Receipt # 88519

Receipt#

	E GROUP UC ITE NO	T-10430		
Milton-FreeWater OK 97862 541-938-4744 503 869-4503 W	DESCRIPTION OF WATER RIGH Name of Stream Little Walla Wall	a River / waste. & water	Date 7-2-07	FEES PAID Amount Recei 525.00 8851
Change in POU Date Filed 7-7-07 Initial notice date 7-17-07 DPD issued date	Use The Quantity of water (CFS) Name of ditch	County Umatilla No. of Acres		
PD issued date PD notice date Date of FO / O - S - O 9 Vol 79 Page 14	App # Per # Per # App # Per # Per # App # Per # S 793 App # Per #	Cert # 13240 PR Date 1880 Cert # 12562 PR Date 1885 Cert # 10103 PR Date 1927 Cert # PR Date		FEES REFUNDED Amount Recei
C-Date COBU due date COBU Received date Certificate issued 85854,85855	App# Per# Cect-13240 - West Prong Lit TASSY/mary Stewart Cert-12562 - Same Decree Samuel Brinker	Cert# PR Date He Walla Walla River Decree Co		
JUL 10 2013 - 38 18 3 JUL 19 2013 - 38 6 6 Assignments: PCD SEP 2 8 2007 - AUG 1 6 2013 88 6				
Agent John Warinner 1860 Blue Cr 509-529-2646	eek Rd Walla Walla, WA 99	9362		
CC's list Umatilla County 216 SE Four City of Milton-Free water & SW	h st. Pendleton, OR 9 7801 oth Ave Milton-Freewater	OR 97862		
- Oversized map - Location				

WATER RESOURCES DEPARTMENT

RECEIPT # 96822

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

INVOICE #

			(555) 555 5567 (5	700) 300-0304 (lax)		
RECE	EIVED FRO	M: John	Lefore Da	hards	APPLICATION	T-10430
BY:					PERMIT	-
					TRANSFER	
CASI	H: C		THER: (IDENTIFY)			
		X 5658			TOTAL REC'D	\$50.00
	1083	TREASURY	4170 WRD I	MISC CASH AC	CT	T-10-10-10-10-10-10-10-10-10-10-10-10-10-
	A STATE OF THE PARTY OF THE PAR	COPIES				s
	0407	OTHER: (I	DENTIEV			\$
			W150 11 5 5 2			
	0243 I/S L	ease 0244	Muni Water Mgmt. P	lan 0245	Cons. Water	
			4270 WRD (OPERATING A	CCT	
		MISCELLANEOUS	46111			
	0407	COPY & TAPE FEE	S 70111			\$
	0410	RESEARCH FEES		1-		\$
	0408	MISC REVENUE:	(IDENTIFY)	Assignme	7	\$ 50.00
	TC162	DEPOSIT LIAB. (II	DENTIFY)			\$
	0240	EXTENSION OF T	ME			\$
		WATER RIGHTS:		EXAM FEE		RECORD FEE
	0201	SURFACE WATER		\$	0202	\$
	0203	GROUND WATER		\$	0204	\$
	0205	TRANSFER		\$		
		WELL CONSTRUC	TION	EXAM FEE		LICENSE FEE
	0218	WELL DRILL CONS	STRUCTOR	\$	0219	\$
		LANDOWNER'S P	ERMIT		0220	\$
		OTHER	(IDENTIFY)			
	T					
	0536	TREASURY	0437 WELL	CONST. STAR	I FEE	
	0211	WELL CONST STA	RT FEE	\$	CARD#	
	0210	MONITORING WEI	LLS	\$	CARD#	
		OTHER	(IDENTIFY)			
-	0607	TREASURY	0467 HYDR	OACTIVITY	LIC NUMBER	
	0233			1767		\$
	0231	HYDRO LICENSE				\$
		HYDRO APPLICAT				\$
	<u> </u>	TREASURY	OTHE	R/RDX		
	FUND		TITLE			
		E				
	DESCRIPT					\$
	DESCRIPT	1011				

RECEIPT: 96822

DATED: 6-18-09 BY: 8 80

WATER RESOURCES DEPARTMENT

RECEIPT # 88519

RECEIPT: 88519

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

INVOICE # .

n-nev			(000) 00	3 3330 7 (30	(la	^)		
RECI	EIVED FRO	M: John L	efore	. Orch	ards	AP	PLICATION	
BY:							PERMIT	
1000						TI	RANSFER	T-10430
CAS	H: C	HECK:#		ENTIFY)				
L		X 4926				TOTA	AL REC'D	\$525.00
	1083	TREASURY	4170	WRDM	ISC CASH	ACCT		
		V CONTROL OF THE CONT	4170	WIND W	ISO CASIT	ACCI		S
		COPIES						S
		_ OTHER: (And the second second					
	0243 I/S L	ease 0244	Muni Wate	er Mgmt, Pla	in 02	245 Cons	s. Water	
			4270	WRD O	PERATING	ACCT		
		MISCELLANEOUS	3	PC.	A 46111			
	0407	COPY & TAPE FE	ES					\$
	0410	RESEARCH FEES						\$
	0408	MISC REVENUE:	(IDENTIFY	7)				\$
	TC162	DEPOSIT LIAB. (I	DENTIFY)					\$
	0240	EXTENSION OF T	IME					\$
		WATER RIGHTS:			EXAM FEE			RECORD FEE
	0201	SURFACE WATER			\$		0202	\$
	0203	GROUND WATER			\$		0204	\$
	0205	TRANSFER			\$ 525,0	0		
		WELL CONSTRUC	CTION		EXAM FEE	-		LICENSE FEE
	0218	WELL DRILL CON	STRUCTOR	7	\$		0219	\$
		LANDOWNER'S P	ERMIT			1	0220	\$
		OTHER	(IDENTIF	Y)				
	0536	TREASURY	0437	WELL (CONST. STA	ART FE	E	
	0211	WELL CONST STA	ART FEE		\$		CARD#	
	0210	MONITORING WE	LLS		\$		CARD#	
		OTHER	(IDENTIF	Y)				
	0007	TREASURY			ACTIVITY	LICA	IUMBER	
	Maria Maria				ACTIVITI	LIOIN	OWIDER	\$
	0233	POWER LICENSE						\$
	0231	HYDRO LICENSE		vnu)				\$
	2	HYDRO APPLICAT	ION					Ψ
1		TREASURY		OTHER	/ RDX			
	FLIND		TITLE					
			VENDOF					
	OBJ. COD		VENDOR					\$
	DESCRIPT	TION						

DATED: 7-2-07 BY: Diana Dochin Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

THE VINTAGE GROUP LLC 500 E BROADWAY SUITE 110 VANCOUVER WA 98660

confirms the right to use the waters of LITTLE WALLA WALLA RIVER, tributary to WALLA WALLA RIVER for IRRIGATION of 4.28 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 12, at Page 9. The date of priority is 1880.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed ONE AND ONE-HALF MINER'S INCHES PER ACRE or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
5 N	35 E	WM	2	NE NE	POWELL/PLEASANTVIEW POD – 650 FEET SOUTH AND 450 FEET WEST FROM THE NE CORNER SECTION 2, TOWNSHIP 5 NORTH, RANGE 35 EAST, W.M.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
6 N	35 E	WM	35	SE SW	4.28

The water user shall maintain and operate the existing measurement device and shall make such improvements as may be required by the Department.

The water user shall maintain the existing headgate and shall make such improvements as may be required by the Department.

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.

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.

T-10430-cr-88612.cp

Page 1 of 2

Certificate 88687

This certificate is issued to correct an error in the description of the location of the point of diversion, specifically the township and section information, and supercedes Certificate 88612.

Issued _

AUG 162013

Administrator, Water Right Services, for Phillip C. Ward, Director Oregon Water Resources Department



Water Resources Department North Mall Office Building

725 Summer Street NE, Suite A Salem, OR 97301-1271

503-986-0900

Date Mailed: AUG 1 6 2013

NOTICE OF CERTIFICATE ISSUANCE

Attached is a certificate that correctly describes the water right. The water right is appurtenant to the specific place where the use was established as described by the certificate. The owner of the land is the owner of the water right. The water right is limited to a specific amount of water, but not more than can be beneficially used for the purposes stated within the certificate.

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within 60 days of the mailing date stated above as specified by ORS 183.484(2).

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.

Oregon law does not allow the Director to reissue a certificate because of a change in the ownership. The water must be controlled and not wasted. To change the location of the point of diversion, the character of use, or the location of use requires the advance approval of the Water Resources Director.

If any portion of this water right is not used for five or more consecutive years, that portion of the right may be subject to forfeiture according to ORS 540.610. Land enrolled in a Federal Reserve Program is not subject to forfeiture during the period of enrollment. Other exceptions to forfeiture are explained in ORS 540.610.

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

Mailing List for Transfer Certificate

Application: T-10430

Certificate: 88687

Certificate/Transfer Holder: (include copy of map)

THE VINTAGE GROUP LLC 500 E BROADWAY SUITE 110 VANCOUVER WA 98660

Copies Mailed

(SUPPORT STAFF)

on: AUG 1 6 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)

- 1. THEODORE R. RESSLER, CWRE
- 2. WALLA WALLA IRRIGATION DISTRICT

Record Marking(s):

- 1. Original Application# DECREE
- 2. Old Certificate# 88612

MEMORANDUM

TO:

T-10430

FROM:

GERRY CLARK

SUBJECT: CORRECTION TO CERTIFICATE 88612

DATE:

8/2/2013

Received notice from the Data Center that the point of diversion was incorrectly located by township, section and quarter quarter for the "Powell/Pleasantview POD".

A certificate should be issued to correct the point of diversion location.

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

THE VINTAGE GROUP LLC 500 E BROADWAY SUITE 110 VANCOUVER WA 98660

confirms the right to use the waters of LITTLE WALLA WALLA RIVER, tributary to WALLA WALLA RIVER for IRRIGATION of 4.28 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 12, at Page 9. The date of priority is 1880.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed ONE AND ONE-HALF MINER'S INCHES PER ACRE or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

1	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
6	N C	35 E	WM	25	NE NE	POWELL/PLEASANTVIEW POD – 650 FEET SOUTH AND 450 FEET WEST FROM THE NE CORNER SECTION 2, TOWNSHIP 5 NORTH, RANGE 35 EAST, W.M.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
6 N	35 E	WM	35	SE SW	4.28

The water user shall maintain and operate the existing measurement device and shall make such improvements as may be required by the Department.

The water user shall maintain the existing headgate and shall make such improvements as may be required by the Department.

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.

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.

T-10430-cr-88183.cp

Page 1 of 2

Certificate 88612

This certificate is issued to update the location and correct an error in the name of the point of diversion and supercedes Certificate 88183.

JUL 19 2013

Administrator, Water Right Services, for Phillip ... Ward, Director

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

THE VINTAGE GROUP LLC 500 E BROADWAY SUITE 110 VANCOUVER WA 98660 SUPERSEDED BY CERT. NO. 88687

confirms the right to use the waters of LITTLE WALLA WALLA RIVER, tributary to WALLA WALLA RIVER for IRRIGATION of 4.28 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 12, at Page 9. The date of priority is 1880.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed ONE AND ONE-HALF MINER'S INCHES PER ACRE or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
6 N	35 E	WM	35	SW SE	POWELL/PLEASANTVIEW POD – 650 FEET SOUTH AND 450 FEET WEST FROM THE NE CORNER SECTION 2, TOWNSHIP 5 NORTH, RANGE 35 EAST, W.M.

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T-10430-cr-88183.cp

Page 1 of 2

Certificate 88612

This certificate is issued to update the location and correct an error in the name of the point of diversion and supercedes Certificate 88183.

Issued

JUL 19 2013

Dwight W. French

Administrator, Water Right Services, for Phillip. Ward, Director



Water Resources Department

North Mall Office Building 725 Summer Street NE, Suite A Salem, OR 97301-1271 503-986-0900

Date Mailed: JUL 192013

NOTICE OF CERTIFICATE ISSUANCE

Attached is a certificate that correctly describes the water right. The water right is appurtenant to the specific place where the use was established as described by the certificate. The owner of the land is the owner of the water right. The water right is limited to a specific amount of water, but not more than can be beneficially used for the purposes stated within the certificate.

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within **60 days of the mailing date stated above** as specified by ORS 183.484(2).

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.

Oregon law does not allow the Director to reissue a certificate because of a change in the ownership. The water must be controlled and not wasted. To change the location of the point of diversion, the character of use, or the location of use requires the advance approval of the Water Resources Director.

If any portion of this water right is not used for five or more consecutive years, that portion of the right may be subject to forfeiture according to ORS 540.610. Land enrolled in a Federal Reserve Program is not subject to forfeiture during the period of enrollment. Other exceptions to forfeiture are explained in ORS 540.610.

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

Mailing List for Transfer Certificate

Application: T-10430

Certificate: 88612

Certificate/Transfer Holder: (include copy of map)

THE VINTAGE GROUP LLC 500 E BROADWAY SUITE 110 VANCOUVER WA 98660 Copies Mailed

(SUPPORT STAFF)

on;UL 19 2013

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)

1. THEODORE R. RESSLER, CWRE

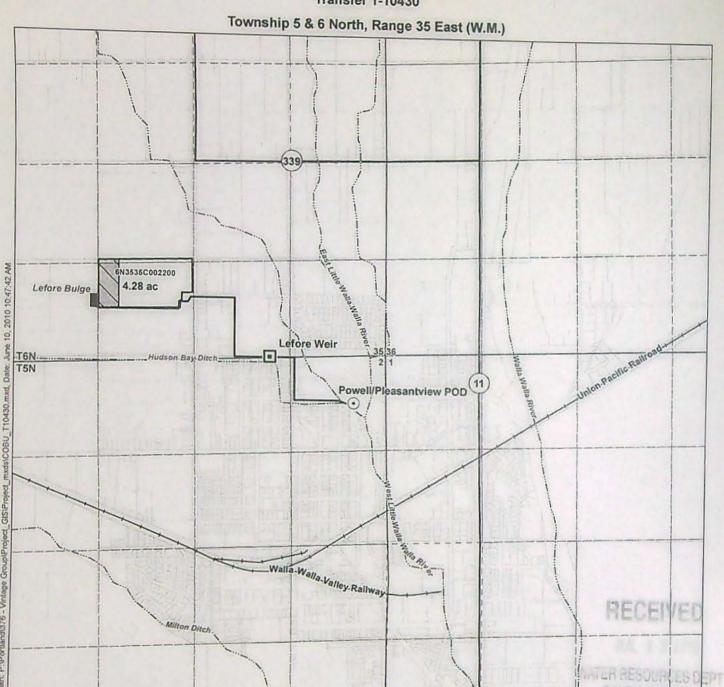
2. WALLA WALLA IRRIGATION DISTRICT

Record Marking(s):

- 1. Original Application# DECREE
- 2. Old Certificate# 88183

Claim of Beneficial Use Map

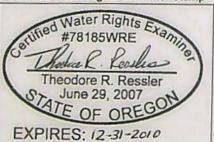
Transfer T-10430



LEGEND

- Point of Diversion (POD)
- Point of Re-diversion
- Place of Use (POU)
- ✓ Pipeline
- Taxlots (Vintage Group LLC) **Taxlots**
- ✓ Major Roads
- Railroads
- Warercourses

Certified Water Rights Examiner Stamp



Disclaimer

This map was prepared for the purpose of identifying the location of a water right only and it is not intended to provide legal dimensions or location of property ownership lines.

Map Notes
Date: June 10, 2010
Data Sources: Umatilla Co., ESRI
Prepared By: GSI Water Solutions, Inc.

POD Location Description

Point of Diversion Located 650 feet South and 450 feet West from the NE corner of Section 2, Township 5 North, Range 35 East (W.M.)





MEMORANDUM

TO:

T-10430

FROM:

GERRY CLARK

SUBJECT: CORRECTION TO CERTIFICATE 88183

DATE:

7/16/2013

On July 16, 2013, I received a call from Theresa Kilmer of WWRID regarding an possible error on certificate 88083 which was recently issued.

The transfer final order incorrectly identified the location as the point of diversion as the "Hudson Bay Ditch".

During the review of the CBU, it was overlooked that the point of diversion was incorrectly named. The point of diversion is actually the "Powell/Pleasantview POD".

A certificate should be issued to correct the point of diversion name and to include the coordinates provided by the CWRE for the POD.

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

THE VINTAGE GROUP LLC 500 E BROADWAY SUITE 110 VANCOUVER WA 98660

confirms the right to use the waters of LITTLE WALLA WALLA RIVER, tributary to WALLA WALLA RIVER for IRRIGATION of 4.28 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 12, at Page 9. The date of priority is 1880.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed ONE AND ONE-HALF MINER'S INCHES PER ACRE or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
6 N	35 E	WM	35	SW SE	HUDSON BAY DITCH - NONE GIVEN

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
6 N	35 E	WM	35	SE SW	4.28

The water user shall maintain and operate the existing measurement device and shall make such improvements as may be required by the Department.

The water user shall maintain the existing headgate and shall make such improvements as may be required by the Department.

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.

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.

T-10430-cf-13240.cp

Page 1 of 2

Certificate 88183

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered OCTOBER 5, 2009, at Special Order Volume 79, Page 14, approving Transfer Application 10430, and together with Certificate 85854, supercedes Certificate 13240, State Record of Water Right Certificates.

Issued JUL 10 2013

Dwight W. French

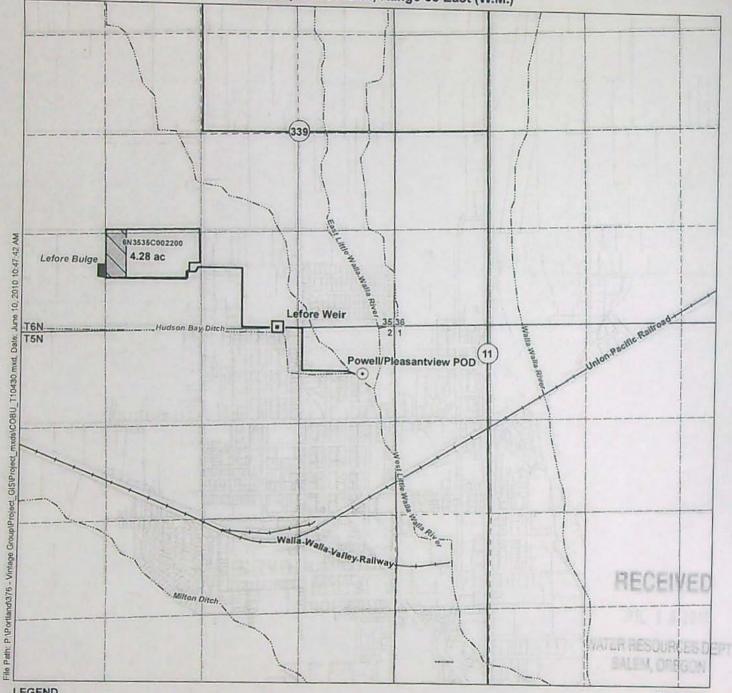
Administrator, Water Right Services, for

Phillip C. Ward, Director

Claim of Beneficial Use Map

Transfer T-10430

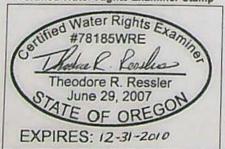
Township 5 & 6 North, Range 35 East (W.M.)



LEGEND

- Point of Diversion (POD)
- Point of Re-diversion
- Place of Use (POU)
- ✓ Pipeline
- Taxlots (Vintage Group LLC) Taxlots
- ✓ Major Roads
- Railroads
- Warercourses

Certified Water Rights Examiner Stamp



Disclaimer

This map was prepared for the purpose of identifying the location of a water right only and it is not intended to provide legal dimensions or location of property ownership lines.

Map Notes

Date: June 10, 2010
Data Sources: Umatilia Co., ESRI
Prepared By GSI Water Solutions, Inc.

POD Location Description

Point of Diversion Located 650 feet South and 450 feet West from the NE comer of Section 2, Township 5 North, Range 35 East (W.M.)







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: July 10, 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.

Mailing List for Transfer Certificate

Application: T-10430

Certificate: 88183

Certificate/Transfer Holder: (include copy of map)

THE VINTAGE GROUP LLC 500 E BROADWAY SUITE 110 V VANCOUVER WA 98660

Copies Mailed

By Connie Van (SUPPORT STAFF)

on:JUL 1 0 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)

1. THEODORE R. RESSLER, CWRE

2. WALLA WALLA IRRIGATION DISTRICT & PD BOX248 Muton Free water

OR 97862

Record Marking(s):

- 1. Original Application# DECREE
- 2. Old Certificate# 13240

	Completion Checklist for CWRE Claims of Beneficial Use Application # 1-10430
	Date Received 7/17/2010 CWRE Name Ted Reside. Claim Logged web
	File Marked
	Oversized Map #
	Read the file and attach a copy of the permit or transfer final order.
	Postcard mailed 7/16/2010
	WRD Pastitut + mailes 110/21010
1	WIND
	Map Review:
	Map on polyester film (OAR 690-014-0170(1) & 310-0050(1)(b)
	Application & permit #; or transfer # (OAR 690-014-0100(1)
	Disclaimer (OAR 690-014-0170(5) North arrow (OAR 690-310-0050(2)(c)
	Appropriate scale (1" = 1320', 1" = 400', or the original full-size scale of the county assessor map) (014 & 310)
	Township, range, section, and tax lot numbers (OAR 690-310-0050(4)
	Source illustrated if surface water (OAR 690-014-0170(3)
	Point(s) of diversion or appropriation (illustrated) (OAR 690-014(4) & 690-310-0050)
	Point(s) of diversion or appropriation (coordinates)(OAR 690-014(4) & 690-310-0050)
	Conveyance structures illustrated (pump, pipelines, ditches, etc.) (OAR 690-310-0050)
	Description of the location, in relation to the point of diversion or appropriation, of any fish screens, by-pass devices,
	and measuring devices required (OAR 690–014(4)
	Place of use (1/4 1/4, or projected 1/4 1/4 lines within DLCs, or Gov Lots; if irrigation, # of acres in each subdivision if for domestic or human consumption, location of dwelling or spigot) (OAR 690-310-0050, 690-014, 690-380-
	6010)
	Report Review:
	On form or format provided by the Department (OAR 690-014-0100(1)
	Application & permit #; or transfer # (OAR 690-014)
	Ownership information (OAR 690-014)
	Date of survey (OAR 690-014)
	Person interviewed (OAR 690-014) County (OAR 690-014)
	Tax lot information (OAR 690-014)
	Description of conveyances system (from POD to POU) (OAR 690-014-0100)
	Source(s) of water (OAR 690-014-0100)
	Point of diversion/appropriation location (OAR 690-014-0100)
	Use, period of use, and rate for use (OAR 690-014-0100)
	Place of use location (OAR 690-014-0100)
	Type of use (OAR 690-014-0100)
	Extent of use (OAR 690-014-0100) Rate and Duty (OAR 690-014-0100)
35.	Diversion rate for each use (OAR 690-014-0100)
	Diversion works description (pump make, serial model, capacity, and description) (OAR 690-014-0100)
	System capacity (OAR 690-014-0100)
	Calculated capacity of system (required)
	Measured amount of use (optional)
	Permit/Transfer Final Order Conditions (OAR 690-014-0100)
	Time limits
	Initial water level measurements Annual static water level measurements
	Measurement, recording, and reporting
	Meter/measuring device
	Water use reporting
	Fish screening and/or by-pass
	Pump test (ground water)
	Other conditions
	(OAR (OAR (OAR))
	CWRE stamp and signature (OAR 690-014-0100)
	Signature(s) of permittee of transfer holder (OAR 690-014-0100)

DEF = deficient N/A = Not Applicable

ertificate Issuance Processing Checklist	V
Map and COBU reviewedConflict check (include copy of plat card printout) Any Conflicts?Check for ownership	
taff Recommendations:	
Proof to the Satisfaction has been established to the full extent as described in the permit or trans order.	fer
Proof to the Satisfaction has been not been established to the full extent as described in the permitransfer order and the right should be limited as follows:	it or
Proof to the Satisfaction has not been established for the following reasons:	
Proposed Actions: Send letter requesting the following items/information:	
Send letter recommending extension to cure deficiencies:	
an certificate be processed further?Yes	
If "Yes":	
Proposed Final Certificate #	
ailing list:	
Proposed:	
Final:	

CLAIM OF BENEFICIAL USE

for Permits claiming more than 0.1 cfs and All Transfers



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

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A fee of \$150 must accompany this form to be accepted for permits NALEM, OREGON with a priority date of July 9, 1987, or later. (ORS 536.050(1))

A separate form shall be completed for each permit.

In cases where a permit has been amended through the permit amendment process, a separate claim for the permit amendment is not required. Incorporate the permit amendment into the claim for the permit.

This form is subject to revision. Begin each new claim by checking for a new version of this form at: http://www.wrd.state.or.us/OWRD/WR/cwre info.shtml#.

The completion of this form is required by OAR 690-014-0100(1) and 690-014-0110(4).

Please type or print in dark ink. If this form is found to contain errors or omissions, it may be returned to you. Every item must have a response. If any requested information does not apply to the claim, insert "NA." Do not delete or alter any section of this form unless directed by the form. The Department may require the submittal of additional information from any water user or authorized agent.

If you have questions regarding the completion of this form, please call 503-986-0900 and ask for the Certificate Section.

The Department has a program that allows it to enter into a voluntary agreement with an applicant for expedited services. Under such an agreement, the applicant pays the cost to hire additional staff that would not otherwise be available. This program means a certificate may be issued in about a month. For more information on this program see http://www.wrd.state.or.us/OWRD/mgmt reimbursement authority.shtml.

SECTION 1

GENERAL INFORMATION

1. File Information

APPLICATION # (G, R, S or T)	PERMIT # (IF APPLICABLE)	PERMIT AMENDMENT # (IF APPLICABLE)
T-10430	n/a	n/a

2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME ATTN: Bob Lewis The Vintage Group, LLC		PHONE NO. (360) 921-0882		ADDITIONAL CONTACT NO.
ADDRESS 500 E. Broadway, Suite	e 110			
CITY Vancouver	STATE WA	ZIP 98660	E-MAIL BLewis@	ColumbiaVista.com

If the current property owner is not the permit or transfer holder of record, it is recommended that an assignment be filed with the Department. The COBU must be signed by the permit or transfer holder of record.

3. Is the Property Owner the permit or transfer holder of record?

YES

If "YES" the remainder of this item may be deleted.

Are there additional permit or transfer holders of record?

NO

If "NO" the following box may be deleted.

4. Date of Site Inspection: April 28, 2010

5. Person(s) interviewed and description of their association with the project:

Name	DATE	ASSOCIATION WITH THE PROJECT
Tom Waliser	4/28/2010	Manager for Vintage Group, LLC

6. County:

Umatilla

7. If any property described in the place of use of the permit or transfer final order is excluded from this report, identify the owner of record for that property (ORS 537.230(4)):

**Mark "NA" if there are no owners of property not included in this claim

OWNER OF RECORD N/A		
ADDRESS		
CITY	STATE	ZIP

Are there additional Owners of Record?

NO

If "NO" the following box may be deleted.

SECTION 2

SYSTEM DESCRIPTION

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A. Points of Diversion/Appropriation

WATER RESOURCES DEPT SALEM, OREGON

1. Point of diversion/appropriation name or number:

POINT OF DIVERSION/APPROPRIATION	WELL LOG ID #	WELL TAG#
(POD/POA) NAME OR NUMBER (CORRESPOND TO MAP)	FOR ALL WORK PERFORMED ON THE WELL (IF APPLICABLE)	(IF APPLICABLE)
Powell/Pleasantview POD	n/a	n/a

Attach each well log available for the well (include the log for the original well and any subsequent alterations, reconstructions, or deepenings)

2. Point of diversion/appropriation source and, if from surface water, the tributary:

POD/POA Name or Number	Source	TRIBUTARY
Powell/Pleasantview POD	Little Walla Walla River	Walla Walla River

3 Developed use(s) period of use, and rate for each use:

Powell/Pleasantview POD Total Quantity of Water U	0.1605 cfs 0.1605 cfs			
POD/POA Name or Number	USES	IF IRRIGATION, LIST CROP TYPE Orchard, vineyard	SEASON OR MONTHS WHEN WATER WAS USED	RATE OR VOLUME FOR USE (CFS, GPM, OR AF)

4. Provide a general narrative description of the distribution works. This description must trace the water

system from each point of diversion or appropriation to the place of use:

Water is diverted from the Little Walla Walla River at the Walla Walla River Irrigation District point of diversion for the Powell/Pleasantview pipeline, which conveys water to a number of patrons of WWRID. The Powell/Pleasantview pipeline is owned and operated by the WWRID. A headgate at the Powell/Pleasantview pipeline point of diversion is used by WWRID to regulate the rate at which water is diverted. Approximately 750 feet downstream on the Powell/Pleasantview pipeline from the point of diversion, a headgate controlled private pipeline (the Johnson pipeline) is connected to the Powell/Pleasantview pipeline. The private pipeline conveys water for several users including the transferee, Vintage Group LLC. The flow of water through these pipelines is by gravity.

Water for T-10430 is re-diverted at the LeFore Weir, which is one in a group of four weirs at a diversion box on the private pipeline. From the Lefore Weir, the water is conveyed through a non-pressurized pipe to a holding pond (the LeFore Bulge) adjacent to the place of use for T-10430. Water is pumped from the LeFore Bulge for irrigation of several parcels of land, including the 4.28-acre place of use for T-10430.

SECTION 2 SYSTEM DESCRIPTION (B through H)

Are there multiple PODs or POAs?

NO

If "YES" you will need to copy and complete Sections 2B through 2H for each POD/POA.

POD/POA Name or Number this section describes (only needed if there is more than one):

Point of Diversion: Powell/Pleasantview POD

Point of Re-Diversion: LeFore Weir

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WATER RESOURCES DEPT SALEM, OREGON

B. Place of Use

1. Is the right for municipal use?

NO

If "YES" the table below may be deleted.

TWP	RNG	MER	SEC	Q-Q	GLOT	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
6N	35E	WM	35	SE SW			Irrigation	4.28	n/a
Total	Acres I	rrigated						4.28	n/a

Reminder: The map associated with this claim must identify Donation Land Claims (DLC), Government Lots (Gov Lot), Quarter-Quarters (QQ), and if for irrigation, the number of acres irrigated within each projected DLC, Gov Lot, and QQ.

C. Diversion and Delivery System Information

Provide the following information concerning the diversion and delivery system. Information provided must describe the equipment used to transport <u>and</u> apply the water from the point of diversion/appropriation to the place of use.

1. Is a pump used?

YES, but only for withdrawal from the bulge

If "NO" items 2 through item 6 may be deleted.

2. Pump Information

Manufacturer	Model	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE	DISCHARGE SIZE
Paco	10-30707	PM97B00536	Centrifugal	6"	6"

3. Motor Information

MANUFACTURER	Horsepower
Baldor	20 HP

4. Theoretical Pump Capacity

Horsepower	OPERATING PSI	*IF A WELL, THE WATER LEVEL DURING PUMPING	TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
20HP	48 PSI	none	4 feet	1.05

5. Provide pump calculations:

$$Q_{pump} = \underline{(Hp)(conversion factor)}_{(lift + pressure) total head in feet} = cfs$$

Conversion factor:

Turbine & Submersible Pumps, 75% eff. $(550 \text{ ft lb/sec/Hp})(.75) = 6.61 \text{ ft}^4/\text{sec/Hp}$ (62.4 lb/cu ft)

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$$Q_{pump} = \frac{(20)(6.61)}{[4 + (48*2.54)]} = 1.05 \text{ cfs} = 471 \text{ gpm*}$$

JUL 1 3 2010

WATER RESOURCES DEPT

*Assumed minor frictional losses accounted for by the 2.54 ft/psi conversion factor (versus 2.31 ft/psi).

6. Measured Pump Capacity (using meter if meter was present and system was operating)

INITIAL METER	ENDING METER	DURATION OF TIME	TOTAL PUMP OUTPUT
READING	READING	OBSERVED	(IN CFS)

Reminder: For pump calculations use the reference information at the end of this document.

7. Is the distribution system piped?

YES

If "NO" items 8 through item 11 may be deleted.

8. Mainline Information

MAINLINE SIZE	LENGTH	TYPE OF PIPE	Buried or Above Ground
8"	5000 ft	PVC	buried
5" & 6"	1250 ft	PVC	buried

9. Lateral or Handline Information

LATERAL OR LENGTH HANDLINE SIZE		TYPE OF PIPE	BURIED OR ABOVE GROUND
1.25"	150 ft	polytubing	buried
1.00"	450 ft	polytubing	buried

10. Sprinkler Information

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
Nelson R20	40	0.9	136	136	0.27
Nelson R20	40	1	100	100	0.22
Nelson R10	40	0.45	228	228	0.23
Toro drip	30	0.008	4560	4560	0.08

Reminder: For sprinkler output determination use the reference information at the end of this document.

11. Pivot Information

MANUFACTURER	MAXIMUM WETTED RADIUS	OPERATING PSI	TOTAL PIVOT OUTPUT (GPM)	TOTAL PIVOT OUTPUT (CFS)
n/a				

12. Additional notes or comments related to the system:

- 1. The diversion and conveyance system described under Section C of this COBU report pertains to only to the transferee's system used to convey and use water under T-10430.
- The pump used to withdraw water from the bulge (described under #2 of Section C) supplies
 water to the irrigation system of several parcels of land, including the 4.28-acre place of use for
 T-10430.

D. Groundwater Source Information (Well and Sump)

1. Is the appropriation from ground water (well or sump)?

NO

E. Storage

1. Does the distribution system include in-system storage (i.e. storage tank, bulge in system / reservoir)

YES

If "NO", item 2 and 3 relating to this section may be deleted.

If "YES" is it a:

Storage Tank

NO

Bulge in System / Reservoir

YES

Complete appropriate table(s) below, unused table may be deleted.

3 Bulge in System / Reservoir:

RESERVOIR NAME OR NUMBER (CORRESPOND TO MAP)	APPROXIMATE DAM HEIGHT	APPROXIMATE CAPACITY (IN ACRE FEET)
LeFore Bulge	0 (excavated)	2.3

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F. Gravity Flow Pipe

(THE DEPARTMENT TYPICALLY USES THE HAZEN-WILLIAM'S FORMULA FOR A GRAVITY FLOW PIPE SYSTEM)

1. Does the system involve a gravity flow pipe?

YES

If "NO", items 2 through 4 relating to this section may be deleted.

2. Complete the table:

PIPE SIZE	PIPE TYPE	"C" FACTOR	AMOUNT OF FALL	LENGTH OF PIPE	SLOPE	COMPUTED RATE OF WATER FLOW (IN CFS)
24-inch (Powell/Pleasantview pipeline)	PVC	150	2 ft	750 ft	0.0027	16.5 cfs
8-inch (Private pipeline)	PVC	150	9 ft	1000 ft	0.009	1.76 cfs
8-inch (Transferee's system pipe)	PVC	150	26 ft	5000 ft	0.0052	1.31 cfs

3. Provide calculations:

Hazen-Williams Formula

$$V = 1.318 \times C_h \times R^{0.63} \times S^{0.54}$$

V = velocity (ft/s)

Ch = Hazen-Williams friction coefficient

R = hydraulic radius (ft) = cross-sectional area of flow ÷ wetted permimeter

S = slope

Flow
$$(Q) = V \times A$$

A = cross-sectional area of flow

WWRID Powell/Pleasantview Pipeline (24-inch)

$$A = \pi \times (24/24)^2 = 3.14 \text{ ft}^2$$

$$R = 3.14 \div (\pi \times (24/12)) = 0.5$$

$$R = 3.14 \div (\pi \times (24/12)) = 0.5$$

$$Q = (1.318 \times 150 \times 0.5^{0.63} \times 0.0027^{0.54}) \times 3.14 = \underline{16.5 \text{ cfs}}$$

Private pipeline from Powell/Pleasantview to LeFore Weir

$$A = \pi \times (8/24)^2 = 0.349 \text{ ft}^2$$

$$R = 0.349 \div (\pi \times (8/12)) = 0.167$$

R = 0.349 ÷ (
$$\pi$$
 × (8/12)) = 0.167
Q = (1.318 × 150 × 0.167^{0.63} × 0.009^{0.54}) × 0.349 = 1.76 cfs

Transferee's Mainline from LeFore Weir to LeFore Bulge

$$A = \pi \times (8/24)^2 = 0.349 \text{ ft}^2$$

 $R = 0.349 \div (\pi \times (8/12)) = 0.167$

$$Q = (1.318 \times 150 \times 0.167^{0.63} \times 0.0052^{0.54}) \times 0.349 = 1.31cfs$$

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WATER RESOURCES DEPT SALEM, OREGON

NOTE: All flow calculations assume full pipe flow.

4. If an actual measurement was taken, provide the following:

DATE OF	WHO MADE THE	MEASUREMENT	MEASURED QUANTITY OF
MEASUREMENT	MEASUREMENT	METHOD	WATER (IN CFS)
Not measured			WATER (IN CI 5)

Attach measurement notes.

G. Gravity Flow Canal or Ditch

(THE DEPARTMENT TYPICALLY USES MANNING'S FORMULA FOR CANALS AND DITCHES)

1. Is a gravity flow canal or ditch used to convey the water as part of the distribution system? NO If "NO", items 2 through 4 relating to this section may be deleted.

H. Reservoir

1. Does the claim involve a reservoir modified through a transfer?

Reminder: This section should only be completed if the reservoir right has been modified through the transfer process. If the claim is for a permitted reservoir use the Claim of Beneficial Use form for reservoirs.

If "NO", items 2 through 9 relating to this section may be deleted.

SECTION 3 CONDITIONS

Please pay special attention to this section. All conditions contained in the permit, permit amendment, transfer final order, or any extension final order shall be addressed. Reports that do not address all performance related conditions will be returned.

1. Time Limits:

Permits, transfer final orders, and any extension final orders contain any or all of the following dates; the date when the actual construction work was to begin, the date when the construction was to be completed, and the date when the complete application of water to the proposed use is to be completed by. These dates may be referred to as ABC dates. Describe how the water user has complied with each of the development timelines established in the permit, extension or transfer final order:

	DATE FROM PERMIT OR TRANSFER	DATE ACCOMPLISHED*	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	10/5/2009		
BEGIN CONSTRUCTION (A)	n/a	n/a	n/a
COMPLETE CONSTRUCTION (B)	n/a	n/a	n/a
COMPLETE APPLICATION OF WATER (C)	10/1/2011	4/28/2010	Documented completion of changes during site inspection.

^{*} MUST BE WITHIN PERIOD BETWEEN PERMIT, TRANSFER FINAL ORDER, OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO COMPLETELY APPLY WATER

2. Is there an extension final order(s)?

If "NO", you may delete item 3 in this section.

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WATER RESOURCES DEPT SALEM, OREGON

4. Initial Water Level Measurements:	
a. Was the water user required to submit an initial static water level measurement?	NO
If "NO", items 4b through 4d relating to this section may be deleted.	
5. Annual Static Water Level Measurements:	
a. Was the water user required to submit annual static water level measurements?	NO
If "NO", items 5b through 5e relating to this section may be deleted.	
6. Pump Test (Required for most ground water permits prior to issuance of a certificate)	
a. Did the permit require the submittal of a pump test?	NO
If "NO", items 6b through 6d relating to this section may be deleted.	
7. Measurement Conditions:	
a. Does the permit, permit amendment, transfer final order, or any extension final order require installation of a meter or	the
approved measuring device?	NO
If "NO", items 7b through 7f relating to this section may be deleted.	
Reminder: If a meter or approved measuring device was required, the COBU map must indicate the location of the device in relation to the point of diversion or appropriation.	
8. Recording and reporting conditions	
a. Is the water user required to report the water use to the Department?	NO
9. Fish Screening	
a. Are any points of diversion required to be screened to prevent fish from entering the peint of diversion?	NO
If "NO", items 9b through 9e relating to this section may be deleted.	
10. By-pass Devices WATER RESOURCES DEP	Г
a. Are any points of diversion required to have a by-pass device to prevent fish AFFM OREGON entering the point of diversion?	NO
If "NO", items 10b and 10c relating to this section may be deleted.	
11. Other conditions required by permit, permit amendment final order, extension final order, or transfer final order	
a. Were there special well construction standards?	NO
b. Was submittal of a ground water monitoring plan required?	NO
c. Was the water user required to restore the riparian area if it was disturbed?	NO
d. Was a fishway required?	NO
e. Was submittal of a letter from an engineer required prior to storage of water?	NO
f. Was submittal of a water management and conservation plan required?	NO
g. Other conditions?	YES
If "YES" to any of the above, identify the condition and describe the water user's actions to comply with the condition(s):	

- The former place of use of the transferred right shall no longer receive water under the right. IN COMPLIANCE. The former place of use has been developed into a residential housing development and is no longer irrigated by the transferee.
- The water user shall maintain and operate the existing measurement device and shall make such
 improvements as may be required by the Department. IN COMPLIANCE. The existing measurement
 device (LeFore Weir) is in place and is operational.
- 3. The water user shall maintain the existing headgate and shall make such improvements as may be required by the Department. IN COMPLIANCE. The headgate for the Powell/Pleasantview pipeline is maintained and operated by Walla Walla River Irrigation District.

SECTION 4

VARIATIONS

Include a description of variations from the permit, permit amendment final order, extension final order, or transfer final order. (i.e. "The permit allowed three points of diversion. The water user only developed one of the points." or "The permit allowed 40.0 acres of irrigation. The water user only developed 10.0 acres.")

- 1. Rate of Use. The rate of use of Transfer T-10430 is stated using Miner's Inches: 1.5 MI for each acres of irrigation. For the purposes of this COBU, the flow was converted to CFS as follows: 1.5 MI/ac * 4.28 ac * 1 CFS/40MI = 0.1605 CFS
- 2. Point of Diversion. Findings of Fact #5 of the final order approving Transfer T-10430 (Special Order Volume 79 Page 14) does not correctly identify the point of diversion for the water right. As stated on the transfer application map for Transfer T-10430, the authorized point of diversion is the Powell/Pleasantview Ditch diversion located in the NENE, Section 2, Township 5 North, Range 35 East (WM) at a distance of 650 feet South and 450 feet West from the NE Corner of Section 2 (see Attachment 2). The point of diversion was not changed by Transfer T-10430. Note: the Powell/Pleasantview Ditch is now a buried pipeline.

SECTION 5 ATTACHMENTS

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If you are attaching any documents to this report, provide a list:

WATER RESOURCES DEPT

ATTACHMENT NAME	DESCRIPTION SALEM, UMEGUN		
Attachment 1	Claim of Beneficial Use Map		
Attachment 2	Transfer T-10430 Final Order and Transfer Map		

SECTION 6 CLAIM SUMMARY

POD / POA NAME OR #	MAXIMUM RATE AUTHORIZED	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED	USE	# OF ACRES ALLOWED	# OF ACRES DEVELOPED
Powell/ Pleasantview POD	n/a	16.5 cfs	n/a	n/a	n/a	n/a
LeFore Weir (Re-diversion)	0.1605 cfs	0.8 cfs (sprinker output)	n/a	Irrigation	4.28	4.28

SECTION 7

CLAIM OF BENEFICIAL USE MAP

The Claim of Beneficial Use Map must be submitted with this claim. Claims submitted without the Claim of Beneficial Use map will be returned. The map shall be submitted on poly film at a scale of 1" = 1320 feet, 1" = 400 feet, or the original full-size scale of the county assessor map for the location.

Provide a general description of the survey method used to prepare the map. Examples of possible methods include, but are not limited to, a traverse survey, GPS, or the use of aerial photos. If the basis of the survey is an aerial photo, provide the source, date, series and the aerial photo identification number.

The point of re-diversion, visible system components, and the place of use were visited during the site inspection. The location of the point of diversion and the extent of the place of use were obtained from a field survey completed during the site inspection. The map was created using Geographic Information System (GIS) software and spatial datasets obtained from Oregon Water Resources Department (OWRD), Oregon Geospatial Enterprise Office (GEO), and Umatilla County. Additional data and information specific to the water right holder's property and the use water of under the water right described in this Claim of Beneficial Use report were obtained from the water right holder.



M

X

X

Map Checklist

Please be sure that the map you submit includes ALL the items listed below. (Reminder: Incomplete maps and/or claims may be returned.)

(Remii	ider: Incomplete maps and/or claims may be returned.)	
\boxtimes	Map on polyester film.	
	Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-size scale of the map)	e county assessor
\boxtimes	Township, Range, Section, Donation Land Claims, and Government Lots	
	If irrigation, number of acres irrigated within each projected Donation Land Claim Lots, Quarter-Quarters	s, Government
	Locations of fish screens, fish by-pass devices, meters and measuring devices in re of diversion or appropriation.	lationship to point
\boxtimes	Conveyance structures illustrated (pumps, reservoirs, pipelines, ditches, etc.)	
\boxtimes	Point(s) of diversion or appropriation (illustrated and coordinates)	
	Tax lot boundaries and numbers	
\boxtimes	Source illustrated if surface water	
	Disclaimer ("This map is not intended to provide legal dimensions or locations of lines")	property ownership
\boxtimes	Application and permit number or transfer number	RECEIVED

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CWRE stamp and signature

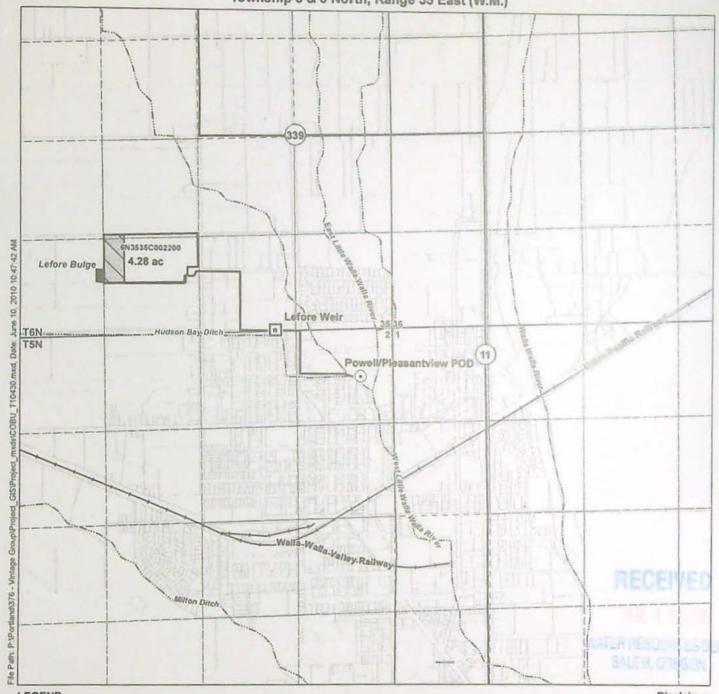
North arrow

Legend

Claim of Beneficial Use Map

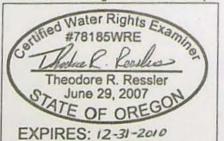
Transfer T-10430

Township 5 & 6 North, Range 35 East (W.M.)



- Point of Diversion (POD)
- Point of Re-diversion
- Place of Use (POU)
- ✓ Pipeline
- ☐ Taxlots (Vintage Group LLC) Taxlots
- ✓ Major Roads
- Railroads
- Warercourses

Certified Water Rights Examiner Stamp

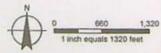


This map was prepared for the purpose of identifying the location of a water right only and it is not intended to provide legal dimensions or location of property ownership lines.

Map Notes
Date: June 10, 2010
Data Sources: Urnatilla Co., ESRI
Prepared By: GSI Water Solutions, Inc.

POD Location Description

Point of Diversion Located 650 feet South and 450 feet West from the NE corner of Section 2, Township 5 North, Range 35 East (W.M.)





SECTION 8 SIGNATURES

CWRE Statement, Seal and Signature

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge.



CWRE NAME Theodore R. Ressler	PHONE NO. 503-239-8799		ADDITIONAL CONTACT No.				
ADDRESS GSI Water Solutions, Inc., 55 SW Yamhill Street, Suite 400							
CITY	STATE	ZIP	E-MAIL	E-MAIL			
Portland	OR	97204	tressler@	gsiws.com			

Permit or Transfer Holder's of Record Signature or Acknowledgement

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge. I request that the Department issue a water right certificate.

SIGNATURE	PRINT OR TYPE NAME	DATE	
Robert Bluin,	Robert B. Lewiston	9 July 2010	
for Vintagella	Vintage LLC		

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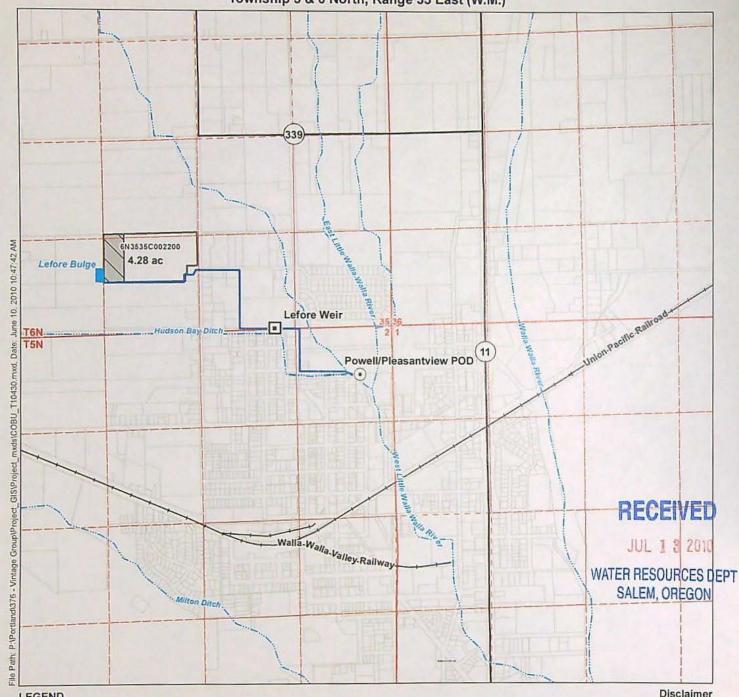
JUL 1 3 2010

WATER RESOURCES DEPT SALEM, OREGON

Claim of Beneficial Use Map

Transfer T-10430

Township 5 & 6 North, Range 35 East (W.M.)



LEGEND

- Point of Diversion (POD)
- Point of Re-diversion
- Place of Use (POU)
- ✓ Pipeline
- Taxlots (Vintage Group LLC) **Taxlots**
- ✓ Major Roads
- --- Railroads
- Warercourses

Certified Water Rights Examiner Stamp



Disclaimer

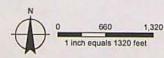
This map was prepared for the purpose of identifying the location of a water right only and it is not intended to provide legal dimensions or location of property ownership lines.

Map Notes

Date: June 10, 2010 Data Sources: Umatilla Co., ESRI Prepared By: GSI Water Solutions, Inc.

POD Location Description

Point of Diversion Located 650 feet South and 450 feet West from the NE corner of Section 2, Township 5 North, Range 35 East (W.M.)





BEFORE THE WATER RESOURCES DEPARTMENT OF THE STATE OF OREGON

In the Matter of Transfer Application)	FINAL ORDER APPROVING A
T-10430, Umatilla County)	CHANGE IN PLACE OF USE AND
		CANCELLATION OF CERTAIN
)	WATER RIGHTS

Authority

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

ORS 540.621 establishes the process for the owner of land to which a water right is appurtenant to certify under oath that the water right, or a portion thereof, has been abandoned and to voluntarily request that it be cancelled.

Applicant

THE VINTAGE GROUP, LLC 500 EAST BROADWAY, SUITE 110 VANCOUVER, WASHINGTON 98660

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JUL 1 3 2010

WATER RESOURCES DEPT

Findings of Fact

Background

1. On July 2, 2007, John A. and Barbara R. LeFore filed an application to change the place of use under Certificates 12562 and 13240. The Department assigned the application number T-10430.

- 2. On November 5, 2007, the applicant submitted a revised map, correctly identifying the place of use to be transferred, and removed water right certificate 12562 from the application.
- 3. On June 19, 2009, the Department assigned the transfer application to The Vintage Group, LLC, the new landowners.

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.

4. The portion of the right to be transferred is as follows:

Certificate: 13240 in the name of TASSEY STEWART (confirmed by Walla Walla

River (F) decree)

Use: IRRIGATION of 4.28 ACRES

Priority Date: 1880

Limit/Duty: ONE AND ONE-HALF MINER'S INCHES per acre

Source: LITTLE WALLA WALLA RIVER, tributary to the WALLA WALLA RIVER

Authorized Place of Use:

IRRIGATION							
Twp	Rng	Mer	er Sec Q-Q		Acres		
6 N	35 E	WM	35	SW SE	4.28		

5. Certificate 13240 does not describe the location of the point of diversion, however information is available from the Walla Walla River Decree and associated adjudication map, the tabulation describing the right recognizes and identifies a ditch and dam located:

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
6 N	35 E	WM	35	SW SE	Hudson Bay Ditch

 Application T-10430 proposes to change the place of use of the above described water right to:

	IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres			
6 N	35 E	WM	35	SE SW	4.28			

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7. There are five existing water rights within the proposed place of use lands described in SALEM, OREGON Finding of Fact #6. Three of these underlying rights will be canceled upon approval of T-10430. These rights consist of one water right for primary irrigation and four water rights for supplemental irrigation. The following table describes these rights:

"TO" Lands (SE¼ SW¼, Sec. 35)									
water right	priority date	source	type of use	water right holder					
C" 35471	1915	L. Walla Walla R.	primary irrigation	Pleasantview Irr. Co.					
GR-37331	1908	a well	suppl. irrigation	Alex LeFore					
C" 653901	1983	waste water	suppl. irrigation	Alex LeFore					
C" 84160 ²	1959	L.Walla Walla R.	suppl. irrigation	Pleasant View ID c/o Walla Walla River ID					
per G-13075 ²	1994	Well #1A	suppl. irrigation	Alex LeFore & John LeFore					

- 1 Cancellation affidavits have been submitted to cancel all or portions of these rights. -see Findings of Fact #13, 15 & 16.
- 2 These two water rights will continue to be exercised.
- 8. Consistent with OAR 690-380-2240(5), the priority dates and sources for the primary irrigation rights located at the proposed place of use (Certificate 13240) are similar in reliability to those of the primary irrigation rights currently located at the proposed place of use (Certificate 3547) and will be canceled in exchange for the like primary irrigation right.

Cancellation of Certain Water Rights

 On July 2, 2007, John A. LeFore, owner of the property appurtenant to the following water rights, has submitted two voluntary cancellation affidavits meeting the requirements of ORS 540.621.

10. The portion of the FIRST water right to be cancelled is described as follows:

Certificate: 10103 in the name of TASSEY STEWART (perfected under Per S-7931)

Use: IRRIGATION of 4.28 ACRES

Priority Date: May 11, 1927

Amount: 0.05 cubic foot per second (cfs)

Rate/Duty: ONE-EIGHTIETH of one cubic foot per second per acre

Source: WASTE WATER, within the LITTLE WALLA WALLA RIVER BASIN

Authorized Point of Diversion:

Twp	Twp Rng Mer		Sec	Q-Q	Survey Coordinates	
6 N	35 E	WM	35	SW SE	Stewart waste ditch	

Place of Use to be cancelled: ("FROM" lands)							
Twp	Rng	Mer	Sec	Q-Q	Acres		
6 N	35 E	WM	35	SW SE	4.28		

11. The portion of the SECOND water right to be cancelled is described as follows:

Certificate: 3547 in the name of Pleasantview Irrigation Company, Inc. (perfected

under Permit E-241)

Use: IRRIGATION of 4.28 ACRES

Priority Date: June 24, 1915

Amount: 0.05 cfs

Source: LITTLE WALLA WALLA RIVER, tributary to WALLA WALLA RIVER

Authorized Point of Diversion: Based upon the application/permit map for Pleasantview Irrigation Company, Inc., the ditch and diversion dam structure is located:

Twp	Twp Rng N		Sec	Q-Q	Survey Coordinates	
5 N	35 E	WM	2	NE NE	M.F. & H.B. Company Canal	

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			/ED
			11241
	- C	Dinn D L	Harm Hard

Place of Use to be cancelled: ("TO" lands)								
Twp	Rng	Mer	Sec	Q-Q	Acres			
6 N	35 E	WM	35	SE SW	4.28			

WATER RESOURCES DEPT SALEM, OREGON

- On December 23, 2008, John A. and Barbara LeFore also submitted two additional voluntary cancellation affidavits meeting the requirements of ORS 540.621 for the entire cancellation of Groundwater Certificate of Registration GR-3733 (Registration number GR-4168) and water right Certificate number 65390.
- 13. The FIRST water right to be cancelled is described as follows:

Certificate of Registration No.: GR-3733 in the name of ALEX LeFORE (groundwater registration #GR-4168)

Use: SUPPLEMENTAL IRRIGATION of 19.5 ACRES

Priority Date: 1908

Amount: 450 Gallons Per Minute

Source: a Well, within the LITTLE WALLA WALLA RIVER BASIN

Authorized Point of Appropriation:

Twp Rng Mer		Sec	Q-Q	Survey Coordinates	
6 N	35 E	WM	35	SE SW	50 Feet West from the SE Corner of the NE¼ of the SE¼ of the SW¼, of Section 35

Place of Use to be cancelled:							
Twp	Rng	Mer	Sec	Q-Q	Acres		
6 N	35 E	WM	35	N½ SE SW	19.5		

14. The SECOND water right to be cancelled is described as follows:

Certificate: 65390 in the name of Alex LeFore (perfected under Permit 48067)

Use: SUPPLEMENTAL IRRIGATION of 18.4 ACRES

Priority Date: November 16, 1983

Amount: 0.49 cubic foot per second

Source: WASTE WATER ORIGINATING IN THE SW' SE', SECTION 35,

a tributary of the LITTLE WALLA WALLA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
6 N	35 E	WM	35	SW SE	800 Feet North and 300 Feet East from the S¼ Corner of Section 35

R	E	C	E	IV	E	D
H H		9	Dura	P A	line	-

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Place of Use to be cancelled:						
Twp	Rng	Mer	Sec	Q-Q	Acres	
6 N	35 E	WM	35	SE SW	18.4	

WATER RESOURCES DEPT SALEM, OREGON

- Notice of the application for transfer was published on July 17, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
- 16. On January 16, 2009, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-10430 to the applicants. The draft Preliminary Determination set forth a deadline of February 15, 2009, for the applicants to respond. The letter mailed with the draft of the Preliminary Determination also required land ownership and lien information reports be submitted for the timeframes in which each parcel of land involved in the transfer had the water right conveyance agreement recorded with the office of the Umatilla County records. On July 16th and July 30th, 2009, the Department received the appropriate reports prepared by a title company and subsequent written authorization from a landowner listed in the report who was not the applicant.
- 17. On August 6, 2009, the Department received from the applicants a statement requesting that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicants are authorized to pursue the transfer.

18. On August 27, 2009, the Department issued a Preliminary Determination proposing to approve Transfer T-10301 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on August 21, 2007, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

Transfer Review Criteria [OAR 690-380-4010(2)]

- 19. Water has been used within the last five years according to the terms and conditions of the right and there is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
- A diversion structure, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Application T-10430.
- 21. The proposed change would not result in enlargement of the right.

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22. The proposed change would not result in injury to other water rights.

JUL 1 3 2011

Conclusions of Law

WATER RESOURCES DEPT SALEM, OREGON

The change in place of use proposed in application T-10430 appears to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000 and the abandoned rights should be cancelled. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved and the abandoned rights will be cancelled.

Now, therefore, it is ORDERED:

- The change in place of use proposed in application T-10430 is approved. The portions of the rights that have been abandoned are cancelled.
- Water right certificates 13240, 3547, 10103, 65390 and Certificate of Registration GR-3733
 are cancelled. New certificates will be issued describing those portions of the Certificate
 13240, 10103 and 3547 rights not affected by the cancellations and this transfer.
- The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 13240 and any related decree.
- 4. The former place of use of the transferred right shall no longer receive water under the right.
- The water user shall maintain and operate the existing measurement device and shall make such improvements as may be required by the Department.
- The water user shall maintain the existing headgate and shall make such improvements as may be required by the Department.

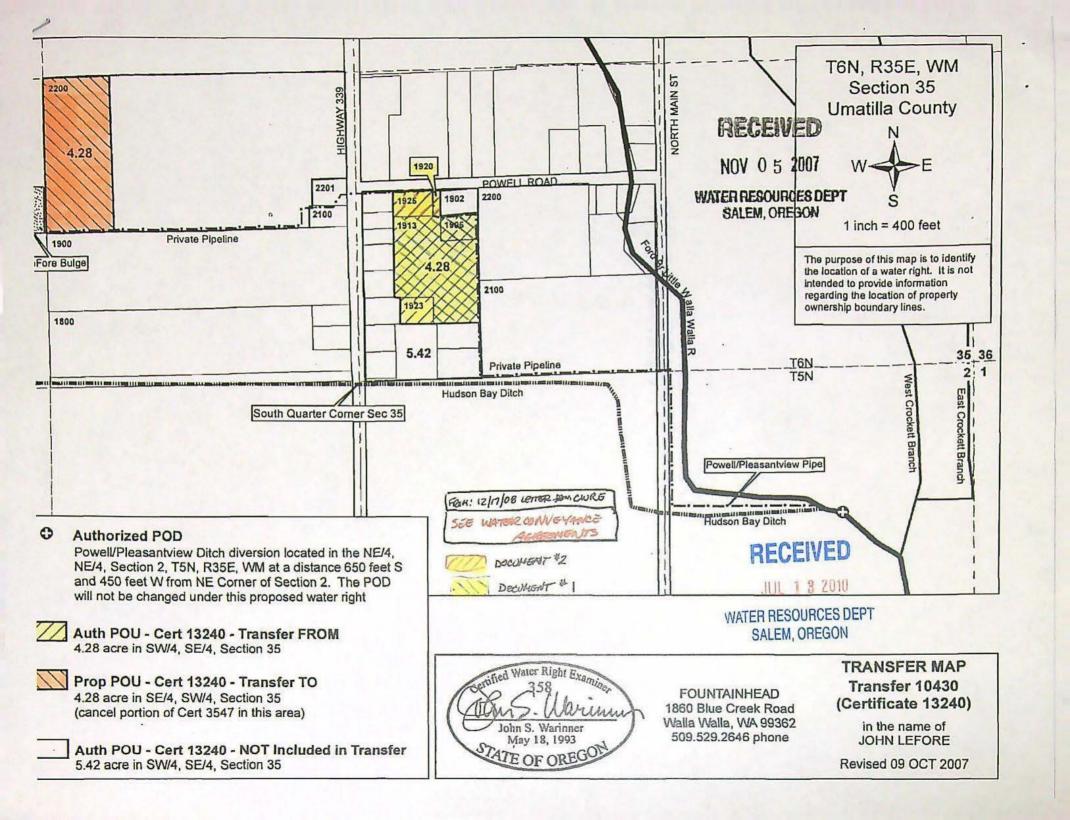
- The approved change shall be completed and full beneficial use of the water shall be made on or before October 1, 2011. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.
- 8. When satisfactory proof of the completed change is received, a new certificate confirming the right transferred will be issued.

Dated at Salem, Oregon this 5th day of & Hober

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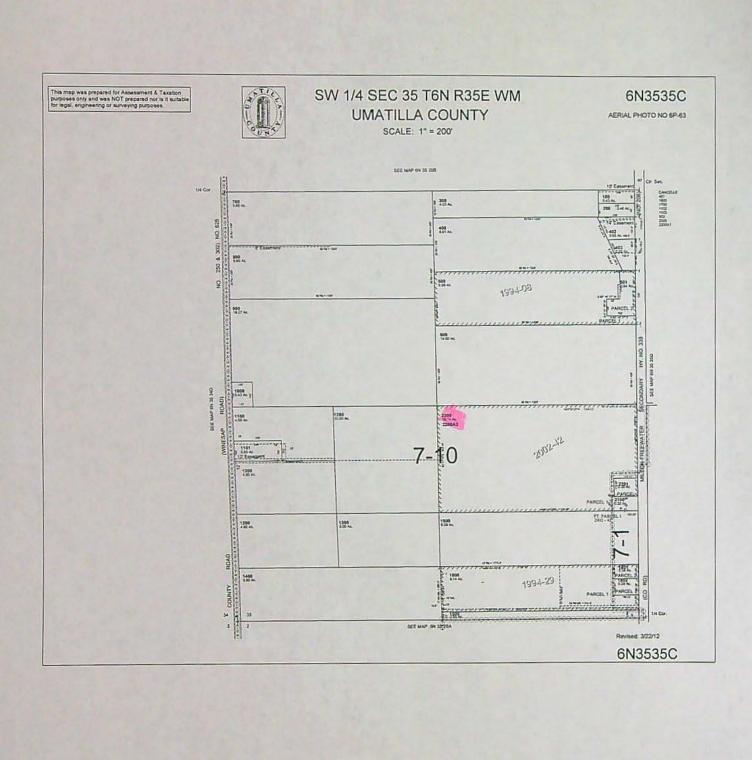
JUL 1 3 2010

WATER RESOURCES DEPT SALEM, OREGON

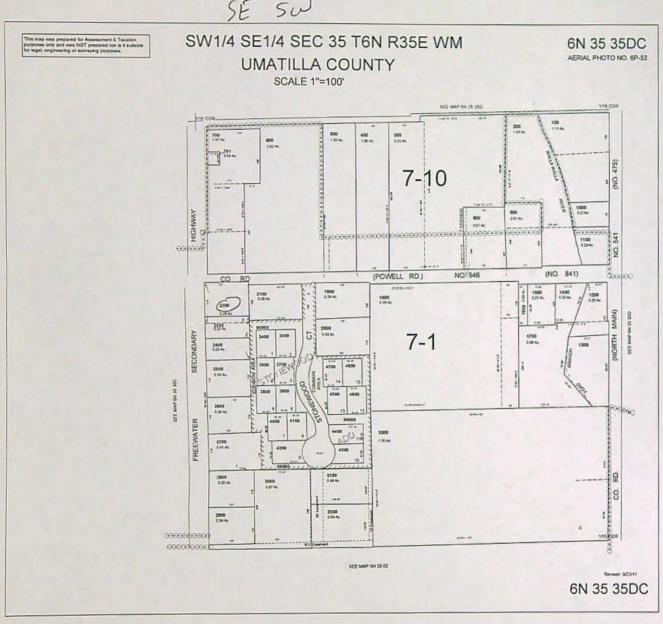


MEMO

TO: FILE T-10430
FROM:
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
FPSCOBU
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? V No Yes:
stamped PROPOSED or assign Cert # \$\frac{18}{28}\$
Draft certificate(s) are available in the transfer directory.
Water Organization identified using area of interest tool? No Yes, cc: WWID.
Check ownership; and if there is a new owner, add them to the mailing list.
✓ Prepare a mailing list.
Record marking: App Cert
NOTES: ***********************************



SE SW



MAP TO ACCOMPANY
WATER APPLICATION

Tassy Stewart Milton - Oregon.

5W4-5E4 Sec. 35; Tp. 6 N.

R. 35 E. Scale 400'=1"

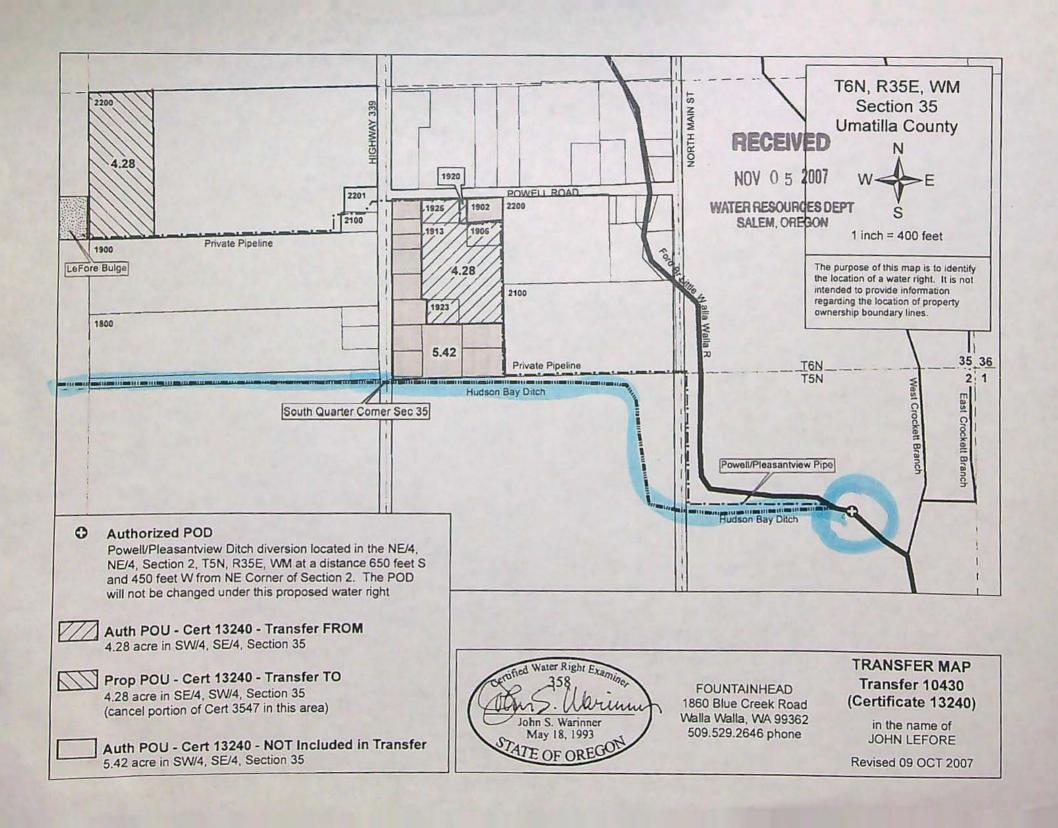
Collins Holman

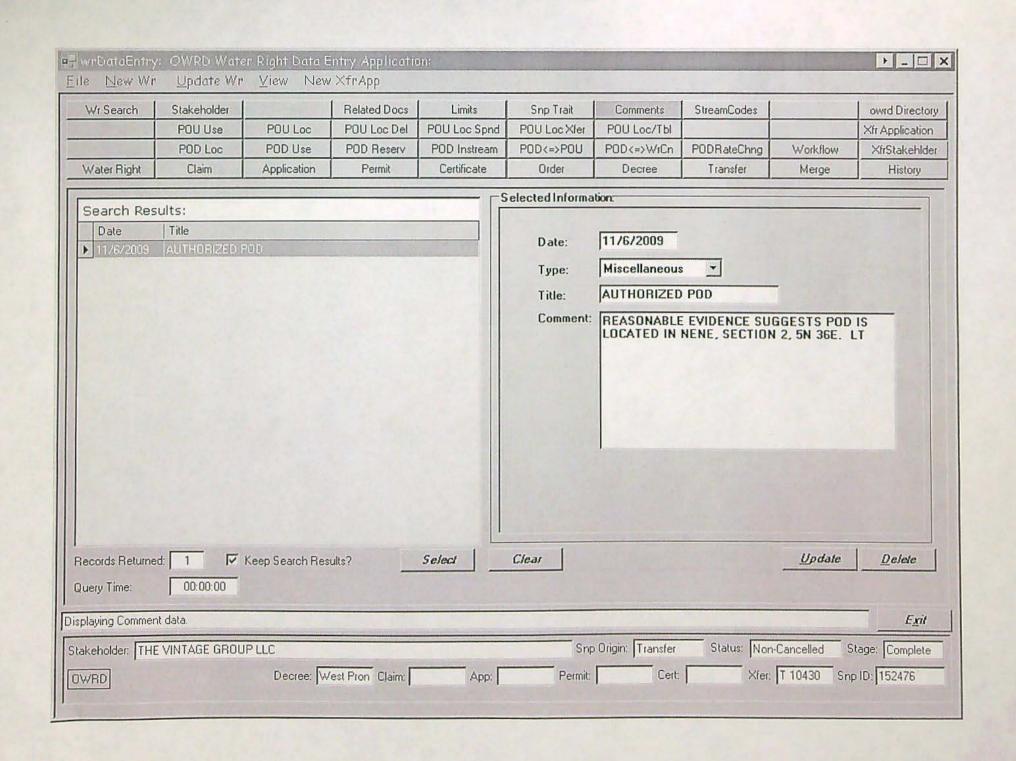
Propeck Powell.

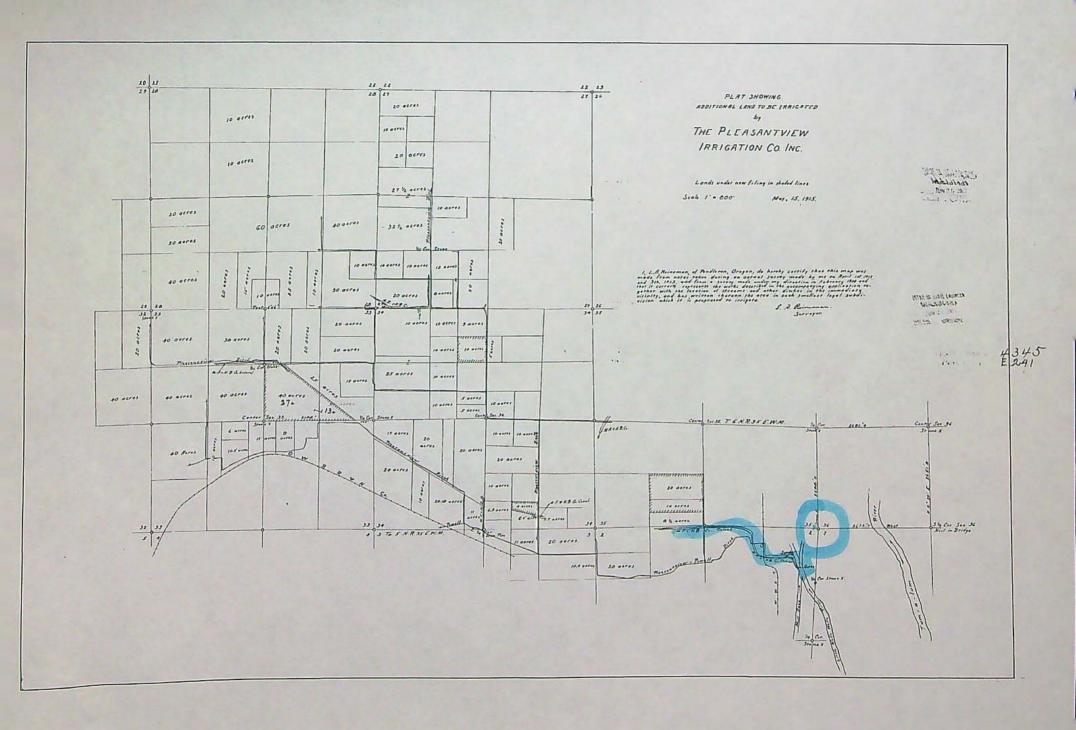
To be irrigated water Waste Ditch Corpha Johnson
Waste water from this tract to be used on stewart Tract.

Application No.

Permit No.









Water Resources Department

North Mall Office Building 725 Summer Street NE, Suite A Salem, OR 97301-1266 503-986-0900 FAX 503-986-0904

October 7, 2009

THE VINTAGE GROUP, LLC 500 EAST BROADWAY, SUITE 110 VANCOUVER, WA 98660

REFERENCE: Transfer Application T-10430

Enclosed is a copy of the final order approving your water right transfer application.

The time allowed to complete the transfer is specified in the final order. YOU SHOULD GIVE PARTICULAR ATTENTION TO THE TIME LIMIT. The water right for any portion of the authorized change in character of 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 <u>only</u> upon a showing that diligent effort has been made to complete the actual change(s) within the time allowed.

You are required to hire a Certified Water Rights Examiner (CWRE) to complete a Claim of Beneficial Use report and map which must be submitted to this Department within one year of the date you complete the change(s) or within one year of the completion date authorized in the transfer final order, whichever occurs first.

If you have any questions related to the approval of this transfer, you may contact me by telephone at (503) 986-0883 or by e-mail at Sarah.A.Henderson@wrd.state.or.us.

Sincerely,

Sarah Henderson Executive Support

Field Services Division

cc:

Watermaster Dist. #5

John Warinner, Agent

Walla Walla River Irrigation District

Sarah Henderson

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT OF THE STATE OF OREGON

In the Matter of Transfer Application)	FINAL ORDER APPROVING A
T-10430, Umatilla County)	CHANGE IN PLACE OF USE AND
)	CANCELLATION OF CERTAIN
)	WATER RIGHTS

Authority

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

ORS 540.621 establishes the process for the owner of land to which a water right is appurtenant to certify under oath that the water right, or a portion thereof, has been abandoned and to voluntarily request that it be cancelled.

Applicant

THE VINTAGE GROUP, LLC 500 EAST BROADWAY, SUITE 110 VANCOUVER, WASHINGTON 98660

Findings of Fact

Background

- On July 2, 2007, John A. and Barbara R. LeFore filed an application to change the place of use under Certificates 12562 and 13240. The Department assigned the application number T-10430.
- 2. On November 5, 2007, the applicant submitted a revised map, correctly identifying the place of use to be transferred, and removed water right certificate 12562 from the application.
- 3. On June 19, 2009, the Department assigned the transfer application to The Vintage Group, LLC, the new landowners.

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.

4. The portion of the right to be transferred is as follows:

Certificate: 13240 in the name of TASSEY STEWART (confirmed by Walla Walla

River (F) decree)

Use: IRRIGATION of 4.28 ACRES

Priority Date: 1880

Limit/Duty: ONE AND ONE-HALF MINER'S INCHES per acre

Source: LITTLE WALLA WALLA RIVER, tributary to the WALLA WALLA RIVER

Authorized Place of Use:

		IRR	IGAT	ION	
Twp	Rng	Mer	Sec	Q-Q	Acres
6 N	35 E	WM	35	SW SE	4.28

5. Certificate 13240 does not describe the location of the point of diversion, however information is available from the Walla Walla River Decree and associated adjudication map, the tabulation describing the right recognizes and identifies a ditch and dam located:

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
6 N	35 E	WM	35	SW SE	Hudson Bay Ditch

6. Application T-10430 proposes to change the place of use of the above described water right to:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres		
6 N	35 E	WM	35	SE SW	4.28		

7. There are five existing water rights within the proposed place of use lands described in Finding of Fact #6. Three of these underlying rights will be canceled upon approval of T-10430. These rights consist of one water right for primary irrigation and four water rights for supplemental irrigation. The following table describes these rights:

"TO" Lands (SE¼ SW¼, Sec. 35)								
water right	priority date	source	type of use	water right holder				
C#35471	1915	L.Walla Walla R.	primary irrigation	Pleasantview Irr. Co.				
GR-37331	1908	a well	suppl. irrigation	Alex LeFore				
C# 653901	1983	waste water	suppl. irrigation	Alex LeFore				
C# 84160 ²	1959	L.Walla Walla R.	suppl. irrigation	Pleasant View ID c/o Walla Walla River ID				
per G-13075 ²	1994	Well #1A	suppl. irrigation	Alex LeFore & John LeFore				

¹ Cancellation affidavits have been submitted to cancel all or portions of these rights. -see Findings of Fact #13, 15 & 16.

8. Consistent with OAR 690-380-2240(5), the priority dates and sources for the primary irrigation rights located at the proposed place of use (Certificate 13240) are similar in reliability to those of the primary irrigation rights currently located at the proposed place of use (Certificate 3547) and will be canceled in exchange for the like primary irrigation right.

² These two water rights will continue to be exercised.

Cancellation of Certain Water Rights

 On July 2, 2007, John A. LeFore, owner of the property appurtenant to the following water rights, has submitted two voluntary cancellation affidavits meeting the requirements of ORS 540.621.

10. The portion of the FIRST water right to be cancelled is described as follows:

Certificate: 10103 in the name of TASSEY STEWART (perfected under Per S-7931)

Use: IRRIGATION of 4.28 ACRES

Priority Date: May 11, 1927

Amount: 0.05 cubic foot per second (cfs)

Rate/Duty: ONE-EIGHTIETH of one cubic foot per second per acre

Source: WASTE WATER, within the LITTLE WALLA WALLA RIVER BASIN

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
6 N	35 E	WM	35	SW SE	Stewart waste ditch

Place of Use to be cancelled: ("FROM" lands)						
Twp	Rng	Mer	Sec	Q-Q	Acres	
6 N	35 E	WM	35	SW SE	4.28	

11. The portion of the SECOND water right to be cancelled is described as follows:

Certificate: 3547 in the name of Pleasantview Irrigation Company, Inc. (perfected

under Permit E-241)

Use: IRRIGATION of 4.28 ACRES

Priority Date: June 24, 1915

Amount: 0.05 cfs

Source: LITTLE WALLA WALLA RIVER, tributary to WALLA WALLA RIVER

Authorized Point of Diversion: Based upon the application/permit map for Pleasantview Irrigation Company, Inc., the ditch and diversion dam structure is located:

T	wp	Rng	Mer	Sec	Q-Q	Survey Coordinates
	5 N	35 E	WM	2	NE NE	M.F. & H.B. Company Canal

Pl	ace of	Use to	be car	ncelled: ("T	O" lands)
Twp	Rng	Mer	Sec	Q-Q	Acres
6 N	35 E	WM	35	SE SW	4.28

- On December 23, 2008, John A. and Barbara LeFore also submitted two additional voluntary cancellation affidavits meeting the requirements of ORS 540.621 for the entire cancellation of Groundwater Certificate of Registration GR-3733 (Registration number GR-4168) and water right Certificate number 65390.
- 13. The FIRST water right to be cancelled is described as follows:

Certificate of Registration No.: GR-3733 in the name of ALEX LeFORE (groundwater registration #GR-4168)

Use: SUPPLEMENTAL IRRIGATION of 19.5 ACRES

Priority Date: 1908

Amount: 450 Gallons Per Minute

Source: a Well, within the LITTLE WALLA WALLA RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
6 N	35 E	WM	35	SE SW	50 Feet West from the SE Corner of the NE¼ of the SE¼ of the SW¼, of Section 35

Place of Use to be cancelled:						
Twp	Rng	Mer	Sec	Q-Q	Acres	
6 N	35 E	WM	35	N½ SE SW	19.5	

14. The SECOND water right to be cancelled is described as follows:

Certificate: 65390 in the name of Alex LeFore (perfected under Permit 48067)

Use: SUPPLEMENTAL IRRIGATION of 18.4 ACRES

Priority Date: November 16, 1983
Amount: 0.49 cubic foot per second

Source: WASTE WATER ORIGINATING IN THE SW1/4 SE1/4, SECTION 35,

a tributary of the LITTLE WALLA WALLA RIVER

Authorized Point of Diversion:

	Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
-	6 N	35 E	WM	35	SW SE	800 Feet North and 300 Feet East from the S¼ Corner of Section 35

Place of Use to be cancelled:						
Twp	Rng	Mer	Sec	Q-Q	Acres	
6 N	35 E	WM	35	SE SW	18.4	

- Notice of the application for transfer was published on July 17, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
- 16. On January 16, 2009, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-10430 to the applicants. The draft Preliminary Determination set forth a deadline of February 15, 2009, for the applicants to respond. The letter mailed with the draft of the Preliminary Determination also required land ownership and lien information reports be submitted for the timeframes in which each parcel of land involved in the transfer had the water right conveyance agreement recorded with the office of the Umatilla County records. On July 16th and July 30th, 2009, the Department received the appropriate reports prepared by a title company and subsequent written authorization from a landowner listed in the report who was not the applicant.
- 17. On August 6, 2009, the Department received from the applicants a statement requesting that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicants are authorized to pursue the transfer.

18. On August 27, 2009, the Department issued a Preliminary Determination proposing to approve Transfer T-10301 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on August 21, 2007, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

Transfer Review Criteria [OAR 690-380-4010(2)]

- 19. Water has been used within the last five years according to the terms and conditions of the right and there is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
- 20. A diversion structure, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Application T-10430.
- 21. The proposed change would not result in enlargement of the right.
- 22. The proposed change would not result in injury to other water rights.

Conclusions of Law

The change in place of use proposed in application T-10430 appears to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000 and the abandoned rights should be cancelled. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved and the abandoned rights will be cancelled.

Now, therefore, it is ORDERED:

- The change in place of use proposed in application T-10430 is approved. The portions of the rights that have been abandoned are cancelled.
- Water right certificates 13240, 3547, 10103, 65390 and Certificate of Registration GR-3733
 are cancelled. New certificates will be issued describing those portions of the Certificate
 13240, 10103 and 3547 rights not affected by the cancellations and this transfer.
- The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 13240 and any related decree.
- 4. The former place of use of the transferred right shall no longer receive water under the right.
- The water user shall maintain and operate the existing measurement device and shall make such improvements as may be required by the Department.
- The water user shall maintain the existing headgate and shall make such improvements as may be required by the Department.

- 7. The approved change shall be completed and full beneficial use of the water shall be made on or before October 1, 2011. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.
- 8. When satisfactory proof of the completed change is received, a new certificate confirming the right transferred will be issued.

Dated at Salem, Oregon this 5th day of & Hober 2009

Phillip C. Ward, Director

STATE OF OREGON

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

TASSEY and MARY F. STEWART

MILTON-REEWATER, OR 97862

confirms the right to use the waters of LITTLE WALLA WALLA RIVER, tributary to WALLA WALLA RIVER for IRRIGATION of 5.42 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 12, at Page 9. The date of priority is 1880. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed one and one-half miner's inches per acre, measured at the point of diversion.

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

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

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	
6 N	35 E	WM	35	SW SE	5.42	

This certificate describes that portion of the water right confirmed by Certificate 13240, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered 001 5 2009 approving Transfer Application T-10430.

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.

WITNESS the signature of the Water Resources Director, affixed

OCT 0 5 2009

Phillip C. Ward, Director

STATE OF OREGON

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

TASSEY STEWART

MILTON-FREEWATER, OR 97862

confirms the right to use the waters of WASTE WATER for the purpose of IRRIGATION of 4.72 ACRES.

This right was perfected under Permit S-7931. The date of priority is MAY 11, 1927. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.06 CUBIC FOOT PER SECOND, and shall be subject to the further limitation that the total quantity of water appropriated from this source and any other source under this and any other right shall exceed the total quantity per acre allowed in the Decree of the Circuit Court of Umatilla County in the determination of the relative rights to the use of the waters of the Walla Walla River, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q
6 N	35 E	WM	35	SW SE

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-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer. 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.

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

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	
6 N	35 E	WM	35	SW SE	4.72	

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.

OCT 0 5 2009

WITNESS the signature of the Water Resources Director, affixed ____

Phillip C. Ward, Director A

T-10430b.kdd

Page 1 of 1 Recorded in State Record of Water Right Certificates numbered 85855

STATE OF OREGON

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

PLEASANTVIEW IRRIGATION CO., INC. MILTON-FREEWATER, OR 97862

confirms the right to use the waters of LITTLE WALLA WALLA RIVER, tributary to WALLA WALLA RIVER, for IRRIGATION of 72,72 ACRES.

This right was perfected under Permit E-241. The date of priority is JUNE 24, 1915. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.91 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

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

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

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres		
6 N	35 E	WM	33	SE NE	10.00		
6 N	35 E	WM	33	SW NE	27.00		
6 N	35 E	WM	34	NENW	10.00		
6 N	35 E	WM	35	SE SW	25.72		

This certificate describes that portion of the water right confirmed by Certificate 3547, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered approving Transfer Application T-10430.

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.

WITNESS the signature of the Water Resources Director, affixed _____

Phillip C. Ward, Director



Request for Assignment

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

I, John LE	FORE				
(Name of Applie	cant / Permit / Tra	insfer Holder,)		
83880 Hwy. 3	39 Milton =	FREEWATU	OR G	77862	503-869-4503
(Mailing add(ss))		(City) (Sta)	(Phone #)
hereby assign al	<i>II my interest</i> in an	d to applicati	on/permit/	transfer;	
☐hereby assign all (You must inclu	<u>ll my interest</u> in an ude a map showing				
hereby assign a	portion of my inter	rest in and to	the <u>entire</u> a	application/pe	ermit/transfer;
Application #	, Per	mit -OR	+	_; Transfer #	T-10430
GR Statement #	, GR	Certificate o	f Registrati	ion#	
as filed in the office of					360-567-0626 (Phone #)
(Name of New Owner)	Suitell	0	Way		
500 East Droad	dury suite"	Jancoure	P OR	98660	360-567-0626
(Mailing address)) ((City)	(State)	(Zip)	(Phone #)
Certific		iter Registrati	on, you mi	ist provide a	lication, Permit, Transfer or list of all other owners'
or Certificate of Regist	ration of this requ	est for assign	ment.		in this Application, Permit
Witness my hand this _	14+h day of Applicant/Permit	may holder	to la	a L.	hy
	Applicant/Permit	0		NO CONTRACTOR DE LA CON	

DO NOT WRITE IN THIS BOX

This certifies assignment and record change at Oregon Water Resources Department effective 8:00 a.m. on date of receipt at Salem, Oregon. Fee receipt # 76822
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 a recording fee of \$50.

JUN 1 8 2009 WR

M.J. 6.18.2009

Last updated: June 1, 2007

Request for Assignment/1

WATER RESOURCES DEPT SALEM, OREGON



Water Resources Department

North Mall Office Building 725 Summer Street NE, Suite A Salem, OR 97301-1266 503-986-0900 FAX 503-986-0904

June 19, 2009

John LeFore Orchards 83880 Highway 339 Milton-Freewater, Oregon 97862

Reference: Application G-13630, Permit G-12412, Transfer T-10430

The assignment from John LeFore to The Vintage Group, 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 numbers 96821, and 96822 covering the recording fees of \$50 each are also enclosed.

Please review the permits to be familiar with the conditions and timelines contained in the permit. These conditions and timelines will have to be met before a Certificate of Water Right can be issued.

Sincerely

Jerry Sauter

Water Rights Program Analyst

Enclosure: Receipts 96821, 96822

cc: Watermaster 5

The Vintage Group, LLC

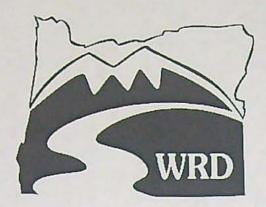
Data Center, OWRD (Complete Copy of Assignment Request)

Hydrographics

Sarah Henderson - for Transfers

File

Memo



To: T-10430 file

From: Dorothy Pedersen

Date: October 9, 2009

Re: Communications by phone regarding title company reports

On July 24, 2009, after receiving information gathered by Ken Dowden regarding ownership reports that title companies in Pendleton could generate that would satisfy the OAR 690-380-4010(5)(a) and (6)(b), I called Barbara and John LeFore at (503) 869-4503.

I explained to them that we did not need any additional affidavits of consent, but that we still needed title company reports for the specific times when the water right conveyances were recorded: January 30, 2009 for the Farley property and November 26, 2003 for the Wyckoff property. I told them Ken Dowden had checked with Amerititle (Ginger Pedroza (541) 276-2010) and with Pioneer Title (Rod Parker (541) 276-4431) in Pendleton and found that either company could do a PAR (Property Analysis Report) that would meet WRD's criteria. Each company estimated the reports would cost approximately \$50 apiece. I mentioned that Ginger at Amerititle remembered the LeFores and had generated earlier title reports for them. She would be willing to do so, if they wanted her to, and Ken Dowden was willing to help give her the specifics of what the title reports needed to contain, so it would be sure to meet the criteria this time. They also could use Pioneer Title to generate the reports.

Later that morning John LeFore called back and said to go ahead and order the reports. I then called Ken Dowden to follow through. I expected that Ginger would call the LeFores to confirm the order and would bill them.

La	Date 7/24	Message: T-/0:430
2	Called Phone (503) 869-4503	Rec'd ownership documents - don't need
-	Company Dohn or Barbara Le Fore	Property analysis reports for specific times when
£	Rod Parker (541) 276	Title Farley Jan. 30, 2007 Wyckoff Nov. 26, 2003 Ameritite (54) 276-2010

Dorothy Pedersen

From:

Dorothy Pedersen

Sent:

Thursday, July 23, 2009 5:13 PM

To:

Ken Dowden

Subject:

RE: T-10430 assignment

Ken,

Thanks for doing this research. It will be very helpful. When there are water right conveyances, the applicant is responsible for supplying us with a copy of the WR conveyance (that should indicate on the document that it has been recorded) + a report of ownership generated by the title company for a date within three months of when the WR conveyance document was recorded. It shouldn't be that hard to do, or to review, once everyone learns what is needed and how to get it.

Have a good evening, Dorothy

----Original Message----

From: Ken Dowden

Sent: Thursday, July 23, 2009 4:08 PM

To: Dorothy Pedersen

Subject: RE: T-10430 assignment

Dorothy, as discussed on Wednesday, I made contact with the two Title companies here in town.

Attached are the results.

In speaking with Ginger at Amerititle, she remembers the LeFores and said would not be a problem to get the reports generated for the time frames needed = \$50.00.

So, I believe if you could make contact with Barbara LeFore at (971) 404-7848 (cell# I believe), we can get their go ahead, and have Ginger get in touch with them to set up their order/request as soon as possible.

Let me know when you know.

----Original Message----

From: Dorothy Pedersen

Sent: Wednesday, July 22, 2009 5:22 PM

To: Ken Dowden

Subject: T-10430 assignment

Ken,

Here is the assignment form from the red file.

Dorothy I. Pedersen Transfer Program Advisor (503) 986-0890 Oregon Water Resources Department 725 Summer St. NE, Suite A Salem, OR 97301-1266

Dorothy Pedersen

From: Ken Dowden

Sent: Thursday, July 23, 2009 4:08 PM

To: Dorothy Pedersen
Subject: RE: T-10430 assignment

Attachments: LAND OWNERSHIP new findings.doc



LAND OWNERSHIP new findings.do...

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Let me know when you know.

----Original Message----

From: Dorothy Pedersen

Sent: Wednesday, July 22, 2009 5:22 PM

To: Ken Dowden

Subject: T-10430 assignment

Ken,

Here is the assignment form from the red file.

Dorothy I. Pedersen Transfer Program Advisor (503) 986-0890 Oregon Water Resources Department 725 Summer St. NE, Suite A Salem, OR 97301-1266

Dorothy Pedersen

From: Dorothy Pedersen

Sent: Wednesday, June 24, 2009 8:59 AM

To: Ken Dowden Subject: RE: T-10430

Hi Ken,

John and Barbara LeFore called yesterday about details of what ownership information is required in the way of affidavits of consent. It sounds as though they have some ownership reports, but are resisting getting affidavits of consent. Barbara made the point that if a person has signed a sale deed giving up the interest in the water right, wouldn't that constitute consent for the seller (who is reserving the water right) to transfer it if he wishes? That does seem reasonable. I told them to go ahead and send us what they have and we'd look at it and consider whether it will meet our requirements. Let me know if you have questions when you look it over.

Dorothy

----Original Message----

From: Ken Dowden

Sent: Monday, June 22, 2009 9:18 AM

To: Dorothy Pedersen Subject: RE: T-10430

Looks great Dorothy!

Thanks.

----Original Message-----From: Dorothy Pedersen

Sent: Thursday, June 18, 2009 5:25 PM

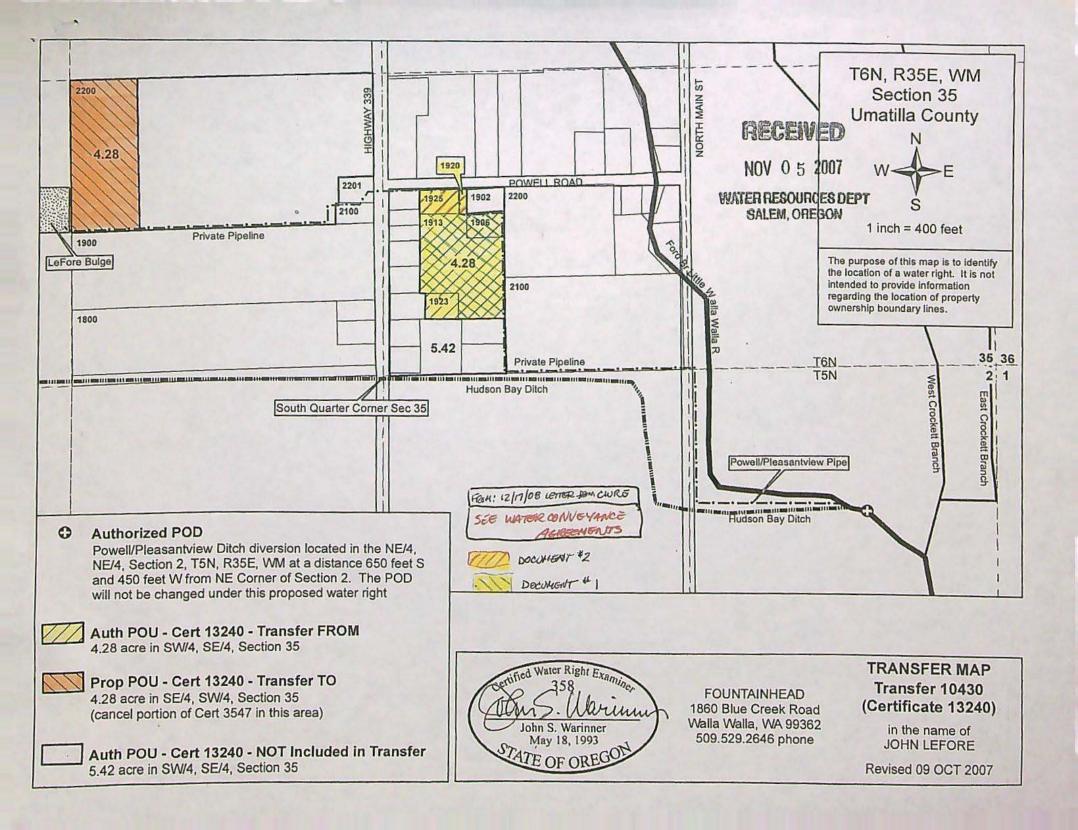
To: Ken Dowden Subject: T-10430

Hi Ken,

Here is the letter that will be going out in tomorrow's mail. I got another call from Barbara LeFore and I think she'll be getting the title reports.

Dorothy

Dorothy I. Pedersen Transfer Program Advisor (503) 986-0890 Oregon Water Resources Department 725 Summer St. NE, Suite A Salem, OR 97301-1266





Water Resources Department

North Mall Office Building 725 Summer Street NE, Suite A Salem, OR 97301-1266 503-986-0900 FAX 503-986-0904

October 7, 2009

THE VINTAGE GROUP, LLC 500 EAST BROADWAY, SUITE 110 VANCOUVER, WA 98660

REFERENCE: Transfer Application T-10430

Enclosed is a copy of the final order approving your water right transfer application.

The time allowed to complete the transfer is specified in the final order. YOU SHOULD GIVE PARTICULAR ATTENTION TO THE TIME LIMIT. The water right for any portion of the authorized change in character of 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 <u>only</u> upon a showing that diligent effort has been made to complete the actual change(s) within the time allowed.

You are required to hire a Certified Water Rights Examiner (CWRE) to complete a Claim of Beneficial Use report and map which must be submitted to this Department within one year of the date you complete the change(s) or within one year of the completion date authorized in the transfer final order, whichever occurs first.

If you have any questions related to the approval of this transfer, you may contact me by telephone at (503) 986-0883 or by e-mail at Sarah.A.Henderson@wrd.state.or.us.

Sincerely,

Sarah Henderson

Executive Support

Field Services Division

ee: Watermaster Dist. #5

John Warinner, Agent

Walla Walla River Irrigation District

Sarah Henderson

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT OF THE STATE OF OREGON

In the Matter of Transfer Application)	FINAL ORDER APPROVING A
T-10430, Umatilla County)	CHANGE IN PLACE OF USE AND
)	CANCELLATION OF CERTAIN
* * * * * * * * * * * * * * * * * * * *)	WATER RIGHTS

Authority

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

ORS 540.621 establishes the process for the owner of land to which a water right is appurtenant to certify under oath that the water right, or a portion thereof, has been abandoned and to voluntarily request that it be cancelled.

Applicant

THE VINTAGE GROUP, LLC 500 EAST BROADWAY, SUITE 110 VANCOUVER, WASHINGTON 98660

Findings of Fact

Background

- On July 2, 2007, John A. and Barbara R. LeFore filed an application to change the place of use under Certificates 12562 and 13240. The Department assigned the application number T-10430.
- On November 5, 2007, the applicant submitted a revised map, correctly identifying the place of use to be transferred, and removed water right certificate 12562 from the application.
- 3. On June 19, 2009, the Department assigned the transfer application to The Vintage Group, LLC, the new landowners.

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.

4. The portion of the right to be transferred is as follows:

Certificate: 13240 in the name of TASSEY STEWART (confirmed by Walla Walla

River (F) decree)

Use: IRRIGATION of 4.28 ACRES

Priority Date: 1880

Limit/Duty: ONE AND ONE-HALF MINER'S INCHES per acre

Source: LITTLE WALLA WALLA RIVER, tributary to the WALLA WALLA RIVER

Authorized Place of Use:

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres			
6 N	35 E	WM	35	SW SE	4.28			

5. Certificate 13240 does not describe the location of the point of diversion, however information is available from the Walla Walla River Decree and associated adjudication map, the tabulation describing the right recognizes and identifies a ditch and dam located:

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
6 N	35 E	WM	35	SW SE	Hudson Bay Ditch

6. Application T-10430 proposes to change the place of use of the above described water right to:

IRRIGATION								
Twp	p Rng Mer		Sec	Q-Q	Acres			
6 N	35 E	WM	35	SE SW	4.28			

7. There are five existing water rights within the proposed place of use lands described in Finding of Fact #6. Three of these underlying rights will be canceled upon approval of T-10430. These rights consist of one water right for primary irrigation and four water rights for supplemental irrigation. The following table describes these rights:

	"TO" Lands (SE¼ SW¼, Sec. 35)									
water right	priority date	source	type of use	water right holder						
C#35471	1915	L.Walla Walla R.	primary irrigation	Pleasantview Irr. Co.						
GR-37331	1908	a well	suppl. irrigation	Alex LeFore						
C# 653901	1983	waste water	suppl. irrigation	Alex LeFore						
C# 84160 ²	1959	L.Walla Walla R.	suppl. irrigation	Pleasant View ID c/o Walla Walla River ID						
per G-130752	1994	Well#1A	suppl. irrigation	Alex LeFore & John LeFore						

¹ Cancellation affidavits have been submitted to cancel all or portions of these rights. -see Findings of Fact #13, 15 & 16.

T-10430.kdd

8. Consistent with OAR 690-380-2240(5), the priority dates and sources for the primary irrigation rights located at the proposed place of use (Certificate 13240) are similar in reliability to those of the primary irrigation rights currently located at the proposed place of use (Certificate 3547) and will be canceled in exchange for the like primary irrigation right.

² These two water rights will continue to be exercised.

Cancellation of Certain Water Rights

 On July 2, 2007, John A. LeFore, owner of the property appurtenant to the following water rights, has submitted two voluntary cancellation affidavits meeting the requirements of ORS 540.621.

10. The portion of the FIRST water right to be cancelled is described as follows:

Certificate: 10103 in the name of TASSEY STEWART (perfected under Per S-7931)

Use: IRRIGATION of 4.28 ACRES

Priority Date: May 11, 1927

Amount: 0.05 cubic foot per second (cfs)

Rate/Duty: ONE-EIGHTIETH of one cubic foot per second per acre

Source: WASTE WATER, within the LITTLE WALLA WALLA RIVER BASIN

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
6 N	35 E	WM	35	SW SE	Stewart waste ditch

Pla	ice of I	Use to	be can	celled: ("FRC	M" lands)
Twp	Rng	Mer	Sec	Q-Q	Acres
6 N	35 E	WM	35	SW SE	4.28

11. The portion of the SECOND water right to be cancelled is described as follows:

Certificate: 3547 in the name of Pleasantview Irrigation Company, Inc. (perfected

under Permit E-241)

Use: IRRIGATION of 4.28 ACRES

Priority Date: June 24, 1915

Amount: 0.05 cfs

Source: LITTLE WALLA WALLA RIVER, tributary to WALLA WALLA RIVER

Authorized Point of Diversion: Based upon the application/permit map for Pleasantview Irrigation Company, Inc., the ditch and diversion dam structure is located:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
5 N	35 E	WM	2	NE NE	M.F. & H.B. Company Canal

Pl	ace of	Use to	be car	ncelled: ("T	O" lands)
Twp	Rng	Mer	Sec	Q-Q	Acres
6 N	35 E	WM	35	SE SW	4.28

- 12. On December 23, 2008, John A. and Barbara LeFore also submitted two additional voluntary cancellation affidavits meeting the requirements of ORS 540.621 for the entire cancellation of Groundwater Certificate of Registration GR-3733 (Registration number GR-4168) and water right Certificate number 65390.
- 13. The FIRST water right to be cancelled is described as follows:

Certificate of Registration No.: GR-3733 in the name of ALEX LeFORE (groundwater registration #GR-4168)

Use: SUPPLEMENTAL IRRIGATION of 19.5 ACRES

Priority Date: 1908

Amount: 450 Gallons Per Minute

Source: a Well, within the LITTLE WALLA WALLA RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
6 N	35 E	WM	35	SE SW	50 Feet West from the SE Corner of the NE¼ of the SE¼ of the SW¼, of Section 35

Place of Use to be cancelled:							
Twp	Rng	Mer	Sec	Q-Q	Acres		
6 N	35 E	WM	35	N½ SE SW	19.5		

14. The SECOND water right to be cancelled is described as follows:

Certificate: 65390 in the name of Alex LeFore (perfected under Permit 48067)

Use: SUPPLEMENTAL IRRIGATION of 18.4 ACRES

Priority Date: November 16, 1983 Amount: 0.49 cubic foot per second

Source: WASTE WATER ORIGINATING IN THE SW1/4 SE1/4, SECTION 35,

a tributary of the LITTLE WALLA WALLA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
6 N	35 E	WM	35	SW SE	800 Feet North and 300 Feet East from the S¼ Corner of Section 35

Place of Use to be cancelled:								
Twp	Rng	Mer	Sec	Q-Q	Acres			
6 N	35 E	WM	35	SE SW	18.4			

- Notice of the application for transfer was published on July 17, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
- 16. On January 16, 2009, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-10430 to the applicants. The draft Preliminary Determination set forth a deadline of February 15, 2009, for the applicants to respond. The letter mailed with the draft of the Preliminary Determination also required land ownership and lien information reports be submitted for the timeframes in which each parcel of land involved in the transfer had the water right conveyance agreement recorded with the office of the Umatilla County records. On July 16th and July 30th, 2009, the Department received the appropriate reports prepared by a title company and subsequent written authorization from a landowner listed in the report who was not the applicant.
- 17. On August 6, 2009, the Department received from the applicants a statement requesting that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicants are authorized to pursue the transfer.

18. On August 27, 2009, the Department issued a Preliminary Determination proposing to approve Transfer T-10301 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on August 21, 2007, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

Transfer Review Criteria [OAR 690-380-4010(2)]

- 19. Water has been used within the last five years according to the terms and conditions of the right and there is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
- 20. A diversion structure, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Application T-10430.
- 21. The proposed change would not result in enlargement of the right.
- 22. The proposed change would not result in injury to other water rights.

Conclusions of Law

The change in place of use proposed in application T-10430 appears to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000 and the abandoned rights should be cancelled. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved and the abandoned rights will be cancelled.

Now, therefore, it is ORDERED:

- The change in place of use proposed in application T-10430 is approved. The portions of the rights that have been abandoned are cancelled.
- Water right certificates 13240, 3547, 10103, 65390 and Certificate of Registration GR-3733
 are cancelled. New certificates will be issued describing those portions of the Certificate
 13240, 10103 and 3547 rights not affected by the cancellations and this transfer.
- The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 13240 and any related decree.
- 4. The former place of use of the transferred right shall no longer receive water under the right.
- The water user shall maintain and operate the existing measurement device and shall make such improvements as may be required by the Department.
- The water user shall maintain the existing headgate and shall make such improvements as may be required by the Department.

- 7. The approved change shall be completed and full beneficial use of the water shall be made on or before October 1, 2011. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.
- When satisfactory proof of the completed change is received, a new certificate confirming the right transferred will be issued.

Dated at Salem, Oregon this 5th day of & Hober

Phillip C. Ward, Director

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

TASSEY and MARY F. STEWART

MILTON-REEWATER, OR 97862

confirms the right to use the waters of LITTLE WALLA WALLA RIVER, tributary to WALLA WALLA RIVER for IRRIGATION of 5.42 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 12, at Page 9. The date of priority is 1880. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed one and one-half miner's inches per acre, measured at the point of diversion.

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

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

	IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres		
6 N	35 E	WM	35	SW SE	5.42		

This certificate describes that portion of the water right confirmed by Certificate 13240, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered 0CT 0 5 2009 approving Transfer Application T-10430.

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.

WITNESS the signature of the Water Resources Director, affixed ____

OCT 0 5 2009

Phillip C. Ward, Director

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

TASSEY STEWART

MILTON-FREEWATER, OR 97862

confirms the right to use the waters of WASTE WATER for the purpose of IRRIGATION of 4.72 ACRES.

This right was perfected under Permit S-7931. The date of priority is MAY 11, 1927. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.06 CUBIC FOOT PER SECOND, and shall be subject to the further limitation that the total quantity of water appropriated from this source and any other source under this and any other right shall exceed the total quantity per acre allowed in the Decree of the Circuit Court of Umatilla County in the determination of the relative rights to the use of the waters of the Walla Walla River, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q
6 N	35 E	WM	35	SW SE

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-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer. 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.

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

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	
6 N	35 E	WM	35	SW SE	4.72	

This certificate describes that portion of the water right confirmed by Certificate 10103, State Record of Water Right 2009

Certificates, NOT modified by the provisions of an order of the Water Resources Director entered approving Transfer Application T-10430.

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.

OCT 0 5 2009

WITNESS the signature of the Water Resources Director, affixed ___

Phillip C. Ward, Director 19

Page 1 of 1 Recorded in State Record of Water Right Certificates numbered 85855

T-10430b.kdd

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

PLEASANTVIEW IRRIGATION CO., INC. MILTON-FREEWATER, OR 97862

confirms the right to use the waters of LITTLE WALLA WALLA RIVER, tributary to WALLA WALLA RIVER, for IRRIGATION of 72.72 ACRES.

This right was perfected under Permit E-241. The date of priority is JUNE 24, 1915. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.91 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

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

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

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres		
6 N	35 E	WM	33	SE NE	10.00		
6 N	35 E	WM	33	SW NE	27.00		
6 N	35 E	WM	34	NE NW	10.00		
6 N	35 E	WM	35	SE SW	25.72		

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.

WITNESS the signature of the Water Resources Director, affixed ______

Phillip C. Ward, Director

Water Right Transfer Checklist

Transfer T-10430 Transfer Specialist: Ken Dowden
Transfer Type: Regular
Applicant Name/Address: John A Lefore, 83880 Highway 339, Milton Freewater OR 97862
Agent Name/Address: John Warinner, 1204 Alvarado Terrace, Walla Walla WA 99362
CWRE Name/Number: John Warinner

Irr. District Name/Address: Walla Walla River Irrigation District, 323 North Evans St. Milton Freewater OR 97862

Affected Gov'ts Name/Address: Umatilla County, 216 SE Fourth St, Pendleton OR 97801

City of Milton Freewater, 8 SW 8th Avenue, Milton Freewater, OR 97862

Commentors: Name/Address: NONE

Rec Landowner Name/Address: NONE

Water Rights Affected

Records Marked	Records Copied	App File No. or Decree Name	Permit No.	Certificate No.	RR/CR Needed	RR/CR Nos.
\boxtimes	\boxtimes		(-)	13240	Yes No	85854
		(ca)	ecollation only	10/03	Yes No	85855
		7 pa	rtial eagcellatin	3547	Yes No	85856

Key Dates & Initial Actions

Rec'd: <u>07/02/07</u>	Proposed Action(s): POU POD HST	APOD USE OTHER: POU
Fees Pd: 525.00	WM District: 5	ODFW District: Tim Bailey
Initial Notice: <u>07/17/07</u>	WM Review sent: <u>07/12/07</u>	ODFW Review sent: 07/12/07
Acknowledgement Letter Se	nt 🗵	GW Review sent: NONE

Processing Dates & Actions		
Deficiency Contacts:	Newspaper I	Pub Affid Due:
DPD Mailed: 1/16/2009		Pub Rec'd:
ODFW contact sheet sent with DP	And the second s	Published:
PD Mailed:		Reminder Sent:
PD Weekly Notice:	Reminder	Deadline:
Preliminary Determination		
☐ Electronic Files uploaded	☐ Prelimina	ry Determination
PD Cover letter	☐ Fee Refun	
☐ PD Notice	⊠ Remainin	
File Assigned/ ModPod up		g Kights
I lie Assigned Wood od up	T	
DPD Review (Optional)	PD Review (Salem)	Final Order Review (Salem)
Reviewer:	Reviewer:	Reviewer:
Date:	Date: 3/20/2004	Date:
Coordinator:	Coordinator: DSP	Coordinator:
Datas	Date: 2/26/59	Date: 18/5/09
Comments/Special Issues: THIS FOR MULTIPLE CONFLICTS ON BY LANDS ON SUPPL. ON TO CONVEY TO ADDITION, WATER CONVEY Special Order Volume: Vol 79 F	NCE AGREEMENTS WARE LECK	POPULATION APPROPRIETS DEPLOTATE POPULACY IS MOVENE TO NEW PACE AUTH "SIMILAR reliability". WHO & APPROPRIETE POLTS ASCENDANCE OCT 0 5 2009
Notice of FO email'd to processors	1 1 - 1 1	

Review Checklist	T- <u>10430</u>	Processor: kdd	
Application			
☐ The type of change is clearl	v indicated		
☐ The application is appropria			
Appropriate fees were paid.	The second secon	nent, Refund Request to be sent wit	th FO
		y proper official. (from ALL affecte	
		application and map, if appropriate.	
All required attachments re		appropriate.	
Water right subject to transfe			
100 (500)	accepted "to the satisfaction		
	cording to terms & condition		
To the control of the	pacity to fully divert the rate/		
No information in record th			
		ports printed. MUCTEPUS CONFICE	CTS RESILTED IN
Affidavits prepared for righ	its that need to be canceled o	r diminished. VOWNTARY	CANCELLATION AFFIDALLETS
Application Map			
☐ The map has an original CV	WRE signature.		
		R 690-380-3100(1)(b)(c)&(d).	
	d POD's/POA's and POU's s		
	OD's/POA's are properly de		
		ansfer application and certificate de	scriptions.
Map acres match the tabula			•
Have final proof maps/decr	ee maps for the rights.	Application map matches certificate	FPS.
Have necessary aerial photo	os.		
Determining the "From" and	"To" Lands (make working	copy of application and certificat	es to mark on)
Only the authorized POD's	/POA's and POUs to be trans	sferred are listed.	
Application & certificate ta	bulations match. (Mark on a	ppl. and cert. copies and note corre	ections needed)
Marked on certificate the ac	creage being transferred, can	celled and remaining by 1/4 1/4.	REC'ND CORCES OF AND TWO WHITE CONVEYANCE
Ownership			TWO WHICH CONFORD and AGREEM ENTER CONFORD WYCKOFF AND FARLEY
The deed/ROLI matches the	e "from" lands. (Don't need	to check "to" lands.)	A AREAN WYCKOFFESY
Have current tax lot map. (If transfer application is sev	eral years old, contact assessor's o	ffice)
The applicant is the owner	of the "from" lands. YES, 5	HEE POCT'S (NOW FROM ANERE)	WHEN WHER CONVEYANCE ACREMENTS WERE RECORDED
All owners on the deed/RO	LI have signed the application	on.	AGREEMENTS WERE RECORDED
☐ If necessary, there is a nota	rized, signed statement of co	nsent from landowners other than a	
☐ If necessary, there is a copy	of written notification to ea	ch lien holder identified on ROLI.	
Agent has authorization to	make decisions.		
Evaluation (materials needed	for peer reviewer in bold)		
application complete	map 🛛 FPS	evidence of use	□ land-use form
☐ deed/ROLI	certificate fees	paid well logs	□ plat card
☐ audit ⊠	dpd		
Reviews/comments/conditions	received?	er ODFW G	sw .
Headgate	When in the judgment	Prior to diverting	g and maintain
Measuring Devices	When in the judgment	Prior to diverting	g and maintain
Fish Screen Devices			
	rgement: Y N		
Conditions to avoid enlargemen	ıt/injury –		



Water Resources Department

North Mall Office Building 725 Summer Street NE, Suite A Salem, OR 97301-1266 503-986-0900 FAX 503-986-0904

August 27, 2009

THE VINTAGE GROUP, LLC 500 EAST BROADWAY, SUITE VANCOUVER, WASHINGTON 98660 Pd Noticed 9-1-09 Fo due 10/2

SUBJECT: Transfer Application T-10430

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-10430. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

A public notice is being published in the Department's weekly publication simultaneously with issuance of the Preliminary Determination. The notice initiates a 30-day period in which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determination or a standing statement supporting the Department's decision.

If no protest is filed, the Department will issue a Final Order consistent with the Preliminary Determination. You should receive a copy of the Final Order about 30 days after the close of the protest period.

If a protest is filed, the application may be referred to a contested case proceeding. A contested case provides an opportunity for the proponents and opponents of the decision proposed in the Preliminary Determination to present information and arguments supporting their position in a quasi-judicial proceeding.

Please do not hesitate to contact me at (503) 986-0890 or at <u>Dorothy.I.Pedersen@wrd.state.or.us</u>. if I may be of assistance.

Sincerely,

Dorothy I. Pedersen Transfer Coordinator

Field Services Division

1010 00111110 21111111

cc: Tony G. Justus, District 5 Watermaster

Dorothy S. Peducen

John S. Warinner, CWRE → address: FOUNTAINHEAD, 1204 Alvarado Terrace, Walla Walla, WA. 99362

John A. & Barbara R. LeFore (original applicants) → address: 83880 Highway 339, Milton-Freewater, OR 97862

encs

BEFORE THE WATER RESOURCES DEPARTMENT OF THE STATE OF OREGON

In the Matter of Transfer Application)	PRELIMINARY DETERMINATION
T-10430, Umatilla County)	PROPOSING APPROVAL OF A
)	CHANGE IN PLACE OF USE AND
)	CANCELLATION OF CERTAIN
)	WATER RIGHTS

Authority

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

ORS 540.621 establishes the process for the owner of land to which a water right is appurtenant to certify under oath that the water right, or a portion thereof, has been abandoned and to voluntarily request that it be cancelled.

Applicant

THE VINTAGE GROUP, LLC 500 EAST BROADWAY, SUITE 110 VANCOUVER, WASHINGTON 98660

Findings of Fact

Background

- On July 2, 2007, John A. and Barbara R. LeFore filed an application to change the place of use under Certificates 12562 and 13240. The Department assigned the application number T-10430.
- On November 5, 2007, the applicant submitted a revised map, correctly identifying the place of use to be transferred, and removed water right certificate 12562 from the application.
- 3. On June 19, 2009, the Department assigned the transfer application to The Vintage Group, LLC, the new landowners.

Pursuant to OAR 690-380-4030, any person may file a protest or standing statement within 30 days after the last date of publication of notice of this preliminary determination.

4. The portion of the right to be transferred is as follows:

Certificate: 13240 in the name of TASSEY STEWART (confirmed by Walla Walla

River (F) decree)

Use: IRRIGATION of 4.28 ACRES

Priority Date: 1880

Limit/Duty: ONE AND ONE-HALF MINER'S INCHES per acre

Source: LITTLE WALLA WALLA RIVER, tributary to the WALLA WALLA RIVER

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	
6 N	35 E	WM	35	SW SE	4.28	

5. Certificate 13240 does not describe the location of the point of diversion, however information is available from the Walla Walla River Decree and associated adjudication map, the tabulation describing the right recognizes and identifies a ditch and dam located:

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
6 N	35 E	WM	35	SW SE	Hudson Bay Ditch

 Application T-10430 proposes to change the place of use of the above described water right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	
6 N	35 E	WM	35	SE SW	4.28	

7. There are five existing water rights within the proposed place of use lands described in Finding of Fact #6. Three of these underlying rights will be canceled upon approval of T-10430. These rights consist of one water right for primary irrigation and four water rights for supplemental irrigation. The following table describes these rights:

	"TO" Lands (SE¼ SW¼, Sec. 35)								
water right	priority date	source	type of use	water right holder					
C#35471	1915	L. Walla Walla R.	primary irrigation	Pleasantview Irr. Co.					
GR-37331	1908	a well	suppl. irrigation	Alex LeFore					
C# 653901	1983	waste water	suppl. irrigation	Alex LeFore					
C# 84160 ²	1959	L.Walla Walla R.	suppl. irrigation	Pleasant View ID c/o Walla Walla River ID					
per G-130752	1994	Well #1A	suppl. irrigation	Alex LeFore & John LeFore					

- 1 Cancellation affidavits have been submitted to cancel all or portions of these rights. -see Findings of Fact #13, 15 & 16.
- 2 These two water rights will continue to be exercised.
- 8. Consistent with OAR 690-380-2240(5), the priority dates and sources for the primary irrigation rights located at the proposed place of use (Certificate 13240) are similar in reliability to those of the primary irrigation rights currently located at the proposed place of use (Certificate 3547) and will be canceled in exchange for the like primary irrigation right.

- 9. On January 16, 2009, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-10430 to the applicants. The draft Preliminary Determination set forth a deadline of February 15, 2009, for the applicants to respond. The letter mailed with the draft of the Preliminary Determination also required land ownership and lien information reports be submitted for the timeframes in which each parcel of land involved in the transfer had the water right conveyance agreement recorded with the office of the Umatilla County records. On July 16th and July 30th, 2009, the Department received the appropriate reports prepared by a title company and subsequent written authorization from a landowner listed in the report who was not the applicant.
- 10. On August 6, 2009, the Department received from the applicants a statement requesting that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicants are authorized to pursue the transfer.

Cancellation of Certain Water Rights

- On July 2, 2007, John A. LeFore, owner of the property appurtenant to the following water rights, has submitted two voluntary cancellation affidavits meeting the requirements of ORS 540.621.
- 12. The portion of the FIRST water right to be cancelled is described as follows:

Certificate: 10103 in the name of TASSEY STEWART (perfected under Per S-7931)

Use: IRRIGATION of 4.28 ACRES

Priority Date: May 11, 1927

Amount: 0.05 cubic foot per second (cfs)

Rate/Duty: ONE-EIGHTIETH of one cubic foot per second per acre

Source: WASTE WATER, within the LITTLE WALLA WALLA RIVER BASIN

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
6 N	35 E	WM	35	SW SE	Stewart waste ditch

Pla	ice of I	Jse to	be can	celled: ("FRC	M" lands)
Twp	Rng	Mer	Sec	Q-Q	Acres
6 N	35 E	WM	35	SW SE	4.28

13. The portion of the SECOND water right to be cancelled is described as follows:

Certificate: 3547 in the name of Pleasantview Irrigation Company, Inc. (perfected

under Permit E-241)

Use: IRRIGATION of 4.28 ACRES

Priority Date: June 24, 1915

Amount: 0.05 cfs

Source: LITTLE WALLA WALLA RIVER, tributary to WALLA WALLA RIVER

Authorized Point of Diversion: Based upon the application/permit map for Pleasantview Irrigation Company, Inc., the ditch and diversion dam structure is located:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
5 N	35 E	WM	2	NE NE	M.F. & H.B. Company Canal

Pl	ace of	Use to	be car	ncelled: ("To	O" lands)
Twp	Rng	Mer	Sec	Q-Q	Acres
6 N	35 E	WM	35	SE SW	4.28

- 14. On December 23, 2008, John A. and Barbara LeFore also submitted two additional voluntary cancellation affidavits meeting the requirements of ORS 540.621 for the entire cancellation of Groundwater Certificate of Registration GR-3733 (Registration number GR-4168) and water right Certificate number 65390.
- 15. The FIRST water right to be cancelled is described as follows:

Certificate of Registration No.: GR-3733 in the name of ALEX LeFORE (groundwater registration #GR-4168)

Use: SUPPLEMENTAL IRRIGATION of 19.5 ACRES

Priority Date: 1908

Amount: 450 Gallons Per Minute

Source: a Well, within the LITTLE WALLA WALLA RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
6 N	35 E	WM	35	SE SW	50 Feet West from the SE Corner of the NE¼ of the SE¼ of the SW¼, of Section 35

Place of Use to be cancelled:									
Twp	Rng	Mer	Sec	Q-Q	Acres				
6 N	35 E	WM	35	N½ SE SW	19.5				

16. The SECOND water right to be cancelled is described as follows:

Certificate: 65390 in the name of Alex LeFore (perfected under Permit 48067)

Use: SUPPLEMENTAL IRRIGATION of 18.4 ACRES

Priority Date: November 16, 1983 Amount: 0.49 cubic foot per second

Source: WASTE WATER ORIGINATING IN THE SW1/4 SE1/4, SECTION 35,

a tributary of the LITTLE WALLA WALLA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
6 N	35 E	WM	35	SW SE	800 Feet North and 300 Feet East from the S¼ Corner of Section 35

Place of Use to be cancelled:									
Twp	Rng	Mer	Sec	Q-Q	Acres				
6 N	35 E	WM	35	SE SW	18.4				

 Notice of the application for transfer was published on July 17, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.

Transfer Review Criteria [OAR 690-380-4010(2)]

- 18. Water has been used within the last five years according to the terms and conditions of the right and there is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
- 19. A diversion structure, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Application T-10430.
- 20. The proposed change would not result in enlargement of the right.
- 21. The proposed change would not result in injury to other water rights.

Determination and Proposed Action

The change in place of use proposed in application T-10430 appears to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000 and the abandoned rights should be cancelled. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved and the abandoned rights will be cancelled.

If application T-10430 is approved, the final order will include the following:

- 1. The change in place of use proposed in application T-10430 is approved. The portions of the rights that have been abandoned are cancelled.
- 2. Water right certificates 13240, 3547, 10103, 65390 and Certificate of Registration GR-3733 are cancelled. New certificates will be issued describing those portions of the Certificate 13240, 10103 and 3547 rights not affected by the cancellations and this transfer.
- 3. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 13240 and any related decree.
- 4. The former place of use of the transferred right shall no longer receive water under the right.
- 5. The water user shall maintain and operate the existing measurement device and shall make such improvements as may be required by the Department.
- 6. The water user shall maintain the existing headgate and shall make such improvements as may be required by the Department.
- 7. The approved change shall be completed and full beneficial use of the water shall be made on or before October 1, 2010. A Claim of Beneficial Use prepared by a Certified Water

Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.

8. When satisfactory proof of the completed change is received, a new certificate confirming the right transferred will be issued.

Dated at Salem, Oregon this 27 day of August 2009.

Phillip C. Ward, Director

This Preliminary Determination was prepared by Ken Dowden. If you have questions about the information in this document, you may reach me at 541-278-5456 or Ken.D.Dowden@wrd.state.or.us.

Protests should be addressed to the attention of Field Services Division, Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1266.

Notice of Preliminary Determination for Water Right Transfer T-10430

T-10430 filed by John and Barbara LeFore, and then assigned to The Vintage Group, LLC, of 500 East Broadway, Suite 110, Vancouver, Wa, 98660, proposes a change in place of use under a portion of Certificate 13240. The right allows the use of One and a half miner's inches (priority 1880) from a diversion on the Little Walla Walla River located within the SW¼ SE¼, T6N, R35E, WM., for Irrigation in Sec. 35. The applicant proposes to change the place of use to a different location within Sec. 35, T6N, R35E, W.M.. The Water Resources Department has concluded that the proposed transfer appears to be consistent with the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, with the Department a protest or standing statement within 30 days after the date of final publication of notice in the Department's weekly notice or of this newspaper notice, whichever is later. A protest form and additional information on filing protests may be obtained by calling (503) 986-0852. The last date of newspaper publication is [DATE OF LAST PUBLICATION]. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

Ken Dowden

From:

Sent:

Wednesday, August 05, 2009 6:24 PM To: Ken Dowden Subject: Re: Transfer application (T-10430) > Hello John and Barbara. > I have received the reports of ownership from AmeriTitle here in > Pendleton. Thank you. > They both checked out, one for the Wyckoff property and one for the > Farley property. I have also received written authorization from the > Farleys in regard to their parcel and the late recording of that > particular water right conveyance agreement with the Couty records. > So, everything is in order except for your written statement that you > agree with the draft of the Preliminary Determination that was sent > out last January. > You may submit your written authorization by simply replying to this > e-mail to that effect. > I will then print it out, place it in the file and send the transfer > application on to Salem for final preparation. All documents and > future correspondence will then be sent to The Vintage Group, LLC. > Thanks for all your patience! > > > Ken Dowden > N.C. Region Transfer Specialist > Oregon Water Resources Department > 116 S.E. Dorion Ave. > Pendleton, Oregon 97801 ph# (541) 278-5456 > We Agree with the Draft of the Preliminary Determination that was sent to us last January. Thank you, Barbara and John LeFore

jblefore@my180.net



Oregon Water Resources Department 725 Summer Street NE, Suite A Salem, Oregon 97301-1271 (503) 986-0900

Watermaster Review Form: Water Right Transfer

EFE.	OURCES DETREE	www.wrd.state.or.us	For 1	wat	er Right I	ransier
Trai	nsfer Applic	cation: T- <u>10430</u>	For Amended Applicati	Revi	ew Due Date:	<u>8-10-07</u>
App	olicant Nam	e: John A. Lefore				
Proj	posed Chan	ges: 🛛 POU	POD	POA	USE	OTHER
Rev	riewer(s):	Tony Justus		Date	of Review:	Nov. 6, 2007
1.	Yes	ve information sugg No If "Yes", on affidavit or if you filed:	describe the inf	ormation and in	idicate if you i	ntend to file a
2.	has involve characteriz	istory of regulation ed the right and dow to the frequency of a there have been included.	vnstream water any regulation	rights? Yes	s No Cregulation has	Generally not occurred: <u>I do</u>
3.	from the cu	e if it appears that do urrent use of the right where the return flow	ht? If you	check the box,	generally chara	acterize the
4.	Are there u	pstream water right No If "Yes", o ted:	ts that would be describe how the	e affected by th ne rights would	e proposed cha be affected an	ange? d list the rights
5.	old and ne	hanges and instream w PODs or within the had, if possible, estin	he proposed in	stream reach? [
6.	other wate	tribution of water for rights that would r	not have occurr	r the proposed of ed if use of the	hange result in existing right	n regulation of was maximized?
7.	For POU c source?	hanges, would the o	original place o	f use continue t es", explain: _	o receive wate	r from the same
8.	diversion of If "Yes", e	or USE changes, wo of more water than or explain: If the right water used than	can be used ber was exercised a	eficially and w t full face value	ithout waste? e (rate) year are	X Yes ☐ No

9. Are there other issues not identified through the above questions?

Yes

No If

"Yes", explain: _

Watermaster Review Form

10. What alternatives may be available for addressing any issues identified above: __ 11. Have headgate notices been issued for the source that serves the right? Yes 12. What water control and measurement conditions should be included in the transfer: Present and Should be May be required Measurement should be required prior to in the future. Devices maintained. diverting water. Present and Should be May be required Headgates should be required prior to in the future.

diverting water.

maintained.

Transfer Application: T-10430

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

PLEASANTVIEW IRRIGATION CO., INC. MILTON-FREEWATER, OR 97862

confirms the right to use the waters of LITTLE WALLA WALLA RIVER, tributary to WALLA WALLA RIVER, for IRRIGATION of 72.3/2 ACRES.

This right was perfected under Permit E-241. The date of priority is JUNE 24, 1915. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.90 CUBIC EEET PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
5 NV	35 E	WM	2	NE NE	M.F. & H.B. Company Canal

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

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

	IRRIGATION										
Twp	Rng	Mer	Sec	Q-Q	Acres						
6 N	35 E	WM	33	SE NE	10.00						
6 N	35 E	WM	33	SWNE	27.00						
6 N	35 E	WM	34	NE NW	10.00						
6 N	35 E	WM	35	SE SW	25.52						

25,72

This certificate describes that portion of the water right confirmed by Certificate 3547, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered approving Transfer Application 10430.

The issuance of this superseding certificate does not confirm the status 540.610 pertaining to forfeiture or abandonment.

WITNESS the signature of the Water Resources Director, affixed

RR = 858500 OLD C#3547

Phillip C. Ward, Director



COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

TASSEY and MARY F. STEWART

MILTON-REEWATER, OR 97862

confirms the right to use the waters of LITTLE WALLA WALLA RIVER, tributary to WALLA WALLA RIVER for IRRIGATION of 5.42 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 12, at Page 9. The date of priority is 1880. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed one and one-half miner's inches per acre, measured at the point of diversion.

The point of diversion is located as follows:

		1			~
Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
5 N	35 E	WM	12	NE NE	Private Ditch

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer. 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 shall be subject to all other conditions and limitations contained in still decree.

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

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	Acres		
6 N	35 E	WM	35	SW SE	5.42		

This certificate describes that portion of the water right confirmed by Certificates, NOT modified by the provisions of an order of the Water Resapproving Transfer Application T-10430.

The issuance of this superseding certificate does not confirm the status of 1 540.610 pertaining to forfeiture or abandonment.

WITNESS the signature of the Water Resources Director, affixed _

Phillip C. Ward, Director

RR'S F SUBJECT RECENT C# 13240 85854

T-10430a.kdd

Page 1 of 1 Recorded in State Record of Water Right Certificates numbered 85854.

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

TASSEY STEWART

MILTON-FREEWATER, OR 97862

confirms the right to use the waters of WASTE WATER for the purpose of IRRIGATION of 4.72 ACRES.

This right was perfected under Permit S-7931. The date of priority is MAY 11, 1927. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.06 CUBIC FEET PER SECOND, and shall be subject to the further limitation that the total quantity of water appropriated from this source and any other source under this and any other right shall exceed the total quantity per acre allowed in the Decree of the Circuit Court of Umatilla County in the determination of the relative rights to the use of the waters of the Walla Walla River, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q
6 N	35 E	WM	35	SW SE

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-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer. 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.

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

		IRR	GATI	ON	
Twp	Rng	Mer	Sec	Q-Q	Acres
6 N	35 E	WM	35	SW SE	4.72

This certificate describes that portion of the water right confirmed by Certificate 10103, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered _____approving Transfer Application 10430.

The issuance of this superseding certificate does not confirm the status of 540.610 pertaining to forfeiture or abandonment.

WITNESS the signature of the Water Resources Director, affixed _____

RR =
85855

OUD C# 10103

Phillip C. Ward, Director

MAP TO ACCOMPANY WATER APPLICATION Tassy Stewart Milton - Oregon. SW4-5E4 Sec. 35; Tp. 6 N. R. 35 E. Scale 400'= 1"

Collins

4.28 ocres

Powell.

Propeck To be irrigated / Waste Ditch & HE Tassy Stewart/ Orpha Johnson Waste water from this tract to be used on

Stewart Tract.

Application No. Permit No.

Dorothy Pedersen

From: Ken Dowden

Sent: Monday, August 17, 2009 4:02 PM

To: Dorothy Pedersen Subject: FW: Water rights

Dorothy, I am forwarding this on to you to print out and place into the file.

I am sure that there is something already in the file to this effect.

Thanks.

From: Janelle LeFore [mailto:chapin_hobsons@msn.com]

Sent: Monday, August 17, 2009 3:25 PM

To: Ken Dowden Subject: Water rights

Dear Mr. Dowden,
John and I agree with the draft of the preliminary determination that was sent our last
January.
Thank you
John and Barbara LeFore

Windows Live: Keep your friends up to date with what you do online. Find out more.

July 25, 2009

Ken Dowden 116 S.E. Dorion Avenue Pendleton, OR 97801

Dear Ken Dowden:

We Mr. and Mrs. Ronald Farley own the property known as 328 Powell Road, Milton-Freewater, OR, 97862, TL 2100 within the SW ¼ of Section 35, T6 N, R 35E, W.M., Umatilla County.

We purchased our property from John and Barbara LeFore in 2003 and understood that no water rights were being sold or conveyed with the property.

We authorize the portion of water right Certificate 13240, appurtenant to our land to be transferred under John and Barbara LeFore's transfer application T-10430.

Sincerely,

Ronald D. Farley Date

Marlene J. Farley Date

State of Washington

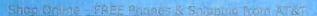
Signed and sworn to (or affirmed) before me

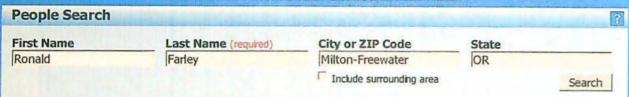
fore me arley Marlen J. farley

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My appointment expires

119/2011





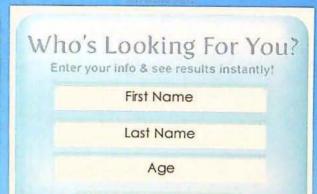
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Listing date Apr. 2009

1 Result matching "Ronald Farley, Milton-Freewater (Milton Freewater), OR".







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June 19, 2009

Water Resources Department

North Mall Office Building 725 Summer Street NE, Suite A Salem, OR 97301-1266 503-986-0900 FAX 503-986-0904

JOHN A. and BARBARA R. LeFORE 83880 HIGHWAY 339 MILTON-FREEWATER, OR 97862

SUBJECT: Water Right Transfer Application T-10430

Dear Mr. and Mrs. LeFore,

In follow up to our phone conversations yesterday, it appears that you have already submitted most of the information needed to process transfer application T-10430. However, a few items remain in order to satisfy Oregon Administrative Rule requirements that assure the Department that all people with landowner interest in the water rights consent to the transfer. You may have 60 days to obtain and submit the following for the lands FROM WHICH the water rights are to be transferred:

- 1. Report by a title company that includes: a) owners, b) lienholders and c) a legal description for the Farley property, run for the date when the Warranty Deed was re-recorded (January 30, 2009).
- 2. Report by a title company that includes: a) owners, b) lienholders and c) a legal description for the Wyckoff property, run for the date when the Warranty Deed was recorded (November 26, 2003).
- 3. Affidavits of consent from any owners listed in the reports besides you, and from whom consent (FARLEY) affidavits have not already been submitted. (An example consent form is enclosed).
- 4. Copies of notification letters to any lienholders listed for the Farley property. (THERE WERE NONE)
- 5. Short statement saying whether you agree with the conclusions and proposed action of the draft Preliminary Determination (dPD) or wish to comment (signed by both of you).

Please submit the above items to the Pendleton office by August 20, 2009. You may contact Ken Dowden at (541) 278-5456 or call me at (503) 986-0890 if you have questions or need more time. Issuance of the Preliminary Determination will occur shortly after we receive both your written response and the report of ownership and lien information.

Sincerely,

Doeothy J. Reducen Dorothy I. Pedersen Field Services Division

Tony Justus, District 5 Watermaster Jim Chambers, Assistant Watermaster Ken Dowden, Transfer Processor

enc



Water Resources Department

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

May 26, 2009

JOHN A. and BARBARA R. LeFORE 83880 HIGHWAY 339 MILTON-FREEWATER, OR 97862

SUBJECT: Water Right Transfer Application T-10430

Dear Mr. LeFore, I appreciated our phone conversation the other day. I completely understand your frustration and appreciate your patience with this transfer. You have submitted one of the several items that was outlined and requested in my January 16, 2009 letter, and I am committed to helping you finish up this phase of your transfer application.

There are five remaining items needed for me to send this file to Salem. Hopefully Salem can then issue a Final Order. One item needed is your written response in whether you agree with the conclusions and proposed action of the draft Preliminary Determination (dPD) previously sent out. Just a one sentence statement that the document looks good, signed by you and Barbara will be sufficient. The other items requested in the January 16, 2009 letter, are the reports of ownership and lien information for the "FROM" lands for both the Wyckoff parcel and the Farley parcel. The title company should prepare the reports for the time frame when the water rights conveyance agreements were executed and recorded with the county records.

For the Wyckoff property, this report of ownership (similar to lot Book report) should be prepared for the period around September or October of 2003, which would be prior to the water conveyance and sale of that property. As further mentioned in our phone conversation, if upon receipt of the report of land ownership and lien information, the report identifies someone other than the applicant, (you mentioned your sister) she or those listed in this report must submit a written, notarized statement simply stating they consent and approve of this transfer.

For the Farley property, the report of ownership should be prepared for January of 2009. Since it appears that the Farley's still own the property, we will need a notarized statement from them as well consenting to the transfer. Again, a one-sentence, (notarized) statement signed by both is more than adequate.

The enclosed document provides a visual demonstration of what documents are needed to complete this portion of the transfer process. What makes this transfer unique and problematic at the same time is that there are two parcels and the different requirements for documents needed on each.

As noted previously in the January 16, 2009, the issuance of the Preliminary Determination will occur shortly after we receive ALL the documents described below:

- ▶ your written response to the dPD signed by you and Barbara
- ▶ your two land ownership and lien information reports (ROLI) prepared by a Title Company prepared for the dates described above
- written, notarized statements consenting to the transfer from any persons identified in the ROLI's

Because of the time frame between the sale of these properties and the water rights being conveyed off, the additional documents are needed to document who owned the property at the time and whether the applicant is authorized to pursue this transfer. The reports of ownership are required for ALL transfer applications, regardless of the amounts of water rights or lands involved.

If we do not receive your response, the reports and consent affidavits by June 25, 2009, a Preliminary Determination may be issued denying the application as incomplete.

Please feel free to contact me anytime at (541) 278-5456 or as offered earlier, you may contact Dorothy Pedersen in Salem at (503) 986-0890 should you still have questions or need assistance in navigating through these needed materials.

Sincerely,

Ken Dowden

Field Services Division

cc: Tony Justus, District 5 Watermaster

Jim Chambers, Assistant Watermaster

Dorothy Pedersen, State Transfer Coordinator





Water Resources Department

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

January 16, 2009

JOHN A. and BARBARA R. LeFORE 83880 HIGHWAY 339 MILTON-FREEWATER, OR 97862

SUBJECT: Water Right Transfer Application T-10430

Please find enclosed a draft of our Preliminary Determination regarding Transfer Application T-10430. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved. This draft is intended to provide you with an opportunity to comment on our findings and conclusions should you wish to do so. Please review the draft carefully to evaluate whether the document is consistent with your intent in seeking the transfer, and provide written response as to whether you agree with the proposed action.

At this time, you must submit a report of ownership and lien information for the lands to which the water right(s) are appurtenant (the FROM lands) that has been prepared within the last three months by a title company. In the absence of a water right conveyance agreement that has been recorded in the county deed record, you will need to submit a notarized statement of consent from any landowner listed in the report(s) who is not included in the transfer application. Additionally, if there are lienholders identified in the report(s) that have not previously been notified of the transfer, you must send notice of the transfer to them, and submit copies of each such notice to the Department to document that each lienholder has been informed of the transfer.

Please note that my research indicates that the water right conveyance agreement associated with the Wyckoff parcel was properly recorded in the county deed record. It appears, however, that the Farley water right conveyance agreement has <u>not</u> been recorded in the county deed record. Research also indicates that the Farleys still own the land described in the water right conveyance agreement. If this is accurate and the Farleys do indeed still own the land, it is advisable to properly record the conveyance agreement in the county deed record at this time. Enclosed is the form, supplied by the county records department, to accomplish this. If for some reason that is not possible, you may submit a notarized statement from Mr. & Mrs. Farley consenting to the proposed transfer, and please reference the Owner's Sale Agreement and Earnest Money Receipt from 2003 within the statement.

It is necessary that the requirement to submit the land ownership and lien information report be prepared for the time when the water right conveyance agreements were executed. In other words, the report prepared by the Title Company should be for the time frame of August of 2003.

Issuance of the Preliminary Determination will occur shortly after we receive your written response, the report of ownership and lien information, and either the stamped recording of the Farley's water conveyance agreement or warranty deed with the new inclusion, and/or written authorization from Mr. and Mrs. Farley. If we do not receive your response, report and documents described above by February 15, 2009, a Preliminary Determination may be issued denying the application as incomplete.

Please do not hesitate to contact me at (541) 278-5456 or by e-mail at Ken.D.Dowden@wrd.state.or.us if I may be of assistance.

Sincerely,

Ken Dowden

Field Services Division

cc: Tony Justus, District 5 Watermaster

Jim Chambers, Assistant Watermaster

John S. Warinner, CWRE → address: FOUNTAINHEAD, 1860 Blue Creek Rd., Walla Walla, WA. 99362

encs

BEFORE THE WATER RESOURCES DEPARTMENT OF THE STATE OF OREGON

In the Matter of Transfer Application T-10430, Umatilla County)	DRAFT
, , , , , , , , , , , , , , , , , , , ,	<i>'</i>	PRELIMINARY DETERMINATION
	j	PROPOSING APPROVAL OF A
)	CHANGE IN PLACE OF USE AND
)	CANCELLATION OF CERTAIN
)	WATER RIGHTS

Authority

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

ORS 540.621 establishes the process for the owner of land to which a water right is appurtenant to certify under oath that the water right, or a portion thereof, has been abandoned and to voluntarily request that it be cancelled.

Applicant

JOHN A. LeFORE 83880 HIGHWAY 339 MILTON-FREEWATER, OR 97862

Findings of Fact

Background

- On July 2, 2007, John A. LeFore filed an application to change the place of use under Certificates 12562 and 13240. The Department assigned the application number T-10430.
- On November 5, 2007, the applicant submitted a revised map, correctly identifying the
 place of use to be transferred, and removed water right certificate 12562 from the
 application.
- 3. The portion of the right to be transferred is as follows:

Certificate: 13240 in the name of TASSEY STEWART (confirmed by Walla Walla

River (F) decree)

Use: IRRIGATION of 4.28 ACRES

Priority Date: 1880

Limit/Duty: ONE AND ONE-HALF MINER'S INCHES per acre

Source: LITTLE WALLA WALLA RIVER, tributary to the WALLA WALLA RIVER

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	
6 N	35 E	WM	35	SW SE	4.28	

4. Certificate 13240 does not describe the location of the point of diversion, however information is available from the Walla Walla River Decree and associated adjudication map, the tabulation describing the right recognizes and identifies a ditch and dam located:

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
6 N	35 E	WM	35	SW SE	Hudson Bay Ditch

Application T-10430 proposes to change the place of use of the above described water right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	
6 N	35 E	WM	35	SE SW	4.28	

6. There are five underlying water rights that are within the proposed place of use described in findings of fact #3. Three of these underlying rights will be canceled upon approval of T-10430. These rights consist of one water right for primary irrigation and four water rights for supplemental irrigation. The following table describes these rights:

"TO" Lands (SE¼ SW¼, Sec. 35)									
water right	priority date	source	type of use	water right holder					
C# 35471	1915	L.Walla ² River	primary irrigation	Pleasantview Irr. Co.					
GR-37331	1908	a well	suppl. irrigation	Alex LeFore					
C# 653901	1983	waste water	suppl. irrigation	Alex LeFore					
C# 840142	1959	L. Walla ² River	suppl. irrigation	Hudson Bay Dist. Improv.Co.					
per G-13075 ²	1994	Well #1A	suppl. irrigation	Alex LeFore & John LeFore					

1 Cancellation affidavits have been submitted to cancel all or portions of these rights. -see Findings of Fact #14 & 15.

- 7. Consistent with OAR 690-380-2240(5), the priority dates and sources for the primary irrigation rights located at the proposed place of use (Certificate 13240) are similar in reliability to those of the primary irrigation rights currently located at the proposed place of use (Certificate 3547) and will be canceled in exchange for the like primary irrigation right.
- Notice of the application for transfer was published on July 17, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.

² These two water rights will continue to be exercised.

Transfer Review Criteria [OAR 690-380-4010(2)]

- Water has been used within the last five years according to the terms and conditions of the right and there is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
- A diversion structure, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Application T-10430.
- 11. The proposed change would not result in enlargement of the right.
- 12. The proposed change would not result in injury to other water rights.
- 13. There is an apparent scrivener's error in the name under Certificate 84014. The Department inadvertently issued Certificate 84014 with the incorrect user name and in part should have been issued to the Walla Walla Irrigation District and Pleasantview Irrigation Company.

Cancellation of Certain Water Rights

 On July 2, 2007, John A. LeFore, owner of the property appurtenant to the following water rights, has submitted two voluntary cancellation affidavits meeting the requirements of ORS 540.621.

The portion of the FIRST water right to be cancelled is described as follows:

Certificate: 10103 in the name of TASSEY STEWART (perfected under Per S-7931)

Use: IRRIGATION of 4.28 ACRES

Priority Date: May 11, 1927

Amount: 0.05 cfs

Rate/Duty: ONE-EIGHTIETH of one cubic foot per second per acre

Source: WASTE WATER, within the LITTLE WALLA WALLA RIVER BASIN

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
6 N	35 E	WM	35	SW SE	Stewart waste ditch

Place of Use to be cancelled:							
Twp	Rng	Mer	Sec	Q-Q	Acres		
6 N	35 E	WM	35	SW SE	4.28		

The portion of the SECOND water right to be cancelled is described as follows:

Certificate: 3547 in the name of Pleasantview Irrigation Company, Inc. (perfected

under Permit E-241)

Use: IRRIGATION of 4.28 ACRES

Priority Date: June 24, 1915

Amount: 0.05 cubic foot per second

Source: LITTLE WALLA WALLA RIVER, tributary to WALLA WALLA RIVER

Authorized Point of Diversion: Based upon the application/permit map for Pleasantview Irrigation Company, Inc., the ditch and diversion dam structure is located:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
5 N	35 E	WM	2	NE NE	M.F. & H.B. Company Canal

	Place	of Us	e to be	cancelled	l:
Twp	Rng	Mer	Sec	Q-Q	Acres
6 N	35 E	WM	35	SE SW	4.28

15. On December 23, 2008, John A. and Barbara LeFore also submitted two additional voluntary cancellation affidavits meeting the requirements of ORS 540.621 for the entire cancellation of Groundwater Certificate of Registration GR-3733 (Registration number GR-4168) and water right Certificate number 65390.

The FIRST water right to be cancelled is described as follows:

Certificate of Registration No.: GR-3733 in the name of ALEX LeFORE

(registration #GR-4168)

Use: SUPPLEMENTAL IRRIGATION of 19.5 ACRES

Priority Date: 1908

Amount: 450 Gallons Per Minute

Source: a well, within the LITTLE WALLA WALLA RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
6 N	35 E	WM	35	SE SW	50 Feet West from the SE Corner of the NE¼ of the SE¼ of the SW¼, of Section 35

Place of Use to be cancelled:					
Twp	Rng	Mer	Sec	Q-Q	Acres
6 N	35 E	WM	35	SE SW	19.5

The SECOND water right to be cancelled is described as follows:

Certificate: 65390 in the name of Alex LeFore (perfected under Permit 48067)

Use: SUPPLEMENTAL IRRIGATION of 18.4 ACRES

Priority Date: November 16, 1983 Amount: 0.49 cubic foot per second

Source: WASTE WATER ORIGINATING IN THE SW1/4 SE1/4, SECTION 35,

a tributary of the LITTLE WALLA WALLA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
6 N	35 E	WM	35	SW SE	800 Feet North and 300 Feet East from the S¼ Corner of Section 35

Place of Use to be cancelled:					
Twp	Rng	Mer	Sec	Q-Q	Acres
6 N	35 E	WM	35	SE SW	18.4

Determination and Proposed Action

The change in place of use proposed in application T-10430 appears to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000 and the abandoned rights should be cancelled. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved and the abandoned rights will be cancelled.

If application T-10430 is approved, the final order will include the following:

- 1. The change in place of use proposed in application T-10430 is approved. The portions of the rights that have been abandoned are cancelled.
- 2. Water right certificates 13240, 3547, 10103, 65390, 84014 and Certificate of Registration GR-3733 are cancelled. New certificates will be issued describing those portions of the rights not affected by the cancellations and this transfer. A new certificate will be issued to correct the water user's name, superseding 84014.
- 3. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 13240 and any related decree.
- The former place of use of the transferred right shall no longer receive water under the right.
- The water user shall maintain and operate the existing measurement device and shall make such improvements as may be required by the Department.
- 6. The water user shall maintain the existing headgate and shall make such improvements as may be required by the Department.
- 7. The approved change shall be completed and full beneficial use of the water shall be made on or before October 1, 2010. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.
- 8. When satisfactory proof of the completed change is received, a new certificate confirming the right transferred will be issued.

Dated at Salem, Oregon this	day of	2009.
DRAFT		

This draft Preliminary Determination was prepared by Ken Dowden. If you have questions about the information in this document, you may reach me at 541-278-5456 or Ken.D.Dowden@wrd.state.or.us.

Phillip C. Ward, Director

Water Resources Department

Memo

To: Transfer file T-10430 Date: January 12, 2009

From: Ken Dowden

Re: existing and layered rights on the "TO" lands

The applicant has requested to move a portion of primary water right Certificate 13240 onto lands with an existing primary and several supplemental irrigation water rights. Consistent with OAR 690-380-2240 (5), the Department may allow the existing primary water right to be canceled, lift up the supplemental water rights, and insert a "similarly reliable" primary right. Application T-10430 proposes transferring in an 1880 water right to replace a 1915 water right, leaving the situation with an older senior right, and less likely to make a call on the river. This transfer will decrease the chance of the supplemental water rights being activated, and thus, the Department is led to conclude that the priority date and source from the authorized place of use for the primary right is similar at the proposed place of use.

Water Resources Department

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

November 10, 2008

JOHN A. LeFORE 83880 HIGHWAY 339 MILTON-FREEWATER, OR 97862

SUBJECT: Transfer Application T-10430

I am examining your water right transfer application for a CHANGE IN PLACE OF USE under a portion of water right Certificate 13240. There are a couple of issues that need to be resolved before I can continue processing your transfer.

First, you have appropriately filed two voluntary cancellation affidavits with the application for portions of existing water rights that have been abandoned or otherwise forfeited. However, through my continuing review of the file, I have found four other existing water rights of record located on the "TO" lands as well, and are NOT described in your application. These are listed as follows:

- 1) Certificate 84014*, in the name of Hudson Bay Dist. Improvement Co. (suppl. irr.)
- 2) GW Registration #GR-4168 (Cert GR-3733), in the name of Alex LeFore (suppl. irr.)
- 3) Certificate 65390, in the name of Alex LeFore (supplemental irrigation)
- 4) Permit G-13075, in the name of Alex LeFore & John LeFore (supplemental irrigation)

* Note: Original Certificate 76774 was absorbed into the Walla Walla Irrigation District's HB 3201 re-mapping project. A portion of this right is now being delivered through the District's delivery system and these acres can be found in Special Order Vol. 74, page 455. However, Certificate 84014 incorrectly listed Hudson Bay District Improvement Co. as the water user, but will shortly be canceled and re-issued to reflect the correct name of Pleasantview Irr. Co./W.W. I.D..

Enclosed are copies of the above described water rights and corresponding maps for you to review and determine whether the water rights are still being exercised, or have undergone five successive years of non-use and considered forfeited under ORS 540.610.

If you concur the water rights listed above have been abandoned, please review the enclosed voluntary cancellation affidavits which will assist you in cancelling the portions of the unwanted water rights. Alternatively, if the water rights are still valid, there is a process in which to "lift-up" these supplemental water rights and move in this more senior water right with a presumed better "similar reliability" because of the obvious more senior priority date. This process under the Department's administrative rule OAR 690-380-2240 (5) would basically allow those supplemental water rights to be un-layered momentarily, transfer in the 1880 priority date

Certificate 13240, essentially replacing the canceled 1915 water right Certificate 3547, and bring the supplemental water rights back down on to the new primary. Enclosed is a copy of the administrative rule.

The second issue is that it appears some of the "FROM" lands are not owned by you, and as required, you have submitted a list of those current land owners. Your application also indicates that you have "title" to the water rights on these lands not owned by you. No information was submitted with the transfer application to verify this presumed "conveyance agreement", which would basically withhold the water rights at the time the parcels were sold. If the legal mechanism allowing the detachment of the water right was recorded with the County court, please submit a copy of that document to place into the file which will suffice for authorization to transfer off the right. Otherwise, in the absence of such a document, written authorization from each individual landowner will be required, consistent with OAR 690-380-5040. A copy of land ownership and lien information documentation will also be required from each of them.

Please provide your comments on how you wish to proceed along with a copy of the above described "conveyance agreement" by December 10, 2008, so we may continue processing your application.

My e-mail address is Ken.D.Dowden@wrd.state.or.us.

If you should have any questions regarding the information requested above, please do not hesitate to contact me at (541) 278-5456.

Sincerely,

Ken Dowden

Field Services Division

cc: Tony Justus, District 5 Watermaster

Jim Chambers, Assistant Watermaster

John S. Warinner, CWRE → address: FOUNTAINHEAD, 1860 Blue Creek Rd., Walla Walla, WA. 99362

enc



REMIT PAYMENT TO: P.O. BOX 1475 PENDLETON, OR 97801

INVOICE#0001248

ACCOUNT NUMBER :

INVOICE DATE : 07/28/09

ATTN:

OREGON WATER RESOURCES DEPT 116 SE Dorion Pendleton, OR 97801

TITLE NUMBER : ACCOM#1248 CUSTOMER REF : WYCKOFF, GARY

ESCROW NUMBER :

ESCROW OFFICER : TITLE ONLY

Questions? Please call 541-276-2010		
DESCRIPTION	LIABILITY	AMOUNT
PUBLIC RECORD REPORT Please reference invoice number on payment.		50.00
WYCKOFF PROPERTY ARRENANCE AND DOT		
01248		



PUBLIC RECORD REPORT

THIS REPORT IS FOR THE EXCLUSIVE USE OF:

Oregon Water Resources Department Attn: Ken Douden 116 SE Dorion Pendleton, OR 97801

Date Prepared : July 28, 2009

Report #1

Title Officer : Ginger Pedroza

CONDITIONS, STIPULATIONS AND DEFINITIONS

(I) Definitions:

- (a) "Customer": The person or persons named or shown on this cover sheet
- (b) "Public records": Those records which by the laws of the state of Oregon impart constructive notice of matters relating to said land.
- (c) "Land": The land specifically described in this public record report and improvements affixed thereto which by law constitute real property.
- (II) Liability of AmeriTitle:
 - (a) This Is Not A Commitment To Issue Title Insurance And Does Not Constitute A Policy Of Title Insurance.
 - (b) The liability of AmeriTitle for errors or omissions in this public record report is limited to the amount of the fee paid by the customer, provided, however, that AmeriTitle has no liability in the event of no actual loss to the customer.
 - (c) No costs (including without limitation attorney fees and other expenses) of defense, or prosecution of any action, is afforded to the customer.

(III) Report Entire Contract:

Any right or action or right of action that the customer may have or may bring against AmeriTitle arising out of the subject matter of this report must be based on the provisions of this report. No provision or condition of this report can be waived or changed except by a writing signed by an authorized officer of AmeriTitle. By accepting this form report, the customer acknowledges and agrees that the customer has elected to utilize this form of public record report and accepts the limitation of liability of AmeriTitle as set forth herein.

Public Record Report Conditions, Stipulations and Definitions, continued...

(IV) Fee:

The fee charge for this Report does not include supplemental reports, updates or other additional services of AmeriTitle.

REPORT

Effective Date: March 28, 2003

Reference: LeFore

A. The Land referred to in this public record report is located in the County of Umatilla, State of Oregon, and is described as follows:

SEE ATTACHED LEGAL DESCRIPTION

B. As of the Effective Date and according to the public records, we find the last deed of record runs to:

GARY C. WYCKOFF AND JOAN C WYCKOFF, husband and wife

C. As of the Effective Date and according to the public records, the Land is the subject of the following chain of conveyances and contracts to convey title during the period beginning on the recording date of the earliest recorded instrument shown below and ending on the recording date of the Latest recorded instrument shown below:

Instrument : Warranty Deed Recorded : August 20, 1981 Document No.: Reel 83, Page 1528

Grantor : R.W. Kemp and Cleo Kemp, husband and wife

Grantee : Alex LeFore and Elsie M. LeFore, husband and wife

Instrument : Warranty Deed Recorded : September 28, 1981 Document No.: Reel 85, Page 36

Grantor : Alex LeFore and Elsie Mabel LeFore, husband and wife Grantee : Alex LeFore and Elsie Mabel LeFore, husband and wife

Instrument : Bargain and Sale Deed

Recorded : August 20, 2002 Document No.: 2002-4180683

Grantor : John LeFore, trustee of testamentary trust of the Last

Will and Testament of Elsie Mabel LeFore, deceased

Grantee : Gary C. Wyckoff and Joan C. Wyckoff, husband and wife

Page 3

Instrument : Deed of Personal Representative

Recorded : March 28, 2003 Document No.: 2003-4330315

Grantor : John LeFore, the duly appointed, qualified, and acting

personal representative of the estate of Alexander LeFore,

deceased

Grantee : Gary C. Wyckoff and Joan C. Wyckoff, husband and wife

"Superior Service with Commitment and Respect for Customers and Employees"

PARCEL I:

Beginning at a point on East right of way line of Oregon State Highway, said point being 35 feet East and 242.5 feet North of Southwest corner of Southwest Quarter of Southeast Quarer of Section 35, Township 6 North, Range 35, said point also being Northwest corner of that tract of land conveyed to Robert H. Tinker, et ux, by Deed recorded in Book 280, Page 692, Deed Records; thence East along North line of said Tinker Tract a distance of 130 feet to corner thereof, said point also being Northwest corner of the conveyed to Lawrence A. Preso, Jr., by Deed recorded in Book Deed Records; thence continuing East along North line of Prest distance of 23.5 feet to the true point of beginning for this thence continuing East along North line of said Preso Tract a 141.5 feet; thence North and parallel to East right of way line of said Oregon State Highway a distance of 113 feet; thence West a distance of 141.5 feet; thence South a distance of 113 feet to the point of beginning;

SUBJECT to any and all water rights of way and roads;

All being East of the Willamette Meridian, Umatilla County, Oregon.

PARCEL II:

Beginning at a point in the East line of the Freewater Secondary Highway, which point is 50 rods North of the South line of Section 35, Township 6 North Range 35, E.W.M.; said point being the Northwest corner of that tract of land conveyed to Romie W., Kemp, et ux, by Deed recorded in Book 261, Page 382, Deed Records; thence East along the North line of the said Kemp Tract, a distance of 130 feet to the true point of beginning of this description; thence South along the line which is parallel to and distance 130 feet Easterly from said Easterly line of Freewater Secondary Highway, a distance of 486 feet, more or less, to a point in the North line of that tract the East line of said Tinker Tract, a distance of 1 corner of that tract of land conveyed to Ray Kenned 291, Page 211, Deed Records; thence Easterly along Kennedy Tract a distance of 233 feet, to a point it tract, thence Northerly along conveyed to Robert H. Tinker, et ux, by Deed recorded Book aid (emp 359.5 feet, more or less, to the Southeast corner of that tract of land conveyed to Cecil L. Chastain, et ux, by Deed recorded in Book 274, Page 497, Deed Records; thence Westerly along the South line of said Chastain tract, a distance of 165 feet to the Southwest corner thereof; thence Northerly along the West line of said Chastain Tract and along the said line extended Northerly, a distance of 239.5 feet, more or less, to a point in the North line of said Kemp tract; thence Westerly 233 feet, more or less to the point of beginning;

EXCEPTING the following tract:

Beginning at a point 805 feet North and 160 feet East of the South Quarter corner of Sec. 35, Township 6 North, Range 35, East of the Willamette Meridian, Umatilla County, Oregon; thence East along the South right of way line of Powell Road a distance of 203 feet; thence South a distance of 106 feet; thence West 203 feet; thence No All being East of the Willamette Meri TAX LOT 1920 of Umatilla and State of Oregon.

PARCEL III:

The East 40 feet of the following described tract;

Beginning at a point 805 feet North and 160 feet East of the Southwest corner of the Southeast Quarter of Section 35, Township 6 North, Range 35, said point being on the East line of that tract conveyed to Michael E. O'Harrow, et ux, by Deed recorded in Book 297, Page 106, Deed Records, and THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION; thence South along the E TAX (OT aid O'Harrow Tract and the East line extended Southerly 106 East, Parallel to the South line of Section 35, a distance of 2 East, e or less, to a point on the Westerly line of that tract conveyed to William A. Morris, et ux, by Deed recorded in Book 265, Page 580, Deed Records; thence North along the West line of said Morris Tract 106 feet; thence West 203 feet, more or less, to the point of beginning.

All being East of the Willamette Meridian, Umatilla County, Oregon.

REC'D JUL 1 6 2009

2003 4530073

MATILA COLNTY



AGREEMENT FOR EXCHANGE OF PROPERTY AND WATER RIGHTS

This Agreement is entered into this 25th day of November, 2003, between JOHN A. LeFORE and BARBARA R. LeFORE, hereinafter referred to as Seller," and JOAN C. WYCKOFF and GARY C. WYCKOFF, hereinafter referred to as Buyer," for the exchange of real property and water rights described herein.

As consideration for this Agreement, the parties agree that Seller shall transfer to Buyer a 40x100 foot parcel of property that Seller owns as marked and described on Exhibit A in exchange for Buyer granting to Seller an easement across Seller's property as marked and described in Exhibit B to Seller's property described in Exhibit C.

The Easement granted to Seller herein grants to Seller the right to use an existing pipeline on Buyer's property as marked and described on Exhibit A and also includes transferring to Seller all the Buyer's easements of record related to water access to Buyer's property described in Exhibit B. Buyer retains the right to use the water on the property described in Exhibit B for as long as the Seller remains in farm production on Buyer's Property, but at the time the Seller ceases to remain in farm production on Buyer's Property then any water rights to Buyer's property shall transfer to Seller's property described in Exhibit C.

As part of this Agreement, Seller agrees to prepare a Warranty Deed, subject to Seller's retention of an easement, transferring the 40x100 foot portion of







the property to Buyer as described on attached Exhibit A in exchange for Buyer agreeing to sign an easement granting Seller the easement and water rights described herein.

The parties agree that the transaction described herein shall be closed no later than December 1, 2003.

This Agreement is binding on the successors and assigns of the parties.

In the event suit or action is instituted to enforce any of the terms of this contract, the prevailing party shall be entitled to recover from the other party such sums as the Court may determine reasonable as attorney's fees at trial or on appeal of the suit or action, in addition to all other sums provided by law.

IT IS SO AGREED:

SELLERS:	BUYERS:
John A. LeFore	Quan
John A. LeFore	Joan C. Wycko
2. Del	0
Darbard defore	Darry (
Barbara R. LeFore	Gary C. Wyck

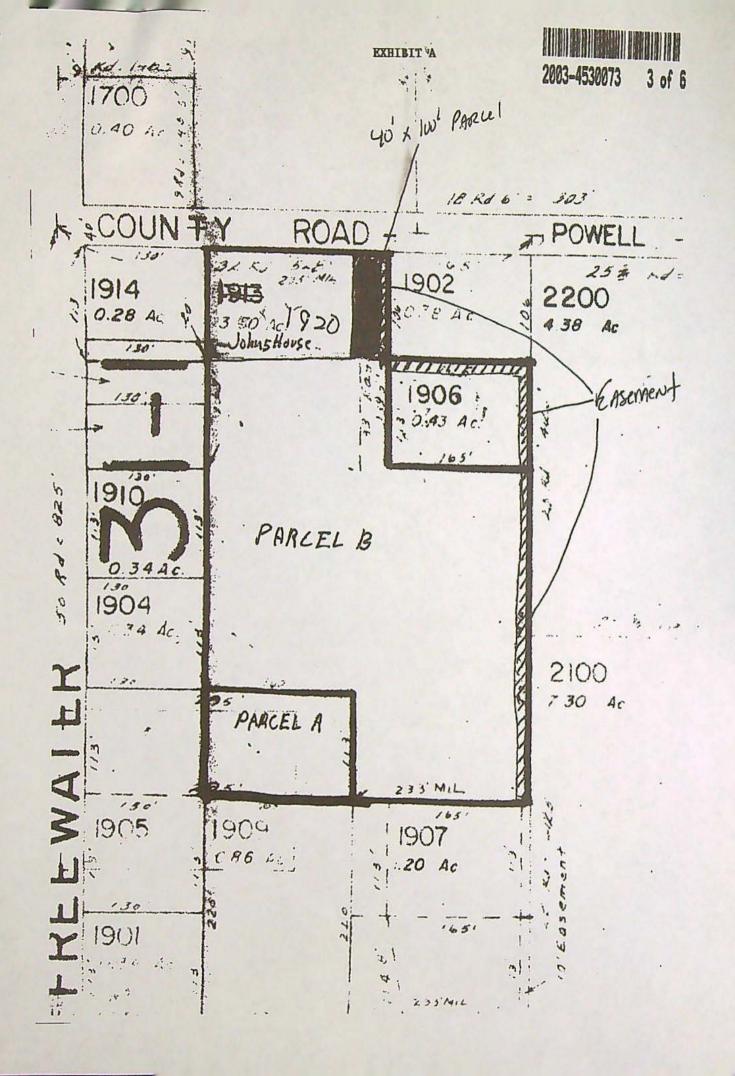
Joan C. Wyckoff

Joan C. Wyckoff

Lany C. Wyckoff

ACKNOWLEDGMENT
State of Oregon
County of Unatile
On this 25 day of 1702, 2005
personally appeared before me,
whose identity I verified on the basis of,
whose identity I verified on the eath/affirmation of,
a gradible witness
to be the signer of the largening document, and beithe acknowledge that heishe signed it.
Notary Public
My Commission Expires: XQA - 27, 06 Notary Public





PARCEL A:

Beginning at a point on East right of way line of Oregon State Highway, said point being 35 feet East and 242.5 feet North of Southwest corner of Southwest Quarter of Southeast Quarter of Section 35, Township 6 North, Range 35, said point also being Northwest corner of that tract of land conveyed to Robert H. Tinker, et ux, by Deed recorded in Book 280, Page 692, Deed Records: thence East along North line of said Tinker Tract a distance of 130 feet to Northeast corner thereof, said point also being Northwest corner of that tract of land conveyed to Lawrence A. Preso, Jr., by Deed recorded in Book 253, Page 235, Deed Records; thence continuing East along North line of Preso Tract a distance of 23.5 feet to the true point of beginning for this description; thence continuing East along North line of said Preso Tract a distance of 141.5 feet; thence North and parallel to East right of way line of said Oregon State Highway a distance of 113 feet; thence West a distance of 141.5 feet; thence South a distance of 113 feet to the point of beginning;

SUBJECT to any and all water rights of way and roads;

All being East of the Willamette Meridian, Umatilla County, Oregon.

Beginning at a point in the East line of the Freewater Secondary Highway, which point is 50 rods North of the South line of Section 35, Township 6 North, Range 35, E. W. M.; said point being the Northwest corner of that tract of land conveyed to Romie W. Kemp, etux, by Deed Recorded in Book 261, Page 382, Deed Records; thence East along the North line of the said Kemp Tract, a distance of 130 feet to the true point of beginning of this description; thence South along the line which is parallel to and distant 130 feet Easterly from said Easterly line of Freewater Secondary Highway, a distance of 486 feet, more or less, to a point in the North line of that tract of land conveyed to Robert H. Tinker, et ux, by Deed recorded in Book 281, Page 360, Deed Records; thence Easterly along the North line of said Tinker Tract, a distance of 165 feet, to the Northeast corner thereof; thence Southerly along the East line of said Tinker Tract, a distance of 113 feet, to the Northwest corner of that tract of land conveyed to Ray Kennedy, by Deed recorded in Book 291, Page 211, Deed Records; thence Easterly along the Northerly line of said Kennedy Tract, a distance of 233 feet, to a point in the East line of said Kemp tract, thence Northerly along the East line of said Kemp tract, a distance of 359.5 feet, more or less, to the Southeast corner of that tract of land conveyed to Cecil L. Chastain, et ux, by Deed recorded in Book 274, Page 497, Deed Records; thence Westerly along the South line of said Chastain tract, a distance of 165 feet to the Southwest corner thereof; thence Northerly along the West line of said Chastain tract and along the said line extended Northerly, a distance of 239.5 feet, more or less, to a point in the North line of said Kemp tract; thence Westerly 233 feet, more or less, to the point of beginning;

Rusho Fresh

ALSO, an Easement over and across the following described tract of land, to-wit:

Beginning at a point 32 rods East and one rod North of the Southwest corner of the Southeast Quarter of said Section 35; thence North 226 feet; thence West 10 feet; thence South 226 feet; thence East 10 feet to the point of beginning;

EXHIBIT B contd.

2003-4530073 5 of 6

EXCEPTING the following tract:

Beginning at a point 805 feet North and 160 feet East of the South Quarter corner of Sec. 35, T 6 North, Range 35, EWM; thence East along the South right of way line of Powell Road a distance of 203 feet; thence South a distance of 106 feet; thence West 203 feet; thence North 106 feet to the point of beginning; All being EWM in the County of Umatilla and State of Oregon.

PARCEL 1906:

Commencing at a point 32 rods East and 50 rods North of the Southwest corner of the Southeast Quarter of Section 35, Township 6 North, Range 35, E.W.M., in the County of Umatilla, State of Oregon, said point being the Northeast corner of land described in Deed to ROMIE W. KEMP, et ux, recorded in Book 261, Page 382 of the Deed Records of Umatilla County, Oregon; thence South and parallel to the West line of said Section 126.5 feet to a point, said point being the Southeast corner of the tract of land conveyed by Warranty Deed from ROMIE W. KEMP, et ux, to Wm. A. Morris, et ux, recorded in Book _____, Page _____, of the Deed Records of Umatilla County, Oregon, and the point of beginning of this description; thence West along the South line of said Morris tract 165 feet; thence South and parallel to the West line of said Section 35, 113 feet; thence East and parallel to the South line of said Section 165 feet; thence North and parallel to the West line of said Section 113 feet to the point of beginning.

EXCEPTING THEREFROM any and all water rights of way, ditches and roads.



EXHIBIT C

Parcel 1 of Partition Plat Map 2002-42 located at N01°06'23"E along the west line of the southwest quarter of Section 35, Township 6 North, Range 35, East of the Willamette Meridian, Umatilla County, Oregon. As shown on Partition Plat No. 1994-08.

State of Oregon

County of Umatilla

This instrument was received and recorded on

11-28-03 at 3:25

in the record of instrument code type DE-AG

Instrument Number 2003-4530073

Office of County Records

Records Officer

MAR 28 2003



433 0315

DEED OF PERSONAL REPRESENTATIVE1

JOHN A. LeFORE, the duly appointed, qualified, and acting personal representative of the estate of Alexander LeFore, deceased, grantor, conveys to GARY C. WYCKOFF and JOAN C. WYCKOFF, husband and wife, grantees, the following described real property located in Umatilla County, Oregon:

SEE ATTACHED EXHIBIT A

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES, AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICE AS DEFINED IN ORS 30,930.

The true and actual consideration for this conveyance is bequest by Will.

John A. LeFore, Personal Representative of the Estate of Alexander LeFore

STATE OF OREGON

SS.

County of Umatilla

55

March 12, 2003.

This instrument was acknowledged before me by John A. LeFore as personal representative of the Alexander LeFore Estate.

OFFICIAL SEAL

HEIDI HOEPFNER

NOTARY PUBLIC - OREGON

COMMISSION NO. 361149

NY COMMISSION EXPRES LEFT. 11, 2008

Notary Public for Oregon
My commission expires: 9/11/2006

¹ Until a change is requested, all tax statements shall be sent to the following address:

> GARY WYCKOFF JOAN WYCKOFF 1314 COLLEGE STREET MILTON-FREEWATER OR 97862

After recording, return to:

Mautz Baum & O'Hanlon, LLP 1902 Fourth Street P.O. Box 967 La Grande, Oregon 97850 State of Oregon

County of Umatilla

This instrument was received and recorded on

03-28-03 at 12:45

in the record of instrument

Instrument Number 2003-4330315

Office of County Records

Jean Verysies



EXHIBIT A TO DEED OF PERSONAL REPRESENTATIVE

PARCEL A:

100

Beginning at a point on East right of way line of Oregon State Highway, said point being 35 feet East and 242.5 feet North of Southwest corner of Southwest Quarter of Southeast Quarter of Section 35, Township 6 North, Range 35, said point also being Northwest corner of that tract of land conveyed to Robert H. Tinker, et ux, by Deed recorded in Book 280, Page 692, Deed Records: thence East along North line of said Tinker Tract a distance of 130 feet to Northeast corner thereof, said point also being Northwest corner of that tract of land conveyed to Lawrence A. Preso, Jr., by Deed recorded in Book 253, Page 235, Deed Records; thence continuing East along North line of Preso Tract a distance of 23.5 feet to the true point of beginning for this description; thence continuing East along North line of said Preso Tract a distance of 141.5 feet; thence North and parallel to East right of way line of said Oregon State Highway a distance of 113 feet; thence West a distance of 141.5 feet; thence South a distance of 113 feet to the point of beginning;

SUBJECT to any and all water rights of way and roads;

All being East of the Willamette Meridian, Umatilla County, Oregon.

Beginning at a point in the East line of the Freewater Secondary Highway, which point is 50 rods North of the South line of Section 35, Township 6 North, Range 35, E. W. M.; said point being the Northwest corner of that tract of land conveyed to Romie W. Kemp, etux, by Deed Recorded in Book 261, Page 382, Deed Records; thence East along the North line of the said Kemp Tract, a distance of 130 feet to the true point of beginning of this description; thence South along the line which is parallel to and distant 130 feet Easterly from said Easterly line of Freewater Secondary Highway, a distance of 486 feet, more or less, to a point in the North line of that tract of land conveyed to Robert H. Tinker, et ux, by Deed recorded in Book 281, Page 360, Deed Records; thence Easterly along the North line of said Tinker Tract, a distance of 165 feet, to the Northeast corner thereof; thence Southerly along the East line of said Tinker Tract, a distance of 113 feet, to the Northwest corner of that tract of land conveyed to Ray Kennedy, by Deed recorded in Book 291, Page 211, Deed Records; thence Easterly along the Northerly line of said Kennedy Tract, a distance of 233 feet, to a point in the East line of said Kemp tract, thence Northerly along the East line of said Kemp tract, a distance of 359.5 feet, more or less, to the Southeast corner of that tract of land conveyed to Cecil L. Chastain, et ux, by Deed recorded in Book 274, Page 497, Deed Records; thence Westerly along the South line of said Chastain tract, a distance of 165 feet to the Southwest corner thereof; thence Northerly along the West line of said Chastain tract and along the said line extended Northerly, a distance of 239.5 feet, more or less, to a point in the North line of said Kemp tract; thence Westerly 233 feet, more or less, to the point of beginning;

ALSO, an Easement over and across the following described tract of land, to-wit:

Beginning at a point 32 rods East and one rod North of the Southwest corner of the Southeast Quarter of said Section 35; thence North 226 feet; thence West 10 feet; thence South 226 feet; thence East 10 feet to the point of beginning; EXCEPTING the following tract:

2003-4330315 3 of 3

Beginning at a point 805 feet North and 160 feet East of the South Quarter corner of Sec. 35, T 6 North, Range 35, EWM; thence East along the South right of way line of Powell Road a distance of 203 feet; thence South a distance of 106 feet; thence West 203 feet; thence North 106 feet to the point of beginning; All being EWM in the County of Umatilla and State of Oregon.

PARCEL 1906:

3 . A.

Commencing at a point 32 rods East and 50 rods North of the Southwest corner of the Southeast Quarter of Section 35, Township 6 North, Range 35, E.W.M., in the County of Umatilla, State of Oregon, said point being the Northeast corner of land described in Deed to ROMIE W. KEMP, et ux, recorded in Book 261, Page 382 of the Deed Records of Umatilla County, Oregon; thence South and parallel to the West line of said Section 126.5 feet to a point, said point being the Southeast corner of the tract of land conveyed by Warranty Deed from ROMIE W. KEMP, et ux, to Wm. A. Morris, et ux, recorded in Book ______, Page ______, of the Deed Records of Umatilla County, Oregon, and the point of beginning of this description; thence West along the South line of said Morris tract 165 feet; thence South and parallel to the West line of said Section 35, 113 feet; thence East and parallel to the South line of said Section 165 feet; thence North and parallel to the West line of said Section 113 feet to the point of beginning.

EXCEPTING THEREFROM any and all water rights of way, ditches and roads.

MENDEDREDORT

Gary Wyckoff Attn: Gary Wyckoff 1314 College St. Milton Freewater, OR 97862

August 3, 2005 Report #2

Title Number : MF0054643 Title Officer : Ginger Pedroza

Policy or Policies to be issued:

STANDARD OWNER'S POLICY

Proposed Insured: Sidney C. Litchfield

H. Charles McKelvey Richard D. Emery <u>Liability Premium</u> \$85,750.00 \$408.00

We are prepared to issue 1992 ALTA title insurance policy(ies) of CHICAGO TITLE INSURANCE COMPANY of OREGON, in the usual form insuring the title to the land described as follows:

SEE ATTACHED LEGAL DESCRIPTION

Vestee:

GARY C. WYCKOFF and JOAN C. WYCKOFF, as tenants by the entirety

Dated as of July 29, 2005 at 8:00 A.M.

Schedule B of the policy(ies) to be issued will contain the following general and special exceptions unless removed prior to issuance:

GENERAL EXCEPTIONS:

- Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or
 assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or
 assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
- Easements, liens, encumbrances, interests or claims thereof which are not shown by the public records. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
- Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
- 4. (a) Unpatented mining claims; (b) Reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) Water rights, claims or title to water whether or not the matters excepted under (a), (b), or (c) are shown by the public records.
- 5. Any lien or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law not shown by the public records.



SPECIAL EXCEPTIONS:

- 6. The assessment roll and the tax roll disclose that the within described premises were specially assessed as Farm Use Land. If the land becomes disqualified for the special assessment under the statute, an additional tax, interest and penalties thereon may be levied for the years in which the land was subject to the special land use assessment.
- City Liens of the City of Milton-Freewater, if any. We have sent a letter of inquiry as to the status of same, and will advise upon receiving a reply.
- 8. These premises are within the boundaries of the Milton-Freewater Water Control District, and are subject to the levies, assessments and easements thereof, if any.
- These premises are within the boundaries of the Walla Walla river Irrigation
 District, and are subject to the levies, assessments and easements thereof, if any.
- 10. Agreement for Exchange of Property and Water Rights, including the terms and provisions thereof, recorded November 26, 2003, in Reel 453, Page 73, Instrument No. 2003-4530073, Umatilla County Microfilm Records
- 11. Easement for installation and maintenance of an irrigation pipeline, including the terms and provisions thereof, recorded September 20, 2004, in Reel 469, Page 495, Instrument No. 2004-4690495, Umatilla County Microfilm Records
- 12. Lease, including the terms and provisions thereof, between Alex LeFore, Landlord, and John and Barbara LeFore, Tenant, dated December 8, 2000, recorded October 15, 2001, in Reel 398, Page 783, Instrument No. 2001-3980783, Umatilla County Microfilm Records. Said lease is for 21 years.

NOTE: We found no judgments from our search on SIDNEY LITCHFIELD, H. CHARLES MCKELVEY, AND RICHARD D. EMERY.

NOTE: Taxes for the year 2004-2005: \$3.21, Paid in full.

Account No. 6N 35 35 DO 01923 07-01

Serial No. 114961

Taxes for the year 2004-2005: \$35.51, Paid in full.

Account No. 6N 35 35 DO 01913 07-01

Serial No. 114952

Taxes for the year 2004-2005: \$180.06, Paid in full.

Account No. 6N 35 35 DO 01920 07-01

Serial No. 114958

NOTE: The property address as shown on the Assessor's Roll is:

(bare land) Powell Rd. Milton-Freewater, OR 97862

This report is preliminary to the issuance of a policy of title insurance and shall become null and void unless a policy is issued and the full premium paid.

AmeriTitle

Ginger Pedroza

cc: AmeriTitle

Milton-Freewater Escrow 287 N Columbia, Suite 300 Milton-Freewater, OR 97862

ph: (541) 938-3005 fx: (541) 938-4171

Report No. 2: Amended to add purchasers.

"Superior Service with Commitment and Respect for Customers and Employees"

LEGAL DESCRIPTION FILE NO.: MF0054643

PARCEL I:

Beginning at a point on East right of way line of Oregon State Highway, said point being 35 feet East and 242.5 feet North of Southwest corner of Southwest Quarter of Southeast Quarer of Section 35, Township 6 North, Range 35, said point also being Northwest corner of that tract of land conveyed to Robert H. Tinker, et ux, by Deed recorded in Book 280, Page 692, Deed Records; thence East along North line of said Tinker Tract a distance of 130 feet to Northeast corner thereof, said point also being Northwest corner of that tract of land conveyed to Lawrence A. Preso, Jr., by Deed recorded in Book 253, Page 235, Deed Records; thence continuing East along North line of Preso Tract a distance of 23.5 feet to the true point of beginning for this description; thence continuing East along North line of said Preso Tract a distance of 141.5 feet; thence North and parallel to East right of way line of said Oregon State Highway a distance of 113 feet; thence West a distance of 141.5 feet; thence South a distance of 113 feet to the point of beginning;

SUBJECT to any and all water rights of way and roads;

All being East of the Willamette Meridian, Umatilla County, Oregon.

PARCEL II:

Beginning at a point in the East line of the Freewater Secondary Highway, which point is 50 rods North of the South line of Section 35, Township 6 North Range 35, E.W.M.; said point being the Northwest corner of that tract of land conveyed to Romie W., Kemp, et ux, by Deed recorded in Book 261, Page 382, Deed Records; thence East along the North line of the said Kemp Tract, a distance of 130 feet to the true point of beginning of this description; thence South along the line which is parallel to and distance 130 feet Easterly from said Easterly line of Freewater Secondary Highway, a distance of 486 feet, more or less, to a point in the North line of that tract of land conveyed to Robert H. Tinker, et ux, by Deed recorded in Book 281, Page 360, Deed Records; thence Easterly along the North line of said Tinker Tract, a distance of 165 feet, to the Northeast corner thereof; thence Southerly along the East line of said Tinker Tract, a distance of 113 feet, to the Northwest corner of that tract of land conveyed to Ray Kennedy, by Deed recorded in Book 291, Page 211, Deed Records; thence Easterly along the Northerly line of said Kennedy Tract a distance of 233 feet, to a point in the East line of said Kemp tract, thence Northerly along the East line of said Kemp tract, a distance of 359.5 feet, more or less, to the Southeast corner of that tract of land conveyed to Cecil L. Chastain, et ux, by Deed recorded in Book 274, Page 497, Deed Records; thence Westerly along the South line of said Chastain tract, a distance of 165 feet to the Southwest corner thereof; thence Northerly along the West line of said Chastain Tract and along the said line extended Northerly, a distance of 239.5 feet, more or less, to a point in the North line of said Kemp tract; thence Westerly 233 feet, more or less to the point of beginning;

EXCEPTING the following tract:

Beginning at a point 805 feet North and 160 feet East of the South Quarter corner of Sec. 35, Township 6 North, Range 35, East of the Willamette Meridian, Umatilla County, Oregon; thence East along the South right of way line of Powell Road a distance of 203 feet; thence South a distance of 106 feet; thence West 203 feet; thence North 106 feet to the point of beginning; All being East of the Willamette Meridian in the County of Umatilla and State of Oregon.

PARCEL III:

The East 40 feet of the following described tract;

Beginning at a point 805 feet North and 160 feet East of the Southwest corner of the Southeast Quarter of Section 35, Township 6 North, Range 35, said point being on the East line of that tract conveyed to Michael E. O'Harrow, et ux, by Deed recorded in Book 297, Page 106, Deed Records, and THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION; thence South along the East line of said O'Harrow Tract and the East line extended Southerly 106 feet; thence East, Parallel to the South line of Section 35, a distance of 203 feet, more or less, to a point on the Westerly line of that tract conveyed to William A. Morris, et ux, by Deed recorded in Book 265, Page 580, Deed Records; thence North along the West line of said Morris Tract 106 feet; thence West 203 feet, more or less, to the point of beginning.

All being East of the Willamette Meridian, Umatilla County, Oregon.

Seller: Fary C. Wyckoff and Joan C. Wyckoff

Buyer: Sid and Marie A. Litchfield

The real property described as:

Account No. 6 N 35 35 DD 01923 D7-01 Serial No. 14961

Account No. 6 N 35 35 DD 01913 07-01 Serial No. 114952

Account No. 6 N 35 35 DD 01920 07-01 Serial No. 114958

The buyer agrees to the following terms and conditions:

- 1. The water rights to said property do not transfer to buyer at time of sale and are no longer valid.
- 2. Seller retains the right to harvest the 2005 apple crop.
- 3. Seller will no longer be responsible for property taxes or any special assessments of additional taxes after sale of property.
- 4. Price to be \$85,750.
- 5. Seller will leave wind machine on property.

Signature page for earnest-Money agreement & Real Estate Agreement Dated 5/29/05 + 8/4/05

Buyer: Adhy Cally Sianey C. Litenfield 8/4/05 H. Charles Mckelvey. by: All Chilfield Sidney C. Litenfield his attorney in fact 814/05 Richard D. Emery 8/4/05 bu: Sleskey C. hell & Sidney of Litenfield his attorney in fact 814/05

Seller.

Dary C Wychiff 8/4/05



PRELIMINARY TITLE REPORT

Gary Wyckoff Attn: Gary Wyckoff 1314 College St. Milton Freewater, OR 97862

September 23, 2004 Report #1

Title Number : MF0052974

Title Officer : Judy L. Spriggle

Policy or Policies to be issued: STANDARD OWNER'S POLICY Proposed Insured: DONALD D. GARLITZ LINDA K. GARLITZ <u>Liability Premium</u> \$20,000.00 \$200.00

We are prepared to issue 1992 ALTA title insurance policy(ies) of CHICAGO TITLE INSURANCE COMPANY of OREGON, in the usual form insuring the title to the land described as follows:

SEE ATTACHED LEGAL DESCRIPTION

Vestee:

GARY C. WYCKOFF AND JOAN C. WYCKOFF, as tenants by the entirety.

2

Dated as of August 24, 2004 at 8:00 A.M.

Schedule B of the policy(ies) to be issued will contain the following general and special exceptions unless removed prior to issuance:

GENERAL EXCEPTIONS:

- Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or
 assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or
 assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
- Easements, liens, encumbrances, interests or claims thereof which are not shown by the public records. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
- Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
- 4. (a) Unpatented mining claims; (b) Reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) Water rights, claims or title to water whether or not the matters excepted under (a), (b), or (c) are shown by the public records.
- Any lien or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law not shown by the public records.

SPECIAL EXCEPTIONS:

- 6. 2004-2005 Taxes, which are lien but not yet payable.
- 7. The assessment roll and the tax roll disclose that the within described premises were specially assessed as Farm Use Land. If the land becomes disqualified for the special assessment under the statute, an additional tax, interest and penalties thereon may be levied for the years in which the land was subject to the special land use assessment.
- City Liens of the City of Milton-Freewater, if any. We have sent a letter of inquire as to the status of same, and will advise upon receiving a reply.
- These premises are within the boundaries of the Milton-Freewater Water Control District, and are subject to the levies, assessments and easements thereof, if any.
- 10. These premises are within the boundaries of the Walla Walla River Irrigation District District, and are subject to the levies, assessments and easements thereof, if any.
- 11. Agricultural Lease, including the terms and provisions thereof, from Alex Lefore to John and Barbara LeFore, Recorded October 15, 2001 in Reel 398, Page 783, Umatilla County Microfilm Records.
- 12. Agreement for exchange of property and water rights, including the terms and provisions thereof, Recorded November 26, 2003, in Reel 453, Page 73, Umatilla County Microfilm Records.
- 13. We are unable to ascertain from the records if the premises herein described has a means of ingress and egress to and from a legally dedicated road or highway, and for this reason, such rights cannot be insured.

NOTE: We found no judgments from our search on DONALD D. GARLITZ AND LINDA K. GARLITZ.

NOTE: Taxes for the year 2003-2004: \$3.74, paid in full.

Account No. 6N 35 35 D 1906 7-1

Serial No. 114946

NOTE: The property address as shown on the Assessor's Roll is:

284 Powell Road Milton-Freewater, Oregon 97862

This report is preliminary to the issuance of a policy of title insurance and shall become null and void unless a policy is issued and the full premium paid.

AmeriTitle

cc: AMERITITLE ESCROW MILTON-FREEWATER Attn: Lona/Jessica 287 N Columbia, Suite 300 Milton-Freewater, OR 97862

ph: (541) 938-3005 fx: (541) 938-4171

"Superior Service with Commitment and Respect for Customers and Employees"

Order No. 0052974 Page 3

LEGAL DESCRIPTION FILE NO.: MF0052985

PARCEL 1906:

Commencing at a point 32 rods East and 50 rods North of the Southwest Corner of the Southeast Quarter of Section 35, Township 6 North, Range 35, East of the Willamette Meridian, in the County of Umatilla, State of Oregon, said point being the Northeast corner of land described in Deed to Romie W. Kemp, et ux, Recorded in Book 261, Page 382 of the Deed Records of Umatilla County, Oregon; thence South and parallel to the West line of said Section 126.5 feet to a point, said point being the Southeast Corner of the tract of land conveyed by Warranty Deed from Romie W. Kemp, et ux, to Wm. A. Morris, et ux, Recorded in Book 266, Page 580 of the Deed Records of Umatilla County, Oregon, and the point of beginning of this description; thence West along the South line of said Morris tract 165 feet; thence South and parallel to the West line of said Section 165 feet; thence East and parallel to the south line of said Section 165 feet; thence North and parallel to the West line of said section 113 feet to the point of beginning.

EXCEPTING THEREFROM any and all water rights of way, ditched and roads.

Real Property Assessment Report

FOR ASSESSMENT YEAR 2008

Tax Status

Acct Status

Sales Date/Price

Legal Description UNKNOWN

Subtype

Appraiser

1/15/2009 3:48:25 PM

ASSESSABLE

09-29-2004 / \$20,000.00

CLIFFORD, JOHN

ACTIVE

NORMAL

Deed Reference # BOOK 2004 PAGE 4700308

Account #

Map#

6N3535-DC-02000 Code - Tax # 0701-114946

Owner

GARLITZ DONALD D & LINDA K

Agent In Care Of

Mailing Address

284 POWELL RD

MILTON-FREEWATER, OR 97862

04

MA SA NH Unit

52

Prop Class 540

Situs Address(s)

RMV Class 400

44420-1

000

Situs City

		Value Summary							
Code Area		AV	RMV	RMV	Exception	CPR			
0701	Impr.	0	0	Impr.	0				
	Land	305	250	Land	0				
Code Area Total		305	250		0				
Grand Total		305	250		0				

				Land E	Breakdov	vn				
Code Area	ID#	RFD	Plan Zone	Value Source	TD%	LS	Size	Land Class	IRR Class	IRR Size
0701	1	R	R-1	Farm Use Unzoned	0	Α	0.43	2-R		
				Code	Area Tota	al -	0.43			0
				Grand	d Total		0.43			0.00

				Improvement E	Breakdown		
Code Area	ID#	YR Built	Stat Class	Description	TD%	Total Sq. Ft.	MS ACCT#
					Code Area Total	0	
					Grand Total	0	

	Exemp	otions/Special Assessments/Potential Liability	
Code Are	еа Туре	Description	
0701	NOTATION(S):	POTENTIAL ADDL TAX LIABILITY ADDED 2005	

Real Property Assessment Report

FOR ASSESSMENT YEAR 2008

Unit

44424-16

1/15/2009 3:50:36 PM

Account #

Map#

6N3535-DC-03400 Code - Tax # 0701-114952

Owner

CRS DEVELOPMENT LLC

Agent

In Care Of

Mailing Address

85320 FUJI LN

MILTON-FREEWATER, OR 97862

MA SA NH

54

Prop Class 100

RMV Class

Tax Status Acct Status ASSESSABLE

ACTIVE

Subtype

NORMAL

Deed Reference # BOOK 2008 PAGE 5340427

Sales Date/Price

Appraiser

09-22-2006 / \$0.00

Legal Description STONEWOOD ADDITION B-1 L-

SALTER, JON

Situs Address(s)	Situs City

04

		Value Summary							
Code Area		AV	RMV	RMV Exception		CPR			
0701	Impr.	0	0	Impr.	0				
	Land	14,590	35,180	Land	0				
Code Area Total		14,590	35,180		0				
Grand Total		14,590	35,180		0				

050

					Land Breakdow	/n				
Code Area	ID#	RFD	Plan Zone	Value Source	TD%	LS	Size	Land Class	IRR Class	IRR Size
0701	1	R	R-1	Residential Site	0	S	5100.00	L		
					Code Area Tota	al	5100.00			0
					Grand Total	8	5,100.00			0.00

				Improvement E	Breakdown		
Code Area	ID#	YR Built	Stat Class	Description	TD%	Total Sq. Ft.	MS ACCT#
					Code Area Total	0	
					Grand Total	0	

	Exemp	otions/Special Assessments/Potential Liability	
Code Are	а Туре	Description	
0701	NOTATION(S):	POTENTIAL ADDL TAX LIABILITY ADDED 2005	

Real Property Assessment Report

FOR ASSESSMENT YEAR 2008

Tax Status

Acct Status

Sales Date/Price

Subtype

Appraiser

1/15/2009 3:50:58 PM

ASSESSABLE

09-22-2006 / \$0.00

ACTIVE

Deed Reference # BOOK 2008 PAGE 5340427

NORMAL

Legal Description STONEWOOD ADDITION B-2 L-

SALTER, JON

Account #

6N3535-DC-03500

Map# Code - Tax # 0701-161636

Owner

CRS DEVELOPMENT LLC

Agent

In Care Of

Mailing Address

85320 FUJI LN

MILTON-FREEWATER, OR 97862

MA

04

NH Unit

Prop Class 100

RMV Class

54

SA

050 44424-16

Situs Address(s) Situs City

		Value Summary									
Code Area		AV	RMV	RMV E	CPF						
0701	Impr.	0	0	Impr.	0						
	Land	14,590	35,180	Land	0						
Code Area Total		14,590	35,180		0						
Grand	Total	14,590	35,180		0						

				Land Breakdov	vn				
Code Area ID	# RFI	Plan Zone	Value Source	TD%	LS	Size	Land Class	IRR Class	IRR Size
0701	R	R-1	Residential Site	0	S	5100.00	L		
				Code Area Tota	al	5100.00			0
				Grand Total		5,100.00			0.00

				Improvement E	Breakdown		
Code Area	ID#	YR Built	Stat Class	Description	TD%	Total Sq. Ft.	MS ACCT#
					Code Area Total	0	
					Grand Total	0	

	Exemptions/Special Assessments/Potential Liability	
Code Area Type	Description	

Real Property Assessment Report

FOR ASSESSMENT YEAR 2008

Tax Status

Acct Status

Deed Reference #

Legal Description

Sales Date/Price

Subtype

Appraiser

0

1/15/2009 3:51:24 PM

BOOK 2008 PAGE 5340427

STONEWOOD ADDITION B-4 L-

09-22-2006 / S0.00

SALTER, JON

CPR

ASSESSABLE

ACTIVE

NORMAL

Account #

6N3535-DC-03600

Code - Tax # 0701-161637

Owner

Map#

CRS DEVELOPMENT LLC

Agent

In Care Of

Mailing Address

85320 FUJI LN

MILTON-FREEWATER, OR 97862

MA SA NH

100

Impr.

04

AV

0

54

050 44424-16

Unit

RMV Class 100

Prop Class

Situs Address(s)

Code Area

0701

Situs City

0

Impr.

	- 1		
	1807an		-
	Value S	ummary	
RM	//V	RMV Exception	

0 Land 13,030 35,180 Land 0 35,180 Code Area Total 13,030

Grand Total 0 13,030 35,180

					Land Breakdov	vn				
Code Area	ID#	RFD	Plan Zone	Value Source	TD%	LS	Size	Land Class	IRR Class	IRR Size
0701	1	R	R1	Residential Site	0	S	4553.00	L		
					Code Area Tota	al	4553.00			0

4,553.00 0.00 **Grand Total**

				AND DESCRIPTION OF THE PERSON NAMED IN
Imn	TOVE	men	Brea	kdown

Total Sq. Ft. MS ACCT# Code Area ID# YR Built Stat Class Description TD% 0 Code Area Total

> 0 Grand Total

Exemptions/Special Assessments/Potential Liability Description

PAccountNumbers

Code Area Type

Real Property Assessment Report

Tax Status

Subtype

Appraiser

Acct Status

Sales Date/Price

FOR ASSESSMENT YEAR 2008

1/15/2009 3:51:44 PM

ASSESSABLE

09-22-2006 / \$0.00

ACTIVE

NORMAL

Deed Reference # BOOK 2008 PAGE 5340427

Legal Description STONEWOOD ADDITION B-3 L-

SALTER, JON

Account #

6N3535-DC-03700

Code - Tax # 0701-161638

Owner

CRS DEVELOPMENT LLC

Agent

Map#

In Care Of

Mailing Address

85320 FUJI LN

MILTON-FREEWATER, OR 97862

NH Unit

Prop Class 100

54

050 44424-16

MA SA

RMV Class 100 Situs Address(s) Situs City

04

		Value Summary								
Code Area		AV	RMV	RMV	CPR					
0701	Impr.	0	0	Impr.	0					
	Land	14,590	35,180	Land	0					
Code Area Total —		14,590	35,180		0					
Grand	Total	14,590	35,180		0					

					Land Breakdow	vn				
Code Area	ID#	RFD	Plan Zone	Value Source	TD%	LS	Size	Land Class	IRR Class	IRR Size
0701		R	R-1	Residential Site	0	S	5100.00	L		
					Code Area Tota	al	5100.00	M. Car		0
					Grand Total		5,100.00			0.00

				Improvement E	Breakdown		
Code Area	ID#	YR Built	Stat Class	Description	TD%	Total Sq. Ft.	MS ACCT#
					Code Area Total	0	
					Grand Total	0	

	Exemptions/Special Assessments/Potential Liability
Code Area Type	Description

Real Property Assessment Report

Tax Status

Acct Status

Sales Date/Price

Appraiser

Subtype

FOR ASSESSMENT YEAR 2008

1/15/2009 3:52:05 PM

ASSESSABLE

09-22-2006 / \$0.00

ACTIVE

NORMAL

Legal Description STONEWOOD ADDITION B-5 L-

SALTER, JON

Deed Reference # BOOK 2008 PAGE 5340427

Account #

6N3535-DC-03800

Code - Tax # 0701-161639

CRS DEVELOPMENT LLC

Owner Agent

Map#

In Care Of

Mailing Address

85320 FUJI LN

MILTON-FREEWATER, OR 97862

MA SA

100

04

54

050

NH

Unit 44424-16

RMV Class 100

Prop Class

Situs Address(s)

Situs City

		Value Summary								
Code Area		AV	RMV	RMV I	CPR					
0701	Impr.	0	0	Impr.	0					
	Land	14,590	35,180	Land	0					
Code Area Total		14,590	35,180		0					
Grand	Total	14,590	35,180		0					

					Land Breakdov	vn				
Code Area	ID#	RFD	Plan Zone	Value Source	TD%	LS	Size	Land Class	IRR Class	IRR Size
0701		R	R-1	Residential Site	0	S	5100.00	L		
					Code Area Tota	al	5100.00			0
					Grand Total		5,100.00			0.00

				Improvement E	Breakdown		
Code Area	ID#	YR Built	Stat Class	Description	TD%	Total Sq. Ft.	MS ACCT#
					Code Area Total	0	
					Grand Total	0	

Ex	temptions/Special Assessments/Potential Liability	
Code Area Type	Description	

Real Property Assessment Report

Tax Status

Acct Status

Sales Date/Price

Subtype

Appraiser

FOR ASSESSMENT YEAR 2008

1/15/2009 3:52:22 PM

ASSESSABLE

12-16-2008 / \$185,000.00

ACTIVE

NORMAL

Deed Reference # BOOK 2008 PAGE 5450567

Legal Description STONEWOOD ADDITION B-6 L-

SALTER, JON

Account #

}

Map # 6N3535-DC-03900 Code - Tax # 0701-161640

Owner COI

CONDE SILVIA V

Agent In Care Of

Mailing Address

1263 STONEWOOD CT

MILTON-FREEWATER, OR 97862

MA SA NH Unit

Prop Class 100

RMV Class 100

04 54 050 44424-16

Situs	Address(s)	Situs City
ID#	1263 STONEWOOD CT	MILTON-FREEWAT

			Val	ue Summar	У	
Code Are	a	AV	RMV	RMV E	xception	CPR
0701	Impr.	0	0	Impr.	0	
	Land	14,590	35,180	Land	0	
Code Are	ea Total —	14,590	35,180		0	
Grand	Total	14,590	35,180		0	

					Land Breakdov	vn				
Code Area	ID#	RFD	Plan Zone	Value Source	TD%	LS	Size	Land Class	IRR Class	IRR Size
0701		R	R-1	Residential Site	0	S	5100.00	L		
					Code Area Tot	al	5100.00			0
					Grand Total		5,100.00			0.00

				Improvement E	Breakdown		
Code Area	ID#	YR Built	Stat Class	Description	TD%	Total Sq. Ft.	MS ACCT#
					Code Area Total	0	
					Grand Total		

s/Special Assessments/Potential Liability
Description

Real Property Assessment Report

Tax Status

Acct Status

Subtype

Appraiser

FOR ASSESSMENT YEAR 2008

1/15/2009 3:52:42 PM

ASSESSABLE

ACTIVE

NORMAL

Legal Description STONEWOOD ADDITION B-7 L-

SALTER, JON

Deed Reference # BOOK 2008 PAGE 5340427

Sales Date/Price 09-22-2006 / \$0.00

Account #

Map # 6N3535-DC-04000 Code - Tax # 0701-161641

Owner

CRS DEVELOPMENT LLC

Agent

In Care Of

Mailing Address

85320 FUJI LN

MILTON-FREEWATER, OR 97862

MA SA NH Unit

Prop Class 100

RMV Class 100

04 54 050 4442

44424-16

Situs Address(s)

Situs City

			Val	ue Summar	у	
Code Ar	ea	AV	RMV	RMVE	xception	CPR
0701	Impr.	0	0	Impr.	0	
	Land	14,590	35,180	Land	0	
Code Ar	ea Total —	14,590	35,180		0	
Grand	Total	14,590	35,180		0	

					Land Breakdow	vn				
Code Area	ID#	RFD	Plan Zone	Value Source	TD%	LS	Size	Land Class	IRR Class	IRR Size
0701		R	R-1	Residential Site	0	S	5100.00	L		
					Code Area Tota	al	5100.00			0
					Grand Total		5,100.00			0.00

				Improvement E	Breakdown		
Code Area	ID#	YR Built	Stat Class	Description	TD%	Total Sq. Ft.	MS ACCT#
					Code Area Total	0	
					Grand Total	0	

	remptions/Special Assessments/Potential Liability	
Code Area Type	Description	

Real Property Assessment Report

FOR ASSESSMENT YEAR 2008

Tax Status

Acct Status

Sales Date/Price

Subtype

Appraiser

1/15/2009 3:52:56 PM

ASSESSABLE

09-22-2006 / \$0.00

ACTIVE

NORMAL

Deed Reference # BOOK 2008 PAGE 5340427

Legal Description STONEWOOD ADDITION B-8 L-

SALTER, JON

Account #

Map # 6N3535-DC-04100 Code - Tax # 0701-161642

Owner

CRS DEVELOPMENT LLC

Agent In Care Of

Mailing Address

85320 FUJI LN

MILTON-FREEWATER, OR 97862

MA SA NH Unit

Prop Class 100

Situs Address(s)

RMV Class 100

04 54 050 44424-16

Situs City

			У			
Code Area		AV	RMV	RMV Exception		CPR
0701	Impr.	0	0	Impr.	0	
	Land	14,590	35,180	Land	0	
Code Area Total		14,590	35,180		0	
Grand '	Total	14,590	35,180		0	

					Land Breakdow	/n				
Code Area	ID#	RFD	Plan Zone	Value Source	TD%	LS	Size	Land Class	IRR Class	IRR Size
0701		R	R-1	Residential Site	0	S	5100.00	L		
					Code Area Tota	al	5100.00			0
					Grand Total		5,100.00			0.00

				Improvement E	Breakdown		
Code Area	ID#	YR Built	Stat Class	Description	TD%	Total Sq. Ft.	MS ACCT#
					Code Area Total	0	
					Grand Total	0	

	Exemptions/Special Assessments/Potential Liability
Code Area Type	Description

Real Property Assessment Report

FOR ASSESSMENT YEAR 2008

1/15/2009 3:53:15 PM

Account #

6N3535-DC-04200

Map# Code - Tax # 0701-161643

LEIGHTY DELBERT C & CECELIA A

Agent In Care Of

Owner

Mailing Address

ASSESSABLE

ACTIVE Acct Status NORMAL Subtype

Tax Status

Deed Reference # BOOK 2008 PAGE 5450140

Sales Date/Price 12-02-2008 / \$229,355.00 Legal Description STONEWOOD ADDITION B-9 L-

Appraiser

SALTER, JON

1245 STONEWOOD CT

MILTON-FREEWATER, OR 97862

04

MA SA NH Unit

54

Prop Class 100

RMV Class 100

Situs Address(s)

ass 100	
ddress(s)	Situs City
1245 STONEWOOD CT	MILTON-FREEWAT

ER

050

44424-16

		ary				
Code Area		AV	RMV	RMV	Exception	CPR
0701	Impr.	0	0	Impr.	0	
	Land	19,300	35,180	Land	0	
Code Area Total —		19,300	35,180		0	
Grand Total		19,300	35,180		0	

					Land Breakdov	vn				
Code Area	ID#	RFD	Plan Zone	Value Source	TD%	LS	Size	Land Class	IRR Class	IRR Size
0701		R	R-1	Residential Site	0	S	6743.00	L		
					Code Area Tot	al	6743.00			0
					Grand Total		6,743.00			0.00

				Improvement I	Breakdown		
Code Area	ID#	YR Built	Stat Class	Description	TD%	Total Sq. Ft.	MS ACCT#
		7			Code Area Total	0	
					Grand Total	0	

ons/Special Assessments/Potential Liability
Description

Real Property Assessment Report

FOR ASSESSMENT YEAR 2008

Tax Status

Subtype

Appraiser

Acct Status

Sales Date/Price

1/15/2009 3:53:40 PM

ASSESSABLE

05-23-2008 / \$219,000.00

ACTIVE

NORMAL

Deed Reference # BOOK 2008 PAGE 5370481

Legal Description STONEWOOD ADDITION B-10 L-

SALTER, JON

Account #

Map# 6N3535-DC-04300 Code - Tax # 0701-161644

Owner

Agent

In Care Of

Mailing Address

DEAN MARK J & DORIS E

1246 STONEWOOD

MILTON-FREEWATER, OR 97862

MA SA NH Unit

050

44424-16

54

Prop Class 101

RMV Class

Situs	Address(s)	Situs City
ID#	1246 STONEWOOD	MILTON-FREEWAT

04

		Value Summary						
Code Area		AV	RMV	RMV	Exception	CPR		
0701	Impr.	121,060	168,970	Impr.	61030			
	Land	19,310	38,800	Land	0			
Code Area Total		140,370	207,770		61,030			
Grand Total		140,370	207,770		61,030			

					Land Breakdow	vn .				
Code Area	ID#	RFD	Plan Zone	Value Source	TD%	LS	Size	Land Class	IRR Class	IRR Size
0701		R	R1	Residential Site	0	S	5499.00	L		
					Code Area Tota	al	5499.00			0
					Grand Total		5,499.00			0.00

				Improvement I	Breakdown		
Code Area	ID#	YR Built	Stat Class	Description	TD%	Total Sq. Ft.	MS ACCT#
0701	1	2007	141	One story	0	1579	
					Code Area Total	1,579	
					Grand Total	1,579	

Exemptions/Special Assessments/Potential Liability					
Code Area Type	Description				

Real Property Assessment Report

FOR ASSESSMENT YEAR 2008

1/15/2009 3:54:01 PM

Account #

6N3535-DC-04400

Code - Tax # 0701-161645

Owner CHESTER DA

CHESTER DAWN & TRAVIS

Agent

Map#

In Care Of

Mailing Address

Tax Status ASSESSABLE
Acct Status ACTIVE
Subtype NORMAL

Deed Reference # BOOK 2008 PAGE 5450583 Sales Date/Price 12-10-2008 / \$244,000.00

Sales Date/Price 12-10-2008 / \$244,000.00

Legal Description STONEWOOD ADDITION B-11 L-

Appraiser SALTER, JON

1252 STONEWOOD CT

MILTON-FREEWATER, OR 97862

MA SA NH Unit

Prop Class 100

RMV Class 100

04 54 050 44424-16

Situs	Address(s)	Situs City
ID#	1252 STONEWOOD CT	MILTON-FREEWAT

	Value Summary					
Code Area		AV	RMV	RMV Exception		CPR
0701	Impr.	0	0	Impr.	0	
	Land	17,880	35,180	Land	0	
Code Are	ea Total	17,880	35,180		0	
Grand	Total	17,880	35,180		0	

					Land Breakdov	vn				
Code Area	ID#	RFD	Plan Zone	Value Source	TD%	LS	Size	Land Class	IRR Class	IRR Size
0701		R	R-1	Residential Site	0	S	6255.00	L		
					Code Area Tota	al	6255.00			0
					Grand Total		6,255.00			0.00

				Improvement E	Breakdown		
Code Area	ID#	YR Built	Stat Class	Description	TD%	Total Sq. Ft.	MS ACCT#
	-				Code Area Total	0	
					Grand Total	0	

	Exemptions/Special Assessments/Potential Liability
Code Area Type	Description

Real Property Assessment Report

FOR ASSESSMENT YEAR 2008

Tax Status

Acct Status

Sales Date/Price

Subtype

Appraiser

1/15/2009 3:54:22 PM

ASSESSABLE

09-22-2006 / \$0.00

Legal Description STONEWOOD ADDITION B-13 L-

SALTER, JON

ACTIVE

NORMAL

Deed Reference # BOOK 2008 PAGE 5340427

Account #

6N3535-DC-04500

Code - Tax # 0701-161646

Owner

Map#

CRS DEVELOPMENT LLC

Agent

In Care Of

Mailing Address

85320 FUJI LN

MILTON-FREEWATER, OR 97862

Prop Class 100

RMV Class 100

MA SA NH Unit 04 54 050 44424-16

Situs Address(s) Situs City

			Val	ue Summ	ary	
Code Area		AV	RMV	RMV	Exception	CPR
0701	Impr.	0	0	Impr.	0	
	Land	14,590	35,180	Land	0	
Code Are	ea Total —	14,590	35,180		0	
Grand	Total	14,590	35,180		0	

					Land Breakdow	/n				
Code Area	ID#	RFD	Plan Zone	Value Source	TD%	LS	Size	Land Class	IRR Class	IRR Size
0701		R	R-1	Residential Site	0	S	5100.00	L		
					Code Area Tota	al	5100.00			0
					Grand Total		5,100.00			0.00

				Improvement B	Breakdown		
Code Area	ID#	YR Built	Stat Class	Description	TD%	Total Sq. Ft.	MS ACCT#
And the state of t					Code Area Total	.0	
					Grand Total	0	

	Exemptions/Special Assessments/Potential Liability
Code Area Type	Description

Real Property Assessment Report

Tax Status

Subtype

Appraiser

Acct Status

Sales Date/Price

FOR ASSESSMENT YEAR 2008

1/15/2009 3:54:41 PM

ASSESSABLE

09-22-2006 / \$0.00

Legal Description STONEWOOD ADDITION B-12 L-

SALTER, JON

ACTIVE

NORMAL

Deed Reference # BOOK 2008 PAGE 5340427

Account #

Map#

6N3535-DC-04600

Code - Tax # 0701-161647

Owner

Agent In Care Of

Mailing Address

CRS DEVELOPMENT LLC

85320 FUJI LN

04

MILTON-FREEWATER, OR 97862

MA SA NH Unit

050

Prop Class 100

RMV Class 100

54

44424-16

Situs Address(s)	Situs City
	Value Summary

			Val	ue Summar	у	
Code Area		AV	RMV	RMV E	xception	CPR
0701	Impr.	0	0	Impr.	0	
	Land	14,590	35,180	Land	0	
Code Area Total		14,590	35,180		0	
Grand	Total	14,590	35,180		0	

					Land Breakdow	vn				
Code Area	ID#	RFD	Plan Zone	Value Source	TD%	LS	Size	Land Class	IRR Class	IRR Size
0701		R	R-1	Residential Site	0	S	5100.00	L		
					Code Area Tota	al	5100.00			0
					Grand Total		5,100.00			0.00

				Improvement E	Breakdown		
Code Area	ID#	YR Built	Stat Class	Description	TD%	Total Sq. Ft.	MS ACCT#
					Code Area Total	0	
					Grand Total	0	

	Exemptions/Special Assessments/Potential Liability	
Code Area Type	Description	

Real Property Assessment Report

FOR ASSESSMENT YEAR 2008

1/15/2009 3:54:58 PM

Account #

Map#

6N3535-DC-04700 Code - Tax # 0701-161648

Owner

CRS DEVELOPMENT LLC

Agent

In Care Of

Mailing Address

85320 FUJI LN

MILTON-FREEWATER, OR 97862

Acct Status Subtype

ASSESSABLE

ACTIVE NORMAL

Tax Status

Deed Reference # BOOK 2008 PAGE 5340427

Sales Date/Price

09-22-2006 / \$0.00

Legal Description STONEWOOD ADDITION B-14 L-

Appraiser

SALTER, JON

04

SA

NH

MA 54 050

Unit 44424-16

Prop Class 100 RMV Class 100

Situs Address(s)

Situs City

			Value Summary							
Code Area		AV	RMV	RMV E	xception	CPR				
0701	Impr.	0	0	Impr.	0					
	Land	14,570	35,180	Land	0					
Code Are	ea Total —	14,570	35,180		0					
Grand	Total	14,570	35,180		0					

					Land Breakdow	/n				
Code Area	ID#	RFD	Plan Zone	Value Source	TD%	LS	Size	Land Class	IRR Class	IRR Size
0701		R	R-1	Residential Site	0	S	5091.00	L		
					Code Area Tota	al	5091.00			0
					Grand Total		5,091.00			0.00

				Improvement B	Breakdown		
Code Area	ID#	YR Built	Stat Class	Description	TD%	Total Sq. Ft.	MS ACCT #
					Code Area Total	0	
					Grand Total	0	

EX	remptions/Special Assessments/Potential Liability	
Code Area Type	Description	
oue Area Type		

Real Property Assessment Report

FOR ASSESSMENT YEAR 2008

Tax Status

Subtype

Appraiser

Acct Status

Deed Reference #

Sales Date/Price

1/15/2009 3:55:19 PM

BOOK 2008 PAGE 5360471

05-01-2008 / \$0.00

SOBOTTA, PERRY

Legal Description STONEWOOD ADDITION B-15 L-

ASSESSABLE

ACTIVE

NORMAL

Account #

6N3535-DC-04800 Code - Tax # 0701-161649

Owner

Map#

HOME PARTNERS FINANCE I, LLC

Agent

In Care Of

Mailing Address

1154 HIGHLAND AVE CHESHIRE, CT 06410

> MA SA

04

101

NH 54

050

44424-16

Unit

RMV Class 101

Prop Class

Situs Address(s) 1274 STONEWOOD CT

Situs City MILTON-FREEWAT

ER

		Value Summary							
Code Area		AV	RMV	RMV	CPR				
0701	Impr.	44,980	60,760	Impr.	60760				
	Land	17,990	38,800	Land	4620				
Code Are	ea Total	62.970	99,560		65,380				

Grand Total

62,970

99,560

65,380

					Land Breakdow	vn				
Code Area	ID#	RFD	Plan Zone	Value Source	TD%	LS	Size	Land Class	IRR Class	IRR Size
0701		R	R1	Residential Site	0	S	5091.00	L		
					Code Area Tota	al	5091.00			0
					Grand Total		5,091.00			0.00

				Improvement I	Breakdown		
Code Area	ID#	YR Built	Stat Class	Description	TD%	Total Sq. Ft.	MS ACCT#
0701	1	2007	141	One story	0	1778	
					Code Area Total	1,778	
					Grand Total	1,778	

	Exemptions/Special Assessments/Potential Liability	
Code Area Type	Description	



REMIT PAYMENT TO: P.O. BOX 1475 PENDLETON, OR 97801

INVOICE#0001249

ACCOUNT NUMBER :

INVOICE DATE : 07/28/09

ATTN:

OREGON WATER RESOURCES DEPT

116 SE Dorion

Pendleton, OR 97801

TITLE NUMBER : ACCOM#1249

CUSTOMER REF : FARLEY, RONALD

ESCROW NUMBER :

ESCROW OFFICER : TITLE ONLY

	Questions? Please call 541-276-2010		
	DESCRIPTION	LIABILITY	AMOUNT
PUBLIC RECORD F	ference invoice		50.00
	FARLEY PROPERTY and WATER CONVEYANCES / CHECKS OUT		
64246			



PUBLIC RECORD REPORT

THIS REPORT IS FOR THE EXCLUSIVE USE OF:

Oregon Water Resources Department Attn: Ken Douden 116 SE Dorion

Pendleton, OR 97801

Date Prepared : July 28, 2009

Report #1

Title Officer : Ginger Pedroza

CONDITIONS, STIPULATIONS AND DEFINITIONS

(I) Definitions:

- (a) "Customer": The person or persons named or shown on this cover sheet
- (b) "Public records": Those records which by the laws of the state of Oregon impart constructive notice of matters relating to said land.
- (c) "Land": The land specifically described in this public record report and improvements affixed thereto which by law constitute real property.
- (II) Liability of AmeriTitle:
 - (a) This Is Not A Commitment To Issue Title Insurance And Does Not Constitute A Policy Of Title Insurance.
 - (b) The liability of AmeriTitle for errors or omissions in this public record report is limited to the amount of the fee paid by the customer, provided, however, that AmeriTitle has no liability in the event of no actual loss to the customer.
 - (c) No costs (including without limitation attorney fees and other expenses) of defense, or prosecution of any action, is afforded to the customer.

(III) Report Entire Contract:

Any right or action or right of action that the customer may have or may bring against AmeriTitle arising out of the subject matter of this report must be based on the provisions of this report. No provision or condition of this report can be waived or changed except by a writing signed by an authorized officer of AmeriTitle. By accepting this form report, the customer acknowledges and agrees that the customer has elected to utilize this form of public record report and accepts the limitation of liability of AmeriTitle as set forth herein.

Page 2

Public Record Report Conditions, Stipulations and Definitions, continued...

(IV) Fee:

The fee charge for this Report does not include supplemental reports, updates or other additional services of AmeriTitle.

REPORT

Effective Date: January 30, 2009

Reference: LeFore

A. The Land referred to in this public record report is located in the County of Umatilla, State of Oregon, and is described as follows:

Beginning at a point 805 feet North and 160 feet East of Southwest corner of Southeast Quarter of Section 35, Township 6 North, Range 35, said point being on East line of that tract conveyed to Michael E. O'Harrow, et ux, by Deed recorded in Book 297, Page 106, Deed Records, and THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION; thence South along East line of said TL*1925 ly 106 feet; thence East, O'Harrow Tract and East line re of 203 feet, more or less, yed to William A. Morris, parallel to South line of Se to a point on Westerly line et ux, by Deed recorded in Bo , Deed Records; thence North along West line of said Morri Leet; thence West 203 feet, more or less, to the point of beginning;

EXCEPTING THEREFROM the East 40 feet thereof;

Subject to any and all water rights of way and roads;

All being East of the Willamette Meridian, Umatilla County, Oregon.

B. As of the Effective Date and according to the public records, we find the last deed of record runs to:

MARLENE J. FARLEY AND RONALD D. FARLEY, as tenants by the entirety

C. As of the Effective Date and according to the public records, the Land is the subject of the following chain of conveyances and contracts to convey title during the period beginning on the recording date of the earliest recorded instrument shown below and ending on the recording date of the Latest recorded instrument shown below:

Instrument : Warranty Deed Recorded : April 19, 1978 Document No.: Reel 32, Page 930

Grantor : Alex LeFore and Elsie M. LeFore Grantee : John A. LeFore and Barbara R. LeFore Instrument : Warranty Deed Recorded : November 26, 2003 Document No.: 2003-4530071

Grantor : John A. LeFore and Barbara R. LeFore, as tenants by the

entirety

Grantee : Marlene J. Farley and Ronald D. Farley, as tenants by the

entirety

Instrument : Re-recorded Warranty Deed

Recorded : January 30, 2009 Document No.: 2009-5470026

Grantor : John A. LeFore and Barbara R. LeFore, as tenants by the

entirety

Grantee : Marlene J. Farley and Ronald D. Farley, as tenants by the

entirety

"Superior Service with Commitment and Respect for Customers and Employees"

2001 4530071

3] E

RE RECORDED WARRANTY DEED

JOHN A. LEFORE and BARBARA R. LEFORE, as tenants by the entirety. Grantor(s) hereby grant, bargain, sell, warrant and convey to: MARLENE J. FARLEY and RONALD D. FARLEY, wife and husband, Grantee(s) and grantee's heirs, successors and assigns the following described real property, free of encumbrances except as specifically set forth herein in the County of UMATILLA and State of Oregon, to wit: SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE SERIAL#114958 6N 35 35 D 1920 7-1

Grantor is lawfully seized in fee simple on the above granted premises. SUBJECT TO: all those items of record if any, as of the date of this deed and those shown below, if any: See attached Grantor's reservation for easement for the

installation and maintenance of an irrigation pipeline over, ACLOSS and under the Northerly and Easterly 10 feet thereof.

and the grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY RECEIVED APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930. JAN 30 2009

The true and actual consideration for this conveyance is \$ 149,900.00.

UMATILLA COUNTY RECORDS

Until a change is requested, all tax statements shall be sent to Grantee at the following address: 328 POWELL ROAD, MILTON-FREEWATER, OR 97862

This deed is being rerecorded

day of November 2003 to change a water right retainage from the deed originally recorded 11-26-03 in Instrument No. 2003-4530071, Umatilla County, Or.

who JOHN A. LEFORE Daibare BARBARA R. LEFORE

OFFICIAL SEAL LONA MASON NOTARY PUBLIC - OREGON COMMISSION NO. 338911 MY COLMISSION EXPLIES OCT. 10, 2004

State of Oregon County of UMATILLA

This instrument was acknowledged before me on A. LEFORE and BARBARA R. LEFORE.

11/25 2003 by JOHN

RECEIVED

Mason (Notary Public for Oregon)

NOV 26 2003 HECORDS

My commission expires

10/10/04

ESCROW NO. MF0050441

Return to:

Christine M. Wallace Attorney at Law 801 South Main St. Milton-Freewater, OR 97862 State of Oregon County of Umatilia

This instrument was received and recorded on

61-38-09 at 1:50

in the record of instrument code type DE-CORR

State of Oregon County of Umstilla

This instrument was received and recorded on

11-26-03 at 3:25

in the record of instrument code type DE-WO

Instrument Number 2009-5470025 Instrument Number 2003-4530071 Fee 31.00

Office of County Records

Office of County Records

Records Officer

2009-5470026 2 of 2

LEGAL DESCRIPTION

Beginning at a point 805 feet North and 160 feet East of the Southwest corner of the Southeast Quarter of Section 35, Township 6 North, Range 35, said point being on the East line of that tract conveyed to Michael E. O'Harrow, et ux, by Deed recorded in Book 297, Page 106, Deed Records, and THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION; thence South along the East line of said O'Harrow Tract and the East line extended Southerly 106 feet; thence East, Parallel to the South line of Section 35, a distance of 203 feet, more or less, to a point on the Westerly line of that tract conveyed to William A. Morris, et ux, by Deed recorded in Book 265, Page 580, Deed Records: thence North along the West line of said Morris Tract 106 feet; thence West 203 feet, more or less, to the point of beginning:

EXCEPTING THEREFROM the East 40 feet thereof;

RESERVING unto the grantor's, their heirs and assigns, an easement for the installation and maintenance of an irrigation pipeline over, across and under the northerly and easterly 10 feet thereof;

Subject to any and all water rights of way and roads;

All being East of the Willamette Meridian, Umanilla County, Oregon.

Also reserving and retaining to Sellers water right on above said property. Buyers will have no claim of right or use to said property water right.

OWNER'S SALE AGREEMENT AND EARNEST MONEY RECEIPT APPROCRACE TO SHARE A STATE AGREEMENT AND EARNEST MONEY RECEIPT APPROCRACE TO SHARE A STATE AGREEMENT AND EARNEST MONEY RECEIPT COMMONLY KNOWN AS 328 POVEIL Rd., WILLOW-FREEWARDS FOR A STATE AND	
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Real Property Assessment Report

FOR ASSESSMENT YEAR 2008

Tax Status

Acct Status

Sales Date/Price

Legal Description UNKNOWN

Subtype

Appraiser

1/16/2009 8:00:55 AM

ASSESSABLE

11-25-2003 / \$149,900.00

ACTIVE

Deed Reference # BOOK 2003 PAGE 4530071

NORMAL

FARR, LENN

Account #

6N3535-DC-02100

Code - Tax # 0701-159151

Owner

Map#

FARLEY MARLENE J & RONALD D

Agent In Care Of

Mailing Address

328 POWELL RD MILTON-FREEWATER, OR 97862

MA

04

Prop Class 101 RMV Class

Situs Address(s)

SA NH Unit 000

52

Situs City

64117-1

Value Summary									
Code Are	ea	AV	RMV	RMVE	xception	CPR			
0701	Impr.	80,280	131,760	Impr.	0				
	Land	40,980	66,340	Land	0				
Code Are	ea Total —	121,260	198,100		0				
Grand	Total	121,260	198,100		0				

					Land Breakdow	/n				
Code Area	ID#	RFD	Plan Zone	Value Source	TD%	LS	Size	Land Class	IRR Class	IRR Size
0701	1	R	R-1	Residential Site	0	Α	0.38	L		
					Code Area Tota	al -	0.38			0
					Grand Total	=	0.38			0.00

Improvement Breakdown							
Code Area	ID#	YR Built	Stat Class	Description	TD%	Total Sq. Ft.	MS ACCT#
0701	1	1978	151	One story	0		
					Code Area Total	0	14
					Grand Total	0	

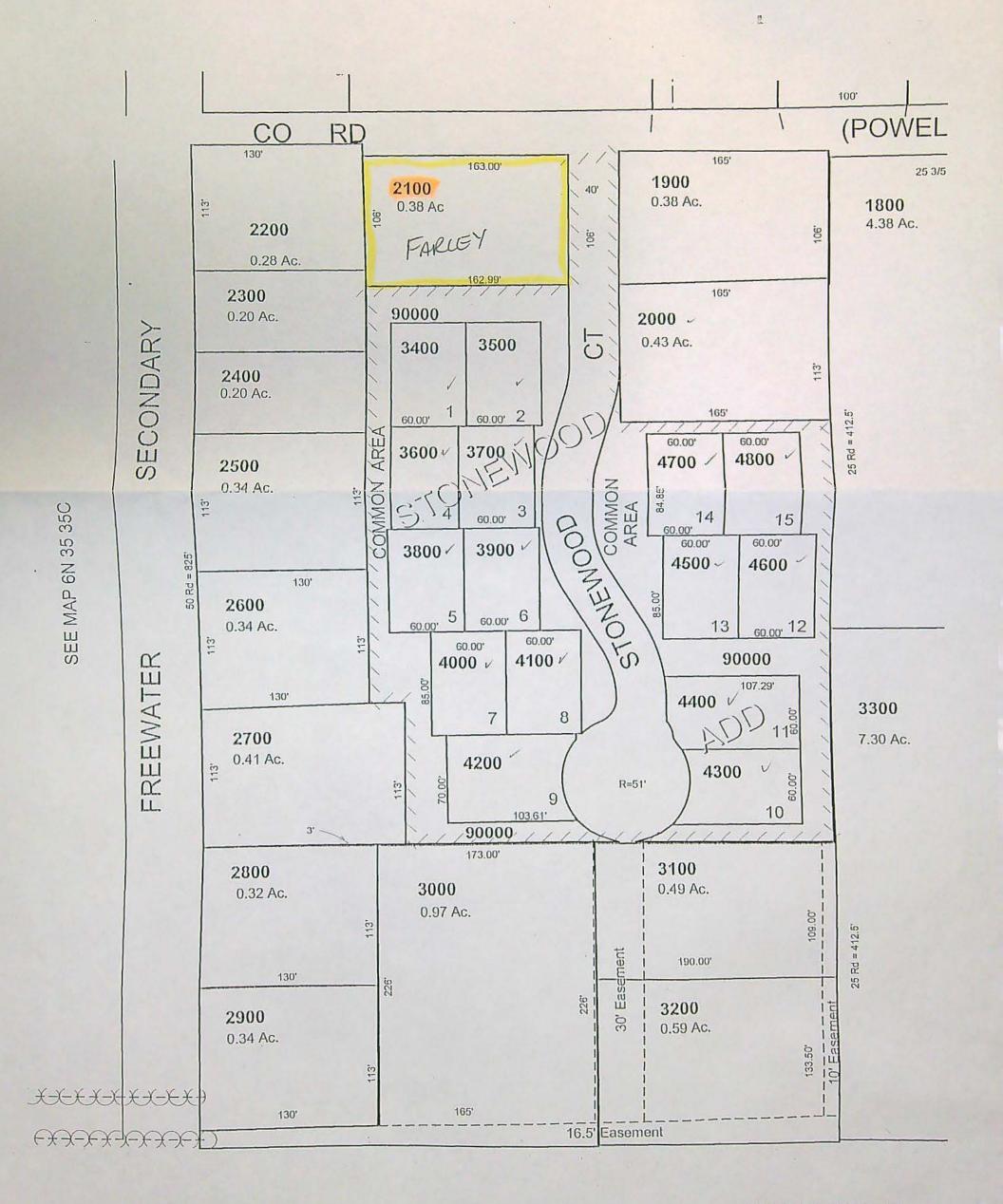
Exemptions/Special Assessments/Potential Liability								
Code Area Type	Description							

SW 1/4 SE1/4 SEC 35 T6N R35E WIM UMATILLA COUNTY

6N 35 35IDC

ARRIAL PINCHO NO. SPACE

SCALE 1"=100"



Dorothy Pedersen

7-10430

From: Ken Dowden

Sent: Tuesday, July 21, 2009 1:22 PM

To: Dorothy Pedersen

Subject: RE: Follow up on LeFore (T-10430)

Attachments: 10430-dpd-follow-up(2) (2).pdf; Recent ROLI's.pdf Well Dorothy, this transfer will not go away, at least not anytime soon.

If you'll refer to your letter (attached) you wrote last, what I just received from Mr. & Mrs. LeFore continues to bewilder me.....

I just received a manilla envelope with what appears to be two ROLI's. Attached are those two front pages of the two ROLI's which don't make sense at all to me. If you'll remember in my letter, I identified that the ROLI's needed for each property are to be generated for the time that the water conveyance agreements were recorded:

For the **Wyckoff property**, this report of ownership (similar to lot Book report) should be prepared for the period around **September or October of 2003**, which would be prior to the water conveyance and sale of that property. As further mentioned in our phone conversation, if upon receipt of the report of land ownership and lien information, the report identifies someone other than the applicant, (you mentioned your sister) she or those listed in this report must submit a written, notarized statement simply stating they consent and approve of this transfer.

For the Farley property, the report of ownership should be prepared for January of 2009. Since it appears that the Farley's still own the property, we will need a notarized statement from them as well consenting to the transfer. Again, a one-sentence, (notarized) statement signed by both is more than adequate.

What I just got is two preliminary title reports, both for Wyckoff property, one for the date August 2004, and the other July of 2005?????

What we still need is a ROLI for the Farley property, the signing off/authorization statement from the Farleys and, statement that they (the LeFores) agree with the conclusion and proposed actions of the draft Preliminary Determination.

The envelope had their new address in Turner, Oregon on it. So, unless you have any other ideas, I will write them the FOURTH DEFICIENCY LETTER. >> (((arghh))) <<

Because, if I call them, they'll get very frustrated, again. What gets me is how were they led to get these title reports for the time frames they did. We are still a long way from getting anything accomplished here.



Water Resources Department

North Mall Office Building 725 Summer Street NE, Suite A Salem, OR 97301-1266 503-986-0900 FAX 503-986-0904

JOHN A. and BARBARA R. LeFORE 83880 HIGHWAY 339 MILTON-FREEWATER, OR 97862

SUBJECT: Water Right Transfer Application T-10430

Dear Mr. and Mrs. LeFore,

In follow up to our phone conversations yesterday, it appears that you have already submitted most of the information needed to process transfer application T-10430. However, a few items remain in order to satisfy Oregon Administrative Rule requirements that assure the Department that all people with landowner interest in the water rights consent to the transfer. You may have 60 days to obtain and submit the following for the lands FROM WHICH the water rights are to be transferred:

- Report by a title company that includes: a) owners, b) lienholders and c) a legal description for the Farley property, run for the date when the Warranty Deed was re-recorded (January 30, 2009).
- Report by a title company that includes: a) owners, b) lienholders and c) a legal description for the Wyckoff property, run for the date when the Warranty Deed was recorded (November 26, 2003).
- 3. Affidavits of consent from any owners listed in the reports besides you, and from whom consent affidavits have not already been submitted. (An example consent form is enclosed).
- 4. Copies of notification letters to any lienholders listed for the Farley property.
- Short statement saying whether you agree with the conclusions and proposed action of the draft Preliminary Determination (dPD) or wish to comment (signed by both of you).

Please submit the above items to the Pendleton office by August 20, 2009. You may contact Ken Dowden at (541) 278-5456 or call me at (503) 986-0890 if you have questions or need more time. Issuance of the Preliminary Determination will occur shortly after we receive both your written response and the report of ownership and lien information.

Sincerely,

Dorothy J. Pedersen
Field Services Division

cc: Tony Justus, District 5 Watermaster Jim Chambers, Assistant Watermaster Ken Dowden, Transfer Processor

enc

2009 5470026

2003 4530071

RE RECORDED WARRANTY DEED



REC'D FEB 1 1 2009

JOHN A. LEFORE and BARBARA R. LEFORE, as tenants by the entirety, Grantor(s) hereby grant, bargain, sell, warrant and convey to: MARLENE J. FARLEY and RONALD D. FARLEY, wife and husband, Grantee(s) and grantee's heirs, successors and assigns the following described real property, free of encumbrances except as specifically set forth herein in

the County of UMATILLA and State of Oregon, to wit: SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE SERIAL#114958 6N 35 35 D 1920 7-1

Grantor is lawfully seized in fee simple on the above granted premises, SUBJECT TO: all those items of record if any, as of the date of this deed and those shown below, if any: See attached Grantor's reservation for easement for the installation and maintenance of an irrigation pipeline over, ACROSS and under the Northerly and Easterly 10 feet thereof.

and the grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY RECEIVED APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930. JAN 30 2009

The true and actual consideration for this conveyance is \$ 149,900.00. UMATILLA COUNTY RECORDS

Until a change is requested, all tax statements shall be sent to Grantee at the 328 POWELL ROAD, MILTON-FREEWATER, OR 97862 following address:

day of November 2003

This deed is being rerecorded to change a water right retainage from the deed originally

recorded 11-26-03 in Instrument No. 2003-4530071, Umatilla County, Or.

JOHN A. LEFORE BARBARA R. LEFORE

THE STATE OF THE S OFFICIAL SEAL LONA MASON NOTARY PUBLIC - OREGON COMMISSION NO. 338911 MY COMMISSION EXPIRES OCT. 10, 2004

State of Oregon County of UMATILLA

This instrument was acknowledged before me on A. LEFORE and BARBARA R. LEFORE.

11/25 2003 by JOHN

RECEIVED

MOUR (Notary Public for Oregon)

MOY 2 6 2003

My commission expires

MATILLA COUNTY

ESCROW NO. MF0050441

Return to:

State of Oregon

State of Oregon

Christine M. Wallace

County of Umatilla

2009-5470026 2 of 2

LEGAL DESCRIPTION

Beginning at a point 805 feet North and 160 feet East of the Southwest corner of the Southeast Quarter of Section 35, Township 6 North, Range 35, said point being on the East line of that tract conveyed to Michael E. O'Harrow, et ux, by Deed recorded in Book 297, Page 106, Deed Records, and THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION; thence South along the East line of said O'Harrow Tract and the East line extended Southerly 106 feet; thence East, Parallel to the South line of Section 35, a distance of 203 feet, more or less, to a point on the Westerly line of that tract conveyed to William A. Morris, et ux, by Deed recorded in Book 265, Page 580, Deed Records: thence North along the West line of said Morris Tract 106 feet; thence West 203 feet, more or less, to the point of beginning;

EXCEPTING THEREFROM the East 40 feet thereof;

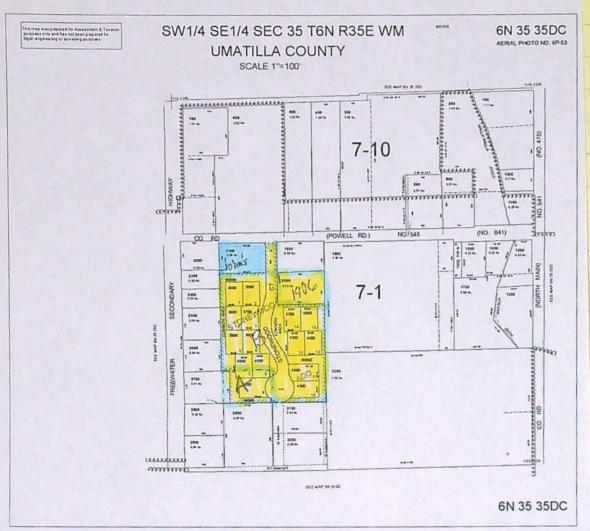
21 -

RESERVING unto the grantor's, their heirs and assigns, an easement for the installation and maintenance of an irrigation pipeline over, across and under the northerly and easterly 10 feet thereof;

Subject to any and all water rights of way and roads;

All being East of the Willamette Meridian, Umatilla County, Oregon.

Also reserving and retaining to Sellers water right on above said property. Buyers will have no claim of right or use to said property water right.



Parcel AB

Nov. 25 7003

Wycoffs agree when we no longer used for farming, it may be transferred to lefore property

Parcel C. John's hour 1920)

ROLI 1 - 8/24/04 - Parcel C ROLI 2 - 7/29/05 - Parcels A, B+ 40'eximent on Eurol 1920 (Le Fore)

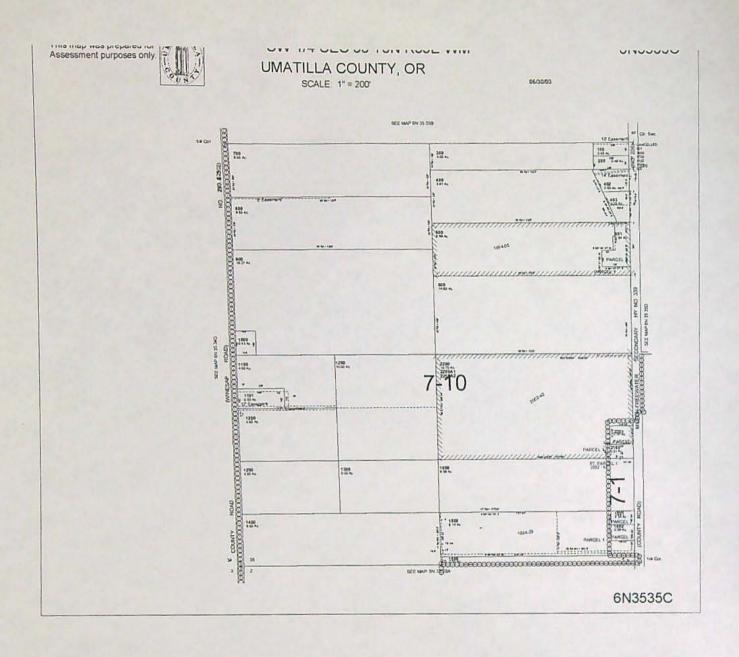
WycKoff - Nov. 26,2003 - need ROI for them

WycKoff - Nov. 26,2003 - need ROI for them

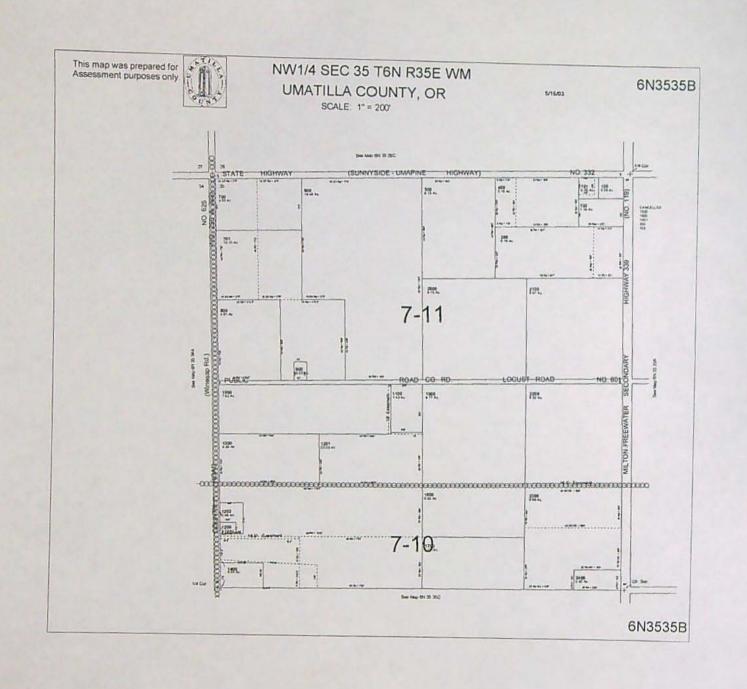
Faviey - 2009 recorded WR reserved to Lefores - Need current ROI or Jan.09

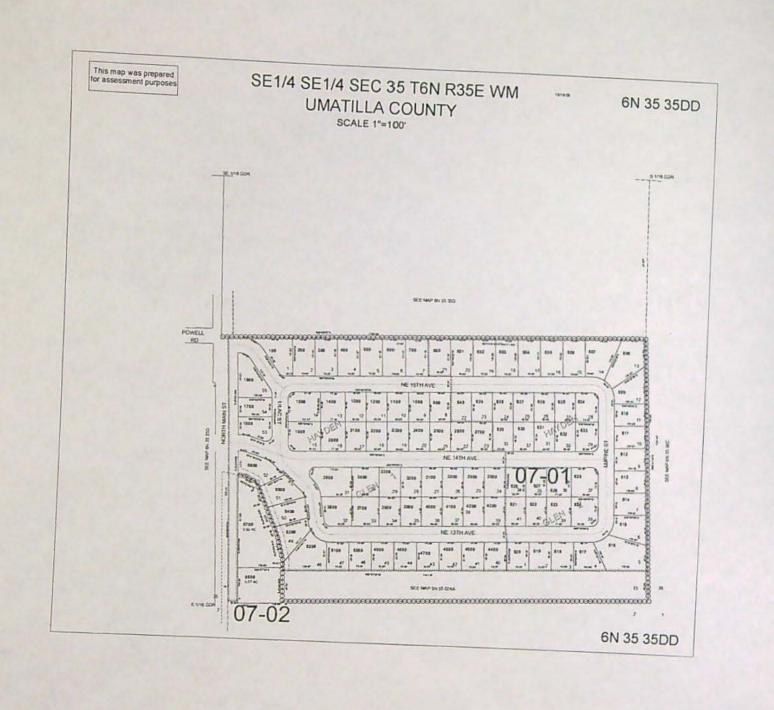
Faviey - 2009 recorded WR reserved to Lefores - Need current evidenced by signing Warrands

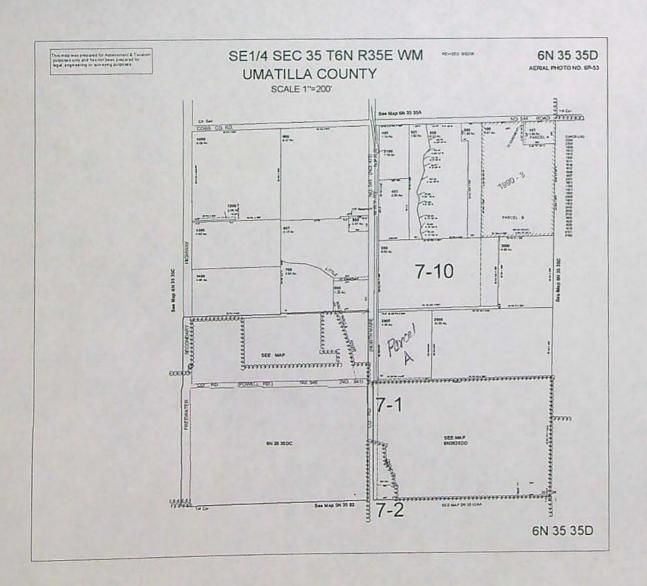
Farley consent evidenced by signing Deed



This map was prepared for Assessment purposes only. NE1/4 SEC 35 T 6N R 35 E WM UMATILLA COUNTY, OR 6N 35 35A SCALE: 1" =200" AERIAL PHOTO NO NZ-6P-63 1300 | 200 | 1100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 | 100 2500 539 Ac 120 17'4 7-11 NO. 542 (NO. 401) 42100 3-10 mg 2900 Manual Printers 6N 35 35A









Request for Assignment

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

	hn LE								
(Name	of Applica	ant / Permit /	Transfer Hol	der)					
83880 HI	W4.35	9 Milton	JREEUR	tu OR	978	362	503-869	-4503	
(Mailing ad	dfgss)		(City)	(State)	(Zip)		(Phone #)		
💢hereby	assign <u>all</u>	<i>my interest</i> ir	and to applie	cation/per	mit/tran	sfer;	*		
		my interest in le a map show					ansfer; to be assigned	')	
☐hereby a	assign <u>a p</u>	ortion of my in	nterest in and	to the en	tire appl	ication/pe	mit/transfer;		
Application #		,1	Permil -	-OR-	'ٺ	Transfer#	T-104	130	
GR Statement	#	,,	GR Certificat	e of Regi	stration	#			
as filed in the	office of t	he Water Res	ources Direct	or, to:					
(Name of New 500 East (Mailing addr	he. U	mtnas	Graun	110					
(Name of New	v Owner)	may c	croup,	ر المال	1		*		
500 East	Beard	un Suite	Vancou	USD OR	10. g	8660	360-56	7-0626	0
(Mailing addr	ress)	7	(City)	(Sta	te) (2	Cip)	(Phone #)	, 0004	5
NOTE:	If there a	are other own	ers of the prop Water Regist	perty descration, yo	ribed in u must p	this Appli rovide a li	cation, Permit, ist of all other	Transfer or	19H
I hereby certificate or Certificate of					operty o	lescribed i	n this Applicat	ion, Permit	A S
Witness my ha	and this	14+h day	of	Jol	_ 20_C	19 L.K			
		Applicant/Per		0	×111127				

DO NOT WRITE IN THIS BOX

This certifies assignment and record change at Oregon Water Resources Department effective 8:00 a.m. on date of receipt at Salem, Oregon. Fee receipt # 96.822

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 a recording fee of \$50.

RECEIVED

JUN 1 8 2009 WR

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2003 4530073

MOV 2 6 2003

2003-4530073 1 of 6

AGREEMENT FOR EXCHANGE OF PROPERTY AND WATER RIGHTS

This Agreement is entered into this 25th day of November, 2003, between JOHN A. LeFORE and BARBARA R. LeFORE, hereinafter referred to as Seller," and JOAN C. WYCKOFF and GARY C. WYCKOFF, hereinafter referred to as Buyer," for the exchange of real property and water rights described herein.

As consideration for this Agreement, the parties agree that Seller shall transfer to Buyer a 40x100 foot parcel of property that Seller owns as marked and described on Exhibit A in exchange for Buyer granting to Seller an easement across Seller's property as marked and described in Exhibit B to Seller's property described in Exhibit C.

The Easement granted to Seller herein grants to Seller the right to use an existing pipeline on Buyer's property as marked and described on Exhibit A and also includes transferring to Seller all the Buyer's easements of record related to water access to Buyer's property described in Exhibit B. Buyer retains the right to use the water on the property described in Exhibit B for as long as the Seller remains in farm production on Buyer's Property, but at the time the Seller ceases to remain in farm production on Buyer's Property then any water rights to Buyer's property shall transfer to Seller's property described in Exhibit C.

As part of this Agreement, Seller agrees to prepare a Warranty Deed, subject to Seller's retention of an easement, transferring the 40x100 foot portion of



1 -AGREEMENT FOR EXCHANGE OF PROPERTY AND WATER RIGHTS RECEIVED

JUL 1 5 2009





the property to Buyer as described on attached Exhibit A in exchange for Buyer agreeing to sign an easement granting Seller the easement and water rights described herein.

The parties agree that the transaction described herein shall be closed no later than December 1, 2003.

This Agreement is binding on the successors and assigns of the parties.

In the event suit or action is instituted to enforce any of the terms of this contract, the prevailing party shall be entitled to recover from the other party such sums as the Court may determine reasonable as attorney's fees at trial or on appeal of the suit or action, in addition to all other sums provided by law.

IT IS SO AGREED:

CCII	ED	c.

John A LaCons

Barbara R. LeFore

BUYERS:

Joan C. Wyckoff

Joan C. Wyckoff

Joan C. Wyckoff

Gary C. Wyckoff

ACKNOWLEDGMENT

State of Oregon

On this 25 day of Mere, 2005

personally appeared before me,

who is personally known to me,

whose identity I verified on the basis of

whose identity I verified on the outh/affirmation of ____

a credible witness.

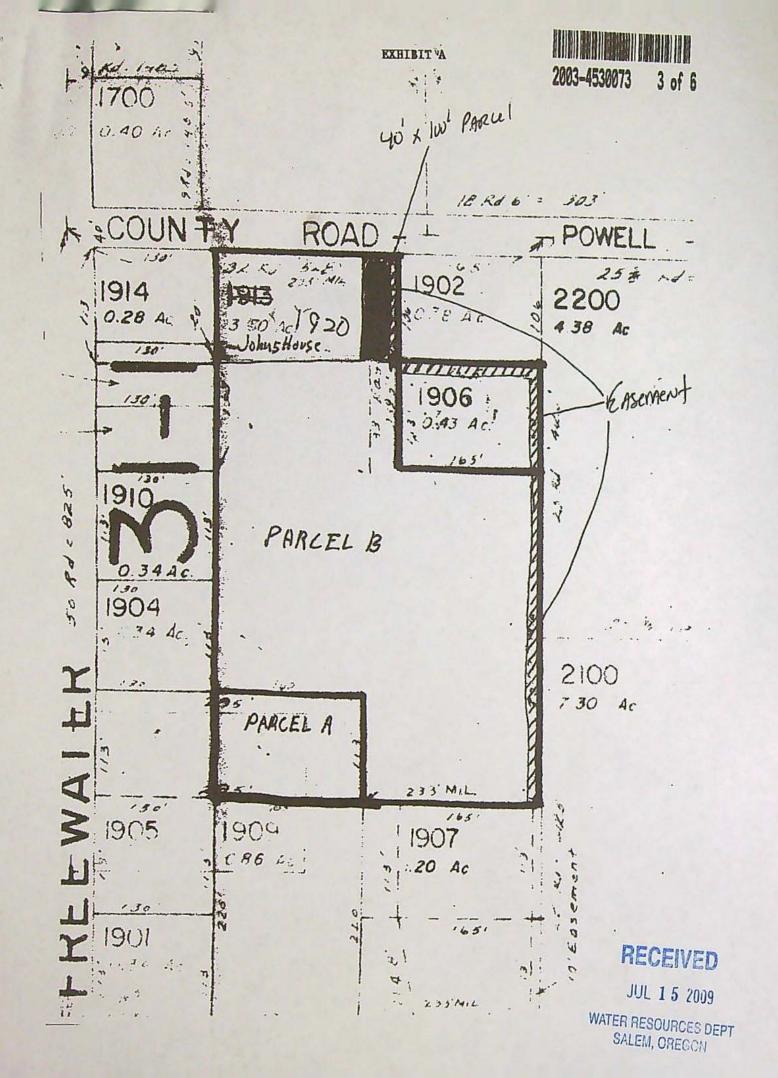
be the signer of the foregoing document, and believe acknowledge that beishe signed it.

My Commission Expires: XQ. - 27, 04 Notary Public



2 -AGREEMENT FOR EXCHANGE OF PROPERTY AND WATER RIGHTS

JUL 1 5 2009



2003-4530073 4 of 6

PARCEL A:

Beginning at a point on East right of way line of Oregon State Highway, said point being 35 feet East and 242.5 feet North of Southwest corner of Southwest Quarter of Southeast Quarter of Section 35, Township 6 North, Range 35, said point also being Northwest corner of that tract of land conveyed to Robert H. Tinker, et ux, by Deed recorded in Book 280, Page 692, Deed Records: thence East along North line of said Tinker Tract a distance of 130 feet to Northeast corner thereof, said point also being Northwest corner of that tract of land conveyed to Lawrence A. Preso, Jr., by Deed recorded in Book 253, Page 235, Deed Records; thence continuing East along North line of Preso Tract a distance of 23.5 feet to the true point of beginning for this description; thence continuing East along North line of said Preso Tract a distance of 141.5 feet; thence North and parallel to East right of way line of said Oregon State Highway a distance of 113 feet; thence West a distance of 141.5 feet; thence South a distance of 113 feet to the point of beginning;

SUBJECT to any and all water rights of way and roads;

All being East of the Willamette Meridian, Umatilla County, Oregon.

Beginning at a point in the East line of the Freewater Secondary Highway, which point is 50 rods North of the South line of Section 35, Township 6 North, Range 35, E. W. M.; said point being the Northwest corner of that tract of land conveyed to Romie W. Kemp, etux, by Deed Recorded in Book 261, Page 382, Deed Records; thence East along the North line of the said Kemp Tract, a distance of 130 feet to the true point of beginning of this description; thence South along the line which is parallel to and distant 130 feet Easterly from said Easterly line of Freewater Secondary Highway, a distance of 486 feet, more or less, to a point in the North line of that tract of land conveyed to Robert H. Tinker, et ux, by Deed recorded in Book 281, Page 360, Deed Records; thence Easterly along the North line of said Tinker Tract, a distance of 165 feet, to the Northeast corner thereof; thence Southerly along the East line of said Tinker Tract, a distance of 113 feet, to the Northwest corner of that tract of land conveyed to Ray Kennedy, by Deed recorded in Book 291, Page 211, Deed Records; thence Easterly along the Northerly line of said Kennedy Tract, a distance of 233 feet, to a point in the East line of said Kemp tract, thence Northerly along the East line of said Kemp tract, a distance of 359.5 feet, more or less, to the Southeast corner of that tract of land conveyed to Cecil L. Chastain, et ux, by Deed recorded in Book 274, Page 497, Deed Records; thence Westerly along the South line of said Chastain tract, a distance of 165 feet to the Southwest corner thereof; thence Northerly along the West line of said Chastain tract and along the said line extended Northerly, a distance of 239.5 feet, more or less, to a point in the North line of said Kemp tract; thence Westerly 233 feet, more or less, to the point of beginning;

Eugenel Rush Frest

ALSO, an Easement over and across the following described tract of land, to-wit:

Beginning at a point 32 rods East and one rod North of the Southwest corner of the Southeast Quarter of said Section 35; thence North 226 feet; thence West 10 feet; thence South 226 feet; thence East 10 feet to the point of beginning;

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JUL 1 5 2009

EXHIBIT B contd.

2003-4530073 5 of 6

EXCEPTING the following tract:

Johns House?

Beginning at a point 805 feet North and 160 feet East of the South Quarter corner of Sec. 35, T 6 North, Range 35, EWM; thence East along the South right of way line of Powell Road a distance of 203 feet; thence South a distance of 106 feet; thence West 203 feet; thence North 106 feet to the point of beginning; All being EWM in the County of Umatilla and State of Oregon.

PARCEL 1906:

Commencing at a point 32 rods East and 50 rods North of the Southwest corner of the Southeast Quarter of Section 35, Township 6 North, Range 35, E.W.M., in the County of Umatilla, State of Oregon, said point being the Northeast corner of land described in Deed to ROMIE W. KEMP, et ux, recorded in Book 261, Page 382 of the Deed Records of Umatilla County, Oregon; thence South and parallel to the West line of said Section 126.5 feet to a point, said point being the Southeast corner of the tract of land conveyed by Warranty Deed from ROMIE W. KEMP, et ux, to Wm. A. Morris, et ux, recorded in Book _____, Page _____, of the Deed Records of Umatilla County, Oregon, and the point of beginning of this description; thence West along the South line of said Morris tract 165 feet; thence South and parallel to the West line of said Section 35, 113 feet; thence East and parallel to the South line of said Section 165 feet; thence North and parallel to the West line of said Section 113 feet to the point of beginning.

EXCEPTING THEREFROM any and all water rights of way, ditches and roads.

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JUL 1 5 2009

6 of 6 2003-4530073

EXHIBIT C

Parcel 1 of Partition Plat Map 2002-42 located at N01°06'23"E along the west line of the southwest quarter of Section 35, Township 6 North, Range 35, East of the Willamette Meridian, Umatilla County, Oregon. As shown on Partition Plat No. 1994-08.

State of Oregon

County of Umatilla

This instrument was received and recorded on

11-26-03 at 3:28

in the record of instrument code type DE-AG

Instrument Number 2003-4530073

Office of County Records

Records Officer

RECEIVED

JUL 1 5 2009



PRELIMINARY TITLE REPORT

Gary Wyckoff Attn: Gary Wyckoff 1314 College St. Milton Freewater, OR 97862

September 23, 2004

Report #1

Title Number : MF0052974

Title Officer : Judy L. Spriggle

Policy or Policies to be issued: STANDARD OWNER'S POLICY Proposed Insured: DONALD D. GARLITZ

nsured: DONALD D. GARLITZ LINDA K. GARLITZ Liability Premium \$20,000.00 \$200.00

We are prepared to issue 1992 ALTA title insurance policy(ies) of CHICAGO TITLE INSURANCE COMPANY of OREGON, in the usual form insuring the title to the land described as follows:

SEE ATTACHED LEGAL DESCRIPTION

Vestee:

GARY C. WYCKOFF AND JOAN C. WYCKOFF, as tenants by the entirety.

Dated as of August 24, 2004 at 8:00 A.M.

Schedule B of the policy(ies) to be issued will contain the following general and special exceptions unless removed prior to issuance:

GENERAL EXCEPTIONS:

- Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or
 assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or
 assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
- Easements, liens, encumbrances, interests or claims thereof which are not shown by the public records. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
- Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
- 4. (a) Unpatented mining claims; (b) Reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) Water rights, claims or title to water whether or not the matters excepted under (a), (b), or (c) are shown by the public records.
- Any lien or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law not shown by the public records.

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JUL 1 5 2009

SPECIAL EXCEPTIONS:

- 6. 2004-2005 Taxes, which are lien but not yet payable.
- 7. The assessment roll and the tax roll disclose that the within described premises were specially assessed as Farm Use Land. If the land becomes disqualified for the special assessment under the statute, an additional tax, interest and penalties thereon may be levied for the years in which the land was subject to the special land use assessment.
- City Liens of the City of Milton-Freewater, if any. We have sent a letter of inquire as to the status of same, and will advise upon receiving a reply.
- These premises are within the boundaries of the Milton-Freewater Water Control
 District, and are subject to the levies, assessments and easements thereof, if any.
- 10. These premises are within the boundaries of the Walla Walla River Irrigation District District, and are subject to the levies, assessments and easements thereof, if any.
- 11. Agricultural Lease, including the terms and provisions thereof, from Alex Lefore to John and Barbara LeFore, Recorded October 15, 2001 in Reel 398, Page 783, Umatilla County Microfilm Records.
- 12. Agreement for exchange of property and water rights, including the terms and provisions thereof, Recorded November 26, 2003, in Reel 453, Page 73, Umatilla County Microfilm Records.
- 13. We are unable to ascertain from the records if the premises herein described has a means of ingress and egress to and from a legally dedicated road or highway, and for this reason, such rights cannot be insured.

NOTE: We found no judgments from our search on DONALD D. GARLITZ AND LINDA K. GARLITZ.

NOTE: Taxes for the year 2003-2004: \$3.74, paid in full.

Account No. 6N 35 35 D 1906 7-1

Serial No. 114946

NOTE: The property address as shown on the Assessor's Roll is:

284 Powell Road Milton-Freewater, Oregon 97862

This report is preliminary to the issuance of a policy of title insurance and shall become null and void unless a policy is issued and the full premium paid.

AmeriTitle

cc: AMERITITLE ESCROW MILTON-FREEWATER Attn: Lona/Jessica 287 N Columbia, Suite 300

287 N Columbia, Suite 300 Milton-Freewater, OR 97862

ph: (541) 938-3005 fx: (541) 938-4171

"Superior Service with Commitment and Respect for Costoners and Employees"

JUL 1 5 2009

Order No. 0052974 Page 3

LEGAL DESCRIPTION FILE NO.: MF0052985

PARCEL 1906:

Commencing at a point 32 rods East and 50 rods North of the Southwest Corner of the Southeast Quarter of Section 35, Township 6 North, Range 35, East of the Willamette Meridian, in the County of Umatilla, State of Oregon, said point being the Northeast corner of land described in Deed to Romie W. Kemp, et ux, Recorded in Book 261, Page 382 of the Deed Records of Umatilla County, Oregon; thence South and parallel to the West line of said Section 126.5 feet to a point, said point being the Southeast Corner of the tract of land conveyed by Warranty Deed from Romie W. Kemp, et ux, to Wm. A. Morris, et ux, Recorded in Book 266, Page 580 of the Deed Records of Umatilla County, Oregon, and the point of beginning of this description; thence West along the South line of said Morris tract 165 feet; thence South and parallel to the West line of said Section 165 feet; thence North and parallel to the West line of said Section 113 feet to the point of beginning.

EXCEPTING THEREFROM any and all water rights of way, ditched and roads.

RECEIVED

JUL 1 5 2009



AMENDED REPORT

Gary Wyckoff Attn: Gary Wyckoff 1314 College St. Milton Freewater, OR 97862

August 3, 2005 Report #2

Title Number : MF0054643 Title Officer : Ginger Pedroza

Policy or Policies to be issued:

STANDARD OWNER'S POLICY

Proposed Insured: Sidney C. Litchfield

H. Charles McKelvey Richard D. Emery Liability Premium \$85,750.00 \$408.00

We are prepared to issue 1992 ALTA title insurance policy(ies) of CHICAGO TITLE INSURANCE COMPANY of OREGON, in the usual form insuring the title to the land described as follows:

SEE ATTACHED LEGAL DESCRIPTION

Vestee:

GARY C. WYCKOFF and JOAN C. WYCKOFF, as tenants by the entirety

Dated as of July 29, 2005 at 8:00 A.M.

Schedule B of the policy(ies) to be issued will contain the following general and special exceptions unless removed prior to issuance:

GENERAL EXCEPTIONS:

- Taxes or assessments which are not shown as existing liens by the records of any taxing authority that levies taxes or
 assessments on real property or by the public records. Proceedings by a public agency which may result in taxes or
 assessments, or notices of such proceedings, whether or not shown by the records of such agency or by the public records.
- Easements, liens, encumbrances, interests or claims thereof which are not shown by the public records. Any facts, rights, interests or claims which are not shown by the public records but which could be ascertained by an inspection of the land or by making inquiry of persons in possession thereof.
- Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose, and which are not shown by the public records.
- 4. (a) Unpatented mining claims; (b) Reservations or exceptions in patents or in Acts authorizing the issuance thereof; (c) Water rights, claims or title to water whether or not the matters excepted under (a), (b), or (c) are shown by the public records.
- Any lien or right to a lien, for services, labor or material heretofore or hereafter furnished, imposed by law not shown by the public records.

 RECEIVED



JUL 1 5 2009

SPECIAL EXCEPTIONS:

- 6. The assessment roll and the tax roll disclose that the within described premises were specially assessed as Farm Use Land. If the land becomes disqualified for the special assessment under the statute, an additional tax, interest and penalties thereon may be levied for the years in which the land was subject to the special land use assessment.
- City Liens of the City of Milton-Freewater, if any. We have sent a letter of inquiry as to the status of same, and will advise upon receiving a reply.
- 8. These premises are within the boundaries of the Milton-Freewater Water Control District, and are subject to the levies, assessments and easements thereof, if any.
- These premises are within the boundaries of the Walla Walla river Irrigation District, and are subject to the levies, assessments and easements thereof, if any.
- 10. Agreement for Exchange of Property and Water Rights, including the terms and provisions thereof, recorded November 26, 2003, in Reel 453, Page 73, Instrument No. 2003-4530073, Umatilla County Microfilm Records
- 11. Easement for installation and maintenance of an irrigation pipeline, including the terms and provisions thereof, recorded September 20, 2004, in Reel 469, Page 495, Instrument No. 2004-4690495, Umatilla County Microfilm Records
- 12. Lease, including the terms and provisions thereof, between Alex LeFore, Landlord, and John and Barbara LeFore, Tenant, dated December 8, 2000, recorded October 15, 2001, in Reel 398, Page 783, Instrument No. 2001-3980783, Umatilla County Microfilm Records. Said lease is for 21 years.

NOTE: We found no judgments from our search on SIDNEY LITCHFIELD, H. CHARLES MCKELVEY, AND RICHARD D. EMERY.

NOTE: Taxes for the year 2004-2005: \$3.21, Paid in full.

Account No. 6N 35 35 DO 01923 07-01

Serial No. 114961

Taxes for the year 2004-2005: \$35.51, Paid in full.

Account No. 6N 35 35 DO 01913 07-01

Serial No. 114952

Taxes for the year 2004-2005: \$180.06, Paid in full.

Account No. 6N 35 35 DO 01920 07-01

Serial No. 114958

NOTE: The property address as shown on the Assessor's Roll is:

(bare land) Powell Rd. Milton-Freewater, OR 97862

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JUL 1 5 2009

Order No. 0054643 Page 3

This report is preliminary to the issuance of a policy of title insurance and shall become null and void unless a policy is issued and the full premium paid.

AmeriTitle

By: Ginger Pedroza

cc: AmeriTitle

Milton-Freewater Escrow 287 N Columbia, Suite 300 Milton-Freewater, OR 97862

ph: (541) 938-3005 fx: (541) 938-4171

Report No. 2: Amended to add purchasers.

"Superior Service with Commitment and Respect for Customers and Employees"

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JUL 1 5 2009

Order No. 0054643 Page 4

LEGAL DESCRIPTION FILE NO.: MF0054643

PARCEL I:

Beginning at a point on East right of way line of Oregon State Highway, said point being 35 feet East and 242.5 feet North of Southwest corner of Southwest Quarter of Southeast Quarer of Section 35, Township 6 North, Range 35, said point also being Northwest corner of that tract of land conveyed to Robert H. Tinker, et ux, by Deed recorded in Book 280, Page 692, Deed Records; thence East along North line of said Tinker Tract a distance of 130 feet to Northeast corner thereof, said point also being Northwest corner of that tract of land conveyed to Lawrence A. Preso, Jr., by Deed recorded in Book 253, Page 235, Deed Records; thence continuing East along North line of Preso Tract a distance of 23.5 feet to the true point of beginning for this description; thence continuing East along North line of said Preso Tract a distance of 141.5 feet; thence North and parallel to East right of way line of said Oregon State Highway a distance of 113 feet; thence West a distance of 141.5 feet; thence South a distance of 113 feet to the point of beginning;

SUBJECT to any and all water rights of way and roads;

All being East of the Willamette Meridian, Umatilla County, Oregon.

PARCEL II:

Beginning at a point in the East line of the Freewater Secondary Highway, which point is 50 rods North of the South line of Section 35, Township 6 North Range 35, E.W.M.; said point being the Northwest corner of that tract of land conveyed to Romie W., Kemp, et ux, by Deed recorded in Book 261, Page 382, Deed Records; thence East along the North line of the said Kemp Tract, a distance of 130 feet to the true point of beginning of this description; thence South along the line which is parallel to and distance 130 feet Easterly from said Easterly line of Freewater Secondary Highway, a distance of 486 feet, more or less, to a point in the North line of that tract of land conveyed to Robert H. Tinker, et ux, by Deed recorded in Book 281, Page 360, Deed Records; thence Easterly along the North line of said Tinker Tract, a distance of 165 feet, to the Northeast corner thereof; thence Southerly along the East line of said Tinker Tract, a distance of 113 feet, to the Northwest corner of that tract of land conveyed to Ray Kennedy, by Deed recorded in Book 291, Page 211, Deed Records; thence Easterly along the Northerly line of said Kennedy Tract a distance of 233 feet, to a point in the East line of said Kemp tract, thence Northerly along the East line of said Kemp tract, a distance of 359.5 feet, more or less, to the Southeast corner of that tract of land conveyed to Cecil L. Chastain, et ux, by Deed recorded in Book 274, Page 497, Deed Records; thence Westerly along the South line of said Chastain tract, a distance of 165 feet to the Southwest corner thereof; thence Northerly along the West line of said Chastain Tract and along the said line extended Northerly, a distance of 239.5 feet, more or less, to a point in the North line of said Kemp tract; thence Westerly 233 feet, more or less to the point of beginning;

EXCEPTING the following tract:

Beginning at a point 805 feet North and 160 feet East of the South Quarter corner of Sec. 35, Township 6 North, Range 35, East of the Willamette Meridian, Umatilla County, Oregon; thence East along the South right of way line of Powell Road a distance of 203 feet; thence South a distance of 106 feet; thence West 203 feet; thence North 106 feet to the point of beginning; All being East of the Willamette Meridian in the County of Umatilla and State of Oregon.

JUL 1 5 2009

Order No. 0054643 Page 5

PARCEL III:

The East 40 feet of the following described tract;

Beginning at a point 805 feet North and 160 feet East of the Southwest corner of the Southeast Quarter of Section 35, Township 6 North, Range 35, said point being on the East line of that tract conveyed to Michael E. O'Harrow, et ux, by Deed recorded in Book 297, Page 106, Deed Records, and THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION; thence South along the East line of said O'Harrow Tract and the East line extended Southerly 106 feet; thence East, Parallel to the South line of Section 35, a distance of 203 feet, more or less, to a point on the Westerly line of that tract conveyed to William A. Morris, et ux, by Deed recorded in Book 265, Page 580, Deed Records; thence North along the West line of said Morris Tract 106 feet; thence West 203 feet, more or less, to the point of beginning.

All being East of the Willamette Meridian, Umatilla County, Oregon.

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JUL 1 5 2009

Seller: Fary C. Wyckoff and Joan C. Wyckoff

Buyer: Sid and Marie A. Litchfield

The real property described as:

Account No. 6 N 35 35 DD 01923 D7-01 Serial No. 14961

Account No. 6 N 35 35 DD 01913 D7-01 Serial No. 114952

Account No. 6 N 35 35 DD 01920 07-01 Serial No. 114958

The buyer agrees to the following terms and conditions:

- 1. The water rights to said property do not transfer to buyer at time of sale and are no longer valid.
- 2. Seller retains the right to harvest the 2005 apple crop.
- 3. Seller will no longer be responsible for property taxes or any special assessments of additional taxes after sale of property.
- 4. Price to be \$85,750.
- 5. Seller will leave wind machine on property.

RECEIVED

JUL 1 5 2009

Signature page for earnest Money agreement & Real Estate Agreement Dated 5/29/05 + 8/4/05

Colate Agreement	+ 8/4/o
Biller: Such Collisson Col	8/4105
by: Ally Chilf Sidney C. Litenfield his attorney in fact	814105
Richard D. Emery O	8/4/05
bu: Sulher C. Relitation Sidney of . Litenfield nis attorney in fact	814/25

Seller.

Dary C. Wychiff

8/4/05

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Clill SALEM, OREGON

2003 4530071

3] E

WARRANTY DEED

JOHN A. LEFORE and BARBARA R. LEFORE, as tenants by the entirety, Grantor(s) hereby grant, bargain, sell, warrant and convey to: MARLENE J. FARLEY and RONALD D. FARLEY, wife and husband, Grantee(s) and grantee's heirs, successors and assigns the following described real property. free of encumbrances except as specifically set forth herein in the County of UMATILLA and State of Oregon, to wit: SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE SERIAL#114958 6N 35 35 D 1920 7-1

Grantor is lawfully seized in fee simple on the above granted premises, SUBJECT TO: all those items of record if any, as of the date of this deed and those shown below, if any: See attached Grantor's reservation for easement for the installation and maintenance of an irrigation pipeline over, ACLOSS and under the Northerly and Easterly 10 feet thereof.

and the grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY RECEIVED APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930. JAN 30 2009

The true and actual consideration for this conveyance is \$ 149,900.00. UMATILLA COUNTY RECORDS

Until a change is requested, all tax statements shall be sent to Grantee at the 328 POWELL ROAD, MILTON-FREEWATER, OR 97862 following address:

This deed is being rerecorded day of November 2003 to change a water right

retainage from the deed originally recorded 11-26-03 in Instrument No. 2003-4530071, Umatilla County, Or.

JOHN A. LEFORE Daibara BARBARA R. LEFORE

COMMISSION NO. 338911
MY CEMBRID SPICES DE 18. 2004

State of Oregon County of UMATILLA

This instrument was acknowledged before me on A. LEFORE and BARBARA R. LEFORE.

11/25 , 2003 by JOHN

RECEIVED

neson (Notary Public for Oregon)

WOY 26 2003

PECORDS

10/10/04 My commission expires_

ESCROW NO. MF0050441

Return to:

Christine M. Wallace Attorney at Law 801 South Main St. Milton-Freewater, OR 97862

State of Oregon County of Umatilia

This instrument was received and recorded on

01-30-09 at 1:50

in the record of instrument code type DE-CORR

State of Oregon County of Umatilla

and recorded on

11-26-03 at 3:25

In the record of Instrument code type DE-UD

Instrument Number 2008-5476025 Fee 31.00

Office of County Records

Instrument Number 2003-4530071 Fee 31.00

Office of County Records

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JUL 1 5 2009

2009-5470026 2 of 2

LEGAL DESCRIPTION

Beginning at a point 805 feet North and 160 feet East of the Southwest corner of the Southeast Quarter of Section 35, Township 6 North, Range 35, said point being on the East line of that tract conveyed to Michael E. O'Harrow, et ux, by Deed recorded in Book 297, Page 106, Deed Records, and THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION; thence South along the East line of said O'Harrow Tract and the East line extended Southerly 106 feet; thence East, Parallel to the South line of Section 35, a distance of 203 feet, more or less, to a point on the Westerly line of that tract conveyed to William A. Morris, et ux, by Deed recorded in Book 265, Page 580, Deed Records: thence North along the West line of said Morris Tract 106 feet; thence West 203 feet, more or less, to the point of beginning:

EXCEPTING THEREFROM the East 40 feet thereof;

t

RESERVING unto the granter's, their heirs and assigns, an easement for the installation and maintenance of an irrigation pipeline over, across and under the northerly and easterly 10 feet thereof;

Subject to any and all water rights of way and roads;

All being East of the Willamette Meridian, Umanilla County, Oregon.

Also reserving and retaining to Sellers water right on above said property. Buyers will have no claim of right or use to said property water right.

JUL 1 5 2009

WATER RESOURCES DEPT
SALEM, OREGON

PONCHASEA'S OFFER:	ALD D and WARTENE J FABLEY
and the following personal property (personal property in as is condition):	Powell Rd., Milton-Freewater, Oregon Lass the East 40 ft. thereor
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(c) on delivery of (Edeed I) contract, the sum of (bel	ance of down payment)
(d) the balaries of the parcinae price	
in full at closing Buyers to	obtain Bank financing. Seller to pro-
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East side of property for irrig	ty of Milton-Freewater sever irrigation of Seller to have 10' exsement on attention
CHECK IF APPLICABLES SHE ADDENDUM A FOR ADDITIONAL PRO	OVISIONS
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person a Hepresentations. Seller represents tract (a) except as stated in written real property including the healing, cooling, electrical and plumbing evel	[CHECK IF APPLICABLE] The transaction will be closed by the expension, Seller may pay, out of the purchase monoy, oncentrances to be descharged by its budg. Purchase may not easily Purchase in rights under this agreement without the will may in vite agreement or in Sellers Properly Disclosure, it way, it does knows of no metals me and systematically in the residence is connected to the public sentiary severe system of properly including the in authoritidely its prusent or properly including those systems and exclusionable in a subclosurable its prusent or as it, with all defects apparent and not apparent. NOTE: Baller may be required to give
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DY ONE OF THE PROPERTY OF THE	spartly and all elements and systems thereof (including any private water well serving the pactor reports the presence of a melantal delocates conclines of a least-based mater.
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does not give written notice of disapproval of an inspection report who countlisies exceptance of the condition of the property.	ming a metacle! detective condition or a land-based point herard, within the time
O PUNCHABER'S INSPECTIONS Purchaser has personally inspendence an inoposition performed by environe ship.	rcied the property and all elements and systems thereof. Furtheaer is fully estimited an overing constructed before 1970; See attached "Sezera Disclosure of Information on Les
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Time Research Design (Tree). Time is of the essence. This contract is bind	ing upon the excessore and permitted executes of Punchases and Select.
Punchesser may revoke this offer any time prior to Seller's ecceptance. If not a offer to exponetionity revoked. Purchaser has an executed copy of this o	complete by 5 orders P. M. (delet 09-05-03 user, which Purchaser has read and understands. The deed or contract is to be pre-
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Phone(s): (A) &	•
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Page	Day

JUL 1 5 2009 WHST:60 EDDR 28 '435

PHONE NO. : SAL 938 7502

FROM : MILTON SAU SHOP



December 17, 2008

Ken Dowden Oregon Water Resources Department 116 SE Dorian Avenue Pendleton, OR 97801

Re: Transfer Application T-10430

Dear Ken -

I am writing this letter on behalf of John A. LeFore to respond to the issues you raised in your letter to Mr. LeFore dated November 10, 2008.

Item 1. Clarification of Existing Water Rights

In your letter to Mr. LeFore, you identified four water rights appurtenant to the proposed place of use that potentially conflict with the proposed transfer of water right Certificate 13240 to this proposed place of use. You asked Mr. LeFore to clarify the status of each of these existing water rights – and you requested that Mr. LeFore submit cancellation affidavits for any portions of these water rights that have been abandoned due to non-use. The four water rights in question are:

- 1. Certificate 84014 (subject to correction/reissue in near future)
- 2. Groundwater Registration Claim GR-4168 (Cert GR-3733)
- 3. Certificate 65390
- 4. Permit G-13075

The following table summarizes the status of these four water rights:

WATER RIGHT	STATUS	ACTION	
Certificate 84014	ACTIVE water right to remain supplemental to existing and replacement primary water rights	None required	
GR-4168 (Cert GR-3733)	INACTIVE abandoned due to collapse of hand- dug groundwater well	Affidavit attached to cancel ENTIRE right	
Certificate 65390	INACTIVE due to reduction in supply of waste water from improved irrigation efficiency	Affidavit attached to cancel ENTIRE right	
Permit G-13075	ACTIVE water right to remain supplemental to existing and replacement primary water rights. Final proof survey and/or claim of beneficial use has been completed and is awaiting review and issuance of final certificate by OWRD.	None required	



Item 2. Documentation of Water Right Ownership

In your letter to Mr. LeFore, you also requested documentation supporting Mr. LeFore's ownership of the water rights appurtenant to lands no longer owned by Mr. LeFore (Tax Lots 1906, 1913, 1920, 1923 and 1925 on the pending Transfer Application Map).

Two documents are attached to support Mr. LeFore's ownership of the water rights appurtenant to these lands:

- Agreement for Exchange of Property and Water Rights. This document describes the sale of Tax Lots 1906, 1913, and 1923 (referred to as Parcel A, Parcel B and Parcel 1906) from John A. and Barbara R. LeFore (Seller) to Joan C. and Gary C. Wyckoff (Buyer), including the terms under which the Seller retained ownership and control of the water rights appurtenant to these lands.
- 2. Owner's Sale Agreement and Earnest Money Receipt. This document describes the sale of Tax Lots 1920 and 1925 (referred to as 328 Powell Road – less the East 40 feet thereof) from John and Barbara LeFore (Seller) to Ronald D. and Marlene J. Farley (Buyer), including the provision for the water rights to be retained by the Seller.

We believe this information completely responds to your requests for additional information in this regard. Please let us know if you need any other information to complete your review of this proposed water right transfer.

Sincerely,

John Warinner, PE, CWRE Certified Water Right Examiner

Enclosures

Cc: John A. LeFore

AFFIDAVIT FOR THE ABANDONMENT OF AN ENTIRE GROUND WATER CERTIFICATE OF REGISTRATION

	State of Oregon)
	County of Umatilla) ss
	I/We (or authorized agent), John A. LeFore
	residing at 83880 Highway 339, Milton-Freewater, OR 97862
	telephone number (541) 938-4744, being first duly sworn depose and say:
	1. I/We are the legal and deeded owner(s) of the property described as tax lot number 2200, within the SE 1/4 SW 1/4, Section 35, Township 6 N/8, Range 35 E/W, of the Willamette Meridian, in Umatilla County, Oregon, as shown on the attached map and described in the attached deed and legal description and made part of this affidavit;
	2. Ground Water Certificate of Registration number <u>GR-4168</u> in the name of <u>Alex LeFore</u> , with a tentative date of priority of <u>1908</u> for use of <u>450 gpm/efs/AF</u> for the purpose of <u>irrigation</u> (use) is appurtenant to my/our property;
	3. The appurtenant ground water registration <u>is/is-not</u> located within the boundaries of an irrigation, drainage, water improvement, or water control district, or federal reclamation project (if the registration is located within a district or reclamation project, name it here: Walla Walla River Irrigation District); and
	 I/We have abandoned any and all claim to appropriate and use ground water under this certificate of registration for the purpose of the final determination of the right to appropriate ground water under ORS 537.670 to 537.695
0	Signature of legal owner as listed on deed, or authorized agent 2-22-08 Date
	Babau Horl Signature of legal co-owner as listed on deed (If applicable) Date 12/22/08 Date
OFFICIAL SEAL LONA MASON NOTARY PUBLIC-OREGON COMMISSION NO. 432204 MY COMMISSION EXPIRES OCTOBER 10, 2012	Subscribed and Sworn to Before Me this 22 day of <u>December</u> , 200 Vohn A. Le Fore & Substant
EAL 3ON OREGON 0. 432204 TOBER 10, 2012	Notary Public for Oregon My Commission Expires 10/10/2012

PLEASE ATTACH A LEGIBLE COPY OF: 1) A DEED WHICH LISTS LAND OWNERS AND INCLUDES A LEGAL DESCRIPTION OF AFFECTED LANDS, AND 2) A COPY OF THE GROUND WATER REGISTRATION MAP OR A TAX LOT MAP WITH THE ABANDONED GROUND WATER APPROPRIATION CLEARLY DRAWN AND IDENTIFIED. IF ACTING AS AN AUTHORIZED AGENT, INCLUDE COPY OF POWER OF ATTORNEY OR OTHER DOCUMENTS GRANTING AUTHORITY TO ACT ON BEHALF OF LEGAL OWNER(S).

March 2007

	- 611111	L / 20	
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	Township 9	North W.M	
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)			_ of SW14 /
		acreage of irrigated land on plat. Scale: 2" — 1 Mile	
STATE OF OREG		scare: Z = I Mile	**
	Unatilla	\{ \ss. \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \	•
I, All	ex LeFore		, do hereby certify that I have entained are true to the best of
my knowledge and		t that all of the Rents therein co	intained are true to the best of
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	nd sworn to before me this		
	pires Sept. 8, 1990	· · · · · · · · · · · · · · · · · · ·	otary Public)
(SEAL)			
	CERTIFIC	ATE OF REGISTRATION	
STATE OF OREGO	ON ss.	4	
	rtify that the foregoing Re	gistration Statement was recel	ved in the office of the State
		1958, at 1'00	
duly recorded in sa	id office in Book No	of Registration Statemen	ts on page <u>GP3733</u>
	X .	8	
	7. 209 day of	October 1959	
Witness my h	day or	Laura	a Stanley
\$ 15.4		By	Diplomy /
		3733	(Deputy)
	· Gi	<u> </u>	

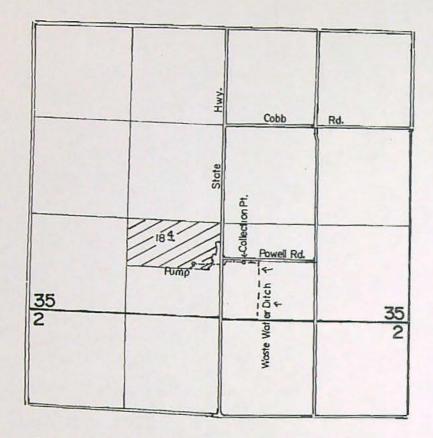
AFFIDAVIT FOR THE CANCELLATION OF AN ENTIRE WATER RIGHT CERTIFICATE

	State of Oregon)
	County of Umatilla) ss)
	I/We (or authorized agent),	John A. LeFore
	residing at83880 Highway	339, Milton-Freewater, OR 97862
	telephone number (541) 938-47	, being first duly sworn depose and say:
	within the SE ¼ SW ¼, Section 3: Willamette Meridian, in U	he property described as tax lot number 2200, Township 6N N/S, Range 35E E/W, of the matilla County, Oregon, as shown on the deed and legal description and made part of this affidavit;
	Water right certificate number65390	issued to Alex LeFore
	with a date of priority ofNov. 16, 198 from waste water from a tributary	for use of 0.49 cubic foot per second of water of the Little Walla Walla River (source) for the rrigation of 18.4 acres (use) is
	improvement, or water control district, or fe	d within the boundaries of an irrigation, drainage, water ederal reclamation project (if the right is located within a Walla Walla River Irrigation District);
5	4. I/We have abandoned any and all interest in Alm Almander Signature of legal owner as listed on deed, or at	this water right and request the right be canceled. $ \frac{12-22-08}{\text{Date}} $
W.	Barbary Letine Signature of legal co-owner as listed on deed (If applicable)	15/32/08 Date
OFFICIAL SEAL LONA MASON NOTARY PUBLIC-OREGON COMMISSION NO. 432204 MY COMMISSION EXPIRES OCTOBER 10, 2012	Subscribed and Sworn to Before N John A. Lefore + Barbara Lefore	le this day of <u>December</u> , 2008.
SON OREGON 0. 432204 CTOBER 10.	Barbara LeFore	
N 0, 2012		My Commission Expires /0/10/2012
	DI ELCE ATTEACH A LECIDI E CODY OF, I) A DEE	D WHICH LISTS LAND OWNEDS AND INCLUDES A LEGAL

PLEASE ATTACH A LEGIBLE COPY OF: 1) A DEED WHICH LISTS LAND OWNERS AND INCLUDES A LEGAL DESCRIPTION OF AFFECTED LANDS, AND 2) A COPY OF AN ADJUDICATION MAP, WATER RIGHT FINAL PROOF MAP, OR A TAX LOT MAP WITH THE ABANDONED RIGHT CLEARLY DRAWN AND IDENTIFIED. IF ACTING AS AN AUTHORIZED AGENT, INCLUDE COPY OF POWER OF ATTORNEY OR OTHER DOCUMENTS GRANTING AUTHORITY TO ACT ON BEHALF OF LEGAL OWNER(S).

December 2004 FSD

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



DIVERSION: BOO'N \$ 300'E FROM SW COR SEC. 35

SCALE: 1"=1320 '

FINAL PROOF SURVEY

Application No. 6.5	5]5 Permit No. 48967 I NAME OF
ALEX	LEFORE
Surveyed SEPT3	19.8.9., by J.M.SCHMORCK.

AGREEMENT FOR EXCHANGE OF PROPERTY AND WATER RIGHTS

This Agreement is entered into this 25th day of November, 2003, between JOHN A. LeFORE and BARBARA R. LeFORE, hereinafter referred to as Seller," and JOAN C. WYCKOFF and GARY C. WYCKOFF, hereinafter referred to as Buyer," for the exchange of real property and water rights described herein.

As consideration for this Agreement, the parties agree that Seller shall transfer to Buyer a 40x100 foot parcel of property that Seller owns as marked and described on Exhibit A in exchange for Buyer granting to Seller an easement across Seller's property as marked and described in Exhibit B to Seller's property described in Exhibit C.

The Easement granted to Seller herein grants to Seller the right to use an existing pipeline on Buyer's property as marked and described on Exhibit A and also includes transferring to Seller all the Buyer's easements of record related to water access to Buyer's property described in Exhibit B. Buyer retains the right to use the water on the property described in Exhibit B for as long as the Seller remains in farm production on Buyer's Property, but at the time the Seller ceases to remain in farm production on Buyer's Property then any water rights to Buyer's property shall transfer to Seller's property described in Exhibit C.

As part of this Agreement, Seller agrees to prepare a Warranty Deed, subject to Seller's retention of an easement, transferring the 40x100 foot portion of

the property to Buyer as described on attached Exhibit A in exchange for Buyer agreeing to sign an easement granting Seller the easement and water rights described herein.

The parties agree that the transaction described herein shall be closed no later than December 1, 2003.

This Agreement is binding on the successors and assigns of the parties.

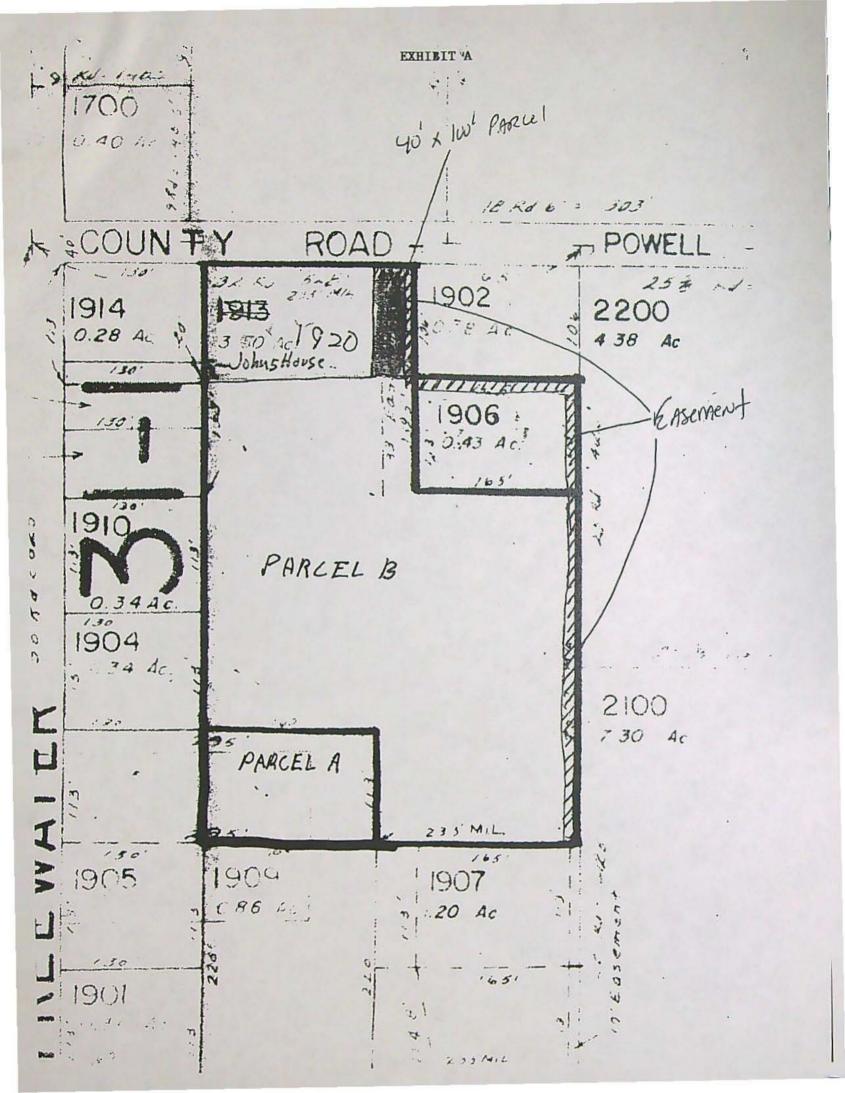
In the event suit or action is instituted to enforce any of the terms of this contract, the prevailing party shall be entitled to recover from the other party such sums as the Court may determine reasonable as attorney's fees at trial or on appeal of the suit or action, in addition to all other sums provided by law.

IT IS SO AGREED:

SELLERS: John A. LeFore	BUYERS: Joan C. Wyckoff Joan C. Wyckoff
Barbara R. LeFore	Dany C. Wyckoff Gary C. Wyckoff

ACKNOWLEDGMENT
State of Oregon County of Unatilla
County of
On this 25 day of 100, 2003
personally appeared before me,
who is personally known to me,
whose identity I verified on the basis of,
whose identity I verified on the oath/affirmation of,
- andible witness
to be the signer of the foregoing document, and be/the acknowledge that he/she nghed it.
My Commission Expires: Va 2 2 06 Notary Public
M. Completes Project VO 0 . 22 06





PARCEL A:

Beginning at a point on East right of way line of Oregon State Highway, said point being 35 feet East and 242.5 feet North of Southwest corner of Southwest Quarter of Southeast Quarter of Section 35, Township 6 North, Range 35, said point also being Northwest corner of that tract of land conveyed to Robert H. Tinker, et ux, by Deed recorded in Book 280, Page 692, Deed Records: thence East along North line of said Tinker Tract a distance of 130 feet to Northeast corner thereof, said point also being Northwest corner of that tract of land conveyed to Lawrence A. Preso, Jr., by Deed recorded in Book 253, Page 235, Deed Records; thence continuing East along North line of Preso Tract a distance of 23.5 feet to the true point of beginning for this description; thence continuing East along North line of said Preso Tract a distance of 141.5 feet; thence North and parallel to East right of way line of said Oregon State Highway a distance of 113 feet; thence West a distance of 141.5 feet; thence South a distance of 113 feet to the point of beginning;

SUBJECT to any and all water rights of way and roads;

All being East of the Willamette Meridian, Umatilla County, Oregon.

Beginning at a point in the East line of the Freewater Secondary Highway, which point is 50 rods North of the South line of Section 35, Township 6 North, Range 35, E. W. M.; said point being the Northwest corner of that tract of land conveyed to Romie W. Kemp, etux, by Deed Recorded in Book 261, Page 382, Deed Records; thence East along the North line of the said Kemp Tract, a distance of 130 feet to the true point of beginning of this description; thence South along the line which is parallel to and distant 130 feet Easterly from said Easterly line of Freewater Secondary Highway, a distance of 486 feet, more or less, to a point in the North line of that tract of land conveyed to Robert H. Tinker, et ux, by Deed recorded in Book 281, Page 360, Deed Records; thence Easterly along the North line of said Tinker Tract, a distance of 165 feet, to the Northeast corner thereof; thence Southerly along the East line of said Tinker Tract, a distance of 113 feet, to the Northwest corner of that tract of land conveyed to Ray Kennedy, by Deed recorded in Book 291, Page 211, Deed Records; thence Easterly along the Northerly line of said Kennedy Tract, a distance of 233 feet, to a point in the East line of said Kemp tract, thence Northerly along the East line of said Kemp tract, a distance of 359.5 feet, more or less, to the Southeast corner of that tract of land conveyed to Cecil L. Chastain, et ux, by Deed recorded in Book 274, Page 497, Deed Records; thence Westerly along the South line of said Chastain tract, a distance of 165 feet to the Southwest corner thereof; thence Northerly along the West line of said Chastain tract and along the said line extended Northerly, a distance of 239.5 feet, more or less, to a point in the North line of said Kemp tract; thence Westerly 233 feet, more or less, to the point of beginning;

ALSO, an Easement over and across the following described tract of land, towit:

Beginning at a point 32 rods East and one rod North of the Southwest corner of the Southeast Quarter of said Section 35; thence North 226 feet; thence West 10 feet; thence South 226 feet; thence East 10 feet to the point of beginning; Rushor French

EXHIBIT B contd.

EXCEPTING the following tract:

Beginning at a point 805 feet North and 160 feet East of the South Quarter corner of Sec. 35, T 6 North, Range 35, EWM; thence East along the South right of way line of Powell Road a distance of 203 feet; thence South a distance of 106 feet; thence West 203 feet; thence North 106 feet to the point of beginning; All being EWM in the County of Umatilla and State of Oregon.

PARCEL 1906:

Commencing at a point 32 rods East and 50 rods North of the Southwest corner of the Southeast Quarter of Section 35, Township 6 North, Range 35, E.W.M., in the County of Umatilla, State of Oregon, said point being the Northeast corner of land described in Deed to ROMIE W. KEMP, et ux, recorded in Book 261, Page 382 of the Deed Records of Umatilla County, Oregon; thence South and parallel to the West line of said Section 126.5 feet to a point, said point being the Southeast corner of the tract of land conveyed by Warranty Deed from ROMIE W. KEMP, et ux, to Wm. A. Morris, et ux, recorded in Book ______, Page ______, of the Deed Records of Umatilla County, Oregon, and the point of beginning of this description; thence West along the South line of said Morris tract 165 feet; thence South and parallel to the West line of said Section 35, 113 feet; thence East and parallel to the South line of said Section 165 feet; thence North and parallel to the West line of said Section 113 feet to the point of beginning.

EXCEPTING THEREFROM any and all water rights of way, ditches and roads.

EXHIBIT C

Parcel 1 of Partition Plat Map 2002-42 located at N01°06'23"E along the west line of the southwest quarter of Section 35, Township 6 North, Range 35, East of the Willamette Meridian, Umatilla County, Oregon. As shown on Partition Plat No. 1994-08.

Shrand-Hose Law Publishing Co. Pertural Compan 97204	OWNER'S SALE AGREEMENT AND EARNEST MONEY RECEIPT
A. PURCHASER'S OFFER:	PONALD D. and WART PUR T WART CV
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Commonly	known as 328 Powell Rd., Milton-Freewater, Oregon
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		-		EXHIBIT A				
		CURRENT			E BEING TRANSFERRED F	ROM		
				or Water Right Transfer by Joh				
			Compiled by Jo	hn Warinner, PE, CWRE and Jo Revised: June 22, 2007	onn A. Lerore		1175	
T-R-S	TAX MAP	TAX LOT	STREET ADDRESS	PROPERTY OWNER	MAILING ADDRESS	CITY	STATE	ZIP
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				the title to the water rights appur se FROM lands was withheld wh	tenant to these FROM lands. nen the lands were sold to the curr	rent owners.		

RECEIVED JUL 02 2007

2003 4530071

RE RECORDED WARRANTY DEED

2009-5470026

JOHN A. LEFORE and BARBARA R. LEFORE, as tenants by the entirety, Grantor(s) hereby grant, bargain, sell, warrant and convey to: MARLENE J. FARLEY and RONALD D. FARLEY, wife and husband,

REC'D FEB 1 1 2009

real property, free of encumbrances except as specifically set forth herein in the County of UMATILLA and State of Oregon, to wit: SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE SERIAL#114958 6N 35 35 D 1920 7-1

Grantor is lawfully seized in fee simple on the above granted premises, SUBJECT TO: all those items of record if any, as of the date of this deed and those shown below, if any: See attached Grantor's reservation for easement for the installation and maintenance of an irrigation pipeline over, ACROSS and under the Northerly and Easterly 10 feet thereof.

Grantee(s) and grantee's heirs, successors and assigns the following described

and the grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY RECEIVED APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930. JAN 30 2009

The true and actual consideration for this conveyance is \$ 149,900.00. UMATILLA COUNTY RECORDS

Until a change is requested, all tax statements shall be sent to Grantee at the following address: 328 POWELL ROAD, MILTON-FREEWATER, OR 97862

day of November 2003.

This deed is being rerecorded to change a water right

retainage from the deed originally recorded 11-26-03 in Instrument No. 2003-4530071, Umatilla County, Or.

JOHN A.)au BARBARA R. LEFORE

OFFICIAL SEAL LONA MASON NOTARY PUBLIC - OREGON COMMISSION NO. 338911 MY COMMISSION EXPURES OCT. 10, 2004

State of Oregon County of UMATILLA

This instrument was acknowledged before me on A. LEFORE and BARBARA R. LEFORE.

25 2003 by JOHN

RECEIVED

NOV 26 2003

MOOK Public for Oregon) (Notary

My commission expires

ESCROW NO. MF0050441

Return to:

Christine M. Wallace Attorney at Law 801 South Main St. Milton-Freewater, OR 97862 01-30-09 at 1:50

State of Oregon

County of Umatilla

This instrument was received and recorded on

in the record of instrument code type DE-CORR

State of Oregon

County of Umatilla

This instrument was received and recorded on

11-26-03 at 3:25

in the record of instrument code type DE-WD

Instrument Number 2009-5470026 31.00

Office of County Records

Instrument Number 2003-4530071

Office of County Records

Records Officer

Records Officer



2009-5470026 2 of 2

LEGAL DESCRIPTION

Beginning at a point 805 feet North and 160 feet East of the Southwest corner of the Southcast Quarter of Section 35, Township 6 North, Range 35, said point being on the East line of that tract conveyed to Michael E. O'Harrow, et ux, by Deed recorded in Book 297, Page 106, Deed Records, and THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION; thence South along the East line of said O'Harrow Tract and the East line extended Southerly 106 feet; thence East, Parallel to the South line of Section 35, a distance of 203 feet, more or less, to a point on the Westerly line of that tract conveyed to William A. Morris, et ux, by Deed recorded in Book 265, Page 580, Deed Records; thence North along the West line of said Morris Tract 106 feet; thence West 203 feet, more or less, to the point of beginning;

EXCEPTING THEREFROM the East 40 feet thereof:

RESERVING unto the grantor's, their heirs and assigns, an easement for the installation and maintenance of an irrigation pipeline over, across and under the northerly and easterly 10 feet thereof;

Subject to any and all water rights of way and roads;

All being East of the Willamette Meridian, Umatilla County, Oregon.

Also reserving and retaining to Sellers water right on above said property. Buyers will have no claim of right or use to said property water right.

A PURCHASER'S OFFER;	OWNER'S SALE AGREEMENT AND EARNEST MONEY RECEIPT
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end-Based Paint Hazards."	to cruisky a latchesty attended something consumerate sector, a full of see everage sector, a functional our many constitution our many constitution our many constitution of man
brake Detectors. Solar agree	. That prior to closing a properly included and functioning emoke detectoris) will be hatelied in each develop unit as required by law. ng. Reader will furnish to Purchaser of Belley's expense a bits policy in the emount of the purchase price and insuring marketable bits. Prior to closing interest apply above; to willingnous so to insure ties to the projects. of N Delay does not except that office of N Enfort scopes that offer and least to close the call as approvided in the agreement, the extract manay is
MAL give Purchaser & Nile Insur	TO ORDER AND VALUES TO LANGUAGE OF AMERICANS OF IN DRIVE AND SAFETY AS A SECOND OF THE PROPERTY DESCRIPTION OF THE PROPERTY OF
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urchaser tota to partorm as an	elence of the reland is not a welver of other remodes medicine to Purchaser. If Softer accepts this offer and is ready, willing and sists to perfor I when provided in this agreement, then the earnest makey and additional commet money, if any, shall be paid to Gellar and this contract will be of
her birging ellect. Statutory Discionares, Tirli PR	OPERTY DESCRIBED IN THIS INSTRUMENT MAY HOT BE WITHIN A PIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PRO- VS AND REGILE ATIONS, WHICH, IN FARM OR FOREST ZONES, MAY MOT AUTHORIZE CONSTRUCTION OR SITHING OF A RESIDENCE, MAY WANN OR FOREST PRACTICES AS DEFINED IN ORD SEASON IN ALL ZONES, BEFORE SUBMINISHED OR ACCEPTING THE INSTRUMENT THO OTHER PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VENEY APPROVED USE TOM FOR STRUCTURES, IF THE PROPERTY IS TAXED AS HETOMORE PROPERTY, INCLUDE STATEMENT IN ORSE DURING!) The land the absence. This contrast is briding upon the exceptions and portribute excepts of Pullification and Definition.
8 SUBJECT TO LAND USE LAN	AS AND REGULATIONS, WHICH, IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITHING OF A PERIODICION MAY
ON ACQUIRING FEE TITLE T	THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIEV APPROVED VICE
COSTENCE OF PIRE PROTEC	NON FOR STRUCTURES, SFTHE PROPERTY IS TAXED AS HISTORY PROPERTY, NICLIDE STATEMENT IN ORS SUJEMBLY DECIDING TO THE PROPERTY OF
	Time is at the essence. This contrast is brising upon the excepteons and pornities early a of Pusitionar and Baller. by fine prior to Ealer's acceptance. If not accepted by 5 orbitist. P. M. Make 09-05-03
other is automotionally revoked.	any time prior to Easter's ecoeptation. If not accepted by
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w Mar Day	Coler Down 8: 19:03 m (Breald of) To les Down 8:29.6
Name of the second	0 8
Address (F)	
Phone(s): (A)	
E BELLEN'S ACCIPTANCIANS	
☐ Seller accopies the Pi	prohibitors and actimostic of the market from the Purchaser of the sum of \$_1_eQQ_eQ in the face of each (Exheck permission)
epablic on Selar's acceptant	er or () on (case)
rovided straps. Beller estrapped	tiges receipt of an executed copy of this contract, which Beller has read \$Ad understands.
Official relaces Funda	gare other and (check it applicable) - meters to attended occurrent office -
VIA P	21 per 1/24/02 m Darbar Detail pur 8/24/
and the best of the second	
the Board Manual (4)	TV.
77	
action wi	
dárem (A):	
dárem (A):	å
//	å

WARRANTY DEED



JOHN A. LEFORE and BARBARA R. LEFORE, as tenants by the entirety, Grantor(s) hereby grant, bargain, sell, warrant and convey to:

MARLENE J. FARLEY and RONALD D. FARLEY, wife and husband,

Grantee(s) and grantee's heirs, successors and assigns the following described real property, free of encumbrances except as specifically set forth herein in the County of UMATILLA and State of Oregon, to wit:

SEE EXHIBIT A WHICH IS MADE A PART HEREOF BY THIS REFERENCE SERIAL#114958 6N 35 35 D 1920 7-1

Grantor is lawfully seized in fee simple on the above granted premises, SUBJECT TO: all those items of record if any, as of the date of this deed and those shown below, if any: See attached Grantor's reservation for easement for the installation and maintenance of an irrigation pipeline over, Actors and under the Northerly and Easterly 10 feet thereof.

and the grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

THUS OCCUPANT DEON'T TO VIETOSOED WI "WIR"S TO SELECT SINE AGREEMENT". THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEPINED IN ORS 30.930.

The true and actual consideration for this conveyance is \$ 149,900.00.

Until a change is requested, all tax statements shall be sent to Grantee at the following address: 328 POWELL ROAD, MILTON-FREEWATER, OR 97862

day of November 2003

LEFORE

THE STREET STREET, STR LONA MASON NOTARY PUBLIC - OREGON COMMISSION NO. 338911 MY COMMISSION EXPIRES OCT. 10, 2004

State of Oregon County of UMATILLA

This instrument was acknowledged before me on A. LEFORE and BARBARA R. LEFORE.

RECEIVED

Mason (Notary Public for Oregon)

MOV 26 2003 MATILLA COUNTY

My commission expires 10/10/04

ESCROW NO. MF0050441

Return to: MARLENE J. FARLEY 328 POWELL ROAD MILTON-FREEWATER, OR 97862

State of Oregon County of Umatilla

This instrument was received and recorded on

11-26-03 at 3:25

in the record of instrument code type DE-UD

Instrument Number 2003-4530071

Office of County Records

Records Officer

2003-4530071 2 of 2

LEGAL DESCRIPTION

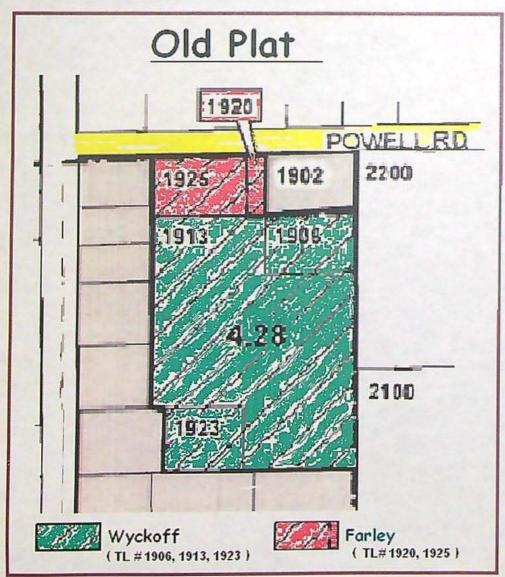
Beginning at a point 805 feet North and 160 feet East of the Southwest corner of the Southeast Quarter of Section 35, Township 6 North, Range 35, said point being on the East line of that tract conveyed to Michael E. O'Harrow, et ux, by Deed recorded in Book 297, Page 106, Deed Records, and THE TRUE POINT OF BEGINNING FOR THIS DESCRIPTION; thence South along the East line of said O'Harrow Tract and the East line extended Southerly 106 feet; thence East, Parallel to the South line of Section 35, a distance of 203 feet, more or less, to a point on the Westerly line of that tract conveyed to William A. Morris, et ux, by Deed recorded in Book 265, Page 580, Deed Records: thence North along the West line of said Morris Tract 106 feet; thence West 203 feet, more or less, to the point of beginning:

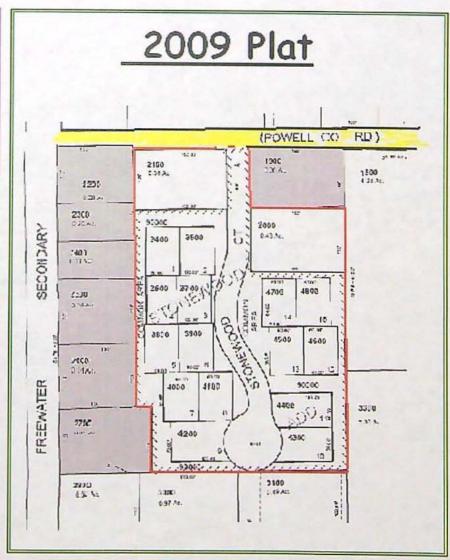
EXCEPTING THEREFROM the East 40 feet thereof:

RESERVING unto the grantor's, their heirs and assigns, an easement for the installation and maintenance of an irrigation pipeline over, across and under the northerly and easterly 10 feet thereof;

Subject to any and all water rights of way and roads;

All being East of the Willamette Meridian, Umatilla County, Oregon.

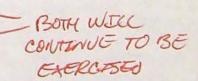




T-10430 Conflicts with Existing Rights

"FR	OM" Lands	SW1/4 :	SE¼ Sec. 35	
water right	priority date	source	type of use	water right holder
C#10103*	1927	waste water	primary irrigation	Tassey Stewart

"ТО	" Lands	SE'/SW'// S					
water right	priority date	source	type of use	water right holder			
C#3547*	1915	L.Walla ² River	primary irrigation	Pleasantview Irr. Co.			
GR-3733 1908		a well	primary irrigation	Alex LeFore			
C#65390	1983	waste water	suppl. irrigation	Alex LeFore			
C#84014	1959 .	L.Walla ² River	suppl. irrigation	Pleasantview Irr. Co.			
per G-13075	1927	Well #1A	suppl. irrigation	Alex LeFore and John LeFore			



NOTE: CERTIFICATE 84014 will be re-issued in the name of Walla Walla Irrigation District, because this old Pleasantview I.D. right has now been absorbed onto the Walla² I.D. and being delivered through their system. The applicant will also have to submit a voluntary cancellation affidavit to cancel the 4.28 acre of this Supplemental water right on these "TO" lands. Also to note, the cancellations of any water rights with a name of a District on it must be held off until the Department receives further word from the (ongoing) AG opinion stemming from the Ft. Vannoy case.

SUSAN DOUTHIT will work on issuing a new certificate.

^{*} Cancellation affidavits were submitted to cancel portions of these rights (4.28 ac)

SUPPLEED W/ APPLECATEON

				EXHIBIT A				
		CURRENT	OWNERS OF LANDS T	HAT WATER RIGHTS AR	E BEING TRANSFERRED I	ROM		
			Application fo	r Water Right Transfer by Joh	n A. LeFore			
			Compiled by Jol	hn Warinner, PE, CWRE and Jo	ohn A. LeFore			
				Revised: June 22, 2007				
T-R-S	TAX MAP	TAX LOT	STREET ADDRESS	PROPERTY OWNER	MAILING ADDRESS	CITY	STATE	ZIP
T6N, R35E, S35	6N 35 35D	1906	284 Powel RD	Dan Garlitz	284 Powell RD	Milton-Freewater	OR	97862
T6N, R35E, S35	6N 35 35D	1913	85320 Fuji	Charles McKelvey	85320 Fuji	Milton-Freewater	OR	97862
T6N, R35E, S35	6N 35 35D	1920	Lane		Lane	Milton-Freewater	OR	97862
T6N, R35E, S35	6N 35 35D	1923		Richard Emery		Milton-Freewater	OR	97862
T6N, R35E, S35	6N 35 35D	1925	328 Powell RD	RON Farley	328 Poull RD	Milton-Freewater	OR	97862
	NOTE:	John A. LeF	Fore does not currently own lan	ds that water rights are being tra	ansferred from.			
		Title to the	ohn A. LeFore currently holds to water rights appurtenant to the	he title to the water rights appur se FROM lands was withheld wh	tenant to these FROM lands. nen the lands were sold to the curr	rent owners		

RECEIVED JUL 02 2007



Water Rights Platcard Report

Water Right Char Xfr		SE NE NW SAY SE Unkow SW SE SE SE SE QO
Select Permit: G 15776 * Additional Info: JIM WALISER App: G16192 Permit: G15776	2/23/2004 FROST PROTECTION	
Select Cert:35040 OR * Additional Info: FARM FERTILIZER SERVICE INC. App: G1871 Permit: G1733 Cert: 35040	10/27/1960 INDUSTRIAL/MANUFACTURING USES *	
Select Cert:41022 OR * Additional Info: CITY OF MILTON FREEWATER App: G4667 Permit: G4391 Cert: 41022	11/1/1968 INDUSTRIAL/MANUFACTURING USES *	
Select Inchoate: T 7760 CF (REG) * Additional Info: WALLA WALLA RIVER IRRIGATION DISTRICT Decree: WALLA WALLA RIVER	12/31/1890 IRRIGATION	(4.25)
Select Inchoate: T 7760 CF (REG) * Additional Info: WALLA WALLA RIVER IRRIGATION DISTRICT Decree: WALLA WALLA RIVER	12/31/1882 IRRIGATION	(1.5)
Select Inchoate: T 7760 CF (REG) * Additional Info: WALLA WALLA RIVER IRRIGATION DISTRICT Decree: WALLA WALLA RIVER	12/31/1891 IRRIGATION	(5.5)
建建设设置公公公司	12345678910 ≥≥	

510 SECT RECORDS: 2000000

MANY CONFLICTS RESULTING IN
CANCERATION APPROAUTS

CONFIJETS ON PAGES 5, 6, 26, 28

Water Rights Platcard Report

Meri	dian: WILLAMETTE Township: 6	North Range: 35	East See	ction: 35	Records per	Page: 6		Sear	rch	1	,	ABOUT	
	Water Right	Changing Priority Us Xfers	se Use DLC	Gov't QQ(40): Lot Q(160):	NE NW SW NE NE NE	SE NE I	W SW S	E NE W SW	NW SW	SW SV	NE NW	SIV S	E Unkov
Select	Inchoate: T 7760 CF (REG) * Additional Info: WALLA WALLA RIVER IRRIGATION DISTRICT Decree: WALLA WALLA RIVER	12/31/1905 IRRIG									(0.5)	1 7 7	
Select	Inchoate: T 7760 CF (REG) * Additional Info: WALLA WALLA IRRIGATION DISTRICT Decree: WALLA WALLA RIVER	12/31/1881 IRRIG/	ATION								(3.5)		
Select	Inchoate: T 7760 CF (REG) * Additional Info: WALLA WALLA IRRIGATION DISTRICT Decree: WALLA WALLA RIVER	12/31/1895 IRRIG/	ATION								(4.5)		
Select	Inchoate: T 7760 CF (REG) * Additional Info: WALLA WALLA IRRIGATION DISTRICT Decree: WALLA WALLA RIVER	12/31/1900 IRRIGA	ATION								(1)		
Select	Claim:GR 1148 * Additional Info: WILLIAM F TAWN Claim: GR1148	12/31/1909 IRRIGA	ATION						19.5				
	Claim:GR 1151 * Additional Info: J H MURPHY Claim: GR1151	12/31/1917 IRRIGA	ATION				10						
	THE REPORT OF THE PERSON NAMED IN	A SECOND PORTS	12345678	9 10 ≥≥	Manager H	14.19	HAR					You w	

Acreage Legend: 12.25 Regular

acreage

12.25 Acreage is on a canceled right (12.25) Acreage is part of a transfer and has not been proven up on yet been suspended (inchoate)

Acreage is not specified

Meric	dian: WILLAMETTE	Townsh	nip: 6	North	Range	: 35	E	ast	Sec	tion:	35	Re	ecord	is pe	Pag	ge: 6	3		*	Sear	ch		
	Water Right	Changing Xfers	Priority	Use	Use Status Di	LC Gov't	QQ(40): Q(160):	NE NE	NW S	SW S	E NE	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SIN	SE SE	Unko OO
	Claim:GR 1152 * Additional Info: J H MURPHY Claim: GR1152	13	2/31/1915	IRRIGATION												10					V		
2	Claim:GR 1154 * Additional Info: CLAY A GROGAN Claim: GR1154	12	2/31/1902	IRRIGATION													/	9,75					
	Claim:GR 1159 * Additional Info: ELLIS C ZERBA Claim: GR1159	2/	28/1953	IRRIGATION													10						
	Claim: GR 1446 * Additional Info: CLAUDE BRADFIELD Claim: GR1446	12	/31/1909	IRRIGATION												10							
	Claim: GR 1447 * Additional Info: CLAUDE BRADFIELD Claim: GR1447	. 12	/31/1910	IRRIGATION									5										
	Claim: GR 1448 * Additional Info: CLAUDE BRADFIELD Claim: GR1448	12	/31/1909	IRRIGATION									10										
4 4	发音等 作。1000		1		1	2345	6 7 8 9 1	0	>>				0.2			4							7
Acreage	Legend: 12.25 Reg	gular 12 eage	.25 Acreag cancele	e is on a (1 ed right	2.25) Acre has	age is pa		ansfe	er and	[:	2.25	Acre		has pend	ed		cread ot sp	ge is ecifie	d				

	Water Right	Changing Xfers	Priority	Use	Use Status	DLC Gov	t QQ(40): Q(160):	NE NE	NW NE	SW NE	SE N NE N	E NI W NI	N SW N NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE I	IW S	W SE	Unk
Select	Claim:GR 1990 *		12/31/1920	IRRIGATION								1										
	Additional Info: CLARENCE C BRUNNER Claim: GR1990																					
Select	Claim:GR 2102 *		12/31/1923	IRRIGATION		7			9.5								9					
0	Additional Info: PAUL REDFEARN Claim: GR2102																					
Select	Claim:GR 2825 *	T10344	12/31/1895	IRRIGATION														S			TIE.	
	Additional Info: H G DUGGAN Claim: GR2825																					
Select	Claim:GR 3021 *		2/1/1903	IRRIGATION													5					
	Additional Info: ED MEANS Claim: GR3021																					
Select	Claim:GR 3936 *		12/31/1924	IRRIGATION										THE STATE OF	10							
	Additional Info: HAZEL HOOW Claim: GR3936																					
Select	Claim:GR 4075 *		12/31/1907	IRRIGATION													10					
	Additional Info: MRS ROBERT PREAS Claim: GR4075																					
		100				123456	78910	>	>		112	and Salara									THE R	34

(inchoate)

Water Right	Changing Xfers	Priority	Use	Use Status D	LC Gov't	QQ(40): Q(160):	NE N	W SW	/ SE	NE	NW S	N SE	NE SW	NW	SW	SE	NE	NW	VV S	E U
Claim:GR 4076 * Additional Info: MRS ROBERT PREAS Claim: GR4076		12/31/1907 I	RRIGATION												5	SAL				
Claim:GR 4162 * Additional Info; CLARENCE C ANSPACH Claim: GR4162		12/31/1880 I	RRIGATION							9.5										
Additional Info: ALEX LEFOR Claim: GR4168	SUF	12/31/1908 I	RRIGATION	on'	7	o"	2.	A	Ne	25						19,5				
Cert:1234 OR * Additional Info: OTHO C SPRAGG App: S4696 Permit: S2765 Cert: 1234		12/24/1915 II	RRIGATION											20						
Additional Info: PLEASANT VIEW IRRIGATION CApp: E4345 Permit: E241 Cert: 3547	NFLACT	6/24/1915 II	RRIGATION	DAUTT	FOR	ANC	ELSA	75	SN.							30 4.	48	care	elled	
Additional Info: PLEASANT VIEW IRRIGATION CApp: E2917 Permit: E170 Cert: 3548		5/3/1913 II	RRIGATION		(b											A				

(inchoate)

CONFLICTS W/ GR 4168
and C# 3547 -> SEE CAUGE
ALTERO

N.	Water Righ	t Changin Xfers		Use DLC Gov'	QQ(40): NE NV	SW SE	NE NW SI	N SE NE	NW SW SE	NE NW SW SE SE SE SE SE	Unk
Select	Cert:8034 OR *	Aldis	3/1/1928 IRRIGATION	Status Luc	1	ME ME	NW NW N	M NW SW	SW SW SW	SE SE SE SE	- 6
	Additional Info: REDFERN BROTHERS App: S11962 Permit: S8366 Cert: 8034										
Select	Cert:8169 OR *		4/9/1920 IRRIGATION				2.5				
	Additional Info: GEORGE SUTIN App: S7208 Permit: S4547 Cert: 8169										
Select	Cert:8493 OR CN		1/15/1924 IRRIGATION	CN		10					
	Additional Info: JOHN MCAUSLAN App: S9341 Permit: S6154 Cert: 8493			0					TAT		
elect	Additional Info: TASSEY STEWART App: S11469 Permit: 57931 Cert: 10103	T10430	5/11/1927 IRRIGATION	AFFED	AULT		CO	VHG		9)
ellect	Certi-10713 CR CN		5/3/1913 IRRIGATION	CN					1		
	Additional Info: PLEASANT VIEW IRRIGATION CO App: E2917 Permit: E170 Cert: 10713										
elect	Cert:12519 OR *	CW15	IRRIGATION					4.4	8		
	Additional Info: CLARA K ANSPACH Decree: WEST PRONG LITTLE WA Cert: 12519	LLA WALLA RIVER (F)		PAGE							
161			1234	5678910 ≥	>		Var Nic - Air-			PRIME	

100

CONFLICT w/ C+10103

Meri	dian: WILLAMETTE Township: 6 No.	orth Rar	nge: 35	East	Secti	on: 35	Record	s per Pa	ge: 6			Sei	arch)	TO	5	1	100		
	Water Right	Changing Xfers	Priority	Use	Use Statu	s DLC Go	1 QQ(40 1 Q(160): NE N	W SW E NE	SE NE	NE NW	NW S	W S	E NE	NW S	W S	NE V SE	NW SE	SW S	E Unk	OW O
Select	Cert:12528 OR CN	CW45		IRRIGATION							6						III.				2
	Additional Info: MIL BALTEZORE Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F) Cert: 12528																				
Select	Cert:12533 OR *	S163	12/31/1885	IRRIGATION	ı					8.74											
	Additional Info: W W BARNES Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F) Cert: 12533																				
Select	Cert:12533 OR *	S163	12/31/1890	IRRIGATION	l.					6.86											
	Additional Info: W W BARNES Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F) Cert: 12533																				
Select	Cert:12536 OR *		12/31/1881	IRRIGATION	1															7	
	Additional Info: LUIGI BELLOMO Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F) Cert: 12536																				
Select	Cert:12537 OR *		12/31/1893	IRRIGATION								F (a)								2	
	Additional Info: LUIGI BELLOMO Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F) Cert: 12537																				
Select	Cert:12553 OR *			IRRIGATION	B					6.75											
	Additional Info: CLAUDE BRADFIELD Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F) Cert: 12553																				
			THE REAL PROPERTY.	1234	1567	8 9 10 2	2							1000		-				THE R	

Acreage Legend: 12.25 Regular acreage 12.25 Acreage is on a canceled right

(12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate)

[12.25] Acreage has been suspended

* Acreage is not specified

	Water Right	Changing Priority Use	Use Status DLC Gov't QQ(40): NE N Lot Q(160): NE N	W SW SE NE NW SW SE E NE NW NW NW NW	NE NW SW SE NE NW SW SE U SW SW SW SW SE SE SE SE
Select Cer	rt:12554 OR CN	12/31/1892 IRRIGATION	CN	2.55	
CL/ Dec Cer	ditional Info: AUDE BRADFIELD cree: WEST PRONG LITTLE WALLA WALLA RIVER (F) rt: 12554				
Select Cer	rt:12562 OR *OK	T10430 12/31/1885 IRRIGATION	m_		7.5
Add SAI Dec	ditional Info: MUEL H BRINKER cree: WEST PRONG LITTLE WALLA WALLA RIVER (F) rt: 12562	SUSSECT PLANT	DROHE	from A	pa. There
Select Cer	rt:12566 OR *	12/31/1885 IRRIGATION		9.8	
S J Dec Cer	ditional Info: CAMPBELL cree: WEST PRONG LITTLE WALLA WALLA RIVER (F) t: 12566				
Add O A Dec	t:12567 OR * ditional Info: V/ROSE LEE CANNON cree: WEST PRONG LITTLE WALLA WALLA RIVER (F) t: 12567	12/31/1881 IRRIGATION			203
Add O A Dec	rt:12568 OR * Iditional Info: VROSE LEE CANNON Cree: WEST PRONG LITTLE WALLA WALLA RIVER (F) t: 12568	12/31/1881 IRRIGATION			
Select Cer	t:12577 OR CN	12/31/1891 IRRIGATION	CN		2:32
MRS Dec	ditional Info: S KATE CHRISTENSEN tree: WEST PRONG LITTLE WALLA WALLA RIVER (F) t; 12577		last		
		123	45678910≥>		

	Water Right	Changing Xfers	Priority	Use	Use Status	DLC Gov'	QQ(40): Q(160):	NE NE	NW NE	SW S	SE N	E NW W NW	SW NW	SE NW	NE SW	NW SW	SW. SW	SE SW	NE N	W S	SW S	E Unko
Select Ce	ert:12594 OR *		12/31/1889	IRRIGATION										2.5				-17				
MF De	ditional Info: \$5 PEARL M COCHRAN cree: WEST PRONG LITTLE WALLA WALLA RIVER (F) rt: 12594																					
elect Ce	rt:12606 OR *			IRRIGATION				9.84														
H De	ditional Info: M CONNELL cree: WEST PRONG LITTLE WALLA WALLA RIVER (F) rt: 12606				He_																	
elect Ce	rt:12611 OR CN	CW45	12/31/1885	IRRIGATION	CN						4											
MF De	ditional Info: IS KATTE HERR CORKERY Cree: WEST PRONG LITTLE WALLA WALLA RIVER (F) rt: 12611																					
elect Ce	rt:12649 OR *		12/31/1893	IRRIGATION															11			
S. De	ditional Info: EATON cree: WEST PRONG LITTLE WALLA WALLA RIVER (F) rt: 12649																					
elect Ce	rt:12650 OR *		12/31/1893	IRRIGATION		AT LAND								1					4			
S. De	ditional Info: EATON cree: WEST PRONG LITTLE WALLA WALLA RIVER (F) rt: 12650																					
elect Ce	rt:12659 OR *			IRRIGATION								5										
W/ De	ditional Info: NRREN F EIFFERT cree: WEST PRONG LITTLE WALLA WALLA RIVER (F) rt: 12659																					

Acreage Legend: 12.25 Regular

acreage

12:25 Acreage is on a canceled right (12:25) Acreage is part of a transfer and has not been proven up on yet (inchoate) [12:25] Acreage has been suspended

* Acreage is not specified

Water Right	Changing Xfers	Priority	Use	Use Status	DLC Gov'	t QQ(40) Q(160)	: NE	NW NE	SW S	E NE	NW NW	SW	SE NW	NE SW	NW S	SW S	E I	IE NW	SW	SESE	Unko QQ
Select Cert:12660 OR *	12	/31/1880	IRRIGATION	MILE							2										
Additional Info: WARREN F EIFFERT Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F Cert: 12660)																				
elect Cert:12675 OR *	12	/31/1882	IRRIGATION		7-1								7								
Additional Info: CARL FEIGNER Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F Cert: 12675)																				
elect Cert:12705 OR *			IRRIGATION								5										
Additional Info: BELL ARBOGAST GIVENS Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F Cert: 12705)																				
elect Cert:12708 OR CN		1	IRRIGATION	CN															2	8	
Additional Info: H.R. GRAHAM Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F. Cert: 12708																					
elect Cert:12710 OR *	1	1	RRIGATION																	10	
Additional Info: H.R. GRAHAM Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F) Cert: 12710																					
elect Cert:12715 OR *	12/	/31/1908 I	RRIGATION						2.7												
Additional Info: H.F. GREEN Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F) Cert: 12715																					
			1234	56789	10 >>							THE REAL PROPERTY.	3 4				16				

	Water Right	Changing Xfers	Priority	Use	Use Status	DLC GOV	t QQ(40) Q(160)	: NE	NW NE	SW NE	SE I	ME I	W S	NW I	SE NW	NE SW	NW SW	SW SW	SE SW	NE I SE	NW. SE	SW SE	SE L	Jnkow QQ
Select	Cert:12729 OR * Additional Info: B T HALEY Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F) Cert: 12729		12/31/1874	RRIGATION																3				
	Cert:12768 OR * Additional Info: D B HERNDON Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F) Cert: 12768	CW28	12/31/1898 1	RRIGATION									2	.41										
	Cert:12770 OR * Additional_Info: C E HERR Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F) Cert: 12770		12/31/1885 I	RRIGATION											4									
	Cert:12771 OR * Additional Info: C E HERR Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F) Cert: 12771		12/31/1894 I	RRIGATION					2															
	Cert:12772 OR * Additional Info: C E HERR Decree: WALLA WALLA RIVER Cert: 12772		1	RRIGATION					3															
	Cert:12773 OR CN Additional Info: ELIZABETH A HERR Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F) Cert: 12773		12/31/1879 I	RRIGATION	CN							6												

Acreage Legend: 12.25 Regular acreage

12.25 Acreage is on a canceled right

(12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate) [12.25] Acreage has been suspended

* Acreage is not specified

	Water Right	Changing Priority Use Use DLC Gov:t Qo Status	(40): NE (160): NE	NW NE	SW. NE	SE NE NE NW	NW NW	SW NW	SE NW	NE SW	NW S	W S	E NI	E NW	SW	SE SE	Unkov QQ
Select	Cert:12774 OR *	IRRIGATION							4						1		
	Additional Info: H A HERR Decree: WEST PRONG LITTLE WALLA WALLA RIVER (Cert: 12774	F)															
Select	Cert:12826 OR CN	12/31/1885 IRRIGATION CN				4:62											
	Additional Info: C.J. KARKER Decree: WEST PRONG LITTLE WALLA WALLA RIVER (Cert: 12826	F)											-				
Select	Cert:12836 OR *	IRRIGATION						9.8									
	Additional Info: LAURA KENDALL Decree: WEST PRONG LITTLE WALLA WALLA RIVER (Cert: 12836	F)															
Select	Cert:12841 OR *	12/31/1889 IRRIGATION		4													
	Additional Info: BEN KNIGHT Decree: WEST PRONG LITTLE WALLA WALLA RIVER (Cert: 12841	F)															
Select	Cert:12842 OR *	IRRIGATION		4													
	Additional Info: JAMES H KNIGHT Decree: WALLA WALLA RIVER Cert: 12842																
Select	Cert:12851 OR *	12/31/1883 IRRIGATION											6.	5			
	Additional Info: W.B. LANGLEY Decree: WEST PRONG LITTLE WALLA WALLA RIVER (I Cert: 12851	=)									-						

Acreage Legend: 12.25 Regular acreage

12.25 Acreage is on a canceled right (12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate)

[12.25] Acreage has been suspended

* Acreage is not specified



	Water Right	Changing Xfers	Priority Use	Lise DLC Govit QQ(40) Status DLC Lot Q(160)	NE	NW S	M E	E NW	NW	SW S	E NE W SV	NV SV	SW SW	SE	NE N SE S	N SW	SE SE	Unkoy
elect	Cert:12852 OR *		12/31/1892 IRRIGATION		П						T	T			3			
	Additional Info: W.B. LANGLEY Decree: WALLA WALLA RIVER Cert: 12852																	
elect	Cert:12873 OR CN		12/31/1908 IRRIGATION	CN		3	7										15	
	Additional Info: JOHN MCAUSLAN Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F) Cert: 12873																	
elect	Cert:12889 OR *	CW16	12/31/1891 IRRIGATION					V			8							
	Additional Info: WILLIAM G MCMILLAN Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F) Cert: 12889																	
elect	Cert:12892 OR CN	CW25	IRRIGATION	CN											4.	В		
	Additional Info: F E MCSHERRY Decree: WALLA WALLA RIVER Cert: 12892																	
elect	Cert:12900 OR CN		12/31/1890 IRRIGATION	CN													4.25	
	Additional Info: EDW MASON Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F) Cert: 12900																	
elect	Cert:12905 OR *		12/31/1905 IRRIGATION						2									
- 1	Additional Info: F/MARGAREITHA MAUCH Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F)																	

Acreage Legend: 12.25 Regular acreage

12.25 Acreage is on a canceled right (12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate) [12.25] Acreage has been suspended

Acreage is not specified

	Water Right	Changing Xfers	Priority	Use	Use Status	DLC Gov'	QQ(40) Q(160)	NE NE	NW NE	SW :	SE N	W NV	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE N	W SI	V SE	Unkc
elect	Cert:13085 OR *			IRRIGATION					4													
	Additional Info: G R MINEAR Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F) Cert: 13085																					
elect	Cert:13088 OR *	CW28	12/31/1886	IRRIGATION												5						
	Additional Info: CLARENCE L MORSE Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F) Cert: 13088																					
elect	Cert:13106 OR *	A DIA	12/31/1895	IRRIGATION					1													
	Additional Info; C.E. OLSEN Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F) Cert: 13106																					
elect	Cert:13114 OR *			IRRIGATION										8			1				1	
	Additional Info: GEORGE PARMAN Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F) Cert: 13114																					
elect	Cert:13126 OR *	CW28	12/31/1898	IRRIGATION									3						H			
1	Additional Info: SAMUEL G POTTER Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F) Cert: 13126																					
lect	Cert:13128 OR CN	CW27		IRRIGATION	CN)															Di	3	
	Additional Info: CYRUS POWELL Decree: WALLA WALLA RIVER Cert: 13128																					

acreage

canceled right

has not been proven up on yet (inchoate)

been suspended

not specified

Meridian: WILLAMETTE Township: 6 Range: 35 Section: 35 North Records per Page: 6 Search Use Status DLC Gov't QQ(40): NE NW SW SE NE NW SW SE NE NW SW SE NE NW SW SE SE SE SE QQ Changing Water Right Xfers Telect Cert:13135 OR * 12/31/1889 IRRIGATION Additional Info: GEO. PROPECK Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F) Cert: 13135 Select Cert:13139 OR * IRRIGATION 9.4 Additional Info: JACOB RADOMAKE Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F) Cert: 13139 12/31/1887 IRRIGATION CN Select Cert:13144 OR CN CW45 9.7 Additional Info: FRED RAUSHKOLB Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F) Cert: 13144 12/31/1890 IRRIGATION 11.92 Select Cert:13147 OR * Additional Info: MABLE REDFERN Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F) Cert: 13147 IRRIGATION 9.7 Select Cert:13158 OR * Additional Info: CHRIS RICKENBERG Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F) Cert: 13158 IRRIGATION 19 Select Cert:13163 OR * Additional Info: WARREN W ROEDER Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F) Cert: 13163 <<... 11 12 13 14 15 16 17 18 19 20 ... >>

Acreage Legend: 12.25 Regular acreage is on a canceled right has

(12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate) [12.25] Acreage has been suspended * Acreage is not specified



Water Right	Changing Xfers	Priority	Use	Use DLC Gov	1 QQ(40): Q(160):	NE NE	SW	SE NE	NW NW	SW NW	SE NW	NE N SW S	W SI	N SE	NE SE	NW SE	SW	SE L	Jnkov QQ
elect Cert:13164 OR * Additional Info: ALTA ROGERS Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F	IL328	12/31/1905	IRRIGATION							9.2									
elect Cert:13165 OR * Additional Info: C G ROGERS Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F Cert: 13165		12/31/1898	IRRIGATION				3.7										THE		
elect Cert:13167 OR * Additional Info: ELBA ROGERS Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F Cert: 13167)	12/31/1905	IRRIGATION				4.4												
elect Cert:13203 OR * Additional Info: S S SHIELDS Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F Cert: 13203)		IRRIGATION													4.8			
elect Cert:13206 OR * Additional Info: G R SHORTRIDGE Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F. Cert: 13206		12/31/1906	IRRIGATION				4.8												
Additional Info: J N SIMMONS Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F. Cert: 13210)		IRRIGATION								5	4.5							

Acreage Legend: 12.25 Regular acreage

12.25 Acreage is on a canceled right

(12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate) [12.25] Acreage has been suspended

not specified

		nanging Priority Use St. Xfers	Ise DLC Gov't QQ(40): atus DLC Lot Q(160):	NE NE	SW SE NE NE	NE NW SW NW NW NW	SE NE N NW SW S	IW SW SE SW SW SW	NE N	W SW S	SE Unkown SE QQ
Select	Cert:13240 OR *	0430 12/31/1880 IRRIGATION								9.7	
	Additional Info: TASSEY/MARY F STEWART Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F) Cert: 13240	Subject	RIGH								4
Select	Cert:13249 OR *	12/31/1890 IRRIGATION		2.38							
	Additional Info: NELS SWANSON Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F) Cert: 13249										
Select	Cert:13252 OR *	IRRIGATION					8.68				
	Additional Info: A A THOMASON Decree: WALLA WALLA RIVER Cert: 13252										
Select	Cert:13261 OR *	12/31/1893 IRRIGATION							4		
	Additional Info: JAS M VALENTINE Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F) Cert: 13261										
Select	Cert:13292 OR CN	IRRIGATION CA							7	7.5	
	Additional Info: HENRY V WHITING Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F) Cert: 13292										
Select	Cert:13298 OR CN	IRRIGATION CN							N A	9	
	Additional Info: FRANK WILLIAMS Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F) Cert: 13298		Page								
MIN'S		<< 11 12 13 14	15 16 17 18 19 20 >>			THE RESERVE					HI W

(inchoate)



SUBSECT REGILT

Meri	dian: WILLAMETTE Township: 6 No	th Rai	nge: 35	East	Section: 35	Records	per Page:	6		Sea	reh			10		LAND		
	Water Right	Changing Xfers	Priority	Use	Use DLC G	ov't QQ(40): Lot Q(160):	NE NW NE NE	SW SE NE NE	NE I	W SW	SE NW	NE NW SW SW	SW	SE SW	NE NI SE S	W SW	SE	Unkowi QQ
Select	Cert:13310 OR *			IRRIGATION				5										
	Additional Info: OREGON DEPARTMENT OF VETERANS AFFAIRS Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F) Cert: 13310																	
Select	Cert:17070 OR *		12/14/1934	IRRIGATION	N						4.7							
	Additional Info: FRED SAMS App: U92 Permit: U86 Cert: 17070																	
Select	Cert:27021 OR CN		3/27/1945	IRRIGATION	N CN								10					
	Additional Info: HUDSON BAY DISTRICT IMPROVEMENT CO. App: \$20648 Permit: \$16218 Cert: 27021																	
Select	Cert:33257 RR CN	CW27	12/31/1871	IRRIGATION	N CN											E		
	Additional Info: H.R. GRAHAM Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F) Cert: 33257																	
Select	Cert:33257 RR CN	CW27	12/31/1890	IRRIGATION	N CN	F-12 13 1							1				7.5	
	Additional Info: H.R. GRAHAM Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F) Cert: 33257																	
Select	Cert:33678 CF *		12/31/1871	IRRIGATION	V												0.5	
	Additional Info: ELMER/SARAH FOX Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F) Cert: 33678																	
		B	<	s 11 12 13	14 15 16 17 18	19 20 >>				TEST .								Am
				107									-12-22	100				

Acreage Legend: 12.25 Regular acreage

12.25 Acreage is on a canceled right

(12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate)

[12.25] Acreage has been suspended

Acreage is not specified

	Water Right	Changing Xfers	Priority Use	Use DLC Gov't C	Q(40): N (160): N	E NW E NE	SW	SE NE	NE NW	NW S	W SE W NW	NE SW	NW S	W SE	NE I	NW S	W SE E SE	Unkov
Select	Cert:33679 CF * Additional Info: ELMER L/SARAH A FOX Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F) Cert: 33679		12/31/1891 IRRIGATION														0.35	1
Select	Cert:39602 RR CN Additional Info: C KARKER Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F) Cert: 39602	CW45	12/31/1885 IRRIGATION	CN					3:46									
Select	Cert:44116 CF CN Additional Info: ROBERT W LEIBBRAND Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F) Cert: 44116	CW45	12/31/1879 IRRIGATION	CN					6									
	Cert:44131 CF CN Additional Info: ROBERT W LEIBRAND Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F) Cert: 44131	CW45	12/31/1885 IRRIGATION	CN					1.16									
	Cert:46632 CF * Additional Info: ROY/MABEL/SCOTT REDRFEARN Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F) Cert: 46632		12/31/1892 IRRIGATION					2.55										
	Cert:49818 RR CN Additional Info: PLEASANT VIEW IRRIGATION CO. App: E2917 Permit: E170 Cert: 49818		5/3/1913 IRRIGATION	CN)										0.5				

Acreage Legend: 12.25 Regular acreage

12:25 Acreage is on a canceled right (12:25) Acreage is part of a transfer and has not been proven up on yet (inchoate) [12:25] Acreage has been suspended

* Acreage is not specified

	Water Right G	hanging Xfers	Priority	Use	Use Status	DIC Gov	QQ(40): Q(160):	NE NA	SW	SE NE	NW NW	SW S	E NE W SW	NW	SW	SE	NE NI SE S	W SW E SE	SE SE	Unkov 00
Select	Cert:68543 RR *	1	2/31/1908	IRRIGATION	A STATE OF THE PARTY OF THE PAR				4.2											
	Additional Info: JOHN MCAUSLAN Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F) Cert: 68543																			
Select	Cert:68544 RR *	1	/15/1924	IRRIGATION					7.2											
	Additional Info: JOHN MCAUSLAN App: S9341 Permit: S6154 Cert: 68544																			
\$elect	Cert:76327 RR *	1	2/31/1871	IRRIGATION	ř.												1	1		
K	Additional Info: H.R. GRAHAM Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F) Cert: 76327																			
Select	Cert:76328 RR *	1	2/31/1876	IRRIGATION													1	1		
K	Additional Info: CYRUS POWELL Decree: WALLA WALLA RIVER Cert: 76328																			
Select	Cert:76331 RR CN	W7 1	/16/1959	IRRIGATION	CN					10						30.5				
	Additional Info: PLEASANT VIEW IRRIGATION CO. App: S32844 Permit: S26001 Cert: 76331																			
Select	Permit:G 15239 *	7	/2/2001	IRRIGATION							2				li v					
	Additional Info: SAM LEFORE JR App: G15555 Permit: G15239																			

Acreage Legend: 12.25 Regular acreage

12.25 Acreage is on a canceled right (12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate) [12.25] Acreage has been suspended

* Acreage is not specified

Meridian: W	LAMETTE Township: 6	North Rang	ge: 35	East	Section: 35	Records	per Pa	ge: 6			Sea	irch								
	Water Right	Changing Xfers	Priority	Use	Use DLC	Goy't QQ(40): Lat Q(160):	NE NE	NW NE	SW NE	SE NE	NE NW	NW S	W SE	NE SW	NW SW	SW S	E NE	NW. SE	SW SE	SE Unk
Select Permit:G	15612 *		7/7/2003	IRRIGATION			_		0.23											
Additional WALTER RC App: G160 Permit: G1	DLOFF 44																			
Select Cert:8096	7 CF *		12/31/1878	RRIGATION														3.5		
Additional JAMES BUR Decree: WA Cert: 8096	NS ALLA WALLA RIVER (F)																			
Select Cert:8096	7 CF *		12/31/1908	RRIGATION						163								1.3		
Additional JAMES BUR Decree: W/ Cert: 8096	NS ALLA WALLA RIVER (F)																			
Select Cert:8335	B CF *		12/31/1885	IRRIGATION							1.16									
Additional J BILL LEIBB Decree: WE Cert: 83350	RAND EST PRONG LITTLE WALLA WALLA RIVER	(F)																		
Select Cert:8335) CF *		12/31/1879	IRRIGATION							6									
Additional I BILL LEIBB Decree: WE Cert: 83359	RAND ST PRONG LITTLE WALLA WALLA RIVER	(F)																		
Select Inchoate:	CW 45 CF (ACW) *		12/31/1885	IRRIGATION					1	1	2.76									
Additional I EILEEN LEI Decree: WE		(F)																		
RUE MET BEV		No. 5	Will DE	<< 21	22 23 24 25 2	5 27 28 29 30					-				1	103			Page 1	
	SERVICE SERVIC		The state of the last		THE CONTRACTOR OF THE CONTRACT		200	10000000					-						-	

Acreage Legend: 12.25 Regular acreage

12.25 Acreage is on a canceled right (12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate) [12.25] Acreage has been suspended

* Acreage is not specified

Water Right	Changing Priority Xfers Priority	Use	Use DLC Gov Status DLC Lot	't QQ(40): Q(160):	NE NE	SW SE	NE	NW S	W SE	NE SW	NW S	W SE	NE SE	NW SE	SW SE	SE U	Inkow OO
elect Cert:83360 RR *	12/31/188	5 IRRIGATION					0.7										
Additional Info: C KARKER Decree: WEST PRONG LITTLE WALLA WALLA RIVER (Cert: 83360	F)																
elect Inchoate: CW 45 CF (ACW) *	12/31/188	5 IRRIGATION					1										
Additional Info: BILL LEIBBRAND Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F)																
elect Inchoate: CW 45 CF (ACW) *		IRRIGATION					6										
Additional Info: BILL LEIBBRAND Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F)																
elect Inchoate: CW 45 CF (ACW) *	12/31/188	7 IRRIGATION					9.7										
Additional Info: BILL LEIBBRAND Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F)																
elect Cert:12775 OR *	12/31/190	8 IRRIGATION	SP	-		[2]											
Additional Info: H A HERR Decree: WEST PRONG LITTLE WALLA WALLA RIVER (Cert: 12775	F)																
elect Cert:13130 OR *	12/31/188	1 IRRIGATION							1111					9			
Additional Info: HOWARD C YATES Decree: WEST PRONG LITTLE WALLA WALLA RIVER (Cert: 13130	F)																
		<< 21 22 i	23 24 25 26 27 28	29 30	8011	1000		1	1/2-14							Th	

EXTE	Mater Right	h Range: 35	000	Use puo Govit	QQ(40): NE			E NE I	Search		NW SW	SE N	E NW	SW S	E Unko
Select	Cert:13311 OR *	Xfers Priority	IRRIGATION	Status DLC Lot	Q(160): N	NE	NE N	9.5	1 WIA WE	W SW	SW SW	SW S	E SE	SE S	E QO
	Additional Info: HOWARD C YATES Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F) Cert: 13311														
elect	Cert:83953 CF *	3/27/1945	IRRIGATION								9.9				
	Additional Info: HUDSON BAY DISTRICT IMPROVEMENT CO. App: S20648 Permit: S16218 Cert: 83953														
Select	Cert:83954 CF *	12/8/1959	IRRIGATION								5.6				
	Additional Info: HUDSON BAY DISTRICT IMPROVEMENT CO. App: S33492 Permit: S26499 Cert: 83954										OK	AY	*		
elect	Cert:84018 RR *	5/3/1913	IRRIGATION							1		8/5	1		
1	Additional Info: HUDSON BAY DISTRICT IMPROVEMENT CO. App: E2917 Permit: E170 Cert: 84018									1		-	1		
blect	Cert:12603 OR *		IRRIGATION AND											8	
	Additional Info: C F COLLINS Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F) Cert: 12603		DOMESTIC												
Select	Cert:12624 OR *	12/31/1893	IRRIGATION			5									
	Additional Info: H.T. DEALY Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F) Cert: 12624		AND DOMESTIC												
			<< 21 22 23	3 24 25 26 27 28 2	9 30							200			1381
creage	Legend: 12.25 Regular 12.25 Acreage is on a canceled right	(12.25) Acreage is pa has not been (inchoate)	rt of a transfer a proven up on ye	and [12.25] Ac et be	reage has en suspende		* Acrea	ge is pecified							

	Water Right	Changing Xfers	Priority	Use	Use Status	DLC Go	it QQ(4 t Q(16	0): NE 0): NE	NW S	SW NE	SE NE	NE NI	W SW W NW	SE NW	NE N	W SW W SW	SE SW	NE SE	NW SE	SW S	E Unk
Select	Cert:12730 OR * Additional Info: B T HALEY Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F) Cert: 12730		12/31/1890	IRRIGATION AND DOMESTIC														7.21			
Select	Cert:12518 OR * Additional Info: CLARA K ANSPACH Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F) Cert: 12518	CW15	12/31/1875	IRRIGATION, LIVESTOCK AND DOMESTIC											10						
Select	Cert:12533 OR * Additional Info: W W BARNES Decree: WEST PRONG LITTLE WALLA WALLA RIVER (F) Cert: 12533	S163		IRRIGATION, LIVESTOCK AND DOMESTIC							4.62										
Select	Cert:13083 CF CN Additional Info: MILTON FREEWATER & HUDSON BAY IRRIGATION CO. Decree: WALLA WALLA RIVER Cert: 13083	T5517		IRRIGATION, LIVESTOCK AND DOMESTIC	CN											10					
	Cert:52576 CF CN Additional Info: MILTON FREEWATER & HUDSON BAY IRRIGATION CO. Cert: 52576	T5517		IRRIGATION, LIVESTOCK AND DOMESTIC	CN											10					
	Cert:67205 RR * Additional Info: HUDSON BAY IRRIGATION CO. Decree: WALLA WALLA RIVER Cert: 67205	CW23, CW38		IRRIGATION, LIVESTOCK AND DOMESTIC												10					
	THE SECTION OF THE PERSON OF T			≤≤ 21 22	23 24 7	25 26 27	28 29 3	1				138	all po			THE W	1			THE I	

Meridian:	WILLAMETTE Township: 6 No	rth Ran	ige: 35	East	Section	1: 35	Records p	er P	age:	6		1	Seam	ch				V			1/		
White the same of	Water Right	Changing Xfers	Priority	Use	Use Status	DLC Gov's	QQ(40): Q(160):	NE NE	NW NE	SW S	E NE	NW NW	SW	SE NW	NE SW	NW SW	SW. SW.	SE	NE SE	NW SE	SW. SE	SE I	Unko Q(
Addition	onal Info: ON BAY IRRIGATION CO. e: WALLA WALLA RIVER		2/16/1903	IRRIGATION, LIVESTOCK AND DOMESTIC	-												10						
Addition FRED	onal Info: RAUSHKOLB e: WEST PRONG LITTLE WALLA WALLA RIVER (F)	CW45	12/31/1887	LIVESTOCK	CN						*												
Addition BILL L	oate: CW 45 CF (ACW) * onal Info: EIBBRAND e: WEST PRONG LITTLE WALLA WALLA RIVER (F)		12/31/1887	LIVESTOCK																			
Addition CITY C	it:G 4924 * onal Info: F MILTON FREEWATER 55389 :: G4924		1/4/1971	MUNICIPAL USES					1*	•	*		•	*	*	*	*	*	*		*	•	
Addition CITY C App: G	: G2312		12/13/1962	MUNICIPAL USES		* ""												•		*	*		
Addition MARIL App: G	t:G 15193 * onal Info: YN ZERBA 515554 :: G15193		6/29/2001	NURSERY USES (Suppl'mtl)													12.9						
TO THE		THE REAL PROPERTY.		≤< 21 22	23 24 2	25 27 29	20.30					THE STATE OF	HIN	Vii		-	-				-130	1000	

Acreage Legend: 12.25 Regular acreage

12.25 Acreage is on a canceled right (12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate) [12.25] Acreage has been suspended

Acreage is not specified

acreage

canceled right

Changing Principle	Use DIC Gov't QQ(40): NE	NW SW SE NE NW SW SE NE	NW SW SE NE NW SW SE LINK
Xfers Priority		NE NE NE NW NW NW SW	SW SW SW SE SE SE SE
2/28/1994	SUPPLEMENTAL IRRIGATION (Suppl'mtl)		4.85
2/28/1994	CURRICHENTAL	T	9.7 18.4
5/7/1958	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	4.4	
3/27/1945	SUPPLEMENTAL CN IRRIGATION (Suppl'mtl)		40
12/21/1961	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	14.8	
1/16/1959	SUPPLEMENTAL CN IRRIGATION (Suppl'mtl)		38.5
	2/28/1994 2/28/1994 5/7/1958 3/27/1945	2/28/1994 SUPPLEMENTAL IRRIGATION (Suppl'mtl) 5/7/1958 SUPPLEMENTAL IRRIGATION (Suppl'mtl) 3/27/1945 SUPPLEMENTAL CN IRRIGATION (Suppl'mtl) 12/21/1961 SUPPLEMENTAL IRRIGATION (Suppl'mtl) 12/21/1961 SUPPLEMENTAL IRRIGATION (Suppl'mtl) 1/16/1959 SUPPLEMENTAL CN IRRIGATION (Suppl'mtl)	2/28/1994 SUPPLEMENTAL IRRIGATION (Suppl'mtl) 5/7/1958 SUPPLEMENTAL IRRIGATION (Suppl'mtl) 3/27/1945 SUPPLEMENTAL IRRIGATION (Suppl'mtl) 1/16/1959 SUPPLEMENTAL IRRIGATION (Suppl'mtl) 1/16/1959 SUPPLEMENTAL CN IRRIGATION (Suppl'mtl)

has not been proven up on yet

(inchoate)

CONFLICT W/ Por. G-13075

been suspended

not specified

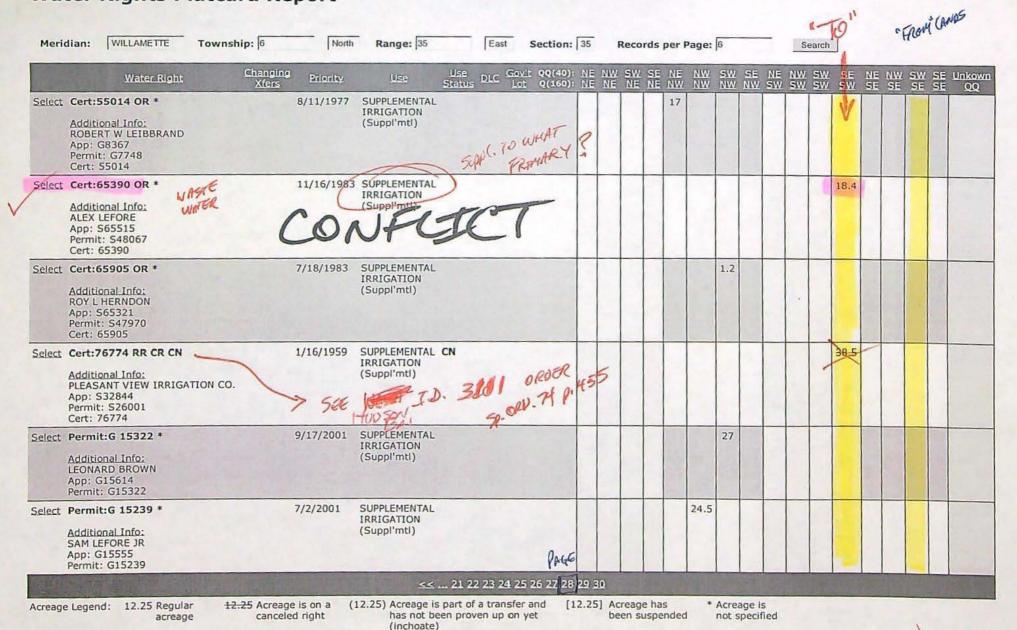
TION CO.	4/26/1962	SUPPLEMENTAL IRRIGATION (Suppl'mtl)		olc Govit	QQ(40): Q(160):	NE NE	L SW S	AE NW	NW SV	The second second	NE NW. SW SW	SW SW	SE SW		W SE	W SEE SE	Unko
TION CO.	4/3/1972	SUPPLEMENTAL IRRIGATION (Suppl'mtl) SUPPLEMENTAL IRRIGATION (Suppl'mtl)	QN/							8	.68	14.4	38.5				
TION CO.		IRRIGATION (Suppl'mtl)	GN/									14.4	38.5				
TION CO.	1/16/1959	IRRIGATION /	GN/										38.5	-	-		
MPROVEMENT CO.	12/8/1959	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	CN									4.9					
T7643	1/16/1959	SUPPLEMENTAL (IRRIGATION (Suppl'mtl)	CN										38.5				
MPROVEMENT CO.	12/8/1959	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	CN									4.9					
	T7643 FION CO. MPROVEMENT CO.	TION CO. 12/8/1959	IRRIGATION (Suppl'mtl) 12/8/1959 SUPPLEMENTAL (IRRIGATION (Suppl'mtl)) MPROVEMENT CO.	IRRIGATION (Suppl'mtl) 12/8/1959 SUPPLEMENTAL CN IRRIGATION (Suppl'mtl) MPROVEMENT CO.	IRRIGATION (Suppl'mtl) 12/8/1959 SUPPLEMENTAL CN IRRIGATION (Suppl'mtl) MPROVEMENT CO.	IRRIGATION (Suppl'mtl) 12/8/1959 SUPPLEMENTAL CN IRRIGATION (Suppl'mtl) MPROVEMENT CO.	IRRIGATION (Suppl'mti) TION CO. 12/8/1959 SUPPLEMENTAL CN IRRIGATION (Suppl'mti)	IRRIGATION (Suppl'mtl) 12/8/1959 SUPPLEMENTAL CN IRRIGATION (Suppl'mtl) MPROVEMENT CO.	IRRIGATION (Suppl'mtl) 12/8/1959 SUPPLEMENTAL CN IRRIGATION (Suppl'mtl) MPROVEMENT CO.	IRRIGATION (Suppl'mtl) 12/8/1959 SUPPLEMENTAL CN IRRIGATION (Suppl'mtl) MPROVEMENT CO.	IRRIGATION (Suppl'mtl) 12/8/1959 SUPPLEMENTAL CN IRRIGATION (Suppl'mtl) MPROVEMENT CO.	IRRIGATION (Suppl'mtl) 12/8/1959 SUPPLEMENTAL CN IRRIGATION (Suppl'mtl) MPROVEMENT CO.	IRRIGATION (Suppl'mtl) 12/8/1959 SUPPLEMENTAL CN IRRIGATION (Suppl'mtl) MPROVEMENT CO.	IRRIGATION (Suppl'mtl) 12/8/1959 SUPPLEMENTAL CN IRRIGATION (Suppl'mtl) MPROVEMENT CO.	IRRIGATION (Suppl'mtl) 12/8/1959 SUPPLEMENTAL CN IRRIGATION (Suppl'mtl) MPROVEMENT CO.	IRRIGATION (Suppl'mtl) 12/8/1959 SUPPLEMENTAL CN IRRIGATION (Suppl'mtl) MPROVEMENT CO.	IRRIGATION (Suppl'mtl) 12/8/1959 SUPPLEMENTAL CN IRRIGATION (Suppl'mtl) MPROVEMENT CO.

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Acreage is not specified



CONFLICT

Water Right	Changing Xfers	Priority	Use	Status DLC	Gov't QQ(40): Lot Q(160):	NE NE	NW NE	SW NE	SE NE	NE NW	NW SY	V SE V NW	NE SW	NW SW	SW	SE SW	NE SE	NW SE	SW SE	SE Ur	nkow OO
Permit:G 15612 * Additional Info: WALTER ROLOFF App: G16044 Permit: G15612		7/7/2003	SUPPLEMENTAL IRRIGATION (Suppl'mti)			31.16	Control of the last of the		31.72								A	12.36			
Permit:S 43973 * Additional Info: BOB HODENFIELD App: S57959 Permit: S43973		9/28/1978	SUPPLEMENTAL IRRIGATION (Suppl'mtl)												10						
Permit:G 15776 * Additional Info: JIM WALISER App: G16192 Permit: G15776		2/23/2004	SUPPLEMENTAL IRRIGATION (Suppl'mtl)											38.62							
Inchoate: T 7643 CF (REG) * Additional Info: PLEASANT VIEW IRRIGATION CO. App: S32844 Permit: S26001		1/16/1959	SUPPLEMENTAL IRRIGATION (Suppl'mtl)												6	(1.0)					
Permit:G 15450 * Additional Info: LEONARD BROWN App: G15755 Permit: G15450		4/29/2002	SUPPLEMENTAL IRRIGATION (Suppl'mtl)											19.7					Aller IV		
Permit:G 13075 * Additional Info: NORTHWEST FARM CREDIT SERVICE: App: G13629 Permit: G13075		12/21/1994	TEMPERATURE CONTROL												*						
				<< 21 22	23 24 25 26 27	28 29	30														

	Water Right	Changing	Priority	Use	Use	DLC	Gov't	QQ(40): Q(160):	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Unkov
		Xfers	-	O THE STATE OF THE	Status	1740	Lot	Q(160):	NE	NE	NE	NE	NW		1977 Warming	MM	SW	SW	SW	SW	SE	SE	SE	SE	QQ
Select	Cert:46828 OR *		6/21/19/4	TEMPERATURE CONTROL											14.4										
	Additional Info: EARL & LORRAINE BROWN App: S52105 Permit: S39255 Cert: 46828																								
Select	Permit:G 15322 *		9/17/2001	TEMPERATURE CONTROL											*										
	Additional Info: LEONARD BROWN App: G15614 Permit: G15322																								
Select	Permit:G 15239 *		7/2/2001	TEMPERATURE CONTROL										*											
	Additional Info: SAM LEFORE JR App: G15555 Permit: G15239																								
Select	Permit:G 15612 *		7/7/2003	TEMPERATURE CONTROL				,	*	*	*	*										*			1
	Additional Info: WALTER ROLOFF App: G16044 Permit: G15612																								
Select	Permit:G 15776 *		2/23/2004	TEMPERATURE CONTROL														*							
	Additional Info: JIM WALISER App: G16192 Permit: G15776																								
Select	Permit:G 15450 *		4/29/2002	TEMPERATURE CONTROL														*							
	Additional Info: LEONARD BROWN App: G15755 Permit: G15450																								

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* Acreage is not specified



Ken Dowden

From: Laura Wilke

Sent: Wednesday, January 14, 2009 11:41 AM

To: Ken Dowden

Subject: RE: Water Conveyance agreements

Ken – were the conveyance agreement's recorded? If so, then they only need to provide a ROLI that shows who owned the property at the time the water right conveyance agreement was recorded. The land ownership should be the same as the entity (or individual) that conveyed the water right to the new water right interest holder.

Laura Wilke
Flow Restoration Program Coordinator
Oregon Water Resources Department
725 Summer St. NE, Suite A
Salem, Oregon 97301-1271
Phone: (503) 986-0884
Web: www.wrd.state.or.us

From: Ken Dowden

Sent: Wednesday, January 14, 2009 10:18 AM

To: Laura Wilke

Subject: FW: Water Conveyance agreements

Can we discuss this?

From: Ken Dowden

Sent: Tuesday, January 13, 2009 1:34 PM
To: Dorothy Pedersen; Doug Parrow
Subject: Water Conveyance agreements

In the event that I have a transfer for a change in PLACE OF USE where the landowner has subdivided and sold off the lots, drafted up the water conveyance agreements and submitted them along with the application, does the below signature page require them to also submit a ROLI and notification to the current landowners as well and written authorization from all of them? Should there be the word "or" in-between them, because these land sales transactions have already taken place some time ago. I'm not sure I understand what we are asking for here, mainly because I have managed to steer clear of these water conveyance documents until now.

Excerpt from transfer application follows:

Before submitting your application to the Department, be sure you have:

- · Answered each question completely.
- · Included all the required attachments.
- Provided original signatures for <u>all</u> named deed holders, or other parties, with an interest in the water right.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

 □ In accordance with OAR 690-380-3000(13)(a), I (we) understand that prior to Department approval of a permanent transfer and upon my receipt of a draft Preliminary Determination for the proposed transfer; I (we) will be required [pursuant to OAR 690-380-4010(5)] to protect the following landownership information and evidence demonstrating that I (we) are authorized to pursue the transfer: (a) A report of ownership and lien information that has been prepared by a title company the last three months; (b) A copy of written notification of the proposed transfer provided by the applicant to all lindolers on the subject lands unless the report of ownership and lien information shows the water right conveyance agreement has been recorded for the subject lands. If a water right conveyance agreement has been recorded for the subject lands, a copy of the agreement is dentification of the owner of the lands at the time the agreement was recorded must be submitted; and (c) If the landowner identified in the report of ownership and lien information is not the applicant in contributed statement consenting to the transfer (attached) signed by the landowner identified in the report or an authorized representative of the entity to whom the interest in water right has been conveyed as identified in a water right conveyance agreement or othe documentation demonstrating that the applicant is authorized to pursue the transfer in the absence of the consent of the landowner. ✓ I (we) affirm that interest in the water right has been conveyed to someone other than the landowner, and documents, including a water right conveyance agreement, report of owners and lien information. and any required henholder notification are enclosed, demonstrating that (we are) authorized to pursue the transfer. I (we) understand that we may be required to provaditional information upon receipt of the draft Preliminary Determination.			12. SIGNATURES	
approval of a permanent transfer and upon my receipt of a draft Preliminary Determination the proposed transfer, I (we) will be required [pursuant to OAR 690-380-40105] to protect the following landownership information and evidence demonstrating that I (we) are authorized to pursue the transfer: (a) A report of ownership and lien information that has been prepared by a title company of the last three months; (b) A copy of written notification of the proposed transfer provided by the applicant to all lindolers on the subject lands unless the report of ownership and lien information shows the water right conveyance agreement has been recorded for the subject lands. If a water right conveyance agreement has been recorded for the subject lands, a copy of the agreement is identification of the owner of the lands at the time the agreement was recorded must be submitted; and (c) If the landowner identified in the report of ownership and lien information is not the applicant anotarized statement consenting to the transfer (attached) signed by the landowner identified in the report or an authorized representative of the entity to whom the interest in water right has been conveyed as identified in a water right conveyance agreement or othe documentation demonstrating that the applicant is authorized to pursue the transfer in the absence of the consent of the landowner. I (we) affirm that interest in the water right has been conveyed to someone other than the landowner, and documents, including a water right conveyance agreement, report of owners and lien information, and any required lienholder notification are enclosed, demonstrating that (we are) authorized to pursue the transfer. I (we) understand that we may be required to provaditional information upon receipt of the draft Preliminary Determination. I (we) affirm that the applicant is a municipality, as defined in ORS 540.510(3)(b), and that right is in the name of the municipality or a predecessor. Therefore, pursuant to OAR 690-33000(13)(b), the applicant is	Ch	eck <u>one</u> of the following, as a	ppropriate, and sign the application in the s	ignature box below:
identification of the owner of the lands at the time the agreement was recorded must be submitted; and (c) If the landowner identified in the report of ownership and lien information is not the applicantized statement consenting to the transfer (attached) signed by the landowner identified in the report or an authorized representative of the entity to whom the interest in water right has been conveyed as identified in a water right conveyance agreement or othe documentation demonstrating that the applicant is authorized to pursue the transfer in the absence of the consent of the landowner. I (we) affirm that interest in the water right has been conveyed to someone other than the landowner, and documents, including a water right conveyance agreement, report of owners and lien information, and any required henholder notification are enclosed, demonstrating that (we are) authorized to pursue the transfer. I (we) understand that we may be required to provadditional information upon receipt of the draft Preliminary Determination. I (we) affirm that the applicant is a municipality, as defined in ORS 540.510(3)(b), and that right is in the name of the municipality or a predecessor. Therefore, pursuant to OAR 690-3 3000(13)(b), the applicant is NOT required to provide the above described report of ownership lien information. I (we) affirm that the applicant is an entity with the authority to condemn property and is acquiring the property to which the water right proposed for transfer is appurtenant by condemnation. Documentation is provided with this application supports his statement. Therefore, pursuant to OAR 690-380-3000(13)(c), the applicant is NOT required to provide the above described report of ownership and lien information. (NOTE: Such an entity may only application of consent from any other landowners, if applicable) is enclosed. I (we) affirm that this is a temporary transfer and a copy of the deed for the "from" land (at affidavits of consent from any other landowners, if application is true and accur		approval of a permanent tra for the proposed transfer, I the following landownership authorized to pursue the tra (a) A report of ownership the last three months; (b) A copy of written noti holders on the subject water right conveyance	ansfer and upon my receipt of a draft Prelim (we) will be required [pursuant to OAR 690- o information and evidence demonstrating the insfer: and lien information that has been prepared be fication of the proposed transfer provided by the lands unless the report of ownership and lien in agreement has been recorded for the subject la	ninary Determination 380-4010(5)] to provide hat I (we) are by a title company within the applicant to all lien uformation shows that a unds. If a water right
 (c) If the landowner identified in the report of ownership and lien information is not the applicant a notarized statement consenting to the transfer (attached) signed by the landowner identified in the report or an authorized representative of the entity to whom the interest in water right has been conveyed as identified in a water right conveyance agreement or othe documentation demonstrating that the applicant is authorized to pursue the transfer in the absence of the consent of the landowner. I (we) affirm that interest in the water right has been conveyed to someone other than the landowner, and documents, including a water right conveyance agreement, report of owners and lien information, and any required lienholder notification are enclosed, demonstrating that (we are) authorized to pursue the transfer. I (we) understand that we may be required to provadditional information upon receipt of the draft Preliminary Determination. I (we) affirm that the applicant is a municipality, as defined in ORS 540.510(3)(b), and that right is in the name of the municipality or a predecessor. Therefore, pursuant to OAR 690-3 3000(13)(b), the applicant is NOT required to provide the above described report of ownership lien information. I (we) affirm that the applicant is an entity with the authority to condemn property and is acquiring the property to which the water right proposed for transfer is appurtenant by condemnation. Documentation is provided with this application supporting this statement. Therefore, pursuant to OAR 690-380-3000(13)(c), the applicant is NOT required to provide the above described report of ownership and lien information. (NOTE: Such an entity may only applications that this subsection if it has filed a condemnation action to acquire the property. I (we) affirm that this is a temporary transfer and a copy of the deed for the "from" land (an affidavits of consent from any other landowners, if application is true and accurate.		identification of the on		
landowner, and documents, including a water right convevance agreement, report of owners and lien information, and any required henholder notification are enclosed, demonstrating that (we are) authorized to pursue the transfer. I (we) understand that we may be required to provadditional information upon receipt of the draft Preliminary Determination. I (we) affirm that the applicant is a municipality, as defined in ORS 540.510(3)(b), and that right is in the name of the municipality or a predecessor. Therefore, pursuant to OAR 690-3 3000(13)(b), the applicant is NOT required to provide the above described report of ownership lien information. I (we) affirm that the applicant is an entity with the authority to condemn property and is acquiring the property to which the water right proposed for transfer is appurtenant by condemnation. Documentation is provided with this application supporting this statement. Therefore, pursuant to OAR 690-380-3000(13)(c), the applicant is NOT required to provide the above described report of ownership and lien information. (NOTE: Such an entity may only applications this subsection if it has filed a condemnation action to acquire the property. I (we) affirm that this is a temporary transfer and a copy of the deed for the "from" land (an affidavits of consent from any other landowners, if applicable) is enclosed. I (we) affirm that the information contained in this application is true and accurate.		(c) If the landowner identified a notarized statement identified in the report water right has been co documentation demons	consenting to the transfer (attached) signed or an authorized representative of the entity to inveyed as identified in a water right conveyand trating that the applicant is authorized to pursu	by the landowner whom the interest in the ce agreement or other
right is in the name of the municipality or a predecessor. Therefore, pursuant to OAR 690-3 3000(13)(b), the applicant is NOT required to provide the above described report of ownership lien information. I (we) affirm that the applicant is an entity with the authority to condemn property and is acquiring the property to which the water right proposed for transfer is appurtenant by condemnation. Documentation is provided with this application supporting this statement. Therefore, pursuant to OAR 690-380-3000(13)(c), the applicant is NOT required to provide the above described report of ownership and lien information. (NOTE: Such an entity may only applications transfer under this subsection if it has filed a condemnation action to acquire the property. I (we) affirm that this is a temporary transfer and a copy of the deed for the "from" land (at affidavits of consent from any other landowners, if applicable) is enclosed. I (we) affirm that the information contained in this application is true and accurate.	Z/	landowner, and documents, i and lien information, and any (we are) authorized to pursue	ncluding a water right conveyance agreeme required henholder notification are enclosed, the transfer. I (we) understand that we may	nt, report of ownership demonstrating that I am be required to provide
acquiring the property to which the water right proposed for transfer is appurtenant by condemnation. Documentation is provided with this application supporting this statement. Therefore, pursuant to OAR 690-380-3000(13)(c), the applicant is NOT required to provide the above described report of ownership and lien information. (NOTE: Such an entity may only apparatransfer under this subsection if it has filed a condemnation action to acquire the property. I (we) affirm that this is a temporary transfer and a copy of the deed for the "from" land (at affidavits of consent from any other landowners, if applicable) is enclosed. I (we) affirm that the information contained in this application is true and accurate.		right is in the name of the m 3000(13)(b), the applicant is	nunicipality or a predecessor. Therefore, pur	suant to OAR 690-380-
affidavits of consent from any other landowners, if applicable) is enclosed. I (we) affirm that the information contained in this application is true and accurate.		acquiring the property to w condemnation. Documentat Therefore, pursuant to OAR (above described report of ow	hich the water right proposed for transfer is ion is provided with this application supporting 590-380-3000(13)(c), the applicant is <u>NOT</u> req nership and lien information. (NOTE: Such an	s appurtenant by g this statement, juired to provide the entity may only apply fo
		I (we) affirm that this is a to affidavits of consent from an	emporary transfer and a copy of the deed for y other landowners, if applicable) is enclosed.	r the "from" land (and
name and nile if applicable (term) date	I (we) affirm that the informati	on contained in this application is true and	accurate.
apparent against	-	applicant signature	name and nile if applicable (print)	date
applicant signature name and title (f applicable (print) date	-	amilicant cimuatura	name and title if applicable (pant)	date

Last revised: 7/27/2007

Transfer Application/6

Ken Dowden

From: Dorothy Pedersen

Sent: Wednesday, January 14, 2009 11:00 AM

To: Ken Dowden; Doug Parrow

Subject: RE: Water Conveyance agreements

Ken,

With a water right conveyance agreement, we need to establish:

- The person on entity who conveyed the interest in the water right separately from the ownership in the land was indeed the owner of that land at the
 time the agreement was executed (signed and recorded), and is the transfer applicant or has given consent to the transfer applicant for the transfer,
 and
- Any subsequent owners or prospective owners of the land were informed that the interest in the water right had been severed from the land title
 (usually by the water right conveyance agreement having been recorded in the deed record).

Therefore, when the transfer application indicates that the interest in the water right has been conveyed, we need a copy of the conveyance agreement, showing that it has been recorded in the deed record, as well as a ROLI targeting the time when the water right conveyance agreement was executed. If those pieces of information satisfy the two points above, then there is no need for the applicant to get consent of current landowners or to notify lienholders.

If the conveyance agreement was not recorded, or there are gaps in the "chain of custody" of the interest in the water right, then we have to see what other combination of documents might satisfy the above points.

Welcome to the 21st century of water right issues!

Dorothy

From: Ken Dowden

Sent: Tuesday, January 13, 2009 1:34 PM To: Dorothy Pedersen; Doug Parrow Subject: Water Conveyance agreements

In the event that I have a transfer for a change in PLACE OF USE where the landowner has subdivided and sold off the lots, drafted up the water conveyance agreements and submitted them along with the application, does the below signature page require them to also submit a ROLI and notification to the current landowners as well and written authorization from all of them? Should there be the word "or" in-between them, because these land sales transactions have already taken place some time ago. I'm not sure I understand what we are asking for here, mainly because I have managed to steer clear of these water conveyance documents until now.

Excerpt from transfer application follows:

Before submitting your application to the Department, be sure you have:

- Answered each question completely.
- Included all the required attachments.
- Provided original signatures for <u>all</u> named deed holders, or other parties, with an interest in the water right.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

		12. SIGNATURES	
hecl	k <u>one</u> of the following, as app	ropriate, and sign the application in the s	ignature box below:
fo th	pproval of a permanent trans or the proposed transfer, I (w	0-3000(13)(a), I (we) understand that price for and upon my receipt of a draft Prelime) will be required <i>[pursuant to OAR 690-aformation and evidence demonstrating the:</i>	ninary Determination 380-4010(5)] to provide
(a		nd lien information that has been prepared	by a title company within
(6	 A copy of written notification in the subject land water right conveyance agreement has conveyance agreement has 	ation of the proposed transfer provided by the ds unless the report of ownership and lien in treement has been recorded for the subject last the subject lands, a copy of the lands at the time the agreement was	nformation shows that a ands. If a water right wo of the agreement and
(0	c) If the landowner identified a notarized statement co- identified in the report or a water right has been conve	I in the report of ownership and lien information insenting to the transfer (attached) signed that an authorized representative of the entity to eyed as identified in a water right conveyanting that the applicant is authorized to pursuit the landowner.	by the landowner whom the interest in the ce agreement or other
la (t	andowner, and documents, incl and lien information, and any re- we are) authorized to pursue the	te water right has been conveyed to some duding a water right conveyance agreeme quired lienholder notification are enclosed, e transfer. I (we) understand that we may eccipt of the draft Preliminary Determina	nt, report of ownership demonstrating that I am be required to provide
17i	ight is in the name of the mun	t is a municipality, as defined in ORS 540 nicipality or a predecessor. Therefore, pur of required to provide the above described in the state of th	suant to OAR 690-380-
co T al	cquiring the property to which ondemnation. Documentation Therefore, pursuant to OAR 690 bove described report of owner	t is an entity with the authority to condent the water right proposed for transfer is is provided with this application supporting 380-380-3000(13)(c), the applicant is NOT requirements and lien information. (NOTE: Such an if it has filed a condemnation action to acquire	s appurtenant by g this statement, juried to provide the entity may only apply for
		porary transfer and a copy of the deed for ther landowners, if applicable) is enclosed.	the "from" land (and
(we) affirm that the information	contained in this application is true and a	accurate.
	oplicant signature	name and title if applicable (print)	date
ap			

Last revised: 7/27/2007

Transfer Application/6

Ken Dowden

From: Susan Douthit

Sent: Wednesday, October 15, 2008 4:45 PM

To: Ken Dowden Cc: Tony Justus

Subject: RE: LeFore T-10430 / HBIC HB3111

Sure, sounds like a plan.

Hopefully, we'll have a superseding certificate issued for 84014 in the foreseeable future. Stay tuned.

~S

Susan Douthit 503-986-0858

From: Ken Dowden

Sent: Wednesday, October 15, 2008 4:12 PM

To: Susan Douthit Cc: Susan Douthit

Subject: LeFore T-10430 / HBIC HB3111

Susan, after reading Tony's e-mail, knowing that this Certificate 84014 should INDEED BE RE-ISSUED in the name of PLEASANTVIEW IRRIGATION CO. / WALLA² RIVER I.D., I believe we should still be asking Teresa at WALLA² River Irrigation District whether:

- 1) will she/can she allow John's voluntary cancellation of the 4.28 acres in Certificate 3547 to be processed? (hold up from Ft. Vannoy/AG opinion)
- 2) hand in hand with that cancellation, we would recommend then the cancellation of this suppl WR C#84014 (4.28ac) portion of 38.5 acres described above? Would we be comfortable with that as well?

What do you think?

From: Tony Justus

Sent: Friday, October 10, 2008 1:51 PM

To: Susan Douthit
Cc: Ken Dowden
Subject: RE: HBIC HB3111

This is what I believe to be the issue: Hudson Bay IC does deliver some water that was originally Pleasant View. They therefore petitioned some of the PV water right C # 76774. Cert. 84014 was to identify those portions of 76774 that were not petitioned (the RR). I believe the certificate RR should have been issued in same name as original (PV) perhaps with some mention of WWRID.

From: Susan Douthit

Sent: Thursday, October 09, 2008 10:44 AM

To: Tony Justus

(50°) 520-4183

Cc:

Ken Dowden; Dorothy Pedersen

Subject: RE: HBIC HB3111

Hi.

As I mentioned to Ken on Monday, it appears that the petition did not modify anything off Cert 76774 in the SESW, Section 35, T6N R35E. The only error that I see on Cert 84014 is that it should have been issued in the name of Pleasant View IRD c/o Hudson Bay.

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Susan Douthit 503-986-0858

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Sent:

Thursday, October 09, 2008 10:00 AM

To: Cc: Susan Douthit Ken Dowden

Subject:

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Susan Douthit 503-986-0858

TO: TERESA YEAGER, SUSAN DOUTHIT & TONY JUSTUS

RE: LeFORE transfer T-10430

Okay, maybe I should start all over again.

The purpose of this discussion is in regards to the "TO" lands proposed in John LeFores transfer T-10430.

Several conflicts with other water rights exist on these lands in the SE¼ SW¼, section 35, of T 6 N, R 35 E., WM., one of them, a certain, newly issued Hudson Bay I.D. water right Certificate 84014. This certificate describes 38.5 acres (supplemental) being in the SE¼ SW¼, section 35.

To back up a few steps to start, we first had a Certificate #76774 in the name of Pleasantview Irr. Co.. Then the Hudson Bay 3111 Final Order describes C# 76774 to be petitioned.

In review of the Hudson Bay 3111 map, there was NO CLAIM to any lands in the SE¼ SW¼, section 35, of T 6 N, R 35 E., WM. SO, THEREFORE, WE ISSUED A REMAINING RIGHT Certificate #84014.

Teresa, as you know, some of the lands from Pleasantview did go to Hudson Bay, the rest to the Walla² River I.D. Mike and Tony were able to help me understand that, knowing quite a few acres of the Pleasantview Irrigation Company lands got absorbed and incorporated into your district, that this Certificate 84014 SHOULD INDEED BE RE-ISSUED in the name of PLEASANTVIEW IRRIGATION COMPANY / WALLA WALLA RIVER I.D. Susan has made this recommendation already and now I understand why.

With this in mind, I believe we would still ask you Teresa the question of whether:

1) will you allow John's voluntary cancellation of the 4.28 acres in Certificate 3547 to be processed?

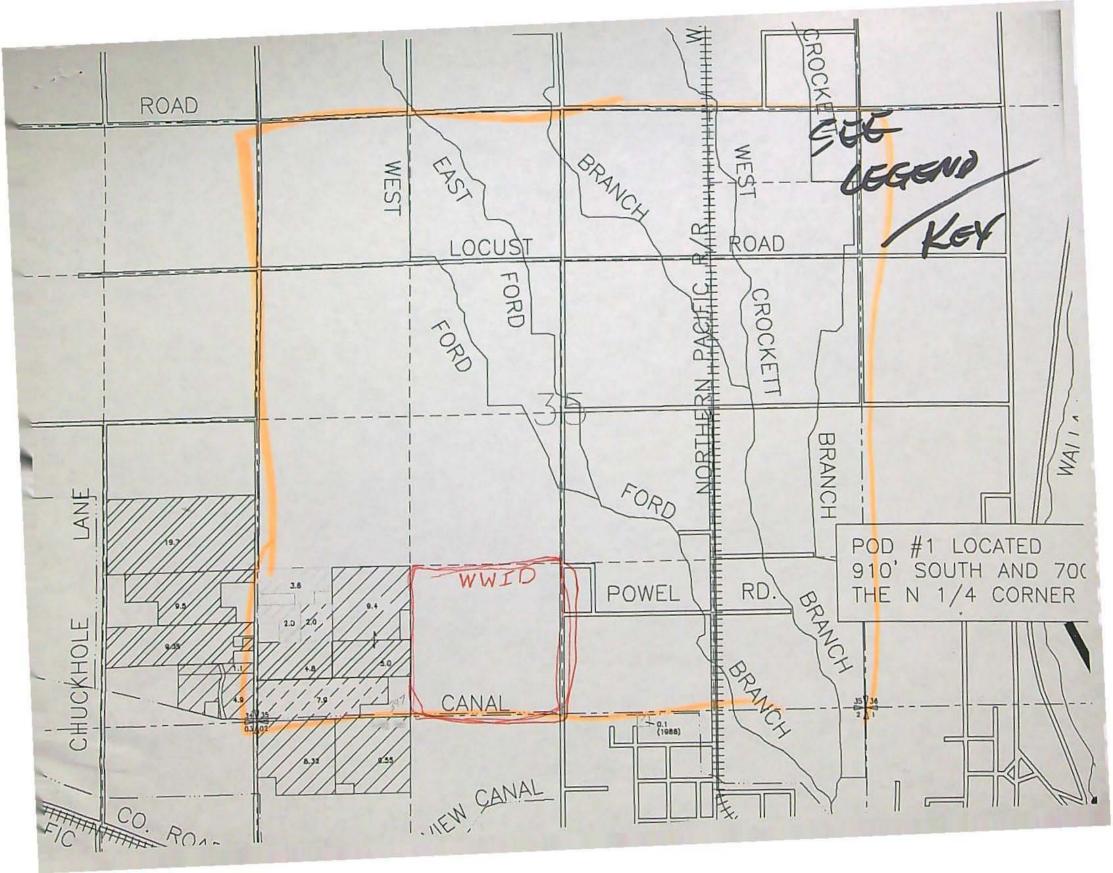
2) hand in hand with that cancellation, we would recommend the cancellation of this supplemental water right portion of the Walla² River I.D. 38.5 acres described above. Would you be comfortable with that as well?

See my email to Susen.

I in it Terrais email to

What she needs to Korn

SEE NEWEST # 84160



WATER RIGHTS LEGEND

HBOIC = HUDSON BAY DISTRICT IMPROVEMENT COMPANY

ISSUED TO HUDSON BAY IRRIGATION CO

> 1912 PLEASANT VIEW IRRIGATION CO WITH POD TRANSFERRED TO HRDIC (TRANSFER #'S T 4207 & T 3887)

1913 PLEASANT VIEW IRRIGATION CO WITH POD TRANSFERRED TO HIBDIC (TRANSFER # 1 5325) 333

1945 CERT 27021 HOOIC

1945 CERT 27021 HBDIC SUPPLEMENTAL



1959 CERT 50402 HECIC



1958 CERT 50402 Hacic SUPPLEMENTAL 200

1967 CERT 60604 HBDIC

TGN 34 & 35 E



1967 CERT 60604 HBDIC SUPPLEMENTAL



1978 FERMIT 43973 HBDIC



1978 FERMIT 43973 HBDIC SUPPLEMENTAL



PARTOF TON 34:35 E

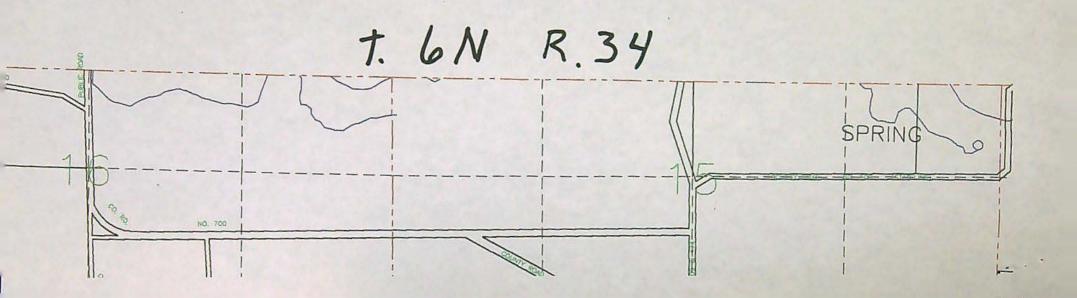
1988 PERMIT 53662 HECIC



1988 PERMIT 53662 HBCIC SUPPLEMENTAL



OTHER WATER RIGHTS INCLUDED IN PETITION THAT HAVE BEEN RECONFIGURED TO ALLOW WATER REGULATION



Ken Dowden

From: Ken Dowden

Sent: Monday, October 20, 2008 1:34 PM

To: 'John Warinner'

Subject: RE: John LeFore (T-10430)

Thanks John. I look forward to hearing the outcome, and we'll proceed then.

From: John Warinner [mailto:johnw@watersolving.com]

Sent: Thursday, October 16, 2008 3:21 PM

To: Ken Dowden

Subject: RE: John LeFore (T-10430)

Ken -

I just called John LeFore and briefly discussed this with him. He is out of town until Monday, October 27. I intend to meet with him when he returns to identify the supplemental water rights that can still be legally diverted and beneficially used on his property.

Thank you, JohnW

From: Ken Dowden [mailto:dowdenkd@wrd.state.or.us]

Sent: Thursday, October 16, 2008 2:05 PM

To: John Warinner

Subject: RE: John LeFore (T-10430)

John, good question. Since this involves a little finagling, I don't often venture down this path.

Ironically, in an e-mail early on I actually brought up this topic so as to move forward with the transfer with as little effort as possible.

That e-mail read basically (some paraphrasing):

Is an alternative to look at the layering rules and apply the inverse of the similar reliability?

In other words:

---> on the "TO" lands, the applicant has filed a voluntary cancellation affidavit to cancel a portion of the primary water right that exists on that 4.28 acres. There is also a supplemental water right (among others) then that will be left without a primary, and comparing the "incoming" 1880 transferred right with the to be canceled 1927 right, can't we apply or utilize the OAR 690-380-2240 (5) in that the incoming right is way more senior that the 1927 right he is cancelling, and therefore believe we can apply the reverse of "with similar reliability" statement. Why I ask...... because a new 1880 water right would less likely develop a call on the river, and believe would [cause to] postpone the timing of a supplemental water right then being turned on even further.

Susan, since it looks like these lands aren't really involved in the Hudson Bay, 3111 / POU discrepancy and "reconsideration" issue, do you or Dorothy see any reason I cannot move forward with this transfer?

It might be more simple to just ask him to cancel the supplemental WR's as well, consistent with OAR 690-380-2250 (2).

So John, if you want to work with John LeFore and sort out what supplemental water rights can still be legally delivered and put to beneficial use on the property, knowing that a new owner will soon take over, then I will draft up the transfer identifying the above descibed administrative rule in a "Findings of Fact" regarding existing water rights on the "TO" lands. Otherwise would urge John to file the voluntary cancellation affidavits and make a clean swipe.

From: John Warinner [mailto:johnw@watersolving.com]

Sent: Thursday, October 16, 2008 12:23 PM

To: Ken Dowden

Subject: RE: John LeFore (T-10430)

Thank you Ken.

Reminder to our follow-up phone conversation on this subject:

John LeFore should probably only cancel the water rights that he cannot continue to legally use and/or sell/transfer to other parties. For example, the groundwater rights (and any usable surface water rights) should probably be retained.

Please let me know if this deserves further discussion.

Thank you, JohnW

From: Ken Dowden [mailto:dowdenkd@wrd.state.or.us]

Sent: Thursday, October 16, 2008 11:17 AM

To: johnw@watersolving.com Subject: John LeFore (T-10430)

Hi John, as promised, attached is the table that describes the water rights in conflict with the LeFore transfer.

Also, as discussed, I will endeavor to get a letter out to him, cc: you, by next week some time, with enclosed voluntary cancellation affidavits to remedy the situation.

Thanks.

Ken Dowden

N.C. Region Transfer Specialist Oregon Water Resources Department 116 S.E. Dorion Ave. Pendleton, Oregon 97801 ph# (541) 278-5456

Ken Dowden

From: Doug Parrow

Sent: Thursday, October 23, 2008 5:20 PM

To: Ken Dowden; Dorothy Pedersen

Subject: RE: John LeFore (T-10430)

Ken,

I think we can take the approach that this is permissible and, in fact, there is a convoluted way to get to the same place:

1. Cancel the 1915 primary and transfer one of the existing supplementals to a primary.

2. Transfer the 1880 primary to the lands and diminish the primary that was just transferred from a supplemental.

So, let's skip the convoluted steps and move forward with it. The resource will be better after the changes are made.

Doug

From: Ken Dowden

Sent: Thursday, October 23, 2008 12:00 PM

To: Doug Parrow; Dorothy Pedersen **Subject:** John LeFore (T-10430)

Doug and Dorothy, I have an issue with a transfer, regarding the existing rights of record on the "TO" lands.

Dorothy, I believe you have commented on this, but I have asked for some guidance on this issue and have received conflicting opinions.

Starting with the facts: >> I have a situation where a transfer is proposing to move a 1880 primary water right onto lands where there is a 1915 primary WR, same source, which they are cancelling, but leaves four supplemental WR's on top of it. The applicant has also filed a voluntary cancellation affidavit for the one supplemental WR not being moved off the "FROM" lands.

QUESTION: Can we apply the inverse of the Layerered rules dealing with "similar reliability" here where the rule spells out to the moving of a supplemental water right, described in sub (5)?

In other words, the (below) OAR 690-380-2240 (5) speaks only to the movement of a supplemental WR......

By the book, if they cancel the primary, then maybe they should be cancelling the supplemental water rights as well, or can the Department allow them to slip in a more reliable primary water right, actually causing less of a chance for a call on the river and therefore less likely that the supplementals would even be turned on?

Tony Justus agrees that an earlier, more senior water right would NOT create enlargement or injury, but has not put that in writing.

Can we have a phone conference on this?

Also below are e-mails back and forth with the CWRE.

690-380-2240

Layered Water Rights and Certificates of Registration

(1) Except as provided in section (5) of this rule, a change in place of use or character of use of a water use subject to transfer, a permit, or a certificate of registration that is layered shall be approved or recognized only if concurrent changes to the other layered water uses subject to transfer, permits, and certificates of registration are approved or recognized.

10/30/2008

- (2) When reviewing an application for a transfer or permit amendment, the Department shall notify the applicant if other layered water uses subject to transfer, permits, or certificates of registration are identified for which applications for concurrent changes have not been filed.
- (3) The Department shall provide an applicant notified under section (2) of this rule a period of not less than 30 days to:
- (a) Submit applications for concurrent changes in the other layered water uses subject to transfer, permits, and certificates of registration;
- (b) Submit affidavits of voluntary cancellation for the other layered water uses subject to transfer, permits, and certificates of registration; or
- (c) Withdraw the application.
- (4) If the Department determines that an application to transfer or amend a layered water use subject to transfer or permit should be denied, the Department shall notify the applicant of the Department's intent to issue final orders denying the application and all associated applications unless, within 30 days after the date of Department notification, the applicant:
- (a) Submits an affidavit of voluntary cancellation for the portion of the water use subject to transfer, permit, or certificate of registration that the Department has determined cannot be transferred, amended, or modified; or
- (b) Withdraws the applications.
- (5) A supplemental irrigation water right may be moved separately from the associated primary irrigation water right if another primary irrigation water right with similar reliability is appurtenant to the lands to which the supplemental right is to be moved.

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Ken Dowden

From:

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Sent:

Friday, November 14, 2008 4:29 PM

To: Subject: Susan Douthit FW: HBIC HB3111

Susan, when I am in Salem, can we discuss this for a few minutes.

>>basically, the "when" and "if" you can get to re-issueing a new certificate in the name of Pleasant View IRD c/o Hudson Bay

This would be on top of discussing the other topic (??) with Greg on Wednesday.

From:

Tony Justus

Sent: To:

Friday, October 10, 2008 1:51 PM

Cc:

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Subject:

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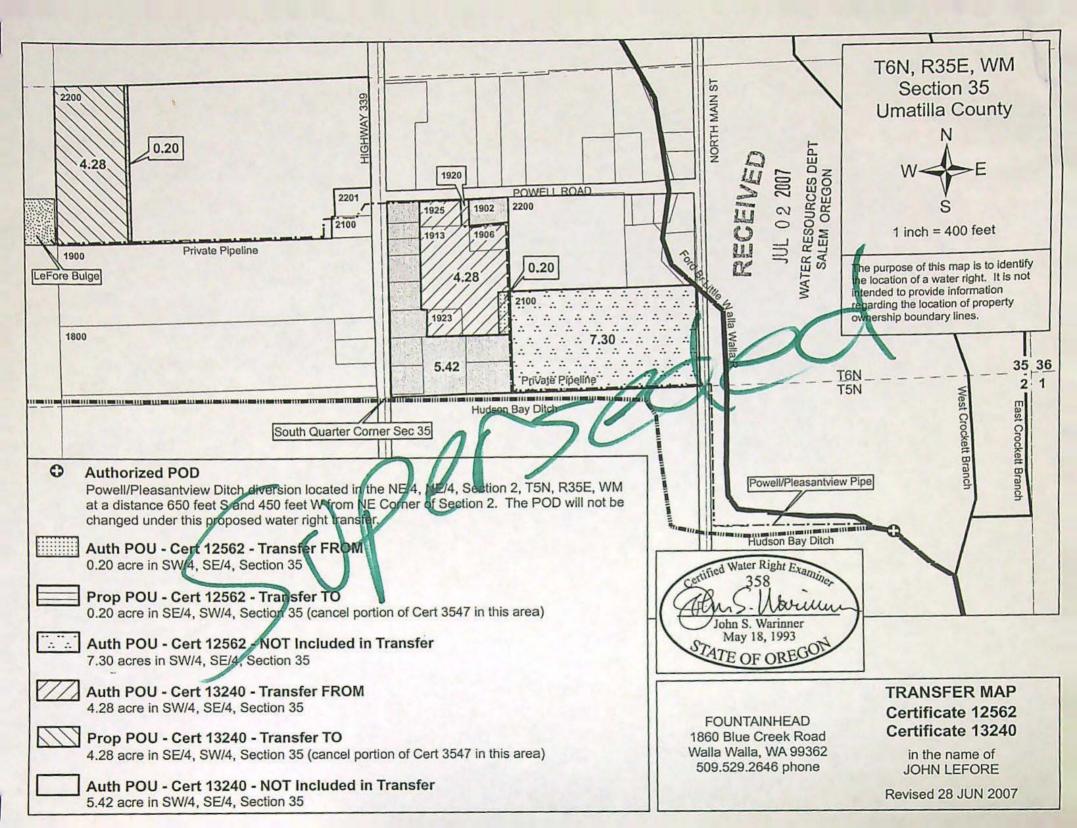
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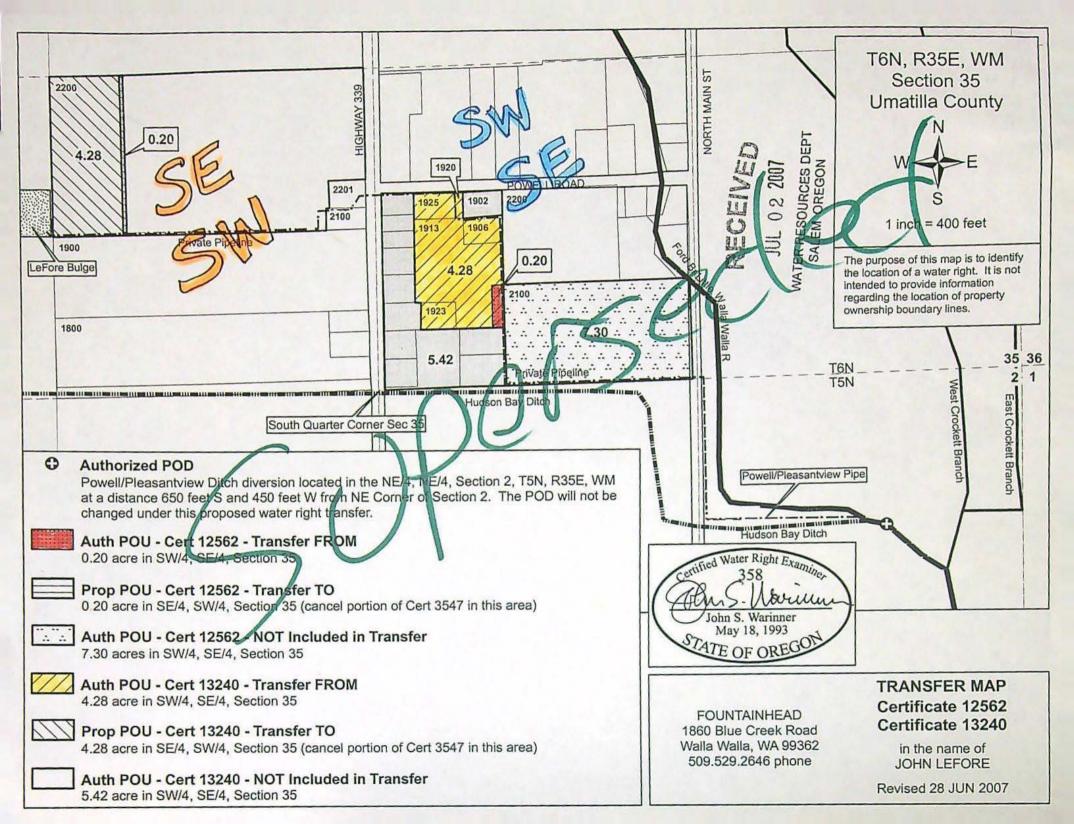
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Sarah Henderson

From: WWRID [wwrid@qwest.net]

Sent: Friday, August 17, 2007 8:14 AM

To: Tony Justus; 'John Warinner'

Cc: Jim Chambers; Sarah Henderson

Subject: RE: T-10430, John LeFore

Hi John,

The WWRID water rights database indicates that we are billing and delivering .20 acres of certificate 12562 to John LeFore's tax lot 1913. I was under the impression that the information contained in our water rights database came form OWRD. I looked up certificate 13240 and it looks like we should be billing the .20 acres for tax lot 1913 under this certificate. I apologize for any confusion the erroneous water right information that I provided to you may have caused.

Have a great day, Teresa

Teresa Yeager District Manager Walla Walla River Irrigation District 541-938-0144 wwrid@qwest.net

From: Tony Justus [mailto:justustg@wrd.state.or.us]

Sent: Tuesday, August 14, 2007 4:51 PM

To: John Warinner

Cc: WWRID; Jim Chambers; Sarah HENDERSON

Subject: T-10430, John LeFore

I have some questions/concerns with the transfer application for T-10430 as follows:

You are proposing to transfer 0.2 acres from tax lot 1913 and have labeled it as Certificate 12562. It appears to me that location is the POU for Certificate 13240 not 12562. I don't believe Certificate 12562 is involved at all. I don't anticipate giving the transfer a favorable review because of this. One of the purposes for this email is to give you an opportunity in case you want to convince me otherwise.

The correct decree designation is the Walla Walla River Decree not the West Prong LWW. The sources affected would be the Little Walla Walla not the WPLWW.

How long has the house associated with tax lot 1925 been located on that site and is there still a valid water right located there?

ORIGINALS

Transfer Application and Map

Amendments/Revisions to Appl & Map

Receipt

Deed or Lot Book Report

Notarized Consent

Evidence of Use Affidavit

Land Use Information Form

Lien Holder Notification (if applicable)

Report of Ownership and Lien Info (if applicable)

8

Other Supporting Documentation



Application for Water Right

Transfer

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "N/A" to indicate "Not Applicable." As you complete this form, please refer to notes and guidance included on the application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

	1. TYPE OF T	RANSFER APPLICAT	ION
	<u> </u>	lease check one	
	Permanent Transfer Temporary Transfer total number of years: (begin year: (end year:	Drought Tra	nent Limited ansfer RECEIVED
			NOV 0 5 2007
	2. APPLIC	CANT INFORMATION	
Name:	John A.	LeFore Last	SALEM, OREGON
Address:	83880 Highway 339		
	Milton-Freewater City	OR State	97862 Zip
hone:	(541) 938-4744 Home	(503) 869-4503 Work	N/A Other
ax: N/A		E-Mail address:	jblefore@hscis.net
(The agen	t listed is authorized to represent th John	NT INFORMATION	
(The agen	t listed is authorized to represent th	NT INFORMATION the applicant in all matters relate Warinner	
(The agen	John First 1860 Blue Creek Road Walla Walla	NT INFORMATION the applicant in all matters relate Warinner Last WA	ting to this transfer application.) 99362
(The agen Name: Address:	John First 1860 Blue Creek Road	NT INFORMATION the applicant in all matters relative Warinner Last	ting to this transfer application.)

4. PROPOSED CHANGE(S) TO WATER RIGHT(S)

List <u>all</u> water rights to be affected by this transfer. Indicate the certificate, permit, decree or other identifying number(s) in the table below: (Attach additional pages as necessary.)

	Application / Decree	Permit / Previous Transfer	Certificate
1.	Walla Walla River		13240
2.			3547
3.			10103
4.			
5.			
6.			

6.				
Check all proposed cha	inge(s) in	cluded in this transfe	er applica	tion:
☒ Place of Use	□ Po	int of Diversion	□ Ad	Iditional Point of Diversion
☐ Character of Use	□ Po	int of Appropriation	□ Ac	lditional Point of Appropriation
☐ Instream Transfer	□ Su	rface Water source to	Ground	Water source
Reason(s) for change(s): <u>Lands</u>	that water right is be	eing trans	ferred FROM were sold and
urbanized. Water right	owner d	esires senior water ri	ghts on o	ther agricultural parcel.
	5. W	ATER DELIVERY	SYSTE	M
used to divert, convey involves multiple right The description must be conveyed from the applicant is ready, we	and apply s that hav t be sufficie e authorize villing, and	y the water at the aut ye independent system and to demonstrate that the d source and applied at able to exercise the righ	horized p ms, descr ne full quan the authoris	nals, pipelines and sprinklers lace of use. If the transfer libe each system separately. tity of water to be transferred can libe location and that the
Water is conveyed to the				Powell-Pleasantview Pipe.
Water is conveyed to the				
that have independent	systems,	describe the capacity	for each	transfer involves multiple right system separately. em is 8-inch gravity pipeline.
				f fall in 2400 feet of run.
				ansfer involves just 0.17 cfs.

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Last revised: 10/13/2006

6. EVIDENCE OF BENEFICIAL WATER USE

- Attach one or more Evidence of Use Affidavits (Supplemental Form B) demonstrating that each of the right(s) involved in the transfer have been exercised in the last five years in accordance with the terms and conditions of the right or that a presumption of forfeiture for non-use could be rebutted. The Evidence of Use Affidavit(s) must include supporting documentation such as the following:
 - Copies of receipts from sales of irrigated crops or for expenditures relating to use of water;
 - Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers;
 - ▶ Dated aerial photographs of the lands or other photographs containing sufficient detail to establish location and date of the photograph; or
 - ▶ If the right has <u>not</u> been used during the past five years, documentation that the presumption of forfeiture would be rebutted under ORS 540.610(2).

7. AFFECTED DISTRICTS AND LOCAL GOVERNMENTS

Are any of the water rights proposed for transfer located within or served by an irrigation or other water district? ☐ Yes ☐ No
Will any of the water rights be located within or served by an irrigation or other water district after the proposed transfer? ⊠ Yes □ No
Is water for any of the rights supplied under a water service agreement or other contract for stored water with a federal agency or other entity? Yes No
If "Yes", for any of the above, list the name and mailing address of the district, agency and/or entity:
Walla Walla River Irrigation District – 323 North Evans Street – Milton-Freewater, OR 97862
List the name and mailing address of all affected local governments (e.g., county, city, municipal corporation, and tribal governments within whose jurisdiction the rights are located).
Umatilla County - 216 SE Fourth Street - Pendleton, OR 97801
City of Milton-Freewater – 8 SW 8th Avenue – Milton-Freewater, OR 97862

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WATER RESOURCES DEPT SALEM OREGON

Last revised: 10/13/2006

8. LAND OWNERSHIP

Ě	Does the applicant own the lands FROM which the right is being transferred? ☐ Yes ☒ No
	If "No", provide the following information. For Temporary Transfers, also include a notarized statement granting consent to the transfer from each of the landowners:
	Names of Current Landowner(s):various (see Exhibit A)
	Address: various (see Exhibit A)
	various (see Exhibit A)
	City State Zip
	Does the applicant own the lands TO which the right is being transferred?
	☐ Yes ☐ No ☐ N/A - NOT APPLICABLE TO INSTREAM TRANSFERS
	If "No", provide the following information:
	Names of Receiving Landowner(s): N/A First Last
	Address:
	City State Zip
	Check <u>one</u> of the following:
	☐ The receiving landowner will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to this landowner.
	□ The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.
	□ N/A. (Not applicable. Application is for an Instream Water Right Transfer.)

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9. ATTACHMENTS

Check each of the following attachments included with this application.

The application will be returned if all required attachments are not included.

Supplemental Form A — Description of Proposed Change(s) to a Water Right

A <u>separate</u> Supplemental Form A is enclosed for <u>each</u> water right to be affected by this transfer.

Supplemental Form B – Evidence of Use Affidavit(s)

- At least one Evidence of Use Affidavit documenting that the right has been used during the last five years or that the right is not subject to forfeiture under ORS 540.610 is attached. The affidavit provided must be the original (not a copy), and
- □ The Evidence of Use Affidavit must be accompanied by supporting documentation.

Map

- - The map must be prepared by a Certified Water Right Examiner and meet the requirements of OAR 690-380-3100 unless a waiver has been granted. The map provided must be the original, not a copy.
- ☐ Temporary Transfer or Historical POD Change

A map meeting the requirements of OAR 690-380-3100 must be included but need <u>not</u> be prepared by a Certified Water Right Examiner.

Water Well Report(s)/Well Log(s):

- ☐ The application is for a change in point of appropriation or change from surface water to ground water and copies of all water well reports are attached.
- □ Water well reports are not available and a description of construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed is attached.
- N/A. The application does <u>not</u> involve a change in point of appropriation or a change from surface water to ground water, so water well reports are <u>not</u> required.)

Last revised: 10/13/2006

Land Use Information Form:

- ☐ Enclosed; or
- Not Required if <u>all</u> of the following are met:
 - In EFU zone or irrigation district,
 - O Change in place of use only,
 - No structural changes needed, including diversion works, delivery facilities, other structures, and
 - O Irrigation only.

Fees:

Instream Water Right Transfers, also include:

Supplemental Form C – Instream Water Right Transfer

Complete this form to describe the desired nature and attributes for the proposed instream water right.

Temporary Transfers, also include:

Recorded Deed:

☐ The applicant must submit a copy of the current deed of record for the land **from** which the authorized place of use or point of diversion/appropriation is being moved.

Affidavit of Consent:

☐ If the applicant is NOT the owner of record for the land from which the authorized place of use or point of diversion/appropriation is being moved, a notarized statement from the actual owner of record consenting to the proposed transfer must be submitted.

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Before submitting your application to the Department, be sure you have:

- Answered each question completely.
- Included all the required attachments.

applicant signature

Last revised: 10/13/2006

- Provided original signatures for <u>all</u> named deed holders, or other parties, with an interest in the water right.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

		10. SIGNATUR	ES
Che	eck <u>or</u>	ne of the following, as appropriate, and sign the a	application in the signature box below:
	appr for the f	cordance with OAR 690-380-3000(13)(a), I (we) us oval of a permanent transfer and upon my receip the proposed transfer, I (we) will be required [purfollowing landownership information and evidence orized to pursue the transfer:	ot of a draft Preliminary Determination suant to OAR 690-380-4010(5)/ to provide
	(a)	A report of ownership and lien information that the last three months;	has been prepared by a title company within
	(b)	A copy of written notification of the proposed tra holders on the subject lands unless the report of or water right conveyance agreement has been record conveyance agreement has been recorded for the si identification of the owner of the lands at the time submitted; and	whership and lien information shows that a led for the subject lands. If a water right subject lands, a copy of the agreement and
	(c)	If the landowner identified in the report of owners a notarized statement consenting to the transfer identified in the report or an authorized representa water right has been conveyed as identified in a wardocumentation demonstrating that the applicant is absence of the consent of the landowner.	(attached) signed by the landowner tive of the entity to whom the interest in the ater right conveyance agreement or other
	I (w	e) affirm that the applicant is a municipality, as d	efined in ORS 540.510(3)(b), and that the
	righ	t is in the name of the municipality or a predeces	sor. Therefore
		(13)(b), the applicant is NOT required to provide information.	ORIGINAL
			OPTGIONE
		e) affirm that the applicant is an entity with the tiring the property to which the water right pro	
	cond	lemnation. Documentation is provided with this a refore, pursuant to OAR 690-380-3000(13)(c), the	HAS OF
	abov	e described report of ownership and lien information	- LATURES
	a tra	nsfer under this subsection if it has filed a condem	HAS SIGNATURES
I (v	we) af	firm that the information contained in this appli	
-			
	applica	ant signature name (print)	

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uate

· NOV 0 5 2001

name (print)



October 9, 2007

John LeFore 83880 Highway 339 Milton-Freewater, OR 97862

Re: REVISED Application for Water Right Transfer 10430 (Certificate 13240)

Dear John -

In August, Umatilla County Watermaster Tony Justus informed me of several issues that we must address in order for him to provide a favorable review of Water Right Transfer 10430. A copy of my email correspondence with Tony is attached to this letter.

The following table summarizes the documents included in your pending transfer application, and identifies the documents that we are revising based on Tony's review comments. Copies of the revised documents are enclosed with this letter.

DOCUMENT	REVISED 09 OCT 2007	
Application for Water Right Transfer (6 pages)	REVISED Decree and affected rights	HOE 6
Supplemental Form A for Certificate 12562 (6 pages)	DELETED	
Supplemental Form A for Certificate 13240 (6 pages)	REVISED Decree and affected stream	NO- AGRED TO
Supplemental Form B - Evidence of Use Affidavit (2 pages)		
Affidavit for Partial Cancellation of Certificate 3547 (1 page)	REVISED reduced acres and cfs	CIGNATURE
Affidavit for Partial Cancellation of Certificate 10103 (1 page)		2101-10
Transfer Map (1 page)	REVISED deleted Cert 12562	
Exhibit A – Current Owners of FROM Lands (1 page)		

I intend to hand-deliver this letter and attached materials to you – and I will discuss these changes with you at that time. If/when you authorize me to do so, I will forward these revised documents to Oregon Water Resources Department on your behalf.

Sincerely,

John Warinner, PE, CWRE

Har Marine

Certified Water Right Examiner

Enclosures

NOV 0 5 2007

John Warinner

From: Tony Justus [justustg@wrd.state.or.us]

Sent: Thursday, September 13, 2007 8:14 AM

To: John Warinner

Cc: walla2 Irr. Dist.; Jim Chambers Subject: RE: T-10430, John LeFore

The house area does not sound like it will be an issue. The first email in this chain, except for the house area, are the issues needed corrected.

From: John Warinner [mailto:warinner@gohighspeed.com]

Sent: Wednesday, September 12, 2007 9:54 PM

To: Tony Justus

Cc: Jim Chambers; 'WWRID'

Subject: RE: T-10430, John LeFore

Hi Tony -

I finally connected with John LeFore on this matter. John sold the house in 2004. Into 2004, John irrigated the yard with LWW river water. In 2004, the new owner ceased irrigating with LWW river water and began irrigating with water from the City of Milton-Freewater system.

Please let me know what changes, if any, I need to make to the application - and how I should submit them.

Thank you, JohnW

From: Tony Justus [mailto:justustg@wrd.state.or.us]

Sent: Thursday, August 23, 2007 3:56 PM

To: John Warinner

Cc: Jim Chambers; WWRID

Subject: RE: T-10430, John LeFore

Another thought: Does the house now have an alternative way of irrigating their yard and garden or are they still using the LWW river water? If they have an alternate source/system, when did they begin using it? If they are still using the LWW river as source, then they either can't transfer it or they will need to find an alternate source so they can show they have a method to dry those lands up from the LWW source.

From: John Warinner [mailto:warinner@gohighspeed.com]

Sent: Monday, August 20, 2007 10:34 AM

To: Tony Justus

Cc: Jim Chambers; Sarah Henderson; 'WWRID'

Subject: RE: T-10430, John LeFore

Hi Tony -

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WATER RESOURCES DEPT SALEM, OREGON I checked with John LeFore regarding the house on Tax Lot 1925. John told me the house was built in the 1970's - and the water right has been used to irrigate the landscape around that house. The house and garage footprint represents 0.05 acre.

I have a phone call in to Teresa and I intend to work with her to get straight on how the current and proposed water rights should be communicated. I will also make the associated changes regarding the decree designation(s).

When we have revised the Transfer Application, should we submit it to you - or to Salem?

Thank you, JohnW

From: WWRID [mailto:wwrid@qwest.net]
Sent: Friday, August 17, 2007 8:14 AM
To: 'Tony Justus'; 'John Warinner'
Cc: 'Jim Chambers'; 'Sarah HENDERSON'
Subject: RE: T-10430, John LeFore

Hi John,

The WWRID water rights database indicates that we are billing and delivering .20 acres of certificate 12562 to John LeFore's tax lot 1913. I was under the impression that the information contained in our water rights database came form OWRD. I looked up certificate 13240 and it looks like we should be billing the .20 acres for tax lot 1913 under this certificate. I apologize for any confusion the erroneous water right information that I provided to you may have caused.

Have a great day, Teresa

Teresa Yeager District Manager Walla Walla River Irrigation District 541-938-0144 wwrid@qwest.net

From: Tony Justus [mailto:justustg@wrd.state.or.us]

Sent: Tuesday, August 14, 2007 4:51 PM

To: John Warinner

Cc: WWRID; Jim Chambers; Sarah HENDERSON

Subject: T-10430, John LeFore

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WATER RESOURCES DEPT SALEM, OREGON

I have some questions/concerns with the transfer application for T-10430 as follows:

You are proposing to transfer 0.2 acres from tax lot 1913 and have labeled it as Certificate 12562. It appears to me that location is the POU for Certificate 13240 not 12562. I don't believe Certificate 12562 is involved at all. I don't anticipate giving the transfer a favorable review because of this. One of the purposes for this email is to give you an opportunity in case you want to convince me otherwise.

The correct decree designation is the Walla Walla River Decree not the West Prong LWW. The sources affected would be the Little Walla Walla not the WPLWW.

How long has the house associated with tax lot 1925 been located on that site and is there still a valid water right located there?

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WATER RESOURCES DEPT SALEM, OREGON

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Water Right Transfer Supplemental Form A <u>DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT</u>

List only <u>one</u> water right per page. A <u>separate Supplemental Form A</u> must be completed for <u>each</u> certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

Certificate Number or other identifying number: <u>Certificate 13240</u>

1. TYPE OF CHANGE(S) PROPOSED

(Check all that apply.)

Point of Diversion or Appropriation	Place of Use	Character of Use
Change (The old point of diversion or appropriation will not be used for the portion of the water right affected by the transfer.) Additional (Both the old and new points of diversion or appropriation will be used for the portion of the water right affected by the transfer.) Historic Point of Diversion or Appropriation Change (Unauthorized point of diversion or appropriation used for more than 10 years.) Surface Water to Ground Water (A new point of appropriation will be used instead of the old point of diversion. The old point of diversion will not be used.) Point of Diversion Change due to Government Action (The old point of diversion or appropriation can no longer be used due to government action.) Exchange (Water from another source will be used in exchange for supplying an equal amount of replacement	Place of Use All of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.) Only a portion of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.)	Proposed new use: Irrigation Municipal Quasi-municipal Commercial Industrial Instream (complete and attach Supplemental Form C) Domestic (indicate number of households) Other
water to that source.)		SALEM, CREGON

2. CURRENT WATER RIGHT INFORMATION

Water Right Subject to Transfer (check and complete one of the following):

\boxtimes	Certificated Right	13240	Walla Walla River
	Continuated Right	Certificate Number	Permit Number or Decree Name
	Adjudicated,		
	Non-certificated Right	Name of Decree	Page Number
	Permit for which Proof has been Approved	Permit Number	Date Claim of Beneficial Use Submitted
	Transferred Right for which		
Ц	Proof has been Filed	Previous Transfer Number	Date Claim of Beneficial Use Submitted
	Name on Permit, Certificate, o	or Decree: <u>TASSEY and</u>	MARY F. STEWART
	Authorized Use(s) to be Affec	ted by Transfer: Irrigatio	n
	Priority Date(s): 1880		
	provided on pages 3 through of associated with each of the autoappropriation and places of us Source(s) of Water to be Affective.	thorized and proposed po se.	ints of diversion or
	Tributary to: Walla Walla Ri	ver	
	If there are multiple Sources in pages 3 through 6 of this form the authorized and proposed p	must identify which sou	rce is associated with each of
	For applications proposing a	Change in Place of Use	or Character of Use:
	Are there Other Water Right with this land?	s, Permits or Ground Wa	ter Registrations associated
	⊠ Yes □ No □ N	I/A – No Change in Place of	of Use or Character of Use
	If "Yes", what are the Permit,	Registration or Certifica	te Numbers? <u>10103</u>
	Pursuant to ORS 540.510, any a primary right proposed for to cancelled, except as provided	ransfer must be included	in the transfer or be
			NOV 0 5 200

Certificate Number or other identifying number: Certificate 13240

The following information must be provided <u>only</u> for those points of diversion or appropriation that are involved in the transfer (i.e., <u>list only the portion of the water right you propose to transfer.</u>) Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

(i.e., the allowed point(s) of diversion or appropriation listed on the water right that will be affected by the proposed transfer, the "FROM" point(s) of diversion or appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L)	Source and Priority Date	Township	Range	Mer	Sec	1/4 1/4	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	POD will not be changed

	Does the water right	being transferred	involve a ground	water source(s)	?
--	----------------------	-------------------	------------------	---------------	----	---

☐ Yes ☐ No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

A. Supply a copy of the well log(s) for <u>each</u> point of appropriation that is **clearly** labeled and associated with the corresponding well in the table above and on the accompanying application map. (<u>NOTE</u>: You may search for well logs on the Department's web page at: http://www.wrd.state.or.us)

or

NOV 0 5 2007

B. If a well log is <u>not</u> available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach WATER RESOURCES DEPT additional copies as necessary.

SALEM, OREGON

Construction of Existing Authorized Point(s) of Appropriation – (Only needed if <u>no</u> well log is available.)

Wells in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A N/A	N/A	N/A

Certificate Number or other identifying number: <u>Certificate 13240</u>

The following information must be provided only for those places of use that are involved in the transfer (i.e., list only the portion of the water right you propose to transfer.) Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below **only** if the information is reflected on the existing water right.

Location of Existing Authorized Place of Use to be Affected:

(i.e., the allowed lands listed on the water right that will be affected by the proposed transfer, the "FROM" lands)

Source and Priority Date	Township	Range	Mer	Sec	1/4 1/4 Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
Auth POA, 1880	6N	35E	WM	35	SW SE	various	4.28
	THE STATE						
							RECEIVED
							NOV C 5 2007
							WATER RESOURCES D SALEM, OREGON

Surv acco	cribe proposed vey coordinates ompanying apple Location of Profile, the "TO" point	3. PROPO changes to described lication ma oposed Po (s) of diversion	the wat below sh p. Attac int(s) of	HANder rig	GES ht invaccurational	TO THe colving rately of pages of Ap	HE WATI point(s) of correspond as necessar propriatio	ER RIGI f diversic l to the p y. on: stream Wa	on and/or oints sho	wn on the Transfer	
	TE: Complete the		y if a <u>Cha</u> Mer	Sec	1/4	t of Div	Tax Lot, DLC or Gov't Lot		Survey C inates from	ing proposed coordinates a recognized s mer)	
N	/A N/A	N/A	N/A	N/A	N/A	N/A	N/A		N	I/A	
Wel	If there are well(s) alreadisted above If "Yes", at well, or if well, or if well, or if well, or if well of the table be http://www.v If "No", defollowing to the table be following to the follo	tach and civell log(s) a low. (NOTH wrd.state.or. escribe the cable: of Propose isting must be interested to the cast of the	learly later e not and anticipal description map.	bel the vailable ay sea at ted cooling to cooling the to cooling the to cooling the ted t	e corrible, de rch for nstructure. Apprententes	respondescribe r well le ction for	ding well lethe constrogs on the lethe properties or the properties or well location	N/A - No log(s) for ruction of Department posed were ell(s) u(s) describ	each profithe well int's web pull(s) in the bed in the test.	pposed (s) using page affec NOV WATER RES SALEN able above an	O 5 2007 SOURCES DEP I, OREGON and
already built? (Yes/No)	well, OWRD Well Log ID No. (or Well ID Tag No. L)	Diameter	size of casing	fe	et of asing	casing perforat (in fee	ed depth	depth to water	to water bearing stratum	port or measuring device	well depth
N/A	N/A	N/A	N/A	1	N/A	N/A	N/A	N/A	N/A	N/A	N/A

	Certificate	Number or	other identif	ying number:	Certificate 13240
--	-------------	-----------	---------------	--------------	-------------------

Describe proposed changes to the water right involving place of use. Information described below should accurately correspond to the proposed place of use shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Place of Use: (i.e., the "TO" lands) \[\sum N/A - Instream Water Right Transfer (NOTE: Complete this table only if a <u>Change in Place of Use</u> is being proposed.)

Source	Township	Range	Mer	Sec	1/4 1/4 Section	on	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
Auth POA	6N	35E	WM	35	SE	sw	2200	4.28

Remarks:	Certificate 3547 will be diminished to supplemental in this area.	RE	CEN	/ED
		NOV	0 5	2007

WATER RESOURCES DEPT SALEM, OREGON

Water Right Transfer Supplemental Form B AFFIDAVIT ATTESTING TO THE USE OF WATER

Sta)
Со	unty of <u>Umatilla</u>) ss)
Ι, _	John LeFore , in my capacity as Owner ,
ma	niling address: 83880 Highway 339, Milton-Freewater, OR 97862
tel	ephone number: (541) 938-4744, being first duly sworn depose and say:
1.	I attest that:
\boxtimes	Water was used during the previous five years on the entire authorized place of use of the water right proposed for transfer as described on the accompanying transfer application; or
	The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.
2.	My knowledge of the exercise or status of the water right is based on (check one):
	□ Professional expertise
3.	My knowledge is specific to the use of water at the following locations:

Tow	nship	Rai	nge	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Acres (if applicable)
6	N	35	Е	WM	35	SW SE	TL 1906	0.43
6	N	35	Е	WM	35	SW SE	TL 1913	3.01
6	N	35	Е	WM	35	SW SE	TL 1920	0.09
6	N	35	Е	WM	35	SW SE	TL 1923	0.37
6	N	35	Е	WM	35	SW SE	TL 1925	0.38

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WATER RESOURCES DEPT SALEM OREGON

(continues on reverse side)

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more space. Supporting documentation must be attached.

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5. The water delivery system used to apply water as authorized by the right is described below: Water diverted from Little Walla Walla River into Powell-Pleasantview Pipe and conveyed by gravity through pipe and open ditch system to pump station. Water pressurized by centrifugal pump and distributed through orchard with buried mainline and submain system. Water applied to apple trees with solid-set sprinkler system. 6. One or more of the following documentation supporting the above statements is attached: Copy of a water right certificate that was issued within the last five years (not a remaining right certificate). Copies of receipts from sales of irrigated crops or for expenditures relating to the use of water, Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers, Dated aerial photographs of the lands or other photographs containing sufficient detail treeties establish the location and date of the photograph. Dedicated power usage records or receipts, Instream lease number Other: Signed and sworn to (or affirmed) before me this Aday of June, 2007. WATER RESOURCES DI SALEM OREGON SALEM OREGON My Commission Expires: My Commission Expires: My Commission Expires:	4. The water right was exercised for the authorized purpose described below (e.g., crops grown):
Water diverted from Little Walla Walla River into Powell-Pleasantview Pipe and conveyed by gravity through pipe and open ditch system to pump station. Water pressurized by centrifugal pump and distributed through orchard with buried mainline and submain system. Water applied to apple trees with solid-set sprinkler system. 6. One or more of the following documentation supporting the above statements is attached: □ Copy of a water right certificate that was issued within the last five years (not a remaining right certificate), □ Copies of receipts from sales of irrigated crops or for expenditures relating to the use of water, □ Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers, □ Dated aerial photographs of the lands or other photographs containing sufficient detail tree establish the location and date of the photograph, □ Dedicated power usage records or receipts, □ Instream lease number	Irrigation of apple orchard
Water diverted from Little Walla Walla River into Powell-Pleasantview Pipe and conveyed by gravity through pipe and open ditch system to pump station. Water pressurized by centrifugal pump and distributed through orchard with buried mainline and submain system. Water applied to apple trees with solid-set sprinkler system. 6. One or more of the following documentation supporting the above statements is attached: □ Copy of a water right certificate that was issued within the last five years (not a remaining right certificate), □ Copies of receipts from sales of irrigated crops or for expenditures relating to the use of water, □ Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers, □ Dated aerial photographs of the lands or other photographs containing sufficient detail tree establish the location and date of the photograph, □ Dedicated power usage records or receipts, □ Instream lease number	
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Dedicated power usage records or receipts, Instream lease number Other: Signature of Affiant Signature of Affiant Signature of Affiant Date Signature of Affiant Signature of Affiant Signature of Affiant Date Signature of Affiant Signature of Affiant Date Signature of Affiant Notary Public for Oregon COMMISSION NO. 399818 MY COMMISSION EXPIRES NOVEMBER 24, 2009	farm management plan or records of other water suppliers
Instream lease number Other: WATER RESOURCES DI SALEM. OREGON Salem. OREGON Signature of Affiant Signed and sworn to (or affirmed) before me this Jahn Jahn Jahn Jahn Jahn Jahn Jahn Jahn	Dated aerial photographs of the lands or other photographs containing sufficient detail tree establish the location and date of the photograph,
Other: SALEM OREGON Signature of Affiant Signed and sworn to (or affirmed) before me this	☐ Dedicated power usage records or receipts, JUL 0 2 200
Signature of Affiant Signature of Affiant Signed and sworn to (or affirmed) before me this 29 day of June, 2007. OFFICIAL SEAL JEANNINE BENNETT NOTARY PUBLIC - OREGON COMMISSION NO. 399818 OCOMMISSION EXPIRES NOVEMBER 24, 2009	Instrument langua number
Signed and sworn to (or affirmed) before me this	
Signed and sworn to (or affirmed) before me this	
Signed and sworn to (or affirmed) before me this	
Signed and sworn to (or affirmed) before me this	
Signed and sworn to (or affirmed) before me this	John a Libri 6-29-07
OFFICIAL SEAL JEANNINE BENNETT NOTARIY PUBLIC - OREGON COMMISSION NO. 399816 MY COMMISSION EXPIRES NOVEMBER 24, 2009	Signature of Affiant Date
OFFICIAL SEAL JEANNINE BENNETT NOTARIY PUBLIC - OREGON COMMISSION NO. 399816 MY COMMISSION EXPIRES NOVEMBER 24, 2009	the state of the s
JEANNINE BENNETT NOTARY PUBLIC - OREGON COMMISSION NO. 399816 MY COMMISSION EXPIRES NOVEMBER 24, 2009	Signed and sworn to (or affirmed) before me this <u>J9</u> day of <u>June</u> , 20 <u>07</u> .
My Commission Expires: 11/24/09	OFFICIAL SEAL JEANNINE BENNETT NOTARY PUBLIC - OREGON COMMISSION NO. 399816
	MY COMMISSION EXPIRES NOVEMBER 24, 2009 ()

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more space. Supporting documentation must be attached.

RECEIVED

Water District Listing 580 WWRID Water District Listing S DEPT SALEM OREGON

DATE LAST UPDATED 2/26/2007

TENANT					ANDLORD	
JOHN			PHONE 1			
LEFORE			PHONE 2			
83880 HWY 339						
MILTON-FREEV	VATER OF	R 97862				
NSHP	6N		TAX LOT		1923	
IGE	35		TAX LOT ACI	REAGE	0.37	
TION	35D		TAX ACCOUNT	OPERAL SECTION AND ADDRESS OF THE PERAL SECTION ADDRESS OF THE PERAL SECTION AND ADDRESS OF THE PERAL SECTION AND ADDRESS OF THE PERAL SECTION AND ADDRESS OF THE PERAL SECTION ADDRESS OF THE PERAL SECTION AND ADDRESS OF THE PERAL SECTION AND ADDRESS OF THE PERAL SECTION AND ADDRESS OF THE PERAL SECTION ADDRESS OF THE PE		
TRICT	5		VOTING DIST	RICT	5	
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			KLG VOTEK	INAMIL		
C/O H	. CHARLES	& RICHAI	RD D EMERY		## PS	
	TOTAL CONTINUES OF A		RD D EMERY			
C/O H	TOTAL CONTROL NO CONTROL A		RD D EMERY			
	ITCHFIELD		RD D EMERY			
PERTY NAME L	ITCHFIELD		RD D EMERY WATER SOURCE	PRI/SUP	WEIR	
WATER RIC	ITCHFIELD			PRI/SUP	WEIR	
WATER RIC	ITCHFIELD			PRI/SUP	WEIR	
WATER RIC	ITCHFIELD	ACRES		PRI/SUP	WEIR	
WATER RIGHT	GHTS DATE	ACRES 0.00 0.00	WATER SOURCE			
WATER RIC	ITCHFIELD	ACRES		PRI/SUP	WEIR F1	
WATER RIGHT	GHTS DATE	0.00 0.00 0.37	WATER SOURCE			#Name?

Water District Listing 191 WWRID Water District Listing

JUL 02 2007 2/26/2007 DATE LAST UPDATED WATER RESOURCES DEPT LANDLORD TENANT SALEM OREGON JOHN PHONE 1 **LEFORE** PHONE 2 83880 HWY 339 **MILTON FREEWATER OR 97862 TWNSHP** 6N 1920 4 1925 TAX LOT 35 RANGE TAX LOT ACREAGE 0.47 35D SECTION TAX ACCOUNT DISTRICT 5 **VOTING DISTRICT** 5 16 SYSTEM # OF VOTES 1 **REG VOTER NAME**

> C/O H CHARLES & RICHARD D EMRY

PROPERTY NAME LITCHFIELD

WATER RIC	GHTS					
WATER RIGHT	DATE	ACRES	WATER SOURCE	PRI/SUP	WEIR	
		0.00				
13240	1880	0.47	Surface	PRI	F1	
10103	1927	0.47	WasteWater	SUPP		

Comments:

TAX LOTS 1913/1906/1923 USE THIS WATER RIGHT (ALEX LeFORE)

RECEIVED

Water District Listing 582 WWRID Water District Listing 582 WWRID Water District Listing 582

DATE LAST UPDATED 2/26/2007

JOHN LEFORE 83880 HWY 339 MILTON-FREEV		R 97862	PHONE 1 PHONE 2		NDLORD	
WNSHP ANGE ECTION DISTRICT SYSTEM	6N 35 35D 5 16		TAX LOT TAX LOT ACI TAX ACCOUNT VOTING DIST # OF VOTES REG VOTER	NT TRICT	1906 0.43 5 1	
C/O ROPERTY NAME G						
WATER RIGHT	DATE	ACRES	WATER SOURCE	PRI/SUP	WEIR	
		0.00				
13240	1880	0.43	Surface	PRI	F1	
10103	1927	0.43	WasteWater	SUPP		
						#Name?

Comments:

PURCHASED FROM ALEX LEFORE

RECEIVED

Water District Listing 581 WWRID Water District Listing

DATE LAST UPDATED 2/26/2007 WATER RESOURCES DEPT SALEM OREGON

JOHN LEFORE 83880 HWY MILTON-F	7 339 REEWATER OR	PHONE 1 PHONE 2 97862		
WNSHP	6N	TAX LOT	1913	
ANGE	35	TAX LOT ACREAGE	3.01	
ECTION	35D	TAX ACCOUNT		
	5	VOTING DISTRICT	5	
ISTRICT	16	# OF VOTES	1	

CIO

H. CHARLES & RICHARD D EMERY

PROPERTY NAME LITCHFIELD

13240		3.01	ATER SOURCE Surface	PRI/SUP	WEIR	
	1880	3.01	Surface	DDI	F4	
12562				PRI	F1	
	1885	0.20	Surface	PRI	F1	
10103	1927	3.01	WasteWater	SUPP		

Comments:

John Cell - 503-869-4503

Last revised: October 13, 2006

RECEIVE

Water Right Transfer Supplemental Form B AFFIDAVIT ATTESTING TO THE USE OF WATER

Sta	ate of Oregon	7		TIVED
) ss		JUL 0 2 2007
Co	ounty of <u>Umatilla</u>)		WATER RESOURCES DEPT SALEM OREGON
Ι, .	John LeFore	, in my capacity a	S Owner	,
ma	ailing address: 83880 High	way 339, Milton-Freev	vater, OR 97862	
tel	ephone number: (541) 938-	4744 , being first du	y sworn depose and sa	y:
1.	I attest that:			
\boxtimes	Water was used during the water right proposed for t			
	The water right was lease lease number is as follow			ears. The instream
	The water right is not sub forfeiture for non-use wo			and from the first of the second seco
2.	My knowledge of the exerc	cise or status of the wa	ter right is based on (cl	neck one):
	□ Personal observ	vation	Professional expertise	
3.	My knowledge is specific t	to the use of water at the	ne following locations:	

	Tow	nship	Rai	nge	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Acres (if applicable)	Landowne
半	6	N	35	E	WM	35	SW SE	TL 1906	0.43	Eurlitz/Lefor
*	6	N	35	Е	WM	35	SW SE	TL 1913	3.01	Litchfield/Lefor
	6	N	35	E	WM	35	SW SE	TL 1920	0.09	Litchfield/Lefor
*	6	N	35	Е	WM	35	SW SE	TL 1923	0.37	(Litchfield/Lefon
	6	N	35	E	WM	35	SW SE	TL 1925	0.38	Lite htield / Lets
								200000000000000000000000000000000000000		

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Please print legibly or type. Be as specific as possible. Attach additional pages if you need more space. Supporting documentation must be attached.

Water Right Transfer Supplemental Form B AFFIDAVIT ATTESTING TO THE USE OF WATER

	RECEIVED
State of Oregon)	
) ss	JUL 0 2 2007
County of <u>Umatilla</u>	WATER RESOURCES DEPT SALEM OREGON
I,, in my capacity as	Owner ,
mailing address: 83880 Highway 339, Milton-Freewater, OR	97862
telephone number: (541) 938-4744, being first duly sworn d	epose and say:
1. I attest that:	
Water was used during the previous five years on the enti- water right proposed for transfer as described on the accor-	
☐ The water right was leased instream at some time within t lease number is as follows:; or	he last five years. The instream
The water right is not subject to forfeiture and documental forfeiture for non-use would be rebutted under ORS 540.6	
2. My knowledge of the exercise or status of the water right is	s based on (check one):
□ Personal observation □ Profession	nal expertise
3. My knowledge is specific to the use of water at the following	ng locations:

To	wnship	Ra	nge	Mer	Sec	-17	¼ tion	Gov't Lot or DLC	Acres (if applicable)	Landowne
6	N	35	Е	WM	35	sw	SE	TL 1906	0.43	Carlitz/Lefo Literifield/Lefo
6	N	35	Е	WM	35	sw	SE	TL 1913	3.01	Literfield/Lefor
6	N	35	Е	WM	35	sw	SE	TL 1920	0.09	Thitchfield/Lefo
6	N	35	Е	WM	35	SW	SE	TL 1923	0.37	Latchfield/Leto
6	N	35	Е	WM	35	sw	SE	TL 1925	0.38	Litchfield/Lefo
							14			
-										
	1									

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(continues on reverse side)

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more space. Supporting documentation must be attached.

EARL BROWN AND SOMS DROWER SETTLEMENT STATEMENT 12/13/05

OWER - JUNE - TOWN 0140

GALA 1 PUGE 600 CREDITS

*GALA	POOL	GALA 1 #600		0600		
RADE SIZE	ECXES		PRICE PER BOX	LIKO)	365	PHE F PARTY
FCY# T/F C/2- 	7 71 153 151 75		24.5380 23.6904 15.7234 13.9186 11.1581	171.7 1,682.4 2,405.6 2,101. 836.8)8. 71.	
TOTAL	457	*	15.7506	7,198.0	* 12	
17F E55-	32		17.2562	552	20	
TOTAL	32	*	17.2563	552.	20. *	
FCY**	105 118		15.3517 13.6000	1,611. 1,604.	+	
TOTAL.	223	*	14,4248	3,216.		
12/3#-2 1/2	345		8.9424	3,085.	.3	
TOTAL	345	*	8.9424	3,085.	3 %	
FCY*** TZF C100-	13		11.2000	145.	0	
TOTAL	1.3	*	11.2000	145.,	W O	
3 LA	1 5 14 46		20.2000 20.2000 20.2000 20.2000	20. 101. 282. 927.	30	
TOTAL	66	*	20.2000	1,333.3	* 05	
A FCY T/F C - 72 - 80- - 88- - 100- - 113- - 125- - 138-	2 3 11 23 23 16 15		13.4130 13.2831 13.8271 11.2745 10.0525 9.7241 8.9267	26.8 37.3 152. 257. 231.2 155.	35 .0 51 .0 52	
TUTAL	93	*	10.7396	998.7	(O *	
TAL PACKED	1,229	*	13.4497	16,529.	8 *4	
UICE OUTT EELEROZIT	PUUMDS 8,120 7,081		PRICE PER TON 10.0000 20.0000	GROS 40 708	0	
TOTAL	15,201		14.5000	11.1.	EL W	

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JUL 0 2 2007

WATER RESOURCES DEPT SALEM OREGON

GROWER SETTLEMENT STATEMENT

MALA PE	OL - SALA	L H500		0600		
STAL GROSS FOR VART	ETY					
MARGES:	GUANTITY	UNITE	RATE		AMOUNT	
N CHARGE		BINS	90.08181	/ SIN	0,305.71	
RZCULL CHARGES					6,308-71	
ACKING UHARGE T/P CTN 12/3# BG 3 LA L/S T/P EURG	786 395 66 32	PACKS PACKS PACKS PACKS	2.05304 2.27569 2.53041 2.11706	POX BOX BOX BOX	1,613.69 784.42 167.01 67.75	
CRED BOX CHARGES	1,229		2,14229		2,632,87	
OTAL CHARGES	RN				8,938.58	9,938-1 7,762-1
ESS ADVANCES PAID	TO DATE	9702	2005 5,	134.94		
			COTAL		5,139,94	5,134.9

* * * * * * * * * * * * * * * * * * *	GROWER NET RET POOL AVERAGE N POOL HIGH NET POUL LOW NET IN TOTAL CHANGE F	URN JET RETURN RETURN ETURN	PER LODSE PER BIN 1 4.40 \$ 110.04 \$ 6.55 163.79 \$ 8.52 212.98 1 102.94 \$ 4.12 7.51
* * * * * * * * * * * * * * * * * * *	WA XF FANCY JUICE OITT PELLENOPTI	PER CENT	70.27% 5.84% 12.75% 11.13%
4	PACKOUT COMB COLL		76.12% 25.88%
* * * * * * * * * * * * * * * * * * * *		IS DELIVERED ISE DELIVERED	70 1,750 00000000000000000000000000000000000

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JUL 0 2 2007 WATER RESOURCES DEPT SALEM OREGON

				USER: KEITH
GROWER -	JOHN LEFORE - TOWN	NO. 0140		
VARIETY-	GALA	GALA 1 #600	0600 ERDF YEAR - 2005	
WA XF A			479 6	TOTAL
TVP CTN				457
TZP EURO	3645	55 60 70 32	75 78849098102-	32
WA XF B				TOTAL
T/P CTN		728088100		98216- 223
12/3# BG			-3 1/4 -3 0/0 -2 3/4 -2 5/8 -2 1/2 -2 1/4 -2	1/8 345
			345	577.0
WA XF C	00 5/	70 00 00 100	447 456 470 460 472 (76	TOTAL
TVI GIN		1		13
. 3 LA L/S		1 75 82 105 117 5 14		LGS/1- 66
		5	46	
WA FANCY TZP CTN	485664	728088100		98216-
		2 3 11 2		93
				BOX TOTAL 1,229
				70
*******	****************	*********	* ********************	**************************************
* TOTAL POL	THING		* *	CTNS %*
* BINS DUM		63,649	*	1,098 70.27% 72.20%* 93 5.84% 9.81%* 12.76% 1.96%*
* PACKED PO		48,448 1,191	* * FEELER IT 7,081	11.13% 2.58%* 0.00% 4.20%*
* PACKS PEI	R BIN	17.01	* * TIPEEL TT * JUICE CS	0.002 8.75% 0.002 0.15%*
* BROWER EV		74. 122	* FEELER CS	0.00% 0.35%*

VATER RESOURCES DEPT

STATE OF OREGON

COUNTY OF UMATITLA

CERTIFICATE OF WATER RIGHT

This Is to Certify, That . TASSEY, and MARY F. STEWART

of Milton

, State of Oregon 97861

, has a right to the use of

the waters of Little Walla Walla River

for the purpose of Irrigation

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for County, and the said decree entered of record at Salem, in the Order Record of the STATE ENGINEER, in Volume 12 , at page 9 of the right thereby confirmed dates from 1880:

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed one and one-half miner's inches per acre measured at the point of diversion.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

> 9.7 acres in SWASEL Section 35

T. 6 N., R. 35 E. W. M., being within the following described tract: Commencing at the southwest corner of the SE4 of Sec. 35, T. 6 N., R. 35 E. W. M., running thence east 32 rods; thence north 50 rods; thence west 32 rods; thence south 50 rods to the place of beginning, containing 10 acres, more or less.

AND said right shall be subject to all other conditions and limitations contained in said decree.

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

WITNESS the signature of the State Engineer,

affixed this

day

April

, 1940.

CHAS. E. STRICKLIN

State Engineer.

Recorded in State Record of Water Right Certificates, Volume 11 , page 13240 .

T10430

Sarah Henderson

From:

Tony Justus

Sent:

Tuesday, August 14, 2007 4:51 PM

To:

John Warinner

Cc:

WWRID; 'Jim Chambers'; 'Sarah HENDERSON'

Subject:

T-10430, John LeFore

I have some questions/concerns with the transfer application for T-10430 as follows:

You are proposing to transfer 0.2 acres from tax lot 1913 and have labeled it as Certificate 12562. It appears to me that location is the POU for Certificate 13240 not 12562. I don't believe Certificate 12562 is involved at all. I don't anticipate giving the transfer a favorable review because of this. One of the purposes for this email is to give you an opportunity in case you want to convince me otherwise.

The correct decree designation is the Walla Walla River Decree not the West Prong LWW. The sources affected would be the Little Walla Walla not the WPLWW.

How long has the house associated with tax lot 1925 been located on that site and is there still a valid water right located there?

OKAY,
MAP and APPL.

MAP and APPL.

AMENDOED,

AMENDOED

C# 12567

AMACHED

STATE OF OREGON

COUNTY OF

A T TTUAMIT

CERTIFICATE OF WATER RIGHT

This is to Certify, That

SAMUEL H. BRINKER

of Freewater

, State of Oregon 1862

has a right to the use of

the waters of Little Walla Walla River

for the purpose of Irrigation

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for County, and the said decree entered of record at Salem, in the Order Record of the STATE ENGINEER, in Volume 12 , at page 9 ; that the priority of the right thereby confirmed dates from 1885;

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed one and one-half miner's inches per acre measured at the point of diversion.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

> 7.5 acres in SWISE Section 35,

T. 6 N., R. 35 E. W. M., being within the following described tract: Beginning at a point on the Section line 32 rods east from the southwest corner of the SET of Sec. 35, T. 6 N., R. 35 E. W. M., thence east 48 rods; thence north 25 rods; thence west 48 rods; thence south 25 rods to the place of beginning, containing 8 acres more or less.

AND said right shall be subject to all other conditions and limitations contained in said decres.

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

WITNESS the signature of the State Engineer,

affixed this 5th

dan

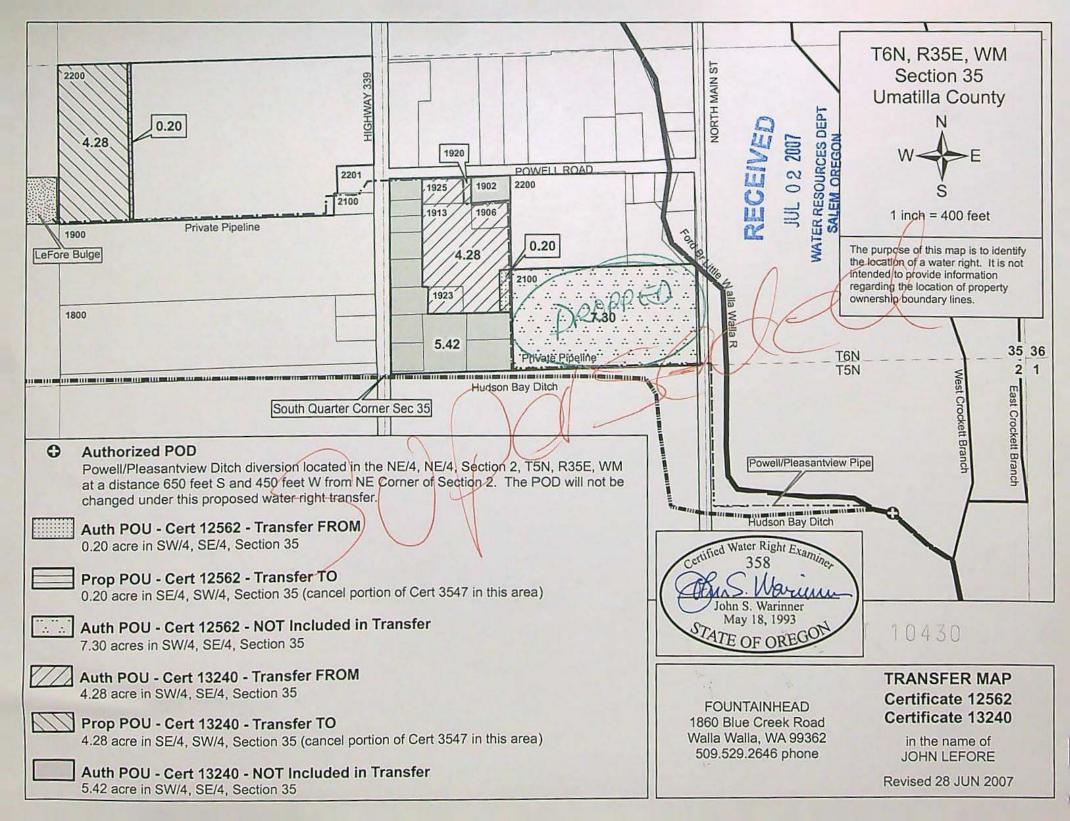
of April

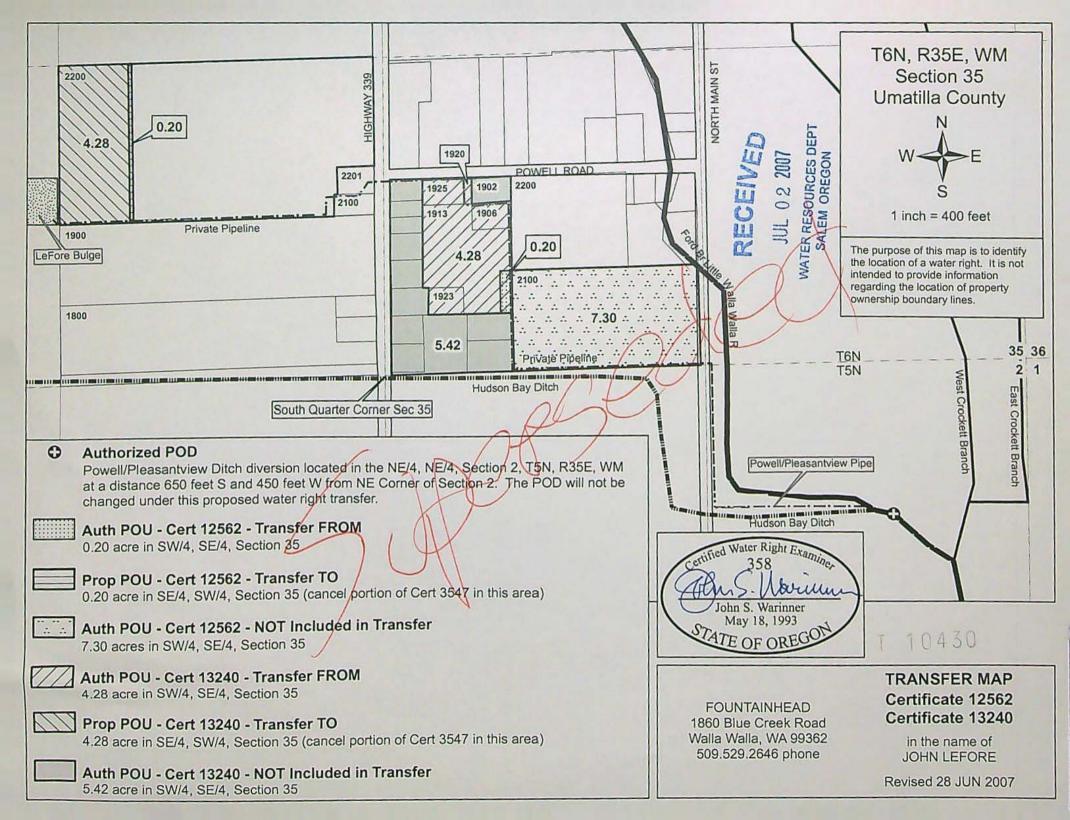
, 197 40.

CHAS. E. STRICKLIN

State Engineer.

Recorded in State Record of Water Right Certificates, Volume 11 , page 12562 .





		CURRENT	OWNERS OF LANDS T	EXHIBIT A HAT WATER RIGHTS ARI	E BEING TRANSFERRED F	ROM		
			Application for	or Water Right Transfer by John	n A. LeFore			
			Compiled by Jo	hn Warinner, PE, CWRE and Jo Revised: June 22, 2007	onn A. Lerore			
T-R-S	TAX MAP	TAX LOT	STREET ADDRESS	PROPERTY OWNER	MAILING ADDRESS	CITY	STATE	ZIP
T6N, R35E, S35	6N 35 35D	1906	284 Powel RD	Day Carlitz	284 Powell BD	Milton-Freewater	OR	97862
T6N, R35E, S35	6N 35 35D	1913	85320 Fuji	Day Carlitz Sidney Litefield Charles McKelvey	85320 Fuji	Milton-Freewater	OR	97862
T6N, R35E, S35	6N 35 35D	1920	Lane		2010	Milton-Freewater	OR	97862
T6N, R35E, S35	6N 35 35D	1923		Richard Emery		Milton-Freewater	OR	97862
T6N, R35E, S35	6N 35 35D	1925	328 Powell RD	RON Farley	328 Poull RD	Milton-Freewater	OR	97862
	NOTE:			nds that water rights are being tra the title to the water rights appur				
		Title to the	water rights appurtenant to the	se FROM lands was withheld wh	nen the lands were sold to the curr	rent owners.		

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SALEM OREGON

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Application for Water Right

Transfer

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "N/A" to indicate "Not Applicable." As you complete this form, please refer to notes and guidance included on the application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

	1. TYPE OF TE	RANSFER APPLICATION	
	PI	ease check one	
	Permanent Transfer Temporary Transfer total number of years: (begin year:) (end year:)	☐ Drought Transfer	RECEIV
	2 APPLIC	ANT INFORMATION	WATER RESOURCES
		ANTINORMATION	- MPA
Name:	John A.	LeFore	Sala
Address:	First 83880 Highway 339	Last	J J J J J J J J J J J J J J J J J J J
	Milton-Freewater	OR	97862
	City	State	Zip
Phone:	(541) 938-4744 Home	(503) 869-4503 Work	N/A Other
Fax: N/A		E-Mail address: _jble	
	3 ACE	NT INFORMATION	
(The agen	it listed is authorized to represent the		this transfer application.)
Name:		Warinner	
	First	Last	
Address:	1860 Blue Creek Road		
	Walla Walla	WA	99362
	City	State	Zip
Phone:	N/A Home	(509) 529-2646 Work	N/A Other
Fax: N/A	nome		nner@gohighspeed.com
☐ Pleas	ent is listed above, please check se send all correspondence to Age se send all correspondence to App	ent. Send copies of corresponder	

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4. PROPOSED CHANGE(S) TO WATER RIGHT(S)

List <u>all</u> water rights to be affected by this transfer. Indicate the certificate, permit, decree or other identifying number(s) in the table below: (Attach additional pages as necessary.)

	Application / Decree	Permit / Previous Transfer	Certificate
1.	W Prong Little WW R	N/A	13240
2.	W Prong Little WW R	N/A	12562
3.	S 11469	S 7931	10103
4.			
5.			
6.			

Check <u>all</u> proposed change(s) included in this transfer application:								
▼ Place of Use	☐ Point of Diversion	☐ Additional Point of Diversion						
☐ Character of Use	☐ Point of Appropriation	☐ Additional Point of Appropriation						
☐ Instream Transfer	☐ Surface Water source to	Ground Water source						
Reason(s) for change(s): Lands that water right is being transferred FROM were sold and								
urbanized. Water right of	owner desires senior water rig	hts on other agricultural parcel.						
	5. WATER DELIVERY S	YSTEM						
Describe the <i>current</i> water delivery system <u>or</u> the system that <i>was in place</i> at some time <u>within the last 5 years</u> . Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. If the transfer involves multiple rights that have independent systems, describe each system separately. The description must be sufficient to demonstrate that the full quantity of water to be transferred can be conveyed from the authorized source and applied at the authorized location and that the applicant is ready, willing, and able to exercise the right.								
Water is diverted from the	ne Little Walla Walla River in	to the Powell-Pleasantview Pipe.						
Water is conveyed to the	authorized place of use via 8	-to-15-inch gravity pipelines.						
Water is conveyed to the	proposed place of use via 8-1	o-10-inch gravity pipelines.						
System capacity: cubic feet per second (cfs). If the transfer involves multiple righthat have independent systems, describe the capacity for each system separately.								
Most limiting hydraulic	component in water conveyar	ce system is 8-inch gravity pipeline.						
Slope of gravity-fed PV	C pipeline is approximately 20) feet of fall in 2400 feet of run.						
Hydraulic capacity of me	ost-limiting run of pipe is 1.3	cfs. Transfer involves just 0.17 cfs.						
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6. EVIDENCE OF BENEFICIAL WATER USE

- Attach one or more Evidence of Use Affidavits (Supplemental Form B) demonstrating that each of the right(s) involved in the transfer have been exercised in the last five years in accordance with the terms and conditions of the right or that a presumption of forfeiture for non-use could be rebutted. The Evidence of Use Affidavit(s) must include supporting documentation such as the following:
 - Copies of receipts from sales of irrigated crops or for expenditures relating to use of water;
 - Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers;
 - ▶ Dated aerial photographs of the lands or other photographs containing sufficient detail to establish location and date of the photograph; or
 - ▶ If the right has <u>not</u> been used during the past five years, documentation that the presumption of forfeiture would be rebutted under ORS 540.610(2).

7. AFFECTED DISTRICTS AND LOCAL GOVERNMENTS

	Are any of the water rights proposed for transfer located within or served by an irrigation or other water district? ☑ Yes ☐ No
	Will any of the water rights be located within or served by an irrigation or other water district after the proposed transfer? ⊠ Yes □ No
=	Is water for any of the rights supplied under a water service agreement or other contract for stored water with a federal agency or other entity? Yes No
	If "Yes", for any of the above, list the name and mailing address of the district, agency and/or entity:
	Walla Walla River Irrigation District - 323 North Evans Street - Milton-Freewater, OR 97862
	List the name and mailing address of all affected local governments (e.g., county, city, municipal corporation, and tribal governments within whose jurisdiction the rights are located).
	Umatilla County - 216 SE Fourth Street - Pendleton, OR 97801
	City of Milton-Freewater – 8 SW 8th Avenue – Milton-Freewater, OR 97862

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Transfer Application/3

8. LAND OWNERSHIP

Does the applicant own the lands FROM which the right is being transferred? \square Yes \boxtimes No If "No", provide the following information. For Temporary Transfers, also include a								
notarized statement granting consent								
Names of Current Landowner(s):va	Names of Current Landowner(s):various (see Exhibit A)							
	First	Last						
Address: various (see Exhibit A)								
various (see Exhibit A)								
City	State	Zip						
Does the applicant own the lands TO	which the right is bei	ng transferred?						
⊠ Yes □ No	□ N/A - NOT APPL	ICABLE TO INSTREAM TRANSFERS						
If "No", provide the following inform	ation:							
Names of Receiving Landowner(s): _	N/A							
Address:	First	Last						
Address:								
City	State	Zip						
Check <u>one</u> of the following:								
☐ The receiving landowner will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to this landowner.								
□ The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.								

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9. ATTACHMENTS

Check each of the following attachments included with this application.

The application will be returned if all required attachments are not included.

A <u>separate</u> Supplemental Form A is enclosed for <u>each</u> water right to be affected by this transfer.

Supplemental Form B – Evidence of Use Affidavit(s)

- At least one Evidence of Use Affidavit documenting that the right has been used during the last five years or that the right is not subject to forfeiture under ORS 540.610 is attached. The affidavit provided must be the original (not a copy), and
- □ The Evidence of Use Affidavit must be accompanied by supporting documentation.

Map

- Water Right Transfer
 Transfer
 - The map must be prepared by a Certified Water Right Examiner and meet the requirements of OAR 690-380-3100 unless a waiver has been granted. The map provided must be the original, not a copy.
- ☐ Temporary Transfer or Historical POD Change

A map meeting the requirements of OAR 690-380-3100 must be included but need <u>not</u> be prepared by a Certified Water Right Examiner.

Water Well Report(s)/Well Log(s):

- ☐ The application is for a change in point of appropriation or change from surface water to ground water and copies of all water well reports are attached.
- □ Water well reports are not available and a description of construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed is attached.
- N/A. The application does <u>not</u> involve a change in point of appropriation or a change from surface water to ground water, so water well reports are <u>not</u> required.)

Land Use Information Form:

- ☐ Enclosed; or
- Not Required if all of the following are met:
 - In EFU zone or irrigation district,
 - O Change in place of use only,
 - No structural changes needed, including diversion works, delivery facilities, other structures, and
 - O Irrigation only.

Fees:

Instream Water Right Transfers, also include:

Supplemental Form C – Instream Water Right Transfer

Complete this form to describe the desired nature and attributes for the proposed instream water right.

Temporary Transfers, also include:

Recorded Deed:

☐ The applicant must submit a copy of the current deed of record for the land **from** which the authorized place of use or point of diversion/appropriation is being moved.

Affidavit of Consent:

☐ If the applicant is **NOT** the owner of record for the land **from** which the authorized place of use or point of diversion/appropriation is being moved, a notarized statement from the actual owner of record consenting to the proposed transfer must be submitted.

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Before submitting your application to the Department, be sure you have:

- Answered each question completely.
- Included all the required attachments.
- Provided original signatures for <u>all</u> named deed holders, or other parties, with an interest in the water right.
- · Included a check payable to the Oregon Water Resources Department for the appropriate amount.

-	Committee of the				
10	CIL	TATA	0.0	RES	
111		- 1 4	VIII II II		

- Check <u>one</u> of the following, as appropriate, and sign the application in the signature box below:
 - In accordance with OAR 690-380-3000(13)(a), I (we) understand that prior to Department approval of a permanent transfer and upon my receipt of a draft Preliminary Determination for the proposed transfer, I (we) will be required [pursuant to OAR 690-380-4010(5)] to provide the following landownership information and evidence demonstrating that I (we) are authorized to pursue the transfer:
 - (a) A report of ownership and lien information that has been prepared by a title company within the last three months;
 - (b) A copy of written notification of the proposed transfer provided by the applicant to all lien holders on the subject lands unless the report of ownership and lien information shows that a water right conveyance agreement has been recorded for the subject lands. If a water right conveyance agreement has been recorded for the subject lands, a copy of the agreement and identification of the owner of the lands at the time the agreement was recorded must be submitted; and

If the landowner identified in the report of ownership and lien information is <u>not</u> the applicant, a **notarized statement consenting to the transfer** (attached) signed by the landowner identified in the report or an authorized representative of the entity to whom the interest in the water right has been conveyed as identified in a water right conveyance agreement or other documentation demonstrating that the applicant is authorized to pursue the transfer in the absence of the consent of the landowner.

I (we) affirm that the applicant is a municipality, as defined in ORS 540.510(3)(b), and that the
right is in the name of the municipality or a predecessor. Therefore, pursuant to OAR 690-380-
3000(13)(b), the applicant is NOT required to provide the above described report of ownership and
lien information.

I (we) affirm that the applicant is an entity with the authority to condemn property and is acquiring the property to which the water right proposed for transfer is appurtenant by condemnation. Documentation is provided with this application supporting this statement. Therefore, pursuant to OAR 690-380-3000(13)(c), the applicant is NOT required to provide the above described report of ownership and lien information. (NOTE: Such an entity may only apply for a transfer under this subsection if it has filed a condemnation action to acquire the property.)

I (we) affirm that the information contained in this application is true and accurate.

John a La La La paplicant signature	John A LeFore	<u>L-29-07</u>
applicant signature	name (print)	date

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Water Right Transfer Supplemental Form A DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

List only <u>one</u> water right per page. A <u>separate Supplemental Form A</u> must be completed for <u>each</u> certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

Certificate Number or other identifying number: <u>Certificate 12562</u>

1. TYPE OF CHANGE(S) PROPOSED

(Check all that apply.)

Point of Diversion or Appropriation	Place of Use	Character of Use
□ Change (The old point of diversion or appropriation will not be used for the portion of the water right affected by the transfer.) □ Additional (Both the old and new points of diversion or appropriation will be used for the portion of the water right affected by the transfer.) □ Historic Point of □ Diversion or □ Appropriation Change (Unauthorized point of diversion or appropriation used for more than 10 years.) □ Surface Water to Ground □ Water (A new point of appropriation will be used instead of the old point of diversion. The old point of diversion will not be used.) □ Point of Diversion □ Change due to □ Government Action (The old point of diversion or appropriation can no longer be used due to government action.) □ Exchange (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)	□ All of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.) ☑ Only a portion of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.)	Proposed new use: Irrigation Municipal Quasi-municipal Commercial Industrial Instream (complete and attach Supplemental Form C) Domestic (indicate number of households) Other Substitution (A supplemental ground water right will be substituted for a primary surface water right.) Supplemental Use to Primary Use (Primary water right shall be cancelled and the supplemental water right will change to primary use.) RECEIVED JUL 0 2 2007 WATER RESOURCES DEPT SALEM OREGON

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2. CURRENT WATER RIGHT INFORMATION

Water Right Subject to Transfer (check and complete one of the following):

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SALEM. OREGON

	12562	W Prong Little WW R
Certificated Right	Certificate Number	Permit Number or Decree Name
Adjudicated, Non-certificated Right		
Non-certificated Right	Name of Decree	Page Number
Permit for which Proof has		
been Approved	Permit Number	Date Claim of Beneficial Use Submitted
Transferred Right for which		
Proof has been Filed	Previous Transfer Number	Date Claim of Beneficial Use Submitted
Name on Permit, Certificate,	or Decree: <u>SAMUEL H.</u>	BRINKER
County: _Umatilla		
Authorized Use(s) to be Affect	cted by Transfer: Irrigation	n
Priority Date(s): 1885		
	Datas idautif - 1 tl	
If there are multiple Priority		
provided on pages 3 through	6 of this form must identi	fy which priority date is
associated with each of the au	thorized and proposed po	oints of diversion or
appropriation and places of u		
appropriation and places of the	se.	
Comme (a) a C Water to be A CC	at dla Taranca West I	D T:44- W-11- W-11- D:
Source(s) of Water to be Affe	cted by Transfer: _west i	rong Little wana wana Rive
128 N/A 1020-100 (800 801 001		
Tributary to: Walla Walla R	iver	
Tributary to: Walla Walla Ri If there are multiple Sources		any information provided on
If there are multiple Sources	listed on the water right,	
If there are multiple Sources pages 3 through 6 of this form	listed on the water right, a must identify which sou	rce is associated with each of
If there are multiple Sources	listed on the water right, a must identify which sou	rce is associated with each of
If there are multiple Sources pages 3 through 6 of this form	listed on the water right, in must identify which sou points of diversion or app	rce is associated with each of ropriation and places of use.
If there are multiple Sources pages 3 through 6 of this form the authorized and proposed pages for applications proposing a	listed on the water right, in must identify which sour points of diversion or apportance of Use	rce is associated with each of ropriation and places of use. or Character of Use:
If there are multiple Sources pages 3 through 6 of this form the authorized and proposed p	listed on the water right, in must identify which sour points of diversion or apportance of Use	rce is associated with each of ropriation and places of use. or Character of Use:
If there are multiple Sources pages 3 through 6 of this form the authorized and proposed pages. For applications proposing at Are there Other Water Right with this land?	listed on the water right, in must identify which sour points of diversion or apportance of Use	rce is associated with each of ropriation and places of use. or Character of Use: ter Registrations associated
If there are multiple Sources pages 3 through 6 of this form the authorized and proposed pages. For applications proposing at Are there Other Water Right with this land? Yes \(\sum \text{No} \sum \t	listed on the water right, in must identify which soul points of diversion or appoints of Mange in Place of Use ts, Permits or Ground Wall A – No Change in Place of the N/A – N	rce is associated with each of ropriation and places of use. or Character of Use: ter Registrations associated of Use or Character of Use
If there are multiple Sources pages 3 through 6 of this form the authorized and proposed pages. For applications proposing at Are there Other Water Right with this land? Yes No 18	listed on the water right, in must identify which soul points of diversion or appoints of Mange in Place of Use ts, Permits or Ground Wall A – No Change in Place of Registration or Certification	rce is associated with each of ropriation and places of use. or Character of Use: ter Registrations associated of Use or Character of Use ate Numbers? 13240 & 10103
If there are multiple Sources pages 3 through 6 of this form the authorized and proposed pages. For applications proposing at Are there Other Water Right with this land? Yes No 18 If "Yes", what are the Permit Pursuant to ORS 540.510, and	listed on the water right, in must identify which sour points of diversion or appoints of Place of Use ts, Permits or Ground Wall A – No Change in Place of Registration or Certificaty "layered" water use or	or Character of Use: ter Registrations associated of Use or Character of Use ter Registrations associated of Use or Character of Use the Numbers? 13240 & 10103
If there are multiple Sources pages 3 through 6 of this form the authorized and proposed pages. For applications proposing at Are there Other Water Right with this land? Yes No 18 If "Yes", what are the Permit Pursuant to ORS 540.510, and a primary right proposed for the sources.	listed on the water right, in must identify which sour points of diversion or appoints of diversion or appoints, Permits or Ground Wall A – No Change in Place of Registration or Certificate "layered" water use or a transfer must be included	or Character of Use: ter Registrations associated of Use or Character of Use ter Registrations associated of Use or Character of Use the Numbers? 13240 & 10103 a right that is supplemental to
If there are multiple Sources pages 3 through 6 of this form the authorized and proposed pages. For applications proposing at Are there Other Water Right with this land? Yes No 18 If "Yes", what are the Permit Pursuant to ORS 540.510, and	listed on the water right, in must identify which sour points of diversion or appoints of diversion or appoints, Permits or Ground Wall A – No Change in Place of Registration or Certificate "layered" water use or a transfer must be included	or Character of Use: ter Registrations associated of Use or Character of Use ter Registrations associated of Use or Character of Use the Numbers? 13240 & 10103 a right that is supplemental to

Certificate Number or other identifying number: Certificate 12562

The following information must be provided only for those points of diversion or appropriation that are involved in the transfer (i.e., list only the portion of the water right you propose to transfer.) Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

(i.e., the allowed point(s) of diversion or appropriation listed on the water right that will be affected by the proposed transfer, the "FROM" point(s) of diversion or appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L)	Source and Priority Date	Township	Range	Mer	Sec	V4 V4	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	POD will not be changed

	Does the	water right	being transferre	ed involve a ground	l water source(s)?
--	----------	-------------	------------------	---------------------	--------------------

☐ Yes ☐ No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

A. Supply a copy of the well log(s) for <u>each</u> point of appropriation that is clearly labeled and associated with the corresponding well in the table above and on the accompanying application map. (<u>NOTE:</u> You may search for well logs on the Department's web page at: http://www.wrd.state.or.us)

or

B. If a well log is <u>not</u> available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach WATER RESOURCES DEPT additional copies as necessary.

Construction of Existing Authorized Point(s) of Appropriation – (Only needed if <u>no</u> well log is available.)

Wells in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A N/A	N/A	N/A

Certificate Number or other identifying number: <u>Certificate 12562</u>

The following information must be provided only for those places of use that are involved in the transfer (i.e., list only the portion of the water right you propose to transfer.) Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

Location of Existing Authorized Place of Use to be Affected:

(i.e., the allowed lands listed on the water right that will be affected by the proposed transfer, the "FROM" lands)

Source and Priority Date	Township	Range	Mer	Sec	1/4 1/4 Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)	
Auth POA, 1885	6N	35E	WM	35	SW SE	1913	0.2	
							REC	CEI
								02

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Surv acco	cribe proposed vey coordinates ompanying apple Location of Proles, the "TO" point TE: Complete the	described lication map oposed Poi (s) of diversion	the water below show the constant beautiful the constant the constant	r right ould a addition Divers	t invo	olving po ately con pages as or Appi	oint(s) of respond necessar opriation	diversion to the post. on:	on and/or oints sho	wn on the		
Sou				Sec		1/4	Tax Lot, DLC or Gov't Lot		Survey C	oordinates a recognized so ner)		
N/	'A N/A	N/A	N/A	N/A	N/A	N/A	N/A		N	//A		
	If there are well(s) alreatisted above If "Yes", at well, or if w	ady construct. ttach and clevell log(s) a	cted? [early lab] re not av	Yes oel the vailable	corr	□ No	ng well l	N/A - No log(s) for ruction of	o proposi <u>each</u> pro f the well	ed well(s) oposed l(s) using		
	the table be	A TILL		y searc	ch for	well log	s on the I	Departme	nt's web p		CEIVEL	
If "No", describe the anticipated construction for the proposed well(s) in the												
	Construction of Proposed Point(s) of Appropriation or Well(s) WATER RESOURCES SALEM OREGO Well numbers in this listing must be clearly tied to corresponding well location(s) described in the table above and											
Well	Construction of land the land	isting must be	clearly tie	of A	ppro	opriatio onding we	n or We	ll(s) ı(s) describ	ed in the t	SAL	EM OREGON	
Well	l numbers in this l	isting must be	clearly tie	No. feet casi	of of	Intervals casing is perforated (in feet)	n or We	Est. depth to water	Est. depth to water bearing stratum	SAL	EM OREGON	

	Certificate 1	Number o	r other	identifying	number:	Certificate	12562
--	---------------	----------	---------	-------------	---------	-------------	-------

Describe proposed changes to the water right involving place of use. Information described below should accurately correspond to the proposed place of use shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Place of Use: (i.e., the "TO" lands) \[\sum N/A - Instream Water Right Transfer (NOTE: Complete this table only if a Change in Place of Use is being proposed.)

Source	Township	Range	Mer	Sec	½ Sect	¼ ion	Tax Lot, DLC or Gov't Lot	Acres (if applicable)	
Auth POA	6N	35E	WM	35	SE	SW	2200	0.2	
								DEA	Day II N Draw
								REC	
									2 2007
								WATER RES	OREGON

Remarks:	Certificate 3547 will be diminished to supplemental in this area.

Water Right Transfer Supplemental Form A DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

List only <u>one</u> water right per page. A <u>separate Supplemental Form A</u> must be completed for <u>each</u> certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

Certificate Number or other identifying number: <u>Certificate 13240</u>

1. TYPE OF CHANGE(S) PROPOSED

(Check all that apply.)

Point of Diversion or Appropriation	Place of Use	Character of Use
Change (The old point of diversion or appropriation will not be used for the portion of the water right affected by the transfer.) Additional (Both the old and new points of diversion or appropriation will be used for the portion of the water right affected by the transfer.) Historic Point of Diversion or Appropriation Change (Unauthorized point of diversion or appropriation used for more than 10 years.) Surface Water to Ground Water (A new point of appropriation will be used instead of the old point of diversion. The old point of diversion will not be used.) Point of Diversion Change due to Government Action (The old point of diversion or appropriation can no longer be used due to government action.) Exchange (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)	□ All of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.) ☑ Only a portion of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.)	Proposed new use: Irrigation Municipal Quasi-municipal Commercial Industrial Instream (complete and attach Supplemental Form C) Domestic (indicate number of households) Other Substitution (A supplemental ground water right will be substituted for a primary surface water right.) Supplemental Use to Primary Use (Primary water right shall be cancelled and the supplemental water right will change to primary use.) RECEIN JUL 0 2 WATER RESOUR SALEM OF

2. CURRENT WATER RIGHT INFORMATION

Water Right Subject to Transfer (check and complete one of the following):

×	Certificated Right	13240	W Prong Little WW R	
	Continuated regit	Certificate Number	Permit Number or Decree Name	
	Adjudicated,			
	Non-certificated Right	Name of Decree	Page Number	
	Permit for which Proof has been Approved	Permit Number	Date Claim of Beneficial Use Submitted	
	Transferred Right for which Proof has been Filed	Previous Transfer Number	Date Claim of Beneficial Use Submitted	
	Name on Permit, Certificate, o	or Decree: TASSEY and	MARY F. STEWART	
	County: Umatilla		RE	CEIVED
	Authorized Use(s) to be Affect	tad by Transfare Irrigatio		
	Authorized Ose(s) to be Affect	ted by Transfer. Imgatio	JU	t 02 2007
	Priority Date(s): 1880		WATER F	RESOURCES DEPT EM OREGON
	provided on pages 3 through associated with each of the au appropriation and places of u. Source(s) of Water to be Affect	thorized and proposed po se.	ints of diversion or	
	Tributary to: Walla Walla Ri	ver		
	If there are multiple Sources pages 3 through 6 of this form the authorized and proposed p	must identify which sou	rce is associated with each of	
	For applications proposing a	Change in Place of Use	or Character of Use:	
	Are there Other Water Right with this land?	s, Permits or Ground Wa	ter Registrations associated	
	⊠ Yes □ No □ N	N/A - No Change in Place	of Use or Character of Use	
	If "Yes", what are the Permit,			
	Pursuant to ORS 540.510, any a primary right proposed for t cancelled, except as provided	ransfer must be included	in the transfer or be	

7 10430

Certificate Number or other identifying number: Certificate 13240

The following information must be provided only for those points of diversion or appropriation that are involved in the transfer (i.e., list only the portion of the water right you propose to transfer.) Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below **only** if the information is reflected on the existing water right.

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

(i.e., the allowed point(s) of diversion or appropriation listed on the water right that will be affected by the proposed transfer, the "FROM" point(s) of diversion or appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L)	Source and Priority Date	Township	Range	Mer	Sec	1/4 1/4	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	POD will not be changed

	Does the water	r right being	transferred	involve a	ground	water	source(s)	?
--	----------------	---------------	-------------	-----------	--------	-------	---------	----	---

☐ Yes ☐ No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

A. Supply a copy of the well log(s) for <u>each</u> point of appropriation that is **clearly**labeled and associated with the corresponding well in the table above and on the accompanying application map. (<u>NOTE:</u> You may search for well logs on the Department's web page at: http://www.wrd.state.or.us)

or

B. If a well log is <u>not</u> available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary. JUL 0 2 2007 ATER RESOURCES DEE

WATER RESOURCES DEPT SALEM, OREGON

Construction of Existing Authorized Point(s) of Appropriation – (Only needed if <u>no</u> well log is available.) Wells in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A N/A	N/A	N/A

Certificate Number or other identifying number: <u>Certificate 13240</u>

The following information must be provided only for those places of use that are involved in the transfer (i.e., <u>list only the portion of the water right you propose to transfer</u>.) Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below **only** if the information is reflected on the existing water right.

Location of Existing Authorized Place of Use to be Affected:

(i.e., the allowed lands listed on the water right that will be affected by the proposed transfer, the "FROM" lands)

Source and Priority Date	Township	Range	Mer	Sec	1/4 1/4 Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
Auth POA, 1880	6N	35E	WM	35	SW SE	various	4.28
			1				
							*
							JUL 0 2 20
							JUL 0 2 20
0							WATER RESOURCE SALEM, OREG

Sur acc	scribe proposed vey coordinate ompanying app Location of P (i.e., the "TO" poin of P (TE: Complete	s described plication ma roposed Po u(s) of diversion	the water below sho p. Attach int(s) of I	r right in ould accuadditiona Diversion intention	volving p rately co l pages as n or App	ooint(s) of orrespond s necessar oropriation	diversion to the popular to the popu	on and/or oints sho	wn on the		
	urce Towns			Sec 1	/4 1/4 ection	Tax Lot, DLC or Gov't Lot		Survey C inates from	oordinates a recognized su ner)		
N	I/A N/A	N/A	N/A	N/A N/A	N/A	N/A		N	/A		
well already	well(s) alr listed abov If "Yes", a well, or if the table b http://www If "No", a following Construction all numbers in this wn on the accomp	attach and convelled to the log (s) and the lo	learly lab are <u>not</u> av E: You may us) anticipate d Point(s	Yes yel the convailable, on search for the construction of App	rrespond describe for well log uction for ropriation for ropriatio	ling well l the constr gs on the l r the prop	N/A - No og(s) for cuction of Department oosed well	o propose each prof f the well nt's web p	pposed (s) using page at:	UL 02 I	2007 CES DEI
built? (Yes/No)	Well Log ID No. (or Well ID Tag No. L)		casing	casing	perforate (in feet)	d depth	water	bearing stratum	measuring device	depth	
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A	

Certificate l	Number or	other	identifying	number:	Certificate	13240
Continuate	Tuilloci oi	Other	racinal ying	number.	Commeate	10

Describe proposed changes to the water right involving place of use. Information described below should accurately correspond to the proposed place of use shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Place of Use: (i.e., the "TO" lands) \[\Boxed N/A - Instream Water Right Transfer (NOTE: Complete this table only if a Change in Place of Use is being proposed.)

Source	Township	Range	Mer	Sec	1/4 1/ Section	on	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
Auth POA	6N	35E	WM	35	SE	SW	2200	4.28
								100
								TOTAL STATE OF THE PARTY OF
								JUL 0 2 2007
								JUL 0 2 2007
								WATER RESOURCES DE SALEM OREGON

Remarks: Certificate 3547 will be diminished to supplemental in this area.							

CURPENT FEE SHED EFFECTIVE THRY JUNE 30

TRANSFER OF WATER RIGHTS (CHANGES TO WATER RIGHTS)**

(OAR Chapter 690, Divisions 21 and 380)

I. Regular Transfers, Permit Amendments and Water Right Exchanges

A type of change is any of the following: place of use, point of diversion/appropriation, or character of use.

Base: minimum fee for one change:

PLUS:

Each additional type of change requested: Each change in place of use or type of use or water exchange: \$350.00

\$350.00

\$175.00 for each cubic foot per second (cfs) or fraction thereof in addition to the 1st cfs

II. Temporary Transfers

Temporary transfers are allowed for a change in place of use, point of diversion/appropriation to facilitate a change in place of use, character of use identified in a right to store water, and change in use under some circumstances in the Deschutes Basin

Base:

PLUS:

Non-Irrigation uses:

Irrigation uses:

\$175.00

\$75.00 for each cfs or fraction thereof

beyond the 1st cfs

\$1.00 per acre of land irrigated

III. Permanent Irrigation District Transfers

Base:

PLUS:

Additional fee:

\$350.00 for up to one cfs

\$175.00 for each cfs or fraction thereof in addition to the 1st cfs

IV. Temporary Irrigation District Transfers

Base:

PLUS:

Non-Irrigation uses:

Irrigation uses:

\$175.00 for up to one cfs

\$75.00 for each cfs or fraction thereof in

addition to the 1st cfs

\$1.00 (or \$0.25 if submitted in a Department approved digital format) per acre of land

irrigated

RECEIVED

JUL 02 2007

WATER RESOURCES DEPT SALEM OREGON

T 10430



Water Resources Department

725 Summer Street NE, Suite A Salem, OR 97301-1271 503-986-0900 FAX 503-986-0904

Notice of Application for Water Right Transfer, Temporary Transfer, or Permit Amendment 07/17/07

The Department seeks comment on the recently-filed application listed below. Any person may comment on the application. Comments must be received by the Department within 30 days of the date of this notice. The Director may presume that the transfer would be allowed by, and compatible with comprehensive plans unless an affected local government informs the Director otherwise within 30 days of this notice.

County: Umatilla Transfer: T -10430

Water Right: Cert:10103 OR *, Cert:12562 OR *, Cert:13240 OR *

Priority Date: 1880, 1885, 1927 Name: JOHN A. LEFORE

Address: 83880 HIGHWAY 339; MILTON FREEWATER OR 97862

Change: POU

Source: LITTLE WALLA WALLA RIVER > WALLA WALLA RIVER

WASTE WATER > WEST LITTLE WALLA WALLA RIVER

Authorized POU: T6N R35E 35 Proposed POU: T6N R35E 35

The holder of a water right may apply to permanently change an existing water use subject to transfer. A transfer application may involve any of the following changes: Point of diversion or appropriation (POD; POA); Additional point of diversion or appropriation (APOD; APOA); Historic POD (HIST); Place of use (POU); Character of use (USE); Instream (ISWR); Substitution (SUB); or Exchange (EXCH).

The holder of a water right subject to transfer may request to temporarily change the place of use of the water for up to 5 years and, if necessary to convey the water, to temporarily change the point of diversion or appropriation.

The holder of a water right permit may apply to change a point of diversion (POD) or appropriation (POA) or to change the place of use (POU).

Any person who provides comments within the comment period will receive a copy of the Department's preliminary determination of whether the application should be approved or rejected after the Department has completed a review of the application and will be provided an opportunity to protest the application and preliminary determination at that time. Comments should be sent to the Transfers Section at the Department's Salem office.



Water Resources Department

North Mall Office Building 725 Summer Street NE, Suite A Salem, OR 97301-1266 503-986-0900 FAX 503-986-0904

John LeFore 83880 Highway 339 Milton-Freewater, Oregon 97862

RE: Water Right Transfer Application T-10430

On July 2, 2007 the Department received your water right transfer application and a check in the amount of \$525.00. As of July 1, 2007 a new Fee Schedule is in affect. Your water right transfer application will need an additional \$475.00.

(Base fee, first certificate \$400.00 + second certificate \$200.00 + third certificate \$200.00 \$200.00 for additional CFS. Enclosed is a copy of the new fee schedule.

If you have any questions, please contact the transfer section at 503-986-0883.

Sincerely,

Sarah Henderson Executive Support

Cc: Transfer T-10430

Sarah Henderson

1 10430



Water Resources Department

North Mall Office Building 725 Summer Street NE, Suite A Salem, OR 97301-1266 503-986-0900 FAX 503-986-0904

July 12, 2007

JOHN A. LEFORE 83880 HIGHWAY 339 MILTON FREEWATER OR 97862

Reference: Transfer 10430

On July 2, 2007 we received your water right transfer. The application was accompanied by \$525.00. Our receipt 88519 is enclosed.

By copy of this letter, we are asking the Watermaster for a 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.

Except as provided under ORS 540.510(3) for municipalities, you may not use water for the new use, in the new place of use or 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. If the land is sold before the transfer is approved, the buyer's consent to the transfer will be required unless a recorded deed or other legal document clearly established that the water right was not conveyed in the sale.

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, (503)986-0883.

cc: Watermaster #5

Tim Bailey, ODFW

John Warinner, Agent (1860 Blue Creek Rd, Walla Walla, WA 99362)

Walla Walla River Irrigation District (323 North Evans St. Milton-Freewater, OR 97862)

Umatilla County (216 SE Fourth St. Pendleton, OR 97801)

City of Milton-Freewater (8 SW 8th Avenue, Milton-Freewater OR 97862)

enclosure