

4381 Pedro

Name Frank Pedro

4381

By _____

Address Rt 1, Box 34Echo, OR 97826Change in add'l PODDate filed Jan 30, 1980Date of hearing April 2, 1980Place of hearing PendletonDate of order 4-10-80 Vol. 33 page 128Date for application of water 10-1-81 EXT 10-1-83

Proof mailed _____

Proof received _____

Certificate issued May 2, 1980 Vol. 43 page 49217

DEC 29 1989

63814

REMARKS

Survey Complete per S. Applegate.

DESCRIPTION OF WATER RIGHT

Name of stream Butter CreekTrib. of _____ County of UmatillaUse irrigationQuantity of water _____ No. of acres 70⁶Name of ditch PenningtonDate of priority 1872 + 1885In name of Jesse MooreButter Creek Adjudication, Vol. 1, page 271App. No. _____ Per. No. _____ Cert. No. 2678

Certificate cancelled _____

Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>1-30-80</u>	<u>85-</u>	<u>1587-3</u>
TOTAL . . .		
	Cert. Fee	

Hermiston Herald #46.53 pd 3/31/80 ck# 4113

FEES REFUNDED

Date	Amount	Check No.
<u>3/31/80</u>	<u>1347</u>	<u>4114</u>

EX 20-
POD 15-
PON 46.53
81 53

INDEX CARDS:

TO BE ENTERED WHERE CHECKED.	Entered	Checked
☒ Name	<u>OK</u>	_____
☒ Stream	<u>OK</u>	_____
☒ Pt. of Div.	<u>OK</u>	_____
☒ Calendar	<u>OK</u>	_____
CHECKED TO RECORDS:		
☒ Twp. & Rge.	<u>SRB</u>	_____
☒ Decree-vault	<u>SEP</u>	_____
☒ Decree-sale	<u>SRB</u>	_____
☒ Cert. of W/R	<u>SEP</u>	_____
☒ Per. Folder	_____	_____
☒ Chindex	_____	_____
☒ Claim Ref.	_____	_____
☒ Power Claim	<u>OK</u>	_____
☒ Abstracts	_____	_____

W.R.I.S.

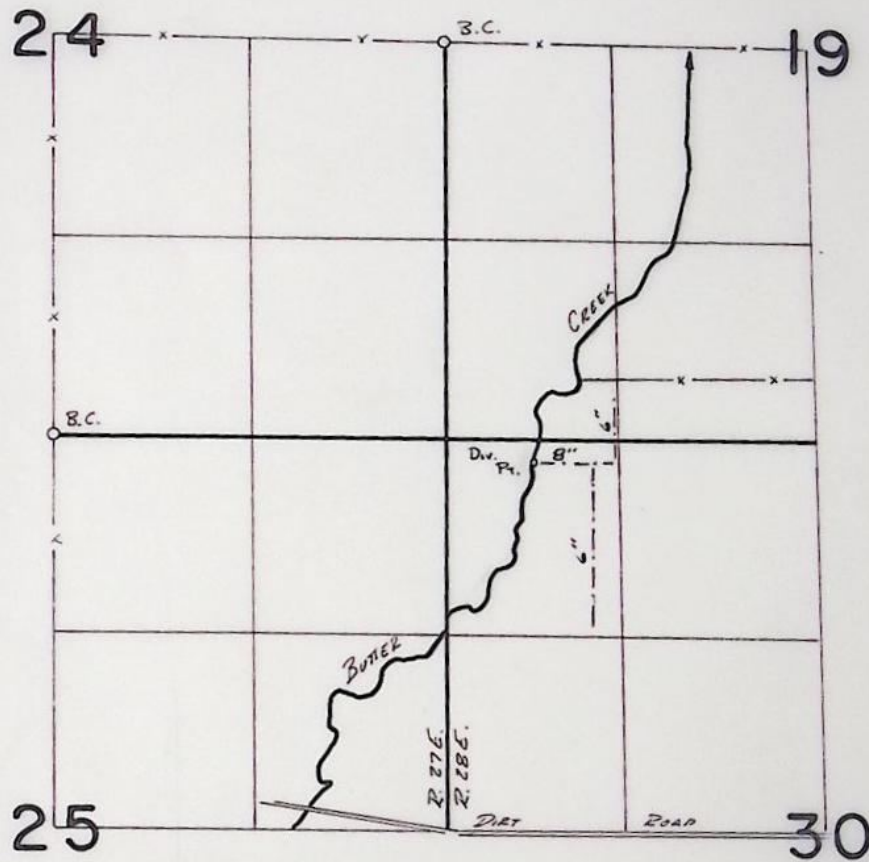
Assembled 7-4-85 by SRB

Entered _____ by _____

Verified _____ by _____

294

T. 3N., R. 27 & 28E., W.M.



Div. Pt. Loc. 2500' NORTH AND 580' EAST FROM THE WEST 1/4 COR. SEC. 30

FINAL PROOF SURVEY
UNDER

TRANSFER 4381

IN NAME OF

.....FRANK.....PEDRO.....

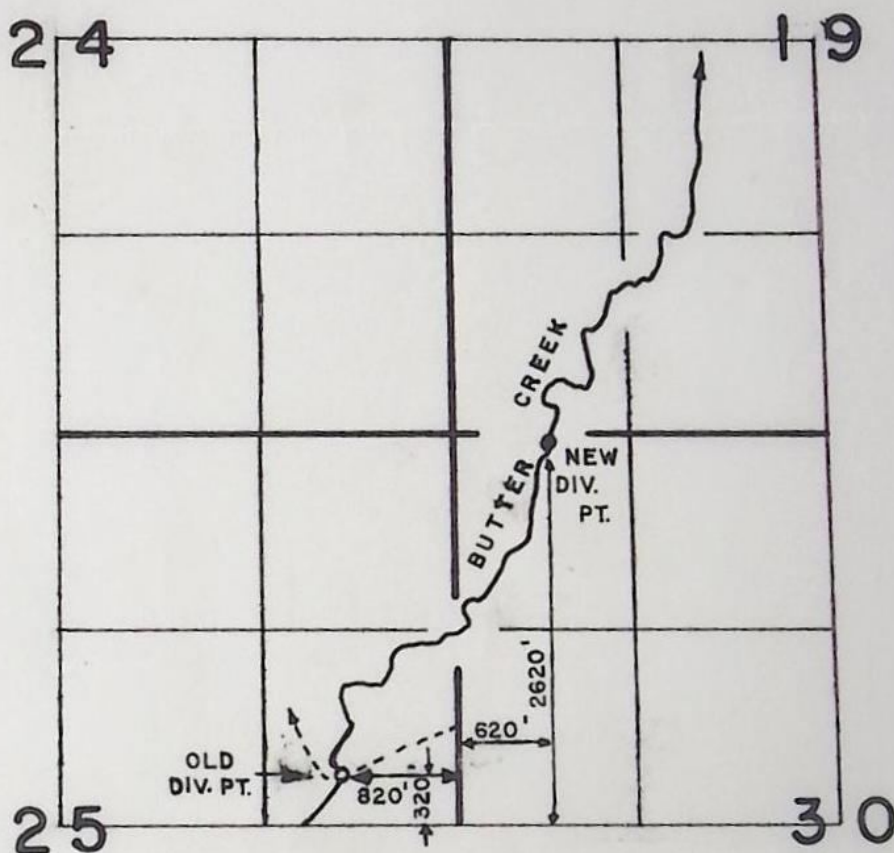
Surveyed July 15, 1983, by *[Signature]*

T-4381

RECEIVED

JAN 30 1980
WATER RESOURCES DEPT
SALEM, OREGON

T. 3N. R. 27E. & 28E.



MAP TO ACCOMPANY APPL. FOR TRANSFOR
IN NAME OF
FRANK PEDRO

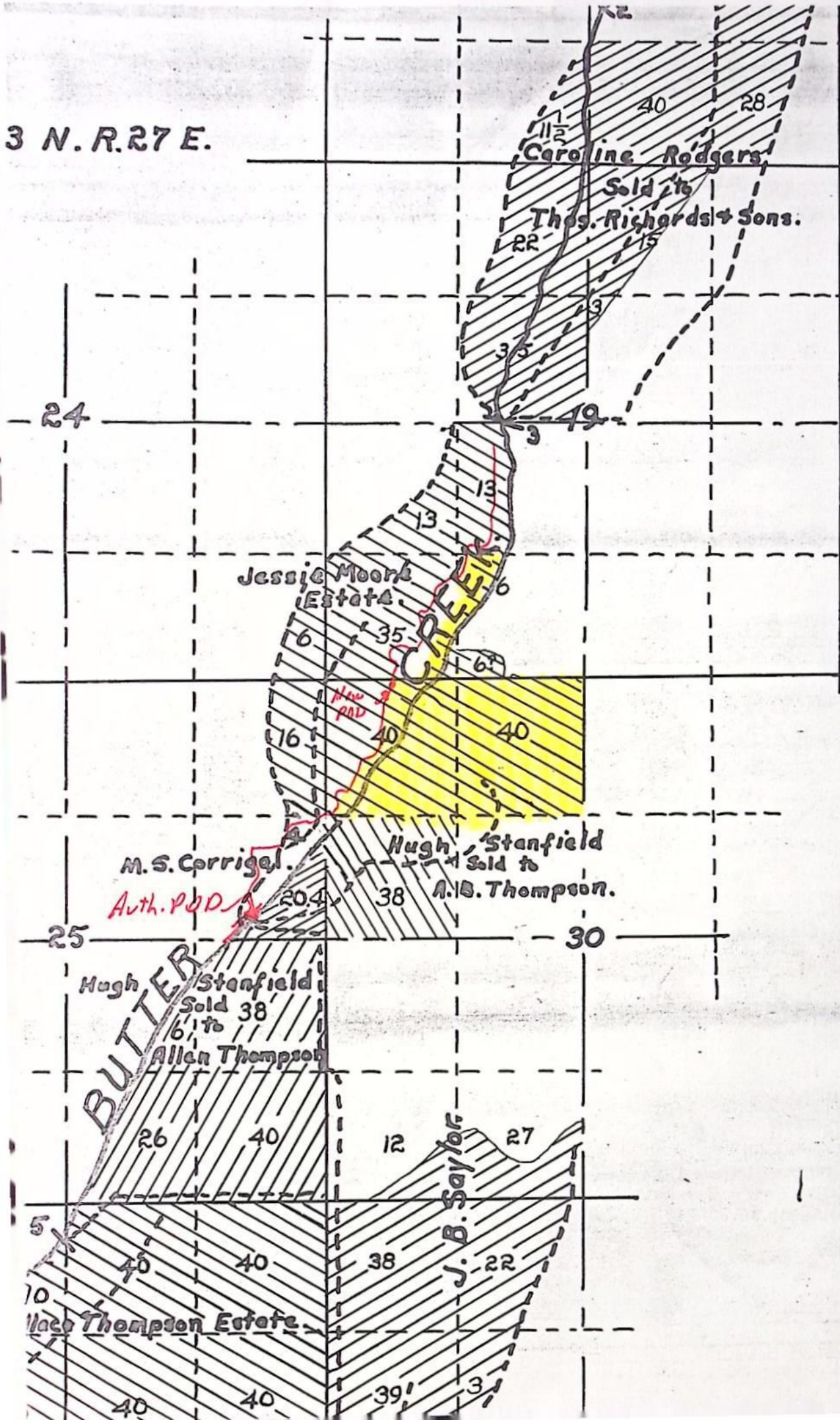
THIS MAP PREPARED BY:

Michael L. McDevitt

FROM INFORMATION FURNISHED BY
THE APPLICANT.

3 N. R. 27 E.

T-4381
Decree V, P271



Add'l POD

County Umatilla

1. Name Frank Pedro

2. Source of Supply Butter Creek, Trib of _____

3. Use iso 170⁶

4. Amount of Water

5. Priority Date 1872 & 1885

6. Proposed Point of Diversion $2820' S$ & $390' E$ from W $\frac{1}{4}$ corner,
S 30, w/in NW NW, S 30, T3N, R 28E, Wm

7. Completion Date 10-1-81

8. Place of Use:

[illegible]

BUTTER CR → UMATILLA R

WRT-0982-01

*** 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. T000043811 PERMIT NO. 001271 CERTIF. NO.
 ORIG. NO. C000026781 PREV. NO. C000026781 SUPER. NO.

NAME: FRANK PEDRO

ADDRESS: RT1, BOX 34

CITY/STATE/ZIP/COUNTY: ECHO, OR 97826

30

STREAM-ID 072520 0100

RIV. MI.

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

CANCEL YEAR----

CONSTR. COMPLT--> 10 01 1983

YR. LAST USED-----> —

NEXT ACTION DUE--> —

PRIORITY-----> 12 31 1872

PUT TO USE-----> 10 01 1983

LAST TRANS. DATE--> —

LAST TRANS. TYPE--> —

APPLICATION-----> 01 30 1980

SURVEYED-----> —

EXAM. FEE-----> 20.00

RECORDING FEE-----> 15.00

PERMIT ISSUE--> 04 10 1980

CONCURRENCE-----> —

CYCLE STATUS-----> —

REPORTED FLAG-----> —

CONSTR. STRT.--> 04 10 1980

CERTIFIED-----> —

CORRES. INIT.-----> —

CORRES. DATE-----> —

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

RIV. MI.

RATE

STATUS

S OR P

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

030N 270E 25 A D 072520 0100

0.52

V

P

** POD: 1) PENNINGTON DITCH, 320' N

030N 280E 30 B B

1

1

1

** E 820' W FM E 1/4 COR S 25, 2)

** 2620' N E 620' E FM W 1/4 COR S 30.

** ADDS POD TO PART OF C-2678.

** RR C-49217. SEE T000043812.

**

**

PLACE-OF-USE DATA:
 TWNSP RNGE SECT QTR/QTR CNTY

USE % CNSMTV

ACRES

STATUS

S OR P

030N 280E 19 C C 30 1R 100 2.00

V

P

19 C D 4.60

30 B A 40.00

30 B B 24.00

49217

W.R.I.S.

Assembled 4-4-85 by SGA

Entered by

Verified by

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

WATER RIGHT NO. T000043812 PERMIT NO. 001271 CERTIF. NO.
 ORIG. NO. 000026781 PREV. NO. 00026781 SUPER. NO.

NAME: FRANK PEDRO
 ADDRESS: RT1, BOX 34
 CITY/STATE/ZIP/COUNTY: ECHO, OR 97826

STREAM-ID 072520 0100 RIV.MI. WM.DIST. 05 W.R.TYPE SC STATUS V

CANCEL YEAR--->	CONSTR.COMPLT--> <u>10 01 1983</u>	YR.LAST USED----->	NEXT ACTION DUE-->
PRIORITY-----> <u>12 31 1885</u>	PUT TO USE-----> <u>10 01 1983</u>	LAST TRANS.DATE-->	LAST TRANS.TYPE-->
APPLICATION---> <u>01 30 1980</u>	SURVEYED----->	EXAM.FEE-----> <u>20.00</u>	RECORDING FEE-----> <u>15.00</u>
PERMIT ISSUE--> <u>04 10 1980</u>	CONCURRENCE----->	CYCLE STATUS----->	REPORTED FLAG----->
CONSTR.STRT.--> <u>04 10 1980</u>	CERTIFIED----->	CORRES.INIT.----->	CORRES.DATE----->

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

030N 270E 25 A D 072520 0100
030N 280E 30 B B

RIV.MI.	RATE	STATUS	S OR P
	<u>0.79</u>	<u>V</u>	<u>P</u>
	<u>0.52</u>	<u> </u>	<u> </u>

*** REMARKS; - - - - ->
 ** DATED-->
 ** POD: 1) PENNINGTON DITCH, 320' N
\$ 820' W FM E 1/4 COR S 25; 2)
2620' N \$ 620' E FM W 1/4 COR S 30.
 ** ADDS POD TO PART OF C-2678.
 ** RR C-49217. SEE T000043812.
 **
 **

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

<u>030N 280E</u>	<u>19</u>	<u>C</u>	<u>C</u>	<u>30</u>	<u>12</u>	<u>102</u>	<u>2.00</u>	<u>V</u>	<u>P</u>
	<u>19</u>	<u>C</u>	<u>D</u>				<u>4.60</u>		
	<u>30</u>	<u>B</u>	<u>A</u>				<u>40.00</u>		
	<u>30</u>	<u>B</u>	<u>B</u>				<u>24.00</u>		

49217

W.R.I.S.

Assembled 9-4-85 by SQA
 Entered by
 Verified by

Application for Extension of Time

RECEIVED

SEP 28 1983

WATER RESOURCES DEPT.
SALEM, OREGON

TO THE WATER RESOURCES DIRECTOR OF OREGON

I, FRANK Pedro

Name

Rt. 1 - Box 34

Mailing Address

Echo

City

Or.

State

97826

Zip

record owner of water right permit No. _____, do hereby request that the time in which to:

☐ complete the construction of works and/or purchase and installation of the equipment necessary to the use of water, which time now expires on October 1, 19____, be extended to October 1, 19____; and/or the time in which to

☒ accomplish beneficial use of water to the full extent now intended under the terms of said permit, which time now expires on October 1, 1981, be extended to October 1, 1983.

I have accomplished the following described works and/or purchase and installation of equipment necessary to the use of water under said permit:

within the past year The delay was last spring (1982) the high water washed below the small dam, had to wait till creek dried up to shore up with cement also later someone stole my electric pump panel, had to hunt up a used panel.

prior to this past year _____

and have accomplished beneficial use of water to the extent of (IF FOR IRRIGATION, STATE HOW MANY ACRES HAVE BEEN IRRIGATED) _____

(If additional space is required, attach separate sheet)

X Frank Pedro

(If signing for a corporation please identify your title)

Dated X Sept 25 - 83

MAIL COMPLETED APPLICATION AND STATUTORY FEE
OF \$20.00 FOR EACH PERMIT TO:

Water Resources Department
Mill Creek Office Park
555 13th Street, N.E.
Salem, Oregon 97310

Ext to 10-1-83
5/28

56/7

\$20.00
13 8931
9-28-83

AGREEMENT OF DIVISION OF A WATER RIGHT

STATE OF OREGON)
)
County of Umatilla)

We, John F. and Nellie G. Madison and Frank A. and Leah J. Pedro, being first duly sworn, depose and say; that we are the owners of the real property to which the certain water right allowed by Decree of the Circuit Court of the State of Oregon for Umatilla County, dated September 9, 1916, in the matter of the Determination of the Relative Rights to the Waters of Butter Creek and its Tributaries, a tributary of the Umatilla River, in Umatilla and Morrow Counties, Oregon, tabulated in the name of Jesse Moore, for the appropriation of the waters of Butter Creek with dates of relative priority of 1872 for 1.25 cubic feet per second and 1885 for 1.88 cubic feet per second, for irrigation of a certain 169.0 acres in Sections 24 and 25, Township 3N, Range 27E, and Sections 19 and 30, Township 3N, Range 28E, W.M., as described by Certificate recorded at page 2678, Volume 3 State Record of Water Right Certificates, is appurtenant;

That said water right shall henceforth be shown as being appurtenant to the two respective properties as tabulated on Exhibit "A" attached hereto;

Noted on Cert 2678 & 49217
and adj. records p. 271 v. 1
→ Copy in T-4381
Copy to W.M. Div.

Cert 49217 partial superseded Cert. 2678
Transfer No. T-4381 covers rest of Cert 2678
for additional point of diversion.

That said dates of relative priority be assigned to the tabulated acreage based upon the original percentages of the quantities of water allowed under said Certificate 2678, as also shown on Exhibit "A" attached.

This agreement shall be binding upon the undersigned, their heirs, and assigns.

IN WITNESS WHEREOF, we have hereinto set our hands this 15th day of July, 1983.

Frank R. Lee

Leah J. Lee

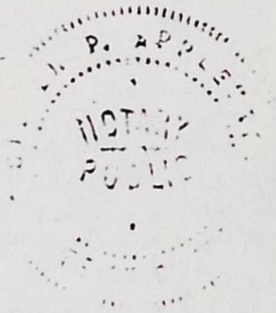
Nellie Madison

John F. Madison

Subscribed and sworn to before me this 15th day of July, 1983.

John R. Applegate
Notary Public for Oregon

My commission expires 11-08-83



R 104 PAGE 773

EXHIBIT "A"

RECEIVED

AUG 15 1983

WATER RESOURCES DEPT.
SALEM, OREGON

Priority dates	MADISON	PEDRO
1872	42.3 (0.73 cfs)	30.4 (0.52 cfs)
1885	<u>56.1</u> (1.09 cfs)	<u>40.2</u> (0.79 cfs)
	98.4	70.6

<u>Location</u>	<u>Moore Certificate 2678</u>	<u>MADISON</u>	<u>PEDRO</u>
T 3N, R 28E			
Sec. 19			
NE $\frac{1}{4}$ SW $\frac{1}{4}$	13.0 ac	13.0 ac	
NW $\frac{1}{4}$ SW $\frac{1}{4}$	13.0	13.0	
SW $\frac{1}{4}$ SW $\frac{1}{4}$	35.0	33.0	2.0 ac
SE $\frac{1}{4}$ SW $\frac{1}{4}$	6.0	1.4	4.6
Sec. 30			
NE $\frac{1}{4}$ NW $\frac{1}{4}$	40.0		40.0
NW $\frac{1}{4}$ NW $\frac{1}{4}$	40.0	16.0	24.0
T 3N, R 27E			
Sec. 24			
SE $\frac{1}{4}$ SE $\frac{1}{4}$	6.0	6.0	
Sec. 25			
NE $\frac{1}{4}$ NE $\frac{1}{4}$	<u>16.0</u>	<u>16.0</u>	<u> </u>
TOTALS	169.0 ac	98.4 ac	70.6 ac

RECORDED ✓

PAGES ✓

FILED

J. DEAN FOUQUETTE, SR.
UMATILLA COUNTY CLERK

1983 AUG -4 A 10:34

R 104 PAGE 774

STATE OF OREGON.

COUNTY OF UMATILLA.

} ss

I, J. Dean Fouquette, Sr., County Clerk,
certify that this instrument was received and
recorded

ON AUG -4. 1983

at 10:34 o'clock A.M. in the record

of DEEDS of said County in

Book

Page

R-104

771

J. DEAN FOUQUETTE, SR.
County Clerk

By Betty Brown Deputy

Fees \$13.00 No. 94573

Watermaster Office
3920 Westgate
Pendleton, Or. 97801

RECEIVED

DEC 2 1981

WATER RESOURCES DEPT
SALEM, OREGON

NOTICE OF COMPLETION OF CHANGE IN

add'l POP from Butter Creek

PURSUANT TO TRANSFER APPLICATION NO. 4381

I, Frank Pedro, 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 Sept, 1980

11-30-81
Date

Frank Pedro
Signature

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

OK
Lij

STATE OF OREGON

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

This Is to Certify, That JESSE MOORE

of Echo, State of Oregon 97826, has
a right to the use of the waters of Butter Creek

a tributary of Umatilla River for the purpose of
irrigation of 98.4 acres, domestic and stock use

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Umatilla County, and the said decree entered of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 3, at page 250; that the priority of the right thereby confirmed dates from 1872 for 0.73 cubic foot per second, and 1885 for 1.09 cubic feet per second

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 1.82 cubic feet per second

The point of diversion is located in the

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

SEE NEXT PAGE

13.0 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
13.0 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
33.0 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
1.4 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 19
16.0 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 30
T. 3 N., R. 28 E., W.M.

6.0 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 24
16.0 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 25
T. 3 N., R. 27 E., W.M.

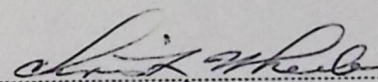
This certificate describes that portion of the water right confirmed by the prior certificate recorded at Page 2678, Volume 3, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on April 10, 1980, approving transfer application No. 4381.

The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

*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 the purposes aforesaid is restricted to the lands or place of use herein described.*

WITNESS the signature of the Water Resources Director, affixed

this date May 2, 19 80 .


Deputy Water Resources Director

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

UMATILLA COUNTY

IN THE MATTER OF THE APPLICATION)
OF FRANK PEDRO FOR APPROVAL OF)
AN ADDITIONAL POINT OF DIVERSION)
OF WATER FROM BUTTER CREEK)

ORDER APPROVING
TRANSFER NO. 4381

On January 30, 1980, an application was filed in the office of the Water Resources Director by Frank Pedro for approval of an additional point of diversion from Butter Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The affected water right is a portion of the right described by the certificate recorded at page 2678, Volume 3, State Record of Water Right Certificates, in the name of Jesse Moore, and is for the use of not to exceed 1.31 cubic feet per second from Butter Creek, under priority dates of 1872 and 1885, for irrigation of a certain 2.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, 4.6 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 19; 40.0 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ and 24.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 30, Township 3 North, Range 28 East, W.M.

The authorized point of diversion is located 320 feet North and 820 feet West from the East Quarter Corner of Section 25, being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 25, Township 3 North, Range 27 East, W.M. (Pennington Ditch).

The applicant proposes to establish an additional point of diversion at a point located 2620 feet North and 620 feet East from the West Quarter Corner of Section 30, being within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 30, Township 3 North, Range 28 East, W.M.

Notice of the application, pursuant to ORS 540.520(2), was published in the Hermiston Herald, a newspaper printed and having general circulation in Umatilla County, Oregon, for a period of three weeks in the issues of February 6, 13 and 20, 1980.

Mr. Steven P. Applegate, Watermaster, has filed a statement to the effect that the proposed additional point of diversion may be established without injury to existing rights.

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

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

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

It is FURTHER ORDERED that the following provisions shall be effective when in the judgment of the watermaster it becomes necessary to install headgates and measuring devices:

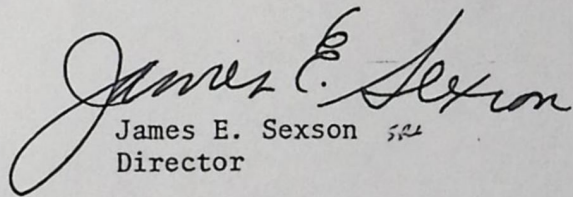
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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

It is FURTHER ORDERED that the construction work shall be completed and the additional point of diversion of water established on or before October 1, 1981.

It is FURTHER ORDERED that the certificate recorded at page 2678, Volume 3, State Record of Water Right Certificates, is canceled; and in lieu thereof a new certificate be issued covering the balance of the right NOT involved in this proceeding; and upon proof satisfactory to the Water Resources Director of completion of works and beneficial use of water to the extent intended under the provisions of this order, a confirming certificate of water right shall be issued to the applicant herein.

Dated at Salem, Oregon this 10th day of April, 1980.


James E. Sexson
Director



STATE OF OREGON

INTEROFFICE MEMO

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: 14 February, 1980.FROM: **Steven P. Applegate, WatermasterSUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4381IN THE NAME OF Frank Pedro

RECEIVED
FEB 19 1980
WATER RESOURCES DEPT.
SALEM, OREGON

In my opinion the proposed change in additional POD from Butter CreekMAY BE MADE WITHOUT INJURY WOULD RESULT IN INJURY* to an existing water right.Headgate notices HAVE HAVE NOT been issued for diversion from the sources which serves this right.If for change in point of diversion, is there any intervening point of diversion between the authorized and the proposed points of diversion? NO
(yes or no)

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

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

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

**

Steven P. Applegate
Watermaster's signature or initials

**NOTICE OF WATER
RIGHT TRANSFER
APPLICATION NO. 4381**

The Water Resources Director of Oregon has received and filed an application by Frank Pedro for approval, without loss of priority, of an additional point of diversion of water under a certain water right.

The affected water right is a portion of the right described by the certificate recorded at page 2678, Volume 3, State Record of Water Right Certificates, in the name of Jesse Moore, and is for the use of not to exceed 1.31 cubic feet per second from Butter Cr., under priority dates of 1872 & 1885, for irrigation of a certain 2.0 ac in SW 1/4 SW 1/4, 4.6 ac in SE 1/4 SW 1/4, Sec 19; 40.0 ac in NE 1/4 NW 1/4 & 24.0 ac in NW 1/4 NW 1/4, Sec 30, T 3N, R 28E, WM.

The authorized point of diversion is located 320 ft N & 820 ft W from the E 1/4 Corner of Sec 25, being within the SE 1/4 NE 1/4 of Sec 25, T 3N, R 27E, WM (Pennington Ditch).

The applicant proposes to establish an additional point of diversion at a point located 2620 ft N & 620 ft E from the W 1/4 Corner of Sec 30, being within the NW 1/4 NW 1/4 of Sec 30, T 3N, R 28E, WM.

Pursuant to ORS 540.520 (2), a hearing is scheduled for 9:30 a.m. on Wednesday, April 2, 1980, at the Umatilla County Court-house, Pendleton, Oregon. Any objection to the proposed change must be prepared in writing; one copy to be served on the applicant at Rt 1, Box 34, Echo, OR 97826; and one copy filed in the office of the Water Resources Director, Salem, OR 97310, together with a \$10 filing fee, at least 10 days prior to the date set for hearing. Rules for filing objections will be furnished upon request.

IF NO OBJECTIONS ARE FILED, THE APPLICATION MAY BE APPROVED BY THE WATER RESOURCES DIRECTOR WITHOUT A HEARING.

Dated at Salem, Oregon this 31st day of January, 1980.

/s/ James E. Sexson
Director
Pub: Feb. 6, 13, 20, 1980

AFFIDAVIT OF PUBLICATION

State of Oregon

County of Umatilla

} ss.

I, G.M. Reed, being first duly sworn, depose and say that I am the publisher of The Hermiston Herald, a newspaper of general circulation, as defined by sections ORS 193.010 and 193.020, Oregon Compiled Laws Annotated; printed and published at Hermiston in the aforesaid county and state; that the

Notice of Water Right Transfer, Application No. 4381

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

Feb. 6, 13, 20, 1980

G.M. Reed

Subscribed and sworn to before me this day of February 26, 1980

James E. Sexson

Notary Public for Oregon

My commission expires February 5, 1984

RECEIVED

FEB 23 1980

WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED
JAN 30 1980
WATER RESOURCES DEPT
SALEM, OREGON

Application for Transfer of Water Right

T-4381

To the WATER RESOURCES DIRECTOR OF OREGON:

I, FRANK PEDRO

(Name of applicant)

of RTE.1, BOX 34

(Mailing address)

ECHO

(City)

State of OREGON

97826

(Zip Code)

376-8152

(Phone number)

, do hereby make application for ~~change~~

an additional point of diversion

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

1. Is the water right recorded in your name? no- Jesse Moore

(If not, give name)

2. Was your water right determined by Decree of Court? yes If so, give title of proceedings

(Yes or No)

Butter Creek

V1 P271

number of certificate 2678

3. Was your water right acquired by Water Right Permit? no If so, give number

(Yes or No)

of permit Number of certificate

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 Butter Creek

5. What is the date of priority of your water right? 1872 & 1885

6. The authorized point of diversion is located 320 ft. N. and 820 ft. W. from the E1/4

(N. or S.)

(E. or W.)

corner of Section 25 being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 25 Tp. 3N. R. 27E. W. M.,

(No. N. or S.)

(No. E. or W.)

in the county of Umatilla

The name of the ditch used is Pennington

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

7. The proposed point of diversion is located 2620 ft. N. and 620 ft. E. from the W1/4

(N. or S.)

(E. or W.)

corner of Section 30 being within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 30 Tp. 3N. R. 28E. W. M.,

(No. N. or S.)

(No. E. or W.)

in the county of Umatilla

The name of the ditch to be used is pumping point

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
3N.	28E.	19	SW $\frac{1}{4}$ /4SW $\frac{1}{4}$ /4	2.0
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	4.6
		30	NE $\frac{1}{4}$ NW $\frac{1}{4}$	40.0
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	24.0

(If more space required, attach separate sheet)

9. Are you the legal owner of the above described lands? yes
(If not owner, explain your interest)

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

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

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

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

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT

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

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

Township North or South	Range E. or W. of Willamette Meridian	Section	List $\frac{1}{4}$ - $\frac{1}{4}$ of Section	Number Acres To Be Irrigated

(If more space required, attach separate sheet)

14. Reasons for the proposed changes are To better distribute water to fields during
periods of low flows, by use of mainline and sprinklers instead of ditch. This water
is from my share of spring water which I have a right to, and any surplus water that
may be available. Also to be able to use sprinklers on new seedings of alfalfa. This
spring is known as the Upper Moore Spring.

15. Construction work will be completed on or before April 20, 1980

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

Remarks _____

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, FRANK PEDRO, 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 _____ day of _____, 19_____

Frank Pedro
(Name of applicant)

Subscribed and sworn to before me this 22 day of January, 1980

[Notarial Seal]

Steven R. Applegate
NOTARY PUBLIC FOR OREGON

My commission expires 11/8/83

