

4297 Pesciallo

Name Bert Pesciallo

4297

By _____

Address Route 2, Box 59
Milton-Freewater, OR 97862

DESCRIPTION OF WATER RIGHT

Name of stream Little Walla Walla RiverTrib. of _____ County of UmatillaUse irrigationQuantity of water _____ No. of acres 48²Name of ditch Pleasantview to Hudson BayDate of priority March 25, 1912

In name of _____

_____ Adjudication, Vol. _____, page _____

App. No. 2160 Per. No. 1216 Cert. No. 32347

Certificate cancelled _____

Notation made on record by _____

4-6-87 SRA

FEES PAID

Date	Amount	Receipt No.
<u>9-14-79</u>	<u>30-</u>	<u>14103</u>
<u>12-17-79</u>	<u>5-</u>	<u>15388</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

Change in PODDate filed Sept 14, 1979

Date of hearing _____

Place of hearing _____

Date of order 12-20-79 Vol. 32, page 595Amended 3-23-87 47 143Date for application of water 10-1-81

Proof mailed _____

Proof received FEB 1 1980Certificate issued _____ Vol. 42, page 48989

REMARKS

SEE F-5325within Hudson Bay? 3/11/80to survey 3/80

W.R.I.S.

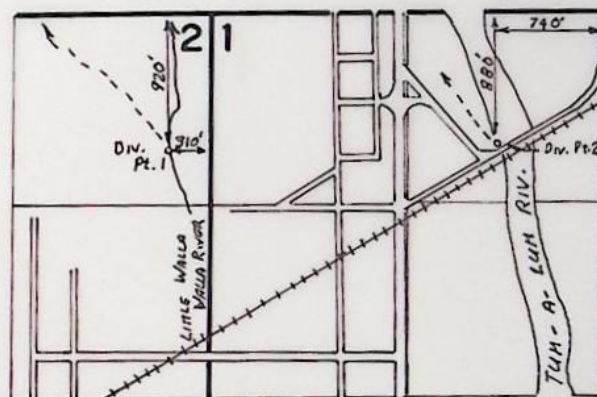
Assembled 3-22-85 by SA

Entered _____ by _____

Verified _____ by _____

TO BE ENTERED WHERE CHECKED	INDEX CARDS:		Entered	Checked
<input checked="" type="checkbox"/>	Name		<u>SA</u>	
<input checked="" type="checkbox"/>	Stream		<u>SA</u>	
<input checked="" type="checkbox"/>	Pt. of Div.		<u>SA</u>	
<input checked="" type="checkbox"/>	Calendar		<u>SA</u>	
<input checked="" type="checkbox"/>	CHECKED TO RECORDS:			
<input checked="" type="checkbox"/>	Twp. & Rge.		<u>SRA</u>	
<input checked="" type="checkbox"/>	Decree-vault			
<input checked="" type="checkbox"/>	Decree-safe			
<input checked="" type="checkbox"/>	Cert. of W/R		<u>SA</u>	
<input checked="" type="checkbox"/>	Per. Folder		<u>SRA</u>	
<input checked="" type="checkbox"/>	Chainindex			
<input checked="" type="checkbox"/>	Cross Ref.			
<input checked="" type="checkbox"/>	Power Claim			
<input checked="" type="checkbox"/>	Abstracts		<u>SA</u>	

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 4297

IN NAME OF

BERT PESCIALLO

Surveyed APRIL 8, 1922, by V. L. GILBERT

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

POD
POU
USE
Add'l POD

Transfer NO. 4297

County Umatilla

Old Certificate NO. 32347

1. Name Bert Pesciallo
Address Rt 2, Box 59, Milton-Freewater, OR 97862
2. Source of Supply Little Walla Walla River, Trib of _____
3. Use irrigation
4. Amount of Water 0.60 cfs Priority Date 3/25/1912
5. Proposed Point of Diversion 920' S + 310' W from NE Cor, Sec 2, w/in NENE, Sec 2, T5N, R35E, WML Hudson Bay Canal
6. Completion Date 10-1-81
7. Place of Use:

Township	Range	Section	Forty Acre Tract	Use for Which Transfer Made

BERT PESCIALLO SHARE WITH
TWO YEAR AGO
FLOOD

20 ACRE FRUIT TREES

20' WEIR

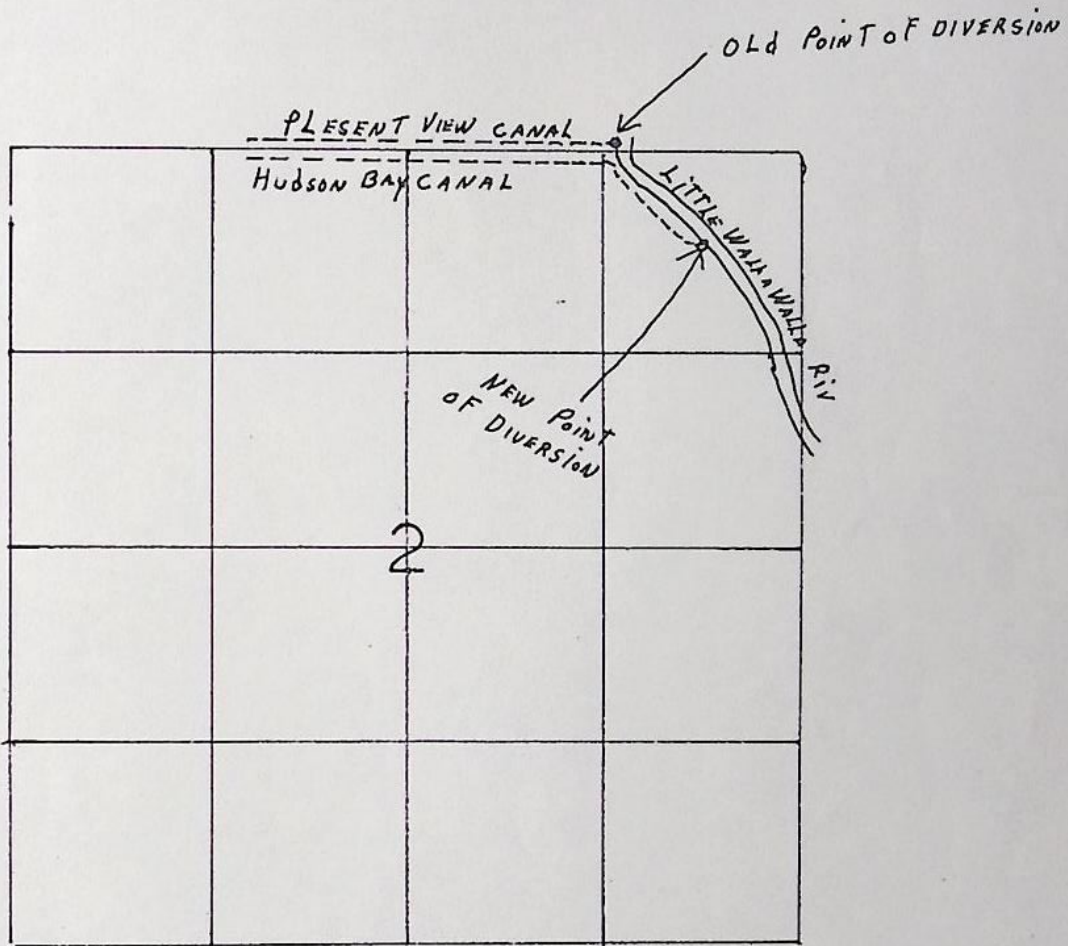
T-4297 RECEIVED

DEC 1 1979

WATER RESOURCES DEPT
SALEM, OREGON



T.5N. R.34 E.W.M.



Description of Works

Info: (Name, address, special remarks from the applicant) BERT PESCIALLO
MR. PESCIALLO SHARES THE WEIR WITH TWO OTHER PEOPLE
(JOHN PESCIALLO, H. JOHNSON)

Use: _____ If the use is supp'l does he use the primary? _____ If not,
has it gone for five or more years without being used? _____

Diversion Point HUDSON BAY DITCH

Ditch: _____

~~Pump and motor~~: Make _____ HP _____ RPM _____ Booster Pump _____
Make _____ Intake _____ Discharge _____
Rating: GPM _____ HEAD _____ Pressure at pump _____

~~WEIR~~
~~Pipe~~: (Size, length, kind) 20" WOOD BLANK WITH CONCRETE
SIDES.

~~Sprinkler Heads~~: Make _____ Size of Nozzles _____

Number of heads used _____ Discharge capacity of each _____ gpm
Operating pressure _____ Max. at one time _____

Crop: FRUIT TREES

Lift: _____

Tie: INSP OFF JOHNSON F.P. FOR P.O.D. PTS-1978-P-D & HUDSON BAY DIV. PT.

Remarks by applicant MR PESCIALLO FLOOD IRRIGATES

DATE _____ APPLICANT'S SIGNATURE _____

Remarks by Examiner _____

4-8-92 Harmon L. Chubb
DATE WATER RIGHT EXAMINER

UMATILLA COUNTY

IN THE MATTER OF CANCELLATION)
OF A PORTION OF A WATER RIGHT)
IN THE NAME OF PLEASANT VIEW)
IRRIGATION COMPANY _ _ _ _ _)

O R D E R

On March 7, 1979, Clifford L. and Virginia P. Trout submitted an affidavit that they are the owners of a certain water right and the lands to which the water right is appurtenant; that they have abandoned any and all interest in and to said water right and request the same be canceled.

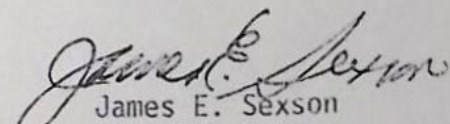
The water right in question is a portion of the right described by the certificate recorded at Page 46241, Volume 38, State Record of Water Right Certificates, in the name of Pleasant View Irrigation Company, and is for the use of not to exceed 0.25 cubic foot per second of water from Little Walla Walla River, with a date of priority of March 25, 1912, for irrigation of 20.0 acres in S $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 28, Township 6 North, Range 35 East, W. M.

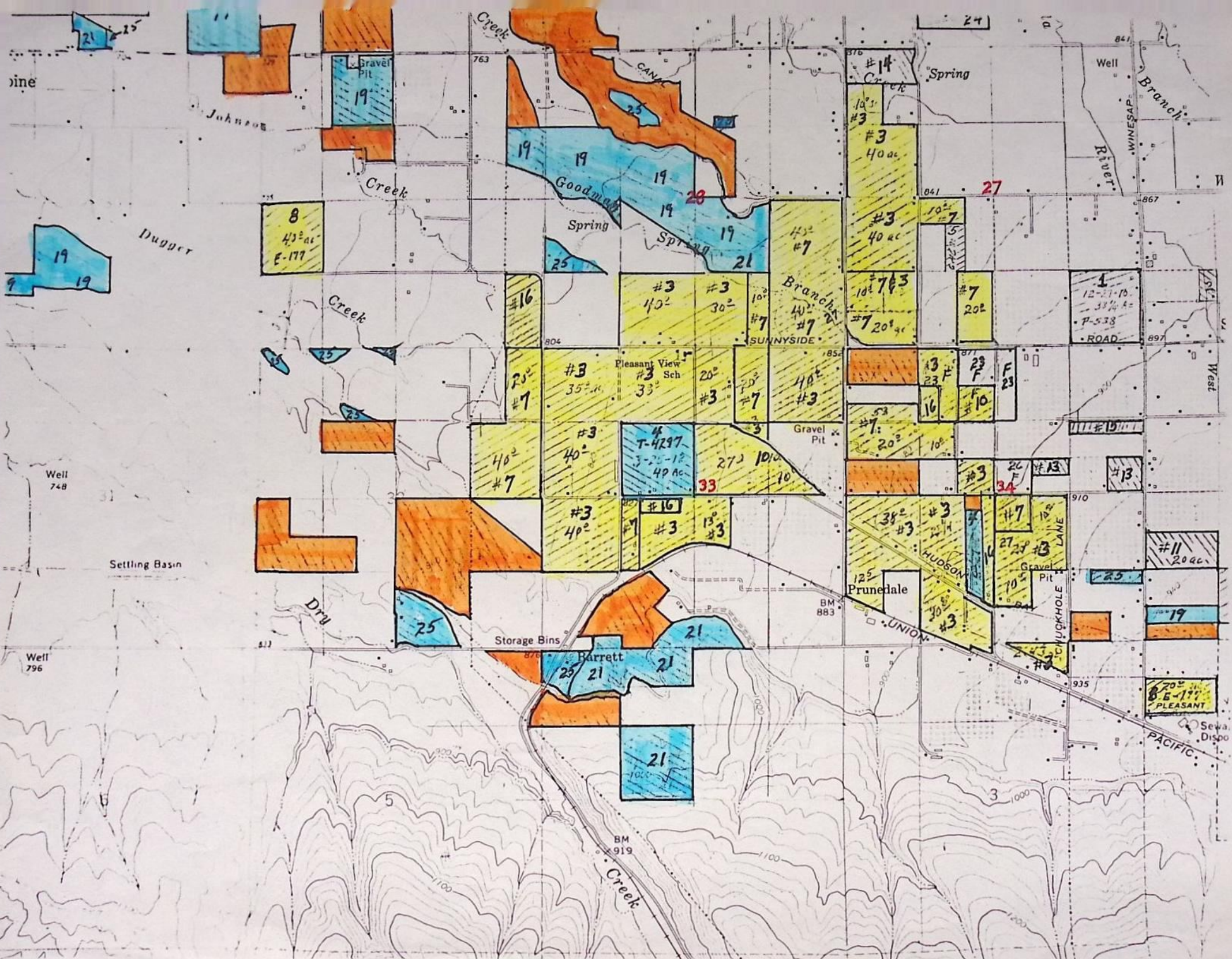
ORS 540.621 provides that: "Whenever the owner of a perfected and developed water right certifies under oath to the Water Resources Director that the water right has been abandoned by him and that he desires cancellation thereof, the Water Resources Director shall enter an order canceling the water right."

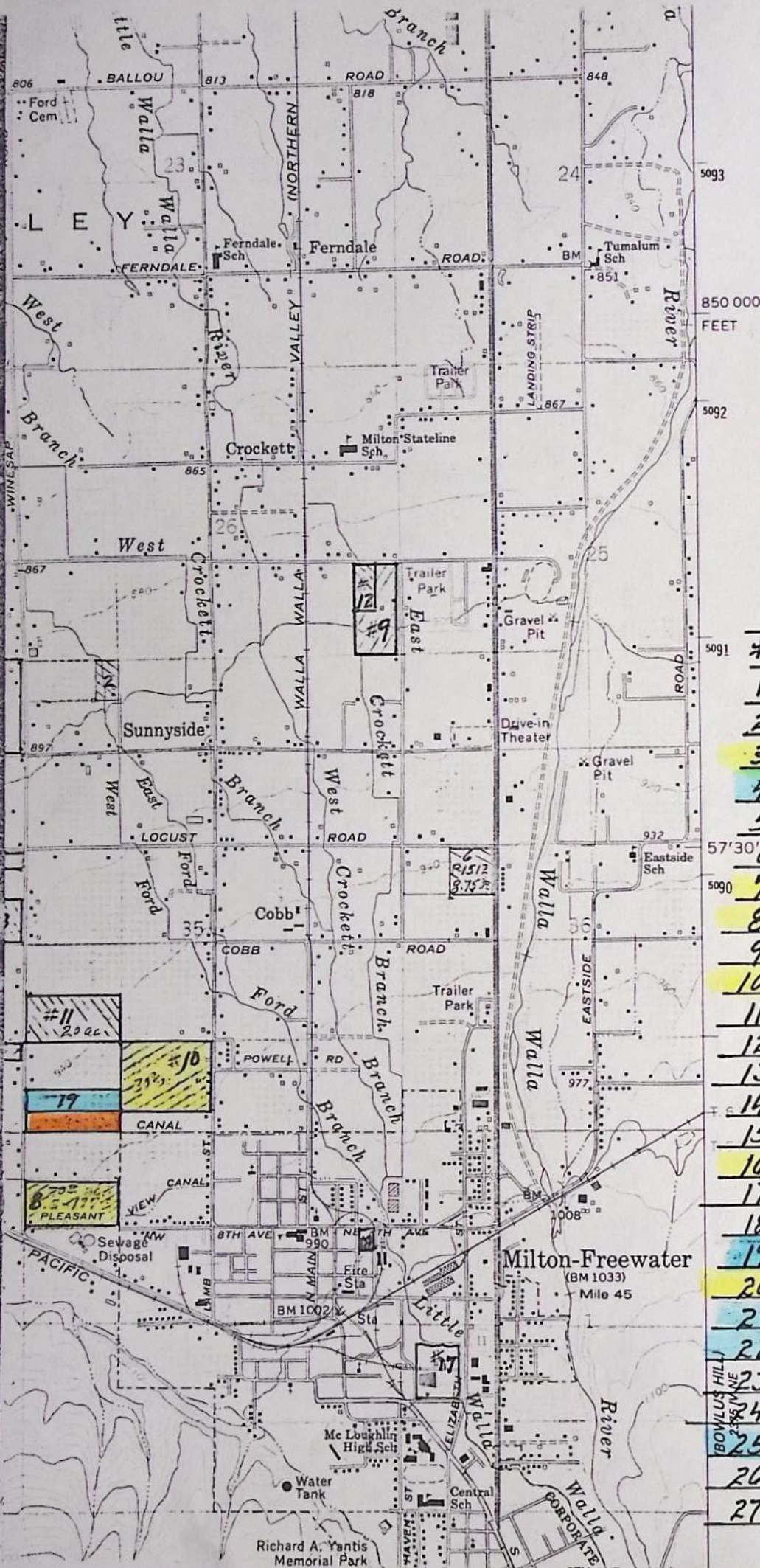
NOW, THEREFORE, it hereby is ORDERED that the said water right, being a portion of the right described by the certificate recorded at Page 46241, Volume 38, State Record of Water Right Certificates, is canceled.

It is FURTHER ORDERED that the said certificate of water right is canceled, and in lieu thereof a new certificate be issued to describe the balance of the water right NOT involved in this proceeding.

Dated at Salem, Oregon, this 5th day of April, 1979.


James E. Sexson
Director





2-16-03 75%	Hudson Bay Ditch Co.
Permits	Pleasant View Ditch Co.
Permits	Hudson Bay Ditch Co. - Permits

Permit Rights

#	Permit	Priority	Acres	@
1	538	12-27-10	33.25	0.42
2	1102	2-23-12	5.00	0.07
3	1216	3-25-12	607.68	7.60
4	T-4297	3-25-12	48.00	0.60
5	1209	5-29-12	6.46	0.09
6	1512	3-31-13	8.75	0.12
7	E-170	5-3-13		3.79
8	E-177	6-30-13	60.00	0.75
9	2135	8-10-14	14.00	0.18
10	E-241	6-24-15	77.00	0.96
11	2765	12-24-15	20.00	0.25
12	3164	10-31-16	5.00	0.07
13	3365	5-7-17	15.00	0.19
14	3538	7-17-17	19.00	0.24
15	5603	9-5-22	6.00	0.075
16	8193	10-5-27	46.00	0.50
17	8353	2-24-28	saw Mill	1.00
18	14109	3-25-40	0.42	0.025
19	16218	3-27-45	1057.10	39.64
20	26001	1-16-59	1137.18 S	28.43
21	26499	12-8-59	215.20-P 370.70-S	22.71
22	32145	2-15-67	504.80	18.90
23	39314	7-25-74	Frost	6.00
24	43095	4-4-77	202.93 S	7.61
25	43973	9-28-78	34	34.20
26	45371	11-20-80	Frost	0.24
27	45372	11-20-82	Frost	1.62

September 1, 1992

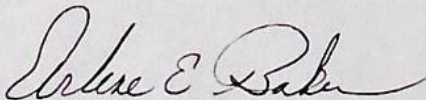
DEPARTMENT OF
VETERANS'
AFFAIRS

OREGON DEPARTMENT OF WATER RESOURCES
3850 PORTLAND RD NE
SALEM, OR 97310

The following accounts are now paid-in-full and the Oregon Department of Veterans' Affairs no longer has any interest in the status of the water rights.

<u>ODVA#</u>	<u>APPN #</u>	<u>PERMIT#</u>	<u>CERTIFICATE#</u>
L91313		GR3935	GR3589
		T4297	48989
		GR1137	GR1097
	2160	1216	50401
	32844	26001	49482
L94324	11709	8171	24707
M05142	24921	23196	51231
	30083	25921	51232
	45404	33954	51233
M06213	G3513	G3307	42887
	G7269	G6708	60568
M17922	G2843	G2638	33946
	GR642	GR607	
M23325	682	E69	854
	33407	26491	53610
		Decree	10211

If you have any questions, please call the undersigned.


ARLENE E. BAKER
Appraisal Coordination Unit
373-2375

BARBARA ROBERTS
Governor



Oregon Veterans' Building
700 Summer Street NE
Salem, OR 97310-1201

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

UMATILLA COUNTY

IN THE MATTER OF THE APPLICATION)	ORDER AMENDING
OF BERT PESCIALLO FOR APPROVAL OF)	ORDER APPROVING
A CHANGE IN POINT OF DIVERSION OF)	TRANSFER 4297
WATER FROM LITTLE WALLA WALLA RIVER)	

The order of the Water Resources Director entered December 20, 1979, approving Water Right Transfer 4297 incorrectly identified a portion of the irrigated lands involved in the change in point of diversion.

The order incorrectly located 4.8 acres in the NE 1/4 NW 1/4, Section 34, Township 6 North, Range 35 East, WM. The correct location is in the NE 1/4 SW 1/4 of Section 34.

NOW, THEREFORE, it hereby is ORDERED that lines 4 and 5, paragraph 2, page 595, Volume 32, Special Order Record be amended to read . . . 4.8 acres in NE 1/4 SW 1/4 and 3.2 acres in SE 1/4 SW 1/4 . . .

Dated at Salem, Oregon this 23rd day of March, 1987.

William H. Young
WILLIAM H. YOUNG
Director

9313D

JUL 01 1985

NOTICE OF INTEREST IN WATER RIGHT

To: Director of Water Resources
555 13th Street, N.E.
Salem, Oregon 97310

RECEIVED

JUL 2 1985

WATER RESOURCES DEPT.
SALEM, OREGON

This is to notify you of an interest in the following described water right:

Loan Number L91313

Borrower's Name MOON, Keith

Mailing Address _____

Property being served by the water:

Township <u>6 N</u>	Township _____	Township _____
Range <u>35 E</u>	Range _____	Range _____
Section <u>34</u>	Section _____	Section _____
Tract _____	Tract _____	Tract _____

Water Right Numbers:

Permit Number(s)	<u>0A-39B-5</u> <u>1216</u> <u>T 4297</u> <u>GR 1137</u> <u>2160</u> <u>32844</u>
Certificate Number(s)	<u>48989</u> <u>GR-3589, 32347, & GR-1097</u> <u>1216</u> <u>26001</u>
Irrigation District	<u>Pleasant View I. D.</u> <u>.50401</u> <u>49482</u>
	<u>17Ac</u> <u>25Ac</u> <u>8Ac</u> <u>26.5Ac</u> <u>25Ac</u>
	<u>supp</u> <u>supp</u> <u>supp</u> <u>prim</u> <u>supp</u>

The State of Oregon, by and through the Director of Veterans' Affairs, has a security interest in the above described property and hereby requests that no action be taken to diminish the water right without notifying the Department of Veterans' Affairs, 700 Summer Street, N.E., Salem, Oregon, 97310.

Attention: Butch Gehley, Appraisal Coordinator

Attachments:

- ☒ Legal Descriptions
☒ Plat Map
☐ Please return copy to ODVA

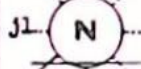
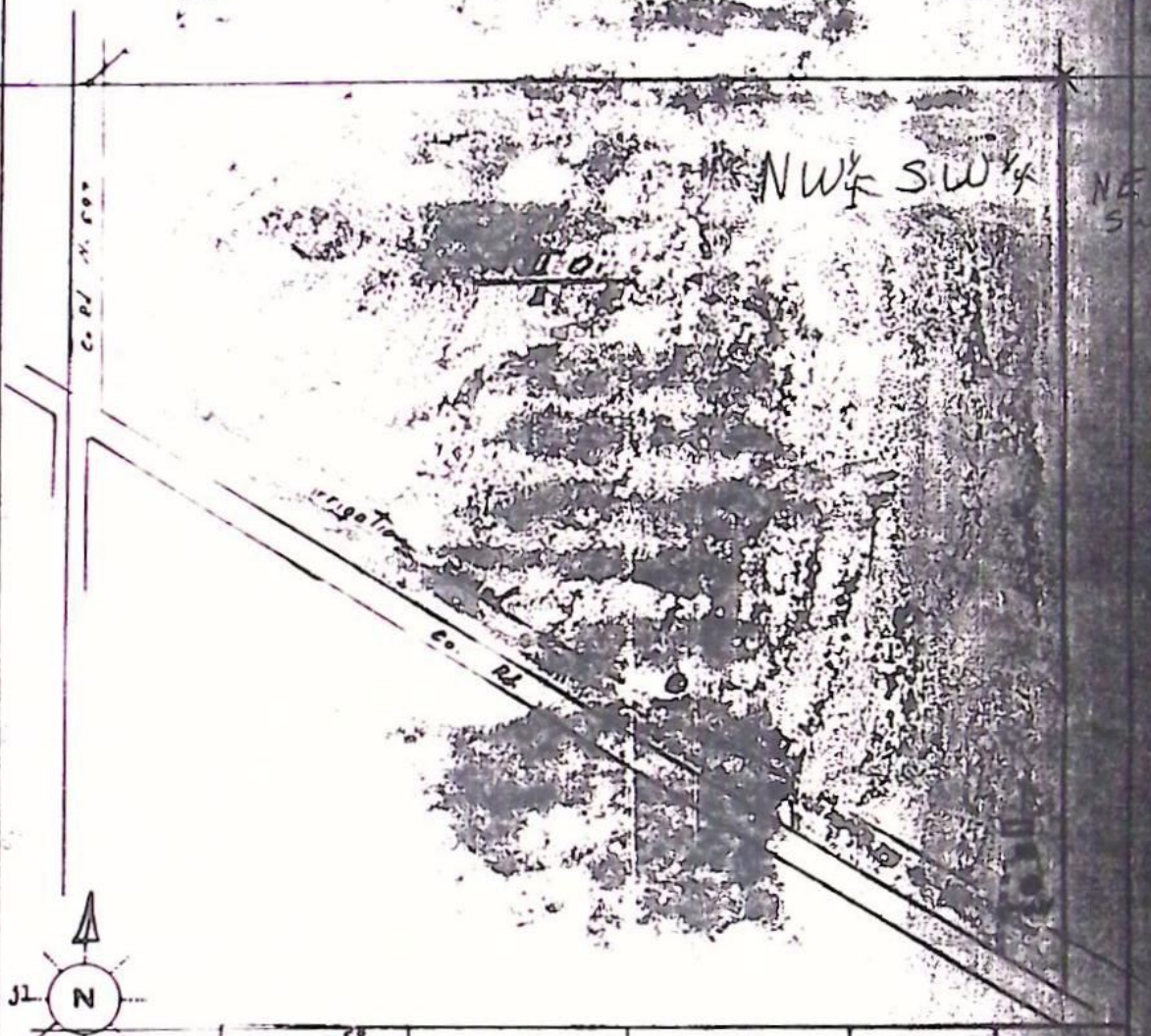
ATTACH TO NO 114267

4331 3609

COMPRISED OF PARCELS ESTIMATED TO CONTAIN 25 ACRES, MORE OR LESS.

T6NR35E
Sec 34

LOCALITY MAP AND LEGAL DESCRIPTION



ACRES 24.8

SCALE 1" = 200'

SECTION 34

T. 6 N.

R. 35 E.

ORIGIN AT Milton-Foxwater's McLaughlin High School northwesterly to railroad Fracture, continue northwest along railroad 1 1/2 miles to subject on right.

LOCALITY MAP

County, state finally okay Howland pit

Hardy News 8/11
By PATI O'CONNOR
H&N Business Editor

LORELLA — It has taken about two years, but Howland Sand and Gravel Co.'s pit near Lorella has finally been approved by Klamath County and Oregon state officials.

The pit, located on 62 acres about 13 miles from Bonanza, is a family enterprise run by C.H. "Tag" and Mary Lou Howland and their son and wife, Merl and Donna. Merl Howland is manager.

According to the elder Howland, the pit is among only about a half a dozen in the county and is one of a few — "three at most" — in the Basin that provide round river rock.

It also yields sand, and according to Howland, "there is very little state-approved sand in Klamath County."

The pit is located on the original Miller Creek channel, the creek which drains from Gerber Reservoir.

In early days, it yielded all the original road base for the Langell Valley area, according to Howland. Bill Noble removed the base rock "with a homemade dragline and dynamite."

When friends noted that years ago, concrete had been made from sand from the quarry, the Howlands began running tests and found the potential did indeed exist. Efforts to develop the pit began two years ago but it took until now to get the proper county and state permits.

The pit yields 15,000 yards of saleable material per acre, according to Howland; about a third of it sand and the rest rock in various sizes.

Materials are run through a washer and a screen, which allows sizing to specifications. Washed sand meets all the specifications of the Oregon Department of Transportation for concrete, according to Howland.

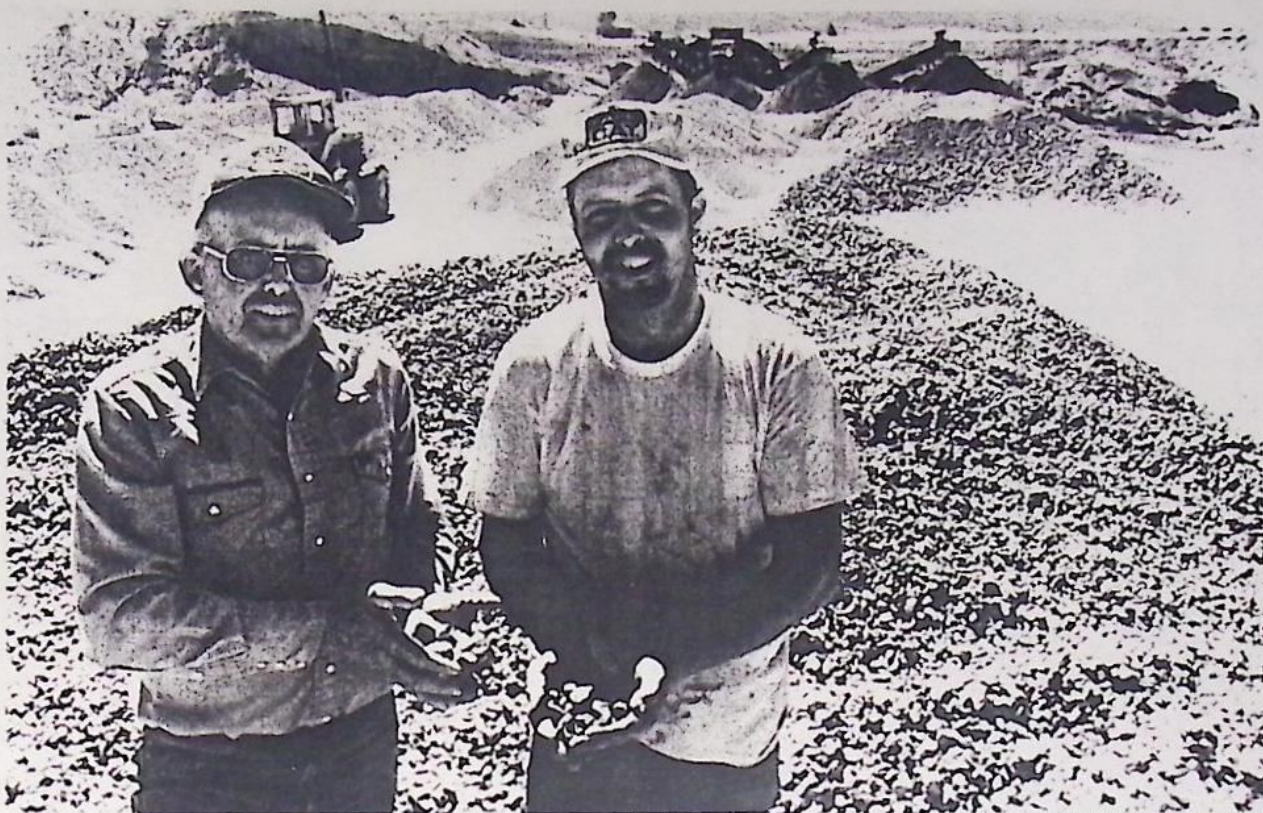
Water in the process comes from nearby irrigation ditches, which means operations in the pit are limited to May through October, when irrigation water is turned off. Waste water from the operation is pumped onto adjacent fields; none is returned to the ditches or stream.

Howland said a well to provide water for the operation is planned in the future.

The Howlands expect the majority of bulk sales from the quarry will be made in the fall, winter and spring. Products include road rock, driveway pea gravel, rock for drain tile beds, rock and sand for underground sprinkler pipe beds, crushed rock for road material, concrete aggregate rock, pit run rock for fill material, material for driveways and concrete bases, sand and round river rock.

Sales will be made "by the bucket load or truck load," according to the Howlands, with delivery provided for five yards or more. The operation currently is running seven days a week. Owners may be contacted by telephoning 545-6222 or, if no answer, 545-6546.

Once all the gravel and rock has been removed from the site, top soil removed and stockpiled will be returned to the area and the entire acreage brought back to near-original conditions and returned to farm land. That, according to Howland, is required by the state.



H&N Photo by Rick Boomgarden

C.H. "Tag" Howland, left, and Merl Howland check samples of gravel near Lorella.

RECEIVED

SEP 14 1979

WATER RESOURCES DEPT
SALEM, OREGON

Application for Transfer of Water Right

T-4297

To the WATER RESOURCES DIRECTOR OF OREGON:

I, BERT PESCIALLO

(Name of applicant)

of Rt 2 Box 59

(Mailing address)

MILTON FREEWATER

(City)

State of OREGON97862

(Zip Code)

963/7963

(Phone number)

do hereby make application for change

CHANGE IN POINT OF DIVERSION

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

1. Is the water right recorded in your name? YES

(If not, give name)

2. Was your water right determined by Decree of Court? NO If so, give title of proceedings

(Yes or No)

number of certificate

3. Was your water right acquired by Water Right Permit? YES

(Yes or No)

If so, give number

of permit 12162160Number of certificate 32347 462413556, 10714

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

4. The source of water is LITTLE WALLA WALLA RIVERMARCH 25, 1912

5. What is the date of priority of your water right?

6. The authorized point of diversion is located 5 ft. N and 1100 ft. W from the SE

(N. or S.)

(E. or W.)

corner of SEC 35 being within the NE 1/4 NE 1/4 of Section 2 Tp. 5N R. 35 E W. M.,

(No. N. or S.)

(No. E. or W.)

in the county of UMATILLA The name of the ditch used is PLESENT VIEW

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

Corrections made by Bert
Pesciallo on copy of app.7. The proposed point of diversion is located 900 ft. S and 1000 ft. W from the NE

(N. or S.)

(E. or W.)

corner of SEC 2 being within the NE NE 1/4 1/4 of Section 2 Tp. 5N R. 35 E W. M.,UMATILLAHUDSON BAYin the county of UMATILLA The name of the ditch to be used is PLESENT VIEW

8. The use to which the water is applied is IRRIGATION

(Irrigation, Mining, Power, Manufacturing, etc.)

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

Township North or South	Range E. or W. of Willamette Meridian	Section	List ¼-¼ of Section	Number Acres To Be Irrigated
6N	35E	33	SE. NW.	40
6N	35 E	34	NE NW 286	4.8
6N	35E	34	SE SW	3.2

(If more space required, attach separate sheet)

9. Are you the legal owner of the above described lands? No SEE REMARKS
(If not owner, explain your interest)

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

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

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

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

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT

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

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

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

(If more space required, attach separate sheet)

RECEIVED

DEC 1 1979

WATER RESOURCES DEPT

SALEM, OREGON

RECEIVED

SEP 14 1979

WATER RESOURCES DEPT

SALEM, OREGON

Application for Transfer of Water Right

T-4297

To the WATER RESOURCES DIRECTOR OF OREGON:

I, BERT PESCIALLO

(Name of applicant)

of Rt 2 Box 59

(Mailing address)

MILTON FREEWATER

(City)

State of OREGON97862

(Zip Code)

938963/7963

(Phone number)

do hereby make application for change

CHANGE IN POINT OF DIVERSION

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

1. Is the water right recorded in your name? YES

(If not, give name)

2. Was your water right determined by Decree of Court? NO If so, give title of proceedings

(Yes or No)

number of certificate

3. Was your water right acquired by Water Right Permit? YES If so, give number

(Yes or No)

of permit 1216 Number of certificate 3234721603556, 10714

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

4. The source of water is LITTLE WALLA WALLA RIVERMARCH 25, 1912

5. What is the date of priority of your water right?

6. The authorized point of diversion is located 5 ft. N and 1,100 ft. W from the SE

(N. or S.)

(E. or W.)

corner of SEC 35 being within the NE 1/4 NE 1/4 of Section 2 Tp. 5N R. 35 E W. M.,

(No. N. or S.)

(No. E. or W.)

in the county of UMATILLA The name of the ditch used is PRESENT VIEW

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

7. The proposed point of diversion is located 900 ft. S and 1000 ft. W from the NE310

(N. or S.)

(E. or W.)

corner of SEC 2 being within the NE 1/4 NE 1/4 of Section 2 Tp. 5N R. 35E W. M.,UMATILLAin the county of UMATILLA The name of the ditch to be used is HUDSON BAY

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

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

Township North or South	Range E. or W. of Willamette Meridian	Section	List ¼-¼ of Section	Number Acres To Be Irrigated
6N	35E	33	SE. NW.	40
6N	35 E	34	NE NW ^{SW}	4.8
6N	35E	34	SE SW	3.2

(If more space required, attach separate sheet)

9. Are you the legal owner of the above described lands? No SEE REMARKS
(If not owner, explain your interest)

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

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

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

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

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT

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

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

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

(If more space required, attach separate sheet)

B. Prec in 26

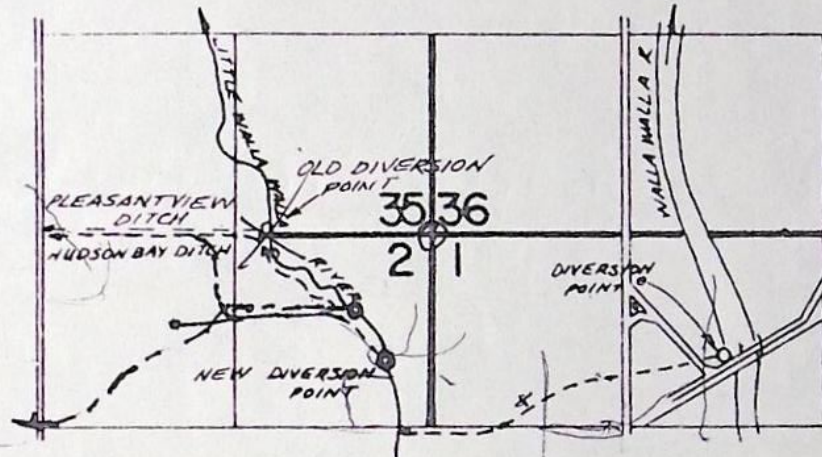
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SEP 24 1979

WATER RESOURCES DEPT
SALEM, OREGON

T-4297

T. 5 & 6N. R. 35E. W.M.



WALLA WALLA R. DIVERSION POINT LOCATED 810'S & 1960'S. FROM
NW CORNER SECTION 1

LITTLE WALLA WALLA R. DIVERSION POINT LOCATED 850'S. &
310' W. FROM NE CORNER SECTION 2

14. Reasons for the proposed changes are

TO DO AWAY WITH A WASTEFULL DITCH

TO OBTAIN A MORE RELIABLE SOURCE OF WATER

15. Construction work will be completed on or before

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

Remarks BROTHER, M.A. PESCIALLO OWNS $E\frac{1}{2}$ OF SE NW 40 ACRES

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

AFFIDAVIT OF APPLICANT

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

In Witness Whereof, I have hereunto set my hand this 12th day of Sept, 1979

X Bert Pesciallo
(Name of applicant)

Subscribed and sworn to before me this 12th day of Sept, 1979

[Notarial Seal]

John Tucker
NOTARY PUBLIC FOR OREGON

My commission expires 4-14-81

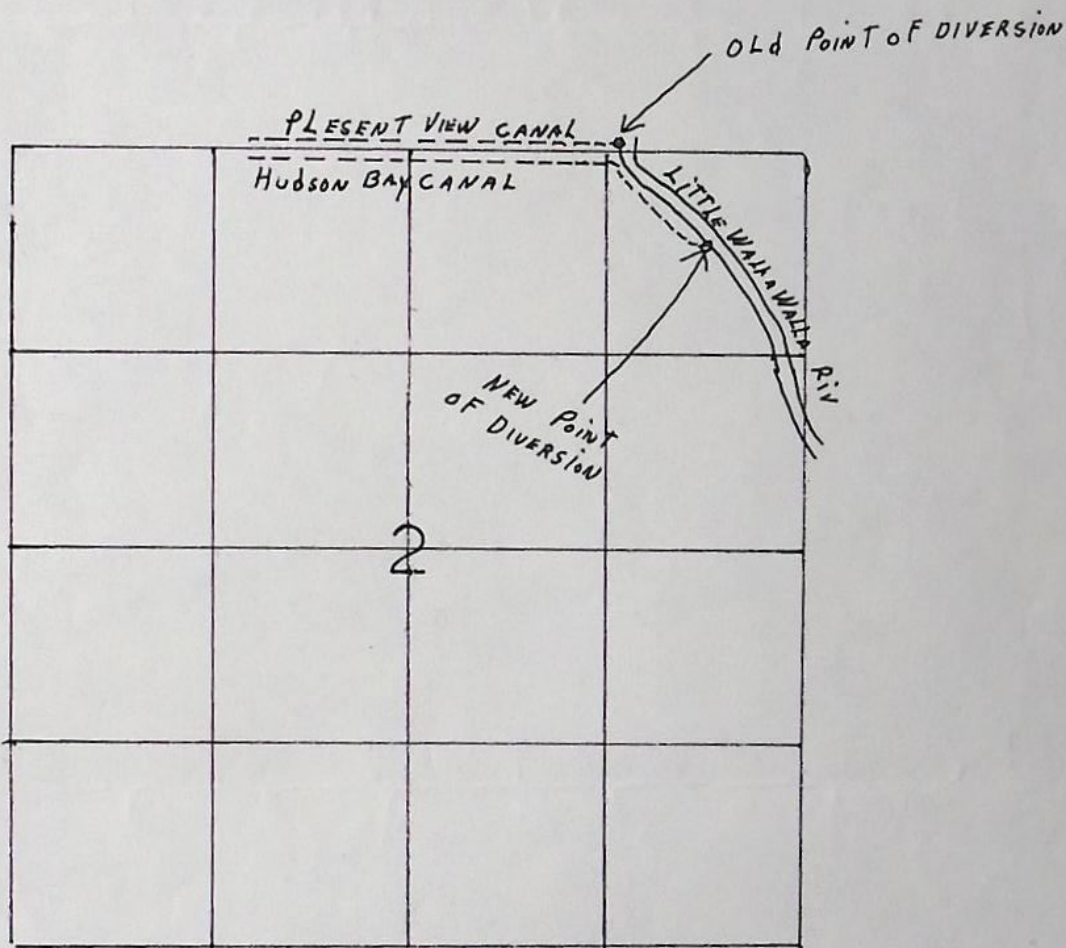


T-4297 RECEIVED

DEC 12 1979

WATER RESOURCES DEPT
SALEM, OREGON

T.5N. R.34 E.W.M.



NW1/4 Sec. 33 T.6N. R.35E.W.M.
UMATILLA COUNTY

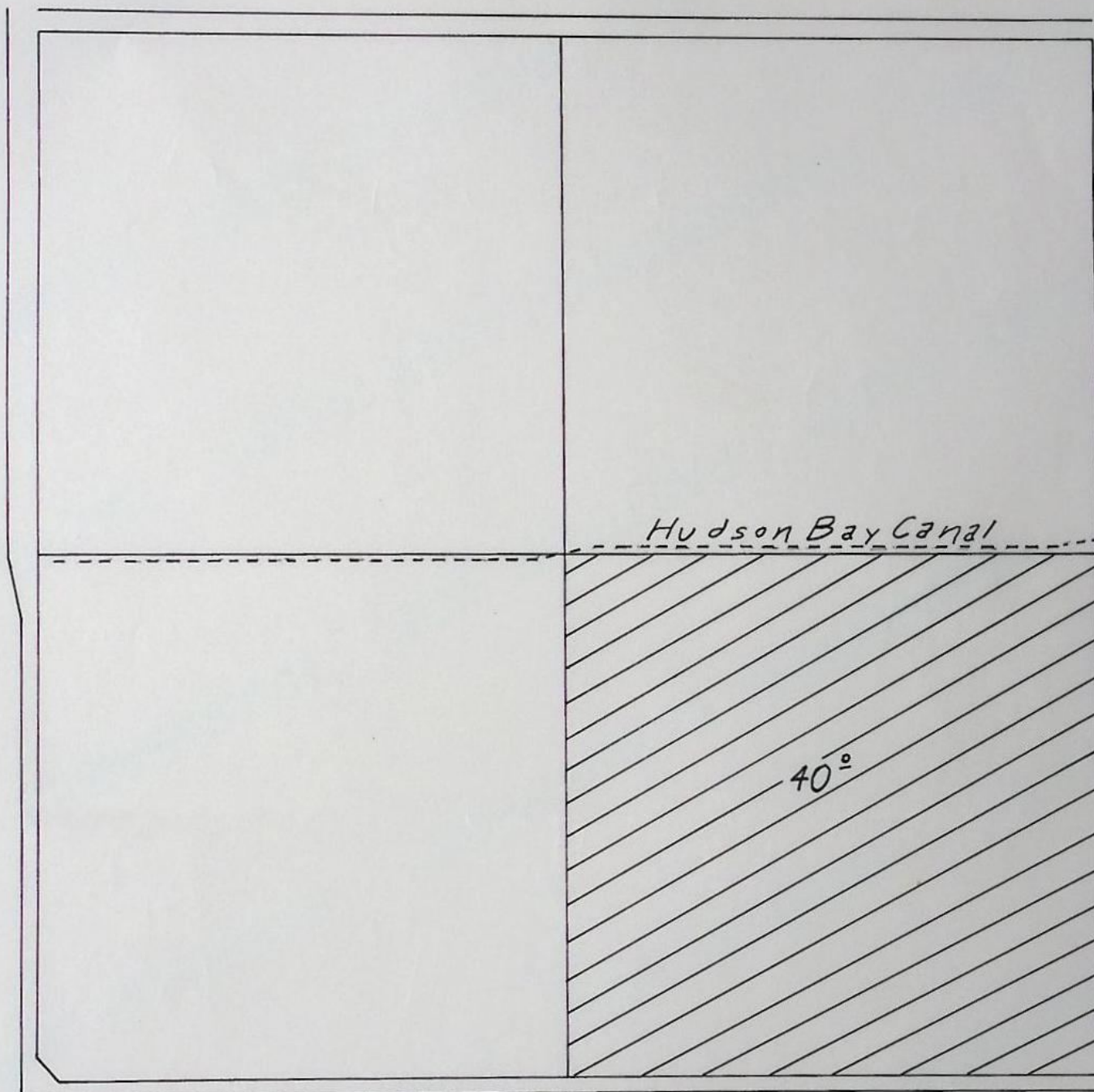
1"=400'

B. P. McCulloch
T-4297

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SEP 14 1979

WATER RESOURCES DEPT.
ASTORIA, OREGON



SW1/4 Sec. 34 T.6N. R.35E.W.M

T-4297

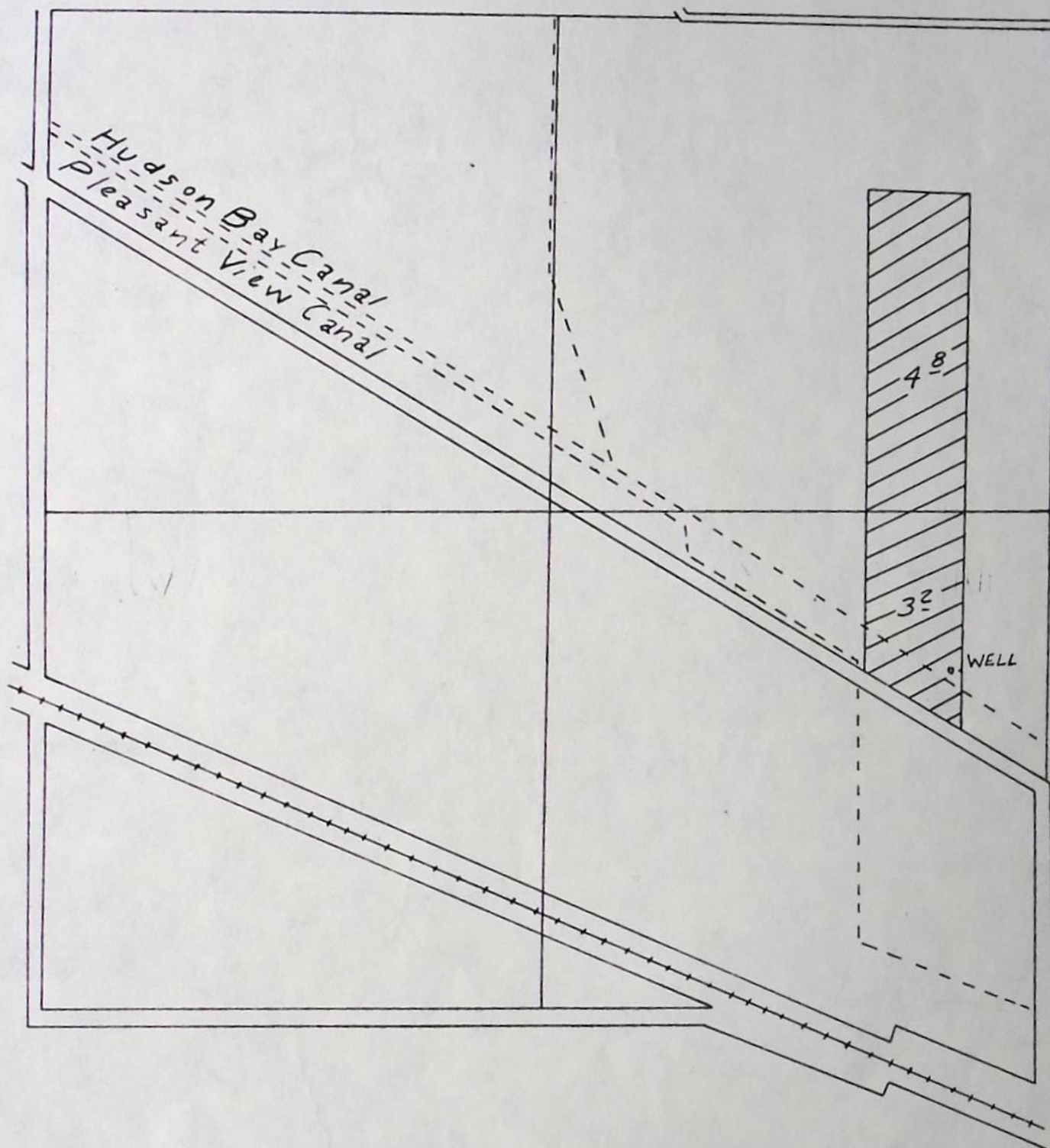
UMATILLA COUNTY

1"=400'

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SEP 14 1979

WATER RESOURCES DEPT
SALEM, OREGON



14. Reasons for the proposed changes are TO DO AWAY WITH A WASTEFULL DITCH
TO OBTAIN A MORE RELIABLE SOURCE OF WATER

15. Construction work will be completed on or before _____

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

Remarks BROTHER, M.A. PESCIALLO OWNS E $\frac{1}{2}$ OF SE NW 40 ACRES

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

AFFIDAVIT OF APPLICANT

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

In Witness Whereof, I have hereunto set my hand this 12th day of Sept, 1979

X Bert Pesciallo
(Name of applicant)

Subscribed and sworn to before me this 12th day of Sept, 1979

[Notarial Seal]

John Tucker
NOTARY PUBLIC FOR OREGON

My commission expires 4-14-81



RECEIVED

MAR 18 1987

WATER RESOURCES DEPT.
SALEM, OREGON

PHONE 378-3066

Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

March 3, 1987

Bert Pesciallo
Route 2, Box 59
Milton-Freewater, OR 97862

Dear Mr. Pesciallo:

REFERENCE: File T-4297, Diversion Point Change

Our Final Proof Section people found what appears to be an error in the order approving your transfer from the Pleasant View Ditch to the Hudson Bay Ditch.

Enclosed are copies of the order, the application page and the map you submitted with the application. The application and order show 4.8 acres in NE 1/4 NW 1/4 of Section 34, Township 6 North, Range 35 East, WM. The map shows 4.8 acres in NE 1/4 SW 1/4, next to the 3.2 acres in SE 1/4 SW 1/4.

If the map is correct, please let us know so we can issue a new order, and correct our records.

Sincerely,

Samuel R. Allison

SAMUEL R. ALLISON
Supervisor
Transfer Section

SRA:wpc

cc: Vernon Church, Water Rights Examiner

9064D

3-14-87

MAP is correct.

Thank you

sincerely,

Bert Pesciallo

*** OREGON WATER RESOURCES DEPARTMENT ***
*** WATER RIGHTS DIVISION ***
*** WATER RIGHT DATA INPUT FORM ***WATER RIGHT NO. T000012971 PERMIT NO. 001216 CERTIF. NO.
ORIG. NO. A000021601 PREV. NO. A000021601 SUPER. NO.NAME: BERT PESCIALLOADDRESS: RT2, BOX 59CITY/STATE/ZIP/COUNTY: MILTON-FREEWATER, OR 97862STREAM-ID 07 2700 0300

RIV. MI.

WM. DIST. 05 W.R. TYPE A STATUS V

CANCEL YEAR--->

CONSTR. COMPLT---> 02 25 1980

YR. LAST USED--->

NEXT ACTION DUE--->

PRIORITY-----> 03 25 1912PUT TO USE-----> 02 25 1980

LAST TRANS. DATE-->

LAST TRANS. TYPE-->

APPLICATION---> 09 14 1979

SURVEYED----->

EXAM. FEE-----> 20.00RECORDING FEE-----> 15.00PERMIT ISSUE--> 12 20 1979

CONCURRENCE----->

CYCLE STATUS----->

REPORTED FLAG----->

CONSTR. STRT.--> 12 20 1979

CERTIFIED----->

CORRES. INIT.----->

CORRES. DATE----->

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

RIV. MI.

RATE

STATUS S OR P

060N 350E 02 A A 07 2700 03000.600VP** REMARKS:----->
** DATED-->** POD: HUDSON BAY CANAL 900'S E** 1000' W FM NE COR S 2. CHANGES** POD PART OF C-46241 RR 1-48989

PLACE-OF-USE DATA:

TWNSP RNGE SECT QTR/QTR CNTY USE % CNSMTV ACRES STATUS S OR P

060N 350E 33 B D 30 1R 100 40.00 V P34 B A 4.8034 C D 3.2048989

W.R.I.S.

Assembled 3-22-85 by SAP

Entered _____ by _____

Verified _____ by _____

Sam,
R.R. Certificate 48989 was
issued with an incorrect POD
NENE sec 2 which should have
been SESE of section 35.

This began with trans application
and was listed in sec 2 NENE in
order.

Tom found error due to another
RR cert on Dec 3 batch. We
will change to correct
description on it, but do
you want to correct order?

Bruce

I don't think it is
necessary to amend the order
since the correct POD will be
listed on the certificate.

Sam

NUMBER 69667

Check 20 MO _____ Cash _____

____ Surface Application

____ Reservoir Application

____ Ground Water Application

____ Transfer Application

____ Power Claim

____ Hydroelectric Examination

____ Hydroelectric License

____ Copying

____ Assignment

____ Extension of Time

____ Other

____ P-6

____ Quadrangle

____ Basin

____ Protest

____ Contractors Examination

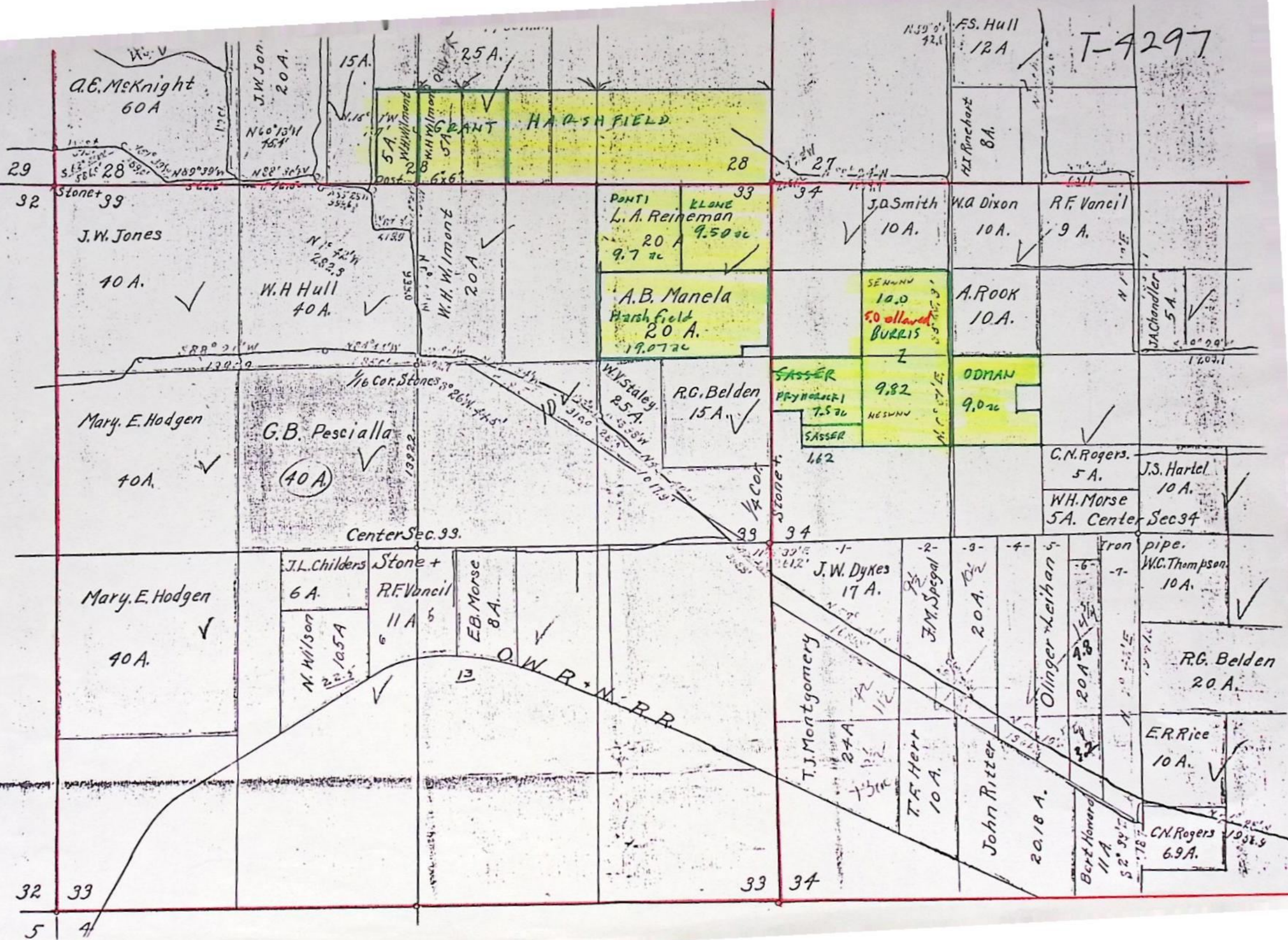
____ Contractors License

____ Operators Examination

____ Operators License

T6N, R35E

2160
1216



RECEIVED
FEB 25 1980
WATER RESOURCES DEPT
SALEM, OREGON

NOTICE OF COMPLETION OF CHANGE IN

point of diversion from Little Walla Walla River

PURSUANT TO TRANSFER APPLICATION NO. 4297

I, BERT PESCIALLO, hereby certify that completion
of works and use of water to the extent intended within the provisions
of the order of the Water Resources Director approving said water
right transfer application was accomplished by DEC. 31, 1979.

FEB. 21, 1980
Date

Bert Pesciallo
Signature

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

Ok.
Jay



STATE OF OREGON

INTEROFFICE MEMO

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DEC 1 1979

WATER RESOURCES DEPT
SALEM, OREGON

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: 6 Dec., 19 79

FROM: ** Steven Applegate, Watermaster

SUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4297IN THE NAME OF Bert Pesciallo

In my opinion the proposed change in point of diversion from Little Walla Walla River
MAY BE MADE WITHOUT INJURY WOULD RESULT IN INJURY* to an existing water right.

Headgate notices HAVE HAVE NOT been issued for diversion from the sources which
serves this right.

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

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

- ____ (1) PRIOR to the diverting of water at the new point of diversion . . .
✓ (2) When in the judgment of the watermaster it becomes necessary . . .

* The approval of this transfer application would result in injury to other water
rights because _____

**

Steven Applegate
Watermaster's signature or initials

T-4297

RECEIVED

DEC 15 1979

WATER RESOURCES DEPT
SALEM, OREGON

M.A. PESCIALLO
RT 2 Box 58
MILTON FREE WATER, OR.

OCT 5, 1979

I, M.A. PESCIALLO OWNER OF SAID PROPERTY LOCATED
IN THE E $\frac{1}{2}$ OF THE SE $\frac{1}{4}$ NW $\frac{1}{4}$ SEC. 33 T6N R 35 EWM GIVE
MY PERMISSION TO BROTHER BERT PESCIALLO TO TRANSFER
THE PLEASANT VIEW DITCH WATER TO THE HUDSON BAY DITCH
AS PR. WATER RESOURCES FILE # T 4297.

M.A. PESCIALLO

M. A. Pesciallo

WITNEESED BY

LARRY POWERS

ASST. WATER MASTER

DIST.# 5

Larry Powers

T-4297

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SEP 14 1979

WATER RESOURCES DEPT
SALEM, OREGON

Feb. 8, 1979

We, the undersigned Board of Directors of the Pleasant View Irrigation Company hereby grant permission to Bert Pesciallo and M. A. Pesciallo to transfer their Pleasant View Irrigation Company water rights to the Hudson Bay Irrigation Co.

David E. Heller chairman

Norm Monroe member

J. A. Reese member

M. A. Pesciallo member

James T. Walker member

T-4297

HUDSON BAY DISTRICT IMPROVEMENT COMPANY

~~618 North Main~~

MAL: P.O. Box 110

Phone 938-5501

Milton-Freewater, Oregon

RECEIVED

SEP 14 1979

WATER RESOURCES DEPT
SALEM, OREGON

August 7, 1979

Water Resources Department
State of Oregon

Att: Larry Powers
Watermaster
Milton-Freewater, Ore.

Dear Larry:

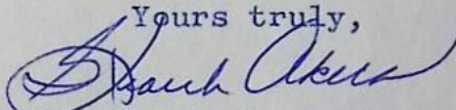
This is to advise that the Board of the Hudson Bay District Improvement Co., Inc., have agreed to accept the proposal of Bert Pesciallo and M. A. Pesciallo and the Pleasant View Irrigation Company in transferring their water-right to the Hudson Bay District Improvement Co., Inc., for future servicing.

These rights are on land located in the SE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 33, Twp. 6N, Range 35E., the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Sec. 34, Twp., 6N., Range 35E., and in the SE $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Sec., 34 Twp., 6N., Range 35E.

Total acreage 48.

Trust that this information will serve your purpose.

Yours truly,


G. Frank Akers, Sec.