



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

# 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.

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### PROPERTY SELLER INFORMATION

Applicant(s): Larry Martin JUL 14 2015  
First Last  
 Mailing Address: 7949 E. Cochise Rd SALEM, OR  
Scottsdale AZ 85258  
City State Zip  
 Phone: \_\_\_\_\_ 541-660-0985  
Home Work Other

### PROPERTY BUYER INFORMATION

Applicant(s): ERIK LUCKAU  
First Last  
 Mailing Address: 13696 N. Applegate Rd  
Grants Pass OR 97527  
City State Zip  
 Phone: \_\_\_\_\_ 202-413-4167  
Home Work Other

### PROPERTY DESCRIPTION (attach additional pages if necessary):

County: Jackson Township: 37.00 S Range: 4.00 W Section: 31

Tax Lot Number(s): \_\_\_\_\_

Street address of water right property: 1465 Kubli Rd

Water Right Information (attach copy of water right permit or certificate & final proof map):

Application #: 616647 Permit #: 616184 Certificate or Page #: 89334

Will all the lands associated with this water right be owned by the buyer?  Yes  No

Name of individual completing this form: ERIK LUCKAU Phone: 202 413 4167

Signature: [Signature] Date: 7.9.15

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



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SALEM, OR

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**EXHIBIT A**

**LEGAL DESCRIPTION:** Real property in the County of Jackson, State of Oregon, described as follows:

**PARCEL I (TL 800):**

That part of the John P. Davidson Donation Land Claim LYING IN SECTION 31, Township 37 South, Range 4 West of the Willamette Meridian in Jackson County, Oregon, as follows: Beginning 1273.4 feet West of the Southeast corner of DONATION LAND CLAIM NO. 39 in Township 38 South, Range 4 West, Willamette Meridian, Jackson County, Oregon; thence West 1093.4 feet; thence North 2164.4 feet; thence East 1093.4 feet; thence South 2164.4 feet to the point of beginning. ALSO: Beginning 1112.4 feet West of the Southeast corner of DONATION LAND CLAIM NO. 39, in said Township and Range; thence West 161 feet; thence North 2164.4 feet; thence East 151 feet; thence Southerly to the point of beginning. EXCEPTING THEREFROM the following: Commencing 1112.4 feet West of the Southeast corner of DONATION LAND CLAIM NO. 39, in said Township and Range; thence West 161 feet; thence North 2164.4 feet to the true point of beginning; thence East 151.00 feet; thence South 288.50 feet; thence West 151.00 feet; thence North 288.50 feet to the point of beginning.

**TOGETHER WITH THE FOLLOWING:** Beginning at the Southeast corner of Donation Land Claim No. 38 in Section 31 of Township 37 South, Range 4 West of the Willamette Meridian in Jackson County, Oregon; thence East to the Southwest corner of Government Lot 1 of said Section 31; thence North along the West line of said Government Lot 1, a distance of 25.00 feet; thence West to a point on the East line of said Donation Land Claim, 25.00 feet North of the point of beginning; thence South, along the East line of said Donation Land Claim, 25.00 feet to the point of beginning. ALSO: Beginning at the Northeast corner of DONATION LAND CLAIM NO. 39 in Section 31 of Township 37 South, Range 4 West of the Willamette Meridian in Jackson County, Oregon; thence West, along the North line of said Claim, to the Southeast corner of Government Lot 1 in said Section 31; thence North, along the East line of said Government Lot, 25.00 feet; thence East to a point 25.00 feet North of the point of beginning; thence South 25.00 feet to the point of beginning. ALSO: All that portion of Government Lot 2, in Section 31, Township 37 South, Range 4 West, Willamette Meridian in Jackson County, Oregon, which lies Westerly of the Westerly line of Kubli Road (County Road). ALSO: Government Lot 1 in Section 31, Township 37 South, Range 4 West, Willamette Meridian in Jackson County, Oregon. EXCEPTING THEREFROM the following: Commencing at the Southeast corner of Government Lot 1 in Section 31 of Township 37 South, Range 4 West of the Willamette Meridian in Jackson County, Oregon; thence North, along the East line of said Lot, 25.00 feet to the true point of beginning; thence West, parallel with and 25.00 feet North of, when measured at right angles to, the South line of said Lot, a distance of 1320.00 feet to intersect the West line of said Lot; thence North, along the West line of said Lot, to the Northwest corner thereof; thence East, along the North line of said Lot, 1320.00 feet to the Northeast corner thereof; thence South, along the East line of said Lot, to the true point of beginning.

**PARCEL II (TL 801):**

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That part of the John P. Davidson Donation Land Claim LYING IN SECTION 31,  
Township 37 South, Range 4 West of the Williamette Meridian in Jackson County,  
Oregon, as follows: Commencing 112.4 feet West of the Southeast corner of  
DONATION LAND CLAIM NO. 39, in said Township and Range; thence West 161 feet;  
thence North 2164.4 feet to the true point of beginning; thence East 151.00 feet;  
thence South 288.50 feet; thence West 151.00 feet; thence North 288.50 feet to the  
true point of beginning.

TOGETHER WITH an easement appurtenant to the herein described property for right  
of way and utilities, including the terms and provisions thereof, as set forth in  
instrument recorded September 27, 1988 as Document No. 88-20326, Official Records  
of Jackson County, Oregon.

(A)



**EXHIBIT A**

**LEGAL DESCRIPTION:** Real property in the County of Jackson, State of Oregon, described as follows:

**Being a part of the John P. Davidson Donation Land Claim lying in Section 6, Township 38 South, Range 4 West of the Willamette Meridian in Jackson County, Oregon, as follows: Beginning 1273.4 feet West of the Southeast corner Donation Land Claim No. 39 in Township 38 South, Range 4 West, Willamette Meridian, Jackson County, Oregon; thence West 1093.4 feet; thence North, 2164.4 feet; thence East, 1093.4 feet; thence South, 2164.4 feet to the place of beginning. ALSO: Beginning 1112.4 feet West of the Southeast corner of Donation Land Claim No. 39 in said Township and Range above mentioned; thence West, 161 feet; thence North, 2164.4 feet; thence East 151 feet; thence Southerly to the place of beginning.**

**NOTE: This Legal Description was created prior to January 01, 2008.**

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## STATE OF OREGON

## COUNTY OF JACKSON

## CERTIFICATE OF WATER RIGHT

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## THIS CERTIFICATE ISSUED TO

LARRY W. MARTIN  
7949 E COCHISE RD  
SCOTTSDALE AZ 85258

confirms the right to use the waters of WELL #1 (JACK 14419) AND WELL #2 (JACK 58188) in the SLAGLE CREEK BASIN for the IRRIGATION of 29.6 ACRES.

This right was perfected under Permit G-16184. The date of priority is MARCH 30, 2006. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.196 CUBIC FOOT PER SECOND (CFS), being 0.116 CFS from WELL #1 (JACK 14419) and 0.08 CFS from WELL #2 (JACK 58188), or its equivalent in case of rotation, measured at the wells.

## The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
37 S	4 W	WM	31	SW SW	39	WELL #2 (JACK 58188) 270 FEET NORTH AND 1280 FEET EAST FROM SW CORNER, SECTION 31
37 S	4 W	WM	31	SE SW	39	WELL #1 (JACK 14419) 1085 FEET NORTH AND 1615 FEET EAST FROM SW CORNER, SECTION 31

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second and 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

## A description of the place of use is as follows:

POA	Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
WELL #1 (JACK 14419)	37 S	4 W	WM	31	SE SW	39	7.0
WELL #1 (JACK 14419)	37 S	4 W	WM	31	SW SW	39	9.2
WELL #1 (JACK 14419)	38 S	4 W	WM	6	NE NW	39	0.9
WELL #2 (JACK 58188)	37 S	4 W	WM	31	SW SW	39	1.7
WELL #2 (JACK 58188)	38 S	4 W	WM	6	NE NW	39	3.9
WELL #2 (JACK 58188)	38 S	4 W	WM	6	NW NW	39	6.9

## Measurement, recording and reporting conditions:

- A. The water user shall maintain the totalizing flow meters as identified in OAR 690-507-645. The water user shall maintain the meters in good working order.

## NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, 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. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

- B. The water user shall allow the watermaster access to the meters; provided however, where any meter is located within a private structure, the watermaster shall request access upon reasonable notice.
- C. The Director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

The wells shall produce groundwater only from the bedrock groundwater reservoir.

Use of water under authority of this right may be regulated if analysis of data available after the right is issued discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of the right or as those quantities may be subsequently reduced.

To monitor the effect of water use from the well(s) authorized under this right, the Department requires the water user to make and report annual static water level measurements. The static water level shall be measured in the month of March. Reports shall be submitted to the Department within 30 days of measurement.

Measurements must be made according to the following schedule:

Following the first year of water use, the user shall submit seven consecutive annual reports of static water level measurements. Based on an analysis of the data collected, the Director may require that the user obtain and report additional annual static water level measurements beyond the seven year minimum reporting period. The additional measurements may be required in a different month. If the measurement requirement is stopped, the Director may restart it at any time.

All measurements shall be made by a certified water rights examiner, registered professional geologist, registered professional engineer, licensed well constructor or pump installer licensed by the Construction Contractors Board and be submitted to the Department on forms provided by the Department. The Department requires the individual performing the measurement to:

- (A) Identify each well with its associated measurement; and
- (B) Measure and report water levels to the nearest tenth of a foot as depth-to-water below ground surface; and
- (C) Specify the method used to obtain each well measurement; and
- (D) Certify the accuracy of all measurements and calculations submitted to the Department.

The water user shall discontinue use of, or reduce the rate or volume of withdrawal from, the well(s) if annual water level measurements reveal any of the following events:

- (A) An average water level decline of three or more feet per year for five consecutive years; or
- (B) A water level decline of 15 or more feet in fewer than five consecutive years; or
- (C) A water level decline of 25 or more feet; or
- (D) Hydraulic interference leading to a decline of 25 or more feet in any neighboring well with senior priority.

The Water Resources Department has determined that the initial water levels in the wells are those of the initial March report. That is the level from which the cited declines in (A), (B) and (C) above will be referenced.

The reference level for WELL #1 (JACK 14419) is 2.2 feet above ground surface.

The reference level for WELL #2 (JACK 58188) is 7.33 feet below ground surface.

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The period of non or restricted use shall continue until the water level rises above the decline level which triggered the action or until the Department determines, based on the water user's and/or the Department's data and analysis, that no action is necessary because the aquifer in question can sustain the observed declines without adversely impacting the resource or senior water rights. The water user shall in no instance allow excessive decline, as defined in Commission rules, to occur within the aquifer as a result of use under this right. If more than one well is involved, the water user may submit an alternative measurement and reporting plan for review and approval by the Department.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this right, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interference.

The works shall be equipped with a usable access port, and may also include an air line and pressure gauge to determine the water level elevation in the well at all times.

Where two or more water users agree among themselves as to the manner of rotation in the use of water and such agreement is placed in writing and filed by such water users with the watermaster, and such rotation system does not infringe upon such prior rights of any water user not a party to such rotation plan, the watermaster shall distribute the water according to the agreement.

The Director may require water level or pump test results every ten years.

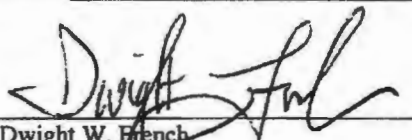
Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

Issued JUN 17 2014

  
Dwight W. French  
Water Right Services, Division Administrator, for  
Director  
Oregon Water Resources Department

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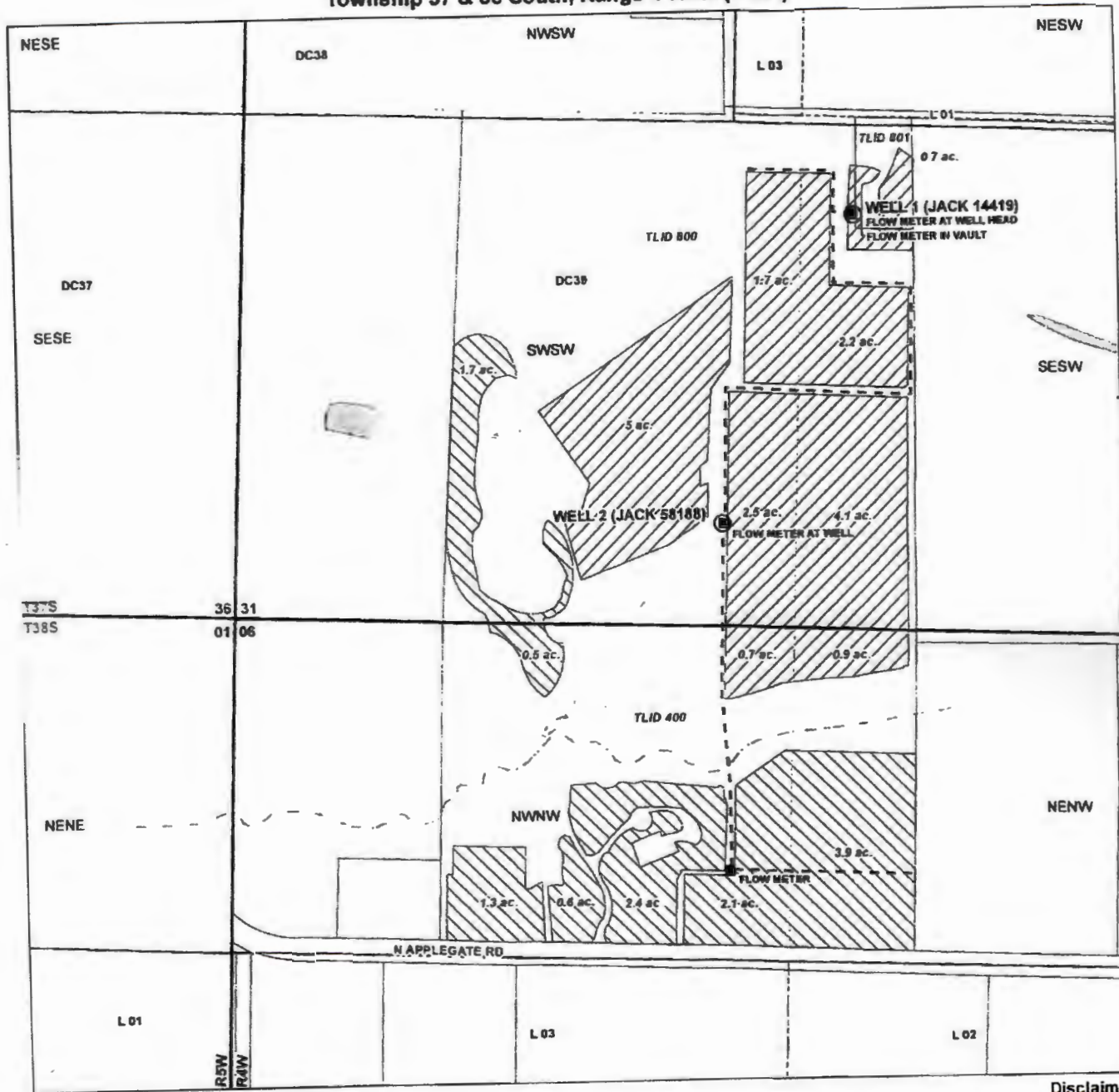
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**Claim of Beneficial Use Map**  
 Permit G-16184, Application G-16647  
 Water Right in the Name of Larry Martin  
 Township 37 & 38 South, Range 4 West (W.M.)



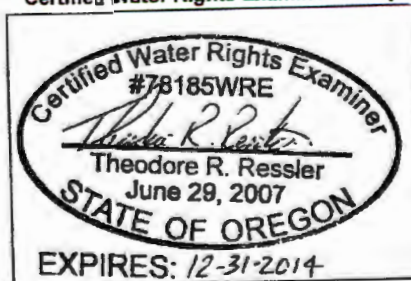
**LEGEND**

- ⊙ Point of Appropriation (POA)
- Meter
- Metrine
- ▨ Place of Use (JACK14419)
- ▩ Place of Use (JACK58188)
- Contention Land Claim (DC)
- ⊞ Government Lot (L)
- Tax Lot
- ~ Intermittent Stream
- ⊞ Waterbody

**POA Location Description**

- Well 1 (Jack 14419)  
 Located 1,055 feet North and 1,815 feet East from the SW corner of Section 31, Township 37 South, Range 4 West (W.M.)
- Well 2 (Jack 58188)  
 Located 270 feet North and 1,280 feet East from the SW corner of Section 31, Township 37 South, Range 4 West (W.M.)

**Certified Water Rights Examiner Stamp**



**Disclaimer**  
 This map was prepared for the purpose of identifying the location of a water right only and it is not intended to provide legal dimensions or location of property ownership lines.

**Map Note**  
 Date: January 22, 2014  
 Data Sources: BLM, Jackson Co, ESRI  
 Prepared By: GSI Water Solutions, Inc



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