

3887 Johnson

Name Hulette Johnson

By _____

Address Rt. 2 Box 237Milton-Freewater Or.97862Change in P.O.D.Date filed February 21, 1978Date of hearing June 27, 1978Place of hearing PendletonDate of order 6-30-78 Vol. 31, page 25Date for application of water 10-1-79

Proof mailed _____

Proof received _____

Certificate issued AUG 10 1978 38 Vol. 38, page 46241Aug. 10, 1978 38 46242

REMARKS

4/6 Survey complete - confirming
cert. to be issued at later date w/ others

3887

DESCRIPTION OF WATER RIGHT

Name of stream Little Walla Walla RiverTrib. of _____ County of UmatillaUse irrigation & supplemental irrig.Quantity of water _____ No. of acres 320Name of ditch Pleasant ViewDate of priority March 25, 1912 & January 16, 1959In name of Pleasant View Irrigation Co.

_____ Adjudication, Vol. _____, page _____

App. No. 2160 32244 Per. No. 1216 26001 Cert. No. 32347 32348

Certificate cancelled _____

Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
2-21-78	35.00	1213
4-21-78	50.00	2400
TOTAL . . .		
6-9-78	\$4 Cert. Fee	Trust for 1213

Valley Herald \$33.33 pd 6-4-78 Ch # 2323

FEES REFUNDED

Date	Amount	Check No.
6-9-78	12.67	2328

EX 20-
 POD 15-
 CERT 4-
 PAID 33 33
 72 33

TO BE ENTERED WHERE CHECKED	INDEX CARDS:	
	Entered	Checked
<input checked="" type="checkbox"/> Name	<u>lij</u>	___
<input checked="" type="checkbox"/> Stream	<u>lij</u>	___
<input checked="" type="checkbox"/> Pl. of Div.	<u>lij</u>	___
<input checked="" type="checkbox"/> Calendar	<u>lij</u>	___
<input checked="" type="checkbox"/> CHECKED TO RECORD		
<input checked="" type="checkbox"/> Twp. & Rgn.	<u>lij</u>	___
<input checked="" type="checkbox"/> Decree-vault	___	___
<input checked="" type="checkbox"/> Decree-sale	___	___
<input checked="" type="checkbox"/> Cert. of W.R.	<u>WJO</u>	<u>let</u>
<input checked="" type="checkbox"/> Per. Folder	<u>WJO</u>	<u>let</u>
<input checked="" type="checkbox"/> Chaindex	___	___
<input checked="" type="checkbox"/> Cross Ref.	___	___
<input checked="" type="checkbox"/> Power Claim	___	___
<input checked="" type="checkbox"/> Abstracts	<u>lij</u>	___

W.R.I.S.

Assembled 5-6-83 by SD

Entered _____ by _____

Verified _____ by _____

STATE OF OREGON
COUNTY OF UMATILLA
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

Hudson Bay District Improvement Company
P.O. Box 110
Milton-Freewater, OR 97862

confirms the right to use the waters of LITTLE WALLA WALLA RIVER, a tributary of WALLA WALLA RIVER, for SUPPLEMENTAL IRRIGATION of 149.74 acres.

This right was perfected under Permit S-26001. The date of priority is JANUARY 16, 1959. The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 3.74 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 N	35 E	WM	1	NE NW	POD #1 - 910 FEET SOUTH AND 700 FEET WEST FROM THE N1/4 CORNER OF SECTION 1
5 N	35 E	WM	12	SW NE	POD #2 - 1030 FEET NORTH AND 900 FEET EAST FROM THE CENTER CORNER OF SECTION 12

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FORTIETH of one cubic foot per second per acre, or its equivalent 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:

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	User Name
6 N	34 E	WM	17	SE SW	13.65	WHITE
6 N	35 E	WM	28	SW SE	29.00	GRANT, W.
6 N	35 E	WM	28	SE SE	15.00	WONDRA, LARRY
6 N	35 E	WM	28	SE SE	1.53	WONDA, LARRY

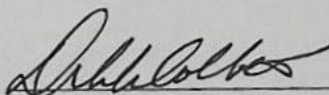
This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may petition for judicial review or petition the Director 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.

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	User Name
6 N	35 E	WM	33	NE NE	9.20	MARTIN, P
6 N	35 E	WM	33	NE NE	18.80	CAYUSE VINEYARDS LLC
6 N	35 E	WM	33	SW NE	6.00	JOHNSON, H
6 N	35 E	WM	33	SE NE	23.50	JOHNSON, H
6 N	35 E	WM	33	SE NE	1.80	JOHNSON, H
6 N	35 E	WM	33	SE NE	0.70	JOHNSON, H
6 N	35 E	WM	34	NW NW	5.00	BURRIS, C
6 N	35 E	WM	34	SW NW	9.30	BURRIS, C
6 N	35 E	WM	34	SW NW	1.36	PRYHOROCKI, D
6 N	35 E	WM	34	SW NW	4.50	PRYHOROCKI, D
6 N	35 E	WM	34	SW NW	1.40	ASHLEY, RON
6 N	35 E	WM	34	SE NW	9.00	FAUVER

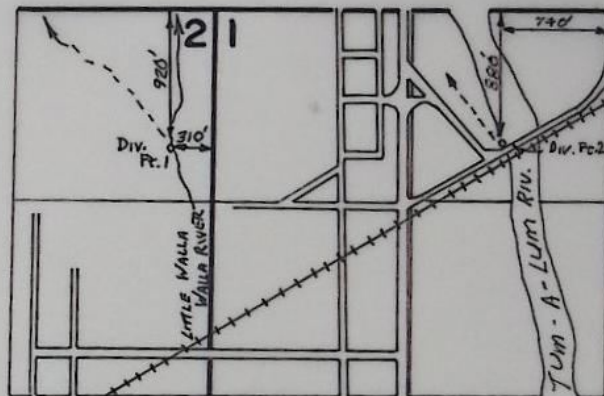
This certificate confirms an order of the Water Resources Director entered on March 4, 2009, and recorded in Special Order Volume 77, Page 333, approving a petition by Hudson Bay District Improvement Company under ORS 541.329 for mapping water rights within a district. This certificate confirms Transfer Applications T-3887 and T-5325.

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

WITNESS the signature of the Water Resources Director, affixed October 6, 2009


 Phillip C. Ward, Director *PC*

T. 5 N., R. 35 E., W. M.



DIV. PT. 1 LOCATED 920' SOUTH AND 310' WEST FROM
N.E. COR. SEC. 2

DIV. PT. 2 LOCATED 880' SOUTH AND 740' WEST FROM
N. 1/4 COR. SEC. 1

FINAL PROOF SURVEY
UNDER

TRANSFER 3887

IN NAME OF

HULETTE JOHNSON

Surveyed ~~6-26~~ 19.79., by ~~V.L. CHURCH~~

STATE OF OREGON
COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

This Is To Certify, That PLEASANT VIEW IRRIGATION COMPANY

of Milton-Freewater, 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
Little Walla Walla River
a tributary of Walla Walla River 723.68 for the purpose of
irrigation ~~722.68~~ acres
under Permit No. 1216 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 March 25, 1912;

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
9.51 cubic feet per second
9.05

or its equivalent in case of rotation, measured at the point of diversion from the stream.
The point of diversion is located in the

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,

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:

2.43 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 3
T. 5 N., R. 35 E., W. M.

10.00 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
40.00 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
40.00 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
20.00 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$

Section 27

28.00 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
40.00 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
40.00 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
30.00 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 28

~~5.00 Acres~~ 35.00 40.00 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$

40.00 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$

40.00 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$

40.00 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$

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

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

40.00 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$

~~25.00 acres~~ SE $\frac{1}{4}$ NE $\frac{1}{4}$ - 25.00 Ac

6.00 ~~13.00~~ acres SW $\frac{1}{4}$ NE $\frac{1}{4}$ - 7.00 Ac

22.50 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$

13.00 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$

Section 33

T-3887 0.415

19.00 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
 10.00 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
 20.00 acres S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$
 10.00 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$
 10.00 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
 25.25 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
 38.00 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
 12.50 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
 34.00 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$

Section 34

T. 6 N., R. 35 E., W. M.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 32347, Volume 24, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on June 30, 1978, approving transfer application No. 3887 and NOT canceled by the provisions of an order of the State Engineer entered June 30, 1975. The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

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 9 day of August, 1965.

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 24, page 32347

Part Cancelled - sp. or Rec. Vol. 25, P. 222
June 30, 1975

STATE OF OREGON

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

This Is to Certify, That PLEASANT VIEW IRRIGATION CO.

of Route 2, Box 30, Milton-Freewater, 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 Little Walla Walla River

a tributary of Walla Walla River for the purpose of supplemental irrigation ~~7,211.18~~ of 1210.18 acres

under Permit No. 26001 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 January 16, 1959

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 ~~31.18~~ cubic feet per second

~~30.38~~
1.25
30.255

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 2, T. 5 N., R. 35 E., W. M.

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 0.0375 of one cubic foot per second per acre,

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:

20.00 acres S $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$	40.00 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$	40.00 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 2	40.00 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$	40.00 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
2.43 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$	40.00 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$	38.50 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 3	Section 28	40.00 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
T. 5 N., R. 35 E., W. M.	40.00 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$	13.00 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
	20.00 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$	Section 33
	Section 29	33.00 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
10.00 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$	20.00 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$	5.00 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
40.00 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$	40.00 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$	20.00 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
10.00 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$	Section 32	20.00 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
40.00 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$	40.00 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$	35.25 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
40.00 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$	40.00 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$	38.00 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
40.00 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$	33.00 40.00 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$	12.50 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 27	10.00 35.00 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$	40.00 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
28.00 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$	35.00 38.00 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$	40.00 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
40.00 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$	5.00 2.40 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$	10.00 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
40.00 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$	Section 35	Section 34
Section 28		38.5 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
		Section 36
		T. 6 N., R. 35 E., W. M.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 32348, Volume 24, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on June 30, 1978, approving transfer application No. 3887 and NOT cancelled by the provisions of an order of the State Engineer entered June 30, 1975. The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

UMATILLA COUNTY

IN THE MATTER OF THE APPLICATION)
OF HULETTE JOHNSON FOR APPROVAL)
OF A CHANGE IN POINT OF DIVER-)
SION OF WATER)

ORDER APPROVING
TRANSFER NO. 3887

On February 21, 1978, an application was filed in the office of the Water Resources Director by Hulette Johnson for approval of a change in point of diversion from Little Walla Walla River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 32347, Volume 24, State Record of Water Right Certificates, in the name of Pleasant View Irrigation Company, describes a right which includes the use of not to exceed 0.4 cubic foot per second from Little Walla Walla River for irrigation of a certain 25.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ and 7.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 33, Township 6 North, Range 35 East, W.M., with a date of priority of March 25, 1912.

The certificate recorded at page 32348 of said volume, in the name of Pleasant View Irrigation Company, describes a right which includes the use of not to exceed 0.8 cubic foot per second from Little Walla Walla River for supplemental irrigation of said 25.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ and 7.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 33, with a date of priority of January 16, 1959.

Water for the said rights is diverted, through the Pleasant View Ditch, from a point located 642 feet South and 533 feet West from the Northeast Corner of Section 2, being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 2, Township 5 North, Range 35 East, W.M.

The applicant herein, owner of the lands above described, proposes to change the point of diversion therefrom, without loss of priority, to a point located 925 feet South and 300 feet West from the Northeast Corner of Section 2, being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 2 (Milton-Freewater & Hudson Bay Canal).

Notice of the application, pursuant to ORS 540.510, was published in the Valley Herald, a newspaper printed and having general circulation in Umatilla County, Oregon, for a period of three weeks in the issues of May 4, 11 and 18, 1978.

Mr. William I. Porfily, Watermaster, has filed a statement to the effect that the proposed change in point of diversion may be made without injury to existing rights.

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

NOW, THEREFORE, it hereby is ORDERED that the requested change in point of diversion, as described herein, without loss of priority, is approved.

It is FURTHER ORDERED that the quantity of water diverted at the new point of diversion shall not exceed the quantity of water available at the old point of diversion under the subject rights.

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

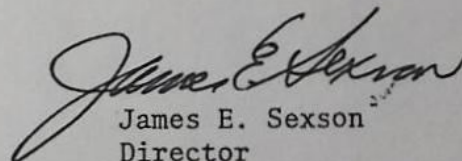
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 and the change in point of diversion of water made on or before October 1, 1979.

It is FURTHER ORDERED that the certificates of water right recorded at pages 32347 and 32348, Volume 24, State Record of Water Right Certificates, are canceled; and in lieu thereof new certificates be issued covering the balance of the rights NOT involved in this proceeding; and upon proof satisfactory to the Water Resources Director of completion of works and beneficial use of water to the extent intended under the provisions of this order, confirming certificates of water right shall be issued to the applicant herein.

Dated at Salem, Oregon this 30th day of June, 1978.


James E. Sexson
Director

RECEIVED

JUN 1 1978

WATER RESOURCES DEPT.
SALEM, OREGON

NOTICE OF WATER RIGHT
TRANSFER APPLICATION
NO. 3887

Notice is given hereby that an application has been filed in the office of the Water Resources Director by Hulette Johnson for approval of a change in point of diversion from Little Walla Walla River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 32347, Volume 24, State Record of Water Right Certificates, in the name of Pleasant View Irrigation Company, describes a right which includes the use of not to exceed 0.4 cubic foot per second from Little Walla Walla River for irrigation of a certain 25.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ and 7.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec 33, T6N, R 35 E, WM, with a date of priority of March 25, 1912.

The certificate recorded at page 32348 of said volume, in the name of Pleasant View Irrigation Company, describes a right which includes the use of not to exceed 0.8 cfs from Little Walla Walla River for supplemental irrigation of said 25.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ and 7.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Sec 33, with a date of priority of January 16, 1959.

Water for the said rights is diverted, through the Pleasant View Ditch, from a point located 642 ft S & 533 ft W from the NE Corner of Sec 2, being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec 2, T5N, R 35 E, WM.

The applicant herein, owner of the lands above described, proposes to change the point of diversion therefrom, without loss of priority, to a point located 925 ft S & 300 ft W from the NE Corner of Sec 2, being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Sec 2 (Milton-Freewater & Hudson Bay Canal).

All persons interested are notified hereby that a hearing will be held at the county courthouse at Pendleton, Oregon, on June 27, 1978, at 9:30 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 Hulette Johnson, Rt. 2, Box 237, Milton-Freewater, OR 97862; and one copy filed with the Water Resources Department, Salem, OR 97310, together with a \$10 filing fee, at least 10 days prior to the date set for the hearing. IF NO OBJECTIONS ARE FILED, THE APPLICATION MAY BE APPROVED BY THE WATER RESOURCES DIRECTOR WITHOUT A HEARING. Instructions regarding the filing of a protest will be furnished by the Water Resources Department upon request.

Dated at Salem, Oregon, this 25th day of April, 1978.

James E. Sexson
Director

18-20C

Form 4. Proof of Publication. ORS 111.215(3).

(Title of Court and Cause)

No. _____
PROOF OF PUBLICATION OF
NOTICE

State of Oregon)
County of Umatilla) ss.

I, Dianne Zimmerman, being first duly sworn,

on oath say that I am the Principal Clerk
of The Valley Herald, a newspaper of general circulation, as defined
by ORS 193.010 and 193.020, printed and published at Milton-Freewater, Oregon, and that the notice, a copy of which is annexed, was
published in the entire issue of said newspaper in the following _____
issues.

May 4 May 11 May 18 ^{ok 9/4}

Dianne Zimmerman
Subscribed and sworn to before me this 18 day of

May, 19 78

Vi. Hilton
Notary public for Oregon

My commission expires: July 5, 1981

