

Name Lower Valley Water Imp. Dist.
 By Dale Johnson
 Address 77583 Hwy 82
Walla Walla, OR 97885

7473

DESCRIPTION OF WATER RIGHT

Change in POD
 Date filed 1-11-96
 Date of hearing _____
 Place of hearing _____
 Date of order 10/28/96 Vol. 50, page 717
 Date for application of water 10-1-98
 Proof mailed _____
 Proof received _____
 Certificate issued _____ Vol. _____, page 72990
72625

Name of stream Walla Walla River
 Trib. of GRANDE RONDE County of Walla Walla
 Use irrigation
 Quantity of water _____ No. of acres _____
 Name of ditch Weaver-Johnson
 Date of priority 3067-1887 3068-1900 3177-1897 & 1905
 In name of ERNEST F. Johnson, Joseph F. Johnson, Elijah D. Weaver
 Adjudication, Vol. 5, page 200
 App. No. 6926 6927 13501 Per. No. D-3067 4374 D-3068 4375 D-3177 9691 Cert. No. 3067 8699 3068 8700 3177 8701 8771
 Certificate cancelled _____
 Notation made on record by Ju DB
FPD

FEEES PAID

Date	Amount	Receipt No.
1-11-96	\$ 167.00	131987
<u>2/28/96</u>	<u>85.00</u>	<u>000117</u>
<u>4/23/96</u>	<u>250.00</u>	<u>001703</u>
TOTAL		see below
	Cert. Fee	

FEEES REFUNDED

Date	Amount	Check No.
<u>9-2-99</u>	<u>250.00</u>	<u>009994</u>

Date	Amount	Receipt No.

REMARKS

CBU due: 2-5-98

ID - same applicant / RALPH W. Swinehart CWRE

T-8805 Δ use / Pod / POD

CHECK-OFF LIST

- (/) CONTENTS CODED (/
- (/) CONTENTS COPIES (/
- (/) CERTIFICATE MARKED (/
- (/) CERTIFICATE COPIED (/
- (/) DECREE MARKED (VAULT) (/
- (/) DECREE PAGE COPIED (MICRO-FISCHE). (/
- (/) TRANSFER FOLDER MARKED (/
- (/) PERMIT FOLDER MARKED & ATTACHED (/
- (/) NAME CARD MADE (/
- (/) STREAM CARD MADE (/
- (/) CALENDAR CARD MADE (/
- (/) ENTERED IN LOG (/
- () PLAT CARD MARKED (
- () PLAT CARD COPIED (
- () ACKNOWLEDGEMENT DRAFTED (
- () ACKNOWLEDGEMENT & RECEIPT MAILED (
- () PON DRAFTED (
- () PON MAILED (
-) W/M REPORT SENT/DATE----- (
-) W/M REPORT REC'D/DATE----- (
-) GW REPORT SENT/DATE----- (
-) GW REPORT RECEIVED/DATE----- (

STATE OF OREGON

COUNTY OF WALLOWA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

LOWER VALLEY IMPROVEMENT DISTRICT
C/O DALE JOHNSON
77583 HIGHWAY 82
WALLOWA OR 97885

confirms the right to the use of waters as limited and conditioned below. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source.

This right was confirmed by decree of the Circuit Court of the State of Oregon for WALLOWA County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 5, at Page 176.

SOURCE OF WATER: WALLOWA RIVER, A TRIBUTARY OF THE GRANDE RONDE RIVER

PURPOSE OR USE: IRRIGATION OF 130.0 ACRES OF LAND, AND STOCK USE

DATE OF PRIORITY: 1887

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 N	42 E	WM	3	SE SW	1050 FEET NORTH AND 1580 FEET EAST FROM SW CORNER, SECTION 3

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 1.5 acre-feet per acre during any period of 30 days prior to July 31st of each year, and thereafter not to exceed 1.0 acre-foot per acre during the entire remainder of the irrigation season; and said right shall be subject to all other conditions and limitations contained in said decree.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
1 N	42 E	WM	4	NW NW	47.5
1 N	42 E	WM	5	NE NE	40.0
1 N	42 E	WM	5	NW NE	13.0
2 N	42 E	WM	32	SW SE	29.5

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. 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.

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 described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 N	42 E	WM	3	NW SW	1100 FEET SOUTH AND 900 FEET EAST FROM W1/4 CORNER, SECTION 3

The water user or irrigation district shall operate and maintain the headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted, as needed. The water user or irrigation district shall report all flow figures when requested by the Watermaster. The Watermaster may operate the headgate and monitor accuracy of the measuring device, as needed.

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

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered October 28, 1996, at Special Order Volume 50, Page 717, approving Transfer Application T-7473, supercedes Certificate 3067, State record of Water Right Certificates.

Issued _____.

Dwight French
Water Right Services Division Administrator, for
Ivan Gall, Director
Oregon Water Resources Department

STATE OF OREGON
 COUNTY OF WALLOWA
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

LOWER VALLEY IMPROVEMENT DISTRICT
 C/O DALE JOHNSON
 77583 HIGHWAY 82
 WALLOWA OR 97885

confirms the right to the use of waters as limited and conditioned below. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source.

This right was confirmed by decree of the Circuit Court of the State of Oregon for WALLOWA County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 5, at Page 176.

SOURCE OF WATER: WALLOWA RIVER, A TRIBUTARY OF GRANDE RONDE RIVER

PURPOSE OR USE: IRRIGATION OF 375.0 ACRES OF LAND AND STOCK USE

DATE OF PRIORITY: OCTOBER 1900

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 N	42 E	WM	3	SE SW	1050 FEET NORTH AND 1580 FEET EAST FROM SW CORNER, SECTION 3

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 1.5 acre-feet per acre during any period of 30 days prior to July 31st of each year, and thereafter not to exceed 1.0 acre-foot per acre during the entire remainder of the irrigation season; and said right shall be subject to all other conditions and limitations contained in said decree.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
1 N	42 E	WM	4	NE NE	1	50.0
1 N	42 E	WM	4	NW NE	2	45.0
1 N	42 E	WM	4	NE NW	3	48.0
2 N	42 E	WM	32	NE SE		37.0
2 N	42 E	WM	32	SE SE		35.0
2 N	42 E	WM	33	NE SW		40.0
2 N	42 E	WM	33	NW SW		40.0
2 N	42 E	WM	33	SW SW		40.0
2 N	42 E	WM	33	SE SW		40.0

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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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 described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 N	42 E	WM	3	NW SW	1100 FEET SOUTH AND 900 FEET EAST FROM W1/4 CORNER, SECTION 3

The water user or irrigation district shall operate and maintain the headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted, as needed. The water user or irrigation district shall report all flow figures when requested by the Watermaster. The Watermaster may operate the headgate and monitor accuracy of the measuring device, as needed.

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

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered October 28, 1996, at Special Order Volume 50, Page 717, approving Transfer Application T-7473, and together with Certificate 79799, supercedes Certificate 3068, State record of Water Right Certificates.

Issued _____.

Dwight French
Water Right Services Division Administrator, for
Ivan Gall, Director
Oregon Water Resources Department

STATE OF OREGON

COUNTY OF WALLOWA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

LOWER VALLEY IMPROVEMENT DISTRICT
C/O DALE JOHNSON
77583 HIGHWAY 82
WALLOWA OR 97885

confirms the right to the use of waters as limited and conditioned below. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source.

This right was confirmed by decree of the Circuit Court of the State of Oregon for WALLOWA County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 5, at Page 200.

SOURCE OF WATER: WALLOWA RIVER, A TRIBUTARY OF GRANDE RONDE RIVER

PURPOSE OR USE: IRRIGATION OF 47.0 ACRES OF LAND AND STOCK USE

MAXIMUM RATE: 0.588 CUBIC FOOT PER SECOND

DATE OF PRIORITY: 1905 FOR TRACT NO. 1 AND JULY 1, 1897 FOR TRACT NO. 2

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 N	42 E	WM	3	SE SW	1050 FEET NORTH AND 1580 FEET EAST FROM SW CORNER, SECTION 3

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 1.5 acre-feet per acre during any period of 30 days prior to July 31st of each year, and thereafter not to exceed 1.0 acre-foot per acre during the entire remainder of the irrigation season; and said right shall be subject to all other conditions and limitations contained in said decree.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres	TRACT NO.
1 N	42 E	WM	4	SW NW	5.0	1
1 N	42 E	WM	4	SW NW	30.0	2
1 N	42 E	WM	4	NW SW	2.0	1
1 N	42 E	WM	5	SW NE	2.0	2
1 N	42 E	WM	5	SE NE	8.0	2

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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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 described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 N	42 E	WM	4	NE SW	400 FEET SOUTH AND 2000 FEET EAST FROM W1/4 CORNER, SECTION 4

The water user or irrigation district shall operate and maintain the headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted, as needed. The water user or irrigation district shall report all flow figures when requested by the Watermaster. The Watermaster may operate the headgate and monitor accuracy of the measuring device, as needed.

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

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered October 28, 1996, at Special Order Volume 50, Page 717, approving Transfer Application T-7473, and together with Certificate 72990, supercedes Certificate 3177, State record of Water Right Certificates.

Issued _____.

Dwight French
Water Right Services Division Administrator, for
Ivan Gall, Director
Oregon Water Resources Department

STATE OF OREGON
COUNTY OF WALLOWA
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

LOWER VALLEY IMPROVEMENT DISTRICT
C/O DALE JOHNSON
77583 HIGHWAY 82
WALLOWA OR 97885

confirms the right to the use of water perfected under the terms of Permit S-4374. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

SOURCE OF WATER: WALLOWA RIVER, A TRIBUTARY OF GRANDE RONDE RIVER

PURPOSE OR USE: IRRIGATION OF 25.0 ACRES

MAXIMUM RATE: 0.31 CUBIC FOOT PER SECOND

DATE OF PRIORITY: DECEMBER 5, 1919

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 N	42 E	WM	3	SE SW	1050 FEET NORTH AND 1580 FEET EAST FROM SW CORNER, SECTION 3

The use hereunder for irrigation 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
1 N	42 E	WM	4	NE SW	12.0
1 N	42 E	WM	4	NW SE	13.0

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.

The water user or irrigation district shall operate and maintain the headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted, as needed. The water user or irrigation district shall report all flow figures when requested by the Watermaster. The Watermaster may operate the headgate and monitor accuracy of the measuring device, as needed.

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

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. 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 October 28, 1996, at Special Order Volume 50, Page 717, approving Transfer Application T-7473, supercedes Certificate 3949, State record of Water Right Certificates.

Issued _____.

Dwight French
Water Right Services Division Administrator, for
Ivan Gall, Director
Oregon Water Resources Department

STATE OF OREGON
 COUNTY OF WALLOWA
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

LOWER VALLEY IMPROVEMENT DISTRICT
 C/O DALE JOHNSON
 77583 HIGHWAY 82
 WALLOWA OR 97885

confirms the right to the use of water perfected under the terms of Permit S-4375. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

SOURCE OF WATER: WALLOWA RIVER, A TRIBUTARY OF GRANDE RONDE RIVER

PURPOSE OR USE: IRRIGATION 40.0 ACRES

MAXIMUM RATE: 0.5 CUBIC FOOT PER SECOND

DATE OF PRIORITY: DECEMBER 5, 1919

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 N	42 E	WM	3	SE SW	1050 FEET NORTH AND 1580 FEET EAST FROM SW CORNER, SECTION 3

The use hereunder for irrigation shall conform to such reasonable rotation system as may be ordered by the proper state office.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
1 N	42 E	WM	4	SE NW	40.0

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 described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 N	42 E	WM	3	NW SW	110 FEET SOUTH AND 900 FEET EAST FROM W1/4 CORNER, SECTION 3

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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The water user or irrigation district shall operate and maintain the headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted, as needed. The water user or irrigation district shall report all flow figures when requested by the Watermaster. The Watermaster may operate the headgate and monitor accuracy of the measuring device, as needed.

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

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered October 28, 1996, at Special Order Volume 50, Page 717, approving Transfer Application T-7473, supercedes Certificate 8699, State record of Water Right Certificates.

Issued _____.

Dwight French
Water Right Services Division Administrator, for
Ivan Gall, Director
Oregon Water Resources Department

STATE OF OREGON
COUNTY OF WALLOWA
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

LOWER VALLEY IMPROVEMENT DISTRICT
C/O DALE JOHNSON
77583 HIGHWAY 82
WALLOWA OR 97885

confirms the right to the use of water perfected under the terms of Permit S-4375. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

SOURCE OF WATER: WALLOWA RIVER, A TRIBUTARY OF GRANDE RONDE RIVER

PURPOSE OR USE: IRRIGATION OF 60.0 ACRES

MAXIMUM RATE: 0.75 CUBIC FOOT PER SECOND

DATE OF PRIORITY: DECEMBER 5, 1919

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 N	42 E	WM	3	SE SW	1050 FEET NORTH AND 1580 FEET EAST FROM SW CORNER, SECTION 3

The use hereunder for irrigation shall conform to such reasonable rotation system as may be ordered by the proper state office.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
1 N	42 E	WM	4	SE NE	40.0
1 N	42 E	WM	4	NE SE	20.0

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 described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 N	42 E	WM	3	NW SW	110 FEET SOUTH AND 900 FEET EAST FROM W1/4 CORNER, SECTION 3

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. 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.

The water user or irrigation district shall operate and maintain the headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted, as needed. The water user or irrigation district shall report all flow figures when requested by the Watermaster. The Watermaster may operate the headgate and monitor accuracy of the measuring device, as needed.

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

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered October 28, 1996, at Special Order Volume 50, Page 717, approving Transfer Application T-7473, supercedes Certificate 8700, State record of Water Right Certificates.

Issued _____.

Dwight French
Water Right Services Division Administrator, for
Ivan Gall, Director
Oregon Water Resources Department

STATE OF OREGON
COUNTY OF WALLOWA
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

LOWER VALLEY IMPROVEMENT DISTRICT
C/O DALE JOHNSON
77583 HIGHWAY 82
WALLOWA OR 97885

confirms the right to the use of water perfected under the terms of Permit S-4375. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

SOURCE OF WATER: WALLOWA RIVER, A TRIBUTARY OF GRANDE RONDE RIVER

PURPOSE OR USE: IRRIGATION OF 40.0 ACRES

MAXIMUM RATE: 0.5 CUBIC FOOT PER SECOND

DATE OF PRIORITY: DECEMBER 5, 1919

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 N	42 E	WM	3	SE SW	1050 FEET NORTH AND 1580 FEET EAST FROM SW CORNER, SECTION 3

The use hereunder for irrigation shall conform to such reasonable rotation system as may be ordered by the proper state office.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
1 N	42 E	WM	4	SW NE	40.0

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 described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 N	42 E	WM	3	NW SW	110 FEET SOUTH AND 900 FEET EAST FROM W1/4 CORNER, SECTION 3

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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The water user or irrigation district shall operate and maintain the headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted, as needed. The water user or irrigation district shall report all flow figures when requested by the Watermaster. The Watermaster may operate the headgate and monitor accuracy of the measuring device, as needed.

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

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered October 28, 1996, at Special Order Volume 50, Page 717, approving Transfer Application T-7473, supercedes Certificate 8701, State record of Water Right Certificates.

Issued _____.

Dwight French
Water Right Services Division Administrator, for
Ivan Gall, Director
Oregon Water Resources Department

STATE OF OREGON
COUNTY OF WALLOWA
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

LOWER VALLEY IMPROVEMENT DISTRICT
C/O DALE JOHNSON
77583 HIGHWAY 82
WALLOWA OR 97885

confirms the right to the use of water perfected under the terms of Permit S-9691. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

SOURCE OF WATER: WALLOWA RIVER, A TRIBUTARY OF GRANDE RONDE RIVER

PURPOSE OR USE: IRRIGATION OF 18.0 ACRES

MAXIMUM RATE: 0.23 CUBIC FOOT PER SECOND

DATE OF PRIORITY: JUNE 12, 1930

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 N	42 E	WM	3	SE SW	1050 FEET NORTH AND 1580 FEET EAST FROM SW CORNER, SECTION 3

The use hereunder for irrigation shall conform to such reasonable rotation system as may be ordered by the proper state office.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
1 N	42 E	WM	4	NE SE	18.0

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 described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 N	42 E	WM	3	NW SW	110 FEET SOUTH AND 900 FEET EAST FROM W1/4 CORNER, SECTION 3

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. 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.

The water user or irrigation district shall operate and maintain the headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted, as needed. The water user or irrigation district shall report all flow figures when requested by the Watermaster. The Watermaster may operate the headgate and monitor accuracy of the measuring device, as needed.

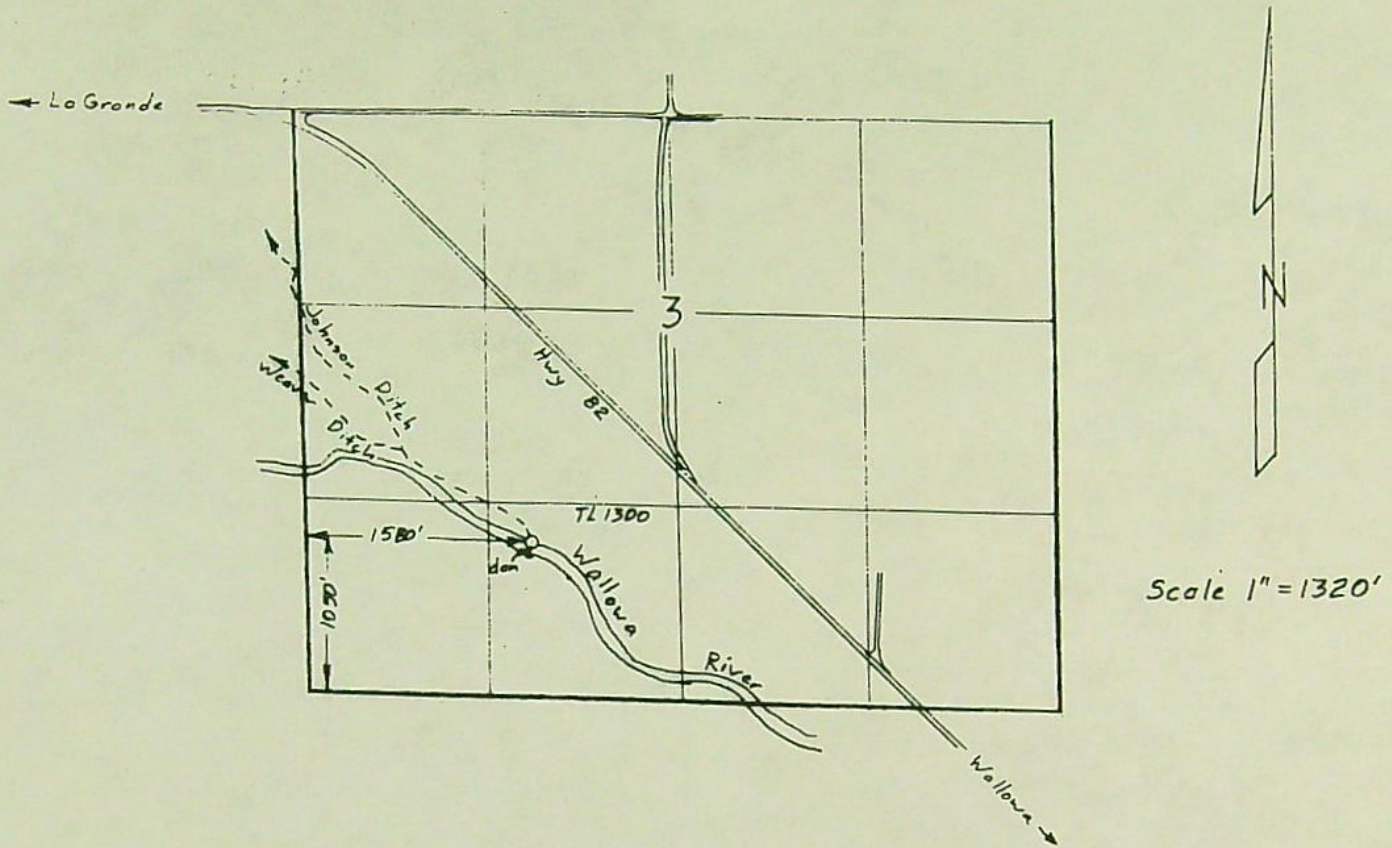
The right to the use of the water for any purpose is restricted to the lands or place of use herein described.

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered October 28, 1996, at Special Order Volume 50, Page 717, approving Transfer Application T-7473, supercedes Certificate 8771, State record of Water Right Certificates.

Issued _____.

Dwight French
Water Right Services Division Administrator, for
Ivan Gall, Director
Oregon Water Resources Department

TOWNSHIP 1 NORTH, RANGE 42 EAST, W.M.



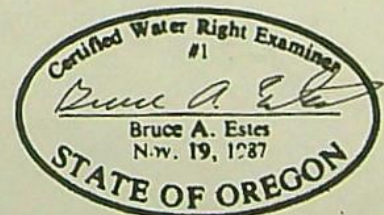
Surveyed Nov. 4, 1997

T- 7473
Claim of Beneficial Use Map
for
WEAVER- JOHNSON DITCH
(Lower Valley Water Improvement Dist.)

RECEIVED

FEB 09 1998

WATER RESOURCES DEPT
SALEM OREGON



This map is for the purpose of locating a water right only and has no intent to provide legal dimensions or the location of property lines.

ESTES SURVEYS

8293 Sunnyview Rd. NE 60392 Arnold Rd.
Salem, OR 97306 Bend, OR 97702
(503) 585-7593 (503) 392-7391

Mailing List for Final Transfer Certificate(s)

Transfer Application: T-7473

Certificate: 97875 (C-3067)
 97876 (C-3068)
 97877 (C-3177)
 97878 (C-3949)
 97879 (C-8699)
 97880 (C-8700)
 97881 (C-8701)
 97882 (C-8771)

Copies Mailed	
by: _____	(STAFF)
on: _____	(DATE)

Certificate/Transfer Holder: (include copy of map)
LOWER VALLEY IMPROVEMENT DISTRICT
C/O DALE JOHNSON
77583 HIGHWAY 82
WALLOWA, OR 97885

Is the Transfer Holder(s) of record currently identified as a landowner of any tax lots involved as confirmed by the County records? **YES**

Copies of Final Transfer Certificate(s) to be sent to:

1. Watermaster District #: 7
2. Water Availability
3. Vault
4. File

Record Marking(s):

1. Original Application# DECREE
Old Certificate# 3067
2. Original Application# DECREE
Old Certificate# 3068
3. Original Application# DECREE
Old Certificate# 3177
4. Original Application# S-6926
Old Certificate# 3949
5. Original Application# S-6927
Old Certificate# 8699
6. Original Application# S-6927
Old Certificate# 8700
7. Original Application# S-6927
Old Certificate# 8701
8. Original Application# S-13501
Old Certificate# 8771



Oregon
Kate Brown, Governor

Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301
(503) 986-0900
Fax (503) 986-0904

Date Mailed: SEP 17 2021

NOTICE OF CERTIFICATE ISSUANCE

Attached are certificates that confirm water rights established under the terms of permits issued by this Department. The water rights are now appurtenant to the specific place where the use was established as described by the certificates. The water rights are limited to a specific amount of water, but not more than can be beneficially used for the purposes stated within the certificates.

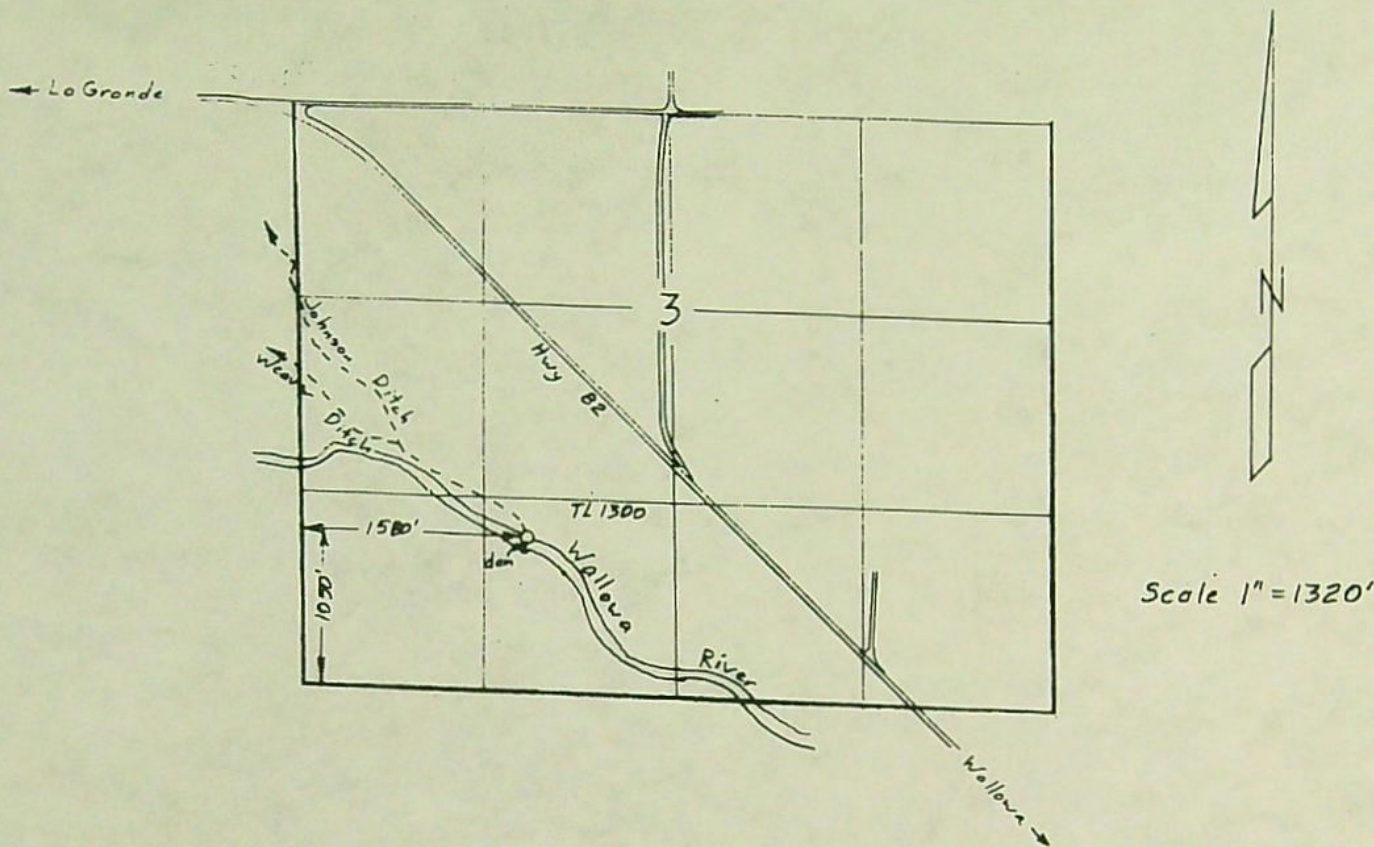
These certificates are final orders in other than a contested case. These orders are subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and petition the Director for reconsideration of these orders. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of these certificates within three months after issuance of the certificates.

Oregon law does not allow the Director to reissue a certificate because of a change in the ownership of the appurtenant place of use. 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 any portion of this water right is not used for five or more consecutive years, that portion of the right may be subject to forfeiture according to ORS 540.610. Land enrolled in a Federal Reserve Program is not subject to forfeiture during the period of enrollment. Other exceptions to forfeiture are explained in ORS 540.610.

If you have any questions please contact Jonnine Skaug at 503-979-3943.

TOWNSHIP 1 NORTH, RANGE 42 EAST, W.M.



Surveyed Nov. 4, 1997

RECEIVED

FEB 09 1998

WATER RESOURCES DEPT
SALEM OREGON

T-7473
Claim of Beneficial Use Map
for
WEAVER-JOHNSON DITCH
(Lower Valley Water Improvement Dist.)

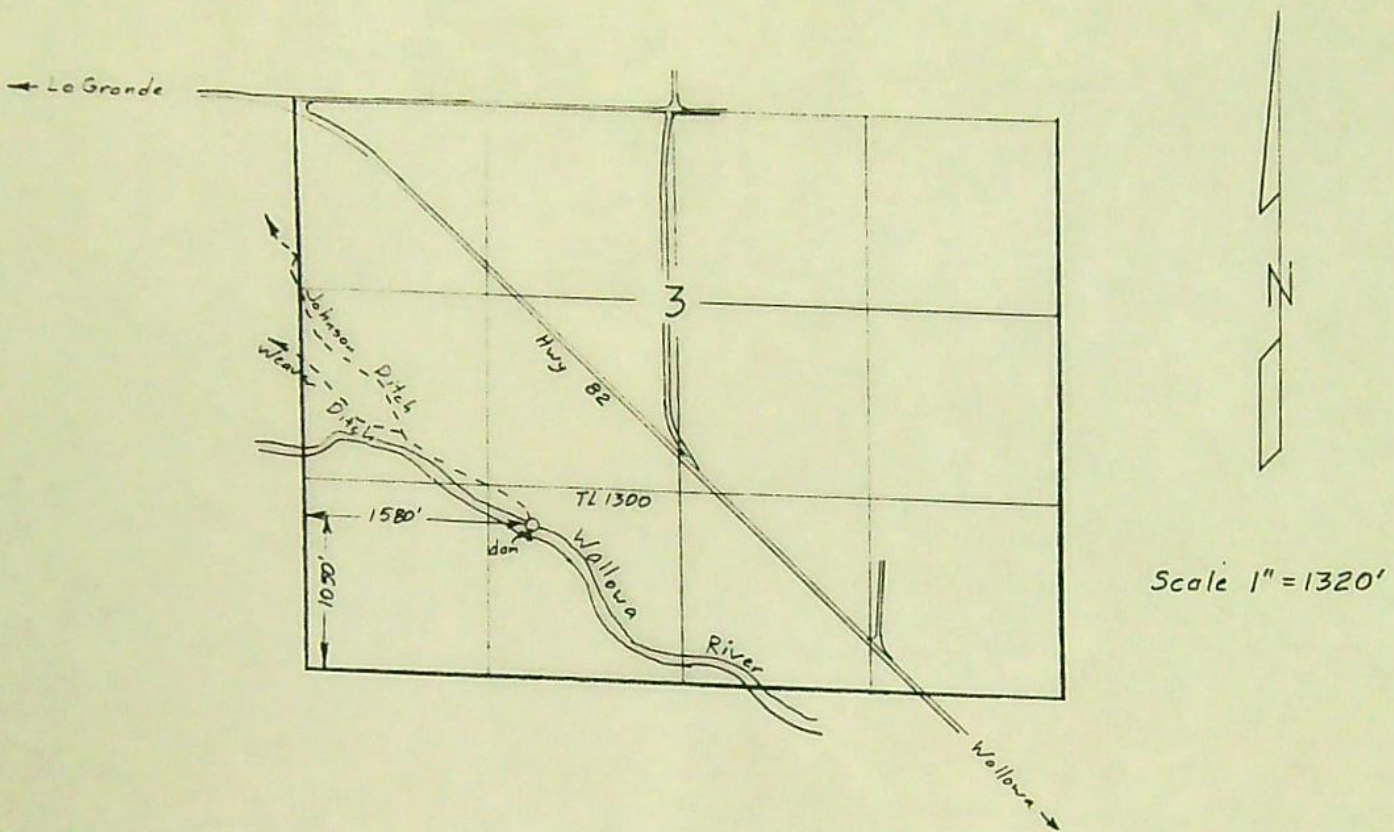


This map is for the purpose of
locating a water right only
and has no intent to provide
legal dimensions or the location
of property lines.

ESTES SURVEYS

6293 Sunnyview Rd. NE 60382 Arnold Rd.
Salem, OR 97305 Bend, OR 97702
(503) 585-7593 (503) 382-7391

TOWNSHIP 1 NORTH, RANGE 42 EAST, W.M.



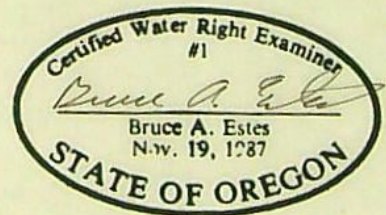
Surveyed Nov. 4, 1997

T-7473
Claim of Beneficial Use Map
for
WEAVER-JOHNSON DITCH
(Lower Valley Water Improvement Dist.)

RECEIVED

FEB 09 1998

WATER RESOURCES DEPT
SALEM OREGON



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ESTES SURVEYS

6293 Sunnyview Rd. NE 60382 Arnold Rd.
Salem, OR 97305 Bend, OR 97702
(503) 585-7593 (503) 382-7391

TRANSFER

Memo- Proof to Satisfaction

Transfer App # <i>T-7473</i>	
WRD Reviewer (CW) <i>J Skane</i>	Date: <i>June 2024</i>
WRD Peer Reviewer (PR) <i>holmes</i>	Date: <i>July 29</i>

Denial 3067
Denial 3068
Denial 3177
S-69243949

ORIGINAL CERT:	CHANGE REQUESTED:				RR Cert:
	<input type="checkbox"/> POU	<input checked="" type="checkbox"/> POD/POA	<input type="checkbox"/> APOD/APOA	<input type="checkbox"/> USE	
	<input type="checkbox"/> POU	<input checked="" type="checkbox"/> POD/POA	<input type="checkbox"/> APOD/APOA	<input type="checkbox"/> USE	<i>79799</i>
	<input type="checkbox"/> POU	<input checked="" type="checkbox"/> POD/POA	<input type="checkbox"/> APOD/APOA	<input type="checkbox"/> USE	<i>72990</i>
	<input type="checkbox"/> POU	<input checked="" type="checkbox"/> POD/POA	<input type="checkbox"/> APOD/APOA	<input type="checkbox"/> USE	

four more on back page

PREPARATION:

<input checked="" type="checkbox"/> CW	<input type="checkbox"/> PR	RESEARCH:		<input type="checkbox"/> Assignment	<input type="checkbox"/> Transfer Extension
		<input checked="" type="checkbox"/> CBU Report/Map	<input checked="" type="checkbox"/> Transfer Order Ord Vol <i>50 pg 717</i> Issued Date <i>10/28/1996</i>		
Electronic Folder:					
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/> Create CBU folder	<input type="checkbox"/> Create Work Packet Folder		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	SCAN: Above documents into "CBU Folder"			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	SAVE: other documents in "Work Packet Folder"			
		<input checked="" type="checkbox"/> Certificate(s)	<input checked="" type="checkbox"/> Transfer App Maps (To/From)	<input type="checkbox"/>	
		<input checked="" type="checkbox"/> OrMap Tax Lot Map	<input type="checkbox"/> Ownership Report	<input checked="" type="checkbox"/> BLM Cadastral Survey	<input type="checkbox"/> GW Logs
		<input type="checkbox"/> GW Conditions	<input type="checkbox"/> Mitigation	<input type="checkbox"/> POU Report (conflict) [POU ONLY]	<input type="checkbox"/> Others:
<input checked="" type="checkbox"/>	<input type="checkbox"/>	SEARCH:		<input checked="" type="checkbox"/> Map and TaxLot ID <i>1300</i>	<input type="checkbox"/> Receiving LO:
		<input type="checkbox"/> Interactive Mapper	<input type="checkbox"/> AOI	New Landowner: <i>Same</i>	

REVIEW OF CLAIM:

ORDER REQ'D	CERTIFICATE REQ'D	COMPLIED YES/NO	CONDITIONS:	NOTES:
<input type="checkbox"/> Y <input type="checkbox"/> N/A	<input type="checkbox"/> Y <input type="checkbox"/> N/A	<input type="checkbox"/> Y <input type="checkbox"/> N	Fish Condition	
<input type="checkbox"/> Y <input type="checkbox"/> N/A	<input type="checkbox"/> Y <input type="checkbox"/> N/A	<input type="checkbox"/> Y <input type="checkbox"/> N	Meter/Measuring Device	
<input type="checkbox"/> Y <input type="checkbox"/> N/A	<input type="checkbox"/> Y <input type="checkbox"/> N/A	<input type="checkbox"/> Y <input type="checkbox"/> N	Water Use Reporting	
<input type="checkbox"/> Y <input type="checkbox"/> N/A	<input type="checkbox"/> Y <input type="checkbox"/> N/A	<input type="checkbox"/> Y <input type="checkbox"/> N	SWL (Month)	
<input type="checkbox"/> Y <input type="checkbox"/> N/A	<input type="checkbox"/> Y <input type="checkbox"/> N/A	<input type="checkbox"/> Y <input type="checkbox"/> N	Dedicated MMS tube	
<input type="checkbox"/> Y <input type="checkbox"/> N/A	<input type="checkbox"/> Y <input type="checkbox"/> N/A	<input type="checkbox"/> Y <input type="checkbox"/> N	Well Id	
<input checked="" type="checkbox"/> Y <input type="checkbox"/> N/A	<input type="checkbox"/> Y <input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	Other: <i>weir/headgate</i>	<i>Claim mentions of</i>
<input checked="" type="checkbox"/> Y <input type="checkbox"/> N/A	<input type="checkbox"/> Y <input type="checkbox"/> N/A	<input checked="" type="checkbox"/> Y <input type="checkbox"/> N	C-date: _____	<i>EXT C-Date: _____ Claim submitted 2/1998</i>

no listed c date on crater

REVIEW OF MAP: (Only the changes approved)

<input checked="" type="checkbox"/> CW	<input type="checkbox"/> PR		Notes:
		<input type="checkbox"/> Verify POA/POD Location (New Only)	
		<input type="checkbox"/> Verify POU (New only)	
		<input type="checkbox"/> POU clearly identified by Use Type/Certificate	
		<input type="checkbox"/> DLC/GOV'T LOT	
		<input type="checkbox"/> Original Cert Map for <i>unchanged</i> POU/POD/POA (Attached for Peer Reviewer/Data)	<input type="checkbox"/> Note Maps for Reference

POD/POA/APOD/POA ONLY: RUN CAPACITY CALCULATOR AND SAVE CALCS TO APPLICATION FOLDER:

POD/POA-NEW/ADD'T	AUTHORIZED RATE	CLAIM RATE	CALCULATED RATE	NOTES:
		<i>78.0 cfs</i>	<i>pipe capacity</i>	

DETERMINATION:

CW	PR	DOCUMENT	NOTES:
<input type="checkbox"/>	<input type="checkbox"/>	LETTER FOR CLARIFICATION	
<input type="checkbox"/>	<input type="checkbox"/>	DRAFT (PLEASE EXPLAIN)	
<input type="checkbox"/>	<input type="checkbox"/>	PROPOSED	
<input checked="" type="checkbox"/>	<input type="checkbox"/>	FINAL	<i>made proof</i>
<input type="checkbox"/>	<input type="checkbox"/>	PROPOSED ORDER TO CANCEL	

FINAL CHECKS: Review your document; BEFORE printing proposed for Support

CW	PR	DID YOU CHECK?	NOTES:
<input type="checkbox"/>	<input type="checkbox"/>	DATA REVIEW	
		<input type="checkbox"/> POA/POD/DAM TABLES/DESCRIPTIONS	<input type="checkbox"/> PLACE OF USE TABLES, INCLUDING ACRES FOR GOV'T LOTS/DLC
<input type="checkbox"/>	<input type="checkbox"/>	SPELL CHECK DOC	
<input type="checkbox"/>	<input type="checkbox"/>	MAPS: Identified for Reference	
<input type="checkbox"/>		CERT NUMBER ISSUED:	
		Original Cert # App	New Cert #
		Original Cert # App	New Cert #
		Original Cert # App	New Cert #
		Original Cert # App	New Cert #

EXTRAS: BEFORE Printing your Final Certificate

CW	PR	DID YOU CHECK?	NOTES:
<input type="checkbox"/>	<input type="checkbox"/>	DATA REVIEW COMMENTS UPDATED	
<input type="checkbox"/>	<input type="checkbox"/>	SPELL CHECKED DOC	

CASEWORKER REVIEW COMMENTS:

PEER REVIEWER COMMENTS:

8699 Δ POD
 8700 Δ POD
 8701 Δ POD
 8771 Δ POD

no RR cert

56927
 56927
 56927
 513501

STATE OF OREGON

COUNTY OF WALLOWA

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 7473 submitted by:

LOWER VALLEY WATER IMPROVEMENT DISTRICT
C/O DALE JOHNSON
77583 HWY 82
WALLOWA, OR 97885

The first right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for WALLOWA County as evidenced by a PORTION of Certificates 3067. The decree is recorded in the Order Record of the Water Resources Director in Volume 5, Page 176. The date of priority is 1887.

The right allows the use of the Wallowa River, a tributary of the Grande Ronde River, for stock and irrigation of 130.0 acres. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1½ acre feet per acre during any period of 30 days prior to July 31st of each year and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season, if available at the authorized point of diversion NW¼ SW¼, Section 3, Township 1 North, Range 42 East, W.M.; 1100 feet South and 900 feet East from the W¼ corner, Section 3, or its equivalent in case of rotation.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to 1½ acre feet per acre during any period of 30 days prior to July 31st of each year and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season.

The authorized place of use is located as follows:

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 29.5 ACRES
SECTION 32
TOWNSHIP 2 NORTH, RANGE 42 EAST, W.M.

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 47.5 ACRES
SECTION 4

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$ 13.0 ACRES
SECTION 5
TOWNSHIP 1 NORTH, RANGE 42 EAST, W.M.

The second right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for WALLOWA County as evidenced by a PORTION of Certificates 3068. The decree is recorded in the Order Record of the Water Resources Director in Volume 5, Page 176. The date of priority is October 1900.

The right allows the use of the Wallowa River, a tributary of the Grande Ronde River, for stock and irrigation of 375.0 acres. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1 $\frac{1}{2}$ acre feet per acre during any period of 30 days prior to July 31st of each year and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season, if available at the authorized point of diversion NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 3, Township 1 North, Range 42 East, W.M.; 1100 feet South and 900 feet East from the W $\frac{1}{4}$ corner, Section 3, or its equivalent in case of rotation.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to 1 $\frac{1}{2}$ acre feet per acre during any period of 30 days prior to July 31st of each year and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season.

The authorized place of use is located as follows:

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 37.0 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 35.0 ACRES
SECTION 32
TOWNSHIP 2 NORTH, RANGE 42 EAST, W.M.

NE¼ SW¼ 40.0 ACRES
NW¼ SW¼ 40.0 ACRES
SW¼ SW¼ 40.0 ACRES
SE¼ SW¼ 40.0 ACRES

SECTION 33
TOWNSHIP 2 NORTH, RANGE 42 EAST, W.M.

Lot 1(NE¼ NE¼) 50.0 ACRES
Lot 2(NW¼ NE¼) 45.0 ACRES
Lot 3(NE¼ NW¼) 48.0 ACRES

SECTION 4
TOWNSHIP 1 NORTH, RANGE 42 EAST, W.M.

The third right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for WALLOWA County as evidenced by a PORTION of Certificates 3177. The decree is recorded in the Order Record of the Water Resources Director in Volume 5, Page 200. The dates of priority are 1905 for Tract No. 1 and July 1, 1897 for Tract No. 2.

The right allows the use of the Wallowa River, a tributary of the Grande Ronde River, for stock and irrigation of 47.0 acres. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1½ acre feet per acre during any period of 30 days prior to July 31st of each year and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season, if available at the authorized point of diversion NE¼ SW¼, Section 4, Township 1 North, Range 42 East, W.M.; 400 feet South and 2000 feet East from the W¼ corner, Section 4, or its equivalent in case of rotation.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to 1½ acre feet per acre during any period of 30 days prior to July 31st of each year and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season.

The authorized place of use is located as follows:

Tract No. 1
SW¼ NW¼ 5.0 ACRES
NW¼ SW¼ 2.0 ACRES

SECTION 4
TOWNSHIP 1 NORTH, RANGE 42 EAST, W.M.

Tract No. 2
SW $\frac{1}{4}$ NW $\frac{1}{4}$ 30.0 ACRES
SECTION 4
SW $\frac{1}{4}$ NE $\frac{1}{4}$ 2.0 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 8.0 ACRES
SECTION 5
TOWNSHIP 1 NORTH, RANGE 42 EAST, W.M.

The fourth right to be modified, as evidenced by Certificate 3949, was perfected under Permit 4374 with a date of priority of December 5, 1919. The right allows the use of the Wallowa River, a tributary of the Grande Ronde River, for irrigation of 25.0 acres. This right is limited to 0.31 cubic foot per second, if available at the authorized point of diversion: Weaver Ditch, or its equivalent in case of rotation.

The amount of water used for irrigation under this right is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) for each acre irrigated during the irrigation season of each year.

The authorized place of use is located as follows:

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 12.0 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 13.0 ACRES
SECTION 4
TOWNSHIP 1 NORTH, RANGE 42 EAST, W.M.

The fifth right to be modified, as evidenced by a portion of Certificate 8699, was perfected under Permit 4375 with a date of priority of December 5, 1919. The right allows the use of the Wallowa River, a tributary of the Grande Ronde River, for irrigation of 40.0 acres. This right is limited to 0.5 cubic foot per second, if available at the authorized point of diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 3, Township 1 North, Range 42 East, W.M.; 110 feet South and 900 feet East from the W $\frac{1}{4}$ corner, Section 3, or its equivalent in case of rotation.

The amount of water used for irrigation under this right is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) for each acre irrigated during the irrigation season of each year.

The authorized place of use is located as follows:

SE $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 ACRES
SECTION 4
TOWNSHIP 1 NORTH, RANGE 42 EAST, W.M.

The sixth right to be modified, as evidenced by Certificate 8700, was perfected under Permit 4375 with a date of priority of December 5, 1919. The right allows the use of the Wallowa River, a tributary of the Grande Ronde River, for irrigation of 60.0 acres. This right is limited to 0.75 cubic foot per second, if available at the authorized point of diversion: NW¼ SW¼, Section 3, Township 1 North, Range 42 East, W.M.; 110 feet South and 900 feet East from the W¼ corner, Section 3, or its equivalent in case of rotation.

The amount of water used for irrigation under this right is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) for each acre irrigated during the irrigation season of each year.

The authorized place of use is located as follows:

SE¼NE¼ 40.0 ACRES
NE¼ SE¼ 20.0 ACRES
SECTION 4
TOWNSHIP 1 NORTH, RANGE 42 EAST, W.M.

The seventh right to be modified, as evidenced by Certificate 8701, was perfected under Permit 4375 with a date of priority of December 5, 1919. The right allows the use of the Wallowa River, a tributary of the Grande Ronde River, for irrigation of 40.0 acres. This right is limited to 0.5 cubic foot per second, if available at the authorized point of diversion: NW¼ SW¼, Section 3, Township 1 North, Range 42 East, W.M.; 110 feet South and 900 feet East from the W¼ corner, Section 3, or its equivalent in case of rotation.

The amount of water used for irrigation under this right is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) for each acre irrigated during the irrigation season of each year.

The authorized place of use is located as follows:

SW¼ NE¼ 40.0 ACRES
SECTION 4
TOWNSHIP 1 NORTH, RANGE 42 EAST, W.M.

The eighth right to be modified, as evidenced by Certificate 8771, was perfected under Permit 9691 with a date of priority of June 12, 1950. The right allows the use of the Wallowa River, a tributary of the Grande Ronde River, for irrigation of 18.0 acres. This right is limited to 0.23 cubic foot per second, if available at the authorized point of diversion: NW¼ SW¼, Section 3, Township 1 North, Range 42 East, W.M.; 110 feet

South and 900 feet East from the W¼ corner, Section 3, or its equivalent in case of rotation.

The amount of water used for irrigation under this right is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) for each acre irrigated during the irrigation season of each year.

The authorized place of use is located as follows:

S½ NE¼ SE¼ 18.0 ACRES
SECTION 4
TOWNSHIP 1 NORTH, RANGE 42 EAST, W.M.

The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in the decree.

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

* The applicant proposes to change the points of diversion to a common point of diversion located:

SE¼ SW¼, Section 3, Township 1 North, Range 42 East, W.M.; 1080 feet North and 1550 feet East from SW corner, Section 3.

1580

THESE CHANGE TO EXISTING WATER RIGHTS 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 diversions, shall not exceed the quantity of water available at the original points 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.

1 merged
3 & 4
together

T-7473.VC

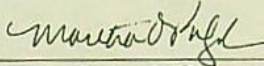
Special Order Volume 50, Page 722

4. The water user or irrigation district shall operate and maintain the headgate and measuring device, as needed. The water user or irrigation district shall report total flow figures when requested by the Watermaster. The Watermaster may operate the headgate and monitor accuracy of the measuring device, as needed.

Certificates 3067, 3068, 3177, 3949, 8699, 8700, 8701, and 8771 are canceled. New certificates will be issued to confirm those portions of the rights NOT involved in this transfer. When satisfactory proof of the completed changes is received, new certificates confirming these water rights will be issued.

WITNESS the signature of the Water Resources Director, affixed

OCT 28 1996



Martha O. Pagel, Director

STATE OF OREGON

COUNTY OF WALLOWA

CERTIFICATE OF WATER RIGHT

(For Rights which have been confirmed by the Courts)

This is to Certify, That ERNEST F. JOHNSON

of Wallowa, State of Oregon has a right to the use of the waters of Wallowa River, a tributary of the Grande Ronde River

for the purpose of the irrigation of 130 acres of land, and stock use

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Wallowa County, and the said decree entered of record at Salem, in the Order Record of the State Water Board of the State of Oregon, in Volume 5, at page 176; that the priority of the right hereby confirmed dates from 1887

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 1/2 acre foot per acre during any period of 30 days prior to July 31st of each year, and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season; and said right shall be subject to all other conditions and limitations contained in said decree.

A description of the lands irrigated under such right, and to which the water hereby confirmed is appurtenant, or, if for other purposes, the place where such water is put to beneficial use, is as follows: 47 1/2 acres in the NW 1/4 NW 1/4 of Section 4; 40 acres in the NE 1/4 NE 1/4; 13 acres in the NW 1/4 NE 1/4 of Section 5, Township 1 North, Range 42 East of Willamette Meridian and 29 1/2 acres in the SW 1/4 SE 1/4 of Section 32, Township 2 North, Range 42 East of Willamette Meridian, in Wallowa County, Oregon.

Handwritten note: APOD = SE SW T1N R42E Sec 3 1000' N 1500' E from SW corner sec 3

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

WITNESS the seal and signature of the State Water Board, affixed this 2nd day of April, 1921 STATE WATER BOARD

(Seal of State Water Board)

By PERCY A. GIPPER State Engineer, President

Attest:

R. W. POTIER Secretary

Recorded in State Record of Water Right Certificates, Volume 4, page 3067

STATE OF OREGON

COUNTY OF WALLOWA

CERTIFICATE OF WATER RIGHT

(For Rights which have been confirmed by the Courts)

This is to Certify, That JOSEPH F. JOHNSON, By Ernest F. Johnson
of Wallowa, State of Oregon has a right to the use of
the waters of Wallowa River, a tributary of the Grande Ronde River

for the purpose of the irrigation of 416 acres of land and stock use

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
Wallowa County, and the said decree entered of record at Salem, in the Order
Record of the State Water Board of the State of Oregon, in Volume 5, at page 176 ;
that the priority of the right hereby confirmed dates from October 1900 for Tract No. 1 and
1884 for Tract No. 2

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 1/2 acre feet per acre during any period of 30 days prior to July 31st of each year,
and thereafter not to exceed 1 acre foot per acre during the entire remainder of the
irrigation season; and said right shall be subject to all other conditions and
limitations contained in said decree.

A description of the lands irrigated under such right, and to which the water hereby con-
firmed is appurtenant, or, if for other purposes, the place where such water is put to beneficial use,

is as follows: Tract No. 1: 50 acres in the NE 1/4 NE 1/4 (Lot 1); 45 acres in the
NW 1/4 NE 1/4 (Lot 2) and 48 acres in the NE 1/4 NW 1/4 (Lot 3) of Section 4, Township 1
North, Range 42; 80 acres in the N 1/2 SW 1/4; 80 acres in the S 1/2 SW 1/4 of Section 33;
37 acres in the N 1/2 SE 1/4 and 35 acres in the SE 1/4 SE 1/4 of Section 32, Township 2 North,
Range 42; All East of Willamette Meridian, in Wallowa County, Oregon.

Tract No. 2: 40 acres in the SW 1/4 NW 1/4 of section 3, Township 1 North,
Range 42 East of Willamette Meridian, in Wallowa County, Oregon.

A POD =
SE SW 1/4 NW 1/4 R 42 E
Sec 3 1000' N x 1550' E
from SW corner sec 3

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

WITNESS the seal and signature of the State
Water Board, affixed this 2nd day
of April, 1921

STATE WATER BOARD

(Seal of State Water Board)

By.....PERCY A. CUPPER.....
State Engineer, President

Attest:

.....R. W. POTTER.....
Secretary

Recorded in State Record of Water Right Certificates, Volume 5, page 3068

STATE OF OREGON

COUNTY OF WALLOWA

CERTIFICATE OF WATER RIGHT

(For Rights which have been confirmed by the Courts)

This is to Certify, That ELIJAH D. WEAVER

of Wallowa State of Oregon has a right to the use of the waters of Wallowa River, a tributary of the Grande Ronde River, and Bear Creek, a tributary of the Wallowa River

for the purpose of the irrigation of 57 acres of land and stock use

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Wallowa County, and the said decree entered of record at Salem, in the Order

Record of the State Water Board of the State of Oregon, in Volume 5, at page 200 ;

that the priority of the right hereby confirmed dates from 1905 for Tract No. 1: July 1, 1897 for Tract No. 2 and 1893 for Tract No. 3

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 1/2 acre feet per acre during any period of 30 days prior to July 31st of each year, and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season; and said right shall be subject to all other conditions and limitations contained in said decree.

A description of the lands irrigated under such right, and to which the water hereby confirmed is appurtenant, or, if for other purposes, the place where such water is put to beneficial use,

is as follows: Tract No. 1, irrigated from Wallowa River: 2 acres in the NW 1/4 SW 1/4 and 5 acres in the SW 1/4 NW 1/4 of Section 4, Township 1 North, Range 42 East of Willamette Meridian, in Wallowa County, Oregon.

Tract No. 2, irrigated from Wallowa River: 30 acres in the SW 1/4 NW 1/4 of Section 4: 2 acres in the SW 1/4 NE 1/4 and 8 acres in the SE 1/4 NE 1/4 of Section 5, Township 1 North, Range 42 East of Willamette Meridian, in Wallowa County, Oregon.

Tract No. 3, irrigated from Bear Creek: 10 acres in the NW 1/4 SE 1/4 of Section 5, Township 1 North, Range 42 East of Willamette Meridian, in Wallowa County, Oregon.

Handwritten note: A POD = sec SW T1N R42E 1000' N 1550' E from SW corner sec 3

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

WITNESS the seal and signature of the State

Water Board, affixed this 2nd day

of April, 1921

STATE WATER BOARD

(Seal of State Water Board)

By PERCY A. CURFEK
State Engineer, President

Attest:

R. V. POTTER
Secretary

Recorded in State Record of Water Right Certificates, Volume 4, page 3177

STATE OF OREGON

COUNTY OF WALLOWA

CERTIFICATE OF WATER RIGHT

This is to Certify, That ROY SCHAEFFER

of Wallowa, State of Oregon, has made proof to the satisfaction of the STATE WATER BOARD of Oregon, of a right to the use of the waters of Wallowa River

a tributary of Grande Ronde River for the purpose of Irrigation under Permit No. 4274 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon and duly confirmed by order of the STATE WATER BOARD of Oregon, made and entered of record in the Record of Proceedings of said Board, at Salem, in Volume 1, at page 461, on the 15th day of February, 1923; that the priority of the right hereby confirmed dates from December 5, 1919

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 0.31 cubic feet per second, or its equivalent in case of rotation. The use hereunder for irrigation shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the lands under such right, and to which the water hereby confirmed is appurtenant, or, if for other purposes, the place where such water is put to beneficial use, is as follows: 13 acres in the North half Northwest quarter Southeast quarter and 12 acres in the North half Northeast quarter Southwest quarter of Section Four Township One North, Range Forty-two East of Willamette Meridian, in Wallowa County, Oregon.

25 acs.

*4 P.O.D. = sec SW T1N R 42E
sec 3 1000' N 15 SD'E
from SW corner sec 3*

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

Rights to the use of water for power purposes are limited to a period of forty years from the date of priority of the right, as herein set forth, subject to a preference right of renewal under the laws existing at the date of the expiration of the right for power purposes, as hereby confirmed and limited.

WITNESS the seal and signatures of the State

Water Board, affixed this 15th day

of February, 1923

STATE WATER BOARD

(Seal of State Water Board)

By PERCY A. CUPPER

State Engineer, President

Attest: R. W. POTIER

Secretary

Recorded in State Record of Water Right Certificate, Volume 5, page 3949

STATE OF OREGON
COUNTY OF WALLOWA

CERTIFICATE OF WATER RIGHT

This is to Certify, That Alna V. Hearing and John G. McCulloch

of Wallowa, 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 Wallowa River

a tributary of Grande Ronde River for the purpose of Irrigation

under Permit No. 4875 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 December 5, 1919;

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.5 cubic foot per second;

The point of diversion is located in the NW 1/4 SW 1/4 of Section 3, Township 1N, Range 42E, W. M. The use hereunder for irrigation shall conform to such reasonable rotation system as may be ordered by the proper state officer.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent in case of rotation.

A description of the lands irrigated under the right hereby confirmed, and to which such right is appurtenant (if for irrigation or any other purpose), is as follows: 40 acres in the SE 1/4 NW 1/4, Section 4, Township 1 North, Range 42 East of the Willamette Meridian in Wallowa County, Oregon.

4 POD =
SE SW T. 1 N R. 42 E
Sec 3 1000' N ± 1550' E
from SW corner sec 3

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

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

WITNESS the signature of the State Engineer,

affixed this 9th day
of July, 1930

Rhea Luper
State Engineer.

STATE OF OREGON
COUNTY OF WALLOWA

CERTIFICATE OF WATER RIGHT

This is to Certify, That Ada Boyd

of Wallowa, 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 Wallowa River

a tributary of Grande Ronde River for the purpose of Irrigation

under Permit No. 4375 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 December 5, 1919;

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 0.75 cubic foot per second;

The point of diversion is located in the NW 1/4 of Section 3, Township 1N, Range 42E, W. M. The use hereunder for irrigation shall conform to such reasonable rotation system as may be ordered by the proper state officer.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent in case of rotation.

A description of the lands irrigated under the right hereby confirmed, and to which such right is appurtenant (if for irrigation or any other purpose), is as follows: 40 acres in the SE 1/4 NE 1/4 and 20 acres in the N 1/2 SE 1/4, Section 4, Township 1 North, Range 42 East of the Willamette Meridian in Wallowa County, Oregon.

Handwritten:
Δ POD =
SE SW T1N R42E
Sec 3 1000' N
From SW corner

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

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

WITNESS the signature of the State Engineer,

affixed this 9th day
of July, 1930

Rhea Luper

State Engineer.

STATE OF OREGON
COUNTY OF WALLOWA

CERTIFICATE OF WATER RIGHT

This is to Certify, That Roy Schaeffor

of Wallowa, 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 Wallowa River

a tributary of Grande Ronde River for the purpose of Irrigation

under Permit No. 4375 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 December 5, 1919;

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.5 cubic foot per second;

The point of diversion is located in the NW 1/4 SW 1/4 of Section 5, Township 1N, Range 42E, W. M. The use hereunder for irrigation shall conform to such reasonable rotation system as may be ordered by the proper state officer.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eighth of one cubic foot per second per acre, or its equivalent in case of rotation.

A description of the lands irrigated under the right hereby confirmed, and to which such right is appurtenant (if for irrigation or any other purpose), is as follows: 40 acres in the SW 1/4 E 1/2, Section 4, Township 1 North, Range 42 East of the Willamette Meridian in Wallowa County, Oregon.

Handwritten notes: Δ POD = SE SW TIN R42E sec 3 1000' N @ 1550'E from SW corner sec 3

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

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

WITNESS the signature of the State Engineer,

affixed this 9th day

of July, 1930

Rhea Luper

State Engineer.

STATE OF OREGON
COUNTY OF WALLOWA

CERTIFICATE OF WATER RIGHT

This is to Certify, That Ada Boyd

of Wallowa, 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 Wallowa River

a tributary of Grande Ronde River for the purpose of Irrigation

under Permit No. 9691 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 June 12, 1930;

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 0.23 cubic foot per second;

The point of diversion is located in the NE 1/4 of Section 5, Township 1N, Range 42E, W. M. The use hereunder for irrigation shall conform to such reasonable rotation system as may be ordered by the proper state officer.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent in case of rotation.

A description of the lands irrigated under the right hereby confirmed, and to which such right is appurtenant (if for irrigation or any other purpose), is as follows: 18 acres in the SW 1/4, Section 4, Township 1 North, Range 42 East of the Willamette Meridian in Wallowa County, Oregon.

Handwritten:
Δ POD =
80 SW 1/4 T1N R42E
80 3 1000' N - 1550' E
from SW corner sec. 3

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

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

WITNESS the signature of the State Engineer,

affixed this 15th day
of July, 1930

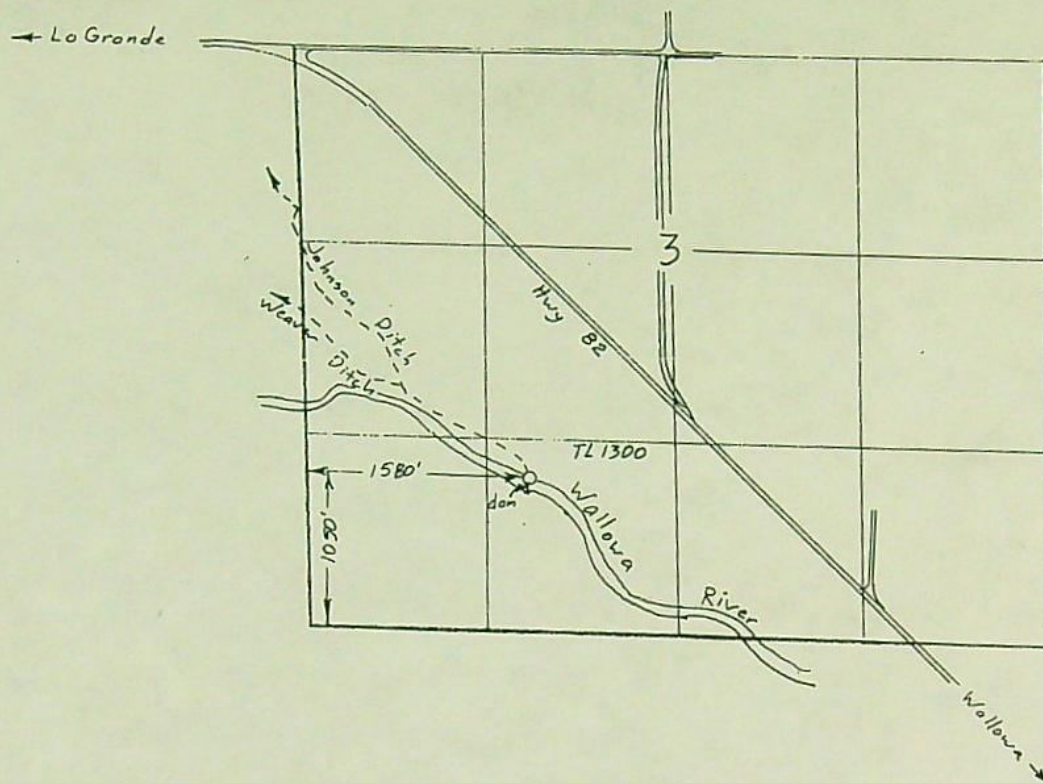
Rhea Luper

State Engineer.

RECEIVED

TOWNSHIP 1 NORTH, RANGE 42 EAST, W.M. FEB - 2 1998

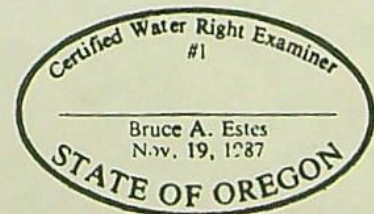
WATER RESOURCES DEPT
SALEM, OREGON



Scale 1" = 1320'

Surveyed Nov. 4, 1997

T- 7473
 Claim of Beneficial Use Map
 for
 WEAVER - JOHNSON DITCH
 (Lower Valley Water Improvement Dist.)



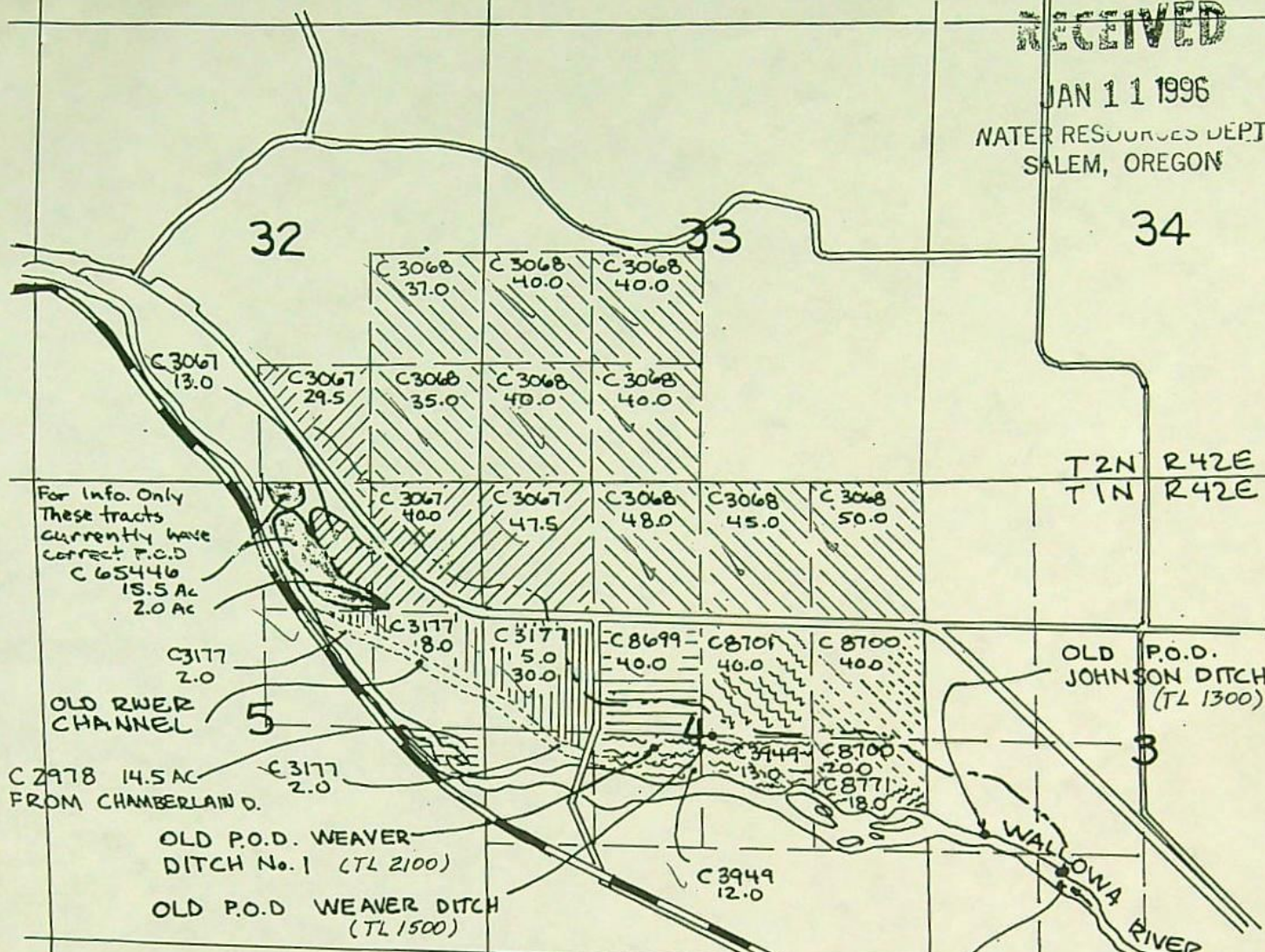
This map is for the purpose of
 locating a water right only
 and has no intent to provide
 legal dimensions or the location
 of property lines.

ESTES SURVEYS
 6293 Sunnyview Rd. NE 60382 Arnold Rd.
 Salem, OR 97305 Bend, OR 97702
 (503) 585-7593 (503) 382-7391

RECEIVED

JAN 11 1996

WATER RESOURCES DEPT.
SALEM, OREGON



For Info. Only
These tracts
currently have
correct P.O.D.
C 65446
15.5 Ac
2.0 Ac

T2N R42E
T1N R42E

OLD P.O.D.
JOHNSON DITCH
(TL 1300)

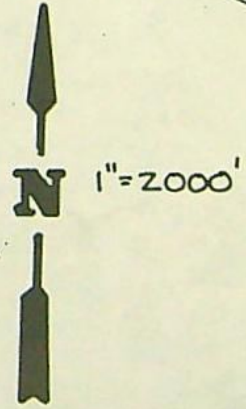
CURRENT P.O.D.
WEAVER-JOHNSON DITCH
1000' N, 1550' E OF
SW COR SEC 3
(TL 1300)

THE PURPOSE OF THIS APPLICATION IS TO CORRECT THE DIVERSION POINT FOR THE LANDS SHOWN HATCHED. THE REASON FOR THE CHANGE IS THAT OVER THE YEARS THE CHANNEL OF THE WALLOWA RIVER HAS CHANGED AND THE DITCH HAS BEEN RELOCATED TO SUIT THE RIVER. THREE DITCHES, WEAVER DITCH, WEAVER DITCH No. 1, AND JOHNSON DITCH HAVE BEEN CONSOLIDATED INTO THE WEAVER-JOHNSON DITCH WITH A DIFFERENT COMMON DIVERSION POINT. THIS DITCH ALSO SERVES A PARCEL IN THE NE 1/4, SE 1/4 SEC 6 WHICH WAS FORMERLY ON THE OPPOSITE SIDE OF THE RIVER AND SERVED BY THE CHAMBERLAIN DITCH, A DIVERSION OF BEAR CREEK.



LEGEND

C 3067	[diagonal lines]	C 8700	[cross-hatch]
C 3068	[diagonal lines]	C 8701	[cross-hatch]
C 3177	[vertical lines]	C 8771	[cross-hatch]
C 3949	[wavy lines]	C 65446	[cross-hatch]
C 8699	[horizontal lines]	C 2978	[dashed lines]



WALLOWA COUNTY
IN SEC 4 & 5 T1N R42E &
SEC 32 & 33 T2N R42E

HB 3086

CHANGE IN POINT OF
DIVERSION FOR WEAVER-
JOHNSON DITCH
LOWER VALLEY WATER IMPROVEMENT DIST.

17473

REV 10/6/94

UNITED STATES POSTAL SERVICE



First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10

• Print your name, address, and ZIP Code in this box •

WATER RESOURCES DEPT
158 12TH ST NE
SALEM OR 97310



Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, 4a, and 4b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write *"Return Receipt Requested"* on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

- 1. Addressee's Address
- 2. Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Lower Udy Wtr Imp Dist
Dale Johnson
775 83 Hwy 82
Wallowa OR 97885

T-7473

4a. Article Number

P-56224

4b. Service Type

- Registered Certified
- Express Mail Insured
- Return Receipt for Merchandise COD

7. Date of Delivery

11-26-97

5. Received By: (Print Name)

8. Addressee's Address (Only if requested and fee is paid)

6. Signature: (Addressee or Agent)

Dale Johnson

Thank you for using Return Receipt Service.



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

November 4, 1997

LOWER VALLEY WATER IMP DIST
DALE JOHNSON
77583 HWY 82
WALLOWA OR 97885

REFERENCE: Transfer 7473

This letter is in regard to your water use Transfer 7473. As we pointed out to you in our letter of February 12, 1997, your claim of beneficial use must be received in this office by

February 5, 1998.

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 **February 5, 1998**, 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,

LARRY H. NUNN
Transfer Coordinator

LHN:jh

cc: Rick Lusk, Watermaster
Ralph Swinehart, CWRE

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

February 12, 1997

LOWER VALLEY WATER IMPR DIST
DALE JOHNSON
77583 HWY 82
WALLOWA OR 97885

REFERENCE: File T-7473

This will acknowledge receipt of your notice that complete application of water has been made under Transfer 7473.

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 **February 5, 1998**. 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 7473 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: Rick Lusk, Watermaster
Ralph Swinehart, CWRE



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

TCWRE

RECEIVED

FEB - 5 1997

WATER RESOURCES DEPT.
SALEM, OREGON

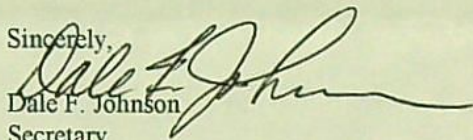
February 4, 1997

Larry H. Nunn
Water Rights Specialist
Oregon Water Resources Dept.

Dear Mr. Nunn.,

Enclosed is your notice of completion of change in the point of diversion of water under the terms of Transfer Application T-7473. I have attached 2 pages indicating the authorized place of use of said water under water rights referenced in T-7473. Thank you for your assistance and patience in this matter.

Sincerely,


Dale F. Johnson

Secretary

Weaver-Johnson Ditch

a part of Lower Valley Water
Improvement District

(198 7473

RECEIVED

FEB - 5 1997

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 T-7473

I, DALE F. JOHNSON, USED the water as provided by the
(print name) Sec/Treas Member/Johnson Ditch

order of the Water Resources Director approving said water right transfer application
BY Feb. 4, 1997

Description of the land on which I use water: SEE NINE (9) ATTACHED

Authorized places of use

Feb 4, 1997

(date)

Dale F. Johnson

(signature)

77583 Hwy 82 WALLOWA OR

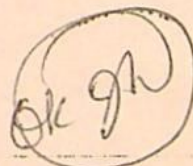
(address)

97885

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

9163A

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



RECEIVED

FEB - 5 1997

WATER RESOURCES DEPT.
SALEM, OREGON

The authorized place of use is located as follows:

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 29.5 ACRES
SECTION 32
TOWNSHIP 2 NORTH, RANGE 42 EAST, W.M.

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 47.5 ACRES
SECTION 4

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$ 13.0 ACRES
SECTION 5
TOWNSHIP 1 NORTH, RANGE 42 EAST, W.M.

The authorized place of use is located as follows:

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 37.0 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 35.0 ACRES
SECTION 32
TOWNSHIP 2 NORTH, RANGE 42 EAST, W.M.

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 40.0 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 40.0 ACRES
SW $\frac{1}{4}$ SW $\frac{1}{4}$ 40.0 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 40.0 ACRES
SECTION 33
TOWNSHIP 2 NORTH, RANGE 42 EAST, W.M.

Lot 1(NE $\frac{1}{4}$ NE $\frac{1}{4}$) 50.0 ACRES
Lot 2(NW $\frac{1}{4}$ NE $\frac{1}{4}$) 45.0 ACRES
Lot 3(NE $\frac{1}{4}$ NW $\frac{1}{4}$) 48.0 ACRES
SECTION 4
TOWNSHIP 1 NORTH, RANGE 42 EAST, W.M.

The authorized place of use is located as follows:

Tract No. 1
SW $\frac{1}{4}$ NW $\frac{1}{4}$ 5.0 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 2.0 ACRES
SECTION 4
TOWNSHIP 1 NORTH, RANGE 42 EAST, W.M.

RECEIVED

FEB - 5 1997

WATER RESOURCES DEPT.
SALEM, OREGON

Tract No. 2
SW $\frac{1}{4}$ NW $\frac{1}{4}$ 30.0 ACRES

SECTION 4

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 2.0 ACRES

SE $\frac{1}{4}$ NE $\frac{1}{4}$ 8.0 ACRES

SECTION 5

TOWNSHIP 1 NORTH, RANGE 42 EAST, W.M.

The authorized place of use is located as follows:

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 12.0 ACRES

NW $\frac{1}{4}$ SE $\frac{1}{4}$ 13.0 ACRES

SECTION 4

TOWNSHIP 1 NORTH, RANGE 42 EAST, W.M.

The authorized place of use is located as follows:

SE $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 ACRES

SECTION 4

TOWNSHIP 1 NORTH, RANGE 42 EAST, W.M.

T-7473.VC

Special Order Volume 50, Page 720

The authorized place of use is located as follows:

SE $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 ACRES

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 20.0 ACRES

SECTION 4

TOWNSHIP 1 NORTH, RANGE 42 EAST, W.M.

The authorized place of use is located as follows:

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 ACRES

SECTION 4

TOWNSHIP 1 NORTH, RANGE 42 EAST, W.M.

The authorized place of use is located as follows:

S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ 18.0 ACRES

SECTION 4

TOWNSHIP 1 NORTH, RANGE 42 EAST, W.M.

**ESTES
SURVEYS**

**SURVEYS
CONSULTING**

LAND & WATER RIGHTS

Bruce A. Estes, PLS, CWRE

60382 Arnold Rd.
Bend, OR 97702
(503) 382-7391

6293 Sunnyview Rd. NE
Salem, OR 97305
(503) 585-7593
FAX 585-7593

January 28, 1998

RECEIVED

FEB - 3 1998

WATER RESOURCES DEPT.
SALEM, OREGON

Dale Johnson
14017 West Pavilion Dr.
Sun City West, AZ 85375-5809

Dear Dale:

Re: T-7439 & 7473

Enclosed are the Claims of Beneficial Use for the transfers. Please look over the site reports and maps for any errors or omissions. If they are ok then submit the reports to the Water Resources Department at 158 12th St. NE, Salem, OR 97310. The copies are yours to keep. I will deliver a mylar copy of the map and the required calculations to the WRD.

I apologize for the delay in getting this to you. Thanks for your patience.

If you have any questions please call.

Sincerely,

Bruce

Bruce A. Estes, PLS, CWRE

enclosures

Dear Mr. Kruwer,

*Enclosed are the final Certs. re: T-7489
& T-7473. I have enclosed Bruce Estes
letter for your info. Hopefully this completes
the process. If you have any questions,
please call: Dale Johnson*

*1-541-886-7951
Apr - NOV*

*1-602-214-7032
NOV - APR.*



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

February 4, 1998

LOWER VALLEY IMPROVEMENT DISTRICT
67804 PROMISE ROAD
WALLOWA, OR 97885

REFERENCE: Files T-7473 (Weaver - Johnson Ditch) AND T-7489 (Lower Valley Ditch)

This will acknowledge that your claim of beneficial use and map in the name of LOWER VALLEY WATER IMPROVEMENT DISTRICT were received on FEBRUARY 3, 1998. These will be reviewed in the future to insure they are complete and correct.

Please contact me if you have any questions.

Sincerely,

Don Knauer JCB

DON KNAUER
Program Representative

DEK:tcb

cc: BRUCE A. ESTES, CWRE #1

Lower Valley Water Improvement | Dist. Calc's.

Lower Valley Ditch T-7489

42" x 60" arch type CMP - roughly equivalent to 48" CMP

From J.R. Griffith chart in WRD manual:

48" CMP

$$\frac{1000}{321} = 3.115$$

$$3.115 \times (.89 + \frac{5}{3.115}) = 3.12$$

on chart at 3.12 = **49.0 cfs**

6" head at entrance
over top of pipe

Don,
I used the wrong
depth in comp for
Weaver-Johnson ditch.
Please replace both
calc sheets with these.
Thanks, Bruce

Can.

1 1/2' fall per 1000'
water 2' deep

$$A = 26.0 \text{ ft}^2$$

$$R = \frac{26}{17.2} = 1.5116$$

$$S = \frac{1.5}{1000} = 0.0015$$

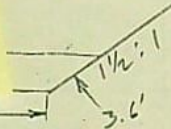
Mannings

$$Q = \frac{1.486}{n} A R^{2/3} S^{1/2}$$

$$= \frac{1.486}{0.03} \times 26 \times 1.5116^{2/3} \times 0.0015^{1/2}$$

$$= 49.53 \times 26 \times 1.3171 \times 0.03873$$

$$= \mathbf{65.7 \text{ cfs}}$$



Weaver-Johnson Ditch T-7473

1 1/2' fall per 1000'
water 4' deep

$$A = 48$$

$$R = \frac{48}{19.32} = 2.4845$$

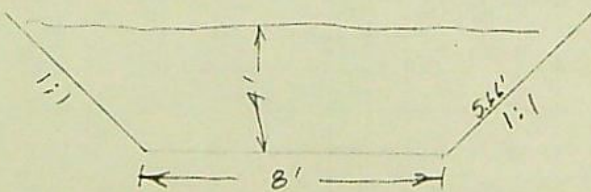
$$S = \frac{1.5}{1000} = 0.0015$$

$$Q = \frac{1.486}{n} A R^{2/3} S^{1/2}$$

$$= \frac{1.486}{0.03} \times 48 \times 2.4845^{2/3} \times 0.0015^{1/2}$$

$$= 49.53 \times 48 \times 1.8344 \times 0.0316$$

$$= \mathbf{138 \text{ cfs}}$$



Twin 48" CMP's x 20' long with 6" head (2'/1000')

WRD chart 39 cfs each

39 x 2 = 78 cfs

22-141 50 SHEETS
22-142 100 SHEETS
22-144 200 SHEETS



RECEIVED

FEB 18 1998

WATER RESOURCES DEPT.
SALEM, OREGON

Lower Valley Water Improvement | Dist. Calc's.

Lower Valley Ditch T-7489

42" x 60" arch type CMP - roughly equivalent to 48" CMP

From J.R. Griffith chart in WRD manual:

48" CMP

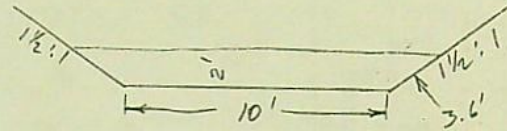
$$\frac{1000}{321} = 3.115$$

6" head at entrance over top of pipe

$$3.115 \times (0.89 + \frac{5}{3.115}) = 3.12$$

48" on chart at 3.12 = **49.0 cfs**

Canal



1 1/2' fall per 1000'
Water 2' deep

$$A = 26.0 \text{ m}^2$$

$$R = \frac{26}{17.2} = 1.5116$$

$$S = \frac{1.5}{1000} = 0.0015$$

Mannings

$$Q = \frac{1.486}{n} A R^{2/3} S^{1/2}$$

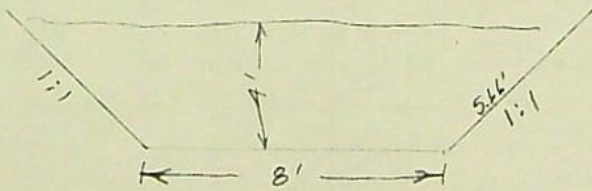
$$= \frac{1.486}{0.03} \times 26 \times 1.5116^{2/3} \times 0.0015^{1/2}$$

$$= 49.53 \times 26 \times 1.3171 \times 0.03873$$

$$= \mathbf{65.7 \text{ cfs}}$$

Weaver-Johnson Ditch T-7473

1 1/2' fall per 1000'
Water 4' deep



$$A = 48$$

$$R = \frac{48}{19.32} = 2.4845$$

$$S = \frac{1.5}{1000} = 0.0015$$

$$Q = \frac{1.486}{n} A R^{2/3} S^{1/2}$$

$$= \frac{1.486}{0.03} \times 48 \times 2.4845^{2/3} \times 0.0015^{1/2}$$

$$= 49.53 \times 48 \times 1.8344 \times 0.0316$$

$$= \mathbf{138 \text{ cfs}}$$

Twin 48" CMP's x 20' long with 6" head (2'/1000')

WRD chart 39 cfs each

39 x 2 = 78 cfs

22-141 50 SHEETS
22-142 100 SHEETS
22-144 200 SHEETS



RECEIVED

FEB 18 1998

WATER RESOURCES DEPT.
SALEM, OREGON

APPL. # -

PER. # -

/ /

MAP REVIEW

- 1- source and trib
- 2- diversion point location
- 3- conveyances (pipes, ditch, etc.)
- 4- place of use
- 5- scale
- 6- township, range, section
- 7- north arrow
- 8- CWRE stamp (signed?)
- 9- disclaimer
- 10- date survey was performed
- 11- P.O.B. of survey
- 12- dimensions and capacity of diversion system
- 13- "beneficial use" type title
- 14- "permanent-quality" paper

REPORT

- 15- permit conditions
 - (fish screen &/or fish passage devices)
 - (flow-meter)
 - (pump-test)
 - (other _____)
- 16- type of use
- 17- extent of use
- 18- rate and duty
- 19- time limits
 - (A,B,C and transfers)
- 20- crop type
- 21- system capacity
 - (with computations)



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

February 20, 1998

BRUCE A. ESTES, CWRE #1
6293 SUNNYVIEW ROAD NE
SALEM, OR 97305

REFERENCE: Files T-7473 AND T-7489

This will acknowledge receipt of the original maps done on mylar in the name of LOWER VALLEY WATER IMPROVEMENT DISTRICT which were received on FEBRUARY 9, 1998. These will be placed with their respective files.

Sincerely,

TIMMIE C. BRANDT
Office Specialist I

TCB

cc: LOWER VALLEY WATER IMPROVEMENT DIST.
77583 HWY 82
WALLOWA, OR 97885

STATE OF OREGON
WATER RESOURCES DEPARTMENT

001708

RECEIPT #

158 12TH ST. N.E.

INVOICE #

SALEM, OR 97310-0210

378-8455 / 378-8130 (FAX)

RECEIVED FROM:

Wendell Johnson
Dotch Co.

APPLICATION

PERMIT

TRANSFER

CASH:

CHECK: #

OTHER: (IDENTIFY)

 96387

TOTAL REC'D

\$ 250.

0417 WRD MISC CASH ACCT

ADJUDICATIONS

\$

PUBLICATIONS / MAPS

\$

OTHER: (IDENTIFY)

\$

OTHER: (IDENTIFY)

\$

REDUCTION OF EXPENSE

CASH ACCT.

\$

PCA AND OBJECT CLASS

VOUCHER #

0427 WRD OPERATING ACCT

MISCELLANEOUS

\$

0407

COPY FEES

\$

0410

RESEARCH FEES

\$

0408

MISC REVENUE: (IDENTIFY)

\$

TC165

DEPOSIT LIAB. (IDENTIFY)

\$

WATER RIGHTS:

EXAM FEE

RECORD FEE

0201

SURFACE WATER

\$

0203

GROUND WATER

\$

0205

\$

LICENSE FEE

\$

\$

250.00



Please...

- Read
- Handle
- Approve

And...

- Forward
- Return
- Keep or Toss
- Review with Me

MAY 18 1996

From: [Signature]

By: [Signature]

Date: 5/1/96

Post-it™ 7664 ©GM 1993

RECEIPT # **001708**

DATED: 4-23-96 BY: File P

STATE OF OREGON
 WATER RESOURCES DEPARTMENT

RECEIPT #

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

INVOICE # **001708**

RECEIVED FROM: Wendy Johnson
 BY: Ditch Co.

APPLICATION	
PERMIT	
TRANSFER	

CASH: CHECK: # 96387 OTHER: (IDENTIFY)

TOTAL REC'D \$ 250.00

0417 WRD MISC CASH ACCT

ADJUDICATIONS	\$
PUBLICATIONS / MAPS	\$
OTHER: (IDENTIFY)	\$
OTHER: (IDENTIFY)	\$

REDUCTION OF EXPENSE

CASH ACCT.	\$
PCA AND OBJECT CLASS	VOUCHER #

0427 WRD OPERATING ACCT

0407	MISCELLANEOUS COPY FEES	(?) Permit # 7473 see letter	\$
0410	RESEARCH FEES		\$
0408	MISC REVENUE: (IDENTIFY)		\$
TC-165	DEPOSIT LIAB. (IDENTIFY)		\$

WATER RIGHTS:

0201	SURFACE WATER	EXAM FEE	0202	RECORD FEE
0203	GROUND WATER	\$	0204	\$
0205	TRANSFER	\$	0206	\$
	WELL CONSTRUCTION	EXAM FEE		LICENSE FEE
0218	WELL DRILL CONSTRUCTOR	\$	0219	\$
	LANDOWNER'S PERMIT		0220	\$

OTHER (IDENTIFY) publication dep 250.00
PCA 66111

0437 WELL CONST. START FEE

0211	WELL CONST START FEE	\$	CARD #
0210	MONITORING WELLS	\$	CARD #
	OTHER (IDENTIFY)		

0539 LOTTERY PROCEEDS

1302	LOTTERY PROCEEDS	\$
------	------------------	----

0467 HYDRO ACTIVITY

0233	POWER LICENSE FEE (FWWRD)	LIC NUMBER	\$
0231	HYDRO LICENSE FEE (FWWRD)		\$
	HRDRO APPLICATION		\$

RECEIPT # **001708**

DATED: 4-23-96 BY: Fla P

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT #

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

INVOICE # **001708**

RECEIVED FROM: Decker Johnson
BY: Ditch Co.

APPLICATION	
PERMIT	
TRANSFER	

CASH: CHECK: # 96387 OTHER: (IDENTIFY)

TOTAL REC'D \$ 950.1

0417 WRD MISC CASH ACCT

ADJUDICATIONS	\$
PUBLICATIONS / MAPS	\$
OTHER: (IDENTIFY)	\$
OTHER: (IDENTIFY)	\$

REDUCTION OF EXPENSE

CASH ACCT.	\$
PCA AND OBJECT CLASS	VOUCHER #

0427 WRD OPERATING ACCT

0407 MISCELLANEOUS		\$
0410 COPY FEES		\$
0408 RESEARCH FEES		\$
0408 MISC REVENUE: (IDENTIFY)		\$
TC165 DEPOSIT LIAB. (IDENTIFY)		\$
WATER RIGHTS:		
0201 SURFACE WATER	EXAM FEE	RECORD FEE
0203 GROUND WATER	\$	\$
0205 TRANSFER	\$	\$
WELL CONSTRUCTION		
0218 WELL DRILL CONSTRUCTOR	EXAM FEE	LICENSE FEE
LANDOWNER'S PERMIT	\$	\$
0219		\$
0220		\$
OTHER (IDENTIFY)		\$

(?) Permit # 7473 see letter

Publication dep 250.00 PCA 6611

0437 WELL CONST. START FEE

0211 WELL CONST START FEE	\$	CARD #
0210 MONITORING WELLS	\$	CARD #
OTHER (IDENTIFY)		

0539 LOTTERY PROCEEDS

1302 LOTTERY PROCEEDS	\$
-----------------------	----

0467 HYDRO ACTIVITY

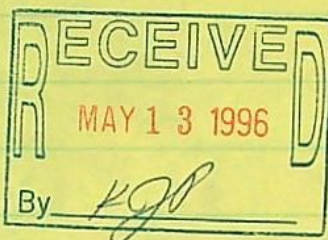
0233 POWER LICENSE FEE (FWWRD)	LIC NUMBER	\$
0231 HYDRO LICENSE FEE (FWWRD)		\$
HRDRO APPLICATION		\$

RECEIPT # **001708**

DATED: 4-23-96 BY: Flo P

4-17-96

Ms. Anita McCloud
State Dept of Water Res.
Salem, Oregon



RECEIVED

APR 23 1996

WATER RESOURCES DEPT.
SALEM, OREGON

Dear Ms. McCloud,

Mr. Vernon Church has advised me to send \$350 to your dept. for the advertisement fee regarding permit # 7473 (division change) for the Weaver-Johnson ditch in Willamette County. Hopefully this will complete the process.

Sincerely

Dale Johnson
Sec/Treas Weaver Johnson Ditch

☺ Thank you for your attention in this matter.

STATE OF OREGON
WATER RESOURCES DEPARTMENT

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # 97612

INVOICE # _____

RECEIVED FROM: Fountainhead

BY: _____

APPLICATION	<u>see below</u>
PERMIT	
TRANSFER	

CASH: CHECK: # 1451 OTHER: (IDENTIFY)

TOTAL REC'D \$ 1050⁰⁰

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____

OTHER: (IDENTIFY) \$ _____

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

0407	MISCELLANEOUS	<u>S-80879 = \$150⁰⁰</u>	\$
0407	COPY & TAPE FEES	<u>S-74281 = \$150⁰⁰</u>	\$
0410	RESEARCH FEES	<u>S 73764 = \$150⁰⁰</u>	\$
0408	MISC REVENUE: (IDENTIFY)	<u>S-84433 = \$150⁰⁰</u>	\$
TC162	DEPOSIT LIAB. (IDENTIFY)	<u>S-84435 = \$150⁰⁰</u>	\$
0240	EXTENSION OF TIME	<u>T-7483 = \$150⁰⁰</u>	\$
	WATER RIGHTS:	<u>T-7627 = \$150⁰⁰</u>	
0201	SURFACE WATER	EXAM FEE	RECORD FEE
0203	GROUND WATER	\$	0202 \$
0205	TRANSFER	\$	0204 \$
	WELL CONSTRUCTION	EXAM FEE	LICENSE FEE
0218	WELL DRILL CONSTRUCTOR	\$	0219 \$
	LANDOWNER'S PERMIT		0220 \$
<u>0200</u>	OTHER (IDENTIFY)	<u>COBU</u>	<u>\$1050⁰⁰</u>

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____ CARD # _____

0210 MONITORING WELLS \$ _____ CARD # _____

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FWWRD) \$ _____

0231 HYDRO LICENSE FEE (FWWRD) \$ _____

HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ \$ _____

RECEIPT: 97612 DATED: 8.26.09 BY: Ltg

FOUNTAINHEAD

1451

24 Aug 2009
OREGON WATER RESOURCES DEPT.
\$ 1050
COBU FEES - 7 COBU'S FOR BPA

RECEIVED
AUG 26 2009
WATER RESOURCES DEPT
SALEM, OREGON

REQUEST FOR DISTRIBUTION OF FUNDS

TO: Fiscal Services Section

DATE: 8/23/99

FROM: Larry Nunn (File Examiner)

PHONE: X 275 FAX:

SUBJECT: TRANSFER FILE - Request for Payment or Refund

TRANSFER FILE #: 7473 RECEIPT #: 001708

Please prepare payment in the amount of \$ 250.00, made payable to:

Name: Weaver Johnson Ditch Co
Address: 77583 Hwy 82
City: Wallawa ST: OR Zip: 97885

These funds are being paid or refunded as a result of (check one):
 File being Rejected / Withdrawn / Misfiled
 Excess fees were collected for application / PON
 Payment of PON
 Protest filing fee
 Other: 0207

TRANSFER FILE #: RECEIPT #:

Please prepare payment in the amount of \$, made payable to:

Name:
Address:
City: ST: Zip:

These funds are being paid or refunded as a result of (check one):
 File being Rejected / Withdrawn / Misfiled
 Excess fees were collected for application / PON
 Payment of PON
 Protest filing fee
 Other:

I have reviewed this distribution request and have determined the request to be justified as to the purpose indicated above. Fiscal Services is hereby authorized to process the requested distribution.

Authorized Signature: Joseph A. Nunn Date: 8/23/99

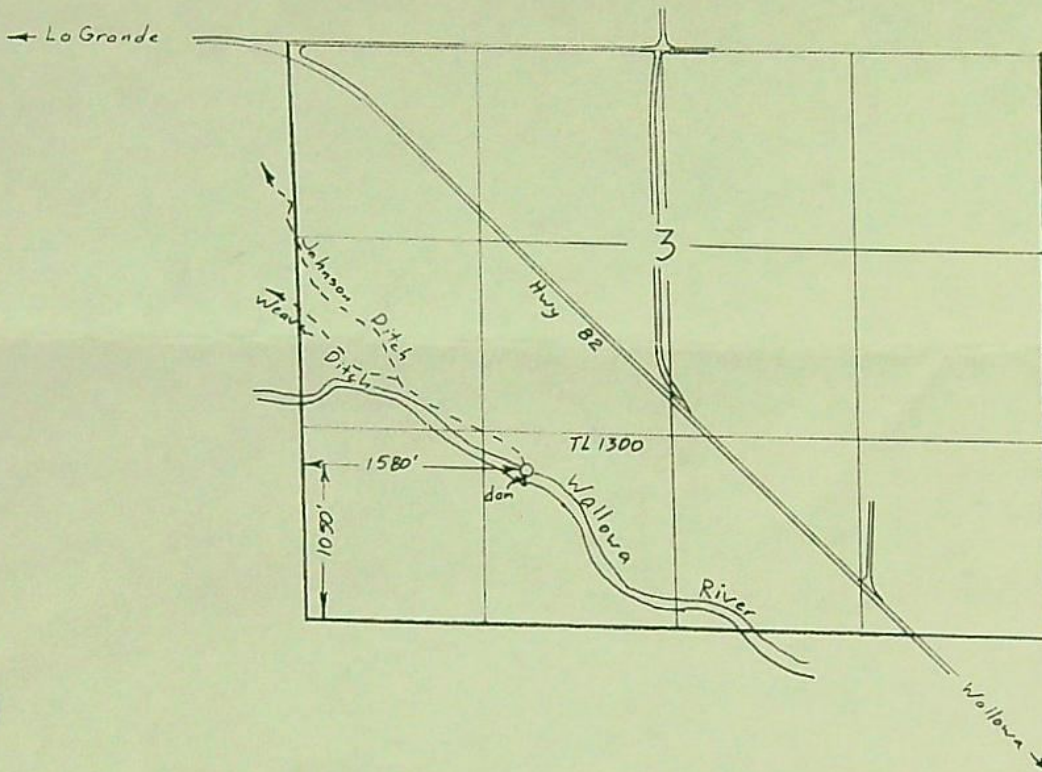
M:\wpda\transfer (7/95)

RECEIVED AUG 24 1999

RECEIVED

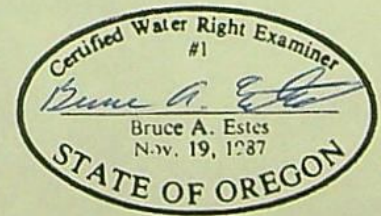
TOWNSHIP 1 NORTH, RANGE 42 EAST, W. M. FEB - 3 1998

WATER RESOURCES DEPT
SALEM, OREGON



Surveyed Nov. 4, 1997

T- 7473
 Claim of Beneficial Use Map
 for
 WEAVER - JOHNSON DITCH
 (Lower Valley Water Improvement Dist.)



This map is for the purpose of
 locating a water right only
 and has no intent to provide
 legal dimensions or the location
 of property lines.

ESTES SURVEYS
 6293 Sunnyview Rd. NE Salem, OR 97305 (503) 585-7593
 60382 Arnold Rd. Bend, OR 97702 (503) 382-7391



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

September 7, 1999

Weaver Johnson Ditch Co.
77583 Highway 82
Wallowa, OR 97885

REFERENCE: Transfer 7473

Enclosed is our check for \$250.00. This is a refund of the publication deposit you submitted for your water right Transfer Application 7473. This transfer was approved in 1996.

During a review of the files, we discovered that we had not refunded these fees to you. We apologize for the inconvenience.

If you have any questions, please call me at (503) 378-8455, ext. 275, or (800) 624-3199 (in-state only).

Sincerely,

STATE OF OREGON REMITTANCE ADVICE

WARRANT NO.
115596971

WATER RESOURCES DEPARTMENT

(503) 378-8455

INVOICE NO.	INVOICE DATE	INVOICE DESCRIPTION	AGY	DOCUMENT	AMOUNT
		REVENUE REFUND 7473 001708	690	VP009994	250.00

VENDOR NAME: WEAVER JOHNSON DITCH CO
VENDOR NUMBER: 9690000001

ISSUE DATE:
09/02/99

WARRANT AMOUNT
250.00

Affidavit of Publication

STATE OF OREGON }
County of Wallowa } ss

I, Anne Christman, being first duly sworn, depose and say that I am the

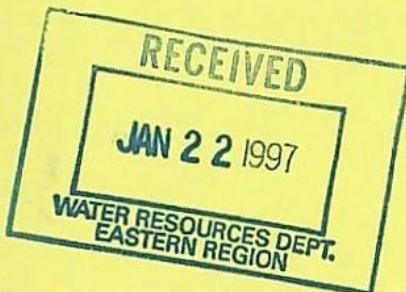
Office Manager

(printer, foreman of the printer, principal clerk, publisher or business manager) of the WALLOWA COUNTY CHIEFTAIN, a newspaper of general circulation printed and published at Enterprise in the aforesaid County and State, as defined in Section 58, Oregon Laws, and that the

NOTICE OF WATER RIGHT TRANSFER

Application to change in point of diversion of water

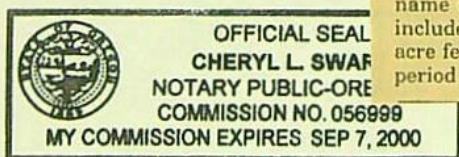
a pri
publi



Subscribed and sworn to before me this 22th day of January, 1997

Cheryl L. Swaff
Notary Public

(My Commission expires .09/07)



NOTICE OF WATER RIGHT TRANSFERS 7473

The Lower Valley Water Improvement District filed an application with the Water Resources Department for a change in point of diversion of water as provided by ORS 540.510 to 540.530.

Certificate 3067, in the name of Ernest F. Johnson, includes a right limited to 1.5 acre feet per acre during any period of 30 days prior to July

of Public Interest

31st of each year, and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season from Wallowa River, with a priority date of 1887 for stock and irrigation of 130 acres.

The point of diversion for this right is the Johnson Ditch.

Certificate 3068, in the name of Joseph F. Johnson, includes a right limited to 1.5 acre feet per acre during any period of 30 days prior to July 31st of each year, and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season from Wallowa River, with a priority date of 1884 and October 1900 for stock and irrigation of 415 acres.

The point of diversion for this right is the Johnson Ditch.

Certificate 3177, in the name of Elijah D. Weaver, includes a right limited to 1.5 acre feet per acre during any period of 30 days prior to July 31st of each year, and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season from Wallowa River, with a priority date of 1893, July 1, 1897 and 1905 for stock and irrigation of 57 acres.

The point of diversion for this right is the Weaver Ditch, No. 1.

Certificate 3949, in the name of Roy Schaeffer, includes a right limited to 0.31 cubic feet per second, or its equivalent in case of rotation from Wallowa River, with a priority date of December 5, 1919 for irrigation of 25 acres.

The point of diversion for this right is 66 rods South and 32 rods East of the NE Corner of NE1/4SE1/4 Sec. 4, T1N, R42E, being within the NW 1/4SW1/4 of Sec. 3, T1N, R42E, W.M.

Certificate 8699, in the name of Alma V. Hearing and John G. McCulloch, includes a right limited to 0.5 cubic feet per second from Wallowa River, with a priority date of December 5, 1919 for irrigation of 40 acres.

The point of diversion for these rights is in the NW1/4SW1/4 Sec. 3, T1N, R42E, W.M.; 1100'S and 900'E from W1/4 corner of Sec. 3.

Certificate 8700, in the name of Ada Boyd, includes a right limited to 0.75 cubic feet per second, from Wallowa River, with a priority date of December 5, 1919 for irrigation of 60 acres.

The point of diversion for these rights is in the NW1/4SW1/4 Sec. 3, T1N, R42E, W.M.; 1100'S and 900'E from W1/4 corner of Sec. 3.

Certificate 8701, in the name of Roy Schaeffer, includes a right limited to 0.5

cubic feet per second, from Wallowa River, with a priority date of December 5, 1919 for irrigation of 40 acres.

The point of diversion for these rights is in the NW1/4SW1/4 Sec. 3, T1N, R42E, W.M.; 1100'S and 900'E from W1/4 corner of Sec. 3.

Certificate 8771, in the name of Ada Boyd, includes a right limited to 0.23 cubic feet per second, from Wallowa River, with a priority date of June 12, 1950 for irrigation of 18 acres.

The point of diversion for these rights is in the NW1/4SW1/4 Sec. 3, T1N, R42E, W.M.; 1100'S and 900'E from W1/4 corner of Sec. 3.

The applicant proposes to change the points of diversion to SE1/4SW1/4 Sec. 3, T1N, R42E, W.M.; 1000'N and 1550'E from SW corner.

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) 963-1031. If a protest is filed a hearing may be held.

The last date of publication is August 29, 1996. IF NO PROTEST IS FILED BY SEPTEMBER 28, 1996, THE CHANGE MAY BE APPROVED WITHOUT A HEARING.

c14t3

Affidavit of Publication

STATE OF OREGON }
County of Wallowa } ss

I, Anne Christman, being first duly sworn, depose and say that I am the

Office Manager

(printer, foreman of the printer, principal clerk, publisher or business manager) of the WALLOWA COUNTY CHIEFTAIN, a newspaper of general circulation printed and published at Enterprise in the aforesaid County and State, as defined in Section 58, Oregon Laws, and that the

NOTICE OF WATER RIGHT TRANSFER

Application to change in point of diversion of water

a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for 3 weeks in the issues of

- August 15, 1996
- August 22, 1996
- August 29, 1996

Anne Christman

Subscribed and sworn to before me this 16th day of January, 1997

Cheryl L. Swaff
Notary Public

(My Commission expires .09/07)



NOTICE OF WATER RIGHT TRANSFERS 7473

The Lower Valley Water Improvement District filed an application with the Water Resources Department for a change in point of diversion of water as provided by ORS 540.510 to 540.530.

Certificate 3067, in the name of Ernest F Johnson, includes a right limited to 1.5 acre feet per acre during any period of 30 days prior to July

of Public Interest

31st of each year, and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season from Wallowa River, with a priority date of 1887 for stock and irrigation of 130 acres.

The point of diversion for this right is the Johnson Ditch.

Certificate 3068, in the name of Joseph F Johnson, includes a right limited to 1.5 acre feet per acre during any period of 30 days prior to July 31st of each year, and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season from Wallowa River, with a priority date of 1884 and October 1900 for stock and irrigation of 415 acres.

The point of diversion for this right is the Johnson Ditch.

Certificate 3177, in the name of Elijah D. Weaver, includes a right limited to 1.5 acre feet per acre during any period of 30 days prior to July 31st of each year, and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season from Wallowa River, with a priority date of 1893, July 1, 1897 and 1905 for stock and irrigation of 57 acres.

The point of diversion for this right is the Weaver Ditch, No. 1.

Certificate 3949, in the name of Roy Schaeffer, includes a right limited to 0.31 cubic feet per second, or its equivalent in case of rotation from Wallowa River, with a priority date of December 5, 1919 for irrigation of 25 acres.

The point of diversion for this right is 66 rods South and 32 rods East of the NE Corner of NE1/4SE1/4 Sec. 4, T1N, R42E, being within the NW 1/4SW1/4 of Sec. 3, T1N, R42E, WM.

Certificate 8699, in the name of Alma V. Hearing and John G. McCulloch, includes a right limited to 0.5 cubic feet per second from Wallowa River, with a priority date of December 5, 1919 for irrigation of 40 acres.

The point of diversion for these rights is in the NW1/4SW1/4 Sec. 3, T1N, R42E, WM.; 1100'S and 900'E from W1/4 corner of Sec. 3.

Certificate 8700, in the name of Ada Boyd, includes a right limited to 0.75 cubic feet per second, from Wallowa River, with a priority date of December 5, 1919 for irrigation of 60 acres.

The point of diversion for these rights is in the NW1/4SW1/4 Sec. 3, T1N, R42E, WM.; 1100'S and 900'E from W1/4 corner of Sec. 3.

Certificate 8701, in the name of Roy Schaeffer, includes a right limited to 0.5

cubic feet per second, from Wallowa River, with a priority date of December 5, 1919 for irrigation of 40 acres.

The point of diversion for these rights is in the NW1/4SW1/4 Sec. 3, T1N, R42E, WM.; 1100'S and 900'E from W1/4 corner of Sec. 3.

Certificate 8771, in the name of Ada Boyd, includes a right limited to 0.23 cubic feet per second, from Wallowa River, with a priority date of June 12, 1950 for irrigation of 18 acres.

The point of diversion for these rights is in the NW1/4SW1/4 Sec. 3, T1N, R42E, WM.; 1100'S and 900'E from W1/4 corner of Sec. 3.

The applicant proposes to change the points of diversion to SE1/4SW1/4 Sec. 3, T1N, R42E, WM.; 1000'N and 1550'E from SW corner.

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) 963-1031. If a protest is filed a hearing may be held.

The last date of publication is August 29, 1996. IF NO PROTEST IS FILED BY SEPTEMBER 28, 1996, THE CHANGE MAY BE APPROVED WITHOUT A HEARING.

c14t3

No.

In the Court of the
STATE OF OREGON
for the
COUNTY OF WALLOWA

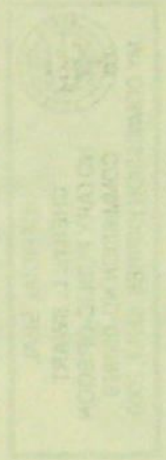
**AFFIDAVIT OF
PUBLICATION**

Filed 19.....
.....
County Clerk

By Deputy

FROM THE OFFICE OF

.....
Attorney for



STATE OF OREGON

COUNTY OF WALLOWA

CERTIFICATE OF WATER RIGHT

(For Rights which have been confirmed by the Courts)

This is to Certify, That ERNEST F. JOHNSON
of Wallowa, State of Oregon 97885 has a right to the use of
the waters of Wallowa River, a tributary of the Grande Ronde River

for the purpose of the irrigation of 130 acres of land, and stock use

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
Wallowa County, and the said decree entered of record at Salem, in the Order
Record of the State Water Board of the State of Oregon, in Volume 5, at page 176;
that the priority of the right hereby confirmed dates from 1887

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 1/2 acre feet per acre during any period of 30 days prior to July 31st of each year,
and thereafter not to exceed 1 acre foot per acre during the entire remainder of the
irrigation season; and said right shall be subject to all other conditions and
limitations contained in said decree.

A description of the lands irrigated under such right, and to which the water hereby con-
firmed is appurtenant, or, if for other purposes, the place where such water is put to beneficial use,
is as follows: 47 1/2 acres in the NW 1/4 NW 1/4 of Section 4; 40 acres in the NE 1/4 NE 1/4;
13 acres in the NW 1/4 NE 1/4 of Section 5, Township 1 North, Range 42 East of Wil-
lamette Meridian and 29 1/2 acres in the SW 1/4 SE 1/4 of Section 32, Township 2 North,
Range 42 East of Willamette Meridian, in Wallowa County, Oregon.

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

WITNESS the seal and signature of the State
Water Board, affixed this 2nd day
of April, 1921

STATE WATER BOARD

(Seal of State Water Board)

By PERCY A. CUPPER
State Engineer, President

Attest:

R. W. POTTER
Secretary

Recorded in State Record of Water Right Certificates, Volume 4, page 3067

T-7473

STATE OF OREGON

COUNTY OF WALLOWA

CERTIFICATE OF WATER RIGHT

(For Rights which have been confirmed by the Courts)

This is to Certify, That JOSEPH F. JOHNSON, By Ernest F. Johnson of Wallowa, State of Oregon 97885 has a right to the use of the waters of Wallowa River, a tributary of the Grande Ronde River

for the purpose of the irrigation of 415 acres of land and stock use

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Wallowa County, and the said decree entered of record at Salem, in the Order Record of the State Water Board of the State of Oregon, in Volume 5, at page 176; that the priority of the right hereby confirmed dates from October 1900 for Tract No. 1 and 1884 for Tract No. 2

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 $1\frac{1}{2}$ acre feet per acre during any period of 30 days prior to July 31st of each year, and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season; and said right shall be subject to all other conditions and limitations contained in said decrees.

A description of the lands irrigated under such right, and to which the water hereby confirmed is appurtenant, or, if for other purposes, the place where such water is put to beneficial use, is as follows: Tract No. 1: 50 acres in the $NE\frac{1}{2}NE\frac{1}{2}$ (Lot 1); 45 acres in the $NW\frac{1}{2}NE\frac{1}{2}$ (Lot 2) and 48 acres in the $NE\frac{1}{2}NW\frac{1}{2}$ (Lot 3) of Section 4, Township 1 North, Range 42; 80 acres in the $N\frac{1}{2}SW\frac{1}{2}$; 80 acres in the $S\frac{1}{2}SW\frac{1}{2}$ of Section 33; 37 acres in the $NE\frac{1}{2}SE\frac{1}{2}$ and 35 acres in the $SE\frac{1}{2}SE\frac{1}{2}$ of Section 32, Township 2 North, Range 42; All East of Willamette Meridian, in Wallowa County, Oregon.

OK
Remain

Tract No. 2: 40 acres in the $SW\frac{1}{2}NW\frac{1}{2}$ of section 3, Township 1 North, Range 42 East of Willamette Meridian, in Wallowa County, Oregon.

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

WITNESS the seal and signature of the State Water Board, affixed this 2nd day of April, 192 1

STATE WATER BOARD

(Seal of State Water Board)

By.....PERCY A. CUPPER.....
State Engineer, President

Attest:

.....R. W. POTTER.....
Secretary

Recorded in State Record of Water Right Certificates, Volume 5, page 3068

T-7473

STATE OF OREGON

COUNTY OF WALLOWA

CERTIFICATE OF WATER RIGHT

(For Rights which have been confirmed by the Courts)

This is to Certify, That ELIJAH D. WEAVER

of Wallowa, State of Oregon 97885 has a right to the use of the waters of Wallowa River, a tributary of the Grande Ronde River, and Bear Creek, a tributary of the Wallowa River

for the purpose of the irrigation of 57 acres of land and stock use

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Wallowa County, and the said decree entered of record at Salem, in the Order Record of the State Water Board of the State of Oregon, in Volume 5, at page 200; that the priority of the right hereby confirmed dates from 1905 for Tract No. 1: July 1, 1897 for Tract No. 2 and 1893 for Tract No. 3

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 1/2 acre feet per acre during any period of 30 days prior to July 31st of each year, and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season; and said right shall be subject to all other conditions and limitations contained in said decree.

A description of the lands irrigated under such right, and to which the water hereby confirmed is appurtenant, or, if for other purposes, the place where such water is put to beneficial use,

is as follows: Tract No. 1, irrigated from Wallowa River: 2 acres in the NW 1/4 SW 1/4 and 5 acres in the SW 1/4 NW 1/4 of Section 4, Township 1 North, Range 42 East of Willamette Meridian, in Wallowa County, Oregon.

Tract No. 2, irrigated from Wallowa River: 30 acres in the SW 1/4 NW 1/4 of Section 4: 2 acres in the SW 1/4 NE 1/4 and 8 acres in the SE 1/4 NE 1/4 of Section 5, Township 1 North, Range 42 East of Willamette Meridian, in Wallowa County, Oregon.

Tract No. 3, irrigated from Bear Creek: 10 acres in the NW 1/4 SE 1/4 of Section 5, Township 1 North, Range 42 East of Willamette Meridian, in Wallowa County, Oregon.

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

WITNESS the seal and signature of the State Water Board, affixed this 2nd day of April, 1921

STATE WATER BOARD

(Seal of State Water Board)

By.....PERCY A. CUPPER.....
State Engineer, President

Attest:

.....R. W. POTTER.....
Secretary

Recorded in State Record of Water Right Certificates, Volume 4, page 3177

T-7473

STATE OF OREGON

COUNTY OF WALLOWA

CERTIFICATE OF WATER RIGHT

This is to Certify, That ROY SCHAEFFER in 97885 of said

Wallowa State of Oregon has made proof to the satisfaction of the STATE WATER BOARD of Oregon, of a right to the use of the waters of Wallowa River

a tributary of Grande Ronde River for the purpose of Irrigation under Permit No. 4374 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon and duly confirmed by order of the STATE WATER BOARD of Oregon, made and entered of record in the Record of Proceedings of said Board, at Salem, in Volume 2 at page 461, on the 15th day of February, 1923; that the priority of the right hereby confirmed dates from December 5, 1919

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 25 cfs. cubic feet per second, or its equivalent in case of rotation. The use hereunder for irrigation shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the lands under such right, and to which the water hereby confirmed is appertenant, or, if for other purposes, the place where such water is put to beneficial use, is as follows: 13 acres in the North half Northwest quarter Southeast quarter, and 12 acres in the North half Northeast quarter Southwest quarter of Section Four Township One North, Range Forty-two East of Willamette Meridian, in Wallowa County, Oregon.

25 cfs.

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

Rights to the use of water for power purposes are limited to a period of forty years from the date of priority of the right, as herein set forth, subject to a preference right of renewal under the laws existing at the date of the expiration of the right for power purposes, as hereby confirmed and limited.

WITNESS the seal and signature of the State

Water Board, affixed this 15th day

of February, 1923

STATE WATER BOARD (Seal of State Water Board)

By PERCY A. CUPPER State Engineer, President

Attest: R. W. POTTER Secretary

Recorded in State Record of Water Right Certificate, Volume 5, page 9949

T-7473

STATE OF OREGON
COUNTY OF WALLOWA
CERTIFICATE OF WATER RIGHT

This is to Certify, That **Alma V. Hearing and John G. McCulloch**
 of **Wallowa**, State of **Oregon**, ⁷⁷²⁸⁵ has made proof
 to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of
Wallowa River
 a tributary of Grande Ronde River for the purpose of
Irrigation
 under Permit No. **4375** 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 **December 5, 1919;**

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

The point of diversion is located in the **NW 1/4 SW 1/4** of Section **3**, Township **1N**, Range **42E**, W. M.
 The use hereunder for irrigation shall conform to such reasonable rotation system as may be
 ordered by the proper state officer.

The amount of water used for irrigation, together with the amount secured under any other
 right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per
 acre, or its equivalent in case of rotation.

A description of the lands irrigated under the right hereby confirmed, and to which such
 right is appurtenant (if for irrigation or any other purpose), is as follows: **40 acres in the**
SE 1/4 N 1/4, Section 4, Township 1 North, Range 42 East of the Willamette Meridian
in Wallowa County, Oregon.

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

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

WITNESS the signature of the State Engineer,

affixed this **9th** day
 of **July**, **1930**

Rhea Luper
 State Engineer.

Recorded in State Record of Water Right Certificates, Volume **8**, page **8699**

V 102

T-7473

STATE OF OREGON
COUNTY OF WALLOWA
CERTIFICATE OF WATER RIGHT

This is to Certify, That **Ada Boyd** 97885
of **Wallowa**, 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
Wallowa River
a tributary of **Grande Ronde River** for the purpose of
Irrigation
under Permit No. **4375** 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 **December 5, 1919**;

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
0.75 cubic foot per second;

The point of diversion is located in the **NW $\frac{1}{4}$ SW $\frac{1}{4}$** of Section **3**, Township **1N**, Range **42E** W. M.
The use hereunder for irrigation shall conform to such reasonable rotation system as may be
ordered by the proper state officer.

The amount of water used for irrigation, together with the amount secured under any other
right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per
acre, or its equivalent in case of rotation.

A description of the lands irrigated under the right hereby confirmed, and to which such
right is appurtenant (if for irrigation or any other purpose), is as follows: **40 acres in the**
SE $\frac{1}{4}$ NE $\frac{1}{4}$ and **20 acres in the N $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$** , Section **4**, Township **1 North**, Range **42 East**
of the **Willamette Meridian** in **Wallowa County**, Oregon.

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

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

WITNESS the signature of the State Engineer,

affixed this **9th** day
of **July**, 19**30**

Rhea Luper

State Engineer.

Recorded in State Record of Water Right Certificates, Volume

8

, page

8700

T-7473

STATE OF OREGON
COUNTY OF WALLOWA
CERTIFICATE OF WATER RIGHT

This is to Certify, That Roy Schaeffer 97885
of Wallowa, 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
Wallowa River
a tributary of Grande Ronde River for the purpose of
Irrigation
under Permit No. 4375 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 December 5, 1919;

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

The point of diversion is located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 5, Township 1N, Range 42E, W. M.
The use hereunder for irrigation shall conform to such reasonable rotation system as may be
ordered by the proper state officer.

The amount of water used for irrigation, together with the amount secured under any other
right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per
acre, or its equivalent in case of rotation.

A description of the lands irrigated under the right hereby confirmed, and to which such
right is appurtenant (if for irrigation or any other purpose), is as follows: 40 acres in the
SW $\frac{1}{4}$ N E $\frac{1}{4}$, Section 4, Township 1 North, Range 42 East of the Willamette Meridian
in Wallowa County, Oregon.

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

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

WITNESS the signature of the State Engineer,

affixed this 9th day

of July, 1930

Rhea Luper

State Engineer.

Recorded in State Record of Water Right Certificates, Volume 8, page 8701

T-7473

UOR

STATE OF OREGON
COUNTY OF WALLOWA

CERTIFICATE OF WATER RIGHT

This is to Certify, That **Ada Boyd**

97885

of **Wallowa**, 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 **Wallowa River**

a tributary of **Grande Ronde River** for the purpose of **Irrigation**

under Permit No. **9691** 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 **June 12, 1950**;

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 **0.25 cubic foot per second**;

The point of diversion is located in the **NE 1/4 SW 1/4** of Section **5**, Township **1N**, Range **42E**, W. M. The use hereunder for irrigation shall conform to such reasonable rotation system as may be ordered by the proper state officer.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent in case of rotation.

A description of the lands irrigated under the right hereby confirmed, and to which such right is appurtenant (if for irrigation or any other purpose), is as follows: **18 acres in the S 1/2 NE 1/4, Section 4, Township 1 North, Range 42 East of the Willamette Meridian in Wallowa County, Oregon.**

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

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

WITNESS the signature of the State Engineer,

affixed this **15th** day of **July**, 19**50**

Rhea Luper
State Engineer.

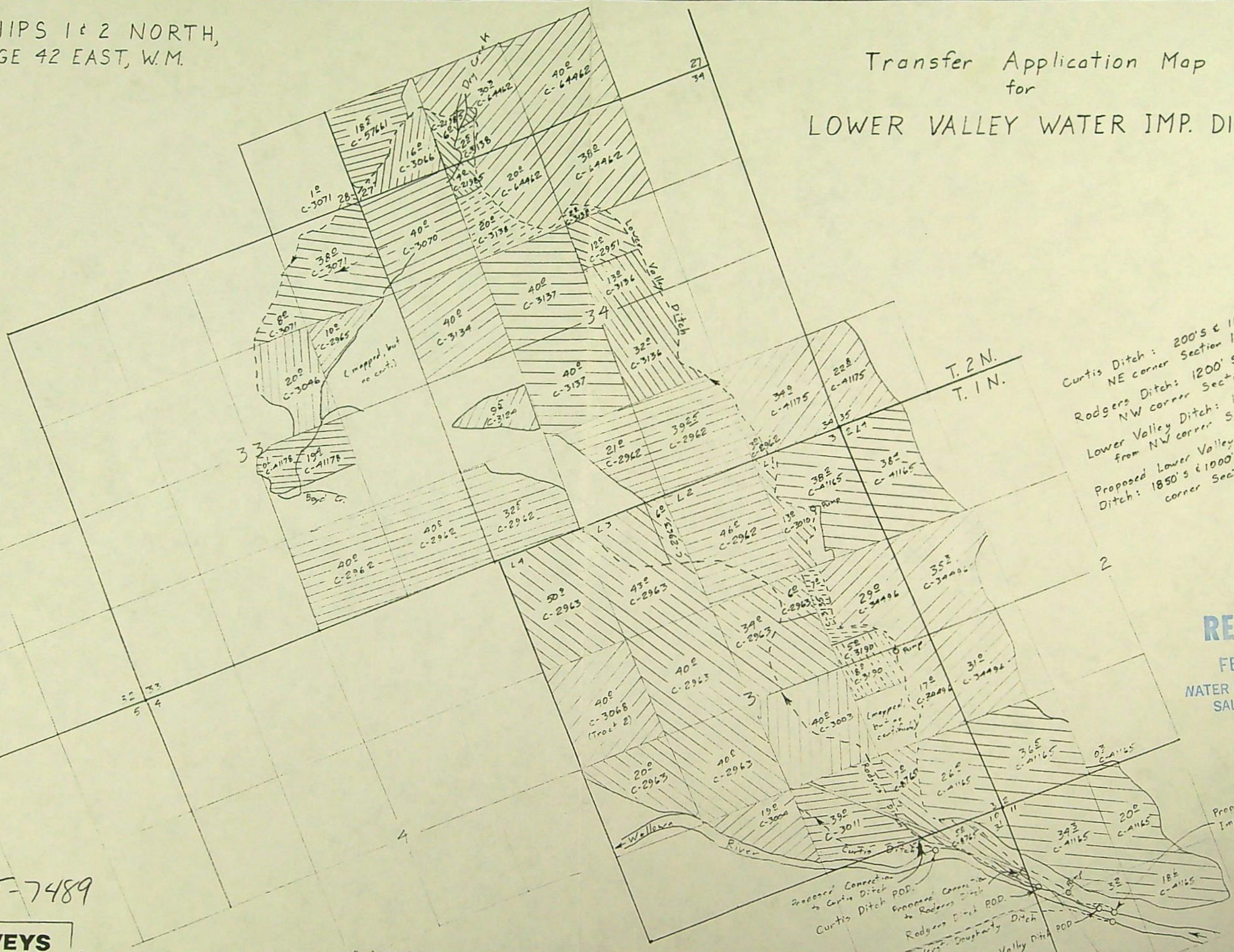
Recorded in State Record of Water Right Certificates, Volume **8**, page **8771**

T-7473

TOWNSHIPS 1 & 2 NORTH,
RANGE 42 EAST, W.M.

Transfer Application Map for LOWER VALLEY WATER IMP. DIST.

Scale 1" = 1320'



Curtis Ditch: 200' S & 1100' W from
NE corner Section 10
Rogers Ditch: 1200' S & 100' E from
NW corner Section 11
Lower Valley Ditch: 1750' S & 800' E
from NW corner Section 11
Proposed Lower Valley Water Imp. Dist.
Ditch: 1850' S & 1000' E from NW
corner Section 11

RECEIVED
FEB - 5 1996
WATER RESOURCES DEPT.
SALEM, OREGON

Certified Water Right Examiner
#1
Bruce A. Estes
Bruce A. Estes
Nov. 19, 1987
STATE OF OREGON

T-7489

ESTES SURVEYS
6293 Sunnyview Rd NE
Salem OR 97305
(503) 585-7593
60382 Arnold Rd
Bend OR 97702
(503) 382-7391

This map is for the purpose of locating a water
right only and has no intent to provide legal
dimensions or the location of property lines.

Proposed Connection
to Curtis Ditch
Curtis Ditch POD
Proposed Connection
to Rodgers Ditch
Rodgers Ditch POD
Wicks Dougherty Ditch
Lower Valley Ditch POD

October 30, 1996

WATER
RESOURCES
DEPARTMENT

LOWER VALLEY WATER IMPROVEMENT DISTRICT
DALE JOHNSON
77583 HWY 82
WALLOWA OR 97885

REFERENCE: File T-7473

Enclosed is a copy of the order approving your water right transfer application T-7473.

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: Rick Lusk, Watermaster
Ralph Swinehart, CWRE



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

COPY

STATE OF OREGON

COUNTY OF WALLOWA

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 7473 submitted by:

LOWER VALLEY WATER IMPROVEMENT DISTRICT
C/O DALE JOHNSON
77583 HWY 82
WALLOWA, OR 97885

The first right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for WALLOWA County as evidenced by a PORTION of Certificates 3067. The decree is recorded in the Order Record of the Water Resources Director in Volume 5, Page 176. The date of priority is 1887.

The right allows the use of the Wallowa River, a tributary of the Grande Ronde River, for stock and irrigation of 130.0 acres. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1½ acre feet per acre during any period of 30 days prior to July 31st of each year and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season, if available at the authorized point of diversion NW¼ SW¼, Section 3, Township 1 North, Range 42 East, W.M.; 1100 feet South and 900 feet East from the W¼ corner, Section 3, or its equivalent in case of rotation.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to 1½ acre feet per acre during any period of 30 days prior to July 31st of each year and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season.

The authorized place of use is located as follows:

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 29.5 ACRES
SECTION 32
TOWNSHIP 2 NORTH, RANGE 42 EAST, W.M.

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 47.5 ACRES
SECTION 4

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$ 13.0 ACRES
SECTION 5
TOWNSHIP 1 NORTH, RANGE 42 EAST, W.M.

The second right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for WALLOWA County as evidenced by a PORTION of Certificates 3068. The decree is recorded in the Order Record of the Water Resources Director in Volume 5, Page 176. The date of priority is October 1900.

The right allows the use of the Wallowa River, a tributary of the Grande Ronde River, for stock and irrigation of 375.0 acres. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1 $\frac{1}{2}$ acre feet per acre during any period of 30 days prior to July 31st of each year and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season, if available at the authorized point of diversion NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 3, Township 1 North, Range 42 East, W.M.; 1100 feet South and 900 feet East from the W $\frac{1}{4}$ corner, Section 3, or its equivalent in case of rotation.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to 1 $\frac{1}{2}$ acre feet per acre during any period of 30 days prior to July 31st of each year and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season.

The authorized place of use is located as follows:

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 37.0 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 35.0 ACRES
SECTION 32
TOWNSHIP 2 NORTH, RANGE 42 EAST, W.M.

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 40.0 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 40.0 ACRES
SW $\frac{1}{4}$ SW $\frac{1}{4}$ 40.0 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 40.0 ACRES

SECTION 33

TOWNSHIP 2 NORTH, RANGE 42 EAST, W.M.

Lot 1(NE $\frac{1}{4}$ NE $\frac{1}{4}$) 50.0 ACRES
Lot 2(NW $\frac{1}{4}$ NE $\frac{1}{4}$) 45.0 ACRES
Lot 3(NE $\frac{1}{4}$ NW $\frac{1}{4}$) 48.0 ACRES

SECTION 4

TOWNSHIP 1 NORTH, RANGE 42 EAST, W.M.

The third right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for WALLOWA County as evidenced by a PORTION of Certificates 3177. The decree is recorded in the Order Record of the Water Resources Director in Volume 5, Page 200. The dates of priority are 1905 for Tract No. 1 and July 1, 1897 for Tract No. 2.

The right allows the use of the Wallowa River, a tributary of the Grande Ronde River, for stock and irrigation of 47.0 acres. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1 $\frac{1}{2}$ acre feet per acre during any period of 30 days prior to July 31st of each year and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season, if available at the authorized point of diversion NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 4, Township 1 North, Range 42 East, W.M.; 400 feet South and 2000 feet East from the W $\frac{1}{4}$ corner, Section 4, or its equivalent in case of rotation.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to 1 $\frac{1}{2}$ acre feet per acre during any period of 30 days prior to July 31st of each year and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season.

The authorized place of use is located as follows:

Tract No. 1
SW $\frac{1}{4}$ NW $\frac{1}{4}$ 5.0 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 2.0 ACRES

SECTION 4

TOWNSHIP 1 NORTH, RANGE 42 EAST, W.M.

Tract No. 2
SW $\frac{1}{4}$ NW $\frac{1}{4}$ 30.0 ACRES
SECTION 4
SW $\frac{1}{4}$ NE $\frac{1}{4}$ 2.0 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 8.0 ACRES
SECTION 5
TOWNSHIP 1 NORTH, RANGE 42 EAST, W.M.

The fourth right to be modified, as evidenced by Certificate 3949, was perfected under Permit 4374 with a date of priority of December 5, 1919. The right allows the use of the Wallowa River, a tributary of the Grande Ronde River, for irrigation of 25.0 acres. This right is limited to 0.31 cubic foot per second, if available at the authorized point of diversion: Weaver Ditch, or its equivalent in case of rotation.

The amount of water used for irrigation under this right is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) for each acre irrigated during the irrigation season of each year.

The authorized place of use is located as follows:

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 12.0 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 13.0 ACRES
SECTION 4
TOWNSHIP 1 NORTH, RANGE 42 EAST, W.M.

The fifth right to be modified, as evidenced by a portion of Certificate 8699, was perfected under Permit 4375 with a date of priority of December 5, 1919. The right allows the use of the Wallowa River, a tributary of the Grande Ronde River, for irrigation of 40.0 acres. This right is limited to 0.5 cubic foot per second, if available at the authorized point of diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 3, Township 1 North, Range 42 East, W.M.; 110 feet South and 900 feet East from the W $\frac{1}{4}$ corner, Section 3, or its equivalent in case of rotation.

The amount of water used for irrigation under this right is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) for each acre irrigated during the irrigation season of each year.

The authorized place of use is located as follows:

SE $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 ACRES
SECTION 4
TOWNSHIP 1 NORTH, RANGE 42 EAST, W.M.

The sixth right to be modified, as evidenced by Certificate 8700, was perfected under Permit 4375 with a date of priority of December 5, 1919. The right allows the use of the Wallowa River, a tributary of the Grande Ronde River, for irrigation of 60.0 acres. This right is limited to 0.75 cubic foot per second, if available at the authorized point of diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 3, Township 1 North, Range 42 East, W.M.; 110 feet South and 900 feet East from the W $\frac{1}{4}$ corner, Section 3, or its equivalent in case of rotation.

The amount of water used for irrigation under this right is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) for each acre irrigated during the irrigation season of each year.

The authorized place of use is located as follows:

SE $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 ACRES
NE $\frac{1}{4}$ SE $\frac{1}{4}$ 20.0 ACRES
SECTION 4
TOWNSHIP 1 NORTH, RANGE 42 EAST, W.M.

The seventh right to be modified, as evidenced by Certificate 8701, was perfected under Permit 4375 with a date of priority of December 5, 1919. The right allows the use of the Wallowa River, a tributary of the Grande Ronde River, for irrigation of 40.0 acres. This right is limited to 0.5 cubic foot per second, if available at the authorized point of diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 3, Township 1 North, Range 42 East, W.M.; 110 feet South and 900 feet East from the W $\frac{1}{4}$ corner, Section 3, or its equivalent in case of rotation.

The amount of water used for irrigation under this right is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) for each acre irrigated during the irrigation season of each year.

The authorized place of use is located as follows:

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 ACRES
SECTION 4
TOWNSHIP 1 NORTH, RANGE 42 EAST, W.M.

The eighth right to be modified, as evidenced by Certificate 8771, was perfected under Permit 9691 with a date of priority of June 12, 1950. The right allows the use of the Wallowa River, a tributary of the Grande Ronde River, for irrigation of 18.0 acres. This right is limited to 0.23 cubic foot per second, if available at the authorized point of diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 3, Township 1 North, Range 42 East, W.M.; 110 feet

South and 900 feet East from the W¹/₄ corner, Section 3, or its equivalent in case of rotation.

The amount of water used for irrigation under this right is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) for each acre irrigated during the irrigation season of each year.

The authorized place of use is located as follows:

S¹/₂ NE¹/₄ SE¹/₄ 18.0 ACRES
SECTION 4
TOWNSHIP 1 NORTH, RANGE 42 EAST, W.M.

The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in the decree.

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

The applicant proposes to change the points of diversion to a common point of diversion located:

SE¹/₄ SW¹/₄, Section 3, Township 1 North, Range 42 East, W.M.; 1000 feet North and 1550 feet East from SW corner, Section 3.

THESE CHANGE TO EXISTING WATER RIGHTS MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

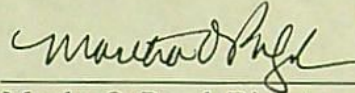
1. The proposed change shall be completed on or before October 1, 1998.
2. The quantity of water diverted at the new point of diversion, together with that diverted at the old diversions, shall not exceed the quantity of water available at the original points of diversion.
3. The water user shall install 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. The water user or irrigation district shall operate and maintain the headgate and measuring device, as needed. The water user or irrigation district shall report total flow figures when requested by the Watermaster. The Watermaster may operate the headgate and monitor accuracy of the measuring device, as needed.

Certificates 3067, 3068, 3177, 3949, 8699, 8700, 8701, and 8771 are canceled. New certificates will be issued to confirm those portions of the rights NOT involved in this transfer. When satisfactory proof of the completed changes is received, new certificates confirming these water rights will be issued.

WITNESS the signature of the Water Resources Director, affixed

~~OCT 28 1996~~



Martha O. Pagel, Director

COPY

STATE OF OREGON
COUNTY OF WALLOWA
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JOSEPH F. JOHNSON
WALLOWA, OR 97885

confirms the right to use the waters of WALLOWA RIVER, a tributary of GRANDE RONDE RIVER, for IRRIGATION OF 40 ACRES AND STOCK.

This right was confirmed by decree of the circuit Court of the State of Oregon for WALLOWA County. The decree is of record in Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 5, at Page 176. The date of priority is 1884.

The use is limited to 1½ acre feet per acre during any period of 30 days prior to July 31st of each year and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season or its equivalent in case of rotation.

The point of diversion is located as follows:

Johnson Ditch - NW¼SW¼ Section 3, Township 1 North, Range 42 East, W.M.; 1100 feet South and 900 feet East from West¼ corner of Section 3.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to 1½ acre feet per acre during any period of 30 days prior to July 31st of each year and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season.

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

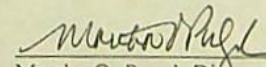
SW¼ NW¼ 40.0 acres
Section 3
Township 1 North, Range 42 East, Willamette Meridian

This certificate describes that portion of the water right confirmed by Certificate 3068, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered OCT 28 1996, approving Transfer Application 7473.

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 and is subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director, affixed OCT 28 1996.


Martha O. Pagel, Director

Recorded in the State Record of Water Right Certificates numbered 72625.

T-7473.vc

COPY

STATE OF OREGON
COUNTY OF WALLOWA
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ELIJAH D. WEAVER
WALLOWA, OR 97885

confirms the right to use the waters of BEAR CREEK, a tributary of WALLOWA RIVER, for IRRIGATION OF 10.0 ACRES.

This right was confirmed by decree of the circuit Court of the State of Oregon for WALLOWA County. The decree is of record in Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 5, at Page 200. The date of priority is 1893.

The use is limited to 1½ acre per foot per acre during any period of 30 days prior to July 31st of each year, and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season or its equivalent in case of rotation.

The point of diversion is located as follows:

Weaver Ditch.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to 1½ acre per foot per acre during any period of 30 days prior to July 31st of each year, and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season.

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

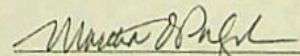
NW¼ SE¼ 10.0 ACRES
SECTION 5
TOWNSHIP 1 NORTH, RANGE 42 EAST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 3177, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered OCT 28 1996, approving Transfer Application 7473.

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 and is subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director, affixed OCT 28 1996


Martha O. Pagel, Director

Recorded in the State Record of Water Right Certificates numbered 72990.

T-7473.vc

LAND & WATER RIGHTS

Bruce A. Estes, PLS, CWRE

60382 Arnold Rd.
Bend, OR 97702
(503) 382-73916293 Sunnyview Rd. NE
Salem, OR 97305
(503) 585-7593
FAX 585-7593

CLAIM OF BENEFICIAL USE AND SITE REPORT

Transfer T-7473
in the name of
WEAVER-JOHNSON DITCH**RECEIVED**

FEB - 3 1998

WATER RESOURCES DEPT.
SALEM, OREGON

INFORMATION: Discussed the project with Dale Johnson.

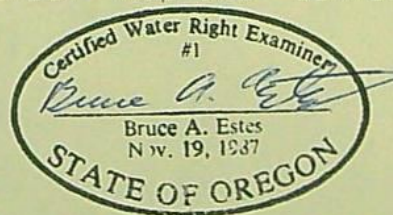
SOURCE: Wallowa River.

DIVERSION POINT: Headgate is located in SE1/4 SW 1/4 Section 3,
T. 1 N., R. 42 E., W.M.; 1050' North and 1580' East of SW1/4
corner of Section 3.

USE: Irrigation of hay and pasture.

CAPACITY: There are two 4' sluice gates with an 8' weir blade in
the control structure. There is a concrete diversion dam in
the river with the provision to install weir boards to raise
the level of the water during low flow. The ditch is 8'
wide by 6' deep with 1:1 side slopes. The controlling
factor is not the ditch, but twin 48" CMP culverts for a
road crossing about 100' below the headgate structure. The
pipe capacity is 78.0 cfs. Since the capacity of the pipes
exceeds the limit of all the rights (16.1 cfs) the new
certificates should be for their authorized rates.REMARKS: The Johnson Ditch has included the Weaver ditch for
many years. The delivery for the Weaver rights is a lateral
of the Johnson Ditch. The old POD's have been gone for many
years also.

TIE: The final proof map was tied to aerial photo NAPP 1169-49L.

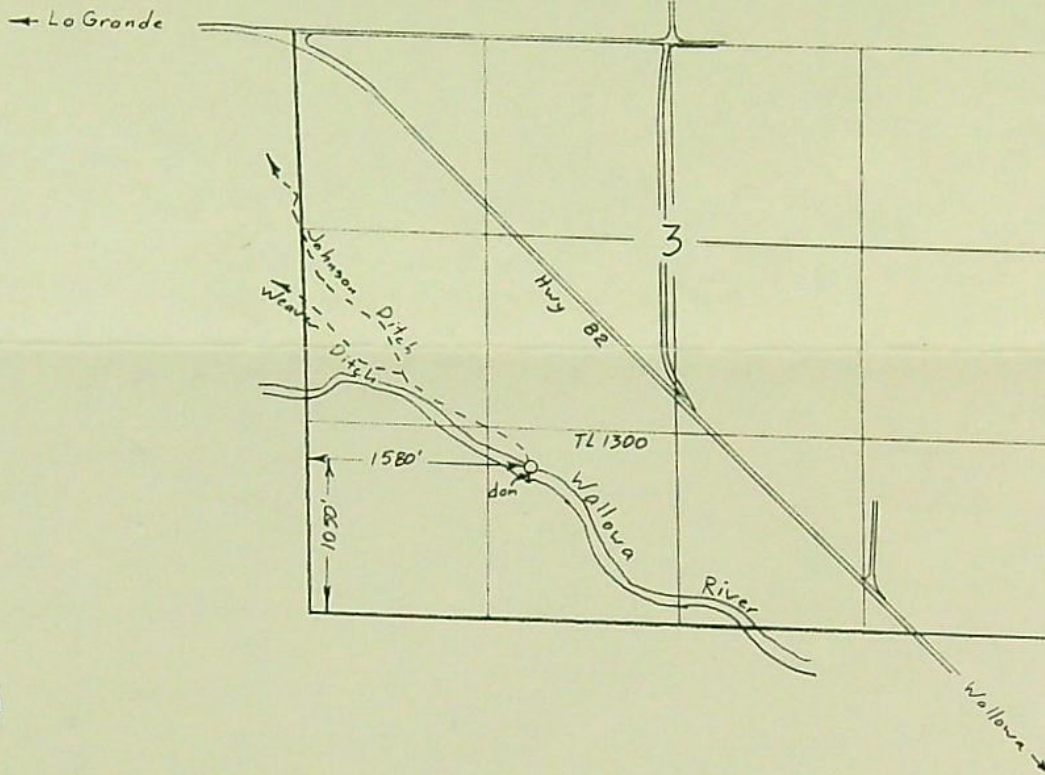
An inspection of the diversion structure and the irrigated land
was made by me on November 4, 1997, and the facts contained in
this report and accompanying final proof map are correct to the
best of my knowledge.I, Dale Johnson, director, agree to the findings of the CWRE and
submit this site report and map as our Claim of Beneficial Use
of the water as provided under the terms and conditions of T-
7473 and request new certificates be issued.

A handwritten signature in cursive script that reads "Dale Johnson". Below the signature is the date "2-1-98".

RECEIVED

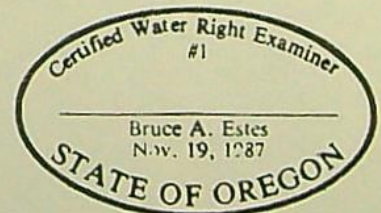
TOWNSHIP 1 NORTH, RANGE 42 EAST, W.M. FEB - 2 1998

WATER RESOURCES DEPT.
SALEM, OREGON



Surveyed Nov. 4, 1997

T- 7473
 Claim of Beneficial Use Map
 for
 WEAVER - JOHNSON DITCH
 (Lower Valley Water Improvement Dist.)



This map is for the purpose of
 locating a water right only
 and has no intent to provide
 legal dimensions or the location
 of property lines.

ESTES SURVEYS
 6293 Sunnyview Rd. NE Salem, OR 97305 (503) 585-7593
 60382 Arnold Rd. Bend, OR 97702 (503) 382-7391

Lower Valley Water Improvement | Dist. Calc's.

Lower Valley Ditch T-7489

42" x 60" arch type CMP - roughly equivalent to 48" CMP

From J. R. Griffith chart in WRD manual:

48" CMP

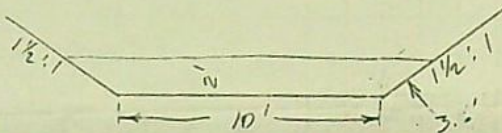
$$\frac{1000}{321} = 3.115$$

$$3.115 \times (0.89 + \frac{5}{3.115}) = 3.12$$

48" on chart at 3.12 = **49.0 cfs**

6" head at entrance over top of pipe

Canal



1 1/2' fall per 1000'
Water 2' deep

$$A = 26.0 \text{ ft}^2$$

$$R = \frac{26}{17.2} = 1.5116$$

$$S = \frac{1.5}{1000} = 0.0015$$

Mannings

$$Q = \frac{1.486}{n} A R^{2/3} S^{1/2}$$

$$= \frac{1.486}{0.03} \times 26 \times 1.5116^{2/3} \times 0.0015^{1/2}$$

$$= 49.53 \times 26 \times 1.3171 \times 0.03873$$

$$= \mathbf{65.7 \text{ cfs}}$$

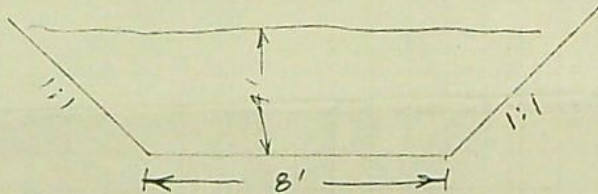
RECEIVED

FEB - 2 1998

WATER RESOURCES DEPT.
SALEM, OREGON

Weaver-Johnson Ditch T-7473

1 1/2' fall per 1000'
Water 4' deep



$$A = 24$$

$$R = \frac{24}{19.32} = 1.2422$$

$$S = \frac{1.5}{1000} = 0.0015$$

$$Q = \frac{1.486}{n} A R^{2/3} S^{1/2}$$

$$= \frac{1.486}{0.03} \times 24 \times 1.2422^{2/3} \times 0.0015^{1/2}$$

$$= 49.53 \times 24 \times 1.1556 \times 0.0316$$

$$= \mathbf{43.4 \text{ cfs}}$$

Twin 48" CMP's x 20' long with 6" head (2'/1000')

WRD chart 39 cfs each

$$39 \times 2 = 78 \text{ cfs}$$

ESTES SURVEYS

SURVEYS
CONSULTING

LAND & WATER RIGHTS
Bruce A. Estes, PLS, CWRE

60382 Arnold Rd.
Bend, OR 97702
(503) 382-7391

6293 Sunnyview Rd. NE
Salem, OR 97305
(503) 585-7593
FAX 585-7593

CLAIM OF BENEFICIAL USE AND SITE REPORT

Transfer T-7473
in the name of
WEAVER-JOHNSON DITCH

RECEIVED
FEB - 2 1998
WATER RESOURCES DEPT.
SALEM, OREGON

INFORMATION: Discussed the project with Dale Johnson.

SOURCE: Wallowa River.

DIVERSION POINT: Headgate is located in SE1/4 SW 1/4 Section 3,
T. 1 N., R. 42 E., W.M.; 1050' North and 1580' East of SW1/4
corner of Section 3.

USE: Irrigation of hay and pasture.

CAPACITY: There are two 4' sluice gates with an 8' weir blade in
the control structure. There is a concrete diversion dam in
the river with the provision to install weir boards to raise
the level of the water during low flow. The ditch is 8'
wide by 6' deep with 1:1 side slopes. The controlling
factor is not the ditch, but twin 48" CMP culverts for a
road crossing about 100' below the gate structure. The
pipe capacity is 78.0 cfs. Since the capacity of the pipes
exceeds the limit of 16.1 cfs (16.1 cfs) the new
certificates should be issued at 16.1 rates.

REMARKS: The Johnson ditch and Weaver ditch for
many years. The Johnson ditch is a lateral
of the Johnson ditch and has gone for many
years also.

TITLE: The final product is APP 1169-49L.

An inspection of the irrigated land
was made by me on November 19, 1937 and contained in
this report and accompanied by a map of the tract to the
best of my knowledge.

*Delivered
by
CWRE*

Bruce A. Estes
Nov. 19, 1937
STATE OF OREGON

I, Dale Johnson, director, agree to the findings of the CWRE and
submit this site report and map as our Claim of Beneficial Use
of the water as provided under the terms and conditions of T-
7473 and request new certificates be issued.

ESTES SURVEYS

SURVEYS
CONSULTING

LAND & WATER RIGHTS
Bruce A. Estes, PLS, CWRE

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CLAIM OF BENEFICIAL USE AND SITE REPORT

Transfer T-7473
in the name of
WEAVER-JOHNSON DITCH

INFORMATION: Discussed the project with Dale Johnson.

SOURCE: Wallowa River.

DIVERSION POINT: Headgate is located in SE1/4 SW 1/4 Section 3,
T. 1 N., R. 42 E., W.M.; 1050' North and 1580' East of SW1/4
corner of Section 3.

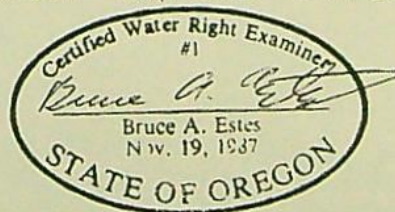
USE: Irrigation of hay and pasture.

CAPACITY: There are two 4' sluice gates with an 8' weir blade in
the control structure. There is a concrete diversion dam in
the river with the provision to install weir boards to raise
the level of the water during low flow. The ditch is 8'
wide by 6' deep with 1:1 side slopes. The controlling
factor is not the ditch, but twin 48" CMP culverts for a
road crossing about 100' below the headgate structure. The
pipe capacity is 78.0 cfs. Since the capacity of the pipes
exceeds the limit of all the rights (16.1 cfs) the new
certificates should be for their authorized rates.

REMARKS: The Johnson Ditch has included the Weaver ditch for
many years. The delivery for the Weaver rights is a lateral
of the Johnson Ditch. The old POD's have been gone for many
years also.

TIE: The final proof map was tied to aerial photo NAPP 1169-49L.

An inspection of the diversion structure and the irrigated land
was made by me on November 4, 1997, and the facts contained in
this report and accompanying final proof map are correct to the
best of my knowledge.



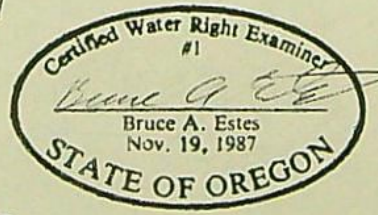
I, Dale Johnson, director, agree to the findings of the CWRE and
submit this site report and map as our Claim of Beneficial Use
of the water as provided under the terms and conditions of T-
7473 and request new certificates be issued.

RECEIVED
FEB - 2 1998
WATER RESOURCES DEPT.
SALEM, OREGON

TOWNSHIPS 1 & 2 NORTH,
 RANGE 42 EAST, W. APR - 1 1996
 KJP



HB 3086
 Change in Point of
 Diversion Map
 for
 WEAVER-JOHNSON
 DITCH



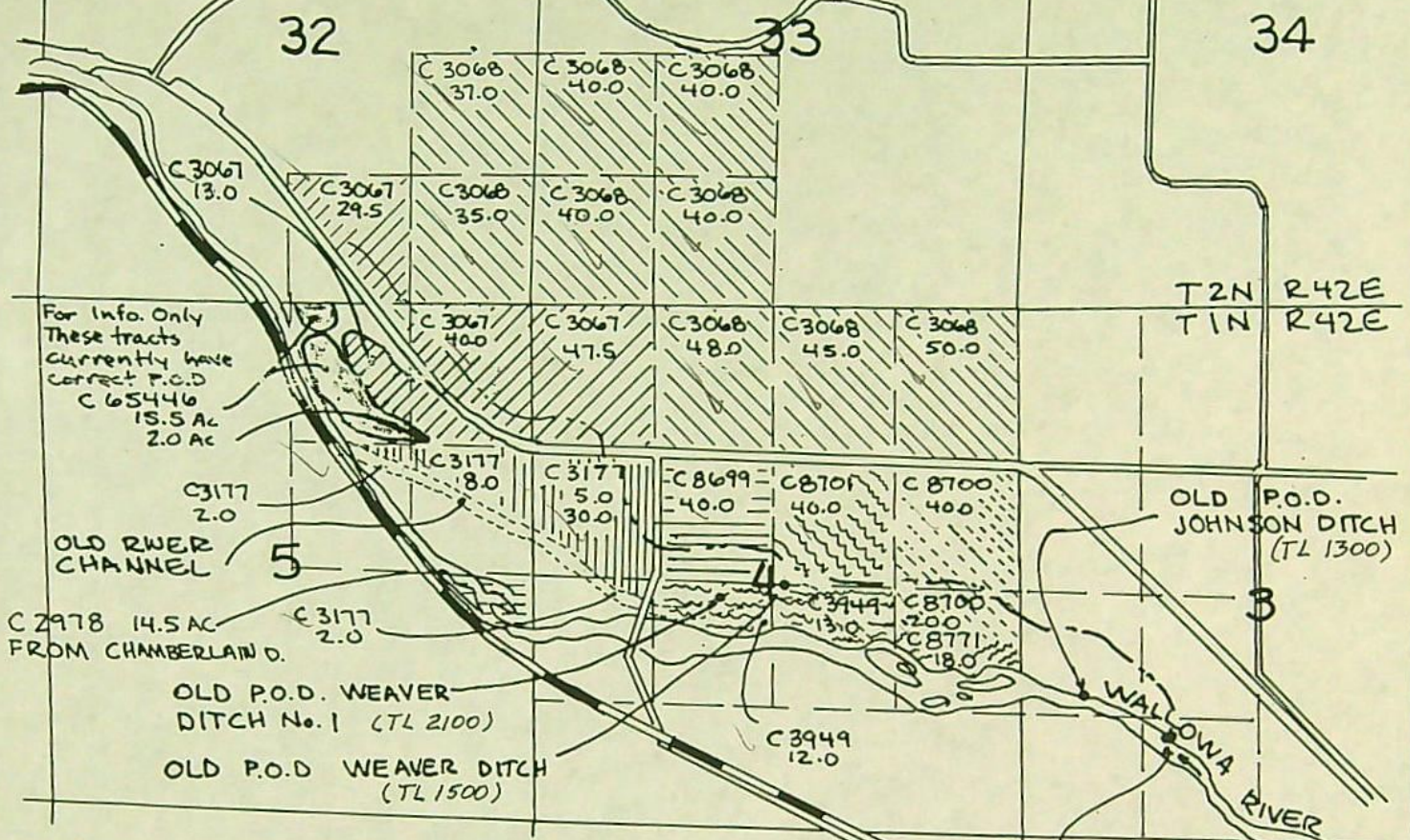
ESTES SURVEYS
 6293 Sunnyview Rd. NE 60382 Arnold Rd.
 Salem, OR 97305 Bend, OR 97702
 (503) 585-7593 (503) 382-7391

This map is for the purpose of
 locating a water right only
 and has no intent to provide
 legal dimensions or the location
 of property lines.

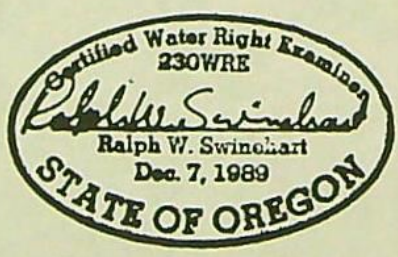
RECEIVED

JAN 11 1996

WATER RESOURCES DEPT.
SALEM, OREGON

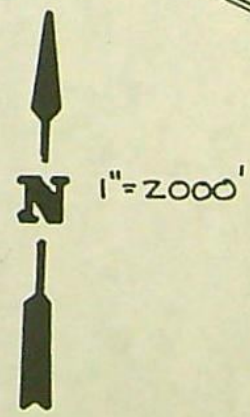


THE PURPOSE OF THIS APPLICATION IS TO CORRECT THE DIVERSION POINT FOR THE LANDS SHOWN HATCHED. THE REASON FOR THE CHANGE IS THAT OVER THE YEARS THE CHANNEL OF THE WALLOWA RIVER HAS CHANGED AND THE DITCH HAS BEEN RELOCATED TO SUIT THE RIVER. THREE DITCHES, WEAVER DITCH, WEAVER DITCH No. 1, AND JOHNSON DITCH, HAVE BEEN CONSOLIDATED INTO THE WEAVER-JOHNSON DITCH WITH A DIFFERENT COMMON DIVERSION POINT. THIS DITCH ALSO SERVES A PARCEL IN THE NE 1/4, SE 1/4 SEC 5 WHICH WAS FORMERLY ON THE OPPOSITE SIDE OF THE RIVER AND SERVED BY THE CHAMBERLAIN DITCH, A DIVERSION OF BEAR CREEK.



LEGEND

C 3067		C 8700	
C 3068		C 8701	
C 3177		C 8771	
C 3949		C 65446	
C 8699		C 2978	



WALLOWA COUNTY
IN SEC 4 & 5 T1N R42E &
SEC 32 & 33 T2N R42E

HB 3086

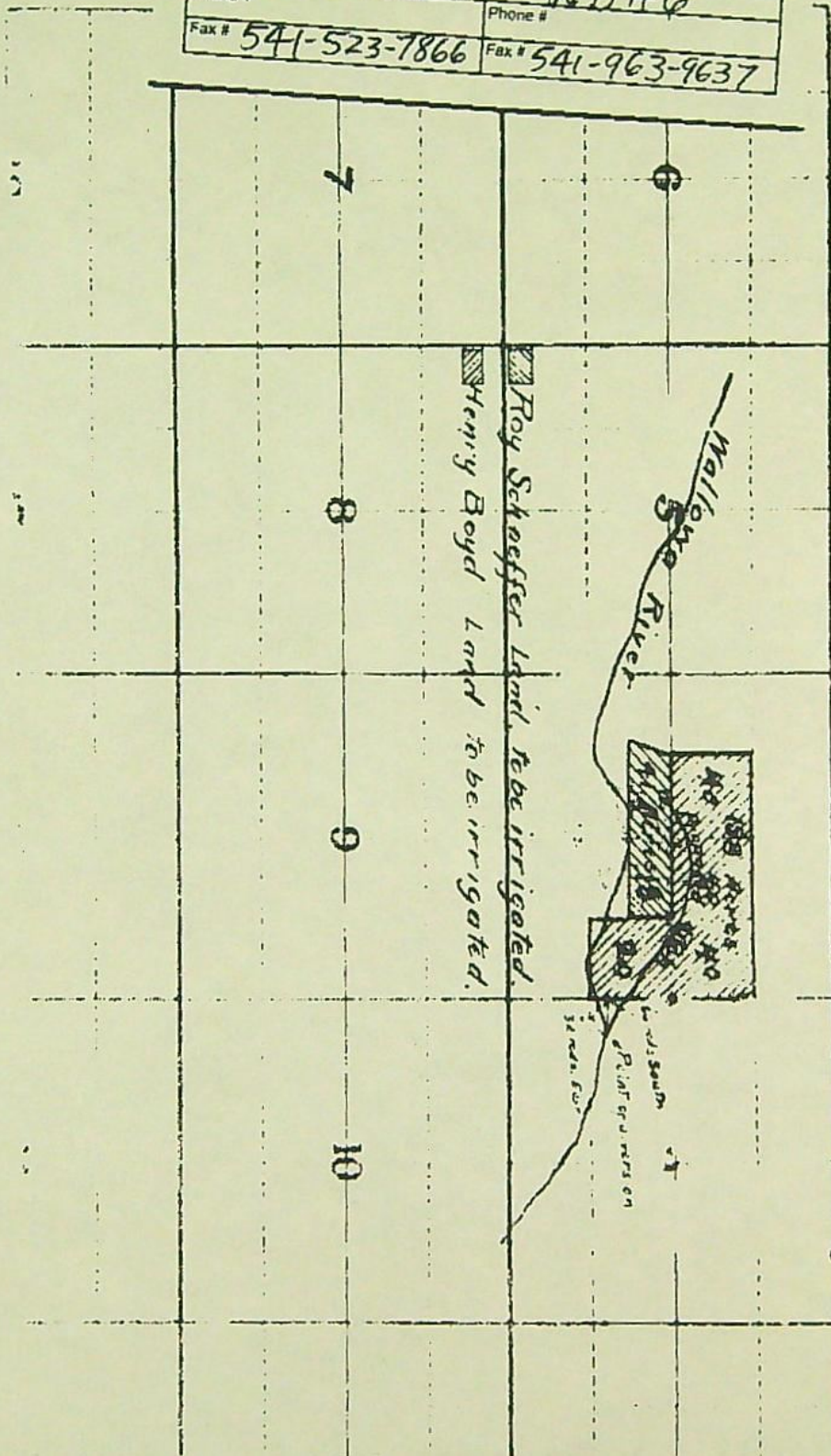
CHANGE IN POINT OF
DIVERSION FOR WEAVER-
JOHNSON DITCH
LOWER VALLEY WATER IMPROVEMENT DIST.

11473

REV 10/6/94

ELHL 1

Post-it® Fax Note		7671	Date	# of Pages ▶
To	VERN	From	RON	
Co./Dept	WD #8	Co.	WD #6	
Phone #		Phone #		
Fax #	541-523-7866	Fax #	541-963-9637	



T 1 North

Scale 2" = 1 mile

6926
 4374
 4375
 4376
 East

Williamette

Malheur County Oregon

ORDER and CERTIFICATE CHECK LIST

~~10/15/98~~

STEPS COMPLETED:

Order prepared, date, volume and page number assigned, order signed. Certificate prepared, date and number assigned, certificate signed.

STEPS TO BE COMPLETED:

RECORD MARKING (transfer section)

plat cards other _____ other _____

RECORD MARKING (support services)

file folder No. T-7473 ✓ permit () No. _____
1350 ✓ 69726 ✓
6927 ✓

certificate No. 30671
8771 ✓ 8700 ✓ 3949 ✓ 3068 ✓
8701 ✓ 8699 ✓ 3177 ✓

Trans App Reg
Trans Name Index ()
Trans Stream Index ()

decree Vol. 5, Page 176 Vol. 5, Page 200

COPIES MADE order certificate

file (4) Data Center (4) Watermaster (4) (4)
applicant (4) other CWRE (4) (4)
other _____ () () other _____ () ()

LETTER TO:

applicant (4) other () _____
other () _____ other () _____

ENCLOSURES:

717-723

copy of order () Vol. 50, Page _____ ^{remaining} original certificate 72625

copy of order () Vol. _____, Page _____ remaining certificate 72990

refund check () No. _____ Completion Notice (4)

FILE SET-UPS

FILE NUMBER

SET-UP DATE

FOR WHOM

T-7473

C-98

COPY

STATE OF OREGON
COUNTY OF WALLOWA
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ELIJAH D. WEAVER
WALLOWA, OR 97885

confirms the right to use the waters of BEAR CREEK, a tributary of WALLOWA RIVER, for IRRIGATION OF 10.0 ACRES.

This right was confirmed by decree of the circuit Court of the State of Oregon for WALLOWA County. The decree is of record in Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 5, at Page 200. The date of priority is 1893.

The use is limited to 1½ acre per foot per acre during any period of 30 days prior to July 31st of each year, and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season or its equivalent in case of rotation.

The point of diversion is located as follows:

Weaver Ditch.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to 1½ acre per foot per acre during any period of 30 days prior to July 31st of each year, and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season.

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

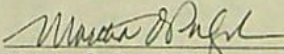
NW¼ SE¼ 10.0 ACRES
SECTION 5
TOWNSHIP 1 NORTH, RANGE 42 EAST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 3177, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered OCT 28 1996, approving Transfer Application 7473.

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 and is subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director, affixed OCT 28 1996


Martha O. Pagel, Director

Recorded in the State Record of Water Right Certificates numbered 72990.

T-7473.vc

COPY

STATE OF OREGON
COUNTY OF WALLOWA
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JOSEPH F. JOHNSON
WALLOWA, OR 97885

confirms the right to use the waters of WALLOWA RIVER, a tributary of GRANDE RONDE RIVER, for IRRIGATION OF 40 ACRES AND STOCK.

This right was confirmed by decree of the circuit Court of the State of Oregon for WALLOWA County. The decree is of record in Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 5, at Page 176. The date of priority is 1884.

The use is limited to 1½ acre feet per acre during any period of 30 days prior to July 31st of each year and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season or its equivalent in case of rotation.

The point of diversion is located as follows:

Johnson Ditch - NW¼SW¼ Section 3, Township 1 North, Range 42 East, W.M.; 1100 feet South and 900 feet East from West¼ corner of Section 3.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to 1½ acre feet per acre during any period of 30 days prior to July 31st of each year and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season.

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

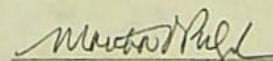
SW¼ NW¼ 40.0 acres
Section 3
Township 1 North, Range 42 East, Willamette Meridian

This certificate describes that portion of the water right confirmed by Certificate 3068, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered OCT 28 1996, approving Transfer Application 7473.

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 and is subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director, affixed OCT 28 1996.


Martha O. Pagel, Director

Recorded in the State Record of Water Right Certificates numbered 72625.

T-7473.vc

Name and Postoffice Address of Appropriate	Year of Inclusive Priority	Amount Collected For Record	Number Acres	Use	Name of Ditch	Stream	Description of Land or Part of the
⁹¹⁷⁷ Weaver, Elijah D. Wallowa, Ore. (Proof 411, Vol. 5) T-7473 Δ POD	1905		7	Irrigation and Stock	Weaver No. 1	Wallowa River	2 ac. in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 5 ac. in SE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 4 T. 1 N. R. 42 E. W. M. Wallowa County, Oregon.
(Proof 412, Vol. 5)	July 1, 1897		40	Irrigation	Weaver	Wallowa River	30 ac. in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 4 2 ac. in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 8 ac. in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 5 T. 1 N. R. 42 E. W. M. Wallowa County, Oregon.
(Proof 413, Vol. 5)	1893		10	Irrigation	Chamberlain	Bear Creek	10 ac. in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 5 T. 1 N. R. 42 E. W. M. Wallowa County, Oregon.
Cancelled - sp. or Rec. Vol. ²⁵ P. ¹⁷⁷							
⁹¹⁷⁸ Weaver, James W. Enterprise, Ore. (Proof 414, Vol. 5) (See Stipulation, Findings, Subdivision 5 of Paragraph 12)	1887	0.20	10	Domestic Irrigation & to supply a steam engine	Weaver	A spring Creek	10 ac. in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 21 T. 2 S. R. 44 E. W. M. Wallowa County, Oregon.
⁹¹⁷⁹ Weaver, William H. Enterprise, Ore. (Proof 415, Vol. 5) (See Stipulation, Findings, Subdivision 5 of Paragraph 12)	1880		62	Irrigation Domestic and stock	Wm. H. Weaver ditches	Spring Branch	17 ac. in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 7 ac. in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 38 ac. in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8 T. 2 S. R. 44 E. W. M. Wallowa County, Oregon.
Weist, Geo. F.	(See under Chamberlain Ditch Co., Tract No. 30)						
⁹¹⁸⁰ West Side Irrigation and Water Ditch Co., a corporation, S. P. Crow, Secy. Eastine, Ore. (Proof 416, Vol. 5) Δ Pou T-6893 Ch. Pt. of Div. Sp. Dr. Vol. 2 p. 177	March 27, 1901		1264.1	Irrigation Domestic and stock	West Side Ditch	So. Fork Wallowa River	Tract No. 1: 14 ac. in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 10 ac. in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 9 T. 1 S. R. 43 E. W. M. Wallowa County, Oregon. (Proof 417, Vol. 5) Tract No. 2: 39 ac. in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 34 ac. in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 19 ac. in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 14 ac. in NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22 T. 1 S. R. 43 E. W. M., Wallowa County, Oregon. (Proof 418, Vol. 5) Tract No. 3: 1 $\frac{1}{2}$ ac. in NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 27 Tp. 1 S. R. 43 E. W. M. Wallowa County, Oregon. (Proof 419, Vol. 5) Tract No. 4: 45.7 ac. in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 12.5 ac. in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 1.6 ac. in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 52.2 ac. in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 8 T. 1 S. R. 43 E. W. M., Wallowa County, Oregon. (Proof 420, Vol. 5) Tract No. 5: 2 ac. in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 27 6 ac. in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 40 ac. in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 22 Tp. 1 S. R. 43 E. W. M. Wallowa County, Oregon. (Proof 421, Vol. 5)

9066 Johnson, C. I. Wallowa, Ore. By T. K. Johnson Wallowa, Ore. (Proof 239, Vol. 3)	1904	16	Irrigation	Lower Valley	Wallowa River	16 ac. in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 27 T. 2 N. R. 42 E. W. M. Wallowa County, Oregon.
3067 DA Johnson, Ernest P., Wallowa, Ore. (Proof 240, Vol. 3) T-7473 Δ POD	1887	130	Irrigation and stock	Johnson	Wallowa	47 $\frac{1}{2}$ ac. in NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 4 40 ac. in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 13 ac. in NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 5 T. 1 N. R. 42 E. W. M. 29 $\frac{1}{2}$ ac. in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32 T. 2 N. R. 42 E. W. M. Wallowa County, Oregon.
3068 DA Johnson, Joseph P., Wallowa, Ore. By Ernest P. Johnson Wallowa, Ore. (Proof 241, Vol. 3) T-7473 Δ POD	Oct. 1900	375	Irrigation and stock	Johnson	Wallowa	50 ac. in NE $\frac{1}{4}$ NE $\frac{1}{4}$ (Lot 1) 45 ac. in NW $\frac{1}{4}$ NE $\frac{1}{4}$ (Lot 2) 48 ac. in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 4 (Lot 3) T. 1 N. R. 42 E. W. M. 80 ac. in E $\frac{1}{2}$ SW $\frac{1}{4}$ 80 ac. in S $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 33 37 ac. in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 35 ac. in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 32 T. 2 N. R. 42 E. W. M. Wallowa County, Oregon.
(Proof 242, Vol. 3)	1884	40	Irrigation and stock	Rogers & Johnson	Wallowa	40 ac. in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 23 T. 2 S. R. 42 E. W. M. Wallowa County, Oregon.
3069 Johnson, Lee W. Beatrice Nebr. Bertrude A. Kennedy Corning, Calif. and Chas. F. Johnson Joseph, Ore. Heirs of Estate of Sarah Johnson By Chas. F. Johnson (Proof 243, Vol. 3)	1880	3	Irrigation domestic and stock	Johnson	Prairie Creek	3 ac. in NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 3 T. 2 S. R. 45 E. W. M. Wallowa County, Oregon. (A right to supplement the water used through the Farmers Water Ditch Co. ditch on above described 1 lands)
3070 Johnson, T. G. (Proof 244, Vol. 3)	1890	40	Irrigation and stock	Lower Valley	Wallowa	40 ac. in NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec. 34 T. 2 N., R. 42 E. W. M. Wallowa County, Oregon.
3071 Johnson, T. K. Wallowa, Ore. (Proof 245, Vol. 3)	1904	47	Irrigation	Lower Valley	Wallowa	1 ac. in SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 28 38 ac. in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 8 ac. in NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 33 T. 2 N. R. 42 E. W. M. Wallowa County, Oregon.
Johnson, T. K. Fred Winehard, and Ernest Johnson By T. K. Johnson Wallowa, Oregon. (Proof 246, Vol. 3)	May 6, 1909		Irrigation	Brownell Johnson Hensley	Regain Canyon	According to terms and limitations of State Engineer's Permit No. 18 Application No. 67
Jones, T. B.	(See under Dobbin Ditch Company, Tract No. 5) (See under Wrenn & Dobbin Ditch Co., Tract No. 9)					

COPY

STATE OF OREGON
COUNTY OF WALLOWA

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 7473 submitted by:

LOWER VALLEY WATER IMPROVEMENT DISTRICT
C/O DALE JOHNSON
77583 HWY 82
WALLOWA, OR 97885

The first right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for WALLOWA County as evidenced by a PORTION of Certificates 3067. The decree is recorded in the Order Record of the Water Resources Director in Volume 5, Page 176. The date of priority is 1887.

The right allows the use of the Wallowa River, a tributary of the Grande Ronde River, for stock and irrigation of 130.0 acres. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1½ acre feet per acre during any period of 30 days prior to July 31st of each year and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season, if available at the authorized point of diversion NW¼ SW¼, Section 3, Township 1 North, Range 42 East, W.M.; 1100 feet South and 900 feet East from the W¼ corner, Section 3, or its equivalent in case of rotation.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to 1½ acre feet per acre during any period of 30 days prior to July 31st of each year and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season.

The authorized place of use is located as follows:

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 29.5 ACRES
SECTION 32
TOWNSHIP 2 NORTH, RANGE 42 EAST, W.M.

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 47.5 ACRES
SECTION 4

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$ 13.0 ACRES
SECTION 5
TOWNSHIP 1 NORTH, RANGE 42 EAST, W.M.

The second right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for WALLOWA County as evidenced by a PORTION of Certificates 3068. The decree is recorded in the Order Record of the Water Resources Director in Volume 5, Page 176. The date of priority is October 1900.

The right allows the use of the Wallowa River, a tributary of the Grande Ronde River, for stock and irrigation of 375.0 acres. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1 $\frac{1}{2}$ acre feet per acre during any period of 30 days prior to July 31st of each year and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season, if available at the authorized point of diversion NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 3, Township 1 North, Range 42 East, W.M.; 1100 feet South and 900 feet East from the W $\frac{1}{4}$ corner, Section 3, or its equivalent in case of rotation.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to 1 $\frac{1}{2}$ acre feet per acre during any period of 30 days prior to July 31st of each year and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season.

The authorized place of use is located as follows:

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 37.0 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 35.0 ACRES
SECTION 32
TOWNSHIP 2 NORTH, RANGE 42 EAST, W.M.

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 40.0 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 40.0 ACRES
SW $\frac{1}{4}$ SW $\frac{1}{4}$ 40.0 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 40.0 ACRES

SECTION 33

TOWNSHIP 2 NORTH, RANGE 42 EAST, W.M.

Lot 1(NE $\frac{1}{4}$ NE $\frac{1}{4}$) 50.0 ACRES
Lot 2(NW $\frac{1}{4}$ NE $\frac{1}{4}$) 45.0 ACRES
Lot 3(NE $\frac{1}{4}$ NW $\frac{1}{4}$) 48.0 ACRES

SECTION 4

TOWNSHIP 1 NORTH, RANGE 42 EAST, W.M.

The third right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for WALLOWA County as evidenced by a PORTION of Certificates 3177. The decree is recorded in the Order Record of the Water Resources Director in Volume 5, Page 200. The dates of priority are 1905 for Tract No. 1 and July 1, 1897 for Tract No. 2.

The right allows the use of the Wallowa River, a tributary of the Grande Ronde River, for stock and irrigation of 47.0 acres. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1 $\frac{1}{2}$ acre feet per acre during any period of 30 days prior to July 31st of each year and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season, if available at the authorized point of diversion NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 4, Township 1 North, Range 42 East, W.M.; 400 feet South and 2000 feet East from the W $\frac{1}{4}$ corner, Section 4, or its equivalent in case of rotation.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to 1 $\frac{1}{2}$ acre feet per acre during any period of 30 days prior to July 31st of each year and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season.

The authorized place of use is located as follows:

Tract No. 1
SW $\frac{1}{4}$ NW $\frac{1}{4}$ 5.0 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 2.0 ACRES

SECTION 4

TOWNSHIP 1 NORTH, RANGE 42 EAST, W.M.

Tract No. 2
SW $\frac{1}{4}$ NW $\frac{1}{4}$ 30.0 ACRES
SECTION 4
SW $\frac{1}{4}$ NE $\frac{1}{4}$ 2.0 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 8.0 ACRES
SECTION 5
TOWNSHIP 1 NORTH, RANGE 42 EAST, W.M.

The fourth right to be modified, as evidenced by Certificate 3949, was perfected under Permit 4374 with a date of priority of December 5, 1919. The right allows the use of the Wallowa River, a tributary of the Grande Ronde River, for irrigation of 25.0 acres. This right is limited to 0.31 cubic foot per second, if available at the authorized point of diversion: Weaver Ditch, or its equivalent in case of rotation.

The amount of water used for irrigation under this right is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) for each acre irrigated during the irrigation season of each year.

The authorized place of use is located as follows:

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 12.0 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 13.0 ACRES
SECTION 4
TOWNSHIP 1 NORTH, RANGE 42 EAST, W.M.

The fifth right to be modified, as evidenced by a portion of Certificate 8699, was perfected under Permit 4375 with a date of priority of December 5, 1919. The right allows the use of the Wallowa River, a tributary of the Grande Ronde River, for irrigation of 40.0 acres. This right is limited to 0.5 cubic foot per second, if available at the authorized point of diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 3, Township 1 North, Range 42 East, W.M.; 110 feet South and 900 feet East from the W $\frac{1}{4}$ corner, Section 3, or its equivalent in case of rotation.

The amount of water used for irrigation under this right is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) for each acre irrigated during the irrigation season of each year.

The authorized place of use is located as follows:

SE $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 ACRES
SECTION 4
TOWNSHIP 1 NORTH, RANGE 42 EAST, W.M.

The sixth right to be modified, as evidenced by Certificate 8700, was perfected under Permit 4375 with a date of priority of December 5, 1919. The right allows the use of the Wallowa River, a tributary of the Grande Ronde River, for irrigation of 60.0 acres. This right is limited to 0.75 cubic foot per second, if available at the authorized point of diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 3, Township 1 North, Range 42 East, W.M.; 110 feet South and 900 feet East from the W $\frac{1}{4}$ corner, Section 3, or its equivalent in case of rotation.

The amount of water used for irrigation under this right is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) for each acre irrigated during the irrigation season of each year.

The authorized place of use is located as follows:

SE $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 ACRES
NE $\frac{1}{4}$ SE $\frac{1}{4}$ 20.0 ACRES
SECTION 4
TOWNSHIP 1 NORTH, RANGE 42 EAST, W.M.

The seventh right to be modified, as evidenced by Certificate 8701, was perfected under Permit 4375 with a date of priority of December 5, 1919. The right allows the use of the Wallowa River, a tributary of the Grande Ronde River, for irrigation of 40.0 acres. This right is limited to 0.5 cubic foot per second, if available at the authorized point of diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 3, Township 1 North, Range 42 East, W.M.; 110 feet South and 900 feet East from the W $\frac{1}{4}$ corner, Section 3, or its equivalent in case of rotation.

The amount of water used for irrigation under this right is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) for each acre irrigated during the irrigation season of each year.

The authorized place of use is located as follows:

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 ACRES
SECTION 4
TOWNSHIP 1 NORTH, RANGE 42 EAST, W.M.

The eighth right to be modified, as evidenced by Certificate 8771, was perfected under Permit 9691 with a date of priority of June 12, 1950. The right allows the use of the Wallowa River, a tributary of the Grande Ronde River, for irrigation of 18.0 acres. This right is limited to 0.23 cubic foot per second, if available at the authorized point of diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 3, Township 1 North, Range 42 East, W.M.; 110 feet

South and 900 feet East from the W $\frac{1}{4}$ corner, Section 3, or its equivalent in case of rotation.

The amount of water used for irrigation under this right is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) for each acre irrigated during the irrigation season of each year.

The authorized place of use is located as follows:

S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ 18.0 ACRES
SECTION 4
TOWNSHIP 1 NORTH, RANGE 42 EAST, W.M.

The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in the decree.

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

The applicant proposes to change the points of diversion to a common point of diversion located:

SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 3, Township 1 North, Range 42 East, W.M.; 1000 feet North and 1550 feet East from SW corner, Section 3.

THESE CHANGE TO EXISTING WATER RIGHTS MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

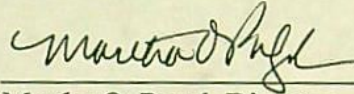
1. The proposed change shall be completed on or before October 1, 1998.
2. The quantity of water diverted at the new point of diversion, together with that diverted at the old diversions, shall not exceed the quantity of water available at the original points of diversion.
3. The water user shall install 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. The water user or irrigation district shall operate and maintain the headgate and measuring device, as needed. The water user or irrigation district shall report total flow figures when requested by the Watermaster. The Watermaster may operate the headgate and monitor accuracy of the measuring device, as needed.

Certificates 3067, 3068, 3177, 3949, 8699, 8700, 8701, and 8771 are canceled. New certificates will be issued to confirm those portions of the rights NOT involved in this transfer. When satisfactory proof of the completed changes is received, new certificates confirming these water rights will be issued.

WITNESS the signature of the Water Resources Director, affixed

~~OCT 28 1996~~



Martha O. Pagel, Director

INTEROFFICE MEMO
WATERMASTER DISTRICT # 8
WATER RESOURCES DEPARTMENT
Phone: (541) 523-8224

TO: Martha Pagel, Director

DATE: October 7, 1996

FROM: Vernon Church, Watermaster

SUBJECT: Transfer 7473

This was one of the applications filed to document a change in POD completed under the watershed program that was in District #6.

Notice was published in the local newspaper and no comments were received. The Watermaster said the change could be made without injury. The transfer should be approved.

COPY

STATE OF OREGON

COUNTY OF WALLOWA

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 7473 submitted by:

LOWER VALLEY WATER IMPROVEMENT DISTRICT
C/O DALE JOHNSON
77583 HWY 82
WALLOWA, OR 97885

The first right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for WALLOWA County as evidenced by a PORTION of Certificates 3067. The decree is recorded in the Order Record of the Water Resources Director in Volume 5, Page 176. The date of priority is 1887.

The right allows the use of the Wallowa River, a tributary of the Grande Ronde River, for stock and irrigation of 130.0 acres. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1½ acre feet per acre during any period of 30 days prior to July 31st of each year and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season, if available at the authorized point of diversion NW¼ SW¼, Section 3, Township 1 North, Range 42 East, W.M.; 1100 feet South and 900 feet East from the W¼ corner, Section 3, or its equivalent in case of rotation.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to 1½ acre feet per acre during any period of 30 days prior to July 31st of each year and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season.

The authorized place of use is located as follows:

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 29.5 ACRES
SECTION 32
TOWNSHIP 2 NORTH, RANGE 42 EAST, W.M.

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 47.5 ACRES
SECTION 4

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$ 13.0 ACRES
SECTION 5
TOWNSHIP 1 NORTH, RANGE 42 EAST, W.M.

The second right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for WALLOWA County as evidenced by a PORTION of Certificates 3068. The decree is recorded in the Order Record of the Water Resources Director in Volume 5, Page 176. The date of priority is October 1900.

The right allows the use of the Wallowa River, a tributary of the Grande Ronde River, for stock and irrigation of 375.0 acres. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1 $\frac{1}{2}$ acre feet per acre during any period of 30 days prior to July 31st of each year and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season, if available at the authorized point of diversion NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 3, Township 1 North, Range 42 East, W.M.; 1100 feet South and 900 feet East from the W $\frac{1}{4}$ corner, Section 3, or its equivalent in case of rotation.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to 1 $\frac{1}{2}$ acre feet per acre during any period of 30 days prior to July 31st of each year and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season.

The authorized place of use is located as follows:

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 37.0 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 35.0 ACRES
SECTION 32
TOWNSHIP 2 NORTH, RANGE 42 EAST, W.M.

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 40.0 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 40.0 ACRES
SW $\frac{1}{4}$ SW $\frac{1}{4}$ 40.0 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 40.0 ACRES

SECTION 33

TOWNSHIP 2 NORTH, RANGE 42 EAST, W.M.

Lot 1(NE $\frac{1}{4}$ NE $\frac{1}{4}$) 50.0 ACRES
Lot 2(NW $\frac{1}{4}$ NE $\frac{1}{4}$) 45.0 ACRES
Lot 3(NE $\frac{1}{4}$ NW $\frac{1}{4}$) 48.0 ACRES

SECTION 4

TOWNSHIP 1 NORTH, RANGE 42 EAST, W.M.

The third right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for WALLOWA County as evidenced by a PORTION of Certificates 3177. The decree is recorded in the Order Record of the Water Resources Director in Volume 5, Page 200. The dates of priority are 1905 for Tract No. 1 and July 1, 1897 for Tract No. 2.

The right allows the use of the Wallowa River, a tributary of the Grande Ronde River, for stock and irrigation of 47.0 acres. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1 $\frac{1}{2}$ acre feet per acre during any period of 30 days prior to July 31st of each year and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season, if available at the authorized point of diversion NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 4, Township 1 North, Range 42 East, W.M.; 400 feet South and 2000 feet East from the W $\frac{1}{4}$ corner, Section 4, or its equivalent in case of rotation.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to 1 $\frac{1}{2}$ acre feet per acre during any period of 30 days prior to July 31st of each year and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season.

The authorized place of use is located as follows:

Tract No. 1

SW $\frac{1}{4}$ NW $\frac{1}{4}$ 5.0 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 2.0 ACRES

SECTION 4

TOWNSHIP 1 NORTH, RANGE 42 EAST, W.M.

Tract No. 2
SW $\frac{1}{4}$ NW $\frac{1}{4}$ 30.0 ACRES

SECTION 4

SW $\frac{1}{4}$ NE $\frac{1}{4}$ 2.0 ACRES

SE $\frac{1}{4}$ NE $\frac{1}{4}$ 8.0 ACRES

SECTION 5

TOWNSHIP 1 NORTH, RANGE 42 EAST, W.M.

The fourth right to be modified, as evidenced by Certificate 3949, was perfected under Permit 4374 with a date of priority of December 5, 1919. The right allows the use of the Wallowa River, a tributary of the Grande Ronde River, for irrigation of 25.0 acres. This right is limited to 0.31 cubic foot per second, if available at the authorized point of diversion: Weaver Ditch, or its equivalent in case of rotation.

The amount of water used for irrigation under this right is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) for each acre irrigated during the irrigation season of each year.

The authorized place of use is located as follows:

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 12.0 ACRES

NW $\frac{1}{4}$ SE $\frac{1}{4}$ 13.0 ACRES

SECTION 4

TOWNSHIP 1 NORTH, RANGE 42 EAST, W.M.

The fifth right to be modified, as evidenced by a portion of Certificate 8699, was perfected under Permit 4375 with a date of priority of December 5, 1919. The right allows the use of the Wallowa River, a tributary of the Grande Ronde River, for irrigation of 40.0 acres. This right is limited to 0.5 cubic foot per second, if available at the authorized point of diversion: NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 3, Township 1 North, Range 42 East, W.M.; 110 feet South and 900 feet East from the W $\frac{1}{4}$ corner, Section 3, or its equivalent in case of rotation.

The amount of water used for irrigation under this right is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) for each acre irrigated during the irrigation season of each year.

The authorized place of use is located as follows:

SE $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 ACRES

SECTION 4

TOWNSHIP 1 NORTH, RANGE 42 EAST, W.M.

The sixth right to be modified, as evidenced by Certificate 8700, was perfected under Permit 4375 with a date of priority of December 5, 1919. The right allows the use of the Wallowa River, a tributary of the Grande Ronde River, for irrigation of 60.0 acres. This right is limited to 0.75 cubic foot per second, if available at the authorized point of diversion: NW¼ SW¼, Section 3, Township 1 North, Range 42 East, W.M.; 110 feet South and 900 feet East from the W¼ corner, Section 3, or its equivalent in case of rotation.

The amount of water used for irrigation under this right is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) for each acre irrigated during the irrigation season of each year.

The authorized place of use is located as follows:

SE¼NE¼ 40.0 ACRES
NE¼ SE¼ 20.0 ACRES
SECTION 4
TOWNSHIP 1 NORTH, RANGE 42 EAST, W.M.

The seventh right to be modified, as evidenced by Certificate 8701, was perfected under Permit 4375 with a date of priority of December 5, 1919. The right allows the use of the Wallowa River, a tributary of the Grande Ronde River, for irrigation of 40.0 acres. This right is limited to 0.5 cubic foot per second, if available at the authorized point of diversion: NW¼ SW¼, Section 3, Township 1 North, Range 42 East, W.M.; 110 feet South and 900 feet East from the W¼ corner, Section 3, or its equivalent in case of rotation.

The amount of water used for irrigation under this right is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) for each acre irrigated during the irrigation season of each year.

The authorized place of use is located as follows:

SW¼ NE¼ 40.0 ACRES
SECTION 4
TOWNSHIP 1 NORTH, RANGE 42 EAST, W.M.

The eighth right to be modified, as evidenced by Certificate 8771, was perfected under Permit 9691 with a date of priority of June 12, 1950. The right allows the use of the Wallowa River, a tributary of the Grande Ronde River, for irrigation of 18.0 acres. This right is limited to 0.23 cubic foot per second, if available at the authorized point of diversion: NW¼ SW¼, Section 3, Township 1 North, Range 42 East, W.M.; 110 feet

South and 900 feet East from the W $\frac{1}{4}$ corner, Section 3, or its equivalent in case of rotation.

The amount of water used for irrigation under this right is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) for each acre irrigated during the irrigation season of each year.

The authorized place of use is located as follows:

S $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ 18.0 ACRES
SECTION 4
TOWNSHIP 1 NORTH, RANGE 42 EAST, W.M.

The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in the decree.

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

The applicant proposes to change the points of diversion to a common point of diversion located:

SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 3, Township 1 North, Range 42 East, W.M.; 1000 feet North and 1550 feet East from SW corner, Section 3.

THESE CHANGE TO EXISTING WATER RIGHTS MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

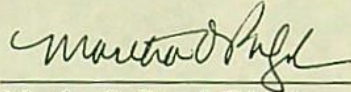
1. The proposed change shall be completed on or before October 1, 1998.
2. The quantity of water diverted at the new point of diversion, together with that diverted at the old diversions, shall not exceed the quantity of water available at the original points of diversion.
3. The water user shall install 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. The water user or irrigation district shall operate and maintain the headgate and measuring device, as needed. The water user or irrigation district shall report total flow figures when requested by the Watermaster. The Watermaster may operate the headgate and monitor accuracy of the measuring device, as needed.

Certificates 3067, 3068, 3177, 3949, 8699, 8700, 8701, and 8771 are canceled. New certificates will be issued to confirm those portions of the rights NOT involved in this transfer. When satisfactory proof of the completed changes is received, new certificates confirming these water rights will be issued.

WITNESS the signature of the Water Resources Director, affixed

~~OCT 28 1996~~



Martha O. Pagel, Director

COPY

STATE OF OREGON
COUNTY OF WALLOWA
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ELIJAH D. WEAVER
WALLOWA, OR 97885

confirms the right to use the waters of BEAR CREEK, a tributary of WALLOWA RIVER, for IRRIGATION OF 10.0 ACRES.

This right was confirmed by decree of the circuit Court of the State of Oregon for WALLOWA County. The decree is of record in Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 5, at Page 200. The date of priority is 1893.

The use is limited to 1½ acre per foot per acre during any period of 30 days prior to July 31st of each year, and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season or its equivalent in case of rotation.

The point of diversion is located as follows:

Weaver Ditch.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to 1½ acre per foot per acre during any period of 30 days prior to July 31st of each year, and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season.

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

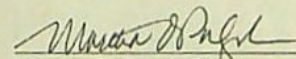
NW¼ SE¼ 10.0 ACRES
SECTION 5
TOWNSHIP 1 NORTH, RANGE 42 EAST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 3177, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered OCT 28 1996, approving Transfer Application 7473.

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 and is subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director, affixed OCT 28 1996


Martha O. Pagel, Director

Recorded in the State Record of Water Right Certificates numbered 72990.

T-7473.vc

COPY

STATE OF OREGON
COUNTY OF WALLOWA
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ELIJAH D. WEAVER
WALLOWA, OR 97885

confirms the right to use the waters of BEAR CREEK, a tributary of WALLOWA RIVER, for IRRIGATION OF 10.0 ACRES.

This right was confirmed by decree of the circuit Court of the State of Oregon for WALLOWA County. The decree is of record in Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 5, at Page 200. The date of priority is 1893.

The use is limited to 1½ acre per foot per acre during any period of 30 days prior to July 31st of each year, and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season or its equivalent in case of rotation.

The point of diversion is located as follows:

Weaver Ditch.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to 1½ acre per foot per acre during any period of 30 days prior to July 31st of each year, and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season.

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

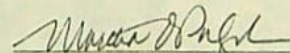
NW¼ SE¼ 10.0 ACRES
SECTION 5
TOWNSHIP 1 NORTH, RANGE 42 EAST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 3177, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered OCT 28 1996, approving Transfer Application 7473.

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 and is subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director, affixed OCT 28 1996


Martha O. Pagel, Director

Recorded in the State Record of Water Right Certificates numbered 72990.

T-7473 vc

COPY

STATE OF OREGON
COUNTY OF WALLOWA
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JOSEPH F. JOHNSON
WALLOWA, OR 97885

confirms the right to use the waters of WALLOWA RIVER, a tributary of GRANDE RONDE RIVER, for IRRIGATION OF 40 ACRES AND STOCK.

This right was confirmed by decree of the circuit Court of the State of Oregon for WALLOWA County. The decree is of record in Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 5, at Page 176. The date of priority is 1884.

The use is limited to 1½ acre feet per acre during any period of 30 days prior to July 31st of each year and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season or its equivalent in case of rotation.

The point of diversion is located as follows:

Johnson Ditch - NW¼SW¼ Section 3, Township 1 North, Range 42 East, W.M.; 1100 feet South and 900 feet East from West¼ corner of Section 3.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to 1½ acre feet per acre during any period of 30 days prior to July 31st of each year and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season.

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

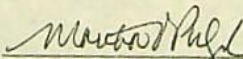
SW¼ NW¼ 40.0 acres
Section 3
Township 1 North, Range 42 East, Willamette Meridian

This certificate describes that portion of the water right confirmed by Certificate 3068, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered OCT 28 1996, approving Transfer Application 7473.

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 and is subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director, affixed OCT 28 1996


Martha O. Pagel, Director

Recorded in the State Record of Water Right Certificates numbered 72625.

T-7473.vc

COPY

STATE OF OREGON
COUNTY OF WALLOWA
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JOSEPH F. JOHNSON
WALLOWA, OR 97885

confirms the right to use the waters of WALLOWA RIVER, a tributary of GRANDE RONDE RIVER, for IRRIGATION OF 40 ACRES AND STOCK.

This right was confirmed by decree of the circuit Court of the State of Oregon for WALLOWA County. The decree is of record in Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 5, at Page 176. The date of priority is 1884.

The use is limited to 1½ acre feet per acre during any period of 30 days prior to July 31st of each year and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season or its equivalent in case of rotation.

The point of diversion is located as follows:

Johnson Ditch - NW¼SW¼ Section 3, Township 1 North, Range 42 East, W.M.; 1100 feet South and 900 feet East from West¼ corner of Section 3.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to 1½ acre feet per acre during any period of 30 days prior to July 31st of each year and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season.

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

SW¼ NW¼ 40.0 acres
Section 3
Township 1 North, Range 42 East, Willamette Meridian

This certificate describes that portion of the water right confirmed by Certificate 3068, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered OCT 28 1996, approving Transfer Application 7473.

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 and is subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director, affixed OCT 28 1996


Martha O. Pagel, Director

Recorded in the State Record of Water Right Certificates numbered 72625.

T-7473.vc

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # _____

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

INVOICE # **000117**

RECEIVED FROM: St Cattle Ranch

BY: _____

APPLICATION	
PERMIT	
TRANSFER	7473

CASH: CHECK: 96-387 OTHER: (IDENTIFY)

TOTAL REC'D \$ **850⁰⁰**

0417 WRD MISC CASH ACCT

ADJUDICATIONS

\$

\$

ROUTING & REQUEST

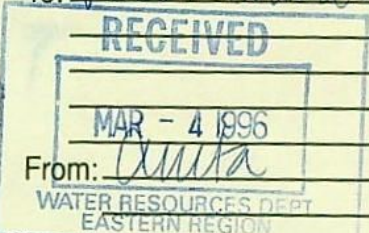
Please...

- Read
- Handle
- Approve

And...

- Forward
- Return
- Keep or Toss
- Review with Me

To: Vern Church



From: Anita

Date: 2-28-96

Post-it™ 7664 ©GM 1993

ORD FEE

50⁰⁰
 LENSE FEE

0218 WELL DRILL CONSTRUCTION
 LANDOWNER'S PERMIT

\$ _____

0220

\$

OTHER (IDENTIFY) _____

0437 WELL CONST. START FEE

0211 WELL CONST START FEE

\$ _____

CARD # _____

0210 MONITORING WELLS

\$ _____

CARD # _____

OTHER (IDENTIFY) _____

0539 LOTTERY PROCEEDS

1302 LOTTERY PROCEEDS

\$ _____

0467 HYDRO ACTIVITY

LIC NUMBER

0233 POWER LICENSE FEE (FWWRD)

\$ _____

0231 HYDRO LICENSE FEE (FWWRD)

\$ _____

HRDRO APPLICATION

\$ _____

RECEIPT #

000117

DATED:

2/28/96 BY: Flo L

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # .

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

INVOICE # **000117**

RECEIVED FROM: SH Cattle Ranch

BY: _____

APPLICATION	
PERMIT	
TRANSFER	7473

CASH: CHECK: 96-387 OTHER: (IDENTIFY)

TOTAL REC'D \$ 8509

0417 WRD MISC CASH ACCT

ADJUDICATIONS	\$
PUBLICATIONS / MAPS	\$
OTHER: (IDENTIFY)	\$
OTHER: (IDENTIFY)	\$

REDUCTION OF EXPENSE

CASH ACCT.	\$
VOUCHER #	

0427 WRD OPERATING ACCT

0407 MISCELLANEOUS	\$
0410 COPY FEES	\$
0410 RESEARCH FEES	\$
0408 MISC REVENUE: (IDENTIFY)	\$
TC165 DEPOSIT LIAB. (IDENTIFY)	\$

**RECEIVED
 OVER THE COUNTER**

WATER RIGHTS:		EXAM FEE	RECORD FEE
0201 SURFACE WATER	\$	0202	\$
0203 GROUND WATER	\$	0204	\$
0205 TRANSFER	\$ <u>3500</u>	0206	\$ <u>5000</u>
WELL CONSTRUCTION		EXAM FEE	LICENSE FEE
0218 WELL DRILL CONSTRUCTOR	\$	0219	\$
LANDOWNER'S PERMIT		0220	\$
OTHER (IDENTIFY)			

0437 WELL CONST. START FEE

0211 WELL CONST START FEE	\$	CARD #	
0210 MONITORING WELLS	\$	CARD #	
OTHER (IDENTIFY)			

0539 LOTTERY PROCEEDS

1302 LOTTERY PROCEEDS	\$
-----------------------	----

0467 HYDRO ACTIVITY

0233 POWER LICENSE FEE (FWWRD)	LIC NUMBER	\$
0231 HYDRO LICENSE FEE (FWWRD)		\$
HRDRO APPLICATION		\$

RECEIPT #

000117

DATED:

2/28/96 BY: Flo J

STATE OF OREGON
WATER RESOURCES DEPARTMENT

000117

RECEIPT #

158 12TH ST. N.E.

INVOICE #

SALEM, OR 97310-0210

378-8455 / 378-8130 (FAX)

RECEIVED FROM: SK Cattle Ranch

APPLICATION

BY:

PERMIT

TRANSFER

7473

CASH:

CHECK: # 96-387

OTHER: (IDENTIFY)

TOTAL REC'D

\$

8500

0417 WRD MISC CASH ACCT

ADJUDICATIONS

\$

PUBLICATIONS / MAPS

\$

OTHER: (IDENTIFY)

\$

OTHER: (IDENTIFY)

\$

REDUCTION OF EXPENSE

CASH ACCT.

\$

PCA AND OBJECT CLASS

VOUCHER #

0427 WRD OPERATING ACCT

MISCELLANEOUS

0407

COPY FEES

\$

0410

RESEARCH FEES

\$

0408

MISC REVENUE: (IDENTIFY)

\$

TC165

DEPOSIT LIAB. (IDENTIFY)

\$

WATER RIGHTS:

0201

SURFACE WATER

EXAM FEE

\$

0202

RECORD FEE

\$

0203

GROUND WATER

\$

0204

\$

0205

TRANSFER

\$ 3500

0206

\$ 5000

WELL CONSTRUCTION

EXAM FEE

0218

WELL DRILL CONSTRUCTOR

\$

0219

\$

LANDOWNER'S PERMIT

0220

\$

OTHER (IDENTIFY)

RECEIVED
OVER THE COUNTER

0437 WELL CONST. START FEE

0211

WELL CONST START FEE

\$

CARD #

0210

MONITORING WELLS

\$

CARD #

OTHER (IDENTIFY)

0539 LOTTERY PROCEEDS

1302

LOTTERY PROCEEDS

\$

0467 HYDRO ACTIVITY

LIC NUMBER

0233

POWER LICENSE FEE (FWWRD)

\$

0231

HYDRO LICENSE FEE (FWWRD)

\$

HRDRO APPLICATION

\$

RECEIPT #

000117

DATED:

2/28/96

BY:

JLD

Mail receipt
to:

Water Resources Dept
158 12 st NE
Salem, Oregon

DALE JOHNSON
77583 Hwy 82
WALLOWA, OR
97885

Dear Sir,

Enclosed find the filing fee for the water right transfer # 7473. I was unaware that the fee had not been submitted to your office at the same time the application for the change of Diversion was sent to your office.

Mr Kern Church, district #8 and I have communicated re: this application and his office has been extremely helpful. He is to be commended.

I will be in contact with Mr. Church to insure that all pertinent rules and regs. are in order when our application is re-submitted.

Sincerely

Dale F. Johnson
Sec/treas
Weaver/Johnson Ditch

X-Sender: luskrm@mailhub.wrd.state.or.us
Date: Fri, 02 Aug 1996 08:09:35 -0700
To: churchvl@chetco.wrd.state.or.us (Vernon Church)
From: luskrm@chetco.wrd.state.or.us (Rick Lusk)
Subject: Re: Public notice for transfers 7473 and 7489
X-UIDL: d539177ad67be39f002bc91458a8c8d3

Kerri, cert 3949, Roy Schaeffer, authorized POD is 66 rods S. and 32 rods E. of the N.E. Cor. of NE1/4 SE1/4 Sec. 4, Tp. 1 N., R. 42 E., being within the NW1/4 SW1/4 of Sec. 3. same Tp and Rg. The application map does not list a ditch name, it shows a proposed ditch. I believe the name of the ditch in use today for this right is the Curtis Ditch.

The Lower Valley Ditch is the same as the Lower Valley.

Has the Lower Valley Ditch Imp. District amended the application for a change in POD rather an additional?

>Rick,

>

> Vern has had me prepare the public notices for these two transfers.

>I am in the process of making some changes and getting the PODs correct for

>each certificate. I need to know where the point of diversion for >Certificate 3949, in the name of Roy Schaeffer, from Wallowa River, with a

>priority date of December 5, 1919 for irrigation of 25 acres, permit no.

>4374, recorded in Vol. 1, Page 461. I have a copy of the certificate, but

>the POD is not listed. Larry Nunn told me to use the ditch name from the

>decree if the POD legal description was not listed on the certificate. I

>have located the names of all the ditches or PODs for all the certificates

>except this one. So if you can send me the legal description or the name of

>the ditch, I would greatly appreciate it.

Affidavit of Public

STATE OF OREGON }
County of Wallowa } ss

I, Anne Christman
first duly sworn, depose and say that

Office Manager

(printer, foreman of the printer, principal publisher or business manager) of the WALLOWA COUNTY CHIEF newspaper of general circulation published at Enterprise in the aforesaid and State, as defined in Section 58 Laws, and that the

NOTICE OF WATER RIGHT

a printed copy of which is hereto announced published in the entire issue of said paper for 3 weeks in the issues

August 15, 1996

Aug
Aug

NOTICE OF WATER RIGHT TRANSFERS 7473

The Lower Valley Water Improvement District filed an application with the Water Resources Department for a change in point of diversion of water as provided by ORS 540.510 to 540.530.

Subscribed day of

Certificate 3067, in the name of Ernest F. Johnson, includes a right limited to 1.5 acre feet per acre during any period of 30 days prior to July 31st of each year, and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season from Wallowa River, with a priority date of 1887 for stock and irrigation of 130 acres.

The point of diversion for this right is the Johnson Ditch.

Certificate 3068, in the name of Joseph F. Johnson, includes a right limited to 1.5 acre feet per acre during any period of 30 days prior to July 31st of each year, and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season from Wallowa River, with a priority date of 1884 and October 1900 for stock and irrigation of 415 acres.

The point of diversion for this right is the Johnson Ditch.

Certificate 3177, in the name of Elijah D. Weaver, includes a right limited to 1.5 acre feet per acre during any period of 30 days prior to July 31st of each year, and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season from Wallowa River, with a priority date of 1893, July 1, 1897 and 1905 for stock and irrigation of 57 acres.

The point of diversion for this right is the Weaver Ditch, No. 1.

Certificate 3949, in the name of Roy Schaeffer, includes a right limited to 0.31 cubic feet per second, or its

equivalent in case of rotation from Wallowa River, with a priority date of December 5, 1919 for irrigation of 25 acres.

The point of diversion for this right is 66 rods South and 32 rods East of the NE Corner of NE1/4SE1/4 Sec. 4, T1N, R42E, being within the NW 1/4SW1/4 of Sec. 3, T1N, R42E, W.M.

Certificate 8699, in the name of Alma V. Hearing and John G. McCulloch, includes a right limited to 0.5 cubic feet per second from Wallowa River, with a priority date of December 5, 1919 for irrigation of 40 acres.

The point of diversion for these rights is in the NW1/4SW1/4 Sec. 3, T1N, R42E, W.M.; 1100'S and 900'E from W1/4 corner of Sec. 3.

Certificate 8700, in the name of Ada Boyd, includes a right limited to 0.75 cubic feet per second, from Wallowa River, with a priority date of December 5, 1919 for irrigation of 60 acres.

The point of diversion for these rights is in the NW1/4SW1/4 Sec. 3, T1N, R42E, W.M.; 1100'S and 900'E from W1/4 corner of Sec. 3.

Certificate 8701, in the name of Roy Schaeffer, includes a right limited to 0.5 cubic feet per second, from Wallowa River, with a priority date of December 5, 1919

for irrigation of 40 acres.

The point of diversion for these rights is in the NW1/4SW1/4 Sec. 3, T1N, R42E, W.M.; 1100'S and 900'E from W1/4 corner of Sec. 3.

Certificate 8771, in the name of Ada Boyd, includes a right limited to 0.23 cubic feet per second, from Wallowa River, with a priority date of June 12, 1950 for irrigation of 18 acres.

The point of diversion for these rights is in the NW1/4SW1/4 Sec. 3, T1N, R42E, W.M.; 1100'S and 900'E from W1/4 corner of Sec. 3.

The applicant proposes to change the points of diversion to SE1/4SW1/4 Sec. 3, T1N, R42E, W.M.; 1000'N and 1550'E from SW corner.

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) 963-1031. If a protest is filed a hearing may be held.

The last date of publication is August 29, 1996. IF NO PROTEST IS FILED BY SEPTEMBER 28, 1996, THE CHANGE MAY BE APPROVED WITHOUT A HEARING.

c14t3

(My Commission expires ...09/07/96....)



Affidavit of Publication

STATE OF OREGON }
County of Willowa } ss

I, Anne Christman, being first duly sworn, depose and say that I am the

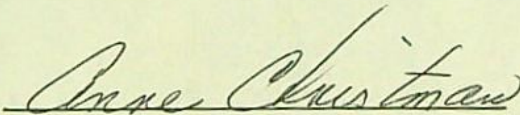
Office Manager

(printer, foreman of the printer, principal clerk, publisher or business manager) of the WALLOWA COUNTY CHIEFTAIN, a newspaper of general circulation printed and published at Enterprise in the aforesaid County and State, as defined in Section 58, Oregon Laws, and that the

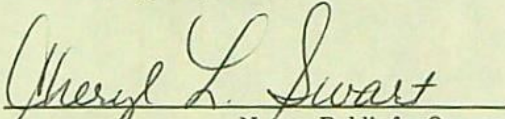
NOTICE OF WATER RIGHT TRANSFERS 7473

a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for 3 weeks in the issues of

August 15, 1996
August 22, 1996
August 29, 1996

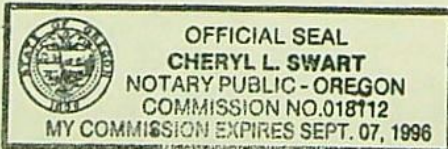


Subscribed and sworn to before me this 29th day of August, 1996



Notary Public for Oregon

(My Commission expires ...09/07/96....)



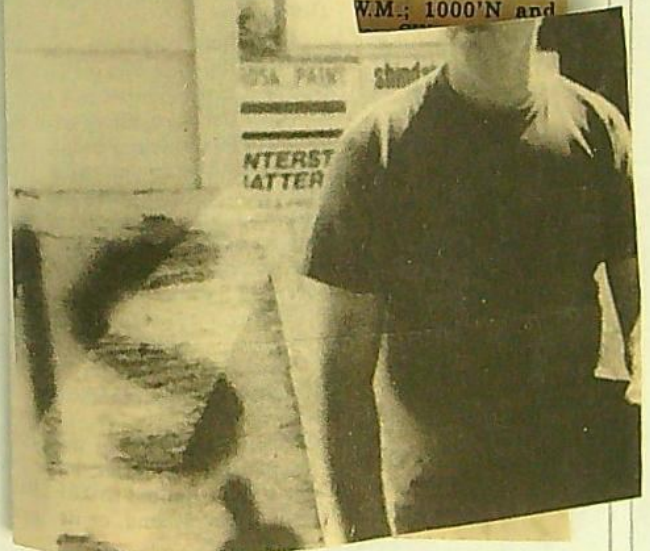
ates local

starts rules for non-compliance and penalties. Haworth would rather do

trigation of 40 acres. The point of diversion for the rights is in the NW1/4 Sec. 3, T1N, R42E, 1100'S and 900'E from corner of Sec. 3. Certificate 8771, in the of Ada Boyd, includes a limited to 0.23 cubic feet cond, from Willowa with a priority date of 2, 1950 for irrigation res.

point of diversion for rights is in the NW1/4 Sec. 3, T1N, R42E, 100'S and 900'E from rner of Sec. 3.

applicant proposes to the points of diversion SW1/4 Sec. 3, T1N, W.M.; 1000'N and



No.

In the Court of the

STATE OF OREGON

for the
COUNTY OF WALLOWA

**AFFIDAVIT OF
PUBLICATION**

Filed 19.....

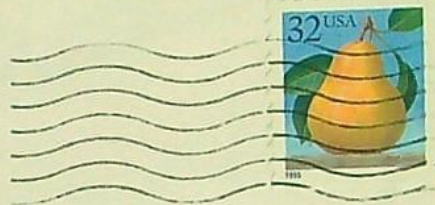
.....
County Clerk

By Deputy

FROM THE OFFICE OF

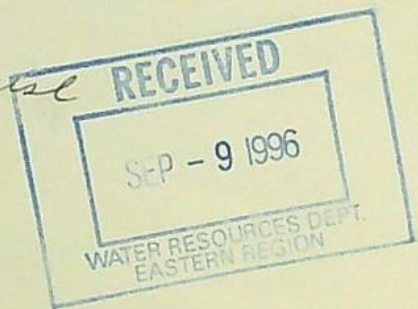
.....
Attorney for

DALE JOHNSON
77583 Hwy 82
WALLOWA, OR
97885



3

Mr. Vernon Church
Watermaster Dist #8
Baker County Court House
1995 Third St
Baker City, Oregon
97814



ESTES SURVEYS

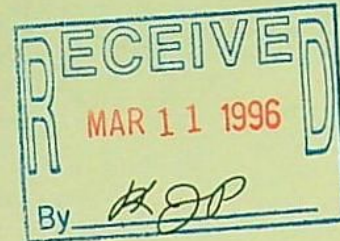
SURVEYS
CONSULTING

LAND & WATER RIGHTS Bruce A. Estes, PLS, CWRE

60382 Arnold Rd.
Bend, OR 97702
(503) 382-7391

6293 Sunnyview Rd. NE
Salem, OR 97305
(503) 585-7593
FAX 585-7593

February 28, 1996



Vernon L. Church, Watermaster, Dist. #8
Baker County Courthouse
1995 3rd Street
Baker City, OR 97814

Dear Vern:

T-7473

Apparently there have been some problems with the Weaver-Johnson change in point of diversion application. As we discussed on the telephone, Mr. Dale Johnson has requested me to help get the application in order. Since HB 3086 specifically exempts the existing statute for POD changes and did not mention fees, I informed them that they did not need to send any money with it. The department has now determined that the standard transfer fees apply. I delivered an \$85.00 check to Joe Mullen yesterday for Dale. Joe did not have a receipt written since the file was not available.

I will send a copy of the new map directly to you when I finish it. A superseding application has been made for Dale's signature. He is the secretary for the Weaver-Johnson Ditch.

The first application was signed by Max Mallory, a board member of Lower Valley Water Improvement District, so that should suffice for notice to them. If not let me know and I'll contact Max to submit a letter to you.

Dale is personally familiar with the lands identified and he will submit a letter attesting to use within the last five years. Dale's uncle, Reed Johnson, is obtaining copies of the deeds and will submit them to you when he has them. He will also get a letter of approval from the other landowners.

If you need anything else please call.

Sincerely,

A handwritten signature in blue ink that appears to be "Bruce A. Estes".

Bruce A. Estes, PLS, CWRE

cc Dale Johnson
Max Mallory
Norm Werst

June 13, 1996

Estes Surveys
6293 Sunnyview Rd. NE
Salem, OR 97305

Oregon

WATER
RESOURCES
DEPARTMENT

Eastern Region

RE: Transfers 7473 & 7489 - Lower Valley Water Improvement District

Dear Bruce,

Thank you for your letter of May 21, 1996.

Your request for certificates 34496, 41175, 57661, 8765 and 64462 appears to be reasonable. Therefore, I am willing to go along with your request at this time.

For transfer 7489, I still need item 4D of the application. Item 4D, states: Evidence that the water has been used within the last five years. To this point, this evidence has not been provided. Please provide this information with the next thirty days from date of this letter.

Your last paragraph, appears to be the most interesting. My use of roads were as an example of nonuse. I draw your attention to OAR 690-15-060(10) Evidence that the water has been used over the past five years in accordance with the terms and conditions of the certificate. The evidence may include but not be limited to:

- (A) Affidavits from knowledgeable persons, such as the owner or operator, a neighbor, county agent, crop field person for cannery or other product buyer, NRCS representatives, etc.
- (B) Receipts from sales of irrigated crops or for expenditures relating to use of water.
- (C) Other records such as ASCS farm management plan, dated photographs, or water district records.

I understand your concerns for what you may feel is a lack of due process. Can the district provide evidence as stated above to the satisfaction of the Water Resources Director? We will not approve a transfer application that does not provide evidence of actual use. Those acres that cannot show evidence of use should be cleared from the record before the transfer is approved. I can provide cancellation affidavits for the district's use to clear the records, once the maps and applications are corrected to show the actual use.

I am returning the maps and applications for correction. I understand you are on National Guard duty for the next two weeks, please return the corrected applications and maps within forty-five days from the date of the letter. GWEB is waiting for approval on this transfer before their final payment for part of this public project. If you have any questions, please call me.

Sincerely,

Vernon L. Church
Watermaster, District # 8

xc: GWEB, La Grande
Rick Lusk, Watermaster
Max Mallory, 67804 Promise Road, Wallowa, OR 97885
Laura Schroeder, P.O. 1392, Hermiston, OR 97838
Steve Applegate, WRD

Baker County Courthouse
1995 Third Street
Baker City, OR 97814
(541) 523-8224

DALE JOHNSON
77583 Hwy 82
WALLOWA, OR
97885

CERTIFIED
Z 030 953 980
MAIL



RETURN RECEIPT REQUESTED

RECEIVED
MAR - 4 1996
WATER RESOURCES DEPT.
EASTERN REGION

Mr. Vernon Church
Watermaster dist #8
Baker County Court House
1995 3rd St.
Baker City, Oregon
97814

RECEIVED
MAR - 4 1996
By *KJP*

NAME _____
1st Notice _____
2nd Notice _____
Return _____

COPY

RECEIVED

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

JAN 11 1996
WATER RESOURCES DEPT.
SALEM, OREGON

Applicant: Lower Valley Water Improvement Dist. % Dale Johnson
Mailing Address: 77583 Hwy 82
Walla Walla OR 97885
City or town State Zip
Phone (501) 758-7608
Type of change: 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
B) Was the water right determined by a court decree? Yes
1. If yes, list the title of the proceedings: Walla Walla River
2. Certificate No: 3067, 3068, 3177, 3949, 8639, 8700, 8701, & 8771
C) Was the water right acquired by a water permit? No
1. If yes, list the Permit No: Dec 5, 1919
2. Certificate No: C-8271 Jun 13, 1930
D) Date of priority right: C-3067-1887 C-3177-1900 & 1897, July 1
E) What are your reasons for the proposed changes? Walla Walla River changed course many years ago requiring all 3 ditches to consolidate into the one diversion.
F) The water will be completely applied to the proposed use on or before: complete, 19

2. LOCATION OF AUTHORIZED USE

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

B) Describe the authorized point of diversion:

Table with 5 columns: Location in Reference to Survey Corner, 1/4, 1/4 of Section, Section, Township, Range. Rows include Old Weaver Ditch #1, Weaver Ditch, and Johnson Ditch.

- C) What is the name of the ditch used? Weaver - Johnson
D) What is the use to which the water is applied? irrigation stock 3067 3068 3177

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

Table with 6 columns: Township, Range, Section, 1/4, 1/4 of Section, No. of acres irrigated. Includes handwritten notes on the left and right sides.

- F) Is the land within an irrigation district? Yes X No
If Yes, which district? Lower Valley Water Improvement Dist.
G) County Walla Walla

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:

Table with 5 columns: Location in Reference to Survey Corner, 1/4, 1/4 of Section, Section, Township, Range. Row: Weaver Johnson 1000' N & 1550' E from SW cor, SE 1/4 SW 1/4, 3, 1 N, 42 E.

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:

1/6 Lower Valley Water Imp Dist.
Jean Mallory H (541) 886-9435 W (541) 426-4521
67809 Proving Rd
Walla Walla, OR 97885

6. REMARKS:

I (we) Max O Mallory, 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 2th day of Jan, 19 96.

Max O Mallory
(Signature)

(Signature)

Subscribed and sworn to before me

Patricia A. Houston

Notary Public for Oregon

(Notarial Seal)



My commission expires: 03-02 96

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

RECEIVED

JAN 11 1996

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: Lower Valley Water Improvement Dist. % Dale Johnson
 Address: 77583 Hwy 82
 City: Walla Walla State: OR Zip: 97885
 Phone: (541) 758-7608 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.

u 3
IN, RARE

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
1300	Exclusive Farm Use (EFU)	✓	✓	

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): _____ 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
Ministerial Review	Goals, Policy 1 Article 3b	X		

(over)

b) Please provide printed name and written signature.

Name: Diane Shetter
Title: Planning Director

Date: 1-8-96
Phone: 426-4543

Signature: Diane Shetter

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

Continuations or Additional Comments:

Multiple horizontal lines for writing continuations or additional comments.

ESTES SURVEYS

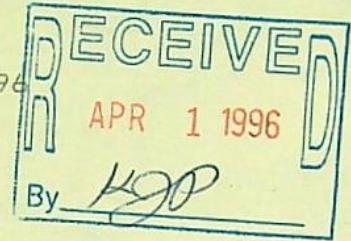
SURVEYS
CONSULTING

LAND & WATER RIGHTS Bruce A. Estes, PLS, CWRE

60382 Arnold Rd.
Bend, OR 97702
(503) 382-7391

6293 Sunnyview Rd. NE
Salem, OR 97305
(503) 585-7593
FAX 585-7593

March 28, 1996



Vernon L. Church, Watermaster Dist. #8
Baker County Courthouse
1995 Third Street
Baker City, OR 97814

Dear Vern:

Re: T-7473 & T-7479

Enclosed is a revised map for T-7473 which includes the pond involved in Certificates 58417 & 58418 for ODF & W. I thought they referenced the correct point of diversion, but evidently there was an error in them and they need to be included in the Weaver-Johnson diversion update. Dale Johnson and I have discussed them and request you include them in T-7473.

Since you determined that Norm Werst's transfer application T-7479 could be accomplished under HB 3086 I made another application for Norm and Amy Lou's signatures to submit to replace the original application. The first application was signed by Max Mallory, board member of Lower Valley Water Improvement District, so that should suffice for notice to them.

If you have any concerns with the applications or maps please call me. Thanks.

Sincerely,

A handwritten signature in blue ink that reads "Bruce".

Bruce A. Estes, PLS, CWRE

cc Dale Johnson
Norm Werst
Max Mallory

HB 3086

Supercedes Jan 11, 96 T-7473 application
State of Oregon

WATER RESOURCES DEPARTMENT
APPLICATION FOR TRANSFER OF WATER RIGHT

Applicant: Dale Johnson (Weaver Johnson Ditch)

Mailing Address: 77583 Hwy 82
Walla, OR 97885
City or town State Zip Phone
Summer 886-7951 Walla
Winter 758-7608 Corvallis

Type of change: 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? Yes
(Yes, No)

1. If yes, list the title of the proceedings: Walla River
2. Certificate No: 3067, 3068, 3177

C) Was the water right acquired by a water permit? Yes
(Yes, No)

1. If yes, list the Permit No: 4374 4375 4375 4375 9691
2. Certificate No: 3067 (3949, 8699, 8700, 8701) & 8771 3068
1887 June 12, 1930 1887 & Oct 1900

D) Date of priority right: Dec 5, 1919, 19
C-3177 July 1, 1897, & 1905

E) What are your reasons for the proposed changes?

Walla River changed course many years ago requiring all 3 ditches to consolidate into the one diversion (1974±)

F) The water will be completely applied to the proposed use on or before: complete, 19

2. LOCATION OF AUTHORIZED USE

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

B) Describe the authorized point of diversion:

Location in Reference to Survey Corner	1/4, 1/4 of Section	Section	Township	Range
<u>100' S & 2000' E from W 1/4 corner 4</u>	<u>NE 1/4 SW 1/4</u>	<u>4</u>	<u>1N</u>	<u>42E</u>
<u>100' S & 2800' E from W 1/4 corner 4</u>	<u>NW 1/4 SE 1/4</u>	<u>4</u>	<u>1N</u>	<u>42E</u>
<u>1100' S & 900' E from W 1/4 corner sec 3</u>	<u>NW 1/4 SW 1/4</u>	<u>3</u>	<u>1</u>	<u>42E</u>

C) What is the name of the ditch used? Weaver - Johnson

D) What is the use to which the water is applied? irrigation & stock

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
<u>2N</u>	<u>42E</u>	<u>32</u>	<u>29E SW 1/4 SE 1/4</u>	
<u>1N</u>	<u>42E</u>	<u>5</u>	<u>40E NENE, 13E NWNE; Sec 4 47E NWNW</u>	
<u>2N</u>	<u>42E</u>	<u>33</u>	<u>16E SW 1/4; Sec 32 37E NESE, 35E SESE</u>	
<u>1N</u>	<u>42E</u>	<u>4</u>	<u>50E NENE, 45E NWNE, 48E NENW</u>	
<u>1N</u>	<u>42E</u>	<u>4</u>	<u>35E SWNW, 20E NWSE; Sec 5 2E SWNE, 8E SENE</u>	
<u>1N</u>	<u>42E</u>	<u>4</u>	<u>12E NESW, 13E NWSE</u>	
<u>1N</u>	<u>42E</u>	<u>4</u>	<u>40E SENW</u>	
<u>1N</u>	<u>42E</u>	<u>4</u>	<u>40E SENE, 20E NESE</u>	
<u>1N</u>	<u>42E</u>	<u>4</u>	<u>40E SWNE</u>	
<u>1N</u>	<u>42E</u>	<u>4</u>	<u>18E NESE</u>	

F) Is the land within an irrigation district? Yes X No

If Yes, which district? Lower Valley Water Improvement Dist.

G) County Walla

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
<u>1000' N & 1550' E from SW corner</u>	<u>SE SW</u>	<u>3</u>	<u>1N</u>	<u>42E</u>

Old Weaver Ditch
Weaver Ditch
Johnson Ditch

C-3067
C-3067
C-3068
C-3068
C-3177
C-3949
C-8699
C-8700
C-8701
C-8771

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:

I (we) DALE F. JOHNSON / secretary Woodport Ditch DFL, 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 29th day of February, 1996.

Dale F. Johnson
(Signature)

(Signature)

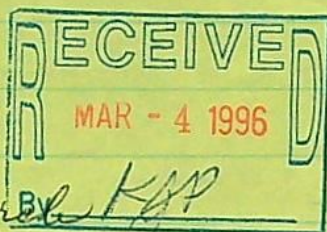
Subscribed and sworn to before me

Paul L. Miller
Notary Public for Oregon

(Notarial Seal)

My commission expires: 10/23/1999





DALE JOHNSON
77583 Hwy 82
WALLOWA, OR 97885
1-541-886-7951

Mr. Vernon Church
Watermaster, Dist #8
1995 3rd St
Baker County Courthouse
Baker City, Oregon 97814

Dear Vern,

Enclosed is the revised application for the change of Diversion for the Weaver-Johnson Ditch. I believe Mr. Estes has been in contact with your office regarding this application and will be sending the map of affected lands to your office.

I am personally familiar with the involved area and can attest that these lands have been irrigated and stock water used each year for at least the last 20 years.

I will be back in Wallowa in early April and will bring the deed copies to your office. Reid Johnson is presently securing these deeds and we will forward them to you.

Thank you for your help in these very important matters.

Sincerely,
Dale F. Johnson
Supt., Weaver-Johnson Ditch

Oregon

WATER
RESOURCES
DEPARTMENT

Eastern Region

August 7, 1996

Dale Johnson
77583 Hwy 82
Wallowa, OR 97885

Dear Dale:

Enclosed is the transfer notice which must be published in a local newspaper, having general circulation in the area of the transfer. The notice must be published at least once a week for three consecutive weeks. Please have the newspaper insert the appropriate dates in the two places in the notice. Following publication, please send the affidavit of publication to me. Upon receipt of the affidavit of publication, we may continue with the processing of your transfer application.

If you have any questions, feel free to contact me at (541) 523-8224.

Sincerely,

Vernon L. Church
Watermaster, District #8

Baker County Courthouse
1995 Third Street
Baker City, OR 97814
(541) 523-8224

NOTICE OF WATER RIGHT TRANSFERS 7473

The Lower Valley Water Improvement District filed an application with the Water Resources Department for a change in point of diversion of water as provided by ORS 540.510 to 540.530.

Certificate 3067, in the name of Ernest F. Johnson, includes a right limited to 1.5 acre feet per acre during any period of 30 days prior to July 31st of each year, and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season from Wallowa River, with a priority date of 1887 for stock and irrigation of 130 acres.

The point of diversion for this right is the Johnson Ditch.

Certificate 3068, in the name of Joseph F. Johnson, includes a right limited to 1.5 acre feet per acre during any period of 30 days prior to July 31st of each year, and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season from Wallowa River, with a priority date of 1884 and October 1900 for stock and irrigation of 415 acres.

The point of diversion for this right is the Johnson Ditch.

Certificate 3177, in the name of Elijah D. Weaver, includes a right limited to 1.5 acre feet per acre during any period of 30 days prior to July 31st of each year, and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season from Wallowa River, with a priority date of 1893, July 1, 1897 and 1905 for stock and irrigation of 57 acres.

The point of diversion for this right is the Weaver Ditch, No. 1.

Certificate 3949, in the name of Roy Schaeffer, includes a right limited to 0.31 cubic feet per second, or its equivalent in case of rotation from Wallowa River, with a priority date of December 5, 1919 for irrigation of 25 acres.

The point of diversion for this right is 66 rods South and 32 rods East of the NE Corner of NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 4, T1N, R42E, being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 3, T1N, R42E, W.M.

Certificate 8699, in the name of Alma V. Hearing and John G. McCulloch, includes a right limited to 0.5 cubic feet per second from Wallowa River, with a priority date of December 5, 1919 for irrigation of 40 acres.

The point of diversion for these rights is in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 3, T1N, R42E, W.M.; 1100'S & 900'E from W $\frac{1}{4}$ corner of Sec. 3.

Certificate 8700, in the name of Ada Boyd, includes a right limited to 0.75 cubic feet per second, from Wallowa River, with a priority date of December 5, 1919 for irrigation of 60 acres.

The point of diversion for these rights is in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 3, T1N, R42E, W.M.; 1100'S & 900'E from W $\frac{1}{4}$ corner of Sec. 3.

Certificate 8701, in the name of Roy Schaeffer, includes a right limited to 0.5 cubic feet per second, from Wallowa River, with a priority date of December 5, 1919 for irrigation of 40 acres.

The point of diversion for these rights is in the NW¼SW¼ Sec. 3, T1N, R42E, W.M.; 1100'S & 900'E from W¼ corner of Sec. 3.

Certificate 8771, in the name of Ada Boyd, includes a right limited to 0.23 cubic feet per second, from Wallowa River, with a priority date of June 12, 1950 for irrigation of 18 acres.

The point of diversion for these rights is in the NW¼SW¼ Sec. 3, T1N, R42E, W.M.; 1100'S & 900'E from W¼ corner of Sec. 3.

The applicant proposes to change the points of diversion to SE¼ SW¼ Sec. 3, T1N, R42E, W.M.; 1000'N & 1550'E from SW corner.

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) 963-1031. If a protest is filed a hearing may be held.

The last date of publication is [last date of publication] . IF NO PROTEST IS FILED BY [30 days after last publication] , THE CHANGE MAY BE APPROVED WITHOUT A HEARING.

NOTICE OF WATER RIGHT TRANSFERS 7473

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The point of diversion for this right is the Weaver Ditch, No. 1.

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The point of diversion for this right is 66 rods South and 32 rods East of the NE Corner of NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 4, T1N, R42E, being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 3, T1N, R42E, W.M.

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Certificate 8771, in the name of Ada Boyd, includes a right limited to 0.23 cubic feet per second, from Wallowa River, with a priority date of June 12, 1950 for irrigation of 18 acres.

The point of diversion for these rights is in the NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 3, T1N, R42E, W.M.; 1100'S & 900'E from W $\frac{1}{4}$ corner of Sec. 3.

The applicant proposes to change the points of diversion to SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 3, T1N, R42E, W.M.; 1000'N & 1550'E from SW corner.

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) 963-1031. If a protest is filed a hearing may be held.

The last date of publication is [last date of publication] . IF NO PROTEST IS FILED BY [30 days after last publication] , THE CHANGE MAY BE APPROVED WITHOUT A HEARING.

January 25, 1996

WATER
RESOURCES
DEPARTMENT

Lower Valley Water Improvement District
77583 Hwy 82
Wallowa, OR 97885

REFERENCE: Transfer 7473

We have received your Transfer Application requesting approval of a change in Point of Diversion for use of water from Wallowa River for irrigation. The application was received with supporting data, map and fees of \$167. A copy of our receipt 131487 is enclosed. (Original mailed to Norman & Amy Lou Werst.)

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:jg

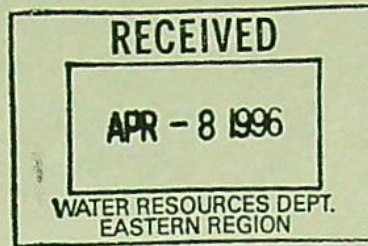
enclosure

cc: Rick Lusk, Watermaster
Ralph W. Swinehart, CWRE



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

Oregon



DEPARTMENT OF
FISH AND
WILDLIFE

Enterprise District Office

April 5, 1996

Vern Church
Oregon Department of Water Resources
1995 Third Street
Baker City, OR 97814

Vern,

Re. Johnson/Weaver Ditch change in POD

As per our phone conversation related to change in POD applications by Hearst (# 7479) and Dale Johnson (# 7473), the Weaver/Johnson ditch does contain an operational fish screening system and the diversion structure provides fish passage.

If I can be of further assistance in this matter please give me a call.

Sincerely,

Bradley J. Smith
District Fish Biologist



65495 Alder Slope Rd.
Enterprise, OR 97828
(541) 426-3279
FAX (541) 426-3055

Reid

1967 5N

KNOW ALL MEN BY THESE PRESENTS, That IVAN M. JOHNSON and GENEVA S. JOHNSON, husband and wife

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by REID S. JOHNSON and MARILYN L. JOHNSON, as tenants in common, an undivided one-half interest each

The following described real property in Township 1 North, Range 42 East, of the Willamette Meridian:

Section 5: That part of Lot 1 described as BEGINNING at the Northwest corner thereof; thence East 628 feet; thence South 1,096 feet to the North line of the La Grande-Wallowa Lake Highway; thence Northwesterly along said Highway line 782 feet to the West line of said Lot 1; thence North 504 feet to the point of beginning, and that part of Lot 2 lying North of the La Grande-Wallowa Lake Highway, Wallowa County, Oregon.

The following described real property in Township 2 North, Range 42 East, of the Willamette Meridian:

Section 32: The East half of the Southeast quarter, that part of the Southeast quarter of the Southwest quarter and the Southwest quarter of the Southeast quarter lying North of the La Grande-Wallowa Lake Highway

Section 33: The North half of the Northwest quarter of the Southwest quarter; the North half of the South half of the Northwest quarter of the Southwest quarter, Wallowa County, Oregon.

(Cont'd on reverse)

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances except as noted herein

and that grantor will warrant and forever defend the above granted premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 102,270.00

However, the actual consideration consists of ~~XXXXXX~~ other property ~~XXXXXX~~ (Indicate which)

In construing this deed and where the context so requires, the singular includes the plural.

WITNESS grantor's hand this 13th day of June, 1979

Ivan M. Johnson
Geneva S. Johnson

STATE OF OREGON, County of Wallowa) ss. June 13, 1979
Personally appeared the above named IVAN M. JOHNSON and GENEVA S. JOHNSON

and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me: Roland W. Johnson
Notary Public for Oregon
My commission expires 2/9/82

NOTE-The sentence between the symbols @, if not applicable, should be deleted. See Chapter 462, Oregon Laws 1967, as amended by the 1967 Special Session.

IVAN M. JOHNSON, et ux
Wallowa, Oregon

REID M. & MARILYN L. JOHNSON
Wallowa, Oregon

After recording return to:
Roland W. Johnson
P. O. Box 56
Wallowa, OR 97885

Until a change is requested all tax statements shall be sent to the following address.
Reid M. & Marilyn L. Johnson
Wallowa, Oregon 97885

100050
INDEXED

STATE OF OREGON,
County of Wallowa } ss.

I certify that the within instrument was received for record on the 13th day of June, 1979, at 1:30 o'clock P.M., and recorded in book 89 on page 620 or as file/reel number 100050

Record of Deeds of said county.
Witness my hand and seal of County affixed.

Mayanne Martin
Recording Officer

By Deputy

2N42
TRX LOT # 4300

SUBJECT to right of way to Pacific Power & Light Company as shown by Deed
-recorded in Book 64 of Deeds, page 418.

This deed is given in fulfillment of that certain unrecorded real estate contract between the parties hereto, dated January 1, 1977, and conditioned for the conveyance of the above described property, and the covenants of warranty herein contained shall not apply to any title, interest or encumbrance arising by, through or under the purchaser in said contract, and shall not apply to any taxes, assessments or other charges levied, assessed or becoming due subsequent to the date of said contract.

INCLUDING right of way for drainage ditch, together with right of ingress and egress for construction and maintenance thereof granted to grantors by deed recorded on the 10th day of April 1963 in Book 71, page 56, Record of Deeds of Wallowa County.

020001

Reid J.

1967 6N

1942 TAX LOT 2400

KNOW ALL MEN BY THESE PRESENTS, That IVAN M. JOHNSON and GENEVA S. JOHNSON, husband and wife

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by REID S. JOHNSON and MARILYN L. JOHNSON, as tenants in common, an undivided one-half interest each hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Wallowa and State of Oregon, described as follows, to-wit:

The following described real property in Township 1 North, Range 42 East, of the Willamette Meridian:

Section 5: That part of Lot 1 described as BEGINNING at the Northwest corner thereof; thence East 628 feet; thence South 1,096 feet to the North line of the La Grande-Wallowa Lake Highway; thence Northwesterly along said Highway line 782 feet to the West line of said Lot 1; thence North 504 feet to the point of beginning, and that part of Lot 2 lying North of the La Grande-Wallowa Lake Highway, Wallowa County, Oregon.

The following described real property in Township 2 North, Range 42 East, of the Willamette Meridian:

Section 32: The East half of the Southeast quarter, that part of the Southeast quarter of the Southwest quarter and the Southwest quarter of the Southeast quarter lying North of the La Grande-Wallowa Lake Highway

Section 33: The North half of the Northwest quarter of the Southwest quarter; the North half of the South half of the Northwest quarter of the Southwest quarter, Wallowa County, Oregon.

(Cont'd on reverse)

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances except as noted herein

and that grantor will warrant and forever defend the above granted premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$102,270.00

However, the actual consideration consists not only of the above stated amount but also of the value of the property transferred, less the value of the property retained by the grantor. (Indicate which)

In construing this deed and where the context so requires, the singular includes the plural.

WITNESS grantor's hand this 13th day of June, 1979

X Ivan M. Johnson

X Geneva S. Johnson

STATE OF OREGON, County of Wallowa) ss. June 13, 1979

Personally appeared the above named IVAN M. JOHNSON and GENEVA S. JOHNSON

and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me: Roland W. Johnson

(OFFICIAL SEAL)

Notary Public for Oregon

My commission expires 2/9/82

NOTE-The sentence between the symbols @, if not applicable, should be deleted. See Chapter 462, Oregon Laws 1967, as amended by the 1967 Special Session.

IVAN M. JOHNSON, et ux Wallowa, Oregon

GRANTOR'S NAME AND ADDRESS

REID M. & MARILYN L. JOHNSON Wallowa, Oregon

GRANTEE'S NAME AND ADDRESS

After recording return to: Roland W. Johnson P. O. Box 56 Wallowa, OR 97885

NAME, ADDRESS, ZIP

Until a change is requested all tax statements shall be sent to the following address. Reid M. & Marilyn L. Johnson Wallowa, Oregon 97885

NAME, ADDRESS, ZIP

100050

STATE OF OREGON, County of Wallowa

INDEXED

SPACE RESERVED FOR RECORDER'S USE

I certify that the within instrument was received for record on the 13th day of June, 1979, at 1:30 o'clock P.M., and recorded in book 89 on page 620 or as file/reel number 100050

Record of Deeds of said county. Witness my hand and seal of County affixed.

Margaret Martin Recording Officer

By Deputy

SUBJECT to right of way to Pacific Power & Light Company as shown by Deed recorded in Book 64 of Deeds, page 418.

This deed is given in fulfillment of that certain unrecorded real estate contract between the parties hereto, dated January 1, 1977, and conditioned for the conveyance of the above described property, and the covenants of warranty herein contained shall not apply to any title, interest or encumbrance arising by, through or under the purchaser in said contract, and shall not apply to any taxes, assessments or other charges levied, assessed or becoming due subsequent to the date of said contract.

INCLUDING right of way for drainage ditch, together with right of ingress and egress for construction and maintenance thereof granted to grantors by deed recorded on the 10th day of April 1963 in Book 71, page 56, Record of Deeds of Wallowa County.

020007

BK 86 Pg 161
1N42 TAX LOT # 1100
2N42 TAX LOT # 4900

Ross E. Hearing

91136

to

Reid S. Johnson, et ux

Deed

Reid & Marilyn

UNTIL A CHANGE IS REQUESTED, ALL TAX STATEMENTS SHOULD BE SENT TO THE FOLLOWING NAME AND ADDRESS: Reid S. Johnson, Wallowa, Oregon 97885

D E E D

ROSS E. HEARING, Grantor, conveys to REID S. JOHNSON and MARILYN L. JOHNSON, Grantees, as tenants in common, an undivided one-half interest each in and to that real property situated in Wallowa County, Oregon, and described as:

TRACT 1:

Lot 2, the West 189½ feet of Lot 1, and the East 790 feet of Lot 3, of Section 4, Township 1 North, Range 42, East of the Willamette Meridian;

The East half except the East 330 feet thereof, and the East half of the West half, of Section 5; the East half except the East 330 feet thereof, of Section 8; the West half, and that part of the Southwest quarter of the Southeast quarter lying West of the old Promise road, of Section 16; the East half, of Section 17; the North half of the Northeast quarter, the Southeast quarter of the Northeast quarter, and the Northeast quarter of the Southeast quarter, of Section 20; the West half, the West half of the Southeast quarter, and that part of the West half of the Northeast quarter and the East half of the Southeast quarter lying West of the old Promise road, of Section 21; the Southwest quarter of the Southeast quarter, and the East 790 feet of the Southeast quarter of the Southwest quarter, of Section 33; Township 2 North, Range 42, East of the Willamette Meridian.

SUBJECT TO reservation of right of way for logging across Lot 3, SE¼NW¼, E¼SW¼, S¼SE¼, Sec. 5; E¼, Sec. 8; and W¼NE¼, Sec. 17; T. 2 N., R. 42 and EXCEPTING THEREFROM all mineral rights, coal and iron, as set out in deeds recorded in book 43 of Deeds, at page 392 and Book 54 of Deeds, at page 264 from Bowman-Hicks Lumber Company to Ernest F. Johnson;

SUBJECT TO right of way deeds to Pacific Power & Light Company recorded in Book 63 of Deeds, at page 531 and in Book 64 of Deeds, at page 420.

TRACT 2:

The Southwest quarter of the Northwest quarter, the West half of the Southwest quarter and all of that part of the Northwest quarter of the Northwest quarter lying and being South and West of the Smith Mountain County Road as now located EXCEPTING those certain reservations of timber, mineral rights and other rights as reserved in that certain deed from Bowman-Hicks Lumber Company dated December 2, 1944 and recorded December 12, 1944, in Book 56 of Deed Records of Wallowa County, Oregon, at page 590, all being in Section 29, Township 2 North, Range 42 East of the Willamette Meridian.

ALSO, the Southeast quarter, the East half of the Southwest quarter and Lot 4, all being in Section 30, Township 2 North, Range 42, East of the Willamette Meridian.

ALSO, the Southeast quarter of the Northeast quarter of Section 30, Township 2 North, Range 42, East of the Willamette Meridian.

TRACT 3:Township 2 North, Range 41 East of the Willamette Meridian

Section 24: S $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, and those portions of the NE $\frac{1}{4}$ SE $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$ lying south and west of the County Road.

Section 25: NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$.

Township 2 North, Range 42 East of the Willamette Meridian

Section 19: Lot 4 and those portions of Lot 3, the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ SE $\frac{1}{4}$ lying south and west of the County Road.

Section 30: Lots 1, 2, 3, the East half of NW $\frac{1}{4}$, the SW $\frac{1}{4}$ NE $\frac{1}{4}$, and that portion of the N $\frac{1}{2}$ NE $\frac{1}{4}$ lying south and west of the County Road.

EXCEPTING:

A parcel of land containing 0.23 acres situated in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 25, Township 2 North, Range 41 East of the Willamette Meridian, Wallowa County, Oregon, bounded and described as follows, to-wit:

Commencing at the northwest corner of said Section 25; thence S. 63° 30' E. a distance of 3565 feet to the true point of beginning; thence S. 65° 52' E. a distance of 100.0 feet to a point; thence S. 24° 08' W. a distance of 100.0 feet to a point; thence N. 65° 52' W. a distance of 100.0 feet to a point; thence N. 24° 08' E. a distance of 100.0 feet to the point of beginning;

together with a right of access over the above described parcel, including the right to use an existing roadway on said parcel.

AND FURTHER EXCEPTING all timber deeds and contracts of record and all easements and rights of way of record.

This deed is given without monetary consideration and for the purpose of changing the manner in which title is held.

Dated this 22nd day of December, 1976.

Ross E. Hearing
Ross E. Hearing

STATE OF OREGON)
 : ss.
COUNTY OF UNION)
December 22nd, 1976.

Personally appeared the above named ROSS E. HEARING, and acknowledged the foregoing instrument to be his voluntary act. Before me:

Lorraine Hardy
Notary Public for Oregon

My Commission Expires: 2/18/77

Page -2- Deed

Recorded December 23rd, 1976 at 4:01 p. m., Marjorie Martin, County Clerk

By Marjorie Martin County Clerk

BK 86 Pg 159

2N42 TAX LOT # 4900

Reid S. Johnson, et ux

91135

to

Ross E. Hearing

Deed

D E E D

REID S. JOHNSON and MARILYN L. JOHNSON, husband and wife, Grantors, convey to ROSS E. HEARING, Grantee, all that real property situated in Wallowa County, Oregon, and described as:

TRACT 1:

Lot 2, the West 189½ feet of Lot 1, and the East 790 feet of Lot 3, of Section 4, Township 1 North, Range 42, East of the Willamette Meridian;

The East half except the East 330 feet thereof, and the East half of the West half, of Section 5; the East half except the East 330 feet thereof, of Section 8; the West half, and that part of the Southwest quarter of the Southeast quarter lying West of the old Promise road, of Section 16; the East half, of Section 17; the North half of the Northeast quarter, the Southeast quarter of the Northeast quarter, and the Northeast quarter of the Southeast quarter, of Section 20; the West half, the West half of the Southeast quarter, and that part of the West half of the Northeast quarter and the East half of the Southeast quarter lying West of the old Promise road, of Section 21; the Southwest quarter of the Southeast quarter, and the East 790 feet of the Southeast quarter of the Southwest quarter, of Section 33; Township 2 North, Range 42, East of the Willamette Meridian.

SUBJECT TO reservation of right of way for logging across Lot 3, SE¼NW¼, E¼SW¼, S¼SE¼, Sec. 5; E¼, Sec. 8; and W¼NE¼, Sec. 17; T. 2 N. Range 42 and EXCEPTING therefrom all mineral rights, coal and iron, as set out in deeds recorded in book 43 of Deeds, at page 392 and Book 54 of Deeds, at page 264 from Bowman-Hicks Lumber Company to Ernest F. Johnson;

SUBJECT TO right of way deeds to Pacific Power & Light Company recorded in Book 63 of Deeds, at page 531 and in Book 64 of Deeds, at page 420.

TRACT 2:

The Southwest quarter of the Northwest quarter, the West half of the Southwest quarter and all of that part of the Northwest quarter of the Northwest quarter lying and being South and West of the Smith Mountain County Road as now located EXCEPTING those certain reservations of timber, mineral rights and other rights as reserved in that certain deed from Bowman-Hicks Lumber Company dated December 2, 1944 and recorded December 12, 1944, in Book 56 of Deed Records of Wallowa County, Oregon, at page 590, all being in Section 29, Township 2 North, Range 42 East of the Willamette Meridian.

ALSO, the Southeast quarter, the East half of the Southwest quarter and Lot 4, all being in Section 30, Township 2 North, Range 42; East of the Willamette Meridian.

ALSO, the Southeast quarter of the Northeast quarter of Section 30, Township 2 North, Range 42, East of the Willamette Meridian.

TRACT 3:

Township 2 North, Range 41 East of the Willamette Meridian

Section 24: S¼SE¼, NW¼SE¼, and those portions of the NE¼SE¼,

W $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NE $\frac{1}{4}$ lying south and west of the County Road.

Section 25: NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$.

Township 2 North, Range 42 East of the Willamette Meridian

Section 19: Lot 4 and those portions of Lot 3, the SE $\frac{1}{4}$ SW $\frac{1}{4}$ and the SW $\frac{1}{4}$ SE $\frac{1}{4}$ lying south and west of the County Road.

Section 30: Lots 1, 2, 3, the East half of NW $\frac{1}{4}$, the SW $\frac{1}{4}$ NE $\frac{1}{4}$, and that portion of the N $\frac{1}{2}$ NE $\frac{1}{4}$ lying south and west of the County Road.

EXCEPTING:

A parcel of land containing 0.23 acres situated in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 25, Township 2 North, Range 41 East of the Willamette Meridian, Wallowa County, Oregon, bounded and described as follows, to-wit:

Commencing at the northwest corner of said Section 25; thence S. 63° 30' E. a distance of 3565 feet to the true point of beginning; thence S. 65° 52' E. a distance of 100.0 feet to a point; thence S. 24° 08' W. a distance of 100.0 feet to a point; thence N. 65° 52' W. a distance of 100.0 feet to a point; thence N. 24° 08' E. a distance of 100.0 feet to the point of beginning;

together with a right of access over the above described parcel including the right to use an existing roadway on said parcel.

AND FURTHER EXCEPTING all timber deeds and contracts of record and all easements and rights of way of record.

The true and actual consideration is \$1.00.

Dated this 22nd day of December, 1976.

Reid S. Johnson
Reid S. Johnson

Marilyn L. Johnson
Marilyn L. Johnson

STATE OF OREGON)
 : ss.
COUNTY OF Union)
December 22nd, 1976.

Personally appeared the above named REID S. JOHNSON and MARILYN L. JOHNSON, husband and wife, and acknowledged the foregoing instrument to be their voluntary act. Before me:

Flourence Hardy
Notary Public for Oregon

My Commission Expires: 2-18-77

Recorded December 23rd, 1976 at 4:00 p. m., Marjorie Martin, County Clerk

By Marjorie Martin County Clerk

1-1-74

QUITCLAIM DEED

Dale

KNOW ALL MEN BY THESE PRESENTS, That HOWARD M. JOHNSON and MURIEL J. JOHNSON, husband and wife, as tenants by the entirety, hereinafter called grantor, for the consideration hereinafter stated, does hereby remise, release and quitclaim unto HOWARD M. JOHNSON as to an undivided 50% interest and MURIEL J. JOHNSON, as to an undivided 50% interest as tenants in common and not as tenants by the entirety, hereinafter called grantee, and unto grantee's heirs, successors and assigns all of the grantor's right, title and interest in that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in any-wise appertaining, situated in the County of Wallowa, State of Oregon, described as follows, to-wit:

See attached Exhibit A.

It being the intent of this deed to transfer the estate in the above described property from a tenancy by the entirety to a tenancy in common.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ -0-

However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration (indicate which). (The sentence between the symbols ©, if not applicable, should be deleted. See ORS 93.030.)

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 17 day of March, 1981; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

Howard M. Johnson
Muriel J. Johnson

(If executed by a corporation, affix corporate seal)

STATE OF OREGON,

County of Wallowa

March 17, 1981

Personally appeared the above named

HOWARD M. JOHNSON and MURIEL J. JOHNSON

and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me: [Signature]

Notary Public for Oregon

My commission expires: 2/9/82

STATE OF OREGON, County of _____) ss.

Personally appeared _____ and

_____ who, being duly sworn, each for himself and not one for the other, did say that the former is the _____ president and that the latter is the _____ secretary of _____

_____ a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Notary Public for Oregon

My commission expires:

(SEAL)

Howard M. Johnson, et ux

GRANTOR'S NAME AND ADDRESS

Howard M. Johnson & Muriel J. Johnson
Route 1, Box 140-E
Wallowa, OR 97885

GRANTEE'S NAME AND ADDRESS

After recording return to:
Roland W. Johnson
P. O. Box 56
Wallowa, OR 97885

NAME, ADDRESS, ZIP

Until a change is requested all tax statements shall be sent to the following address.

Grantees

NAME, ADDRESS, ZIP

106143
INDEXED

STATE OF OREGON,

County of Wallowa

I certify that the within instrument was received for record on the 3rd day of April, 1981, at 2:10 o'clock P.M., and recorded in book/reel/volume No. 92 on page 368 or as document/fee/file/instrument/microfilm No. 106143, Record of Deeds of said county.

Witness my hand and seal of County affixed.

Mayana Martin
NAME TITLE
County Clerk
By _____ Deputy

TAX LOT # 1N42 2N42 2N42
6200/#4800/#4200

EXHIBIT A
TO
QUITCLAIM DEED

PARCEL 1

Township 2 North, Range 42 East

- Section 5: W 1/2 of W 1/2
- Section 6: E 1/2; S 1/2 of SW 1/4, except Lot 7 thereof
- Section 7: All
- Section 8: W 1/2
- Section 17: SW 1/4; W 1/2 of NW 1/4; NE 1/4 of NW 1/4
- Section 18: All
- Section 19: Lot 2; NE 1/4; E 1/2 of NW 1/4; N 1/2 of SE 1/4;
SE 1/4 of SE 1/4; NE 1/4 of SW 1/4; those portions
of SW 1/4 of SE 1/4, SE 1/4 of SW 1/4 of Lot 3,
lying North and East of county road.
- Section 20: West 1/2; W 1/2 of S 1/2; SW 1/4 of NE 1/4.
- Section 29: NW 1/4 of NE 1/4; that part of N 1/2 of NW 1/4
lying North and East of Smith Mountain county road.
- Section 30: That part of N 1/2 of NE 1/4 lying North and East
of county road.
- Section 31: S 1/2 of SE 1/4
- Section 32: SW 1/4 of SW 1/4

Township 2 North, Range 41 East

- Section 13: S 1/2 of NE 1/4; SE 1/4
- Section 24: NE 1/4 of NE 1/4; those portions of NW 1/4 of NE 1/4,
S 1/2 of NE 1/4 and NE 1/4 of SE 1/4 lying North
and East of county road.

SUBJECT to a contract of sale covering the following described
portion of the NW 1/4 of NE 1/4 of Section 30, and the S 1/2 of
the SE 1/4 of Section 19, Township 2N, Range 42E, as more
particularly described in that contract dated June 16, 1974,
recorded June 27, 1975, in Book L of Deeds, page 186, record
of deeds of Wallowa County, Oregon.

PARCEL 2

Township 2 North, Range 42 East

- Section 32: SW 1/4 of SE 1/4 lying South and West of LaGrande-
Wallowa Lake State Highway.
- Section 33: S 1/2 of S 1/2 of NW 1/4 of SW 1/4; SW 1/4 of SW 1/4;
West 530 feet of SE 1/4 of SW 1/4.

370

Township 1 North, Range 42 East

Section 4: West 530 feet of Lot 3; Lot 4

Section 5: Lot 1, EXCEPT a 12-acre tract being described as follows, to-wit: Beginning at the Northwest corner of said Lot 1, running thence East 628 feet; thence South 1,096 feet to the North line of the right-of-way of the LaGrande-Wallowa Lake State Highway; thence Northwesterly and along said State Highway right-of-way 782 feet to the West line of said Lot 1; thence North and along said Lot 1, 504 feet to the point of beginning; containing 34.64 acres, more or less, except State Highway right-of-way;

All of Lot 2 lying South and West of LaGrande-Wallowa Lake State Highway.

SUBJECT to contract of sale in favor of Dale F. Johnson and Lucretia S. Johnson, purchasers.

Recorded April 3, 1981 at 2:10 p. m., Marjorie Martin, County Clerk

By Marjorie Martin County Clerk

Microfilm # 28906 (L Knapp)
2N42 TAX LOT 4000

FRANK STONE -

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that LEONARD KNIGHT, as to an undivided 50% interest herein after called Grantor, for the consideration hereinafter stated, to Grantor paid by FRANK STONE JR. AND RUTH STONE, husband and wife, hereinafter called the Grantee, does hereby grant, bargain, sell and convey unto the said Grantee and Grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Wallowa and State of Oregon, described as follows:

All that part of the North half of the Southwest quarter of Section 32, Township 2 North, Range 42 East of the Willamette Meridian lying and being Southwesterly of the Southerly right of way line of the La Grande - Wallowa Lake Highway;

All that part of the Southeast quarter of the Southwest quarter of Section 32, Township 2 North, Range 42 East of the Willamette Meridian lying East of the O.W.R & N. Co. Right of Way and South of the LaGrande-Wallowa Lake Highway;

All that part of Lot 3 Section 5, Township 1 North, Range 42 East of the Willamette Meridian lying East of the O.W. R. & N. Co. Right of Way;

EXCEPTING 1.28 acres sold to State of Oregon by Deed recorded in Book 53 of Deeds, at page 428;

EXCEPTING that part of the Northwest quarter of the Southwest quarter of Section 32, Township 2 North, Range 42 East of the Willamette Meridian, Wallowa County, Oregon, lying and being Southwesterly of the center of the Wallowa River;

SUBJECT to the Right of Way Deed to The Oregon Railroad & Navigation Company recorded in Book M of Deeds, at page 213;

ALSO SUBJECT to Right of Way Deeds to Pacific Power & Light Company recorded in Book 52 of Deeds, at page 633, and in Book 75 of Deeds, at page 390;

ALSO SUBJECT to Right of Way Deed to West Coast Telephone Company recorded in Book 53 of Deeds, at page 428;

SUBJECT TO right of way agreement between Oregon-Washington Railroad & Navigation Company and Alma Parker recorded in Book 50 of Deeds, Page 127, concerning private roadway across railroad right of way.

To Have and to Hold the same unto the said Grantee and Grantee's heirs, successors and assigns forever.

And said Grantor hereby covenants to and with said Grantee and Grantee's heirs, successors and assigns, that Grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances and that Grantor will warrant and forever defend the above granted premises and every part and parcel thereof against the lawful claims and demands of all persons whomever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$60,000.00.

In construing this deed and where the context so requires, the singular includes the plural.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OF ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

IN WITNESS WHEREOF this 19 day of May, 1995.

Leonard Knight
LEONARD KNIGHT

STATE OF OREGON)
County of Willowa)

May 19, 1995

Personally appeared the within named LEONARD KNIGHT and acknowledged the foregoing to be their voluntary act and deed.

Before Me:



Arce
Notary Public for Oregon
My Commission Expires: 1/23/97

WARRANTY DEED	
Leonard Knight Rt. 1, Box 106A Richland, WA 97870	Grantor's Name and Address
Frank and Ruth Stone 35940 SE Hauglum Rd. Boring, OR 97009	Grantee's Name and Address
Frank and Ruth Stone 35940 SE Hauglum Rd. Boring, OR 97009	After Recording Return to
Frank and Ruth Stone 35940 SE Hauglum Rd. Boring, OR 97009	Until requested otherwise send all tax statements to:

028906 KEYPED MP

STATE OF OREGON }
County of Willowa } 56

I certify that the within instrument was received for record on the 9 day of June, 1995 at 10:56 o'clock A.M., and recorded in the file/instrument/microfiche No. 028906 Records of Willamette of said County.
Witness my hand Arce
County Clerk/Deputy

BKP2 pg 439

1N42

TAX #1700

Raymond G. Werst, et ux) 83996

to)

Frank W. Kirschten, et ux) W D

Ruth BAREMORE

FORM No. 633—WARRANTY DEED.

STEVENS-NESS LAW PUB. CO., PORTLAND, ORE.

1967/50



KNOW ALL MEN BY THESE PRESENTS, That

Raymond G. Werst and Geneva Werst, husband and wife, hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by Frank W. Kirschten and Betty Jo Kirschten, husband and wife,

hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Wallowa and State of Oregon, described as follows, to-wit:

The Southeast quarter of the Northeast quarter and the Northeast quarter of the Southeast quarter of Section 4, Township 1 North, Range 42 East, of the Willamette Meridian, containing 80 acres, more or less. ALSO, the Northwest quarter of the Northwest quarter of Section 34, Township 2 North, Range 42 East, of the Willamette Meridian, Wallowa County, Oregon; EXCEPTING therefrom a tract in the Southwest corner thereof described as follows: Beginning at the Southwest corner of the Northwest quarter of the Northwest quarter of said Section 34; running thence North 60 feet; thence Southeasterly on a straight line to a point on the South line of said Northwest quarter of the Northwest quarter, which is 60 feet East of the point of beginning; thence West to the point of beginning.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances

and that grantor will warrant and forever defend the above granted premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$47,200.00. However, the actual consideration consists of or includes other property or value given or promised which is part of the consideration (indicate which).

In construing this deed and where the context so requires, the singular includes the plural.

WITNESS grantor's hand this 16th day of January, 1974.

Handwritten signatures of Raymond G. Werst and Geneva Werst.

STATE OF OREGON, County of Wallowa) ss. January 16, 1974

Personally appeared the above named Raymond G. Werst and Geneva Werst, husband and wife,

and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me: [Signature of Notary Public]

(OFFICIAL SEAL)

Notary Public for Oregon

My commission expires July 22, 1975

NOTE—The sentence between the symbols (), if not applicable, should be deleted. See Chapter 462, Oregon Laws 1967, as amended by the 1967 Special Session.

Recorded February 14th, 1974 at 9:01 a. m., Marjorie Martin, County Clerk

By Marjorie Martin County Clerk

BK 82 pg 440
IN 42 TAX LOT #1700

Frank W. Kirschten, et ux to Eugene Hook, et ux) 83997

440
Filed for record this.....day of....., 19..... at.....o'clock.....M.

NO. 14-B — QUIT CLAIM DEED TO JOINT TENANTS WITH RIGHT OF SURVIVORSHIP. STATE PUBLISHING CO., HELENA, MONT.

THIS INDENTURE, Made the 16th day of January in the year of our Lord one thousand nine hundred and Seventy-four (74) between FRANK W. KIRSCHTEN and BETTY JO KIRSCHTEN, husband and wife, of Deer Lodge, Montana 59722, parties of the first part, and EUGENE HOOK and VIVIAN HOOK, husband and wife,

as joint tenants and to the survivor of said named joint tenants and not as tenants in common, the parties of the SECOND PART, WITNESSETH: That the said parties of the FIRST PART for and in consideration of the sum of Ten and no/100 Dollars, (\$ 10.00) to them in hand paid by the said

parties of the SECOND PART, the receipt of which is hereby acknowledged; do hereby convey, remise, release and forever quitclaim unto the said parties of the second part as joint tenants and to the survivor of said joint tenants and not as tenants in common and to the heirs, and assigns, of such survivor

the following described real estate, situated in the County of Wallowa, and State of Oregon, and State of Montana, to-wit:

The Southeast Quarter of the Northeast Quarter (SE4NE4) and the Northeast Quarter of the Southeast Quarter (NE4SE4) of Section 4, Township 1 North, Range 42 East of the Willamette Meridian.

This deed subject to the payment of the balance due of \$38,273.25 under a Contract for Sale of Real Estate dated June 15, 1967 between the parties hereto, and recorded August 30, 1967 in Book H on page 57 Record of Deeds of said Wallowa County, Oregon.

together with all the tenements, hereditaments, and appurtenances thereto belonging, and the reversion and reversions, remainder and remainders, rents, issues and profits thereof; and also all the estate, right, title, interest, dower, right of dower, property, possession, claim and demand whatsoever as well in law as in equity, of the said parties of the first part, of, in or to the said premises and every part and parcel thereof

TO HAVE AND TO HOLD, all and singular the said premises, with the appurtenances thereto belonging, unto the said parties of the second part as joint tenants and not as tenants in common and to the heirs and assigns of the survivor of said named joint tenants forever.

IN WITNESS WHEREOF, the said parties of the first part have hereunto set their hands and seals the day and year first above written.

Signed, Sealed and Delivered in the Presence of

Frank W. Kirschten (SEAL)
Betty Jo Kirschten (SEAL)
(SEAL)
(SEAL)

STATE OF MONTANA,

County of Powell } ss.

On this 16th day of January nineteen hundred and Seventy-four (74) before me Gayle Pomeroy a Notary Public for the State of Montana, personally appeared FRANK W. KIRSCHTEN and BETTY JO KIRSCHTEN, husband and wife, known to me

(approved to me on oath of.....) to be the persons whose names are subscribed to the within instrument, and acknowledged to me that they executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my Official Seal the day and year in this certificate first above written.

Gayle Pomeroy
Notary Public for the State of Montana.

Residing at Deer Lodge, Montana My Commission expires May 15, 1974

BK 82 pg 441

1N42 TAX LOT # 1700

Carl Eugene Hook, et ux) 83998

to)

Ruth I. Baremore, et al) W. D.

FORM No. 432—WARRANTY DEED.

STEVENS-NESS LAW PUB. CO., PORTLAND, ORE.

1967/50

KNOW ALL MEN BY THESE PRESENTS, That

Carl Eugene Hook and Vivien L. Hook, husband and wife,

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by Ruth I. Baremore and Danny R. Baremore

hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Wallowa and State of Oregon, described as follows, to-wit:

Township 1 North, Range 42 East, of the Willamette Meridian Section 4: SE 1/4 NE 1/4, NE 1/4 SE 1/4 EXCEPTING therefrom a 0.63 acre tract deeded to the State of Oregon by and through its State Highway Commission as shown by Deed recorded in Book 49 of Deeds, page 66; SUBJECT to Easement to Pacific Power & Light Company as shown by Deed recorded in Book 64 of Deeds, page 380.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever. And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances

and that grantor will warrant and forever defend the above granted premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 65,000.00. However, the actual consideration consists of or includes other property or value given or promised which is part of the the whole consideration (indicate which).

In construing this deed and where the context so requires, the singular includes the plural.

WITNESS grantor's hand this 6th day of February, 1974.

Carl Eugene Hook
Vivien L. Hook

STATE OF OREGON, County of Wallowa) ss. February 6, 1974

Personally appeared the above named Carl Eugene Hook and Vivien L. Hook, Husband and wife,

and acknowledged the foregoing instrument to be their voluntary act and deed.

(OFFICIAL SEAL)

Before me:

Notary Public for Oregon

My commission expires July 22, 1975

NOTE—The sentence between the symbols @, if not applicable, should be deleted. See Chapter 462, Oregon Laws 1967, as amended by the 1967 Special Session.

Recorded February 14th, 1974 at 9:02 a. m., Marjorie Martin, County Clerk

By Marjorie Martin County Clerk

BK 21 Pg 464
IN 42 TAX LOT # 1500

464

Talbert M. Bennett, et ux) 13632

Danny Ray Baremore, et ux *Danny Baremore*

MEMORANDUM OF SALE

NOTICE IS GIVEN OF CONTRACT AS FOLLOWS:

SELLER: TALBERT M. BENNETT and MAURINE BENNETT, husband and wife

BUYER: DANNY RAY BAREMORE and SUSAN ANN BAREMORE, husband and wife

DATE OF CONTRACT: March 31, 1988

DESCRIPTION: Township 1 North, Range 42 East, of the Willamette Meridian Wallowa County, Oregon

Section 4: SW $\frac{1}{4}$ NE $\frac{1}{4}$; N $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, EXCEPTING THEREFROM the northerly 65 feet of the 4.5 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ conveyed to the State of Oregon-By Deed recorded in Book 48 of Wallowa County Deed Records, page 608.

SUBJECT to Right of Way Deed, including the terms and provisions thereof, recorded in Book 59 of Wallowa County Deed Records, page 350, to Pacific Power & Light Company.

SUBJECT to Right of Way Easement, including the terms and provisions thereof, recorded in Book 64 of Wallowa County Deed Records, page 417, to Pacific Power & Light Company.

TRUE CONSIDERATION: \$124,500.00

MAIL TAX STATEMENTS TO: Danny Ray Baremore P.O. Box 562 Wallowa, OR 97885

SELLER: *Talbert M. Bennett* TALBERT M. BENNETT
Maurine Bennett MAURINE BENNETT
BUYER: *Danny Ray Baremore* DANNY RAY BAREMORE
Susan Ann Baremore SUSAN ANN BAREMORE

STATE OF OREGON)
: SS.
County of Wallowa)

Personally appeared before me this 31st day of March, 1988, the above named TALBERT M. BENNETT and MAURINE BENNETT, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.

Notary Public
Notary Public for Oregon
My Commission Expires: 1-10-89

STATE OF OREGON)
: SS.
County of Wallowa)

Personally appeared before me this 31st day of March, 1988, the above named DANNY RAY BAREMORE and SUSAN ANN BAREMORE, husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.

Notary Public
Notary Public for Oregon
My Commission Expires: 1-10-89

Low Office
RICKER & RICKER, P. C.
Title Building
P.O. Box 310
Enterprise, Oregon 97828
(503) 426-4541

Memorandum of Sale

WALLOWA TITLE CO

1-1-74

N42 TAX LOT # 1500

WARRANTY DEED



KNOW ALL MEN BY THESE PRESENTS, That Ralph Silver and Juanita Silver,
 husband and wife
 hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by Talbert M.
Bennett and Maurine Bennett, husband and wife
 hereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Wallowa and State of Oregon, described as follows, to-wit:

The Southwest quarter of the Northeast quarter and the North half of the Northwest quarter of the Southeast quarter of Section 4, Township 1 North, Range 42 East of the Willamette Meridian.

SAVE AND EXCEPT right of way to Oregon State Highway and right of way to Pacific Power and Light Co. for power transmission line.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.
 And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances

and that grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 85,000.00
~~However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration (indicate which) (The sentence between the symbols @, if not applicable, should be deleted. See ORS 93.030.)~~

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 26 day of July, 1979; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

Ralph Silver
Juanita Silver

(If executed by a corporation, affix corporate seal)

STATE OF OREGON, }
 County of Wallowa } ss.
7/26, 19 79

STATE OF OREGON, County of Wallowa) ss.
 _____, 19 _____

Personally appeared the above named
Ralph Silver and
Juanita Silver
 and acknowledged the foregoing instrument to be their voluntary act and deed.

Personally appeared _____ and _____ who, being duly sworn, each for himself and not one for the other, did say that the former is the _____ president and that the latter is the _____ secretary of _____

_____ a corporation, and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Before me:
 (OFFICIAL SEAL) *Jack Coan*
 Notary Public for Oregon
 My commission expires 7/24/1980

Before me:

 Notary Public for Oregon
 My commission expires: _____
 (OFFICIAL SEAL)

Mr. & Mrs. Ralph Silver
 Wallowa, Oregon

100379

STATE OF OREGON, }
 County of Wallowa } ss.

GRANTOR'S NAME AND ADDRESS

Mr. & Mrs. Talbert M. Bennett
 Wallowa, Oregon

INDEXED

GRANTEE'S NAME AND ADDRESS

After recording return to:
Grantee

SPACE RESERVED FOR RECORDER'S USE

I certify that the within instrument was received for record on the 30th day of July, 19 79, at 10:16 o'clock A.M., and recorded in book/reel/volume No. 90 on page 22 or as document/fee/file/instrument/microfilm No. 100379, Record of Deeds of said county.

NAME, ADDRESS, ZIP

Until a change is requested all tax statements shall be sent to the following address.
Grantee

Witness my hand and seal of County affixed.

Maurine Bennett
 NAME Maurine Bennett TITLE County Clerk

NAME, ADDRESS, ZIP

By _____ Deputy

1967 SN

BK 90 Pg 275
1N42 1000

Dale

Hubert F. Johnson, et ux to Dale F. Johnson, et ux) 101426
KNOW ALL MEN BY THESE PRESENTS, That HUBERT F. JOHNSON and MARY
ESTELLA JOHNSON, husband and wife

hereinafter called the grantor, for the consideration hereinafter stated
to grantor paid by DALE F. JOHNSON and LUCRETIA S. JOHNSON, as tenants in
common, and not as tenants by the entirety, hereinafter called the grantee,
does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that
certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, sit-
uated in the County of Wallowa and State of Oregon, described as follows, to-wit:

Commencing at the Northeast corner of Section Four, Township One North of
Range forty-two E.W.M.; running thence west along the north boundary line
of said section a distance of 1123 feet; thence South parallel with the
East boundary line of said section a distance of 1669 feet; thence East
a distance of 1123.3 feet to a point on the East boundary line of said
section 1695 feet South of the Northeast corner of said section; thence
North along the East boundary line of said section a distance of 1695
feet to the point of beginning; containing 43.46 acres more or less.

ALSO the Southeast quarter of the Southeast quarter, of Section 33,
Township 2 North, Range 42 East, of the Willamette Meridian, Wallowa
County, Oregon, containing 40 acres, more or less. TOGETHER with all
water rights appurtenant thereto.

SUBJECT to existing roads and easements, restrictions or reservations
of record.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.
And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that
grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances.

and that grantor will warrant and forever defend the above
granted premises and every part and parcel thereof against the lawful claims and demands of all persons whomso-
ever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$82,000.00
However, the actual consideration consists of or includes the property or value given or promised which is
the whole consideration (indicate which).

In construing this deed and where the context so requires, the singular includes the plural.

WITNESS grantor's hand this 1st day of OCT, 1979.

Hubert F. Johnson
Mary Estella Johnson

STATE OF OREGON, County of Wallowa) ss. Oct 1, 1979
Personally appeared the above named HUBERT F. JOHNSON and MARY ESTELLA JOHNSON

and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me: [Signature]
Notary Public for Oregon
My commission expires 2/9/82

(OFFICIAL SEAL)

NOTE—The sentence between the symbols Ⓞ, if not applicable, should be deleted. See Chapter 462, Oregon Laws 1967, as amended by the 1967 Special Session.

Hubert F. & Mary Estella Johnson Wallowa, Oregon 97885
GRANTOR'S NAME AND ADDRESS
Dale F. & Lucretia S. Johnson Wallowa, Oregon 97885
GRANTEE'S NAME AND ADDRESS
After recording return to:
Roland W. Johnson P. O. Box 56 Wallowa, Oregon 97885
NAME, ADDRESS, ZIP
Until a change is requested all tax statements shall be sent to the following address.
Dale F. & Lucretia S. Johnson Wallowa, Oregon
NAME, ADDRESS, ZIP

101426 STATE OF OREGON,) ss.
County of Wallowa)
I certify that the within instru-
ment was received for record on the
9th day of October, 1979,
at 10:05 o'clock A.M., and recorded
in book 90 on page 275 or as
file/reel number 101426
Record of Deeds of said county.
Witness my hand and seal of
County affixed.
[Signature]
Recording Officer
By _____ Deputy

William R. Kirby
Notary Public for Oregon
My Commission expires: 7-2-66

seal

Recorded March 5th, 1964 at 3:25 p. m., Marjorie Martin, County Clerk

21 A-Plus
State of Ore

By Marjorie Martin Clerk

Doris F. Houck } 64348
to }
State of Oregon }

File No. 36170

BK 71 Pg 447

IN 42
TAX LOT 2100

WARRANTY DEED
(Individual)

Know All Men By These Presents, That I, Doris F. Houck, a widow, grantor, for the consideration of the sum of Seven Thousand One Hundred Sixty-five and No/100 (\$7,165.00) DOLLARS to me paid, have bargained and sold and by these presents do bargain, sell and convey unto the STATE OF OREGON, by and through its STATE HIGHWAY COMMISSION, the following described premises, to wit:

A parcel of land lying in the N $\frac{1}{2}$ SW $\frac{1}{4}$ of Section 4, Township 1 North, Range 42 East, W. M., Wallowa County, Oregon; the said parcel being described as follows:

Beginning at the Southeast corner of the NW $\frac{1}{4}$ of Section 4 in Township 1 North, Range 42 East, W. M., running thence South along the subdivision line 40 rods; thence West 94 rods to the Diamond Prairie County Road; thence Northerly along said County Road to the North line of said N $\frac{1}{2}$ SW $\frac{1}{4}$; thence East along the North line of said N $\frac{1}{2}$ SW $\frac{1}{4}$ to the place of beginning.

The parcel of land to which this description applies contains 21.75 acres outside of the existing right of way.

I.R. S. \$8.25 cancelled

TO HAVE AND TO HOLD the said premises with their appurtenances, in fee simple, unto the said State of Oregon, by and through its State Highway Commission, its successors and assigns forever.

And I the said grantor do hereby covenant to and with the said State of Oregon, by and through its State Highway Commission, its successors and assigns, that I am the owner in fee simple of said premises; that they are free from all encumbrances and that I will warrant and defend the same from all lawful claims whatsoever.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 16th day of March, 1964.

Done in Presence of:

Doris F. Houck (SEAL)

John L. Houck

STATE OF OREGON,)
County of Wallowa) ss.

On this 16th day of March, 1964, personally came before me, a notary public in and for said county and state, the within named Doris F. Houck, a widow, to me personally known to be the identical person described in, and who executed, the within instrument, and who personally acknowledged to me that she executed the same freely and voluntarily for the uses and purposes therein named.

Witness my hand and official seal the day and year last above written.

Kenneth A. Chatwood
Notary Public for Oregon
My commission expires 24th, October, 1964

seal

Recorded March 19th, 1964 at 11:04 a. m., Marjorie Martin, County Clerk

By Marjorie Martin Clerk

.....

Witness my hand and official seal the day and year last above written.

Max Wilson
Notary Public for Oregon
My commission expires Sept. 19, 1947

Seal

Recorded May 23, 1947 at 10:32 a. m., Marjorie Martin, County Clerk

Norman Werst

By Marjorie Martin Clerk

.....
Glenn Cary Edwards, et ux) 29771
to)
Norman Werst, et ux) Warranty Deed

*BK 59 Pg 503
1942 TAXLOT #
2300*

Know All Men by These Presents, That Glenn Carey Edwards and Mary Monroe Edwards, husband and wife in consideration of one dollar and other valuable consideration to them paid by Norman Werst and Amy Lou Werst, husband and wife have bargained and sold, and by these presents do grant, bargain, sell and convey unto said Norman Werst and Amy Lou Werst, husband and wife, to each an entirety, their heirs and assigns, all the following bounded and described real property, situated in the County of Willowa and State of Oregon:

The Southwest quarter of the Northwest quarter of Section 4; the South half of the Northeast quarter and the Northwest quarter of the Southeast quarter of Section 5;

ALSO: a Tract of land described as follows: Beginning at a point which is the Northeast corner of the Northwest quarter of the southwest quarter of Section 4; running thence West along the subdivision line to the East line of the O. W. R. & N. Company right of way which point is about 200 feet East of the Northwest corner of the Northeast quarter of the Southeast quarter of Section 5; thence Southeasterly along said right of way to a point where it intersects the South line of the Northwest quarter of the Southwest quarter of Section 4; thence East along said South line to a point 33 rods West of the Southeast corner of the Northwest quarter of the Southwest quarter of Section 4; thence on a straight line in a Northeasterly direction to the point of beginning; all in Township 1 North, Range 42 East, of the Willamette Meridian.

SAVE AND EXCEPT from the above tract of land all that portion thereof lying and being South of the Oregon-Washington Railroad & Navigation Company right of way.

ALSO, SAVE AND EXCEPT from the above tract of land that certain tract of land described as follows, to-wit: A parcel of land lying in the West half of the Southwest quarter of Section 4, Township 1 North, Range 42 E. W. M. being more particularly described as follows: Beginning at a point on the Northerly right of way line of the Oregon-Washington Railroad & Navigation Company (50 feet distant from center line of track), said point also being 1327 feet North and 502 feet East of the Southwest corner of Section 4, Township 1 North, Range 42 E. W. M.; thence South 66° 06' East along said Railroad right of way line a distance of 548.1 feet; thence North 15° 45' East a distance of 704.0 feet; thence North 76° 29' West a distance of 665.0 feet; thence South 4° 16' 30" West a distance of 612.6 feet to the point of beginning, containing 9.00 acres, more or less.

Together with all water rights and rights in ditches appurtenant thereto.
together with all and singular the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, and also all their estate, right, title and interest in and to the same, including dower and claim of dower.

TO HAVE AND TO HOLD, the above described and granted premises unto the said Norman Werst and Amy Lou Werst, husband and wife, their heirs and assigns forever. And the grantors above named do covenant to and with the above named grantees, their heirs and assigns that they are lawfully seized in fee simple of the above granted premises, that the above granted premises are free from all incumbrances, and that they will and their heirs, executors and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof against the lawful claims and demands of all persons whomsoever.

IN WITNESS WHEREOF, the grantors above named, have hereunto set their hands and seals this 1st day of

Continued
April 1947.

Glenn Carey Edwards **SEAL**

Mary Monroe Edwards **SEAL**

STATE OF OREGON)
) ss.
COUNTY OF WALLOWA)

BEIT REMEMBERED, That on this 1st day of April A. D. 1947 before me, the undersigned, a Notary Public in and for said County and State, personally appeared Glenn Carey Edwards and Mary Monroe Edwards, husband and wife the within named grantors, who are known to me to be the identical persons described in and who executed the within instrument, and acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and Notarial seal, the day and year last above written.

R. D. McClallen
Notary Public for Oregon
My Commission Expires Nov. 19-1949

Seal I. R. S. \$9.90 cancelled

Recorded May 23, 1947 at 1:00 p. m., Marjorie Martin, County Clerk

By Marjorie Martin Clerk

.....

Floyd Shoopman, et ux) 29783
to)
Dofna Martin, et ux) Warranty Deed

KNOW ALL MEN BY THESE PRESENTS, That Floyd Shoopman and Evelyn Shoopman, husband and wife, in consideration of Ten and no/100 Dollars, and other good and valuable considerations to them paid by Dofna Martin and Ardella Martin, husband and wife, do hereby grant, bargain, sell and convey unto said Dofna Martin and Ardella Martin, husband and wife, their heirs and assigns, all the following real property, with the tenements, hereditaments and appurtenances situated in the County of Wallowa and State of Oregon, bounded and described as follows, to-wit:

Lots 8, 9, 10 and 11 of Block 5, McDonald's Addition to the Town of Wallowa, Wallowa County, Oregon.

To Have and to Hold, the above described and granted premises unto the said Dofna Martin and Ardella Martin, husband and wife, their heirs and assigns forever.

And Floyd Shoopman and Evelyn Shoopman the grantors above named do covenant to and with the above named do covenant to and with the above named grantees, their heirs and assigns that they are lawfully seized in fee simple of the above granted premises, that the above granted premises are free from all encumbrances, and that they will and their heirs, executors and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever,

Witness Our hands and seals this 24th day of May, 1947.

Floyd Shoopman **SEAL**

I. R. S. \$2.20 cancelled

Evelyn Shoopman **SEAL**

STATE OF OREGON,)
) ss.
County of Wallowa)

BEIT REMEMBERED, That on this 24th day of May A. D. 1947 before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Floyd Shoopman and Evelyn Shoopman, husband and wife, who are known to me to be the identical individuals described in and who executed the within instrument and acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal the day and year last above written.

Cecil Chrisman
Notary Public for Oregon
My Commission expires August 25, 1947

Seal

Recorded May 26th, 1947 at 9:24 a. m., Marjorie Martin, County Clerk

By Marjorie Martin Clerk

.....

United States) 29784
to)
William W. Zurcher) Patent

BE IT REMEMBERED, That on this 27th day of May, A. D. 1947 personally appeared before me, a Notary Public in and for said County and State, the within named L. E. Jordan and Irene B. Jordan, husband and wife personally known to me to be the identical person described in and who executed the foregoing instrument and acknowledged to me that they executed the same freely and voluntarily and for the uses and purposes therein mentioned. IN WITNESS WHEREOF, I have hereunto set my hand and official seal the day and year last above written.

C. H. Zurcher
Notary Public for Oregon
My commission expires June 18, 1950

Seal

Recorded June 6th, 1947 at 9:03 a. m., Marjorie Martin, County Clerk

Roy Leverenz

By Marjorie Martin Clerk

Arthur W. Johnson, et ux } 29854 BK 59 Pg 518
to } 2N42
Roy M. Leverenz, et ux } Warranty Deed TAXLOT # 4700

KNOW ALL MEN BY THESE PRESENTS, That Arthur W. Johnson and Jessie J. Johnson, husband and wife, in consideration of Ten and no/100 Dollars, and other good and valuable considerations to them paid by Roy M. Leverenz and Winifred Leverenz, husband and wife, do hereby grant, bargain, sell and convey unto said Roy M. Leverenz and Winifred Leverenz, husband and wife, their heirs and assigns, all the following real property, with the tenements, hereditaments and appurtenances situated in the County of Wallowa and State of Oregon, bounded and described as follows, to-wit:

The Southwest quarter of the Northeast quarter, the Northeast quarter of the Southwest quarter and the North-West quarter of the Southeast quarter of Section 33, Township 2 North, Range 42, East of the Willamette Meridian, SAVE AND EXCEPT a parcel of land situated in the Southwest quarter of the Northeast quarter of Section 33, Township 2 North, Range 42, East of the Willamette Meridian, more particularly described as follows: Beginning at the Northwest corner of the Southwest quarter of the Northeast quarter, thence East 60 rods, thence South 43.44 rods, more or less, to the County Road; thence in a Northwesterly direction along the County Road 60.78 rods, more or less, to a point South of the point of beginning; thence North 31.8 rods, more or less, to the point of beginning; ALSO, SAVE AND EXCEPT a tract commencing at a point twenty rods west of the Northeast corner of the Southwest quarter of the Northeast quarter of Section 33 in Township 2 North, Range 42 East of the Willamette Meridian, running thence South to the County Road, thence following the County Road in a Southeasterly direction to the boundary line between the Southwest quarter of the Northeast quarter and the Southeast quarter of the Northeast quarter of said Section 33, thence North on said boundary line to the Northeast corner of the Southwest quarter of the Northeast quarter of said Section 33, thence West to the point of beginning.

Together with all water rights and rights in ditches appurtenant thereto.

To Have and to Hold, the above described and granted premises unto the said Roy M. Leverenz and Winifred Leverenz, husband and wife, their heirs and assigns forever.

continued

And A. W. Johnson and Jessie J. Johnson the grantors above named does covenant to and with the above named grantees, their heirs and assigns that they are lawfully seized in fee simple of the above granted premises, that the above granted premises are free from all encumbrances, and that they will and their heirs, executors and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof, against the lawful claims and demands of all persons whomsoever,

Witness Our hands and seals this 27th day of May, 1947.

Arthur W. Johnson SEAL

Jessie J. Johnson SEAL

I. R. S. \$11.10 cancelled

STATE OF OREGON,)
County of Wallowa) ss.

BE IT REMEMBERED, That on this 27th day of May A. D. 1947 before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named Arthur W. Johnson and Jessie J. Johnson, husband and wife, who are known to me to be the identical individuals described in and who executed the within instrument and acknowledged to me that they executed the same freely and voluntarily. IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal the day and year last above written.

Cecil Chrisman
Notary Public for Oregon
My Commission expires August 25, 1947

Seal

Recorded June 6th, 1947 at 2:40 p. m., Marjorie Martin, County Clerk

By Marjorie Martin Clerk

**ESTES
SURVEYS**

SURVEYS
CONSULTING

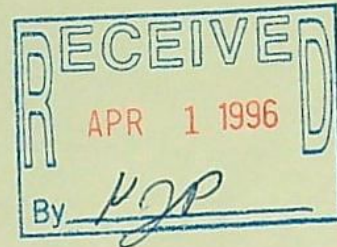
LAND & WATER RIGHTS

Bruce A. Estes, PLS, CWRE

60382 Arnold Rd
Bend, OR 97702
(503) 382-7391

6293 Sunnyview Rd. NE
Salem, OR 97305
(503) 585-7593
FAX 585-7593

March 28, 1996



Norm Werst
74822 Lower Diamond Ln
Wallowa, OR 97885

Dear Norm:

Re: Chamberlin Ditch Transfer

I understand Vern Church has discussed the point of diversion change from the Chamberlin Ditch to the Weaver Johnson Ditch with you. He is willing to take the change as an historical change authorized under HB 3086. That requires the transfer to be filed by an individual. I made a new application. If its OK you and Amy Lou need to sign it before a Notary Public and submit it to Vernon L. Church, Water Resources Department, Baker County Courthouse, 1995 Third Street, Baker City, OR 97814.

You need to write a letter to include with the application that states that use has been made within the last 5 years. You also need a letter from the Chamberlin Ditch that they have no objection to the transfer.

This also needs a copy of your deed for the area to be included. You should include the prior application form when you send it to Vern also.

Vern will process this prior to this irrigation season if you get it to him soon. If you have any questions please call.

Sincerely,

Bruce

Bruce A. Estes, PLS, CWRE

enclosure

bcc Vern

Wm # 6

Oregon

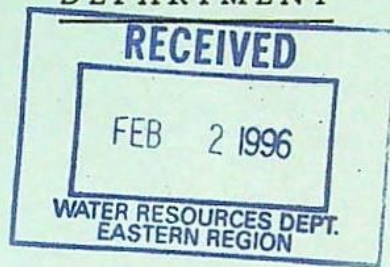
INTEROFFICE MEMO

TO: TRANSFER SECTION

DATE:

WATER
RESOURCES
DEPARTMENT

FROM: WATERMASTER, DISTRICT # 6
GROUNDWATER SECTION
(SIGNATURE) Richard M. Rush



SUBJECT: WATER RIGHT TRANSFER # 7473

A change in POU POD POA USE of water.

In the name(s) of Lower Valley Water Improvement Dist.

In my opinion (assuming the 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 right may not be valid because _____

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

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) 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....
- (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 T-7473 could go 3086

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

INTEROFFICE MEMO
WATERMASTER DISTRICT #6

TO: T-7473 FILE

DATE: March 7, 1996

FROM: RICK LUSK

SUBJECT: INJURY REVIEW

I have examined transfer file T-7473 and believe the proposed transfer can be made without injury with the following considerations and conditions:

1. The application map needs to show actual usage, not right of record, and needs the following corrections:

C-3067

13 ac NWN, sec 5, T1N, R42E, mapped differently than adjudication map and permit 44749 final proof. Land under hwy 82 needs cancelled.

40 ac NENE, sec 5, assessors map shows 46.64 acres in that "40".

29.5 ac SWSE, sec 32, T2N, R42E, mapped differently than adjudication map.

C-3068

37 ac NESE and 35 ac SESE sec 32, T2N, R42E, not mapped same as adjudication map.

C-8699

40 ac SENW T1N, R42E, sec 4, assessors map shows 38.00 ac. Cancel 2 acres county/state road.

C-3177

is ok enough.

C-3949

is ok enough.

C-8701, 8700, & 8771

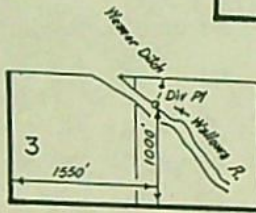
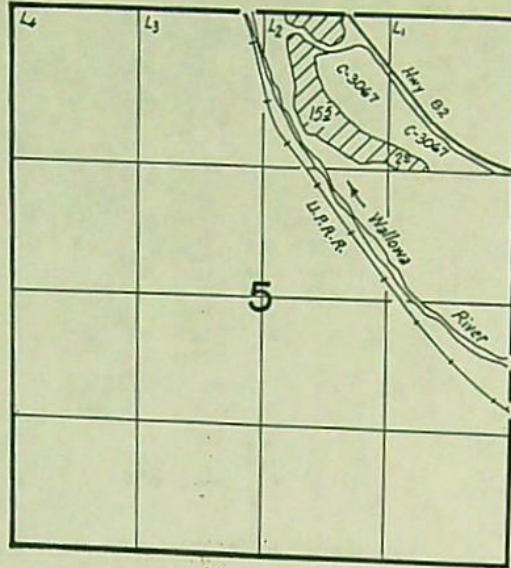
are not perfect, but are ok enough.

An adequate headgate exists.

Should be required to install suitable measuring devices in the diversion works PRIOR to the diverting of water...

44749
5-8-1979

T.1N., R.42E., W.M.

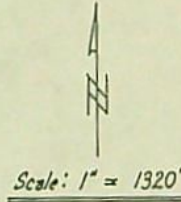


FINAL PROOF SURVEY UNDER

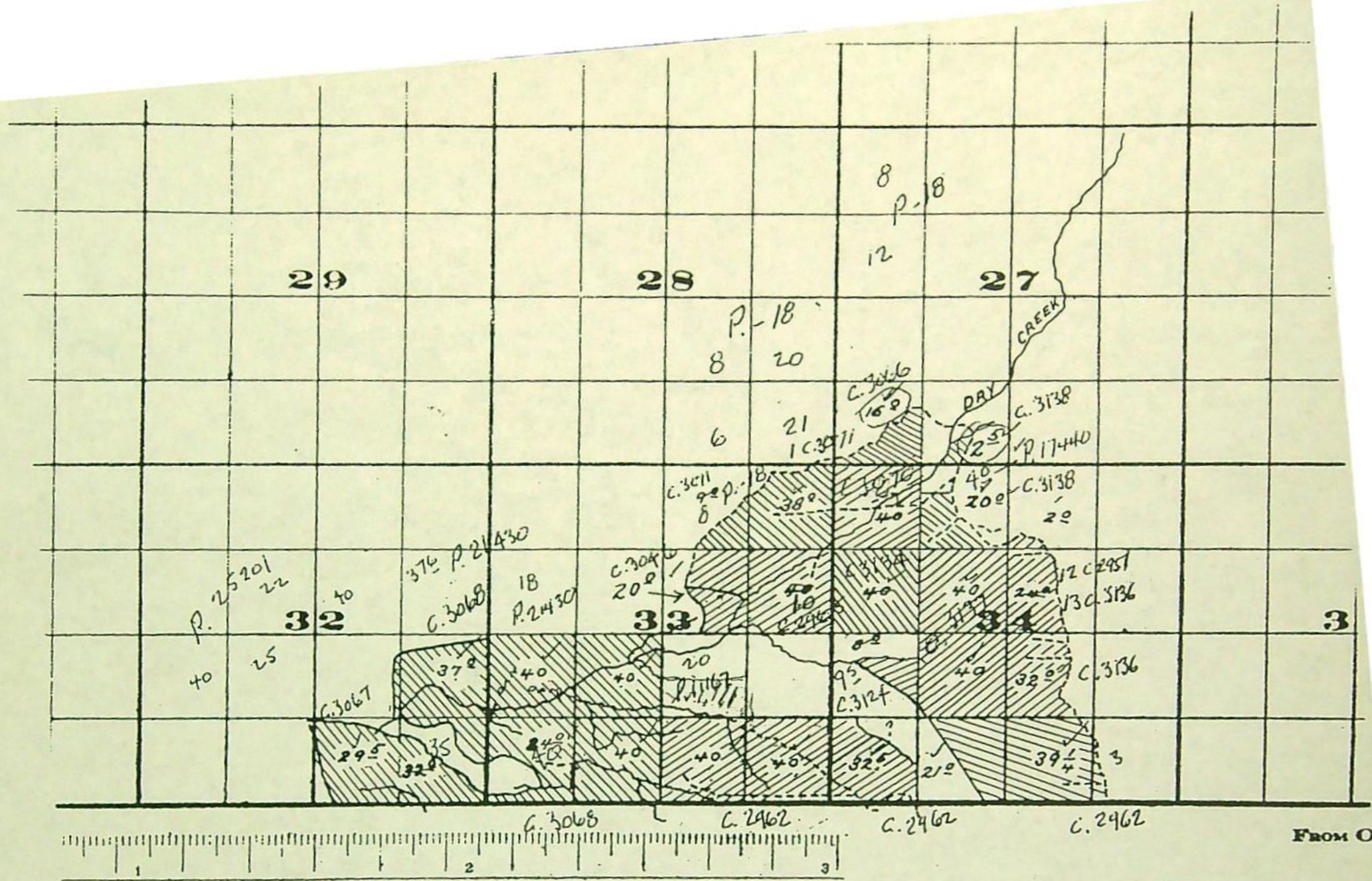
Application No. 58630, Permit No. 44749
IN NAME OF

HOWARD M. JOHNSON

Surveyed B.B., 1988, by Verza Church



BBA-1MM-138
41063-179-149R KK 3/89



Scale of Feet.

T 2 N R 42 E

Survey Oct, 1914.

d with areas

ers.

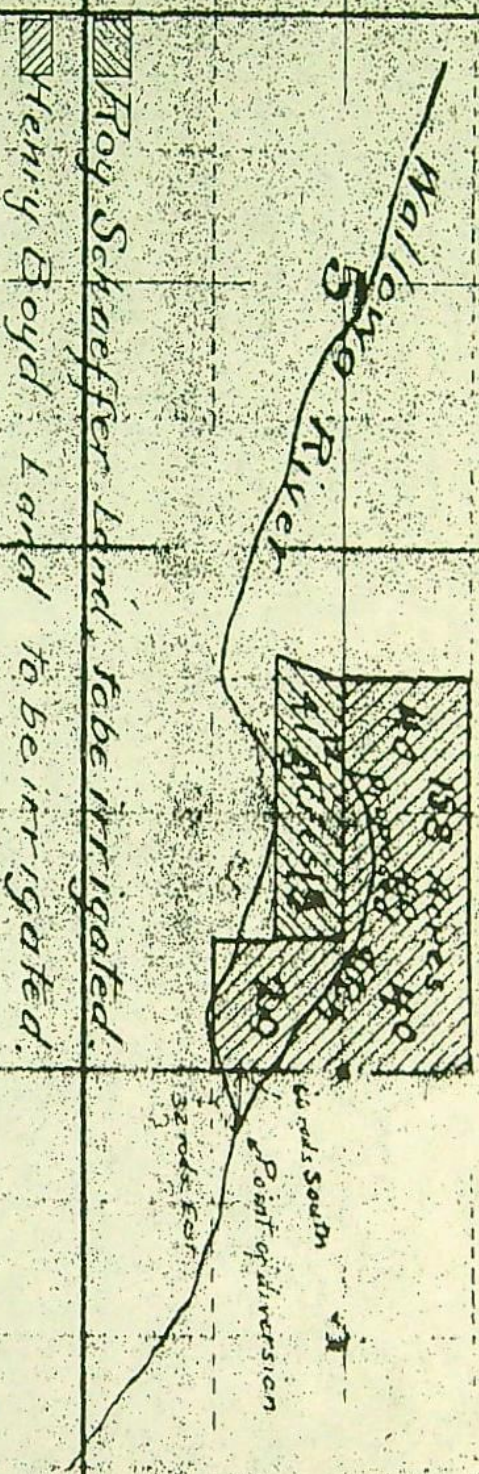
7th

2 1/2 mile

0120 46 6427
A374 3/4 4375
F-3949 E-8699

Williamette

Walla Walla County Oregon



8

9

10

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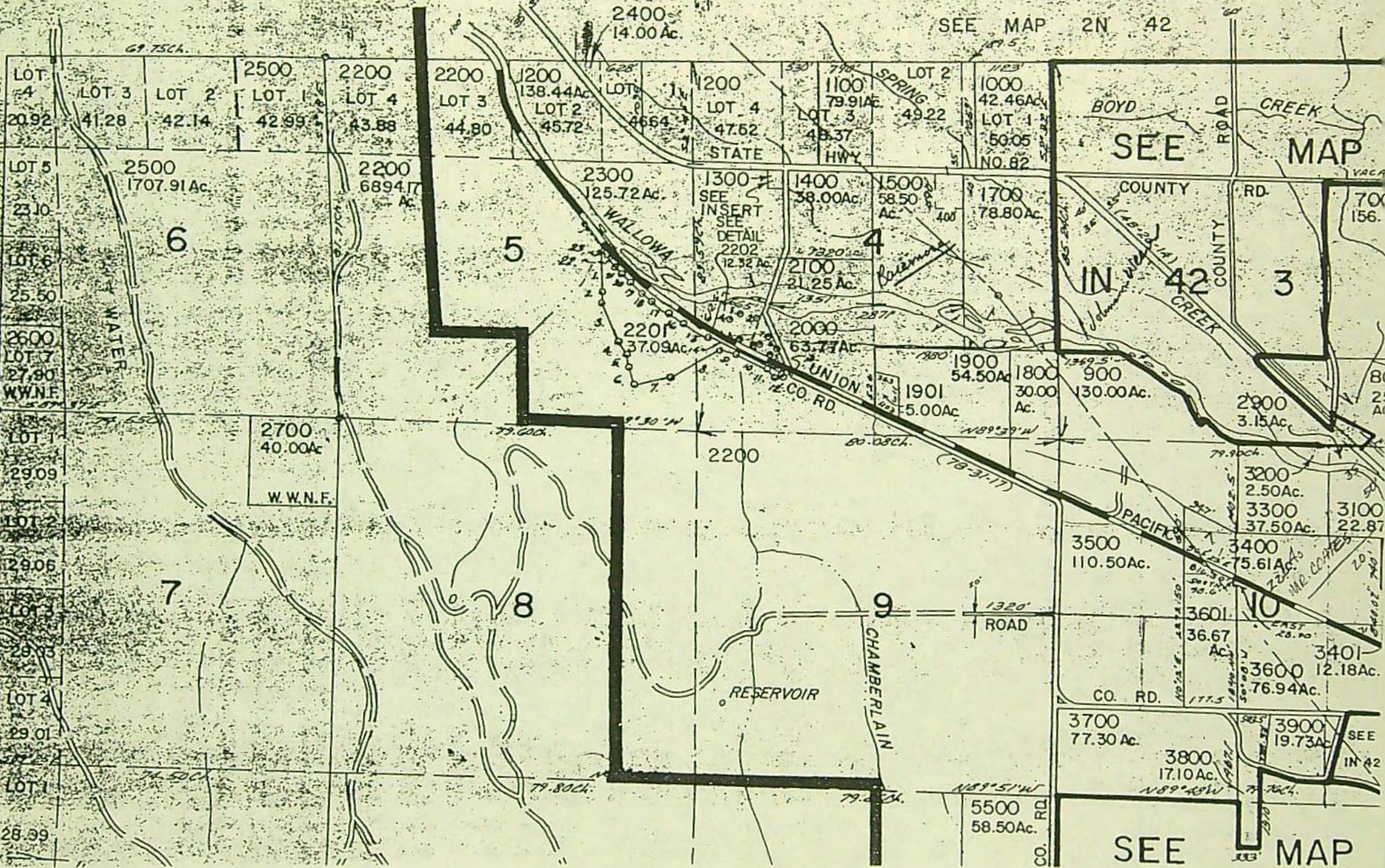
10

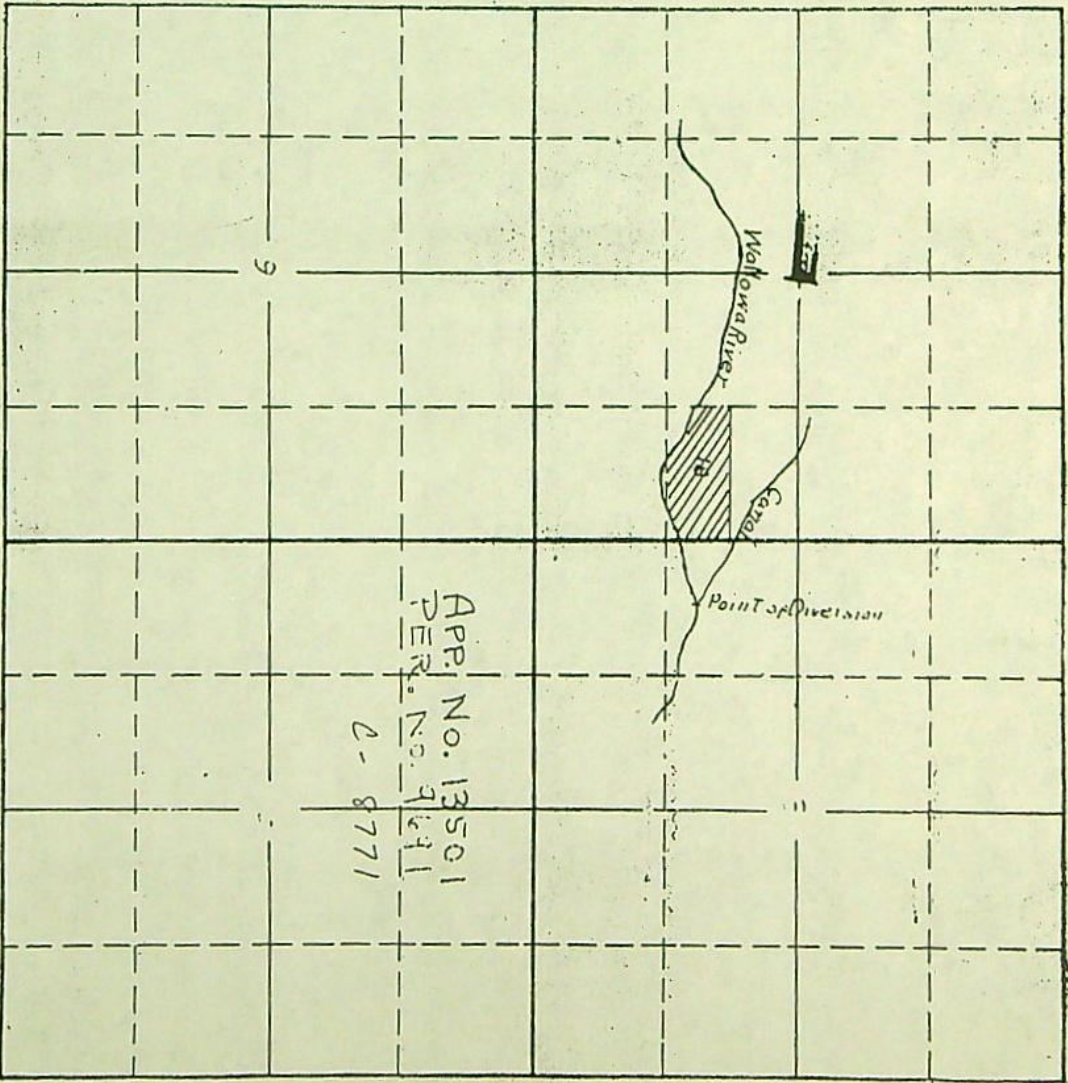
T. 1 N. R. 42 E. W.M.
WALLOWA COUNTY

1" = 2000'

SEE MAP 2N 42

16.47
15.88
15.7
15
31
06
15.4



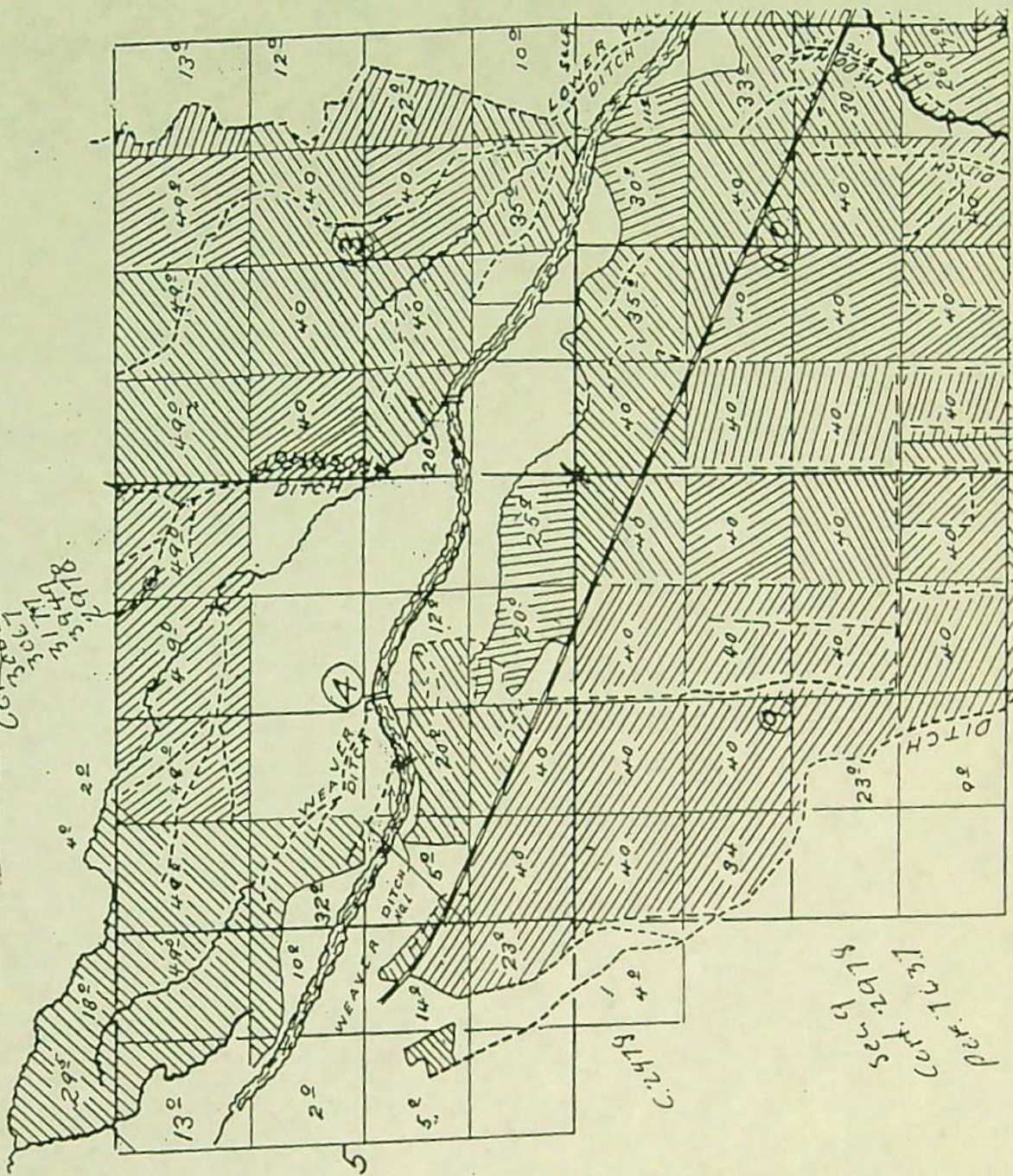


Sec. 4
 T₁N
 R₄E

Rg. 42, E.W.M.

Tr. 1 N. - partial
4315
1651

3067
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3069
3070
3071
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3073
3074
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3076
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3078



Sec. 5
3067
2177
2978

Grk
Per.
4938

C. 2978

Sec. 9
C. 2978
Per. 1637

Water Resources D.
158 12 st NW
Salem, OR

Dear Sir,

DALE JOHNSON
77583 Hwy 82
WALLOWA, OR
97885

VIEW: I RECEIVED A
COPY TOO. VERY NICE
COMMENT TO YOU.
Good Job! Jeff

Enclosed is the filing fee for the water right transfer # 7473. I was unaware that the fee had not been submitted to your office at the same time the application for the change of Diversion was sent to your office.

Mr Kern Church, district # 8 and I have communicated re: this application and his office has been extremely helpful. He is to be commended.

I will be in contact with Mr. Church to insure that all pertinent rules and regs. are in order when our application is re-submitted.

Sincerely

Dale E. Johnson
Sec/treas

Weaver/Johnson Ditch

Water Resources Dept
158 12 St NE
Salem, Oregon

DALE JOHNSON
77583 Hwy 82
WALLOWA, OR
97885

Dear Sir,

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Sincerely

Dale F. Johnson
Sec/treas
Weaver/Johnson Ditch

NUMBER 05851

Check 335⁰⁰ NO Cash

 Surface Application

 Reservoir Application

 Ground Water Application

2 Transfer Application

 Power Claim

 Hydroelectric Examination

 Hydroelectric License

 Copying

 Assignment

 Extension of Time

 Other

 P-6

 Quadrangle

 Basin

 Protect

 Constructors Examination

 Constructors License

 Adjudication

50

285

Larry O.

50

117.

50

118

COPY

RECEIVED

JAN 11 1996
 WATER RESOURCES DEPT.
 SALEM, OREGON

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

Applicant: Lower Valley Water Improvement Dist. % Dale Johnson

Mailing Address: 77583 Hwy 82

Walla Walla OR 97885 State OR Zip 97885 Phone (509) 758-7608

Type of change: 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? Yes
 (Yes, No)

1. If yes, list the title of the proceedings: Walla Walla River
 2. Certificate No: 3067, 3068, 3177, 3949, 8639, 8700, 8701, & 8771

C) Was the water right acquired by a water permit? No
 (Yes, No)

1. If yes, list the Permit No: Dec 5, 1919 F-6226 C-3949 C-8639, 8700 & 8701 Dec 5, 1919
 2. Certificate No: C-8771 Jun 12, 1930

D) Date of priority right: C-3067-1887 C-3177 1906 & 1897, 19

E) What are your reasons for the proposed changes? Walla Walla River changed course many years ago requiring all 3 ditches to consolidate into the one diversion.

F) The water will be completely applied to the proposed use on or before: complete, 19

2. LOCATION OF AUTHORIZED USE

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

B) Describe the authorized point of diversion:

Location in Reference to Survey Corner	1/4, 1/4 of Section	Section	Township	Range
Old Weaver Ditch #1	NE 1/4 SW 1/4	4	1 N	42E
Weaver Ditch	NW 1/4 SE 1/4	4	1 N	42E
Johnson Ditch	NW 1/4 SW 1/4	3	1 N	42E

C) What is the name of the ditch used? Weaver - Johnson

D) What is the use to which the water is applied? irrigation

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
C-3067	2 N	42E	32	29E SW 1/4 SE 1/4	
C-3067	1 N	42E	5	40E NENE, 13E NWNE	See 4 47E NWNW
C-3068	2 N	42E	33	160E SW 1/4, Sec 32	37E NESE, 35E SESE
C-3068	1 N	42E	4	50E NENE, 45E NWNE, 48E NENW	
C-3177	1 N	42E	4	35E SWNW, 2E NWSW	See 5 2E SWNE, 8E SENE
C-3949	1 N	42E	4	18E NESW, 13E NWSE	
C-8639	1 N	42E	4	40E SE NW	
C-8700	1 N	42E	4	40E SE NE, 20E NE SE	
C-8701	1 N	42E	4	40E SW NE	
C-8771	1 N	42E	4	18E NE SE	

F) Is the land within an irrigation district? Yes X No
 If Yes, which district? Lower Valley Water Improvement Dist.

G) County Walla Walla

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
Weaver Johnson 1000' N & 1550' E from SW cor	SE 1/4 SW 1/4	3	1 N	42E

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:

Lower Valley Water Imp Dist. (571) 886-9435 W(571) 426-4521
% *Sean Mallory*
6780A Promise Rd
Walla Walla, OR 97865

6. REMARKS:

I (we) Max O Mallory, 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 2th day of Jan, 19 96.

Max O Mallory
(Signature)

(Signature)

Subscribed and sworn to before me

Patricia R. Houston
Notary Public for Oregon

(Notarial Seal)



My commission expires: 03-02 96

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

RECEIVED
JAN 11 1996
WATER RESOURCES DEPT
SALEM, OREGON

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: Lower Valley Water Improvement Dist. % Dale Johnson
 Address: 77583 Hwy 82
 City: Wallowa State: OR Zip: 97885
 Phone: (541) 758-7608 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
^{u 3} IN, RAZE 1300	<u>Exclusive Farm Use (EFU)</u>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	

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): _____ 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
<u>Ministerial Review</u>	<u>Goals Policy 1</u> <u>Article 36</u>	<input checked="" type="checkbox"/>		

(over)

b) Please provide printed name and written signature.

Name: Diane Shetler

Title: Planning Director

Signature: Diane Shetler

Date: 1-8-96
Phone: 426-4843

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

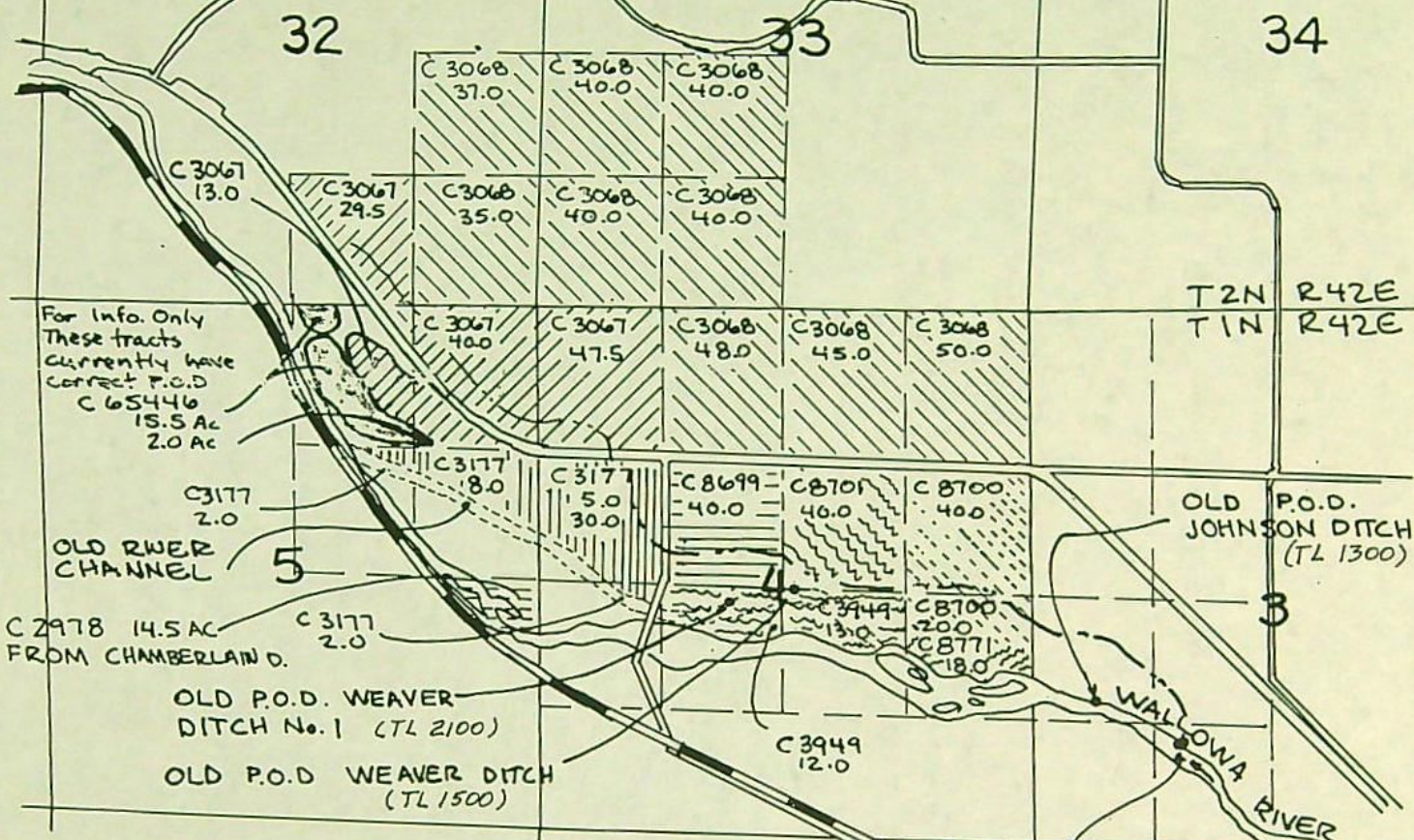
Continuations or Additional Comments:

Lined area for providing continuations or additional comments.

RECEIVED

JAN 11 1996

WATER RESOURCES DEPT.
SALEM, OREGON



For Info. Only
These tracts
currently have
correct P.O.D
C 65446
15.5 Ac
2.0 Ac

T 2N R 42E
T 1N R 42E

OLD P.O.D.
JOHNSON DITCH
(TL 1300)

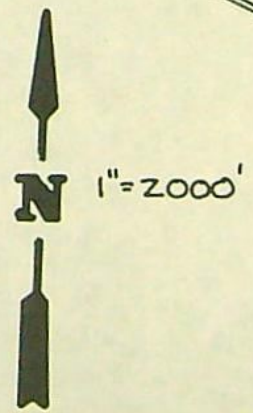
CURRENT P.O.D.
WEAVER-JOHNSON DITCH
1000' N, 1550' E OF
SW COR SEC 3
(TL 1300)

THE PURPOSE OF THIS APPLICATION IS TO CORRECT THE DIVERSION POINT FOR THE LANDS SHOWN HATCHED. THE REASON FOR THE CHANGE IS THAT OVER THE YEARS THE CHANNEL OF THE WALLOWA RIVER HAS CHANGED AND THE DITCH HAS BEEN RELOCATED TO SUIT THE RIVER. THREE DITCHES, WEAVER DITCH, WEAVER DITCH No. 1, AND JOHNSON DITCH, HAVE BEEN CONSOLIDATED INTO THE WEAVER-JOHNSON DITCH WITH A DIFFERENT COMMON DIVERSION POINT. THIS DITCH ALSO SERVES A PARCEL IN THE NE 1/4, SE 1/4 SEC 5 WHICH WAS FORMERLY ON THE OPPOSITE SIDE OF THE RIVER AND SERVED BY THE CHAMBERLAIN DITCH, A DIVERSION OF BEAR CREEK.



LEGEND

C 3067		C 8700	
C 3068		C 8701	
C 3177		C 8771	
C 3949		C 65446	
C 8699		C 2978	



WALLOWA COUNTY
IN SEC 4 & 5 T1N R42E &
SEC 32 & 33 T2N R42E

HB 3086

CHANGE IN POINT OF
DIVERSION FOR WEAVER-
JOHNSON DITCH
LOWER VALLEY WATER IMPROVEMENT DIST.

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

RECEIVED
JAN 11 1996
WATER RESOURCES DEPT.
SALEM, OREGON

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See 3
T.M., R.22E

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
1300	Exclusive Farm Use (EFU)	✓	✓	

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		Already Obtained	Already Denied	Being Pursued Satisfactorily
Ministerial Review	Goal 5 Policy 1 Article 3b	X		

(over)

Note to
Local Governments:

Oregon

The person presenting
the attached request for
land use information is
applying for a water right.

WATER

RESOURCES

DEPARTMENT

The Water Resources

Department (WRD) requires its
applicants to obtain land use
information to be sure water rights do
not result in land uses that would
violate your comprehensive plan.

WRD will not accept applications
which are not accompanied by this
completed land use information form
or the signed, dated receipt stub
detached from the bottom of the land
use information form.

You will receive notice once the
applicant formally submits his or her
request to WRD. The notice will give
more detailed information about
WRD's water rights process and
comment opportunities.

If you give the applicant the receipt stub
in lieu of completing the form, you will
have 30 days from the date of the notice
mentioned above to complete the form
and return it to WRD. If no land use
information is received from you
within that 30 day period, WRD may
presume the land use associated with
the proposed water right is compatible
with your comprehensive plan.

Your attention to this request for
information is greatly appreciated by
both the applicant and WRD. If you
have questions concerning
the form, please contact
WRD at 378-3739.



June 1992

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