

T-7950

T-7950

PARTIAL Assigned

Name DICK SNOW

By

Address 33263 OREGON TRAIL ROAD

ECHO OR 97826

541-376-8231

Change in APOD

Date filed 3/4/98

Date of hearing

Place of hearing

✓ Date of order 6/24/96 Vol. 52, page 583

Date for application of water 10-1-99

Proof mailed

Proof received

Certificate issued NOV 01 2013 Vol. 88358, page 88359

RR 75728

DESCRIPTION OF WATER RIGHT

Name of stream Umatilla River

Trib. of Columbia River County of Umatilla

Use Irrigation

Quantity of water No. of acres

Name of ditch U S Feed Canal

Date of priority 1883

In name of C J Gulliford/Lucinda McCullough

..... Adjudication, Vol. D 2535, page 2535
D 2586, page 2586

App. No. Per. No. Cert. No.

Certificate cancelled

Notation made on record by uDB

FPD

FEES PAID

Date	Amount	Receipt No.
<u>3/4/98</u>	<u>200 -</u>	<u>19425</u>
<u>12-7-11</u>	<u>75⁰⁰</u>	<u>104623</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

REMARKS

No ID/ Dale G. Van Schoiack CWRE#333

PN 3-10-98

Assignment: 12/7/2011

BYRD RENTAL, LLC
SUSAN MARIE BYRD
PO BOX 178
ECHO OR 97826

	INDEX CARDS:	Entered	Checked	
ALL ENTERED WHERE CHECKED	Name	---	---	
	Stream	---	---	
	Pt. of Div.	---	---	
	Calendar	---	---	
	CHECKED TO RECORDS:			
	Twp. & Rge.	---	---	
	Deed-vault	---	---	
	Deed-sale	---	---	
	Cont. of W/R	---	---	
	Por. Poster	---	---	
Chamdex	---	---		
Cross Ref.	---	---		
Power Claim	---	---		
Abstracts	---	---		

Tony Justus says the
POD was changed prior to
1927

TRANSFER PROCEDURE
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-----	()
SPECIAL ORDER PAGES RESERVED	()
ORDER DRAFTED	()
ORDER SIGNED BY DIRECTOR	()
ORDER COPIED	()
COPY OF ORDER SENT TO:		
APPLICANT (ORIGINAL)	()
IRRIGATION DISTRICT (IF NEC.)	()
WATERMASTER	()
FOLDER	()
W/ COMPLETION FORM	()
W/ FIELD FORM	()
ORIGINAL TO SPECIAL ORDER BOOK	()

Mailing List for Transfer Certificate

Application: T-7950

Certificate: 88359

Certificate/Transfer Holder: (include copy of map)

BYRD RENTAL LLC
SUSAN MARIE BYRD ✓
PO BOX 178
ECHO OR 97826

Copies Mailed By: SH (SUPPORT STAFF) on: NOV 01 2013 (DATE)
--

Copies of final Certificate to be sent to:

1. Watermaster #05 (Include map) ✓
2. Data Center ✓
3. Water Availability ✓
4. Vault ✓
5. File ✓

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

GORDON DALE VANSCHOIACK, CWRE ✓

Record Marking(s):

1. Original Application# NA- DECREED RIGHT
2. Old Certificate# 2586

Mailing List for Transfer Certificate

Application: T-7950

Certificate: 88358

Certificate/Transfer Holder: (include copy of map)

DICK SNOW
33263 OREGON TRAIL ROAD ✓
ECHO OR 97826

Copies Mailed
By: <i>SH</i> (SUPPORT STAFF)
on: NOV 01 2013 (DATE)

Copies of final Certificate to be sent to:

1. Watermaster #05 (Include map) ✓
2. Data Center ✓
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GORDON DALE VANSCHOIACK, CWRE ✓

Record Marking(s):

1. Original Application# NA- DECREED RIGHT
2. Old Certificate# 2535



Oregon

John A. Kitzhaber, MD, Governor

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

Date Mailed: NOV 01 2013

NOTICE OF CERTIFICATE ISSUANCE

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

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

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

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

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

STATE OF OREGON
COUNTY OF UMATILLA
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BYRD RENTAL LLC
SUSAN MARIE BYRD
PO BOX 178
ECHO OR 97826

confirms the right to use the waters of UMATILLA RIVER, tributary to COLUMBIA RIVER for IRRIGATION of 2.0 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Umatilla County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 3, at Page 127. The date of priority is 1883.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.03 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the points of diversion.

The points of diversion (POD) are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	29 E	WM	22	SE SW	ORIGINAL POD - 700 FEET NORTH & 780 FEET WEST FROM S1/4 CORNER, SECTION 22
3 N	30 E	WM	31	SW SW	ADDITIONAL POD - 430 FEET NORTH & 450 FEET EAST FROM SW CORNER, SECTION 31

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	29 E	WM	21	NE NE	2.0

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 from the original point of diversion.

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

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.

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


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

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered JUNE 24, 1998, at Special Order Volume 52, Page 583, approving Transfer Application 7950, and supercedes Certificate 2586, State Record of Water Right Certificates.

Issued NOV 01 2013.



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

STATE OF OREGON
 COUNTY OF UMATILLA
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DICK SNOW
 33263 OREGON TRAIL ROAD
 ECHO OR 97826

confirms the right to use the waters of UMATILLA RIVER, tributary to COLUMBIA RIVER for IRRIGATION of 34.8 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Umatilla County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 3, at Page 127. The date of priority is 1883.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.430 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the points of diversion.

The points of diversion (POD) are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	29 E	WM	22	SE SW	ORIGINAL POD - 700 FEET NORTH & 780 FEET WEST FROM S1/4 CORNER, SECTION 22
3 N	30 E	WM	31	SW SW	ADDITIONAL POD - 430 FEET NORTH & 450 FEET EAST FROM SW CORNER, SECTION 31

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	29 E	WM	16	NE SE	12.8
3 N	29 E	WM	16	SE SE	22.0

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 from the original point of diversion.

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

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.

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

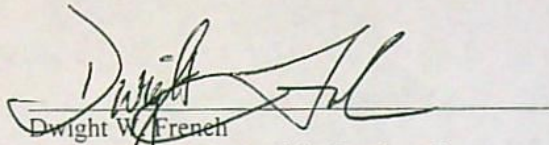
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The right to the use of the water for the above purpose is restricted to beneficial use on place of use described, and is subject to all other conditions and limitations contained in said decree.

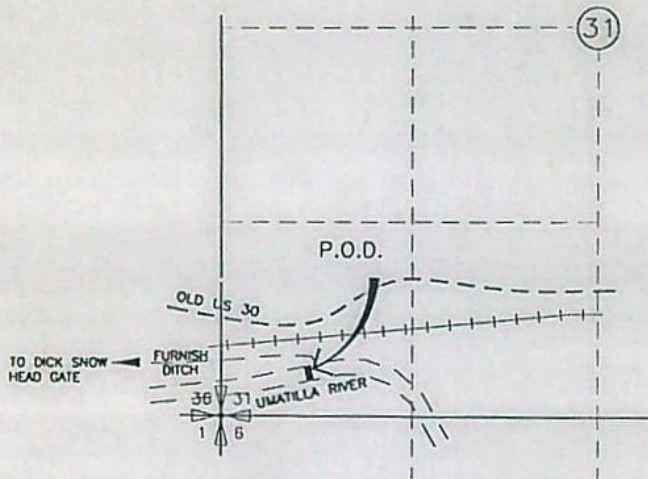
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Issued NOV 01 2013.


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

FINAL PROOF MAP OF TRANSFER T-7950 FOR DICK SNOW

T3N, R 30E WM



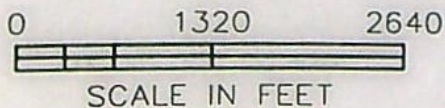
ADDITIONAL P.O.D. FURNISH DITCH

LOCATED 430' NORTH AND 450' EAST
FROM THE SW CORNER SEC 31

RECEIVED

OCT 02 2000

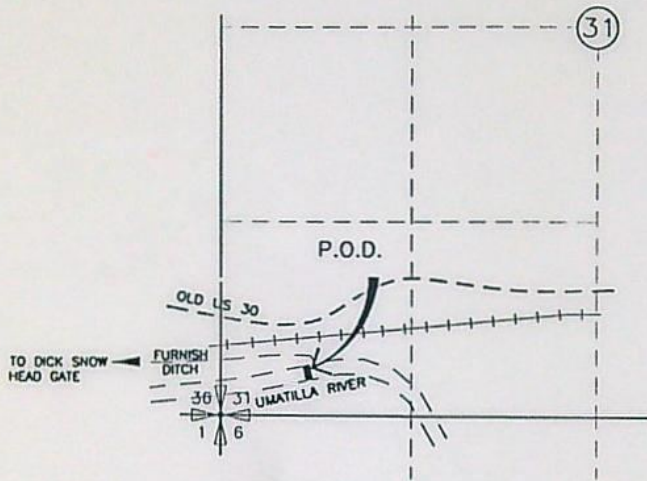
WATER RESOURCES DEPT.
SALEM, OREGON



NOTE:
THE PURPOSE OF THIS MAP IS TO IDENTIFY THE APPROXIMATE LOCATION
OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION
RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.

FINAL PROOF MAP OF TRANSFER T-7950 FOR DICK SNOW

T3N, R 30E WM



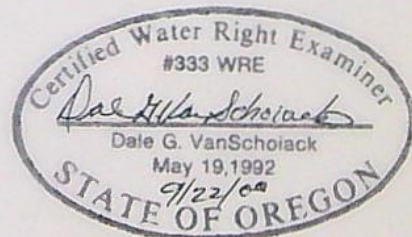
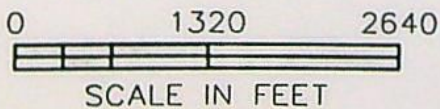
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LOCATED 430' NORTH AND 450' EAST
FROM THE SW CORNER SEC 31

RECEIVED

OCT 02 2000

WATER RESOURCES DEPT.
SALEM, OREGON



NOTE:
THE PURPOSE OF THIS MAP IS TO IDENTIFY THE APPROXIMATE LOCATION OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.

SCM Consultants, Inc.

Architects & Engineers
Kennewick, WA 99336

3522.128
35220FP.DWG
9/21/00

MEMO

2 Certs

TO: FILE T-7960

FROM: JWG

DATE: 5.9, 2013

RE: DETERMINATION OF PROOF

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

Permit Transfer

FPS COBU

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

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

Conflict? No Yes: _____

stamped PROPOSED or assign Cert # 2535 - 88358
2586 - 88359

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

Water Organization identified using area of interest tool? No Yes, cc: Stanfield Water Irrigation District.

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

Prepare a mailing list.

Record marking: App _____ Cert _____

NOTES:

Jerry Gainey

From: Cindy Anderson <cindyd@co.umatilla.or.us>
Sent: Wednesday, May 22, 2013 9:55 AM
To: Jerry Gainey
Subject: Re: Property Ownership

No problem
Harry Snow
33263 Oregon Trail Rd
Echo Or 97826

Cindy
On 5/22/2013 9:48 AM, Jerry Gainey wrote:

Cindy,
Sorry to bug you again - Do you have a mailing address for Harry Snow.
Thanks
Jerry

From: Cindy Anderson [<mailto:cindyd@co.umatilla.or.us>]
Sent: Wednesday, May 22, 2013 9:43 AM
To: Jerry Gainey
Subject: Re: Property Ownership

Hi Jerry
The owner on that is Harry Snow
Thank you
Cindy

On 5/22/2013 9:36 AM, Jerry Gainey wrote:

Hi,
I work for the Oregon Water Resources Department and need to know the name and mailing address of the owner of property located as follows:
Umatilla Map - 3N2916, Tax Lot 2100.

Thanks for your assistance.

Jerry Gainey
OWRD
725 Summer St NE
Salem OR 97301
503-986-0927

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OCT 02 2000

WATER RESOURCES DEPT.
SALEM, OREGON

**CLAIM OF BENEFICIAL USE SITE REPORT
FOR T-7950
SEPTEMBER 2000**

General Information

Dick Snow
33263 Oregon Trail Road
Echo, Oregon 97826

Dick Snow, Landowner and Dolly Ashbeck, Manager of the Stanfield Irrigation District, are the people SCM communicated with during the inspection and survey.

The order approving transfer T-7950 authorized the adding of Furnish Ditch as an additional point of diversion. The order recognizes two different water rights with a total quantity of water authorized for the two rights of 0.46 cfs.

Diversion Works Description

On August 3, 2000 SCM located the diversion dam for the Furnish Ditch owned and operated by the Stanfield Irrigation District. The location being in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31, Township 3 North, Range 30 East, W.M.; 300 feet north and 650 feet east from the SW Corner, Section 31.

The Furnish Ditch Diversion consists of a concrete structure spanning the Umatilla River with a fish ladder on the south abutment and on the north abutment 3 – 3' x 4' motorized headgates. The three headgates control the water flow into the Furnish Ditch. Pictures of the dam, fish ladder and the headgate structure are attached. Fish screens and a gauging station are located $\frac{3}{4}$ mile below the head gates of the Furnish Ditch (pictures are attached). Dolly Ashbeck advised SCM that the Bureau of Reclamation built and maintains the gauging station using satellites and telephone lines the Oregon Water

Resources Department (Watermaster's" office) can take daily readings of the flow in the Furnish Ditch.

Dick Snow takes delivery of his water from the Furnish Ditch in the SW ¼ SW ¼ of Section 15, Township 3 North, Range 29 East, W.M. 5 miles downstream from the head works. Attached are pictures showing the 21" Waterman headgate and check structure Dick Snow uses to divert his water from the Furnish Ditch. Also attached are pictures of the flowmeter and the outlet structure.

System Capacity

In place of calculating the system's capacity, we have attached the 1999 flow records from the District 5 Watermaster's office for the Furnish Ditch. Also, we have attached the 2000 copy of the Stanfield Irrigation District's ditch rider's record for the headgate which services Dick Snow's Ditch from the Furnish Ditch. These records clearly show the Furnish Ditch and headgate have the capacity of 0.46 c.f.s. authorized in the order approving T-7950 Dick Snow rotates his irrigation water with neighboring ditches and irrigators.

Crops

SCM found alfalfa and pasture being irrigated by Dick Snow.

The Final Proof Survey and Inspection was found to be completed under the terms and conditions of Transfer T-7950.

RECEIVED

OCT 02 2000

WATER RESOURCES DEPT.
SALEM, OREGON

Irrigation Water Utilization Report
Start: 01/01/00 - End: 07/31/00

Date	CFS	HOURS	DITCH AC-FT	PUMPED AC-FT	TOTAL USE AC-FT	
-----	-----	-----	-----	-----	-----	
Gate: HG-08-A		- DICK SNOW				
05/02	0.0	0.0	0.00	0.00	0.00	
06/18	13.0	24.0	25.79	0.00	25.79	
06/19	13.0	12.0	12.89	0.00	12.89	
07/01	0.0	0.0	0.00	0.00	0.00	
07/26	14.3*	24.0	25.79	28.32	28.32	
-----	-----	-----	-----	-----	-----"	&&-----
Total	0.0	60.0	64.47	28.32	67.00	

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OCT 02 2000

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

OCT 02 2000

WATER RESOURCES DEPT.
SALEM, OREGON

OREGON WATER RESOURCES DEPARTMENT
14026897 FURNISH CANAL ABOVE CRAYNE-LISLE CANAL NEAR ECHO OREGON

DAILY DISCHARGE IN CUBIC FEET PER SECOND WATER YEAR OCT 1998 TO SEP 1999

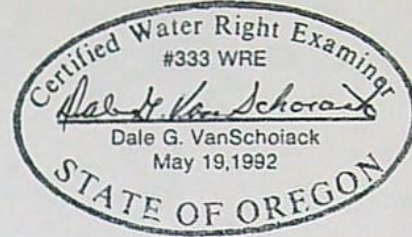
Day	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
1	27	0	05	05	05	0 S	61	65	82	31	31	14
2	27	0	05	05	05	0 S	61	65	60	39	30	13
3	20	05	05	05	05	0 S	63	94	47	41	31	14
4	16	05	05	05	05	0 S	70	95	39	42	30	18
5	16	05	05	05	05	0 S	71	97	38	43	28	18
6	16	05	05	05	05	0 S	65	100	29	43	29	16
7	16	05	05	05	05	0 S	69	102	25	45	28	15
8	17	05	05	05	05	0 S	77	95	25	28	37	15
9	16	05	05	05	05	0 S	35	87	21	18	39	15
10	17	05	05	05	05	0 S	88	80	21	16	41	16
11	17	05	05	05	05	0 S	88	81	23	23	42	14
12	17	05	05	05	05	0 S	30	88	22	17	43	13
13	17	05	05	05	05	0 S	4.4	90	21	15	44	13
14	17	05	05	05	05	0 S	7.1	91	23	13	47	20
15	18	05	05	05	05	0 S	5.1	93	22	13	43	22
16	18	05	05	05	05	0	4.4	94	13	12	38	22
17	18	05	05	05	05	0	4.8	87	10	12	28	20
18	18	05	05	05	05	0	5.0	83	10	13	27	12
19	7.0	05	05	05	05	0	4.6	83	10	28	27	12
20	0	05	05	05	05	0	4.4	84	11	35	27	12
21	0	05	05	05	05	0	4.4	94	13	35	28	13
22	0	05	05	05	05	0	4.4	91	14	30	28	13
23	0	05	05	05	05	0	4.4	91	16	22	28	8.7
24	0	05	05	05	05	0	4.3	98	21	22	28	6.2
25	0	05	05	05	05	0	4.4	101	21	19	27	5.5
26	0	05	05	05	05	1.0	4.3	101	16	14	26	5.5
27	0	05	05	05	05	.06	4.3	101	15	10	33	5.5
28	0	05	05	05	05	1.9	4.3	104	15	23	32	7.0
29	0	05	05	05	-----	54	4.3	108	18	36	23	9.5
30	0	05	05	05	-----	62	22	105	21	33	18	6.5
31	0	-----	05	05	-----	62	-----	110	-----	32	14	-----
TOTAL	335.0	0	0	0	0	180.96	928.9	2,878	782	800	975	394.4
MEAN	10.8	0	0	0	0	5.84	31.0	92.8	24.1	25.9	31.5	13.1
MAX	27	0	0	0	0	62	88	110	32	45	47	22
MIN	0	0	0	0	0	0	4.3	55	10	10	14	5.5
AC-FT	564	0	0	0	0	359	1,840	5,710	1,420	1,380	1,320	722
CAL YEAR 1998	TOTAL	8,838.19	MEAN	22.0	MAX	125	MIN	0	AC-FT	15,940		
WTR YEAR 1999	TOTAL	7,217.26	MEAN	19.8	MAX	110	MIN	0	AC-FT	14,320		

S=0 NO FLOW CANAL OFF 10/19/98 2800.

The Final Proof Survey and Inspection was completed under my direct supervision on the 30th day of August 2000 and the facts contained in this report and accompanying Final Proof Map are correct to the best of my knowledge.

Dale G. Van Schoiack 9/22/00

Dale G. Van Schoiack, P.E.



I, Dick Snow Owner/Operator, agree to the findings of the CWRE and submit this site report and map as my Claim of Beneficial Use of the water as provided under the terms and conditions of T-7950.

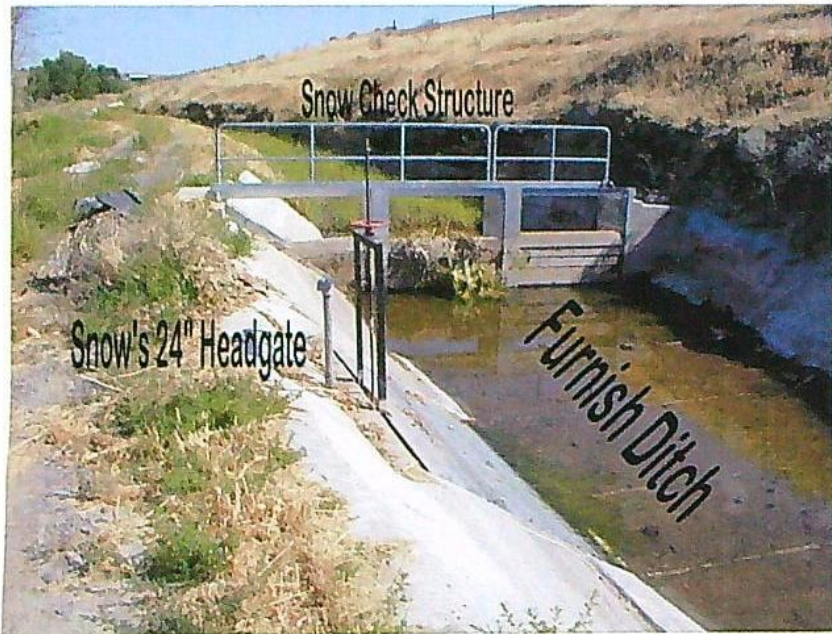
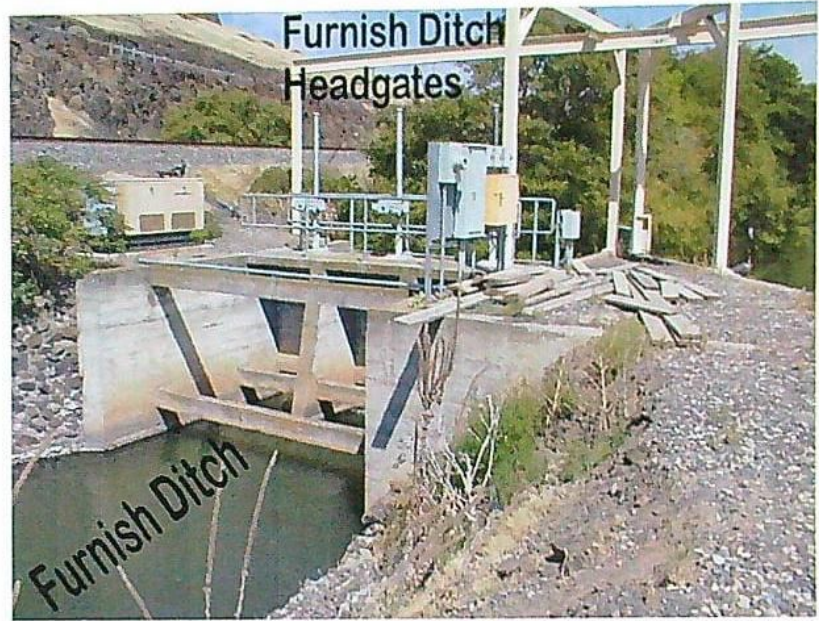
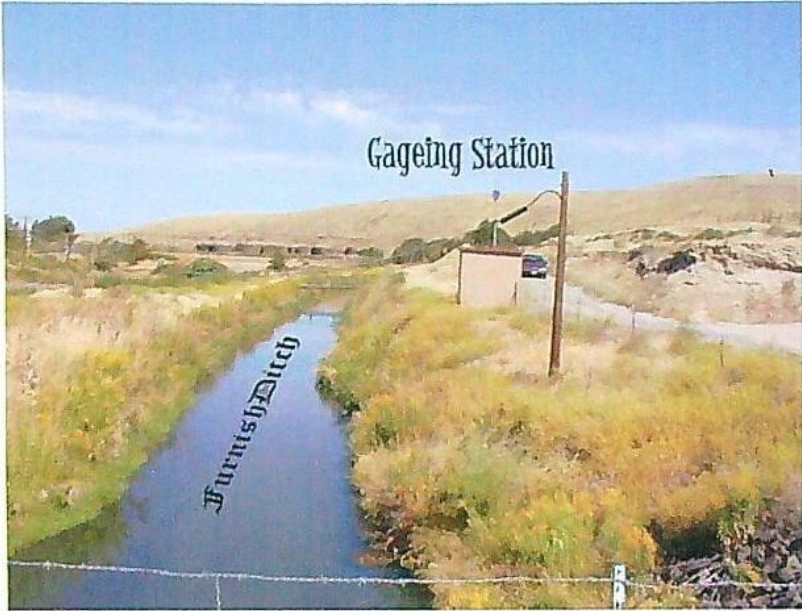
Dick Snow

Dick Snow

RECEIVED

OCT 02 2000

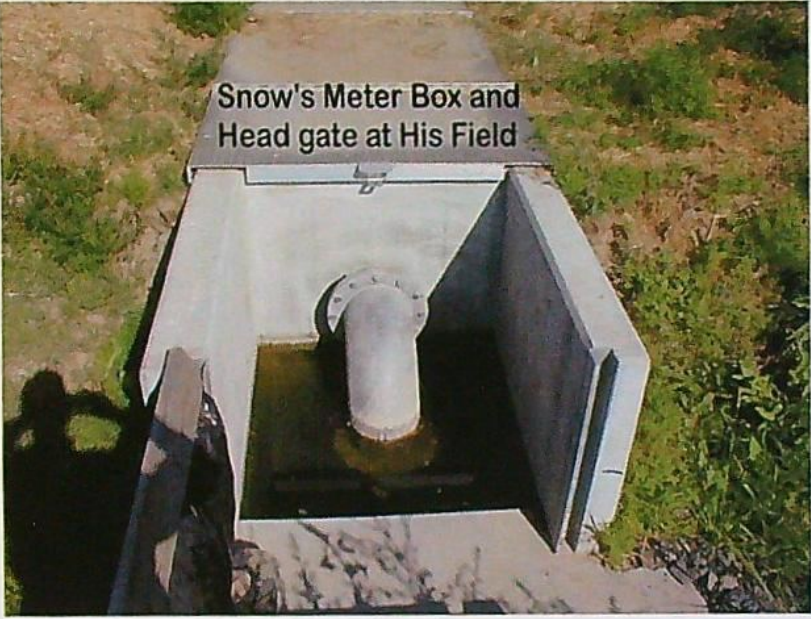
WATER RESOURCES DEPT.
SALEM, OREGON



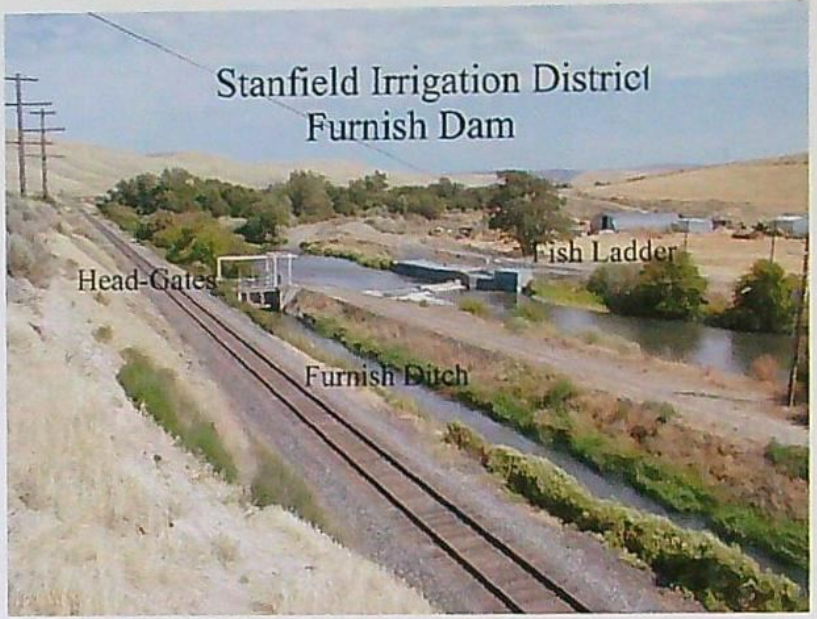
WATER RESOURCES DEPT.
SALEM, OREGON

OCT 02 2000

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Snow's Meter Box and Head gate at His Field

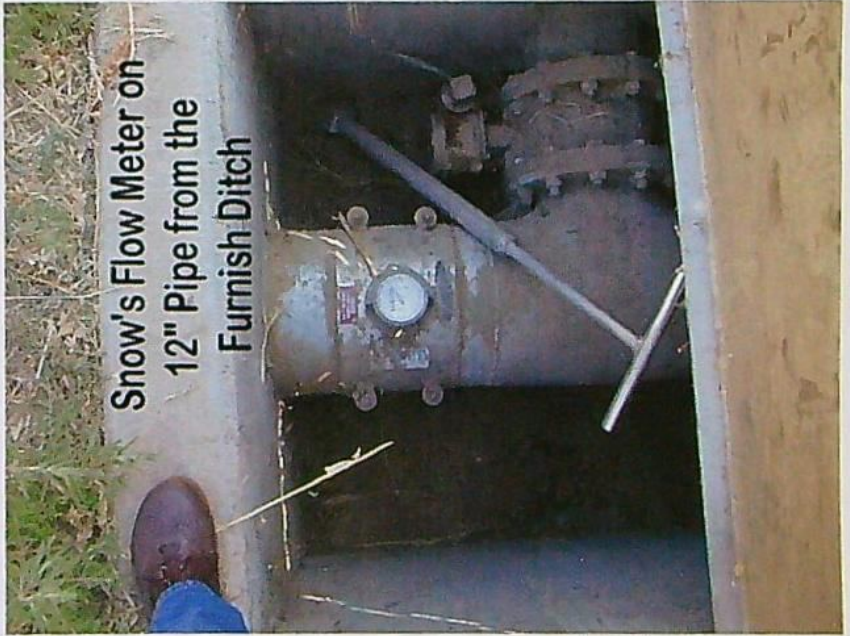


Stanfield Irrigation District
Furnish Dam

Head-Gates

Fish Ladder

Furnish Ditch



Snow's Flow Meter on
12" Pipe from the
Furnish Ditch

RECEIVED

OCT 02 2000

WATER RESOURCES DEPT.
SALEM, OREGON

STATE OF OREGON

COUNTY OF UMATILLA

ORDER APPROVING AN ADDITIONAL 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 7950 submitted by

DICK SNOW
33263 OREGON TRAIL ROAD
ECHO, OREGON 97826.

The first right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for Umatilla County as evidenced by Certificate 2586. The decree is recorded in the Order Record of the Water Resources Director in Volume 3, at Page 127. The date of priority is 1883.

The right allows the use of the UMATILLA RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION OF 2.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.03 cubic foot per second, subject to the provisions of paragraphs 24 and 33 of the decree, and if available at the authorized point of diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 22, T 3 N, R 29 E, WM; 700 FEET NORTH AND 780 FEET WEST FROM THE S $\frac{1}{4}$ CORNER, SECTION 22, or its equivalent in case of rotation, measured at the point of diversion from the source.

The authorized place of use is located as follows:

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 2.0 ACRES
SECTION 21
TOWNSHIP 3 NORTH, RANGE 29 EAST, W.M.

The second right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for Umatilla County as evidenced by a PORTION of Certificate 2535. The decree is recorded in the Order Record of the Water Resources Director in Volume 3, at Page 127. The date of priority is 1883.

The right allows the use of the UMATILLA RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION OF 34.8 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.43 cubic foot per second, subject to the provisions of paragraphs 24 and 33 of the decree, and if available at the authorized point of diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 22, T 3 N, R 29 E, WM; 700 FEET NORTH AND 780 FEET WEST FROM THE S $\frac{1}{4}$ CORNER, SECTION 22, or its equivalent in case of rotation, measured at the point of diversion from the source.

The authorized place of use is located as follows:

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 12.8 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 22.0 ACRES
SECTION 16
TOWNSHIP 3 NORTH, RANGE 29 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 applicant proposes to add an additional point of diversion to:

SW $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 31, T 3 N, R 30 E, WM; 430 FEET NORTH AND 450 FEET EAST FROM THE SOUTHWEST CORNER, SECTION 31.

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

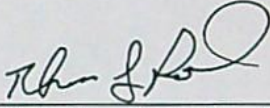
1. The proposed change shall be completed on or before October 1, 1999.
2. The quantity of water diverted at the new point of diversion, together with that diverted at the old diversion, shall not exceed the quantity of water lawfully available at the original point of diversion.
3. The water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

4. 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.
5. Water shall be acquired from the same surface water source as the original point of diversion.

Certificates 2586 and 2535 are canceled. A new certificate will be issued to confirm that portion of the right NOT involved in this transfer. When satisfactory proof of the completed change is received, new certificates confirming these water rights will be issued.

WITNESS the signature of the Water Resources Director,

affixed JUN 24 1998.


for Martha O. Pagel, Director

STATE OF OREGON
COUNTY OF UMATILLA
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

C. J. GULLIFORD
ECHO, OREGON 97826.

confirms the right to use the waters of the UMATILLA RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION OF 2.2 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Umatilla County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 3, at Page 127. The date of priority is 1883.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.03 CUBIC FOOT PER SECOND, subject to the provisions of paragraphs 24 and 33 of said decree and all other conditions and limitations contained in said decree, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 22, T 3 N, R 29 E, WM; 700 FEET NORTH AND 780 FEET WEST FROM THE SW CORNER, SECTION 22.

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

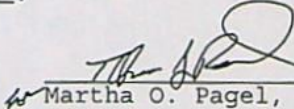
NE $\frac{1}{4}$ SE $\frac{1}{4}$ 2.2 ACRES
SECTION 16
TOWNSHIP 3 NORTH, RANGE 29 EAST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 2535, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered JUN 24 1998, approving Transfer Application 7950.

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 JUN 24 1998.


for Martha O. Pagel, Director

Recorded in State Record of Water Right Certificates numbered 75728.

T-7950.BW



Oregon

John A. Kitzhaber, MD, Governor

Water Resources Department
North Mall Office Building
725 Summer St. NE, Suite A
Salem, OR 97301
Phone 503-986-0900
FAX 503-986-0904
www.wrd.state.or.us

December 8, 2011

Byrd Rental, LLC
P.O. Box 178
Echo, Oregon 97826

Reference: Transfer T-7950

The partial assignment assigning all of the first right to be modified under transfer T-7950, as evidenced by certificate 2586, from Dick Snow to Byrd Rental, LLC has been recorded in the records of the Water Resources Department.

Our records have been changed accordingly and the original request is enclosed. Receipt number 104623 covering the recording fee is also enclosed.

Sincerely,

Jerry Sauter
Water Rights Program Analyst
Water Right Services Division

Enclosure: Receipt 104623

cc: Watermaster 5
Dick Snow
Data Center, OWRD (Complete Copy of Assignment Request)
OWRD Transfers
Hydrographics
File





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

Request for Assignment

If for multiple rights, a separate form and fee for each right will be required.

I, Dick Snow

(Name of Applicant / Permit / Transfer Holder / License Holder/GR Certificate of Registration)

33263 Oregon Trail Rd. Echo OR 97826 (541) 376-8231
 (Mailing Address) (City) (State) (Zip) (Phone #)

- hereby assign all my interest in and to application/permit/transfer/license/GR Certificate of Registration;
- hereby assign all my interest in and to a portion of ~~application/permit/transfer/license/GR Certificate of Registration~~ application/permit/transfer/license/GR Certificate of Registration (You must include a map showing the portion of the application/permit/transfer/license/GR Certificate of Registration to be assigned.)
 Assigning all of the first right to be modified in transfer 7950.
- hereby assign a portion of my interest in and to the entire application/permit/transfer/license/GR Certificate of Registration:

Application # _____; Permit # _____; Transfer # 7950
 -OR-

License # _____; GR Statement # _____; GR Certificate of Registration # _____

As filed in the office of the Water Resources Director, to:

Byrd Rental, LLC, ATTN: Susan Marie Byrd
 (Name of New Owner)

33263 Oregon Trail Rd. P.O. Box 178 Echo OR 97826 (541) 376-8231
 (Mailing Address) (City) (State) (Zip) (Phone #)

Note: If there are other owners of the property described in the Application, Permit, Transfer, License, or GR Certificate of Registration, you must provide a list of all other owners' names and mailing addresses and attach it to this form.

I hereby certify that I have notified all other owners of the property described in this Application, Permit, Transfer, License, or GR Certificate of Registration of this Request for Assignment

Witness my hand this 29 day of Nov, 20 11.

Applicant/Permit Holder Dick Snow

Applicant/Permit Holder _____

ASSIGNMENT 12/8/2011

DO NOT WRITE IN THIS BOX

- This certifies assignment and record change at Oregon Water Resources Department effective 8:00a.m. on date of receipt at Salem, Oregon
- Fee receipt # 104623
- For Director by Jerry Sauter, Program Analyst in Water Rights Division

The completed "Request for Assignment" form *must* be submitted to the Department along with the recording fee of \$75.

RECEIVED
 DEC 07 2011
 WATER RESOURCES DEPT
 SALEM, OREGON



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

Request for Assignment

If for multiple rights, a separate form and fee for each right will be required.

I, Dick Snow
 (Name of Applicant / Permit / Transfer Holder / License Holder/GR Certificate of Registration)

33263 Oregon Trail Rd. Echo OR 97826 (541) 376-8231
 (Mailing Address) (City) (State) (Zip) (Phone #)

- hereby assign all my interest in and to application/permit/transfer/license/GR Certificate of Registration;
- hereby assign all my interest in and to a portion of application/permit/transfer/license/GR Certificate of Registration. (You must include a map showing the portion of the application/permit/transfer/license/GR Certificate of Registration to be assigned.) Assigning all of the first right to be modified in transfer 7950.
- hereby assign a portion of my interest in and to the entire application/permit/transfer/license/GR Certificate of Registration:

Application # _____; Permit # _____; Transfer # 7950

-OR-

License # _____; GR Statement # _____; GR Certificate of Registration # _____

As filed in the office of the Water Resources Director, to:

Byrd Rental, LLC, ATTN: Susan Marie Byrd
 (Name of New Owner)

33263 Oregon Trail Rd. P.O. Box 178 Echo OR 97826 (541) 376-8231
 (Mailing Address) (City) (State) (Zip) (Phone #)

Note: If there are other owners of the property described in the Application, Permit, Transfer, License, or GR Certificate of Registration, you must provide a list of all other owners' names and mailing addresses and attach it to this form.

I hereby certify that I have notified all other owners of the property described in this Application, Permit, Transfer, License, or GR Certificate of Registration of this Request for Assignment

Witness my hand this 29 day of Nov, 2011.

Applicant/Permit Holder Dick Snow

Applicant/Permit Holder _____

ASSIGNMENT 12/8/2011

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- Fee receipt # 104623
- For Director by Jerry Sauter, Program Analyst in Water Rights Division

The completed "Request for Assignment" form *must* be submitted to the Department along with the recording fee of \$75.

RECEIVED

DEC 07 2011

WATER RESOURCES DEPT
 SALEM, OREGON



Oregon

John A. Kitzhaber, MD, Governor

Water Resources Department
North Mall Office Building
725 Summer St. NE, Suite A
Salem, OR 97301
Phone 503-986-0900
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December 8, 2011

Byrd Rental, LLC
P.O. Box 178
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Reference: Transfer T-7950

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Jerry Sauter
Water Rights Program Analyst
Water Right Services Division

Enclosure: Receipt 104623

cc: Watermaster 5
Dick Snow
Data Center, OWRD (Complete Copy of Assignment Request)
OWRD Transfers
Hydrographics
File



STATE OF OREGON

COUNTY OF UMATILLA

ORDER APPROVING AN ADDITIONAL 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 7950 submitted by

DICK SNOW
33263 OREGON TRAIL ROAD
ECHO, OREGON 97826.

The first right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for Umatilla County as evidenced by Certificate 2586. The decree is recorded in the Order Record of the Water Resources Director in Volume 3, at Page 127. The date of priority is 1883.

The right allows the use of the UMATILLA RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION OF 2.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.03 cubic foot per second, subject to the provisions of paragraphs 24 and 33 of the decree, and if available at the authorized point of diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 22, T 3 N, R 29 E, WM; 700 FEET NORTH AND 780 FEET WEST FROM THE SW $\frac{1}{4}$ CORNER, SECTION 22, or its equivalent in case of rotation, measured at the point of diversion from the source.

The authorized place of use is located as follows:

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 2.0 ACRES
SECTION 21
TOWNSHIP 3 NORTH, RANGE 29 EAST, W.M.

The second right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for Umatilla County as evidenced by a PORTION of Certificate 2535. The decree is recorded in the Order Record of the Water Resources Director in Volume 3, at Page 127. The date of priority is 1883.

T-7950.BW

Special Order Volume 52, Page 583

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DEC 07 2011
WATER RESOURCES DEPT
SALEM, OREGON

The right allows the use of the UMATILLA RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION OF 34.8 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.43 cubic foot per second, subject to the provisions of paragraphs 24 and 33 of the decree, and if available at the authorized point of diversion: SE¼ SW¼, SECTION 22, T 3 N, R 29 E, WM; 700 FEET NORTH AND 780 FEET WEST FROM THE SW CORNER, SECTION 22, or its equivalent in case of rotation, measured at the point of diversion from the source.

The authorized place of use is located as follows:

NE¼ SE¼ 12.8 ACRES
SE¼ SE¼ 22.0 ACRES
SECTION 16
TOWNSHIP 3 NORTH, RANGE 29 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 applicant proposes to add an additional point of diversion to:

SW¼ SW¼, SECTION 31, T 3 N, R 30 E, WM; 430 FEET NORTH AND 450 FEET EAST FROM THE SOUTHWEST CORNER, SECTION 31.

THIS 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, 1999.
2. The quantity of water diverted at the new point of diversion, together with that diverted at the old diversion, shall not exceed the quantity of water lawfully available at the original point of diversion.
3. The water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

T-7950.BW

Special Order Volume 52, Page 584.

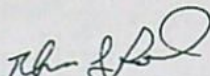
RECEIVED
DEC 07 2011
WATER RESOURCES DEPT
SALEM, OREGON

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

Certificates 2586 and 2535 are canceled. A new certificate will be issued to confirm that portion of the right NOT involved in this transfer. When satisfactory proof of the completed change is received, new certificates confirming these water rights will be issued.

WITNESS the signature of the Water Resources Director,

affixed JUN 24 1998.


for Martha O. Pagel, Director

T-7950.BW

Special Order Volume 52, Page 585.

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DEC 07 2011
WATER RESOURCES DEPT
SALEM, OREGON

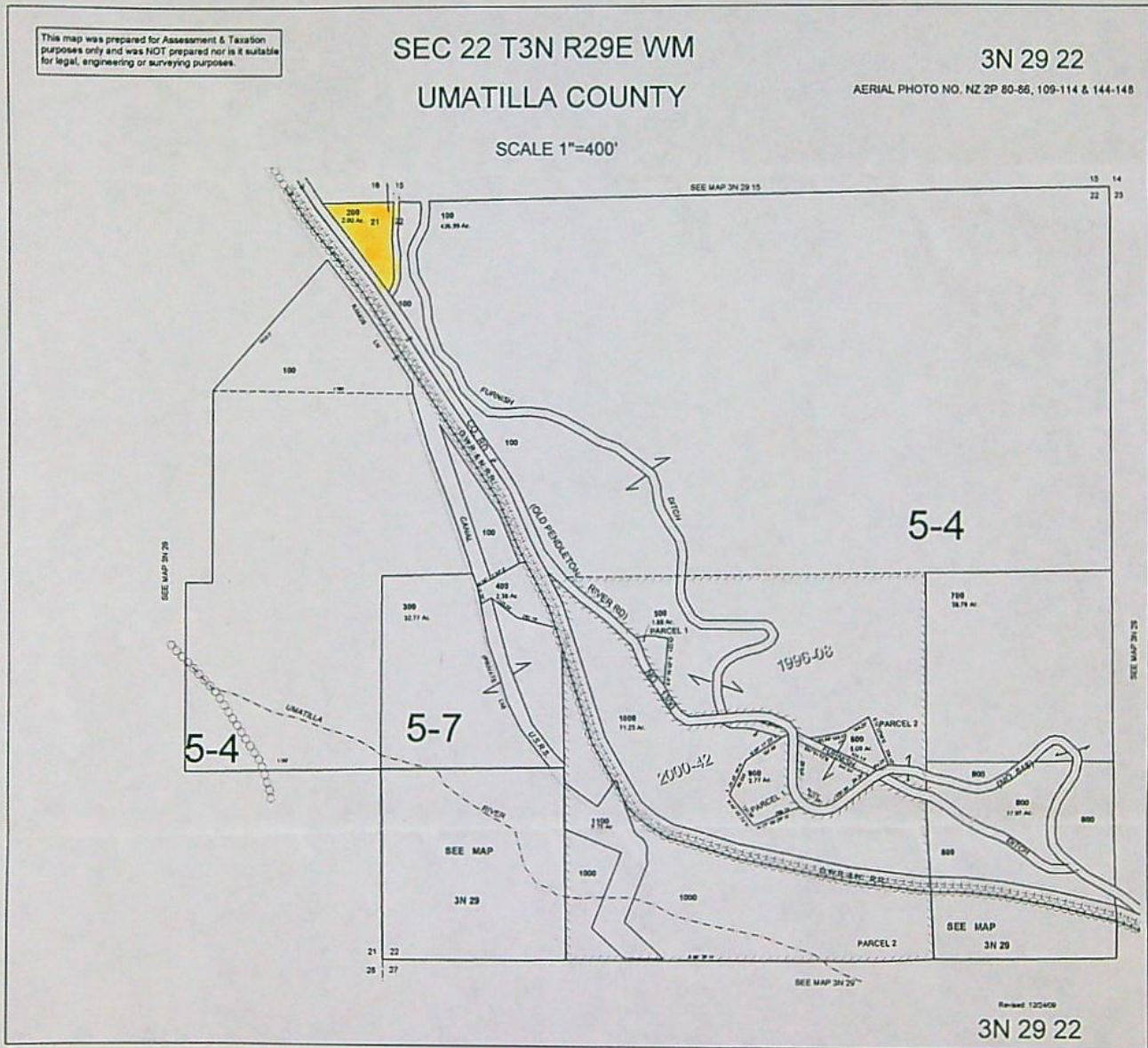
This map was prepared for Assessment & Taxation purposes only and was NOT prepared nor is it suitable for legal, engineering or surveying purposes.

SEC 22 T3N R29E WM
UMATILLA COUNTY

3N 29 22

AERIAL PHOTO NO. NZ 2P 80-86, 109-114 & 144-148

SCALE 1"=400'

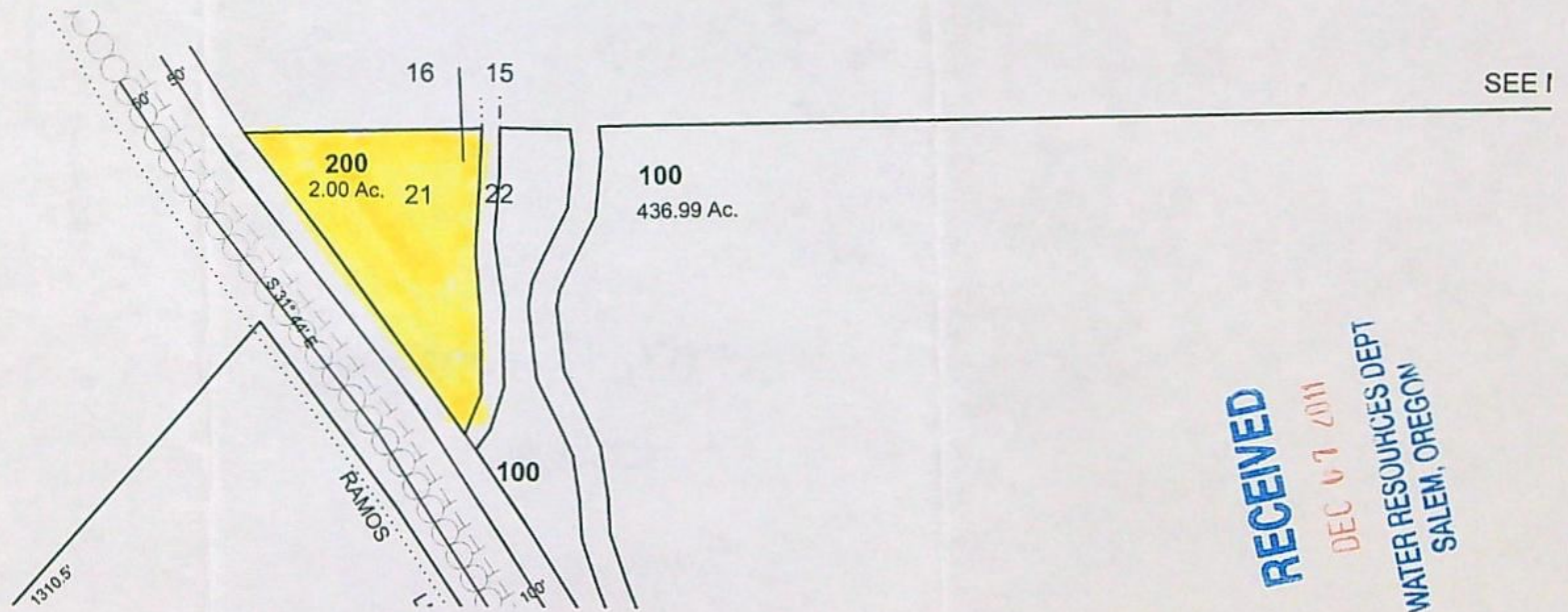


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DEC 07 2011
WATER RESOURCES DEPT
SALEM, OREGON

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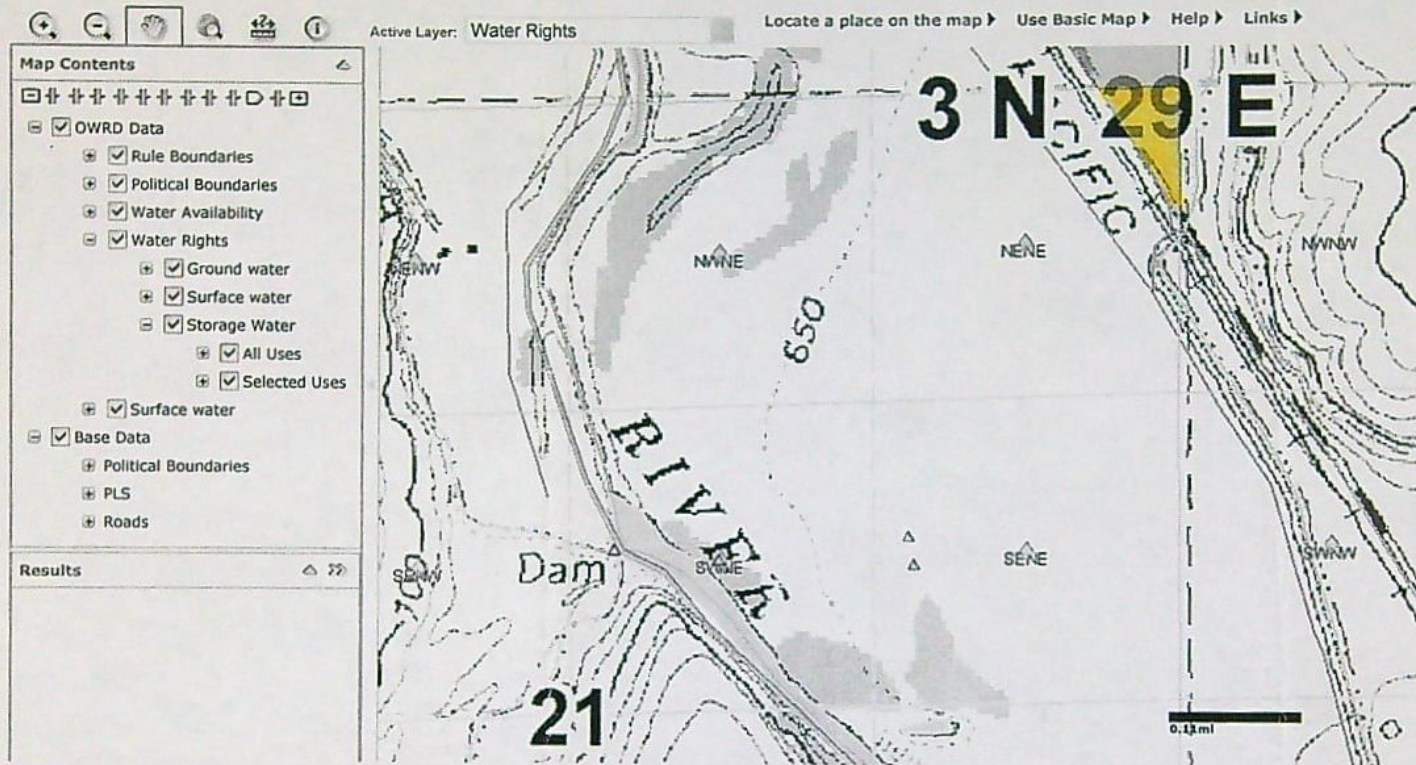
SEC 22 T3N R29E WM UMATILLA COUNTY

SCALE 1"=400'



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DEC 07 2011
WATER RESOURCES DEPT
SALEM, OREGON

Oregon Water Resources Web Mapping Application (beta)



RECEIVED
 DEC 07 2011
 WATER RESOURCES DEPT
 SALEM, OREGON

COREY, BYLER, REW, LORENZEN & HOJEM, L.L.P.
ATTORNEYS AT LAW

STEVEN H. COREY*
HENRY C. LORENZEN
DOUGLAS E. HOJEM
DAVID M. BLANC*
TIMOTHY P. O'ROURKE
STEVEN N. THOMAS
KARIN E. DALLAS
JENNIFER E. CURRIN
PATRICK M. GREGG

222 S.E. DORION AVE.
P.O. BOX 218
PENDLETON, OREGON 97801-0218

TELEPHONE (541) 276-3331
FAX (541) 276-3148

GEORGE H. COREY, DECEASED
ALEX M. BYLER, DECEASED
LAWRENCE B. REW, DECEASED
ROBERT E. O'ROURKE, RETIRED

*Admitted in Oregon and Washington

December 5, 2011

Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266

Re: Request for Assignment
Our File No. 107-322

Dear Administrators:

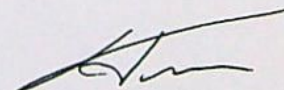
Enclosed please find Mr. Dick Snow's Request for Assignment of the FIRST RIGHT ONLY under Transfer #7950, as marked in the enclosed copy of Special Order Approving an Additional Point of Diversion Volume 52, page 583, and on the three enclosed maps.

The right is to be assigned to Byrd Rental, LLC.

Byrd Rental, LLC's check number 1192 is enclosed, in the amount of \$75.00, for the recording fee.

Please let us know if you need any additional information. Thank you.

Sincerely yours,



Timothy P. O'Rourke

Encs.

cc: Mr. Dick Snow (w/out encs.)

RECEIVED
DEC 07 2011
WATER RESOURCES DEPT
SALEM, OREGON

Memo

To: Transfer File # T-7950

From: Teri Hranac



Date: May 26, 2009

Re: Place of Use

The place of use for Certificate 2586 was listed incorrectly in the Umatilla Decree. The place of use was corrected by a Judgment of the Umatilla County Circuit Court on May 24, 1994 in Case CV 940202. The correct place of use is:

2 acres NENE, Section 21, Township 3 North, Range 29 E.W.M., Umatilla County, Oregon

When a new certificate is issued for transfer T-7950, reference should be made to the above judgment and change in the place of use.

FILED
DISTRICT COURT
JULY 25 1994

1994 MAY 24 PM 4 25

TRIAL COURT ADMINISTRATOR

BY BJS

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

In the Matter of the Determination)
of the Relative Rights of the)
Various Claimants to the Waters of)
the Umatilla River and its)
Tributaries, a Tributary of the)
Columbia River, in Umatilla County,)
Oregon,)
HARRY RICHARD SNOW and SHIRLEY)
SNOW,)
Petitioners.)

Case No. CV 940202

JUDGMENT

THIS MATTER having come on regularly before this Court pursuant to a Petition to Correct the Umatilla Decree filed by Harry Richard Snow and Shirley Snow and the Court being fully advised in premises finds as follows:

1. On September 9, 1916 a Decree was entered granting certain water rights out of the Umatilla River.

2. Petitioners Harry Richard Snow and Shirley Snow filed a Petition to Correct the Umatilla Decree on March 4, 1994. The Order Prescribing Notice to Interested Persons was signed by the undersigned Circuit Court Judge on March 30, 1994. An

KOTTKAMP & O'ROURKE
ATTORNEYS AT LAW
331 S.E. 2ND - P.O. BOX 450
PENDLETON, OREGON 97901
TELEPHONE (503) 276-2141

8

1 Date of No. of Name of
1 Affidavit of Publication has been filed herein indicating that
2 the Petition to Correct Decree was published in accordance with
3 the Order of the undersigned Circuit Court Judge and that
4 Affidavit establishes that publication of notice took place April
5 15, 22, 29, and May 6, 1994. No interested party has answered or
6 made an appearance herein although the time provided therefore
7 has expired.

8 3. The water rights which are the subject of the
9 Petition to Correct Decree are set forth in Exhibit A (bordered),
10 attached hereto, and by this reference incorporated herein.

11 4. Petitioners Harry Richard Snow and Shirley Snow now
12 own the land and water rights set forth in Exhibit A (bordered).

13 5. The Umatilla Decree is in error as a result of the
14 following typographic error:

15 The Decree sets forth a 2 acre water right
16 in the Northeast Quarter Northwest Quarter
17 of Section 21. The true and actual
18 description of the property to which the 2
19 acre water right is appurtenant is the
20 Northeast Quarter Northeast Quarter.

21 Pursuant to the Petition to Correct Umatilla Decree
22 filed by Harry Richard Snow and Shirley Snow and the findings
23 made herein, IT IS HEREBY ORDERED AND ADJUDGED as follows:

24 1. The original Umatilla River Decree and its Amend-
25 ments are hereby further amended and corrected to state that the
26 true legal description for the water rights set forth in Exhibit
A (bordered) is:

//

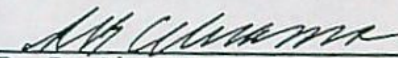
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<u>Appropriator</u>	<u>Date of Priority</u>	<u>CFS</u>	<u>No. of Acres</u>	<u>Use</u>	<u>Name of Ditch</u>	<u>Stream</u>
McCullough, Lucinda	1883	.03	2	Irrigation	Henrietta Mill	Main

Legal Description: 2 acres in the Northeast Quarter
Northeast Quarter, Section 21,
Township 3 North, Range 29, EWM,
Umatilla County, Oregon

IT IS FURTHER ORDERED AND ADJUDGED that the Oregon Water
Resources Department shall issue a new certificate of water right
verifying the above-described modification. Such new certificate
is intended to supersede and replace Certificate No. 2586.

DATED this 24th day of May, 1994.



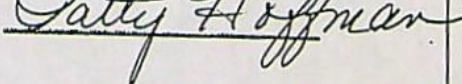
R. B. Abrams
Circuit Court Judge

Submitted by
Stephen M. Bloom
OSB No. 77118
Trial Attorney



CERTIFIED TO BE A TRUE AND
CORRECT COPY OF THE ORIGINAL

Dated 6-2 19 94
TRIAL COURT ADMINISTRATOR

By 

KOTTKAMP & O'ROURKE
ATTORNEYS AT LAW
331 S.E. 2ND - P.O. BOX 480
PENDLETON, OREGON 97801
TELEPHONE (503) 276-2141

STATE OF OREGON

WATER DIVISION NO. 2 COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

(For Rights which have been confirmed by the Courts)

This is to Certify, That LUCINDA McCULLOUGH of Echo State of Oregon has a right to the use of the waters of Umatilla River, a tributary of the Columbia River,

for the purpose of the irrigation of 2 acres of land, domestic and stock use,

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Umatilla 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 34, at page 127 ; that the priority of the right hereby confirmed dates from 1883

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 .003 cubic feet per second, subject to the provisions of paragraph 33 of said decree and 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: 2 acres in the Northeast quarter of Northwest quarter of Section Twenty-one; Township Three North, Range Twenty-nine East of Willamette Meridian, in Umatilla 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 of Oregon affixed this 29th day

of December . 19 19 .

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 37 page 2583

2586 cert

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

In the Matter of the Determination)
of the Relative Rights of the)
Various Claimants to the Waters of) Case No. CV 94 _____
the Umatilla River and its)
Tributaries, a Tributary of the)
Columbia River, in Umatilla County,) PETITION TO CORRECT DECREE
Oregon,)
HARRY RICHARD SNOW and SHIRLEY)
SNOW,)
Petitioners.)

COMES NOW the Petitioners, Harry Richard Snow and
Shirley Snow, by and through their attorneys, Kottkamp &
O'Rourke, and allege as follows:

1

Petitioners are the owners of the following described
real property in Umatilla County, Oregon:

2 acres in the Northeast Quarter Northeast
Quarter, Section 21, Township 3 North, Range
29, E.W.M.

2

On September 9, 1916 a Decree was entered herein grant-

KOTTKAMP & O'ROURKE
ATTORNEYS AT LAW
331 S.E. 2ND - P.O. BOX 400
PENDLETON, OREGON 97801
TELEPHONE (903) 276-2141

1 ing certain water rights out of the Umatilla River. Those rights
2 are set forth in Exhibit A (bordered) attached hereto and by this
3 reference incorporated herein.

4 3

5 Petitioners now own the land and water rights described
6 in paragraph 3 in Exhibit A. The Decree is in error as the
7 result of the following typographical error:

8 The Decree sets forth a 2 acre water right in
9 the Northeast Quarter Northwest Quarter of
10 Section 21. The true and actual description
11 of the property to which the 2 acre water
12 right is appurtenant is the Northeast Quarter
13 Northeast Quarter.

14 4

15 The original Umatilla River Decree and its amendments
16 should be further amended and corrected to state that the true
17 legal description for the water rights set forth in paragraph 3
18 in Exhibit A is "Northeast Quarter Northeast Quarter, Section 21,
19 Township 3 North, Range 29, E.W.M., Umatilla County, Oregon."

20 5

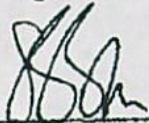
21 Pursuant to the Decree and amendments, the following
22 certificates were issued: Lucinda McCullough, Certificate No.
23 1586.

24 WHEREFORE, Petitioners pray for a Decree of the Court
25 correcting the original Decree, as amended, entered September 9,
26 1916 to correct the typographical error in the Decree to reflect
27 that the above-referenced water rights are appurtenant to the 2
28 acres in the Northeast Quarter Northeast Quarter, Section 21,

1 Township 3 North, Range 29, E.W.M., Umatilla County, Oregon.
 2 Additionally, Petitioners pray that a new certificate be issued
 3 showing said correction.

4 DATED this 3 day of March, 1994.

5 KOTTKAMP & O'ROURKE
 6 Attorneys for Petitioners

7
 8 By 
 9 Stephen M. Bloom
 OSB No. 77118
 Trial Attorney

KOTTKAMP & O'ROURKE
 ATTORNEYS AT LAW
 331 S.E. 2ND - P.O. BOX 490
 PENDLETON, OREGON 97801
 TELEPHONE (503) 276-2141

<p>2574 Maxwell Land & Irrigation Co., by J. F. McNaught, Pres., Pendleton, Ore. (Finding #9 Contests 1, 18 & 28)</p>	<p>1864 3.0</p>	<p>Domestic Municipal</p>	<p>Minnehaha Springs</p>	<p>Location of Spring, Sec. 21 T. 4 N. R. 28 E.W.M., near the NW corner thereof.</p>
<p>2585 McBea, Chas., (Transferred to Geo. Gredahl) (Finding #9 Contest 159)</p>	<p>1880 1.06 85</p>	<p>Irrigation</p>	<p>Birch</p>	<p>8 acres in NE$\frac{1}{4}$ NW$\frac{1}{4}$ 8 acres in NW$\frac{1}{4}$ NW$\frac{1}{4}$ 27 acres in SE$\frac{1}{4}$ NW$\frac{1}{4}$ 18$\frac{1}{2}$ acres in NW$\frac{1}{4}$ SE$\frac{1}{4}$ Sec. 19 15 acres in NE$\frac{1}{4}$ NW$\frac{1}{4}$ 8$\frac{1}{2}$ acres in NW$\frac{1}{4}$ NW$\frac{1}{4}$ Sec. 30 T. 2 N.R. 32 E.W.M.</p>
<p>2586 McCallough, Lucinda Kaho, Ore.</p>	<p>1883 .03 2</p>	<p>Irrigation</p>	<p>Haurietta Mill</p>	<p>Main 2 acres in NE$\frac{1}{4}$ NW$\frac{1}{4}$ Sec. 21 T. 3 N.R. 29 E.W.M.</p>
<p>2592 McManus, John P. Pres. Appleburg Water Co., Pilot Rock, Ore. (Findings #17,9, Contest 169)</p>	<p>May 1909 2.61 209</p>	<p>Irrigation</p>	<p>Appleburg Water Co.</p>	<p>Birch (East) 21 acres in NE$\frac{1}{4}$ NW$\frac{1}{4}$ 37 acres in NW$\frac{1}{4}$ NW$\frac{1}{4}$ 24 acres in SW$\frac{1}{4}$ NW$\frac{1}{4}$ 8 acres in SE$\frac{1}{4}$ NW$\frac{1}{4}$ Sec. 28 19 acres in NW$\frac{1}{4}$ SE$\frac{1}{4}$ 11 acres in NE$\frac{1}{4}$ NW$\frac{1}{4}$ 20 acres in SE$\frac{1}{4}$ SE$\frac{1}{4}$ 19 acres in SE$\frac{1}{4}$ NW$\frac{1}{4}$ Sec. 21 25 acres in SW$\frac{1}{4}$ NW$\frac{1}{4}$ 25 acres in NW$\frac{1}{4}$ NW$\frac{1}{4}$ 10 acres in SW$\frac{1}{4}$ SE$\frac{1}{4}$ Sec. 20 T. 1 S.R. 32 E.W.M. (See State Eng. Permit #237)</p>
<p>2594 Morrison, Rob't Adams, Ore.</p>	<p>1902</p>	<p>Domestic</p>	<p>Wild Horse</p>	<p>Place of user NW$\frac{1}{4}$ NW$\frac{1}{4}$ Sec. 3 T. 3 N.R. 34 E.W.M.</p>
<p>2598 Myers, Chas. H. (Transferred to State of Oregon)</p>	<p>May 1894 .31 25</p>	<p>Irrigation</p>	<p>Wheel</p>	<p>Main 2 acres in NW$\frac{1}{4}$ NE$\frac{1}{4}$ 23 acres in SW$\frac{1}{4}$ NW$\frac{1}{4}$ Sec. 9 T. 2 N.R. 32 E.W.M.</p>
<p>2599 Nowquist, O. P. Pendleton, Ore. (Findings #13, 9 Contest 165)</p>	<p>May 1908 .63 50</p>	<p>Irrigation Domestic Stock</p>	<p>Alcott chg. in pt. of div. Sp. Or Vol. 2, p. 601</p>	<p>Birch 10 acres in NW$\frac{1}{4}$ NW$\frac{1}{4}$ 25 acres in SW$\frac{1}{4}$ NW$\frac{1}{4}$ 15 acres in NW$\frac{1}{4}$ SW$\frac{1}{4}$ Sec. 29 T. 2 N.R. 32 E.W.M.</p>
<p>2599 O'Brien, R.M. Pendleton, Ore.</p>	<p>Feb. 1898 .06 5</p>	<p>Irrigation</p>	<p>O'Brien Springs</p>	<p>5 acres in SW$\frac{1}{4}$ SE$\frac{1}{4}$ Sec. 1 T. 2 N.R. 32 E.W.M.</p>

EXHIBIT A
PAGE 1

STATE OF OREGON

COUNTY OF UMATILLA

ORDER APPROVING AN ADDITIONAL 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 7950 submitted by

DICK SNOW
33263 OREGON TRAIL ROAD
ECHO, OREGON 97826.

The first right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for Umatilla County as evidenced by Certificate 2586. The decree is recorded in the Order Record of the Water Resources Director in Volume 3, at Page 127. The date of priority is 1883.

The right allows the use of the UMATILLA RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION OF 2.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.03 cubic foot per second, subject to the provisions of paragraphs 24 and 33 of the decree, and if available at the authorized point of diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 22, T 3 N, R 29 E, WM; 700 FEET NORTH AND 780 FEET WEST FROM THE SW CORNER, SECTION 22, or its equivalent in case of rotation, measured at the point of diversion from the source.

The authorized place of use is located as follows:

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 2.0 ACRES
SECTION 21
TOWNSHIP 3 NORTH, RANGE 29 EAST, W.M.

The second right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for Umatilla County as evidenced by a PORTION of Certificate 2535. The decree is recorded in the Order Record of the Water Resources Director in Volume 3, at Page 127. The date of priority is 1883.

The right allows the use of the UMATILLA RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION OF 34.8 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.43 cubic foot per second, subject to the provisions of paragraphs 24 and 33 of the decree, and if available at the authorized point of diversion: SE¼ SW¼, SECTION 22, T 3 N, R 29 E, WM; 700 FEET NORTH AND 780 FEET WEST FROM THE SW¼ CORNER, SECTION 22, or its equivalent in case of rotation, measured at the point of diversion from the source.

The authorized place of use is located as follows:

NE¼ SE¼	12.8 ACRES
SE¼ SE¼	22.0 ACRES
SECTION 16	
TOWNSHIP 3 NORTH, RANGE 29 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 applicant proposes to add an additional point of diversion to:

SW¼ SW¼, SECTION 31, T 3 N, R 30 E, WM; 430 FEET NORTH AND 450 FEET EAST FROM THE SOUTHWEST CORNER, SECTION 31.

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

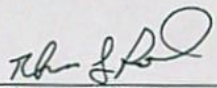
1. The proposed change shall be completed on or before October 1, 1999.
2. The quantity of water diverted at the new point of diversion, together with that diverted at the old diversion, shall not exceed the quantity of water lawfully available at the original point of diversion.
3. The water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

4. 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.
5. Water shall be acquired from the same surface water source as the original point of diversion.

Certificates 2586 and 2535 are canceled. A new certificate will be issued to confirm that portion of the right NOT involved in this transfer. When satisfactory proof of the completed change is received, new certificates confirming these water rights will be issued.

WITNESS the signature of the Water Resources Director,



affixed JUN 24 1998.


for Martha O. Pagel, Director

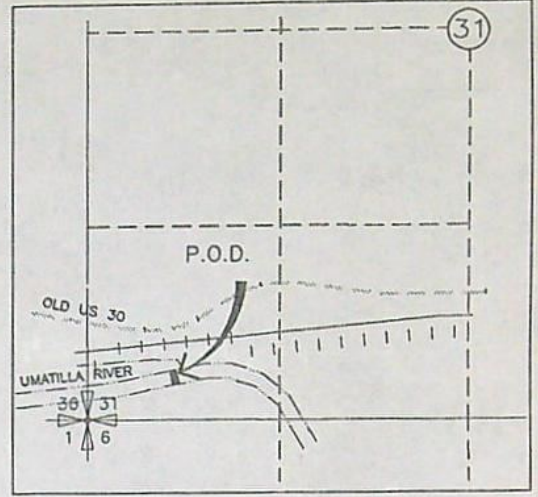
RECEIVED

MAR 04 1998
WATER RESOURCES DEPT
STHEM, OREGON

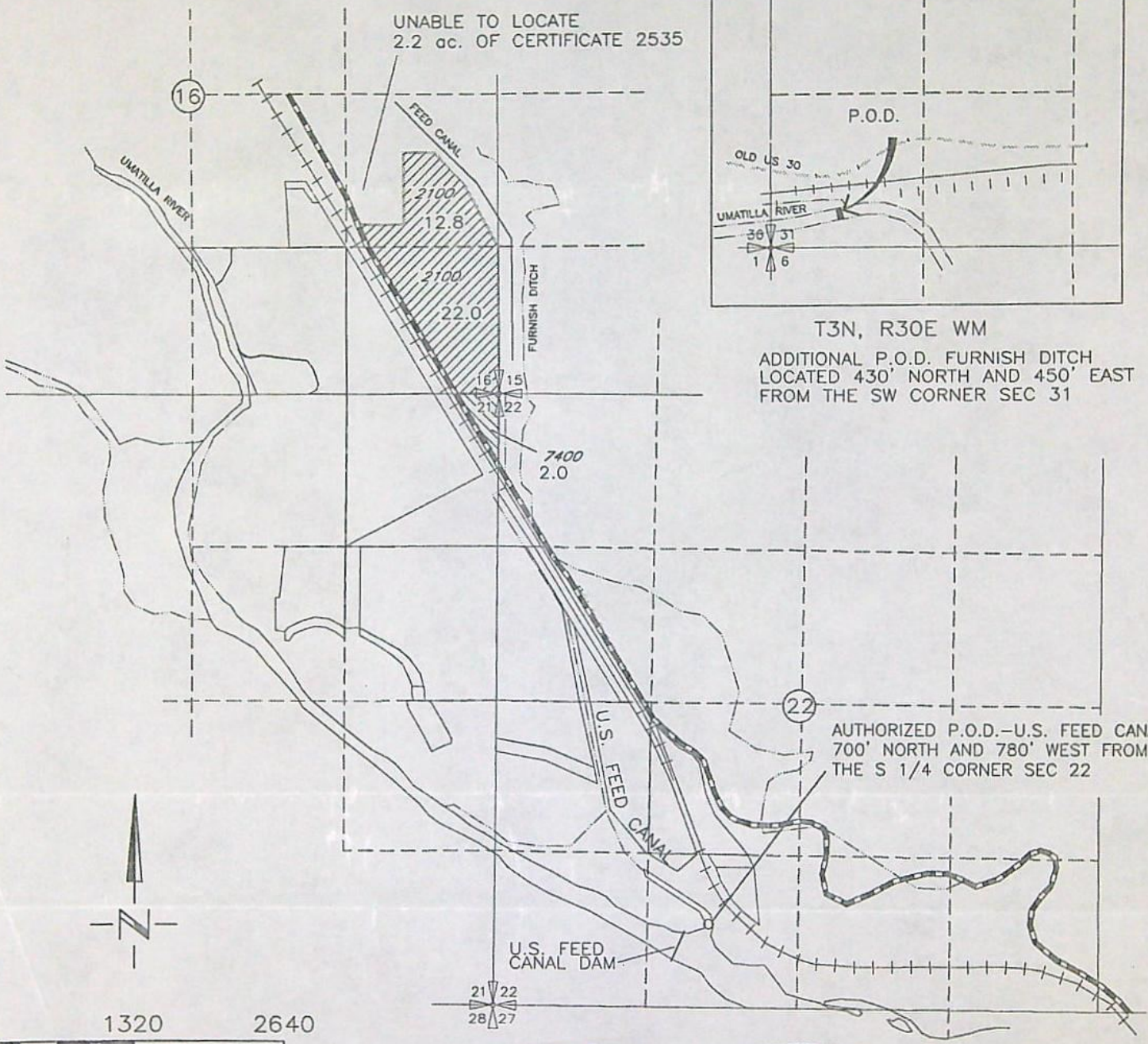
DICK SNOW TRANSFER MAP REQUESTING ADDITIONAL POINT OF DIVERSION FOR DECREE WATER RIGHT CERTIFICATE 2586 AND CERTIFICATE 2535 T.3N. R.29E.

 CERTIFICATE 2535  CERTIFICATE 2586

UNABLE TO LOCATE
2.2 ac. OF CERTIFICATE 2535



T3N, R30E WM
ADDITIONAL P.O.D. FURNISH DITCH
LOCATED 430' NORTH AND 450' EAST
FROM THE SW CORNER SEC 31




AUTHORIZED P.O.D.—U.S. FEED CANAL
700' NORTH AND 780' WEST FROM
THE S 1/4 CORNER SEC 22

T-7950

Certified Water Right Examining
#333 WRE
Dale G. VanSchoiack
Dale G. VanSchoiack
May 19, 1992
2/25/98
STATE OF OREGON

NOTE:
THE PURPOSE OF THIS MAP IS TO IDENTIFY THE APPROXIMATE LOCATION
OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION
RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.

 **SCM** Consultants, Inc. Architects & Engineers
Kennewick, WA 99336

3522.022
3522022R.DWG
2/25/98

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Dick Snow
33263 Oregon Trail Road
Echo, Oregon 97826

2. Article Number (Copy from service label)

P56303

PS Form 3811, July 1999 T-7950 Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Received by (Please Print Clearly) B. Date of Delivery

Dick Snow 8-14-00

C. Signature

X

Dick Snow

-
- Agent
-
-
- Addressee

D. Is delivery address different from item 1? YesIf YES, enter delivery address below: No

3. Service Type

-
- Certified Mail
-
- Express Mail
-
-
- Registered
-
- Return Receipt for Merchandise
-
-
- Insured Mail
-
- C.O.D.

4. Restricted Delivery? (Extra Fee)

 Yes

102595-99-M-1789

UNITED STATES POSTAL SERVICE

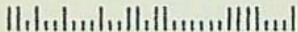


SALEM OR 97301 23:27 PM 17/00

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

- Sender: Please print your name, address, and ZIP+4 in this box •

**Water Resources Dept
Commerce Building
158 12th Street NE
Salem OR 97301-4172**





Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
FAX (503) 378-8130

July 1, 2000

Dick Snow
33263 Oregon Trail Road
Echo, Oregon 97826

REFERENCE: Transfer 7950

This letter is in regard to your water use Transfer 7950. As we pointed out to you in our letter of October 8, 1999, your claim of beneficial use must be received in this office by October 1, 2000.

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

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

You are hereby notified that unless your claim is received in 90 days, by October 1, 2000, 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,

BERNADETTE WILLIAMS
Transfer Coordinator

BW:gjt

cc: Tony Justus, Watermaster 5
Dale VanSchoiack, CWRE

CERTIFIED MAIL - RETURN RECEIPT REQUESTED





Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

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

October 8, 1999

Dick Snow
33263 Oregon Trail Road
Echo, Oregon 97826

REFERENCE FILE: T-7950

The date for the completion of your transfer was October 1, 1999.

If the project was completed, you should submit a final proof survey of the completed change. If you were unable to complete the project within the time allowed, you may wish to request an extension of the time limits. A form will be furnished upon request.

In order to obtain a certificate of water right, you are required by law to hire a certified water right examiner to conduct the final proof survey of the completed change. This must be done within one year after the use was completed or within one year after the beneficial use date allowed in the order, whichever occurs first. Accordingly, the claim of beneficial use must be received in this office on or before **October 1, 2000**.

Upon receipt of the map and claim of beneficial use, the information will be reviewed and a brief field inspection may be conducted by a representative of this office. Following that, a proposed certificate of water right will be mailed to you for a review.

If you are no longer interested in the project, please let us know. We will provide forms for you to authorize the cancellation of the right.

If you have any questions, please contact me at extension 275 at 503-378-3739 or toll-free 1-800-624-3199.

Sincerely,

LARRY H. NUNN
Transfer Section

LHN:hw

cc: Tony Justus, Watermaster
Dale VanSchoiack, CWRE





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

June 29, 1998

DICK SNOW
33263 OREGON TRAIL RD
ECHO OR 97826

REFERENCE: File T-7950

Enclosed is a copy of the order approving your water right transfer application T-7950.

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

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

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

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

Sincerely,

LARRY H. NUNN
Water Rights Specialist

LHN:jh

Enclosures

cc: Tony Justus, Watermaster
Dale VanSchoiack, CWRE

STATE OF OREGON
COUNTY OF UMATILLA
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

C. J. GULLIFORD
ECHO, OREGON 97826.

confirms the right to use the waters of the UMATILLA RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION OF 2.2 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Umatilla County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 3, at Page 127. The date of priority is 1883.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.03 CUBIC FOOT PER SECOND, subject to the provisions of paragraphs 24 and 33 of said decree and all other conditions and limitations contained in said decree, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 22, T 3 N, R 29 E, WM; 700 FEET NORTH AND 780 FEET WEST FROM THE SW CORNER, SECTION 22.

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

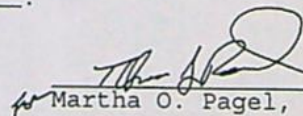
NE $\frac{1}{4}$ SE $\frac{1}{4}$ 2.2 ACRES
SECTION 16
TOWNSHIP 3 NORTH, RANGE 29 EAST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 2535, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered JUN 24 1998, approving Transfer Application 7950.

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 JUN 24 1998.


Martha O. Pagel, Director

Recorded in State Record of Water Right Certificates numbered 75728.

T-7950.BW

STATE OF OREGON

COUNTY OF UMATILLA

ORDER APPROVING AN ADDITIONAL 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 7950 submitted by

DICK SNOW
33263 OREGON TRAIL ROAD
ECHO, OREGON 97826.

The first right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for Umatilla County as evidenced by Certificate 2586. The decree is recorded in the Order Record of the Water Resources Director in Volume 3, at Page 127. The date of priority is 1883.

The right allows the use of the UMATILLA RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION OF 2.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.03 cubic foot per second, subject to the provisions of paragraphs 24 and 33 of the decree, and if available at the authorized point of diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 22, T 3 N, R 29 E, WM; 700 FEET NORTH AND 780 FEET WEST FROM THE S $\frac{1}{4}$ CORNER, SECTION 22, or its equivalent in case of rotation, measured at the point of diversion from the source.

The authorized place of use is located as follows:

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 2.0 ACRES
SECTION 21
TOWNSHIP 3 NORTH, RANGE 29 EAST, W.M.

The second right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for Umatilla County as evidenced by a PORTION of Certificate 2535. The decree is recorded in the Order Record of the Water Resources Director in Volume 3, at Page 127. The date of priority is 1883.

The right allows the use of the UMATILLA RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION OF 34.8 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.43 cubic foot per second, subject to the provisions of paragraphs 24 and 33 of the decree, and if available at the authorized point of diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 22, T 3 N, R 29 E, WM; 700 FEET NORTH AND 780 FEET WEST FROM THE S $\frac{1}{4}$ CORNER, SECTION 22, or its equivalent in case of rotation, measured at the point of diversion from the source.

The authorized place of use is located as follows:

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 12.8 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 22.0 ACRES
SECTION 16
TOWNSHIP 3 NORTH, RANGE 29 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 applicant proposes to add an additional point of diversion to:

SW $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 31, T 3 N, R 30 E, WM; 430 FEET NORTH AND 450 FEET EAST FROM THE SOUTHWEST CORNER, SECTION 31.

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

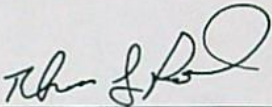
1. The proposed change shall be completed on or before October 1, 1999.
2. The quantity of water diverted at the new point of diversion, together with that diverted at the old diversion, shall not exceed the quantity of water lawfully available at the original point of diversion.
3. The water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

4. 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.
5. Water shall be acquired from the same surface water source as the original point of diversion.

Certificates 2586 and 2535 are canceled. A new certificate will be issued to confirm that portion of the right NOT involved in this transfer. When satisfactory proof of the completed change is received, new certificates confirming these water rights will be issued.

WITNESS the signature of the Water Resources Director,

affixed JUN 24 1998.


for Martha O. Pagel, Director

STATE OF OREGON

COUNTY OF UMATILLA

ORDER APPROVING AN ADDITIONAL 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 7950 submitted by

DICK SNOW
33263 OREGON TRAIL ROAD
ECHO, OREGON 97826.

The first right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for Umatilla County as evidenced by Certificate 2586. The decree is recorded in the Order Record of the Water Resources Director in Volume 3, at Page 127. The date of priority is 1883.

The right allows the use of the UMATILLA RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION OF 2.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.03 cubic foot per second, subject to the provisions of paragraphs 24 and 33 of the decree, and if available at the authorized point of diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 22, T 3 N, R 29 E, WM; 700 FEET NORTH AND 780 FEET WEST FROM THE S $\frac{1}{4}$ CORNER, SECTION 22, or its equivalent in case of rotation, measured at the point of diversion from the source.

The authorized place of use is located as follows:

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 2.0 ACRES
SECTION 21
TOWNSHIP 3 NORTH, RANGE 29 EAST, W.M.

The second right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for Umatilla County as evidenced by a PORTION of Certificate 2535. The decree is recorded in the Order Record of the Water Resources Director in Volume 3, at Page 127. The date of priority is 1883.

The right allows the use of the UMATILLA RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION OF 34.8 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.43 cubic foot per second, subject to the provisions of paragraphs 24 and 33 of the decree, and if available at the authorized point of diversion: SE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 22, T 3 N, R 29 E, WM; 700 FEET NORTH AND 780 FEET WEST FROM THE S $\frac{1}{4}$ CORNER, SECTION 22, or its equivalent in case of rotation, measured at the point of diversion from the source.

The authorized place of use is located as follows:

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 12.8 ACRES

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 22.0 ACRES

SECTION 16

TOWNSHIP 3 NORTH, RANGE 29 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 applicant proposes to add an additional point of diversion to:

SW $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 31, T 3 N, R 30 E, WM; 430 FEET NORTH AND 450 FEET EAST FROM THE SOUTHWEST CORNER, SECTION 31.

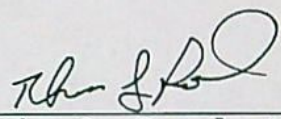
THIS CHANGE TO EXISTING WATER RIGHTS MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed change shall be completed on or before October 1, 1999.
2. The quantity of water diverted at the new point of diversion, together with that diverted at the old diversion, shall not exceed the quantity of water lawfully available at the original point of diversion.
3. The water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

4. 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.
5. Water shall be acquired from the same surface water source as the original point of diversion.

Certificates 2586 and 2535 are canceled. A new certificate will be issued to confirm that portion of the right NOT involved in this transfer. When satisfactory proof of the completed change is received, new certificates confirming these water rights will be issued.

WITNESS the signature of the Water Resources Director,
affixed JUN 24 1998.



For Martha O. Pagel, Director

STATE OF OREGON
COUNTY OF UMATILLA
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

C. J. GULLIFORD
ECHO, OREGON 97826.

confirms the right to use the waters of the UMATILLA RIVER, a tributary of the COLUMBIA RIVER, for IRRIGATION OF 2.2 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Umatilla County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 3, at Page 127. The date of priority is 1883.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.03 CUBIC FOOT PER SECOND, subject to the provisions of paragraphs 24 and 33 of said decree and all other conditions and limitations contained in said decree, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 22, T 3 N, R 29 E, WM; 700 FEET NORTH AND 780 FEET WEST FROM THE SW CORNER, SECTION 22.

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

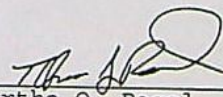
NE $\frac{1}{4}$ SE $\frac{1}{4}$ 2.2 ACRES
SECTION 16
TOWNSHIP 3 NORTH, RANGE 29 EAST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 2535, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered JUN 24 1998, approving Transfer Application 7950.

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 JUN 24 1998.


for Martha O. Pagel, Director

Recorded in State Record of Water Right Certificates numbered 75728.

T-7950.BW

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

T-7950

3522.022

RECEIVED

MAR 04 1998

WATER RESOURCES DEPT.
 SALEM, OREGON

Applicant: Dick Snow

Mailing Address: 33263 Oregon Trail Road

Echo OR 97826 541/376-8231
City or Town State Zip Phone

Type of Change: Additional Point of Diversion
(In point of diversion: place of use; use heretofore made of the water)

COPY

1. WATER RIGHT

- A) Is the water right in your name? No If not, list name below:
(Yes, No)
Lucinda McCullough and C.J. Gulliford
- B) Was the water right determined by a court decree? Yes
(Yes, No)
1. If yes, list the title of the proceedings: Umatilla River 1916 Decree Vol. 3, pgs. 204 & 212
2. Certificate No: #2586 & #2535 & Case No. CV940202, 24 May 1994, Circuit Court of the State of Oregon for Umatilla County.
- C) Was the water right acquired by a water permit? No
(Yes, No)
1. If yes, list the Permit No: N/A
2. Certificate No: N/A
- D) Date of priority right: Cert. 2535: 1883 Cert. 2586: 1883, 19__
- E) What are your reasons for the proposed changes? Bureau of Reclamation is requesting as part of their fish restoration program for the Umatilla River
- F) The water will be completely applied to the proposed use on or before: October, 1998

2. LOCATION OF AUTHORIZED USE

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

B) Describe the authorized point of diversion:

Location in Reference to Survey Corner	1/4, 1/4 of Section	Section	Township	Range
<u>700 ft. North & 780 ft. West from S1/4 Cor. Sec. 22</u>	<u>SE1/4 SW1/4</u>	<u>22</u>	<u>3N</u>	<u>29E W.M.</u>

C) What is the name of the ditch used? U.S. Feed Canal

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
<u>3N</u>	<u>29E W.M.</u>	<u>16</u>	<u>NE1/4 SE1/4</u>	<u>12.8 - CERT. 2535</u>
<u>3N</u>	<u>29E W.M.</u>	<u>16</u>	<u>SE1/4 SE1/4</u>	<u>22.0 - CERT. 2535</u>
<u>3N</u>	<u>29E W.M.</u>	<u>21</u>	<u>NE1/4 NE1/4</u>	<u>2.0 - CERT. 2586</u>

F) Is the land within an irrigation district? Yes _____ No X

If yes, which district? N/A

G) County Umatilla

3. LOCATION OF PROPOSED USE:

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

A) Describe the proposed point of diversion:

Location in Reference to Survey Corner	1/4, 1/4 of Section	Section	Township	Range
<u>Additional 430 ft. N & 450 ft. E from SW Cor. Sec. 31</u>	<u>SW1/4 SW1/4</u>	<u>31</u>	<u>3N</u>	<u>30E W.M.</u>

#22 which is it, okay?
 Maybe cancel if can locate.

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
(Yes, No)

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

Encumbrance	Held By	Amount
N/A		

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

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
N/A				

4. EXHIBITS

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

- see map* 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. *Shirley Snow*
- 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:

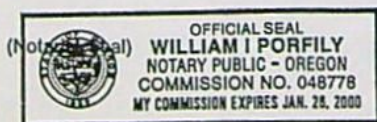
6. REMARKS: Area described in this transfer application also has supplemental rights from McKay Reservoir under Permit 7400

I, Dick Snow, applicant(s), hereby swear that I have read the above application for transfer of water right and that the statements made are true and correct. Dated and signed this 28th day of Feb, 19 98.

Dick Snow
(Signature)

(Signature)

Subscribed and sworn to before me



William J. Porfily
Notary Public for Oregon

My commission expires: Jan 26 2008

check map

RECEIVED

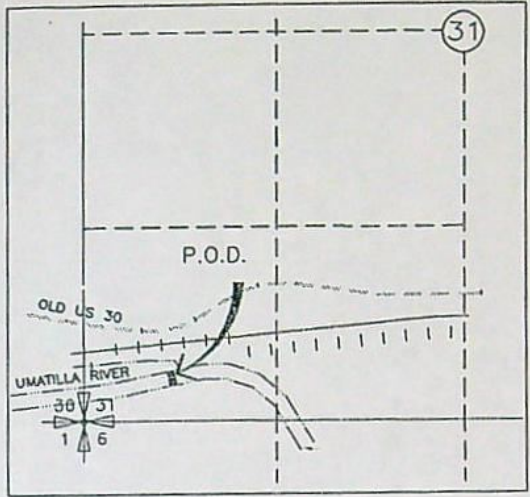
DICK SNOW
 TRANSFER MAP REQUESTING ADDITIONAL
 POINT OF DIVERSION FOR DECREE
 WATER RIGHT CERTIFICATE 2586 AND CERTIFICATE 2535
 T.3N. R.29E.

WATER RESOURCES DEPT
STUM, OREGON

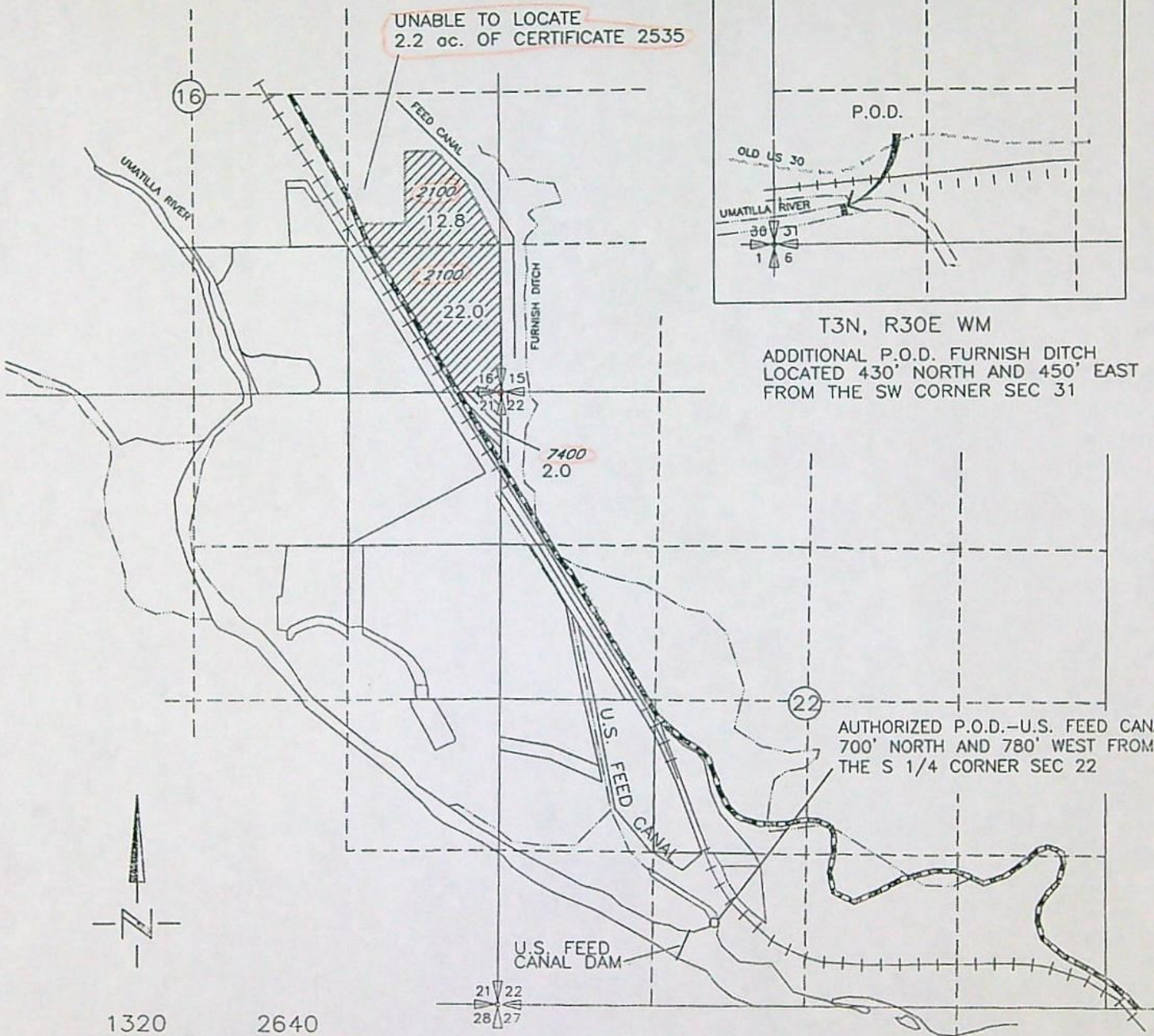
CERTIFICATE 2535

CERTIFICATE 2586

UNABLE TO LOCATE
2.2 ac. OF CERTIFICATE 2535

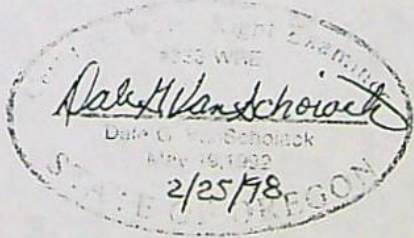


T3N, R30E WM
 ADDITIONAL P.O.D. FURNISH DITCH
 LOCATED 430' NORTH AND 450' EAST
 FROM THE SW CORNER SEC 31



0 1320 2640
 SCALE IN FEET

T-7950



NOTE:
 THE PURPOSE OF THIS MAP IS TO IDENTIFY THE APPROXIMATE LOCATION
 OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION
 RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.

SCM
 Consultants, Inc.

Architects & Engineers
 Kennewick, WA 99336

3522.022
 3522022R.DWG
 2/25/98

WATER RESOURCES DEPARTMENT

INTEROFFICE MEMO

June 23, 1998

TO: Martha O. Pagel, Director
FROM: Larry Nunn, Transfer Coordinator
SUBJECT: Transfer 7950

This transfer was processed by Bernadette Williams in Pendleton.

This additional point of diversion was requested by the US BOR as part of the Umatilla Exchange process. The authorized point of diversion is the US Feed Canal (Hermiston Irrigation District). The additional point of diversion is the Furnish Canal (Stanfield Irrigation District).

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

INTEROFFICE MEMO

NORTH CENTRAL REGION WATER RESOURCES DEPARTMENT

DATE: June 15, 1998

TO: File T-7950 (Dick Snow)

FROM: Bernadette Williams, File Examiner *BW*

SUBJECT: Information on Preparation of Special Order and Remaining Right Certificate

Because the domestic and stock uses are not listed on the decree tabulations and were only listed on the certificates because of Paragraph 24 of the Umatilla River Decree, remaining right certificates will not be issued for the remaining domestic and stock uses. The domestic and stock uses are considered incidental to the irrigation use and should be available if water is being diverted for irrigation use. In addition, if water were diverted from the authorized point of diversion for domestic and stock uses with no irrigation water, it would be such a small amount that it would not make it through the system to the place of use.

cc: Mike Ladd, Region Manager
Tony Justus, Watermaster

MODIFIED see Decree V 19 P 99 Cert. No. ~~1~~
STATE OF OREGON

WATER DIVISION NO. 2 COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

(For Rights which have been confirmed by the Courts)

This is to Certify, That LUCINDA McCULLOUGH
of Echo State of Oregon 97826 has a right to the use of
the waters of Umatilla River, a tributary of the Columbia River,

for the purpose of the irrigation of 2 acres of land, domestic and stock use,

RR =

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Umatilla County, and the said decree entered of record at Salem, in the Order Record of the ~~State Water Board~~ STATE WATER BOARD of the State of Oregon, in Volume 34, at page 127 ; that the priority of the right hereby confirmed dates from 1883

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 0.03 cubic feet per second, subject to the provisions of paragraph 33 of said decree and 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: 2 acres in the Northeast quarter of Northwest quarter of Section Twenty-one; Township Three North, Range Twenty-nine East of Willamette Meridian, in Umatilla 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~~ State
Water Board
of ~~the~~ affixed this 29th day

of December, 1919.

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 34 page 2586 .

77950

to keep a continuous flow of water upon each and every acre of said land. That it is necessary to irrigate an acre of land once in about every three weeks during the growing season. That the intermittent use of water upon an acre of ground makes it possible for the arrangement of satisfactory systems of rotation, so that the head of water necessary for the irrigation of an acre of land can be increased. (That the head of water required to irrigate any land varies according to the season, rainfall, the heat, soil, crops, and humidity.)

24.

That all claimants herein to water for irrigation shall be entitled to use such water for stock and domestic purposes; that the rights of use for stock and domestic purposes is hereby confirmed and entitles the owner of such right to divert and use such a quantity of water as is reasonably necessary for his household and stock use, and for stock use, the amount so diverted and used shall not exceed the rate of one-fortieth of one cubic foot per second for each one thousand (1000) head of stock, and the quantity diverted for irrigation purposes during the irrigation season shall include when it is so diverted, such an amount as may be reasonably necessary for said stock and domestic purposes, and the right to divert and use the waters of said stream and its tributaries, for stock and domestic purposes continues throughout the year.

STATE OF OREGON

WATER DIVISION NO. 2 COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

(For Rights which have been confirmed by the Courts)

This is to Certify, That C. J. GULLIFORD of Echo State of Oregon 97826 has a right to the use of the waters of Umatilla River, a tributary of the Columbia River,

for the purpose of the irrigation of 37 acres of land, domestic and stock use,

2.2 RR 0.03
34.8 0.43

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Umatilla 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 7, at page 127 ; that the priority of the right hereby confirmed dates from 1883

that the amount of water to which such right is entitled and hereby confirmed for the purpose aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.46 cubic feet per second, subject to the provisions of paragraph 33 of said decree and 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: 22 acres in the Southeast quarter of Southeast quarter and 15 acres in the Northeast quarter of Southeast quarter of Section Sixteen; Township Three North, Range Twenty Nine East of Willamette Meridian, in Umatilla 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 of ~~the State~~ affixed this 29th day of December . 1919 .

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 7, page 2535 .

77950

*Since not authorized in decree - only an act due to para 24
 want some remaining rights
 Since was to come from irrigation right - can't get water*

COMPASSION
 (MAY 1908)
 205447
 TUBBEN, MARGA T.

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Part of the Same
2584 Maxwell Land & Irrigation Co., by J. F. McNaught, Pres., Pendleton, Ore. (Finding #9 Contests 1, 18 & 28)	1864 <i>see Umatilla General Corres. file for copy of claim.</i>	3.0		Domestic Municipal		Minnehaha Springs	Location of Spring, Sec. 21 T. 4 N. R. 28 E.W.M., near the NW corner thereof.
2585 McBee, Chas., (Transferred to Geo. Gredwhl) (Finding #9 Contest 159)	1880	1.06	85	Irrigation		Birch	8 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 8 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 27 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 18 $\frac{1}{2}$ acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 19 15 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 8 $\frac{1}{2}$ acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 30 T. 2 N.R. 32 E.W.M.
2586 McCullough, Lucinda Echo, Ore. MODIFIED see Decree V. 19 P. 99 Cert. No. _____	1883	.03	2	Irrigation	Henrietta Mill	Main	2 acres in NE $\frac{1}{4}$ ^{NE} NW $\frac{1}{4}$ Sec. 21 T. 3 N.R. 29 E.W.M.
53122 2587 McManus, John P., Pres. Appleburg Water Co., Pilot Rock, Ore. (Findings #17, 9, Contest 169)	May 1909	2.61	209	Irrigation	Appleburg Water Co.	Birch (East)	21 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 37 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 14 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 8 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 28 19 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 11 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 20 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 19 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 21 25 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 25 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 10 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 20 T. 1 S.R. 32 E.W.M. (See State Eng. Permit #237)
2588 Morrison, Rob't Adams, Ore.	1902			Domestic		Wild Horse	Place of use: NW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 3 T. 3 N.R. 34 E.W.M.
2589 Myers, Chas. H. (Transferred to State of Oregon)	May 1894 CANCELED Spec. Or. V. 38 p. 215	.31	25	Irrigation	Wheel	Main	2 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 23 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 9 T. 2 N.R. 32 E.W.M.
2590 Newquist, O. P. Pendleton, Ore. (Findings #13, 9 Contest 165)	May 1908	.63	50	Irrigation Domestic Stock	Alcott	Birch	10 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 25 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 15 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 29 T. 2 N.R. 32 E.W.M. <i>chg. in pt. of div. - Sp. Or. Vol. 7, p. 601</i>
2591 O'Brien, R.M. Pendleton, Ore.	Feb. 1898	.06	5	Irrigation		O'Brien Springs	5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 1 T. 2 N.R. 32 E.W.M.

32403 & 53012
 2531
 LIX' B. R. L.

UNIT

Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cubic Feet Per Second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
32403 & 53012 2531 Gilliam, Grace A. Pilot Rock, Ore. (Finding #9 Contest 71)	1875	.39	31	Irrigation Domestic	Gilliam Knotts	East Birch	5 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 10 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 10 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 6 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 4 T. 2 S.R. 32 E.W.M.
2532 2932 Gilliland, Thos. Pilot Rock, Ore. (Finding #9)	1879	.46	37	Irrigation		Birch- Stewart	8 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ see cert. 7 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 2932 for 8 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ correct land 6 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ description 8 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 14 T. 1 S.R. 32 E.W.M.
2533 Gritman, F. H. Pendleton, Ore. (Finding #9 Contest 115)	Mar. 28 1908 (Vol. 34 p. 235)	.75	60	Irrigation		Main	15 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 30 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 8 5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 10 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Sec. 9 T. 2 N. R. 32 E.W.M. (Vol. 34, p. 228-238)
36171 2534 Guderian, J. A. Pendleton, Ore. (Findings 13 & 9 Contest 56) T-5795 Δ P O U S E on to supp Sp. Or. Vol. 1, p. 23	1873 1889 1900	.31 .31 1.22	25 25 98	Irrigation Domestic Stock	Guderian Stamper	Birch	1 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 9 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 12 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ $\frac{1}{2}$ acre in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 7 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 37 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 40 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 15 18 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ $\frac{1}{2}$ acre in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 10 18 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Sec. 22 T. 1 N.R. 32 E.W.M.
2535 DVA Gulliford, C. J., Echo, Ore. (Finding #9 Contest 118) T-7950 Δ A P O D	1883	.46	37	Irrigation	Henrietta Mill Race	Main	22 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ 15 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 16 T. 3 N.R. 29 E.W.M. (Vol. 1, p. 252)
2536 Hanna, Geo. W. Pendleton, Ore.	Aug. 4 1906	.05	4	Irrigation Domestic Stock	Well	Near Main	2 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 2 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 1 T. 2 N.R. 32 E.W.M.
2537 Harrison, W. T., for (Ward Smith) Pendleton, Ore.	1870	.09	7	Irrigation		Stewart	4 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 3 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Sec. 3 T. 1 S.R. 32 E.W.M.
2538 Harrison, Olive Pilot Rock, Ore. (Finding #9 Contest 177)	1892	.05	4	Irrigation Domestic Stock		Little McKay	4 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 11 T. 1 S.R. 32 E.W.M.

Order from District Engineer



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

North Central Region
116 S.E. Dorion Avenue
Pendleton, OR 97801
Phone (541) 278-5456
FAX (541) 278-0287

April 23, 1998

Dick Snow
33263 Oregon Trail Road
Echo, Oregon 97826

REFERENCE: Transfer 7950

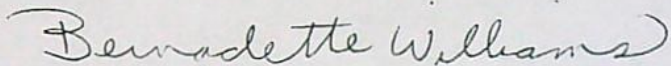
We are examining your water right transfer application. There are some problems that need to be resolved.

- ✓ 1. The name Shirley Snow is listed on the deed as one of the owners of the lands subject to this transfer. We will need a notarized statement from Shirley Snow giving permission for the transfer.
- No* * 2. The Land Use Information Form that was submitted lists "T3N R30 (31) TL 5200" as the lands subject to this transfer; this is incorrect. The correct location of the lands subject to this transfer are "T 3 N, R 29 E, Sections 16 and 21, Taxlots 2100 and 7400." Please re-submit a new Land Use Information Form for the correct lands signed by the proper county official.
- ✓ 3. Certificates 2535 and 2586 list irrigation, domestic and stock uses. Since you are only asking to modify the irrigation portion, would you be interested in canceling the domestic and stock portion of these water rights? If so, we can assist you in preparing an affidavit of cancellation. If not, please amend the transfer application to include domestic and stock uses.
- R.R. per Jerry
Nelson
5/5/98*
* 4. T-5 The transfer application map has an additional problem that your CWRE needs to resolve. On the transfer application map, it is indicated that 2.2 acres of Certificate 2535 are unable to be located. My understanding of that statement is that the CWRE went out and physically surveyed the land subject to transfer and could not find 2.2 acres being irrigated under Certificate 2535. Please let me know if I am understanding this correctly. If not, please explain what is meant by this statement.
- ✓ 5. Since the additional point of diversion is more than ¼ mile from the authorized point of diversion, the applicant is responsible for giving notice to a newspaper of the transfer changes as follows.

Enclosed is a copy of the Publication Notice. This notice must be published in a newspaper having a general circulation in the area of the water right. The notice must be published at least once a week for three consecutive weeks. Please have the newspaper insert the date of last publication and protest dates in the proper places. After publication, an affidavit of publication from the newspaper must be sent back to me in the Pendleton office.

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

Sincerely,



Bernadette Williams
Field Water Rights Technician

cc: Mike Ladd, Region Manager
Tony Justus, Watermaster
Dale G. VanSchoiack, CWRE
Dolly Ashbeck, WID/SID Manager

enclosures

NOTICE OF WATER RIGHT TRANSFER 7950

Dick Snow filed an application with the Water Resources Department for an additional point of diversion of water as provided by ORS 540.510 to 540.530.

Certificate 2535, in the name of C. J. Gulliford, includes a right limited to 0.43 cubic foot per second from the Umatilla River, with a priority date of 1883 for irrigation of 34.8 acres, domestic and stock use.

The point of diversion for this right is in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 22, T 3 N, R 29 E, WM; 700' North & 780' West from the S $\frac{1}{4}$ Corner, Section 22.

Certificate 2586, in the name of Lucinda McCullough, includes a right limited to 0.03 cubic foot per second from the Umatilla River, with a priority date of 1883 for irrigation of 2.0 acres, domestic and stock use.

The point of diversion for this right is in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 22, T 3 N, R 29 E, WM; 700' North & 780' West from the S $\frac{1}{4}$ Corner, Section 22.

The applicant proposes to add an additional point of diversion in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31, T 3 N, R 30 E, WM; 430' North & 450' East from the SW Corner, Section 31.

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

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

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

T-7950

3522.022

RECEIVED

MAR 04 1998

WATER RESOURCES DEPT.
SALEM, OREGON

Applicant: Dick Snow

Mailing Address: 33263 Oregon Trail Road

Echo OR 97826 541/376-8231
City or Town State Zip Phone

Type of Change: Additional 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)

Lucinda McCullough and C.J. Gulliford

B) Was the water right determined by a court decree? Yes
(Yes, No)

1. If yes, list the title of the proceedings: Umatilla River 1916 Decree Vol. 3, pgs. 204 & 212

2. Certificate No: #2586 & #2535 & Case No. CV940202, 24 May 1994, Circuit Court of the State of Oregon for Umatilla County.

C) Was the water right acquired by a water permit? No
(Yes, No)

1. If yes, list the Permit No: N/A

2. Certificate No: N/A

D) Date of priority right: Cert. 2535: 1883 Cert. 2586: 1883, 19

E) What are your reasons for the proposed changes? Bureau of Reclamation is requesting as part of their fish restoration program for the Umatilla River

F) The water will be completely applied to the proposed use on or before: October, 1998

2. LOCATION OF AUTHORIZED USE

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

B) Describe the authorized point of diversion:

Location in Reference to Survey Corner	1/4, 1/4 of Section	Section	Township	Range
700 ft. North & 780 ft. West from S1/4 Cor. Sec. 22	SE1/4 SW1/4	22	3N	29E W.M.

C) What is the name of the ditch used? U.S. Feed Canal

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
3N	29E W.M.	16	NE1/4 SE1/4	12.8 - CERT. 2535
3N	29E W.M.	16	SE1/4 SE1/4	22.0 - CERT. 2535
3N	29E W.M.	21	NE1/4 NE1/4	2.0 - CERT. 2586

F) Is the land within an irrigation district? Yes _____ No X

If yes, which district? N/A

G) County Umatilla

3. LOCATION OF PROPOSED USE:

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

A) Describe the proposed point of diversion:

Location in Reference to Survey Corner	1/4, 1/4 of Section	Section	Township	Range
Additional 430 ft. N & 450 ft. E from SW Cor. Sec. 31	SW1/4 SW1/4	31	3N	30E W.M.

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
(Yes, No)

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

Encumbrance	Held By	Amount
N/A		

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

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
N/A				

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:

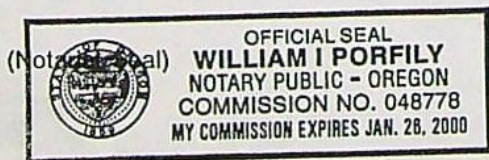
6. REMARKS: Area described in this transfer application also has supplemental rights from McKay Reservoir under Permit 7400 The livestock and domestic part of this water right I request be left on the remaining water right certificate.

I, Dick Snow, applicant(s), hereby swear that I have read the above application for transfer of water right and that the statements made are true and correct. Dated and signed this 28th day of Feb, 19 98.

Dick Snow
(Signature)

(Signature)

Subscribed and sworn to before me



William I Porfily
Notary Public for Oregon

My commission expires: Jan 26 2008

INTEROFFICE MEMO

TO: TRANSFER SECTION

DATE: 3-24-98

WATER
RESOURCES
DEPARTMENT

FROM: WATERMASTER, DISTRICT # 05
GROUNDWATER SECTION
(SIGNATURE) *[Signature]*

SUBJECT: WATER RIGHT TRANSFER # 7950

A change in POU APOD POA USE of water.

In the name(s) of Dick Snow.

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.

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

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

- already exists (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.



T-7950

STANFIELD IRRIGATION DISTRICT
P.O. BOX 416
STANFIELD, OR 97875
(541) 449-3272

RECEIVED
MAR 04 1998
WATER RESOURCES DEPT.
SALEM, OREGON

March 2, 1998

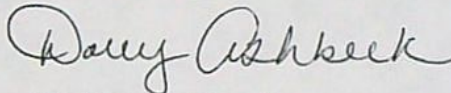
Oregon Water Resources Department
158 12th St NE
Salem, OR 97310

Dear Sir:

The Bureau of Reclamation has requested that the Stanfield Irrigation District apply for a change in point of diversion for Mr. Dick Snow. The request comes as the Phase II Exchange Facilities nears completion of construction.

Thank you for your consideration.

Sincerely,



Dolly Ashbeck
District Manager

T-7950

AFFIDAVIT OF NON USE

RECEIVED

MAR 04 1998

WATER RESOURCES DEPT.
SALEM, OREGON

County of Umatilla)
) ss
State of Oregon)

The Water Rights described in the Umatilla River Decree, Vol. 3, Page 212, under the name of Lucinda McCullough, and Vol. 3, Page 204, under the name of C. J. Gulliford, have not been forfeited to Non Use as defined under ORS 540.610.

Dated this 28 date of Feb 1998

Dick Snow
Dick Snow

Dick Snow, owner of the land represented by the above-described Water Rights, personally appeared before me and stated that he executed the above as his voluntary act and deed.

William I. Porfily
Notary Public

My Commission Expires JAN. 26, 2000



CONSENT AFFIDAVIT OF TRANSFER

County of Umatilla)
) SS
State of Oregon)

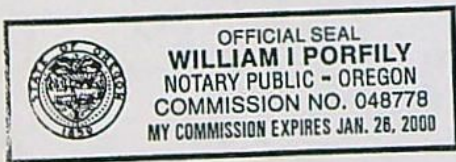
I, Shirley Snow, certify that I am wife to Dick Snow (Harry R. Snow) and I am part owner in the land involved in the attached application for Transfer of Water Right requesting an additional Point of Diversion. I consent to the this transfer request.

Dated the 6 day of May 1998

Shirley Snow
Shirley Snow

Shirley Snow, personally appeared before me and stated that she executed the above as her voluntary act and deed.

William I Porfily
Notary Public



T-7950 Description of Water Use

Planning Official Initials PVP

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

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

RECEIVED

MAR 04 1998

WATER RESOURCES DEPT.
SALEM, OREGON

Applicant Name: Dick Snow
 Address: 33263 Oregon Trail Road
Echo, OR 97826
 Phone: 541/376-8231

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

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

Indicate sources for the proposed water use below:	Indicate the estimated quantity of water the use will require.
<input type="checkbox"/> Surface Water Name Sources _____ _____ _____	<input type="checkbox"/> <u>.46</u> Cubic feet per second. <input type="checkbox"/> Gallons per minute. <input type="checkbox"/> Acre-Feet
<input type="checkbox"/> Reservoir or pond <input type="checkbox"/> Ground Water	Applying for Additional Point of Diversion

Land Use Information Form: Permits, Hydroelectric Licenses,
Water Uses in Addition to Classified Uses

T-7950

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. The Water Resources Department will use this and other information to evaluate the water use application. **DO NOT FILL OUT THIS FORM IF water is to be diverted, conveyed, and/or used only on federal lands.**

MAR 04 1998

Applicant's Name: Dick Snow WATER RESOURCES DEPT.
SALEM, OREGON
Address: 33263 Oregon Trail Road
City: Echo State: OR Zip: 97826 Day Phone: 541/376-8231

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, or irrigation uses within irrigation districts, may substitute existing and proposed service area boundaries for the tax lot information requested below.

(CHECK ALL THAT APPLY)

TAX LOT LOCAL ID #	PLAN DESIGNATION / ZONING (e.g., Rural Residential / RR-5)	WATER DIVERTED	WATER CONVEYED	WATER USE
T3N R30 (31) TL 5200	EFU (Exclusive Farm Use)	✓		

Please list all counties and cities within which water is proposed to be diverted, conveyed, and/or used.

Umatilla

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

=====

For Local Government Use Only

Local planning officials are to complete the remainder of this form. If it cannot be completed while the applicant waits, sign and detach the receipt as instructed below. You will receive notice when the applicant's water right request is filed with the Water Resources Department (WRD). You will have 30 days from the notice date to return this completed land use form to WRD. If no land use information is received from you within that period, WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan.

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

X Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan.
Cite applicable ordinance section(s): 152.056. 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 on the reverse of this form. Note: Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus accompanying findings is sufficient.)

=====

Receipt for Request for Land Use Information

WRD Applicant Name: _____

This receipt must be signed by a local government representative and returned to the applicant for inclusion in the WRD application **IF** the local government cannot provide the above requested land use information while the applicant waits.

City or County: _____

Staff Contact: _____ Phone: _____

Signature: _____ Date of Information Request: _____

(for Local Use Continued)

(CHECK THE BOX THAT APPLIES)

Type of Land Use Approval Needed (e.g., plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Already Obtained	Already Denied	Being Pursued Satisfactorily

b) Please provide printed name and written signature.

Name: PATTY Perry Date: 2-26-98

Title: Sr. Planner Phone: 541-278-6249

Signature: Patty Perry

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.

Additional Comments:

Water Resources Department
158 12th NE
Salem, OR 97310
(503) 378-3739

RECEIVED

MAR 04 1998

RESOURCES DEPT.
ALEM, OREGON

BOOK 225 PAGE 445

WARRANTY DEED

172091

T-7950

KNOW ALL MEN BY THESE PRESENTS, that Manuel Cunha and Ada Cunha, husband and wife,

hereinafter called grantor... in consideration of Ten Dollars and other good and valuable consideration

to them paid, do bargain, sell and convey unto Harry R. Snow and Shirley Snow, husband and wife,

hereinafter called grantee... the following described land to-wit:

Beginning at the Southwest corner of Section 15, Township 3 North, Range 29; thence East along Section line 65 feet, more or less, to Westerly line of the right of way of the U.S.R.S. Feed Canal; thence Northerly along said right of way line to West line of Section 15; thence South along said Section line 1100 feet, more or less, to point of beginning;

Also beginning at point of intersection of Southwesterly line of right of way of Furnish Ditch Company's main line canal with East line of Section 16, Township 3 North, Range 29, which point is South 619 feet, more or less, from the Northeast corner of the Southeast Quarter of said Section 16; thence Northwesterly and Northerly along said right of way line to its intersection with Southerly line of County Road No. 165; thence Westerly along Southerly line of said County Road to its intersection with Easterly line of right of way of U.S.R.S. Feed Canal; thence Southerly along right of way line of said Feed Canal to its intersection with East line of said Section 16; thence North along said Section line 520 feet, more or less, to point of beginning;

Also beginning at the Southeast corner of Section 16, Township 3 North, Range 29; thence North along East line of said Section 16, 1100 feet, more or less, to Westerly line of right of way of U.S.R.S. Feed Canal; thence Northwesterly and Northerly along said right of way line to its intersection with the Northerly extended East line of Gullifords Addition to City of Echo, Umatilla County, Oregon; thence South along East line of said Gullifords Addition and along East line of Whitworths Addition to Town of Echo, Umatilla County, Oregon, to the Southeast corner of said Whitworths Addition; thence West along South line of said Whitworths Addition to its intersection with the Easterly line of Oregon State Highway, as conveyed to County of Umatilla by Deed recorded in Book 120, at page 64, Deed Records of Umatilla County, Oregon; thence Southeasterly along said highway to its intersection with South line of said Section 16; thence East along South line of said Section 16; 326.6 feet, more or less, to point of beginning.

Subject to right of way for street, if any, along the East or the South of said Additions, according to the Flat thereof, now on file;

Excepting therefrom land conveyed to Frank Donnelly by Warranty Deed recorded in Book 56, Page 19, Deed Records of Umatilla County, Oregon;

All being East of the Willamette Meridian, in the County of Umatilla and State of Oregon;

Also excepting any and all roads and water rights of way;



RECEIVED

MAR 04 1998

WATER RESOURCES DEPT.
SALEM, OREGON

T-7950

BOOK 225 PAGE 446

Together with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

To have and to hold the same unto said grantee...s their heirs and assigns forever.

And we, said grantor...s, do covenant to and with said grantee...s, their heirs

and assigns, that said land is free from incumbrances

and that we will warrant and defend the same against the lawful claims and demands of all persons whomsoever.

WITNESS our hand s this 31st day of March, 1955.

Manuel Cunha

Ada Cunha

Manuel Cunha 6999 ✓

Warranty Deed

Manuel Cunha, et ux
INDEXED
PAGED
DATE RETURNED TO

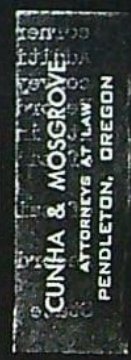
Dick Snow, et ux

STATE OF OREGON } ss.
County of Umatilla.

I certify that the within instrument was received for record on the 31st day of May 1955 at 11:25 o'clock a.m., and recorded in Book 225 on page 446 Record of Deeds for said County.

Jack Johnson
Recorder of Conveyances.

By 5/50 Deputy
No. 172391
Fees



STATE OF OREGON }
COUNTY OF UMATILLA } ss.

On this 31st day of March, 1955, before me, the undersigned a notary public in and for said county and state, personally appeared the within named Manuel Cunha and Ada Cunha, husband and wife, who are personally known to me to be the identical person s described in and who executed the within instrument and acknowledged to me that they executed the same freely and voluntarily.

Witness my hand and notarial seal the date above written.



Albert J. Cunha
Notary Public for Oregon.

My commission expires 11/16/57

T.L. 7400

T-7950

MARSHALTY DEED

232810

KNOW ALL MEN BY THESE PRESENTS, that Harold V. Tefft and Alma L. Tefft, husband and wife, hereinafter called grantors, in consideration of Ten Dollars and other good and valuable consideration to us paid, do bargain, sell and convey unto Harry R. Snow and Shirley Snow, husband and wife, hereinafter called grantees, the following described land, to-wit:



Beginning at the Northeast corner of Section 21, Township 3 North, Range 27; thence West to the Easterly boundary line of the O.W.R.R. Co.'s right of way; thence in a Southeasterly direction along the said right of way to the East line of said Section 21; thence North to the place of beginning; Excepting that portion conveyed to the County of Umatilla By Deed recorded in Book 120, Page 28 of the Deed Records of Umatilla County, Oregon, for road purposes;

All being East of the Willamette Meridian, in the County of Umatilla and State of Oregon; Also excepting any and all water rights of way;

Together with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining.

To have and to hold the same unto said grantees, their heirs and assigns forever.

And we, said grantors, do covenant to and with said grantees, their heirs and assigns that said land is free from incumbrances and that we will warrant and defend the same against the lawful claims and demands of all persons whomsoever.

WITNESS our hands this 2nd day of October, 1958.

Harold V. Tefft
Harold V. Tefft

Alma L. Tefft
Alma L. Tefft

STATE OF OREGON }
COUNTY OF UMATILLA } ss.

On this 2nd day of October, 1958, before me, the undersigned, a notary public in and for said County and State, personally appeared the within named Harold V. Tefft and Alma L. Tefft, husband and wife, who are personally 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.

Witness my hand and notarial seal the date above written.

Robert J. Smith
Notary Public for Oregon

My commission expires: 11/16/61

BOOK 261 PAGE 464

INDEXED
PAGE
DATE RECORDED

MARSHALTY DEED

Harold V. Tefft, et ux

to

Harry R. Snow, et ux

STATE OF OREGON }
COUNTY OF UMATILLA }
I, J. F. Tolson, Register, certify that this instrument was filed for record on
DEC 27 1958
at 10:30 A.M. in the record office of said County in
BOOK 261 PAGE 464

J. F. Tolson
Register of Deeds

By *J. F. Tolson* Deputy
File # 150 No. 232810

CUNHA & MOSGROVE
ATTORNEYS AT LAW
PENDLETON, OREGON

RECEIVED
MAR 04 1958
AFTER RECORDS DEPT.
SALEM, OREGON

RECEIVED
JUN 7, 1998

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

AFFIDAVIT OF PUBLIC
OF

Equity } No. _____
Law }

STATE OF OREGON }
County of Umatilla } ss.

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

EO-4995 Water Right Trans

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

May 6, 15, 22, 1998

Holly Davis

Subscribed and sworn to before me in this 29th day of
May, 1998.

Lisa M. Blagg
Notary Public of Oregon



EO-4995
NOTICE OF WATER RIGHT
TRANSFER 7950
Dick Snow filed an applica-
tion with the Water
Resource Department for an
additional point of diversion
of water as provided by
ORS 540.510 to 540.530.
Certificate 2535, in the name
of C.J. Gulliford, includes a
right limited to 0.43 cubic
foot per second from the
Umatilla River, with a priori-
ty date of 1883 for irrigation
of 34.8 acres, domestic and
stock use.
The point of diversion for this
right is in the SE1/4 SW1/4,
Section 22, T 3 N, R 29 E,
WM; 700' North & 780' West
from the S1/4 Corner,
Section 22.
Certificate 2586, in the name
of Lucinda McCullough,
includes a right limited to
0.03 cubic foot per second
from the Umatilla River, with
a priority date of 1883 for
irrigation of 2.0 acres,
domestic and stock use.
The point of diversion for this
right is in the SE1/4 SW1/4,
Section 22, T 3 N, R 29 E,
WM; 700' North & 780' West
from the S1/4 Corner,
Section 22.
The application proposes to
add an additional point of
diversion in the SE1/4
SW1/4, Section 31, T 3 N, R
30 E, WM; 430' North & 450'
East from the SW Corner,
Section 31.
Protests may be filed by per-
sons who think their water
right may be injured by this
change. additional informa-
tion or forms and rules for fil-
ing protests are available
from the Water Resources
Department by calling 541-
278-5456. If a protest is filed
a hearing may be held.
The last date of publication is
May 22, 1998. IF NO
PROTEST IS FILED BY
JUNE 22, 1998, THE
CHANGE MAY BE
APPROVED WITHOUT A
HEARING.
May 8, 15, 22, 1998

RECEIVED
JUN 11 1998

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

AFFIDAVIT OF PUBLICATION
OF

Equity } No. _____
Law }

STATE OF OREGON }
County of Umatilla } ss.

I Holly L. Davis being duly sworn, depose and say
that I am the principal clerk of the publisher of the East Oregonian, a
newspaper of general circulation, as defined by ORS 193.010 and
193.020; printed and published at Pendleton in the aforesaid county and
state; that the
EO-4995 Water Right Trans

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

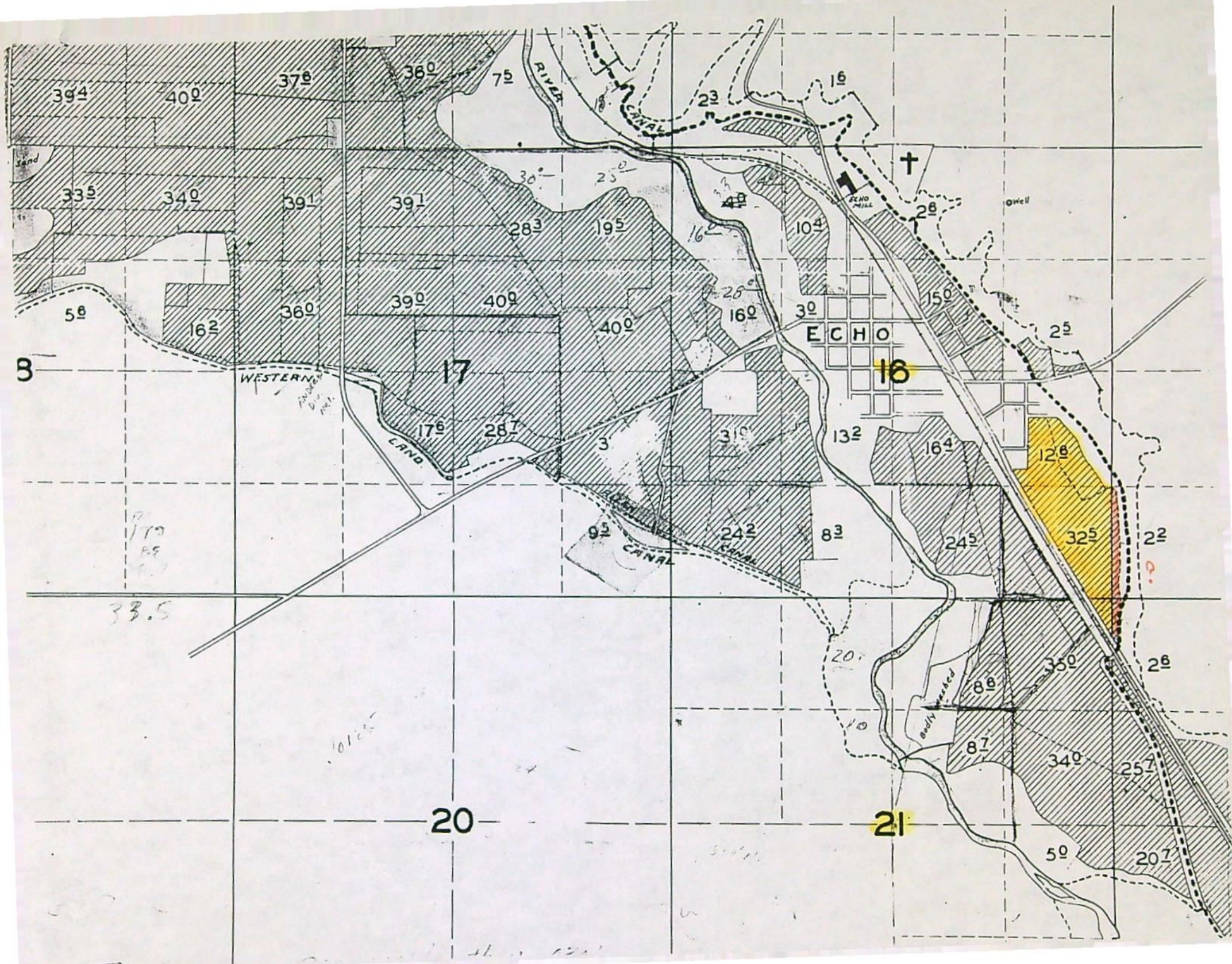
May 6, 15, 22, 1998

Holly Davis

Subscribed and sworn to before me in this 29th day of
May, 1998.

Lisa M. Blagg
Notary Public of Oregon





394

400

370

360

75

335

340

391

391

283

195

50

162

360

390

400

400

160

30

150

25

3

WESTERN LAND
Div. Mill

17

170

281

3

310

132

164

120

170
69
60

33.5

10125

20

21

CANAL

RIVER

CANAL

ECHO

ECHO MILL

badly marked

well

22

26

25

20

325

350

340

50

20

80

81

20

10

50

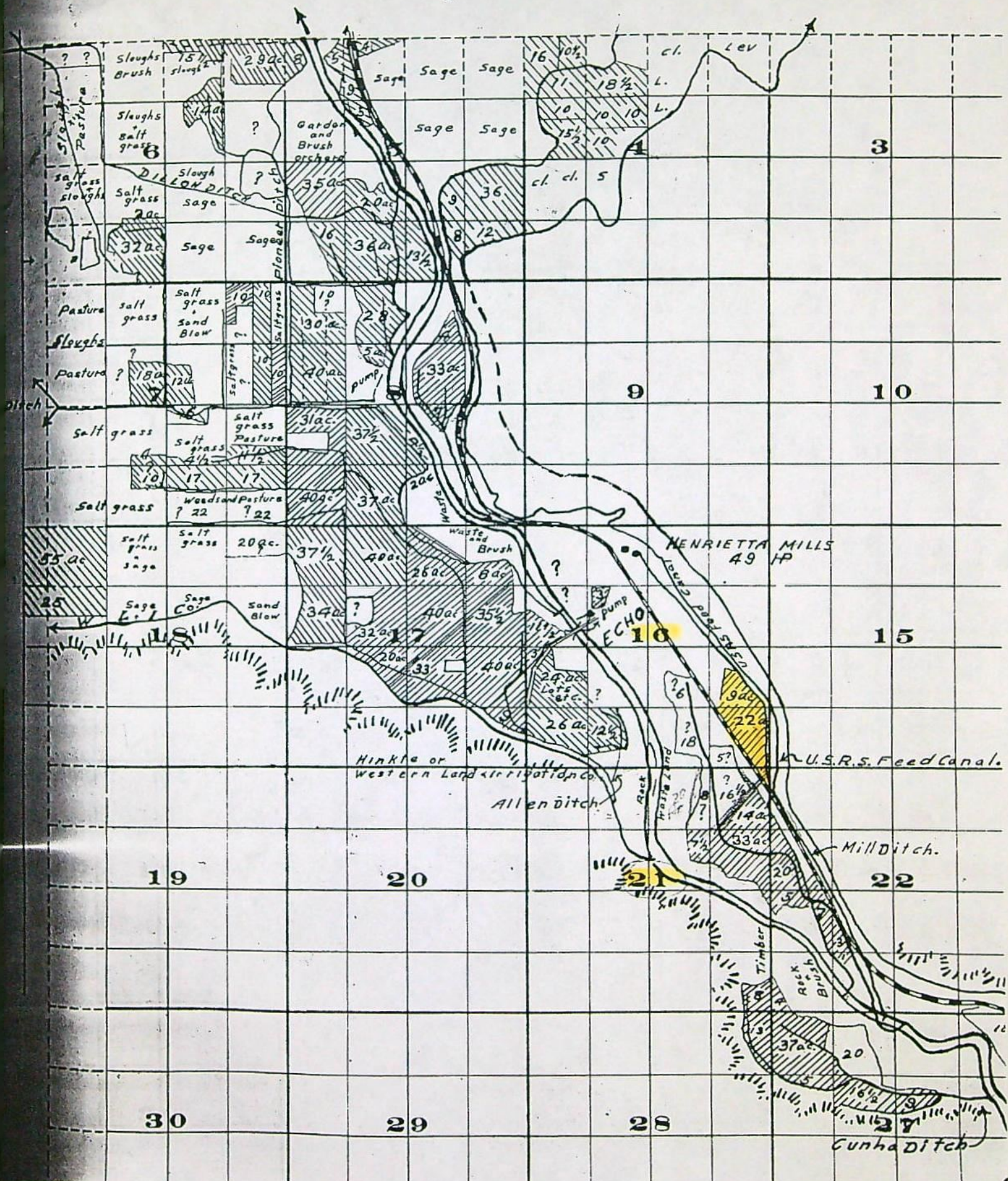
20

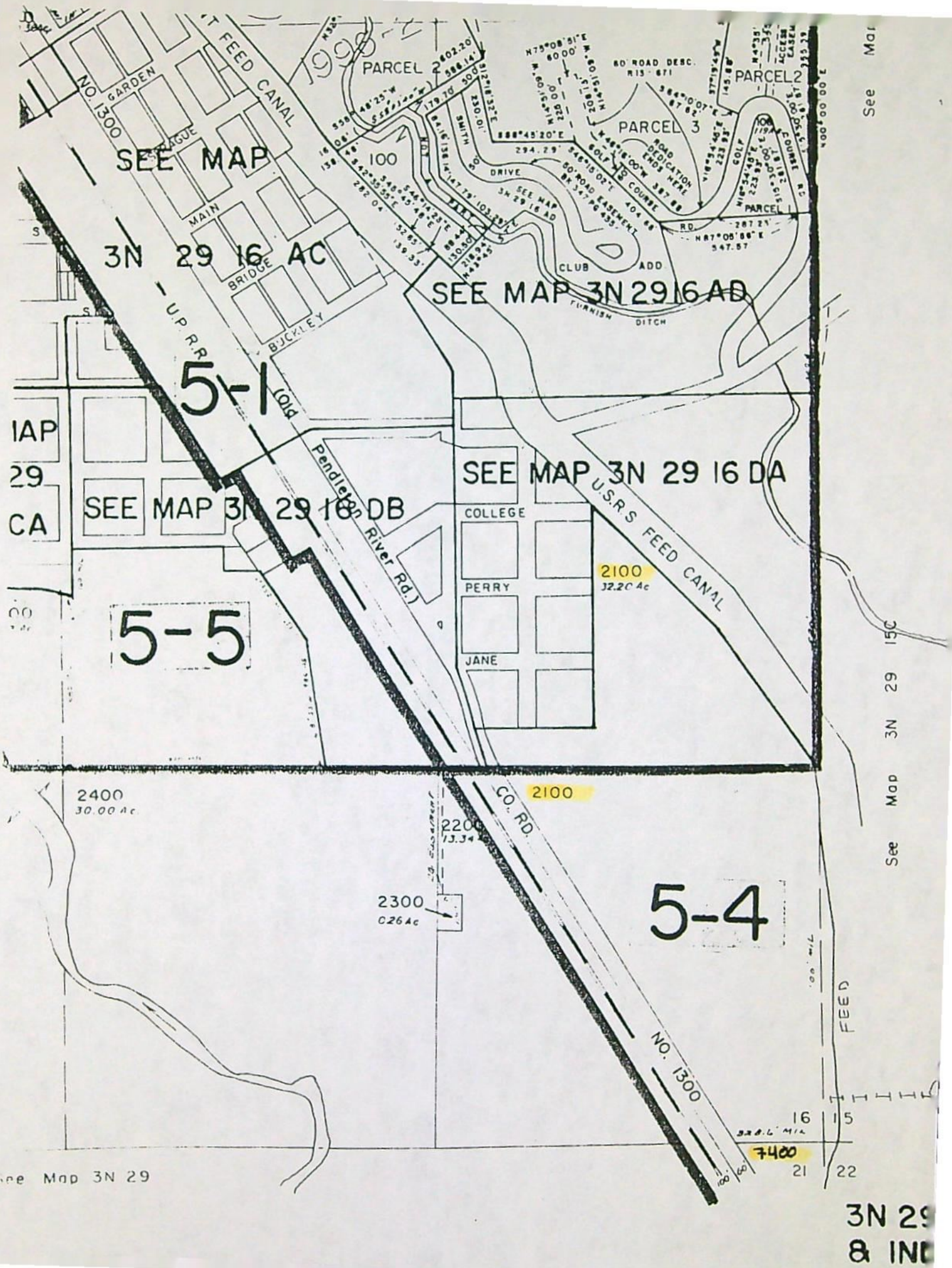
20

+

?

Township 3 North, Rang





See Map

See Map 3N 29 15C

See Map 3N 29

3N 29
& INC



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

March 9, 1998

John Germond
Oregon Department of Fish and Wildlife
Rt. 1, Box 18
Pendleton, OR 97801

Reference: Transfer # **7950**

Enclosed for your review is a copy of a water right transfer application from Umatilla River, a tributary of Columbia River.

Consistent with the Oregon Plan, we are soliciting your input on whether the proposed transfer would injure an instream water right. If you believe that the transfer would injure an instream water right, please describe the nature of the injury and provide any supporting information which you have available.

ORS 540.525 requires that we consult with you to determine if a fish screen or by-pass device should be required in conjunction with a change in a point of diversion. If you request a fish screen or by-pass device, we will include such a condition in the transfer order and the applicant will be eligible to participate in ODFW's cost sharing program for screening and by-pass devices.

We must receive your response within 30 days in order to consider it in our decision on the application and to include the appropriate conditions in any approval order.

If you have questions, please call me at (800) 624-3199, extension 275

Sincerely,

for Larry H. Nunn
Transfer Coordinator

Enclosure

cc: Wm #05, Tony Justus
Applicant



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

March 9, 1998

Dick Snow
33263 Oregon Trail Road
Echo, OR 97826

REFERENCE: Transfer 7950

On 03-04-98 we received your water right transfer application requesting a change in APOD for use of water from Umatilla River. The application was accompanied by \$ 200.00. Our receipt 19425 is enclosed.

By copy of this letter, we are asking the Watermaster for his usual report regarding the potential for injury to existing water rights which may be caused by the change.

Your application will be examined to determine if additional information is needed. You will be contacted following this examination. If you have a specific reason why your application should be examined ahead of other applications, please send us a letter describing your reason. We may be able to examine your application ahead of others.

You may not use water from the new point of diversion until the transfer application has been approved. In order to avoid any possible forfeiture of the water right, you should continue to use the water as described by your existing water right.

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

If you have any questions, please call the Transfer Section, (800) 624-3199 or (503) 378-3739.

Sincerely,

for LARRY H. NUNN
Water Rights Specialist

LHN:gjt

cc: Watermaster #05, Tony Justus
CWRE #333, Dale G. VanSchoiack

enclosure

County:	UMATILLA
Transfer:	7950
Certificate:	2535/2586
Priority Date:	1883
Name:	DICK SNOW
Address:	33263 OREGON TRAIL RD, ECHO 97826
Change:	APOD
Source:	UMAITLLA RIVER
Authorized POD:	3N 29E 22
Proposed POD:	3N 30E 31

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **19425**

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

INVOICE # _____

RECEIVED FROM: <u>Stanfield Dwight Ait</u>	APPLICATION
BY: _____	PERMIT
	TRANSFER <u>T-7950</u>

CASH: <input type="checkbox"/>	CHECK: # <input checked="" type="checkbox"/> <u>900-411</u>	OTHER: (IDENTIFY) <input type="checkbox"/>	TOTAL REC'D	\$ <u>200--</u>
--------------------------------	---	--	-------------	-----------------

0417 WRD MISC CASH ACCT

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

PCA 606111

REDUCTION OF EXPENSE

CASH ACCT.	\$
VOUCHER #	

0427 WRD OPERATING ACCT

MISCELLANEOUS		
0407 COPY & TAPE FEES		\$
0410 RESEARCH FEES		\$
0408 MISC REVENUE: (IDENTIFY) _____		\$
(New) TC165 DEPOSIT LIAB. (IDENTIFY) _____		\$

WATER RIGHTS:	EXAM FEE		RECORD FEE
0201 SURFACE WATER	\$	0202	\$
0203 GROUND WATER	\$	0204	\$
0205 TRANSFER	\$ <u>200--</u>	0206	\$ <u>2</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

	LIC NUMBER	
0233 POWER LICENSE FEE (FW/WRD)		\$
0231 HYDRO LICENSE FEE (FW/WRD)		\$
HRDRO APPLICATION		\$

RECEIPT # **19425**

DATED: 3-4-98

BY: JL Pruitt

NUMBER 000111

Check 200 Mo _____ Cash _____

- Surface Application
- Reservoir Application
- Ground Water Application
- Transfer Application 200
- PFO Request 0
- Research
- Hydroelectric Fees
- Copying
- Assignment
- Extension of Time
- Protest
- Other

TRANSFER CHECK OFF LIST

TRANSFER FILE # 7950
 DATE RECEIVED 3-4-98
 DATE MONEY SLIPPED 3-4-98
 DATE RECEIPTED 3-4-98
 VALID WATER RIGHT? Yes No
 TEMP ALT AC ___ (GARY) IRR DIST ___ (GARY) PERM AMEND ___ (KELLY) DIV 15 or Temp Div15 (LARRY)
 FOLDER FILLED OUT* 3-4-98
 INDEX CARD 3-4-98
 ENTERED IN DB 3-4-98
 TYPE BLACK BOOK 3-4-98 (And color code)
 RECORD MONEY/RECEIPT # 3-6-98
 CONTENTS MARKED 3-6-98
 COLOR CODED Yes
 4 COPIES MADE & STAMPED 3-6-98

CERTIFICATE MARKED 3-4-98
 CERTIFICATE COPIED 3-4-98
 FINAL PROOF MAP COPIED _____
 PULL APPLICATIONS _____
 APP FOLDER MARKED _____
 PERMIT MARKED _____
 PERMIT COPIED _____
 PERMIT MAP COPIED _____
 DECREE MARKED 3-6-98
 DECREE COPIED 3-6-98
 ADJUDICATION MAP COPIED _____

ENTRIES CHECKED 3-6-98 CHECKED BY Larry INIT FOLDER
 PUBLIC NOTICE DATE 3-10-98 (PREPARED & COPIED)
 LETTER SENT 3-9-98 Irrigation District _____ (copy of app & map)
 COPY TO WM 3-9-98
 BLUE FORM TO WM 3-9-98 Orange form for Permit Amend/Yellow for Temp
 COPY TO GW _____ POA, APOA, or [SW TO GW ONLY(as POD)]
 BLUE FORM TO GW _____ Orange form for Permit Amend/Yellow for Temp
 COPY TO CWRE 3-9-98
 LETTER TO ODFW 3-9-98 ALL Surface water POU/USE (POD and APOD FISH SCREENS)

*SHRINK DATA IF THERE ARE MANY FILES INVOLVED AND TAPE TO FOLDER

STANFIELD IRRIGATION DISTRICT

009286

March 2, 1998

Oregon Water Resources Department
Salem, OR

Dick Snow's Point of Diversion

\$ 200.00

T-7950

Name DICK SNOW
Address 33263 OREGON TRAIL ROAD
ECHO OR 97826
541-376-8231

Appl. No. APOD
Filed 3/4/98
Date of hearing _____
Place of hearing _____
Date of order _____ Vol. _____, page _____
Date for application of water _____
App. No. _____ Per. No. _____ Cert. No. _____
App. received _____
Certificate issued _____ Vol. _____, page _____

DESCRIPTION OF WATER RIGHT

Name of stream Umatilla River
Trib. of Columbia River County of Umatilla
Use Irrigation
Quantity of water _____ No. of acres _____
Name of ditch U S Feed Canal
Date of priority 1983
In name of C J Gulliford / Lucinda McCullough
Adjudication, Vol. D 2585 2586 page 2586
App. No. _____ Per. No. _____ Cert. No. _____
Certificate cancelled _____
Notation made on record by JWB

FEEES PAID

Date	Amount	Receipt No.
<u>3/4/98</u>	<u>200 -</u>	<u>19425</u>
TOTAL . . .		
		Cert. Fee

FEEES REFUNDED

Date	Amount	Check No.

REMARKS

to JD / Dale G. Van Schoiack CWRE#333
D 3-10-98

INDEX CARDS:	Entered	Checked
	Name	_____
	Stream	_____
	Pt. of Div.	_____
	Calendar	_____
CHECKED TO RECORDS:	Two 2 Rps.	_____
	Dr. report	_____
	Site visit	_____
	Photo. Map	_____
	Doc. order	_____
	Contracts	_____
	Cross Ref.	_____
	Power Claim	_____
Abstracts	_____	

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

T-7950

3522.022

RECEIVED

MAR 04 1998

WATER RESOURCES DEPT.
 SALEM, OREGON

COPY

Applicant: Dick Snow

Mailing Address: 33263 Oregon Trail Road

Echo OR 97826 541/376-8231
 City or Town State Zip Phone

Type of Change: Additional 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)
Lucinda McCullough and C.J. Gulliford
- B) Was the water right determined by a court decree? Yes
 (Yes, No)
 1. If yes, list the title of the proceedings: Umatilla River 1916 Decree Vol. 3, pgs. 204 & 212
 2. Certificate No: #2586 & #2535 & Case No. CV940202, 24 May 1994, Circuit Court of the State of Oregon for Umatilla County.
- C) Was the water right acquired by a water permit? No
 (Yes, No)
 1. If yes, list the Permit No: N/A
 2. Certificate No: N/A
- D) Date of priority right: Cert. 2535: 1883 Cert. 2586: 1883, 19__
- E) What are your reasons for the proposed changes? Bureau of Reclamation is requesting as part of their fish restoration program for the Umatilla River
- F) The water will be completely applied to the proposed use on or before: October, 1998

2. LOCATION OF AUTHORIZED USE

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

B) Describe the authorized point of diversion:

Location in Reference to Survey Corner	1/4, 1/4 of Section	Section	Township	Range
700 ft. North & 780 ft. West from S1/4 Cor. Sec. 22	SE1/4 SW1/4	22	3N	29E W.M.

C) What is the name of the ditch used? U.S. Feed Canal

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
3N	29E W.M.	16	NE1/4 SE1/4	12.8 - CERT. 2535
3N	29E W.M.	16	SE1/4 SE1/4	22.0 - CERT. 2535
3N	29E W.M.	21	NE1/4 NE1/4	2.0 - CERT. 2586

F) Is the land within an irrigation district? Yes _____ No X

If yes, which district? N/A

G) County Umatilla

3. LOCATION OF PROPOSED USE:

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

A) Describe the proposed point of diversion:

Location in Reference to Survey Corner	1/4, 1/4 of Section	Section	Township	Range
Additional 430 ft. N & 450 ft. E from SW Cor. Sec. 31	SW1/4 SW1/4	31	3N	30E W.M.

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
(Yes, No)

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

Encumbrance	Held By	Amount
N/A		

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

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
N/A				

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: Area described in this transfer application also has supplemental rights from McKay

Reservoir under Permit 7400

I, Dick Snow, applicant(s), hereby swear that I have read the above application for transfer of water right and that the statements made are true and correct. Dated and signed this 28th day of Feb, 19 98.

Dick Snow
(Signature)

(Signature)

Subscribed and sworn to before me



William J. Porfily
Notary Public for Oregon

My commission expires: Jan 26 2008

RECEIVED

DICK SNOW

TRANSFER MAP REQUESTING ADDITIONAL

POINT OF DIVERSION FOR DECREE WATER RESOURCES DEPT

WATER RIGHT CERTIFICATE 2586 AND CERTIFICATE 2535
T.3N. R.29E.

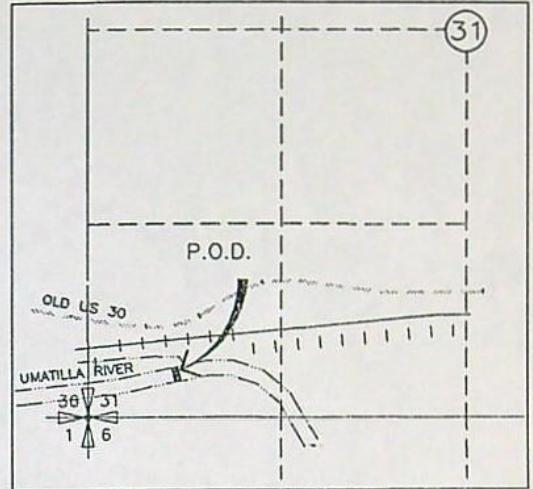


CERTIFICATE 2535



CERTIFICATE 2586

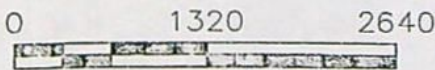
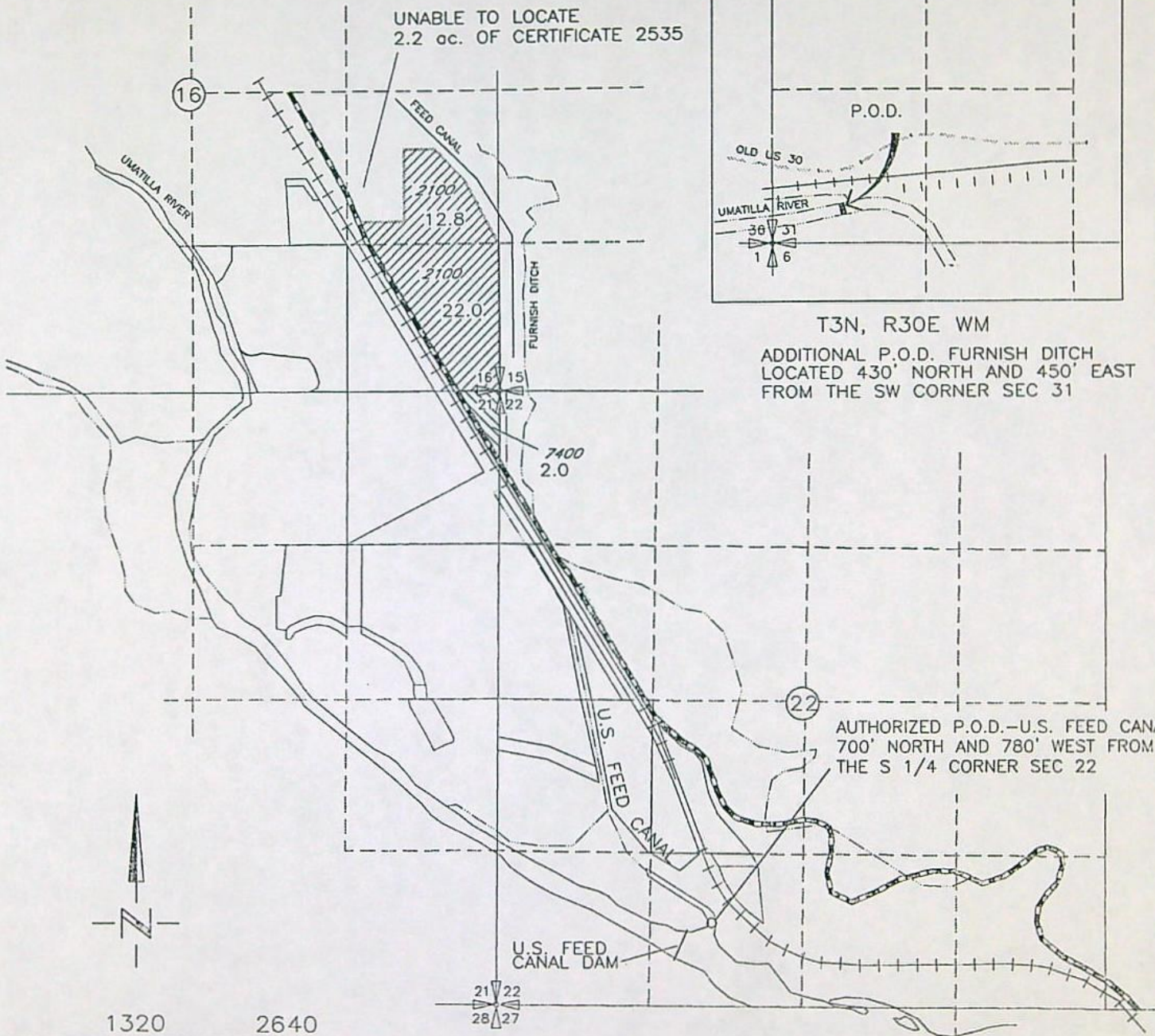
UNABLE TO LOCATE
2.2 ac. OF CERTIFICATE 2535



T3N, R30E WM

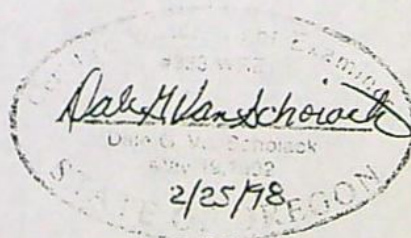
ADDITIONAL P.O.D. FURNISH DITCH
LOCATED 430' NORTH AND 450' EAST
FROM THE SW CORNER SEC 31

AUTHORIZED P.O.D.—U.S. FEED CANAL
700' NORTH AND 780' WEST FROM
THE S 1/4 CORNER SEC 22



SCALE IN FEET

T-7950



NOTE:
THE PURPOSE OF THIS MAP IS TO IDENTIFY THE APPROXIMATE LOCATION
OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION
RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.

SCM Consultants, Inc.

Architects & Engineers
Kennewick, WA 99336

3522.022
3522022R.DWG
2/25/98

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # **104623**

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

INVOICE # _____

RECEIVED FROM: Byrd Rental LLC APPLICATION T-7950
 BY: _____ PERMIT _____
 TRANSFER _____

CASH: CHECK:# 1192 OTHER: (IDENTIFY) _____
 TOTAL REC'D \$75.00

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

MISCELLANEOUS

0407 COPY & TAPE FEES 46111 \$
 0410 RESEARCH FEES \$
 0408 MISC REVENUE: (IDENTIFY) Assignment \$ 75.00
 TC162 DEPOSIT LIAB. (IDENTIFY) _____ \$
 0240 EXTENSION OF TIME \$

WATER RIGHTS:

EXAM FEE		
\$	0202	\$
\$	0204	\$
\$		

RECORD FEE

0201 SURFACE WATER \$
 0203 GROUND WATER \$
 0205 TRANSFER \$

WELL CONSTRUCTION

EXAM FEE		
\$	0219	\$
	0220	\$

LICENSE FEE

0218 WELL DRILL CONSTRUCTOR \$
 LANDOWNER'S PERMIT \$
 OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

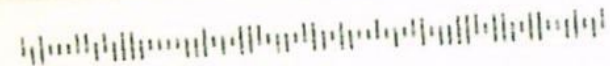
0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

FUND _____ TITLE _____
 OBJ. CODE _____ VENDOR # _____
 DESCRIPTION _____ \$

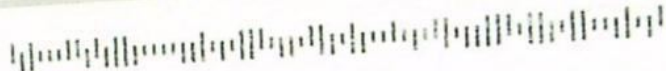
RECEIPT: **104623** DATED: 12-7-11 BY: [Signature]



T-7950
BYRD RENTAL, LLC
SUSAN MARIE BYRD
PO BOX 178
ECHO OR 97826



T-7950
BYRD RENTAL, LLC
SUSAN MARIE BYRD
PO BOX 178
ECHO OR 97826



T-7950
BYRD RENTAL, LLC
SUSAN MARIE BYRD
PO BOX 178
ECHO OR 97826