

7379

Name Linda Shafer & Lowell Spiess

7379

By POB 430
Address Pendleton, OR 97801

DESCRIPTION OF WATER RIGHT

Name of stream Umatilla River
Trib. of Columbia R. County of Umatilla

Use Irrigation

Quantity of water No. of acres

Name of ditch Crispin Ditch

Date of priority June 14, 1912

In name of Joseph Velf

App. No. 2376 Per. No. 1234 Cert. No. 68390

Adjudication, Vol. , page

Certificate cancelled

Notation made on record by

*FFD 1/1/99
CORR not sub. jkt*

REMARKS

(Met in ID David Krumbain, CURP)

Change in POD ~~FFD~~

Date filed 6/26/95

Date of hearing

Place of hearing

Date of order 8/8/97 Vol. 51, page 924

Date for application of water 10-1-98

Proof mailed

Proof received

Certificate issued 6/27/2013 Vol. , page 8883

RR 74807

FEEES PAID

Date	Amount	Receipt No.
6-26-95	85.00	125735

TOTAL

Cert. Fee

FEEES REFUNDED

Date	Amount	Check No.

STATE OF OREGON

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

LINDA SHAFER & LOWELL SPIESS
PO BOX 430
PENDLETON OR 97801

confirms the right to use the waters of UMATILLA RIVER, tributary to COLUMBIA RIVER for IRRIGATION of 4.28 ACRES.

This right was perfected under Permit 1234. The date of priority is JUNE 14, 1912. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.05 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 N	33 E	WM	7	NW NW	SOUTH 2 DEGREES 22 MINUTES 30 SECONDS EAST, 448.2 FEET EAST FROM SE CORNER, SECTION 1, T 2 N, R 32 E, WM

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

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
2 N	32 E	WM	1	SE SE	4.28

The quantity of water diverted at the new point of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of water available from the original point of diversion described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 N	33 E	WM	6	SW SE	NORTH 75 DEGREES EAST 120 FEET FROM S ¼ CORNER, SECTION 6

The water user shall maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted.

Water shall be acquired from the same surface source as the original point of diversion.

The water user shall maintain a fish screen or fish by-pass device.

NOTICE OF RIGHT TO RECONSIDERATION OR JUDICIAL REVIEW

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

This certificate is issued to confirm a change in point of diversion approved by an order of the Water Resources Director entered August 8, 1997, at Special Order Volume 51, Page 924, approving Transfer Application 7379, and together with Certificate 74807, supercedes Certificate 68390, State record of Water Right Certificates.

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

Issued JUN 27 2013



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



Oregon

John A. Kitzhaber, M.D. Governor

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

Date Mailed: June 27, 2013

NOTICE OF CERTIFICATE ISSUANCE

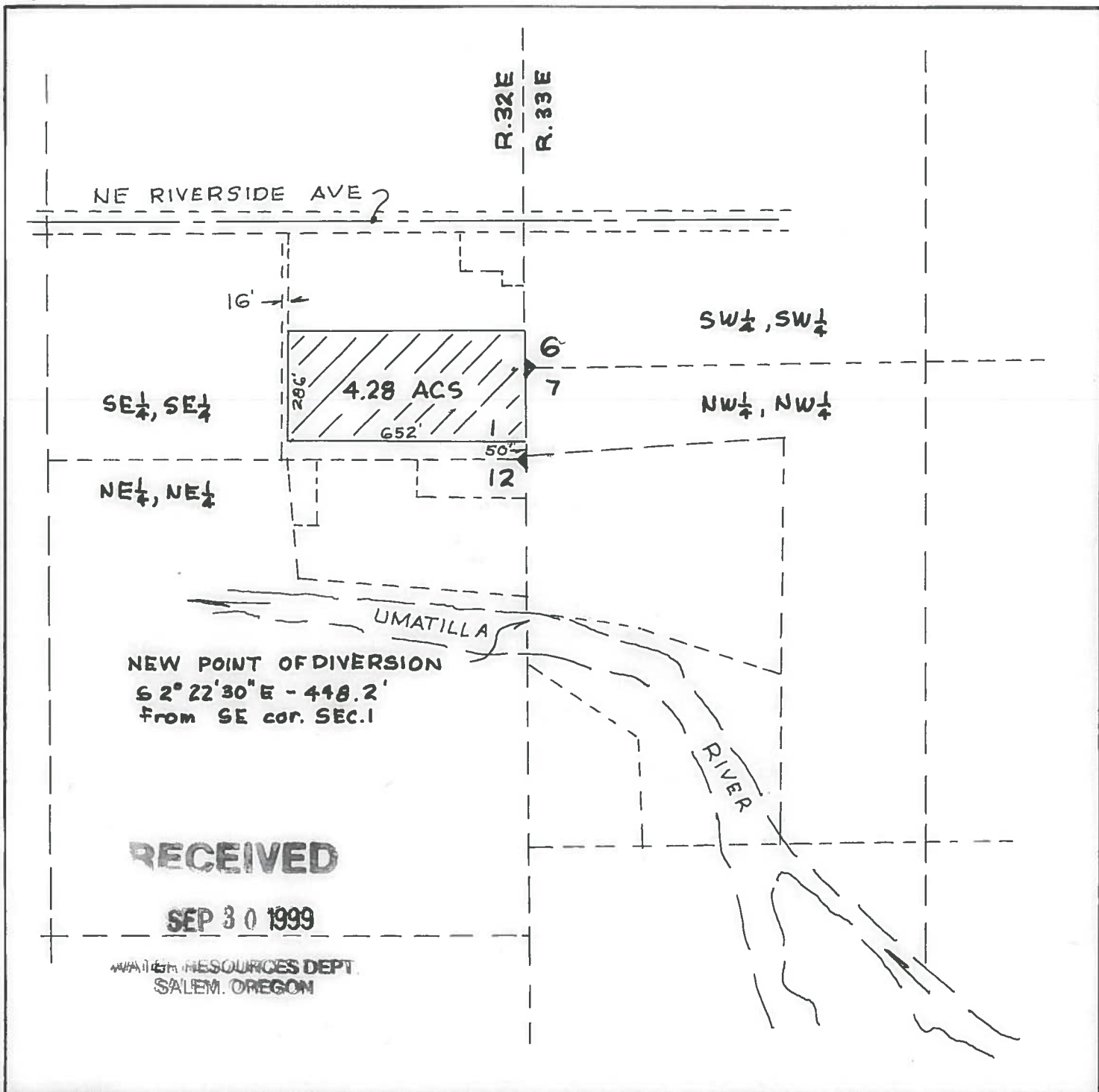
Attached is a certificate that confirms the water rights established under the terms of a transfer order issued by this Department.

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

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

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

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



RECEIVED

SEP 30 1999

WATER RESOURCES DEPT.
SALEM, OREGON

KRUMBEIN ENGINEERING LTD. ENGINEERS — SURVEYORS — PLANNERS 361 S.E. Second Pendleton, Oregon	Scale 1" = 400'	Drn. By DHK	Drng. No. 9948A	Revision 1
	Date 9-28-99	Ckd. By	Job No. 9517	Revision 2

FINAL PROOF SURVEY &
CLAIM OF BENEFICIAL USE
SHAFER-SPIESS
SE 1/4, SE 1/4, SECTION 1
T. 2 N., R. 32 E. W.M
UMATILLA COUNTY, OR

STATE OF OREGON
 RENEWS 6/30/01

T - 7379

Mailing List for Transfer Certificate

Application: T-7379

Certificate: 88083

Certificate/Transfer Holder: (include copy of map)

✓ LINDA SHAFER & LOWELL SPIESS
PO BOX 430
PENDLETON OR 97801

Copies Mailed
By: <i>RB</i> (SUPPORT STAFF)
JUL 5 2013 on: (DATE)

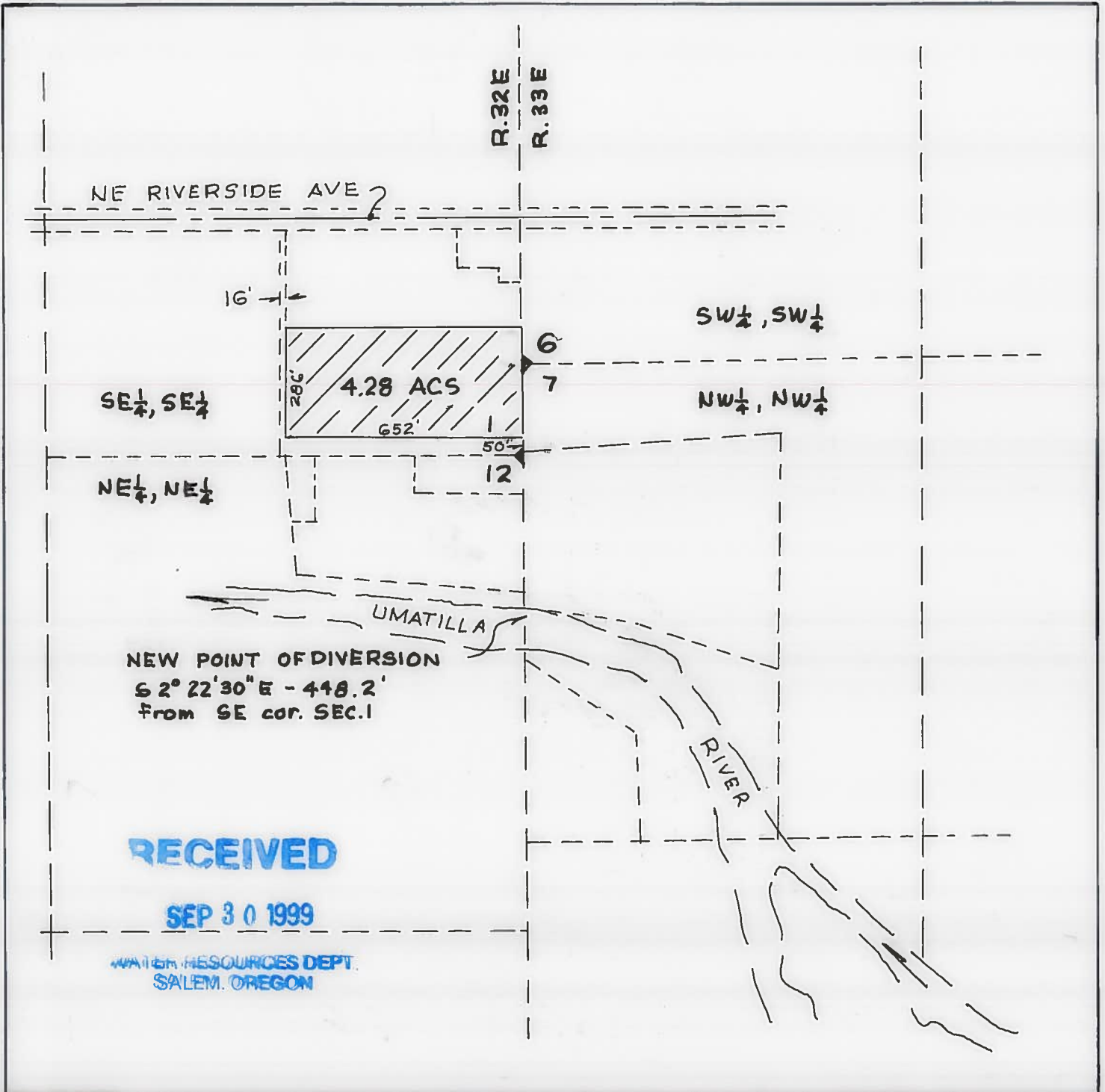
Copies of final Certificate to be sent to:

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

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

Record Marking(s):

- ✓ 1. Original Application# S-2376
- 2. Old Certificate# 68390



KRUMBEIN ENGINEERING LTD. ENGINEERS — SURVEYORS — PLANNERS 361 S.E. Second Pendleton, Oregon	Scale 1" = 400'	Drn. By DHK	Drng. No. 9948A	Revision 1
	Date 9-28-99	Ckd. By	Job No. 9517	Revision 2
FINAL PROOF SURVEY & CLAIM OF BENEFICIAL USE SHAFER-SPIESS SE 1/4, SE 1/4, SECTION 1 T. 2 N., R. 32E.W.M UMATILLA COUNTY, OR		T - 7379 RENEWS 6/30/01		



Oregon

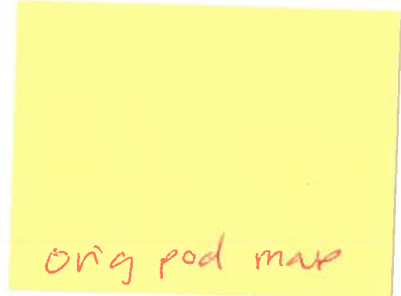
John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

August 13, 1997

LINDA SHAFER & LOWELL SPIESS
PO BOX 430
PENDLETON OR 97801



REFERENCE: File T-7379

Enclosed is a copy of the order approving your water right transfer application T-7379.

A time to complete the transfer is given in the order. A form for reporting completion is enclosed for your convenience.

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

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

You have the requirement to hire a Certified Water Right Examiner (CWRE) to complete a Claim of Beneficial Use report and map which must be submitted to this department within one year of the completion date authorized in the transfer. A list of CWRE's will be sent to you when we receive your notice that the project is complete and beneficial use of the water has been made.

Sincerely,

LARRY H. NUNN
Water Rights Specialist

LHN:jh

Enclosures

cc: Tony Justus, Watermaster
David Krumbein, CWRE

STATE OF OREGON

COUNTY OF UMATILLA

ORDER APPROVING A CHANGE IN POINT OF DIVERSION

Pursuant to ORS 540.510 to 540.530, after notice was given and no objections were filed, and finding that no injury to existing water rights would result, this order approves, as conditioned or limited herein, TRANSFER 7379 submitted by

LINDA SHAFER AND LOWELL SPIESS
P.O. BOX 430
PENDLETON, OREGON 97801.

The right to be modified, as evidenced by a portion of Certificate 68390, was perfected under Permit 1234 with a date of priority of JUNE 14, 1912. The right allows the use of UMATILLA RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION OF 4.28 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.05 cubic foot per second, if available at the authorized point of diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 6, T 2 N, R 33 E, WM; NORTH 75° EAST 120' FROM THE SE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 6, or its equivalent in case of rotation, measured at the point of diversion from the source.

The use shall conform to any reasonable rotation system ordered by the proper state officer.

The authorized place of use is located as follows:

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 4.28 ACRES
SECTION 1
TOWNSHIP 2 NORTH, RANGE 32 EAST, W.M.

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

The applicant proposes to change the point of diversion to:

NW¼ NW¼, SECTION 7, T 2 N, R 33 E, WM; 660 FEET SOUTH AND 15 FEET EAST FROM THE NORTHWEST CORNER, SECTION 7.

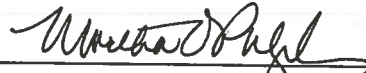
THIS CHANGE TO AN EXISTING WATER RIGHT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed change shall be completed on or before October 1, 1998.
2. The quantity of water diverted at the new point of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of water lawfully available at the original point of diversion.
3. The water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
4. Water shall be acquired from the same surface water source as the original point of diversion.
5. The water user shall install and maintain a fish screen or by-pass device. The type and plans of the screen or by-pass device must be approved by the Oregon Department of Fish and Wildlife prior to beginning of construction and shall be installed under the supervision of the Oregon Department of Fish and Wildlife.

The water user may participate in the Oregon Department of Fish and Wildlife's cost sharing program for installation of screening and by-pass devices in accordance with ORS 540.525.

Certificate 68390 is canceled. A new certificate will be issued to confirm that portion of the right NOT involved in this transfer. When satisfactory proof of the completed change is received, a new certificate confirming this water right will be issued.

WITNESS the signature of the Water Resources Director, affixed AUG 08 1997.



Martha O. Pagel, Director

STATE OF OREGON

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JOSEPH VEY
PENDLETON, OREGON 97801

confirms the right to use the waters of the UMATILLA RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION OF 40.57 ACRES.

This right was perfected under Permit 1234. The date of priority is JUNE 14, 1912. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.51 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SW~~X~~ SE~~X~~, SECTION 6, T 2 N, R 33 E, WM; NORTH 75° EAST 120'
FROM THE SE~~X~~ SW~~X~~, SECTION 6.

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

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

SE~~X~~ SE~~X~~ 0.97 ACRES
SECTION 1
TOWNSHIP 2 NORTH, RANGE 32 EAST, W.M.

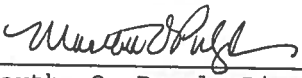
SW~~X~~ SW~~X~~ 15.6 ACRES
SE~~X~~ SW~~X~~ 17.0 ACRES
SECTION 6

NE~~X~~ NW~~X~~ 7.0 ACRES
SECTION 7
TOWNSHIP 2 NORTH, RANGE 33 EAST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 68390, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered AUG 08 1997, approving Transfer Application 7379.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

WITNESS the signature of the Water Resources Director,
affixed AUG 08 1997.


Martha O. Pagel, Director

Recorded in State Record of Water Right Certificates numbered 74807.

T-7379.BW

PROJECT

JUN 26 1995

R. 32 E.
R. 33 E.

NE RIVERSIDE AVE?

SE COR
SE 1/4, SW 1/4

N 75° E
120' OLD RD.

SW 1/4, SW 1/4

NW 1/4, NW 1/4

SE 1/4, SE 1/4

4.28 ACS.

16'

286

652

50 1/2

12

6

7

660'

15'

UMATILLA

NEW POINT OF DIVERSION
NE 1/4, NE 1/4

RIVER

KRUMBEIN ENGINEERING LTD.
ENGINEERS - SURVEYORS - PLANNERS
361 S.E. Second Pendleton, Oregon

Scale
1" = 400'
Date
5-3-95

Drn. By
DHK
Ckd. By

Drng. No.
9505 A
Job No.
9517

Revision 1
Revision 2

CHANGE IN
POINT OF DIVERSION

SHAFFER - SPIESS

SE 1/4, SE 1/4, SEC. 1.
T. 2 N., R. 32 E. W.M.



T7379

STATE OF OREGON
COUNTY OF UMATILLA
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JOSEPH VEY
PENDLETON, OREGON 97801

confirms the right to use the waters of the UMATILLA RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION OF 44.85 ACRES.

This right was perfected under Permit 1234. The date of priority is JUNE 14, 1912. This right is limited to 0.56 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 6, T 2 N, R 33 E, WM; N 75° E, 120 FEET
FROM THE S $\frac{1}{4}$ CORNER, SECTION 6.

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

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

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 5.25 ACRES
SECTION 1
TOWNSHIP 2 NORTH, RANGE 32 EAST, W.M.

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 15.6 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 17.0 ACRES
SECTION 6

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 7.0 ACRES
SECTION 7
TOWNSHIP 2 NORTH, RANGE 33 EAST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 1320, State Record of Water Right Certificates, NOT modified by the provisions of orders of the Water Resources Director entered August 5, 1994, approving Water Transfer Applications 6953, 6961, 6967, and 7116.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director,
affixed August 5, 1994.

A. REED MARBUT

for/ _____
Martha O. Pagel, Director

Recorded in State Record of Water Right Certificates numbered 68390.

T-6953, T-6961, T-6967, & T-7116.LHN

MEMO

TO: FILE T-7379

FROM: JWG

DATE: 4-1, 2013

RE: DETERMINATION OF PROOF

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

Permit Transfer

FPS COBU

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

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

Conflict? No Yes: _____

stamped PROPOSED or assign Cert # 88083

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

Water Organization identified using area of interest tool? No Yes, cc: _____

Check ownership; and if there is a new owner, add them to the mailing list.

Prepare a mailing list.

Record marking: App _____ Cert _____

NOTES:

KRUMBEIN ENGINEERING LTD.

NOTE: There is
no direction ~~arrow~~ on
FP Map

- CONSULTING
- ENGINEERS
- SURVEYORS
- PLANNERS

1999

Linda Shafer
Lowell Spiess
P.O. Box 430
Pendleton, OR. 97801

RECEIVED

SEP 30 1999

Re: Transfer 7379

WATER RESOURCES DEPT.
SALEM, OREGON

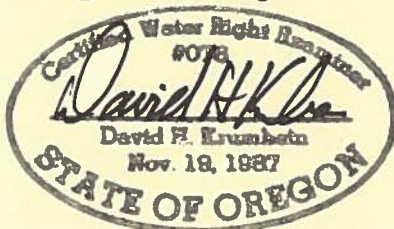
Dear Ms. Shafer & Mr. Spiess;

At your request I visited your property located in the Southeast quarter of the Southeast quarter of Section 1, Township 2 North, Range 32 East, W.M. You are irrigating 4.28 acres which is the maximum allowed under this permit.

The pump is shared with Clyde Hunt and as described in Transfer 6961 Final Proof dated 9 September 1999, is South 02 degrees 22'30" East a distance of 448.2 feet from the Southeast corner of said Section 1, Township 2 North, Range 32 East, W.M. The pump is a 7.5 HP electric rated at 3750 RPM and draws directly from the Umatilla River. The day I visited September 17, 1999 the pump was producing 50 PSI which produces 65 GPM. There is a buried 4 inch mainline to your property corner where a 3 inch valve connects to your system. No sprinklers were running on your property at the time but the 2 inch handlines appeared to have a maximum of five heads that could be on at any one time which would limit the flow to 20 GPM with the 4 GPM heads. The land is flat and is approximately 12 feet higher than the Umatilla River.

The survey was based upon survey ties to monuments in the Crispin Addition and the Section corners shown. These monuments are on file in the Umatilla County Surveyors records.

The Final Proof survey and inspection of use was completed on September 17, 1999. The terms and conditions as called for in Transfer 7379 were complete as of that date. The facts contained in this report and the accompanying Final Proof map are correct to the best of my knowledge.





David H. Krumbein, CWRE 076

RECEIVED

SEP 30 1999

WATER RESOURCES DEPT.
SALEM, OREGON

We, Linda Shafer & Lowell Spiess, being the owners of the land called for in Transfer 7379 agree to the findings of the CWRE and do submit this report as our Claim of Beneficial Use of the water under the terms and conditions of Transfer 7379.


Linda Shafer


Lowell Spiess

T-7379

9/11/06

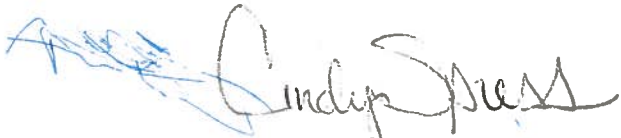
Water Resources Director of Oregon
Water Resources Department
State of Oregon

Attn: Water Resources Director

In regard to tax lot 3800, I have discovered that the Department of Water Resources never completed execution on our application for water rights transfer. My father passed away, and in going through documents relating to this parcel of land, I discovered the above. Due to the circumstances of his illness, he was unable to follow up. I would like to request extra time to complete the paperwork. You will find the application for Extension of Time for Transfer of Water Right attached. Please let me know if there is anything else I need to provide.

Thank you so much for your time and consideration.

Sincerely,



Cindy Spiess
Executor for the Estate of Lowell Spiess

RECEIVED
OCT 02 2006
WATER RESOURCES DEPT
SALEM, OREGON



Transfer _____

APPLICATION FOR EXTENSION OF TIME FOR TRANSFER OF WATER RIGHT

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

To the WATER RESOURCES DIRECTOR OF OREGON:

I/We, Cindy Spiess for Estate of Lowell Spiess (Name of Applicant)

of PO Box 430, Pendleton (Mailing Address), (City)

state of Oregon, 97801, 541-278-1253 (Zip Code), (Phone Number)

do hereby make application for an extension of time within which to complete a change in:

- point of diversion/appropriation, place of use, character of use

of water under the terms of an order of the Water Resources Director entered on Aug 08, 201997 approving Transfer 7379, in the name of Linda Shafer and Lowell Spiess, for SE 1/4 SE 1/4 4.28 AC. SECT. 1 T. 2N R. 32E W.M.

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

THE FOLLOWING HAS BEEN accomplished toward completion of the change within the time allowed, which expired on October 1, 2007:

SEE Attachment 1

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

TO FULLY COMPLETE the change, it will be necessary to accomplish the following:

ENGINEERS INSPECTION + APPROVAL of Diversion + Delivery system

I AM UNABLE TO COMPLETE the change under the terms of the order, within the time allowed, because my fathers death

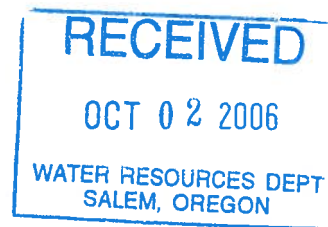
And request that the time for completion be extended to October 1, 2007.

Cindy Spiess (Signature of applicant)

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

MAIL COMPLETED APPLICATION AND FEE TO:

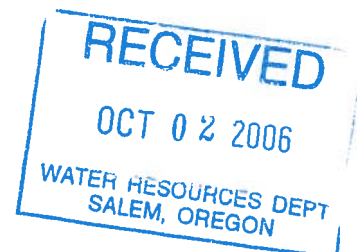
Water Resources Department 725 Summer Street NE, Suite A Salem, OR 97301-1271



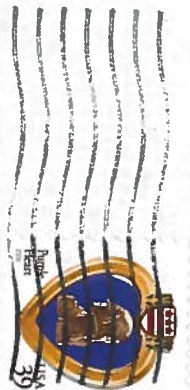
Attachment 1

In the years prior to my father's death from cancer, I was involved in his treatment but had little to do with the management of his farm. I do know that friends and neighbors did assist him by irrigating all or part of the acreage in question; but I was unaware of the need to pinpoint the actual water use.

From observation of the area today, it is clear the about half has been well managed and was probably irrigated judiciously; the other part was over used as horse pasture so it is difficult to tell exactly when or how often it was irrigated.



Cindy Spiess
P.O. Box 430
Pendleton, OR 97801



Water Resources Dept.
725 Summer St. NE Suite A
Salem, Oregon 97301-1271

37301#1266



RECEIVED
OCT 03 2006
WATER RESOURCES DEPT.
SALEM, OREGON

involved in his treatment but
v that friends and neighbors
tion; but I was unaware of the
has been well managed and
used as horse pasture so it is

STATE OF OREGON

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JOSEPH VEY
PENDLETON, OREGON 97801

confirms the right to use the waters of the UMATILLA RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION OF 40.57 ACRES.

This right was perfected under Permit 1234. The date of priority is JUNE 14, 1912. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.51 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SW~~X~~ SE~~X~~, SECTION 6, T 2 N, R 33 E, WM; NORTH 75° EAST 120'
FROM THE SE~~X~~ SW~~X~~, SECTION 6.

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

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

SE~~X~~ SE~~X~~ 0.97 ACRES
SECTION 1
TOWNSHIP 2 NORTH, RANGE 32 EAST, W.M.

SW~~X~~ SW~~X~~ 15.6 ACRES
SE~~X~~ SW~~X~~ 17.0 ACRES
SECTION 6

NE~~X~~ NW~~X~~ 7.0 ACRES
SECTION 7
TOWNSHIP 2 NORTH, RANGE 33 EAST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 68390, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered AUG 08 1997, approving Transfer Application 7379.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

WITNESS the signature of the Water Resources Director,
affixed AUG 08 1997.



Martha O. Pagel, Director

Recorded in State Record of Water Right Certificates numbered 74807.

T-7379.BW



Oregon

John A. Kitzhaber, M.D., Governor

July 1, 1999

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

Linda Shafer
Lowell Spiess
PO Box 430
Pendleton, Oregon 97801

REFERENCE: Transfer 7379

This letter is in regard to your wa
October 21, 1998, your claim of b

Oregon Administrative Rule 690-
Department within one year after
section shall cause the Director to
537.260."

The "claim" consists of a site rep
Examiner, which accompany a re

You are hereby notified that unle
may be canceled without further

Is your RETURN ADDRESS completed on the reverse side?	SENDER:		I also wish to receive the follow- ing services (for an extra fee):		
	<input type="checkbox"/> Complete items 1 and/or 2 for additional services. Complete items 3, 4a, and 4b. <input type="checkbox"/> Print your name and address on the reverse of this form so that we can return this card to you. <input type="checkbox"/> Attach this form to the front of the mailpiece, or on the back if space does not permit. <input type="checkbox"/> Write "Return Receipt Requested" on the mailpiece below the article number. <input type="checkbox"/> The Return Receipt will show to whom the article was delivered and the date delivered.		1. <input type="checkbox"/> Addressee's Address 2. <input type="checkbox"/> Restricted Delivery		
	3. Article Addressed to:		4a. Article Number	PS6610	
	Linda Shafer PO Box 430 Pendleton, Oregon 97801 T-7379		4b. Service Type	<input type="checkbox"/> Registered <input type="checkbox"/> Certified <input type="checkbox"/> Express Mail <input type="checkbox"/> Insured <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> COD	
5. Received By: (Print Name)		7. Date of Delivery	7-6-99		
6. Signature (Addressee or Agent)		8. Addressee's Address (Only if requested and fee is paid)			
Linda Shafer					
PS Form 3811, December 1994		102595-99-B-0223 Domestic Return Receipt			

If you have any questions, please contact me at extension 275 at the number above, or toll-free 1-800-624-3199

Sincerely,

Hannah Wood

for LARRY H. NUNN
Transfer Coordinator

LHN:hw

cc: Tony Justus, Watermaster 5
David Krumbein, CWRE
Applicant

CERTIFIED MAIL - RETURN RECEIPT REQUESTED





Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

July 1, 1999

Linda Shafer
Lowell Spiess
PO Box 430
Pendleton, Oregon 97801

REFERENCE: Transfer 7379

This letter is in regard to your water use Transfer 7379. As we pointed out to you in our letter of October 21, 1998, your claim of beneficial use must be received in this office by October 1, 1999.

Oregon Administrative Rule 690-14-190 states: "The claim of beneficial use shall be submitted to the Department within one year after the use was reported..as being complete...Failure to comply with this section shall cause the Director to initiate permit cancellation proceedings as provided by ORS 537.260."

The "claim" consists of a site report and map of the developed use prepared by a Certified Water Rights Examiner, which accompany a request from the permittee for issuance of a certificate of water right.

You are hereby notified that unless your claim is received in 90 days, by October 1, 1999, your transfer may be canceled without further notice.

If you have any questions, please contact me at extension 275 at the number above, or toll-free 1-800-624-3199

Sincerely,

Hannah Wood

for LARRY H. NUNN
Transfer Coordinator

LHN:hw

cc: Tony Justus, Watermaster 5
David Krumbein, CWRE
Applicant

CERTIFIED MAIL - RETURN RECEIPT REQUESTED





Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

October 21, 1998

LINDA SHAFER
LOWELL SPIESS
PO BOX 430
PENDLETON OR 97801

REFERENCE: File T-7379

This will acknowledge receipt of your notice that complete application of water has been made under Transfer 7379.

You are required to hire a certified water right examiner (CWRE) to complete a Claim of Beneficial Use which must be submitted to this department by **October 1, 1999**. The Claim of Beneficial Use must include a map and site report prepared by the CWRE and signed by both the CWRE and the land owner. Enclosed is a list of CWRE's. Also enclosed is a copy of the order which approved Transfer 7379 and the application map for your CWRE's use.

You may claim only the beneficial use authorized and developed within the terms of the order. Any part of the use that was not completed will be excluded from the certificate of water right which will ultimately be issued.

The Department requires that the CWRE has a copy of the permit or transfer order to compile the claim of beneficial use. All permit conditions need to be addressed in the claim and map you submit.

In the meantime, the transfer order will be evidence of your right to the use of water provided you continue to use the water for the purpose authorized.

Sincerely,

LARRY H. NUNN
Senior Water Rights Specialist

LHN:jh

enclosures

cc: Tony Justus, Watermaster
David Krumbein, CWRE

RECEIVED

OCT 15 1998

WATER RESOURCES DEPT.
SALEM, OREGON

NOTICE OF COMPLETION OF CHANGE IN

place of use of water

point of diversion of water

use heretofore made of water

Under the Terms of TRANSFER APPLICATION 7379

I, LOWELL SPIESS, USED the water as provided by the
(print name)

order of the Water Resources Director approving said water right transfer application
BY JUNE 15, 1998

Description of the land on which I use water: PASTURE

(date)

(signature)

Lowell Spiess
P.O. Box 430 Pendleton
OR 97801

(address)

(Mail to the Water Resources Department, Salem, Oregon 97310)

9163A

Water Resources Department
158 12th Street NE
Salem, OR 97310

INTEROFFICE MEMO

NORTH CENTRAL REGION
WATER RESOURCES DEPARTMENT

DATE: July 30, 1997

TO: Martha Pagel

FROM: Bernadette Williams *BW*

SUBJECT: Approval of Transfer 7379

The applicant, Linda Shafer and Lowell Spiess, has requested a change in point of diversion because the authorized diversion ditch has been discontinued and they no longer get water from it.

A publication of notice was required because the new point of diversion was more than ¼ mile from the authorized point of diversion. The notice was published June 18, 25 and July 2, 1997; no protests were received within the 30 day protest period.

The watermaster has indicated that the change can be made without injury to other water rights. I recommend the transfer be approved.

OK flw

RECEIVED

AUG - 4 1997

WATER RESOURCES DEPT.
SALEM, OREGON

July, 31, 1997

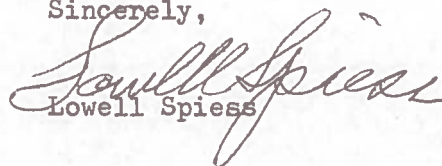
Water Resources Dept
Pendleton, Or.

REFERENCE: Transfer 7379

Property in question was irrigated from Crispin
Ditch thru 1994, at which time we were forced
to discontinue flood irrigation.

We purchased the propert from Knepp on May 17, 1994
We irrigated from the ditch thru 1994.

Sincerely,


Lowell Spiess

1993 Irrigation Expenses

Lease Payment	30.00
Irrigation Water in	180.00
Irrigation Water off	180.00
2 Cat inspections	20.00
	<u>410.00</u>

Spies	198.00
Helford	84.00
Hunt	78.00
Knepp	53.00

To lwm # 5 Sent to June

RECEIVED

AUG 1, 1995

INTEROFFICE MEMO

Oregon

WATER RESOURCES DEPT.
SALEM, OREGON

TRANSFER SECTION

DATE:

8/8/95

WATER
RESOURCES
DEPARTMENT

FROM: WATERMASTER, DISTRICT # 5
GROUNDWATER SECTION
(SIGNATURE) [Signature]

SUBJECT: WATER RIGHT TRANSFER # 7379

RECEIVED
JUL 19 1995

A change in POU POD POA USE of water.

In the name(s) of Linda Shafer & Lowell Spiess.

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

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

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

The existing right may not be valid because _____

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

If for change in point of diversion, is there any intervening point(s) for diversion between the authorized and proposed points of diversion? (yes or no) YES

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

7/30/97 X

- (1) PRIOR to the diverting of water at the new point of diversion....
- (2) WHEN IN the judgement of the watermaster it becomes necessary....

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



1317W

3850 Portland Rd NE
Salem, OR 97310
(503) 378-3739
FAX (503) 378-8130

Name: Linda Shafer & Howell Spies

T- 7379

Type of Change: POD

Correspondence:

<u>Type</u>	<u>Date Sent</u>	<u>Date Due</u>	<u>Comments</u>
<u>Followup Ref. Letter</u>	<u>7/24/97</u>	<u>8/8/97</u>	<u>Tried to call - no answer!</u>

ODFW: _____

Application: _____

Map: _____

Notes: _____

RECEIVED

JUL 28 1995

COMMENT FORM

WATER RESOURCES DEPT.
SALEM, OREGON

Please list below the Application Number of the water use application(s) that are of interest to you. When the technical evaluation is completed a report of the technical review of these applications will be delivered to you.

Application #s T 7379 Cert.#68390

Send to: CTUIR/WATER RESOURCES
P.O. BOX 638
PENDLETON, OR. 97801
ATTN. RON LEE

Please include specific comments or concerns. Use additional sheets if necessary.

Please provide information on the transfer for the P.O.D.
for Linda Shafer/Lowell Spiess, Umatilla River, Certificate 68390

Thank you.

Return to:
Oregon Water Resources Department
158 12th ST NE
Salem, Oregon 97310

This Comment corresponds to the
JUL/12/1995 Public Notice.

T7379

RECEIVED

JUN 26 1995

State of Oregon
WATER RESOURCES DEPARTMENT
APPLICATION FOR TRANSFER OF WATER RIGHT

Applicant: Linda Shafer & Lowell Spiess WA: _____
Mailing Address: P.O. Box 430 SALEM, OREGON _____
Pendleton Oregon 97801 276-5930
City or town State Zip Phone
Type of change: Change in Point of Diversion
(In point of diversion; place of use; use heretofore made of the water)

1. WATER RIGHT

- A) Is the water right in your name? No If not, list name below:
(Yes, No)
Joseph Vey
- B) Was the water right determined by a court decree? No
(Yes, No)
1. If yes, list the title of the proceedings: _____
2. Certificate No: _____
- C) Was the water right acquired by a water permit? Yes
(Yes, No)
1. If yes, list the Permit No: 1234
2. Certificate No: 68390
- D) Date of priority right: June 14, 19 12
- E) What are your reasons for the proposed changes? The Diversion Ditch has been discontinued and it is planned to pump directly from the Umatilla River.
- F) The water will be completely applied to the proposed use on or before: June 1, 19 98

2. LOCATION OF AUTHORIZED USE

- A) What is the source of water (river, stream, well)? Umatilla River
- B) Describe the authorized point of diversion:
- | Location in Reference to Survey Corner | 1/4, 1/4 of Section | Section | Township | Range |
|---|---------------------|---------|----------|-------|
| N 75° E 120' from SE 1/4, SW 1/4 of Section 6 | SW 1/4, SE 1/4 | 6 | 2N | 33E |
- C) What is the name of the ditch used? Crispin Ditch
- D) What is the use to which the water is applied? Irrigation of pasture and alfalfa fields.

E) Give the location of the authorized area irrigated or place of use other than for irrigation:

Township	Range	Section	1/4, 1/4 of Section	No. of acres irrigated
2N	32E	1	SE 1/4, SE 1/4	4.28 acs.

- F) Is the land within an irrigation district? Yes _____ No X
If Yes, which district? _____
- G) County Umatilla

3. LOCATION OF PROPOSED USE:

NOTE: Answer question A only if the application is for a change in the point of diversion.

A) Describe the proposed point of diversion:

Location in Reference to Survey Corner	1/4, 1/4 of Section	Section	Township	Range
660' south + 15' EAST FROM THE N.W. CORNER, SECTION 7	NW 1/4 NW 1/4	7	2N	33

NOTE: Answer questions B, C, D, and E only if the application is for a change in use or place of use.

B) Are the lands from which you propose to transfer your water right free of all encumbrances? _____ (Yes, No)

C) If no, give the description below of existing encumbrances:

Encumbrance	Held by	Amount

D) What is the use to which the water will be applied? _____

E) Give the proposed location of the area irrigated, or place of use if other than for irrigation:

Township	Range	Section	1/4, 1/4 of Section	No. of acres irrigated

4. EXHIBITS

The following exhibits shall be attached to and made part of the application:

- A) A map prepared by a Certified Water Right Examiner showing the location of the present and proposed points of diversion, the authorized and proposed places of use and, if any, lands from the existing right that would not be subject to transfer.
- B) A copy of the current recorded deed to the subject lands.
- C) Affidavits from any other landowners or encumbrance holders with interest in the original water right stating that they have no objection to the proposed transfer.
- D) Evidence that the water has been used within the last five years.

5. NAME AND ADDRESS OF RECEIVING LANDOWNER(S) IF OTHER THAN APPLICANT: _____

6. REMARKS: The 4.0 acres immediately to the North of this 4.28 acres is part of T-6961 to Clyde Hunt.

I (we) Linda Shafer & Lowell Spiess, applicant(s), hereby swear that I (we) have read the above application for transfer of water right and that the statements made are true and correct. Dated and signed this 5th day of June, 1995.

Linda Shafer
(Signature)

Lowell Spiess
(Signature)

Subscribed and sworn to before me

Melissa L Brock
Notary Public for Oregon

(Notarial Seal)



My commission expires: 4-11-97

July 28, 1997

Watermaster

Linda Shafer and Lowell Spies
P.O. Box 430
Pendleton, Oregon 97801

REFERENCE: Transfer 7379

This is a quick note to request an additional item that is needed to complete the processing of your transfer application. I apologize for overlooking this simple requirement earlier while processing the transfer. What we need is evidence that the water has been used over the past five years in accordance with the terms and conditions of the certificate. The best evidence may be an affidavit from a knowledgeable person (that could be yourself) describing the water use.

I have drafted an order approving your request for a change in point of diversion and will send it to the Director for signature as soon as I receive the above affidavit of water use. If you have questions or need assistance with anything, don't hesitate to call me at 541-278-5456.

Sincerely,

Bernadette Williams

Bernadette Williams
Field Water Rights Technician



December 3, 1996



DEPARTMENT OF
FISH AND
WILDLIFE

Pendleton District Office

Water Resources Department
Attn: June Miller
P.O. Box 261
Canyon City, OR 97820

Dear Mrs. Miller

As requested in your November 14, 1996 letter, I am providing you with screening recommendations for three transfer applications that you sent to me. My recommendations are as follows:

Blessing

T7396 - Will need to have an appropriate screening device as approved by the ODFW. Swarts Spring Creek is a tributary of Pine Creek which is known to contain both resident redband trout and summer steelhead.

Davis

T7153 - Will not need a screening device as it is part of the Little Walla Walla system which is currently screened at the point of diversion with the Walla Walla River.

T7379 - Will need to have an appropriate screening device as approved by ODFW. The new point of diversion is on the Umatilla River which contains several species of resident and anadromous salmonid fish.

For information on possible cost sharing programs and screening specifications please have the applicants contact Adam Schumacher at (541) 963-2138.

At this time I would like to review all transfer applications for surface waters in the Umatilla, Walla Walla, and Willow Creek drainages.

Thank you for your consideration of these matters.

Sincerely,

A handwritten signature in cursive script that reads "Timothy D. Bailey".

Timothy D. Bailey
Umatilla District Fish Biologist



Route 1, Box 18
Mission Road
Pendleton, OR 97801
(503) 276-2344
FAX (503) 276-4414

TOWNSHIP 2 N RANGE 32 E W. M. Card # 1 SECTION 1

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT			
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
36° 39' 20"				37° 39' 20"														
Municipal for City of Pendleton																		8051
" " " " " "																		8052
" " " " " "																1069	458	
" " " " " "																		2613
" " " " " "																		2536
" " " " " "																		55964
" " " " " "																8740	5705	5159
" " " " " "																		212
" " " " " "																		2591
" " " " " "																		1320
" " " " " "																		12959
" " " " " "																		9226
" " " " " "																		10109
" " " " " "																		14860
" " " " " "																		10823
" " " " " "																		13685
" " " " " "																		U-158
" " " " " "																		U-152
" " " " " "																		20838
" " " " " "																		U-320
" " " " " "																		U-291
" " " " " "																		22852

TOWNSHIP 2 N RANGE 32 E W. M. Card # 2 SECTION 1

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT			
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
TOTAL ACRES IN SUBDIVISION AS SHOWN ON GOVERNMENT PLAT																		
" " " " " "																		25671
" " " " " "																		20240
" " " " " "																		21559
" " " " " "																		U-455
" " " " " "																		U-418
" " " " " "																		20839
" " " " " "																		U-399
" " " " " "																		167
" " " " " "																		75604
" " " " " "																		U-755
" " " " " "																		U-670
" " " " " "																		23741
" " " " " "																		U-629
" " " " " "																		U-579
" " " " " "																		20840
" " " " " "																		G-351
" " " " " "																		G-300
" " " " " "																		23537
" " " " " "																		G-917
" " " " " "																		G-1613
" " " " " "																		28604
" " " " " "																		G-1273
" " " " " "																		G-1160
" " " " " "																		G-2384
" " " " " "																		G-2206
" " " " " "																		46076
" " " " " "																		G-2385
" " " " " "																		2203
" " " " " "																		46076
" " " " " "																		G-2386
" " " " " "																		G-2204
" " " " " "																		46076
" " " " " "																		G-2463
" " " " " "																		G-2910
" " " " " "																		14
" " " " " "																		G-2464
" " " " " "																		14

(SEE BACK OF CARD FOR PLAT OF SECTION)

Assets

4	21	- Gw Lugg -	Wild Horse	2613
2	2	Gw Hanna -	Well	2536
	10	G. A. Cummings	Wild Horse	5153
	5	R. M. O'Brien	O'Brien Springs	2591
	10	Crispin Bros.	Umatilla River	1320
2 ^B	1 ^B	Don T. Robinson	O'Brien Spring	12954 - 9226 - 10109
6 ^B 7 ^B	13 ^B	Walter A. Holt	Wild Horse Creek	14860 - 10823 - 13685
	3	Stanley E. Allen	A. well	4320 - 429 - 22852

Assets

07	02	Jackie Lee Kelley	Umatilla River	25671 - 20290 - 21559
	01	Oscar H. Schultz	A well (lot #2)	23537
	0 ^B	Charles & Lelia L. White	A well	28604

Umatilla R. Wells
 Umatilla R. Wells
 Umatilla R. Wells

Crispin Bros.

Abstract of Permit No. 1234

Application No. 2376

Certificate No. 1320

Name Joseph Vey,
Address Pendleton, Oregon.

TRANSFERED [CANCELLED]
6453, 6461
6467, 7116
J 48 p 229

Source of water supply Umatilla River, a tributary of Columbia River.

231
233
235

Use Irrigation.

Point of diversion N. 75 deg. E. 120 ft. distant from the SE. corner of the SW $\frac{1}{4}$ of Sec. 6, being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 6, T. 2 N.,

Number of acres 101
R. 33 E., W.M.

DESCRIPTION OF LAND TO BE IRRIGATED OR PLACE OF USE

Twp.	Range	Sec.	NE $\frac{1}{4}$				NW $\frac{1}{4}$				SW $\frac{1}{4}$				SE $\frac{1}{4}$				
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	
2 N	32 E	1																	10
2 N	33 E	6											18	17					
		7					37	19											

Priority date June 14, 1912.

Amount of water 1.26 cfs.

Time limit to begin construction

Time limit to complete construction extended to extended to

Time limit to completely apply water extended to extended to

Remarks:

STATE OF OREGON
COUNTY OF UMATILLA

ORDER APPROVING A CHANGE IN POINT OF DIVERSION

Pursuant to ORS 540.510 to 540.530, after notice was given and no objections were filed, and finding that no injury to existing water rights would result, this order approves, as conditioned or limited herein, **TRANSFER 6953** submitted by

LOWELL SPIESS
P.O. BOX 430
PENDLETON, OREGON 97801.

The right to be modified, as evidenced by a PORTION of Certificate 1320, was perfected under Permit 1234 with a date of priority of JUNE 14, 1912. The right allows the use of the UMATILLA RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION OF 20.8 ACRES. This right is limited to 0.26 cubic foot per second, if available at the authorized point of diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 6, T 2 N, R 33 E, WM; N 75° E, 120 FEET FROM THE S $\frac{1}{4}$ CORNER, SECTION 6, or its equivalent in case of rotation, measured at the point of diversion from the source.

The use shall conform to any reasonable rotation system ordered by the proper state officer.

The authorized place of use is located as follows:

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 18.0 ACRES
NW $\frac{1}{4}$ NW $\frac{1}{4}$ 2.8 ACRES
SECTION 7 ✓
TOWNSHIP 2 NORTH, RANGE 33 EAST, W.M.

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

The applicant proposes to change the point of diversion to:

NE $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 7, T 2 N, R 33 E, WM; 20 FEET NORTH AND 360 FEET WEST FROM THE SW CORNER, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 7.

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

1. The proposed change shall be completed on or before October 1, 1995.
2. The quantity of water diverted at the new point of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of water available at the original point of diversion.


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

Certificate 1320 is cancelled. A new certificate will be issued to confirm that portion of the right NOT involved in this transfer. When satisfactory proof of the completed change is received, a new certificate confirming this water right will be issued.

WITNESS the signature of the Water Resources Director,

affixed August 5, 1994.


A. REED MARSH

 Martha O. Pagel, Director

STATE OF OREGON

COUNTY OF UMATILLA

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

Pursuant to ORS 540.510 to 540.530, after notice was given and no objections were filed, and finding that no injury to existing water rights would result, this order approves, as conditioned or limited herein, **TRANSFER 6961** submitted by

CLYDE HUNT
240 NE 35TH
PENDLETON, OREGON 97801.

The right to be modified, as evidenced by a PORTION of Certificate 1320, was perfected under Permit 1234 with a date of priority of JUNE 14, 1912. The right allows the use of the UMATILLA RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION OF 12.75 ACRES. This right is limited to 0.16 cubic foot per second, if available at the authorized point of diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 6, T 2 N, R 33 E, WM; N 75° E, 120 FEET FROM THE S $\frac{1}{4}$ CORNER, SECTION 6, or its equivalent in case of rotation, measured at the point of diversion from the source.

The use shall conform to any reasonable rotation system ordered by the proper state officer.

The authorized place of use is located as follows:

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 4.75 ACRES
SECTION 1 ✓
TOWNSHIP 2 NORTH, RANGE 32 EAST, W.M.

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 8.0 ACRES
SECTION 7 ✓
TOWNSHIP 2 NORTH, RANGE 33 EAST, W.M.

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

The applicant proposes to change the place of use of 4.0 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 1, to the NE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 12, so that the place of use will be as follows:

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 0.75 ACRE
SECTION 1 ✓

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 4.0 ACRES
SECTION 12 ✓
TOWNSHIP 2 NORTH, RANGE 32 EAST, W.M.

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 8.0 ACRES
SECTION 7 ✓
TOWNSHIP 2 NORTH, RANGE 33 EAST, W.M.

The applicant proposes to change the point of diversion to:

NW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 7, T 2 N, R 33 E, WM; 660 FEET SOUTH AND 15 FEET EAST FROM THE NW CORNER, SECTION 7.

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

1. The proposed change shall be completed on or before October 1, 1995.
2. The quantity of water diverted at the new point of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of water available at the original point of diversion.
3. When required by the Department, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

Certificate 1320 is cancelled. A new certificate will be issued to confirm that portion of the right NOT involved in this transfer. When satisfactory proof of the completed change is received, a new certificate confirming this water right will be issued.

WITNESS the signature of the Water Resources Director,

affixed August 5, 1994.

A. Reed Marbut
A. REED MARBUT
Martha O. Pagel, Director

STATE OF OREGON

COUNTY OF UMATILLA

ORDER APPROVING A CHANGE IN POINT OF DIVERSION

Pursuant to ORS 540.510 to 540.530, after notice was given and no objections were filed, and finding that no injury to existing water rights would result, this order approves, as conditioned or limited herein, **TRANSFER 6967** submitted by

LEE R. AND WANDA L. TELFORD
219 NE 44TH
PENDLETON, OREGON 97801.

The right to be modified, as evidenced by a PORTION of Certificate 1320, was perfected under Permit 1234 with a date of priority of JUNE 14, 1912. The right allows the use of the UMATILLA RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION OF 12.0 ACRES. This right is limited to 0.15 cubic foot per second, if available at the authorized point of diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 6, T 2 N, R 33 E, WM; N 75° E, 120 FEET FROM THE S $\frac{1}{4}$ CORNER, SECTION 6, or its equivalent in case of rotation, measured at the point of diversion from the source.

The use shall conform to any reasonable rotation system ordered by the proper state officer.

The authorized place of use is located as follows:

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 12.0 ACRES
SECTION 7
TOWNSHIP 2 NORTH, RANGE 33 EAST, W.M.

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

The applicant proposes to change the point of diversion to:

NE $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 7, T 2 N, R 33 E, WM; 20 FEET NORTH AND 360 FEET EAST FROM THE SE CORNER, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 7.

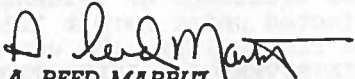
THIS CHANGE TO AN EXISTING WATER RIGHT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed change shall be completed on or before October 1, 1995.
2. The quantity of water diverted at the new point of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of water available at the original point of diversion.

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

Certificate 1320 is cancelled. A new certificate will be issued to confirm that portion of the right NOT involved in this transfer. When satisfactory proof of the completed change is received, a new certificate confirming this water right will be issued.

WITNESS the signature of the Water Resources Director,
affixed August 5, 1994.


for A. REED MARBUT
Martha O. Pagel, Director

STATE OF OREGON

COUNTY OF UMATILLA

ORDER APPROVING A CHANGE IN POINT OF DIVERSION

Pursuant to ORS 540.510 to 540.530, after notice was given and no objections were filed, and finding that no injury to existing water rights would result, this order approves, as conditioned or limited herein, **TRANSFER 7116** submitted by

RANDY AND VERNONIA LEONARD
3316 NE RIVERSIDE AVENUE
PENDLETON, OREGON 97801.

The right to be modified, as evidenced by a PORTION of Certificate 1320, was perfected under Permit 1234 with a date of priority of JUNE 14, 1912. The right allows the use of the UMATILLA RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION OF 10.6 ACRES. This right is limited to 0.13 cubic foot per second, if available at the authorized point of diversion: SW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 6, T 2 N, R 33 E, WM; N 75° E, 120 FEET FROM THE S $\frac{1}{4}$ CORNER, SECTION 6, or its equivalent in case of rotation, measured at the point of diversion from the source.

The use shall conform to any reasonable rotation system ordered by the proper state officer.

The authorized place of use is located as follows:

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 2.4 ACRES
SECTION 6 ✓

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 8.2 ACRES
SECTION 7 ✓

TOWNSHIP 2 NORTH, RANGE 33 EAST, W.M.

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

The applicant proposes to change the place of use/point of diversion to:

NW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 7, T 2 N, R 32 E, WM; 400 FEET WEST FROM THE SE CORNER, NW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 7.

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

1. The proposed change shall be completed on or before October 1, 1995.
2. The quantity of water diverted at the new point of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of water available at the original point of diversion.

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

Certificate 1320 is cancelled. A new certificate will be issued to confirm that portion of the right NOT involved in this transfer. When satisfactory proof of the completed change is received, a new certificate confirming this water right will be issued.

WITNESS the signature of the Water Resources Director,

affixed August 5, 1994.

ds
A. Reed Marbut
A. REED MARBUT
Martha O. Pagel, Director

IN THE _____ COURT OF THE
STATE OF OREGON FOR UMATILLA COUNTY

AFFIDAVIT OF PUBLICATION
OF

Equity
Law

No. _____

STATE OF OREGON }
County of Umatilla } ss.

I Holly Davis being duly sworn, depose
and say that I am the principal clerk of the publisher of the East
Oregonian, a newspaper of general circulation, as defined by ORS
193.010 and 193.020; printed and published at Pendleton in the
aforesaid county and state; that the

EO-4315 Notice of Water Right Transfer

a printed copy of which is hereto annexed; was published in the
entire issue of said newspaper for 3 successive and
consecutive issues in the following issues:

June, 18, 25 July 2, 1997

Holly Davis

Subscribed and sworn to before me in this 23rd day of
July, 1997

Lisa M. Blagg

Notary Public of Oregon



**EO-4315
NOTICE OF WATER
RIGHT TRANSFER**
Linda Shafer and Lowell
Spless filed an application
with the Water Resources
Department for a change in
point of diversion of water
as provided by ORS
537.705 and ORS 540.510
to 540.530.
Certificate 68390, in the name
of Joseph Vey, includes a
right limited to 0.054 cubic foot
per second from Umatilla
River, with a priority date of
June 14, 1912 for irrigation
of 4.28 acres.
The point diversion for this
right is in the SW1/4 SE1/4,
Section 6, T 2 N, R 33 E,
WM; N 75° E, 120' from the
S1/4 Corner, Section 6.
The applicant proposes to
change the point of diver-
sion to NW1/4 NW1/4,
Section 7, T 2 N, R 33 E,
WM; 660' South & 15' East
from the NW Corner,
Section 7.
Protests may be filed by per-
sons who think their water
right may be injured by this
change. Additional informa-
tion or forms and rules for fil-
ing protests are available
from the Water Resources
Department by calling 541-
278-5456. If a protest is filed
a hearing may be held.
The last date of publication is
July 2, 1997. If no protest is
filed by August 1, 1997 the
change may be approved
without a hearing.
July 18, 25, 1997
July 2, 1997

IN THE _____ COURT OF THE
STATE OF OREGON FOR UMATILLA COUNTY

AFFIDAVIT OF PUBLICATION
OF

Equity } No. _____
Law }

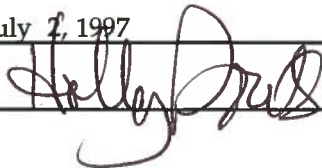
STATE OF OREGON }
County of Umatilla } ss.

I Holly Davis being duly sworn, depose
and say that I am the principal clerk of the publisher of the East
Oregonian, a newspaper of general circulation, as defined by ORS
193.010 and 193.020; printed and published at Pendleton in the
aforesaid county and state; that the

EO-4315 Notice of Water Right Transfer

a printed copy of which is hereto annexed; was published in the
entire issue of said newspaper for 3 successive and
consecutive issues in the following issues:

June, 18, 25 July 7, 1997



Subscribed and sworn to before me in this 23rd day of
July, 1997

**EO-4315
NOTICE OF WATER
RIGHT TRANSFER**
Linda Shafer and Lowell
Spiess filed an application
with the Water Resources
Department for a change in
point of diversion of water,
as provided by ORS
537.705 and ORS 540.510
to 540.530.

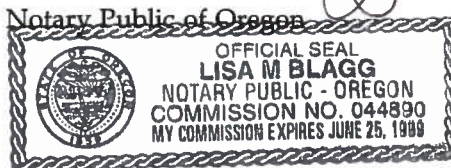
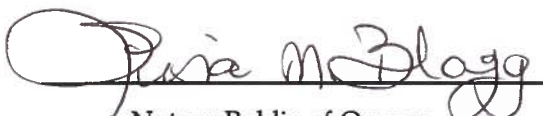
Certificate 68390, in the name
of Joseph Vey, includes a
right limited to 0.054 cubic foot
per second from Umatilla
River, with a priority date of
June 14, 1912 for irrigation
of 4.28 acres.

The point diversion for this
right is in the SW1/4 SE1/4,
Section 6, T 2 N, R 33 E,
WM; N 75° E, 120' from the
S1/4 Corner, Section 6.

The applicant proposes to
change the point of diversion
to NW1/4 NW1/4,
Section 7, T 2 N, R 33 E,
WM; 660' South & 15' East
from the NW Corner,
Section 7.

Protests may be filed by per-
sons who think their water
right may be injured by this
change. Additional information
or forms and rules for fil-
ing protests are available
from the Water Resources
Department by calling 541-
278-5456. If a protest is filed
a hearing may be held.

The last date of publication is
July 2, 1997. If no protest is
filed by August 1, 1997 the
change may be approved
without a hearing.
June 18, 25, 1997
July 2, 1997



211 S.E. Byers

INVOICE

Telephone 276-2211



EASTERN OREGON'S GREATEST DAILY NEWSPAPER
P.O. BOX 1089
PENDLETON, OREGON 97801

June 18,25, July 2, 1997

EO- 4315

Lowell Speiss

PO Box 430

Pendleton, OR 97801

EO-4315 Notice of Water Right Transfer

5 1/2 inches

3 insertions \$150.86

Kindly retain statement -Itemized statements are sent on the 5th of the month.

July 24, 1997

Linda Shafer and Lowell Spies
P.O. Box 430
Pendleton, Oregon 97801

REFERENCE: Transfer 7379

I am writing to find out where you are in correcting the transfer application and transfer map and getting the additional information required to finish processing the transfer; these deficiencies were cited in my letter of June 2, 1997 (enclosed). To date, I have received nothing in response.

If you still want to go forward with the transfer, please send the transfer application, transfer map and requested information with corrections as cited in the letter within two weeks. If you are not able to do so, please let me know in writing that you request an extension of time. If I receive no response by August 8, 1997, the transfer application may be rejected without further notice. If you have questions or need assistance with anything, don't hesitate to call me at 541-278-5456.

Sincerely,



Bernadette Williams
Field Water Rights Technician

cc: Mike Ladd, Region Manager
Tony Justus, Watermaster
David H. Krumbein, CWRE

enclosure



June 2, 1997

Watermaster

Linda Shafer and Lowell Spies
P.O. Box 430
Pendleton, Oregon 97801

REFERENCE: Transfer 7379

We are examining your water right transfer application. There are some problems that need to be resolved.

1. Under item 1 (C) (2) of the transfer application, you indicated Certificate 1320 as the water right involved. Certificate 1320 has been canceled and superseding Certificate 68390 has been issued in its place. Please correct this on the application.
2. The location of the authorized point of diversion listed on the transfer application under item 2 (B) contains two small errors. First, please add a degree sign (°) after the reference "...N 75..." Second, please change the reference to Range from 32 E to 33 E.
3. The location of the proposed point of diversion must be listed on the transfer application under item 3 (A). Please make sure that the location matches what is shown on the transfer map.
4. As you know, the applicant is responsible for giving notice to a newspaper of the transfer changes. Enclosed is a copy of the Publication Notice. This notice must be published in a newspaper having a general circulation in the area of the water right. The notice must be published at least once a week for three consecutive weeks. Please have the newspaper insert the date of last publication and protest dates in the proper places. After publication, an affidavit of publication from the newspaper must be sent back to the Department.



We are returning the water right transfer application and map for completion and correction. Please return the completed application and map within 30 days. If you have any questions, please call me at 541-278-5456.

Sincerely,

Bernadette Williams

Bernadette Williams
Field Water Rights Technician

cc: Mike Ladd, Region Manager
Tony Justus, Watermaster
David H. Krumbein, CWRE

enclosure

NOTICE OF WATER RIGHT TRANSFER

Linda Shafer and Lowell Spies filed an application with the Water Resources Department for a change in point of diversion of water as provided by ORS 537.705 and ORS 540.510 to 540.530.

Certificate 68390, in the name of Joseph Vey, includes a right limited to 0.054 cubic foot per second from Umatilla River, with a priority date of June 14, 1912 for irrigation of 4.28 acres.

The point of diversion for this right is in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 6, T 2 N, R 33 E, WM; N 75° E, 120' from the S $\frac{1}{4}$ Corner, Section 6.

The applicant proposes to change the point of diversion to NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 7, T 2 N, R 33 E, WM; 660' South & 15' East from the NW Corner, Section 7.

Protests may be filed by persons who think their water right may be injured by this change. Additional information or forms and rules for filing protests are available from the Water Resources Department by calling 541-278-5456. If a protest is filed a hearing may be held.

The last date of publication is [DATE OF LAST PUBLICATION]. IF NO PROTEST IS FILED BY [30 DAYS AFTER DATE OF LAST PUBLICATION], THE CHANGE MAY BE APPROVED WITHOUT A HEARING.

11511

RECEIVED

JUN 26 1995

State of Oregon
WATER RESOURCES DEPARTMENT
APPLICATION FOR TRANSFER OF WATER RIGHT

COPY

WORK COPY

✓ Applicant: Linda Shafer & Lowell Spiess WA: _____
 ✓ Mailing Address: P.O. Box 430
Pendleton Oregon 97801 276-5930
City or town State Zip Phone
 ✓ Type of change: Change in Point of Diversion
(In point of diversion; place of use; use heretofore made of the water)

1. WATER RIGHT

- ✓ A) Is the water right in your name? No If not, list name below:
(Yes, No)
- ✓ B) Was the water right determined by a court decree? No
(Yes, No)
1. If yes, list the title of the proceedings: _____
 2. Certificate No: _____
- ✓ C) Was the water right acquired by a water permit? Yes
(Yes, No)
1. If yes, list the Permit No: 1234
 2. Certificate No: 1320 *102390, Suspendng Cert.*
- ✓ D) Date of priority right: June 12, 19 12
- ✓ E) What are your reasons for the proposed changes? The Diversion Ditch has been discontinued and it is planned to pump directly from the Umatilla River.
- ✓ F) The water will be completely applied to the proposed use on or before: June 1, 19 98

2. LOCATION OF AUTHORIZED USE

✓ A) What is the source of water (river, stream, well)? Umatilla River

B) Describe the authorized point of diversion:

Location in Reference to Survey Corner	1/4, 1/4 of Section	Section	Township	Range
N 75° E 120' from SE 1/4, SW	SW 1/4, SE 1/4	6	2N	32E <i>33E</i>
1/4 of Section 6				

** 5/4 Cor Sec 6
 check old cert.*



- ✓ C) What is the name of the ditch used? Crispin Ditch
- ✓ D) What is the use to which the water is applied? Irrigation of pasture and alfalfa fields.

✓ E) Give the location of the authorized area irrigated or place of use other than for irrigation:

Township	Range	Section	1/4, 1/4 of Section	No. of acres irrigated
2N	32E	1	SE 1/4, SE 1/4	4.28 acs.

- ✓ F) Is the land within an irrigation district? Yes _____ No X
 If Yes, which district? _____
- ✓ G) County Umatilla

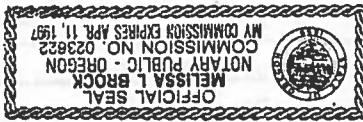
3. LOCATION OF PROPOSED USE:

NOTE: Answer question A only if the application is for a change in the point of diversion.

A) Describe the proposed point of diversion:

Location in Reference to Survey Corner	1/4, 1/4 of Section	Section	Township	Range

** need Aked in agree w/ owner map*



My commission expires: 4-11-97

Notary Public for Oregon

(Notarial Seal)

Subscribed and sworn to before me

Linda Shafer
Linda Shafer
 (Signature) (Signature)

I (we), Linda Shafer & Lowell Spess, applicant(s), hereby swear that I (we) have read the above application for transfer of water right and that the statements made are true and correct. Dated and signed this 5th day of June, 1995.

6. REMARKS: The 4.0 acres immediately to the North of this 4.28 acres is part of T-6961 to Clyde Hunt.

5. NAME AND ADDRESS OF RECEIVING LANDOWNER(S) IF OTHER THAN APPLICANT:

- A) A map prepared by a Certified Water Right Examiner showing the location of the present and proposed points of diversion, the authorized and proposed places of use and, if any, lands from the existing right that would not be subject to transfer.
- B) A copy of the current recorded deed to the subject lands.
- C) Affidavits from any other landowners or encumbrance holders with interest in the original water right stating that they have no objection to the proposed transfer.
- D) Evidence that the water has been used within the last five years.

The following exhibits shall be attached to and made part of the application:

4. EXHIBITS

Township	Range	Section	1/4, 1/4 of Section	No. of acres irrigated

E) Give the proposed location of the area irrigated, or place of use if other than for irrigation:

D) What is the use to which the water will be applied?

Encumbrance	Held by	Amount

C) If no, give the description below of existing encumbrances:

B) Are the lands from which you propose to transfer your water right free of all encumbrances? (Yes, No)

NOTE: Answer questions B, C, D, and E only if the application is for a change in use or place of use.

DELETED

JUN 26 1995

R. 32 E.
R. 33 E.

NE RIVERSIDE AVE

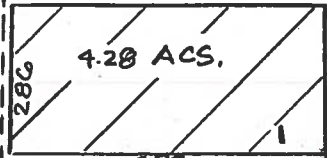
SE COR
SE 1/4 SW 1/4

N 75° E
120' OLD RD.

SW 1/4, SW 1/4

SE 1/4, SE 1/4

NW 1/4, NW 1/4



NEW POINT OF DIVERSION
NE 1/4, NE 1/4

UMATILLA

RIVER

KRUMBEIN ENGINEERING LTD.
ENGINEERS - SURVEYORS - PLANNERS
361 S.E. Second Pendleton, Oregon

Scale
1" = 400'
Date
5-3-95

Drn. By
DHK
Ckd. By

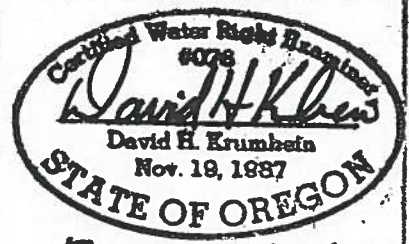
Dwg. No.
9505A
Job No.
9517

Revision 1
Revision 2

CHANGE IN
POINT OF DIVERSION

SHAFER - SPIESS

SE 1/4, SE 1/4, SEC. 1.
T. 2 N., R. 32 E.W.M.



Expres 6/30/97

T7379

RECEIVED

JUN 26 1995

Need
ASSESSORS
MAP - for dis^{to}
lot.
Need FP survey
MAP for P1234.
OR CURR MAP for
T6953. 6961. 6967.
7116. Need
PON -

REEL 262 of 1197

EXHIBIT A

Beginning at initial point of Crispin's 2nd Addition to Umatilla County, Oregon; thence North 89° 18' 20" West 10 feet; thence South 86° 06' 10" West 712.05 feet to Northeast corner of Section 12, Township 2 North, Range 32; thence North 0° 05' West along East line of Section 1, Township 2 North, Range 32, a distance of 50 feet to the true point of beginning for this description; thence South 89° 35' 00" West along a line 50 feet Northerly, when measured at right angles from South line of said Section 1, to a point which lies Easterly 8 feet from West line of Southeast Quarter of Southeast Quarter of Southeast Quarter of said Section 1; thence Northerly along a line which lies 8 feet Easterly, when measured at right angles from said West line to Southerly right of way line of Riverside Avenue; thence Easterly along said Southerly right of way line to Northwest corner of Lot 1, Block 8, Crispin Riverside Tract; thence Southerly along West line of said Lot 1, 102 feet to Southwest corner of said Lot 1; thence Easterly along South line of said Lot 1, 128 feet to Southeast corner of said Lot 1; thence Southerly along West line of Lot, said Block 8, 35.70 feet to Southwest corner of said Lot 2; thence South 89° 18' 20" East along South line of said Lot 2 a distance of 55.75 feet to a point on East line of said Section 1; thence South 0° 05' East along East line of said Section 1 to the true point of beginning;

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

STATE OF OREGON, COUNTY OF UMATILLA
I, Thomas L. Grant, County Clerk, certify this
instrument was received and recorded on 11-09-94
at 10:34 in the record of document code type
06-045
Location 0262-1196
Document number 96-200696
Fee 48.00

Exhibit A
Page 1 of 1

Thomas L. Grant
Umatilla County Clerk
Received by J. McLaughlin Deputy

11/9/94

T.7379

RECORDED

JUN 28 1995

320100

NC
JV# 36776

3800
16-5

5

REV 262 P. 1196

200696

BARGAIN AND SALE DEED

Linda Shafer, Grantor, conveys and warrants to Linda Shafer and Lowell Spiess, Grantees, not as Tenants in Common, but with the right of survivorship, that is, that the fee shall vest in the survivor of the grantees, the following described real property, free of encumbrances, except as specifically set forth herein:

See attached legal description marked as Exhibit "A"

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING OR TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

The true and actual consideration for this conveyance is love and affection.

Until a change is requested, all tax statements are to be sent to the following address:

P.O. Box 430 PENDLETON OR, 97894

Dated this 2 day of November, 1994

Linda Shafer
LINDA SHAFER

LOWELL SPIESS
P.O. Box 430
PENDLETON OR

ATTEST
NOTARY PUBLIC
A 036

STATE OF OREGON

County of Umatilla

November 2, 1994.

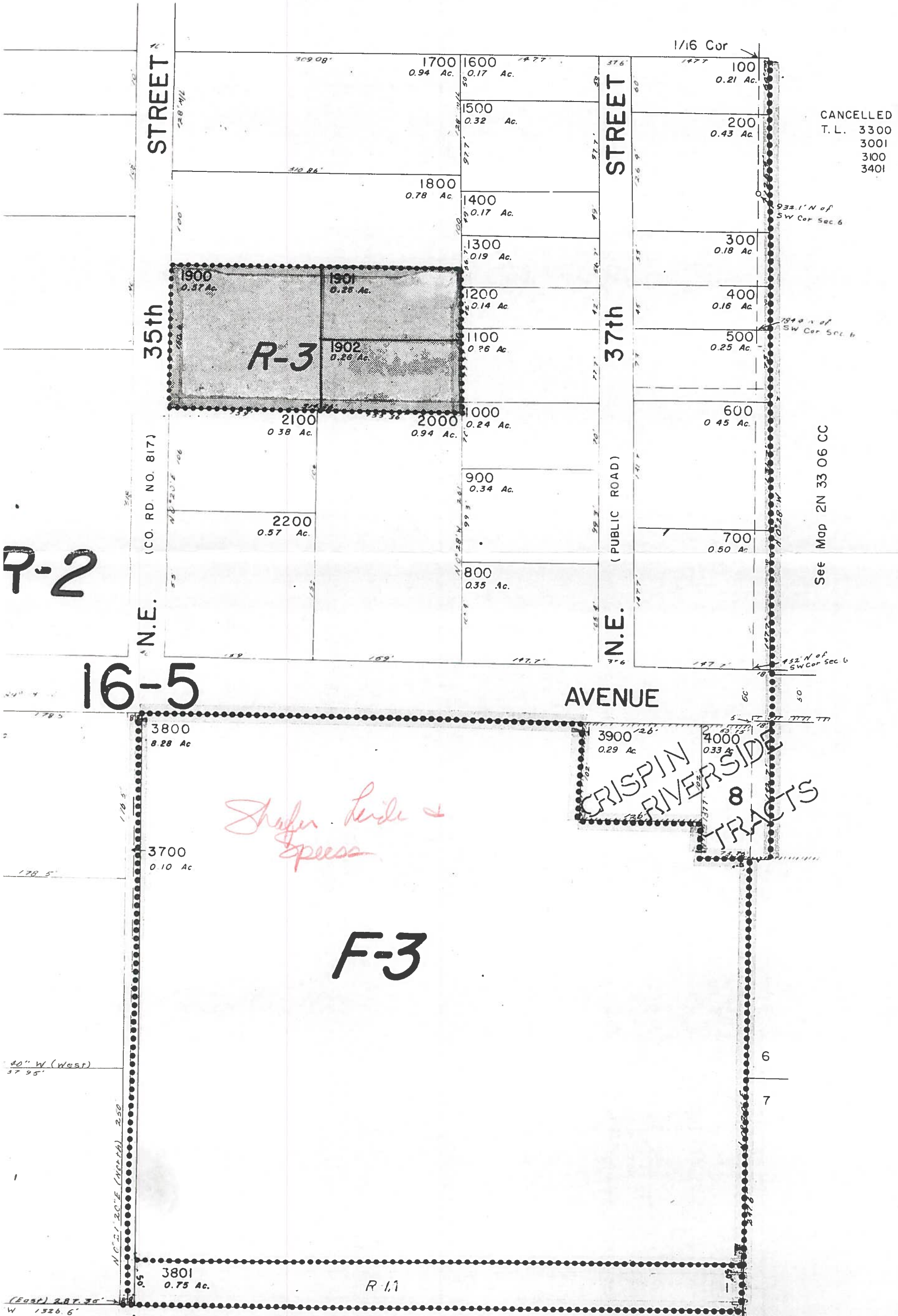
PERSONALLY APPEARED the above-named LINDA SHAFER and acknowledged the foregoing instrument to be her voluntary act. Before me:



Marilyn Kellogg
Notary Public for Oregon
My Commission expires 8/25/97

8262-1196
11/9/94

See Map 2N 32 01DA



P-2

16-5

Shaffer Lunde & Spess

F-3

CRISPIN RIVERSIDE TRACTS 8

40" W (West) 37 95'

**Water Resources Department
Watermaster District # 4
P. O. Box 261
Canyon City, OR 97820
Phone (541) 575-0119**

November 14, 1996

Oregon Department of Fish and Wildlife
Attn: Timothy Bailey
Umatilla Basin Fish Biologist
Route 1 Box 18
Pendleton, Oregon 97801

Dear Timothy Bailey:

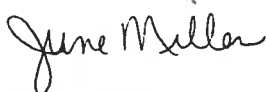
I am working on transfer applications for the Oregon Water Resources Department's North-Central Region, which includes part of your area.

The statutes passed this last session (540.525) requires our departments to consult when an application for a change in point of diversion is received, to determine whether a fish screening or by-pass device is necessary to prevent fish from leaving the body of water and entering the diversion.

Enclosed are copies of transfer applications and maps for your area.

Please let me know, as soon as possible, whether the diversion is equipped with an appropriate fish screen or by-pass device, or is included in the list of priority screening projects established under section 8, chapter 933, Oregon Laws 1989.

Sincerely,



June Miller
Field Inspector

July 12, 1995

WATER
RESOURCES
DEPARTMENT

LINDA SHAFER & LOWELL SPIES
PO BOX 430
PENDLETON OR 97801

REFERENCE: Transfer 7379

We have received your Transfer Application requesting approval of a change in point of diversion for use of water from Umatilla River for irrigation. The application was received with supporting data, map and fees of \$85. Our receipt 125735 is enclosed.

By copy of this letter, we are asking the Watermaster for his usual report regarding the potential for injury to other water rights by approval of your application.

Due to the unusually high number of applications received over the past two years, we are unable to complete the examination for your application at this time. Applications are normally examined in the order they are received. We will try to complete the examination as soon as possible.

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

If you have any questions, please call the Water Rights Section, (503) 378-3739.

Sincerely,

LARRY H. NUNN
Senior Water Rights Specialist

LHN:jh

enclosure

cc: Tony Justus, Watermaster
David Krumbein, CWRE



Commerce Building
158 12th Street NE
Salem, OR 97310-0210
(503) 378-3739
FAX (503) 378-8130

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # **125735**

158 12TH ST. N.E.
 SALEM, OR 97310-0210
 378-8455 / 378-8130 (FAX)

INVOICE # 01524

RECEIVED FROM: Riverside Farms APPLICATION

BY: _____ PERMIT

TRANSFER 7379

CASH: CHECK: # 24-7038 OTHER: (IDENTIFY)

TOTAL REC'D \$ 85.-

01-00-0 WRD MISC CASH ACCT

842.010	ADJUDICATIONS	\$
831.087	PUBLICATIONS / MAPS	\$
830.650	PARKING FEES Name / month	\$
_____	OTHER: (IDENTIFY)	\$

REDUCTION OF EXPENSE

COST CENTER AND OBJECT CLASS CASH ACCT. \$

VOUCHER #

03-00-0 WRD OPERATING ACCT

MISCELLANEOUS			
840.001	COPY FEES	\$	
850.200	RESEARCH FEES	\$	
880.109	MISC REVENUE: (IDENTIFY)	\$	
520.000	OTHER (P-8) (IDENTIFY)	\$	
WATER RIGHTS:		EXAM FEE	RECORD FEE
842.001	SURFACE WATER	\$	842.002 \$
842.003	GROUND WATER	\$	842.004 \$
842.005	TRANSFER	\$ <u>50.00</u>	842.006 \$ <u>35.00</u>
WELL CONSTRUCTION		EXAM FEE	LICENSE FEE
842.022	WELL DRILL CONSTRUCTOR	\$	842.023 \$
_____	LANDOWNER'S PERMIT		842.024 \$
_____	OTHER (IDENTIFY)		

06-00-0 WELL CONST. START FEE

842.013	WELL CONST START FEE	\$	CARD #
_____	MONITORING WELLS	\$	CARD #
_____	OTHER (IDENTIFY)		

45-00-0 LOTTERY PROCEEDS

864.000	LOTTERY PROCEEDS	\$
---------	------------------	----

07-00-0 HYDRO ACTIVITY

	LIC NUMBER	
842.011	POWER LICENSE FEE (FW/WRD)	\$
842.115	HYDRO LICENSE FEE (FW/WRD)	\$
_____	HYDRO APPLICATION	\$

RECEIPT # **125735**

DATED: 6-26-95 BY: J. Halladay

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

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # **125735**

158 12TH ST. N.E.
 SALEM, OR 97310-0210
 378-8455 / 378-8130 (FAX)

INVOICE # 01524

RECEIVED FROM: Riverside Farms APPLICATION _____
 BY: _____ PERMIT _____
 TRANSFER **7379**

CASH: CHECK: # 24-7038 OTHER: (IDENTIFY)

TOTAL REC'D \$ **85.-**

01-00-0 WRD MISC CASH ACCT

842.010	ADJUDICATIONS	\$
831.087	PUBLICATIONS / MAPS	\$
830.650	PARKING FEES Name / month	\$
_____	OTHER: (IDENTIFY)	\$

REDUCTION OF EXPENSE

COST CENTER AND OBJECT CLASS	CASH ACCT.	\$
_____	VOUCHER #	_____

03-00-0 WRD OPERATING ACCT

MISCELLANEOUS			
840.001	COPY FEES	\$	
850.200	RESEARCH FEES	\$	
880.109	MISC REVENUE: (IDENTIFY)	\$	
520.000	OTHER (P-6) (IDENTIFY)	\$	
WATER RIGHTS:		EXAM FEE	RECORD FEE
842.001	SURFACE WATER	\$	842.002 \$
842.003	GROUND WATER	\$	842.004 \$
842.005	TRANSFER	\$ <u>50.00</u>	842.006 \$ <u>35.00</u>
WELL CONSTRUCTION		EXAM FEE	LICENSE FEE
842.022	WELL DRILL CONSTRUCTOR	\$	842.023 \$
_____	LANDOWNER'S PERMIT	_____	842.024 \$
_____	OTHER (IDENTIFY)	_____	_____

06-00-0 WELL CONST. START FEE

842.013	WELL CONST START FEE	\$	CARD # _____
_____	MONITORING WELLS	\$	CARD # _____
_____	OTHER (IDENTIFY)	_____	_____

45-00-0 LOTTERY PROCEEDS

864.000	LOTTERY PROCEEDS	\$
---------	------------------	----

07-00-0 HYDRO ACTIVITY

	LIC NUMBER	
842.011	POWER LICENSE FEE (FWWRD)	\$
842.115	HYDRO LICENSE FEE (FWWRD)	\$
_____	HYDRO APPLICATION	\$

RECEIPT # **125735**

DATED: 6-26-95 BY: J Halladay

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

7379

RECEIVED
JUN 5 1995
REGON

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

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. The Water Resources Department will use this and other information to evaluate the request for water use. **DO NOT FILL OUT THIS FORM IF:** 1) water is to be diverted, conveyed, and/or used only on federal lands; or 2) you are applying for a water right transfer involving: a) a change in the place of use with no structural changes, and b) irrigation uses located in irrigation districts or exclusive farm use zones.

Applicant's Name: Linda Shafer
 Address: P.O. Box 430
 City: Pendleton State: Or. Zip: 97801
 Phone: 276-5930 WRD Application No.: _____

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

Tax Lot or Local I.D.#	Plan Designation/Zoning (e.g. Rural Residential/RR-5)	Check All That Apply		
		Water Diverted	Water Conveyed	Water Used
3800	Medium Density Residential (R-2)	x	x	x

The following section must be completed by all local planning departments responsible for the property(ies) listed above. Please ask the Department for extra forms, as needed.

For Local Government Use Only

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

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

Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): Ord. No 3250 Sections 17+18. Go to section b) on reverse side.

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

Type of Land Use Approvals Needed (e.g.: plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Please check the box that applies:		
		Already Obtained	Already Denied	Being Pursued Satisfactorily

Description of Water Use

T 7379

Note to Applicant: This sheet will provide local planning staff with a basic description of your proposed water use. Please fill out this sheet before bringing the attached land use form to your local planning office. It will help local planning offices complete your land use information form quickly.

Note to Local Planning Officials: Please initial this sheet. Do not separate it from the land use information form. If needed, please make a separate copy for your records.

Applicant Name: Linda Shafer
 Address: P.O. Box 430
Pendleton, Or. 97801
 Phone: 276-5930

RECEIVED

JUN 26 1995

W. S. ...

Please indicate what you will use the water for. Check all boxes that apply and fill in the blanks with key characteristics of the project

- Irrigation (crop type, golf course, nursery or greenhouse): Pasture, Alfalfa
- Livestock (type of livestock, feedlot, slaughterhouse): _____
- Residential (# units, single or multi-family, # lots if partition or subdivision): _____
- Commercial (i.e., retail, office, restaurant, gas station, hotel, service, etc.): _____
- Industrial (i.e., factory, pulp mill, research and development, processing, etc.): _____
- Institutional (i.e., school, library, etc.): _____
- Mining (aggregate, metal, open pit, placer, etc.): _____
- Recreation (park, campsite, pond, etc.): _____
- Fish and Wildlife (pond, hatchery, etc.): _____
- Hydropower (dam, reservoir, power generating or transmitting facilities): _____
- Other (Name and list key characteristics): _____

Indicate sources for the proposed water use below:	Indicate the estimated quantity of water the use will require.
<input checked="" type="checkbox"/> Surface Water Name sources <u>Umatilla River</u>	_____ Cubic feet per second. _____ Gallons per minute. _____ Acre-Feet
<input type="checkbox"/> Reservoir or pond <input type="checkbox"/> Ground Water	