

T-10447

T-10447

Name Clay & Judith Dickerson
1745 Quines Creek Rd
 Address Azalea, OR 97410
541 837-3730

Change in POU POD
 Date Filed 8-27-07
 Initial notice date 9-4-2007
 DPD issued date _____
 PD issued date _____
 PD notice date _____
 Date of FO 3-23-10 Vol 80 Page 500

C-Date _____
 COBU due date _____
 COBU Received date 12/29/2011
 Certificate issued
7/12/2013 88228

Assignments: _____

Irrigation District N/A

Agent N/A

CWRE Raymond Brown
 CC's list Douglas County, 1036 SE Douglas, Roseburg, OR 97470

DESCRIPTION OF WATER RIGHT(S)

Name of Stream Quines Creek

Trib. of Cow Creek

Use IRR

County Douglas

Quantity of water (CFS) _____

No. of Acres 12.7

Name of ditch _____

App #	Per #	Cert #	PR Date
		<u>9637</u>	<u>1877</u>
App #	Per #	Cert #	PR Date
App #	Per #	Cert #	PR Date
App #	Per #	Cert #	PR Date
App #	Per #	Cert #	PR Date

Decret: Cow Creek, Douglas County (F)

Date	FEES PAID	
	Amount	Receipt #
<u>8-27-07</u>	<u>800.00</u>	<u>89375</u>

Date	FEES REFUNDED	
	Amount	Receipt#

STATE OF OREGON

WATER RESOURCES DEPARTMENT

RECEIPT # **89375**725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: Judith A. Clay
BY: DickersonAPPLICATION
PERMIT
TRANSFER T-10447CASH: ☐ CHECK: # 625 OTHER: (IDENTIFY) ☐TOTAL REC'D \$ 800.00**1083 TREASURY 4170 WRD MISC CASH ACCT**0407 COPIES \$
OTHER: (IDENTIFY) \$

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

4270 WRD OPERATING ACCT**MISCELLANEOUS**0407 COPY & TAPE FEES \$
0410 RESEARCH FEES \$
0408 MISC REVENUE: (IDENTIFY) \$
TC162 DEPOSIT LIAB. (IDENTIFY) \$
0240 EXTENSION OF TIME \$**WATER RIGHTS:**0201 SURFACE WATER EXAM FEE \$ 0202 RECORD FEE \$
0203 GROUND WATER \$ 0204 \$0205 TRANSFER \$ 800.00**WELL CONSTRUCTION**0218 WELL DRILL CONSTRUCTOR EXAM FEE \$ 0219 LICENSE FEE \$
LANDOWNER'S PERMIT 0220 \$

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE0211 WELL CONST. START FEE \$ CARD #
0210 MONITORING WELLS \$ CARD #

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER0233 POWER LICENSE FEE (FW/WRD) \$
0231 HYDRO LICENSE FEE (FW/WRD) \$
HYDRO APPLICATION \$**TREASURY OTHER / RDX**FUND _____ TITLE _____
OBJ. CODE _____ VENDOR # _____
DESCRIPTION \$RECEIPT: **89375**DATED: 8/27/07BY: L. Parker

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

STATE OF OREGON
COUNTY OF DOUGLAS
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CLAY C. AND JUDITH E. DICKERSON
1745 QUINES CREEK RD
AZALEA OR 97410

confirms the right to use the waters of QUINES CREEK, tributary to COW CREEK for IRRIGATION of 12.7 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Douglas County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 11, at Page 1. The date of priority is 1877.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed ONE-SEVENTIETH of one cubic foot per second, or its equivalent for each acre irrigated during the irrigation season of each year (0.18 CUBIC FOOT PER SECOND), or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
32 S	5 W	WM	26	NW NW	74 FEET SOUTH AND 94 FEET EAST FROM NE CORNER, SECTION 27

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
32 S	5 W	WM	27	NE NE	12.7

The quantity of water diverted at the new point of diversion shall not exceed the quantity of water available from the original point of diversion on Quines Creek described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
32 S	5 W	WM	26	NW SW	2721 FEET SOUTH AND 1645 FEET EAST FROM NE CORNER, SECTION 27

Use of water under this right may not utilize the inflow of water from Bull Run Creek.

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or other suitable measuring device in good working order.

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.

- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

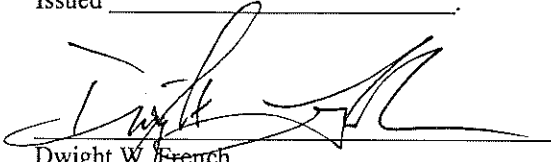
The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with Oregon Department of Fish and Wildlife's operational and maintenance standards.

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

This certificate is issued to confirm a change in POINT OF DIVERSION AND PLACE OF USE approved by an order of the Water Resources Director entered MARCH 23, 2010, at Special Order Volume 80, Page 500, approving Transfer Application 10447, and supercedes Certificate 9637, State Record of Water Right Certificates.

JUL 12 2013

Issued _____



Dwight W. French
Administrator, Water Right Services, for
Phillip C. Ward, Director

RECEIVED

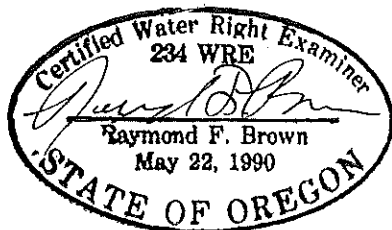
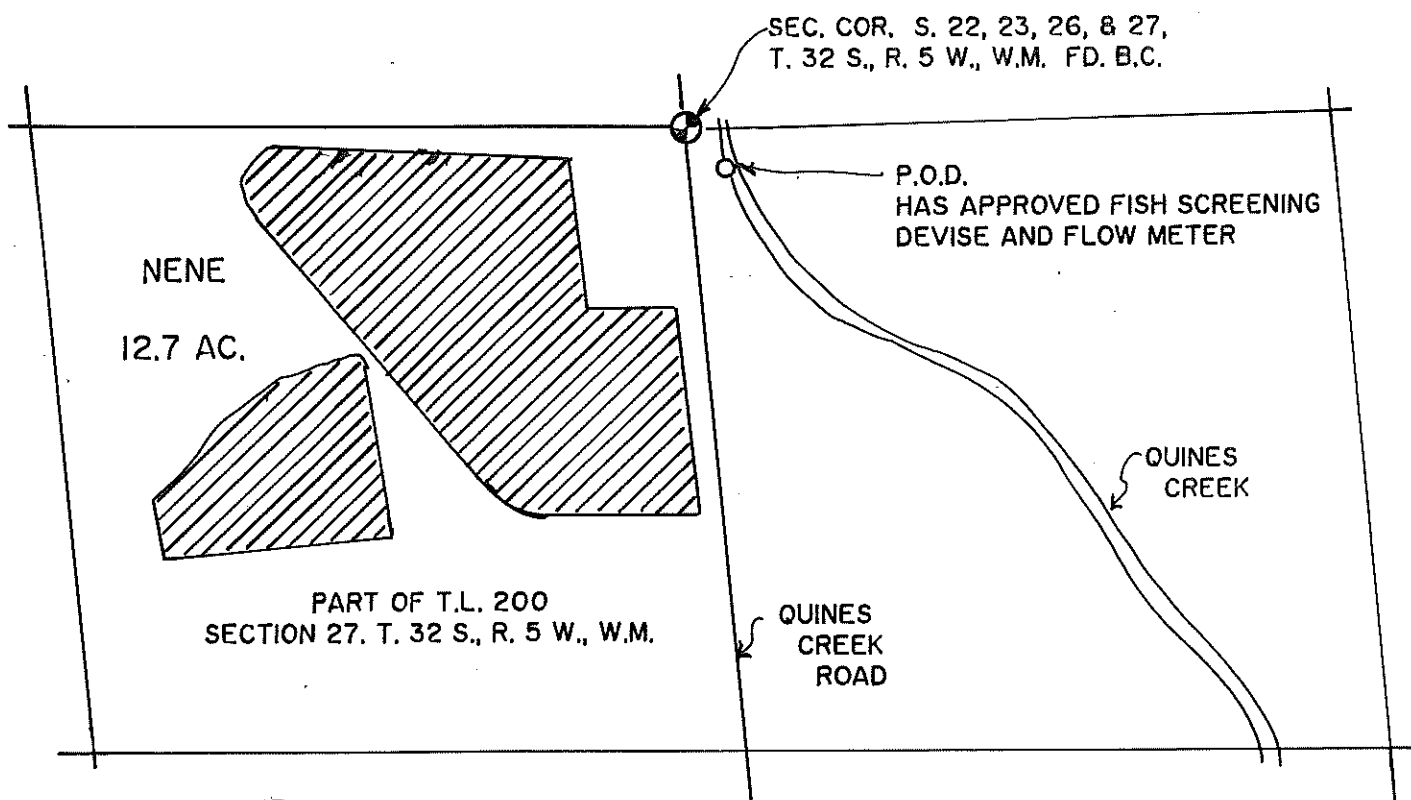
WATER RESOURCES DEPT
SALEM, OREGON

T. 32 S., R. 5 W., W.M.

SCALE: 1" = 400'

THE PURPOSE OF THIS MAP IS TO IDENTIFY THE LOCATION OF THE
WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE
TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.

P.O.D. IS 74 FEET SOUTH AND 94 FEET EAST OF THE
NORTHEAST CORNER OF SECTION 27, T. 32 S., R. 5 W.,
W.M.



AREA IRRIGATED

FINAL PROOF SURVEY

UNDER

EXP. 12/31/2011

TRANSFER APPLICATION T - 10447

IN NAME OF

C. CLAY and JUDITH E. DICKERSON

Surveyed SEPT. 23, 2011

by R.F. BROWN



Oregon

John A. Kitzhaber, MD, Governor

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

Date Mailed: July 12, 2013

NOTICE OF CERTIFICATE ISSUANCE

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

This certificate is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

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

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

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

Mailing List for Transfer Certificate

Application: T-10447

Certificate: 88228

Certificate/Transfer Holder: (include copy of map)

- ✓ CLAY C. AND JUDITH E. DICKERSON
1745 QUINES CREEK RD
AZALEA OR 97410

Copies Mailed

By: *Dawn*
(SUPPORT STAFF)

on: JUL 12 2013
(DATE)

Copies of final Certificate to be sent to:

- ✓ 1. Watermaster #15 (Include map)
- ✓ 2. Data Center
- ✓ 3. Water Availability
- ✓ 4. Vault
- ✓ 5. File

Other Persons to receive copies (proposed and/or final certificate: (Include map)

- ✓ 1. RAYMOND F. BROWN, CWRE

2 Cv. Ltr
5 Certificate
4 Map

Record Marking(s):

- 1. Original Application# NA - DECREED RIGHT
- 2. Old Certificate# 9637

RECEIVED

DEC 29 2011

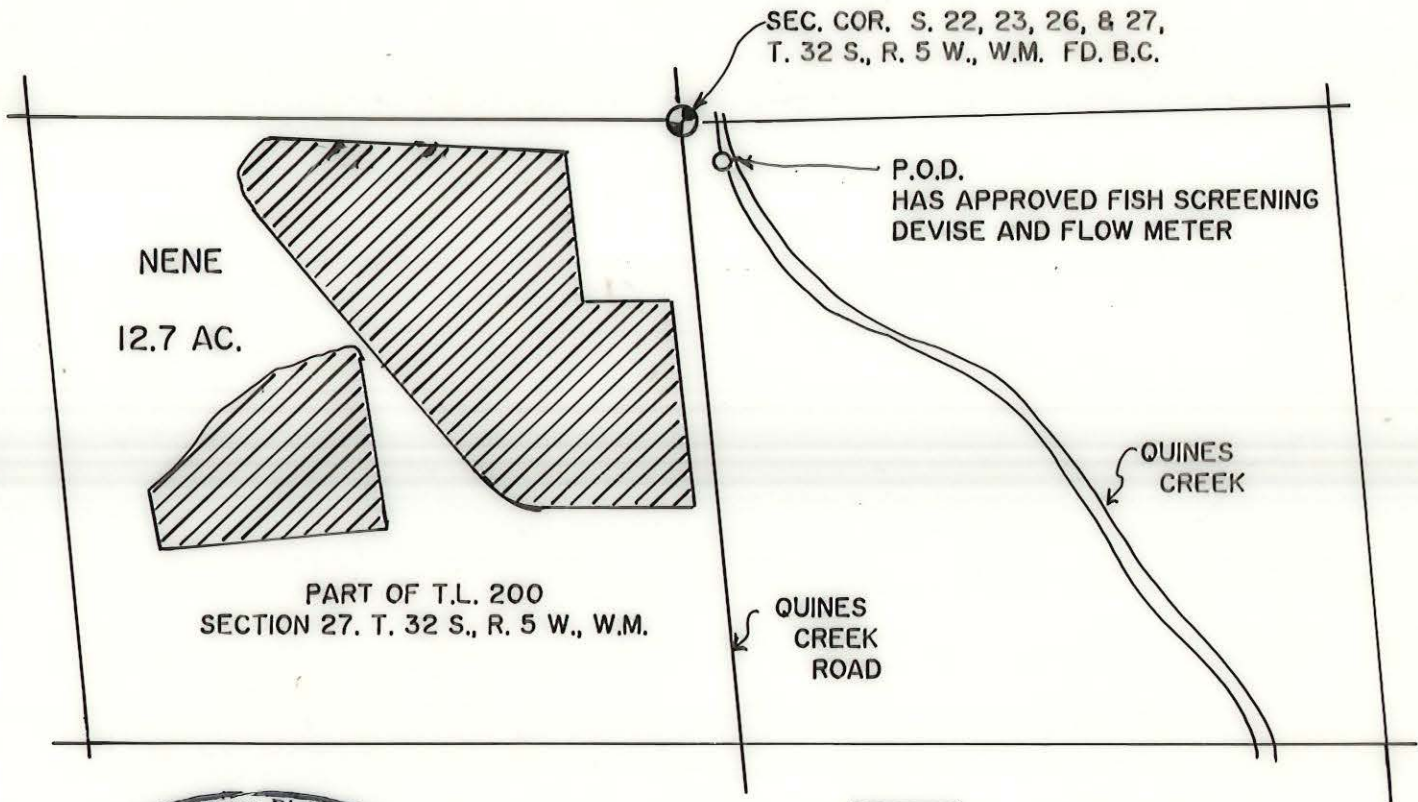
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SALEM, OREGON

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NORTHEAST CORNER OF SECTION 27, T. 32 S., R. 5 W.,
W.M.



FINAL PROOF SURVEY

UNDER

EXP. 12/31/2011

TRANSFER APPLICATION T - 10447

IN NAME OF

C. CLAY and JUDITH E. DICKERSON

Surveyed SEPT. 23, 2011

by R.F. BROWN

STATE OF OREGON

COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CLAY C. AND JUDITH E. DICKERSON
1745 QUINES CREEK RD
AZALEA OR 97410

confirms the right to use the waters of QUINES CREEK, tributary to COW CREEK for IRRIGATION of 12.7 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Douglas County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 11, at Page 1. The date of priority is 1877.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed ONE-SEVENTIETH of one cubic foot per second, or its equivalent for each acre irrigated during the irrigation season of each year (0.18 CUBIC FOOT PER SECOND), or its equivalent in case of rotation, measured at the point of diversion.

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Twp	Rng	Mer	Sec	Q-Q	Measured Distances
32 S	5 W	WM	26	NW NW	74 FEET SOUTH AND 94 FEET EAST FROM NE CORNER, SECTION 27

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
32 S	5 W	WM	27	NE NE	12.7

The quantity of water diverted at the new point of diversion shall not exceed the quantity of water available from the original point of diversion on Quines Creek described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
32 S	5 W	WM	26	NW SW	2721 FEET SOUTH AND 1645 FEET EAST FROM NE CORNER, SECTION 27

Use of water under this right may not utilize the inflow of water from Bull Run Creek.

Measurement, recording and reporting conditions:

- A. The water user shall maintain the meter or other suitable measuring device in good working order.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

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

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

This certificate is issued to confirm a change in POINT OF DIVERSION AND PLACE OF USE approved by an order of the Water Resources Director entered MARCH 23, 2010, at Special Order Volume 80, Page 500, approving Transfer Application 10447, and supercedes Certificate 9637, State Record of Water Right Certificates.

Issued _____.

Dwight W. French
Administrator, Water Right Services, for
Phillip C. Ward, Director

MEMO

TO: FILE T-10447

FROM: JWG

DATE: 4.26, 2013

RE: DETERMINATION OF PROOF

I've determined that a PROPOSED X FINAL certificate should be prepared and mailed to the permit holder consistent with:

 Permit X Transfer

 FPS X COBU

As described in the permit/transfer but as clarified by the FPS COBU

As described in the PERMIT/TRANSFER and FPS or COBU but as further specified below:

 Conflict? X No Yes: _____

X stamped PROPOSED or assign Cert # 88228

X Draft certificate(s) are available in the transfer directory.

✓ Water Organization identified using area of interest tool? X No Yes, cc: _____

X Check ownership; and if there is a new owner, add them to the mailing list.

X Prepare a mailing list.

 Record marking: App _____ Cert _____

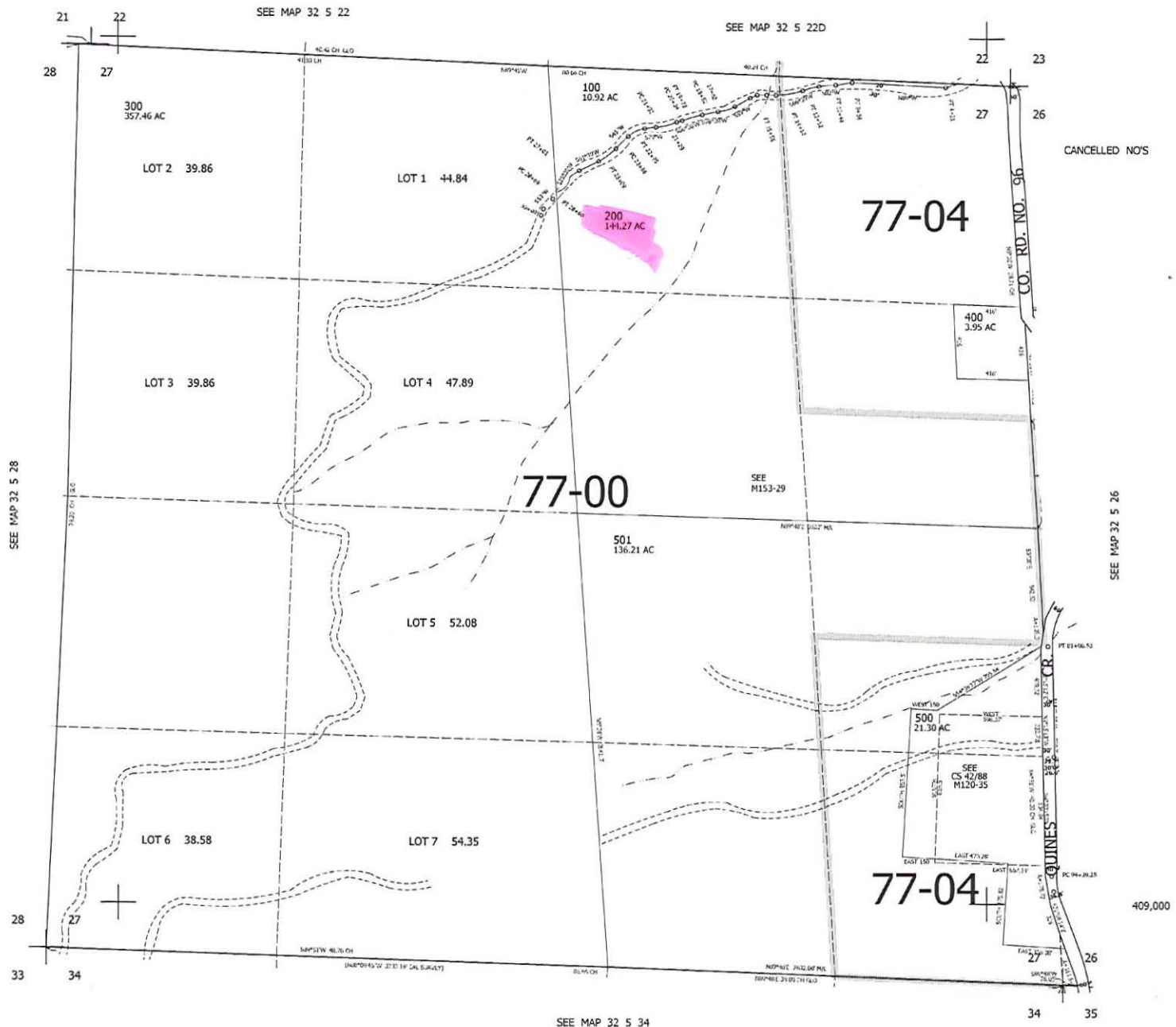
NOTES:

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY.

SEC.27 T.32S. R.5W. W.M.
DOUGLAS COUNTY
1" = 400'

REVISED ON
5-14-97

32 5 27



4,178,000

32 5 27

Property Details for Property ID: R56687**Owner Information :**

Owner Name: DICKERSON, CHERRYL CLAY &
Owner Address #1: JUDITH E
Owner Address #2: 1725 QUINES CREEK ROAD
Owner Address #3: Alternate Account #: XXXXXXXXXX
Owner City/State/Zip: AZALEA, OR 97410 Account Status: A

Property Information :

Township: 32	Situs Address: 1625 QUINES CREEK RD AZALEA, OR 97410
Range: 05W	Map ID: 32052700200
Section: 27	County Property Class: 544I
Quarter:	Legal Acreage: 5.00
Sixteenth:	Code Area: 07704
Maintenance Area: 3	Neighborhood Code: FA
Year Built: 1929	Living Area: 1438; 1714
Bedrooms: 3	Baths: BATH1
Exemption Code:	Exemption Desc.:
MFD Home ID:	

Value Information : 2012-2013 Certified Values and Tax Information

Improvement Appr. Value: \$195,197.00	Total Appr. Value: \$206,358.00
Land Appr. Value: \$11,161.00	Exemption Value: \$0.00
Land Market Value: \$91,824.00	Total Assessed Value: \$205,951.00
Total Real Market Value: \$287,021.00	Taxes Imposed: \$1,947.16

Sales Information :

Deed No: 2012-508
Sale Price: \$0.00 Sale Date: 1/11/2012

DISCLAIMER

The information provided here is for convenience ONLY. For All Commercial, Industrial, and Multi-Family Properties visit the Douglas County Assessor's Office. The records located at the Douglas County Assessor's office are the one and only legal instruments for Assessment purposes. Although reasonable attempts are made to maintain this information as accurate as possible, these documents are being provided as an informational convenience ONLY. Douglas County in no way will be liable for any inaccuracies, inconsistencies, errors, omissions, or other deviations in these documents from the original copies maintained and filed at the Douglas County Assessor's Office.



Oregon

John A. Kitzhaber, MD, Governor

Water Resources Department

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

December 30, 2011

C .Clay & Judith Dickerson
10745 Quines Creek RD
Azalea OR 97410

On December 29, 2011, the Water Resources Department received the Claim of Beneficial Use (COBU) for the following file(s):

T-10447

The COBU included a report and map. The Department hopes to review your submittal within approximately 2 - 4 years. At that time we will review these items and provide a final certificate, proposed certificate, or a request for additional information.

If you are interested in having your COBU reviewed sooner, you may pay to have your file processed immediately, using the Reimbursement Authority program, which is described at:
http://www.wrd.state.or.us/OWRD/mgmt_reimbursement_authority.shtml

For all other questions please call our Customer Service phone: (503) 986-0801.

If you sell the property, please contact the Department, or have the new owners contact the Department about the need to file an assignment.



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 24, 2010

CLAY C. & JUDITH E. DICKERSON
1745 QUINES CREEK ROAD
AZALEA OR 97410

REFERENCE: Transfer Application T-10447

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@wrdd.state.or.us.

Sincerely,

Sarah Henderson
Executive Support
Field Services Division

cc: Watermaster Dist. #15

Enclosure

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

In the Matter of Transfer Application	)	FINAL ORDER APPROVING
T-10447, Douglas County	)	CHANGES IN POINT OF DIVERSION
	)	AND 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

C. CLAY DICKERSON
JUDITH E. DICKERSON
1745 QUINES CREEK ROAD
AZALEA OR 97410

Findings of Fact

Background

1. On August 27, 2007, C. CLAY DICKERSON AND JUDITH E. DICKERSON filed an application to change the point of diversion and to change the place of use under Certificate 9637. The Department assigned the application number T-10447.

2. The right to be transferred is as follows:

Certificate:	9637 in the name of W.A. JACKSON (confirmed by Cow Creek Decree, Douglas County)
Use:	IRRIGATION of 12.7 ACRES
Priority Date:	1877
Limit/Duty:	The amount of water used for irrigation is limited to a diversion of ONE-SEVENTIETH of one cubic foot per second, or its equivalent for each acre irrigated during the irrigation season of each year.
Source:	QUINES CREEK, tributary to COW CREEK
Authorized Point of Diversion:	NONE SPECIFIED

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
32 S	5 W	WM	27	NE NE	12.7

3. Certificate 9637 does not describe the location of the point of diversion; however, information is available from the map submitted with this application prepared by a Certified Water Right Examiner indicating that the point of diversion is located as follows:

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
32 S	5 W	WM	26	NW SW	2721 FEET SOUTH AND 1645 FEET EAST OF THE NE CORNER OF SECTION 27

4. Transfer Application T-10447 proposes to move the authorized point of diversion approximately ½ mile downstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
32 S	5 W	WM	26	NW NW	74 FEET SOUTH AND 94 FEET EAST FROM THE NE CORNER OF SECTION 27

5. Application T-10447 also proposes to change the place of use of a portion of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Proposed Change
32 S	5 W	WM	27	NE NE	8.6	POD/POU
32 S	5 W	WM	27	NE NE	4.1	POD

6. Notice of the application for transfer was published on September 4, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
7. On December 18, 2009, the Department mailed to the applicants a copy of the draft Preliminary Determination proposing to approve Transfer Application T-10447. The draft Preliminary Determination cover letter set forth a deadline of January 25, 2010, for the applicants to respond.
8. On January 12, 2010, the applicants requested in writing that the Department proceed with the issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicants are authorized to pursue the transfer application. The applicants requested a correction in the applicant's name from Clay C. Dickerson to C. Clay Dickerson. The applicant also requested an extension of time for filing the claim of beneficial use due to the difficulty in obtaining and contracting with a Certified Water Right Examiner.
9. On January 14, 2010, the Department issued a Preliminary Determination proposing to approve Transfer Application T-10447 and mailed a copy to the applicants. Additionally, notice of the Preliminary Determination for the transfer application was published on the

Departments weekly notice on January 26, 2010, and in the Grants Pass Daily Courier on February 3, 10, and 17, 2010, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

10. The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screening and/or by-pass device is necessary at the new point of diversion to prevent fish from entering the diversion and/or safely transport fish back to the body of water from which the fish were diverted and that the diversion is not currently equipped with an appropriate fish screening and/or by-pass device. This diversion may be eligible for screening cost share funds.
11. The proposed change in point of diversion moves the location of the point of diversion downstream on Quines Creek past the inflow of Bull Run Creek, a separate source of water. However, as conditioned in # 4 below, the proposed change in point of diversion would not result in injury to any water rights.

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

12. Water has been used within the five-year period prior to submittal of the transfer application 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 diversion structure and ditch 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-10447.
14. The proposed changes would not result in enlargement of the right.
15. The proposed changes as conditioned below would not result in injury to other water rights.

Conclusions of Law

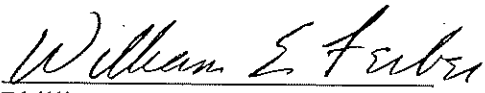
The change in point of diversion and change in place of use proposed in Transfer Application T-10447 is consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The change in point of diversion and change in place of use proposed in application T-10447 are approved.
2. 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 9637 and any related decree.
3. Water right certificate 9637 is cancelled.

4. The quantity of water diverted at the new point of diversion shall not exceed the quantity of water lawfully available at the original point of diversion on Quines Creek. Use of water under this right may not utilize the inflow of water from Bull Run Creek.
5. Water use measurement conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of diversion.
 - b. The water user shall maintain the meters or measuring devices in good working order.
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.
6. Prior to diverting water, the water user shall install a fish screening and/or by-pass device, as appropriate, at the new point of diversion consistent with the Oregon Department of Fish and Wildlife's (ODFW) design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screen and/or by-pass device meets ODFW's criteria. Prior to submitting a Claim of Beneficial Use, the water user must obtain written approval from ODFW that the required screening and/or by-pass device was installed to the state's criteria. The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.
7. The former place of use of the transferred right shall no longer receive water under the right.
8. The approved changes shall be completed and full beneficial use of the water shall be made on or before **October 1, 2012**. A Claim of Beneficial Use prepared by a Certified Water Right 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.
9. When satisfactory proof of the completed changes is received, a new certificate confirming the right transferred will be issued.

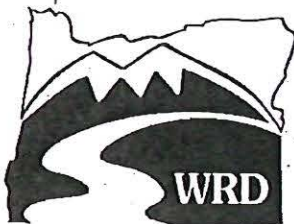
Dated at Salem, Oregon this 23rd day of March 2010.


By Phillip C. Ward, Director

Mailing date: MAR 25 2010

Completion Checklist for CWRE Claims of Beneficial Use

Application # T 10447



Date Received 12/29/2011
 CWRE Name Raymond Brown Claim Logged yes
 File Marked yes
 Oversized Map # _____
 Read the file and attach a copy of the permit or transfer final order. _____

Map Review:

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

Report Review:

- ☒ On form or format provided by the Department (OAR 690-014-0100(1))
- ☒ Application & permit #; or transfer # (OAR 690-014)
- ☒ Ownership information (OAR 690-014)
- ☒ Date of survey (OAR 690-014)
- ☒ Person interviewed (OAR 690-014)
- ☒ County (OAR 690-014)
- ☒ Tax lot information (OAR 690-014)
- ☒ Description of conveyances system (from POD to POU) (OAR 690-014-0100)
- ☒ Source(s) of water (OAR 690-014-0100)
- ☒ Point of diversion/appropriation location (OAR 690-014-0100)
- ☒ Use, period of use, and rate for use (OAR 690-014-0100)
- ☒ Place of use location (OAR 690-014-0100)
- ☒ Type of use (OAR 690-014-0100)
- ☒ Extent of use (OAR 690-014-0100)
- ☒ Rate and Duty (OAR 690-014-0100)
- ☒ Diversion rate for each use (OAR 690-014-0100)
- ☒ Diversion works description (pump make, serial model, capacity, and description) (OAR 690-014-0100)
- ☒ System capacity (OAR 690-014-0100)
 - ☒ Calculated capacity of system (required)
 - ☒ Measured amount of use (optional)
- ☒ Permit/Transfer Final Order Conditions (OAR 690-014-0100)
 - ☒ Time limits
 - ☒ Initial water level measurements
 - ☒ Annual static water level measurements
 - ☒ Measurement, recording, and reporting
 - ☒ Meter/measuring device
 - ☒ Water use reporting
 - ☒ Fish screening and/or by-pass
 - ☒ Pump test (ground water)
 - ☒ Other conditions
- ☒ CWRE stamp and signature (OAR 690-014-0100)
- ☒ Signature(s) of permittee of transfer holder (OAR 690-014-0100)

DEF = deficient

N/A = Not Applicable

Certificate Issuance Processing Checklist

_____ Map and COBU reviewed
_____ Conflict check (include copy of plat card printout) Any Conflicts? _____
_____ Check for ownership

Staff Recommendations:

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

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

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

_____ **Proposed Actions:**
Send letter requesting the following items/information: _____
Send letter recommending extension to cure deficiencies: _____

Can certificate be processed further?

_____ Yes

If "Yes":

_____ Proposed
_____ Final

Certificate # _____

Mailing list:

Proposed:

Final:

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

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No fee is required for submitting this form for a transfer.

A fee of \$150 must accompany this form to be accepted for permits with a priority date of July 9, 1987, or later. (ORS 536.050(1))

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.wrd.state.or.us/OWRD/WR/cwre_info.shtml#.

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.

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.wrd.state.or.us/OWRD/mgmt_reimbursement_authority.shtml.

SECTION 1 GENERAL INFORMATION

1. File Information

APPLICATION # (G, R, S or T)	PERMIT # (IF APPLICABLE)	PERMIT AMENDMENT # (IF APPLICABLE)
T - 10447		

2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME C. Clay Dickerson and Judith E. Dickerson		PHONE NO. 541-837-3730	ADDITIONAL CONTACT NO.
ADDRESS 1745 Quines Creek Road			
CITY Azalea	STATE OR	ZIP 97410	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. **The COBU must be signed by each permit or transfer holder of record.**

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

PERMIT OR TRANSFER HOLDER OF RECORD C. Clay Dickerson and Judith E. Dickerson		
ADDRESS 1745 Quines Creek Road		
CITY Azalea	STATE OR	ZIP 97410

ADDITIONAL PERMIT OR TRANSFER HOLDER OF RECORD NA		
ADDRESS		
CITY	STATE	ZIP

4. Date of Site Inspection: **September 23, 2011**

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

NAME	DATE	ASSOCIATION WITH THE PROJECT
C. Clay Dickerson	09/23/2011	Owner

6. County: **Douglas**

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)):

**Mark "NA" if there are no owners of property not included in this claim

OWNER OF RECORD NA		
ADDRESS		
CITY	STATE	ZIP

ADDITIONAL OWNER OF RECORD NA		
ADDRESS		
CITY	STATE	ZIP

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SECTION 2

SYSTEM DESCRIPTION

A. Points of Diversion/Appropriation

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)
POD		

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
POD	Quines Creek	Cow Creek

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	RATE OR VOLUME FOR USE (CFS, GPM, OR AF)
POD	Irrigation	Hay/Pasture	Irrigation Season	0.181 CFS
Total Quantity of Water Used				0.181 CFS

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:

From the POD, water is drawn up by (2) two, 3.0 horsepower pumps tied to a manifold, then from the manifold, water is piped underground through a 3 inch PVC mainline for 1340 feet. Hand lines of 3 inch AL. pipes are connected at various points along the mainline to distribute the water.

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SECTION 2

SYSTEM DESCRIPTION (B through H)

Are there multiple PODs or POAs?

NO

If "YES" you will need to copy and complete Sections 2B through 2H for each POD/POA.

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

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NO

B. Place of Use

1. Is the right for municipal use?

If "YES" the table below may be deleted.

TWP	RNG	MER	SEC	QQ	GLOT	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
32 S	5 W	W.M.	27	NENE			Irrigation	12.7 acres	
Total Acres Irrigated								12.7 acres	

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.

C. 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
Monarch Indst.	ACE3005D	2102	CENTRIFUGAL	2 inch	2 inch
Cornell pump	1-1/4WL3-2	1307	CENTRIFUGAL	1-1/2inch	1-1/4 inch

3. Motor Information

MANUFACTURER	HORSEPOWER
Century	3.0 Horsepower
General Electric	3.0 Horsepower

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)
3.0 H.P.	67 PSI	8.0 FEET	30 FEET	0.193 CFS
3.0 H.P.	67 PSI	8.0 FEET	30 FEET	TOTAL

5. Provide pump calculations:

3.0 H.P. X 6.61 / 38.0 + 167.6 = 0.0965 X 2 systems = 0.193 CFS

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)
NA			

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
3 INCH	1340 FEET	PVC	BURIED

9. Lateral or Handline Information

LATERAL OR HANDLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
3 INCH	420 FEET	AL.	ABOVE GROUND

10. Sprinkler Information

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
5/32	40 PSI	5.0 GPM	44.0	19	0.186 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:

D. Groundwater Source Information (Well and Sump)

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

NO

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

E. Storage

1. Does the distribution system include in-system storage (i.e. storage tank, bulge in system / reservoir)

NO

If "NO", item 2 and 3 relating to this section may be deleted.

F. 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

If "NO", items 2 through 4 relating to this section may be deleted.

G. 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

If "NO", items 2 through 4 relating to this section may be deleted.

H. 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.

If "NO", items 2 through 9 relating to this section may be deleted.

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SECTION 3

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	03/23/2010		
BEGIN CONSTRUCTION (A)	03/23/2010	06/10/2010	BEGAN CONSTRUCTION
COMPLETE CONSTRUCTION (B)	10/01/2011	09/23/2011	FINISHED CONSTRUCTION AND HAD VISIT FROM C.W.R.E.
COMPLETE APPLICATION OF WATER (C)	10/01/2012	09/23/2011	C.W.R.E. VISIT AND SYSTEM RUNNING

* 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)?

If "NO", you may delete item 3 in this section.

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NO

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4. Initial Water Level Measurements:

a. Was the water user required to submit an initial static water level measurement?

If "NO", items 4b through 4d relating to this section may be deleted.

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NO

5. Annual Static Water Level Measurements:

a. Was the water user required to submit annual static water level measurements?

If "NO", items 5b through 5e relating to this section may be deleted.

NO

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?

If "NO", items 6b through 6e relating to this section may be deleted.

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?

If "NO", items 7b through 7f relating to this section may be deleted.

YES

Reminder: If a meter or approved measuring device was required, the COBU map must indicate the location of the device in relation to the point of diversion or appropriation.

b. Has a meter been installed?

YES

c. Meter Information

POD/POA NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
POD	NETAFIM	08- 49298	WORKING	8828	06/2011

If a meter has been installed, items 7d through 7f relating to this section may be deleted.

8. Recording and reporting conditions

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

If "NO", item 8b relating to this section may be deleted.

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NO

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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?

YES

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

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

b. Has the fish screening been installed?

YES

c. When was the fish screening installed?

DATE	BY WHOM
2005	C. CLAY DICKERSON

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

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

- Has the self-certification form previously been submitted to the Department? NA
- If not, go to <http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml>, complete and attach a copy of the self-certification form to this claim, and send a copy of it to the Oregon Department of Fish and Wildlife (ODFW).

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

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

- Has the ODFW approval been previously submitted? NA
- If not, contact and work with ODFW to ensure compliance. To demonstrate compliance, provide signed documentation from ODFW. A form is available at <http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml>

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

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

If "NO", items 10b and 10c relating to this section may be deleted.

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 4

VARIATIONS

Include a description of variations from the permit, permit amendment final order, extension final order, or transfer final order. (i.e. *"The permit allowed three points of diversion. The water user only developed one of the points."* or *"The permit allowed 40.0 acres of irrigation. The water user only developed 10.0 acres."*)

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SECTION 5

ATTACHMENTS

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

ATTACHMENT NAME	DESCRIPTION
MAP	FINAL PROOF MAP
ODF	FISH SCREEN INSPECTION FORM

SECTION 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
POD	0.181 CFS	0.193 CFS	NA	Irrigation	12.70	12.70

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.

Site was surveyed using a total station. Area of irrigation was traversed. Ties were made to the Section corner and other monuments found per survey map file number M 27-11, Douglas County Surveyor's Office, Douglas County, Oregon

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Map Checklist

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

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- ☒ Map on polyester film
- ☒ Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-size scale of the county assessor map)
- ☒ Township, Range, Section, Donation Land Claims, and Government Lots
- ☒ If irrigation, number of acres irrigated within each projected Donation Land Claims, Government Lots, Quarter-Quarters
- ☒ Locations of fish screens and/or fish by-pass devices in relationship to point of diversion

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

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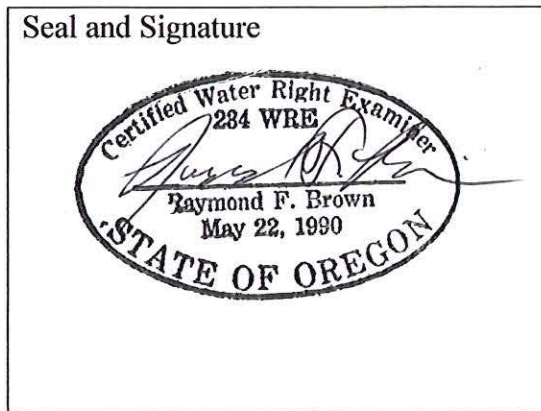
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SECTION 8 SIGNATURES

CWRE Statement, Seal and Signature

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



EXP. 12/31/2011

CWRE NAME Raymond F. Brown		PHONE NO. 541-839-6185	ADDITIONAL CONTACT NO. 541-680-8950
ADDRESS P.O. Box 539			
CITY Canyonville	STATE OR	ZIP 97417	E-MAIL canchief@yahoo.com

Permit or Transfer Holder's of Record Signature or Acknowledgement

This Claim of Beneficial Use must be signed by each permit or transfer holder of record.

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	DATE
	C. CLAY DICKERSON	12-27-11
	JUDITH E. DICKERSON	12-27-11

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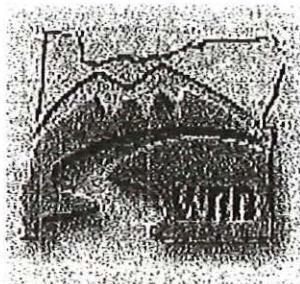
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OREGON DEPARTMENT OF FISH AND WILDLIFE
OREGON WATER RESOURCES DEPARTMENT

FISH SCREEN INSPECTION FORM

Applicant Clay & Judy
Name: Dickerson Water Right Number: T-10447 Water Right Amount (cfs) C. 18

Address: 1745 Guines Cr Rd, Hazen, OR 97410 Phone (541) 837-3130

Diversion

Stream: Guines Cr. Tributary to: Cow Cr.

Address (if different than applicants): _____

Diversion Type: pump Location: T____, R____, Sec.____

GPS Coordinates: 42, 76876 - 123, 26859 SATS: 6

Pump Information

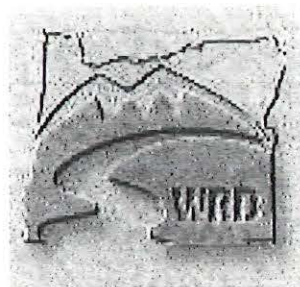
Brand: Monarch (x2) Horsepower: 3hp ea Intake Size: 1 1/2"

Screen Information

Type: passive Installed by: owner Date Installed: Spring 2004

Date of Inspection: 1-19-10 Inspected by: Rich Kulbane Agency: ODFW

- Comments: Screen is more than adequately sized for amount of water being pumped. Also, fish bypass and fish passage are not issues at this diversion.
- ☒ Screen meets current state criteria for fish protection.
- ☐ Screen does not meet current state criteria for fish protection.
- ☐ Another screen inspection should be done before water use begins.



OREGON DEPARTMENT OF FISH AND WILDLIFE
OREGON WATER RESOURCES DEPARTMENT

FISH SCREEN INSPECTION FORM

Applicant Clay & Judy
Name: Dickerson Water Right Number: T-10447 Water Right Amount (cfs) 0.18

Address: 1745 Quines Cr Rd, Hazelton, OR 97410 Phone (541) 837-3730

Diversion
Stream: Quines Cr Tributary to: Cow Cr

Address (if different than applicants): _____

Diversion Type: pump Location: T____, R____, Sec.____

GPS Coordinates: 42.76876 - 123.26859 SATS: 6

Pump Information

Brand: Monarch (x2) Horsepower: 3hp ea Intake Size: 1 1/2"

Screen Information

Type: passive Installed by: owner Date Installed: spring 2004

Date of Inspection: 1-19-10 Inspected by: Rich Hulbane Agency: ODFW

Comments: Screen is more than adequately sized for amount of water being pumped. Also, fish bypass and fish passage are not issues at this diversion.

☒ Screen meets current state criteria for fish protection.

☐ Screen does not meet current state criteria for fish protection.

☐ Another screen inspection should be done before water use begins.

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JAN 27 2010

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C. Clay and Judith E. Dickerson
1745 Quines Creek Road
Azalea, OR 97410

January 12, 2010

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266

Subject: Water Right Transfer Application T-10447

We have received the DRAFT Preliminary Determination and cover letter dated December 18, 2009, related to the above application.

We find the provisions of the Determination to be accurate and acceptable except as noted below.

1. The deadline listed for our response is shown on the cover letter as before January 25, 2009. Obviously this is impossible, since that date occurred about 11 months earlier.
2. The name of the applicants should be C. Clay and Judith E. Dickerson rather than Clay C. and Judith E. Dickerson.

We are somewhat confused about the requested Title Report for the property. We provided a copy of a recent Title Report to Raymond Brown, who did the application work, and understood that it was included with the application, submitted in August 27, 2007. In the case that it was not included, we are attaching a copy of that Title Report (enclosure #2), which was signed July 5, 2005. There have been no changes to the ownership of the property since that time. This provides proof of our ownership.

We believe that we have acceptable fish screening already in place as per instructions provided to us by ODF&W in 2003. This should meet condition 6 of Determination and Proposed Action. To ensure compliance, we have contacted ODF&W and set an appointment on January 19, 2010, for inspection of the screening and to provide written approval.

We will obtain a totalizing flow meter as required in provision 5 of Determination and Proposed Action before the 2010 irrigation season.

Please send to us, **in a timely manner**, names of individuals who are currently Certified Water Rights Examiners in our area. Previously it took nearly 24 months to find one qualified individual who was willing to do this application work. The problem was that many of those listed would not return our calls or were no longer doing this work. The person who agreed to do the work, then took 18 months to actually begin, which when started took about 2 hours. It was then several more weeks before he submitted the application. With the delays we experienced previously, we could not expect to meet the deadline for submitting a Claim of Beneficial Use as required in 8 of Determination and Proposed Action.

Sincerely,

C. Clay Dickerson

Water Right Transfer Checklist

Teri

Transfer T-10447

Transfer Specialist: SW Region Drawer

Transfer Type: Regular

Applicant Name/Address: Clay & Judith Dickerson, 1745 Quines Creek Rd, Azalea, OR 97410

Agent Name/Address: NONE

CWRE Name/Number: NONE

Rec Landowner Name/Address: NONE

Irr. District Name/Address: NONE

Affected Gov'ts Name/Address: Douglas County, 1036 SE Douglas, Roseburg, OR 97470

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.
☒	☒			9637	☒ Yes ☒ No	
☐	☐				☐ Yes ☐ No	
☐	☐				☐ Yes ☐ No	

Key Dates & Initial Actions

Rec'd: <u>08/27/07</u>	Proposed Action(s): POU POD HST APOD USE OTHER: POU/POD	
Fees Pd: <u>800.00</u>	WM District: <u>15</u>	ODFW District: <u>Sam Moyer</u>
Initial Notice: <u>09/04/07</u>	WM Review sent: <u>08/31/07 9-4-07</u>	ODFW Review sent: <u>08/31/07 9-4-07</u>
Acknowledgement Letter Sent ☒		GW Review sent: <u>NONE</u>

Processing Dates & Actions

Deficiency Contacts: _____

DPD Mailed: 12/18/09

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

PD Mailed: 1/14/10

PD Weekly Notice: 1/26/10

Newspaper Pub Affid Due: 3/5/10

☐ not required

Affid of Pub Rec'd: 2/22/10

Last Day Published: 12/17/10

Affidavit Reminder Sent: _____

Reminder Deadline: _____

Preliminary Determination

☐ Electronic Files uploaded

☐ PD Cover letter

☐ PD Notice

☐ File Assigned/ ModPod updated

☐ Preliminary Determination

☐ Fee Refund Due

☐ Remaining Rights

DPD Review (Optional)	PD Review (Salem)	Final Order Review (Salem)
Reviewer: <u>Kam</u>	Reviewer: <u>GLO</u>	Reviewer: _____
Date: <u>12/17/09</u>	Date: <u>1-19-10</u>	Date: _____
Coordinator: <u>AMP</u>	Coordinator: <u>AMP</u>	Coordinator: <u>AMP</u>
Date: <u>12/17/09</u>	Date: <u>1/20/10</u>	Date: <u>3/12/10</u>
Comments/Special Issues: <u>Δ POD Δ POU for portion</u>		

Special Order Volume: Vol 80 Pages 500

Final Order Signature Date: 3-23-10

Notice of FO email'd to processors Teri

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*)
N/A ☐ 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.
N/A ☐ 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 & ¼ ¼ 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 POUs 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 ¼ ¼.

Ownership

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

Evaluation (materials needed for peer reviewer in bold)

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

Reviews/comments/conditions received? ☐ Watermaster ☐ ODFW ☐ GW

- | | | | |
|---------------------|---|---|--|
| Headgate | ☐ When in the judgment | ☐ Prior to diverting | ☐ Existing and maintain |
| Measuring Devices | ☐ When in the judgment | ☐ Prior to diverting | ☐ Existing and maintain |
| Fish Screen Devices | ☐ | | |

Injury: Y N Enlargement: Y N

Conditions to avoid enlargement/injury –

APPLICATION

PR	CW		PR	CW	
☒	☒	Appropriately signed	☒	☒	Appropriate Fees Paid
☒	☒	All required Attachments Received	☐	☐	Overpayment of Fees, Refund Request with FO
☒	☒	Ditch Company, Irr. Dist. and/or BOR sent copies	☒	☒	Land Use Form matches Tax Lots, is signed by proper official and is APPROVED

WATER RIGHT SUBJECT TO TRANSFER

PR	CW		PR	CW	
☒	☒	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 conflict report and report is printed.
☒	☒	Affidavits for rights to be canceled /diminished.			

APPLICATION MAP

PR	CW		PR	CW	
☒	☒	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 & ¼ ¼ on map match the transfer application and certificate descriptions.	☒	☒	Application map acres match the tabulation on the certificate and FPS and/or Decree map
	☐	Have necessary aerial photos, if applicable			

DETERMINING THE "FROM" AND "TO" LANDS

(Make working copy of application and certificates to mark on)

PR	CW		PR	CW	
☒	☒	Only the authorized POD's/POA's and POUs 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 ¼ ¼.	☒	☒	Marked on certificate the quantity of water being transferred, cancelled, and remaining

INJURY REVIEWS/COMMENTS/CONDITIONS

PR	CW								
☒	☒	Watermaster	☐ Headgate	☐ When in the judgment	☐ Prior to diverting	☐ Existing and maintain			
			☐ Measuring Devices	☐ When in the judgment	☒ Prior to diverting	☐ Existing and maintain			
☒	☒	Ground water							
☒	☒	ODFW	☒ Fish Screens	☐ Other:					
☒	☒	Injury	☒ Yes ☐ No	☐ Enlargement	☐ Yes ☒ No				
☒	☒	Conditions to Avoid Enlargement/Injury	Water available at Original POD and only from Quines Creek						

OWNERSHIP

PR	CW		PR	CW	
☐	☒	The deed/ROI matches the "from" lands.	☐	☒	The applicant is the owner of the "from" lands.
☐	☒	All owners on the deed/ROI have signed the application.	☐	☒	Have current tax lot map.
☐	☐	If necessary, there is a notarized, signed statement of consent from landowners other than applicant.	☐	☐	Agent has authorization to make decisions.

Grants Pass
Daily Courier

P.O. Box 1468, 409 S.E. 7th Street • Grants Pass, Oregon 97528

Legal Publication Dept.
(541) 474-3829
Toll-free in Oregon 1-800-228-0457

CLAY & JUDY DICKERSON
DICKERSON, CLAY & JUDY (LE)
1745 QUINES CREEK ROAD
AZALEA, OR 97410

February 17, 2010

RECEIVED

FEB 22 2010

INVOICE

WATER RESOURCES DEPT
SALEM, OREGON

Type of notice: WATER RIGHT DETERMINATION

Purchase order:

Account number: 00031278

Legal Notice number: 199800

Insertion dates: February 3, 2010; February 10, 2010; February 17, 2010

Amount PAID: \$ 134.34

Thank you for advertising in the Grants Pass Daily Courier.

Grants Pass
Daily Courier

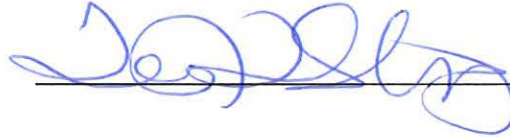
P.O. Box 1468, 409 S.E. 7th Street • Grants Pass, Oregon 97528

AFFIDAVIT OF PUBLICATION

State of Oregon)
County of Josephine) ss.

I, Tamara Stuebing, being first duly sworn, depose and say that I am the manager of Courier Publishing Co., printer of the Grants Pass Daily Courier, a newspaper of general circulation, as defined by ORS 193.010 and 193.020; printed and published at Grants Pass, in the aforesaid county and state; that the LEGAL NOTICE, a printed copy of which is herein enclosed, was published in the entire issue of said paper, for three insertions, on the following dates:

February 3, 2010; February 10, 2010; February 17, 2010.



Subscribed and sworn to before me this
seventeenth day of February, 2010.



Notary Public of Oregon

My commission expires the thirteenth day of
April, 2011.

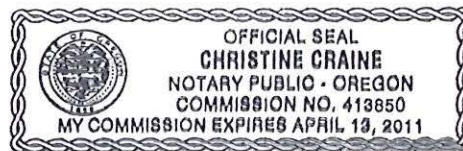
LEGAL NOTICE

NOTICE OF PRELIMINARY DETERMINATION FOR WATER RIGHT TRANSFER T-10447

Transfer Application T-10447 filed by C. CLAY AND JUDITH E. DICKERSON, 1745 QUINES CREEK ROAD, AZALEA OR 97410, proposes a change in point of diversion and a change in place of use under Certificate 9637. The right allows the use of 0.18 CFS (priority date 1877) from QUINES CREEK in Section 26, T 32 S, R 5 W, W.M. for IRRIGATION in Section 27, T 32 S, R 5 W, W.M. The applicant proposes to move the point of diversion approximately 1/2 mile downstream to Section 26, T 32 S, R 5 W, W.M. and to change the place of use within Section 27, T 32 S, R 5 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 February 17, 2010. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

No. 00199800 - Feb. 3, 10 and 17, 2010



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FEB 22 2010

**WATER RESOURCES DEPT
SALEM, OREGON**

C. Clay and Judith E. Dickerson
1745 Quines Creek Road
Azalea, OR 97410

January 12, 2010

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266

Subject: Water Right Transfer Application T-10447

We have received the DRAFT Preliminary Determination and cover letter dated December 18, 2009, related to the above application.

We find the provisions of the Determination to be accurate and acceptable except as noted below.

1. The deadline listed for our response is shown on the cover letter as before January 25, 2009. Obviously this is impossible, since that date occurred about 11 months earlier. (Enclosure #1)
2. The name of the applicants should be C. Clay and Judith E. Dickerson rather than Clay C. and Judith E. Dickerson.

We are somewhat confused about the requested Title Report for the property. We provided a copy of our most recent Title Report to Raymond Brown, who did the application work, and understood that it was included with the application, submitted in August 27, 2007. In the case that it was not included, we are attaching a copy of that Title Report (enclosure #2), which was signed July 5, 2005. There have been no changes to the ownership of the property since that time. This provides proof of our ownership.

We believe that we have acceptable fish screening already in place as per instructions provided to us by ODF&W in 2003. This should meet condition 6 of Determination and Proposed Action. To ensure compliance, we have contacted ODF&W and set an appointment on January 19, 2010, for inspection of the screening and to provide written approval.

We will obtain a totalizing flow meter as required in provision 5 of Determination and Proposed Action before the 2010 irrigation season begins.

Please send to us, **in a timely manner**, names of individuals who are currently Certified Water Rights Examiners in our area. Previously it took nearly 24 months to find one qualified individual who was willing to do this application work. The problem was that many of those listed would not return our calls or were no longer doing this work. The person who agreed to do the work, then took 18 months to actually begin, which when started took about 2 hours. It was then several more weeks before he submitted the application. With the delays we experienced previously, we could not expect to meet the deadline for submitting a Claim of Beneficial Use as required in 8 of Determination and Proposed Action.

Sincerely,


C. Clay Dickerson

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JAN 14 2010

**WATER RESOURCES DEPT
SALEM, OREGON**

enclosure #1
Letter to: Clay & Judith Dickerson
Page Two
December 18, 2009

NOTE DATES

In addition, moving the point of diversion downstream could injure other water rights on Bull Run Creek. To avoid injury, please review Condition #4 on page 3.

Please look at Condition # 9 on page 4, which sets a date for completion of the changes. If the required completion date is insufficient to comply with any of the requirements listed in this document, you may extend the date at no cost to you during this stage of processing. Please let me know by the comment deadline so we can make the proper arrangements to get you the time you need.

What happens next...

Once the preliminary determination is issued a publication period is required. Because the new point of diversion is more than ¼ mile from the authorized point of diversion, the applicant is responsible for publishing notice of the transfer in a local newspaper having a general circulation in the area of the water right. The notice must be published at least once a week for three consecutive weeks. We will provide a copy of the required notice to you upon issuance of the Preliminary Determination.

Issuance of the Preliminary Determination will occur shortly after we receive the report of ownership and your written response to the conditions and proposed action in the draft Preliminary Determination (e-mail is acceptable). **If we do not receive your response and the report by January 25, 2009, a Preliminary Determination may be issued denying the application as incomplete.**

Please do not hesitate to contact me at 503-986-0881 or Teri.K.Hranac@wrd.state.or.us if I may be of assistance.

Sincerely,



Teri Hranac
Transfer Specialist
Field Services Division

Enclosures

cc: T-10447
Dave S. Williams, District 15 Watermaster
Raymond Brown, CWRE

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JAN 14 2010

WATER RESOURCES DEPT
SALEM, OREGON



enclosure #2

ESCROW INSTRUCTIONS - REFINANCE

Date: June 29, 2005

Escrow No.: 00064469 TB

TO: AmeriTitle, Inc.
P.O. Box 1609
1495 NW Garden Valley Blvd.
Roseburg, OR 97470

BORROWER encloses herewith: FUNDS AS NEEDED for closing:

Note and Deed of Trust, Other documents required by Lender,

(Documents and terms thereof have been examined and approved by the undersigned).

You are hereby authorized to deliver and/or record all of said documents upon receipt of authorization from the Lender and to disburse funds deposited by Borrower, together with the proceeds of any Deed of Trust/Mortgage mentioned above, for the refinance of the real property described in your above numbered escrow and on account of other costs, fees and adjustments in that connection.

The real property title shall be vested in:

C. CLAY DICKERSON and JUDITH E. DICKERSON, as tenants by the entirety

Escrow shall direct the title insurance agent/underwriter to issue a Mortgagee's EXTENDED ALTA Title Policy of title insurance for not less than the amount of the enclosed Deed of Trust/Mortgage with ALTA endorsement form No's. 10.7, 10.13 & 10.36A and/or as designated by lender attached, insuring Deed of Trust/Mortgage to be a lien or charge upon the real property described therein.

SUBJECT TO: Taxes which are a lien not yet due and payable and

Exceptions No. 1, 2, 3, 4, 5, 6, 7, 8, 10, 11, 12, 13 & 14 of Preliminary Title Report No. 00064469

And Trust Deed in favor of Lender

These instructions are effective upon receipt and thereafter until revoked by written demand on you by the undersigned or any one of them. These instructions are irrevocable upon close of escrow which is defined as the time of recording and/or filing of the documents that are the subject of this escrow. The undersigned agree to pay all their proper costs as itemized on the closing statement attached to these instructions and made a part hereof and authorize adjustment of the figures to allow all items to be paid in full or as instructed here at close of escrow and to further allow for mailing time on each item as required or for the transfer of payments to be by wire transfer, cashiers check and/or by overnight mail/delivery service and the party for whom the payment is forwarded shall pay the applicable fees. If necessary the undersigned agree to deposit any additional funds required by such adjustment. The attached closing statement is approved and acknowledged with the signing of these instructions.

The Parties agree that these escrow instructions may be amended or changed at a later time, but prior to the closing, using fax signatures, the parties agree to return the amendment/change containing the original signatures by regular mail in addition to forwarding the fax signatures

If you are the prevailing party in any action or proceedings between you and some or all of the parties to this escrow, you shall be entitled to all costs, expenses and reasonable attorney's fees expended or incurred in connection therewith. If you are required to respond to any legal summons or proceedings not involving a breach or fault upon your part, the parties to this escrow jointly and severally agree to pay all costs, expenses and reasonable attorney's fees expended or incurred by you and the parties hereto further agree to indemnify you against all loss and expense in the said action or proceeding.

The undersigned have reviewed and approved a copy of the preliminary title report no. 00064469 dated 06/15/2005 issued by AmeriTitle, Inc. .

You are advised that the undersigned is not relying on AmeriTitle, Inc. or its agents or employees, for advice as to the legal effects or tax consequences of this transaction. The undersigned further represents that adequate time has been allowed to consult legal, accounting or other professional advisors concerning this transaction. The undersigned has consulted such advisors as they consider necessary and represent that they are not relying on AmeriTitle, Inc. in lieu of obtaining such advice. The undersigned hereby acknowledge that they have received the written notices as required by Chapter 260 of the Oregon Revised Statutes.

You are hereby authorized and instructed to proceed with the recording of all the loan documents and/or other documents required by lender tendered to you in this escrow prior to having received the loan funds from the applicable Lender(s).

Escrowfi.doc

RECEIVED

JAN 14 2010

**WATER RESOURCES DEPT
SALEM, OREGON**

ESCROW INSTRUCTIONS

Date: June 29, 2005

Escrow No.: 00064469

If this escrow closing includes payment in full of an existing Trust Deed lien on the subject property, Seller/Borrower hereby authorizes and requests AmeriTitle, Inc. to take action as set out in ORS 86.720 to have said lien removed from the property in the event the lien holder fails to surrender the necessary release documents in a timely manner.

Escrow is authorized and instructed to pay any compliance work/repair or inspection bills as submitted prior to the close of escrow and as set out on the closing statements for Buyer and Seller. Any bills not submitted prior to the close of escrow shall become the responsibility of the billed party with no liability or responsibility to AmeriTitle, Inc..

You are authorized and instructed to furnish to any attorney, broker, or lender identified with this transaction, or anyone acting on behalf of such attorney, broker, or lender, any information concerning this escrow, copies of all instructions, amendments and statements upon request.

AmeriTitle liability hereunder is limited to its obligations specifically set forth herein. AMERITITLE may terminate this escrow at any time, without notice or liability. Documents and monies shall be returned to the parties depositing them. If for any reason disputed funds are retained in escrow, you may deduct therefrom \$25.00 per month as custodian.

Buyer/Borrower acknowledge that, pursuant to regulations adopted under the Real Estate Settlement Procedures Act, 1 (we) have a right to review the HUD-1 settlement statement one day prior to closing and do hereby waive such right and instruct AmeriTitle, Inc. to proceed in accordance with alternative sections of said regulations.

These instructions may be signed in counterparts, with like effect as if all signatures appeared on a single copy. Consent, acceptance or approval required or remitted by any party hereunder may be given by facsimile transmission

SHOULD YOU BEFORE OR AFTER CLOSE OF ESCROW RECEIVE OR BECOME AWARE OF ANY CONFLICTING DEMANDS OR CLAIMS WITH RESPECT TO THIS ESCROW OR THE RIGHTS OF ANY OF THE PARTIES THERETO, OR ANY MONEY OR PROPERTY DEPOSITED HEREIN OR AFFECTED HEREBY, YOU SHALL HAVE THE RIGHT TO DISCONTINUE ANY OR ALL FURTHER ACTS ON YOUR PART UNTIL SUCH CONFLICT IS RESOLVED TO YOUR SATISFACTION, AND YOU SHALL HAVE THE FURTHER RIGHT TO COMMENCE OR DEFEND ANY ACTION OR PROCEEDINGS FOR THE DETERMINATION OF SUCH CONFLICT. THE PARTIES HERETO JOINTLY AND SEVERALLY AGREE TO PAY ALL COSTS, DAMAGES, JUDGMENTS AND EXPENSES INCLUDING REASONABLE ATTORNEY FEES, SUFFERED OR INCURRED BY YOU IN CONNECTION WITH, OR ARISING OUT OF THIS ESCROW, INCLUDING BUT WITHOUT LIMITING THE GENERALITY OF THE FOREGOING, A SUIT IN INTERPLEADER BROUGHT BY YOU.

The undersigned hereby acknowledges that the moneys handed to AmeriTitle, Inc. by the undersigned in connection with this escrow will be deposited by AmeriTitle, Inc. into a non-interest bearing account with a financial institution (the depository). The undersigned further acknowledges that, in calculating the amount of available insurance, the FDIC will consolidate moneys deposited under this escrow with all other funds of the undersigned which are on deposit with the funds depository. The undersigned does therefore hereby release AmeriTitle, Inc. from liability and assumes all responsibility for any loss to the undersigned which may result from a lack of FDIC insurance in excess of \$100,000.

DISCLOSURE PURSUANT TO OAR 863-50-065: ALL ESCROW MONIES RECEIVED BY AmeriTitle, Inc. ARE PLACED IN A CLIENT'S TRUST ACCOUNT AT A FEDERALLY INSURED BANK FOR SAFEKEEPING. AS BANKS DO NOT PAY INTEREST ON TRUST CHECKING ACCOUNTS, THE BANK WAIVES MANY OF THE NORMAL CHARGES ASSOCIATED WITH COMMERCIAL CHECKING ACCOUNTS AND HELPS PAY FOR THE ACCOUNTING FOR THE ESCROW TRUST ACCOUNT THAT IS REQUIRED BY OREGON LAW. IN 2003 THIS BENEFIT AVERAGED MINUS \$5.92 PER CLOSED ESCROW. ANY BENEFIT HAS BEEN PASSED ON TO YOU AS OUR CLIENT IN THE FORM OF LOWER ESCROW FEES.

IT IS UNDERSTOOD BY THE PARTIES SIGNING THESE ESCROW INSTRUCTIONS OR THOSE ESCROW INSTRUCTIONS WHICH ARE ATTACHED HERETO THAT SUCH INSTRUCTIONS CONSTITUTE THE WHOLE AGREEMENT BETWEEN THIS FIRM AS AN ESCROW AGENT AND YOU AS A PRINCIPAL TO THE ESCROW TRANSACTION. THESE INSTRUCTIONS MAY NOT INCLUDE ALL THE TERMS OF THE AGREEMENT, WHICH IS THE SUBJECT OF THIS ESCROW. READ THESE INSTRUCTIONS CAREFULLY, AND DO NOT SIGN THEM UNLESS THEY ARE ACCEPTABLE TO YOU.

RECEIVED

JAN 14 2010

WATER RESOURCES DEPT
SALEM, OREGON

BORROWER'S/BUYER'S

C. Clay Dickerson
C. CLAY DICKERSON

Judith E. Dickerson
JUDITH E. DICKERSON

Forwarding Address:

Phone No.:

The foregoing instructions have been acknowledged and received by:

AmeriTitle, Inc.

By: *Terri Powers*
Terri Powers

Dated: *7-6*, 20 *05*

RECEIVED

JAN 14 2010

**WATER RESOURCES DEPT
SALEM, OREGON**



AFFIDAVIT AND INDEMNITY FOR EXTENDED COVERAGE

RE: ORDER NO. 00064469,

STATE OF OREGON }
County of Douglas } ss

Regarding property described as: AS DESCRIBED IN PRELIMINARY TITLE REPORT NO. SET OUT ABOVE

1. There are no unrecorded leases, easements, city liens, county liens, sewer or water district liens, road improvements liens, local improvement district liens, service district liens or other unrecorded liens, rights or claims on the property which are not disclosed of public record, EXCEPT

IF NONE CHECK HERE ☒

2. The property has not been the subject of any special real property tax reduction or deferral programs, EXCEPT:

IF NONE CHECK HERE ☐

3. I/We have not contracted or authorized improvements or work in connection with said property, including but not limited to architectural plans, landscape architectural plans, land surveying, excavating, demolition or engineering, as of the date herein, EXCEPT:

IF NONE CHECK HERE ☒

4. I/We have not pledged or borrowed against any crops or timber located on the above described property.

5. The property is in possession of _____

I/We shall hold AmeriTitle, Inc. and its underwriter (hereinafter collectively referred to as (THE COMPANY) harmless and indemnify them against any loss, including without limitation attorneys' fees and costs, which THE COMPANY may sustain in connection with the breach of any warranties set forth in this affidavit. I/We shall also pay THE COMPANY's costs and reasonable attorney fees if THE COMPANY is required to enforce this indemnity whether through arbitration, bankruptcy or insolvency proceedings, civil action (at law or in equity) appeals taken thereon, or otherwise.

I/We understand that THE COMPANY is being induced and is relying on this affidavit and indemnity to provide Extended Coverage title insurance without exception for certain matters not shown by the public records.

Dated: July 5, 2005

TO BE SIGNED BY BORROWER/BUYER(S)

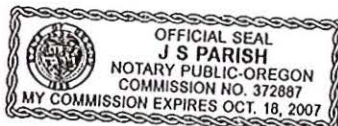
C. CLAY DICKERSON

JUDITH E. DICKERSON

SUBSCRIBED AND SWORN TO BEFORE ME THIS 5th DAY OF July, 2005

J S Parish
Notary Public for State of Oregon

My Commission Expires 10-18-07



RECEIVED

JAN 14 2010

**WATER RESOURCES DEPT
SALEM, OREGON**

Property Details for Property ID: R56701**Owner Information :**

Owner Name: DICKERSON, C CLAY & JUDITH E
Owner Address #1: 1745 QUINES CREEK RD
Owner Address #2:
Owner Address #3:
Owner City/State/Zip: AZALEA, OR 97410
Alternate Account #: XXXXXXXXXX
Account Status: A

Property Information :

Township: 32
Range: 05W
Section: 27
Quarter:
Sixteenth:
Maintenance Area: 3
Year Built:
Bedrooms:
Exemption Code:
MFD Home ID:
Situs Address: 0 QUINES CREEK RD
AZALEA, OR 97410
Map ID: 32052700200
County Property Class: 544I
Legal Acreage: 139.27
Code Area: 07700
Neighborhood Code: FA
Living Area: 0
Baths:
Exemption Desc.:

Value Information :

Improvement Appr. Value: \$0.00
Land Appr. Value: \$63,868.00
Land Market Value: \$132,267.00
Total Real Market Value: \$132,267.00
Total Appr. Value: \$63,868.00
Exemption Value: \$0.00
Total Assessed Value: \$40,236.00
Taxes Imposed: \$536.94

Sales Information :

Deed No: 2002-18909
Sale Price: \$250,000.00
Sale Date: 7/8/2002

Property Details for Property ID: R56687**Owner Information :**

Owner Name: DICKERSON, C CLAY & JUDITH E
Owner Address #1: 1745 QUINES CREEK RD
Owner Address #2:
Owner Address # 3:
Owner City/State/Zip: AZALEA, OR 97410
Alternate Account #: XXXXXXXXXX
Account Status: A

Property Information :

Township: 32
Range: 05W
Section: 27
Quarter:
Sixteenth:
Maintenance Area: 3
Year Built: 1929
Bedrooms: 3
Exemption Code:
MFD Home ID:
Situs Address: 1625 QUINES CREEK RD
AZALEA, OR 97410
Map ID: 32052700200
County Property Class: 544I
Legal Acreage: 5.00
Code Area: 07704
Neighborhood Code: FA
Living Area: 3152
Baths: BATH1
Exemption Desc.:

Value Information :

Improvement Appr. Value: \$276,368.00
Land Appr. Value: \$11,251.00
Land Market Value: \$184,500.00
Total Real Market Value: \$460,868.00
Total Appr. Value: \$287,619.00
Exemption Value: \$0.00
Total Assessed Value: \$204,870.00
Taxes Imposed: \$2,033.17

Sales Information :

Deed No: 2002-18909
Sale Price: \$250,000.00
Sale Date: 7/8/2002

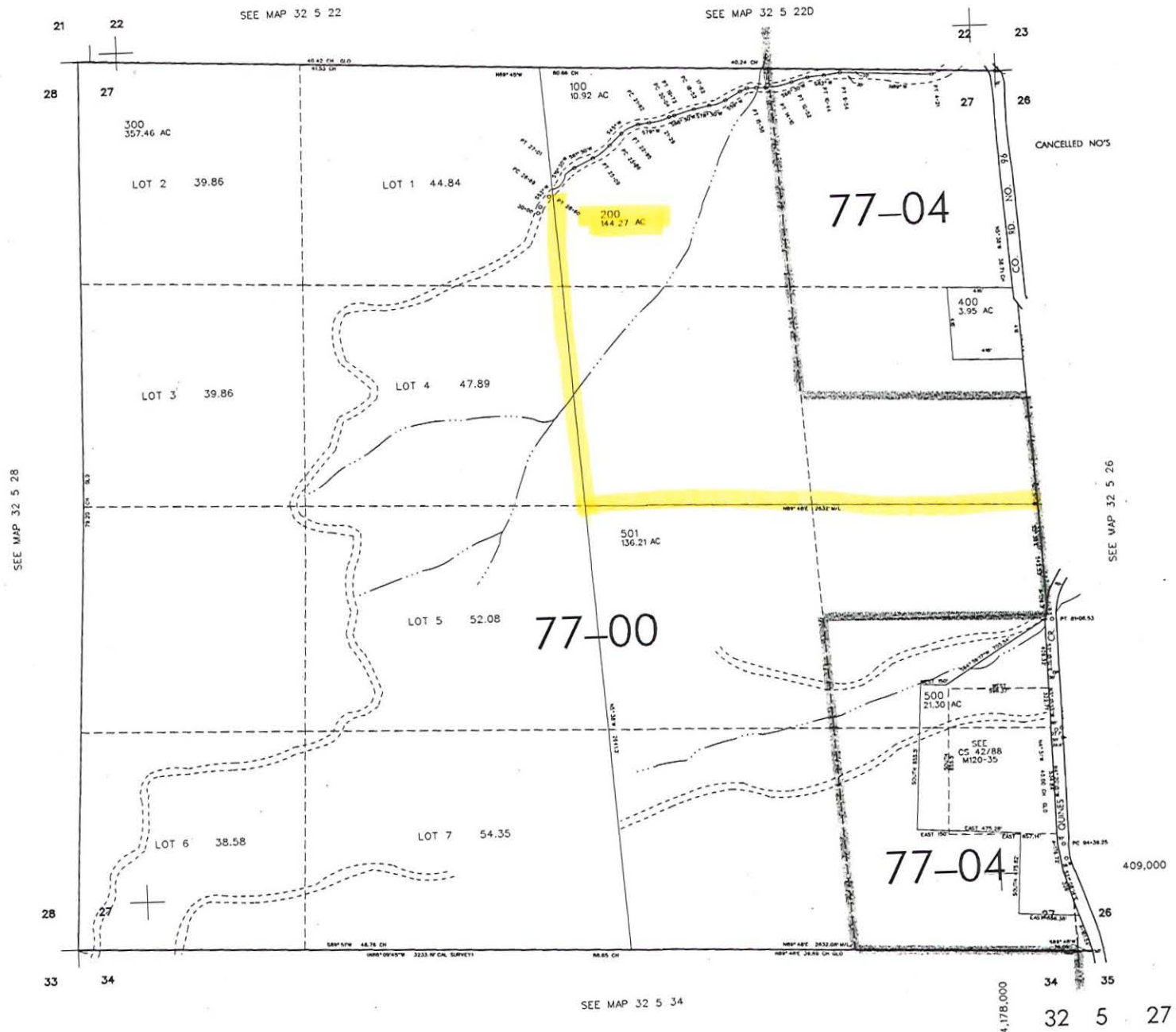
THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

SEC. 27 T.32S. R.5 W. W.M.
DOUGLAS COUNTY

1" = 400'

REVISED ON
5-14-97

32 5 27





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

Application for Water Right Transfer

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

1. TYPE OF TRANSFER APPLICATION

Please check one

- | | |
|--|--|
| ☒ Permanent Transfer | ☐ Instream Transfer |
| ☐ Temporary Transfer | ☐ Permanent |
| • total number of years: _____ | ☐ Time-Limited |
| (begin year: _____) | ☐ Drought Transfer |
| (end year: _____) | ☐ Other |

2. APPLICANT INFORMATION

Name: CLAY C. AND JUDITH E. DICKERSON

First

Last

Address: 1745 QUINES CREEK ROAD

AZALEA

OREGON

97410

City

State

Zip

Phone: (541) 837-3730

Home

Work

Other

Fax: _____ E-Mail address: _____

3. AGENT INFORMATION

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

Name: _____

First

Last

Address: _____

City

State

Zip

Phone: _____

Home

Work

Other

Fax: _____ E-Mail address: _____

- If an agent is listed above, please check one of the following:

- ☐ Please send all correspondence to Agent. Send *copies* of correspondence to Applicant; or
- ☐ Please send all correspondence to Applicant. Send *copies* of correspondence to Agent.

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SALEM, OREGON

T 10447

Last revised: 1/4/2007

Transfer Application/1

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.			9637
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 (POD) ☐ Additional Point of Diversion
 - ☐ Character of Use ☐ Point of Appropriation (POA, or well) ☐ Additional POA
 - ☐ Instream Transfer ☐ Surface Water POD to Ground Water POA
 - ☐ Substitution of Supplemental Groundwater right for Primary Surface water right
 - ☐ Historic POD change ☐ Other
- Reason(s) for change(s): To pump instead of gravity ditch and to irrigate better ground.

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.

From the original point of diversion water was carried by open ditch to the site where the fields were flood irrigated.

- System capacity: 0.181 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:

- 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).

DOUGLAS COUNTY, 1036 SE DOUGLAS, ROSEBURG, OR 97470

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8. LAND OWNERSHIP

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

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

Names of Current Landowner(s): _____
First Last

Address: _____

City State Zip

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

☒ Yes ☐ No ☐ N/A - NOT APPLICABLE TO INSTREAM TRANSFERS

If "No", provide the following information:

Names of Receiving Landowner(s): _____
First Last

Address: _____

City State Zip

- Check one of the following:

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

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

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

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9. ATTACHMENTS

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

Supplemental Form A –

Description of Proposed Change(s) to a Water Right

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

Supplemental Form B –

Evidence of Use Affidavit(s)

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

Map

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

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

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

Land Use Information Form:

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

Fees:

- ☒ Amount enclosed: \$ 800.00
See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0900.

Instream Water Right Transfers, also include:

Supplemental Form C –

Instream Water Right Transfer

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

Temporary Transfers, also include:

Recorded Deed:

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

Affidavit of Consent:

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

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

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

12. 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 interest in the water right has been conveyed to someone other than the landowner, and documents, including a water right conveyance agreement, report of ownership and lien information, and any required lienholder notification are enclosed, demonstrating that I am (we are) authorized to pursue the transfer. I (we) understand that we may be required to provide additional information upon receipt of the draft Preliminary Determination.

☐ 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 this is a temporary transfer and a copy of the deed for the "from" land (and affidavits of consent from any other landowners, if applicable) is enclosed.

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

 applicant signature	C. Clay Dickerson - owner name and title if applicable (print)	8/21/07 date
 applicant signature	Judith E. Dickerson name and title if applicable (print)	8/21/07 date

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Water Right Transfer Supplemental Form A

DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

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

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

■ Certificate Number or other identifying number: 9637

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

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

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2. CURRENT WATER RIGHT INFORMATION

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

☒ Certificated Right	9637	
	Certificate Number	Permit Number or Decree Name
☐ Adjudicated, Non-certificated Right		
	Name of Decree	Page Number
☐ Permit for which Proof has been Approved		
	Permit Number	Date Claim of Beneficial Use Submitted
☐ Transferred Right for which Proof has been Filed		
	Previous Transfer Number	Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: W. A. JACKSON
- County: DOUGLAS
- Authorized Use(s) to be Affected by Transfer: IRRIGATION
- Priority Date(s): 1877

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: QUINES CREEK

Tributary to: COW CREEK

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

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

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

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

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

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

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■ Certificate Number or other identifying number: 9637

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

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

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

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

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
	QUINES CR 1877	32 S.	5 W.	WM	26	NW, SW	1600	2721 S., 1645 E., NE S. 27

■ 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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▪ Certificate Number or other identifying number: 9637

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)
Quines Cr.	T32S	R5W	WM	27	NENE	TL200	74' South & 94' East from NE Corner Sec. 27
							Entire right (12.7 Acres) to be served from new POD.

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

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

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

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

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

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

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■ Certificate Number or other identifying number: 9637

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)
QUINES CR.	32 S.	5 W.	WM	27	NE, NE	TL200	8.6

Remarks: _____

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OUR COPY

EASEMENT AGREEMENT

DATE: May 12, 2003

PARTIES: WAYNE H. CHIPMAN and MARY P. CHIPMAN ("Chipman")
1746 Quines Creek Road
Azalea, Oregon 97410
and
C. CLAY DICKERSON and JUDITH E. DICKERSON ("Dickerson")
~~476 Three Pines Road~~ 1625 Quines Creek Rd.
~~Grants Pass, Oregon 97526~~ Azalea, OR 97410

RECITALS:

A. Chipman owns certain real property ("the Chipman property") described as follows which has appurtenant water rights which are junior to Dickerson's.

The North Half of the Northwest Quarter of Section 26, Township 32 South, Range 5 West of the Willamette Meridian, Douglas County, Oregon.

B. Dickerson owns certain real property ("the Dickerson property") described as follows which has appurtenant water rights which are senior to Chipman's.

The Northeast Quarter of Section 27, Township 32 South, Range 5 West of the Willamette Meridian, Douglas County, Oregon. Except that portion lying Northerly and Westerly of that road easement granted to the United States by instrument no. 334019 in volume 331, page 219 of the deed records of Douglas County, Oregon; and except that portion conveyed to Felix Rose by instrument 311116 in volume 316 of said deed records.

C. Dickerson desires to change the point of diversion for his water rights to a location on the Chipman property.

D. The parties desire to enter into this agreement to allow for efficient use of water resources on their respective properties.

IT IS AGREED:

1. **EASEMENT GRANT.** Chipman grants to Dickerson an easement on the terms and conditions of this instrument. The easement is perpetual, except that it may be terminated as provided below, and nonexclusive. The easement is located on that portion of the North 200 feet of the Chipman property lying West of the center line of Quines Creek. The easement is appurtenant to the Dickerson property.

2. **PURPOSE AND USE.** The purpose of the easement is to allow Dickerson to use the water on the Chipman property.

Quines Creek from the Chipman property for the purpose of obtaining irrigation water. Dickerson may install electrical lines, pipeline, pumps, valves, and other accessories, in a safe and workmanlike manner upon the easement. Dickerson may but is not required to bury the pipeline, rock an entry roadway, and install a concrete pump pedestal along the easement. The easement includes the right to install, maintain, repair, and upgrade the waterline, pump, and accessory equipment.

3. REQUIREMENTS FOR USE. Dickerson's use of the easement is conditioned upon the following requirements, which apply to Dickerson and his agents and invitees.

(a) Fish Screening. — Dickerson shall install an appropriate fish screening device approved by the Oregon Department of Fish and Wildlife to prevent fish from leaving Quines Creek and entering Dickerson's diversion.

(b) Gate. — Dickerson shall install a gate through the line fence on the west line of the Chipman property. The gate may be a simple, unframed wire gate, but however constructed, it shall be built and maintained to hold livestock such as cattle and sheep. The gate shall be kept closed except when being used for passage.

(c) Safety. — Dickerson shall maintain all improvements in a condition of good repair, and shall conduct all activities on the easement in a safe and workmanlike manner. In particular, Dickerson shall ensure that any improvements to the easement are safe from hazards to unsuspecting persons and to common livestock (such as exposed live electrical wires, ungrounded electrical equipment, uncovered trenches or deep holes, or unattended toxic chemicals like soldering flux), and that adequate protection is taken at all times from the hazards of wildfire (such as allowing worn or defective insulation on electrical lines, ignition sources to generate sparks or unreasonable heat during fire season, or dry vegetation to accumulate next to heat-generating equipment). Regardless of the duties imposed upon Dickerson by this section, Chipman shall be entitled to immediately remedy any safety hazard, without prejudice to his rights under this agreement.

(d) Good Behavior. — Dickerson shall use the easement in a polite and neighborly manner. Dickerson shall not use the easement for purposes not directly connected with the intended use, such as recreational use or access. Dickerson shall not harass Chipman, his livestock or pets, from the easement. Dickerson shall not bring firearms upon the easement without Chipman's permission. Dickerson shall not conduct any illegal activity upon the easement.

4. COVENANTS. To effect the purposes of this agreement, the parties further covenant as follows.

(a) Transfer Applications. — Chipman covenants that he will not oppose Dickerson's prospective application to transfer the point of diversion for Dickerson's water right from its present legal location to a new location in the easement granted herein, nor to transfer the place of use from one portion of Dickerson's property to another. Chipman agrees to execute an affidavit upon request from Dickerson in support of a transfer application for the point of diversion, waiving any claim of injury to Chipman's existing water right. Dickerson covenants that he will not oppose any similar application for a transfer of the point of diversion or change in the place of use by Chipman for a

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1 period of ten years from the date of this agreement.

2 (b) Equal Seniority of Rights. — In consideration of the change in the point of diversion,
3 Chipman and Dickerson agree that for the purposes of enforcing water rights between their respective
4 rights, each party shall have equally senior rights to appropriate water in times of shortage. Dickerson
5 shall not exercise a senior call to shut off Chipman's appropriation. Both parties recognize there is
6 a downstream land owner with more senior rights, who can shut off all other appropriation from
7 Quines Creek. The parties also recognize that this provision does not bind the Water Resources
8 Department or parties who are not privy to this agreement.

9 (c) Acceptance of Water Rights. — The parties accept the validity of one another's
10 presently certificated water rights. Each party agrees not to execute an affidavit, nor take any steps
11 to prompt another person to do so, which would challenge the validity or attempt the forfeiture of the
12 water rights appurtenant to the other party's property, based upon any period of non-use beginning
13 prior to the date of this agreement.

14 5. **TERMINATION.** The easement and Chipman's obligations under this agreement
15 shall terminate upon violation of this agreement or for non-use.

16 (a) Violation of Agreement. — The easement shall terminate absolutely should Dickerson
17 violate the conditions of use under section 3 or the covenants under section 4 of this agreement.
18 However, for any violation which could be cured, Chipman shall first give written notice to
19 Dickerson, specifying the violation with particularity, and allowing 30 days to cure the violation,
20 unless a shorter period is required by necessity (e.g., electrical sparking hazard). Violations arising
21 from malicious acts by Dickerson, his agents or invitees, that threaten or cause personal injury to
22 Chipman, his agents, invitees, livestock, or pets, need not be given an opportunity to cure or any sort
23 of second chance. Violations arising out of negligence are entitled to an opportunity to cure.

24 (b) Non-use of Easement. — This easement shall terminate for non-use if any of the
25 following conditions occur: (1) Dickerson fails to use the easement for transporting water from
26 Quines Creek to his property for a period of ten continuous years; (2) Dickerson fails to file an
27 application to transfer the point of diversion within five years of the date of this agreement; (3)
28 Dickerson's application to transfer the point of diversion is denied; or (4) Dickerson's water rights
29 are cancelled.

30 (c) Recording Termination. — Upon termination for violation or non-use, Chipman shall
31 be entitled to file an affidavit in the deed records declaring the termination of this easement and the
32 reason therefor, which affidavit shall be conclusive upon the parties and their successors unless a
33 lawsuit is commenced within one year to set aside the termination. Notice of such affidavit shall be
34 given to Dickerson contemporaneously with its recording.

35 6. **MISCELLANEOUS.**

36 (a) Consideration. — In additional consideration of this agreement, Dickerson agrees to
37 pay the reasonable charges of Chipman's attorney Stephen Mountainspring in drafting this agreement.

(j) Entire Agreement. — This instrument represents the entire agreement between the parties. Any prior understanding or representation of any kind shall not be binding upon either party unless incorporated in this agreement.

IN WITNESS WHEREOF, the parties execute this agreement as of the date first stated above.

WAYNE H. CHIPMAN


C. CLAY DICKERSON

MARY P. CHIPMAN


JUDITH E. DICKERSON

ACKNOWLEDGMENTS

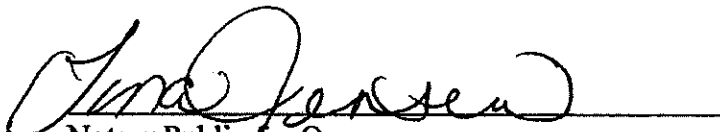
State of Oregon)
County of Jackson) ss.

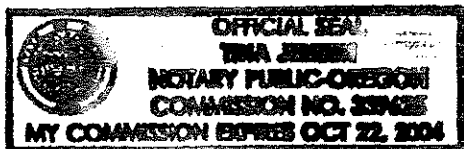
This instrument was acknowledged before me by WAYNE H. CHIPMAN and MARY P. CHIPMAN on _____, 2003.

Notary Public for Oregon

State of Oregon)
County of ~~Josephine~~ Douglas) ss.

This instrument was acknowledged before me by C. CLAY DICKERSON and JUDITH E. DICKERSON on May 22, 2003.


Notary Public for Oregon



DOUGLAS COUNTY PUBLIC WORKS DEPARTMENT

APPLICATION FOR PERMIT

RECEIVED

AUG 27 2007

Date 8-10-07 Authorization No. _____Permit No. 1577WATER RESOURCES DEPT
SALEM, OREGONI, Clay Dickerson

hereby make application

for an activity permit on the right of way of

Quines Creek Road #96Dist. S M.P. 1.519 in strict conformity to the attached exhibits, subject to all terms and conditions contained in the application and permit, and applicable State and local laws, ordinances, rules, and regulations regarding roads and right of ways.DESCRIPTION OF WORK TO BE PERFORMED: 3" PVC water line in 10"-10" CC (utility conduit) - EXISTINGThis work will be performed by: Applicant Contractor Other

I have read and understand the permit conditions as listed on the reverse side of this application.

SIGNATURE

837-3730

MAILING ADDRESS

1745 Quines Creek Rd

PHONE WHERE YOU CAN BE REACHED

CITY

OR

STATE

ZIP

97415

***** (APPLICANT - PLEASE DO NOT WRITE BELOW THIS LINE) *****

PERMIT TO PERFORM OPERATIONS ON THE COUNTY ROAD RIGHT OF WAY

This permit is issued by Douglas County Public Works Department subject to the terms and conditions stated below and on the reverse side.

1. An adequate certificate of workers compensation insurance is is not required.
2. Permittee shall provide a restoration performance bond in the sum of \$ 0.
3. Open cutting of the pavement is not permitted, unless County approves a one sack cement/sand slurry backfill method.
4. Other special provisions: CONDUIT HAS EXISTED FOR NUMEROUS YEARS AND APPLICANT TO HAVE BEEN INSTALLED FOR WATER LINE USAGE AS APPLICANT STATES. DAMAGE DOES NOT AFFECT ROAD.

County representative

RECOMMENDED

NOT RECOMMENDED

DATE

8-10-07

YOU ARE HEREBY AUTHORIZED TO CONDUCT THE ABOVE DESCRIBED ACTIVITY

Theresa L. Hester8-10-07

APPROVAL SIGNATURE

EFFECTIVE DATE

EXPIRATION DATE

Completed work inspected and approved by:

Charles J. GrierDate 8-10-07White
Canary
Green
Pinkie
GoldenrodOffice File
County Inspector
District Foreman
Permittee (not approval)
Permittee (not completion)

SUBMIT TO

DOUGLAS COUNTY PUBLIC WORKS DEPT.
ROOM 304, COUNTY COURTHOUSE
ROSEBURG, OREGON 97470
(541) 440-4481

APPLICATION PERMIT (REV. 11/99)

APPLICATION MAP FOR
WATER RIGHT TRANSFER

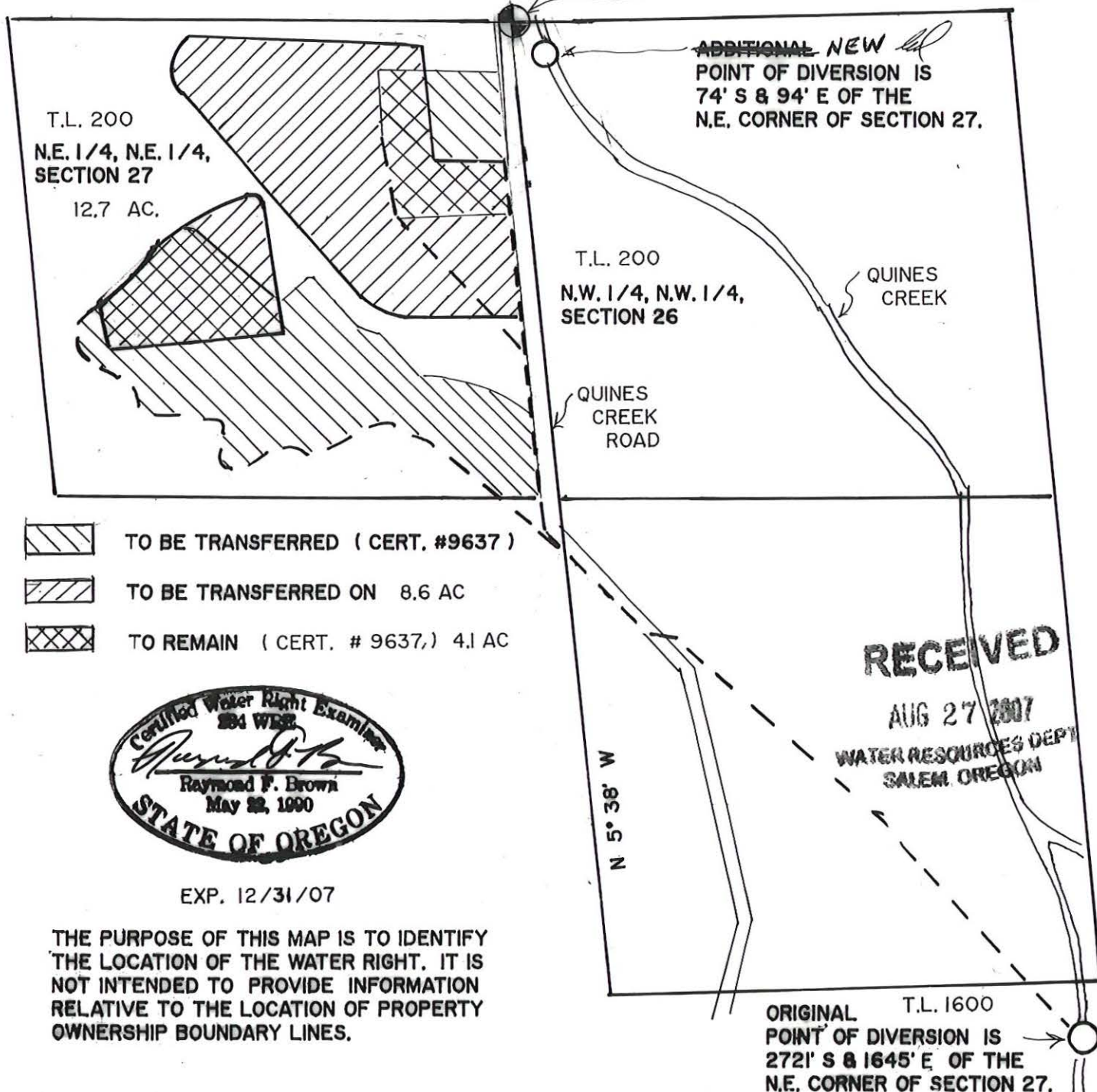
COPY

~~NEW~~ ^{NEW} ~~ADDITIONAL~~ POINT OF DIVERSION AND
CHANGE IN PLACE OF USE

IN THE NAME OF CLAY and JUDITH DICKERSON
N.E. 1/4, N.E. 1/4, SECTION 27, T. 32 S., R. 5 W., W.M.

SCALE: 1" = 400'

SEC. COR. S. 22, 23, 26, & 27,
T. 32 S., R. 5 W., W.M. FD. B.C.



STATE OF OREGON

COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

This is to Certify, That **W. A. JACKSON,**
 of **Glendale,** , State of **Oregon,** **97442** has a right to the use of
 the waters of **Quines Creek,**
 for the purpose of **Irrigation of 12.7 acres,**

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
~~Douglas~~ **Douglas** County, and the said decree entered of record at Salem, in the Order
 Record of the STATE ENGINEER, in Volume **11** , at page **1** ; that the priority
 of the right thereby confirmed dates from **1877**

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an
~~amount actually beneficially used for said purposes, and shall not exceed~~ **the rate of one cubic**
~~foot of water per second of time for each 70 acres of land irrigated during the~~
irrigation season.

A description of the lands irrigated under such right, and to which the water is appurtenant
 (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

12.7 acres in NE 1/4,
Section 27;
Twp. 32 South, Range 5 West, W.M.

And said right shall be subject to all other conditions and limitations
 contained in said decree.

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

WITNESS the signature of the State Engineer,

affixed this **22nd** day
 of **April** , 193 **2**

CHAS. E. STRICKLIN

State Engineer.

Recorded in State Record of Water Right Certificates, Volume **9** , page **9837**

710447

STATE OF OREGON

COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

This is to Certify, That J. W. Haight,

of Glendale, State of Oregon, has a right to the use of
the waters of Quinea Creek,

for the purpose of Irrigation of 3.2 acres, and domestic and stock use;

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
Douglas County, and the said decree entered of record at Salem, in the Order
Record of the STATE ENGINEER, in Volume 11, at page 1; that the priority
of the right thereby confirmed dates from 1893;

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an
amount actually beneficially used for said purposes, and shall not exceed the rate of one cubic
foot of water per second of time for each 70 acres of land irrigated during the
irrigation season.

A description of the lands irrigated under such right, and to which the water is appurtenant
(or, if for other purposes, the place where such water is put to beneficial use), is as follows:

Ch. Pt. of Div.
Sp. Div. No. 19, p. 245

3.2 acres in NW 1/4,
Section 28;
Twp. 32 South, Range 5 West, W.M.

And said right shall be subject to all other conditions and limitations
contained in said Decree.

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

WITNESS the signature of the State Engineer,

affixed this 22nd day

of April, 1932

CHAS. E. STRICKLIN

State Engineer.

Recorded in State Record of Water Right Certificates, Volume 9, page 9632.

STATE OF OREGON

WATER DIVISION NO. 1 COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

(For rights perfected under original, enlargement or secondary permits)

This is to Certify, That W. A. JACKSON

of Glendale, State of Oregon, has made proof to the satisfaction of the STATE WATER BOARD of Oregon, of a right to the use of the waters of Quines Creek, a tributary of Cow Creek,

for the purpose of the irrigation of 3 acres of land under Permit No. 1968 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon and duly confirmed by order of the STATE WATER BOARD of Oregon, made and entered of record in the Record of Proceedings of said Board, at Salem, in Volume 1,

at page 271, on the 7th day of December, 1917; that the priority of the right hereby confirmed dates from February 25, 1914; 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 0.038 cubic feet per second, or the equivalent in case of rotation. The use hereunder shall conform to any reasonable rotation system ordered by the proper State Officer. Description of the lands under such right, and to which the water hereby confirmed is appurtenant, or, if for other purposes, the place where such water is put to beneficial use, is as follows: 3 acres in the Southwest quarter of Southwest quarter of Section Twenty-three (23), Township Thirty-two (32) South, Range Five (5) West of Willamette Meridian, in Douglas County, Oregon.

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

Rights to the use of water for power purposes are limited to a period of forty years from the date of priority of the right, as herein set forth, subject to a preference right of renewal under the laws existing at the date of the expiration of the right for power purposes, as hereby confirmed and limited.

Witness the seal and signature of the STATE

WATER BOARD affixed this 9th day

of January, 1918.

STATE WATER BOARD

(SEAL OF STATE WATER BOARD)

By JOHN H. LEWIS
State Engineer, President

Attest: R. W. POTTER
Secretary

Recorded in State Record of Water Right Certificates, Volume 3, Page 1889.

Place of Use Conflict Report

The following rights have acreage in the same quarter-quarter as Cert:9637 OR *



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-10447

Review Due Date: 10-3-2007

Applicant Name: Clay & Judith Dickerson

Proposed Changes: ☒ POU ☒ POD ☐ POA ☐ USE ☐ OTHER

Reviewer(s): David S. Williams

Date of Review: Oct. 4, 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:
Quines Creek is regulated frequently for an 1869 right downstream from the right proposed for transfer.
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: See #6 below.
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: The transfer involves moving the POD below a source of inflow (Bull Run Creek). A call for water under the right subject to transfer could result in regulation of junior rights on Bull Run Creek. There are two junior rights (on Quines Creek - Certificates 9632 & 1889) between the original and new POD's which could be regulated if the transfer is allowed.
7. For POU changes, would the original place of use continue to receive water from the same source? ☐ Yes ☒ No ☐ N/A If "Yes", explain: _____

8. For POU or USE changes, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste? ☐ Yes ☒ No
If "Yes", explain: _____
9. Are there other issues not identified through the above questions? ☐ Yes ☒ No If "Yes", explain: _____
10. What alternatives may be available for addressing any issues identified above: The transfer should be conditioned to prohibit a call on Bull Run Creek. Do not allow POD transfer below the two junior rights on Quines Creek
11. Have headgate notices been issued for the source that serves the right? ☐ Yes ☒ No
12. What water control and measurement conditions should be included in the transfer:

Measurement Devices	☐ Present and should be maintained.	☒ Should be required prior to diverting water.	☐ May be required in the future.
Headgates	☐ Present and should be maintained.	☐ Should be required prior to diverting water.	☒ May be required in the future.

Please Return by 10-3-07
RECEIVED

OCT 04 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

**Oregon Department of Fish and Wildlife
Water Right and Diversion Transfer Comment Form**

(ODFW provides to WRD so that WRD can make findings according to statutory requirements.)

Reference Transfer #: 10447

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

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

_____, tributary to _____. Because,
(Stream)

(Please attach any available supporting information.)

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

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

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

Note: This option will yield the following:

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

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

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

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

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

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

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

Note: This option will yield the following:

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

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

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

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

Note: This option will yield the following:

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

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

Oregon Department of Fish and Wildlife
Additional Fish Screening and Passage Information for the Applicant
(To be completed by ODFW for WRD to provide to the applicant.)

Transfer # 10447

The applicant should be aware that fish screening and passage may be required for certain changes in point of diversion if the boxes below are checked.

- ☒ Fish screening and/or fish by-pass devices are required as a condition of this transfer. The fish screen and/or by-pass device must meet ODFW's design, construction, operational and maintenance standards. Fish screening prevents fish from entering the diversion, while a by-pass device safely transports fish back to the body of water from which the fish were diverted.

Pursuant to ORS 498.306, cost share funds may be available to assist in the installation of fish screening and by-pass devices at diversions.

The applicant should contact the ODFW staff below to obtain additional information on the design, construction, operational, and maintenance standards for the required fish screening and/or by-pass device and to obtain information about ODFW's cost sharing program for screening and by-pass devices. **Prior to installation, the water user must obtain written approval from ODFW that the required screening and/or by-pass device meets ODFW's criteria.**

ODFW staff name: Jim Brick / Sam Moyers
Address: 4192 North Umpqua Hwy
City/State/Zip: Roseburg, Or. 97470
Phone: (541) 440-3353

- ☐ This transfer may trigger requirements for fish passage under ORS 509.585 because a new point of diversion will be constructed, an existing point of diversion's capacity will be increased, or an existing point of diversion will be abandoned. The applicant should contact the ODFW staff below for a determination of whether native migratory fish are or were present at the applicable location, which will determine whether fish passage must be addressed.

ODFW staff name: _____
Address: _____
City/State/Zip: _____
Phone: () _____

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

Note: This option will yield the following:

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

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

Signature

Printed Name

Title

() _____

Phone

RECEIVED

OCT 04 2007

**WATER RESOURCES DEPT
SALEM, OREGON**



Oregon

Theodore R. Kulongoski, Governor

January 14, 2010

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

C. CLAY AND JUDITH E. DICKERSON
1745 QUINES CREEK ROAD
AZALEA OR 97410

SUBJECT: Transfer Application T-10447

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-10447. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

A public notice is being published in the Department's weekly publication simultaneously with issuance of the Preliminary Determination. The notice initiates a 30-day period in which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determination or a standing statement supporting the Department's decision.

Because the new point of diversion is more than ¼ mile from the authorized point of diversion, the applicant is responsible for giving public notice of the transfer changes in a local newspaper having a general circulation in the area of the water right. The notice must be published at least once a week for three consecutive weeks. We have prepared the notice for you (enclosed). The deadline for individuals to file protests or standing statements is 30 days after the date of last publication. Please have the newspaper insert the date of last publication in the proper place.

After publication, the Department needs to receive an affidavit specifying the dates the notice was published. Please have the newspaper prepare and mail an original affidavit of publication to me at the address shown in the letterhead, by **March 5, 2010**.

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 503-986-0881 or Teri.K.Hranac@wr.d.state.or.us if I may be of assistance.

Sincerely,

Teri Hranac
Transfer Specialist

Enclosures

cc: Dave S. Williams, District 15 Watermaster
Raymond Brown, CWRE

Pd Noticed
1-26-10

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

In the Matter of Transfer Application	)	PRELIMINARY DETERMINATION
T-10447, Douglas County	)	PROPOSING APPROVAL OF
	)	CHANGES IN POINT OF DIVERSION
	)	AND 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

C. CLAY DICKERSON
JUDITH E. DICKERSON
1745 QUINES CREEK ROAD
AZALEA OR 97410

Findings of Fact

Background

1. On August 27, 2007, C. CLAY DICKERSON AND JUDITH E. DICKERSON filed an application to change the point of diversion and to change the place of use under Certificate 9637. The Department assigned the application number T-10447.

2. The right to be transferred is as follows:

Certificate: 9637 in the name of W.A. JACKSON (confirmed by Cow Creek Decree, Douglas County)
Use: IRRIGATION of 12.7 ACRES
Priority Date: 1877
Limit/Duty: The amount of water used for irrigation is limited to a diversion of ONE-SEVENTIETH of one cubic foot per second, or its equivalent for each acre irrigated during the irrigation season of each year.
Source: QUINES CREEK, tributary to COW CREEK
Authorized Point of Diversion: NONE SPECIFIED

Pursuant to OAR 690-380-4030, any person may file a protest or standing statement within 30 days after the last date of publication of notice of this preliminary determination.
--

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
32 S	5 W	WM	27	NE NE	12.7

3. Certificate 9637 does not describe the location of the point of diversion; however, information is available from the map submitted with this application prepared by a Certified Water Right Examiner indicating that the point of diversion is located as follows:

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
32 S	5 W	WM	26	NW SW	2721 FEET SOUTH AND 1645 FEET EAST OF THE NE CORNER OF SECTION 27

4. Transfer Application T-10447 proposes to move the authorized point of diversion approximately ½ mile downstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
32 S	5 W	WM	26	NW NW	74 FEET SOUTH AND 94 FEET EAST FROM THE NE CORNER OF SECTION 27

5. Application T-10447 also proposes to change the place of use of a portion of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Proposed Change
32 S	5 W	WM	27	NE NE	8.6	POD/POU
32 S	5 W	WM	27	NE NE	4.1	POD

6. Notice of the application for transfer was published on September 4, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
7. On December 18, 2009, the Department mailed to the applicants a copy of the draft Preliminary Determination proposing to approve Transfer Application T-10447. The draft Preliminary Determination cover letter set forth a deadline of January 25, 2010, for the applicants to respond.
8. On January 12, 2010, the applicants requested in writing that the Department proceed with the issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicants are authorized to pursue the transfer application. The applicants requested a correction in the applicant's name from Clay C. Dickerson to C. Clay Dickerson. The applicant also requested an extension of time for filing the claim of beneficial use due to the difficulty in obtaining and contracting with a Certified Water Rights Examiner.

9. The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screening and/or by-pass device is necessary at the new point of diversion to prevent fish from entering the diversion and/or safely transport fish back to the body of water from which the fish were diverted and that the diversion is not currently equipped with an appropriate fish screening and/or by-pass device. This diversion may be eligible for screening cost share funds.
10. The proposed change in point of diversion moves the location of the point of diversion downstream on Quines Creek past the inflow of Bull Run Creek, a separate source of water. However, as conditioned in # 4 below, the proposed change in point of diversion would not result in injury to any water rights.

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

11. Water has been used within the five-year period prior to submittal of the transfer application 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 diversion structure and ditch 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-10447.
13. The proposed changes would not result in enlargement of the right.
14. The proposed changes as conditioned below would not result in injury to other water rights.

Determination and Proposed Action

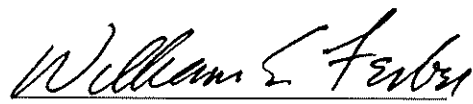
The change in point of diversion and change in place of use proposed in Transfer Application T-10447 appear to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the transfer application will be approved.

If application T-10447 is approved, the final order will include the following:

1. *The change in point of diversion and change in place of use proposed in application T-10447 are approved.*
2. *Water right certificate 9637 is cancelled.*
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 9637 and any related decree.*
4. *The quantity of water diverted at the new point of diversion shall not exceed the quantity of water lawfully available at the original point of diversion on Quines Creek. Use of water under this right may not utilize the inflow of water from Bull Run Creek.*
5. *Water use measurement conditions:*

- a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of diversion.
- b. The water user shall maintain the meters or measuring devices in good working order.
- c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.
6. Prior to diverting water, the water user shall install a fish screening and/or by-pass device, as appropriate, at the new point of diversion consistent with the Oregon Department of Fish and Wildlife's (ODFW) design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screen and/or by-pass device meets ODFW's criteria. Prior to submitting a Claim of Beneficial Use, the water user must obtain written approval from ODFW that the required screening and/or by-pass device was installed to the state's criteria. The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.
7. The former place of use of the transferred right shall no longer receive water under the right.
8. The approved changes shall be completed and full beneficial use of the water shall be made on or before **October 1, 2012**. 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.
9. When satisfactory proof of the completed changes is received, a new certificate confirming the right transferred will be issued.

Dated at Salem, Oregon this 22nd day of January 2010.


for Phillip C. Ward, Director

This Preliminary Determination was prepared by Teri Hranac. If you have questions about the information in this document, you may reach me at 503-986-0881 or Teri.K.Hranac@wrд.state.or.us.

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

**Notice of Preliminary Determination for
Water Right Transfer T-10447**

Transfer Application T-10447 filed by C. CLAY AND JUDITH E. DICKERSON, 1745 QUINES CREEK ROAD, AZALEA OR 97410, proposes a change in point of diversion and a change in place of use under Certificate 9637. The right allows the use of 0.18 CFS (priority date 1877) from QUINES CREEK in Section 26, T 32 S, R 5 W, W.M. for IRRIGATION in Section 27, T 32 S, R 5 W, W.M. The applicant proposes to move the point of diversion approximately ½ mile downstream to Section 26, T 32 S, R 5 W, W.M. and to change the place of use within Section 27, T 32 S, R 5 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

December 18, 2009

CLAY C. and JUDITH E. DICKERSON
1745 QUINES CREEK ROAD
AZALEA OR 97410

SUBJECT: Water Right Transfer Application T-10447

Your water right transfer is in one of three phases of processing. Enclosed is a draft of our Preliminary Determination regarding Transfer Application T-10447. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved.

Items needed before the next phase of processing...

Please review the draft carefully to familiarize yourself with any requirements and evaluate whether the document is consistent with your intent in seeking the transfer. Please respond in writing by the deadline provided below, whether you agree with the proposed action and whether there are any typographical errors that need to be corrected.

A report of landownership for the lands to which the water right(s) are appurtenant (the FROM lands) is required. **The report must be prepared by a title company.**

- 1) The title company's report must either be:
 - a) prepared within 3 months of the draft Preliminary Determination showing current ownership, or
 - b) prepared within 3 months of recording of a water right conveyance agreement, or
 - c) prepared at any time, but showing ownership at the time a water right conveyance agreement was recorded.
- 2) The ownership report shall include:
 - a) Date reflected by the ownership information
 - b) List of owners at that time
 - c) Legal description of the property where the water right to be transferred is currently located.
- 3) 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.

Conditions to your water right...

The Watermaster has required a water measurement device at the new diversion point. Enclosed is a contact information sheet to assist you in pursuing additional information or approval of the required (or alternate) device.

If this transfer is approved, the final order will include a condition requiring installation of a fish screen at the new diversion point **prior to diversion of water. Please note the proposed date by which this condition must be met: October 1, 2011.** If you believe you will need more time to install and obtain ODFW approval of the fish screen, you may request the deadline to be changed, giving an explanation of why more time is needed. **You may not divert water prior to installation and approval of the fish screen.** You may wish to contact the ODFW staff person listed on the enclosed contact sheet for more information about the screen and to determine a reasonable timeline.

Letter to: Clay & Judith Dickerson
Page Two
December 18, 2009

In addition, moving the point of diversion downstream could injure other water rights on Bull Run Creek. To avoid injury, please review Condition #4 on page 3.

Please look at Condition # 9 on page 4, which sets a date for completion of the changes. If the required completion date is insufficient to comply with any of the requirements listed in this document, you may extend the date at no cost to you during this stage of processing. Please let me know by the comment deadline so we can make the proper arrangements to get you the time you need.

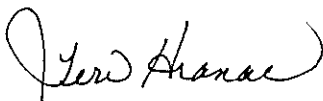
What happens next...

Once the preliminary determination is issued a publication period is required. Because the new point of diversion is more than ¼ mile from the authorized point of diversion, the applicant is responsible for publishing notice of the transfer in a local newspaper having a general circulation in the area of the water right. The notice must be published at least once a week for three consecutive weeks. We will provide a copy of the required notice to you upon issuance of the Preliminary Determination.

Issuance of the Preliminary Determination will occur shortly after we receive the report of ownership and your written response to the conditions and proposed action in the draft Preliminary Determination (e-mail is acceptable). **If we do not receive your response and the report by January 25, 2009, a Preliminary Determination may be issued denying the application as incomplete.**

Please do not hesitate to contact me at 503-986-0881 or Teri.K.Hranac@wr.d.state.or.us if I may be of assistance.

Sincerely,



Teri Hranac
Transfer Specialist
Field Services Division

Enclosures

cc: T-10447
Dave S. Williams, District 15 Watermaster
Raymond Brown, CWRE

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

In the Matter of Transfer Application
T-10447, Douglas County

) **D R A F T**
)
) PRELIMINARY DETERMINATION
) PROPOSING APPROVAL OF A
) CHANGE IN POINT OF DIVERSION
) AND 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

CLAY C. DICKERSON
JUDITH E. DICKERSON
1745 QUINES CREEK ROAD
AZALEA OR 97410

Findings of Fact

Background

1. On August 27, 2007, CLAY C. DICKERSON AND JUDITH E. DICKERSON filed an application to change the point of diversion and to change the place of use under Certificate 9637. The Department assigned the application number T-10447.

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

Certificate: 9637 in the name of W.A. JACKSON (confirmed by Cow Creek Decree, Douglas County)
Use: IRRIGATION of 12.7 ACRES
Priority Date: 1877
Rate: 0.18 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation is limited to a diversion of ONE-SEVENTIETH of one cubic foot per second, or its equivalent for each acre irrigated during the irrigation season of each year.
Source: QUINES CREEK, tributary to COW CREEK
Authorized Point of Diversion: NONE SPECIFIED

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
32 S	5 W	WM	27	NE NE	12.70

3. Certificate 9637 does not describe the location of the point of diversion; however, information is available from the map submitted with this application prepared by a Certified Water Right Examiner indicating that the point of diversion is located as follows:

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
32 S	5 W	WM	26	NW SW	2721 FEET SOUTH AND 1645 FEET EAST OF THE NE CORNER OF SECTION 27

4. Transfer Application T-10447 proposes to move the authorized point of diversion approximately ½ mile downstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
32 S	5 W	WM	26	NW NW	74 FEET SOUTH AND 94 FEET EAST FROM THE NE CORNER OF SECTION 27

5. Application T-10447 also proposes to change the place of use of a portion of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Proposed Change
32 S	5 W	WM	27	NE NE	8.60	POD/POU
32 S	5 W	WM	27	NE NE	4.10	POD

6. Notice of the application for transfer was published on September 4, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
7. The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screening and/or by-pass device is necessary at the new point of diversion to prevent fish from entering the diversion and/or safely transport fish back to the body of water from which the fish were diverted and that the diversion is not currently equipped with an appropriate fish screening and/or by-pass device. This diversion may be eligible for screening cost share funds.
8. The proposed change in point of diversion moves the location of the point of diversion downstream on Quines Creek past the inflow of Bull Run Creek, a separate source of water. However, as conditioned below, the proposed change in point of diversion would not result in injury to any water rights.

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

9. Water has been used within the five-year period prior to submittal of the transfer application 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.
10. A diversion structure and ditch 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-10447.
11. The proposed changes would not result in enlargement of the right.
12. The proposed changes as conditioned below would not result in injury to other water rights.

Determination and Proposed Action

The change in point of diversion and change in place of use proposed in Transfer Application T-10447 appear to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the transfer application will be approved.

If application T-10447 is approved, the final order will include the following:

1. *The change in point of diversion and change in place of use proposed in application T-10447 are approved.*
2. *Water right certificate 9637 is cancelled.*
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 9637 and any related decree.*
4. *The quantity of water diverted at the new point of diversion shall not exceed the quantity of water lawfully available at the original point of diversion on Quines Creek. Use of water under this right may not utilize the inflow of water from Bull Run Creek.*
5. *Water use measurement conditions:*
 - a. *Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of diversion.*
 - b. *The water user shall maintain the meters or measuring devices in good working order.*
 - c. *The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.*

6. *Prior to diverting water, the water user shall install a fish screening and/or by-pass device, as appropriate, at the new point of diversion consistent with the Oregon Department of Fish and Wildlife's (ODFW) design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screen and/or by-pass device meets ODFW's criteria. Prior to submitting a Claim of Beneficial Use, the water user must obtain written approval from ODFW that the required screening and/or by-pass device was installed to the state's criteria. The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.*
7. *The former place of use of the transferred right shall no longer receive water under the right.*
8. *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.*
9. *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 Teri Hranac. If you have questions about the information in this document, you may reach me at 503-986-0881 or Teri.K.Hranac@wrд.state.or.us.
--

Oregon Department of Fish and Wildlife
Additional Fish Screening and Passage Information for the Applicant
(To be completed by ODFW for WRD to provide to the applicant.)

Transfer # 10447

The applicant should be aware that fish screening and passage may be required for certain changes in point of diversion if the boxes below are checked.

- ☒ Fish screening and/or fish by-pass devices are required as a condition of this transfer. The fish screen and/or by-pass device must meet ODFW's design, construction, operational and maintenance standards. Fish screening prevents fish from entering the diversion, while a by-pass device safely transports fish back to the body of water from which the fish were diverted.

Pursuant to ORS 498.306, cost share funds may be available to assist in the installation of fish screening and by-pass devices at diversions.

The applicant should contact the ODFW staff below to obtain additional information on the design, construction, operational, and maintenance standards for the required fish screening and/or by-pass device and to obtain information about ODFW's cost sharing program for screening and by-pass devices. **Prior to installation, the water user must obtain written approval from ODFW that the required screening and/or by-pass device meets ODFW's criteria.**

ODFW staff name: Jim Brick / Sam Moyers

Address: 4192 North Umpqua Hwy

City/State/Zip: Roseburg, Or. 97470

Phone: (541) 440-3353

- ☐ This transfer may trigger requirements for fish passage under ORS 509.585 because a new point of diversion will be constructed, an existing point of diversion's capacity will be increased, or an existing point of diversion will be abandoned. The applicant should contact the ODFW staff below for a determination of whether native migratory fish are or were present at the applicable location, which will determine whether fish passage must be addressed.

ODFW staff name: _____

Address: _____

City/State/Zip: _____

Phone: () _____

Oregon Water Resources Department
Measurement Condition Information for the Applicant
(to be sent with the Draft Preliminary Determination or Final Order)

Transfer #: T-10477

☒ A measurement device will be required to be installed **prior to diversion of water** at the proposed point(s) of diversion or appropriation as a condition of this transfer.

For additional information, or to obtain approval of a different type of measurement device, the applicant should contact the area Watermaster:

Watermaster name: Dave Williams

District: 15

Address: Douglas County Courthouse, Room 306

City/State/Zip: Roseburg, OR 97470

Phone: 541-440-4255

Email: _____

Note: If a device other than the one specified in the Preliminary Determination or Final Order is approved by the Watermaster, fill out and mail the form below to the Salem office.

Approval of an Alternate Measurement Device T-
(to be filled out after consultation with the applicant, or after a site visit)

On behalf of the Director, I authorize use of the following suitable **alternate measurement device**:

Watermaster signature

District

Date

If this form is used for approval of an alternative measurement device, it must be mailed to:

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

Application for Water Right Transfer

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

1. TYPE OF TRANSFER APPLICATION

Please check one

☒ Permanent Transfer	☐ Instream Transfer
☐ Temporary Transfer	☐ Permanent
• total number of years: _____	☐ Time-Limited
(begin year: _____)	☐ Drought Transfer
(end year: _____)	☐ Other

2. APPLICANT INFORMATION

Name: <u>CLAY C. AND JUDITH E. DICKERSON</u>			
First		Last	
Address: <u>1745 QUINES CREEK ROAD</u>			
<u>AZALEA</u>		<u>OREGON</u>	<u>97410</u>
City		State	Zip
Phone: <u>(541) 837-3730</u>			
Home		Work	Other
Fax: _____		E-Mail address: _____	

3. AGENT INFORMATION

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

Name: _____
First Last

Address: _____

City State Zip

Phone: _____
Home Work Other

Fax: _____ E-Mail address: _____

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

ence to Agent.

AUG 27 2007

WATER RESOURCES DEPT
SALEM, OREGON

T 10447

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.			9637
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 (POD) ☐ Additional Point of Diversion
 - ☐ Character of Use ☐ Point of Appropriation (POA, or well) ☐ Additional POA
 - ☐ Instream Transfer ☐ Surface Water POD to Ground Water POA
 - ☐ Substitution of Supplemental Groundwater right for Primary Surface water right
 - ☐ Historic POD change ☐ Other
- Reason(s) for change(s): To pump instead of gravity ditch and to irrigate better ground.

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.

From the original point of diversion water was carried by open ditch to the site where the fields were flood irrigated.

- System capacity: 0.181 cubic feet per second (cfs). If the transfer involves multiple rights that have independent systems, describe the capacity for each system separately.

T 10447

Last revised: 7/27/2007

Transfer Application/2

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SALEM, OREGON

6. EVIDENCE OF BENEFICIAL WATER USE

- Attach one or more **Evidence of Use Affidavits** (Supplemental Form B) demonstrating that each of the right(s) involved in the transfer have been exercised in the last five years in accordance with the terms and conditions of the right or that a presumption of forfeiture for non-use could be rebutted. The Evidence of Use Affidavit(s) **must include supporting documentation** such as the following:
 - ▶ Copies of receipts from sales of irrigated crops or for expenditures relating to use of water;
 - ▶ Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers;
 - ▶ Dated aerial photographs of the lands or other photographs containing sufficient detail to establish location and date of the photograph; *or*
 - ▶ If the right has **not** been used during the past five years, documentation that the presumption of forfeiture would be rebutted under ORS 540.610(2).

7. AFFECTED DISTRICTS AND LOCAL GOVERNMENTS

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

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

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

DOUGLAS COUNTY, 1036 SE DOUGLAS, ROSEBURG, OR 97470

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SALEM, OREGON FS

T 10447

8. LAND OWNERSHIP

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

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

Names of Current Landowner(s): _____
First Last

Address: _____

City State Zip

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

☒ Yes ☐ No ☐ N/A - NOT APPLICABLE TO INSTREAM TRANSFERS

If "No", provide the following information:

Names of Receiving Landowner(s): _____
First Last

Address: _____

City State Zip

- Check one of the following:

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

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

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

T 10447

9. ATTACHMENTS

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

Supplemental Form A –

Description of Proposed Change(s) to a Water Right

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

Supplemental Form B –

Evidence of Use Affidavit(s)

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

Map

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

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

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

Land Use Information Form:

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

Fees:

- ☒ Amount enclosed: \$ 800.00
See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0900.

Instream Water Right Transfers, also include:

Supplemental Form C –

Instream Water Right Transfer

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

Temporary Transfers, also include:

Recorded Deed:

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

Affidavit of Consent:

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

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AUG 27 2007

WATER RESOURCES DEPT
SALEM, OREGON

FS

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.

12. SIGNATURES

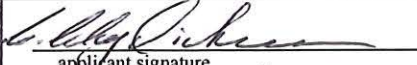
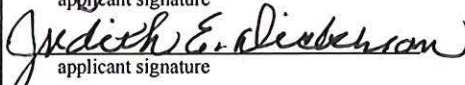
- Check one of the following, as appropriate, and sign the application in the signature box below:

- ☒ 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 interest in the water right has been conveyed to someone other than the landowner, and documents, including a water right conveyance agreement, report of ownership and lien information, and any required lienholder notification are enclosed, demonstrating that I am (we are) authorized to pursue the transfer. I (we) understand that we may be required to provide additional information upon receipt of the draft Preliminary Determination.
- ☐ 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 this is a temporary transfer and a copy of the deed for the "from" land (and affidavits of consent from any other landowners, if applicable) is enclosed.

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

 applicant signature	C. Clay Dickerson - owner name and title if applicable (print)	8/21/07 date
 applicant signature	Judith E. Dickerson name and title if applicable (print)	8/21/07 date

T 10447

Last revised: 7/27/2007

Transfer Application/6

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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: 9637

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

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

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2. CURRENT WATER RIGHT INFORMATION

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

☒ Certificated Right	9637	
	Certificate Number	Permit Number or Decree Name
☐ Adjudicated, Non-certificated Right		
	Name of Decree	Page Number
☐ Permit for which Proof has been Approved		
	Permit Number	Date Claim of Beneficial Use Submitted
☐ Transferred Right for which Proof has been Filed		
	Previous Transfer Number	Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: W. A. JACKSON
- County: DOUGLAS
- Authorized Use(s) to be Affected by Transfer: IRRIGATION
- Priority Date(s): 1877

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: QUINES CREEK

Tributary to: COW CREEK

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

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

- Are there **Other Water Rights**, Permits or Ground Water Registrations associated with this land?
 - ☐ Yes
 - ☒ No
 - ☐ N/A – No Change in Place of Use or Character of Use

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

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

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■ Certificate Number or other identifying number: 9637

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

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

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

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

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
	QUINES CR 1877	32 S.	5 W.	WM	26	NW, SW	1600	2721 S., 1645 E., NE S. 27

- 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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▪ Certificate Number or other identifying number: 9637

Will the ENTIRE water right be affected by this transfer? ☒ Yes ☐ No

If "Yes", the remainder of this page does not need to be completed. Go on to the next page.

If “No”, the following information must be provided only for those places of use that are involved in the transfer (i.e., list only the portion of the water right to be affected by the change.)

Attach additional pages as necessary.

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

Location of Existing Authorized Place of Use to be Affected:

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

[illegible]

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▪ Certificate Number or other identifying number: 9637

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)
Quines Cr.	T32S	R5W	WM	27	NENE	TL200	74' South & 94' East from NE Corner Sec. 27
							Enire right (12.7 Acres) to be served from new POD.

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

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

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

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

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

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

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■ Certificate Number or other identifying number: 9637

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)
QUINES CR.	32 S.	5 W.	WM	27	NE, NE	TL200	8.6

Remarks: _____

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**WATER RESOURCES DEPT
SALEM, OREGON**

T 10447

Water Right Transfer Supplemental Form B **AFFIDAVIT ATTESTING TO THE USE OF WATER**

State of Oregon)
) ss
 County of DOUGLAS)

I, CLAY C. DICKERSON, in my capacity as OWNER,
 mailing address 1745 QUINES CREEK ROAD, AZALEA, OR. 97410
 telephone number (541) 837-3730, 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)
32	S.	5	W.	WM	27	NE, NE	TL200	12.7

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**WATER RESOURCES DEPT
SALEM, OREGON**

T 10447

(continues on reverse side)

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



4. The water right was exercised for the authorized purpose described below (e.g., crops grown):

IRRIGATION - PASTURE AND HAY FIELD

5. The water delivery system used to apply water as authorized by the right is described below:

Two (2) 3hp elect. pumps bring water to buried 3" PVC pipe @ 1,070 ft long w/ eight (8) 3" head valves on 60ft. spacing. These empty into 3" alum. pipe w/ 14 to 18 sprinklers (5/32" nozzles) @ 40ft. spacing - number dependent on field shape. System capacity is @ 0.781 cfs.

6. One or more of the following documentation supporting the above statements is attached:

- ☐ Copy of a water right certificate that was issued within the last five years (not a remaining right certificate),
- ☐ Copies of receipts from sales of irrigated crops or for expenditures relating to the use of water,
- ☐ Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers,
- ☐ Dated aerial photographs of the lands or other photographs containing sufficient detail to establish the location and date of the photograph,
- ☒ Dedicated power usage records or receipts,
- ☐ Instream lease number _____,
- ☐ Other: _____

Signature of Affiant

Date

Signed and sworn to (or affirmed) before me this 16th day of August, 2007.



Notary Public for Oregon

My Commission Expires: January 4th 2011

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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BILLING DATE: Jul 30, 2007 ACCOUNT NUMBER: [REDACTED] DATE DUE: Aug 15, 2007 AMOUNT DUE: \$389.91

Detailed Account Activity

ITEM 4 - ELECTRIC SERVICE

1745 Quines Creek Rd Azalea OR
Shop Commercial Schedule 23
Service ID: 956038246-003

METER NUMBER	SERVICE PERIOD From To	ELAPSED DAYS	METER READINGS Previous Current	METER MULTIPLIER	AMOUNT USED THIS MONTH
24682714	Jun 26, 2007 Jul 26, 2007	30	32635 36242	1.0	3,607 kwh

NEW CHARGES - 07/07	UNITS	COST PER UNIT	CHARGE
Basic Charge - 1P Sec Delivery			16.15
Delivery Charge Secondary	3,607 kwh	0.0223700	80.69
Supply Energy Sec 1st 3000 Kwh	3,000 kwh	0.0425800	127.74
Supply Energy Sec > 3000 Kwh	607 kwh	0.0309900	18.81
Public Purpose		0.0300000	7.30
Low Income Assistance	3,607 kwh	0.0003300	1.19
Total New Charges			251.88

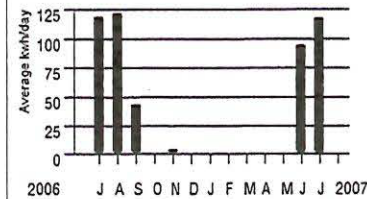
ITEM 5 - ELECTRIC SERVICE

1745 Quines Creek Rd Azalea OR
Barn Schedule 23
Service ID: 956038246-002

METER NUMBER	SERVICE PERIOD From To	ELAPSED DAYS	METER READINGS Previous Current	METER MULTIPLIER	AMOUNT USED THIS MONTH
25010411	Jun 26, 2007 Jul 26, 2007	30	2472 2628	1.0	156 kwh

NEW CHARGES - 07/07	UNITS	COST PER UNIT	CHARGE
Basic Charge - 1P Sec Delivery			16.15
Delivery Charge Secondary	156 kwh	0.0223700	3.49
Supply Energy Sec 1st 3000 Kwh	156 kwh	0.0425800	6.64
Public Purpose		0.0300000	0.79
Low Income Assistance	156 kwh	0.0003300	0.05
Total New Charges			27.12

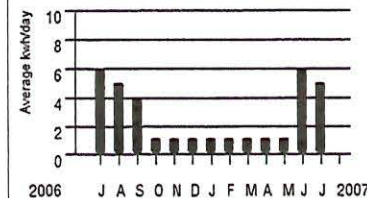
Historical Data - ITEM 4



Your Average Daily kwh Usage by Month

PERIOD ENDING	JUL 2007	JUL 2006
Avg. Daily Temp.	75	75
Total kwh	3607	3759
Avg. kwh per Day	120	121
Cost per Day	\$8.39	

Historical Data - ITEM 5



Your Average Daily kwh Usage by Month

PERIOD ENDING	JUL 2007	JUL 2006
Avg. Daily Temp.	75	75
Total kwh	156	186
Avg. kwh per Day	5	6
Cost per Day	\$0.90	

*Electrical use
re: pumping
irrigation -
July '07 - June 03
(summer mos. only)*

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BILLING DATE: Jun 27, 2007 ACCOUNT NUMBER: [REDACTED] DATE DUE: Jul 16, 2007 AMOUNT DUE: \$357.33

Detailed Account Activity

ITEM 4 - ELECTRIC SERVICE

1745 Quines Creek Rd Azalea OR
Shop Commercial Schedule 23
Service ID: 956038246-003

METER NUMBER	SERVICE PERIOD From To	ELAPSED DAYS	METER READINGS Previous Current	METER MULTIPLIER	AMOUNT USED THIS MONTH
24682714	May 25, 2007 Jun 26, 2007	32	29549 32635	1.0	3,086 kwh

NEW CHARGES - 06/07	UNITS	COST PER UNIT	CHARGE
Basic Charge - 1P Sec Delivery			16.15
Delivery Charge Secondary	3,086 kwh	0.0223700	69.03
Supply Energy Sec 1st 3000 Kwh	3,000 kwh	0.0425800	127.74
Supply Energy Sec > 3000 Kwh	86 kwh	0.0309900	2.67
Public Purpose		0.0300000	6.47
Low Income Assistance	3,086 kwh	0.0003300	1.02
Total New Charges			223.08

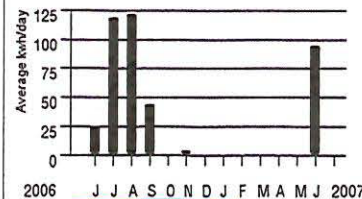
ITEM 5 - ELECTRIC SERVICE

1745 Quines Creek Rd Azalea OR
Barn Schedule 23
Service ID: 956038246-002

METER NUMBER	SERVICE PERIOD From To	ELAPSED DAYS	METER READINGS Previous Current	METER MULTIPLIER	AMOUNT USED THIS MONTH
25010411	May 25, 2007 Jun 26, 2007	32	2277 2472	1.0	195 kwh

NEW CHARGES - 06/07	UNITS	COST PER UNIT	CHARGE
Basic Charge - 1P Sec Delivery			16.15
Delivery Charge Secondary	195 kwh	0.0223700	4.36
Supply Energy Sec 1st 3000 Kwh	195 kwh	0.0425800	8.30
Public Purpose		0.0300000	0.86
Low Income Assistance	195 kwh	0.0003300	0.06
Total New Charges			29.73

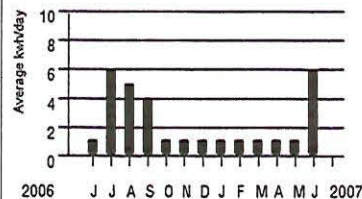
Historical Data - ITEM 4



Your Average Daily kwh Usage by Month

PERIOD ENDING	JUN 2007	JUN 2006
Avg. Daily Temp.	66	57
Total kwh	3086	749
Avg. kwh per Day	96	23
Cost per Day	\$6.97	

Historical Data - ITEM 5



Your Average Daily kwh Usage by Month

PERIOD ENDING	JUN 2007	JUN 2006
Avg. Daily Temp.	66	57
Total kwh	195	45
Avg. kwh per Day	6	1
Cost per Day	\$0.92	

pd
7-3-07 hek 7963 (F) 252.91

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BILLING DATE: May 29, 2007 ACCOUNT NUMBER: [REDACTED] DATE DUE: Jun 14, 2007 AMOUNT DUE: \$134.96

Detailed Account Activity

ITEM 4 - ELECTRIC SERVICE

1745 Quines Creek Rd Azalea OR
Shop Commercial Schedule 23
Service ID: 956038246-003

METER NUMBER	SERVICE PERIOD From To	ELAPSED DAYS	METER READINGS Previous Current	METER MULTIPLIER	AMOUNT USED THIS MONTH
24682714	Apr 25, 2007 May 25, 2007	30	29544 29549	1.0	5 kwh

NEW CHARGES - 05/07	UNITS	COST PER UNIT	CHARGE
Basic Charge - 1P Sec Delivery			16.15
Delivery Charge Secondary	5 kwh	0.0223700	0.11
Supply Energy Sec 1st 3000 Kwh	5 kwh	0.0425800	0.21
Public Purpose		0.0300000	0.49
Total New Charges			16.96

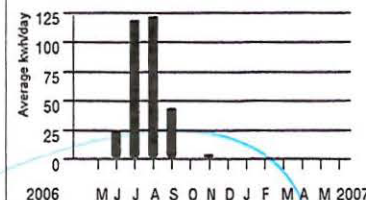
ITEM 5 - ELECTRIC SERVICE

1745 Quines Creek Rd Azalea OR
Barn Schedule 23
Service ID: 956038246-002

METER NUMBER	SERVICE PERIOD From To	ELAPSED DAYS	METER READINGS Previous Current	METER MULTIPLIER	AMOUNT USED THIS MONTH
25010411	Apr 25, 2007 May 25, 2007	30	2235 2277	1.0	42 kwh

NEW CHARGES - 05/07	UNITS	COST PER UNIT	CHARGE
Basic Charge - 1P Sec Delivery			16.15
Delivery Charge Secondary	42 kwh	0.0223700	0.94
Supply Energy Sec 1st 3000 Kwh	42 kwh	0.0425800	1.79
Public Purpose		0.0300000	0.57
Low Income Assistance	42 kwh	0.0003300	0.01
Total New Charges			19.46

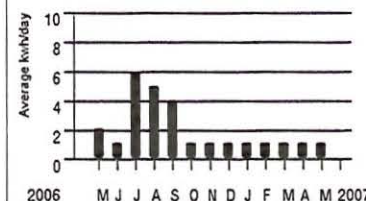
Historical Data - ITEM 4



Your Average Daily kwh Usage by Month

PERIOD ENDING	MAY 2007	MAY 2006
Avg. Daily Temp.	60	54
Total kwh	5	27
Avg. kwh per Day	0	1
Cost per Day	\$0.56	

Historical Data - ITEM 5



Your Average Daily kwh Usage by Month

PERIOD ENDING	MAY 2007	MAY 2006
Avg. Daily Temp.	60	54
Total kwh	42	63
Avg. kwh per Day	1	2
Cost per Day	\$0.64	

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 SALEM, OREGON



Questions about your bill: 1-888-221-7070 www.pacificpower.net

PAGE 2 OF 4

BILLING DATE: Apr 27, 2007 ACCOUNT NUMBER: [REDACTED] DATE DUE: May 15, 2007 AMOUNT DUE: \$151.04

Detailed Account Activity

ITEM 4 - ELECTRIC SERVICE

1745 Quines Creek Rd Azalea OR
Shop Commercial Schedule 23
Service ID: 956038246-003

METER NUMBER	SERVICE PERIOD From To	ELAPSED DAYS	METER READINGS		METER MULTIPLIER	AMOUNT USED THIS MONTH
			Previous	Current		
24682714	Mar 27, 2007 Apr 25, 2007	29	29543	29544	1.0	1 kwh

NEW CHARGES - 04/07	UNITS	COST PER UNIT	CHARGE
Basic Charge - 1P Sec Delivery			16.15
Delivery Charge Secondary	1 kwh	0.0223700	0.02
Supply Energy Sec 1st 3000 Kwh	1 kwh	0.0425800	0.04
Public Purpose		0.0300000	0.49
Total New Charges			16.70

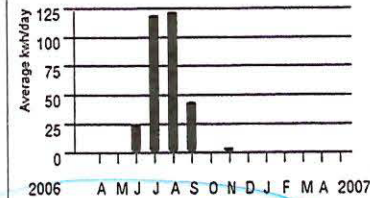
ITEM 5 - ELECTRIC SERVICE

1745 Quines Creek Rd Azalea OR
Barn Schedule 23
Service ID: 956038246-002

METER NUMBER	SERVICE PERIOD From To	ELAPSED DAYS	METER READINGS		METER MULTIPLIER	AMOUNT USED THIS MONTH
			Previous	Current		
25010411	Mar 27, 2007 Apr 25, 2007	29	2215	2235	1.0	20 kwh

NEW CHARGES - 04/07	UNITS	COST PER UNIT	CHARGE
Basic Charge - 1P Sec Delivery			16.15
Delivery Charge Secondary	20 kwh	0.0223700	0.45
Supply Energy Sec 1st 3000 Kwh	20 kwh	0.0425800	0.85
Public Purpose		0.0300000	0.52
Low Income Assistance	20 kwh	0.0003300	0.01
Total New Charges			17.98

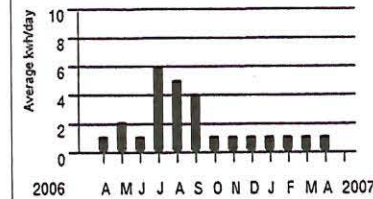
Historical Data - ITEM 4



Your Average Daily kwh Usage by Month

PERIOD ENDING	APR 2007	APR 2006
Avg. Daily Temp.	51	41
Total kwh	1	23
Avg. kwh per Day	0	1
Cost per Day	\$0.57	

Historical Data - ITEM 5



Your Average Daily kwh Usage by Month

PERIOD ENDING	APR 2007	APR 2006
Avg. Daily Temp.	51	41
Total kwh	20	14
Avg. kwh per Day	1	1
Cost per Day	\$0.62	

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WATER RESOURCES DEPT
SALEM, OREGON

BILLING DATE: Sep 28, 2006 ACCOUNT NUMBER: [REDACTED] DATE DUE: Oct 16, 2006 AMOUNT DUE: \$213.61

Trailing Account Activity

ITEM 4 - ELECTRIC SERVICE

1745 Quines Creek Rd Azalea OR
Shop Commercial Schedule 23
Service ID: 956038246-003

METER NUMBER	SERVICE PERIOD From To	ELAPSED DAYS	METER READINGS Previous Current	METER MULTIPLIER	AMOUNT USED THIS MONTH
24682714	Aug 25, 2006 Sep 27, 2006	33	28008 29428	1.0	1,420 kwh

NEW CHARGES - 09/06	UNITS	COST PER UNIT	CHARGE
Basic Charge, 1P Sec Del			15.80
Delivery Charge	1,420 kwh	0.0218700	31.06
Basic Srv Energy 1st 3000 Kwh	1,420 kwh	0.0390800	55.49
Public Purpose		0.0300000	3.07
Low Income Assistance	1,420 kwh	0.0003300	0.47
Total New Charges			105.89

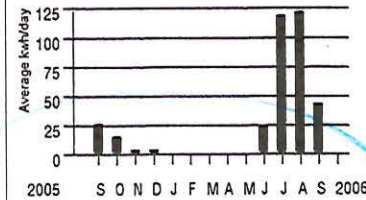
ITEM 5 - ELECTRIC SERVICE

1745 Quines Creek Rd Azalea OR
Barn Schedule 23
Service ID: 956038246-002

METER NUMBER	SERVICE PERIOD From To	ELAPSED DAYS	METER READINGS Previous Current	METER MULTIPLIER	AMOUNT USED THIS MONTH
25010411	Aug 25, 2006 Sep 27, 2006	33	1904 2051	1.0	147 kwh

NEW CHARGES - 09/06	UNITS	COST PER UNIT	CHARGE
Basic Charge, 1P Sec Del			15.80
Delivery Charge	147 kwh	0.0218700	3.21
Basic Srv Energy 1st 3000 Kwh	147 kwh	0.0390800	5.74
Public Purpose		0.0300000	0.74
Low Income Assistance	147 kwh	0.0003300	0.05
Total New Charges			25.54

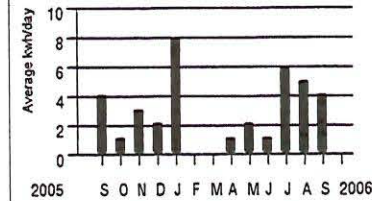
Historical Data - ITEM 4



Your Average Daily kwh Usage by Month

PERIOD ENDING	SEP 2006	SEP 2005
Avg. Daily Temp.	67	56
Total kwh	1420	794
Avg. kwh per Day	43	25
Cost per Day	\$3.20	

Historical Data - ITEM 5



Your Average Daily kwh Usage by Month

PERIOD ENDING	SEP 2006	SEP 2005
Avg. Daily Temp.	67	56
Total kwh	147	129
Avg. kwh per Day	4	4
Cost per Day	\$0.77	

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 SALEM, OREGON

BILLING DATE: Aug 28, 2006 ACCOUNT NUMBER: [REDACTED] DATE DUE: Sep 14, 2006 AMOUNT DUE: \$342.33

Detailed Account Activity

ITEM 4 - ELECTRIC SERVICE

1745 Quines Creek Rd Azalea OR
Shop Commercial Schedule 23
Service ID: 956038246-003

METER NUMBER	SERVICE PERIOD From To	ELAPSED DAYS	METER READINGS Previous Current	METER MULTIPLIER	AMOUNT USED THIS MONTH
24682714	Jul 27, 2006 Aug 25, 2006	29	24421 28008	1.0	3,587 kwh

NEW CHARGES - 08/06	UNITS	COST PER UNIT	CHARGE
Basic Charge, 1P Sec Del			15.80
Delivery Charge	3,587 kwh	0.0218700	78.45
Basic Srv Energy 1st 3000 Kwh	3,000 kwh	0.0390800	117.24
Basic Srv Energy > 3000 Kwh	587 kwh	0.0282500	16.58
Public Purpose		0.0300000	6.84
Low Income Assistance	3,587 kwh	0.0003300	1.18
Total New Charges			236.09

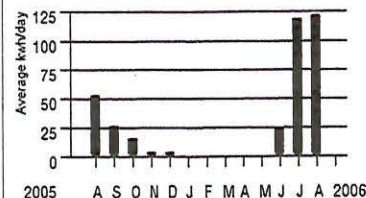
ITEM 5 - ELECTRIC SERVICE

1745 Quines Creek Rd Azalea OR
Barn Schedule 23
Service ID: 956038246-002

METER NUMBER	SERVICE PERIOD From To	ELAPSED DAYS	METER READINGS Previous Current	METER MULTIPLIER	AMOUNT USED THIS MONTH
25010411	Jul 27, 2006 Aug 25, 2006	29	1765 1904	1.0	139 kwh

NEW CHARGES - 08/06	UNITS	COST PER UNIT	CHARGE
Basic Charge, 1P Sec Del			15.80
Delivery Charge	139 kwh	0.0218700	3.04
Basic Srv Energy 1st 3000 Kwh	139 kwh	0.0390800	5.43
Public Purpose		0.0300000	0.73
Low Income Assistance	139 kwh	0.0003300	0.05
Total New Charges			25.05

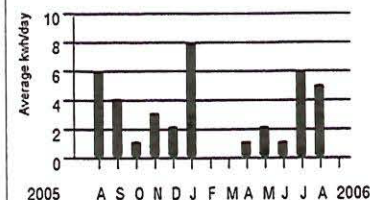
Historical Data - ITEM 4



Your Average Daily kwh Usage by Month

PERIOD ENDING	AUG 2006	AUG 2005
Avg. Daily Temp.	72	69
Total kwh	3587	1470
Avg. kwh per Day	124	53
Cost per Day	\$8.14	

Historical Data - ITEM 5



Your Average Daily kwh Usage by Month

PERIOD ENDING	AUG 2006	AUG 2005
Avg. Daily Temp.	72	69
Total kwh	139	172
Avg. kwh per Day	5	6
Cost per Day	\$0.86	

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 AUG 27 2007
 WATER RESOURCES DEPT
 SALEM, OREGON

BILLING DATE: Jul 28, 2006 ACCOUNT NUMBER: [REDACTED] DATE DUE: Aug 15, 2006 AMOUNT DUE: \$365.47

Detailed Account Activity

ITEM 4 - ELECTRIC SERVICE

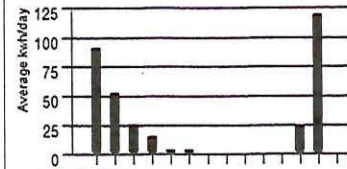
1745 Quines Creek Rd Azalea OR
Shop Commercial Schedule 23
Service ID: 956038246-003

METER NUMBER	SERVICE PERIOD From To	ELAPSED DAYS	METER READINGS Previous Current	METER MULTIPLIER	AMOUNT USED THIS MONTH
24682714	Jun 26, 2006 Jul 27, 2006	31	20662 24421	1.0	3,759 kwh

NEW CHARGES - 07/06

	UNITS	COST PER UNIT	CHARGE
Basic Charge, 1P Sec Del			15.80
Delivery Charge for 7 day(s)	849 kwh	0.0218700	18.57
Delivery Charge for 24 day(s)	2,910 kwh	0.0218500	63.58
Basic Srv Energy 1st 3000 Kwh for 7 day(s)	677 kwh	0.0390800	26.46
Basic Srv Energy 1st 3000 Kwh for 24 day(s)	2,323 kwh	0.0385900	89.64
Basic Srv Energy > 3000 Kwh for 24 day(s)	587 kwh	0.0279000	16.38
Basic Srv Energy > 3000 Kwh for 7 day(s)	172 kwh	0.0282500	4.86
Public Purpose		0.0300000	7.06
Low Income Assistance	3,759 kwh	0.0003300	1.24
Total New Charges			243.59

Historical Data - ITEM 4



2005 J A S O N D J F M A M J J 2006

Your Average Daily kwh Usage by Month

PERIOD ENDING	JUL 2006	JUL 2005
Avg. Daily Temp.	76	65
Total kwh	3759	2679
Avg. kwh per Day	121	92
Cost per Day	\$7.85	



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BILLING DATE: Jun 27, 2006 ACCOUNT NUMBER: [REDACTED] DATE DUE: Jul 14, 2006 AMOUNT DUE: \$161.10

Detailed Account Activity

ITEM 4 - ELECTRIC SERVICE

 1745 Quines Creek Rd Azalea OR
 Shop Commercial Schedule 23
 Service ID: 956038246-003

10447

METER NUMBER	SERVICE PERIOD From To	ELAPSED DAYS	METER READINGS Previous Current	METER MULTIPLIER	AMOUNT USED THIS MONTH
24682714	May 24, 2006 Jun 26, 2006	33	19913 20662	1.0	749 kwh

NEW CHARGES - 06/06	UNITS	COST PER UNIT	CHARGE
Basic Charge, 1P Sec Del			15.80
Delivery Charge	749 kwh	0.0218500	16.37
Basic Srv Energy 1st 3000 Kwh	749 kwh	0.0385900	28.90
Public Purpose		0.0300000	1.83
Low Income Assistance	749 kwh	0.0003300	0.25
Total New Charges			63.15

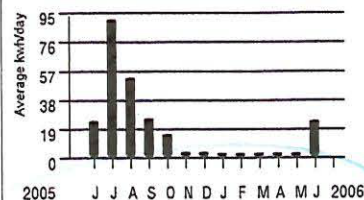
ITEM 5 - ELECTRIC SERVICE

 1745 Quines Creek Rd Azalea OR
 Barn Schedule 23
 Service ID: 956038246-002

METER NUMBER	SERVICE PERIOD From To	ELAPSED DAYS	METER READINGS Previous Current	METER MULTIPLIER	AMOUNT USED THIS MONTH
210411	May 24, 2006 Jun 26, 2006	33	1534 1579	1.0	45 kwh

NEW CHARGES - 06/06	UNITS	COST PER UNIT	CHARGE
Basic Charge, 1P Sec Del			15.80
Delivery Charge	45 kwh	0.0218500	0.98
Basic Srv Energy 1st 3000 Kwh	45 kwh	0.0385900	1.74
Public Purpose		0.0300000	0.56
Low Income Assistance	45 kwh	0.0003300	0.01
Total New Charges			19.09

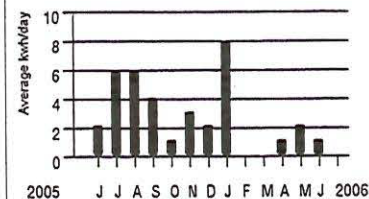
Historical Data - ITEM 4



Your Average Daily kwh Usage by Month

PERIOD ENDING	JUN 2006	JUN 2005
Avg. Daily Temp.	57	51
Total kwh	749	731
Avg. kwh per Day	23	23
Cost per Day	\$1.91	

Historical Data - ITEM 5



Your Average Daily kwh Usage by Month

PERIOD ENDING	JUN 2006	JUN 2005
Avg. Daily Temp.	57	51
Total kwh	45	66
Avg. kwh per Day	1	2
Cost per Day	\$0.57	

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82.24

BILLING DATE: May 26, 2006 ACCOUNT NUMBER: [REDACTED] DATE DUE: Jun 14, 2006 AMOUNT DUE: \$105.16

Detailed Account Activity

ITEM 4 - ELECTRIC SERVICE

 1745 Quines Creek Rd Azalea OR
 Shop Commercial Schedule 23
 Service ID: 956038246-003

METER NUMBER	SERVICE PERIOD From To	ELAPSED DAYS	METER READINGS Previous Current	METER MULTIPLIER	AMOUNT USED THIS MONTH
24682714	Apr 25, 2006 May 24, 2006	29	19886 19913	1.0	27 kwh

NEW CHARGES - 05/06	UNITS	COST PER UNIT	CHARGE
Basic Charge, 1P Sec Del			15.80
Delivery Charge for 16 day(s)	15 kwh	0.0220300	0.33
Delivery Charge for 13 day(s)	12 kwh	0.0218500	0.26
Basic Srv Energy 1st 3000 Kwh	27 kwh	0.0385900	1.04
Public Purpose		0.0300000	0.52
Low Income Assistance	27 kwh	0.0003300	0.01
Total New Charges			17.96

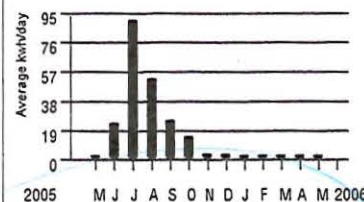
ITEM 5 - ELECTRIC SERVICE

 1745 Quines Creek Rd Azalea OR
 Barn Schedule 23
 Service ID: 956038246-002

METER NUMBER	SERVICE PERIOD From To	ELAPSED DAYS	METER READINGS Previous Current	METER MULTIPLIER	AMOUNT USED THIS MONTH
25010411	Apr 25, 2006 May 24, 2006	29	1471 1534	1.0	63 kwh

NEW CHARGES - 05/06	UNITS	COST PER UNIT	CHARGE
Basic Charge, 1P Sec Del			15.80
Delivery Charge for 16 day(s)	35 kwh	0.0220300	0.77
Delivery Charge for 13 day(s)	28 kwh	0.0218500	0.61
Basic Srv Energy 1st 3000 Kwh	63 kwh	0.0385900	2.43
Public Purpose		0.0300000	0.59
Low Income Assistance	63 kwh	0.0003300	0.02
Total New Charges			20.22

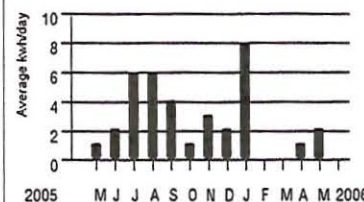
Historical Data - ITEM 4



Your Average Daily kwh Usage by Month

PERIOD ENDING	MAY 2006	MAY 2005
Avg. Daily Temp.	54	48
Total kwh	27	39
Avg. kwh per Day	1	1
Cost per Day	\$0.61	

Historical Data - ITEM 5



Your Average Daily kwh Usage by Month

PERIOD ENDING	MAY 2006	MAY 2005
Avg. Daily Temp.	54	48
Total kwh	63	25
Avg. kwh per Day	2	1
Cost per Day	\$0.69	

38.18

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BILLING DATE: Oct 26, 2005 ACCOUNT NUMBER: [REDACTED] DATE DUE: Nov 14, 2005 AMOUNT DUE: \$157.61

Detailed Account Activity

ITEM 4 - ELECTRIC SERVICE

1745 Quines Creek Rd Azalea OR
Shop Commercial Schedule 23
Service ID: 956038246-003

METER NUMBER	SERVICE PERIOD From To	ELAPSED DAYS	METER READINGS Previous Current	METER MULTIPLIER	AMOUNT USED THIS MONTH
4682714	Sep 26, 2005 Oct 25, 2005	29	19285 19680	1.0	395 kwh

NEW CHARGES - 10/05	UNITS	COST PER UNIT	CHARGE
Basic Charge, 1P Sec Del for 22 day(s)			11.99
Basic Charge, 1p Sec Del for 7 day(s)			2.46
Delivery Charge for 7 day(s)	95 kwh	0.0195700	1.86
Delivery Charge for 22 day(s)	300 kwh	0.0200000	6.00
Basic Service Energy for 22 day(s)	300 kwh	0.0383600	11.51
Basic Service Energy for 7 day(s)	95 kwh	0.0406900	3.87
Public Purpose		0.0300000	1.13
Low Income Assistance	395 kwh	0.0003300	0.13
Total New Charges			38.95

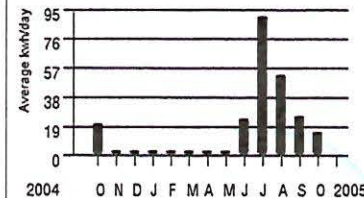
ITEM 5 - ELECTRIC SERVICE

1745 Quines Creek Rd Azalea OR
Barn Schedule 23
Service ID: 956038246-002

METER NUMBER	SERVICE PERIOD From To	ELAPSED DAYS	METER READINGS Previous Current	METER MULTIPLIER	AMOUNT USED THIS MONTH
25010411	Sep 26, 2005 Oct 25, 2005	29	1022 1057	1.0	35 kwh

NEW CHARGES - 10/05	UNITS	COST PER UNIT	CHARGE
Basic Charge, 1P Sec Del for 22 day(s)			11.99
Basic Charge, 1p Sec Del for 7 day(s)			2.46
Delivery Charge for 7 day(s)	8 kwh	0.0195700	0.16
Delivery Charge for 22 day(s)	27 kwh	0.0200000	0.54
Basic Service Energy for 22 day(s)	27 kwh	0.0383600	1.04
Basic Service Energy for 7 day(s)	8 kwh	0.0406900	0.33
Public Purpose		0.0300000	0.50

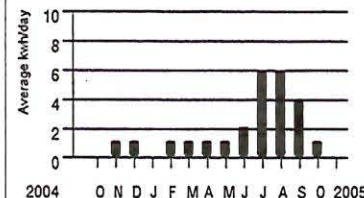
Historical Data - ITEM 4



Your Average Daily kwh Usage by Month

PERIOD ENDING	OCT 2005	OCT 2004
Avg. Daily Temp.	52	53
Total kwh	395	553
Avg. kwh per Day	14	20
Cost per Day	\$1.34	

Historical Data - ITEM 5



Your Average Daily kwh Usage by Month

PERIOD ENDING	OCT 2005	OCT 2004
Avg. Daily Temp.	52	53
Total kwh	35	13
Avg. kwh per Day	1	0
Cost per Day	\$0.58	

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BILLING DATE: Sep 27, 2005 ACCOUNT NUMBER: [REDACTED] DATE DUE: Oct 13, 2005 AMOUNT DUE: \$182.88

Detailed Account Activity

ITEM 4 - ELECTRIC SERVICE

 1745 Quines Creek Rd Azalea OR
 Shop Commercial Schedule 23
 Service ID: 956038246-003

METER NUMBER	SERVICE PERIOD From To	ELAPSED DAYS	METER READINGS Previous Current	METER MULTIPLIER	AMOUNT USED THIS MONTH
24682714	Aug 25, 2005 Sep 26, 2005	32	18491 19285	1.0	794 kwh

NEW CHARGES - 09/05	UNITS	COST PER UNIT	CHARGE
Basic Charge, 1P Sec Del			10.20
Delivery Charge	794 kwh	0.0195700	15.54
Basic Service Energy	794 kwh	0.0406900	32.31
Public Purpose		0.0300000	1.74
Low Income Assistance	794 kwh	0.0003300	0.26
Total New Charges			60.05

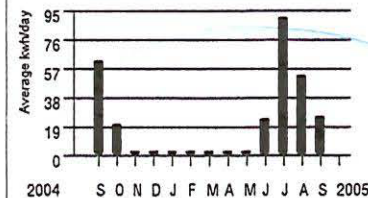
ITEM 5 - ELECTRIC SERVICE

 1745 Quines Creek Rd Azalea OR
 Barn Schedule 23
 Service ID: 956038246-002

METER NUMBER	SERVICE PERIOD From To	ELAPSED DAYS	METER READINGS Previous Current	METER MULTIPLIER	AMOUNT USED THIS MONTH
25010411	Aug 25, 2005 Sep 26, 2005	32	893 1022	1.0	129 kwh

NEW CHARGES - 09/05	UNITS	COST PER UNIT	CHARGE
Basic Charge, 1P Sec Del			10.20
Delivery Charge	129 kwh	0.0195700	2.52
Basic Service Energy	129 kwh	0.0406900	5.25
Public Purpose		0.0300000	0.54
Low Income Assistance	129 kwh	0.0003300	0.04
Total New Charges			18.55

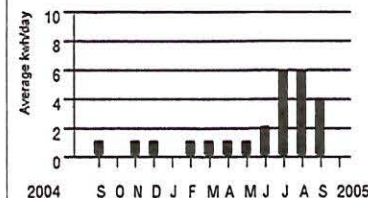
Historical Data - ITEM 4



Your Average Daily kwh Usage by Month

PERIOD ENDING	SEP 2005	SEP 2004
Avg. Daily Temp.	56	58
Total kwh	794	2128
Avg. kwh per Day	25	63
Cost per Day	\$1.87	

Historical Data - ITEM 5



Your Average Daily kwh Usage by Month

PERIOD ENDING	SEP 2005	SEP 2004
Avg. Daily Temp.	56	58
Total kwh	129	45
Avg. kwh per Day	4	1
Cost per Day	\$0.57	

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 WATER RESOURCES DEPT
 SALEM, OREGON

BILLING DATE: Aug 26, 2005 ACCOUNT NUMBER: [REDACTED] DATE DUE: Sep 14, 2005 AMOUNT DUE: \$223.36

Detailed Account Activity

ITEM 4 - ELECTRIC SERVICE

 1745 Quines Creek Rd Azalea OR
 Shop Commercial Schedule 23
 Service ID: 956038246-003

METER NUMBER	SERVICE PERIOD From To	ELAPSED DAYS	METER READINGS Previous Current	METER MULTIPLIER	AMOUNT USED THIS MONTH
24682714	Jul 28, 2005 Aug 25, 2005	28	17021 18491	1.0	1,470 kwh

NEW CHARGES - 08/05	UNITS	COST PER UNIT	CHARGE
Basic Charge, 1P Sec Del			10.20
Delivery Charge	1,470 kwh	0.0195700	28.77
Basic Service Energy	1,470 kwh	0.0406900	59.81
Public Purpose		0.0300000	2.96
Low Income Assistance	1,470 kwh	0.0003300	0.49
Total New Charges			102.23

ITEM 5 - ELECTRIC SERVICE

 1745 Quines Creek Rd Azalea OR
 Barn Schedule 23
 Service ID: 956038246-002

METER NUMBER	SERVICE PERIOD From To	ELAPSED DAYS	METER READINGS Previous Current	METER MULTIPLIER	AMOUNT USED THIS MONTH
25010411	Jul 28, 2005 Aug 25, 2005	28	721 893	1.0	172 kwh

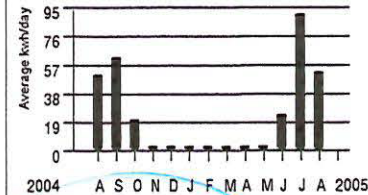
NEW CHARGES - 08/05	UNITS	COST PER UNIT	CHARGE
Basic Charge, 1P Sec Del			10.20
Delivery Charge	172 kwh	0.0195700	3.37
Basic Service Energy	172 kwh	0.0406900	7.00
Public Purpose		0.0300000	0.62
Low Income Assistance	172 kwh	0.0003300	0.06
Total New Charges			21.25

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AUG 27 2007

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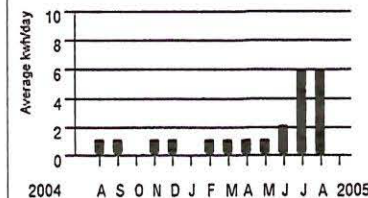
Historical Data - ITEM 4



Your Average Daily kwh Usage by Month

PERIOD ENDING	AUG 2005	AUG 2004
Avg. Daily Temp.	69	75
Total kwh	1470	1523
Avg. kwh per Day	53	51
Cost per Day	\$3.65	

Historical Data - ITEM 5



Your Average Daily kwh Usage by Month

PERIOD ENDING	AUG 2005	AUG 2004
Avg. Daily Temp.	69	75
Total kwh	172	29
Avg. kwh per Day	6	1
Cost per Day	\$0.75	

 102.23
 123.48

BILLING DATE: Aug 2, 2005 ACCOUNT NUMBER: [REDACTED] DATE DUE: Aug 18, 2005 AMOUNT DUE: \$311.05

Detailed Account Activity

ITEM 4 - ELECTRIC SERVICE

 1745 Quines Creek Rd Azalea OR
 Shop Commercial Schedule 23
 Service ID: 956038246-003

METER NUMBER	SERVICE PERIOD From To	ELAPSED DAYS	METER READINGS Previous Current	METER MULTIPLIER	AMOUNT USED THIS MONTH
24682714	Jun 29, 2005 Jul 28, 2005	29	14342 17021	1.0	2,679 kwh

NEW CHARGES - 07/05	UNITS	COST PER UNIT	CHARGE
Basic Charge, 1P Sec Del			10.20
Delivery Charge for 4 day(s)	370 kwh	0.0195700	7.24
Delivery Charge for 25 day(s)	2,309 kwh	0.0229100	52.90
Basic Service Energy	2,679 kwh	0.0406900	109.01
Public Purpose		0.0300000	5.38
Low Income Assistance	2,679 kwh	0.0003300	0.88
Total New Charges			185.61

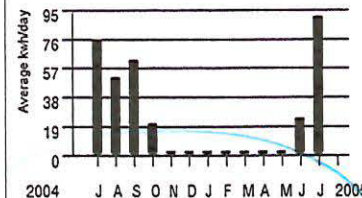
ITEM 5 - ELECTRIC SERVICE

 1745 Quines Creek Rd Azalea OR
 Barn Schedule 23
 Service ID: 956038246-002

METER NUMBER	SERVICE PERIOD From To	ELAPSED DAYS	METER READINGS Previous Current	METER MULTIPLIER	AMOUNT USED THIS MONTH
25010411	Jun 29, 2005 Jul 28, 2005	29	553 721	1.0	168 kwh

NEW CHARGES - 07/05	UNITS	COST PER UNIT	CHARGE
Basic Charge, 1P Sec Del			10.20
Delivery Charge for 4 day(s)	23 kwh	0.0195700	0.45
Delivery Charge for 25 day(s)	145 kwh	0.0229100	3.32
Basic Service Energy	168 kwh	0.0406900	6.84
Public Purpose		0.0300000	0.62
Low Income Assistance	168 kwh	0.0003300	0.06
Total New Charges			21.49

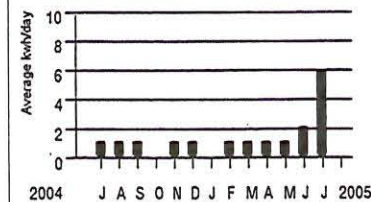
Historical Data - ITEM 4



Your Average Daily kwh Usage by Month

PERIOD ENDING	JUL 2005	JUL 2004
Avg. Daily Temp.	66	75
Total kwh	2679	2401
Avg. kwh per Day	92	77
Cost per Day	\$6.40	

Historical Data - ITEM 5



Your Average Daily kwh Usage by Month

PERIOD ENDING	JUL 2005	JUL 2004
Avg. Daily Temp.	66	75
Total kwh	168	26
Avg. kwh per Day	6	1
Cost per Day	\$0.74	

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 WATER RESOURCES DEPT
 SALEM, OREGON

BILLING DATE: Jun 29, 2005 ACCOUNT NUMBER: [REDACTED] DATE DUE: Jul 18, 2005 AMOUNT DUE: \$177.14

Detailed Account Activity

ITEM 4 - ELECTRIC SERVICE

1745 Quines Creek Rd Azalea OR
Shop Commercial Schedule 23
Service ID: 956038246-003

METER NUMBER	SERVICE PERIOD From To	ELAPSED DAYS	METER READINGS Previous Current	METER MULTIPLIER	AMOUNT USED THIS MONTH
24682714	May 28, 2005 Jun 29, 2005	32	13611 14342	1.0	731 kwh

NEW CHARGES - 06/05	UNITS	COST PER UNIT	CHARGE
Basic Charge, 1P Sec Del			10.20
Delivery Charge	731 kwh	0.0229100	16.75
Basic Service Energy	731 kwh	0.0406900	29.74
Public Purpose		0.0300000	1.70
Low Income Assistance	731 kwh	0.0003300	0.24
Total New Charges			58.63

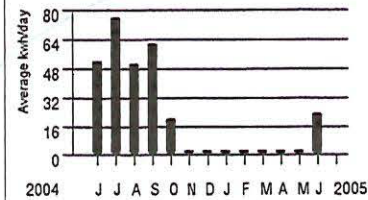
ITEM 5 - ELECTRIC SERVICE

1745 Quines Creek Rd Azalea OR
Barn Schedule 23
Service ID: 956038246-002

METER NUMBER	SERVICE PERIOD From To	ELAPSED DAYS	METER READINGS Previous Current	METER MULTIPLIER	AMOUNT USED THIS MONTH
25010411	May 28, 2005 Jun 29, 2005	32	487 553	1.0	66 kwh

CHARGES - 06/05	UNITS	COST PER UNIT	CHARGE
Basic Charge, 1P Sec Del			10.20
Delivery Charge	66 kwh	0.0229100	1.51
Basic Service Energy	66 kwh	0.0406900	2.69
Public Purpose		0.0300000	0.43
Low Income Assistance	66 kwh	0.0003300	0.02
Total New Charges			14.85

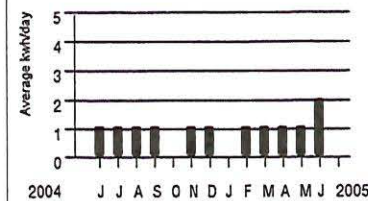
Historical Data - ITEM 4



Your Average Daily kwh Usage by Month

PERIOD ENDING	JUN 2005	JUN 2004
Avg. Daily Temp.	51	66
Total kwh	731	1652
Avg. kwh per Day	23	53
Cost per Day	\$1.83	

Historical Data - ITEM 5



Your Average Daily kwh Usage by Month

PERIOD ENDING	JUN 2005	JUN 2004
Avg. Daily Temp.	51	66
Total kwh	66	20
Avg. kwh per Day	2	1
Cost per Day	\$0.46	

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WATER RESOURCES DEPT
SALEM, OREGON

73.48

PACIFIC POWER Questions about your bill: 1-888-221-7070 www.pacificpower.net

BILLING DATE: Sep 29, 2004 ACCOUNT NUMBER: [REDACTED] DATE DUE: Oct 15, 2004 AMOUNT DUE: \$242.66

Detailed Account Activity

ITEM 4 - ELECTRIC SERVICE

1745 Quines Creek Rd Azalea OR
Shop Commercial Schedule 23
Service ID: 956038246-003

METER NUMBER	SERVICE PERIOD From To	ELAPSED DAYS	METER READINGS Previous Current	METER MULTIPLIER	AMOUNT USED THIS MONTH
24682714	Aug 25, 2004 Sep 28, 2004	34	10702 12830	1.0	2,128 kwh

NEW CHARGES - 09/04	UNITS	COST PER UNIT	CHARGE
Basic Charge, 1P Sec Del			10.20
Delivery Charge	2,128 kwh	0.0225800	48.05
Basic Service Energy	2,128 kwh	0.0406900	86.59
Public Purpose		0.0300000	4.35
Low Income Assistance	2,128 kwh	0.0003800	0.81
Total New Charges			150.00

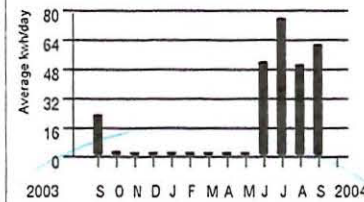
ITEM 5 - ELECTRIC SERVICE

1745 Quines Creek Rd Azalea OR
Barn Schedule 23
Service ID: 956038246-002

METER NUMBER	SERVICE PERIOD From To	ELAPSED DAYS	METER READINGS Previous Current	METER MULTIPLIER	AMOUNT USED THIS MONTH
25010411	Aug 25, 2004 Sep 28, 2004	34	308 353	1.0	45 kwh

NEW CHARGES - 09/04	UNITS	COST PER UNIT	CHARGE
Basic Charge, 1P Sec Del			10.20
Delivery Charge	45 kwh	0.0225800	1.02
Basic Service Energy	45 kwh	0.0406900	1.83
Public Purpose		0.0300000	0.39
Low Income Assistance	45 kwh	0.0003800	0.02
Total New Charges			13.46

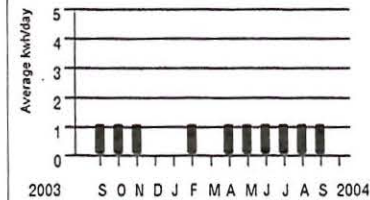
Historical Data - ITEM 4



Your Average Daily kwh Usage by Month

PERIOD ENDING	SEP 2004	SEP 2003
Avg. Daily Temp.	57	65
Total kwh	2128	666
Avg. kwh per Day	63	23
Cost per Day	\$4.41	

Historical Data - ITEM 5



Your Average Daily kwh Usage by Month

PERIOD ENDING	SEP 2004	SEP 2003
Avg. Daily Temp.	57	65
Total kwh	45	30
Avg. kwh per Day	1	1
Cost per Day	\$0.39	

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WATER RESOURCES DEPT
SALEM OREGON

BILLING DATE: Aug 26, 2004 ACCOUNT NUMBER: [REDACTED] DATE DUE: Sep 14, 2004 AMOUNT DUE: \$187.86

Detailed Account Activity

10447

ITEM 4 - ELECTRIC SERVICE

1745 Quines Creek Rd Azalea OR
Shop Commercial Schedule 23
Service ID: 956038246-003

METER NUMBER	SERVICE PERIOD From To	ELAPSED DAYS	METER READINGS Previous Current	METER MULTIPLIER	AMOUNT USED THIS MONTH
24682714	Jul 26, 2004 Aug 25, 2004	30	9179 10702	1.0	1,523 kwh

NEW CHARGES - 08/04

	UNITS	COST PER UNIT	CHARGE
Basic Charge, 1P Sec Del			10.20
Delivery Charge	1,523 kwh	0.0225800	34.39
Basic Service Energy	1,523 kwh	0.0406900	61.97
Public Purpose		0.0300000	3.20
Low Income Assistance	1,523 kwh	0.0003800	0.58
Total New Charges			110.34

ITEM 5 - ELECTRIC SERVICE

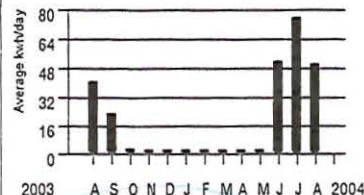
1745 Quines Creek Rd Azalea OR
Barn Schedule 23
Service ID: 956038246-002

METER NUMBER	SERVICE PERIOD From To	ELAPSED DAYS	METER READINGS Previous Current	METER MULTIPLIER	AMOUNT USED THIS MONTH
25010411	Jul 26, 2004 Aug 25, 2004	30	279 308	1.0	29 kwh

NEW CHARGES - 08/04

	UNITS	COST PER UNIT	CHARGE
Basic Charge, 1P Sec Del			10.20
Delivery Charge	29 kwh	0.0225800	0.65
Basic Service Energy	29 kwh	0.0406900	1.18
Public Purpose		0.0300000	0.36
Low Income Assistance	29 kwh	0.0003800	0.01
Total New Charges			12.40

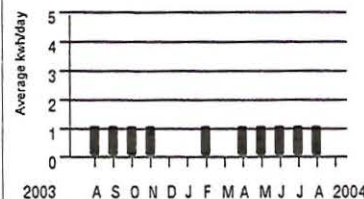
Historical Data - ITEM 4



Your Average Daily kwh Usage by Month

PERIOD ENDING	AUG 2004	AUG 2003
Avg. Daily Temp.	75	73
Total kwh	1523	1194
Avg. kwh per Day	51	41
Cost per Day	\$3.67	

Historical Data - ITEM 5



Your Average Daily kwh Usage by Month

PERIOD ENDING	AUG 2004	AUG 2003
Avg. Daily Temp.	75	73
Total kwh	29	37
Avg. kwh per Day	1	1
Cost per Day	\$0.41	

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WATER RESOURCES DEPT
SALEM, OREGON

BILLING DATE: Jul 28, 2004 ACCOUNT NUMBER: [REDACTED] DATE DUE: Aug 13, 2004 AMOUNT DUE: \$248.00

Detailed Account Activity

ITEM 4 - ELECTRIC SERVICE

1745 Quines Creek Rd Azalea OR
Shop Commercial Schedule 23
Service ID: 956038246-003

METER NUMBER	SERVICE PERIOD From To	ELAPSED DAYS	METER READINGS Previous Current	METER MULTIPLIER	AMOUNT USED THIS MONTH
24682714	Jun 25, 2004 Jul 26, 2004	31	6778 9179	1.0	2,401 kwh

NEW CHARGES - 07/04	UNITS	COST PER UNIT	CHARGE
Basic Charge, 1P Sec Del			10.20
Delivery Charge	2,401 kwh	0.0225800	54.21
Basic Service Energy	2,401 kwh	0.0406900	97.70
Public Purpose		0.0300000	4.86
Low Income Assistance	2,401 kwh	0.0003800	0.91
Credit Resulting From Merger for 11 day(s)		-0.0047000	-0.28
Total New Charges			167.60

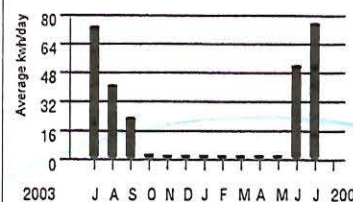
ITEM 5 - ELECTRIC SERVICE

1745 Quines Creek Rd Azalea OR
Barn Schedule 23
Service ID: 956038246-002

METER NUMBER	SERVICE PERIOD From To	ELAPSED DAYS	METER READINGS Previous Current	METER MULTIPLIER	AMOUNT USED THIS MONTH
25010411	Jun 25, 2004 Jul 26, 2004	31	253 279	1.0	26 kwh

NEW CHARGES - 07/04	UNITS	COST PER UNIT	CHARGE
Basic Charge, 1P Sec Del			10.20
Delivery Charge	26 kwh	0.0225800	0.59
Basic Service Energy	26 kwh	0.0406900	1.06
Public Purpose		0.0300000	0.36
Low Income Assistance	26 kwh	0.0003800	0.01
Credit Resulting From Merger for 11 day(s)		-0.0047000	-0.02
Total New Charges			12.20

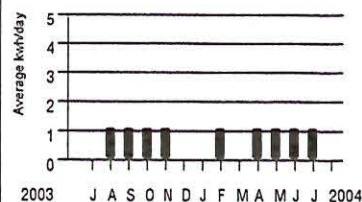
Historical Data - ITEM 4



Your Average Daily kwh Usage by Month

PERIOD ENDING	JUL 2004	JUL 2003
Avg. Daily Temp.	74	69
Total kwh	2401	2326
Avg. kwh per Day	77	75
Cost per Day	\$5.40	

Historical Data - ITEM 5



Your Average Daily kwh Usage by Month

PERIOD ENDING	JUL 2004	JUL 2003
Avg. Daily Temp.	74	69
Total kwh	26	0
Avg. kwh per Day	1	0
Cost per Day	\$0.39	

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WATER RESOURCES DEPT
SALEM, OREGON

BILLING DATE: Jun 25, 2004 ACCOUNT NUMBER: [REDACTED] DATE DUE: Jul 14, 2004 AMOUNT DUE: \$182.60

Detailed Account Activity

ITEM 4 - ELECTRIC SERVICE

1745 Quines Creek Rd Azalea OR
Shop Commercial Schedule 23
Service ID: 956038246-003

METER NUMBER	SERVICE PERIOD From To	ELAPSED DAYS	METER READINGS Previous Current	METER MULTIPLIER	AMOUNT USED THIS MONTH
24682714	May 25, 2004 Jun 25, 2004	31	5126 6778	1.0	1,652 kwh

NEW CHARGES - 06/04

	UNITS	COST PER UNIT	CHARGE
Basic Charge, 1P Sec Del			10.20
Delivery Charge for 25 day(s)	1,332 kwh	0.0225800	30.08
Delivery Charge for 6 day(s)	320 kwh	0.0244100	7.80
Basic Service Energy	1,652 kwh	0.0406900	67.22
Public Purpose		0.0300000	3.46
Low Income Assistance	1,652 kwh	0.0003800	0.63
Credit Resulting From Merger		-0.0047000	-0.56
Williams Settlement Refund	1,652 kwh	-0.0017000	-2.81
Total New Charges			116.02

12.20

ITEM 5 - ELECTRIC SERVICE

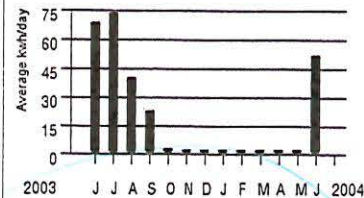
1745 Quines Creek Rd Azalea OR
Barn Schedule 23
Service ID: 956038246-002

METER NUMBER	SERVICE PERIOD From To	ELAPSED DAYS	METER READINGS Previous Current	METER MULTIPLIER	AMOUNT USED THIS MONTH
25010411	May 25, 2004 Jun 25, 2004	31	233 253	1.0	20 kwh

NEW CHARGES - 06/04

	UNITS	COST PER UNIT	CHARGE
Basic Charge, 1P Sec Del			10.20
Delivery Charge for 25 day(s)	16 kwh	0.0225800	0.36
Delivery Charge for 6 day(s)	4 kwh	0.0244100	0.09
Basic Service Energy	20 kwh	0.0406900	0.81
Public Purpose		0.0300000	0.34
Low Income Assistance	20 kwh	0.0003800	0.01
Credit Resulting From Merger		-0.0047000	-0.06

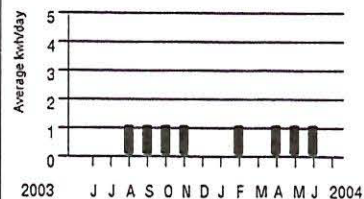
Historical Data - ITEM 4



Your Average Daily kwh Usage by Month

PERIOD ENDING	JUN 2004	JUN 2003
Avg. Daily Temp.	64	59
Total kwh	1652	697
Avg. kwh per Day	53	70
Cost per Day	\$3.74	

Historical Data - ITEM 5



Your Average Daily kwh Usage by Month

PERIOD ENDING	JUN 2004	JUN 2003
Avg. Daily Temp.	64	59
Total kwh	20	0
Avg. kwh per Day	1	0
Cost per Day	\$0.37	

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WATER RESOURCES DEPT
SALEM, OREGON

BILLING DATE: May 26, 2004 ACCOUNT NUMBER: [REDACTED] DATE DUE: Jun 14, 2004 AMOUNT DUE: \$85.51

Detailed Account Activity

ITEM 4 - ELECTRIC SERVICE

1745 Quines Creek Rd Azalea OR
Shop Commercial Schedule 23
Service ID: 956038246-003

METER NUMBER	SERVICE PERIOD From To	ELAPSED DAYS	METER READINGS Previous Current	METER MULTIPLIER	AMOUNT USED THIS MONTH
24682714	Apr 27, 2004 May 25, 2004	28	5098 5126	1.0	28 kwh

NEW CHARGES - 05/04	UNITS	COST PER UNIT	CHARGE
Basic Charge, 1P Sec Del			10.20
Delivery Charge	28 kwh	0.0244100	0.68
Basic Service Energy	28 kwh	0.0406900	1.14
Public Purpose		0.0300000	0.36
Low Income Assistance	28 kwh	0.0003800	0.01
Credit Resulting From Merger		-0.0047000	-0.06
Total New Charges			12.33

ITEM 5 - ELECTRIC SERVICE

1745 Quines Creek Rd Azalea OR
Barn Schedule 23
Service ID: 956038246-002

METER NUMBER	SERVICE PERIOD From To	ELAPSED DAYS	METER READINGS Previous Current	METER MULTIPLIER	AMOUNT USED THIS MONTH
25010411	Apr 27, 2004 May 25, 2004	28	217 233	1.0	16 kwh

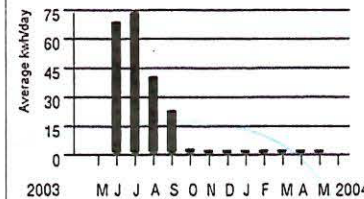
NEW CHARGES - 05/04	UNITS	COST PER UNIT	CHARGE
Basic Charge, 1P Sec Del			10.20
Delivery Charge	16 kwh	0.0244100	0.39
Basic Service Energy	16 kwh	0.0406900	0.65
Public Purpose		0.0300000	0.34
Low Income Assistance	16 kwh	0.0003800	0.01
Credit Resulting From Merger		-0.0047000	-0.05
Total New Charges			11.54

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SALEM, OREGON

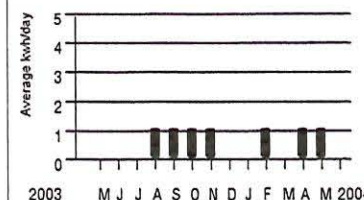
Historical Data - ITEM 4



Your Average Daily kwh Usage by Month

PERIOD ENDING	MAY 2004	MAY 2003
Avg. Daily Temp.	60	46
Total kwh	28	0
Avg. kwh per Day	1	0
Cost per Day	\$0.44	

Historical Data - ITEM 5



Your Average Daily kwh Usage by Month

PERIOD ENDING	MAY 2004	MAY 2003
Avg. Daily Temp.	60	46
Total kwh	16	0
Avg. kwh per Day	1	0
Cost per Day	\$0.41	

12.33

23.87

BILLING DATE: Sep 26, 2003 ACCOUNT NUMBER: [REDACTED] DATE DUE: Oct 14, 2003 AMOUNT DUE: \$44.98

Detailed Account Activity

ITEM 4 - ELECTRIC SERVICE

 ABT1625 Quines Creek Rd Azalea OR
 Shop Commercial Schedule 23
 Service ID: 956038246-003

METER NUMBER	SERVICE PERIOD From To	ELAPSED DAYS	METER READINGS Previous Current	METER MULTIPLIER	AMOUNT USED THIS MONTH
24682714	Aug 26, 2003 Sep 24, 2003	29	4217 4883	1.0	666 kwh

NEW CHARGES - 09/03

	UNITS	COST PER UNIT	CHARGE
Basic Charge, 1P Sec Del			10.20
Delivery Charge for 24 day(s)	551 kwh	0.0243100	13.40
Delivery Charge for 5 day(s)	115 kwh	0.0256600	2.95
Basic Service Energy for 24 day(s)	551 kwh	0.0406900	22.42
Basic Service Energy for 5 day(s)	115 kwh	0.0399700	4.60
Public Purpose		0.0300000	1.61
Low Income Assistance	666 kwh	0.0003800	0.25
Credit Resulting From Merger for 5 day(s)		-0.0130000	-0.12
Credit Resulting From Merger for 24 day(s)		-0.0047000	-0.22
Total New Charges			55.09

ITEM 5 - ELECTRIC SERVICE

 ABT1625 Quines Creek Rd Azalea OR
 Barn Schedule 23
 Service ID: 956038246-002

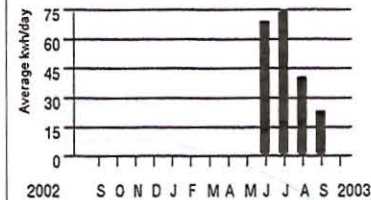
METER NUMBER	SERVICE PERIOD From To	ELAPSED DAYS	METER READINGS Previous Current	METER MULTIPLIER	AMOUNT USED THIS MONTH
25010411	Aug 26, 2003 Sep 25, 2003	30	37 67	1.0	30 kwh

Current Month Estimated - Can't Locate. Your bill may not reflect actual usage.

NEW CHARGES - 09/03

	UNITS	COST PER UNIT	CHARGE
Basic Charge, 1P Sec Del			10.20
Delivery Charge for 25 day(s)	25 kwh	0.0243100	0.61
Delivery Charge for 5 day(s)	5 kwh	0.0256600	0.13
Basic Service Energy for 25 day(s)	25 kwh	0.0406900	1.02
Basic Service Energy for 5 day(s)	5 kwh	0.0399700	0.20
Public Purpose		0.0300000	0.36
Low Income Assistance	30 kwh	0.0003800	0.01
Credit Resulting From Merger for 5 day(s)		-0.0130000	-0.03

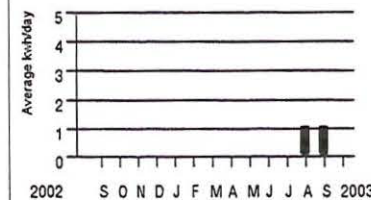
Historical Data - ITEM 4



Your Average Daily kwh Usage by Month

PERIOD ENDING	SEP 2003	SEP 2002
Avg. Daily Temp.	64	62
Total kwh	666	0
Avg. kwh per Day	23	0
Cost per Day	\$1.89	

Historical Data - ITEM 5



Your Average Daily kwh Usage by Month

PERIOD ENDING	SEP 2003	SEP 2002
Avg. Daily Temp.	64	63
Total kwh	30	0
Avg. kwh per Day	1	0
Cost per Day	\$0.41	

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 WATER RESOURCES DEPT
 SALEM, OREGON

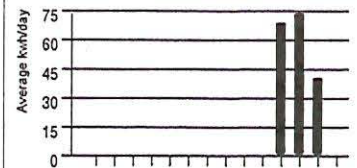
BILLING DATE: Sep 4, 2003 ACCOUNT NUMBER: [REDACTED] DATE DUE: Sep 22, 2003 AMOUNT DUE: \$133.99

NEW CHARGES - 08/03	UNITS	COST PER UNIT	CHARGE
Construction Adv Nonrefundable			3,767.00
Total New Charges			3,767.00

ITEM 4 - ELECTRIC SERVICE
 ABT1625 Quines Creek Rd Azalea OR
 Shop Commercial Schedule 23
 Service ID: 956038246-003

METER NUMBER	SERVICE PERIOD From To	ELAPSED DAYS	METER READINGS Previous Current	METER MULTIPLIER	AMOUNT USED THIS MONTH
24682714	Jul 28, 2003 Aug 26, 2003	29	3023 4217	1.0	1,194 kwh

NEW CHARGES - 08/03	UNITS	COST PER UNIT	CHARGE
Basic Charge, 1P Sec Del			10.20
Delivery Charge	1,194 kwh	0.0256600	30.64
Basic Service Energy	1,194 kwh	0.0399700	47.72
Public Purpose		0.0300000	2.66
Low Income Assistance	1,194 kwh	0.0003800	0.45
Credit Resulting From Merger		-0.0130000	-1.19
Total New Charges			90.48

Historical Data - ITEM 4



CLAY DICKERSON
JUDITH E DICKERSON
1625 QUINES CREEK RD
AZALEA OR 97410-9782

10447

Questions about your bill: 1-888-221-7070
24 hours a day, 7 days a week
www.pacificpower.net

PAGE 1 OF 2

BILLING DATE: Jul 29, 2003
ACCOUNT NUMBER: [REDACTED]
DATE DUE: Aug 14, 2003
AMOUNT DUE: \$168.04

Your Balance With Us

Previous Account Balance	51.05
Payments/Credits	-51.05
New Charges	+168.04
Current Account Balance	\$ 168.04

Payments Received

DATE	DESCRIPTION	AMOUNT
Jul 7, 2003	Payment Received - Thank you	51.05
Total Payments		\$ 51.05

Detailed Account Activity

ELECTRIC SERVICE

ABT1625 Quines Creek Rd Azalea OR
Shop Commercial Schedule 25
Service ID: 956038246-003

METER NUMBER	SERVICE PERIOD From To	ELAPSED DAYS	METER READINGS Previous Current	METER MULTIPLIER	AMOUNT USED THIS MONTH
24682714	Jun 27, 2003 Jul 28, 2003	31	697 3023	1.0	2,326 kwh

NEW CHARGES - 07/03

	UNITS	COST PER UNIT	CHARGE
Basic Charge, 1P Sec Del			10.20
Delivery Charge for 18 day(s)	1,351 kwh	0.0268300	36.24
Delivery Charge for 13 day(s)	975 kwh	0.0256600	25.03
Basic Service Energy	2,326 kwh	0.0399700	92.97
Public Purpose		0.0300000	4.93
Low Income Assistance	2,326 kwh	0.0003800	0.88
Credit Resulting From Merger		-0.0130000	-2.21
Total New Charges			168.04

Historical Data



Your Average Daily kwh Usage by Month

PERIOD ENDING	JUL 2003	JUL 2002
Avg. Daily Temp.	70	66
Total kwh	2326	0
Avg. kwh per Day	75	0
Cost per Day	\$5.42	

Fuel source, environmental impact and price comparison information is available on our web site at www.pacificpower.net.

Looking for alternative payment methods?

Go online for our free payment option, ePay (www.pacificpower.net). Or, pay by phone 1-800-285-9234 -- a fee of \$1.95 will apply. Check out our web site for all of our payment options at www.pacificpower.net.

Late Payment Charge for Oregon

A late payment charge of 1.5% may be charged on any balance not paid in full each month.

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AUG 27 2003

WATER RESOURCES DEPT
SALEM, OREGON

Write account number on check & mail to: Pacific Power 1833 NE 6th Ave Portland OR 97256-0001

RETAIN THIS PORTION FOR YOUR RECORDS.



CLAY DICKERSON
JUDITH E DICKERSON
1625 QUINES CREEK RD
AZALEA OR 97410-9782

Questions about your bill: 1-888-221-7070
24 hours a day, 7 days a week
www.pacificpower.net

PAGE 1 OF 2

BILLING DATE: Jun 27, 2003

ACCOUNT NUMBER:

DATE DUE: Jul 16, 2003

AMOUNT DUE: \$51.05

Your Balance With Us

Previous Account Balance	258.83
Payments/Credits	-258.83
New Charges	+51.05
Current Account Balance	\$ 51.05

Payments Received

DATE	DESCRIPTION	AMOUNT
Feb 16, 2003	Payment Received - Thank you	258.83
Total Payments		\$ 258.83

Detailed Account Activity

ELECTRIC SERVICE

ABT1625 Quines Creek Rd Azalea OR
Shop Commercial Schedule 25
Service ID: 956038246-003

METER NUMBER	SERVICE PERIOD From To	ELAPSED DAYS	METER READINGS Previous Current	METER MULTIPLIER	AMOUNT USED THIS MONTH
24682714	Jun 17, 2003 Jun 27, 2003	10	0 697	1.0	697 kwh

NEW CHARGES - 06/03

	UNITS	COST PER UNIT	CHARGE
Basic Charge, 1P Sec Del for 10 day(s)			3.40
Delivery Charge for 10 day(s)	697 kwh	0.0268300	18.70
Basic Service Energy for 10 day(s)	697 kwh	0.0399700	27.86
Public Purpose		0.0300000	1.50
Low Income Assistance for 10 day(s)	697 kwh	0.0003800	0.26
Credit Resulting From Merger		-0.0130000	-0.67
Total New Charges			51.05

Historical Data



Your Average Daily kwh Usage by Month

PERIOD ENDING	JUN 2003	JUN 2002
Avg. Daily Temp.	59	60
Total kwh	697	0
Avg. kwh per Day	70	0
Cost per Day	\$5.10	

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Go online for our free payment option,
ePay (www.pacificpower.net). Or, pay
by phone 1-800-285-9234-- a fee of
\$1.95 will apply. Check out our web
site for all of our payment options at
www.pacificpower.net.

Late Payment Charge for Oregon
A late payment charge of 1.5% may be
charged on any balance not paid in full
each month.

RECEIVED

JUN 27 2007

WATER RESOURCES DEPT
SALEM, OREGON

Write account number on check & mail to: Pacific Power, 1033 NE 6th Ave, Portland, OR 97256-0001

RETAIN THIS PORTION FOR YOUR RECORDS.



Oregon Water Resources Department Land Use Information Form

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. WRD will use this and other information to evaluate the water use application. **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, or exchange 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.

To Be Completed By Applicant

This section must be completed by the individual or group that is filing an application with the Water Resources Department. Attach a copy of the map from the application to this form.

A. Applicant

Name: CLAY C. AND JUDITH E. DICKERSON

Address: 1745 QUINES CREEK ROAD

City: AZALEA State: OR Zip: 97410 Day Phone: 541 837 3730

B. Land and Location

Please provide information as requested below for all tax lots on or through which water will be diverted, conveyed, or used. Check "diverted" if water is diverted (taken) from its source on tax lot, "conveyed" if water is conveyed (transported) on tax lot, and "used" if water will be put to beneficial use on tax lot. More than one box may be checked. (Attach extra sheets as necessary.) 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.

Tax Lot I.D.	Plan Designation (e.g. Rural Residential/RR-5)	Water to be: (check all that apply)			Proposed Land Use
200	FFG AND AG	☒ Diverted	☒ Conveyed	☒ Used	FARMING
		☐ Diverted	☐ Conveyed	☐ Used	
		☐ Diverted	☐ Conveyed	☐ Used	
		☐ Diverted	☐ Conveyed	☐ Used	
		☐ Diverted	☐ Conveyed	☐ Used	
		☐ Diverted	☐ Conveyed	☐ Used	

List counties and cities where water is proposed to be diverted, conveyed, or used. DOUGLAS

C. Description of Proposed Use

Indicate the type of application to be filed with the Water Resources Department.

☐ Water Use Permit ☒ Water Right Transfer ☐ Allocation of Conserved Water ☐ Exchange

Indicate the intended use of water and describe the key characteristics of the project.

☐ Commercial ☐ Industrial ☐ Instream ☒ Irrigation
☐ Municipal ☐ Quasi-municipal ☐ Domestic (indicate number of households) _____
☐ Other _____

Briefly describe: _____

Indicate the source of the water to be used.

☐ Reservoir/Pond ☐ Ground Water ☒ Surface Water QUINES CREEK

Indicate the estimated quantity of water the use will require: 181 ^(source) ☒ CFS ☐ GPM ☐ Acre-Feet

Last revised: 04/06/04

Receipt for Request for Land Use Information

State of Oregon
Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271
(503) 986-0900

RECEIVED

AUG 27 2007
WATER RESOURCES DEPT
SALEM, OREGON

T 10447

RECEIPT. P01521
WRS07-0634

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 this case, only the city planning agency must complete this form. Please request additional forms as needed or feel free to copy.

A. Allowed Use

Check the appropriate box below and provide 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): . Go to section B "Approval" below.
- ☐ Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below.

Type of Land Use Approval Needed (e.g. plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Check the item that applies: Land Use Approval:	
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued

Note: Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action/land use decision and accompanying findings are sufficient.)

B. Approval

Please provide printed name and written signature.

Name: JONATHAN WRIGHT Date: 08-06-07
Title: PLANNER Phone: 940-4289
Signature: [Signature]

DOUGLAS COUNTY PLANNING DEPARTMENT

C. Additional Comments

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

**ROOM 106, JUSTICE BUILDING
DOUGLAS COUNTY COURTHOUSE
ROSBURG, OR 97470**

Note: If this form cannot be completed while the applicant waits, sign and detach the receipt stub as instructed below. 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

Name of applicant: CLAY C. AND JUDITH E. DICKERSON

This receipt must be signed by a local government representative and returned to the applicant at the time they present this form. This receipt must be included with the application filed with the Water Resources Department if the local government cannot provide the requested land use information while the applicant waits.

City or County: _____
Staff contact: _____ Phone: _____
Signature: _____ Date: _____

RECEIVED

**AUG 27 2007
WATER RESOURCES DEPT
SALEM, OREGON**

T 10447

1 **EASEMENT AGREEMENT**

2 **DATE:** May 12, 2003

3 **PARTIES:** WAYNE H. CHIPMAN and MARY P. CHIPMAN ("Chipman")
4 1746 Quines Creek Road
5 Azalea, Oregon 97410
6 and
7 C. CLAY DICKERSON and JUDITH E. DICKERSON ("Dickerson")
8 ~~476 Three Pines Road~~ 1625 Quines Crk Rd.
9 ~~Grants Pass, Oregon 97526~~ Azalea, OR 97410

10 **RECITALS:**

11 **A.** Chipman owns certain real property ("the Chipman property") described as follows
12 which has appurtenant water rights which are junior to Dickerson's.

13 The North Half of the Northwest Quarter of Section 26, Township 32 South, Range 5
14 West of the Willamette Meridian, Douglas County, Oregon.

15 **B.** Dickerson owns certain real property ("the Dickerson property") described as follows
16 which has appurtenant water rights which are senior to Chipman's.

17 The Northeast Quarter of Section 27, Township 32 South, Range 5 West of the
18 Willamette Meridian, Douglas County, Oregon. Except that portion lying Northerly
19 and Westerly of that road easement granted to the United States by instrument no.
20 334019 in volume 331, page 219 of the deed records of Douglas County, Oregon; and
21 except that portion conveyed to Felix Rose by instrument 311116 in volume 316 of
22 said deed records.

23 **C.** Dickerson desires to change the point of diversion for his water rights to a location on
24 the Chipman property.

25 **D.** The parties desire to enter into this agreement to allow for efficient use of water
26 resources on their respective properties.

27 **IT IS AGREED:**

28 **1. EASEMENT GRANT.** Chipman grants to Dickerson an easement on the terms and
29 conditions of this instrument. The easement is perpetual, except that it may be terminated as provided
30 below, and nonexclusive. The easement is located on that portion of the North 200 feet of the
31 Chipman property lying West of the center line of Quines Creek. The easement is appurtenant to the
32 Dickerson property.

33 **PURPOSE AND USE.** The purpose of the easement is to allow Dickerson to access

Quines Creek from the Chipman property for the purpose of obtaining irrigation water. Dickerson may install electrical lines, pipeline, pumps, valves, and other accessories, in a safe and workmanlike manner upon the easement. Dickerson may but is not required to bury the pipeline, rock an entry roadway, and install a concrete pump pedestal along the easement. The easement includes the right to install, maintain, repair, and upgrade the waterline, pump, and accessory equipment.

3. REQUIREMENTS FOR USE. Dickerson's use of the easement is conditioned upon the following requirements, which apply to Dickerson and his agents and invitees.

(a) Fish Screening. — Dickerson shall install an appropriate fish screening device approved by the Oregon Department of Fish and Wildlife to prevent fish from leaving Quines Creek and entering Dickerson's diversion.

(b) Gate. — Dickerson shall install a gate through the line fence on the west line of the Chipman property. The gate may be a simple, unframed wire gate, but however constructed, it shall be built and maintained to hold livestock such as cattle and sheep. The gate shall be kept closed except when being used for passage.

(c) Safety. — Dickerson shall maintain all improvements in a condition of good repair, and shall conduct all activities on the easement in a safe and workmanlike manner. In particular, Dickerson shall ensure that any improvements to the easement are safe from hazards to unsuspecting persons and to common livestock (such as exposed live electrical wires, ungrounded electrical equipment, uncovered trenches or deep holes, or unattended toxic chemicals like soldering flux), and that adequate protection is taken at all times from the hazards of wildfire (such as allowing worn or defective insulation on electrical lines, ignition sources to generate sparks or unreasonable heat during fire season, or dry vegetation to accumulate next to heat-generating equipment). Regardless of the duties imposed upon Dickerson by this section, Chipman shall be entitled to immediately remedy any safety hazard, without prejudice to his rights under this agreement.

(d) Good Behavior. — Dickerson shall use the easement in a polite and neighborly manner. Dickerson shall not use the easement for purposes not directly connected with the intended use, such as recreational use or access. Dickerson shall not harass Chipman, his livestock or pets, from the easement. Dickerson shall not bring firearms upon the easement without Chipman's permission. Dickerson shall not conduct any illegal activity upon the easement.

4. COVENANTS. To effect the purposes of this agreement, the parties further covenant as follows.

(a) Transfer Applications. — Chipman covenants that he will not oppose Dickerson's prospective application to transfer the point of diversion for Dickerson's water right from its present legal location to a new location in the easement granted herein, nor to transfer the place of use from one portion of Dickerson's property to another. Chipman agrees to execute an affidavit upon request from Dickerson in support of a transfer application for the point of diversion, waiving any claim of injury to Chipman's existing water right. Dickerson covenants that he will not oppose any similar application for a transfer of the point of diversion or change in the place of use by Chipman for a

1 period of ten years from the date of this agreement.

2 (b) Equal Seniority of Rights. — In consideration of the change in the point of diversion,
3 Chipman and Dickerson agree that for the purposes of enforcing water rights between their respective
4 rights, each party shall have equally senior rights to appropriate water in times of shortage. Dickerson
5 shall not exercise a senior call to shut off Chipman's appropriation. Both parties recognize there is
6 a downstream land owner with more senior rights, who can shut off all other appropriation from
7 Quines Creek. The parties also recognize that this provision does not bind the Water Resources
8 Department or parties who are not privy to this agreement.

9 (c) Acceptance of Water Rights. — The parties accept the validity of one another's
10 presently certificated water rights. Each party agrees not to execute an affidavit, nor take any steps
11 to prompt another person to do so, which would challenge the validity or attempt the forfeiture of the
12 water rights appurtenant to the other party's property, based upon any period of non-use beginning
13 prior to the date of this agreement.

14 5. **TERMINATION.** The easement and Chipman's obligations under this agreement
15 shall terminate upon violation of this agreement or for non-use.

16 (a) Violation of Agreement. — The easement shall terminate absolutely should Dickerson
17 violate the conditions of use under section 3 or the covenants under section 4 of this agreement.
18 However, for any violation which could be cured, Chipman shall first give written notice to
19 Dickerson, specifying the violation with particularity, and allowing 30 days to cure the violation,
20 unless a shorter period is required by necessity (e.g., electrical sparking hazard). Violations arising
21 from malicious acts by Dickerson, his agents or invitees, that threaten or cause personal injury to
22 Chipman, his agents, invitees, livestock, or pets, need not be given an opportunity to cure or any sort
23 of second chance. Violations arising out of negligence are entitled to an opportunity to cure.

24 (b) Non-use of Easement. — This easement shall terminate for non-use if any of the
25 following conditions occur: (1) Dickerson fails to use the easement for transporting water from
26 Quines Creek to his property for a period of ten continuous years; (2) Dickerson fails to file an
27 application to transfer the point of diversion within five years of the date of this agreement; (3)
28 Dickerson's application to transfer the point of diversion is denied; or (4) Dickerson's water rights
29 are cancelled.

30 (c) Recording Termination. — Upon termination for violation or non-use, Chipman shall
31 be entitled to file an affidavit in the deed records declaring the termination of this easement and the
32 reason therefor, which affidavit shall be conclusive upon the parties and their successors unless a
33 lawsuit is commenced within one year to set aside the termination. Notice of such affidavit shall be
34 given to Dickerson contemporaneously with its recording.

35 6. **MISCELLANEOUS.**

36 (a) Consideration. — In additional consideration of this agreement, Dickerson agrees to
37 pay the reasonable charges of Chipman's attorney Stephen Mountainspring in drafting this agreement.

T 10447



1 (j) Entire Agreement. — This instrument represents the entire agreement between the
2 parties. Any prior understanding or representation of any kind shall not be binding upon either party
3 unless incorporated in this agreement.

4 **IN WITNESS WHEREOF**, the parties execute this agreement as of the date first stated above.

5
6 _____
WAYNE H. CHIPMAN

C. CLAY DICKERSON

7
8 _____
MARY P. CHIPMAN

JUDITH E. DICKERSON

9 **ACKNOWLEDGMENTS**

10 State of Oregon)
11) ss.
12 County of Jackson)

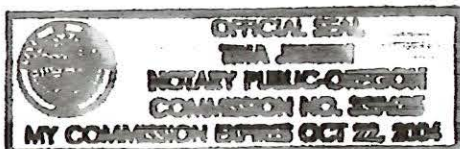
13 This instrument was acknowledged before me by WAYNE H. CHIPMAN and MARY P.
14 CHIPMAN on _____, 2003.

15
16 _____
Notary Public for Oregon

17 State of Oregon)
18) ss.
19 County of ~~Josephine~~ Douglas)

20 This instrument was acknowledged before me by C. CLAY DICKERSON and JUDITH E.
21 DICKERSON on May 22, 2003.

22
23 _____
Notary Public for Oregon



T 10447

RECEIVED

AUG 27 2007

WATER RESOURCES DEPT
SALEM, OREGON

DOUGLAS COUNTY PUBLIC WORKS DEPARTMENT

APPLICATION FOR PERMIT

RECEIVED

AUG 27 2007

WATER RESOURCES DEPT
SALEM, OREGONDate 8-10-07 Authorization No. _____Permit No. 15944I, Clay Dickerson, hereby make application(FIRM NAME/APPLICANT'S NAME - PLEASE PRINT)
for an activity permit upon the right of way ofQuines Creek Road # 96

(ROAD NAME)

(ROAD NO.)

Dist. 3 M.P. 1.519 in strict conformity to the attached exhibits, subject to all terms and conditions contained in the application and permit, and applicable State and local laws, ordinances, rules and regulations regarding roads and right of ways.DESCRIPTION OF WORK TO BE PERFORMED: 3" pvc waterline in
10"-12" CC (utility conduit) - EXISTING

This work will be performed by: Applicant _____ Contractor _____ Other _____

I have read and understand the permit conditions as listed on the reverse side of this application.

SIGNATURE

PHONE - WHERE YOU CAN BE REACHED

MAILING ADDRESS

CITY

STATE

ZIP

☆☆☆☆☆☆ (APPLICANT- PLEASE DO NOT WRITE BELOW THIS LINE) ☆☆☆☆☆☆

PERMIT TO PERFORM OPERATIONS ON THE COUNTY ROAD RIGHT OF WAY

This permit is issued by Douglas County Public Works Department subject to the terms and conditions stated below and on the reverse side.

1. An adequate certificate of workers compensation insurance is is not required.
2. Permittee shall provide a restoration performance bond in the sum of \$ 0.
3. Open cutting of the pavement is not permitted, unless County approves a one sack cement/sand slurry backfill method.
4. Other special provisions: CONDUIT HAS EXISTED FOR NUMEROUS YEARS, AND
APPROX 10" DIAK BEEN INSTALLED FOR WATER LINE USAGE, AS
APPLICANT STATES. DRAINAGE DOES NOT APPEAR TO BE AN ISSUE.

County representative: _____

RECOMMENDED

NOT RECOMMENDED

DATE

☆☆

YOU ARE HEREBY AUTHORIZED TO CONDUCT THE ABOVE DESCRIBED ACTIVITY

APPROVAL SIGNATURE

EFFECTIVE DATE

EXPIRATION DATE

☆☆

Completed work inspected and approved by: _____

Date 8-10-07

☆☆

White
Canary
Green
Pink
GoldenrodOffice File
County Inspector
District Foreman
Permittee (on approval)
Permittee (on completion)

SUBMIT TO:

DOUGLAS COUNTY PUBLIC WORKS DEPT.
ROOM 304, COUNTY COURTHOUSE
ROSEBURG, OREGON 97470
(541) 440-4481
APPLICATION PERMIT (REV. 11/97)

10447

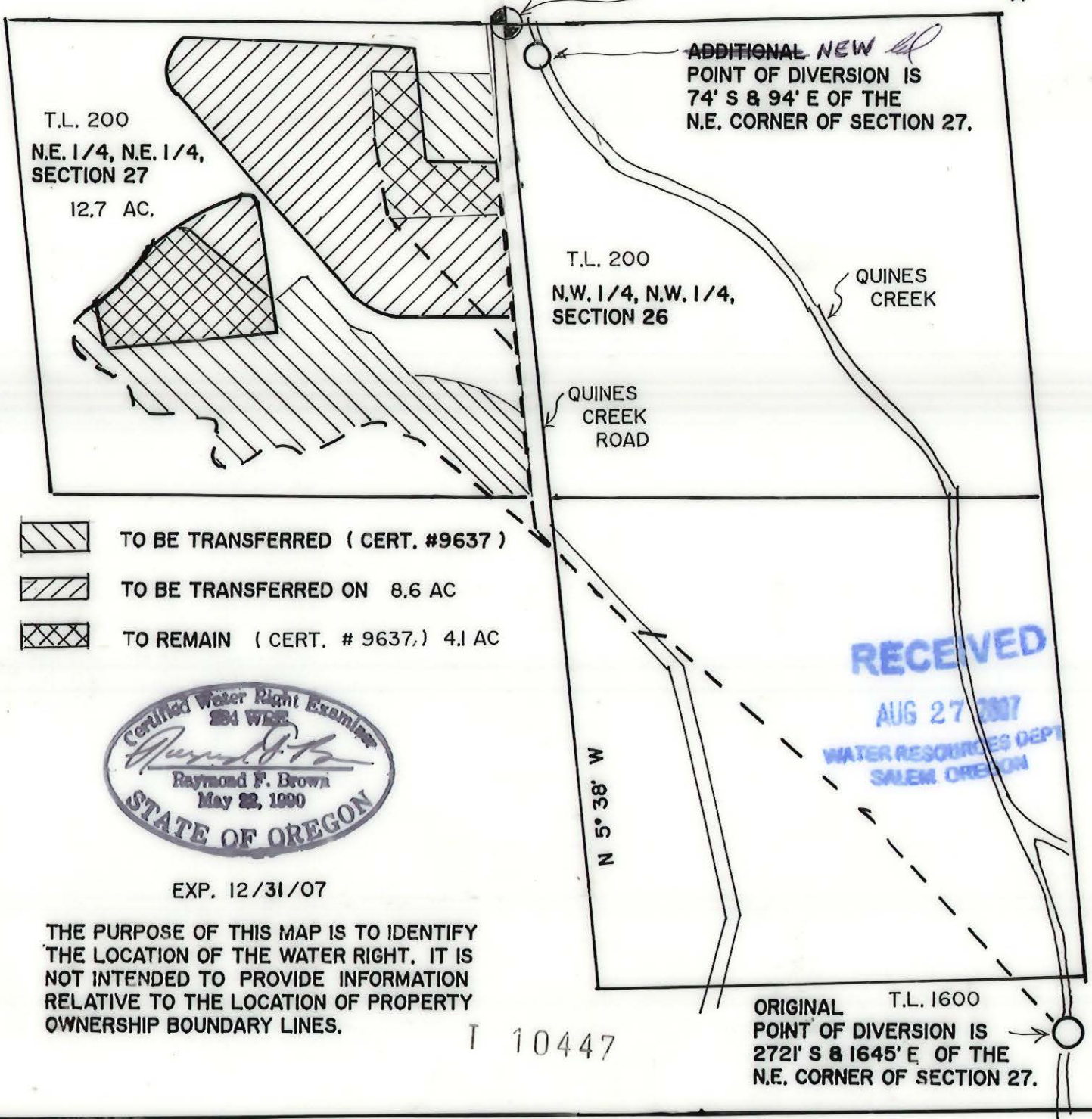
APPLICATION MAP FOR
WATER RIGHT TRANSFER

NEW
ADDITIONAL POINT OF DIVERSION AND
CHANGE IN PLACE OF USE

IN THE NAME OF CLAY and JUDITH DICKERSON
N.E. 1/4, N.E. 1/4, SECTION 27, T. 32 S., R. 5 W., W.M.

SCALE: 1" = 400'

SEC. COR. S. 22, 23, 26, & 27,
T. 32 S., R. 5 W., W.M. FD. B.C.)



Indicate in this column whether or not the item is satisfied.

Permanent Transfer Application – OAR 690-380 3000 & 3100

Completeness Checklist

Applicant's Name: Clay & Judith Dickerson (Form last revised: March 13, 2007)

Section A – Status of Right

Is this a Water Right that can be transferred?

[OAR 690-380-0100(14)]

NOTE: The Department can accept a Transfer application for any right that is:

- ☐ 1) an adjudication with a court decree; *or*
- ☐ 2) a certificate that is not cancelled; *or*
- ☐ 3) a transfer that's been approved & A COBU has been received by the Department

If the subject right does not fall into any of the above categories, **RETURN** the application & fee to the applicant.

Section B – Type of Change

Is the proposed change(s) allowed under the Transfer process?

[ORS 540.510]

NOTE: Only POD, POA or POU or USE changes are allowed on Transfers.

If the application proposes a change other than those listed above, **RETURN** the application & fee to the applicant.

Section C - Fees

Have the appropriate fees been paid?

Total Required Fees: 800

Fee Schedule – ORS 536.050(1)(h)

Total Fees Paid: 800

- \$350 - Base fee (1st change and 1st CFS of water)
- + \$350 - Each additional type of change requested
- + \$175 - For each CFS, or fraction thereof, requested beyond 1st CFS
(for POU, Type of Use, or Exchange)

Fees Due (if any): _____

Refund Due (if any): _____

If the applicant has **NOT** submitted the total fees required, **RETURN** the application & deficient fee to the applicant.

Section D – Completeness

Indicate in this column whether an item is incomplete, and if so, identify the deficiency.

Is the Transfer application complete?

All required elements necessary for a complete transfer application are listed below.

Indicate whether or not the applicant has answered and/or supplied attachments to adequately address each of the following items. If any one of the items is deficient, then the application is incomplete.

NOTE: For reference, the application page number upon which each item is requested is identified.

If the application is **NOT** complete, **RETURN** the application & fee to the applicant.

• Type of transfer application Reg (Page 1)

• Applicant's name, mailing address and contact information. (Page 1)

• Agent's name, mailing address and contact information, *if applicable*. (Page 1)

• Are the water rights to be affected by this transfer listed? (Page 2)

If there are multiple water rights listed..... The applicant must supply a separate "set" of Supplemental Form A for each water right to be transferred.

	Checklist for Supplemental Form A – (Attachments)	
OK	• 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	• If for a change in POU or USE..... (Page 2) Are there any “layered” irrigation rights, permits, or GR registrations appurtenant to the same place of use as the water right proposed to be transferred? YES NO If YES..... the other “layered” water uses subject to transfer must either change concurrently or be cancelled, except as provided in OAR 690-380-2240(5). If layered with GR, must submit a GR Modification application as well as this application. Are they included in application? If not, contact applicant or agent.	
OK	• Location description of the authorized POA/POD to be changed. (Page 3) NOTE: Ensure that the location coordinates listed in the application match the point and location coordinates illustrated on the application map. Additionally, if the existing authorized source is ground water (POA), the applicant must either: <u>N/A</u> 1) supply a copy of the well log(s), <u>or</u> <u>N/A</u> 2) if well logs are not available, describe the construction of the well(s) in the table provided on page 3 of the supplemental form A application.	
OK	• Location description of the existing authorized POU and associated acres (if applicable). (Page 4) NOTE: Ensure that the location and number of acres listed per ¼ ¼ in the application match those illustrated on the application map. 8.6	
OK	• Location description of the proposed POA/POD. (Page 5) NOTE: Ensure that the proposed location coordinates listed in the application match the proposed point and location coordinates illustrated on the application map. Additionally, if the proposed source is ground water (POA), the applicant must either: <u>N/A</u> 1) supply a copy of the well log(s), <u>or</u> <u>N/A</u> 2) if well logs are not available <u>or</u> the well is not yet constructed, describe the construction of the well(s) in the table provided on page 5 of the application.	
OK	• Location description of the proposed POU and associated acres (if applicable). (Page 6) NOTE: Ensure that the location and number of acres listed per ¼ ¼ in the application match those illustrated on the application map. 8.6	
Return back to Page 2 of transfer application		
OK	• The type of changes being proposed. POU POD	(Page 2)
OK	• Reason for the transfer.	(Page 2)
OK	• Description of current water delivery system.	(Page 2)
OK	• System Capacity. 181	(Page 2)

	Checklist for Supplemental Form B – (Attachments)	
OK	• Is there a box checked in #1?	(Page 1)
OK	• Is there a box checked in #2?	(Page 1)
OK	• Does the description of POU on page 4 of the supplemental form A application, match authorized POU in question #3? NO	(Page 1)
OK	• In question #4 and #5 are they filled out. 2)	(Page 2)
OK	• Is there a box checked in #6?	(Page 2)
OK	• Is the #6 supporting documentation included with application? 2)	(Page 2)
OK	• Is there an original signature of the notary and notary stamp? 2)	(Page 2)
Return back to Page 3 of transfer application		
OK	• Affected districts and local governments. NO If within a district/local government jurisdiction, ensure that name & mailing address is provided.	(Page 3)
OK	• Is the applicant the Landowner of the “from” and “to” Lands? YES NO If NO The applicant must list current landowner name & address.	(Page 4)
OK	• Who will be responsible for completion of the changes? Applicant Is a box checked? If no box is checked the applicant or agent must be contacted.	(Page 4)
OK	• Map..... (Required to be prepared by a CWRE) unless... 1. Map Waiver included with application 2. FP map with advance email or written approval 3. POD/POA without POU change and for entire right with FP map for “from” map if more than 3 rights are included in transfer, is there a separate map for each water right? If larger than 8 ½ X 14 than 3 copies of map is needed & an electronic pdf file of map north arrow size & scale other: authorized acreage per ¼ ¼ matches the water right authorized POD/POA and POU (clearly shown, labeled & matches application listing) point plotted for the authorized POD/POA agrees with location coordinates on supplemental form A and WR proposed POD/POA and/or POU (clearly shown, labeled & matches application “proposed” listing) location coordinates accurately describe the point identified as the proposed POD/POA	(Page 5)
OK	• Land Use form, if applicable. Is the form signed by the local planning department staff? May be needed if the POD/POA or POU is moving a great distance <u>and</u> off of land originally involved in WR.	(Page 5)
N/A	• If a groundwater right is involved, are the well logs or a description included.	(Page 5)
N/A	• If this is an instream water right transfer, is there a form C included and filled out.	(Page 5)

OK

- 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:

Sarah

Date:

8-28-07



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 31, 2007

CLAY C. & JUDITH DICKERSON
1745 QUINES CREEK ROAD
AZALEA OR 97410

Reference: Transfer 10447

On August 27, 2007 we received your water right transfer application. The application was accompanied by \$800.00. Our receipt 89375 is enclosed.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the change.

Your application will be examined to determine if additional information is needed. You will be contacted following this examination. 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 #15
Raymond Brown, CWRE
Sam Moyer, ODFW

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 09/04/07

The Department seeks comment on the recently-filed application listed below. Any person may comment on the application. Comments must be received by the Department within 30 days of the date of this notice. The Director may presume that the transfer would be allowed by, and compatible with comprehensive plans unless an affected local government informs the Director otherwise within 30 days of this notice.

County: Douglas
Transfer: T -10447
Water Right: Cert:9637 OR *
Priority Date: 1877
Name: CLAY AND JUDITH DICKERSON
Address: 1745 QUINES CREEK ROAD; AZALEA OR 97410
Change: POU, POD
Source: QUINES CREEK > COW CREEK
Authorized POU: T32S R5W 27
Proposed POU: T32S R5W 27
Authorized POD: T32S R5W 26
Proposed POD: T32S R5W 27

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.