

T-10505

Name Dale GreenAddress 1755 San Souci Drive
Roseburg, OR 97470
541-672-5901Change in POUDate Filed 12/19/2007Initial notice date 12/25/2007

DPD issued date _____

PD issued date _____

PD notice date _____

Date of FO 11-4-09 Vol 79 Page 154

C-Date _____

COBU due date _____

COBU Received date 3/29/2011Certificate issued 6/20/2013 88052

DESCRIPTION OF WATER RIGHT(S)

Name of Stream Stockel Creek, ReservoirTrib. of Sumpqua River, Stockel crUse IR County Douglas

Quantity of water (CFS) _____ No. of Acres _____

Name of ditch _____

App # S 44597 Per # S 33276 Cert # 42652 PR Date _____

App # _____ Per # _____ Cert # _____ PR Date _____

App # _____ Per # _____ Cert # _____ PR Date _____

App # _____ Per # _____ Cert # _____ PR Date _____

App # _____ Per # _____ Cert # _____ PR Date _____

FEES PAID		
Date	Amount	Receipt #
12/19/07	400.00	90985

FEES REFUNDED		
Date	Amount	Receipt#

Assignments: _____

Irrigation District _____

Agent N/A

CWRE Henna Clay Jordan #431
 CC's list Douglas County Planning 1036 SE Douglas St, Justice Bldg, Rm 106 Roseburg OR 97470
 CLO: Julia Deming Ross 300 Tanglewood Drive, Roseburg, OR 97470

☐ - Oversized map - Location _____

Mailing List for Transfer Certificate

Application: T- 10505

Certificate: 88052

Certificate/Transfer Holder: (include copy of map)

DALE GREEN
1755 SAN SOUCI DR
ROSEBURG OR 97470 ✓

Copies Mailed

By: *MG*
(SUPPORT STAFF)

on: JUN 20 2013
(DATE)

Copies of final Certificate to be sent to:

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

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

KENNA CLAY JORDAN, CWRE #431 ✓

Record Marking(s):

1. Original Application# S-44597 ✓
2. Old Certificate# 42652



Oregon

John A. Kitzhaber, MD, Governor

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

Date Mailed: JUN 20 2013

NOTICE OF CERTIFICATE ISSUANCE

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

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

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

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

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

STATE OF OREGON

COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DALE GREEN
1755 SAN SOUCI DR
ROSEBURG OR 97470

confirms the right to use the waters of STOCKEL CREEK AND RESERVOIR CONSTRUCTED UNDER PERMIT R-5259, tributaries to SOUTH UMPQUA RIVER for IRRIGATION of 0.4 ACRE.

This right was perfected under Permit S-33276. The date of priority is MARCH 14, 1968. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.01 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The points of diversion (POD) are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
27 S	6 W	WM	17	NE SW	LIVE FLOW POD - 900 FEET SOUTH AND 1360 FEET EAST FROM W1/4 CORNER, SECTION 17
27 S	6 W	WM	17	NW SW	RESERVOIR PUMP - 950 FEET SOUTH AND 1260 FEET EAST FROM W1/4 CORNER, SECTION 17

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage from reservoir constructed under Permit R-5259.

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 is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
27 S	6 W	WM	17	NE SW	0.01
27 S	6 W	WM	17	NW SW	0.39

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

NOTICE OF RIGHT TO RECONSIDERATION OR JUDICIAL REVIEW

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

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

This certificate is issued to confirm a CHANGE IN PLACE OF USE approved by an order of the Water Resources Director entered November 4, 2009, at Special Order Volume 79, Page 154, approving Transfer Application 10505, and supersedes Certificate 42652, State record of Water Right Certificates.

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.

Issued JUN 20 2013.

A handwritten signature in black ink, appearing to read "Dwight French", is written over a horizontal line.

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

COPY

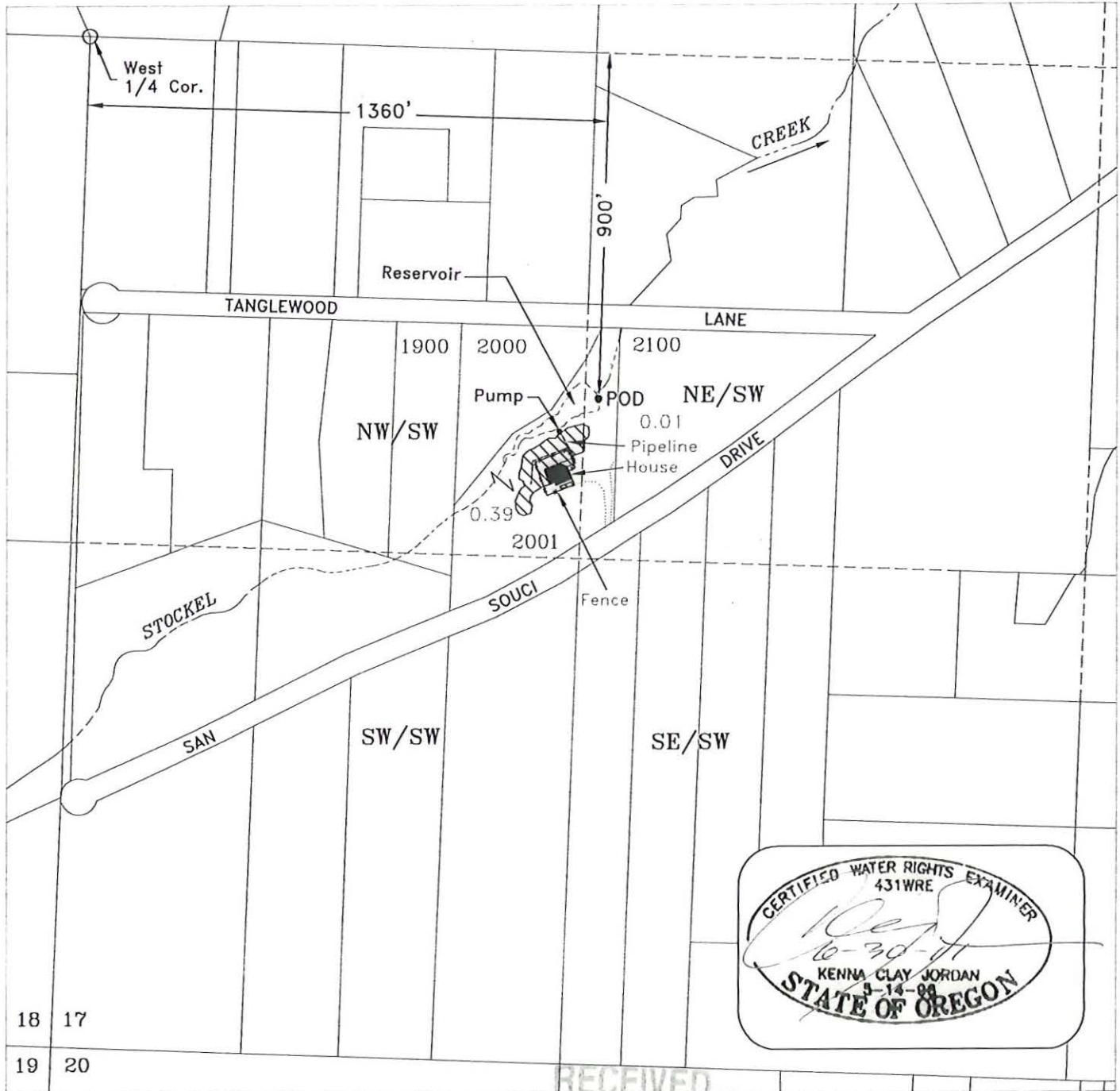
CLAIM OF BENEFICIAL USE

TRANSFER T-10505

IN THE NAME OF DALE GREEN

SW 1/4, SECTION 17, TOWNSHIP 27 SOUTH, RANGE 6 WEST, W.M.

DOUGLAS COUNTY OREGON



PLACE OF USE
0.40 Acres

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

Base map from Douglas County
GIS over 2005 FSA aerial photo
for assumed best fit

JORDAN ENGINEERING
460 JORDAN LANE
ROSEBURG, OR 97471
(541) 673-1931

Revised 3/7/2011 n.e.d.
Revised 03-08-11 kcj

MEMO

TO: FILE T-10505

FROM: JWG

DATE: 2-5, 2013

RE: DETERMINATION OF PROOF

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

The Permit/Transfer

The FPS/COBU

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

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

✓ Conflict check

✓ Check area of interest. Irrigation District identified? Y

N

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

done ✓ Check ownership prior to mailing the proposed and/or final cert. If there is a new owner list or attach list from assessor office. Update mailing list with new owner address information.

✓ Prepare a mailing list.

WM = 15 Williams

app 544597

cert 42652

STATE OF OREGON
COUNTY OF DOUGLAS
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DALE GREEN
1755 SAN SOUCI DR
ROSEBURG OR 97470

confirms the right to use the waters of STOCKEL CREEK AND RESERVOIR CONSTRUCTED UNDER PERMIT R-5259, tributaries to SOUTH UMPQUA RIVER for IRRIGATION of 0.40 ACRE.

This right was perfected under Permit S-33276. The date of priority is MARCH 14, 1968. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.01 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The points of diversion (POD) are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
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The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage from reservoir constructed under Permit R-5259.

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 is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
27 S	6 W	WM	17	NE SW	0.01
27 S	6 W	WM	17	NW SW	0.39

*add conditions:
20 & 21 -*

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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.

Issued _____.

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

Property Details for Property ID: R17481**Owner Information :**

Owner Name: GREEN, DALE R & MARIE N
Owner Address #1: 300 TANGLEWOOD DR
Owner Address #2:
Owner Address #3: Alternate Account #: XXXXXXXXXX
Owner City/State/Zip: ROSEBURG, OR 97471 Account Status: A

Property Information :

Township: 27	Situs Address: 1755 SAN SOUCI DR ROSEBURG, OR 97471
Range: 06W	Map ID: 270617C02001
Section: 17	County Property Class: 141
Quarter: C	Legal Acreage: 4.03
Sixteenth:	Code Area: 00402
Maintenance Area: 5	Neighborhood Code: K7
Year Built: 2006	Living Area: 2452
Bedrooms: 3	Baths: BATH2.5
Exemption Code:	Exemption Desc.:
MFD Home ID:	

Value Information : 2012-2013 Certified Values and Tax Information

Improvement Appr. Value: \$130,237.00	Total Appr. Value: \$235,398.00
Land Appr. Value: \$105,161.00	Exemption Value: \$0.00
Land Market Value: \$148,241.00	Total Assessed Value: \$219,548.00
Total Real Market Value: \$278,478.00	Taxes Imposed: \$2,299.75

Sales Information :

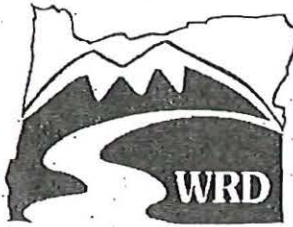
Deed No: 2002-16250
Sale Price: \$0.00 Sale Date: 6/11/2002

DISCLAIMER

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

Completion Checklist for CWRE Claims of Beneficial Use

Application # 710505



Date Received 3/29/2011
 CWRE Name Kenna Clay Jenkins Claim Logged yes
 File Marked yes
 Oversized Map # _____
 Read the file and attach a copy of the permit or transfer final order. _____

Map Review:

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

Report Review:

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

DEF = deficient

N/A = Not Applicable

Certificate Issuance Processing Checklist

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

Staff Recommendations:

_____ Proof to the Satisfaction has been established to the full extent as described in the permit or transfer order.
_____ Proof to the Satisfaction has been not been established to the full extent as described in the permit or transfer order and the right should be limited as follows: _____
_____ Proof to the Satisfaction has not been established for the following reasons: _____
_____ **Proposed Actions:**
Send letter requesting the following items/information: _____
Send letter recommending extension to cure deficiencies: _____

Can certificate be processed further?

_____ Yes

If "Yes":

_____ Proposed
_____ Final

Certificate # _____

Mailing list:

Proposed:

Final:

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



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

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

**SECTION 1
GENERAL INFORMATION**

1. File Information

APPLICATION # (G, R, S or T) T-10505	PERMIT # (IF APPLICABLE)	PERMIT AMENDMENT # (IF APPLICABLE)
--	--------------------------	------------------------------------

2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME Dale R. & Marie N. Green		PHONE NO. (541) 672-5901	ADDITIONAL CONTACT NO.
ADDRESS 1755 San Souci Drive			
CITY Roseburg	STATE OR	ZIP 97470	E-MAIL

If the current property owner is not the permit or transfer holder of record, it is recommended that an assignment be filed with the Department. **The COBU must be signed by the permit or transfer holder of record.**

3. Is the Property Owner the permit or transfer holder of record?

NO

If "YES" the remainder of this item may be deleted.

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

PERMIT OR TRANSFER HOLDER OF RECORD Dale Green		
ADDRESS 1755 San Souci Drive		
CITY Roseburg	STATE OR	ZIP 97470

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SALEM, OREGON**

Are there additional permit or transfer holders of record?

NO

If "NO" the following box may be deleted.

4. Date of Site Inspection: **2/23/2011**

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

NAME	DATE	ASSOCIATION WITH THE PROJECT
Dale Green	2/23/2011	Property owner / Transfer holder

6. County: **Douglas**

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

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

OWNER OF RECORD NA		
ADDRESS		
CITY	STATE	ZIP

Are there additional Owners of Record?

NO

If "NO" the following box may be deleted.

SECTION 2 SYSTEM DESCRIPTION

A. Points of Diversion/Appropriation

1. Point of diversion/appropriation name or number:

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

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

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

POD/POA NAME OR NUMBER	SOURCE	TRIBUTARY
POD	Stockel Creek and Reservoir R-5259	South Umpqua River

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

POD/POA NAME OR NUMBER	USES	IF IRRIGATION, LIST CROP TYPE	SEASON OR MONTHS WHEN WATER WAS USED	RATE OR VOLUME FOR USE (CFS, GPM, OR AF)
POD	Irrigation	Grass, landscape	Irrigation Season	0.01
Total Quantity of Water Used				0.01

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

Water is pumped from the POD to underground mainlines with hose bibs. Hoses and impulse sprinklers are used to irrigate open areas. Spray heads and drippers are used within the fenced area around the house.

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**WATER RESOURCES DEPT
SALEM, OREGON**

WR

SECTION 2

SYSTEM DESCRIPTION (B through H)

Are there multiple PODs or POAs?

NO

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

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

B. Place of Use

1. Is the right for municipal use?

YES NO

If "YES" the table below may be deleted.

TWP	RNG	MER	SEC	Q-Q	GLot	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
27S	6W	WM	17	NW/SW			IR	0.39	
				NE/SW			IR	0.01	
Total Acres Irrigated								0.40	

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

C. Diversion and Delivery System Information

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

1. Is a pump used?

YES

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

2. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Vaermotor	G55JXDEX -2122	Unk	Centrifugal	1 ¼	1 1/4

3. Motor Information

MANUFACTURER	HORSEPOWER
Vaermotor	1/2

4. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *If A WELL, THE WATER LEVEL DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
½	40	4	5	0.03

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MAR 29 2011

WATER RESOURCES DEPT
SALEM, OREGON

5. Provide pump calculations:

$$Q = \frac{(HP)(\text{Pump Efficiency})}{\text{Total head}} = \frac{3.305}{(9 + 101.6)} = 0.03 \text{ cfs}$$

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

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
NA			

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

7. Is the distribution system piped?

YES

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

8. Mainline Information

MAINLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
1 inch	250	Poly	buried

9. Lateral or Handline Information

LATERAL OR HANDLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
¾ inch	300	Hose	above

10. Sprinkler Information

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
9/64	35+	3.1	3	2	0.014 cfs

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

11. Pivot Information

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

12. Additional notes or comments related to the system:

D. Groundwater Source Information (Well and Sump)

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

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NO

WATER RESOURCES DEPT
SALEM, OREGON

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

E. Storage

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

YES

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

If "YES" is it a: Storage Tank

NO

Bulge in System / Reservoir

YES

Complete appropriate table(s) below, unused table may be deleted.

2. Storage Tank:

MATERIAL (CONCRETE, FIBERGLASS, METAL, ETC.)	CAPACITY (IN GALLONS)	ABOVE GROUND OR BURIED
NA		

3. Bulge in System / Reservoir:

RESERVOIR NAME OR NUMBER (CORRESPOND TO MAP)	APPROXIMATE DAM HEIGHT	APPROXIMATE CAPACITY (IN ACRE FEET)
Reservoir	9.5 feet	-.125 acre-feet

F. Gravity Flow Pipe

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

1. Does the system involve a gravity flow pipe?

NO

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

G. Gravity Flow Canal or Ditch

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

1. Is a gravity flow canal or ditch used to convey the water as part of the distribution system?

NO

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

H. Reservoir

1. Does the claim involve a reservoir modified through a transfer?

NO

Reminder: This section should only be completed if the reservoir right has been modified through the transfer process. If the claim is for a permitted reservoir use the Claim of Beneficial Use form for reservoirs.

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

SECTION 3 CONDITIONS

Please pay special attention to this section. All conditions contained in the permit, permit amendment, transfer final order, or any extension final order shall be addressed. Reports that do not address all performance related conditions will be returned.

1. Time Limits:

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

	DATE FROM PERMIT OR TRANSFER	DATE ACCOMPLISHED*	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	11/4/2009		
BEGIN CONSTRUCTION (A)	NA		
COMPLETE CONSTRUCTION (B)	NA		
COMPLETE APPLICATION OF WATER (C)	10/1/2011	Summer 2010	Installed pump, buried pipe and irrigated as stated in this report

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

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

NO

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

4. Initial Water Level Measurements:

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

NO

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

5. Annual Static Water Level Measurements:

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

NO

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

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

a. Did the permit require the submittal of a pump test?

NO

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

7. Measurement Conditions:

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

NO

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

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MAR 29 2011

WATER RESOURCES DEPT
SALEM, OREGON

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

8. Recording and reporting conditions

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

NO

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

9. Fish Screening

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

NO

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

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

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

10. By-pass Devices

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

NO

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

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

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

a. Were there special well construction standards?

NO

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

NO

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

NO

d. Was a fishway required?

NO

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

NO

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

NO

g. Other conditions?

NO

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

NA

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SALEM, OREGON

WR

SECTION 4 VARIATIONS

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

Location of irrigated area slightly different than transfer map but acreage remains the same

SECTION 5 ATTACHMENTS

If you are attaching any documents to this report, provide a list:

ATTACHMENT NAME	DESCRIPTION

SECTION 6 CLAIM SUMMARY

POD / POA NAME OR #	MAXIMUM RATE AUTHORIZED	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED	USE	# OF ACRES ALLOWED	# OF ACRES DEVELOPED
POD	.01 CFS	0.014 CFS	NA	IR	0.40	0.40

SECTION 7 CLAIM OF BENEFICIAL USE MAP

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

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

Douglas County GIS tax lots and property partition map over 2005 FSA aerial photo for assumed best fit. TruPulse 200 laser range finder used for distance

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WATER RESOURCES DEPT
SALEM, OREGON

WR



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.)

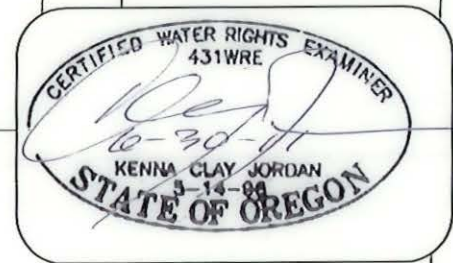
- ☒ Map on polyester film.
- ☒ Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-size scale of the county assessor map)
- ☒ Township, Range, Section, Donation Land Claims, and Government Lots
- ☒ If irrigation, number of acres irrigated within each projected Donation Land Claims,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

RECEIVED

MAR 29 2011

WATER RESOURCES DEPT
SALEM, OREGON

DOUGLAS COUNTY OREGON



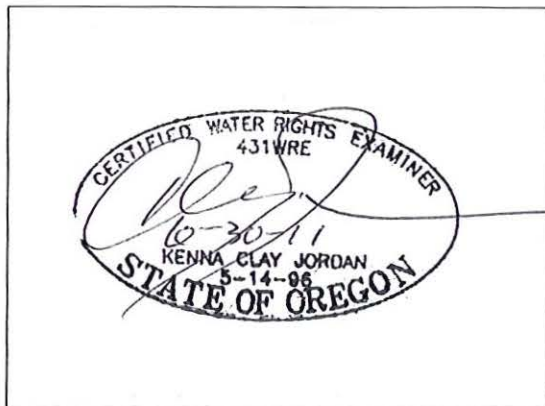
Revised 3/7/2011 n.e.d.
Revised 03-08-11 kcj

Base map from Douglas County
GIS over 2005 FSA aerial photo
for assumed best fit

SECTION 8 SIGNATURES

CWRE Statement, Seal and Signature

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



CWRE NAME Kenna Clay Jordan		PHONE NO. (541) 673-1931	ADDITIONAL CONTACT No.
ADDRESS 460 Jordan Lane			
CITY Roseburg	STATE OR	ZIP 97471	E-MAIL kcjengineer@zoho.com

Permit or Transfer Holder's of Record Signature or Acknowledgement

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

SIGNATURE	PRINT OR TYPE NAME	DATE
	Dale Green	3/23/11

RECEIVED
MAR 29 2011
WATER RESOURCES DEPT
SALEM, OREGON



Oregon

John A. Kitzhaber, MD, Governor

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

March 30, 2011

Dale Green
1755 San Souci Drive
Roseburg OR 97470

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

Transfer T-10505

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

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

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

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

Jordan Engineering

Structural-Civil-Geotech

460 Jordan Lane
Roseburg, OR 97471
541-673-1931

Water Resources Department
Mr. Gerry Clark
725 Summer St. NE, Suite A
Salem, OR 97301

Claim Of Beneficial Use:
Transfer T-10505

March 25, 2011

RECEIVED

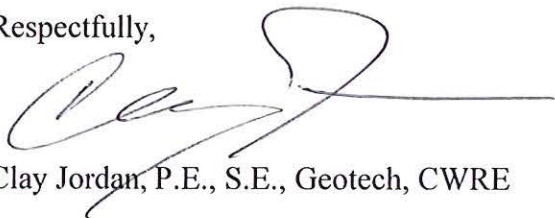
MAR 29 2011

WATER RESOURCES DEPT
SALEM, OREGON

Mr. Clark:

Inclosed is the COBU form and Mylar map for the Transfer noted above. If there are any corrections and/or questions please contact the applicant and myself as their CWRE.

Respectfully,



Clay Jordan, P.E., S.E., Geotech, CWRE

file: COBU T-10505 WRD.wpd

cc: Mr. Green



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

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

November 6, 2009

DALE GREEN
1755 SAN SOUCI DRIVE
ROSEBURG OR 97470

REFERENCE: Transfer Application T-10505

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

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

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

You are required to hire a Certified Water Rights Examiner (CWRE) to complete a Claim of Beneficial Use report and map which must be submitted to this Department within one year of the date you complete the change(s) or within one year of the completion date authorized in the transfer final order, whichever occurs first.

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

Sincerely,

Sarah Henderson
Executive Support
Field Services Division

cc: Watermaster Dist. #15
Kenna Clay Jordan, CWRE
Julia Deming Ross

Enclosure

Source: STOCKEL CREEK and reservoir constructed under Application No. R-44481, Permit No. R-5259, tributary to the SOUTH UMPQUA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
27 S	6 W	WM	17	NE SW	900 FEET SOUTH AND 1360 FEET EAST FROM THE W1/4 CORNER OF SECTION 17

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
27 S	6 W	WM	17	NW SW	0.4

3. Additional information from the Final Proof Survey Map clarifies the description of the authorized points of diversion as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
27 S	6 W	WM	17	NE SW	Live Flow POD: 900 FEET SOUTH AND 1360 FEET EAST FROM THE W1/4 CORNER OF SECTION 17
27 S	6 W	WM	17	NE SW	Reservoir Pump: 950 FEET SOUTH AND 1260 FEET EAST FROM THE W1/4 CORNER OF SECTION 17

4. Application T-10505 proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
27 S	6 W	WM	17	NE SW	0.13
27 S	6 W	WM	17	NW SW	0.27

5. Notice of the application for transfer was published on December 25, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
6. On March 21, 2007, in conjunction with a property partition, a Water Right Agreement/Transfer was executed between Dale R. and Marie N. Green, and Julia Deming Ross. The Water Right Agreement/Transfer was not recorded in Douglas County.
7. In 2008, Julia Deming Ross conveyed her property to Diedre Horn.
8. On August 20, 2009, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-10505 to the applicant. The draft Preliminary Determination letter set forth a deadline of September 17, 2009, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

8. On August 31, 2009, the Water Right Agreement/Transfer between Dale R. and Marie N. Green, and Julia Deming Ross was recorded in the Douglas County Official Records.
9. On September 4, 2009, applicant submitted an amended map.
10. On September 16, 2009, OWRD staff accessed the Douglas County Assessor's website and confirmed the current owner of the property from which the water right is being transferred is Diedre Horn, PO Box 508, Vineburg, CA 95487.
11. On September 18, 2009, applicant submitted a notarized Affidavit Consenting to Proposed Water Right Transfer executed by Diedre Horn, 300 Tanglewood Lane, Roseburg, Oregon.
13. On September 29, 2009, the Department issued a preliminary determination proposing to approve Transfer T-10505 and mailed a copy to the applicant. Additionally, notice of the preliminary determination for the transfer application was published on the Department's weekly notice on September 29, 2009, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

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

14. Water has been used within the five-year period prior to submittal of the transfer application according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
15. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-10505.
16. The proposed change would not result in enlargement of the right.
17. The proposed change would not result in injury to other water rights.

Conclusions of Law

The change in place of use proposed in Transfer Application T-10505 is consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The change in place of use proposed in application T-10505 is approved.
2. Water right certificate 42652 is cancelled.
3. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 42652.
4. The Director may require the water user to install a totalizing flow meter or other suitable measuring devices at each point of diversion. If the Director notifies the water user to install

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

5. When required by the Department, the water user shall install, maintain and operate a headgate to control and regulate the quantity of water diverted. The type and plans of the headgate must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
6. The former place of use of the transferred right shall no longer receive water under the right.
7. The approved change shall be completed and full beneficial use of the water shall be made on or before **October 1, 2011**. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.
8. When satisfactory proof of the completed change is received, a new certificate confirming the right transferred will be issued.

Dated at Salem, Oregon this 4th day of November, 2009.


Phillip C. Ward, Director

Mailing date: NOV 09 2009

Water Right Transfer Checklist

Transfer T-10505

Transfer Specialist: SW Region Drawer

Transfer Type: Regular

Applicant Name/Address: Dale Green, 1755 San Souci Drive, Roseburg, OR 97470

Agent Name/Address: None

CWRE Name/Number: Kenna Clay Jordan #431

Rec Landowner Name/Address: CLO: Julia Deming Ross 300 Tanglewood Drive Roseburg, OR 97470

Irr. District Name/Address: None

Affected Gov'ts Name/Address: Douglas County Planning 1036 SE Douglas St., Justice Bldg. Rm 106 Roseburg, OR 97470

Commentors: Name/Address: None

Water Rights Affected

Records Marked	Records Copied	App File No. or Decree Name	Permit No.	Certificate No.	RR/CR Needed	RR/CR Nos.
☒	☒	S 44597	S 33276	42652	☐ Yes ☒ No	
☐	☐				☐ Yes ☐ No	
☐	☐				☐ Yes ☐ No	

Key Dates & Initial Actions

Rec'd: <u>12/19/2007</u>	Proposed Action(s): POU POD HST APOD USE OTHER: POU	
Fees Pd: <u>400.00</u>	WM District: <u>15</u>	ODFW District: <u>None</u>
Initial Notice: <u>12/25/2007</u>	WM Review sent: <u>12/28/2007</u>	ODFW Review sent: <u>None</u>
Acknowledgement Letter Sent ☒		GW Review sent: <u>None</u>

Processing Dates & Actions

Deficiency Contacts: _____

Newspaper Pub Affid Due: _____

DPD Mailed: 8/20/09

☒ not required

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

Affid of Pub Rec'd: _____

PD Mailed: 9/30/09

Last Day Published: _____

PD Weekly Notice: _____

Affidavit Reminder Sent: _____

Reminder Deadline: _____

Preliminary Determination

- ☐ Electronic Files uploaded
- ☐ PD Cover letter
- ☐ PD Notice
- ☐ File Assigned/ ModPod updated

- ☐ Preliminary Determination
- ☐ Fee Refund Due
- ☐ Remaining Rights

DPD Review (Optional)	PD Review (Salem)	Final Order Review (Salem)
Reviewer: _____	Reviewer: _____	Reviewer: _____
Date: _____	Date: _____	Date: _____
Coordinator: <u>ALP</u>	Coordinator: <u>ALP</u>	Coordinator: <u>ALP</u>
Date: <u>8/19/09</u>	Date: <u>9/29/09</u>	Date: <u>11/4/09</u>
Comments/Special Issues:		

Special Order Volume: Vol 79 Pages 154 Final Order Signature Date: 11-4-09
 Notice of FO email'd to processors teri

Review Checklist

T-10505

Processor: SW Region DrawerApplication

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

Water right subject to transfer

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

Application Map

- ☒ The map has an original CWRE signature. *missing*
- ☒ The map size and scale accurate and appropriate per OAR 690-380-3100(1)(b)(c)&(d). *measurement pod - pump appears not to scale*
- ☒ All authorized and proposed POD's/POA's and POU's shown and clearly labeled. *pod not accurately plotted if not more accurate it is known*
- ☒ Metes and bounds for the POD's/POA's are properly described on the map.
- ☒ The POD/POA dimensions & 1/4 1/4 on map match the transfer application and certificate descriptions.
- ☒ Map acres match the tabulation on the certificate.
- ☒ Have final proof maps/deed maps for the rights. ☐ Application map matches certificate FPS.
- ☒ Have necessary aerial photos.

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

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

Ownership

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

Evaluation (materials needed for peer reviewer in bold)

- ☒ application complete ☒ map ☒ FPS ☒ evidence of use ☒ land-use form
- ☒ deed/ROLI *conveyance agreement* ☒ certificate ☒ fees paid ☐ well logs ☒ plat card
- ☐ audit *consent to transfer* ☒ dpd

Reviews/comments/conditions received? ☐ Watermaster ☐ ODFW ☐ GWHeadgate ☒ When in the judgment ☐ Prior to diverting ☐ Existing and maintainMeasuring Devices ☒ When in the judgment ☐ Prior to diverting ☐ Existing and maintainFish Screen Devices ☐ *NA*Injury: Y *N* Enlargement: Y *N*

Conditions to avoid enlargement/injury -



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

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

December 27, 2007

DALE GREEN
1755 SAN SOUCI DRIVE
ROSEBURG, OR 97470

Reference: Transfer 10505

On December 19, 2007 we received your water right transfer application. The application was accompanied by \$400.00. Our receipt 90985 is enclosed.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the change.

Your application will be examined to determine if additional information is needed. You will be contacted following this examination. A number of other transfer applications are also awaiting review. As a result, it may be some time before we are able to process your application. If you wish to have your application processed more quickly, you may want to consider use of the Department's reimbursement authority. Under this authority an applicant may receive expedited review by paying the full cost for a pre-qualified contractor to process the applications. For more information on the Reimbursement Authority program, see our website at http://www.wrd.state.or.us/OWRD/mgmt_reimbursement.shtml or call the transfer section.

Except as provided under ORS 540.510(3) for municipalities, you may not use water for the new use, in the new place of use or from the new point of diversion until the transfer application has been approved. In order to avoid any possible forfeiture of the water right, you should continue to use the water as described by your existing water right. If the land is sold before the transfer is approved, the buyer's consent to the transfer will be required unless a recorded deed or other legal document clearly established that the water right was not conveyed in the sale.

We will notify you if additional information or corrections to the application or map are required.

If you have any questions, please call the Transfer Section, (503)986-0883.

cc: Watermaster # 15
CWRE # 431
Douglas County Planning
Julia Deming Ross

enclosure



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

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

September 30, 2009

DALE GREEN
1755 SAN SOUCI DRIVE
ROSEBURG OR 97470

Pd Noticed
9-29-09

SUBJECT: Water Right Transfer Application T-10505

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-10505. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department.

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

If no protest is filed, the Department will issue a Final Order consistent with the Preliminary Determination. You should receive a copy of the Final Order about 30 days after the close of the protest period.

If a protest is filed, the application may be referred to a contested case proceeding. A contested case provides an opportunity for the proponents and opponents of the decision proposed in the Preliminary Determination to present information and arguments supporting their position in a quasi-judicial proceeding.

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

Sincerely,

Sarah Henderson

Jore Teri Hranac
Transfer Specialist
Field Services Division

Enclosures

cc: Dave S. Williams, District 15 Watermaster
Clay Jordan, CWRE # 431



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

In the Matter of Transfer Application	)	PRELIMINARY DETERMINATION
T-10505, Douglas County	)	PROPOSING APPROVAL OF A
	)	CHANGE IN PLACE OF USE

Authority

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

Applicant

DALE GREEN
1755 SAN SOUCI DRIVE
ROSEBURG OR 97470

Findings of Fact

Background

1. On December 19, 2007, DALE GREEN filed an application to change the place of use under Certificate 42652. The Department assigned the application number T-10505.

2. The right to be transferred is as follows:

Certificate:	42652 in the name of BILL LEE LAMMEY (perfected under Permit S-33276)
Use:	IRRIGATION of 0.4 ACRE
Priority Date:	MARCH 14, 1968
Rate:	0.01 CUBIC FOOT PER SECOND
Limit/Duty:	The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated from the direct flow and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage from reservoir constructed under Permit R-5259.
Source:	STOCKEL CREEK and reservoir constructed under Application No. R-44481, Permit No. R-5259, tributary to the SOUTH UMPQUA RIVER

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

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
27 S	6 W	WM	17	NE SW	900 FEET SOUTH AND 1360 FEET EAST FROM THE W1/4 CORNER OF SECTION 17

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
27 S	6 W	WM	17	NW SW	0.4

3. Additional information from the Final Proof Survey Map clarifies the description of the authorized points of diversion as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
27 S	6 W	WM	17	NE SW	Live Flow POD: 900 FEET SOUTH AND 1360 FEET EAST FROM THE W1/4 CORNER OF SECTION 17
27 S	6 W	WM	17	NE SW	Reservoir Pump: 950 FEET SOUTH AND 1260 FEET EAST FROM THE W1/4 CORNER OF SECTION 17

4. Application T-10505 proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
27 S	6 W	WM	17	NE SW	0.13
27 S	6 W	WM	17	NW SW	0.27

5. Notice of the application for transfer was published on December 25, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
6. On August 20, 2009, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T- 10505 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of September 17, 2009, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
7. On March 21, 2007, in conjunction with a property partition, a Water Right Agreement/Transfer was executed between Dale R. and Marie N. Green, and Julia Deming Ross. The Water Right Agreement/Transfer was not recorded in Douglas County.
8. In 2008, Julia Deming Ross conveyed her property to Diedre Horn.
9. On August 31, 2009, the Water Right Agreement/Transfer between Dale R. and Marie N. Green, and Julia Deming Ross was recorded in the Douglas County Official Records.

10. On September 4, 2009, applicant submitted an amended map.
11. On September 16, 2009, OWRD staff accessed the Douglas County Assessor's website and confirmed the current owner of the property from which the water right is being transferred is Diedre Horn, PO Box 508, Vineburg, CA 95487.
12. On September 18, 2009, applicant submitted a notarized Affidavit Consenting to Proposed Water Right Transfer executed by Diedre Horn, 300 Tanglewood Lane, Roseburg, Oregon.

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

13. Water has been used within the five-year period prior to submittal of the transfer application according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
14. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-10505.
15. The proposed change would not result in enlargement of the right.
16. The proposed change would not result in injury to other water rights.

Determination and Proposed Action

The change in place of use proposed in Transfer Application T-10505 appears to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the transfer application will be approved.

If application T-10505 is approved, the final order will include the following:

1. *The change in place of use proposed in application T-10505 is approved.*
2. *Water right certificate 42652 is cancelled.*
3. *The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 42652.*
4. *The Director may require the water user to install a totalizing flow meter or other suitable measuring devices at each point of diversion. If the Director notifies the water user to install totalizing flow meters or other measuring devices, the water user shall install such devices specified by the Director within the period allowed in the notice. Once installed, the water user shall maintain the meters or measuring devices in good working order and shall allow the Watermaster access to the meters or measuring devices.*
5. *When required by the Department, the water user shall install, maintain and operate a headgate to control and regulate the quantity of water diverted. The type and plans of the*

headgate must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

6. *The former place of use of the transferred right shall no longer receive water under the right.*
7. *The approved change shall be completed and full beneficial use of the water shall be made on or before **October 1, 2011**. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.*
8. *When satisfactory proof of the completed change is received, a new certificate confirming the right transferred will be issued.*

Dated at Salem, Oregon this 25th day of September 2009.


Phillip C. Ward, Director *PCW*

This Preliminary Determination was prepared by Teri Hranac. If you have questions about the information in this documents, you may reach me at (503) 986-0881 or teri.k.hranac@wrd.state.or.us.

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

**Notice of Preliminary Determination for
Water Right Transfer T-10505**

T-10505 filed by Dale Green, 1755 San Souci Drive, Roseburg, OR 97470, proposes a change in place of use under Certificate 42652. The right allows the use of .01 cfs (priority date March 14, 1968) from a diversion in Sec. 17, T27S, R6W, W.M. for irrigation in Sec. 17. The applicant proposes to change the change the place of use to Sec. 17, T27S, R6W, W.M. The Water Resources Department has concluded that the proposed transfer appears to be consistent with the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, with the Department a protest or standing statement within 30 days after the date of final publication of notice in the Department's weekly notice or of this newspaper notice, whichever is later. A protest form and additional information on filing protests may be obtained by calling (503) 986-0881. The last date of newspaper publication is [DATE OF LAST PUBLICATION]. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

RONALD S. YOCKIM
Attorney at Law

**430 S.E. Main Street
P.O. Box 2456
Roseburg, Oregon 97470**

**(541) 957-5900
FAX (541) 957-5923**

September 22, 2009

Teri Hranac
Field Services Division
Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266

**Re: Application T-10505
Dale and Marie Green
Our File No. 2708-A**

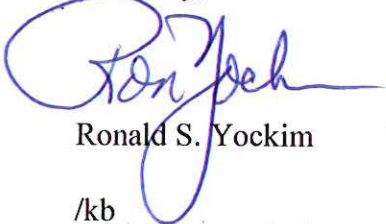
Dear Ms. Hranac:

Enclosed please find a copy of the following:

1. Water Right Agreement/Transfer dated March 21, 2007 and recorded with the Douglas County Clerk on August 31, 2009.
2. Copy of the Affidavit Consenting to Proposed Water Right Transfer signed by Diedre Horn on September 14, 2009, and recorded with the Douglas County Clerk on September 21, 2009.

Jordan Engineering is working to complete the remaining issues. If you have any questions, please do not hesitate to contact this office.

Sincerely,



Ronald S. Yockim

/kb
Enclosure

Cc: Client

RECEIVED

SEP 23 2009

**WATER RESOURCES DEPT
SALEM, OREGON**

After Recording Return To:
Ronald S. Yockim
P.O. Box 2456
Roseburg, OR 97470

DOUGLAS COUNTY OFFICIAL RECORDS
BARBARA E. NIELSEN, COUNTY CLERK

2009-015657



\$36.00

00253432200900156570030038

08/31/2009 03:46:05 PM

EASE-EASE Cnt=1 Stn=1 RECEIPTCOUNTER
\$15.00 \$11.00 \$10.00

WATER RIGHT AGREEMENT/TRANSFER

THIS AGREEMENT entered into on the 21 day of March, 2007,
between DALE R. GREEN and MARIE N. GREEN, husband and wife, (Grantor) and
JULIA DEMING ROSS (Grantee).

In partial consideration of Grantor DALE R. GREEN and MARIE N. GREEN
conveying the property known as Tax Lot 2000 aka 300 Tanglewood, Roseburg, Oregon,
to JULIA DEMING ROSS, Grantee, the parties agree as follows:

Grantors hereby reserve unto themselves all right and interest in the irrigation
rights described in the Certificate of Water Right, 42651 and Certificate of Water Right
42652. It is the intent of the parties that the place of use for the water rights under
Certificate 42652 will be transferred to the property of DALE R. GREEN and MARIE N.
GREEN, known as Tax Lot 2001 aka 1755 San Souci, Roseburg, Oregon.

SEE ATTACHED EXHIBIT "A".

The parties recognize and acknowledge that the transfer will not be able to be
consummated until after the closing on the property and therefore agree to cooperate and
take all steps necessary to transfer these water rights. JULIA DEMING ROSS expressly
agrees that upon the request of Grantors, she will take all steps necessary to help and
assist in this transfer and further acknowledges and agrees that for the purposes of the
transfer DALE R. GREEN and MARIE N. GREEN are considered the owners, and/or
holders, of the water right subject to the transfer, as that phrase is used in ORS 540.

Said transfer to be at the sole cost and expense of DALE R. GREEN and MARIE
N. GREEN.

DATED THIS 21st day of March, 2007

Dale R. Green
DALE R. GREEN

Marie N. Green
MARIE N. GREEN

Julia Deming Ross
JULIA DEMING ROSS

RECEIVED

SEP 23 2009

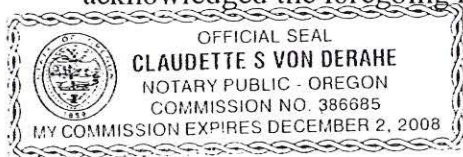
**WATER RESOURCES DEPT
SALEM, OREGON**

STATE OF OREGON)

County of Douglas)

) ss. March 22, 2007
Date

Personally appeared the above named JULIA DEMING ROSS, and
acknowledged the foregoing instrument to be her voluntary act and deed.



Claudette S. Von Derahe
Notary Public for Oregon

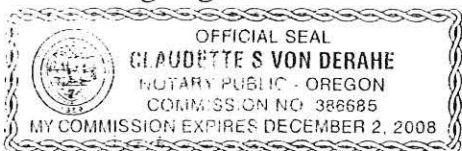
My Commission Expires: 12/2/08

STATE OF OREGON)

County of Douglas)

) ss. March 21, 2007
Date

Personally appeared the above named MARIE N. GREEN, and acknowledged the
foregoing instrument to be her voluntary act and deed.



Claudette S. Von Derahe
Notary Public for Oregon

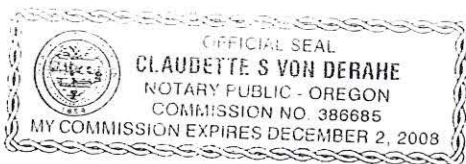
My Commission Expires: 12/2/08

STATE OF OREGON)

County of Douglas)

) ss. March 21, 2007
Date

Personally appeared the above named DALE R. GREEN, and acknowledged the
foregoing instrument to be his voluntary act and deed.



Claudette S. Von Derahe
Notary Public for Oregon

My Commission Expires: 12/2/08

RECEIVED

SEP 23 2009

WATER RESOURCES DEPT
SALEM, OREGON

EXHIBIT A

LEGAL DESCRIPTION:

Tax Lot 2000

PARCEL 1, PARTITION PLAT 2002-0020, PARTITION PLAT RECORDS OF DOUGLAS COUNTY,
OREGON.

Tax Lot 2001

Parcel 2 , Partition Plat 2002-0020, Partition Plat Records of
Douglas County, Oregon.

RECEIVED

SEP 23 2009

**WATER RESOURCES DEPT
SALEM, OREGON**

END OF DOCUMENT

Attached Affidavit refers to
Instrument Number 2009-015657

DOUGLAS COUNTY OFFICIAL RECORDS
BARBARA E. NIELSEN, COUNTY CLERK

2009-016733



\$31.00

00254829200900167330020028

09/21/2009 03:01:46 PM

EASE-EASE Cnt=1 Stn=1 RECEIPTCOUNTER

\$10.00 \$11.00 \$10.00

RECEIVED

SEP 23 2009

WATER RESOURCES DEPT
SALEM, OREGON

AFFIDAVIT CONSENTING TO PROPOSED WATER RIGHT TRANSFER

State of Oregon

County of

Douglas

)

)ss

)

I/We

Diedre Horn

in my

capacity as

owner

mailing address

300 Tanglewood Ln, Roseburg OR

telephone number

541-672-5332

, duly sworn depose and say that I/We

consent to the proposed change(s) to Water Right Certificate Number

42652

as

described in Transfer Application T-

10505

, on the property located on tax lot

number

2000

, R 17241

, Section

17C

, Township

27 S

(north or south),

Range

6 W

(east or west), W.M.

Diedre Horn
Signature of Affiant

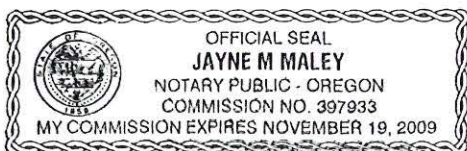
9-14-09

Date

Signature of Affiant

Date

Subscribed and Sworn to before me this 14th day of SEPTEMBER, 2009.



Jayne M. Maley
Notary Public for Oregon

RECEIVED

SEP 23 2009

WATER RESOURCES DEPT
SALEM, OREGON

My commission expires

Nov. 19, 2009

END OF DOCUMENT

Hello Teri Hranac

I am sending a fax copy of the Affidavit consenting to proposed water right transfer today. I will follow up with a copy mailed to you.

RECEIVED
SEP 18 2009
WATER RESOURCES DEPT
SALEM, OREGON

Thank you
Dale Green
1755 San Souci
Roseburg OK 97471

FIDAVIT CONSENTING TO PROPOSED WATER RIGHT TRANSFER

State of Oregon)

County of Douglas)
JSS

RECEIVED

SEP 18 2009

WATER RESOURCES DEPT
SALEM, OREGON

I/We Diedre Horn in my

capacity as owner,

mailing address 300 Tanglewood Ln, Roseburg OR

telephone number 541-672-5332, duly sworn depose and say that I/We

consent to the proposed change(s) to Water Right Certificate Number 42652 as

described in Transfer Application T- 10505, on the property located on tax lot

number 2000, R17241, Section 17C, Township 27 S (north or south),

Range 6 W (east or west), W.M.

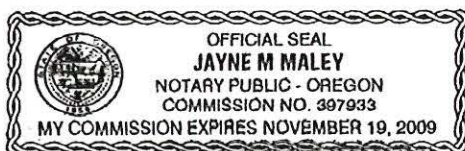
Diedre Horn
Signature of Affiant

9-14-09
Date

Signature of Affiant

Date

Subscribed and Sworn to before me this 14th day of SEPTEMBER, 2009.



Jayne M. Maley
Notary Public for Oregon

My commission expires Nov. 19. 2009.

Hello Teri Hranac

I am sending a fax copy of the Affidavit consenting to proposed water right transfer today. I will follow up with a copy mailed to you.

Thank you

Dale Green

1755 San Souci

Roseburg OR 97471

RECEIVED

SEP 17 2009

WATER RESOURCES DEPT.
SALEM, OREGON

AFFIDAVIT CONSENTING TO PROPOSED WATER RIGHT TRANSFER

State of Oregon

)

County of Douglas

)ss

)

RECEIVED

SEP 17 2009

WATER RESOURCES DEPT.
SALEM, OREGON

I/We Diedre Horn in my

capacity as owner

mailing address 300 Tanglewood Ln, Roseburg OR

telephone number 541-672-5332, duly sworn depose and say that I/We

consent to the proposed change(s) to Water Right Certificate Number 42652 as

described in Transfer Application T- 10505, on the property located on tax lot

number 2000, R17241, Section 17C, Township 27 S (north or south),

Range 6 W (east or west), W.M.

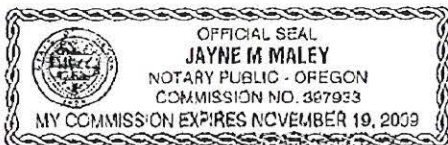
Diedre Horn
Signature of Affiant

9-14-09
Date

Signature of Affiant

Date

Subscribed and Sworn to before me this 14th day of SEPTEMBER, 2009.



Jayne M. Maley
Notary Public for Oregon

My commission expires Nov. 19, 2009

Memo

To: File -10505
From: Teri Hranac, Transfer Specialist
Date: September 16, 2009
Re: Consent to Transfer



10:15 a.m.

I just spoke with Dale Green, applicant, regarding the Consent to Transfer. He has a signed copy of the Consent and will mail us a copy tomorrow. Mr. Green wanted me to place a note in the file that I told him he did not have to have the Consent recorded.

I had previously discussed the above with my supervisor, Dorothy Peterson, and she concurred that Mr. Green did not need to record the Consent to Transfer (it's doubtful the County would record it), and that Mr. Green did not need a new lot book search.

Earlier this morning, with the assistance of Susan Douthit, we accessed the Douglas County website and ascertained the owner of Tax Lot 2000 (300 Tanglewood) is Diedre Horn. According to Mr. Green, Diedre Horn is the person who signed the consent to transfer.

9/16/09

1 Identify

Identify from:
Tax lots

Tax lots

Douglas

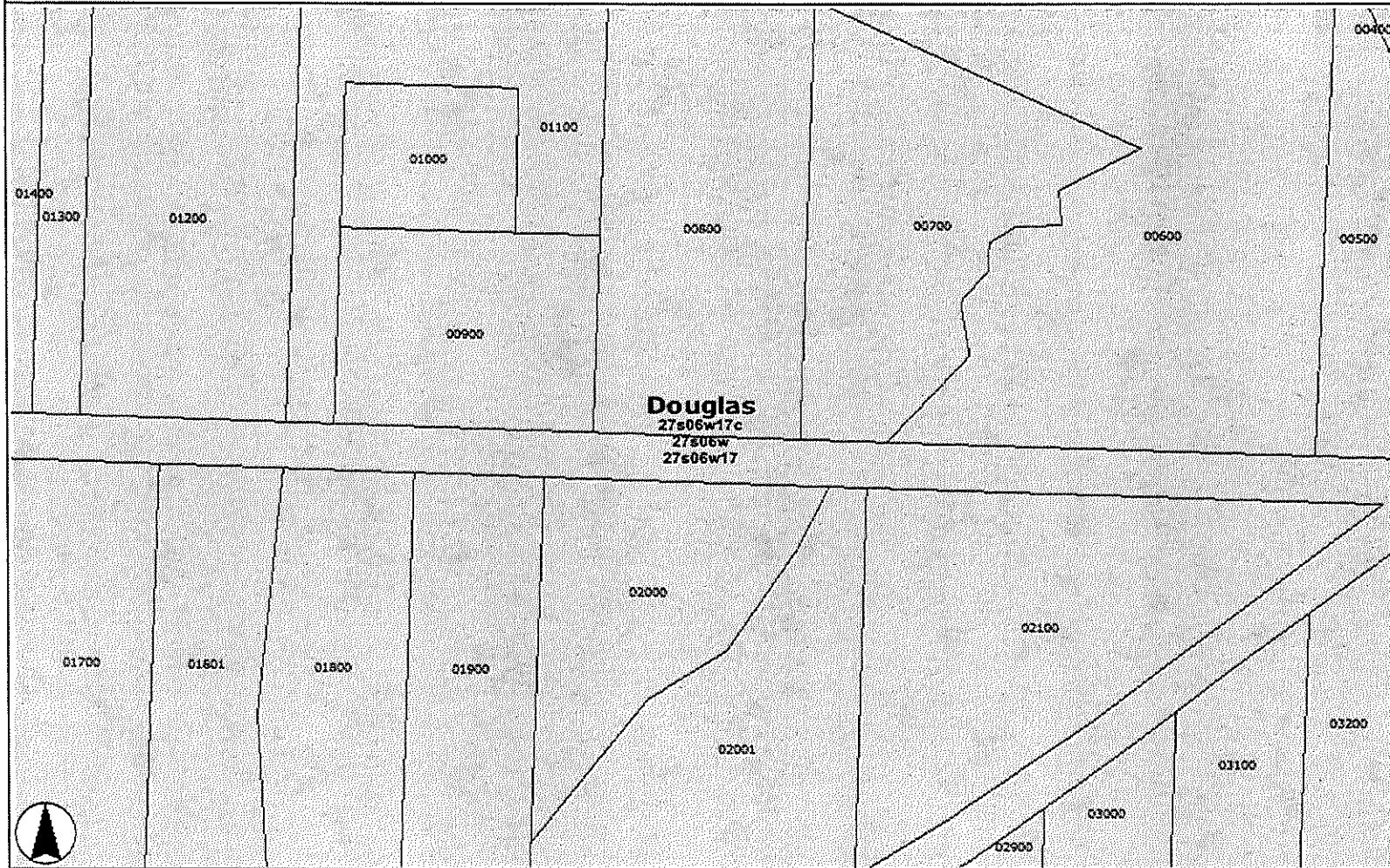
HORN, DIEDRE A

Location:
528,271.580 549,618.238 Feet

Field	Value
OBJECTID	34875
ID	23711
TAXID	
PROP_ID	R17241
NAME	HORN, DIEDRE A
ADDR1	PO BOX 508
ADDR2	
ADDR3	
CSZ	VINEBURG,CA 95487
DBA_NAME	
ACCTACRES	2.16
MTLACREAGE	2.16
ALLACCOUNT	2.16
ACTIVELYRE	P124505
ALT_ACCT_N	9128.29
INSTRUMENT	2008-21504
MH_SPACE	
MAINT_AREA	5
NBHD_CODE	K7
CODE_AREA	00402
COUNTY_PRO	141
SPECIAL_IN	
LOC_CODE	
LOT	
BLOCK	
IMPROVEDPR	1
CURRTAXSTA	No Taxes Due
LIVINGAREA	2256
CURRYRIMPM	149469
CURRYRLAND	141320
CURRYRTOTA	290789
CURRYRM50A	141667
ADDLEGALCO	
LEGALDESCR	TRACT PP 2002-20 PARCEL 1, ACRES 2.16
SALE_DATE	12/05/08
SALE_PRICE	321500
SALE_YEAR	2008
SALE_TYPE	101
SITUS_ADDR	300 TANGLEWOOD LN
SITUSCSZ	ROSEBURG, OR 97471
MAP_ID	270617C02000
CITY	VINEBURG
ST	CA
ZIP	95487
MAPTAXLOT	27-06W-17C-02000
TOWNSHIP	27
RANGE	06W
SECTION	17
QUARTER	C
SIXTEENTH	
TAXLOT	2000

Identified 1 feature

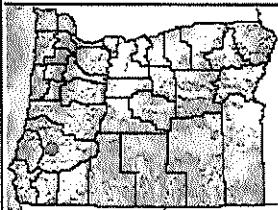
ORMAP



Legend

- Counties
- Taxlots
- Highways
- Maps
- 27s06w
- 27s06w17
- 27s06w17c
- 27s06w18

Overview



Disclaimer

FOR ASSESSMENT PURPOSES ONLY.
DO NOT RELY ON FOR ANY OTHER USE.



Oregon

Theodore R. Kulongoski, Governor

Dale and Marie Green
1755 San Souci Drive
Roseburg, OR 97470

Water Resources Department

North Mall Office Building

August 20, 2009 725 Summer Street NE, Suite A
Salem, OR 97301-1266

503-986-0900

FAX 503-986-0904

SUBJECT: Application T-10505

Enclosed find a draft of our Preliminary Determination regarding transfer application T-10505. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved. This draft is intended to provide you with an opportunity to comment on our findings and conclusions should you wish to do so. Please review the draft carefully to evaluate whether the document is consistent with your intent in seeking the transfer, and whether you agree with the proposed action.

At this time, a couple of discrepancies need to be addressed:

1. You must submit a copy of the Water Right Agreement/Transfer dated March 21, 2007, between yourselves and Julia Deming Ross with the County Recorder's stamp. The copy submitted with your application was not a recorded copy. **SUBMITTED BY APPLICANT**

2. The map submitted on April 21, 2009, by Jordan Engineering does not meet the requirements under OAR 690-380-3100 for the following reasons:

a. The original signature and stamp of the Certified Water Rights Examiner (CWRE) is missing.

STAMP IS INCLOSED MAP

b. The point of diversion (POD) shown on the map does not appear to match the description of the Authorized POD from Stockel Creek. The POD shown on the map appears to be located approximately 850 feet south of the W1/4 corner of Section 17. The description of the POD describes it as being 900 feet south of the W1/4 corner of Section 17. Certificate 42652 describes this POD as being located 900 feet south of the W1/4 corner of Section 17. Because of this discrepancy, we cannot ascertain whether or not the POD was correctly listed at 900 feet south in the original certificate, or if based on the field inspection performed by the CWRE, the POD should be more accurately described as 850 feet south.

Issuance of the Preliminary Determination will occur shortly after we receive both the recorded copy of the Water Rights Agreement and a corrected map. If we do not receive the recorded copy of the Water Rights Agreement and the corrected map by September 17, 2009, a Preliminary Determination may be issued denying the application. You may provide your response in writing or via e-mail.

Please do not hesitate to contact me at 503-986-0881, or e-mail at teri.k.hranac@wrd.state.or.us, if I may be of assistance.

Sincerely,

Teri Hranac

Field Services Division

cc: Dave Williams, District 15 Watermaster
Clay Jordan, CWRE, Jordan Engineering

Enclosure

RECEIVED

SEP 04 2009

WATER RESOURCES DEPT
SALEM, OREGON



RONALD S. YOCKIM
Attorney at Law

430 S.E. Main Street
P.O. Box 2456
Roseburg, Oregon 97470

(541) 957-5900
FAX (541) 957-5923

August 31, 2009

Teri Hranac
Field Services Division
Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266

Re: Application T-10505
Dale and Marie Green
Our File No. 2708-A

Dear Ms. Hranac:

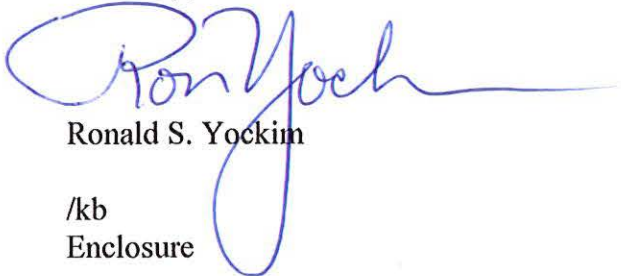
I am in receipt of your letter dated August 20, 2009 to Dale and Marie Green relative to Application T-10505.

In paragraph 1 of your letter, you requested a copy of the recorded Water Right Agreement/Transfer, showing the County Recorder's stamp. As per your request, enclosed please find a copy for your records.

As to the remaining requirements, we are in the processing of getting those and shall forward to you once we receive them.

If you have any questions, please do not hesitate to contact this office.

Sincerely,



Ronald S. Yockim

/kb
Enclosure

Cc: Client

RECEIVED
SEP 01 2009
WATER RESOURCES DEPT
SALEM, OREGON

After Recording Return To:
Ronald S. Yockim
P.O. Box 2456
Roseburg, OR 97470

DOUGLAS COUNTY OFFICIAL RECORDS
BARBARA E. NIELSEN, COUNTY CLERK

2009-015657



\$36.00

00253432200900156570030038

08/31/2009 03:46:05 PM

EASE-EASE Cnt=1 Stn=1 RECEIPTCOUNTER
\$15.00 \$11.00 \$10.00

WATER RIGHT AGREEMENT/TRANSFER

THIS AGREEMENT entered into on the 21 day of March, 2007,
between DALE R. GREEN and MARIE N. GREEN, husband and wife, (Grantor) and
JULIA DEMING ROSS (Grantee).

In partial consideration of Grantor DALE R. GREEN and MARIE N. GREEN
conveying the property known as Tax Lot 2000 aka 300 Tanglewood, Roseburg, Oregon,
to JULIA DEMING ROSS, Grantee, the parties agree as follows:

Grantors hereby reserve unto themselves all right and interest in the irrigation
rights described in the Certificate of Water Right, 42651 and Certificate of Water Right
42652. It is the intent of the parties that the place of use for the water rights under
Certificate 42652 will be transferred to the property of DALE R. GREEN and MARIE N.
GREEN, known as Tax Lot 2001 aka 1755 San Souci, Roseburg, Oregon.

SEE ATTACHED EXHIBIT "A".

The parties recognize and acknowledge that the transfer will not be able to be
consummated until after the closing on the property and therefore agree to cooperate and
take all steps necessary to transfer these water rights. JULIA DEMING ROSS expressly
agrees that upon the request of Grantors, she will take all steps necessary to help and
assist in this transfer and further acknowledges and agrees that for the purposes of the
transfer DALE R. GREEN and MARIE N. GREEN are considered the owners, and/or
holders, of the water right subject to the transfer, as that phrase is used in ORS 540.

Said transfer to be at the sole cost and expense of DALE R. GREEN and MARIE
N. GREEN.

DATED THIS 21st day of March, 2007

DALE R. GREEN
DALE R. GREEN

MARIE N. GREEN
MARIE N. GREEN

JULIA DEMING ROSS
JULIA DEMING ROSS

RECEIVED

SEP 01 2009

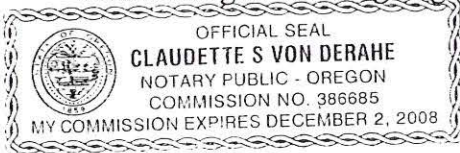
WATER RESOURCES DEPT
SALEM, OREGON

STATE OF OREGON)

County of Douglas)

) ss. March 22, 2007
) Date

Personally appeared the above named JULIA DEMING ROSS, and
acknowledged the foregoing instrument to be her voluntary act and deed.



Claudette S. Von Derahe
Notary Public for Oregon

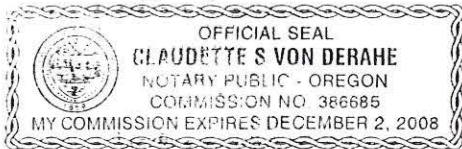
My Commission Expires: 12/2/08

STATE OF OREGON)

County of Douglas)

) ss. March 21, 2007
) Date

Personally appeared the above named MARIE N. GREEN, and acknowledged the
foregoing instrument to be her voluntary act and deed.



Claudette S. Von Derahe
Notary Public for Oregon

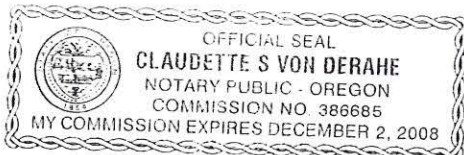
My Commission Expires: 12/2/08

STATE OF OREGON)

County of Douglas)

) ss. March 21, 2007
) Date

Personally appeared the above named DALE R. GREEN, and acknowledged the
foregoing instrument to be his voluntary act and deed.



Claudette S. Von Derahe
Notary Public for Oregon

My Commission Expires: 12/2/08

RECEIVED

SEP 01 2009

WATER RESOURCES DEPT
SALEM, OREGON

EXHIBIT A

LEGAL DESCRIPTION:

Tax Lot 2000

PARCEL 1, PARTITION PLAT 2002-0020, PARTITION PLAT RECORDS OF DOUGLAS COUNTY,
OREGON.

Tax Lot 2001

Parcel 2 , Partition Plat 2002-0020, Partition Plat Records of
Douglas County, Oregon.

RECEIVED

SEP 01 2009

**WATER RESOURCES DEPT
SALEM, OREGON**

END OF DOCUMENT



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
August 20, 2009 725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

Dale and Marie Green
1755 San Souci Drive
Roseburg, OR 97470

SUBJECT: Application T-10505

Enclosed find a draft of our Preliminary Determination regarding transfer application T-10505. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved. This draft is intended to provide you with an opportunity to comment on our findings and conclusions should you wish to do so. Please review the draft carefully to evaluate whether the document is consistent with your intent in seeking the transfer, and whether you agree with the proposed action.

At this time, a couple of discrepancies need to be addressed:

1. You must submit a copy of the Water Right Agreement/Transfer dated March 21, 2007, between yourselves and Julia Deming Ross with the County Recorder's stamp. The copy submitted with your application was not a recorded copy.

2. The map submitted on April 21, 2009, by Jordan Engineering does not meet the requirements under OAR 690-380-3100 for the following reasons:

a. The original signature and stamp of the Certified Water Rights Examiner (CWRE) is missing.

b. The point of diversion (POD) shown on the map does not appear to match the description of the Authorized POD from Stockel Creek. The POD shown on the map appears to be located approximately 850 feet south of the W1/4 corner of Section 17. The description of the POD describes it as being 900 feet south of the W1/4 corner of Section 17. Certificate 42652 describes this POD as being located 900 feet south of the W1/4 corner of Section 17. Because of this discrepancy, we cannot ascertain whether or not the POD was correctly listed at 900 feet south in the original certificate, or if based on the field inspection performed by the CWRE, the POD should be more accurately described as 850 feet south.

Issuance of the Preliminary Determination will occur shortly after we receive both the recorded copy of the Water Rights Agreement and a corrected map. If we do not receive the recorded copy of the Water Rights Agreement and the corrected map by September 17, 2009, a Preliminary Determination may be issued denying the application. You may provide your response in writing or via e-mail.

Please do not hesitate to contact me at 503-986-0881, or e-mail at teri.k.hranac@wrds.state.or.us, if I may be of assistance.

Sincerely,


Teri Hranac
Field Services Division

cc: Dave Williams, District 15 Watermaster
Clay Jordan, CWRE, Jordan Engineering

Enclosure



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

In the Matter of Transfer Application)
T-10505, Douglas County)

D R A F T

PRELIMINARY DETERMINATION
PROPOSING APPROVAL OF A
CHANGE IN PLACE OF USE

Authority

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

Applicant

DALE GREEN
1755 SAN SOUCI DRIVE
ROSEBURG OR 97470

Findings of Fact

Background

1. On December 19, 2007, DALE GREEN filed an application to change the place of use under Certificate 42652. The Department assigned the application number T-10505.
2. The right to be transferred is as follows:

Certificate: 42652 in the name of BILL LEE LAMMEY (perfected under Permit S-33276)

Use: IRRIGATION of 0.4 ACRE

Priority Date: MARCH 14, 1968

Rate: 0.01 CUBIC FOOT PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated from the direct flow and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage from reservoir constructed under Permit R-5259.

Source: STOCKEL CREEK and reservoir constructed under Application No. R-44481, Permit No. R-5259, tributary to the SOUTH UMPQUA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
27 S	6 W	WM	17	NE SW	900 FEET SOUTH AND 1360 FEET EAST FROM THE W1/4 CORNER OF SECTION 17

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
27 S	6 W	WM	17	NW SW	0.4

4. Transfer Application T-10505 proposes to further clarify the description of the authorized points of diversion as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
27 S	6 W	WM	17	NE SW	Live Flow POD: 900 FEET SOUTH AND 1360 FEET EAST FROM THE W1/4 CORNER OF SECTION 17
27 S	6 W	WM	17	NE SW	Reservoir Pump: 950 FEET SOUTH AND 1260 FEET EAST FROM THE W1/4 CORNER OF SECTION 17

5. Application T-10505 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
27 S	6 W	WM	17	NE SW	0.13
27 S	6 W	WM	17	NW SW	0.27

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

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

7. Water has been used within the five-year period prior to submittal of the transfer application according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
8. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-10505.
9. The proposed change would not result in enlargement of the right.
10. The proposed change would not result in injury to other water rights.

Determination and Proposed Action

The change in place of use proposed in Transfer Application T-10505 appears to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the transfer application will be approved.

If application T-10505 is approved, the final order will include the following:

- 1. The change in place of use proposed in application T-10505 is approved.*
- 2. Water right certificate 42652 is cancelled.*
- 3. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 42652.*
- 4. The Director may require the water user to install a totalizing flow meter or other suitable measuring devices at each point of diversion. If the Director notifies the water user to install totalizing flow meters or other measuring devices, the water user shall install such devices specified by the Director within the period allowed in the notice. Once installed, the water user shall maintain the meters or measuring devices in good working order and shall allow the Watermaster access to the meters or measuring devices.*
- 5. When required by the Department, the water user shall install, maintain and operate a headgate to control and regulate the quantity of water diverted. The type and plans of the headgate must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.*
- 6. The former place of use of the transferred right shall no longer receive water under the right.*
- 7. The approved change shall be completed and full beneficial use of the water shall be made on or before **October 1, 2011**. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.*
- 8. When satisfactory proof of the completed change is received, a new certificate confirming the right transferred will be issued.*

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

D R A F T

Phillip C. Ward, Director

This draft Preliminary Determination was prepared by Teri Hranac. If you have questions about the information in this documents, you may reach me at (503) 986-0881 or teri.k.hranac@wrд.state.or.us.

STATE OF OREGON
COUNTY OF DOUGLAS
CERTIFICATE OF WATER RIGHT

This Is to Certify, That **BILL LEE LAMMEY** 97470
of 300 Tanglewood Drive, Roseburg, State of Oregon, has made proof
to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of
Stockel Creek and reservoir constructed under Application No. R-44481, Permit No.
R-5259

a tributary of South Umpqua River for the purpose of
irrigation of 0.4 acre

under Permit No. 33276 of the State Engineer, and that said right to the use of said waters
has been perfected in accordance with the laws of Oregon; that the priority of the right hereby
confirmed dates from March 14, 1968

that the amount of water to which such right is entitled and hereby confirmed, for the purposes
aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed
0.01 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream.
The point of diversion is located in the NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 17, T. 27 S., R. 6 W., W. M.,
900 feet South and 1360 feet East from W $\frac{1}{2}$ Corner, Section 17.

The amount of water used for irrigation, together with the amount secured under any other
right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second
per acre, or its equivalent for each acre irrigated from direct flow and shall be
further limited to a diversion of not to exceed 2 $\frac{1}{2}$ acre feet per acre for each
acre irrigated during the irrigation season of each year from direct flow and
storage from reservoir constructed under Permit No. R-5259,

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

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

0.4 acre NW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 17
T. 27 S., R. 6 W., W.M.

NW $\frac{1}{4}$ SW $\frac{1}{4}$.27
NE $\frac{1}{4}$ SW $\frac{1}{4}$.13

.40

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

WITNESS the signature of the State Engineer, affixed

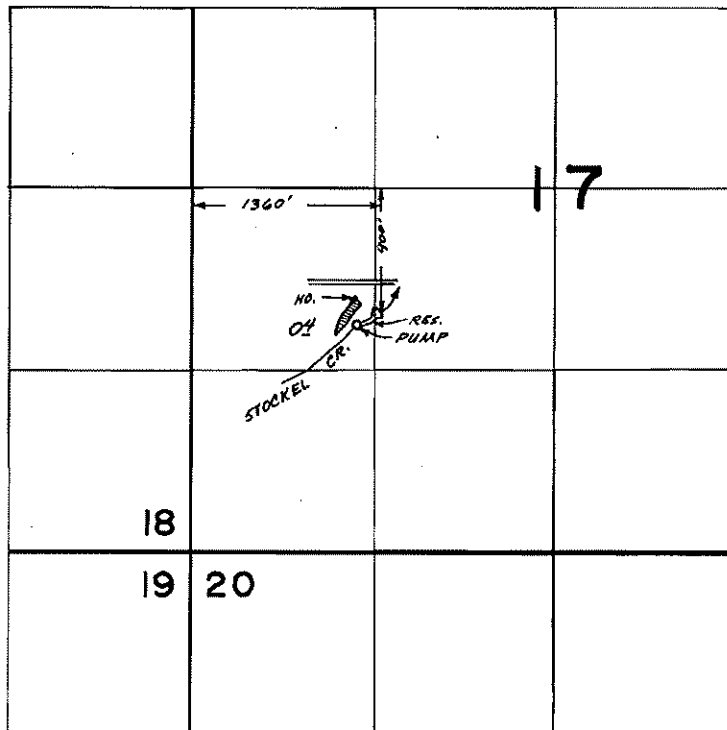
this date, October 9, 1975

James E. Saxson
Water Resources Director State Engineer

Recorded in State Record of Water Right Certificates, Volume 34, page 42652

1-10505

T. 27 S. R. 6 W. W.M.



FINAL PROOF SURVEY
UNDER

Application No. R 44481 44597 Permit No. R 5259 33276
IN NAME OF

BILL LEE LAMMEY

Surveyed AUGUST 22 1974, by L.M. TOLL

1 10505

Meridian: Willamette Township: 27 South Range: 6 West Section: 17 Records per 10 Page: Search [New Platcards Maps!](#) [Learn about](#) * [Mapped by Type](#) * [Mapped](#)

Acreeage Legend:	12.25 Regular acreeage	±2.25 Acreeage is on a canceled right	(12.25) Acreeage is part of a transfer and has not been proven up on yet (inchoate)	[12.25] Acreeage has been suspended	* Acreeage is not specified
------------------	------------------------	---------------------------------------	---	-------------------------------------	-----------------------------

no conflicts

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

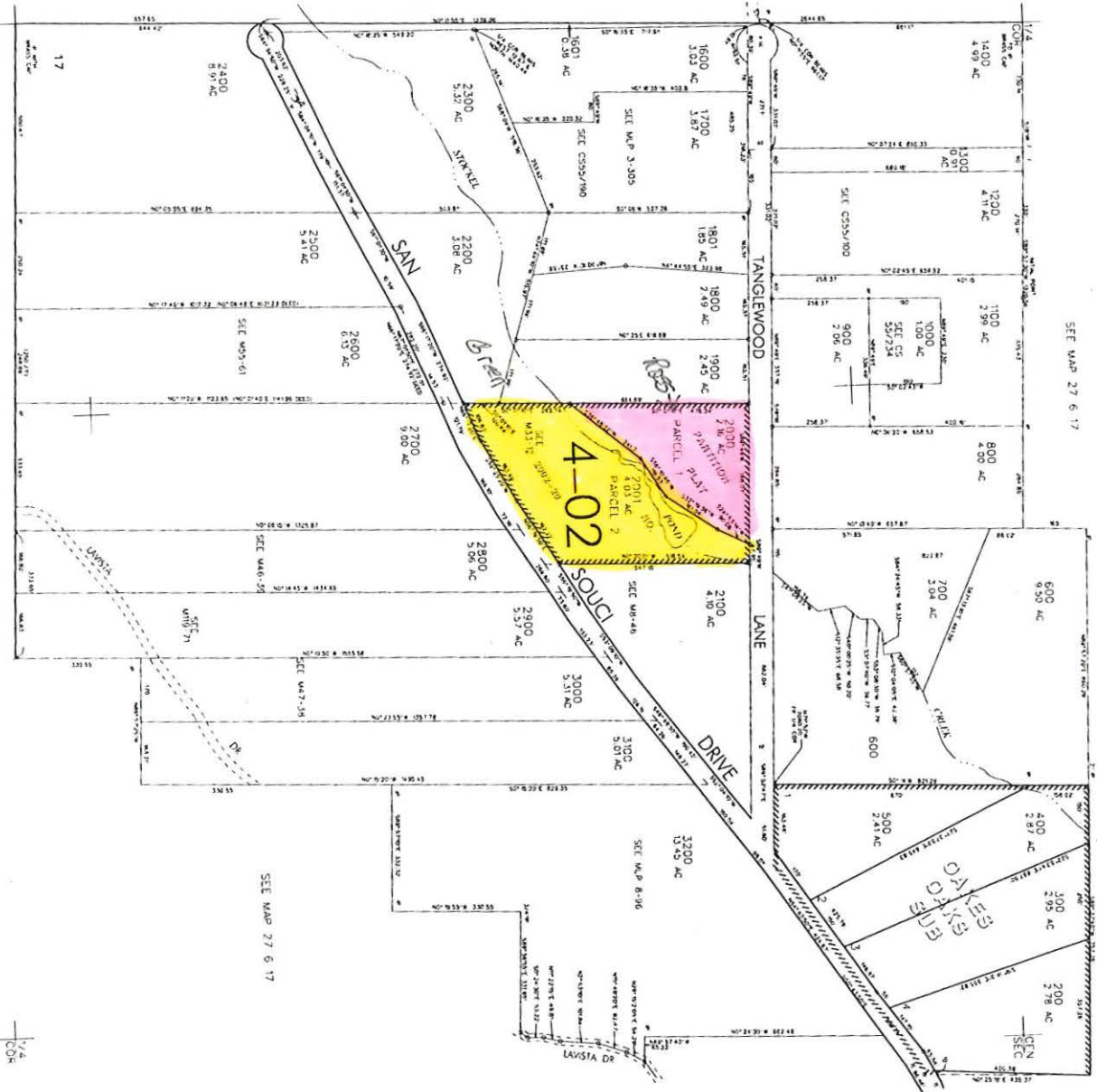
SW14 SEC. 17 T.27S. R. 6W W.M.
DOUGLAS COUNTY

REVISED ON
5.10.02

27 6 17C

SEE MAP 27 6 17

SEE MAP 27 6 18



17.6
COH

4,139,000

578,000

19 20

SEE MAP 27 6 20B

27 6 17C



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

**Watermaster Review Form:
Water Right Transfer**

Transfer Application: T-10505

Review Due Date: 1/26/2008

Applicant Name: Dale Green

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

Reviewer(s): David S. Williams

Date of Review: Jan. 8, 2008

1. Do you have information suggesting that the water rights may be subject to forfeiture?
☐ Yes ☒ No If "Yes", describe the information and indicate if you intend to file a cancellation affidavit or if you need additional time to determine if a cancellation affidavit should be filed: _____
2. Is there a history of regulation on the source that serves the right proposed for transfer that has involved the right and downstream water rights? ☐ Yes ☒ No Generally characterize the frequency of any regulation or explain why regulation has not occurred: _____
3. Check here if it appears that downstream water rights benefit from return flows resulting from the current use of the right? ☐ If you check the box, generally characterize the locations where the return flows likely occur and list the water rights that benefit most: _____
4. Are there upstream water rights that would be affected by the proposed change?
☐ Yes ☒ No If "Yes", describe how the rights would be affected and list the rights most affected: _____
5. For POD changes and instream transfers, check here if there are channel losses between the old and new PODs or within the proposed instream reach? ☐ If you check the box, describe and, if possible, estimate the losses: _____
6. Would distribution of water for the right after the proposed change result in regulation of other water rights that would not have occurred if use of the existing right was maximized?
☐ Yes ☒ No If "Yes", explain: _____
7. For POU changes, would the original place of use continue to receive water from the same source? ☐ Yes ☒ No ☐ N/A If "Yes", explain: _____
8. For POU or USE changes, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste? ☐ Yes ☒ No If "Yes", explain: _____
9. Are there other issues not identified through the above questions? ☐ Yes ☒ No If "Yes", explain: _____
10. What alternatives may be available for addressing any issues identified above: _____

RECEIVED

JAN 11 2008

**WATER RESOURCES DEPT
SALEM, OREGON**

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

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

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

Jordan Engineering
Structural & Civil

460 Jordan Lane
Roseburg, OR 97471
541-673-1931

Water Resources Department
725 Summer St. NE, Suite A
Salem, OR 97301

Amended map:
Application for change in place of use
Certificate 42652

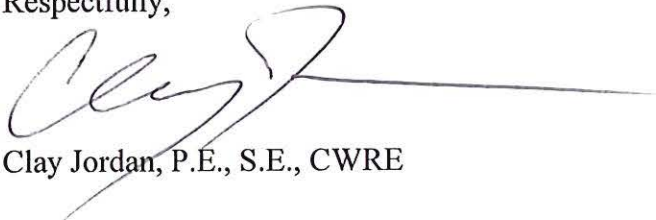
April 20, 2009

Sir:

Inclosed is an amended map for the above application. It came to our attention that the first submitted map did not have it's Certificate number and disclaimer.

Please substitute this map for the one the Department has on file.

Respectfully,



Clay Jordan, P.E., S.E., CWRE

file: WRD revision map.wpd

RECEIVED

APR 21 2009

WATER RESOURCES DEPT
SALEM, OREGON



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

725 Summer Street NE, Suite A

Salem, OR 97301-1271

503-986-0900

FAX 503-986-0904

Notice of Application for Water Right Transfer, Temporary Transfer, or Permit Amendment 12/25/2007

The Department seeks comment on the recently-filed application listed below. Any person may comment on the application. Comments must be received by the Department within 30 days of the date of this notice. The Director may presume that the transfer would be allowed by, and compatible with comprehensive plans unless an affected local government informs the Director otherwise within 30 days of this notice.

County: DOUGLAS
Transfer: 10505
Water Right: CERT 42652
Priority Date: 1968
Name: DALE GREEN
Address: 1755 SAN SOUCI DRIVE, ROSEBURG, OR 97470
Change: POU
Source: STOCKEL CREEK AND RESERVOIR
Authorized POU: T27S R6W 17
Proposed POU: T27S R6W 17

The holder of a water right may apply to permanently change an existing water use subject to transfer. A transfer application may involve any of the following changes: Point of diversion or appropriation (POD; POA); Additional point of diversion or appropriation (APOD; APOA); Historic POD (HIST); Place of use (POU); Character of use (USE); Instream (ISWR); Substitution (SUB); or Exchange (EXCH).

The holder of a water right subject to transfer may request to temporarily change the place of use of the water for up to 5 years and, if necessary to convey the water, to temporarily change the point of diversion or appropriation.

The holder of a water right permit may apply to change a point of diversion (POD) or appropriation (POA) or to change the place of use (POU).

Any person who provides comments within the comment period will receive a copy of the Department's preliminary determination of whether the application should be approved or rejected after the Department has completed a review of the application and will be provided an opportunity to protest the application and preliminary determination at that time. Comments should be sent to the Transfers Section at the Department's Salem office.

Indicate in this column whether or not the item is satisfied.

Permanent Transfer Application – OAR 690-380 3000 & 3100

Completeness Checklist

Applicant's Name: Dale Green

(Form last revised: March 13, 2007)

Section A – Status of Right

Is this a Water Right that can be transferred?

[OAR 690-380-0100(14)]

NOTE: The Department can accept a Transfer application for any right that is:

- OK
- ☐ 1) an adjudication with a court decree; *or*
 - ☐ 2) a certificate that is not cancelled; *or*
 - ☐ 3) a transfer that's been approved & A COBU has been received by the Department

If the subject right does not fall into any of the above categories, **RETURN** the application & fee to the applicant.

Section B – Type of Change

POU Is the proposed change(s) allowed under the Transfer process?

[ORS 540.510]

NOTE: Only POD, POA or POU or USE changes are allowed on Transfers.

If the application proposes a change other than those listed above, **RETURN** the application & fee to the applicant.

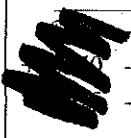
Section C - Fees

Have the appropriate fees been paid?

Total Required Fees: _____

Fee Schedule – ORS 536.050(1)(h)

Total Fees Paid: 400

 Base fee (1st change and 1st CFS of water)

- Each additional type of change requested

Fees Due (if any): _____

- For each CFS, or fraction thereof, requested beyond 1st CFS
(for POU, Type of Use, or Exchange)

Refund Due (if any): _____

If the applicant has **NOT** submitted the total fees required, **RETURN** the application & deficient fee to the applicant.

Section D – Completeness

Indicate in this column whether an item is incomplete, and if so, identify the deficiency.

Is the Transfer application complete?

All required elements necessary for a complete transfer application are listed below.

Indicate whether or not the applicant has answered and/or supplied attachments to adequately address each of the following items. If any one of the items is deficient, then the application is incomplete.

NOTE: For reference, the application page number upon which each item is requested is identified.

If the application is **NOT** complete, **RETURN** the application & fee to the applicant.

OK

- Type of transfer application Req

(Page 1)

OK

- Applicant's name, mailing address and contact information.

(Page 1)

N/A

- Agent's name, mailing address and contact information, *if applicable*.

(Page 1)

OK

- Are the water rights to be affected by this transfer listed?

(Page 2)

If there are multiple water rights listed..... The applicant must supply a separate "set" of Supplemental Form A for each water right to be transferred.

Checklist for Supplemental Form A – (Attachments)		
OK	• Certificate # filled in on each page?	(Page 1)
OK	• Type of change(s) proposed clear? <i>POU</i>	(Page 1)
OK	• Current Water Right information is complete?	(Page 2)
OK	• If for a change in <i>POU</i> or <i>USE</i>..... Are there any “layered” irrigation rights, permits, or GR registrations appurtenant to the same place of use as the water right proposed to be transferred? YES NO If YES..... the other “layered” water uses subject to transfer must either change concurrently or be cancelled, except as provided in OAR 690-380-2240(5). If layered with GR, must submit a GR Modification application as well as this application. Are they included in application? If not, contact applicant or agent.	(Page 2)
OK	• Location description of the authorized POA/POD to be changed. NOTE: Ensure that the location coordinates listed in the application match the point and location coordinates illustrated on the application map. Additionally, if the existing authorized source is ground water (POA), the applicant must either: _____ 1) supply a copy of the well log(s), <u>or</u> _____ 2) if well logs are not available, describe the construction of the well(s) in the table provided on page 3 of the supplemental form A application.	(Page 3)
entire w/r	• Location description of the existing authorized POU and associated acres (if applicable). NOTE: Ensure that the location and number of acres listed per ¼ ¼ in the application match those illustrated on the application map.	(Page 4)
N/A	• Location description of the proposed POA/POD. NOTE: Ensure that the proposed location coordinates listed in the application match the proposed point and location coordinates illustrated on the application map. Additionally, if the proposed source is ground water (POA), the applicant must either: _____ 1) supply a copy of the well log(s), <u>or</u> _____ 2) if well logs are not available <u>or</u> the well is not yet constructed, describe the construction of the well(s) in the table provided on page 5 of the application.	(Page 5)
OK	• Location description of the proposed POU and associated acres (if applicable). NOTE: Ensure that the location and number of acres listed per ¼ ¼ in the application match those illustrated on the application map.	(Page 6)
Return back to Page 2 of transfer application		
OK	• The type of changes being proposed. <i>POU</i>	(Page 2)
OK	• Reason for the transfer.	(Page 2)
OK	• Description of current water delivery system.	(Page 2)
OK	• System Capacity. <i>01</i>	(Page 2)

Checklist for Supplemental Form B – (Attachments)	
OK	Is there a box checked in #1? (Page 1)
OK	Is there a box checked in #2? (Page 1)
OK	Does the description of POU on page 4 of the supplemental form A application, match authorized POU in question #3? (Page 1)
OK	In question #4 and #5 are they filled out. 2) <u>NO!</u> (Page 1)
OK	Is there a box checked in #6? (Page 2)
	Is the #6 supporting documentation included with application? 2) (Page 2)
OK	Is there an original signature of the notary and notary stamp? 2) (Page 2)
Return back to Page 3 of transfer application	
None	Affected districts and local governments. (Page 3) If within a district/local government jurisdiction, ensure that name & mailing address is provided.
OK	Is the applicant the Landowner of the "from" and "to" Lands? <u>NO</u> <u>YES</u> <u>YES</u> <u>NO</u> (Page 4) If <u>NO</u>..... The applicant must list current landowner name & address.
OK	Who will be responsible for completion of the changes? <u>RC</u> <u>LD</u> (Page 4) Is a box checked? If no box is checked the applicant or agent must be contacted.
Send in	Map..... (Page 5) (Required to be prepared by a CWRE) unless... 1. Map Waiver included with application 2. FP map with advance email or written approval 3. POD/POA without POU change and for entire right with FP map for "from" map if more than 3 rights are included in transfer, is there a separate map for each water right? If larger than 8 1/2 X 14 than 3 copies of map is needed & an electronic pdf file of map __ north arrow __ size & scale __ other: _____ __ authorized acreage per 1/4 1/4 matches the water right __ authorized POD/POA and POU (clearly shown, labeled & matches application listing) __ point plotted for the authorized POD/POA agrees with location coordinates on supplemental form A and WR __ proposed POD/POA and/or POU (clearly shown, labeled & matches application "proposed" listing) __ location coordinates accurately describe the point identified as the proposed POD/POA
OK	Land Use form, if applicable. (Page 5) Is the form signed by the local planning department staff? May be needed if the POD/POA or POU is moving a great distance <u>and</u> off of land originally involved in WR.
N/A	If a groundwater right is involved, are the well logs or a description included. (Page 5)
N/A	If this is an instream water right transfer, is there a form C included and filled out. (Page 5)

OK

- Signature(s) of applicant(s):

(Page 6)

Are one of the boxes checked?

All applicants listed on page 1 of the application must sign the application.

WRD Completeness Reviewer's Name:

S. Henderson

Date:

12-20-07

ORIGINALS

Transfer Application and Map

Amendments/Revisions to Appl & Map

Receipt

Deed or Lot Book Report

Notarized Consent

Evidence of Use Affidavit

Land Use Information Form

Lien Holder Notification *(if applicable)*

Report of Ownership and Lien Info *(if applicable)*

&

Other Supporting Documentation

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

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

RECEIPT # **90985**

INVOICE # _____

RECEIVED FROM: Dale Green

BY: _____

APPLICATION	
PERMIT	
TRANSFER	T-10505

CASH: ☐ CHECK: # 2665 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 400.00

1083 TREASURY 4170 WRD MISC CASH ACCT

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

4270 WRD OPERATING ACCT

MISCELLANEOUS	
0407	COPY & TAPE FEES
0410	RESEARCH FEES
0408	MISC REVENUE: (IDENTIFY)
TC162	DEPOSIT LIAB. (IDENTIFY)
0240	EXTENSION OF TIME
WATER RIGHTS:	
0201	SURFACE WATER
0203	GROUND WATER
0205	TRANSFER
WELL CONSTRUCTION	
0218	WELL DRILL CONSTRUCTOR
	LANDOWNER'S PERMIT
	OTHER (IDENTIFY)

EXAM FEE
\$
\$
\$ <u>400.00</u>
EXAM FEE
\$

\$
\$
\$
\$
\$

RECORD FEE
\$
\$

LICENSE FEE
\$
\$

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: **90985**

DATED: 12/19/07 BY: L. Paulino

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



Application for Water Right Transfer

1. TYPE OF TRANSFER APPLICATION

Please check one

☒ Permanent Transfer ☐ Temporary Transfer (1 to 5 yrs.) • total number of years: _____ (begin year: _____) (end year: _____)	☐ Instream Transfer ☐ Permanent ☐ Time-Limited ☐ Drought Transfer ☐ Other
---	---

2. APPLICANT INFORMATION

Name: Dale Green DEC 19 2007
First Last

Address: 1755 San Souci Drive

Roseburg OR 97470

Phone: (541) 672-5901

Fax: _____ E-Mail address: _____

3. AGENT INFORMATION

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

Name: _____

Address: _____

City
State
Zip

Phone: _____

Fax: _____ E-Mail address: _____

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

4. PROPOSED CHANGE(S) TO WATER RIGHT(S)

- List **all** water rights to be affected by this transfer. Indicate the certificate, permit, decree or other identifying number(s) in the table below: (*Attach additional pages as necessary.*)

	Application / Decree	Permit / Previous Transfer	Certificate
1.	S-44597	33276	42652
2.			
3.			
4.			
5.			
6.			

- Attach a **separate Supplemental Form A** (*Description of Proposed Change(s) to a Water Right*) for **each** water right listed above.
- Check **all** proposed change(s) included in this transfer application:
 - ☒ Place of Use ☐ Point of Diversion (POD) ☐ Additional Point of Diversion
 - ☐ Character of Use ☐ Point of Appropriation (POA, or well) ☐ Additional POA
 - ☐ Instream Transfer ☐ Surface Water POD to Ground Water POA
 - ☐ Substitution of Supplemental Groundwater right for Primary Surface water right
 - ☐ Historic POD change ☐ Other
- Reason(s) for change(s): Sold property and retained water rights for new property

5. WATER DELIVERY SYSTEM

- Describe the **current** water delivery system or the system that **was in place** at some time within the last 5 years. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. If the transfer involves multiple rights that have independent systems, describe each system separately.

The description must be sufficient to demonstrate that the full quantity of water to be transferred can be conveyed from the authorized source and applied at the authorized location and that the applicant is ready, willing, and able to exercise the right.

½ hp centrifugal pump with 1 inch line to faucets. Area irrigated using hoses and 2 to 3 sprinklers at a time.

- System capacity: 0.01 + cubic feet per second (cfs). If the transfer involves multiple rights that have independent systems, describe the capacity for each system separately.

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6. EVIDENCE OF BENEFICIAL WATER USE

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

7. AFFECTED DISTRICTS

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

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

8. LOCAL GOVERNMENTS

- List the name and mailing address of all local governments (i.e., each county, city, municipal corporation, or tribal government within whose jurisdiction water will be diverted, conveyed or used).

Douglas County Planning
1036 SE Douglas Street, Justice Bldg. Rm. 106
Roseburg, OR 97470

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9. LAND OWNERSHIP

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

If "No", provide the following information. For Temporary Transfers, also include a notarized statement granting consent to the transfer from each of the landowners (for Permanent Transfers see Section 12(c)):

Names of Current Landowner(s): Julia Deming Ross
First Last

Address: 300 Tanglewood Drive

Roseburg OR 97470
City State Zip

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

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

If "No", provide the following information:

Names of Receiving Landowner(s): _____
First Last

Address: _____

City State Zip

- Check one of the following:

- ☒ The receiving landowner will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to this landowner.
- ☐ The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.
- ☐ N/A. (Not applicable. Application is for an Instream Water Right Transfer.)

10. Other Remarks (optional)

A notarized Water Right Agreement/Transfer was signed

By Julia Deming Ross on 3/21/2007

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11. ATTACHMENTS

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

Supplemental Form A –

Description of Proposed Change(s) to a Water Right

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

Supplemental Form B –

Evidence of Use Affidavit(s)

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

Map

- ☒ *Water Right Transfer*

The map must be prepared by a Certified Water Right Examiner and meet the requirements of OAR 690-380-3100 unless a waiver has been granted. The map provided must be the original, not a copy.

- ☐ *Temporary Transfer or Historical POD Change*

A map meeting the requirements of OAR 690-380-3100 must be included but need not be prepared by a Certified Water Right Examiner.

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

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

Land Use Information For Proposed Changes:

For Instream Transfers:

- ☐ Notice of the intent to file an instream transfer application has been provided to each affected local government along the proposed reach, and copies of the notices are enclosed. (*For instream transfers a Land Use Information Form is not required.*)

For All Other Transfers:

- ☒ Land Use Information Form is enclosed; *or*
- ☐ All of the following criteria are met, therefore a Land Use Information Form is not required:
- ① In EFU zone or irrigation district,
 - ② Change in place of use only,
 - ③ No structural changes needed, including diversion works, delivery facilities, other structures, *and*
 - ④ Irrigation only.

Fees:

- ☐ Amount enclosed: \$ 400.00
See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0900.

Instream Water Right Transfers, also include:

Supplemental Form C –

Instream Water Right Transfer

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

Temporary Transfers, also include:

Recorded Deed:

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

Affidavit of Consent:

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

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

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

12. SIGNATURES

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

- ☐ In accordance with OAR 690-380-3000(13)(a), I (we) understand that prior to Department approval of a permanent transfer and upon my receipt of a draft Preliminary Determination for the proposed transfer, I (we) will be required [pursuant to OAR 690-380-4010(5)] to provide the following landownership information and evidence demonstrating that I (we) are authorized to pursue the transfer:
- (a) A report of ownership and lien information that has been prepared by a title company *within the last three months*;
- (b) A copy of written notification of the proposed transfer provided by the applicant to all lien holders on the subject lands unless the report of ownership and lien information shows that a water right conveyance agreement has been recorded for the subject lands. *If a water right conveyance agreement has been recorded for the subject lands, a copy of the agreement and identification of the owner of the lands at the time the agreement was recorded must be submitted; and*
- (c) If the landowner identified in the report of ownership and lien information is not the applicant, a notarized statement consenting to the transfer (attached) signed by the landowner identified in the report or an authorized representative of the entity to whom the interest in the water right has been conveyed as identified in a water right conveyance agreement or other documentation demonstrating that the applicant is authorized to pursue the transfer in the absence of the consent of the landowner.
- ☐ I (we) affirm that interest in the water right has been conveyed to someone other than the landowner, and documents, including a water right conveyance agreement, report of ownership and lien information, and any required lienholder notification are enclosed, demonstrating that I am (we are) authorized to pursue the transfer. I (we) understand that we may be required to provide additional information upon receipt of the draft Preliminary Determination.
- ☐ I (we) affirm that the applicant is a municipality, as defined in ORS 540.510(3)(b), and that the right is in the name of the municipality or a predecessor. Therefore, pursuant to OAR 690-380-3000(13)(b), the applicant is NOT required to provide the above described report of ownership and lien information.
- ☐ I (we) affirm that the applicant is an entity with the authority to condemn property and is acquiring the property to which the water right proposed for transfer is appurtenant by condemnation. Documentation is provided with this application supporting this statement. Therefore, pursuant to OAR 690-380-3000(13)(c), the applicant is NOT required to provide the above described report of ownership and lien information. (NOTE: Such an entity may only apply for a transfer under this subsection if it has filed a condemnation action to acquire the property.
- ☐ I (we) affirm that this is a temporary transfer and a copy of the deed for the "from" land (and affidavits of consent from any other landowners, if applicable) is enclosed.

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

<u>Dale Green</u> applicant signature	_____ name and title if applicable (print)	<u>12-2-07</u> date
<u>Mavis Green</u> applicant signature	_____ name and title if applicable (print)	<u>12-2-07</u> date

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Water Right Transfer Supplemental Form A

DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

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

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

■ Certificate Number or other identifying number: 42652

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

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

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2. CURRENT WATER RIGHT INFORMATION

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

☒ Certificated Right	42652	33276
	Certificate Number	Permit Number or Decree Name
☐ Adjudicated, Non-certificated Right		
	Name of Decree	Page Number
☐ Permit for which Proof has been Approved		
	Permit Number	Date Claim of Beneficial Use Submitted
☐ Transferred Right for which Proof has been Filed		
	Previous Transfer Number	Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: Bill Lee Lammey
- County: Douglas
- Authorized Use(s) to be Affected by Transfer: Irrigation of 0.4 acres
- Priority Date(s): March 14, 1968

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

- Source(s) of Water to be Affected by Transfer: Stockel Creek and Reservoir

Constructed under permit No. R-5259

Tributary to: South Umpqua River

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

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

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

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

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

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■ Certificate Number or other identifying number: 42652

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

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

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

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

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)

- Does the water right being transferred involve a ground water source(s)?

☐ Yes ☐ No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

- A. Supply a copy of the well log(s) for each point of appropriation that is **clearly labeled** and associated with the corresponding well in the table above and on the accompanying application map. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)

or

- B. If a well log is **not** available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.

Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no well log is available.)

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

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth

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Source and Priority Date	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)

■ Certificate Number or other identifying number: 42652

3. PROPOSED CHANGES TO THE WATER RIGHT

Describe proposed changes to the water right involving point(s) of diversion and/or appropriation. Survey coordinates described below should accurately correspond to the points shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Point(s) of Diversion or Appropriation:

(i.e., the "TO" point(s) of diversion or appropriation)

☐ N/A – Instream Water Right Transfer

(NOTE: Complete this table only if a Change in Point of Diversion or Appropriation is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)

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

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

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

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

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

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

▪ Certificate Number or other identifying number: 42652 _____

Describe proposed changes to the water right involving place of use. Information described below should accurately correspond to the proposed place of use shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Place of Use: (i.e., the "TO" lands) ☐ N/A – Instream Water Right Transfer

(NOTE: Complete this table only if a Change in Place of Use is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
Stockel Creek & Reservoir R-5259	27S	6W	W M	17	NW SW		0.27
					NE SW		0.13

Remarks: Area by ¼ ¼ may change slightly when Claim of Beneficial Use is submitted.

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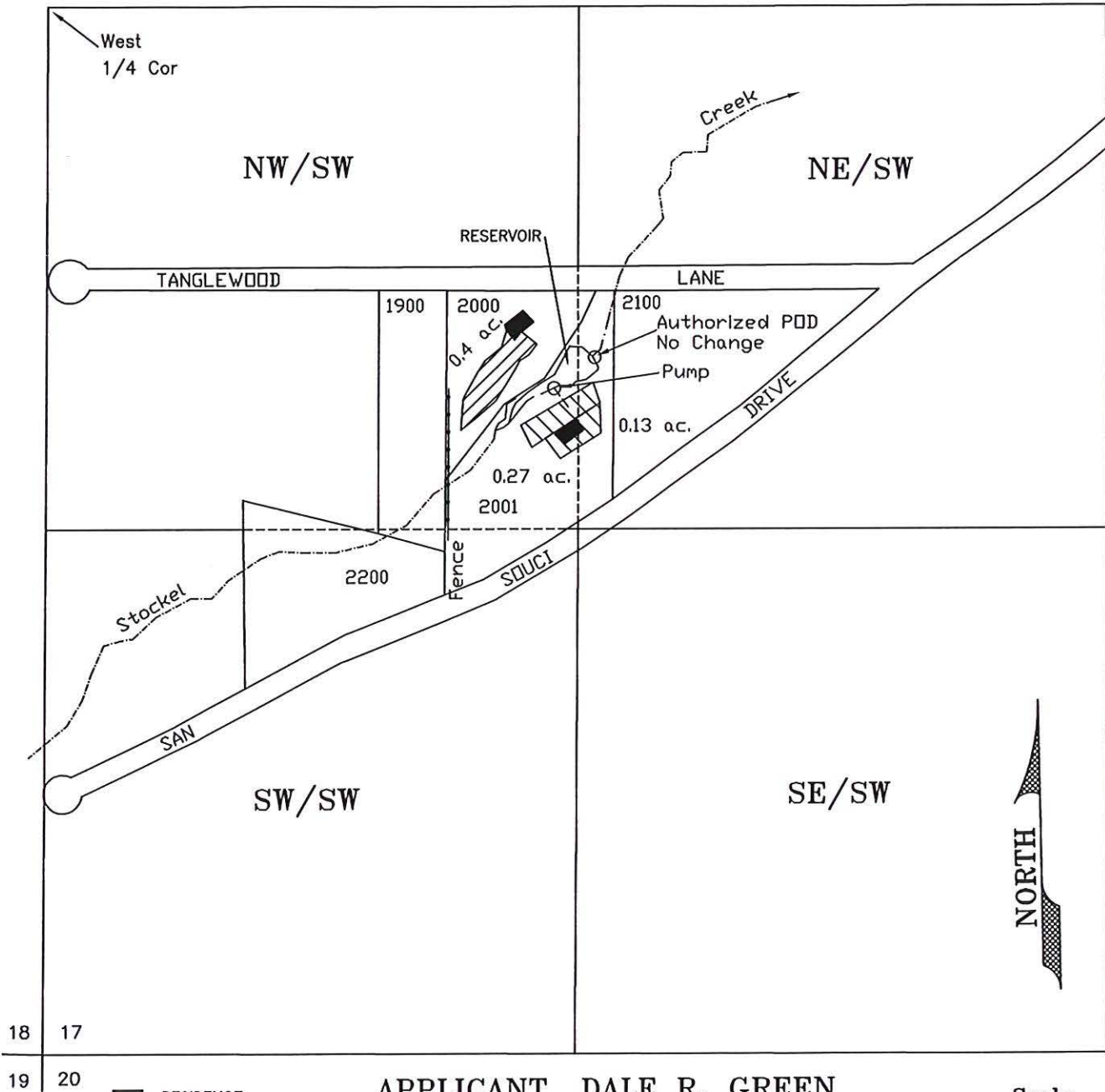
WATER RESOURCES DEPT
SALEM, OREGON

APPLICATION FOR CHANGE IN PLACE OF USE

CERTIFICATE 42652

SW 1/4, SECTION 17, TOWNSHIP 27 SOUTH RANGE 6 WEST, W.M.

DOUGLAS COUNTY



Authorized POD - 900 feet south and 1360 feet east from the West 1/4 Corner Section 17 - No Change

Pump - 950 feet south and 1260 feet east from the West 1/4 Corner Section 17

-  From Land - 0.40 acres
-  To Land - 0.40 acres

APPLICANT DALE R. GREEN

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APR 21 2009

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

Scale

1 inch = 400 feet

JORDAN ENGINEERING
460 JORDAN LANE
ROSEBURG, OR 97470
(541) 673-1931

9/30/2007 n.e.d.
Revised 4/16/2009 n.e.d.
110907CJ

After Recording Return To:
Ronald S. Yockim
P.O. Box 2456
Roseburg, OR 97470

WATER RIGHT AGREEMENT/TRANSFER

THIS AGREEMENT entered into on the 21 day of March, 2007,
between DALE R. GREEN and MARIE N. GREEN, husband and wife, (Grantor) and
JULIA DEMING ROSS (Grantee).

In partial consideration of Grantor DALE R. GREEN and MARIE N. GREEN
conveying the property known as Tax Lot 2000 aka 300 Tanglewood, Roseburg, Oregon,
to JULIA DEMING ROSS, Grantee, the parties agree as follows:

Grantors hereby reserve unto themselves all right and interest in the irrigation
rights described in the Certificate of Water Right, 42651 and Certificate of Water Right
42652. It is the intent of the parties that the place of use for the water rights under
Certificate 42652 will be transferred to the property of DALE R. GREEN and MARIE N.
GREEN, known as Tax Lot 2001 aka 1755 San Souci, Roseburg, Oregon.

SEE ATTACHED EXHIBIT "A".

The parties recognize and acknowledge that the transfer will not be able to be
consummated until after the closing on the property and therefore agree to cooperate and
take all steps necessary to transfer these water rights. JULIA DEMING ROSS expressly
agrees that upon the request of Grantors, she will take all steps necessary to help and
assist in this transfer and further acknowledges and agrees that for the purposes of the
transfer DALE R. GREEN and MARIE N. GREEN are considered the owners, and/or
holders, of the water right subject to the transfer, as that phrase is used in ORS 540.

Said transfer to be at the sole cost and expense of DALE R. GREEN and MARIE
N. GREEN.

DATED THIS 21st day of March, 2007

Dale R. Green
DALE R. GREEN

Marie N. Green
MARIE N. GREEN

Julia Deming Ross
JULIA DEMING ROSS

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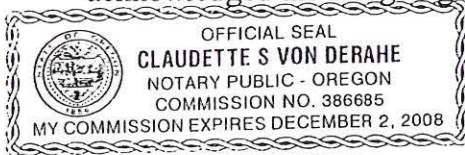
**WATER RESOURCES DEPT
SALEM, OREGON**

STATE OF OREGON)

County of Douglas)

) ss. March 22, 2007
Date

Personally appeared the above named JULIA DEMING ROSS, and
acknowledged the foregoing instrument to be her voluntary act and deed.



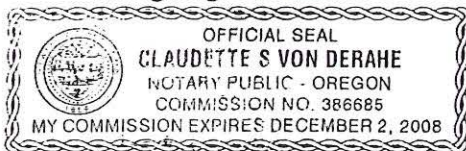
Claudette S Von Derahe
Notary Public for Oregon
My Commission Expires: 12/2/08

STATE OF OREGON)

County of Douglas)

) ss. March 21, 2007
Date

Personally appeared the above named MARIE N. GREEN, and acknowledged the
foregoing instrument to be her voluntary act and deed.



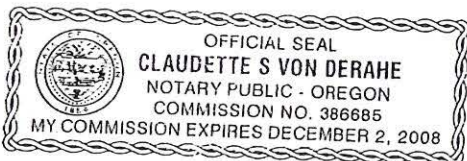
Claudette S Von Derahe
Notary Public for Oregon
My Commission Expires: 12/2/08

STATE OF OREGON)

County of Douglas)

) ss. March 21, 2007
Date

Personally appeared the above named DALE R. GREEN, and acknowledged the
foregoing instrument to be his voluntary act and deed.



Claudette S Von Derahe
Notary Public for Oregon
My Commission Expires: 12/2/08

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**WATER RESOURCES DEPT
SALEM, OREGON**

Water Right Transfer Supplemental Form B

AFFIDAVIT ATTESTING TO THE USE OF WATER

State of Oregon)
) ss
 County of Douglas)

I, Dale Green, in my capacity as Land owner,
 mailing address 1755 San Souci Drive, Roseburg, OR 97470
 telephone number (541) 672-5901, being first duly sworn depose and say:

1. I attest that:

- ☒ Water was used during the previous five years on the entire authorized place of use of the water right proposed for transfer as described on the accompanying transfer application; **or**
- ☐ The water right was leased instream at some time within the last five years. The instream lease number is as follows: _____; **or**
- ☐ The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.

2. My knowledge of the exercise or status of the water right is based on (check one):

☒ Personal observation ☐ Professional expertise

3. My knowledge is specific to the use of water at the following locations:

Township		Range		Mer	Sec	¼ ¼ Section	Gov't Lot or DLC	Acres (if applicable)
27	S	6	W	WM	17	NW SW	TL-2000	0.40

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**WATER RESOURCES DEPT
SALEM, OREGON**

(continues on reverse side)

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

4. The water right was exercised for the authorized purpose described below (e.g., crops grown):
Irrigation of grass, shrubs and trees.

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

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

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

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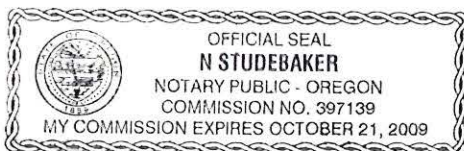
**WATER RESOURCES DEPT
SALEM, OREGON**

Dale Green

Signature of Affiant

12.14.07
Date

Signed and sworn to (or affirmed) before me this 14 day of Dec, 2007.



N Studebaker

Notary Public for Oregon

My Commission Expires: 10-21-09

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



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WATER RESOURCES DEPT
SALEM, OREGON

F10505

Jordan Engineering
Structural & Civil

460 Jordan Lane
Roseburg, OR 97470
541-673-1931

Oregon Water Resources Department

Ms. Sarah A. Henderson
725 Summer St. NE, Suite A
Salem, OR 97301

Transfer Attachment
T-10505
Mr. Dale Green

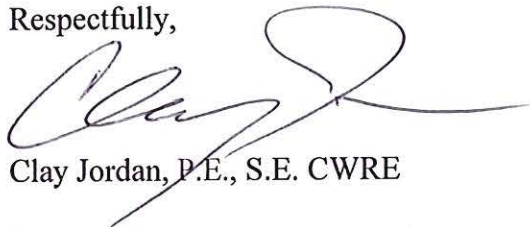
December 21, 2007

Ms. Henderson:

Please amend the Water Right Transfer Supplemental Form B affidavit attesting to the use of water page 2 item 5 the water delivery system as follows:

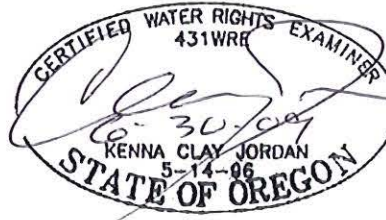
½ hp centrifugal pump with 1 inch line to faucets. Area irrigated using hoses and 2 to 3 sprinklers at a time.

Respectfully,



Clay Jordan, P.E., S.E. CWRE

file: Affidavit_Attachment.wpd



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WATER RESOURCES DEPT
SALEM, OREGON

T-10505

Jordan Engineering
Structural & Civil

460 Jordan Lane
Roseburg, OR 97470
541-673-1931

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

Application Transfer
for change in place of use.
Permit 33276
Certificate 42652

December 18, 2007

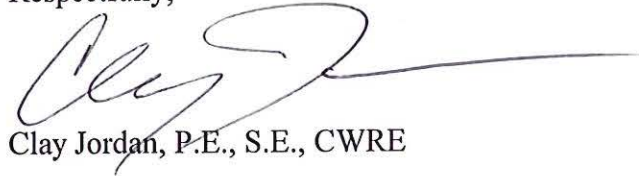
WRD:

The inclosed application is to transfer a water right place of use to a new place of use across the stream. It will be using the same POD.

Therefore inclosed:

1. Application Map.
2. Transfer form.
3. Form A
4. Form B
5. Land Use Information Form
6. A copy of lot 2000's deed.
7. A copy of lot 2000's Statement of Ownership and Liens prepared by a title company.
8. Water Right Agreement/Transfer.
9. A check made out to the OWRD for \$400 check number 2665.

Respectfully,



Clay Jordan, P.E., S.E., CWRE

file: OWRD-cover-cert42652

cc: Mr. Norm Daft
Mr. Dale Green

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SALEM, OREGON



Oregon Water Resources Department
Land Use Information Form

W/507-1193
RA # P02770

THIS FORM IS NOT REQUIRED IF: 1) water is to be diverted, conveyed, and/or used only on federal lands; or 2) the application is for a water-right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and all of the following apply: a) only the place of use is proposed for change, b) there are no structural changes, c) the use of water is for irrigation, and d) the use is located in an irrigation district or exclusive farm-use zone.

Applicant Name: Dale Green
Mailing Address: 1755 San Souci Drive
City: Roseburg State: OR Zip: 97470 Day Phone: (541) 672-5901

This application is related to a Measure 37 claim. ☐ Yes ☒ No

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), or used. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	1/4	Tax Lot #	Plan Designation (e.g. Rural Residential/RR-5)	Water to be:	Proposed Land Use:
27S	6W	17	NW/SW	2001		☒ Diverted ☒ Conveyed ☒ Used	IRRIGATION
			NE/SW	2001		☒ Diverted ☒ Conveyed ☒ Used	IRRIGATION
						☐ Diverted ☐ Conveyed ☐ Used	
						☐ Diverted ☐ Conveyed ☐ Used	

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

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- ☐ Permit to Use or Store Water ☒ Water-Right Transfer ☐ Exchange of Water
☐ Allocation of Conserved Water ☐ Limited Water Use License
☐ Permit Amendment or Ground Water Registration Modification

Source of water: ☒ Reservoir/Pond ☐ Ground Water ☒ Surface Water (name) STOCKEL CR. & RESERVOIR

Estimated quantity of water needed: 0.01 ☒ cubic feet per second ☐ gallons per minute ☐ acre-feet

Intended use of water: ☒ Irrigation ☐ Commercial ☐ Industrial ☐ Domestic for _____ household(s)
☐ Municipal ☐ Quasi-municipal ☐ Instream ☐ Other _____

Briefly describe: IRRIGATION WILL BE FOR LANDSCAPING, LAWN AND GARDEN

Note to applicant: *If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt below and include it with the application filed with the Water Resources Department.*

Receipt for Request for Land Use Information

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

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SALEM, OREGON**

1 10505

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form.

This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

☒ Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): _____.

☐ Land uses to be served by proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.)

If approvals have been obtained but all appeal periods have not ended, check "Being pursued".

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

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

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**WATER RESOURCES DEPT
SALEM, OREGON**

Name: JONATHAN WRIGHT Title: PLANNER
Signature: [Signature] Phone: 440-4289 Date: 12-14-07
Government Entity: _____

**DOUGLAS COUNTY PLANNING DEPARTMENT
ROOM 106, JUSTICE BUILDING
DOUGLAS COUNTY COURTHOUSE
ROSEBURG, OR 97470**

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

Last updated 12/22/06 WR

1 10505



First American

First American Title Insurance Company of Oregon

1700 NW Garden Valley Blvd, Ste 204

Roseburg, OR 97470

Phn - (541)672-5555

Fax - (800)314-0395

PAR REPORT

Dale R. Green
1755 San Souci
Roseburg, OR 97470

December 06, 2007
File No.: 7399-1151133

Attn: Dale

Re: **Julia Ross**

Fee \$85.00

According to a search of our tract indices for the following described property, First American Title Insurance Company of Oregon (hereinafter referred to as "The Company" certifies as follows):

Legal Description of the property:

PARCEL 1, PARTITION PLAT 2002-0020, PARTITION PLAT RECORDS OF DOUGLAS COUNTY,
OREGON.

and as of November 30, 2007 at 8:00 a.m.

We find that the last deed of record runs to:

Julia Deming Ross

We have also searched our General Index for Judgments and State and Federal Liens against the Grantee(s) named above and find:

-NONE-

Recorded voluntary liens and tax information:

1. The assessment roll and the tax roll disclose that the premises herein described were specially assessed as Forest Land pursuant to O.R.S. 321.358 to 321.372. If the land becomes disqualified for the special assessment under the statute, an additional tax may be levied for the last five (5) or lesser number of years in which the land was subject to the special land assessment.

NOTE: Taxes for the year 2007-2008 PAID IN FULL

Tax Amount:	\$1,496.67
Map No.:	27-06W-17C-02000
Property ID:	R17241
Tax Code No.:	00402

NOTE: The address of the property described herein is:

First American Title

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**WATER RESOURCES DEPT
SALEM, OREGON**

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300 Tanglewood Lane , Roseburg, OR 97470

NOTE: The 2007-2008 tax assessed value for the herein described property is as follows:

Land: \$ 130,220.00

Improvements: \$ 160,144.00

Parcel No.: R17241

THIS IS NOT a title report since no examination has been made of the title to the above described property. This report does not purport to show all encumbrances and no representation is made as to the sufficiency of the title of the above parties. Liability of the Company for this lien search is limited to the charge made thereof.

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First American Title Insurance Company
P.O. Box 1325 99305
Roseburg, OR 97470

After recording return to:
Julia Deming Ross
300 Tanglewood Lane
Roseburg, OR 97470

Until a change is requested all tax statements
shall be sent to the following address:
Julia Deming Ross
300 Tanglewood Lane
Roseburg, OR 97470

File No.: 7391-992205 (cv)
Date: March 21, 2007

DOUGLAS COUNTY OFFICIAL RECORDS
BARBARA E. NIELSEN, COUNTY CLERK

2007-006812



\$26.00

00180092200700068120020021

03/22/2007 02:37:12 PM

DEED-WD Cnt=1 Stn=13 MAILDESK
\$10.00 \$11.00 \$5.00

STATUTORY WARRANTY DEED

Dale R. Green and Marie N. Green as tenants by the entirety, Grantor, conveys and warrants to **Julia Deming Ross**, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

PARCEL 1, PARTITION PLAT 2002-0020, PARTITION PLAT RECORDS OF DOUGLAS COUNTY, OREGON.

Subject to:

1. Covenants, conditions, restrictions and/or easements, if any, affecting title, which may appear in the public record, including those shown on any recorded plat or survey.

The true consideration for this conveyance is **\$330,000.00**. (Here comply with requirements of ORS 93.030)

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**WATER RESOURCES DEPT
SALEM, OREGON**

APN: R17241

Statutory Warranty Deed
- continued

File No.: 7391-992205 (cv)
Date: 03/21/2007

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 197.352. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 197.352.

Dated this 21st day of March, 2007.

Dale R. Green
Dale R. Green

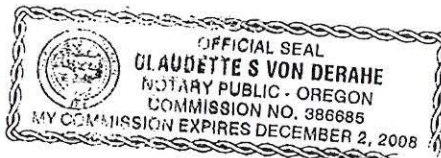
Marie N. Green
Marie N. Green

STATE OF Oregon)
County of Douglas) ss.

This instrument was acknowledged before me on this 21st day of March, 2007
by **Dale R. Green and Marie N. Green.**

Claudette S Von Derahe

Notary Public for Oregon
My commission expires: 12/2/07



END OF DOCUMENT

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WATER RESOURCES DEPT
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Ms. Henderson:

Inclosed:

1. Transfer Attachment.
2. Dated aerial photograph.
3. CWRE stamped map.

Thanks,



Clay

7.10505

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WATER RESOURCES DEPT
SALEM, OREGON

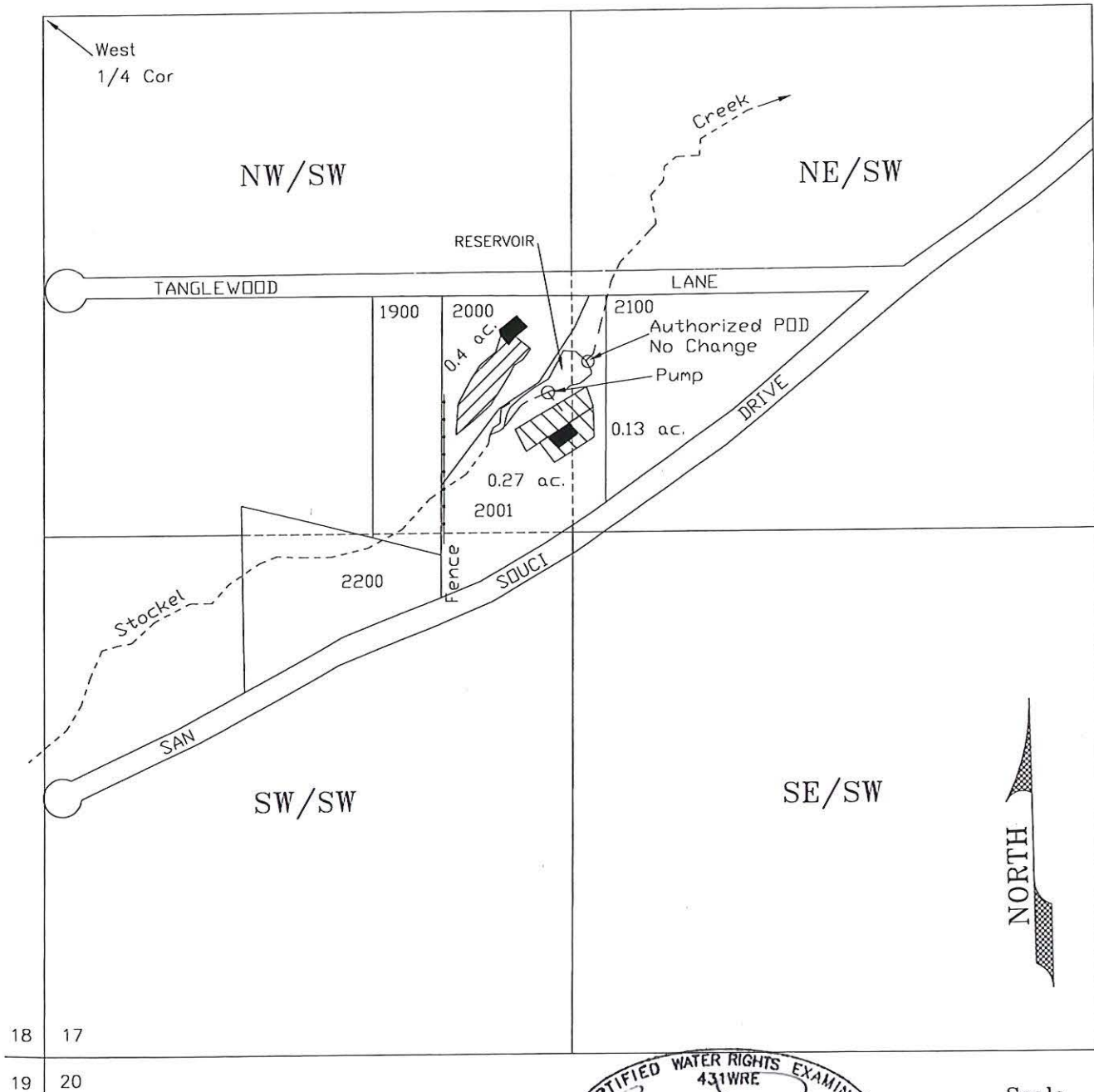
APPLICATION FOR CHANGE IN PLACE OF USE
DALE R. GREEN

SW 1/4, SECTION 17, TOWNSHIP 27 SOUTH RANGE 6 WEST, W.M.

DALE R. GREEN

SW 1/4, SECTION 17, TOWNSHIP 27 SOUTH RANGE 6 WEST, W.M.

DOUGLAS COUNTY



Authorized POD – 900 feet south and 1360 feet east
from the West 1/4 Corner Section 17 – No Change

Pump - 950 feet south and 1260 feet east
from the West 1/4 Corner Section 17

 From Land - 0.40 acres

 To Land - 0.40 acres

RESIDENCE



Scale

1 inch = 400 feet

PERMIT: 33276
CERTIFICATE: 42652

JORDAN ENGINEERING
460 JORDAN LANE
ROSEBURG, OR 97470
(541) 673-1931

9/30/2007 n.e.d.
110907CJ

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