

### DESCRIPTION OF WATER RIGHT

## FEE PAID

## REMARKS

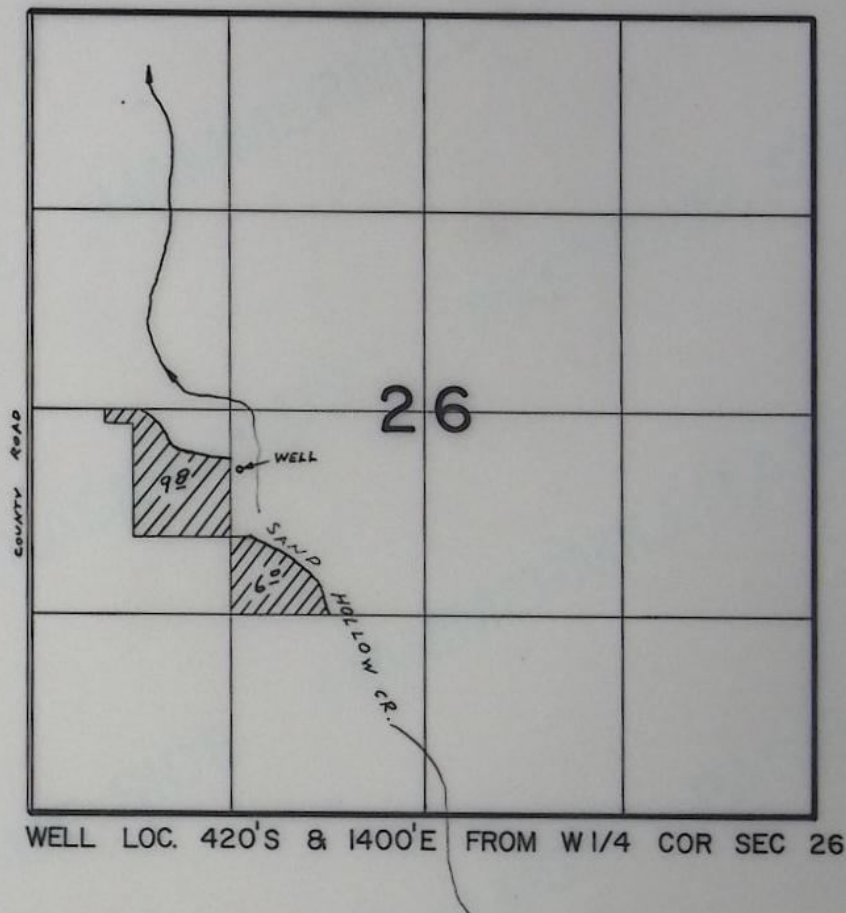
## FEES REFUNDED

| Date | Amount | Check No. |
|------|--------|-----------|
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|      |      |             |
|------|------|-------------|
| Fees | Exam | 20 -        |
|      | POU  | 10 -        |
|      | POD  | 15 -        |
|      |      | <u>45 -</u> |

| INDEX CARDS:        | Entered                             | Checked                  |
|---------------------|-------------------------------------|--------------------------|
| Name                | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Stream              | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Pl. of Div.         | <input type="checkbox"/>            | <input type="checkbox"/> |
| Calendar            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| CHECKED TO RECORDS: |                                     |                          |
| Two 2 Page          | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Deceased-vault      | <input type="checkbox"/>            | <input type="checkbox"/> |
| Deceased-safe       | <input type="checkbox"/>            | <input type="checkbox"/> |
| Cert. of W/R        | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Pen. Folder         | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Chairman            | <input type="checkbox"/>            | <input type="checkbox"/> |
| Cross Ref.          | <input type="checkbox"/>            | <input type="checkbox"/> |
| Power Claim         | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Abstracts           | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

T. 1N. R. 26E. W.M.



**FINAL PROOF SURVEY**  
UNDER

TRANSFER 3506

Application No. .... Permit No. ....  
IN NAME OF

.....KENNETH.....TURNER.....

Surveyed 2-8..... 1978, by R. BARWIN.....

INSPECTION

V.L.C.

STATE OF OREGON

COUNTY OF MORROW

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

TURNER RANCH INC.  
ROUTE 2, BOX 2218  
HEPPNER, OREGON 97836

confirms the right to use the waters of A WELL in the SAND HOLLOW BASIN for IRRIGATION OF 53.8 ACRES.

This right was perfected under Permit G-2409. The date of priority is APRIL 24, 1963. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.47 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

The well is located as follows:

NE 1/4 SW 1/4, SECTION 26, T 1 N, R 26 E, WM; 420 FEET SOUTH AND 1400 FEET EAST FROM THE W 1/4 CORNER, SECTION 26.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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

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

SW 1/4 SE 1/4 24.2 ACRES  
SE 1/4 SE 1/4 29.6 ACRES  
SECTION 22  
TOWNSHIP 1 NORTH, RANGE 26 EAST, WM

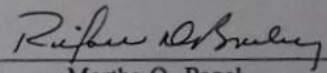
This certificate is issued to confirm a change in PLACE OF USE approved by an order of the Water Resources Director entered MAY 10, 1982, and together with Certificate 51157, supersedes Certificate 48754, State Record of Water Right Certificates.

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

The well shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.

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

WITNESS the signature of the Water Resources Director, affixed MAY 19, 1998.

  
Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 75648.

T-5016.SB

STATE OF OREGON  
COUNTY OF MORROW

## CERTIFICATE OF WATER RIGHT

**This Is to Certify, That KENNETH TURNER**

of **Route 2, Heppner**, State of **Oregon**, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of a well

a tributary of **Sand Hollow Creek** for the purpose of irrigation of **548.9 acres and supplemental irrigation of 36.7 acres**

under Permit No. **G-4255** of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from **July 25, 1968**

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 **4.44 cubic feet per second**

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the **SW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 26, T. 1 N., R. 26 E., W. M.** Well located: **2600 feet South and 30 feet East from W $\frac{1}{2}$  Corner, Section 26.**

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to **one-eightieth** of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed **3 acre feet per acre** for each acre irrigated during the irrigation season of each year; provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein,

and shall

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

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

| Primary    | Supplemental |                                   | Primary    |                                   |
|------------|--------------|-----------------------------------|------------|-----------------------------------|
| 7.8 acres  | 19.6 acres   | NW $\frac{1}{4}$ SW $\frac{1}{4}$ | 41.2 acres | NE $\frac{1}{4}$ NE $\frac{1}{4}$ |
| 23.1 acres | 17.1 acres   | SW $\frac{1}{4}$ SW $\frac{1}{4}$ | 39.8 acres | NW $\frac{1}{4}$ NE $\frac{1}{4}$ |
| 30.4 acres |              | SE $\frac{1}{4}$ SW $\frac{1}{4}$ | 39.8 acres | SW $\frac{1}{4}$ NE $\frac{1}{4}$ |
|            | Section 26   |                                   | 40.6 acres | SE $\frac{1}{4}$ NE $\frac{1}{4}$ |
|            |              |                                   | Section 34 |                                   |
| 41.2 acres |              | NE $\frac{1}{4}$ SE $\frac{1}{4}$ | 40.5 acres | NE $\frac{1}{4}$ NW $\frac{1}{4}$ |
| 41.6 acres |              | NW $\frac{1}{4}$ SE $\frac{1}{4}$ | 40.2 acres | NW $\frac{1}{4}$ NW $\frac{1}{4}$ |
| 41.6 acres |              | SW $\frac{1}{4}$ SE $\frac{1}{4}$ | 39.6 acres | SW $\frac{1}{4}$ NW $\frac{1}{4}$ |
| 41.2 acres |              | SE $\frac{1}{4}$ SE $\frac{1}{4}$ | 40.3 acres | SE $\frac{1}{4}$ NW $\frac{1}{4}$ |
|            | Section 27   |                                   | Section 35 |                                   |

T. 1 N., R. 26 E., W. M.

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

WITNESS the signature of the State Engineer, affixed

this date. **March 20, 1973**

**CHRIS L. WHEELER**

State Engineer

Recorded in State Record of Water Right Certificates, Volume **31**, page **39079**

T#3506

## STATE OF OREGON

COUNTY OF MORROW

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That KENNETH TURNER

of Route 2, Heppner, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of a well

a tributary of Sand Hollow Creek (Columbia River) for the purpose of irrigation of 64.7 acres

under Permit No. G-2409 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from April 24, 1963

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 0.56 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 26, T. 1 N., R. 26 E., W. M. Well located 2630 feet South and 440 feet East from the NW Corner, Section 26.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3 acre feet per acre for each acre irrigated during the irrigation season of each year;

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

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

14.0 acres NW $\frac{1}{4}$  NW $\frac{1}{4}$   
 14.0 acres SW $\frac{1}{4}$  NW $\frac{1}{4}$   
 19.6 acres NW $\frac{1}{4}$  SW $\frac{1}{4}$   
 17.1 acres SW $\frac{1}{4}$  SW $\frac{1}{4}$   
 Section 26  
 T. 1 N., R. 26 E., W. M.

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

WITNESS the signature of the State Engineer, affixed

this date. September 30, 1968

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 27, page 35394

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Morrow County

IN THE MATTER OF THE APPLICATION )  
OF KENNETH TURNER FOR APPROVAL OF )  
CHANGES IN PLACE OF USE AND POINT )  
OF APPROPRIATION OF GROUND WATER )  
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ORDER APPROVING  
TRANSFER NO. 3506

On January 11, 1977, Kenneth Turner filed an application in the office of the Water Resources Director for approval of a change in place of use and point of appropriation under existing water rights of record, pursuant to the provisions of ORS 537.705.

The certificate recorded at Page 35394, Volume 27, State Record of Water Right Certificates, in the name of Kenneth Turner, describes a right for the use of not to exceed 0.56 cubic foot per second from a certain ground water aquifer for irrigation of 14.0 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$ , 14.0 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$ , 19.6 acres in NW $\frac{1}{4}$  SW $\frac{1}{4}$  and 17.1 acres in SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 26, Township 1 North, Range 26 East, W.M., with a date of priority of April 24, 1963.

Water for the said right is diverted from a well located 2630 feet South and 440 feet East from the Northwest corner of Section 26, being within the SW $\frac{1}{4}$  NW $\frac{1}{4}$  of said Section 26.

The applicant herein, owner of the lands above described, proposes to sever the right from 14.0 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$  and 1.8 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$  of said Section 26 and, without loss of priority, to irrigate in lieu thereof a certain 6.0 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$  and 9.8 acres in NW $\frac{1}{4}$  SW $\frac{1}{4}$  of said Section 26, and to change the point of appropriation for the entire right to a well located 420 feet South and 1330 feet East from the West quarter-corner of Section 26, being within the NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 26, Township 1 North, Range 26 East, W.M.

The certificate recorded at Page 39079, Volume 31, State Record of Water Right Certificates, in the name of Kenneth Turner, describes a right for the use of not to exceed 4.44 cubic feet per second from a certain ground water aquifer for irrigation and supplemental irrigation of the following lands:

| Primary                               | Supplemental |                                   | Primary    |                                   |
|---------------------------------------|--------------|-----------------------------------|------------|-----------------------------------|
| 7.8 acres                             | 19.6 acres   | NW $\frac{1}{4}$ SW $\frac{1}{4}$ | 41.2 acres | NE $\frac{1}{4}$ NE $\frac{1}{4}$ |
| 23.1 acres                            | 17.1 acres   | SW $\frac{1}{4}$ SW $\frac{1}{4}$ | 39.8 acres | NW $\frac{1}{4}$ NE $\frac{1}{4}$ |
| 30.4 acres                            |              | SE $\frac{1}{4}$ SW $\frac{1}{4}$ | 39.8 acres | SW $\frac{1}{4}$ NE $\frac{1}{4}$ |
|                                       | Section 26   |                                   | 40.6 acres | SE $\frac{1}{4}$ NE $\frac{1}{4}$ |
|                                       |              |                                   | Section 34 |                                   |
| 41.2 acres                            |              | NE $\frac{1}{4}$ SE $\frac{1}{4}$ |            |                                   |
| 41.6 acres                            |              | NW $\frac{1}{4}$ SE $\frac{1}{4}$ | 40.5 acres | NE $\frac{1}{4}$ NW $\frac{1}{4}$ |
| 41.6 acres                            |              | SW $\frac{1}{4}$ SE $\frac{1}{4}$ | 40.2 acres | NW $\frac{1}{4}$ NW $\frac{1}{4}$ |
| 41.2 acres                            |              | SE $\frac{1}{4}$ SE $\frac{1}{4}$ | 39.6 acres | SW $\frac{1}{4}$ NW $\frac{1}{4}$ |
|                                       | Section 27   |                                   | 40.3 acres | SE $\frac{1}{4}$ NW $\frac{1}{4}$ |
|                                       |              |                                   | Section 35 |                                   |
| Township 1 North, Range 26 East, W.M. |              |                                   |            |                                   |

with a priority date of July 25, 1968.

Water for the said right is diverted from a well located 2600 feet South and 30 feet East from the West quarter-corner of Section 26, being within the SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 26, Township 1 North, Range 26 East, W.M.

The applicant herein, owner of the lands above described, proposes to establish, without loss of priority, an additional point of appropriation for said lands from a well located 420 feet South and 1330 feet East from the West quarter-corner of Section 26, being within the NE $\frac{1}{4}$  SW $\frac{1}{4}$  of said Section 26.

Notice of the application, pursuant to ORS 540.510 was published in the Heppner Gazette-Times, a newspaper printed and having general circulation in Morrow County, Oregon, for a period of three weeks in the issues of February 3, 10 and 17, 1977.

Mr. William B. McCall, hydrogeologist, has filed a statement to the effect that the proposed changes in points of appropriation may be made without injury to existing rights.

Mr. William I. Porfily, Watermaster, has filed a statement to the effect that the proposed changes in place of use and point of appropriation may be made without injury to existing rights.

No objection having been filed and it appearing that the proposed changes in place of use and point of appropriation may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested changes in place of use and point of appropriation from a certain ground water aquifer described herein, without loss of priority, are approved.

It is FURTHER ORDERED that the quantity of water diverted at the new point of appropriation under the priority date of April 24, 1963, shall not exceed 0.56 cubic foot per second; and that the quantity of water diverted at the new point of appropriation, together with that diverted at the old point of appropriation, under the priority date of July 25, 1968, shall not exceed 4.44 cubic feet per second.

It is FURTHER ORDERED that the following provisions shall be carried out prior to the diverting of water at the new point of appropriation as herein confirmed:

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

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

It is FURTHER ORDERED that the construction work shall be completed, the change in point of appropriation made and said water so transferred applied to beneficial use on or before October 1, 1979.

It is FURTHER ORDERED that upon proof satisfactory to the Water Resources Director of completion of works and beneficial use of water to the extent intended under the provisions of this order, the certificates of water right heretofore issued to Kenneth Turner and recorded at Page 35394, Volume 27, and Page 39079, Volume 31, State Record of Water Right Certificates, be canceled, and in lieu thereof new confirming certificates of water right shall be issued to the applicant herein.

Dated at Salem, Oregon, this 31st day of March, 1977.

/s/ JAMES E. SEXSON  
Director

NOTICE OF WATER  
RIGHT TRANSFER  
APPLICATION NO.  
3506 FOR CHANGE IN  
POINT OF  
APPROPRIATION

Notice is given hereby that Kenneth Turner has filed an application in the office of the Water Resources Director which includes a request for approval of a change in point of appropriation of ground water.

Certificate of water right recorded at Page 39079, Vol. 31, State Record of Water Right Certificates, in the name of Kenneth Turner, describes an existing right of record for the use of not to exceed 4.44 cubic feet per second from a well for irrigation use on a certain 549.9 acres located W. of Sand Hollow Creek in SW<sup>1</sup>/<sub>4</sub>, Sec. 26; SE<sup>1</sup>/<sub>4</sub>, Sec. 27; NE<sup>1</sup>/<sub>4</sub>, Sec. 34 and NW<sup>1</sup>/<sub>4</sub>, Sec. 35, T. 1 N., R. 26 E., W.M., with a date of priority of July 25, 1968.

Water for the said right is diverted from a certain aquifer by means of a well located 2600 ft. S. and 30 ft. E. from the W. <sup>1</sup>/<sub>4</sub> corner of Sec. 26, being within the SW<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>, Sec. 26, T. 1 N., R. 26 E., W.M.

The applicant herein, owner of the lands above described, proposes to establish, without loss of priority, an additional point of appropriation from the said aquifer, by means of a well located 420 ft. S. and 1330 ft. E. from the W. <sup>1</sup>/<sub>4</sub> corner, Sec. 26, being within NE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub> of Sec. 26, T. 1 N., R. 26 E., W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Heppner, Oregon, on Mar. 29, 1977, at 8:30 a.m. All objections to the proposed change, if any there are, will be heard at said time and place. Any and all objections shall be prepared in writing, one copy to be served on Kenneth Turner, Route 2, Heppner, Oregon 97836, and one copy filed with the Water Resources Department, Salem, Oregon 97310, together with a \$10 filing fee, at least 10 days prior to the date set for hearing. IF NO OBJECTION IS FILED, THE APPLICATION MAY BE APPROVED BY THE WATER RESOURCES DIRECTOR WITHOUT A HEARING. Administrative rules pertaining to the filing of a protest will be furnished by the Water Resources Department upon request.

Dated at Salem, Oregon, this 19th day of January, 1977.

JAMES E. SEXSON  
Director

Published Feb. 3, 10, 17,  
1977.

RECEIVED

MAR - 9 1977

WATER RESOURCES DEPT

SALEM, OREGON

AFFIDAVIT OF PUBLICATION

STATE OF OREGON }

County of Morrow }

ss:

I, ..... Tom Franks

being first duly sworn, depose and say that I am the ..... Editor ..... of the HEPPNER GAZETTE-TIMES, a newspaper of general circulation, as defined by O.R.S. 193.010 and 193.020; printed and published at Heppner, Oregon: that the Notice of Water Right Transfer Application #3506

a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for ..... 3 ..... successive and consecutive weeks in the following issues: Feb. 3, 10, 17, 1977

Subscribed and sworn before me this ..... 4 ..... day of March, 1977.

Milton Ray Boyce

Notary Public for Oregon

My Commission Expires: 3-22-79

(SEAL)