

5586 SIMPLAT

Name J.R. Simplat Co  
By Corey, Byles, Rex, Lorenzen & Hojem  
Address Po Box 218  
Pendleton, OR 97801

5586

DESCRIPTION OF WATER RIGHT

Name of stream Umatilla River  
Trib. of \_\_\_\_\_ County of Umatilla  
Use irrigation  
Quantity of water 1.190 cfs No. of acres 72.5  
Name of ditch \_\_\_\_\_  
Date of priority 10-1-1969  
In name of Irvin Mann, Jr.  
\_\_\_\_\_ Adjudication, Vol. \_\_\_\_\_, page \_\_\_\_\_  
App. No. 90333<sup>SRJ</sup> Per. No. 30078 Cert. No. 39389  
Certificate cancelled \_\_\_\_\_  
Notation made on record by \_\_\_\_\_

Change in Additional POD  
Date filed January 21, 1985  
Date of hearing \_\_\_\_\_  
Place of hearing \_\_\_\_\_  
Date of order 3-25-85 Vol. 39, page 105  
Date for application of water COMPLETED  
Proof mailed \_\_\_\_\_  
Proof received \_\_\_\_\_  
Certificate issued JUL 10 1985 Vol. 48, page 53262

FF, FPM, PC  
in Vesie file  
12/28/89  
JAN 22 1996 68763

REMARKS

W.R.I.S.  
Assembled 1-21-85 by SRJ  
Entered \_\_\_\_\_ by \_\_\_\_\_  
Verified \_\_\_\_\_ by \_\_\_\_\_

FEES PAID

Date	Amount	Receipt No.
<u>1-21-85</u>	<u>85.00</u>	<u>45306</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.
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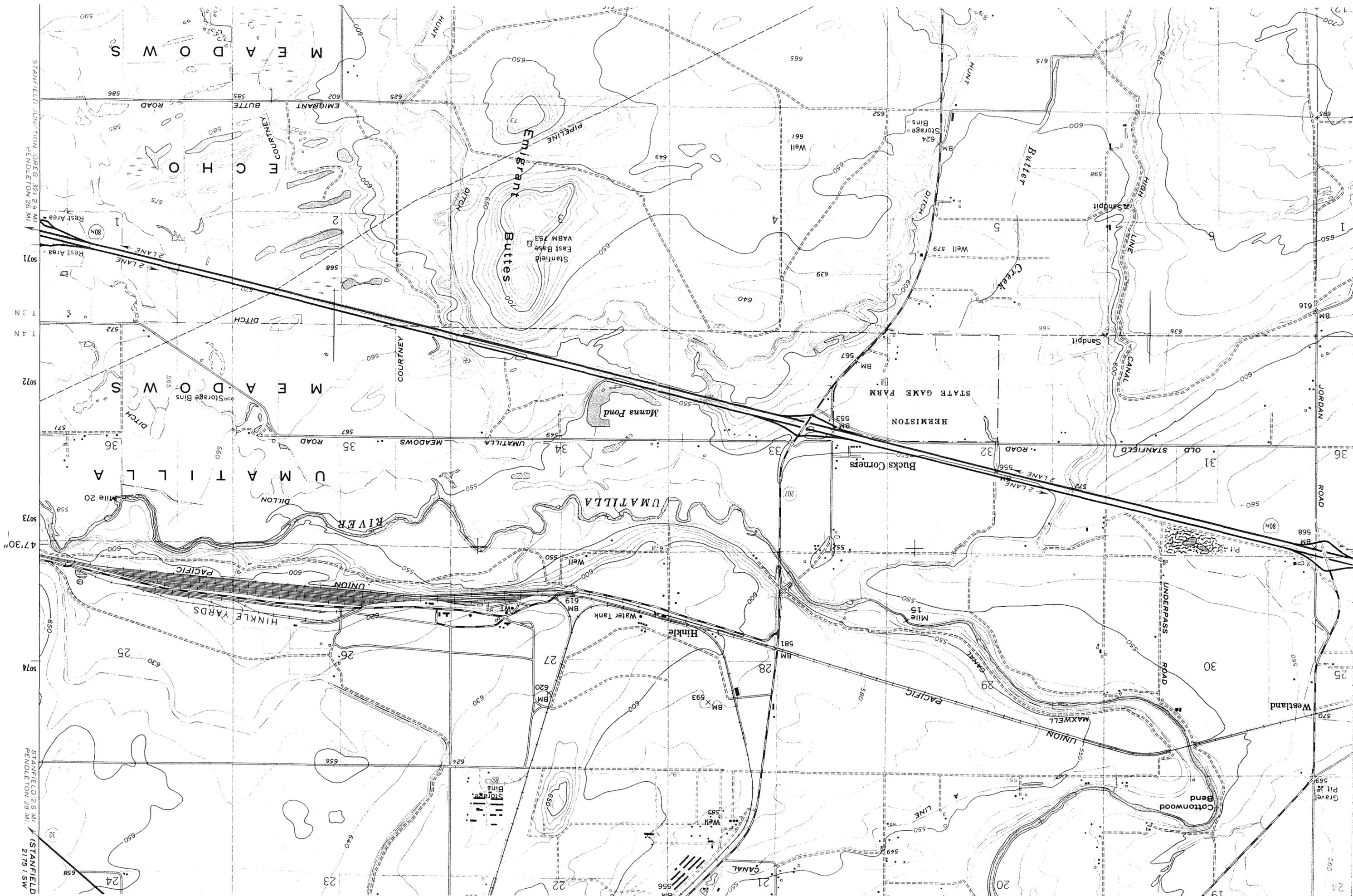
TO BE ENTERED WHERE CHECKED

INDEX CARDS:	Entered	Checked
<input checked="" type="checkbox"/> Name	<u>SRJ</u>	_____
<input checked="" type="checkbox"/> Stream	<u>SRJ</u>	_____
<input checked="" type="checkbox"/> Pt. of Div.	_____	_____
<input checked="" type="checkbox"/> Calendar	_____	_____
<input checked="" type="checkbox"/> Twp. & Rge.	<u>SRJ</u>	_____
<input type="checkbox"/> Decree-vault	_____	_____
<input type="checkbox"/> Decree-safe	_____	_____
<input checked="" type="checkbox"/> Cert. of W/R	<u>SRJ</u>	_____
<input checked="" type="checkbox"/> Per. Folder	<u>SRJ</u>	_____
<input type="checkbox"/> Chaindex	_____	_____
<input type="checkbox"/> Cross Ref.	_____	_____
<input checked="" type="checkbox"/> Power Claim	_____	_____
<input type="checkbox"/> Abstracts	<u>SRJ</u>	_____

CCB  
6/18/97

Mann Jr.

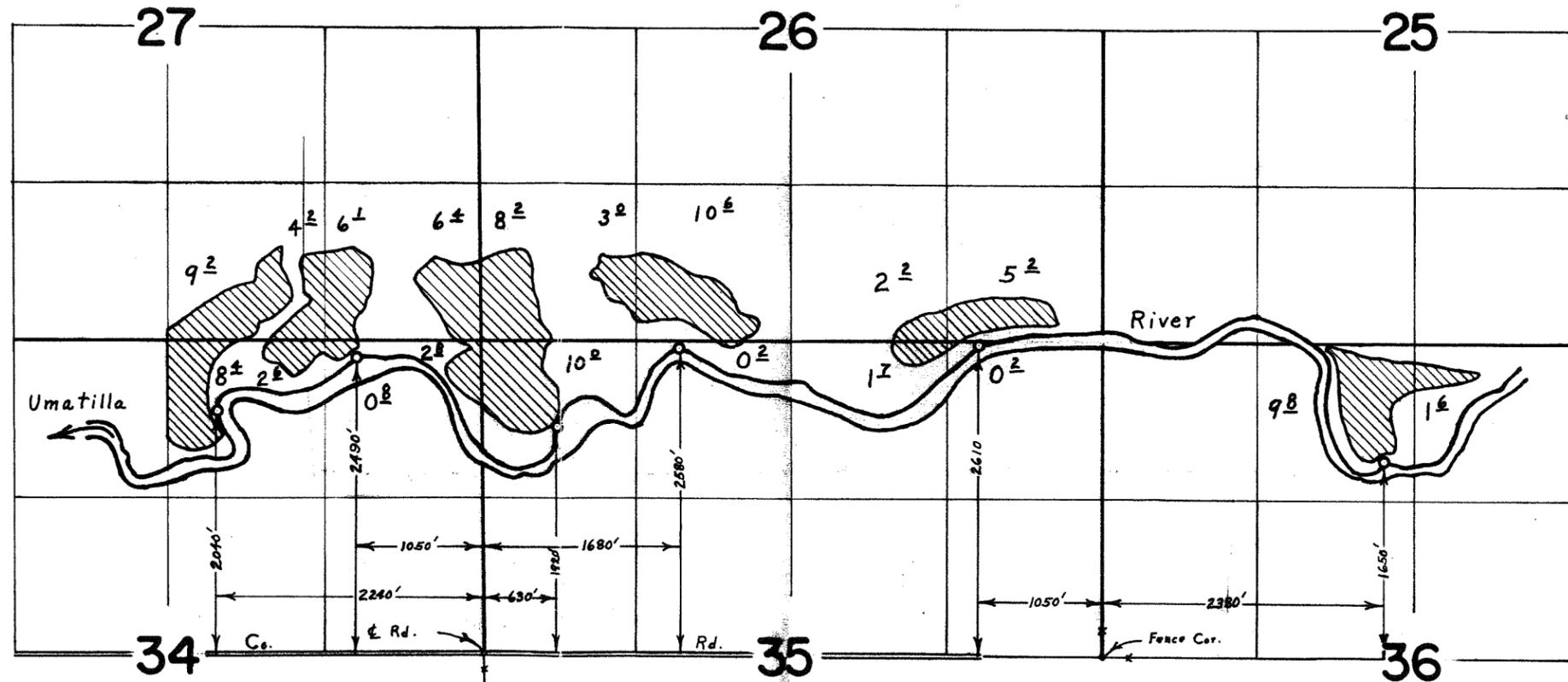




STANFIELD JUNCTION, OREG. 32) 2.4 MI.  
PENDLETON 26 MI.

STANFIELD 2.8 MI.  
PENDLETON 28 MI.  
STANFIELD 2175' S.W.

T.4N.R.28E.W.M.



FINAL PROOF SURVEY  
UNDER

Application No. 40333 Permit No. 30078  
IN NAME OF

IRVIN MANN JR.

Surveyed August 6 1966 by L. E. Gould

\*\*\* OREGON STATE WATER RESOURCES \*\*\*  
 \*\*\* W. R. I. S. \*\*\*  
 \*\*\* WATER RIGHT INFORMATION DOCUMENT \*\*\*

8/14/1991

COUNTY: UMAT APPLICATION: S 40333 PERMIT: S 30078 CERTIFICATE: 34389  
 NAME: IRVIN MANN JR  
 OTHER NAMES:

ADDRESS: RT 2 CITY: STANFIELD STATE: OR ZIP: 97875

CERTIFICATE DATE: 10/24/1967 CERTIFICATE TYPE: OR STATUS: C  
 SUPERCEDES CERT: 0  
 OTHER RELATED DOCUMENTS: 53262, T5586

REMARKS:  
 POINT OF DIVERSION INFORMATION

STREAM NAME	TRIBUTARY TO	SOURCE	USE	P/A/S/C	PRIORITY	RATE	Q/Q	LOT	DLC	SEC	TWNSHP	RANGE	V/C
UMATILLA R	COLUMBIA R	ST	IR	P	10/ 1/1964	1.4600	C NWNE <sup>OK</sup>	0	0	34	4.00N	28.00E	C
POD #:	1	MEASUREMENT FROM A CORNER:		2040 FT N & 2240 FT W FM W1/4 COR, S35		LIMITATIONS:		1/40,4.5					
UMATILLA R	COLUMBIA R	ST	IR	A	10/ 1/1964	1.4600	C NENE <sup>OK</sup>	0	0	34	4.00N	28.00E	C
POD #:	2	MEASUREMENT FROM A CORNER:		2490 FT N & 1050 FT W FM W1/4 COR, S35		LIMITATIONS:		1/40,4.5					
UMATILLA R	COLUMBIA R	ST	IR	A	10/ 1/1964	1.4600	C NWNW <sup>OK</sup>	0	0	35	4.00N	28.00E	C
POD #:	3	MEASUREMENT FROM A CORNER:		1920 FT N & 630 FT E FM W1/4 COR, S35		LIMITATIONS:		1/40,4.5					
UMATILLA R	COLUMBIA R	ST	IR	A	10/ 1/1964	1.4600	C NENW <sup>OK</sup>	0	0	35	4.00N	28.00E	C
POD #:	4	MEASUREMENT FROM A CORNER:		2580 FT N & 1680 FT E FM W1/4 COR, S35		LIMITATIONS:		1/40,4.5					
UMATILLA R	COLUMBIA R	ST	IR	A	10/ 1/1964	1.4600	C NENE <sup>OK</sup>	0	0	35	4.00N	28.00E	C
POD #:	5	MEASUREMENT FROM A CORNER:		2610 FT N & 1050 FT W FM W1/4 COR, S36		LIMITATIONS:		1/40,4.5					
UMATILLA R	COLUMBIA R	ST	IR	A	10/ 1/1964	1.4600	C NENW <sup>OK</sup>	0	0	36	4.00N	28.00E	C
POD #:	6	MEASUREMENT FROM A CORNER:		1650 FT N & 2380 FT E FM W1/4 COR, S36		LIMITATIONS:		1/40,4.5					

PLACE OF USE INFORMATION

PRIORITY	POD #	USE	P/A/S/C	ACRES	QTR/QTR	LOT	DLC	SEC	TWNSHP	RANGE	# USERS	STATUS	REMARKS
10/ 1/1964	1	IR	P	11.200	SWSW	0	0	26	4.00 N	28.00E	0	C	
10/ 1/1964	1	IR	P	10.600	SESW	0	0	26	4.00 N	28.00E	0	C	

CONTINUING CERTIFICATE NO: 34389

PLACE OF USE INFORMATION

PRIORITY	POD #	USE	P/A/S/C	ACRES	QTR/QTR	LOT	DLC	SEC	TWNSHP	RANGE	# USERS	STATUS	REMARKS
10/ 1/1964	1	IR	P	2.200	SWSE	0	0	26	4.00 N	28.00E	0	C	
10/ 1/1964	1	IR	P	5.200	SESE	0	0	26	4.00 N	28.00E	0	C	
10/ 1/1964	1	IR	P	13.400	SWSE	0	0	27	4.00 N	28.00E	0	C	
10/ 1/1964	1	IR	P	12.500	SESE	0	0	27	4.00 N	28.00E	0	C	
10/ 1/1964	1	IR	P	3.600	NENE	0	0	34	4.00 N	28.00E	0	C	
10/ 1/1964	1	IR	P	11.000	NWNE	0	0	34	4.00 N	28.00E	0	C	
10/ 1/1964	1	IR	P	0.200	NENE	0	0	35	4.00 N	28.00E	0	C	
10/ 1/1964	1	IR	P	1.700	NWNE	0	0	35	4.00 N	28.00E	0	C	
10/ 1/1964	1	IR	P	0.200	NENW	0	0	35	4.00 N	28.00E	0	C	
10/ 1/1964	1	IR	P	10.000	NWNW	0	0	35	4.00 N	28.00E	0	C	
10/ 1/1964	1	IR	P	1.600	NWNE	0	0	36	4.00 N	28.00E	0	C	
10/ 1/1964	1	IR	P	9.800	NENW	0	0	36	4.00 N	28.00E	0	C	

\*\*\* OREGON STATE WATER RESOURCES \*\*\*  
 \*\*\* W. R. I. S. \*\*\*  
 \*\*\* WATER RIGHT INFORMATION DOCUMENT \*\*\*

8/14/1991

COUNTY: UMAT APPLICATION: S 40333 PERMIT : S 30078 CERTIFICATE: 53262  
 NAME: IRWIN MANN JR  
 OTHER NAMES:

ADDRESS: RT 2 CITY: STANFIELD STATE: OR ZIP: 97875

CERTIFICATE DATE: 7/10/1985 CERTIFICATE TYPE: RR STATUS: V  
 SUPERCEDES CERT: 34389  
 OTHER RELATED DOCUMENTS: T5586

REMARKS:  
 POINT OF DIVERSION INFORMATION

STREAM NAME	TRIBUTARY TO	SOURCE	USE	P/A/S/C	PRIORITY	RATE	Q/Q	LOT	DLC	SEC	TWNSHP	RANGE	V/C
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POD #:	1	MEASUREMENT FROM A CORNER: 2040 FT N & 2240 FT W FM W1/4 COR, S35 LIMITATIONS: 1/40,4.5											
UMATILLA R	COLUMBIA R	ST	IR	A	10/ 1/1964	0.3200	C NENE	0	0	34	4.00N	28.00E	V
POD #:	2	MEASUREMENT FROM A CORNER: 2490 FT N & 1050 FT W FM W1/4 COR, S35 LIMITATIONS: 1/40,4.5											
UMATILLA R	COLUMBIA R	ST	IR	A	10/ 1/1964	0.3200	C NWNW	0	0	35	4.00N	28.00E	V
POD #:	3	MEASUREMENT FROM A CORNER: 1920 FT N & 630 FT E FM W1/4 COR, S35 LIMITATIONS: 1/40,4.5											
UMATILLA R	COLUMBIA R	ST	IR	A	10/ 1/1964	0.3200	C NENW	0	0	35	4.00N	28.00E	V
POD #:	4	MEASUREMENT FROM A CORNER: 2580 FT N & 1680 FT FM W1/4 COR, S35 LIMITATIONS: 1/40,4.5											
UMATILLA R	COLUMBIA R	ST	IR	A	10/ 1/1964	0.3200	C NENE	0	0	35	4.00N	28.00E	V
POD #:	5	MEASUREMENT FROM A CORNER: 2610 FT N & 1050 FT W FM W1/4 COR, S36 LIMITATIONS: 1/40,4.5											
UMATILLA R	COLUMBIA R	ST	IR	A	10/ 1/1964	0.3200	C NENW	0	0	36	4.00N	28.00E	V
POD #:	6	MEASUREMENT FROM A CORNER: 1650 FT N & 2380 FT E FM W1/4 COR, S36 LIMITATIONS: 1/40,4.5											

PLACE OF USE INFORMATION

PRIORITY	POD #	USE	P/A/S/C	ACRES	QTR/QTR	LOT	DLC	SEC	TWNSHP	RANGE	# USERS	STATUS	REMARKS
10/ 1/1964	1	IR	P	2.200	SWSE	0	0	26	4.00 N	28.00E	0	V	
10/ 1/1964	1	IR	P	5.200	SESE	0	0	26	4.00 N	28.00E	0	V	

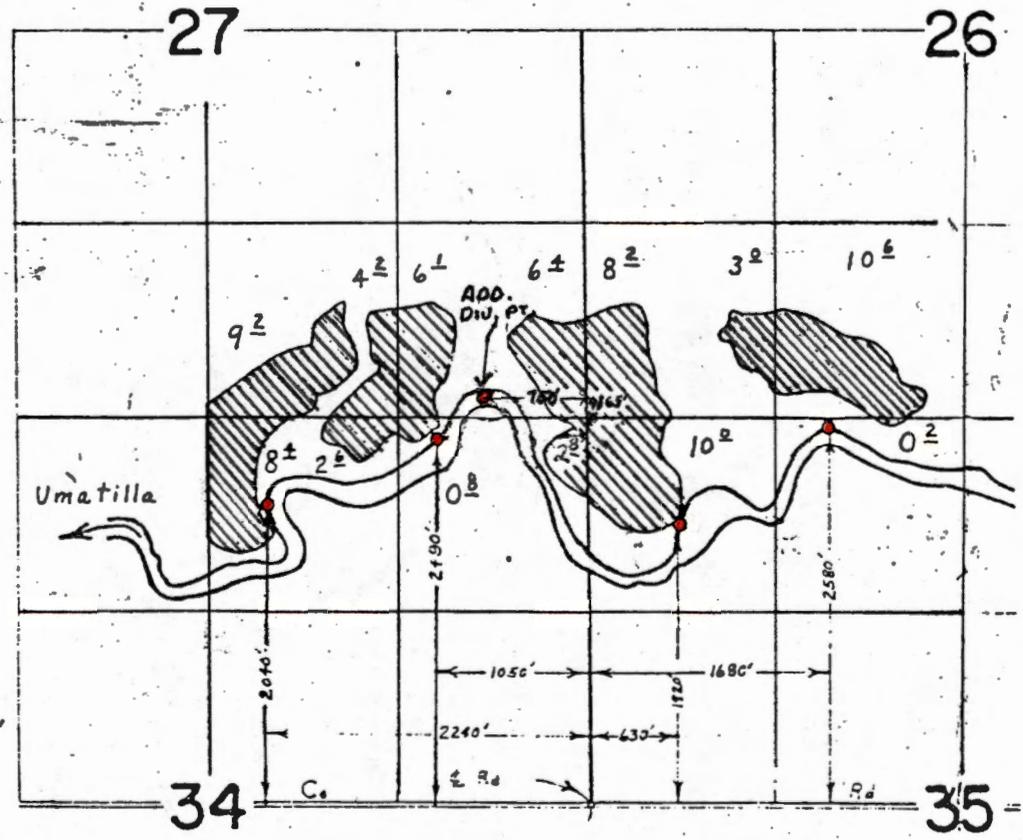
CONTINUING CERTIFICATE NO: 53262

PLACE OF USE INFORMATION

PRIORITY	POD #	USE	P/A/S/C	ACRES	@TR/@TR	LOT	DLC	SEC	TWNSHP	RANGE	# USERS	STATUS	REMARKS
10/ 1/1964	1	IR	P	0.200	NENE	0	0	35	4.00 N	28.00E	0	V	
10/ 1/1964	1	IR	P	1.700	NWNE	0	0	35	4.00 N	28.00E	0	V	
10/ 1/1964	1	IR	P	1.600	NWNE	0	0	36	4.00 N	28.00E	0	V	
10/ 1/1964	1	IR	P	9.800	NENW	0	0	36	4.00 N	28.00E	0	V	

T-5586

T.4N., R.28E., W.M.



**RECEIVED**

JAN 21 1985

**WATER RESOURCES DEPT  
SALEM, OREGON**



STATE OF OREGON  
COUNTY OF UMATILLA  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

J.R. SIMPLOT COMPANY  
P.O. BOX 218  
PENDLETON, OREGON 97801

confirms the right to use the waters of the UMATILLA RIVER, a tributary of the COLUMBIA RIVER, for the purpose of IRRIGATING 72.5 ACRES.

The right has been perfected under Permit 30078. The date of priority is OCTOBER 1, 1964. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.14 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

SE 1/4 SE 1/4, SECTION 27; NE 1/4 NE 1/4, NW 1/4 NE 1/4, SECTION 34; NE 1/4 NE 1/4, NE 1/4 NW 1/4, NW 1/4 NW 1/4, SECTION 35; NE 1/4 NW 1/4, SECTION 36, ALL WITHIN T 4 N, R 28 E, W.M.; (ADDITIONAL) - 140 FEET NORTH AND 710 FEET WEST FROM THE SE CORNER OF SECTION 27; (ORIGINALS) - 2490 FEET NORTH AND 1050 FEET WEST; 2040 FEET NORTH AND 2240 FEET WEST, BOTH FROM THE WEST 1/4 CORNER OF SECTION 35; 2610 FEET NORTH AND 1050 FEET WEST FROM THE WEST 1/4 CORNER OF SECTION 36; 2580 FEET NORTH AND 1680 FEET EAST; 1920 FEET NORTH AND 630 FEET EAST, BOTH FROM THE WEST 1/4 CORNER OF SECTION 35; 1650 FEET NORTH AND 2380 FEET EAST FROM THE WEST 1/4 CORNER OF SECTION 36.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-FORTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 4.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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

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

SW 1/4 SW 1/4	11.2 ACRES
SE 1/4 SW 1/4	10.6 ACRES
SECTION 26	
SW 1/4 SE 1/4	13.4 ACRES
SE 1/4 SE 1/4	12.5 ACRES
SECTION 27	
NE 1/4 NE 1/4	3.6 ACRES
NW 1/4 NE 1/4	11.0 ACRES
SECTION 34	
NE 1/4 NW 1/4	0.2 ACRE
NW 1/4 NW 1/4	10.0 ACRES
SECTION 35	
TOWNSHIP 4 NORTH, RANGE 28 EAST, W.M.	

SEE NEXT PAGE

T-5586.JW

The quantity of water diverted at the new point of diversion, together with that diverted at the old diversion, shall not exceed the quantity of water available at the original point of diversion.

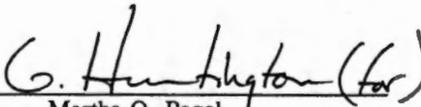
When required by the Department, the water user shall install an in-line flow meter or other suitable device for measuring and recording the quantity of water used. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under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

This certificate is issued to confirm an ADDITIONAL POINT OF DIVERSION approved by an order of the Water Resources Director entered MARCH 25, 1985 and together with certificate 53262, supersedes certificate 34389, State Record of Water Right Certificates.

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.

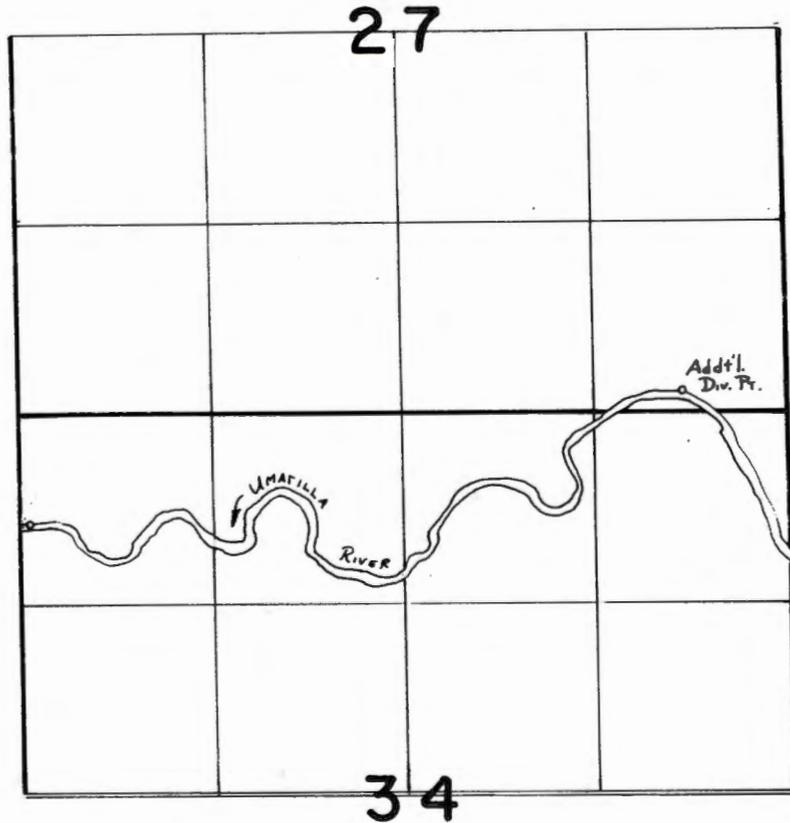
The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed JANUARY 22, 1996.

  
Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 68763.

T. 4N., R. 28E., W.M.



Add'l Div. Pt. LOCATED 140' N. & 710' W. FROM SE CORNER SECTION 27

**FINAL PROOF SURVEY**  
UNDER

**TRANSFER 5583, 5584, 5585, 5586**

IN NAME OF

.....**J. R. SIMPLOT CO.**.....

Surveyed 4-2..... 1985., by Y. L. Chynah.....



SCALE 1" = 1320'

SPECIAL ORDER V. 39 P. 101  
103  
105  
99

REPORT ON INSPECTION OF TRANSFER  
OF WATER RIGHT FOR CHANGE IN:

POD  
POU  
USE

Add'l POD

Transfer No. 5586

County Umatilla

Old Certificate No. 34389

1. Name J. R. Simplot Co

Address \_\_\_\_\_

2. Source of Water Umatilla River Trib of \_\_\_\_\_

3. Use irrigation

4. Amount of Water 1.14 cfs

5. Priority Date 10-1-1964

6. Proposed Point of Diversion SE 1/4 SE 1/4, Section 27, T4N, R 28E, WM,  
140 710 SE  
145 Ft N of 710 Ft W from SE Corner of Section 26 27

7. Completion Date Completed C Notice Received: \_\_\_\_\_

8. Place of Use: \_\_\_\_\_ Transfer Order: Vol 39, pg 105

Township	Range	Section	Forty Acre Tract	Use for Which Transfer Made
----------	-------	---------	------------------	-----------------------------

11.2 acres SW 1/4 SW 1/4  
10.6 acres SE 1/4 SW 1/4  
Section 26

13.4 acres SW 1/4 SE 1/4  
12.5 acres SE 1/4 SE 1/4  
Section 27

3.6 acres NE 1/4 NE 1/4  
11.0 acres NW 1/4 NE 1/4  
Section 34

0.2 acre NE 1/4 NW 1/4  
10.0 acres NW 1/4 NW 1/4  
Section 35

Township 4 North, Range 28 East, WM


BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

UMATILLA COUNTY

IN THE MATTER OF THE APPLICATION	)	
OF J.R. SIMPLOT COMPANY	)	
FOR APPROVAL OF AN ADDITIONAL	)	ORDER APPROVING
POINT OF DIVERSION OF WATER	)	TRANSFER 5586

On January 21, 1985, an application was filed in the office of the Water Resources Director by J.R. Simplot Company for approval of an additional point of diversion of water from Umatilla River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 34389, Volume 26, State Record of Water Right Certificates, in the name of Irvin Mann, Jr., describes a right which includes the use of not to exceed 1.14 cubic feet per second from Umatilla River for irrigation of:

11.2 acres SW 1/4 SW 1/4  
10.6 acres SE 1/4 SW 1/4  
Section 26

13.4 acres SW 1/4 SE 1/4  
12.5 acres SE 1/4 SE 1/4  
Section 27

3.6 acres NE 1/4 NE 1/4  
11.0 acres NW 1/4 NE 1/4  
Section 34

0.2 acre NE 1/4 NW 1/4  
10.0 acres NW 1/4 NW 1/4  
Section 35

Township 4 North, Range 28 East, WM

with a date of priority of October 1, 1964.

Water for the said right is diverted from points located 2040 feet North and 2240 feet West; 2490 feet North and 1050 feet West; 1920 feet North and 630 feet East; 2580 feet North and 1680 feet East; all from West Quarter Corner, Section 35; being within NE 1/4 NE 1/4, NW 1/4 NE 1/4, Section 34; NE 1/4 NW 1/4, NW 1/4 NW 1/4, Section 35; Township 4 North, Range 28 East, WM, County of Umatilla.

The applicant herein, owner of the lands above described, proposes to construct an additional point of diversion at a point located 165 feet North and 750 feet West from the Southwest Corner of Section 26, being within the SE 1/4 SE 1/4 of Section 27, Township 4 North, Range 28 East, WM. The additional point of diversion is reported to be completed.

Larry H. Nunn, Watermaster, has filed a statement to the effect that the proposed additional point of diversion may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed additional point of diversion may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the proposed additional point of diversion is approved, without loss of priority.

It is FURTHER ORDERED that the quantity of water diverted at the new point of diversion, together with that diverted at the old points of diversion, shall not exceed the quantity of water available at the old points of diversion under the subject right, and shall not exceed 1.14 cubic feet per second.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgment of the Watermaster it becomes necessary to install headgates and measuring devices:

That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

That the type and plans of the measuring device be approved by the Watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said Watermaster.

It is FURTHER ORDERED that the certificate recorded at page 34389, Volume 26, State Record of Water Right Certificates, is canceled; and in lieu thereof a new certificate be issued covering the balance of the right NOT involved in this proceeding; and upon proof satisfactory to the Water Resources Director of completion of works and beneficial use of water to the extent intended under the provisions of this order, a confirming certificate of water right shall be issued to the applicant herein.

Dated at Salem, Oregon, this 25th day of March, 1985.

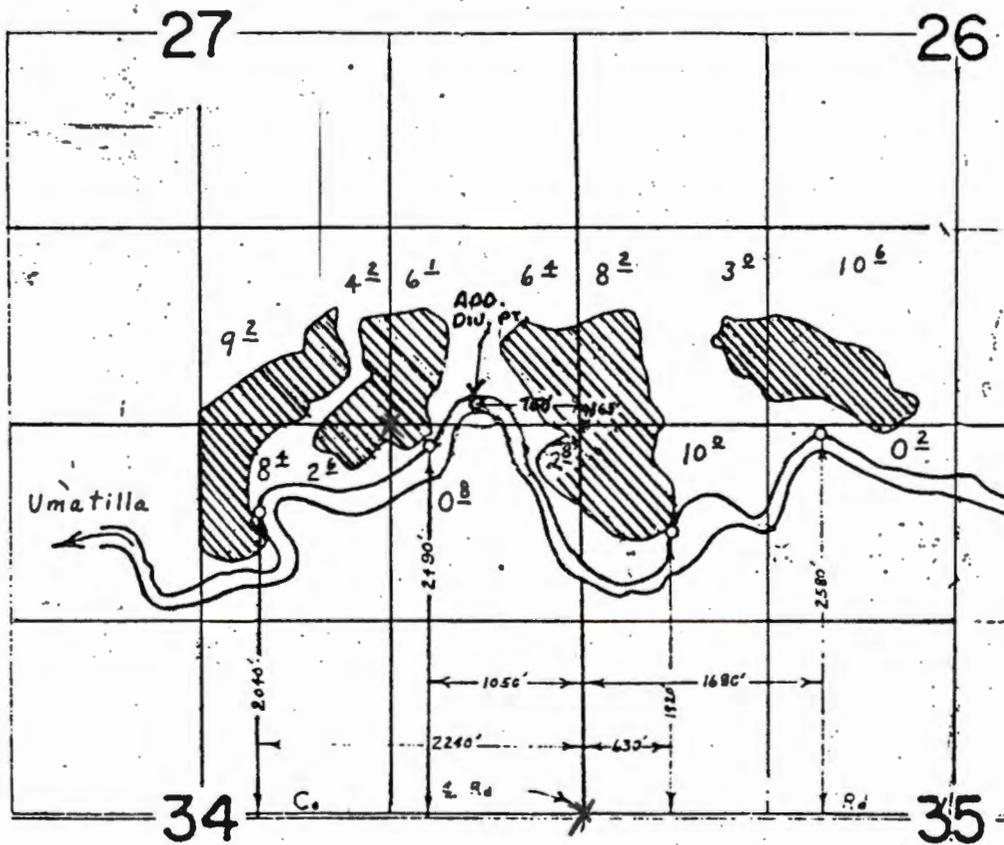
  
WILLIAM H. YOUNG, JR.  
Director

NOTE: The approval of a water right transfer application does not confirm the status of the right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

0714A  
7611C

T-5586

T. 4 N., R. 28 E., W.M.



OK  
Final  
JEX  
1/16/96

STATE OF OREGON  
COUNTY OF UMATILLA  
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

J.R. SIMPLOT COMPANY  
P.O. BOX 218  
PENDLETON, OREGON 97801

confirms the right to use the waters of the UMATILLA RIVER, a tributary of the COLUMBIA RIVER, for the purpose of IRRIGATING 72.5 ACRES.

The right has been perfected under Permit 30078. The date of priority is OCTOBER 1, 1964. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.14 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

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SE 1/4	SE 1/4	12.5	ACRES
SECTION 27			
NE 1/4	NE 1/4	3.6	ACRES
NW 1/4	NE 1/4	11.0	ACRES
SECTION 34			
NE 1/4	NW 1/4	0.2	ACRE
NW 1/4	NW 1/4	10.0	ACRES
SECTION 35			
TOWNSHIP 4 NORTH, RANGE 28 EAST, W.M.			

SEE NEXT PAGE

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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 right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

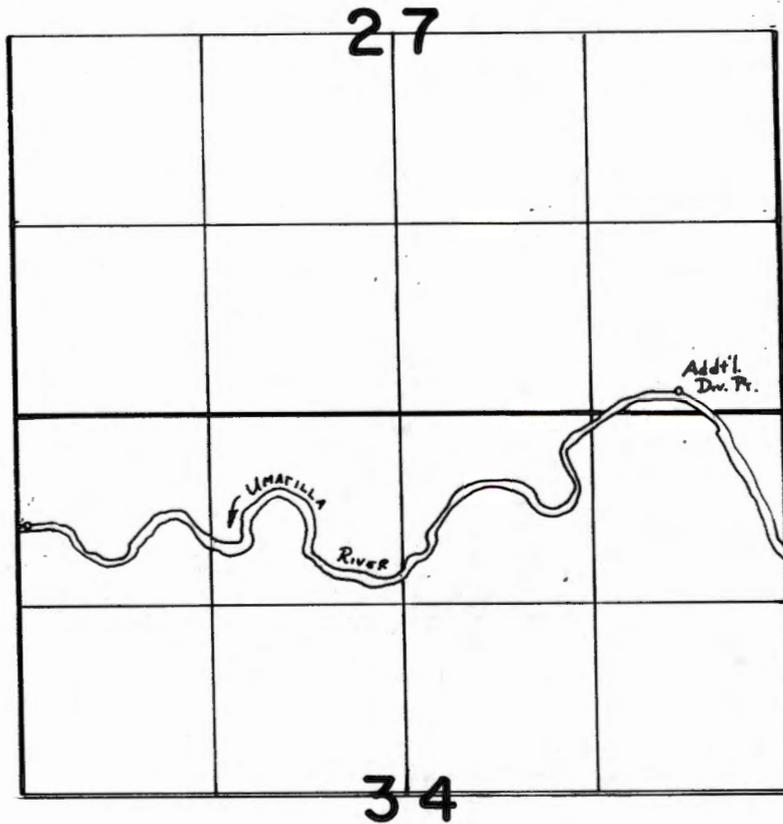
WITNESS the signature of the Water Resources Director, affixed JANUARY ,  
1996.

---

Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered XXX.

T. 4N., R. 28E., W.M.



Add'l Dw. Pt. LOCATED 140' N. & 710' W. FROM SE CORNER SECTION 27

**FINAL PROOF SURVEY**  
UNDER

SCALE 1" = 1320'

**TRANSFER 5583,5584,5585,5586**

IN NAME OF

.....**J. R. SIMPLOT CO.**.....

Surveyed 4-2..... 1985., by V.L.C.

SPECIAL ORDER V.39 P.101  
103  
105  
99

T-5585

Info: J. R. Simplot Co. P.O. Box 1059 Caldwell, Idaho 83605 phone 567-9733

talked Ed Hounshell Mr. Hounshell claims that the add'l div. pt. in SE<sup>1</sup>/<sub>4</sub>SE<sup>1</sup>/<sub>4</sub> is a rented pump & motor. This is a diesel 135HP 8"X6" 1400rpm 8 cyd. The other add'l div. pt. is in NW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub> Sec. 34 This pump is diesel pump 40HP Yanovski 3cyl. 4"X3" 500rpm.

The pt. in SESE is taped directly into the mainline. The other pt is used basely for NW NW field.

TIE: F.P. 224L 223L FL3-12

LIFT: +20

*John Chubb*

4-2-85

Note: Ask Mr. Hounshell for the rent bills.

There is no flow measurement device required at this time.

I guess NW<sup>1</sup>/<sub>4</sub>NW<sup>1</sup>/<sub>4</sub><sup>div. pt.</sup> was not included in any of the transfers. It was just shown on transfer map 5585

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

UMATILLA COUNTY

IN THE MATTER OF THE APPLICATION )  
OF J.R. SIMPLOT COMPANY ) ORDER APPROVING  
FOR APPROVAL OF AN ADDITIONAL ) TRANSFER 5586  
POINT OF DIVERSION OF WATER )

On January 21, 1985, an application was filed in the office of the Water Resources Director by J.R. Simplot Company for approval of an additional point of diversion of water from Umatilla River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 34389, Volume 26, State Record of Water Right Certificates, in the name of Irvin Mann, Jr., describes a right which includes the use of not to exceed 1.14 cubic feet per second from Umatilla River for irrigation of:

11.2 acres SW 1/4 SW 1/4  
10.6 acres SE 1/4 SW 1/4  
Section 26

13.4 acres SW 1/4 SE 1/4  
12.5 acres SE 1/4 SE 1/4  
Section 27

3.6 acres NE 1/4 NE 1/4  
11.0 acres NW 1/4 NE 1/4  
Section 34

0.2 acre NE 1/4 NW 1/4  
10.0 acres NW 1/4 NW 1/4  
Section 35

Township 4 North, Range 28 East, WM

with a date of priority of October 1, 1964.

Water for the said right is diverted from points located 2040 feet North and 2240 feet West; 2490 feet North and 1050 feet West; 1920 feet North and 630 feet East; 2580 feet North and 1680 feet East; all from West Quarter Corner, Section 35; being within NE 1/4 NE 1/4, NW 1/4 NE 1/4, Section 34; NE 1/4 NW 1/4, NW 1/4 NW 1/4, Section 35; Township 4 North, Range 28 East, WM, County of Umatilla.

The applicant herein, owner of the lands above described, proposes to construct an additional point of diversion at a point located 165 feet North and 750 feet West from the Southwest Corner of Section 26, being within the SE 1/4 SE 1/4 of Section 27, Township 4 North, Range 28 East, WM. The additional point of diversion is reported to be completed.

Superseded by  
Cert. No. 55262

STATE OF OREGON

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

This Is to Certify, That IRVIN MANN, JR.

of Route 2, Stanfield, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Umatilla River

a tributary of Columbia River for the purpose of irrigation of 93.2 acres

under Permit No. 30078 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from October 1, 1964

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 1.46 cubic feet per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NE $\frac{1}{4}$  NE $\frac{1}{4}$ , NW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 34; NE $\frac{1}{4}$  NE $\frac{1}{4}$ , NE $\frac{1}{4}$  NW $\frac{1}{4}$ , NW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 35; NE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 36, T. 4 N., R. 28 E., W. M.

Diversion points located below:

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-fortieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed  $\frac{1}{2}$  acre feet per acre for each acre irrigated during the irrigation season of each year;

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

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

- |  |   |
|--|---|
| 11.2 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$                               | 0.2 acre <del>NE<math>\frac{1}{4}</math> NE<math>\frac{1}{4}</math></del>   |
| 10.6 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$                               | 1.7 acres <del>NW<math>\frac{1}{4}</math> NE<math>\frac{1}{4}</math></del>  |
| <del>2.2 acres SW<math>\frac{1}{4}</math> SE<math>\frac{1}{4}</math></del> | 0.2 acre <del>NE<math>\frac{1}{4}</math> NW<math>\frac{1}{4}</math></del>   |
| <del>5.2 acres SE<math>\frac{1}{4}</math> SE<math>\frac{1}{4}</math></del> | 10.0 acres <del>NW<math>\frac{1}{4}</math> NW<math>\frac{1}{4}</math></del> |
| Section 26   | Section 35  |
| 13.4 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$                               | <del>1.6 acres NW<math>\frac{1}{4}</math> NE<math>\frac{1}{4}</math></del>  |
| 12.5 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$                               | <del>9.8 acres NE<math>\frac{1}{4}</math> NW<math>\frac{1}{4}</math></del>  |
| Section 27   | Section 36  |
| 3.6 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$                                | T. 4 N., R. 28 E., W. M.  |
| 11.0 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$                               |   |
| Section 34   |   |

Diversion points located: 2040 feet North and 2240 feet West; 2490 feet North and 1050 feet West; 1920 feet North and 630 feet East; 2580 feet North and 1680 feet East; all from the W $\frac{1}{4}$  Corner, Section 35; 2610 feet North and 1050 feet West; 1650 feet North and 2380 feet East; both from the W $\frac{1}{4}$  Corner, Section 36.

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

WITNESS the signature of the State Engineer, affixed

this date. October 24, 1967

CHRIS L. WHEELER  
State Engineer

OK  
FINAL  
RET 1/8/96

STATE OF OREGON

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

J.R. SIMPLOT COMPANY  
P.O. BOX 218  
PENDLETON, OREGON 97801

DRAFT

confirms the right to use the waters of the UMATILLA RIVER, a tributary of the COLUMBIA RIVER, for the purpose of IRRIGATING 72.5 ACRES.

OLD WORKING

The right has been perfected under Permit 30078. The date of priority is OCTOBER 1, 1964. The right is limited to not more than 1.14 CUBIC FEET PER SECOND ~~IF AVAILABLE AT THE ORIGINAL POINTS OF DIVERSION~~ or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

LEAVE LIKE THIS

SE 1/4 SE 1/4, SECTION 27, NE 1/4 NE 1/4, NW 1/4 NE 1/4, SECTION 34, NE 1/4 NE 1/4, NE 1/4 NW 1/4, NW 1/4 NW 1/4, SECTION 35; NE 1/4 NW 1/4, SECTION 36, T 4 N, R 28 E, W.M.; (ADDITIONAL) - 140 FEET NORTH AND 710 FEET WEST FROM THE SE CORNER OF SECTION 27; (ORIGINALS) - 2490 FEET NORTH AND 1050 FEET WEST; 2040 FEET NORTH AND 2240 FEET WEST; BOTH FROM THE WEST 1/4 CORNER OF SECTION 35; 2610 FEET NORTH AND 1050 FEET WEST FROM THE WEST 1/4 CORNER OF SECTION 36; 2580 FEET NORTH AND 1680 FEET EAST; 1920 FEET NORTH AND 630 FEET EAST; BOTH FROM THE WEST 1/4 CORNER OF SECTION 35; 1650 FEET NORTH AND 2380 FEET EAST FROM THE WEST 1/4 CORNER OF SECTION 36.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-FORTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 4.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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

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

SW 1/4 SW 1/4	11.2 ACRES
SE 1/4 SW 1/4	10.6 ACRES
SECTION 26	
SW 1/4 SE 1/4	13.4 ACRES
SE 1/4 SE 1/4	12.5 ACRES
SECTION 27	
NE 1/4 NE 1/4	3.6 ACRES
NW 1/4 NE 1/4	11.0 ACRES
SECTION 34	
NE 1/4 NW 1/4	0.2 ACRE
NW 1/4 NW 1/4	10.0 ACRES
SECTION 35	
TOWNSHIP 4 NORTH, RANGE 28 EAST, W.M.	

DRAFT

SEE NEXT PAGE

This certificate is issued to confirm an ADDITIONAL POINT OF DIVERSION approved by an order of the Water Resources Director entered MARCH 25, 1985 and together with certificate 53262, supersedes certificate 34389, State Record of Water Right Certificates.

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 right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed this date .

Water Resources Director

Recorded in State Record of Water Right Certificates numbered

T-5586.JW

MACRO : N-0  
SMD-1

DRAFT

DRAFT

## STATE OF OREGON

COUNTY OF

UMATILLA

## CERTIFICATE OF WATER RIGHT

**This Is to Certify, That** IRWIN MANN, JR.

of Route 2, Stanfield, State of Oregon 97383, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Umatilla River

a tributary of Columbia River for the purpose of irrigation of 20.7 acres

under Permit No. 30078 and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from October 1, 1964

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.32 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NE 1/4 NE 1/4, NW 1/4 NE 1/4, Section 34; NE 1/4 NE 1/4, NE 1/4 NW 1/4, NW 1/4 NW 1/4, Section 35; NE 1/4 NW 1/4, Section 36, T4N, R28E, WM; Diversion points located below:

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-fortieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 4 1/2 acre-feet per acre for each acre irrigated during the irrigation season of each year,

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

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

SEE NEXT PAGE

2.2 acres SW 1/4 SE 1/4  
5.2 acres SE 1/4 SE 1/4  
Section 26  
0.2 acre NE 1/4 NE 1/4  
1.7 acres NW 1/4 NE 1/4  
Section 35  
1.6 acres NW 1/4 NE 1/4  
9.8 acres NE 1/4 NW 1/4  
Section 36

Township 4 North, Range 28 East, WM

Diversion points located: ~~2040 feet North and 2240 feet West; 2490 feet North and 1050 feet West; 1920 feet North and 630 feet East; 2580 feet North and 1680 feet East; all from the West quarter Corner, Section 35; 2610 feet North and 1050 feet West; 1650 feet North and 2380 feet East; both from the West quarter Corner, Section 36.~~

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 34389, Volume 26, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on March 25, 1985, approving transfer application No. 5586.

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 purposes aforesaid is restricted to the lands or place of use herein described. and is subject to minimum flows established by the Water Policy Review Board with an effective date prior to this right.*

*WITNESS the signature of the Water Resources Director, affixed*

*this date. July 10, 1985*

/s/ William H. Young

*Water Resources Director*

Recorded in State Record of Water Right Certificates, Volume 48 , page 53262

Larry H. Nunn, Watermaster, has filed a statement to the effect that the proposed additional point of diversion may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed additional point of diversion may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the proposed additional point of diversion is approved, without loss of priority.

It is FURTHER ORDERED that the quantity of water diverted at the new point of diversion, together with that diverted at the old points of diversion, shall not exceed the quantity of water available at the old points of diversion under the subject right, and shall not exceed 1.14 cubic feet per second.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgment of the Watermaster it becomes necessary to install headgates and measuring devices:

That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

That the type and plans of the measuring device be approved by the Watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said Watermaster.

It is FURTHER ORDERED that the certificate recorded at page 34389, Volume 26, State Record of Water Right Certificates, is canceled; and in lieu thereof a new certificate be issued covering the balance of the right NOT involved in this proceeding; and upon proof satisfactory to the Water Resources Director of completion of works and beneficial use of water to the extent intended under the provisions of this order, a confirming certificate of water right shall be issued to the applicant herein.

Dated at Salem, Oregon, this 25th day of March, 1985.

  
WILLIAM H. YOUNG,  
Director

NOTE: The approval of a water right transfer application does not confirm the status of the right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

0714A  
7611C

T-5586

RECEIVED

JAN 31 1985

WATER RESOURCES DEPT  
SALEM, OREGON

# Application for Transfer of Water Right

To the WATER RESOURCES DIRECTOR OF OREGON:

I, J. R. Simplot Co., by Corey, Byler, Rew, Lorenzen & Hojem  
(Name of applicant)

of 222 S. E. Dorion, Pendleton  
(Mailing address) (City)

State of Oregon, 97801, 276-3331, do hereby make application for change  
(Zip Code) (Phone number)

### Additional Point of Diversion

(In point of diversion; place of use; use heretofore made of the water)

1. Is the water right recorded in your name? No, Irvin Mann, Jr.  
(If not, give name)

2. Was your water right determined by Decree of Court? No If so, give title of proceedings  
(Yes or No)  
..... number of certificate .....

3. Was your water right acquired by Water Right Permit? Yes If so, give number  
(Yes or No)  
of permit 30078 Number of certificate 34389

NOTE: If the entire right of record is not directly involved in the requested change, only that part of the right that is directly involved should be considered in answering the balance of the questions on this form.

4. The source of water is Umatilla River

5. What is the date of priority of your water right? October 1, 1964

6. The authorized point of diversion is located SEE ATTACHED SHEET ft. and ..... ft. from the .....  
(N. or S.) (E. or W.)

corner of ..... being within the ..... 1/4 ..... 1/4 of Section ..... Tp. .... R. .... W. M.,  
(No. N. or S.) (No. E. or W.)

in the county of ..... The name of the ditch used is .....

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

7. The proposed /additional point of diversion is located 165 ft. N and 750 ft. W from the SW  
(N. or S.) (E. or W.)  
corner of Sec. 26 being within the SE 1/4 SE 1/4 of Section 27 Tp. 4N R. 28E W. M.,  
(No. N. or S.) (No. E. or W.)  
in the county of Umatilla The name of the ditch to be used is .....

**RECEIVED**

JAN 21 1985

**WATER RESOURCES DEPT  
SALEM, OREGON**

7-5586

8. The use to which the water is applied is Irrigation  
(Irrigation, Mining, Power, Manufacturing, etc.)

Location of area irrigated, or place of use if other than irrigation:

Township North or South	Range E. or W. of Willamette Meridian	Section	List ¼-¼ of Section	Number Acres Irrigated
4N	28E	26	SE¼SW¼	10.6
			SW¼SW¼	11.2
		27	SE¼SE¼	12.5
			SW¼SE¼	13.4
		34	NW¼NE¼	11.0
			NE¼NE¼	3.6

(If more space required, attach separate sheet)

Continued

9. Are you the legal owner of the above described lands? Yes  
(If not owner, explain your interest)

10. To your knowledge, has any portion of the water right above described undergone a period of five or more consecutive years of nonuse? No  
(Yes or No)

NOTE: Answer questions 11, 12 and 13 if application is for change in use or place of use.

11. Are the lands from which you propose to transfer your water right free of all encumbrances, including taxes, mortgages, liens, etc.? .....  
(Answer Yes or No)

12. If not, give below a description of existing encumbrances:

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT

13. The use to which the water is to be applied is .....  
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

Location of area to be irrigated, or place of use if other than irrigation:

Township North or South	Range E. or W. of Willamette Meridian	Section	List ¼-¼ of Section	Number Acres To Be Irrigated

(If more space required, attach separate sheet)

**RECEIVED**

JAN 21 1985

**WATER RESOURCES DEPT  
SALEM, OREGON**

14. Reasons for the proposed changes are Company wishes to have a more localized point of diversion. Changes in river channel makes new point of diversion more appropriate.

15. Construction work will be completed on or before Completed.

16. The water will be completely applied to the proposed use on or before \_\_\_\_\_

Remarks \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**NOTE: THIS APPLICATION MUST BE ACCOMPANIED BY A MAP OR MAPS SHOWING THE BEFORE AND AFTER LOCATIONS OF THE POINT OF DIVERSION AND/OR PLACE OF USE, AS THE CASE MAY BE.**

**AFFIDAVIT OF APPLICANT**

I, David B. Landon, for J. R. Simplot Company, the applicant herein, being first duly sworn, depose and say that I have read the above and foregoing application for transfer of water right; that I know the contents thereof and that the statements therein made are true and correct to the best of my knowledge and belief.

In Witness Whereof, I have hereunto set my hand this 11th day of December, 1984..

David B. Landon  
(Name of applicant)

Subscribed and sworn to before me this 11th day of December, 1984

[Notarial Seal]

Willard C. Moore  
NOTARY PUBLIC FOR OREGON

My commission expires 12/04/88



**RECEIVED**

JAN 21 1985

**WATER RESOURCES DEPT  
SALEM, OREGON**

T-5586

#6

2040' N. & 2240' W; 2490' N & 1050' W; 1920' N & 630' E;  
2580' N. & 1680' E; all from W $\frac{1}{4}$  corner, Sec. 35; being within  
NE $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ NE $\frac{1}{4}$ , Sec. 34; NE $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$  Sec. 35; T4N, R28E. WM,  
County of Umatilla.

**RECEIVED**

JAN 21 1985

**WATER RESOURCES DEPT  
SALEM, OREGON**

T-5586

#8.

T4N

R28E

Sec. 35

NW $\frac{1}{4}$ NW $\frac{1}{4}$   
NE $\frac{1}{4}$ NW $\frac{1}{4}$

10.0  
0.2

**RECEIVED**

JAN 21 1985

**WATER RESOURCES DEPT  
SALEM, OREGON**

# STATE OF OREGON

COUNTY OF **UMATILLA**

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That **IRVIN MANN, JR.**

of **Route 2, Stanfield**, State of **Oregon**, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of **Umatilla River**

a tributary of **Columbia River** for the purpose of irrigation of ~~93.2~~ **20.7** acres

under Permit No. **30078** of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from **October 1, 1964**

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed ~~1.46~~ **0.32** cubic feet per second

**0.32**

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the **NE 1/4 NE 1/4, NW 1/4 NE 1/4, Section 34; NE 1/4 NE 1/4, NE 1/4 NW 1/4, NW 1/4 NW 1/4, Section 35; NE 1/4 NW 1/4, Section 36, T. 4 N., R. 28 E., W. M.**

Diversion points located below:

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to **one-fortieth** of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed **4 1/2** acre feet per acre for each acre irrigated during the irrigation season of each year;

and shall

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

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

$$\frac{1.46}{93.2} = \frac{1.14}{72.5} = \frac{0.32}{20.7}$$

- ~~11.2 acres SW 1/4 SW 1/4~~ ~~11.2~~ **0.2 acre NE 1/4 NE 1/4**
- ~~10.6 acres SE 1/4 SW 1/4~~ ~~10.6~~ **1.7 acres NW 1/4 NE 1/4**
- 2.2 acres SW 1/4 SE 1/4** ~~0.2 acre NE 1/4 NW 1/4~~ ~~0.2~~
- 5.2 acres SE 1/4 SE 1/4** ~~10.0 acres NW 1/4 NW 1/4~~ ~~10.0~~
- Section 26** **Section 35**
- ~~13.4 acres SW 1/4 SE 1/4~~ ~~13.4~~ **1.6 acres NW 1/4 NE 1/4**
- ~~12.5 acres SE 1/4 SE 1/4~~ ~~12.5~~ **9.8 acres NE 1/4 NW 1/4**
- ~~Section 27~~ **Section 36**
- ~~3.6 acres NE 1/4 NE 1/4~~ ~~3.6~~ **T. 4 N., R. 28 E., W. M.**
- ~~11.0 acres NW 1/4 NE 1/4~~ ~~11.0~~
- ~~Section 34~~

Diversion points located: **2040 feet North and 2240 feet West; 2490 feet North and 1050 feet West; 1920 feet North and 630 feet East; 2580 feet North and 1680 feet East; all from the W 1/4 Corner, Section 35; 2610 feet North and 1050 feet West; 1650 feet North and 2380 feet East; both from the W 1/4 Corner, Section 36.**

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page **34389**, Volume **26**, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on **March 25**, 19**85**, approving transfer application No. **5586**.

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.

**53262**

**T-5586**

*9080*

UMATILLA R

WF T-0982-C1

\*\*\* OREGON WATER RESOURCES DEPARTMENT \*\*\*  
 \*\*\* WATER RIGHTS DIVISION \*\*\*  
 \*\*\* WATER RIGHT DATA INPUT FORM \*\*\*

PAGE 1  
 RUN ON: 3/20/81 AT: 9:08

WATER RIGHT NO. T000055861 PERMIT NO. 030078 CERTIF. NO.  
 ORIG. NO. A000403331 PREV. NO. A000403331 SUPER. NO.

NAME: J.R. SIMPLOT CO  
 ADDRESS: PO Box 218  
 CITY/STATE/ZIP/COUNTY: PENDLETON, OR 97801 30

STREAM-ID 07 2520 RIV. MI. WM. DIST. 05 W.R. TYPE SA STATUS V

CANCEL YEAR---->	CONSTR. COMPLT--> 03 25 1985	YR. LAST USED----->	---	NEXT ACTION DUE-->	---
PRIORITY-----> 10 01 1964	PUT TO USE-----> 03 25 1985	LAST TRANS. DATE-->	---	LAST TRANS. TYPE-->	---
APPLICATION----> 01 21 1985	SURVEYED----->	EXAM. FEE----->	50.00	RECORDING FEE---->	35.00
PERMIT ISSUE--> 03 25 1985	CONCURRENCE----->	CYCLE STATUS----->	---	REPORTED FLAG---->	---
CONSTR. STRT.--> 03 25 1985	CERTIFIED----->	CORRES. INIT.----->	---	CORRES. DATE----->	---

POINT-OF-DIVERSION DATA;  
 TWNSP RNGE SECT QTR/QTR STREAM-ID

14N R28E	34	A	A	07	2520
	34	A	B		
	35	B	A		
	35	B	B		
	27	D	D		

PLACE-OF-USE DATA:  
 TWNSP RNGE SECT QTR/QTR CNTY USE % CNSMTV ACRES STATUS S OR P

RIV. MI. RATE STATUS S OR P  
 1.140 V P

\*\* REMARKS; - - - - -  
 \*\* DATED-->  
 \*\* EXISTING POD'S: 1) 2050' N & 2240' W; 2) 2490' N & 1050' W; 3) 1920' N & 630' E; 4) 2580' N & 1680' E;  
 \*\* ALL FM W/4 COR S 35. PROPOSED  
 \*\* ADDITIONAL POD: 165' N & 750' W  
 \*\* FM S/N COR S 26. ADDS POD TO C-34389.

W.R.I.S.  
 Approved 1-21-85 by SSA  
 Elected \_\_\_\_\_  
 Verified \_\_\_\_\_ by \_\_\_\_\_



378-3066

March 26, 1985

J.R. Simplot Company  
Corey, Byler, Rew, Lorenzen and Hojem  
PO Box 218  
Pendleton, OR 97801

REFERENCE: Files T-5583, T-5584, T-5585 and T-5586

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

If you require a certified copy of this order for business purposes, one will be sent upon request.

A survey will be made after the completion date to determine the actual amount of water used.

Sincerely,

SAMUEL R. ALLISON  
Supervisor  
Transfer Section

SRAwpc

enclosures

cc: Larry H. Nunn, Watermaster, District 5

0570C  
7703C

T-5586



STATE OF OREGON

INTEROFFICE MEMO

TO: TRANSFER SECTION, WATER RIGHTS DIVISION

DATE: January 22, 1985

FROM: WATERMASTER, DISTRICT 5

(signature) *[Handwritten Signature]*

SUBJECT: Water Right Transfer Application 5586 For Change In POU POD USE Of Water  
In The Name(s) of J.R. Simplot Co. by Corey, Byler, Rew, Lorenzen & Hojem

Additional

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

MAY 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 water 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 of diversion between the authorized and proposed points of diversion? NO  
(yes or no)

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:

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

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



Contains Recycled Materials  
81-125-1387

378-3066

February 1, 1985

East Oregonian  
PO Box 1089  
Pendleton, OR 97801

REFERENCE: Files T-5583, T-5584 and T-5585

Enclosed is a notice for publication in the February 8, 15, and 22, 1985 issues of your newspaper.

If, for any reason, the notice cannot be published on the three dates specified above, please return it to this office.

Upon completion, please forward an affidavit of publication and statement for this service to this office.

Sincerely,

SAMUEL R. ALLISON  
Supervisor  
Transfer Section

SRAwpc  
cc: Dennis Hunt  
Larry H. Nunn, Watermaster, District 5

enclosure  
0435A  
6801C

February 1, 1985

Dennis Hunt  
Corey, Byler, Rew, Lorenzen and Hojem  
PO Box 218  
Pendleton, OR 97801

REFERENCE: Files T-5583, T-5584, T-5585 and T-5586

J.R. Simplot's amended Water Right Transfer Applications were received on January 31, 1985.

Oregon Water Law, ORS 540.520(2), requires that notice of your proposed water right transfer be published once each week for three consecutive weeks in a newspaper that is printed and has general circulation in the county where the water right is located.

T-5586 need not be published.

The newspaper publication dates for your proposed transfer are given on the attached sheets.

If protests are filed, a hearing will be set, and a determination by the Water Resources Director will be made, then the transfer approved or denied within 60 days from the date the hearing is held.

Sincerely,

SAMUEL R. ALLISON  
Supervisor  
Transfer Section

SRA:wp  
cc: Larry H. Nunn, Watermaster, District 5

0949B  
6801C

January 24, 1985

Dennis R. Hunt  
Corey, Byler, Rew, Lorenzen and Hojem  
PO Box 218  
Pendleton, OR 97801

Dear Mr. Hunt:

REFERENCE: Files T-5583, T-5584, T-5585 and T-5586 (Simplot)

Four Water Right Transfer Applications for approval of changes in point of diversion of water from Umatilla River, together with supporting data and fees in the amount of \$640, were received on January 21, 1985. Our Receipts 45306, 45307, 45308 and 45309 are enclosed.

I am returning all four applications for amendment. Most of the requests are for clarification.

On T-5583, Certificate 51479 has been issued for the right involved. This should be entered in Item 3. In Item 7, the "1/4" should be removed from the Southwest Corner blank. Quarter Corners are directly east and west, and directly north and south from the center of a section. The NE, NW, SW and SE Section Corners do not take the "1/4" designation. The same comment holds for the other three applications. Certificate 51479 shows 16.9 acres in NW 1/4 NW 1/4 of Section 34, instead of 18.0 acres. Please correct Item 8.

On T-5584, the authorized point of diversion, according to Certificate 51354, is 740 feet South. This appears to be the same point as on T-5583 (Certificate 51479), which lists the point of diversion as 750 feet South. Please check with Vern Church at the Watermaster's office to see if there are two points, or if one should be corrected.

On T-5585, the call out for Item 6 should be from the "S" not "5" 1/4 Corner.

On T-5586, there are no corrections except for Item 7.

By copy of this letter, we are asking the Watermaster for his usual report regarding the proposed changes.

Dennis R. Hunt  
January 24, 1985  
Page 2

When examination of the applications and supporting data has been completed, you will be advised of any matters requiring your further attention prior to consideration of the applications for approval.

Please refer any correspondence to Files T-5583, T-5584, T-5585 and T-5586.

Sincerely,

SAMUEL R. ALLISON  
Supervisor  
Transfer Section

SRA:wpc

cc: Larry H. Nunn, Watermaster, District 5

enclosure

0056/E  
6621C



TOWNSHIP <u>4N</u> RANGE <u>28E</u> W. M. # <u>1</u> SECTION <u>27</u>																		
NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
INCHDATE <del>13 20</del> INCHDATE <del>13 20</del> Decree, Vol. <del>3</del> Page <del>231</del> * <del>Other</del> Decree, Vol. <u>8</u> Page <u>243</u> USA																		
(Priority Sept 1905 198 Acres)																		
<del>RETRACTED</del>																		
40																		
70																		
11 38 <sup>72</sup>																		
40 <sup>0</sup>																		
40 <sup>0</sup> 38 <sup>77</sup>																		
0 <sup>3</sup>																		
13 <sup>4</sup> 12 <sup>5</sup>																		
40 38 <sup>71</sup>																		
0 <sup>4</sup> 32 <sup>2</sup> 33 <sup>2</sup> 0 <sup>1</sup> 0 <sup>3</sup>																		
0 <sup>2</sup> 2 <sup>8</sup> Food																		
5 <sup>8</sup> 15 <sup>2</sup>																		
8 <sup>3</sup> 4 <sup>4</sup>																		
U-349 U-324 20048																		
G-290 G-461 CANCELLED																		
G-955 G-1019 CANCELED																		
G-965 <sup>Supp</sup> G-1019 com VIZ P511																		
G-2352 G-2225 CANCELED																		
G-2929 G-2718 51480																		
T-5586 40333 30078 34389																		
G-3368 G-3173 CANCELLED																		
G-5599 G-5045 39547																		
T-5587 50534 37853 51479																		
G-7168 G-7077 51607																		

TOWNSHIP <u>4N</u> RANGE <u>28E</u> W. M. # <u>2</u> SECTION <u>27</u>																		
NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
INCREASE IN LOT OR LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT, IF OTHER THAN 40 ACRES																		
2 <sup>8</sup> 13 <sup>2</sup> 11 <sup>2</sup>																		
32 <sup>0</sup> 22 <sup>6</sup>																		
Food Proc.																		
2 17 <sup>2</sup> 19 12 <sup>4</sup>																		
32 <sup>0</sup> 28 <sup>0</sup>																		
Food Proc. 2																		
32 <sup>2</sup> 28 <sup>0</sup>																		
Ind																		
0 <sup>9</sup>																		
G-7168 G-7077 51607																		
G-7602 G-8087 CANCELED																		
G-8697 G-8298 52678																		
SUPPL G-8697 G-8296 52678																		
G-9433 G-8667 CANCELED																		
G-9698 G-9009 52679																		
G-10408 G-9456																		
G-10677 REJECT 2																		
G-11291 8																		

TOWNSHIP <u>4 N</u> RANGE <u>28 E</u> W. M. <u>Card #1</u>												SECTION <u>34</u>						
NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
						26	27									7975	5261	8407
Cancelled - sp. or Rec. Vol. 30 P. 106				25 26 27 28												1189	545	767
Cancelled - sp. or Rec. Vol. 30 P. 106								205 2 305								1192	550	764
				40 40 40 40				25 40 35 35								9668	7400	
				30 30 20 20												13204	9451	10556
								32 31 34 35								9668	7400	
INCHDATE 02 21 94 25																INCHDATE Decree, Vol. 2 Page 231 X Dillon		
				30 30 30				10 20 10								Decree, Vol. 3 Page 247 X Westland		
				INCHDATE 1650 1718												INCHDATE Decree, Vol. 3 Page 247 X Westland		
				20 20												Supplemental 1718 12847 14165		
32 31 34 35																Supplemental 17617 13306 14346		
82 102				182 245								172				Findings, Vol. 15 Page 431 Decree, Vol. 6 Page 457 Dillon		
32 112																T-5583 40333 30078 34389		

TOWNSHIP <u>4 N</u> RANGE <u>28 E</u> W. M. <u>Card #2</u>												SECTION <u>34</u>						
NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
ACREAGE IN LOT OR LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT, IF OTHER THAN 40 ACRES																		
				132 122												T-5584 T-3026 43651	32631	51354 38292
				92 162												T-5583 50554	37853	51479
								Road Cont'd				Road Cont'd				52476	37450	CANCELED
								162				152 62 302 102 102				53080	42204	
02 25																G-7168	G-7077	51607
27 0				152 18												G-7168	G-7077	51607
								162				152 62 302 102 102				G-8236	67614	
								-302 -302				-302 -102 -202 -102				T-3011	(V3, P247)	
22 102				132 162												G-8697	G-8298	52678
172								143								G-6409	G-6730	49883
27 112				14 162												G-9698	G-9009	52679
02 12				02												G-11291		8
04 11				06												G-8697	G-8298	52678

