



State of Oregon
Water Resources Department
 158 12th Street NE
 Salem, OR 97310
 (503)378-8455

Application for Allocation and Use of Conserved Water

Please type or print in dark ink. If your application is found to be incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a." If you need additional space to answer any of the questions, attach a separate sheet of writing paper and reference the section number and question.

1. APPLICANT INFORMATION

RECEIVED

Applicant: Vernon and Penny Rodighiero
First Last

APR 02 2001

WATER RESOURCES DEPT
 SALEM, OREGON

Co-applicant: _____
First Last

Mailing address: P. O. Box 226
Milton-Freewater, Oregon 97862
City State Zip

Phone: 541-938-0866 541-938-6071 Cell phone 509-520-7061
Home Work Other

Fax: 541-938-6071 E-Mail address: _____

2. WATER RIGHT

A) What is the name on the water right? William Gordon McMillan

B) Describe the water right:

1. Certificate Number(s): 12889 - 8 ACRES
2. Priority Date: 1891
3. Source of Water: West Ford Branch, Little Walla Walla River
4. Type of Use: Orchards
5. Place of Use: 6N-35-35C-500 8
township range section quarter/quarter total no. acres

3. IRRIGATION SYSTEM

A) What is the maximum rate and annual duty (volume) of water which may be diverted as stated on the water right certificate?

1. Rate: 134.40 2. Duty: None
cts, gpm, or miners inches acre feet

B) What is the maximum amount of water that can be diverted using the existing facilities?

1. Rate: 134.40 2. Duty: None
cts, gpm, or miners inches acre feet

C) Describe the present system including diversion structures, pumps, conveyance facilities, and application methods which will be affected by the proposed project. Provide sufficient detail to confirm the system's capacity (use separate sheet if necessary).

Measured weir from West Ford Branch, Little Walla Walla River and piped
approximately 1100 feet for no loss in the delivery system. Then weired into
a bulge with piping for the outflow back into the West Ford Branch of the Little
Walla Walla River to insure no loss or waste of water. See USDA application 94-96.

4. CONSERVATION MEASURES

A) Describe the proposed changes to the physical system and operations that will result in the conservation of water. If these proposed changes will change the point of diversion, locate the *new* point of diversion by distance to a quarter corner, and show the change on your map.

Current system is in place. All open ditches from point of diversion to bulge
then back into river have been piped to eliminate any water loss. Converted
from flood to sprinkler irrigation to gain maximum efficiency of water
useage. No change in place of diversion is required.

5. CONSERVED WATER

A) What amount of water will be needed after implementing conservation measures?

1. Rate: 134.7 2. Duty: None
cts, gpm, or miners inches acre feet

B) What amount of water will be conserved as a result of the implementation of the conservation measures? Subtract 5A from the smaller of 3A or 3B under IRRIGATION SYSTEM, above.

1. Rate: 44.9 2. Duty: None
cts, gpm, or miners inches acre feet

C) What portions of the conserved water will be allocated to the state and applicant?

1. Portion going to the state: 60% 26.94
% or (cts)
2. Portion going to the applicant: 40% 17.96
% or (cts)

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SALEM, OREGON

D) Proposed use of the conserved water allocated to the applicant: .27 acre water right will remain on Tax lot 6N-35-35C-500. .70 acre will be transferred to tax lot 6N-35-35C-600 covered by seasonal limits (Oct-Jun) & 5.9 acres remaining to Tax lot 6N-35-27C-600.
E) How is the water to be measured at the applicant's point of diversion? Weir

Weir

6. PROJECT SCHEDULE

Indicate the anticipated dates that the following construction tasks should begin. If construction task have already begun, or is completed, please indicate that date.

Proposed date construction will begin: Began 1994

Proposed date construction will be completed: Completed July 1996

Proposed date beneficial water use will begin: Upon approval of application.

7. MITIGATION

A) Describe any expected effects on other appropriators from the proposed allocation of conserved water. Identify what currently happens to the water that is proposed to be conserved.

No effect on other appropriators. System currently returned excess water to Little Walla Walla river system. Upstream water rights are pumped, this is is the first ditch diversion on system.

B) Describe any mitigation or other measures that are planned to avoid harm to other water rights.

No problems known that would effect other users.

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8. LOCATION OF PROPOSED USE

A) Describe the boundaries of the expected area within which the diversion structures and places of use of the applicants' conserved water right would be located. This is land other than that to which this water right is appurtenant.

Transferred to Betty Anspach to replace 1908 seasonal water right which would be returned to state, with no change in her point of diversion. Additional water would be transferred to Mrs. Marcus VonDerahe on the Powell/Pleasantview ditch system at Tax lot 6N-35-27C-600.

B) To the extent possible, identify the stream reach for which the state's portion of the conserved water should be managed under an instream water right. Give river miles, if known.

Walla Walla River.

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C) Describe the proposed benefit to instream uses.

Enhance flows for threatened fish on the Walla Walla river system. This would be protected water.

9. ACKNOWLEDGMENT OF FORFEITURE

Complete this if the Certified Water Right Examiner's map shows less acreage has been irrigated over the past five years than allowed under the right.

I am aware that _____ acre(s) have not been irrigated for the last five years and I am abandoning that portion of the water right and make no further claim for the water. I ask that this _____ acre(s) portion of the right be permanently canceled.

10. SIGNATURE

All statements made and information provided in this application are true and correct to the best of my knowledge:

Signatures and dates for Applicant (Vener Rodighiero, 3/30/01) and Co-applicant (Terry Rodighiero, 3/30/01).

Please include the following exhibits:

- A) A map with sufficient detail to locate and describe the facilities and areas affected by the conservation measures.
B) Identify any federal or state public sources of project funds and, if federal or state public funds which are not subject to repayment will be used in the project, information showing the estimated project costs and anticipated sources of funds for the project including:
1. The total costs of project engineering and construction;
2. Any cost(s) that are incurred on a regular basis (i.e. monthly, semi annually, annually) that are a result of the project, and which would not be incurred in the absence of the project;
3. The amount of funding and the value of any in-kind contributions for project engineering and construction and for any incremental changes in the costs of operations and maintenance to be paid from federal or state public funds which are not subject to repayment; and
4. The amount of funding and the value of any in-kind contributions for project engineering and construction and for any incremental changes in the costs of operations and maintenance to be provided from other funds.
C) If construction of the project has begun or been completed and if more than 25% of the project costs have been expended before applying for allocation of conserved water, evidence that the applicant has attempted to identify and resolve the concerns of water right holders in the area, governmental entities, or other organizations who have asked to be consulted regarding the allocation of conserved water.
D) A letter showing irrigation district or water control district approval if the conservation project is within the boundaries of the of the district.
E) A land use information form stating that the change is in accordance with the local planning laws and applicable comprehensive plan.
F) A copy of the current recorded deed to the subject lands.
G) Affidavits from any other landowners or encumbrance holders with interest in the original water right stating that they do not object to the proposed transfer.
H) A letter from Department of Environmental Quality, Parks and Recreation, or the Department of Fish and Wildlife stating that the change will be a benefit to instream uses.
I) Evidence that the water has been used within the last five years.
J) Copy of the water right certificate(s).



Wenatch tract

Oregon Water Resources Department Land Use Information Form

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

To Be Completed By Applicant

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

A. Applicant

Name: VERNON AND PENNY RODIGHIERO

Address: P.O. Bx 226

City: MILTON-FREEWATER State: OR Zip: 97167 Day Phone: 541-938-6071
msg

B. Land and Location

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

Tax Lot I.D.	Plan Designation (e.g. Rural Residential/RR-5)	Water to be: (check all that apply)		
<u>6N35990</u>	<u>(Exclusive Farm Use)</u>	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used
<u>T2500</u>		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used
		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used

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

C. Description of Water Use

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

Beneficial Use(s): AGRICULTURE - Fruit Orchard

Briefly describe: Low Pressure Irrigation System to grow Fruit for Commercial Sales.

D. Source

Indicate the source for the proposed water use:

Reservoir/Pond Ground Water Surface Water FORD BRANCH
LITTLE WALLA WALLA RIVER
(source)

E. Quantity

Indicate the estimated quantity of water the use will require:

_____ CFS GPM Acre-Feet

Receipt for Request for Land Use Information

State of Oregon
Water Resources Department
Commerce Bldg.
158 12th St. NE
Salem, OR 97310-0210
(503)378-8455

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WATER RESOURCES DEPT.
SALEM, OREGON

For Local Government Use Only

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

A. Allowed Use

Check the appropriate box below and provide requested information.

- Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s); 152.056(A). Go to section B "Approval" below
- Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below.

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

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

B. Approval

Please provide printed name and written signature.

Name: Bob Perry Date: 3-06-01
 Title: Asst. Planning Director Phone: (503) 278-6251
 Signature: Bob Perry

C. Additional Comments

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

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

Receipt for Request for Land Use Information

Name of water right applicant: _____

This receipt must be signed by a local government representative and returned to the applicant at the time they present this form. This receipt must be included in the application for a water right permit if the local government cannot provide the requested land use information while the applicant waits.

City or County: _____

Staff contact: _____ Phone: _____

Signature: _____ Date: _____

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on the Sec. 14e 65 rods; thence at right angles east 80 rods, more or less, to the quarter-section line; thence at right angles south 85 rods to the Sec. 14e line; thence west on said Sec. 14e 60 rods, more or less, to the point of beginning; thence north 1.6 acres of said land heretofore deeded to School Dist. No. 4 of Washtilla County, Oregon.

Washburn, F. B. Estate, - 1891
By Margaret J. Washburn,
Executrix,
85 Fern Ave.,
Walla Walla, Wa.
(Proof #519)

(NOTE: SEE Findings, Paragraph 49, Page 46.)

5 Irrigation Wells
Ch pt. of div Sp. Ord. Vol. 9, p 283
Mills
Walla Walla River
5 acres in NW 1/4, Section 5, T. 5 N., R. 55 E., W. N. (For Deed, see Proof No. 519 Milton Dist. Co.)

(Proof #518)

(NOTE: Rights acquired under State Engineer's Permit No. 6850, Certificate No. 7074, 1925 0.13 Waste Water (W.M. Misc.)

1891

8 Irrigation Ampmash

West Crockett Branch of Little Walla Walla River
8 acres in NW 1/4 Section 5, T. 5 N., R. 55 E., W. N. being within the following described tracts:
The north 10 acres of that certain 25-acre tract of land located

William, Willis Gordon, Francis Damon, and Harold Edward,
By W.L. Stillings, Trustee,
Walla Walla, Wa.
(Proof #521)

Leubach

In Washtilla County, Oregon, described as: Beginning at the northeast corner of the NW 1/4 of Sec. 55, T. 6 N., R. 55 E., W. N. 1 running thence north on the west line of the NW 1/4 of said Sec. 55 80 rods; thence at right angles westerly 80 rods to place of beginning; thence at right angles westerly 80 rods to place of beginning.

(NOTE: See Findings, Paragraph 15, Page 27.)

McQueen, Frank
Fresno, Calif.
(Proof #522)

1867

0.38 Irrigation McIntyre

Walla Walla River

0.38 acre in SW 1/4, Section 12, T. 5 N., R. 55 E., W. N. being Lots Nos. 1 & 2 and the northerly 1/2 of lot 5, Block 7, Riverside Addition to Milton, Ore.

Riverside Addition to Milton, Ore.

SCHEDULE A

Policy No. 606700-50393

Amount of Insurance \$ 123,000.00

Premium \$ 512.50

Date of Policy: October 19, 1993, at 5 o'clock P. M.

1. Name of Insured: VERNON R. RODIGHIERO & PENNY L. RODIGHIERO

2. The estate or interest in the land which is covered by this policy is:

fee simple

3. Title to the estate or interest in the land is vested in:

VERNON R. R. RODIGHIERO & PENNY L. RODIGHIERO, husband & wife
as tenants by the entirety

4. The land referred to in this policy is described as follows:

SEE ATTACHED DESCRIPTION

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SALEM, OREGON

TRACT I:

Beginning at a point 495 feet North of Southwest corner of Northeast Quarter of Southwest Quarter of Section 35, Township 6 North, Range 35; thence North along West line of Northeast Quarter of Southwest Quarter of Section 35 a distance of 330 feet; thence East at right angles a distance of 1320 feet to a point on centerline of Oregon-Washington Highway; thence South along centerline of said highway a distance of 330 feet; thence West at right angles a distance of 1320 feet to the point of beginning;

SUBJECT to any and all water rights of way, roads & highways;

All being East of the Willamette Meridian, Umatilla County, Oregon.

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TRACT II:

Beginning at Southeast corner of Northeast Quarter of Southeast Quarter of Section 35, Township 6 North, Range 35; thence North 30 rods; thence West 24 rods and 3 feet; thence South 30 rods; thence East 24 rods and 3 feet to the place of beginning;

ALSO a right of way for a road 1 rod wide extending from Southwest corner of said described tract, West to East line of the right of way of Walla Walla Valley traction Company;

EXCEPTING any and all water rights of way;

All being East of the Willamette Meridian, Umatilla County, Oregon.

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WATER RESOURCES DEPT.
SALEM, OREGON

ALTA POLICY FORMS
STANDARD COVERAGE

SCHEDULE B

This policy does not insure against loss or damage, and the Company will not pay costs, attorney's fees or expenses, which arise by reason of the following:

1. Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or assessments on real property or by the public records; proceedings by a public agency which may result in taxes or assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof.
3. Easements, encumbrances, or claims thereof, not shown by the public records, unpatented mining claims, reservations or exceptions in patents or in acts authorizing the issuance thereof, water rights, claims or title to water.
4. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
5. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose.
6. 1993-94 taxes, which are a lien, but not yet payable.
7. As disclosed by the tax rolls the premises herein described have been zoned or classified for special use. At any time that said land is disqualified for such use said property will be subject to additional taxes and interest. Persons or parties acquiring title to said lands should check with the appropriate Planning Department and Assessors Office to verify zoning or classification.
8. Easement, including the terms and provisions thereof, granted by Joe Pesciallo, et ux, to City of Milton-Freewater, recorded October 3, 1940, Book 160, Page 105, Deed Records.
9. Trust Deed, including the terms and provisions thereof, given to secure a note for \$122,000.00, with interest thereon,
From : Vernon R. Rodighiero & Penny L. Rodighiero
Trustee : Pioneer Title Company
To : Bank of Commerce
Dated : October 14, 1993
Recorded: October 19, 1993, Microfilm R-242, Page 1546, Mortgage Records.

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WATER RESOURCES DEPT.
SALEM, OREGON

DEED OF RECONVEYANCE

SATISFIED

A. Pioneer Title Insurance Company, an Oregon corporation, herein "Trustee" is the trustee under the trust deed whose parties, date and recording information are as follows:

Grantor : Vernon R. Rodighiero & Penny L. Rodighiero
Original Trustee : Pioneer Title Company
Beneficiary : Bank of Commerce
Dated : October 14, 1993
Recording Date : October 19, 1993
Recording Reference : Reel 242, Page 1546, Fee No. 93-187138
County of Recording : Umatilla

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APR 3 1997
UMATILLA COUNTY RECORDS

B. Trustee has received from the beneficiary under the above trust deed a written request to reconvey, reciting that the beneficiary is the holder of the obligations secured by the trust deed and that the obligations secured by the trust deed have been fully paid and preformed.

RECONVEYANCE

Trustee hereby grants, bargains, sells and conveys, but without any covenant or warranty, expressed or implied, to the persons legally entitled thereto, all of the right, title and interest under the above trust deed now held by Trustee in and to the property covered by the trust deed and more particularly described as follows:

Legal description as is described in above cited Trust Deed.



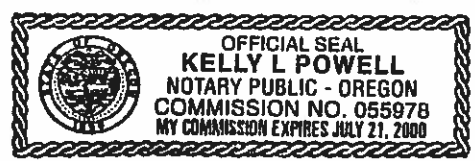
DATED: April 2, 19 97. PIONEER TITLE COMPANY, trustee

By [Signature]
Harold D. Graymer, Secretary

CORPORATE ACKNOWLEDGMENT

STATE OF OREGON, County of Umatilla) ss. On April 2, 19 97. Personally appeared HAROLD D. GRAYMER who being duly sworn, did say that he is the SECRETARY of PIONEER TITLE COMPANY and that said instrument was signed on behalf of said corporation by authority of its Board of Directors; and he acknowledged said instrument to be his voluntary act and deed.

BEFORE ME: [Signature]



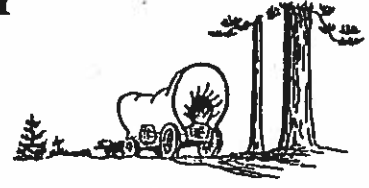
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WATER RESOURCES DEPT SALEM, OREGON

After recording return to :
Bank of Commerce
P.O. Box 50
Milton-Freewater, Or. 97862

PIONEER TITLE COMPANY
126 S.E. COURT AVENUE
P.O. BOX 128
PENDLETON, OREGON 97801



State of Oregon)
County of Umatilla)
This instrument was received and recorded on
04-03-97 at 2:40
in the record of document code type TD-DR

Location R307-1698
Document number 1997-229751
Fee 5.00

Office of County Records
Received by [Signature]
Records Officer

PIONEER TITLE CO. 50393
126 SE Court, Pend. OR, 97801
P.E. 04-2734-MLF



Oregon

John A. Kitzhaber, M.D., Governor

Department of Fish and Wildlife

Pendleton District Office

73471 Mytinger Lane

Pendleton, OR 97801

(541) 276-2344

FAX (541) 276-4414

March 20, 2001

Vern Rodighiero

P.O. Box 226

Milton-Freewater, OR 97862



RE: Application to OWRD for Conserved Water Allocation – Vern & Penny
Rodighiero, Walla Walla River – Certificate Number 12889

Dear Mr. Rodighiero,

The Oregon Department of Fish and Wildlife (ODFW) has reviewed your draft application to the Oregon Department of Water Resources for Allocation and Use of Conserved Water. The draft application states that you have converted your water delivery system from open ditch to a closed pipe system, and converted from flood to sprinkler irrigation. This changes will result in the conservation of an estimated 63.6 gallons per minute (gpm) of all year irrigation water and 41.8 gpm of seasonal water. You are proposing to allocate 60% of the all year conserved water (26.94 gpm) and 100% of the seasonal conserved water (41.8 gpm) to the State of Oregon for management as an instream water right in the Walla Walla River.

The existing instream water right in the Walla Walla River is not currently being met during most of the year - especially during the months of June through November. The portion of conserved water proposed for allocation to the State of Oregon as an instream water right in the Walla Walla River will be a benefit to instream uses. Therefore, the ODFW supports this application for Allocation and Use of Conserved Water.

Questions regarding these comments should be directed to me at 541-276-2344.

Sincerely,

Jon Germond

Assistant Fish Biologist

John Day Watershed District

c: Kevin Blakely – Northeast Region
Rick Kepler – Habitat Division
Tom Johnson – Assistant Watermaster, OWRD
Tony Justus – Watermaster, OWRD

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WATER RESOURCES DIV.
SALEM, OREGON





Oregon

John A. Kitzhaber, M.D., Governor

Department of Fish and Wildlife

Pendleton District Office

73471 Mytinger Lane

Pendleton, OR 97801

(541) 276-2344

FAX (541) 276-4414

March 26, 2001

Vern Rodighiero
P.O. Box 226
Milton-Freewater, OR 97862



RE: Revised comments to OWRD Application for Conserved Water Allocation –
Vern & Penny Rodighiero, Walla Walla River – Certificate Number 12889

Dear Mr. Rodighiero,

The Oregon Department of Fish and Wildlife (ODFW) has reviewed your draft application to the Oregon Department of Water Resources for Allocation and Use of Conserved Water. Comments submitted previously on 20 March 2001 contained errors in the amount of water proposed for conservation. The draft application states that you have converted your water delivery system from open ditch to a closed pipe system, and converted from flood to sprinkler irrigation. This change will result in the conservation of an estimated 44.9 gallons per minute (gpm). You are proposing to allocate 60% of the conserved water (26.94 gpm) to the State of Oregon for management as an instream water right in the Walla Walla River.

The existing instream water right in the Walla Walla River is not currently being met during most of the year - especially during the months of June through November. The portion of conserved water proposed for allocation to the State of Oregon as an instream water right in the Walla Walla River will be a benefit to instream uses. Therefore, the ODFW supports this application for Allocation and Use of Conserved Water.

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Sincerely,

Jon Germond
Assistant Fish Biologist
John Day Watershed District

c: Kevin Blakely – Northeast Region
Rick Kepler – Habitat Division
Tom Johnson – Assistant Watermaster, OWRD
Tony Justus – Watermaster, OWRD

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**WATER RESOURCES DISTRICT
SALEM, OREGON**



Radighiero LTA 97

This information is used in both the development and implementation of a Conservation, Reclamation or Water Quality plan as the basis for technical assistance and/or cost sharing. The authorities for such work are: 16 USC 590a-f (Soil Conservation); 16 USC 1301-1311 (Water Bank); 16 USC 590p(b) (Great Plains); 30 USC 1236 et seq (Rural Abandoned Mines); 33 USC 1288 et seq (Rural Clean Water); 43 USC 1592(c) (Colorado River Basin Salinity Control); 16 USC 3831 (Conservation Reserve). Furnishing information is voluntary and will be confidential; however, it is necessary in order to receive assistance.

County Washtenaw Date 09/24/97 Contract or Agreement No. 14-34

Name Radighiero Orchard Address PO Box 226
Milton-Freewater, Oregon 97162-0226

Progress in applying plan:

All practices are applied & maintained

Revision of plan or modification of contract needed:

None

Need for technical assistance:

Follow-up

Land is still under control of the participant: Yes No

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WATER RESOURCES DEPT.
SALEM, OREGON

Signed [Signature]
for Jay Gibbs
District Conservationist or Administering Agency

[Signature]
Participant

ACP-245 U.S. DEPARTMENT OF AGRICULTURE ST. & CO. & C/D CONTROL NO. (F/Y & NO.)
(08-00-90) PRACTICE APPROVAL AND PAYMENT APPLICATION 41 059 8 94 0007

NOTE: No further monies or other benefits may be paid out under this program unless this report is completed and filed as required by existing law and regulations. (16 USC 590 et seq., 1301 et seq., 1501 et seq., 2101 et seq., 2201 et seq.; PL 96-108 and 6-528; 7 CFR Parts 700, 701 and 752.) Any fraudulent claim made hereunder may subject the applicant to Federal criminal and civil penalties as provided in 18 USC 207, 1001; and 31 USC 231.

ARM No. 410	NAME AND ADDRESS RODIGHIERO ORCHARDS INC P.O. BOX 226 MILTON FREEMATER, OR 97862-0226	FARMLAND 15.0	PROGRAM CODE	FUND CODE	CONTRACT/LTA & ITEM NO.	PRIMARY PURPOSE	EXPIRATION NOTICE Practice must be completed and reported by 04-30-94
TRACT No. 3588	Telephone No. 503-938-3391	CROPLAND 14.2	ACP-ANA	00		WATER CONSERVATION	ID 93 1118459 E

Our request for program cost-sharing to perform the practice shown below is approved for the farm identified above. If you decide not to perform this practice, or if you cannot complete it by the expiration date, please notify the issuing County ASCS Office at once.

DESCRIPTION OF CONSERVATION AND/OR ENVIRONMENTAL PROBLEM
CURRENTLY FLOODED IRRIGATED

FOR COUNTY ASC COMMITTEE USE

Number	Practice Title	Extent Requested	Extent Approved	Rate	Cost-Shares Approved	Extent Performed	Cost-Shares Earned
A	B	C	D	E	F	G	H
C4 F	Irrigation water conservation (AS) PIPE, FITTINGS & INSTALLATION	14.2 1000.0	14.2 1320.0	60%	7000* 7000		

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* - Total Cost-Shares Approved For Practice, Component Figures Shown Are Included In This Amount
PF - 60% of cost not to exceed amount in column F.

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WATER RESOURCES DEPT
SALEM, OREGON

INSTRUCTIONS TO PARTICIPANT To receive payment or credit for any cost-shares earned on this practice, report performance in col. G and complete ITEMS X and Y below; date and sign the certification below and file with the issuing office by the date noted in EXPIRATION NOTICE.

APPROVAL ISSUED FOR THE COUNTY COMMITTEE DATE
[Signature] 1-10-94

1. Did you bear all the expense (except for program cost-sharing) for performing this practice? (If No, report name(s) and address(es) of other person(s) or agency who bore any part of the expenses. Also show kind, extent and value of their contribution.)

Total Cost-Shares Earned	
Payment Advance (Partial Payment)	
Setoff	
Debt Assignment	
Net Payment	
Payment Approved (Initials)	Check Number

YES // NO //

2. During the current fiscal year Oct. 1 - Sep. 30, have you received or will you receive a cost-share payment on this or any other farm for a practice other than on this ACP-245? (If yes, report name of State and County for each such farm.) YES // NO //

CERTIFICATION BY PARTICIPANT I certify that the above information is true and correct. I further certify that the entry in Column shows that the practice was performed in accordance with the practice specifications and other program requirements. I hereby apply for payment to the extent that the County ASC Committee has determined that the practice has been performed. I agree to maintain this practice for at least 10 years following the year the practice is completed. I agree to refund all or part of the cost-share assistance paid to me as determined by the County Committee, if before the expiration of the practice lifespan specified above, I (a) destroy the practice installed, or (b) voluntarily relinquish control or title to the land on which the installed practice has been established and the new owner and/or operator of the land does not agree in writing to properly maintain the practice for the remainder of its specified lifespan.

SIGNATURE _____ DATE _____

Multiple Participants Associated to ACP-245/SIP-245

Control Number: 940007 for UMATILLA , OREGON

Producer ID/Type	Farm Number	Low Income Ind	Amount
931118459 E	410	N	0
547340022 S	410	N	0

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AFFIDAVIT

3/26/01

I have farmed the orchards of Betty Anspach (Tax Lot No. 6N-35-35c-600) since 1993 and the allocated water right has been used.

I also own Tax Lot No. 6N-35-35C-500 since 1993 and have used the water right on the orchards each year.

Vern Rodighiero

Vern Rodighiero
83903 N. Main Street
(PO Box 226)
Milton-Freewater, Oregon 97862



JURAT

State of Oregon
County of Umatilla

Subscribed and sworn/affirmed to before me this 26th day of March
20 01, by Vern Rodighiero

Heidi Hoepfner
8/16/02
Notary Public
My Commission Expires: 3/26/01

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WATER RESOURCES DEPT.
SALEM, OREGON