

T-10452

T-10452

Name Mike Becker

Address 16406 North McAlister Rd
LaGrande Oregon 97850
541-963-7096

Change in POU
Date Filed 8-30-2007
Initial notice date _____
DPD issued date _____
PD issued date _____
PD notice date _____
Date of FO 11-19-09 Vol 79 Page 232

C-Date _____
COBU due date _____
COBU Received date COBU 1/13/2011 89112
Certificate issued APR 30 2014 89113
RR 85932
RR 85933

Assignments: _____

Irrigation District NA

Agent Greg Blackman 2006 Adams Ave LaGrande OR 97850 541-963-6092

CWRE Same as Agent
CC's list Union County Planning Dept. 1001 4th St. LaGrande, OR 97850
CLO: Steven Stonebecker 63235 Halley Rd. LaGrande, OR 97850

- Oversized map - Location

DESCRIPTION OF WATER RIGHT(S)

Name of Stream Grande Ronde River
Trib. of Snake River
Use IR County Union
Quantity of water (CFS) _____ No. of Acres _____
Name of ditch _____
App # _____ Per # _____ Cert # 79512 PR Date 1872
App # 548434 Per # 536357 Cert # 42444 PR Date 1971
App # _____ Per # _____ Cert # _____ PR Date _____
App # _____ Per # _____ Cert # _____ PR Date _____
Grande Ronde River, consolidated T-8478RK

FEEES PAID
Date 8/30/07 Amount 1000.00 Receipt # 89440

FEEES REFUNDED
Date _____ Amount _____ Receipt# _____

STATE OF OREGON
WATER RESOURCES DEPARTMENT

725 Summer St. N.E. Ste. A
 SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **89440**

INVOICE # _____

RECEIVED FROM: Michael Becker

APPLICATION _____

BY: _____

PERMIT _____

TRANSFER T-10452

CASH: CHECK:# _____ OTHER: (IDENTIFY) _____

TOTAL REC'D \$ 1,000.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____

OTHER: (IDENTIFY) _____ \$ _____

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES \$ _____

0410 RESEARCH FEES \$ _____

0408 MISC REVENUE: (IDENTIFY) _____ \$ _____

TC162 DEPOSIT LIAB. (IDENTIFY) _____ \$ _____

0240 EXTENSION OF TIME \$ _____

WATER RIGHTS:

0201 SURFACE WATER

EXAM FEE
\$ _____

 0202 \$ _____

0203 GROUND WATER

EXAM FEE
\$ _____

 0204 \$ _____

0205 TRANSFER

EXAM FEE
\$ <u>1000.00</u>

RECORD FEE
\$ _____

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR

EXAM FEE
\$ _____

 0219 \$ _____

LANDOWNER'S PERMIT 0220 \$ _____

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____ CARD # _____

0210 MONITORING WELLS \$ _____ CARD # _____

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FWWRD) _____ \$ _____

0231 HYDRO LICENSE FEE (FWWRD) _____ \$ _____

HYDRO APPLICATION _____ \$ _____

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ \$ _____

RECEIPT: **89440**

DATED: 8/30/07 BY: [Signature]

STATE OF OREGON

COUNTY OF UNION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MIKE BECKER
10406 N MCALISTER RD
LA GRANDE OR 97850

confirms the right to use the waters of GRANDE RONDE RIVER, tributary of SNAKE RIVER, for IRRIGATION of 12.5 ACRES.

This right was perfected under Permit S-36357. The date of priority is JULY 13, 1971. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.15 CUBIC FOOT 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	Measured Distances
2 S	38 E	WM	31	SW SW	1858.33 FEET SOUTH AND 80.84 FEET EAST FROM W1/4 CORNER, SECTION 31

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 3.0 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 is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	38 E	WM	31	NE NE	5.0
2 S	38 E	WM	31	NW NE	3.8
2 S	38 E	WM	31	NE NW	3.7

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

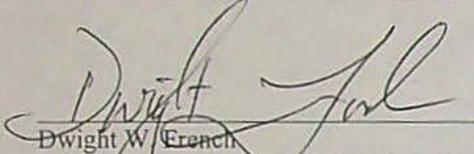
The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

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.

This certificate is issued to confirm a change in PLACE OF USE approved by an order of the Water Resources Director entered NOVEMBER 19, 2009, at Special Order Volume 79, Page 232, approving Transfer Application 10452, and together with Certificate 85933, supercedes Certificate 42444, State record of Water Right Certificates.

Issued APR 30 2014


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

STATE OF OREGON

COUNTY OF UNION

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This right was confirmed by decree of the Circuit Court of the State of Oregon for Union County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 8, at Page 1. The date of priority is 1872.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed THREE ACRE FEET PER ACRE IN ANY IRRIGATION SEASON DIVERTED AT A RATE NOT TO EXCEED ONE-FORTIETH OF A CUBIC FOOT PER SECOND PER ACRE, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

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2 S	38 E	WM	31	SW NE	34.0
2 S	38 E	WM	31	SE NW	3.0

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.

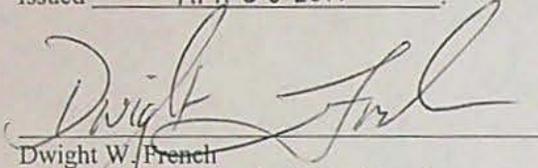
The water user shall maintain and operate the existing measurement devices and shall make such improvements as may be required by the Department.

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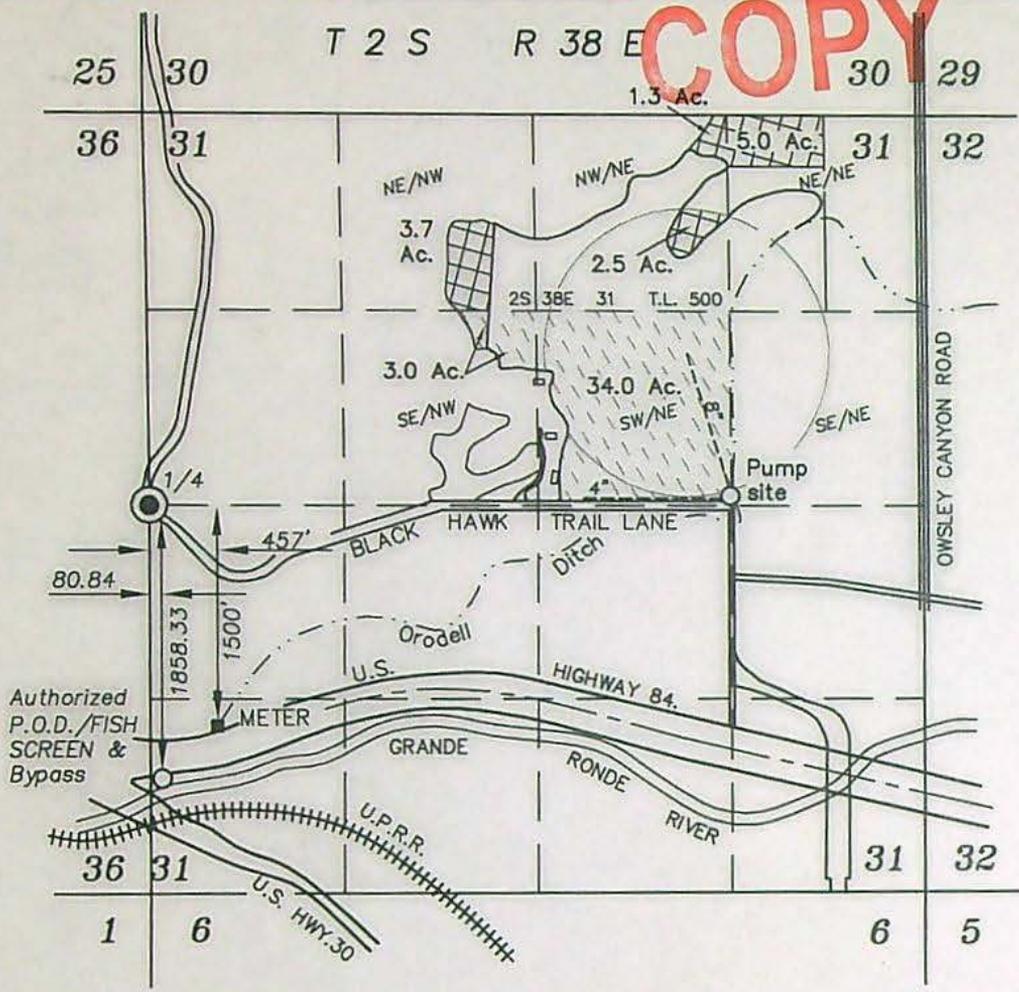
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Issued APR 30 2014



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

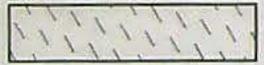


COPY

SCALE: 1"=1320'



Lands irrigated under Certificate number 42444.



Lands irrigated under Certificate number 79512.

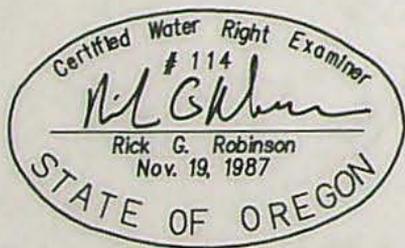


Buried mainline

RECEIVED

JUL 18 2011

WATER RESOURCES DEPT
SALEM, OREGON



July 5, 2011
**FINAL PROOF MAP FOR
TRANSFER OF PLACE OF USE
FOR
MIKE BECKER**

BY
**BAGETT - GRIFFITH & BLACKMAN
2006 ADAMS AVENUE
LAGRANDE, OREGON 97850**

NOTE: The preparation of this map was for the purpose of identifying the location of water rights and has no intent to provide dimensions or location of property ownership lines. Location information shown hereon was furnished by the applicant.

PERMIT NUMBER T-10452

APPLICATION NO. T-10452



Oregon

John A. Kitzhaber, MD, Governor

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: April 30, 2014

NOTICE OF CERTIFICATE ISSUANCE

Attached are certificates that confirm the water rights established under the terms of a transfer order issued by this Department.

These certificates are orders in other than a contested case. These orders are 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 these orders. 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.

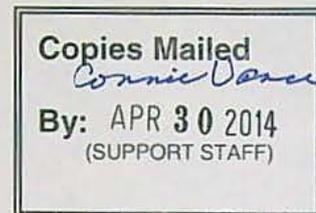
Mailing List for Transfer Certificate

Application: T-10452

Certificate: 89112 (Cert 42444) and 89113 (Cert 79512)

Certificate/Transfer Holder: (include copy of map)

MIKE BECKER
10406 N MCALISTER RD ✓
LA GRANDE OR 97850 ✓



Copies of final Certificate to be sent to:

1. Watermaster # 6 (Include map) ✓
2. Data Center ✓
3. Water Availability ✓
4. Vault ✓
5. File ✓

Other Persons to receive copies (proposed and/or final certificate: (Include map)

PER ASSESSORS OFFICE: 6. MIKE BECKER ✓
P.O. BOX 1159
LA GRANDE, OR 97850

7. RICK G ROBINSON, CWRE ✓

Record Marking(s):

1. Original Application# NA - DECREED RIGHT
2. Old Certificate# 79512 ✓
3. Original Application# S-48434 ✓
4. Old Certificate# 42444 ✓

STATE OF OREGON

COUNTY OF UNION

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Issued _____.

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

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Issued _____.

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

MEMO

TO: FILE T-10452

FROM: Kerry Kavanagh

DATE: 9.3, 2013

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

Δ POW - portion C 42444 - RR Cert 85933 → Cert 86055
Δ POW - portion C 79572 - RR Cert 85932
C date = 10-1-2011
COBU rec'd 7-13-2011

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? No Yes: _____

stamped PROPOSED or assign Cert # _____

Draft certificate(s) are available in the transfer directory.

Water Organization identified using area of interest tool? No Yes, cc: _____

Check ownership; and if there is a new owner, add them to the mailing list.

Prepare a mailing list.

Record marking: App _____ Cert _____

NOTES:

CWRE - Rick G. Robinson, CWRE #114

T-10574 → kemp transfer for C 42444 & C 79572 → reverted to original ^{end of} 2013 _{season}

Pump Capacity Calculation Sheet

using Department designed formula:

T-10452

klk

$(hp)(\text{efficiency}) / (\text{lift} + \text{psi head}) = \text{capacity in cfs}$

2/25/2014

Efficiency:

Centrifugal = 6.61

Turbine = 7.04

Data Entry (fill in underlined blanks)

HP = 30
Efficiency = 6.61
Lift = 15
PSI = 60

Results Calculated

(hp)(efficiency) = 198.3
Head based on psi = 152.4
Total dynamic head = 167.4
(head + lift)

Pump Capacity = 1.18 feet per second

MAP#	TAX LOT#	A NUM	CODE	PROPERTY CLASS/DESC	ZONE
02S3831	500	0	106	551 FARM USE/EFU/IMP	UC-A4

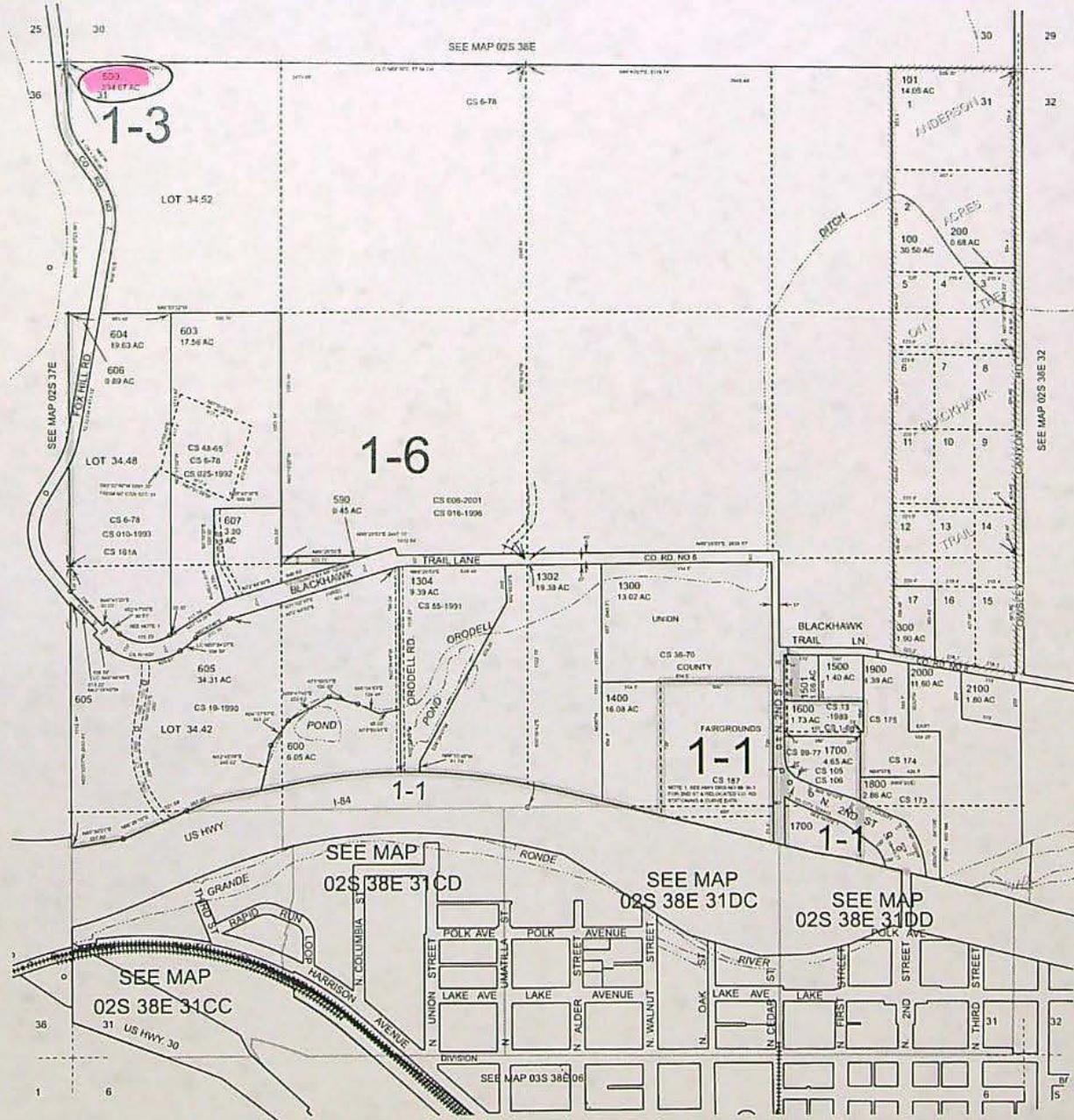
OWNER:	BECKER, MICHAEL A
CONTRACT:	
ETAL(s):	
MAILING ADDRESS:	
	P O BOX 1159
CITY/ST:	LA GRANDE OR ,97850-6159

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY



SECTION 31 T.2S. R.38E. W.M.
UNION COUNTY
1" = 400'

02S38E31
LA GRANDE



- Cancelled
- 400
- 501
- 502
- 600A1
- 601
- 602
- 700 THRU 1201
- 1301
- 1303
- 1701 THRU 1703
- 1790
- 1801
- 1802
- 2001
- 2200

Revised: SH
03/04/2013

LA GRANDE
02S38E31

Mailing List for Transfer Certificate

Application: T-10452

Certificate:

Certificate/Transfer Holder: (include copy of map)

MICHAEL A. BECKER
10406 N MCALISTER RD
LA GRANDE OR 97850

Copies Mailed
By: (SUPPORT STAFF)
on: (DATE)

Copies of final Certificate to be sent to:

1. Watermaster # 06 (Include map)
2. Data Center
3. Water Availability
4. Vault
5. File

Other Persons to receive copies (proposed and/or final certificate: (Include map)

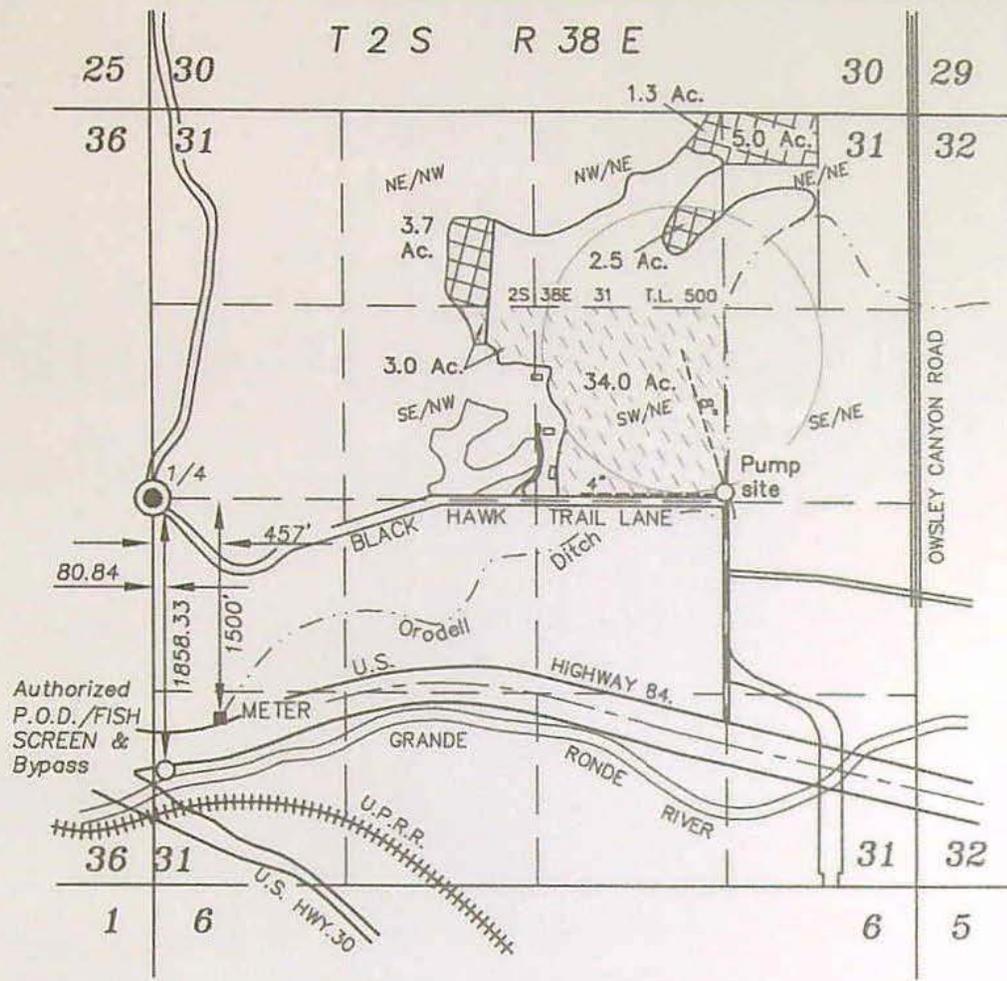
PER ASSESSORS OFFICE:

RICK G ROBINSON, CWRE

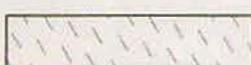
2 } MIKE BECKER
PO BOX 1159
LA GRANDE OR 97850

Record Marking(s):

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2. Old Certificate# 79572
1. Original Application# NA - DECREED RIGHT
2. Old Certificate# 42444



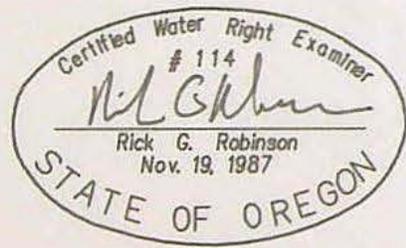
SCALE: 1"=1320'

-  Lands irrigated under Certificate number 42444.
-  Lands irrigated under Certificate number 79512.
-  Buried mainline

RECEIVED

JUL 18 2011

WATER RESOURCES DEPT
SALEM, OREGON

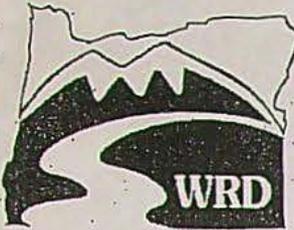


July 5, 2011
**FINAL PROOF MAP FOR
 TRANSFER OF PLACE OF USE
 FOR
 MIKE BECKER**

BY
**BAGETT - GRIFFITH & BLACKMAN
 2006 ADAMS AVENUE
 LAGRANDE, OREGON 97850**

NOTE: The preparation of this map was for the purpose of identifying the location of water rights and has no intent to provide dimensions or location of property ownership lines. Location information shown hereon was furnished by the applicant.

PERMIT NUMBER T-10452
 APPLICATION NO. T-10452



Date Received 7/13/2011
CWRE Name Rick Robinson Claim Logged yes
File Marked yes
Oversized Map # _____
Read the file and attach a copy of the permit or transfer final order. _____

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))
- CWRE stamp and signature (OAR 690-014 & 310-0050)
- 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)
- _____ 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
- _____ 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

Certificate Issuance Processing Checklist

- Map and COBU reviewed
- Conflict check (include copy of plat card printout) Any Conflicts? _____
- Check for ownership

Staff Recommendations:

- Proof to the Satisfaction has been established to the full extent as described in the permit or transfer order.
- Proof to the Satisfaction has been not been established to the full extent as described in the permit or transfer order and the right should be limited as follows: _____
- 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: _____

Can certificate be processed further?

Yes

If "Yes":

Proposed
 Final

Certificate # _____

Mailing 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

**A fee of \$150 must accompany this form to be accepted for permits
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) T-10452	PERMIT # (IF APPLICABLE) T-10452	PERMIT AMENDMENT # (IF APPLICABLE)
--	--	------------------------------------

2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME MIKE BECKER		PHONE NO. (541) 963-7096	ADDITIONAL CONTACT NO.
ADDRESS 10406 N. McALISTER ROAD			
CITY LA GRANDE	STATE OREGON	ZIP 97850	E-MAIL

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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** NO

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

Permit or transfer holder of record (this may, or may not, be the current property owner)

PERMIT OR TRANSFER HOLDER OF RECORD

MIKE BECKER

ADDRESS

10406 N. McALISTER ROAD

CITY

LA GRANDE

STATE

OREGON

ZIP

97850

Are there additional permit or transfer holders of record?

YES NO

If "NO" the following box may be deleted.

ADDITIONAL PERMIT OR TRANSFER HOLDER OF RECORD

ADDRESS

CITY

STATE

ZIP

4. Date of Site Inspection: **July 5, 2011**

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

NAME	DATE	ASSOCIATION WITH THE PROJECT
Mike Becker	7-5-11	Owner
Dave Whelan	7-5-11	PGG representative who help design existing irrigation system.

6. County: **UNION**

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?

YES NO

If "NO" the following box may be deleted.

ADDITIONAL OWNER OF RECORD

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ADDRESS

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CITY

STATE

ZIP

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SECTION 2
SYSTEM DESCRIPTION

A. Points of Diversion/Appropriation

1. Point of diversion/appropriation name or number:

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

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
ORODELL DITCH P.O.D.	GRANDE RONDE RIVER	SNAKE RIVER

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

POD/POA NAME OR NUMBER	USES	IF IRRIGATION, LIST CROP TYPE	SEASON OR MONTHS WHEN WATER WAS USED	RATE OR VOLUME FOR USE (CFS, GPM, OR AF)
ORODELL	IRRIGATION	GRASS, ALF ALFA	MARCH 1ST - OCT.1ST	1.23 C.F.S.
Total Quantity of Water Used				

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:

The existing system consists of a 30 H.P. centrifugal pump that feeds a 8" mainline that runs to a center pivot. And a 4" PVC buried mainline that feeds a Kifco water reel fitted with a Sime Hidra Big Gun.

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SECTION 2

SYSTEM DESCRIPTION (B through H)

Are there multiple PODs or POAs?

YES 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):

B. Place of Use

1. Is the right for municipal use?

YES 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
2S	38E	W.M.	31	NE/NE			Irrigation	5.0	
2S	38E	W.M.	31	NW/NE			Irrigation	2.5	
2S	38E	W.M.	31	NW/NE			Irrigation	1.3	
2S	38E	W.M.	31	NE/NW			Irrigation	3.7	
2S	38E	W.M.	31	SW/NE			Irrigation	34.0	
2S	38E	W.M.	31	SE/NW			Irrigation	3.0	
Total Acres Irrigated								49.5	

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 and apply the water from the point of diversion/appropriation to the place of use.

1. Is a pump used?

YES NO

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

2. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Cornell	3RB30-3- 4DC	148649	Centrifugal	6"	6"

3. Motor Information

MANUFACTURER	HORSEPOWER
Baldor	30.0

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4. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *IF A WELL, THE WATER LEVEL DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
30.0	60	5'	10'	1.18 c.f.s.

5. Provide pump calculations:

6.61×30
 $152.4 + 5 + 10 = 1.18 \text{ c.f.s.}$

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

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

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

7. Is the distribution system piped?

YES NO

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

8. Mainline Information

MAINLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
8"	1100'	PVC	Buried
4"	900'	PVC	Buried

9. Lateral or Handline Information

LATERAL OR HANDLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND

10. Sprinkler Information

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
Sime Hydra Big Gun	60	55	1	1	0.12

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)
Valley Standard Pivot Model 7000	996'	60	525	1.16

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12. Additional notes or comments related to the system:

Pivot information is attached to the end of this form.

D. Groundwater Source Information (Well and Sump)

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

YES NO

If "NO", items 2 through 8 relating to this section may be deleted.

2. Describe the access port (type and location) or other means to measure the water level in the well:

3. If well logs are not available, provide as much of the following information as possible:

CASING DIAMETER	CASING DEPTH	TOTAL DEPTH	COMPLETION DATE OF ORIGINAL WELL	COMPLETION DATES OF ALTERATIONS	WHO THE WELL WAS DRILLED FOR	WELL DRILLED BY

4. In addition to the information requested in item "3" above, provide any other information which may help the Department locate any well logs associated with this appropriation.

5. Is the appropriation from a dug well (sump)?

YES NO

If "NO", items 6 through 8 relating to this section may be deleted.

Reminder: Construction standards for sumps can be found in OAR 690-210-0400.

6. If the appropriation involves a **SUMP**, provide the following information for each **SUMP**:

LENGTH	WIDTH	AVERAGE DIAMETER	MAXIMUM DEPTH	SURFACE AREA (IN ACRES)	VOLUME IN CUBIC FEET OR ACRE FEET

7. If the sump is curbed constructed with watertight surface curbing, describe the curbing:

CURBING MATERIAL (CONCRETE, CONCRETE TILES, OR STEEL)	IF CONCRETE, PROVIDE THE THICKNESS OF THE WALL

8. Provide sump volume calculations:

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E. Storage

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

YES NO

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

If "YES" is it a: Storage Tank

YES NO

Bulge in System / Reservoir

YES NO

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

2. Storage Tank:

MATERIAL (CONCRETE, FIBERGLASS, METAL, ETC.)	CAPACITY (IN GALLONS)	ABOVE GROUND OR BURIED

3. Bulge in System / Reservoir:

RESERVOIR NAME OR NUMBER (CORRESPOND TO MAP)	APPROXIMATE DAM HEIGHT	APPROXIMATE CAPACITY (IN ACRE FEET)

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 NO

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)

3. Provide calculations:

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

DATE OF MEASUREMENT	WHO MADE THE MEASUREMENT	MEASUREMENT METHOD	MEASURED QUANTITY OF WATER (IN CFS)

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?

YES NO

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

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2. Complete the table:

CANAL OR DITCH TYPE (MATERIAL)	TOP WIDTH OF CANAL OR DITCH	BOTTOM WIDTH OF CANAL OR DITCH	DEPTH	"N" FACTOR	AMOUNT OF FALL	LENGTH OF CANAL / DITCH	SLOPE	COMPUTED RATE (IN CFS)

3. Provide calculations:

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

DATE OF MEASUREMENT	WHO MADE THE MEASUREMENT	MEASUREMENT METHOD	MEASURED QUANTITY OF WATER (IN CFS)

Attach measurement notes.

H. Reservoir

1. Does the claim involve a reservoir modified through a transfer? YES NO

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.

2. Does the reservoir require the submittal of as-built plans and specifications? YES NO

If "YES", answer items 3; items 4 through 9 relating to this section may be deleted.

If "NO", skip items 3; answer items 4 through 9.

3. Complete the table:

HAVE THE DOCUMENTS BEEN SUBMITTED? YES OR NO	WHEN WERE THE DOCUMENTS SUBMITTED?	HAVE THEY BEEN APPROVED BY THE DEPARTMENT?	NUMBER OF ACRE FEET STORED

4. If the reservoir stores less than 9.2 acre-feet of water or if the dam is less than 10 feet in height, and as-built plans and specifications are not required, complete the table and items 5 through 9.

MAXIMUM DEPTH	AVERAGE DEPTH	SURFACE AREA (IN ACRES)	VOLUME (IN ACRE FEET)

5. Provide reservoir volume calculations:

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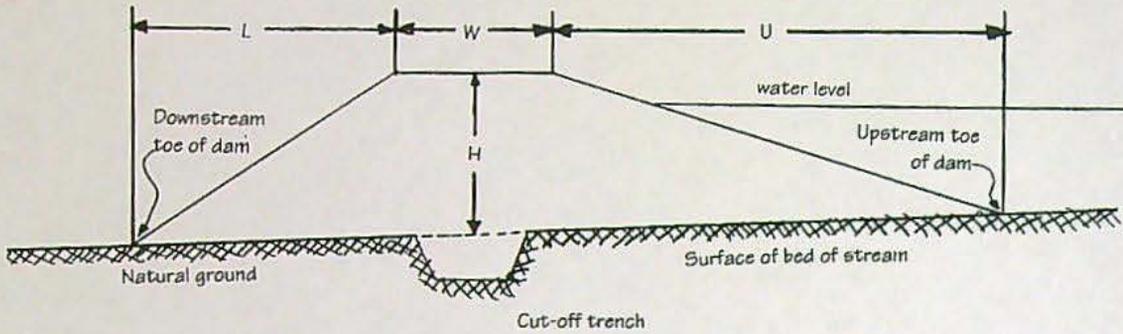
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6. Provide the following information concerning the physical characteristics of the dam:

CREST WIDTH (W)	DAM HEIGHT AT CENTERLINE (H)	DISTANCE FROM DOWNSTREAM TOP OF DAM TO DOWNSTREAM TOE (L)	DISTANCE FROM UPSTREAM TOP OF DAM TO UPSTREAM TOE (U)	WATER LEVEL AT INSPECTION	DOWN-STREAM SLOPE	UP-STREAM SLOPE

Example Dam Profile *This box may be deleted from the form*

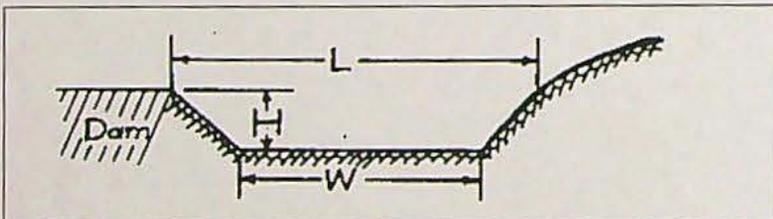


7. Provide a drawing showing the cross section of the dam at the maximum section indicating details and dimensions. The drawing should be drawn at a standard even scale.

8. Describe the outlet works (size and type of the outlet conduit and location):

9. Describe the emergency spillway (dimensions and location):

BOTTOM WIDTH (W)	TOP WIDTH (L)	SPILLWAY DEPTH (H)



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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	11-19-2009		
BEGIN CONSTRUCTION (A)	11-19-2009	9-6-2007	Pivot Delivered and set up
COMPLETE CONSTRUCTION (B)	10-1-2011	5-1-2011	System in place and irrigating place of use. Big Gun and mainline in place.
COMPLETE APPLICATION OF WATER (C)	10-1-2011	5-1-2010 thru 10-1-2010	System irrigating place of use, CWRE hired to do Final Proof.

* 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)?

YES NO

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

3. If for a transfer extension order, provide the following information:

VOLUME	PAGE	DATE EXTENDED TO

4. Initial Water Level Measurements:

a. Was the water user required to submit an initial static water level measurement?

YES NO

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

b. What month was the initial measurement to be taken in?

c. Was the measurement submitted to the Department?

YES NO

d. If the initial measurement was not submitted, provide that measurement now, if available:

DATE OF MEASUREMENT	MEASUREMENT MADE BY	METHOD	MEASUREMENT

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5. Annual Static Water Level Measurements:

a. Was the water user required to submit annual static water level measurements? YES NO

If "NO", items 5b through 5e relating to this section may be deleted.

b. Provide the month in which the static water level measurement was to be made:

c. Were the static water level measurements taken in the month required? YES NO

d. If "YES", were those measurements submitted to the Department? YES NO

e. If the annual measurements were not submitted, provide the measurements now:

DATE OF MEASUREMENT	MEASUREMENT MADE BY	METHOD	MEASUREMENT

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? YES NO

If "NO", items 6b through 6d relating to this section may be deleted.

b. Has the pump test been previously submitted to the Department? YES NO

c. Is the pump test attached to this claim? YES NO

d. Has the pump test been approved by the Department? YES NO

7. Measurement Conditions:

a. Does the permit, permit amendment, transfer final order, or any extension final order require the installation of a meter or approved measuring device? YES 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.

b. Has a meter been installed? YES NO

c. Meter Information

POD/POA NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED

d. If a meter has not been installed, has a suitable measuring device been installed and approved by the Department? YES NO

If a meter has been installed, items 7e through 7g relating to this section may be deleted.

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e. If "YES", provide a copy of the letter approving the device, if available. If the letter is not available provide the name and title of the Water Resources Department employee approving the measuring device, and the approximate date of the approval:

NAME	TITLE	APPROXIMATE DATE
Shad Hatton	Water Master	2004

f. Measurement Device Description

DEVICE DESCRIPTION	CONDITION (WORKING OR NOT)	DATE INSTALLED
Partial Flume	Working	1970

8. Recording and reporting conditions

a. Is the water user required to report the water use to the Department? YES NO

If "NO", item 8b relating to this section may be deleted.

b. Have the reports been submitted? YES NO

METHOD OF SUBMITTING REPORT (PAPER OR ELECTRONIC)	WATER USER REPORTING ID

If the reports have not been submitted, attach a copy of the reports if available.

9. Fish Screening

a. Are any points of diversion required to be screened to prevent fish from entering the point of diversion? YES NO

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

Reminder: If fish screening devices were required, the COBU map must indicate their location in relation to the point of diversion.

b. Has the fish screening been installed? YES NO

c. When was the fish screening installed?

DATE	BY WHOM
1970	O.D.O.T & O.D.F.W.

d. If the diversion involves a pump and the total diversion rate of all rights at the point of diversion is less than 225 gpm (0.5 cfs):

- Has the self-certification form previously been submitted to the Department? NA YES NO
- If not, go to <http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml>, complete and attach a copy of the self-certification form to this claim, and send a copy of it to the Oregon Department of Fish and Wildlife (ODFW).

Reminder: Failure to submit evidence of a timely installed fish screen may result in an unfavorable determination. The ODFW self certification form needs to have been previously submitted or be attached to this form.

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e. If the diversion does **not involve a pump** *or* the **total** diversion rate of all rights at the point of diversion is 225 gpm (0.5 cfs) or greater:

- Has the ODFW approval been previously submitted? NA YES NO
- If not, contact and work with ODFW to ensure compliance. To demonstrate compliance, provide signed documentation from ODFW. A form is available at <http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml>

Reminder: Failure to submit evidence of a timely installed fish screen may result in an unfavorable determination. In order to receive a favorable approval, the ODFW/WRD "Fish Screen Inspection" form needs to have been previously submitted or be attached to this form.

10. By-pass Devices

a. Are any points of diversion required to have a by-pass device to prevent fish from entering the point of diversion? YES NO

If "NO", items 10b and 10c relating to this section may be deleted.

Reminder: If by-pass devices were required, the COBU map must indicate their location in relation to the point of diversion.

b. Has the by-pass device been installed? YES NO

c. Describe the diversion works as related to whether a by-pass device is installed or unnecessary:

(Provide a letter from ODFW indicating the device is approved or is unnecessary. If there is no letter from ODFW, explain whether or not a by-pass device is necessary.)

DESCRIPTION (I.E. "ODFW HAS APPROVED THE BY-PASS DEVICE" OR "NO BY-PASS DEVICE IS NECESSARY BECAUSE THERE IS A DIRECT DIVERSION FROM THE STREAM VIA A PUMP ON RIVER LEFT STREAM BANK WITH FOOT VALVE DESCENDING DIRECTLY INTO NATURAL POOL.") IN ADDITION, YOU MAY ATTACH PHOTOS TO THIS CLAIM.	IF INSTALLED (DATE)	IF INSTALLED, BY WHOM
See photos attached of bypass system.	1970	O.D.O.T & O.D.F.W.

11. Other conditions required by permit, permit amendment final order, extension final order, or transfer final order

- a. Were there special well construction standards? YES NO
- b. Was submittal of a ground water monitoring plan required? YES NO
- c. Was the water user required to restore the riparian area if it was disturbed? YES NO
- d. Was a fishway required? YES NO
- e. Was submittal of a letter from an engineer required prior to storage of water? YES NO
- f. Was submittal of a water management and conservation plan required? YES NO
- g. Other conditions? YES NO

If "YES" to any of the above, identify the condition and describe the water user's actions to comply with the condition(s):

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**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.")

--

**SECTION 5
ATTACHMENTS**

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

ATTACHMENT NAME	DESCRIPTION
Photos	P.O.D. /Fish Screen/Bypass system
Pivot	Printout of Pivot information

**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
Orodell	No more than 3.0 Ac./Ft	1.18 c.f.s.		Irrigation	49.5	49.5

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**SECTION 7
CLAIM OF BENEFICIAL USE MAP**

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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 Diversion fish screen and bypass system along with the measuring device, was tied by using Lieca 500 GPS receiver and the monumented West Quarter corner of Section 31 T2S R38E W.M.



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.)

- X Map on polyester film.
- X Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-size scale of the county assessor map)
- X Township, Range, Section, Donation Land Claims, and Government Lots
- X If irrigation, number of acres irrigated within each projected Donation Land Claims, Government Lots, Quarter-Quarters
- X Locations of fish screens, fish by-pass devices, meters and measuring devices in relationship to point of diversion or appropriation.
- X Conveyance structures illustrated (pumps, reservoirs, pipelines, ditches, etc.)
- X Point(s) of diversion or appropriation (illustrated and coordinates)
- X Tax lot boundaries and numbers
- X Source illustrated if surface water
- X Disclaimer ("This map is not intended to provide legal dimensions or locations of property ownership lines")
- X Application and permit number or transfer number
- X North arrow
- X Legend
- X CWRE stamp and signature

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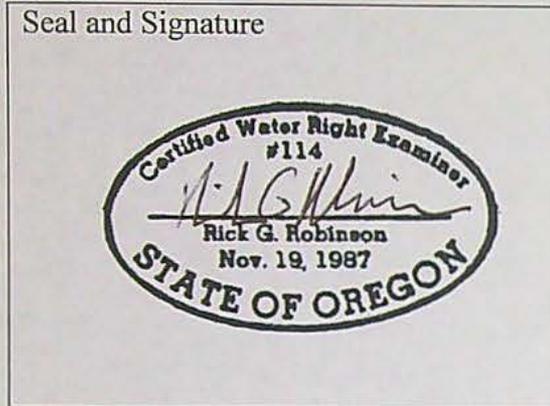
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**SECTION 8
SIGNATURES**

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 Rick G. Robinson		PHONE NO. 541-963-6092	ADDITIONAL CONTACT NO.
ADDRESS 2006 Adams Ave.			
CITY La Grande	STATE OREGON	ZIP 97850	E-MAIL gt@bgbsurveyors.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
	Mike Becker	7/11/11

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SALEM, OREGON

EXISTING POINT OF DIVERSION (RODELL, ET AL)

RECEIVED

NOV 14 1981
WATER RESOURCES DEPT
SALEM, OREGON



EXISTING FISH SCREEN ORODELL DITCH



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JUL 1 1991
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SALEM, OREGON

EXISTING BYPASS RETURN AND HEAD GATE (ROBBELL DITCH)

RECEIVED

JUL 18 21

WATER RESOURCES DEPT
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EXISTING MEASURING DEVICE FOR DODD DITCH

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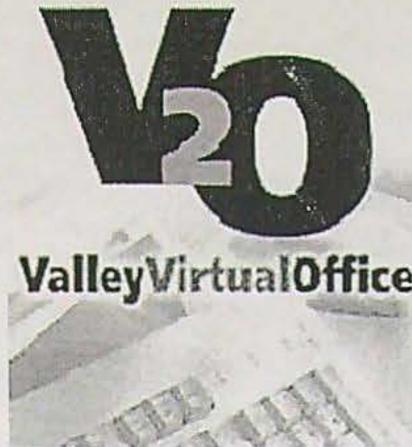


Chart

valmont 
IRRIGATION

Valley Dealer

PGG/ISLAND CITY
10209 N. McAllister Rd.
Island City, OR 97850
USA



Customer

BECKER, MIKE
P.O. BOX 1159
LA GRANDE, OR 97850
USA

Dealer No.

00913004

Field Name

McClune Place

Parent Order No. 10603452
Sprinkler Order No. 10607286
Plant McCook Manufacturing

Dealer PO 26004
Order Date 8/27/2007
Promise Date 09/06/2007
Method Of Shipment W/SYS

6 Span Valley Standard Pivot 7000
Machine Flow 525 GPM
Pivot Pressure 60 PSI

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SALEM, OREGON

Cover Sheet - 8/27/2007

Page 1

Valley Standard Pivot 7000 Machine Summary

Span and Overhang

Model	Qty	Length Pipe		Coupler		D. U.	
		Ft	O.D. In	Spacing	Qty	Profile	Tire
7000	1	140.0	6 5/8	108	16	Standard	14.9 x 24 High Float
7000	5	160.0	6 5/8	108	18	Standard	14.9 x 24 High Float
7000	1	54.0	6 5/8	110	8		

Field Area

85.4 Acres Total
 71.6 Acres: Pivot 360°
 13.8 Acres: EG On 100%
 996.4 Ft. Machine Length
 92.1 Ft. End Gun Radius

Flow

525 Gallons Per Minute
 6.14 GPM/Acre
 0.33 In/Day App Rate
 0.175 In. App Depth @ 100%
 88.8 GPM End Gun

Messages

Caution:
 None

Dealer:
 PGG, Island City Dave Whelan

Pressure

60 PSI Pivot Pressure
 Inlet Pressure
 31.0 Ft. Highest Elevation
 0.0 Ft. Lowest Elevation

LRDU Drive Train

34 RPM Center Drive @ 60 Hz freq.
 14.9 x 24 High Float Tire
 52:1 Wheel GB Ratio, LRDU Dist 941.5 Ft.
 12.9 Hrs/360° @ 100% (7.67) Ft/Min

Sprinkler -- Available Outlets

Sprinkler Configuration	Range (ft)	
Valley U-Pipe 6 Galvanized 3/4 M NPT x 3/4 M Hose	Outlets 89,106	
Blue Premium Hose Drop Variable Length 72" Ground Clr	108,110 112,114	
Nelson D3000 Integrated Weight 1.00		
Nelson Regulator Blue Acme 20 3/4 F NPT		
Nelson R3000 D6 - Red 3/4 F Acme		

Sprinkler -- Available Outlets

Sprinkler Configuration	Range (ft)	
Valley U-Pipe 6 Galvanized 3/4 M NPT x 3/4 M Hose	Outlets 18,881	
Blue Premium Hose Drop Variable Length 72" Ground Clr		
Nelson Regulator Blue Acme 25 3/4 F NPT		
Nelson D3000 Integrated Weight 1.00		
Nelson R3000 D6 - Red 3/4 F Acme		

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Order No 10603452

Dealer PGG/ISLAND CITY
Customer BECKER, MIKE
Field Name McClune Place

Sprinkler Order No 10607286

Valley Standard Pivot 7000 Machine Summary

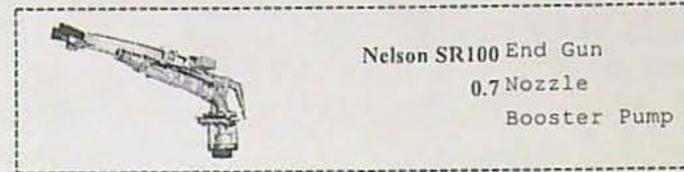
Sprinkler -- Available Outlets

<u>Sprinkler Configuration</u>	<u>Range (ft)</u>	
Valley U-Pipe 6 Galvanized 3/4 M NPT x 3/4 M Hose	Outlets 4,16,1	
Blue Premium Hose Drop Variable Length 72" Ground Clr		
Nelson Regulator Blue Acme 25 3/4 F NPT		
Nelson D3000 Integrated Weight 1.00		
Nelson R3000 D6 - Red 3/4 F Acme		

546.53 Ft Total Drop Hose Length

Pressure Loss

<u>Pipe Length Ft</u>	<u>Pipe I.D. In</u>	<u>Pipe Finish</u>	<u>C-Factor</u>	<u>Loss PSI</u>
969.0	6.42	Galvanized	150	4.5
27.4	3.79	Galvanized	150	0.5
Total =				5.0



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Valley Standard Pivot 7000 Machine Summary

Span Flow

Span Number	Irrigated		Rqd	Act	Rqd	Act	% Deviation
	Length	Acres	GPM	GPM	GPM/Acre	GPM/Acre	
1	115.2	1.4	8.4	12.2	5.98	8.67	45.1
2	160.0	5.1	30.6	30.3	5.98	5.93	-0.8
3	160.0	8.8	52.7	52.9	5.98	6.00	0.4
4	160.0	12.5	74.7	74.5	5.98	5.96	-0.4
5	160.0	16.2	96.8	97.2	5.98	6.00	0.4
6	159.8	19.9	118.7	118.4	5.98	5.96	-0.2
O/H	54.8	7.7	46.7	47.0	6.09	6.13	0.7
EG	92.1	13.8	85.1	88.8	6.14	6.42	4.4
Totals		85.4		521.3			
	Drain Sprinkler		8	7.7			
	Total Machine Flow			529			

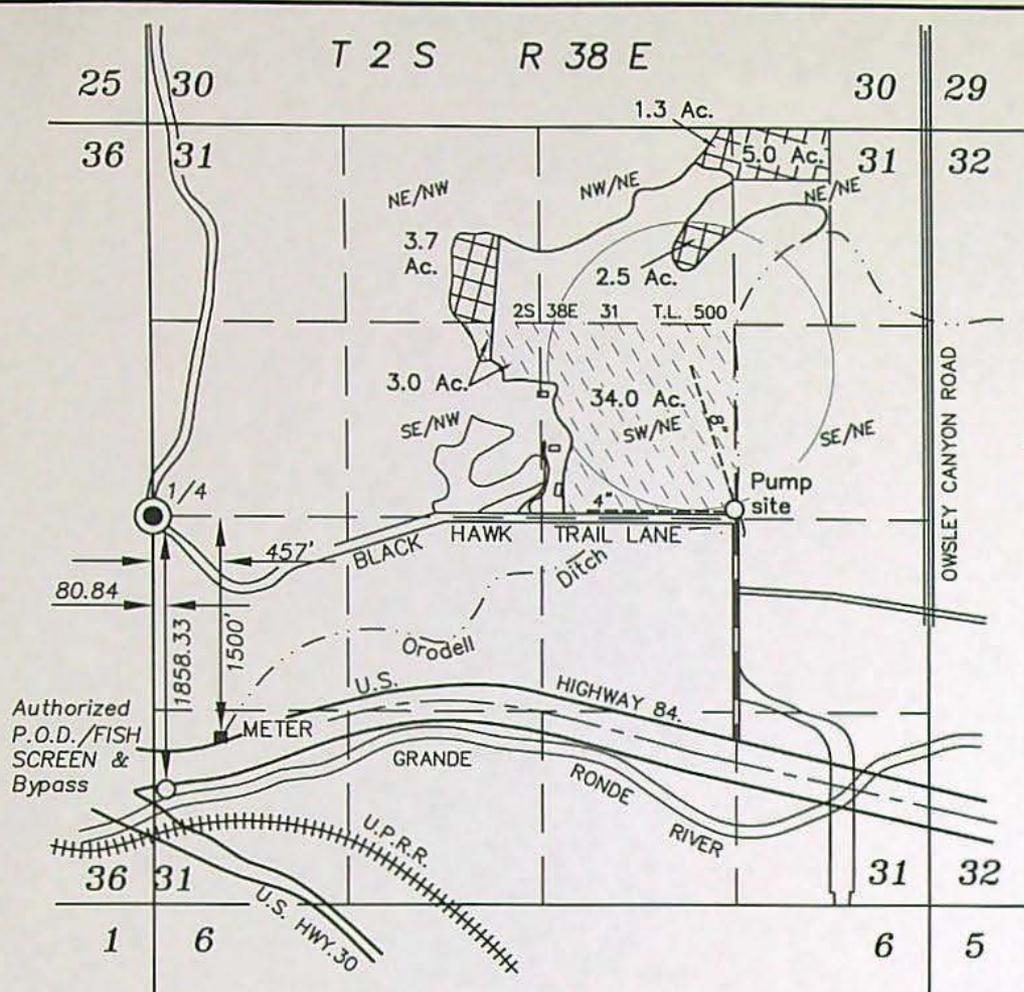
Advanced Options

Drain Sprinkler = Senninger Directional
 Last Sprinkler Coverage = 1.0 ft
 Sprinkler Coverage Length = 997.4 ft
 Use Last Coupler= YES
 Minimum Mainline Pressure = 6.0 PSI

Shipping Options

Ship Drop Hardware
 Ship Endgun Nozzle
 Ship Endgun & Hardware
 Do not ship Endgun Valve / Nozzle Valve Hardware
 Do not ship Boosterpump Hardware

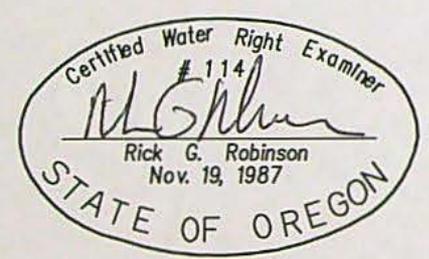
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SCALE: 1"=1320'

-  Lands irrigated under Certificate number 42444.
-  Lands irrigated under Certificate number 79512.
-  Buried mainline

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 SALEM, OREGON



July 5, 2011
**FINAL PROOF MAP FOR
 TRANSFER OF PLACE OF USE
 FOR
 MIKE BECKER**

BY
BAGETT - GRIFFITH & BLACKMAN
 2006 ADAMS AVENUE
 LAGRANDE, OREGON 97850

NOTE: The preparation of this map was for the purpose of identifying the location of water rights and has no intent to provide dimensions or location of property ownership lines. Location information shown hereon was furnished by the applicant.

PERMIT NUMBER T-10452
 APPLICATION NO. T-10452



Oregon

Theodore R. Kulongoski, Governor

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

December 10, 2009

MICHAEL A. BECKER
10406 NORTH MCALISTER ROAD
LA GRANDE OR 97850

REFERENCE: Transfer Application T-10452

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 only 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@wrp.state.or.us.

Sincerely,

Sarah Henderson
Executive Support
Field Services Division

cc: Watermaster Dist. #6
Greg Blackman, Agent
Steven Lynn Stonebreaker, Landowner
Helen McClune, Landowner

Enclosure



Rate: 0.15 CUBIC FOOT PER SECOND

Limit/Duty: 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 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: GRANDE RONDE RIVER, tributary to the SNAKE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
2 S	38 E	WM	31	SW SW	800 FEET NORTH AND 160 FEET EAST FROM THE SW CORNER OF SECTION 31

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	38 E	WM	31	SW NE	10.0
2 S	38 E	WM	31	SE NW	2.5

5. Application T-10452 proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot
2 S	38 E	WM	31	NE NE	5.0	500
2 S	38 E	WM	31	NW NE	2.5	500
2 S	38 E	WM	31	NW NE	1.3	500
2 S	38 E	WM	31	NE NW	3.7	500

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

Certificate: 79512 in the name of Steven Lynn Stonebreaker (confirmed by Grande Ronde River Decree)

Use: IRRIGATION of 37.0 ACRES

Priority Date: 1872

Source: GRANDE RONDE RIVER, tributary to the SNAKE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
2 S	38 E	WM	31	SW SW	1858.33 FEET SOUTH AND 80.84 FEET EAST FROM THE WEST 1/4 CORNER OF SECTION 31

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	38 E	WM	23	NE SE	16.8
2 S	38 E	WM	23	NW SE	20.2

7. Certificate 79512 does not define the rate of the water right, however the decree defines the amount of water for the Orodell Ditch Company to be 100 miner's inches between

September first of each year and May first of the following year, 500 miner's inches between May first and July first of each year and 200 miner's inches between July first and September first of each year, but at no time shall said Orodell Ditch Association divert more than half of the flow of the river. By said decree the right of the Irrigation Canal Company are all subsequent to the rights of said Pioneer Flouring Mill Company and the rights of all other defendants in said suit are subsequent to the rights of the Pioneer Flouring Mill Company.

8. Application T-10452 also proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot
2 S	38 E	WM	31	SW NE	34.0	500
2 S	38 E	WM	31	SE NW	3.0	500

9. Notice of the application for transfer was published on September 4, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
10. On September 8, 2009, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-10452 to the applicant and agent. The draft Preliminary Determination cover letter set forth a deadline of October 8, 2009, for the applicant/agent to respond. On October 5, 2009 the agent requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
11. On October 9, 2009, the Department issued a Preliminary Determination proposing to approve Transfer Application T-10452 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 October 13, 2009, 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

12. Evidence was submitted with the application indicating that water has been used within the last five years according to the terms and conditions of the rights. The Watermaster's Injury review indicated that he had not witnessed the property being irrigated but did not have sufficient evidence to initiate cancellation proceedings under ORS 540.631.
13. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-10452.
14. The proposed changes would not result in enlargement of the rights.
15. The proposed changes would not result in injury to other water rights.

Partial Cancellation of a Water Right

16. On September 5, 2009, an affidavit certifying that a portion of a water right has been abandoned and requesting cancellation of the right was received from Mike Becker. The right to be cancelled is as follows:

Certificate: 42444 in the name of Helen McClune (perfected under Permit S-36357)
Use: IRRIGATION of 24.0 ACRES
Priority Date: JULY 13, 1971
Rate: 0.295 CUBIC FOOT PER SECOND
Limit/Duty: 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 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: GRANDE RONDE RIVER, tributary to the SNAKE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
2 S	38 E	WM	31	SW SW	800 FEET NORTH AND 160 FEET EAST FROM THE SW CORNER OF SECTION 31

Authorized Place of Use to be Cancelled:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	38 E	WM	31	SW NE	24.0

Conclusions of Law

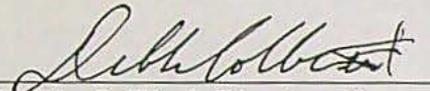
The change in place of use proposed in Transfer Application T-10452 is consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000 and the portion of the abandoned right should be cancelled. If protests are not filed pursuant to OAR 690-380-4030, the transfer application will be approved and the portion of the abandoned right will be cancelled.

Now, therefore, it is ORDERED:

1. The change in place of use proposed in application T-10452 is approved. The portion of the right that has been abandoned is cancelled.
2. Water right certificates 42444 and 79512 are cancelled. New certificates will be issued describing those portions of the rights not affected by this transfer and cancellation.
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 certificates 42444 and 79512 and any related decree.

4. The water user shall maintain and operate the existing measurement devices and shall make such improvements as may be required by the Department.
5. The former place of use of the transferred rights shall no longer receive water under the rights.
6. 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.
7. When satisfactory proof of the completed change is received, new certificates confirming the rights transferred will be issued.

Dated at Salem, Oregon this 19th day of November 2009.


Phillip C. Ward, Director *pc*

Mailing date: DEC 11 2009

STATE OF OREGON

COUNTY OF UNION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

STEVEN LYNN STONEBREAKER
63235 HALLEY ROAD
LAGRANDE OREGON 97850

confirms the right to use the waters of the GRANDE RONDE RIVER, a tributary to the SNAKE RIVER for IRRIGATION of 49.0 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Union County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 8, at Page 1. The date of priority is 1872.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
2 S	38 E	WM	31	SW SW	ORODELL DITCH: 1858.33 FEET SOUTH AND 80.84 FEET EAST FROM THE W1/4 CORNER OF SECTION 31

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to an amount actually beneficially used and shall not exceed 3.0 acre-feet per acre in any irrigation season diverted at a rate of not to exceed ONE-FORTIETH of a cubic foot per second per acre, or its equivalent in case of rotation, measured at the point of diversion.

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

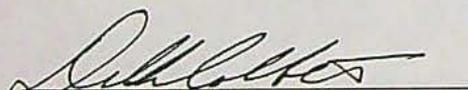
IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	38 E	WM	23	SE SW	9.0
2 S	38 E	WM	23	SW SE	20.0
2 S	38 E	WM	23	SE SE	20.0

This certificate describes that portion of the water right confirmed by Certificate 79512, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered NOV 19 2009, approving Transfer Application T-10452 for a change in PLACE OF USE.

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.

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

WITNESS the signature of the Water Resources Director, affixed NOV 19 2009.


Phillip C. Ward, Director

STATE OF OREGON

COUNTY OF UNION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

HELEN McCLUNE
 ROUTE 1, BOX 1202
 LAGRANDE OREGON, 97850

confirms the right to use the waters of the GRANDE RONDE RIVER, a tributary to the SNAKE RIVER for IRRIGATION of 28.5 ACRES.

This right was perfected under Permit S-36357. The date of priority is JULY 13, 1971. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.56 CUBIC FOOT 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
2 S	38 E	WM	31	SW SW	800 FEET NORTH AND 160 FEET EAST FROM THE SW CORNER OF SECTION 31

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 3.0 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:

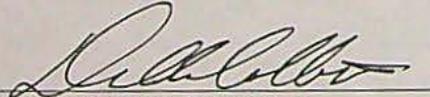
IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	38 E	WM	31	NE NE	4.0
2 S	38 E	WM	31	NW NE	20.8
2 S	38 E	WM	31	NE NW	3.7

This certificate describes that portion of the water right confirmed by Certificate 42444, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered NOV 19 2009, approving Transfer Application T-10452 for a change in PLACE OF USE.

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.

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.

WITNESS the signature of the Water Resources Director, affixed NOV 19 2009.


 Phillip C. Ward, Director

STATE OF OREGON
COUNTY OF UNION
CERTIFICATE OF WATER RIGHT

This Is to Certify, That HELEN McCLUNE

of Route 1, Box 1202, La Grande, State of Oregon, 97850, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Grand Ronde River

a tributary of Snake River for the purpose of irrigation of 65.0 acres

under Permit No. 36357 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from July 13, 1971

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.80 cubic foot per second

Less than full rate shift rate to Remaining 2 referred rights or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SW 1/4 SW 1/4, Section 31, T. 2 S., R. 38 E., W. M., 800 feet North and 150 feet East from SW Corner, Section 31.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-fortieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3 acre feet per acre for each acre irrigated during the irrigation season of each year;

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

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

- 4.0 acres NE 1/4 NE 1/4
- 20.8 acres NW 1/4 NE 1/4
- 34.0 acres SW 1/4 NE 1/4 - 10.0 - 24.0 canceled
- 3.7 acres NE 1/4 NW 1/4
- 2.5 acres SE 1/4 NW 1/4 - 2.5 to NW 1/4 S. 31

Section 31
T. 2 S., R. 38 E., W. M.

28.5 RR
= .56 cfs
↑
Adjusted Rate

12.5 x fer
0.24 cfs
↑
Adjusted Rate

RECEIVED

AUG 30 2007

WATER RESOURCES DEPT
SALEM, OREGON

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 State Engineer, affixed

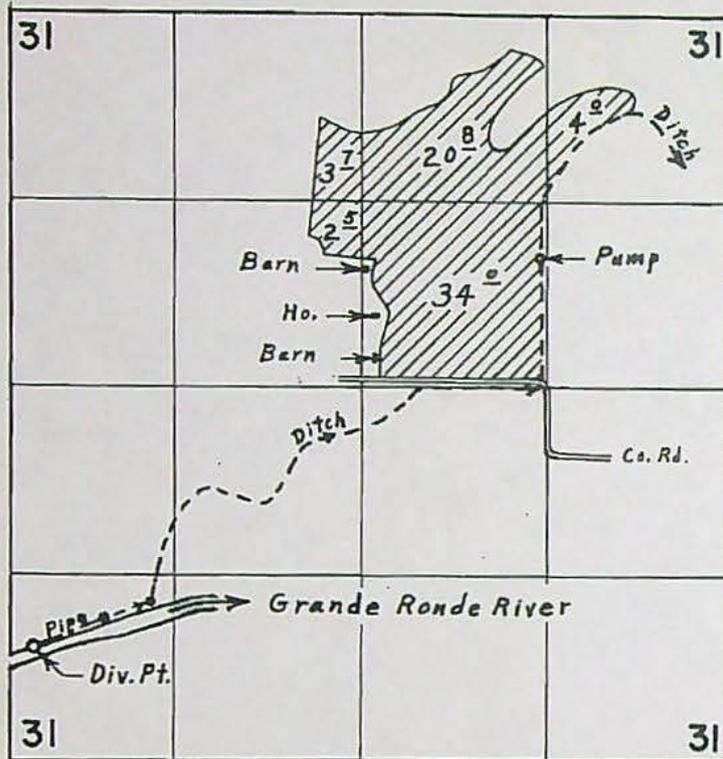
this date. August 18, 1975

James E. Saxson
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 34, page 42444

65.0
- 24.0 canceled
= 41.0 Ac Per Rate

T.2 S. R.38 E. W.M.



Div. Pt. located 800' N. & 160' E. from S.W. Cor. Sec. 31

FINAL PROOF SURVEY
UNDER

Application No. 48434 Permit No. 36357
IN NAME OF

HELEN McCLUNE

Surveyed Sept. 19, 1974, by L. E. Gould

RECEIVED

AUG 30 2007

WATER RESOURCES DEPT
SALEM OREGON

T 10452

A1H-2MM-124

STATE OF OREGON
COUNTY OF UNION
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

STEVEN LYNN STONEBREAKER
63235 HALLEY ROAD
LAGRANDE OREGON 97850

confirms the right to use the waters of the GRANDE RONDE RIVER, a tributary of the SNAKE RIVER, for IRRIGATION OF 86.0 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for UNION County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 8, at Page 1. The date of priority is 1872.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed THREE ACRE FEET PER ACRE IN ANY IRRIGATION SEASON DIVERTED AT A RATE OF NOT TO EXCEED ONE-FORTIETH OF A CUBIC FOOT PER SECOND PER ACRE, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SW $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 31, T 2 S, R 38 E, W.M.; ORDELL DITCH - 1858.33 FEET SOUTH AND 80.84 FEET EAST FROM THE W $\frac{1}{4}$ CORNER, SECTION 31.

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

				<u>T</u>	<u>R</u>
SE $\frac{1}{4}$ SW $\frac{1}{4}$	9.0 ACRES	\emptyset	\emptyset	9.0	\emptyset
NE $\frac{1}{4}$ SE $\frac{1}{4}$	16.8 ACRES	-16.8	\emptyset	\emptyset	\emptyset
NW $\frac{1}{4}$ SE $\frac{1}{4}$	20.2 ACRES	-20.2	\emptyset	\emptyset	\emptyset
SW $\frac{1}{4}$ SE $\frac{1}{4}$	20.0 ACRES	\emptyset	\emptyset	20.0	\emptyset
SE $\frac{1}{4}$ SE $\frac{1}{4}$	20.0 ACRES	\emptyset	\emptyset	20.0	\emptyset
	SECTION 23	= 37.0		= 49.0	
TOWNSHIP 2 SOUTH RANGE 38 EAST, W.M.					
		.92cfs		1.22cfs	

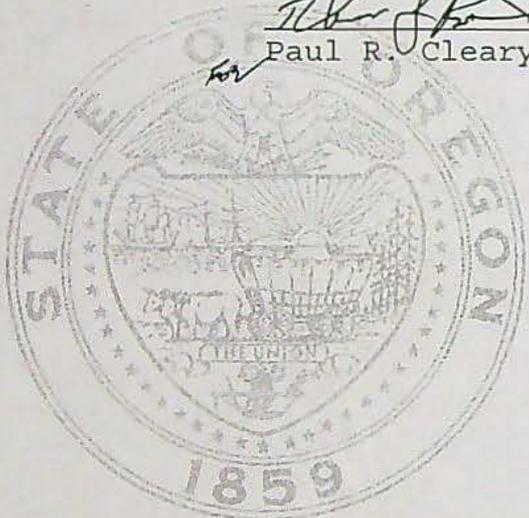
This certificate describes that portion of the water right confirmed by Certificate 76235, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered MAY 28 2002, approving Transfer Application 8478.

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.

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

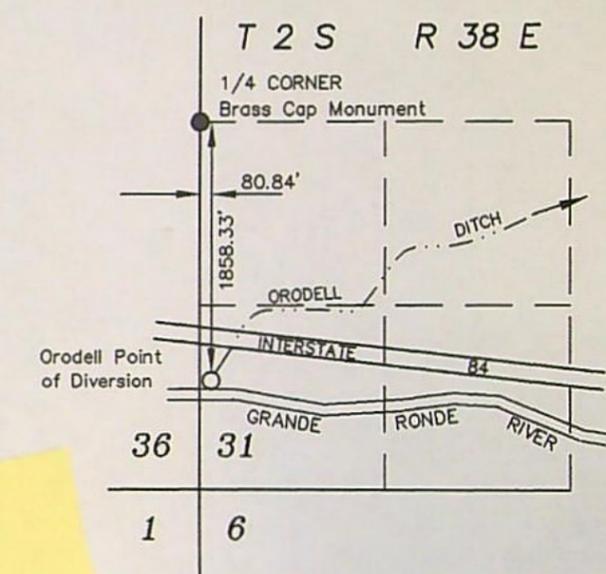
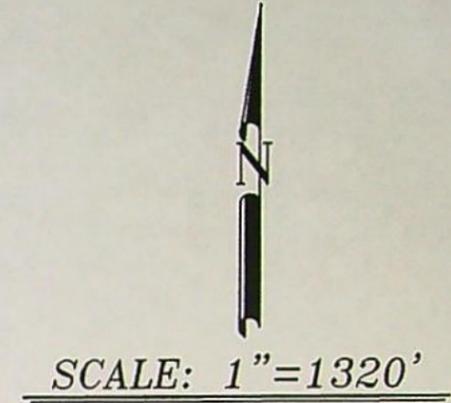
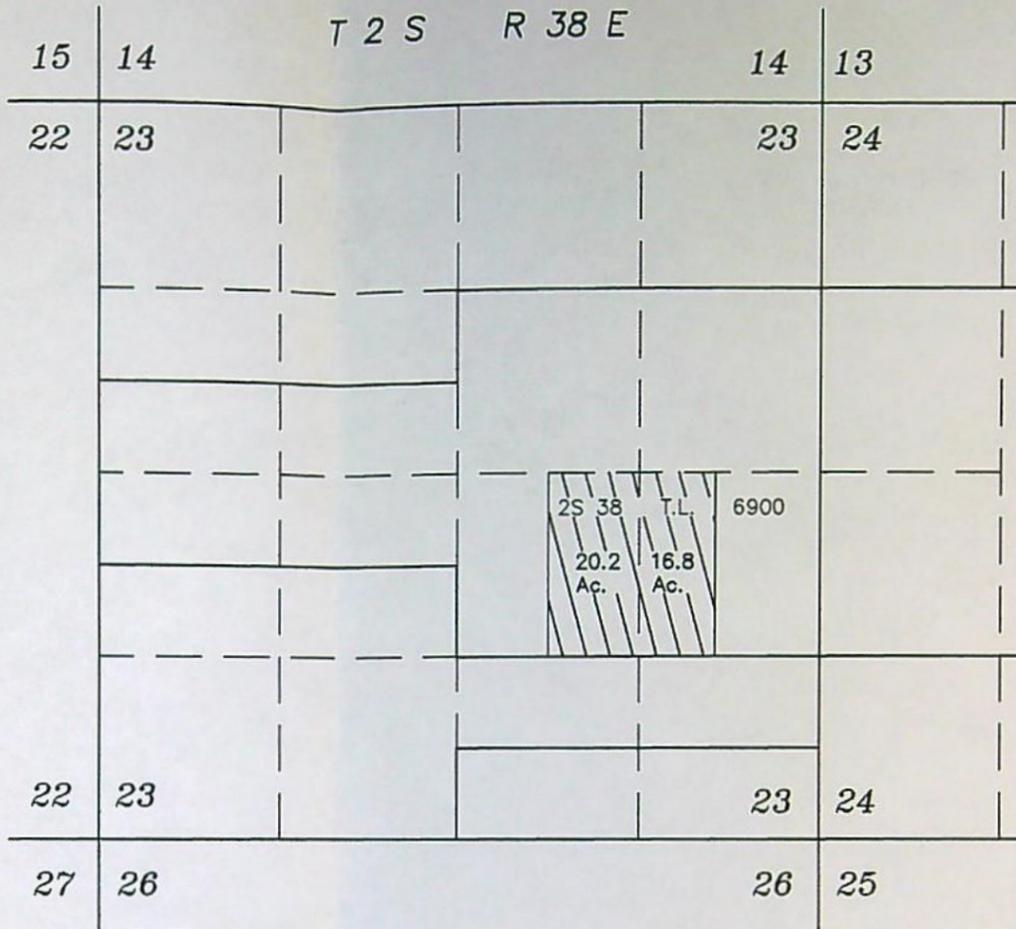
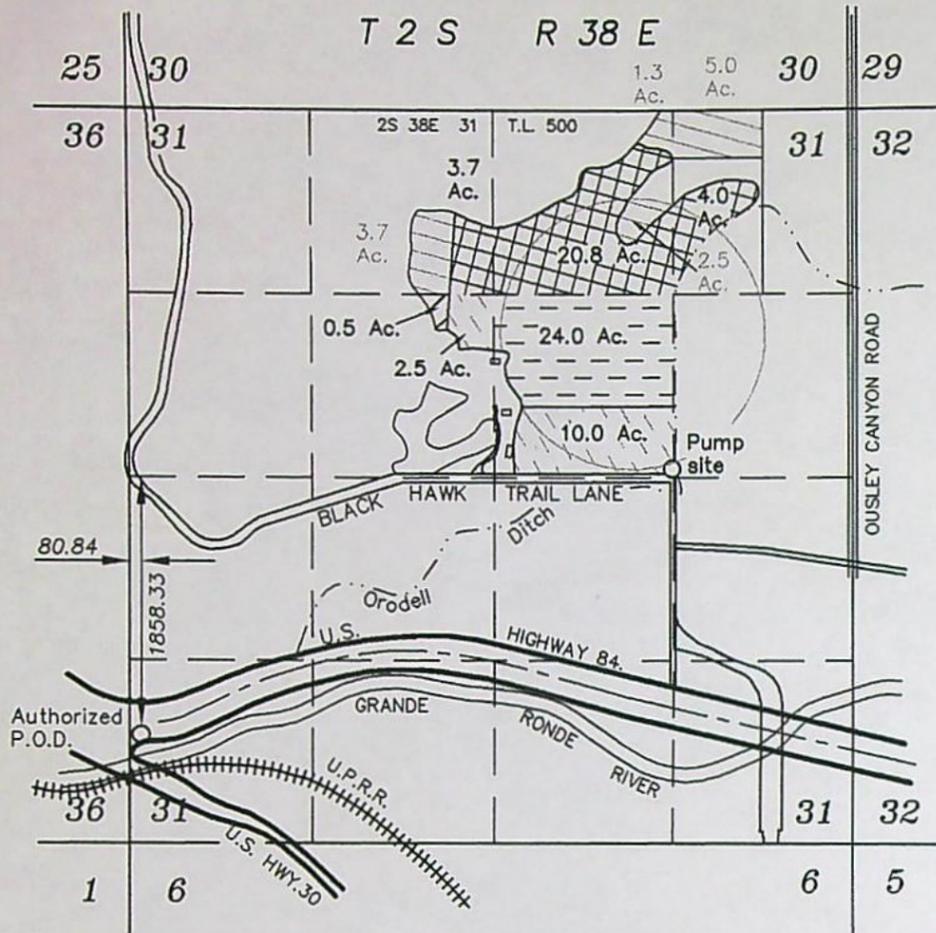
WITNESS the signature of the Water Resources Director, affixed MAY 28 2002.

Paul R. Cleary
for Paul R. Cleary, Director.



Recorded in State Record of Water Right Certificates numbered 79512.

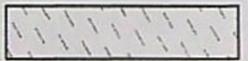
SUPERSEDING



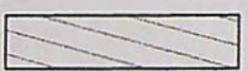
Lands under Certificate number 42444 to remain in place.



Lands under certificate number 42444 to be canceled and receive rights from Certificate number 79512.



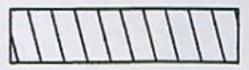
Lands from Certificate number 42444 requesting a change of place of use and receive rights from Certificate 79512.



Lands to receive rights from Certificate number 42444.



Lands to receive rights from Certificate number 79512.



Lands under Certificate number 79512 to be transferred.

RECEIVED
SEP 05 2009
WATER RESOURCE DEPT.
EASTERN REGION

Certified Water Right # 021
Gregory T. Blackman
Nov. 19, 1987
STATE OF OREGON

Current Map 9/5/09

NOTE: The preparation of this map was for the purpose of identifying the location of the proposed right and has no intent to provide dimensions or location of property ownership lines. Location information shown hereon was furnished by the applicant.

SUPERSEDING
August 18, 2009
APPLICATION OF
FOR CHANGE OF PLACE OF USE
FOR
MIKE BECKER

BY
GRIFFITH & BLACKMAN
16 ADAMS AVENUE
GRANDE, OREGON 97850

PERMIT NUMBER _____
APPLICATION NO. _____



Oregon

John A. Kitzhaber, MD, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

July 14, 2011

Mike Becker
10406 N McAlister Road
LaGrande OR 97850

On July 13, 2011, the Water Resources Department received the Claim of Beneficial Use (COBU) for the following file(s):

T-10452

The COBU included a report and map. The Department hopes to review your submittal within approximately 2 - 4 years. At that time we will review these items and provide a final certificate, proposed certificate, or a request for additional information.

If you are interested in having your COBU reviewed sooner, you may pay to have your file processed immediately, using the Reimbursement Authority program, which is described at: http://www.wrd.state.or.us/OWRD/mgmt_reimbursement_authority.shtml

For all other questions please call our Customer Service phone: (503) 986-0801.

If you sell the property, please contact the Department, or have the new owners contact the Department about the need to file an assignment.



Oregon

John A. Kitzhaber, MD, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

July 14, 2011

Mike Becker
10406 N McAlister Road
LaGrande OR 97850

RE: Application File T-10400

Dear Mr. Becker:

Governor Theodore Kulongoski signed SB788 on July 23, 2009, which, in part, raised the fee for many of the Department's water right related processes and created fees for processes not previously requiring fees. The Bill created a fee for the submittal of a Claim of Beneficial Use (Claim).

The Department has determined that the Bill did not contain a requirement for a fee to be submitted for transfer Claims; only for Claims for permits having a priority date of July 9, 1987, or later. Thus, the Department is returning your check for \$150.00.

Please give Gerry Clark (503-986-0811) a call if you have any questions.

Sincerely,

Gerry Clark
Water Right Specialist

Cc: file



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

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

February 22, 2010

Michael Becker
10406 N McAlister Road
LaGrande, OR 97850

RE: Correcting Certificate

Enclosed is a new correcting and superseding Certificate # 86085 issued to correct a scrivener's error involving Transfer T-10452 and Certificate 85933.

If you have any questions regarding this certificate please contact the transfer section at 503-986-0883.

Sincerely,

Sarah Henderson
Executive Support

enclosure

cc: Watermaster #6
Greg Blackman
Helen McClune
Steven Stonebreaker
Files (T-10452)



STATE OF OREGON

COUNTY OF UNION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

HELEN McCLUNE
 ROUTE 1, BOX 1202
 LAGRANDE OREGON, 97850

confirms the right to use the waters of the GRANDE RONDE RIVER, a tributary to the SNAKE RIVER for IRRIGATION of 28.5 ACRES.

This right was perfected under Permit S-36357. The date of priority is JULY 13, 1971. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.355 CUBIC FOOT 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
2 S	38 E	WM	31	SW SW	800 FEET NORTH AND 160 FEET EAST FROM THE SW CORNER OF SECTION 31

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 3.0 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	Acres
2 S	38 E	WM	31	NE NE	4.0
2 S	38 E	WM	31	NW NE	20.8
2 S	38 E	WM	31	NE NW	3.7

This certificate is issued to correct a scrivener's error in the rate described in Certificate 85933. This Certificate supersedes Certificate 85933, to describe the portion of water right Certificate 42444, NOT modified by the provisions of an order of the Water Resources Director entered November 19, 2009, approving Transfer Application T-10452 for a change in PLACE OF USE.

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.

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.

WITNESS the signature of the Water Resources Director, affixed February 11, 2010.

William S. Feiber

Phillip C. Ward, Director

Water Right Transfer Checklist

Transfer T-10452

Transfer Specialist: E Region Drawer

Transfer Type: Regular

Applicant Name/Address: Mike Becker, 10406 North McAlister Rd, LaGrande OR 97850

Agent Name/Address: Greg Blackman, 2006 Adams Ave, LaGrande OR 97850

CWRE Name/Number: Greg Blackman

~~Rec Landowner Name/Address: CLO: Steven Stonebecker, 63235 Halley Rd, Lagrande OR 97850~~

Irr. District Name/Address: NONE

Affected Gov'ts Name/Address: NONE

Commentors: 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.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	S 48434	S 36357	42444	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	85933
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>			79512	<input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> No	85932
<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	

Key Dates & Initial Actions

Rec'd: <u>08/30/07</u>	Proposed Action(s): POU POD HST APOD USE OTHER: POU	
Fees Pd: <u>1000.00</u>	WM District: <u>6</u>	ODFW District: <u>NONE</u>
Initial Notice: <u>09/04/07</u>	WM Review sent: <u>09/04/07</u>	ODFW Review sent: <u>NONE</u>
Acknowledgement Letter Sent <input checked="" type="checkbox"/>		GW Review sent: <u>NONE</u>

Processing Dates & Actions

Deficiency Contacts: _____

Newspaper Pub Affid Due: NA

DPD Mailed: 7/8/09

not required

ODFW contact sheet sent with DPD, or N/A

Affid of Pub Rec'd: _____

PD Mailed: _____

Last Day Published: _____

PD Weekly Notice: _____

Affidavit Reminder Sent: _____

Reminder Deadline: _____

Preliminary Determination

Electronic Files uploaded

Preliminary Determination

PD Cover letter

Fee Refund Due

PD Notice

Remaining Rights

File Assigned/ ModPod updated

DPD Review (Optional)	PD Review (Salem)	Final Order Review (Salem)
Reviewer: _____	Reviewer: <u>NMT</u>	Reviewer: _____
Date: _____	Date: <u>10-9-09</u>	Date: _____
Coordinator: _____	Coordinator: _____	Coordinator: <u>MSD</u>
Date: _____	Date: _____	Date: <u>11/19/09</u>

Comments/Special Issues:

Special Order Volume: Vol 79 Pages 232 Final Order Signature Date: 11-19-09

Notice of FO email'd to processors Carrie

Application

- The type of change is clearly indicated.
- The application is appropriately signed.
- Appropriate fees were paid. If overpayment, Refund Request to be sent with FO
- Land use form matches affected tax lots and is signed by proper official. *(from ALL affected Govt's)*
- Ditch company, district and/or BOR, sent a copy of the application and map, if appropriate.
- All required attachments received.

Water right subject to transfer

- Certificated right or Proof accepted "to the satisfaction...."
- The right been exercised according to terms & conditions of certificate. *Shad's w/m review had concerns but had no evidence*
- Delivery system has the capacity to fully divert the rate/duty of the right.
- No information in record that suggests forfeiture.
- No conflicts identified on the plat cards and plat card reports printed.
- Affidavits prepared for rights that need to be canceled or diminished.

Application Map

- The map has an original CWRE signature.
- The map size and scale accurate and appropriate per OAR 690-380-3100(1)(b)(c)&(d).
- All authorized and proposed POD's/POA's and POU's shown and clearly labeled.
- Metes and bounds for the POD's/POA's are properly described on the map.
- The POD/POA dimensions & 1/4 1/4 on map match the transfer application and certificate descriptions.
- Map acres match the tabulation on the certificate.
- Have final proof maps/decree maps for the rights. Application map matches certificate FPS.
- Have necessary aerial photos.

Determining the "From" and "To" Lands (make working copy of application and certificates to mark on)

- Only the authorized POD's/POA's and POU's to be transferred are listed.
- Application & certificate tabulations match. *(Mark on appl. and cert. copies and note corrections needed)*
- Marked on certificate the acreage being transferred, cancelled and remaining by 1/4 1/4.

Ownership

- The deed/ROLI matches the "from" lands. (Don't need to check "to" lands.)
- Have current tax lot map. *(If transfer application is several years old, contact assessor's office)*
- The applicant is the owner of the "from" lands.
- All owners on the deed/ROLI have signed the application.
- If necessary, there is a notarized, signed statement of consent from landowners other than applicant.
- If necessary, there is a copy of written notification to each lien holder identified on ROLI.
- Agent has authorization to make decisions.

Evaluation (materials needed for peer reviewer in bold)

- | | | | | |
|---|---|---|---|---|
| <input type="checkbox"/> application complete | <input checked="" type="checkbox"/> map | <input checked="" type="checkbox"/> FPS | <input checked="" type="checkbox"/> evidence of use | <input checked="" type="checkbox"/> land-use form |
| <input checked="" type="checkbox"/> deed/ROLI | <input checked="" type="checkbox"/> certificate | <input checked="" type="checkbox"/> fees paid | <input type="checkbox"/> well logs | <input checked="" type="checkbox"/> plat card |
| <input type="checkbox"/> audit | <input checked="" type="checkbox"/> dpd | | | |

- Reviews/comments/conditions received? Watermaster ODFW GW
- Headgate When in the judgment Prior to diverting Existing and maintain
- Measuring Devices When in the judgment Prior to diverting Existing and maintain
- Fish Screen Devices

Injury: Y (N) Enlargement: Y (N)

Conditions to avoid enlargement/injury -



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271
(503) 986-0900
www.wrd.state.or.us

Watermaster Review Form: Water Right Transfer

Transfer Application: T-10452

Review Due Date: 10/3/07

Applicant Name: Mike Becker

Proposed Changes: POU POD POA USE OTHER

Reviewer(s): Shad Hattan

Date of Review: 10/31/07

1. Do you have information suggesting that the water rights may be subject to forfeiture?
 Yes No If "Yes", describe the information and indicate if you intend to file a cancellation affidavit or if you need additional time to determine if a cancellation affidavit should be filed: Certificate 42444: In seven years I regularly observed the property covered by this right during regulation activities. Never have I witnessed the property irrigated or observed any infrastructure in place to apply water. However, this water right was included in a transfer application during the entire period and therefore protected from non-use. This certificate was withdrawn from the transfer application at the time of final processing. I do not intend to file an affidavit of non use.
2. Is there a history of regulation on the source that serves the right proposed for transfer that has involved the right and downstream water rights? Yes No Generally characterize the frequency of any regulation or explain why regulation has not occurred: Both of the rights affected by this application have the same authorized diversion point, Orodell Ditch. The ditch delivers to a broad range of water right priorities and is regularly monitored and periodically adjusted by me during the irrigation season. Frequency can vary from once every couple weeks to five times a week.
3. Check here if it appears that downstream water rights benefit from return flows resulting from the current use of the right? If you check the box, generally characterize the locations where the return flows likely occur and list the water rights that benefit most: Diversion of water into the Orodell Ditch is delivered through and applied on property with relatively porous soils. Water has been observed returning at points along the reach within 1.5 miles downstream.
4. Are there upstream water rights that would be affected by the proposed change?
 Yes No If "Yes", describe how the rights would be affected and list the rights most affected: _____
5. For POD changes and instream transfers, check here if there are channel losses between the old and new PODs or within the proposed instream reach? If you check the box, describe and, if possible, estimate the losses: _____
6. Would distribution of water for the right after the proposed change result in regulation of other water rights that would not have occurred if use of the existing right was maximized?
 Yes No If "Yes", explain: _____

7. For POU changes, would the original place of use continue to receive water from the same source? Yes No N/A If "Yes", explain: _____
8. For POU or USE changes, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste? Yes No If "Yes", explain: _____
9. Are there other issues not identified through the above questions? Yes No If "Yes", explain: Certificate 79512 is subject to special conditions in the Grande Ronde River Decree that substantially limit total rate diversions beginning after the end of July. The lands described under this water right are at the end of the ditch system farthest from the diversion point. Once the restricted rate period begins, I have not observed where this land can receive water enough for beneficial use, even if all the other ditch users turned their water off. The effective delivery date ends July 31 in this place of use. Water right holders closer to the head of the ditch have enjoyed use of the entire restricted rate. The proposed new location of use is very near the head of the ditch. This change has the potential to substantially impact those accustomed to receiving the available water.
10. What alternatives may be available for addressing any issues identified above: If reasonably possible, restrict the season of use to the end of July for the 1872 water right.
11. Have headgate notices been issued for the source that serves the right? Yes No
12. What water control and measurement conditions should be included in the transfer:

Measurement Devices	<input checked="" type="checkbox"/> Present and should be maintained.	<input type="checkbox"/> Should be required prior to diverting water.	<input type="checkbox"/> May be required in the future.
Headgates	<input checked="" type="checkbox"/> Present and should be maintained.	<input type="checkbox"/> Should be required prior to diverting water.	<input type="checkbox"/> May be required in the future.

Decree Finding (GR River Decree)

is the same party as is named the Orodell Ditch Association in the tabulation in the findings of the State Water Board, and by such decree said Orodell Ditch Association is entitled to divert 100 miner's inches between September first of each year and May first of the following year, 500 miner's inches between May first and July first of each year, and 200 miner's inches between July first and September first of each year, but at no time shall said Orodell Ditch Association divert more than half the flow of the river. By said decree the rights of the Irrigation Canal Company are all subsequent to the rights of said Pioneer Flouring Mill Company, and the rights of all other defendants in said suit are subsequent to the rights of the Pioneer Flouring Mill Company.



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

Application for Water Right

COPY 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 TRANSFER APPLICATION

Please check one

<input checked="" type="checkbox"/> Permanent Transfer	<input type="checkbox"/> Instream Transfer
<input type="checkbox"/> Temporary Transfer	<input type="checkbox"/> Permanent
• total number of years: _____	<input type="checkbox"/> Time-Limited
(begin year: _____)	<input type="checkbox"/> Drought Transfer
(end year: _____)	<input type="checkbox"/> Other

2. APPLICANT INFORMATION

Name: Mike Becker
First Last

Address: 10406 North McAlister Road

LA GRANDE OREGON 97850
City State Zip

Phone: (541) 963-7096 Same
Home Work Other

Fax: _____ E-Mail address: _____

3. AGENT INFORMATION

(The agent listed is authorized to represent the applicant in all matters relating to this transfer application.)

Name: Greg Blackman
First Last

Address: 2006 Adams Ave.

La Grande OREGON 97850
City State Zip

Phone: _____ (541) 963-6092 _____
Home Work Other

Fax: _____ E-Mail address: _____

- If an agent is listed above, please check **one** of the following:
 - Please send all correspondence to Agent. Send *copies* of correspondence to Applicant; **or**
 - Please send all correspondence to Applicant. Send *copies* of correspondence to Agent.

RECEIVED

APR 30 2007

WATER RESOURCES DEPT
 SALEM, OREGON

4. PROPOSED CHANGE(S) TO WATER RIGHT(S)

- List **all** 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.		T- 8478	#79512
2.	S- 48434	S- 36357	#42444
3.			
4.			
5.			
6.			

- Attach a **separate Supplemental Form A** (*Description of Proposed Change(s) to a Water Right*) for **each** water right listed above.
- Check **all** 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): To move the existing right and make room for rights with a better priority date. I want the best rights on my good farmland and the other rights on the marginal land

5. WATER DELIVERY SYSTEM

- Describe the **current** water delivery system or the system that **was in place** at some time within the last 5 years. 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.

The existing Stonebreaker system consists of a Alice Chandler 125 H.P. diesel centrifugal pump that fed a 12" pipe that supplied water to three wheel lines. The Becker system consists of a Cornell centrifugal pump with a 60 H.P. electric motor ran by a Lister Petter diesel motor, which fed hand line.

- System capacity: _____ cubic feet per second (cfs). If the transfer involves multiple rights that have independent systems, describe the capacity for each system separately.

Stonebreaker system capacity is 1.84 c.f.s.

Becker's system capacity is 2.50 c.f.s.

RECEIVED

AUG 30 2007

WATER RESOURCES DEPT
SALEM, OREGON

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 **not** 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:

- 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).

Union County Planning Department 1001 4th Street La Grande, Ore. 97850

8. LAND OWNERSHIP

- 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): Steven Stonebreaker
First Last

Address: 63235 Halley Road

La Grande OREGON 97850
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): _____
First Last

Address: _____

City State Zip

- Check one 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.)

9. ATTACHMENTS

*Check each of the following attachments included with this application.
The application will be returned if all required attachments are not included.*

<p>Supplemental Form A – Description of Proposed Change(s) to a Water Right</p> <p><input checked="" type="checkbox"/> A <u>separate</u> Supplemental Form A is enclosed for <u>each</u> water right to be affected by this transfer.</p> <p>Supplemental Form B – Evidence of Use Affidavit(s)</p> <p><input checked="" type="checkbox"/> 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), <u>and</u></p> <p><input type="checkbox"/> The Evidence of Use Affidavit must be accompanied by supporting documentation.</p> <p>Map</p> <p><input checked="" type="checkbox"/> <i>Water Right Transfer</i> 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.</p> <p><input type="checkbox"/> <i>Temporary Transfer or Historical POD Change</i> 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.</p> <p>Water Well Report(s)/Well Log(s):</p> <p><input type="checkbox"/> 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.</p> <p><input type="checkbox"/> 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.</p> <p><input checked="" type="checkbox"/> 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.)</p>	<p>Land Use Information Form:</p> <p><input checked="" type="checkbox"/> Enclosed; <i>or</i></p> <p><input type="checkbox"/> Not Required if <u>all</u> of the following are met:</p> <ul style="list-style-type: none">① In EFU zone or irrigation district,② Change in place of use only,③ No structural changes needed, including diversion works, delivery facilities, other structures, <i>and</i>④ Irrigation only. <p>Fees:</p> <p><input checked="" type="checkbox"/> Amount enclosed: \$ <u>1,000.00</u> See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0900.</p> <p><u>Instream Water Right Transfers, also include:</u></p> <p>Supplemental Form C – Instream Water Right Transfer</p> <p><input type="checkbox"/> Complete this form to describe the desired nature and attributes for the proposed instream water right.</p> <p><u>Temporary Transfers, also include:</u></p> <p>Recorded Deed:</p> <p><input checked="" type="checkbox"/> 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.</p> <p>Affidavit of Consent:</p> <p><input checked="" type="checkbox"/> 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.</p> <p style="text-align: right; font-size: 1.2em; font-weight: bold; margin-top: 20px;">RECEIVED</p> <p style="text-align: center; font-weight: bold; margin-top: 5px;">AUG 30 2007</p> <p style="text-align: right; font-weight: bold; margin-top: 5px;">WATER RESOURCES DEPT FS SALEM, OREGON</p>
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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 **all** 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. SIGNATURES

▪ Check one of the following, as appropriate, and sign the application in the signature box below:

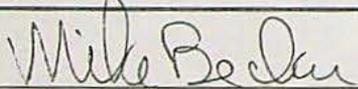
In accordance with OAR 690-380-3000(13)(a), I (we) understand that prior to Department approval of a permanent transfer and upon my receipt of a draft Preliminary Determination for the proposed transfer, I (we) will be required [pursuant to OAR 690-380-4010(5)] to provide the following landownership 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*
- (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 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.

 applicant signature	MIKE BECKER name (print)	8-24-07 date
_____ 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 one water right per page. A separate Supplemental Form A must be completed for each 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: Certificate # 42444

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

Point of Diversion or Appropriation	Place of Use	Character of Use
<input type="checkbox"/> Change (The old point of diversion or appropriation will not be used for the portion of the water right affected by the transfer.) <input type="checkbox"/> Additional (Both the old <u>and</u> new points of diversion or appropriation will be used for the portion of the water right affected by the transfer.) <input type="checkbox"/> Historic Point of Diversion or Appropriation Change (Unauthorized point of diversion or appropriation used for more than 10 years.) <input type="checkbox"/> 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.) <input type="checkbox"/> Point of Diversion Change due to Government Action (The old point of diversion or appropriation can no longer be used due to government action.) <input type="checkbox"/> Exchange (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)	<input type="checkbox"/> All of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.) <input checked="" type="checkbox"/> 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: <input checked="" type="checkbox"/> Irrigation <input type="checkbox"/> Municipal <input type="checkbox"/> Quasi-municipal <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Instream (complete and attach <i>Supplemental Form C</i>) <input type="checkbox"/> Domestic (indicate number of households) _____ <input type="checkbox"/> Other _____ <input type="checkbox"/> Substitution (A supplemental ground water right will be substituted for a primary surface water right.) <input type="checkbox"/> Supplemental Use to Primary Use (Primary water right shall be cancelled and the supplemental water right will change to primary use.)

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2. CURRENT WATER RIGHT INFORMATION

Water Right Subject to Transfer (check and complete one of the following):

<input checked="" type="checkbox"/> Certificated Right	#42444 Certificate Number	S-36357 Permit Number or Decree Name
<input type="checkbox"/> Adjudicated, Non-certificated Right	Name of Decree	Page Number
<input type="checkbox"/> Permit for which Proof has been Approved	Permit Number	Date Claim of Beneficial Use Submitted
<input type="checkbox"/> Transferred Right for which Proof has been Filed	Previous Transfer Number	Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: Helen McClure
- County: UNION
- Authorized Use(s) to be Affected by Transfer: Irrigation
- Priority Date(s): July 13, 1971

If there are multiple Priority Dates identified on the water right, any information provided on pages 3 through 6 of this form must identify which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.

- Source(s) of Water to be Affected by Transfer: Grande Ronde River (Orodell Ditch)

Tributary to: Snake River

If there are multiple Sources listed on the water right, any information provided on pages 3 through 6 of this form must identify which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.

For applications proposing a Change in Place of Use or Character of Use:

- Are there Other Water Rights, Permits or Ground Water Registrations associated with this land?

Yes No N/A – No Change in Place of Use or Character of Use

If "Yes", what are the Permit, Registration or Certificate Numbers? _____

Pursuant to ORS 540.510, any "layered" water use or a right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled, except as provided in OAR 690-380-2240(5).

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▪ Certificate Number or other identifying number: Certificate # 42444

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	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
	Grande Ronde 7-13-71	2S	38E	W.M.	31	SW/SW	2S 38 31CC #100	N 1858.33 & E 80.84 OF SW COR. SEC. 31

▪ 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 each point of appropriation that is clearly labeled and associated with the corresponding well in the table above and on the accompanying application map. (NOTE: 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 not available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.

Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no 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

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▪ Certificate Number or other identifying number: Certificate # 42444

3. PROPOSED CHANGES TO THE WATER RIGHT

Describe proposed changes to the water right involving point(s) of diversion and/or appropriation. Survey coordinates described below should accurately correspond to the points shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Point(s) of Diversion or Appropriation:

(i.e., the "TO" point(s) of diversion or appropriation)

N/A - Instream Water Right Transfer

(NOTE: Complete this table only if a Change in Point of Diversion or Appropriation is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)

- If there are proposed point(s) of appropriation (wells) listed in the table above, are the well(s) already constructed? Yes No N/A - No proposed well(s) listed above.

If "Yes", attach and clearly label the corresponding well log(s) for each proposed well, or if well log(s) are not available, describe the construction of the well(s) using the table below. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)

If "No", describe the anticipated construction for the proposed well(s) in the following table:

Construction of Proposed Point(s) of Appropriation or Well(s)

Well numbers in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-)	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

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▪ Certificate Number or other identifying number: Certificate # 42444

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) 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	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
GRANDE RONDE RIVER 7-13-71	2S	38E	W.M.	31	NE/NE	T.L.#500	5.0 Ac.
GRANDE RONDE RIVER 7-13-71	2S	38E	W.M.	31	NW/NE	T.L.#500	1.3 Ac.
GRANDE RONDE RIVER 7-13-71	2S	38E	W.M.	31	NE/NW	T.L.#500	3.7 Ac.
" "	"	"	"	"	NWN ¼	500	2.5

Greg added this on the 9/5/09 revision

Remarks: I would like to move this right to my marginal farmland to make room for a better water right.

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Water Right Transfer Supplemental Form A

DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

List only one water right per page. A separate Supplemental Form A must be completed for each 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: Certificate # 79512

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

Point of Diversion or Appropriation	Place of Use	Character of Use
<input type="checkbox"/> Change (The old point of diversion or appropriation will <u>not</u> be used for the portion of the water right affected by the transfer.) <input type="checkbox"/> Additional (Both the old <u>and</u> new points of diversion or appropriation will be used for the portion of the water right affected by the transfer.) <input type="checkbox"/> Historic Point of Diversion or Appropriation Change (Unauthorized point of diversion or appropriation used for more than 10 years.) <input type="checkbox"/> 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 <u>not</u> be used.) <input type="checkbox"/> Point of Diversion Change due to Government Action (The old point of diversion or appropriation can no longer be used due to government action.) <input type="checkbox"/> Exchange (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)	<input type="checkbox"/> All of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.) <input checked="" type="checkbox"/> 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.)	<p style="text-align: center;">Proposed new use:</p> <input checked="" type="checkbox"/> Irrigation <input type="checkbox"/> Municipal <input type="checkbox"/> Quasi-municipal <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Instream (complete and attach <i>Supplemental Form C</i>) <input type="checkbox"/> Domestic (indicate number of households) _____ <input type="checkbox"/> Other _____ <input type="checkbox"/> Substitution (A supplemental ground water right will be substituted for a primary surface water right.) <input type="checkbox"/> Supplemental Use to Primary Use (Primary water right shall be cancelled and the supplemental water right will change to primary use.)

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▪ Certificate Number or other identifying number: Certificate # 79512

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	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
	Grande Ronde River 7-3-71	2S	38E	W.M.	31	SW/SW	2S 38 31CC #100	N 1858.33 & E 80.84 OF SW COR. SEC.31

- 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 each point of appropriation that is clearly labeled and associated with the corresponding well in the table above and on the accompanying application map. (NOTE: 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 not available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.

Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no 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

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▪ Certificate Number or other identifying number: Certificate # 79512

3. PROPOSED CHANGES TO THE WATER RIGHT

Describe proposed changes to the water right involving point(s) of diversion and/or appropriation. Survey coordinates described below should accurately correspond to the points shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Point(s) of Diversion or Appropriation:

(i.e., the "TO" point(s) of diversion or appropriation) *N/A – Instream Water Right Transfer*

(NOTE: Complete this table only if a Change in Point of Diversion or Appropriation is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)

- If there are proposed point(s) of appropriation (wells) listed in the table above, are the well(s) already constructed? Yes No N/A - No proposed well(s) listed above.

If "Yes", attach and clearly label the corresponding well log(s) for each proposed well, or if well log(s) are not available, describe the construction of the well(s) using the table below. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)

If "No", describe the anticipated construction for the proposed well(s) in the following table:

Construction of Proposed Point(s) of Appropriation or Well(s)

Well numbers in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-)	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

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AFFIDAVIT FOR THE PARTIAL CANCELLATION OF A WATER RIGHT CERTIFICATE

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WATER RESOURCES DEPT SALEM, OREGON

State of Oregon)
County of Union) ss

I/We (or authorized agent), Mike Becker, residing at 10406 McAlister Road La Grande, Oregon 97850, telephone (541) 963-7096, being first duly sworn deposed and say:

- 1. I/We are the legal owner(s) of the property described as tax lot number #500, within the 1/4 1/4, Section 31, Township 2S N/S, Range 38E E/W, of the Willamette Meridian, in Union County, Oregon, as shown on the attached map and described in the attached deed and legal description and made part of this affidavit;
2. A portion of water right certificate number 42444 issued to Helen McClure, with a date of priority of July 13, 1971 for use of 0.80 cubic foot per second of water from Grande Ronde River (source) for the purpose of Irrigation (use) is appurtenant to my/our property;
3. The appurtenant water right is/is not located within the boundaries of an irrigation, drainage, water improvement, or water control district, or federal reclamation project (if the right is located within a district or reclamation project, name it here:); and
4. I/We have abandoned any and all interest in the portion of this water right shown on the attached map and described as follows: The right to the use of 0.25 cubic foot per second from Grande Ronde River for Irrigation (use), and irrigation of 26.5 acres located: (if applicable) SW 1/4 NE 1/4 24.0 Acres, SE 1/4 NW 1/4 2.5 Acres, 1/4 1/4 Acres, Section 31, Township 2S N/S, Range 38E E/W, WM; and
5. I/We request the portion of the water right described above be canceled.

Signature of Mike Becker

Date 8-24-07

Signature of legal owner as listed on deed, or authorized agent

Date

Signature of legal co-owner as listed on deed (if applicable)

Date

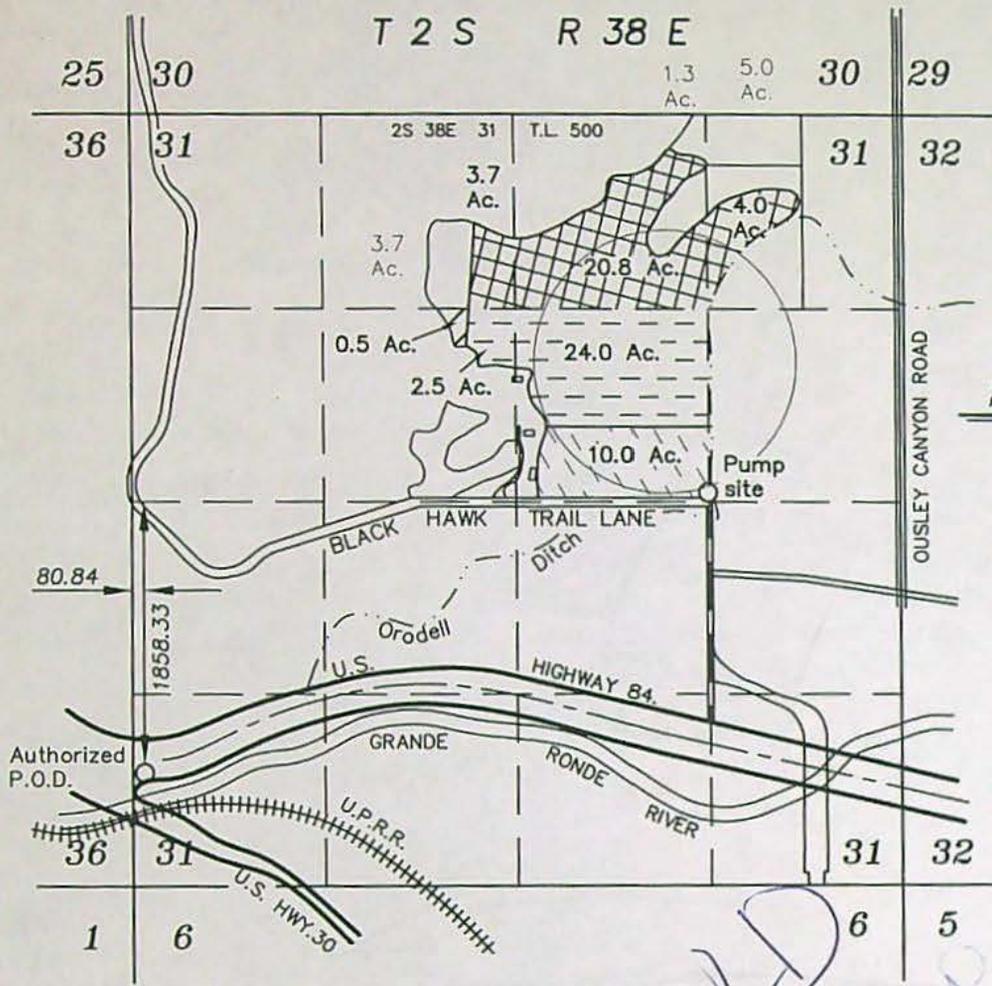
Subscribed and Sworn to Before Me this 24th day of August, 2007.



Signature of Kimberly D. Becker, Notary Public for Oregon

My Commission Expires July 31, 2009

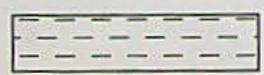
PLEASE ATTACH A LEGIBLE COPY OF : 1) A DEED WHICH LISTS LAND OWNERS AND INCLUDES A LEGAL DESCRIPTION OF AFFECTED LANDS, AND 2) AN ADJUDICATION MAP, WATER RIGHT FINAL PROOF MAP, OR A TAX LOT MAP WITH THE PORTION OF THE ABANDONED RIGHT CLEARLY DRAWN AND IDENTIFIED. IF ACTING AS AN AUTHORIZED AGENT, INCLUDE COPY OF POWER OF ATTORNEY OR OTHER DOCUMENTS GRANTING AUTHORITY TO ACT ON BEHALF OF LEGAL OWNER(S).



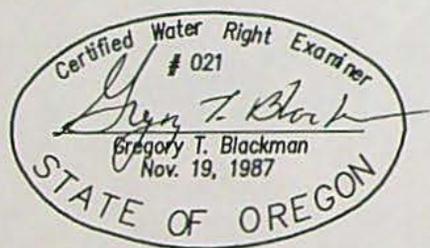
SCALE: 1"=1320'



Lands under Certificate number 42444 to remain in use.



Lands under certificate number 42444 to be canceled.



August 15, 2007
**Cancellation Map of
 Water Rights under Certificate
 Number 42444
 FOR
 MIKE BECKER**

BY
**BAGETT - GRIFFITH & BLACKMAN
 2006 ADAMS AVENUE
 LAGRANDE, OREGON 97850**

NOTE: The preparation of this map was for the purpose of identifying the location of the proposed water right and has no intent to provide dimensions or location of property ownership lines. Location information shown hereon was furnished by the applicant.

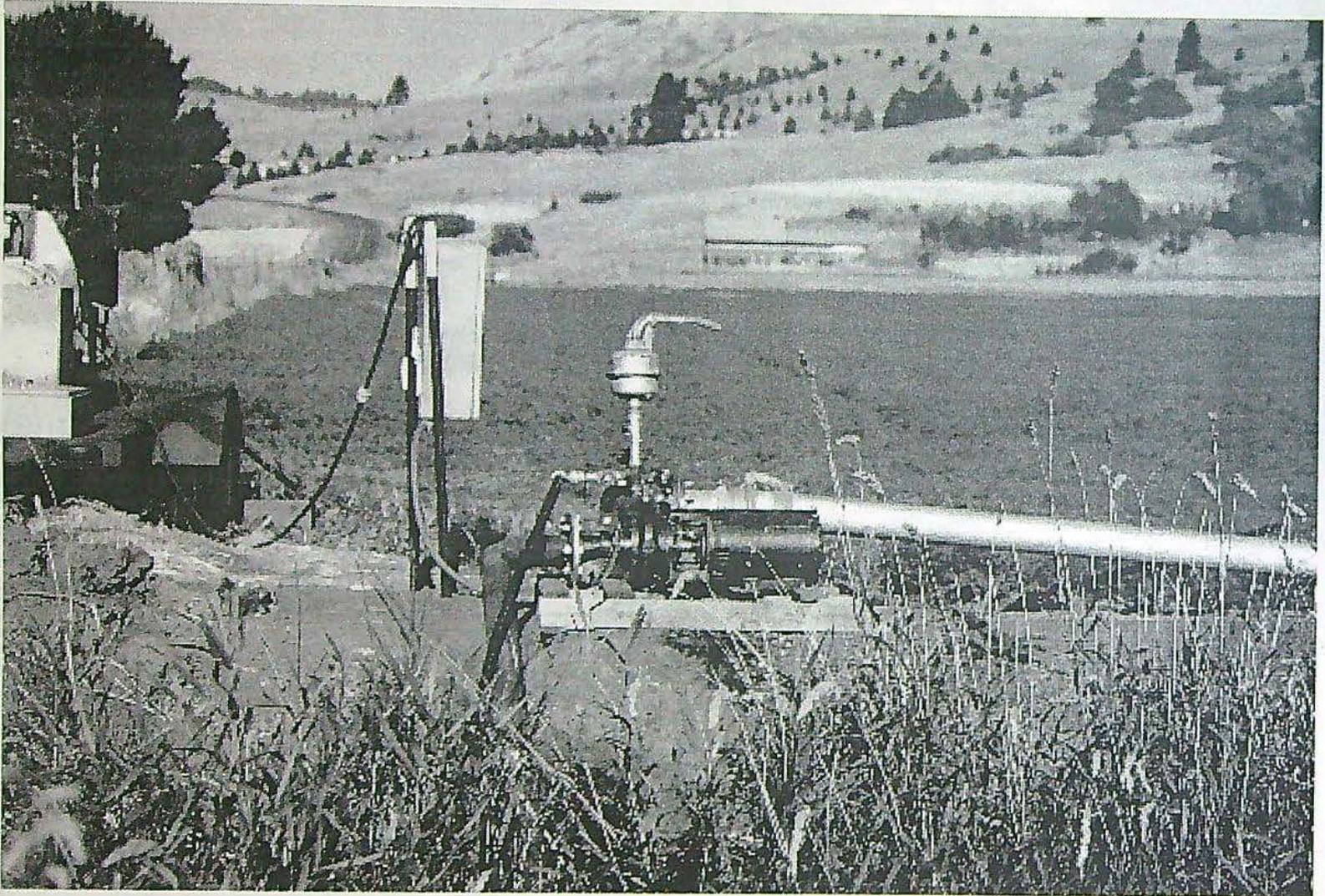
PERMIT NUMBER _____
 APPLICATION NO. _____

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**Water Right Transfer Supplemental Form B
AFFIDAVIT ATTESTING TO THE USE OF WATER**

State of Oregon)
County of UNION) ss

I, Steven Stonebreaker, in my capacity as Land owner,
mailing address 63235 Halley Road La Grande, Ore. 97850
telephone number (541) 963-5881, being first duly sworn depose and say:

1. I attest that:

- 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 was leased instream at some time within the last five years. The instream lease number is as follows: _____; 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):

- Personal observation
- Professional expertise

3. My knowledge is specific to the use of water at the following locations:

Township		Range		Mer	Sec	¼ ¼ Section	Gov't Lot or DLC	Acres (if applicable)
2	S	38	E	W.M.	23	NE/SE		16.8 Ac.
2	S	38	E	W.M.	23	NW/SE		20.2 Ac.

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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.

4. The water right was exercised for the authorized purpose described below (e.g., crops grown):
Irrigation of pasture and crops such as alfalfa and wheat.

5. The water delivery system used to apply water as authorized by the right is described below:
The water delivery system consists of water diverted into Orodell ditch and then pumped out of the ditch by a 125 h.p. centrifugal pump. The water was pumped into a 12" portable mainline that supplied three wheel lines.

6. One or more of the following documentation supporting the above statements is attached:

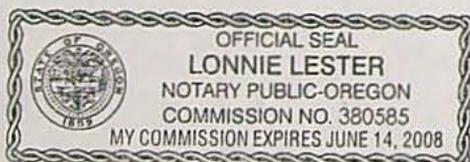
- Copy of a water right certificate that was issued within the last five years (not a remaining right certificate),
- Copies of receipts from sales of irrigated crops or for expenditures relating to the use of water,
- Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers,
- Dated aerial photographs of the lands or other photographs containing sufficient detail to establish the location and date of the photograph,
- Dedicated power usage records or receipts,
- Instream lease number _____,
- Other: Signed letter from Mathew Martin who leased and irrigated the property in question through the year of 2003. (See attachment)

Steven Stordahl
Signature of Affiant

8-27-07
Date

RECEIVED
AUG 30 2007
WATER RESOURCES DEPT
SALEM OREGON

Signed and sworn to (or affirmed) before me this 27 day of Aug, 2007.



Lonnie Lester
Notary Public for Oregon

My Commission Expires: 6/14/08

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more space. Supporting documentation must be attached.

COPY

10/23/04

To Whom it may concern

I Matthew Martin lease 240 acres owned by Steve Stonebreaker on Halley Road. During the months of June and July of 2003. I irrigated this ground with handpack. Early in the 2004 growing season I lowered the headgate on the ditch and flood irrigated as much farm ground as possible with this method. If you have any questions please contact me at (541) 910-5907

Sincerely,

Matthew M. Martin

10/23/04

RECEIVED

AUG 30 2007

WATER RESOURCES DEPT
SALEM, OREGON

COPY

Transfer Application
Stonebreaker to Becker
2007

To whom it may concern;

I Steven Stonebreaker owner of the land in T2S R38E Section 23, Tax Lot #6900 do approve of the transfer of 37.0 Acres of water rights to Mike Becker. I have reviewed the application and am in favor with what is being transferred.

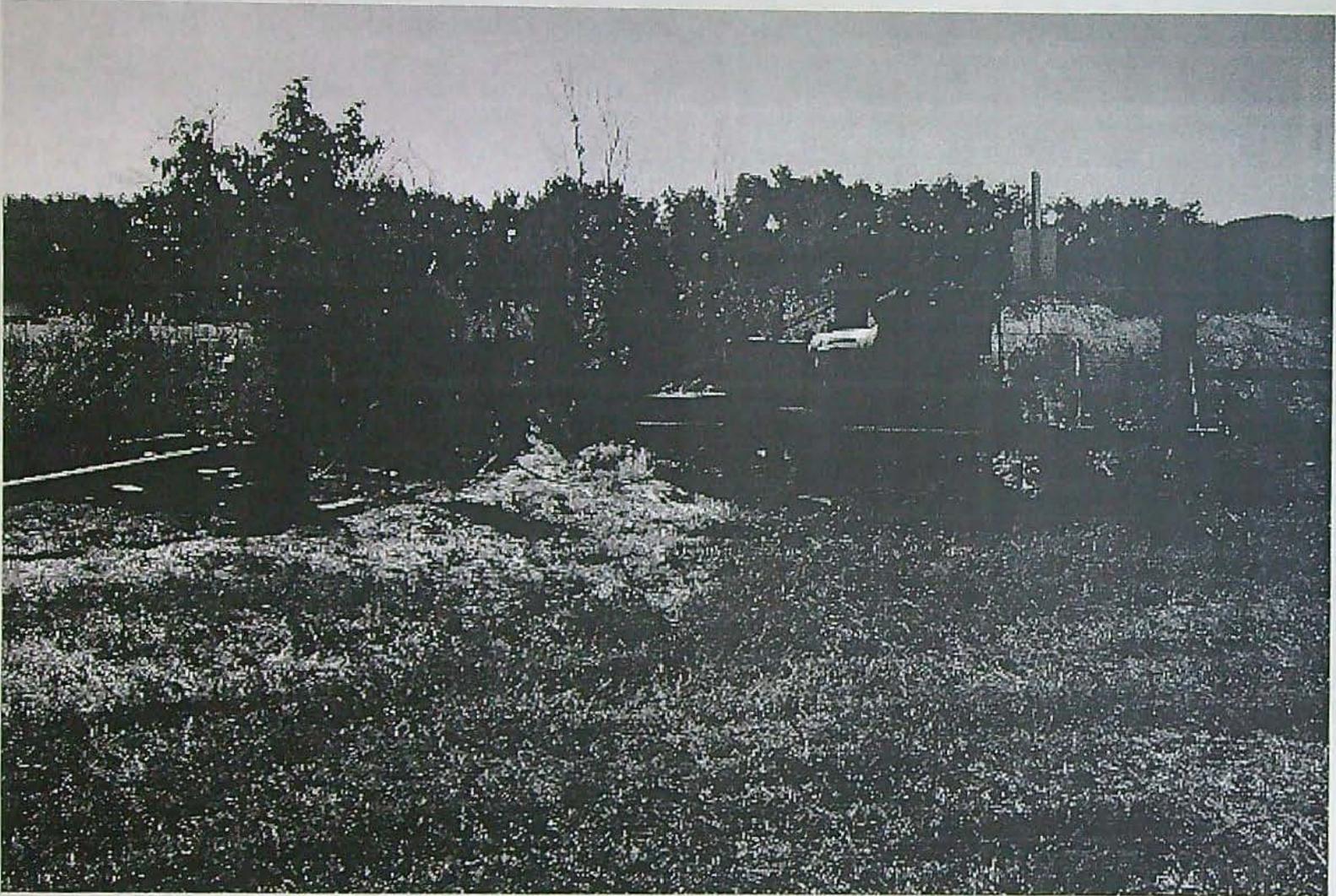
Steven Stonebreaker 8-27-07
Steven Stonebreaker Date

RECEIVED

AUG 30 2007

WATER RESOURCES DEPT
SALEM, OREGON

COPY



RECEIVED

AUG 30 2007

WATER RESOURCES DEPT
SALEM OREGON

COPY

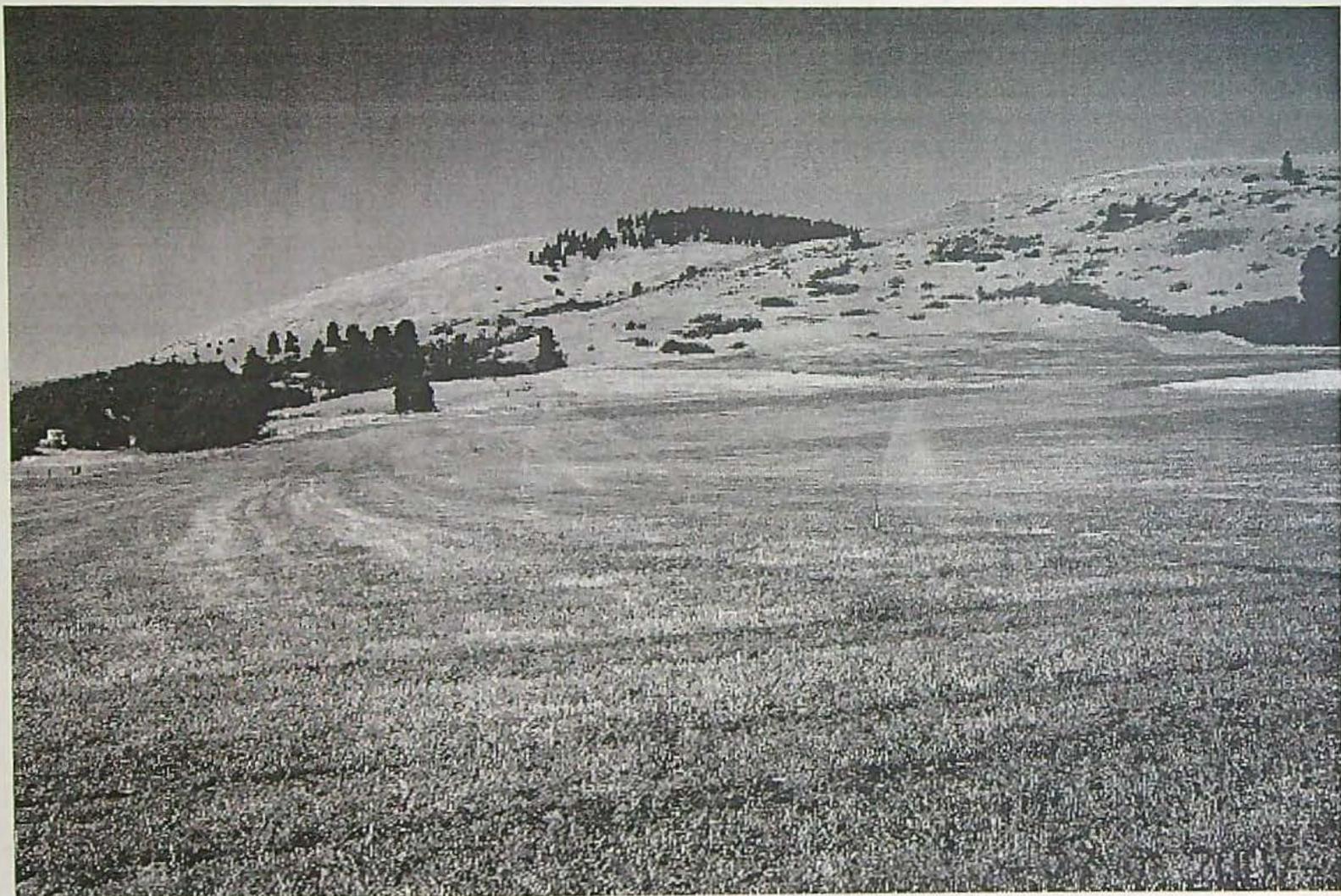


RECEIVED

AUG 30 2007

WATER RESOURCES DEPT
SALEM, OREGON

COPY



RECEIVED

AUG 30 2007

WATER RESOURCES DEPT
SALEM, OREGON

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
2 S	38 E	WM	31	SW SW	800 FEET NORTH AND 160 FEET EAST FROM THE SW CORNER OF SECTION 31

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	38 E	WM	31	NW NE	2.5

4. Transfer Application T-10574 proposes to change the place of use of the right within:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	38 E	WM	31	NW NE	2.5

5. Notice of the application for temporary transfer was published on April 8, 2008, pursuant to ORS 540.520 and OAR 690-380-4000. No comments were filed in response to the notice.
6. 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.
7. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right are present.
8. The proposed change would not result in enlargement of the right.
9. The proposed change would not result in injury to other water rights. This finding is made through an abbreviated review recognizing that the transfer may be revoked under ORS 540.523(6) if the Department later finds that the transfer is causing injury to any existing water right.

Conclusions of Law

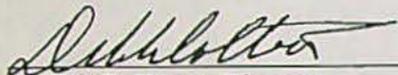
The temporary change in place of use proposed in Transfer Application T-10574 is consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

Now, therefore, it is ORDERED:

1. The change in place of use proposed in application T-10574 is approved.
2. The former place of use **shall not** be irrigated as part of this water right during the 2008, 2009, 2010, 2011 and 2012 irrigation seasons.
3. The use shall revert to the authorized place of use at the end of the 2012 irrigation season.
4. The approval of this temporary transfer may be revoked or modified if the Department finds the change causes injury to any existing water right.

5. A subsequent application for permanent transfer of Certificate 42444 shall be subject to a full and complete review to determine consistency with the requirements of OAR Chapter 690, Division 380. Approval of this temporary transfer does not establish a precedent for approval of a subsequent application filed for a permanent transfer.
6. The use of water at the temporary place of use authorized by this transfer shall be in accordance with the terms and conditions of Certificate 42444.
7. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.
8. The water user shall maintain and operate the existing measurement device and shall make such improvements as may be required by the Department.
9. The use of the remaining water right described by Certificate 42444 shall continue to be in accordance with the terms and conditions of Certificate 42444.

Dated at Salem, Oregon this 27th day of May, 2008.


Phillip C. Ward, Director

Mailing Date JUN 26 2008

STATE OF OREGON
 COUNTY OF UNION
CERTIFICATE OF WATER RIGHT

This Is to Certify, That **RUSSELL & PATRICIA BINGAMAN**

of **Route 3, Box 126, Elgin**, State of **Oregon**, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of **Indian Creek**

a tributary of **Grande Ronde River** for the purpose of **irrigation of 170.4 acres**

under Permit No. **32155** of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from **May 3, 1966**

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed **3.50 cubic feet per second**

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the **NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 12, T. 1 S., R. 39 E., W. M., NE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 36, T. 1 N., R. 39 E., W. M., 300 feet South and 2950 feet East, from NW Corner, NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 12, 2970 feet North and 1700 feet East, ***

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to **one-fortieth** of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed **3 acre feet per acre** for each acre irrigated during the irrigation season of each year;

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

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

**2.3 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
 2.9 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
 Section 35**

**7.1 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
 24.3 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
 22.3 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
 20.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
 24.0 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
 28.6 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
 Section 36**

T. 1 N., R. 39 E., W. M.

**25.4 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
 13.5 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
 Section 2**

T. 1 S., R. 39 E., W. M.

* 1050 feet North and
 2340 feet East, both
 from SW Corner, Section
 26.
 36 NW $\frac{1}{4}$ SW $\frac{1}{4}$

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

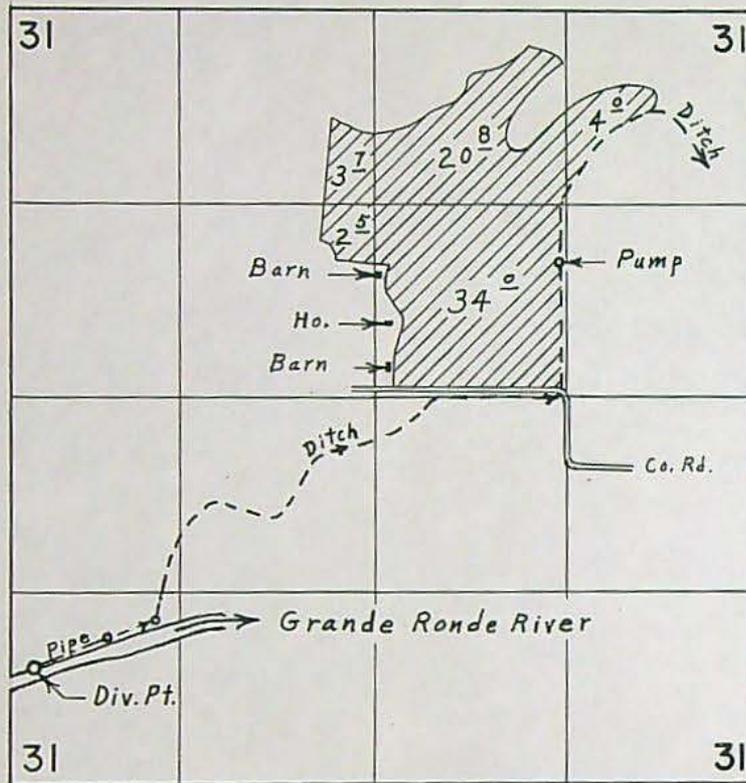
WITNESS the signature of the State Engineer, affixed
 this date. **August 18, 1975**

James E. Sexson
 Water Resources Director ~~XXXXXXXXXX~~

Recorded in State Record of Water Right Certificates, Volume **34**, page **42442**

T-10452
L-658 ✓ OR

T.2 S. R.38 E. W.M.



Div. Pt. located 800' N. & 160' E. from S.W. Cor. Sec. 31

FINAL PROOF SURVEY
UNDER

Application No. 48434. Permit No. 36357.
IN NAME OF

HELEN McCLUNE

Surveyed Sept. 19, 1974, by L. E. Gould

Carrie Jones

From: Shad Hattan
Sent: Wednesday, February 27, 2008 3:57 PM
To: Carrie Jones
Subject: File T10452 Mike Becker
Attachments: T10452MikeBecker.doc

Carrie,

Attached is my review for the above referenced application. I have noted some special concerns related to conditions in the Grande Ronde River Decree. This may require some consult with others to decide how to proceed on this one. If you need more info on the special conditions that apply, let me know and I will get you the relevant information from the decree.

Cheers

Shad Hattan (541) 963-1031
Watermaster District 6
10507 N. McAlister #6
La Grande, OR 97850

Web: www.wrd.state.or.us



Oregon

Theodore R. Kulongoski, Governor

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 9, 2009

Applicant

MIKE BECKER
10406 NORTH MCALISTER ROAD
LA GRANDE OR 97850

Agent

GREG BLACKMAN
2006 ADAMS AVENUE
LA GRANDE OR 97850

SUBJECT: Water Right Transfer Application T-10452

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-10452. 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.

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 503-986-0898 or Nichole.M.Hendricks@wr.d.state.or.us if I may be of assistance.

Sincerely,

Nikki Hendricks
Field Services Division

cc: Shad L. Hattan, District 6 Watermaster

encs

PO Noticed
10-13-09
FO due 11/14



exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: GRANDE RONDE RIVER, tributary to the SNAKE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
2 S	38 E	WM	31	SW SW	800 FEET NORTH AND 160 FEET EAST FROM THE SW CORNER, SECTION 31

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	38 E	WM	31	SW NE	10.0
2 S	38 E	WM	31	SE NW	2.5

5. Application T-10452 proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot
2 S	38 E	WM	31	NE NE	5.0	500
2 S	38 E	WM	31	NW NE	2.5	500
2 S	38 E	WM	31	NW NE	1.3	500
2 S	38 E	WM	31	NE NW	3.7	500

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

Certificate: 79512 in the name of Steven Lynn Stonebreaker (confirmed by Grande Ronde River Decree)

Use: IRRIGATION of 37.0 ACRES

Priority Date: 1872

Source: GRANDE RONDE RIVER, tributary to the SNAKE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
2 S	38 E	WM	31	SW SW	1858.33 FEET SOUTH & 80.84 FEET EAST FROM THE WEST 1/4 CORNER, SECTION 31

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	38 E	WM	23	NE SE	16.8
2 S	38 E	WM	23	NW SE	20.2

7. Certificate 79512 does not define the rate of the water right, however the decree defines the amount of water for the Orodell Ditch Company to be 100 miner's inches between September first of each year and May first of the following year, 500 miner's inches between May first and July first of each year and 200 miner's inches between July first and September first of each year, but at no time shall said Orodell Ditch Association divert more than half of the flow of the river. By said decree the right of the Irrigation Canal Company are all subsequent to the rights of said Pioneer Flouring Mill Company and the rights of all

other defendants in said suit are subsequent to the rights of the Pioneer Flouring Mill Company.

8. Application T-10452 also proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot
2 S	38 E	WM	31	SW NE	34.0	500
2 S	38 E	WM	31	SE NW	3.0	500

9. Notice of the application for transfer was published on September 4, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
10. On September 8, 2009, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-10452 to the applicant and agent. The draft Preliminary Determination cover letter set forth a deadline of October 8, 2009, for the applicant/agent to respond. On October 5, 2009 the agent requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

Transfer Review Criteria OAR 690-380-4010

11. Evidence was submitted with the application indicating that water has been used within the last five years according to the terms and conditions of the rights. The Watermaster's Injury review indicated that he had not witnessed the property being irrigated but did not have sufficient evidence to initiate cancellation proceedings under ORS 540.631.
12. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-10452.
13. The proposed changes would not result in enlargement of the rights.
14. The proposed changes would not result in injury to other water rights.

Partial Cancellation of a Water Right

15. On September 5, 2009, an affidavit certifying that a portion of a water right has been abandoned and requesting cancellation of the right was received from Mike Becker. The right to be cancelled is as follows:

Certificate: 42444 in the name of Helen McClune (perfected under Permit S-36357)
Use: IRRIGATION of 24.0 ACRES
Priority Date: JULY 13, 1971
Rate: 0.295 CUBIC FOOT PER SECOND

Limit/Duty: 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 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: GRANDE RONDE RIVER, tributary to the SNAKE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
2 S	38 E	WM	31	SW SW	800 FEET NORTH AND 160 FEET EAST FROM THE SW CORNER, SECTION 31

Authorized Place of Use to be Cancelled:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	38 E	WM	31	SW NE	24.0

Determination and Proposed Action

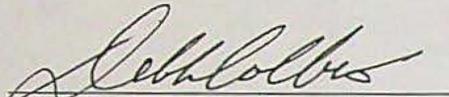
The change in place of use proposed in Transfer Application T-10452 appears to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000 and the portion of the abandoned right should be cancelled. If protests are not filed pursuant to OAR 690-380-4030, the transfer application will be approved and the portion of the abandoned right will be cancelled.

If application T-10452 is approved, the final order will include the following:

1. *The change in place of use proposed in application T-10452 is approved. The portion of the right that has been abandoned is cancelled.*
2. *Water right certificates 42444 and 79512 are cancelled. New certificates will be issued describing those portions of the rights not affected by this transfer and cancellation.*
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 certificates 42444 and 79512 and any related decree.*
4. *The water user shall maintain and operate the existing measurement devices and shall make such improvements as may be required by the Department.*
5. *The former place of use of the transferred rights shall no longer receive water under the rights.*
6. *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.*

7. *When satisfactory proof of the completed change is received, new certificates confirming the rights transferred will be issued.*

Dated at Salem, Oregon this 9th day of October 2009.


Phillip C. Ward, Director *m*

This Preliminary Determination was prepared by Carrie Jones. If you have questions about the information in this document, you may reach me at 541-523-8224 x 36 or Carrie.R.Jones@wrд.state.or.us

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

**Notice of Preliminary Determination for
Water Right Transfer T-10452**

T-10452 filed by, Mike Becker, proposes a change in place of use under Certificates 42444 and 79512 (priority dates 7/13/1971 and 1872) from the GRANDE RONDE RIVER in 2S, 38E, WM, SEC 31, SWSW, 800 FEET NORTH AND 160 FEET EAST FROM THE SW CORNER, SECTION 31(Certificate 42444) and 2S, 38E, WM, SEC 31, SWSW, 1858.33 FEET SOUTH & 80.84 FEET EAST FROM THE W1/4 CORNER, SECTION 31(Certificate 79512) for IRRIGATION in 2S, 38E, WM, SECTION 31, SWNE, SENW, (Certificate 42444) and SECTION 23, NESE, NWSE (Certificate 79512).

The applicant proposes to change the place of use to 2S, 38E, WM, SECTION 31, NENE, NWNE, NWNE, NENW, SWNE, SENW, Tax Lot 500. 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. A protest form and additional information on filing protests may be obtained by calling (503) 986-0883. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

Carrie Jones

From: gt@bgbsurveyors.com
Sent: Monday, October 05, 2009 4:09 PM
To: Carrie Jones
Cc: Mike Becker
Subject: Draft of Approval for Transfer T-10452 (Mike Becker)

Carrie;

I have spoke with Mike Becker and we have looked over the draft of approval for his water right transfer (T-10452), with the exception of one typo on page 3 of 5 #8 (proposed place of use for the 34.0 acres in Tax Lot 500), should read SW/NE not SE/NE as shown. Other than this change Mr. Becker has requested that as his agent I approve the draft as presented and would like Water Resources to proceed with this transfer.

Sincerely;
Greg Blackman

10/5/2009

Carrie Jones

From: Carrie Jones
Sent: Wednesday, September 09, 2009 3:32 PM
To: Shad Hattan; 'Greg Blackman Jr. - BGB Inc.'
Attachments: DPD PACKET-9-9-09.pdf

Here are your copies of the packet that was mailed to Mike Becker today. Give me a call if you have any questions.

~cj

Carrie Jones

Transfer Specialist

541-523-8224 Ext 36

Fax: 1-866-214-3493

carrie.r.jones@ wrd.state.or.us

Water Resources Dept.

Eastern Region

1995 3rd Street, Suite 180

Baker City, OR 97814

www.wrd.state.or.us



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department
Eastern Region
Baker County Courthouse
1995 3rd Street, Suite 180
Baker City, OR 97814
Phone: (541) 523-8224
Fax: 1-866-214-3493
www.wrd.state.or.us

mailed

September 8, 2009

E-mailed

Applicant

MIKE BECKER
10406 NORTH MCALISTER ROAD
LA GRANDE OR 97850

Agent

GREG BLACKMAN
2006 ADAMS AVENUE
LA GRANDE OR 97850

SUBJECT: Water Right Transfer Application T-10452

Please find enclosed a draft of our Preliminary Determination regarding Transfer Application T-10452. 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.

Please respond in writing as soon as possible or by October 8, 2009, whether you agree with the proposed action and wish to proceed further with the processing of your transfer. Issuance of the Preliminary Determination will occur shortly after we receive your written response.

Please do not hesitate to contact me at 541-523-8224 x 36 or Carrie.R.Jones@wr.d.state.or.us if I may be of assistance.

Sincerely,

Carrie Jones
Transfer Specialist
East Region

cc: T-10452
Shad L. Hattan, District 6 Watermaster

E-mailed

encs

*Greg Called 10/5
said found a typo FOF #8
Should be SUNE 34² AC TL*

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application)
T-10452, Union County)

D R A F T

) PRELIMINARY DETERMINATION
) PROPOSING APPROVAL OF A
) CHANGE IN PLACE OF USE

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.

Applicant

MIKE BECKER
10406 NORTH MCALISTER ROAD
LA GRANDE OR 97850

Agent

GREG BLACKMAN
2006 ADAMS AVENUE
LA GRANDE OR 97850

Background

1. On August 30, 2007, Michael A. Becker filed an application to change the place of use under Certificates 42444 and 79512. The Department assigned the application number T-10452.
2. On September 5, 2009, the applicant submitted a revised map, modifying the acreage for transfer.
3. On September 5, 2009, the applicant submitted a revised cancellation affidavit, modifying acreage to be canceled.
4. The portion of the first right to be transferred is as follows:

Certificate: 42444 in the name of Helen McClune (perfected under Permit S-36357)

Use: IRRIGATION of 12.5 ACRES

Priority Date: JULY 13, 1971

Rate: 0.24 CUBIC FOOT PER SECOND

Limit/Duty: 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 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: GRANDE RONDE RIVER, tributary to the SNAKE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
2 S	38 E	WM	31	SW SW	800 FEET NORTH AND 160 FEET EAST FROM THE SW CORNER, SECTION 31

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	38 E	WM	31	SW NE	10.0
2 S	38 E	WM	31	SE NW	2.5

5. Application T-10452 proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot
2 S	38 E	WM	31	NE NE	5.0	500
2 S	38 E	WM	31	NW NE	2.5	500
2 S	38 E	WM	31	NW NE	1.3	500
2 S	38 E	WM	31	NE NW	3.7	500

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

Certificate: 79512 in the name of Steven Lynn Stonebreaker (confirmed by Grande Ronde River Decree)

Use: IRRIGATION of 37.0 ACRES

Priority Date: 1872

Source: GRANDE RONDE RIVER, tributary to the SNAKE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
2 S	38 E	WM	31	SW SW	1858.33 FEET SOUTH & 80.84 FEET EAST FROM THE W1/4 CORNER, SECTION 31

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	38 E	WM	23	NE SE	16.8
2 S	38 E	WM	23	NW SE	20.2

7. Certificate 79512 does not define the rate of the water right, however the decree defines the amount of water for the Orodell Ditch Company to be 100 miner's inches between September first of each year and May first of the following year, 500 miner's inches between May first and July first of each year and 200 miner's inches between July first and September first of each year, but at no time shall said Orodell Ditch Association divert more than half of the flow of the river. By said decree the right of the Irrigation Canal Company are all subsequent to the rights of said Pioneer Flouring Mill Company and the rights of all other defendants in said suit are subsequent to the rights of the Pioneer Flouring Mill Company.

8. Application T-10452 also proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot
2 S	38 E	WM	31	SE NE	34.0	500
2 S	38 E	WM	31	SE NW	3.0	500

9. Notice of the application for transfer was published on September 11, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.

Transfer Review Criteria OAR 690-380-4010

10. Evidence was submitted with the application indicating that water has been used within the last five years according to the terms and conditions of the rights. The Wateraster's Injury review indicated that he had not witnessed the property being irrigated but did not have sufficient evidence to initiate cancellation proceedings under ORS 540.631.
11. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-10452.
12. The proposed changes would not result in enlargement of the rights.
13. The proposed change would not result in injury to other water rights.

Partial Cancellation of a Water Right

14. On September 5, 2009, an affidavit certifying that a portion of a water right has been abandoned and requesting cancellation of the right was received from Michael Becker. The right to be cancelled is as follows:

Certificate: 42444 in the name of Helen McClune (perfected under Permit S-36357)
Use: IRRIGATION of 24.0 ACRES
Priority Date: JULY 13, 1971
Limit/Duty: 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 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: GRANDE RONDE RIVER, tributary to the SNAKE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
2 S	38 E	WM	31	SW SW	800 FEET NORTH AND 160 FEET EAST FROM THE SW CORNER, SECTION 31

Authorized Place of Use to be Cancelled:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	38 E	WM	31	SW NE	24.0

Determination and Proposed Action

The change in place of use proposed in Transfer Application T-10452 appears to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000 and the portion of the abandoned right should be cancelled. If protests are not filed pursuant to OAR 690-380-4030, the transfer application will be approved and the portion of the abandoned right will be cancelled.

If application T-10452 is approved, the final order will include the following:

- 1. The change in place of use proposed in application T-10452 is approved. The portion of the right that has been abandoned is cancelled.*
- 2. Water right certificates 42444 and 79512 are cancelled. New certificates will be issued describing those portions of the rights not affected by this transfer and cancellation.*
- 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 certificates 42444 and 79512 and any related decree.*
- 4. The water user shall maintain and operate the existing measurement device and shall make such improvements as may be required by the Department.*
- 5. The former place of use of the transferred rights shall no longer receive water under the rights.*
- 6. 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.*
- 7. When satisfactory proof of the completed change is received, new certificates confirming the rights transferred will be issued.*

Dated at Salem, Oregon this _____ day of _____ 2009.

D R A F T

Phillip C. Ward, Director

This draft Preliminary Determination was prepared by Carrie Jones. If you have questions about the information in this document, you may reach me at 541-523-8224 x 36 or Carrie.R.Jones@wrд.state.or.us

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application
T-10452, Union County

)
) **D R A F T**
) PRELIMINARY DETERMINATION
) PROPOSING APPROVAL OF A
) CHANGE IN PLACE OF USE

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.

Applicant

MIKE BECKER
10406 NORTH MCALISTER ROAD
LA GRANDE OR 97850

Agent

GREG BLACKMAN
2006 ADAMS AVENUE
LA GRANDE OR 97850

Background

1. On August 30, 2007, Michael A. Becker filed an application to change the place of use under Certificates 42444 and 79512. The Department assigned the application number T-10452.
2. On September 5, 2009, the applicant submitted a revised map, modifying the acreage for transfer.
3. On September 5, 2009, the applicant submitted a revised cancellation affidavit, modifying acreage to be canceled.
4. The portion of the first right to be transferred is as follows:

Certificate: 42444 in the name of Helen McClune (perfected under Permit S-36357)
Use: IRRIGATION of 12.5 ACRES
Priority Date: JULY 13, 1971
Rate: 0.24 CUBIC FOOT PER SECOND
Limit/Duty: 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 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: GRANDE RONDE RIVER, tributary to the SNAKE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
2 S	38 E	WM	31	SW SW	800 FEET NORTH AND 160 FEET EAST FROM THE SW CORNER, SECTION 31

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	38 E	WM	31	SW NE	10.0
2 S	38 E	WM	31	SE NW	2.5

5. Application T-10452 proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot
2 S	38 E	WM	31	NE NE	5.0	500
2 S	38 E	WM	31	NW NE	2.5	500
2 S	38 E	WM	31	NW NE	1.3	500
2 S	38 E	WM	31	NE NW	3.7	500

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

Certificate: 79512 in the name of Steven Lynn Stonebreaker (confirmed by Grande Ronde River Decree)

Use: IRRIGATION of 37.0 ACRES

Priority Date: 1872

Source: GRANDE RONDE RIVER, tributary to the SNAKE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
2 S	38 E	WM	31	SW SW	1858.33 FEET SOUTH & 80.84 FEET EAST FROM THE W1/4 CORNER, SECTION 31

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	38 E	WM	23	NE SE	16.8
2 S	38 E	WM	23	NW SE	20.2

7. Certificate 79512 does not define the rate of the water right, however the decree defines the amount of water for the Orodell Ditch Company to be 100 miner's inches between September first of each year and May first of the following year, 500 miner's inches between May first and July first of each year and 200 miner's inches between July first and September first of each year, but at no time shall said Orodell Ditch Association divert more than half of the flow of the river. By said decree the right of the Irrigation Canal Company are all subsequent to the rights of said Pioneer Flouring Mill Company and the rights of all other defendants in said suit are subsequent to the rights of the Pioneer Flouring Mill Company.

8. Application T-10452 also proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot
2 S	38 E	WM	31	SE-NE ¹	34.0	500
2 S	38 E	WM	31	SE NW	3.0	500

← Error corrected 10/5

9. Notice of the application for transfer was published on September 11, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.

Transfer Review Criteria OAR 690-380-4010

10. Evidence was submitted with the application indicating that water has been used within the last five years according to the terms and conditions of the rights. The Wateraster's Injury review indicated that he had not witnessed the property being irrigated but did not have sufficient evidence to initiate cancellation proceedings under ORS 540.631.
11. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-10452.
12. The proposed changes would not result in enlargement of the rights.
13. The proposed change would not result in injury to other water rights.

Partial Cancellation of a Water Right

14. On September 5, 2009, an affidavit certifying that a portion of a water right has been abandoned and requesting cancellation of the right was received from Michael Becker. The right to be cancelled is as follows:

Certificate: 42444 in the name of Helen McClune (perfected under Permit S-36357)
Use: IRRIGATION of 24.0 ACRES
Priority Date: JULY 13, 1971
Limit/Duty: 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 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.
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Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
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Authorized Place of Use to be Cancelled:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	38 E	WM	31	SW NE	24.0

Determination and Proposed Action

The change in place of use proposed in Transfer Application T-10452 appears to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000 and the portion of the abandoned right should be cancelled. If protests are not filed pursuant to OAR 690-380-4030, the transfer application will be approved and the portion of the abandoned right will be cancelled.

If application T-10452 is approved, the final order will include the following:

- 1. The change in place of use proposed in application T-10452 is approved. The portion of the right that has been abandoned is cancelled.*
- 2. Water right certificates 42444 and 79512 are cancelled. New certificates will be issued describing those portions of the rights not affected by this transfer and cancellation.*
- 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 certificates 42444 and 79512 and any related decree.*
- 4. The water user shall maintain and operate the existing measurement device and shall make such improvements as may be required by the Department.*
- 5. The former place of use of the transferred rights shall no longer receive water under the rights.*
- 6. 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.*
- 7. When satisfactory proof of the completed change is received, new certificates confirming the rights transferred will be issued.*

Dated at Salem, Oregon this _____ day of _____ 2009.

D R A F T

Phillip C. Ward, Director

This draft Preliminary Determination was prepared by Carrie Jones. If you have questions about the information in this document, you may reach me at 541-523-8224 x 36 or Carrie.R.Jones@wrд.state.or.us

Indicate in this column whether or not the item is satisfied.	<h2 style="margin: 0;">Permanent Transfer Application – OAR 690-380 3000 & 3100</h2> <h3 style="margin: 0;">Completeness Checklist</h3>
	Applicant's Name: <u>Mike Becker</u> (Form last revised: March 13, 2007)

Section A – Status of Right

OK	<p>Is this a Water Right that can be transferred? [OAR 690-380-0100(14)]</p> <p><i>NOTE:</i> The Department can accept a Transfer application for any right that is:</p> <p> <input type="checkbox"/> 1) an adjudication with a court decree; <i>or</i> <input type="checkbox"/> 2) a certificate that is not cancelled; <i>or</i> <input type="checkbox"/> 3) a transfer that's been approved & A COBU has been received by the Department </p> <p><i>If the subject right <u>does not</u> fall into <u>any</u> of the above categories, RETURN the application & fee to the applicant.</i></p>
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Section B – Type of Change

OK	<p>Is the proposed change(s) allowed under the Transfer process? [ORS 540.510]</p> <p><i>NOTE:</i> Only <u>POD, POA or POU or USE</u> changes are allowed on Transfers.</p> <p><i>If the application proposes a change <u>other</u> than those listed above, RETURN the application & fee to the applicant.</i></p>
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Section C - Fees

OK	<p>Have the appropriate fees been paid?</p> <p style="text-align: right;"> <u>400 Base</u> Total Required Fees: <u>1200</u> <u>200 WR</u> <u>400 CFS</u> </p> <p><i>Fee Schedule – ORS 536.050(1)(h)</i></p> <p> \$350 - Base fee (1st change and 1st CFS of water) + \$350 - Each additional type of change requested <u>\$1000</u> + \$175 - For each CFS, or fraction thereof, requested beyond 1st CFS (for POU, Type of Use, or Exchange) </p> <p style="text-align: right;"> Total Fees Paid: <u>1000⁰⁰</u> Fees Due (if any): <u>0</u> Refund Due (if any): <u>0</u> </p> <p><i>If the applicant has NOT submitted the total fees required, RETURN the application & deficient fee to the applicant.</i></p>
----	--

Section D – Completeness

Indicate in this column whether an item is incomplete, and if so, identify the deficiency.	<p>Is the Transfer application complete?</p> <p>All required elements necessary for a complete transfer application are listed below.</p> <p>Indicate whether or not the applicant has answered and/or supplied attachments to adequately address each of the following items. If any one of the items is deficient, then the application is incomplete.</p> <p><i>NOTE: For reference, the application page number upon which each item is requested is identified.</i></p> <p><i>If the application is NOT complete, RETURN the application & fee to the applicant.</i></p>
OK	<p>→ Type of transfer application (Page 1)</p>
OK	<p>→ Applicant's name, mailing address and contact information. (Page 1)</p>
OK	<p>→ Agent's name, mailing address and contact information, <i>if applicable.</i> (Page 1)</p>
OK	<p>• Are the water rights to be affected by this transfer listed? (Page 2)</p> <p>If there are multiple water rights listed.... The applicant must supply a <u>separate "set"</u> of Supplemental Form A for <u>each</u> water right to be transferred.</p>

92444 79512		Checklist for Supplemental Form A – (Attachments)	
OK	OK	• Certificate # filled in on each page?	(Page 1)
OK	OK	• Type of change(s) proposed clear?	(Page 1)
OK	OK	• Current Water Right information is complete?	(Page 2)
NO OK	NO OK	<p>• If for a change in <i>POU</i> or <i>USE</i>..... (Page 2)</p> <p>Are there any “layered” irrigation rights, permits, or GR registrations appurtenant to the same place of use as the water right proposed to be transferred? YES NO</p> <p>If YES..... the other “layered” water uses subject to transfer must either change concurrently or be cancelled, except as provided in OAR 690-380-2240(5).</p> <p>If layered with GR, must submit a GR Modification application as well as this application.</p> <p>Are they included in application? If not, contact applicant or agent.</p>	
OK	OK	<p>• Location description of the authorized POA/POD to be changed. (Page 3)</p> <p>NOTE: Ensure that the location coordinates listed in the application match the point and location coordinates illustrated on the application map.</p> <p>Additionally, if the existing authorized source is ground water (POA), the applicant must either:</p> <p>_____ 1) supply a copy of the well log(s), <u>or</u></p> <p>_____ 2) if well logs are not available, describe the construction of the well(s) in the table provided on page 3 of the supplemental form A application.</p>	
OK IDAC	OK 37ac	<p>• Location description of the existing authorized POU and associated acres (if applicable). (Page 4)</p> <p>NOTE: Ensure that the location and number of acres listed per ¼ ¼ in the application match those illustrated on the application map.</p>	
N/A	N/A	<p>• Location description of the proposed POA/POD. (Page 5)</p> <p>NOTE: Ensure that the proposed location coordinates listed in the application match the proposed point and location coordinates illustrated on the application map.</p> <p>Additionally, if the proposed source is ground water (POA), the applicant must either:</p> <p>_____ 1) supply a copy of the well log(s), <u>or</u></p> <p>_____ 2) if well logs are not available <u>or</u> the well is not yet constructed, describe the construction of the well(s) in the table provided on page 5 of the application.</p>	
OK IDAC	OK 37ac	<p>• Location description of the proposed POU and associated acres (if applicable). (Page 6)</p> <p>NOTE: Ensure that the location and number of acres listed per ¼ ¼ in the application match those illustrated on the application map.</p>	
Return back to Page 2 of transfer application			
OK		• The type of changes being proposed. POU	(Page 2)
OK		• Reason for the transfer.	(Page 2)
OK		• Description of current water delivery system.	(Page 2)
OK		• System Capacity.	(Page 2)

Checklist for Supplemental Form B – (Attachments)	
OK	<ul style="list-style-type: none"> • Is there a box checked in #1? (Page 1)
OK	<ul style="list-style-type: none"> • Is there a box checked in #2? (Page 1)
OK	<ul style="list-style-type: none"> • Does the description of POU on page 4 of the supplemental form A application, match authorized POU in question #3? (Page 1)
OK	<ul style="list-style-type: none"> • In question #4 and #5 are they filled out. (Page 2)
OK	<ul style="list-style-type: none"> • Is there a box checked in #6? (Page 2)
OK	<ul style="list-style-type: none"> • Is the #6 supporting documentation included with application? (Page 2)
OK	<ul style="list-style-type: none"> • Is there an original signature of the notary and notary stamp? (Page 2)
Return back to Page 3 of transfer application	
OK	<ul style="list-style-type: none"> • Affected districts and local governments. <u>None</u> (Page 3) If within a district/local government jurisdiction, ensure that name & mailing address is provided.
OK	<ul style="list-style-type: none"> • Is the applicant the Landowner of the “from” and “to” Lands? <u>YES</u> <u>NO</u> (Page 4) If <u>NO</u>..... The applicant must list current landowner name & address.
OK	<ul style="list-style-type: none"> • Who will be responsible for completion of the changes? <u>Applicant</u> (Page 4) Is a box checked? If no box is checked the applicant or agent must be contacted.
OK	<ul style="list-style-type: none"> • Map..... (Page 5) (Required to be prepared by a CWRE) unless... 1. Map Waiver included with application 2. FP map with advance email or written approval 3. POD/POA without POU change and for entire right with FP map for “from” map ___ if more than 3 rights are included in transfer, is there a separate map for each water right? ___ If larger than 8 ½ X 14 than 3 copies of map is needed & an electronic pdf file of map ___ north arrow ___ size & scale ___ other: _____ ___ authorized acreage per ¼ ¼ matches the water right ___ authorized POD/POA and POU (clearly shown, labeled & matches application listing) ___ point plotted for the authorized POD/POA agrees with location coordinates on supplemental form A and WR ___ proposed POD/POA and/or POU (clearly shown, labeled & matches application “proposed” listing) ___ location coordinates accurately describe the point identified as the proposed POD/POA
OK	<ul style="list-style-type: none"> • Land Use form, <i>if applicable</i>. (Page 5) Is the form signed by the local planning department staff? May be needed if the POD/POA or POU is moving a great distance <u>and</u> off of land originally involved in WR.
N/A	<ul style="list-style-type: none"> • If a groundwater right is involved, are the well logs or a description included. (Page 5)
N/A	<ul style="list-style-type: none"> • If this is an instream water right transfer, is there a form C included and filled out. (Page 5)

OK

- Signature(s) of applicant(s):

(Page 6)

Are one of the boxes checked?

All applicants listed on page 1 of the application must sign the application.

WRD Completeness Reviewer's Name: S. Henderson Date: 8-30-07



Oregon

Theodore R. Kulongoski, Governor

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 09/04/07

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: UNION
Transfer: 10452
Water Right: CERT 79512,42444
Priority Date: 1872,1971
Name: MIKE BECKER
Address: 10406 N MCALISTER RD, LAGRANDE OR 97850
Change: POU
Source: GRANDE RONDE RIVER
Authorized POU: T2S R38E 23,31
Proposed POU: T2S R38E 31

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.



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

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

September 4, 2007

MIKE BECKER
10406 NORTH MCALISTER RD
LAGRANDE OR 97850

Reference: Transfer 10452

On August 30, 2007 we received your water right transfer application. The application was accompanied by \$1000.00. Our receipt 89440 is enclosed.

By copy of this letter, we are asking the Watermaster for his 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 #6
Greg Blackman, Agent
Steven Stonebecker

enclosure



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

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

April 28, 2008

Mike Becker
10406 N. McAlister Rd.,
La Grande, OR 97850

Greg Blackman
2006 Adams Ave.
La Grande, OR 97850

REFERENCE: Temporary Transfer T-10574

We are examining your water right temporary transfer application. There are some problems that need to be resolved before we can continue processing your application.

1. It appears from your transfer map that you have installed a pivot in the NE $\frac{1}{4}$ of Section 31, T2S R38E. However, there appears to be an area that will not be irrigated by the pivot but is within the area that the circle will serve. This "hole" is under the circle at the North end and has been highlighted on the enclosed map. This problem needs to be addressed.
2. The rights proposed to be irrigated under the circle range in priority date from 1872 to 1971. Should regulation be applied to this pivot it would be necessary to stop watering a portion of the circle. Unfortunately current arrangement of the water rights on the transfer map would not be conducive to this management. However, arrangement of the water rights into "wedges" would allow the discontinuance of irrigation on a plot of land with a priority date that is regulated.
3. The transfer application map suggests that lands under Certificate 42444 are to be cancelled. However, they are not addressed in the application. While the Department could condition the transfer to not allow Certificate 42444 to be exercised on the authorized lands during the term of the transfer, this may have forfeiture implication since the term proposed for the temporary transfer is five years. An option to avoid any question of forfeiture would be to change the term of the temporary transfer from five years to four years (2008 - 2011).

Please submit clarification that addresses the "hole" in the pivot area, a solution to address the need to be able to discontinue a portion of the pivot system should regulation of one of the priority dates be necessary and clarify your intent related to Certificate 42444 by **May 28, 2008**, to Susan Douthit, Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1271. If you have any questions, please call me at 503-986-0858.

Sincerely,

Susan M. Douthit
Water Rights Transfer Specialist

cc: Shad Hattan, Watermaster, District 6
Carrie Jones (T-10452)

enclosures

April 28, 2008

Mike Becker
10406 N. McAlister Rd.,
La Grande, OR 97850

Greg Blackman
2006 Adams Ave.
La Grande, OR 97850

REFERENCE: Temporary Transfer T-10574

We are examining your water right temporary transfer application. There are some problems that need to be resolved before we can continue processing your application.

1. It appears from your transfer map that you have installed a pivot in the NE ¼ of Section 31, T2S R38E. However, there appears to be an area that will not be irrigated by the pivot but is within the area that the circle will serve. This "hole" is under the circle at the North end and has been highlighted on the enclosed map. This problem needs to be addressed.
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Sincerely,

Susan M. Douthit
Water Rights Transfer Specialist

cc: Shad Hattan, Watermaster, District 6
Carrie Jones (T-10452)

enclosures

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)*

&

Other Supporting Documentation



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

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 TRANSFER APPLICATION

Please check one	
<input checked="" type="checkbox"/> Permanent Transfer	<input type="checkbox"/> Instream Transfer
<input type="checkbox"/> Temporary Transfer	<input type="checkbox"/> Permanent
• total number of years: _____	<input type="checkbox"/> Time-Limited
(begin year: _____)	<input type="checkbox"/> Drought Transfer
(end year: _____)	<input type="checkbox"/> Other

2. APPLICANT INFORMATION

Name: Mike Becker
First Last

Address: 10406 North McAlister Road

LA GRANDE OREGON 97850
City State Zip

Phone: (541) 963-7096 Same
Home Work Other

Fax: _____ E-Mail address: _____

3. AGENT INFORMATION

(The agent listed is authorized to represent the applicant in all matters relating to this transfer application.)

Name: Greg Blackman
First Last

Address: 2006 Adams Ave.

La Grande OREGON 97850
City State Zip

Phone: _____ (541) 963-6092
Home Work Other

Fax: _____ E-Mail address: _____

- If an agent is listed above, please check one of the following:
 - Please send all correspondence to Agent. Send *copies* of correspondence to Applicant; or
 - Please send all correspondence to Applicant. Send *copies* of correspondence to Agent.

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4. PROPOSED CHANGE(S) TO WATER RIGHT(S)

- List **all** 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.		T- 8478	#79512
2.	S- 48434	S- 36357	#42444
3.			
4.			
5.			
6.			

- Attach a **separate Supplemental Form A** (*Description of Proposed Change(s) to a Water Right*) for **each** water right listed above.
- Check **all** 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): To move the existing right and make room for rights with a better priority date. I want the best rights on my good farmland and the other rights on the marginal land

5. WATER DELIVERY SYSTEM

- Describe the **current** water delivery system **or** the system that **was in place** at some time **within the last 5 years**. 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.

The existing Stonebreaker system consists of a Alice Chandler 125 H.P. diesel centrifugal pump that fed a 12" pipe that supplied water to three wheel lines. The Becker system consists of a Cornell centrifugal pump with a 60 H.P. electric motor ran by a Lister Petter diesel motor, which fed hand line.

- System capacity: _____ cubic feet per second (cfs). If the transfer involves multiple rights that have independent systems, describe the capacity for each system separately.

Stonebreaker system capacity is 1.84 c.f.s.

Becker's system capacity is 2.50 c.f.s.

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 **not** 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:

- 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).

Union County Planning Department 1001 4th Street La Grande, Ore. 97850

8. LAND OWNERSHIP

- 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): Steven Stonebreaker
First Last

Address: 63235 Halley Road

La Grande OREGON 97850
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): _____
First Last

Address: _____

City State Zip

- Check one 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.*

<p>Supplemental Form A – Description of Proposed Change(s) to a Water Right</p> <p><input checked="" type="checkbox"/> A separate Supplemental Form A is enclosed for each water right to be affected by this transfer.</p> <p>Supplemental Form B – Evidence of Use Affidavit(s)</p> <p><input checked="" type="checkbox"/> 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</p> <p><input type="checkbox"/> The Evidence of Use Affidavit must be accompanied by supporting documentation.</p> <p>Map</p> <p><input checked="" type="checkbox"/> <i>Water Right Transfer</i> 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.</p> <p><input type="checkbox"/> <i>Temporary Transfer or Historical POD Change</i> A map meeting the requirements of OAR 690-380-3100 must be included but need not be prepared by a Certified Water Right Examiner.</p> <p>Water Well Report(s)/Well Log(s):</p> <p><input type="checkbox"/> 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.</p> <p><input type="checkbox"/> 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.</p> <p><input checked="" type="checkbox"/> N/A. The application does not involve a change in point of appropriation or a change from surface water to ground water, so water well reports are not required.)</p>	<p>Land Use Information Form:</p> <p><input checked="" type="checkbox"/> Enclosed; <i>or</i></p> <p><input type="checkbox"/> Not Required if all of the following are met:</p> <ul style="list-style-type: none">① In EFU zone or irrigation district,② Change in place of use only,③ No structural changes needed, including diversion works, delivery facilities, other structures, and④ Irrigation only. <p>Fees:</p> <p><input checked="" type="checkbox"/> Amount enclosed: \$ <u>1,000.00</u> See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0900.</p> <p><u>Instream Water Right Transfers, also include:</u></p> <p>Supplemental Form C – Instream Water Right Transfer</p> <p><input type="checkbox"/> Complete this form to describe the desired nature and attributes for the proposed instream water right.</p> <p><u>Temporary Transfers, also include:</u></p> <p>Recorded Deed:</p> <p><input checked="" type="checkbox"/> 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.</p> <p>Affidavit of Consent:</p> <p><input checked="" type="checkbox"/> 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.</p>
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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 all 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. SIGNATURES

▪ Check one of the following, as appropriate, and sign the application in the signature box below:

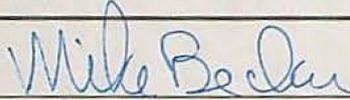
In accordance with OAR 690-380-3000(13)(a), I (we) understand that prior to Department approval of a permanent transfer and upon my receipt of a draft Preliminary Determination for the proposed transfer, I (we) will be required [pursuant to OAR 690-380-4010(5)] to provide the following landownership 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*
- (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 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.

 applicant signature	<u>MIKE BECKER</u> name (print)	<u>8-24-07</u> date
_____ applicant signature	_____ name (print)	_____ date

Water Right Transfer Supplemental Form A
DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

List only one water right per page. A separate Supplemental Form A must be completed for each 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.

<p>▪ Certificate Number or other identifying number: <u>Certificate # 42444</u></p>

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

Point of Diversion or Appropriation	Place of Use	Character of Use
<input type="checkbox"/> Change (The old point of diversion or appropriation will <u>not</u> be used for the portion of the water right affected by the transfer.) <input type="checkbox"/> Additional (Both the old <u>and</u> new points of diversion or appropriation will be used for the portion of the water right affected by the transfer.) <input type="checkbox"/> Historic Point of Diversion or Appropriation Change (Unauthorized point of diversion or appropriation used for more than 10 years.) <input type="checkbox"/> Surface Water to Ground Water (A new point of appropriation will be used <u>instead</u> of the old point of diversion. The old point of diversion will <u>not</u> be used.) <input type="checkbox"/> Point of Diversion Change due to Government Action (The old point of diversion or appropriation can no longer be used due to government action.) <input type="checkbox"/> Exchange (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)	<input type="checkbox"/> All of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.) <input checked="" type="checkbox"/> 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: <input checked="" type="checkbox"/> Irrigation <input type="checkbox"/> Municipal <input type="checkbox"/> Quasi-municipal <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Instream (complete and attach <i>Supplemental Form C</i>) <input type="checkbox"/> Domestic (indicate number of households) _____ <input type="checkbox"/> Other _____ <input type="checkbox"/> Substitution (A supplemental ground water right will be substituted for a primary surface water right.) <input type="checkbox"/> Supplemental Use to Primary Use (Primary water right shall be cancelled and the supplemental water right will change to primary use.)

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2. CURRENT WATER RIGHT INFORMATION

Water Right Subject to Transfer (*check and complete one of the following*):

<input checked="" type="checkbox"/> Certificated Right	<u>#42444</u> Certificate Number	<u>S-36357</u> Permit Number or Decree Name
<input type="checkbox"/> Adjudicated, Non-certificated Right	_____ Name of Decree	_____ Page Number
<input type="checkbox"/> Permit for which Proof has been Approved	_____ Permit Number	_____ Date Claim of Beneficial Use Submitted
<input type="checkbox"/> Transferred Right for which Proof has been Filed	_____ Previous Transfer Number	_____ Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: Helen McClure
- County: UNION
- Authorized Use(s) to be Affected by Transfer: Irrigation
- Priority Date(s): July 13, 1971

If there are multiple Priority Dates identified on the water right, any information provided on pages 3 through 6 of this form must identify which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.

- Source(s) of Water to be Affected by Transfer: Grande Ronde River (Orodell Ditch)

Tributary to: Snake River

If there are multiple Sources listed on the water right, any information provided on pages 3 through 6 of this form must identify which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.

For applications proposing a Change in Place of Use or Character of Use:

- Are there **Other Water Rights**, Permits or Ground Water Registrations associated with this land?

Yes No N/A – No Change in Place of Use or Character of Use

If "Yes", what are the Permit, Registration or Certificate Numbers? _____

Pursuant to ORS 540.510, any "layered" water use or a right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled, except as provided in OAR 690-380-2240(5).

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▪ Certificate Number or other identifying number: Certificate # 42444

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	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
	Grande Ronde 7-13-71	2S	38E	W.M.	31	SW/SW	2S 38 31CC #100	N 1858.33 & E 80.84 OF SW COR. SEC. 31

- 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 each point of appropriation that is **clearly labeled** and associated with the corresponding well in the table above and on the accompanying application map. (NOTE: 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 **not** available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.

Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no 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

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▪ Certificate Number or other identifying number: Certificate # 42444

3. PROPOSED CHANGES TO THE WATER RIGHT

Describe proposed changes to the water right involving point(s) of diversion and/or appropriation. Survey coordinates described below should accurately correspond to the points shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Point(s) of Diversion or Appropriation:

(i.e., the "TO" point(s) of diversion or appropriation)

N/A – Instream Water Right Transfer

(NOTE: Complete this table only if a Change in Point of Diversion or Appropriation is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)

▪ If there are proposed point(s) of appropriation (wells) listed in the table above, are the well(s) already constructed? Yes No N/A - No proposed well(s) listed above.

If "Yes", attach and clearly label the corresponding well log(s) for each proposed well, or if well log(s) are not available, describe the construction of the well(s) using the table below. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)

If "No", describe the anticipated construction for the proposed well(s) in the following table:

Construction of Proposed Point(s) of Appropriation or Well(s)

Well numbers in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-___)	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

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Water Right Transfer Supplemental Form A
DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

List only one water right per page. A separate Supplemental Form A must be completed for each 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: Certificate # 79512

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

Point of Diversion or Appropriation	Place of Use	Character of Use
<input type="checkbox"/> Change (The old point of diversion or appropriation will <u>not</u> be used for the portion of the water right affected by the transfer.) <input type="checkbox"/> Additional (Both the old <u>and</u> new points of diversion or appropriation will be used for the portion of the water right affected by the transfer.) <input type="checkbox"/> Historic Point of Diversion or Appropriation Change (Unauthorized point of diversion or appropriation used for more than 10 years.) <input type="checkbox"/> 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 <u>not</u> be used.) <input type="checkbox"/> Point of Diversion Change due to Government Action (The old point of diversion or appropriation can no longer be used due to government action.) <input type="checkbox"/> Exchange (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)	<input type="checkbox"/> All of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.) <input checked="" type="checkbox"/> 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: <input checked="" type="checkbox"/> Irrigation <input type="checkbox"/> Municipal <input type="checkbox"/> Quasi-municipal <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Instream (complete and attach <i>Supplemental Form C</i>) <input type="checkbox"/> Domestic (indicate number of households) _____ <input type="checkbox"/> Other _____ <input type="checkbox"/> Substitution (A supplemental ground water right will be substituted for a primary surface water right.) <input type="checkbox"/> Supplemental Use to Primary Use (Primary water right shall be cancelled and the supplemental water right will change to primary use.)

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▪ Certificate Number or other identifying number: Certificate # 79512

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	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
	Grande Ronde River 7-3-71	2S	38E	W.M.	31	SW/SW	2S 38 31CC #100	N 1858.33 & E 80.84 OF SW COR. SEC.31

▪ 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 each point of appropriation that is clearly labeled and associated with the corresponding well in the table above and on the accompanying application map. (NOTE: 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 not available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.

Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no 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

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▪ Certificate Number or other identifying number: Certificate # 79512

3. PROPOSED CHANGES TO THE WATER RIGHT

Describe proposed changes to the water right involving point(s) of diversion and/or appropriation. Survey coordinates described below should accurately correspond to the points shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Point(s) of Diversion or Appropriation:

(i.e., the "TO" point(s) of diversion or appropriation) N/A - Instream Water Right Transfer

(NOTE: Complete this table only if a Change in Point of Diversion or Appropriation is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)

- If there are proposed point(s) of appropriation (wells) listed in the table above, are the well(s) already constructed? Yes No N/A - No proposed well(s) listed above.

If "Yes", attach and clearly label the corresponding well log(s) for each proposed well, or if well log(s) are not available, describe the construction of the well(s) using the table below. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)

If "No", describe the anticipated construction for the proposed well(s) in the following table:

Construction of Proposed Point(s) of Appropriation or Well(s)

Well numbers in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-)	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

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**AFFIDAVIT FOR THE PARTIAL CANCELLATION OF A
WATER RIGHT CERTIFICATE**

State of Oregon) ss
County of Union)

I, Mike Becker, residing at: 10406 McAlister Road La Grande, Oregon 97850, being first duly sworn depose and say:

1. I am the legal owner of the property described as tax lot number 500 in Section 31, Township 2 South, Range 38 East, Willamette Meridian, in Union County, Oregon, as shown on the application map for transfer application T-10452, and described in its associated deed and legal description;
2. Water right certificate number 42444 issued to Helen McClure, with a date of priority of JULY 13, 1971 to use waters of the GRANDE RONDE RIVER, tributary to SNAKE RIVER for irrigation, is appurtenant to my property;
4. I have abandoned any and all interest in the portion of this water right described as follows:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	38 E	WM	31	SW NE	24.0

5. I request the portion of the water right described above be cancelled.

Mike Becker

Signature of legal owner as listed on deed, or authorized agent

9/03/09

Date

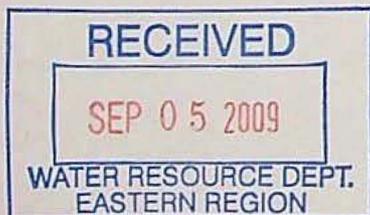
MIKE BECKER

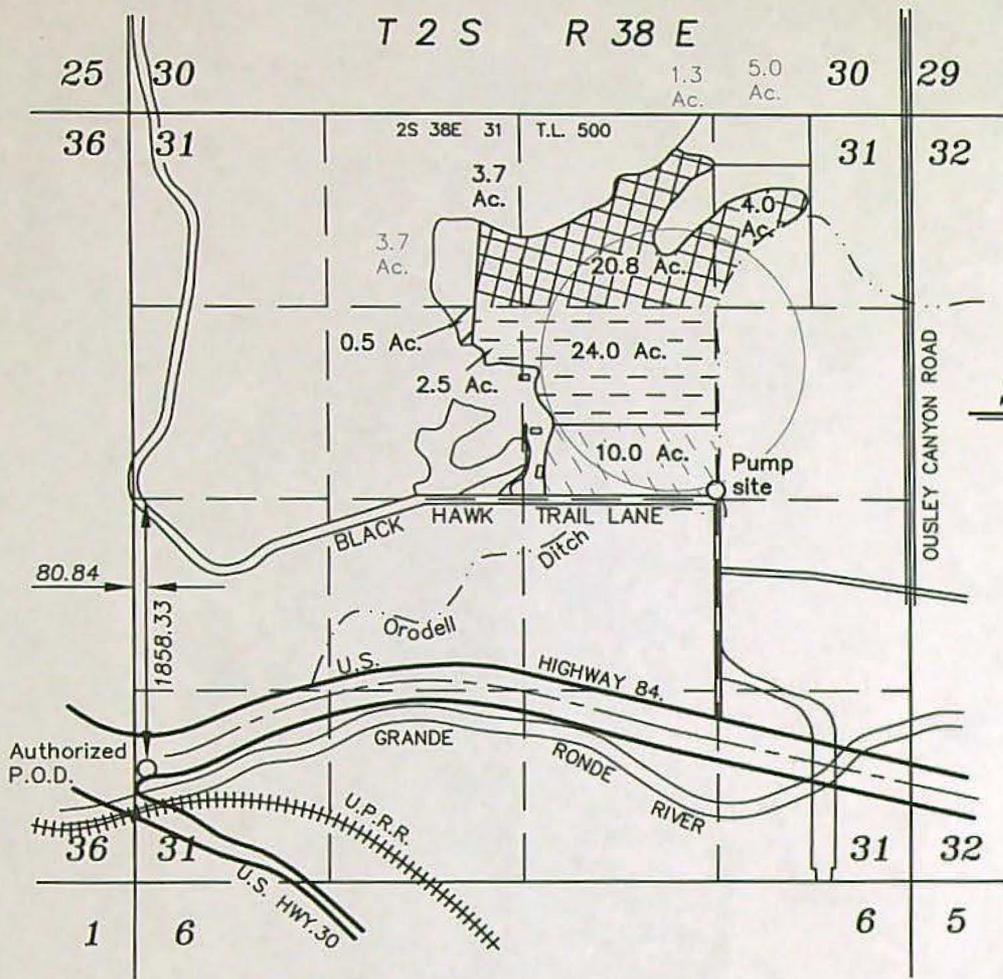
Print name of legal owner as listed on deed, or authorized agent

Subscribed and Sworn to Before Me this 3rd day of September 2009.

My Commission Expires May 26, 2012

G. T. Blackman Jr
Notary Public for Oregon

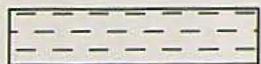




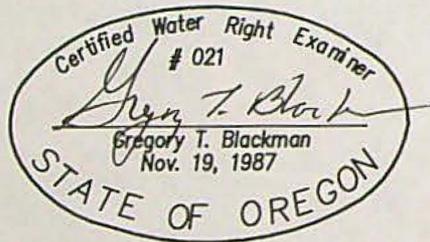
SCALE: 1"=1320'



Lands under Certificate number 42444 to remain in use.



Lands under certificate number 42444 to be canceled.



August 15, 2007
**Cancellation Map of
 Water Rights under Certificate
 Number 42444**
 FOR
MIKE BECKER

BY
BAGETT - GRIFFITH & BLACKMAN
 2006 ADAMS AVENUE
 LAGRANDE, OREGON 97850

NOTE: The preparation of this map was for the purpose of identifying the location of the proposed water right and has no intent to provide dimensions or location of property ownership lines. Location information shown hereon was furnished by the applicant.

PERMIT NUMBER _____
 APPLICATION NO. _____

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SALEM OREGON

T 10452

4. The water right was exercised for the authorized purpose described below (e.g., crops grown):
Irrigation of pasture and crops such as alfalfa and wheat.

5. The water delivery system used to apply water as authorized by the right is described below:
The water delivery system consists of water diverted into Orodell ditch and then pumped out of the ditch by a 125 h.p. centrifugal pump. The water was pumped into a 12" portable mainline that supplied three wheel lines.

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 to establish the location and date of the photograph,
- Dedicated power usage records or receipts,
- Instream lease number _____,
- Other: Signed letter from Mathew Martin who leased and irrigated the property in question through the year of 2003. (See attachment)

Steven Stordahl
Signature of Affiant

8-27-07
Date

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SALEM OREGON

Signed and sworn to (or affirmed) before me this 27 day of Aug, 2007.



Lonnie Lester
Notary Public for Oregon

My Commission Expires: 6/14/08

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more space. Supporting documentation must be attached.

10/23/04

To Whom it may concern

I Matthew Martin lease 240 acres owned by Steve Stonebreaker on Halley Road. During the months of June and July of 2003, I irrigated this ground with handpack. Early in the 2004 growing season I lowered the headgate on the ditch and flood irrigated as much farm ground as possible with this method. If you have any questions please contact me at (541) 910-5907

Sincerely,

Matthew M. Martin

10/23/04

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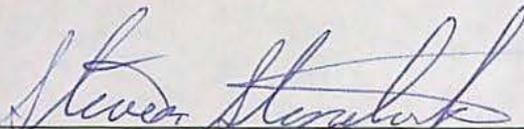
WATER RESOURCES DEPT
SALEM OREGON

T 10452

Transfer Application
Stonebreaker to Becker
2007

To whom it may concern;

I Steven Stonebreaker owner of the land in T2S R38E Section 23, Tax Lot #6900 do approve of the transfer of 37.0 Acres of water rights to Mike Becker. I have reviewed the application and am in favor with what is being transferred.


Steven Stonebreaker 8-27-07
Date

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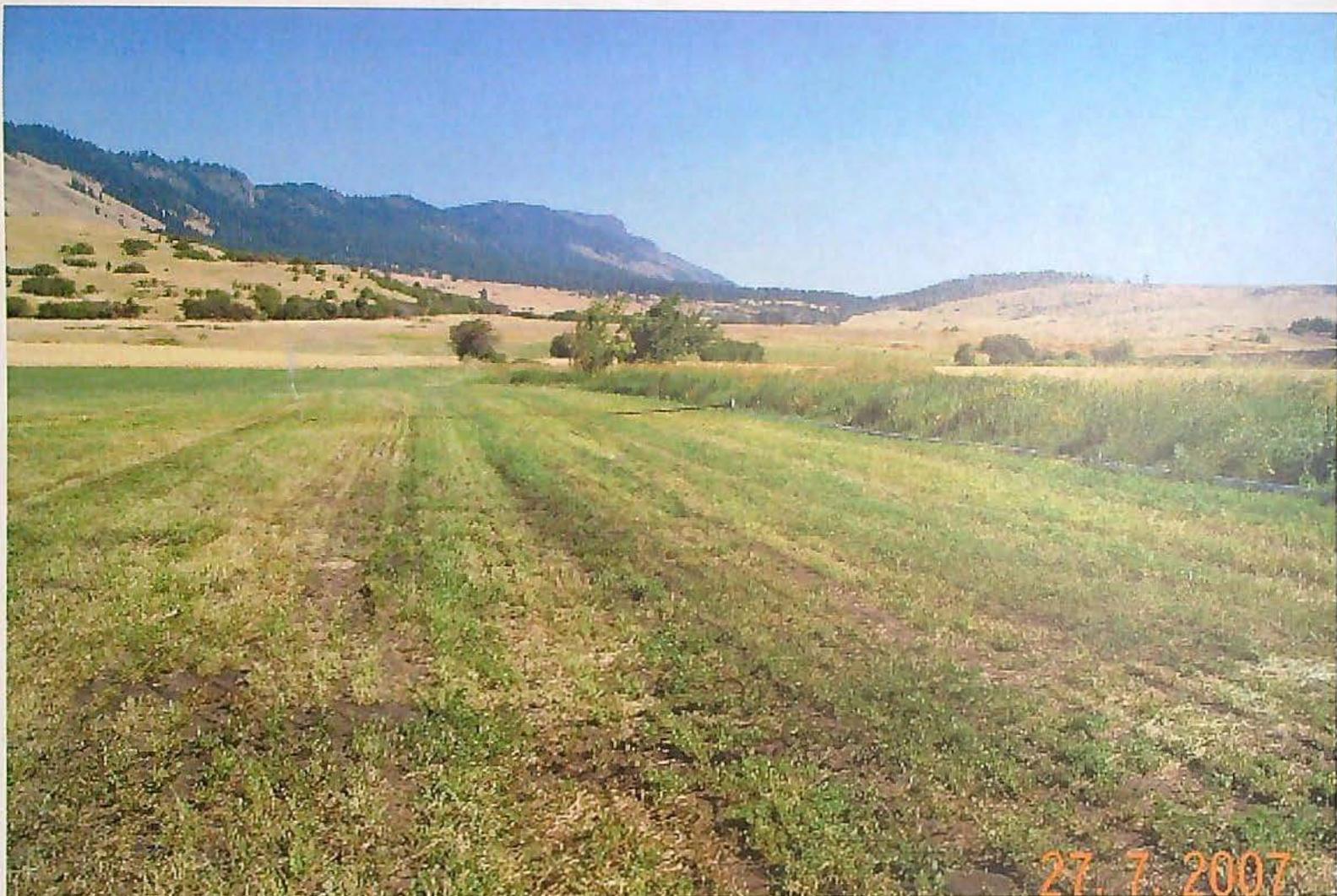


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SALEM, OREGON

STATE OF OREGON
COUNTY OF UNION

CERTIFICATE OF WATER RIGHT

This Is to Certify, That HELEN McCLUNE

of Route 1, Box 1202, La Grande, State of Oregon 97850, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Grand Ronde River

a tributary of Snake River for the purpose of irrigation of 65.0 acres

under Permit No. 36357 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from July 13, 1971

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.80 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31, T. 2 S., R. 38 E., W. M., 800 feet North and 150 feet East from SW Corner, Section 31.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-fortieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3 acre feet per acre for each acre irrigated during the irrigation season of each year;

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

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

4.0 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
20.8 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$
34.0 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
3.7 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
2.5 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 31
T. 2 S., R. 38 E., W. M.

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SALEM, OREGON

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

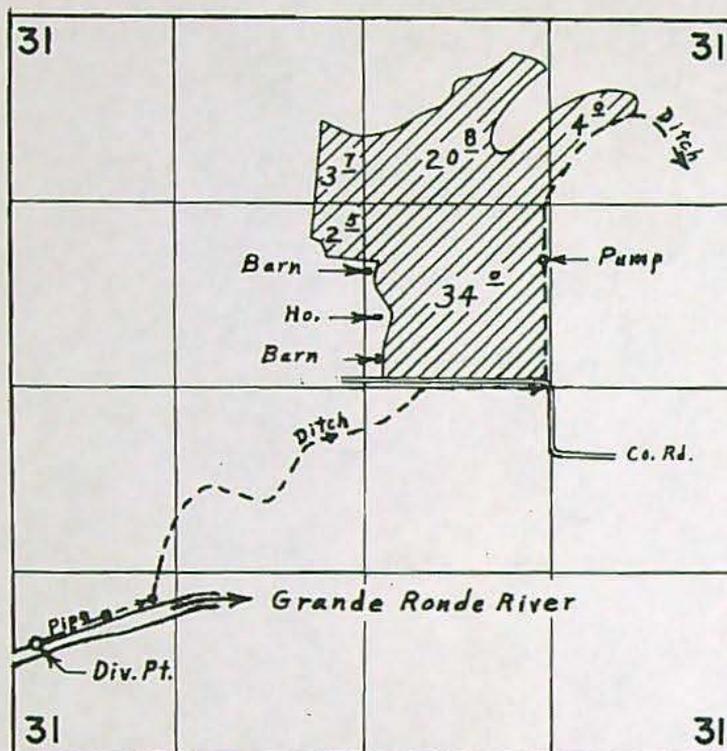
WITNESS the signature of the State Engineer, affixed
this date. August 18, 1975

James E. Saxson
Water Resources Director State Engineer

Recorded in State Record of Water Right Certificates, Volume 34, page 42444

T 10452

T.2 S. R.38 E. W.M.



Div. Pt. located 800' N. & 160' E. from S.W. Cor. Sec. 31

FINAL PROOF SURVEY
UNDER

Application No. 48434 Permit No. 36357
IN NAME OF

HELEN McCLUNE

Surveyed Sept. 19, 1974, by L. E. Gould

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WATER RESOURCES DEPT
SALEM, OREGON

T 10452

A1H-2MM-124

STATE OF OREGON

COUNTY OF UNION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

STEVEN LYNN STONEBREAKER
63235 HALLEY ROAD
LAGRANDE OREGON 97850

confirms the right to use the waters of the GRANDE RONDE RIVER, a tributary of the SNAKE RIVER, for IRRIGATION OF 86.0 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for UNION County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 8, at Page 1. The date of priority is 1872.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed THREE ACRE FEET PER ACRE IN ANY IRRIGATION SEASON DIVERTED AT A RATE OF NOT TO EXCEED ONE-FORTIETH OF A CUBIC FOOT PER SECOND PER ACRE, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SW $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 31, T 2 S, R 38 E, W.M.; ORDELL DITCH - 1858.33 FEET SOUTH AND 80.84 FEET EAST FROM THE W $\frac{1}{4}$ CORNER, SECTION 31.

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

- SE $\frac{1}{4}$ SW $\frac{1}{4}$ 9.0 ACRES
- NE $\frac{1}{4}$ SE $\frac{1}{4}$ 16.8 ACRES'
- NW $\frac{1}{4}$ SE $\frac{1}{4}$ 20.2 ACRES'
- SW $\frac{1}{4}$ SE $\frac{1}{4}$ 20.0 ACRES
- SE $\frac{1}{4}$ SE $\frac{1}{4}$ 20.0 ACRES'

SECTION 23

TOWNSHIP 2 SOUTH RANGE 38 EAST, W.M.

50.0 AC.

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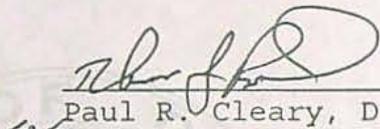
WATER RESOURCES DEPT 79512
SALEM OREGON

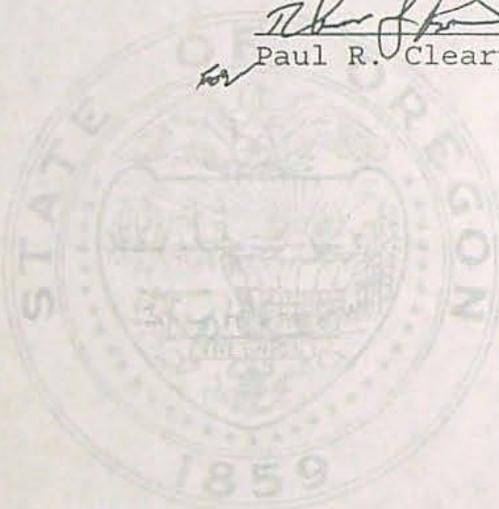
This certificate describes that portion of the water right confirmed by Certificate 76235, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered MAY 28 2002, approving Transfer Application 8478.

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.

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

WITNESS the signature of the Water Resources Director,
affixed MAY 28 2002.


for Paul R. Cleary, Director.



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WATER RESOURCES DEPT
SALEM OREGON

Recorded in State Record of Water Right Certificates numbered 79512.



Oregon Water Resources Department Land Use Information Form

THIS FORM IS NOT REQUIRED IF: 1) water is to be diverted, conveyed, and/or used only on federal lands; or 2) the application is for a water-right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and all of the following apply: a) only the place of use is proposed for change, b) there are no structural changes, c) the use of water is for irrigation, and d) the use is located in an irrigation district or exclusive farm-use zone.

Applicant Name: Mike Becker
Mailing Address: 10406 North McAlister Road
City: La Grande State: Ore. Zip: 97850 Day Phone: (541) 963-7096

This application is related to a Measure 37 claim. Yes No

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), or used. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g. Rural Residential/RR-5)	Water to be:	Proposed Land Use:
2S	38E	31	NE1/4	#500	UC-A4	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Irrigation
2S	38E	31	NW1/4	#500	UC-A4	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	Irrigation
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	

List all counties and cities where water is proposed to be diverted, conveyed, or used. Union

B. Description of Proposed Use

Type of application to be filed with the Water Resources Department:

- Permit to Use or Store Water
- Allocation of Conserved Water
- Permit Amendment or Ground Water Registration Modification
- Water-Right Transfer
- Limited Water Use License

Exchange of Water

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SALEM, OREGON

Source of water: Reservoir/Pond Ground Water Surface Water (name) Grande Ronde River

Estimated quantity of water needed: 3.0 cubic feet per second gallons per minute acre-feet

Intended use of water: Irrigation Commercial Industrial Domestic for household(s)
 Municipal Quasi-municipal Instream Other

Briefly describe: Irrigation of farmland and pasture.

T 10452

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt below and include it with the application filed with the Water Resources Department.

Receipt for Request for Land Use Information

State of Oregon
Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form.

This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

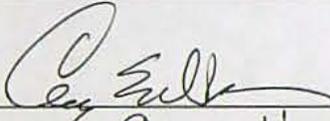
Please check the appropriate box below and provide the requested information

- Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): _____.
- Land uses to be served by proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.)
If approvals have been obtained but all appeal periods have not ended, check "Being pursued".

Type of Land-Use Approval Needed (e.g. plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
N/A	N/A	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input checked="" type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued

Local governments are invited to express special land-use concerns or make recommendations to the Water Resources Department regarding this proposed use of water below, or on a separate sheet.

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SALEM, OREGON

Name:  Title: ASSISTANT PLANNER
 Signature: Cody VAURA Phone: 963-1014 Date: 8-23-07
 Government Entity: UNION COUNTY PLANNING DEPT.

T 10452

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

Applicant name: _____
 City or County: _____ Staff contact: _____
 Signature: _____ Phone: _____ Date: _____



(10/17/92)
ALTA Owner's Policy

○ 295069

POLICY OF TITLE INSURANCE



ISSUED BY

First American Title Insurance Company of Oregon

200 S.W. Market St. • Portland, Oregon 97201 • (503) 222-3651

SUBJECT TO THE EXCLUSIONS FROM COVERAGE, THE EXCEPTIONS FROM COVERAGE CONTAINED IN SCHEDULE B AND THE CONDITIONS AND STIPULATIONS, FIRST AMERICAN TITLE INSURANCE COMPANY OF OREGON, a Oregon corporation, herein called the Company, insures, as of Date of Policy shown in Schedule A, against loss or damage, not exceeding the Amount of Insurance stated in Schedule A, sustained or incurred by the insured by reason of:

1. Title to the estate or interest described in Schedule A being vested other than as stated therein;
2. Any defect in or lien or encumbrance on the title;
3. Unmarketability of the title;
4. Lack of a right of access to and from the land.

The Company will also pay the costs, attorneys' fees and expenses incurred in defense of the title, as insured, but only to the extent provided in the Conditions and Stipulations.

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WATER RESOURCES DEPT
SALEM OREGON

Countersigned

Authorized Officer

Title Insurance Company of Oregon

dba FIRST AMERICAN TITLE INSURANCE COMPANY OF OREGON

BY

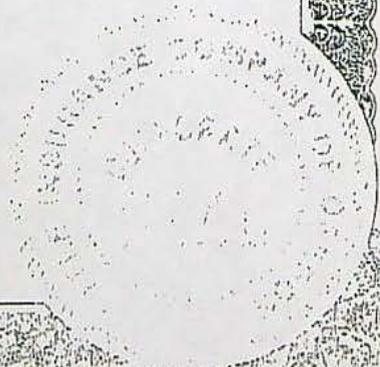
Charles J. Houke

PRESIDENT

ATTEST

Don McElroy

SECRETARY



• ALTA Owner's Policy
(6-1-87)
Schedule A

SCHEDULE A

Policy Number: O 295069

Amount of Insurance: \$600,000.00

Premium: \$1,505.00

Date of Policy: August 17, 2006 at 2:16PM

1. Name of Insured:

**BECKER EXCHANGE BX060718, LLC,
AND MICHAEL A. BECKER AKA MIKE A. BECKER**

2. The estate or interest in the land which is covered by this policy is:

Fee Simple Title

3. Title to the estate or interest in the land is vested in:

**BECKER EXCHANGE BX060718, LLC,
AND MICHAEL A. BECKER AKA MIKE A. BECKER**

4. The land referred to in this policy is described as follows:

Sec Exhibit "A" Attached

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**WATER RESOURCES DEPT
SALEM OREGON**

Exhibit "A"

IN TOWNSHIP 2 SOUTH, RANGE 37 EAST OF THE WILLAMETTE MERIDIAN, IN UNION COUNTY, OREGON

Section 36:

That portion of the northeast quarter of the northeast quarter lying east of County Road No. 7, also known as Fox Hill Road.

IN TOWNSHIP 2 SOUTH, RANGE 38 EAST OF THE WILLAMETTE MERIDIAN, UNION COUNTY, OREGON

Section 31:

That portion of the northwest quarter of the northwest quarter lying east of County Road No. 7, also known as Fox Hill Road;

ALSO, the east half of the northwest quarter and the west half of the northeast quarter EXCEPTING THEREFROM a strip of land 40 feet wide off the south side and excepting a parcel of land in the southeast quarter of the northwest quarter as conveyed to State of Oregon, by and through its State Highway Commission (deed book 156, page 569, Union County);

All that part of the east half of the northeast quarter and the northeast quarter of the southeast quarter lying and being north of Blackhawk Trail County Road No. 8 running easterly and westerly through said northeast quarter of the southeast quarter and west of a line described as follows: Beginning at a point 678.25 feet west of the northeast corner of said Section 31 and on the north boundary line of said section and running thence south to a point on the north boundary line of the county road aforesaid, 670 feet west of the east line of said section, EXCEPTING THEREFROM a tract of land described as beginning at the southwest corner of southeast quarter of the northeast quarter of Section 31, said township and range, and running thence North 40 feet; thence East 37 feet; thence South 503 feet to the north line of the public road running easterly and westerly through a portion of said section as referred to above; thence west along the north line of said public road 37 feet; thence north 463 feet to the place of beginning.

(02S3831-500)

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WATER RESOURCES DEPT
SALEM, OREGON

Title No. 06-17616

ALTA POLICY FORMS
STANDARD COVERAGE

SCHEDULE B

This policy does not insure against loss or damage, and the Company will not pay costs, attorney's fees or expenses, which arise by reason of the following:

1. 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.
2. Any facts, rights, interests, or claims which are not shown by the public records but which could be ascertained by an inspection of said land or by making inquiry of persons in possession thereof
3. Easements, encumbrances, or claims thereof, not shown by the public records, reservations or exceptions in patents or in acts authorizing the issuance thereof, water rights, claims or title to water.
4. Any lien, or right to a lien, for services, labor, or material heretofore or hereafter furnished, imposed by law and not shown by the public records.
5. Discrepancies, conflicts in boundary lines, shortage in area, encroachments, or any other facts which a correct survey would disclose.
6. The 2006-07 taxes on this property, which are now a lien, but not yet due or payable.
7. The assessment roll and the tax roll disclosed that the within described premises were specially assessed as farm land. If the land has become or becomes disqualified for the special assessment under the statute, an additional tax and interest may be levied for the years in which the land was subject to the special land use assessment.
8. Right-of-way for Union County Road No.8 (Blackhawk Trail Lane) across the southerly side of this property.
9. Right-of-way for Union County Road No.7 (Fox Hill Road) across the westerly side of this property.
10. Right-of-way for Orodell Ditch as it crosses this property.
11. Easement granted to California-Pacific Utilities Company, including the terms and provisions thereof, dated August 28, 1947, recorded August 28, 1947, in Book 114, page 415, records of Union County, Oregon, for exclusive right to construct, reconstruct, operate and maintain electric power lines and all necessary poles, towers and appurtenances, over and upon a strip of land eight feet in width.
12. A farm lease to Bruce Ryncarson, as disclosed in the earnest money agreement for this transaction.
13. Deed of Trust, including the terms and provisions thereof, executed by Becker Exchange BX060718, LLC, an Oregon Limited Liability Company, Grantor, to Eastern Oregon Title, Inc., as Trustee for FirstBank Northwest, Beneficiary, dated August 7, 2006, recorded August 17, 2006, as Microfilm Document No. 20064265, Mortgage Records of Union County, Oregon, given to secure the payment of \$600,000.00, Loan No.625002472.

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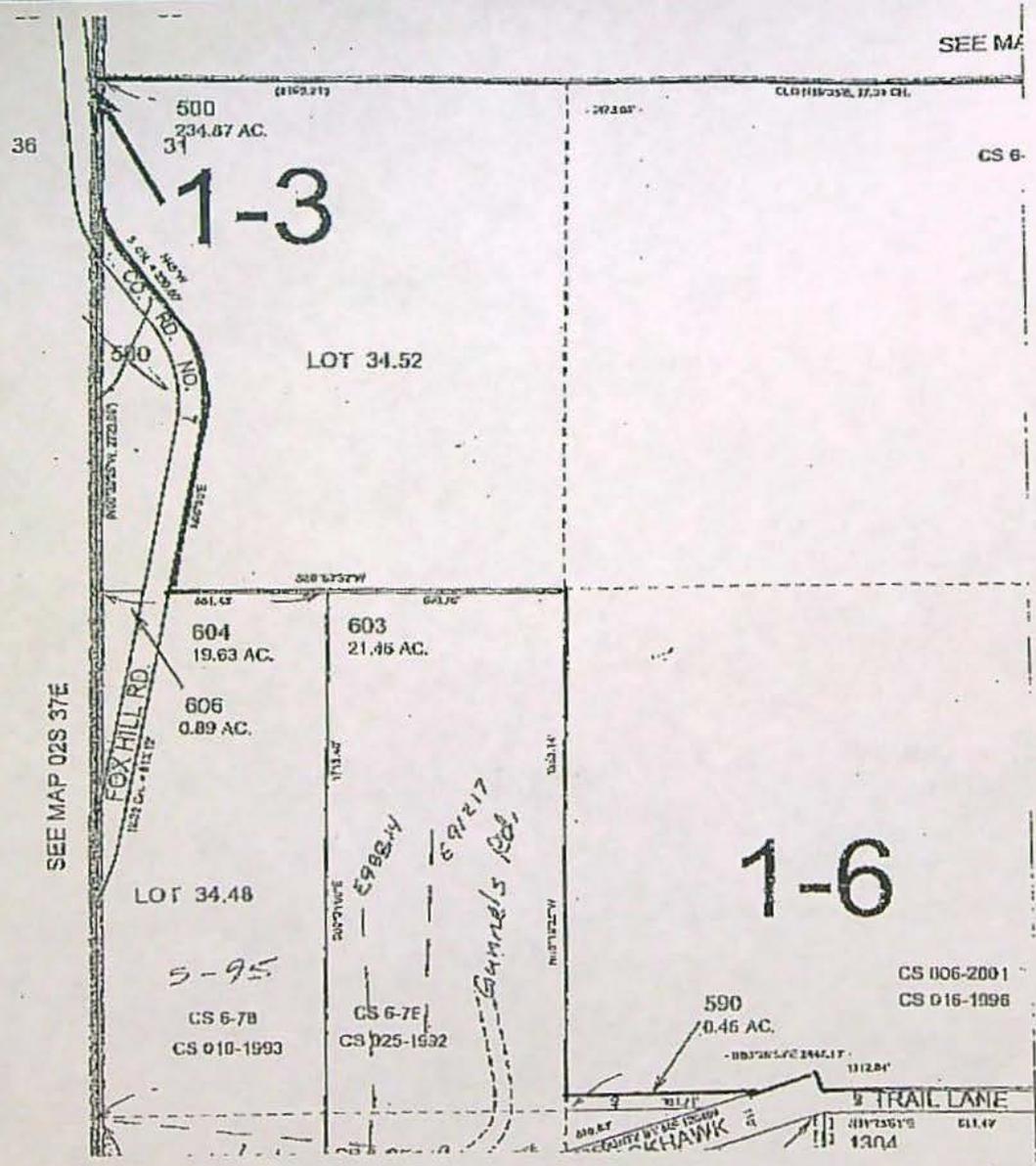
Title No. 06-17616
T135WATER RESOURCES DEPT
SALEM, OREGON

T 10452

T-546 P.006/010 F-427

08-19-2007 09:37am FROM-EOTITLE

06-17616



SEE MAP 02S 37E

SEE MA

CS 6-

EOT

EASTERN OREGON TITLE

1601 Adams Avenue
La Grande, OR 97850-1084

Phone: (541) 963-8561 Fax: (541) 963-2391 Web:
TITLE INSURANCE . ESCROW CLOSING .

THIS MAP IS FURNISHED ONLY AS A CONVENIENCE IN LOCATING THE PROPERTY.
THE COMPANY ASSUMES NO RESPONSIBILITY FOR ANY VARIATIONS DISCLOSED BY A SURVEY.
ORDER NUMBER

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AUG 30 2007

WATER RESOURCES DEPT
SALEM, OREGON

T 10452

Title

EOT

EASTERN OREGON TITLE, INC.

1601 Adams Avenue
La Grande, OR 97850-1084

Phone: (541) 963-8561 Fax: (541) 963-2391 Web: www.eotitle.com

TITLE INSURANCE . ESCROW CLOSING . ESCROW COLLECTION

Agent for

First American Title Insurance Company



Eastern Oregon Title, Inc.
1601 Adams Avenue
La Grande, OR 97850-1084

Title No.: 06-17616
Escrow No.: E11527-PM

July 24, 2006

Attn: Peg McDaniel

Updated Preliminary Title Report (Added Lender and Loan Amount)

Owners Standard Coverage	Liability \$600,000.00	Premium \$1,505.00
Lenders Standard Coverage	Liability \$300,000.00	Premium \$ 50.00

We are prepared to issue a Title Insurance Policy in the usual form as of July 24, 2006, at 8:00 a.m., insuring title to:

SEE EXHIBIT "A" ATTACHED HERETO FOR DETAILED LEGAL DESCRIPTION

Vested in:

**EDWARD D. MCCLUNE AND NANCY J. MCCLUNE,
HUSBAND AND WIFE, AS TENANTS BY THE ENTIRETY,
AS TO AN UNDIVIDED ONE-HALF INTEREST
AND
DONNA MAE HUGHES NUSS,
AS UN AN UNDIVIDED ONE-HALF INTEREST**

We searched for liens and judgments against prospective purchaser, **MICHAEL A. BECKER**, and found none.

PROPOSED INSURED LENDER: **FIRSTBANK NORTHWEST**

Subject to the usual printed exceptions, exclusions, and stipulations (see copy attached), which are ordinarily part of such Policy form and the following:

Stays
Stays

1 The 2006-07 taxes on this property, which are now a lien, but not yet due or payable.

2 The assessment roll and the tax roll disclosed that the within described premises were specially assessed as farm land. If the land has become or becomes disqualified for the special assessment under the statute, an additional tax and interest may be levied for the years in which the land was subject to the special land use assessment.

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AUG 30 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

This report is for the exclusive use of the parties herein shown and is preliminary to the issuance of a title insurance policy and shall become void unless a policy is issued, and the full premium paid.

T 10452

Title No.: 06-17616
Escrow No.: E11527-PM

stays 3. Right-of-way for Union County Road No.8 (Blackhawk Trail Lane) across the southerly side of this property.

stays 4. Right-of-way for Union County Road No.7 (Fox Hill Road) across the westerly side of this property.

stays 5. Right-of-way for Orodell Ditch as it crosses this property.

stays 6. Easement granted to California-Pacific Utilities Company, including the terms and provisions thereof, dated August 28, 1947, recorded August 28, 1947, in Book 114, page 415, records of Union County, Oregon, for exclusive right to construct, reconstruct, operate and maintain electric power lines and all necessary poles, towers and appurtenances, over and upon a strip of land eight feet in width.

Done in escrow 7. This report does not include a search for financing statements filed in the office of the Secretary of State, and no liability is assumed if a financing statement is filed in the office of the County Clerk covering fixtures wherein the land is described other than by metes and bounds, the rectangular survey system, or by recorded lot and block.

stays 8. A farm lease to Bruce Rynearson, as disclosed in the earnest money agreement for this transaction.

- END OF EXCEPTIONS -

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AUG 30 2007

WATER RESOURCES DEPT
SALEM OREGON

Title No.: 06-17616
Escrow No.: E11527-PM

OTE: Taxes for 2005-06 are PAID IN FULL.

Tax Amount: \$1,216.57

Account No.: [REDACTED]

Reference No.: 5553

Tax Amount: \$.08

Account No.: [REDACTED]

Reference No.: 4694

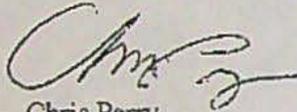
NOTE: We are informed that the property described herein has a physical address of:

61523 Blackhawk Trail Lane, La Grande, OR 97850

NOTE: The Escrow Officer for this transaction is: Peg McDaniel

NOTE: CANCELLED ORDERS ARE SUBJECT TO A \$100.00 CANCELLATION FEE.

Sincerely,
EASTERN OREGON TITLE, INC.



Chris Perry
Title Officer

CP; MP

CC: FirstBank Northwest-David Stirewalt
Michael A. Becker
Edward D. McClune
Ranch-N-Home Realty - John Collins

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AUG 30 2007

WATER RESOURCES DEPT
SALEM, OREGON

THANK YOU FOR CHOOSING EASTERN OREGON TITLE!
WE KNOW YOU HAVE A CHOICE!

EXHIBIT "A"

IN TOWNSHIP 2 SOUTH, RANGE 37 EAST OF THE WILLAMETTE MERIDIAN, IN UNION COUNTY, OREGON

Section 36:

That portion of the northeast quarter of the northeast quarter lying east of County Road No. 7, also known as Fox Hill Road.

IN TOWNSHIP 2 SOUTH, RANGE 38 EAST OF THE WILLAMETTE MERIDIAN, UNION COUNTY, OREGON

Section 31:

That portion of the northwest quarter of the northwest quarter lying east of County Road No. 7, also known as Fox Hill Road;

ALSO, the east half of the northwest quarter and the west half of the northeast quarter EXCEPTING THEREFROM a strip of land 40 feet wide off the south side and excepting a parcel of land in the southeast quarter of the northwest quarter as conveyed to State of Oregon, by and through its State Highway Commission (deed book 156, page 569, Union County);

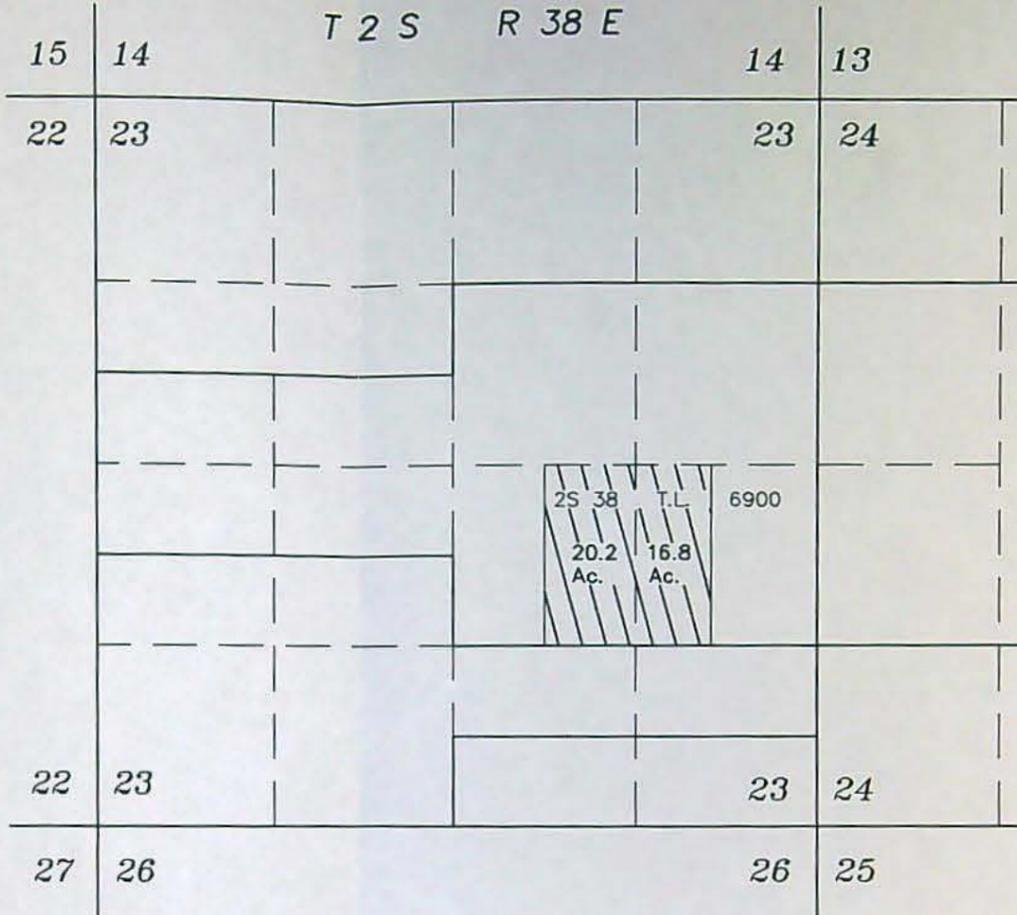
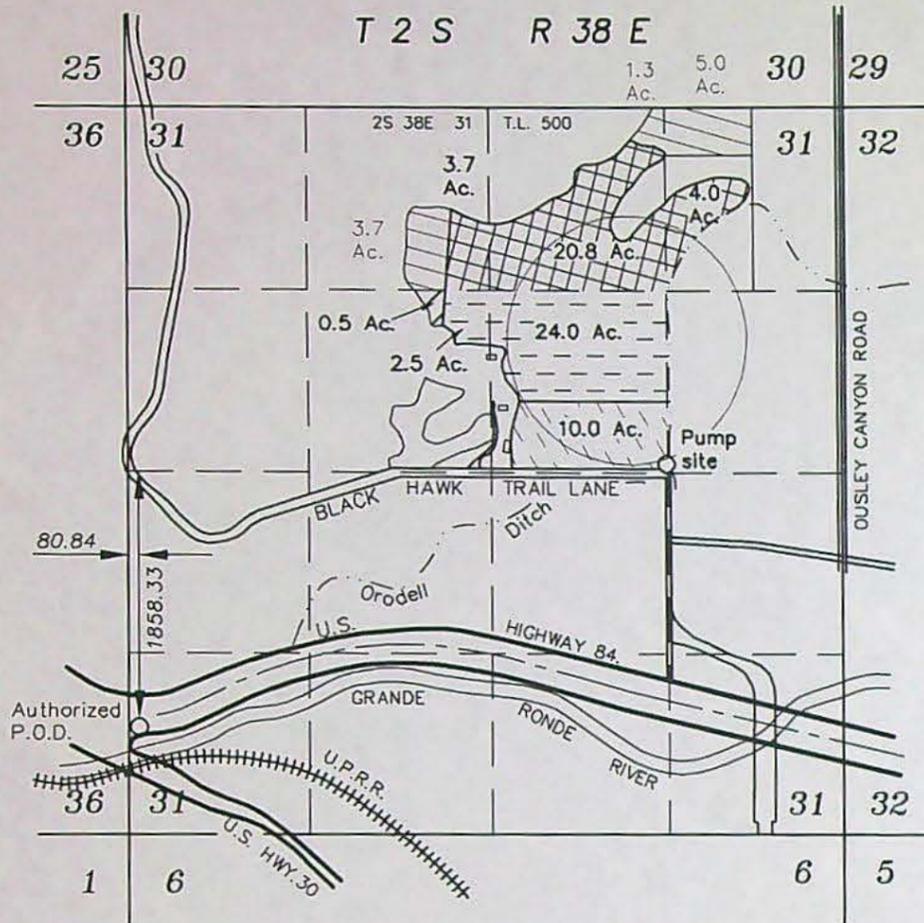
All that part of the east half of the northeast quarter and the northeast quarter of the southeast quarter lying and being north of Blackhawk Trail County Road No. 8 running easterly and westerly through said northeast quarter of the southeast quarter and west of a line described as follows: Beginning at a point 678.25 feet west of the northeast corner of said Section 31 and on the north boundary line of said section and running thence south to a point on the north boundary line of the county road aforesaid, 670 feet west of the east line of said section, EXCEPTING THEREFROM a tract of land described as beginning at the southwest corner of southeast quarter of the northeast quarter of Section 31, said township and range, and running thence North 40 feet; thence East 37 feet; thence South 503 feet to the north line of the public road running easterly and westerly through a portion of said section as referred to above; thence west along the north line of said public road 37 feet; thence north 463 feet to the place of beginning.

(02S3831-500)

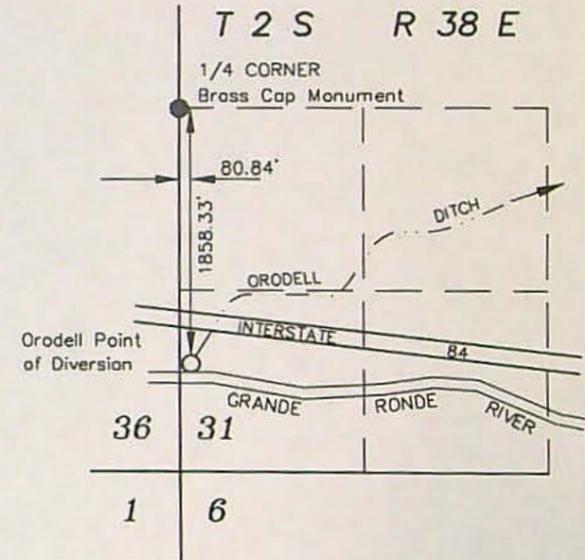
RECEIVED

AUG 30 2007

WATER RESOURCES DEPT
SALEM, OREGON



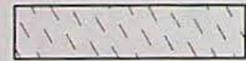
N
SCALE: 1"=1320'



Lands under Certificate number 42444 to remain in place.



Lands under certificate number 42444 to be canceled and receive rights from Certificate number 79512.



Lands from Certificate number 42444 requesting a change of place of use and receive rights from Certificate 79512.



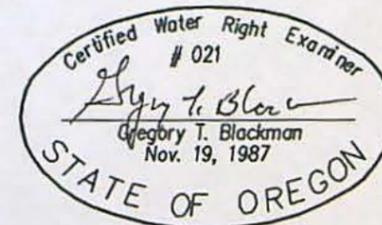
Lands to receive rights from Certificate number 42444.



Lands to receive rights from Certificate number 79512.



Lands under Certificate number 79512 to be transferred.



NOTE: The preparation of this map was for the purpose of identifying the location of the proposed water right and has no intent to provide dimensions or location of property ownership lines. Location information shown hereon was furnished by the applicant.

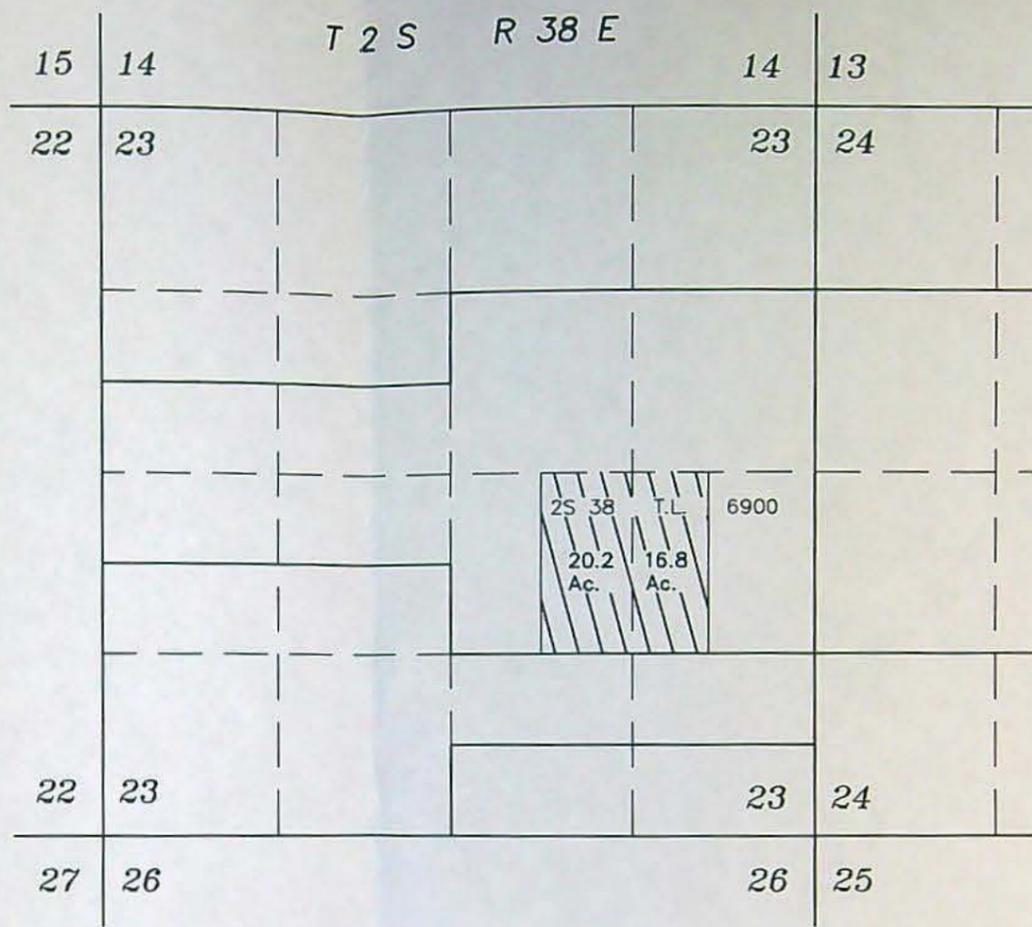
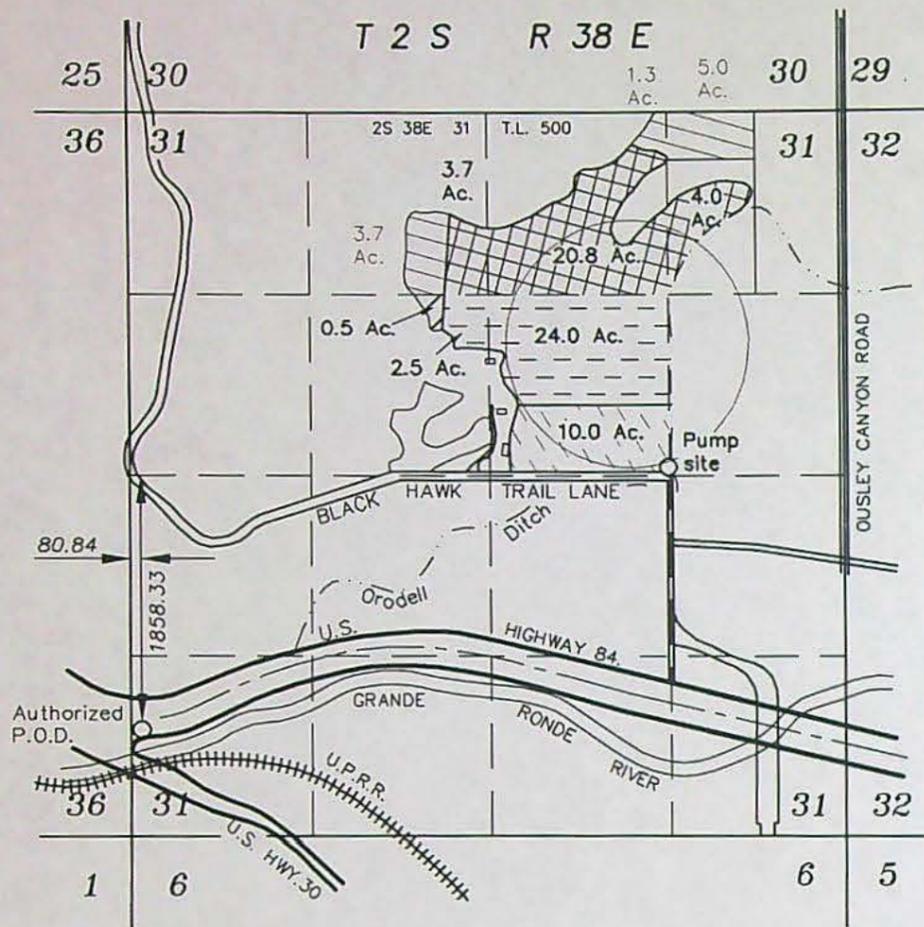
RECEIVED
AUG 30 2007

WATER RESOURCES DEPARTMENT
SALEM, OREGON PERMIT NUMBER _____ APPLICATION NO. _____

August 15, 2007
APPLICATION OF
TRANSFER OF PLACE OF USE
FOR
MIKE BECKER

BY
BAGETT - GRIFFITH & BLACKMAN
2006 ADAMS AVENUE
LAGRANDE, OREGON 97850

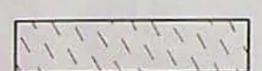
T 10452



Lands under Certificate number 42444 to remain in place.



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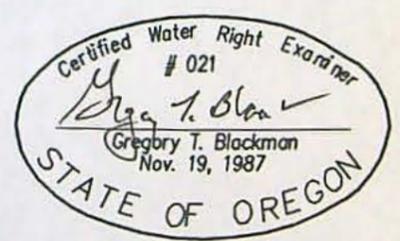
Lands to receive rights from Certificate number 42444.



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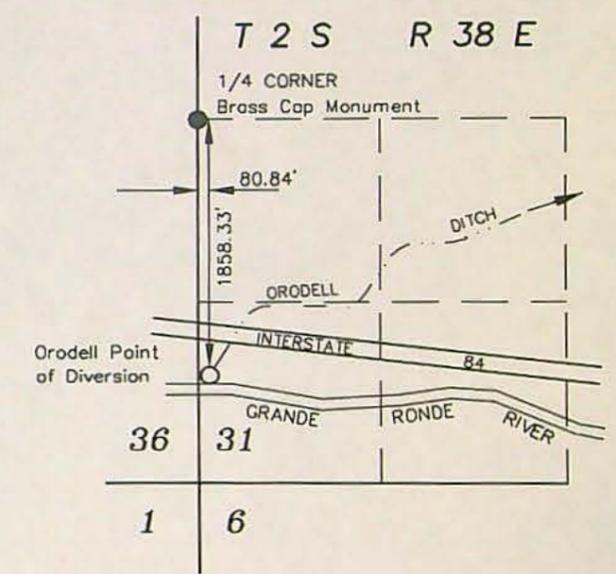
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NOTE: The preparation of this map was for the purpose of identifying the location of the proposed water right and has no intent to provide dimensions or location of property ownership lines. Location information shown hereon was furnished by the applicant.



SCALE: 1"=1320'



August 15, 2007
**APPLICATION OF
 TRANSFER OF PLACE OF USE
 FOR
 MIKE BECKER**

BY
**BAGETT - GRIFFITH & BLACKMAN
 2006 ADAMS AVENUE
 LAGRANDE, OREGON 97850**

PERMIT NUMBER _____
 APPLICATION NO. _____

T 10452

AFFIDAVIT FOR THE PARTIAL CANCELLATION OF A WATER RIGHT CERTIFICATE

RECEIVED

AUG 30 2007

WATER RESOURCES DEPT SALEM OREGON

State of Oregon)
County of Union) ss

I/We (or authorized agent), Mike Becker
residing at 10406 McAlister Road La Grande, Oregon 97850
telephone (541) 963-7096, being first duly sworn depose and say:

- 1. I/We are the legal owner(s) of the property described as tax lot number #500, within the 1/4 1/4, Section 31, Township 2S N/S, Range 38E E/W, of the Willamette Meridian, in Union County, Oregon...
2. A portion of water right certificate number 42444 issued to Helen McClure with a date of priority of July 13, 1971 for use of 0.80 cubic foot per second of water from Grande Ronde River Irrigation (use) is appurtenant to my/our property;
3. The appurtenant water right is/is not located within the boundaries of an irrigation, drainage, water improvement, or water control district...
4. I/We have abandoned any and all interest in the portion of this water right shown on the attached map and described as follows: The right to the use of 0.25 cubic foot per second from Grande Ronde River Irrigation (use) and irrigation of 26.5 acres located: SW 1/4 NE 1/4 24.0 Acres SE 1/4 NW 1/4 2.5 Acres 1/4 1/4 Acres Section 31 Township 2S N/S, Range 38E E/W, WM; and
5. I/We request the portion of the water right described above be canceled.

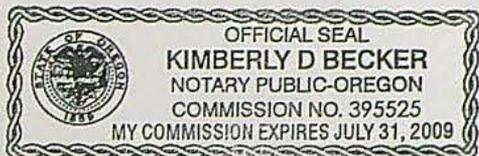
Signature of legal owner as listed on deed, or authorized agent

Date 8-24-07

Signature of legal co-owner as listed on deed (if applicable)

Date

Subscribed and Sworn to Before Me this 24th day of August, 2007.



Signature of Notary Public for Oregon

My Commission Expires July 31, 2009

PLEASE ATTACH A LEGIBLE COPY OF : 1) A DEED WHICH LISTS LAND OWNERS AND INCLUDES A LEGAL DESCRIPTION OF AFFECTED LANDS, AND 2) AN ADJUDICATION MAP, WATER RIGHT FINAL PROOF MAP, OR A TAX LOT MAP WITH THE PORTION OF 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).

**AFFIDAVIT FOR THE PARTIAL CANCELLATION OF A
WATER RIGHT CERTIFICATE**

RECEIVED

AUG 30 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

State of Oregon)
County of _____ Union) ss

I/We (or authorized agent), Mike Becker
residing at 10406 McAlister Road La Grande, Oregon 97850
telephone (541) 963-7096, being first duly sworn depose and say:

- I/We are the legal owner(s) of the property described as tax lot number #500, within the 1/4 1/4, Section 31, Township 2S N/S, Range 38E E/W, of the Willamette Meridian, in Union County, Oregon, as shown on the attached map and described in the attached deed and legal description and made part of this affidavit;
- A portion of water right certificate number 42444 issued to Helen McClure, with a date of priority of July 13, 1971 for use of 0.80 cubic foot per second of water from Grande Ronde River (source) for the purpose of Irrigation (use) is appurtenant to my/our property;
- The appurtenant water right is/is not located within the boundaries of an irrigation, drainage, water improvement, or water control district, or federal reclamation project (if the right is located within a district or reclamation project, name it here: _____); and

4. I/We have abandoned any and all interest in the portion of this water right shown on the attached map and described as follows:
The right to the use of 0.25 cubic foot per second from Grande Ronde River
for Irrigation (use), and irrigation of 26.5 acres located: (if applicable)

<u>SW 1/4</u>	<u>NE 1/4</u>	<u>24.0</u>	Acres
<u>SE 1/4</u>	<u>NW 1/4</u>	<u>2.5</u>	Acres
<u>1/4</u>	<u>1/4</u>		Acres

Section 31
Township 2S N/S, Range 38E E/W, WM; and

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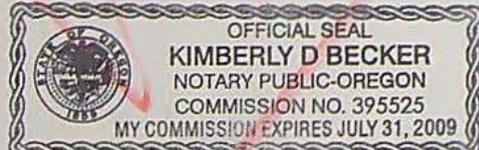
Mike Becker
Signature of legal owner as listed on deed, or authorized agent

8-24-07
Date

Signature of legal co-owner as listed on deed (if applicable)

Date

Subscribed and Sworn to Before Me this 24th day of August, 2007.



Kimberly D. Becker
Notary Public for Oregon

My Commission Expires July 31, 2009

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