T-8883

-T-8883

Name Terry L. Nofziger

By

Address Po Box 575
Christmas Valley, OR
97641

Change in POU/POA

Date filed 8-30-2001

Date of hearing

Place of hearing

Date of order 6-2-04 Vol. 60, page 164
ext of time 6-14-05 65 151

Date for application of water

Proof mailed

Proof received

Certificate issued Vol. , page
1-23-2026 Certificate 98852 issued RR 80684

DESCRIPTION OF WATER RIGHT

Name of stream Well

Trib. of Fort Rock Basin County of Lake

Use Irrigation

Quantity of water No. of acres

Name of ditch

Date of priority 12-22-1980

In name of Terry L. Nofziger

Adjudication, Vol. , page

App. No. G-10071 Per. No. G-9124 Cert. No. 65626

Certificate cancelled

Notation made on record by

FEES PAID

Date	Amount	Receipt No.
8/30/01	$300.00	47887
4/22/05	250.00	74123
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

REMARKS

NOID

CWRE #005/Darryl J. Anderson

Mervin Stutzman/PO Box 296/Christmas Valley, OR 97641

Mailing List for Final Transfer Certificate(s)

Copies Mailed

by: TM
(STAFF)

on: JAN 2 3 2026
(DATE)

Transfer Application: T-8883

Certificate: 98852 (C-65626)

Certificate/Transfer Holder: (include copy of map)
MERVIN STUTZMAN
PO BOX 296
CHRISTMAS VALLEY, OR 97641

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 #: 11
2. Water Availability
3. Vault
4. File

Other persons to receive copies: (include map):

5. GARY LEE DEJARNATT, CWRE

6. JOHN SHORT, AGENT

Current Landowner:

7. Donald McCord
   Karla McCord
   PO Box 376
   Christmas Valley OR 97641

Oregon
Tina Kotek, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301
Phone: 503-986-0900
Fax: 503-986-0904
www.Oregon.gov/OWRD

Date Mailed: JAN 2 3 2026

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 order 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 Jonnine Skaug at 503-979-3943.

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MERVIN STUTZMAN
PO BOX 296
CHRISTMAS VALLEY OR 97641

confirms the right to the use of water perfected under the terms of Permit G-9124. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the well. The specific limits and conditions of the use are listed below.

SOURCE OF WATER: ONE WELL IN THE FORT ROCK BASIN

PURPOSE OR USE: IRRIGATING 12.1 ACRES

MAXIMUM RATE: 0.15 CUBIC FOOT PER SECOND

DATE OF PRIORITY: DECEMBER 22, 1980

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	17 E	WM	31	SE NW	1323 FEET SOUTH AND 1234 FEET EAST FROM NW CORNER, SECTION 31

The amount of water used for irrigation under this right, 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) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

This right shall conform to any reasonable rotation system ordered by the proper state officer.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
26 S	17 E	WM	31	NE SW		4.1
26 S	17 E	WM	31	SW SW	4	4.0
26 S	17 E	WM	31	SE SW		4.0

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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

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

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	18 E	WM	31	SE SW	1300 FEET NORTH AND 1230 FEET WEST FROM S1/4 CORNER, SECTION 31
26 S	18 E	WM	31	NE SE	1350 FEET NORTH AND 1400 FEET EAST FROM S1/4 CORNER, SECTION 31
26 S	18 E	WM	32	NE SW	1340 FEET NORTH AND 1150 FEET WEST FROM S1/4 CORNER, SECTION 32
26 S	18 E	WM	32	NE SE	1360 FEET NORTH AND 1580 FEET EAST FROM S1/4 CORNER, SECTION 32

The water user shall maintain an in-line flow meter or other suitable device for measuring and recording the quantity of water appropriated.

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

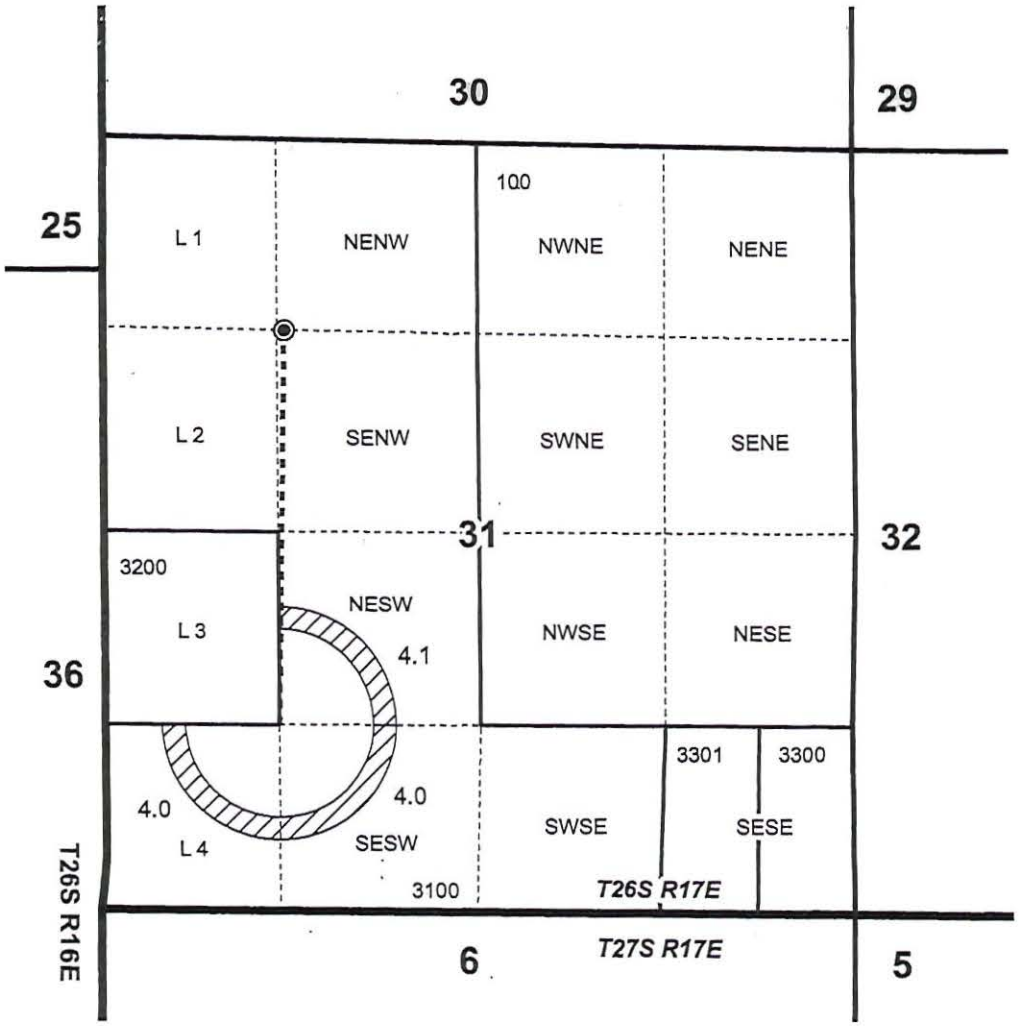
This certificate is issued to confirm a change in POINT OF APPROPRIATION and PLACE OF USE approved by an order of the Water Resources Director entered June 2, 2004, at Special Order Volume 60, Page 164, approving Transfer Application T-8883, and together with Certificate 80684, supercedes Certificate 65626, State record of Water Right Certificates.

Issued JAN 2 3 2026.

Katherine Ratcliffe
Water Right Services Division Administrator, for
Ivan Gall, Director
Oregon Water Resources Department

COPY

T26S R17E, WM, LAKE COUNTY, OR



0 1,320 Feet

1" = 1320'

- Well & Meter
- Pipeline
- POU IR 12/22/1980 Priority
- Township
- Section
- Quarter Quarter
- Tax Lot

Well (LAKE 53393 / L-153423) Location:
1323' S, 1234' E
of the NW Cor of Sec 31

RECEIVED
JAN 08 2024
OWRD

Certified Water Right Examiner
033
Gary L. DeJarnatt
Nov. 19, 1987
STATE OF OREGON

RENEWAL DATE 12/31/2023

CLAIM OF BENEFICIAL USE MAP
McCord

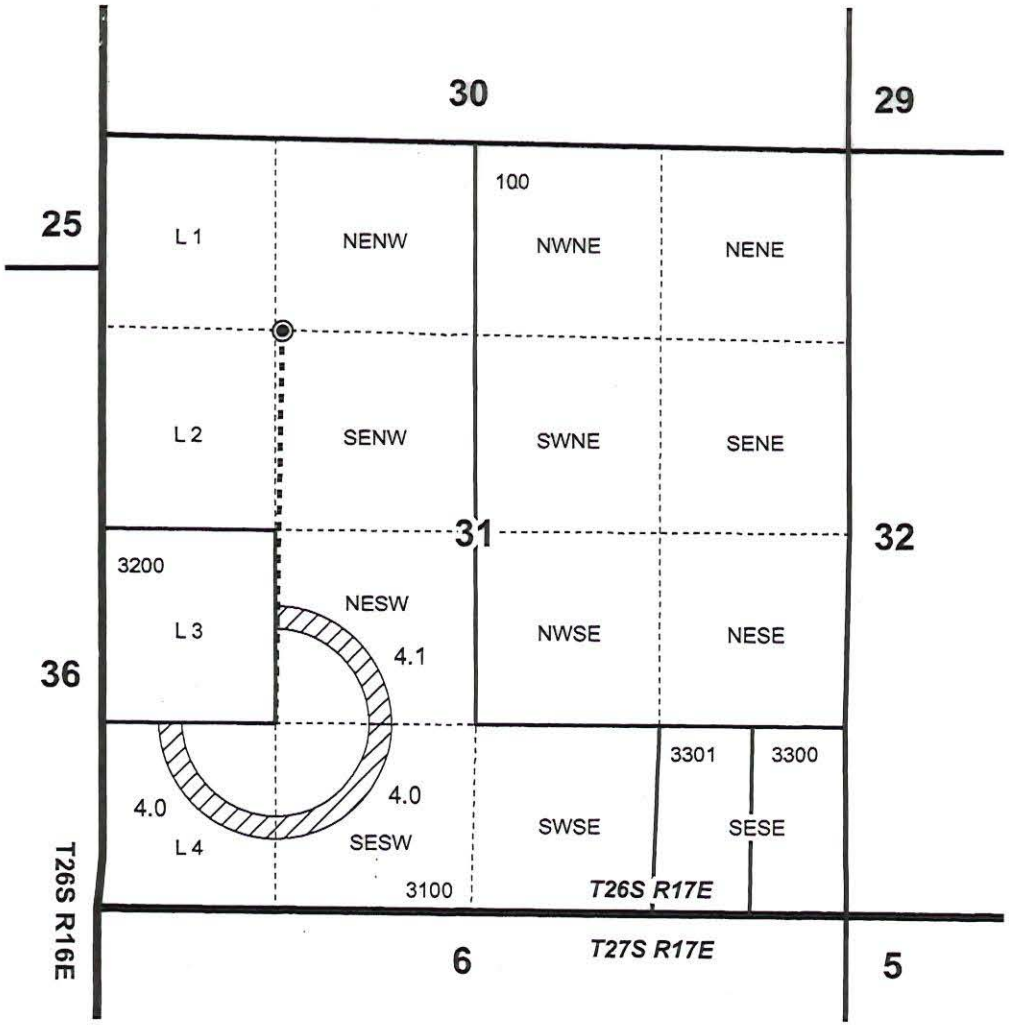
Date: 11/20/2023 T-8883 Project #22010

This map is not intended to provide legal dimensions or locations of property ownership lines.

WATER RIGHT SERVICES, LLC
PO BOX 1830, BEND, OR 97709
WWW.OREGONWATER.US 541-389-2837
johnshort@usa.com CCB # 197121

T26S R17E, WM, LAKE COUNTY, OR

COPY



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WATER RIGHT SERVICES, LLC
PO BOX 1830, BEND, OR 97709
WWW.OREGONWATER.US 541-389-2837
johnshort@usa.com CCB # 197121

PR Kerry 11-19-25

TRANSFER

Memo- Proof to Satisfaction

Transfer App # T-8883	
WRD Reviewer (CW) J Skaug	Date: Nov 2025
WRD Peer Reviewer (PR)	Date:

ORIGINAL CERT:	CHANGE REQUESTED:					RR Cert:
65626	☑ POU	☑ POD/POA	☐ APOD/APOA	☐ USE		80684
	☐ POU	☐ POD/POA	☐ APOD/APOA	☐ USE		
	☐ POU	☐ POD/POA	☐ APOD/APOA	☐ USE		
	☐ POU	☐ POD/POA	☐ APOD/APOA	☐ USE		

PREPARATION:

CW	PR	RESEARCH:			
☑	☐	☑ CBU Report/Map	☑ Transfer Order Spov 60 pg 164 Ord Vol Issued Date 6/2/2004	☐ Assignment	☑ Transfer Extension
		Electronic Folder:			
☑	☐	☑ Create CBU folder	☑ Create Work Packet Folder		
☑	☐	**SCAN:** Above documents into "CBU Folder"			
☑	☐	**SAVE:** other documents in "Work Packet Folder"			
		☑ Certificate(s)	☑ Transfer App Maps (To/From)	☐	
		☑ OrMap Tax Lot Map	☑ Ownership Report	☑ BLM Cadastral Survey	☐ GW Logs
		☐ GW Conditions	☐ Mitigation	☑ POU Report (conflict) [POU ONLY]	☐ Others:
☑	☐	**SEARCH:**			
		☑ Interactive Mapper	☐ AOI	☑ Map and TaxLot ID 3100	☑ Receiving LO:
				New Landowner: Donald & Karla McCord PO Box 376 Christmas Valley OR 97641	

REVIEW OF CLAIM:

ORDER REQ/D	CERTIFICATE REQ'D	COMPLIED YES/NO	CONDITIONS:	NOTES:
☑ Y ☐ N/A	☐ Y ☐ N/A	☑ Y ☐ N	Fish Condition	
☑ Y ☐ N/A	☐ Y ☐ N/A	☑ Y ☐ N	Meter/Measuring Device	1998 installed
☐ Y ☐ N/A	☐ Y ☐ N/A	☐ Y ☐ N	Water Use Reporting	
☐ Y ☐ N/A	☐ Y ☐ N/A	☐ Y ☐ N	SWL (Month)	
☐ Y ☐ N/A	☐ Y ☐ N/A	☐ Y ☐ N	Dedicated MMS tube	
☐ Y ☐ N/A	☐ Y ☐ N/A	☐ Y ☐ N	Well Id	
☐ Y ☐ N/A	☐ Y ☐ N/A	☑ Y ☐ N	Other: 10/1/2005	
☑ Y ☐ N/A	☐ Y ☐ N/A	☑ Y ☐ N	C-date: accurate	EXT C-Date: 10/1/07 claim says 10-1-2007

REVIEW OF MAP: (Only the changes approved)

CW	PR		Notes:
☑	☐	Verify POA/POD Location (New Only)	
☑	☐	Verify POU (New only)	
☑	☐	POU clearly identified by Use Type/Certificate	
☑	☐	DLC/GOV'T LOT	
		☐ Original Cert Map for *unchanged* POU/POD/POA (Attached for Peer Reviewer/Data)	☐ Note Maps for Reference

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

POD/POA-NEW/ADD'T	AUTHORIZED RATE	CLAIM RATE	CALCULATED RATE	NOTES:
	0.15 cfs		7.99 cfs	See Calc Sheet

DETERMINATION:

CW	PR	DOCUMENT	NOTES:
☐	☐	LETTER FOR CLARIFICATION	
☐	☐	DRAFT (PLEASE EXPLAIN)	
☐	☐	PROPOSED	
✓	☐	FINAL	made proof
☐	☐	PROPOSED ORDER TO CANCEL	

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

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

EXTRAS: BEFORE Printing your Final Certificate

CW	PR	DID YOU CHECK?	NOTES:
☐	☐	DATA REVIEW COMMENTS UPDATED	
☐	☐	SPELL CHECKED DOC	

CASEWORKER REVIEW COMMENTS:

PEER REVIEWER COMMENTS:

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application T-8883, Lake County, Oregon	))	FINAL ORDER

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of appropriation, 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

Terry L. Nofziger
PO Box 575
Christmas Valley OR 97641

Findings of Fact

1. Terry L. Nofziger filed an application to transfer the point of appropriation and place of use under Certificate 65626. The Department assigned the application number T-8883.

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

Certificate:	65626 in the name of Terry L. Nofziger
Use:	Irrigation
Priority Date:	December 22, 1980
Quantity:	0.15 cfs
Acres:	12.1
Source:	Four wells in the Fort Rock Basin

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in an uncontested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005, you may either petition for judicial review or petition the Director for reconsideration of this order.

Authorized Point of Appropriation:

Township		Range		Meridian	Sec	¼ ¼		Lot	Location
26	S	18	E	W.M.	31	SE	SW		1300' N & 1230' W of S¼ corner of Sec 31
26	S	18	E	W.M.	31	NE	SE		1350' N & 1400' E of S¼ corner of Sec 31
26	S	18	E	W.M.	32	NE	SW		1340' N & 1150' W of S¼ corner of Sec 32
26	S	18	E	W.M.	32	NE	SE		1360' N & 1580' E of S ¼ corner of Sec 32

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼		Lot	Acres
26	S	18	E	W.M.	32	NE	SW		0.5
26	S	18	E	W.M.	32	NW	SW		0.5
26	S	18	E	W.M.	32	SW	SW		0.5
26	S	18	E	W.M.	32	SE	SW		0.5
26	S	18	E	W.M.	32	NW	SE		3.5
26	S	18	E	W.M.	32	SW	SE		3.3
26	S	18	E	W.M.	32	SE	SE		3.3

3. Application T-8883 proposes to move the authorized point of appropriation for this part of the right approximately 7 miles to:

Township		Range		Meridian	Sec	¼ ¼		Lot	Location
26	S	17	E	W.M.	31	SE	NW		1323' S & 1234' E of the NW corner of Sec 31

4. Application T-8883 proposes to change the place of use of the right to:

Township		Range		Meridian	Sec	¼ ¼		Lot	Acres
26	S	17	E	W.M.	31	NE	SW		4.1
26	S	17	E	W.M.	31	SW	SW	4	4.0
26	S	17	E	W.M.	31	SE	SW		4.0

5. Notice of the application for transfer was published pursuant to ORS 540.520 and OAR 690-380-4000. No comments were filed in response to the notices.

6. A delivery system sufficient to use the full amount of water allowed under the existing right is present.

7. Water has been used within the last five years according to the terms and conditions of the right, and no evidence is available that would demonstrate that the right is subject to forfeiture under ORS 540.610.

8. The proposed change would not result in enlargement of the right.

75HP 15PSI 28' = 7.99cfs

9. The proposed change would not result in injury to other water rights.

10. The receiving landowner responsible for completion of the changes proposed in T-8883 is:
    Mervin Stutzman
    PO Box 296
    Christmas Valley OR 97641

Conclusions of Law

The changes in point of appropriation and place of use proposed in application T-8883 are consistent with the requirements of ORS Chapters 537 and 540 and OAR 690-380-5000.

Order

It is therefore ordered:

1. Transfer T-8883 is hereby approved, subject to the following conditions.

2. Certificate 65626 is cancelled; Certificate 80684 shall be issued to describe the remaining rights from Certificate 65626 NOT involved in T-8883.

3. The proposed changes shall be completed on or before October 1, 2005.

4. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department by October 1, 2006.

5. The right to 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 65626 and any related decree.

6. The quantity of water diverted at the new point of appropriation shall not exceed the quantity of water lawfully available at the original point of appropriation.

7. Prior to diverting water at the new point of appropriation, the water user shall install and maintain an in-line flow meter or other suitable device for measuring and recording the quantity of water appropriated. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

8. The receiving landowner responsible for completion of the changes proposed in T-8883 is:
    Mervin Stutzman
    PO Box 296
    Christmas Valley OR 97641

9. When satisfactory proof of the completed change is received, a new certificate confirming the transferred water right shall be issued.

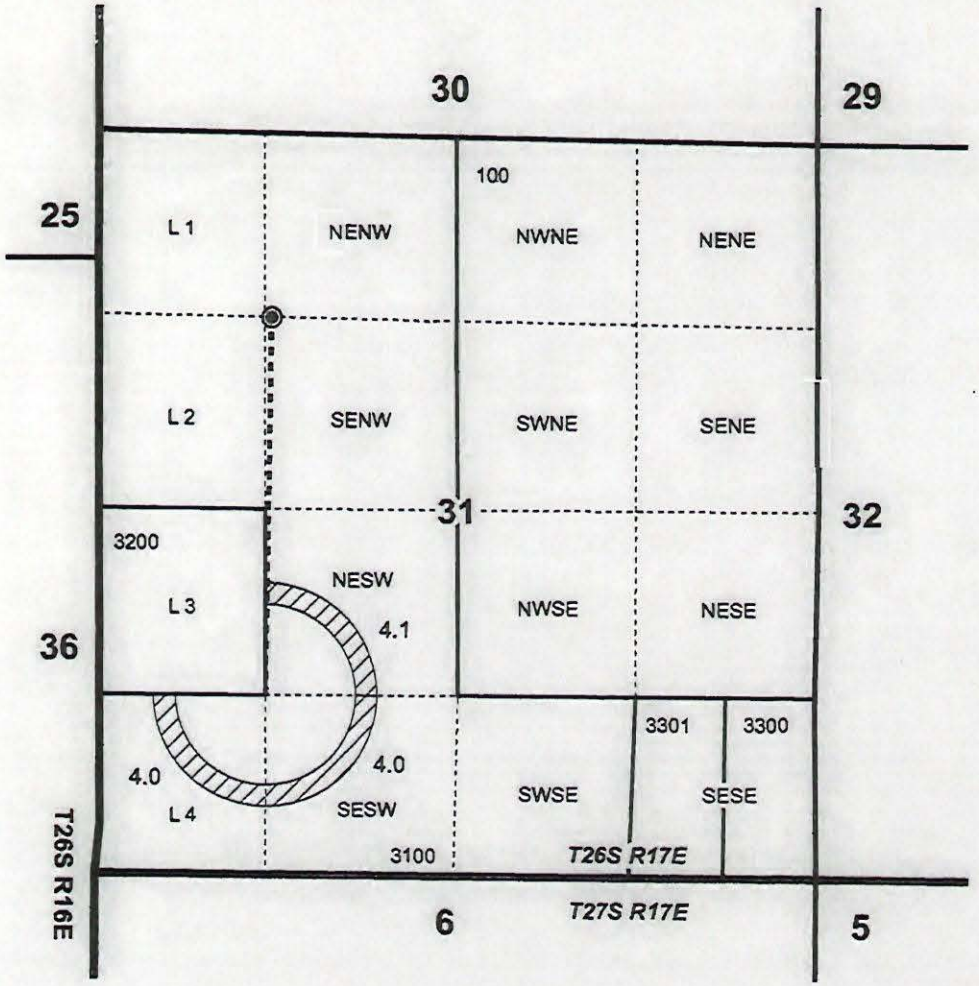
Dated at Salem, Oregon this 2nd day of June, 2004.

for Phillip C. Ward
Director

Protests should be addressed to the attention of Enforcement Section, Water Resources Department, 725 Summer St. NE, Salem, OR 97301-1271

Mailing date: JUN 0 8 2004

T26S R17E, WM, LAKE COUNTY, OR



0 1,320 Feet

1" = 1320'

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- Pipeline
- POU IR 12/22/1980 Priority
- Township
- Section
- Quarter Quarter
- Tax Lot

Well (LAKE 53393 / L-153423) Location:
1323' S, 1234' E
of the NW Cor of Sec 31

COPY

RECEIVED
JAN 08 2024
OWRD

Certified Water Right Examiner
033
Gary L. DeJarnatt
Nov. 19, 1987
STATE OF OREGON

RENEWAL DATE 12/31/2023

CLAIM OF BENEFICIAL USE MAP
McCord

Date: 11/20/2023 T-8883 Project #22010

This map is not intended to provide legal dimensions or locations of property ownership lines.

WATER RIGHT SERVICES, LLC
PO BOX 1830, BEND, OR 97709
WWW.OREGONWATER.US 541-389-2837
johnshort@usa.com CCB # 197121

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

TERRY L. NOFZIGER
P.O. BOX 575
CHRISTMAS VALLEY, OREGON 97641

confirms the right to use the waters of 4 WELLS in the FORT ROCK BASIN for the purpose of IRRIGATING 487.3 ACRES.

This right has been perfected under Permit G-9124. The date of priority is DECEMBER 22, 1980. This right is limited to 6.09 CUBIC FEET PER SECOND, BEING 1.58 CFS FROM WELL 1, 1.02 CFS FROM WELL 2, 1.77 CFS FROM WELL 3, 1.72 CFS FROM WELL 4 or its equivalent in case of rotation, measured at the well.

Δ POA T26S R17E Sec 31
Sec NW 1323'5 & 1234'E NW Corner Sec 31

The wells are located as follows:

SE 1/4 SW 1/4, NE 1/4 SE 1/4, SECTION 31, NE 1/4 SW 1/4, NE 1/4 SE 1/4, SECTION 32, T 26 S, R 18 E, W.M.; WELL 1 - 1300 FEET NORTH AND 1230 FEET WEST, WELL 2 - 1350 FEET NORTH AND 1400 FEET EAST BOTH FROM THE S 1/4 CORNER OF SECTION 31, WELL 3 - 1340 FEET NORTH AND 1150 FEET WEST, WELL 4 - 1360 FEET NORTH AND 1580 FEET EAST, BOTH FROM THE S 1/4 CORNER OF SECTION 32.

The amount of water used for irrigation under this right, 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) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

This right shall conform to any reasonable rotation system ordered by the proper state officer.

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

	SW 1/4 NE 1/4	0.3	ACRE
	SE 1/4 NE 1/4	0.8	ACRE
	NE 1/4 SW 1/4	33.1	ACRES
LOT 3	(NW 1/4 SW 1/4)	27.4	ACRES
LOT 4	(SW 1/4 SW 1/4)	29.2	ACRES
	SE 1/4 SW 1/4	35.2	ACRES
	NE 1/4 SE 1/4	40.0	ACRES
	NW 1/4 SE 1/4	37.2	ACRES
	SW 1/4 SE 1/4	0.9	ACRE

SECTION 31
TOWNSHIP 26 SOUTH, RANGE 18 EAST, W.M.

Δ POA Sec 31
T26S R17E
NESW 4.1
SWSW 4.0
SESW 4.0

SEE NEXT PAGE

LOT 3	(SW 1/4 NE 1/4)	0.2 ACRE
LOT 4	(SE 1/4 NE 1/4)	1.2 ACRES
	SW 1/4 NW 1/4	0.6 ACRE
	SE 1/4 NW 1/4	1.1 ACRES
	NE 1/4 SW 1/4	38.3 ACRES
	NW 1/4 SW 1/4	33.6 ACRES
	SW 1/4 SW 1/4	29.0 ACRES
	SE 1/4 SW 1/4	37.4 ACRES
LOT 5	(NE 1/4 SE 1/4)	38.7 ACRES
	NW 1/4 SE 1/4	30.1 ACRES
	SW 1/4 SE 1/4	27.7 ACRES
	SE 1/4 SE 1/4	37.0 ACRES
	SECTION 32	
LOT 3	(NW 1/4 SW 1/4)	4.7 ACRES
	SW 1/4 SW 1/4	3.6 ACRES
	SECTION 33	

TOWNSHIP 26 SOUTH, RANGE 18 EAST, W.M.

The right to use 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 APRIL 22, 1991.

/s/ WILLIAM H. YOUNG

William H. Young

Recorded in State Record of Water Right Certificates numbered 65626.

G-10071.DLM

KAVANAGH Kerry L * WRD

From: KAVANAGH Kerry L * WRD
Sent: Tuesday, April 9, 2024 12:59 PM
To: dkmcrd@aol.com; Johnshort@usa.com; 'brycewrs@gmail.com'
Cc: KAVANAGH Kerry L * WRD
Subject: FW: Certificate RA Estimate R13017-25 for Donald McCord & Karla McCord involving Application T-8333
Attachments: RA contract_T-8333.pdf; estimate request_T-8883.pdf; estimate receipt_T-8883.pdf

Hello,

I am wondering if you wish to pursue the expedited review of the claim of beneficial use under the certificate reimbursement authority program. If you do, please return a signed copy of the agreement along with payment of estimated costs.

Please advise.

Thank you,
Kerry

Kerry Kavanagh
Certificate Reimbursement Authority Program Coordinator
Certificate Section, Water Rights Services Division
725 Summer St NE Suite A | Salem OR 97301 | Direct 503.979.3208
kerry.l.kavanagh@water.oregon.gov| https://www.oregon.gov/OWRD

OREGON WATER RESOURCES DEPARTMENT
Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

---

From: KAVANAGH Kerry L * WRD <Kerry.L.KAVANAGH@water.oregon.gov>
Sent: Friday, January 12, 2024 10:11 AM
To: dkmcrd@aol.com; 'brycewrs@gmail.com' <brycewrs@gmail.com>
Cc: KAVANAGH Kerry L * WRD <Kerry.L.KAVANAGH@water.oregon.gov>
Subject: Certificate RA Estimate R13017-25 for Donald McCord & Karla McCord involving Application T-8333

Hello,

Please find the attached estimate and agreement to review the claim of beneficial use (Claim). If the proposed agreement is acceptable to you, please return a signed copy to our office along with the payment of the estimated cost to review the claim of beneficial use.

If you have any questions, please send me an email at kerry.l.kavanagh@water.oregon.gov.

Thanks,
Kerry

OREGON WATER RESOURCES DEPARTMENT

CERTIFICATE REIMBURSEMENT AUTHORITY APPLICANT'S AGREEMENT

Contract Number: **R13017-25**

This Agreement is between the **Oregon Water Resources Department**, hereafter OWRD, and **Donald McCord and Karla McCord**, hereafter Applicants, hereafter known together as the parties.

OWRD Information	**Applicant's Information**	**Applicant's Representative**
Project Contact: Kerry Kavanagh	Name: Donald McCord and Karla McCord	Name: Bryce Withers
Reimbursement Authority Oregon Water Resources Department		Title: Representative Company: Water Right Services, LLC
725 Summer Street NE Salem OR 97301-1271	Address: PO Box 376 Christmas Valley OR 97641	Address: PO Box 1830 Bend OR 97709
Phone: 503-979-3208	Phone: 541-410-0335	Phone: 541-389-2837
Email: Kerry.L.Kavanagh@water.oregon.gov	Email*: dkmcrd@aol.com	Email*: brycewrs@gmail.com

*By providing an Email address, consent is given to receive all correspondence electronically. (Paper copies of the certificate and final order documents will also be mailed.)

1. **Purpose.** The purpose of this Agreement is to expedite the processing of the **Claim of Beneficial Use. (Transfer Application Number: T-8333)**

2. **Authority.** ORS 536.055 authorizes the OWRD to enter into a voluntary agreement with any applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.

3. **Restrictions.** Donald McCord and Karla McCord and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.

4. **Effective Date and Duration.** Unless otherwise terminated by non-deposit of funds by the Applicants, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service has been received by OWRD.

5. **Consideration.** Donald McCord and Karla McCord shall pay OWRD in advance for actual costs incurred by OWRD. Donald McCord and Karla McCord agree to pay the full amount of **$1674** to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost. The costs stated in this Agreement do not include the statutory application processing and filing fees.

6. **Confidentiality.** Donald McCord and Karla McCord agree that any information provided to or acquired by OWRD under this Agreement will be subject to the Oregon Public Records Law and shall be considered public records.

7. **Indemnity.** Applicants shall defend, save, hold harmless, and indemnify the State of Oregon, OWRD, and their officers, employees, and agents from and against all claims, suits, actions, losses, damages, liabilities, costs and expenses of any nature resulting from or arising out of, or relating to the activities of Applicants or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the expedited service. The Applicants acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.

PCA 47126

8. **Termination.** Applicants may request to terminate this agreement only in writing at any time during the process. The Applicants agree to pay for the work done by the Reimbursement Authority personnel up until the time of the written termination request. OWRD, upon receiving such written termination request from the Applicants, will refund any unspent balance after paying the Reimbursement Authority personnel for the work done.

9. **Funds Authorized and Available.** By its execution of this Agreement, Applicants certifies that sufficient funds are authorized and available to cover the expenditures contemplated by this Agreement.

10. **Duration of Estimate.** The Estimate of Time to complete the work is no later than one hundred and twenty days (120) days once this Agreement has been fully executed and payment of the estimated cost deposited. However, this estimate is contingent on the Applicant's expeditious resolution of any deficiency and may be affected by the Department's work load. This Estimate of Time may become null and void after thirty (30) days from the date the Applicant's Agreement is mailed. If the Applicant's Agreement is not received by the Department within thirty (30) days of mailing the Agreement, the Applicant may need to re-apply for a new estimate.

11. **Completion Date.** OWRD, by the execution of this Agreement does not guarantee the completion date indicated in this Agreement. Completion date is only an estimate and may be affected by the Department's workload, issues arising from the processing of the requested services and Applicant's timely response to requests for additional information.

12. **Captions.** The captions or headings in this Agreement are for the convenience only and in no way define limit or describe the scope or intent of any provision of this Agreement.

13. **Amendment and Merger.** The terms of this Agreement shall not be waived, altered, modified, supplemented or amended in any manner whatsoever, except by written instrument signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements or representations, oral or written, not specified herein regarding this Agreement.

14. **Signatures.** All parties, by the authorized representative's signature below, hereby acknowledge that they have read this Agreement, understand it and agree to be bound by its terms and conditions.

Applicant: _____
Name: Donald McCord
Date: _____

Applicant: _____
Name: Karla McCord
Date: _____

For OWRD: _____
Name: Kerry Kavanagh
Water Right Services Division
Date: _____

Mail signed Agreement to:

Kerry Kavanagh
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271

PCA 47126

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # 142219

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

INVOICE # _____

RECEIVED FROM: Donald McCord
BY: Karla McCord

APPLICATION	
PERMIT	
TRANSFER	T-8883
TOTAL REC'D	$125.00

CASH: ☐ CHECK:# ☒ 297 OTHER: (IDENTIFY) ☐ _____

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 47126 R 13017-25 $
0413 OTHER: (IDENTIFY) Certificate RA $125.00

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

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

WATER RIGHTS:

		EXAM FEE		RECORD FEE
0201	SURFACE WATER	$	0202	$
0203	GROUND WATER	$	0204	$
0205	TRANSFER	$		

WELL CONSTRUCTION

		EXAM FEE		LICENSE FEE
0218	WELL DRILL CONSTRUCTOR	$	0219	$
	LANDOWNER'S PERMIT		0220	$

_____ OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

_____ OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

_____ TREASURY OTHER / RDX

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

RECEIPT: 142219 DATED: 1-8-2024 BY: mmills

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

OREGON WATER RESOURCES DEPARTMENT

CERTIFICATE REIMBURSEMENT AUTHORITY ESTIMATE APPLICATION

ORS 536.055 authorizes the Oregon Water Resources Department to expedite or enhance regulatory processes voluntarily requested under the agreement.

The purpose of this application is to obtain estimates of the cost and time required to process a Certificate Request. ***A separate estimate application is required for each application and/or transfer number. There is a non-refundable application fee of $125.00 per request.***

REQUEST	TYPE	FILE NUMBER
☒	Certificate Request	Application Number _____ Permit Number _____ Transfer Number/Permit Amendment (if applicable) T-8883

	Applicant Information	Applicant's Representative/Contact
Name:	Donald & Karla McCord	Bryce Withers / Water Right Services, LLC
Address:	PO Box 376	PO Box 1830
	Christmas Valley, OR 97641	Bend, OR 97709
Phone:	541-410-0335	541-389-2837
Fax:	____	____
E-Mail Address:	dkmcrd@aol.com	brycewrs@gmail.com

I certify that I *(check one)*:

☐ have previously filed a Claim of Beneficial Use

☒ am attaching the Claim of Beneficial Use with this request and have included the appropriate claim fee.

I understand the following:

- That upon receipt of my non-refundable application fee in the amount of **$ 125.00**, OWRD will, within fourteen (14) days, notify me in writing of the estimates of cost and time frame for the expedited service.
- That this fee covers the reimbursement authority staff to evaluate and provide the estimate for processing of the request.
- That upon receiving the estimate I may agree or decline to enter into a formal contract to pay the estimated cost in advance to initiate the expedited service.
- An incomplete or inaccurate Claim of Beneficial Use may delay the process and increase the cost to process my request.
- Expedited processing does not guarantee a favorable review of my request.
- Send completed Application and payment to:

  Oregon Water Resources Department
  Certificate Reimbursement Authority Program
  725 Summer St. NE, Suite A
  Salem, OR 97301-1271

I certify that I am the *(check one)*:

☐ Applicant ☒ Applicant's Representative ☐ Other *(Please specify)* ____

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Name: Bryce Withers

Signature: Bryce Withers

OWRD USE ONLY: Reimbursement Authority Number: R1 3017-25

CLAIM OF BENEFICIAL USE for Transfer with Multiple Changes - Groundwater

OREGON WATER RESOURCES DEPARTMENT

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

A fee of $230 must accompany this form for any Transfer final orders including a water right with a priority date of July 9, 1987, or later.

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

A separate form shall be completed for each transfer.

This form is subject to revision. **Begin each new claim** by checking for a new version of this form at: https://www.oregon.gov/OWRD/Forms/Pages/default.aspx
The completion of this form is required by OAR 690-014-0100(1) and 690-014-0110(4).

Please type or print in dark ink. If this form is found to contain errors or omissions, it may be returned to you. **Every item must have a response.** If any requested information does not apply to the claim, insert "NA." **Do not delete or alter any section of this form unless directed by the form.** The Department may require the submittal of additional information from any water user or authorized agent.

"Section 7" of this form is intended to aid in the completion of this form and should not be submitted.

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

If you have questions regarding the completion of this form, please call 503-979-9103.

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

GENERAL INFORMATION

Type of Authorized Change

This Claim is being submitted for a transfer involving multiple changes. **YES** NO

Mark all that apply:

1. ☒ Change in POA(s) or Additional POA(s)
2. ☒ Change in Place of Use
3. ☐ Change in Character of Use

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

1. File Information

APPLICATION #
T-8883

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2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME		PHONE NO.	ADDITIONAL CONTACT NO.
Donald K. McCord & Karla K. McCord		541-410-0335	
ADDRESS PO BOX 376			
CITY CHRISTMAS VALLEY	STATE OR	ZIP 97641	E-MAIL dkmcrd@aol.com

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

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

TRANSFER HOLDER OF RECORD		
MERVIN STUTZMAN		
ADDRESS PO BOX 296		
CITY CHRISTMAS VALLEY	STATE OR	ZIP 97641

4. Date of Site Inspection:

9/8/2023

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

NAME	DATE	ASSOCIATION WITH THE PROJECT
DON MCCORD	9/8/2023	OWNER

6. County:

LAKE

7. If any property described in the place of use of the transfer final order is excluded from this report, identify the owner of record for that property (ORS 537.230(5)):

OWNER OF RECORD		
N/A		
ADDRESS		
CITY	STATE	ZIP

Add additional tables for owners of record as needed

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SECTION 2

SIGNATURES

CWRE Statement, Seal and Signature

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

Seal and Signature

Certified Water Right Examiner
033
Gary L. DeJarnatt
Gary L. DeJarnatt
Nov. 19, 1987
STATE OF OREGON

Renewal Date: 12-31-2023

CWRE NAME		PHONE NO.	ADDITIONAL CONTACT NO.
GARY L. DEJARNATT PROJECT # 22010			John Short 541-389-2837
ADDRESS 2391 NW REDWOOD AVE			
CITY REDMOND	STATE OR	ZIP 97756	E-MAIL

Transfer Holder of Record Signature or Acknowledgement

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

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge. I request that the Department issue a water right certificate.

SIGNATURE	PRINT OR TYPE NAME	TITLE	DATE
Mervin Stutzman	MERVIN STUTZMAN		12/29/23

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SECTION 3

Changes Made

Note: The Claim <u>only</u> needs to describe the changes that were authorized in the transfer final order.

Change #1

Change in POA(s) or Additional POA(s)

Did the transfer order authorize a change in the points of appropriation or additional points of appropriation? **YES** NO

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

1. New or additional point of appropriation name or number:

POINT OF APPROPRIATION (POA) NAME OR NUMBER (CORRESPOND TO MAP)	WELL LOG ID # FOR ALL WORK PERFORMED ON THE WELL (IF APPLICABLE)	WELL TAG # (IF APPLICABLE)	SOURCE (IF LISTED IN TRANSFER FINAL ORDER)
WELL	LAKE 53393	L-153423	FORT ROCK BASIN

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

If well logs are available, items A and B below can be deleted

2. Variations:
Was the use developed differently from what was authorized by the transfer final order, or extension final? YES **NO**
If yes, describe below.
(e.g. *"The order allowed three new/additional points of appropriation. The water user only developed one of the points."*)

3. Claim Summary:

NEW OR ADDITIONAL POA NAME OR #	MAXIMUM RATE AUTHORIZED	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED
WELL	0.15 CFS	7.99 CFS	0.15 CFS

System Description

Are there multiple new or additional Points of Appropriation (POA)? YES **NO**

If *"YES"* you will need to copy and complete either Section A or B in this Section for each POA.

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

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WELL LAKE 53393 / L-153423

A. POA System Information

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

1. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
WESTERN			CENTRIFUGAL		

2. Motor Information

MANUFACTURER	HORSEPOWER
NEWMAN	75

3. 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)
75	15	23'	5'	7.99 CFS

4. Provide pump calculations:

SEE ATTACHED OWRD PUMP CAPACITY CALCULATIONS.

5. Measured Pump Capacity (using meter if meter was present and system was operating)

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
N/A			

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

6. Additional notes or comments related to the system:

B. Groundwater Source Information (Well and Sump)

1. Is the appropriation from a dug well (sump)? YES **NO**

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

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Change #2

Change in Place of Use

Did the transfer order authorize a change in the place of use? **YES** NO

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

1. Claim Summary – Authorized Use:

If Irrigation or Nursery Use:

THE # OF ACRES ALLOWED	THE # OF ACRES DEVELOPED
12.1	12.1

If the new use(s) was not irrigation or nursery:

NEW USE(S)	WAS THE NEW PLACE OF USE DEVELOPED TO THE FULL EXTENT AUTHORIZED UNDER THE ORDER? (INCLUDE THE LOCATION OF THE DEVELOPED PLACE USE ON THE CLAIM MAP)
	YES NO **NA**
	YES NO **NA**

2. Variations:

Was the use developed differently from what was authorized by the transfer final order? YES **NO**

If yes, describe below.

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

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Change #3

Change in Character of Use

Did the transfer order authorize a change in character of use? YES **NO**

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

SECTION 4

CONDITIONS

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

1. Time Limits:

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

	DATE FROM TRANSFER	DATE THE AUTHORIZED CHANGES WERE COMPLETED *THIS DATE MUST FALL BETWEEN THE "ISSUANCE DATE" AND THE "COMPLETENESS DATE"
ISSUANCE DATE	6-2-2004	
COMPLETENESS DATE FROM ORDER (C)	10-1-2007	10-1-2007

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

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

If "NO", you may delete the following table.

If for a transfer extension order, provide the following information:

VOLUME	PAGE	DATE EXTENDED TO
65	151	10-1-2007

3. Measurement Conditions:

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

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

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

b. Has a meter been installed? **YES** NO

c. Meter Information

POA NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
WELL	ELSTER	14861905	WORKING	26816	1998

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

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4. Recording and reporting conditions

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

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

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

a. Were there special well construction standards? YES **NO**

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

c. Other conditions? YES **NO**

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

SECTION 5

ATTACHMENTS

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

ATTACHMENT NAME	DESCRIPTION
CBU MAP	CLAIM OF BENEFICIAL USE MAP
WELL LOG	LAKE 53393
PUMP CALCS	OWRD PUMP CAPACITY CALCULATIONS

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SECTION 6

CLAIM OF BENEFICIAL USE MAP

The Claim of Beneficial Use Map must be submitted with this claim. Claims submitted without the Claim of Beneficial Use map will be returned. The map shall be submitted on poly film at a scale of 1" = 1320 feet, 1" = 400 feet, or the original full-size scale of the county assessor map for the location.

The changes that were authorized under the transfer final order must be mapped based on the developed locations; new or additional points of appropriation and place of use.

In cases where the order involved additional points of appropriation, the additional points should be mapped based on their developed locations. The original points of appropriation should be mapped based on the original right of record at the time the transfer final order was issued.

In cases where the order involved changing the place of use for a portion of a water right, the portion of the place of use being changed should be mapped based on the developed location. If the transfer also included portions of the place of use that were not being modified, but were receiving a new or additional point of appropriation, the place of use for those lands should be mapped based on the original right of record at the time the transfer final order was issued.

Provide a general description of the survey method used to prepare the map. Examples of possible methods include, but are not limited to, a traverse survey, GPS, or the use of aerial photos. If the basis of the survey is an aerial photo, provide the source, date, series and the aerial photo identification number.

ON-SITE DIRECT MEASUREMENT AND NAIP IMAGERY.

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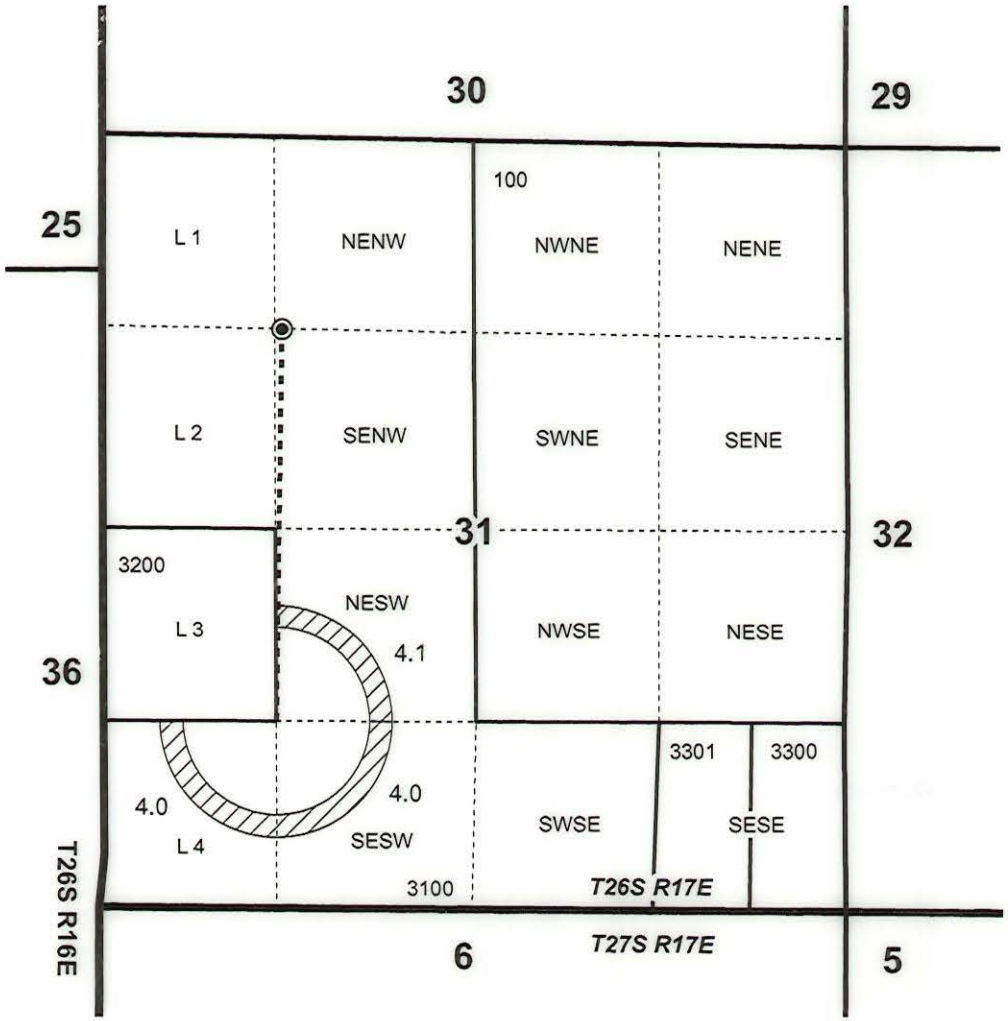
T26S R17E, WM, LAKE COUNTY, OR

0 1,320 Feet

1" = 1320'



- Well & Meter
- Pipeline
- POU IR 12/22/1980 Priority
- Township
- Section
- Quarter Quarter
- Tax Lot

Well (LAKE 53393 / L-153423) Location:
1323' S, 1234' E
of the NW Cor of Sec 31

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Certified Water Right Examiner
033
Gary L. DeJarnatt
Nov. 19, 1987
STATE OF OREGON

RENEWAL DATE 12/31/2023

CLAIM OF BENEFICIAL USE MAP
McCord

Date: 11/20/2023 T-8883 Project #22010

This map is not intended to provide legal dimensions or locations of property ownership lines.

WATER RIGHT SERVICES, LLC
PO BOX 1830, BEND, OR 97709
WWW.OREGONWATER.US 541-389-2837
johnshort@usa.com CCB # 197121

Map Checklist

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

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

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Pump Capacity Calculation Sheet			***WELL LAKE 53393 / L-153423 T-8883 MCCORD***
using Department designed formula:			
(hp)(efficiency) / (lift + psi head) = capacity in cfs			
Efficiency:			
Centrifugal = 6.61			
Turbine = 7.04			
Data Entry (fill in underlined blanks)			
HP =	75		
Efficiency =	7.04		
Lift =	28		
PSI =	15		
Results Calculated			
(hp)(efficiency) =		528	
Head based on psi =		38.1	
Total dynamic head =		66.1	
(head + lift)			
Pump Capacity =		**7.99**	**cubic feet per second**

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LAKE 53393

Mar 03 05 04:50p Western Water Development 5415486423 p.1

STATE OF OREGON
WATER SUPPLY WELL REPORT
(as required by ORS 537.765)
Instructions for completing this report are on the last page of this form

576-2532

WELL ID # ___
(START CARD) # 102018

(1) OWNER: Well Number: Multon

Name: Mr. Don McCord / Stutzman Farms
Address: P.O. Box 376
City: Christmas Valley State: OR Zip: 97641

(2) TYPE OF WORK:
[X] New Well [ ] Deepening [ ] Alteration (repair/recondition) [ ] Abandonment

(3) DRILL METHOD:
[X] Rotary Air [ ] Rotary Mud [ ] Cable [ ] Auger
[ ] Other

(4) PROPOSED USE:
[ ] Domestic [ ] Community [ ] Industrial [X] Irrigation
[ ] Thermal [ ] Injection [ ] Livestock [ ] Other

(5) BORE HOLE CONSTRUCTION:
Special Construction approval [ ] Yes [X] No Depth of Completed Well 795 ft.
Explosives used [ ] Yes [X] No Type Amount

HOLE Diameter	From	To	SEAL Material	From	To	Amount sacks or pounds
18	0	158	Cement	62	158	66 sacks
12.75	158	633				
8.75	633	795				

How was seal placed: Method [ ] A [ ] B [X] C [ ] D [ ] E
[ ] Other
Backfill placed from 0 ft. to 62 ft. Material 47 sacks
Gravel placed from ft. to ft. Size of gravel

(6) CASING/LINER:

	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:	14in	+2	158	.250	[X]	[ ]	[X]	[ ]
Liner:					[ ]	[ ]	[ ]	[ ]

Final location of shoe(s)

(7) PERFORATIONS/SCREENS:
[ ] Perforations Method
[ ] Screens Type Material

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
						[ ]	[ ]

(8) WELL TESTS: Minimum testing time is 1 hour
[ ] Pump [ ] Bailer [X] Air [ ] Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
1000+	5+	760	1 hr.

Temperature of Water 68 Depth Artesian Flow found
Was a water analysis done? [ ] Yes By whom
Did any strata contain water not suitable for intended use? [X] Too little
[ ] Salty [ ] Muddy [ ] Odor [ ] Colored [ ] Other
Depth of strata: 46

(9) LOCATION OF WELL by legal description:
County Lake Latitude Longitude
Township 26S N or S. Range 17E E or W. of WM.
Section 31 CENTER 1/4 NW 1/4
Tax lot 3100 Lot Block Subdivision
Street Address of Well (or nearest address)

(10) STATIC WATER LEVEL:
23 ft. below land surface. Date 6/9/1998
Artesian pressure lb. per square inch. Date

(11) WATER BEARING ZONES:
Depth at which water was first found 46

From	To	Estimated Flow Rate	SWL
46	136	50+	27
413	795	2000+	23

(12) WELL LOG: Ground elevation

Material	From	To	SWL
Brown Sandy Loam	0	3	
Brown Shale	3	18	
Brown Claystone	18	28	
Gray Claystone	28	46	
Soft Silty Claystone WB	46	121	27
Black Sandstone WB	121	138	27
Gray Shalestone	138	256	
Blue Shale	256	327	
Gray Shale	327	413	23
White Pumice WB	413	414	23
Gray Conglomerate WB	414	646	23
Broken Gray Volcanics WB	646	683	23
Broken Basalt WB	683	687	23
Broken Basalt with Hard Layers & Strips of Cinders WB	687	795	23

Date started 6/1/1998 Completed 6/9/1998

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

WWC Number
Signed Date

(bonded) Water Well Constructor Certification:
I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

WWC Number 1385
Signed Robert Buckner Date 6/15/1998
Robert Buckner

ORIGINAL & FIRST COPY - WATER RESOURCES DEPARTMENT SECOND COPY - CONSTRUCTOR THIRD COPY - CUSTOMER

RECEIVED
SEP 18 2023
OWRD

RECEIVED
JAN 08 2024
OWRD

OREGON WATER RESOURCES DEPARTMENT
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem Oregon 97301
(503) 986-0900
www.oregon.gov/owrd

Application for
Well ID Number

Do not complete if the well already has a Well Identification Number.

RECEIVED
OCT 23 2023
OWRD

I. OWNER INFORMATION

Current Owner Name *(please print)*: Donald McCord

Mailing Address: PO Box 376

City, State, Zip: Christmas Valley, OR 97641

Mail Well ID to: ☒ SAME AS ABOVE ☐ In Care Of (C/O)

Name & Address: _____

City, State, Zip: _____

II. WELL LOCATION INFORMATION *(Please fill out as completely as possible)*

Township: 26S (North / South) Range: 17E (East / West) Section: 31 SE 1/4 of the NW 1/4

Tax Lot (usually last 3-5 numbers of Tax Map #): 3100 County LAKE

GPS Coordinates: 43.277888, -120.755051

Street Address of Well, City: NO SITUS ADDRESS ASSIGNED .2 mi E of Wagon Wheel Rd

If the property had a different street address in the past: _____

III. GENERAL WELL INFORMATION *(Please fill out as completely as possible, AND attach copy of Well Report, if available)*

Use of Well (domestic, irrigation, commercial, industrial, monitoring): IRRIGATION

Date Well Constructed (or property built): 6/1/1998 Total Well Depth: 795' Casing Diameter: 14"

Owner at time the well was constructed (if known): DONALD MCCORD Well Report # (if known): _____

Other Information: START CARD #102018, DRILLED BY ROBERT BUCKNER, LOG NOT FILED AT TIME OF CONSTRUCTION
-ALSO NO WELL ID ATTACHED-

SUBMITTED BY *(please print)*: BRYCE WITHERS/WATER RIGHT SERVICES, LLC

PHONE: 541-408-1400 EMAIL &/or FAX: brycewrs@gmail.com

To send the completed application, you may MAIL it to: Oregon Water Resources Dept. 725 Summer St NE, Suite A, Salem, Oregon 97301. Or EMAIL the completed PDF form to: Ladeena.K.Ashley@water.oregon.gov, or FAX it to: (503) 986-0902.

For Official Use Only by the Oregon Water Resources Department:

Received Date:	Well Report Number:	Well Identification #:
10-23-2023	LAKE 53393	L-153423

- COPY OF LOG PROVIDED BY WRD NW REGION MGR -

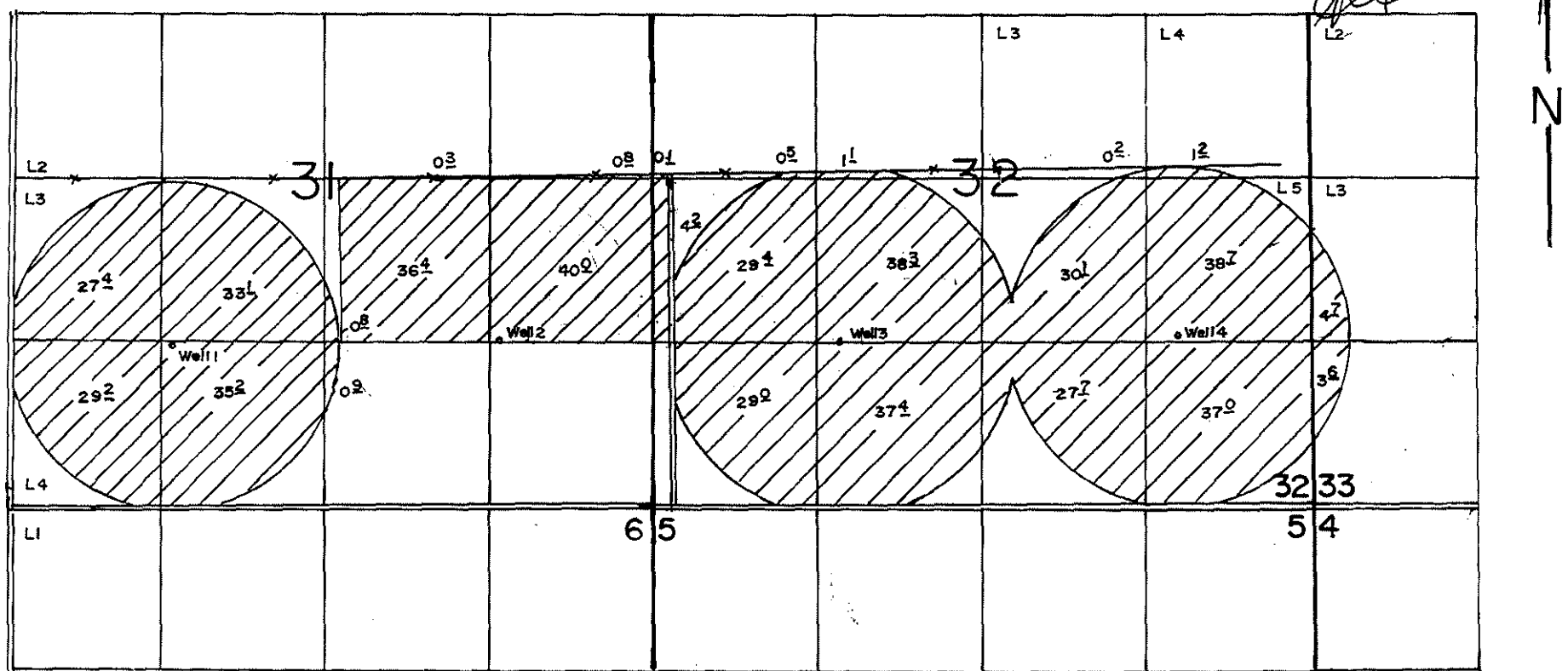
RECEIVED
JAN 08 2024
OWRD

3/25/00

This map is in error. the section/quarter-quarter lines are off. all land is located ~~at~~ within the S1/2 of Sections 31 & 32. OK to Correct based upon a request of the landowner per OAR 690-15-400 when requested

T.26S., R.18E., W.M.

Copy



Well 1-1300'N&1230'W, Well 2-1350' N&1400'E, Both From S1/4 Cor. Sec 31 Well 3-1340'N&1150W, Well 4-1360N&1580E, Both From S1/4 Cor Sec 32

FINAL PROOF SURVEY

UNDER

Application No G-10071 Permit No G-9124

IN NAME OF

TERRY L NOFZIGER

Surveyed June 14 1990 By B.W. BISHOP

PTS 11-1990 9-5-90 DLM

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

TERRY L. NOFZIGER
P.O. BOX 575
CHRISTMAS VALLEY, OREGON 97641

confirms the right to use the waters of 4 WELLS in the FORT ROCK BASIN for the purpose of IRRIGATING 487.3 ACRES.

This right has been perfected under Permit G-9124. The date of priority is DECEMBER 22, 1980. This right is limited to 6.09 CUBIC FEET PER SECOND, BEING 1.58 CFS FROM WELL 1, 1.02 CFS FROM WELL 2, 1.77 CFS FROM WELL 3, 1.72 CFS FROM WELL 4 or its equivalent in case of rotation, measured at the well.

The wells are located as follows:

SE 1/4 SW 1/4, NE 1/4 SE 1/4, SECTION 31, NE 1/4 SW 1/4, NE 1/4 SE 1/4, SECTION 32, T 26 S, R 18 E, W.M.; WELL 1 - 1300 FEET NORTH AND 1230 FEET WEST, WELL 2 - 1350 FEET NORTH AND 1400 FEET EAST BOTH FROM THE S 1/4 CORNER OF SECTION 31, WELL 3 - 1340 FEET NORTH AND 1150 FEET WEST, WELL 4 - 1360 FEET NORTH AND 1580 FEET EAST, BOTH FROM THE S 1/4 CORNER OF SECTION 32.

The amount of water used for irrigation under this right, 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) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

This right shall conform to any reasonable rotation system ordered by the proper state officer.

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

	REMAIN
SW 1/4 NE 1/4	0.3 ACRE
SE 1/4 NE 1/4	0.8 ACRE
NE 1/4 SW 1/4	33.1 ACRES
LOT 3 (NW 1/4 SW 1/4)	27.4 ACRES
LOT 4 (SW 1/4 SW 1/4)	29.2 ACRES
SE 1/4 SW 1/4	35.2 ACRES
NE 1/4 SE 1/4	40.0 ACRES
NW 1/4 SE 1/4	37.2 ACRES
SW 1/4 SE 1/4	0.9 ACRE

SECTION 31
TOWNSHIP 26 SOUTH, RANGE 18 EAST, W.M.

SEE NEXT PAGE

T-8882 ΔHPOA/POU Temp T-8883 ΔPOU/POA

			MOVE	REMAIN
LOT 3	(SW 1/4 NE 1/4)	0.2 ACRE		0.2
LOT 4	(SE 1/4 NE 1/4)	1.2 ACRES		1.2
	SW 1/4 NW 1/4	0.6 ACRE		0.6
	SE 1/4 NW 1/4	1.1 ACRES		1.1
	NE 1/4 SW 1/4	38.3 ACRES	-0.5	37.8
	NW 1/4 SW 1/4	33.6 ACRES	-0.5	33.1
	SW 1/4 SW 1/4	29.0 ACRES	-0.5	28.5
	SE 1/4 SW 1/4	37.4 ACRES	-0.5	36.9
LOT 5	(NE 1/4 SE 1/4)	38.7 ACRES		38.7
	NW 1/4 SE 1/4	30.1 ACRES	-3.5	26.6
	SW 1/4 SE 1/4	27.7 ACRES	-3.3	24.4
	SE 1/4 SE 1/4	37.0 ACRES	-3.3	33.7
	SECTION 32			
LOT 3	(NW 1/4 SW 1/4)	4.7 ACRES		4.7
	SW 1/4 SW 1/4	3.6 ACRES		3.6
	SECTION 33			

TOWNSHIP 26 SOUTH, RANGE 18 EAST, W.M.

The right to use 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 APRIL 22, 1991.

/s/ WILLIAM H. YOUNG

William H. Young

Recorded in State Record of Water Right Certificates numbered 65626.

G-10071.DLM

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

TERRY L. NOFZIGER
P.O. BOX 575
CHRISTMAS VALLEY, OREGON 97641

confirms the right to use the waters of 4 WELLS in the FORT ROCK BASIN for the purpose of IRRIGATING 487.3 ACRES.

This right has been perfected under Permit G-9124. The date of priority is DECEMBER 22, 1980. This right is limited to 6.09 CUBIC FEET PER SECOND, BEING 1.58 CFS FROM WELL 1, 1.02 CFS FROM WELL 2, 1.77 CFS FROM WELL 3, 1.72 CFS FROM WELL 4 or its equivalent in case of rotation, measured at the well.

The wells are located as follows:

SE 1/4 SW 1/4, NE 1/4 SE 1/4, SECTION 31, NE 1/4 SW 1/4, NE 1/4 SE 1/4, SECTION 32, T 26 S, R 18 E, W.M.; WELL 1 - 1300 FEET NORTH AND 1230 FEET WEST, WELL 2 - 1350 FEET NORTH AND 1400 FEET EAST BOTH FROM THE S 1/4 CORNER OF SECTION 31, WELL 3 - 1340 FEET NORTH AND 1150 FEET WEST, WELL 4 - 1360 FEET NORTH AND 1580 FEET EAST, BOTH FROM THE S 1/4 CORNER OF SECTION 32.

The amount of water used for irrigation under this right, 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) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

This right shall conform to any reasonable rotation system ordered by the proper state officer.

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

SW 1/4 NE 1/4	0.3 ACRE
SE 1/4 NE 1/4	0.8 ACRE
NE 1/4 SW 1/4	33.1 ACRES
LOT 3 (NW 1/4 SW 1/4)	27.4 ACRES
LOT 4 (SW 1/4 SW 1/4)	29.2 ACRES
SE 1/4 SW 1/4	35.2 ACRES
NE 1/4 SE 1/4	40.0 ACRES
NW 1/4 SE 1/4	37.2 ACRES
SW 1/4 SE 1/4	0.9 ACRE

SECTION 31
TOWNSHIP 26 SOUTH, RANGE 18 EAST, W.M.

SEE NEXT PAGE

T-8882 ΔHPOA/POU Temp T-8883 ΔPOU/POA

LOT 3	(SW 1/4	NE 1/4)	0.2 ACRE
LOT 4	(SE 1/4	NE 1/4)	1.2 ACRES
	SW 1/4	NW 1/4	0.6 ACRE
	SE 1/4	NW 1/4	1.1 ACRES
	NE 1/4	SW 1/4	38.3 ACRES
	NW 1/4	SW 1/4	33.6 ACRES
	SW 1/4	SW 1/4	29.0 ACRES
	SE 1/4	SW 1/4	37.4 ACRES
LOT 5	(NE 1/4	SE 1/4)	38.7 ACRES
	NW 1/4	SE 1/4	30.1 ACRES
	SW 1/4	SE 1/4	27.7 ACRES
	SE 1/4	SE 1/4	37.0 ACRES
		SECTION 32	
LOT 3	(NW 1/4	SW 1/4)	4.7 ACRES
	SW 1/4	SW 1/4	3.6 ACRES
		SECTION 33	

TOWNSHIP 26 SOUTH, RANGE 18 EAST, W.M.

The right to use 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 APRIL 22, 1991.

/s/ WILLIAM H. YOUNG

William H. Young

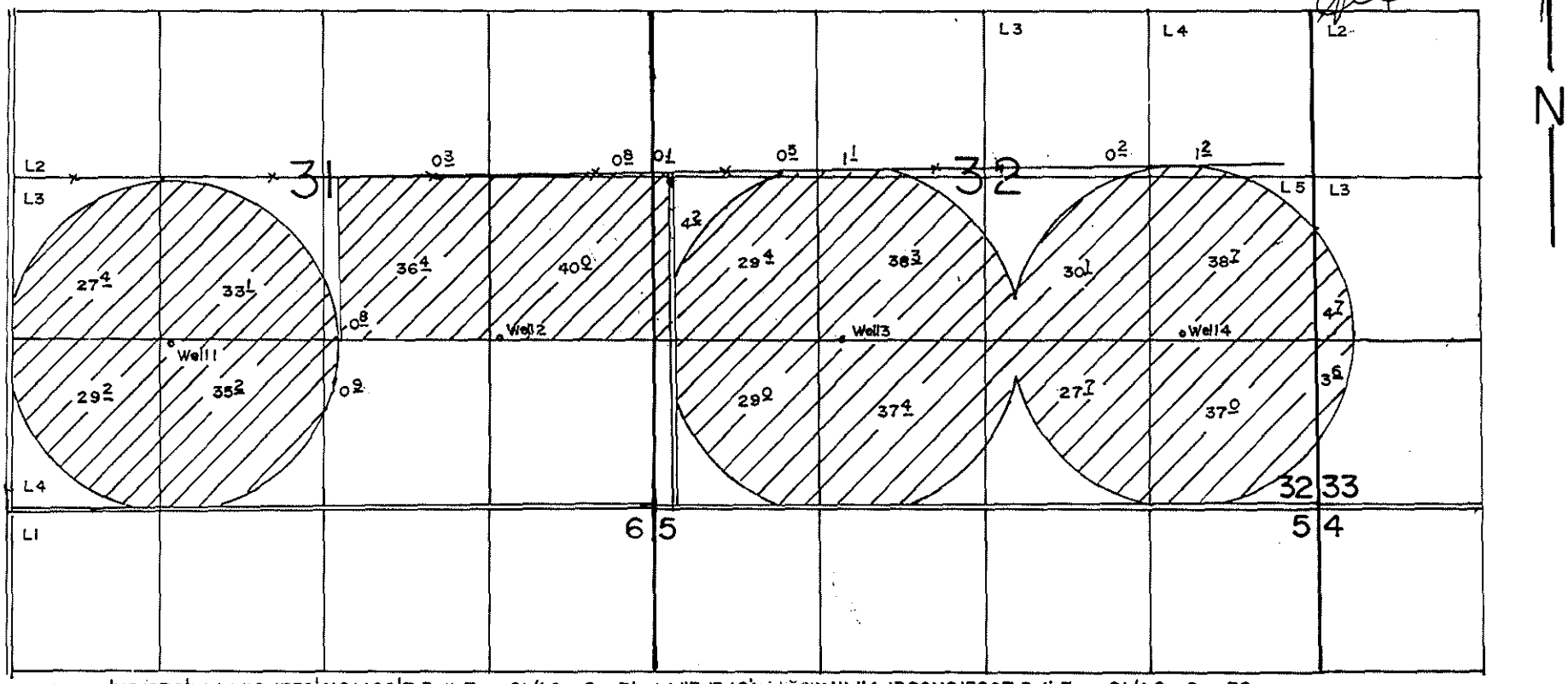
Recorded in State Record of Water Right Certificates numbered 65626.

G-10071.DLM

This map is in error. the section/quarter-quarter lines are off. all land is located ~~at~~ within the S1/2 of Sections 31 & 32. OK to Correct based upon a request of the landowner per OAR 690-15-400 when requested

T.26S., R.18E., W.M.

Copy



Well 1-1300'N&1230'W, Well 2-1350' N&1400'E, Both From S1/4 Cor. Sec 31 Well 3-1340'N&1150W, Well 4-1360N&1580E, Both From S1/4 Cor Sec 32

FINAL PROOF SURVEY

UNDER

Application No G-10071 Permit No G-9124

IN NAME OF

TERRY L NOFZIGER

Surveyed June 14 1990 By B.W. BISHOP

PTS 11-1990 9-5-90 DLM

ORDER AND CERTIFICATE CHECK LIST

RECORD MARKING (Support Staff) File

File Folder ( ) ## S-8883 (c5157)
S-9349 (c7536)

Permit ( ) ## _____

Certificate ( ) ## 5157
7536

Trans App Register ( )
Trans Name Index ( )

Sp. OR ( )
Decree ( ) Vol _____ Page _____ Vol _____ Page _____

COPIES MADE Order ( ) Certificate ( ) Justus

File ( ) ( ) Data Center ( ) ( ) Watermaster ( ) ( ) Applicant ( ) ( )

ISWR Liason ( ) ( ) _____ Water Use Reporting ( ) ( ) _____

CWRE ( ) ( ) _____ I.District ( ) ( ) _____

Other ( ) ( ) Dowden Other ( ) ( ) _____

SEND copy of application map to watermaster _____

LETTER TO:

Applicant ( ) CWRE ( ) _____

I.D. ( ) _____ Other ( ) _____

EMAIL PROCESSOR

NWR ( ) NCR ( ) SWR ( ) SCR ( ) ER ( )

ENCLOSURES

Special Order ( ) Vol _____ Page _____
( ) Vol _____ Page _____

Certificate ( ) _____
( ) _____
( ) _____

DATE SIGNED: 1-14 & 1-19 05

FILE SET-UP

File Number	Set - Up Date	For Whom

SEND TO:

Fiscal Section ( ) Other ( ) _____

NOTES: Send to WR for delivery – old RR certs never issued.

STATE OF OREGON

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JOSEPH RAMOS
ECHO, OREGON

confirms the right to use the waters of the UMATILLA RIVER, a tributary of COLUMBIA RIVER, for IRRIGATION of 9.65 ACRE.

This right was perfected under Permit 6179. The date of priority is January 21, 1924. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.12 cubic feet per second (cfs), or its equivalent in case of rotation, measured at the point of diversion from the source.

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 in case of rotation

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:

TWP	RNG	MER	SEC	LOT	¼ - ¼	ACRES
3 N	29 E	W.M.	22		NE SW	0.70
3 N	29 E	W.M.	22		NW SW	8.95

This certificate describes that portion of the water right confirmed by Certificate 7536, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered January 16, 1998, and recorded in Special Order Volume 52, Page 26, approving Transfer Application 7577.

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

Issued: JANUARY 19, 2005

For Phillip C. Ward, Director
Water Resources Department

Recorded in State Record of Water Right Certificates numbered 81138.

STATE OF OREGON

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JOSEPH RAMOS
ECHO, OREGON

confirms the right to use the waters of the UMATILLA RIVER, a tributary of COLUMBIA RIVER, for IRRIGATION of 0.75 ACRE.

This right was perfected under Permit 5819. The date of priority is March 28, 1923. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.01 cubic feet per second (cfs), or its equivalent in case of rotation, measured at the point of diversion from the source.

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 in case of rotation

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:

TWP	RNG	MER	SEC	LOT	¼ - ¼	ACRES
3 N	29 E	W.M.	22		NW NW	0.75

This certificate describes that portion of the water right confirmed by Certificate 5157, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered January 16, 1998, and recorded in Special Order Volume 52, Page 26, approving Transfer Application 7577.

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

Issued: JANUARY 14, 2005

For Phillip C. Ward, Director
Water Resources Department

Recorded in State Record of Water Right Certificates numbered 81137.

T-7556

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application T-8925, Lake County	))	CORRECTING FINAL ORDER

ORS 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, 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
Stanley & Teresa Rolfness
PO Box 807
Christmas Valley OR 97641

Agent
Glender's Hydrotech Services
93921 Pike Lane
Lakeview OR 97630

Findings of Fact

1. The Department issued an order approving T-8925 on August 11, 2004. The order was recorded at Special Order Volume 61, Pages 192-196.

2. The order incorrectly indicated the rate transferred under Certificate 77740 as 1.25 cfs, when in fact the rate is 0.84 cfs. Certificate 80778 indicated the correct rate for the remaining right.

Now, therefore, it is ORDERED:

1. The order approving T-8925 as recorded in Special Order Volume 60, Pages 688-692, is corrected as described above.

2. All other provisions of the order are unchanged.

Dated at Salem, Oregon this 30th day of September, 2004.

for Phillip C. Ward, Acting Director
Water Resources Department

Mailing date: OCT 0 5 2004

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in an uncontested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005, you may either petition for judicial review or petition the Director for reconsideration of this order.

ORDER AND CERTIFICATE CHECK LIST

RECORD MARKING (Support Staff)

File Folder ( ) ## #T-8883
G-10071

Permit ( ) ## _____

Certificate ( ) ## 65626

Trans App Register ( )
Trans Name Index ( )

Sp. OR ( )
Decree ( ) Vol _____ Page _____ Vol _____ Page _____

ext of Time

COPIES MADE Order ( ) Certificate ( )

File ( ) ( ) Data Center ( ) ( ) Watermaster ( ) ( ) #12 Applicant ( ) ( )

ISWR Liason ( ) ( ) _____ Water Use Reporting ( ) ( ) _____

CWRE ( ) ( ) Darryl Anderson I.District ( ) ( ) _____

Other ( ) ( ) Mervin Stutzman Other ( ) ( ) _____

SEND copy of application map to watermaster _____

LETTER TO:

Applicant ( ) CWRE ( ) _____

I.D. ( ) _____ Other ( ) _____

EMAIL PROCESSOR

NWR ( ) NCR ( ) SWR ( ) SCR ( ) ER ( ) Sarah

ENCLOSURES

Special Order ( ) Vol 65 Page 151
( ) Vol _____ Page _____

Certificate ( ) _____
( ) _____
( ) _____

DATE SIGNED: 6-14-05

FILE SET-UP

File Number	Set - Up Date	For Whom
	10-1-07	10-1-08

SEND TO:

Fiscal Section ( ) Other ( ) _____

NOTES: _____

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Application for Extension of Time for Transfer of Water Right Authorized by T-8883, Lake County, Oregon	))))	FINAL ORDER APPROVING AN EXTENSION OF TIME

Applicant

Terry L. Nofziger
PO Box 575
Christmas Valley, Oregon 97641

Findings of Fact

1. On April 22, 2005, the Department received an application for extension of time for transfer of water right from Mervin Stutzman, the receiving landowner responsible for completion of the changes proposed in T-8883.

2. The Water Resources Department issued an order approving Transfer Application T-8883 on June 2, 2004. The order was recorded in Special Order Volume 60, at Page 164. The order set a transfer completion date of October 1, 2005, and the date for submission of a claim of beneficial use as October 1, 2006.

3. The applicant requested an extension of time because they have not completed the construction of a center pivot, pad. They also need to bury the main line from the well and irrigate the remainder of the acreage. Financing is also needed to complete the project.

4. The applicant has irrigated 4.0 acres of the water right by hand lines and portable main lines.

Conclusions of Law

Pursuant to OAR 690-380-6020, the Director of the Water Resources Department concludes the applicant has shown reasonable diligence to complete the transfer within the time period established by the order approving Transfer Application T-8883.

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 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2).

Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005 you may either petition for judicial review or petition the Director for reconsideration of this order.

Now, therefore, it is ORDERED:

The time for completion of the change in place of use and point of appropriation, authorized by T-8883 shall be extended to October 1, 2007.

Dated at Salem, Oregon this 14 day of June, 2005

For Phillip C. Ward, Director

Oregon
Theodore R. Kulongoski, 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

June 24, 2005

Terry L. Nofziger
PO Box 575
Christmas Valley, Oregon 97641

REFERENCE: Transfer File T-8883

We have received your application for extension of the time limit to make complete application of water under Transfer T-8883. We also have your check in the amount of $250.00. Our receipt number 74123 is enclosed.

The application indicates reasonable diligence toward completion of the proposed project. The time limit to make complete application of water is extended to October 1, 2007. The order approving the extension was entered June 14, 2005, at Volume 65, Page 151.

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

Sincerely,

Sarah Henderson

Sarah Henderson
Executive Support

enclosure

cc: David Poe, Watermaster
Darryl Anderson, CWRE
Mervin Stutzman, Landowner

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Application for Extension of Time for Transfer of Water Right Authorized by T-8883, Lake County, Oregon	))))	FINAL ORDER APPROVING AN EXTENSION OF TIME

Applicant

Terry L. Nofziger
PO Box 575
Christmas Valley, Oregon 97641

Findings of Fact

1. On April 22, 2005, the Department received an application for extension of time for transfer of water right from Mervin Stutzman, the receiving landowner responsible for completion of the changes proposed in T-8883.

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4. The applicant has irrigated 4.0 acres of the water right by hand lines and portable main lines.

Conclusions of Law

Pursuant to OAR 690-380-6020, the Director of the Water Resources Department concludes the applicant has shown reasonable diligence to complete the transfer within the time period established by the order approving Transfer Application T-8883.

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 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2).

Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005 you may either petition for judicial review or petition the Director for reconsideration of this order.

Now, therefore, it is ORDERED:

The time for completion of the change in place of use and point of appropriation, authorized by T-8883 shall be extended to October 1, 2007.

Dated at Salem, Oregon this 14 day of June, 2005

For Phillip C. Ward, Director

STATE OF OREGON

WATER RESOURCES DEPARTMENT

RECEIPT # 74123

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

INVOICE # _____

RECEIVED FROM: Stutzman Farms

BY: _____

APPLICATION	
PERMIT	
TRANSFER	T 8883

CASH: ☐ CHECK:# ☒ 3069 OTHER: (IDENTIFY) ☐ _____

TOTAL REC'D $ 250.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407	COPIES	$
_____	OTHER: (IDENTIFY) _____	$

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

4270 WRD OPERATING ACCT

	MISCELLANEOUS	
0407	COPY & TAPE FEES	$
0410	RESEARCH FEES	$
0408	MISC REVENUE: (IDENTIFY) Assignment for transfer	$ 250.00
TC162	DEPOSIT LIAB. (IDENTIFY)	$
0240	EXTENSION OF TIME	$

		EXAM FEE		RECORD FEE
	WATER RIGHTS:			
0201	SURFACE WATER	$	0202	$
0203	GROUND WATER	$	0204	$
0205	TRANSFER	$		

		EXAM FEE		LICENSE FEE
	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: 74123 DATED: 11/22/05 BY: Allen

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

Last revised: Nov 20, 2003

Transfer 8883

APPLICATION FOR EXTENSION OF TIME FOR **TRANSFER** OF WATER RIGHT

A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/publication/reports/index.shtml.

To the WATER RESOURCES DIRECTOR OF OREGON:
I/We, MERVIN STUTZMAN
(Name of Applicant)
of PO BOX 296 (Mailing Address), CHRISTMAS VALLEY (City),
state of OR, 97641 (Zip Code), (541) 576-2340 (Phone Number),
do hereby make application for an extension of time within which to complete a change in:

☑ point of diversion/appropriation ☑ place of use ☐ character of use

of water under the terms of an order of the Water Resources Director entered on 06/02, 2004, approving Transfer 8883, in the name of TERRY L. NOFZIGER, for NE SW, SW SW & SE SW, SEC 31, T 26 S, R 17 E, W.M.

(Give location of your property, as shown on the order approving the transfer)

THE FOLLOWING HAS BEEN accomplished toward completion of the change within the time allowed, which expired on October 1, 2005:
AREA PARTIALY IRRIGATED BY HAND LINES AND PORTABLE MAIN LINES
4.0

(If for irrigation, how many acres total are now irrigated)

TO FULLY COMPLETE the change, it will be necessary to accomplish the following:
CONSTRUCTION OF A CENTER PIVOT, PAD. BURY MAIN LINE FROM WELL.
IRRIGATE REAMINDER OF ACREAGE.

I AM UNABLE TO COMPLETE the change under the terms of the order, within the time allowed, because OF FINANCING TO FINISH TO PROJECT. WILL ENDEAVOR TO COMPLETE BY REQUESTED DATE.

And request that the time for completion be extended to October 1, 2007.

Mervin L Stutzman
(Signature of applicant)

In order for an application to be complete, it must be accompanied by the required fee. See the Department's fee schedule at www.wrd.state.or.us or call (503) 986-0900.

MAIL COMPLETED APPLICATION AND FEE TO:

Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271

RECEIVED
APR 22 2005
WATER RESOURCES DEPT
SALEM, OREGON

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application T-8883, Lake County, Oregon	))	FINAL ORDER

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of appropriation, 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

Terry L. Nofziger
PO Box 575
Christmas Valley OR 97641

Findings of Fact

1. Terry L. Nofziger filed an application to transfer the point of appropriation and place of use under Certificate 65626. The Department assigned the application number T-8883.

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

Certificate:	65626 in the name of Terry L. Nofziger
Use:	Irrigation
Priority Date:	December 22, 1980
Quantity:	0.15 cfs
Acres:	12.1
Source:	Four wells in the Fort Rock Basin

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in an uncontested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005, you may either petition for judicial review or petition the Director for reconsideration of this order.

Authorized Point of Appropriation:

Township		Range		Meridian	Sec	¼ ¼		Lot	Location
26	S	18	E	W.M.	31	SE	SW		1300' N & 1230' W of S¼ corner of Sec 31
26	S	18	E	W.M.	31	NE	SE		1350' N & 1400' E of S¼ corner of Sec 31
26	S	18	E	W.M.	32	NE	SW		1340' N & 1150' W of S¼ corner of Sec 32
26	S	18	E	W.M.	32	NE	SE		1360' N & 1580' E of S ¼ corner of Sec 32

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼		Lot	Acres
26	S	18	E	W.M.	32	NE	SW		0.5
26	S	18	E	W.M.	32	NW	SW		0.5
26	S	18	E	W.M.	32	SW	SW		0.5
26	S	18	E	W.M.	32	SE	SW		0.5
26	S	18	E	W.M.	32	NW	SE		3.5
26	S	18	E	W.M.	32	SW	SE		3.3
26	S	18	E	W.M.	32	SE	SE		3.3

3. Application T-8883 proposes to move the authorized point of appropriation for this part of the right approximately 7 miles to:

Township		Range		Meridian	Sec	¼ ¼		Lot	Location
26	S	17	E	W.M.	31	SE	NW		1323' S & 1234' E of the NW corner of Sec 31

4. Application T-8883 proposes to change the place of use of the right to:

Township		Range		Meridian	Sec	¼ ¼		Lot	Acres
26	S	17	E	W.M.	31	NE	SW		4.1
26	S	17	E	W.M.	31	SW	SW		4.0
26	S	17	E	W.M.	31	SE	SW		4.0

5. Notice of the application for transfer was published pursuant to ORS 540.520 and OAR 690-380-4000. No comments were filed in response to the notices.

6. A delivery system sufficient to use the full amount of water allowed under the existing right is present.

7. Water has been used within the last five years according to the terms and conditions of the right, and no evidence is available that would demonstrate that the right is subject to forfeiture under ORS 540.610.

8. The proposed change would not result in enlargement of the right.

9. The proposed change would not result in injury to other water rights.

10. The receiving landowner responsible for completion of the changes proposed in T-8883 is:
    Mervin Stutzman
    PO Box 296
    Christmas Valley OR 97641

Conclusions of Law

The changes in point of appropriation and place of use proposed in application T-8883 are consistent with the requirements of ORS Chapters 537 and 540 and OAR 690-380-5000.

Order

It is therefore ordered:

1. Transfer T-8883 is hereby approved, subject to the following conditions.

2. Certificate 65626 is cancelled; Certificate 80684 shall be issued to describe the remaining rights from Certificate 65626 NOT involved in T-8883.

3. The proposed changes shall be completed on or before October 1, 2005.

4. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department by October 1, 2006.

5. The right to 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 65626 and any related decree.

6. The quantity of water diverted at the new point of appropriation shall not exceed the quantity of water lawfully available at the original point of appropriation.

7. Prior to diverting water at the new point of appropriation, the water user shall install and maintain an in-line flow meter or other suitable device for measuring and recording the quantity of water appropriated. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

8. The receiving landowner responsible for completion of the changes proposed in T-8883 is:
   Mervin Stutzman
   PO Box 296
   Christmas Valley OR 97641

9. When satisfactory proof of the completed change is received, a new certificate confirming the transferred water right shall be issued.

Dated at Salem, Oregon this 2nd day of June, 2004.

for Phillip C. Ward
Director

Protests should be addressed to the attention of Enforcement Section, Water Resources Department, 725 Summer St. NE, Salem, OR 97301-1271

Mailing date: JUN 0 8 2004

STATE OF OREGON

COUNTY OF LAKE

ORDER APPROVING A CHANGE IN PLACE OF USE AND POINT OF APPROPRIATION

Pursuant to ORS 537.705, after notice was given and no objections were filed, and finding that no injury to existing water rights would result, this order approves, as conditioned or limited herein, TRANSFER 7556 submitted by

STAN AND TERESA ROLFNESS
P.O. BOX 807
CHRISTMAS VALLEY, OREGON 97641

The right to be modified, as evidenced by a PORTION of Certificate 54631, was perfected under Permit G-9167 with a date of priority of DECEMBER 16, 1980. The right allows the use of 3 WELLS in the FORT ROCK BASIN for IRRIGATION of 129.2 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.60 cubic feet per second, being 0.68 cubic foot per second from WELL 1, 0:87 cubic foot per second from WELL 2 and 0.05 cubic foot per second from WELL 3, if available at the original well; SE¼ NW¼, SE¼ SW¼, SECTION 25, T 26 S, R 17 E, W.M.; WELL 1 - 1350 FEET SOUTH AND 1350 FEET EAST FROM THE NW CORNER, WELL 2 - 1460 FEET NORTH AND 1310 FEET EAST WEST FROM THE NW CORNER, WELL 3 - 220 FEET NORTH AND 150 FEET WEST FROM THE SOUTH ¼ CORNER, ALL SECTION 25, or its equivalent in case of rotation, measured at the well.

The amount of water used for irrigation, together with the amount secured under any other right existing on 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 any reasonable rotation system ordered by the proper state officer.

The authorized place of use are as follows:

WELL 1

SW¼ SW¼ 23.3 ACRES
SECTION 24

NE¼ NW¼ 8.4 ACRES
NW¼ NW¼ 9.3 ACRES
SW¼ NW¼ 6.6 ACRES
SE¼ NW¼ 6.6 ACRES
SECTION 25

WELL 2

SE¼ NW¼ 0.2 ACRE
NE¼ SW¼ 40.0 ACRES
SE¼ SW¼ 29.0 ACRES
SECTION 25

WELL 3

SE¼ SW¼ 5.8 ACRES
SECTION 25

TOWNSHIP 26 SOUTH, RANGE 17 EAST, W.M.

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

The applicant proposes to change the place of use to:

NE¼ SW¼ 35.6 ACRES
NW¼ SW¼ 35.6 ACRES
SW¼ SW¼ 29.0 ACRES
SE¼ SW¼ 29.0 ACRES
SECTION 25
TOWNSHIP 26 SOUTH, RANGE 17 EAST, W.M.

The applicant proposes to change the point of appropriation for 0.68 cubic foot per second from WELL 1 and 0.05 cubic foot per second from WELL 3 to:

WELL 2 - NE¼ SW¼, SECTION 25, T 25 S, R 17 E; 1460 FEET NORTH AND 1310 FEET WEST FROM THE S¼ CORNER, SECTION 25.

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

THESE CHANGES TO AN EXISTING WATER RIGHT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed changes shall be completed on or before October 1, 1999.

2. The quantity of water diverted at the new point of appropriation (well), together with the quantity diverted at the old points of appropriation, shall not exceed the quantity of water lawfully available from the original points of appropriation.

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

4. Water shall be acquired from the same aquifer as the original point of appropriation.

5. The former places of use shall no longer be irrigated as part of this water right.

Certificate 54631 is canceled. A new certificate will be issued to confirm that portion of the right NOT involved in this transfer. When satisfactory proof of the completed change is received, a new certificate confirming this water right will be issued.

WITNESS the signature of the Water Resources Director, affixed 5/18/98.

Martha O. Pagel

Martha O. Pagel, Director

ORDER AND CERTIFICATE CHECK LIST

RECORD MARKING (Support Staff)

File Folder ( ) ## T-8883
G-10071

Permit ( ) ## _____

Certificate ( ) ## √65626

Trans App Register ( )
Trans Name Index ( )

Sp. OR ( )
Decree ( ) Vol _____ Page _____ Vol _____ Page _____

COPIES MADE Order ( ) Certificate ( )

File ( ) ( ) Data Center ( ) ( ) Watermaster ( ) ( ) Applicant ( ) ( )

ISWR Liason ( ) ( ) _____ Water Use Reporting ( ) ( ) _____

CWRE ( ) ( ) #5-Darry/ Anderson I.District ( ) ( ) _____

Other ( ) ( ) Mervin Stutzman Other ( ) ( ) _____

SEND copy of application map to watermaster _____

LETTER TO:

Applicant ( ) CWRE ( ) _____

I.D. ( ) _____ Other ( ) _____

EMAIL PROCESSOR

NWR ( ) NCR ( ) SWR ( ) SCR ( ) ER ( ) TIM

ENCLOSURES

Special Order ( ) Vol 60 Page 164
( ) Vol _____ Page _____

Certificate ( ) 80684
( ) _____
( ) _____

DATE SIGNED: 6-2-2004

FILE SET-UP

File Number	Set - Up Date	~~For Whom~~ CBU
	10-1-05	10-1-06

SEND TO:

Fiscal Section ( ) Other ( ) _____

NOTES: _____

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application T-8883, Lake County, Oregon	))	FINAL ORDER

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of appropriation, 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

Terry L. Nofziger
PO Box 575
Christmas Valley OR 97641

Findings of Fact

1. Terry L. Nofziger filed an application to transfer the point of appropriation and place of use under Certificate 65626. The Department assigned the application number T-8883.

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

Certificate:	65626 in the name of Terry L. Nofziger
Use:	Irrigation
Priority Date:	December 22, 1980
Quantity:	0.15 cfs
Acres:	12.1
Source:	Four wells in the Fort Rock Basin

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in an uncontested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005, you may either petition for judicial review or petition the Director for reconsideration of this order.

Authorized Point of Appropriation:

Township		Range		Meridian	Sec	¼ ¼		Lot	Location
26	S	18	E	W.M.	31	SE	SW		1300' N & 1230' W of S¼ corner of Sec 31
26	S	18	E	W.M.	31	NE	SE		1350' N & 1400' E of S¼ corner of Sec 31
26	S	18	E	W.M.	32	NE	SW		1340' N & 1150' W of S¼ corner of Sec 32
26	S	18	E	W.M.	32	NE	SE		1360' N & 1580' E of S ¼ corner of Sec 32

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼		Lot	Acres
26	S	18	E	W.M.	32	NE	SW		0.5
26	S	18	E	W.M.	32	NW	SW		0.5
26	S	18	E	W.M.	32	SW	SW		0.5
26	S	18	E	W.M.	32	SE	SW		0.5
26	S	18	E	W.M.	32	NW	SE		3.5
26	S	18	E	W.M.	32	SW	SE		3.3
26	S	18	E	W.M.	32	SE	SE		3.3

3. Application T-8883 proposes to move the authorized point of appropriation for this part of the right approximately 7 miles to:

Township		Range		Meridian	Sec	¼ ¼		Lot	Location
26	S	17	E	W.M.	31	SE	NW		1323' S & 1234' E of the NW corner of Sec 31

4. Application T-8883 proposes to change the place of use of the right to:

Township		Range		Meridian	Sec	¼ ¼		Lot	Acres
26	S	17	E	W.M.	31	NE	SW		4.1
26	S	17	E	W.M.	31	SW	SW		4.0
26	S	17	E	W.M.	31	SE	SW		4.0

5. Notice of the application for transfer was published pursuant to ORS 540.520 and OAR 690-380-4000. No comments were filed in response to the notices.

6. A delivery system sufficient to use the full amount of water allowed under the existing right is present.

7. Water has been used within the last five years according to the terms and conditions of the right, and no evidence is available that would demonstrate that the right is subject to forfeiture under ORS 540.610.

8. The proposed change would not result in enlargement of the right.

9. The proposed change would not result in injury to other water rights.

10. The receiving landowner responsible for completion of the changes proposed in T-8883 is:
    Mervin Stutzman
    PO Box 296
    Christmas Valley OR 97641

Conclusions of Law

The changes in point of appropriation and place of use proposed in application T-8883 are consistent with the requirements of ORS Chapters 537 and 540 and OAR 690-380-5000.

Order

It is therefore ordered:

1. Transfer T-8883 is hereby approved, subject to the following conditions.

2. Certificate 65626 is cancelled; Certificate 80684 shall be issued to describe the remaining rights from Certificate 65626 NOT involved in T-8883.

3. The proposed changes shall be completed on or before October 1, 2005.

4. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department by October 1, 2006.

5. The right to 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 65626 and any related decree.

6. The quantity of water diverted at the new point of appropriation shall not exceed the quantity of water lawfully available at the original point of appropriation.

7. Prior to diverting water at the new point of appropriation, the water user shall install and maintain an in-line flow meter or other suitable device for measuring and recording the quantity of water appropriated. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

8. The receiving landowner responsible for completion of the changes proposed in T-8883 is:
    Mervin Stutzman
    PO Box 296
    Christmas Valley OR 97641

9. When satisfactory proof of the completed change is received, a new certificate confirming the transferred water right shall be issued.

Dated at Salem, Oregon this 2nd day of June, 2004.

For Phillip C. Ward
Director

Protests should be addressed to the attention of Enforcement Section, Water Resources Department, 725 Summer St. NE, Salem, OR 97301-1271

Mailing date: JUN 0 8 2004

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

Terry L. Nofziger
PO Box 575
Christmas Valley, Oregon 97641

confirms the right to use the waters of four WELLS in the Fort Rock Basin for IRRIGATION of 475.2 acres.

This right was perfected under Permit G-9124. The date of priority is December 22, 1980. The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 5.94 CUBIC FEET PER SECOND, BEING 1.54 cfs from WELL 1, 0.99 cfs from WELL 2, 1.73 cfs from WELL 3, and 1.68 cfs from WELL 4, or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

Township		Range		Meridian	Sec	¼	¼	Lot	Location
26	S	18	E	W.M.	31	SE	SW		1300′ N & 1230′ W of S¼ corner of Sec 31
26	S	18	E	W.M.	31	NE	SE		1350′ N & 1400′ E of S¼ corner of Sec 31
26	S	18	E	W.M.	32	NE	SW		1340′ N & 1150′ W of S¼ corner of Sec 32
26	S	18	E	W.M.	32	NE	SE		1360′ N & 1580′ E of S¼ corner of Sec 32

The wells shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.

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.

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:

Township		Range		Mer	Sec	1/4	1/4	Lot	Acres
26	S	18	E	WM	31	SW	NE		0.3
26	S	18	E	WM	31	SE	NE		0.8
26	S	18	E	WM	31	NE	SW		33.1
26	S	18	E	WM	31	NW	SW	3	27.4
26	S	18	E	WM	31	SW	SW	4	29.2
26	S	18	E	WM	31	SE	SW		35.2
26	S	18	E	WM	31	NE	SE		40.0
26	S	18	E	WM	31	NW	SE		37.2
26	S	18	E	WM	31	SW	SE		0.9
26	S	18	E	WM	32	SW	NE	3	0.2
26	S	18	E	WM	32	SE	NE	4	1.2
26	S	18	E	WM	32	SW	NW		0.6
26	S	18	E	WM	32	SE	NW		1.1
26	S	18	E	WM	32	NE	SW		37.8
26	S	18	E	WM	32	NW	SW		33.1
26	S	18	E	WM	32	SW	SW		28.5
26	S	18	E	WM	32	SE	SW		36.9
26	S	18	E	WM	32	NE	SE	5	38.7
26	S	18	E	WM	32	NW	SE		26.6
26	S	18	E	WM	32	SW	SE		24.4
26	S	18	E	WM	32	SE	SE		33.7
26	S	18	E	WM	33	NW	SW	3	4.7
26	S	18	E	WM	33	SW	SW		3.6

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.

This certificate describes that portion of the water right confirmed by Certificate 65626, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered JUN 0 2 2004, approving Transfer Application 8883.

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.

WITNESS the signature of the Water Resources Director,

affixed JUN 0 2 2004.

For Phillip C. Ward, Acting Director

Recorded in State Record of Water Right Certificates numbered 80684.

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

Terry L. Nofziger
PO Box 575
Christmas Valley, Oregon 97641

confirms the right to use the waters of four WELLS in the Fort Rock Basin for IRRIGATION of 475.2 acres.

This right was perfected under Permit G-9124. The date of priority is December 22, 1980. The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 5.94 CUBIC FEET PER SECOND, BEING 1.54 cfs from WELL 1, 0.99 cfs from WELL 2, 1.73 cfs from WELL 3, and 1.68 cfs from WELL 4, or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

Township		Range		Meridian	Sec	¼	¼	Lot	Location
26	S	18	E	W.M.	31	SE	SW		1300′ N & 1230′ W of S¼ corner of Sec 31
26	S	18	E	W.M.	31	NE	SE		1350′ N & 1400′ E of S¼ corner of Sec 31
26	S	18	E	W.M.	32	NE	SW		1340′ N & 1150′ W of S¼ corner of Sec 32
26	S	18	E	W.M.	32	NE	SE		1360′ N & 1580′ E of S¼ corner of Sec 32

The wells shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.

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.

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:

Township		Range		Mer	Sec	1/4	1/4	Lot	Acres
26	S	18	E	WM	31	SW	NE		0.3
26	S	18	E	WM	31	SE	NE		0.8
26	S	18	E	WM	31	NE	SW		33.1
26	S	18	E	WM	31	NW	SW	3	27.4
26	S	18	E	WM	31	SW	SW	4	29.2
26	S	18	E	WM	31	SE	SW		35.2
26	S	18	E	WM	31	NE	SE		40.0
26	S	18	E	WM	31	NW	SE		37.2
26	S	18	E	WM	31	SW	SE		0.9
26	S	18	E	WM	32	SW	NE	3	0.2
26	S	18	E	WM	32	SE	NE	4	1.2
26	S	18	E	WM	32	SW	NW		0.6
26	S	18	E	WM	32	SE	NW		1.1
26	S	18	E	WM	32	NE	SW		37.8
26	S	18	E	WM	32	NW	SW		33.1
26	S	18	E	WM	32	SW	SW		28.5
26	S	18	E	WM	32	SE	SW		36.9
26	S	18	E	WM	32	NE	SE	5	38.7
26	S	18	E	WM	32	NW	SE		26.6
26	S	18	E	WM	32	SW	SE		24.4
26	S	18	E	WM	32	SE	SE		33.7
26	S	18	E	WM	33	NW	SW	3	4.7
26	S	18	E	WM	33	SW	SW		3.6

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.

This certificate describes that portion of the water right confirmed by Certificate 65626, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered JUN 0 2 2004, approving Transfer Application 8883.

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.

WITNESS the signature of the Water Resources Director,

affixed JUN 0 2 2004.

For Phillip C. Ward, Acting Director

Recorded in State Record of Water Right Certificates numbered 80684.

Oregon
Theodore R. Kulongoski, 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

June 10, 2004

TERRY L NOFZIGER
PO BOX 575
CHRISTMAS VALLEY OR 97641

Reference: Transfer **8883**

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

A time to complete the transfer is given the order. YOU SHOULD GIVE PARTICULAR ATTENTION TO THE TIME LIMIT. The water right for any portion of the authorized change in use or change in place of use NOT carried out within the time allowed will be lost.

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

You have the requirement to hire a Certified Water Right Examiner (CWRE) to complete a Claim of Beneficial Use report and map which must be submitted to this department within one year of the date you completed the change or within one year of the completion date authorized in the transfer, whichever occurs first.

Sincerely,

Sarah Henderson

for Doug Parrow
Natural Resource Specialist

DP:sh

cc: David Poe, Watermaster **#12**
Darryl J. Anderson, CWRE #5
Mervin Stutzman, Landowner

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application T-8883, Lake County, Oregon	))	FINAL ORDER

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of appropriation, 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

Terry L. Nofziger
PO Box 575
Christmas Valley OR 97641

Findings of Fact

1. Terry L. Nofziger filed an application to transfer the point of appropriation and place of use under Certificate 65626. The Department assigned the application number T-8883.

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

Certificate:	65626 in the name of Terry L. Nofziger
Use:	Irrigation
Priority Date:	December 22, 1980
Quantity:	0.15 cfs
Acres:	12.1
Source:	Four wells in the Fort Rock Basin

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in an uncontested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005, you may either petition for judicial review or petition the Director for reconsideration of this order.

Authorized Point of Appropriation:

Township		Range		Meridian	Sec	¼ ¼		Lot	Location
26	S	18	E	W.M.	31	SE	SW		1300' N & 1230' W of S¼ corner of Sec 31
26	S	18	E	W.M.	31	NE	SE		1350' N & 1400' E of S¼ corner of Sec 31
26	S	18	E	W.M.	32	NE	SW		1340' N & 1150' W of S¼ corner of Sec 32
26	S	18	E	W.M.	32	NE	SE		1360' N & 1580' E of S ¼ corner of Sec 32

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼		Lot	Acres
26	S	18	E	W.M.	32	NE	SW		0.5
26	S	18	E	W.M.	32	NW	SW		0.5
26	S	18	E	W.M.	32	SW	SW		0.5
26	S	18	E	W.M.	32	SE	SW		0.5
26	S	18	E	W.M.	32	NW	SE		3.5
26	S	18	E	W.M.	32	SW	SE		3.3
26	S	18	E	W.M.	32	SE	SE		3.3

3. Application T-8883 proposes to move the authorized point of appropriation for this part of the right approximately 7 miles to:

Township		Range		Meridian	Sec	¼ ¼		Lot	Location
26	S	17	E	W.M.	31	SE	NW		1323' S & 1234' E of the NW corner of Sec 31

4. Application T-8883 proposes to change the place of use of the right to:

Township		Range		Meridian	Sec	¼ ¼		Lot	Acres
26	S	17	E	W.M.	31	NE	SW		4.1
26	S	17	E	W.M.	31	SW	SW		4.0
26	S	17	E	W.M.	31	SE	SW		4.0

5. Notice of the application for transfer was published pursuant to ORS 540.520 and OAR 690-380-4000. No comments were filed in response to the notices.

6. A delivery system sufficient to use the full amount of water allowed under the existing right is present.

7. Water has been used within the last five years according to the terms and conditions of the right, and no evidence is available that would demonstrate that the right is subject to forfeiture under ORS 540.610.

8. The proposed change would not result in enlargement of the right.

9. The proposed change would not result in injury to other water rights.

10. The receiving landowner responsible for completion of the changes proposed in T-8883 is:
    Mervin Stutzman
    PO Box 296
    Christmas Valley OR 97641

Conclusions of Law

The changes in point of appropriation and place of use proposed in application T-8883 are consistent with the requirements of ORS Chapters 537 and 540 and OAR 690-380-5000.

Order

It is therefore ordered:

1. Transfer T-8883 is hereby approved, subject to the following conditions.

2. Certificate 65626 is cancelled; Certificate 80684 shall be issued to describe the remaining rights from Certificate 65626 NOT involved in T-8883.

3. The proposed changes shall be completed on or before October 1, 2005.

4. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department by October 1, 2006.

5. The right to 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 65626 and any related decree.

6. The quantity of water diverted at the new point of appropriation shall not exceed the quantity of water lawfully available at the original point of appropriation.

7. Prior to diverting water at the new point of appropriation, the water user shall install and maintain an in-line flow meter or other suitable device for measuring and recording the quantity of water appropriated. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

8. The receiving landowner responsible for completion of the changes proposed in T-8883 is:
   Mervin Stutzman
   PO Box 296
   Christmas Valley OR 97641

9. When satisfactory proof of the completed change is received, a new certificate confirming the transferred water right shall be issued.

Dated at Salem, Oregon this 2nd day of June, 2004.

For Phillip C. Ward
Director

Protests should be addressed to the attention of Enforcement Section, Water Resources Department, 725 Summer St. NE, Salem, OR 97301-1271

Mailing date: JUN 0 8 2004

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

Terry L. Nofziger
PO Box 575
Christmas Valley, Oregon 97641

confirms the right to use the waters of four WELLS in the Fort Rock Basin for IRRIGATION of 475.2 acres.

This right was perfected under Permit G-9124. The date of priority is December 22, 1980. The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 5.94 CUBIC FEET PER SECOND, BEING 1.54 cfs from WELL 1, 0.99 cfs from WELL 2, 1.73 cfs from WELL 3, and 1.68 cfs from WELL 4, or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

Township		Range		Meridian	Sec	¼	¼	Lot	Location
26	S	18	E	W.M.	31	SE	SW		1300′ N & 1230′ W of S¼ corner of Sec 31
26	S	18	E	W.M.	31	NE	SE		1350′ N & 1400′ E of S¼ corner of Sec 31
26	S	18	E	W.M.	32	NE	SW		1340′ N & 1150′ W of S¼ corner of Sec 32
26	S	18	E	W.M.	32	NE	SE		1360′ N & 1580′ E of S¼ corner of Sec 32

The wells shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.

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.

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:

Township		Range		Mer	Sec	1/4	1/4	Lot	Acres
26	S	18	E	WM	31	SW	NE		0.3
26	S	18	E	WM	31	SE	NE		0.8
26	S	18	E	WM	31	NE	SW		33.1
26	S	18	E	WM	31	NW	SW	3	27.4
26	S	18	E	WM	31	SW	SW	4	29.2
26	S	18	E	WM	31	SE	SW		35.2
26	S	18	E	WM	31	NE	SE		40.0
26	S	18	E	WM	31	NW	SE		37.2
26	S	18	E	WM	31	SW	SE		0.9
26	S	18	E	WM	32	SW	NE	3	0.2
26	S	18	E	WM	32	SE	NE	4	1.2
26	S	18	E	WM	32	SW	NW		0.6
26	S	18	E	WM	32	SE	NW		1.1
26	S	18	E	WM	32	NE	SW		37.8
26	S	18	E	WM	32	NW	SW		33.1
26	S	18	E	WM	32	SW	SW		28.5
26	S	18	E	WM	32	SE	SW		36.9
26	S	18	E	WM	32	NE	SE	5	38.7
26	S	18	E	WM	32	NW	SE		26.6
26	S	18	E	WM	32	SW	SE		24.4
26	S	18	E	WM	32	SE	SE		33.7
26	S	18	E	WM	33	NW	SW	3	4.7
26	S	18	E	WM	33	SW	SW		3.6

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.

This certificate describes that portion of the water right confirmed by Certificate 65626, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered JUN 0 2 2004, approving Transfer Application 8883.

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.

WITNESS the signature of the Water Resources Director,

affixed JUN 0 2 2004.

For Phillip C. Ward, Acting Director

Recorded in State Record of Water Right Certificates numbered 80684.

T-8883 Processing Log (Div 15 GW) Reviewer: Wallin 4/9/04

Applicant: Terry Nofziger CWRE: Darryl Anderson

Completeness

- ☒ application form ☒ map ☒ evidence of use ☒ land-use form
- ☒ deed/lot book report ☒ certificate ☒ water well rpt / well log ☒ system capacity
- ☒ reviews:
  - ☒ Watermaster Injury: Y ☐ N ☒
  - ☒ Groundwater Injury: Y ☐ N ☒
- ☒ fees paid

Evaluation

- ☒ type of change indicated clearly?
- ☒ signed by applicants?
- ☒ is applicant landowner? if not, do we have written approval of landowner?
- ☒ is land-use form accurate? use approved by local official?
- ☒ are only the authorized POAs and POUs to be transferred listed?
- ☒ does a water right subject to transfer exist? Is certificate/decree acreage sufficient?
- ☒ does map meet requirements?
- ☒ does ON map match the tabulation?
- ☒ does application OFF map match certificate FPS (and/or RR certificate)?
- ☒ check for intervening POAs? (PODs too if hydraulically connected) GW does this …
- ☒ are there conflicting water rights?
- ☒ check delivery system capacity against the rate/duty of the right
- ☒ has the right been exercised according to terms & conditions of certificate?
- ☒ comments received? Y ☐ N ☒
- ☒ PON required?
- ☒ enlargement or source switching? ☒ injury?

To Do

- ☐

Observations

Deficiencies

- ☒ need Connie Nofziger signature
- ☒ LU form is for FROM land, not TO land (wrong Range)
- ☒ Affidavit of Use
- ☐ PON

Possible Determinations

Action Taken

- ☐ draft DPD
- ☐ draft Publication Notice
- ☐ send letter and PN

Order Conditions

- ☐ when in the judgment …
- ☐ Stutzman as Receivng Landowner

Review after 30-day Protest Period

- ☐ comments received? Y ☐ N ☐
- ☐ draft Final Order
- ☐ draft Remaining Right certificate

Notes to This File

Mr. Wallin

Sorry about The mix up I understood The Lake County Examiner was Going To Send you The AFFidavit and I was Just going To recieve a Copy.

So here it is and If you have anything else you need From me please call.

Terry Nofziger
541-576-2355

RECEIVED
JUN 01 2004
WATER RESOURCES DEPT
SALEM, OREGON

Thank you

Terry Nofziger

Affidavit of Publication

STATE OF OREGON,
County of Lake, } ss.

I, Matilda W. Flynn, being first duly sworn, depose and say that I am the General Manager of the Lake County Examiner, a newspaper of general circulation printed and published at Lakeview in the aforesaid county and state, as defined by Chapter 193ORS, that Water Right Transfer T-8883, a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for Three successive and consecutive weeks in the following issues:

April 29, May 6 & 13, 2004

Matilda W. Flynn

Subscribed and sworn to before me this 14th day of May 2004.

Beth Furtado

Notary Public for Oregon

(My commission expires 11/15/04)

OFFICIAL SEAL
BETH FURTADO
NOTARY PUBLIC- OREGON
COMMISSION NO. 340383
MY COMMISSION EXPIRES NOV 15, 2004

Notice of Preliminary Determination for Water Right Transfer T-8883

T-8883 filed by Terry L. Nofzziger, proposes a change in point of appropriation and place of use under Certificate 65626. The right allows the use of 0.15 cfs (priority date December 22,1980) from four wells in Sec 31 & 32, T26S, R18E, W.M. (Fort Rock Basin) for irrigation in Sec 32. The applicant proposes to change the point of appropriation to a well approximately 7 miles west (Sec 31, T26S, R17E, W.M.). The Water Resources Department has concluded that the proposed transfer appears to be consistent with the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, with the Department a protest or standing statement within 30 days after the date of final publication of notice in the Department's weekly notice or of this newspaper notice, whichever is later. A protest from and additional information on filing protests may be obtained by calling (503) 986-0852. The last date of newspaper publication is May 13, 2004. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

#3031

RECEIVED
JUN 01 2004
WATER RESOURCES DEPT
SALEM, OREGON

DATE	COLUMN INCHES DISPLAY DAILY	DISPLAY TO-DATE	CLASS. DISPLAY DAILY	CLASS. DISPLAY TO-DATE	WISE BUYS DAILY	WISE BUYS TO-DATE	LEGALS DAILY	LEGALS TO-DATE	STORE CHARGES INVOICE NO.	STORE CHARGES AMOUNT	MISC. CHARGES DESCRIPTION	MISC. CHARGES AMOUNT
4/29							6¾	Water Right Transfer T-8883				
5/6							6¾	Water Right Transfer T-8883				
5/13							6¾	Water Right Transfer T-8883				
											Ck # 2444	

DATE	DESCRIPTION	TOTAL INCHES	RATE	✓	CHARGES	CREDITS	BALANCE
	BALANCE FORWARDED						—
5/14	Water Right Transfer T-8883	18¾	5 15		96 56		96 56

RECEIVED
JUN 01 2004
WATER RESOURCES DEPT
SALEM, OREGON

LAKE COUNTY EXAMINER
P.O. Box 271
Lakeview, Oregon 97630

PAY LAST AMOUNT IN BALANCE COLUMN

Oregon
Theodore R. Kulongoski, 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 14, 2004

Terry L. Nofziger
PO Box 575
Christmas Valley OR 97641

SUBJECT: Transfer Application T-8883

Please find enclosed a copy of the Preliminary Determination for application T-8883, which recommends approval of the transfer contingent upon successful completion of the public notice process described below.

Because the new point of appropriation is more than ¼ mile from the authorized point of appropriation, the applicant is responsible for giving public notice of the transfer changes in a local newspaper having a general circulation in the area of the water right. The notice must be published at least once a week for three consecutive weeks. We have prepared the notice for you (enclosed). The deadline for individuals to file a protest of the findings is 30 days after the date of last publication. Please have the newspaper insert the date of last publication and protest deadline in the proper places. After publication, the Department needs to receive an affidavit specifying the dates the notice was published. Typically, the newspaper will prepare and mail an *affidavit of publication* to the Department, however you will want to request specifically that they do so. The newspaper can mail the affidavit to me at the address above.

Simultaneously, a public notice is being published in the Department's weekly publication. The notice initiates a concurrent 30-day period in which any person may file either a protest opposing the Preliminary Determination or a standing statement supporting the Preliminary Determination.

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.

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.

Sincerely,

Tim Wallin

Tim Wallin
Field Services Division

cc: David Poe, Watermaster #12
Darryl Anderson, CWRE

encs

RECEIVED
JUN 01 2004
WATER RESOURCES DEPT
SALEM, OREGON

9255 1846

Oregon
Theodore R. Kulongoski, 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 14, 2004

Terry L. Nofziger
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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.

Sincerely,

Tim Wallin

Tim Wallin
Field Services Division

cc: David Poe, Watermaster #12
Darryl Anderson, CWRE

encs

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application T-8883, Lake County, Oregon	))	PRELIMINARY DETERMINATION

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of appropriation, 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

Terry L. Nofziger
PO Box 575
Christmas Valley OR 97641

Findings of Fact

1. Terry L. Nofziger filed an application to transfer the point of appropriation and place of use under Certificate 65626. The Department assigned the application number T-8883.

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

   Certificate: 65626 in the name of Terry L. Nofziger
   Use: Irrigation
   Priority Date: December 22, 1980
   Quantity: 0.15 cfs
   Acres: 12.1
   Source: Four wells in the Fort Rock Basin

Authorized Point of Appropriation:

Township		Range		Meridian	Sec	¼	¼	Lot	Location
26	S	18	E	W.M.	31	SE	SW		1300' N & 1230' W of S¼ corner of Sec 31
26	S	18	E	W.M.	31	NE	SE		1350' N & 1400' E of S¼ corner of Sec 31
26	S	18	E	W.M.	32	NE	SW		1340' N & 1150' W of S¼ corner of Sec 32
26	S	18	E	W.M.	32	NE	SE		1360' N & 1580' E of S ¼ corner of Sec 32

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

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼		Lot	Acres
26	S	18	E	W.M.	32	NE	SW		0.5
26	S	18	E	W.M.	32	NW	SW		0.5
26	S	18	E	W.M.	32	SW	SW		0.5
26	S	18	E	W.M.	32	SE	SW		0.5
26	S	18	E	W.M.	32	NW	SE		3.5
26	S	18	E	W.M.	32	SW	SE		3.3
26	S	18	E	W.M.	32	SE	SE		3.3

3. Application T-8883 proposes to move the authorized point of appropriation for this part of the right approximately 8 miles in the Fort Rock Basin to:

Township		Range		Meridian	Sec	¼ ¼		Lot	Location
26	S	17	E	W.M.	31	SE	NW		1323' S & 1234' E of the NW corner of Sec 31

4. Application T-8883 proposes to change the place of use of the right to:

Township		Range		Meridian	Sec	¼ ¼		Lot	Acres
26	S	17	E	W.M.	31	NE	SW		4.1
26	S	17	E	W.M.	31	SW	SW		4.0
26	S	17	E	W.M.	31	SE	SW		4.0

5. Notice of the application for transfer was published pursuant to ORS 540.520 and OAR 690-380-4000. No comments were filed in response to the notices.

6. A delivery system sufficient to use the full amount of water allowed under the existing right is present.

7. Water has been used within the last five years according to the terms and conditions of the right, and no evidence is available that would demonstrate that the right is subject to forfeiture under ORS 540.610.

8. The proposed change would not result in enlargement of the right.

9. The proposed change would not result in injury to other water rights.

10. The receiving landowner responsible for completion of the changes proposed in T-8883 is:

    Mervin Stutzman
    PO Box 296
    Christmas Valley OR 97641

    Upon issuance of a Final Order, all notices and correspondence should be sent to the receiving landowner.

Determination and Proposed Action

The changes in point of appropriation and place of use proposed in application T-8883 appear to be consistent with the requirements of ORS Chapter 540, and OAR 690-380-5000, and will be approved provided that protests are not filed pursuant to OAR 690-380-4030.

If approved, the change and subsequent use of water shall be subject to the following conditions:

1. The proposed change shall be completed on or before October 1, 2005.

2. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department by October 1, 2006.

3. The right to 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 65626 and any related decree.

4. The quantity of water diverted at the new point of appropriation shall not exceed the quantity of water lawfully available at the original point of appropriation for the portion of the transferred right.

5. Prior to diverting water at the new point of appropriation, the water user shall install and maintain an in-line flow meter or other suitable device for measuring and recording the quantity of water appropriated. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

Dated at Salem, Oregon this 12th day of April, 2004.

For Paul R. Cleary
Director

Protests should be addressed to the attention of Enforcement Section, Water Resources Department, 725 Summer St. NE, Salem, OR 97301-1271

Mailing date: _____

This Preliminary Determination was prepared by Tim Wallin. If you have questions about the information in this document, you may reach me at (503) 986-0891 or timothy.wallin@wrd.state.or.us.

Notice of Preliminary Determination for
Water Right Transfer T-8883

T-8883 filed by Terry L. Nofziger, proposes a change in point of appropriation and place of use under Certificate 65626. The right allows the use of 0.15 cfs (priority date December 22, 1980) from four wells in Sec. 31 & 32, T26S, R18E, W.M. (Fort Rock Basin) for irrigation in Sec. 32. The applicant proposes to change the point of appropriation to a well approximately 7 miles west (Sec. 31, T26S, R17E, W.M.). The Water Resources Department has concluded that the proposed transfer appears to be consistent with the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, with the Department a protest or standing statement within 30 days after the date of final publication of notice in the Department's weekly notice or of this newspaper notice, whichever is later. A protest form and additional information on filing protests may be obtained by calling (503) 986-0852. The last date of newspaper publication is [DATE OF LAST PUBLICATION]. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application T-8883, Lake County, Oregon	))	FINAL ORDER

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of appropriation, 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

Terry L. Nofziger
PO Box 575
Christmas Valley OR 97641

Findings of Fact

1. Terry L. Nofziger filed an application to transfer the point of appropriation and place of use under Certificate 65626. The Department assigned the application number T-8883.

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

Certificate:	65626 in the name of Terry L. Nofziger
Use:	Irrigation
Priority Date:	December 22, 1980
Quantity:	0.15 cfs
Acres:	12.1
Source:	Four wells in the Fort Rock Basin

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in an uncontested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005, you may either petition for judicial review or petition the Director for reconsideration of this order.

Authorized Point of Appropriation:

Township		Range		Meridian	Sec	¼ ¼		Lot	Location
26	S	18	E	W.M.	31	SE	SW		1300' N & 1230' W of S¼ corner of Sec 31
26	S	18	E	W.M.	31	NE	SE		1350' N & 1400' E of S¼ corner of Sec 31
26	S	18	E	W.M.	32	NE	SW		1340' N & 1150' W of S¼ corner of Sec 32
26	S	18	E	W.M.	32	NE	SE		1360' N & 1580' E of S ¼ corner of Sec 32

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼		Lot	Acres
26	S	18	E	W.M.	32	NE	SW		0.5
26	S	18	E	W.M.	32	NW	SW		0.5
26	S	18	E	W.M.	32	SW	SW		0.5
26	S	18	E	W.M.	32	SE	SW		0.5
26	S	18	E	W.M.	32	NW	SE		3.5
26	S	18	E	W.M.	32	SW	SE		3.3
26	S	18	E	W.M.	32	SE	SE		3.3

3. Application T-8883 proposes to move the authorized point of appropriation for this part of the right approximately 8 miles in the Fort Rock Basin to:

Township		Range		Meridian	Sec	¼ ¼		Lot	Location
26	S	17	E	W.M.	31	SE	NW		1323' S & 1234' E of the NW corner of Sec 31

4. Application T-8883 proposes to change the place of use of the right to:

Township		Range		Meridian	Sec	¼ ¼		Lot	Acres
26	S	17	E	W.M.	31	NE	SW		4.1
26	S	17	E	W.M.	31	SW	SW		4.0
26	S	17	E	W.M.	31	SE	SW		4.0

5. Notice of the application for transfer was published pursuant to ORS 540.520 and OAR 690-380-4000. No comments were filed in response to the notices.

6. A delivery system sufficient to use the full amount of water allowed under the existing right is present.

7. Water has been used within the last five years according to the terms and conditions of the right, and no evidence is available that would demonstrate that the right is subject to forfeiture under ORS 540.610.

8. The proposed change would not result in enlargement of the right.

9. The proposed change would not result in injury to other water rights.

10. The receiving landowner responsible for completion of the changes proposed in T-8883 is:
    Mervin Stutzman
    PO Box 296
    Christmas Valley OR 97641

Conclusions of Law

The changes in point of appropriation and place of use proposed in application T-8883 are consistent with the requirements of ORS Chapter 540, and OAR 690-380-5000.

Order

It is therefore ordered:

1. Transfer T-8883 is hereby approved, subject to the following conditions.

2. Certificate 65626 is cancelled; Certificate 80684 be issued to describe the remaining rights from Certificate 65626 NOT involved in T-8883.

3. The proposed changes shall be completed on or before October 1, 2005.

4. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department by October 1, 2006.

5. When satisfactory proof of the completed change is received, a new certificate confirming the transferred water right shall be issued.

6. The right to 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 65626 and any related decree.

7. The quantity of water diverted at the new point of appropriation shall not exceed the quantity of water lawfully available at the original point of appropriation.

8. Prior to diverting water at the new point of appropriation, the water user shall install and maintain an in-line flow meter or other suitable device for measuring and recording the quantity of water appropriated. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

Dated at Salem, Oregon this ____ day of _____, 2004.

_____

Paul R. Cleary
Director

Protests should be addressed to the attention of Enforcement Section, Water Resources Department, 725 Summer St. NE, Salem, OR 97301-1271

Mailing date: _____

Oregon
Theodore R. Kulongoski, 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

March 8, 2004

Terry L. Nofziger
PO Box 575
Christmas Valley OR 97641

SUBJECT: Transfer Application 8883

We are examining your water-right transfer application. I'm sending you the enclosed draft of our Preliminary Determination prior to its issuance to provide you with an opportunity to amend the application so that it is complete, or to provide other comments. Below I summarize three minor deficiencies (Findings of Fact #9-11) that require your attention before I can complete processing of the application:

1. The file does not contain the required evidence that the water subject to transfer has been used within the five year period prior to submission of the application (8/30/01) according to the terms and conditions of the right. Enclosed find an Affidavit of Use form you may use for this purpose; you may ignore the part I've crossed out, however the form must be notarized.

2. The deed supplied indicates that Connie Sue Nofziger is a co-owner of the property, thus her original signature indicating approval of T-8883 is required. I am returning the signature page from the original water-right transfer application for her to sign.

3. Despite having been approved by Lake County, the information on the Land-Use form supplied is incorrect and does not correspond to the land to be irrigated under T-8883 (i.e., the TO or ON land). According to the application map, the transferred water is to be applied in 26S 17E. A Land-Use form with the correct information pertaining to the land where the water will be applied is required. I've enclosed a new form for your use; please return it after the County planning department approves it.

Please return the requested documentation prior to issuance of the Preliminary Determination, which is scheduled for April 12. If I may be of assistance, please call me at 503.986.0891.

Sincerely,

Tim Wallin

Tim Wallin
Field Services Division

FILE COPY

cc: Darryl Anderson, CWRE
David Poe, Watermaster #12

encs

WATER RIGHT TRANSFER
AFFIDAVIT ATTESTING TO THE USE OF WATER DURING THE PREVIOUS FIVE YEARS

State of Oregon)
) ss
County of Lake)

I Terry Nofziger, in my capacity as owner,
mailing address PO Box 568 Christmas Valley OR 97641,
telephone number 541-576-2355, being first duly sworn depose and say:

1. I attest that water was used during the previous five years on the entire authorized place of use of the water right subject to transfer as described by the accompanying transfer application. My knowledge of the exercise of the water right is based on (check one):

   ☑ Personal observation

   ☐ Professional expertise

2. My knowledge is specific to the use of water at the following location(s):

   SW ¼ ___ ¼
   SE ¼ ___ ¼ } Both Section 31 and 32
   ___ ¼ ___ ¼
   Section 31 and 32
   Township 26 N/(S) Range 18 (E)/W

   Also: SW ¼ Sec 31 T26S, 17E

3. The water right was exercised for the authorized purposes and is described as follows:

   Irrigation

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

   center pivot System

(continues on reverse side)

PLEASE PRINT LEGIBLY OR TYPE. PLEASE BE AS SPECIFIC AS POSSIBLE. ATTACH ADDITIONAL PAGES IF YOU NEED MORE SPACE. SUPPORTING DOCUMENTATION MUST BE ATTACHED.
June 2003

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

- ☐ Copy of a water right certificate which has been issued within the last five years (not a remaining right certificate),
- ☐ 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 the location and date of the photograph,
- ☐ Dedicated power usage records or receipts,
- ☐ 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), or
- ☐ Other:_____

Signature of Affiant

4-5-04
Date

Subscribed and Sworn to Before Me this 5 day of April, 2004.

Christina Thomson
Notary Public for Oregon

OFFICIAL SEAL
CHRISTINA THOMSON
NOTARY PUBLIC - OREGON
COMMISSION NO. 346666
MY COMMISSION EXPIRES JUN. 24, 2005

My Commission Expires 6-24-05

PLEASE PRINT LEGIBLY OR TYPE. PLEASE BE AS SPECIFIC AS POSSIBLE. ATTACH ADDITIONAL PAGES IF YOU NEED MORE SPACE. SUPPORTING DOCUMENTATION MUST BE ATTACHED.
June 2003

Oregon
Theodore R. Kulongoski, 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

March 8, 2004

Terry L. Nofziger
PO Box 575
Christmas Valley OR 97641

SUBJECT: Transfer Application 8883

We are examining your water-right transfer application. I'm sending you the enclosed draft of our Preliminary Determination prior to its issuance to provide you with an opportunity to amend the application so that it is complete, or to provide other comments. Below I summarize three minor deficiencies (Findings of Fact #9-11) that require your attention before I can complete processing of the application:

1. The file does not contain the required evidence that the water subject to transfer has been used within the five year period prior to submission of the application (8/30/01) according to the terms and conditions of the right. Enclosed find an Affidavit of Use form you may use for this purpose; you may ignore the part I've crossed out, however the form must be notarized.

2. The deed supplied indicates that Connie Sue Nofziger is a co-owner of the property, thus her original signature indicating approval of T-8883 is required. I am returning the signature page from the original water-right transfer application for her to sign.

3. Despite having been approved by Lake County, the information on the Land-Use form supplied is incorrect and does not correspond to the land to be irrigated under T-8883 (i.e., the TO or ON land). According to the application map, the transferred water is to be applied in 26S 17E. A Land-Use form with the correct information pertaining to the land where the water will be applied is required. I've enclosed a new form for your use; please return it after the County planning department approves it.

Please return the requested documentation prior to issuance of the Preliminary Determination, which is scheduled for April 12. If I may be of assistance, please call me at 503.986.0891.

Sincerely,

Tim Wallin

Tim Wallin
Field Services Division

cc: Darryl Anderson, CWRE
David Poe, Watermaster #12

encs

DRAFT

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application T-8883, Lake County, Oregon	))	PRELIMINARY DETERMINATION

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of appropriation, 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

Terry L. Nofziger
PO Box 575
Christmas Valley OR 97641

Findings of Fact

1. Terry L. Nofziger filed an application to transfer the point of appropriation and place of use under Certificate 65626. The Department assigned the application number T-8883.

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

   Certificate: 65626 in the name of Terry L. Nofziger
   Use: Irrigation
   Priority Date: December 22, 1980
   Quantity: 0.15 cfs
   Acres: 12.1
   Source: Four wells in the Fort Rock Basin

Authorized Point of Appropriation:

Township		Range		Meridian	Sec	¼	¼	Lot	Location
26	S	18	E	W.M.	31	SE	SW		1300' N & 1230' W of S ¼ corner of Section 31
26	S	18	E	W.M.	31	NE	SE		1350' N & 1400' E of S ¼ corner of Section 31
26	S	18	E	W.M.	32	NE	SW		1340' N & 1150' W of S ¼ corner of Section 32
26	S	18	E	W.M.	32	NE	SE		1360' N & 1580' E of S ¼ corner of Section 32

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

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼		Lot	Acres
26	S	18	E	W.M.	32	NE	SW		0.5
26	S	18	E	W.M.	32	NW	SW		0.5
26	S	18	E	W.M.	32	SW	SW		0.5
26	S	18	E	W.M.	32	SE	SW		0.5
26	S	18	E	W.M.	32	NW	SE		3.5
26	S	18	E	W.M.	32	SW	SE		3.3
26	S	18	E	W.M.	32	SE	SE		3.3

3. Application T-8331 proposes to move the authorized point of appropriation for this part of the right approximately 8 miles in the Fort Rock Basin to:

Township		Range		Meridian	Sec	¼ ¼		Lot	Location
26	S	17	E	W.M.	31	SE	NW		1323' S & 1234' E of the NW corner of Section 31

4. Application T-8883 proposes to change the place of use of the right to:

Township		Range		Meridian	Sec	¼ ¼		Lot	Acres
26	S	17	E	W.M.	31	NE	SW		4.1
26	S	17	E	W.M.	31	SW	SW		4.0
26	S	17	E	W.M.	31	SE	SW		4.0

5. Notice of the application for transfer was published pursuant to ORS 540.520 and OAR 690-380-4000. No comments were filed in response to the notices.

6. A delivery system sufficient to use the full amount of water allowed under the existing right is present.

7. The proposed change would not result in enlargement of the right.

8. The proposed change would not result in injury to other water rights.

9. The file does not contain the required evidence that the water subject to transfer has been used within the five years prior to submission of the application on 8/30/01 according to the terms and conditions of Certificate 65626; however no evidence is available that would demonstrate that the right is subject to forfeiture under ORS 540.610.

10. The deed supplied indicates that Connie Sue Nofziger is a co-owner of the property, and her original signature indicating approval of T-8883 is required.

11. The information on the Land-Use form supplied does not correspond to the land to be irrigated under T-8883 (i.e., the TO or ON land).

Determination and Proposed Action

The changes in point of appropriation and place of use proposed in application T-8883 appear to be consistent with the requirements of ORS Chapter 540, and OAR 690-380-5000, however the application is incomplete and shall be rejected, unless amended by the applicant to remedy Findings of Fact #9-11 above.

If approved, the change and subsequent use of water shall be subject to the following conditions:

1. The proposed change shall be completed on or before October 1, 2005.

2. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department by October 1, 2006.

3. The right to 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 65626 and any related decree.

4. The quantity of water diverted at the new point of appropriation shall not exceed the quantity of water lawfully available at the original point of appropriation for the portion of the transferred right.

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

Dated at Salem, Oregon this ____ day of _____, 2004.

_____

Paul R. Cleary
Director

This Preliminary Determination was prepared by Tim Wallin. If you have any questions about the information in this document, you may reach me at (503) 986-0891 or timothy.wallin@wrd.state.or.us.

Oregon Water Resources Department
Land Use Information Form

RECEIVED
AUG 30 2001
WATER RESOURCES DEPT

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. The Water Resources Department will use this and other information to evaluate the water use application. DO NOT fill out this form if water is to be diverted, conveyed, or used only on federal lands.

T-8883

To Be Completed By Applicant

The following section includes information about proposed water use. This section must be completed by the individual or group that is filing an application for a water right with the Water Resources Department.

A. Applicant

Name: Terry L. Nofziger

Address: PO Box 575

City: Christmas Valley State: OR Zip: 97641 Day Phone: (541) 576-2355

B. Land and Location

Please provide information as requested below for all tax lots on or through which water will be diverted, conveyed, or used. Check "diverted" if water is diverted (taken) from its source on tax lot, "conveyed" if water is conveyed (transported) on tax lot, and "used" if water will be put to beneficial use on tax lot. More than one box may be checked. (Attach extra sheets as necessary.) Applicants for municipal use, or irrigation uses within irrigation districts, may substitute existing and proposed service area boundaries for the tax lot information requested below.

Tax Lot I.D.	Plan Designation (e.g. Rural Residential/RR-5)	Water to be: *(check all that apply)*		
26-18-31	(500,700,701,400,800,900,1000) A1	☒ Diverted	☒ Conveyed	☒ Used
26-18	(8500,8600,8900,9000) A1	☐ Diverted	☐ Conveyed	☐ Used
		☐ Diverted	☐ Conveyed	☐ Used

List counties and cities where water is proposed to be diverted, conveyed, or used. _____

C. Description of Water Use

Indicate what the water will be used for. Include the beneficial use (found in the instruction booklet for your water right application) and use the space below to describe the key characteristics of the project.

Beneficial Use(s): Irrigation

Briefly describe: Existing center pivot systems

D. Source

Indicate the source for the proposed water use:

☐ Reservoir/Pond ☒ Ground Water ☐ Surface Water Existing Wells (source)

E. Quantity

Indicate the estimated quantity of water the use will require:

6.09 ☒ CFS ☐ GPM ☐ Acre-Feet

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless your project will be located entirely within the city limits. In this case, only the city planning agency must complete this form. Please request additional forms as needed or feel free to copy.

T-8883

A. Allowed Use

Check the appropriate box below and provide requested information.

☒ Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): 3.01 A. Go to section B "Approval" below

☐ Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below.

Type of Land Use Approval Needed (e.g. plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	*Check the item that applies:* Land Use Approval:	
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued

Note: *Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus accompanying findings is sufficient.)*

B. Approval

Please provide printed name and written signature.

Name: Ray Simms Date: 7-9-01

Title: Director Phone: 541-947-6003

Signature: Ray Simms

C. Additional Comments

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

Note: *If this form cannot be completed while the applicant waits, sign and detach the receipt stub as instructed below. You will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD will presume the land use associated with the proposed water right is compatible with local comprehensive plans. (See attached letter.)*

Land Use Information Form: Water Right Transfers, Use of Conserved Water, Exchanges

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. The Water Resources Department will use this and other information to evaluate the water use application. **DO NOT FILL OUT THIS FORM IF**: 1) water is to be diverted, conveyed, and/or used only on federal lands; or 2) if **ALL OF THE FOLLOWING APPLY**: a) the application is for a change in the place of use, b) there are no structural changes, c) the use is irrigation, and d) the use is located in irrigation districts or exclusive fam use zones.

Applicant's Name: _____

Address: _____

City: _____ State: _____ Zip: _____ Day Phone: _____

Please provide information as requested below for all tax lots on or through which water will be diverted or used. (Attach extra sheets as necessary.) Applicants for municipal use may substitute existing and proposed service area boundaries for the tax lot information requested below.

(CHECK ALL THAT APPLY)

TAX LOT LOCAL ID #	PLAN DESIGNATION/ZONING (e.g. Rural Residential/RR-5)	WATER DIVERTED	WATER CONVEYED	WATER USE

Please list all counties and cities within which water is proposed to be diverted, conveyed, and/or used.

_____

The following section must be completed by a planning official from each county and city listed **unless your project will be located entirely within the city limits.** In this case, only the city planning agency must complete this form. Please request additional forms as needed.

For Local Government Use Only

Local government planning officials are to complete the remainder of this form and return it to the applicant for inclusion in the application.

a) Check the appropriate box below and provide requested information.

☐ Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan.
Cite applicable ordinance section(s): _____. Go to section b) on the next page.

☐ Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below. **Note: Please attach documentation of applicable local land use approvals, which have already been obtained.** (Record of Action plus accompanying findings is sufficient.)

(CHECK THE BOX THAT APPLIES)

Type of Land Use Approval Needed (e.g. plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Already Obtained	Already Denied	Being Pursued Satisfactorily

b) Please provide printed name and written signature.

Name: _____ Date: _____

Title: _____ Phone: _____

Signature: _____

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

Additional Comments:

ANDERSON

ENGINEERING & SURVEYING, INC.

P.O. Box 28
17681 Hwy 395
Lakeview, OR 97630
541/947-4407
FAX 541/947-2321

P.O. Box 419
852 SW 15th Street
Redmond, OR 97756
541/923-4307
FAX 541/923-4308

TRANSMITTAL LETTER

Terry Nofziger

PO Box 575

Christmas Valley, OR 97641

DATE: 3/22/2004	JOB NO: 2000.06
ATTENTION: Terry	
RE: Land Use Information Form	

WE ARE SENDING YOU ATTACHED:

☐ PRINTS ☐ PLANS

☐ OTHER _____

COPIES	DATE	DESCRIPTION
1		Land Use Information Form

THESE ARE TRANSMITTED AS CHECKED BELOW:

☐ FOR APPROVAL ☐ FOR REVIEW AND COMMENT

☐ AS REQUESTED ☐ FOR SIGNATURE

☐ OTHER _____

REMARKS _____

COPY TO _____ SIGNED _____

If enclosures are not as noted, please notify us at once

Oregon Water Resources Department
Land Use Information Form

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197-180. The Water Resources Department will use this and other information to evaluate the water use application. DO NOT fill out this form if water is to be diverted, conveyed, or used only on federal lands.

To Be Completed By Applicant

The following section includes information about proposed water use. This section must be completed by the individual or group that is filing an application for a water right with the Water Resources Department.

A. Applicant

Name: Terry L. Nofziger

Address: PO Box 575

City: Christmas Valley **State:** OR **Zip:** 97641 **Day Phone:** (541) 576-2355

B. Land and Location

Please provide information as requested below for all tax lots on or through which water will be diverted, conveyed, or used. Check "diverted" if water is diverted (taken) from its source on tax lot, "conveyed" if water is conveyed (transported) on tax lot, and "used" if water will be put to beneficial use on tax lot. More than one box may be checked. (Attach extra sheets as necessary.) Applicants for municipal use, or irrigation uses within irrigation districts, may substitute existing and proposed service area boundaries for the tax lot information requested below.

Tax Lot I. D.	Plan Designation (e.g. Rural Residential/RR-5)	Water to be: *(check all that apply)*		
26-18-31	(500, 700, 701, 400, 800, 900, 1000) A1	☒ Diverted	☒ Conveyed	☒ Used
26-18	(8500,8600,8900, 9000) A1	☒ Diverted	☒ Conveyed	☒ Used
26-17	(3100) A1	☐ Diverted	☐ Conveyed	☒ Used

List counties and cities where water is proposed to be diverted, conveyed, or used. _____

C. Description of Water Use

Indicate what the water will be used for. Include the beneficial use (found' in the instruction booklet for your water right application) and use the space below to describe the key characteristics of the project.

Beneficial Use(s): Irrigation

Briefly describe: Existing center pivot systems

D. Source

Indicate the source for the proposed water use:

☐ **Reservoir/Pond** ☒ **Ground Water** ☐ **Surface Water** Existing Wells (source)

E. Quantity

Indicate the estimated quantity of water the use will require:

6.09 ☒ CFS ☐ GPM ☐ **Acre-Feet**

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless your project will be located entirely within the city limits. In this case, only the city planning agency must complete this form. Please request additional forms as needed or feel free to copy.

A. Allowed Use

Check the appropriate box below and provide requested information.

☑ **Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s);** 3.01(A) **Go to section B "Approval" below**

☐ **Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below.**

Type of Land Use Approval Needed (e.g. plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	*Check the item that applies:* Land Use Approval:	
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued

Note: *Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus accompanying findings is sufficient.)*

B. Approval

Please provide printed name and written signature.

Name: Ray Simms **Date:** 3-22-04

Title: Director **Phone:** 947-6003

Signature: Ray Simms

C. Additional Comments

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

Note: If this form *cannot be completed while the applicant waits, sign and detach the receipt stub as instructed below. You will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD will presume the land use associated with the proposed water right is compatible with local comprehensive plans. (See attached letter.)*

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application T-8883, Lake County, Oregon	))	PRELIMINARY DETERMINATION

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of appropriation, 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

Terry L. Nofziger
PO Box 575
Christmas Valley OR 97641

Findings of Fact

1. Terry L. Nofziger filed an application to transfer the point of appropriation and place of use under Certificate 65626. The Department assigned the application number T-8883.

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

   Certificate: 65626 in the name of Terry L. Nofziger
   Use: Irrigation
   Priority Date: December 22, 1980
   Quantity: 0.15 cfs
   Acres: 12.1
   Source: Four wells in the Fort Rock Basin

Authorized Point of Appropriation:

Township		Range		Meridian	Sec	¼	¼	Lot	Location
26	S	18	E	W.M.	31	SE	SW		1300' N & 1230' W of S ¼ corner of Section 31
26	S	18	E	W.M.	31	NE	SE		1350' N & 1400' E of S ¼ corner of Section 31
26	S	18	E	W.M.	32	NE	SW		1340' N & 1150' W of S ¼ corner of Section 32
26	S	18	E	W.M.	32	NE	SE		1360' N & 1580' E of S ¼ corner of Section 32

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

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼		Lot	Acres
26	S	18	E	W.M.	32	NE	SW		0.5
26	S	18	E	W.M.	32	NW	SW		0.5
26	S	18	E	W.M.	32	SW	SW		0.5
26	S	18	E	W.M.	32	SE	SW		0.5
26	S	18	E	W.M.	32	NW	SE		3.5
26	S	18	E	W.M.	32	SW	SE		3.3
26	S	18	E	W.M.	32	SE	SE		3.3

3. Application T-8331 proposes to move the authorized point of appropriation for this part of the right approximately 8 miles in the Fort Rock Basin to:

Township		Range		Meridian	Sec	¼ ¼		Lot	Location
26	S	17	E	W.M.	31	SE	NW		1323' S & 1234' E of the NW corner of Section 31

4. Application T-8883 proposes to change the place of use of the right to:

Township		Range		Meridian	Sec	¼ ¼		Lot	Acres
26	S	17	E	W.M.	31	NE	SW		4.1
26	S	17	E	W.M.	31	SW	SW		4.0
26	S	17	E	W.M.	31	SE	SW		4.0

5. Notice of the application for transfer was published pursuant to ORS 540.520 and OAR 690-380-4000. No comments were filed in response to the notices.

6. A delivery system sufficient to use the full amount of water allowed under the existing right is present.

7. The proposed change would not result in enlargement of the right.

8. The proposed change would not result in injury to other water rights.

9. The file does not contain the required evidence that the water subject to transfer has been used within the five years prior to submission of the application on 8/30/01 according to the terms and conditions of Certificate 65626; however no evidence is available that would demonstrate that the right is subject to forfeiture under ORS 540.610.

10. The deed supplied indicates that Connie Sue Nofziger is a co-owner of the property, and her original signature indicating approval of T-8883 is required.

11. The information on the Land-Use form supplied does not correspond to the land to be irrigated under T-8883 (i.e., the TO or ON land).

Determination and Proposed Action

The changes in point of appropriation and place of use proposed in application T-8883 appear to be consistent with the requirements of ORS Chapter 540, and OAR 690-380-5000, however the application is incomplete and shall be rejected, unless amended by the applicant to remedy Findings of Fact #9-11 above.

If approved, the change and subsequent use of water shall be subject to the following conditions:

1. The proposed change shall be completed on or before October 1, 2005.

2. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department by October 1, 2006.

3. The right to 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 65626 and any related decree.

4. The quantity of water diverted at the new point of appropriation shall not exceed the quantity of water lawfully available at the original point of appropriation for the portion of the transferred right.

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

Dated at Salem, Oregon this ____ day of _____, 2004.

_____

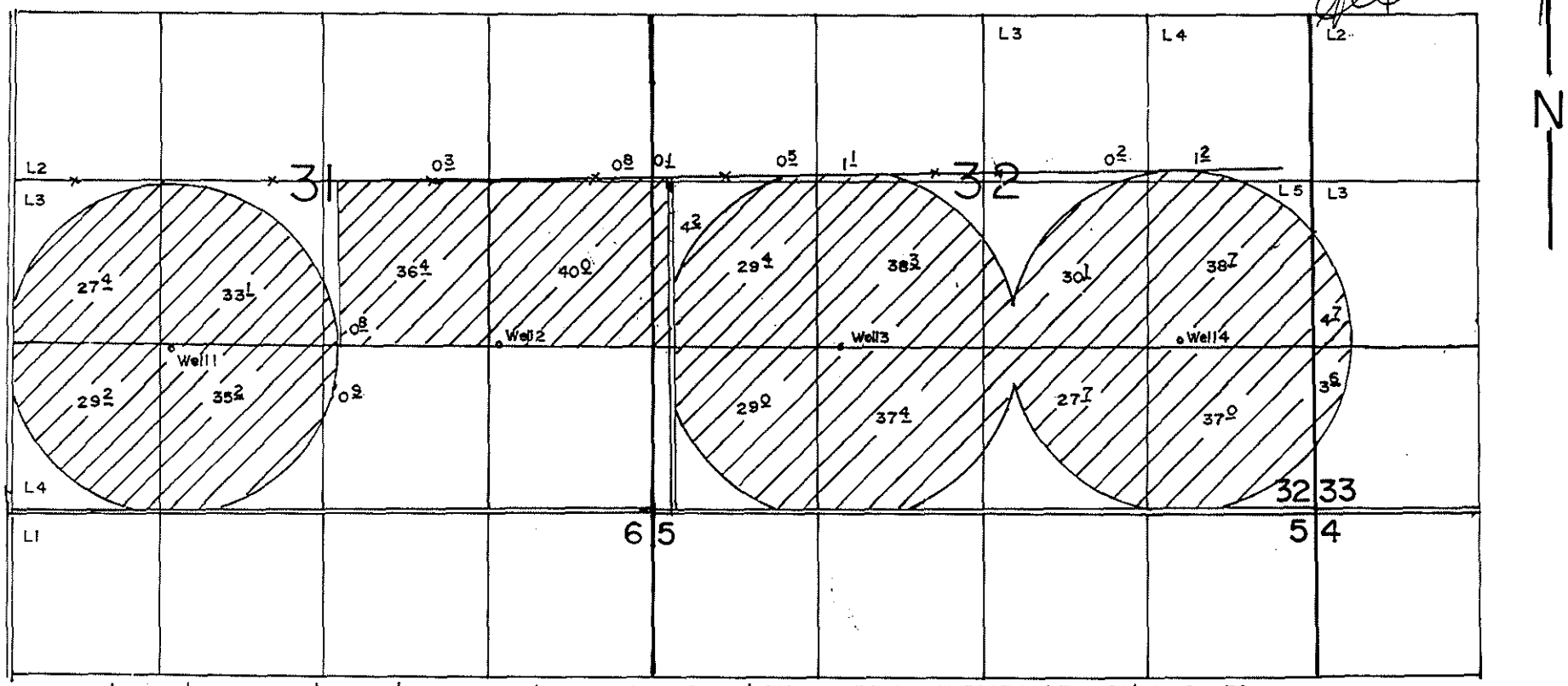
Paul R. Cleary
Director

This Preliminary Determination was prepared by Tim Wallin. If you have any questions about the information in this document, you may reach me at (503) 986-0891 or timothy.wallin@wrd.state.or.us.

This map is in error. the section/quarter-quarter lines are off. all land is located ~~at~~ within the S1/2 of Sections 31 & 32. OK to Correct based upon a request of the landowner per OAR 690-15-400 when requested

T.26S., R.18E., W.M.

copy



Well 1-1300'N&1230'W, Well 2-1350' N&1400'E, Both From S1/4 Cor. Sec 31 Well 3-1340'N&1150W, Well 4-1360N&1580E, Both From S1/4 Cor Sec 32

FINAL PROOF SURVEY

UNDER

Application No G-10071 Permit No G-9124

IN NAME OF

TERRY L NOFZIGER

Surveyed June 14 1990 By B.W. BISHOP

PTS 11-1990 9-5-90 DLM

Oregon
John A. Kitzhaber, M.D., Governor

Water Resources Department
Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
FAX (503) 378-8130

INTEROFFICE MEMO

FORWARD TO: ☛ Ben Bishop DATE: 9-7-01
FIELD PROCESSOR WORKING ON THIS TRANSFER

FROM: ✓ WATERMASTER, DISTRICT # 12
GROUNDWATER SECTION

(SIGNATURE) Jeremy Giffen
signed by injury reviewer

SUBJECT: **WATER RIGHT TRANSFER #** 8883

A change in: **POU** **POD** **POA** **USE** of water.

In the name(s) of Terry L. Nofziger.

In my opinion (assuming the right is valid), the proposed change

MAY BE MADE WITHOUT INJURY WOULD RESULT IN INJURY* to an existing water right.

*The approval of this transfer application would result in injury to other water rights because_____

The existing right may not be valid because _____

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

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

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

✓ (1) PRIOR to the diverting of water at the new point of diversion . . .

_____ (2) WHEN IN the judgement of the watermaster it becomes necessary . . .

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

wmtrans.frm

Oregon
John A. Kitzhaber, M.D., Governor

Water Resources Department
Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
FAX (503) 378-8130

INTEROFFICE MEMO

FORWARD TO: ☛ Ben Bishop DATE: 9-7-01
FIELD PROCESSOR WORKING ON THIS TRANSFER

FROM: _____ WATERMASTER, DISTRICT # _____
✓ GROUNDWATER SECTION

(SIGNATURE) Dan McCle 9-10-01
signed by injury reviewer

SUBJECT: **WATER RIGHT TRANSFER #** 8883

A change in: **POU** **POD** **POA** **USE** of water.

In the name(s) of Terry L. Nofziger.

In my opinion (assuming the right is valid), the proposed change

MAY BE MADE WITHOUT INJURY DM WOULD RESULT IN INJURY* to an existing water right.

*The approval of this transfer application would result in injury to other water rights because_____

The existing right may not be valid because _____

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

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

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

_____ (1) PRIOR to the diverting of water at the new point of diversion . . .

_____ (2) WHEN IN the judgement of the watermaster it becomes necessary . . .

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

Oregon
John A. Kitzhaber, M.D., Governor

Water Resources Department
Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
FAX (503) 378-8130

September 7, 2001

Terry L. Nofziger
P.O. Box 575
Christmas Valley, Oregon 97641

REFERENCE: Transfer 8883

On **08-30-2001** we received your water right transfer application requesting **a change in Place of Use and Point of Appropriation** for use of water from **a Well**. The application was accompanied by $ **300.00**. Our receipt **47887** is enclosed.

By copy of this letter, we are asking the Watermaster for his usual 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. If you have a specific reason why your application should be examined ahead of other applications, please send us a letter describing your reason. We may be able to examine your application ahead of others.

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, you will need to obtain consent from the buyer to complete the transfer.

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) 378-3739.

cc: Watermaster #12, Jeremy Giffin
CWRE #005, Darryl J. Anderson
Ground Water Section
Mervin Stutzman

enclosure

County:	LAKE
Transfer:	8883
Certificate:	65626
Priority Date:	12/22/1980
Name:	TERRY L. NOFZIGER
Address:	P.O. Box 575; CHRISTMAS VALLLEY, 97641
Change:	POU/POA
Source:	WELL
Authorized **POU**:	T26S R18E 31,32
Proposed **POU**:	T26S R18E 31,32
Authorized **POA**:	T26S R18E 31,32
Proposed **POA**:	T26S R17E 31

STATE OF OREGON
WATER RESOURCES DEPARTMENT
158 12TH ST. N.E.
SALEM, OR 97310-0210
378-8455 / 378-8130 (FAX)

RECEIPT # 47887

INVOICE #

RECEIVED FROM: Terry Notzinger

BY:

APPLICATION	
PERMIT	
TRANSFER	T 8883

CASH: ☐ CHECK: # ☒ 96-597 OTHER: (IDENTIFY) ☐

TOTAL REC'D	$ 407.75

0417 WRD MISC CASH ACCT

	ADJUDICATIONS	$
	PUBLICATIONS / MAPS	$
	OTHER: (IDENTIFY)	$
	OTHER: (IDENTIFY)	$

RECEIVED OVER THE COUNTER

REDUCTION OF EXPENSE

PCA AND OBJECT CLASS	CASH ACCT. / VOUCHER #	
		$

0427 WRD OPERATING ACCT

66111

Ref. 47886

	MISCELLANEOUS		
0407	COPY & TAPE FEES		$
0410	RESEARCH FEES		$
0408	MISC REVENUE: (IDENTIFY)		$
(New) TC162	DEPOSIT LIAB. (IDENTIFY)		$

		EXAM FEE		RECORD FEE
	WATER RIGHTS:			
0201	SURFACE WATER	$	0202	$
0203	GROUND WATER	$	0204	$
0205	TRANSFER	$ 300.00	0206	$
	WELL CONSTRUCTION	**EXAM FEE**		**LICENSE FEE**
0218	WELL DRILL CONSTRUCTOR	$	0219	$
	LANDOWNER'S PERMIT		0220	$

OTHER (IDENTIFY)

0437 WELL CONST. START FEE

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

OTHER (IDENTIFY)

0539 LOTTERY PROCEEDS

1302	LOTTERY PROCEEDS	$

0467 HYDRO ACTIVITY

		LIC NUMBER	
0233	POWER LICENSE FEE (FW/WRD)		$
0231	HYDRO LICENSE FEE (FW/WRD)		$
	HRDRO APPLICATION		$

RECEIPT # 47887 DATED: 8/30/01 BY: C. Vance

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

State of Oregon
Water Resources
158 12th Street NE,
(503)378-8455 • (800
www.wrd.state.or.us

Originals

cation for Water Right
ransfer

T-8883

Please type or print in dark ink. If your ap r inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a." Please read and ~~refer to the instructions~~ when completing your application. Thank you.

RECEIVED
AUG 30 2001
WATER RESOURCES DEPT
SALEM, OR

APPLICATION FOR:

Please check one

☒ Water Right Transfer ☐ Temporary Transfer ☐ Permit Amendment
☐ Historic Point of Diversion Change ☐ Government Action Point of Diversion

1. APPLICANT INFORMATION

Name: Terry (First) L. (Last) Nofziger

Address: PO Box 575

Christmas Valley (City) OR (State) 97641 (Zip)

Phone: (541) 576-2355 (Home) (Work) (Other)

*Fax: _____ *E-Mail address: _____

**Optional information*

2. TYPE OF CHANGE

☐ Use ☒ Place of Use ☐ Point of Diversion ☒ Point of Appropriation

Reason for change: To make the best use of water and resolve ambiguous final proof survey of Permit G-9124

Is the land within an irrigation or other water district? ☐ Yes ☒ No

If yes, include district name: _____

For Department Use

App. No._____ Permit No._____ Date_____

T-8883

3. CURRENT WATER RIGHT INFORMATION

Name on Permit, Certificate, or Decree: Terry L. Nofziger

Decree: _____
[☐ Not applicable]

Permit Number: G-9124 [☐ Not applicable]

Certificate Number: 65626 [☐ Not applicable]

Priority Date: December 28, 1980

Authorized Use: Irrigation

Source of Water: 4 existing wells

County: Lake

Are there other sources listed on the water right? ☐ Yes ☒ No

Location of Authorized Point of Diversion or Point of Appropriation:

Coordinates (from recognized survey corner)	1/4 1/4 Section	Section	Township	Range
Wells 1,2,3, & 4 from permit No. G-9124 (measured locations are shown on the				
accompanying Transfer Application Map).				

Location of Authorized Place of Use:

Township	Range	Section	Government Lot or DIC	1/4 1/4 Section	Tax Lot Number	Acres (if appropriate)
as shown on the accompanying transfer						12.1 ~~487.3~~
application map						

Are there other lands described in the water right? ☐ Yes ☒ No

Are there other water rights or permits associated with this land? ☐ Yes ☒ No
If yes, include a copy of all rights or permits.

Description of general delivery system *(ditch measurements, pump size, number of sprinklers, etc.)*:

Pivot irrigation system

System capacity (in cfs): 6.09 CFS

4. PROPOSED CHANGES TO THE WATER RIGHT

T-8883

☐ **Change in Use:**

Proposed use: No change

☒ **Change in Point of Diversion or Point of Appropriation:**

☒ Change

Old point of diversion or point of appropriation will not be used for this portion of the water right.

☐ Additional

Both old and new points of diversion or points of appropriation will be used for this portion of the water right.

Location of Proposed Point of Diversion or Point of Appropriation

Coordinates (from recognized survey corner)	1/4 1/4 Section	Section	Township	Range
As shown on the accompanying Transfer Application Map				

☒ **Change in Place of Use:**

Location of Proposed Place of Use

Township	Range	Section	Government Lot or DIC	1/4 1/4 Section	Tax Lot Number	Acres (if appropriate)
As shown on the accompanying Transfer Application Map						

Remarks: Due to the original ambiguous final proof survey of Permit G-9124 this transfer depicts current places of use that differ from certificate 65626. (The application map shows the measured configuration of the water as it is intended to be used and has been used in the past. Certificate 65626 is to be replaced by this application as per permission granted by the Oregon Water Resources Department) (ie: Steve Brown, April 2000)

5. LAND OWNERSHIP

T-8883

Use/Place of Use

Answer only if for change in **Use** or **Place of Use.**

Are the lands free of encumbrances? ☒ Yes ☐ No

If no, name of encumbrance holder: _____

If no, application must include written permission for the transfer from the encumbrance holder.

Landowners

This section does not apply to water delivery entities authorized to act on behalf of their members, making permit amendment requests, or requests for changes in point of diversion or point of appropriation only.

Answer only if applicant is **not** the landowner.

Landowners: _____
(List all landowners shown on deed.)

Address(es): _____

_____
City State Zip

Application must include notarized statements from all landowners shown on deed giving permission for the transfer. Use an extra sheet if necessary.

Receiving Landowner

For 12.1 acres transferred to Sec. 31, T26S, R17E

Answer only if the receiving landowner is **not** the original landowner or the applicant.

Name: Mervin Stutzman

Address: PO Box 296

Christmas Valley OR 97641
City State Zip

☒ The Department's records should be changed to show this landowner is responsible for completion of the changes. All notices and correspondence should be sent to this landowner.

☐ Applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to applicant.

6. EXHIBITS

T-8883

Application may be rejected if all appropriate exhibits are not enclosed.

Land Use Information Form:

☒ Enclosed

☐ Not needed: (must meet the following four requirements)

1. In EFU zone or irrigation district.
2. Change in place of use only.
3. No structural changes needed, including diversion works, delivery facilities, other structures.
4. Irrigation only.

☐ List all affected governments (city, county, state, tribal, federal):

Lake County

Map:

☒ Water Right Transfer: *Must be prepared by a Certified Water Right Examiner.*

☐ All others: *Need not be prepared by a Certified Water Right Examiner.*

Deed:

☐ Must accompany all applications, except permit amendment requests.

Evidence of use within last five years, or not subject to forfeiture:

☒ Best evidence is an affidavit from a knowledgeable person describing the water use. Statements saying water was delivered or assessments/fees were paid are insufficient. Evidence must show actual use of the water for the authorized purpose, in the authorized place of use.

Water Well Reports:

☒ If application is for a change in point of appropriation or change from surface water to ground water, attach copies of all water well reports. If reports are not available, describe construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed.

Fees:

☒ Amount enclosed $ 800.00

See instruction book for fee schedule.

7. SIGNATURE

I (we) swear that I (we) have read the above application and the statements made are true and accurate.

applicant signature	name (print)	date
Terry L Nofziger	Terry Nofziger	8-30-01
Connie L Nofziger Anderson	Connie S Nofziger-Anderson	3/22/04

Before you submit your application be sure you have:

- Answered each question completely.
- Attached a legible map which includes township, range, section, quarter/quarter and tax lot number.
- Included the necessary exhibits.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

JUN 0 1 1981
WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED
JUN 0 1 1981
WATER RESOURCES DEPT
SALEM, OREGON

Lake 689

nc

WATER WELL REPORT
STATE OF OREGON

State Well No. 26S/18E-31da

State Permit No. T-8883

(1) OWNER:
Name Tom Notziger
Address Box #57
City Christmas Valley State Ore 97638

(2) TYPE OF WORK (check):
New Well ☑ Deepening ☐ Reconditioning ☐ Abandon ☐
If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:
Rotary Air ☑ Driven ☐
Rotary Mud ☐ Dug ☐
Cable ☐ Bored ☐

(4) PROPOSED USE (check):
Domestic ☐ Industrial ☐ Municipal ☐
Irrigation ☐ Test Well ☑ Other ☐
Thermal: Withdrawal ☐ Reinjection ☐

(5) CASING INSTALLED: Steel ☑ Plastic ☐
Threaded ☐ Welded ☑
14" Diam. from 0 ft. to 82 ft. Gauge 250
" Diam. from ft. to ft. Gauge

LINER INSTALLED:
" Diam. from ft. to ft. Gauge

(6) PERFORATIONS: Perforated? ☐ Yes ☑ No
Type of perforator used
Size of perforations in. by in.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

(7) SCREENS: Well screen installed? ☐ Yes ☑ No
Manufacturer's Name
Type Model No.
Diam. Slot Size Set from ft. to ft.
Diam. Slot Size Set from ft. to ft.

(8) WELL TESTS: Drawdown is amount water level is lowered below static level
Was a pump test made? ☐ Yes ☑ No If yes, by whom?
Yield: gal./min. with ft. drawdown after hrs.
"
Air test 1600 gal./min. with drill stem at 583 ft. 1 hrs.
Bailer test gal./min. with ft. drawdown after hrs.
Artesian flow g.p.m.
Temperature of water Depth artesian flow encountered ft.

(9) CONSTRUCTION: Special standards: Yes ☐ No ☑
Well seal—Material used cement
Well sealed from land surface to 82 ft.
Diameter of well bore to bottom of seal 7 in.
Diameter of well bore below seal 10, 8 3/4 in.
Number of sacks of cement used in well seal 46 sacks
How was cement grout placed? pressure grouted
Was pump installed? no Type HP Depth ft.
Was a drive shoe used? ☐ Yes ☑ No Plugs Size: location ft.
Did any strata contain unusable water? ☐ Yes ☑ No
Type of Water? depth of strata
Method of sealing strata off
Was well gravel packed? ☐ Yes ☑ No Size of gravel:
Gravel placed from ft. to ft.

(10) LOCATION OF WELL:
County Lake Driller's well number 156
NE ¼ SE ¼ Section 31 T. 26S R. 18E W.M.
Tax Lot # Lot Blk Subdivision
Address at well location:

(11) WATER LEVEL: Completed well.
Depth at which water was first found 450 ft.
Static level 21 1/2 ft. below land surface. Date May 27
Artesian pressure lbs. per square inch. Date

(12) WELL LOG: Diameter of well below casing 10, 8 3/4
Depth drilled 583 ft. Depth of completed well 577 ft.
Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
Brown sandy soil	0	2	
Brown clay	2	18	
Greenish gray clay	18	448	
occassional pumy seam			
Brown shale - med	448	510	21 1/2
Broken seams w/B			
Gray basalt - hard	510	531	
Broken basalt layered	531	583	21 1/2
with hard solid basalt			
w/B			

RECEIVED
AUG 30 2001
WATER RESOURCES DEPT
SALEM, OR

Work started May 23 1981 Completed May 27 1981
Date well drilling machine moved off of well May 28 1981

Drilling Machine Operator's Certification:
This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.
[Signed] Dan Eddons (Drilling Machine Operator) Date May 27 1981
Drilling Machine Operator's License No. 302

Water Well Contractor's Certification:
This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.
Name Lyle Clemens (Person, firm or corporation) (Type or print)
Address Star Rt. Silver Lake Ore. 97638
[Signed] Lyle Clemens (Water Well Contractor)
Contractor's License No. 690 Date May 27, 1981

NOTICE TO WATER WELL CONTRACTOR
The original and first copy of this report are to be filed with the WATER RESOURCES DEPARTMENT, SALEM, OREGON 97310 within 30 days from the date of well completion.

SP*12658-690

RECEIVED
APR 3 1981
WATER RESOURCES DEPT
SALEM, OREGON

WATER WELL REPORT
STATE OF OREGON

Lake 688

State Well No. 26S/18E-31 cb

State Permit No. T-8883

(1) OWNER:
Name Terry Nofziger
Address
City State

(2) TYPE OF WORK (check):
New Well ☑ Deepening ☐ Reconditioning ☐ Abandon ☐
If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:
Rotary Air ☑ Driven ☐
Rotary Mud ☐ Dug ☐
[illegible] ☐ Bored ☐

(4) PROPOSED USE (check):
Domestic ☐ Industrial ☐ Municipal ☐
Irrigation ☑ Test Well ☐ Other ☐
Thermal: Withdrawal ☐ Reinjection ☐

(5) CASING INSTALLED: Steel ☑ Threaded ☐ Plastic ☐ Welded ☑
14" Diam. from 0 ft. to 78 ft. Gauge 250
" Diam. from ft. to ft. Gauge

LINER INSTALLED:
" Diam. from ft. to ft. Gauge

(6) PERFORATIONS: Perforated? ☐ Yes ☑ No
Type of perforator used
Size of perforations in. by in.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

(7) SCREENS: Well screen installed? ☐ Yes ☑ No
Manufacturer's Name
Type Model No.
Diam. Slot Size Set from ft. to ft.
Diam. Slot Size Set from ft. to ft.

(8) WELL TESTS: Drawdown is amount water level is lowered below static level
[illegible] pump test made? ☐ Yes ☑ No If yes, by whom?
Yield: gal/min. with ft. drawdown after hrs.
" " "
Air test 1600 gal./min. with drill stem at 537 ft. 1 hrs.
Bailer test gal./min. with ft. drawdown after hrs.
[illegible]sian flow g.p.m.
Temperature of water Depth artesian flow encountered ft.

(9) CONSTRUCTION: Special standards: Yes ☐ No ☑
Well seal—Material used cement
Well sealed from land surface to 78 ft.
Diameter of well bore to bottom of seal 10 7/8 in.
Diameter of well bore below seal in.
Number of sacks of cement used in well seal 46 sacks
How was cement grout placed? pressure grouted
Was pump installed? no Type HP Depth ft.
Was a drive shoe used? ☐ Yes ☑ No Plugs Size: location ft.
Did any strata contain unusable water? ☐ Yes ☑ No
Type of Water? depth of strata
Method of sealing strata off
Was well gravel packed? ☐ Yes ☑ No Size of gravel:
Gravel placed from ft. to ft.

(10) LOCATION OF WELL:
County Lake Driller's well number 145
NW ¼ SW ¼ Section 31 T 26S R 18E W.M.
Tax Lot # Lot Blk Subdivision
Address at well location:

(11) WATER LEVEL: Completed well.
Depth at which water was first found 356 ft.
Static level 22 ft. below land surface. Date March 18, '81
Artesian pressure lbs. per square inch. Date

(12) WELL LOG: Diameter of well below casing 10"
Depth drilled 537 ft. Depth of completed well 537 ft.
Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
Sandy Brown soil	0	4	
Brown clay	4	17	
Green clay	17	150	
Gray clay	150	281	
Green clay	281	300	
Brown clay	300	344	
Brown shale	344	356	
Broken shale w/B	356	360	22
Brown shale	360	485	
Broken shale w/B	485	487	22
Brown shale	487	478	
Broken gray basalt w/B	478	537	

RECEIVED
AUG 30 2001
WATER RESOURCES DEPT

Work started March 16 1981 Completed March 18 1981
Date well drilling machine moved off of well March 19 1981

Drilling Machine Operator's Certification:
This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.
[Signed] Stan L Adams (Drilling Machine Operator) Date Mar 19 1981
Drilling Machine Operator's License No. 1302

Water Well Contractor's Certification:
This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.
Name Lyle Adams (Person, firm or corporation) (Type or print)
Address Box 467 Christmas Valley Or 97638
[Signed] Lyle Adams (Water Well Contractor)
Contractor's License No. 670 Date Mar 20, 1981

NOTICE TO WATER WELL CONTRACTOR
The original and first copy of this report are to be filed with the WATER RESOURCES DEPARTMENT, SALEM, OREGON 97310 within 30 days from the date of well completion.

SP*12658-690

RECEIVED
JUN 17 1981
WATER RESOURCES DEPT
SALEM, OREGON

WATER WELL REPORT
STATE OF OREGON

Lake 690

State Well No. 28S/18E-32CA

State Permit No. T-8883

(1) OWNER:
Name Tom Nofziger
Address Christmas Valley
City P.O. 457 State Ore

(2) TYPE OF WORK (check):
New Well ☑ Deepening ☐ Reconditioning ☐ Abandon ☐
If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:
Rotary Air ☑ Driven ☐
Rotary Mud ☐ Dug ☐
Cable ☐ Bored ☐

(4) PROPOSED USE (check):
Domestic ☐ Industrial ☐ Municipal ☐
Irrigation ☑ Test Well ☐ Other ☐
Thermal: Withdrawal ☐ Reinjection ☐

(5) CASING INSTALLED: Steel ☒ Threaded ☐ Plastic ☐ Welded ☒
14" Diam. from 0 ft. to 100 ft. Gauge .250
" Diam. from ft. to ft. Gauge

LINER INSTALLED:
" Diam. from ft. to ft. Gauge

(6) PERFORATIONS: Perforated? ☐ Yes ☒ No
Type of perforator used
Size of perforations in. by in.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

(7) SCREENS: Well screen installed? ☐ Yes ☒ No
Manufacturer's Name
Type Model No.
Diam. Slot Size Set from ft. to ft.
Diam. Slot Size Set from ft. to ft.

(8) WELL TESTS: Drawdown is amount water level is lowered below static level
Was a pump test made? ☐ Yes ☒ No If yes, by whom?
Yield: gal./min. with ft. drawdown after hrs.
" " "
Air test 11000 gal./min. with drill stem at 422 ft. 1 hrs.
Bailer test gal./min. with ft. drawdown after hrs.
Artesian flow g.p.m.
Temperature of water Depth artesian flow encountered ft.

(9) CONSTRUCTION: Special standards: Yes ☐ No ☒
Well seal—Material used cement
Well sealed from land surface to 100 ft.
Diameter of well bore to bottom of seal 17" in.
Diameter of well bore below seal 10" in.
Number of sacks of cement used in well seal 58 sacks
How was cement grout placed? pressure grouted
Was pump installed? NO Type HP Depth ft.
Was a drive shoe used? ☐ Yes ☒ No Plugs Size: location ft.
Did any strata contain unusable water? ☐ Yes ☒ No
Type of Water? depth of strata
Method of sealing strata off
Was well gravel packed? ☐ Yes ☒ No Size of gravel:
Gravel placed from ft. to ft.

(10) LOCATION OF WELL:
County Lake Driller's well number 151
NE¼ SW ¼ Section 32 T. 26S R. 18E W.M.
Tax Lot # Lot Blk Subdivision
Address at well location:

(11) WATER LEVEL: Completed well.
Depth at which water was first found 410 ft.
Static level 18 1/2 ft. below land surface. Date
Artesian pressure lbs. per square inch. Date

(12) WELL LOG: Diameter of well below casing 10"
Depth drilled 422 ft. Depth of completed well 422 ft.
Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
brown soil	0	2	
brown clay	2	20	
green clay	20	311	
pumy seam	311	312	
grey clay	312	410	
very broken grey basalt w/ water	410	422	18 1/2

Work started April 27 1981 Completed April 28 1981
Date well drilling machine moved off of well April 28 1981

Drilling Machine Operator's Certification:
This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.
[Signed] Tyler Adams (Drilling Machine Operator) Date Apr. 29 1981
Drilling Machine Operator's License No. 1292

Water Well Contractor's Certification:
This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.
Name Tyler Adams (Person, firm or corporation) (Type or print)
Address Star Rt. Silver Lake Ore 97638
[Signed] Tyler Adams (Water Well Contractor)
Contractor's License No. 690 Date Apr. 29, 1981

NOTICE TO WATER WELL CONTRACTOR
The original and first copy of this report is to be filed with the WATER RESOURCES DEPARTMENT, SALEM, OREGON 97310 within 30 days from the date of well completion.

SP*12658-690

WATER WELL REPORT
STATE OF OREGON

Lake 691

RECEIVED
JUL 6 1981
WATER RESOURCES DEPT
SALEM, OREGON

State Well No. 26S/18E-32Da

State Permit No. T-8883

(1) OWNER:

Name Tom Nofziger
Address Box 457
City Christmass Valley State Ore

(2) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐
If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary Air ☒ Driven ☐
Rotary Mud ☐ Dug ☐
Cable ☐ Bored ☐

(4) PROPOSED USE (check):

Domestic ☐ Industrial ☐ Municipal ☐
Irrigation ☐ Test Well ☒ Other ☐
Thermal: Withdrawal ☐ Reinjection ☐

(5) CASING INSTALLED: Steel ☒ Threaded ☐ Plastic ☐ Welded ☒

14" Diam. from 0 ft. to 83 ft. Gauge 280
" Diam. from ft. to ft. Gauge

LINER INSTALLED:

" Diam. from ft. to ft. Gauge

(6) PERFORATIONS: Perforated? ☐ Yes ☒ No

Type of perforator used
Size of perforations in. by in.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

(7) SCREENS: Well screen installed? ☐ Yes ☒ No

Manufacturer's Name
Type Model No.
Diam. Slot Size Set from ft. to ft.
Diam. Slot Size Set from ft. to ft.

(8) WELL TESTS: Drawdown is amount water level is lowered below static level

Was a pump test made? ☐ Yes ☒ No If yes, by whom?
Yield: gal./min. with ft. drawdown after hrs.
" " " "
Air test 1400 gal./min. with drill stem at 483 ft. hrs.
Bailer test gal./min. with ft. drawdown after hrs.
Artesian flow g.p.m.
Temperature of water Depth artesian flow encountered ft.

(9) CONSTRUCTION: Special standards: Yes ☐ No ☒

Well seal—Material used cement
Well sealed from land surface to 83' ft.
Diameter of well bore to bottom of seal 17 in.
Diameter of well bore below seal 10, 8 3/4 in.
Number of sacks of cement used in well seal 46 sacks
How was cement grout placed? pressure grouted

Was pump installed? NO Type HP Depth ft.
Was a drive shoe used? ☐ Yes ☒ No Plugs Size: location ft.
Did any strata contain unusable water? ☐ Yes ☒ No
Type of Water? depth of strata
Method of sealing strata off
Was well gravel packed? ☐ Yes ☒ No Size of gravel:
Gravel placed from ft. to ft.

(10) LOCATION OF WELL:

County Lake Driller's well number 157
NE ¼ SE ¼ Section 32 T. 26S R. 18E W.M.
Tax Lot # Lot Blk Subdivision
Address at well location:

(11) WATER LEVEL: Completed well.

Depth at which water was first found ft.
Static level 22½' ft. below land surface. Date
Artesian pressure lbs. per square inch. Date

(12) WELL LOG: Diameter of well below casing 10, 8 3/4
Depth drilled 483 ft. Depth of completed well 483 ft.

Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
Brown soil	0	2	
Brown clay	2	28	
grey clay	28	52	
green clay	52	225	
gray clay & pumy seams	225	268	
green clay	268	315	
broken grey basalt w/b	315	335	22½'
hard grey crevised shell	335	390	
hard grey basalt w	390	403	
grey basalt broken layers w	403	483	22½'

RECEIVED AUG 30 2001 WATER RESOURCES DEPT SALEM, OR

Work started May 28 1981 Completed May 30 1981
Date well drilling machine moved off of well June 1 1981

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.
[Signed] Tyle Alemas (Drilling Machine Operator) Date June 1 1981
Drilling Machine Operator's License No. 1292

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.
Name Tyle Alemas (Person, firm or corporation) (Type or print)
Address 1 Box 84 Silver Lake, Ore.
[Signed] Tyle Alemas (Water Well Contractor)
Contractor's License No. 690 Date June 1, 1981

NOTICE TO WATER WELL CONTRACTOR
The original and first copy of this report are to be filed with the WATER RESOURCES DEPARTMENT, SALEM, OREGON 97310 within 30 days from the date of well completion.

SP*12658-690

Oregon Water Resources Department
Land Use Information Form

RECEIVED
AUG 30 2001
WATER RESOURCES DEPT

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. The Water Resources Department will use this and other information to evaluate the water use application. DO NOT fill out this form if water is to be diverted, conveyed, or used only on federal lands.

T-8883

To Be Completed By Applicant

The following section includes information about proposed water use. This section must be completed by the individual or group that is filing an application for a water right with the Water Resources Department.

A. Applicant

Name: Terry L. Nofziger

Address: PO Box 575

City: Christmas Valley State: OR Zip: 97641 Day Phone: (541) 576-2355

B. Land and Location

Please provide information as requested below for all tax lots on or through which water will be diverted, conveyed, or used. Check "diverted" if water is diverted (taken) from its source on tax lot, "conveyed" if water is conveyed (transported) on tax lot, and "used" if water will be put to beneficial use on tax lot. More than one box may be checked. (Attach extra sheets as necessary.) Applicants for municipal use, or irrigation uses within irrigation districts, may substitute existing and proposed service area boundaries for the tax lot information requested below.

Tax Lot I.D.	Plan Designation (e.g. Rural Residential/RR-5)	Water to be: *(check all that apply)*		
26-18-31	(500,700,701,400,800,900,1000) A1	☒ Diverted	☒ Conveyed	☒ Used
26-18	(8500,8600,8900,9000) A1	☐ Diverted	☐ Conveyed	☐ Used
		☐ Diverted	☐ Conveyed	☐ Used

List counties and cities where water is proposed to be diverted, conveyed, or used. _____

C. Description of Water Use

Indicate what the water will be used for. Include the beneficial use (found in the instruction booklet for your water right application) and use the space below to describe the key characteristics of the project.

Beneficial Use(s): Irrigation

Briefly describe: Existing center pivot systems

D. Source

Indicate the source for the proposed water use:

☐ Reservoir/Pond ☒ Ground Water ☐ Surface Water Existing Wells (source)

E. Quantity

Indicate the estimated quantity of water the use will require:

6.09 ☒ CFS ☐ GPM ☐ Acre-Feet

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless your project will be located entirely within the city limits. In this case, only the city planning agency must complete this form. Please request additional forms as needed or feel free to copy.

A. Allowed Use

T-8883

Check the appropriate box below and provide requested information.

☒ Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s); 3.01 A. Go to section B "Approval" below

☐ Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below.

Type of Land Use Approval Needed (e.g. plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	*Check the item that applies:* Land Use Approval:	
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued

Note: *Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus accompanying findings is sufficient.)*

B. Approval

Please provide printed name and written signature.

Name: Ray Simms Date: 7-9-01

Title: Director Phone: 541-947-6003

Signature: Ray Simms

C. Additional Comments

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

Note: *If this form cannot be completed while the applicant waits, sign and detach the receipt stub as instructed below. You will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD will presume the land use associated with the proposed water right is compatible with local comprehensive plans. (See attached letter.)*

T. 26 R 18 Section 32

T-8883

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AUG 30 2001
WATER RESOURCES DEPT
SALEM, OR

2618-19-1

T 26.

OFFICIAL RECORD OF DESCRIPTIONS
OF REAL PROPERTY
LAKE COUNTY ASSESSOR

Part of 2618-64

1676

26 | 18 | 9100 | 24-01

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

ACCOUNT NUMBER

OFFICIAL RECORD OF DESCRIPTIONS
OF REAL PROPERTY
LAKE COUNTY ASSESSOR

FORMERLY PART OF T.L. NO.

	Date of Entry on this Card	DEED RECORD Year	DEED RECORD Instr.	ACRES REMAINING
Aiassa, Marianne	1/21/71	137	574	40.00
excepting Co Rd 5-14 ~~BLM Road~~ 0.90 Ac.				39.10
NOFZIGER, VERL E. & CORAL J.	W.P. 10-10-79	181	332	
NOFZIGER, VERL E + CORAL J. 1/2 INT.	B45			
NOFZIGER LEO D. & ALVERDA 1/2 INT.	11-20-80	186	587	
Correction Deed	1-5-81	187	259	
% NOFZIGER TOMMY LYNN & JILL Cont.	1-5-81	187	357	
AMEND. CONT.	4-24-81	188	284	
" "	5-9-81	188	447	
% NOFZIGER, LEO D. + ALVERDA.	B45			
% NOFZIGER TOMMY LYNN + JILL	11-24-82	193	482	✓
% NOFZIGER TERRY LEE &	Decree of Certif.			
TOMMY LYNN	9-13-83	195	579	
SEE MAXIMA	4-25-84	197	708	
M	2-19-86	085	035	
M	2-22-88	056	213	
M	3-22-90	090	012	
M	7-2-93	097	172	
M	2-10-94	099	459	
M	2-9-95	099	772	

26.

OFFICIAL RECORD OF DESCRIPTIONS
OF REAL PROPERTY
LAKE COUNTY ASSESSOR

8 9000 14-2 24-01

RGE.	SEC.	1/41/16	TAX LOT NUMBER	TYPE REAL	SPEC. INT. IN PROP.	CODE AREA NUMBER	FORMERLY PART OF T.L. NO.			
MAP NUMBER										
ACCOUNT NUMBER							Date of Entry on this Card	DEED RECORD Book	DEED RECORD Instr.	ACRES REMAINING
Aiassa, Henry A.							1/21/71	137	572	76.50
excepting ~~BLM Road~~ CoRd 5-14 0.90Ac.									75	74.60
NOEZIGER, VERL E. & OPAL J.							WD 10-10-79	181	336	
NOEZIGER VERL E + OPAL J. ½ ENT.							B+S			
NOEZIGER, LEO D. + ALVERDA ½ ENT.							11-20-80	186	587	
CORRECTED DEED							1-8-81	187	259	
% NOEZIGER TOMMY LYNN J. LL Cont.							1-8-81	187	257	
AMENDED Cont							4-24-81	188	284	
" "							5-7-81	188	447	
MID STATE ROW							5-7-81	188	417	
" " Agrm.							6-18-81	188	707	
NOEZIGER, LEO D. + ALVERDA							B+S			
% NOEZIGER, TOMMY LYNN + J. LL							11-24-82	193	482	
Assmt of Cont										
% NOEZIGER TERRY LEE & TOMMY LYNN							7-13-83	195	519	
SEC. ASSMT							4-25-84	197	708	
ALSO: Co RD 5-14 0.90							10-3-85			76.50
							M 3-21-88	087	507	
							M 6-22-89	089	773	
							M 3-22-90	090	012	
							M 4-2-93	097	192	

T-8883

T 26 R 18

2618-19-1

PART OF 2618-65

OFFICIAL RECORD OF DESCRIPTIONS
OF REAL PROPERTY
LAKE COUNTY ASSESSOR

1674

TWP.	RGE.	SEC.	QUAD.	TAX LOT NUMBER	TYPE REAL	SPEC. INT. IN PROP.	CODE AREA NUMBER
26	18			8900			24-01

MAF NUMBER — ACCOUNT NUMBER

FORMERLY PART OF T.L. NO.

	Date of Entry on this Card	Deed Record Book	Page	Acres Remaining
Morici, Rose T.	1/21/71	137	576	80.00
excepting ~~BLM Road~~ Co. Rd. 5-14 0.90 Ac.				79.10
MORICI, Anthony C.	OC 10-27-78	177	419	
NOFZIGER, VERL E. & CAROL J.	OC 10-29-79	181	334	
NOFZIGER VERL E & CAROL JOINT	B+S			
NOFZIGER, LEO D. & ALVERDA JOINT.	11-20-80	186	587	
	Corrected Deed 1-5-81	187	257	
C/O NOFZIGER, Tommy Lynn + Jill,	AMENDED CONT. 4-24-81	188	284	
	5-4-81	188	447	
	Mio State R.O.W. 5-7-81	188	417	
NOFZIGER, LEO D. + ALVERDA	" AGREEMENT. 6-18-81	188	707	
C/O NOFZIGER, Tommy Lynn + Jill	DED. 2-4-82	193	482	
C/O NOFZIGER TERRY LEE & Tommy LYNN	Agmt of Cont 7-13-83	190	579	
SEC. ASSIGNMT	4-25-84	197	768	
ALSO: Co Rd 5-14 0.90	10-3-85			80 =
	M 5-19-86	085	038	
	M 3-21-88	088	507	
			766	
	M 6-22-89	089	773	
	M 3-22-90	090	012	

T-8883

2618-19-1

1672

26 18 8600 14-21 24-01

Part of 2618-41

OFFICIAL RECORD OF DESCRIPTIONS
OF REAL PROPERTY
LAKE COUNTY ASSESSOR

MAP NUMBER	TAX LOT NUMBER	TYPE REAL PROP.	SPEC. INT. IN PROP.	CODE AREA NUMBER	FORMERLY PART OF T.L. NO.
ACCOUNT NUMBER					

	Date of Entry on this Card	DEED RECORD Year	DEED RECORD Instr.	ACRES REMAINING
Marici, Anthony C.	1/21/71	137	578	80.00
excepting ~~E.M. Road~~ C.R. 5-14 0.90 Ac.				79.10
	5-15-79	180	286	
Marici, Anthony C. Jr. WD	10-10-79	181	328	
NOFZIGER, VERL E. & OPAL J.	JVD 10-10-79	181	330	
NOFZIGER, VERL E. & OPAL J. 1/2 INT.	3+5			
NOFZIGER, LEO D. & ALVERDA 1/2 INT	11-20-80	186	587	
CORRECTIVE DEED	1-8-81	187	259	
C/O NOFZIGER, TERRY LYNN & JILL CONT.	1-8-81	187	257	
" " " "	4-24-81	188	284	
" " " "	5-9-81	188	447	
MID State Road	5-4-81	188	418	
NOFZIGER, LEO D. & ALVERDA " " AGRT.	6-18-81	188	766	
C/O NOFZIGER, TERRY LYNN & JILL B+S	11-24-82	193	482	
C/O NOFZIGER TERRY LEE & TERRY LYNN	7-13-83	195	519	
SEC. ASSIGNMT	4-25-84	197	708	
ALSO: Co Rd 5-14 0.90	10-3-85			80.00
	M 5-14-86	055	038	
	M 2-22-88	056	213	
			766	
	M 6-22-89	059	773	
	M 3-22-90	060	012	
	M 4-2-93	067	192	
	M 2-9-95	099	114	

T-8883

2618-19-1

Part of 2618-64

OFFICIAL RECORD OF DESCRIPTIONS OF REAL PROPERTY
LAKE COUNTY ASSESSOR

TWP.	RGE.	SEC.	1/4 1/16	TAX LOT NUMBER	TYPE REAL	SPEC. INT. IN PROP.	CODE AREA NUMBER
26	18			8500			24-01

MAP NUMBER — ACCOUNT NUMBER

FORMERLY PART OF T.L. NO.

	Date of Entry on this Card	DEED RECORD Year	DEED RECORD Instr.	ACRES REMAINING
Aissa, Marianne	1/21/71	137	574	80.00
excepting ~~BLM Road~~ Co Rd 5-14 0.90 Ac.				79.10
NOFZIGER, VERL E. & OPAL J	WD 10-10-79	181	332	
NOFZIGER, VERL E & OPAL J 1/2 INT.	B&S			
NOFZIGER LEO D. & ALVERDA 1/2 INT.	11-20-80	156	587	
Corrected Deed	1-8-81	187	259	
C/O NOFZIGER, Tommy Lynn J.L. 1/2 INT.	1-8-81	187	257	
Amended Cont.	4-24-81	188	284	
" "	5-9-81	188	247	
Mid State R.D.W.	5-4-81	188	413	
NOFZIGER, LEO D & ALVERDA " " Agmt.	6-18-81	188	706	
C/O NOFZIGER, Tommy Lynn J.L.	11-24-82	193	482	
C/O NOFZIGER, TERRY LEE & Tommy LYNN	Agmt & Cont 7-13-83	195	519	
SEC. AGMT	4-25-84	197	708	
ALSO: Co Rd 5-14 0.90	10-3-55			80.00
M	5-14-86	085	038	
M	2-22-88	050	263	
			766	
M	6-22-89	089	773	
M	3-22-90	090	072	
M	4-2-93	077	192	

T-8883

VERL E. NOFZIGER, HUSBAND & WIFE, hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto LEO D. NOFZIGER & ALVERDA N. NOFZIGER, husband & wife, hereinafter called grantee, and unto grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Lake, State of Oregon, described as follows, to-wit:

Sec. 31:
The N½ of the SE¼
Township 26 South, Range 18 East Section 32:
W½ of the SW¼
E½ of the SW¼
SE¼ of the SE¼
W½ of the SE¼
Lot 5
Section 33:
SW¼ of the SW¼

RECEIVED
AUG 30 2001
WATER RESOURCES DEPT
SALEM, OR

(said premises are subject to a contract to Tommy Lynn Nofziger & Jill Nofziger, rec'd. V.188, page 447, Lake County, Oregon.
Grantors do hereby assign all their interest in said contract and the proceeds thereof to the grantees.)

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is $ NO CASH**

①However, the actual consideration consists of or includes other property or value given or promised which is the whole part of the consideration (indicate which).① (The sentence between the symbols ①, if not applicable, should be deleted. See ORS 93.030.)

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 30 day of October, 19 82; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors. **partnership liquidation.

Verl E. Nofziger
Opal J. Nofziger

(If executed by a corporation, affix corporate seal)

STATE OF OREGON, County of LINN } ss.
November 1, 19 82.

Personally appeared the above named VERL E. NOFZIGER & OPAL J. NOFZIGER, husband & wife, and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me:
Samuel Morley
(OFFICIAL SEAL)
Notary Public for Oregon
My commision expires 1-3-84

STATE OF OREGON, County of) ss.
, 19.

Personally appeared and who, being duly sworn, each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of , a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Before me:
(OFFICIAL SEAL)
Notary Public for Oregon
My commission expires:

NOFZIGER, Verl E., et ux
GRANTOR'S NAME AND ADDRESS

NOFZIGER, Leo D., et ux
GRANTEE'S NAME AND ADDRESS

After recording return to:
Morley, Thomas, Kingsley & Reuter
Attorneys at Law - Box 98
Lebanon, OR 97355
NAME, ADDRESS, ZIP

Until a change is requested all tax statements shall be sent to the following address.

NAME, ADDRESS, ZIP

SPACE RESERVED FOR RECORDER'S USE

STATE OF OREGON, County of Lake } ss.
I certify that the within instrument was received for record on the 9th day of Nov, 1982, at 2:45 o'clock P.M., and recorded in book/reel/volume No. 193 on page 482 or as document/fee/file/instrument/microfilm No. , Record of Deeds of said county.

Witness my hand and seal of County affixed.

Tiny Hammersley
NAME TITLE
By Co. Clerk Deputy

193-482 T-8883

2618-43

Part of 2618-43

OFFICIAL RECORD OF DESCRIPTIONS
OF REAL PROPERTY
LAKE COUNTY ASSESSOR

18 A 1841

26 12 26 18 31 400 24-01

TWP.	RGE.	SEC.	QUAD.	TAX LOT NUMBER	TYPE REAL	SPEC. INT. IN PROP.	CODE AREA NUMBER
	MAP NUMBER						

ACCOUNT NUMBER

FORMERLY PART OF T.L. NO.

	Date of Entry on this Card	DEED RECORD Year	Instr.	NOTES REMAINING
U.C. Riassa, Henry A.	2/18/71	137	572	80.00
" NOFZIGER, VERL E. & OPAL J.	WD 10-10-77	181	336	
NOFZIGER, VERL E. & OPAL J. 1/3 INT.	B+S			
NOFZIGER LEO D. & ALVERDA 1/3 INT.	11-20-80	186	587	
Correction Deed	1-8-81	187	259	
MidState L.O.C.	5-9-81	188	420	
Amended Cert	5-7-81	188	447	
C/O NOFZIGER, Tammy Lynn & Jill				
MidState Agmt.	6-18-81	188	705	
S. Del. NOFZIGER, LEO D. & ALVERDA	B+S			
C/O NOFZIGER Tammy Lynn & Jill	11-24-82	192	482	
C/O	Asmt of Cont			
NOFZIGER TERRY LEE & TAMMY LYNN	1-13-83	195	519	
Sec. Ass. Agmt.	4-25-84	197	708	
	M 2-22-88	086	213	
	M 3-21-88	087	507	
	M 6-22-89	089	766-773	
	M 3-22-90	090	012	
	M 6-5-91	093	230	
	M 4-2-93	097	193	
	M 2-4-94	094	772	

RECEIVED
AUG 30 2001
WATER RESOURCES DEPT
SALEM, OR

T-8883

BUYER'S SECURITY ASSIGNMENT OF LAND SALE CONTRACT

DATE: April 2, 1984

ASSIGNOR (hereinafter called "Buyer"): Tommy Lynn Nofziger and Jill Nofziger

DEBTOR: Buyers and Terry Lee Nofziger and Connie Sue Nofziger
(Insert "Buyer", name of other Debtor, or both, as appropriate)

ASSIGNEE: UNITED STATES NATIONAL BANK OF OREGON, LaPine Branch

RECEIVED
AUG 30 2001
WATER RESOURCES DEPT
SALEM, OR

The Buyer is the purchaser of certain property described as follows:
Township 26 South, Range 18 East.
Section 31: The n½ of the SE¼.
Section 32: The W½ of the SW¼, E½ of the SW¼, SE¼ of the SE¼, W½ of the SE¼ and Lot 5.
Section 33: The SW¼ of the SW¼.

(hereinafter called the "Property") under a land sale contract dated January 2, 1981 in which the sellers are Verl E. Nofziger and Opal J. Nofziger and Leo D. Nofziger and Alverda N. Nofziger (hereinafter called the "Sellers"), and which is recorded in Book 187, at Page 257, Lake County Records (hereinafter called the "Contract"). *See attached schedule "A".

1. **Assignment.** For value received, Buyer hereby assigns mortgages, and conveys to UNITED STATES NATIONAL BANK OF OREGON (hereinafter called "Bank") all of its right, title and interest in and to the Property, and in, to, and under the Contract. The Property and the assigned Contract are the "Security" referred to in this Assignment.

2. **Indebtedness.** The assignment, mortgage, and conveyance of the Security made to Bank by Buyer is to secure the performance of all duties owed to Bank under this Assignment and under other agreements securing or relating to the indebtedness described below, and the payment of the following obligations, all of which are hereinafter called the "Indebtedness:"

2.1 The principal and interest of a note of Debtor to Bank in the original principal amount of $_____, dated _____, 19__, (hereinafter called the "Note"), on which the final payment is due on _____, 19__, and all modifications and renewals thereof. See attachment in addition to 2.1.

2.2 All sums that Bank may expend in protecting its rights in the Security, all cost of collection, and attorneys' fees, including any incurred on appeal, with interest.

2.3 The principal and interest of all other indebtedness of Debtor to Bank, whether now existing or hereafter incurred, direct or indirect, absolute or contingent, due or to become due, joint or several, including without limitation obligations as guarantor, accommodation maker, or endorser, and future advances of all kinds.

3. **Buyer's Covenants.** Until the Indebtedness is paid in full and this Assignment is fully satisfied, Buyer agrees that it shall be obligated and responsible for the following:

3.1 All payments and obligations of Buyer under the Contract shall be promptly and fully paid and performed, and all taxes, assessments, liens and encumbrances of all kinds in connection with, on, or affecting the Property and any other property subject to this Assignment shall be paid promptly when due; and if not so paid or performed, the Bank shall have the option of paying and/or performing the same, and may either add the cost to the principal of the Note or may treat the cost as a separate part of the Indebtedness payable on demand and bearing interest at any rate specified by Bank that does not exceed any maximum rate set by applicable law.

3.2 The Property shall be kept covered with fire and extended coverage insurance and any other insurance required by the Bank, in an amount sufficient to pay the unpaid balance of the Indebtedness or the value of the Security, with Bank's standard mortgagee endorsement if Bank requests. If not so covered, the Bank shall have the option of purchasing such coverage (at Bank's option naming Bank as the co-insured or the only insured) and may either add the cost to the principal of the Note or may treat the cost as a separate part of the Indebtedness payable on demand and bearing interest at any rate specified by Bank that does not exceed any maximum rate set by applicable law.

3.3 The Property shall be maintained in good order and repair. No waste thereof shall be committed or suffered, and none of the improvements be removed. Buyer shall do all things reasonably within Buyer's power that are necessary to prevent events or conditions that would adversely affect the value of the Security.

3.4 During the term of this Assignment, any additions or improvements to the Property shall be part of the Security included in this Assignment.

3.5 If any litigation is begun to foreclose this Assignment, or if there should be any appeal therefrom, or if Buyer or any of the Security should become the subject of any bankruptcy proceeding, then Buyer agrees to pay all court costs and disbursements allowed by law, and such sums as the court may adjudge reasonable as attorneys' fees. All such sums will draw interest at the same rate as the Note.

4. **Condemnation.** Unless the Contract expressly provides otherwise, Buyer shall be responsible to defend any condemnation action affecting any part of the Security. The net proceeds of any award, after deducting actual and reasonable costs, expenses and attorneys' fees incurred by Buyer in the action and any amounts paid to Seller or used to repair the Property pursuant to an express requirement of the Contract, shall be paid to Bank for application to the Indebtedness.

5. **Release.** After full payment of the Indebtedness by Buyer, Bank shall release this Assignment and, upon written demand of Buyer, will terminate its financing statements affecting the Security.

6. **Events of Default.** The following are Events of Default:

6.1 Any payment of principal or interest due on the Note, or on any other part of the Indebtedness, is not paid when due.

6.2 Buyer's or Debtor's failure to pay debts as they become due; appointment of a receiver for any part of Buyer's or Debtor's assets; assignment by Buyer or Debtor for the benefit of creditors; or the commencement of any proceedings under any bankruptcy or insolvency law by or against Buyer or Debtor.

6.3 Death of any Buyer or Debtor who is a natural person, or dissolution or termination of existence of any Buyer or Debtor which is not a natural person.

6.4 Any default under the Contract, or any event or condition not cured within 10 days which, with the lapse of time or the giving of notice, would constitute a default under the Contract, or would justify a declaration of default under the Contract, whether or not waived by the Sellers under the Contract, or any failure of Buyer to notify Bank of such a default, event, or condition.

6.5 Default by Sellers, or any predecessors in title of Sellers, as vendee under any contract of sale, grantor of any Trust Deed, or mortgagor of any mortgage, on the Property, unless the vendor, beneficiary, or mortgagee has, prior to the default, delivered to Bank an agreement acceptable to Bank subordinating his lien or interest to Bank's.

6.6 Failure of the Buyer to perform any other covenant of this Assignment or cure any condition prohibited by this Assignment within 15 days after Bank mails or, at Bank's option, delivers written notice specifying the covenant or condition.

6.7 Default by Buyer or Debtor under any other Note or loan agreement to which Buyer or Debtor is a party or by which Buyer or Debtor is bound.

7. **Rights Upon Default.** After the occurrence of any Event of Default, the Bank may at Bank's option exercise any one or more of the following rights and remedies:

7.1 The right, without notice, presentment, or demand to declare the entire Indebtedness immediately due and payable.

70-3260 10/76

T-8883

applicable law.

7.3 With respect to any personal property Security, the rights and remedies of a secured party under the Uniform Commercial Code, as well as those stated herein. The Bank may without notice take possession of all personal property Security not already in its possession and/or require Buyer to assemble it and turn it over to Bank at a reasonably convenient place designated by the Bank, and Buyer will do so. Although the Bank may in its discretion and without liability do so, the Bank shall have no duty to take any action to preserve rights against any party to the Contract, to instruments, or to other part of the Security that is personal property in its possession, either before or after default; and Bank shall have no duty whatsoever with respect to personal property Security in its possession beyond the use of ordinary reasonable care in its physical custody and preservation. The Bank may retain personal property Security in satisfaction of the indebtedness, or may sell or otherwise dispose of such personal property at either public or private sale, first giving Buyer 10 days' notice of the date and place of public sale or of the date after which private sale may be made. The Buyer agrees that 10 days' notice is reasonable notice. The Buyer shall be liable for any deficiency and the Bank shall account for any surplus.

7.4 In exercising its rights and remedies, the Bank shall be free to sell all or any part of the Security, separately or at once. The Bank shall be entitled to purchase all or any portion of the Security at any public sale, or at any judicial or sheriff's sale.

7.5 Any other rights and remedies Bank may have under law or other agreements.

of any provision of this Assignment shall not constitute a waiver of, or prejudice the Bank's right to demand strict compliance with, that provision or any other provision. Buyer waives presentment demand, notice and protest with regard to any part of the Indebtedness. Bank may exchange or release the Security, or other collateral granted by any person with respect to the Indebtedness, or may realize upon and apply any of the Security or other collateral it may have with respect to the Indebtedness in any manner and in any order, without affecting Bank's rights to realize upon and apply the proceeds of the Security.

9. **Bank Not Liable.** The Bank, by accepting this Assignment, or in its discretion performing any of Buyer's obligations under the Contract or under this Assignment, does not assume any liability or responsibility to continue performance of those obligations or to perform any of Buyer's other obligations under the Contract.

10. **Debtor's Signature.** If Buyer and Debtor are not the same, Debtor's signature is Debtor's agreement to those provisions that may affect Debtor. This Assignment does not confer upon Debtor any interest in the Property or in the Contract.

11. **Special Provisions.** NONE.

Executed and delivered to Bank effective on the date stated above.

x Tommy Lynn Nofziger
Signature of Buyer Tommy Lynn Nofziger

x Jill Nofziger
Signature of Buyer Jill Nofziger

x Terry Lee Nofziger
Signature of Debtor (if Buyer and Debtor are not the same)
Terry Lee Nofziger

x Connie Sue Nofziger
Connie Sue Nofziger

April 2, 19 84

INDIVIDUAL ACKNOWLEDGEMENT

STATE OF OREGON)
) ss.
County of Linn)

Personally appeared the above-named, Tommy Lynn Nofziger & Jill Nofziger, and acknowledged the foregoing Assignment to be their (his/her/their) voluntary act.

Before me:

Notary Public for Oregon

My commission expires: My Commission Expires Nov. 2, 198

CORPORATE ACKNOWLEDGEMENT

STATE OF OREGON)

INDIVIDUAL ACKNOWLEDGEMENT
STATE OF OREGON)
)ss.
County of Deschutes)
Personally appeared the above-named, Terry Lee Nofziger & Connie Sue Nofziger and acknowledged the foregoing Assignment to be their voluntary act.

Before me:

Notary Public for Oregon
My commission expires: May 13, 1985

and that the foregoing Assignment was signed on behalf of said partnership by authority thereof; and acknowledged said instrument to be its voluntary act and deed.

Before me:

Notary Public for Oregon

My commission expires:

(Buyer must complete the appropriate acknowledgement. Attach an appropriate Acknowledgement of Debtor, if Debtor is not the Buyer.)

Note: Record Assignment in Real Property Records, and file UCC statements describing Contract assigned. Obtain Seller's Consent to Contract Assignment with right of Bank to notice of and opportunity to cure Buyer's default. See Commercial Loan Handbook for further instructions on use of this form.

T-8883

26 18 31

RECEIVED AUG 3 ... SALEM

7214-43

OFFICIAL RECORD OF DESCRIPTIONS
OF REAL PROPERTY
LAKE COUNTY ASSESSOR

TWP. S	RGE.	SEC.	1/4 1/16	TAX LOT NUMBER	TYPE REAL	SPEC. INT. IN PROP.	CODE AREA NUMBER
26	18	31		701			1.2 ~~24-01~~

1894

MAP NUMBER

ACCOUNT NUMBER

FORMERLY PART OF T.L. NO. 700

	Date of Entry on this Card	DEED RECORD Year	DEED RECORD Instr.	ACRES REMAINING
Willsey, R H & Mildred L WD	1-7-81	187	74	17.53
MID STATE R.O.W	8-9-81	185	419	
" " Agmt	8-18-81	188	70	
WILLSEY, MILDRED 50%				
ROXANNE 25%, RICHARD 25%	PROBATE #0413	9-23-82		
WILLSEY, ROXANN 75%				
WILLSEY, RICHARD 25%	B&S 6-3-84	198	329	
EXCEPT: Co Rd Row 0.91	10-4-85			16.63
WILLSEY, ROXANNE B5	REDEMP. CERT 1-23-86 / 1-10-91	202 / 216	574 / 359	✓

T-8883

26 18 31

"improvements only"

TWP. S	RGE.	SEC.	1/4	1/16	TAX LOT NUMBER	TYPE REAL	SPEC. INT. IN PROP.	CODE AREA NUMBER
26	18	31			700	A	1	24-01

MAP NUMBER

ACCOUNT NUMBER

OFFICIAL RECORD OF DESCRIPTIONS
OF REAL PROPERTY
LAKE COUNTY ASSESSOR

FORMERLY PART OF T.L. NO.

	Date of Entry on this Card	DEED RECORD Year	DEED RECORD Instr.	ACRES REMAINING
Willsay, R. H.	12-20-74	Request		
DC	3-17-80	183	571	✓

T-8883

359

M0131756 BARGAIN AND SALE DEED 073388

Until a change is requested, all tax statements shall be sent to the following address: 2303 SE Bella Vista Rd., Vancouver, WA

RICHARD WILLSEY, grantor, conveys to ROXANNE WILLSEY, grantee, the following described property:

The West Half (W1/2) of the Southwest Quarter (SW1/4) of the Southwest Quarter (SW1/4) of Section Thirty-one (31) Township Twenty-six (26) South, Range Eighteen (18), E.W.M., Lake County, Oregon.

The true consideration for this conveyance is $10.00.

Dated this 14 day of MAY, 1979.

Richard Willsey
RICHARD WILLSEY

STATE OF Oregon)
) ss.
County of Multnomah)

The foregoing instrument was acknowledged before me this 14 day of May, 1979 by Richard Willsey.

Patricia A. Fehlman
Notary Public for State of Oregon
My Commission Expires: 4/30/82

State of Oregon } ss. Reel 13
County of Lake } File 1756

I hereby certify that the within instrument was received and filed for record on the 2 day of January 19 91 at 2:31 o'clock P. M. and recorded on Page 359 in book 216 Record of Deeds of said County.

Karen O'Connor
County Clerk

By Glenna Overton Deputy

PANNER, JOHNSON, MARCEAU, KARNOPP & KENNEDY
ATTORNEYS AT LAW
1026 N.W. BOND STREET
BEND, OREGON 97701

BARGAIN & SALE DEED

RECEIVED
AUG 30 2001
WATER RESOURCES DEPT
SALEM, OR

T-8883

216 - 359

SHEET OF 43

Part of 2618-41

OFFICIAL RECORD OF DESCRIPTIONS
OF REAL PROPERTY
LAKE COUNTY ASSESSOR

18 1893

26 26 18 31 700 24-01

TWP. | RGE. | SEC. | 1/4 1/4 | TAX LOT NUMBER | TYPE REAL | SPEC. INT. IN PROP. | CODE AREA NUMBER

MAP NUMBER | ACCOUNT NUMBER

FORMERLY PART OF T.L. NO.

	Date of Entry on this Card	DEED RECORD Book	DEED RECORD Page	ACRES REMAINING
Morici, Anthony C.	2/18/71	137	578	85.07
~~except: W½ SW¼ SW¼~~				57.54
				75.07
ALSO i (FORMERLY T.L. 600) BEING				
SEC. 31 W½ SW¼ SW¼ 17.53	12-7-75	Request		75.07
	5-19-79	180	286	
NOFZIGER, VERLE E. & PAUL J.	600 10-10-79	181	328	
NOFZIGER, VERLE & PAUL J. ½ INT.	805			
NOFZIGER, LEO D. & ALVERDA ½ INT.	11-20-80	186	587	
EXCEPT: PARCEL 70 17.53	600 2-24-81	187	74	57.54
	Correction Deed 1-8-81	187	259	
% NOFZIGER, TERRY LEE &				
CONTRACT SALE	Corp 2-24-81	187	313	
AMENDED C.S.	4-24-81	188	282	
" "	5-9-81	188	445	
MUDSTAR R.O.W.	5-9-81	188	419	
NOFZIGER, LEO D. & ALVERDA Agreement	6-18-81	188	704	
% NOFZIGER, TERRY LEE & CONTRACT SALE	11-24-82	193	183	
	Corp & Cont			
% NOFZIGER TERRY LEE & TOMMY LYNN	7-13-83	195	577	
SEC. 1/4 & MT	4-23-84	197	716	✓
% NOFZIGER, TOMMY LYNN & VILL				
	M 5-19-86	085	038	
	M 3-21-88	087	508	
	M 6-22-89	089	774 782	
	M 3-22-90	090	014	
	M 2-9-95	199	414	
SATISFACTION	10-24-96	235	341	
	M 10-25-96	100	835	
	M 11-4-96	107	25	
SATISFACTION	11-6-96	235	438	

RECEIVED
AUG 30 2001
WATER RESOURCES DEPT
SALEM, OR

T-8883

2618-43

Part of
Part of
2618-65

OFFICIAL RECORD OF DESCRIPTIONS
OF REAL PROPERTY
LAKE COUNTY ASSESSOR

1892

TWP. S	RGE.	SEC.	1/4 1/4 1/16	TAX LOT NUMBER	TYPE REAL PROP.	SPEC. INT. IN PROP.	CODE AREA NUMBER
26	18	31		500			24-01

MAP NUMBER — ACCOUNT NUMBER

FORMERLY PART OF T.L. NO.

Date of Entry on this Card	DEED RECORD Book	Page	ACRES REMAINING
Morici, Rose T. 2/18/71	137	576	74.92
Morici, Anthony C. QC 10-27-78	177	419	
Nofziger, Verle E. & Opal J. WD 10-10-79	181	328	
Nofziger, Verle E. & Opal 1/2 Int. B&S			
Nofziger, Leo D. & Alverda 1/2 Int. 11-20-80	186	587	
Correction Deed 1-8-81	187	259	
C/O Nofziger, Terry Lee & Connie Sue Cont. 1-20-81	187	313	
Amended Cont.	188	282	
C/O Nofziger, Tommy Lynn & Jill 4-24-81	188	284	
Amended Cont. 5-9-81	188	445	
Mid State R.O.W. 5-9-81	188	419	
" " Agreement 6-18-81	188	704	
Nofziger, Leo D. & Alverda B&S			
C/O Terry Lee & Connie Sue 11-24-82	193	483	
SEE ASSGNMT 4-25-84	197	716	
& Nofziger, Tommy Lynn & Jill			
Except: Co Rd Row 0.91 10-4-85			74.01
M 5-19-86	085	038	
M 1-14-87	086	163	
M 3-21-88	087	308	
M 6-22-89	089	774	
		782	
M 3-22-90	090	014	
M 12-9-95	119	114	
SATISFACTION 11-6-96	DS	435	
M 11-4-96	107	25	

T-8883

BUYER'S SECURITY ASSIGNMENT OF LAND SALE CONTRACT

DATE: April 2, 1984

ASSIGNOR (hereinafter called "Buyer"): Terry Lee Nofziger and Connie Sue Nofziger

DEBTOR: Buyers and Tommy Lynn Nofziger and Jill Nofziger
(Insert "Buyer", name of other Debtor, or both, as appropriate)

ASSIGNEE: UNITED STATES NATIONAL BANK OF OREGON, LaPine Branch.

RECEIVED
AUG 30 2001
WATER RESOURCES DEPT
SALEM, OR

The Buyer is the purchaser of certain property described as follows:
Township 26 South, Range 18 East.
Section 31: SE¼ of the SW¼, E½ of the SW¼ of the SW¼ and N½ of the SW¼.
Township 26 South, Range 16 East.
Section 11: NE¼ of the SW¼.

(hereinafter called the "Property") under a land sale contract dated January 21, 1981 in which the sellers are *Verl E Nofziger and Opal J Nofziger and Leo D Nofziger and Alvera N Nofziger (hereinafter called the "Sellers"), and which is recorded in Book 187, at Page 313, Lake County Records (hereinafter called the "Contract"). *See attached schedule "A".

1. **Assignment.** For value received, Buyer hereby assigns mortgages, and conveys to UNITED STATES NATIONAL BANK OF OREGON (hereinafter called "Bank") all of its right, title and interest in and to the Property, and in, to, and under the Contract. The Property and the assigned Contract are the "Security" referred to in this Assignment.

2. **Indebtedness.** The assignment, mortgage, and conveyance of the Security made to Bank by Buyer is to secure the performance of all duties owed to Bank under this Assignment and under other agreements securing or relating to the indebtedness described below, and the payment of the following obligations, all of which are hereinafter called the "Indebtedness:"

2.1 The principal and interest of a note of Debtor to Bank in the original principal amount of $_____ dated _____, 19__, (hereinafter called the "Note"), on which the final payment is due on _____, 19___, and all modifications and renewals thereof. See attachment in addition to 2.1.

2.2 All sums that Bank may expend in protecting its rights in the Security, all cost of collection, and attorneys' fees, including any incurred on appeal, with interest.

2.3 The principal and interest of all other indebtedness of Debtor to Bank, whether now existing or hereafter incurred, direct or indirect, absolute or contingent, due or to become due, joint or several, including without limitation obligations as guarantor, accommodation maker, or endorser, and future advances of all kinds.

3. **Buyer's Covenants.** Until the Indebtedness is paid in full and this Assignment is fully satisfied, Buyer agrees that it shall be obligated and responsible for the following:

3.1 All payments and obligations of Buyer under the Contract shall be promptly and fully paid and performed, and all taxes, assessments, liens and encumbrances of all kinds in connection with, on, or affecting the Property and any other property subject to this Assignment shall be paid promptly when due; and if not so paid or performed, the Bank shall have the option of paying and/or performing the same, and may either add the cost to the principal of the Note or may treat the cost as a separate part of the Indebtedness payable on demand and bearing interest at any rate specified by Bank that does not exceed any maximum rate set by applicable law.

3.2 The Property shall be kept covered with fire and extended coverage insurance and any other insurance required by the Bank, in an amount sufficient to pay the unpaid balance of the Indebtedness or the value of the Security, with Bank's standard mortgagee endorsement if Bank requests. If not so covered, the Bank shall have the option of purchasing such coverage (at Bank's option naming Bank as the co-insured or the only insured) and may either add the cost to the principal of the Note or may treat the cost as a separate part of the Indebtedness payable on demand and bearing interest at any rate specified by Bank that does not exceed any maximum rate set by applicable law.

3.3 The Property shall be maintained in good order and repair. No waste thereof shall be committed or suffered, and none of the improvements be removed. Buyer shall do all things reasonably within Buyer's power that are necessary to prevent events or conditions that would adversely affect the value of the Security.

3.4 During the term of this Assignment, any additions or improvements to the Property shall be part of the Security included in this Assignment.

3.5 If any litigation is begun to foreclose this Assignment, or if there should be any appeal therefrom, or if Buyer or any of the Security should become the subject of any bankruptcy proceeding, then Buyer agrees to pay all court costs and disbursements allowed by law, and such sums as the court may adjudge reasonable as attorneys' fees. All such sums will draw interest at the same rate as the Note.

4. **Condemnation.** Unless the Contract expressly provides otherwise, Buyer shall be responsible to defend any condemnation action affecting any part of the Security. The net proceeds of any award, after deducting actual and reasonable costs, expenses and attorneys' fees incurred by Buyer in the action and any amounts paid to Seller or used to repair the Property pursuant to an express requirement of the Contract, shall be paid to Bank for application to the Indebtedness.

5. **Release.** After full payment of the Indebtedness by Buyer, Bank shall release this Assignment and, upon written demand of Buyer, will terminate its financing statements affecting the Security.

6. **Events of Default.** The following are Events of Default:

6.1 Any payment of principal or interest due on the Note, or on any other part of the Indebtedness, is not paid when due.

6.2 Buyer's or Debtor's failure to pay debts as they become due; appointment of a receiver for any part of Buyer's or Debtor's assets; assignment by Buyer or Debtor for the benefit of creditors; or the commencement of any proceedings under any bankruptcy or insolvency law by or against Buyer or Debtor.

6.3 Death of any Buyer or Debtor who is a natural person, or dissolution or termination of existence of any Buyer or Debtor which is not a natural person.

6.4 Any default under the Contract, or any event or condition not cured within 10 days which, with the lapse of time or the giving of notice, would constitute a default under the Contract, or would justify a declaration of default under the Contract, whether or not waived by the Sellers under the Contract, or any failure of Buyer to notify Bank of such a default, event, or condition.

6.5 Default by Sellers, or any predecessors in title of Sellers, as vendee under any contract of sale, grantor of any Trust Deed, or mortgagor of any mortgage, on the Property, unless the vendor, beneficiary, or mortgagee has, prior to the default, delivered to Bank an agreement acceptable to Bank subordinating his lien or interest to Bank's.

6.6 Failure of the Buyer to perform any other covenant of this Assignment or cure any condition prohibited by this Assignment within 15 days after Bank mails or, at Bank's option, delivers written notice specifying the covenant or condition.

6.7 Default by Buyer or Debtor under any other Note or loan agreement to which Buyer or Debtor is a party or by which Buyer or Debtor is bound.

7. **Rights Upon Default.** After the occurrence of any Event of Default, the Bank may at Bank's option exercise any one or more of the following rights and remedies:

7.1 The right, without notice, presentment, or demand to declare the entire Indebtedness immediately due and payable.

T-8883

7.3 With respect to any personal property Security, the rights and remedies of a secured party under the Uniform Commercial Code, as well as those stated herein. The Bank may without notice take possession of all personal property Security not already in its possession and/or require Buyer to assemble it and turn it over to Bank at a reasonably convenient place designated by the Bank, and Buyer will do so. Although the Bank may in its discretion and without liability do so, the Bank shall have no duty to take any action to preserve rights against any party to the Contract, to instruments, or to other part of the Security that is personal property in its possession, either before or after default; and Bank shall have no duty whatsoever with respect to personal property Security in its possession beyond the use of ordinary reasonable care in its physical custody and preservation. The Bank may retain personal property Security in satisfaction of the indebtedness, or may sell or otherwise dispose of such personal property at either public or private sale, first giving Buyer 10 days' notice of the date and place of public sale or of the date after which private sale may be made. The Buyer agrees that 10 days' notice is reasonable notice. The Buyer shall be liable for any deficiency and the Bank shall account for any surplus.

7.4 In exercising its rights and remedies, the Bank shall be free to sell all or any part of the Security, separately or at once. The Bank shall be entitled to purchase all or any portion of the Security at any public sale, or at any judicial or sheriff's sale.

7.5 Any other rights and remedies Bank may have under law or other agreements.

... breach of ..., ... shall not constitute a waiver of, or prejudice the Bank's right to demand strict compliance with, that provision or any other provision. Buyer waives presentment demand, notice and protest with regard to any part of the Indebtedness. Bank may exchange or release the Security, or other collateral granted by any person with respect to the Indebtedness, or may realize upon and apply any of the Security or other collateral it may have with respect to the Indebtedness in any manner and in any order, without affecting Bank's rights to realize upon and apply the proceeds of the Security.

9. **Bank Not Liable.** The Bank, by accepting this Assignment, or in its discretion performing any of Buyer's obligations under the Contract or under this Assignment, does not assume any liability or responsibility to continue performance of those obligations or to perform any of Buyer's other obligations under the Contract.

10. **Debtor's Signature.** If Buyer and Debtor are not the same, Debtor's signature is Debtor's agreement to those provisions that may affect Debtor. This Assignment does not confer upon Debtor any interest in the Property or in the Contract.

11. **Special Provisions.** None.

Executed and delivered to Bank effective on the date stated above.

x Terry Lee Nofziger
Signature of Buyer Terry Lee Nofziger

x Connie Sue Nofziger
Signature of Buyer Connie Sue Nofziger

x Tommy Lynn Nofziger
Signature of Debtor (If Buyer and Debtor are not the same)
Tommy Lynn Nofziger

x Jill Nofziger
Jill Nofziger
April 2, 19 84

INDIVIDUAL ACKNOWLEDGEMENT

STATE OF OREGON)
) ss.
County of Linn)

Personally appeared the above-named, Tommy Lynn Nofziger & Jill Nofziger, and acknowledged the foregoing Assignment to be their (his/her/their) voluntary act.

Before me: Mary Lou Hunter
Notary Public for Oregon
My commission expires: My Commission Expires Nov. 2, 1984

MARY LOU HUNTER NOTARY PUBLIC STATE OF OREGON

CORPORATE ACKNOWLEDGEMENT

STATE OF OREGON)

INDIVIDUAL ACKNOWLEDGEMENT
STATE OF OREGON)
)ss.
County of Deschutes)
Personally appeared the above-named, Terry Lee Nofziger & Connie Sue Nofziger and acknowledged the foregoing Assignment to be Their voluntary act.

Before me: Becky Cox
Notary Public for Oregon
My commission expires: May 13, 1985

BECKY NOTARY PUBLIC STATE OF OREGON

...d that the foregoing Assignment was signed on behalf of said partnership by authority thereof; and acknowledged said instrument ... be its voluntary act and deed.

Before me:
Notary Public for Oregon
My commission expires:

...yer must complete the appropriate acknowledgement. Attach an appropriate Acknowledgement of Debtor, if Debtor is not the Buyer.)

...te: Record Assignment in Real Property Records, and file UCC statements describing Contract assigned. Obtain Seller's Consent to ...ntract Assignment with right of Bank to notice of and opportunity to cure Buyer's default. See Commercial Loan Handbook for ...ther instructions on use of this form.

T-8883

26 18 30

26 18 31

OFFICIAL RECORD OF DESCRIPTIONS

1895

26 18 31 800 24-01

26 18-82

OFFICIAL RECORD OF DESCRIPTIONS
OF REAL PROPERTY
LAKE COUNTY ASSESSOR

TWP.	RGE.	SEC.	QUARTER	TAX LOT NUMBER	TYPE REAL	SPEC. INT. IN PROP.	CODE AREA NUMBER	FORMERLY PART OF T.L. NO.
MAP NUMBER								

ACCOUNT NUMBER

	Date of Entry on this Code	DEED RECORD Year	Instr.	ACRES REMAINING
Wald, Dorothy C.	4-2-63	163	145	- assignment
c/o Glaser, Wilfred	2/18/71	acct	warranty	20.00
GLASER, WILFRED J & LORRAINE W	10-23-74	167	11	
GLASER, LORRAINE W	QC 3-23-92	219576		
NOFZIGER, TERRY L.	QC 6/26/00	247149		500

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AUG 30 2001
WATER RESOURCES DEPT.
SALEM, OR

T-8883

After recording, return to (Name, Address, Zip):
Terry Donna Nofziger
P.O Box 568
Christmas Valley OR. 97641

Until requested otherwise, send all tax statements to (Name, Address, Zip):
SAME AS ABOVE

749

A298-10
R298-04

~~035547~~

QUITCLAIM DEED

099813

THIS DOCUMENT IS BEING RE-RECORDED TO CORRECT THE LEGAL DESCRIPTION.

M037060 ~~M037014~~

~~515~~

THIS QUITCLAIM DEED, Executed this 29 day of December , 1999 (year),

by first party, Grantor, Lorraine W. Glaser

whose post office address is PO Box 520946
Big Lake, AK 99652

to second party, Grantee, Terry L. Nofziger

whose post office address is PO Box 568
Christmas Valley, OR 97641

WITNESSETH, That the said first party, for good consideration and for the sum of Five Thousand and no/100**********Dollars ($5,000.00) paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release and quitclaim unto the said second party forever, all the right, title, interest and claim which the said first party has in and to the following described parcel of land, and improvements and appurtenances thereto in the County of Lake , State of Oregon to wit:

W1/2 SW1/4 SE1/4 Section 31, Township 26S, Range 18E W.M.

IS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN IS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGU-TIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON QUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPRO-IATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES D TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST ACTICES AS DEFINED IN ORS 30.930.

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WATER RESOURCES DEPT
SALEM, OR

If your state requires 8 ½" x 11" forms, cut off the bottom of this page at the dotted line.

0 53926 20040 5

T-8883

749

26 18 31

RECORD OF DESCRIPTIONS

1896

2618-81

OFFICIAL RECORD OF DESCRIPTIONS
OF REAL PROPERTY

2618-52

OFFICIAL RECORD OF DESCRIPTIONS
OF REAL PROPERTY
LAKE COUNTY ASSESSOR

26
TWP. S. R.

1897

26 18 31 1000 2401

TWP. S. RGE.	SEC.	TAX LOT NUMBER	SPEC. INT.	CODE AREA NUMBER	FORMERLY PART OF T.L. NO.
MAP NUMBER					

ACCOUNT NUMBER

	Date of Entry on this Card	DEED RECORD Year	DEED RECORD Instr.	ACRES REMAINING
Wald, Dorothy C.	2/18/71	121	165	
		139	293	
		141	719	20.00
Also Formerly Tax lot 1100	6-29-82	Request		40.00
WALD, FELIX ANTHONY	DC 2-20-87	206360		
	PR 2-29-89	224156		
WALD, F A TRUST	4/24/91	6-11-93	222657	
STAGNER, PATRICIA A & MCDONALD MONTE R WD	5/23/00	241569		
Nofziger, Tommy Lynn & Jill WD	03/23/01	249	410	
Nofziger, Terry Lee WD	03/23/01	249	411	

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AUG 30 2001
WATER RESOURCES DEPT.
SALEM, OR

T-8883

M0381202 **WARRANTY DEED**
101313

411

TOMMY LYNN NOFZIGER and JILL NOFZIGER, as tenants by the entirety,
Grantor(s) hereby grant, bargain, sell, warrant and convey to:
TERRY LEE NOFZIGER
Grantee(s) and grantee's heirs, successors and assigns the following described real property, free of encumbrances except as specifically set forth herein in the County of **LAKE** and State of Oregon, to wit:

TOWNSHIP 26 SOUTH, RANGE 18 EAST OF THE WILLAMETTE MERIDIAN, SECTION 31: SE1/4 SE1/4

1897 **26 18 31 LOT 1000**

SUBJECT TO: all those items of record and those apparent upon the land, if any, as of the date of this deed and those shown below, if any:
and the grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

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.

The true and actual consideration for this conveyance is
0.00

Until a change is requested, all tax statements shall be sent to Grantee at the following address: ,

Dated this 28 day of Nov, 2000.

Tommy Lynn Nofziger
TOMMY LYNN NOFZIGER

Jill Nofziger
JILL NOFZIGER

RECEIVED
AUG 30 2001
WATER RESOURCES DEPT
SALEM, OR

State of Oregon
County of ~~LAKE~~ Linn

This instrument was acknowledged before me on Nov. 28, 2000 by TOMMY LYNN NOFZIGER AND JILL NOFZIGER.

OFFICIAL SEAL
YVONNE G WARD
NOTARY PUBLIC - OREGON
COMMISSION NO. 309172
MY COMMISSION EXPIRES MAR. 21, 2002

Yvonne G Ward
(Notary Public for Oregon)
My commission expires 3/21/02

ESCROW NO. LA05411-A

Return to:
TERRY LEE NOFZIGER

T-8883

State of Oregon } ss. Reel 78
County of Lake } File 1202

I hereby certify that the within instrument was received and filed for record on the 12 day of Dec. 2000 4:32 o'clock P.M. and recorded on page 411 in book 249 record of Deeds of said County
Wendy Lee Lambert-Shugure
County Clerk
By Cheryl Claus Deputy

411

TRANSFER CHECK OFF LIST

TRANSFER FILE # T-8883
DATE RECEIVED 8-30-01
DATE MONEY SLIPPED 8-30-01
DATE RECEIPTED 8-30-01
VALID WATER RIGHT? X Yes ____ No
TEMP ALT AC____(Greg) **IRR DIST**____(Greg) **PERM AMEND**____(Kelly) **DIV 15** X (Bernie Assigns)
TEMP Div 15 _____ (Bernie) **ISWR** Bernie **COPIES TO LIAISON** _____

LETTER FROM ATTORNEY _____YES **(PUT INFO ON FRONT COVER)** X NO

FOLDER FILLED OUT* ✓
INDEX CARD ✓
ENTERED IN DB ✓
TYPE BLACK BOOK ✓ (And color code)
RECORD MONEY/RECEIPT # ✓
CONTENTS MARKED ✓
COLOR CODED ✓ Yes
4 COPIES MADE & STAMPED ✓

CERTIFICATE MARKED ✓
CERTIFICATE COPIED ✓
PULL APPLICATIONS ✓
APP FOLDER MARKED ✓
FINAL PROOF MAP COPIED ✓
PERMIT MARKED N/A
PERMIT COPIED
PERMIT MAP COPIED
DECREE MARKED
DECREE COPIED
ADJUDICATION MAP COPIED

ENTRIES CHECKED _____ CHECKED BY _____ INIT FOLDER_____
PUBLIC NOTICE DATE 9-10-01 (PREPARED & COPIED) ✓
LETTER SENT ✓ Irrigation District N/A (copy of app & map)
COPY TO WM ✓
BLUE FORM TO WM ✓ **Orange Perm Amend/Yellow Temp/Grn Dist/Lav Alt Acr/**pink hist
COPY TO GW ✓ POA, APOA, or [SW TO GW ONLY(as POD)]
BLUE FORM TO GW ✓ **Orange Perm Amend/Yellow Temp/Grn Dist/Lav Alt Acr/**pink hist
COPY TO CWRE ✓
LETTER TO ODFW N/A ALL Surface water POU/USE (POD and APOD FISH SCREENS)
TRANSFER SENT TO: ✓ SW --- NCR --- SCR --- ER
Ben

*SHRINK DATA IF THERE ARE MANY FILES INVOLVED AND GLUE TO FOLDER