

4280 Schnell ^{WEX 11}Name Wayne H. + Marlene L. Schnell

4280

DESCRIPTION OF WATER RIGHT

By _____

Address RT. 2, Box 330Irrigon, OR 97844Change in POUDate filed August 17, 1979

Date of hearing _____

Place of hearing _____

Date of order 12-29-80 Vol. 34, page 149Date for application of water 10-1-82

Proof mailed _____

Proof received _____

Certificate issued _____ Vol. _____, page _____

Name of stream Umatilla RiverTrib. of _____ County of UmatillaUse irrigationQuantity of water _____ No. of acres 78

Name of ditch _____

Date of priority March 28, 1909In name of United States Reclamation Service

_____ Adjudication, Vol. _____, page _____

App. No. 237 Per. No. 408 Cert. No. 10142

Certificate cancelled _____

Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>8-17-79</u>	<u>30-</u>	<u>13489</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

REMARKS

SEE T-4281 1282Permit G-5248 does not cover the SWSE Sec 30 (Final Proof not done) 12/2/803/82 Surveyed OK to issue confirming certificates - finish

W.R.I.S.

Assembled 3-20-85 by SRH

Entered _____ by _____

Verified _____ by _____

INDEX CARDS:

	Entered	Checked
<input checked="" type="checkbox"/> Name	<u>SRH</u>	_____
<input checked="" type="checkbox"/> Stream	<u>SRH</u>	_____
<input checked="" type="checkbox"/> Pt. of Div.	<u>SRH</u>	_____
<input checked="" type="checkbox"/> Calendar	<u>SRH</u>	_____
<input checked="" type="checkbox"/> CHECKED TO RECORDS:		
<input checked="" type="checkbox"/> Twp. & Rge.	<u>SRH</u>	_____
<input checked="" type="checkbox"/> Decree-vault	_____	_____
<input checked="" type="checkbox"/> Decree-safe	_____	_____
<input checked="" type="checkbox"/> Cert. of W/R	<u>WXP</u>	_____
<input checked="" type="checkbox"/> Per. Folier	<u>WXP</u>	_____
<input checked="" type="checkbox"/> Chaindex	_____	_____
<input checked="" type="checkbox"/> Cross Ref.	_____	_____
<input checked="" type="checkbox"/> Power Claim	_____	_____
<input checked="" type="checkbox"/> Abstracts	<u>SRH</u>	_____


P908 252L

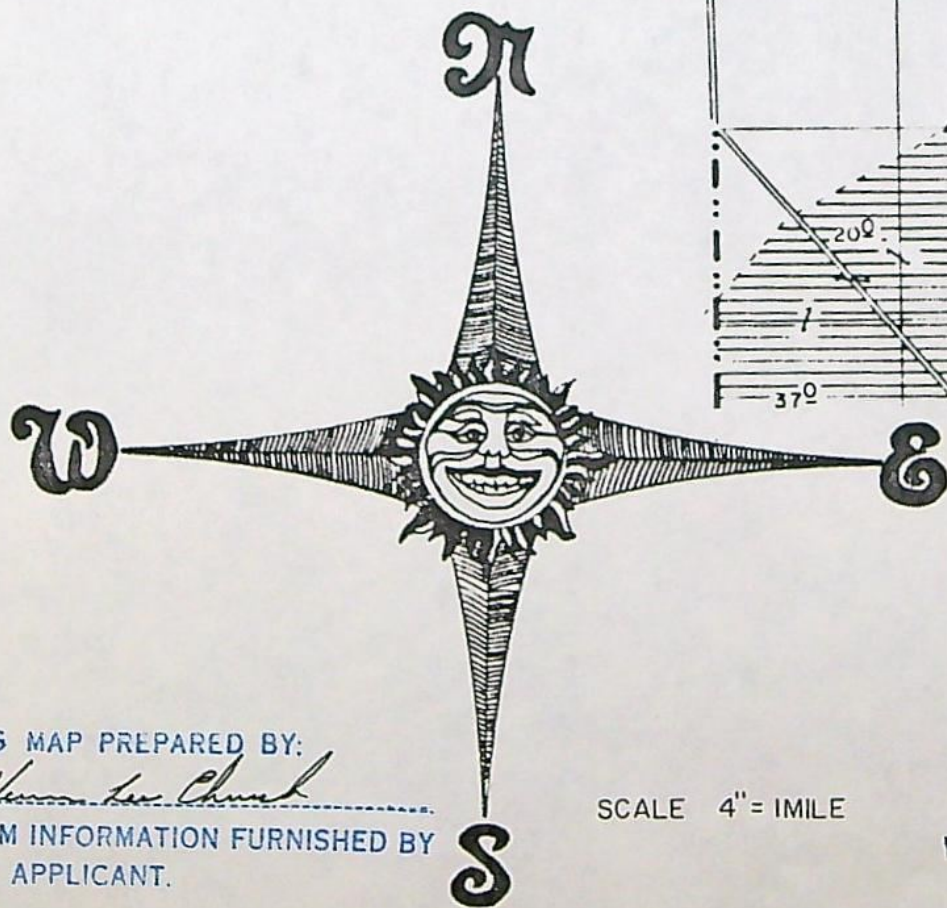
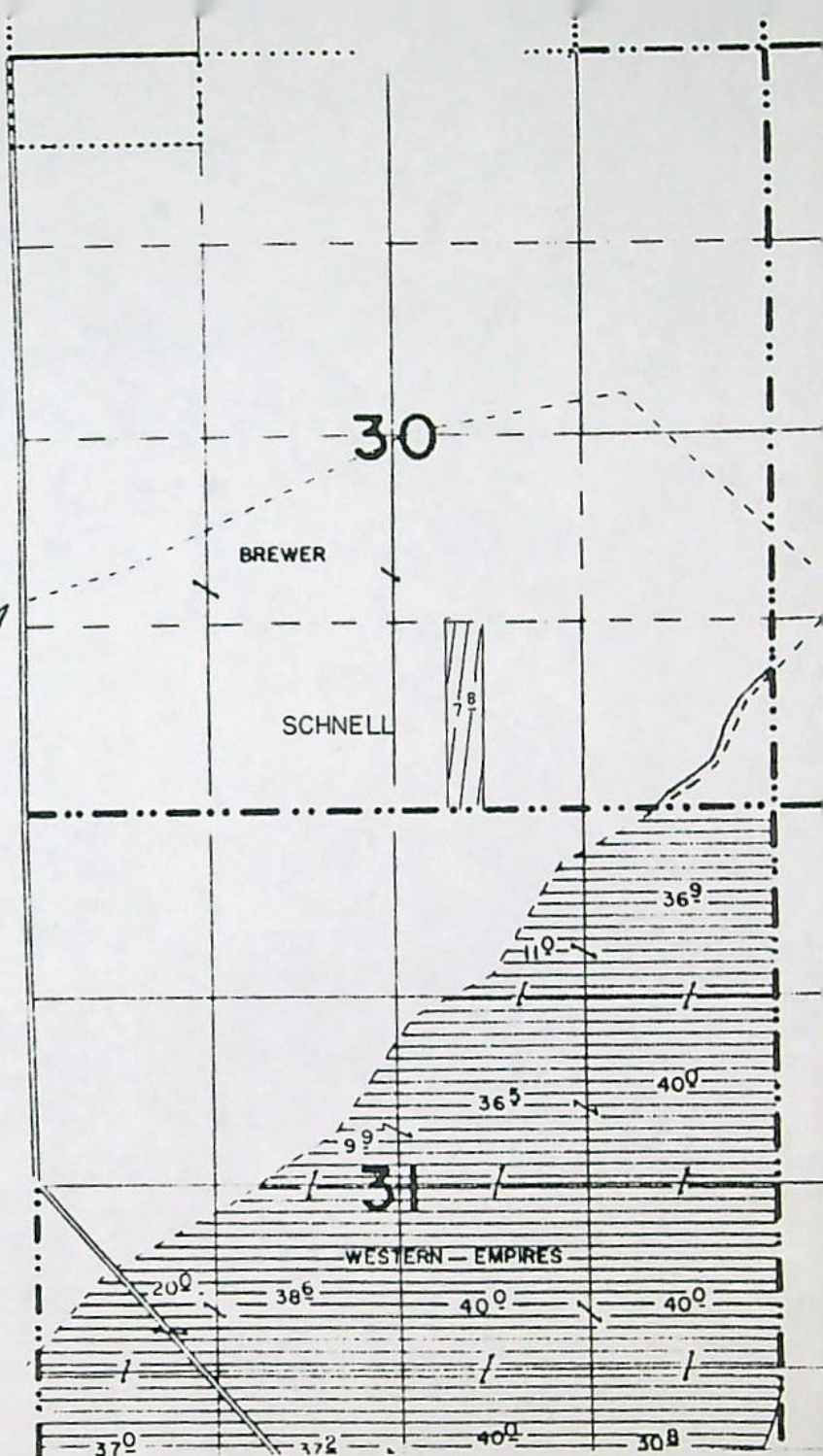
4-17-80

249 Parcel in 1949

store land same in 1972 photo

T. 5N. R. 27E. W.M.

 This cross-hatching is involved in
Transfer # 4280



THIS MAP PREPARED BY:

James Lee Church
FROM INFORMATION FURNISHED BY
THE APPLICANT.

SCALE 4" = 1 MILE

RECEIVED

OCT 24 1980

WATER RESOURCES DEPT
SALEM, OREGON

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

UMATILLA COUNTY

IN THE MATTER OF THE APPLICATION)
OF WAYNE H. AND MARLENE L. SCHNELL)
(WEST EXTENSION IRRIGATION DISTRICT))
FOR APPROVAL OF A CHANGE IN PLACE)
OF USE OF WATER)

ORDER APPROVING
TRANSFER 4280

On August 17, 1979, an application was filed in the office of the Water Resources Director by Wayne H. and Marlene L. Schnell for approval of a change in place of use of water from Umatilla River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 10142, Volume 9, State Record of Water Right Certificates, in the name of United States Reclamation Service, describes a right which includes the use of not to exceed 0.56 cubic foot per second from Umatilla River for irrigation of a certain 7.8 acres in NE 1/4 SE 1/4, Section 26, Township 5 North, Range 26 East, WM, with a date of priority of March 28, 1909.

Water for the said right is diverted, through the West Extension Canal, from a point located 1730 feet North and 200 feet West from the Southwest Corner of Section 17, being within the SW 1/4 SW 1/4 of Section 28, Township 5 North, Range 28 East, WM.

The applicants herein propose to sever the right therefrom and, without loss of priority, to irrigate in lieu thereof a certain 7.8 acres in SW 1/4 SE 1/4, Section 30, Township 5 North, Range 27 East, WM.

Steven P. Applegate, Watermaster, has filed a statement to the effect that the proposed change in place of use may be made without injury to existing rights.

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

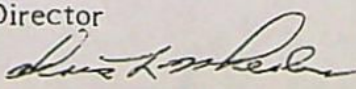
NOW, THEREFORE, it hereby is ORDERED that the requested change in place of use, as described herein, without loss of priority, is approved.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1982.

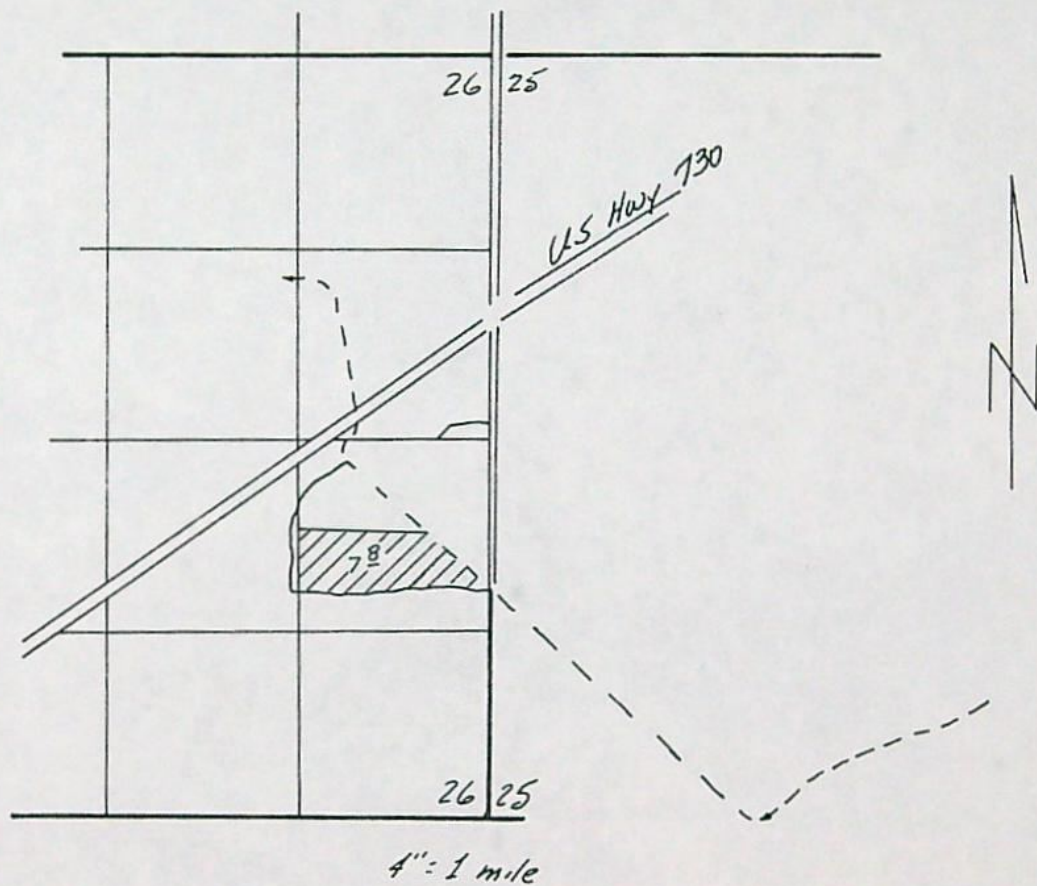
It is FURTHER ORDERED that upon receipt of proof satisfactory to the Water Resources Director of complete application of water to beneficial use on the lands to which the water is transferred hereby, a certificate of water right will be issued to the West Extension Irrigation District confirming this and prior changes within the District.

Dated at Salem, Oregon this 29th day of December, 1980.

JAMES E. SEXSON
Director

By  CHRIS L. WHEELER
Deputy Director

T.5N., R.26E.



THIS MAP PREPARED BY:

John Lee Church

FROM INFORMATION FURNISHED BY
THE APPLICANT.

RECEIVED

OCT 24 1980

WATER RESOURCES DEPT
SALEM, OREGON

T- 4280
FROM

1073

18-02-2
D7A 0571

County Umatilla

1. Name Wayne H. & Marlene L. Schnell

Address Rt 2, Box 330, Irigon, OR 97844

2. Source of Water Umatilla River Trib of _____

3. Use in ~~1/2~~ ac 7⁸ ac

4. Amount of Water 0.56 cfs

5. Priority Date 3/28/1989

6. Proposed Point of Diversion

7. Completion Date 10-1-82

8. Place of Use:

[illegible]

T-4280

T-4281

T-4282

INFO: WAYNE SCHNELL MR SCHNELL CLAIMS IRRIGATION APPROX 150 ACRES
IRRIGATED FROM WEID THE LAND IS LOCATED IN S $\frac{1}{2}$ S $\frac{1}{4}$ SEC 30
T 5N R 27E WM

DIV. PT IS WEID DIV PT AT UMATILLA & COL RIVERS
PUMP & MOTOR 50 HP PACIFIC COD 6 DISCH.

PIPE 6" 5280 BURIED MAIN PVC

3" 7960 HANDLINE

5" 4620 WHEELINE

HEAD 157 RB 30's $\frac{5}{32}$ " x 0" 194 MAY

157 RB 30's $\frac{3}{16}$ " x 0"

CROP HAY PASTURE

LIFT: -5

TIE ~~TO~~ INSPECTION

FEB 20 1981

Thomas R. Church

FIELD ENGINEER

UNATILLA R

W T-0982-C1

*** OREGON WATER RESOURCES DEPARTMENT ***
 *** WATER RIGHTS DIVISION ***
 *** WATER RIGHT DATA INPUT FORM ***

 PAGE 1
 RUN ON: 3/20/81 AT: 9:08

 WATER RIGHT NO. 1000092801 PERMIT NO. 000908 CERTIF. NO. 0010142
 ORIG. NO. A000002371 PREV. NO. A000002371/SUPER. NO.

NAME: WAYNE & MARLENE SCHNELL

ADDRESS: WEID, PO BOX 465

CITY/STATE/ZIP/COUNTY: IRRIGON, OR 97844

30

STREAM-ID 07 2520

RIV. MI.

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

CANCEL YEAR-->

CONSTR. COMPLT--> 01 15 1981

YR. LAST USED-->

NEXT ACTION DUE-->

PRIORITY--> 03 28 1909

PUT TO USE--> 01 15 1981

LAST TRANS. DATE-->

LAST TRANS. TYPE-->

APPLICATION--> 08 17 1979

SURVEYED--> 02 20 1981

EXAM. FEE-->

RECORDING FEE-->

10.00

PERMIT ISSUE--> 12 29 1980

CONCURRENCE-->

CYCLE STATUS-->

REPORTED FLAG-->

CONSTR. STRT.--> 12 29 1980

CERTIFIED-->

CORRES. INIT.-->

CORRES. DATE-->

 POINT-OF-DIVERSION DATA:
 TWP/SP RGE SECT QTR/QTR STREAM-ID

050N 280E 28 C L 07 2520

RIV. MI.

RATE

STATUS S OR P

0.560

V

P

 ** REMARKS; - - - - -
 ** DATED-->

** CHANGES POW PART OF WEST

** EXTENSION I.D. C-10142.

**

**

**

**

**

 PLACE-OF-USE DATA:
 TWP/SP RGE SECT QTR/QTR CNTY USE % CNSMTV ACRES STATUS S OR P

050N 270E 30 D C 30 1R 100 7.80

V

P

W.R.I.S.

Assembled 3-20-85 by SKA

Entered _____ by _____

Verified _____ by _____

NOTICE OF COMPLETION OF CHANGE IN

place of use of water from Umatilla River

PURSUANT TO TRNASFER APPLICATION NO. 4280

I, Marlene L Schnell, hereby certify that completion
of works and use of water to the extent intended within the provisions
of the order of the Water Resources Director approving said water
right transfer application was accomplished by May 1, 19 80

1-15-81

Date

Marlene L Schnell

Signature

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

ok
Fin

1909
RECEIVED

OCT 24 1980

WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

AUG 17 1979

WATER RESOURCES DEPT
SALEM, OREGON

Application for Transfer of Water Right T-4280

To the WATER RESOURCES DIRECTOR OF OREGON:

I, Wayne H. and Marlene L. Schnell
(Name of applicant)
of Route 2 Box 330, Irrigon
(Mailing address) (City)
State of Oregon, 97844, 503-
(Zip Code) (Phone number) 922-3313, do hereby make application for change
place of use
(In point of diversion; place of use; use heretofore made of the water)

1. Is the water right recorded in your name? No. U.S. Reclamation Service
(If not, give name)

2. Was your water right determined by Decree of Court? No If so, give title of proceedings
(Yes or No)

number of certificate
3. Was your water right acquired by Water Right Permit? Yes If so, give number
(Yes or No)
of permit 408 Number of certificate 10142

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

4. The source of water is Umatilla River

5. What is the date of priority of your water right? March 28, 1909

6. The authorized point of diversion is located 1730 ft. N. and 200 ft. W. from the SW
(N. or S.) (E. or W.)
corner of Sec. 17 being within the SW 1/4 SW 1/4 of Section 28 Tp. 5N R. 28E W. M.,
(No. N. or S.) (No. E. or W.)
in the county of Umatilla The name of the ditch used is West Extension I.D.

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

7. The proposed point of diversion is located ft. and ft. from the
(N. or S.) (E. or W.)
corner of being within the 1/4 1/4 of Section Tp. R. W. M.,
(No. N. or S.) (No. E. or W.)
in the county of The name of the ditch to be used is

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

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

Township North or South	Range E. or W. of Willamette Meridian	Section	List $\frac{1}{4}$ - $\frac{1}{4}$ of Section	Number Acres To Be Irrigated
5N	26E	26	NE $\frac{1}{4}$ SE $\frac{1}{4}$	78 M.L.S.

(If more space required, attach separate sheet)

9. Are you the legal owner of the above described lands? No: Desert Farms Inc.
(If not owner, explain your interest)
We purchased water right.

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

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

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

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

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT

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

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

Township North or South	Range E. or W. of Willamette Meridian	Section	List $\frac{1}{4}$ - $\frac{1}{4}$ of Section	Number Acres To Be Irrigated
5N	27E	30	M.L.S. SW $\frac{1}{4}$ SE $\frac{1}{4}$	78 M.L.S.

(If more space required, attach separate sheet)

14. Reasons for the proposed changes are no longer need water
at original site.

15. Construction work will be completed on or before August, 1980

16. The water will be completely applied to the proposed use on or before August 1980

Remarks Please find enclosed a copy of the minutes
of the April 11, 1979 meeting of the West Extension
Irrigation District with the above mentioned
water rights transfer approval encircled in red

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

AFFIDAVIT OF APPLICANT

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

In Witness Whereof, I have hereunto set my hand this 13 day of August, 1979.

Wayne H. Schnell Marlene L. Schnell
(Name of applicant)

Subscribed and sworn to before me this 13 day of August, 1979.

[Notarial Seal]

Ann Sullivan
NOTARY PUBLIC FOR OREGON

My commission expires 9/28/80



STATE OF OREGON

INTEROFFICE MEMO

RECEIVED

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: Nov. 12, 1980

NOV 14 1980

FROM: WATERMASTER, DISTRICT NO. 5

(signature) Arthur C. [unclear]WATER RESOURCES DEPT
SALEM, OREGONSUBJECT: Water Right Transfer Application No. 4280 for change in (POU) POD, Use of waterIn the name(s) of Wayne & Marlene Schell

In my opinion (assuming the water right is valid), the proposed change

MAY BE MADE WITHOUT INJURY WOULD RESULT IN INJURY* to an existing water right.*The approval of this transfer application would result in injury to other water rights because _____

_____The existing right may not be valid because _____

_____Headgate notices HAVE HAVE NOT been issued for diversion from the source(s) which serve(s) this right.If for change in point of diversion, is there any intervening point(s) of diversion between the authorized and proposed points of diversion? _____
(yes or no)

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

 (1) PRIOR to the diverting of water at the new point of diversion✓ (2) WHEN IN the judgment of the watermaster it becomes necessary

The enclosed copy of the transfer application and map(s) are for your records.

Contains
Recycled
Materials

81-125-1387

SP*75683.125



STATE OF OREGON

INTEROFFICE MEMO

RECEIVED

SEP 19 1979

TO: TRANSFERS, WATER RIGHTS DIVISION WATER RESOURCES DATE: 9-17, 1979.
SALEM, OREGON

FROM: ** Steven Applegate, Watermaster

SUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4280

IN THE NAME OF Wayne H. & Marlene L. Schnell

In my opinion the proposed change in place of use of water from Umatilla River
MAY BE MADE WITHOUT INJURY WOULD RESULT IN INJURY* to an existing water right.

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

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

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

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

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

*Revised application received 10/24/80
need new watermaster's report.*

** *Steven Applegate*
Watermaster's signature or initials



STATE OF OREGON

Water Resources

DEPT.

INTEROFFICE MEMO

378-3066

TELEPHONE

TO: Steven P. Applegate, Watermaster

DATE: January 17, 1980

FROM: Sam Allison *SA*

SUBJECT: Transfer Applications Nos. 4280, 4281, 4282

Please make an on-site inspection of the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 26, T 5N, R 26E to determine which, if any, of the lands are now being irrigated. Since Mr. Bettencourt refuses to sign an affidavit abandoning the excess water right, Larry Jebousek says we have two choices of procedure:

1) Have you make an inspection, then tell the Schnells and Mr. Bettencourt which lands have a water right and can be transferred and which are in fact "dried up".

2) Transfer the entire 49.9 acres, then enter orders stating that the total of water transferred cannot exceed 40.0 acres. The certificates would then reflect only 40.0 acres of water right.

The revised maps submitted by the Schnells are enclosed.

lcj

RECEIVED

JAN 16 1980

WATER RESOURCES DEPT
SALEM, OREGON

Route 2 Box 330
Irrigon, Or. 97844
January 12, 1980

RE: Files Nos. T-4280, T-4281, T-4282

Dear Mr. Allison

In regards to your letter of November 29, 1979,
please find enclosed the revised maps for
T-4280, T-4281 and T-4282.

We prepared these maps as instructed by the
Pendleton Watermaster as per your instructions.

Please advise if more information is needed.

In reference to your letter of October 5, 1979,
Mr. Bottencourt refuses to sign the affidavit.

Please advise us of any further instructions
regarding this matter.

In reference to my letter of August 15, 1979,
concerning the .24 acres of water rights!

We have since located the property and
water right and have included it in this
copy of the 1893 maps.

Sincerely,

Mr. and Mrs. Wayne H. Schnell

P.S. Please find enclosed also an application
for the .24 acres as mentioned above.

1909
15.1 ACRES OF 1909 WATER RIGHTS

RECEIVED

JAN 16 1980

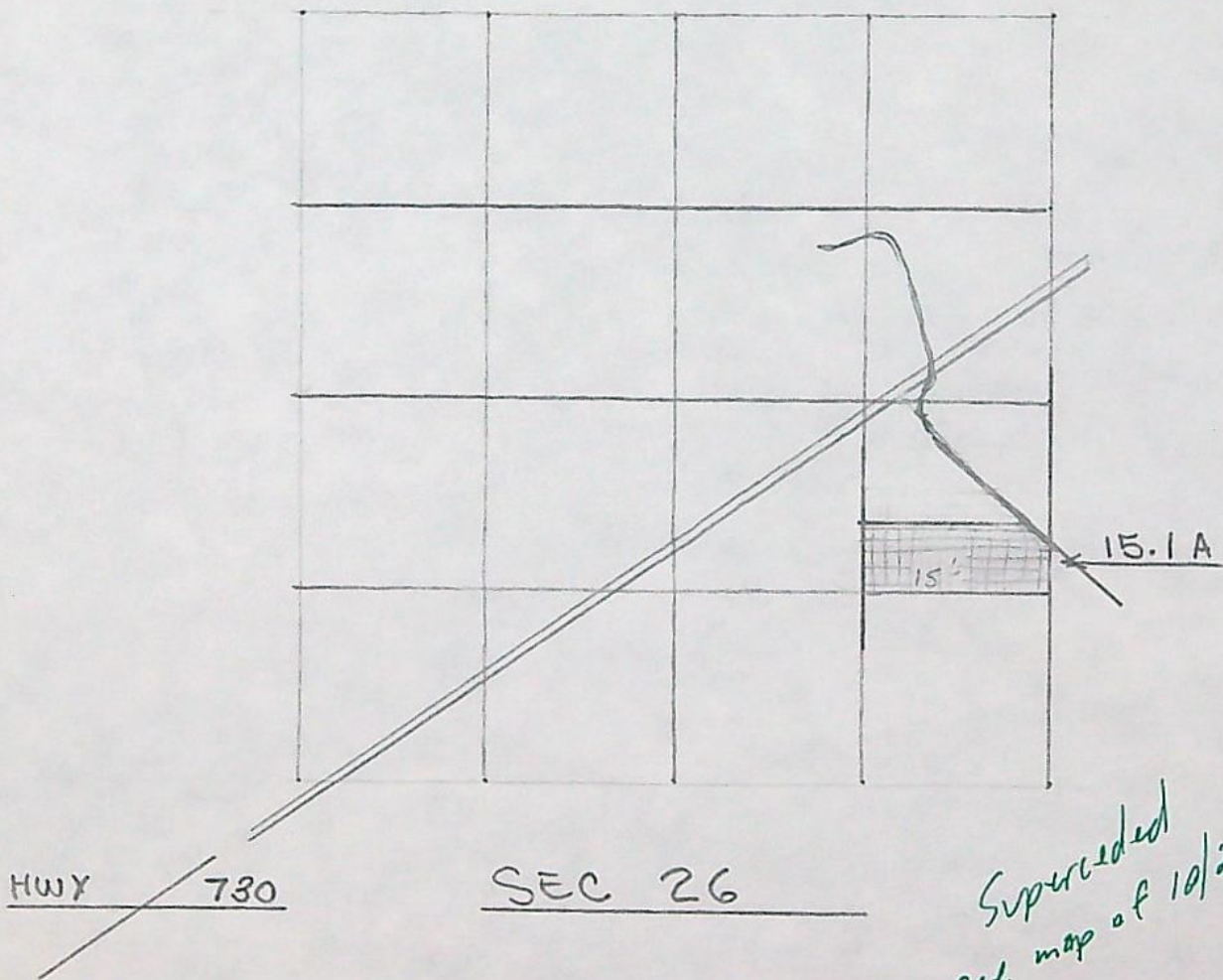
WATER RESOURCES DEPT.
SALEM, OREGON

T-4280

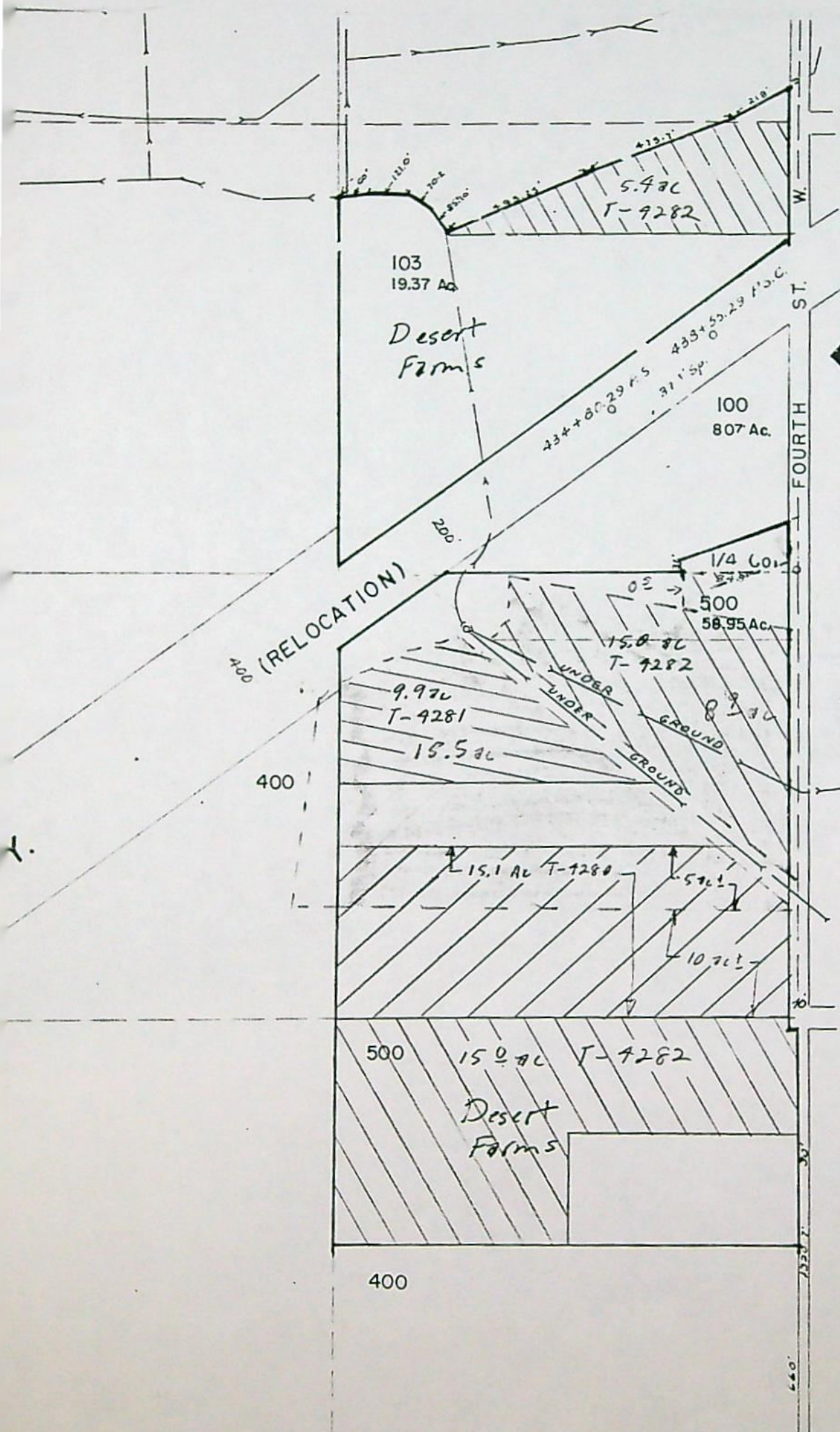
4280



SCALE - 1" = 1320'



WATER TO BE TRANSFERED FROM SHADED AREA.

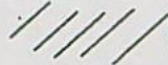




See Map 5N 26 25

Adjudicated
24 1/2 in NESE

15 1/2
8 1/2
0 1/2
24 1/2

Superseded

-  T-9280
-  T-9281
-  T-9282

15.1 ACRES OF 1909 WATER RIGHTS

T-4280

RECEIVED

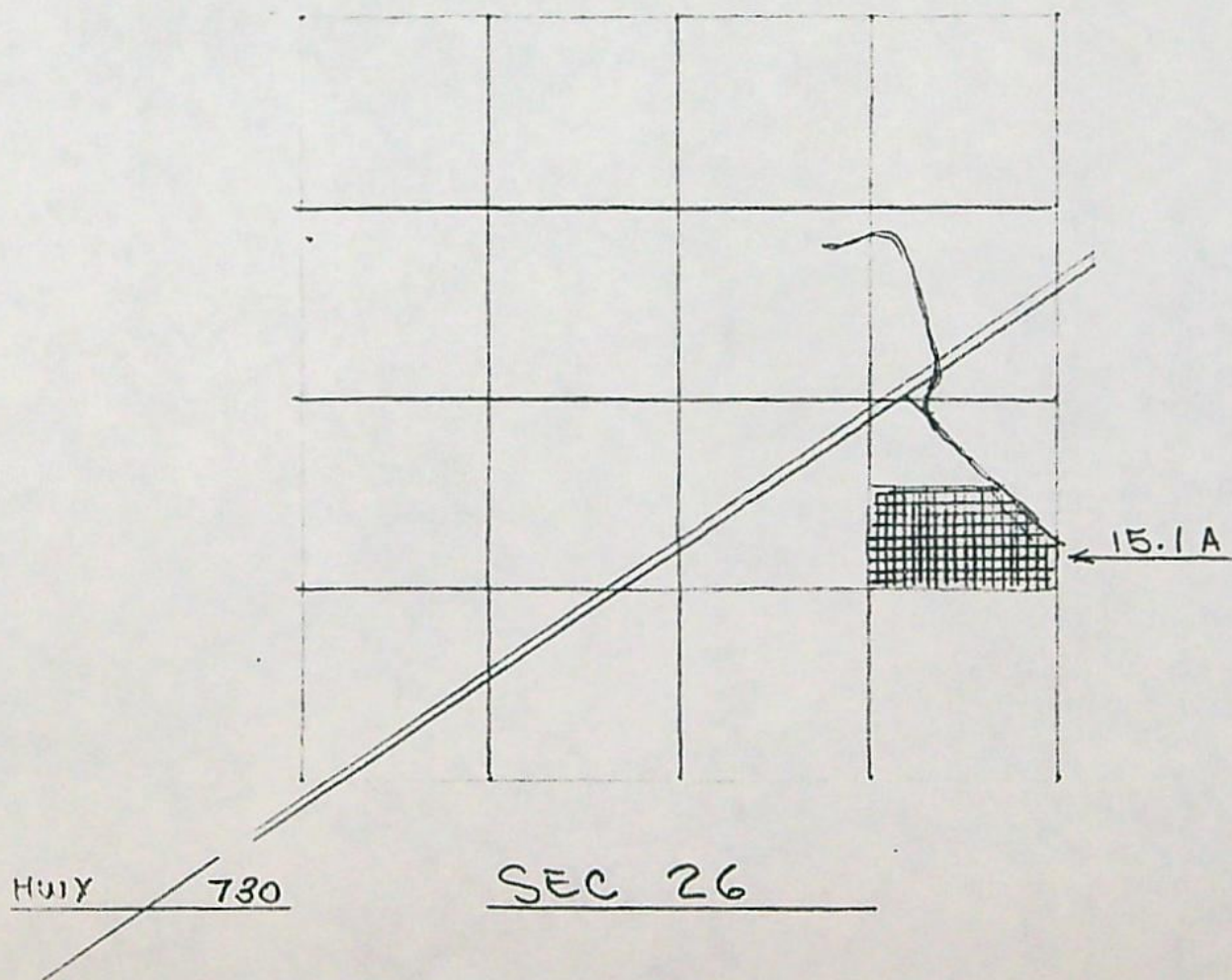
AUG 17 1979

WATER RESOURCES DEPT
SALEM, OREGON

N

Superseded

SCALE - 1" = 1320'



WATER TO BE TRANSFERED FROM SHADED AREA.

RECEIVED
AUG 17 1979
WATER RESOURCES DEPT
SALEM, OREGON

Laute 2 Box 330
Irrigon, Oregon 97844
August 15, 1979

Dear Sirs,

We were unable to locate .24 A of water,
so the actual number of acres of water rights
purchased should be 60.40 rather than the
60.64 A as stated in the enclosed letter from
E. L. Bettencourt .

Sincerely,
Marlene L. Schnell

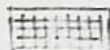
T-4280

RECEIVED

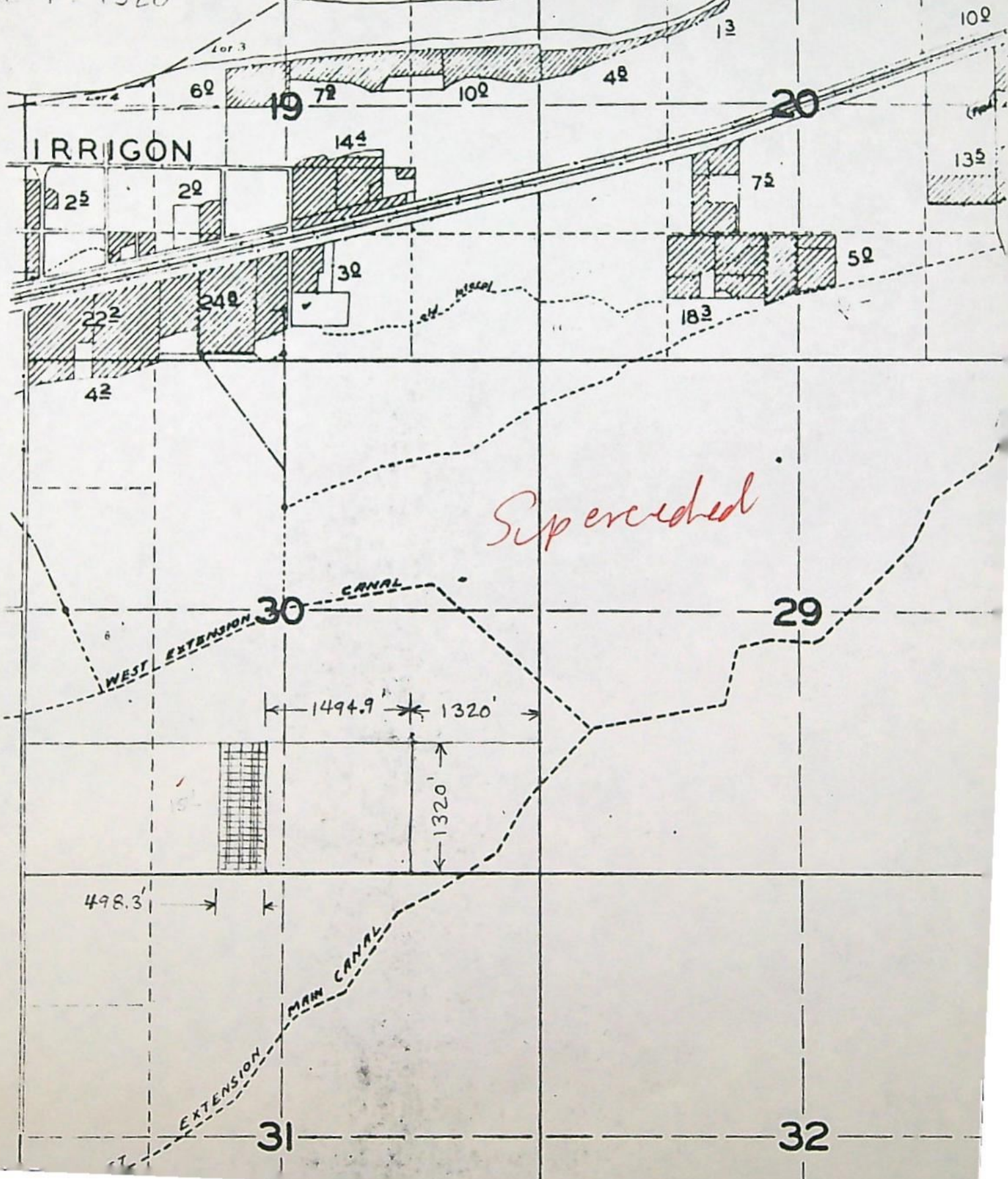
AUG 17 1979

WATER RESOURCES DEPT
SALEM, OREGON

15.1 ACRES 1909 WATER RIGHTS



SCALE 1" = 1320'



SW1/4 SE1/4 SEC. 24 T.5N. R.26E. W.M.
MORROW COUNTY

1" = 100'

RECEIVED

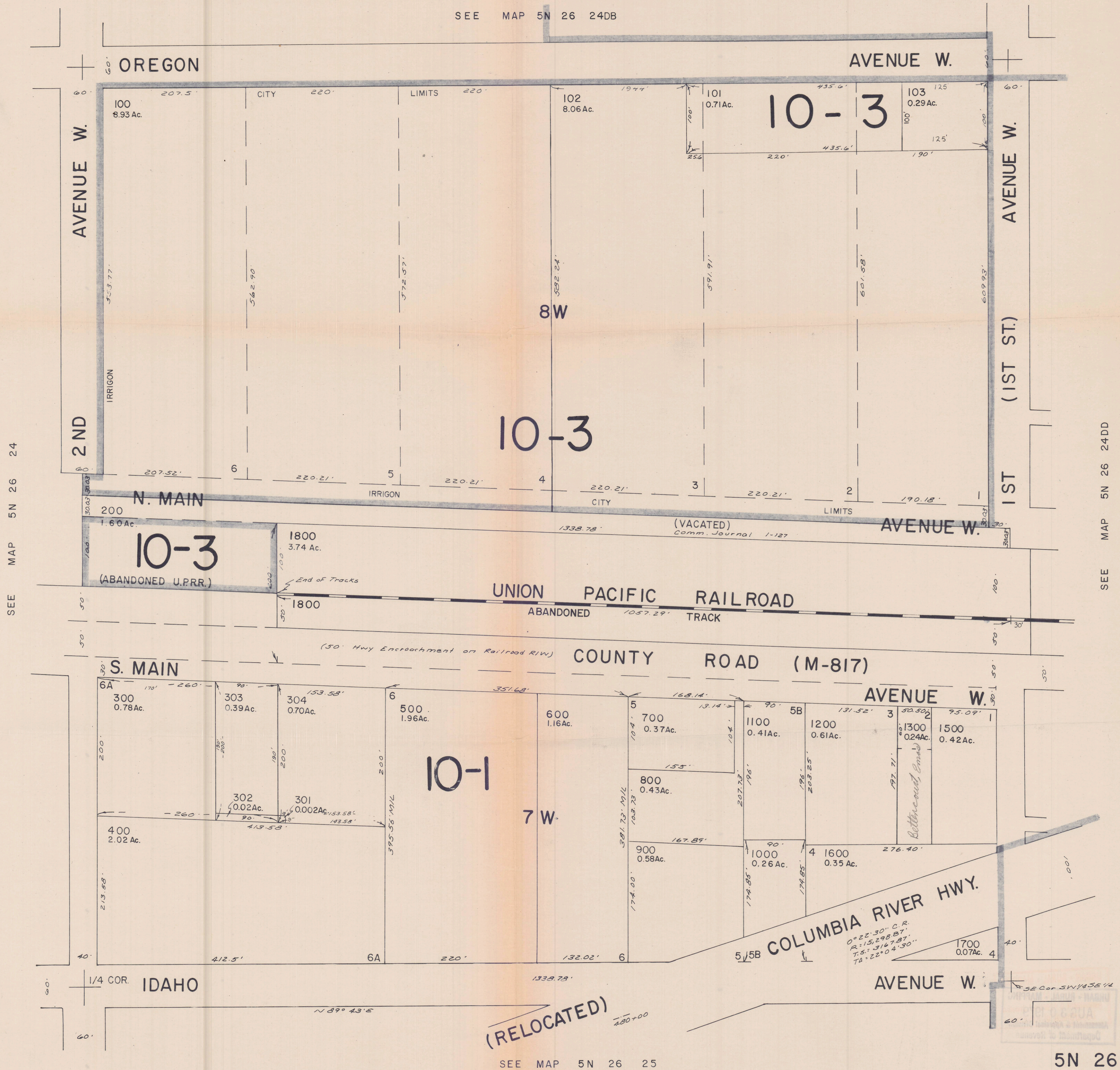
OCT - 1979

5N 26 24 DC

WATER RESOURCES DEPT
SALEM, OREGON

CANCELLED NO.
1400

SEE MAP 5N 26 24DB



SEE MAP 5N 26 25

5N 26 24DC

1"=400'

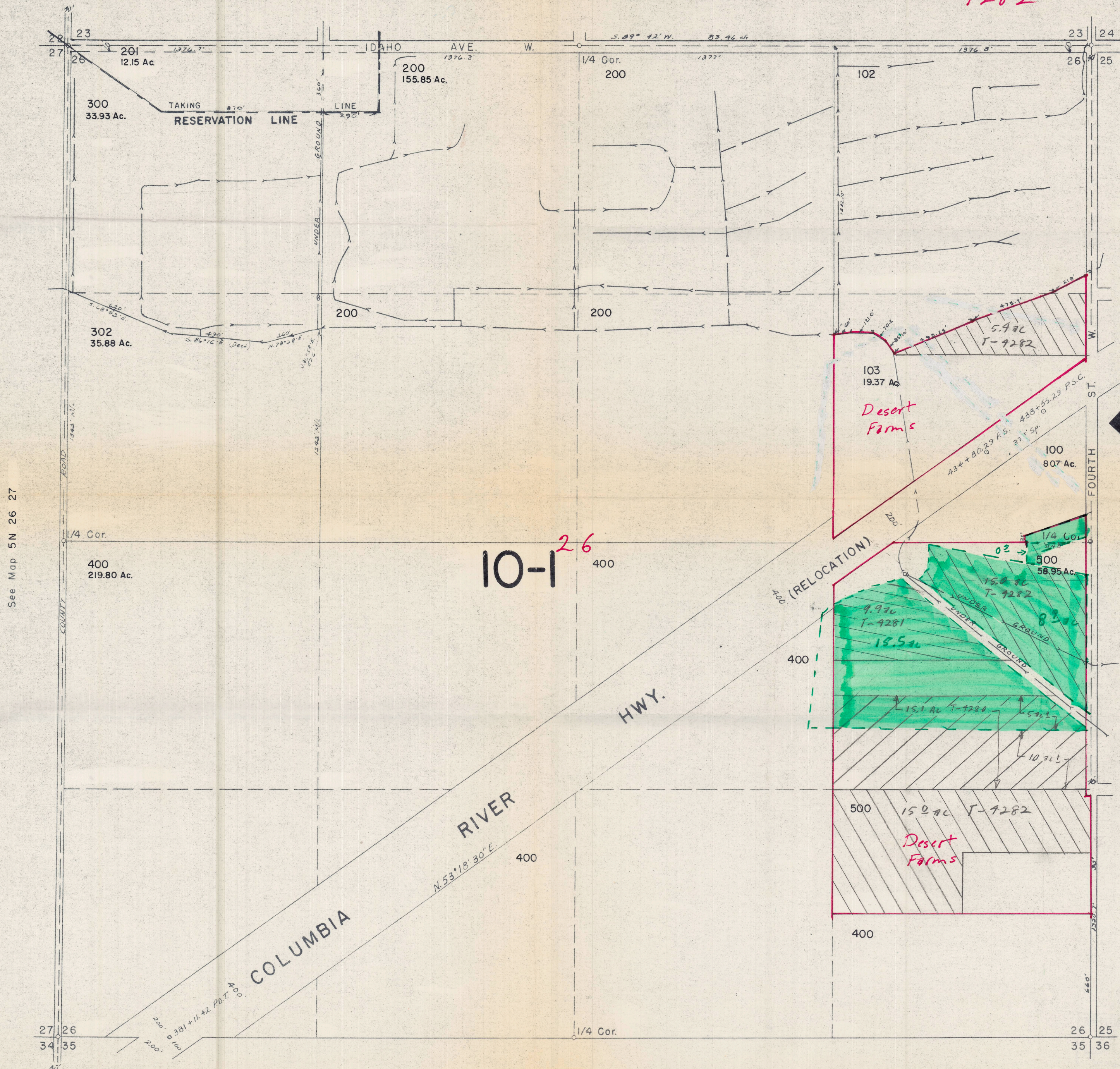
RECEIVED

NOV 21 1979

WATER RESOURCES DEPT
SALEM, OREGON

T-4280
4281
4282

See Map 5N 26 23



DEAD NO.
101
301

See Map 5N 26 27

See Map 5N 26 25

10-1²⁶

Adjudicated
249 in NESE

15
8
0
249

////// T-4280
===== T-4281
////// T-4282

See Map 5N 26 35