

Name LEO FLOWER *Assigned*

4495

By

Address Rt 3 Box 3746Hermiston, OR 97838Change in POV & PODDate filed May 8, 1980

Date of hearing

Place of hearing

Date of order 7-21-80 Vol. 33, page 461Date for application of water complete

Proof mailed

Proof received

Certificate issued Vol. 43, page 49675July 15, 2011 Cert # 87123
87124
87132

DESCRIPTION OF WATER RIGHT

Name of stream N. F. John Day RiverTrib. of County of GrantUse irrigationQuantity of water No. of acres 60²

Name of ditch

Date of priority 9-30-55 5-8-72 4-9-75In name of Flanex; Flawer; Carlson

Adjudication, Vol., page

App. No. 309927M 489825M 529605M Per. No. 238655M 366725M 399803M Cert. No. 330183M 490293M 49033M

Certificate cancelled

Notation made on record by

FEES PAID

Date	Amount	Receipt No.
<u>6-25-11</u>	<u>75.00</u>	<u>102966</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

REMARKS

SEE Tr C-167, T-5402, T-5403Assignment: 5/25/2011SHARON L MEECH
8344 BATES RD S
SALEM OR 97306

W.R.I.S.	
Assembled <u>6-6-87</u> by <u>SRA</u>	<u>lost</u>
Entered _____ by _____	
Verified _____ by _____	

TO BE ENTERED WHERE CHECKED	INDEX CARDS:	Entered	Checked
☒	Name	<u>SRA</u>	<u>---</u>
☒	Stream	<u>SRA</u>	<u>---</u>
☒	Pt. of Div.	<u>Qcj</u>	<u>---</u>
☒	Calendar	<u>---</u>	<u>---</u>
☒	Twp. & Ege.	<u>SRA</u>	<u>---</u>
☒	Decree-vault	<u>---</u>	<u>---</u>
☒	Decree-safe	<u>SRA</u>	<u>---</u>
☒	Cert. of W/R	<u>SRA</u>	<u>---</u>
☒	Per. Folder	<u>SRA</u>	<u>---</u>
☒	Chainindex	<u>---</u>	<u>---</u>
☒	Cross Ref.	<u>---</u>	<u>---</u>
☒	Power Claim	<u>---</u>	<u>---</u>
☒	Abstracts	<u>Qcj</u>	<u>---</u>

STATE OF OREGON
COUNTY OF GRANT
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

SHARON L. MEECH
8344 BATES RD S
SALEM, OREGON 97306

confirms the right to use the waters of NORTH FORK JOHN DAY RIVER, tributary to JOHN DAY RIVER for IRRIGATION of 30.0 ACRES.

This right was perfected under Permit 23868. The date of priority is SEPTEMBER 30, 1955. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.38 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion (POD) is located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Measured Distances
9 S	27 E	WM	2	NW SW			POD 1: 2320 FEET SOUTH AND 1550 FEET EAST FROM NW CORNER, SECTION 2

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FORTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 5.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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

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

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
9 S	27 E	WM	2	NW NW	4		16.5
9 S	27 E	WM	2	SW NW			10.3
9 S	27 E	WM	3	SE NE			3.2

NOTICE OF RIGHT TO RECONSIDERATION OR JUDICIAL REVIEW

This is an 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 the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may either 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.

The quantity of water diverted at the new point of diversion, together with that diverted at the old points of diversion shall not exceed the quantity of water available from the original point of diversion described as follows:

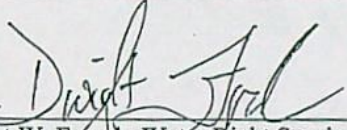
Twp	Rng	Mer	Sec	Q-Q	Measured Distances
9 S	27 E	WM	2	NW-SW	CERTIFICATE 39830: 2450 FEET NORTH AND 20 FEET EAST FROM SW CORNER, SECTION 2

When required by the Department the water user shall install an in-line flow meter or other suitable device for measuring and recording the quantity of water used. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

This certificate is issued to confirm a change in PLACE OF USE AND POINT OF DIVERSION approved by an order of the Water Resources Director entered July 21, 1980, at Special Order Volume 33, Page 461, approving Transfer Application 4495, and together with Certificate 49678, supersedes Certificate 33018, State record of Water Right Certificates. Further, this certificate together with Certificate 49677 supersedes Certificate 39830, State record of Water Right Certificates.

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.

Issued JUL 15 2011


Dwight W. French, Water Right Services Administrator, for
Phillip C. Ward, Director

STATE OF OREGON
COUNTY OF GRANT
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

SHARON L. MEECH
8344 BARNES RD S
SALEM, OREGON 97306

confirms the right to use the waters of NORTH FORK JOHN DAY RIVER, tributary to JOHN DAY RIVER for IRRIGATION of 17.2 ACRES.

This right was perfected under Permit 36672. The date of priority is MAY 8, 1972. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.43 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the points of diversion.

The points of diversion (POD) are located as follows:

POD	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1	9 S	27 E	WM	2	NW SW	2320 FEET SOUTH & 1550 FEET EAST FROM NW CORNER, SECTION 2
2 (NEW)	9 S	27 E	WM	2	NW SW	2075 FEET NORTH & 225 FEET EAST FROM SW CORNER, SECTION 2

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FORTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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

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

POD	Twp	Rng	Mer	Sec	Q-Q	Acres
1	9 S	27 E	WM	2	SW NE	5.6
2	9 S	27 E	WM	2	NE SW	1.7
2	9 S	27 E	WM	2	NW SW	9.9

When required by the Department the water user shall install an in-line flow meter or other suitable device for measuring and recording the quantity of water used. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

NOTICE OF RIGHT TO RECONSIDERATION OR JUDICIAL REVIEW

This is an 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 the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may either 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.

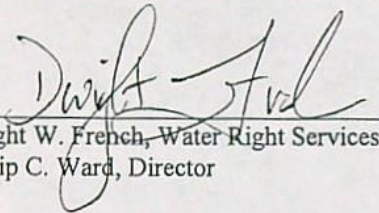
The quantity of water diverted at the new point of diversion, together with that diverted at the old point of diversion shall not exceed the quantity of water available from the original point of diversion described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
9 S	27 E	WM	2	NW SW	2320 FEET SOUTH AND 1550 FEET EAST FROM NW CORNER, SECTION 2

This certificate is issued to confirm a change in PLACE OF USE AND POINT OF DIVERSION approved by an order of the Water Resources Director entered July 21, 1980, at Special Order Volume 33, Page 461, approving Transfer Application 4495, and together with Certificate 49675, supersedes Certificate 49029, State record of Water Right Certificates.

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.

Issued JUL 15 2011.



Dwight W. French, Water Right Services Administrator, for
Phillip C. Ward, Director

STATE OF OREGON

COUNTY OF GRANT

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

SHARON L. MEECH
8344 BATES RD S
SALEM, OREGON 97306

confirms the right to use the waters of NORTH FORK JOHN DAY RIVER, tributary to JOHN DAY RIVER for IRRIGATION of 8.4 ACRES.

This right was perfected under Permit 39980. The date of priority is APRIL 9, 1975. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.21 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion (POD) is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
9 S	27 E	WM	2	NW SW	POD 1: 2320 FEET SOUTH AND 1550 FEET EAST FROM NW CORNER, SECTION 2

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FORTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 5.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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

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

Twp	Rng	Mer	Sec	Q-Q	Acres
9 S	27 E	WM	2	SW NE	8.4

When required by the Department the water user shall install an in-line flow meter or other suitable device for measuring and recording the quantity of water used. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

This certificate is issued to confirm a change in PLACE OF USE AND POINT OF DIVERSION approved by an order of the Water Resources Director entered July 21, 1980, at Special Order Volume 33, Page 461, approving Transfer Application 4495, and together with Certificate 49676, supersedes Certificate 49031, State record of Water Right Certificates.

NOTICE OF RIGHT TO RECONSIDERATION OR JUDICIAL REVIEW

This is an 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 the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may either 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.

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.

Issued JUL 15 2011



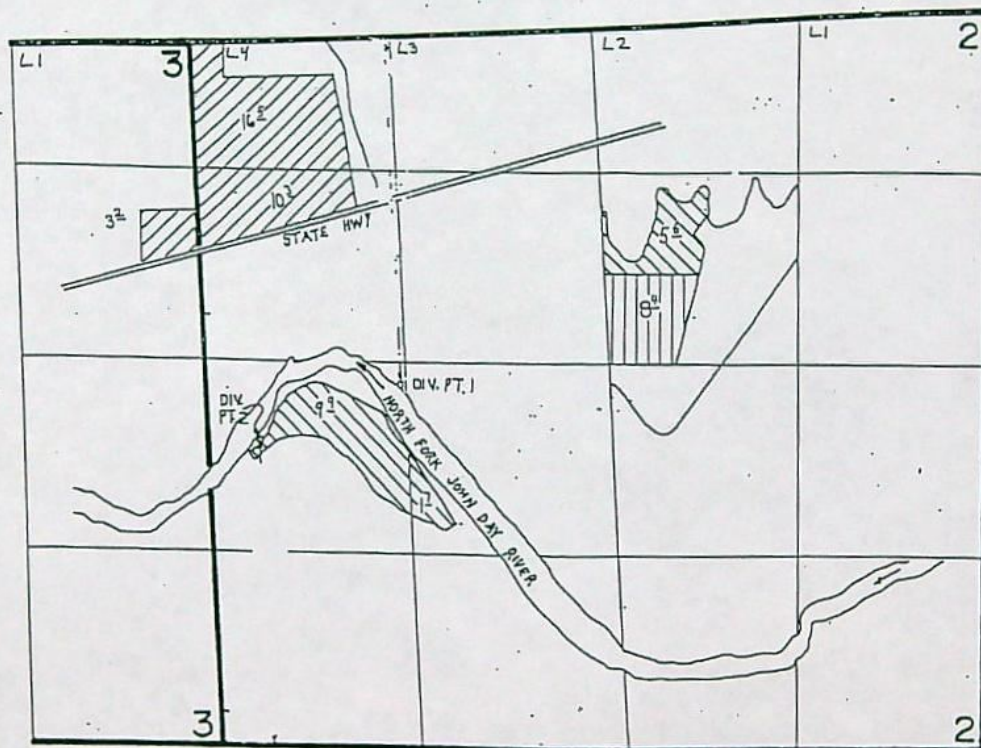
Dwight W. French, Water Right Services Administrator, for
Phillip C. Ward, Director

90684

T.9 S. R.27 E. W.M.

N

Scale 1"=1320'



Points of Diversion are located as follows:

POD 1 - 2320 Feet South and 1550 Feet East from the NW Corner of Section 2

POD 2 - 2075 Feet North and 225 Feet East from the SW Corner of Section 2

FINAL PROOF SURVEY

UNDER

TRANSFER 4495

IN NAME OF

LEO FLOWER & LEONARD CARLSON

Surveyed March 21, 1986, by V. Church.....



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

Request for Assignment

By Proof of Ownership
(If Water Right Holder is Not Available)

RECEIVED

MAY 13 2011

WATER RESOURCES DEPT
SALEM, OREGON

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

1. Sharon L. Meech
(Name of Party Requesting Assignment)

8344 Bates Rd S Salem OR 97306 503-362-1535
(Mailing Address) (City) (State) (Zip) (Phone #)

☒ hereby request assignment of application/permit/transfer/license/GR Certificate of Registration;

☐ hereby request assignment of a portion of application/permit/transfer/license/GR Certificate of Registration; (You must include a map showing the portion of the application/permit/transfer/license/GR Certificate of Registration to be assigned.)

I have attached proof of ownership that may include but not be limited to: a copy of the deed to the land, a copy of a land sales contract, a court order or decree, documentation of survivorship of property held jointly. The Department cannot accept a copy of a tax statement.

Application # _____; Permit # _____; Transfer# 4495
-OR-

License # _____ GR Statement # _____; GR Certificate of Registration # _____

LED L. and Clara G. Flower
(Name of Holder of Record)

RT 3 Box 3746 Hermiston OR 97838
(Mailing Address) (City) (State) (Zip) (Phone #)

Note: You are required to furnish proof acceptable to the Department that notice of the assignment has been given or attempted for each identified property owner not a party to the assignment. ORS 537.220(2) Failure to submit this proof will result in the return of your request. (Proof may include but not be limited to: a copy of returned certified mailing, copy of a Death Certificate, or a court order.)

- 1) I certify that I am the current owner of the property described in this application, Permit, transfer, license or GR Certificate of Registration.
- 2) I have the legal right to request assignment under OAR 690-310-0280 and 690-320-0060.
- 3) I have not been able to contact the owner(s) of record for the above referenced application or water right.
- 4) I further certify that the information provided herein is true and correct to the best of my knowledge.

Witness my hand this 12th day of May, 2011.

Party Requesting Assignment Sharon L Meech

Party Requesting Assignment _____

DO NOT WRITE IN THIS BOX

- This certifies assignment and record change at Oregon Water Resources Department effective 8:00a.m. on date of receipt at Salem, Oregon.
- Fee receipt # 102966
- 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 the recording fee of \$75.

RECEIVED

MAY 25 2011

WATER RESOURCES DEPT
SALEM, OREGON

ASSIGN BY AWRD
5/25/2011
A.S.

Jewel L. Cote
488.71 Hwy 402
KIMBERLY, OR 97848

Grantor's Name and Address

STATE OF OREGON,
County of Grant

ss.

I certify that the within instrument was
received for recording on Jan 30, 2003
at 1:10 o'clock P.M., and recorded in
book/reel/volume No. on page
and/or as fee/file/instrument/microfilm reception
No. 03-0294 Records of this County.

Witness my hand and seal of County affixed.

Kathy McKinnon Clark
NAME TITLE
Deputy.

Grantee's Name and Address

After recording, return to (Name, Address, Zip):

Sharon L. Meech
8344 Bates Rd
SALEM, OR 97306

Until requested otherwise, send all tax statements to (Name, Address, Zip):

QUITCLAIM DEED

KNOW ALL BY THESE PRESENTS that Jewel L. Cote

hereinafter called grantor, for the consideration hereinafter stated, does hereby remise, release and forever quitclaim unto
Sharon L. Meech
hereinafter called grantee, and unto grantee's heirs, successors and assigns, all of the grantor's right, title and interest in that certain
real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in
Grant County, State of Oregon, described as follows, to-wit: 10-12-050.C. *

NOTE: THIS document being re-recorded to correct
the legal description previously recorded as
INSTR. NO 030294

See Attached;

Exhibit "A"

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE)

To Have and to Hold the same unto grantee and grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$..... © However, the
actual consideration consists of or includes other property or value given or promised which is ☐ part of the ☐ the whole (indicate
which) consideration. © (The sentence between the symbols ©, if not applicable, should be deleted. See ORS 93.030.)

In construing this deed, where the context so requires, the singular includes the plural, and all grammatical changes shall be
made so that this deed shall apply equally to corporations and to individuals.

IN WITNESS WHEREOF, the grantor has executed this instrument on January 6th, 2003; if
grantor is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized
to do so by order of its board of directors.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN
THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGU-
LATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON
ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRI-
ATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES
AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST
PRACTICES AS DEFINED IN ORS 30.930.

Jewel L. Cote
Sharon L. Meech

WATER RESOURCES DEPT
SALEM, OREGON

STATE OF OREGON, County of Marion ss.

This instrument was acknowledged before me on January 6th, 2003,

by Jewel L. Cote, Sharon L. Meech

This instrument was acknowledged before me on

by

as

of



OFFICIAL SEAL
MONTY C. SPALDING
NOTARY PUBLIC - OREGON
COMMISSION NO. 342880
MY COMMISSION EXPIRES MARCH 20, 2005

Monty C. Spalding
Notary Public for Oregon
My commission expires 03-20-05

RECEIVED

MAY 13 2011

WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

MAY 25 2011

052813

EXHIBIT "A"

Township 9 South, Range 27 East, Willamette Meridian, Grant County, Oregon:

Section 2: All that portion of Lots 2, 3 and 4 and the S1/2NW1/4 lying Northerly of the Kimberly-Long Creek Highway. SAVE & EXCEPT the following:

(a) All that portion of said Lot 2 lying Easterly of the Monument Mountain County Road which said road is described in deed recorded in Deed Book 86, page 82.

(b) That portion conveyed to Ina Lee Carlson by deed recorded July 13, 1992, in the Records of Grant County, Oregon, as Instrument No. 921238, being described as follows:

A tract of land situated in Government Lots 2 and 3, described as follows:

Beginning at a point on the North line of said Section 2, said point being N87°31'15"E, 3511.94 feet from the Standard Corner between Sections 35 and 36, Township 8 South, Range 27 East of the Willamette Meridian;

thence S3°32'17"E, 141.67 feet;

thence S4°24'25"W, 235.28 feet;

thence S29°41'53"W, 399 feet, more or less, to the Northerly right of way line of the Kimberly-Monument Highway;

thence Northeasterly, along the Northerly right of way line of said highway, 630 feet, more or less, to the Westerly right of way line of County Road No. 3;

thence N4°58'00"E, along the Westerly right of way line of said County Road, 592 feet, more or less, to a point on the North line of said Section 2;

thence S87°31'15"W, along the North line of said Section 2, a distance of 453.55 feet to the point of beginning.

Section 3: The East 25 rods of the SE1/4NE1/4 that lies Northerly of the Kimberly-Long Creek Highway

STATE OF OREGON }

County of Grant }

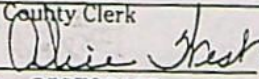
ss

I certify that this instrument was received and recorded in the book of records of said county.

KATHY HCKINNON

Grant County Clerk

by



Deputy.

DOC#: 200528135

RCPT: 52813

28.58

10/24/2005 3:51 PM

RECEIVED

MAY 25 2011

WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

MAY 13 2011

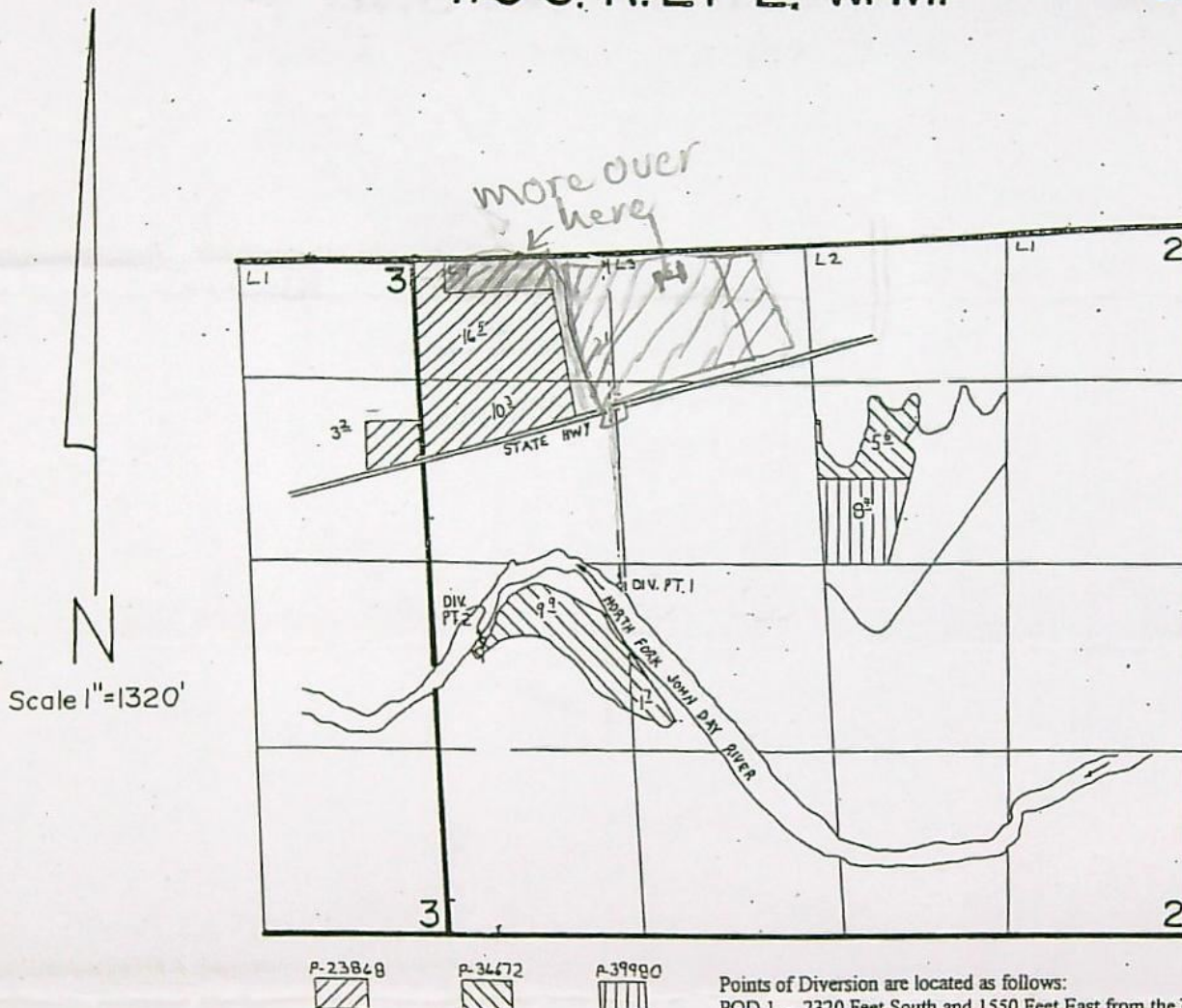
WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

MAY 13 2011

WATER RESOURCES DEPT
SALEM, OREGON

T. 9 S. R. 27 E. W. M.



Points of Diversion are located as follows:

POD 1 - 2320 Feet South and 1550 Feet East from the NW Corner of Section 2

POD 2 - 2075 Feet North and 225 Feet East from the SW Corner of Section 2

FINAL PROOF SURVEY

UNDER

TRANSFER 4495

IN NAME OF

LEO FLOWER & LEONARD CARLSON

Surveyed March 21 1986, by V. Church.....

RECEIVED

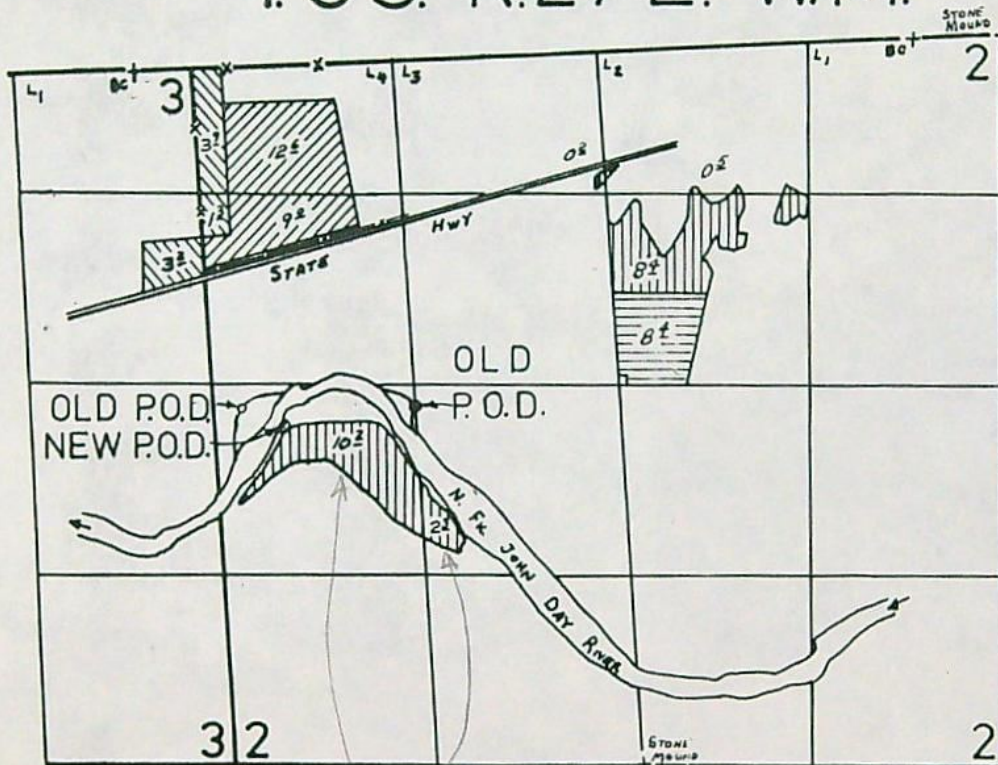
MAY 25 2011

WATER RESOURCES DEPT
SALEM, OREGON

T-4495

RECEIVED

MAY 1980

WATER RESOURCES DEPT
SALEM, OREGONSEC. 2 & 3
T.9S. R.27E. W.M.

SCALE 4=1mi

EXISTING PROPOSED

P-39980 P-23868

P-36672 P-23868

P-23868 P-36672

P-23868 P-39980

P.O.D. CHANGE FOR ALL LAND SOUTH OF
NORTH FORK JOHN DAY RIVER IN NW $\frac{1}{4}$ SW $\frac{1}{4}$ SEC. 2
OLD P.O.D. WAS 2450' NORTH AND 20'
EAST OF SW COR. OF SEC. 2
NEW P.O.D. IS 2320' NORTH AND 300'
EAST OF SW COR. OF SEC. 2

P.O.D. CHANGE FOR ALL LAND SOUTH OF
NORTH FORK JOHN DAY RIVER IN NE $\frac{1}{4}$ SW $\frac{1}{4}$ SEC. 2
OLD P.O.D. WAS 2320' SOUTH AND 1550' EAST
OF NW COR. OF SEC. 2

APPROVED x

Leo A. Flower

NEW P.O.D. IS 2320' NORTH AND
300' EAST OF SW COR. OF SEC. 2

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

GRANT COUNTY

IN THE MATTER OF THE APPLICATION)
OF LEO FLOWER FOR APPROVAL OF)
CHANGES IN PLACE OF USE AND POINT)
OF DIVERSION OF WATER)

ORDER APPROVING
TRANSFER NO. 4495

On May 8, 1980, an application was filed in the office of the Water Resources Director by Leo Flower for approval of a change in place of use and point of diversion of water from North Fork John Day River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 33018,¹ Volume 25, State Record of Water Right Certificates, in the name of Leo L. and Clara C. Flower, describes a right which includes the use of not to exceed 0.25 cubic foot per second from North Fork John Day River for irrigation of a certain 0.5 acre in Lot 2 (NW 1/4 NE 1/4), 16.8 acres in SW 1/4 NE 1/4, 0.2 acre in Lot 3 (NE 1/4 NW 1/4) and 2.3 acres in NE 1/4 SW 1/4 of Section 2, Township 9 South, Range 27 East, W.M., with a date of priority of September 30, 1955. P-23868

The certificate recorded at page 49029,² Volume 42, State Record of Water Right Certificates, in the name of Leonard Carlson, describes a right which includes the use of not to exceed 0.54 cubic foot per second from North Fork John Day River for irrigation of a certain 12.6 acres in Lot 4 (NW 1/4 NW 1/4) and 9.0 acres in SW 1/4 NW 1/4 of Section 2, Township 9 South, Range 27 East, W.M., with a date of priority of May 8, 1972. P-36672

The certificate recorded at page 49031,³ Volume 42, State Record of Water Right Certificates, in the name of Leo L. and Clara C. Flower, describes a right which includes the use of not to exceed 0.21 cubic foot per second from North Fork John Day River for irrigation of a certain 3.9 acres in Lot 4 (NW 1/4 NW 1/4), 1.3 acres in SW 1/4 NW 1/4, Section 2, and 3.2 acres in SE 1/4 NE 1/4, Section 3, Township 9 South, Range 27 East, W.M., with a date of priority of April 9, 1975. P-39980

Water for the said rights is diverted from point "A" located 2320 feet South and 1550 feet East from the Northwest Corner of Section 2, being within the NW 1/4 SW 1/4 of Section 2, Township 9 South, Range 27 East, W.M.

4

The certificate recorded at page 39830, Volume 31, State Record of Water Right Certificates, in the name of Leonard and Marilyn Carlson, describes a right which includes the use of not to exceed 0.13 cubic foot per second from North Fork John Day River for irrigation of a certain 10.2 acres in NW 1/4 SW 1/4, Section 2, Township 9 South, Range 27 East, W.M., with a date of priority of September 30, 1955.

P-23868
Also
let 33018

Water for the said right is diverted from point "B" located 2450 feet North and 20 feet East from the Southwest Corner of Section 2, being within the NW 1/4 SW 1/4 of Section 2, Township 9 South, Range 27 East, W.M.

The applicant herein, owner of the lands above described, proposes to sever the right therefrom and, without loss of priority, to irrigate in lieu thereof a certain 3.2 acres in SE 1/4 NE 1/4, Section 3, 16.5 acres in Lot 4 (NW 1/4 NW 1/4) and 10.3 acres in SW 1/4 NW 1/4, Section 2, with a priority date of September 30, 1955; 0.5 acre in Lot 2 (NW 1/4 NE 1/4), 0.2 acre in Lot 3 (NE 1/4 NW 1/4) and 8.4 acres in SW 1/4 NE 1/4, Section 2, with a priority date of May 8, 1972; 8.4 acres in SW 1/4 NE 1/4, Section 2, with a priority date of April 9, 1975, from diversion point "A"; and to irrigate a certain 10.2 acres in NW 1/4 SW 1/4 and 2.3 acres in NE 1/4 SW 1/4, Section 2, with a priority date of May 8, 1972, from a point located 2320 feet North and 300 feet East from the Southwest Corner of Section 2, being within the NW 1/4 SW 1/4 of Section 2, Township 9 South, Range 27 East, W.M.

P-23668

P-36672

POD 1

P-39980

P-36672

POD 2

Mr. Jerry Rodgers, Watermaster, has filed a statement to the effect that the proposed changes in place of use and point of diversion may be made without injury to existing rights.

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

NOW, THEREFORE, it hereby is ORDERED that the requested changes in place of use and point of diversion, as described herein, without loss of priority, are approved.

It is FURTHER ORDERED that the quantity of water diverted at the new point of diversion, together with that diverted at point of diversion "A", shall not exceed the quantity of water available at the original points 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.

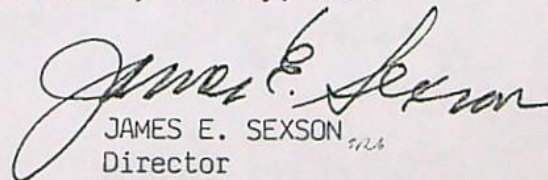
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 NO time need be fixed for completion as the change in place of use and point of diversion are completed.

It is FURTHER ORDERED that the certificates recorded at page 33018, Volume 25; page 39830, Volume 31; page 49029, Volume 42; and page 49031, Volume 42, State Record of Water Right Certificates, be canceled; and in lieu thereof new certificates be issued covering the balance of the rights NOT involved in this proceeding; and upon proof satisfactory to the Water Resources Director of completion of works and beneficial use of water to the extent intended under the provisions of this order, confirming certificates of water right shall be issued to the applicant herein.

Dated at Salem, Oregon this 21st day of July, 1980.


JAMES E. SEXSON
Director

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

POD
POU
USE
Add'l POD

NCR

Transfer NO. 4495

County Grant

Old Certificate NO. 33018, 39830, 49029, 49031

- Name Leo Flower
Address Rt 3, Box 3746, Hermiston, OR 97838
- Source of Supply N.F. John Day R., Trib of Columbia River
- Use Irrigation
- Amount of Water 1. 0.25cfs 2. 0.13cfs 3. 0.54cfs 4. 0.21cfs Priority Date 1. 9-30-1955 2. 9-30-55 3. 5-8-1972 4. 4-9-75
- Proposed Point of Diversion ① 2400' S + 1550' E from NW Cor, Sec 2, w/in NWSW, S 2, T9S, R27E NEW: ② 2100' N + 350' E from SW Cor, Sec 2, w/in NWSW, S 2, T9S, R27E, w.m.
- Completion Date Complete
- Place of Use:

Township	Range	Section	Forty Acre Tract	Use for Which Transfer Made
9S	27E	3	SE NE	3.2'
		2	NW NW	16.5' (Lot 4)
		2	SW NW	10.3'
		2	NW NE	0.5 (Lot 2)
		2	NE NW	0.2 (" 3)
		2	SW NE	8.4 5.6
		2	SW NE	8.4
				4-9-75
new 9S	27E	2	NWSW	10.2 9.9
		2	NE SW	2.3 1.7

154P. 21 May
4"

INFO: LEONARD CARLSON - STAR ROUTE KIMBERLY OREGON 97848.

MR CARLSON CLAIMS IRRIGATION FROM A PUMPING POINT ON NORTH FORK
JOHN DAY RIVER TO HIS APPROX. 15 ACRES ORCHARD AND THE REST OF THE ACREAGE
IN ALFALFA. THIS LAND IS NORTH OF HIGHWAY.

EQUIP.

Pump 20 H.P.

MAINLINE 8" BURIED PVC FROM RIVER TO HIGHWAY 1200'

6" BURIED PVC FROM HIGHWAY TO FIELD 1000'

HANDLINE 3" ALUM. 40

Sprinklers R830s @ 5/3 40 MAX

TIE: 100-100-90

CROP ORCHARD, ALFALFA

LIFT. + 80

V.L. CHURCH

W.R.E.

3-21-86

By

J.K. Santos

GEN. TECH.

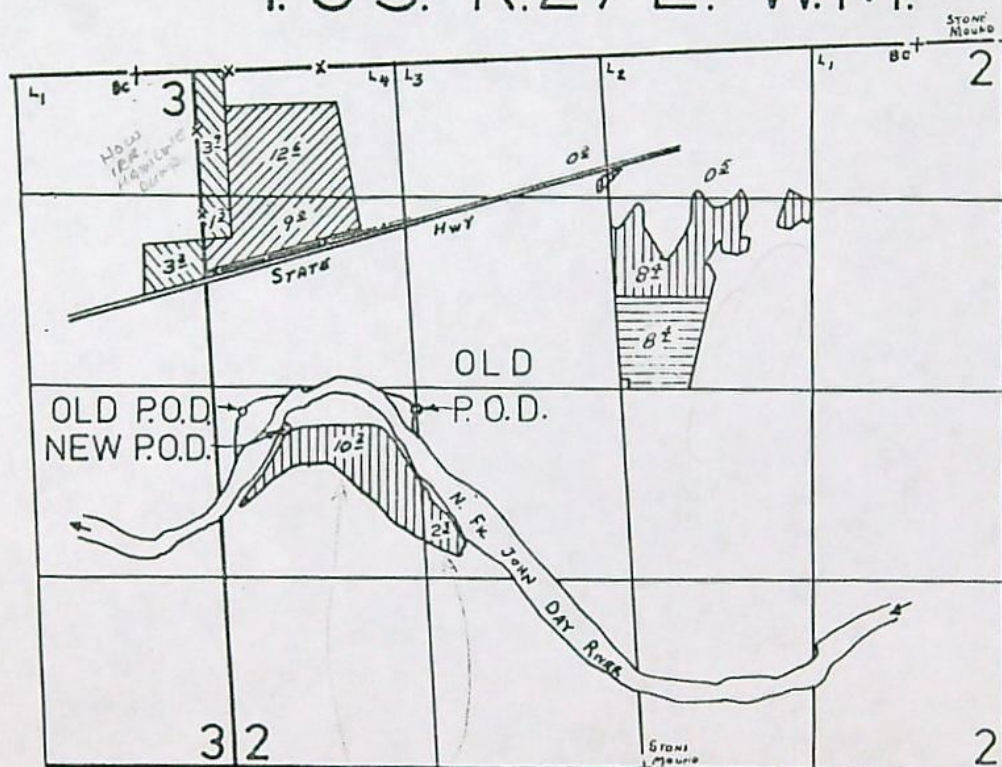
See T-5403 for report on Larry Wirfs part.

LEONARD CARLSON
STAR RT. KIMBERLY, OR.

T-4495

934-2901

SEC. 2 & 3
T.9S. R.27E. W.M.



SCALE 4=1mi

EXISTING	PROPOSED
P-39980	P-23868
P-36672	P-23868
P-23868	P-36672
P-23868	P-39980

P.O.D. CHANGE FOR ALL LAND SOUTH OF
NORTH FORK JOHN DAY RIVER IN NW $\frac{1}{4}$ SW $\frac{1}{4}$ SEC.2
OLD P.O.D. WAS 2450' NORTH AND 20'
EAST OF SW COR. OF SEC. 2
NEW P.O.D. IS 2320' NORTH AND 300'
EAST OF SW COR. OF SEC. 2

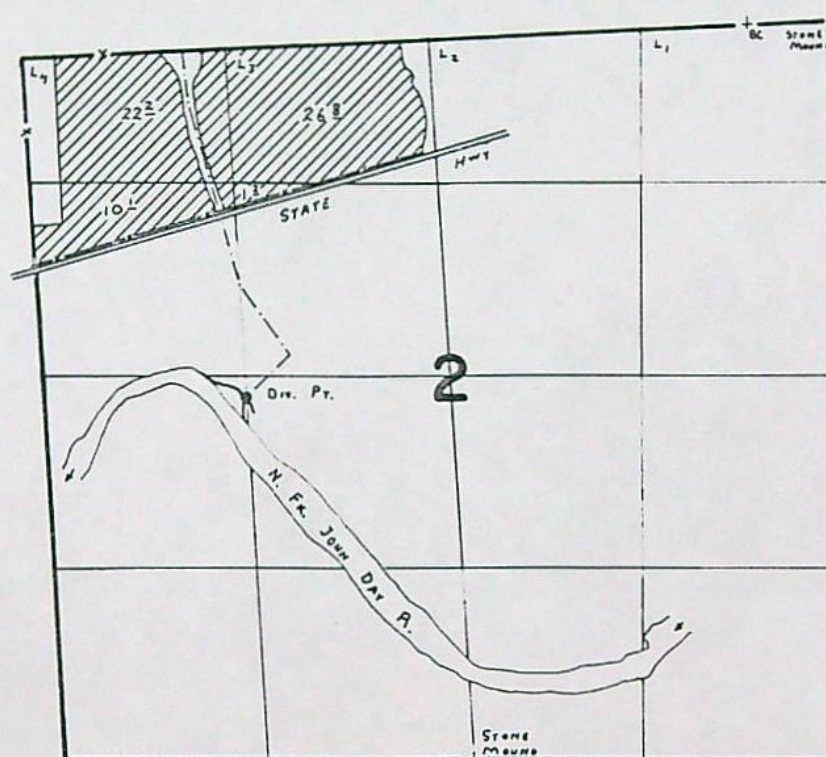
P.O.D. CHANGE FOR ALL LAND SOUTH OF
NORTH FORK JOHN DAY RIVER IN NE $\frac{1}{4}$ SW $\frac{1}{4}$ SEC.2
OLD P.O.D. WAS 2320' SOUTH AND 1550' EAST
OF NW COR. OF SEC. 2
NEW P.O.D. IS 2320' NORTH AND
300' EAST OF SW COR. OF SEC.2

APPROVED x

Leo A. Flower

T-4495

T9S. R27E. WM.



Div. Pt. Loc: 2320'S. & 1550' E. fr. N.W. Cor. SEC. 2.

FINAL PROOF SURVEY
UNDER

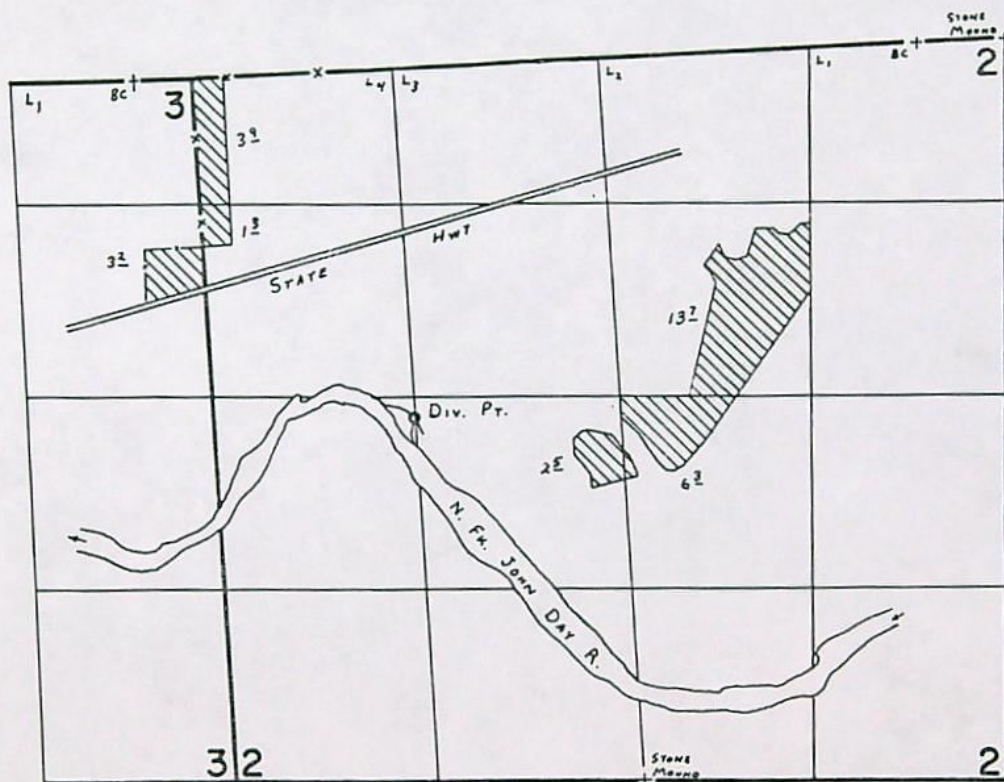
Application No. 48982 Permit No. 36672
IN NAME OF

LEONARD CARLSON

Surveyed Oct. 17, 1977, by S. C. BROWN

T-4495

T9S. R27E. WM.



Div. Pt. Loc: 2320'S. & 1550'E. fr. N.W. Cor. Sec. 2.

FINAL PROOF SURVEY UNDER

Application No. 5296C. Permit No. 39380.....
IN NAME OF

LEO L. & CLARA C. FLOWER

Surveyed Oct. 17, 1977, by S. C. BROWN

T-4495

Application for Transfer of Water Right

To the WATER RESOURCES DIRECTOR OF OREGON:

I, Leo Flower.....
(Name of applicant)

of Rt 3 Box 3746....., Hermiston.....
(Mailing address) (City)

State of Oregon....., 97838....., 567-9121....., do hereby make application for change
(Zip Code) (Phone number)

In point of diversion and place of use (flip-flop).....
(In point of diversion; place of use; use heretofore made of the water)

C-39830 Leonard & Marilyn
C-33018 Myself Carlson
C-49029 Leonard Carlson
C-49031 Myself
(If not, give name)

1. Is the water right recorded in your name? yes & no.....

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 P-39980..... Number of certificate 49031
P-23868..... 33018 & 39830
P-36672..... 49029

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 North Fork John Day River.....
9/30/55 5/8/72 4/9/75

5. What is the date of priority of your water right? P-23868 P-36672 P-39980
POD A 2320 S 1550 E NW

6. The authorized point of diversion is located 2450 ft. N and 20 ft. E from the SW
(N. or S.) (E. or W.)

corner of Sec. 2 being within the NW 1/4 SW 1/4 of Section 2 Tp. 9S R. 27E W. M.,
(No. N. or S.) (No. E. or W.)

in the county of Grant The name of the ditch used is

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

Maintain existing point A for lands north of river

7. The proposed point of diversion is located 2320 ft. N and 300 ft. E from the SW
(N. or S.) (E. or W.)
(south of River)

corner of Sec. 2 being within the NW 1/4 SW 1/4 of Section 2 Tp. 9S R. 27E W. M.,
(No. N. or S.) (No. E. or W.)

in the county of Grant 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 1/4-1/4 of Section	Number Acres To Be Irrigated
9S	27E	2	NW 1/4 NW 1/4 (lot 4)	12.6 - P-36672 ✓ 3.9 - P-39980 ✓
"	"	"	SW 1/4 NW 1/4	9.0 - P-36672 ✓ 1.3 - P-39980 ✓
"	"	3	SE 1/4 NE 1/4	3.2 - P-39980 ✓
"	"	2	NE 1/4 NW 1/4 (lot 3) NW 1/4 NE 1/4 (lot 2)	0.2 - P-23868 ✓ 0.5 - " ✓
"	"	"	SW 1/4 NE 1/4	16.8 " ✓
"	"	"	NE 1/4 SW 1/4 NW 1/4 SW 1/4	2.3 P-36672 " ✓ 10.2 P-36672 " ✓

(If more space required, attach separate sheet)

60

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.? Yes
(Answer Yes or No)

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

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT
<u>none</u>	<u>none</u>	<u>none</u>
<u>none</u>	<u>none</u>	<u>none</u>

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 1/4-1/4 of Section	Number Acres To Be Irrigated
9S	27E	3	SE 1/4 NE 1/4	3.2 - P-23868
"	"	2	NW 1/4 NW 1/4 (lot 4)	16.5 - " " 9/30/55
"	"	"	SW 1/4 NW 1/4	10.3 " }
"	"	"	NW 1/4 NE 1/4 (lot 2) NE 1/4 NW 1/4 (lot 3)	0.5 - P-36672 0.2 - " 5/8/72
"	"	"	SW 1/4 NE 1/4	8.4 - " 4/9/75
"	"	"	NW 1/4 SW 1/4 NE 1/4 SW 1/4	8.4 - P-39980 P-36672 10.2 - P-36672 P-36672 2.3 - " 5/8/72

(If more space required, attach separate sheet)

60

14. Reasons for the proposed changes are POD change is because power lines are
easier to cross river with than pipe
Land flipflop is to get 30 acres pre minimum flow right on orchard land

15. Construction work will be completed on or before completed

16. The water will be completely applied to the proposed use on or before Oct. 1, 1980

Remarks POD change for 10.2 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Sec 2.
2.3 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$

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, Leo Flower, 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 5th day of May, 1980

Leo Flower
(Name of applicant)

Subscribed and sworn to before me this 5th day of May, 1980

[Notarial Seal]

Wilmott Bradford
NOTARY PUBLIC FOR OREGON

My commission expires 2/7/81



STATE OF OREGON

INTEROFFICE MEMO

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: 6/12, 1980FROM: ** Jerry Rodgers, Watermaster

RECEIVED

JUN 16 1980

WATER RESOURCES DEPT
SALEM, OREGONSUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4495IN THE NAME OF Leo Flower

In my opinion the proposed change in POU + PAD from N.F. John Day R.
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
serve 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 . . .
X (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 _____

**

Jerry Rodgers
Watermaster's signature or initials

9-27	3	1100	8
TWP.	RGE.	SEC.	1/4 1/16
MAP NUMBER		PARCEL NUMBER	Spec. Int. In
TAX LOT NUMBER		REAL PROP.	CODE AREA NUMBER

OFFICIAL RECORD OF DESCRIPTIONS
OF REAL PROPERTY

GRANT COUNTY ASSESSOR'S OFFICE

FORMERLY 9 27 890

Indent each new course to this point	DESCRIPTION AND RECORD OF CHANGE	Date of entry on this card	Deed Record		Acres Remaining
			Vol.	PG.	
	T9S R27E WM				
	Sec 3: The E 412.50 ft ly N of the Monument- Kimberly Hwy in the SE 1/4 NE 1/4.	7-7-77			3.63
	Exc: Hwy 0.39				3.24

RECEIVED
MAY 3 1980
WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

MAY 3 1980

WATER RESOURCES DEPT
SALEM, OREGON

9	27	2			400			8	OFFICIAL RECORD OF DESCRIPTIONS OF REAL PROPERTY COUNTY ASSESSOR'S OFFICE			
TWP.	RGE.	SEC.	1/4	1/16	PARCEL NUMBER	Type	Spec. Int. In	CODE AREA NUMBER	GRANT			
TAX LOT NUMBER									FORMERLY 9 27 500			
Indent each new course to this point					DESCRIPTION AND RECORD OF CHANGE				Date of entry on this card	Deed Record Vol.	PG.	Acres Remaining
T9S R27E WM												
Sec 2: Lots 2,3, & 4; SW $\frac{1}{4}$ NE $\frac{1}{4}$; SE $\frac{1}{4}$ NW $\frac{1}{4}$; N $\frac{1}{2}$ SW $\frac{1}{4}$; SW $\frac{1}{4}$ NW $\frac{1}{4}$												
Except: That portion of W $\frac{1}{2}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$ ly S of the Kimberly-Long Cr Hwy and N of the John Day River; and that portion of the NW $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ ly N of the John Day River.												
Sec 3: NE $\frac{1}{4}$ SE $\frac{1}{4}$ ly S of the S bank of the John Day River.									7-7-77			300.95
Exc: Hwy					6.93							294.02