

T-10458

Name Muddy Creek Irrigation Project

Address PO Box 225 #
Harrisburg, OR 97446
541-995-6108

Change in POU
 Date Filed 9-14-2007
 Initial notice date 9-25-07
 DPD issued date _____
 PD issued date _____
 PD notice date _____
 Date of FO 7/9/2010 Vol 81 Page 368

C-Date _____
 COBU due date _____
 COBU Received date COBU 4/9/2013
 Certificate issued Cert. 94770 issued 12/21/09
RR 86338

DESCRIPTION OF WATER RIGHT(S)

Name of Stream McKenzie River, Lake Cr, ^{DM} Muddy cr, Lt Muddy cr
Muddy cr
 Trib. of Willamette R, Muddy cr, East channel

Use IR County Linn, Lane
 Quantity of water (CFS) _____ No. of Acres _____

Name of ditch _____
 App # 517602 Per # 517510 Cert # 76691 PR Date 1939
 App # _____ Per # _____ Cert # _____ PR Date _____
 App # _____ Per # _____ Cert # _____ PR Date _____
 App # _____ Per # _____ Cert # _____ PR Date _____
 App # _____ Per # _____ Cert # _____ PR Date _____

Date	FEES PAID	
	Amount	Receipt #
<u>9/14/07</u>	<u>600.00</u>	<u>896666</u>

Date	FEES REFUNDED	
	Amount	Receipt#

Assignments: _____

Irrigation District _____

Agent Walter Trimmer - Trimmer Engineering, Inc. 3924 NW Walnut Place
Corvallis, OR 97330 541-754-2819 541-754-0301 Fax

CWRE Same as Agent

CC's list CLO: Charles Curtis 31010 Cartney Rd Harrisburg OR 97446

RLO: David & Evelyn Malpass 21330 N. Coburg Rd Harrisburg, OR 97446

Linn County Planning & Zoning Dept RM 215 Courthouse, Albany OR 97321

- Oversized map - Location

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

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

RECEIPT # **89666**

INVOICE # _____

RECEIVED FROM: Malpass Farms
BY: _____

APPLICATION	
PERMIT	
TRANSFER	<u>T-10458</u>

CASH: CHECK:# 14327 OTHER: (IDENTIFY) _____

TOTAL REC'D \$ 600.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES PLA 46111 \$ _____
OTHER: (IDENTIFY) _____ \$ _____

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

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

WATER RIGHTS:

0201 SURFACE WATER	\$ _____	0202	\$ _____
0203 GROUND WATER	\$ _____	0204	\$ _____
0205 TRANSFER	\$ <u>600.00</u>		

WELL CONSTRUCTION

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

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

RECEIPT: **89666** DATED: 9/14/07 BY: [Signature]

Mailing List for Final Transfer Certificate(s)

Copies Mailed	
by:	<u>TM</u> (STAFF)
on:	<u>12/27/2019</u> (DATE)

Transfer Application: T-10458

Certificate: 94770 (C-84796)

Certificate/Transfer Holder: (include copy of map)
MUDDY CREEKS IRRIGATION DISTRICT
PO BOX 225
HARRISBURG, OR 97446

Is the Transfer Holder(s) of record currently identified as a landowner of any tax lots involved as confirmed by the County records? **NO**

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

1. Watermaster District #: 2
2. Water Availability
3. Vault
4. File

Other persons to receive copies: (include map):

5. Walter Trimmer, CWRE

Current Landowners:

6. **Map Tax Lots: 15S03W3000000502 & 15S03W320000100**
Malpass Land Inc.
David C Malpass
Evelyn R Malpass
PO Box 225
Harrisburg OR 97446
7. **Map Tax lot: 15S03W320000200**
Thomas D Malpass
Karan L Malpass
21320 N Coburg Rd
Harrisburg OR 97446

Record Marking(s):

1. Original Application# S-17802
2. Old Certificate# 84796



Oregon
Kate Brown, Governor

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

Date Mailed: DEC 27 2019

NOTICE OF CERTIFICATE ISSUANCE

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

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

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

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

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

STATE OF OREGON

COUNTY OF LINN

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MUDDY CREEKS IRRIGATION DISTRICT
 PO BOX 225
 HARRISBURG OR 97446

confirms the right to the use of water perfected under the terms of Permit S-17510. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

SOURCE OF WATER: MUDDY CREEK, MCKENZIE RIVER, LAKE CREEK, DRY MUDDY CREEK and LITTLE MUDDY CREEK, TRIBUTARIES OF THE WILLAMETTE RIVER

PURPOSE OR USE: IRRIGATION OF 97.0 ACRES

MAXIMUM RATE: 1.21 CUBIC FEET PER SECOND

DATE OF PRIORITY: FEBRUARY 9, 1939

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
14 S	4 W	WM	35	NW NE		1280 FEET SOUTH AND 2520 FEET WEST FROM NE CORNER, SECTION 35
15 S	3 W	WM	30	SW NE		3830 FEET NORTH AND 1900 FEET WEST FROM NW CORNER, GREENWOOD DLC 64
15 S	3 W	WM	32	SW NE	64	2810 FEET NORTH AND 2090 FEET WEST FROM SE CORNER, SECTION 32

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
15 S	3 W	WM	30	SW NE		18.4
15 S	3 W	WM	30	SE NE		16.6
15 S	3 W	WM	30	NE SE		0.9
15 S	3 W	WM	30	NW SE		6.9
15 S	3 W	WM	32	NW NE	64	1.6
15 S	3 W	WM	32	NE NW	64	15.3

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

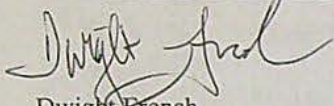
This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial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

Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
15 S	3 W	WM	32	SE NW	64	14.2
15 S	3 W	WM	32	NW SE	64	23.1

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

This certificate is issued to confirm a change in PLACE OF USE approved by an order of the Water Resources Director entered July 7, 2010, at Special Order Volume 81, Page 368, approving Transfer Application T-10458, and together with Certificate 86338, supercedes Certificate 84796, State record of Water Right Certificates.

Issued DEC 27, 2019.



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

RECEIVED

AUG 24 2009

T15S R3W, W.M.

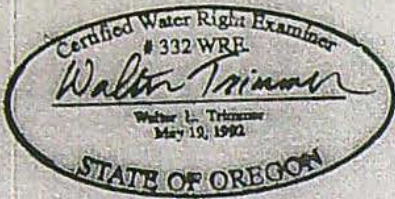
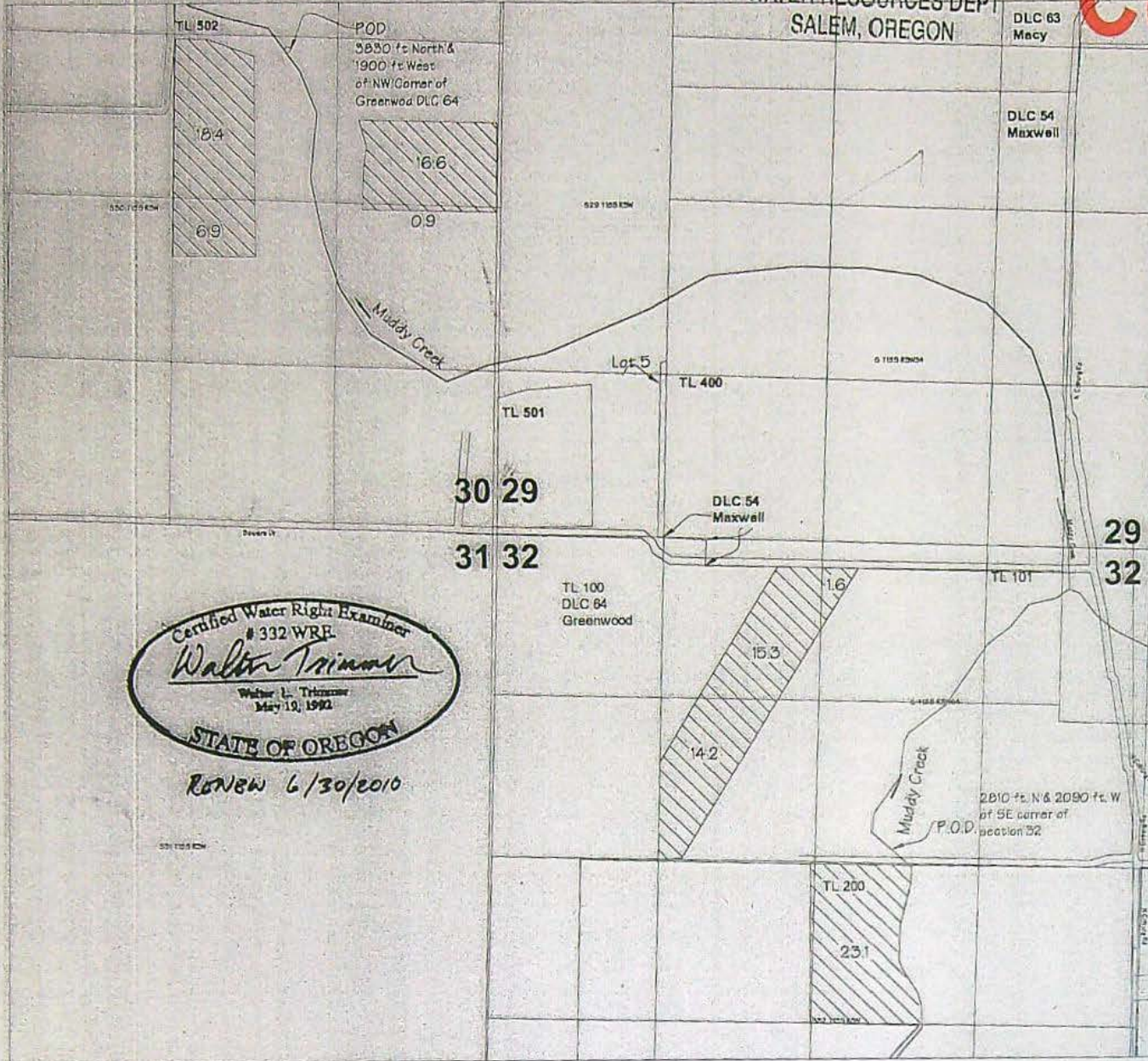
WATER RESOURCES DEPT
SALEM, OREGON

COPY

Transfer T-10458

In the name of

**Muddy Creeks
Irrigation Project**



RENEW 6/30/2010

Transfer To:

Certificate # 76691



In the name of

Muddy Creeks Irrigation Project

Prepared by

Walter L. Trimmer

CWRE #332

Trimmer Engineering Inc.

3924 NW Walunt Place

Corvallis, OR 97330

541-754-2819

Scale 1" = 1320'

August 22, 2007

Layout: Transfer From

File: MuddyCrk.dwg

Based on USGS Coburg Quad

DWG 1 of 2

(revised 8/12/2009 to avoid Certificate
80835 acres, 8/21/09 add POD)

①

GC gave to me to work on

MEMO -Proof to Satisfaction (March 17, 2014)

Application #	Permit #	Transfer # T-10458
WRD Reviewer J Skaug	Date 10/10/19	
WRD Peer Reviewer J Skaug	Date	

Δ POW C84796 (app 517802)
SPOV 81 pg 368

Research

- Organize file in chronological order
- Pull CBU Report & Map(s), Application Map, relevant Permit, Certificate, or Transfer Order, most recent Assignments, Extension Orders, SWL Measurements, Fish Screen Certification Documents, Water Use Reports & Pump Tests
- Search for Water Right Location using Interactive Mapper. Identify Tax Lots & check for Area of Interest (AOI)
- Water Organization identified using AOI? No Yes
If "Yes" cc: _____ & Add to Mailing List
- Print Tax Lot Map from ormap.net for the original Place of Use, and confirm Current Ownership & Address with County Assessor tax lots 502, 100 1/2, 200 different landowners
- If there is a new owner, Add to Mailing List, including the owner(s) name & tax lot number
- Print Platcard & check for Place of Use Conflict? No Yes
If "Yes", provide copy of certificate & relevant map
- Print BLM Cadastral Survey DLC 604
- Does Claim Map identify correct DLC, Gov't Lots, QQ's? No Yes
If "No", either _____ WRD amend map OR _____ prepare Order of Certification

Reviewing Claim

Have conditions on relevant permit, certificate, or transfer order been complied with? Yes, No, OR N/A

- Fish Conditions
- Meter/measuring device
- Water Use Reporting
- Pump Test (post December 19, 1988)
- Other Conditions _____

SWL
C-Date 10-1-2011 (Claim Submitted 8/24/09)

Run Capacity Calculator and Print Findings (for pump, sprinklers, pipes, ditches, as appropriate)
not a change in POD info not needed

NOTES:

1) Walter Trimmer, CWRE

Current landowners:

2) map tax lots - 15503W30000 00502 & 15503W3200 00100

malpass land inc
David C - Evelyn R Malpass

PO Box 225
Harrisburg OR 97446

3) map tax lots - 15503W3200 00200

Thomas D & Karen L Malpass
21320 N Coburg Rd
Harrisburg OR 97446

RR 80338



Identify Tax Lots

- Off
- On

County: Linn
 Taxlot: 15505W30.00502
 Owner1: MALPASS LAND INC
 Owner2:
 Owner Address: PO BOX 225, HARRISBURG OR 97446
 Site Address:
 Acres: 221.4
 TRSQQ: WM15.0053.00W30XXXX
 Effective Date: May 1, 2019

Note: Tax lot information provided here is for general query purposes. It may not be up to date or may not be an official record. Please contact the respective county tax assessor's office for more current and specific information.

It is recommended to zoom to a detailed extent before query

[QR Map](#)

Tax Lots

Identify Tax Lots

- Off
- On

County: Linn
 Taxlot: 15503W32.00100
 Owner1: MALPASS DAVID C & EVELYN R TR
 Owner2:
 Owner Address: PO BOX 225, HARRISBURG OR 97446
 Site Address: 21330 N COBURG RD, HARRISBURG 97446
 Acres: 279.6
 TRSQQ: WM15.0053.00W32XXXX
 Effective Date: May 1, 2019

Note: Tax lot information provided here is for general query purposes. It may not be up to date or may not be an official record. Please contact the respective county tax assessor's office for more current and specific information.

It is recommended to zoom to a detailed extent before query

[QR Map](#)

Tax Lots

Identify Tax Lots

- Off
- On

County: Linn
 Taxlot: 15501W32.00200
 Owner1: MALPASS THOMAS D & KARAN L
 Owner2:
 Owner Address: 21320 N COBURG RD, HARRISBURG OR 97446
 Site Address: 21320 N COBURG RD, HARRISBURG 97446
 Acres: 320.7
 TRSQQ: WM15.0051.00W32XXXX
 Effective Date: May 1, 2019

Note: Tax lot information provided here is for general query purposes. It may not be up to date or may not be an official record. Please contact the respective county tax assessor's office for more current and specific information.

It is recommended to zoom to a detailed extent before query

[QR Map](#)

FOR ASSESSMENT AND TAXATION ONLY

SECTION 30 T.15S. R.3W. W.M.
Linn County
1" = 400'

15S03W30
LINN COUNTY

CANCELLED
500
503
401



SEE MAP 15 3W 19

24 19
25 30

300
172.8 AC

LOT
40.98 AC

7-2

200
9.75 AC

100
14.88 AC

PARTITION PLAT

NO. 1997-40

C.S. 2162

19 20
30 29

SEE MAP 15 3W 29

LOT
40.17 AC

COUNTY ROAD NO. 520

NO. 1997-40
602-M1

MUDDY

PARCEL 2

400
161.88 AC

SEE MAP 15 4W 25

LOT
40.28 AC

SEE MAP 15 3W 29

C.S. 2160

LOT
40.35 AC

7-9

25 30

COUNTY ROAD NO. 242

BOWERS DR.

30 29

SEE MAP 15 3W 29

SEE MAP 15 3W 31

LINN COUNTY
15S03W30

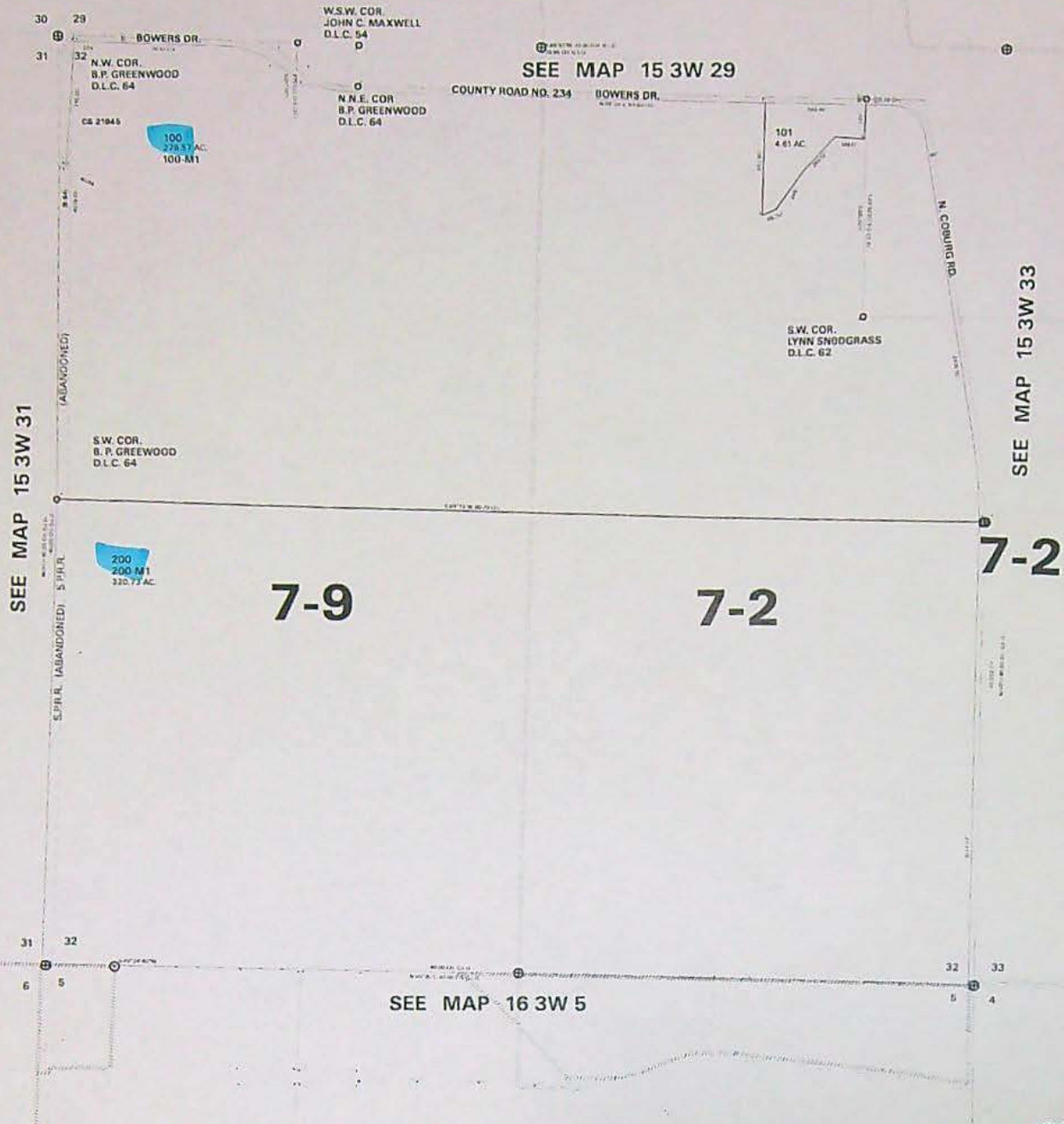
3/2/2010

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY

SEC. 32 T. 15S. R. 03W. W.M.
LINN COUNTY, OREGON

15 3W 32

1" = 400'



SEE MAP 15 3W 31

SEE MAP 15 3W 33

7-9

7-2

7-2

SEE MAP 16 3W 5

15 3W 32

07/21/05.15:04:29.Thu

LINN County Assessor's Summary Report

Real Property Assessment Report

FOR ASSESSMENT YEAR 2019

November 21, 2019 4:34:32 pm

Account # [REDACTED]	Tax Status ASSESSABLE
Map # 15S03W3000 00502	Acct Status ACTIVE
Code - Tax # 00709-353017	Subtype NORMAL
Legal Descr Metes & Bounds - See legal report for full description.	
Mailing Name MALPASS LAND INC	Deed Reference # See Record
Agent	Sales Date/Price See Record
In Care Of	Appraiser UNKNOWN
Mailing Address PO BOX 225 HARRISBURG, OR 97446	

Prop Class	550	MA	SA	NH	Unit
RMV Class	500	06	00	000	33215-1

Situs Address(s)	Situs City
------------------	------------

Value Summary					
Code Area		RMV	MAV	AV	RMV Exception
00709	Land	1,499,480			Land
	Impr.	0			Impr.
Code Area Total		1,499,480	0	210,179	0
Grand Total		1,499,480	0	210,179	0

Land Breakdown										
Code Area	ID#	RFPD	Ex	Plan Zone	Value Source	TD%	LS	Size	Land Class	Trended RMV
00709	6	<input checked="" type="checkbox"/>			Farm Use Zoned	106	A	42.90	2	305,590
00709	5	<input checked="" type="checkbox"/>			Farm Use Zoned	106	A	61.00	2I	448,090
00709	7	<input checked="" type="checkbox"/>			Farm Use Zoned	106	A	111.30	3	743,260
00709	8	<input checked="" type="checkbox"/>			Farm Use Zoned	106	A	6.15	7	2,540
Grand Total								221.35		1,499,480

Improvement Breakdown									
Code Area	ID#	Yr Built	Stat Class	Description	TD%	Total Sq. Ft.	Ex%	MS Acct #	Trended RMV
Grand Total						0			0

Exemptions/Special Assessments/Potential Liability									
Code Area	Type								
NOTATION(S):									
	■ POT'L ADD'L TAX LIABILITY ADDED 2009	Amount	0.00	Tax	0.00				

Comments: ***** CAP NOTE - Type F *****
 Noticed bldg on tax lot while appraising seed whs on adjacent property.
 so I put it on the roll. 4/27/94 ML

***** CAP NOTE - Type J *****
 EV 1997-90: CONSOL'D TL 600 (4.50 ACS) INTO THIS ACCOUNT. 4-8-97 TT.....
 EV2007-390:BEGAN WITH 230.79 Ac LAND AND SOME IMPS,SEGD 9.44AC LAND AND
 ALL IMPS TO 503 353017-1 WHICH LATER WILL BE CONSLDT TO 501
 340972,LEAVES 221.35AC OF LAND ONLY IN THIS ACCT.ALL FARM LAND SO
 COMPUTER CALCS LAND MAV,BAL OF IMP MAV FOR 07 WAS 49056 TO 501
 340972 DUS8/10/07

LINN County Assessor's Summary Report

Real Property Assessment Report

FOR ASSESSMENT YEAR 2019

November 21, 2019 4:35:03 pm

Account # [REDACTED]
 Map # 15S03W3200 00100
 Code - Tax # 00702-321469
 00709-924497

Tax Status ASSESSABLE
 Acct Status ACTIVE
 Subtype NORMAL

Legal Descr See Record

Mailing Name MALPASS DAVID C & EVELYN R TR

Deed Reference # See Record

Agent

Sales Date/Price See Record

In Care Of

Appraiser GARTON, JOSHUA

Mailing Address PO BOX 225
 HARRISBURG, OR 97446

Prop Class 551 MA SA NH Unit
 RMV Class 501 06 00 000 30392-1

Situs Address(s)	Situs City
ID# 1 21330 N COBURG RD	HARRISBURG

Code Area		RMV	MAV	Value Summary		RMV Exception	CPR %
				AV			
00702	Land	783,010				Land	0
	Impr.	394,800				Impr.	0
Code Area Total		1,177,810	292,900	408,160			0
00709	Land	1,049,820				Land	0
	Impr.	0				Impr.	0
Code Area Total		1,049,820	0	140,631			0
Grand Total		2,227,630	292,900	548,791			0

Code Area	ID#	RFPD	Ex	Plan Zone	Value Source	Land Breakdown			Trended RMV	
						TD%	LS	Size		
00702	1	<input checked="" type="checkbox"/>			Farm Site	106	A	1.00	FARM	10,600
00702	3	<input checked="" type="checkbox"/>			Farm Use Zoned	106	A	63.67	2	453,530
00702	2	<input checked="" type="checkbox"/>			Farm Use Zoned	106	A	33.00	2I	242,410
00702	4	<input checked="" type="checkbox"/>			Farm Use Zoned	106	A	5.00	3	33,390
00702	5	<input checked="" type="checkbox"/>			Farm Use Zoned	106	A	19.53	7	8,080
00702					S.A. OSD			100		35,000
Code Area Total								122.20		783,010.00
00709	1	<input checked="" type="checkbox"/>			Farm Use Zoned	106	A	34.00	2	242,190
00709	2	<input checked="" type="checkbox"/>			Farm Use Zoned	106	A	120.78	3	806,560
00709	3	<input checked="" type="checkbox"/>			Farm Use Zoned	106	A	2.59	7	1,070
Code Area Total								157.37		1,049,820.00
Grand Total								279.57		1,832,830

Code Area	ID#	Yr Built	Stat Class	Description	Improvement Breakdown			Total Sq. Ft.	Ex% MS Acct #	Trended RMV
					TD%					
00702	106	0	318	GP SHED	108		120		410	
00702	107	0	318	GP SHED	108		280		790	
00702	101	0	318	GP SHED	108		336		890	
00702	102	0	318	GP SHED	108		280		1,450	
00702	100	1912	153	RES Two story	108		2,448		220,490	
00702	103	0	110	Residential Other Improvements	108		0		6,260	
00702	104	0	327	LOFT BARN	108		4,704		11,910	
00702	105	0	328	MACHINE SHED	108		2,400		4,050	
00702	108	1912	110	Residential Other Improvements	108		0		1,890	
00702	109	0	110	Residential Other Improvements	108		0		8,050	
00702	199	1995	140	Res Other Improvement Cls 4	108		0		34,210	
00702	501	1999	352	UTILITY BUILDING	108		17,856		104,400	
Grand Total							28,424		394,800	

Account # [REDACTED]

Code		Exemptions/Special Assessments/Potential Liability			
Area	Type				
NOTATION(S):					
■	POT'L ADD'L TAX LIABILITY ADDED 2009	Amount	0.00	Tax	0.00

Comments: ***** CAP NOTE - Type J *****
EV1997-409: CONSOLIDATED TL 300 (7.27 AC CLS 7) INTO THIS ACCT.
SEG'D OUT 3.63 AC TO TL 102 WHICH WAS CONS INTO TL 200.
SEG'D OUT 1.05 AC TO TL 103 WHICH WAS CONS INTO TL 101. 8/28/97 JLS
MAV CALCS: BEGINNING MAV = \$245,250 + MAV TL 300 (\$310) = \$245,560.
\$245,560 - MAV FROM TL 102 (\$150) 3.63 AC CLS 7 LAND @ \$49.34 /AC.
\$245,410 - MAV FROM TL 103 (\$40) 1.05 AC CLS 7 LAND @ \$49.34 /AC.
\$245,370 RESULTING MAV. 8/97 JLS.

***** CAP NOTE - Type R *****
95 MX: LAND NC; IMPS +10,940 (NEW GARAGE W/HALF BATH). 5-10-95 TT.....
2000MX: NEW POLE BLDG 124X144, 20'EVE, OPEN FRONT, IS DONE, SEE NEW VALUE.
DUS 11-1-99
2017 Outbuilding Review: updated, tabled and cleaned up appraisal all as RMV only. 6/22/2017-JG

LINN County Assessor's Summary Report

Real Property Assessment Report

FOR ASSESSMENT YEAR 2019

November 21, 2019 4:35:31 pm

Account # [REDACTED]
 Map # 15S03W3200 00200
 Code - Tax # 00702-321477
 00709-924498

Tax Status ASSESSABLE
 Acct Status ACTIVE
 Subtype NORMAL

Legal Descr See Record

Mailing Name MALPASS THOMAS D & KARAN L

Deed Reference # See Record

Agent

Sales Date/Price See Record

In Care Of

Appraiser GARTON, JOSHUA

Mailing Address 21320 N COBURG RD
 HARRISBURG, OR 97446

Prop Class 551 MA SA NH Unit
 RMV Class 501 06 00 000 30393-1

Situs Address(s)	Situs City
ID# 1 21320 N COBURG RD	HARRISBURG

Code Area		RMV	MAV	Value Summary AV	RMV Exception	CPR %
00702	Land	1,076,790			Land	0
	Impr.	369,050			Impr.	0
Code Area Total		1,445,840	246,710	395,330		0
00709	Land	1,067,850			Land	0
	Impr.	0			Impr.	0
Code Area Total		1,067,850	0	143,890		0
Grand Total		2,513,690	246,710	539,220		0

Code Area	ID#	RFPD	Ex	Plan Zone	Value Source	Land Breakdown			Trended RMV	
						TD%	LS	Size		
00702	1	<input checked="" type="checkbox"/>			Farm Site	106	A	1.00	FARM	10,600
00702	2	<input checked="" type="checkbox"/>			Farm Use Zoned	106	A	144.00	2	1,025,740
00702	3	<input checked="" type="checkbox"/>			Farm Use Zoned	106	A	13.18	7	5,450
00702					S.A. OSD	100				35,000
Code Area Total								158.18		1,076,790.00
00709	1	<input checked="" type="checkbox"/>			Farm Use Zoned	106	A	63.00	2	448,760
00709	2	<input checked="" type="checkbox"/>			Farm Use Zoned	106	A	92.00	3	614,380
00709	3	<input checked="" type="checkbox"/>			Farm Use Zoned	106	A	3.92	6	3,200
00709	4	<input checked="" type="checkbox"/>			Farm Use Zoned	106	A	3.63	7	1,510
Code Area Total								162.55		1,067,850.00
Grand Total								320.73		2,144,640

Code Area	ID#	Yr Built	Stat Class	Description	Improvement Breakdown			Trended RMV	
					TD%	Total Sq. Ft.	Ex% MS Acct #		
00702	101	0	110	Residential Other Improvements	108	0		290	
00702	103	0	110	Residential Other Improvements	108	0		1,610	
00702	105	1992	318	GP SHED	108	315		2,530	
00702	102	0	317	GP BUILDING	108	1,200		8,810	
00702	106	1993	352	UTILITY BUILDING	108	17,856		88,520	
00702	100	1910	143	RES Two story	108	2,968		267,290	
Grand Total							22,339		369,050

Code Area	Type	Exemptions/Special Assessments/Potential Liability			
NOTATION(S):					
	■ POT'L ADD'L TAX LIABILITY ADDED 2009	Amount	0.00	Tax	0.00

Account # [REDACTED]

Appr Maint: 2020 - MAINTENANCE (MS - HARDSHIP STATUS)

Comments: ***** CAP NOTE - Type J *****

EV1997-409: CONSOLIDATED 3.63 ACRES THAT HAD BEEN SEG'D FROM TL 100 INTO THIS ACCT. 8/28/97 JLS.

***** CAP NOTE - Type R *****

EV1997-409: CONSOLIDATED 3.63 ACRES THAT HAD BEEN SEG'D FROM TL 100 INTO THIS ACCT. 8/28/97 JLS.

Plans for kitchen and bath remodel. OWNER SAID FIXTURES REPLACED BY NEW ONES BUT NO DIFFERENT FIXTURES AND NO MORE THAN WHAT WAS THERE BEFORE. NEW WOOD FLOOR PUT OVER OLDER WOOD FLOOR. NO INSULATED WINDOWS. THIS NOT REMODEL, VALUED AS MAINTENANCE DUS3/03

2017 Outbuilding Review: Updated depreciation on residence, added porch to house from 110, and re-spread the MAV, cleaned up 110's, updated and tabled outbuildings, including changing hay cover to utility building, and updated entered SF to actual SF all as RMV only. 6/8/2017-JG



Oregon Water Resources Department
Water Rights Platcard Report

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Search Criteria

no conflict

Meridian: Willamette Township: 15 South Range: 3 West Section: 30 Records per Page: 999

Search

Platcards Maps! [Learn about](#) [View Map](#)

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	00140: 01160:	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unknown
Cert:36644 OR CN Additional Info: MUDDY CREEKS IRRIGATION DISTRICT App: S17802 Permit: S17510 Cert: 36644	T7127	2/9/1939	IRRIGATION	CN						34.6	34.6									25.8	14			
Cert:51599 (RR) CN Additional Info: MUDDY CREEKS IRRIGATION DISTRICT App: S17802 Permit: S17510 Cert: S1599	T7005, T7033	2/9/1939	IRRIGATION	CN						34.6	34.6									25.8	14			
Inchoate: T 10458 CF (REG) * Additional Info: MUDDY CREEKS IRRIGATION DISTRICT App: S17802 Permit: S17510		2/9/1939	IRRIGATION							(18.6)	(18.6)									16.6	34.6			
Cert:68346 (T 7005 RR) CN Additional Info: MUDDY CREEKS IRRIGATION DISTRICT App: S17802 Permit: S17510 Cert: 68346	T7127, T7364	2/9/1939	IRRIGATION	CN						16.2	16.6									26.8	7.1			
Cert:75226 (T 7127, T 7364 RR) CN Additional Info: MUDDY CREEKS IRRIGATION DISTRICT App: S17802 Permit: S17510 Cert: 75226	T7163, T7377	2/9/1939	IRRIGATION	CN						16.2	16.6									24.2	7.1			
Permit: S 55198 Additional Info: MALPASS LAND CO. App: S88060 Permit: S55198		3/16/2015	IRRIGATION							15.6	2									7.6	7.7	2.1		
Cert:28887 OR CN Additional Info: LEE ROY STALLINGS App: S32477 Permit: S25644 Cert: 28887		7/23/1958	IRRIGATION	CN									0.1	6.3	2.6									
Cert:76399 (T 7377, T 7163 RR) CN Additional Info: MUDDY CREEKS IRRIGATION DISTRICT App: S17802 Permit: S17510 Cert: 76399	T7161	2/9/1939	IRRIGATION	CN																24.2				
Cert:76691 (T 7161 RR) CN Additional Info: MUDDY CREEKS IRRIGATION DISTRICT App: S17802 Permit: S17510 Cert: 76691	T8872, T10140, T10458	2/9/1939	IRRIGATION	CN																24.2				
Cert:84796 (T 10140 RR) CN Additional Info: MUDDY CREEKS IRRIGATION PROJECT App: S17802 Permit: S17510 Cert: 84796	T10458	2/9/1939	IRRIGATION	CN																24.2				
Cert:86338 (RR) * Additional Info: MUDDY CREEKS IRRIGATION PROJECT App: S17802 Permit: S17510 Cert: 86338	T12193	2/9/1939	IRRIGATION																	24.2				

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

nc

nc

working file

nc

nc

nc

RR cert

nc



Search Criteria

no conflice

Meridian: Willamette Township: 15 South Range: 3 West Section: 32 Records per Page: 999 Search

Platcards Maps! Learn about View Map

Water Right	Changing Mers	Priority	Use	Use Status	DLC	Gov't Lot	00440: 01160:	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unknown QQ
Subject Cert:68365 OR CN Additional Info: MUDDY CREEKS IRRIGATION DISTRICT App: S68824 Permit: S50921 Cert: 68365	T7127, T7131, T7364		IRRIGATION	CN	64			1.3	27.6	11.7		2			21.1	3.3	3							
Subject Cert:75228 (T 7127, T 7364 RR) CN Additional Info: MUDDY CREEKS IRRIGATION DISTRICT App: S68824 Permit: S50921 Cert: 75228	T7230		IRRIGATION	CN	64			1.3	27.6	11.7		2			21.1									
Subject Cert:75439 (T 7230 RR) CN Additional Info: MUDDY CREEKS IRRIGATION DISTRICT App: S68824 Permit: S50921 Cert: 75439	T6999		IRRIGATION	CN	64			1.3	27.6	11.7		2			21.1									
Subject Cert:80835 (RR) CR * Additional Info: MUDDY CREEKS IRRIGATION DISTRICT App: S68824 Permit: S50921 Cert: 80835			IRRIGATION		64			1.3	27.6	11.7		2			21.1									
Subject Cert:89560 CF * Additional Info: MUDDY CREEKS IRRIGATION PROJECT App: S17802 Permit: S17510 Cert: 89560		2/9/1939	IRRIGATION		54			1.3	4.2			3												
Subject Inchoate: T 10458 CF (REG) * Additional Info: MUDDY CREEKS IRRIGATION DISTRICT App: S17802 Permit: S17510		2/9/1939	IRRIGATION						(1.6)			(16.3)			(14.2)								(20.1)	
Subject Cert:43480 OR * Additional Info: C. DUDLEY MILLER App: G4756 Permit: G4511 Cert: 43480			IRRIGATION		64			7.8	0.1	7.3	19.4													
Subject Cert:36644 OR CN Additional Info: MUDDY CREEKS IRRIGATION DISTRICT App: S17802 Permit: S17510 Cert: 36644	T7127	2/9/1939	IRRIGATION	CN	64					8.4	14.8													
Subject Cert:43480 OR * Additional Info: C. DUDLEY MILLER App: G4756 Permit: G4511 Cert: 43480			IRRIGATION		62			2.1			1.1													
Subject Cert:43480 OR * Additional Info: C. DUDLEY MILLER App: G4756 Permit: G4511 Cert: 43480		3/11/1969	SUPPLEMENTAL IRRIGATION (Supp/mil)		64					8.4	14.4													
Subject Cert:51599 (RR) CN Additional Info: MUDDY CREEKS IRRIGATION DISTRICT App: S17802 Permit: S17510 Cert: 51599	T7005, T7033	2/9/1939	IRRIGATION	CN	64					8.4	14.8													
Subject Cert:68346 (T 7005 RR) CN Additional Info: MUDDY CREEKS IRRIGATION DISTRICT App: S17802 Permit: S17510 Cert: 68346	T7127, T7364	2/9/1939	IRRIGATION	CN	64					23.2														
Subject Cert:68365 OR CN Additional Info: MUDDY CREEKS IRRIGATION DISTRICT App: S68824 Permit: S50921 Cert: 68365	T7127, T7131, T7364		IRRIGATION	CN	62			2																
Subject Cert:68367 OR CN Additional Info: MUDDY CREEKS IRRIGATION DISTRICT App: S55400 Permit: S42759 Cert: 68367		3/1/1978	IRRIGATION	CN											40		30		23.6		7			

working file

nc

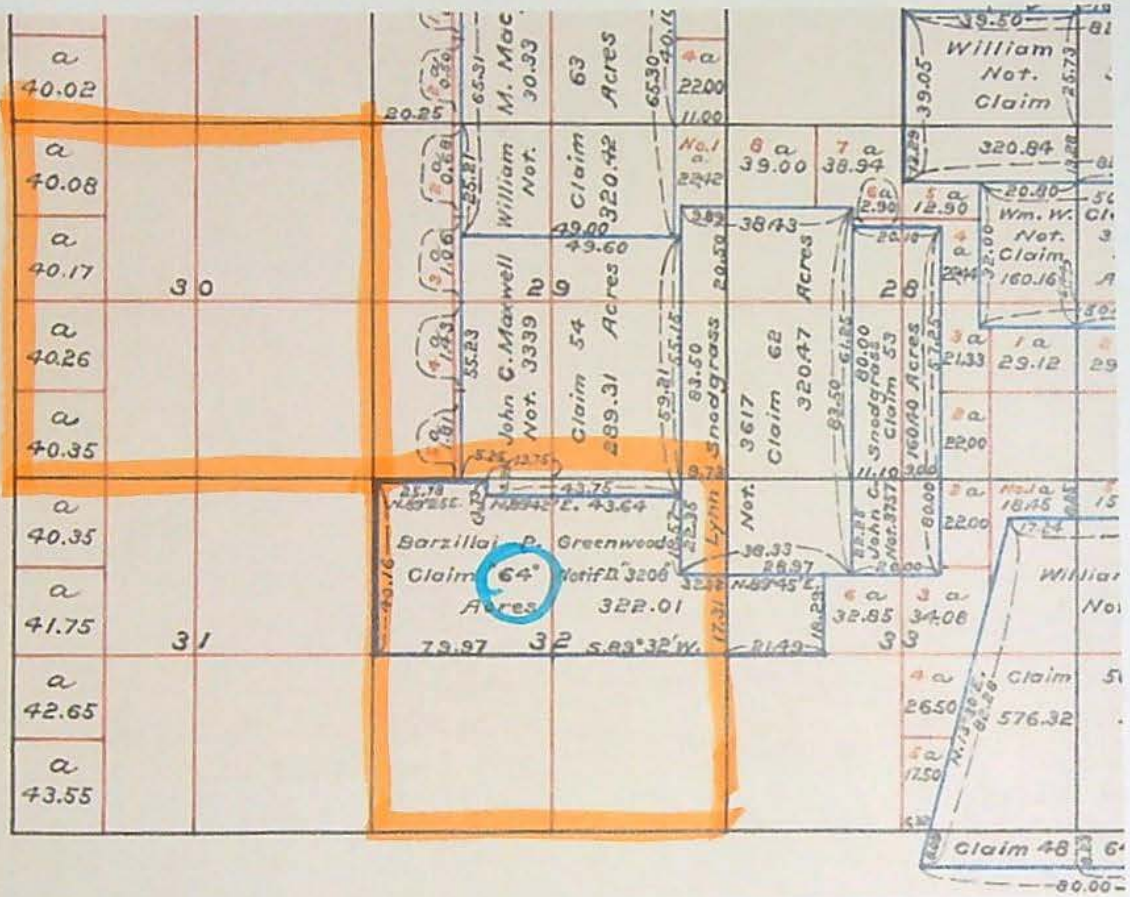
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Select	Cert:68369 OR *		IRRIGATION	64	2.9																	
	Additional Info: MUDDY CREEKS IRRIGATION DISTRICT App: S58832 Permit: S45980 Cert: 68369																					
Select	Cert:75226 (T 7127, T 7364 RR) CN	T7163, T7377	2/9/1939	IRRIGATION	CN	64		8.4	14.8													
	Additional Info: MUDDY CREEKS IRRIGATION DISTRICT App: S17802 Permit: S17510 Cert: 75226																					
Select	Cert:75228 (T 7127, T 7364 RR) CN	T7230		IRRIGATION	CN	62																
	Additional Info: MUDDY CREEKS IRRIGATION DISTRICT App: S68824 Permit: S50921 Cert: 75228																					
Select	Cert:75439 (T 7230 RR) CN	T6999		IRRIGATION	CN	62																
	Additional Info: MUDDY CREEKS IRRIGATION DISTRICT App: S68824 Permit: S50921 Cert: 75439																					
Select	Cert:76399 (T 7377, T 7163 RR) CN	T7161	2/9/1939	IRRIGATION	CN	64		8.4	14.8													
	Additional Info: MUDDY CREEKS IRRIGATION DISTRICT App: S17802 Permit: S17510 Cert: 76399																					
Select	Cert:76691 (T 7161 RR) CN	T8872, T10140, T10458	2/9/1939	IRRIGATION	CN	64		8.4	14.8													
	Additional Info: MUDDY CREEKS IRRIGATION DISTRICT App: S17802 Permit: S17510 Cert: 76691																					
Select	Cert:80364 CF CN			IRRIGATION	CN	54												1		5		
	Additional Info: HUGH MALPASS App: S68824 Permit: S50921 Cert: 80364																					
Select	Cert:80360 CF *		3/1/1978	IRRIGATION														0.1	34.9	27.2	38.4	
	Additional Info: DAVID MALPASS App: S55400 Permit: S42759 Cert: 80360																					
Select	Cert:80361 CF *		2/9/1939	IRRIGATION															1.6	15.9		
	Additional Info: DAVID MALPASS App: S17802 Permit: S17510 Cert: 80361																					
Select	Cert:80363 CF *			IRRIGATION															6.3			
	Additional Info: DAVID MALPASS App: S68824 Permit: S50921 Cert: 80363																					
Select	Cert:80835 (RR) CR *			IRRIGATION		62															2	
	Additional Info: MUDDY CREEKS IRRIGATION DISTRICT App: S68824 Permit: S50921 Cert: 80835																					
Select	Cert:80529 CF CR *			IRRIGATION		54													1		5	
	Additional Info: HUGH MALPASS App: S68824 Permit: S50921 Cert: 80529																					
Select	Cert:84796 (T 10140 RR) CN	T10458	2/9/1939	IRRIGATION	CN	64		8.4	14.8													
	Additional Info: MUDDY CREEKS IRRIGATION PROJECT App: S17802 Permit: S17510 Cert: 84796																					
Select	Cert:89560 CF *		2/9/1939	IRRIGATION		64														0.5		
	Additional Info: MUDDY CREEKS IRRIGATION PROJECT App: S17802 Permit: S17510 Cert: 89560																					
Select	Cert:86338 (RR) *	T12193	2/9/1939	IRRIGATION		64		8.4	14.8													
	Additional Info: MUDDY CREEKS IRRIGATION PROJECT App: S17802 Permit: S17510 Cert: 86338																					
Select	Cert:93955 CF *		2/7/1973	IRRIGATION														40	17.3	17.2	31.3	8
	Additional Info: MUDDY CREEKS IRRIGATION PROJECT App: S49527 Permit: S37877 Cert: 93955																					

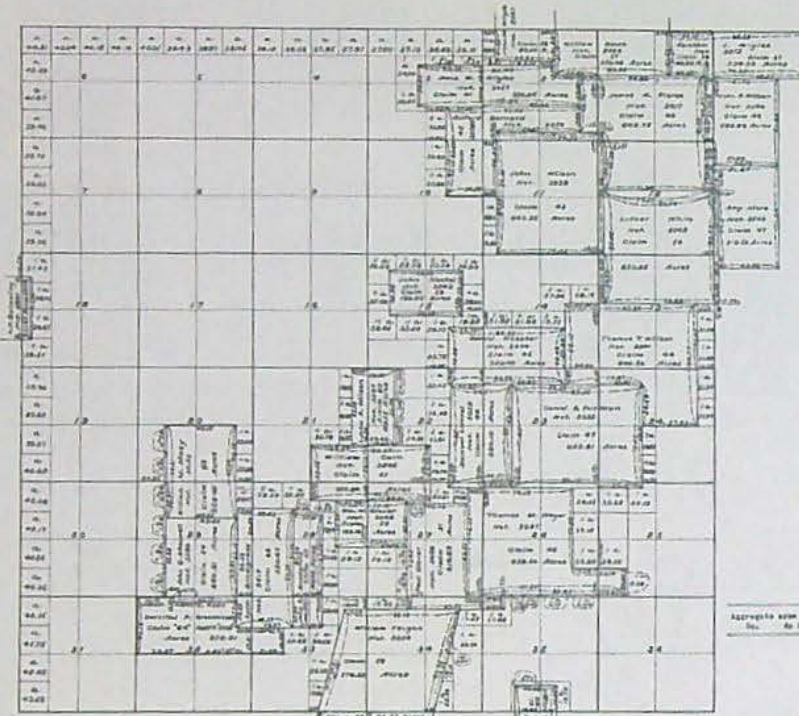


DLC 64

reset pan blowup reduce enlarge print

347

Township N^o 15 South Range N^o 3 West of the Willamette Meridian, Oregon.



This above map of Claims 15 Township N^o 15 South, Range N^o 3 West of the Willamette Meridian, Oregon, is strictly conformable to the field notes of the survey thereof and as filed in this office, which have been examined and approved.

Surveyor General's Office,
Salem City, Oregon, June 1st, 1906.

I signed
W. K. Chapman
Surveyor General of Oregon.

I certify this to be a correct copy of the original plat on file in this office.

District Collector Engineer's Office,
Portland, Oregon, October 14, 1906.

[Signature]
District Collector Engineer.

Aggregate area of public lands is 14,077.07 ac. as follows: Bureau of Reclamation 7,712.22

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

In the Matter of Transfer Application
T-10458, Linn County

)
)

**FINAL ORDER APPROVING A
CHANGE IN PLACE OF USE**

Authority

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

MUDDY CREEK IRRIGATION PROJECT
PO BOX 225
HARRISBURG OR 97446

Findings of Fact

Background

1. On September 14, 2007, MUDDY CREEK IRRIGATION PROJECT filed an application to change the place of use under Certificate 84796. The Department assigned the application number T-10458.
2. On August 14, 2009, the applicant submitted a revised map, identifying 97 acres for transfer. A revised Supplemental Form A was also submitted.
3. On August 21, 2009, the applicant submitted a revised map and Supplemental Form A page 3, identifying the appropriate points of diversion.
4. On October 7, 2009, the applicant submitted a revised map and Supplemental Form A with the authorized points of diversion properly described and mapped.

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.

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

Certificate: 84796 in the name of MUDDY CREEKS IRRIGATION PROJECT
(perfected under Permit S-17510)

Use: IRRIGATION OF 97.0 ACRES

Priority Date: FEBRUARY 9, 1939

Rate: 1.21 CUBIC FEET PER SECOND ← *no change*

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

Sources: MUDDY CREEK AND MCKENZIE RIVER, tributaries to the WILLAMETTE RIVER

Authorized Points of Diversion:

No change

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
14 S	4 W	WM	35	NW NE		1280 FEET SOUTH AND 2520 FEET WEST FROM THE NE CORNER OF SECTION 35
15 S	3 W	WM	30	SW NE		3830 FEET NORTH AND 1900 FEET WEST FROM THE NW CORNER OF GREENWOOD DLC 64
15 S	3 W	WM	32	SW NE	64	2810 FEET NORTH AND 2090 FEET WEST FROM THE SE CORNER OF SECTION 32

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	4 W	WM	35	NE NW	18.1
14 S	4 W	WM	35	NW NW	33.4
14 S	4 W	WM	35	SW NW	21.4
14 S	4 W	WM	35	SE NW	24.1
TOTAL ACRES					97.0

6. Transfer Application T-10458 proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
15 S	3 W	WM	30	SW NE	18.4
15 S	3 W	WM	30	SE NE	16.6
15 S	3 W	WM	30	NE SE	0.9
15 S	3 W	WM	30	NW SE	6.9
15 S	3 W	WM	32	NW NE	1.6
15 S	3 W	WM	32	NE NW	15.3
15 S	3 W	WM	32	SE NW	14.2
15 S	3 W	WM	32	NW SE	23.1
TOTAL ACRES					97.0

DLC 64

7. Notice of the application for transfer was published on September 25, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
8. On October 15, 2009, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-10458 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of November 20, 2009, for the applicant to respond. The applicant's agent requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
9. On June 7, 2010, the Department issued a Preliminary Determination proposing to approve Transfer Application T-10458 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on June 8, 2010 pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

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

10. 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.
11. 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-10458.
12. The proposed change would not result in enlargement of the right.
13. The proposed change would not result in injury to other water rights.

Conclusions of Law

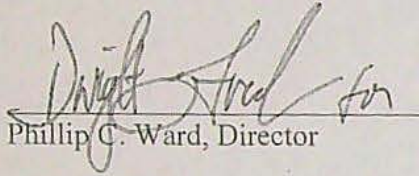
The change in place of use proposed in Transfer Application T-10458 is consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The change in place of use proposed in Transfer Application T-10458 is 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 84796 and any related decree.
3. Water right certificate 84796 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.
4. The former place of use of the transferred right shall no longer receive water under the right.

5. The approved change 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 Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change(s) and full beneficial use of the water.
6. When satisfactory proof of the completed change is received, a new certificate confirming the right transferred will be issued.

Dated at Salem, Oregon this 9 day of July 2010.


Phillip C. Ward, Director

Mailing Date: JUL 13 2010

STATE OF OREGON
 COUNTY OF LANE AND LINN
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MUDDY CREEKS IRRIGATION PROJECT
 32255 BOWERS DRIVE
 HARRISBURG, OR 97446

confirms the right to use the waters of MUDDY CREEK, MCKENZIE RIVER, LAKE CREEK, DRY MUDDY CREEK, and LITTLE MUDDY CREEK, tributaries of the WILLAMETTE RIVER, for IRRIGATION OF 3253.0 ACRES AND SUPPLEMENTAL IRRIGATION of 188.4 ACRES. 97

This right was perfected under Permit S-17510. The date of priority is FEBRUARY 9, 1939. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 43.02 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source. 1.21 cfs

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Survey Coordinates
13 S	4 W	WM	4	NE NW		42	670 FEET NORTH & 2990 FEET WEST FROM NE CORNER, COON DLC 49
13 S	4 W	WM	27	NW SE		55	2800 FEET NORTH & 670 FEET WEST FROM SE CORNER, SMITH DLC 55
13 S	4 W	WM	35	NW SW			780 FEET NORTH & 1120 FEET EAST FROM SE CORNER, ALLINGHAM DLC 54
14 S	3 W	WM	30	NE SE			2570 FEET NORTH & 1060 FEET WEST FROM SE CORNER, SECTION 30
14 S	4 W	WM	5	SE NE		41	260 FEET SOUTH & 860 FEET EAST FROM NW CORNER, SENE, SECTION 5
14 S	4 W	WM	14	NW NE			420 FEET SOUTH & 2460 FEET WEST FROM NE CORNER, SECTION 14
14 S	4 W	WM	14	SE SE			1770 FEET SOUTH & 300 FEET WEST FROM E1/4 CORNER, SECTION 14
14 S	4 W	WM	17	SE NE		42	1350 FEET SOUTH & 20 FEET WEST FROM NE CORNER, SECTION 17
14 S	4 W	WM	24	SE SE			500 FEET NORTH & 670 FEET WEST FROM SE CORNER, SECTION 24
14 S	4 W	WM	26	SW NE			3330 FEET NORTH & 2160 FEET WEST FROM SE CORNER, SECTION 26
14 S	4 W	WM	26	SE NE			3160 FEET NORTH & 1110 FEET WEST FROM SE CORNER, SECTION 26
14 S	4 W	WM	26	SE NE			1510 FEET SOUTH & 260 FEET WEST FROM NE CORNER, SECTION 26
14 S	4 W	WM	26	NE SW			2090 FEET NORTH & 2650 FEET WEST FROM SE CORNER, SECTION 26
14 S	4 W	WM	26	SW SE			80 FEET NORTH & 1490 FEET WEST FROM SE CORNER, SECTION 26
14 S	4 W	WM	26	SW SE			760 FEET NORTH & 1320 FEET WEST FROM SE CORNER, SECTION 26
14 S	4 W	WM	35	NW NE			1280 FEET SOUTH & 2520 FEET WEST FROM NE CORNER, SECTION 35

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Survey Coordinates
14 S	4 W	WM	36	SW NW			2600 FEET SOUTH & 710 FEET EAST FROM NW CORNER, SECTION 36
15 S	3 W	WM	19	NE SW			1580 FEET NORTH & 1690 FEET EAST FROM SW CORNER, SECTION 19
15 S	3 W	WM	29	NE SE		54	2130 FEET SOUTH & 520 FEET WEST FROM NW CORNER, SNODGRASS DLC 62
15 S	3 W	WM	30	SW NE			3830 FEET NORTH & 1900 FEET WEST FROM NW CORNER, GREENWOOD DLC 64
15 S	3 W	WM	32	SW NE		64	2810 FEET NORTH & 2090 FEET WEST FROM SE CORNER, SECTION 32
15 S	4 W	WM	1	SW NW		50	620 FEET NORTH & 2030 FEET WEST FROM NE CORNER, MCDANIEL DLC 50
15 S	4 W	WM	1	SW SW		50	1310 FEET NORTH & 2850 FEET WEST FROM NE CORNER, MCDANIEL DLC 50
15 S	4 W	WM	1	SW SW		50	860 FEET NORTH & 2950 FEET WEST FROM NE CORNER, MCDANIEL DLC 50
15 S	4 W	WM	1	SE SW		50	1900 FEET SOUTH & 680 FEET WEST FROM NE CORNER, MCDANIEL DLC 50
15 S	4 W	WM	2	SE NE			1670 FEET SOUTH & 1680 FEET EAST FROM NW CORNER, MCDANIEL DLC 50
15 S	4 W	WM	12	SE SW		48	860 FEET SOUTH & 2180 FEET EAST FROM NW CORNER, FOUNTAIN DLC 48
15 S	4 W	WM	13	SE NE		46	1910 FEET NORTH & 2590 FEET EAST FROM NE CORNER, ROACH DLC 52
15 S	4 W	WM	13	SE SE	5		1090 FEET NORTH & 250 FEET WEST FROM SE CORNER, SECTION 13
15 S	4 W	WM	24	SW NE			1880 FEET SOUTH & 1530 FEET WEST FROM NE CORNER, SECTION 24
15 S	4 W	WM	24	NW SE			1460 FEET NORTH & 1410 FEET WEST FROM SE CORNER, SECTION 24
16 S	3 W	WM	5	NW NE			910 FEET SOUTH & 1940 FEET WEST FROM NE CORNER, SECTION 5
16 S	3 W	WM	5	NE SW			2110 FEET NORTH & 2620 FEET EAST FROM SW CORNER, SECTION 5
16 S	3 W	WM	5	SW SE			3500 FEET EAST FROM SW CORNER, SECTION 5
16 S	3 W	WM	6	SE NW			1740 FEET SOUTH & 2150 FEET EAST FROM NW CORNER, SECTION 6
16 S	3 W	WM	16	NW SW		53	960 FEET SOUTH & 710 FEET WEST FROM NW CORNER, WILKINS DLC 52
16 S	3 W	WM	21	SW NW		41	4190 FEET NORTH & 2190 FEET EAST FROM NE CORNER, BROWN DLC 58
16 S	3 W	WM	21	SE SW	5		3900 FEET SOUTH & 550 FEET EAST FROM NE CORNER, DAVIS DLC 41
16 S	3 W	WM	34	NW SW		37	2800 FEET SOUTH & 1940 FEET EAST FROM SE CORNER, VAN DUYN DLC 61
17 S	3 W	WM	9	NE NE		38	4440 FEET SOUTH & 5250 FEET EAST FROM SE CORNER, MANSFIELD DLC 79

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

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

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
12 S	4 W	WM	33	SE SW		42	1.7
12 S	4 W	WM	33	SW SE		42	4.0
13 S	4 W	WM	4	NW NE		66	5.7
13 S	4 W	WM	4	NE NW		66	10.0
13 S	4 W	WM	27	NE SW		55	8.0
13 S	4 W	WM	27	SE SW		55	24.4
13 S	4 W	WM	27	NW SE		55	2.0
13 S	4 W	WM	27	NW SE		72	0.1
13 S	4 W	WM	27	SW SE	1		1.1
13 S	4 W	WM	27	SW SE		72	2.4
13 S	4 W	WM	27	SW SE		55	25.4
13 S	4 W	WM	32	NE NW		38	2.8
13 S	4 W	WM	32	NW NW		38	4.4
13 S	4 W	WM	32	SW NW		38	7.5
13 S	4 W	WM	32	SE NW		38	17.4
13 S	4 W	WM	32	NE SW		38	7.0
13 S	4 W	WM	32	NW SW		38	0.9
13 S	4 W	WM	34	NW NE	1		1.2
13 S	4 W	WM	34	NW NE		55	10.6
13 S	4 W	WM	34	NE NW		55	3.6
13 S	4 W	WM	35	SW NW	1		7.5
13 S	4 W	WM	35	SW NW		73	2.0
13 S	4 W	WM	35	NW SW			28.4
14 S	3 W	WM	30	SW SW			4.1
14 S	3 W	WM	30	NE SE			9.7
14 S	3 W	WM	30	SW SE			1.8
14 S	3 W	WM	30	SE SE			0.1
14 S	3 W	WM	30	SE SE			2.2
14 S	4 W	WM	4	NW NW		41	1.3
14 S	4 W	WM	4	SW NW		41	2.6
14 S	4 W	WM	5	NE NE		41	3.8
14 S	4 W	WM	5	SE NE		41	4.2
14 S	4 W	WM	9	NE NE			7.8
14 S	4 W	WM	9	NW NE		45	17.0
14 S	4 W	WM	9	NW NE	1		8.1
14 S	4 W	WM	9	SW NE		45	22.6
14 S	4 W	WM	9	SW NE	2		10.4
14 S	4 W	WM	9	SE NE	3		10.1
14 S	4 W	WM	9	NE NW		45	15.0
14 S	4 W	WM	9	SE NW		45	10.1
14 S	4 W	WM	9	NW SE		51	0.4
14 S	4 W	WM	9	SW SE		51	7.0
14 S	4 W	WM	14	NW NE			7.5
14 S	4 W	WM	14	NE SE			2.3
14 S	4 W	WM	14	SE SE			8.9
14 S	4 W	WM	16	SW NW		42	16.5
14 S	4 W	WM	17	NE NE		42	7.4
14 S	4 W	WM	17	SE NE		42	12.5
14 S	4 W	WM	21	NE NE			1.0

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
14 S	4 W	WM	21	NW NE			9.2
14 S	4 W	WM	21	SE NE			0.2
14 S	4 W	WM	24	NE SE			24.1
14 S	4 W	WM	24	NW SE			4.0
14 S	4 W	WM	24	SW SE			5.6
14 S	4 W	WM	24	SE SE			22.8
14 S	4 W	WM	25	NE NE			2.0
14 S	4 W	WM	25	SE SE			10.6
14 S	4 W	WM	26	NE NE			8.3
14 S	4 W	WM	26	NW NE			17.4
14 S	4 W	WM	26	SW NE			30.4
14 S	4 W	WM	26	SE NE			12.0
14 S	4 W	WM	26	NE NW			22.4
14 S	4 W	WM	26	SE NW			24.5
14 S	4 W	WM	26	NE SW			17.7
14 S	4 W	WM	26	SE SW			4.6
14 S	4 W	WM	26	NE SE			16.3
14 S	4 W	WM	26	NW SE			31.1
14 S	4 W	WM	26	SW SE			24.8
14 S	4 W	WM	26	SE SE			32.4
14 S	4 W	WM	34	NE NW			1.8
14 S	4 W	WM	34	NW NW			25.0
14 S	4 W	WM	34	SW NW			31.0
14 S	4 W	WM	34	SE NW			11.6
14 S	4 W	WM	35	NE NW			37.4
14 S	4 W	WM	35	NW NW			33.4
14 S	4 W	WM	35	SW NW			21.4
14 S	4 W	WM	35	SE NW			24.1
14 S	4 W	WM	36	SW NW			6.0
14 S	4 W	WM	36	NE SE			4.8
15 S	3 W	WM	5	NW NW			2.0
15 S	3 W	WM	5	SW NW			13.4
15 S	3 W	WM	8	SW NW			6.6
15 S	3 W	WM	8	SE NW			7.8
15 S	3 W	WM	18	SW SW	4		12.6
15 S	3 W	WM	19	SE NW			21.6
15 S	3 W	WM	19	NE SW			32.2
15 S	3 W	WM	19	NW SW			37.2
15 S	3 W	WM	19	SW SW			40.0
15 S	3 W	WM	19	SE SW			32.8
15 S	3 W	WM	29	SW NE		54	5.0
15 S	3 W	WM	29	SE NE		54	9.5
15 S	3 W	WM	29	NE SW		54	2.8
15 S	3 W	WM	29	NE SE		54	10.5
15 S	3 W	WM	29	NW SE		54	13.6
15 S	3 W	WM	30	NE SE			24.2
15 S	3 W	WM	32	SW NE		64	8.4
15 S	3 W	WM	32	SE NE		64	14.8
15 S	4 W	WM	1	NW NW			26.2
15 S	4 W	WM	1	SW NW			20.0
15 S	4 W	WM	1	SE NW			19.8

A
 TISS R 34
 SWNE 18.4
 SENE 16.6
 NE SE 0.9
 NW SE 6.9
 sec 30
 NWNE 1.6
 NE NW 15.3
 SENE 14.2
 NW SE 23.1
 sec 32

97 acres

IRRIGATION

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
15 S	4 W	WM	1	SW SW		50	5.0
15 S	4 W	WM	1	SE SW		50	36.0
15 S	4 W	WM	2	NE NE			13.2
15 S	4 W	WM	2	SE NE			2.8
15 S	4 W	WM	2	SE SE		50	0.1
15 S	4 W	WM	10	SE NE	2		6.8
15 S	4 W	WM	10	NE SE	3		1.1
15 S	4 W	WM	11	NW NE		47	3.0
15 S	4 W	WM	11	SW NE		47	2.2
15 S	4 W	WM	11	SW NW	1		12.6
15 S	4 W	WM	11	NW SW	2		1.3
15 S	4 W	WM	12	NE NW		50	17.2
15 S	4 W	WM	12	NW NW		50	1.8
15 S	4 W	WM	12	SW SW		48	11.8
15 S	4 W	WM	12	SE SW		48	0.5
15 S	4 W	WM	12	SE SW		48	0.8
15 S	4 W	WM	13	NW NE		46	2.0
15 S	4 W	WM	13	SW NE		46	33.9
15 S	4 W	WM	13	SE NE		46	5.8
15 S	4 W	WM	13	NE NW		48	6.0
15 S	4 W	WM	13	NE NW		46	2.9
15 S	4 W	WM	13	NW NW		48	26.4
15 S	4 W	WM	13	SW NW		46	14.0
15 S	4 W	WM	13	SW NW		47	2.4
15 S	4 W	WM	13	SE NW		46	20.0
15 S	4 W	WM	13	SE NW		46	15.8
15 S	4 W	WM	13	NE SW		46	33.6
15 S	4 W	WM	13	NE SW		46	4.0
15 S	4 W	WM	13	NW SW		46	5.7
15 S	4 W	WM	13	NE SE		46	28.0
15 S	4 W	WM	13	NW SE		46	39.2
15 S	4 W	WM	13	SE SE	5		3.4
15 S	4 W	WM	24	NE NE			18.6
15 S	4 W	WM	24	NW NE			2.8
15 S	4 W	WM	24	SW NE			1.8
15 S	4 W	WM	24	SE NE			37.9
15 S	4 W	WM	24	NE SE			7.0
15 S	4 W	WM	24	NE SE			13.5
15 S	4 W	WM	24	NW SE			0.9
15 S	4 W	WM	35	SW NE			4.2
15 S	4 W	WM	35	NE NW			7.0
15 S	4 W	WM	35	SE NW			6.2
16 S	3 W	WM	4	NW NE	7		6.2
16 S	3 W	WM	4	NE NW			29.0
16 S	3 W	WM	4	NW NW			11.2
16 S	3 W	WM	4	SW NW			7.0
16 S	3 W	WM	4	SE NW			12.4
16 S	3 W	WM	4	NE SW			6.2
16 S	3 W	WM	4	NW SW			40.0
16 S	3 W	WM	4	SW SW	1		10.0
16 S	3 W	WM	4	SE SW	2		1.5

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
16 S	3 W	WM	5	NE NE			37.0
16 S	3 W	WM	5	NW NE			22.4
16 S	3 W	WM	5	SW NE			5.3
16 S	3 W	WM	5	SE NE			9.8
16 S	3 W	WM	5	NE NW			0.2
16 S	3 W	WM	5	SE NW			37.7
16 S	3 W	WM	5	NE SW			27.0
16 S	3 W	WM	5	NW SW			7.2
16 S	3 W	WM	5	SW SW			39.8
16 S	3 W	WM	5	SE SW			19.2
16 S	3 W	WM	5	NE SE			20.0
16 S	3 W	WM	5	NW SE			5.0
16 S	3 W	WM	5	SE SE	1		9.0
16 S	3 W	WM	6	NE SE			15.9
16 S	3 W	WM	6	SE SE			21.8
16 S	3 W	WM	8	NW NE			10.0
16 S	3 W	WM	8	SW NE			10.0
16 S	3 W	WM	8	NE NW			16.0
16 S	3 W	WM	8	SE NW			17.6
16 S	3 W	WM	8	SE SE		50	0.2
16 S	3 W	WM	9	SW SW		50	8.0
16 S	3 W	WM	9	SE SW		50	0.5
16 S	3 W	WM	16	NE NW		50	0.6
16 S	3 W	WM	16	NE NW		53	3.6
16 S	3 W	WM	16	NW NW		53	22.8
16 S	3 W	WM	16	NW NW		50	9.0
16 S	3 W	WM	16	SW NW		53	9.6
16 S	3 W	WM	16	SE SW		53	3.2
16 S	3 W	WM	17	NE NE	1		1.6
16 S	3 W	WM	17	NE NE		53	1.6
16 S	3 W	WM	17	NW NE		53	7.3
16 S	3 W	WM	17	NW NE	2		10.1
16 S	3 W	WM	17	SW NE		53	15.0
16 S	3 W	WM	17	SE NE		53	0.9
16 S	3 W	WM	17	SE NW		53	0.8
16 S	3 W	WM	17	NE SW		53	7.0
16 S	3 W	WM	17	SE SW		53	3.6
16 S	3 W	WM	17	NE SE		53	1.2
16 S	3 W	WM	17	NW SE		53	37.8
16 S	3 W	WM	17	SW SE		53	17.7
16 S	3 W	WM	17	SE SE		53	0.4
16 S	3 W	WM	20	SE NE			30.5
16 S	3 W	WM	20	SW NW		56	13.5
16 S	3 W	WM	20	NE SW		56	24.4
16 S	3 W	WM	20	NW SW		56	26.0
16 S	3 W	WM	20	SW SW		56	6.5
16 S	3 W	WM	20	SE SW		56	35.9
16 S	3 W	WM	20	NE SE		41	10.9
16 S	3 W	WM	20	NE SE		56	1.9
16 S	3 W	WM	20	NW SE		56	12.4
16 S	3 W	WM	20	NW SE		56	20.8

IRRIGATION

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
16 S	3 W	WM	20	SW SE		56	34.8
16 S	3 W	WM	20	SW SE		56	0.5
16 S	3 W	WM	20	SE SE		56	0.2
16 S	3 W	WM	21	NE NE		40	2.9
16 S	3 W	WM	21	NW NE		40	9.6
16 S	3 W	WM	21	NW NE		52	2.5
16 S	3 W	WM	21	SW NE		40	35.1
16 S	3 W	WM	21	SE NE		40	26.2
16 S	3 W	WM	21	SW NW		41	39.2
16 S	3 W	WM	21	SE NW		41	13.2
16 S	3 W	WM	21	SE NW		40	9.6
16 S	3 W	WM	21	NE SW		40	0.3
16 S	3 W	WM	21	NE SW	4		1.2
16 S	3 W	WM	21	NE SW		41	1.9
16 S	3 W	WM	21	NW SW		41	11.0
16 S	3 W	WM	21	NE SE		40	0.2
16 S	3 W	WM	21	NE SE		63	0.4
16 S	3 W	WM	21	NW SE		42	1.4
16 S	3 W	WM	21	NW SE	3		5.6
16 S	3 W	WM	21	NW SE		63	2.9
16 S	3 W	WM	21	NW SE		40	3.2
16 S	3 W	WM	21	SW SE		42	11.1
16 S	3 W	WM	21	SW SE		63	9.7
16 S	3 W	WM	21	SE SE		63	0.6
16 S	3 W	WM	22	SW NW		40	16.0
16 S	3 W	WM	22	NW SW		40	1.8
16 S	3 W	WM	28	SW NW		42	15.0
16 S	3 W	WM	28	NE SW		61	24.3
16 S	3 W	WM	28	NW SW		42	7.7
16 S	3 W	WM	28	SE SW		61	30.0
16 S	3 W	WM	28	NW SE		61	12.0
16 S	3 W	WM	28	SW SE		61	24.0
16 S	3 W	WM	29	NE NE		58	1.5
16 S	3 W	WM	29	NW NE		56	7.8
16 S	3 W	WM	29	NW NE		43	3.1
16 S	3 W	WM	29	NW NE		58	23.4
16 S	3 W	WM	29	SW NE		43	2.0
16 S	3 W	WM	29	SW NE		58	6.8
16 S	3 W	WM	29	SE NE		42	0.5
16 S	3 W	WM	29	NE NW		56	0.2
16 S	3 W	WM	29	NE NW		43	14.0
16 S	3 W	WM	29	SE NW		43	22.8
16 S	3 W	WM	29	NE SW		43	21.5
16 S	3 W	WM	29	SE SW		43	6.0
16 S	3 W	WM	29	NW SE		58	2.0
16 S	3 W	WM	29	NW SE		43	0.2
16 S	3 W	WM	30	SW NE			11.5
16 S	3 W	WM	30	SE NE			20.0
16 S	3 W	WM	33	NW NE		61	8.4
16 S	3 W	WM	33	SE NE		62	0.4
16 S	3 W	WM	33	SE NE		37	4.0

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
16 S	3 W	WM	33	NE NW		61	7.8
16 S	3 W	WM	33	NE SW		60	18.0
16 S	3 W	WM	33	NW SW		60	0.1
16 S	3 W	WM	33	SE SW		45	8.0
16 S	3 W	WM	33	SE SW		60	12.7
16 S	3 W	WM	33	NE SE		37	2.4
16 S	3 W	WM	33	NW SE		60	4.8
16 S	3 W	WM	33	SW SE		60	2.5
16 S	3 W	WM	33	SW SE		45	12.7
16 S	3 W	WM	34	SW NW		62	1.1
16 S	3 W	WM	34	SW NW		37	9.7
16 S	3 W	WM	34	NW SW		37	10.2
16 S	4 W	WM	11	NE NE		53	0.3
16 S	4 W	WM	11	SE NE		53	4.0
16 S	4 W	WM	11	NE NW		52	2.8
16 S	4 W	WM	11	NW NW		52	2.6
16 S	4 W	WM	12	NW NW		53	4.1
16 S	4 W	WM	12	SW NW		53	0.2
16 S	4 W	WM	12	NE SW		54	14.9
16 S	4 W	WM	12	NW SW		54	0.3
16 S	4 W	WM	12	SE SW		54	4.2
16 S	4 W	WM	13	SW NE			9.3
16 S	4 W	WM	13	SE NE			1.1
17 S	3 W	WM	4	NE NE		38	2.8
17 S	3 W	WM	4	NW NE		38	24.9
17 S	3 W	WM	4	SW NE		38	33.0
17 S	3 W	WM	4	SE NE		38	15.6
17 S	3 W	WM	4	NE NW		38	0.1
17 S	3 W	WM	4	SE NW		38	0.1
17 S	3 W	WM	4	NE SE		38	4.8
17 S	3 W	WM	4	NW SE		38	3.6

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
15 S	4 W	WM	13	SE SE	5		7.8
15 S	4 W	WM	26	SW SW			11.6
15 S	4 W	WM	26	SE SW			13.2
15 S	4 W	WM	35	NW NE			1.3
15 S	4 W	WM	35	SW NE			5.4
15 S	4 W	WM	35	NE NW			16.3
15 S	4 W	WM	35	SE NW			8.2
16 S	4 W	WM	1	SW SW		56	2.2
16 S	4 W	WM	2	SW NE		52	13.5
16 S	4 W	WM	2	SE NE		52	1.5
16 S	4 W	WM	2	SE SE		56	10.4
16 S	4 W	WM	11	NE NE		56	8.4
16 S	4 W	WM	11	NE NE		56	18.1
16 S	4 W	WM	11	NW NE		53	12.2
16 S	4 W	WM	11	SW NE		53	8.4
16 S	4 W	WM	11	SE NE		53	13.8

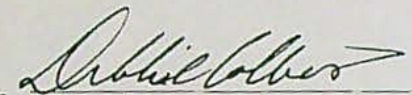
SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
16 S	4 W	WM	12	NW NW		56	0.2
16 S	4 W	WM	12	NW NW		56	0.5
16 S	4 W	WM	12	SW NW		53	7.8
16 S	4 W	WM	12	NE SW		53	1.3
16 S	4 W	WM	12	NW SW		54	26.3

This certificate describes that portion of the water right confirmed by Certificate 76691, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered NOV 06 2008 approving Transfer Application T-10140.

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

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

WITNESS the signature of the Water Resources Director, affixed NOV 06 2008.


 Pz Phillip C. Ward, Director

Completion Checklist for Claims of Beneficial Use

Application # _____
Date Received 4/9/2013
CWRE Name Walter T. Simmes
File Marked W26
Oversized Map # _____
Reviewer CJ

Transfer # T-10458
Claim Logged yes

Map Review:

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

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)
- _____ Description of conveyances system (from POD to POU) (OAR 690-014-0100)
- _____ Source(s) of water (OAR 690-014-0100)
- _____ Place of use location (OAR 690-014-0100)
- _____ Type of use (OAR 690-014-0100)
- _____ Extent of use (OAR 690-014-0100)
- _____ Rate and Duty (OAR 690-014-0100)
- _____ Diversion rate for each use (OAR 690-014-0100)
- _____ Diversion works description (pump make, serial model, capacity, and 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

S:\groups\wr\certs\Resource Center\Forms_Checklists_Mailing Instructions\COBU Checklist 11-20-2012.rtf

Certificate Issuance Processing Checklist

- _____ Map and COBU reviewed
- _____ Conflict check Any Conflicts? _____
- _____ Check for ownership

Check Area of Interest YES NO

Identified Party _____

Staff Recommendations:

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

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

_____ 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

Transfer T-10458

This claim of beneficial use is for transfer T-10458 in the name of Muddy Creeks Irrigation Project. The transfer involved two different landowners and three points of diversion. This claim is divided into 3 sections (A-C) although only 1 sheet is required for the mapping.

**SECTION 1
GENERAL INFORMATION**

1. File Information

APPLICATION # (G, R, S or T) S-49527	PERMIT # (IF APPLICABLE) S-37877	PERMIT AMENDMENT # (IF APPLICABLE)
--	--	------------------------------------

2. Property Owners (current owner information)

APPLICANT/BUSINESS NAME Malpass Land Co.		PHONE NO. 541-995-6332	ADDITIONAL CONTACT NO.
ADDRESS P.O. Box 225			
CITY Harrisburg	STATE OR	ZIP 97446	E-MAIL jdewall@uwol.com

APPLICANT/BUSINESS NAME Thomas Dee & Karen L. Malpass		PHONE NO. 541-995-6332	ADDITIONAL CONTACT NO.
ADDRESS P.O. Box 225			
CITY Harrisburg	STATE OR	ZIP 97446	E-MAIL jdewall@uwol.com

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.**

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

PERMIT OR TRANSFER HOLDER OF RECORD Muddy Creeks Irrigation Project		
ADDRESS P.O. 225		
CITY Harrisburg	STATE OR	ZIP 97446

4. Date of Site Inspection:

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

NAME	DATE	ASSOCIATION WITH THE PROJECT
Shown with each section		

6. County:

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

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

OWNER OF RECORD NA

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SECTION 2A

Date of Site Inspection: 9/9/11

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

NAME	DATE	ASSOCIATION WITH THE PROJECT
David Malpass	9/9/11	MCIP President and landowner

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 # 1		

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 #1	McKenzie River	Willamette

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 #1	Irrigation	Mint, annual rye	March 1 to Oct 31	0.68
Total Quantity of Water Used				135.5

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:

The pump station lies on Muddy Creek. The water is pumped by an electrically powered centrifugal pump through portable aluminum mainlines to a variety of hand lines, wheel lines and a hard hose traveler.

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SECTION 2A

SYSTEM DESCRIPTION (B through H)

Are there multiple PODs or POAs?

YES

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):

POD #1

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B. Place of Use

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1. Is the right for municipal use?

NO

If "YES" the table below may be deleted.

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TWP	RNG	MER	SEC	QQ	GLOT	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
15 S	3 W	WM	32	NWSE		64	Irrigation	23.1	
15 S	3 W	WM	32	NENE		64	Irrigation	1.6	
15 S	3 W	WM	32	NENW		64	Irrigation	15.3	
15 S	3 W	WM	32	SEnw		64	Irrigation	14.2	
Total Acres Irrigated								54.2	

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
Cornell	4RB	47743	Centrifugal	6"	4"

3. Motor Information

MANUFACTURER	HORSEPOWER
Marathon	50

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)
50		7'	6'	2.25

5. Provide pump calculations:

$$Q_{\text{pump}} = (50 \text{ HP} * 6.61) / (6 + 7 + (58 * 2.31)) = 2.25 \text{ cfs} = 1010 \text{ gpm}$$

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
8"		Aluminum	Above

9. Lateral or Handline Information

LATERAL OR HANDLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
3"	720'	AL	Above
4" Wheel line	1320'	AL	Above
4" Wheel line	1320'	AL	Above

10. Sprinkler Information

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
3/16"	50 psi avg	7.2	57	57	0.91
3/16" &	43 avg	6.7	33	33	
11/64"		5.6			0.90
1"	58		1	1	0.51
				TOTAL	2.32

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

12. Additional notes or comments related to the system:

Another wheel line and a Hard Hose Traveler were operating on this system but irrigating land not involved in this transfer. They account for 33 ea. 3/16" sprinklers and 1" dia nozzle listed above. The system can be re-configured many ways and the owner has a stock pile of mainline pipe and handlines to supplement the system.

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SECTION 2B

Date of Site Inspection: 9/9/11

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

NAME	DATE	ASSOCIATION WITH THE PROJECT
David Malpass	8/9/11	MCIP President and landowner

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 #2		

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#2	McKenzie River	Willamette

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 #2	Irrigation	Mint	March 1 to Oct 31	0.22
Total Quantity of Water Used				43.75

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:

The pumping station is on Muddys Creek. The centrifugal pump is powered by an electric motor and water is pumped through a portable 8" dia. aluminum mainline into one handlines and two wheel lines. The owner has a stock pile of extra pipe to be able to change the configuration.

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SECTION 2B

Date of Site Inspection: 9/9/11

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

NAME	DATE	ASSOCIATION WITH THE PROJECT
David Malpass	8/9/11	MCIP President and landowner

SYSTEM DESCRIPTION (B through H)

Are there multiple PODs or POAs? YES

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):

POD #2

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B. Place of Use

1. Is the right for municipal use?

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NO

If "YES" the table below may be deleted.

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TWP	RNG	MER	SEC	QQ	GLOT	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
15 S	3 W	WM	30	SENE		64	Irrigation	16.6	
15 S	3 W	WM	30	NESE		64	Irrigation	0.9	
Total Acres Irrigated								17.5	

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
Berkeley	B4JP	797-1955	Centrifugal	6"	4"

3. Motor Information

MANUFACTURER	HORSEPOWER
GE	50

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)
50	70	10'	5'	2.87

5. Provide pump calculations:

$$Q_{\text{pump}} = (50 \text{ HP} * 6.61) / (10 + 5 + (70 * 2.31)) = 2.87 \text{ cfs} = 840 \text{ gpm}$$

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
8"		AL	Above

9. Lateral or Handline Information

LATERAL OR HANDLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
5" Wheel Line	1320'	AL	Above
5" Wheel line	1320'	AL	Above
3" Hand line	1320'	AL	Above

10. Sprinkler Information

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
11/64"	50	6.0	99	99	1.32

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				

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12. Additional notes or comments related to the system:

Not all the sprinklers on a lateral were the same size nozzle.

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SECTION 2C

Date of Site Inspection: 9/16/11

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

NAME	DATE	ASSOCIATION WITH THE PROJECT
David Malpass	9/9/11	MCIP President and landowner

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 #3		

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 #3	McKenzie River	Willamette

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 #3	Irrigation	Wheat	March 1 to Oct 31	0.32
Total Quantity of Water Used				63.25

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:

The POD is on Muddy Creek. The centrifugal pump is powered by a diesel engine mounted on a trailer. The water is pumped into a portable aluminum mainline to a hard hose travelling big gun.

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SECTION 2C

SYSTEM DESCRIPTION (B through H)

Are there multiple PODs or POAs?

YES

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):

POD #3

B. Place of Use

1. Is the right for municipal use?

NO

If "YES" the table below may be deleted.

TWP	RNG	MER	SEC	QQ	GLot	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
15 S	3 W	WM	30	SWNE		64	Irrigation	18.4	
15 S	3 W	WM	30	NWSE		64	Irrigation	6.9	
Total Acres Irrigated								25.3	

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.

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C. Diversion and Delivery System Information

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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.

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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
Cornell	6RB		Centrifugal	10"	6"

3. Motor Information

MANUFACTURER	HORSEPOWER
John Deere 6 cyl diesel	
64 14T F 01	

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)
		4'	0'	Unknown

5. Provide pump calculations:

Provided equations don't work with diesel engines.

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
8"	900'	AL	Above

9. Lateral or Handline Information

LATERAL OR HANDLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
NA			

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10. Sprinkler Information

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
0.976	68	220	1	1	0.49

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:

The diesel was not operating at full speed, the pump could supply at least two travelers. The owner owns several hard hose travelers but only one was being used.

D. Groundwater Source Information (Well and Sump)

1. Is the appropriation from ground water (well or sump)? NO

E. Storage

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

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

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

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.

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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	July 9, 2010		
BEGIN CONSTRUCTION (A)		9/12/2011	Moved in portable pumps where needed, installed portable irrigation equipment
COMPLETE CONSTRUCTION (B)		9/12/2011	
COMPLETE APPLICATION OF WATER (C)	9/25/2011		Last water applied

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

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2. Is there an extension final order(s)? APR 09 2013 NO

4. Initial Water Level Measurements:

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

5. Annual Static Water Level Measurements:

a. Was the water user required to submit annual static water level measurements? NO

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

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

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

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

7. Measurement Conditions:

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

If "NO", items 7b 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? YES

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

b. Have the reports been submitted?

YES

METHOD OF SUBMITTING REPORT (PAPER OR ELECTRONIC)	WATER USER REPORTING ID
Paper	26092

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

9. Fish Screening

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

NO

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

10. By-pass Devices

a. Are any points of diversion required to have a by-pass device to prevent fish from entering the point of diversion?

NO

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

a. Were there special well construction standards?

NO

b. Was submittal of a ground water monitoring plan required?

NO

c. Was the water user required to restore the riparian area if it was disturbed?

NO

d. Was a fishway required?

NO

e. Was submittal of a letter from an engineer required prior to storage of water?

NO

f. Was submittal of a water management and conservation plan required?

NO

g. Other conditions?

NO

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

NA

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**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.")

The water is pumped by Muddy Creeks Irrigation Project from its pumping station on the McKenzie River. Water is distributed through Muddy Creek (on the east side of the Willamette River) and other natural and artificial channels throughout the MCIP. Water is rotated around the project so the flow rate at any particular point of diversion may be greater than 1 cfs per 80 acres as long as the flow rate from the pumping station under the rate allowable by the permit.

POD#2 is not listed under this certificate or on the transfer order but it has electrical service and serves other lands in the Muddy Creek Irrigation Project as well as the land noted in this COBU. The first POD listed in the transfer order (T14S, R4W, W.M., sec. 35 NWNE, 1280 feet south and 2520 feet west from the NE corner of section 35) served the FROM lands.

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**SECTION 5
ATTACHMENTS**

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

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ATTACHMENT NAME	DESCRIPTION
COBU Map	Sheet 1 of 1 final proof survey map

**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 #1	0.68	2.25	2.32	Irrigation	54.2	54.2
POD #2	0.22	2.87	1.32	Irrigation	17.5	17.5
POD #3	0.32	NA	0.49	Irrigation	25.3	25.3

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.

The claim of beneficial use maps were prepared based on USGS quad maps as the underlay with Google Earth high resolution photos, USGS DOQ's and Linn County property maps as needed to find locations of the fields and the irrigated lands.



Map Checklist

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

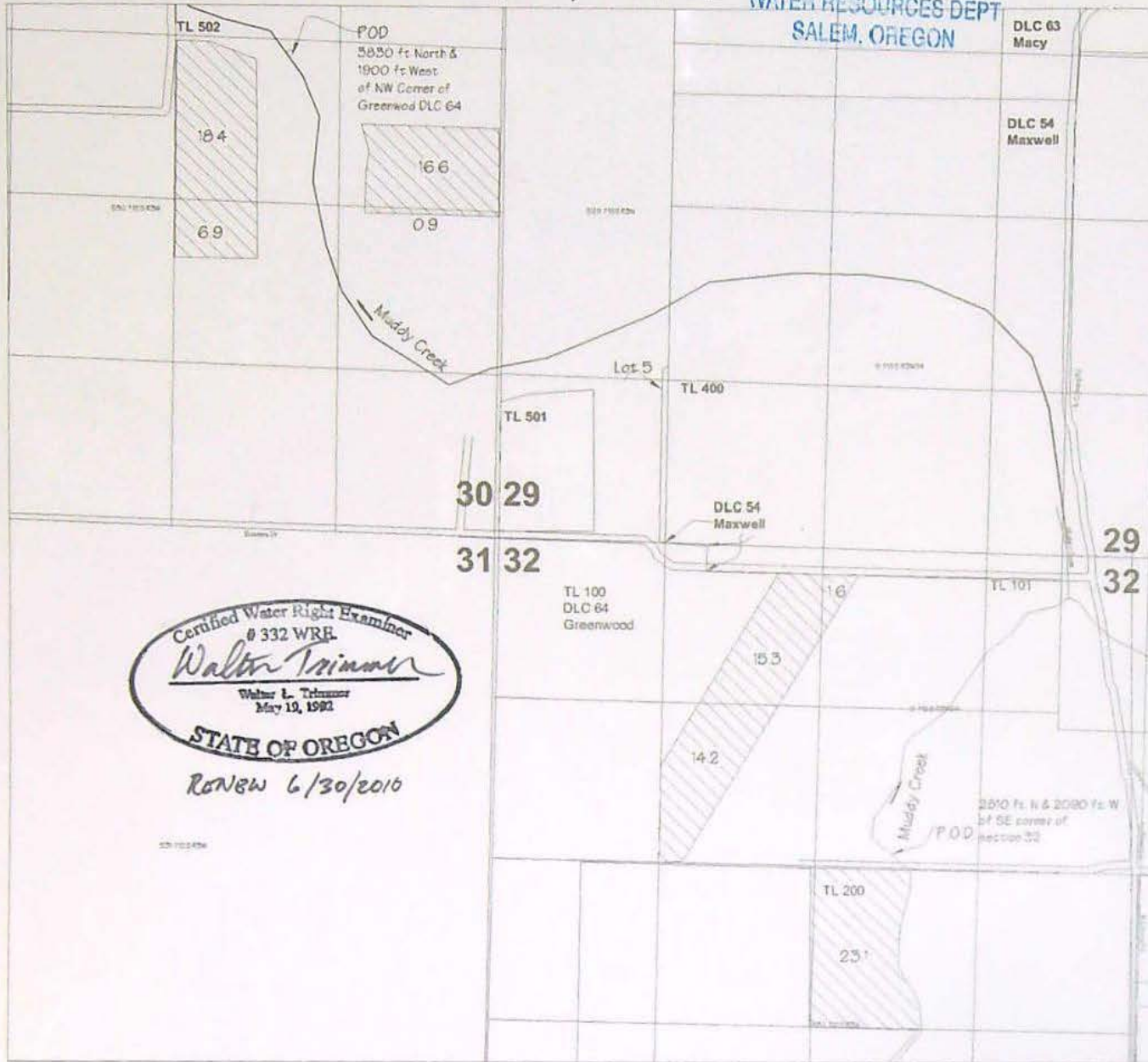
- Map on polyester film
- Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-size scale of the county assessor map)
- Township, Range, Section, Donation Land Claims, and Government Lots
- If irrigation, number of acres irrigated within each projected Donation Land Claims, Government Lots, Quarter-Quarters
- NA Locations of fish screens and/or fish by-pass devices in relationship to point of diversion
- NA 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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T15S R3W, W.M.

WATER RESOURCES DEPT
SALEM, OREGON



Certified Water Right Examiner
332 WRE
Walter Trimmer
Walter L. Trimmer
May 19, 1992
STATE OF OREGON

RENEW 6/30/2016

Transfer T-10458

In the name of

Muddy Creeks Irrigation Project

Transfer To:

Certificate # 76691

In the name of

Muddy Creeks Irrigation Project

Prepared by

Walter L. Trimmer

CWRE #332

Trimmer Engineering Inc.

3924 NW Walunt Place

Corvallis, OR 97330

541-754-2819

Scale 1" = 1320'

August 22, 2007

Layout: Transfer From

File: MuddyCrk.dwg

Based on USGS Coburg Quad

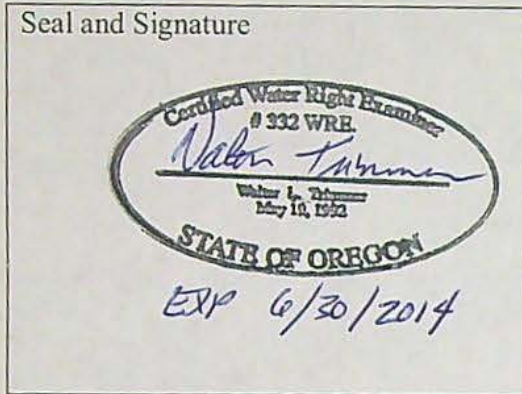
DWG 1 of 2

(revised 8/12/2009 to avoid Certificate
80835 acres, 8/21/09 add POD)

**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.



RECEIVED BY OWRD

APR 09 2013

SALEM, OR

CWRE NAME <i>WALTER TRIMMER</i>		PHONE NO. <i>541-754-2819</i>	ADDITIONAL CONTACT NO.	
ADDRESS <i>3924 NW WALNUT PLACE</i>				
CITY <i>CORVALLIS</i>	STATE <i>OR</i>	ZIP <i>97330</i>	E-MAIL <i>trimmerw@gmail.com</i>	

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
<i>David C. Malgou</i>	<i>Muddy Creeks Irrigation Project</i>	<i>3/22/13</i>



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

July 13, 2010

MUDDY CREEK IRRIGATION PROJECT
PO BOX 225
HARRISBURG OR 97446

REFERENCE: Transfer Application T-10458

Please find enclosed 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 place of use NOT carried out within the time allowed will be lost.

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

You 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 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@wrp.state.or.us.

Sincerely,

Sarah Henderson
Executive Support
Field Services Division

cc: Michael J. Mattick, Watermaster Dist. #2
Walter Trimmer, CWRE/Agent
David and Evelyn R. Malpass

Enclosure



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

In the Matter of Transfer Application) FINAL ORDER APPROVING A
T-10458, Linn County) CHANGE IN PLACE OF USE

Authority

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

MUDDY CREEK IRRIGATION PROJECT
PO BOX 225
HARRISBURG OR 97446

Findings of Fact

Background

1. On September 14, 2007, MUDDY CREEK IRRIGATION PROJECT filed an application to change the place of use under Certificate 84796. The Department assigned the application number T-10458.
2. On August 14, 2009, the applicant submitted a revised map, identifying 97 acres for transfer. A revised Supplemental Form A was also submitted.
3. On August 21, 2009, the applicant submitted a revised map and Supplemental Form A page 3, identifying the appropriate points of diversion.
4. On October 7, 2009, the applicant submitted a revised map and Supplemental Form A with the authorized points of diversion properly described and mapped.

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.

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

Certificate: 84796 in the name of MUDDY CREEKS IRRIGATION PROJECT
(perfected under Permit S-17510)

Use: IRRIGATION OF 97.0 ACRES

Priority Date: FEBRUARY 9, 1939

Rate: 1.21 CUBIC FEET PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

Sources: MUDDY CREEK AND MCKENZIE RIVER, tributaries to the WILLAMETTE RIVER

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
14 S	4 W	WM	35	NW NE		1280 FEET SOUTH AND 2520 FEET WEST FROM THE NE CORNER OF SECTION 35
15 S	3 W	WM	30	SW NE		3830 FEET NORTH AND 1900 FEET WEST FROM THE NW CORNER OF GREENWOOD DLC 64
15 S	3 W	WM	32	SW NE	64	2810 FEET NORTH AND 2090 FEET WEST FROM THE SE CORNER OF SECTION 32

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	4 W	WM	35	NE NW	18.1
14 S	4 W	WM	35	NW NW	33.4
14 S	4 W	WM	35	SW NW	21.4
14 S	4 W	WM	35	SE NW	24.1
TOTAL ACRES					97.0

6. Transfer Application T-10458 proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
15 S	3 W	WM	30	SW NE	18.4
15 S	3 W	WM	30	SE NE	16.6
15 S	3 W	WM	30	NE SE	0.9
15 S	3 W	WM	30	NW SE	6.9
15 S	3 W	WM	32	NW NE	1.6
15 S	3 W	WM	32	NE NW	15.3
15 S	3 W	WM	32	SE NW	14.2
15 S	3 W	WM	32	NW SE	23.1
TOTAL ACRES					97.0

7. Notice of the application for transfer was published on September 25, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
8. On October 15, 2009, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-10458 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of November 20, 2009, for the applicant to respond. The applicant's agent requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
9. On June 7, 2010, the Department issued a Preliminary Determination proposing to approve Transfer Application T-10458 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on June 8, 2010 pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

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

10. 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.
11. 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-10458.
12. The proposed change would not result in enlargement of the right.
13. The proposed change would not result in injury to other water rights.

Conclusions of Law

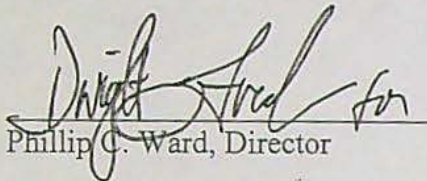
The change in place of use proposed in Transfer Application T-10458 is consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The change in place of use proposed in Transfer Application T-10458 is 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 84796 and any related decree.
3. Water right certificate 84796 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.
4. The former place of use of the transferred right shall no longer receive water under the right.

5. The approved change 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 Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change(s) and full beneficial use of the water.
6. When satisfactory proof of the completed change is received, a new certificate confirming the right transferred will be issued.

Dated at Salem, Oregon this 9 day of July 2010.


Phillip C. Ward, Director

Mailing Date: JUL 13 2010

STATE OF OREGON

COUNTIES OF LANE AND LINN

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MUDDY CREEKS IRRIGATION PROJECT
 P.O. BOX 225
 HARRISBURG, OR 97446

confirms the right to use the waters of MUDDY CREEK, MCKENZIE RIVER, LAKE CREEK, DRY MUDDY CREEK, AND LITTLE MUDDY CREEK, tributaries of the WILLAMETTE RIVER, for IRRIGATION OF 3156.0 ACRES AND SUPPLEMENTAL IRRIGATION OF 188.4 ACRES.

This right was perfected under Permit S-17510. The date of priority is FEBRUARY 9, 1939. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 41.808 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the points of diversion.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Measured Distances
17 S	3 W	WM	9	NE NE		38	MCKENZIE RIVER - 4440 FEET SOUTH AND 5250 FEET EAST FROM THE SE CORNER OF MANSFIELD DLC 79
13 S	4 W	WM	4	NE NW		42	MUDDY CREEK - 670 FEET NORTH AND 2990 FEET WEST FROM THE NE CORNER OF COON DLC 49
13 S	4 W	WM	27	NW SE		55	MUDDY CREEK - 2800 FEET NORTH AND 670 FEET WEST FROM THE SE CORNER OF SMITH DLC 55
13 S	4 W	WM	35	NW SW			MUDDY CREEK - 780 FEET NORTH AND 1120 FEET EAST FROM THE SE CORNER OF ALLINGHAM DLC 54
14 S	4 W	WM	14	NW NE			MUDDY CREEK - 420 FEET SOUTH AND 2460 FEET WEST FROM THE NE CORNER OF SECTION 14
14 S	4 W	WM	26	SW NE			MUDDY CREEK - 3330 FEET NORTH AND 2160 FEET WEST FROM THE SE CORNER OF SECTION 26
14 S	4 W	WM	26	SE NE			MUDDY CREEK - 1510 FEET SOUTH AND 260 FEET WEST FROM THE NE CORNER OF SECTION 26
14 S	4 W	WM	26	SE NE			MUDDY CREEK - 3160 FEET NORTH AND 1110 FEET WEST FROM THE SE CORNER OF SECTION 26
14 S	4 W	WM	26	NE SW			MUDDY CREEK - 2090 FEET NORTH AND 2650 FEET WEST FROM THE SE CORNER OF SECTION 26
14 S	4 W	WM	26	SW SE			MUDDY CREEK - 760 FEET NORTH AND 1320 FEET WEST FROM THE SE CORNER OF SECTION 26

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Measured Distances
14 S	4 W	WM	26	SW SE			MUDDY CREEK - 80 FEET NORTH AND 1490 FEET WEST FROM THE SE CORNER OF SECTION 26
14 S	4 W	WM	35	NW NE			MUDDY CREEK - 1280 FEET SOUTH AND 2520 FEET WEST FROM THE NE CORNER OF SECTION 35
14 S	4 W	WM	36	SW NW			MUDDY CREEK - 2600 FEET SOUTH AND 710 FEET EAST FROM THE NW CORNER OF SECTION 36
15 S	3 W	WM	19	NE SW			MUDDY CREEK - 1580 FEET NORTH AND 1690 FEET EAST FROM THE SW CORNER OF SECTION 19
15 S	3 W	WM	29	NE SE		54	MUDDY CREEK - 2130 FEET SOUTH AND 520 FEET WEST FROM THE NW CORNER OF SNODGRASS DLC 62
15 S	3 W	WM	30	SW NE			MUDDY CREEK - 3830 FEET NORTH AND 1900 FEET WEST FROM THE NW CORNER OF GREENWOOD DLC 64
15 S	3 W	WM	32	SW NE		64	MUDDY CREEK - 2810 FEET NORTH AND 2090 FEET WEST FROM THE SE CORNER OF SECTION 32
15 S	4 W	WM	1	SW NW		50	MUDDY CREEK - 620 FEET NORTH AND 2030 FEET WEST FROM THE NE CORNER OF MCDANIEL DLC 50
15 S	4 W	WM	1	SW SW		50	MUDDY CREEK - 860 FEET NORTH AND 2950 FEET WEST FROM THE NE CORNER OF MCDANIEL DLC 50
15 S	4 W	WM	1	SW SW		50	MUDDY CREEK - 1310 FEET NORTH AND 2850 FEET WEST FROM THE NE CORNER OF MCDANIEL DLC 50
15 S	4 W	WM	1	SE SW		50	MUDDY CREEK - 1900 FEET SOUTH AND 680 FEET WEST FROM THE NE CORNER OF MCDANIEL DLG 50
15 S	4 W	WM	2	SE NE			MUDDY CREEK - 1670 FEET SOUTH AND 1680 FEET EAST FROM THE NW CORNER OF MCDANIEL DLC 50
15 S	4 W	WM	12	SE SW		48	MUDDY CREEK - 860 FEET SOUTH AND 2180 FEET EAST FROM THE NW CORNER OF FOUNTAIN DLC 48
15 S	4 W	WM	13	SE NE		46	MUDDY CREEK - 1910 FEET NORTH AND 2590 FEET EAST FROM THE NE CORNER OF ROACH DLC 52
15 S	4 W	WM	13	SE SE	5		MUDDY CREEK - 1090 FEET NORTH AND 250 FEET WEST FROM THE SE CORNER OF SECTION 13
15 S	4 W	WM	24	SW NE			MUDDY CREEK - 1880 FEET SOUTH AND 1530 FEET WEST FROM THE NE CORNER OF SECTION 24
16 S	3 W	WM	5	NW NE			MUDDY CREEK - 910 FEET SOUTH AND 1940 FEET WEST FROM THE NE CORNER OF SECTION 5

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Measured Distances
16 S	3 W	WM	5	NE SW			MUDDY CREEK - 2110 FEET NORTH AND 2620 FEET EAST FROM THE SW CORNER OF SECTION 5
16 S	3 W	WM	5	SW SE			MUDDY CREEK - 3500 FEET EAST FROM THE SW CORNER OF SECTION 5
16 S	3 W	WM	16	NW SW		53	MUDDY CREEK - 960 FEET SOUTH AND 710 FEET WEST FROM THE NW CORNER OF WILKINS DLC 52
16 S	3 W	WM	21	SW NW		41	MUDDY CREEK - 4190 FEET NORTH AND 2190 FEET EAST FROM THE NE CORNER OF BROWN DLC 58
16 S	3 W	WM	21	SE SW	5		MUDDY CREEK - 3900 FEET SOUTH AND 550 FEET EAST FROM THE NE CORNER OF DAVIS DLC 41
16 S	3 W	WM	34	NW SW		37	MUDDY CREEK - 2800 FEET SOUTH AND 1940 FEET EAST FROM THE SE CORNER OF VAN DUYN DL 61
14 S	4 W	WM	5	SE NE		41	LAKE CREEK - 260 FEET SOUTH AND 860 FEET EAST FROM THE NW CORNER OF THE SE 1/4 NE 1/4 OF SECTION 5
14 S	4 W	WM	17	SE NE		42	LAKE CREEK - 1350 FEET SOUTH AND 20 FEET WEST FROM THE NE CORNER OF SECTION 17
15 S	4 W	WM	24	NW SE			DRY MUDDY CREEK - 1460 FEET NORTH AND 1410 FEET WEST FROM THE SE CORNER OF SECTION 24
16 S	3 W	WM	6	SE NW			DRY MUDDY CREEK - 1740 FEET SOUTH AND 2150 FEET EAST FROM THE NW CORNER OF SECTION 6
14 S	3 W	WM	30	NE SE			LITTLE MUDDY CREEK - 2570 FEET NORTH AND 1060 FEET WEST FROM THE SE CORNER OF SECTION 30
14 S	4 W	WM	14	SE SE			LITTLE MUDDY CREEK - 1770 FEET SOUTH AND 300 FEET WEST FROM THE E 1/4 CORNER OF SECTION 14
14 S	4 W	WM	24	SE SE			LITTLE MUDDY CREEK - 500 FEET NORTH AND 670 FEET WEST FROM THE SE CORNER OF SECTION 24

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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

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

IRRIGATION							
MCKENZIE RIVER AND MUDDY CREEK							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
12 S	4 W	WM	33	SE SW		42	1.7
12 S	4 W	WM	33	SW SE		42	4.0
13 S	4 W	WM	4	NW NE		66	5.7
13 S	4 W	WM	4	NE NW		66	10.0
13 S	4 W	WM	27	NE SW		55	8.0
13 S	4 W	WM	27	SE SW		55	24.4
13 S	4 W	WM	27	NW SE		55	2.0
13 S	4 W	WM	27	NW SE		72	0.1
13 S	4 W	WM	27	SW SE	1		1.1
13 S	4 W	WM	27	SW SE		55	25.4
13 S	4 W	WM	27	SW SE		72	2.4
13 S	4 W	WM	34	NW NE	1		1.2
13 S	4 W	WM	34	NW NE		55	10.6
13 S	4 W	WM	34	NE NW		55	3.6
13 S	4 W	WM	35	SW NW		73	2.0
13 S	4 W	WM	35	SW NW	1		7.5
13 S	4 W	WM	35	NW SW			28.4
14 S	3 W	WM	30	SW SW			4.1
14 S	3 W	WM	30	SW SE			1.8
14 S	3 W	WM	30	SE SE			2.2
14 S	4 W	WM	14	NW NE			7.5
14 S	4 W	WM	25	SE SE			10.6
14 S	4 W	WM	26	NE NE			8.3
14 S	4 W	WM	26	NW NE			17.4
14 S	4 W	WM	26	SW NE			30.4
14 S	4 W	WM	26	SE NE			12.0
14 S	4 W	WM	26	NE NW			22.4
14 S	4 W	WM	26	SE NW			24.5
14 S	4 W	WM	26	NE SW			17.7
14 S	4 W	WM	26	SE SW			4.6
14 S	4 W	WM	26	NE SE			16.3
14 S	4 W	WM	26	NW SE			31.1
14 S	4 W	WM	26	SW SE			24.8
14 S	4 W	WM	26	SE SE			32.4
14 S	4 W	WM	35	NW NE			14.8
14 S	4 W	WM	35	NE NW			19.3
14 S	4 W	WM	36	SW NW			6.0
14 S	4 W	WM	36	NE SE			4.8
15 S	3 W	WM	5	NW NW			2.0
15 S	3 W	WM	5	SW NW			13.4
15 S	3 W	WM	8	SW NW			6.6
15 S	3 W	WM	8	SE NW			7.8

IRRIGATION

MCKENZIE RIVER AND MUDDY CREEK

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
15 S	3 W	WM	18	SW SW	4		12.6
15 S	3 W	WM	19	SE NW			21.6
15 S	3 W	WM	19	NE SW			32.2
15 S	3 W	WM	19	NW SW			37.2
15 S	3 W	WM	19	SW SW			40.0
15 S	3 W	WM	19	SE SW			32.8
15 S	3 W	WM	29	SW NE		54	5.0
15 S	3 W	WM	29	SE NE		54	9.5
15 S	3 W	WM	29	NE SW		54	2.8
15 S	3 W	WM	29	NE SE		54	10.5
15 S	3 W	WM	29	NW SE		54	13.6
15 S	3 W	WM	30	NE SE			24.2
15 S	3 W	WM	32	SW NE		64	8.4
15 S	3 W	WM	32	SE NE		64	14.8
15 S	4 W	WM	1	NW NW			26.2
15 S	4 W	WM	1	SW NW			20.0
15 S	4 W	WM	1	SE NW			19.8
15 S	4 W	WM	1	SW SW		50	5.0
15 S	4 W	WM	1	SE SW		50	36.0
15 S	4 W	WM	2	NE NE			13.2
15 S	4 W	WM	2	SE NE			2.8
15 S	4 W	WM	2	SE SE		50	0.1
15 S	4 W	WM	12	NE NW		50	17.2
15 S	4 W	WM	12	NW NW		50	1.8
15 S	4 W	WM	12	SE SW		48	0.5
15 S	4 W	WM	13	NW NE		46	2.0
15 S	4 W	WM	13	SW NE		46	33.9
15 S	4 W	WM	13	SE NE		46	5.8
15 S	4 W	WM	13	NE NW		46	2.9
15 S	4 W	WM	13	SE NW		46	15.8
15 S	4 W	WM	13	NE SW		46	4.0
15 S	4 W	WM	13	NE SE		46	28.0
15 S	4 W	WM	13	NW SE		46	39.2
15 S	4 W	WM	13	SE SE	5		3.4
15 S	4 W	WM	24	NE NE			18.6
15 S	4 W	WM	24	NW NE			2.8
15 S	4 W	WM	24	SW NE			1.8
15 S	4 W	WM	24	SE NE			37.9
15 S	4 W	WM	24	NE SE			7.0
16 S	3 W	WM	4	NW NE	7		6.2
16 S	3 W	WM	4	NE NW			29.0
16 S	3 W	WM	4	NW NW			11.2
16 S	3 W	WM	4	SW NW			7.0

IRRIGATION							
MCKENZIE RIVER AND MUDDY CREEK							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
16 S	3 W	WM	4	SE NW			12.4
16 S	3 W	WM	4	NE SW			6.2
16 S	3 W	WM	4	NW SW			40.0
16 S	3 W	WM	4	SW SW	1		10.0
16 S	3 W	WM	4	SE SW	2		1.5
16 S	3 W	WM	5	NE NE			37.0
16 S	3 W	WM	5	NW NE			22.4
16 S	3 W	WM	5	SW NE			5.3
16 S	3 W	WM	5	SE NE			9.8
16 S	3 W	WM	5	NE NW			0.2
16 S	3 W	WM	5	SE NW			37.7
16 S	3 W	WM	5	NE SW			27.0
16 S	3 W	WM	5	NW SW			7.2
16 S	3 W	WM	5	SW SW			39.8
16 S	3 W	WM	5	SE SW			19.2
16 S	3 W	WM	5	NE SE			20.0
16 S	3 W	WM	5	NW SE			5.0
16 S	3 W	WM	5	SE SE	1		9.0
16 S	3 W	WM	6	NE SE			15.9
16 S	3 W	WM	6	SE SE			21.8
16 S	3 W	WM	8	NW NE			10.0
16 S	3 W	WM	8	SW NE			10.0
16 S	3 W	WM	8	NE NW			16.0
16 S	3 W	WM	8	SE NW			17.6
16 S	3 W	WM	8	SE SE		50	0.2
16 S	3 W	WM	9	SW SW		50	8.0
16 S	3 W	WM	9	SE SW		50	0.5
16 S	3 W	WM	16	NE NW		50	0.6
16 S	3 W	WM	16	NE NW		53	3.6
16 S	3 W	WM	16	NW NW		53	22.8
16 S	3 W	WM	16	NW NW		50	9.0
16 S	3 W	WM	16	SW NW		53	9.6
16 S	3 W	WM	16	SE SW		53	3.2
16 S	3 W	WM	17	NE NE	1		1.6
16 S	3 W	WM	17	NE NE		53	1.6
16 S	3 W	WM	17	NW NE		53	7.3
16 S	3 W	WM	17	NW NE	2		10.1
16 S	3 W	WM	17	SW NE		53	15.0
16 S	3 W	WM	17	SE NE		53	0.9
16 S	3 W	WM	17	SE NW		53	0.8
16 S	3 W	WM	17	NE SW		53	7.0
16 S	3 W	WM	17	SE SW		53	3.6
16 S	3 W	WM	17	NE SE		53	1.2

IRRIGATION

MCKENZIE RIVER AND MUDDY CREEK

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
16 S	3 W	WM	17	NW SE		53	37.8
16 S	3 W	WM	17	SW SE		53	17.7
16 S	3 W	WM	17	SE SE		53	0.4
16 S	3 W	WM	20	SE NE			30.5
16 S	3 W	WM	20	NE SE		41	10.9
16 S	3 W	WM	20	NE SE		56	1.9
16 S	3 W	WM	20	NW SE		56	20.8
16 S	3 W	WM	20	SW SE		56	0.5
16 S	3 W	WM	21	NE NE		40	2.9
16 S	3 W	WM	21	NW NE		40	9.6
16 S	3 W	WM	21	NW NE		52	2.5
16 S	3 W	WM	21	SW NE		40	35.1
16 S	3 W	WM	21	SE NE		40	26.2
16 S	3 W	WM	21	SW NW		41	39.2
16 S	3 W	WM	21	SE NW		41	13.2
16 S	3 W	WM	21	SE NW		40	9.6
16 S	3 W	WM	21	NE SW		40	0.3
16 S	3 W	WM	21	NE SW	4		1.2
16 S	3 W	WM	21	NE SW		41	1.9
16 S	3 W	WM	21	NW SW		41	11.0
16 S	3 W	WM	21	NE SE		40	0.2
16 S	3 W	WM	21	NE SE		63	0.4
16 S	3 W	WM	21	NW SE		40	3.2
16 S	3 W	WM	21	NW SE	3		5.6
16 S	3 W	WM	21	NW SE		42	1.4
16 S	3 W	WM	21	NW SE		63	2.9
16 S	3 W	WM	21	SW SE		42	11.1
16 S	3 W	WM	21	SW SE		63	9.7
16 S	3 W	WM	21	SE SE		63	0.6
16 S	3 W	WM	22	SW NW		40	16.0
16 S	3 W	WM	22	NW SW		40	1.8
16 S	3 W	WM	33	SE NE		62	0.4
16 S	3 W	WM	33	SE NE		37	4.0
16 S	3 W	WM	33	NE SE		37	2.4
16 S	3 W	WM	34	SW NW		62	1.1
16 S	3 W	WM	34	SW NW		37	9.7
16 S	3 W	WM	34	NW SW		37	10.2

IRRIGATION							
MCKENZIE RIVER AND LITTLE MUDDY CREEK							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
14 S	3 W	WM	30	NE SE			9.7
14 S	3 W	WM	30	SE SE			0.1
14 S	4 W	WM	14	NE SE			2.3
14 S	4 W	WM	14	SE SE			8.9
14 S	4 W	WM	24	NE SE			24.1
14 S	4 W	WM	24	NW SE			4.0
14 S	4 W	WM	24	SW SE			5.6
14 S	4 W	WM	24	SE SE			22.8
14 S	4 W	WM	25	NE NE			2.0

IRRIGATION							
MCKENZIE RIVER AND LAKE CREEK							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
13 S	4 W	WM	32	NE NW		38	2.8
13 S	4 W	WM	32	NW NW		38	4.4
13 S	4 W	WM	32	SW NW		38	7.5
13 S	4 W	WM	32	SE NW		38	17.4
13 S	4 W	WM	32	NE SW		38	7.0
13 S	4 W	WM	32	NW SW		38	0.9
14 S	4 W	WM	4	NW NW		41	1.3
14 S	4 W	WM	4	SW NW		41	2.6
14 S	4 W	WM	5	NE NE		41	3.8
14 S	4 W	WM	5	SE NE		41	4.2
14 S	4 W	WM	16	SW NW		42	16.5
14 S	4 W	WM	17	NE NE		42	7.4
14 S	4 W	WM	17	SE NE		42	12.5

IRRIGATION							
MCKENZIE RIVER AND DRY MUDDY CREEK							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
14 S	4 W	WM	9	NE NE			7.8
14 S	4 W	WM	9	NW NE	1		8.1
14 S	4 W	WM	9	NW NE		45	17.0
14 S	4 W	WM	9	SW NE		45	22.6
14 S	4 W	WM	9	SW NE	2		10.4
14 S	4 W	WM	9	SE NE	3		10.1
14 S	4 W	WM	9	NE NW		45	15.0
14 S	4 W	WM	9	SE NW		45	10.1
14 S	4 W	WM	9	NW SE		51	0.4
14 S	4 W	WM	9	SW SE		51	7.0
14 S	4 W	WM	21	NE NE			1.0
14 S	4 W	WM	21	NW NE			9.2
14 S	4 W	WM	21	SE NE			0.2
14 S	4 W	WM	34	NE NW			1.8
14 S	4 W	WM	34	NW NW			25.0
14 S	4 W	WM	34	SW NW			31.0
14 S	4 W	WM	34	SE NW			11.6
15 S	4 W	WM	10	SE NE	2		6.8
15 S	4 W	WM	10	NE SE	3		1.1

IRRIGATION							
MCKENZIE RIVER AND DRY MUDDY CREEK							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
15 S	4 W	WM	11	NW NE		47	3.0
15 S	4 W	WM	11	SW NE		47	2.2
15 S	4 W	WM	11	SW NW	1		12.6
15 S	4 W	WM	11	NW SW	2		1.3
15 S	4 W	WM	12	SW SW		48	11.8
15 S	4 W	WM	12	SE SW		48	0.8
15 S	4 W	WM	13	NE NW		48	6.0
15 S	4 W	WM	13	NW NW		48	26.4
15 S	4 W	WM	13	SW NW		47	2.4
15 S	4 W	WM	13	SW NW		46	14.0
15 S	4 W	WM	13	SE NW		46	20.0
15 S	4 W	WM	13	NE SW		46	33.6
15 S	4 W	WM	13	NW SW		46	5.7
15 S	4 W	WM	24	NE SE			13.5
15 S	4 W	WM	24	NW SE			0.9

IRRIGATION							
MCKENZIE RIVER							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
15 S	4 W	WM	35	SW NE			4.2
15 S	4 W	WM	35	NE NW			7.0
15 S	4 W	WM	35	SE NW			6.2
16 S	3 W	WM	20	SW NW		56	13.5
16 S	3 W	WM	20	NE SW		56	24.4
16 S	3 W	WM	20	NW SW		56	26.0
16 S	3 W	WM	20	SW SW		56	6.5
16 S	3 W	WM	20	SE SW		56	35.9
16 S	3 W	WM	20	NW SE		56	12.4
16 S	3 W	WM	20	SW SE		56	34.8
16 S	3 W	WM	20	SE SE		56	0.2
16 S	3 W	WM	28	SW NW		42	15.0
16 S	3 W	WM	28	NE SW		61	24.3
16 S	3 W	WM	28	NW SW		42	7.7
16 S	3 W	WM	28	SE SW		61	30.0
16 S	3 W	WM	28	NW SE		61	12.0
16 S	3 W	WM	28	SW SE		61	24.0
16 S	3 W	WM	29	NE NE		58	1.5
16 S	3 W	WM	29	NW NE		58	23.4
16 S	3 W	WM	29	NW NE		56	7.8
16 S	3 W	WM	29	NW NE		43	3.1
16 S	3 W	WM	29	SW NE		43	2.0
16 S	3 W	WM	29	SW NE		58	6.8
16 S	3 W	WM	29	SE NE		42	0.5
16 S	3 W	WM	29	NE NW		56	0.2
16 S	3 W	WM	29	NE NW		43	14.0
16 S	3 W	WM	29	SE NW		43	22.8
16 S	3 W	WM	29	NE SW		43	21.5
16 S	3 W	WM	29	SE SW		43	6.0
16 S	3 W	WM	29	NW SE		43	0.2

IRRIGATION							
MCKENZIE RIVER							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
16 S	3 W	WM	29	NW SE		58	2.0
16 S	3 W	WM	30	SW NE			11.5
16 S	3 W	WM	30	SE NE			20.0
16 S	3 W	WM	33	NW NE		61	8.4
16 S	3 W	WM	33	NE NW		61	7.8
16 S	3 W	WM	33	NE SW		60	18.0
16 S	3 W	WM	33	NW SW		60	0.1
16 S	3 W	WM	33	SE SW		60	12.7
16 S	3 W	WM	33	SE SW		45	8.0
16 S	3 W	WM	33	NW SE		60	4.8
16 S	3 W	WM	33	SW SE		60	2.5
16 S	3 W	WM	33	SW SE		45	12.7
16 S	4 W	WM	11	NE NE		53	0.3
16 S	4 W	WM	11	SE NE		53	4.0
16 S	4 W	WM	11	NE NW		52	2.8
16 S	4 W	WM	11	NW NW		52	2.6
16 S	4 W	WM	12	NW NW		53	4.1
16 S	4 W	WM	12	SW NW		53	0.2
16 S	4 W	WM	12	NE SW		54	14.9
16 S	4 W	WM	12	NW SW		54	0.3
16 S	4 W	WM	12	SE SW		54	4.2
16 S	4 W	WM	13	SW NE			9.3
16 S	4 W	WM	13	SE NE			1.1
17 S	3 W	WM	4	NE NE		38	2.8
17 S	3 W	WM	4	NW NE		38	24.9
17 S	3 W	WM	4	SW NE		38	33.0
17 S	3 W	WM	4	SE NE		38	15.6
17 S	3 W	WM	4	NE NW		38	0.1
17 S	3 W	WM	4	SE NW		38	0.1
17 S	3 W	WM	4	NE SE		38	4.8
17 S	3 W	WM	4	NW SE		38	3.6

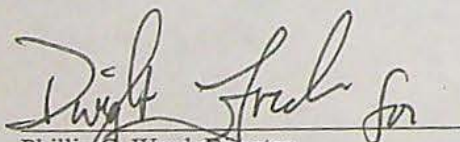
SUPPLEMENTAL IRRIGATION							
MCKENZIE RIVER							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
15 S	4 W	WM	13	SE SE	5		7.8
15 S	4 W	WM	26	SW SW			11.6
15 S	4 W	WM	26	SE SW			13.2
15 S	4 W	WM	35	NW NE			1.3
15 S	4 W	WM	35	SW NE			5.4
15 S	4 W	WM	35	NE NW			16.3
15 S	4 W	WM	35	SE NW			8.2
16 S	4 W	WM	1	SW SW		56	2.2
16 S	4 W	WM	2	SW NE		52	13.5
16 S	4 W	WM	2	SE NE		52	1.5
16 S	4 W	WM	2	SE SE		56	10.4
16 S	4 W	WM	11	NE NE		56	18.1
16 S	4 W	WM	11	NE NE		56	8.4
16 S	4 W	WM	11	NW NE		53	12.2
16 S	4 W	WM	11	SW NE		53	8.4
16 S	4 W	WM	11	SE NE		53	13.8
16 S	4 W	WM	12	NW NW		56	0.5
16 S	4 W	WM	12	NW NW		56	0.2
16 S	4 W	WM	12	SW NW		53	7.8
16 S	4 W	WM	12	NE SW		53	1.3
16 S	4 W	WM	12	NW SW		54	26.3

This certificate describes that portion of the water right confirmed by Certificate 84796, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered _____ approving Transfer Application T-10458.

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

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

WITNESS the signature of the Water Resources Director, affixed July 9, 2010.


 Phillip C. Ward, Director



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

April 17, 2013

Muddy Creek Irrigation Project
P. O. Box 225
Harrisburg OR 97446

On April 9, 2013 the Water Resources Department received the Claim of Beneficial Use (COBU) for the following file(s):

T-10458

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) 986-0811.

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

Cc: file

Malpass Farms

T-10458

32255 Bowers Drive, Harrisburg, Oregon 97446
PO Box 225,

Phone (541) 995-6332 Fax (541) 995-6229

Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1226

5/8/2008

RE: Address Change

Any mail going to the following names has a PO Box now:

David C. Malpass
32255 Bowers Drive
Harrisburg, OR 97446

Malpass Land Co.
David C. Malpass
32255 Bowers Drive
Harrisburg, OR 97446

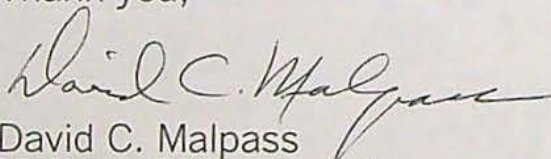
Muddy Creeks Irrigation Project
32255 Bowers Drive
Harrisburg, OR 97446

Hugh Malpass
92969 Coburg Road
Harrisburg, OR 97446

Hazel Malpass
Rt. 1
Harrisburg, OR 97446

We would appreciate you changing all records in your office to **PO Box 225, Harrisburg, OR 97446**, or letting us know what more would have to be done to get these changes made.

Thank you,



David C. Malpass
Malpass Farms, Land
Owner of Hazel and Hugh Malpass Properties

RECEIVED

MAY 09 2008

**WATER RESOURCES DEPT
SALEM, OREGON**

Water Rights Information Query Results

	Contacts	Application	Permit	Certificate	Claim	Decree	Transfers	Status
Select	OWNER: ▷ MUDDY CREEKS IRRIGATION PROJECT 32255 BOWERS DR HARRISBURG, OR 97446	S73300	S51919					NC
Select	OWNER: ▷ MUDDY CREEKS IRRIGATION PROJECT 32255 BOWERS DR HARRISBURG, OR 97446	S73416	S51941					NC
Select	OWNER: ▷ MUDDY CREEKS IRRIGATION PROJECT 32255 BOWERS DR HARRISBURG, OR 97446	S73417	S51948					NC
Select	OWNER: ▷ MUDDY CREEKS IRRIGATION DISTRICT 32255 BOWERS DRIVE HARRISBURG, OR 97446	S73240	S51955					NC
Select	OWNER: ▷ MUDDY CREEKS IRRIGATION PROJECT 32255 BOWERS DR HARRISBURG, OR 97446	S58824	S45832	62148				NC
Select	OWNER: ▷ MUDDY CREEKS IRRIGATION PROJECT 32255 BOWERS DR HARRISBURG, OR 97446	S59809	S46050	62281				NC
Select	OWNER: ▷ MUDDY CREEKS IRRIGATION PROJECT 32255 BOWERS DR HARRISBURG, OR 97446	S49527	S37877	68366				NC
Select	OWNER: ▷ MUDDY CREEKS IRRIGATION PROJECT 32255 BOWERS DR HARRISBURG, OR 97446	S57947	S43710	68368				NC
Select	OWNER: ▷ MUDDY CREEKS IRRIGATION PROJECT 32255 BOWERS DR HARRISBURG, OR 97446	S58932	S45980	68369				NC
Select	OWNER: ▷ MUDDY CREEKS IRRIGATION PROJECT 32255 BOWERS DR HARRISBURG, OR 97446	S68824	S50921	68499				NC

1 2

[Help understanding and working with the Water Rights Information System](#)

Download: [Point of diversion data](#), [Place of use data](#), [Stakeholder data](#)

[Return to WRIS Query](#)

Water Rights Information Query Results

	Contacts	Application	Permit	Certificate	Claim	Decree	Transfers	Status
Select	OWNER: MUDDY CREEKS IRRIGATION DISTRICT 32255 BOWERS DRIVE HARRISBURG, OR 97446	S17802	S17510	72221			▷ T7005 (Confirming)	NC
Select	OWNER: MUDDY CREEKS IRRIGATION PROJECT 32255 BOWERS DR HARRISBURG, OR 97446	S55400	S42759	75255			▷ T7184 (Remaining)	NC
Select	OWNER: MUDDY CREEKS IRRIGATION PROJECT 32255 BOWERS DR HARRISBURG, OR 97446	S70410	S51504	76240				NC
Select	OWNER: MUDDY CREEKS IRRIGATION PROJECT 32255 BOWERS DR HARRISBURG, OR 97446	S17802	S17510	76691			▷ T7161 (Remaining) ▷ T8872 (Changes this right) ▷ T10140 (Changes this right) ▷ T10458 (Changes this right)	NC
Select	OWNER: MUDDY CREEKS IRRIGATION DISTRICT 32255 BOWERS DRIVE HARRISBURG, OR 97446	S68824	S50921	80835			▷ T6999	NC

1 2

[Help understanding and working with the Water Rights Information System](#)

Download: [Point of diversion data](#), [Place of use data](#), [Stakeholder data](#)

[Return to WRIS Query](#)

Water Right Transfer Checklist

Transfer T-10458

Transfer Specialist: NW Region-Drawer *PKS*

Transfer Type: Regular

Applicant Name/Address: Muddy Creek Irrigation Project, PO Box 225, Harrisburg, Oregon 97446

Agent Name/Address: Walter Trimmer, Trimmer Engineering INC, 3924 NW Walnut Place, Corvallis, Oregon 97330

CWRE Name/Number: Walter Trimmer

Rec Landowner Name/Address: David & Eveyln Malpass, 21330 N. Coburg Rd, harrisburg, Oregon 97446

Irr. District Name/Address: NONE

Affected Gov'ts Name/Address: Linn County Planning & Zoning Dept.

Commentors: Name/Address: CLO: Charles Curtis, 31010 Cartney Road, Harrisburg, Oregon 97446

Water Rights Affected

Records Marked	Records Copied	App File No. or Decree Name	Permit No.	Certificate No.	RR/CR Needed	RR/CR Nos.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	S 17802	S 17510	76691 <i>84796</i>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	

Key Dates & Initial Actions

Rec'd: <u>09/14/07</u>	Proposed Action(s): POU POD HST APOD USE OTHER: <u>POU</u>	
Fees Pd: <u>600.00</u>	WM District: <u>2</u>	ODFW District: <u>Karen Hans</u>
Initial Notice: <u>09/25/07</u>	WM Review sent: <u>10/02/07</u>	ODFW Review sent: <u>10/02/07</u>
Acknowledgement Letter Sent <input checked="" type="checkbox"/>		GW Review sent: <u>NONE</u>

Processing Dates & Actions

Deficiency Contacts: _____

Newspaper Pub Affid Due: _____

not required

DPD Mailed: _____

Affid of Pub Rec'd: _____

ODFW contact sheet sent with DPD, or N/A

Last Day Published: _____

PD Mailed: _____

Affidavit Reminder Sent: _____

PD Weekly Notice: _____

Reminder Deadline: _____

Preliminary Determination

Electronic Files uploaded

Preliminary Determination

PD Cover letter

Fee Refund Due

PD Notice

Remaining Rights

File Assigned/ ModPod updated

DPD Review (Optional)	PD Review (Salem)	Final Order Review (Salem)
Reviewer: _____	Reviewer: <i>PKS</i>	Reviewer: <i>PKS</i>
Date: _____	Date: <i>6/2/10</i>	Date: <i>7/9/10</i>
Coordinator: <i>AKP</i>	Coordinator: _____	Coordinator: _____
Date: <i>10/14/07</i>	Date: _____	Date: _____
Comments/Special Issues: <i>ΔPOU</i>		

Special Order Volume: Vol 61 Pages _____

Final Order Signature Date: _____

Notice of FO email'd to processors _____

Application

- The type of change is clearly indicated. *No, POU & POD, really vague*
- The application is appropriately signed.
- Appropriate fees were paid. *No* If overpayment, Refund Request to be sent with FO
- Land use form matches affected tax lots and is signed by proper official. *(from ALL affected Govt's)*
- Ditch company, district and/or BOR, sent a copy of the application and map, if appropriate.
- All required attachments received.

Need to pay \$2000 more for 28cfs

Water right subject to transfer

- Certificated right or Proof accepted "to the satisfaction..." *7/26/91*
- The right been exercised according to terms & conditions of certificate.
- Delivery system has the capacity to fully divert the rate/duty of the right.
- No information in record that suggests forfeiture.
- No conflicts identified on the plat cards and plat card reports printed.
- Affidavits prepared for rights that need to be canceled or diminished.

Application Map

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

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

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

Ownership

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

Evaluation (materials needed for peer reviewer in bold)

- 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 -



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

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

June 3, 2010

MUDDY CREEK IRRIGATION PROJECT
PO BOX 225
HARRISBURG OR 97446

*Pd Noticed
6-8-10*

SUBJECT: Water Right Transfer Application T-10458

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-10458. 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.

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.

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 503-986-0886 or Patrick.K.Starnes@wrд.state.or.us if I may be of assistance.

Sincerely,

Kelly Starnes
Transfer Specialist

cc: Michael J. Mattick, District 2 Watermaster
Walt Trimmer, CWRE #332

encs



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

Certificate: 84796 in the name of MUDDY CREEKS IRRIGATION PROJECT
(perfected under Permit S-17510)
Use: IRRIGATION OF 97.0 ACRES
Priority Date: FEBRUARY 9, 1939
Rate: 1.21 CUBIC FEET PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet for each acre irrigated during the irrigation season of each year.
Sources: MUDDY CREEK AND MCKENZIE RIVER, tributaries to the WILLAMETTE RIVER

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
14 S	4 W	WM	35	NW NE		1280 FEET SOUTH AND 2520 FEET WEST FROM THE NE CORNER OF SECTION 35
15 S	3 W	WM	30	SW NE		3830 FEET NORTH AND 1900 FEET WEST FROM THE NW CORNER OF GREENWOOD DLC 64
15 S	3 W	WM	32	SW NE	64	2810 FEET NORTH AND 2090 FEET WEST FROM THE SE CORNER OF SECTION 32

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	4 W	WM	35	NE NW	18.1
14 S	4 W	WM	35	NW NW	33.4
14 S	4 W	WM	35	SW NW	21.4
14 S	4 W	WM	35	SE NW	24.1
TOTAL ACRES					97.0

6. Transfer Application T-10458 proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
15 S	3 W	WM	30	SW NE	18.4
15 S	3 W	WM	30	SE NE	16.6
15 S	3 W	WM	30	NE SE	0.9
15 S	3 W	WM	30	NW SE	6.9
15 S	3 W	WM	32	NW NE	1.6
15 S	3 W	WM	32	NE NW	15.3
15 S	3 W	WM	32	SE NW	14.2
15 S	3 W	WM	32	NW SE	23.1
TOTAL ACRES					97.0

7. Notice of the application for transfer was published on September 25, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
8. On October 15, 2009, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-10458 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of November 20, 2009, for the applicant to respond. The applicant's agent requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

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

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-10458.
11. The proposed change would not result in enlargement of the right.
12. The proposed change would not result in injury to other water rights.

Determination and Proposed Action

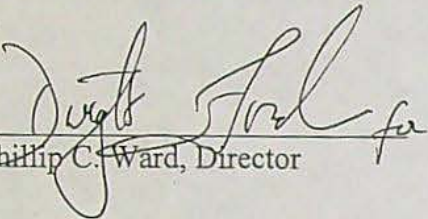
The change in place of use proposed in Transfer Application T-10458 appears to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the transfer application will be approved.

If Transfer Application T-10458 is approved, the final order will include the following:

1. *The change in place of use proposed in Transfer Application T-10458 is 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 84796 and any related decree.*
3. *Water right certificate 84796 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.*
4. *The former place of use of the transferred right shall no longer receive water under the right.*
5. *The approved change 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 Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change(s) and full beneficial use of the water.*

6. *When satisfactory proof of the completed change is received, a new certificate confirming the right transferred will be issued.*

Dated at Salem, Oregon this 7 day of June 2010.


Phillip C. Ward, Director

This Preliminary Determination was prepared by Kelly Starnes. If you have questions about the information in this document, you may reach me at 503-986-0886 or Patrick.K.Starnes@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-10458**

T-10458 filed by Muddy Creek Irrigation Project, P.O. Box 225, Harrisburg, OR 97446, proposes a change in place of use under Certificate 84796. The right allows the use of 1.21 cubic feet per second (priority date February 9, 1939) from Muddy Creek in Sec. 35, T 14 S, R 4 W, W.M. and Sects. 30 and 32, T 15 S, R 4 W, W.M. for irrigation in Sec. 35. The applicant proposes to change the place of use to within Sects. 30 and 32, T 15 S, R 4 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.

TRIMMER
ENGINEERING, Inc.

Water Resources ■ Irrigation ■ Conservation ■ Electronic Controls ■ Water Rights ■ Flow Measurement

Tuesday, June 01, 2010

TO: Oregon Water Resources Dept.
Attn: Kelly Starnes

FROM: Walt Trimmer



RE: Response to Preliminary Determination for Transfer T-10458

As agent for the Muddy Creeks Irrigation Project I have read the Preliminary Determination dated October 15, 2009 and found no disagreement with the terms.



RECEIVED
JUN 02 2010
WATER RESOURCES DEPT
SALEM, OREGON

STATE OF OREGON

COUNTY OF LANE AND LINN

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MUDDY CREEKS IRRIGATION PROJECT
 32255 BOWERS DRIVE
 HARRISBURG, OR 97446

confirms the right to use the waters of MUDDY CREEK, MCKENZIE RIVER, LAKE CREEK, DRY MUDDY CREEK, and LITTLE MUDDY CREEK, tributaries of the WILLAMETTE RIVER, for IRRIGATION OF 3253.0 ACRES AND SUPPLEMENTAL IRRIGATION of 188.4 ACRES. 3156.0

This right was perfected under Permit S-17510. The date of priority is FEBRUARY 9, 1939. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 43:02 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source. 41.81
1.21
43.02

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Survey Coordinates
13 S	4 W	WM	4	NE NW		42	670 FEET NORTH & 2990 FEET WEST FROM NE CORNER, COON DLC 49
13 S	4 W	WM	27	NW SE		55	2800 FEET NORTH & 670 FEET WEST FROM SE CORNER, SMITH DLC 55
13 S	4 W	WM	35	NW SW			780 FEET NORTH & 1120 FEET EAST FROM SE CORNER, ALLINGHAM DLC 54
14 S	3 W	WM	30	NE SE			2570 FEET NORTH & 1060 FEET WEST FROM SE CORNER, SECTION 30
14 S	4 W	WM	5	SE NE		41	260 FEET SOUTH & 860 FEET EAST FROM NW CORNER, SENE, SECTION 5
14 S	4 W	WM	14	NW NE			420 FEET SOUTH & 2460 FEET WEST FROM NE CORNER, SECTION 14
14 S	4 W	WM	14	SE SE			1770 FEET SOUTH & 300 FEET WEST FROM E1/4 CORNER, SECTION 14
14 S	4 W	WM	17	SE NE		42	1350 FEET SOUTH & 20 FEET WEST FROM NE CORNER, SECTION 17
14 S	4 W	WM	24	SE SE			500 FEET NORTH & 670 FEET WEST FROM SE CORNER, SECTION 24
14 S	4 W	WM	26	SW NE			3330 FEET NORTH & 2160 FEET WEST FROM SE CORNER, SECTION 26
14 S	4 W	WM	26	SE NE			3160 FEET NORTH & 1110 FEET WEST FROM SE CORNER, SECTION 26
14 S	4 W	WM	26	SE NE			1510 FEET SOUTH & 260 FEET WEST FROM NE CORNER, SECTION 26
14 S	4 W	WM	26	NE SW			2090 FEET NORTH & 2650 FEET WEST FROM SE CORNER, SECTION 26
14 S	4 W	WM	26	SW SE			80 FEET NORTH & 1490 FEET WEST FROM SE CORNER, SECTION 26
14 S	4 W	WM	26	SW SE			760 FEET NORTH & 1320 FEET WEST FROM SE CORNER, SECTION 26
14 S	4 W	WM	35	NW NE			1280 FEET SOUTH & 2520 FEET WEST FROM NE CORNER, SECTION 35

x1

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Survey Coordinates
14 S	4 W	WM	36	SW NW			2600 FEET SOUTH & 710 FEET EAST FROM NW CORNER, SECTION 36
15 S	3 W	WM	19	NE SW			1580 FEET NORTH & 1690 FEET EAST FROM SW CORNER, SECTION 19
15 S	3 W	WM	29	NE SE		54	2130 FEET SOUTH & 520 FEET WEST FROM NW CORNER, SNODGRASS DLC 62
15 S	3 W	WM	30	SW NE			3830 FEET NORTH & 1900 FEET WEST FROM NW CORNER, GREENWOOD DLC 64
15 S	3 W	WM	32	SW NE		64	2810 FEET NORTH & 2090 FEET WEST FROM SE CORNER, SECTION 32
15 S	4 W	WM	1	SW NW		50	620 FEET NORTH & 2030 FEET WEST FROM NE CORNER, MCDANIEL DLC 50
15 S	4 W	WM	1	SW SW		50	1310 FEET NORTH & 2850 FEET WEST FROM NE CORNER, MCDANIEL DLC 50
15 S	4 W	WM	1	SW SW		50	860 FEET NORTH & 2950 FEET WEST FROM NE CORNER, MCDANIEL DLC 50
15 S	4 W	WM	1	SE SW		50	1900 FEET SOUTH & 680 FEET WEST FROM NE CORNER, MCDANIEL DLC 50
15 S	4 W	WM	2	SE NE			1670 FEET SOUTH & 1680 FEET EAST FROM NW CORNER, MCDANIEL DLC 50
15 S	4 W	WM	12	SE SW		48	860 FEET SOUTH & 2180 FEET EAST FROM NW CORNER, FOUNTAIN DLC 48
15 S	4 W	WM	13	SE NE		46	1910 FEET NORTH & 2590 FEET EAST FROM NE CORNER, ROACH DLC 52
15 S	4 W	WM	13	SE SE	5		1090 FEET NORTH & 250 FEET WEST FROM SE CORNER, SECTION 13
15 S	4 W	WM	24	SW NE			1880 FEET SOUTH & 1530 FEET WEST FROM NE CORNER, SECTION 24
15 S	4 W	WM	24	NW SE			1460 FEET NORTH & 1410 FEET WEST FROM SE CORNER, SECTION 24
16 S	3 W	WM	5	NW NE			910 FEET SOUTH & 1940 FEET WEST FROM NE CORNER, SECTION 5
16 S	3 W	WM	5	NE SW			2110 FEET NORTH & 2620 FEET EAST FROM SW CORNER, SECTION 5
16 S	3 W	WM	5	SW SE			3500 FEET EAST FROM SW CORNER, SECTION 5
16 S	3 W	WM	6	SE NW			1740 FEET SOUTH & 2150 FEET EAST FROM NW CORNER, SECTION 6
16 S	3 W	WM	16	NW SW		53	960 FEET SOUTH & 710 FEET WEST FROM NW CORNER, WILKINS DLC 52
16 S	3 W	WM	21	SW NW		41	4190 FEET NORTH & 2190 FEET EAST FROM NE CORNER, BROWN DLC 58
16 S	3 W	WM	21	SE SW	5		3900 FEET SOUTH & 550 FEET EAST FROM NE CORNER, DAVIS DLC 41
16 S	3 W	WM	34	NW SW		37	2800 FEET SOUTH & 1940 FEET EAST FROM SE CORNER, VAN DUYN DLC 61
17 S	3 W	WM	9	NE NE		38	4440 FEET SOUTH & 5250 FEET EAST FROM SE CORNER, MANSFIELD DLC 79

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

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

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
12 S	4 W	WM	33	SE SW		42	1.7
12 S	4 W	WM	33	SW SE		42	4.0
13 S	4 W	WM	4	NW NE		66	5.7
13 S	4 W	WM	4	NE NW		66	10.0
13 S	4 W	WM	27	NE SW		55	8.0
13 S	4 W	WM	27	SE SW		55	24.4
13 S	4 W	WM	27	NW SE		55	2.0
13 S	4 W	WM	27	NW SE		72	0.1
13 S	4 W	WM	27	SW SE	1		1.1
13 S	4 W	WM	27	SW SE		72	2.4
13 S	4 W	WM	27	SW SE		55	25.4
13 S	4 W	WM	32	NE NW		38	2.8
13 S	4 W	WM	32	NW NW		38	4.4
13 S	4 W	WM	32	SW NW		38	7.5
13 S	4 W	WM	32	SE NW		38	17.4
13 S	4 W	WM	32	NE SW		38	7.0
13 S	4 W	WM	32	NW SW		38	0.9
13 S	4 W	WM	34	NW NE	1		1.2
13 S	4 W	WM	34	NW NE		55	10.6
13 S	4 W	WM	34	NE NW		55	3.6
13 S	4 W	WM	35	SW NW	1		7.5
13 S	4 W	WM	35	SW NW		73	2.0
13 S	4 W	WM	35	NW SW			28.4
14 S	3 W	WM	30	SW SW			4.1
14 S	3 W	WM	30	NE SE			9.7
14 S	3 W	WM	30	SW SE			1.8
14 S	3 W	WM	30	SE SE			0.1
14 S	3 W	WM	30	SE SE			2.2
14 S	4 W	WM	4	NW NW		41	1.3
14 S	4 W	WM	4	SW NW		41	2.6
14 S	4 W	WM	5	NE NE		41	3.8
14 S	4 W	WM	5	SE NE		41	4.2
14 S	4 W	WM	9	NE NE			7.8
14 S	4 W	WM	9	NW NE		45	17.0
14 S	4 W	WM	9	NW NE	1		8.1
14 S	4 W	WM	9	SW NE		45	22.6
14 S	4 W	WM	9	SW NE	2		10.4
14 S	4 W	WM	9	SE NE	3		10.1
14 S	4 W	WM	9	NE NW		45	15.0
14 S	4 W	WM	9	SE NW		45	10.1
14 S	4 W	WM	9	NW SE		51	0.4
14 S	4 W	WM	9	SW SE		51	7.0
14 S	4 W	WM	14	NW NE			7.5
14 S	4 W	WM	14	NE SE			2.3
14 S	4 W	WM	14	SE SE			8.9
14 S	4 W	WM	16	SW NW		42	16.5
14 S	4 W	WM	17	NE NE		42	7.4
14 S	4 W	WM	17	SE NE		42	12.5
14 S	4 W	WM	21	NE NE			1.0

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
14 S	4 W	WM	21	NW NE			9.2
14 S	4 W	WM	21	SE NE			0.2
14 S	4 W	WM	24	NE SE			24.1
14 S	4 W	WM	24	NW SE			4.0
14 S	4 W	WM	24	SW SE			5.6
14 S	4 W	WM	24	SE SE			22.8
14 S	4 W	WM	25	NE NE			2.0
14 S	4 W	WM	25	SE SE			10.6
14 S	4 W	WM	26	NE NE			8.3
14 S	4 W	WM	26	NW NE			17.4
14 S	4 W	WM	26	SW NE			30.4
14 S	4 W	WM	26	SE NE			12.0
14 S	4 W	WM	26	NE NW			22.4
14 S	4 W	WM	26	SE NW			24.5
14 S	4 W	WM	26	NE SW			17.7
14 S	4 W	WM	26	SE SW			4.6
14 S	4 W	WM	26	NE SE			16.3
14 S	4 W	WM	26	NW SE			31.1
14 S	4 W	WM	26	SW SE			24.8
14 S	4 W	WM	26	SE SE			32.4
14 S	4 W	WM	34	NE NW			1.8
14 S	4 W	WM	34	NW NW			25.0
14 S	4 W	WM	34	SW NW			31.0
14 S	4 W	WM	34	SE NW			11.6
14 S	4 W	WM	35	NE NW			37.4
14 S	4 W	WM	35	NW NW			33.4
14 S	4 W	WM	35	SW NW			21.4
14 S	4 W	WM	35	SE NW			24.1
14 S	4 W	WM	36	SW NW			6.0
14 S	4 W	WM	36	NE SE			4.8
15 S	3 W	WM	5	NW NW			2.0
15 S	3 W	WM	5	SW NW			13.4
15 S	3 W	WM	8	SW NW			6.6
15 S	3 W	WM	8	SE NW			7.8
15 S	3 W	WM	18	SW SW	4		12.6
15 S	3 W	WM	19	SE NW			21.6
15 S	3 W	WM	19	NE SW			32.2
15 S	3 W	WM	19	NW SW			37.2
15 S	3 W	WM	19	SW SW			40.0
15 S	3 W	WM	19	SE SW			32.8
15 S	3 W	WM	29	SW NE		54	5.0
15 S	3 W	WM	29	SE NE		54	9.5
15 S	3 W	WM	29	NE SW		54	2.8
15 S	3 W	WM	29	NE SE		54	10.5
15 S	3 W	WM	29	NW SE		54	13.6
15 S	3 W	WM	30	NE SE			24.2
15 S	3 W	WM	32	SW NE		64	8.4
15 S	3 W	WM	32	SE NE		64	14.8
15 S	4 W	WM	1	NW NW			26.2
15 S	4 W	WM	1	SW NW			20.0
15 S	4 W	WM	1	SE NW			19.8

should have
NWSE 14.8
T-1045B | RR
18.1 | 19.3 ✓
33.4 | ∅
21.4 | ∅
24.1 | ∅

97 ac
@ 1.26 ac

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
15 S	4 W	WM	1	SW SW		50	5.0
15 S	4 W	WM	1	SE SW		50	36.0
15 S	4 W	WM	2	NE NE			13.2
15 S	4 W	WM	2	SE NE			2.8
15 S	4 W	WM	2	SE SE		50	0.1
15 S	4 W	WM	10	SE NE	2		6.8
15 S	4 W	WM	10	NE SE	3		1.1
15 S	4 W	WM	11	NW NE		47	3.0
15 S	4 W	WM	11	SW NE		47	2.2
15 S	4 W	WM	11	SW NW	1		12.6
15 S	4 W	WM	11	NW SW	2		1.3
15 S	4 W	WM	12	NE NW		50	17.2
15 S	4 W	WM	12	NW NW		50	1.8
15 S	4 W	WM	12	SW SW		48	11.8
15 S	4 W	WM	12	SE SW		48	0.5
15 S	4 W	WM	12	SE SW		48	0.8
15 S	4 W	WM	13	NW NE		46	2.0
15 S	4 W	WM	13	SW NE		46	33.9
15 S	4 W	WM	13	SE NE		46	5.8
15 S	4 W	WM	13	NE NW		48	6.0
15 S	4 W	WM	13	NE NW		46	2.9
15 S	4 W	WM	13	NW NW		48	26.4
15 S	4 W	WM	13	SW NW		46	14.0
15 S	4 W	WM	13	SW NW		47	2.4
15 S	4 W	WM	13	SE NW		46	20.0
15 S	4 W	WM	13	SE NW		46	15.8
15 S	4 W	WM	13	NE SW		46	33.6
15 S	4 W	WM	13	NE SW		46	4.0
15 S	4 W	WM	13	NW SW		46	5.7
15 S	4 W	WM	13	NE SE		46	28.0
15 S	4 W	WM	13	NW SE		46	39.2
15 S	4 W	WM	13	SE SE	5		3.4
15 S	4 W	WM	24	NE NE			18.6
15 S	4 W	WM	24	NW NE			2.8
15 S	4 W	WM	24	SW NE			1.8
15 S	4 W	WM	24	SE NE			37.9
15 S	4 W	WM	24	NE SE			7.0
15 S	4 W	WM	24	NE SE			13.5
15 S	4 W	WM	24	NW SE			0.9
15 S	4 W	WM	35	SW NE			4.2
15 S	4 W	WM	35	NE NW			7.0
15 S	4 W	WM	35	SE NW			6.2
16 S	3 W	WM	4	NW NE	7		6.2
16 S	3 W	WM	4	NE NW			29.0
16 S	3 W	WM	4	NW NW			11.2
16 S	3 W	WM	4	SW NW			7.0
16 S	3 W	WM	4	SE NW			12.4
16 S	3 W	WM	4	NE SW			6.2
16 S	3 W	WM	4	NW SW			40.0
16 S	3 W	WM	4	SW SW	1		10.0
16 S	3 W	WM	4	SE SW	2		1.5

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
16 S	3 W	WM	5	NE NE			37.0
16 S	3 W	WM	5	NW NE			22.4
16 S	3 W	WM	5	SW NE			5.3
16 S	3 W	WM	5	SE NE			9.8
16 S	3 W	WM	5	NE NW			0.2
16 S	3 W	WM	5	SE NW			37.7
16 S	3 W	WM	5	NE SW			27.0
16 S	3 W	WM	5	NW SW			7.2
16 S	3 W	WM	5	SW SW			39.8
16 S	3 W	WM	5	SE SW			19.2
16 S	3 W	WM	5	NE SE			20.0
16 S	3 W	WM	5	NW SE			5.0
16 S	3 W	WM	5	SE SE	1		9.0
16 S	3 W	WM	6	NE SE			15.9
16 S	3 W	WM	6	SE SE			21.8
16 S	3 W	WM	8	NW NE			10.0
16 S	3 W	WM	8	SW NE			10.0
16 S	3 W	WM	8	NE NW			16.0
16 S	3 W	WM	8	SE NW			17.6
16 S	3 W	WM	8	SE SE		50	0.2
16 S	3 W	WM	9	SW SW		50	8.0
16 S	3 W	WM	9	SE SW		50	0.5
16 S	3 W	WM	16	NE NW		50	0.6
16 S	3 W	WM	16	NE NW		53	3.6
16 S	3 W	WM	16	NW NW		53	22.8
16 S	3 W	WM	16	NW NW		50	9.0
16 S	3 W	WM	16	SW NW		53	9.6
16 S	3 W	WM	16	SE SW		53	3.2
16 S	3 W	WM	17	NE NE	1		1.6
16 S	3 W	WM	17	NE NE		53	1.6
16 S	3 W	WM	17	NW NE		53	7.3
16 S	3 W	WM	17	NW NE	2		10.1
16 S	3 W	WM	17	SW NE		53	15.0
16 S	3 W	WM	17	SE NE		53	0.9
16 S	3 W	WM	17	SE NW		53	0.8
16 S	3 W	WM	17	NE SW		53	7.0
16 S	3 W	WM	17	SE SW		53	3.6
16 S	3 W	WM	17	NE SE		53	1.2
16 S	3 W	WM	17	NW SE		53	37.8
16 S	3 W	WM	17	SW SE		53	17.7
16 S	3 W	WM	17	SE SE		53	0.4
16 S	3 W	WM	20	SE NE			30.5
16 S	3 W	WM	20	SW NW		56	13.5
16 S	3 W	WM	20	NE SW		56	24.4
16 S	3 W	WM	20	NW SW		56	26.0
16 S	3 W	WM	20	SW SW		56	6.5
16 S	3 W	WM	20	SE SW		56	35.9
16 S	3 W	WM	20	NE SE		41	10.9
16 S	3 W	WM	20	NE SE		56	1.9
16 S	3 W	WM	20	NW SE		56	12.4
16 S	3 W	WM	20	NW SE		56	20.8

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
16 S	3 W	WM	20	SW SE		56	34.8
16 S	3 W	WM	20	SW SE		56	0.5
16 S	3 W	WM	20	SE SE		56	0.2
16 S	3 W	WM	21	NE NE		40	2.9
16 S	3 W	WM	21	NW NE		40	9.6
16 S	3 W	WM	21	NW NE		52	2.5
16 S	3 W	WM	21	SW NE		40	35.1
16 S	3 W	WM	21	SE NE		40	26.2
16 S	3 W	WM	21	SW NW		41	39.2
16 S	3 W	WM	21	SE NW		41	13.2
16 S	3 W	WM	21	SE NW		40	9.6
16 S	3 W	WM	21	NE SW		40	0.3
16 S	3 W	WM	21	NE SW	4		1.2
16 S	3 W	WM	21	NE SW		41	1.9
16 S	3 W	WM	21	NW SW		41	11.0
16 S	3 W	WM	21	NE SE		40	0.2
16 S	3 W	WM	21	NE SE		63	0.4
16 S	3 W	WM	21	NW SE		42	1.4
16 S	3 W	WM	21	NW SE	3		5.6
16 S	3 W	WM	21	NW SE		63	2.9
16 S	3 W	WM	21	NW SE		40	3.2
16 S	3 W	WM	21	SW SE		42	11.1
16 S	3 W	WM	21	SW SE		63	9.7
16 S	3 W	WM	21	SE SE		63	0.6
16 S	3 W	WM	22	SW NW		40	16.0
16 S	3 W	WM	22	NW SW		40	1.8
16 S	3 W	WM	28	SW NW		42	15.0
16 S	3 W	WM	28	NE SW		61	24.3
16 S	3 W	WM	28	NW SW		42	7.7
16 S	3 W	WM	28	SE SW		61	30.0
16 S	3 W	WM	28	NW SE		61	12.0
16 S	3 W	WM	28	SW SE		61	24.0
16 S	3 W	WM	29	NE NE		58	1.5
16 S	3 W	WM	29	NW NE		56	7.8
16 S	3 W	WM	29	NW NE		43	3.1
16 S	3 W	WM	29	NW NE		58	23.4
16 S	3 W	WM	29	SW NE		43	2.0
16 S	3 W	WM	29	SW NE		58	6.8
16 S	3 W	WM	29	SE NE		42	0.5
16 S	3 W	WM	29	NE NW		56	0.2
16 S	3 W	WM	29	NE NW		43	14.0
16 S	3 W	WM	29	SE NW		43	22.8
16 S	3 W	WM	29	NE SW		43	21.5
16 S	3 W	WM	29	SE SW		43	6.0
16 S	3 W	WM	29	NW SE		58	2.0
16 S	3 W	WM	29	NW SE		43	0.2
16 S	3 W	WM	30	SW NE			11.5
16 S	3 W	WM	30	SE NE			20.0
16 S	3 W	WM	33	NW NE		61	8.4
16 S	3 W	WM	33	SE NE		62	0.4
16 S	3 W	WM	33	SE NE		37	4.0

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
16 S	3 W	WM	33	NE NW		61	7.8
16 S	3 W	WM	33	NE SW		60	18.0
16 S	3 W	WM	33	NW SW		60	0.1
16 S	3 W	WM	33	SE SW		45	8.0
16 S	3 W	WM	33	SE SW		60	12.7
16 S	3 W	WM	33	NE SE		37	2.4
16 S	3 W	WM	33	NW SE		60	4.8
16 S	3 W	WM	33	SW SE		60	2.5
16 S	3 W	WM	33	SW SE		45	12.7
16 S	3 W	WM	34	SW NW		62	1.1
16 S	3 W	WM	34	SW NW		37	9.7
16 S	3 W	WM	34	NW SW		37	10.2
16 S	4 W	WM	11	NE NE		53	0.3
16 S	4 W	WM	11	SE NE		53	4.0
16 S	4 W	WM	11	NE NW		52	2.8
16 S	4 W	WM	11	NW NW		52	2.6
16 S	4 W	WM	12	NW NW		53	4.1
16 S	4 W	WM	12	SW NW		53	0.2
16 S	4 W	WM	12	NE SW		54	14.9
16 S	4 W	WM	12	NW SW		54	0.3
16 S	4 W	WM	12	SE SW		54	4.2
16 S	4 W	WM	13	SW NE			9.3
16 S	4 W	WM	13	SE NE			1.1
17 S	3 W	WM	4	NE NE		38	2.8
17 S	3 W	WM	4	NW NE		38	24.9
17 S	3 W	WM	4	SW NE		38	33.0
17 S	3 W	WM	4	SE NE		38	15.6
17 S	3 W	WM	4	NE NW		38	0.1
17 S	3 W	WM	4	SE NW		38	0.1
17 S	3 W	WM	4	NE SE		38	4.8
17 S	3 W	WM	4	NW SE		38	3.6

218.7 3141.2

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
15 S	4 W	WM	13	SE SE	5		7.8
15 S	4 W	WM	26	SW SW			11.6
15 S	4 W	WM	26	SE SW			13.2
15 S	4 W	WM	35	NW NE			1.3
15 S	4 W	WM	35	SW NE			5.4
15 S	4 W	WM	35	NE NW			16.3
15 S	4 W	WM	35	SE NW			8.2
16 S	4 W	WM	1	SW SW		56	2.2
16 S	4 W	WM	2	SW NE		52	13.5
16 S	4 W	WM	2	SE NE		52	1.5
16 S	4 W	WM	2	SE SE		56	10.4
16 S	4 W	WM	11	NE NE		56	8.4
16 S	4 W	WM	11	NE NE		56	18.1
16 S	4 W	WM	11	NW NE		53	12.2
16 S	4 W	WM	11	SW NE		53	8.4
16 S	4 W	WM	11	SE NE		53	13.8

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
16 S	4 W	WM	12	NW NW		56	0.2
16 S	4 W	WM	12	NW NW		56	0.5
16 S	4 W	WM	12	SW NW		53	7.8
16 S	4 W	WM	12	NE SW		53	1.3
16 S	4 W	WM	12	NW SW		54	26.3

188.4

This certificate describes that portion of the water right confirmed by Certificate 76691, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered NOV 06 2008 approving Transfer Application T-10140.

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

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

WITNESS the signature of the Water Resources Director, affixed NOV 06 2008.


 Phillip C. Ward, Director

STATE OF OREGON
COUNTIES OF LANE AND LINN
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MUDDY CREEKS IRRIGATION PROJECT
32255 BOWERS DRIVE
HARRISBURG, OREGON 97446

confirms the right to use the waters of MUDDY CREEK, MCKENZIE RIVER, LAKE CREEK, DRY MUDDY CREEK, and LITTLE MUDDY CREEK, tributaries of the WILLAMETTE RIVER, for IRRIGATION OF 3307.0 ACRES AND SUPPLEMENTAL IRRIGATION OF 188.4 ACRES.

This right was perfected under Permit 17510. The date of priority is FEBRUARY 9, 1939. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 43.69 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

- MCKENZIE RIVER: NE¼ NE¼, as projected within SPORES DLC 38, SECTION 9, T 17 S, R 3 W, W.M..
- LAKE CREEK: SE¼ NE¼, as projected within PARKS DLC 41, SECTION 5; SE¼ NE¼, as projected within BOND DLC 42, SECTION 17, T 14 S, R 4 W, W.M..
- DRY MUDDY CREEK: NW¼ SE¼, SECTION 24, T 15 S, R 4 W, W.M.; SE¼ NW¼, SECTION 6, T 16 S, R 3 W, W.M..
- LITTLE MUDDY CREEK: NE¼ SE¼, SECTION 30, T 14 S, R 3 W, W.M.; SE¼ SE¼, SECTION 14; SE¼ SE¼, SECTION 24, T 14 S, R 4 W, W.M..
- MUDDY CREEK: NE¼ NW¼, as projected within BRATTAIN DLC 42, SECTION 4; NW¼ SE¼, as projected within SMITH DLC 55, SECTION 27; NW¼ SW¼, SECTION 35, T 13 S, R 4 W, W.M.; NW¼ NE¼, SECTION 14; SW¼ NE¼, SE¼ NE¼, NE¼ SW¼, SW¼ SE¼, SECTION 26, NW¼ NE¼, NW¼ SE¼, SECTION 35, SW¼ NW¼, SECTION 36, T 14 S, R 4 W, W.M.; NE¼ SW¼, SECTION 19, NE¼ SE¼, as projected within MAXWELL DLC 54, SECTION 29; SW¼ NE¼, SECTION 30, SW¼ NE¼, as projected within GREENWOOD DLC 64, SECTION 32, T 15 S, R 3 W, W.M.; SW¼ NW¼, SW¼ SW¼, SE¼ SW¼, as projected within MCDANIEL DLC 50, SECTION 1; SE¼ NE¼, SECTION 2; SE¼ SW¼, as projected within FOUNTAIN DLC 48, SECTION 12; SE¼ NE¼, as projected within SCHOOLING DLC 46, LOT 5 (SE¼ SE¼), SECTION 13; SW¼ NE¼, SECTION 24, T 15 S, R 4 W, W.M.; NW¼ NE¼, NE¼ SW¼, SW¼ SE¼, SECTION 5; NW¼ SW¼, as projected within SMITH DLC 53, SECTION 16; SW¼ NW¼, as projected within DAVIS DLC 41, LOT 5 (SE¼ SW¼), SECTION 21; NW¼ SW¼, as projected within SWEARINGIN DLC 37, SECTION 34, T 16 S, R 3 W, W.M.

Diversion points located:

- MCKENZIE RIVER: 4440 FEET SOUTH AND 5250 FEET EAST FROM THE SE CORNER, MANSFIELD DLC 79, SECTION 5, T 17 S, R 3 W, W.M..

LAKE CREEK: 260 FEET SOUTH AND 860 FEET EAST FROM THE
NW CORNER, SE& NE&, SECTION 5; 1350 FEET SOUTH AND
20 FEET WEST FROM THE NE CORNER, SECTION 17,
T 14 S, R 4 W, W.M..

DRY MUDDY CREEK: 1460 FEET NORTH AND 1410 FEET WEST FROM THE
SE CORNER, SECTION 24, T 15 S, R 4 W, W.M.;
1740 FEET SOUTH AND 2150 FEET EAST FROM THE
NW CORNER, SECTION 6, T 16 S, R 3 W, W.M..

LITTLE MUDDY CREEK: 2570 FEET NORTH AND 1060 FEET WEST FROM THE
SE CORNER, SECTION 30, T 14 S, R 3 W, W.M.;
1770 FEET SOUTH AND 300 FEET WEST FROM THE
EW CORNER, SECTION 14, T 14 S, R 4 W, W.M.;
500 FEET NORTH AND 670 FEET WEST FROM THE
SE CORNER, SECTION 24, T 14 S, R 4 W, W.M..

MUDDY CREEK: 670 FEET NORTH AND 2990 FEET WEST FROM THE
NE CORNER, COON DLC 49, SECTION 4; 2800 FEET NORTH
AND 670 FEET WEST FROM THE SE CORNER, SMITH
DLC 55, SECTION 27; 780 FEET NORTH AND 1120 FEET
EAST FROM THE SE CORNER, ALLINGHAM DLC 54,
SECTION 35, T 13 S, R 4 W, W.M.; 420 FEET SOUTH
AND 2460 FEET WEST FROM THE NE CORNER, SECTION 14;
1510 FEET SOUTH AND 260 FEET WEST FROM THE
NE CORNER, SECTION 26; 3330 FEET NORTH AND
2160 FEET WEST, 3160 FEET NORTH AND 1110 FEET
WEST, 2090 FEET NORTH AND 2650 FEET WEST, 760 FEET
NORTH AND 1320 FEET WEST, 80 FEET NORTH AND
1490 FEET WEST, ALL FROM THE SE CORNER,
SECTION 26, T 14 S, R 4 W, W.M.; 1280 FEET SOUTH
AND 2520 FEET WEST, 3150 FEET SOUTH AND 1610 FEET
WEST, 2600 FEET SOUTH AND 710 FEET EAST, ALL FROM
THE NE CORNER, SECTION 35, T 14 S, R 4 W, W.M.;
1580 FEET NORTH AND 1690 FEET EAST FROM THE
SW CORNER, SECTION 19; 2130 FEET SOUTH AND
520 FEET WEST FROM THE NW CORNER, SNODGRASS
DLC 62, SECTION 29; 3830 FEET NORTH AND 1900 FEET
WEST FROM THE NW CORNER, GREENWOOD DLC 64,
SECTION 30; 2810 FEET NORTH AND 2090 FEET WEST
FROM THE SE CORNER, SECTION 32, T 15 S, R 3 W,
W.M.; 1310 FEET NORTH AND 2850 FEET WEST, 860 FEET
NORTH AND 2950 FEET WEST, 620 FEET NORTH AND
2030 FEET WEST, 1900 FEET SOUTH AND 680 FEET WEST,
ALL FROM THE NE CORNER, MCDANIEL DLC 50,
SECTION 1; 1670 FEET SOUTH AND 1680 FEET EAST FROM
THE NW CORNER, MCDANIEL DLC 50, SECTION 2;
860 FEET SOUTH AND 2180 FEET EAST FROM THE
NW CORNER, FOUNTAIN DLC 48, SECTION 11; 1910 FEET
NORTH AND 2590 FEET EAST FROM THE NE CORNER, ROACH
DLC 52, SECTION 13; 1090 FEET NORTH AND 250 FEET
WEST, 1880 FEET SOUTH AND 1530 FEET WEST, BOTH
FROM THE NE CORNER, SECTION 24, T 15 S, R 4 W,
W.M.; 910 FEET SOUTH AND 1940 FEET WEST FROM THE
NE CORNER, SECTION 5; 2110 FEET NORTH AND
2620 FEET EAST, 3500 FEET EAST, BOTH FROM THE
SW CORNER, SECTION 5; 960 FEET SOUTH AND 710 FEET
WEST FROM THE NW CORNER, WILKINS DLC 52,
SECTION 16; 4190 FEET NORTH AND 2190 FEET EAST
FROM THE NE CORNER, BROWN DLC 58, SECTION 29;
3900 FEET SOUTH AND 550 FEET EAST FROM THE
NE CORNER, DAVIS DLC 41, SECTION 21; 2800 FEET
SOUTH AND 1940 FEET EAST FROM THE SE CORNER, VAN
DUYNE DLC 61, SECTION 33, T 16 S, R 3 W, W.M.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

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

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

PRIMARY IRRIGATION

MCKENZIE RIVER AND MUDDY CREEK

SE¼ SW¼ 1.7 ACRES †
SW¼ SE¼ 4.0 ACRES †
both as projected within
BRATTAIN DLC 42
SECTION 33
TOWNSHIP 12 SOUTH,
RANGE 4 WEST, W.M.

NW¼ NE¼ 5.7 ACRES ^
NE¼ NW¼ 10.0 ACRES ^
both as projected within
BRATTAIN DLC 66
SECTION 4

NE¼ SW¼ 8.0 ACRES ^
SE¼ SW¼ 24.4 ACRES ^
NW¼ SE¼ 2.0 ACRES ^
all as projected within
SMITH DLC 55
NW¼ SE¼ 0.1 ACRE ^
as projected within
YARBOROUGH DLC 72
LOT 1 (SW¼ SE¼) 1.1 ACRES ^
SW¼ SE¼ 2.4 ACRES ^
as projected within
YARBOROUGH DLC 72
SW¼ SE¼ 25.4 ACRES ^
as projected within
SMITH DLC 55
SECTION 27

LOT 1 (NW¼ NE¼) 1.2 ACRES ^
NW¼ NE¼ 10.6 ACRES ^
NE¼ NW¼ 3.6 ACRES ^
both as projected within
SMITH DLC 55
SECTION 34

SW¼ NW¼ 2.0 ACRES †
as projected within
MORRIS DLC 73
LOT 1 (SW¼ NW¼) 7.5 ACRES †
NW¼ SW¼ 28.4 ACRES †
SECTION 35
TOWNSHIP 13 SOUTH,
RANGE 4 WEST, W.M.

SW¼ SW¼ 4.1 ACRES †
SW¼ SE¼ 1.8 ACRES †
SE¼ SE¼ 2.2 ACRES †
SECTION 30
TOWNSHIP 14 SOUTH,
RANGE 3 WEST, W.M.

NW¼ NE¼ 7.5 ACRES †
SECTION 14

SE¼ SE¼ 10.6 ACRES †
SECTION 25

NE¼ NE¼ 8.3 ACRES ^
NW¼ NE¼ 17.4 ACRES ^
SW¼ NE¼ 30.4 ACRES ^
SE¼ NE¼ 12.0 ACRES ^
NE¼ NW¼ 22.4 ACRES ^
SE¼ NW¼ 24.5 ACRES ^
NE¼ SW¼ 17.7 ACRES ^
SE¼ SW¼ 4.6 ACRES ^
NE¼ SE¼ 16.3 ACRES ^
NW¼ SE¼ 31.1 ACRES ^
SW¼ SE¼ 24.8 ACRES ^
SE¼ SE¼ 32.4 ACRES ^
SECTION 26

NE¼ NE¼ 1.8 ACRES 1.8
NW¼ NE¼ 14.8 ACRES 14.8
SW¼ NE¼ 28.7 ACRES 28.7
SE¼ NE¼ 16.4 ACRES 16.4
NE¼ NW¼ 37.4 ACRES 37.4
NW¼ NW¼ 33.4 ACRES 33.4
SW¼ NW¼ 21.4 ACRES 21.4
SE¼ NW¼ 24.1 ACRES 24.1
NE¼ SE¼ 0.2 ACRE 0.2
NW¼ SE¼ 6.9 ACRES 6.9
SECTION 35

SW¼ NW¼ 6.0 ACRES †
NE¼ SE¼ 4.8 ACRES †
SECTION 36
TOWNSHIP 14 SOUTH,
RANGE 4 WEST, W.M.

NW¼ NW¼ 2.0 ACRES †
SW¼ NW¼ 13.4 ACRES †
SECTION 5

SW¼ NW¼ 6.6 ACRES †
SE¼ NW¼ 7.8 ACRES †
SECTION 8

T-10176
RR

T-10458
RR

RR
14.8 ^

18.1 19.3 ^
33.4 0
21.4 0
24.1 0

LOT 4 (SWX SWX) 12.6 ACRES†
SECTION 18

SEX NWX 21.6 ACRES*
NEX SWX 32.2 ACRES†
NWX SWX 37.2 ACRES*
SWX SWX 40.0 ACRES†
SEX SWX 32.8 ACRES†
SECTION 19

SWX NEX 5.0 ACRES†
SEX NEX 9.5 ACRES†
NEX SWX 2.8 ACRES†
NEX SEX 10.5 ACRES†
NWX SEX 13.6 ACRES†
all as projected within
MAXWELL DLC 54
SECTION 29

NEX SEX 24.2 ACRES†
SECTION 30

SWX NEX 8.4 ACRES†
SEX NEX 14.8 ACRES†
both as projected within
GREENWOOD DLC 64
SECTION 32
TOWNSHIP 15 SOUTH,
RANGE 3 WEST, W.M.

NWX NWX 26.2 ACRES†
SWX NWX 20.0 ACRES†
SEX NWX 19.8 ACRES†
*SWX SWX 5.0 ACRES†
*SEX SWX 36.0 ACRES†
*both as projected within
MCDANIEL DLC 50
SECTION 1

NEX NEX 13.2 ACRES†
SEX NEX 2.8 ACRES†
*SEX SEX 0.1 ACRE† ←
*as projected within
MCDANIEL DLC 50
SECTION 2

NEX NWX 17.2 ACRES†
NWX NWX 1.8 ACRES†
both as projected within
MCDANIEL DLC 50
SEX SWX 0.5 ACRE†
as projected within
FOUNTAIN DLC 48
SECTION 12

NWX NEX 2.0 ACRES†
SWX NEX 33.9 ACRES†
SEX NEX 5.8 ACRES†
NEX NWX 2.9 ACRES†
SEX NWX 15.8 ACRES†
NEX SWX 4.0 ACRES†
NEX SEX 28.0 ACRES†
NWX SEX 39.2 ACRES†
all as projected within
SCHOOLING DLC 46
LOT 5 (SEX SEX) 3.4 ACRES†
SECTION 13

NEX NEX 18.6 ACRES†
NWX NEX 2.8 ACRES†
SWX NEX 1.8 ACRES†
SEX NEX 37.9 ACRES†
NEX SEX 7.0 ACRES†
SECTION 24
TOWNSHIP 15 SOUTH,
RANGE 4 WEST, W.M.

LOT 7 (NWX NEX) 6.2 ACRES*
NEX NWX 29.0 ACRES†
NWX NWX 11.2 ACRES*
SWX NWX 7.0 ACRES*
SEX NWX 12.4 ACRES*
NEX SWX 6.2 ACRES†
NWX SWX 40.0 ACRES†

LOT 1 (SWX SWX) 10.0 ACRES*
LOT 2 (SEX SWX) 1.5 ACRES†
SECTION 4

NEX NEX 37.0 ACRES†
NWX NEX 22.4 ACRES†
SWX NEX 5.3 ACRES†
SEX NEX 9.8 ACRES†
NEX NWX 0.2 ACRE *
SEX NWX 37.7 ACRES†
NEX SWX 27.0 ACRES†
NWX SWX 7.2 ACRES†
SWX SWX 39.8 ACRES†
SEX SWX 19.2 ACRES†
NEX SEX 20.0 ACRES†
NWX SEX 5.0 ACRES*

LOT 1 (SEX SEX) 9.0 ACRES*
SECTION 5

NEX SEX 15.9 ACRES†
SEX SEX 21.8 ACRES†
SECTION 6

NWX NEX 10.0 ACRES†
SWX NEX 10.0 ACRES†
NEX NWX 16.0 ACRES†
SEX NWX 17.6 ACRES†
*SEX SEX 0.2 ACRE †
*as projected within
CADY DLC 50
SECTION 8

SWX SWX 8.0 ACRES†
SEX SWX 0.5 ACRE †
both as projected within
CADY DLC 50
SECTION 9

NE¼ NW¼ 0.6 ACRE ↘
 as projected within
 CADY DLC 50
 NE¼ NW¼ 3.6 ACRES ↗
 NW¼ NW¼ 22.8 ACRES ↗
 both as projected within
 SMITH DLC 53
 NW¼ NW¼ 9.0 ACRES ↗
 as projected within
 CADY DLC 50
 SW¼ NW¼ 9.6 ACRES ↗
 SE¼ SW¼ 3.2 ACRES ↗
 both as projected within
 SMITH DLC 53
 SECTION 16

LOT 1 (NE¼ NE¼) 1.6 ACRES ↗
 NE¼ NE¼ 1.6 ACRES ↗
 NW¼ NE¼ 7.3 ACRES ↗
 both as projected within
 SMITH DLC 53

LOT 2 (NW¼ NE¼) 10.1 ACRES ↗
 SW¼ NE¼ 15.0 ACRES ↗
 SE¼ NE¼ 0.9 ACRE ↗
 SE¼ NW¼ 0.8 ACRE ↗
 NE¼ SW¼ 7.0 ACRES ↗
 SE¼ SW¼ 3.6 ACRES ↗
 NE¼ SE¼ 1.2 ACRES ↗
 NW¼ SE¼ 37.8 ACRES ↗
 SW¼ SE¼ 17.7 ACRES ↗
 SE¼ SE¼ 0.4 ACRE ↗
 all as projected within
 SMITH DLC 53
 SECTION 17

SE¼ NE¼ 30.5 ACRES ↗
 NE¼ SE¼ 10.9 ACRES ↗
 as projected within
 DAVID DLC 41
 NE¼ SE¼ 1.9 ACRES ↘
 NW¼ SE¼ 20.8 ACRES ↗
 SW¼ SE¼ 0.5 ACRE ↗
 all as projected within
 BROWN DLC 56
 SECTION 20

NE¼ NE¼ 2.9 ACRES ↗
 NW¼ NE¼ 9.6 ACRES ↗
 both as projected within
 MILLER DLC 40
 NW¼ NE¼ 2.5 ACRES ↗
 as projected within
 WILKINS DLC 52
 SW¼ NE¼ 35.1 ACRES ↗
 SE¼ NE¼ 26.2 ACRES ↗
 both as projected within
 MILLER DLC 40
 SW¼ NW¼ 39.2 ACRES ↗
 SE¼ NW¼ 13.2 ACRES ↗
 both as projected within
 DAVIS DLC 41
 SE¼ NW¼ 9.6 ACRES ↗
 NE¼ SW¼ 0.3 ACRE ↗
 both as projected within
 MILLER DLC 40

LOT 4 (NE¼ SW¼) 1.2 ACRES ↗
 NE¼ SW¼ 1.9 ACRES ↗
 NW¼ SW¼ 11.0 ACRES ↗
 both as projected within
 DAVIS DLC 41
 NE¼ SE¼ 0.2 ACRE ↗
 as projected within
 MILLER DLC 40
 NE¼ SE¼ 0.4 ACRE ↗
 as projected within
 SIPPY DLC 63
 NW¼ SE¼ 3.2 ACRES ↗
 as projected within
 MILLER DLC 40

LOT 3 (NW¼ SE¼) 5.6 ACRES ↗
 NW¼ SE¼ 1.4 ACRES ↗
 as projected within
 COCHRAN DLC 42
 NW¼ SE¼ 2.9 ACRES ↗
 as projected within
 SIPPY DLC 63
 SW¼ SE¼ 11.1 ACRES ↗
 as projected within
 COCHRAN DLC 42
 SW¼ SE¼ 9.7 ACRES ↗
 SE¼ SE¼ 0.6 ACRE ↗
 both as projected within
 SIPPY DLC 63
 SECTION 21

SW¼ NW¼ 16.0 ACRES ↗
 NW¼ SW¼ 1.8 ACRES ↗
 both as projected within
 MILLER DLC 40
 SECTION 22

SE¼ NE¼ 0.4 ACRE ↗
 as projected within
 SHIRLEY DLC 62
 SE¼ NE¼ 4.0 ACRES ↗
 NE¼ SE¼ 2.4 ACRES ↗
 both as projected within
 SWEARINGEN DLC 37
 SECTION 33

SW¼ NW¼ 1.1 ACRES *
 as projected within
 SHIRLEY DLC 62
 SW¼ NW¼ 9.7 ACRES *
 NW¼ SW¼ 10.2 ACRES *
 both as projected within
 SWEARINGEN DLC 37
 SECTION 34
 TOWNSHIP 16 SOUTH,
 RANGE 3 WEST, W.M.

MCKENZIE RIVER
 AND LITTLE MUDDY CREEK

NE¼ SE¼ 9.7 ACRES *
 SE¼ SE¼ 0.1 ACRE †
 SECTION 30
 TOWNSHIP 14 SOUTH,
 RANGE 3 WEST, W.M.

NE¼ SE¼ 2.3 ACRES *
 SE¼ SE¼ 8.9 ACRES *
 SECTION 14

NE¼ SE¼ 24.1 ACRES *
 NW¼ SE¼ 4.0 ACRES *
 SW¼ SE¼ 5.6 ACRES †
 SE¼ SE¼ 22.8 ACRES †
 SECTION 24

NE¼ NE¼ 2.0 ACRES *
 SECTION 25
 TOWNSHIP 14 SOUTH,
 RANGE 4 WEST, W.M.

MCKENZIE RIVER
 AND LAKE CREEK

NE¼ NW¼ 2.8 ACRES *
 NW¼ NW¼ 4.4 ACRES *
 SW¼ NW¼ 7.5 ACRES *
 SE¼ NW¼ 17.4 ACRES †
 NE¼ SW¼ 7.0 ACRES *
 NW¼ SW¼ 0.9 ACRE *
 all as projected within
 WILLIAMS DLC 38
 SECTION 32
 TOWNSHIP 13 SOUTH,
 RANGE 4 WEST, W.M.

NW¼ NW¼ 1.3 ACRES *
 SW¼ NW¼ 2.6 ACRES *
 both as projected within
 PARKS DLC 41
 SECTION 4

NE¼ NE¼ 3.8 ACRES *
 SE¼ NE¼ 4.2 ACRES †
 both as projected within
 PARKS DLC 41
 SECTION 5

SW¼ NW¼ 16.5 ACRES *
 as projected within
 BOND DLC 42
 SECTION 16

NE¼ NE¼ 7.4 ACRES *
 SE¼ NE¼ 12.5 ACRES †
 both as projected within
 BOND DLC 42
 SECTION 17
 TOWNSHIP 14 SOUTH,
 RANGE 4 WEST, W.M.

MCKENZIE RIVER
 AND DRY MUDDY CREEK

NE¼ NE¼ 7.8 ACRES †
 LOT 1 (NW¼ NE¼) 8.1 ACRES †
 NW¼ NE¼ 17.0 ACRES †
 SW¼ NE¼ 22.6 ACRES †
 both as projected within
 MCDANIEL DLC 45

LOT 2 (SW¼ NE¼) 10.4 ACRES †
 LOT 3 (SE¼ NE¼) 10.1 ACRES †
 NE¼ NW¼ 15.0 ACRES †
 SE¼ NW¼ 10.1 ACRES †

both as projected within
 MCDANIEL DLC 45
 NW¼ SE¼ 0.4 ACRE †
 SW¼ SE¼ 7.0 ACRES †
 both as projected within
 SHEPARD DLC 51
 SECTION 9

NE¼ NE¼ 1.0 ACRE †
 NW¼ NE¼ 9.2 ACRES †
 SE¼ NE¼ 0.2 ACRE †
 SECTION 21

NE¼ NW¼ 1.8 ACRES †
 NW¼ NW¼ 25.0 ACRES †
 SW¼ NW¼ 31.0 ACRES †
 SE¼ NW¼ 11.6 ACRES †
 SECTION 34
 TOWNSHIP 14 SOUTH,
 RANGE 4 WEST, W.M.

LOT 2 (SE¼ NE¼) 6.8 ACRES †
 LOT 3 (NE¼ SE¼) 1.1 ACRES †
 SECTION 10

NW¼ NE¼ 3.0 ACRES *
 SW¼ NE¼ 2.2 ACRES †
 both as projected within
 RAY DLC 47

LOT 1 (SW¼ NW¼) 12.6 ACRES †
 LOT 2 (NW¼ SW¼) 1.3 ACRES †
 SECTION 11

SW¼ SW¼ 11.8 ACRES †
 SE¼ SW¼ 0.8 ACRE †
 both as projected within
 FOUNTAIN DLC 48
 SECTION 12

NE¼ NW¼ 6.0 ACRES †
 NW¼ NW¼ 26.4 ACRES †
 both as projected within
 FOUNTAIN DLC 48
 SW¼ NW¼ 2.4 ACRES †
 as projected within
 RAY DLC 47
 SW¼ NW¼ 14.0 ACRES †
 SE¼ NW¼ 20.0 ACRES †
 NE¼ SW¼ 33.6 ACRES †
 NW¼ SW¼ 5.7 ACRES †
 all as projected within
 SCHOOLING DLC 46
 SECTION 13

NE¼ SE¼ 13.5 ACRES †
 NW¼ SE¼ 0.9 ACRE †
 SECTION 24
 TOWNSHIP 15 SOUTH,
 RANGE 4 WEST, W.M.

MCKENZIE RIVER

SW¼ NE¼ 4.2 ACRES †
 NE¼ NW¼ 7.0 ACRES †
 SE¼ NW¼ 6.2 ACRES †
 SECTION 35
 TOWNSHIP 15 SOUTH,
 RANGE 4 WEST, W.M.

SW¼ NW¼ 13.5 ACRES †
 NE¼ SW¼ 24.4 ACRES †
 NW¼ SW¼ 26.0 ACRES †
 SW¼ SW¼ 6.5 ACRES †
 SE¼ SW¼ 35.9 ACRES †
 NW¼ SE¼ 12.4 ACRES †
 SW¼ SE¼ 34.8 ACRES †
 SE¼ SE¼ 0.2 ACRE †
 all as projected within
 BROWN DLC 56
 SECTION 20

SW¼ NW¼ 15.0 ACRES †
 as projected within
 COCHRAN DLC 42
 NE¼ SW¼ 24.3 ACRES †
 as projected within
 VAN DUYNE DLC 61
 NW¼ SW¼ 7.7 ACRES †
 as projected within
 COCHRAN DLC 42
 SE¼ SW¼ 30.0 ACRES †
 NW¼ SE¼ 12.0 ACRES †
 SW¼ SE¼ 24.0 ACRES †
 all as projected within
 VAN DUYNE DLC 61
 SECTION 28

NE¼ NE¼ 1.5 ACRES †
 NW¼ NE¼ 23.4 ACRES †
 both as projected within
 BROWN DLC 58
 NW¼ NE¼ 7.8 ACRES †
 as projected within
 BROWN DLC 56

NW¼ NE¼ 3.1 ACRES †
 SW¼ NE¼ 2.0 ACRES †
 both as projected within
 FERGUSON DLC 43
 SW¼ NE¼ 6.8 ACRES †
 as projected within
 BROWN DLC 58
 SE¼ NE¼ 0.5 ACRE †
 as projected within
 COCHRAN DLC 42
 NE¼ NW¼ 0.2 ACRE †
 as projected within
 BROWN DLC 56

NE¼ NW¼ 14.0 ACRES †
 SE¼ NW¼ 22.8 ACRES †
 NE¼ SW¼ 21.5 ACRES †
 SE¼ SW¼ 6.0 ACRES †
 NW¼ SE¼ 0.2 ACRE †
 all as projected within
 FERGUSON DLC 43
 NW¼ SE¼ 2.0 ACRES †
 as projected within
 BROWN DLC 58
 SECTION 29

SW¼ NE¼ 11.5 ACRES †
 SE¼ NE¼ 20.0 ACRES †
 SECTION 30

NW¼ NE¼ 8.4 ACRES †
 NE¼ NW¼ 7.8 ACRES †
 both as projected within
 VAN DUYNE DLC 61
 NE¼ SW¼ 18.0 ACRES †
 NW¼ SW¼ 0.1 ACRE †
 SE¼ SW¼ 12.7 ACRES †

all as projected within
 THOMAS DLC 60
 SE¼ SW¼ 8.0 ACRES †
 as projected within
 SPORES DLC 45
 NW¼ SE¼ 4.8 ACRES †
 SW¼ SE¼ 2.5 ACRES †
 both as projected within
 THOMAS DLC 60
 SW¼ SE¼ 12.7 ACRES †
 as projected within
 SPORES DLC 45
 SECTION 33
 TOWNSHIP 16 SOUTH,
 RANGE 3 WEST, W.M.

NE¼ NE¼ 0.3 ACRE †
 SE¼ NE¼ 4.0 ACRES †
 both as projected within
 HAYS DLC 53
 NE¼ NW¼ 2.8 ACRES †
 NW¼ NW¼ 2.6 ACRES †
 both as projected within
 COCHRAN DLC 52
 SECTION 11

NW¼ NW¼ 4.1 ACRES ✓
 SW¼ NW¼ 0.2 ACRE ✓
 both as projected within
 HAYS DLC 53
 NE¼ SW¼ 14.9 ACRES †
 NW¼ SW¼ 0.3 ACRE †
 SE¼ SW¼ 4.2 ACRES ✓
 all as projected within
 ROWE DLC 54
 SECTION 12

SW¼ NE¼ 9.3 ACRES †
 SE¼ NE¼ 1.1 ACRES †
 SECTION 13
 TOWNSHIP 16 SOUTH,
 RANGE 4 WEST, W.M.

NE¼ NE¼ 2.8 ACRES †
 NW¼ NE¼ 24.9 ACRES †
 SW¼ NE¼ 33.0 ACRES †
 SE¼ NE¼ 15.6 ACRES †
 NE¼ NW¼ 0.1 ACRE †
 SE¼ NW¼ 0.1 ACRE †
 NE¼ SE¼ 4.8 ACRES †
 NW¼ SE¼ 3.6 ACRES †
 all as projected within
 SPORES DLC 38
 SECTION 4
 TOWNSHIP 17 SOUTH,
 RANGE 3 WEST, W.M.

SUPPLEMENTAL IRRIGATION

MCKENZIE RIVER

LOT 5 (SE¼ SE¼) 7.8 ACRES †
 SECTION 13

SW¼ SW¼ 11.6 ACRES †
 SE¼ SW¼ 13.2 ACRES
 SECTION 26

NW¼ NE¼ 1.3 ACRES †
 SW¼ NE¼ 5.4 ACRES †
 NE¼ NW¼ 16.3 ACRES †
 SE¼ NW¼ 8.2 ACRES †
 SECTION 35
 TOWNSHIP 15 SOUTH,
 RANGE 4 WEST, W.M.

SW¼ SW¼ 2.2 ACRES †
 as projected within
 INGRAHAM DLC 56
 SECTION 1

SW¼ NE¼ 13.5 ACRES †
 SE¼ NE¼ 1.5 ACRES †
 both as projected within
 COCHRAN DLC 52
 SE¼ SE¼ 10.4 ACRES †
 as projected within
 INGRAHAM DLC 56
 SECTION 2

NE¼ NE¼ 8.4 ACRES †
 NE¼ NE¼ 18.1 ACRES †
 both as projected within
 INGRAHAM DLC 56
 NW¼ NE¼ 12.2 ACRES †
 SW¼ NE¼ 8.4 ACRES †
 SE¼ NE¼ 13.8 ACRES †
 all as projected within
 HAYS DLC 53
 SECTION 11

NW¼ NW¼ 0.2 ACRE †
 NW¼ NW¼ 0.5 ACRE †
 both as projected within
 INGRAHAM DLC 56
 SW¼ NW¼ 7.8 ACRES †
 NE¼ SW¼ 1.3 ACRES †
 both as projected within
 HAYS DLC 53
 NW¼ SW¼ 26.3 ACRES †
 as projected within
 ROWE DLC 54
 SECTION 12
 TOWNSHIP 16 SOUTH,
 RANGE 4 WEST, W.M.

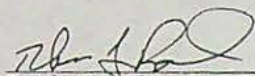
This certificate describes that portion of the water right confirmed by Certificate 76399, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered FEB 08 2001, approving Transfer Applications 7161.

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

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

WITNESS the signature of the Water Resources

Director, affixed FEB 08 2001.


Paul R. Cleary, Director

Recorded in State Record of Water Right Certificates numbered 76691.

STATE OF OREGON

COUNTIES OF LANE AND LINN

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MUDDY CREEKS IRRIGATION PROJECT
 P.O. BOX 225
 HARRISBURG, OR 97446

confirms the right to use the waters of MUDDY CREEK, MCKENZIE RIVER, LAKE CREEK, DRY MUDDY CREEK, AND LITTLE MUDDY CREEK, tributaries of the WILLAMETTE RIVER, for IRRIGATION OF 3156.0 ACRES AND SUPPLEMENTAL IRRIGATION OF 188.4 ACRES.

This right was perfected under Permit S-17510. The date of priority is FEBRUARY 9, 1939. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 41.808 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the points of diversion.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Measured Distances
17 S	3 W	WM	9	NE NE		38	MCKENZIE RIVER - 4440 FEET SOUTH AND 5250 FEET EAST FROM THE SE CORNER OF MANSFIELD DLC 79
13 S	4 W	WM	4	NE NW		42	MUDDY CREEK - 670 FEET NORTH AND 2990 FEET WEST FROM THE NE CORNER OF COON DLC 49
13 S	4 W	WM	27	NW SE		55	MUDDY CREEK - 2800 FEET NORTH AND 670 FEET WEST FROM THE SE CORNER OF SMITH DLC 55
13 S	4 W	WM	35	NW SW			MUDDY CREEK - 780 FEET NORTH AND 1120 FEET EAST FROM THE SE CORNER OF ALLINGHAM DLC 54
14 S	4 W	WM	14	NW NE			MUDDY CREEK - 420 FEET SOUTH AND 2460 FEET WEST FROM THE NE CORNER OF SECTION 14
14 S	4 W	WM	26	SW NE			MUDDY CREEK - 3330 FEET NORTH AND 2160 FEET WEST FROM THE SE CORNER OF SECTION 26
14 S	4 W	WM	26	SE NE			MUDDY CREEK - 1510 FEET SOUTH AND 260 FEET WEST FROM THE NE CORNER OF SECTION 26
14 S	4 W	WM	26	SE NE			MUDDY CREEK - 3160 FEET NORTH AND 1110 FEET WEST FROM THE SE CORNER OF SECTION 26
14 S	4 W	WM	26	NE SW			MUDDY CREEK - 2090 FEET NORTH AND 2650 FEET WEST FROM THE SE CORNER OF SECTION 26
14 S	4 W	WM	26	SW SE			MUDDY CREEK - 760 FEET NORTH AND 1320 FEET WEST FROM THE SE CORNER OF SECTION 26

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Measured Distances
14 S	4 W	WM	26	SW SE			MUDDY CREEK - 80 FEET NORTH AND 1490 FEET WEST FROM THE SE CORNER OF SECTION 26
14 S	4 W	WM	35	NW NE			MUDDY CREEK - 1280 FEET SOUTH AND 2520 FEET WEST FROM THE NE CORNER OF SECTION 35
14 S	4 W	WM	36	SW NW			MUDDY CREEK - 2600 FEET SOUTH AND 710 FEET EAST FROM THE NW CORNER OF SECTION 36
15 S	3 W	WM	19	NE SW			MUDDY CREEK - 1580 FEET NORTH AND 1690 FEET EAST FROM THE SW CORNER OF SECTION 19
15 S	3 W	WM	29	NE SE		54	MUDDY CREEK - 2130 FEET SOUTH AND 520 FEET WEST FROM THE NW CORNER OF SNODGRASS DLC 62
15 S	3 W	WM	30	SW NE			MUDDY CREEK - 3830 FEET NORTH AND 1900 FEET WEST FROM THE NW CORNER OF GREENWOOD DLC 64
15 S	3 W	WM	32	SW NE		64	MUDDY CREEK - 2810 FEET NORTH AND 2090 FEET WEST FROM THE SE CORNER OF SECTION 32
15 S	4 W	WM	1	SW NW		50	MUDDY CREEK - 620 FEET NORTH AND 2030 FEET WEST FROM THE NE CORNER OF MCDANIEL DLC 50
15 S	4 W	WM	1	SW SW		50	MUDDY CREEK - 860 FEET NORTH AND 2950 FEET WEST FROM THE NE CORNER OF MCDANIEL DLC 50
15 S	4 W	WM	1	SW SW		50	MUDDY CREEK - 1310 FEET NORTH AND 2850 FEET WEST FROM THE NE CORNER OF MCDANIEL DLC 50
15 S	4 W	WM	1	SE SW		50	MUDDY CREEK - 1900 FEET SOUTH AND 680 FEET WEST FROM THE NE CORNER OF MCDANIEL DLC 50
15 S	4 W	WM	2	SE NE			MUDDY CREEK - 1670 FEET SOUTH AND 1680 FEET EAST FROM THE NW CORNER OF MCDANIEL DLC 50
15 S	4 W	WM	12	SE SW		48	MUDDY CREEK - 860 FEET SOUTH AND 2180 FEET EAST FROM THE NW CORNER OF FOUNTAIN DLC 48
15 S	4 W	WM	13	SE NE		46	MUDDY CREEK - 1910 FEET NORTH AND 2590 FEET EAST FROM THE NE CORNER OF ROACH DLC 52
15 S	4 W	WM	13	SE SE	5		MUDDY CREEK - 1090 FEET NORTH AND 250 FEET WEST FROM THE SE CORNER OF SECTION 13
15 S	4 W	WM	24	SW NE			MUDDY CREEK - 1880 FEET SOUTH AND 1530 FEET WEST FROM THE NE CORNER OF SECTION 24
16 S	3 W	WM	5	NW NE			MUDDY CREEK - 910 FEET SOUTH AND 1940 FEET WEST FROM THE NE CORNER OF SECTION 5

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Measured Distances
16 S	3 W	WM	5	NE SW			MUDDY CREEK - 2110 FEET NORTH AND 2620 FEET EAST FROM THE SW CORNER OF SECTION 5
16 S	3 W	WM	5	SW SE			MUDDY CREEK - 3500 FEET EAST FROM THE SW CORNER OF SECTION 5
16 S	3 W	WM	16	NW SW		53	MUDDY CREEK - 960 FEET SOUTH AND 710 FEET WEST FROM THE NW CORNER OF WILKINS DLC 52
16 S	3 W	WM	21	SW NW		41	MUDDY CREEK - 4190 FEET NORTH AND 2190 FEET EAST FROM THE NE CORNER OF BROWN DLC 58
16 S	3 W	WM	21	SE SW	5		MUDDY CREEK - 3900 FEET SOUTH AND 550 FEET EAST FROM THE NE CORNER OF DAVIS DLC 41
16 S	3 W	WM	34	NW SW		37	MUDDY CREEK - 2800 FEET SOUTH AND 1940 FEET EAST FROM THE SE CORNER OF VAN DUYN DL 61
14 S	4 W	WM	5	SE NE		41	LAKE CREEK - 260 FEET SOUTH AND 860 FEET EAST FROM THE NW CORNER OF THE SE $\frac{1}{4}$ NE $\frac{1}{4}$ OF SECTION 5
14 S	4 W	WM	17	SE NE		42	LAKE CREEK - 1350 FEET SOUTH AND 20 FEET WEST FROM THE NE CORNER OF SECTION 17
15 S	4 W	WM	24	NW SE			DRY MUDDY CREEK - 1460 FEET NORTH AND 1410 FEET WEST FROM THE SE CORNER OF SECTION 24
16 S	3 W	WM	6	SE NW			DRY MUDDY CREEK - 1740 FEET SOUTH AND 2150 FEET EAST FROM THE NW CORNER OF SECTION 6
14 S	3 W	WM	30	NE SE			LITTLE MUDDY CREEK - 2570 FEET NORTH AND 1060 FEET WEST FROM THE SE CORNER OF SECTION 30
14 S	4 W	WM	14	SE SE			LITTLE MUDDY CREEK - 1770 FEET SOUTH AND 300 FEET WEST FROM THE E $\frac{1}{4}$ CORNER OF SECTION 14
14 S	4 W	WM	24	SE SE			LITTLE MUDDY CREEK - 500 FEET NORTH AND 670 FEET WEST FROM THE SE CORNER OF SECTION 24

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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

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

IRRIGATION							
MCKENZIE RIVER AND MUDDY CREEK							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
12 S	4 W	WM	33	SE SW		42	1.7
12 S	4 W	WM	33	SW SE		42	4.0
13 S	4 W	WM	4	NW NE		66	5.7
13 S	4 W	WM	4	NE NW		66	10.0
13 S	4 W	WM	27	NE SW		55	8.0
13 S	4 W	WM	27	SE SW		55	24.4
13 S	4 W	WM	27	NW SE		55	2.0
13 S	4 W	WM	27	NW SE		72	0.1
13 S	4 W	WM	27	SW SE	1		1.1
13 S	4 W	WM	27	SW SE		55	25.4
13 S	4 W	WM	27	SW SE		72	2.4
13 S	4 W	WM	34	NW NE	1		1.2
13 S	4 W	WM	34	NW NE		55	10.6
13 S	4 W	WM	34	NE NW		55	3.6
13 S	4 W	WM	35	SW NW		73	2.0
13 S	4 W	WM	35	SW NW	1		7.5
13 S	4 W	WM	35	NW SW			28.4
14 S	3 W	WM	30	SW SW			4.1
14 S	3 W	WM	30	SW SE			1.8
14 S	3 W	WM	30	SE SE			2.2
14 S	4 W	WM	14	NW NE			7.5
14 S	4 W	WM	25	SE SE			10.6
14 S	4 W	WM	26	NE NE			8.3
14 S	4 W	WM	26	NW NE			17.4
14 S	4 W	WM	26	SW NE			30.4
14 S	4 W	WM	26	SE NE			12.0
14 S	4 W	WM	26	NE NW			22.4
14 S	4 W	WM	26	SE NW			24.5
14 S	4 W	WM	26	NE SW			17.7
14 S	4 W	WM	26	SE SW			4.6
14 S	4 W	WM	26	NE SE			16.3
14 S	4 W	WM	26	NW SE			31.1
14 S	4 W	WM	26	SW SE			24.8
14 S	4 W	WM	26	SE SE			32.4
14 S	4 W	WM	35	NW NE			14.8
14 S	4 W	WM	35	NE NW			19.3
14 S	4 W	WM	36	SW NW			6.0
14 S	4 W	WM	36	NE SE			4.8
15 S	3 W	WM	5	NW NW			2.0
15 S	3 W	WM	5	SW NW			13.4
15 S	3 W	WM	8	SW NW			6.6
15 S	3 W	WM	8	SE NW			7.8

IRRIGATION							
MCKENZIE RIVER AND MUDDY CREEK							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
15 S	3 W	WM	18	SW SW	4		12.6
15 S	3 W	WM	19	SE NW			21.6
15 S	3 W	WM	19	NE SW			32.2
15 S	3 W	WM	19	NW SW			37.2
15 S	3 W	WM	19	SW SW			40.0
15 S	3 W	WM	19	SE SW			32.8
15 S	3 W	WM	29	SW NE		54	5.0
15 S	3 W	WM	29	SE NE		54	9.5
15 S	3 W	WM	29	NE SW		54	2.8
15 S	3 W	WM	29	NE SE		54	10.5
15 S	3 W	WM	29	NW SE		54	13.6
15 S	3 W	WM	30	NE SE			24.2
15 S	3 W	WM	32	SW NE		64	8.4
15 S	3 W	WM	32	SE NE		64	14.8
15 S	4 W	WM	1	NW NW			26.2
15 S	4 W	WM	1	SW NW			20.0
15 S	4 W	WM	1	SE NW			19.8
15 S	4 W	WM	1	SW SW		50	5.0
15 S	4 W	WM	1	SE SW		50	36.0
15 S	4 W	WM	2	NE NE			13.2
15 S	4 W	WM	2	SE NE			2.8
15 S	4 W	WM	2	SE SE		50	0.1
15 S	4 W	WM	12	NE NW		50	17.2
15 S	4 W	WM	12	NW NW		50	1.8
15 S	4 W	WM	12	SE SW		48	0.5
15 S	4 W	WM	13	NW NE		46	2.0
15 S	4 W	WM	13	SW NE		46	33.9
15 S	4 W	WM	13	SE NE		46	5.8
15 S	4 W	WM	13	NE NW		46	2.9
15 S	4 W	WM	13	SE NW		46	15.8
15 S	4 W	WM	13	NE SW		46	4.0
15 S	4 W	WM	13	NE SE		46	28.0
15 S	4 W	WM	13	NW SE		46	39.2
15 S	4 W	WM	13	SE SE	5		3.4
15 S	4 W	WM	24	NE NE			18.6
15 S	4 W	WM	24	NW NE			2.8
15 S	4 W	WM	24	SW NE			1.8
15 S	4 W	WM	24	SE NE			37.9
15 S	4 W	WM	24	NE SE			7.0
16 S	3 W	WM	4	NW NE	7		6.2
16 S	3 W	WM	4	NE NW			29.0
16 S	3 W	WM	4	NW NW			11.2
16 S	3 W	WM	4	SW NW			7.0

IRRIGATION							
MCKENZIE RIVER AND MUDDY CREEK							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
16 S	3 W	WM	4	SE NW			12.4
16 S	3 W	WM	4	NE SW			6.2
16 S	3 W	WM	4	NW SW			40.0
16 S	3 W	WM	4	SW SW	1		10.0
16 S	3 W	WM	4	SE SW	2		1.5
16 S	3 W	WM	5	NE NE			37.0
16 S	3 W	WM	5	NW NE			22.4
16 S	3 W	WM	5	SW NE			5.3
16 S	3 W	WM	5	SE NE			9.8
16 S	3 W	WM	5	NE NW			0.2
16 S	3 W	WM	5	SE NW			37.7
16 S	3 W	WM	5	NE SW			27.0
16 S	3 W	WM	5	NW SW			7.2
16 S	3 W	WM	5	SW SW			39.8
16 S	3 W	WM	5	SE SW			19.2
16 S	3 W	WM	5	NE SE			20.0
16 S	3 W	WM	5	NW SE			5.0
16 S	3 W	WM	5	SE SE	1		9.0
16 S	3 W	WM	6	NE SE			15.9
16 S	3 W	WM	6	SE SE			21.8
16 S	3 W	WM	8	NW NE			10.0
16 S	3 W	WM	8	SW NE			10.0
16 S	3 W	WM	8	NE NW			16.0
16 S	3 W	WM	8	SE NW			17.6
16 S	3 W	WM	8	SE SE		50	0.2
16 S	3 W	WM	9	SW SW		50	8.0
16 S	3 W	WM	9	SE SW		50	0.5
16 S	3 W	WM	16	NE NW		50	0.6
16 S	3 W	WM	16	NE NW		53	3.6
16 S	3 W	WM	16	NW NW		53	22.8
16 S	3 W	WM	16	NW NW		50	9.0
16 S	3 W	WM	16	SW NW		53	9.6
16 S	3 W	WM	16	SE SW		53	3.2
16 S	3 W	WM	17	NE NE	1		1.6
16 S	3 W	WM	17	NE NE		53	1.6
16 S	3 W	WM	17	NW NE		53	7.3
16 S	3 W	WM	17	NW NE	2		10.1
16 S	3 W	WM	17	SW NE		53	15.0
16 S	3 W	WM	17	SE NE		53	0.9
16 S	3 W	WM	17	SE NW		53	0.8
16 S	3 W	WM	17	NE SW		53	7.0
16 S	3 W	WM	17	SE SW		53	3.6
16 S	3 W	WM	17	NE SE		53	1.2

IRRIGATION							
MCKENZIE RIVER AND MUDDY CREEK							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
16 S	3 W	WM	17	NW SE		53	37.8
16 S	3 W	WM	17	SW SE		53	17.7
16 S	3 W	WM	17	SE SE		53	0.4
16 S	3 W	WM	20	SE NE			30.5
16 S	3 W	WM	20	NE SE		41	10.9
16 S	3 W	WM	20	NE SE		56	1.9
16 S	3 W	WM	20	NW SE		56	20.8
16 S	3 W	WM	20	SW SE		56	0.5
16 S	3 W	WM	21	NE NE		40	2.9
16 S	3 W	WM	21	NW NE		40	9.6
16 S	3 W	WM	21	NW NE		52	2.5
16 S	3 W	WM	21	SW NE		40	35.1
16 S	3 W	WM	21	SE NE		40	26.2
16 S	3 W	WM	21	SW NW		41	39.2
16 S	3 W	WM	21	SE NW		41	13.2
16 S	3 W	WM	21	SE NW		40	9.6
16 S	3 W	WM	21	NE SW		40	0.3
16 S	3 W	WM	21	NE SW	4		1.2
16 S	3 W	WM	21	NE SW		41	1.9
16 S	3 W	WM	21	NW SW		41	11.0
16 S	3 W	WM	21	NE SE		40	0.2
16 S	3 W	WM	21	NE SE		63	0.4
16 S	3 W	WM	21	NW SE		40	3.2
16 S	3 W	WM	21	NW SE	3		5.6
16 S	3 W	WM	21	NW SE		42	1.4
16 S	3 W	WM	21	NW SE		63	2.9
16 S	3 W	WM	21	SW SE		42	11.1
16 S	3 W	WM	21	SW SE		63	9.7
16 S	3 W	WM	21	SE SE		63	0.6
16 S	3 W	WM	22	SW NW		40	16.0
16 S	3 W	WM	22	NW SW		40	1.8
16 S	3 W	WM	33	SE NE		62	0.4
16 S	3 W	WM	33	SE NE		37	4.0
16 S	3 W	WM	33	NE SE		37	2.4
16 S	3 W	WM	34	SW NW		62	1.1
16 S	3 W	WM	34	SW NW		37	9.7
16 S	3 W	WM	34	NW SW		37	10.2

IRRIGATION							
MCKENZIE RIVER AND LITTLE MUDDY CREEK							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
14 S	3 W	WM	30	NE SE			9.7
14 S	3 W	WM	30	SE SE			0.1
14 S	4 W	WM	14	NE SE			2.3
14 S	4 W	WM	14	SE SE			8.9
14 S	4 W	WM	24	NE SE			24.1
14 S	4 W	WM	24	NW SE			4.0
14 S	4 W	WM	24	SW SE			5.6
14 S	4 W	WM	24	SE SE			22.8
14 S	4 W	WM	25	NE NE			2.0

IRRIGATION							
MCKENZIE RIVER AND LAKE CREEK							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
13 S	4 W	WM	32	NE NW		38	2.8
13 S	4 W	WM	32	NW NW		38	4.4
13 S	4 W	WM	32	SW NW		38	7.5
13 S	4 W	WM	32	SE NW		38	17.4
13 S	4 W	WM	32	NE SW		38	7.0
13 S	4 W	WM	32	NW SW		38	0.9
14 S	4 W	WM	4	NW NW		41	1.3
14 S	4 W	WM	4	SW NW		41	2.6
14 S	4 W	WM	5	NE NE		41	3.8
14 S	4 W	WM	5	SE NE		41	4.2
14 S	4 W	WM	16	SW NW		42	16.5
14 S	4 W	WM	17	NE NE		42	7.4
14 S	4 W	WM	17	SE NE		42	12.5

IRRIGATION							
MCKENZIE RIVER AND DRY MUDDY CREEK							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
14 S	4 W	WM	9	NE NE			7.8
14 S	4 W	WM	9	NW NE	1		8.1
14 S	4 W	WM	9	NW NE		45	17.0
14 S	4 W	WM	9	SW NE		45	22.6
14 S	4 W	WM	9	SW NE	2		10.4
14 S	4 W	WM	9	SE NE	3		10.1
14 S	4 W	WM	9	NE NW		45	15.0
14 S	4 W	WM	9	SE NW		45	10.1
14 S	4 W	WM	9	NW SE		51	0.4
14 S	4 W	WM	9	SW SE		51	7.0
14 S	4 W	WM	21	NE NE			1.0
14 S	4 W	WM	21	NW NE			9.2
14 S	4 W	WM	21	SE NE			0.2
14 S	4 W	WM	34	NE NW			1.8
14 S	4 W	WM	34	NW NW			25.0
14 S	4 W	WM	34	SW NW			31.0
14 S	4 W	WM	34	SE NW			11.6
15 S	4 W	WM	10	SE NE	2		6.8
15 S	4 W	WM	10	NE SE	3		1.1

IRRIGATION							
MCKENZIE RIVER AND DRY MUDDY CREEK							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
15 S	4 W	WM	11	NW NE		47	3.0
15 S	4 W	WM	11	SW NE		47	2.2
15 S	4 W	WM	11	SW NW	1		12.6
15 S	4 W	WM	11	NW SW	2		1.3
15 S	4 W	WM	12	SW SW		48	11.8
15 S	4 W	WM	12	SE SW		48	0.8
15 S	4 W	WM	13	NE NW		48	6.0
15 S	4 W	WM	13	NW NW		48	26.4
15 S	4 W	WM	13	SW NW		47	2.4
15 S	4 W	WM	13	SW NW		46	14.0
15 S	4 W	WM	13	SE NW		46	20.0
15 S	4 W	WM	13	NE SW		46	33.6
15 S	4 W	WM	13	NW SW		46	5.7
15 S	4 W	WM	24	NE SE			13.5
15 S	4 W	WM	24	NW SE			0.9

IRRIGATION							
MCKENZIE RIVER							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
15 S	4 W	WM	35	SW NE			4.2
15 S	4 W	WM	35	NE NW			7.0
15 S	4 W	WM	35	SE NW			6.2
16 S	3 W	WM	20	SW NW		56	13.5
16 S	3 W	WM	20	NE SW		56	24.4
16 S	3 W	WM	20	NW SW		56	26.0
16 S	3 W	WM	20	SW SW		56	6.5
16 S	3 W	WM	20	SE SW		56	35.9
16 S	3 W	WM	20	NW SE		56	12.4
16 S	3 W	WM	20	SW SE		56	34.8
16 S	3 W	WM	20	SE SE		56	0.2
16 S	3 W	WM	28	SW NW		42	15.0
16 S	3 W	WM	28	NE SW		61	24.3
16 S	3 W	WM	28	NW SW		42	7.7
16 S	3 W	WM	28	SE SW		61	30.0
16 S	3 W	WM	28	NW SE		61	12.0
16 S	3 W	WM	28	SW SE		61	24.0
16 S	3 W	WM	29	NE NE		58	1.5
16 S	3 W	WM	29	NW NE		58	23.4
16 S	3 W	WM	29	NW NE		56	7.8
16 S	3 W	WM	29	NW NE		43	3.1
16 S	3 W	WM	29	SW NE		43	2.0
16 S	3 W	WM	29	SW NE		58	6.8
16 S	3 W	WM	29	SE NE		42	0.5
16 S	3 W	WM	29	NE NW		56	0.2
16 S	3 W	WM	29	NE NW		43	14.0
16 S	3 W	WM	29	SE NW		43	22.8
16 S	3 W	WM	29	NE SW		43	21.5
16 S	3 W	WM	29	SE SW		43	6.0
16 S	3 W	WM	29	NW SE		43	0.2

IRRIGATION							
MCKENZIE RIVER							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
16 S	3 W	WM	29	NW SE		58	2.0
16 S	3 W	WM	30	SW NE			11.5
16 S	3 W	WM	30	SE NE			20.0
16 S	3 W	WM	33	NW NE		61	8.4
16 S	3 W	WM	33	NE NW		61	7.8
16 S	3 W	WM	33	NE SW		60	18.0
16 S	3 W	WM	33	NW SW		60	0.1
16 S	3 W	WM	33	SE SW		60	12.7
16 S	3 W	WM	33	SE SW		45	8.0
16 S	3 W	WM	33	NW SE		60	4.8
16 S	3 W	WM	33	SW SE		60	2.5
16 S	3 W	WM	33	SW SE		45	12.7
16 S	4 W	WM	11	NE NE		53	0.3
16 S	4 W	WM	11	SE NE		53	4.0
16 S	4 W	WM	11	NE NW		52	2.8
16 S	4 W	WM	11	NW NW		52	2.6
16 S	4 W	WM	12	NW NW		53	4.1
16 S	4 W	WM	12	SW NW		53	0.2
16 S	4 W	WM	12	NE SW		54	14.9
16 S	4 W	WM	12	NW SW		54	0.3
16 S	4 W	WM	12	SE SW		54	4.2
16 S	4 W	WM	13	SW NE			9.3
16 S	4 W	WM	13	SE NE			1.1
17 S	3 W	WM	4	NE NE		38	2.8
17 S	3 W	WM	4	NW NE		38	24.9
17 S	3 W	WM	4	SW NE		38	33.0
17 S	3 W	WM	4	SE NE		38	15.6
17 S	3 W	WM	4	NE NW		38	0.1
17 S	3 W	WM	4	SE NW		38	0.1
17 S	3 W	WM	4	NE SE		38	4.8
17 S	3 W	WM	4	NW SE		38	3.6

SUPPLEMENTAL IRRIGATION							
MCKENZIE RIVER							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
15 S	4 W	WM	13	SE SE	5		7.8
15 S	4 W	WM	26	SW SW			11.6
15 S	4 W	WM	26	SE SW			13.2
15 S	4 W	WM	35	NW NE			1.3
15 S	4 W	WM	35	SW NE			5.4
15 S	4 W	WM	35	NE NW			16.3
15 S	4 W	WM	35	SE NW			8.2
16 S	4 W	WM	1	SW SW		56	2.2
16 S	4 W	WM	2	SW NE		52	13.5
16 S	4 W	WM	2	SE NE		52	1.5
16 S	4 W	WM	2	SE SE		56	10.4
16 S	4 W	WM	11	NE NE		56	18.1
16 S	4 W	WM	11	NE NE		56	8.4
16 S	4 W	WM	11	NW NE		53	12.2
16 S	4 W	WM	11	SW NE		53	8.4
16 S	4 W	WM	11	SE NE		53	13.8
16 S	4 W	WM	12	NW NW		56	0.5
16 S	4 W	WM	12	NW NW		56	0.2
16 S	4 W	WM	12	SW NW		53	7.8
16 S	4 W	WM	12	NE SW		53	1.3
16 S	4 W	WM	12	NW SW		54	26.3

This certificate describes that portion of the water right confirmed by Certificate 84796, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered _____, approving Transfer Application T-10458.

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

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

WITNESS the signature of the Water Resources Director, affixed _____.

Phillip C. Ward, Director

Kelly Starnes

From: Walt Trimmer [wtrimmer@comcast.net]
Sent: Thursday, April 08, 2010 12:23 PM
To: Kelly Starnes
Subject: RE: Transfer Application T-10458 (Muddy Creeks Irrigation Project)

Kelly,

I have contacted the parties and am still waiting reply but I will follow up again and get this done.

Walt Trimmer, P.E., PhD
Trimmer Engineering Inc.
3924 NW Walnut Place
Corvallis, OR 97330
(541)754-2819

From: Kelly Starnes [mailto:starnepk@wrdd.state.or.us]
Sent: Thursday, February 25, 2010 2:47 PM
To: wtrimmer@comcast.net
Cc: jdewall@uwd.net
Subject: Transfer Application T-10458 (Muddy Creeks Irrigation Project)

Hi Walt –

I am working on Transfer Application T-10458 (Muddy Creeks Irrigation Project) for a change in place of use (Curtis "from" land). You had been working with Nikki Hendricks previously. A couple of items are needed to get this transfer going again:

The transfer application does not have an affidavit of use (Supplemental Form B). There is a bill from Muddy Creek Irrigation Project which is good for the supplemental use exhibit, but the application requires a completed Supplemental Form B. Blank Supplemental form B can be found here:
http://www1.wrd.state.or.us/pdfs/Supplemental_Form_B.pdf

Also, the Department has not had a response from the applicant either for or against the draft preliminary determination mailed out on October 15, 2009, nor has the Department received the requested report of ownership information for the lands from which the water right is being moved. Attached are the cover letter and draft preliminary determination.

Processing of the transfer application cannot proceed until I receive all of the items describe above. If you have any questions, please contact me at 503-986-0886 or e-mail.

Thank you!

Kelly

Kelly Starnes, NW Region Transfer Specialist
Oregon Water Resources Department
Telephone: 503-986-0886 Fax: 503-986-0903
E-mail: Patrick.K.STARNES@wrdd.state.or.us

Please Note: Under Oregon Law, messages to and from this e-mail address may be available to the public.



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

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

October 27, 2009

MUDDY CREEK IRRIGATION PROJECT
P O BOX 225
HARRISBURG OR 97446

SUBJECT: Water Right Transfer Application T-10458

I have been assigned as caseworker to your transfer application file. Nikki has moved on to a new job in the Portland area.

Please address any correspondence to me, Kelly Starnes, at the address at the top of the page. Please do not hesitate to contact me at 503-986-0886 or Patrick.K.Starnes@wr.d.state.or.us if you have any questions.

Sincerely,

Kelly Starnes
Northwest Region Transfer Specialist

cc: **File T-10458**

Walt Trimmer, CWRE

enc



From

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Water Rights Platcard Report

Meridian: Willamette Township: 14 South Range: 4 West Section: 35 Records per Page: 20 Search New Platcards Maps! [Learn about](#) * [Mapped by Type](#) * [Mapped by Use](#)

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Unknown
							Q(160): NE	NE	NE	NE	NE	NW	NW	NW	NW	NW	NW	NW	NW	NW	NW	NW	NW	NW	NW	NW	QQ
Select Cert:21487 OR *		1/4/1952	IRRIGATION				2.2			4.8																	
Additional Info: JOHN A/DELORES CURTIS App: S26765 Permit: S21031 Cert: 21487																											
Select Cert:36644 OR CN	T7127	2/9/1939	IRRIGATION CN				1-8	14-8	28-7	16-4	37-4	33-4	21-4	24-1											0-2	6-9	
Additional Info: MUDDY CREEKS IRRIGATION PROJECT App: S17802 Permit: S17510 Cert: 36644																											
Select Cert:51599 RR CN	T7005, T7033	2/9/1939	IRRIGATION CN				1-8	14-8	28-7	16-4	37-4	33-4	21-4	24-1											0-2	6-9	
Additional Info: MUDDY CREEKS IRRIGATION PROJECT App: S17802 Permit: S17510 Cert: 51599																											
Select Cert:68346 RR CN	T7127, T7364	2/9/1939	IRRIGATION CN				1-8	14-8	28-7	16-4	37-4	33-4	21-4	24-1											0-2	6-9	
Additional Info: MUDDY CREEKS IRRIGATION PROJECT App: S17802 Permit: S17510 Cert: 68346																											
Select Cert:75226 RR CN	T7163, T7377	2/9/1939	IRRIGATION CN				1-8	14-8	28-7	16-4	37-4	33-4	21-4	24-1											0-2	6-9	
Additional Info: MUDDY CREEKS IRRIGATION PROJECT App: S17802 Permit: S17510 Cert: 75226																											
Select Cert:76399 RR CN	T7161	2/9/1939	IRRIGATION CN				1-8	14-8	28-7	16-4	37-4	33-4	21-4	24-1											0-2	6-9	
Additional Info: MUDDY CREEKS IRRIGATION PROJECT App: S17802 Permit: S17510 Cert: 76399																											
Select Cert:76691 RR CN	T8872, T10458, T10140	2/9/1939	IRRIGATION CN				1-8	14-8	28-7	16-4	37-4	33-4	21-4	24-1											0-2	6-9	
Additional Info: MUDDY CREEKS IRRIGATION PROJECT App: S17802																											

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Water Rights Platcard Report

Meridian: Willamette Township: 15 South Range: 3 West Section: 30 Records per Page: 20 Search

New Platcards Maps! Learn about * Mapped by Type * Mapped by Use

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Let	QQ(40): NE NE SW SE NE NW SW SE NE NW SW SE NE NW SW SE NE NW SW SE NE NW SW SE Unknown QQ	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Unknown QQ
Select Cert:28887 OR CN Additional Info: LEE ROY STALLINGS App: S32477 Permit: S25644 Cert: 28887		7/23/1958	IRRIGATION	CN										0-1	6-3	2-6												
Select Cert:36644 OR CN Additional Info: MUDDY CREEKS IRRIGATION PROJECT App: S17802 Permit: S17510 Cert: 36644	T7127	2/9/1939	IRRIGATION	CN						34.6	16.6									25.8	14							
Select Cert:51599 RR CN Additional Info: MUDDY CREEKS IRRIGATION PROJECT App: S17802 Permit: S17510 Cert: 51599	T7005, T7033	2/9/1939	IRRIGATION	CN						34.6	16.6									25.8	14							
Select Cert:68346 RR CN Additional Info: MUDDY CREEKS IRRIGATION PROJECT App: S17802 Permit: S17510 Cert: 68346	T7127, T7364	2/9/1939	IRRIGATION	CN						16.2	16.6									25.8	7.1							
Select Cert:75226 RR CN Additional Info: MUDDY CREEKS IRRIGATION PROJECT App: S17802 Permit: S17510 Cert: 75226	T7163, T7377	2/9/1939	IRRIGATION	CN						16.2	16.6									24.9	7.1							
Select Cert:76399 RR CN Additional Info: MUDDY CREEKS IRRIGATION PROJECT App: S17802 Permit: S17510 Cert: 76399	T7161	2/9/1939	IRRIGATION	CN																24.2								
Select Cert:76691 RR CN Additional Info: MUDDY CREEKS IRRIGATION PROJECT App: S17802	T8872, T10458, T10140	2/9/1939	IRRIGATION	CN																24.2								

Permit: S17510 Cert: 76691																
Select Cert:84796 RR * T10458 2/9/1939 IRRIGATION																
<u>Additional Info:</u> MUDDY CREEKS IRRIGATION PROJECT App: S17802 Permit: S17510 Cert: 84796																

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

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Water Rights Platcard Report

Meridian: Willamette Township: 15 South Range: 3 West Section: 32 Records per Page: 20 Search [New Platcards Maps!](#) [Learn about](#) * [Mapped by Type](#) * [Mapped by Use](#)

Water Right	Changing Xfers	Priority	Use	Use Status	PLC	Govt Lot	QQ(40): Q(160)	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unknown QQ
Select Inchoate: T 7377 CF (REG) *		2/9/1939	IRRIGATION					(2.2)	(6.2) ok			(4.2) ok											
Additional Info: DAVID MALPASS App: S17802 Permit: S17510																							
Select Inchoate: T 7377 CF (REG) *		2/9/1939	IRRIGATION									(1.4) ok											
Additional Info: DAVID MALPASS App: S17802 Permit: S17510																							
Select Cert:36644 OR CN	T7127	2/9/1939	IRRIGATION CN							8.4	14.8												
Additional Info: MUDDY CREEKS IRRIGATION PROJECT App: S17802 Permit: S17510 Cert: 36644																							
Select Cert:43480 OR *			IRRIGATION					2.1			1.1												
Additional Info: C. DUDLEY MILLER App: G4756 Permit: G4511 Cert: 43480																							
Select Cert:43480 OR *			IRRIGATION					7.8	ok	7.3	19.4												
Additional Info: C. DUDLEY MILLER App: G4756 Permit: G4511 Cert: 43480																							
Select Cert:51599 RR CN	T7005, T7033	2/9/1939	IRRIGATION CN							8.4	14.8												
Additional Info: MUDDY CREEKS IRRIGATION PROJECT App: S17802 Permit: S17510 Cert: 51599																							
Select Cert:68346 RR CN	T7127, T7364	2/9/1939	IRRIGATION CN							23.2													
Additional Info: MUDDY CREEKS IRRIGATION PROJECT App: S17802 Permit: S17510 Cert: 68346																							

Select	Cert:68365 OR CN	T7131, T7127, T7364	IRRIGATION CN	62	2															
Additional Info: MUDDY CREEKS IRRIGATION PROJECT App: S68824 Permit: S50921 Cert: 68365																				
Select	Cert:68365 OR CN	T7131, T7127, T7364	IRRIGATION CN	64	1-3	27-6	11-7	2		21-1	3-3	3								
Additional Info: MUDDY CREEKS IRRIGATION PROJECT App: S68824 Permit: S50921 Cert: 68365																				
Select	Cert:68367 OR CN		3/1/1978 IRRIGATION CN								40	30	23-6	7						
Additional Info: MUDDY CREEKS IRRIGATION PROJECT App: S55400 Permit: S42759 Cert: 68367																				
Select	Cert:68369 OR *		IRRIGATION	64	2.9															
Additional Info: MUDDY CREEKS IRRIGATION PROJECT App: S58932 Permit: S45980 Cert: 68369																				
Select	Cert:75226 RR CN	T7163, T7377	2/9/1939 IRRIGATION CN	64		8-4	14-8													
Additional Info: MUDDY CREEKS IRRIGATION PROJECT App: S17802 Permit: S17510 Cert: 75226																				
Select	Cert:75228 RR CN	T7230	IRRIGATION CN	62	2															
Additional Info: MUDDY CREEKS IRRIGATION PROJECT App: S68824 Permit: S50921 Cert: 75228																				
Select	Cert:75228 RR CN	T7230	IRRIGATION CN	64	1-3	27-6	11-7	2		21-1										
Additional Info: MUDDY CREEKS IRRIGATION PROJECT App: S68824 Permit: S50921 Cert: 75228																				
Select	Cert:75439 RR CN	T6999	IRRIGATION CN	62	2															
Additional Info: MUDDY CREEKS IRRIGATION DISTRICT App: S68824 Permit: S50921 Cert: 75439																				
Select	Cert:75439 RR CN	T6999	IRRIGATION CN	64	1-3	27-6	11-7	2		21-1										
Additional Info: MUDDY CREEKS IRRIGATION DISTRICT App: S68824																				

Permit: S50921 Cert: 75439																					
Select	Cert:76399 RR CN Additional Info: MUDDY CREEKS IRRIGATION PROJECT App: S17802 Permit: S17510 Cert: 76399	T7161	2/9/1939	IRRIGATION	CN	64			8-4	14-8											
Select	Cert:76691 RR CN Additional Info: MUDDY CREEKS IRRIGATION PROJECT App: S17802 Permit: S17510 Cert: 76691	T8872, T10458, T10140	2/9/1939	IRRIGATION	CN	64			8-4	14-8											
Select	Cert:80364 CF CN Additional Info: HUGH MALPASS App: S68824 Permit: S50921 Cert: 80364			IRRIGATION	CN	54										±				5	
Select	Cert:80360 CF * Additional Info: DAVID MALPASS App: S55400 Permit: S42759 Cert: 80360		3/1/1978	IRRIGATION												0.1	34.9			27.2	38.4
12																					

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

Water Rights Platcard Report

Meridian: Willamette Township: 15 South Range: 3 West Section: 32 Records per Page: 20 Search New Platcards Maps!
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Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Grv't Lot	QQ(40) Q(100)	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unkwnn QQ
Select Cert:80361 CF *		2/9/1939	IRRIGATION																	1.6	15.9			
Additional Info: DAVID MALPASS App: S17802 Permit: S17510 Cert: 80361																								
Select Cert:80363 CF *			IRRIGATION																	6.3				
Additional Info: DAVID MALPASS App: S68824 Permit: S50921 Cert: 80363																								
Select Cert:80835 RR CR *			IRRIGATION		62		2																	
Additional Info: MUDDY CREEKS IRRIGATION DISTRICT App: S68824 Permit: S50921 Cert: 80835																								
Select Cert:80835 RR CR *			IRRIGATION		64		1.3	20.6	11.7															
Additional Info: MUDDY CREEKS IRRIGATION DISTRICT App: S68824 Permit: S50921 Cert: 80835																								
Select Cert:80529 CF CR *			IRRIGATION		54															1		5		
Additional Info: HUGH MALPASS App: S68824 Permit: S50921 Cert: 80529																								
Select Cert:84796 RR *	T10458	2/9/1939	IRRIGATION		64					8.4	14.8													
Additional Info: MUDDY CREEKS IRRIGATION PROJECT App: S17802 Permit: S17510 Cert: 84796																								
Select Cert:43480 OR *			SUPPLEMENTAL IRRIGATION (Suppl'mtl)		64					8.4	14.4													
Additional Info: C. DUDLEY MILLER App: G4756																								



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



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

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

October 15, 2009

MUDDY CREEK IRRIGATION PROJECT
PO BOX 225
HARRISBURG OR 97446

SUBJECT: Water Right Transfer Application T-10458

Please find enclosed a draft of our Preliminary Determination regarding Transfer Application T-10458. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved. This draft is intended to provide you with an opportunity to comment on our findings and conclusions should you wish to do so. Please review the draft carefully to evaluate whether the document is consistent with your intent in seeking the transfer, and whether you agree with the proposed action.

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

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

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

Issuance of the Preliminary Determination will occur shortly after we receive both your written response and the report of ownership information. If we do not receive your response and the report by November 20, 2009, a Preliminary Determination may be issued denying the application as incomplete.

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

Sincerely,

Nikki Hendricks
Transfer Specialist

cc: T-10458
Mike Mattick, District 2 Watermaster
Walt Trimmer, Agent

encs



BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application)
T-10458, Lane, Linn County)

D R A F T

) PRELIMINARY DETERMINATION
) PROPOSING APPROVAL OF A
) CHANGE IN PLACE OF USE

Authority

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

MUDDY CREEK IRRIGATION PROJECT
PO BOX 225
HARRISBURG OR 97446

Findings of Fact

Background

1. On September 14, 2007, MUDDY CREEK IRRIGATION PROJECT filed an application to change the place of use under Certificate 84796. The Department assigned the application number T-10458.
2. On August 14, 2009, the applicant submitted a revised map, identifying 97 acres for transfer. A revised Supplemental Form A was also submitted.
3. On August 21, 2009, the applicant submitted a revised map and Supplemental Form A page 3, identifying the appropriate points of diversion.
4. On October 7, 2009, the applicant submitted a revised map and Supplemental Form A with the authorized points of diversion properly described and mapped.

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

Certificate: 84796 in the name of MUDDY CREEKS IRRIGATION PROJECT
(perfected under Permit S-17510)
Use: IRRIGATION of 97 ACRES
Priority Date: FEBRUARY 9, 1939
Rate: 1.28 CUBIC FEET PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: MUDDY CREEK, tributary to the MCKENZIE RIVER

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC	Survey Coordinates
14 S	4 W	WM	35	NW NE		1280 FEET SOUTH AND 2520 FEET WEST FROM NORTHEAST CORNER SECTION 35
15 S	3 W	WM	30	SW NE		3830 FEET NORTH AND 1900 FEET WEST FROM NORTHWEST CORNER, GREENWOOD DLC 64
15 S	3 W	WM	32	SW NE	64	2810 FEET NORTH AND 2090 FEET WEST FROM SOUTHEAST CORNER, SECTION 32

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	4 W	WM	35	NE NW	18.1
14 S	4 W	WM	35	NW NW	33.4
14 S	4 W	WM	35	SW NW	21.4
14 S	4 W	WM	35	SE NW	24.1

6. Application T-10458 proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
15 S	3 W	WM	30	SW NE	18.4
15 S	3 W	WM	30	SE NE	16.6
15 S	3 W	WM	30	NE SE	0.9
15 S	3 W	WM	30	NW SE	6.9
15 S	3 W	WM	32	NW NE	1.6
15 S	3 W	WM	32	NE NW	15.3
15 S	3 W	WM	32	SE NW	14.2
15 S	3 W	WM	32	NW SE	23.1

7. Notice of the application for transfer was published on September 25, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.

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

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

9. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-10458.
10. The proposed change would not result in enlargement of the right.
11. The proposed change would not result in injury to other water rights.

Determination and Proposed Action

The change in place of use proposed in Transfer Application T-10458 appears 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-10458 is approved, the final order will include the following:

1. *The change in place of use proposed in application T-10458 are approved.*
2. *Water right certificate 84796 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.*
3. *The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 84796 and any related decree.*
4. *The Director may require the water user to install a totalizing flow meter or other suitable measuring devices at each point of diversion. If the Director notifies the water user to install totalizing flow meters or other measuring devices, the water user shall install such devices specified by the Director within the period allowed in the notice. Once installed, the water user shall maintain the meters or measuring devices in good working order and shall allow the Watermaster access to the meters or measuring devices.*
5. *When required by the Department, the water user shall install, maintain and operate a headgate to control and regulate the quantity of water diverted. The type and plans of the headgate must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.*
6. *The former place of use of the transferred right shall no longer receive water under the right.*
7. *The approved change 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 change and full beneficial use of the water.*
8. *When satisfactory proof of the completed change is received, a new certificate confirming the right transferred will be issued.*

Dated at Salem, Oregon this _____ day of _____ 2009.

D R A F T

Phillip C. Ward, Director

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

Kelly Starnes

From: Sarah Henderson
Sent: Thursday, December 17, 2009 2:48 PM
To: Kelly Starnes
Subject: FYI - From Nikki's Email - T-10458
Attachments: Muddy_Crks_dwg T-10458 To (1).pdf

From: Walt Trimmer [mailto:wtrimmer@comcast.net]
Sent: Friday, August 21, 2009 1:26 PM
To: Nichole Hendricks
Cc: jdewall@uwd.net
Subject: RE: T-10458

Nikki,

Thanks for your help. The additional POD is one listed in Certificate 84796: T15S R3W Sec 30, 3830 ft. N and 1900 ft west of NW corner of Greenwood DLC 64. I have plotted it on the map. I have also changed page 3 of the Form A to show the correct P.O.D.'s. I have attached a pdf so you can look at both pages but I will send a new signed map and the Form A page in the mail.

One note, Jane DeWall's email address is jdewall@uwd.net not the uwol as you have.

Walt Trimmer, P.E., PhD
Trimmer Engineering Inc.
3924 NW Walnut Place
Corvallis, OR 97330
(541)754-2819

From: Nichole Hendricks [mailto:hendrinm@wrd.state.or.us]
Sent: Wednesday, August 19, 2009 11:26 AM
To: wtrimmer@comcast.net
Cc: jdewall@uwd.net
Subject: T-10458

Walt,

I was hoping everything was good to go but upon further processing and investigation I have found that one of the listed 'authorized' points of diversion is not listed on the certificate. The POD is T 15S, R 3W, Sec 30, SE SE, 1345' N and 1800' W of SW corner John Maxwell DLC 64. Are the applicants proposing to add a POD or did they list the wrong one. Their is another POD in Section 30 they may be able to use.

Also just for their knowledge, Certificate 76691 is cancelled from Transfer 10140. The remaining right Certificate is 84796, which is what I am using for this transfer.

I apologize for all the confusion and thank you for your prompt and thorough response.

12/17/2009

▪ Certificate Number or other identifying number: 76691

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)
	Muddy Creek 2/9/1939	14 S	4 W	WM	35	NWSE		3150' S & 1610' W from NE corner section 35
	Muddy Creek 2/9/1939	15 S	3 W	WM	32	SWNE		2810' E & 2090' W from SE corner section 32
	Muddy Creek, 2/9/1939	15 S	3 W	WM	30	SWNE	TL 502	3830' N & 1900' W of NW corner Greenwood DLC 64
								NOTE: All of these P.O.D.'s are listed in Certificate 76691

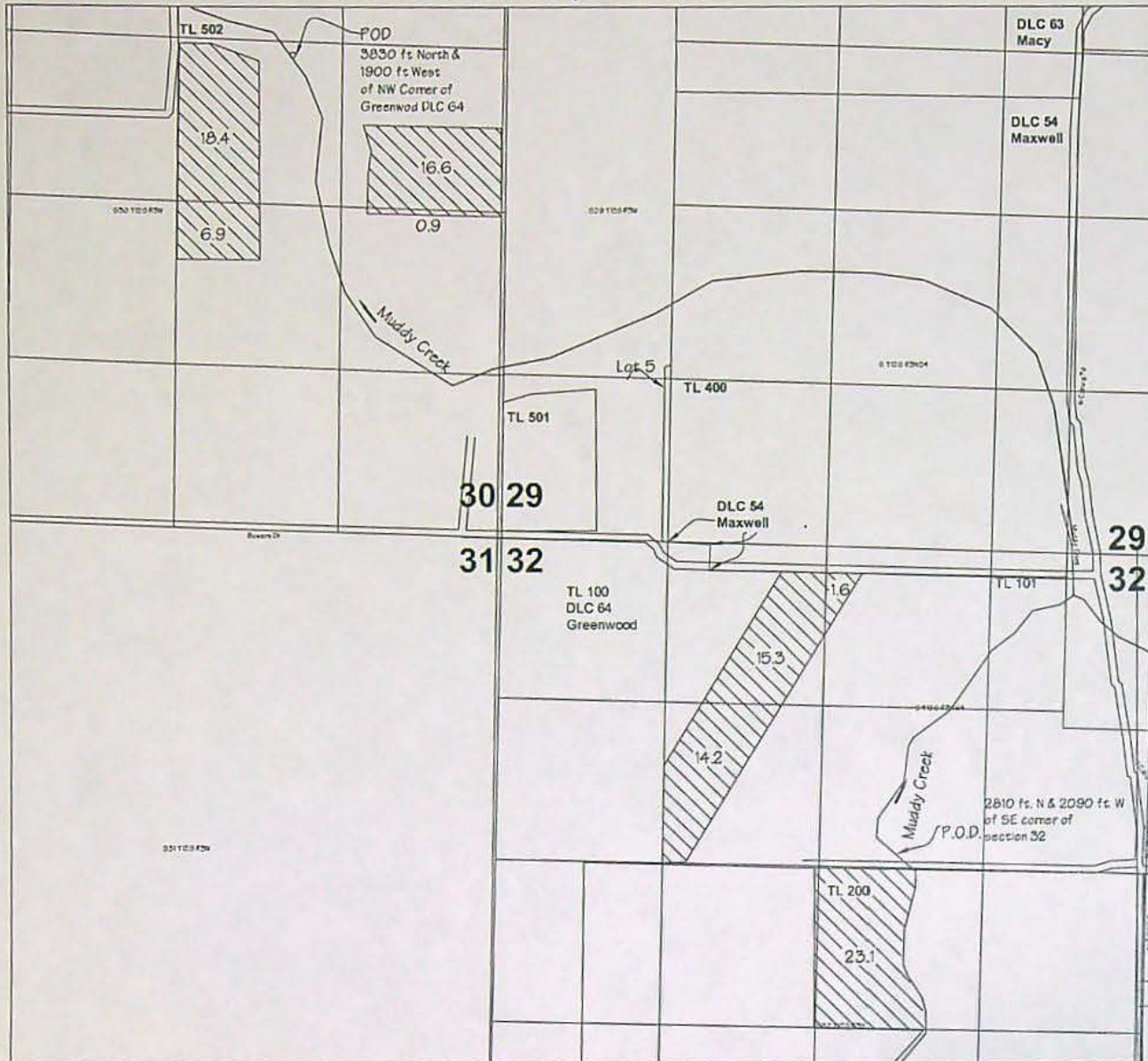
- Does the water right being transferred involve a ground water source(s)?
 Yes No (Surface water source only.)

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

T15S R3W, W.M.



Transfer T-10458

In the name of

Muddy Creeks Irrigation Project

Transfer To:

Certificate # 76691



In the name of

Muddy Creeks Irrigation Project

Prepared by

Walter L. Trimmer

CWRE #332

Trimmer Engineering Inc.

3924 NW Walunt Place

Corvallis, OR 97330

541-754-2819

Scale 1" = 1320'

August 22, 2007

Layout: Transfer From

File: MuddyCrk.dwg

Based on USGS Coburg Quad

DWG 1 of 2

(revised 8/12/2009 to avoid Certificate
80835 acres, 8/21/09 add POD)

Kelly Starnes

From: Walt Trimmer [wtrimmer@comcast.net]
Sent: Thursday, August 13, 2009 8:33 AM
To: Nichole Hendricks
Subject: RE: Transfer Application T-10458

Nikki,

I put the new Form A and Transfer TO map in the mail today. Please let me know if you have any questions.

Walt Trimmer, P.E., PhD
Trimmer Engineering Inc.
3924 NW Walnut Place
Corvallis, OR 97330
(541)754-2819

From: Nichole Hendricks [mailto:hendrinm@wrd.state.or.us]
Sent: Tuesday, August 04, 2009 12:08 PM
To: Walt Trimmer
Subject: RE: Transfer Application T-10458

Walt,

Yes, that is the problem I noticed between the map and Form A, I will look for the map in the mail. In your review of the information I provided do you find these lands to be under Certificate 80835? I can still process the application as requested, I just wanted the applicant to be aware that it will force the Certificate with the junior priority date to become supplemental. Further information will be available in Draft Preliminary Determination.

Thank you,
Nikki

From: Walt Trimmer [mailto:wtrimmer@comcast.net]
Sent: Tuesday, August 04, 2009 11:32
To: Nichole Hendricks
Subject: RE: Transfer Application T-10458

Nikki,

I looked at the Form A and map and found the SWNE of Sec 32 was labeled at 18.6 acres and should be 18.8 acreage (and this was confirmed by measuring the acreage on the map) when this change is made the acreage to and from balances at 97.0 acres.

If this is the same problem you found I will print a revised Transfer To map and send it to you. Otherwise let me know.

Walt Trimmer, P.E., PhD
Trimmer Engineering Inc.
3924 NW Walnut Place

Corvallis, OR 97330
(541)754-2819

From: Nichole Hendricks [mailto:hendrinm@wrd.state.or.us]
Sent: Tuesday, August 04, 2009 9:07 AM
To: Walt Trimmer
Subject: RE: Transfer Application T-10458

Walt,

Thank you for your quick response and clarification. You are correct in that Certificate 84796 is on the East side of Muddy Creek and is not affecting this Transfer. That was my mistake I wrote down the wrong Certificate and acreage numbers. However, you will find in the links attached the Certificate 80835 and its map. It is not showing up on the Interactive Mapper as you described but that is because the Certificates in affect before Certificate 80835 were never mapped. All of the sources I have available lead me to believe that the lands proposed for transfer in T15S, R3W, Sec 32 are currently under Certificate 80835. This information is available through the links below.

http://gis.wrd.state.or.us/maps/use/MM15_00S03_00W32.pdf
http://apps2.wrd.state.or.us/apps/wr/wrinfo/wr_details.aspx?snp_id=141416
http://apps2.wrd.state.or.us/apps/misc/vault/vault.aspx?Type=Cert&cert_nbr=80835

Also your Transfer map acreage does not match the acreage noted on page 6 of Supplemental Form A. When you have decided what you would like to do with the transfer acres, the Department will need a revised Form A and map, whichever resembles the wanted acreage.

As always, please contact me with any questions at 503-986-0898 or by email provided below.

Thank you,

Nikki Hendricks
Water Right Transfer Specialist
Oregon Water Resources Department
725 Summer St. NE, Suite A
Salem, Oregon 97301
503-986-0898
Nichole.M.HENDRICKS@wrd.state.or.us

From: Walt Trimmer [mailto:wtrimmer@comcast.net]
Sent: Monday, August 03, 2009 14:41
To: Nichole Hendricks
Cc: jdewall@uwd.net
Subject: RE: Transfer Application T-10458

Nikki,

I was able to call up the data and look at the water rights map on your interactive web system. The two entries in question on certificate 84796 are T15 S R3W Sec 32 SWNE 8.4 acres & SENE 14.8 acres. These two pieces are connected but are on the east side of Muddy Creek while T-10140 has "transferred to" acres on the west side of the creek in the SWNE QQ of section 32.

12/17/2009

I tried everything I could to copy the picture of the water rights to attach to this message but the green water rights layer just would not appear. I am sure you can look up the same screen on the interactive water rights.

I hope this takes care of the problem. If not, or if there are other problems please contact me. Thanks for your help.

Walt Trimmer, P.E., PhD
Trimmer Engineering Inc.
3924 NW Walnut Place
Corvallis, OR 97330
(541)754-2819

From: Nichole Hendricks [mailto:hendrinm@ wrd.state.or.us]
Sent: Monday, August 03, 2009 1:33 PM
To: wtrimmer@comcast.net
Cc: jdewall@uwd.net
Subject: Transfer Application T-10458

Mr. Walter Trimmer,

I am following up with our phone conversation we had on July 23, 2009 concerning transfer application T-10458. I had brought to your attention that the some of the authorized lands being transferred were proposing to be placed on lands (8.4 acres, 15S 3W Sec32 SW NE) that are under Certificate 84796. You had mentioned that you needed more time to investigate, as you thought those lands had been previously transferred. In my investigations, I have been unable to find any evidence that the proposed lands do not already have an irrigation right associated to them. Please let me know if you are able to find evidence that they are not or what modifications to the transfer would like to be made so processing may continue.

Please respond by **September 3, 2009**. Do not hesitate to contact me at 503-986-0898 or by email at Nichole.M.Hendricks@ wrd.state.or.us.

Sincerely,

Nikki Hendricks
Water Right Transfer Specialist
Oregon Water Resources Department
725 Summer St. NE, Suite A
Salem, Oregon 97301
503-986-0898
Nichole.M.HENDRICKS@ wrd.state.or.us

Kelly Starnes

From: Walt Trimmer [wtrimmer@comcast.net]
Sent: Tuesday, August 04, 2009 9:37 AM
To: Nichole Hendricks
Subject: RE: Transfer Application T-10458

I'll get on this.

Walt Trimmer, P.E., PhD
Trimmer Engineering Inc.
3924 NW Walnut Place
Corvallis, OR 97330
(541)754-2819

From: Nichole Hendricks [mailto:hendrinm@ wrd.state.or.us]
Sent: Tuesday, August 04, 2009 9:07 AM
To: Walt Trimmer
Subject: RE: Transfer Application T-10458

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http://gis.wrd.state.or.us/maps/use/WM15_00S03_00W32.pdf
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http://apps2.wrd.state.or.us/apps/misc/vault/vault.aspx?Type=Cert&cert_nbr=80835

Also your Transfer map acreage does not match the acreage noted on page 6 of Supplemental Form A. When you have decided what you would like to do with the transfer acres, the Department will need a revised Form A and map, whichever resembles the wanted acreage.

As always, please contact me with any questions at 503-986-0898 or by email provided below.

Thank you,

Nikki Hendricks
Water Right Transfer Specialist
Oregon Water Resources Department
725 Summer St. NE, Suite A
Salem, Oregon 97301
503-986-0898
Nichole.M.HENDRICKS@ wrd.state.or.us

From: Walt Trimmer [mailto:wtrimmer@comcast.net]
Sent: Monday, August 03, 2009 14:41
To: Nichole Hendricks
Cc: jdewall@uwd.net
Subject: RE: Transfer Application T-10458

Nikki,

I was able to call up the data and look at the water rights map on your interactive web system. The two entries in question on certificate 84796 are T15 S R3W Sec 32 SWNE 8.4 acres & SENE 14.8 acres. These two pieces are connected but are on the east side of Muddy Creek while T-10140 has "transferred to" acres on the west side of the creek in the SWNE QQ of section 32.

I tried everything I could to copy the picture of the water rights to attach to this message but the green water rights layer just would not appear. I am sure you can look up the same screen on the interactive water rights.

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Trimmer Engineering Inc.
3924 NW Walnut Place
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(541)754-2819

From: Nichole Hendricks [mailto:hendrinm@wrd.state.or.us]
Sent: Monday, August 03, 2009 1:33 PM
To: wtrimmer@comcast.net
Cc: jdewall@uwd.net
Subject: Transfer Application T-10458

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Please respond by **September 3, 2009**. Do not hesitate to contact me at 503-986-0898 or by email at Nichole.M.Hendricks@wrd.state.or.us.

Sincerely,

Nikki Hendricks
Water Right Transfer Specialist
Oregon Water Resources Department
725 Summer St. NE, Suite A
Salem, Oregon 97301

12/17/2009

Kelly Starnes

From: Walt Trimmer [wtrimmer@comcast.net]
Sent: Tuesday, August 04, 2009 12:47 PM
To: Nichole Hendricks
Cc: jdewall@uwd.net
Subject: RE: Transfer Application T-10458

No, I didn't review the certificates. I will do that and consult with my client. The impact sounds serious. After I go over the certificates I will probably contact you to be sure I understand your comments.

Thanks.

Walt Trimmer, P.E., PhD
Trimmer Engineering Inc.
3924 NW Walnut Place
Corvallis, OR 97330
(541)754-2819

From: Nichole Hendricks [mailto:hendrinm@wrdd.state.or.us]
Sent: Tuesday, August 04, 2009 12:08 PM
To: Walt Trimmer
Subject: RE: Transfer Application T-10458

Walt,

Yes, that is the problem I noticed between the map and Form A, I will look for the map in the mail. In your review of the information I provided do you find these lands to be under Certificate 80835? I can still process the application as requested, I just wanted the applicant to be aware that it will force the Certificate with the junior priority date to become supplemental. Further information will be available in Draft Preliminary Determination.

Thank you,
Nikki

From: Walt Trimmer [mailto:wtrimmer@comcast.net]
Sent: Tuesday, August 04, 2009 11:32
To: Nichole Hendricks
Subject: RE: Transfer Application T-10458

Nikki,

I looked at the Form A and map and found the SWNE of Sec 32 was labeled at 18.6 acres and should be 18.8 acreage (and this was confirmed by measuring the acreage on the map) when this change is made the acreage to and from balances at 97.0 acres.

If this is the same problem you found I will print a revised Transfer To map and send it to you. Otherwise let me know.

Walt Trimmer, P.E., PhD

12/17/2009

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http://apps2.wrd.state.or.us/apps/wr/wrinfo/wr_details.aspx?snp_id=141416
http://apps2.wrd.state.or.us/apps/misc/vault/vault.aspx?Type=Cert&cert_nbr=80835

Also your Transfer map acreage does not match the acreage noted on page 6 of Supplemental Form A. When you have decided what you would like to do with the transfer acres, the Department will need a revised Form A and map, whichever resembles the wanted acreage.

As always, please contact me with any questions at 503-986-0898 or by email provided below.

Thank you,

Nikki Hendricks

Water Right Transfer Specialist
Oregon Water Resources Department
725 Summer St. NE, Suite A
Salem, Oregon 97301
503-986-0898
Nichole.M.HENDRICKS@wrđ.state.or.us

From: Walt Trimmer [mailto:wtrimmer@comcast.net]
Sent: Monday, August 03, 2009 14:41
To: Nichole Hendricks
Cc: jdewall@uwd.net
Subject: RE: Transfer Application T-10458

Nikki,

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12/17/2009

to” acres on the west side of the creek in the SWNE QQ of section 32.

I tried everything I could to copy the picture of the water rights to attach to this message but the green water rights layer just would not appear. I am sure you can look up the same screen on the interactive water rights.

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Sent: Monday, August 03, 2009 1:33 PM
To: wtrimmer@comcast.net
Cc: jdewall@uwd.net
Subject: Transfer Application T-10458

Mr. Walter Trimmer,

I am following up with our phone conversation we had on July 23, 2009 concerning transfer application T-10458. I had brought to your attention that the some of the authorized lands being transferred were proposing to be placed on lands (8.4 acres, 15S 3W Sec32 SW NE) that are under Certificate 84796. You had mentioned that you needed more time to investigate, as you thought those lands had been previously transferred. In my investigations, I have been unable to find any evidence that the proposed lands do not already have an irrigation right associated to them. Please let me know if you are able to find evidence that they are not or what modifications to the transfer would like to be made so processing may continue.

Please respond by **September 3, 2009**. Do not hesitate to contact me at 503-986-0898 or by email at Nichole.M.Hendricks@wrd.state.or.us.

Sincerely,

Nikki Hendricks
Water Right Transfer Specialist
Oregon Water Resources Department
725 Summer St. NE, Suite A
Salem, Oregon 97301
503-986-0898
Nichole.M.HENDRICKS@wrd.state.or.us

Kelly Starnes

From: Walt Trimmer [wtrimmer@comcast.net]
Sent: Monday, August 03, 2009 2:41 PM
To: Nichole Hendricks
Cc: jdewall@uwd.net
Subject: RE: Transfer Application T-10458

Nikki,

I was able to call up the data and look at the water rights map on your interactive web system. The two entries in question on certificate 84796 are T15 S R3W Sec 32 SWNE 8.4 acres & SENE 14.8 acres. These two pieces are connected but are on the east side of Muddy Creek while T-10140 has "transferred to" acres on the west side of the creek in the SWNE QQ of section 32.

I tried everything I could to copy the picture of the water rights to attach to this message but the green water rights layer just would not appear. I am sure you can look up the same screen on the interactive water rights.

I hope this takes care of the problem. If not, or if there are other problems please contact me. Thanks for your help.

Walt Trimmer, P.E., PhD
Trimmer Engineering Inc.
3924 NW Walnut Place
Corvallis, OR 97330
(541)754-2819

From: Nichole Hendricks [mailto:hendrinm@ wrd.state.or.us]
Sent: Monday, August 03, 2009 1:33 PM
To: wtrimmer@comcast.net
Cc: jdewall@uwd.net
Subject: Transfer Application T-10458

Mr. Walter Trimmer,

I am following up with our phone conversation we had on July 23, 2009 concerning transfer application T-10458. I had brought to your attention that the some of the authorized lands being transferred were proposing to be placed on lands (8.4 acres, 15S 3W Sec32 SW NE) that are under Certificate 84796. You had mentioned that you needed more time to investigate, as you thought those lands had been previously transferred. In my investigations, I have been unable to find any evidence that the proposed lands do not already have an irrigation right associated to them. Please let me know if you are able to find evidence that they are not or what modifications to the transfer would like to be made so processing may continue.

Please respond by **September 3, 2009**. Do not hesitate to contact me at 503-986-0898 or by email at Nichole.M.Hendricks@ wrd.state.or.us.

Sincerely,

Nikki Hendricks
Water Right Transfer Specialist

12/17/2009

Kelly Starnes

From: Walt Trimmer [wtrimmer@comcast.net]
Sent: Tuesday, August 04, 2009 11:32 AM
To: Nichole Hendricks
Subject: RE: Transfer Application T-10458

Nikki,

I looked at the Form A and map and found the SWNE of Sec 32 was labeled at 18.6 acres and should be 18.8 acreage (and this was confirmed by measuring the acreage on the map) when this change is made the acreage to and from balances at 97.0 acres.

If this is the same problem you found I will print a revised Transfer To map and send it to you. Otherwise let me know.

Walt Trimmer, P.E., PhD
Trimmer Engineering Inc.
3924 NW Walnut Place
Corvallis, OR 97330
(541)754-2819

From: Nichole Hendricks [mailto:hendrinm@ wrd.state.or.us]
Sent: Tuesday, August 04, 2009 9:07 AM
To: Walt Trimmer
Subject: RE: Transfer Application T-10458

Walt,

Thank you for your quick response and clarification. You are correct in that Certificate 84796 is on the East side of Muddy Creek and is not affecting this Transfer. That was my mistake I wrote down the wrong Certificate and acreage numbers. However, you will find in the links attached the Certificate 80835 and its map. It is not showing up on the Interactive Mapper as you described but that is because the Certificates in affect before Certificate 80835 were never mapped. All of the sources I have available lead me to believe that the lands proposed for transfer in T15S, R3W, Sec 32 are currently under Certificate 80835. This information is available through the links below.

http://gis.wrd.state.or.us/maps/use/WM15_00S03_00W32.pdf
http://apps2.wrd.state.or.us/apps/wr/wrinfo/wr_details.aspx?snp_id=141416
http://apps2.wrd.state.or.us/apps/misc/vault/vault.aspx?Type=Cert&cert_nbr=80835

Also your Transfer map acreage does not match the acreage noted on page 6 of Supplemental Form A. When you have decided what you would like to do with the transfer acres, the Department will need a revised Form A and map, whichever resembles the wanted acreage.

As always, please contact me with any questions at 503-986-0898 or by email provided below.

Thank you,

Nikki Hendricks
Water Right Transfer Specialist
Oregon Water Resources Department

725 Summer St. NE, Suite A
Salem, Oregon 97301
503-986-0898
Nichole.M.HENDRICKS@wrd.state.or.us

From: Walt Trimmer [mailto:wtrimmer@comcast.net]
Sent: Monday, August 03, 2009 14:41
To: Nichole Hendricks
Cc: jdewall@uwd.net
Subject: RE: Transfer Application T-10458

Nikki,

I was able to call up the data and look at the water rights map on your interactive web system. The two entries in question on certificate 84796 are T15 S R3W Sec 32 SWNE 8.4 acres & SENE 14.8 acres. These two pieces are connected but are on the east side of Muddy Creek while T-10140 has "transferred to" acres on the west side of the creek in the SWNE QQ of section 32.

I tried everything I could to copy the picture of the water rights to attach to this message but the green water rights layer just would not appear. I am sure you can look up the same screen on the interactive water rights.

I hope this takes care of the problem. If not, or if there are other problems please contact me. Thanks for your help.

Walt Trimmer, P.E., PhD
Trimmer Engineering Inc.
3924 NW Walnut Place
Corvallis, OR 97330
(541)754-2819

From: Nichole Hendricks [mailto:hendrinm@wrd.state.or.us]
Sent: Monday, August 03, 2009 1:33 PM
To: wtrimmer@comcast.net
Cc: jdewall@uwd.net
Subject: Transfer Application T-10458

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Please respond by **September 3, 2009**. Do not hesitate to contact me at 503-986-0898 or by email at Nichole.M.Hendricks@wrd.state.or.us.

Sincerely,

12/17/2009

Kelly Starnes

From: Walt Trimmer [wtrimmer@comcast.net]
Sent: Monday, August 03, 2009 1:53 PM
To: Nichole Hendricks
Subject: RE: Transfer Application T-10458

I am working on this now with the landowner. I should have something by Wednesday or Thursday. Thanks for your patience.

Walt Trimmer, P.E., PhD
Trimmer Engineering Inc.
3924 NW Walnut Place
Corvallis, OR 97330
(541)754-2819

From: Nichole Hendricks [mailto:hendrinm@ wrd.state.or.us]
Sent: Monday, August 03, 2009 1:33 PM
To: wtrimmer@comcast.net
Cc: jdewall@uwd.net
Subject: Transfer Application T-10458

Mr. Walter Trimmer,

I am following up with our phone conversation we had on July 23, 2009 concerning transfer application T-10458. I had brought to your attention that the some of the authorized lands being transferred were proposing to be placed on lands (8.4 acres, 15S 3W Sec32 SW NE) that are under Certificate 84796. You had mentioned that you needed more time to investigate, as you thought those lands had been previously transferred. In my investigations, I have been unable to find any evidence that the proposed lands do not already have an irrigation right associated to them. Please let me know if you are able to find evidence that they are not or what modifications to the transfer would like to be made so processing may continue.

Please respond by **September 3, 2009**. Do not hesitate to contact me at 503-986-0898 or by email at Nichole.M.Hendricks@ wrd.state.or.us.

Sincerely,

Nikki Hendricks
Water Right Transfer Specialist
Oregon Water Resources Department
725 Summer St. NE, Suite A
Salem, Oregon 97301
503-986-0898
Nichole.M.HENDRICKS@ wrd.state.or.us

GENERAL AFFIDAVIT

State of Oregon
County of Linn

BEFORE ME, the undersigned Notary, Lavonne I Chilgren [name of Notary before whom affidavit is sworn], on this 11th [day of month] day of May [month], 2010, personally appeared

John A Curtis [name of affiant], known to me to be a credible person and of lawful age, who being by me first duly sworn, on his [his or her] oath, deposes and says:

I, as owner give permission to transfer of water rights away from Linn County Oregon tax lot 900 in section 35 of Township 14 South, Range 4 West, W.M.

John A Curtis
[signature of affiant]

John A. Curtis

24605 Pomerleau Rd.

Harrisburg, OR 97446
[address of affiant]

Subscribed and sworn to before me, this 11th [day of month] day of May [month], 2010.

[Notary Seal:]



Lavonne I. Chilgren
[signature of Notary]

Lavonne I Chilgren
[typed name of Notary]

NOTARY PUBLIC

My commission expires: March 6, 2013.

RECEIVED
JUN 09 2010
WATER RESOURCES DEPT
SALEM, OREGON

GENERAL AFFIDAVIT

State of Oregon

County of Linn

BEFORE ME, the undersigned Notary, LaVonne I Chilgren [name of Notary before whom affidavit is sworn], on this 11th [day of month] day of May [month], 20 10, personally appeared

Dolores G. Curtis [name of affiant], known to me to be a credible person and of lawful age, who being by me first duly sworn, on her [his or her] oath, deposes and says:

I, as owner give permission to transfer of water rights away from Linn County Oregon tax lot 900 in section 35 of Township 14 South, Range 4 West, W.M.

Dolores G. Curtis
[signature of affiant]

Dolores G. Curtis

24605 Powerline Rd.

Harrisburg, OR. 97446
[address of affiant]

Subscribed and sworn to before me, this 11th [day of month] day of May [month], 20 10.

[Notary Seal:]



LaVonne I Chilgren
[signature of Notary]

LaVonne I. Chilgren
[typed name of Notary]

NOTARY PUBLIC

My commission expires: March 6, 20 13

RECEIVED

JUN 03 2010

WATER RESOURCES DEPT
SALEM, OREGON

GENERAL AFFIDAVIT

State of Oregon
County of Linn

BEFORE ME, the undersigned Notary, LaVonne I Chilgren [name of Notary before whom affidavit is sworn], on this 11th [day of month] day of May [month], 2010, personally appeared

Charles W Curtis [name of affiant], known to me to be a credible person and of lawful age, who being by me first duly sworn, on his [his or her] oath, deposes and says:

I, in my capacity of Trustee of the Charles W. Curtis revocable Living Trust dated May 14, 1997 give permission to transfer of water rights away from Linn County Oregon tax lots 800 and 1100 in section 35 of Township 14 South, Range 4 West, W.M.

Charles W. Curtis
[signature of affiant]

Charles W. Curtis
310 Cortney Dr.

Hainsburg OR. 97446
[address of affiant]

Subscribed and sworn to before me, this 11th [day of month] day of May [month], 2010.

[Notary Seal:]



LaVonne I. Chilgren
[signature of Notary]

LaVonne I Chilgren
[typed name of Notary]

NOTARY PUBLIC

My commission expires: March 6, 2013.

RECEIVED
JUN 03 2010
WATER RESOURCES DEPT
SALEM, OREGON



Park 5 Business Center Suite A-100
 200 Hawthorne St. SE
 Salem OR 97301
 Phone: (503) 315-2000
 Fax: (503) 315-2012

April 21, 2010

Malpass Farms
 P.O. Box 225
 Harrisburg, OR 97446

Reference: Curtis

PLANT SERVICE REPORT

Plant Service Report No. 471810006614 Premium: \$150.00

THIS IS NOT A CONDITION OF TITLE REPORT. THIS PLANT SERVICE REPORT IS BASED UPON A LIMITED SEARCH IN OUR TITLE PLANT FOR FINANCIAL ENCUMBRANCES ONLY AND IS NOT TO BE RELIED UPON AS A REPRESENTATION OF THE TRUE CONDITION OF TITLE. TICOR TITLE ASSUMES NO LIABILITY FOR ERRORS OR OMISSIONS IN THE CONTENTS OF THIS REPORT. There are often matters of record, such as easements, conditions and restrictions or liens of any kind against prior grantees or vendees in the chain of title, not disclosed in a report of this nature (regardless of its name) which may affect title to the property. The charge for this service does not include supplemental reports and no credit can be given if a title insurance policy is subsequently ordered.

We have searched our title plant documents for FINANCIAL ENCUMBRANCES ONLY against the following described property:

Parcel 1:

Beginning on the line between Sections 26 and 35, in Township 14 South, Range 4 West of the Willamette Meridian, Linn County, Oregon and 10.30 chains West of the quarter Section corner in the North line of said Section 35, and running thence South 20 chains; thence East 14.80 chains; thence North 3.40 chains; thence North 47°30' East 9.26 chains; thence North 10.15 chains; thence West 21.55 chains to the point of beginning.

EXCEPT: Beginning on the North line of and North 89°33' West 1890.9 feet from the Northeast corner of Section 35, Township 14 South, Range 4 West of the Willamette Meridian, Linn County, Oregon, said beginning point being the Northeast corner of a tract conveyed to Charles W. Curtis and wife, by deed recorded July 28, 1967 in Book 325, Page 146 Deed Records; thence South 669.90 feet; thence South 47°30' West 40.69 feet; thence North 697.63 feet to the North line of said Section 35; thence South 89°33' East 30.0 feet to the point of beginning;

FURTHER EXCEPT: Beginning at a point which is at the center of Muddy Creek, said point being South 00°11' West 1324.92 feet and South 89°23'36" East 147.49 feet from the North 1/4 corner of Section 35, Township 14 South, Range 4 West of the Willamette Meridian; thence South 89°23'36" East 149.51 feet to the Southeast corner of that certain tract of land described

*TL 700
Koopf*

*West part
T.L. 600*

*between
TL 500 &
600?*

as Parcel II in Volume 429, page 184, Linn County Oregon Deed Records; thence North 174.00 feet to the center of said Muddy Creek; thence along said center, South 40°55'45" West 228.20 feet to the point of beginning.

Parcel 2:

Kropf
Beginning at a point which is at the center of Muddy Creek, said point being South 00°11'01" West 1324.92 feet and South 89°23'36" East 297.00 feet and North 174.00 feet from the North 1/4 corner of Section 36, Township 14 South, Range 4 West of the Willamette Meridian; thence North 50.4 feet; thence North 46°59'43" East 579.66 feet to the Southwest corner of a parcel of land described in that certain deed to Donald L. Meithof, Volume 406, Page 172, Linn County Oregon Deed Records; thence North 47°30' East 40.73 feet; thence South 91.00 feet to the center of Muddy Creek, thence along said center, South 54°02'19" West 236.30 feet; thence South 47°10'02" West 358.19 feet to the point of beginning, all in Linn County, Oregon.

Parcel 3:

Charles Curtis T.L. 600
Beginning at a point on the North line 10.90 chains East of the Northwest corner of Section 35 in Township 14 South, Range 4 West of the Willamette Meridian in Linn County, Oregon; and running thence East along said Section line, 18.803 chains to a point 10.30 chains West of the quarter Section corner; thence South 20.00 chains; thence West 20.00 chains; thence North 4.00 chains; thence East 1.20 chains; thence North 16.00 chains to the place of beginning.

Parcel 4:

Charles Curtis T.L. 1100
Beginning at a stone 8x18x24 at a point 9.70 chains East of the quarter section corner between Sections 34 and 35 in Township 14 South, Range 4 West of the Willamette Meridian in Linn County, Oregon; running thence East 1661.80 feet to the West line of that tract described in deed to Dean L. Curtis recorded April 25, 1947, in Book 191, Page 773, Deed Records; thence North along the West line of said Curtis tract, 1320 feet to the most Northwesterly corner of said tract; thence West 1661.80 feet; thence South 1320 feet to the point of beginning.

Parcel 5:

Tahira & Deborah Curtis T.L. 900
Beginning at a point on the North line 1.60 chains West of the Northeast corner of Section 34, in Township 14 South, Range 4 West of the Willamette Meridian, Linn County, Oregon; thence South 16.00 chains; thence East 12.50 chains; thence North 16.00 chains; thence West 12.50 chains to the place of beginning.

except T.L. (CWC)
EXCEPT the following described real property to-wit: Beginning at a point on the North line 1.60 chains West of the Northeast corner of Section 34 in Township 14 South, Range 4 West of the Willamette Meridian, Linn County, Oregon; thence South 16 chains; thence East 216.3 feet; thence North 16 chains; thence West 216.3 feet to the place of beginning.

Dated as of January 15, 2010 at 8:00 am

The Grantee named in the last deed of record is:

Galen J. Kropf and Alta F. Kropf, husband and wife, as to Parcels 1 and 2; Charles W. Curtis, Trustee under the Charles W. Curtis Revocable Living Trust dated May 14, 1997, as to Parcel 3 and 4; John A. Curtis and Dolores G. Curtis, husband and wife, as to Parcel 5

Subject to the limitation set forth herein, Tigor Title finds the following mortgages, trust deeds and contractual interests placed within 10 years preceding the above date:

1. Line of Credit Deed of Trust, to secure an indebtedness as shown below and any other obligation secured thereby:

Amount: \$211,500.00
Dated: June 5, 2002
Grantor: Galen J. Kropf and Alta F. Kropf
Trustee: Key Title
Beneficiary: KeyBank National Association
Recorded: June 14, 2002, Volume 1302, Page 398

Affects: Parcels 1 and 2

2. A Life Estate, including the terms and provisions thereof, as reserved in deed,

Reserved By: Charles W. Curtis
Recorded: November 29, 2004, Volume 1650, Page 800

Affects: Parcels 1 and 2

Tigor Title finds the following unsatisfied judgments, State and Federal tax liens or warrants against the above-named grantee and (if applicable) the vendee in the most recent contract:

None

Tigor Title also finds the following real property taxes:

Property taxes for the fiscal year shown below are paid in full.

Fiscal Year: 2009-2010
Amount: \$3,808.65
Levy Code: 007-02
Account No.: 317509
Map No.: 14S 04W 35 00700

Affects: Parcels 1 and 2

Property taxes for the fiscal year shown below are paid in full.

Fiscal Year: 2009-2010
Amount: \$322.59
Levy Code: 007-02
Account No.: 317517
Map No.: 14S 04W 35 00800

Affects: Parcel 3

Property taxes for the fiscal year shown below are paid in full.

Fiscal Year: 2009-2010
Amount: \$438.90
Levy Code: 007-02
Account No.: 317541
Map No.: 14S 04W 35 01100

Affects: Parcel 4

Property taxes for the fiscal year shown below are paid in full.

Fiscal Year: 2009-2010
Amount: \$104.82
Levy Code: 007-02
Account No.: 317525
Map No.: 14S 04W 35 00900

Affects: Parcel 5

TICOR TITLE

Patty Smith
Sr. Title Officer

249 PAGE 676

KNOW ALL MEN BY THESE PRESENTS, That Lowell A. Kittorman, an unmarried widower

in consideration of Ten and 00/100 Dollars, grantor

to him paid by John A. Curtis and Dolores G. Curtis, husband and wife, grantees,

do hereby grant, bargain, sell and convey unto the said grantees, as tenants by the entirety, their heirs and assigns, all the following real property, with the tenements, hereditaments and appurtenances, situated in the County of Linn and State of Oregon, bounded and described as follows, to-wit:

Beginning at a point on the North line 1.60 chains West of the Northeast corner of Section 31 in Township 14 South, Range 4 West of the Willamette Meridian, in Linn County, Oregon, running thence South 16.00 chains, thence East 12.50 chains, thence North 16.00 chains, thence West 12.50 chains to the place of beginning EXCEPT the following described real property to-wit:

Beginning at a point on the North line 1.60 chains West of the Northeast corner of Section 31 in Township 14 South, Range 4 West of the Willamette Meridian in Linn County, Oregon; thence run South 16 chains; thence East 216.3 feet; thence North 16.00 chains; thence West 216.3 feet to the place of beginning, all in Linn County, State of Oregon.

To Have and to Hold the above described and granted premises unto the said grantees as tenants by the entirety, their heirs and assigns forever.

And the grantor, covenant that I, BY lawfully seized in fee simple of the above granted premises free from all incumbrances,

and that I will and my heirs, executors and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever;

Witness my hand and seal this 10th day of July, 1956

Lowell A. Kittorman (SEAL)

STATE OF OREGON,

County of Linn On this 10th day of July, 1956, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Lowell A. Kittorman

who is known to me to be the identical individual described in and who executed the within instrument, and acknowledged to me that he executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal the day and year last above written.

Ray Zehr Notary Public for Oregon

My Commission expires August 10, 1957

WARRANTY DEED

STATE OF OREGON, County of Linn

I certify that the within instrument was received for record on the 10th day of July, 1956 at 8:30 o'clock A.M. and recorded in book 218 of page 676 Records of Linn County

WITNESS my hand and seal of County of Linn

Ray Zehr Notary Public for Oregon My Commission expires August 10, 1957

12206

WARRANTY DEED -- STATUTORY FORM

Grantor: Charles W. Curtis
Grantee: Charles W. Curtis, Trustee
After recording return to: Charles W. Curtis, 31010 Cartney Dr., Harrisburg, OR 97446
Address for tax statements: Charles W. Curtis, 31010 Cartney Dr., Harrisburg, OR 97446

Consideration: The true consideration for this conveyance is \$NONE. The actual consideration consists of transfer of title for the following property to avoid probate.

CHARLES W. CURTIS, Grantor, conveys and warrants to CHARLES W. CURTIS, Trustee under the CHARLES W. CURTIS Revocable Living Trust dated May 14, 1997, Grantee, the following described real property free of encumbrances except as specifically set forth herein situated in Linn County, Oregon:

All of the Grantor's interest in the following:

Linn County Assessor's Acct. No. 317541, Map No. T148-R4W-E35, Tax Lot 1100 (50.00 acres) described as follows:

Beginning at a stone 8x18x24 at a point 9.70 chains East of the Quarter Section corner between Sections 34 and 35 in T. 14 S., R. 4 W. of the W.M., in Linn County, Oregon; and running thence East 1661.80 feet to the West line of that tract described in deed to Dean L. Curtis recorded April 25, 1947, in Book 191, page 773, Deed Records; thence North along the West line of said Curtis tract, 1320 feet to the most Northwesterly corner of said tract; thence West 1661.80 feet; thence South 1320 feet to the point of beginning.

The said property is free from encumbrances except easements, conditions, restrictions and roadways of record.

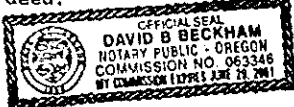
This instrument will not allow use of the property described in this instrument in violation of applicable land use laws and regulations. Before signing or accepting this instrument, the person acquiring fee title to the property should check with the appropriate city or county planning department to verify approved uses and to determine any limits on lawsuits against farming or forest practices as defined in ORS 30.930.

Dated this 14th day of May, 1997.

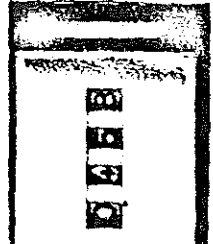
Signature of Charles W. Curtis
CHARLES W. CURTIS

STATE OF OREGON
County of Linn ss.

Personally appeared the above-named CHARLES W. CURTIS, and acknowledged the foregoing instrument to be his voluntary act and deed.



Signature of David B. Beckham
Notary Public for Oregon
My Commission expires: 6-24-2001



STATE OF OREGON
County of Linn

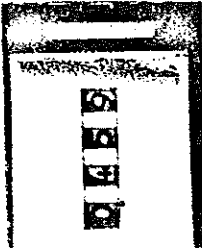
I hereby certify that the attached
was received and duly recorded
by me in Linn County records.

STEVE DRUCKENMILLER
Linn County Clerk

By AA, Deputy

H
P 3
S/D
A/D
O
MP 869
PAGE 458

35
MAY 14 3 21 PM '97



WARRANTY DEED -- STATUTORY FORM

Grantor: Charles W. Curtis

Grantee: Charles W. Curtis, Trustee

After recording return to: Charles W. Curtis
31010 Cartney Dr.
Harrisburg, OR 97446

Address for tax statements: Charles W. Curtis
31010 Cartney Dr.
Harrisburg, OR 97446

Consideration: The true consideration for this conveyance is \$NONE. The actual consideration consists of transfer of title for the following property to avoid probate.

CHARLES W. CURTIS, Grantor, conveys and warrants to CHARLES W. CURTIS, Trustee under the CHARLES W. CURTIS Revocable Living Trust dated May 14, 1997, Grantee, the following described real property free of encumbrances except as specifically set forth herein situated in Linn County, Oregon:

All of the Grantor's interest in the following:

Linn County Assessor's Acct. No. 317517, Map No. T14S-R4W-S35, Tax Lot 800 (36.75 acres) described as follows:

Beginning at a point on the North line 10.90 chains East of the Northwest corner of Section 35 in Township 14 South, Range 4 West of the Willamette Meridian in Linn County, Oregon; and running thence East along said Section line 10.803 chains to a point 10.30 chains West of the quarter Section corner; thence South 20.00 chains; thence West 20.00 chains; thence North 4.00 chains; thence East 1.20 chains; thence North 16.00 chains to the place of beginning.

The said property is free from encumbrances except easements, conditions, restrictions and roadways of record.

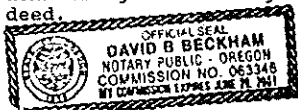
This instrument will not allow use of the property described in this instrument in violation of applicable land use laws and regulations. Before signing or accepting this instrument, the person acquiring fee title to the property should check with the appropriate city or county planning department to verify approved uses and to determine any limits on lawsuits against farming or forest practices as defined in ORS 30.930.

Dated this 14th day of May, 1997.

Charles W. Curtis
CHARLES W. CURTIS

STATE OF OREGON }
County of Linn } ss.

Personally appeared the above-named CHARLES W. CURTIS, and acknowledged the foregoing instrument to be his voluntary act and deed.



David B. Beckham
Notary Public for Oregon
My Commission expires: 6-21-2001

VOL 0869 PAGE 461

STATE OF OREGON
County of Linn

I hereby certify that the attached
was received and duly recorded
by me in Linn County records.

STEVE DRUCHEMILLER
Linn County Clerk

By SA Deputy

4
R
S/D
A/D
O

35
MAY 14 3 21 PM '97

MF 869
PAGE 460

OFFICE

WARRANTY DEED -- STATUTORY FORM

Grantor: Charles W. Curtis, Trustee
Grantees: Galen J. Kropf and Alta F. Kropf,
 husband and wife

After recording return to:
 Galen and Alta Kropf
 31010 Cartney Drive
 Harrisburg, OR 97446

Address for tax statements:
 Galen and Alta Kropf
 31010 Cartney Drive
 Harrisburg, OR 97446

Consideration: The true consideration for this conveyance is FOUR HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$425,000).


CHARLES W. CURTIS, Trustee of the CHARLES W. CURTIS Trust dated May 14, 1997, and Trustee of the DONNA CURTIS Testamentary Trust, Grantor, conveys and warrants to GALEN J. KROPF and ALTA F. KROPF, husband and wife, Grantees, the following described real property free of encumbrances except as specifically set forth herein situated in Linn County, Oregon:


SEE EXHIBIT "A" ATTACHED HERETO WHICH BY THIS REFERENCE IS MADE A PART HEREOF.

The said property is free from encumbrances except easements, conditions, restrictions and roadways of record and liens or encumbrances which the Grantees have allowed to attach to the property on and after December 1, 1997.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

Dated this 29 day of Nov., 2004.

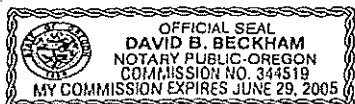



CHARLES W. CURTIS, Trustee
of the Charles W. Curtis Trust


CHARLES W. CURTIS, Trustee
of the Donna Curtis Testamentary
Trust

STATE OF OREGON)
County of Linn) ss. November 29, 2004.

Personally appeared the above-named Charles W. Curtis, Trustee, and acknowledged the foregoing instrument to be his voluntary act and deed.





Notary Public for Oregon
My Commission expires: 6-29-2005

EXHIBIT "A"

VOL. 1650 PAGE 800 1/2

TO

warranty deed

CURTIS, TRUSTEE TO KROPF ET UX

Linn County Assessor's Acct. No. 317509, Map No. T14S-R4W-S35,
Tax Lot 700 (37.79 acres) described as follows:

Beginning on the line between Sections 26 and 35, in Township 14 South, Range 4 West of the Willamette Meridian, Linn County, Oregon, and 10.30 chains West of the quarter section corner in the North line of said Section 35, and running thence South 20 chains; thence East 14.80 chains; thence North 3.40 chains; thence North 47 deg. 30' East 9.26 chains; thence North 10.15 chains; thence West 21.55 chains to the point of beginning, containing 30.62 acres, more or less, in Linn County, Oregon.

SAVE AND EXCEPT: Beginning at a point which is at the center of Muddy Creek, said point being South 0 deg. 11'01" West 1324.92 feet and South 89 deg. 23'36" East 147.49 feet from the north 1/4 corner of Section 35, Township 14 South, Range 4 West, of the Willamette Meridian; thence South 89 deg. 23'36" East 149.51 feet to the southeast corner of that certain tract of land described as Parcel II in Volume 429, page 184, Linn County Oregon Deed Records; thence North 174.00 feet to the center of said Muddy Creek; thence along said center, South 40 deg. 55'45" West 228.20 feet to the point of beginning, all in Linn County, Oregon.

ALSO SAVE AND EXCEPT: Beginning on the North line of and North 89 deg. 33' West 1890.9 feet from the Northeast corner of Section 35, Township 14 South, Range 4 West of the Willamette Meridian, Linn County, Oregon, said beginning point being the Northeast corner of a tract conveyed to Charles W. Curtis and wife by deed recorded July 28, 1967 in Book 325, Page 146, Deed Records; thence South 669.90 feet; thence South 47 deg. 30' East 40.69 feet; thence North 692.63 feet to the North line of said Section 35; thence South 89 deg. 33' East 30.0 feet to the point of beginning.

TOGETHER WITH: Beginning at a point which is at the center of Muddy Creek, said point being South 0 deg. 11'01" West 1324.92 feet and South 89 deg. 23'36" East 297.00 feet and North 174.00 feet from the north 1/4 corner of Section 35, Township 14 South, Range 4 West, of the Willamette Meridian; thence North 50.4 feet; thence North 46 deg. 59'43" East 579.66 feet to the southwest corner of a parcel of land described in that certain deed to Donald L. Meitof, Volume 406, Page 172, Linn County, Oregon Deed Records; thence North 47 deg. 30' East 40.73 feet; thence South 91.00 feet to the center of Muddy Creek; thence along said center, South 54 deg. 02'19" West 236.30 feet; thence South 47 deg. 10'02" West 358.19 feet to the point of beginning, all in Linn County, Oregon.

RESERVING a life estate to the Grantor for the right to use part of the shop building, a 12'x 12' office for storage. Grantor shall also have the right to park his motor home along side the shop, hook up to electricity, water and septic, all as part of the consideration for the contract.

VOL. 1650 PAGE 801

STATE OF OREGON
County of Linn

I hereby certify that the attached
was received and duly recorded
by me in Linn County records.

STEVE DRUCKENMILLER
Linn County Clerk

By LAO Deputy PAGE 800

M 10
R 10
S 10
A 10
O 10

31

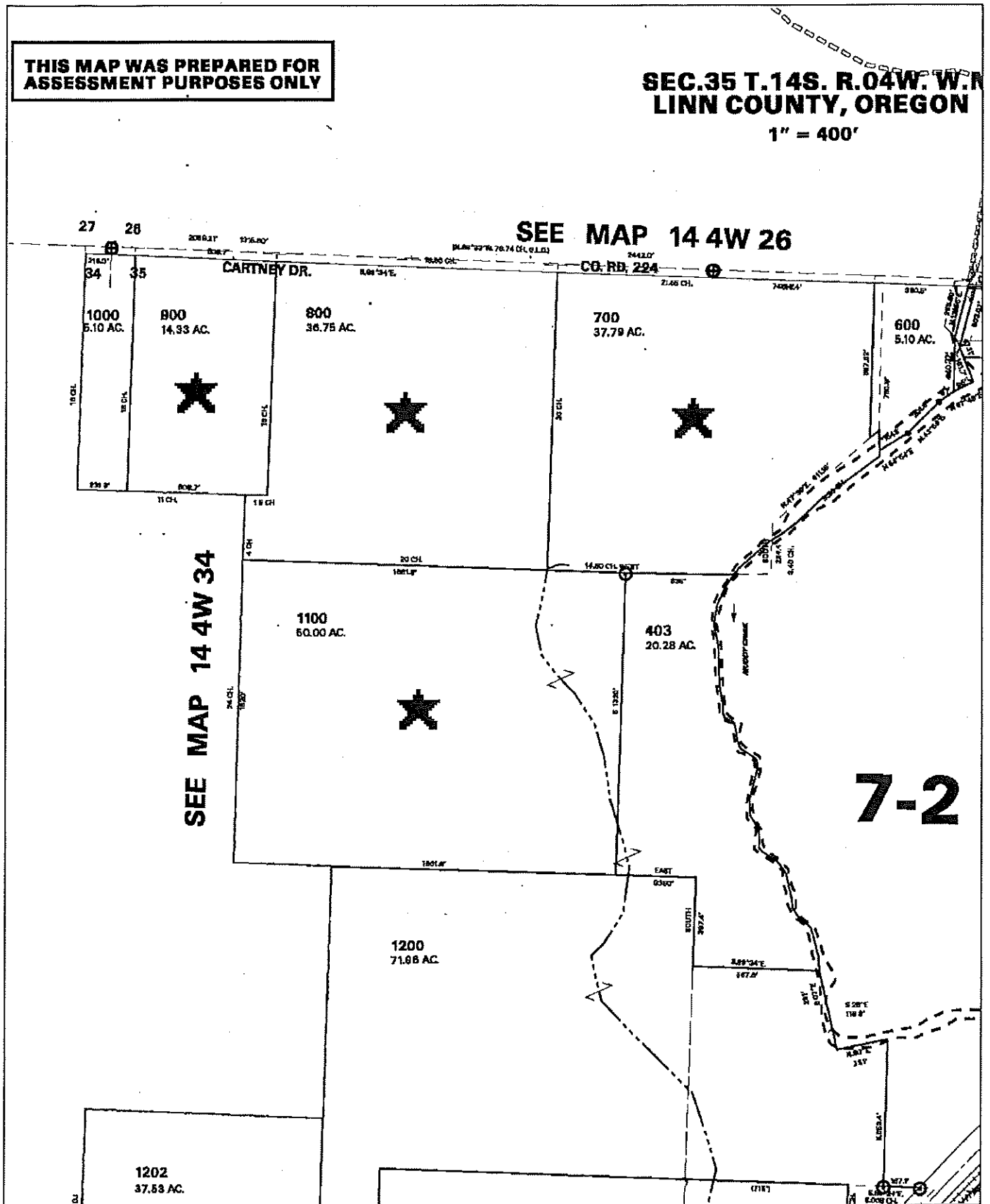
2004 NOV 29 P 2:04

MP 1650

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY

**SEC. 35 T. 14S. R. 04W. W. 1N
LINN COUNTY, OREGON**

1" = 400'



THIS MAP IS FURNISHED AS A CONVENIENCE BY MID-WILLAMETTE VALLEY TITLE GROUP

This sketch is made solely for the purpose of assisting in locating said premises and the Company assumes no liability for variations, if any, in dimensions and location ascertained by actual survey



MAP # 14S04W35 01100

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSES ONLY

SEC. 36 T. 14S. R. 04W. W.M.
LINN COUNTY, OREGON
1" = 400'

14 4W 35

SEE MAP 14 4W 26

SEE MAP 14 4W 34

SEE MAP 14 4W 36

7-2

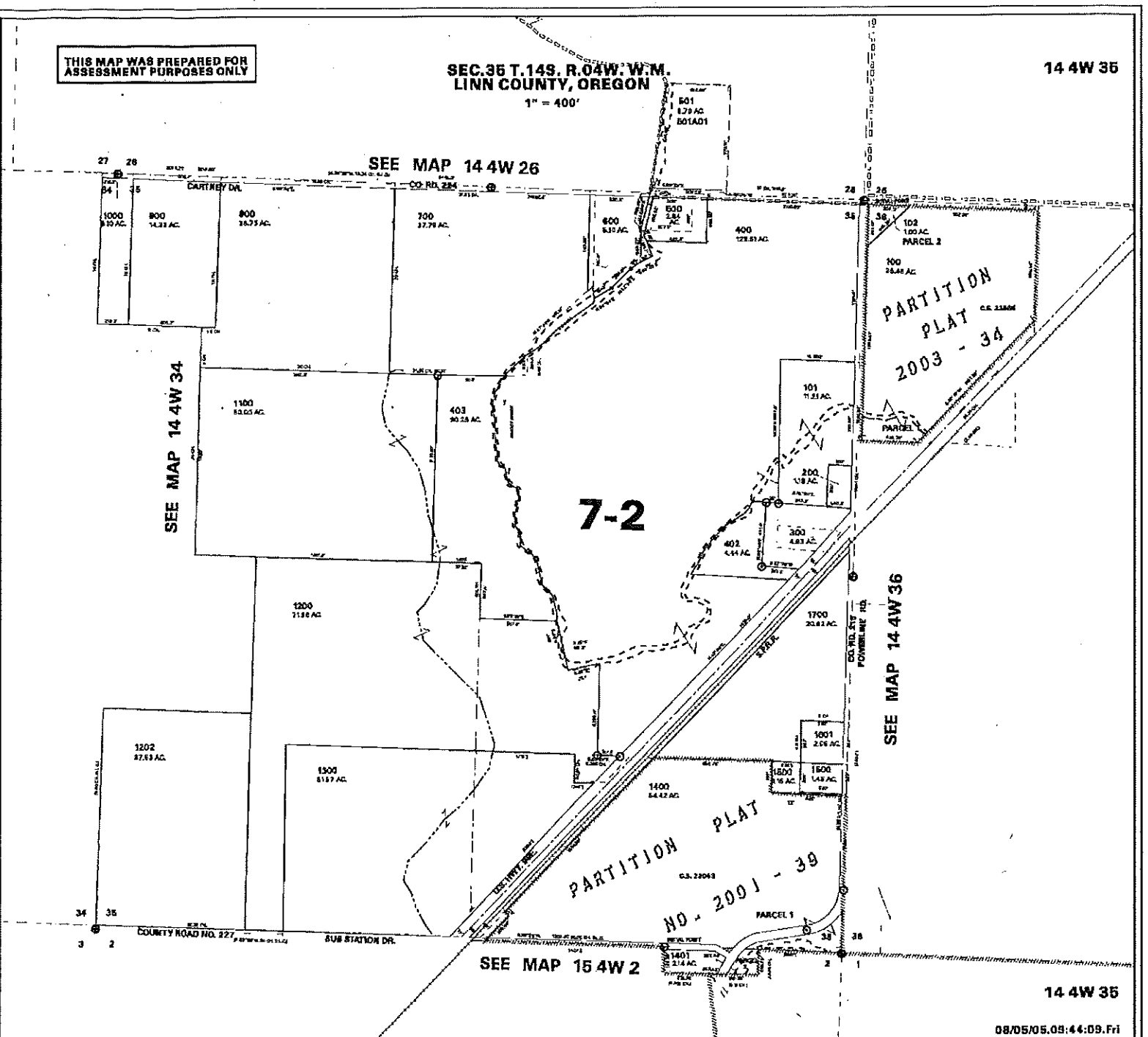
PARTITION
PLAT
2003 - 34

PARTITION PLAT
NO. 2091 - 39

SEE MAP 15 4W 2

14 4W 35

08/05/05.09:44:09.Fri



Nichole Hendricks

From: Walt Trimmer [wtrimmer@comcast.net]
Sent: Friday, August 21, 2009 13:26
To: Nichole Hendricks
Cc: jdewall@uwd.net
Subject: RE: T-10458
Attachments: Muddy_Crks_dwg T-10458 To (1).pdf

Nikki,

Thanks for your help. The additional POD is one listed in Certificate 84796: T15S R3W Sec 30, 3830 ft. N and 1900 ft west of NW corner of Greenwood DLC 64. I have plotted it on the map. I have also changed page 3 of the Form A to show the correct P.O.D.'s. I have attached a pdf so you can look at both pages but I will send a new signed map and the Form A page in the mail.

One note, Jane DeWall's email address is jdewall@uwd.net not the uwol as you have.

Walt Trimmer, P.E., PhD
Trimmer Engineering Inc.
 3924 NW Walnut Place
 Corvallis, OR 97330
 (541)754-2819

From: Nichole Hendricks [mailto:hendrinm@wrdd.state.or.us]
Sent: Wednesday, August 19, 2009 11:26 AM
To: wtrimmer@comcast.net
Cc: jdewall@uwol.net
Subject: T-10458

Walt,

I was hoping everything was good to go but upon further processing and investigation I have found that one of the listed 'authorized' points of diversion is not listed on the certificate. The POD is T 15S, R 3W, Sec 30, SE SE, 1345' N and 1800' W of SW corner John Maxwell DLC 64. Are the applicants proposing to add a POD or did they list the wrong one. There is another POD in Section 30 they may be able to use.

Also just for their knowledge, Certificate 76691 is cancelled from Transfer 10140. The remaining right Certificate is 84796, which is what I am using for this transfer.

I apologize for all the confusion and thank you for your prompt and thorough response.

Nikki Hendricks
 Water Right Transfer Specialist
 Oregon Water Resources Department
 725 Summer St. NE, Suite A
 Salem, Oregon 97301
 503-986-0898
Nichole.M.HENDRICKS@wrdd.state.or.us

started ModPod need to
 finish w/ correct wells

8/24/2009

Nichole Hendricks

From: Walt Trimmer [wtrimmer@comcast.net]
Sent: Tuesday, August 04, 2009 12:47
To: Nichole Hendricks
Cc: jdewall@uwd.net
Subject: RE: Transfer Application T-10458

No, I didn't review the certificates. I will do that and consult with my client. The impact sounds serious. After I go over the certificates I will probably contact you to be sure I understand your comments.

Thanks.

Walt Trimmer, P.E., PhD
Trimmer Engineering Inc.
3924 NW Walnut Place
Corvallis, OR 97330
(541)754-2819

From: Nichole Hendricks [mailto:hendrinm@wrdd.state.or.us]
Sent: Tuesday, August 04, 2009 12:08 PM
To: Walt Trimmer
Subject: RE: Transfer Application T-10458

Walt,

Yes, that is the problem I noticed between the map and Form A, I will look for the map in the mail. In your review of the information I provided do you find these lands to be under Certificate 80835? I can still process the application as requested, I just wanted the applicant to be aware that it will force the Certificate with the junior priority date to become supplemental. Further information will be available in Draft Preliminary Determination.

Thank you,
Nikki

From: Walt Trimmer [mailto:wtrimmer@comcast.net]
Sent: Tuesday, August 04, 2009 11:32
To: Nichole Hendricks
Subject: RE: Transfer Application T-10458

Nikki,

I looked at the Form A and map and found the SWNE of Sec 32 was labeled at 18.6 acres and should be 18.8 acreage (and this was confirmed by measuring the acreage on the map) when this change is made the acreage to and from balances at 97.0 acres.

If this is the same problem you found I will print a revised Transfer To map and send it to you. Otherwise let me know.

Walt Trimmer, P.E., PhD

8/4/2009

Trimmer Engineering Inc.

3924 NW Walnut Place
Corvallis, OR 97330
(541)754-2819

From: Nichole Hendricks [mailto:hendrinm@wrd.state.or.us]

Sent: Tuesday, August 04, 2009 9:07 AM

To: Walt Trimmer

Subject: RE: Transfer Application T-10458

Walt,

Thank you for your quick response and clarification. You are correct in that Certificate 84796 is on the East side of Muddy Creek and is not affecting this Transfer. That was my mistake I wrote down the wrong Certificate and acreage numbers. However, you will find in the links attached the Certificate 80835 and its map. It is not showing up on the Interactive Mapper as you described but that is because the Certificates in affect before Certificate 80835 were never mapped. All of the sources I have available lead me to believe that the lands proposed for transfer in T15S, R3W, Sec 32 are currently under Certificate 80835. This information is available through the links below.

http://gis.wrd.state.or.us/maps/use/WM15_00S03_00W32.pdf

http://apps2.wrd.state.or.us/apps/wr/wrinfo/wr_details.aspx?snp_id=141416

http://apps2.wrd.state.or.us/apps/misc/vault/vault.aspx?Type=Cert&cert_nbr=80835

Also your Transfer map acreage does not match the acreage noted on page 6 of Supplemental Form A. When you have decided what you would like to do with the transfer acres, the Department will need a revised Form A and map, whichever resembles the wanted acreage.

As always, please contact me with any questions at 503-986-0898 or by email provided below.

Thank you,

Nikki Hendricks

Water Right Transfer Specialist

Oregon Water Resources Department

725 Summer St. NE, Suite A

Salem, Oregon 97301

503-986-0898

Nichole.M.HENDRICKS@wrd.state.or.us

From: Walt Trimmer [mailto:wtrimmer@comcast.net]

Sent: Monday, August 03, 2009 14:41

To: Nichole Hendricks

Cc: jdewall@uwd.net

Subject: RE: Transfer Application T-10458

Nikki,

I was able to call up the data and look at the water rights map on your interactive web system. The two entries in question on certificate 84796 are T15 S R3W Sec 32 SWNE 8.4 acres & SENE 14.8 acres. These two pieces are connected but are on the east side of Muddy Creek while T-10140 has "transferred

8/4/2009

to" acres on the west side of the creek in the SWNE QQ of section 32.

I tried everything I could to copy the picture of the water rights to attach to this message but the green water rights layer just would not appear. I am sure you can look up the same screen on the interactive water rights.

I hope this takes care of the problem. If not, or if there are other problems please contact me. Thanks for your help.

Walt Trimmer, P.E., PhD
Trimmer Engineering Inc.
3924 NW Walnut Place
Corvallis, OR 97330
(541)754-2819

From: Nichole Hendricks [mailto:hendrinm@ wrd.state.or.us]
Sent: Monday, August 03, 2009 1:33 PM
To: wtrimmer@comcast.net
Cc: jdewall@uwd.net
Subject: Transfer Application T-10458

Mr. Walter Trimmer,

I am following up with our phone conversation we had on July 23, 2009 concerning transfer application T-10458. I had brought to your attention that the some of the authorized lands being transferred were proposing to be placed on lands (8.4 acres, 15S 3W Sec32 SW NE) that are under Certificate 84796. You had mentioned that you needed more time to investigate, as you thought those lands had been previously transferred. In my investigations, I have been unable to find any evidence that the proposed lands do not already have an irrigation right associated to them. Please let me know if you are able to find evidence that they are not or what modifications to the transfer would like to be made so processing may continue.

Please respond by **September 3, 2009**. Do not hesitate to contact me at 503-986-0898 or by email at Nichole.M.Hendricks@ wrd.state.or.us.

Sincerely,

Nikki Hendricks
Water Right Transfer Specialist
Oregon Water Resources Department
725 Summer St. NE, Suite A
Salem, Oregon 97301
503-986-0898
Nichole.M.HENDRICKS@ wrd.state.or.us

8/4/2009

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I tried everything I could to copy the picture of the water rights to attach to this message but the green water rights layer just would not appear. I am sure you can look up the same screen on the interactive water rights.

I hope this takes care of the problem. If not, or if there are other problems please contact me. Thanks for your help.

Walt Trimmer, P.E., PhD
Trimmer Engineering Inc.
3924 NW Walnut Place
Corvallis, OR 97330
(541)754-2819

From: Nichole Hendricks [mailto:hendrinm@wrdd.state.or.us]
Sent: Monday, August 03, 2009 1:33 PM
To: wtrimmer@comcast.net
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Subject: Transfer Application T-10458

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Please respond by **September 3, 2009**. Do not hesitate to contact me at 503-986-0898 or by email at Nichole.M.Hendricks@wrdd.state.or.us.

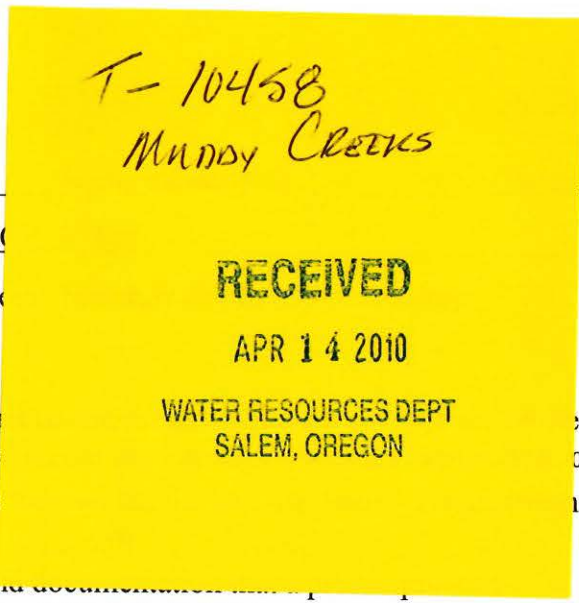
Sincerely,

Nikki Hendricks
Water Right Transfer Specialist

8/3/2009

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

State of Oregon)
)
County of Linn) ss



I, Charles Curtis
mailing address 31010 Cartney Rd, Harrisburg, O
telephone number (541) 912-4935, b

1. I attest that:

- Water was used during the previous five year period for the water right proposed for transfer as described in the application.
- The water right was leased instream at some point during the five year period. The lease number is as follows: _____
- The water right is not subject to forfeiture and documentation that a 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)
14	S	4	W	WM	35	NW NW		33.4
14	S	4	W	WM	35	NE NW		18.1
14	S	4	W	WM	35	SW NW		21.4
14	S	4	W	WM	35	SE NW		24.1

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

Crops - Bentgrass, Perennial Grass

(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.

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

The tenant used his hard hose travelling sprinkler connected to a portable diesel powered centrifugal pump and a six inch diameter portable aluminum mainline.

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

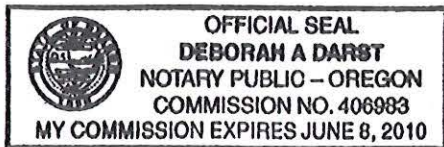
- Copy of a water right certificate that was issued within the last five years (not a remaining right certificate),
- Copies of receipts from sales of irrigated crops or for expenditures relating to the use of water,
- Records such as Farm Service Agency crop reports, irrigation district records, an 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: Water billing from Muddy Creeks Irrigation Project

Chad J. Park
Signature of Affiant

10-27-08
Date

Signed and sworn to (or affirmed) before me this 27 day of Oct, 2008.

Deborah A Darst
Notary Public for Oregon



My Commission Expires: June 8, 2010

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

Muddy Creeks Irrigation Project

32255 Bowers Drive
Harrisburg, OR 97446

541-995-6332 Fax 541-996-6229

DATE: April 6, 2006
INVOICE # 19
FOR: 2006 Irrigation Water Assessment

Bill To:
Chuck Curtis
31010 Cartney Drive
Harrisburg, OR 97446

912-4935

238 AC

Paid after Due Date

	DESCRIPTION	AMOUNT
Total Acres Under the Project - 253		
→ +115 AC @ \$17.50	Acres Used @ \$17.50 Acre	\$ 862.50
↳ 238	Acres Dormant @ \$10.00 Acre	2380.00
<p>Fill in the acres you use on the first line, the dormant (or remaining acres) on the second line. (Acres listed should total acres under the project.)</p> <p>Past Due accounts will be charged interest at the rate of 10% per annum. No pumping will be allowed on delinquent accounts.</p>		
Due July 1, 2006	Total	\$ 2380.00

15 to John Curtis

pt 11/14/06 used ac

T 10458

RECEIVED

SEP 14 2007

WATER RESOURCES DEPT
SALEM, OREGON

Office Use Only
Date Paid 6-20-06 Paid 2380.00 Check# 2771

11/14/06 862.50 for additional acres used = 2819

NW Reg



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-10458

Review Due Date: 10-31-07

Applicant Name: Muddy Cr Project

Proposed Changes: POU POD POA USE OTHER

Reviewer(s): Mjm

Date of Review: _____

1. Do you have information suggesting that the water rights may be subject to forfeiture?
 Yes No If "Yes", describe the information and indicate if you intend to file a cancellation affidavit or if you need additional time to determine if a cancellation affidavit should be filed: _____
2. Is there a history of regulation on the source that serves the right proposed for transfer that has involved the right and downstream water rights? Yes No Generally characterize the frequency of any regulation or explain why regulation has not occurred:

3. Check here if it appears that downstream water rights benefit from return flows resulting from the current use of the right? If you check the box, generally characterize the locations where the return flows likely occur and list the water rights that benefit most:

4. Are there upstream water rights that would be affected by the proposed change?
 Yes No If "Yes", describe how the rights would be affected and list the rights most affected: _____
5. For POD changes and instream transfers, check here if there are channel losses between the old and new PODs or within the proposed instream reach? If you check the box, describe and, if possible, estimate the losses: _____
6. Would distribution of water for the right after the proposed change result in regulation of other water rights that would not have occurred if use of the existing right was maximized?
 Yes No If "Yes", explain: _____
7. For POU changes, would the original place of use continue to receive water from the same source? Yes No N/A If "Yes", explain: _____
8. For POU or USE changes, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste? Yes No
If "Yes", explain: _____
9. Are there other issues not identified through the above questions? Yes No If "Yes", explain: _____
10. What alternatives may be available for addressing any issues identified above: _____

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

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

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

Please return by 10-31-07

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

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

Reference Transfer #: 10458

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

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

_____, tributary to _____ . Because,
(Stream)

(Please attach any available supporting information.)

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

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

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

Note: This option will yield the following:

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

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

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

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

RECEIVED

OCT 26 2007

WATER RESOURCES DEPT
SALEM, OREGON

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

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

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

Note: This option will yield the following:

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

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

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

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

Note: This option will yield the following:

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

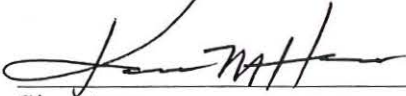
Condition: Within two years after the date of this order, the water user shall install a fish screening and/or by-pass device, as appropriate, at the new point of diversion consistent with the Oregon Department of Fish and Wildlife's (ODFW) design and construction standards. Prior to installation, the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

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

Note: This option will yield the following:

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

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



Signature

Karen M Hans

Printed Name

Salmon Trout Enhancement Program Biologist

Title

(541) 757 4186 x251

Phone

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OCT 26 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

New Reg

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 # 10458

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: Karen M Hans
Address: 7118 NE Vandenberg
City/State/Zip: Corvallis OR 97330
Phone: (541) 757 4186 x 251

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: (____) _____

Indicate in this column whether or not the item is satisfied.

Permanent Transfer Application – OAR 690-380 3000 & 3100

Completeness Checklist

Applicant's Name: Muddy Creek Irrigation Project (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: _____

Fee Schedule – ORS 536.050(1)(h)

Total Fees Paid: 600

\$350 - Base fee (1st change and 1st CFS of water)

+ \$350 - Each additional type of change requested

Fees Due (if any): _____

+ \$175 - For each CFS, or fraction thereof, requested beyond 1st CFS
(for POU, Type of Use, or Exchange)

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.

OK

• Type of transfer application Reg (Page 1)

OK

• Applicant's name, mailing address and contact information. (Page 1)

OK

• Agent's name, mailing address and contact information, *if applicable*. (Page 1)

• Are the water rights to be affected by this transfer listed? (Page 2)

If there are multiple water rights listed..... The applicant must supply a separate "set" of Supplemental Form A for each water right to be transferred.

Checklist for Supplemental Form A – (Attachments)	
OK	<ul style="list-style-type: none"> • Certificate # filled in on each page? (Page 1)
OK	<ul style="list-style-type: none"> • Type of change(s) proposed clear? POD/POU (Page 1)
OK	<ul style="list-style-type: none"> • Current Water Right information is complete? (Page 2)
	<ul style="list-style-type: none"> • If for a change in POU or USE..... (Page 2) <p>Are there any “layered” irrigation rights, permits, or GR registrations appurtenant to the same place of use as the water right proposed to be transferred? YES NO</p> <p>If YES..... the other “layered” water uses subject to transfer must either change concurrently or be cancelled, except as provided in OAR 690-380-2240(5).</p> <p>If layered with GR, must submit a GR Modification application as well as this application.</p> <p>Are they included in application? If not, contact applicant or agent.</p>
	<ul style="list-style-type: none"> • Location description of the authorized POA/POD to be changed. (Page 3) <p>NOTE: Ensure that the location coordinates listed in the application match the point and location coordinates illustrated on the application map.</p> <p>Additionally, if the existing authorized source is ground water (POA), the applicant must either:</p> <p>_____ 1) supply a copy of the well log(s), <u>or</u></p> <p>_____ 2) if well logs are not available, describe the construction of the well(s) in the table provided on page 3 of the supplemental form A application.</p>
	<ul style="list-style-type: none"> • Location description of the existing authorized POU and associated acres (if applicable). (Page 4) <p>NOTE: Ensure that the location and number of acres listed per ¼ ¼ in the application match those illustrated on the application map.</p>
	<ul style="list-style-type: none"> • Location description of the proposed POA/POD. (Page 5) <p>NOTE: Ensure that the proposed location coordinates listed in the application match the proposed point and location coordinates illustrated on the application map.</p> <p>Additionally, if the proposed source is ground water (POA), the applicant must either:</p> <p>_____ 1) supply a copy of the well log(s), <u>or</u></p> <p>_____ 2) if well logs are not available <u>or</u> the well is not yet constructed, describe the construction of the well(s) in the table provided on page 5 of the application.</p>
	<ul style="list-style-type: none"> • Location description of the proposed POU and associated acres (if applicable). (Page 6) <p>NOTE: Ensure that the location and number of acres listed per ¼ ¼ in the application match those illustrated on the application map.</p>
	Return back to Page 2 of transfer application
OK	<ul style="list-style-type: none"> • The type of changes being proposed. POU (Page 2)
OK	<ul style="list-style-type: none"> • Reason for the transfer. (Page 2)
OK	<ul style="list-style-type: none"> • Description of current water delivery system. (Page 2)
OK	<ul style="list-style-type: none"> • System Capacity. (Page 2)

Checklist for Supplemental Form B – (Attachments)	
	<ul style="list-style-type: none"> • Is there a box checked in #1? (Page 1)
	<ul style="list-style-type: none"> • Is there a box checked in #2? (Page 1)
	<ul style="list-style-type: none"> • Does the description of POU on page 4 of the supplemental form A application, match authorized POU in question #3? (Page 1)
	<ul style="list-style-type: none"> • In question #4 and #5 are they filled out. (Page 2)
	<ul style="list-style-type: none"> • Is there a box checked in #6? (Page 2)
	<ul style="list-style-type: none"> • Is the #6 supporting documentation included with application? (Page 2)
	<ul style="list-style-type: none"> • Is there an original signature of the notary and notary stamp? (Page 2)
Return back to Page 3 of transfer application	
OK	<ul style="list-style-type: none"> • Affected districts and local governments. <i>None</i> (Page 3) If within a district/local government jurisdiction, ensure that name & mailing address is provided.
OK	<ul style="list-style-type: none"> • Is the applicant the Landowner of the “from” and “to” Lands? YES NO (Page 4) If NO..... The applicant must list current landowner name & address.
OK	<ul style="list-style-type: none"> • Who will be responsible for completion of the changes? <i>RC landowner</i> (Page 4) Is a box checked? If no box is checked the applicant or agent must be contacted.
	<ul style="list-style-type: none"> • Map..... (Page 5) (Required to be prepared by a CWRE) unless... <ol style="list-style-type: none"> 1. Map Waiver included with application 2. FP map with advance email or written approval 3. POD/POA without POU change and for entire right with FP map for “from” map if more than 3 rights are included in transfer, is there a separate map for each water right? If larger than 8 ½ X 14 than 3 copies of map is needed & an electronic pdf file of map north arrow size & scale other: _____ authorized acreage per ¼ ¼ matches the water right authorized POD/POA and POU (<i>clearly shown, labeled & matches application listing</i>) point plotted for the authorized POD/POA agrees with location coordinates on supplemental form A and WR proposed POD/POA and/or POU (<i>clearly shown, labeled & matches application “proposed” listing</i>) location coordinates accurately describe the point identified as the proposed POD/POA
	<ul style="list-style-type: none"> • Land Use form, <i>if applicable</i>. (Page 5) Is the form signed by the local planning department staff? May be needed if the POD/POA or POU is moving a great distance and off of land originally involved in WR.
	<ul style="list-style-type: none"> • If a groundwater right is involved, are the well logs or a description included. (Page 5)
	<ul style="list-style-type: none"> • If this is an instream water right transfer, is there a form C included and filled out. (Page 5)

OK	<ul style="list-style-type: none">• Signature(s) of applicant(s): (Page 6) Are one of the boxes checked? <u>All</u> applicants listed on page 1 of the application <u>must</u> sign the application.
----	--

WRD Completeness Reviewer's Name: <u>S. Henderson</u> Date: <u>9-17-07</u>
--



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

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

October 2, 2007

MUDDY CREEK IRRIGATION PROJECT
PO BOX 225
HARRISBURG OR 97446

Reference: Transfer 10458

On September 14, 2007 we received your water right transfer application. The application was accompanied by \$600.00. Our receipt 89666 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 # 2
Walter Trimmer, Agent
Karen Hans, ODFW
Charles Curtis
David & Eveyln Malpass

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 09/25/07

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: LINN, LANE
Transfer: 10458
Water Right: CERT 76691
Priority Date: 1939
Name: MUDDY CREEK IRRIGATION DISTRICT
Address: PO BOX 225, HARRISBURG OR 97446
Change: POU
Source: MCKENZIE RIVER, LAKE CR, DRY MUDDY CR
Authorized POU: T14S R4W 35
Proposed POU: T15S R3W 32

The holder of a water right may apply to permanently change an existing water use subject to transfer. A transfer application may involve any of the following changes: Point of diversion or appropriation (POD; POA); Additional point of diversion or appropriation (APOD; APOA); Historic POD (HIST); Place of use (POU); Character of use (USE); Instream (ISWR); Substitution (SUB); or Exchange (EXCH).

The holder of a water right subject to transfer may request to temporarily change the place of use of the water for up to 5 years and, if necessary to convey the water, to temporarily change the point of diversion or appropriation.

The holder of a water right permit may apply to change a point of diversion (POD) or appropriation (POA) or to change the place of use (POU).

Any person who provides comments within the comment period will receive a copy of the Department's preliminary determination of whether the application should be approved or rejected after the Department has completed a review of the application and will be provided an opportunity to protest the application and preliminary determination at that time. Comments should be sent to the Transfers Section at the Department's Salem office.

ORIGINALS

Transfer Application and Map

Amendments/Revisions to Appl & Map

Receipt

Deed or Lot Book Report

Notarized Consent

Evidence of Use Affidavit

Land Use Information Form

Lien Holder Notification *(if applicable)*

Report of Ownership and Lien Info *(if applicable)*

&

Other Supporting Documentation



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

Application for Water Right Transfer

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

1. TYPE OF TRANSFER APPLICATION

Please check one	
<input checked="" type="checkbox"/> Permanent Transfer <input type="checkbox"/> Temporary Transfer (1 to 5 yrs.) • total number of years: _____ (begin year: _____) (end year: _____)	<input type="checkbox"/> Instream Transfer <input type="checkbox"/> Permanent <input type="checkbox"/> Time-Limited <input type="checkbox"/> Drought Transfer <input type="checkbox"/> Other

2. APPLICANT INFORMATION

Name: Muddy Creeks Irrigation Project
First Last

Address: P.O. 225
Harrisburg, OR 97446
City State Zip

Phone: 541-995-6108
Home Work Other

Fax: _____ E-Mail address: jdewall@u.wol.net

3. AGENT INFORMATION

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

Name: Walter Trimmer
First Last

Address: Trimmer Engineering Inc., 3924 NW Walnut Place
Corvallis, OR 97330
City State Zip

Phone: _____ 541-754-2819
Home Work Other

Fax: 541-754-0301 E-Mail address: wtrimmer@comcast.net

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

4. PROPOSED CHANGE(S) TO WATER RIGHT(S)

- List **all** water rights to be affected by this transfer. Indicate the certificate, permit, decree or other identifying number(s) in the table below: *(Attach additional pages as necessary.)*

	Application / Decree	Permit / Previous Transfer	Certificate
1.			76691
2.			
3.			
4.			
5.			
6.			

Superseded
by
Cert. 84796

- Attach a **separate Supplemental F** for **each** water right listed above. ter Right)
- Check **all** proposed change(s) included:
 - Place of Use Point of Diversion
 - Character of Use Point of Diversion POA
 - Instream Transfer Surface Water Right
 - Substitution of Supplemental Water Right
 - Historic POD change Other
- Reason(s) for change(s): Shift in farming practices.

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.

The tenant used a tractor powered pump to serve a hard hose travelling big gun.

- System capacity: 1.3 cubic feet per second (cfs). If the transfer involves multiple rights that have independent systems, describe the capacity for each system separately.

This capacity was used to serve other water rights as well as those being transferred.

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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

- 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:

8. LOCAL GOVERNMENTS

- List the name and mailing address of all local governments (i.e., each county, city, municipal corporation, or tribal government within whose jurisdiction water will be diverted, conveyed or used).

Linn County Planning & Zoning Dept.

Rm 215 Courthouse, Albany, OR 97321

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SALEM, OREGON

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9. 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 (for Permanent Transfers see Section 12(c)):*

Names of Current Landowner(s): Charles Curtis
First Last

Address: 31010 Cartney Rd

Harrisburg, OR 97446
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): David & Eveyln R. Malpass
First Last

Address: 21330 N Coburg Rd.

Harrisburg, OR 97446
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.)

10. Other Remarks (optional)

This is a water right transfer within the Muddy Creeks Irrigation Project. The Project is
neither a district or water service district but was mapped as part of HB3111.

The water was billed for in 2006 and a copy of the invoice is attached.

The new P.O.D. is an already authorized P.O.D. for Muddy Creeks and is shown in the
certificate

11. ATTACHMENTS

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

<p>Supplemental Form A – Description of Proposed Change(s) to a Water Right</p> <p><input checked="" type="checkbox"/> A <u>separate</u> Supplemental Form A is enclosed for <u>each</u> water right to be affected by this transfer.</p> <p>Supplemental Form B – Evidence of Use Affidavit(s)</p> <p><input type="checkbox"/> 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), <u>and</u></p> <p><input type="checkbox"/> The Evidence of Use Affidavit must be accompanied by supporting documentation.</p> <p>Map</p> <p><input checked="" type="checkbox"/> <i>Water Right Transfer</i> 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.</p> <p><input type="checkbox"/> <i>Temporary Transfer or Historical POD Change</i> A map meeting the requirements of OAR 690-380-3100 must be included but need <u>not</u> be prepared by a Certified Water Right Examiner.</p> <p>Water Well Report(s)/Well Log(s):</p> <p><input type="checkbox"/> 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.</p> <p><input type="checkbox"/> 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.</p> <p><input checked="" type="checkbox"/> N/A. The application does <u>not</u> involve a change in point of appropriation or a change from surface water to ground water, so water well reports are <u>not</u> required.)</p>	<p>Land Use Information For Proposed Changes:</p> <p><i>For Instream Transfers:</i></p> <p><input type="checkbox"/> Notice of the intent to file an instream transfer application has been provided to each affected local government along the proposed reach, and copies of the notices are enclosed. (<i>For instream transfers a Land Use Information Form is not required.</i>)</p> <p><i>For All Other Transfers:</i></p> <p><input type="checkbox"/> Land Use Information Form is enclosed; <i>or</i></p> <p><input checked="" type="checkbox"/> All of the following criteria are met, therefore a Land Use Information Form is not required:</p> <ul style="list-style-type: none">❶ In EFU zone or irrigation district,❷ Change in place of use only,❸ No structural changes needed, including diversion works, delivery facilities, other structures, <i>and</i>❹ Irrigation only. <p>Fees:</p> <p><input checked="" type="checkbox"/> Amount enclosed: \$ <u>600⁰⁰</u> See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0900.</p> <p><u>Instream Water Right Transfers, also include:</u></p> <p>Supplemental Form C – Instream Water Right Transfer</p> <p><input type="checkbox"/> Complete this form to describe the desired nature and attributes for the proposed instream water right.</p> <p><u>Temporary Transfers, also include:</u></p> <p>Recorded Deed:</p> <p><input type="checkbox"/> 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.</p> <p>Affidavit of Consent:</p> <p><input type="checkbox"/> 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.</p>
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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.

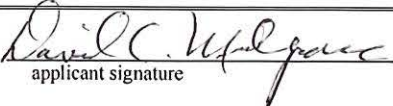
I (we) affirm that interest in the water right has been conveyed to someone other than the landowner, and documents, including a water right conveyance agreement, report of ownership and lien information, and any required lienholder notification are enclosed, demonstrating that I am (we are) authorized 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	for Muddy Creeks Irrigation Proj name and title if applicable (print)	9-11-07 date
_____	_____	_____
applicant signature	name and title if applicable (print)	date



TRIMMER

ENGINEERING, Inc.

Civil Engineering ■ Water Resources ■ Irrigation ■ Conservation ■ Water Rights ■ Flow Measurement

8/13/09 8:23 AM



TO: Nikki Hendricks
OWRD

FROM: Walt Trimmer, P.E., PhD

Walt Trimmer

SUBJECT: Water Rights Transfer Question T-10458

Please find the new Form A and map 1 of 2 for T-10458. Please let me know of any problem you may see.

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WATER RESOURCES DEPT
SALEM, OREGON

Water Right Transfer Supplemental Form A
DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

T-10485

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: Certificate 84796 (former 76691) _

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

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

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 SALEM, OREGON

2. CURRENT WATER RIGHT INFORMATION

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

<input checked="" type="checkbox"/>	Certificated Right	84796 (former 76691)	
		Certificate Number	Permit Number or Decree Name
<input type="checkbox"/>	Adjudicated, Non-certificated Right		
		Name of Decree	Page Number
<input type="checkbox"/>	Permit for which Proof has been Approved		
		Permit Number	Date Claim of Beneficial Use Submitted
<input type="checkbox"/>	Transferred Right for which Proof has been Filed		
		Previous Transfer Number	Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: Muddy Creeks Irrigation Project
- County: Linn
- Authorized Use(s) to be Affected by Transfer: Irrigation
- Priority Date(s): February 9, 1939

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: Muddy Creek

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Tributary to: McKenzie River

WATER RESOURCES DEPT
SALEM, OREGON

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? 21487

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).

▪ Certificate Number or other identifying number: 84796 (former 76691)

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)
	Muddy Creek 2/9/1939	14 S	4 W	WM	35	NWNE		1280' S & 2520' W from NE corner section 35
	Muddy Creek 2/9/1939	15 S	3 W	WM	32	SWNE		2810' E & 2090' W from SE corner section 32
	Muddy Creek, 2/9/1939	15 S	3 W	WM	30	SWNE	TL 502	3830' N & 1900' W of NW corner Greenwood DLC 64
								NOTE: All of these P.O.D.'s are listed in Certificate 76691

- Does the water right being transferred involve a ground water source(s)?
 Yes No (Surface water source only.)

Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no well log is available.)

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

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth

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WATER RESOURCES DEPT
SALEM, OREGON

▪ Certificate Number or other identifying number: 84796 (former 76691) _____

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)
							Note: These are already established P.O.D.'s under the Muddy Creeks Irrigation Project

▪ 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.

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▪ Certificate Number or other identifying number: 84796 (former 76691)

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)
Muddy Creek, 2/9/1939	15 S	3 W	W M	30	SWNE		18.4
Muddy Creek, 2/9/1939	15 S	3 W	W M	30	NWSE		6.9
Muddy Creek, 2/9/1939	15 S	3 W	W M	30	SENE		16.6
Muddy Creek, 2/9/1939	15 S	3 W	W M	30	NESE		0.9
Muddy Creek, 2/9/1939	15 S	3 W	W M	32	NWNE	100	1.6
Muddy Creek, 2/9/1939	15 S	3 W	W M	32	NENW	100	15.3
Muddy Creek, 2/9/1939	15 S	3 W	W M	32	SENW	100	14.2
Muddy Creek, 2/9/1939	15 S	3 W	W M	32	NWSE	200	23.1

Remarks: _____

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 WATER RESOURCES DEPT
 SALEM, OREGON

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OCT 07 2009

WATER RESOURCES DEPT
SALEM, OREGON

T14S R4W, W.M.



Transfer T-10458

In the name of

Muddy Creeks Irrigation Project

Transfer From:

Certificate # 84796

In the name of

Muddy Creeks Irrigation Project

Remaining:

Prepared by

Walter L. Trimmer

CWRE #332

Trimmer Engineering Inc.

3924 NW Walunt Place

Corvallis, OR 97330

541-754-2819

Scale 1" = 1320'

August 22, 2007

Layout: Transfer From

File: MuddyCrk.dwg

Based on USGS Coburg Quad

DWG 2 of 2

(revised 10/6/2009 to correct certificate
number & POD)

▪ Certificate Number or other identifying number: 76691

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)
	Muddy Creek 2/9/1939	14 S	4 W	WM	35	NWSE		3150' S & 1610' W from NE corner section 35
	Muddy Creek 2/9/1939	15 S	3 W	WM	32	SWNE		2810' E & 2090' W from SE corner section 32
	Muddy Creek, 2/9/1939	15 S	3 W	WM	30	SWNE	TL 502	3830' N & 1900' W of NW corner Greenwood DLC 64
								NOTE: All of these P.O.D.'s are listed in Certificate 76691

- Does the water right being transferred involve a ground water source(s)?
 Yes No (Surface water source only.)

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

Received via email
8/21/09 (nmH)

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

T15S R3W, W.M.

Transfer T-10458

In the name of

Muddy Creeks Irrigation Project

Transfer To:
Certificate # 76691



Prepared by
Walter L. Trimmer
CWRE #332
Trimmer Engineering Inc.

3924 NW Walunt Place
Coryallis, OR 97330
541-754-2819

Scale 1" = 1320'

August 22, 2007

Layout: CBU-10458

File: MuddyCrks.dwg

Based on USGS Coburg Quad

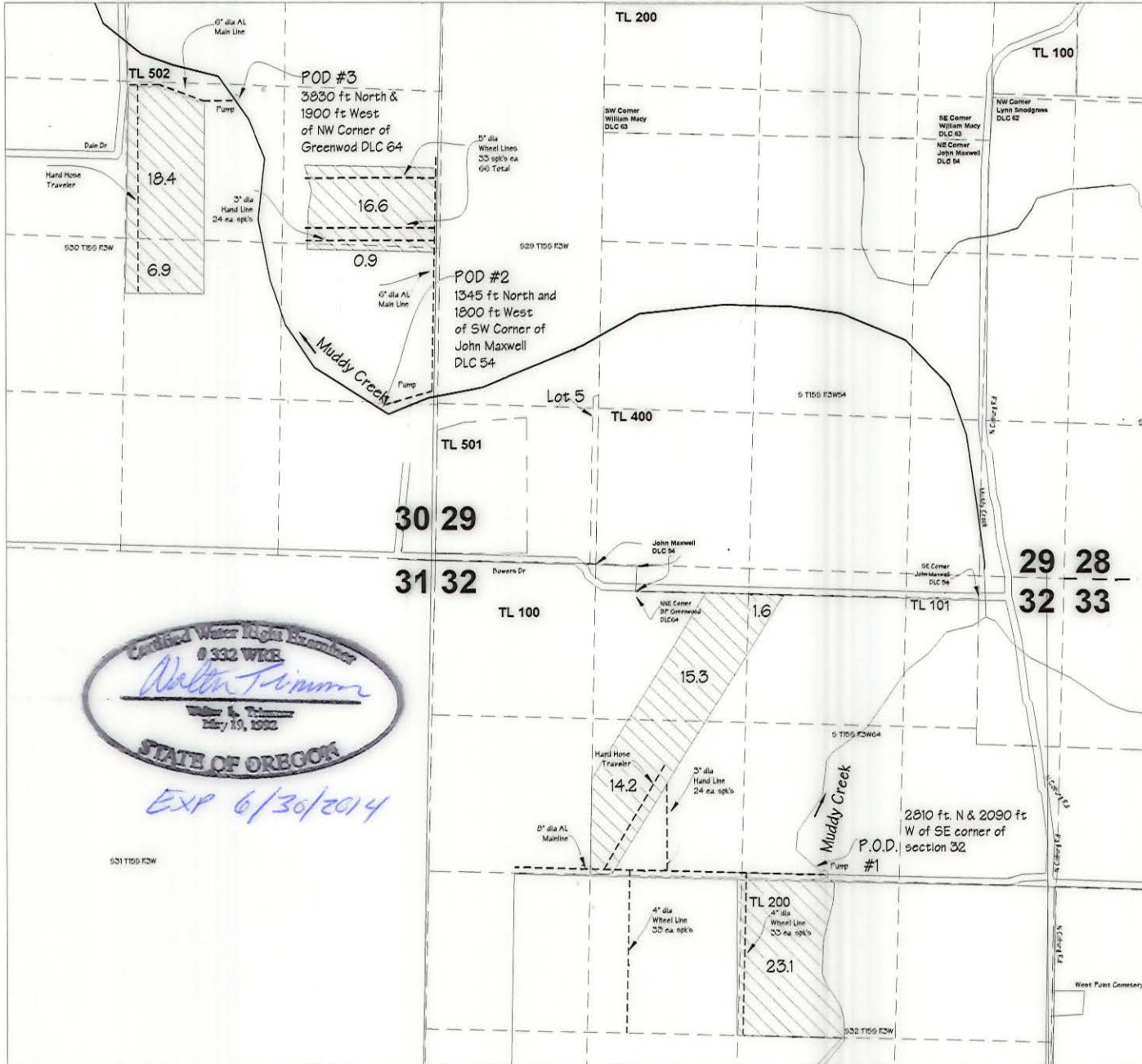
DWG 1 of 1

(revised 8/12/2009 to avoid Certificate
80835 acres, 8/21/09 add POD)

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SALEM, OR



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.

<p>▪ Certificate Number or other identifying number: <u>76691</u></p>

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

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

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 SALEM, OREGON

2. CURRENT WATER RIGHT INFORMATION

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

<input checked="" type="checkbox"/> Certificated Right	<u>76691</u> Certificate Number	_____ Permit Number or Decree Name
<input type="checkbox"/> Adjudicated, Non-certificated Right	_____ Name of Decree	_____ Page Number
<input type="checkbox"/> Permit for which Proof has been Approved	_____ Permit Number	_____ Date Claim of Beneficial Use Submitted
<input type="checkbox"/> Transferred Right for which Proof has been Filed	_____ Previous Transfer Number	_____ Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: Muddy Creeks Irrigation Project
- County: Linn
- Authorized Use(s) to be Affected by Transfer: Irrigation
- Priority Date(s): February 9, 1939

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: Muddy Creek

Tributary to: Willamette River

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

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

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

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

If "Yes", what are the Permit, Registration or Certificate Numbers? 21487

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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**WATER RESOURCES DEPT
SALEM, OREGON**

▪ Certificate Number or other identifying number: 76691

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)
	Muddy Creek	14S	4W	WM	35	NWSE	400	3150' S & 1610' W of
	2/9/1939							NE Corner Sec 35

- Does the water right being transferred involve a ground water source(s)?
 Yes No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

A. Supply a copy of the well log(s) for each point of appropriation that is clearly labeled and associated with the corresponding well in the table above and on the accompanying application map. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)

or

B. If a well log is not available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.

Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no well log is available.)

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

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth

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 WATER RESOURCES DEPT
 SALEM, OREGON

T 10458

▪ Certificate Number or other identifying number: 76691

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)
Muddy Creek	15S	3W	W.M.	32	SWNE	100	2810' N & 2090'W of SE corner Sec 32

- 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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SEP 14 2007
WATER RESOURCES DEPT
SALEM, OREGON

superseded 8/14/09

T15S R3W, W.M.



Transfer T-

In the name of

Muddy Creeks Irrigation Project

Transfer To:

Certificate # 76691

In the name of Muddy Creeks Irrigation Project

Prepared by

Walter L. Trimmer

CWRE #332

Trimmer Engineering Inc.

3924 NW Walunt Place

Corvallis, OR 97330

541-754-2819

Scale 1" = 1320'

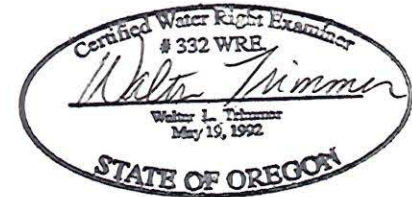
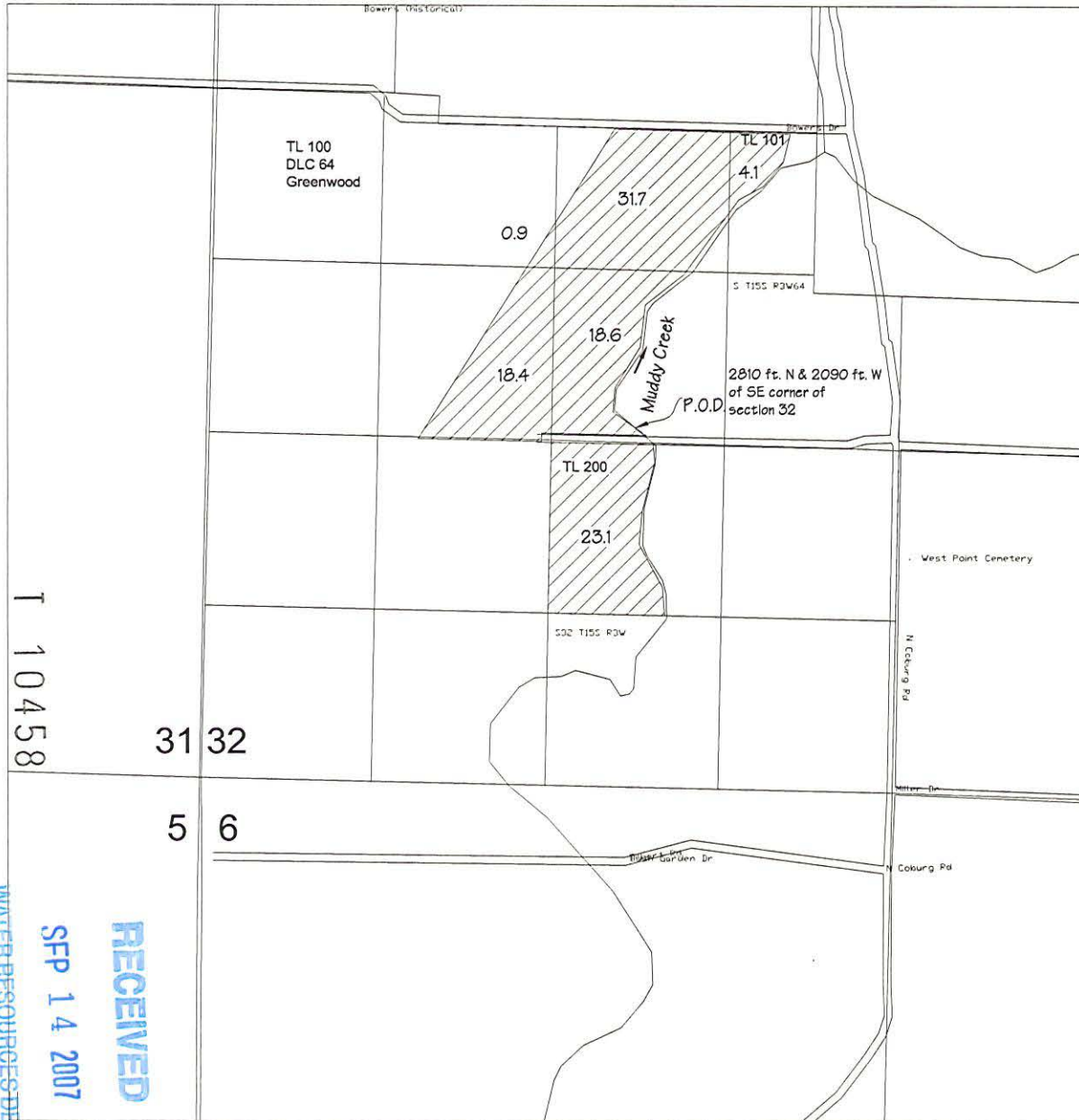
August 22, 2007

Layout: Transfer From

File: MuddyCrk.dwg

Based on USGS Coburg Quad

DWG 1 of 2



EXP 6/30/2008

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 SFP 14 2007
 WATER RESOURCES DEPT
 SALEM, OREGON

T15S R3W, W.M.

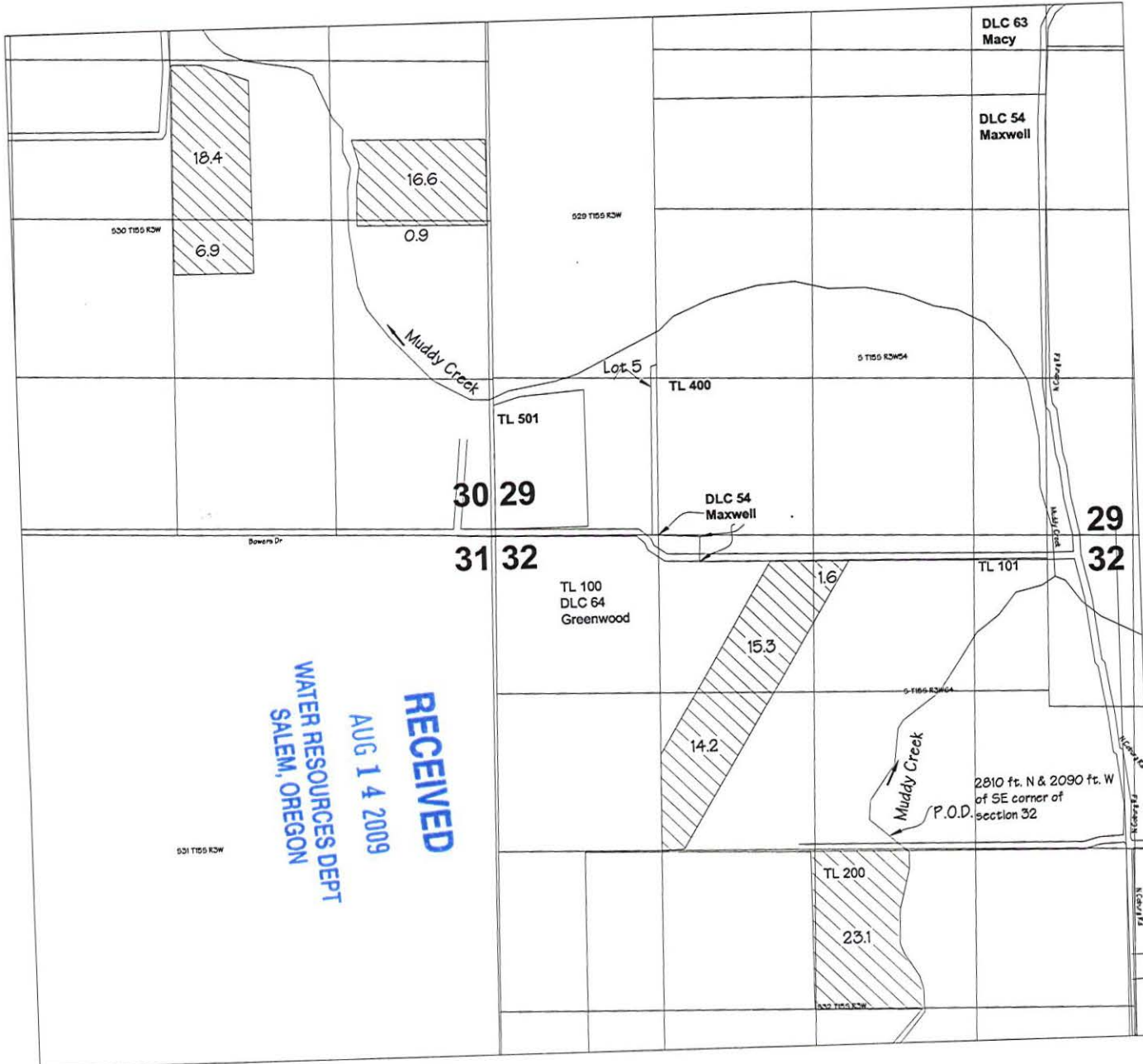


Transfer T-10458

In the name of

Muddy Creeks Irrigation Project

*Superseded
8/21/09*



Transfer To:



Certificate # 76691

In the name of

Muddy Creeks Irrigation Project

Prepared by

Walter L. Trimmer

CWRE #332

Trimmer Engineering Inc.

3924 NW Walunt Place

Corvallis, OR 97330

541-754-2819

Scale 1" = 1320'

August 22, 2007

Layout: Transfer From

File: MuddyCrk.dwg

Based on USGS Coburg Quad

DWG 1 of 2

(revised 8/12/2009 to avoid
Certificate 80835 acres)

▪ Certificate Number or other identifying number: 76691

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)
	Muddy Creek 2/9/1939	14 S	4 W	W M	35	NWSE	TL400	3150' E & 1610' W from NE corner section 35
	Muddy Creek 2/9/1939	15 S	3 W	W M	32	SWNE		2810' E & 2090' W from SE corner section 32
	Muddy Creek, 2/9/1939	15 S	3 W	WM	30	SESE	DLC 64	1345' N & 1800' W of SW corner John Maxwell DLC 64
								NOTE: All of these P.O.D.'s already exist under Certificate 76691 and will remain in use

- Does the water right being transferred involve a ground water source(s)?
 Yes No (Surface water source only.)

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

RECEIVED
 AUG 14 2009
 WATER RESOURCES DEPT
 SALEM, OREGON

Water Right Transfer Supplemental Form A
DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

T-10485

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: Certificate 76691 _____

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

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

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2. CURRENT WATER RIGHT INFORMATION

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

<input checked="" type="checkbox"/>	Certificated Right	<u>76691</u>	
<input type="checkbox"/>	Adjudicated, Non-certificated Right		
<input type="checkbox"/>	Permit for which Proof has been Approved		
<input type="checkbox"/>	Transferred Right for which Proof has been Filed		

- Name on Permit, Certificate, or Decree: Muddy Creeks Irrigation Project
- County: Linn
- Authorized Use(s) to be Affected by Transfer: Irrigation
- Priority Date(s): February 9, 1939

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: Muddy Creek

Tributary to: McKenzie River

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

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

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

If "Yes", what are the Permit, Registration or Certificate Numbers? 21487

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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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)
	Muddy Creek 2/9/1939	14 S	4 W	WM	35	NWSE		3150' S & 1610' W from NE corner section 35
	Muddy Creek 2/9/1939	15 S	3 W	WM	32	SWNE		2810' E & 2090' W from SE corner section 32
	Muddy Creek, 2/9/1939	15 S	3 W	WM	30	SWNE	TL 502	3830' N & 1900' W of NW corner Greenwood DLC 64
								NOTE: All of these P.O.D.'s are listed in Certificate 76691

- Does the water right being transferred involve a ground water source(s)?
 Yes No (Surface water source only.)

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: 76691 _____

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)
							Note: These are already established P.O.D.'s under the Muddy Creeks Irrigation Project

- 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.

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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)
Muddy Creek, 2/9/1939	15 S	3 W	W M	30	SWNE		18.4
Muddy Creek, 2/9/1939	15 S	3 W	W M	30	NWSE		6.9
Muddy Creek, 2/9/1939	15 S	3 W	W M	30	SENE		16.6
Muddy Creek, 2/9/1939	15 S	3 W	W M	30	NESE		0.9
Muddy Creek, 2/9/1939	15 S	3 W	W M	32	NWNE	100	1.6
Muddy Creek, 2/9/1939	15 S	3 W	W M	32	NENW	100	15.3
Muddy Creek, 2/9/1939	15 S	3 W	W M	32	SENE	100	14.2
Muddy Creek, 2/9/1939	15 S	3 W	W M	32	NWSE	200	23.1

Remarks: _____

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superseded 10-7-09

T14S R4W, W.M.



Transfer T-

In the name of

Muddy Creeks Irrigation Project

Transfer From:



Certificate # 76691

In the name of Muddy Creeks Irrigation Project

Remaining:



Prepared by

Walter L. Trimmer

CWRE #332

Trimmer Engineering Inc.

3924 NW Walunt Place

Corvallis, OR 97330

541-754-2819

Scale 1" = 1320'

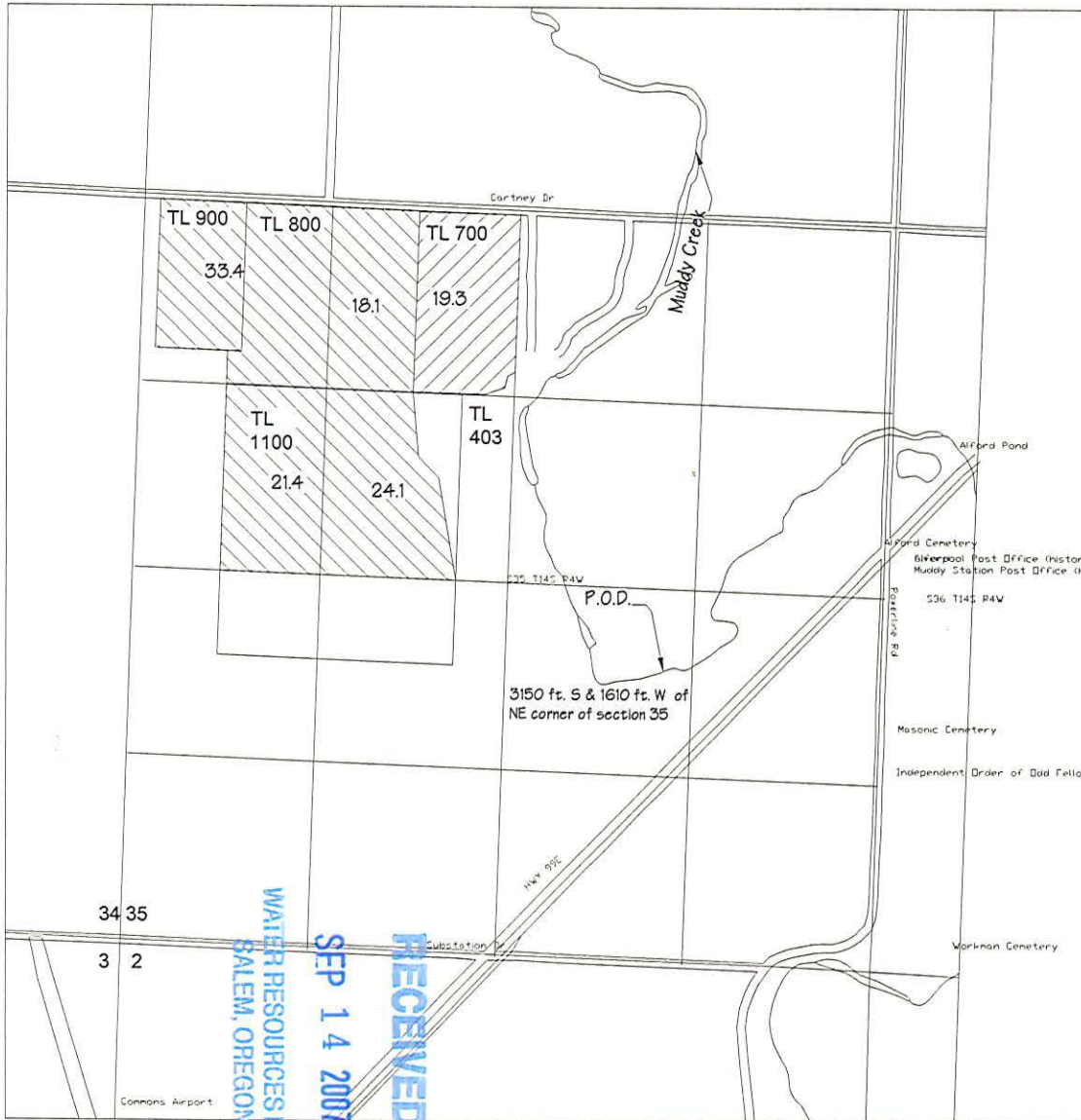
August 22, 2007

Layout: Transfer From

File: MuddyCrk.dwg

Based on USGS Harrisburg Quad

DWG 2 of 2



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