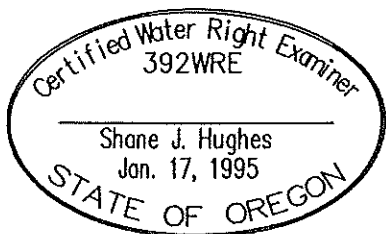


BASE MAPPING BY LANE COUNTY TAX MAPS 17-02-26. THIS MAP HAS BEEN PREPARED FOR THE SOLE PURPOSE OF IDENTIFYING THE REQUESTED WATER RIGHT LOCATION. THERE IS NO INTENT TO PROVIDE DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

SECTION	AREA OF USE		AREA (AC)
	1/4	1/4	
26	NW	NE	2.79
	SW	NE	0.23
	NE	NW	6.07
	SE	NW	21.31
	NE	SW	0.20
TOTAL			30.60

LEGEND

- SECTION LINE
- 1/4 SECTION LINE
- ◆ SECTION CORNER
- ◇ DLC CORNER
- △ APPROXIMATE LOCATION OF EXISTING DIVERSION POINT = 580' EAST OF DLC 68



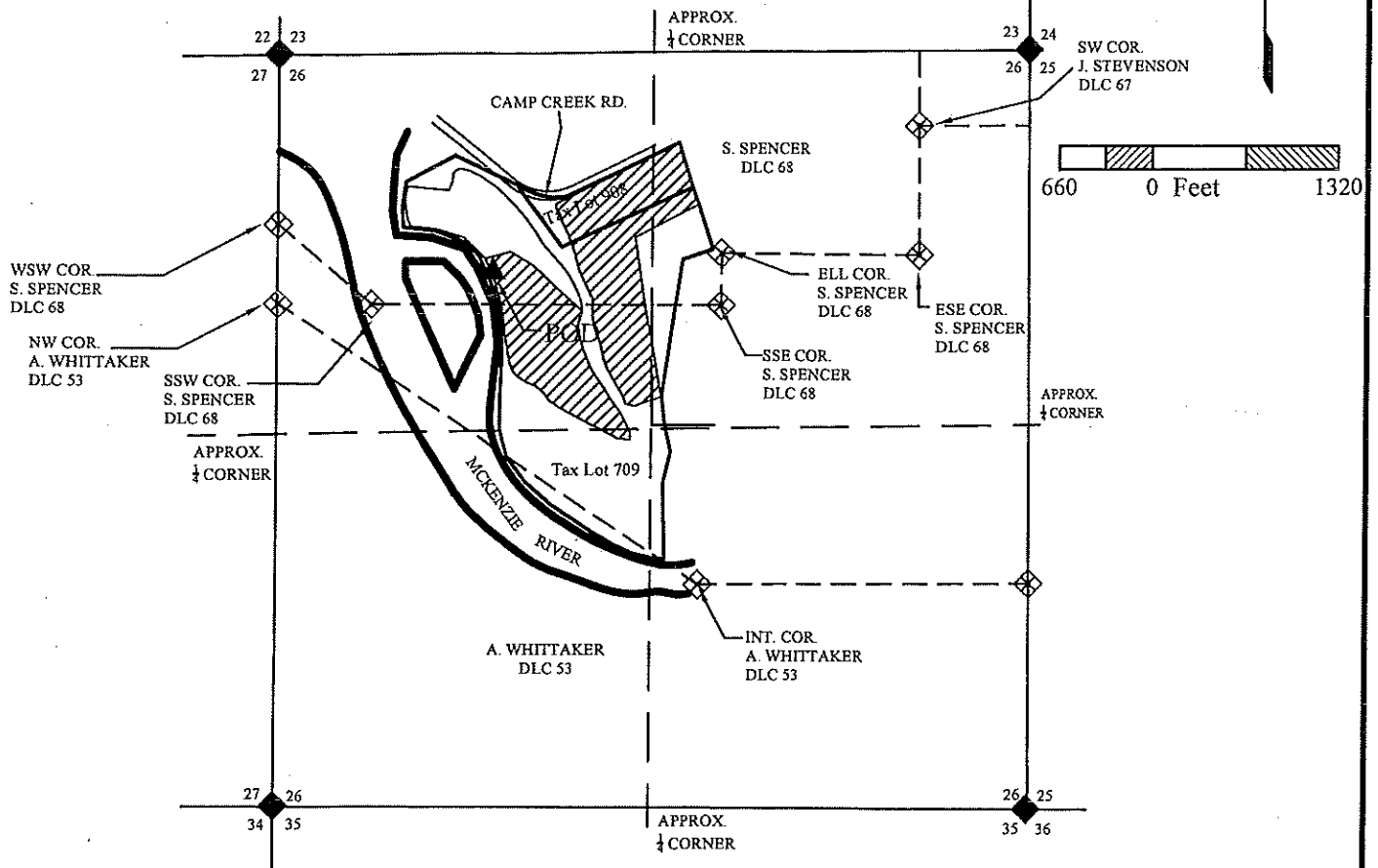
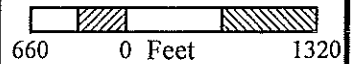
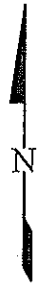
EGR & Associates, Inc.
 Engineers, Geologists, and Surveyors

2535B Prairie Road
 Eugene, Oregon 97402

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

G:\5890 - Humstler\07-0017\Water Right Application\670017-1\proposed water right-1.dwg, Jan 15, 2010 - 10:29am LAYOUT - WTR RIGHT

PROPOSED UPDATED WATER RIGHT
T17S., R2W., W.M. SECTION 26
WATER RIGHT TRANSFER APPLICATION, PERMIT #23994
TAX LOTS 708 AND 709
MAPS 170226
LANE COUNTY, OREGON
JUNE 28, 2007



BASE MAPPING BY LANE COUNTY TAX MAPS 17-02-26. THIS MAP HAS BEEN PREPARED FOR THE SOLE PURPOSE OF IDENTIFYING THE REQUESTED WATER RIGHT LOCATION. THERE IS NO INTENT TO PROVIDE DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

AREA OF USE			
SECTION	1/4	1/4	AREA (AC)
26	NW	NE	2.79
	SW	NE	0.23
	NE	NW	6.07
	SE	NW	21.31
	NE	SW	0.20
TOTAL			30.60

16.40 ACRES WITHIN
S. SPENCER DLC 68

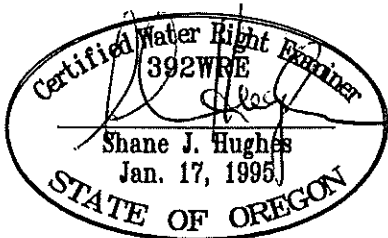
LEGEND

- SECTION LINE
- - - 1/4 SECTION LINE
- - - DLC LINE
- ◆ SECTION CORNER
- ◇ DLC CORNER
- ▲ APPROXIMATE LOCATION OF EXISTING DIVERSION POINT = 580' EAST OF DLC 68

RECEIVED

SEP 23 2010

WATER RESOURCES DEPT
SALEM, OREGON



EGR & Associates, Inc.
Engineers, Geologists, and Surveyors

2535B Prairie Road
Eugene, Oregon 97402

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



EGR & Associates, Inc.

Engineers, Geologists and Surveyors

2535B Prairie Road
Eugene, Oregon 97402
(541) 688-8322
Fax (541) 688-8087

September 21, 2010

Transfer 10439

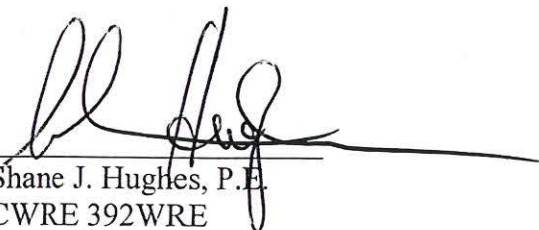
Michael J. Mattick
District 2 Watermaster
Central Lane Justice Court
220 North 5th
Springfield, OR 97477

Dear Mr. Mattick:

Please find attached a revised **Proposed Updated Water Right Map** showing the DLC boundaries. Only one DLC, the S. Spencer DLC, contains acreage affected by this water right transfer. The acreage located within the DLC, 16.4 acres, is indicated below the table showing the area of use.

If we can be of any further assistance in this matter, please let us know.

EGR & Associates, Inc.



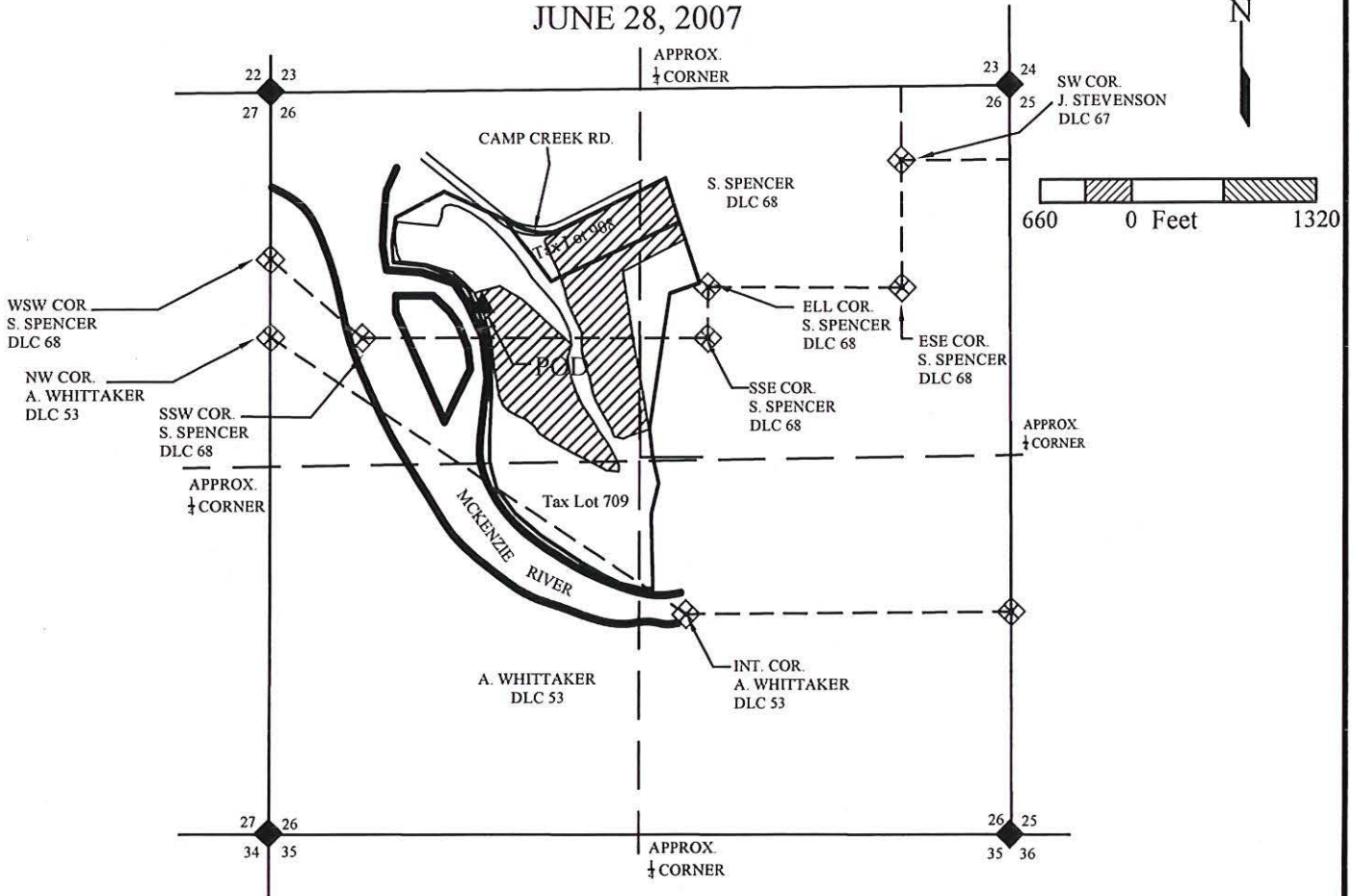
Shane J. Hughes, P.E.
CWRE 392WRE

Cc: Sarah Henderson ✓
Richard Hunsaker

Attachments

RECEIVED
SEP 23 2010
WATER RESOURCES DEPT
SALEM, OREGON

PROPOSED UPDATED WATER RIGHT
T17S., R2W., W.M. SECTION 26
WATER RIGHT TRANSFER APPLICATION, PERMIT #23994
TAX LOTS 708 AND 709
MAPS 170226
LANE COUNTY, OREGON
JUNE 28, 2007



BASE MAPPING BY LANE COUNTY TAX MAPS 17-02-26. THIS MAP HAS BEEN PREPARED FOR THE SOLE PURPOSE OF IDENTIFYING THE REQUESTED WATER RIGHT LOCATION. THERE IS NO INTENT TO PROVIDE DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

AREA OF USE			
SECTION	1/4	1/4	AREA (AC)
26	NW	NE	2.79
	SW	NE	0.23
	NE	NW	6.07
	SE	NW	21.31
	NE	SW	0.20
TOTAL			30.60

16.40 ACRES WITHIN
S. SPENCER DLC 68

LEGEND

- SECTION LINE
- 1/4 SECTION LINE
- - - DLC LINE
- ◆ SECTION CORNER
- ◇ DLC CORNER
- ▲ APPROXIMATE LOCATION OF EXISTING DIVERSION POINT = 580' EAST OF DLC 68

RECEIVED

SEP 23 2010

WATER RESOURCES DEPT
SALEM, OREGON



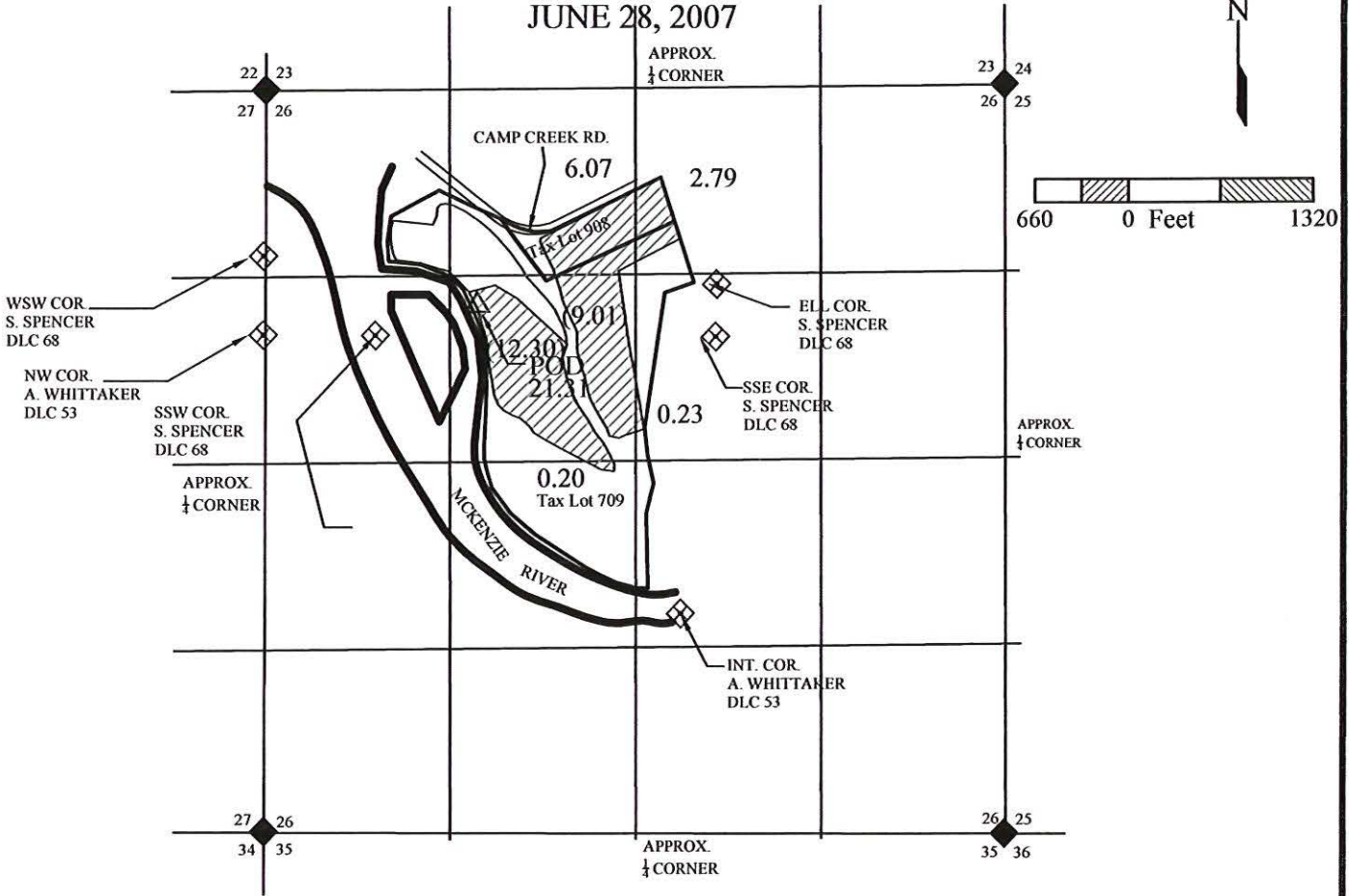
EGR & Associates, Inc.

Engineers, Geologists, and Surveyors

2535B Prairie Road
Eugene, Oregon 97402

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

PROPOSED UPDATED WATER RIGHT
T17S., R2W., W.M. SECTION 26
WATER RIGHT TRANSFER APPLICATION, PERMIT #23994
TAX LOTS 708 AND 709
MAPS 170226
LANE COUNTY, OREGON
JUNE 28, 2007



BASE MAPPING BY LANE COUNTY TAX MAPS 17-02-26. THIS MAP HAS BEEN PREPARED FOR THE SOLE PURPOSE OF IDENTIFYING THE REQUESTED WATER RIGHT LOCATION. THERE IS NO INTENT TO PROVIDE DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

SECTION	AREA OF USE		AREA (AC)
	1/4	1/4	
26	NW	NE	2.79
	SW	NE	0.23
	NE	NW	6.07
	SE	NW	21.31
	NE	SW	0.20
TOTAL			30.60

LEGEND

- SECTION LINE
- 1/4 SECTION LINE
- ◆ SECTION CORNER
- ◇ DLC CORNER
- △ APPROXIMATE LOCATION OF EXISTING DIVERSION POINT = 580' EAST OF DLC 68



EGR & Associates, Inc.
 Engineers, Geologists, and Surveyors

2535B Prairie Road
 Eugene, Oregon 97402

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

G:\5890_Humsaker\07-0017\Water Right Application\070017-Proposed waterright-1.dwg, Jan 15, 2010 - 10:29am LAYOUT-WTR RIGHT



Oregon

Theodore R. Kulongoski, Governor

January 11, 2010

Transfer 10439

Shane Hughes
EGR & Associates
2535B Prairie Rd
Eugene, Oregon 97402

Water Resources Department
Watermaster District 2
Central Lane Justice Court
220 North 5th
Springfield, OR 97477
Ph: 541-682-3620
Fax: 541-746-1861
www.wrd.state.or.us

Dear Mr. Hughes,

The Final Order approving this transfer was issued December 9, 2009. In my internal agency review, I requested clarification of the where the off lands were and the number of acres of irrigation rights remaining in each $\frac{1}{4}$ $\frac{1}{4}$. Somehow, my concerns were not relayed in the Proposed Final Order.

When I received the final order recently, I again tried to understand where the remaining acreage is in each $\frac{1}{4}$ $\frac{1}{4}$ and again have difficulty. Enclosed is a copy of the "PROPOSED UPDATED WATER RIGHT" map submitted with the transfer application. I have added $\frac{1}{4}$ $\frac{1}{4}$ lines and shaded the off lands green and the remaining lands blue. In particular, it seems there are some off lands in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, which are not accounted for. I have shaded that pink. It may be that even with that not being irrigated, the irrigated area in DLC 68 in the SE $\frac{1}{4}$, NW $\frac{1}{4}$, still equals 9.8 acres, so no change was proposed. Also, in the NE $\frac{1}{4}$, NW $\frac{1}{4}$, 7 acres are removed from a total of 8.6 acres, but the acreage remaining (1.6 acres) is approximate in size to the acreage removed. I wondered if the acreage in tax lot 908 was intended to be part of what is moved off.

Any clarity you can provide is greatly appreciated.

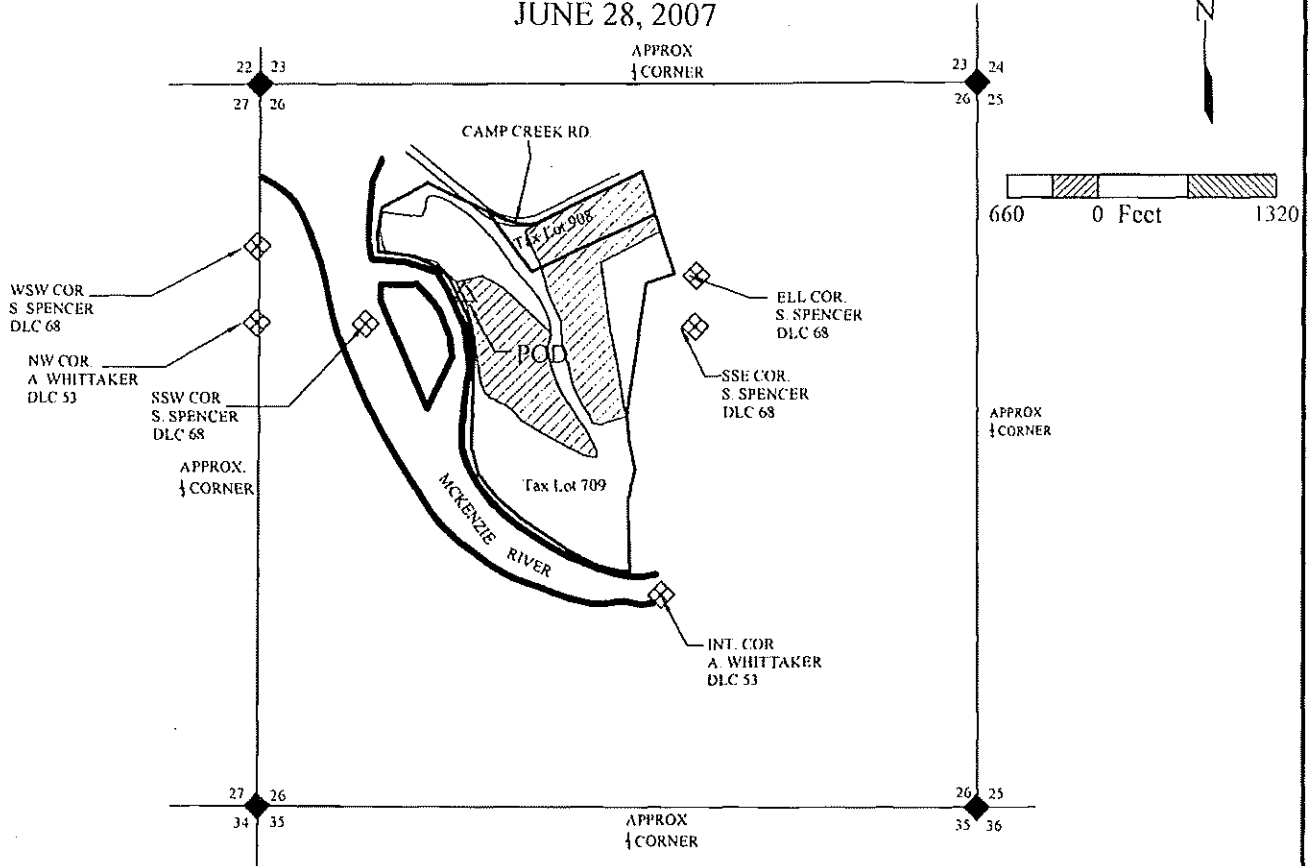
Sincerely,

Michael J. Mattick
District 2 Watermaster

cc: Sarah Henderson, for the WRD file

T-10439

PROPOSED UPDATED WATER RIGHT
T17S., R2W., W.M. SECTION 26
WATER RIGHT TRANSFER APPLICATION, PERMIT #23994
TAX LOTS 708 AND 709
MAPS 170226
LANE COUNTY, OREGON
JUNE 28, 2007



BASE MAPPING BY LANE COUNTY TAX MAPS 17-02-26. THIS MAP HAS BEEN PREPARED FOR THE SOLE PURPOSE OF IDENTIFYING THE REQUESTED WATER RIGHT LOCATION. THERE IS NO INTENT TO PROVIDE DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

AREA OF USE		
SECTION	1/4 1/4	AREA (AC)
29	NW NE	3.4
	SW NE	0.2
	NE NW	1.6
	NW NW	0
	SE NW	9.8
	SE NW	15.2
	SE NW	0.4
TOTAL		30.6

LEGEND

SECTION LINE

1/4 SECTION LINE



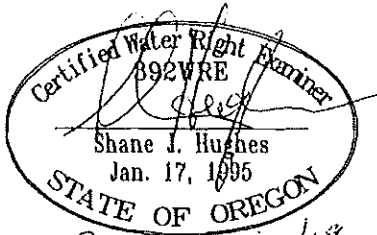
SECTION CORNER



DLC CORNER



APPROXIMATE LOCATION OF EXISTING DIVERSION POINT = 580' EAST OF DLC 68



EGR & Associates, Inc.

Engineers, Geologists, and Surveyors

2535B Prairie Road
Eugene, Oregon 97402

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

TO:

Sarah Henderson

From: Michael Mattick
Sent: Thursday, July 22, 2010 1:57 PM
To: Sarah Henderson
Subject: T-10439 needs a revised RR cert (?)

Hi Sarah,

When I received a copy of the remaining right map of this thing and its break down of WRs by $\frac{1}{4}$ $\frac{1}{4}$, the map did not have $\frac{1}{4}$ $\frac{1}{4}$ lines on it and the amounts of acres in each did not look right to me. So I asked the CWRE to give me a map with those lines. He did and that changed the acres in each.

We had already sent out the RR cert twice to the land owner and both times it came back to Salem, so it was passed on to me to look for the land owner. I have found a different address:

John E. Hamer
PO Box 444
Walterville, OR 97489

The CWRE Hughes' correspondence with me says he copied Salem. I think we would not want to send him a certificate with acreages that do not match the map and that a revised certificate is in order, the we (Salem) could send out the cert and map the right address.

Does that make sense up there? Do you all have the revised map with $\frac{1}{4}$ $\frac{1}{4}$ lines on it?

I will hang on to this stuff until I hear back but anticipate recycling the existin RR cert.

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



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-10439

Review Due Date: 09-08-2007

Applicant Name: Richard Hunsaker

Proposed Changes: POU POD POA USE OTHER

Reviewer(s): Mjm

Date of Review: Aug. 20, 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:

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: I do not trust the off land acreage figures. It looks more like 3.something in the NE NW and 2. something in the SE NW part of DLC 68. They say they are not affecting the 9.8 acres in that 1/4 1/4 and it looks to me like they are.

10. What alternatives may be available for addressing any issues identified above: Check and fix the off land acreages

11. Have headgate notices been issued for the source that serves the right? Yes No

12. What water control and measurement conditions should be included in the transfer:

Measurement Devices	<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.
Headgates	<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.

Wr Search	Stakeholder		Related Docs	Limits	Snp Trait	Comments	StreamCodes		owrd Directory
	POU Use	POU Loc	POU Loc Del	POU Loc Spnd	POU Loc Xfer	POU Loc/Tbl			Xfr Application
	POD Loc	POD Use	POD Reserv	POD Instream	POD<=>POU	POD<=>WrCn	PODRateChng	Workflow	XfrStakeholder
Water Right	Claim	Application	Permit	Certificate	Order	Decree	Transfer	Merge	History

Search Results:

Date	Title
▶ 1/14/2010	POA LOCATION

Selected Information:

Date: 1/14/2010
 Type: Miscellaneous
 Title: POA LOCATION
 Comment: PROPOSED POA IS ACTUALLY LOCATED IN THE SWSW OF SECTION 29, NOT THE SESE. TRANSFER STAFF NOTIFIED. LT

Records Returned: 1 Keep Search Results?

Select

Clear

Update

Delete

Query Time:

Exit

Stakeholder: HUNSAKER, RICHARD

Snp Origin: Transfer

Status: Non-Cancelled

Stage: Data Entry

DWRD

Decree:

Claim:

App: 530462

Permit: 523994

Cert:

Xfer: T 10439

Snp ID: 154693

Sarah Henderson

From: WRIGHT Deanna [Deanna.Wright@co.lane.or.us]

Sent: Monday, December 21, 2009 11:34 AM

To: Sarah Henderson

Subject: Re: water rights transfer

Hello,

I am trying to locate the property on this water rights transfer. It does not contain tax lots for point of diversion or place of use. I need to know this information in order to do some minor research and to know what property file to put this transfer paperwork in. Reference transfer application T-10439.

Thanks

*Deanna Wright, Planner
Land Management Division
Phone: (541) 682-4082
Fax: (541) 682-3947
Deanna.Wright@co.lane.or.us*

Water Right Transfer Checklist

Transfer T-10439

Transfer Specialist: NW Region Drawer

Transfer Type: Regular

Applicant Name/Address: Richard Hunsaker, 88001 Heather Drive, Springfield OR 97478

Agent Name/Address: EGR & Associates, 2535 B Prairie Rd, Eugene OR 97402

CWRE Name/Number: Shane Hughes #392

Rec Landowner Name/Address: NONE

Irr. District Name/Address: NONE

Affected Gov'ts Name/Address: Lane County, 125 E 8th Avenue, 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 30462	S 23994	28874	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	85843
<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>08/03/07</u>	Proposed Action(s): POU POD HST APOD USE OTHER: POU/SW TO GW -HYDROLIC CONNECTED POD	
Fees Pd: <u>800.00</u>	WM District: <u>02</u>	ODFW District: <u>NONE</u>
Initial Notice: <u>08/14/07</u>	WM Review sent: <u>08/10/07</u>	ODFW Review sent: <u>NONE</u>
Acknowledgement Letter Sent <input checked="" type="checkbox"/>		GW Review sent: <u>08/10/07</u>

Processing Dates & Actions

Deficiency Contacts: _____

Newspaper Pub Affid Due: _____

not required

DPD Mailed: _____

Affid of Pub Rec'd: _____

ODFW contact sheet sent with DPD, or N/A

Last Day Published: _____

PD Mailed: _____

Affidavit Reminder Sent: _____

PD Weekly Notice: _____

Reminder Deadline: _____

Preliminary Determination

Electronic Files uploaded

Preliminary Determination

PD Cover letter

Fee Refund Due

PD Notice

Remaining Rights

File Assigned/ ModPod updated

DPD Review (Optional)	PD Review (Salem)	Final Order Review (Salem)
Reviewer: _____	Reviewer: _____	Reviewer: _____
Date: _____	Date: _____	Date: _____
Coordinator: <u>SLP</u>	Coordinator: <u>SLP</u>	Coordinator: <u>SLP</u>
Date: <u>8/25/09</u>	Date: <u>9/23/09</u>	Date: <u>11/23/09</u>
Comments/Special Issues:		

Special Order Volume: Vol 77 Pages 194 Final Order Signature Date: 11-24-09

Notice of FO email'd to processors dorothy

Application

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

Water right subject to transfer

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

Application Map

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

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

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

Ownership

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

Evaluation (materials needed for peer reviewer in bold)

- | | | | | |
|--|---|---|---|---|
| <input checked="" type="checkbox"/> application complete | <input checked="" 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 checked="" 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 | <input type="checkbox"/> When in the judgment | <input type="checkbox"/> Prior to diverting | <input type="checkbox"/> Existing and maintain |
| Measuring Devices | <input type="checkbox"/> When in the judgment | <input type="checkbox"/> Prior to diverting | <input type="checkbox"/> Existing and maintain |
| Fish Screen Devices | <input type="checkbox"/> | | |

Injury: Y N Enlargement: Y N

Conditions to avoid enlargement/injury –

PROPOSED WATER RIGHT

T17S., R1W., W.M.

SECTION 29

WATER RIGHT TRANSFER APPLICATION, PERMIT #23994

TAX LOTS 201 AND 800

MAPS 1701292 AND 1701293

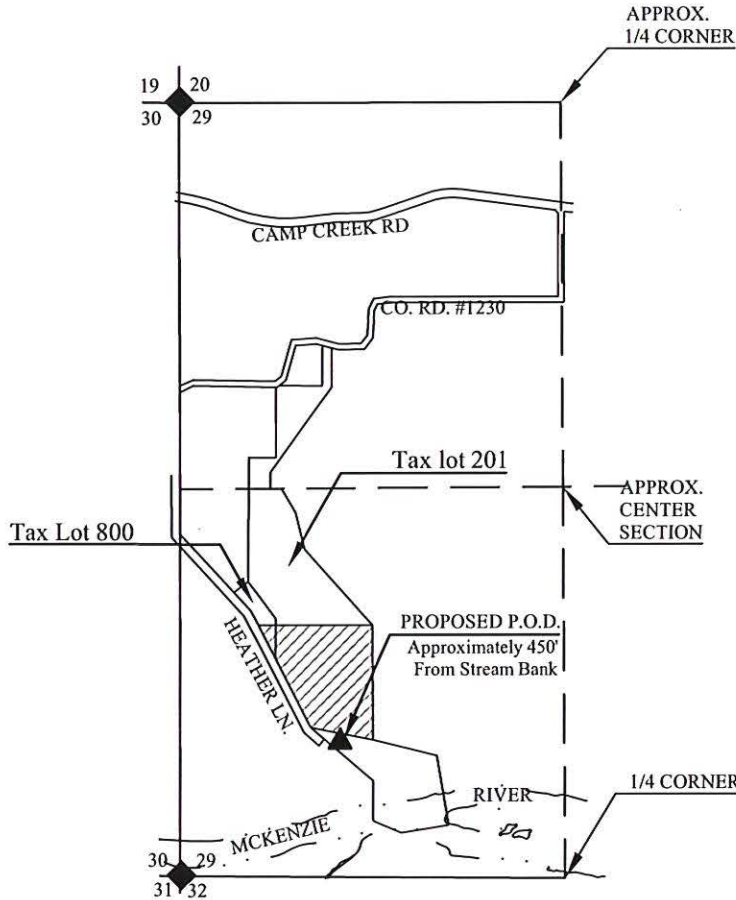
LANE COUNTY, OREGON

August 10, 2009

RECEIVED

AUG 20 2009

**WATER RESOURCES DEPT
SALEM, OREGON**



BASE MAPPING BY LANE COUNTY TAX MAPS 1701292 AND 1701293. THIS MAP HAS BEEN PREPARED FOR THE SOLE PURPOSE OF IDENTIFYING THE REQUESTED WATER RIGHT LOCATION. THERE IS NO INTENT TO PROVIDE DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

AREA OF USE		
SECTION	1/4 1/4	AREA (AC)
29	NW SW	6.4
	SW SW	3.6
TOTAL		10.00

LEGEND

- SECTION LINE
- - - 1/4 SECTION LINE
- ◆ SECTION CORNER
- ▲ APPROXIMATE LOCATION OF PROPOSED DIVERSION POINTS AND PUMP SYSTEM = 1,100' EAST, 925' NORTH OF SW CORNER OF SECTION 29, T17S, R1W



EXPIRATION DATE: 12/31/10



EGR & Associates, Inc.

Engineers, Geologists, and Surveyors

2535B Prairie Road
Eugene, Oregon 97402

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



Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1271
 (503) 986-0900
 www.wrd.state.or.us

Ground Water Review Form:

- Water Right Transfer
- Permit Amendment
- GR Modification
- Other

Application: T-10439

Applicant Name: Richard Hunsaker

Proposed Changes: POA APOA SW→GW RA
 USE POU OTHER

Reviewer(s): Donn Miller *DM*

Date of Review: August 19, 2009

The information provided in the application is insufficient to evaluate whether the proposed transfer may be approved because:

- The water well reports provided with the application do not correspond to the water rights affected by the transfer.
- The application does not include water well reports or a description of the well construction details sufficient to establish the ground water body developed or proposed to be developed.
- Other _____

-
1. Basic description of the changes proposed in this transfer: The authorized surface water POA is on the McKenzie River. The proposed well POD is now about 450 feet from the McKenzie and about four miles upstream from the authorized POA.

 2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?
 Yes No Comments: The analysis in the application demonstrates that the proposed well will affect the surface water similarly to the authorized POA per the standards provided in statute and rule.

 3. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?
 Yes No.
 b) If yes, estimate the portion of the right supplied by each of the sources and describe any limitations that will need to be placed on the proposed change (rate, duty, etc.): _____

 4. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another ground water right**?
 Yes No Comments: Some very nominal increase is likely since there are other ground water rights in the area.
 b) If yes, would this proposed change, at its maximum allowed rate of use, likely result in another groundwater right not receiving the water to which it is legally entitled?
 Yes No If yes, explain

5. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another surface water source**?

Yes No Comments: The proposed transfer reduces the impact on surface water.

- b) If yes, at its maximum allowed rate of use, what is the expected change in degree of interference with any **surface water sources** resulting from the proposed change?

Stream: _____ Minimal Significant

Stream: _____ Minimal Significant

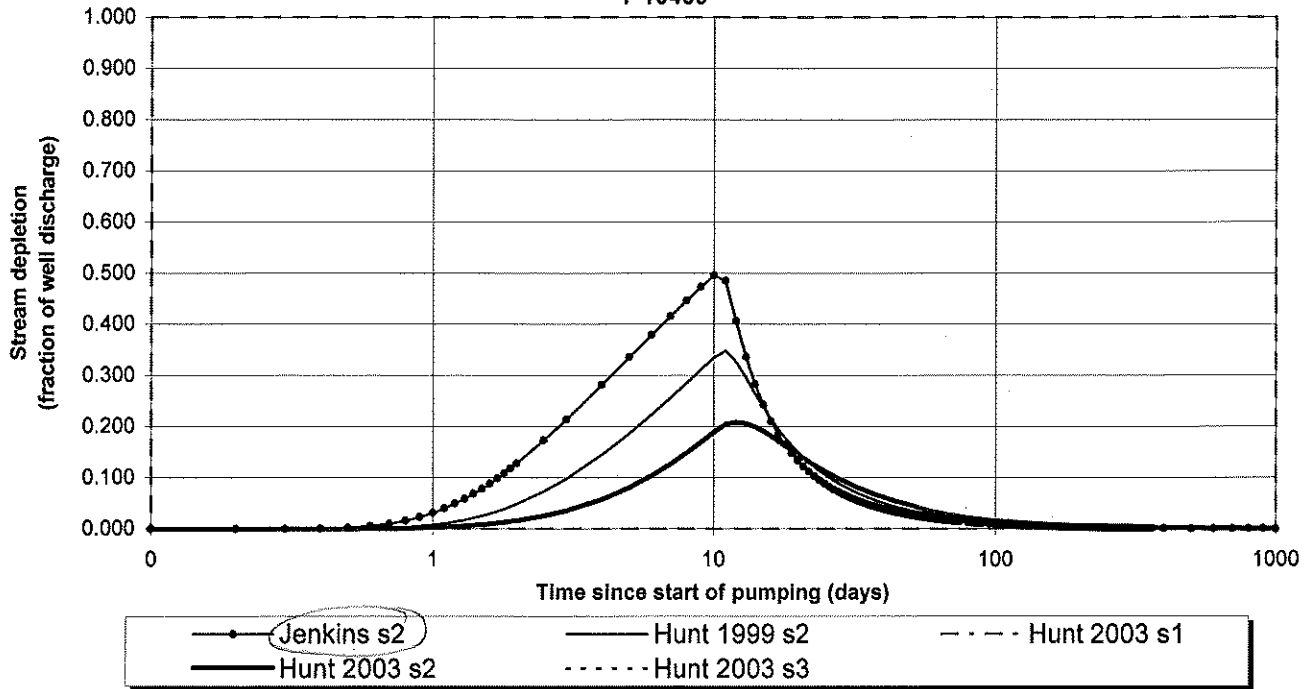
Provide context for minimal/significant impact: _____

6. What conditions or other changes in the application are necessary to address any potential issues identified above: If the transfer is approved, the authorization should be conditioned so that the proposed well, when drilled, is located within 470 feet of the McKenzie River.

7. Any additional comments: The consultant for the applicant provided a streamflow depletion analysis recently. The proposed well is not yet built. The analysis is reasonable but the hydraulic details at the well, when built, are problematic. The proposed location is said to be about 450 feet from the McKenzie River. OK. A new map is also provided. At present the well location is the only feature of the analysis that can be determined accurately. I suppose that we can just assume the rest will fall into place. Requiring the well location is commensurate with how we process new application that have proposed wells for Division 9 considerations.

Transient Stream Depletion (Jenkins, 1970; Hunt, 1999, 2003)

T-10439

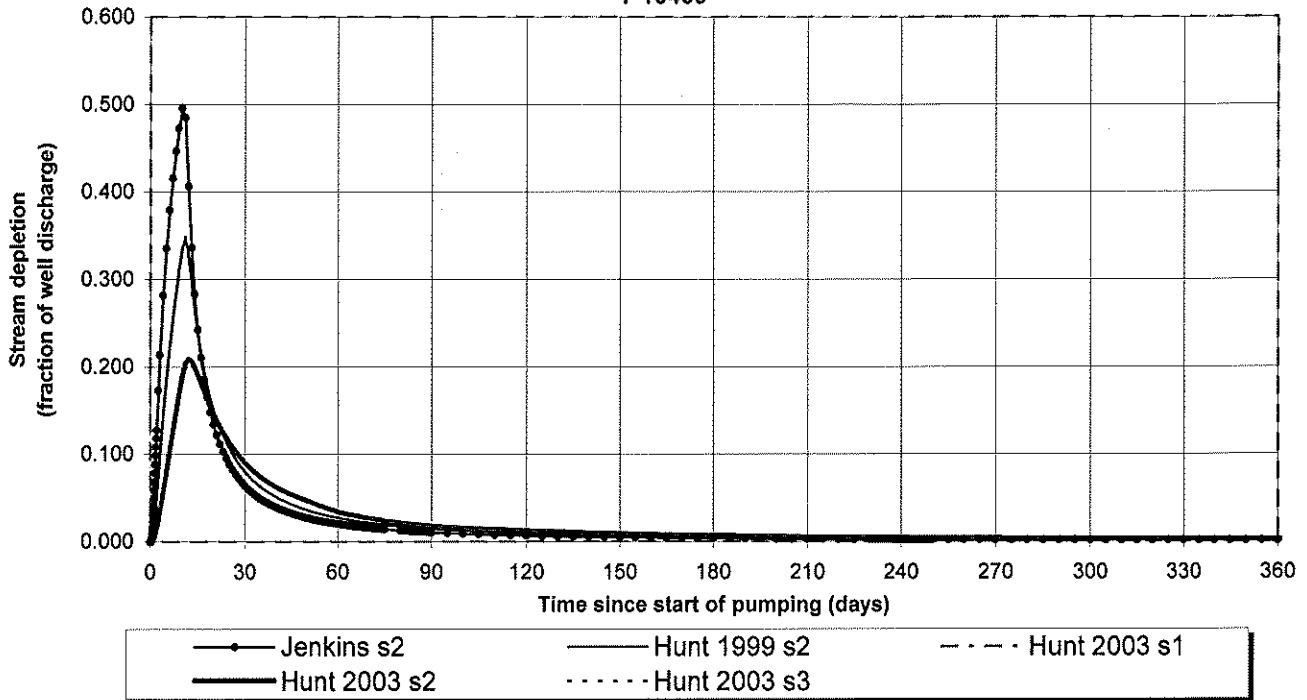


Output for Stream Depletion, Scenerio 2 (s2):						Time pump on (pumping duration) = 10 days						
Days	30	60	90	120	150	180	210	240	270	300	330	360
J SD	6.4%	2.0%	1.1%	0.7%	0.5%	0.4%	0.3%	0.2%	0.2%	0.2%	0.1%	0.1%
H SD 1999	8.0%	2.8%	1.5%	1.0%	0.7%	0.5%	0.4%	0.3%	0.3%	0.2%	0.2%	0.2%
H SD 2003	9.03%	3.43%	1.81%	1.29%	0.93%	0.71%	0.57%	0.47%	0.39%	0.34%	0.29%	0.26%
Qw, cfs	0.045	0.045	0.045	0.045	0.045	0.045	0.045	0.045	0.045	0.045	0.045	0.045
H SD 99, cfs	0.004	0.001	0.001	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
H SD 03, cfs	0.004	0.002	0.001	0.001	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000

Parameters:		Scenario 1	Scenario 2	Scenario 3	Units
Net steady pumping rate of well	Qw	20.00	20.00	20.00	gpm
Time pump on (pumping duration)	tpon	10	10	10	days
Perpendicular from well to stream	a	470	470	470	ft
Well depth	d	100	100	100	ft
Aquifer hydraulic conductivity	K	47.7	47.7	47.7	ft/day
Aquifer saturated thickness	b	100	100	100	ft
Aquifer transmissivity	T	4770	4770	4770	ft*ft/day
Aquifer storativity or specific yield	S	0.2	0.2	0.2	
Aquitard vertical hydraulic conductivity	Kva	1	1	1	ft/day
Aquitard saturated thickness	ba	3	3	3	ft
Aquitard thickness below stream	babs	3	3	3	ft
Aquitard porosity	n	0.2	0.2	0.2	
Stream width	ws	125	125	125	ft
Streambed conductance (lambda)	sbc	41.666667	41.666667	41.666667	ft/day
Stream depletion factor	sdf	9.262055	9.262055	9.262055	days
Streambed factor	sbf	4.105521	4.105521	4.105521	
input #1 for Hunt's Q_4 function	t'	0.107967	0.107967	0.107967	
input #2 for Hunt's Q_4 function	K'	15.436758	15.436758	15.436758	
input #3 for Hunt's Q_4 function	epsilon'	1.000000	1.000000	1.000000	
input #4 for Hunt's Q_4 function	lamda'	4.105521	4.105521	4.105521	

Transient Stream Depletion (Jenkins, 1970; Hunt, 1999, 2003)

T-10439



Output for Stream Depletion, Scenerio 2 (s2):					Time pump on (pumping duration) = 10 days							
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Qw, cfs	0.045	0.045	0.045	0.045	0.045	0.045	0.045	0.045	0.045	0.045	0.045	0.045
H SD 99, cfs	0.004	0.001	0.001	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
H SD 03, cfs	0.004	0.002	0.001	0.001	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000

Parameters:		Scenario 1	Scenario 2	Scenario 3	Units
Net steady pumping rate of well	Qw	20.00	20.00	20.00	gpm
Time pump on (pumping duration)	tpon	10	10	10	days
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Aquitard thickness below stream	babs	3	3	3	ft
Aquitard porosity	n	0.2	0.2	0.2	
Stream width	ws	125	125	125	ft
Streambed conductance (lambda)	sbc	41.666667	41.666667	41.666667	ft/day
Stream depletion factor	sdf	9.262055	9.262055	9.262055	days
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input #4 for Hunt's Q_4 function	lamda'	4.105521	4.105521	4.105521	

Oregon Water Resources Department



State of Oregon
Water Resources Department
725 Summer Street NE, Suite A, Salem, OR. 97301-1271
Phone: 503-986-0900
<http://www.wrd.state.or.us>

FAX TRANSMITTAL

To: Richard
Date: 4-28-09
From: Sarah

Fax Number: 541-746-8447
Pages: 3, including cover sheet
Phone: 503-986-0 883

Comments:

DIRECTOR'S OFFICE

- Water Resources Commission
- Legislation and Rules
- Public Information

FIELD SERVICES

- Regional Liaisons
- Transfers
- Hydrographics

NORTHWEST REGION

- District 16 Watermaster

ADMINISTRATIVE SERVICES

- Fiscal / Accounting
- Human Resources / Personnel
- Water Development Loan Fund
- Support Services

TECHNICAL SERVICES

- Dam Safety
- Enforcement
- Ground Water
- Information Services
- GIS/Mapping
- Water Use Reporting

Fax: 503-986-0902

WATER RIGHTS

- Water Rights Information
- Adjudications
- Hydroelectric
- Certificates / Final Proofs
- Hearings / Contested Cases

Fax: 503-986-0901

Fax: 503-986-0903 or
503-986-0904

STATE OF OREGON
Water Resources Department
725 Summer St. N.E., Ste. A
Salem, OR 97301

MEMORANDUM

DATE: 3/17/2009

TO: File T-10439
FROM: Donn Miller
SUBJECT: Response to Letter of 2/22/2009

The application seeks a surface-water to ground-water transfer. I evaluated the original proposal in my review dated 8/31/07. The file lacked analysis from the applicant to conclude that the statutory test of adequate streamflow depletion for this kind of transfer would occur. That kind of outside analysis is required when the proposed well is more than 500 feet from the surface water source or more than 1000 feet upstream or downstream.

The applicant has now submitted analysis from a qualified geologist as directed by my review and its accompanying memo. In response, the applicant now proposes a new well location. The geologist determined that the well needs to be within 275 feet of the river to achieve the stream-depletion standard. That distance is framed as a conservative value, meaning that some greater distance might also be supported.

The applicant now proposes a well location that is about 430 feet from the river, citing difficulties getting any closer. This location is presented as a dot on a map without survey coordinates. **At face value, that new well location is not supported by the geologist's analysis.**

The new proposed well location is within 500 feet of the river but is still more than 1000 feet upstream of the authorized POD. The latter distance means that the applicant must still submit a geologist's analysis that supports the depletion test (at least 50% after 10 days pumping).

On my own, I might conclude that the 430-foot setback at the proposed well location satisfies the legal depletion test. The legal path in ORS 540.531(2)(b) and OAR 690-380-2130(2)(e) doesn't give me that authority, as a WRD geologist. Therefore, I maintain that it's back to the applicant to provide an outside geologist's analysis to support his proposed well location. Further, we need a proper map with any new well location.

Note: I assume that the supporting analysis that the applicant must submit from a licensed geologist cannot come from a WRD geologist.



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

INTEROFFICE MEMO

FORWARD TO: Sarah Henderson (NIN)
FIELD PROCESSOR WORKING ON THIS TRANSFER DATE: 8-10-07

FROM: _____ WATERMASTER, DISTRICT # _____
X _____ GROUNDWATER SECTION

(SIGNATURE) Don Miller date signed 8/31/07
signed by injury reviewer

SUBJECT: WATER RIGHT TRANSFER # 10439

A change in: POU SW to GW POD POA USE of water.

In the name(s) of Richard Hunsaker

In my opinion (assuming the right is valid), the proposed change
MAY BE MADE WITHOUT INJURY WOULD RESULT IN INJURY* to an existing water right.

*The approval of this transfer application would result in injury to other water rights because
it fails to meet OAR 690-380-2130 (2)(c) that requires the change to affect the surface water source similarly to the authorized POD. See memo attached.

The existing right may not be valid because _____

Headgate notices HAVE HAVE NOT Been issued for diversion from the source(s) which serve(s) this right.

If for change in point of diversion, is there any intervening point(s) for diversion between the authorized and proposed points of diversion? (Yes or No) _____

In my opinion, the order approving the subject transfer application should include the following in regard to the appropriator installing suitable measuring devices in the diversion works:

- _____ (1) PRIOR to the diverting of water at the new point of diversion . . .
- _____ (2) WHEN IN the judgement of the watermaster it becomes necessary . . .

The enclosed copy of the transfer application and map(s) is for your records.

STATE OF OREGON
Water Resources Department
725 Summer St. N.E., Ste. A
Salem, OR 97301

MEMORANDUM

DATE: 8/31/2007

TO: File T-10439, Richard Hunsaker
FROM: Donn Miller, Hydrogeologist *DM*
SUBJECT: SW to GW Transfer Comments

I have reviewed the file, nearby ground water information, and performed interference calculations.

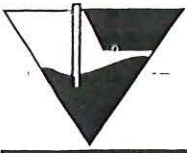
OR
(2)(e) The proposed well location is about 750 feet from the McKenzie River and about 4 miles upstream from the authorized point of diversion. These distances require the applicant to submit a geologist's report per ORS 690-380-2130. One of the important features of the report is to show that the well will affect the surface water source similarly to the authorized point. Similarly is defined in statute and rule.

The report does not address the "affect surface water similarly" test. The report concludes that the well will affect surface water after 10 days of pumping but failure to show that the test of 50 % or more stream depletion after 10 days is met. I assume that the geologist was not aware of the quantitative requirements.

I calculated stream depletion using file information. Using the most powerful, yet reasonable, data combination to produce stream depletion, I calculated only 35% depletion after 10 days of continuous pumping. Some of the data that I used is more depletion-inducing than even the geologist's report proposed. The data and graph are attached. The Jenkins s2 calculations seem appropriate.

The applicant may wish to share this information with the client and pursue a different strategy. If possible, proposing a new well location that is closer to the river seems to make the most sense.

ORS 540, 531 (2)(b)



*Geologist's
Report*

July 30, 2007

Water Rights Examiner
Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301

RE: Hunsaker Water Right Transfer Application

Dear Water Rights Examiner:

The proposed well site associated with the Hunsaker Transfer Application is estimated to be approximately 500 feet from the McKenzie River, near Walterville, Oregon (Section 29 of T17S, R1W). The location is within the central portion of the McKenzie River valley which is filled with sands and gravels deposited from floods and torrents since at least the end of the last ice age. These sands and gravels constitute an aquifer within the McKenzie River valley of relatively high permeability. This high permeability, coupled with the well's proximity to the river, leads to the obvious conclusion that this well will be hydraulically connected to the river.

If this were a groundwater right application, this well would be PRESUMED by the OWRD to be connected to the McKenzie River, since the proposed well site is located less than 1/4 mile (1,320 feet) from the river, and it is located in an alluvial, unconfined aquifer. To verify the nature of the aquifer, well logs located in the general vicinity of the subject property were examined.

Twenty one well logs from Sections 29 and 30 of Township 17 South, Range 1 West were examined. The logs were selected based on the reported geology and estimated yields of wells located in the general vicinity of the subject property. The well logs selected consisted of those reporting yields of 50 gpm or more and describing sand and gravels as the water producing materials. Well logs reporting of estimated yields less than 50 gpm and depicting bedrock as the water producing material were not considered as these well logs are not representative of the geology where the proposed extraction well is located. Gravel thicknesses reported from three of the twenty one well logs were 45.5, 48, and 50 feet above bedrock. The other 18 wells, ranging from 16 to 108 feet deep, and were completed in sand and gravel and did not intercept bedrock.

Transmissivity can be estimated from specific capacity estimates (taken from the well logs) using the formula $SC = T / (264 * \text{Log}((0.3 * T * t) / (r^2 * S)))$. Where SC=Specific Capacity, T=Transmissivity, t=time in minutes, r=radius to observation well, and S=Storage coefficient.

RECEIVED

T 10439

AUG 03 2007

WATER RESOURCES DEPT
SALEM, OREGON

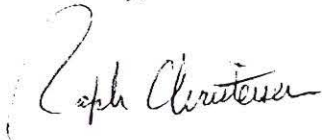
Geologist's
Report

When transmissivity is estimated from the 21 wells referenced above, a median specific capacity of 2.7 gpm/ft drawdown is obtained. This translates to a transmissivity of 12,465 gpd/ft. This in turn can be applied to a simple formula $[S=(0.3*T*t)/r_o^2]$ where S =Storage coefficient, T =Transmissivity, t =time in days, and r_o^2 =the square of the distance from the pumping well] to calculate the time it takes for a cone of depression to reach out 500 feet (the approximate distance of the river to the proposed well). If we assume a reasonable storage coefficient of 0.15 for the sand and gravel aquifer, and apply a value of 500 feet as the distance factor, it will take approximately 10 days of pumping the well before a cone of depression reaches the river. Thus, it is clear that the drawdown cone from the well will interact with the river in approximately 10 days or so, well short of the 90 to 120 days that irrigation can be expected to be applied. At 10 days we can reasonable assume that at least some reduction of groundwater flow into the river will begin to occur.

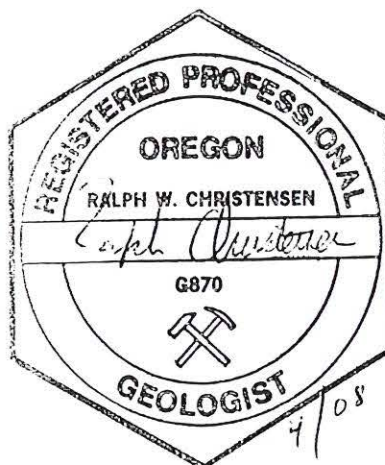
Therefore, we can conclude given the geologic materials, the hydrogeologic and aquifer characteristics, and the geographic proximity of the proposed well to the McKenzie River, the proposed well will be "drawing" water from the McKenzie River or diminishing flows to the McKenzie River. Thus, it is appropriate to transfer this surface water right from the McKenzie River directly to this "groundwater" source. As a benefit to the river, the direct impact on the river will be somewhat ameliorated relative to direct river withdrawal and screening and other physical intrusions into the river, associated with a point of diversion in the river, can be avoided. The groundwater component of the water right will lessen the immediate impact of the well withdrawal, even though over the course of the irrigation season the final impact to river in overall water flow may be nearly the same.

Feel free to contact us if there are any further questions, or a need for clarification.

Sincerely,



Ralph Christensen,
Senior Geologist,
EGR & Associates, Inc.



RECEIVED

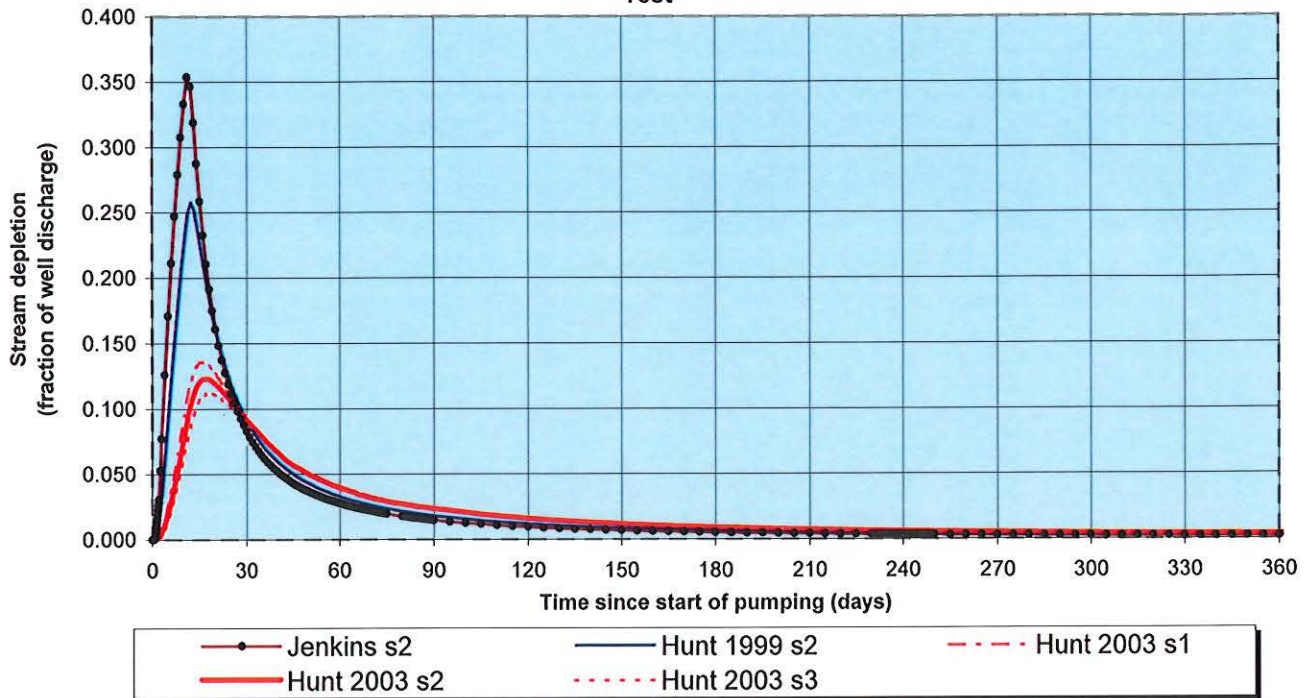
AUG 03 2007

WATER RESOURCES DEPT
SALEM, OREGON

T 10439

Transient Stream Depletion (Jenkins, 1970; Hunt, 1999, 2003)

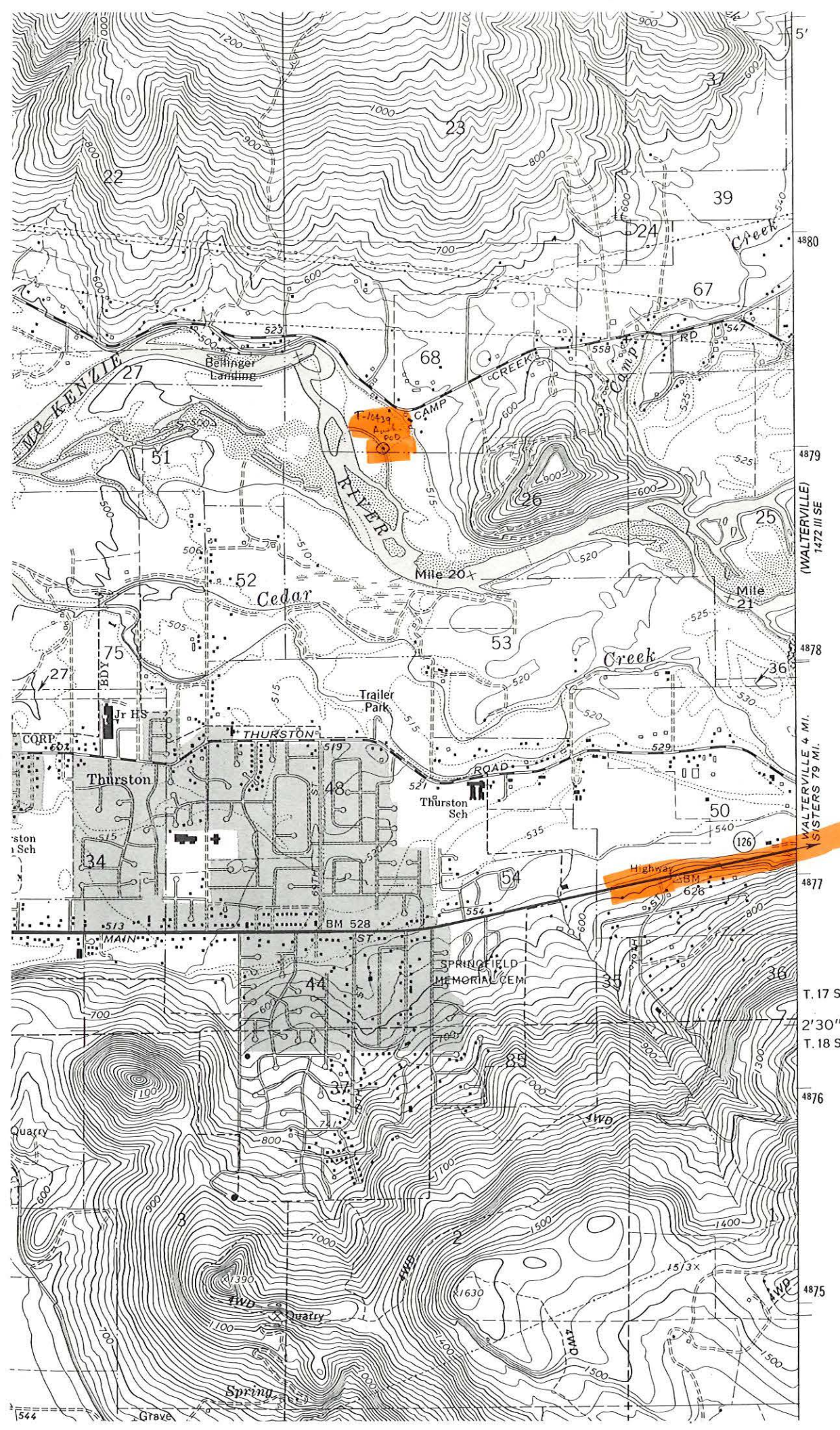
Test



Output for Stream Depletion, Scenerio 2 (s2):						Time pump on (pumping duration) = 10 days						
Days	30	60	90	120	150	180	210	240	270	300	330	360
J SD	8.3%	2.8%	1.5%	1.0%	0.7%	0.5%	0.4%	0.3%	0.3%	0.2%	0.2%	0.2%
H SD 1999	9.0%	3.3%	1.8%	1.2%	0.8%	0.6%	0.5%	0.4%	0.3%	0.3%	0.3%	0.2%
H SD 2003	9.12%	3.97%	2.37%	1.62%	1.19%	0.92%	0.74%	0.61%	0.51%	0.44%	0.38%	0.34%
Qw, cfs	0.045	0.045	0.045	0.045	0.045	0.045	0.045	0.045	0.045	0.045	0.045	0.045
H SD 99, cfs	0.004	0.001	0.001	0.001	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
H SD 03, cfs	0.004	0.002	0.001	0.001	0.001	0.000	0.000	0.000	0.000	0.000	0.000	0.000

Parameters:		Scenario 1	Scenario 2	Scenario 3	Units
Net steady pumping rate of well	Qw	20.00	20.00	20.00	gpm
Time pump on (pumping duration)	tpon	10	10	10	days
Perpendicular from well to stream	a	700	750	800	ft
Well depth	d	100	100	100	ft
Aquifer hydraulic conductivity	K	45	45	45	ft/day
Aquifer saturated thickness	b	100	100	100	ft
Aquifer transmissivity	T	4500	4500	4500	ft*ft/day
Aquifer storativity or specific yield	S	0.15	0.15	0.15	
Aquitard vertical hydraulic conductivity	Kva	1	1	1	ft/day
Aquitard saturated thickness	ba	3	3	3	ft
Aquitard thickness below stream	babs	3	3	3	ft
Aquitard porosity	n	0.2	0.2	0.2	
Stream width	ws	125	125	125	ft
Streambed conductance (lambda)	sbc	41.666667	41.666667	41.666667	ft/day
Stream depletion factor	sdf	16.333333	18.750000	21.333333	days
Streambed factor	sbf	6.481481	6.944444	7.407407	
input #1 for Hunt's Q_4 function	t'	0.061224	0.053333	0.046875	
input #2 for Hunt's Q_4 function	K'	36.296296	41.666667	47.407407	
input #3 for Hunt's Q_4 function	epsilon'	0.750000	0.750000	0.750000	
input #4 for Hunt's Q_4 function	lamda'	6.481481	6.944444	7.407407	

Same as 33,668 gpd/ft
which is much higher than
12,465 gpd/ft than report used



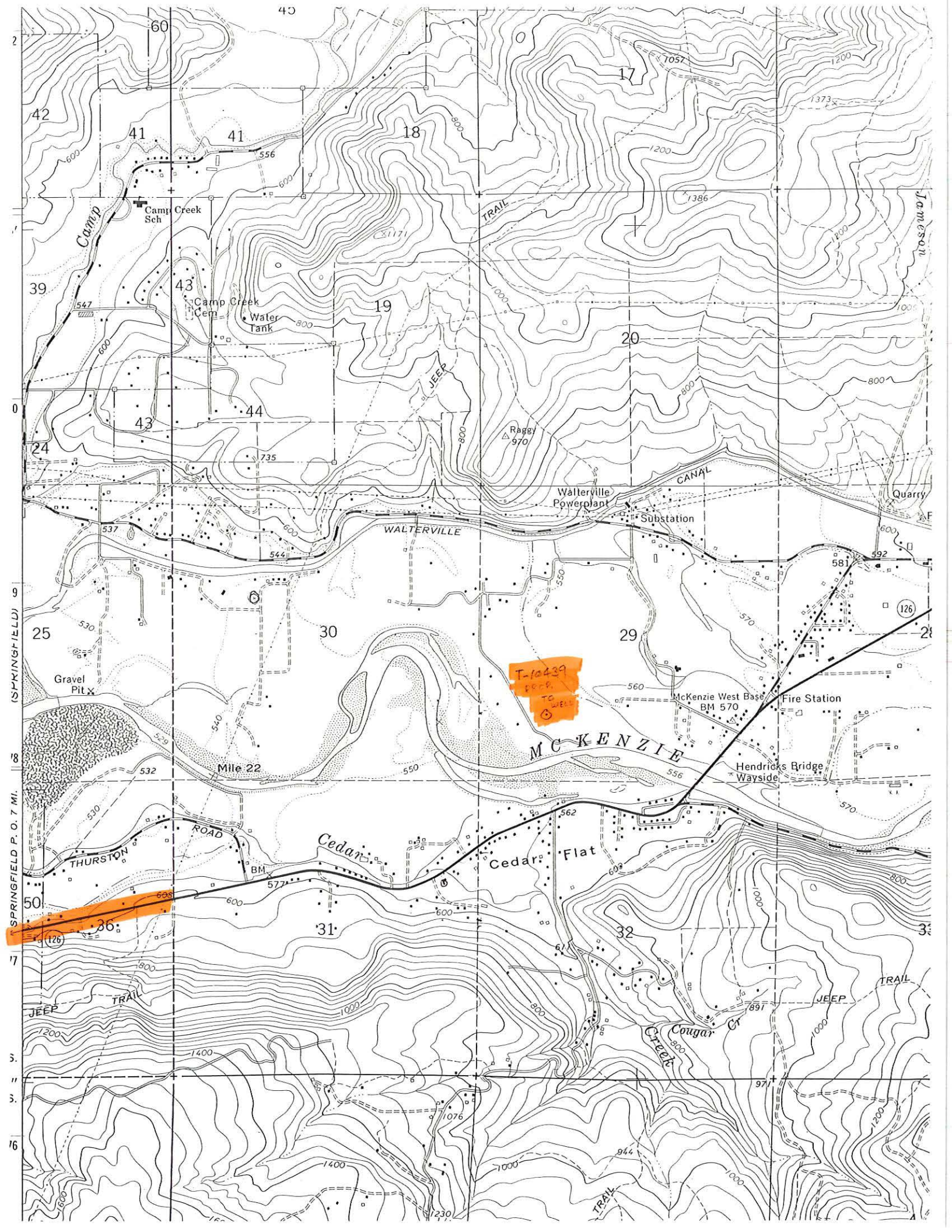
5'
4880
4879
4878
4877
4876
4875

(WALTERVILLE)
1472 III SE
WALTERVILLE 4 MI.
SISTERS 79 MI.

T. 17 S.
2'30"
T. 18 S.

1-1434
AUG 60
600

Highway
BM
628



T-10439
80-P
TO WEST
③

SPRINGFIELD P. O. 7 MI.
SPRINGFIELD (ILL.)

608
ROAD
THURSTON

690-380-2130

Change from a Surface Water Point of Diversion to a Ground Water Appropriation

(1) As provided in ORS 540.531, an owner of a surface water use subject to transfer may apply for a transfer of the point of diversion to allow the appropriation of ground water, subject to the requirements for a transfer in point of diversion under this Division and the requirements under section (2) or (3) of this rule.

(2) The Department may allow the transfer of the point of diversion under section (1) of this rule if:

(a) The criteria in OAR 690-380-5000 are met;

(b) The new point of diversion appropriates ground water from an aquifer that is hydraulically connected to the authorized surface source; and

(c) The proposed change in point of diversion will affect the surface water source similarly to the authorized point of diversion specified in the water use subject to transfer; and

(d) The withdrawal of groundwater at the new point of diversion is located within 500 feet of the surface water source and, when the surface water source is a stream, is also located within 1000 feet upstream or downstream of the original point of diversion as specified in the water use subject to transfer; or

(e) If the distance requirements in subsection (2)(d) of this rule are not met, the holder of a water use subject to transfer shall submit to the Department evidence prepared by a licensed geologist that demonstrates that the use of the groundwater at the new point of diversion will meet the criteria set forth in subsections (2)(a) to (c) of this rule.

(3) Notwithstanding section (2) of this rule, the Department shall allow a transfer of the point of diversion under section (1) of this rule in the Deschutes basin ground water study area if:

(a) The proposed transfer would not result in injury to an existing water right or enlargement of the water right proposed for transfer;

(b) The criteria in OAR 690-380-5000 are met;

(c) The new point of diversion appropriates ground water from an aquifer that is hydraulically connected to the authorized surface water source; and

(d) The use of the new point of diversion will affect the surface water source hydraulically connected to the authorized point of diversion specified in the water use subject to transfer. The Department may not require that the use of the new point of

diversion affect the surface water source similarly to the authorized point of diversion specified in the water use subject to transfer under this subsection.

(4) A transfer application requesting to change the point of diversion from a surface water diversion to a groundwater appropriation for which evidence prepared by a licensed geologist is required under subsection (2)(e) of this rule shall be evaluated by the Department in the following manner:

(a) The change in point of diversion request shall be examined to determine the potential for injury as if the change is to be from the authorized point of diversion to a point on the stream nearest the proposed well;

(b) If potential injury is not found, the evidence prepared by a licensed geologist and submitted by the applicant shall be evaluated to determine whether the application meets the other requirements of subsection (2)(a) to (c) of this rule. The geologist's report shall examine the effect on the surface water source in the vicinity of the point on the stream nearest the proposed new point of diversion.

(5) The new point of diversion shall retain the original date of priority and all other applicable conditions and restrictions that existed at the original point of diversion shall apply at the new point of diversion authorized under the transfer.

(6) If within five years after approving a transfer under this rule, the Department finds that the transfer results in substantial or undue interference with an existing ground water right that would not have occurred in the absence of the transfer, the new point of diversion shall be subordinate to the existing right injured by the transfer. This section applies only to wells with rights existing at the time the transfer was approved.

(7) The original point of diversion of surface water shall not be retained as an additional or supplemental point of diversion.

(8) The Department shall approve a transfer application to return to the last authorized surface water point of diversion if the required transfer application is received within five years after the Department approves a transfer under this rule. It shall be presumed, for transfers under this subsection, that there is no injury, including injury to rights obtained or transferred after the approval of the first transfer.


(9) The Department shall approve an application to return to the last authorized surface water point of diversion after five years of the date the Department allows the transfer under section (3) of this rule if the Department receives the required application, and the return will not result in injury.

(10) For transfers allowed under this rule, the Department shall require mitigation measures to prevent depletion from any surface water source not specified in the permit or certificated or decreed water right pursuant to ORS 540.531(6), except that the

Department may not require mitigation measures if the transfer complies with section (3) of this rule.

(11) As used in this rule:

(a) "Existing ground water right" means a right that existed at the time a transfer was approved under sections (1) to (5) of this rule and does not include a right established after the transfer whether by permit or a change in point of appropriation regardless of priority date.

 (b) "Similarly" means that the use of groundwater at the new point of diversion affects the surface water source specified in the permit or certificated or decreed water right and would result in stream depletion of at least 50 percent of the rate of appropriation within 10 days of continuous pumping.

(c) "Deschutes basin ground water study area" means the Deschutes River Basin drainage area indicated in OAR 690, division 505, Exhibit 1.

(12) The Department shall provide notice and review of transfer applications under section (3) of this rule pursuant to OAR 690-380-4000 through 690-380-4200.

(13) Opportunities to protest a transfer under section (3) of this rule shall be pursuant to OAR 690-380-4030.

(14) The Department shall issue final orders on transfer applications under section (3) of this rule pursuant to OAR 690-380-5000.

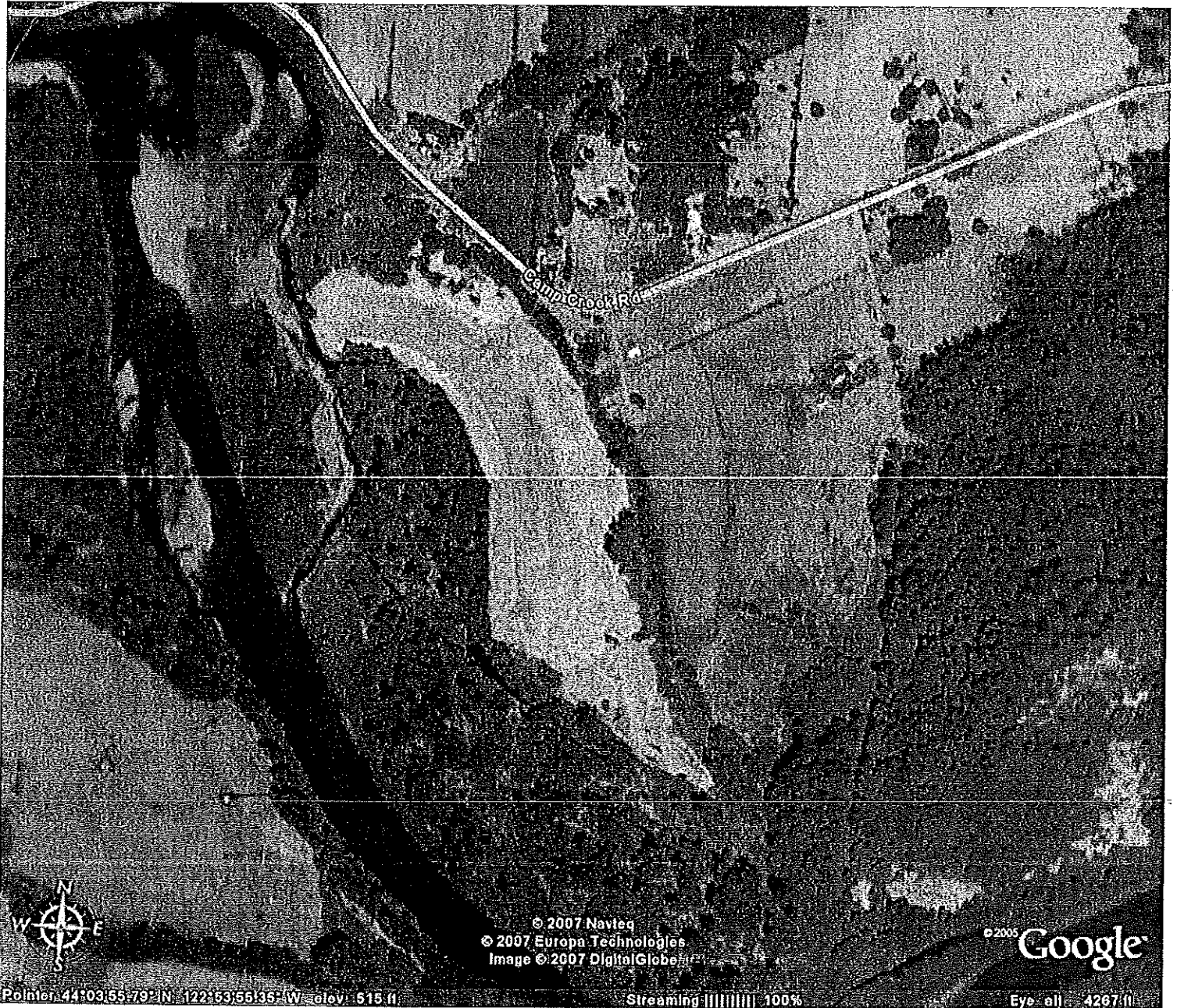
Stat. Auth.: ORS 536.025 & 536.027

Stats. Implemented: ORS 540.520, 540.530 & 540.531

Hist.: WRD 5-1996, f. & cert. ef. 7-11-96; WRD 2-2003, f. & cert. ef. 5-1-03,

Renumbered from 690-015-0210; WRD 1-2004, f. & cert. ef. 3-17-04; WRD 5-2006, f. & cert. ef. 10-6-06

COPY



Current Water Right

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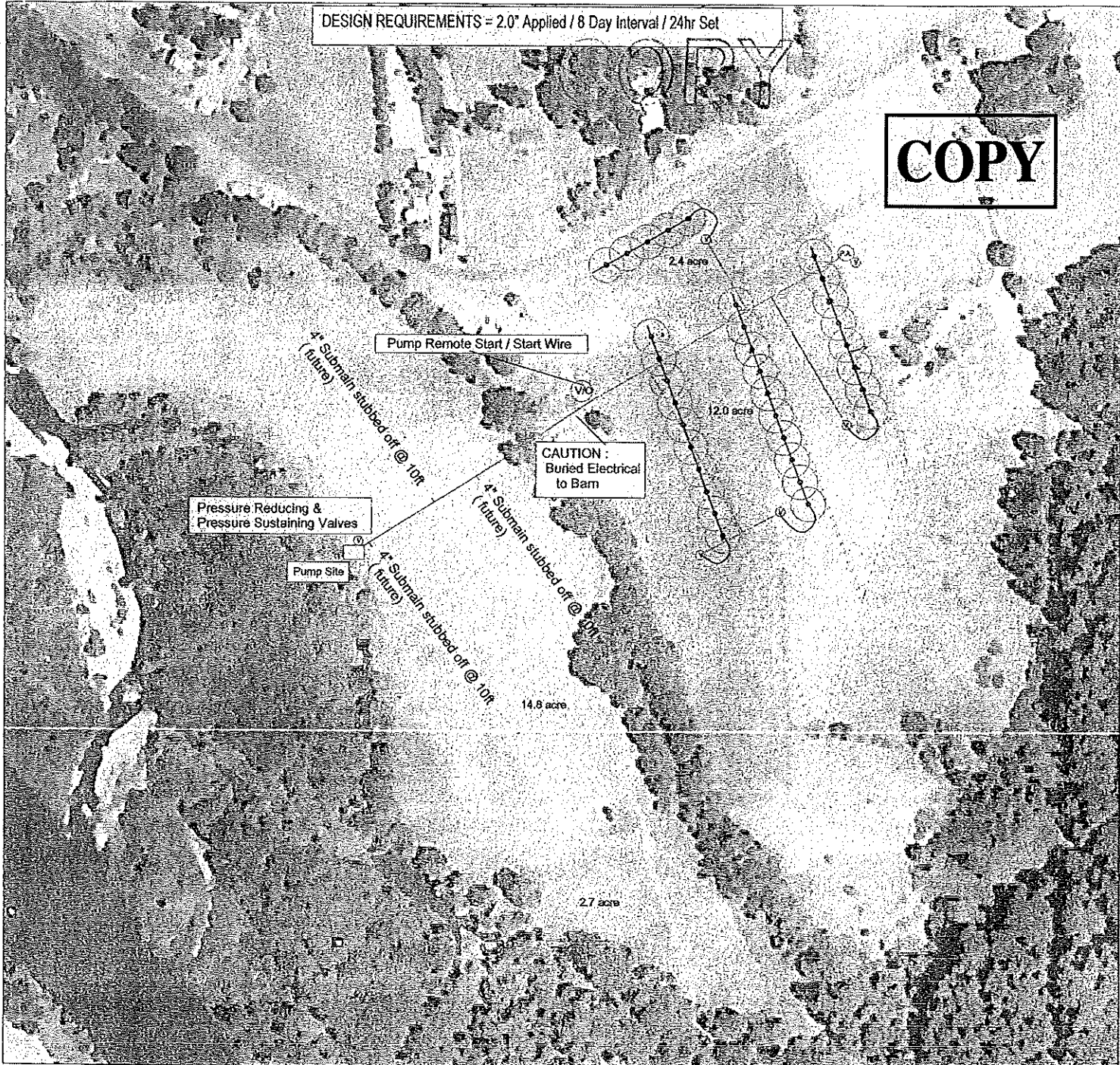
AUG 03 2007


T 10439

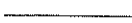
WATER RESOURCES DEPT
SALEM, OREG

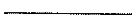
DESIGN REQUIREMENTS = 2.0" Applied / 8 Day Interval / 24hr Set


COPY




 K-Line Pod w/ .118 nozzle @ 50psi = 3.0 gpm w/ 76' diam.

 6" PVC Mainline

 4" PVC Sub-Mainline

 4" Valve outlet w/ 1 1/2 FIPT

 4" Valve outlet

 Pressure & Air Relief

K-Line operating pressure = 60 psi
Mainline loss = 1 psi

61 psi
x 2.31'
141' tdh
22' elevation change
7' Lift at pump
170.0' tdh
17' 10% extra
187' TDH (81 psi)

Design point total acres = 14.4
.118" Nozzle @ 50 psi = 3.0 gpm / 76' diam.
50' x 50' Sprinkler Spacing / .11" per hour = 2.7" applied
Total Sprinklers 33 @ 3.0 gpm = 99 Total GPM
Total Of Lines To Shift = 4

Future Pump Design Point=197' TDH(85psi) @ 234 TGPM (29.5 acre #1 K-line Design)

6T-275 Berkeley Submersible Pump 20 hp
200'tdh(86psi) @ 300gpm / 74%Eff / 20.5 Hpr
240'tdh(103psi) @ 235gpm / 71%Eff / 20.06 Hpr
300'tdh(129psi) @ 100gpm / 55%Eff / 13.8 Hpr

AUG 08 2007

Project: Upper & Lower pasture irrigation	Date: 9 / 30 / 03
Scale: 1" = 310'	Quote #025708 025709 Last up-date: 04 / 09 / 04 025746

Prepared For: Dick Hunsaker, 36986 Camp Creek Road, Springfield OR 97478, (541) 344-0681

Prepared By: Pacific Ag Systems, Inc. 93780 Hwy 99 South Junction City, OR 97448 (541) 998-1983

T 10439

K-line "Leader" will install here

COPY

1 1/2" x 90 deg Galv. Elbow # GAEL900170

1 1/2" x 3" Galv. nipple
#GANI901233

1 1/2" fipt x 1 1/2" Alum.male Camlock
(A) # KLINE02200

1 1/2" mipt x 1 1/2" Alum.female Camlock
(B) # KLINE02275

Field Level

10" Round valve box # PVBO001000

1 1/2" Brass Gate Valve # VAGA900000

K-LINE Male Coupling
(1 1/2"mipt x 40mm comp. # KLINE02100

K-Line Poly Pipe (40mm) # KLINE01400

K-LINE Male Coupling
(1 1/2"mipt x 40mm comp.) # KLINE02100

4" Romac Saddle 101S w/ 1 1/2" fipt
FISA100400
(or)

3" Romac Saddle 202S w/ 1 1/2" fipt
FISA200300
(or)

2" Romac Saddle 202S w/ 1 1/2" fipt
FISA200400

Required Material

Qty.	Description
1)	Romac Saddle 101S w/ 1 1/2"fipt # FISA100???
2)	K-Line male coupling 1 1/2"mipt x 40mm comp. # KLINE02100
2.5)	K-Line poly pipe (40mm) # KLINE01400
1)	1 1/2"fipt x 1 1/2" alum. male camlock (A) # KLINE02200
1)	1 1/2" alum. male camlock plug (DP) # KLINE02300 (not shown)
1)	1 1/2" x 3" Galv. nipple # GANI901233
1)	10" Round valve box # PVBO001000
1)	1 1/2" x 90deg Galv. elbow # GAEL900170
1)	1 1/2" Brass gate valve # VAGA900000
1)	1 1/2" mipt x 1 1/2" Alum.female camlock (B) # KLINE02275
1)	1 1/2" Female Camlock Cap # KLINE02325 (not shown)

RECEIVED

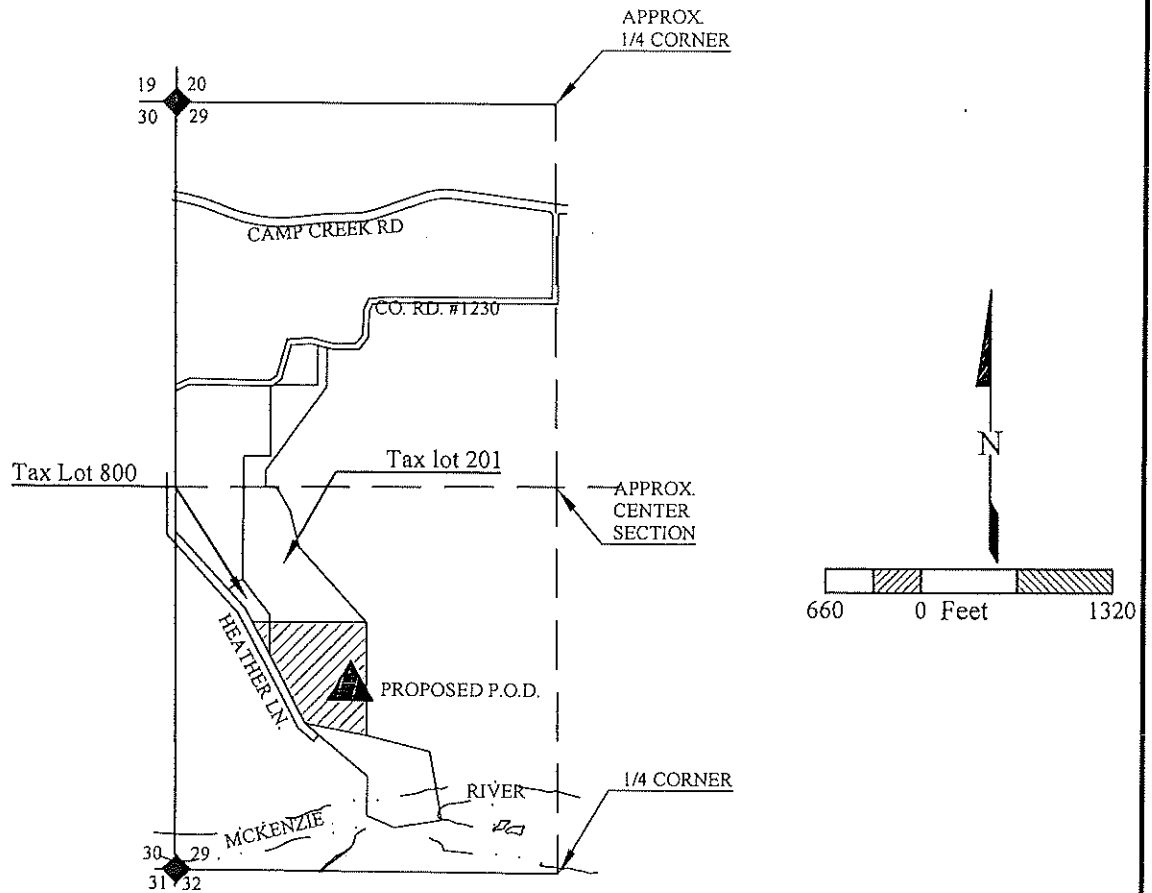
AUG 08 2007

WATER RESOURCES DEPT
SALEM, OREGON

T 10439 K-Line Saddle Assembly With Valve Box

PROPOSED WATER RIGHT
T17S., R1W., W.M.
SECTION 29
WATER RIGHT TRANSFER APPLICATION, PERMIT #23994
TAX LOTS 201 AND 800
MAPS 1701293 AND 1701292
LANE COUNTY, OREGON
JUNE 28, 2007

COPY



BASE MAPPING BY LANE COUNTY TAX MAPS 1701292 AND 1701293. THIS MAP HAS BEEN PREPARED FOR THE SOLE PURPOSE OF IDENTIFYING THE REQUESTED WATER RIGHT LOCATION. THERE IS NO INTENT TO PROVIDE DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

AREA OF USE			
SECTION	1/4	1/4	AREA (AC)
29	NW	SW	6.4
	SW	SW	3.6
TOTAL			10.00

- LEGEND**
- SECTION LINE
 - 1/4 SECTION LINE
 - ◆ SECTION CORNER
 - ▲ APPROXIMATE LOCATION OF PROPOSED DIVERSION POINTS AND PUMP SYSTEM = 1,201' EAST, 1,190' NORTH OF SW SECTION CORNER

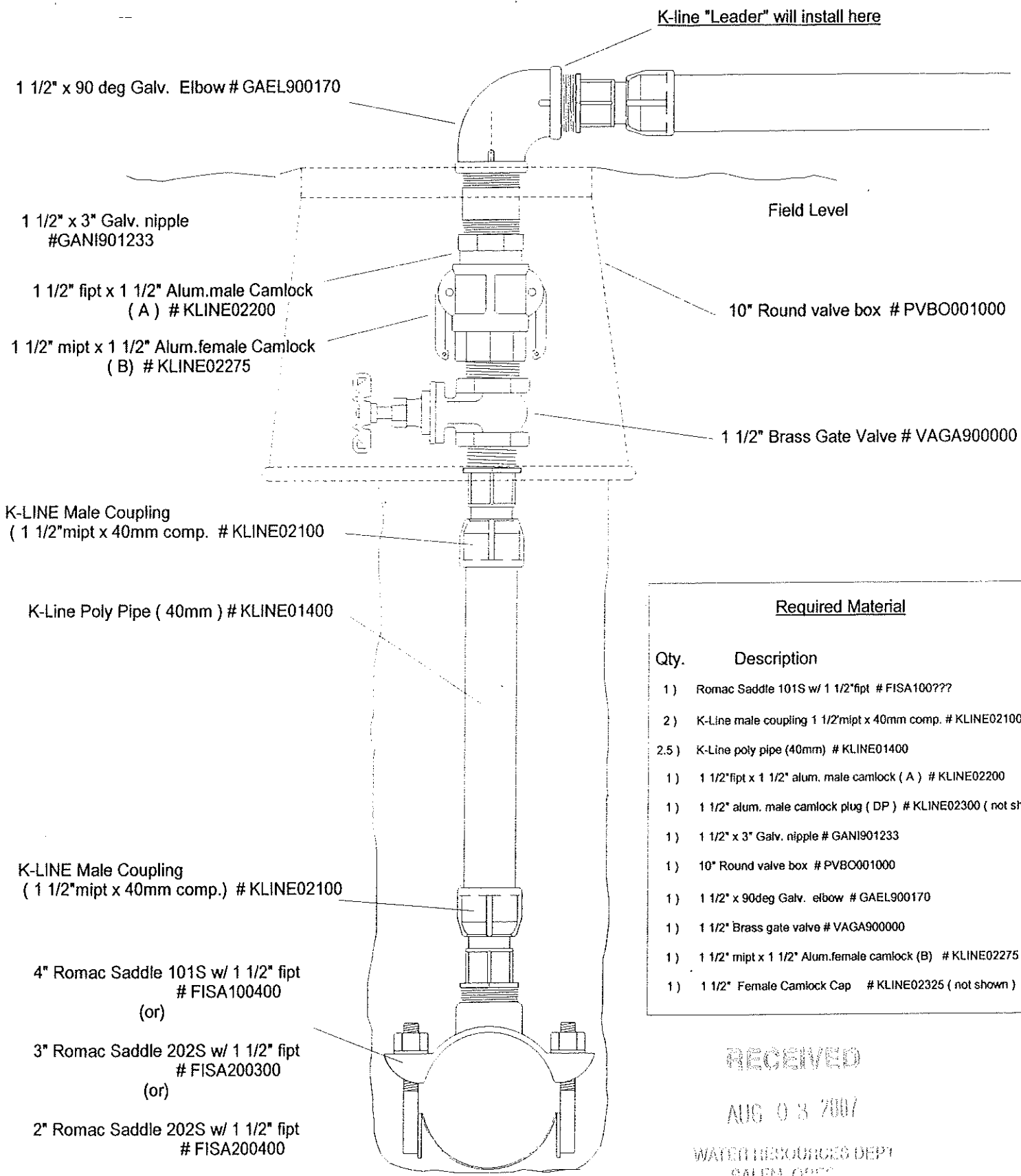
Certified Water Right Examiner
 392WRE
 Shane J. Hughes
 Jan. 17, 1995
 STATE OF OREGON
 Renews 6/30/09

RECEIVED
AUG 03 2007
 WATER RESOURCES DIVISION
 SALEM, OREGON

EGR & Associates, Inc.
 Engineers, Geologists, and Surveyors
 2535B Prairie Road
 Eugene, Oregon 97402
 (541) 688-8322
 Fax (541) 688-8087

G:\3890 - Hmsakers\07-08\17070017-PROPOSED water right.dwg Jul 10, 2007 - 10:15am LAYOUT - WTR.RGH.U

T 10439



K-line "Leader" will install here

1 1/2" x 90 deg Galv. Elbow # GAEL900170

1 1/2" x 3" Galv. nipple #GANI901233

1 1/2" fipt x 1 1/2" Alum.male Camlock (A) # KLINE02200

1 1/2" mipt x 1 1/2" Alum.female Camlock (B) # KLINE02275

Field Level

10" Round valve box # PVBO001000

1 1/2" Brass Gate Valve # VAGA900000

K-LINE Male Coupling (1 1/2" mipt x 40mm comp. # KLINE02100

K-Line Poly Pipe (40mm) # KLINE01400

K-LINE Male Coupling (1 1/2" mipt x 40mm comp.) # KLINE02100

4" Romac Saddle 101S w/ 1 1/2" fipt # FISA100400 (or)

3" Romac Saddle 202S w/ 1 1/2" fipt # FISA200300 (or)

2" Romac Saddle 202S w/ 1 1/2" fipt # FISA200400

Required Material

Qty.	Description
1)	Romac Saddle 101S w/ 1 1/2" fipt # FISA100???
2)	K-Line male coupling 1 1/2" mipt x 40mm comp. # KLINE02100
2.5)	K-Line poly pipe (40mm) # KLINE01400
1)	1 1/2" fipt x 1 1/2" alum. male camlock (A) # KLINE02200
1)	1 1/2" alum. male camlock plug (DP) # KLINE02300 (not shown)
1)	1 1/2" x 3" Galv. nipple # GANI901233
1)	10" Round valve box # PVBO001000
1)	1 1/2" x 90deg Galv. elbow # GAEL900170
1)	1 1/2" Brass gate valve # VAGA900000
1)	1 1/2" mipt x 1 1/2" Alum.female camlock (B) # KLINE02275
1)	1 1/2" Female Camlock Cap # KLINE02325 (not shown)

RECEIVED

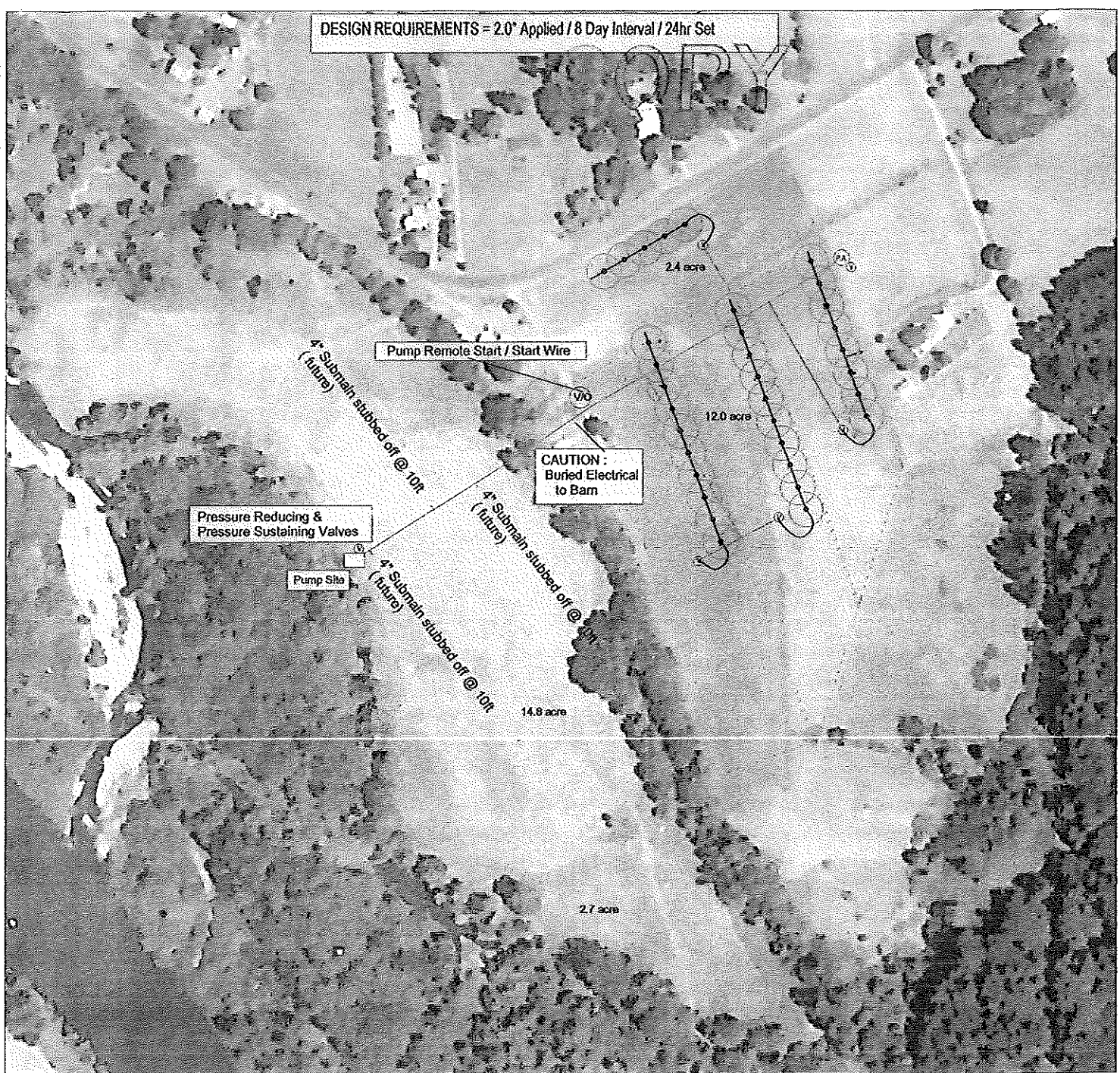
AUG 08 2007





WATER RESOURCES DEPT
GALEM. OFFICE

T 10439 K-Line Saddle Assembly With Valve Box

DESIGN REQUIREMENTS = 2.0" Applied / 8 Day Interval / 24hr Set

COPY



-  K-Line Pod w/ .118 nozzle @ 50psi = 3.0 gpm w/ 76' diam.
- 6" PVC Mainline
- 4" PVC Sub-Mainline
-  4" Valve outlet w/ 1 1/2 FIPT
-  4" Valve outlet
-  Pressure & Air Relief

K-Line operating pressure = 60 psi
 Mainline loss = 1 psi

61 psi
 x 2.31'
 141' tdh
 22' elevation change
 7' Lift at pump
 170.0' tdh
 17' 10% extra
 187' TDH (81 psi)

Design point total acres = 14.4
 .118" Nozzle @ 50 psi = 3.0 gpm / 76'diam.
 50' x 50' Sprinkler Spacing / .11" per hour = 2.7" applied
 Total Sprinklers 33 @ 3.0 gpm = 99 Total GPM
 Total Of Lines To Shift = 4

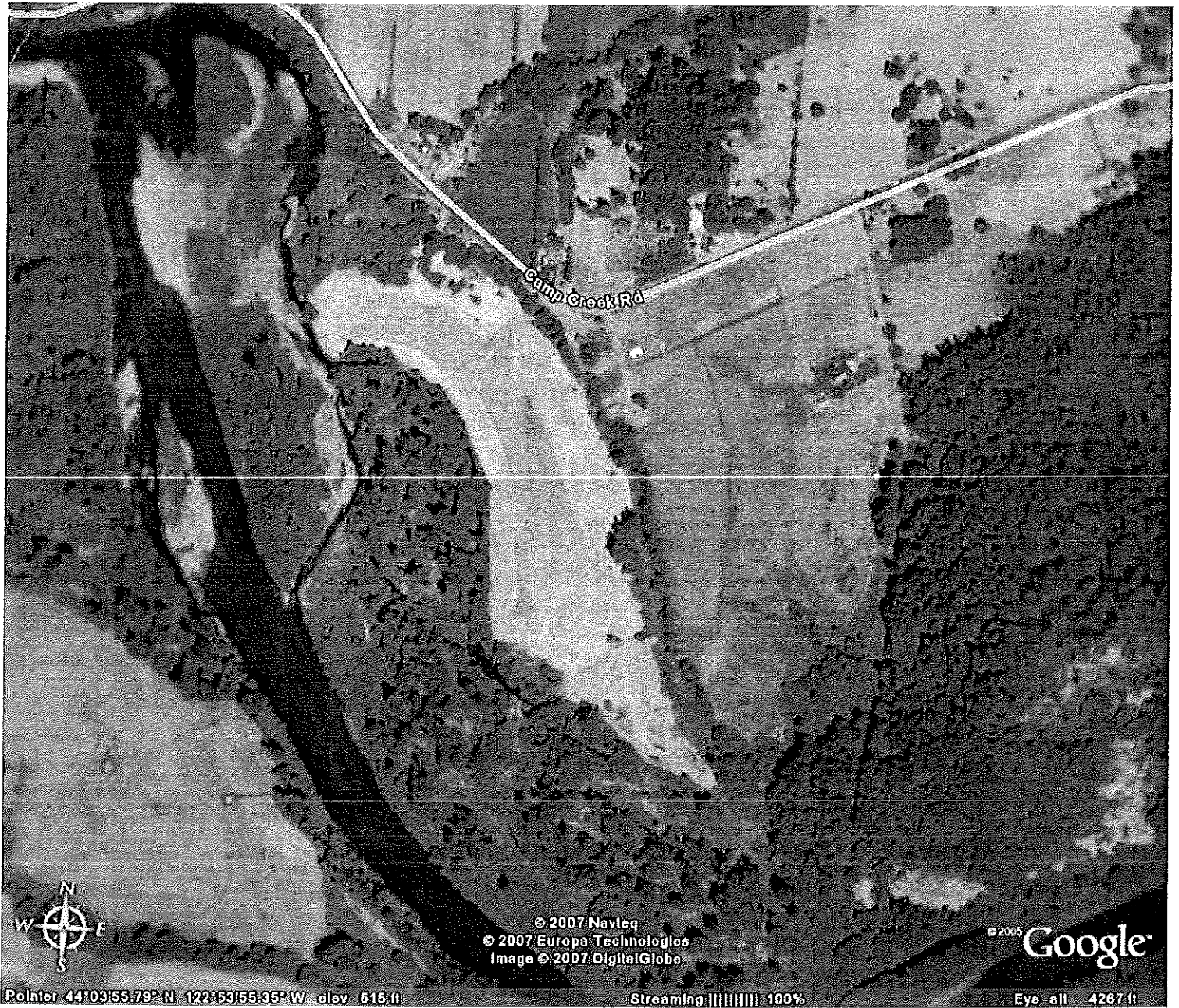
Future Pump Design Point=197' TDH(85psi) @ 234 TGPM
 (29.5 acre #1 K-line Design)

6T-275 Berkeley Submersible Pump 20 hp
 200'tdh(86psi) @ 300gpm / 74%Eff / 20.5 Hpr
 240'tdh(103psi) @ 235gpm / 71%Eff / 20.06 Hpr
 300'tdh(129psi) @ 100gpm / 55%Eff / 13.8 Hpr

AUG 03 2007

Project : Upper & Lower pasture irrigation	Date : 9 / 30 / 03	Prepared For : Dick Hunsaker 36986 Camp Creek Road Springfield OR 97478 (541) 344-0681	Prepared By : Pacific Ag Systems, Inc. 93780 Hwy 99 South Junction City ,OR 97448 (541) 998-1983
Scale : 1" = 310'	Drawing # #1 K-Line Last up-date : 04 / 09 / 04	Quote # 025708 025709 025746	

T 10439



Current Water Right

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AUG 03 2007

T 10439

WATER RESOURCES DEPT
SALEM, OR

Water Rights Platcard Report

Meridian: Willamette Township: 17 South Range: 2 West Section: 26 Records per Page: 20 Search [Learn about](#) [New Platcards Maps!](#) [Mapped by Type](#) [Map](#)

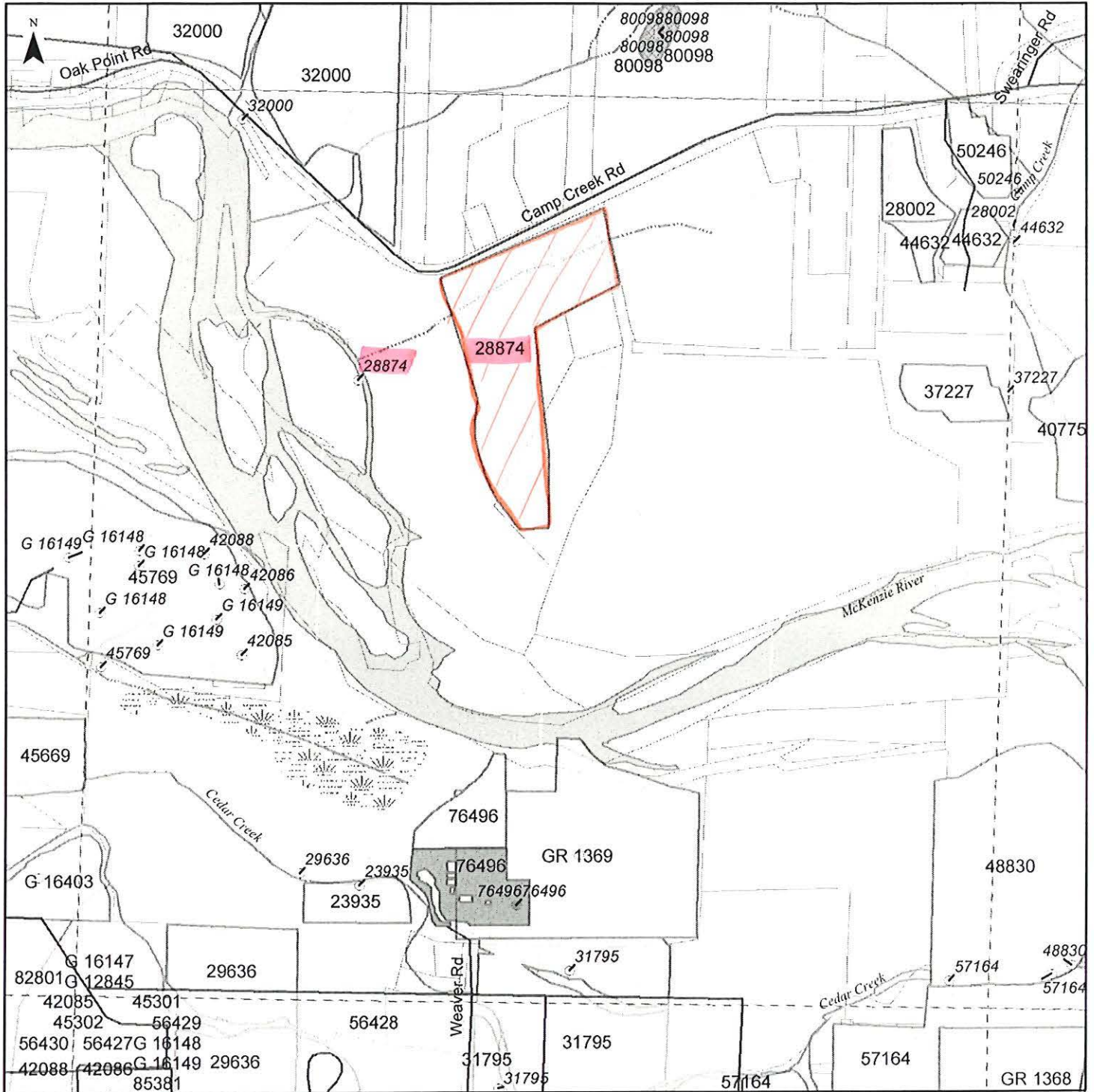
Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	Q(40): Q(160):	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	
Select Cert:53156 CF RR *		8/6/1976	IRRIGATION		53											2.8	10.8	20.7	6.3				
Additional Info: ERIC GOSSLER App: S54619 Permit: S40982 Cert: 53156																							
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Select Cert:53156 CF RR *		8/6/1976	IRRIGATION		53																		[8.2]
Additional Info: ERIC GOSSLER App: S54619 Permit: S40982 Cert: 53156																							
Select Permit:G 16382 CN		1/31/2006	IRRIGATION	CN														±					
Additional Info: WILLAMALANE PARK AND RECREATION DISTRICT App: G16617 Permit: G16382																							
Select Permit:G 16403 *		1/31/2006	IRRIGATION															1					
Additional Info: WILLAMALANE PARK AND RECREATION DISTRICT App: G16617 Permit: G16403																							
Select Permit:G 16149 *		11/8/2002	MUNICIPAL USES					*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Additional Info: SPRINGFIELD UTILITY BOARD App: G15244 Permit: G16149																							
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Select Cert:76496 OR *		5/9/1991	NURSERY USES																5				
Additional Info: MARJORY GOSSLER App: G12530 Permit: G13125 Cert: 76496																							
Select Cert:23897 OR CN		7/2/1951	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	CN	53																		
Additional Info: EDNA S MICHAEL App: S26126 Permit: S21246 Cert: 23897																							

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

Water Rights Platcard Report

Meridian: Willamette Township: 17 South Range: 2 West Section: 26 Records per 20 Page: Search New Platcards Maps! Learn about * Mapped by Type * Maps

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	Q(40): Q(160):	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	U
Select Cert:53156 CF RR * Additional Info: ERIC GOSSLER App: S54619 Permit: S40982 Cert: 53156		8/6/1976	INSTREAM USES		48														19.7					
Select Claim:GR 1369 * Additional Info: JAMES L GOSSLER Claim: GR1369		5/31/1952	IRRIGATION																10		3	15		
Select Cert:23935 OR * Additional Info: MR BROWN ZIOLKOWSKI App: S30800 Permit: S24292 Cert: 23935		5/28/1956	IRRIGATION																0.5	2.8				
Select Cert:28002 OR * Additional Info: WILLIS D SMITH App: S33074 Permit: S26156 Cert: 28002		5/4/1959	IRRIGATION			10		1.3																
Select Cert:28002 OR * Additional Info: WILLIS D SMITH App: S33074 Permit: S26156 Cert: 28002		5/4/1959	IRRIGATION			67		1.7																
Select Cert:28874 OR * Additional Info: JOHN E HAMER App: S30462 Permit: S23994 Cert: 28874	T10439	12/6/1955	IRRIGATION			3									15.6									
Select Cert:28874 OR * Additional Info: JOHN E HAMER App: S30462 Permit: S23994 Cert: 28874	T10439	12/6/1955	IRRIGATION			12			0.2															
Select Cert:28874 OR * Additional Info: JOHN E HAMER App: S30462 Permit: S23994 Cert: 28874	T10439	12/6/1955	IRRIGATION			68		3.4		8.6	3		9.8											
Select Cert:29636 OR * Additional Info: KENNETH & ROY PLATT App: S31713 Permit: S25081 Cert: 29636		7/11/1957	IRRIGATION			48													7.4					
Select Cert:31795 OR * Additional Info: GLORIA J OLSEN App: S37409 Permit: S27935 Cert: 31795		2/19/1962	IRRIGATION			53													2.6			8		
Select Cert:32000 OR * Additional Info: FRITZ MILLER App: S34756 Permit: S27285 Cert: 32000		3/30/1961	IRRIGATION			68					5.2	4												
Select Cert:37227 OR * Additional Info: WILLIAM L MCCULLOCH App: S43120 Permit: S32219 Cert: 37227		12/12/1966	IRRIGATION			10		3.6																
Select Cert:44632 OR * Additional Info: REANOUS JESS COCHRAN App: S42720 Permit: S31918 Cert: 44632		8/29/1966	IRRIGATION			10		3.5																
Select Cert:45769 OR * Additional Info: E D FOX App: S45647 Permit: S33411		12/31/1968	IRRIGATION			53							2.9			13								



0 1,000 Feet

* POD - Points of Diversion
 POU - Places of Use

For more information:
<http://www.wrd.state.or.us>
 and
<http://apps2.wrd.state.or.us/apps/wr/wrinfo/>

This map is for informal purposes only.
 It is not intended for legal, engineering or surveying purposes.

Legend

POD*	POU*	POD	POU	POD	POU
○	□ Municipal	○	□ Irrigation	●	■ Instream
●	■ Domestic	●	▨ Livestock	●	▨ Wildlife
●	■ Commercial	●	■ Agriculture	●	▨ Fish
●	■ Power	●	■ Misc.	○	▨ Recreation
●	■ Mining	◇	Water Rights - Outline to be determined. (Applies to all colors)		

Index Map

70

Water Rights Platcard Report

Meridian: Willamette Township: 17 South Range: 1 West Section: 29 Records per Page: 20 Search [New Platcards Maps!](#) [Learn about](#) * [Mapped by Type](#) * [Map](#)

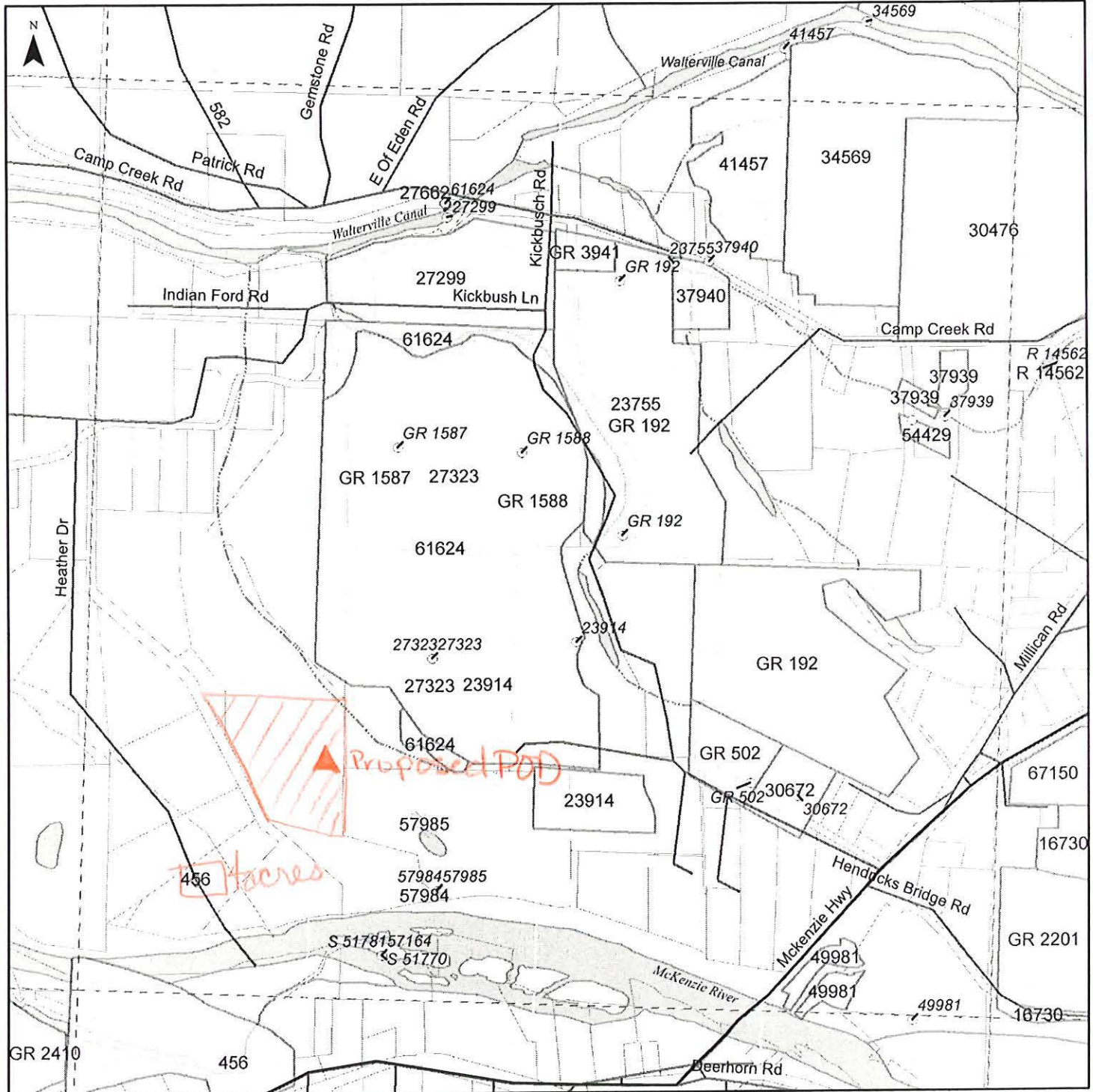
Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): Q(160)	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unkown QQ	
Select Cert:456 OR *		7/9/1909	DOMESTIC																						
Additional Info: GRANT BATTLES App: S178 Permit: S67 Cert: 456																									
Select Claim:GR 192 *		6/1/1947	IRRIGATION					7.61	19.68																
Additional Info: GLEN VAUGHAN Claim: GR192																									
Select Claim:GR 502 *		8/31/1950	IRRIGATION																			3.8			
Additional Info: CECIL E STATZER Claim: GR502																									
Select Claim:GR 1587 *		3/1/1946	IRRIGATION												23	6.25									
Additional Info: BERNARD L SCHELSKY Claim: GR1587																									
Select Claim:GR 1588 *		4/30/1945	IRRIGATION						5						14	3.75						2.5			
Additional Info: GLADYS KOOZER Claim: GR1588																									
Select Claim:GR 3941 *		7/31/1952	IRRIGATION					1																	
Additional Info: CECIL M CHASE Claim: GR3941																									
Select Claim:GR 4098 *		7/25/1938	IRRIGATION													4	3.25	5							
Additional Info: JOHN B ENDICOTT Claim: GR4098																									
Select Cert:456 OR *		7/9/1909	IRRIGATION																						
Additional Info: GRANT BATTLES App: S178 Permit: S67 Cert: 456																									
Select Cert:23755 OR *		3/21/1950	IRRIGATION					6.8	19.89																
Additional Info: GLEN & DORA VAUGHAN App: S24431 Permit: S19264 Cert: 23755																									
Select Cert:23914 OR *		4/8/1953	IRRIGATION													19.6						7.6			
Additional Info: WILLIAM G/LUCY IRVIN App: S28297 Permit: S22248 Cert: 23914																									
Select Cert:23914 OR *		4/8/1953	IRRIGATION																				2.8		
Additional Info: WILLIAM G/LUCY IRVIN App: S28297 Permit: S22248 Cert: 23914																									
Select Cert:23921 OR CN		7/2/1953	IRRIGATION CN																						
Additional Info: LESLIE P/RHETA NETHERTON App: S28585 Permit: S22524 Cert: 23921																									
Select Cert:27299 OR *		4/28/1958	IRRIGATION																						
Additional Info: WAYNE ENDICOTT App: S32294 Permit: S25489 Cert: 27299																									
Select Cert:27323 OR *		7/1/1957	IRRIGATION																						
Additional Info: WAYNE ENDICOTT App: G559 Permit: G607 Cert: 27323																									
Select Cert:30476 OR *		6/29/1960	IRRIGATION					20																	
Additional Info: CHRISTIAN LOGGING CO. App: S34078 Permit: S26852 Cert: 30476																									

Water Rights Platcard Report

Meridian: Willamette Township: 17 South Range: 1 West Section: 29 Records per Page: 20 Search [New Platcards Maps!](#) [Learn about](#) * [Mapped by Type](#) * [Map](#)

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	Q(40) Q(160)	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE
Select Cert:37940 OR *		9/1/1967	IRRIGATION					1.9	0.3														
Additional Info: CLEO M/WILLARD HAMMERSLAND App: S44030 Permit: S33338 Cert: 37940																							
Select Cert:41457 OR *		5/15/1972	IRRIGATION					10.8															
Additional Info: JD/MARTHA JOAN JACKSON App: S49264 Permit: S35832 Cert: 41457																							
Select Cert:49981 OR *		5/14/1975	IRRIGATION			1																	
Additional Info: OREGON PARKS AND RECREATION DEPARTMENT App: S53131 Permit: S38608 Cert: 49981																							
Select Cert:54429 OR *		8/22/1975	IRRIGATION							1.3													
Additional Info: DOUGLAS JAMES DENNETT App: S53574 Permit: S38226 Cert: 54429																							
Select Cert:61624 OR *		5/31/1979	IRRIGATION						1.2					2.7	1.9								
Additional Info: BERNARD L SCHELSKY App: S58734 Permit: S44874 Cert: 61624																							
Select App:P 78104 *		12/19/1994	LIVESTOCK																				
Additional Info: VERNON J HERRICLE App: P78104																							
Select Cert:57984 OR *		9/16/1983	LIVESTOCK			3														*			
Additional Info: JAMES E MCCLORY App: R66108 Permit: R9096 Cert: 57984																							
Select Cert:57985 OR *		9/16/1983	LIVESTOCK			3														*			
Additional Info: JAMES E MCCLORY App: S66109 Permit: S48078 Cert: 57985																							
Select Cert:6671 OR CN		12/12/1921	POWER DEVELOPMENT		CN							*											
Additional Info: CITY OF EUGENE App: S8202 Permit: S5427 Cert: 6671																							
Select Cert:27662 OR *			POWER DEVELOPMENT									*											
Additional Info: CITY OF EUGENE App: S22597 Permit: S23041 Cert: 27662																							
Select Cert:27323 OR *		7/1/1957	SUPPLEMENTAL IRRIGATION (Suppl'mtl)												17.1								
Additional Info: WAYNE ENDICOTT App: G559 Permit: G607 Cert: 27323																							
Select Cert:61624 OR *		5/31/1979	SUPPLEMENTAL IRRIGATION (Suppl'mtl)						5						37	28							
Additional Info: BERNARD L SCHELSKY App: S58734 Permit: S44874 Cert: 61624																							

Acreege Legend: 12.25 Regular acreage ~~12.25~~ Acreege is on a canceled right (12.25) Acreege is part of a transfer and has not been proven up on yet (inchoate) [12.25] Acreege has been suspended * Acreege is not specified



0 1,000 Feet

* POD - Points of Diversion
 POU - Places of Use

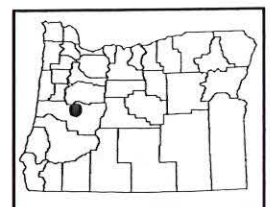
For more information:
<http://www.wrd.state.or.us>
 and
<http://apps2.wrd.state.or.us/apps/wr/wrinfo/>

This map is for informal purposes only.
 It is not intended for legal, engineering or
 surveying purposes.

Legend

POD*	POU*	POD	POU	POD	POU
○	□ Municipal	○	□ Irrigation	●	■ Instream
●	■ Domestic	●	▨ Livestock	●	▨ Wildlife
●	■ Commercial	●	■ Agriculture	●	▨ Fish
●	■ Power	●	■ Misc.	○	▨ Recreation
●	■ Mining	◇	Water Rights - Outline to be determined. (Applies to all colors)		

Index Map



STATE OF OREGON
COUNTY OF IANE
CERTIFICATE OF WATER RIGHT

This Is to Certify, That JOHN E. HAMER

of R.R. 2, Box 454, 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 McKenzie River

a tributary of Willamette River /30!0 remaining for the purpose of irrigation of 40.6 acres

under Permit No. 23994 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from December 6, 1955

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 0.17 cubic foot per second

.13 remaining /0.04 cfs 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 SE $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within Spencer DLC 68, Section 26, T. 17 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:

3.4 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$, as projected within Spencer DLC 68
0.2 acre Lot 12 (SW $\frac{1}{4}$ NE $\frac{1}{4}$)
8.6 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within Spencer DLC 68
3.0 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within Spencer DLC 68
9.8 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within Spencer DLC 68
15.2 acres Lot 3 (SE $\frac{1}{4}$ NW $\frac{1}{4}$)
0.4 acre Lot 3 (SE $\frac{1}{4}$ NW $\frac{1}{4}$)
Section 26
T. 17 S., R. 2 W., W.M.

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WATER RESOURCES DEPT
SALEM, OREGON

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. SEPTEMBER 15 1961

T 10439

LEWIS A. STANLEY
State Engineer

Recorded in State Record of Water Right Certificates, Volume 21 , page 28874

Nichole M. Hendricks
Transfer Specialist
Water Resources Department
North Miller Office Building
725 Summer St. NE. Suite A
Salem, Oregon. 97301-1266

9-18-2009

Water Rights Transfer Application T-10439

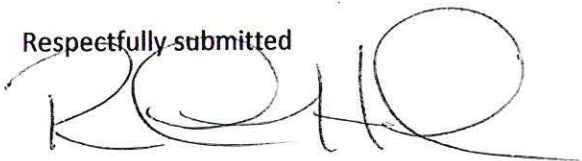
Ms. Hendricks,

Please find enclosed and attached per your request dated 8-27-2009, a report of landownership prepared by First American Title pertinent to the transfer application listed above.

This report is issued for both tax lots (708 & 709) that we own ,which are contiguous.

If you require any further information to facilitate this transfer request please let me know.

Respectfully submitted



Richard Hunsaker

PO Box 444

Waltersville, Or. 97489

Phone ; (541) 746-8446

E-Mail ; dickhunsaker@yahoo.com

CC: EGR & Associates, Inc. via US Mail

N. Hendricks via US Mail ✓

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SEP 21 2009
WATER RESOURCES DEPT
SALEM, OREGON



First American

First American Title Insurance Company of Oregon

600 Country Club Road

Eugene, OR 97401

Phone: (541)484-2900 / Fax: (541)484-7321

PR: NWEST

Ofc: 7199 (2539)

Final Invoice

To: Richard L. Hunsaker
P.O. Box 444
Walterville, OR 97489

Invoice No.: 2539 - 719915553
Date: 09/15/2009
Our File No.: 7199-1467945
Title Officer: Ronald Denton / RADENTON
Escrow Officer: /
Customer ID: 5165633

Attention: Dick

Your Reference No.:

RE: Property: 36986 Camp Creek Road, Springfield, OR 97478

Liability Amounts
Owners:
Lenders:

Buyers:

Sellers: Richard L. Hunsaker, Sandra L. Hunsaker

Description of Charge	Invoice Amount
Title Search ONLY	\$200.00

INVOICE TOTAL \$200.00

Comments:

Thank you for your business!

To assure proper credit, please send a copy of this Invoice and Payment to:

Attention: Accounts Receivable Department

600 Country Club Road

Eugene, OR 97401

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WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED BY: 1st American
SIGN R. Burns
DATE 9/15/09



First American

First American Title Insurance Company of Oregon
600 Country Club Road
Eugene, OR 97401
Phn - (541)484-2900
Fax - (541)484-7321

FOR ALL QUESTIONS REGARDING THIS PRELIMINARY REPORT, PLEASE CONTACT:

Ronald Denton, Title Officer

Phone: (541)484-2900 - Fax: (541)484-7321 - Email: radenton@firstam.com

Richard L. Hunsaker
P.O. Box 444
Walterville, OR 97489

Order No.: 7199-1467945
September 15, 2009

Attn: Dick
Phone No.: (541)746-8446 - Fax No.:
Email: dickhunsaker@yahoo.com

Re:

Preliminary Title Report

2006 ALTA Owners Standard Coverage	Liability \$	TBD	Premium \$	TBD
2006 ALTA Owners Extended Coverage	Liability \$		Premium \$	
2006 ALTA Lenders Standard Coverage	Liability \$		Premium \$	
2006 ALTA Lenders Extended Coverage	Liability \$		Premium \$	
Endorsement 9, 22 & 8.1			Premium \$	100.00
Govt Service Charge			Cost \$	
Other			Cost \$	

We are prepared to issue Title Insurance Policy or Policies in the form and amount shown above, insuring title to the following described land:

The land referred to in this report is described in Exhibit A attached hereto.

and as of September 03, 2009 at 8:00 a.m., title vested in:

Richard L. Hunsaker and Sandra L. Hunsaker, as tenants by the entirety

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SALEM, OREGON**

Subject to the exceptions, exclusions, and stipulations which are ordinarily part of such Policy form and the following:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.

This report is for the exclusive use of the parties herein shown and is preliminary to the issuance of a title insurance policy and shall become void unless a policy is issued, and the full premium paid.

- 3. Easements, or claims or easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
- 4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or other facts which a correct survey would disclose.
- 5. Any lien, or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

The exceptions to coverage 1-5 inclusive as set forth above will remain on any subsequently issued Standard Coverage Title Insurance Policy.

In order to remove these exceptions to coverage in the issuance of an Extended Coverage Policy the following items are required to be furnished to the Company; additional exceptions to coverage may be added upon review of such information:

- A. Survey or alternative acceptable to the company
- B. Affidavit regarding possession
- C. Proof that there is no new construction or remodeling of any improvement located on the premises. In the event of new construction or remodeling the following is required:
 - i. Satisfactory evidence that no construction liens will be filed; or
 - ii. Adequate security to protect against actual or potential construction liens;
 - iii. Payment of additional premiums as required by the Industry Rate Filing approved by the Insurance Division of the State of Oregon

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SALEM, OREGON**

- 6. Taxes for the fiscal year 2009-2010 a lien due, but not yet payable.
- 7. The assessment roll and the tax roll disclose that the within described premises were specially zoned or classified for Farm use. If the land has become or becomes disqualified for such use under the statute, an additional tax or penalty may be imposed.
- 8. The rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads and highways.
- 9. Rights of the public and of governmental bodies in and to that portion of the premises herein described lying below the mean high water mark of McKenzie River and the ownership of the State of Oregon in that portion lying below the high water mark of McKenzie River .
- 10. Any adverse claim based upon the assertion that some portion of said land has been removed from or brought within the boundaries thereof by an avulsive movement of the McKenzie River or has been formed by the process of accretion or reliction or has been created by artificial means or has accreted to such portion so created.
- 11. Easement, including terms and provisions contained therein:

Recording Information:	December 30, 1924 in Book 141, Page 524, Deed Records of Lane County, Oregon
In Favor of:	City of Eugene
For:	right of way

12. Easement, including terms and provisions contained therein:
Recording Information: July 29, 1937, Reception No. 53492, Deed Records of Lane County, Oregon
In Favor of: City of Eugene
For: right of way
13. Easement, including terms and provisions contained therein:
Recording Information: January 22, 1952 in Book 453, Page 68, Deed Records of Lane County, Oregon
In Favor of: Fritz Miller
For: pipeline
14. Agreement for sale and removal of rock and gravel, including the terms and provisions thereof, as disclosed by deed recorded July 31, 1961, Reception No. 39508, Deed Records of Lane County, Oregon.
15. Deed of Trust and the terms and conditions thereof.
Grantor/Trustor: Richard L. Hunsaker and Sandra L. Hunsaker, as tenants by the entirety
Grantee/Beneficiary: Mortgage Electronic Registration Systems, Inc., "MERS" solely as a nominee for Umpqua Bank its successors and/or assigns, an Oregon Corporation, its successors and assigns
Trustee: Cascade Title Company
Amount: \$264,000.00
Recorded: April 21, 2004
Recording Information: 2004-028887
(Covers Additional Property)
16. Structure Use Covenant, including terms and provisions thereof.
Recorded: May 26, 2004, Reception No. 2004-039737, Official Records of Lane County, Oregon
17. Declaration of Property Line Adjustment, including terms and provisions thereof.
Recorded: February 07, 2006, Reception No. 2006-008500, Official Records of Lane County, Oregon
18. Grant of Easement and Maintenance Agreement and the terms and conditions thereof:
By: Richard L. Hunsaker and Sandra L. Hunsaker, husband and wife
Recording Information: February 07, 2006, Reception No. 2006-008501, Official Records of Lane County, Oregon
19. Unrecorded leases or periodic tenancies, if any.

- END OF EXCEPTIONS -

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WATER RESOURCES DEPT
SALEM, OREGON

NOTE: Taxes for the year 2008-2009 PAID IN FULL

Tax Amount: \$1,688.25
Map No.: 17-02-26-00-00708
Property ID: 1625233
Tax Code No.: 019-09

NOTE: This Preliminary Report does not include a search for Financing Statements filed in the Office of the Secretary of State, or in a county other than the county wherein the premises are situated, and no liability is assumed if a Financing Statement is filed in the Office of the County Lane covering Crops on the premises wherein the lands are described other than by metes and bounds or under the rectangular survey system or by recorded lot and block.

NOTE: According to the public record, the following deed(s) affecting the property herein described have been recorded within 24 months of the effective date of this report: NONE

Situs Address as disclosed on Lane County Tax Roll:

36986 Camp Creek Road, Springfield, OR 97478

**THANK YOU FOR CHOOSING FIRST AMERICAN TITLE!
WE KNOW YOU HAVE A CHOICE!**

cc:
cc: Richard L. Hunsaker and Sandra L. Hunsaker

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WATER RESOURCES DEPT
SALEM, OREGON



First American Title Insurance Company of Oregon

SCHEDULE OF EXCLUSIONS FROM COVERAGE

ALTA LOAN POLICY (06/17/06)

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;
 or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - (a) a fraudulent conveyance or fraudulent transfer, or
 - (b) a preferential transfer for any reason not stated in Covered Risk 13(b) of this policy.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

ALTA OWNER'S POLICY (06/17/06)

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;
 or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risks 9 and 10); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is
 - (a) a fraudulent conveyance or fraudulent transfer; or
 - (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

SCHEDULE OF STANDARD EXCEPTIONS

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.
5. Any lien" or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

NOTE: A SPECIMEN COPY OF THE POLICY FORM (OR FORMS) WILL BE FURNISHED UPON REQUEST

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WATER RESOURCES DEPT
SALEM, OREGON

First American Title

Exhibit "A"

Real property in the County of Lane, State of Oregon, described as follows:

BEGINNING AT THE NORTHEAST CORNER OF THAT CERTAIN PROPERTY DESCRIBED IN DEED RECORDED JULY 18, 2002, RECEPTION NO. 2002-054345, LANE COUNTY OREGON DEED RECORDS, SAID POINT BY RECORD BEING SOUTH, 665.43 FEET AND WEST, 2442.04 FEET AND SOUTH 63° 13' 30" WEST 290.19 FEET FROM THE NORTHEAST CORNER OF SECTION 26, TOWNSHIP 17 SOUTH, RANGE 2 WEST OF THE WILLAMETTE MERIDIAN; FROM THE POINT OF BEGINNING RUN THENCE SOUTH 15° 55' 07" EAST, 200.00 FEET; THENCE SOUTH 63° 13' 30" WEST, 809.19 FEET; THENCE NORTH 38° 23' 00" WEST, 537.08 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF CAMP CREEK ROAD; THENCE ALONG SAID RIGHT-OF-WAY LINE THE FOLLOWING THREE (3) COURSES: 1) SOUTH 51° 26' 58" EAST, 81.31 FEET; THENCE 2) ALONG THE ARC OF A 439.10 FOOT RADIUS CURVE TO THE LEFT, THE CHORD OF WHICH BEARS SOUTH 84° 06' 45" EAST, 473.96 FEET, A DISTANCE OF 500.64 FEET; THENCE 3) NORTH 63° 13' 30" EAST, 521.98 FEET TO THE POINT OF BEGINNING, IN LANE COUNTY, OREGON.

NOTE: This legal description was created prior to January 1, 2008.

Tax Parcel Number: 1625233

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SEP 21 2009

**WATER RESOURCES DEPT
SALEM, OREGON**

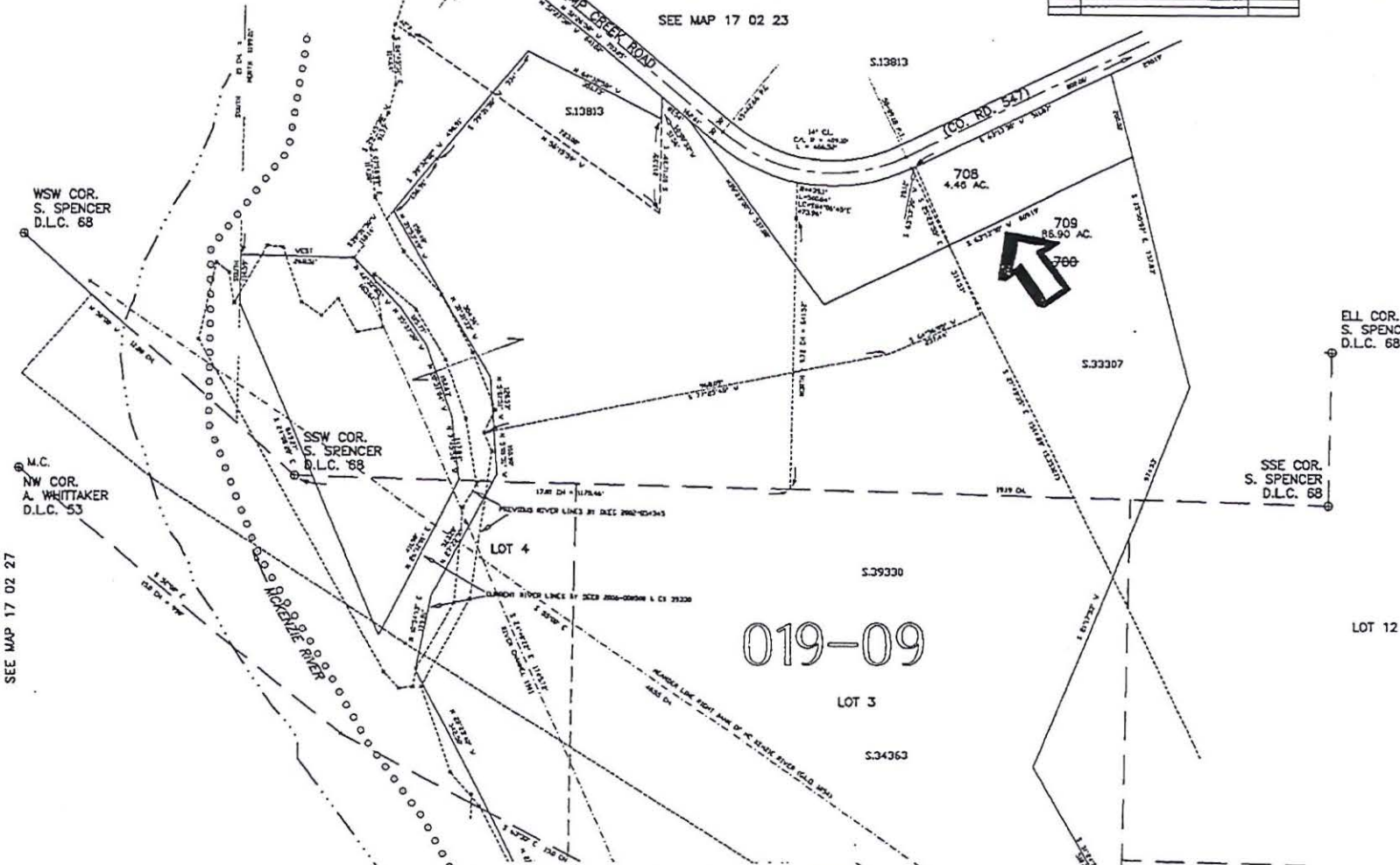
FOR ASSESSMENT
AND TAXATION
ONLY

SECTION 26 T.17S. R.2W. W.M.
DETAIL MAP NO. 1
LANE COUNTY

SCALE 1" = 200'
SEE MAP 17 02 23

DATE	REVISION	EMPLOYEE
	REVISED TO SHOW THE	LOCATED
	CANCELLED FOR THE	LOCATED
	CANCELLED FOR THE	LOCATED
	CANCELLED FOR THE	LOCATED
	CANCELLED FOR THE	LOCATED
	CANCELLED FOR THE	LOCATED
	CANCELLED FOR THE	LOCATED
	CANCELLED FOR THE	LOCATED
	CANCELLED FOR THE	LOCATED
	CANCELLED FOR THE	LOCATED

17 02 26
DETAIL MAP NO. 1
NAD 83/91



CANCELLED
709

ELL COR.
S. SPENCER
D.L.C. 68

SSE COR.
S. SPENCER
D.L.C. 68

LOT 12

019-09

LOT 3

SEE MAP 17 02 27

SEE MAP 17 02 26

THIS MAP IS PROVIDED AS A COURTESY
BY FIRST AMERICAN TITLE INSURANCE
COMPANY OF OREGON TO ASSIST IN
LOCATING SAID PREMISES AND THE
COMPANY ASSUMES NO LIABILITY FOR
ITS ACCURACY OR FOR MATTERS THAT
MAY BE DISCLOSED BY A SURVEY.

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WATER RESOURCES DEPT
SALEM, OREGON



First American

First American Title Insurance Company of Oregon
600 Country Club Road
Eugene, OR 97401
Phn - (541)484-2900
Fax - (541)484-7321

FOR ALL QUESTIONS REGARDING THIS PRELIMINARY REPORT, PLEASE CONTACT:

Marcia Lind, Title Officer

Phone: (541)484-2900 - Fax: (541)484-7321 - Email: mlind@firstam.com

Richard L. Hunsaker
P.O. Box 444
Walterville, OR 97489

Order No.: 7199-1470872
September 18, 2009

Attn:
Phone No.: (541)746-8446 - Fax No.:
Email: dickhunsaker@yahoo.com

Re:

Preliminary Title Report

2006 ALTA Owners Standard Coverage	Liability \$	Premium \$	
2006 ALTA Owners Extended Coverage	Liability \$	Premium \$	
2006 ALTA Lenders Standard Coverage	Liability \$	Premium \$	
2006 ALTA Lenders Extended Coverage	Liability \$	Premium \$	
Endorsement		Premium \$	
Govt Service Charge		Cost \$	
Other Report Only		Cost \$	200.00

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WATER RESOURCES DEPT
SALEM, OREGON

We are prepared to issue Title Insurance Policy or Policies in the form and amount shown above, insuring title to the following described land:

The land referred to in this report is described in Exhibit A attached hereto.

and as of September 11, 2009 at 8:00 a.m., title vested in:

Richard L. Hunsaker and Sandra L. Hunsaker, as tenants by the entirety

Subject to the exceptions, exclusions, and stipulations which are ordinarily part of such Policy form and the following:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.

This report is for the exclusive use of the parties herein shown and is preliminary to the issuance of a title insurance policy and shall become void unless a policy is issued, and the full premium paid.

- 3. Easements, or claims or easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
- 4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or other facts which a correct survey would disclose.
- 5. Any lien, or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

The exceptions to coverage 1-5 inclusive as set forth above will remain on any subsequently issued Standard Coverage Title Insurance Policy.

In order to remove these exceptions to coverage in the issuance of an Extended Coverage Policy the following items are required to be furnished to the Company; additional exceptions to coverage may be added upon review of such information:

- A. Survey or alternative acceptable to the company
- B. Affidavit regarding possession
- C. Proof that there is no new construction or remodeling of any improvement located on the premises. In the event of new construction or remodeling the following is required:
 - i. Satisfactory evidence that no construction liens will be filed; or
 - ii. Adequate security to protect against actual or potential construction liens;
 - iii. Payment of additional premiums as required by the Industry Rate Filing approved by the Insurance Division of the State of Oregon
- 6. Taxes for the fiscal year 2009-2010 a lien due, but not yet payable.
- 7. The assessment roll and the tax roll disclose that the within described premises were specially zoned or classified for Farm use. If the land has become or becomes disqualified for such use under the statute, an additional tax or penalty may be imposed.
- 8. The rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads and highways.
- 9. Rights of the public and of governmental bodies in and to that portion of the premises herein described lying below the mean high water mark of McKenzie River and the ownership of the State of Oregon in that portion lying below the high water mark of McKenzie River .
- 10. Any adverse claim based upon the assertion that some portion of said land has been removed from or brought within the boundaries thereof by an avulsive movement of the McKenzie River or has been formed by the process of accretion or reliction or has been created by artificial means or has accreted to such portion so created.
- 11. Easement, including terms and provisions contained therein:

Recording Information:	December 30, 1924 in Book 141, Page 524, Deed Records of Lane County, Oregon
In Favor of:	City of Eugene
For:	right of way

First American Title

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**WATER RESOURCES DEPT
SALEM, OREGON**

12. Easement, including terms and provisions contained therein:
Recording Information: July 29, 1937, Reception No. 53492, Deed Records of Lane County, Oregon
In Favor of: City of Eugene
For: right of way
13. Easement, including terms and provisions contained therein:
Recording Information: January 22, 1952 in Book 453, Page 68, Deed Records of Lane County, Oregon
In Favor of: Fritz Miller
For: pipeline
14. Agreement for sale and removal of rock and gravel, including the terms and provisions thereof, as disclosed by deed recorded July 31, 1961, Reception No. 39508, Deed Records of Lane County, Oregon.
15. Deed of Trust and the terms and conditions thereof.
Grantor/Trustor: Richard L. Hunsaker and Sandra L. Hunsaker, as tenants by the entirety
Grantee/Beneficiary: Umpqua Bank
Trustee: Cascade Title Company
Amount: \$264,000.00
Recorded: April 21, 2004
Recording Information: 2004-028887
(Affects a portion and other property)
16. Structure Use Covenant, including terms and provisions thereof.
Recorded: May 26, 2004, Reception No. 2004-039737, Official Records of Lane County, Oregon
17. Declaration of Property Line Adjustment, including terms and provisions thereof.
Recorded: February 07, 2006, Reception No. 2006-008500, Official Records of Lane County, Oregon
18. Grant of Easement and Maintenance Agreement and the terms and conditions thereof:
By: Richard L. Hunsaker and Sandra L. Hunsaker, husband and wife
Recording Information: February 07, 2006, Reception No. 2006-008501, Official Records of Lane County, Oregon
19. Unrecorded leases or periodic tenancies, if any.

- END OF EXCEPTIONS -

NOTE: Taxes for the year 2008-2009 PAID IN FULL

Tax Amount: \$1,531.47
Map No.: 17-02-26-00-00709
Property ID: 1625258
Tax Code No.: 019-09

NOTE: This Preliminary Report does not include a search for Financing Statements filed in the Office of the Secretary of State, or in a county other than the county wherein the premises are situated, and no liability is assumed if a Financing Statement is filed in the Office of the County Lane covering Crops on the premises wherein the lands are described other than by metes and bounds or under the rectangular survey system or by recorded lot and block.

NOTE: According to the public record, the following deed(s) affecting the property herein described have been recorded within 24 months of the effective date of this report: NONE

Situs Address as disclosed on Lane County Tax Roll:

Vacant Land, Springfield, OR 97478

**THANK YOU FOR CHOOSING FIRST AMERICAN TITLE!
WE KNOW YOU HAVE A CHOICE!**

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**WATER RESOURCES DEPT
SALEM, OREGON**



First American Title Insurance Company of Oregon

SCHEDULE OF EXCLUSIONS FROM COVERAGE

ALTA LOAN POLICY (06/17/06)

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;
 or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - (a) a fraudulent conveyance or fraudulent transfer, or
 - (b) a preferential transfer for any reason not stated in Covered Risk 13(b) of this policy.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

ALTA OWNER'S POLICY (06/17/06)

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;
 or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risks 9 and 10); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is
 - (a) a fraudulent conveyance or fraudulent transfer; or
 - (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

SCHEDULE OF STANDARD EXCEPTIONS

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.
5. Any lien or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

RECEIVED

SEP 21 2009

WATER RESOURCES DEPT
SALEM, OREGON

Exhibit "A"

Real property in the County of Lane, State of Oregon, described as follows:

BEGINNING AT A POINT ON THE EAST LINE OF THAT CERTAIN PROPERTY DESCRIBED IN DEED RECORDED JULY 18, 2002, RECEPTION NO. 2002-054345, LANE COUNTY OREGON DEED RECORDS, SAID POINT BEING SOUTH 15° 55' 07" EAST, 200.00 FEET FROM THE NORTHEAST CORNER OF SAID DEED NO. 2002-054345; FROM THE POINT OF BEGINNING RUN THENCE SOUTH 15° 55' 07" EAST, 557.83 FEET; THENCE SOUTH 21° 17' 53" WEST, 974.33 FEET; THENCE SOUTH 31° 24' 27" EAST, 510.27 FEET; THENCE SOUTH 15° 14' 28" WEST, 215.67 FEET; THENCE SOUTH 0° 02' 32" EAST, 536.52 FEET TO A MEANDER POINT ON THE RIGHT BANK OF THE MCKENZIE RIVER; THENCE DOWNSTREAM WITH THE MEANDERS OF THE RIGHT BANK OF THE MCKENZIE RIVER THE FOLLOWING SEVEN (7) COURSES: 1) WEST, 248.34 FEET; THENCE 2) NORTH 77° 20' 29" WEST, 207.59 FEET; THENCE 3) NORTH 65° 19' 15" WEST, 104.43 FEET; THENCE 4) ALONG THE ARC OF A 2000.00 FOOT RADIUS CURVE TO THE RIGHT, THE CHORD OF WHICH BEARS NORTH 51° 25' 00" WEST, 961.20 FEET, A DISTANCE OF 970.70 FEET; THENCE 5) NORTH 37° 30' 45" WEST, 107.00 FEET; THENCE 6) NORTH 28° 23' 40" WEST, 342.58 FEET TO A POINT DESIGNATED HEREON AS POINT "A"; THENCE LEAVING SAID MEANDER LINE OF THE RIGHT BANK OF THE MCKENZIE RIVER AND RUNNING ALONG THE RIGHT BANK OF A MINOR CHANNEL OF THE MCKENZIE RIVER NORTH 10° 34' 13" EAST, 179.81 FEET; THENCE CONTINUING ALONG THE RIGHT BANK OF SAID MINOR CHANNEL THE FOLLOWING FOUR (4) COURSES: 1) NORTH 27° 22' 55" EAST, 323.20 FEET; THENCE 2) NORTH 5° 01' 51" WEST, 229.43 FEET; THENCE 3) NORTH 31° 31' 33" WEST, 304.56 FEET; THENCE 4) NORTH 31° 53' 49" WEST, 150.48 FEET; THENCE LEAVING THE RIGHT BANK OF SAID MINOR CHANNEL RUN NORTH 39° 32' 02" EAST, 490.01 FEET; THENCE SOUTH 64° 32' 58" EAST, 351.73 FEET; THENCE NORTH 0° 00' 32" EAST, 51.56 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF CAMP CREEK ROAD; THENCE ALONG SAID RIGHT-OF-WAY LINE SOUTH 51° 26' 58" EAST, 81.31 FEET; THENCE LEAVING SAID RIGHT-OF-WAY LINE RUN SOUTH 38° 23' 00" EAST, 537.08 FEET; THENCE NORTH 63° 13' 30" EAST, 809.19 FEET TO THE POINT OF BEGINNING, IN LANE COUNTY, OREGON.

AND ALSO INCLUDING THAT PORTION OF THE ADJACENT ISLAND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A MEANDER POINT AT THE SOUTHERLY END OF THE ISLAND, SAID MEANDER POINT BEING NORTH 48° 45' 00" WEST, 119.85 FEET FROM THE POINT DESIGNATED ABOVE AS POINT "A"; AND RUNNING THENCE WITH THE MEANDERS OF THE BANK OF THE ISLAND NORTH 26° 12' 01" EAST, 411.90 FEET; THENCE NORTH 7° 45' 58" WEST, 147.84 FEET; THENCE NORTH 20° 37' 04" WEST, 182.63 FEET; THENCE NORTH 35° 37' 30" WEST, 105.77 FEET; THENCE NORTH 44° 32' 25" WEST, 163.61 FEET TO THE SOUTH LINE OF THAT PROPERTY DESCRIBED IN DEED RECORDED MAY 10, 2001, RECEPTION NO. 2001-027957, LANE COUNTY OREGON DEED RECORDS; THENCE ALONG SAID SOUTH LINE RUN WEST, 268.51 FEET TO THE EAST LINE OF THAT PROPERTY DESCRIBED IN DEED TO ALFRED BRATTAIN RECORDED IN VOLUME O, PAGE 368, LANE COUNTY OREGON DEED RECORDS; THENCE ALONG SAID EAST LINE SOUTH, 114.59 FEET TO A MEANDER POINT ON THE WESTERLY SIDE OF SAID ISLAND; THENCE WITH THE MEANDERS OF THE BANK OF THE ISLAND SOUTH 24° 08' 20" FEET TO THE POINT OF BEGINNING, IN LANE COUNTY, OREGON.

NOTE: This legal description was created prior to January 1, 2008.

Tax Parcel Number: 1625258

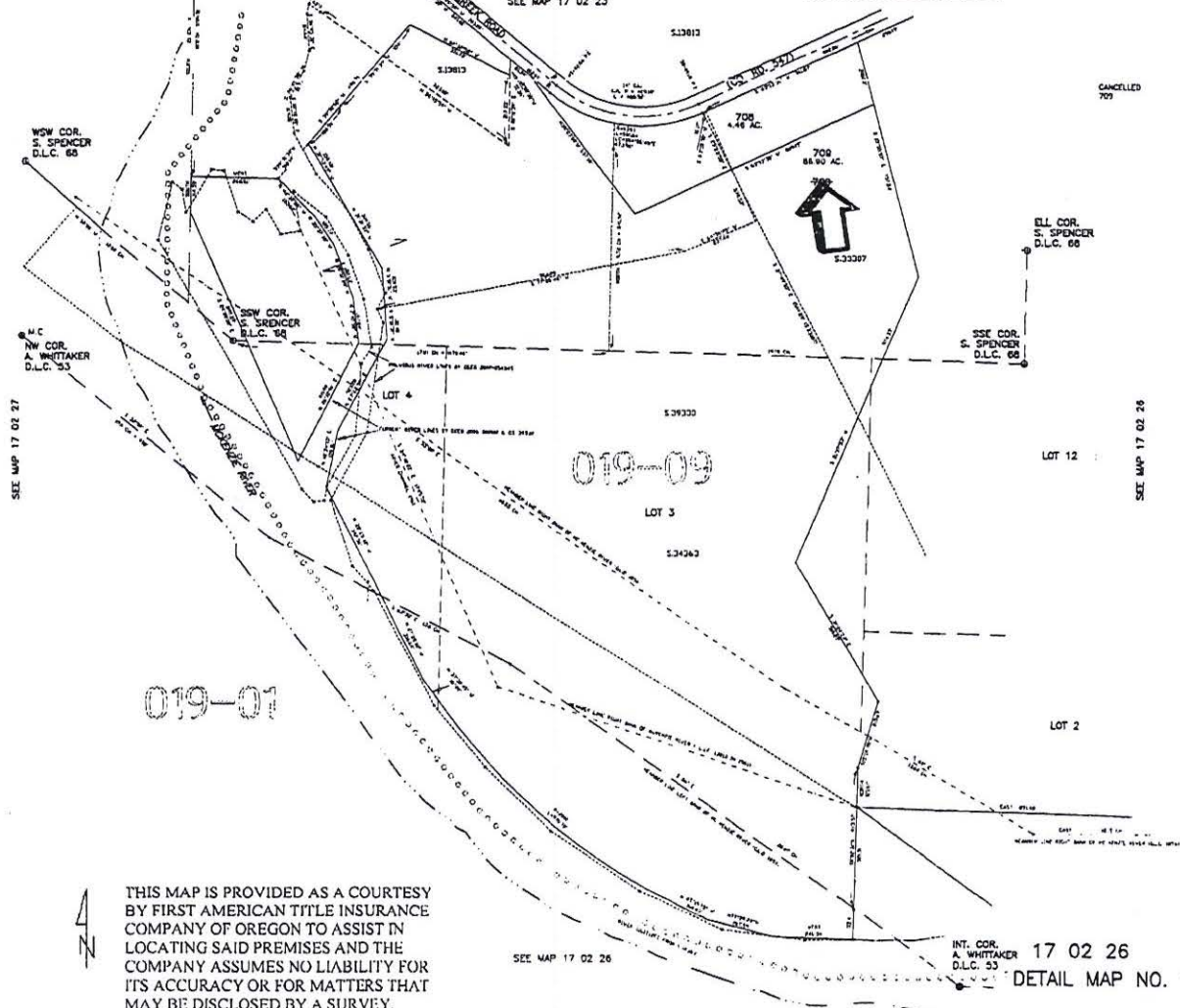
FOR ASSESSMENT
AND TAXATION
ONLY

SECTION 26 T.17S. R.2W. W.M.
DETAIL MAP NO. 1
LANE COUNTY

17 02 26
DETAIL MAP NO. 1
NAD 83/91

SCALE 1" = 200'
SEE MAP 17 02 23

DATE	APPROVED	FUNCTION
10/15/09	[Signature]	REGISTERED
10/15/09	[Signature]	REGISTERED
10/15/09	[Signature]	REGISTERED
10/15/09	[Signature]	REGISTERED
10/15/09	[Signature]	REGISTERED
10/15/09	[Signature]	REGISTERED
10/15/09	[Signature]	REGISTERED
10/15/09	[Signature]	REGISTERED



019-01

019-09



THIS MAP IS PROVIDED AS A COURTESY
BY FIRST AMERICAN TITLE INSURANCE
COMPANY OF OREGON TO ASSIST IN
LOCATING SAID PREMISES AND THE
COMPANY ASSUMES NO LIABILITY FOR
ITS ACCURACY OR FOR MATTERS THAT
MAY BE DISCLOSED BY A SURVEY.

SEE MAP 17 02 26

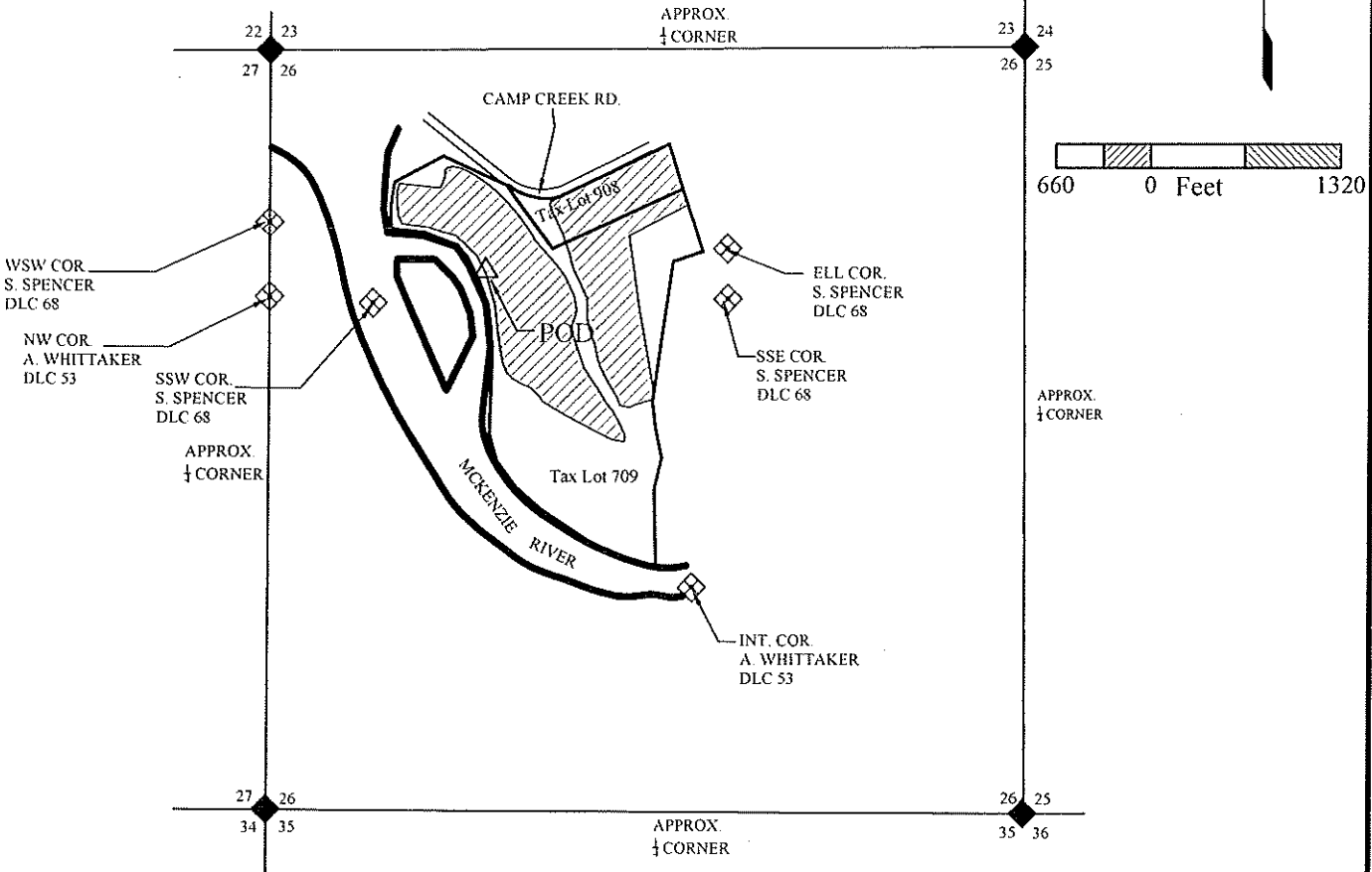
INT. COR.
A. WHITTAKER
D.L.C. 53
17 02 26
DETAIL MAP NO. 1

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WATER RESOURCES DEPT
SALEM, OREGON

CURRENT WATER RIGHT
T17S., R2W., W.M. SECTION 26
WATER RIGHT TRANSFER APPLICATION, PERMIT #23994
TAX LOTS 708 AND 709
MAPS 170226
LANE COUNTY, OREGON
JUNE 28, 2007



BASE MAPPING BY LANE COUNTY TAX MAPS 17-02-26. THIS MAP HAS BEEN PREPARED FOR THE SOLE PURPOSE OF IDENTIFYING THE REQUESTED WATER RIGHT LOCATION. THERE IS NO INTENT TO PROVIDE DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

AREA OF USE			
SECTION	1/4	1/4	AREA (AC)
29	NW	NE	3.4
	SW	NE	0.2
	NE	NW	8.6
	NW	NW	3.0
	SE	NW	9.8
	SE	NW	15.2
	SE	NW	0.4
TOTAL			40.6

LEGEND

- SECTION LINE
- 1/4 SECTION LINE
- ◆ SECTION CORNER
- ◇ DLC CORNER
- △ APPROXIMATE LOCATION OF EXISTING DIVERSION POINT = 580' EAST OF DLC 68

Certified Water Right Examiner
 892WRE
 Shane J. Hughes
 Jan. 17, 1995
 STATE OF OREGON
 Renewed 6/30/09

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 AUG 03 2007

WATER RESOURCES DEPT
 SALEM, OREGON



EGR & Associates, Inc.

Engineers, Geologists, and Surveyors

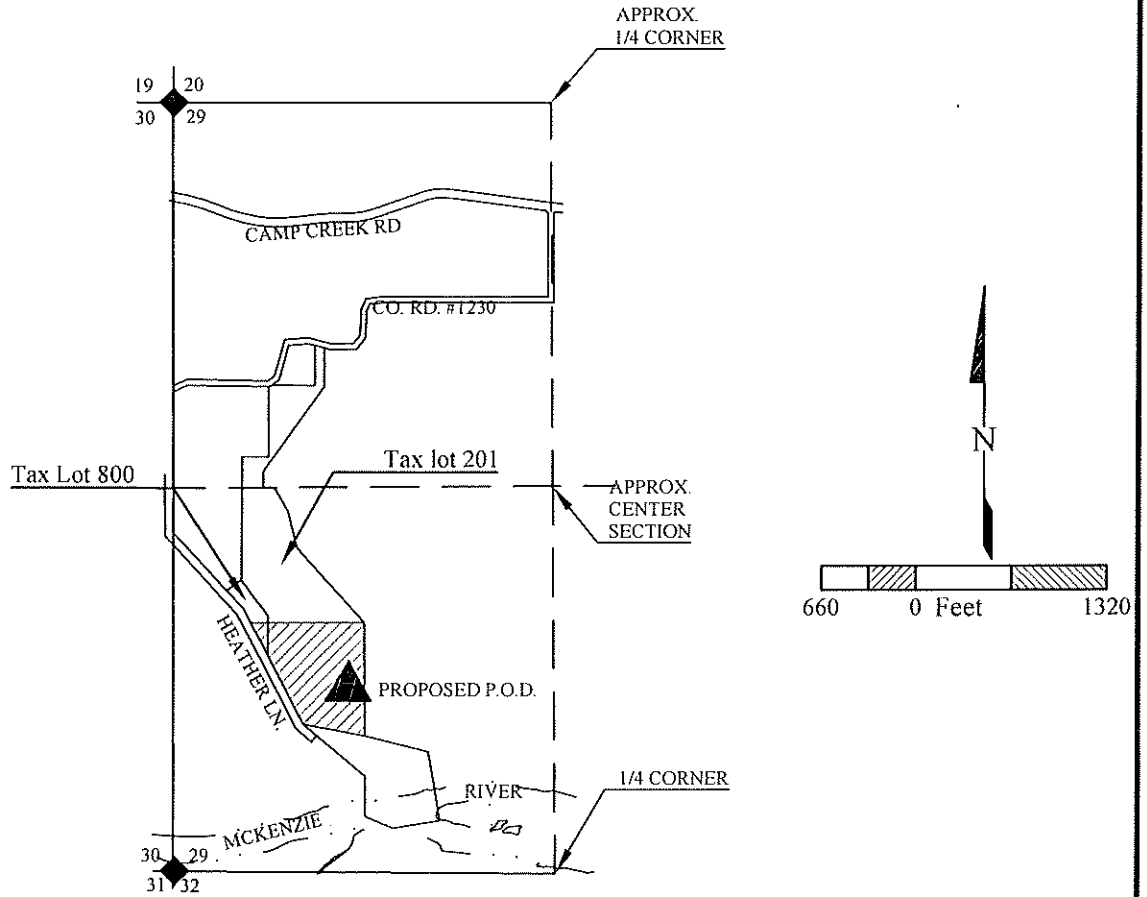
2535B Prairie Road
 Eugene, Oregon 97402

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

T 10459

G:\2535B - Hunsaker 07-2617 075617-CURRENT WATER RIGHT - 2007 - 10.15.09 LAYOUT - WTR RIGHT

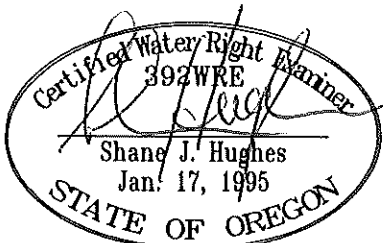
PROPOSED WATER RIGHT
T17S., R1W., W.M.
SECTION 29
WATER RIGHT TRANSFER APPLICATION, PERMIT #23994
TAX LOTS 201 AND 800
MAPS 1701293 AND 1701292
LANE COUNTY, OREGON
JUNE 28, 2007



BASE MAPPING BY LANE COUNTY TAX MAPS 1701292 AND 1701293. THIS MAP HAS BEEN PREPARED FOR THE SOLE PURPOSE OF IDENTIFYING THE REQUESTED WATER RIGHT LOCATION. THERE IS NO INTENT TO PROVIDE DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

AREA OF USE			
SECTION	1/4	1/4	AREA (AC)
29	NW	SW	6.4
	SW	SW	3.6
TOTAL			10.00

- LEGEND**
- SECTION LINE
 - - - 1/4 SECTION LINE
 - ◆ SECTION CORNER
 - ▲ APPROXIMATE LOCATION OF PROPOSED DIVERSION POINTS AND PUMP SYSTEM = 1,201' EAST, 1,190' NORTH OF SW SECTION CORNER



Renews 6/30/09

RECEIVED

AUG 03 2007

WATER RESOURCES DIV.
 SALEM, OREGON



EGR & Associates, Inc.

Engineers, Geologists, and Surveyors

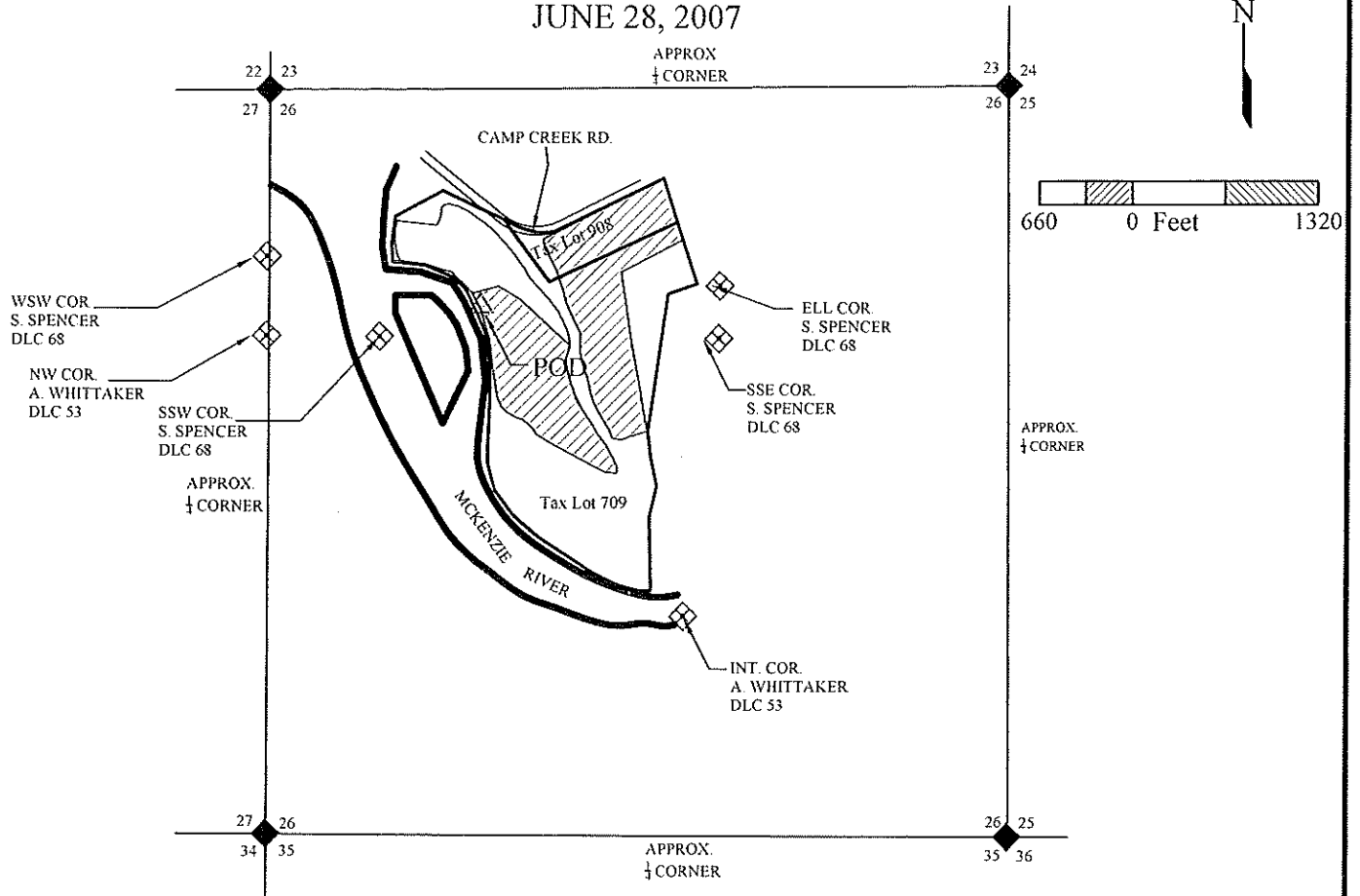
2535B Prairie Road
 Eugene, Oregon 97402

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

G:\5990 - Brosser (7-05-17-07)1017-PROPOSED water right.dwg, Jul 19, 2007 - 10:14am LAXM1 F WTR.RGH1

T 10439

PROPOSED UPDATED WATER RIGHT
T17S., R2W., W.M. SECTION 26
WATER RIGHT TRANSFER APPLICATION, PERMIT #23994
TAX LOTS 708 AND 709
MAPS 170226
LANE COUNTY, OREGON
JUNE 28, 2007



BASE MAPPING BY LANE COUNTY TAX MAPS 17-02-26. THIS MAP HAS BEEN PREPARED FOR THE SOLE PURPOSE OF IDENTIFYING THE REQUESTED WATER RIGHT LOCATION. THERE IS NO INTENT TO PROVIDE DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

SECTION	AREA OF USE		AREA (AC)
	1/4	1/4	
29	NW	NE	3.4
	SW	NE	0.2
	NE	NW	1.6
	NW	NW	0
	SE	NW	9.8
	SE	NW	15.2
	SE	NW	0.4
TOTAL			30.6

LEGEND

- SECTION LINE
- 1/4 SECTION LINE
- ◆ SECTION CORNER
- ◇ DLC CORNER
- △ APPROXIMATE LOCATION OF EXISTING DIVERSION POINT = 580' EAST OF DLC 68

Certified Water Right Examiner
 892WRE
 Shane J. Hughes
 Jan. 17, 1995
 STATE OF OREGON
 Renews 6/30/09

RECEIVED

AUG 03 2007

WATER RESOURCES DEPT
 SALEM, OREGON

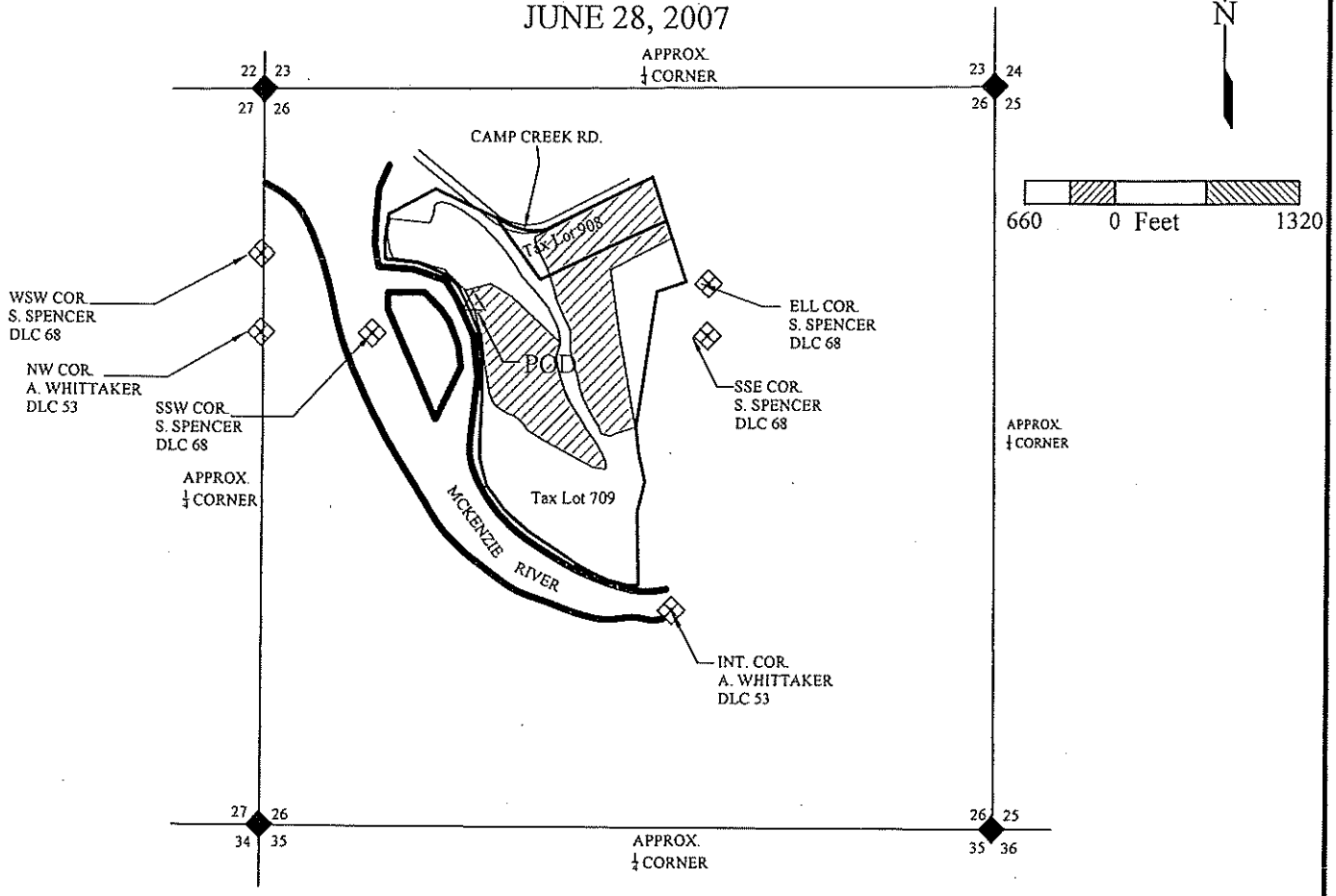
EGR & Associates, Inc.
 Engineers, Geologists, and Surveyors

2535B Prairie Road
 Eugene, Oregon 97402

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

PROPOSED UPDATED WATER RIGHT
T17S., R2W., W.M. SECTION 26
WATER RIGHT TRANSFER APPLICATION, PERMIT #23994
TAX LOTS 708 AND 709
MAPS 170226
LANE COUNTY, OREGON
JUNE 28, 2007

COPY



BASE MAPPING BY LANE COUNTY TAX MAPS 17-02-26. THIS MAP HAS BEEN PREPARED FOR THE SOLE PURPOSE OF IDENTIFYING THE REQUESTED WATER RIGHT LOCATION. THERE IS NO INTENT TO PROVIDE DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

AREA OF USE			
SECTION	1/4	1/4	AREA (AC)
29	NW	NE	3.4
	SW	NE	0.2
	NE	NW	1.6
	NW	NW	0
	SE	NW	9.8
	SE	NW	15.2
	SE	NW	0.4
TOTAL			30.6

LEGEND

- SECTION LINE
- 1/4 SECTION LINE
- ◆ SECTION CORNER
- ◇ DLC CORNER
- △ APPROXIMATE LOCATION OF EXISTING DIVERSION POINT = 580' EAST OF DLC 68

RECEIVED
AUG 03 2007

WATER RESOURCES DEPT
 SALEM, OREGON

Certified Water Right Examiner
 892WRE
 Shane J. Hughes
 Jan. 17, 1995
 STATE OF OREGON
Renews 6/30/09

EGR & Associates, Inc.
 Engineers, Geologists, and Surveyors

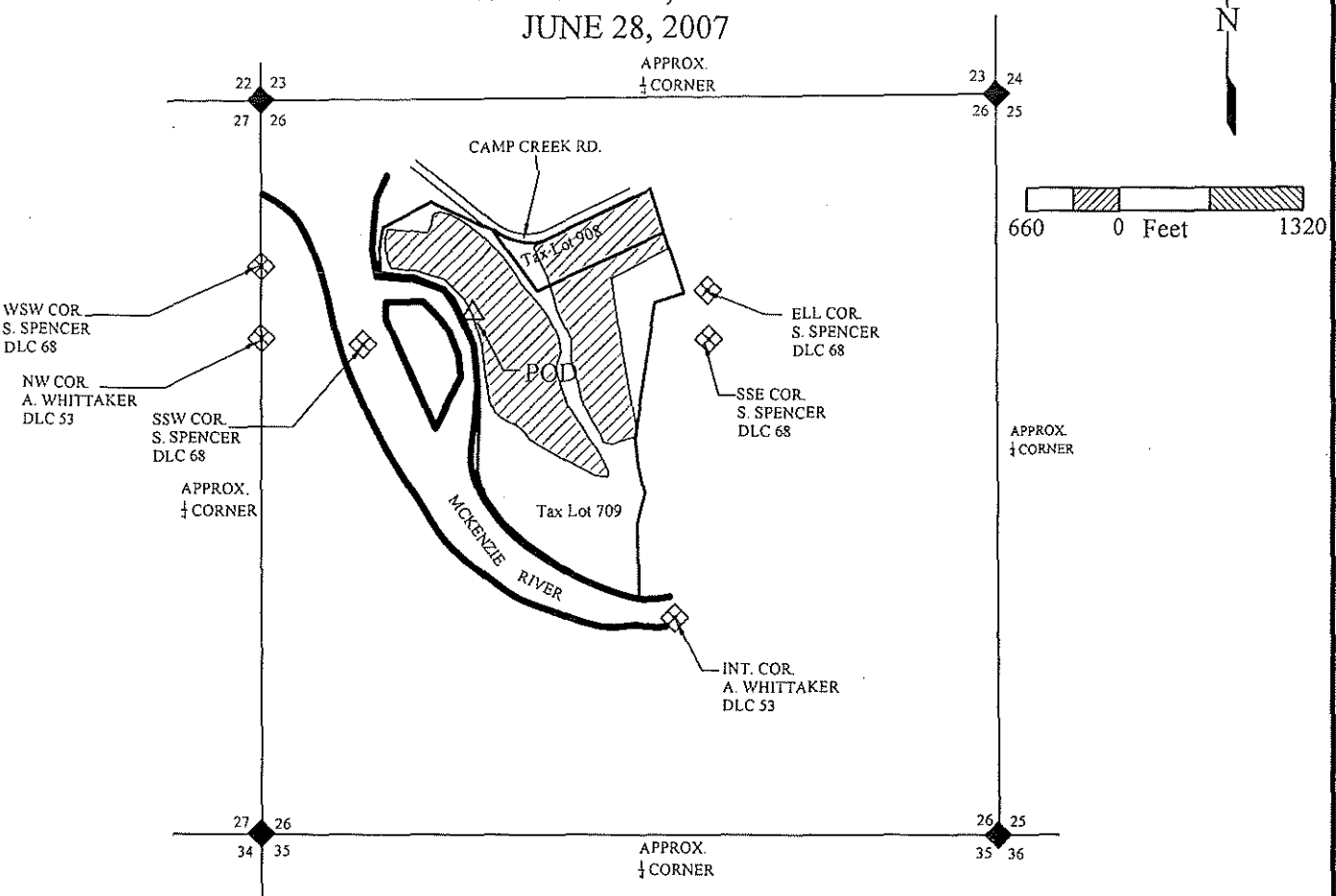
2535B Prairie Road (541) 688-8322
 Eugene, Oregon 97402 Fax (541) 688-8087

G:\3890_Hunsaker-07-0017070017-Proposed water right-1.dwg, Jul 19, 2007 - 10:16am LAYOUFF-WTR RIGHT

T 10439

CURRENT WATER RIGHT
T17S., R2W., W.M. SECTION 26
WATER RIGHT TRANSFER APPLICATION, PERMIT #23994
TAX LOTS 708 AND 709
MAPS 170226
LANE COUNTY, OREGON
JUNE 28, 2007

COPY



BASE MAPPING BY LANE COUNTY TAX MAPS 17-02-26. THIS MAP HAS BEEN PREPARED FOR THE SOLE PURPOSE OF IDENTIFYING THE REQUESTED WATER RIGHT LOCATION. THERE IS NO INTENT TO PROVIDE DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

SECTION	AREA OF USE		AREA (AC)
	1/4	1/4	
29	NW	NE	3.4
	SW	NE	0.2
	NE	NW	8.6
	NW	NW	3.0
	SE	NW	9.8
	SE	NW	15.2
	SE	NW	0.4
TOTAL			40.6

- LEGEND**
- SECTION LINE
 - 1/4 SECTION LINE
 - ◆ SECTION CORNER
 - ◇ DLC CORNER
 - △ APPROXIMATE LOCATION OF EXISTING DIVERSION POINT = 580' EAST OF DLC 68

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2535B Prairie Road
 Eugene, Oregon 97402
 (541) 688-8322
 Fax (541) 688-8087

G:\S880_Hunsaker\07-0017-070017-CURRENT\waterright-1.dwg Jul 19, 2007 - 10:15am LAYOUT: WTR RIGHT

T 10439

Nikki Hendricks
Transfer Specialist
Water Resources Dept
Northmall Office Building
725 Summer St. N.E. Suite A
Salem, Or 97301-1266

11-4-2009

RECEIVED
NOV 05 2009
WATER RESOURCES DEPT
SALEM, OREGON

RE: Transfer Application T-10439
Ms. Hendricks

Please find enclosed the original affidavit of publication requested in your letter dated 9-30-2009 in regards to our water rights transfer application referenced above.

Please notify me of your receipt of this affidavit along with any notice of protest that may have been filed in this request at my e-mail address listed below.

I emailed him
of the status
as of 10:00 Nov. 23rd.
Dorothy

Regards
RCH

Richard Hunsaker
PO Box 444

Wallerville, Or 97489

email; dickhunsaker@yahoo.com

GUARD PUBLISHING COMPANY

P.O. BOX 10188 PHONE (541) 485-1234
EUGENE, OREGON 97440

Legal Notice 4415527

Legal Notice Advertising

HUNSAKER, RICHARD
PO BOX 444
WALTERVILLE, OR 97489

#

AFFIDAVIT OF PUBLICATION

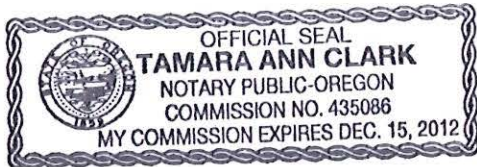
STATE OF OREGON, }
COUNTY OF LANE, } ss.

I, **Wendy Raz**, 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 10, October 17, October 24, 2009

Notice of Preliminary Determination for Water Right Transfer T-10439
T-10439 filed by Richard Hunsaker, PO BOX 444, WALTERVILLE, OR 97489, proposes a change from a surface water point of diversion to a groundwater point of appropriation and a change in place of use under Certificate 28874. The right allows the use of 0.04 cubic foot per second from the McKenzie River (priority date December 6, 1955) in Sec. 26, T 17 S, R 2 W, W.M. (Willamette Basin) to irrigate 10.0 acres in Sec. 26. The applicant proposes to change the point of diversion in Sec. 29, T 17 S, R 1 W, W.M. and to change the place of use to Sec. 29, T 17 S, R 1 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) 986-0883. The last date of newspaper publication is October 24, 2009. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

No. 4415527 - October 24, 2009



RECEIVED

NOV 05 2009

WATER RESOURCES DEPT
SALEM, OREGON

Wendy Raz

Subscribed and affirmed to before me this **October 27, 2009**

Tamara Ann Clark
Notary Public of Oregon

My commission expires: December 15, 2012

Account #: **36095721**
INVOICE **4415527**
Case: **Water Right Transfer T-10439**
Amt Due: **\$270.00**



Oregon

Theodore R. Kulongoski, Governor

September 30, 2009

Water Resources Department

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

RICHARD HUNSAKER
PO BOX 444
WALTERVILLE OR 97489

SUBJECT: Transfer Application T-10439

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-10439. 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 appropriation 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 have the newspaper prepare and mail an original affidavit of publication to me at the address shown in the letterhead, by **November 13, 2009**.

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.

Please do not hesitate to contact me at 503-986-0898 or Nichole.M.Hendricks@ wrd.state.or.us

Sincerely,

Nikki Hendricks
Transfer Specialist

cc: Michael J. Mattick, District 2 Watermaster
EGR & Associates, Eugene, OR
Shane Hughes, CWRE #392

encs

Pd Noticed

10-6-09
Affid of Pub due 11/13
EO 11/24



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

In the Matter of Transfer Application)	PRELIMINARY DETERMINATION
T-10439, Lane County)	PROPOSING APPROVAL OF A
)	CHANGE FROM A SURFACE WATER
)	POINT OF DIVERSION TO A
)	GROUNDWATER POINT OF
)	APPROPRIATION 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

RICHARD HUNSAKER
PO BOX 444
WALTERVILLE OR 97489

Findings of Fact

Background

1. On August 3, 2007, RICHARD HUNSAKER filed an application to change from a surface water point of diversion to a groundwater point of appropriation and to change the place of use under Certificate 28874. The Department assigned the application number T-10439.
2. On August 31, 2007, a Department hydrogeologist determined that the proposed well location would not yield the required hydraulic connection to the stream.
3. On February 29, 2009, the Department received a letter from the applicant requesting the Department not to deny the transfer, but to consider a new hydrogeologist report with revised information on well location.
4. On March 23, 2009, a letter was sent to the applicant requesting that the transfer application and map be revised to propose a specific location for the new point of appropriation as well as a hydrogeologist analysis addressing the revised point to of appropriation.

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.

5. On August 20, 2009, a new map with approved well location and documents showing hydraulic connection were received.

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

Certificate: 28874 in the name of JOHN E. HAMER (confirmed by Permit 23994)

Use: IRRIGATION of 10 ACRES

Priority Date: DECEMBER 6, 1955

Rate: 0.04 CUBIC FOOT PER SECOND

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

Source: MCKENZIE RIVER, tributary to the WILLAMETTE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
17 S	2 W	WM	26	SE NW	UNAVAILABLE

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
17 S	2 W	WM	26	NE NW	68	7.0
17 S	2 W	WM	26	NW NW	68	3.0

7. Transfer Application T-10439 proposes to change the surface water point of diversion to a point of appropriation approximately 4 miles upstream from the existing point of diversion to:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
17 S	1 W	WM	29	SE SE	WELL 1 - 1100 FEET EAST AND 925 FEET NORTH OF SOUTHWEST CORNER OF SECTION 29.

8. Transfer Application T-10439 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
17 S	1 W	WM	29	NW SW	6.4
17 S	1 W	WM	29	SW SW	3.6

9. Notice of the application for transfer was published on August 14, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.

10. On August 27, 2009, the Department mailed a copy of the Draft Preliminary Determination proposing to approve Transfer Application T-10439 to the applicants. The applicants

requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

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. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
12. 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 Transfer Application T-10439.
13. Modeling with the best available information and use of the Jenkins model suggests the proposed well will meet the requirements of ORS 540.531. Pumping of the well will likely cause at least a 50 percent stream depletion within 10 days, in accordance with OAR 690-380-2130(2)(c) and (11)(b).
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 change from a surface water point of diversion to a groundwater point of appropriation and change in place of use proposed in Transfer Application T-10439 appear to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-2130 and 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the transfer application will be approved.

If application T-10439 is approved, the final order will include the following:

1. *The change from a surface water point of diversion to a groundwater point of appropriation and change in place of use proposed in application T-10439 are approved.*
2. *Water right certificate 28874 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 28874 and any related decree.*
4. *The quantity of water diverted at the point of appropriation shall not exceed the quantity of water lawfully available at the original point of diversion.*
5. *The Director may require the water user to install a totalizing flow meter or other suitable measuring device at the point of appropriation. If the Director notifies the water user to install totalizing flow meters or other measuring devices, the water user shall install such devices*

specified by the Director within the period allowed in the notice. Once installed, the water user shall maintain the meters or measuring devices in good working order and shall allow the Watermaster access to the meters or measuring devices.

6. *The former place of use of the transferred portion of the right shall no longer receive water under the right.*
7. *The well from which water is taken under the right shall be constructed so that the use of the well will affect the surface water source similarly to the use of the original authorized point of diversion.*
8. *The use of water under this right shall be subject to regulation consistent with other water rights from the surface water source and to all other applicable conditions and restrictions that existed at the original point of diversion.*
9. *If, within five years after approval of the transfer, the Department finds that the transfer results in substantial or undue interference with an existing ground water right due to use of the well, that would not have occurred in the absence of the transfer, the new point of appropriation shall be subordinate to the existing right injured by the transfer.*
10. *The original point of diversion of surface water shall not be retained as an additional or supplemental point of diversion under the transferred portion of the right. However, if within five years after approval of the transfer, the Department receives a transfer application to return to the last authorized surface water point of diversion, the application shall be approved.*
11. *The approved changes shall be completed and full beneficial use of the water shall be made on or before **October 1, 2011**. 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.*
12. *When satisfactory proof of the completed changes is received, a new certificate confirming the right transferred will be issued.*

Dated at Salem, Oregon this 29th day of September 2009.


Phillip C. Ward, Director *PC*

This Preliminary Determination was prepared by Nikki Hendricks. If you have questions about the information in this document, you may reach me at 503-986-0898 or Nichole.M.Hendricks@wrdd.state.or.us.

Protests should be addressed to the attention of Field Services Division, Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1266.

**Notice of Preliminary Determination for
Water Right Transfer T-10439**

T-10439 filed by Richard Hunsaker, PO BOX 444, WALTERVILLE, OR 97489, proposes a change from a surface water point of diversion to a groundwater point of appropriation and a change in place of use under Certificate 28874. The right allows the use of 0.04 cubic foot per second from the McKenzie River (priority date December 6, 1955) in Sec. 26, T 17 S, R 2 W, W.M. (Willamette Basin) to irrigate 10.0 acres in Sec. 26. The applicant proposes to change the point of diversion to a point of appropriation (hydraulically connected well) approximately 4 miles upstream in Sec. 29, T 17 S, R 1 W, W.M. and to change the place of use to Sec. 29, T 17 S, R 1 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) 986-0883. 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.



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

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

August 27, 2009

RICHARD HUNSAKER
PO BOX 444
WALTERVILLE OR 97489

SUBJECT: Water Right Transfer Application T-10439

Please find enclosed a draft of our Preliminary Determination regarding Transfer Application T-10439. The document 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.

At this time, you must submit a report of landownership for the lands to which the water right is appurtenant (the FROM lands). The report must be prepared by a title company. The title company's report must either be: 1) prepared within three months of this draft Preliminary Determination, or 2) reflect ownership information within three months of the recording of any water right conveyance agreements for the property in the county deed records. The ownership report shall include:

- Date reflected by the ownership information
- List of owners at that time
- Legal description of the property to which the water right involved in the transfer is currently appurtenant.

You will need to submit a notarized statement of consent from any landowner listed in the ownership report who is not already included in the transfer application, or other information such as a water right conveyance agreement, if applicable.

Because the new point of appropriation 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 upon issuance of the Preliminary Determination.

Issuance of the Preliminary Determination will occur shortly after we receive both your written response and the report of ownership information. If we do not receive your response and the report by **September 23, 2009**, a Preliminary Determination may be issued denying the application as incomplete.

Please do not hesitate to contact me at 503-986-0898 or Nichole.M.Hendricks@ wrd.state.or.us if I may be of assistance.

Sincerely,

Nikki Hendricks
Transfer Specialist

cc: T-10439
Michael J. Mattick, District 2 Watermaster
EGR & Associates, Eugene, OR
Shane Hughes, CWRE #392



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

In the Matter of Transfer Application
T-10439, Lane County

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D R A F T

PRELIMINARY DETERMINATION
PROPOSING APPROVAL OF A
CHANGE FROM A SURFACE WATER
POINT OF DIVERSION TO A
GROUNDWATER POINT OF
APPROPRIATION 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

RICHARD HUNSAKER
PO BOX 444
WALTERVILLE OR 97489

Findings of Fact

Background

1. On August 3, 2007, RICHARD HUNSAKER filed an application to change from a surface water point of diversion to a groundwater point of appropriation and to change the place of use under Certificate 28874. The Department assigned the application number T-10439.
2. On August 31, 2007, a Department hydrogeologist determined that the proposed well location would not yield the required hydraulic connection to the stream.
3. On February 29, 2009, the Department received a letter from the applicant requesting the Department not to deny the transfer, but to consider a new hydrogeologist report with revised information on well location.
4. On March 23, 2009, a letter was sent to the applicant requesting that the transfer application and map be revised to propose a specific location for the new point of appropriation as well as a hydrogeologist analysis addressing the revised point to of appropriation.
5. On August 20, 2009, a new map with approved well location and documents showing hydraulic connection were received.

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

Certificate: 28874 in the name of JOHN E. HAMER (confirmed by Permit 23994)
Use: IRRIGATION of 10 ACRES
Priority Date: DECEMBER 6, 1955
Rate: 0.04 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: MCKENZIE RIVER, tributary to the WILLAMETTE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
17 S	2 W	WM	26	SE NW	UNAVAILABLE

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
17 S	2 W	WM	26	NE NW	68	7.0
17 S	2 W	WM	26	NW NW	68	3.0

7. Transfer Application T-10439 proposes to change the surface water point of diversion to a point of appropriation approximately 4 miles upstream from the existing point of diversion to:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
17 S	1 W	WM	29	SE SE	WELL 1 - 1100 FEET EAST AND 925 FEET NORTH OF SOUTHWEST CORNER OF SECTION 29.

8. Transfer Application T-10439 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
17 S	1 W	WM	29	NW SW	6.4
17 S	1 W	WM	29	SW SW	3.6

9. Notice of the application for transfer was published on August 14, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.

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

10. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.

11. 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 Transfer Application T-10439.
12. Modeling with the best available information and use of the Jenkins model suggests the proposed well will meet the requirements of ORS 540.531. Pumping of the well will likely cause at least a 50 percent stream depletion within 10 days, in accordance with OAR 690-380-2130(2)(c) and (11)(b).
13. The proposed changes would not result in enlargement of the right.
14. The proposed changes would not result in injury to other water rights.

Determination and Proposed Action

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If application T-10439 is approved, the final order will include the following:

1. *The change from a surface water point of diversion to a groundwater point of appropriation and change in place of use proposed in application T-10439 are approved.*
2. *Water right certificate 28874 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 28874 and any related decree.*
4. *The quantity of water diverted at the point of appropriation shall not exceed the quantity of water lawfully available at the original point of diversion.*
5. *The Director may require the water user to install a totalizing flow meter or other suitable measuring device at the point of appropriation. If the Director notifies the water user to install totalizing flow meters or other measuring devices, the water user shall install such devices specified by the Director within the period allowed in the notice. Once installed, the water user shall maintain the meters or measuring devices in good working order and shall allow the Watermaster access to the meters or measuring devices.*
6. *The former place of use of the transferred portion of the right shall no longer receive water under the right.*

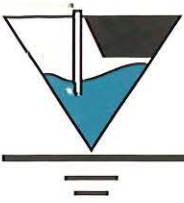
7. *The well from which water is taken under the right shall be constructed so that the use of the well will affect the surface water source similarly to the use of the original authorized point of diversion.*
8. *The use of water under this right shall be subject to regulation consistent with other water rights from the surface water source and to all other applicable conditions and restrictions that existed at the original point of diversion.*
9. *If, within five years after approval of the transfer, the Department finds that the transfer results in substantial or undue interference with an existing ground water right due to use of the well, that would not have occurred in the absence of the transfer, the new point of appropriation shall be subordinate to the existing right injured by the transfer.*
10. *The original point of diversion of surface water shall not be retained as an additional or supplemental point of diversion under the transferred portion of the right. However, if within five years after approval of the transfer, the Department receives a transfer application to return to the last authorized surface water point of diversion, the application shall be approved.*
11. *The approved changes shall be completed and full beneficial use of the water shall be made on or before **October 1, 2010**. 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.*
12. *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 _____ 2009.

D R A F T

Phillip C. Ward, Director

This draft Preliminary Determination was prepared by Nikki Hendricks. If you have questions about the information in this document, you may reach me at 503-986-0898 or Nichole.M.Hendricks@wrд.state.or.us.



EGR & Associates, Inc.

Engineers, Geologists and Surveyors

2535B Prairie Road
Eugene, Oregon 97402
(541) 688-8322
Fax (541) 688-8087

August 14, 2009

Donn Miller, Geologist
Oregon Water Resources Department
725 Summer Street NE Suite A
Salem, Oregon 97301

RECEIVED

AUG 17 2009

**WATER RESOURCES DEPT
SALEM, OREGON**

RE: Water Rights Transfer T-10439
Mr. Hunsaker
Distance from river for 10 day, 50% river depletion, Jenkins Model

Dear Mr. Miller:

As you suggested in your March 17, 2009 letter, we have re-examined the 10 day, 50% depletion model (Jenkins) for how close we need the well to the river. We did two things, first we re-examined the well logs to determine a reasonable midrange transmissivity, then we re-did the Jenkins model using the new transmissivity and reducing the distance to the river until we obtained a 50% depletion from the river on day 10 of pumping.

We first retrieved from the well log records all of the well logs in the section of the transfer and adjacent sections. We then retrieved all the well log images and sorted through them for those which indicated whether they were completed into sand and gravels, or bedrock. All bedrock wells were eliminated from further consideration. We then looked at the remaining well logs and their distribution based upon yield. We removed the highest and lowest yields as potential outliers from the statistical norm and then ran basic statistics on the remaining well log yields.

We also ran a simple program which converts specific yield to transmissivity using a well known and documented formula [$Q/s=T/2000$] (see Groundwater and Wells, Second Edition, Johnson Filtration Systems Inc. Fletcher G. Driscoll, Ph.D., 1986). By averaging these values we arrive at a reasonable average value for the transmissivity of the area of 35,700 ft²/day (4772.5 ft³/day). This value is used in the Jenkins model as a general area average transmissivity. Since we know that transmissivities vary widely in the natural state, but we are looking for an average impact over a broad area, this is a reasonable assumption and will provide a generally useful value.

Using the above derived transmissivity in the Jenkins model for stream depletion and the expected net constant pumping value of 20 gpm (24/7), we vary the distance of the well from the stream until we arrive at a distance where 50% of the flow on the 10th day comes from stream depletion. That distance turned out to be 470 feet. Mr. Hunsaker has found a spot where the well can be placed within 470 feet of the McKenzie River, and

this location is reflected in the accompanying map, showing its location relative to a section corner.

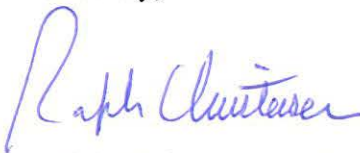
The attached materials include:

1. a computer listing of all well logs in the area,
2. those well logs which were identified as being completed in sand and gravel deposits with the high and the low removed as outliers, this listing also includes the calculation of transmissivity, and the statistics for well parameters showing average transmissivity (used in the Jenkins model),
3. chart of well transmissivity distribution,
4. Jenkins model using the average transmissivity and showing 50% depletion on the 10th day of pumping,
5. various charts of the Jenkins results graphically represented.
6. A copy of the spread sheet with the Jenkins model and the charts is also provided by ~~email attachment separately.~~ *disk. P*
7. CWRE stamped map.

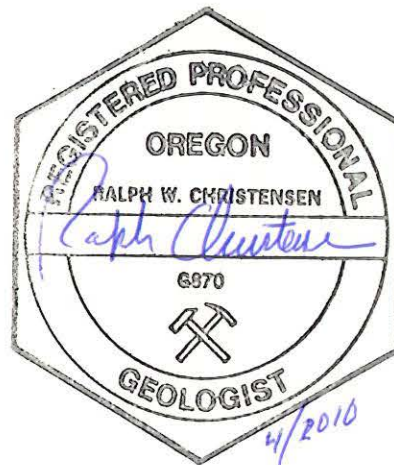
Therefore we find that a well within 470 feet of the river, with a net steady pumping rate of 20 gpm will be drawing 50% of its water from the river by the 10th day after pumping starts. The location shown on the accompanying map is within this distance and is the proposed location for the well Mr. Hunsaker will be using for this transferred water right.

If we can be of any further assistance or clarification in this matter feel free to contact us.

Sincerely,



Ralph Christensen, g-870
Senior Geologist
EGR & Associates, Inc.



LANE	67473	1	87038 STEVENS LYNN	38719 FLC SPRINGFI OR	97478 W	18	65	60	13	1500	4/19/2007	4/20/2007	4/27/2007	191142	1684 X
					Count	141	150	152	148	136					
					Mean	37.41	71.03	65.99	15.08	50.23					
					Median	27	52	49.5	12	25					
					Mode	0	40	40	11	30					
					StdDev	41.19	58.43	54.05	17.68	136.38					
					Min	0	0	0	0	3					
					Max	245	305	305	160	1500					

work	other use	domo use	irrigati use	comm use	livestc use	indust use	injecti use	therm use	dewat use	plezo use	use_other	township	township	range	range	cha	sectn	qr160	qr40	tax_tot	street of	location	cc	bonded	nc bonded	nc bonded	company
X												17 S		1 W	29	NW	SW				LANE	PAGE	DELL		DELL PAGE WELL DRILLING INC.		
X												17 S		1 W	29							LANE	CHRISTE	MARK W			
X												17 S		1 W	29							LANE	JONES	CASEY L		CASEY JONES WELL DRILLING CO.	
X												17 S		1 W	29	SW	SW					LANE	COX JR	GARLAND	GUS STORES LOGGING & WELL DRIL		
X												17 S		1 W	29	SW	SE					LANE	CARTER	JAMES I		CARTERS DRILLING & PUMP SERVIC	
X												17 S		1 W	30							LANE	WHITE	WALTER N			
X												17 S		1 W	30							LANE	WILSON	WALT		W W DRILLING & PUMP	
X		X										17 S		1 W	30	NW	SW					LANE	MILLER	HARRY A		MILLER-JENSEN CO.	
X												17 S		1 W	30	NE	NW					LANE	CARTER	JAMES I			
X												17 S		1 W	29	NE	NW					LANE	LEE	KIRT E			
X												17 S		1 W	30	SE	NE					LANE	JONES	CASEY L			
X												17 S		1 W	30	NW	NE					LANE	HOLTE	ART			
X												17 S		1 W	29	SW	NE			1006 37861 CA	LANE	CARTER	JAMES I				
X												17 S		1 W	29	SW	NE			100	LANE	WILSON	FRANK				
X												17 S		1 W	29	NW	NW			200	LANE	HENDRICH	JEFFREY				
X												17 S		1 W	29	SE	NW			400	LANE	HENDRICH	JEFFREY				
X												17 S		1 W	29	SE	SW				KICKBUSH	LANE	CARTER	JAMES I			
X												17 S		1 W	29	NW	NW					LANE	OLSON	GERALD D			
X												17 S		1 W	30	NE	NE			100	LANE	HENDRICH	JEFFREY				
X												17 S		1 W	30	SE	NW					LANE	OLSON	GERALD D			
X												17 S		1 W	30	NW	NE			1804 38345 KIC	LANE	OLSON	GERALD D				
X												17 S		1 W	29	NE	NE					LANE	HENDRICH	JEFFREY			
X												17 S		1 W	30	SE	NE					LANE	OLSON	GERALD D			
X												17 S		1 W	30	NE	NE					LANE	OLSON	GERALD D			
X												17 S		1 W	30	SE	SW			1904	LANE	CARTER	JAMES I				
X												17 S		1 W	30					2300	LANE	CARTER	JAMES I				
X												17 S		1 W	29	NE	NW			800	LANE	LEE	KIRT E				
X												17 S		1 W	29	NE	NW			301	LANE	WHITE	WALTER N				
X												17 S		1 W	29	NE				905	LANE	WHITE	WALTER N				
X												17 S		1 W	29	NW	NW			402	LANE	HENDRICH	JEFF				
X												17 S		1 W	29	SE	SE			200 88130 MIL	LANE	JONES	CASEY L				
X												17 S		1 W	30	NW	NW			1016	LANE	MCINNIS	GREG				
X												17 S		1 W	30	NW	NW			1016	LANE						
X												17 S		1 W	29	SW	SE			100 3819 FLO	LANE	WILSON	FRANK		FRANK WILSON DRILLING		
X												17 S		1 W	29	NW	SW			5.05E+08	LANE	JONES	CASEY JR				
X												17 S		1 W	30	SW	NW			1.02E+08	LANE	LEE	KIRT E				
X												17 S		1 W	29	SE	NE					LANE	CHRISTE	MARK W			
X												17 S		1 W	29							LANE	WILSON	FRANK			
X												17 S		1 W	29							LANE	HOLTE	ART			
X												17 S		1 W	29	NW	NW					LANE	HOLTE	ART			
X												17 S		1 W	29	NW	NW					LANE	HOLTE	ART			
X												17 S		1 W	29							LANE	JONES	CASEY L			
X												17 S		1 W	29							LANE	LOVING	DONALD J			
X												17 S		1 W	29					3E+08	LANE	PITCHER	CARL A				
X												17 S		1 W	29					3.01E+08	LANE	PITCHER	CARL A				
X												17 S		1 W	29							LANE	LEE	KIRT E			
X												17 S		1 W	29	NW	SE					LANE	WILSON	FRANK			
X												17 S		1 W	29	SW	NW					LANE	OLSON	GERALD D			
X												17 S		1 W	29							LANE	JONES	CASEY L			
X												17 S		1 W	29					2.1E+08	LANE	CHRISTE	MARK W				
X												17 S		1 W	29	SE	SE					LANE	WILSON	FRANK			
X												17 S		1 W	29							LANE	UNKNOW	UNKNOWN			
X												17 S		1 W	29							LANE	JONES	CASEY L			
X												17 S		1 W	29							LANE	JONES	CASEY L			
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X												17 S		1 W	29							LANE	UNKNOW	UNKNOWN			
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X												17 S		1 W	29							LANE	PAGE	DELL			
X												17 S		1 W	29							LANE	UNKNOW	UNKNOWN			
X												17 S		1 W	29							LANE	UNKNOW	UNKNOWN			
X												17 S		1 W	29							LANE	UNKNOW	UNKNOWN			
X												17 S		1 W	29							LANE	CHRISTE	MARK W			
X												17 S		1 W	29							LANE	CHRISTE	MARK W			
X												17 S		1 W	29							LANE	CARTER	JAMES I			
X												17 S		1 W	29							LANE	PITCHER	CARL A			
X												17 S		1 W	29							LANE	CARTER	JAMES I			
X												17 S		1 W	29	NE	NE					LANE	WILSON	FRANK			
X												17 S		1 W	29	NE	NW					LANE	WILSON	FRANK			
X												17 S		1 W	29	NE	SE					LANE	WILSON	FRANK			
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X												17 S		1 W	29	NW	NW					LANE	CARTER	JAMES I			
X												17 S		1 W	29	SW	SW					LANE	WILSON	FRANK			
X												17 S		1 W	29	SW	SW					LANE	MAY	THOMAS O			
X												17 S		1 W	29	SW	SW					LANE	UNKNOW	UNKNOWN			
X												17 S		1 W	29	SE	NE					LANE	UNKNOW	UNKNOWN			

X		17 S	1 W	29 SE	SW		LANE	WILSON	WALTER L
	X	17 S	1 W	29 NE	NW		LANE		
	X	17 S	1 W	29 NE	NW		LANE		
	X	17 S	1 W	29 NW	SE		LANE		
	X	17 S	1 W	29 NW	SE		LANE		
X		17 S	1 W	29 NW	SW		LANE	HAAS	CLAYTON
	X	17 S	1 W	29 NE	SW		LANE		
	X	17 S	1 W	29 SE	NE		LANE	JONES	DELBERT S
	X	17 S	1 W	29 SE	NW		LANE		
	X	17 S	1 W	29 SW	SW		LANE		
	X	17 S	1 W	29 SW	SE		LANE	ENDICOT	WAYNE
	X	17 S	1 W	30			LANE	LEE	KIRT E
	X	17 S	1 W	30		9.16E+08	LANE	LEE	KIRT E
	X	17 S	1 W	30			LANE	PITCHER	CARL A
	X	17 S	1 W	30			LANE	LEE	KIRT E
	X	17 S	1 W	30 NW	NE	9.13E+08	LANE	WILSON	FRANK
	X	17 S	1 W	30		2.2E+08	LANE	PITCHER	CARL A
	X	17 S	1 W	30			LANE	CARTER	JAMES I
	X	17 S	1 W	30 NE	SE		LANE	HOECK	JOHN L
	X	17 S	1 W	30			LANE		
	X	17 S	1 W	30 NE	SE		LANE	HOECK	JOHN L
	X	17 S	1 W	30 NW			LANE	CARTER	JAMES I
	X	17 S	1 W	30 SW	SW		LANE	CARTER	JAMES I
	X	17 S	1 W	30			LANE	JONES	CASEY L
	X	17 S	1 W	30			LANE	JONES	CASEY L
	X	17 S	1 W	30			LANE	JONES	CASEY L
	X	17 S	1 W	30			LANE	GORDINE	LLOYD E
	X	17 S	1 W	30			LANE	CARTER	JAMES I
	X	17 S	1 W	30			LANE	JONES	CASEY L
	X	17 S	1 W	30			LANE	JONES	CASEY L
	X	17 S	1 W	30			LANE	ODNEAL	ED
	X	17 S	1 W	30 NE	NE		LANE	CARTER	JAMES I
	X	17 S	1 W	30 NW	NW		LANE	WILSON	FRANK
	X	17 S	1 W	30 NW	NW		LANE	UNKNOW	UNKNOWN
	X	17 S	1 W	30 NW	NW		LANE	HAAS	CLAYTON
	X	17 S	1 W	30 NW	NE		LANE	UNKNOW	UNKNOWN
	X	17 S	1 W	30 NW	NW		LANE		
	X	17 S	1 W	30 NW	SE		LANE	CHRISTE	MARK W
	X	17 S	1 W	30			LANE	CHRISTE	MARK W
	X	17 S	1 W	30 SW	NW		LANE		
	X	17 S	1 W	29		101 38335 CAI LANE	HENDRICI	JEFF	HENRICKSON CONSTRUCTION AND WE
	X	17 S	1 W	30 SE	SW	2201 38239 MCI LANE	OLSON	GERALD I	WATER RITE WELL DRILLING
	X	17 S	1 W	29 NW	NW	400 38675 CAI LANE	JONES JR	CASEY	CASEY JONES WELL DRILLING
	X	17 S	1 W	30 NW	SE	1102 37884 MJ LANE	LEE	NEIL W	WESTERN WELL DRILLING
	X	17 S	1 W	30		1004			
	X	17 S	1 W	29		38443 IND LANE			
	X	17 S	1 W	29 NE	NE	900 38841 FLC LANE	LEE	KIRT E	LEE WELL DRILLING & PUMP SERVI
	X	17 S	1 W	30 SW	NW	1902 38338 KIC LANE	LEE	NEIL W	WESTERN WELL DRILLING
	X	17 S	1 W	30 SW	NW	1902 38338 KIC LANE	LEE	NEIL W	WESTERN WELL DRILLING
	X	17 S	1 W	29		502 38478 KIC LANE			
	X	17 S	1 W	30 NW	NE	101129 M J CHAS LANE	LOVING	DONALD	MID VALLEY DRILLING, INC.
	X	17 S	1 W	30 NW	NW	1018 88455 STE LANE	JONES JR	CASEY	CASEY JONES WELL DRILLING
	X	17 S	1 W	30 NW	NW	1502 38025 M J LANE	LOVING	DONALD	MID VALLEY DRILLING, INC.
	X	17 S	1 W	30 NW	SW	1403 37918 M J LANE	JONES JR	CASEY	CASEY JONES WELL DRILLING
	X	17 S	1 W	29 NW	NW	600 38698 CAI LANE	LOVING	DONALD	MID VALLEY DRILLING, INC.
	X	17 S	1 W	29 SE	SE	1701 88088 MIL LANE	LOVING	DONALD	MID VALLEY DRILLING, INC.
	X	17 S	1 W	29 NE	NE	100 38655 CAI LANE	HENDRICI	JEFF	HENDRICKSON WELL DRILLING INC
	X	17 S	1 W	29 NW	NW	101 38335 CAI LANE	HENDRICI	JEFF	HENDRICKSON WELL DRILLING INC
	X	17 S	1 W	30 NW	NE	1002 CAMP CR LANE	HENDRICI	JEFF	HENDRICKSON WELL DRILLING INC
	X	17 S	1 W	29 NW	NE	200 38637 CAI LANE	OLDHAM	SEAN C	WHITE WATER WELL DRILLING
	X	17 S	1 W	30 NW	NW	88565 STE LANE			
	X	17 S	1 W	30 NW	NW	88565 STE LANE			
	X	17 S	1 W	29 SE	SW	905 38846 CAI LANE	JONES JR	CASEY	CASEY JONES WELL DRILLING
	X	17 S	1 W	29 NW	NE	404 ACROSS I LANE	JONES JR	CASEY	CASEY JONES WELL DRILLING
	X	17 S	1 W	29 SE	NW	101 88146 MIL LANE	OLDHAM	SEAN C	WHITE WATER WELL DRILLING
	X	17 S	1 W	30 NW	NW	1600 38061 M J LANE	LOVING	DONALD	MID VALLEY DRILLING, INC.
	X	17 S	1 W	29		601 38525 KIC LANE			WELL ID APPLICATK WELL ID APPLICATION
	X	17 S	1 W	29		201 88001 HEI LANE			WELL ID APPLICATK WELL ID APPLICATION
	X	17 S	1 W	30 SW	NW	1015 88477 STE LANE	FIELDER	WILLIAM I	BILL FIELDER WELL DRILLING & PUMP
	X	17 S	1 W	29 NW	SW	2900 785 N 42N LANE	MCINNIS	GREG	GEO-TECH EXPLORATIONS
	X	17 S	1 W	29 NW	SW	2900 785 N 42N LANE	MCINNIS	GREG	GEO-TECH EXPLORATIONS
	X	17 S	1 W	30 SW	NW	1405 38901 M J LANE	FIELDER	WILLIAM I	BILL FIELDER WELL DRILLING & PUMP
	X	17 S	1 W	30 SW	NW	1104 BEHIND 3 LANE	JONES JR	CASEY	CASEY JONES WELL DRILLING
	X	17 S	1 W	29 NW	SE	2101 38740 FLC LANE	FIELDER	WILLIAM I	BILL FIELDER WELL DRILLING & PUMP
	X	17 S	1 W	30 NW	SW	1400 38983 CHI LANE	LOVING	DONALD	MID VALLEY DRILLING, INC.
	X	17 S	1 W	29 NW	SW	2900 785 N 42N LANE	MCINNIS	GREG	GEO-TECH EXPLORATIONS
	X	17 S	1 W	29 NW	SW	2900 785 N 42N LANE	MCINNIS	GREG	GEO-TECH EXPLORATIONS
	X	17 S	1 W	29			PAGE	DELL	DELL PAGE WELL DRILLING INC.
	X	17 S	1 W	30		915 88415 BDI LANE			WELL ID APPLICATK WELL ID APPLICATION

X

17 S

1 W

29 SW

SE

100 38719 FLC LANE

JONES

BRET S

JONES WELL DRILLING CO INC

wf_nbr	name_last	name_first	name_mi	name_com	street	city	state	zip	depth_first	depth_drill	completed	post_static	max_yield	Specific C	Trans	complete_	received_d
918	LOGAN	MARK			32620 DEE	SPRINGFI	OR	97477	25	42	40	13	50	1.72	7,697.40	#####	#####
2710	STEVENS	DAVID			38734 FLC	SPRINGFI	OR	97478	34	47	47	11	60	1.67	7,411.30	3/3/1992	3/11/1992
54824	STEVENS	DAVID			3819 FLOV	SPRINGFI	OR	97478	26	47	47	5	50	1.19	5,170.22	6/9/1998	6/15/1998
10101	ENDICOT	WAYNE							0	108	108	17	143	1.57	6,982.16	8/7/1963	8/10/1965
10081	MCCLORY	JIM							23	50	50	10	50	1.25	5,456.32	5/27/1987	6/15/1987
10086	SCHELSK	BERNIE							20	60	45	14	125	2.72	12,465.65	8/13/1984	8/15/1984
10123	VAUGHN	GLEN							0	19	19	18	150	150.00	856,398.63	6/15/1947	6/15/1947
10124	ENDICOT	WAYNE							0	16	16	5	300	33.33	176,398.16	#####	#####
10126	CHIN	PHIL							23	53	53	9	60	1.36	5,980.82	#####	#####
10127	MATTHEW	ELWOOD							0	43	25	25	120	6.67	32,301.58	5/1/1948	5/1/1948
10128	DE BELL	P L							0	80	80	14	66	1.00	4,311.94	4/4/1961	8/14/1961
10131	ENDICOT	WAYNE							0	19	17	5	250	17.86	91,380.22	7/1/1958	9/15/1958
10140	LOCKARD	JIM							15	55	55	15	72	1.80	8,078.86	9/13/1979	9/26/1979
10141	COMSTOC	CLINTON E							20	20	20	9	80	7.27	35,400.94	7/8/1975	8/6/1975
10152	GIESE	CLAYTON L							0	20	20	8	60	5.00	23,814.09	6/20/1962	8/13/1962
10153	DORMAN	DALE							48	55	53	10	60	1.33	5,837.78	#####	1/8/1979
60863	CHASE	HAROLD			37840 M J	SPRINGFI	OR	97478	23	30	30	12	300	16.67	84,990.77	4/5/2002	4/10/2002
63558	DUMARS	MARK			88146 MIL	SPRINGFI	OR	97478	75	100	100	15	240	2.82	12,990.16	6/10/2004	6/17/2004
66010	KELLY	RYAN			1015 S 44	SPRINGFI	OR	97478	20	59	59	12	70	1.49	6,600.70	5/8/2006	5/11/2006
66076	MILLER	MIKE			3330 HAYI	SPRINGFI	OR	97477	16	39	39	6	200	6.06	29,202.21	5/11/2006	6/1/2006
67473	STEVENS	LYNN			38719 FLC	SPRINGFI	OR	97478	18	65	60	13	1500	28.85	151,507.89	4/20/2007	4/27/2007

all S₂G wells

Count	21	21	21	21	21	21	21	21
Mean	18.38	48.90	46.81	11.71	190.76	13.89	74779.89	time= 90
Median	20	47	47	12	80	2.72	12465.6475	radius= 0.25
Mode	0	47	47	5	60	#N/A	#N/A	storage= 0.15
StdDev	18.55	25.23	25.56	4.91	311.58	32.55	185753.60	
Min	0	16	16	5	50	1	4311.9359	
Max	75	108	108	25	1500	150	856398.635	

#NUM! 42.68 40.49 10.73 115.97 4.25 19985.255

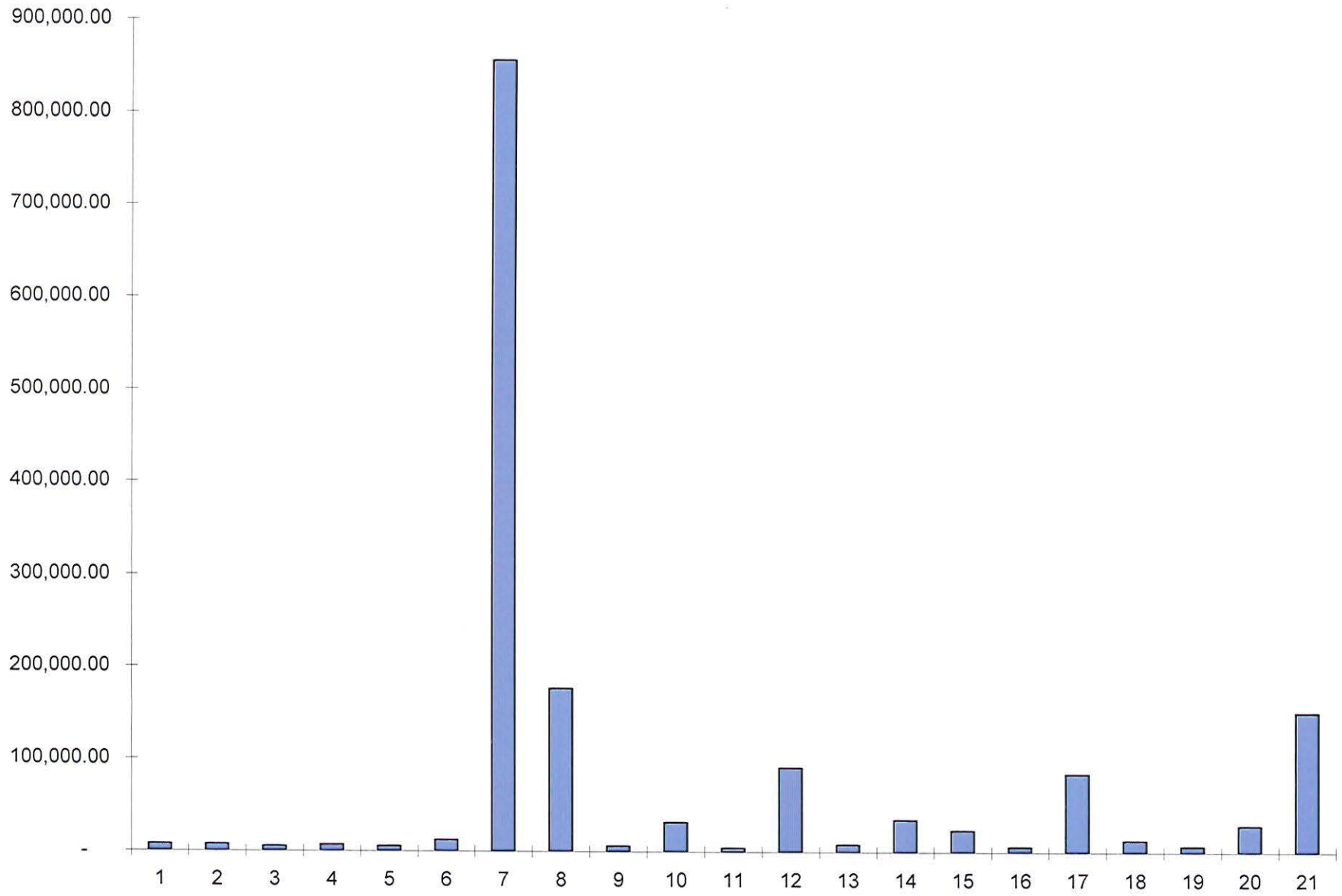
T=(528)Q/Delta s
T= 12465.65
Q= 80

Delta s=528*Q/T
3.39 ft/log cycle

mean w/out the highest T value, includes all other

→ 35698.9571

highest T value may be outlier.

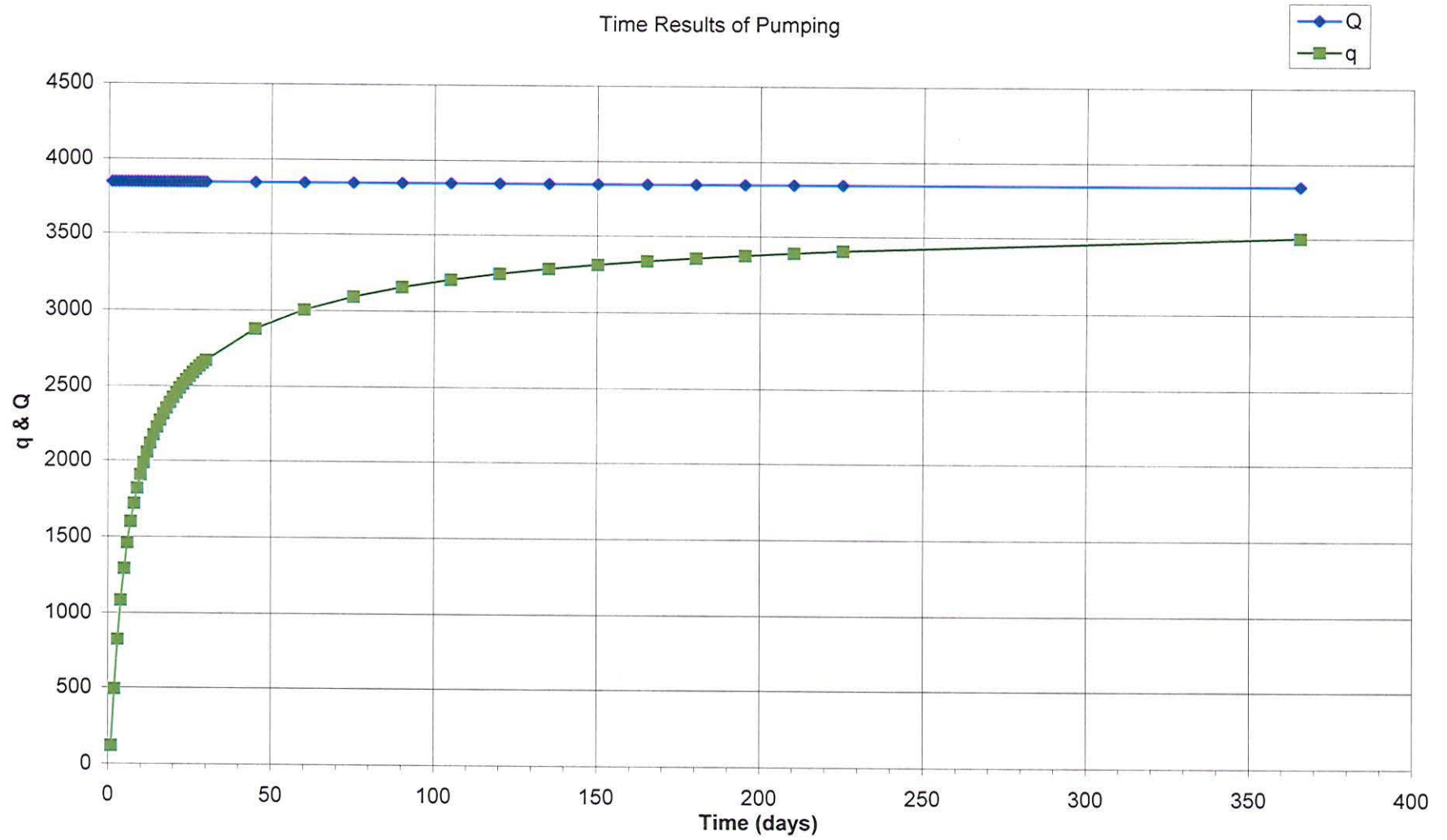


			4772.5	T	=	transmissivity [L ² /T]					35.698	gpd/ft						
			0.2	S	=	specific yield												
			365	t	=	total time (days)												
			120	t(p)	=	total pumping time (days)												
				t(i)	=	time after pumping stops (days)												
			3850	Q	=	net steady pumping rate, less return flow to aquifer [L ³ /T]					20	gpm						
				q	=	rate of stream depletion [L ³ /T]												
			1405348	Qt	=	net volume pumped during t [L ³]												
			462032	Qt(p)	=	net volume pumped [L ³]												
				v	=	volume of stream depletion at t, t(p), or t(p)+t(i) [L ³]												
			470	a	=	distance from well to stream [L]												
			9	sdf	=	stream depletion factor [T] = a ² S/T												
			23862.29947	T/S							0.91	=ERFC(SQRT(sdf/4t))						
											0.87	=(((sdf/(2*t)+1)*ERFC(SQRT(sdf/4*t)))-(SQRT(sdf/(4*t))*(2/PI()))*EXP(-sdf/(4*t))))						
t	t(p)	t(i)	Pumped t(p)+t(i)	t/sdf	Pumped t(p)+t(i)/sdf	Pumped q/Q	Pumped v/Qsdf	v/Qt	Recharge t(i)/sdf	Recharge q/Q	Recharge v/Qsdf	Recharge v/Qt(p)+t(i)	Residual q/Q	Residual v/Qsdf	q	Q	Check	
1	1	0	1	0.11	0.11	0.03	0.01	0.08	0.00				0.03		121.06	3850.27	0.03	
2	2	0	2	0.22	0.22	0.13	0.05	0.21	0.00				0.13		493.56	3850.27	0.13	
3	3	0	3	0.32	0.32	0.21	0.09	0.29	0.00				0.21		824.69	3850.27	0.21	
4	4	0	4	0.43	0.43	0.28	0.15	0.34	0.00				0.28		1085.99	3850.27	0.28	
5	5	0	5	0.54	0.54	0.34	0.20	0.37	0.00				0.34		1293.60	3850.27	0.34	
6	6	0	6	0.65	0.65	0.38	0.26	0.40	0.00				0.38		1462.22	3850.27	0.38	
7	7	0	7	0.76	0.76	0.42	0.32	0.43	0.00				0.42		1602.19	3850.27	0.42	
8	8	0	8	0.86	0.86	0.45	0.39	0.45	0.00				0.45		1720.57	3850.27	0.45	
9	9	0	9	0.97	0.97	0.47	0.45	0.47	0.00				0.47		1822.28	3850.27	0.47	
10	10	0	10	1.08	1.08	0.50	0.52	0.48	0.00				0.50		1910.84	3850.27	0.50	
11	11	0	11	1.19	1.19	0.52	0.59	0.50	0.00				0.52		1988.84	3850.27	0.52	
12	12	0	12	1.30	1.30	0.53	0.66	0.51	0.00				0.53		2058.19	3850.27	0.53	
13	13	0	13	1.40	1.40	0.55	0.73	0.52	0.00				0.55		2120.38	3850.27	0.55	
14	14	0	14	1.51	1.51	0.57	0.81	0.53	0.00				0.57		2176.54	3850.27	0.57	
15	15	0	15	1.62	1.62	0.58	0.88	0.54	0.00				0.58		2227.59	3850.27	0.58	
16	16	0	16	1.73	1.73	0.59	0.95	0.55	0.00				0.59		2274.26	3850.27	0.59	
17	17	0	17	1.84	1.84	0.60	1.03	0.56	0.00				0.60		2317.13	3850.27	0.60	
18	18	0	18	1.94	1.94	0.61	1.11	0.57	0.00				0.61		2356.70	3850.27	0.61	
19	19	0	19	2.05	2.05	0.62	1.18	0.58	0.00				0.62		2393.36	3850.27	0.62	
20	20	0	20	2.16	2.16	0.63	1.26	0.58	0.00				0.63		2427.46	3850.27	0.63	
21	21	0	21	2.27	2.27	0.64	1.34	0.59	0.00				0.64		2459.27	3850.27	0.64	
22	22	0	22	2.38	2.38	0.65	1.42	0.60	0.00				0.65		2489.04	3850.27	0.65	
23	23	0	23	2.48	2.48	0.65	1.50	0.60	0.00				0.65		2516.99	3850.27	0.65	
24	24	0	24	2.59	2.59	0.66	1.58	0.61	0.00				0.66		2543.28	3850.27	0.66	
25	25	0	25	2.70	2.70	0.67	1.66	0.61	0.00				0.67		2568.08	3850.27	0.67	
26	26	0	26	2.81	2.81	0.67	1.74	0.62	0.00				0.67		2591.52	3850.27	0.67	
27	27	0	27	2.92	2.92	0.68	1.82	0.62	0.00				0.68		2613.73	3850.27	0.68	
28	28	0	28	3.02	3.02	0.68	1.90	0.63	0.00				0.68		2634.80	3850.27	0.68	
29	29	0	29	3.13	3.13	0.69	1.98	0.63	0.00				0.69		2654.83	3850.27	0.69	
30	30	0	30	3.24	3.24	0.69	2.07	0.64	0.00				0.69		2673.90	3850.27	0.69	
45	45	0	45	4.86	4.86	0.75	3.35	0.69	0.00				0.75		2881.64	3850.27	0.75	

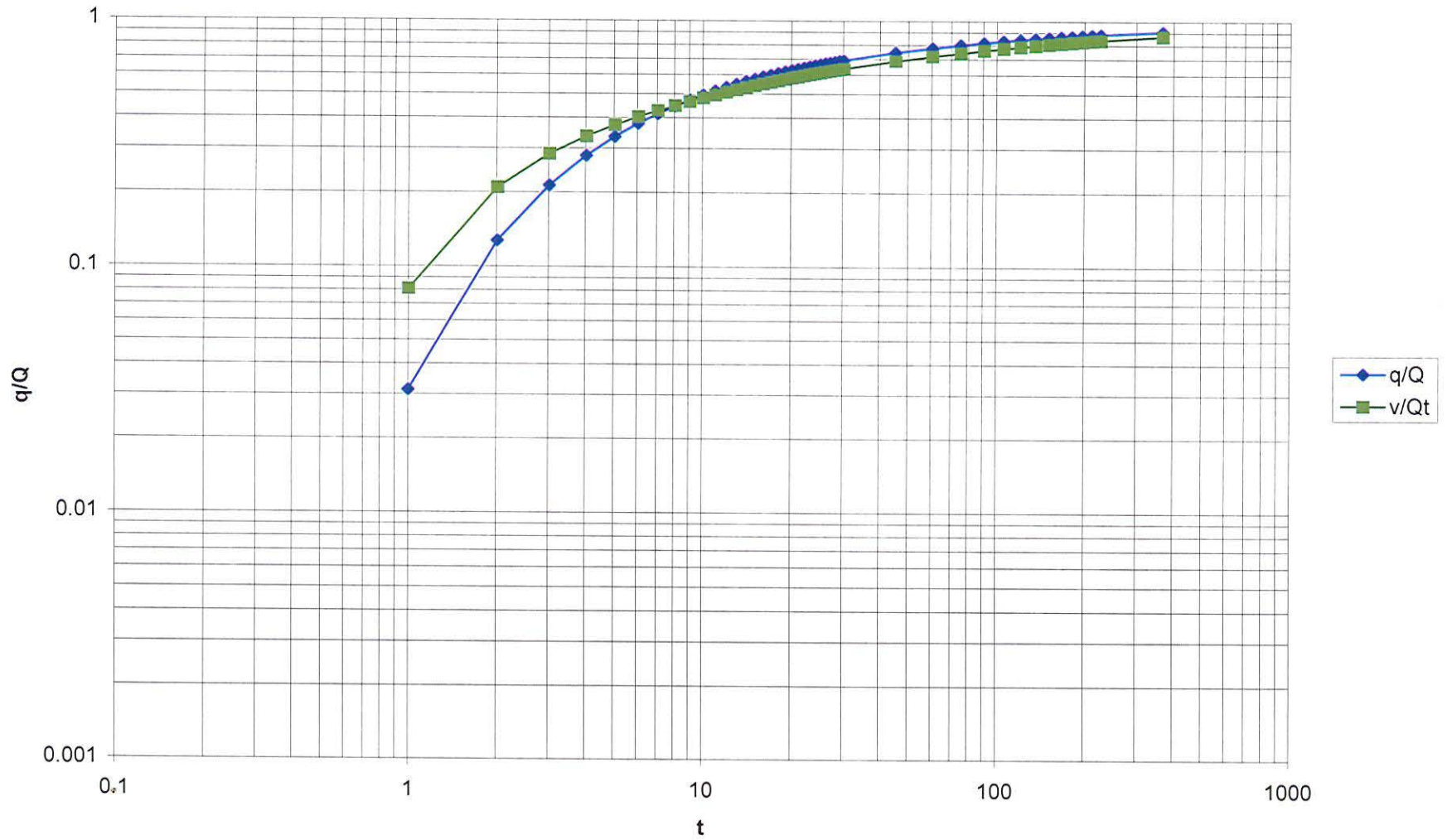
Hunsaker-2

60	60	0	60	6.48	6.48	0.78	4.67	0.72	0.00				0.78		3007.85	3850.27	0.78
75	75	0	75	8.10	8.10	0.80	6.04	0.74	0.00				0.80		3094.87	3850.27	0.80
90	90	0	90	9.72	9.72	0.82	7.42	0.76	0.00				0.82		3159.51	3850.27	0.82
105	105	0	105	11.34	11.34	0.83	8.82	0.78	0.00				0.83		3209.97	3850.27	0.83
120	120	0	120	12.96	12.96	0.84	10.24	0.79	0.00				0.84		3250.78	3850.27	0.84
135		15	135	14.58	14.58	0.85	11.67	0.80	1.62	0.879483	0.542775	0.85	10.79302	3284.66	3850.27	0.85	
150		30	150	16.20	16.20	0.86	13.11	0.81	3.24	2.067326	0.637927	0.86	11.04529	3313.38	3850.27	0.86	
165		45	165	17.82	17.82	0.87	14.56	0.82	4.86	3.345718	0.688272	0.87	11.21563	3338.13	3850.27	0.87	
180		60	180	19.44	19.44	0.87	16.02	0.82	6.48	4.674189	0.721171	0.87	11.34339	3359.74	3850.27	0.87	
195		75	195	21.06	21.06	0.88	17.48	0.83	8.10	6.035625	0.74498	0.88	11.44477	3378.83	3850.27	0.88	
210		90	210	22.68	22.68	0.88	18.95	0.84	9.72	7.420879	0.763302	0.88	11.52819	3395.85	3850.27	0.88	
225		105	225	24.31	24.31	0.89	20.42	0.84	11.34	8.824385	0.777998	0.89	11.5986	3411.15	3850.27	0.89	
365		245	365	39.43	39.43	0.91	34.36	0.87	26.47	22.3955	0.84621	0.91	11.9668	3505.05	3850.27	0.91	

Time Results of Pumping



Stream Depletion



curve data

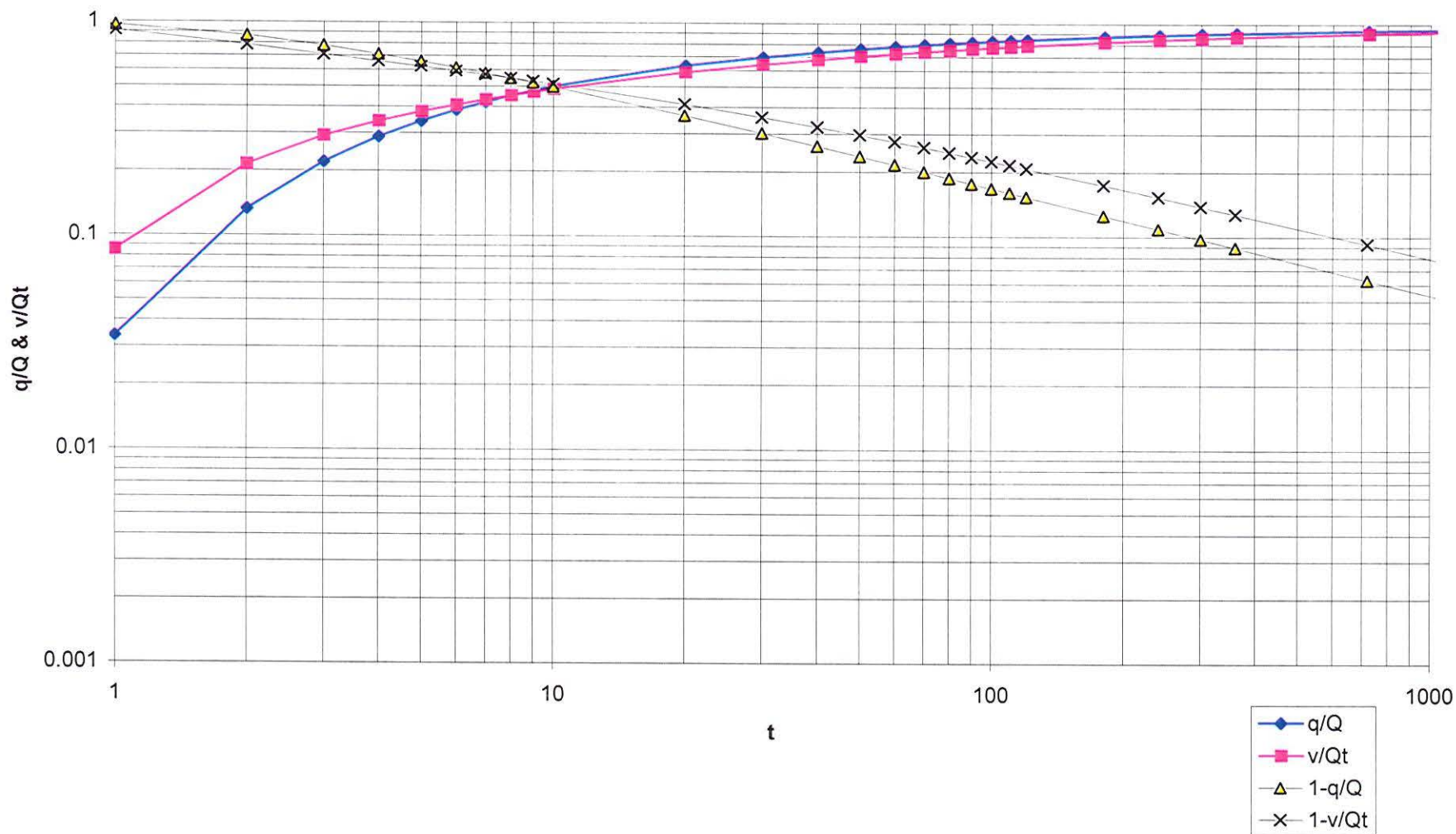
t	sdf	t/sdf	q/Q	v/Q _t	v/Q _{sdf}	1-q/Q	1-v/Q _t	
1		9	0.1111	0.0339	0.085773	0.00953	0.9661	0.914227
2			0.2222	0.1336	0.21503	0.047784	0.8664	0.78497
3			0.3333	0.2207	0.291249	0.097083	0.7793	0.708751
4			0.4444	0.2888	0.341743	0.151886	0.7112	0.658257
5			0.5556	0.3428	0.378981	0.210545	0.6572	0.621019
6			0.6667	0.3865	0.408395	0.272263	0.6135	0.591605
7			0.7778	0.4227	0.432685	0.336533	0.5773	0.567315
8			0.8889	0.4533	0.453363	0.402989	0.5467	0.546637
9			1.0000	0.4795	0.47135	0.47135	0.5205	0.52865
10			1.1111	0.5023	0.487254	0.541393	0.4977	0.512746
20			2.2222	0.6353	0.58738	1.305289	0.3647	0.41262
30			3.3333	0.6985	0.641568	2.138559	0.3015	0.358432
40			4.4444	0.7373	0.677535	3.011265	0.2627	0.322465
50			5.5556	0.7642	0.703848	3.910267	0.2358	0.296152
60			6.6667	0.7842	0.724262	4.828414	0.2158	0.275738
70			7.7778	0.7998	0.740739	5.761305	0.2002	0.259261
80			8.8889	0.8125	0.754425	6.706003	0.1875	0.245575
90			10.0000	0.8231	0.766043	7.660433	0.1769	0.233957
100			11.1111	0.8320	0.776076	8.623065	0.1680	0.223924
110			12.2222	0.8397	0.78486	9.592732	0.1603	0.21514
120			13.3333	0.8465	0.792639	10.56852	0.1535	0.207361
180			20.0000	0.8744	0.825934	16.51868	0.1256	0.174066
240			26.6667	0.8911	0.846728	22.57942	0.1089	0.153272
300			33.3333	0.9025	0.86134	28.71134	0.0975	0.13866
360			40.0000	0.9110	0.872351	34.89404	0.0890	0.127649
720			80.0000	0.9370	0.907366	72.58931	0.0630	0.092634
1080			120.0000	0.9485	0.923488	110.8185	0.0515	0.076512
1440			160.0000	0.9554	0.93328	149.3249	0.0446	0.06672
1800			200.0000	0.9601	0.940043	188.0086	0.0399	0.059957
2160			240.0000	0.9636	0.945076	226.8183	0.0364	0.054924
2520			280.0000	0.9663	0.949013	265.7237	0.0337	0.050987
2880			320.0000	0.9685	0.952202	304.7047	0.0315	0.047798
3240			360.0000	0.9703	0.954854	343.7476	0.0297	0.045146
3600			400.0000	0.9718	0.957106	382.8422	0.0282	0.042894
7200			800.0000	0.9801	0.969417	775.5336	0.0199	0.030583
10800			1200.0000	0.9837	0.974937	1169.925	0.0163	0.025063
14400			1600.0000	0.9859	0.978248	1565.196	0.0141	0.021752
18000			2000.0000	0.9874	0.980515	1961.03	0.0126	0.019485
21600			2400.0000	0.9885	0.982193	2357.263	0.0115	0.017807
25200			2800.0000	0.9893	0.9835	2753.8	0.0107	0.0165
28800			3200.0000	0.9900	0.984555	3150.576	0.0100	0.015445
32400			3600.0000	0.9906	0.98543	3547.547	0.0094	0.01457
36000			4000.0000	0.9911	0.986171	3944.683	0.0089	0.013829

4772.5	T	=	transmissivity [L ² /T]
0.2	S	=	specific yield
t		=	time (days)
t(p)		=	total pumping time (days)
t(i)		=	time after pumping stops (days)
Q		=	net steady pumping rate, less return flow to aquifer [L ³ /T]
q		=	rate of stream depletion [L ³ /T]
Q _t		=	net volume pumped during t [L ³]
Q _t (p)		=	net volume pumped [L ³]
v		=	volume of stream depletion at t, t(p), or t(p)+t(i) [L ³]
470	a	=	distance from well to stream [L]
9.3	sdf	=	stream depletion factor [T] = a ² S/T
23862.5	T/S		

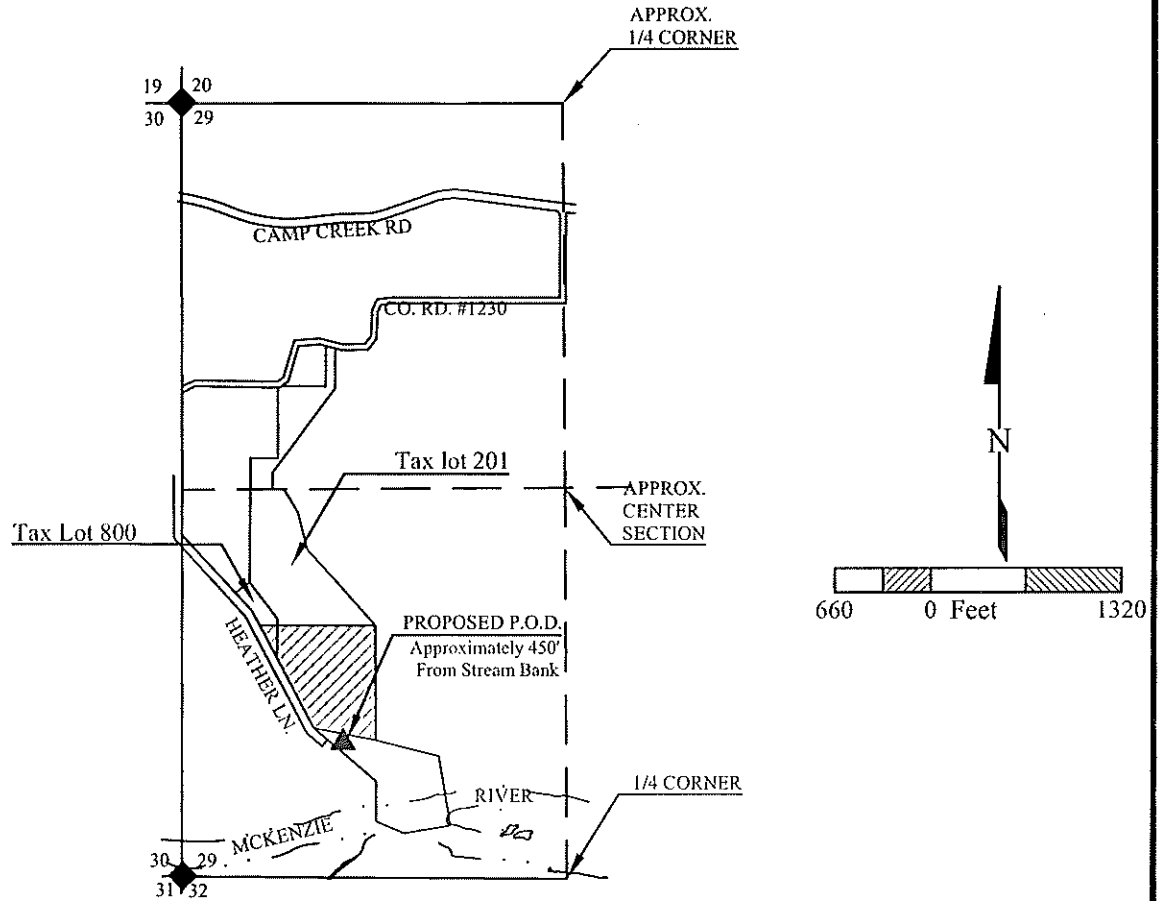
28.7 sdf for type curve

T	=	35698	gpd/ft
S	=	0.2	
t	=		
t(p)	=		
t(i)	=		
Q	=	3850.267	ft ³ /d
q	=		
Q _t	=		
Q _t (p)	=		
v	=		
a	=	470	ft
sdf	=	1.237604	=a ² S/T
T/S	=	178490	

Curves for rate and volume of stream depletion



PROPOSED WATER RIGHT
T17S., R1W., W.M.
SECTION 29
WATER RIGHT TRANSFER APPLICATION, PERMIT #23994
TAX LOTS 201 AND 800
MAPS 1701292 AND 1701293
LANE COUNTY, OREGON
August 10, 2009

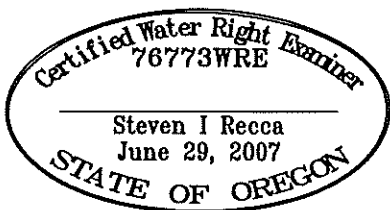


BASE MAPPING BY LANE COUNTY TAX MAPS 1701292 AND 1701293. THIS MAP HAS BEEN PREPARED FOR THE SOLE PURPOSE OF IDENTIFYING THE REQUESTED WATER RIGHT LOCATION. THERE IS NO INTENT TO PROVIDE DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

AREA OF USE			
SECTION	1/4	1/4	AREA (AC)
29	NW	SW	6.4
	SW	SW	3.6
TOTAL			10.00

LEGEND

- SECTION LINE
- - - 1/4 SECTION LINE
- ◆ SECTION CORNER
- ▲ APPROXIMATE LOCATION OF PROPOSED DIVERSION POINTS AND PUMP SYSTEM = 1,100' EAST, 925' NORTH OF SW CORNER OF SECTION 29, T17S, R1W



EXPIRATION DATE: 12/31/10

EGR & Associates, Inc.
 Engineers, Geologists, and Surveyors

2535B Prairie Road
 Eugene, Oregon 97402

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



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 23, 2009

Richard Hunsaker
88001 Heather Drive
Springfield, Oregon 97478

SUBJECT: Water Right Transfer Application T-10439

Dear Mr. Hunsaker,

On February 26, 2009, the Department received information from you regarding the proposed point of appropriation for Transfer Application T-10439. Donn Miller has reviewed Mr. Christensen's report and has determined that the report does not specifically address the location of the revised proposed point of appropriation. I am enclosing a copy of Donn's memo.

I would suggest that both you and Mr. Christensen communicate directly with Donn as to what will be needed for a hydro-geologist's report addressing the new revised point of appropriation. Donn's telephone number is 503-986-0845.

If the revised point of appropriation is to be formally amended into the transfer application, you will have to provide survey coordinates for the revised point of appropriation and an amended transfer application map showing the location. The map has to be prepared by a Certified Water Rights Examiner.

Sincerely,

Kelly Starnes
Transfer Specialist
Northwest Region

cc: Transfer Application T-10439
Michael J. Mattick, District 2 Watermaster
Donn Miller, OWRD Ground Water Section
Ralph Christensen, EGR Associates

enc





Oregon

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Transfer Specialist
Northwest Region

cc: **Transfer Application T-10439**
Michael J. Mattick, District 2 Watermaster
Donn Miller, OWRD Ground Water Section
Ralph Christensen, EGR Associates

enc



STATE OF OREGON
Water Resources Department
725 Summer St. N.E., Ste. A
Salem, OR 97301

MEMORANDUM

DATE: 3/17/2009

TO: File T-10439
FROM: Donn Miller
SUBJECT: Response to Letter of 2/22/2009

The application seeks a surface-water to ground-water transfer. I evaluated the original proposal in my review dated 8/31/07. The file lacked analysis from the applicant to conclude that the statutory test of adequate streamflow depletion for this kind of transfer would occur. That kind of outside analysis is required when the proposed well is more than 500 feet from the surface water source or more than 1000 feet upstream or downstream.

The applicant has now submitted analysis from a qualified geologist as directed by my review and its accompanying memo. In response, the applicant now proposes a new well location. The geologist determined that the well needs to be within 275 feet of the river to achieve the stream-depletion standard. That distance is framed as a conservative value, meaning that some greater distance might also be supported.

The applicant now proposes a well location that is about 430 feet from the river, citing difficulties getting any closer. This location is presented as a dot on a map without survey coordinates. **At face value, that new well location is not supported by the geologist's analysis.**

The new proposed well location is within 500 feet of the river but is still more than 1000 feet upstream of the authorized POD. The latter distance means that the applicant must still submit a geologist's analysis that supports the depletion test (at least 50% after 10 days pumping).

On my own, I might conclude that the 430-foot setback at the proposed well location satisfies the legal depletion test. The legal path in ORS 540.531(2)(b) and OAR 690-380-2130(2)(e) doesn't give me that authority, as a WRD geologist. Therefore, I maintain that it's back to the applicant to provide an outside geologist's analysis to support his proposed well location. Further, we need a proper map with any new well location.

Note: I assume that the supporting analysis that the applicant must submit from a licensed geologist cannot come from a WRD geologist.

February 22, 2009

Sarah Henderson
Water Resource Department
725 Summer Street, N.E. Suite A
Salem, OR 97301

Hunsaker Water Rights Transfer Application
File #T-10439

Dear Ms. Henderson,

I'm writing to you to ask that you reconsider your denial of my transfer application referenced above based on the enclosed new information.

I have hired E.G.R. & Associates to review the information provided in your denial. I have also hired S.S.W. Engineers, Inc. to survey the parcel of land the neighboring parcels so that the information you have is accurate as possible.

The parcel of land that was to be the recipient of the transfer is zoned exclusive farm use and is approximately 30 acres in size.

In order to be able to profitable farm this parcel of land to conform to the zoning, I will need to be able to provide a portion of the parcel with irrigation water.

The parcels is an irregular shape as can be seen on the attached exhibit (marked A). I have enclosed for your review an analysis of stream depletion using the Jenkins S 2 calculation method performed by E.G.R & Associates, after your denial of my original application for my transfer.

As their analysis shows, the new well as the source of the irrigation water should be within 275' of the rivers edge in order to insure that 50% of the flow will come from the river. As they explain in the attached letter the worked performed by E.G.R and Associates is conservative.

I have revised the location of the purposed well in accordance with this work and propose a location that is 430' (+ -) from the top of the bank of the McKenzie River.

To move the proposed well location closer to the top of the bank would place it in a flood channel that runs between our property and that of the neighbor as shown on exhibit B.

I have also enclosed an aerial map showing the location of our property as it lies between the Walterville Power Canal and the McKenzie River for your reference.

Please review the proposed new location for the well and the supporting documentation provided by E.G.R. & Associates and S.S.W. Engineers, Inc. in rendering your decision to approve our application for transfer.

If for any reason you determine that this proposed location is not acceptable please indicate on the exhibit (marked A) the area that you would approve as a new well location and return a copy of the exhibit to me at the address below.

If you have any questions or comments please feel free to contact me directly by telephone or email.

Please notify me of your decision via e-mail or U.S. Mail.

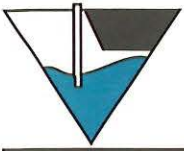
Sincerely,



RECEIVED

FEB 26 2009

WATER RESOURCES DEPT
SALEM, OREGON



August 5, 2008

Richard Hunsaker
36986 Camp Creek Road
Springfield, OR 97478

RE: Well placement "affect surface water similarly"

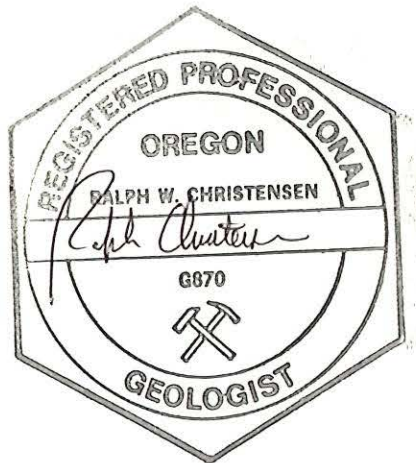
Dear Mr. Hunsaker:

We have completed an analysis of stream depletion as the Water Resources Department (WRD) indicated, using the Jenkins S2 calculation method. That analysis, using our original data, determined that the well needs to be placed within 275 feet of the river's edge in order to insure that 50% of the flow in the well will come from the river within 10 days. I have included a printout of two calculation sheets for the Water Resources Department to use to pull the input data so they can check the figures in their own program. The transmissivity we used is about 1/3 the value they used in seeing if any reasonable value would work. Therefore, our work is much more conservative and will certainly recover more than 50% of its flow by way of the river..

I would suggest you find a location on your tax lot within 275 feet of the river bank, and mark it on the map as accurately as possible (river bank and well location). Then send a copy of that map, this letter, and the attached spread sheets to the WRD requesting reconsideration of the transfer with the new location for the well.

Sincerely,

Ralph Christensen, G-870



RECEIVED

FEB 26 2009

WATER RESOURCES DEPT
SALEM, OREGON

Q2

GIVEN:	Values			THEN:																
	1666.4	T	=	transmissivity [L ² /T]				Pumped												
	0.2	S	=	specific yield				t(p)	10											
	100	t	=	time																
	10	t(p)	=	total pumping time				t/sdf	0.37	from curve A(1)										
	90	t(i)	=	time after pumping stops				q/Q	0.5											
	3850.3	Q	=	net steady pumping rate, less return flow to aquifer [L ³ /T]				v/Qsdf												
	1925.1	q	=	rate of stream depletion [L ³ /T]				v/Qt	0.11	from curve B(1)										
	385026.7	Qt	=	net volume pumped during t [L ³]				v	4235.294											
		Qt(p)	=	net volume pumped [L ³]																
		v	=	volume of stream depletion at t,t(p), or t(p)+t(i) [L ³]																
	275	a	=	distance from well to stream [L]																
	9.08	sdf	=	stream depletion factor [T] = a ² S/T				Background Functions												
	8332.2	T/S						q/Q	0.50	=ERFC(SQRT(sdf/4t))										
								v/Qt	0.49	=(sdf/(2*t)+1)*ERFC(SQRT(sdf/4*t))-(SQRT(sdf/(4*t))*(2/PI()))*EXP(-sdf/(4*t)))										
Annual pumping	1405348	gallons																		
	3850.3	ft ³ /day																		
	0.045	cfs																		
50% appropriation	1925.134																			
K	124.65	gpd/ft ²																		
b	100	ft (thickness)																		
T	12465	gpd/ft																		
Q(test)	20	gpm																		
K	16.7	ft/day																		
b	100	ft																		
T	1666.4	ft ² /day																		
Q(test)	0.045	cfs																		
	3850.3	cf/day																		

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Hunsaker-2

75	75	0	75	8.26	8.26	0.81	6.17	0.75	0.00				0.81		3102.14	3850.27	0.81
90	90	0	90	9.92	9.92	0.82	7.59	0.77	0.00				0.82		3166.18	3850.27	0.82
105	105	0	105	11.57	11.57	0.84	9.02	0.78	0.00				0.84		3216.17	3850.27	0.84
120	120	0	120	13.22	13.22	0.85	10.47	0.79	0.00				0.85		3256.59	3850.27	0.85
135		15	135	14.87	14.87	0.85	11.93	0.80	1.65	0.901727	0.545618	0.85	11.02865	3290.16	3850.27	0.85	
150		30	150	16.53	16.53	0.86	13.40	0.81	3.31	2.117008	0.640481	0.86	11.28397	3318.60	3850.27	0.86	
165		45	165	18.18	18.18	0.87	14.88	0.82	4.96	3.424048	0.690609	0.87	11.45626	3343.11	3850.27	0.87	
180		60	180	19.83	19.83	0.87	16.37	0.83	6.61	4.781773	0.72334	0.87	11.58543	3364.52	3850.27	0.87	
195		75	195	21.48	21.48	0.88	17.86	0.83	8.26	6.172844	0.747014	0.88	11.68791	3383.43	3850.27	0.88	
210		90	210	23.14	23.14	0.88	19.36	0.84	9.92	7.588	0.765226	0.88	11.77222	3400.28	3850.27	0.88	
225		105	225	24.79	24.79	0.89	20.86	0.84	11.57	9.021609	0.779829	0.89	11.84338	3415.44	3850.27	0.89	
365		245	365	40.22	40.22	0.91	35.09	0.87	26.99	22.87872	0.84756	0.91	12.21541	3508.43	3850.27	0.91	

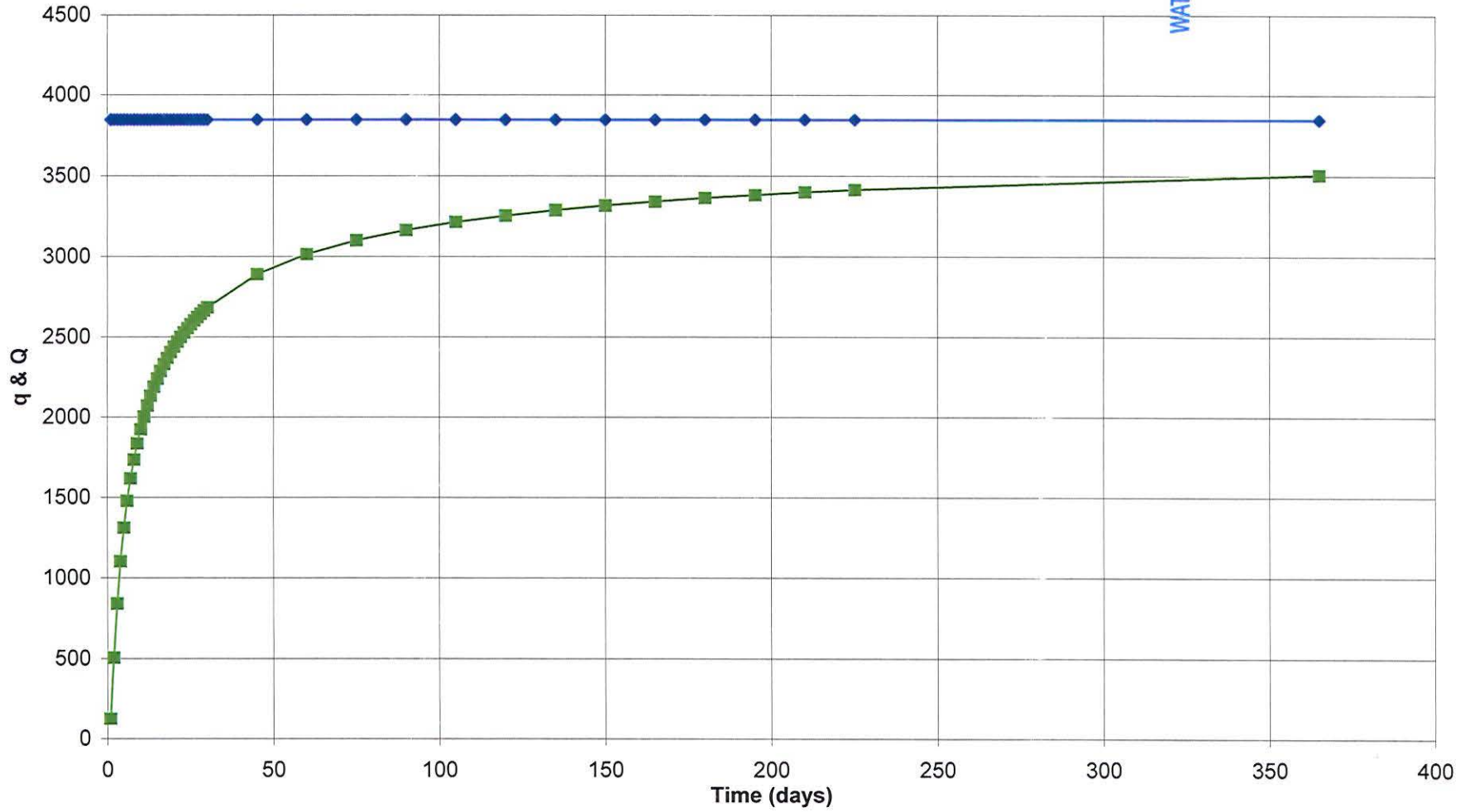
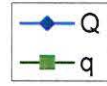
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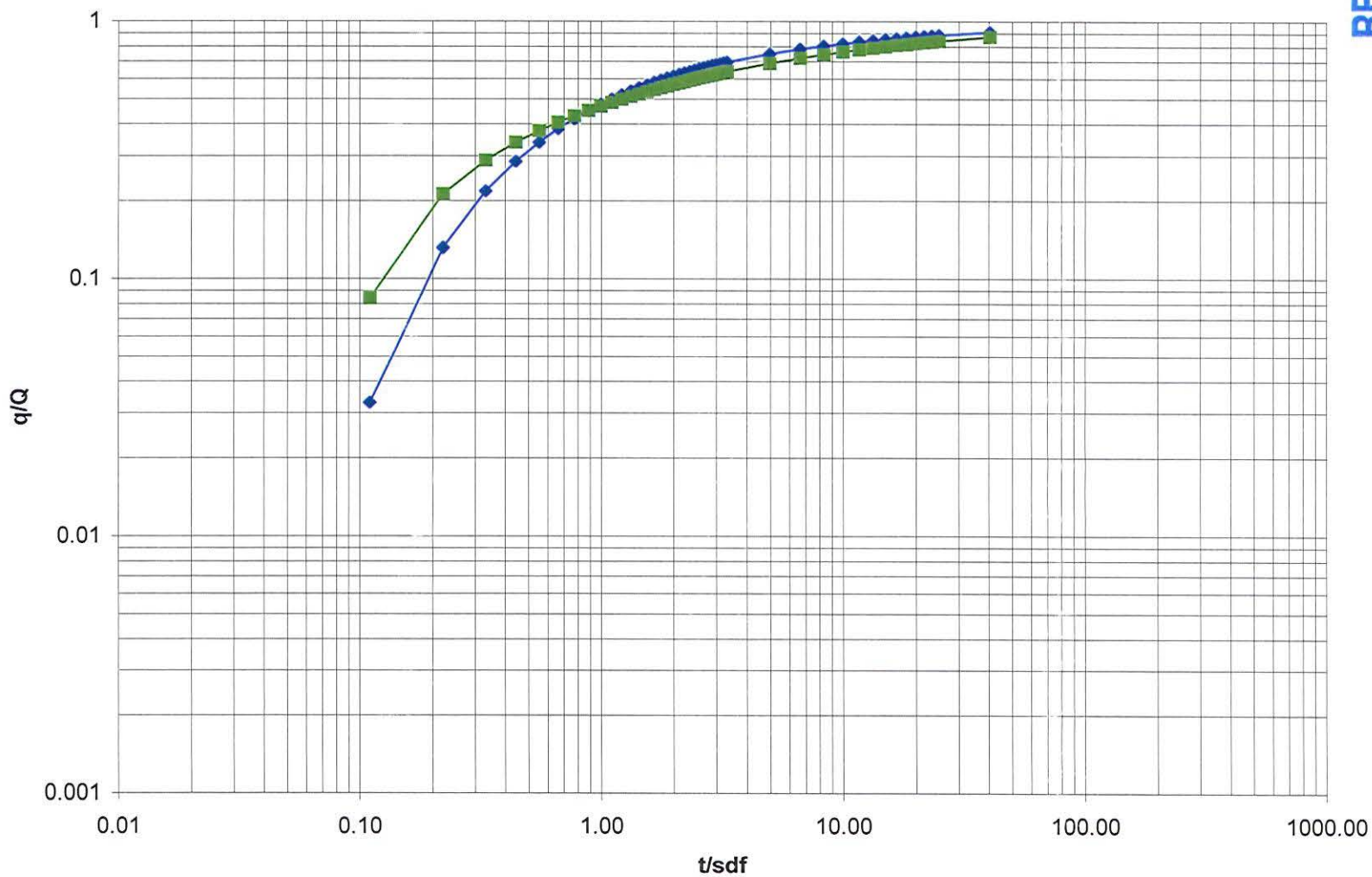
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Time Results of Pumping



Stream Depletion



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◆ q/Q
■ v/Qt

curve data

t	sdf	t/sdf	q/Q	v/Qt	v/Qsdf	1-q/Q	1-v/Qt
1	28.7	0.0348	0.0002	0.001024	3.57E-05	0.9998	0.998976
2		0.0697	0.0074	0.027073	0.001887	0.9926	0.972927
3		0.1045	0.0287	0.07613	0.007958	0.9713	0.92387
4		0.1394	0.0582	0.125242	0.017455	0.9418	0.874758
5		0.1742	0.0902	0.167657	0.029209	0.9098	0.832343
6		0.2091	0.1220	0.20317	0.042474	0.8780	0.79683
7		0.2439	0.1522	0.232975	0.056823	0.8478	0.767025
8		0.2787	0.1805	0.2583	0.072	0.8195	0.7417
9		0.3136	0.2067	0.280134	0.087847	0.7933	0.719866
10		0.3484	0.2310	0.299225	0.10426	0.7690	0.700775
20		0.6969	0.3970	0.415425	0.289495	0.6030	0.584575
30		1.0453	0.4892	0.478058	0.499712	0.5108	0.521942
40		1.3937	0.5492	0.520876	0.72596	0.4508	0.479124
50		1.7422	0.5921	0.553174	0.963718	0.4079	0.446826
60		2.0906	0.6248	0.578907	1.210258	0.3752	0.421093
70		2.4390	0.6507	0.60015	1.46378	0.3493	0.39985
80		2.7875	0.6719	0.618136	1.723027	0.3281	0.381864
90		3.1359	0.6897	0.633656	1.987074	0.3103	0.366344
100		3.4843	0.7048	0.647249	2.255223	0.2952	0.352751
110		3.8328	0.7180	0.659299	2.52693	0.2820	0.340701
120		4.1812	0.7295	0.670088	2.801761	0.2705	0.329912
180		6.2718	0.7777	0.717536	4.500227	0.2223	0.282464
240		8.3624	0.8068	0.748235	6.257016	0.1932	0.251765
300		10.4530	0.8269	0.770303	8.051947	0.1731	0.229697
360		12.5436	0.8418	0.787204	9.874335	0.1582	0.212796
720		25.0871	0.8877	0.842503	21.13596	0.1123	0.157497
1080		37.6307	0.9082	0.868753	32.69177	0.0918	0.131247
1440		50.1742	0.9205	0.884941	44.40122	0.0795	0.115059
1800		62.7178	0.9289	0.896225	56.20924	0.0711	0.103775
2160		75.2613	0.9350	0.90468	68.08744	0.0650	0.09532
2520		87.8049	0.9398	0.911326	80.0189	0.0602	0.088674
2880		100.3484	0.9437	0.916731	91.99256	0.0563	0.083269
3240		112.8920	0.9469	0.921241	104.0007	0.0531	0.078759
3600		125.4355	0.9497	0.925079	116.0378	0.0503	0.074921
7200		250.8711	0.9644	0.946237	237.3834	0.0356	0.053763
10800		376.3066	0.9709	0.955815	359.6793	0.0291	0.044185
14400		501.7422	0.9748	0.961585	482.4676	0.0252	0.038415
18000		627.1777	0.9775	0.965549	605.5706	0.0225	0.034451
21600		752.6132	0.9794	0.968488	728.8973	0.0206	0.031512
25200		878.0488	0.9810	0.970781	852.3934	0.0190	0.029219
28800		1003.4843	0.9822	0.972635	976.0238	0.0178	0.027365
32400		1128.9199	0.9832	0.974173	1099.764	0.0168	0.025827
36000		1254.3554	0.9841	0.975478	1223.596	0.0159	0.024522

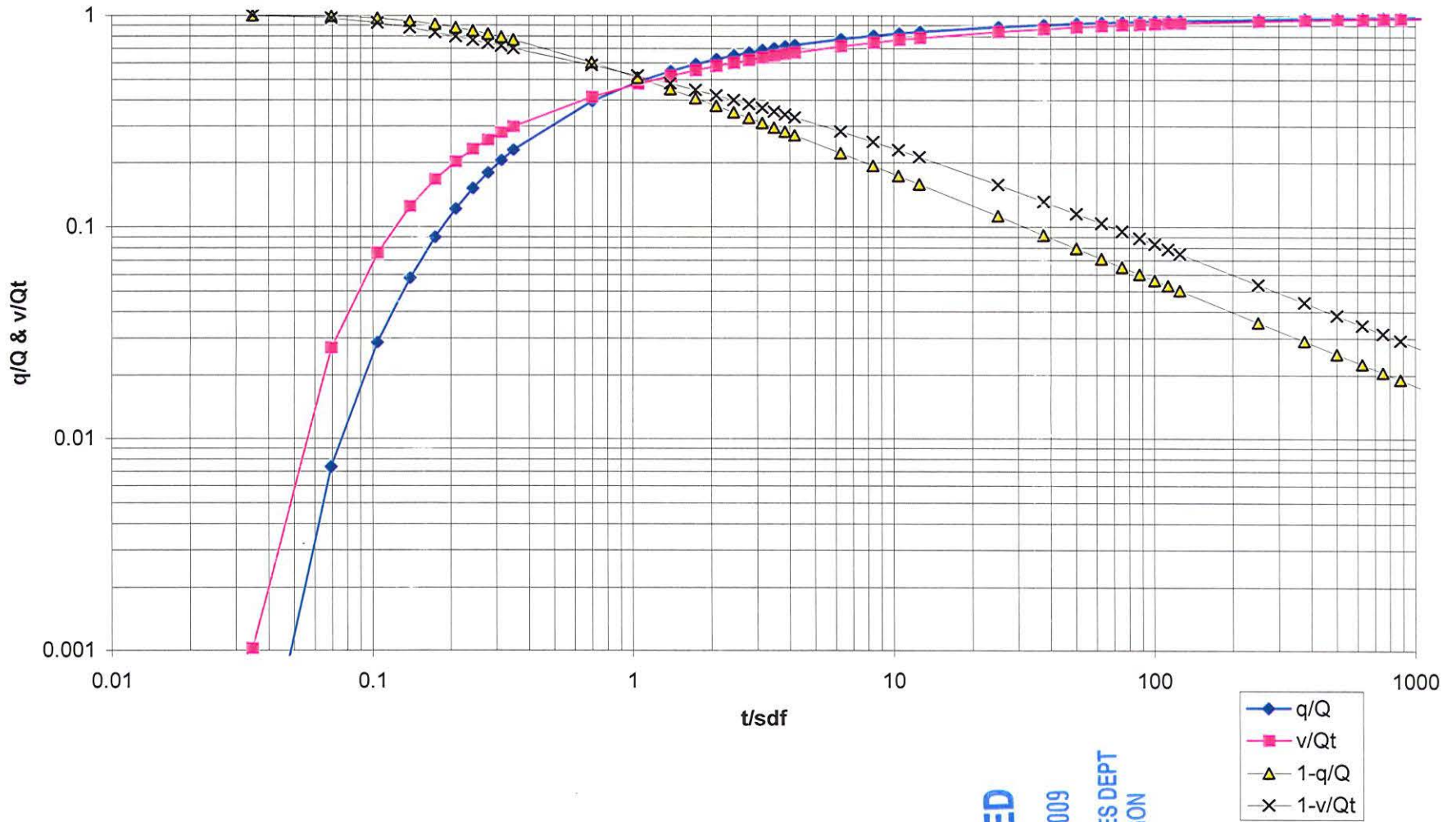
256 T	=	transmissivity [L ² /T]
0.15 S	=	specific yield
t	=	time
t(p)	=	total pumping time
t(i)	=	time after pumping stops
Q	=	net steady pumping rate, less return flow to aquifer [L ³ /T]
q	=	rate of stream depletion [L ³ /T]
Qt	=	net volume pumped during t [L ³]
Qt(p)	=	net volume pumped [L ³]
v	=	volume of stream depletion at t, t(p), or t(p)+t(i) [L ³]
1320 a	=	distance from well to stream [L]
1020.938 sdf	=	stream depletion factor [T] = a ² /S/T
1706.667 T/S		

T	=	256
S	=	0.15
t	=	5
t(p)	=	
t(i)	=	
Q	=	200000
q	=	
Qt	=	
Qt(p)	=	
v	=	
a	=	1800
sdf	=	1898.438 = a ² /S/T
T/S	=	1706.667

28.7 sdf for type curve

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Curves for rate and volume of stream depletion



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Oregon

Theodore R. Kulongoski, Governor

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

INTEROFFICE MEMO

FORWARD TO: Sarah Henderson (NW)
FIELD PROCESSOR WORKING ON THIS TRANSFER

DATE: 8-10-07

FROM: X WATERMASTER, DISTRICT # _____
GROUNDWATER SECTION

(SIGNATURE) Don Miller date signed 8/31/07
signed by injury reviewer

SUBJECT: WATER RIGHT TRANSFER # 10439

A change in: POU SW to GW POD POA USE of water.

In the name(s) of Richard Hunsaker

In my opinion (assuming the right is valid), the proposed change

MAY BE MADE WITHOUT INJURY WOULD RESULT IN INJURY* to an existing water right.

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*The approval of this transfer application would result in injury to other water rights because

it fails to met OAR 690-380-2130 (2)(c) that requires the change to affect the surface water source similarly to the authorized POD. See memo attached.

The existing right may not be valid because _____

Headgate notices HAVE HAVE NOT Been issued for diversion from the source(s) which serve(s) this right.

If for change in point of diversion, is there any intervening point(s) for diversion between the authorized and proposed points of diversion? (Yes or No) _____

In my opinion, the order approving the subject transfer application should include the following in regard to the appropriator installing suitable measuring devices in the diversion works:

_____ (1) PRIOR to the diverting of water at the new point of diversion . . .

_____ (2) WHEN IN the judgement of the watermaster it becomes necessary . . .

The enclosed copy of the transfer application and map(s) is for your records.

STATE OF OREGON
Water Resources Department
725 Summer St. N.E., Ste. A
Salem, OR 97301

MEMORANDUM

DATE: 8/31/2007

TO: File T-10439, Richard Hunsaker
FROM: Donn Miller, Hydrogeologist *DM*
SUBJECT: SW to GW Transfer Comments

I have reviewed the file, nearby ground water information, and performed interference calculations.

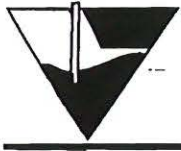
The proposed well location is about 750 feet from the McKenzie River and about 4 miles upstream from the authorized point of diversion. These distances require the applicant to submit a geologist's report per ORS 690-380-2130. One of the important features of the report is to show that the well will affect the surface water source similarly to the authorized point. Similarly is defined in statute and rule.

The report does not address the "affect surface water similarly" test. The report concludes that the well will affect surface water after 10 days of pumping but failure to show that the test of 50 % or more stream depletion after 10 days is met. I assume that the geologist was not aware of the quantitative requirements.

I calculated stream depletion using file information. Using the most powerful, yet reasonable, data combination to produce stream depletion, I calculated only 35% depletion after 10 days of continuous pumping. Some of the data that I used is more depletion-inducing than even the geologist's report proposed. The data and graph are attached. The Jenkins s2 calculations seem appropriate.

The applicant may wish to share this information with the client and pursue a different strategy. If possible, proposing a new well location that is closer to the river seems to make the most sense.

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*Geologist's
Report*

July 30, 2007

Water Rights Examiner
Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301

RE: Hunsaker Water Right Transfer Application

Dear Water Rights Examiner:

The proposed well site associated with the Hunsaker Transfer Application is estimated to be approximately 500 feet from the McKenzie River, near Walterville, Oregon (Section 29 of T17S, R1W). The location is within the central portion of the McKenzie River valley which is filled with sands and gravels deposited from floods and torrents since at least the end of the last ice age. These sands and gravels constitute an aquifer within the McKenzie River valley of relatively high permeability. This high permeability, coupled with the well's proximity to the river, leads to the obvious conclusion that this well will be hydraulically connected to the river.

If this were a groundwater right application, this well would be PRESUMED by the OWRD to be connected to the McKenzie River, since the proposed well site is located less than 1/4 mile (1,320 feet) from the river, and it is located in an alluvial, unconfined aquifer. To verify the nature of the aquifer, well logs located in the general vicinity of the subject property were examined.

Twenty one well logs from Sections 29 and 30 of Township 17 South, Range 1 West were examined. The logs were selected based on the reported geology and estimated yields of wells located in the general vicinity of the subject property. The well logs selected consisted of those reporting yields of 50 gpm or more and describing sand and gravels as the water producing materials. Well logs reporting of estimated yields less than 50 gpm and depicting bedrock as the water producing material were not considered as these well logs are not representative of the geology where the proposed extraction well is located. Gravel thicknesses reported from three of the twenty one well logs were 45.5, 48, and 50 feet above bedrock. The other 18 wells, ranging from 16 to 108 feet deep, and were completed in sand and gravel and did not intercept bedrock.

Transmissivity can be estimated from specific capacity estimates (taken from the well logs) using the formula $SC = T / (264 * \text{Log}((0.3 * T * t) / (r^2 * S)))$. Where SC=Specific Capacity, T=Transmissivity, t=time in minutes, r=radius to observation well, and S=Storage coefficient.

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Geologist's
Report

When transmissivity is estimated from the 21 wells referenced above, a median specific capacity of 2.7 gpm/ft drawdown is obtained. This translates to a transmissivity of 12,465 gpd/ft. This in turn can be applied to a simple formula $[S=(0.3*T*t)/r_o^2]$ where S =Storage coefficient, T =Transmissivity, t =time in days, and r_o^2 =the square of the distance from the pumping well] to calculate the time it takes for a cone of depression to reach out 500 feet (the approximate distance of the river to the proposed well). If we assume a reasonable storage coefficient of 0.15 for the sand and gravel aquifer, and apply a value of 500 feet as the distance factor, it will take approximately 10 days of pumping the well before a cone of depression reaches the river. Thus, it is clear that the drawdown cone from the well will interact with the river in approximately 10 days or so, well short of the 90 to 120 days that irrigation can be expected to be applied. At 10 days we can reasonable assume that at least some reduction of groundwater flow into the river will begin to occur.

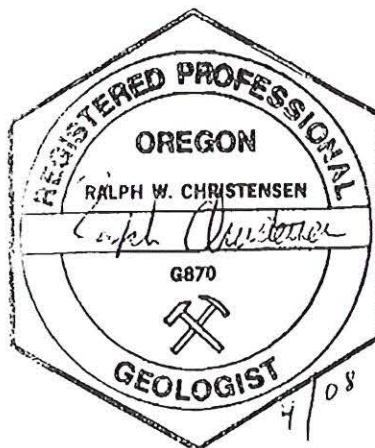
Therefore, we can conclude given the geologic materials, the hydrogeologic and aquifer characteristics, and the geographic proximity of the proposed well to the McKenzie River, the proposed well will be "drawing" water from the McKenzie River or diminishing flows to the McKenzie River. Thus, it is appropriate to transfer this surface water right from the McKenzie River directly to this "groundwater" source. As a benefit to the river, the direct impact on the river will be somewhat ameliorated relative to direct river withdrawal and screening and other physical intrusions into the river, associated with a point of diversion in the river, can be avoided. The groundwater component of the water right will lessen the immediate impact of the well withdrawal, even though over the course of the irrigation season the final impact to river in overall water flow may be nearly the same.

Feel free to contact us if there are any further questions, or a need for clarification.

Sincerely,



Ralph Christensen,
Senior Geologist,
EGR & Associates, Inc.



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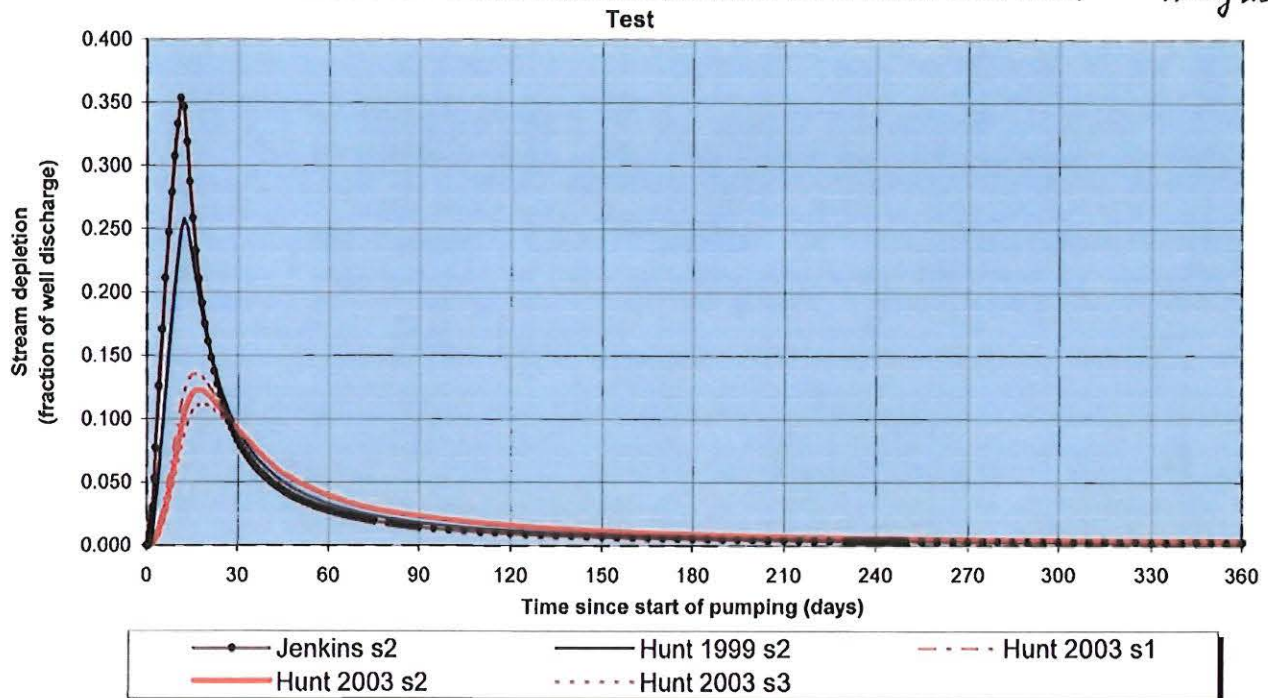
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T 10439

Down's
Depletion
Analysis

Transient Stream Depletion (Jenkins, 1970; Hunt, 1999, 2003)



Output for Stream Depletion, Scenario 2 (s2):					Time pump on (pumping duration) = 10 days							
Days	30	60	90	120	150	180	210	240	270	300	330	360
J SD	8.3%	2.8%	1.5%	1.0%	0.7%	0.5%	0.4%	0.3%	0.3%	0.2%	0.2%	0.2%
H SD 1999	9.0%	3.3%	1.8%	1.2%	0.8%	0.6%	0.5%	0.4%	0.3%	0.3%	0.3%	0.2%
H SD 2003	9.12%	3.97%	2.37%	1.62%	1.19%	0.92%	0.74%	0.61%	0.51%	0.44%	0.38%	0.34%
Qw, cfs	0.045	0.045	0.045	0.045	0.045	0.045	0.045	0.045	0.045	0.045	0.045	0.045
H SD 99, cfs	0.004	0.001	0.001	0.001	0.000	0.000	0.000	0.000	0.000	0.000	0.000	0.000
H SD 03, cfs	0.004	0.002	0.001	0.001	0.001	0.000	0.000	0.000	0.000	0.000	0.000	0.000

Parameters:		Scenario 1	Scenario 2	Scenario 3	Units
Net steady pumping rate of well	Qw	20.00	20.00	20.00	gpm
Time pump on (pumping duration)	tpon	10	10	10	days
Perpendicular from well to stream	a	700	750	800	ft
Well depth	d	100	100	100	ft
Aquifer hydraulic conductivity	K	45	45	45	ft/day
Aquifer saturated thickness	b	100	100	100	ft
Aquifer transmissivity	T	4500	4500	4500	ft ² /day
Aquifer storativity or specific yield	S	0.15	0.15	0.15	
Aquitard vertical hydraulic conductivity	Kva	1	1	1	ft/day
Aquitard saturated thickness	ba	3	3	3	ft
Aquitard thickness below stream	babs	3	3	3	ft
Aquitard porosity	n	0.2	0.2	0.2	
Stream width	ws	125	125	125	ft
Streambed conductance (lambda)	sbc	41.666667	41.666667	41.666667	ft/day
Stream depletion factor	sdf	16.333333	18.750000	21.333333	days
Streambed factor	sbf	6.481481	6.944444	7.407407	
input #1 for Hunt's Q_4 function	t'	0.061224	0.053333	0.046875	
input #2 for Hunt's Q_4 function	K'	36.296296	41.666667	47.407407	
input #3 for Hunt's Q_4 function	epsilon'	0.750000	0.750000	0.750000	
input #4 for Hunt's Q_4 function	lamda'	6.481481	6.944444	7.407407	

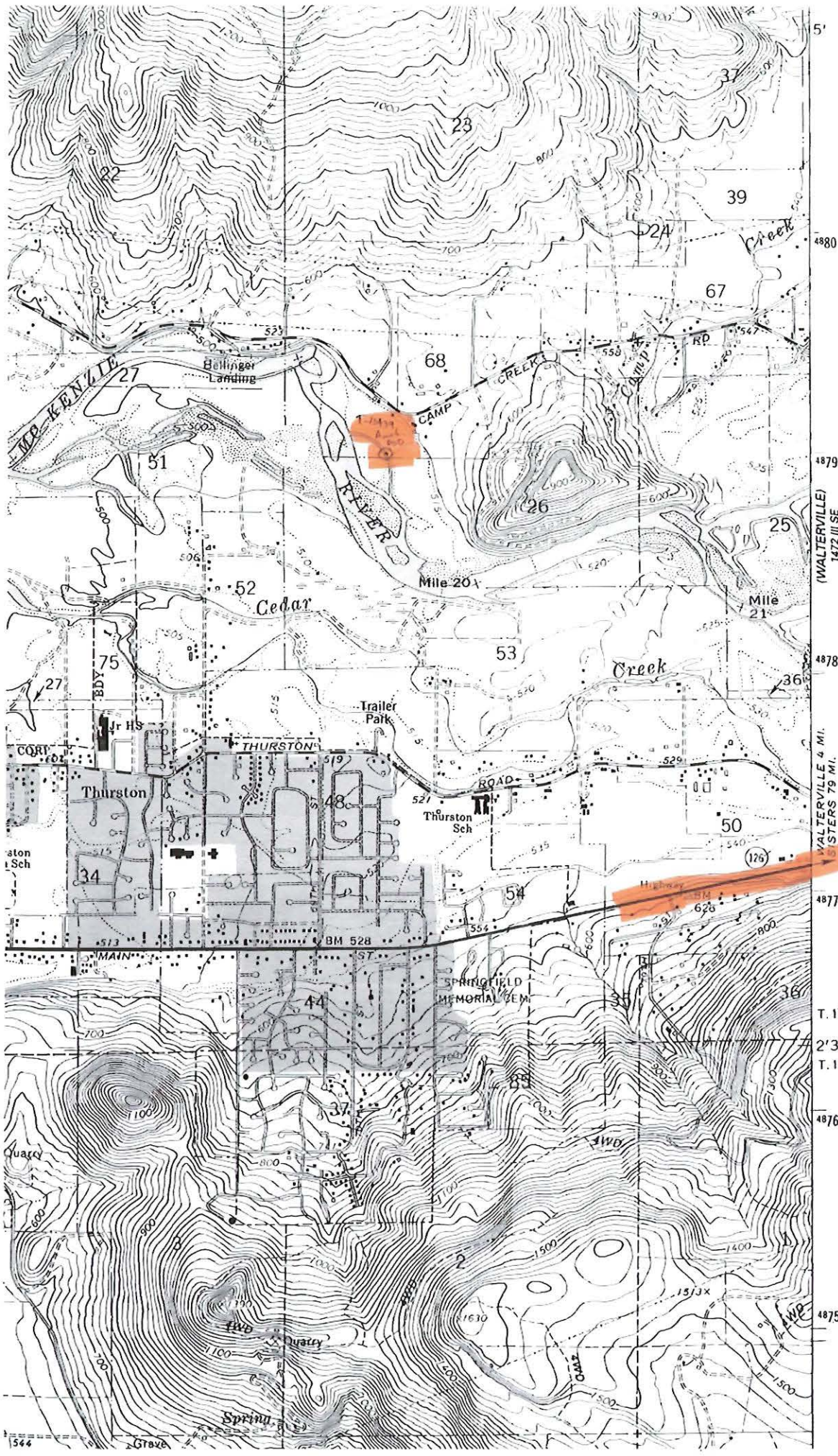
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sd_hunt_2003_2_00.xls

> same as 33860 gpd/ft
which is much higher than
12,465 gpd/ft that report used



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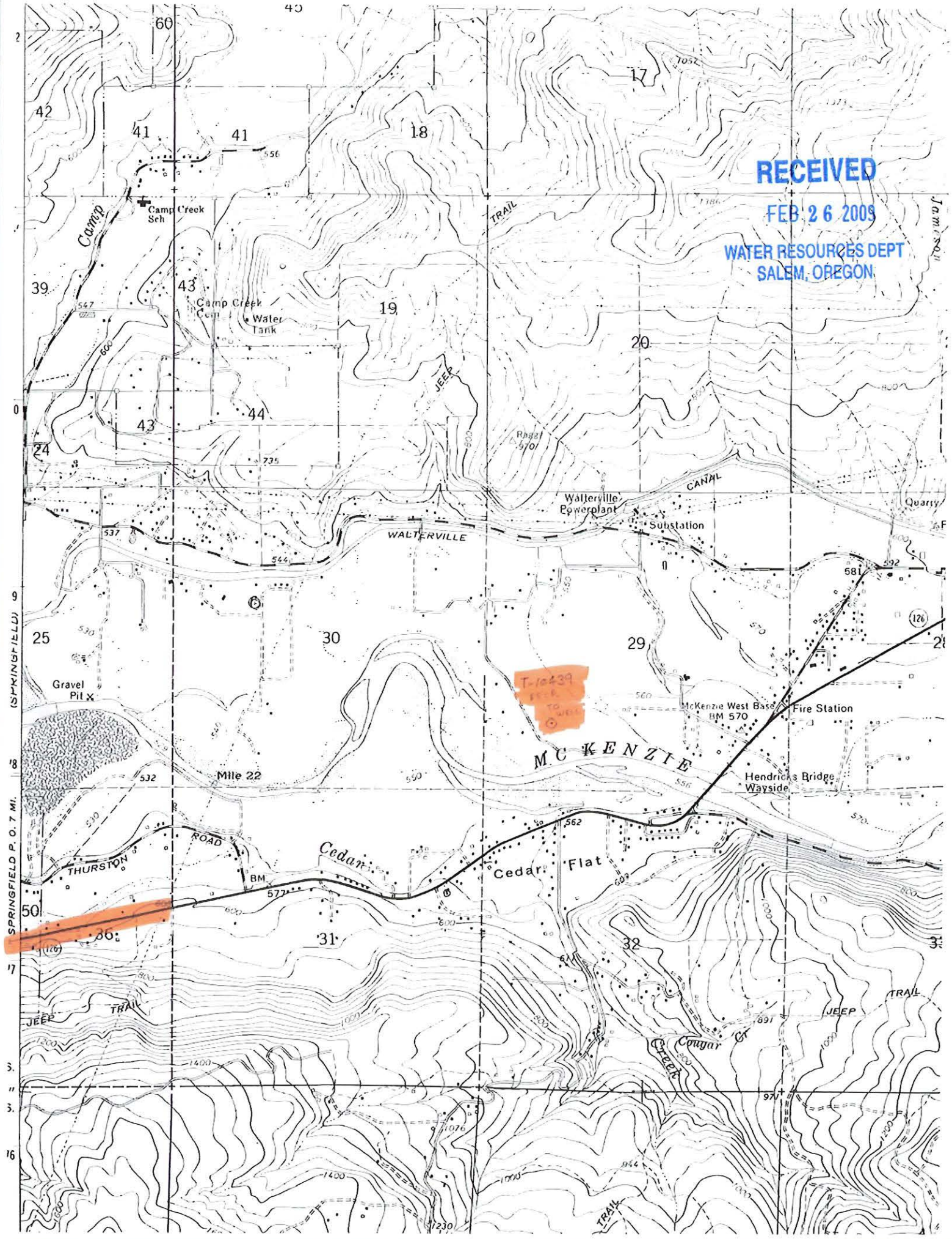
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690-380-2130

Change from a Surface Water Point of Diversion to a Ground Water Appropriation

(1) As provided in ORS 540.531, an owner of a surface water use subject to transfer may apply for a transfer of the point of diversion to allow the appropriation of ground water, subject to the requirements for a transfer in point of diversion under this Division and the requirements under section (2) or (3) of this rule.


(2) The Department may allow the transfer of the point of diversion under section (1) of this rule if:

(a) The criteria in OAR 690-380-5000 are met;

(b) The new point of diversion appropriates ground water from an aquifer that is hydraulically connected to the authorized surface source; and

(c) The proposed change in point of diversion will affect the surface water source similarly to the authorized point of diversion specified in the water use subject to transfer; and

(d) The withdrawal of groundwater at the new point of diversion is located within 500 feet of the surface water source and, when the surface water source is a stream, is also located within 1000 feet upstream or downstream of the original point of diversion as specified in the water use subject to transfer; or

 (e) If the distance requirements in subsection (2)(d) of this rule are not met, the holder of a water use subject to transfer shall submit to the Department evidence prepared by a licensed geologist that demonstrates that the use of the groundwater at the new point of diversion will meet the criteria set forth in subsections (2)(a) to (c) of this rule.

(3) Notwithstanding section (2) of this rule, the Department shall allow a transfer of the point of diversion under section (1) of this rule in the Deschutes basin ground water study area if:

(a) The proposed transfer would not result in injury to an existing water right or enlargement of the water right proposed for transfer;

(b) The criteria in OAR 690-380-5000 are met;

(c) The new point of diversion appropriates ground water from an aquifer that is hydraulically connected to the authorized surface water source; and

(d) The use of the new point of diversion will affect the surface water source hydraulically connected to the authorized point of diversion specified in the water use subject to transfer. The Department may not require that the use of the new point of

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diversion affect the surface water source similarly to the authorized point of diversion specified in the water use subject to transfer under this subsection.

(4) A transfer application requesting to change the point of diversion from a surface water diversion to a groundwater appropriation for which evidence prepared by a licensed geologist is required under subsection (2)(e) of this rule shall be evaluated by the Department in the following manner:

(a) The change in point of diversion request shall be examined to determine the potential for injury as if the change is to be from the authorized point of diversion to a point on the stream nearest the proposed well;

(b) If potential injury is not found, the evidence prepared by a licensed geologist and submitted by the applicant shall be evaluated to determine whether the application meets the other requirements of subsection (2)(a) to (c) of this rule. The geologist's report shall examine the effect on the surface water source in the vicinity of the point on the stream nearest the proposed new point of diversion.

(5) The new point of diversion shall retain the original date of priority and all other applicable conditions and restrictions that existed at the original point of diversion shall apply at the new point of diversion authorized under the transfer.

(6) If within five years after approving a transfer under this rule, the Department finds that the transfer results in substantial or undue interference with an existing ground water right that would not have occurred in the absence of the transfer, the new point of diversion shall be subordinate to the existing right injured by the transfer. This section applies only to wells with rights existing at the time the transfer was approved.

(7) The original point of diversion of surface water shall not be retained as an additional or supplemental point of diversion.

(8) The Department shall approve a transfer application to return to the last authorized surface water point of diversion if the required transfer application is received within five years after the Department approves a transfer under this rule. It shall be presumed, for transfers under this subsection, that there is no injury, including injury to rights obtained or transferred after the approval of the first transfer.

(9) The Department shall approve an application to return to the last authorized surface water point of diversion after five years of the date the Department allows the transfer under section (3) of this rule if the Department receives the required application, and the return will not result in injury.

(10) For transfers allowed under this rule, the Department shall require mitigation measures to prevent depletion from any surface water source not specified in the permit or certificated or decreed water right pursuant to ORS 540.531(6), except that the

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SALEM, OREGON

Department may not require mitigation measures if the transfer complies with section (3) of this rule.

(11) As used in this rule:

(a) "Existing ground water right" means a right that existed at the time a transfer was approved under sections (1) to (5) of this rule and does not include a right established after the transfer whether by permit or a change in point of appropriation regardless of priority date.

 (b) "Similarly" means that the use of groundwater at the new point of diversion affects the surface water source specified in the permit or certificated or decreed water right and would result in stream depletion of at least 50 percent of the rate of appropriation within 10 days of continuous pumping.

(c) "Deschutes basin ground water study area" means the Deschutes River Basin drainage area indicated in OAR 690, division 505, Exhibit 1.

(12) The Department shall provide notice and review of transfer applications under section (3) of this rule pursuant to OAR 690-380-4000 through 690-380-4200.

(13) Opportunities to protest a transfer under section (3) of this rule shall be pursuant to OAR 690-380-4030.

(14) The Department shall issue final orders on transfer applications under section (3) of this rule pursuant to OAR 690-380-5000.

Stat. Auth.: ORS 536.025 & 536.027

Stats. Implemented: ORS 540.520, 540.530 & 540.531

Hist.: WRD 5-1996, f. & cert. ef. 7-11-96; WRD 2-2003, f. & cert. ef. 5-1-03,

Renumbered from 690-015-0210; WRD 1-2004, f. & cert. ef. 3-17-04; WRD 5-2006, f. & cert. ef. 10-6-06

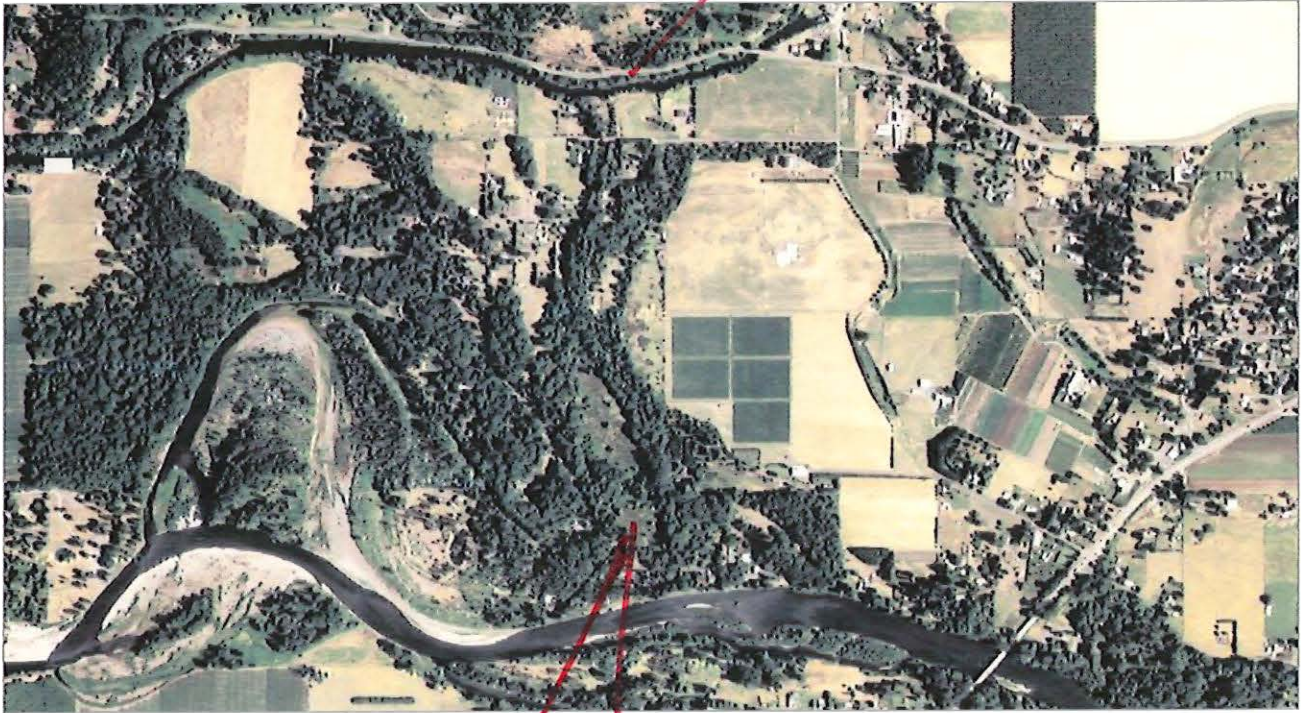
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Waltewille Power Canal

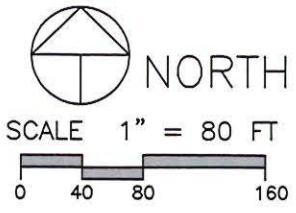
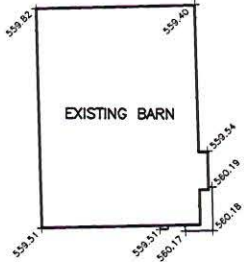


location of barn
proposed well location

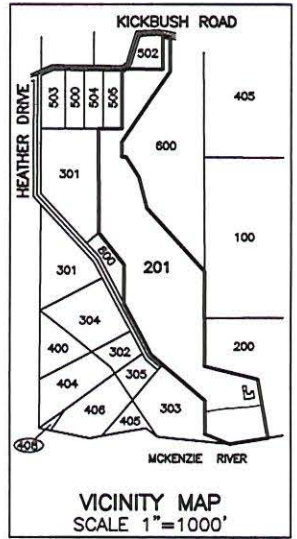
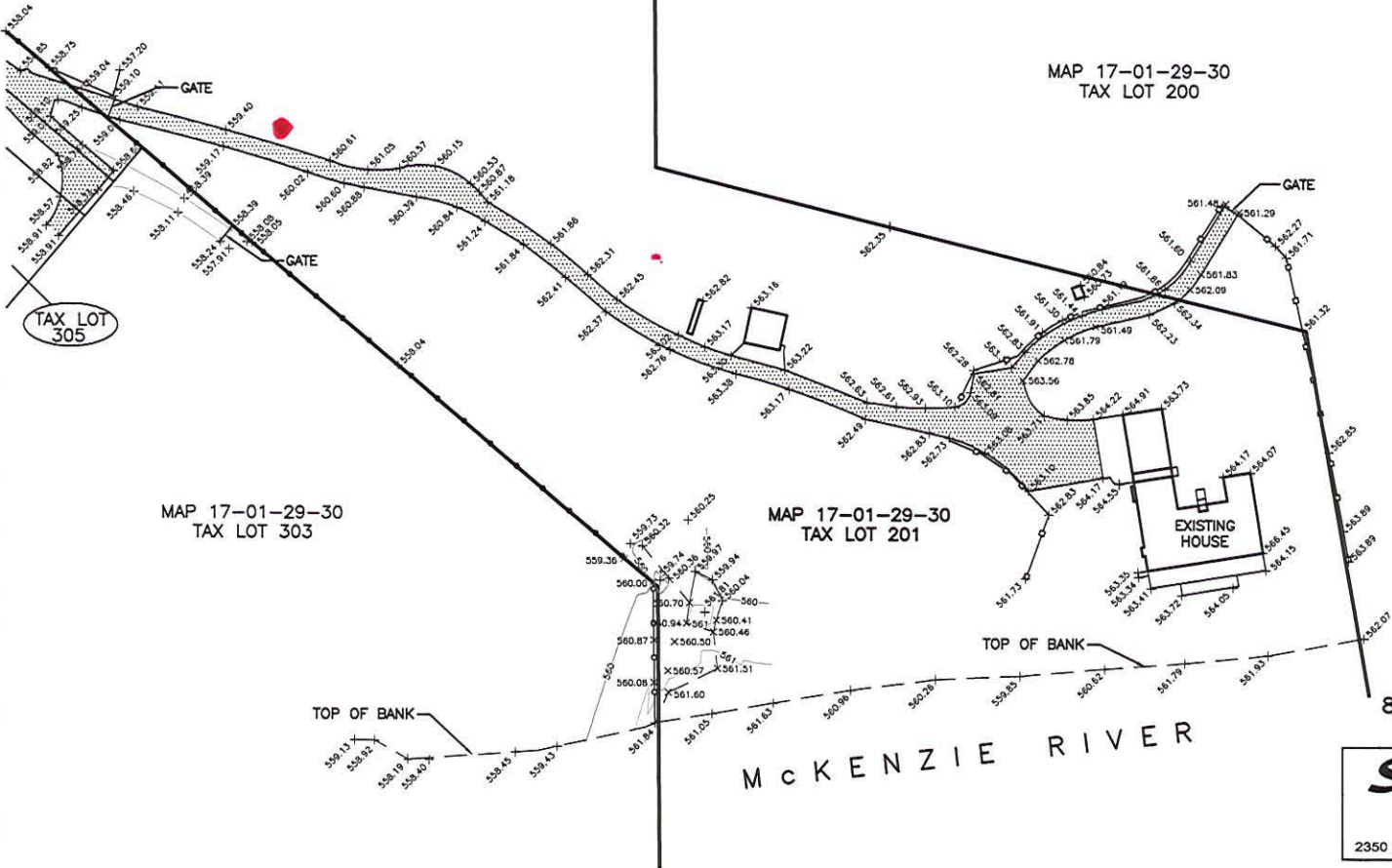
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WATER RESOURCES DEPT
SALEM, OREGON



MAP 17-01-29-30
TAX LOT 200



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WATER RESOURCES DEPT
SALEM, OREGON

REGISTERED
PROFESSIONAL
LAND SURVEYOR

PRELIMINARY

OREGON
JULY 17, 2000
MICHAEL R. DAHRENS
60052
RENEWAL: 12-31-2009

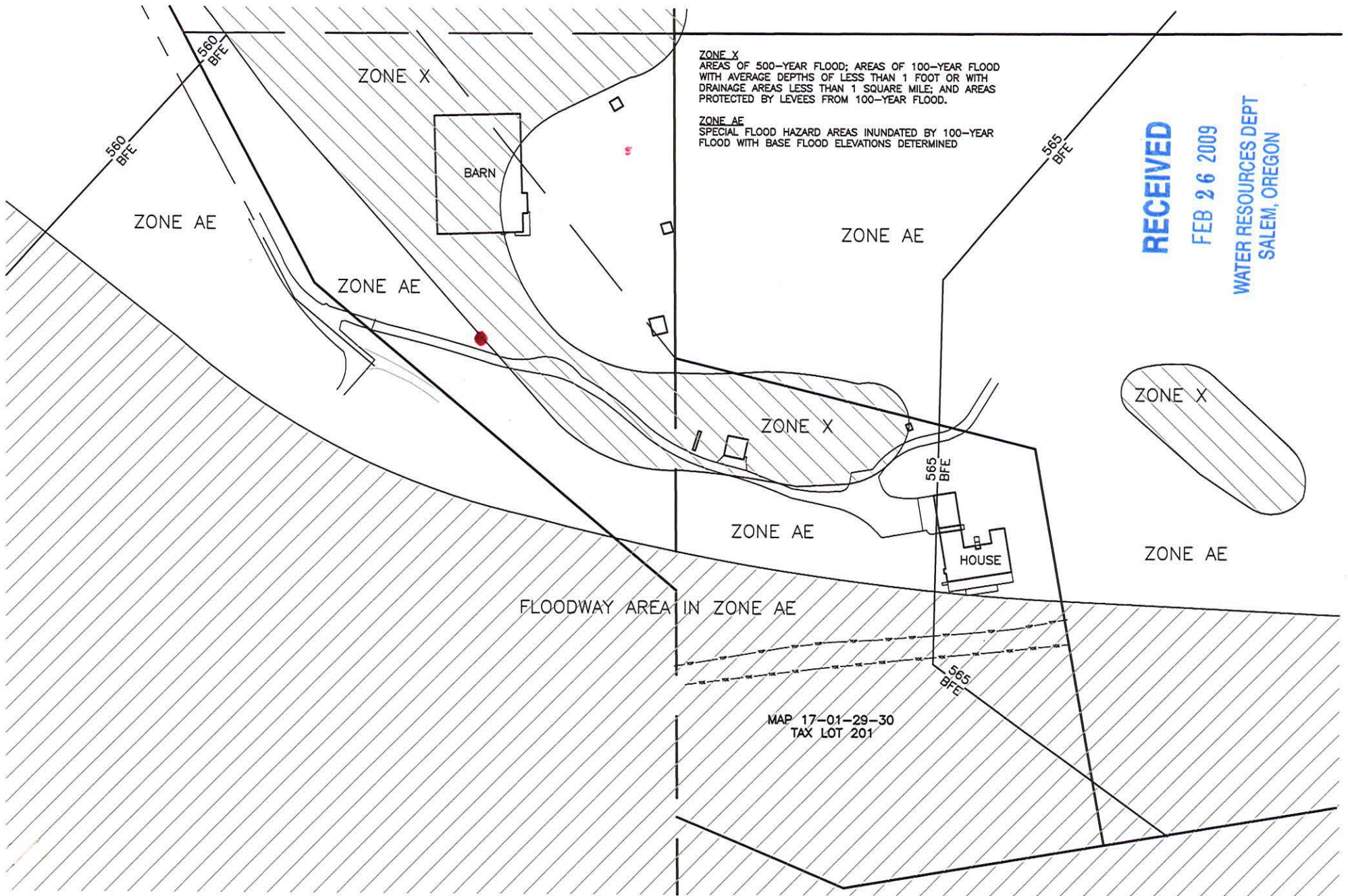
PARTIAL SITE PLAN FOR:
RICHARD HUNSAKER
88001 HEATHER DRIVE, SPRINGFIELD, OR
TAX LOT 201, MAP 17-01-29-30

SS & W Inc.-Engineers
SURVEYORS & PLANNERS
2350 Oakmont Way, Suite 105 • Eugene, Oregon 97401 • (541) 485-8383

JOB NO. 06-6727

9/25/08

proposed well location



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SALEM, OREGON

ZONE X
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.

ZONE AE
SPECIAL FLOOD HAZARD AREAS INUNDAED BY 100-YEAR FLOOD WITH BASE FLOOD ELEVATIONS DETERMINED

MAP 17-01-29-30
TAX LOT 201

Nichole M. Hendricks
Transfer Specialist
Water Resources Department
North Miller Office Building
725 Summer St. NE. Suite A
Salem, Oregon. 97301-1266

9-18-2009

Water Rights Transfer Application T-10439

Ms. Hendricks,

Please find enclosed and attached per your request dated 8-27-2009, a report of landownership prepared by First American Title pertinent to the transfer application listed above.

This report is issued for both tax lots (708 & 709) that we own ,which are contiguous.

If you require any further information to facilitate this transfer request please let me know.

Respectfully submitted

Richard Hunsaker

PO Box 444

Walterville, Or. 97489

Phone ; (541) 746-8446

E-Mail ; dickhunsaker@yahoo.com

CC: EGR & Associates, Inc. via US Mail

N. Hendricks via US Mail

** Received via email 9-18-2009*

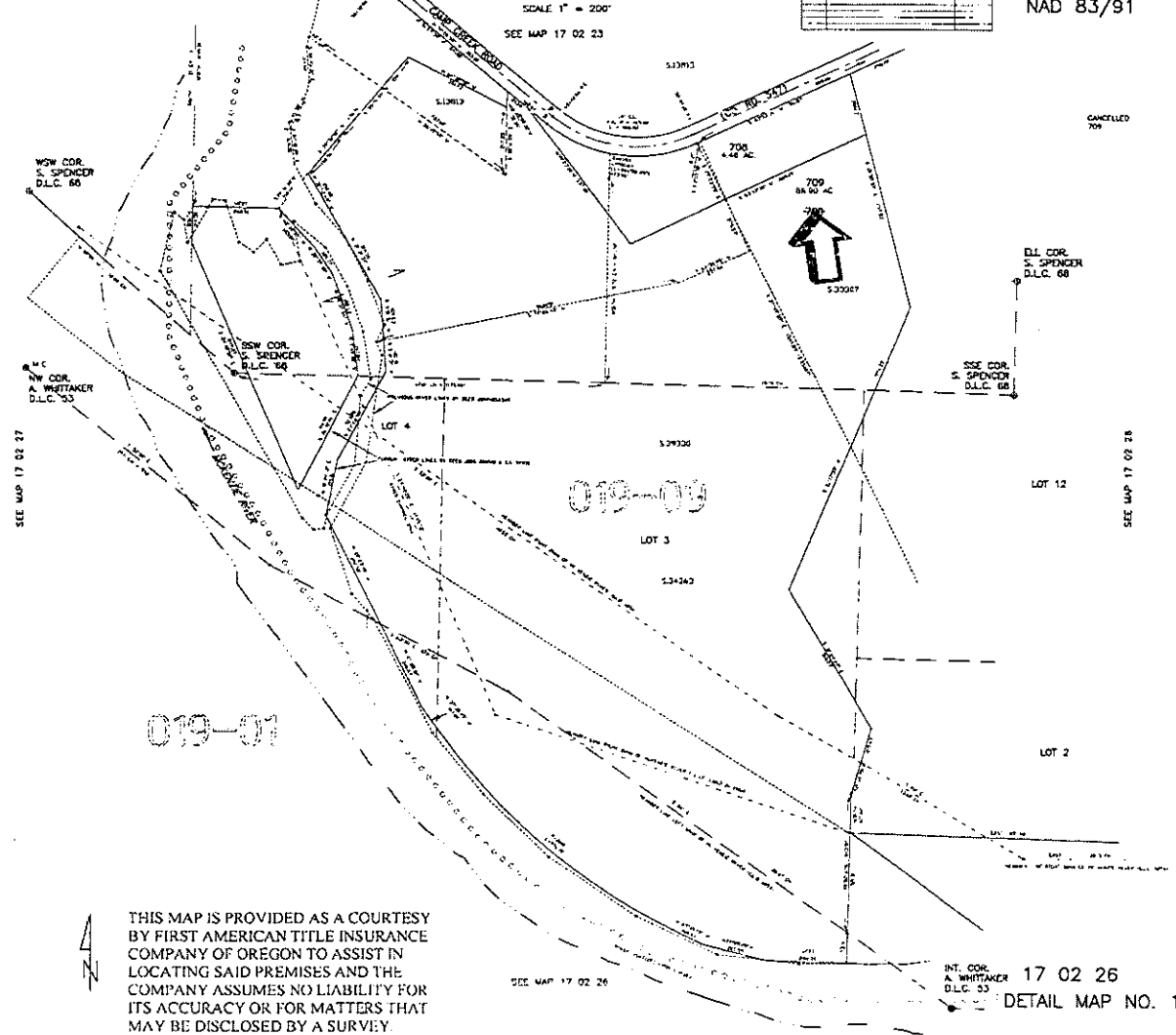
FOR ASSESSMENT
AND TAXATION
ONLY

SECTION 26 T.17S. R.2W. W.M.
DETAIL MAP NO. 1
LANE COUNTY

OWNER	ACRES	ASSESSMENT	TAXES
...

17 02 26
DETAIL MAP NO. 1
NAD 83/91

SCALE 1" = 200'
SEE MAP 17 02 23



THIS MAP IS PROVIDED AS A COURTESY
BY FIRST AMERICAN TITLE INSURANCE
COMPANY OF OREGON TO ASSIST IN
LOCATING SAID PREMISES AND THE
COMPANY ASSUMES NO LIABILITY FOR
ITS ACCURACY OR FOR MATTERS THAT
MAY BE DISCLOSED BY A SURVEY.

INT. COR.
A. WHITTAKER
D.L.C. 33
17 02 26
DETAIL MAP NO. 1



First American

First American Title Insurance Company of Oregon
600 Country Club Road
Eugene, OR 97401
Phn - (541)484-2900
Fax - (541)484-7321

FOR ALL QUESTIONS REGARDING THIS PRELIMINARY REPORT, PLEASE CONTACT:

Marcia Lind, Title Officer

Phone: (541)484-2900 - Fax: (541)484-7321 - Email: mlind@firstam.com

Richard L. Hunsaker
P.O. Box 444
Walterville, OR 97489

Order No.: 7199-1470872
September 18, 2009

Attn:
Phone No.: (541)746-8446 - Fax No.:
Email: dickhunsaker@yahoo.com

Re:

Preliminary Title Report

2006 ALTA Owners Standard Coverage	Liability \$	Premium \$	
2006 ALTA Owners Extended Coverage	Liability \$	Premium \$	
2006 ALTA Lenders Standard Coverage	Liability \$	Premium \$	
2006 ALTA Lenders Extended Coverage	Liability \$	Premium \$	
Endorsement		Premium \$	
Govt Service Charge		Cost \$	
Other Report Only		Cost \$	200.00

We are prepared to issue Title Insurance Policy or Policies in the form and amount shown above, insuring title to the following described land:

The land referred to in this report is described in Exhibit A attached hereto.

and as of September 11, 2009 at 8:00 a.m., title vested in:

Richard L. Hunsaker and Sandra L. Hunsaker, as tenants by the entirety

Subject to the exceptions, exclusions, and stipulations which are ordinarily part of such Policy form and the following:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.

This report is for the exclusive use of the parties herein shown and is preliminary to the issuance of a title insurance policy and shall become void unless a policy is issued, and the full premium paid.

3. Easements, or claims or easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Discrepancies, conflicts in boundary lines, shortage in area, encroachments or other facts which a correct survey would disclose.
5. Any lien, or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

The exceptions to coverage 1-5 inclusive as set forth above will remain on any subsequently issued Standard Coverage Title Insurance Policy.

In order to remove these exceptions to coverage in the issuance of an Extended Coverage Policy the following items are required to be furnished to the Company; additional exceptions to coverage may be added upon review of such information:

- A. Survey or alternative acceptable to the company
- B. Affidavit regarding possession
- C. Proof that there is no new construction or remodeling of any improvement located on the premises. In the event of new construction or remodeling the following is required:
 - i. Satisfactory evidence that no construction liens will be filed; or
 - ii. Adequate security to protect against actual or potential construction liens;
 - iii. Payment of additional premiums as required by the Industry Rate Filing approved by the Insurance Division of the State of Oregon
6. Taxes for the fiscal year 2009-2010 a lien due, but not yet payable.
7. The assessment roll and the tax roll disclose that the within described premises were specially zoned or classified for Farm use. If the land has become or becomes disqualified for such use under the statute, an additional tax or penalty may be imposed.
8. The rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads and highways.
9. Rights of the public and of governmental bodies in and to that portion of the premises herein described lying below the mean high water mark of McKenzie River and the ownership of the State of Oregon in that portion lying below the high water mark of McKenzie River .
10. Any adverse claim based upon the assertion that some portion of said land has been removed from or brought within the boundaries thereof by an avulsive movement of the McKenzie River or has been formed by the process of accretion or reliction or has been created by artificial means or has accreted to such portion so created.
11. Easement, including terms and provisions contained therein:

Recording Information:	December 30, 1924 in Book 141, Page 524, Deed Records of Lane County, Oregon
In Favor of:	City of Eugene
For:	right of way

12. Easement, including terms and provisions contained therein:
Recording Information: July 29, 1937, Reception No. 53492, Deed Records of Lane County, Oregon
In Favor of: City of Eugene
For: right of way
13. Easement, including terms and provisions contained therein:
Recording Information: January 22, 1952 in Book 453, Page 68, Deed Records of Lane County, Oregon
In Favor of: Fritz Miller
For: pipeline
14. Agreement for sale and removal of rock and gravel, including the terms and provisions thereof, as disclosed by deed recorded July 31, 1961, Reception No. 39508, Deed Records of Lane County, Oregon.
15. Deed of Trust and the terms and conditions thereof.
Grantor/Trustor: Richard L. Hunsaker and Sandra L. Hunsaker, as tenants by the entirety
Grantee/Beneficiary: Umpqua Bank
Trustee: Cascade Title Company
Amount: \$264,000.00
Recorded: April 21, 2004
Recording Information: 2004-028887
(Affects a portion and other property)
16. Structure Use Covenant, including terms and provisions thereof.
Recorded: May 26, 2004, Reception No. 2004-039737, Official Records of Lane County, Oregon
17. Declaration of Property Line Adjustment, including terms and provisions thereof.
Recorded: February 07, 2006, Reception No. 2006-008500, Official Records of Lane County, Oregon
18. Grant of Easement and Maintenance Agreement and the terms and conditions thereof:
By: Richard L. Hunsaker and Sandra L. Hunsaker, husband and wife
Recording Information: February 07, 2006, Reception No. 2006-008501, Official Records of Lane County, Oregon
19. Unrecorded leases or periodic tenancies, if any.

- END OF EXCEPTIONS -

NOTE: Taxes for the year 2008-2009 PAID IN FULL

Tax Amount: \$1,531.47
Map No.: 17-02-26-00-00709
Property ID: 1625258
Tax Code No.: 019-09

NOTE: This Preliminary Report does not include a search for Financing Statements filed in the Office of the Secretary of State, or in a county other than the county wherein the premises are situated, and no liability is assumed if a Financing Statement is filed in the Office of the County Lane covering Crops on the premises wherein the lands are described other than by metes and bounds or under the rectangular survey system or by recorded lot and block.

NOTE: According to the public record, the following deed(s) affecting the property herein described have been recorded within 24 months of the effective date of this report: NONE

Situs Address as disclosed on Lane County Tax Roll:

Vacant Land, Springfield, OR 97478

**THANK YOU FOR CHOOSING FIRST AMERICAN TITLE!
WE KNOW YOU HAVE A CHOICE!**



First American Title Insurance Company of Oregon

SCHEDULE OF EXCLUSIONS FROM COVERAGE

ALTA LOAN POLICY (06/17/06)

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;
 or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risk 11, 13, or 14); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Insured Mortgage.
4. Unenforceability of the lien of the Insured Mortgage because of the inability or failure of an Insured to comply with applicable doing-business laws of the state where the Land is situated.
5. Invalidity or unenforceability in whole or in part of the lien of the Insured Mortgage that arises out of the transaction evidenced by the Insured Mortgage and is based upon usury or any consumer credit protection or truth-in-lending law.
6. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction creating the lien of the Insured Mortgage, is
 - (a) a fraudulent conveyance or fraudulent transfer, or
 - (b) a preferential transfer for any reason not stated in Covered Risk 13(b) of this policy.
7. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the Insured Mortgage in the Public Records. This Exclusion does not modify or limit the coverage provided under Covered Risk 11(b).

ALTA OWNER'S POLICY (06/17/06)

The following matters are expressly excluded from the coverage of this policy, and the Company will not pay loss or damage, costs, attorneys' fees, or expenses that arise by reason of:

1. (a) Any law, ordinance, permit, or governmental regulation (including those relating to building and zoning) restricting, regulating, prohibiting, or relating to
 - (i) the occupancy, use, or enjoyment of the Land;
 - (ii) the character, dimensions, or location of any improvement erected on the Land;
 - (iii) the subdivision of land; or
 - (iv) environmental protection;
 or the effect of any violation of these laws, ordinances, or governmental regulations. This Exclusion 1(a) does not modify or limit the coverage provided under Covered Risk 5.
- (b) Any governmental police power. This Exclusion 1(b) does not modify or limit the coverage provided under Covered Risk 6.
2. Rights of eminent domain. This Exclusion does not modify or limit the coverage provided under Covered Risk 7 or 8.
3. Defects, liens, encumbrances, adverse claims, or other matters
 - (a) created, suffered, assumed, or agreed to by the Insured Claimant;
 - (b) not Known to the Company, not recorded in the Public Records at Date of Policy, but Known to the Insured Claimant and not disclosed in writing to the Company by the Insured Claimant prior to the date the Insured Claimant became an Insured under this policy;
 - (c) resulting in no loss or damage to the Insured Claimant;
 - (d) attaching or created subsequent to Date of Policy (however, this does not modify or limit the coverage provided under Covered Risks 9 and 10); or
 - (e) resulting in loss or damage that would not have been sustained if the Insured Claimant had paid value for the Title.
4. Any claim, by reason of the operation of federal bankruptcy, state insolvency, or similar creditors' rights laws, that the transaction vesting the Title as shown in Schedule A, is
 - (a) a fraudulent conveyance or fraudulent transfer; or
 - (b) a preferential transfer for any reason not stated in Covered Risk 9 of this policy.
5. Any lien on the Title for real estate taxes or assessments imposed by governmental authority and created or attaching between Date of Policy and the date of recording of the deed or other instrument of transfer in the Public Records that vests Title as shown in Schedule A.

SCHEDULE OF STANDARD EXCEPTIONS

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
3. Easements, or claims of easement, not shown by the public records; reservations or exceptions in patents or in Acts authorizing the issuance thereof; water rights, claims or title to water.
4. Any encroachment (of existing improvements located on the subject land onto adjoining land or of existing improvements located on adjoining land onto the subject land), encumbrance, violation, variation, or adverse circumstance affecting the title that would be disclosed by an accurate and complete land survey of the subject land.
5. Any lien or right to a lien, for services, labor, material, equipment rental or workers compensation heretofore or hereafter furnished, imposed by law and not shown by the public records.

NOTE: A SPECIMEN COPY OF THE POLICY FORM (OR FORMS) WILL BE FURNISHED UPON REQUEST

TI 149 Rev. 7-22-08

Exhibit "A"

Real property in the County of Lane, State of Oregon, described as follows:

BEGINNING AT A POINT ON THE EAST LINE OF THAT CERTAIN PROPERTY DESCRIBED IN DEED RECORDED JULY 18, 2002, RECEPTION NO. 2002-054345, LANE COUNTY OREGON DEED RECORDS, SAID POINT BEING SOUTH 15° 55' 07" EAST, 200.00 FEET FROM THE NORTHEAST CORNER OF SAID DEED NO. 2002-054345; FROM THE POINT OF BEGINNING RUN THENCE SOUTH 15° 55' 07" EAST, 557.83 FEET; THENCE SOUTH 21° 17' 53" WEST, 974.33 FEET; THENCE SOUTH 31° 24' 27" EAST, 510.27 FEET; THENCE SOUTH 15° 14' 28" WEST, 215.67 FEET; THENCE SOUTH 0° 02' 32" EAST, 536.52 FEET TO A MEANDER POINT ON THE RIGHT BANK OF THE MCKENZIE RIVER; THENCE DOWNSTREAM WITH THE MEANDERS OF THE RIGHT BANK OF THE MCKENZIE RIVER THE FOLLOWING SEVEN (7) COURSES: 1) WEST, 248.34 FEET; THENCE 2) NORTH 77° 20' 29" WEST, 207.59 FEET; THENCE 3) NORTH 65° 19' 15" WEST, 104.43 FEET; THENCE 4) ALONG THE ARC OF A 2000.00 FOOT RADIUS CURVE TO THE RIGHT, THE CHORD OF WHICH BEARS NORTH 51° 25' 00" WEST, 961.20 FEET, A DISTANCE OF 970.70 FEET; THENCE 5) NORTH 37° 30' 45" WEST, 107.00 FEET; THENCE 6) NORTH 28° 23' 40" WEST, 342.58 FEET TO A POINT DESIGNATED HEREON AS POINT "A"; THENCE LEAVING SAID MEANDER LINE OF THE RIGHT BANK OF THE MCKENZIE RIVER AND RUNNING ALONG THE RIGHT BANK OF A MINOR CHANNEL OF THE MCKENZIE RIVER NORTH 10° 34' 13" EAST, 179.81 FEET; THENCE CONTINUING ALONG THE RIGHT BANK OF SAID MINOR CHANNEL THE FOLLOWING FOUR (4) COURSES: 1) NORTH 27° 22' 55" EAST, 323.20 FEET; THENCE 2) NORTH 5° 01' 51" WEST, 229.43 FEET; THENCE 3) NORTH 31° 31' 33" WEST, 304.56 FEET; THENCE 4) NORTH 31° 53' 49" WEST, 150.48 FEET; THENCE LEAVING THE RIGHT BANK OF SAID MINOR CHANNEL RUN NORTH 39° 32' 02" EAST, 490.01 FEET; THENCE SOUTH 64° 32' 58" EAST, 351.73 FEET; THENCE NORTH 0° 00' 32" EAST, 51.56 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF CAMP CREEK ROAD; THENCE ALONG SAID RIGHT-OF-WAY LINE SOUTH 51° 26' 58" EAST, 81.31 FEET; THENCE LEAVING SAID RIGHT-OF-WAY LINE RUN SOUTH 38° 23' 00" EAST, 537.08 FEET; THENCE NORTH 63° 13' 30" EAST, 809.19 FEET TO THE POINT OF BEGINNING, IN LANE COUNTY, OREGON.

AND ALSO INCLUDING THAT PORTION OF THE ADJACENT ISLAND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A MEANDER POINT AT THE SOUTHERLY END OF THE ISLAND, SAID MEANDER POINT BEING NORTH 48° 45' 00" WEST, 119.85 FEET FROM THE POINT DESIGNATED ABOVE AS POINT "A"; AND RUNNING THENCE WITH THE MEANDERS OF THE BANK OF THE ISLAND NORTH 26° 12' 01" EAST, 411.90 FEET; THENCE NORTH 7° 45' 58" WEST, 147.84 FEET; THENCE NORTH 20° 37' 04" WEST, 182.63 FEET; THENCE NORTH 35° 37' 30" WEST, 105.77 FEET; THENCE NORTH 44° 32' 25" WEST, 163.61 FEET TO THE SOUTH LINE OF THAT PROPERTY DESCRIBED IN DEED RECORDED MAY 10, 2001, RECEPTION NO. 2001-027957, LANE COUNTY OREGON DEED RECORDS; THENCE ALONG SAID SOUTH LINE RUN WEST, 268.51 FEET TO THE EAST LINE OF THAT PROPERTY DESCRIBED IN DEED TO ALFRED BRATTAIN RECORDED IN VOLUME O, PAGE 368, LANE COUNTY OREGON DEED RECORDS; THENCE ALONG SAID EAST LINE SOUTH, 114.59 FEET TO A MEANDER POINT ON THE WESTERLY SIDE OF SAID ISLAND; THENCE WITH THE MEANDERS OF THE BANK OF THE ISLAND SOUTH 24° 08' 20" FEET TO THE POINT OF BEGINNING, IN LANE COUNTY, OREGON.

NOTE: This legal description was created prior to January 1, 2008.

Tax Parcel Number: 1625258

Indicate in this column whether or not the item is satisfied.

Permanent Transfer Application – OAR 690-380 3000 & 3100

Completeness Checklist

Applicant's Name: Richard Hunsaker

(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.

OK

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.

POA
POD

Section C - Fees

Have the appropriate fees been paid?

Total Required Fees: 800

Fee Schedule – ORS 536.050(1)(h)

Total Fees Paid: 800

\$350 - Base fee (1st change and 1st CFS of water)

Fees Due (if any): 0

+ \$350 - Each additional type of change requested

+ \$175 - For each CFS, or fraction thereof, requested beyond 1st CFS

Refund Due (if any): 0

(for POU, Type of Use, or Exchange)

If the applicant has **NOT** submitted the total fees required, **RETURN** the application & deficient fee to the applicant.

OK

Section D – Completeness

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.

Indicate in this column whether an item is incomplete, and if so, identify the deficiency.

• Type of transfer application

(Page 1)

OK

• Applicant's name, mailing address and contact information.

(Page 1)

OK

• Agent's name, mailing address and contact information, *if applicable.*

(Page 1)

OK

• Are the water rights to be affected by this transfer listed?

(Page 2)

OK

If there are multiple water rights listed..... The applicant must supply a **separate "set"** of Supplemental Form A for **each** water right to be transferred.

	Checklist for Supplemental Form A – (Attachments)	
OK	• Certificate # filled in on each page?	(Page 1)
OK	• Type of change(s) proposed clear?	(Page 1)
OK	• Current Water Right information is complete?	(Page 2)
OK	<p>• If for a change in <i>POU</i> or <i>USE</i>..... (Page 2)</p> <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? YES NO</p> <p>If YES..... the other “layered” water uses subject to transfer must either change concurrently or be cancelled, except as provided in OAR 690-380-2240(5).</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	<p>• Location description of the authorized POA/POD to be changed. (Page 3)</p> <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>_____ 1) supply a copy of the well log(s), <u>or</u></p> <p>_____ 2) if well logs are not available, describe the construction of the well(s) in the table provided on page 3 of the supplemental form A application.</p>	
OK	<p>• Location description of the existing authorized POU and associated acres (if applicable). (Page 4)</p> <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	<p>• Location description of the proposed POA/POD. (Page 5)</p> <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>_____ 1) supply a copy of the well log(s), <u>or</u></p> <p>_____ 2) if well logs are not available <u>or</u> the well is not yet constructed, describe the construction of the well(s) in the table provided on page 5 of the application.</p>	
OK	<p>• Location description of the proposed POU and associated acres (if applicable). (Page 6)</p> <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>	
Return back to Page 2 of transfer application		
OK	• The type of changes being proposed.	(Page 2)
OK	• Reason for the transfer.	(Page 2)
OK	• Description of current water delivery system.	(Page 2)
OK	• System Capacity.	(Page 2)

Checklist for Supplemental Form B – (Attachments)	
OK	<ul style="list-style-type: none"> • Is there a box checked in #1? (Page 1)
OK	<ul style="list-style-type: none"> • Is there a box checked in #2? (Page 1)
OK	<ul style="list-style-type: none"> • Does the description of POU on page 4 of the supplemental form A application, match authorized POU in question #3? (Page 1)
OK	<ul style="list-style-type: none"> • In question #4 and #5 are they filled out. (Page 2)
OK	<ul style="list-style-type: none"> • Is there a box checked in #6? (Page 2)
OK	<ul style="list-style-type: none"> • Is the #6 supporting documentation included with application? (Page 2)
OK	<ul style="list-style-type: none"> • Is there an original signature of the notary and notary stamp? (Page 2)
Return back to Page 3 of transfer application	
OK	<ul style="list-style-type: none"> • Affected districts and local governments. (Page 3) If within a district/local government jurisdiction, ensure that name & mailing address is provided.
OK	<ul style="list-style-type: none"> • Is the applicant the Landowner of the “from” and “to” Lands? <input checked="" type="radio"/> YES <input type="radio"/> NO (Page 4) If <i>NO</i>..... The applicant must list current landowner name & address.
OK	<ul style="list-style-type: none"> • Who will be responsible for completion of the changes? <i>Applicant</i> (Page 4) Is a box checked? If no box is checked the applicant or agent must be contacted.
OK	<ul style="list-style-type: none"> • Map..... (Page 5) (Required to be prepared by a CWRE) unless... <ol style="list-style-type: none"> 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 <ul style="list-style-type: none"> __ 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 (<i>clearly shown, labeled & matches application listing</i>) __ point plotted for the authorized POD/POA agrees with location coordinates on supplemental form A and WR __ proposed POD/POA and/or POU (<i>clearly shown, labeled & matches application “proposed” listing</i>) __ location coordinates accurately describe the point identified as the proposed POD/POA
OK	<ul style="list-style-type: none"> • Land Use form, <i>if applicable</i>. (Page 5) 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.
OK	<ul style="list-style-type: none"> • If a groundwater right is involved, are the well logs or a description included. (Page 5)
N/A	<ul style="list-style-type: none"> • If this is an instream water right transfer, is there a form C included and filled out. (Page 5)

ov

- Signature(s) of applicant(s): (Page 6)
Are one of the boxes checked?
All applicants listed on page 1 of the application must sign the application.

WRD Completeness Reviewer's Name: S Henderson Date: 8-6-07



Oregon

Theodore R. Kulongoski, Governor

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

August 10, 2007

RICHARD HUNSAKER
88001 HEATHER DRIVE
SPRINGFIELD OR 97478

Reference: Transfer 10439

On August 3, 2007 we received your water right transfer application. The application was accompanied by \$800.00. Our receipt 89038 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 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
Shane Hughes, CWRE
EGR & Associates, Agent
Groundwater

enclosure





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 08/14/2004

The Department seeks comment on the recently-filed application listed below. Any person may comment on the application. Comments must be received by the Department within 30 days of the date of this notice. The Director may presume that the transfer would be allowed by, and compatible with comprehensive plans unless an affected local government informs the Director otherwise within 30 days of this notice.

County: LANE
Transfer: 10439
Water Right: CERT 28874
Priority Date: 1955
Name: RICHARD HUNSAKER
Address: 88001 HEATHER DR, SPRINGFIELD OR 97478
Change: POU, SW TO GW-POD
Source: MCKENZIE RIVER
Authorized POD: T17S R2W 26
Proposed POD: T17S R1W 29
Authorized POU: T17S R2W 26
Proposed POU: T17S R1W 29

The holder of a water right may apply to permanently change an existing water use subject to transfer. A transfer application may involve any of the following changes: Point of diversion or appropriation (POD; POA); Additional point of diversion or appropriation (APOD; APOA); Historic POD (HIST); Place of use (POU); Character of use (USE); Instream (ISWR); Substitution (SUB); or Exchange (EXCH).

The holder of a water right subject to transfer may request to temporarily change the place of use of the water for up to 5 years and, if necessary to convey the water, to temporarily change the point of diversion or appropriation.

The holder of a water right permit may apply to change a point of diversion (POD) or appropriation (POA) or to change the place of use (POU).

Any person who provides comments within the comment period will receive a copy of the Department's preliminary determination of whether the application should be approved or rejected after the Department has completed a review of the application and will be provided an opportunity to protest the application and preliminary determination at that time. Comments should be sent to the Transfers Section at the Department's Salem office.

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.

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: Richard Hunsaker
First Last

Address: 88001 Heather Drive

Springfield OR 97478
City State Zip

Phone: 541-746-8446
Home Work Other

Fax: _____ E-Mail address: _____

3. AGENT INFORMATION

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

Name: EGR & Associates, Inc.
First Last

Address: 2535 "B" Prairie Road

Eugene OR 97402
City State Zip

Phone: _____ 541-688-8322
Home Work Other

Fax: 541-688-8087 E-Mail address: _____

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

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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.	530462	S-23994	28874
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 [McKenzie River]
- Reason(s) for change(s): Transferring 10-acres of existing water right to another property for irrigation.

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 6T-225 20HP Berkeley Submersible pump is used to convey water from the POD, located in the McKenzie River, through approx. 1,150' of 6" PVC mainline and 1,200' of 4" PVC sub-main to approx. 1,600' of 40ml poly pipe where it is discharged via 33k-line sprinkler pods
- System capacity: 0.22 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:

Lane County - 125 E 8th Avenue, OR 97401

- 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).
- _____
- _____

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

Instream Water Right Transfers, also include:

**Supplemental Form C –
Instream Water Right Transfer**

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

Temporary Transfers, also include:

Recorded Deed:

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

Affidavit of Consent:

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

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

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

10. SIGNATURES

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

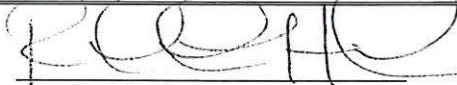
In accordance with OAR 690-380-3000(13)(a), I (we) understand that prior to Department approval of a permanent transfer and upon my receipt of a draft Preliminary Determination for the proposed transfer, I (we) will be required [pursuant to OAR 690-380-4010(5)] to provide the following landownership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

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

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

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

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

	Richard Hunsaker	7-2-07
applicant signature	name (print)	date
_____	_____	_____
applicant signature	name (print)	date

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Supplemental Information from Page 5 of the Transfer Application for Certificate 28874

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

A water well report is currently not available as a well has not been developed. The well is planned to be developed following the approval of this Transfer Application which proposes to add a point of diversion and transfer 10 acres of permitted use to another property. Following approval, the well will be constructed in the sands and gravels of the McKenzie River alluvial plain. Due to the proximity of the well to the McKenzie River, the well is considered to be connected to the surface water source. The well is planned to be constructed 20 to 100 feet deep and be able to supply approximately 30 gpm. Additional estimated well details are listed in the Supplemental Form A, page 5.

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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: 28874

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

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

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2. CURRENT WATER RIGHT INFORMATION

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

<input checked="" type="checkbox"/> Certified Right	<u>28874</u> Certificate Number	<u>S-23994</u> 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: John E. Hamer
- County: Lane
- Authorized Use(s) to be Affected by Transfer: Irrigation
- Priority Date(s): December 6, 1955

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: McKenzie River

Tributary to: 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? N/A

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: 28874

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 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)
NA	McKenzie River 12/6/1955	17S	2W	Will	26	SE, NW	NA	Not available

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

Yes No (Surface water source only.)

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

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

or

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

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

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

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

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SALEM, OREGON

▪ Certificate Number or other identifying number: 28874

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)
McKenzie River/GW	17S	01W	Will	29	SE SE	800	1,201'E, 1,190 N of SW Section corner

changed to 1100'E & 925'N of SW corner of Section 29

superseded by map description sent on 8/20/09

well location N/A determined, not drilled yet.

- If the well location(s) of appropriation are the same as those of the existing well(s) listed above, are the well location(s) of appropriation the same as those of the existing well(s) listed above?

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

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

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

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

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
No	N/A	6"	250 gauge steel	200'	10'	25'	5-15'	5'		200'

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▪ Certificate Number or other identifying number: 28874

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.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
McKenzie River (well)	17S	1W	Will	29	NW SW		6.4
					SW SW		3.6

Remarks: Although the immediate source of water is from a well, the well is close enough to the McKenzie River that the McKenzie River will be the actual source of water (they are hydraulically connected).

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STATE OF OREGON
COUNTY OF LANE
CERTIFICATE OF WATER RIGHT

This Is to Certify, That JOHN E. HAMER

of R.R. 2, Box 154, 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 McKenzie River

a tributary of Willamette River for the purpose of irrigation of 40.6 acres

under Permit No. 23994 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from December 6, 1955

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 0.17 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within Spencer DLC 68, Section 26, T. 17 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:

3.4 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$, as projected within Spencer DLC 68
0.2 acre Lot 12 (SW $\frac{1}{4}$ NE $\frac{1}{4}$)
8.6 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within Spencer DLC 68
3.0 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within Spencer DLC 68
9.8 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within Spencer DLC 68
15.2 acres Lot 3 (SE $\frac{1}{4}$ NW $\frac{1}{4}$)
0.4 acre Lot 3 (SE $\frac{1}{4}$ NW $\frac{1}{4}$)
Section 26
T. 17 S., R. 2 W., W.M.

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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. SEPTEMBER 15 1961

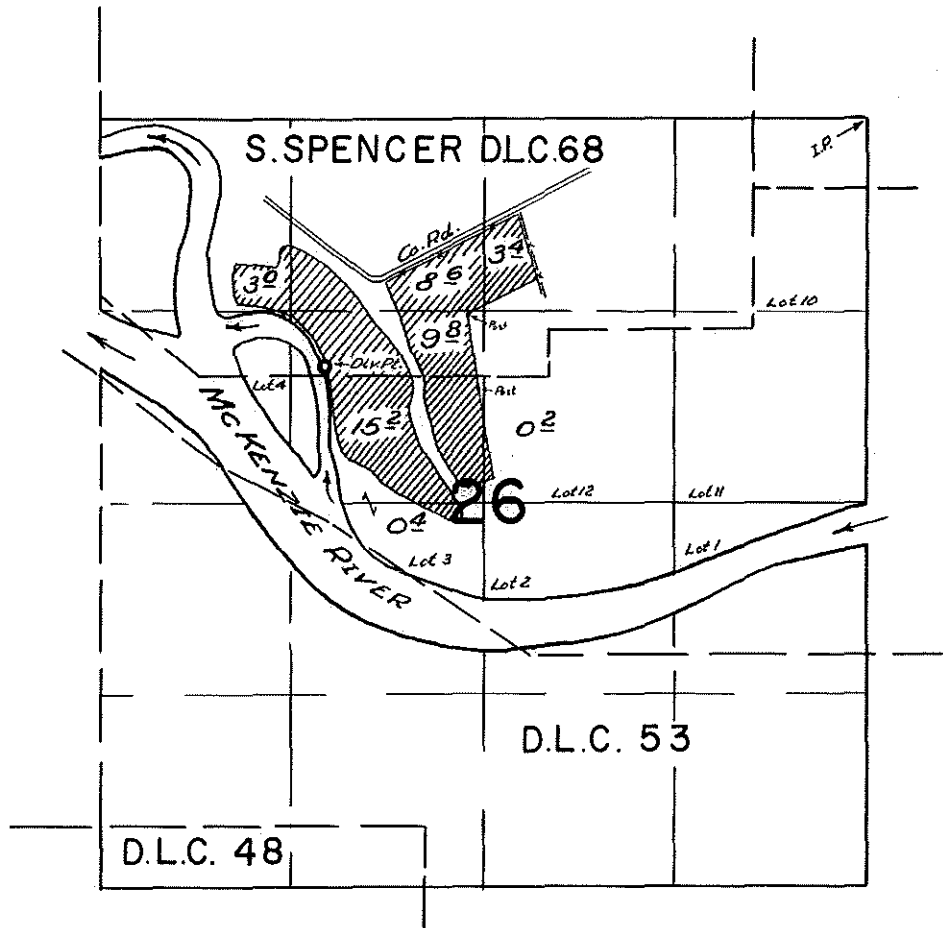
T 10439

LEWIS A. STANLEY

State Engineer

Recorded in State Record of Water Right Certificates, Volume 21 , page 28874

T.17S.R.2W.W.M.

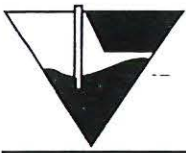


**FINAL PROOF SURVEY
UNDER**

Application No. 30462 Permit No. 23994
IN NAME OF

J. E. HAMER

Surveyed 4 MAY 1960, by M. Bish



July 30, 2007

Water Rights Examiner
Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301

RE: Hunsaker Water Right Transfer Application

Dear Water Rights Examiner:

The proposed well site associated with the Hunsaker Transfer Application is estimated to be approximately 500 feet from the McKenzie River, near Walterville, Oregon (Section 29 of T17S, R1W). The location is within the central portion of the McKenzie River valley which is filled with sands and gravels deposited from floods and torrents since at least the end of the last ice age. These sands and gravels constitute an aquifer within the McKenzie River valley of relatively high permeability. This high permeability, coupled with the well's proximity to the river, leads to the obvious conclusion that this well will be hydraulically connected to the river.

If this were a groundwater right application, this well would be PRESUMED by the OWRD to be connected to the McKenzie River, since the proposed well site is located less than 1/4 mile (1,320 feet) from the river, and it is located in an alluvial, unconfined aquifer. To verify the nature of the aquifer, well logs located in the general vicinity of the subject property were examined.

Twenty one well logs from Sections 29 and 30 of Township 17 South, Range 1 West were examined. The logs were selected based on the reported geology and estimated yields of wells located in the general vicinity of the subject property. The well logs selected consisted of those reporting yields of 50 gpm or more and describing sand and gravels as the water producing materials. Well logs reporting of estimated yields less than 50 gpm and depicting bedrock as the water producing material were not considered as these well logs are not representative of the geology where the proposed extraction well is located. Gravel thicknesses reported from three of the twenty one well logs were 45.5, 48, and 50 feet above bedrock. The other 18 wells, ranging from 16 to 108 feet deep, and were completed in sand and gravel and did not intercept bedrock.

Transmissivity can be estimated from specific capacity estimates (taken from the well logs) using the formula $SC = T / (264 * \text{Log}((0.3 * T * t) / (r^2 * S)))$. Where SC=Specific Capacity, T=Transmissivity, t=time in minutes, r=radius to observation well, and S=Storage coefficient.

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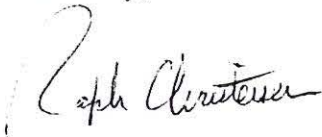
**WATER RESOURCES DEPT
SALEM, OREGON**

When transmissivity is estimated from the 21 wells referenced above, a median specific capacity of 2.7 gpm/ft drawdown is obtained. This translates to a transmissivity of 12,465 gpd/ft. This in turn can be applied to a simple formula $[S=(0.3*T*t)/r_o^2]$ where S=Storage coefficient, T=Transmissivity, t=time in days, and r_o^2 =the square of the distance from the pumping well] to calculate the time it takes for a cone of depression to reach out 500 feet (the approximate distance of the river to the proposed well). If we assume a reasonable storage coefficient of 0.15 for the sand and gravel aquifer, and apply a value of 500 feet as the distance factor, it will take approximately 10 days of pumping the well before a cone of depression reaches the river. Thus, it is clear that the drawdown cone from the well will interact with the river in approximately 10 days or so, well short of the 90 to 120 days that irrigation can be expected to be applied. At 10 days we can reasonable assume that at least some reduction of groundwater flow into the river will begin to occur.

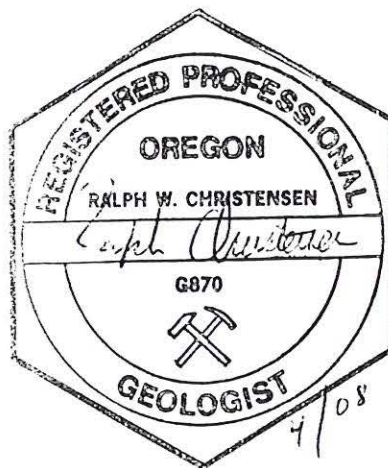
Therefore, we can conclude given the geologic materials, the hydrogeologic and aquifer characteristics, and the geographic proximity of the proposed well to the McKenzie River, the proposed well will be "drawing" water from the McKenzie River or diminishing flows to the McKenzie River. Thus, it is appropriate to transfer this surface water right from the McKenzie River directly to this "groundwater" source. As a benefit to the river, the direct impact on the river will be somewhat ameliorated relative to direct river withdrawal and screening and other physical intrusions into the river, associated with a point of diversion in the river, can be avoided. The groundwater component of the water right will lessen the immediate impact of the well withdrawal, even though over the course of the irrigation season the final impact to river in overall water flow may be nearly the same.

Feel free to contact us if there are any further questions, or a need for clarification.

Sincerely,



Ralph Christensen,
Senior Geologist,
EGR & Associates, Inc.



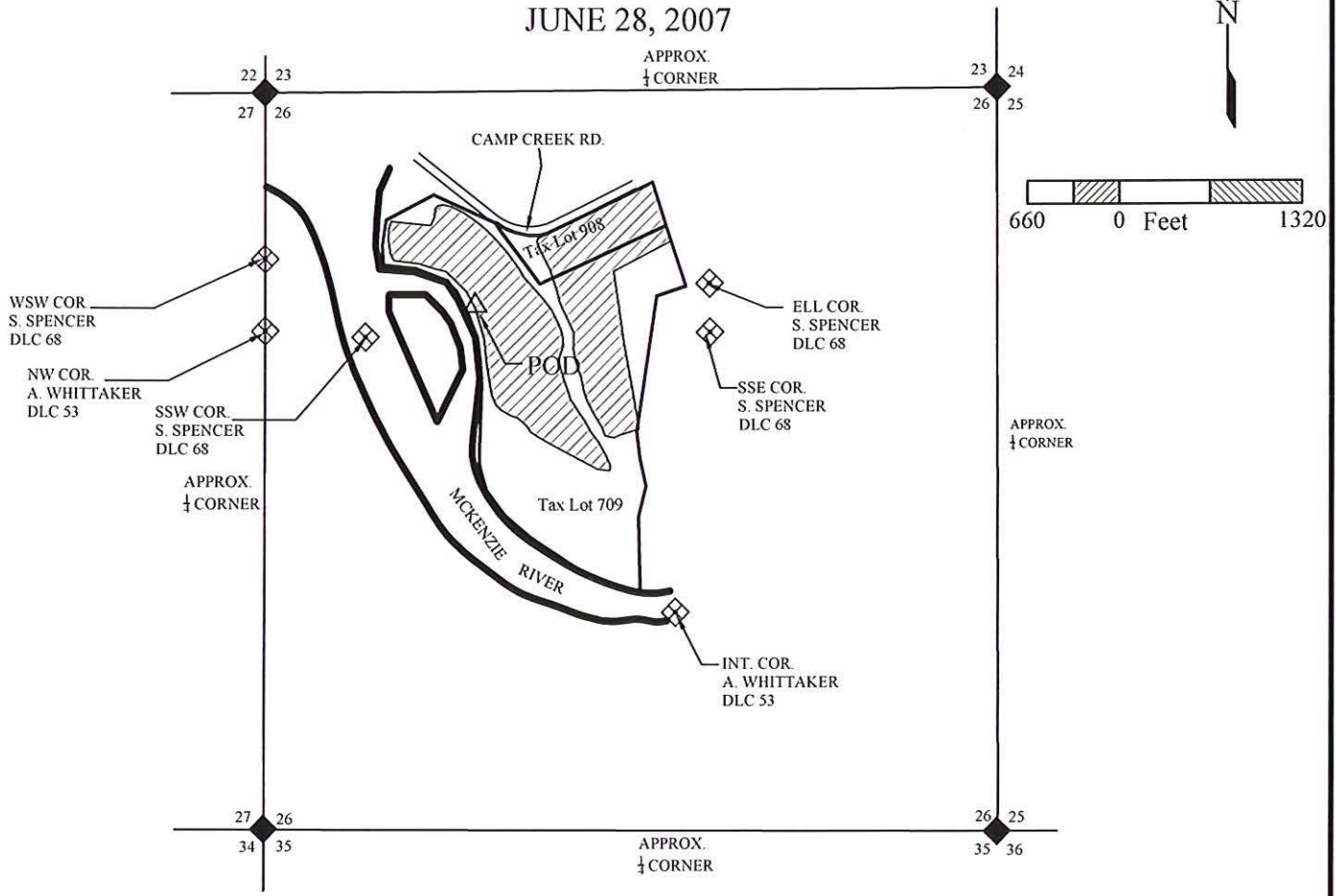
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CURRENT WATER RIGHT
T17S., R2W., W.M. SECTION 26
WATER RIGHT TRANSFER APPLICATION, PERMIT #23994
TAX LOTS 708 AND 709
MAPS 170226
LANE COUNTY, OREGON
JUNE 28, 2007



BASE MAPPING BY LANE COUNTY TAX MAPS 17-02-26. THIS MAP HAS BEEN PREPARED FOR THE SOLE PURPOSE OF IDENTIFYING THE REQUESTED WATER RIGHT LOCATION. THERE IS NO INTENT TO PROVIDE DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

AREA OF USE		
SECTION	1/4 1/4	AREA (AC)
29	NW NE	3.4
	SW NE	0.2
	NE NW	8.6
	NW NW	3.0
	SE NW	9.8
	SE NW	15.2
	SE NW	0.4
TOTAL		40.6

LEGEND

- SECTION LINE
- 1/4 SECTION LINE
- ◆ SECTION CORNER
- ◇ DLC CORNER
- △ APPROXIMATE LOCATION OF EXISTING DIVERSION POINT = 580' EAST OF DLC 68

Certified Water Right Examiner
 892WRE
 Shane J. Hughes
 Jan. 17, 1995
 STATE OF OREGON
 Renew 6/30/09

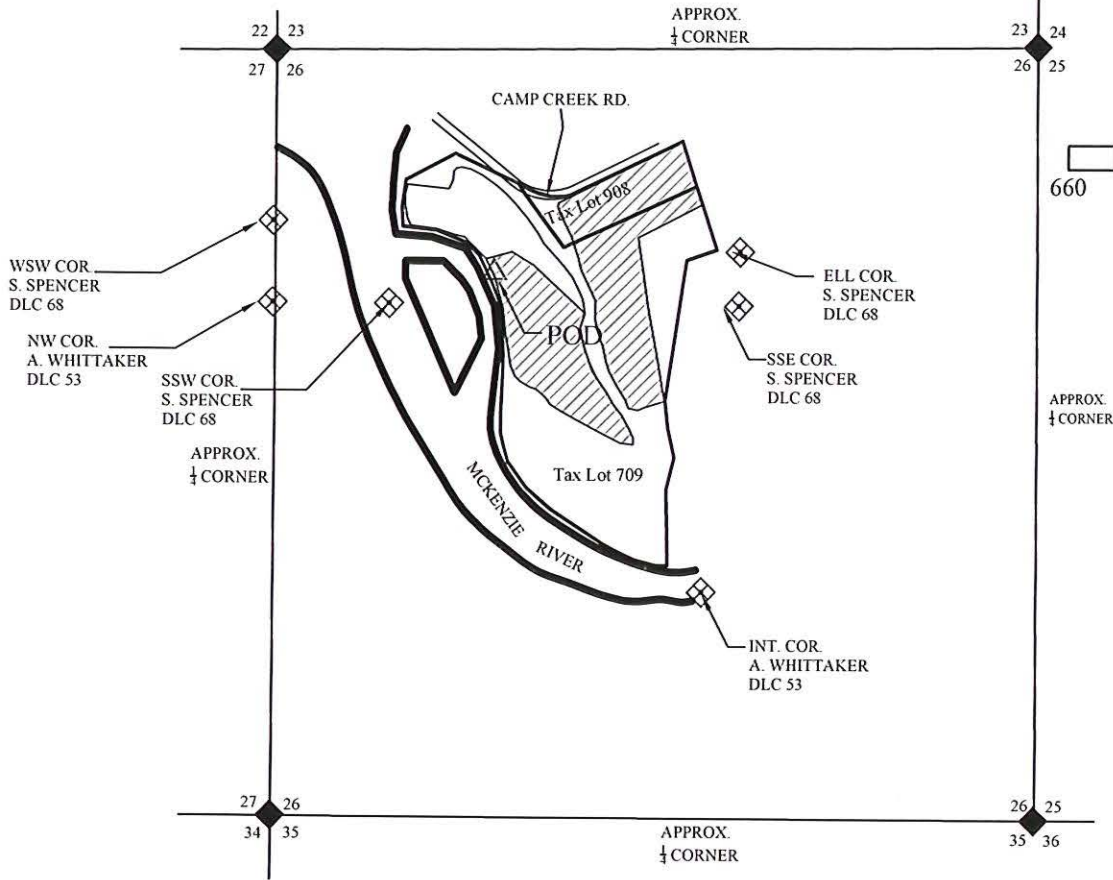
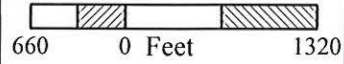
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 WATER RESOURCES DEPT
 SALEM, OREGON

EGR & Associates, Inc.
 Engineers, Geologists, and Surveyors
 2535B Prairie Road Eugene, Oregon 97402 (541) 688-8322 Fax (541) 688-8087

G:\8896-Hunsaker\07-0017\070017-CURRENT\WaterRight-1.dwg, Jul 19, 2007 - 10:15am LAYOUT - WTR RIGHT

T 10439

PROPOSED UPDATED WATER RIGHT
T17S., R2W., W.M. SECTION 26
WATER RIGHT TRANSFER APPLICATION, PERMIT #23994
TAX LOTS 708 AND 709
MAPS 170226
LANE COUNTY, OREGON
JUNE 28, 2007



BASE MAPPING BY LANE COUNTY TAX MAPS 17-02-26. THIS MAP HAS BEEN PREPARED FOR THE SOLE PURPOSE OF IDENTIFYING THE REQUESTED WATER RIGHT LOCATION. THERE IS NO INTENT TO PROVIDE DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

AREA OF USE		
SECTION	1/4 1/4	AREA (AC)
29	NW NE	3.4
	SW NE	0.2
	NE NW	1.6
	NW NW	0
	SE NW	9.8
	SE NW	15.2
	SE NW	0.4
	TOTAL	30.6

- LEGEND**
- SECTION LINE
 - 1/4 SECTION LINE
 - ◆ SECTION CORNER
 - ◇ DLC CORNER
 - △ APPROXIMATE LOCATION OF EXISTING DIVERSION POINT = 580' EAST OF DLC 68

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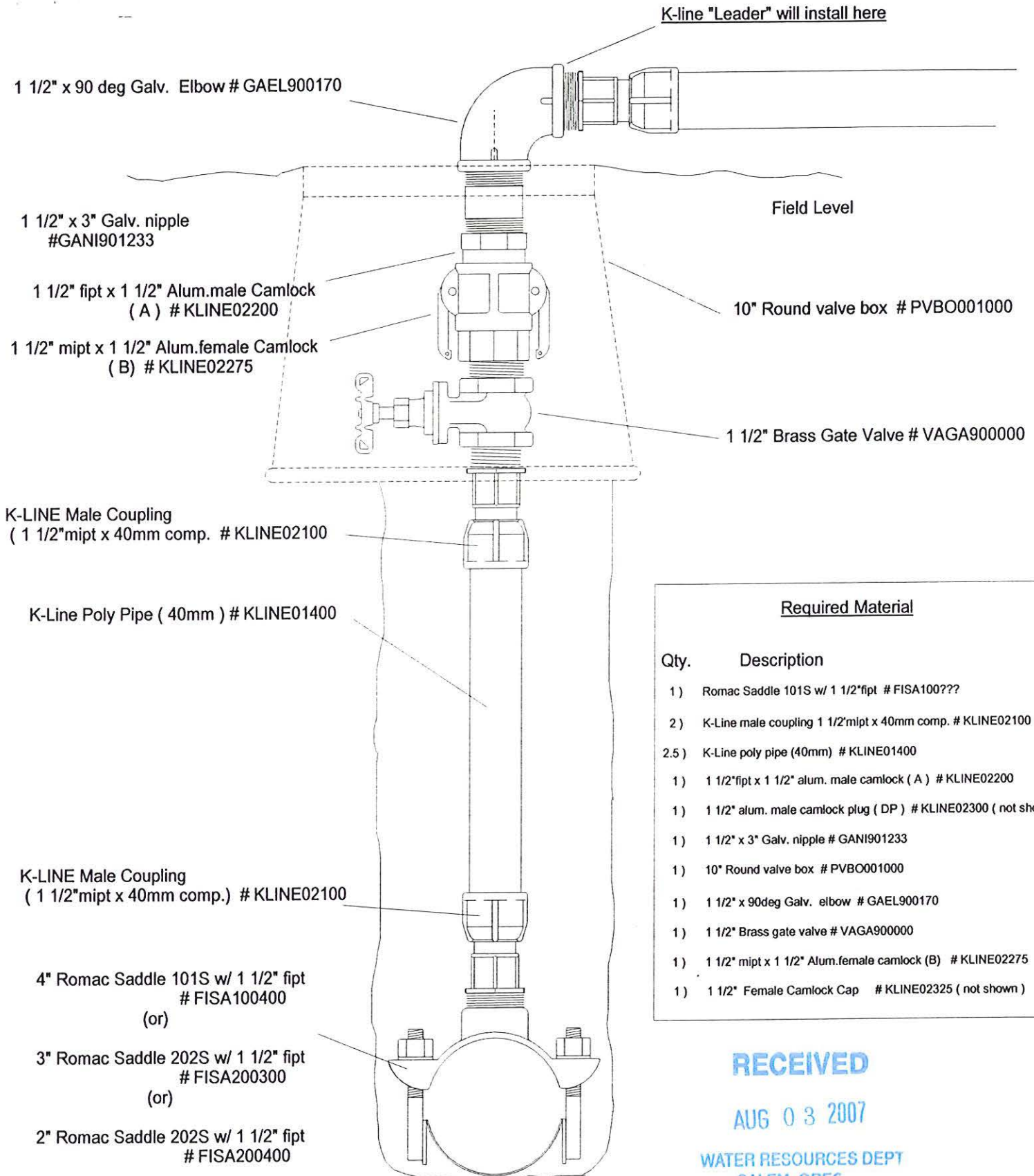
WATER RESOURCES DEPT
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Shane J. Hughes
 Jan. 17, 1995
 STATE OF OREGON
 Renew 6/30/09

EGR & Associates, Inc.
 Engineers, Geologists, and Surveyors

2535B Prairie Road
 Eugene, Oregon 97402
 (541) 688-8322
 Fax (541) 688-8087

c:\w\water\right-1.dwg, Jul 19, 2007 - 10:10am LAYOUT - WTR RIGHT



Required Material	
Qty.	Description
1)	Romac Saddle 101S w/ 1 1/2"fipt # FISA100???
2)	K-Line male coupling 1 1/2"mipt x 40mm comp. # KLINE02100
2.5)	K-Line poly pipe (40mm) # KLINE01400
1)	1 1/2"fipt x 1 1/2" alum. male camlock (A) # KLINE02200
1)	1 1/2" alum. male camlock plug (DP) # KLINE02300 (not shown)
1)	1 1/2" x 3" Galv. nipple # GANI901233
1)	10" Round valve box # PVBO001000
1)	1 1/2" x 90deg Galv. elbow # GAEL900170
1)	1 1/2" Brass gate valve # VAGA900000
1)	1 1/2" mipt x 1 1/2" Alum.female camlock (B) # KLINE02275
1)	1 1/2" Female Camlock Cap # KLINE02325 (not shown)

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**WATER RESOURCES DEPT
SALEM, OREGON**

T 10439 **K-Line Saddle Assembly With Valve Box**

DESIGN REQUIREMENTS = 2.0" Applied / 8 Day Interval / 24hr Set



- K-Line Pod w/ .118 nozzle @ 50psi = 3.0 gpm w/ 76' diam.
- 6" PVC Mainline
- 4" PVC Sub-Mainline
- 4" Valve outlet w/ 1 1/2 FIPT
- 4" Valve outlet
- Pressure & Air Relief

K-Line operating pressure = 60 psi
 Mainline loss = 1 psi

61 psi
 x 2.31'
 141' tdh
 22' elevation change
 7' Lift at pump
 170.0' tdh
 17' 10% extra
 187' TDH (81 psi)

Design point total acres = 14.4
 .118" Nozzle @ 50 psi = 3.0 gpm / 76'diam.
 50' x 50' Sprinkler Spacing / .11" per hour = 2.7" applied
 Total Sprinklers 33 @ 3.0 gpm = 99 Total GPM
 Total Of Lines To Shift = 4

Future Pump Design Point=197' TDH(85psi) @ 234 TGPM
 (29.5 acre #1 K-Line Design)

6T-275 Berkeley Submersible Pump 20 hp
 200'tdh(86psi) @ 300gpm / 74%Eff / 20.5 Hpr
 240'tdh(103psi) @ 235gpm / 71%Eff / 20.06 Hpr
 300'tdh(129psi) @ 100gpm / 55%Eff / 13.8 Hpr

AUG 03 2007

WATER RESOURCES DEPT

Project : Upper & Lower pasture irrigation	Date : 9 / 30 / 03	Prepared For : Dick Hunsaker 36986 Camp Creek Road Springfield OR 97478 (541) 344-0681	Prepared By : Pacific Ag Systems, Inc. 93780 Hwy 99 South Junction City , OR 97448 (541) 998-1983
Scale : 1" = 310'	Drawing # #1 K-Line Last up-date : 04 / 09 / 04	Quote # 025708 025709 025746	

T 10439



Current Water Right

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WATER RESOURCES DEPT
SALEM, OREGON

T 10439



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: Richard Hunsaker
Mailing Address: 88001 Heather Drive
City: Springfield State: OR Zip: 97478 Day Phone: 541-746-8446

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.

Table with 8 columns: Township, Range, Section, 1/4, Tax Lot #, Plan Designation (e.g. Rural Residential/RR-5), Water to be: (Diverted, Conveyed, Used), Proposed Land Use: (Ag). Row 1: 17S, 1W, 29, SW, 201/800, RRS, [] Diverted [X] Conveyed [] Used, Ag.

List all counties and cities where water is proposed to be diverted, conveyed, or used. Lane County
Springfield, OR

B. Description of Proposed Use

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

- [] Permit to Use or Store Water [X] 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 [X] Surface Water (name) McKenzie River

Estimated quantity of water needed: 0.045 cubic feet per second [] gallons per minute [] acre-feet

Intended use of water: [X] Irrigation [] Commercial [] Industrial [] Domestic for household(s)
[] Municipal [] Quasi-municipal [] Instream [] Other

Briefly describe: The purpose of the transfer application is to transfer a portion (10 acres) of the place of use and add a point of diversion associated with an existing water right.

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

T 10439

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): LC16.212(3A)

- 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.

MAP 17-01-29-30 #201 + 800

Name: TOM LANFAR Title: ASSOCIATE PLANNER
 Signature: [Signature] Phone: 541-682-4034 Date: 7-27-07
 Government Entity: LANE COUNTY LAND MANAGEMENT DIVISION

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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WATER RESOURCES DEPT
SALEM, OREGON

**Water Right Transfer Supplemental Form B
AFFIDAVIT ATTESTING TO THE USE OF WATER**

State of Oregon)
) ss
County of Lane)

I, Richard Hunsaker, in my capacity as land owner,
mailing address 88001 Heather Drive
telephone number (541) 746-8446, 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)	
17	S	2	W	Will	26	NW, NE	3.4
						SW, NE	0.2
						NE, NW	8.6
						NW, NW	3.0
						SE, NW	9.8
						SE, NW	15.2
						SE, NW	0.4

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**WATER RESOURCES DEPT
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):

Hay Sales

5. The water delivery system used to apply water as authorized by the right is described below:

A 6T-225 Berkeley Submersible pump (20HP) pumps water from the POD (McKenzie River) through approx. 1,150' of 6" PVC mainline and 1,200' of 4" PVC sub-main line to approx. 1,600' of 40mm poly pipe where it is discharged via 33 k-line sprinkler pods.

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: _____

[Handwritten Signature]

Signature of Affiant

7-2-07

Date

Signed and sworn to (or affirmed) before me this 2 day of July, 2007.



[Handwritten Signature: Sylvia Schoonover]
Notary Public for Oregon

My Commission Expires: Aug 28 2008

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

Supplemental Form B

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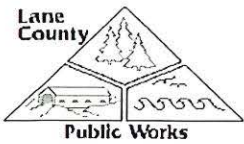
- 2 -

Affidavit Attesting to the Use of Water

AUG 03 2007

T 10439

WATER RESOURCES DEPT
SALEM, OREGON



LANE COUNTY RECEIPT

RECEIPT NUMBER: R07005427

Posting Date: 07/27/2007

PLANNING ACTION #: **PA076134**

TYPE: LAND USE COMPATIBILITY
SITE ADDRESS: 88001 HEATHER DR SPR
PARCEL: 17-01-29-30-00201
APPLICANT: HUNSAKER RICHARD L

88001 HEATHER DR
SPRINGFIELD OR

97478
541-746-8446

Type	Method	Description	Amount
Payment	Check	13584	62.50

	Description	Current Pymt
2000	New Technology Fee	10.00
2100	Administrative Fee	6.30
3060	Planning Admin Approvals	42.00
3065	Long Range Planning Surc	4.20

PAID BY: ENGINEERING & GEOLOGIC RESOURCES, INC. - SHANE HUGHES

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SALEM, OR

Hay Sales

2006

COPY

2005 hay

1 2 3

2006

1
2 Mar 4 30 bales @ 3.50 105-

3
4 12 bales @ 3.50 42-

5
6 Mar 5 57 bales @ 3.50 199.50

7
8 Mar 10 100 bales @ 3.50 350-

9
10 Mar 12 12 bales @ 3.50 42-

11
12 12 bales @ 3.50 42-

13 18 bales @ 1.00 18-

14
15 Mar 19 25 bales @ 2.00 A&T 50-

16
17
18 May — End of hay in barn (damaged)

19 17 15 bales @ 1.00 15-

20
21 12 bales @ 3.00 36-

22 22 bales @ 1.00 22-

23
24 20 52 bales @ 1.00 Marla Miller 52- pd

25 75 bales @ 1.00 Don Fisher 75- pd

26 11 bales @ 1.00 AT 11-

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SALEM, OREGON

T 10439

37
38 Feb 25 bales @ 2.00 50-

1109.50

Second Chance Horse
Rescue

90001 Marcola Road
Springfield Oregon
97478

This certifies that Jan Hunsaker At 36980 Camp Creek
Road Springfield O.R. has graciously donated 3 Tons of
Timothy Orchard grass hay at \$ 350.00 value.
Thank you for your Donation!!!

Michelle Hansen

Michelle Hansen
July 07, 2006

Jan Fisher
\$ 50.00 ea
cash

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SALEM, OREGON

Hay sales
2006

Hay Sales 2006 Crop

			1	2	3
1	June				
2					
3	29	28 bales	Melissa	100-	
4					
5	30	52 bales	Mick	229-	
6					
7	30	100 bales	Brian	350-	
8					
9	July -				
10					
11	1	60 bales	Lora & Dale	210-	
12					
13	1	76 bales	CASH (Fun Ridge)	260-	
14					
15	1	25 bales	(TAMARA)	50-	
16					
17	2	30 bales	Bill (Saintry)	105-	PR 110
18					
19	2	25 bales	(TAMARA)	50-	
20					
21	2	100 bales	Bill Stears (Oakridge)	350-	
22					
23	3	30 bales	Vicki CASH	100-	
24					
25	4	157 bales	FABCO	314-	
26					
27	4	162 bales	Kris Allen	324-	
28					
29	4	33 bales	Kera Handlins	99-	
30					
31	4	20 bales	CASH	70-	
32					
33	5	33 bales	CASH	117-	
34					
35	5	34 bales	CASH	120-	
36					
37	5	34 bales	CASH	120-	
38					
39		Owe 25 ⁰⁰	Thurs for Jacob?		
40	T	C439			

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 WATER RESOURCES DEPT
 SNIEM OFFICE

2006

July

	1	2	3
1	6	20 bales CASH Kelly	70-
2	6	32 bales CASH Melissa	75-
4	7	33 bales ck Shawn	115-
5	8	16 bales ck Mick	40-
6	8	8 bales cash George	30-
8	8	330 bales ck Brooks	650-
9	9	66 bales ck Brooks	130-
11	11	99 bales cash Mildred	300-
12		Total	4378-
13		Donation - horse rescue (100 bales)	350-
14		Total	4728-
15		Hay Baling Invoice (1.64 per bale)	3795-
16		wages	590-
17			4385-
18		Wages / Hay @ 10 ⁰⁰ hr.	
19	July 3	Lance & Hugo ck 1328 cash 60 ea	120-
20	July 4	Jess Dancer ck 1329	240-
21	4	Cory Davis ck 1330	40-
22	8	Jeremich ck	190-

Hay Income

4378-

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TALENT, OR

wages
590-

T 10439

COPY

Coburg curves

flowerline rd - straight N
3-4 miles

left on
Priceboro rd

2-3 miles

uses (big curve)

SALE

rd on left

silver mailbox

house sits back

yellow & brown — 30540 A

go to next driveway
daughter's

30540 left into her
place

shed in back

Mildred Hofer Hofer?
995-6373

pretty crowded - use horse trailer

T 10439

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SALEM, OREGON

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Eugene Water & Electric Board
500 East 4th Ave Main Office: (541) 484-2411
PO Box 10148 Customer Service: (541) 484-6016
Eugene OR 97440 www.eweb.org

Service at:
RICHARD L. HUNSAKER
36986 CAMP CREEK RD

Billing Date
MAY 30, 06

Page 1 of 2

Account Number [REDACTED]	Previous Balance \$261.46	Payments Made \$261.46	Balance Forward \$0.00	Current Charges \$376.26	Amount Due \$376.26	Current Date Due JUN 14, 2006
-------------------------------------	-------------------------------------	----------------------------------	----------------------------------	------------------------------------	-------------------------------	---

Current Charge Summary

Electric	\$276.26
Additional Services	\$100.00
Current Charges	\$376.26

6/7/06
ck 1310

Did You Know . . . ?

Is the spring growing season turning your yard into a jungle? Please take a few minutes to make sure there is a clear and safe path to your electric and water meters so that our meter readers can get the information they need. Thanks for your help.

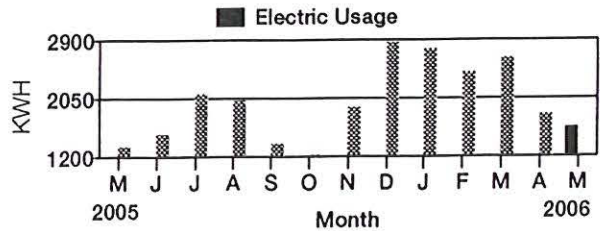
Electric Detail

	Days	Avg. Temp F	Usage in KWH	Avg. KWH/day	Avg. Cost \$/day
This Month	30	55	1622	54	4.42
Last Month	28	49	1811	64	4.93
Last Year	29	56	1344	46	3.55

Meter #44157 04/24/2006 to 05/24/2006 Read 25214

Usage x Rate = Charge

Cost Of Basic Service				\$6.50
Delivery Charge	1622 KWH	0.0274800		\$44.57
Energy Charge: Summer	800 KWH	0.0418500		\$33.48
	822 KWH	0.0585900		\$48.16
Total				\$132.71



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Service at:
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 36986 CAMP CREEK RD

Billing Date
 JUN 29, 06

Page 1 of 2

Account Number [REDACTED]	Previous Balance \$376.26	Payments Made \$376.26	Balance Forward \$0.00	Current Charges \$358.61	Amount Due \$358.61	Current Date Due JUL 14, 2006
-------------------------------------	-------------------------------------	----------------------------------	----------------------------------	------------------------------------	-------------------------------	---

Current Charge Summary

Electric	\$258.61
Additional Services	\$100.00
Current Charges	\$358.61

Did You Know . . . ?

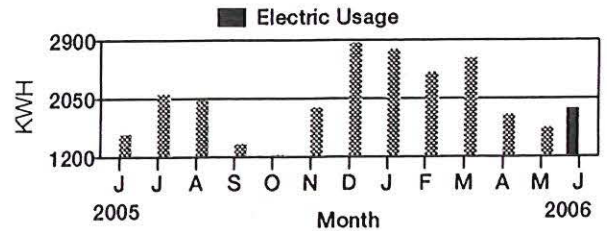
With the spring and summer watering season upon us, knowing your outdoor watering budget can help avoid overwatering your landscapes. To help figure out your water budget, call EWEB at 984-4747, or visit www.eweb.org.

Electric Detail

	Days	Avg. Temp F	Usage in KWH	Avg. KWH/day	Avg. Cost \$/day
This Month	33	60	1893	57	4.80
Last Month	30	55	1622	54	4.42
Last Year	33	59	1523	46	3.56

Meter #44157 05/24/2006 to 06/26/2006 Read 27107

	Usage x	Rate	=	Charge
Cost Of Basic Service				\$6.50
Delivery Charge	1893 KWH	0.0274800		\$52.02
Energy Charge: Summer	800 KWH	0.0418500		\$33.48
	900 KWH	0.0585900		\$52.73
	193 KWH	0.0710000		\$13.70
Total				\$158.43



July

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Service at:
 RICHARD L. HUNSAKER
 36986 CAMP CREEK RD

Billing Date
 SEP 29, 06
 Page 1 of 2

Account Number [REDACTED]	Previous Balance \$451.09	Payments Made \$0.00	Balance Forward \$451.09	Current Charges \$428.49	Amount Due \$879.58	Payment Due Upon Receipt
------------------------------	------------------------------	-------------------------	-----------------------------	-----------------------------	------------------------	--------------------------

Current Charge Summary

Electric	\$328.49
Additional Services	\$100.00
Current Charges	\$428.49

*10-30-06
 CE 1449*

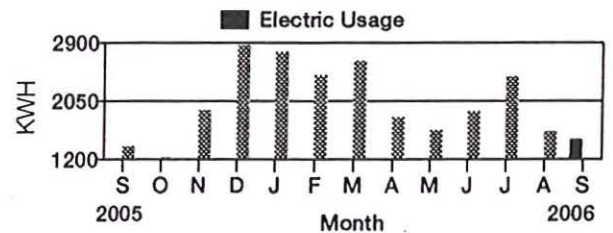
Did You Know . . . ?
 Shopping for a new washer, dishwasher, refrigerator or water heater? Call EWEB Energy Management Services at 484-1125 or visit www.eweb.org for information about rebates of up to \$125 for qualifying appliances.

Electric Detail

	Days	Avg. Temp F	Usage in KWH	Avg. KWH/day	Avg. Cost \$/day
This Month	32	62	1492	46	3.79
Last Month	30	65	1599	53	4.35
Last Year	32	60	1384	43	3.32

Meter #44157 08/25/2006 to 09/26/2006 Read 32602

	Usage x	Rate =	Charge
Cost Of Basic Service			\$6.50
Delivery Charge	1492 KWH	0.0274800	\$41.00
Energy Charge: Summer	800 KWH	0.0418500	\$33.48
	692 KWH	0.0585900	\$40.54
Total			\$121.52



August

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Service at:
 RICHARD L. HUNSAKER
 36986 CAMP CREEK RD

Billing Date
 OCT 31, 06

Page 1 of 2

Account Number [REDACTED]	Previous Balance \$879.58	Payments Made \$451.09	Balance Forward \$428.49	Current Charges \$358.08	Amount Due \$786.57	Payment Due Upon Receipt
-------------------------------------	-------------------------------------	----------------------------------	------------------------------------	------------------------------------	-------------------------------	---------------------------------

Current Charge Summary

Electric	\$258.08
Additional Services	\$100.00
Current Charges	\$358.08

*11.13.06
 CK 1468*

Did You Know . . . ?

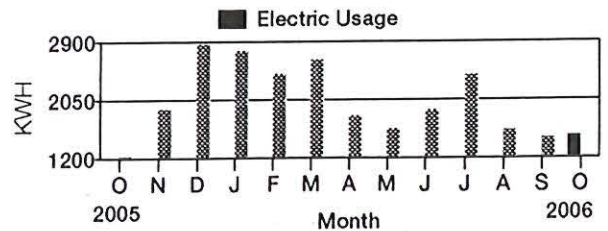
Interested in soaking up some solar savings? Check out this month's billing insert for information on the utility's "Bright Way to Heat Water" program. Call EWEB at 484-1125 to learn about how to make solar energy more affordable.

Electric Detail

	Days	Avg. Temp F	Usage in KWH	Avg. KWH/day	Avg. Cost \$/day
This Month	29	53	1517	52	4.26
Last Month	32	62	1492	46	3.79
Last Year	28	56	1223	43	3.33

Meter #44157 09/26/2006 to 10/25/2006 Read 34119

	Usage	x	Rate	=	Charge
Cost Of Basic Service					\$6.50
Delivery Charge	1517 KWH		0.0274800		\$41.69
Energy Charge: Summer	800 KWH		0.0418500		\$33.48
	717 KWH		0.0585900		\$42.01
Total					\$123.68



Sept

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www.eweb.org

Service Address:
RICHARD L. HUNSAKER
36986 CAMP CREEK RD

Billing Date
MAR 29, 2005

Page 1 of 2

Account Number [REDACTED]	Previous Balance \$305.98	Payments Made \$305.98	Balance Forward \$0.00	Current Charges \$297.25	Amount Due \$297.25	Current Date Due APR 13, 2005
------------------------------	------------------------------	---------------------------	---------------------------	-----------------------------	------------------------	----------------------------------

Current Charge Summary

Electric	\$197.25
Additional Services	\$100.00
Current Charges	\$297.25

46-05
OK 851

Did You Know . . . ?

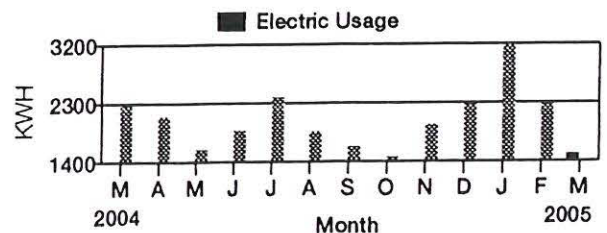
Be sure to check inside this month's bill stuffer for valuable coupons toward the purchase of energy-efficient and long-lasting compact fluorescent lighting fixtures. For more coupons or information, call EWEB Energy Management Services at 484-1125.

Electric Detail

	Days	Avg. Temp F	Usage in KWH	Avg. KWH/day	Avg. Cost \$/day
This Month	29	51	1508	52	4.07
Last Month	31	43	2290	73	5.88
Last Year	30	50	2272	75	5.37

Meter #44157 02/24/2005 to 03/25/2005 Read 97682

	Usage x	Rate =	Charge
Cost Of Basic Service			\$6.00
Delivery Charge	1508 KWH	0.0267100	\$40.28
Energy Charge: Nov - Apr	800 KWH	0.0405100	\$32.41
	708 KWH	0.0556400	\$39.39
Total			\$118.08



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 www.eweb.org

Service Address:
 RICHARD L. HUNSAKER
 36986 CAMP CREEK RD

Billing Date
 MAY 27, 2005

Page 1 of 2

Account Number [REDACTED]	Previous Balance \$321.29	Payments Made \$321.29	Balance Forward \$0.00	Current Charges \$294.87	Amount Due \$294.87	Current Date Due JUN 13, 2005
-------------------------------------	-------------------------------------	----------------------------------	----------------------------------	------------------------------------	-------------------------------	---

Current Charge Summary

Electric	\$194.87
Additional Services	\$100.00
Current Charges	\$294.87

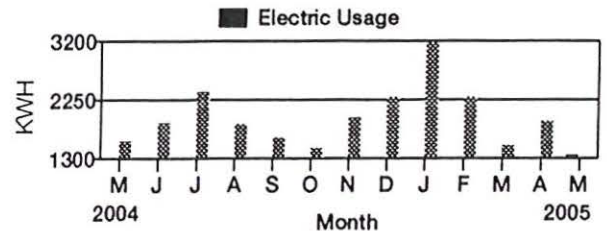
*6/2/05 921
ck*

Did You Know . . . ?
 The EWEB Board of Commissioners has lowered electric rates, beginning with your May bill. This 1.6 percent rate decrease lowers the average residential customer's monthly bill by about \$1.40. Your savings will vary, depending on your monthly usage.

Electric Detail

	Days	Avg. Temp F	Usage in KWH	Avg. KWH/day	Avg. Cost \$/day
This Month	29	58	1344	46	3.55
Last Month	32	50	1893	59	4.68
Last Year	29	58	1585	54	4.05

Meter # 44157 04/26/2005 to 05/25/2005 Read 919



	Usage	x	Rate	=	Charge
Cost Of Basic Service					\$6.00
Delivery Charge	1344 KWH		0.0267100		\$35.90
Energy Charge: Summer	800 KWH		0.0394100		\$31.53
	544 KWH		0.0545400		\$29.67
Total					\$103.10

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 Eugene OR 97440 www.eweb.org

Service Address:
 RICHARD L. HUNSAKER
 36986 CAMP CREEK RD

Billing Date
 JUN 30, 2005

Page 1 of 2

Account Number [REDACTED]	Previous Balance \$294.87	Payments Made \$294.87	Balance Forward \$0.00	Current Charges \$316.63	Amount Due \$316.63	Current Date Due JUL 15, 2005
-------------------------------------	-------------------------------------	----------------------------------	----------------------------------	------------------------------------	-------------------------------	---

Current Charge Summary

Electric	\$216.63
Additional Services	\$100.00
Current Charges	\$316.63

*OK 9/8
7.6.05*

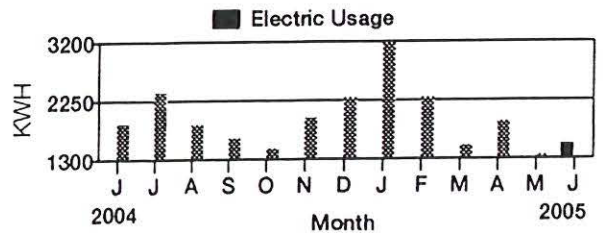
Did You Know . . . ?

Now you can use the Internet to pay your bill, view your bill, check your consumption history, and start or stop service. It's fast, easy, secure and free. Go to www.eweb.org and click on "my account" or "start/stop service."

Electric Detail

	Days	Avg. Temp F	Usage in KWH	Avg. KWH/day	Avg. Cost \$/day
This Month	33	60	1523	46	3.56
Last Month	29	58	1344	46	3.55
Last Year	31	62	1876	60	4.60

Meter #44157 05/25/2005 to 06/27/2005 Read 2442



	Usage x	Rate =	Charge
Cost Of Basic Service			\$6.00
Delivery Charge	1523 KWH	0.0267100	\$40.68
Energy Charge: Summer	800 KWH	0.0394100	\$31.53
	723 KWH	0.0545400	\$39.43
Total			\$117.64

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Service Address:
 RICHARD L. HUNSAKER
 36986 CAMP CREEK RD

Billing Date
 JUL 29, 2005

Page 1 of 2

Account Number [REDACTED]	Previous Balance \$316.63	Payments Made \$316.63	Balance Forward \$0.00	Current Charges \$424.19	Amount Due \$424.19	Current Date Due AUG 15, 2005
-------------------------------------	-------------------------------------	----------------------------------	----------------------------------	------------------------------------	-------------------------------	---

Current Charge Summary

*9-1-05
 ck 1025*

Electric	\$324.19
Additional Services	\$100.00
Current Charges	\$424.19

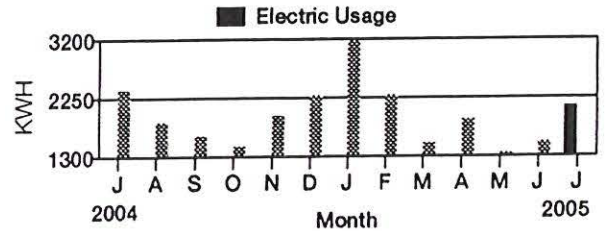
Did You Know . . . ?

Is the growing season turning your yard into a jungle? Please take a few minutes to make sure there is a clear and safe path to your electric and water meters so that our meter readers can get the information they need. Thanks for your help.

Electric Detail

	Days	Avg. Temp F	Usage in KWH	Avg. KWH/day	Avg. Cost \$/day
This Month	30	69	2114	70	5.71
Last Month	33	60	1523	46	3.56
Last Year	32	70	2389	74	5.94

Meter #44157 06/27/2005 to 07/27/2005 Read 4556



	Usage	x	Rate	=	Charge
Cost Of Basic Service					\$6.00
Delivery Charge	2114 KWH		0.0267100		\$56.46
Energy Charge: Summer	800 KWH		0.0394100		\$31.53
	900 KWH		0.0545400		\$49.09
	414 KWH		0.0688600		\$28.51
Total					\$171.59

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Service Address:
 RICHARD L. HUNSAKER
 36986 CAMP CREEK RD

Billing Date
 AUG 30, 2005

Page 1 of 2

Account Number [REDACTED]	Previous Balance \$424.19	Payments Made \$0.00	Balance Forward \$424.19	Current Charges \$450.82	Amount Due \$875.01	Payment Due Upon Receipt
------------------------------	------------------------------	-------------------------	-----------------------------	-----------------------------	------------------------	--------------------------

Current Charge Summary

Electric	\$350.82
Additional Services	\$100.00
Current Charges	\$450.82

9-13-05
 ck 1037

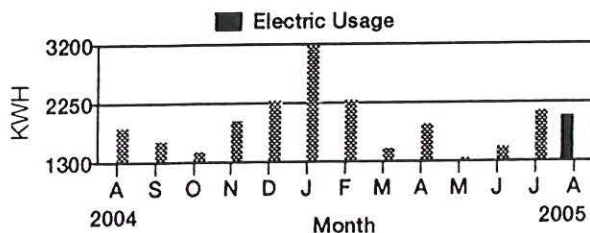
Did You Know . . . ?

Give your lawn just the right amount to drink by using our new Green Grass Gauge, available for free at local garden centers, EWEB and other locations. Go to www.eweb.org or call 984-4747 to learn more about smart watering choices.

Electric Detail

	Days	Avg. Temp F	Usage in KWH	Avg. KWH/day	Avg. Cost \$/day
This Month	30	71	2023	67	5.42
Last Month	30	69	2114	70	5.71
Last Year	30	71	1856	61	4.69

Meter #44157 07/27/2005 to 08/26/2005 Read 6579



	Usage x	Rate	=	Charge
Cost Of Basic Service				\$6.00
Delivery Charge	2023 KWH	0.0267100		\$54.03
Energy Charge: Summer	800 KWH	0.0394100		\$31.53
	900 KWH	0.0545400		\$49.09
	323 KWH	0.0688600		\$22.24
Total				\$162.89

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Service Address:
 RICHARD L. HUNSAKER
 36986 CAMP CREEK RD

Billing Date
 SEP 30, 2005

Page 1 of 2

Account Number [REDACTED]	Previous Balance \$875.01	Payments Made \$875.01	Balance Forward \$0.00	Current Charges \$408.03	Amount Due \$408.03	Current Date Due OCT 17, 2005
-------------------------------------	-------------------------------------	----------------------------------	----------------------------------	------------------------------------	-------------------------------	---

Current Charge Summary

Electric	\$308.03
Additional Services	\$100.00
Current Charges	\$408.03

10-7-05
 of 1066

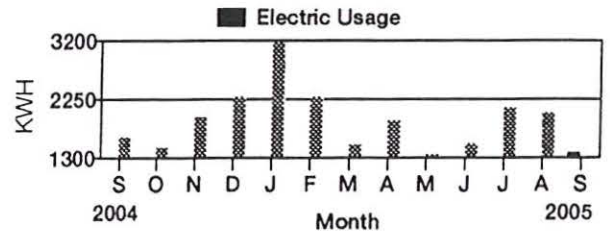
Did You Know . . . ?

Days are getting shorter and nights are getting longer. It's time to start thinking about lighting. Check your local retailer for low-cost, energy-efficient compact fluorescent lamps. For more information, contact Energy Management Services at 484-1125.

Electric Detail

	Days	Avg. Temp F	Usage in KWH	Avg. KWH/day	Avg. Cost \$/day
This Month	32	63	1384	43	3.32
Last Month	30	71	2023	67	5.42
Last Year	32	63	1628	50	3.77

Meter #44157 08/26/2005 to 09/27/2005 Read 7963



Usage x Rate = Charge

Cost Of Basic Service				\$6.00
Delivery Charge	1384 KWH	0.0267100		\$36.97
Energy Charge: Summer	800 KWH	0.0394100		\$31.53
	584 KWH	0.0545400		\$31.85
Total				\$106.35

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 500 East 4th Ave Main Office: (541) 484-2411
 PO Box 10148 Customer Service: (541) 484-6016
 Eugene OR 97440 www.eweb.org

Service Address:
 RICHARD L. HUNSAKER
 36986 CAMP CREEK RD

Billing Date
 OCT 28, 2005

Page 1 of 2

Account Number [REDACTED]	Previous Balance \$408.03	Payments Made \$408.03	Balance Forward \$0.00	Current Charges \$363.97	Amount Due \$363.97	Current Date Due NOV 14, 2005
-------------------------------------	-------------------------------------	----------------------------------	----------------------------------	------------------------------------	-------------------------------	---

*ok 1095
11-3-05*

Current Charge Summary

Electric	\$263.97
Additional Services	\$100.00
Current Charges	\$363.97

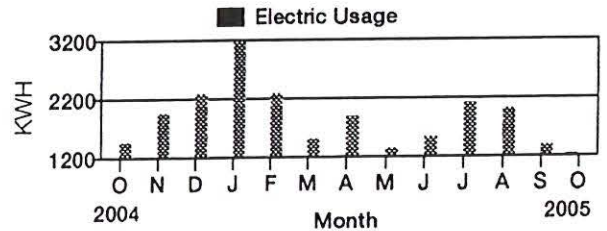
Did You Know . . . ?

Now you can use the Internet to pay your bill, view your bill, check your consumption history, and start or stop service. It's fast, easy, secure and free. Go to www.eweb.org and click on "my account" or "start/stop service."

Electric Detail

	Days	Avg. Temp F	Usage in KWH	Avg. KWH/day	Avg. Cost \$/day
This Month	28	58	1223	43	3.33
Last Month	32	63	1384	43	3.32
Last Year	28	57	1466	52	3.86

Meter # 44157 09/27/2005 to 10/25/2005 Read 9186



Usage x Rate = Charge

Cost Of Basic Service					\$6.00
Delivery Charge	1223	KWH	0.0267100		\$32.67
Energy Charge: Summer	800	KWH	0.0394100		\$31.53
	423	KWH	0.0545400		\$23.07
Total					\$93.27

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**WATER RESOURCES DEPT
 SALEM, OR**

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Pacific Ag Systems, Inc.

93780 Highway 99 South
Junction City, Oregon 97448

Phone: 541-998-1983
Fax: 541-998-6768
E-mail: Pacag@aol.com

Tfountain@PACAG.COM

Quotation

To:

Dick Hunsaker
36986 Camp Creek Road
Springfield OR 97478-8201
Ph (541) 344-0681 Ext 104

Quote # 030742

Page 1 of 1

Date 10-17-05

Your Order #	Our Order #	Sales Rep. Tye	FOB	Ship Via	Terms Upon Receipt
--------------	-------------	-------------------	-----	----------	-----------------------

Qty	Description	Unit Price	Total
	<u>Pasture K-Line System</u>		
1	Material Required For 4" & 3" Mainline Installation & K-Line Outlet: <ul style="list-style-type: none"> • 3" Schd.40 PVC Pipe (460') @ 1.35' = \$ 621.00 • 4" Schd 40 PVC Pipe (800') @ 1.74' = \$1,392.00 • Valve Box Outlets w/ 3" Saddle & Valve (3) @ 145.50 = \$ 436.50 • Glue & Primer w/ Applicator Cans = \$ 195.67 • Misc. PVC Fittings (elbows, tees, caps, etc.) = \$215.08 		\$ 2,860.25
2	3 Pod K-Line System (Un-installed)	\$ 522.00	\$ 1,044.00
2	4 Pod K-Line System (Un-installed)	\$ 640.00	\$ 1,280.00
1	<u>Estimated System Installation (2men, 3.5 day @ 10hr x \$ 110.00 = \$ 3,850.00)</u>		\$ 3,850.00
	Additional Options : <ul style="list-style-type: none"> • 4" Buried Isolation Valve @ 6" Mainline ? • Water Faucets (Type ?) • Pond Filling / Off Season Water Source ? • Arena Dust Control ? 		

Note: The Installation Charge For This System Will Be Charged At An Hourly Rate Of \$110.00 Per hr. (It Has Been Estimated At A 70hr Project) Digging Conditions & Obstacles Will Determine Actual Time, And Will Be Charged Accordingly.

Subtotal	
Shipping	
Misc.	
Total	\$ 9,034.25

Quotation valid for 7 days.

Estimated Start/Ship date: 10 days from acceptance

Quotation prepared by: Tye Fountain

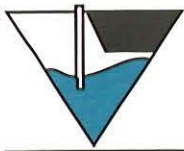
To accept this quotation, sign here and return: _____

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AUG 03 2007

WATER RESOURCES DEPT
SALEM, OREGON

T 10439



July 30, 2007

Sarah Henderson
Water Resource Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271

RE: Transfer Application for Certificate #28874

Dear Ms. Henderson,

The purpose of the enclosed Transfer Application is transfer 10 acres of Certificate #28874 to a new place of use and add a point of appropriation that is hydraulically connected to the McKenzie River. We have included an application fee of \$800. If you have any questions please feel free to contact me at (541) 688-8322.

Respectfully,
EGR & Associates, Inc.

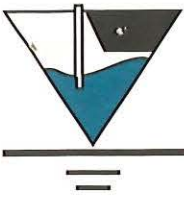
Robert D. Murray
Geologic Associate

T 10439

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WATER RESOURCES DEPT
SALEM, OREGON



July 30, 2007

Water Rights Examiner
Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301

RE: Hunsaker Water Right Transfer Application

Dear Water Rights Examiner:

The proposed well site associated with the Hunsaker Transfer Application is estimated to be approximately 500 feet from the McKenzie River, near Walterville, Oregon (Section 29 of T17S, R1W). The location is within the central portion of the McKenzie River valley which is filled with sands and gravels deposited from floods and torrents since at least the end of the last ice age. These sands and gravels constitute an aquifer within the McKenzie River valley of relatively high permeability. This high permeability, coupled with the well's proximity to the river, leads to the obvious conclusion that this well will be hydraulically connected to the river.

If this were a groundwater right application, this well would be PRESUMED by the OWRD to be connected to the McKenzie River, since the proposed well site is located less than 1/4 mile (1,320 feet) from the river, and it is located in an alluvial, unconfined aquifer. To verify the nature of the aquifer, well logs located in the general vicinity of the subject property were examined.

Twenty one well logs from Sections 29 and 30 of Township 17 South, Range 1 West were examined. The logs were selected based on the reported geology and estimated yields of wells located in the general vicinity of the subject property. The well logs selected consisted of those reporting yields of 50 gpm or more and describing sand and gravels as the water producing materials. Well logs reporting of estimated yields less than 50 gpm and depicting bedrock as the water producing material were not considered as these well logs are not representative of the geology where the proposed extraction well is located. Gravel thicknesses reported from three of the twenty one well logs were 45.5, 48, and 50 feet above bedrock. The other 18 wells, ranging from 16 to 108 feet deep, and were completed in sand and gravel and did not intercept bedrock.

Transmissivity can be estimated from specific capacity estimates (taken from the well logs) using the formula $SC = T / (264 * \text{Log}((0.3 * T * t) / (r^2 * S)))$. Where SC=Specific Capacity, T=Transmissivity, t=time in minutes, r=radius to observation well, and S=Storage coefficient.

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When transmissivity is estimated from the 21 wells referenced above, a median specific capacity of 2.7 gpm/ft drawdown is obtained. This translates to a transmissivity of 12,465 gpd/ft. This in turn can be applied to a simple formula $[S=(0.3*T*t)/r_o^2]$ where S=Storage coefficient, T=Transmissivity, t=time in days, and r_o^2 =the square of the distance from the pumping well] to calculate the time it takes for a cone of depression to reach out 500 feet (the approximate distance of the river to the proposed well). If we assume a reasonable storage coefficient of 0.15 for the sand and gravel aquifer, and apply a value of 500 feet as the distance factor, it will take approximately 10 days of pumping the well before a cone of depression reaches the river. Thus, it is clear that the drawdown cone from the well will interact with the river in approximately 10 days or so, well short of the 90 to 120 days that irrigation can be expected to be applied. At 10 days we can reasonable assume that at least some reduction of groundwater flow into the river will begin to occur.

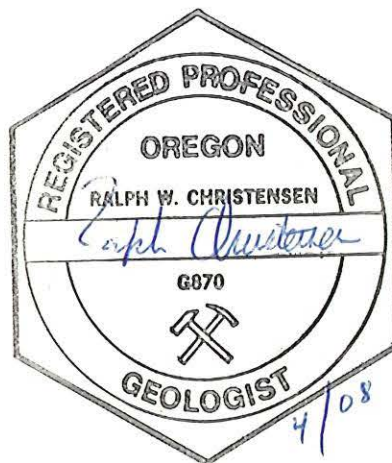
Therefore, we can conclude given the geologic materials, the hydrogeologic and aquifer characteristics, and the geographic proximity of the proposed well to the McKenzie River, the proposed well will be "drawing" water from the McKenzie River or diminishing flows to the McKenzie River. Thus, it is appropriate to transfer this surface water right from the McKenzie River directly to this "groundwater" source. As a benefit to the river, the direct impact on the river will be somewhat ameliorated relative to direct river withdrawal and screening and other physical intrusions into the river, associated with a point of diversion in the river, can be avoided. The groundwater component of the water right will lessen the immediate impact of the well withdrawal, even though over the course of the irrigation season the final impact to river in overall water flow may be nearly the same.

Feel free to contact us if there are any further questions, or a need for clarification.

Sincerely,



Ralph Christensen,
Senior Geologist,
EGR & Associates, Inc.

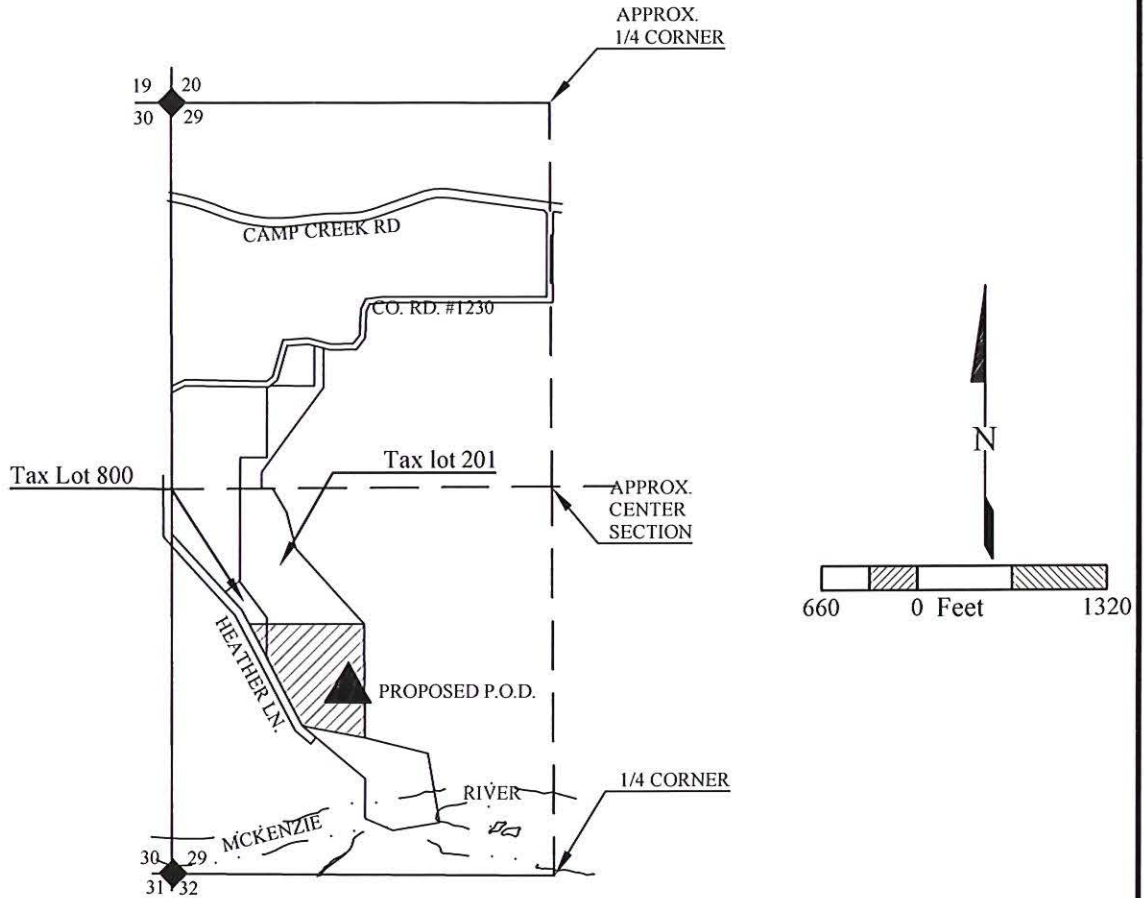


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Superseded 8/20/2009

PROPOSED WATER RIGHT
 T17S., R1W., W.M.
 SECTION 29
 WATER RIGHT TRANSFER APPLICATION, PERMIT #23994
 TAX LOTS 201 AND 800
 MAPS 1701293 AND 1701292
 LANE COUNTY, OREGON
 JUNE 28, 2007



BASE MAPPING BY LANE COUNTY TAX MAPS 1701292 AND 1701293. THIS MAP HAS BEEN PREPARED FOR THE SOLE PURPOSE OF IDENTIFYING THE REQUESTED WATER RIGHT LOCATION. THERE IS NO INTENT TO PROVIDE DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

SECTION	AREA OF USE		AREA (AC)
	1/4	1/4	
29	NW	SW	6.4
	SW	SW	3.6
TOTAL			10.00

- LEGEND**
- SECTION LINE
 - - - 1/4 SECTION LINE
 - ◆ SECTION CORNER
 - ▲ APPROXIMATE LOCATION OF PROPOSED DIVERSION POINTS AND PUMP SYSTEM = 1,201' EAST, 1,190' NORTH OF SW SECTION CORNER

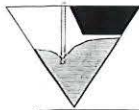
Shane J. Hughes
 Jan. 17, 1995
 STATE OF OREGON
Renews 6/30/09

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 WATER RESOURCES DEPARTMENT
 SALEM, OREGON

EGR & Associates, Inc.
 Engineers, Geologists, and Surveyors
 2535B Prairie Road
 Eugene, Oregon 97402
 (541) 688-8322
 Fax (541) 688-8087

G:\5890 - Hunsaker-07-0017-PROPOSED waterright.dwg, Jul 19, 2007 - 10:14am LAYOUT WTR.RGHT

T 10439



EGR & Associates, Inc.

Engineers and Geologists
2535 B Prairie Road
Eugene, Oregon 97402
(541) 688-8322 FAX (541) 688-8087

LETTER OF TRANSMITTAL

DATE: 8/19/09	JOB NO: 5890070017
ATTENTION:	
RE: Hunsaker Water Right Transfer Application Permit #23994	
T-10439	

TO: OWRD
Don Miller
725 Summer St. NE, Suite A
Salem OR 97301

WE ARE SENDING YOU:

- Drawings Report Letter Copy of Letter Plans
- Specifications Change Order MAP

VIA: Fax Transmittal Postal Service Express Courier Hand Deliver

DOC. NO.	COPIES	DATE	DESCRIPTION
1		6/29/09	Stamped Map of Hunsaker Water Right Transfer Application Permit #23994 T-10439 Water Right Transfer Correspondence dated Aug 14 th

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AUG 20 2009

WATER RESOURCES DEPT
SALEM, OREGON

THESE ARE TRANSMITTED AS CHECKED BELOW:

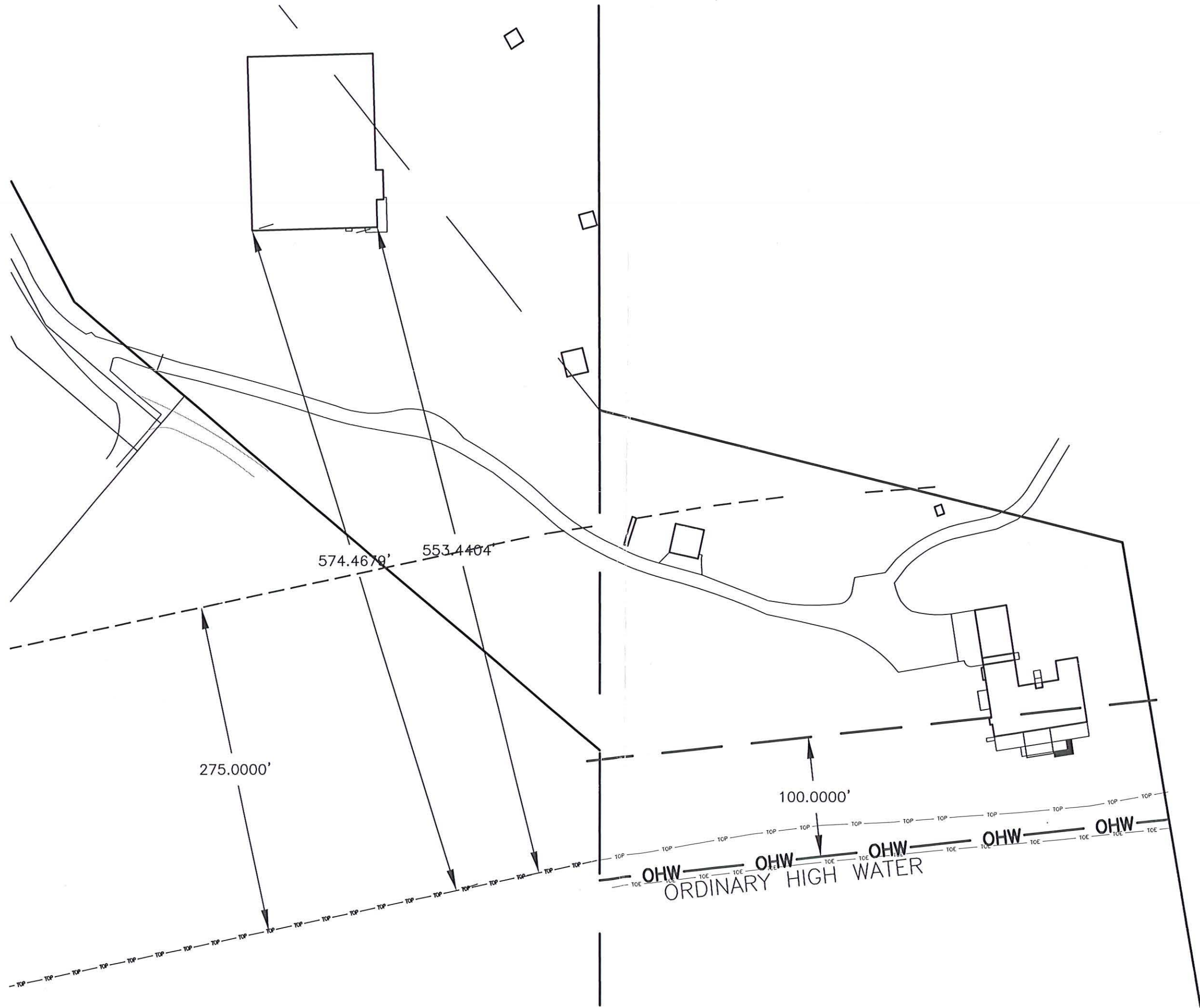
- As Requested For Your Use For Approval For Review and Comment Returned For Corrections
- Approved as Noted Approved as Submitted Return Corrected Prints Resubmit for Approval

REMARKS:

Replace this stamped map for the unstamped map sent with the permit application #23994

COPY TO:

SIGNED: Sylvia
Sylvia Schoonover



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Camp Creek Rd

tillable
land

proposed
well
location

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B

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SEE MAP 17-01-29-2

N 89° 47' 00" E
249.76'

CENTER OF SECTION

CANCELLED 300

TAX LOTTED ON MAP
17-01-29-2

TAX LOTTED ON MAP
17-01-29-2

100
29.89 AC.

JOINS PANEL 1180

560

