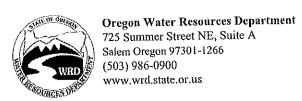
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Certificate of Water Right Ownership Update

NOTICE TO SELLERS & BUYERS:

By law, all water belongs to the public (ORS 537.110). In almost every instance, a permit **or** water right certificate from the Water Resources Department is needed before using, diverting or storing water (ORS 537.130). However, most domestic wells do not require water rights. A certificate of water right stays with the land. In order to keep track of water right ownership, the Department requests that this form be submitted to the Department. If for multiple rights, a separate form for each right will be required.

Water that has been used for a long time in one place or that involves a water structure (like a dam) that already exists is no guarantee that there is a water right which would allow the water use to continue.

If you have any questions about this form or water right requirements, please contact your local watermaster or call the Water Resources Department at 503-986-0900.

Note: Please type or print legibly when filling in the following information. Use additional paper if necessary.

vote, I lease type or print	togion, man,,g				
	PROPERTY	SELLER INFORMATION		RECEIVED	3Y OWRI
Applicant(s):	First		Last	AUG 0 4	2016
Mailing Address:				77040	2010
· ·				SALEM,	OR
City		State		Zip	
Phone:	lome	Work		Other	
		Y BUYER INFORMATION			
Applicant(s): Loren		Landau	Last		-
	First		Last		
Mailing Address: 18150	SW Boones Ferry Rd.				
Portland		Oregon	97224	Zip	
City		State 503-546-7662	503-312	•	
Phone: Ho	me	303-340-7002 Work		Other	
PRO	PERTY DESCRIPT	ION (attach additional page	s if necessar	·y):	
County: Jefferson	Township; 13S	Range: 9E		Section: 10	
Tax Lot Number(s): 130	0 and 1311				
Street address of water r	ight property: 25615 Co	old Springs Resort Lane			
Water Right Information	a (attach copy of water ri	ght permit or certificate & final	proof map):		
		ght permit or certificate & final			
Will all the lands associ	iated with this water rig	ght be owned by the buyer? (
Name of individual con	pleting this form: Lore	n Landau		one: 5035467662	
Signature:	n kin le	Date:	7/2	9/16	

Please be sure to attach a copy of your property deed or legal description of the property.

STATE OF OREGON

COUNTY OF JEFFERS ON

CERTIFICATE OF WATER RIGHT

This is to Certify, That

W. F. JACKSON

, has made proof Oregon , State of Camp Sherman to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of haden Spring

Metolins River a tributary of Metoline irrigation and Domestic

for the purpose of

of the State Engineer, and that said right to the use of said waters under Permit No.7721 has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from October 13, 1926;

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 0.5 cabic foot per second;

The point of diversion is located in the SELING of Section 10 , Township 135 Range 9E , W. M. The use hereunder for irrigation shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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 in case of rolation.

A description of the lands irrigated under the right hereby confirmed, and to which such right is approximant (if for irrigation or any other purpose), is as follows: 3 acres in the Swinel and 2 acres in the Nwinel, Section 10, Township 13 South, Range 9 East of the Willamette Meridian in Jefferson County, Oregon.

RECEIVED BY OWAD

AUG 0 4 2016

SALEM, OR

The right to the use of the water for any purpose is restricted to the lands or place of use

After the expiration of fifty years from the date of this certificate or on the expiration of herein described. any federal power license issued in connection with this right, and after not less than two years nolice in writing to the holder hereof, the State of Oregon, or any municipality thereof, shall have the right to take over the dams, plants and other structures and all appurlenances thereto which have been constructed for the purpose of devoting to beneficial use the water rights specified herein, upon condition that before taking possession the State or municipality shall pay not to exceed the fair value of the property so taken, plus such reasonable damages, if any, to valuable, serviceable and dependable property of the holder of this certificate, not taken over, as may be caused by the severance therefrom of the proporty taken in accordance with the provisions of section 5728, Oregon Laws.

WITNESS the signature of the State Engineer,

affixed this

28th

day

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of November , 128

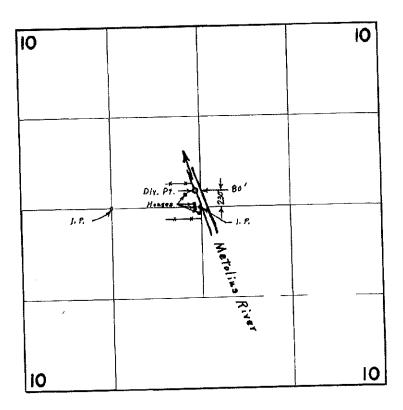
Rhes Luper

State Engineer.

Recorded in State Record of Water Right Certificates, Volume 8

, page7812

T.13 S.R.9 E.W.M.



FINAL PROOF SURVEY

RECEIVED BY OWRD

AUG 0 4 2016

SALEM, OR

Application No. 38724. Permit No. 28834. IN NAME OF

GENE GALLAHER

Surveyed July 11, 19.67, by L.E. Gould

File No.: 87620AM

Page 6

EXHIBIT "A" LEGAL DESCRIPTION

PARCEL I:

Beginning at a point on the North-South center line of Section 10 in Township 13 South, Range 9 East of the Willamette Meridian, Jefferson County, Oregon; 30.24 feet South 00° 08' 08" East of the Northeast comer of the South half of the South half of the Southeast one quarter of the Northwest one quarter of said Section 10; and run thence South 00° 08' 08" East along said North-South center line 317.16 feet to a point; thence South 53° 36' 36" West 156.20 feet to a point; thence South 00° 00' 30" East 70.00 feet to a point; thence South 88° 47' 07" West 619.24 feet to a point; thence North 04° 37' 27" East 83.75 feet to a point; thence North 24° 20' 27" East 92.33 feet to a point; thence North 01° 33' 00" West 83.38 feet to a point; thence South 88° 47' 07" West 628.82 feet to a point on the West line of said Southeast one quarter of the Northwest one quarter said point being 59.86 feet North 00° 10' 33" West of the Southwest comer thereof; thence North 00° 10' 33" West 30.00 feet to a point; thence North 88° 47' 07" East 874.01 feet to a point; thence North 26.91 feet to a point; thence North 89° 22' 41" East 366.10 feet to a point; thence North 08° 27' 50" West 100.40 feet to a point; thence North 53° 55' 40" East 130.13 feet to the Point of Beginning.

PARCEL II:

Beginning at a point on the North line of the South half of the South half of the Southeast one quarter of the Northwest one quarter of Section 10, in Township 13 South, Range 9 East of the Willamette Meridian, Jefferson County, Oregon; 456.87 feet South 89° 22' 41" West of the Northwest comer thereof; and run thence South 00°37' 19" East 40.00 feet to a point; thence South 192.09 feet to a point; thence South 88° 47' 07" West 374.01 feet to a point; thence North 00° 09' 37" West 235.96 feet to a point on the said North line of the South half of the South half; thence North 89° 22' 41" East 374.17 feet to the Point of Beginning.

RECEIVED BY OWN

AUG 0 4 2016

SALEM, OF

1-351		
7.36		





Sisters Ranger District Forest Post Office Box 249 Service Sisters, OR 97759

APR 1 4 1997

WATER RESOURCES DE SALEM, OREGON

Reply to:

Subject

To:

2720 Special Uses 2540 Water Uses

ZD4U Water Uses

Water Rights-State files 63755. 11136 Recreation Residence H-6

Wayne J. Overcash Senior Water Rights Examiner Water Resources Department 555 13th Street NE Salem, OR 97310 Date: July 28, 1983

RECEIVED

FEB 13 1984
WATER RESOURCES DEPT.
SALEM. OREGON

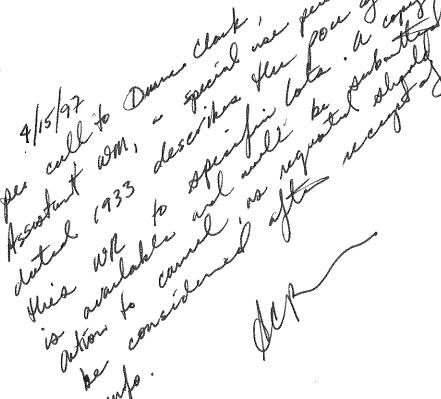
Enclosed is the signed and notarized affidavit regarding the cancellation of a water right involving Harold D. and Cecil O. Eakin.

We are concerned that this cancellation will not deprive any current irrigation user of Madsen Spring. The note on the Certificate that thirteen families were using the water should be checked to make sure that Harold and Cecil Eakin are the only current users or potential users.

Thank You.

JEFFREY D. BLACKWOOD District Ranger

Enclosures





AFFIDAVIT

APR 1 4 1997

RECEIVED

WATER RESOURCES DEPT. SALEM. OREGON

My Commission Expires: 2/2/88

FEB 13 1984

SALEM, OREGON
WATER RESOURCES DEPT.
SALEM. OREGON

STATE OF OREGON)s.s. County of Jefferson I <u>Jeffrey</u> D. Blackwood , acting on behalf of the United States Government - Agriculture Department of Forest Service, being first duly sworn, depose and say that the United States Government - Agriculture Department of Forest Service is the owner of a water right and the land to which it is appurtenant, which is for the use of not to exceed 0.5 cubic foot of water per second from Madsen Spring for domestic use and irrigation of 3.0 acres in the SW 1/4 NE 1/4 and 2.0 acres in the NW 1/4 NE 1/4 of Section 10, Township 13, South, Range 9 East, of the Willamette Meridian; with a date of priority of October 13, 1926, as described by the certificate recorded at page 7812, Volume 8, State Record of Water Right Certificates; that the United States Government - Agriculture Department of Forest Service has abandoned any and all interest in and to that portion of said water right which provided for irrigation of lands within Lot 6 of Tract "H" Camp Sherman Summer Home Site Group and request said portion be canceled. IN WITNESS WHEREOF, I have hereunto set my hand this Subscribed and sworn to before me this ______ day of _____ flyward Notary Public for Oregon

APR 1 4 1997

RECEIVED

WATER RÉSOURCES DEPT. A F F I D A V ISALEM, OREGON FEB 29 1984

WATER RESOURCES DEPT. SALEM. OREGON

STATE OF OREGON

County of Jefferson

I Jeff D. Blackwood, acting on behalf of the United
States Government - Agriculture Department of Forest Service, being first duly sworn,
depose and say that the United States Government - Agriculture Department of Forest
Service is the owner of a water right and the land to which it is appurtenant, which
is for the use of not to exceed 0.5 cubic foot of water per second from Madsen Spring
for domestic use and irrigation of 3.0 acres in the SW4 NE4 and 2.0 acres in the NW4
NE% of Section 10, Township 13, South, Range 9 East, of the Willamette Meridian; with
a date of priority of October 13, 1926, as described by the certificate recorded at
page 7812, Volume 8, State Record of Water Rights Certificates; that the United
States Government - Agriculture Department of Forest Service has abandoned any and
all interest in and to that portion of said water right which provided for irrigation
of lands within Lot 8 of Tract "I" Camp Sherman Summer Home Site Group and request
said portion be canceled.
IN WITNESS WHEREOF, I have herunto set my hand this 27^{th} day
of <u>February</u> , 1983.
Aff Stackward
A A A
Subscribed and sworn to before me this 27 day of Aldriday, 1983.
Notary Public for Oregon
My Commission Expires:

MAR 2 5 1997

Due Menday 3/31/97 to GMH

Bryant Lovlien

A PROFESSIONAL CORPORATION

WATER RESOURCES ANERY: Gray SALEM, OREGON

Retired (1948 - 1994) Bradley D. Fancher Retired (1957 - 1991) William M. Holmes

Of Counsel to the Firm

ATTORNEYS AT LAW

40 N.W. Greenwood ■ P.O. Box 1151 ■ Bend, Oregon 97709-1151 (541) 382-4331 ■ Fax (541) 389-3386

E-mail: bli@emnnet

March 21, 1997

Neil R. Bryant

Lynn F. Jarvis

John A. Berge

John D. Sorlie Mark G. Reinecke Melissa P. Lande

Sharon R. Smith Lisa N. Bertalan

Robert S. Lovlien

Geoffrey M. Huntington **Deputy Director** Oregon Water Resources Department Commerce Building 158 12th Street NE Salem, OR 97310-0210

Re: Certificate of Water Right

Mis is

Please response

The P

Dear Geoff:

Our office represents the Metolius River Resort in the above matter. They use water pursuant to this water right. Certificate of Water Right 7812 was granted to W.F. Jackson under permit 7721 (with a priority date of October 13, 1926) as recorded at Page 7812, Volume 8, State Record of Water Right Certificate. We need to find out what this water right encompasses.

Please either call or write to me at my Senate office regarding with this matter. Thank you for your assistance in this matter.

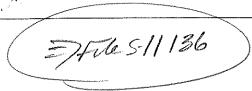
Sincerely,

NRB/hcr

Robert S. Lovlien cc:

Forced 3/27
Info to Dick - 3/26
Info to Looks like this
Kyle G. could get messy
10:45 see Norm Baden

P:\DATA\RSL\CLIENTS\M-O\METOLIUS.028





WATER
RESOURCES
DEPARTMENT

September 2, 1992

Mr. Max Barzee P.O. Box 82007 Portland, OR 97282

Dear Mr. Barzee:

This follows our recent meetings regarding your concerns about illegal water use in the Camp Sherman area. Specifically, you allege that there are illegal uses and places of use under certificate 7812. This certificate authorizes use from Madsen Springs for irrigation and domestic purposes.

With the passage of so many years since the original certificate was issued, it has become increasingly difficult to identify the legal users as land partitions and use changes have occurred. To that end, your homeowners' association members appear to be of mixed opinion regarding whether enforcement should occur, and if so, how and against whom. Your homeowners' association president Chapin Clark advises me that the association is attempting to negotiate an agreement with the various parties to clear up the water right record, obtain system improvements and other benefits. Some members are concerned that regulation by the Water Resources Department may damage these negotiations.

Notwithstanding those concerns, we discussed two avenues by which the Department may regulate illegal use in this situation:

1. Pursuant to ORS 540.045(1)(a), the Watermaster or assistant may adjust the diversion from Madsen Springs in accordance with the "...existing water rights of record in the Water Resources Department."

This likely would involve first a determination of diversion rate, then a valve adjustment to make sure the diversion did not exceed the maximum amount allowed in the right. Then, the Watermaster would check for illegal uses and, if warranted, further reduce the diversion rate at the source.



Max Barzee Page 2

2. Pursuant to ORS 540.045(1)(b), the Watermaster or assistant may continue regulation "...among the various users under any partnership ditch, pipeline...in accordance with the users' existing water rights of record..." provided that one or more users make such request pursuant to ORS 540.100 or 540.120 and provided that advance payment has been provided pursuant to ORS 540.130.

Unless and until we receive a request satisfying the criteria in alternative 2, above, we do not intend to distribute water among the various users connected to your pipeline. However, if you wish to file your complaint with the Watermaster in Bend, the Department will conduct an investigation and regulate at the source (Madsen Springs) according to alternative 1 if the facts so warrant.

Sincerely,

John E. Borden Deputy Director

5 Berde

cc: Chapin Clark, Homeowners' Association President

cc: Bob Main, South Central Region Manager



Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-8508

June 13, 1985

Deschutes National Forest Sisters Ranger District PO Box 249 Sisters, OR 97759

ATTN: Warren Seaward, District Ranger

Dear Mr. Seaward:

REFERENCE: File 11136

I have recently been processing a group of the water permits for domestic use and lawn irrigation at the Camp Sherman Summer Home sites.

There exists a water right of record under Permit 7721, Certificate 7812, in the name of W.F. Jackson, which describes a right to the use of up to 0.5 cubic foot per second of water from Madsen Spring under a priority date of October 13, 1926, for domestic use of 13 families and irrigation of 5.0 acres. Proof was taken prior to the time of final proof surveys, so the map showing the place of use (copy enclosed) is less than adequate for determining the location of the right in respect to the current subdivisions.

Before we can issue certificates under the permits from the Metolius River in this area (Tracts H and I), we would appreciate your help in investigating and locating the current users, if any, of Madsen Spring. We would then know the portions of the right under Certificate 7812 which should be cancelled, or if any of the right remains valid. The certificates could be be issued under the permits from the river without any cloud of conflict with existing rights.

We do have two affidavits signed by Jeffrey D. Blackwood, former District Ranger, requesting the cancellation of any right for irrigation from Madsen Spring on Lot 6, Tract H and on Lot 8, Tract I. It would seem preferable to complete the investigation and survey, and then be able to cancel the remaining invalid portions of the right with a single affidavit, without any of the concerns Mr. Blackwood expressed for depriving "any current irrigation user of Madsen Spring".

Warren Seaward June 13, 1985 Page two

Leslie Olson, our field examiner in Bend, would be able to conduct the location survey of any current users that are determined from your investigation. She can be reached at the Watermaster's Office in Bend at 1507 E. First Street, or by phone at 388-6670.

If you have any questions on this matter, please contact me. Sincerely,

Steven P. Applegate Senior Water Rights Examiner

SPA:jvm

Enclosure

cc: Leslie Olson

appl. 11136

STATE OF OREGON

COUNTY OF JEFFERS ON

CERTIFICATE OF WATER RIGHT

This is to Certify, That W. F. JACKSON , has made proof , State of Camp Sherman to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Madsen Spring

a tributary of Metolius River Irrigation and Domestic

for the purpose of

of the State Engineer, and that said right to the use of said waters under Permit No.7721 has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from October 13, 1926;

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 0.5 cubic foot per second;

The point of diversion is located in the SELING of Section 10 , Township 135 Range 9E , W. M. The use hereunder for irrigation shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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 in case of rotation.

A description of the lands irrigated under the right hereby confirmed, and to which such right is appurtenant (if for irrigation or any other purpose), is as follows: 3 agres in the Swinei and 2 acres in the Nwinei, Section 10, Township 13 South, Range 9 East of the Willamette Meridian in Jefferson County, Oregon.

Oregon

WATER
RESOURCES
DEPARTMENT

April 2, 1997

Neil R. Bryant Bryant, Lovlien & Jarvis PO Box 1151 Bend OR 97709-1151

RE: Certificate of Water Right 7812 Appl. No. 11136

Dear Mr. Bryant:

Thank you for your letter of March 21, 1997.

You asked what the above-mentioned water right encompasses.

Our records indicate, as do Kyle Gorman's, our watermaster for the area in question, that this water right covers 5 acres of irrigation in the west half of the NE 1/4 of Section 10, Township 13S, Range 9E. Also included in this water right is domestic use not to exceed 0.5 CFS. The total amount of water that can be diverted at any one time is limited to 0.5 CFS. Enclosed is a copy of certificate 7812.

If you have any questions, please feel free to call. I can be reached toll free from within Oregon at 1 (800) 624-3199 extension 247.

Sincerely,

Geoff Huntington Deputy Director

enclosure cc: file

Kyle Gorman, Watermaster



	W. S.
AND	W. St. O. St. 1840
	Lacres Lacres Jacres Jacres
A TOTAL OF	
7721	M. 1940.
	R. 92.

WATER RESOURCES DEPARTMENT

INTEROFFICE MEMO

Date: Feb. 20,1986

RECEIVED

FEB 2 4 1986

WATER RESOURCES DEPT SALEM, OREGON

To: Steve Appleagate

From: Leslie Olsan

Subject: Madden Spring - File 11136

I talked up linda Gooss of Sisters R.D. She how Dent out letters to the owners. No response yet. Figured probably short nothing would happen until they get back to their coepins this pping. will we me know when the hear anything.

While You Were Out	
То	, market 1997
DateTime	
Linda Gross called	No. of Concession, Name of Street, or other party of the Street, o
of Sisters Kanger Dist.	- THE STREET STREET
Phone 549 2111	
☐ Telephoned ☐ In person ☐ Please call ☐ Wants to see you ☐ Will call again ☐ Returned your call	Yes and the second seco
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FORM CS 51619	47.45.00.000 (16.000 (Recyled Paper

March 9, 1984

Harold D. and Cecil O. Eakin Box 128 Grass Valley, OR 97029

Dear Mr. and Mrs. Eakin:

REFERENCE: Files 63755 and 11136

This is to acknowledge the superseding application you submitted in June of 1983. The application now describes the proposed use of 0.01 cubic foot of water per second from the Metolius River for the irrigation of a lawn or noncommercial garden not to exceed one-half acre in area. The application has been reinstated and given a new date of priority as of June 6, 1983, being the date it was received.

On February 13, 1984, we received the affidavit executed by Jeffrey D. Blackwood, District Ranger of the Sisters Ranger District authorizing cancellation of the existing right to the use of water from the spring for irrigation purposes on your lot.

Your application is now in satisfactory form and will be placed with the group to be considered for approval.

Sincerely,

WAYNE J. OVERCASH Senior Water Rights Examiner

WJOwpc

cc: Polly Gibskov, Land Technician

1150C



Sisters Ranger District
Forest Post Office Box 249
Service Sisters, OR 97759

Reply to:

2720 Special Uses

2540 Water Uses

Date: July 28, 1983

Subject:

Water Rights-State files 63755. 11136 Recreation Residence H-6

To:

Wayne J. Overcash Senior Water Rights Examiner Water Resources Department 555 13th Street NE Salem,OR 97310 RECEIVED

FEB 13 1984
WATER RESOURCES DEPT.
SALEM. OREGON

Enclosed is the signed and notarized affidavit regarding the cancellation of a water right involving Harold D. and Cecil O. Eakin.

We are concerned that this cancellation will not deprive any current irrigation user of Madsen Spring. The note on the Certificate that thirteen families were using the water should be checked to make sure that Harold and Cecil Eakin are the only current users or potential users.

Thank You.

JEFFREY D. BLACKWOOD District Ranger

Enclosures



AFFIDAVIT

RECEIVED

FEB 13 1984 WATER RESOURCES DEPT. LEM OREGON

) STATE OF OREGON

V . 11.)s . s.	SALEM. OREGO
County of <u>Jefferson</u>	,	
I <u>Jeffrey</u> D. Blacks States Government - Agricultu	ire Department of Forest Ser	vice, being first duly sworn,
depose and say that the Unite	d States Government - Agric	t is appurtenant, which is for
Service is the owner of a water the use of not to exceed 0.5 domestic use and irrigation of NE 1/4 of Section 10, Township a date of priority of October page 7812, Volume 8, State Regovernment - Agriculture Definterest in and to that portion within Lot 6 of Tract "H" Caportion be canceled.	cubic foot of water per sec 3.0 acres in the SW 1/4 NE 1/4 5 13, South, Range 9 East, of r 13, 1926, as described by ecord of Water Right Certific epartment of Forest Service n of said water right which pr	the Willamette Meridian; with the certificate recorded at cates; that the United States has abandoned any and all covided for irrigation of lands
		۵۳
of February	ive hereunto set my hand thi	isday
Subscribed and sworn to before	me this day of	Faret

My Commission Expires: 2/2/88

AFFIDAVIT

FEB 2 9 1984 WATER RESOURCES DEPT. SALEM. OREGON

STATE OF OREGON County of Jefferson D. Blackerood , acting on behalf of the United States Government - Agriculture Department of Forest Service, being first duly sworn, depose and say that the United States Government - Agriculture Department of Forest Service is the owner of a water right and the land to which it is appurtenant, which is for the use of not to exceed 0.5 cubic foot of water per second from Madsen Spring for domestic use and irrigation of 3.0 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ and 2.0 acres in the NW $\frac{1}{4}$ NE% of Section 10, Township 13, South, Range 9 East, of the Willamette Meridian; with a date of priority of October 13, 1926, as described by the certificate recorded at page 7812, Volume 8, State Record of Water Rights Certificates; that the United States Government - Agriculture Department of Forest Service has abandoned any and all interest in and to that portion of said water right which provided for irrigation of lands within Lot 8 of Tract "I" Camp Sherman Summer Home Site Group and request said portion be canceled. IN WITNESS WHEREOF, I have herunto set my hand this 27th day

Subscribed and sworn to before me this 27 day of Huluman

Notary Public for Oregon

My Commission Expires: 2/2/58

1986

OREGON FOREST HOMEOWNERS ASSOCIATION

1985 OFHA ORGANIZATION

Vice Pres *Wanda Abbott 26	5 34th Pl. E. Eugene, OR 97405 01 Laurelhill Dr. Eugene, OR 97403 140 SE Stonewood Dr. Gladstone OR 97027	343-1059 683-2323 657-4322
BOARD OF DIRECTORS - FORE Deschutes - *Jesse Butler Mt. Hood - Bob Hermann Roque/Siskiyou - Rosemary Janz Umatilla - Rich Richardson Umpqua - *Merle Lowden Wallowa/Whitman - Vacant Willamette - Bill Werth	P.O. Box 575 Redmond, OR 97752 14305 SW High Tor Tigard, OR 97223 155 34th Pl. E. Eugene, OR 2702 W 8th Pl. Kennewick, WA 99336 4616 SW 25th Portland, OR 97201 3801 Council Crest Dr. Portland, OR 97201	548-8691 639-2024 343-1059 (509) 586-6847 244-0275

* Members of the Executive Committee

- Vacant

4-4-86

Winema

Steve:

In regards to our conversation this morning, concerning our house at Camp Sherman and the water rights from Madsen Spring, I am enclosing a list of the officers in the Home Owners Association, as you requested.

I believe that contacting Bob Ervin would be the Place to start, as he has been with the association for several pears and is very dedicated to the group.

If I can be of further help, contact me at any time.

In my transactions with the water Resources Board, 211. of the people contacted have been most pleasant and responsive, which is sincerely appreciated.

June I, 1983

Polly Gribskov, Land Technician U.S. Government - Agriculture Department of Forest Service PO Box 248
Sisters, OR 97757

Dear Ms. Gribskov:

REFERENCE: Files 63755 and 11136

Pursuant to our recent telephone discussion, I am enclosing a copy of the certificate of water right recorded at page 7812 along with a copy of the related map. An incomplete statement to provide for clearing our record of a portion of the water right is also enclosed.

As mentioned in our telephone discussion, Harold D. and Cecil O. Eakin have filed an application for a permit to appropriate water from the Metolius River for the irrigation of a yard consisting of lawn and flowers. Supporting data with the application indicates the water will be used on Lot 6 of Tract "H" Camp Sherman Summer Home Site Group.

In discussing this matter with Harold Eakin, he mentioned that they are still using water from Madsen Spring for domestic supplies; but, that they are no longer using water from the spring for irrigation. Therefore, if they wish to establish a right to the use of water from the Metolius River for irrigation, it will be necessary to provide for clearing our records of that part of the existing right for irrigation involved.

In order for us to clear our records of that part of the existing right involved, we need a statement requesting cancellation of the right in the form of an affidavit from the owner of the property. If the U.S. Government is considered the owner of the property, the enclosed statement may be completed by an authorized representative before a Notary Public and submitted.

If you should have any questions, you may call on the above toll-free message line. Leave your name, the file numbers, telephone number, and request that I return your call.

Sincerely,

WAYNE J. OVERCASH Senior Water Rights Examiner

WJO:wpc cc: Harold D. and Cecil O. Eakin enclosures



Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-8508

November 9, 1983

Polly Gribskov, Land Technician
U.S. Government - Department of Forest Service
PO Box 248
Sisters, Oregon 97757

REFERENCE: Files Numbered 67433, 63755, and 11136

Dear Ms. Gribskov:

We have received an application from Chapin D. Clark for use of water from Metolius River for irrigation of a lawn. His application has been assigned 67433.

There is an existing right of record for irrigation on his lot: (Lot 8, Tract I, Camp Sherman) from Madsen Spring which he no longer uses. In order to clear the records so that we may issue a permit for irrigation from Metolius River, the owner of the property must cancel that portion of the existing right in conflict with the new application.

Enclosed is an affidavit which, when signed by an authorized representative of the U.S. Forest Service, and notarized, will cancel that portion of the existing right in conflict with the new application.

On June 1, 1983, a letter and another affidavit was sent to you for this same purpose. This affidavit was for Lot 6, Tract H. Camp Sherman. Enclosed is another copy of this affidavit.

Please have these affidavits signed, notarized, and returned to this office so that we may process these two applications for permits.

Sincerely,

Chris L. Hughes

Chris L. Hughes Senior Water Rights Examiner

CLH/jw

Enclosure

cc: Chapin D. Clark

Fract of Karter

Bruce Karter

RECEIVED Application No. 65386 - concide JUL 261983 Permit No. 47950

WATER RESOURCES DEPT.

Application No.

	SALEM. ORGANIA DESCRIPTION OF SPRING
1.	Is spring on property of applicant? No
2.	If not, give name and address of legal owner. WF Jackson
<i></i>	Hermit #7721) recorded in Both 1, by 99 Devoller. Jeff C
3.	Have you secured consent of owner to appropriate water from this
	spring and for construction of pipeline or other works?
4.	If you do not have such consent, do you expect to secure right of
	way through condemnation?
5.	What is the maximum flow from spring? (Gallons per minute or
	cubic feet per second)
	What is the minimum flow?
	Is flow measured or estimated?
6.	Does the stream flowing from spring form a well defined natural
	channel?
7.	Does the water flow off the lands on which it first arises?
8.	Give the name of the stream or other body of water into which water
	from the spring flows.
9.	If the water from the spring sinks or evaporates before reaching
	other water, give distance water flows from spring before vanishing.
10.	Remarks Dea attached Special Use Germt
	Sup

NOTICE OF COMPLETION OF CONSTRUCTION
the holder of Application No. 11136, being
// issued by the State Engineer of the Atate of Oregon
for the appropriation of second-feet of the waters of the State Engineer, in accordance with the tenor of such permit and the limitations endorsed thereon by the State Engineer,
in accordance with the tenor of such permit and the limitations endorsed the construction of the works described therein the
Remarks: If the works have a less capacity than as described in the permit, or you have definitely abandoned your plan of irrigating any of the lands described
IN WITNESS WHEREOF, I have hereunto set my hand this 14th day of February, 1928. - Maro, Orland (Signature of Applicant)
Moro, Orland (Signature of Applicant)
Fill out, detach, and mall to the State Engineer, Balem, Oregon. Form D should be used in reporting progress of work if more than one year has been allowed for completion.

Form C
THE TAXABLE PARTICIPATION OF THE PROPERTY OF T
NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE
NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE [] [] [] [] [] [] [] [] [] [
I, I Jackson, the holder of Application No. 7727 being
I, Jackson, the holder of Application No. 1721, being permit No. 7721, issued by the State Engineer of the State of Oregon for the appropriation of U.S. second-feet of the waters of Madeu Shows for the appropriation of State Engineer,
I W I Jackson, the holder of Application No. 7727 being
I, Jackson, the holder of Application No. 7721, being permit No. 7721, issued by the State Engineer of the State of Oregon for the appropriation of U.S. second-feet of the waters of Maken Smy for the appropriation of such permit and the limitations endorsed thereon by the state Engineer, completely applied the water to a beneficial use, on the day of my 1927, being the time limitation as fixed in said permit or as extended by the State Engineer for the complete
I, Jackson, the holder of Application No. 772, being permit No. 772, issued by the State Engineer of the State of Oregon for the appropriation of J. 5. second-feet of the waters of Madeu Jackson in accordance with the tenor of such permit and the limitations endorsed thereon by the State Engineer, completely applied the water to a beneficial use, on the Jackson day of May 1927, being the time limitation as fixed in said permit or as extended by the State Engineer for the complete application of water to a beneficial use.
the holder of Application No. 7721, being permit No. 7721, issued by the State Engineer of the State of Oregon (Reservoir or Enlargement) for the appropriation of 0.5 second-feet of the waters of Madeu Spring of in accordance with the tenor of such permit and the limitations endorsed thereon by the State Engineer, completely applied the water to a beneficial use, on the day of May 1927, being the time limitation as fixed in said permit or as extended by the State Engineer for the complete application of water to a beneficial use. Remarks: Remarks: Remarks:
I, Jackson , the holder of Application No. 7721 , being Permit No. 7721 , issued by the State Engineer of the State of Oregon (Reservoir or Enlargement)
the holder of Application No. 7721, being permit No. 7721, issued by the State Engineer of the State of Oregon (Reservoir or Enlargement) for the appropriation of 0.5 second-feet of the waters of Madeu Spring of in accordance with the tenor of such permit and the limitations endorsed thereon by the State Engineer, completely applied the water to a beneficial use, on the day of May 1927, being the time limitation as fixed in said permit or as extended by the State Engineer for the complete application of water to a beneficial use. Remarks: Remarks: Remarks:

Wrs. Maxine Henricks Camp Cherman, OR 97730

Dear Mrs. Menricks:

Our records show that certificate of water right recorded at Page 7812, Volume 8, State Record of Water Right Cortificates, has been issued to 3. F. Jackson for the use of 0.5 cubic foot of water per second from Jackson Spring for the irrigation of 5 acres and domestic supplies for 1% families. The priority date is October 1%, 1-26.

A perfected water right, such as the above mentioned certificate, remains valid indefinitely provided the water is used as described on the certificate. It is subject to for Feiture by failure to exercise the right for a period of five successive years.

Very truly yours,

THOMAS E. SHOOM

TES: edp

Phono call

June 20, 1972

Deschutes National Forest 211 East Revere Bend, Oregon 97701

Gentlemen:

I apologize for the long delay in responding to your request for a copy of the certificate recorded at page 7812, Volume 8, State Record of Water Right Certificates, and map. This certificate was issued prior to the time when the final proof surveys were made by this office and the only map we have is that submitted with the application and which later was used to accompany the Proof of Appropriation of Water form on which the certificate was based.

The purchase order specified a time for delivery which is long past so I am returning this also and it may be voided as far as we are concerned. After this delay I am not sure if this information is any longer of value to you, so I am not asking for another purchase order.

Very truly yours,

Trevor Jones Assistant

TJ:ds Enclosure



JUL3 1 1974 STATE ENGINEER SALEM. OREGON

July 30, 1974

11136

Maxine Hendichs Camp Bherman, OR

Dear Ms. Honrichs:

As per telephone request this is to confirm that the Witer Right from the State of Oregon to W. F. Jackson on the Camp Sherman property specified was filed in the County Clerk's Office in Jefferson County December 15, 1978 at 1:05 F.M. by S. D. Percival, County Clerk.

We are enclosing a copy of this Certificate of Water Right as it appears of record in Water Rights Record Volume 1 page 99.

Very truly yours,

ELAINE L. HENDERSON, COUNTY CLERK By S/Ja Ne Woodoock deputy

cc: Chris Wheeler, State Engineer

August 25, 1961

Heisler & Van Valkenburgh Attorneys at Law U. S. National Bank Building The Dalles, Oregon

Attention Mr. Heisler

Gentlemen:

In reply to your letter of August 18, our records indicate that the water right evidenced by the certificate recorded at page 7812, Volume 8, State Record of Water Rights Certificates, is a valid existing right. However, we have no information regarding whether the right has been exercised subsequent to the date the certificate was issued, or whether the right may be subject to cancelation under the provisions of ORS 540.610 through 540.641.

Very truly yours,

LEWIS A. STANLEY State Engineer

By James W. Carver, Jr., Assistant

JWC:eh

Heisler & Van Valkenburgh

Attorneys at Law
U. S. National Bank Building
The Dalles, Oregon
August 18, 1961

DONALD E. HEISLER
M. D. VAN VALKENBURGH

Mr. Lewis A. Stanley State Engineer State Office Building Salem, Oregon

Dear Sir:

Our office has been handed by Mr. Harold Eakin, present owner, a Certificate of Water Right to use Madsen Spring issued in Jefferson County, Oregon, to one W. F. Jackson showing priority date of October 13, 1926, which confirms a right for irrigation to three acres in SW ½ NE ½ and two acres in NW NE ½ of Section 10, twp. 13 South, Range 9 E.W.M. in Jefferson County, Oregon.

The Certificate is dated November 28, 1928, and is recorded in the State Record of Water Right Certificates, Volume 8 at page 7812.

Would you please check your records to determine whether or not this water right is still in good standing and note on your records that the land is now presently owned by Mr. Harold Eakin of Grass Valley, Oregon.

Very truly yours,

Donald E. Heisler

DEH: bjm

January 161; 1827

Mr. W. F. Jackson, for Camp Sherman 348 East 4th Street Long Beach, California

Dear Sir:

Herewith you will find Application No. 11156, being Permit No. 7721, together with blue print.

The application has been approved and recorded in this office.

STATE OF OREGON RHEA LUPER, STATE ENGINEER
SECRETARY
STATE RECLAMATION COMMISSION STATE ENGINEER WATER RESOURCES DEPARTMENT SALEM September 7, 1928

C. E. STRICKLIN ASSISTANT STATE ENGINEER

L. A. STANLEY

OFFICE ASSISTANT

Mr. W. F. Jackson, Moro, Oregon.

Dear Sir:

Mr. R. J. McKinney, the Water Master at Bend has submitted the proof of appropriation of water under Permit No. 7721. His inspection shows that the appropriation was completed so as soon as the proof is properly executed by you and returned to this office with a fee of \$1.00, your water right certificate will be issued and sent to your County Clerk for recording.

In view of this inspection by Mr. McKinney, it will not be necessary for you to secure the affidavit of witnesses called for on the third page of the proof. You should, however, give under paragraph 8, a complete destription of your pipe line and also you should give the answers to questions 9, 10, 11 and 13.

Yours very

State Engineer.

LAS: HB Encl.

Jo

Mr. W. F. Jackson, Moro, Oregon.

Dear Sir:

Mr. R. J. McKinney, the Water Master at Bend has submitted the proof of appropriation of water under Permit No. 7721. His inspection shows that the appropriation was completed so as soon as the proof is properly executed by you and returned to this office with a fee of \$1.00, your water right certificate will be issued and sent to your County Clerk for recording.

In view of this inspection by Mr. McKinney, it will not be necessary for you to secure the affidavit of witnesses called for on the third page of the proof. You should, however, give under paragraph 8, a complete description of your pipe line and also you should give the answers to questions 9, 10, 11 and 15.

Yours very truly.

Mea Imper. State Engineer.

LAS:HB

STATE OF OREGON

OFFICE OF
WATER DISTRICT NO. 12
BEND, OREGON

September 6, 1928

Mr. Rhea Luper, State Engineer, Salem, Oregon.

Dear Mr. Luper:

I am inclosing herewith proof of appropriation of water, application No. 11136. The appropriation has been completed, but I was not able to get Mr. Jackson's signature as he is now at Moro.

He is anxious to have this application completed as soon as possible. I would suggest that you correspond with him at Moro, Oregon.

Sincerely yours,

R. J. McKinney,

Water Master, District No. 12.

Incl. RJM/GD

Madras, Oregon. July 13,1928.

Gr.Rhoa Lupor, Stato Enginoor, Calon,Oregen.

Dear Mr.Luper:

I am enclosing blank for making final proof of appropriation under Permit No. 7721. Iam returning same to you as it is in the Metalius district and Mr. Hathaway said he turned that district ever to Mr. McKinney the Deschutes County water master as it was nearer his territory.

I will take care of the proof of approx priation under Permit No. 6240 at ence.

Yours very truly

Franky fruith

Water Waster Dist. Ne. 10

July 16, 1928

Mr. R. J. McKinney, Water Master, District No. 12, Bend, Oregon.

Dear Mr. McEinney:

Enclosed please find blank for making final proof of appropriation of water under Permit Ho. 7721 in the name of W. F. Jackson.

Kindly make an inspection of this appropriation and assist Mr. Jackson in completing same. After the proof has been completed, it should be returned to this office, accompanied by \$1.00 for recording the water right certificate in the county records.

Yours very truly,

Thea Luper, State Ingineer.

HB Incl Mr. W. P. Jackson, Camp Sherman, Oregon.

Dear Sire

A blank for making final proof of appropriation of water under Permit No. 7721 has been forwarded to Mr. Frank Smith, water master of your district, who will make an inspection and assist in completing the proof.

After the proof has been completed, it should be returned to this office, accompanied by \$1.00 for recording the water right certificate in the county records.

Yours very truly,

Rhea Luper. State Engineer.

ñ.

February 15, 1928

Mr. V. F. Jackson, for Camp Shorman 548 Rast 4th Street, Long Beach, California?

Dear Sirt

We have received notices of completion of construction and complete application of water under Permit No. 7721. These notices have been detached from the permit, which is being returned to you to be held as your evidence of a water right until after the issuance of a water right certificate.

A blank for making final proof under this permit will be prepared in the near future and sent to you for execution.

Yours very truly.

Thea Layer. State Engineer.

LAH:IIB

Kind & Pipe Sates O. L. Casing Jufe 625-JA g 4/2 in Jipe. Reduced to 4 in fight for 805ft Reduced to 3/2 mpyle for 150ft Redered to 2 in Jife for 120 ft Fall from met to end \$31/2m Perfe so 15 gh and from inlet to out let 17ft a from in let to end y 2 in Vife which is the out let is 17ft This is out aid measurement as you will see by the enclosed Card. MF Joelrson

intellogu 15-27 34 8 Cast 4th A Long Beach Calif State ENGINEER Khea Luper - DEC 3 1 1926 Salem Ou Dear sir Inrefly to 3 on letter of Den 26th Grown sending you the information you ash for On sefarate speet and didnot hum Where to place it in afflication. If this is not the desired information please let me Know, There are 15 Justees interested in this Pife Cin, and the Jipu is all layed Could you just in the words. For Comp Shiman! after my name That way doed of the able to raise the water I foot higher. 13 jartées latre natur before we wach The 2 m maish. yours very July. Af Jackson

Movember 16, 1926.

Mr. W. F. Jackson, Camp Sherman, Oregon.

Dear Sir:

In connection with your application No. 11136 for the appropriation of water from Madsen Spring for irrigation and domestic use, please state the head of water on the pipe, or fall between inlet and outlet, and size and material of pipe which you intend to use.

Very truly yours,

ACFP: AR

Rhea Luper, State Engineer.

December 31, 1926.

Mr. W. F. Jackson, 348 East 4th Street, Long Beach, California.

Dear Sir:

This will acknowledge receipt of corrected Application No. 11136 for permit to appropriate water from Madsen Spring.

The information given relative to your pipe line has been transferred to the application blank, and the filing will be taken up for approval within the near future.

We have inserted after your name the words "for Camp Sherman".

Yours very truly,

Rhea Luper, State Engineer.

Η.

AP. 111 36

Moro Ounover 26

Rhea Luffer Salum Cler Dear sin Please find enclosed. 5 or Baldue zam Offication no 11186

> Jano Zulj W Jackson MOO Ougan

SALON 10V3. 1926 Receipt 76. 4582 for 5.00 OFFICONS

October 14, 1926.

Mr. S. W. Searcy, Moro, Oregon.

Dear Sir:

This will acknowledge receipt of application for permit to appropriate water in the name of W. F. Jackson, together with maps and check in the amount of \$3.75. Our official receipt No. 4525 for the above amount is enclosed herewith.

The application has been numbered 11136 and placed on file. There is a fee due on this application in the sum of \$5.00. A statement of your fees is as follows:

Examination fee	\$3.00
Recording fee for domestic use	5.00
Recording fee for 5 acres at \$.15 per a.	.75
Total Due	\$ 9.75
PAID	3.75
DUE	\$ 5.00

Yours truly,

Rhea Luger, State Engineer.

AR Encl.l

December 20, 1926.

Mr. W. F. Jackson, Moro, Oregon.

Dear Sir:

As we have received no reply to our letter of November 16th, relative to your Application No. 11136, I am returning the filing herewith for cancellation, completion, or such action as you desire to take.

If you desire to complete the application you should state the head of water on the pipe, or fall between inlet and outlet, and size and material of pipe which you intend to use.

In order to retain its original date of priority, the application should be completed and returned to this office on or before January 20th, 1927.

Yours very truly,

Rhea Luper, State Engineer.

H. Enc. APPLICATION NO. 11136

77 NA	and the second s	
63	JEFFERSON	
COUNTY	UPSEARIBME	

Proof of Appropriation of Water

l. Name	W. F. Je	ckson fo	r Camp Sherman 2, Address	Camp She	erman, Ore. 🦠
3. Source	of supply	Madsen	Spring		
Tribut	ary of	Metoliu	s River		<u></u>
4. Amour	nt of water	0.	5 sec.ft. 5. Priority	date Oct. 13,	1926
6. Use		Irrigat	ion & Domestic		
irrigat	ed, or, if fo	or other pu	ven below corresponds to that for irposes, the place of use. In the k lin the number of acres you have to	lank column on the	right, headed "No.
Township	Range	Section	Forty-acre Tract	No. Acres Described in Permit	No. Acres Actually Irrigated
13 8.	9 E.	10	SVANSE	3	irrigation.
·			MA-Tur-	2	1 y
					5 used for
***************************************			·		water i
***************************************		V*************************************			# # # # # # # # # # # # # # # # # # #
					Parity and the second s
					Q 25

(Attach separate sheet if necessary)

DESCRIPTION OF WORKS

8.	(a) 1	Location of po	int of di	iversion,	SE 1	W lubdivision	Sec	10 ,	Twp	1 <u>5</u> \$	Range .	9		ν	V. I	V
	(b) 1	If a dam has l	oeen con	structed,	give d	escripti	on:	Height	.,3	ft.;	length	on t	op, .	10	f1	ţ.

Width top and bottom b feet; Alength on bottom, 10 ft.; material used and character of construction, handle

o. (1	e) Pipe line: Description of intake, 42 much fife m concerts will wall
(6	e) Pipe line: Description of intake, 42 MMCM from Man Months White
	Length of pipe, 17.00ft.; size at intake, 4 in.; size at 625ft. from intake, 4 in.; size at place
	of use,in. Difference in elevation between intake and place of use, \$.l.r.l.q.ud.ft.
	Is grade uniform? Actual capacity of pipe line. secft.
	Give general description: States it on full (Material: Steel, wrought, edst iron, wood stave, etc.)
(:	f) Pumping plant: Give size and type of pump,
	Suction lift,ft.; discharge lift,ft. Type of motor used
	Horse power rating,
	GENERAL
D	Ouring what months is water beneficially used 12 ywouths
S	tate character of soil Sandy Loam
K	(ind of crops raised
D	Oces the accompanying map, filed with your application, show correctly the point of diversion, area
	·
	f land irrigated, or place of use?
. 1	f not, wherein is such map in error?
	Domestic use: Give number of families actually using water at this time/3
	f for power, mining, municipal, manufacturing, storage or any other purpose than irrigation, give
e	xtent and method of such use

s A m	DE OF ODECON
.A.1	ounty of Shiffing and Sss.
U	In Y (la)
pos	I, J. Jackson, being first duly sworn, be and say that I have read the above and foregoing proof of appropriation of water; that I
ow	the contents thereof, and that the facts therein stated are true.
	IN WITNESS WHEREOF, I have hereunto set my hand this day
-	november 1928. It Jackson
	Subscribed and sworn to before me this 9th day of November, 1928
	Va M Kean
	Notary Public for Oregon
	[NOTARIAL SEAL] My commission expires

AFFIDAVIT OF WITNESSES

We,	, and
of	, being first duly sworn, depose and say that
we are well acquainted with the fact	s and conditions set forth in the foregoing statement relative to
proof of appropriation of water under	Permit No; that we and each of us have been over and
upon each tract described in said proo	of, and from such personal inspection have knowledge that all neces-
sary ditches, dams and other diversio	on and distributing works have been constructed, and water used as
stated therein; that we have carefully	y read such proof of appropriation, and that each and every state-
ment contained therein is true to the	best of our knowledge and belief.
	•
Subscribed and sworn to before	e me this, 192
	Notary Public for Oregon
[notarial seal]	My commission expires
REPORT	OF PERSON MAKING INSPECTION
i, PJ	Mc Accessed, do hereby certify that I have made
an inspection of the works described	herein and in Permit No. 2721, on the 5th day
of Suft , 192 8	, and found the foregoing statements and descriptions of works to
be accurate. In my opinion the approp	priation has been completed to the extent of
and I recommend the issuance of a wa	ater right certificate for this amount.

