

Name ODFW

By _____

Address 2501 SW 1st Ave

Portland, OR 97201

Shuttle mail

DESCRIPTION OF WATER RIGHT

Name of stream Catherine Creek + Ladd Creek

Trib. of _____ County of Union

Use Wildlife Habitat Ponds + Fringation

Quantity of water _____ No. of acres _____

Name of ditch unnamed + Lower Davis Dam

Date of priority 1868 + 1870

In name of W.J. Townley

Grand Ronde Adjudication, Vol. 8, page 1

App. No. _____ Per. No. _____ Cert. No. 50403

Certificate cancelled _____

Notation made on record by _____

10-19-98

FEES PAID

Date	Amount	Receipt No.
<u>6-1-93</u>	<u>313.00</u>	<u>100539</u>
<u>9-21-00</u>	<u>63.90</u>	<u>3219</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

Change in USE / POW

Date filed 6-1-93

Date of hearing _____

Place of hearing _____

Date of order 12-29-04 Vol. 62, page 457

Date for application of water _____

Proof mailed _____

Proof received C.O.B.U. 12/8/2011

Certificate issued 10-16-15 Vol. 90604, page _____

AR 81122

311605
(connection)

REMARKS

INDEX CARDS:

	Number	Check
Name		
Stream		
Pt. of Div.		
Calendar		
CHURCH TO		
Twp. & Div.		
Decree		
Location		
Cont. of Wtd.		
Prop. Right		
Order		
Contract		
Plan		
Map		

COBU MAP # 0639

AS
424

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **100539**

3850 PORTLAND ROAD NE
SALEM, OR 97310
378-8455/378-8130 (FAX)

RECEIVED FROM: _____
BY: _____

APPLICATION	
PERMIT	
TRANSFER	

CASH: CHECK: # OTHER: (IDENTIFY)

TOTAL REC'D \$ _____

01-00-0 WRD MISC CASH ACCT

842.010	ADJUDICATIONS	\$
831.087	PUBLICATIONS/MAPS	\$
830.650	PARKING FEES Name/month _____	\$
_____	OTHER: (IDENTIFY) _____	\$

REDUCTION OF EXPENSE

_____	CASH ACCT.	\$
_____	VOUCHER #	

03-00-0 WRD OPERATING ACCT

MISCELLANEOUS:					
840.001	COPY FEES		\$		
850.200	RESEARCH FEES		\$		
880.109	MISC REVENUE: (IDENTIFY) _____		\$		
520.000	OTHER (P-6) (IDENTIFY) _____		\$		
WATER RIGHTS:					
842.001	SURFACE WATER	\$	842.002	RECORD FEE	\$
842.003	GROUND WATER	\$	842.004		\$
842.005	TRANSFER	\$	842.006		\$ 26.50
WELL CONSTRUCTION				LICENSE FEE	
842.022	WELL DRILL CONSTRUCTOR	\$	842.023		\$
_____	LANDOWNER'S PERMIT		842.024		\$
_____	OTHER (IDENTIFY) _____				

06-00-0 WELL CONST START FEE

842.013	WELL CONST START FEE	\$	CARD #	
_____	MONITORING WELLS	\$	CARD #	

45-00-0 LOTTERY PROCEEDS

864.000	LOTTERY PROCEEDS	\$
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07-00-0 HYDRO ACTIVITY

842.011	POWER LICENSE FEE(FW/WRD)	LIC NUMBER	\$
842.115	HYDRO LICENSE FEE(FW/WRD)		\$
_____	HYDRO APPLICATION		\$

RECEIPT # **100539** DATED: 1-98 BY: L. H. ...

Keut,

Larry Munn advise is inconsistent
with your Jan 74 memo to P&C

RE: Rate duties & rotations on GR Deere
rights. The certificate currently
describing the right involved in

T-6990 was issued in Dec 81 and
does not in any way define a rate
limitation. It does specify the 3 cu-foot
limit.

What information do you want in the
order and in the RR?

Shed

Mailing List for Certificate

Application: T-6990

Permit:

Certificate: 90604

✓ OREGON DEPARTMENT OF FISH AND WILDLIFE
4034 FAIRVIEW INDUSTRIAL DRIVE SE
SALEM, OR 97302

Copies of Final Certificate to be sent to:

- ✓ 1. Watermaster # : 6
- ✓ 2. Data Center (include copy of map)
- ✓ 3. Water Availability
- ✓ 4. Vault
- ✓ 5. File

Other persons to receive copies: (include map):

Record Marking:

Application: Decree
Originating Cert: 80229

Copies Mailed	
by:	<u>BWJ</u> (STAFF)
on:	<u>10/16/15</u> (DATE)



Oregon

Kate Brown, Governor

Water Resources Department

North Mall Office Building
725 Summer St NE, Suite A
Salem, OR 97301
Phone (503) 986-0900
Fax (503) 986-0904
www.wrd.state.or.us

Date Mailed: October 16, 2015

NOTICE OF CERTIFICATE ISSUANCE

Attached is a certificate that confirms the water rights established under the terms of a transfer order issued by this Department.

This certificate is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

This statement of judicial review rights is required under ORS 536.075; it does not alter or add to existing review rights or create review rights that are not otherwise provided by law.

The water must be controlled and not wasted. To change the location of the point of diversion, the character of use, or the location of use requires the advance approval of the Water Resources Director.

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

STATE OF OREGON

COUNTY OF UNION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

OREGON DEPARTMENT OF FISH AND WILDLIFE
 4034 FAIRVIEW INDUSTRIAL DRIVE SE
 SALEM, OR 97302

confirms the right to use the waters of LADD CREEK, a tributary of CATHERINE CREEK and CATHERINE CREEK, a tributary of the GRANDE RONDE RIVER for WILDLIFE MANAGEMENT.

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 dates of priority are 1868 from Ladd Creek and 1870 from Catherine Creek.

The use of water for Wildlife Management shall be limited to a diversion of not to exceed 369.3 acre-feet from Ladd Creek and 432.3 acre-feet from Catherine Creek in any irrigation season of the year. The use is further limited to a diversion of not to exceed 3.08 cubic feet per second (CFS) from Ladd Creek and 3.60 CFS from Catherine Creek during the irrigation season of each year.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
3 S	38 E	WM	36	SE SE		LADD CREEK (PIERCE SAWYER DITCH) – 365 FEET NORTH AND 180 FEET WEST FROM SE CORNER, SECTION 36
4 S	39 E	WM	3	SW NW	1	CATHERINE CREEK (OLD CHANNEL DITCH) – 70 FEET NORTH AND 280 FEET EAST FROM W¼ CORNER, SECTION 3

A description of the place of use is as follows:

1868 (Ladd Creek)				
Twp	Rng	Mer	Sec	Q-Q
3 S	39 E	WM	32	SW ¼

1870 (Catherine Creek)				
Twp	Rng	Mer	Sec	Q-Q
3 S	39 E	WM	32	SE ¼

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

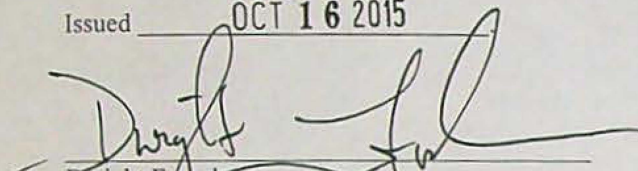
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The water user shall maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted.

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.

This certificate is issued to confirm a change in PLACE OF USE AND CHARACTER OF USE approved by an order of the Water Resources Director entered DECEMBER 29, 2004, at Special Order Volume 62, Page 457, approving Transfer Application 6990, and together with Certificate 81122, supercedes Certificate 80229, State Record of Water Right Certificates.

Issued OCT 16 2015


Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

STATE OF OREGON

COUNTY OF UNION

CERTIFICATE OF WATER RIGHT

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OREGON DEPARTMENT OF FISH AND WILDLIFE
4034 FAIRVIEW INDUSTRIAL DRIVE SE
SALEM, OR 97302

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The points of diversion are located as follows:

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3 S	38 E	WM	36	SE SE		LADD CREEK (PIERCE SAWYER DITCH) – 365 FEET NORTH AND 180 FEET WEST FROM SE CORNER, SECTION 36
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Twp	Rng	Mer	Sec	Q-Q
3 S	39 E	WM	32	SE ¼

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Issued _____.

Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

MEMO – 2014-2015 Certificate Project Proof to Satisfaction (Aug 7, 2014)

Application #	Permit #	Transfer # T-6990
WRD Reviewer Brian Creutzburg	Date 2-24-2015	
WRD Peer Reviewer Mary Björk	Date 8-3-15	

Research

- Organize file in chronological order
- Pull CBU Report & Map(s), Application Map, relevant Permit, Certificate, or Transfer Order, most recent Assignments, Extension Orders, SWL Measurements, Fish Screen Certification Documents, Water Use Reports & Pump Tests
- Search for Water Right Location using Interactive Mapper. Identify Tax Lots & check for Area of Interest (AOI)
- Water Organization identified using AOI? No Yes
If "Yes" cc: _____ & Add to Mailing List
- Print Tax Lot Map from ormap.net for the original Place of Use, and confirm Current Ownership & Address with County Assessor
If there is a new owner, Add to Mailing List, including the owner(s) name & tax lot number
- Print Platcard & check for Place of Use Conflict? No Yes
If "Yes", provide copy of certificate & relevant map
- Print BLM Cadastral Survey
- Does Claim Map identify correct DLC, Gov't Lots, QQ's? No Yes
If "No", either WRD amend map OR _____ prepare Order of Certification

Reviewing Claim

Have conditions on relevant permit, certificate, or transfer order been complied with? Yes, No, OR N/A

- N/A** Fish Conditions - *No conditions, but a fish screen has been installed*
- Yes** Meter/measuring device *Yes - per COBU, CWRE WEIR*
- NA** Water Use Reporting
- NA** Pump Test (post December 19, 1988)
- NA** Other Conditions _____ *COBU states C-Date Spring 2004*
- NA** SWL
- YES** ~~NO~~ C-Date *10-1-2007, COBU received 12-8-2011*

Run Capacity Calculator and Print Findings (for pump, sprinklers, pipes, ditches, as appropriate)

Matched calculations included in COBU, performed

NOTES:

OK *using the WRD calculations spreadsheet*
Exceeds, Makes proof. mfb

Determination

I've determined that the permit/transfer was fully developed as authorized and that a **FINAL** Certificate should be issued.

I've determined that the permit/transfer was not fully developed as authorized and that a **PROPOSED** Certificate should be issued. A proposed Certificate should be issued for the following reason(s):

I've determined that beneficial use was **NOT** made within the terms and conditions and that a **Proposed Order of Certification** (denial) should be issued. A proposed Order of Certification should be issued for the following reason(s):

Processing

Stamp PROPOSED or Assign CERT# _____ or ORDER OF CERTIFICATION (circle one)

Draft Certificates or Proposed Order of Certifications are available in the Application directory.

Prepare Mailing List. Include Applicant(s); Receiving Landowner(s); Current Owner(s); Water Organizations; CWRE. Indicate records to be marked.

<input type="checkbox"/> Record marking:	App _____	Permit _____	Cert _____
	App _____	Permit _____	Cert _____
	App _____	Permit _____	Cert _____
	App _____	Permit _____	Cert _____

NOTES:

Water Rights Platcard Report

Meridian: Willamette Township: 3 South Range: 39 East Section: 32 Records per 999 Page: Search Platcards Maps! Learn about * View Map

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unkwnn QQ
Select Cert:6610 OR CN Additional Info: W J TOWNLEY Decree: GRANDE RONDE RIVER, CONSOLIDATED Cert: 6610		12/31/1868	IRRIGATION	CN							40	40	40	40	40	40	30	40					
Select Cert:50403 RR CN Additional Info: W TOWNLEY Decree: GRANDE RONDE RIVER, CONSOLIDATED Cert: 50403	T8681, T9477, T9478	12/31/1868	IRRIGATION	CN							40	40	40	40	40	34	26	40					
Select Cert:80229 RR CN Additional Info: W TOWNLEY Decree: GRANDE RONDE RIVER, CONSOLIDATED Cert: 80229	T6990	12/31/1868	IRRIGATION	CN									40	40	40	34	26	40					
Select Inchoate: T 6990 CF (REG) * Additional Info: OREGON DEPARTMENT OF FISH AND WILDLIFE Decree: GRANDE RONDE RIVER, CONSOLIDATED		12/31/1868	WILDLIFE												(36.2)	(22.7)	(25.4)	(38.8)					
Select Permit: R 11512 * Additional Info: OREGON DEPARTMENT OF FISH AND WILDLIFE App: R69563 Permit: R11512			WILDLIFE												*						*	*	
Select Permit: R 13166 * Additional Info: OREGON DEPT. OF FISH & WILDLIFE; LARSON, DAVID App: R84631 Permit: R13166		1/4/2001	FISH CULTURE						*				*	*	*	*					*	*	
Select Permit: R 13166 * Additional Info: OREGON DEPT. OF FISH & WILDLIFE; LARSON, DAVID App: R84631 Permit: R13166		1/4/2001	WILDLIFE						*				*	*	*	*					*	*	
Select Permit: S 51560 * Additional Info: OREGON DEPARTMENT OF FISH AND WILDLIFE App: S69135 Permit: S51560		6/15/1987	WILDLIFE						*				*	*	*	*					*	*	
Select Permit: G 8881 * Additional Info: CLYDE E WHITE App: G9747 Permit: G8881		5/19/1980	IRRIGATION													6	4						
Select Permit: G 15159 * Additional Info: DAN CHEVALIER App: G15462 Permit: G15159		3/29/2001	MUNICIPAL USES														*	*					

Working File

Related File

Related File

Related File

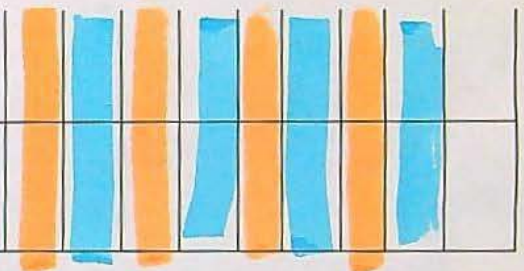
Related File

NCR (overlaps)

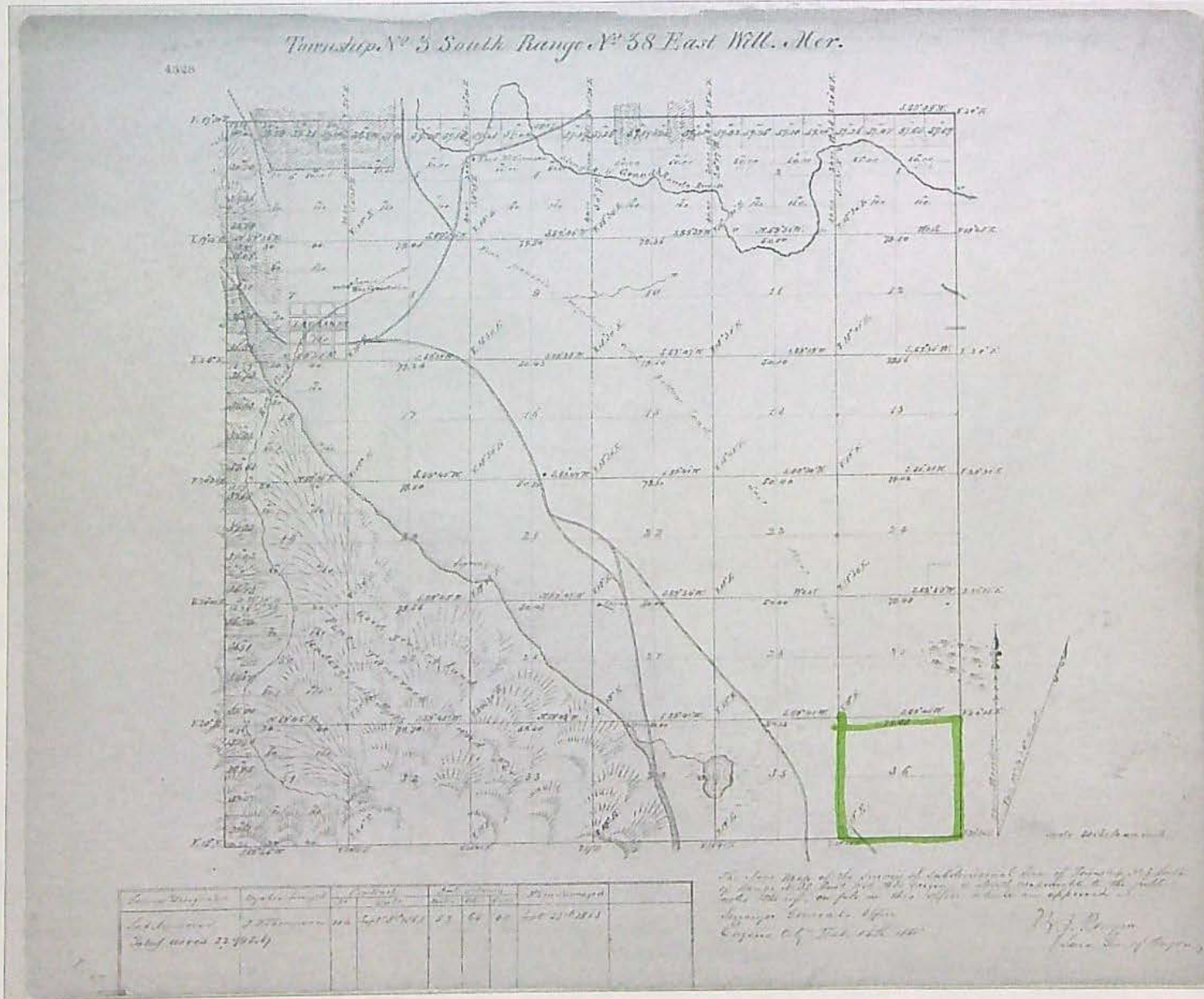
Select	Inchoate: T 8681 CF (REG) *	12/31/1870	IRRIGATION		(20)														
	Additional Info: FRED WALLENDER Decree: GRANDE RONDE RIVER, CONSOLIDATED																		
Select	Cert: 80229 RR CN	T6990	12/31/1870	IRRIGATION	CN	40	20	40	40							40	40	40	40
	Additional Info: W TOWNLEY Decree: GRANDE RONDE RIVER, CONSOLIDATED Cert: 80229																		
Select	Inchoate: T 6990 CF (REG) *	12/31/1870	WILDLIFE													(34)	(33.9)	(40)	(36.2)
	Additional Info: OREGON DEPARTMENT OF FISH AND WILDLIFE Decree: GRANDE RONDE RIVER, CONSOLIDATED																		
Select	Cert: 81122 RR CN	T9477, T9478	12/31/1870	IRRIGATION	CN	40	20	40	40										
	Additional Info: W TOWNLEY Decree: GRANDE RONDE RIVER, CONSOLIDATED Cert: 81122																		
Select	Cert: 81122 RR CN	T9477, T9478	12/31/1868	IRRIGATION	CN							40	40						
	Additional Info: W TOWNLEY Decree: GRANDE RONDE RIVER, CONSOLIDATED Cert: 81122																		
Select	Inchoate: T 9477 RR (REG), T 9478 RR (REG) *	12/31/1868	IRRIGATION									(40)	(40)						
	Additional Info: W TOWNLEY Decree: GRANDE RONDE RIVER, CONSOLIDATED																		
Select	Inchoate: T 9477 RR (REG), T 9478 RR (REG) *	12/31/1884	IRRIGATION			(40)	(20)	(40)											(40)
	Additional Info: W TOWNLEY Decree: GRANDE RONDE RIVER, CONSOLIDATED																		
Select	Inchoate: T 9478 CF (REG), T 9477 CF (REG) *	12/31/1870	IRRIGATION			(40)	(20)	(40)	(40)										
	Additional Info: W TOWNLEY Decree: GRANDE RONDE RIVER, CONSOLIDATED																		
Select	Inchoate: T 9478 CF (REG), T 9477 CF (REG) *	12/31/1868	IRRIGATION									(40)	(40)						
	Additional Info: W TOWNLEY Decree: GRANDE RONDE RIVER, CONSOLIDATED																		
Select	Inchoate: T 9478 RR (REG), T 9477 RR (REG) *	12/31/1870	IRRIGATION			(40)	(20)	(40)	(40)										
	Additional Info: W TOWNLEY Decree: GRANDE RONDE RIVER, CONSOLIDATED																		
Select	Inchoate: T 9478 RR (REG), T 9477 RR (REG) *	12/31/1868	IRRIGATION									(40)	(40)						
	Additional Info: W TOWNLEY Decree: GRANDE RONDE RIVER, CONSOLIDATED																		
Select	Cert: 81605 RR CR *	12/31/1868	IRRIGATION									40	40						
	Additional Info: W TOWNLEY Decree: GRANDE RONDE RIVER, CONSOLIDATED Cert: 81605																		
Select	Cert: 81605 RR CR *	12/31/1870	IRRIGATION			40	20	40	40										
	Additional Info: W TOWNLEY Decree: GRANDE RONDE RIVER, CONSOLIDATED Cert: 81605																		

Working File

Select Inchoate: T 10223 CF (TMP) WD Additional Info: FRED WALLENDER App: G14962 Permit: G13810	4/2/1999 SUPPLEMENTAL WD IRRIGATION (Suppl'mtl)	(19.7)		(40) (40)							
Select Cert:85488 OR * Additional Info: FRED WALLENDER App: G14962 Permit: G13810 Cert: 85488	4/2/1999 SUPPLEMENTAL IRRIGATION (Suppl'mtl)	19.7		40 40							
Acreage Legend: 12.25 Regular acreage 12.25 Acreage is on a canceled right (12.25) Acreage is part of a transfer and has not been proven up on yet (Inchoate) [12.25] Acreage has been suspended * Acreage is not specified											

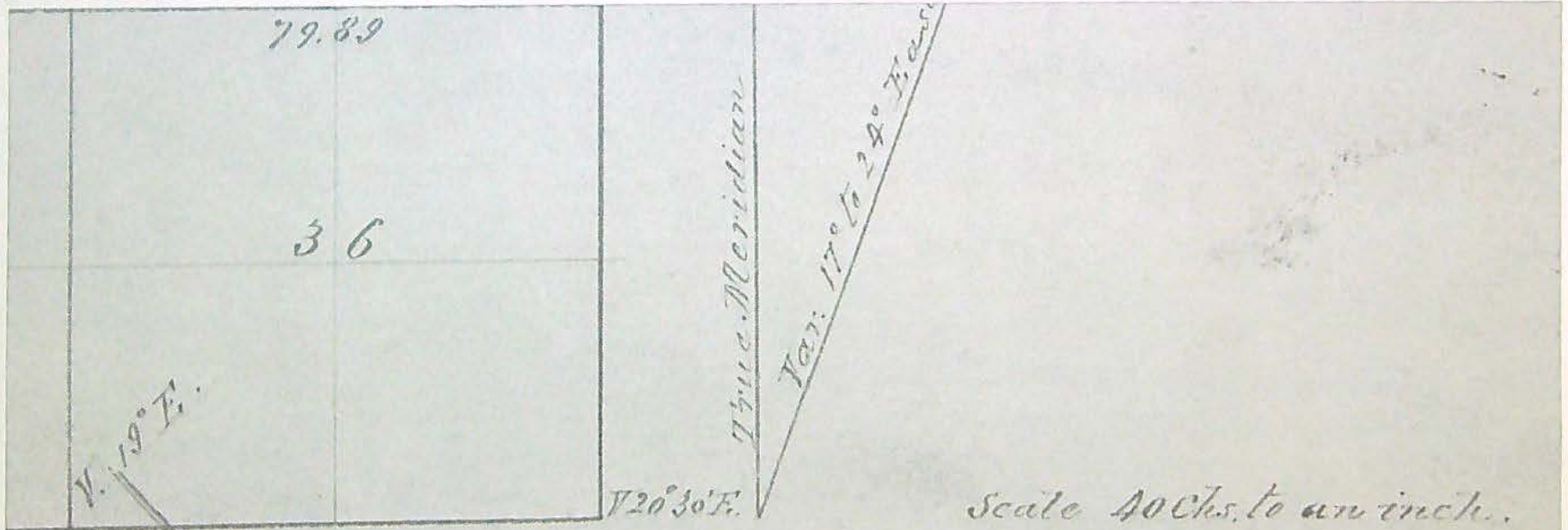


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Ladd
Creek
Pod

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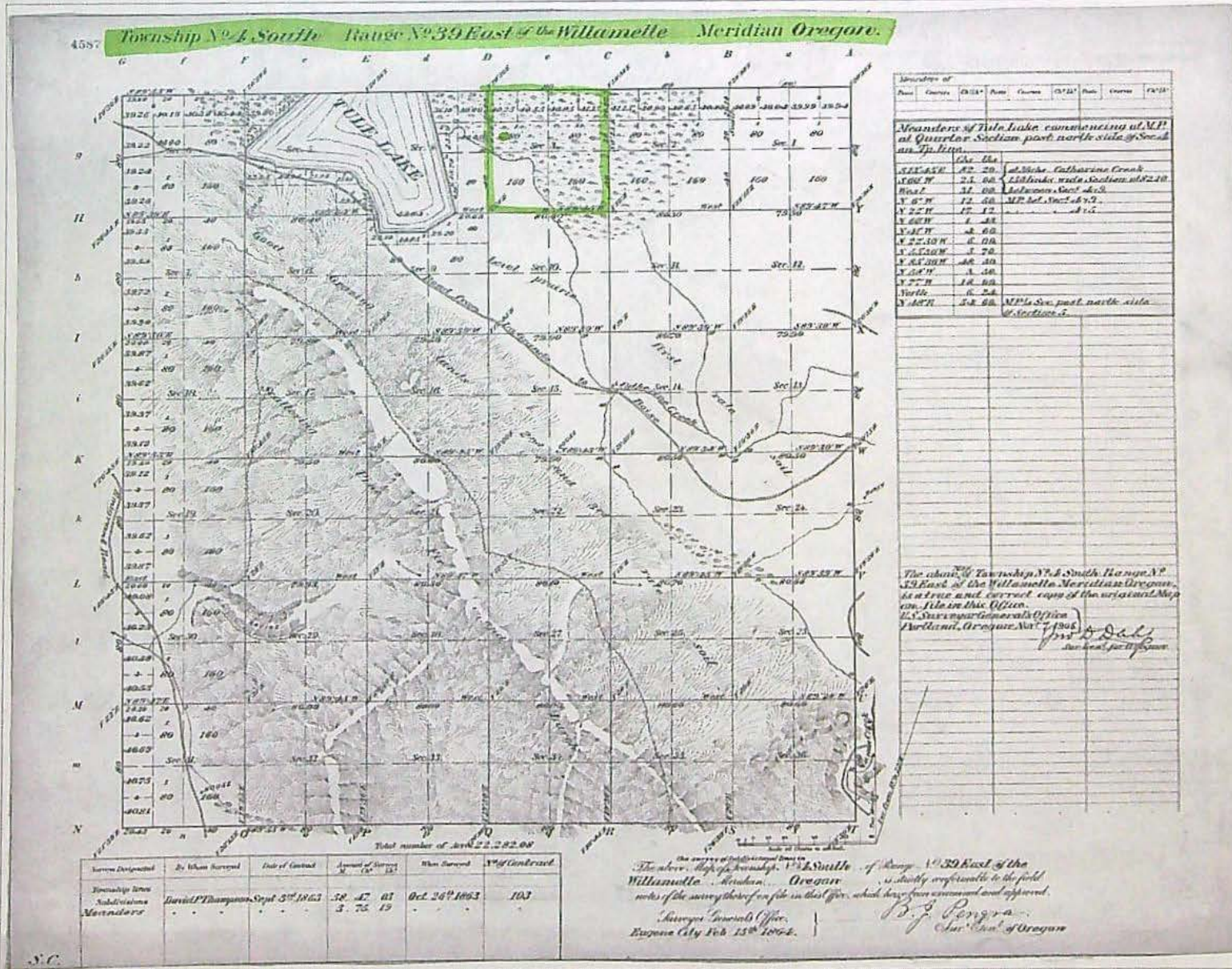


The survey of subdivisional lines of Township N° 3 South East Will Mer. Oregon is strictly conformable to the field notes on file in this office which are approved

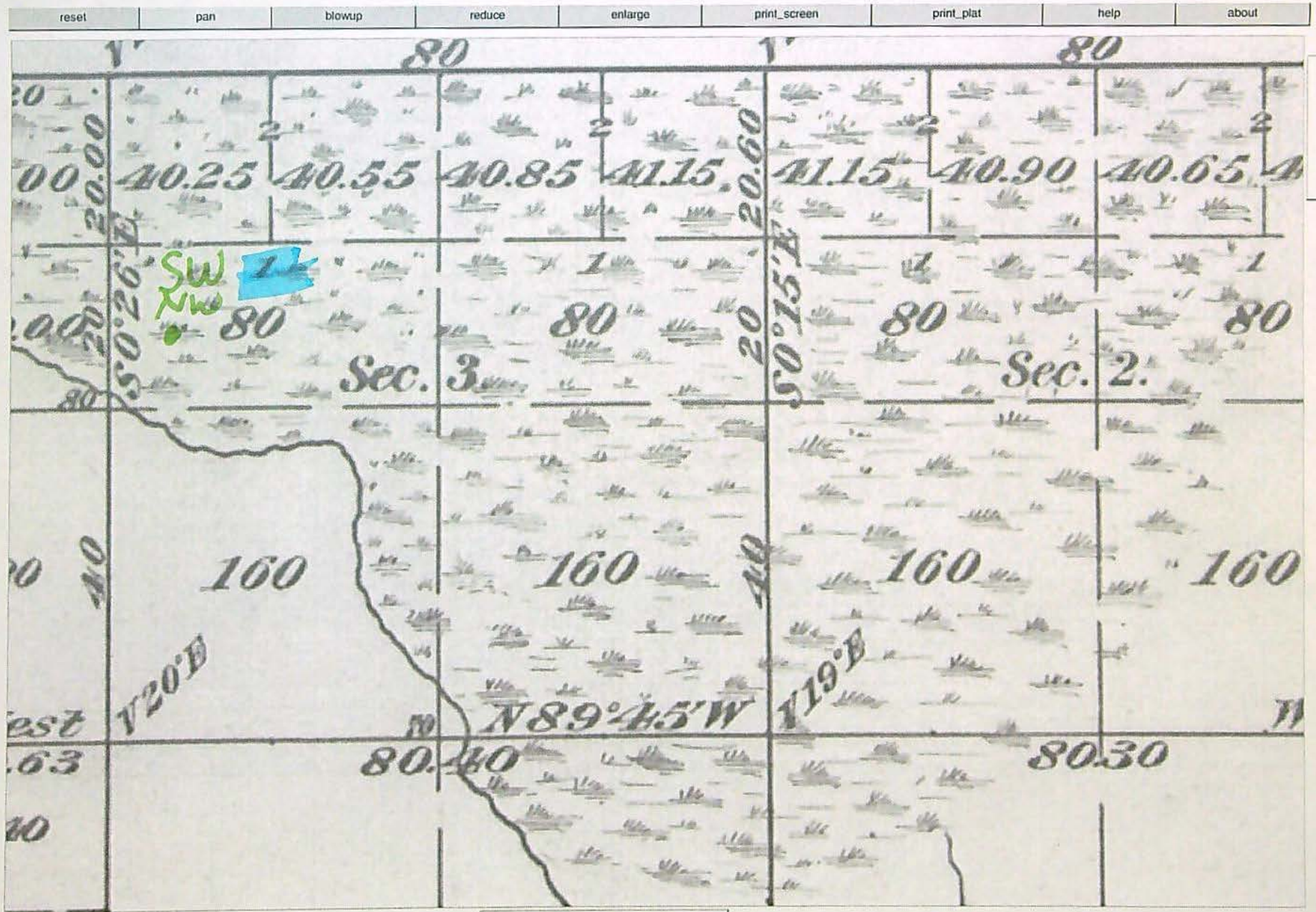
at his Office
Feb. 15th 1861

R. J. Pomeroy
Surv. Gen. of Oregon

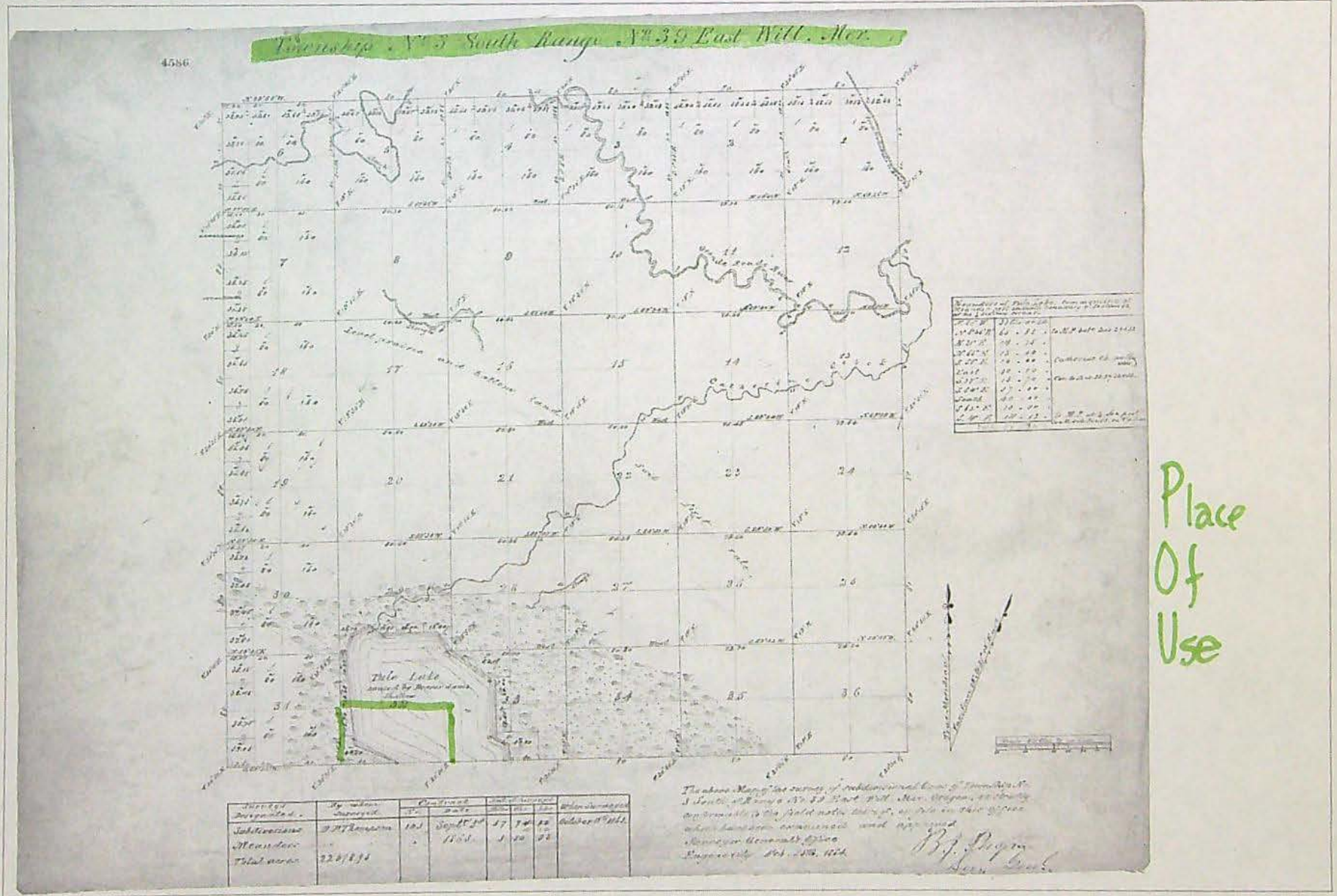
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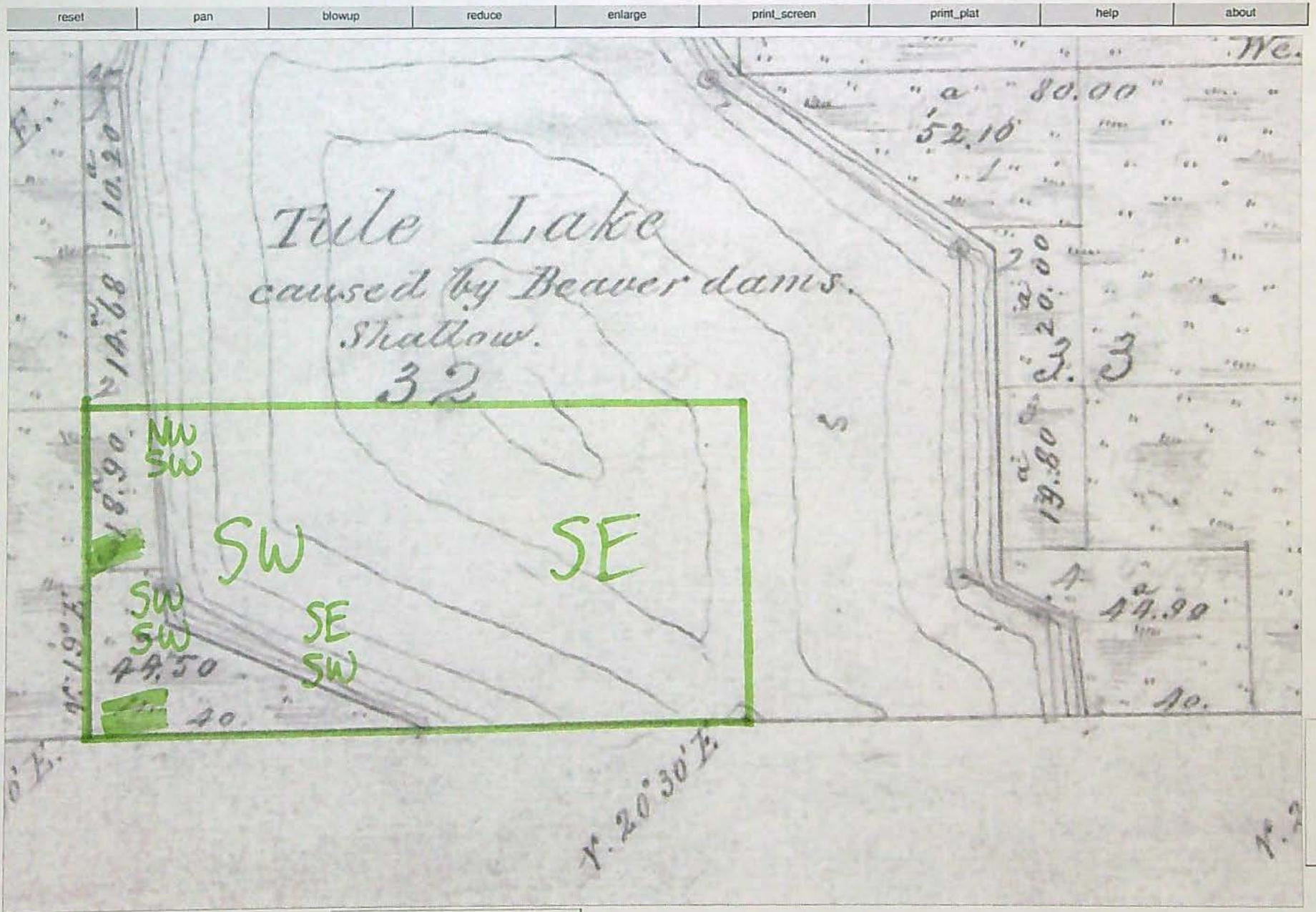
Catherine
Creek
POD



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Place Of Use



STATE OF OREGON

COUNTY OF UNION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

W.J. TOWNLEY
UNION, OREGON 97783

confirms the right to use the waters of LADD CREEK, CATHERINE CREEK, and HOT LAKE SPRING, tributaries of the GRAND RONDE RIVER, for IRRIGATION OF 1791.5 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 see "place of use" below.

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 or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

LADD CREEK: SE¼ SE¼ SECTION 36, T 3 S, R 38 E, W.M.;
CATHERINE CREEK: SW¼ NW¼ SECTION 3, T 4 S, R 39 E, W.M.; AND
HOT LAKE SPRING.

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

<u>Date</u>	<u>Acres</u>	<u>Source</u>	<u>Description of Land</u>
1868	220.0	Ladd Creek	40.0 acres in SE¼ NW¼ 40.0 acres in SW¼ NW¼ 40.0 acres in NE¼ SW¼ 34.0 acres in NW¼ SW¼ 26.0 acres in SW¼ SW¼ 40.0 acres in SE¼ SW¼ SECTION 32 T 3 S, R 39 E, W.M.

CN

<u>Date</u>	<u>Acres</u>	<u>Source</u>	<u>Description of Land</u>
1870	855.0	Catherine Creek	25.0 acres in SE¼ SE¼ SECTION 29 40.0 acres in NE¼ NE¼ 20.0 acres in NW¼ NE¼ 40.0 acres in SW¼ NE¼ 40.0 acres in SE¼ NE¼ 40.0 acres in NE¼ SE¼ 40.0 acres in NW¼ SE¼ 40.0 acres in SW¼ SE¼ 40.0 acres in SE¼ SE¼ SECTION 32 40.0 acres in NE¼ NW¼ 40.0 acres in NW¼ NW¼ 40.0 acres in SW¼ NW¼ 40.0 acres in SE¼ NW¼ 40.0 acres in NE¼ SW¼ 40.0 acres in NW¼ SW¼ 40.0 acres in SW¼ SW¼ 40.0 acres in SE¼ SW¼ 40.0 acres in SW¼ SE¼ SECTION 33 T 3 S, R 39 E, W.M. 40.0 acres in NE¼ NW¼ 40.0 acres in NW¼ NW¼ 40.0 acres in SE¼ NW¼ SECTION 4 40.0 acres in NE¼ NE¼ 10.0 acres in NW¼ NE¼ SECTION 5 T 4 S, R 39 E, W.M.
1878	50.0	Hot Spring Lake	30.0 acres in NW¼ NE¼ 20.0 acres in NE¼ NW¼ SECTION 5 T 4 S, R 39 E, W.M.
1884	666.5	Catherine Creek	9.0 acres in NW¼ SW¼ 31.0 acres in SW¼ SW¼ SECTION 27 28.0 acres in NE¼ SE¼ 40.0 acres in NW¼ SE¼ 36.0 acres in SW¼ SE¼ 40.0 acres in SE¼ SE¼ SECTION 28

CW

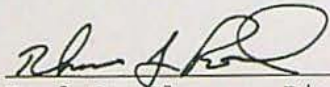
<u>Date</u>	<u>Acres</u>	<u>Source</u>	<u>Description of Land</u>
			40.0 acres in NE¼ NE¼
			40.0 acres in NW¼ NE¼
			40.0 acres in SW¼ NE¼
			40.0 acres in SE¼ NE¼
			40.0 acres in NE¼ SE¼
			40.0 acres in NW¼ SE¼
			40.0 acres in SE¼ SE¼
			SECTION 33
			36.5 acres in NW¼ NW¼
			40.0 acres in SW¼ NW¼
			3.5 acres in SE¼ NW¼
			26.5 acres in NE¼ SW¼
			40.0 acres in NW¼ SW¼
			40.0 acres in SW¼ SW¼
			16.0 acres in SE¼ SW¼
			SECTION 34
			T 3 S, R 39 E, W.M.

This certificate describes that portion of the water right confirmed by Certificate 50403, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered MAY 20 2003, approving Transfer Application 8681.

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 20 2003.


Paul R. Cleary, Director

Recorded in State Record of Water Right Certificates numbered 80229.

STATE OF OREGON
COUNTY OF UNION
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

W.J. TOWNLEY
UNION, OREGON 97783

confirms the right to use the waters of LADD CREEK, CATHERINE CREEK, and HOT LAKE SPRING, tributaries of the GRANDE RONDE RIVER, for IRRIGATION OF 1491.5 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 dates of priority are 1868 FOR IRRIGATION OF 80.0 ACRES FROM LADD CREEK; 1870 FOR IRRIGATION OF 695.0 ACRES AND 1884 FOR IRRIGATION OF 666.5 ACRES FROM CATHERINE CREEK; 1878 FOR IRRIGATION OF 50.0 ACRES FROM HOT SPRING LAKE.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is 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 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

The points of diversion are located as follows:

LADD CREEK - SE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 36, T 3 S, R 38 E, W.M.;
CATHERINE CREEK - SW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 3, T 4 S, R 39 E, W.M.; AND
HOT LAKE SPRING.

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

<u>DATE</u>	<u>SOURCE</u>	<u>DESCRIPTION OF LAND</u>
1884	CATHERINE CREEK	NW $\frac{1}{4}$ SW $\frac{1}{4}$ 9.0 ACRES
1884	CATHERINE CREEK	SW $\frac{1}{4}$ SW $\frac{1}{4}$ 31.0 ACRES
		SECTION 27
1884	CATHERINE CREEK	NE $\frac{1}{4}$ SE $\frac{1}{4}$ 28.0 ACRES
1884	CATHERINE CREEK	NW $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 ACRES
1884	CATHERINE CREEK	SW $\frac{1}{4}$ SE $\frac{1}{4}$ 36.0 ACRES
1884	CATHERINE CREEK	SE $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 ACRES
		SECTION 28

<u>DATE</u>	<u>SOURCE</u>	<u>DESCRIPTION OF LAND</u>
1870	CATHERINE CREEK	SE¼ SE¼ 25.0 ACRES
	SECTION 29	
1870	CATHERINE CREEK	NE¼ NE¼ 40.0 ACRES
1870	CATHERINE CREEK	NW¼ NE¼ 20.0 ACRES
1870	CATHERINE CREEK	SW¼ NE¼ 40.0 ACRES
1870	CATHERINE CREEK	SE¼ NE¼ 40.0 ACRES
	SECTION 32	
1868	LADD CREEK	SE¼ NW¼ 40.0 ACRES
1868	LADD CREEK	SW¼ NW¼ 40.0 ACRES
	SECTION 32	
1870	CATHERINE CREEK	NE¼ NW¼ 40.0 ACRES
1870	CATHERINE CREEK	NW¼ NW¼ 40.0 ACRES
1870	CATHERINE CREEK	SW¼ NW¼ 40.0 ACRES
1870	CATHERINE CREEK	SE¼ NW¼ 40.0 ACRES
1870	CATHERINE CREEK	NE¼ SW¼ 40.0 ACRES
1870	CATHERINE CREEK	NW¼ SW¼ 40.0 ACRES
1870	CATHERINE CREEK	SW¼ SW¼ 40.0 ACRES
1870	CATHERINE CREEK	SE¼ SW¼ 40.0 ACRES
1870	CATHERINE CREEK	SW¼ SE¼ 40.0 ACRES
	SECTION 33	
1884	CATHERINE CREEK	NE¼ NE¼ 40.0 ACRES
1884	CATHERINE CREEK	NW¼ NE¼ 40.0 ACRES
1884	CATHERINE CREEK	SW¼ NE¼ 40.0 ACRES
1884	CATHERINE CREEK	SE¼ NE¼ 40.0 ACRES
1884	CATHERINE CREEK	NE¼ SE¼ 40.0 ACRES
1884	CATHERINE CREEK	NW¼ SE¼ 40.0 ACRES
1884	CATHERINE CREEK	SE¼ SE¼ 40.0 ACRES
	SECTION 33	
1884	CATHERINE CREEK	NW¼ NW¼ 36.5 ACRES
1884	CATHERINE CREEK	SW¼ NW¼ 40.0 ACRES
1884	CATHERINE CREEK	SE¼ NW¼ 3.5 ACRES
1884	CATHERINE CREEK	NE¼ SW¼ 26.5 ACRES
1884	CATHERINE CREEK	SW¼ SW¼ 40.0 ACRES
1884	CATHERINE CREEK	NW¼ SW¼ 40.0 ACRES
1884	CATHERINE CREEK	SE¼ SW¼ 16.0 ACRES
	SECTION 34	
	TOWNSHIP 3 SOUTH, RANGE 39 EAST, W.M.	
1870	CATHERINE CREEK	NE¼ NW¼ 40.0 ACRES
1870	CATHERINE CREEK	NW¼ NW¼ 40.0 ACRES
1870	CATHERINE CREEK	SE¼ NW¼ 40.0 ACRES
	SECTION 4	
1870	CATHERINE CREEK	NE¼ NE¼ 40.0 ACRES
1870	CATHERINE CREEK	NW¼ NE¼ 10.0 ACRES
	SECTION 5	

<u>DATE</u>	<u>SOURCE</u>	<u>DESCRIPTION OF LAND</u>
1878	HOT SPRING LAKE	NW¼ NE¼ 30.0 ACRES
1878	HOT SPRING LAKE	NE¼ NW¼ 20.0 ACRES

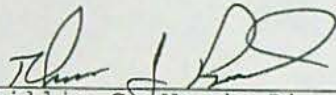
SECTION 5
TOWNSHIP 4 SOUTH, RANGE 39 EAST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 80229, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered DEC 29 2004, approving Transfer Application 6990.

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 DECEMBER 29, 2004.


For Phillip C. Ward, Director

Recorded in State Record of Water Right Certificates numbered 81122

Completion Checklist for CWRE Claims of Beneficial Use

Application # T-6990

Date Received 12/8/2011
CWRE Name Michael Pasada Claim Logged yes
File Marked yes
Oversized Map # 0637
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))

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SECTION 1 GENERAL INFORMATION

1. File Information

APPLICATION # (G, R, S or T) T-6990	PERMIT # (IF APPLICABLE)	PERMIT AMENDMENT # (IF APPLICABLE)
---	--------------------------	------------------------------------

2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME OREGON DEPT. OF FISH AND WILDLIFE (DAVID LARSON – WILDLIFE AREA MANAGER – LADD MARSH)		PHONE No. 541-963-4954	ADDITIONAL CONTACT No.	
ADDRESS 2501 SW 1ST AVE				
CITY PORTLAND	STATE OR	ZIP 97201	E-MAIL david.c.larson@state.or.us	

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**

Are there additional permit or transfer holders of record? **NO**

4. Date of Site Inspection: **09/07/2011**

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

NAME	DATE	ASSOCIATION WITH THE PROJECT
DAVID LARSON	09/07/2011	WILDLIFE AREA MANAGER –LADD MARSH WILDLIFE AREA

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

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OWNER OF RECORD NA		
ADDRESS		
CITY	STATE	ZIP

Are there additional Owners of Record? NO

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)
N/A	N/A	N/A

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

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

POD/POA NAME OR NUMBER	SOURCE	TRIBUTARY
POD 1 – LADD CREEK SE1/4,SE1/4,SEC36,T3S,R38E,WM (PIERCE SAWYER DITCH)	LADD CREEK	GRAND RONDE RIVER
POD 2 – LOWER DAVIS DAM , CATHERINE CREEK SW1/4,SW1/4,SEC36,T3S,R38E,WM (OLD CHANNEL DITCH)	CATHERINE CREEK	GRAND RONDE RIVER

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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)
POD 1	WILDLIFE MANAGEMENT	N/A	APRIL 1 ST THRU NOV. 1 ST (IRRIGATION SEASON)	369.3 AF 3.08 CFS
POD 2	WILDLIFE MANAGEMENT	N/A	APRIL 1 ST THRU NOV. 1 ST (IRRIGATION SEASON)	432.3 AF 3.60 CFS
				LIMITS OF USE
Total Quantity of Water Used				801.6 AF 6.68 CFS

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 Ladd Marsh Wildlife Area (LMWA) is located in the Grande Ronde Valley, about 7 miles south of La Grande, in Union County, Oregon. Administered by the Oregon Department of Fish and Wildlife, it lies at about 2,800 feet in elevation and is just over 6,000 acres in size. The wildlife area harbors some of the few remaining areas of undisturbed, native valley floor vegetation and constitutes a critical ecological enclave for biodiversity.

Ladd Marsh Wildlife Area is comprised of a variety of both upland and wetland habitats including conifer forest, upland shrub, grassland, wet meadow and seasonal emergent wetland. This habitat diversity contributes to the wide array of plant and animal species found on the marsh.

The Place of Use (POA) for this water right is the Southeast One-quarter and the Southwest One-quarter of Section 32, T.3S., R. 39E. W.M., which lies within the LMWA. That area is comprised of a mixture of grassland, wet meadow and seasonal emergent wetland. A brief description of the distribution works follows.

POD 1 – Ladd Creek, Pierce Sawyer Ditch. See map for location. From POD #1, water is transported through Pierce Sawyer Ditch to the LMWA. Water is then moved through the wildlife area (the POA) utilizing a series of engineered swales and diversion/flow control structures. The water eventually empties back into Ladd Creek which then leads downstream to Catherine Creek.

POD 2 – Catherine Creek, Old Channel Ditch. See map for location. From POD #2, water is transported through Old Channel Ditch to the LMWA. Water is then moved through the wildlife area (the POA) utilizing a series of engineered swales and diversion/flow control structures. The water eventually empties back into Ladd Creek which then leads downstream to Catherine Creek.

Reclaimed water from the City of La Grande Wastewater treatment plant is also used to maintain the LMWA wetlands system in the winter months and also at times when additional water is needed.

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SECTION 2

SYSTEM DESCRIPTION (B through H)

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Are there multiple PODs or POAs? YES

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):

POD 1 – PIERCE SAWYER DITCH (LADD CREEK)

B. Place of Use

1. Is the right for municipal use? NO

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? NO

7. Is the distribution system piped? NO

D. Groundwater Source Information (Well and Sump)

1. Is the appropriation from ground water (well or sump)? NO

E. Storage

1. Does the distribution system include in-system storage (i.e. storage tank, bulge in system / reservoir) NO

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? NO

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

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

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)
EARTHEN BERM	19'	4.5'	4.0'	0.04	16'	8150'	0.2%	132 CFS

3. Provide calculations: LADD CREEK – PIERCE SAWYER DITCH

Top Width = 19 feet
 Bottom Width = 4.5 feet
 Depth = 4 feet
 Fall = 16 feet per 8150 feet of distance
 Grade = 0.00196319 , or 0.2%
 n Factor = 0.04

Results calculated

Area of cross-section = 47 square feet
 Wetted Perimeter = 21.0605 feet
 Hydraulic Radius = 2.231666
 Velocity = 2.811 feet per second

Calculated Ditch Capacity = 132.1 cubic feet per second

The limiting factor for the gravity flow along Pierce Sawyer Ditch for this water right is the opening at POD 1, the weir gate in the diversion structure. The weir gate opening is a 2.7' diameter CMP that empties into Pierce Sawyer Ditch. To calculate the rate of flow through the CMP I use Hazen-William's formula.

Interior Diameter = 32 inches, or 2.666667 feet
 Roughness Coefficient (C) = 110
 Fall = 0.5 feet per 300 feet of distance
 Grade = 0.00166667 , or 0.2%

Results calculated

Area of cross-section = 5.585054 square feet
 Wetted Perimeter = 8.37758 feet
 Hydraulic Radius = 0.666667
 Velocity = 3.549514 feet per second

Pipe Capacity = 19.8 cubic feet per second

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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)
N/A			

Attach measurement notes.

SECTION 2 - CONTINUED

SYSTEM DESCRIPTION (B through H)

Are there multiple PODs or POAs? YES

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):

POD 2 – OLD CHANNEL DITCH (CATHERINE CREEK)

B. Place of Use

1. Is the right for municipal use? NO

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? NO

7. Is the distribution system piped? NO

D. Groundwater Source Information (Well and Sump)

1. Is the appropriation from ground water (well or sump)? NO

E. Storage

1. Does the distribution system include in-system storage (i.e. storage tank, bulge in system / reservoir) NO

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? NO

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

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)
EARTHEN BERM	16.0	5.0	4.5	0.04	5'	7000'	0.1%	85.5 CFS

3. Provide calculations:

Top Width = 16 feet
 Bottom Width = 5 feet
 Depth = 4.5 feet
 Fall = 5 feet per 7000 feet of distance
 Grade = 0.00071429, or 0.1%
 n Factor = 0.04

Results calculated

Area of cross-section = 47.25 square feet
 Wetted Perimeter = 19.21267 feet
 Hydraulic Radius = 2.459315
 Velocity = 1.809 feet per second
 Calculated Ditch Capacity = 85.5 cubic feet per second

The limiting factor for the gravity flow along the Old Channel Ditch for this water right is the opening at POD 2, the double weir gate system in the diversion structure. Each weir gate opening is 3.2' wide and can open to a maximum of 3' high in weir gate channel structure that empties into Old Channel Ditch. To calculate the rate of flow through the weir gates I use Manning's formula for ditches and canals.

Top Width = 3.2 feet
 Bottom Width = 3.2 feet
 Depth = 3 feet
 Fall = 5 feet per 7000 feet of distance
 Grade = 0.00071429, or 0.1%
 n Factor = 0.02

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Results calculated

Area of cross-section = 9.6 square feet
 Wetted Perimeter = 9.2 feet
 Hydraulic Radius = 1.043478
 Velocity = 2.270 feet per second

Calculated Ditch Capacity = 21.8 cubic feet per second

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21.8 cfs * two weir gates = 43.6 cfs total capacity

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)
N/A			

Attach measurement notes.

H. Reservoir

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

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	29 TH December, 2004		
BEGIN CONSTRUCTION (A)	N/A	MAY 2003	LADD MARSH WILDLIFE AREA PROJECT STARTED

COMPLETE CONSTRUCTION (B)	N/A	DECEMBER 2003	LADD MARSH WILDLIFE AREA PROJECT COMPLETED
COMPLETE APPLICATION OF WATER (C)	OCTOBER 1, 2007	2004	LADD MARSH WILDLIFE AREA OPERATING AND WATER IS PUT TO BENEFICIAL USE FOR WILDLIFE MANAGEMENT IN SPRING OF 2004. THAT USE CONTINUES THROUGH TO THE PRESENT TIME.

* 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)? NO
4. Initial Water Level Measurements:
- a. Was the water user required to submit an initial static water level measurement? NO
5. Annual Static Water Level Measurements:
- a. Was the water user required to submit annual static water level measurements? NO
6. Pump Test (Required for most ground water permits prior to issuance of a certificate)
- a. Did the permit require the submittal of a pump test? NO
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

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? NO
- c. Meter Information

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

- d. If a meter has not been installed, has a suitable measuring device been installed and approved by the Department? YES

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

- 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
Unknown	Unknown	2001

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f. Measurement Device Description

DEVICE DESCRIPTION	CONDITION (WORKING OR NOT)	DATE INSTALLED
Weirs	working	2001

8. Recording and reporting conditions

a. Is the water user required to report the water use to the Department?

NOT BY THIS TRANSFER, BUT ODF&W DOES REPORT WATER USE TO OWRD

9. Fish Screening

a. Are any points of diversion required to be screened to prevent fish from entering the point of diversion?

NOT BY THIS TRANSFER, BUT ODF&W HAS CONSTRUCTED FISH SCREENS AT BOTH POD'S

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

c. When was the fish screening installed?

DATE	BY WHOM
2001	ODF&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**

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**

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?

NOT BY THIS TRANSFER, BUT ODF&W HAS CONSTRUCTED FISH BY-PASS DEVICES AT BOTH POD'S.

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

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.)

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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
ODF&W HAS APPROVED THE BY-PASS DEVICE	2001	ODF&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? NO
- b. Was submittal of a ground water monitoring plan required? NO
- c. Was the water user required to restore the riparian area if it was disturbed? NO
- d. Was a fishway required? NO
- e. Was submittal of a letter from an engineer required prior to storage of water? NO
- f. Was submittal of a water management and conservation plan required? NO
- g. Other conditions? NO

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

N/A

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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.")

All conditions of the Transfer Final Order were met within the required timeline. There are no variations from the Transfer Final Order, with the exception of the timing of this Claim of Beneficial Use. The ODF&W received a letter from OWRD dated May 16, 2011 (see Attachment B) requesting some action towards completion of the transfer. I contacted Jerry Sauter of OWRD and let him know via e-mail that we would finish this Claim of Beneficial Use Site Report and Map in the Fall of 2011.

**SECTION 5
ATTACHMENTS**

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

ATTACHMENT NAME	DESCRIPTION
Attachment "A"	Transfer Final Order T-6990, S.O. Vol. 62, Pg. 457-460
Attachment "B"	OWRD Letter dated May 16, 2011

**SECTION 6
CLAIM SUMMARY**

POD / POA NAME OR #	MAXIMUM RATE AUTHORIZED	CALCULATED THEORETI CAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURE D	USE	# OF ACRES ALLOWED	# OF ACRES DEVELOPED
POD 1	RATE=3.08 CFS DUTY = 369.3 AF	19.8 CFS		WILDLIFE MANAGEMENT		
POD 2	RATE=3.60 CFS DUTY=432.3 AF	21.8 CFS		WILDLIFE MANAGEMENT		

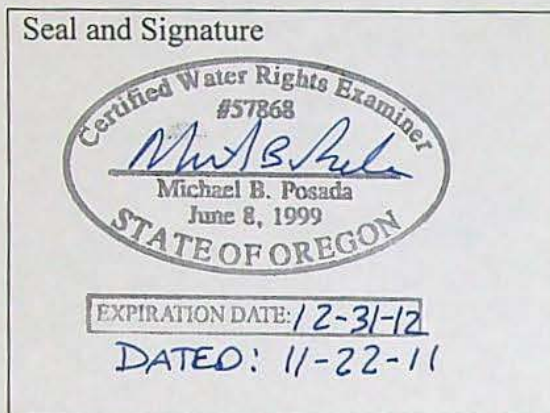
**SECTION 7
CLAIM OF BENEFICIAL USE MAP**

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

**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 MICHAEL B. POSADA		PHONE No. 541-963-8301	ADDITIONAL CONTACT No.
ADDRESS 1901 N. FIR ST, P.O. BOX 1107			
CITY LA GRANDE	STATE OR	ZIP 97850	E-MAIL mposada@andersonperry.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
<i>David C Larson</i>	David Larson	12/1/11

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ATTACHMENT "A"

STATE OF OREGON

COUNTY OF UNION

ORDER APPROVING CHANGES IN TYPE OF USE, PLACE OF USE AND A PARTIAL CANCELLATION OF A WATER RIGHT

Pursuant to ORS 537.705 and 540.505 to 540.580, after notice was given and no objections were filed, and finding that no injury to existing water rights would result, this order approves, as conditioned or limited herein, TRANSFER 6990 submitted by

OREGON DEPARTMENT OF FISH AND WILDLIFE
2501 SW 1ST AVENUE
PORTLAND, OREGON 97201.

The right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for Union County as evidenced by a PORTION of Certificate 80229. The decree is recorded in the Order Record of the Water Resources Director in Volume 8, at Page 1. The dates of priority are 1868 from Ladd Creek and 1870 from Catherine Creek.

The right allows the use of Ladd Creek, a tributary of Catherine Creek, for irrigation of 123.1 acres and Catherine Creek, a tributary of the Grande Ronde River for irrigation of 144.1 acres. The amount of water used for irrigation, together with the amount secured under any other right for the same lands, is limited to a diversion of not to exceed 3.0 acre-feet for each acre irrigated during the irrigation season of each year, if available at the authorized points of diversion: SE¼ SE¼, Section 36, T 3 S, R 38 E, W.M.; Ladd Creek (Pierce Sawyer Ditch) - 450 Feet North and 110 Feet West from the SE Corner Section 36; SW¼ NW¼, Section 3, T 4 S, R 39 E, W.M.; Catherine Creek (Old Channel Ditch) - 2904 Feet North and 330 Feet East from the SW Corner Section 3, or its equivalent in case of rotation, measured at the points of diversion from the source.

The authorized place of use is located as follows:

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005 you may either petition for judicial review or petition the Director for reconsideration of this order.

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SALEM, OREGON

1868

(LADD CREEK)

NE¼ SW¼ 36.2 ACRES

NW¼ SW¼ 22.7 ACRES

SW¼ SW¼ 25.4 ACRES

SE¼ SW¼ 38.8 ACRES

1870

(CATHERINE CREEK)

NE¼ SE¼ 34.0 ACRES

NW¼ SE¼ 33.9 ACRES

SW¼ SE¼ 40.0 ACRES

SE¼ SE¼ 36.2 ACRES

SECTION 32

TOWNSHIP 3 SOUTH, RANGE 39 EAST, W.M.

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WATER RESOURCES DEPT
SALEM, OREGON

The right to use 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 the decree.

The applicant proposes to change the type of use from IRRIGATION OF 267.2 ACRES to WILDLIFE MANAGEMENT.

The applicant further proposes to change the place of use to:

1868

(LADD CREEK)

SW¼

SECTION 32

1870

(CATHERINE CREEK)

SE¼

SECTION 32

TOWNSHIP 3 SOUTH, RANGE 39 EAST, W.M.

An affidavit was received from Oregon Department of Fish and Wildlife, representing the State of Oregon, owner of certain land and the water right appurtenant to it. A PORTION of the water right has been abandoned and is requested to be canceled.

The abandoned water right is a PORTION of the right described by a decree of the Circuit Court of the State of Oregon for Union County as evidenced by Certificate 80229, State Record of Water Right Certificates. The dates of priority are 1868 from Ladd Creek and 1870 from Catherine Creek. The water use was for

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WATER RESOURCES DEPT
SALEM, OREGON

irrigation of 16.9 acres from Ladd Creek and 15.9 acres from Catherine Creek.

The abandoned portion is located as follows:

1868

(LADD CREEK)

NE¼ SW¼ 3.8 ACRES

NW¼ SW¼ 11.3 ACRES

SW¼ SW¼ 0.6 ACRES

SE¼ SW¼ 1.2 ACRES

1870

(CATHERINE CREEK)

NE¼ SE¼ 6.0 ACRES

NW¼ SE¼ 6.1 ACRES

SE¼ SE¼ 3.8 ACRES

SECTION 32

TOWNSHIP 3 SOUTH, RANGE 39 EAST, W.M.

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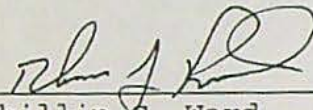
WATER RESOURCES DEPT
SALEM, OREGON

ORS 540.610 provides: "Whenever the owner of a perfected and developed water right certifies under oath to the water Resources Commission that the water right has been abandoned by the owner and that the owner desires cancellation thereof, the commission shall enter an order canceling the water right."

1. The proposed change shall be completed on or before October 1, 2007.
2. The former place of use shall no longer be irrigated as a part of this water right.
3. Prior to diverting water, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
4. The use of water for Wildlife Management shall be limited to a diversion of not to exceed 369.3 acre-feet from Ladd Creek and 432.3 acre-feet from Catherine Creek in any irrigation season of the year. The use is further limited to a diversion of not to exceed 3.08 cubic feet per second (CFS) from Ladd Creek and 3.60 CFS from Catherine Creek during the irrigation season of each year.

Certificate 80229 is canceled. A new certificate will be issued to confirm that portion of the right NOT involved in this transfer. When satisfactory proof of the completed changes are received, a new certificate confirming this water right will be issued.

Dated at Salem, Oregon this 29th day of December, 2004.



From Phillip C. Ward
Director

Mailing date: JAN 07 2005

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SALEM, OREGON



Oregon

Theodore R. Kulongoski, Governor

ATTACHMENT "B"

J# 2732-21 (217)

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

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WATER RESOURCES DEPT
SALEM, OREGON

May 16, 2011

Oregon Department of Fish & Wildlife
2501 SW 1st Avenue
Portland, OR 97201

Reference: Application T-6990

Dear Transfer Applicant:

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WATER RESOURCES DEPT
SALEM, OREGON

This letter is in regard to your water right Transfer Application as referenced above. Your transfer Final Order required you to complete the development of the changes to your water right by October 1, 2007.

Failure to complete the transfer changes by the above date, or by the date of an approved extension of time, will result in serious consequences to the water right:

"Any part of a transferred water use that is not applied to beneficial use under the terms of the transfer order for change in use or place of use, or within any extension of time allowed for completion, is lost." (OAR 690-380-6010(2))

"Non-completion of a change in point of diversion or appropriation does not forfeit the water use subject to transfer. However, upon expiration of the time allowed for completion, the water use shall again become subject to forfeiture pursuant to the provisions of ORS 540.610....If the change in point of diversion or appropriation is not completed, the point of diversion or appropriation shall revert to the last authorized point of diversion or appropriation prior to the transfer." (OAR 690-380-6010 (3 and 6))

You need to choose one of the following four options:

- 1) If you are not finished with the development of your water right transfer, you need to file an application for an extension of time to complete your development. The fee for filing an extension of time is \$500.00. Here is the website that will take you to the extension of time application, <http://www1.wrd.state.or.us/pdfs/TransferExtension.pdf>.
- 2) If you have completed development of the transfer prior to (c-date), you are required by law to hire a certified water right examiner to prepare and submit a claim of beneficial use that includes a final proof survey map of the development. Here is the website that will take you to the listing of Certified Water Right Examiners http://www1.wrd.state.or.us/pdfs/cwre_listing.pdf.

- 3) If you are no longer the transfer holder, a Request for Assignment will be needed to assign the transfer to a new transfer holder and that person will then become responsible for submitting the Claim of Beneficial Use or Extension of Time. The fee for filing a Request for Assignment is \$75.00. Here is the website that will take you to the form, http://www1.wrd.state.or.us/pdfs/req_assign_8_21_09.pdf.
- 4) If you do not intend to complete a change in point of diversion or appropriation and wish the right to revert to the last authorized point of diversion or appropriation, please send a letter addressed to the Transfer Section at the address above, stating that request. The department will then issue a Final Order and a new water right certificate, reverting to the previous point of diversion or appropriation.

If you have not submitted a Claim of Beneficial Use, Request for Extension of Time or a Request for Assignment of the transfer to another person by ~~August 15, 2011~~, the Department may, after 60 days notice via registered or certified mail, issue a Final Order cancelling any portion of the right for which a change in place of use or character of use has not been completed and reverting any transferred point of diversion or appropriation to the last authorized point prior to the transfer. If you need additional time to have a Claim of Beneficial Use prepared and submitted please call by the deadline listed above to halt the beginning of cancellation proceedings.

Should you have any questions, or if you need any of the above mentioned forms mailed to you, please contact me at the address above or by telephone at 503-986-0883.

Sincerely,

Sarah Henderson

Sarah Henderson
Executive Support

cc: File T-6990
Watermaster District 6

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SALEM, OREGON

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.

Field surveys done by Anderson Perry & Assoc. for design and construction of the City of La Grande Wastewater Treatment Plant Effluent project in support of the LMWA wetlands were completed starting in 2002 and running through 2004. The data from these surveys was merged with a field survey and topographic map that was completed by Ducks Unlimited to map the LMWA in the area around the place of use described in this transfer. Conventional total station and GPS ties were made for this Claim of Beneficial Use to existing monumentation and other features in the area of the place of use as well as the two points of diversion and diversion structures. The Ducks Unlimited mapping was used as the base map for this Claim of Beneficial Map. The ties from the two points of diversion to the public land corners adjacent to those points of diversion are protracted.



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.)

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

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**WATER RESOURCES DEPT
SALEM, OREGON**

STATE OF OREGON

COUNTY OF UNION

ORDER APPROVING CHANGES IN TYPE OF USE, PLACE OF USE
AND A PARTIAL CANCELLATION OF A WATER RIGHT

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OREGON DEPARTMENT OF FISH AND WILDLIFE
2501 SW 1ST AVENUE
PORTLAND, OREGON 97201.

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The authorized place of use is located as follows:

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irrigation of 16.9 acres from Ladd Creek and 15.9 acres from Catherine Creek.

The abandoned portion is located as follows:

1868

(LADD CREEK)

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 3.8 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$ 11.3 ACRES
SW $\frac{1}{4}$ SW $\frac{1}{4}$ 0.6 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$ 1.2 ACRES

1870

(CATHERINE CREEK)

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 6.0 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 6.1 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 3.8 ACRES

SECTION 32

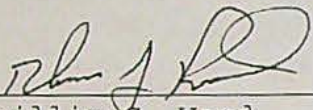
TOWNSHIP 3 SOUTH, RANGE 39 EAST, W.M.

ORS 540.610 provides: "Whenever the owner of a perfected and developed water right certifies under oath to the water Resources Commission that the water right has been abandoned by the owner and that the owner desires cancellation thereof, the commission shall enter an order canceling the water right."

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Certificate 80229 is canceled. A new certificate will be issued to confirm that portion of the right NOT involved in this transfer. When satisfactory proof of the completed changes are received, a new certificate confirming this water right will be issued.

Dated at Salem, Oregon this 29th day of December, 2004.



For Phillip C. Ward
Director

Mailing date: JAN 07 2005



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

December 9, 2011

ODFW
David Larson-Wildlife Area Mgr.
2501 SW 1st Ave
Portland OR 97201

On December 8, 2011, the Water Resources Department received the Claim of Beneficial Use (COBU) for the following file(s):

T6990

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.

Jerry Sauter

From: Mike Posada [mposada@andersonperry.com]
Sent: Tuesday, October 18, 2011 7:50 AM
To: (jerry.k.sauter@state.or.us)
Cc: LARSON David C
Subject: ODFW - Ladd Marsh COBU for Transfer T-6990

Good Morning Jerry,

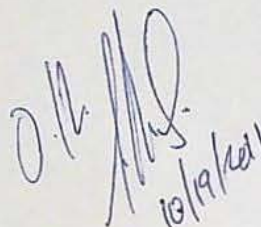
I thought I should update you on our progress to finish the COBU for Transfer T-6990.

We have finished the Field work and I am about halfway through the Claim report and Map. I anticipate finishing and submitting the Claim package to the Certificate Section in November.

Please let us know if there is anything else you need from us at this time.

Thanks,
Mike

Michael Posada PLS
Survey Manager
Anderson Perry & Associates, Inc.
1901 N Fir / P.O. Box 1107
La Grande, Oregon 97850-0939
541-963-8309 phone
541-963-5456 fax
541-786-2482 cell
mposada@andersonperry.com
www.andersonperry.com



Handwritten signature of Michael Posada and date 10/19/2011.

Jerry Sauter

From: Mike Posada [mposada@andersonperry.com]
Sent: Tuesday, August 02, 2011 11:32 AM
To: (jerry.k.sauter@state.or.us)
Cc: LARSON David C
Subject: ODF&W Ladd Marsh - Transfer # 6990

Good Afternoon Jerry,

Dave Larson the Area Manager for the Ladd Marsh Wildlife Area in La Grande Oregon has authorized us to proceed with the Claim of Beneficial Use Report and Site Map for Transfer # 6990. As you and I discussed on the phone last week, I will start the Claim work in the next few weeks, but I do not think I can meet the August 15, 2011 date mentioned in the letter about Transfer # 6990 to ODF&W dated May 16th, 2011. I would anticipate we could finish the field work for this transfer in August and then complete the Claim process by October 1st, 2011.

Thank you very much for your help in this matter.

Sincerely,

Mike

Michael Posada PLS
Survey Manager
Anderson Perry & Associates, Inc.
1901 N Fir / P.O. Box 1107
La Grande, Oregon 97850-0939
541-963-8309 phone
541-963-5456 fax
541-786-2482 cell
mposada@andersonperry.com
www.andersonperry.com

*How Action
A.P. 8/2/2011*

Jerry Sauter

From: Mike Posada [mposada@andersonperry.com]
Sent: Friday, July 22, 2011 9:47 AM
To: (jerry.k.sauter@state.or.us)
Subject: FW: Transfer Final Order for T-6990
Attachments: OWRD Letter T-6990.pdf

Good Morning Jerry,

I am forwarding this e-mail to you because I have just learned that Sarah is no longer at OWRD. I hope you will have a chance to give me a call, so that we can discuss our plan for the CBU for T-6990. I am sure you were all sorry to see Sarah go, she was always a pleasure to work with.

Thanks for your time,

Sincerely,
Mike

From: Mike Posada
Sent: Wednesday, July 20, 2011 9:48 AM
To: (sarah.a.henderson@state.or.us)
Cc: Dave Larson (david.c.larson@state.or.us)
Subject: Transfer Final Order for T-6990

Good Morning Sarah,

Dave Larson, the Ladd Marsh Wildlife Area Manager for ODFW and I have come up with a plan to finish up the Claim of Beneficial Use site map and report for Transfer #6990, Special Order Volume 62, Page 457. I have included a PDF copy of the letter you wrote concerning that transfer back in May of this year. I wanted to go over a few of the details of our plan with you and make sure it meets the requirements outlined in Option 2 of your letter.

I was hoping you would be able to give me a call, so we could discuss our approach.

Thank you very much for your help.

Sincerely,
Mike

Michael Posada PLS
Survey Manager
Anderson Perry & Associates, Inc.
1901 N Fir / P.O. Box 1107
La Grande, Oregon 97850-0939
541-963-8309 phone
541-963-5456 fax
541-786-2482 cell
mposada@andersonperry.com
www.andersonperry.com

*Anderson Perry Associates
IS GOING TO DO THE CBU -
SCHEDULE TO FOLLOW.
HOW ACTION
M.P. 7/25/11*

TRANSFER STATUS REVIEW BY Sarah H. DATE 5-17-11 FILE # 6990

1. DO NOT send C-DATE NOTICE LETTER if:

update db

- Extension pending _____
- Assignment is pending _____
- Claim of beneficial use and final proof map (COBU) have been received _____
- C-date letter sent _____ (go to #3 - 60 day certified letter)

2. IF NONE OF THE ABOVE APPLY

Send C-date notice letter to transfer holder. Date sent 5-17-11

C-DATE 10-1-2007 WM# 6
90 DAY LETTER DEADLINE DATE 8-15-11

CWRE or AGENT none

Was mail deliverable as addressed? Y N date _____

If mail returned, online/www check? Y N date _____ (new address)

Re-send C-date notice? Y N date _____

3. OUTCOME OF C-DATE NOTICE:

update db

- ____ Extension submitted
Extension order sent Y N date _____
- ____ Assignment submitted (go back to #2 when assignment complete)
Assignment approved/sent Y N date _____
- ____ Revert (poa/pod) has been requested
Reverting order sent Y N date _____
- ____ Not proving up- (pou/use) has been requested
Cancellation order sent Y N date _____
- ____ Claim of beneficial use and final proof map (COBU) submitted _____
- ____ C-date met, additional time requested for CBU submittal
- Req. Time _____
- ____ No Reply - send Certified Letter of Cancellation -
Date sent _____ 60 Day Deadline Date _____

4. OUTCOME OF CERTIFIED LETTER:

- ____ No Reply -
Cancellation &/or Reverting order sent Y N date _____
- ____ Other _____



Oregon

Theodore R. Kulongoski, 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

May 16, 2011

Oregon Department of Fish & Wildlife
2501 SW 1st Avenue
Portland, OR 97201

Reference: Application T-6990

Dear Transfer Applicant:

This letter is in regard to your water right Transfer Application as referenced above. Your transfer Final Order required you to complete the development of the changes to your water right by October 1, 2007.

Failure to complete the transfer changes by the above date, or by the date of an approved extension of time, will result in serious consequences to the water right:

“Any part of a transferred water use that is not applied to beneficial use under the terms of the transfer order for **change in use or place of use**, or within any extension of time allowed for completion, **is lost.**” (OAR 690-380-6010(2))

“Non-completion of a **change in point of diversion or appropriation** does not forfeit the water use subject to transfer. However, upon expiration of the time allowed for completion, the water use shall again become subject to forfeiture pursuant to the provisions of ORS 540.610....If the change in point of diversion or appropriation is not completed, the point of diversion or appropriation **shall revert** to the last authorized point of diversion or appropriation prior to the transfer.” (OAR 690-380-6010 (3 and 6))

You need to choose one of the following four options:

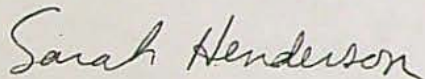
- 1) If you are not finished with the development of your water right transfer, you need to file an application for an extension of time to complete your development. The fee for filing an extension of time is \$500.00. Here is the website that will take you to the extension of time application, <http://www1.wrd.state.or.us/pdfs/TransferExtension.pdf>.
- 2) If you have completed development of the transfer prior to (c-date), you are required by law to hire a certified water right examiner to prepare and submit a claim of beneficial use that includes a final proof survey map of the development. Here is the website that will take you to the listing of Certified Water Right Examiners http://www1.wrd.state.or.us/pdfs/cwre_listing.pdf.

- 3) If you are no longer the transfer holder, a Request for Assignment will be needed to assign the transfer to a new transfer holder and that person will then become responsible for submitting the Claim of Beneficial Use or Extension of Time. The fee for filing a Request for Assignment is \$75.00. Here is the website that will take you to the form, http://www1.wrd.state.or.us/pdfs/req_assign_8_21_09.pdf.
- 4) If you do not intend to complete a change in point of diversion or appropriation and wish the right to revert to the last authorized point of diversion or appropriation, please send a letter addressed to the Transfer Section at the address above, stating that request. The department will then issue a Final Order and a new water right certificate, reverting to the previous point of diversion or appropriation.

If you have not submitted a Claim of Beneficial Use, Request for Extension of Time or a Request for Assignment of the transfer to another person by **August 15, 2011**, the Department may, after 60 days notice via registered or certified mail, issue a Final Order cancelling any portion of the right for which a change in place of use or character of use has not been completed and reverting any transferred point of diversion or appropriation to the last authorized point prior to the transfer. If you need additional time to have a Claim of Beneficial Use prepared and submitted please call by the deadline listed above to halt the beginning of cancellation proceedings.

Should you have any questions, or if you need any of the above mentioned forms mailed to you, please contact me at the address above or by telephone at 503-986-0883.

Sincerely,



Sarah Henderson
Executive Support

cc: File T-6990
Watermaster District 6

Jerry Sauter

From: Jonnine Skaug
Sent: Friday, August 26, 2011 2:04 PM
To: Jerry Sauter
Subject: FW: Transfer Final Order for T-6990
Attachments: OWRD Letter T-6990.pdf

Hi Jerry,

Not sure if you were aware of this or not? We just figured out that Sarah's e-mail has been receiving e-mails still without us knowing about it :) have lots more to weed through may have one or two more for you!

Thank you,

Jonnine Skaug
OR Water Resource Department
725 Summer Street NE, Suite A
Salem OR 97301
phone: 503-986-0883
fax: 503-986-0904

From: Sarah Henderson
Sent: Friday, August 26, 2011 11:55 AM
To: Jonnine Skaug
Subject: FW: Transfer Final Order for T-6990

From: Mike Posada [mposada@andersonperry.com]
Sent: Wednesday, July 20, 2011 9:47 AM
To: (sarah.a.henderson@state.or.us)
Cc: LARSON David C
Subject: Transfer Final Order for T-6990

Good Morning Sarah,

Dave Larson, the Ladd Marsh Wildlife Area Manager for ODFW and I have come up with a plan to finish up the Claim of Beneficial Use site map and report for Transfer #6990, Special Order Volume 62, Page 457. I have included a PDF copy of the letter you wrote concerning that transfer back in May of this year. I wanted to go over a few of the details of our plan with you and make sure it meets the requirements outlined in Option 2 of your letter.

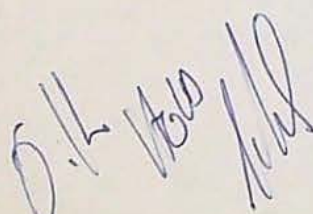
I was hoping you would be able to give me a call, so we could discuss our approach.

Thank you very much for your help.

Sincerely,

Mike

Michael Posada PLS
Survey Manager
Anderson-Perry & Associates, Inc.
1901 N Fir / P.O. Box 1107
La Grande, Oregon 97850-0939
541-963-8309 phone





Oregon

Theodore R. Kulongoski, 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

January 7, 2005

OREGON DEPT OF FISH & WILDLIFE
2501 SW 1ST AVENUE
PORTLAND OR 97201

Reference: Transfer 6990

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

A time to complete the transfer is given the order. YOU SHOULD GIVE PARTICULAR ATTENTION TO THE TIME LIMIT. The water right for any portion of the authorized change in 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 within the time allowed.

You have the requirement to hire a Certified Water Right 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 completed the change or within one year of the completion date authorized in the transfer, whichever occurs first.

Sincerely,

Sarah Henderson

for Doug Parrow
Natural Resource Specialist

DP:sh

cc: Shad Hattan, Watermaster #6
Carrie Jones, Eastern Region

Enclosure

STATE OF OREGON
COUNTY OF UNION
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

W.J. TOWNLEY
UNION, OREGON 97783

confirms the right to use the waters of LADD CREEK, CATHERINE CREEK, and HOT LAKE SPRING, tributaries of the GRANDE RONDE RIVER, for IRRIGATION OF 1491.5 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 dates of priority are 1868 FOR IRRIGATION OF 80.0 ACRES FROM LADD CREEK; 1870 FOR IRRIGATION OF 695.0 ACRES AND 1884 FOR IRRIGATION OF 666.5 ACRES FROM CATHERINE CREEK; 1878 FOR IRRIGATION OF 50.0 ACRES FROM HOT SPRING LAKE.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is 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 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

The points of diversion are located as follows:

LADD CREEK - SE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 36, T 3 S, R 38 E, W.M.;
CATHERINE CREEK - SW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 3, T 4 S, R 39 E, W.M.; AND
HOT LAKE SPRING.

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

<u>DATE</u>	<u>SOURCE</u>	<u>DESCRIPTION OF LAND</u>
1884	CATHERINE CREEK	NW $\frac{1}{4}$ SW $\frac{1}{4}$ 9.0 ACRES
1884	CATHERINE CREEK	SW $\frac{1}{4}$ SW $\frac{1}{4}$ 31.0 ACRES
		SECTION 27
1884	CATHERINE CREEK	NE $\frac{1}{4}$ SE $\frac{1}{4}$ 28.0 ACRES
1884	CATHERINE CREEK	NW $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 ACRES
1884	CATHERINE CREEK	SW $\frac{1}{4}$ SE $\frac{1}{4}$ 36.0 ACRES
1884	CATHERINE CREEK	SE $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 ACRES
		SECTION 28

<u>DATE</u>	<u>SOURCE</u>	<u>DESCRIPTION OF LAND</u>
1870	CATHERINE CREEK	SE $\frac{1}{4}$ SE $\frac{1}{4}$ 25.0 ACRES
	SECTION 29	
1870	CATHERINE CREEK	NE $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 ACRES
1870	CATHERINE CREEK	NW $\frac{1}{4}$ NE $\frac{1}{4}$ 20.0 ACRES
1870	CATHERINE CREEK	SW $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 ACRES
1870	CATHERINE CREEK	SE $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 ACRES
	SECTION 32	
1868	LADD CREEK	SE $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 ACRES
1868	LADD CREEK	SW $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 ACRES
	SECTION 32	
1870	CATHERINE CREEK	NE $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 ACRES
1870	CATHERINE CREEK	NW $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 ACRES
1870	CATHERINE CREEK	SW $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 ACRES
1870	CATHERINE CREEK	SE $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 ACRES
1870	CATHERINE CREEK	NE $\frac{1}{4}$ SW $\frac{1}{4}$ 40.0 ACRES
1870	CATHERINE CREEK	NW $\frac{1}{4}$ SW $\frac{1}{4}$ 40.0 ACRES
1870	CATHERINE CREEK	SW $\frac{1}{4}$ SW $\frac{1}{4}$ 40.0 ACRES
1870	CATHERINE CREEK	SE $\frac{1}{4}$ SW $\frac{1}{4}$ 40.0 ACRES
1870	CATHERINE CREEK	SW $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 ACRES
	SECTION 33	
1884	CATHERINE CREEK	NE $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 ACRES
1884	CATHERINE CREEK	NW $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 ACRES
1884	CATHERINE CREEK	SW $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 ACRES
1884	CATHERINE CREEK	SE $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 ACRES
1884	CATHERINE CREEK	NE $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 ACRES
1884	CATHERINE CREEK	NW $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 ACRES
1884	CATHERINE CREEK	SE $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 ACRES
	SECTION 33	
1884	CATHERINE CREEK	NW $\frac{1}{4}$ NW $\frac{1}{4}$ 36.5 ACRES
1884	CATHERINE CREEK	SW $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 ACRES
1884	CATHERINE CREEK	SE $\frac{1}{4}$ NW $\frac{1}{4}$ 3.5 ACRES
1884	CATHERINE CREEK	NE $\frac{1}{4}$ SW $\frac{1}{4}$ 26.5 ACRES
1884	CATHERINE CREEK	SW $\frac{1}{4}$ SW $\frac{1}{4}$ 40.0 ACRES
1884	CATHERINE CREEK	NW $\frac{1}{4}$ SW $\frac{1}{4}$ 40.0 ACRES
1884	CATHERINE CREEK	SE $\frac{1}{4}$ SW $\frac{1}{4}$ 16.0 ACRES
	SECTION 34	
	TOWNSHIP 3 SOUTH, RANGE 39 EAST, W.M.	
1870	CATHERINE CREEK	NE $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 ACRES
1870	CATHERINE CREEK	NW $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 ACRES
1870	CATHERINE CREEK	SE $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 ACRES
	SECTION 4	
1870	CATHERINE CREEK	NE $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 ACRES
1870	CATHERINE CREEK	NW $\frac{1}{4}$ NE $\frac{1}{4}$ 10.0 ACRES
	SECTION 5	

<u>DATE</u>	<u>SOURCE</u>	<u>DESCRIPTION OF LAND</u>
1878	HOT SPRING LAKE	NW $\frac{1}{4}$ NE $\frac{1}{4}$ 30.0 ACRES
1878	HOT SPRING LAKE	NE $\frac{1}{4}$ NW $\frac{1}{4}$ 20.0 ACRES

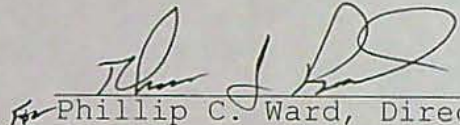
SECTION 5
TOWNSHIP 4 SOUTH, RANGE 39 EAST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 80229, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered DEC 29 2004, approving Transfer Application 6990.

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 DECEMBER 29, 2004.


 Phillip C. Ward, Director

Recorded in State Record of Water Right Certificates numbered 81122

STATE OF OREGON

COUNTY OF UNION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

W J TOWNLEY
UNION OR 97883

confirms the right to use the waters of the LADD CR, CATHERINE CR AND HOT LAKE SPRING, tributaries of the GRANDE RONDE RIVER for IRRIGATION of 785.00 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, 1868 for 80.00 acres from Ladd Creek, 1870 for 655.00 acres from Catherine Creek, and 1878 for 50.0 acres from Hot Lake Spring.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
3 S	38 E	WM	36	SE SE	LADD CREEK; PIERCE AND SAWYER DITCHES
4 S	39 E	WM	3	SW NW	CATHERINE CREEK; OLD CHANNEL
4 S	39 E	WM	5	NW SE	HOT LAKE SPRING; HOT LAKE DITCH

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed ONE-FORTIETH of one cubic foot per second, or its equivalent for each acre irrigated and shall be further limited to a diversion not to exceed 3.0 acre feet per acre in any irrigation season. The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

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

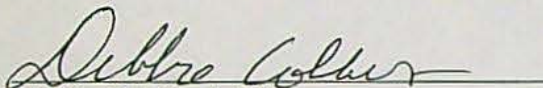
Twp	Rng	Mer	Sec	Q-Q *	Acres	Priority*	Source
3 S	39 E	WM	29	SE SE	25.00	1870	Catherine Creek
3 S	39 E	WM	32	NE NE	40.00	1870	Catherine Creek
3 S	39 E	WM	32	NW NE	20.00	1870	Catherine Creek
3 S	39 E	WM	32	SW NE	40.00	1870	Catherine Creek
3 S	39 E	WM	32	SE NE	40.00	1870	Catherine Creek
3 S	39 E	WM	32	SW NW	40.00	1868	Ladd Creek
3 S	39 E	WM	32	SE NW	40.00	1868	Ladd Creek
3 S	39 E	WM	33	NE NW	40.00	1870	Catherine Creek
3 S	39 E	WM	33	NW NW	40.00	1870	Catherine Creek
3 S	39 E	WM	33	SW NW	40.00	1870	Catherine Creek
3 S	39 E	WM	33	SE NW	40.00	1870	Catherine Creek
3 S	39 E	WM	33	NE SW	40.00	1870	Catherine Creek

Twp	Rng	Mer	Sec	Q-Q	Acres	Priority	Source
3 S	39 E	WM	33	NW SW	40.00	1870	Catherine Creek
3 S	39 E	WM	33	SW SW	40.00	1870	Catherine Creek
3 S	39 E	WM	33	SE SW	40.00	1870	Catherine Creek
4 S	39 E	WM	4	NE NW	40.00	1870	Catherine Creek
4 S	39 E	WM	4	NW NW	40.00	1870	Catherine Creek
4 S	39 E	WM	4	SE NW	40.00	1870	Catherine Creek
4 S	39 E	WM	5	NE NE	40.00	1870	Catherine Creek
4 S	39 E	WM	5	NW NE	10.00	1870	Catherine Creek
4 S	39 E	WM	5	NW NE	30.00	1878	Hot Spring Lake
4 S	39 E	WM	5	NE NW	20.00	1878	Hot Spring Lake

This certificate correctly describes the portions of the water right not affected by the provisions of orders of the Water Resources Director entered at Special Order Volume 62, page 457 approving transfer application T-6990 and Special Order Volume 64, page 590 approving transfer applications T-9477 and T-9478. This certificate supersedes certificates 81122 and 81468.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

WITNESS the signature of the Water Resources Director, affixed August 30, 2005.


FOR Phillip C. Ward, Director

Recorded in State Record of Water Right Certificates numbered 81605

Part I

T-6990

State of Oregon
WATER RESOURCES DEPARTMENT
AMENDED APPLICATION FOR TRANSFER OF WATER RIGHT

Applicant: Oregon Dept. Fish and Wildlife 35 39 TL 7402 ODFW owns
Mailing Address: 2501 S.W. 1st Ave. Portland, OR 97201 Phone: (503) 872-5299
Type of change: Type of Use: PLACE OF USE

COPY
Most Recent
98

1. WATER RIGHT
 - A) Is the water right in your name? (Yes or No) No If not, list name below:
W. J. Townley
 - B) Was the water right determined by a court decree? (Yes or No) Yes
 1. If yes, list the title of the proceedings: Grande Ronde River Decree
 2. Certificate No: 50403
 - C) Was the water right acquired by a water permit? (Yes or No) No
 1. If yes, list the Permit No: N/A
 2. Certificate No: _____
 - D) Date of priority right: 1868
 - E) What are your reasons for the proposed changes? Wetland habitat for wildlife using an existing water right
 - F) The water will be completely applied to the proposed use on or before: June 1st 1998

2. LOCATION OF AUTHORIZED USE

- A) What is the source of water (river, stream, well)? Ladd Creek
- B) Describe the authorized point of diversion:

Location in Reference to Survey Corner	1/4, 1/4 Section	Section	Township (South)	Range (East)
450 ft. N. & 110 ft. W SE corner Sec. 36	SE SE	36	3	38

- C) What is the name of the ditch used? Pierce Sawyer Ditch
- D) What is the use to which the water is applied? Irrigation
- E) Give the location of the authorized area irrigated or place of use other than irrigation:

Township (South)	Range (East)	Section	1/4, 1/4 Section	No. Of acres irrigated
3	39	32	NE SW	36.2
3	39	32	NW SW	22.7
3	39	32	SW SW	25.4
3	39	32	SE SW	38.8
Total =				123.1

- F) Is the land within an irrigation district? (Yes or No) No
If Yes, which district? _____
- G) County Union
3. LOCATION OF PROPOSED USE:
NOTE: Answer question A only if the application is for a change in the point of diversion.
- A) Describe the proposed new point of diversion:

Location in Reference to Survey Corner	1/4, 1/4 Section	Section	Township (South)	Range (East)
<u>N/A</u>				

NOTE: Answer questions B, C, D, and E only if the application is for a change in use or place of use.

B) Are the lands from which you propose to transfer your water right free of all encumbrances? (Yes, No) Yes

C) If no, give the description below of existing encumbrances:

Encumbrance	Held by	Amount

D) What is the use to which the water will be applied? Wildlife Habitat

E) Give the proposed location of the area irrigated, or place of use if other than for irrigation:

Township	Range	Section	1/4, 1/4 Section	No. Of acres irrigated
3	39	32	SW 1/4 (Boundary)	

4. EXHIBITS

The following exhibits shall be attached to and made part of the application:

- A) A map prepared by a Certified Water Right Examiner showing the location of the present and proposed points of diversion, the authorized and proposed places of use and, if any, lands from the existing right that would not be subject to transfer.
- B) A copy of the current recorded deed to the subject lands.
- C) Affidavits from any other landowners or encumbrance holders with interest in the original water right stating that they have no objection to the proposed transfer.
- D) Evidence that the water has been used within the last five years.

5. NAME AND ADDRESS OF RECEIVING LANDOWNERS(S) IF OTHER THAN APPLICANT:

6. REMARKS: Estimated water use is 369.3 AF (3 AF per 123.1 acres). Note acreage was determined by reducing acreage by the surface area of ponds. Affidavits are included requesting the irrigation right under the open water of the ponds be canceled

I (we) _____ for ODFW, applicant(s), hereby swear that I (we) have read the above application for transfer of water right and that the statements made are true and correct.

David C. Lawson (Signature) Date 5/18/98
Mark Henry (Signature) Date 5/18/98

State of Oregon
WATER RESOURCES DEPARTMENT
AMENDED APPLICATION FOR TRANSFER OF WATER RIGHT

COPY
Most Recent
98'

Applicant: Oregon Dept. Fish & Wildlife
Mailing Address: 2501 S.W. 1st Ave. Portland, OR 97201 Phone: 503-872-5299
Type of change: Type of Use ? PLACE OF USE

1. WATER RIGHT

- A) Is the water right in your name? (Yes or No) No If not, list name below:
W. J. Townley
- B) Was the water right determined by a court decree? (Yes or No) Yes
 - 1. If yes, list the title of the proceedings: Grande Ronde River Decree
 - 2. Certificate No: 50403
- C) Was the water right acquired by a water permit? (Yes or No) No
 - 1. If yes, list the Permit No: N/A
 - 2. Certificate No: _____
- D) Date of priority right: 1870
- E) What are your reasons for the proposed changes? Wetland habitat for wildlife using an existing water right
- F) The water will be completely applied to the proposed use on or before: June 1st 1998

2. LOCATION OF AUTHORIZED USE

- A) What is the source of water (river, stream, well)? Catherine Creek
- B) Describe the authorized point of diversion:

Location in Reference to Survey Corner	1/4, 1/4 Section	Section	Township (South)	Range (East)
2904' N. & 330' E of SW corner Sec. 3	SWNW	3	4	39

- C) What is the name of the ditch used? Lower Davis Dam Diversion aka Old Channel Ditch
- D) What is the use to which the water is applied? Irrigation
- E) Give the location of the authorized area irrigated or place of use other than irrigation:

Township (South)	Range (East)	Section	1/4, 1/4 Section	No. Of acres irrigated
3	39	32	NESE	34.0
3	39	32	NWSE	33.9
3	39	32	SWSE	40.0
3	39	32	SESE	36.2
Total =				144.1

- F) Is the land within an irrigation district? (Yes or No) No
If Yes, which district? N/A
- G) County Union

3. LOCATION OF PROPOSED USE:

- NOTE: Answer question A only if the application is for a change in the point of diversion.
- A) Describe the proposed new point of diversion:

Location in Reference to Survey Corner	1/4, 1/4 Section	Section	Township (South)	Range (East)

- NOTE: Answer questions B, C, D, and E only if the application is for a change in use or place of use.
- B) Are the lands from which you propose to transfer your water right free of all encumbrances? (Yes, No) Yes
 - C) If no, give the description below of existing encumbrances:

Encumbrance	Held by	Amount

D) What is the use to which the water will be applied? Wildlife Habitat

E) Give the proposed location of the area irrigated, or place of use if other than for irrigation:

Township	Range	Section	1/4, 1/4 Section	No. Of acres irrigated
3 South	39 East	32	SE 1/4	

4. EXHIBITS

The following exhibits shall be attached to and made part of the application:

- A) A map prepared by a Certified Water Right Examiner showing the location of the present and proposed points of diversion, the authorized and proposed places of use and, if any, lands from the existing right that would not be subject to transfer.
- B) A copy of the current recorded deed to the subject lands.
- C) Affidavits from any other landowners or encumbrance holders with interest in the original water right stating that they have no objection to the proposed transfer.
- D) Evidence that the water has been used within the last five years.

5. NAME AND ADDRESS OF RECEIVING LANDOWNERS(S) IF OTHER THAN APPLICANT:

6. REMARKS: Estimated water use is 432.3 AF (3 AF per 144.1 acres). Note acreage was determined by subtracting the surface area of ponds from original acreage. Affidavits are included requesting the irrigation right under the open water of the ponds be canceled.

I (we) _____ for ODFW _____, applicant(s), hereby swear that I (we) have read the above application for transfer of water right and that the statements made are true and correct.

David C. Larson Date 5/18/98
(Signature)

Mark Henjum Date 5/18/98
(Signature)

STATE OF OREGON

COUNTY OF UNION

ORDER APPROVING CHANGES IN TYPE OF USE, PLACE OF USE
AND A PARTIAL CANCELLATION OF A WATER RIGHT

Pursuant to ORS 537.705 and 540.505 to 540.580, after notice was given and no objections were filed, and finding that no injury to existing water rights would result, this order approves, as conditioned or limited herein, TRANSFER 6990 submitted by

OREGON DEPARTMENT OF FISH AND WILDLIFE
2501 SW 1ST AVENUE
PORTLAND, OREGON 97201.

The right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for Union County as evidenced by a PORTION of Certificate 80229. The decree is recorded in the Order Record of the Water Resources Director in Volume 8, at Page 1. The dates of priority are 1868 from Ladd Creek and 1870 from Catherine Creek.

The right allows the use of Ladd Creek, a tributary of Catherine Creek, for irrigation of 123.1 acres and Catherine Creek, a tributary of the Grande Ronde River for irrigation of 144.1 acres. The amount of water used for irrigation, together with the amount secured under any other right for the same lands, is limited to a diversion of not to exceed 3.0 acre-feet for each acre irrigated during the irrigation season of each year, if available at the authorized points of diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 36, T 3 S, R 38 E, W.M.; Ladd Creek (Pierce Sawyer Ditch) - 450 Feet North and 110 Feet West from the SE Corner Section 36; SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 3, T 4 S, R 39 E, W.M.; Catherine Creek (Old Channel Ditch) - 2904 Feet North and 330 Feet East from the SW Corner Section 3, or its equivalent in case of rotation, measured at the points of diversion from the source.

The authorized place of use is located as follows:

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005 you may either petition for judicial review or petition the Director for reconsideration of this order.

1868

(LADD CREEK)

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 36.2 ACRES

NW $\frac{1}{4}$ SW $\frac{1}{4}$ 22.7 ACRES

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 25.4 ACRES

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 38.8 ACRES

1870

(CATHERINE CREEK)

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 34.0 ACRES

NW $\frac{1}{4}$ SE $\frac{1}{4}$ 33.9 ACRES

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 ACRES

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 36.2 ACRES

SECTION 32

TOWNSHIP 3 SOUTH, RANGE 39 EAST, W.M.

The right to use 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 the decree.

The applicant proposes to change the type of use from IRRIGATION OF 267.2 ACRES to WILDLIFE MANAGEMENT.

The applicant further proposes to change the place of use to:

1868

(LADD CREEK)

SW $\frac{1}{4}$

SECTION 32

1870

(CATHERINE CREEK)

SE $\frac{1}{4}$

SECTION 32

TOWNSHIP 3 SOUTH, RANGE 39 EAST, W.M.

An affidavit was received from Oregon Department of Fish and Wildlife, representing the State of Oregon, owner of certain land and the water right appurtenant to it. A PORTION of the water right has been abandoned and is requested to be canceled.

The abandoned water right is a PORTION of the right described by a decree of the Circuit Court of the State of Oregon for Union County as evidenced by Certificate 80229, State Record of Water Right Certificates. The dates of priority are 1868 from Ladd Creek and 1870 from Catherine Creek. The water use was for

irrigation of 16.9 acres from Ladd Creek and 15.9 acres from Catherine Creek.

The abandoned portion is located as follows:

1868

(LADD CREEK)

NE¼ SW¼ 3.8 ACRES
NW¼ SW¼ 11.3 ACRES
SW¼ SW¼ 0.6 ACRES
SE¼ SW¼ 1.2 ACRES

1870

(CATHERINE CREEK)

NE¼ SE¼ 6.0 ACRES
NW¼ SE¼ 6.1 ACRES
SE¼ SE¼ 3.8 ACRES

SECTION 32

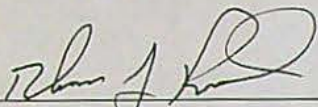
TOWNSHIP 3 SOUTH, RANGE 39 EAST, W.M.

ORS 540.610 provides: "Whenever the owner of a perfected and developed water right certifies under oath to the water Resources Commission that the water right has been abandoned by the owner and that the owner desires cancellation thereof, the commission shall enter an order canceling the water right."

1. The proposed change shall be completed on or before October 1, 2007.
2. The former place of use shall no longer be irrigated as a part of this water right.
3. Prior to diverting water, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
4. The use of water for Wildlife Management shall be limited to a diversion of not to exceed 369.3 acre-feet from Ladd Creek and 432.3 acre-feet from Catherine Creek in any irrigation season of the year. The use is further limited to a diversion of not to exceed 3.08 cubic feet per second (CFS) from Ladd Creek and 3.60 CFS from Catherine Creek during the irrigation season of each year.

Certificate 80229 is canceled. A new certificate will be issued to confirm that portion of the right NOT involved in this transfer. When satisfactory proof of the completed changes are received, a new certificate confirming this water right will be issued.

Dated at Salem, Oregon this 29th day of December, 2004.



For Phillip C. Ward
Director

Mailing date: JAN 07 2005

ORDER AND CERTIFICATE CHECK LIST

RECORD MARKING (Support Staff)

File Folder () ## *T-6990

Permit () ## _____

Certificate () ## 80229

Trans App Register ()
Trans Name Index ()

Sp. OR ()
Decree () Vol _____ Page _____ Vol _____ Page _____

COPIES MADE Order () Certificate ()

File () () Data Center () () Watermaster () () Applicant () ()

ISWR Liason () () _____ Water Use Reporting () () _____

CWRE () () _____ I.District () () _____

Other () () _____ Other () () _____

SEND copy of application map to watermaster _____

LETTER TO:

Applicant () CWRE () _____

I.D. () _____ Other () _____

EMAIL PROCESSOR

NWR () NCR () SWR () SCR () ER () Carrie

ENCLOSURES

Special Order () Vol 62 Page 457
() Vol _____ Page _____

Certificate () 81122
() _____
() _____

Send to WM #6

DATE SIGNED: 12-29-04

FILE SET-UP

File Number	Set-Up Date	For Whom
_____	<u>10-1-07</u>	<u>10-1-08</u>
_____	_____	_____
_____	_____	_____

SEND TO:

Fiscal Section () Other () _____

NOTES: _____

STATE OF OREGON

COUNTY OF UNION

ORDER APPROVING CHANGES IN TYPE OF USE, PLACE OF USE
AND A PARTIAL CANCELLATION OF A WATER RIGHT

Pursuant to ORS 537.705 and 540.505 to 540.580, after notice was given and no objections were filed, and finding that no injury to existing water rights would result, this order approves, as conditioned or limited herein, TRANSFER 6990 submitted by

OREGON DEPARTMENT OF FISH AND WILDLIFE
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PORTLAND, OREGON 97201.

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The right allows the use of Ladd Creek, a tributary of Catherine Creek, for irrigation of 123.1 acres and Catherine Creek, a tributary of the Grande Ronde River for irrigation of 144.1 acres. The amount of water used for irrigation, together with the amount secured under any other right for the same lands, is limited to a diversion of not to exceed 3.0 acre-feet for each acre irrigated during the irrigation season of each year, if available at the authorized points of diversion: SE¼ SE¼, Section 36, T 3 S, R 38 E, W.M.; Ladd Creek (Pierce Sawyer Ditch) - 450 Feet North and 110 Feet West from the SE Corner Section 36; SW¼ NW¼, Section 3, T 4 S, R 39 E, W.M.; Catherine Creek (Old Channel Ditch) - 2904 Feet North and 330 Feet East from the SW Corner Section 3, or its equivalent in case of rotation, measured at the points of diversion from the source.

The authorized place of use is located as follows:

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1868

(LADD CREEK)

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 36.2 ACRES

NW $\frac{1}{4}$ SW $\frac{1}{4}$ 22.7 ACRES

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 25.4 ACRES

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 38.8 ACRES

1870

(CATHERINE CREEK)

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 34.0 ACRES

NW $\frac{1}{4}$ SE $\frac{1}{4}$ 33.9 ACRES

SW $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 ACRES

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 36.2 ACRES

SECTION 32

TOWNSHIP 3 SOUTH, RANGE 39 EAST, W.M.

The right to use 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 the decree.

The applicant proposes to change the type of use from IRRIGATION OF 267.2 ACRES to WILDLIFE MANAGEMENT.

The applicant further proposes to change the place of use to:

1868

(LADD CREEK)

SW $\frac{1}{4}$

SECTION 32

1870

(CATHERINE CREEK)

SE $\frac{1}{4}$

SECTION 32

TOWNSHIP 3 SOUTH, RANGE 39 EAST, W.M.

An affidavit was received from Oregon Department of Fish and Wildlife, representing the State of Oregon, owner of certain land and the water right appurtenant to it. A PORTION of the water right has been abandoned and is requested to be canceled.

The abandoned water right is a PORTION of the right described by a decree of the Circuit Court of the State of Oregon for Union County as evidenced by Certificate 80229, State Record of Water Right Certificates. The dates of priority are 1868 from Ladd Creek and 1870 from Catherine Creek. The water use was for

irrigation of 16.9 acres from Ladd Creek and 15.9 acres from Catherine Creek.

The abandoned portion is located as follows:

1868

(LADD CREEK)

NE $\frac{1}{4}$ SW $\frac{1}{4}$ 3.8 ACRES

NW $\frac{1}{4}$ SW $\frac{1}{4}$ 11.3 ACRES

SW $\frac{1}{4}$ SW $\frac{1}{4}$ 0.6 ACRES

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 1.2 ACRES

1870

(CATHERINE CREEK)

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 6.0 ACRES

NW $\frac{1}{4}$ SE $\frac{1}{4}$ 6.1 ACRES

SE $\frac{1}{4}$ SE $\frac{1}{4}$ 3.8 ACRES

SECTION 32

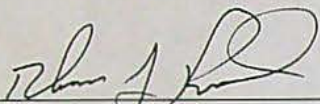
TOWNSHIP 3 SOUTH, RANGE 39 EAST, W.M.

ORS 540.610 provides: "Whenever the owner of a perfected and developed water right certifies under oath to the water Resources Commission that the water right has been abandoned by the owner and that the owner desires cancellation thereof, the commission shall enter an order canceling the water right."

1. The proposed change shall be completed on or before October 1, 2007.
2. The former place of use shall no longer be irrigated as a part of this water right.
3. Prior to diverting water, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
4. The use of water for Wildlife Management shall be limited to a diversion of not to exceed 369.3 acre-feet from Ladd Creek and 432.3 acre-feet from Catherine Creek in any irrigation season of the year. The use is further limited to a diversion of not to exceed 3.08 cubic feet per second (CFS) from Ladd Creek and 3.60 CFS from Catherine Creek during the irrigation season of each year.

Certificate 80229 is canceled. A new certificate will be issued to confirm that portion of the right NOT involved in this transfer. When satisfactory proof of the completed changes are received, a new certificate confirming this water right will be issued.

Dated at Salem, Oregon this 29th day of December, 2004.



For Phillip C. Ward
Director

Mailing date: JAN 07 2005

STATE OF OREGON
COUNTY OF UNION
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

W.J. TOWNLEY
UNION, OREGON 97783

confirms the right to use the waters of LADD CREEK, CATHERINE CREEK, and HOT LAKE SPRING, tributaries of the GRANDE RONDE RIVER, for IRRIGATION OF 1491.5 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 dates of priority are 1868 FOR IRRIGATION OF 80.0 ACRES FROM LADD CREEK; 1870 FOR IRRIGATION OF 695.0 ACRES AND 1884 FOR IRRIGATION OF 666.5 ACRES FROM CATHERINE CREEK; 1878 FOR IRRIGATION OF 50.0 ACRES FROM HOT SPRING LAKE.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is 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 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

The points of diversion are located as follows:

LADD CREEK - SE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 36, T 3 S, R 38 E, W.M.;
CATHERINE CREEK - SW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 3, T 4 S, R 39 E, W.M.; AND
HOT LAKE SPRING.

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

<u>DATE</u>	<u>SOURCE</u>	<u>DESCRIPTION OF LAND</u>
1884	CATHERINE CREEK	NW $\frac{1}{4}$ SW $\frac{1}{4}$ 9.0 ACRES
1884	CATHERINE CREEK	SW $\frac{1}{4}$ SW $\frac{1}{4}$ 31.0 ACRES
		SECTION 27
1884	CATHERINE CREEK	NE $\frac{1}{4}$ SE $\frac{1}{4}$ 28.0 ACRES
1884	CATHERINE CREEK	NW $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 ACRES
1884	CATHERINE CREEK	SW $\frac{1}{4}$ SE $\frac{1}{4}$ 36.0 ACRES
1884	CATHERINE CREEK	SE $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 ACRES
		SECTION 28

<u>DATE</u>	<u>SOURCE</u>	<u>DESCRIPTION OF LAND</u>
1870	CATHERINE CREEK	SE $\frac{1}{4}$ SE $\frac{1}{4}$ 25.0 ACRES
	SECTION 29	
1870	CATHERINE CREEK	NE $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 ACRES
1870	CATHERINE CREEK	NW $\frac{1}{4}$ NE $\frac{1}{4}$ 20.0 ACRES
1870	CATHERINE CREEK	SW $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 ACRES
1870	CATHERINE CREEK	SE $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 ACRES
	SECTION 32	
1868	LADD CREEK	SE $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 ACRES
1868	LADD CREEK	SW $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 ACRES
	SECTION 32	
1870	CATHERINE CREEK	NE $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 ACRES
1870	CATHERINE CREEK	NW $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 ACRES
1870	CATHERINE CREEK	SW $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 ACRES
1870	CATHERINE CREEK	SE $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 ACRES
1870	CATHERINE CREEK	NE $\frac{1}{4}$ SW $\frac{1}{4}$ 40.0 ACRES
1870	CATHERINE CREEK	NW $\frac{1}{4}$ SW $\frac{1}{4}$ 40.0 ACRES
1870	CATHERINE CREEK	SW $\frac{1}{4}$ SW $\frac{1}{4}$ 40.0 ACRES
1870	CATHERINE CREEK	SE $\frac{1}{4}$ SW $\frac{1}{4}$ 40.0 ACRES
1870	CATHERINE CREEK	SW $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 ACRES
	SECTION 33	
1884	CATHERINE CREEK	NE $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 ACRES
1884	CATHERINE CREEK	NW $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 ACRES
1884	CATHERINE CREEK	SW $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 ACRES
1884	CATHERINE CREEK	SE $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 ACRES
1884	CATHERINE CREEK	NE $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 ACRES
1884	CATHERINE CREEK	NW $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 ACRES
1884	CATHERINE CREEK	SE $\frac{1}{4}$ SE $\frac{1}{4}$ 40.0 ACRES
	SECTION 33	
1884	CATHERINE CREEK	NW $\frac{1}{4}$ NW $\frac{1}{4}$ 36.5 ACRES
1884	CATHERINE CREEK	SW $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 ACRES
1884	CATHERINE CREEK	SE $\frac{1}{4}$ NW $\frac{1}{4}$ 3.5 ACRES
1884	CATHERINE CREEK	NE $\frac{1}{4}$ SW $\frac{1}{4}$ 26.5 ACRES
1884	CATHERINE CREEK	SW $\frac{1}{4}$ SW $\frac{1}{4}$ 40.0 ACRES
1884	CATHERINE CREEK	NW $\frac{1}{4}$ SW $\frac{1}{4}$ 40.0 ACRES
1884	CATHERINE CREEK	SE $\frac{1}{4}$ SW $\frac{1}{4}$ 16.0 ACRES
	SECTION 34	
	TOWNSHIP 3 SOUTH, RANGE 39 EAST, W.M.	
1870	CATHERINE CREEK	NE $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 ACRES
1870	CATHERINE CREEK	NW $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 ACRES
1870	CATHERINE CREEK	SE $\frac{1}{4}$ NW $\frac{1}{4}$ 40.0 ACRES
	SECTION 4	
1870	CATHERINE CREEK	NE $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 ACRES
1870	CATHERINE CREEK	NW $\frac{1}{4}$ NE $\frac{1}{4}$ 10.0 ACRES
	SECTION 5	

<u>DATE</u>	<u>SOURCE</u>	<u>DESCRIPTION OF LAND</u>
1878	HOT SPRING LAKE	NW $\frac{1}{4}$ NE $\frac{1}{4}$ 30.0 ACRES
1878	HOT SPRING LAKE	NE $\frac{1}{4}$ NW $\frac{1}{4}$ 20.0 ACRES
SECTION 5		
TOWNSHIP 4 SOUTH, RANGE 39 EAST, W.M.		

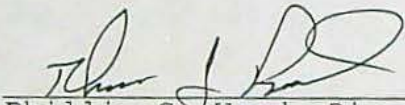
This certificate describes that portion of the water right confirmed by Certificate 80229, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered DEC 29 2004, approving Transfer Application 6990.

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 DECEMBER 29, 2004.


 for Phillip C. Ward, Director

Recorded in State Record of Water Right Certificates numbered 81122

ORDER AND CERTIFICATE CHECK LIST

RECORD MARKING (Support Staff)

File Folder () ## T- 6990
9478
9477

File

Permit () ## _____

Certificate () ## 81122
81468

Trans App Register ()
Trans Name Index ()

Sp. OR ()
Decree () Vol _____ Page _____ Vol _____ Page _____

COPIES MADE Order () Certificate ()

File () Data Center () Watermaster () Applicant () ()

ISWR Liason () () _____ Water Use Reporting () () _____

CWRE () () _____ I.District () () _____

Other () () _____ Other () () _____

SEND copy of application map to watermaster _____

LETTER TO:

Applicant () CWRE () _____

I.D. () _____ Other () _____

EMAIL PROCESSOR

NWR () NCR () SWR () SCR () ER ()

ENCLOSURES

Special Order () Vol _____ Page _____
() Vol _____ Page _____

Certificate () 81605
() _____
() _____

DATE SIGNED: 8/30/2005

FILE SET-UP

File Number	Set - Up Date	For Whom
_____	_____	_____
_____	_____	_____
_____	_____	_____

SEND TO:

Fiscal Section () Other () _____

NOTES: _____

STATE OF OREGON

COUNTY OF UNION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

W J TOWNLEY
UNION OR 97883

confirms the right to use the waters of the LADD CR, CATHERINE CR AND HOT LAKE SPRING, tributaries of the GRANDE RONDE RIVER for IRRIGATION of 785.00 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, 1868 for 80.00 acres from Ladd Creek, 1870 for 655.00 acres from Catherine Creek, and 1878 for 50.0 acres from Hot Lake Spring.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
3 S	38 E	WM	36	SE SE	LADD CREEK; PIERCE AND SAWYER DITCHES
4 S	39 E	WM	3	SW NW	CATHERINE CREEK; OLD CHANNEL
4 S	39 E	WM	5	NW SE	HOT LAKE SPRING; HOT LAKE DITCH

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed ONE-FORTIETH of one cubic foot per second, or its equivalent for each acre irrigated and shall be further limited to a diversion not to exceed 3.0 acre feet per acre in any irrigation season. The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

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

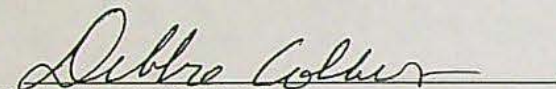
Twp	Rng	Mer	Sec	Q-Q *	Acres	Priority*	Source
3 S	39 E	WM	29	SE SE	25.00	1870	Catherine Creek
3 S	39 E	WM	32	NE NE	40.00	1870	Catherine Creek
3 S	39 E	WM	32	NW NE	20.00	1870	Catherine Creek
3 S	39 E	WM	32	SW NE	40.00	1870	Catherine Creek
3 S	39 E	WM	32	SE NE	40.00	1870	Catherine Creek
3 S	39 E	WM	32	SW NW	40.00	1868	Ladd Creek
3 S	39 E	WM	32	SE NW	40.00	1868	Ladd Creek
3 S	39 E	WM	33	NE NW	40.00	1870	Catherine Creek
3 S	39 E	WM	33	NW NW	40.00	1870	Catherine Creek
3 S	39 E	WM	33	SW NW	40.00	1870	Catherine Creek
3 S	39 E	WM	33	SE NW	40.00	1870	Catherine Creek
3 S	39 E	WM	33	NE SW	40.00	1870	Catherine Creek

Twp	Rng	Mer	Sec	Q-Q	Acres	Priority	Source
3 S	39 E	WM	33	NW SW	40.00	1870	Catherine Creek
3 S	39 E	WM	33	SW SW	40.00	1870	Catherine Creek
3 S	39 E	WM	33	SE SW	40.00	1870	Catherine Creek
4 S	39 E	WM	4	NE NW	40.00	1870	Catherine Creek
4 S	39 E	WM	4	NW NW	40.00	1870	Catherine Creek
4 S	39 E	WM	4	SE NW	40.00	1870	Catherine Creek
4 S	39 E	WM	5	NE NE	40.00	1870	Catherine Creek
4 S	39 E	WM	5	NW NE	10.00	1870	Catherine Creek
4 S	39 E	WM	5	NW NE	30.00	1878	Hot Spring Lake
4 S	39 E	WM	5	NE NW	20.00	1878	Hot Spring Lake

This certificate correctly describes the portions of the water right not affected by the provisions of orders of the Water Resources Director entered at Special Order Volume 62, page 457 approving transfer application T-6990 and Special Order Volume 64, page 590 approving transfer applications T-9477 and T-9478. This certificate supersedes certificates 81122 and 81468.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

WITNESS the signature of the Water Resources Director, affixed August 30, 2005.


FOR Phillip C. Ward, Director

Recorded in State Record of Water Right Certificates numbered 81605

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Transfer Application) FINAL ORDER APPROVING CHANGE
T-9477 & T-9478 Union County, Oregon) IN PLACE OF USE, POINTS OF
) DIVERSION, POINTS OF
) APPROPRIATION, PARTIAL
) CANCELLATION AND DIMINUTION
) OF A WATER RIGHT

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

S. Hawkins Inc.
57390 Hawkins Road
LaGrande, OR 97850

Agent

Gregory T. Blackman
2006 Adams Ave
LaGrande, OR 97850

Findings of Fact

1. S. Hawkins Inc. filed applications to change the place of use, points of diversion and points of appropriation under Certificates 6167, 6455, 45221, 53667, 53751 and 80229. The Department assigned the applications numbers T-9477 and T-9478.
2. The first right to be transferred is as follows:

Certificate: 6167 in the name of Benson Brothers
Use: Irrigation
Priority Date: 1870
Rate/Duty: 1/40 cfs per acre, not to exceed 3.0 acre-feet per acre
Acres: 298.44 acres
Source: Catherine Creek

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
4 S	39 E	WM	3	SW NW	TRACT 1 & TRACT 2; OLD CHANNEL ; 2800' N & 4900' W FROM SE COR SEC 3
4 S	39 E	WM	3	NW NW	TRACT 1; PEARLY DITCH; 4075' N & 5050' W FROM SE COR SEC 3
4 S	39 E	WM	3	SE SW	TRACT 2; BENSON BROS. DITCH; 1150' N & 2800' W FROM SE COR SEC 3

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

Authorized Place of Use

Twp	Rng	Mer	Sec	Q-Q	Acres	Authorized POD/POA	Proposed Change	Tract
4 S	39 E	WM	3	SW NW	11.00	Old Channel, Hot Lake Benson Bros	POD	2
4 S	39 E	WM	3	NE SW	6.00	Old Channel, Hot Lake Benson Bros	POD/POU	2
4 S	39 E	WM	3	NW SW	16.76	Old Channel, Hot Lake Benson Bros	POD	2
4 S	39 E	WM	3	NW SW	8.10	Old Channel, Hot Lake Benson Bros	POD/POU	2
4 S	39 E	WM	4	NE NE	46.29	Old Channel & Pearley Ditch	POD	1
4 S	39 E	WM	4	NW NE	46.28	Old Channel & Pearley Ditch	POD	1
4 S	39 E	WM	4	SW NE	41.00	Old Channel, Hot Lake Benson Bros	POD	2
4 S	39 E	WM	4	SE NE	41.00	Old Channel, Hot Lake Benson Bros	POD	2
4 S	39 E	WM	4	NE SE	41.00	Old Channel, Hot Lake Benson Bros	POD	2
4 S	39 E	WM	4	NW SE	41.00	Old Channel, Hot Lake Benson Bros	POD	2

3. The second right to be transferred is as follows:

Certificate: 6455 in the name of Earl and Myrtle McMaugh
Use: Irrigation
Priority Date: 1870
Rate/Duty: 1/40 cfs per acre, not to exceed 3.0 acre-feet per acre
Acres: 24.0
Source: Catherine Creek
Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
4 S	39 E	WM	3	NW NW	PEARLY DITCH; 4075' N & 5050' W FROM SE COR SEC 3

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres	Proposed Change
4 S	39 E	WM	3	NW NW	24.0	POD

4. The third right to be transferred is as follows:

Certificate: 45221 in the name of Amalgamated Sugar Company
Use: Irrigation
Priority Dates: 1904 for 162.5 Acres and June 1905 for 104.8 Acres
Rate/Duty: 1/40 cfs per acre, not to exceed 3.0 acre-feet per acre
Source: Catherine Creek
Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
4 S	39 E	WM	3	NE SW	MIKE DITCH; 1700' N & 3200' W FROM SE COR SEC 3 (1904 ONLY)
4 S	39 E	WM	3	SE SW	GODLEY NO 2; 1150' N & 2800' W FROM SE COR SEC 3 (JUNE 1905 ONLY)

Authorized Place of Use:

Twp	Rng	Mer	Sec	QQ	Acres	Priority	Authorized POD	PROPOSED CHANGE
4 S	39 E	WM	3	NE NW	33.0	1904	Mike Ditch	POD
4 S	39 E	WM	3	NE NW	7.0	JUNE 1905	Godley 2	POD
4 S	39 E	WM	3	NW NW	16.0	1904	Mike Ditch	POD

Twp	Rng	Mer	Sec	QQ	Acres	Priority	Authorized POD	PROPOSED CHANGE
4 S	39 E	WM	3	SW NW	32.0	1904	Mike Ditch	POD
4 S	39 E	WM	3	SE NW	40.0	1904	Mike Ditch	POD
4 S	39 E	WM	3	NE SW	26.0	1904	Mike Ditch	POD
4 S	39 E	WM	3	NE SW	8.0	JUNE 1905	Godley 2	POD
4 S	39 E	WM	3	NW SW	15.5	1904	Mike Ditch	POD
3 S	39 E	WM	34	NE NE	40.0	JUNE 1905	Godley 2	POD
3 S	39 E	WM	34	NW NE	39.8	JUNE 1905	Godley 2	POD
3 S	39 E	WM	34	SW NE	10.0	JUNE 1905	Godley 2	POD

5. The fourth right to be transferred is as follows:

Certificate: 53667 in the name of Sherman E. and M. Hazel Hawkins

Use: Irrigation

Priority Date: June, 1905

Rate/Duty: 1/40 cfs per acre, not to exceed 3.0 acre-feet per acre

Acres: 160.2

Source: Catherine Creek

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
3 S	39 E	WM	27	SW SW	PUMP 2; 660' N & 1100' E FROM SW CORNER SECTION 27
4 S	39 E	WM	3	SE SW	GODLEY NO 2; 1150' N & 2750' W FROM SE CORNER SECTION 3

Authorized Place of Use:

Twp	Rng	Mer	Sec	QQ	Acres	Proposed Change
3 S	39 E	WM	27	NE SW	40.0	POD
3 S	39 E	WM	27	NW SW	31.0	POD
3 S	39 E	WM	27	SW SW	9.0	POD
3 S	39 E	WM	27	SE SW	40.0	POD
3 S	39 E	WM	34	NE NW	4.0	POD
3 S	39 E	WM	34	NE NW	32.7	POD/POU
3 S	39 E	WM	34	NW NW	3.5	POD

6. The fifth right to be transferred is as follows:

Certificate: 53751 in the name of Robert W Hulden (Permit # G-6546)

Use: Irrigation of 14.1 acres and Supplemental Irrigation of 661.2 acres

Priority Date: August 15, 1975

Rate/Duty: 4.0 cfs, not to exceed 3.0 acre-feet per acre

Source: Well No 1

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
3 S	39 E	WM	28	SE SE	WELL NO 1: 1170' N AND 1150' W FROM SE CORNER SECTION 28

Authorized Place of Use:

PRIMARY IRRIGATION						
Twp	Rng	Mer	Sec	QQ	Acres	Proposed Change
3 S	39 E	WM	28	NE SE	8.7	Add Wells 11-16
3 S	39 E	WM	28	SW SE	5.4	Add Wells 11-16

SUPPLEMENTAL IRRIGATION							
Twp	Rng	Mer	Sec	QQ	Acres	Lot	Proposed Change
3 S	39 E	WM	27	NW SW	3.6		Add Wells 11-16
3 S	39 E	WM	27	SW SW	4.8		Add Wells 11-16
3 S	39 E	WM	28	NE SE	28.0		Add Wells 11-16
3 S	39 E	WM	28	NW SE	34.1		Add Wells 11-16
3 S	39 E	WM	28	SW SE	36.0		Add Wells 11-16
3 S	39 E	WM	28	SE SE	39.3		Add Wells 11-16
3 S	39 E	WM	33	NE NE	33.6		Add Wells 11-16
3 S	39 E	WM	33	NW NE	40.0		Add Wells 11-16
3 S	39 E	WM	33	SW NE	40.0		Add Wells 11-16
3 S	39 E	WM	33	SE NE	40.0		Add Wells 11-16
3 S	39 E	WM	33	NE SE	33.4		Add Wells 11-16
3 S	39 E	WM	33	NW SE	40.0		Add Wells 11-16
3 S	39 E	WM	33	SW SE	39.8		Add Wells 11-16
3 S	39 E	WM	33	SE SE	38.3		Add Wells 11-16
3 S	39 E	WM	34	NW NW	2.4		Add Wells 11-16
3 S	39 E	WM	34	SW NW	7.3		Add Wells 11-16
3 S	39 E	WM	34	NW SW	0.6		Add Wells 11-16
3 S	39 E	WM	34	SW SW	8.9		Add Wells 11-16
4 S	39 E	WM	3	NW NW	0.6		Add Wells 11-16
4 S	39 E	WM	3	SW NW	3.0		Add Wells 11-16
4 S	39 E	WM	3	NW SW	2.0		Add Wells 11-16
4 S	39 E	WM	4	NE NE	25.4		Add Wells 11-16
4 S	39 E	WM	4	NW NE	20.8	LOT 1	Add Wells 11-16
4 S	39 E	WM	4	SW NE	36.5	LOT 2	Add Wells 11-16
4 S	39 E	WM	4	SE NE	38.2		Add Wells 11-16
4 S	39 E	WM	4	NE SE	33.5		Add Wells 11-16
4 S	39 E	WM	4	NW SE	31.1	LOT 3	Add Wells 11-16

7. The sixth right to be transferred is as follows:

Certificate: 80229 in the name WJ Townley

Use: Irrigation

Priority Dates: 1870 for 39.8 acres and 1884 for 664.8 acres

Rate/Duty: 1/40 cfs per acre, not to exceed 3.0 acre-feet per acre

Source: Catherine Creek

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
4 S	39 E	WM	3	SW NW	OLD CHANNEL; 2800' N & 4900' W FROM SE COR SEC 3 (1870 only)
4 S	39 E	WM	3	NW NW	PEARLEY DITCH; 4075' N & 5050' W FROM SE COR SEC 3 (1884)

Authorized Place of Use:

Twp	Rng	Mer	Sec	QQ	Acres	Date	Authorized Pod	Proposed Change
3 S	39 E	WM	27	NW SW	9.0	1884	Pearley Ditch	POD
3 S	39 E	WM	27	SW SW	31.0	1884	Pearley Ditch	POD
3 S	39 E	WM	28	NE SE	28.0	1884	Pearley Ditch	POD
3 S	39 E	WM	28	NW SE	30.8	1884	Pearley Ditch	POD
3 S	39 E	WM	28	NW SE	9.2	1884	Pearley Ditch	POD/POU #1
3 S	39 E	WM	28	SW SE	33.0	1884	Pearley Ditch	POD
3 S	39 E	WM	28	SW SE	3.0	1884	Pearley Ditch	POD/POU #1
3 S	39 E	WM	28	SE SE	40.0	1884	Pearley Ditch	POD
3 S	39 E	WM	33	NE NE	32.4	1884	Pearley Ditch	POD
3 S	39 E	WM	33	NE NE	7.6	1884	Pearley Ditch	POD/POU #1
3 S	39 E	WM	33	NW NE	27.1	1884	Pearley Ditch	POD
3 S	39 E	WM	33	NW NE	12.9	1884	Pearley Ditch	POD/POU #1
3 S	39 E	WM	33	SW NE	40.0	1884	Pearley Ditch	POD
3 S	39 E	WM	33	SE NE	40.0	1884	Pearley Ditch	POD
3 S	39 E	WM	33	NE SE	40.0	1884	Pearley Ditch	POD
3 S	39 E	WM	33	NW SE	40.0	1884	Pearley Ditch	POD

3 S	39 E	WM	33	SW SE	31.8	1870	Old Channel	POD
3 S	39 E	WM	33	SW SE	8.0	1870	Old Channel	POD/POU #2

3 S	39 E	WM	33	SE SE	20.3	1884	Pearley Ditch	POD
3 S	39 E	WM	33	SE SE	18.0	1884	Pearley Ditch	POD/POU #2
3 S	39 E	WM	34	NW NW	36.5	1884	Pearley Ditch	POD
3 S	39 E	WM	34	SW NW	40.0	1884	Pearley Ditch	POD
3 S	39 E	WM	34	SE NW	3.5	1884	Pearley Ditch	POD
3 S	39 E	WM	34	NE SW	26.5	1884	Pearley Ditch	POD
3 S	39 E	WM	34	NW SW	40.0	1884	Pearley Ditch	POD
3 S	39 E	WM	34	SW SW	35.9	1884	Pearley Ditch	POD
3 S	39 E	WM	34	SW SW	4.1	1884	Pearley Ditch	POD/POU #2
3 S	39 E	WM	34	SE SW	16.0	1884	Pearley Ditch	POD

8. Applications T-9477 and T-9478 propose to change the place of use for the lands identified in Finding of Fact #2 as affected by a POU change (Certificate 6167) to:

Proposed Place of Use

Twp	Rng	Mer	Sec	Q-Q	Acres
3 S	39 E	WM	33	SE SE	10.0
3 S	39 E	WM	34	SW SW	4.1

9. Applications T-9477 and T-9478 propose to add points of diversion for the lands described in Finding of Fact #8 and the lands identified in Finding of Fact #2 as only affected by a POD change (Certificate 6167) so that water under this right, may be appropriated from any one or any combination of the following additional points of diversion:

Proposed Additional Points of Diversion

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
4 S	39 E	WM	3	SE SW	GODLEY NO 2; 1150' N & 2800' W FROM SE COR SEC 3
4 S	39 E	WM	3	SE SW	BENSON BROS.DITCH; 1150' N & 2800' W FROM SE COR SEC 3

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
4 S	39 E	WM	3	NE SW	MIKE DITCH; 1700' N & 3200' W FROM SE COR SEC 3
4 S	39 E	WM	3	NW SW	RIVER PUMP; 2384' N & 421' E FROM THE SW CORNER, SECTION 3
4 S	39 E	WM	3	SW NW	OLD CHANNEL; 2800' N & 4900' W FROM SE COR SEC 3
4 S	39 E	WM	3	NW NW	PEARLEY DITCH; 4075' N & 5050' W FROM SE COR SEC 3

10. Applications T-9477 and T-9478 propose to add points of diversion for the lands identified in Finding of Fact #3 (Certificate 6455) so that water under this right, may be appropriated from any one or any combination of the following additional points of diversion

Proposed Additional Points of Diversion

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
4 S	39 E	WM	3	SE SW	GODLEY NO 2; 1150' N & 2800' W FROM SE COR SEC 3
4 S	39 E	WM	3	SE SW	BENSON BROS.DITCH; 1150' N & 2800' W FROM SE COR SEC 3
4 S	39 E	WM	3	NE SW	MIKE DITCH; 1700' N & 3200' W FROM SE COR SEC 3
4 S	39 E	WM	3	NW SW	RIVER PUMP; 2384' N & 421' E FROM THE SW CORNER, SECTION 3
4 S	39 E	WM	3	SW NW	OLD CHANNEL; 2800' N & 4900' W FROM SE COR SEC 3
4 S	39 E	WM	3	NW NW	PEARLEY; 4075' N & 5050' W FROM SE COR SEC 3

11. Applications T-9477 and T-9478 propose to add points of diversion as described below (the portion Certificate 45221 described in Finding of Fact #4) so that water under the portions of the right listed, may be appropriated from any one or any combination of the associated additional points of diversion:

Place of use

Twp	Rng	Mer	Sec	QQ	Acres	Priority	Authorized POD
3 S	39 E	WM	34	NE NE	40.0	JUNE 1905	Godley 2
3 S	39 E	WM	34	NW NE	39.8	JUNE 1905	Godley 2
3 S	39 E	WM	34	SW NE	10.0	JUNE 1905	Godley 2

Proposed Additional Point of Diversion for Above Described Lands

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
4 S	39 E	WM	3	NW SW	RIVER PUMP; 2384' N & 421' E FROM THE SW CORNER, SECTION 3

Place of Use:

Twp	Rng	Mer	Sec	QQ	Acres	Priority	Authorized POD
4 S	39 E	WM	3	NE NW	33.0	1904	Mike Ditch
4 S	39 E	WM	3	NE NW	7.0	JUNE 1905	Godley 2
4 S	39 E	WM	3	NW NW	16.0	1904	Mike Ditch
4 S	39 E	WM	3	SW NW	32.0	1904	Mike Ditch
4 S	39 E	WM	3	SE NW	40.0	1904	Mike Ditch
4 S	39 E	WM	3	NE SW	26.0	1904	Mike Ditch
4 S	39 E	WM	3	NE SW	8.0	JUNE 1905	Godley 2
4 S	39 E	WM	3	NW SW	15.5	1904	Mike Ditch

Proposed Additional Points of Diversion for Above Described Lands

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
4 S	39 E	WM	3	SE SW	GODLEY NO 2; 1150' N & 2800' W FROM SE COR SEC 3
4 S	39 E	WM	3	SE SW	BENSON BROS.DITCH; 1150' N & 2800' W FROM SE COR SEC 3
4 S	39 E	WM	3	NE SW	MIKE DITCH; 1700' N & 3200' W FROM SE COR SEC 3
4 S	39 E	WM	3	NW SW	RIVER PUMP; 2384' N & 421' E FROM THE SW CORNER, SECTION 3
4 S	39 E	WM	3	SW NW	OLD CHANNEL; 2800' N & 4900' W FROM SE COR SEC 3
4 S	39 E	WM	3	NW NW	PEARLEY; 4075' N & 5050' W FROM SE COR SEC 3

12. Applications T-9477 and T-9478 propose to change the place of use for the lands identified in Finding of Fact #5 as affected by a POU change (Certificate 53667) to:

Proposed Place of Use

Twp	Rng	Mer	Sec	Q-Q	Acres
3 S	39 E	WM	28	NW SE	9.2
3 S	39 E	WM	28	SW SE	3.0
3 S	39 E	WM	33	NE NE	7.6
3 S	39 E	WM	33	NW NE	12.9

13. Applications T-9477 and T-9478 propose to add points of diversion for the lands described in Finding of Fact #12 (Certificate 53667) so that water under this right, may be appropriated from any one or any combination of the following additional points of diversion:

Proposed Points of Diversion

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
4 S	39 E	WM	3	SE SW	BENSON BROS DITCH; 1150' N & 2800' W FROM S3 COR SEC 3
4 S	39 E	WM	3	NE NW	MIKE DITCH; 1700' N & 3200' W FROM SE COR SEC 3
4 S	39 E	WM	3	NW SW	RIVER PUMP; 2384' N & 421' E FROM THE SW CORNER, SECTION 3
4 S	39 E	WM	3	SW NW	OLD CHANNEL; 2800' N & 4900' W FROM SE COR SEC 3
4 S	39 E	WM	3	SW NW	PEARLEY DITCH; 4075' N & 5050' W FROM SE COR SEC 3

14. Applications T-9477 and T-9478 propose to add a point of diversion for the lands identified in Finding of Fact #5 as only affected by a POD change (Certificate 53667) at:

Additional Point of Diversion

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
4 S	39 E	WM	3	NW SW	RIVER PUMP; 2384' N & 421' E FROM THE SW CORNER, SECTION 3

15. Application T-9477 and T-9478 proposes to diminish the Primary Irrigation under Certificate 53751 to Supplemental Irrigation located at:

Twp	Rng	Mer	Sec	QQ	Acres
3 S	39 E	WM	28	NE SE	8.7

Twp	Rng	Mer	Sec	QQ	Acres
3 S	39 E	WM	28	SW SE	5.4

16. Applications T-9477 and T-9478 propose to add additional points of appropriation for all the lands identified in Finding of Fact #6 (Certificate 53751), so that water may be appropriated from any one or any combination of the following wells:

Proposed Additional Points of Appropriation

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
3 S	39 E	WM	27	NW SE	WELL NO 11; 2010' N & 40' E FROM S¼ COR, SEC 27
3 S	39 E	WM	27	SW SE	WELL NO 12; 650' N & 50' E FROM S¼ CORNER, SECTION 27
3 S	39 E	WM	34	NW NE	WELL NO 13; 710' S & 50' E FROM N¼ CORNER, SECTION 34
3 S	39 E	WM	34	NW SE	WELL NO 14; 2710' S & 2580' W FROM NE CORNER, SECTION 34
3 S	39 E	WM	34	NW SE	WELL NO 15; 3910' S & 2570' W FROM NE CORNER SECTION 34
4 S	39 E	WM	3	SE NW	WELL NO 16; 1630' S & 40' W FROM N¼ CORNER SECTION 3

17. Applications T-9477 and T-9478 proposes to change the place of use for the portion of the lands identified in Finding of Fact #7 as affected by POU change #1 (Certificate 80229) to:

Proposed Place of Use

Twp	Rng	Mer	Sec	Q-Q	Acres	Priority Date
4 S	39 E	WM	34	NE NW	32.7	1884

18. Applications T-9477 and T-9478 propose to change the points of diversion for the lands described in Finding of Fact #17 so that water under this right, may be appropriated from any one or any combination of the following points of diversion

Proposed Points of Diversion

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
4 S	39 E	WM	3	SE SW	GODLEY NO 2; 1150' N & 2750' W FROM SE CORNER SECTION 3
3 S	39 E	WM	27	SW SW	PUMP 2; 660' N & 1100' E FROM SW CORNER SECTION 27
4 S	39 E	WM	3	NW SW	RIVER PUMP; 2384' N & 421' E FROM THE SW CORNER, SECTION 3

19. Applications T-9477 and T-9478 propose to change the place of use for the portion of the lands identified in Finding of Fact #7 as affected by POU change #2(Certificate 80229) to:

Proposed Place of Use

Twp	Rng	Mer	Sec	Q-Q	Acres	Priority Date
3 S	39 E	WM	28	NE SE	8.7	1884
3 S	39 E	WM	28	SW SE	5.4	1884
4 S	39 E	WM	33	SW SE	8.0	1884
4 S	39 E	WM	33	SE SE	8.0	1870

20. Applications T-9477 and T-9478 propose to add points of diversion for the lands described in Finding of Fact #19 and the lands identified in Finding of Fact #4 as only affected by a POD change (Certificate 80229) so that water under this right, may be appropriated from any one or any combination of the following additional points of diversion:

Proposed Additional Points of Diversion

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
4 S	39 E	WM	3	SE SW	GODLEY NO 2; 1150' N & 2800' W FROM SE COR SEC 3
4 S	39 E	WM	3	SE SW	BENSON BROS DITCH; 1150' N & 2800' W FROM SE COR SEC 3
4 S	39 E	WM	3	NE SW	MIKE DITCH; 1700' N & 3200' W FROM SE COR SEC 3
4 S	39 E	WM	3	NW SW	RIVER PUMP; 2384' N & 421' E FROM THE SW CORNER, SECTION 3
4 S	39 E	WM	3	SW NW	OLD CHANNEL; 2800' N & 4900' W FROM SE COR SEC 3
4 S	39 E	WM	3	NW NW	PEARLEY DITCH; 4075' N & 5050' W FROM SE COR SEC 3

21. Notice of the application for transfer was published pursuant to ORS 540.520 and OAR 690-380-4000. No comments were filed in response to the notice.
22. Water has been used within the last five years according to the terms and conditions of the right and no evidence is available that would demonstrate that the right is subject to forfeiture under ORS 540.610.
23. Diversion structures, ditches pumps, pipelines, and sprinkler systems sufficient to use the full amount of water allowed under the existing rights are present.
24. The proposed change would not result in enlargement of the right.
25. The proposed change would not result in injury to other water rights.
26. Affidavits were received from Sherman E. and M. Hazel Hawkins officers of S. Hawkins Inc. which is the, owner of certain land and the water rights appurtenant to it. A portion of Certificates 45221, 53667 and 80229 have been abandoned and are requested to be canceled
27. The portion of the first right to be cancelled is as follows:
Certificate: 45221 in the name of AMALGAMATED SUGAR COMPANY
Use: IRRIGATION
Priority Dates: JUNE, 1905
Rate/Duty: 1/40 cfs per acre
Acres: 0.20
Source: CATHERINE CREEK, tributary to the GRANDE RONDE RIVER
Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acre
3 S	39 E	WM	34	NW NE	0.2

28. The portion of the second right to be cancelled is as follows:

Certificate: 53667 in the name of SHERMAN E. AND HAZEL HAWKINS
Use: IRRIGATION
Priority Dates: JUNE, 1905
Rate/Duty: 1/40 cfs per acre
Acres: 3.3
Source: CATHERINE CREEK, tributary to the GRANDE RONDE RIVER
Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acre
3 S	39 E	WM	34	NE NW	3.3

29. The portion of the third right to be cancelled is as follows:

Certificate: 80229 in the name of W J TOWNLEY
Use: IRRIGATION
Priority Dates: 1884
Rate/Duty: 3.0 acre feet per acre
Acres: 1.90
Source: CATHERINE CREEK, tributary to the GRANDE RONDE RIVER
Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acre	Priority Date
3 S	39 E	WM	33	SW SE	0.2	1870
3 S	39 E	WM	33	SE SE	1.7	1884

Conclusions of Law

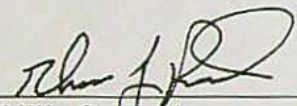
The proposed changes in point of diversion, place of use, and additional points of appropriation in application T-9477 and 9478 are consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000 and portions of the water rights shall be diminished and cancelled as described in the findings of fact.

Now, therefore, it is ORDERED:

1. The change in points of diversion, points of appropriation, and place of use proposed in applications T-9477 and T-9478 are approved.
2. Water right certificates 6167, 6455, 45221, 53667, 53751, and 80229 are cancelled. New certificates will be issued describing the portions of the rights not involved in this transfer and not abandoned or diminished under this order.
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 6167, 6455, 45221, 53667, 53751 and 80229 and any related decree.
4. Water shall be acquired from the same surface water source as the original points of diversion.
5. The proposed change shall be completed on or before October 1, 2006.

6. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department by October 1, 2007.
7. The quantity of water diverted at the additional point of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of water lawfully available at the original point of diversion.
8. When required by the Department, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
9. The water user shall install and maintain a fish screen or fish by-pass device, at the new points of diversion. The type and plans of the screen or by-pass device must be approved by the Oregon Department of Fish and Wildlife prior to beginning of construction, and shall be installed under the supervision of the Department of Fish and Wildlife. The water user may participate in the Department of Fish and Wildlife's cost-sharing program for installation of screening and by-pass devices in accordance with ORS 540.525.
10. When satisfactory proof of the completed changes is received, new certificates confirming the rights transferred will be issued.

Dated at Salem, Oregon this 26th day of May, 2005.



Phillip C. Ward
Director

Mailing date: JUN 20 2005

STATE OF OREGON
 COUNTY OF UNION
 CERTIFICATE OF WATER RIGHT

300.00 1
~~209.1~~
 144.1
 T-6990 123.1 -T
~~32.8~~ -2
~~100.0~~
 T-9477 39.8
 664.8

 704.6
 1.9
706.5

THIS CERTIFICATE ISSUED TO

W.J. TOWNLEY
 UNION, OREGON 97783

confirms the right to use the waters of LADD CREEK, CATHERINE CREEK, and HOT LAKE SPRING, tributaries of the GRAND RONDE RIVER, for IRRIGATION OF 1791.5 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 see "place of use" below.

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 or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

LADD CREEK: SE¼ SE¼ SECTION 36, T 3 S, R 38 E, W.M.;
 CATHERINE CREEK: SW¼ NW¼ SECTION 3, T 4 S, R 39 E, W.M.; AND
 HOT LAKE SPRING.

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

<u>Date</u>	<u>Acres</u>	<u>Source</u>	<u>Description of Land</u>
1868	220.0	Ladd Creek	✓40.0 acres in SE¼ NW¼ ✓40.0 acres in SW¼ NW¼ 40.0 acres in NE¼ SW¼ -36.2-3.8 34.0 acres in NW¼ SW¼ -22.7-11.3 26.0 acres in SW¼ SW¼ -25.4-0.6 40.0 acres in SE¼ SW¼ -38.8-1.2 SECTION 32 T 3 S, R 39 E, W.M.

<u>Date</u>	<u>Acres</u>	<u>Source</u>	<u>Description of Land</u>
1870	855.0	Catherine Creek	<p>✓25.0 acres in SE¼ SE¼ SECTION 29</p> <p>✓40.0 acres in NE¼ NE¼</p> <p>✓20.0 acres in NW¼ NE¼</p> <p>✓40.0 acres in SW¼ NE¼</p> <p>✓40.0 acres in SE¼ NE¼</p> <p>40.0 acres in NE¼ SE¼ - 34.0 = 6.0</p> <p>40.0 acres in NW¼ SE¼ - 33.9 = 6.1</p> <p>40.0 acres in SW¼ SE¼ - 40.0</p> <p>40.0 acres in SE¼ SE¼ - 36.2 = 3.8</p> <p>SECTION 32</p> <p>✓40.0 acres in NE¼ NW¼</p> <p>✓40.0 acres in NW¼ NW¼</p> <p>✓40.0 acres in SW¼ NW¼</p> <p>✓40.0 acres in SE¼ NW¼</p> <p>✓40.0 acres in NE¼ SW¼</p> <p>✓40.0 acres in NW¼ SW¼</p> <p>✓40.0 acres in SW¼ SW¼</p> <p>✓40.0 acres in SE¼ SW¼</p> <p>40.0 acres in SW¼ SE¼ - 31.8 - 8.0 = 0.2</p> <p>SECTION 33</p> <p>T 3 S, R 39 E, W.M.</p> <p>✓40.0 acres in NE¼ NW¼</p> <p>✓40.0 acres in NW¼ NW¼</p> <p>✓40.0 acres in SE¼ NW¼</p> <p>SECTION 4</p> <p>✓40.0 acres in NE¼ NE¼</p> <p>✓10.0 acres in NW¼ NE¼</p> <p>SECTION 5</p> <p>T 4 S, R 39 E, W.M.</p>
1878	50.0	Hot Spring Lake	<p>✓30.0 acres in NW¼ NE¼</p> <p>✓20.0 acres in NE¼ NW¼</p> <p>SECTION 5</p> <p>T 4 S, R 39 E, W.M.</p>
1884	666.5	Catherine Creek	<p>9.0 acres in NW¼ SW¼ - 9.0</p> <p>31.0 acres in SW¼ SW¼ - 31.0</p> <p>SECTION 27</p> <p>28.0 acres in NE¼ SE¼ - 28.0</p> <p>40.0 acres in NW¼ SE¼ - 30.8 - 9.2</p> <p>26.0 acres in SW¼ SE¼ - 33.0 - 3.0</p> <p>40.0 acres in SE¼ SE¼ - 40</p> <p>SECTION 28</p>

<u>Date</u>	<u>Acres</u>	<u>Source</u>	<u>Description of Land</u>
			40.0 acres in NE¼ NE¼ -32.4-7.6
			40.0 acres in NW¼ NE¼ -27.1-12.9
			40.0 acres in SW¼ NE¼ -40.0
			40.0 acres in SE¼ NE¼ -40.0
			40.0 acres in NE¼ SE¼ -40.0
			40.0 acres in NW¼ SE¼ -40.0
			40.0 acres in SE¼ SE¼ -20.3 -10.0 -17
			SECTION 33
			36.5 acres in NW¼ NW¼ -36.5
			40.0 acres in SW¼ NW¼ -40.0
			3.5 acres in SE¼ NW¼ -3.5
			26.5 acres in NE¼ SW¼ -26.5
			40.0 acres in NW¼ SW¼ -40.0
			40.0 acres in SW¼ SW¼ -35.9-4.1
			16.0 acres in SE¼ SW¼ -16.0
			SECTION 34
			T 3 S, R 39 E, W.M.

This certificate describes that portion of the water right confirmed by Certificate 50403, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered MAY 20 2003, approving Transfer Application 8681.

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 20 2003.


Paul R. Cleary, Director

Recorded in State Record of Water Right Certificates numbered 80229.

**INTEROFFICE MEMO
EASTERN REGION
WATER RESOURCES DEPARTMENT**

TO: Paul Cleary via Tom Paul

DATE: September 11, 2003

FROM: Carrie Jones

BW

SUBJECT: Approval of Transfer 6990

Pursuant to ORS 540.510 to 540.530, Oregon Department of Fish and Wildlife requested a change in type of use Certificate 80229.

The Watermaster has reviewed the transfer application and found that no injury to existing rights or enlargement would result from the change. The Watermaster has no complaints of injury on record. This transfer has been reviewed for accuracy by me and Jerry Rodgers. I recommend that the transfer order be approved.

Carrie

*OK
op
12-22-04*

8/1/22

This cert replaced C-50403 ¹

STATE OF OREGON
COUNTY OF UNION

This is the RR Right
for T-8681

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

W.J. TOWNLEY
UNION, OREGON 97783

confirms the right to use the waters of LADD CREEK, CATHERINE CREEK,
and HOT LAKE SPRING, tributaries of the GRAND RONDE RIVER, for
IRRIGATION OF 1791.5 ACRES.

- 300.0 = 1491.50

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 see "place of use" below.

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 or its equivalent in case of
rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

LADD CREEK: SE¼ SE¼ SECTION 36, T 3 S, R 38 E, W.M.;
CATHERINE CREEK: SW¼ NW¼ SECTION 3, T 4 S, R 39 E, W.M.; AND
HOT LAKE SPRING.

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

<u>Date</u>	<u>Acres</u>	<u>Source</u>	<u>Description of Land</u>
1868	220.0	Ladd Creek	40.0 acres in SE¼ NW¼ ✓
			40.0 acres in SW¼ NW¼ ✓
			40.0 acres in NE¼ SW¼ - 36.2 - 3.8 (CAN) = 0
			34.0 acres in NW¼ SW¼ - 22.7 - 11.3 (CAN) = 0
			26.0 acres in SW¼ SW¼ - 25.4 - 0.6 (CAN) = 0
			40.0 acres in SE¼ SW¼ - 38.8 - 1.2 (CAN) = 0
			SECTION 32
			T 3 S, R 39 E, W.M.

PIERCE & SAWYER
Ditch

123 - (16.9 CAN)
80229
= 146.9

<u>Date</u>	<u>Acres</u>	<u>Source</u>	<u>Description of Land</u>
1870	855.0	Catherine Creek	25.0 acres in SE$\frac{1}{4}$ SE$\frac{1}{4}$ SECTION 29 40.0 acres in NE$\frac{1}{4}$ NE$\frac{1}{4}$ 20.0 acres in NW$\frac{1}{4}$ NE$\frac{1}{4}$ 40.0 acres in SW$\frac{1}{4}$ NE$\frac{1}{4}$ 40.0 acres in SE$\frac{1}{4}$ NE$\frac{1}{4}$ 40.0 acres in NE$\frac{1}{4}$ SE$\frac{1}{4}$ - 34.0 - 6.0 (cont) = 0 40.0 acres in NW$\frac{1}{4}$ SE$\frac{1}{4}$ - 33.9 - 6.1 (cont) = 0 40.0 acres in SW$\frac{1}{4}$ SE$\frac{1}{4}$ - 90 = 0 40.0 acres in SE$\frac{1}{4}$ SE$\frac{1}{4}$ - 36.2 - 3.8 (cont) = 0 SECTION 32 40.0 acres in NE$\frac{1}{4}$ NW$\frac{1}{4}$ - 144.1 (15.9) 40.0 acres in NW$\frac{1}{4}$ NW$\frac{1}{4}$ 40.0 acres in SW$\frac{1}{4}$ NW$\frac{1}{4}$ 40.0 acres in SE$\frac{1}{4}$ NW$\frac{1}{4}$ 40.0 acres in NE$\frac{1}{4}$ SW$\frac{1}{4}$ 40.0 acres in NW$\frac{1}{4}$ SW$\frac{1}{4}$ 40.0 acres in SW$\frac{1}{4}$ SW$\frac{1}{4}$ 40.0 acres in SE$\frac{1}{4}$ SW$\frac{1}{4}$ 40.0 acres in SW$\frac{1}{4}$ SE$\frac{1}{4}$ SECTION 33 T 3 S, R 39 E, W.M. 40.0 acres in NE$\frac{1}{4}$ NW$\frac{1}{4}$ 40.0 acres in NW$\frac{1}{4}$ NW$\frac{1}{4}$ 40.0 acres in SE$\frac{1}{4}$ NW$\frac{1}{4}$ SECTION 4 40.0 acres in NE$\frac{1}{4}$ NE$\frac{1}{4}$ 10.0 acres in NW$\frac{1}{4}$ NE$\frac{1}{4}$ SECTION 5 T 4 S, R 39 E, W.M.
1878	50.0	Hot Spring Lake	30.0 acres in NW$\frac{1}{4}$ NE$\frac{1}{4}$ 20.0 acres in NE$\frac{1}{4}$ NW$\frac{1}{4}$ SECTION 5 T 4 S, R 39 E, W.M.
1884	666.5	Catherine Creek	9.0 acres in NW$\frac{1}{4}$ SW$\frac{1}{4}$ 31.0 acres in SW$\frac{1}{4}$ SW$\frac{1}{4}$ SECTION 27 28.0 acres in NE$\frac{1}{4}$ SE$\frac{1}{4}$ 40.0 acres in NW$\frac{1}{4}$ SE$\frac{1}{4}$ 36.0 acres in SW$\frac{1}{4}$ SE$\frac{1}{4}$ 40.0 acres in SE$\frac{1}{4}$ SE$\frac{1}{4}$ SECTION 28

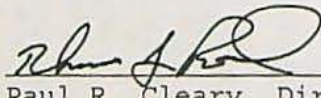
<u>Date</u>	<u>Acres</u>	<u>Source</u>	<u>Description of Land</u>
			/ 40.0 acres in NE¼ NE¼
			/ 40.0 acres in NW¼ NE¼
			/ 40.0 acres in SW¼ NE¼
			/ 40.0 acres in SE¼ NE¼
			/ 40.0 acres in NE¼ SE¼
			/ 40.0 acres in NW¼ SE¼
			/ 40.0 acres in SE¼ SE¼
			SECTION 33
			36.5 acres in NW¼ NW¼
			40.0 acres in SW¼ NW¼
			3.5 acres in SE¼ NW¼
			26.5 acres in NE¼ SW¼
			40.0 acres in NW¼ SW¼
			40.0 acres in SW¼ SW¼
			16.0 acres in SE¼ SW¼
			SECTION 34
			T 3 S, R 39 E, W.M.

This certificate describes that portion of the water right confirmed by Certificate 50403, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered MAY 20 2003, approving Transfer Application 8681.

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 20 2003.


Paul R. Cleary, Director

Recorded in State Record of Water Right Certificates numbered 80229.

**State of Oregon
WATER RESOURCES DEPARTMENT
AMENDED APPLICATION FOR TRANSFER OF WATER RIGHT**

Applicant: Oregon Dept. Fish & Wildlife
 Mailing Address: 2501 S.W. 1st Ave. Portland, OR 97201 Phone: 503-872-5299
 Type of change: Type of Use ? PLACE OF USE

1. WATER RIGHT

- A) Is the water right in your name? (Yes or No) No If not, list name below:
W. J. Townley
- B) Was the water right determined by a court decree? (Yes or No) Yes
 - 1. If yes, list the title of the proceedings: Grande Ronde River Decree
 - 2. Certificate No: 50403
- C) Was the water right acquired by a water permit? (Yes or No) No
 - 1. If yes, list the Permit No: N/A
 - 2. Certificate No: _____
- D) Date of priority right: 1870
- E) What are your reasons for the proposed changes? Wetland habitat for wildlife using an existing water right
- F) The water will be completely applied to the proposed use on or before: June 1st 1998

2. LOCATION OF AUTHORIZED USE

- A) What is the source of water (river, stream, well)? Catherine Creek
- B) Describe the authorized point of diversion:

Location in Reference to Survey Corner	1/4, 1/4 Section	Section	Township (South)	Range (East)
2904' N. & 330' E of SW corner Sec. 3	SWNW	3	4	39

- C) What is the name of the ditch used? Lower Davis Dam Diversion aka Old Channel Ditch
- D) What is the use to which the water is applied? Irrigation
- E) Give the location of the authorized area irrigated or place of use other than irrigation:

Township (South)	Range (East)	Section	1/4, 1/4 Section	No. Of acres irrigated
3	39	32	NESE	34.0
3	39	32	NWSE	33.9
3	39	32	SWSE	40.0
3	39	32	SESE	36.2
			Total =	144.1

- F) Is the land within an irrigation district? (Yes or No) No
If Yes, which district? N/A
- G) County Union

3. LOCATION OF PROPOSED USE:

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

- A) Describe the proposed new point of diversion:

Location in Reference to Survey Corner	1/4, 1/4 Section	Section	Township (South)	Range (East)

NOTE: Answer questions B, C, D, and E only if the application is for a change in use or place of use.

- B) Are the lands from which you propose to transfer your water right free of all encumbrances? (Yes, No) Yes
- C) If no, give the description below of existing encumbrances:

Encumbrance	Held by	Amount

D) What is the use to which the water will be applied? Wildlife Habitat

E) Give the proposed location of the area irrigated, or place of use if other than for irrigation:

Township	Range	Section	1/4, 1/4 Section	No. Of acres irrigated
3 South	39 East	32	SE 1/4	

4. EXHIBITS

The following exhibits shall be attached to and made part of the application:

- A) A map prepared by a Certified Water Right Examiner showing the location of the present and proposed points of diversion, the authorized and proposed places of use and, if any, lands from the existing right that would not be subject to transfer.
- B) A copy of the current recorded deed to the subject lands.
- C) Affidavits from any other landowners or encumbrance holders with interest in the original water right stating that they have no objection to the proposed transfer.
- D) Evidence that the water has been used within the last five years.

5. NAME AND ADDRESS OF RECEIVING LANDOWNERS(S) IF OTHER THAN APPLICANT:

6. REMARKS: Estimated water use is 432.3 AF (3 AF per 144.1 acres). Note acreage was determined by subtracting the surface area of ponds from original acreage. Affidavits are included requesting the irrigation right under the open water of the ponds be canceled.

I (we) _____ for ODFW _____, applicant(s), hereby swear that I (we) have read the above application for transfer of water right and that the statements made are true and correct.

David C. Larson Date 5/18/98
(Signature)

Mark Henjum Date 5/18/98
(Signature)

State of Oregon
WATER RESOURCES DEPARTMENT
AMENDED APPLICATION FOR TRANSFER OF WATER RIGHT

Applicant: Oregon Dept. Fish and Wildlife
 Mailing Address: 2501 S.W. 1st Ave. Portland, OR 97201 Phone: (503) 872-5299
 Type of change: Type of Use & PLACE OF USE

1. WATER RIGHT

- A) Is the water right in your name? (Yes or No) No If not, list name below:
W. J. Townley
- B) Was the water right determined by a court decree? (Yes or No) Yes
 - 1. If yes, list the title of the proceedings: Grande Ronde River Decree
 - 2. Certificate No: 50403
- C) Was the water right acquired by a water permit? (Yes or No) No
 - 1. If yes, list the Permit No: N/A
 - 2. Certificate No: _____
- D) Date of priority right: 1868
- E) What are your reasons for the proposed changes? Wetland habitat for wildlife using an existing water right
- F) The water will be completely applied to the proposed use on or before: June 1st 1998

2. LOCATION OF AUTHORIZED USE

- A) What is the source of water (river, stream, well)? Ladd Creek
- B) Describe the authorized point of diversion:

Location in Reference to Survey Corner	1/4, 1/4 Section	Section	Township (South)	Range (East)
450 ft. N. & 110 ft. W SE corner Sec. 36	SE SE	36	3	38

- C) What is the name of the ditch used? Pierce Sawyer Ditch
- D) What is the use to which the water is applied? Irrigation
- E) Give the location of the authorized area irrigated or place of use other than irrigation:

Township (South)	Range (East)	Section	1/4, 1/4 Section	No. Of acres irrigated
3	39	32	NE SW	36.2
3	39	32	NW SW	22.7
3	39	32	SW SW	25.4
3	39	32	SE SW	38.8
			Total =	123.1

- F) Is the land within an irrigation district? (Yes or No) No
 If Yes, which district? _____
- G) County Union

3. LOCATION OF PROPOSED USE:

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

- A) Describe the proposed new point of diversion:

Location in Reference to Survey Corner	1/4, 1/4 Section	Section	Township (South)	Range (East)

NOTE: Answer questions B, C, D, and E only if the application is for a change in use or place of use.

- B) Are the lands from which you propose to transfer your water right free of all encumbrances? (Yes, No) Yes

C) If no, give the description below of existing encumbrances:

Encumbrance	Held by	Amount

D) What is the use to which the water will be applied? Wildlife Habitat

E) Give the proposed location of the area irrigated, or place of use if other than for irrigation:

Township	Range	Section	1/4, 1/4 Section	No. Of acres irrigated
3	39	32	SW $\frac{1}{4}$	

4. EXHIBITS

The following exhibits shall be attached to and made part of the application:

- A) A map prepared by a Certified Water Right Examiner showing the location of the present and proposed points of diversion, the authorized and proposed places of use and, if any, lands from the existing right that would not be subject to transfer.
- B) A copy of the current recorded deed to the subject lands.
- C) Affidavits from any other landowners or encumbrance holders with interest in the original water right stating that they have no objection to the proposed transfer.
- D) Evidence that the water has been used within the last five years.

5. NAME AND ADDRESS OF RECEIVING LANDOWNERS(S) IF OTHER THAN APPLICANT:

6. REMARKS: Estimated water use is 369.3 AF (3 AF per 123.1 acres). Note acreage was determined by reducing acreage by the surface area of ponds. Affidavits are included requesting the irrigation right under the open water of the ponds be canceled

I (we) _____ for ODFW, applicant(s), hereby swear that I (we) have read the above application for transfer of water right and that the statements made are true and correct.

David C. Larson Date 5/18/98
(Signature)

Mark Henry Date 5/18/98
(Signature)

COPY

T6990

RECEIVED

State of Oregon
WATER RESOURCES DEPARTMENT
APPLICATION FOR TRANSFER OF WATER RIGHT WATER RESOURCES DEPT.
SALEM, OREGON

JUN - 1 1993

Applicant: OREGON DEPT. FISH & WILDLIFE

Mailing Address: 2501 S.W. 1ST AVE.

PORTLAND OR 97201 229-5701
City or town State Zip Phone

Type of change: CHANGE IN USE & PLACE OF USE
(In point of diversion: place of use; use heretofore made of the water)

1. WATER RIGHT

A) Is the water right in your name? No If not, list name below:
(Yes, No)

W. J. TOWNLEY

B) Was the water right determined by a court decree? YES
(Yes, No)

1. If yes, list the title of the proceedings: ORDER RECORD OF WRD IN Vol. 8, p. 1

2. Certificate No: 50403 WHICH SUPERSEDES p. 6610 Vol. 7

C) Was the water right acquired by a water permit? No
(Yes, No)

1. If yes, list the Permit No: _____

2. Certificate No: _____

D) Date of priority right: 1868 & 1870, 19__

E) What are your reasons for the proposed changes? WETLAND HABITAT FOR WILDLIFE
USING A PROPORTION OF EXISTING IRRIGATION WATER RIGHTS

F) The water will be completely applied to the proposed use on or before: JUNE 1, 1993

2. LOCATION OF AUTHORIZED USE

A) What is the source of water (river, stream, well)? CATHERINE CREEK & LADD CREEK

B) Describe the authorized point of diversion:

Location in Reference to Survey Corner	1/4, 1/4 of Section	Section	Township	Range
<u>2640' N. & 2112' W. OF SE COR. SEC. 31</u>	<u>SW NE</u>	<u>31</u>	<u>35</u>	<u>39E</u>
<u>2904' N. & 330' E. OF SW COR. SEC. 3</u>	<u>SW SW</u>	<u>3</u>	<u>45</u>	<u>39E</u>

C) What is the name of the ditch used? UNNAMED & LOWER DAVIS DAM DIVERSION DITCH

D) What is the use to which the water is applied? WILDLIFE HABITAT PONDS & IRRIGATION

E) Give the location of the authorized area irrigated or place of use other than for irrigation:

Township	Range	Section	1/4, 1/4 of Section	No. of acres irrigated
<u>35</u>	<u>39E</u>	<u>32</u>	<u>ALL OF SE</u>	<u>140</u>
<u>35</u>	<u>39E</u>	<u>32</u>	<u>ALL OF SW</u>	<u>140</u>

F) Is the land within an irrigation district? Yes ___ No
If Yes, which district? _____

G) County UNION

3. LOCATION OF PROPOSED USE:

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

A) Describe the proposed point of diversion:

Location in Reference to Survey Corner	1/4, 1/4 of Section	Section	Township	Range

NOTE: Answer questions B, C, D, and E only if the application is for a change in use or place of use.

B) Are the lands from which you propose to transfer your water right free of all encumbrances? YES
(Yes, No)

C) If no, give the description below of existing encumbrances:

Encumbrance	Held by	Amount

D) What is the use to which the water will be applied? WILDLIFE HABITAT PONDS & IRRIGATION

E) Give the proposed location of the area irrigated, or place of use if other than for irrigation:

Township	Range	Section	1/4, 1/4 of Section	No. of acres irrigated
<u>POND 1</u> 35	39E	32	E 1/2 of SE	8.0
" 2	39E	32	NE SE	2.5
" 3 & 4	39E	32	NW SE	6.3 & 7.0
" 5	39E	32	NESW	6.0
" 6	39E	32	E 1/2 of SW	5.0
35	39E	31	NE SE	22.2

4. EXHIBITS

The following exhibits shall be attached to and made part of the application:

- A) A map prepared by a Certified Water Right Examiner showing the location of the present and proposed points of diversion, the authorized and proposed places of use and, if any, lands from the existing right that would not be subject to transfer.
- B) A copy of the current recorded deed to the subject lands.
- C) Affidavits from any other landowners or encumbrance holders with interest in the original water right stating that they have no objection to the proposed transfer.
- D) Evidence that the water has been used within the last five years.

5. NAME AND ADDRESS OF RECEIVING LANDOWNER(S) IF OTHER THAN APPLICANT:

6. REMARKS: APPLICATION IS SUBMITTED IN CONJUNCTION WITH APPLICATIONS R-69563 & 69135

I (~~we~~) ROBERT O. DODGE FOR ORE. DEPT. FISH & WILDLIFE, applicant(s), hereby swear that I (~~we~~) have read the above application for transfer of water right and that the statements made are true and correct. Dated and signed this March 15 day of 1993, 19 .

Robert O. Dodge
(Signature)

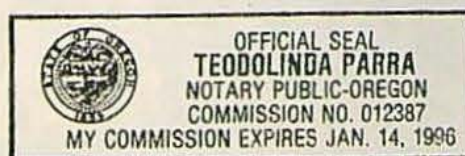
(Signature)

Subscribed and sworn to before me

Teodolinda Parra
Notary Public for Oregon

(Notarial Seal)

My commission expires: 1-14-96



Superseded

State of Oregon
WATER RESOURCES DEPARTMENT
APPLICATION FOR TRANSFER OF WATER RIGHT

Applicant: Oregon Dept. Fish + Wildlife
Mailing Address: 2501 S.W. 1st Ave.
Portland OR 97201 (503) 872-5299
City or town State Zip Phone
Type of change: Change in Use.
(In point of diversion: place of use; use heretofore made of the water)

1. WATER RIGHT

- A) Is the water right in your name? No If not, list name below:
(Yes, No) W. J. Townley
- B) Was the water right determined by a court decree? Yes
(Yes, No)
1. If yes, list the title of the proceedings: Grande Ronde Decree
2. Certificate No: 50403
- C) Was the water right acquired by a water permit? NO
(Yes, No)
1. If yes, list the Permit No: _____
2. Certificate No: _____
- D) Date of priority right: 1870, 19____
- E) What are your reasons for the proposed changes? Wetland habitat for wildlife using an existing water right
- F) The water will be completely applied to the proposed use on or before: June 1st, 1998

2. LOCATION OF AUTHORIZED USE

A) What is the source of water (river, stream, well)? Catherine Creek

B) Describe the authorized point of diversion:

Location in Reference to Survey Corner	1/4,1/4 of Section	Section	Township	Range
<u>2904' N. + 330' E</u>	<u>SW, SW</u>	<u>3</u>	<u>4S</u>	<u>39E</u>

- C) What is the name of the ditch used? Lower Davis Dam Diversion Ditch
- D) What is the use to which the water is applied? Wildlife Habitat

E) Give the location of the authorized area irrigated or place of use other than for irrigation:

Township	Range	Section	1/4,1/4 of Section	No. of acres irrigated
<u>3 S.</u>	<u>39 E.</u>	<u>32</u>	<u>NE, SE</u>	<u>35.5</u>
<u>3 S.</u>	<u>39 E.</u>	<u>32</u>	<u>NW, SE</u>	<u>29.92</u>
<u>3 S.</u>	<u>39 E.</u>	<u>32</u>	<u>SW SE</u>	<u>40.0</u>
<u>3 S.</u>	<u>39 E.</u>	<u>32</u>	<u>SE SE</u>	<u>36.76</u>

F) Is the land within an irrigation district? Yes _____ No ✓
If Yes, which district? _____

G) County Union

3. LOCATION OF PROPOSED USE:

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

A) Describe the proposed point of diversion:

Location in Reference to Survey Corner	1/4,1/4 of Section	Section	Township	Range

NOTE: Answer questions B, C, D, and E only if the application is for a change in use or place of use.

B) Are the lands from which you propose to transfer your water right free of all encumbrances? _____ (Yes, No)

C) If no, give the description below of existing encumbrances:

Encumbrance	Held by	Amount

D) What is the use to which the water will be applied? Wild life Habitat

E) Give the proposed location of the area irrigated, or place of use if other than for irrigation:

Township	Range	Section	1/4, 1/4 of Section	No. of acres irrigated

4. EXHIBITS

The following exhibits shall be attached to and made part of the application:

- A) A map prepared by a Certified Water Right Examiner showing the location of the present and proposed points of diversion, the authorized and proposed places of use and, if any, lands from the existing right that would not be subject to transfer.
- B) A copy of the current recorded deed to the subject lands.
- C) Affidavits from any other landowners or encumbrance holders with interest in the original water right stating that they have no objection to the proposed transfer.
- D) Evidence that the water has been used within the last five years.

5. NAME AND ADDRESS OF RECEIVING LANDOWNER(S) IF OTHER THAN APPLICANT:

6. REMARKS: Estimated water use is 426.54 AF (3 AF per 142.18 acres). Note Acreage was determined by subtracting the surface area of ponds from original acreage.

I (~~we~~) ROBERT O. DODGE FOR ODFW, applicant(s), hereby swear that I (~~we~~) have read the above application for transfer of water right and that the statements made are true and correct. Dated and signed this 10 day of JUNE, 19 97.

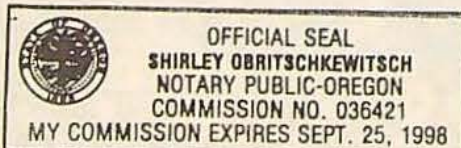
Robert O. Dodge
(Signature)

(Signature)

Subscribed and sworn to before me

Shirley Obritschke
Notary Public for Oregon

(Notarial Seal)



My commission expires: 9-25-98

Superseded

State of Oregon
WATER RESOURCES DEPARTMENT
APPLICATION FOR TRANSFER OF WATER RIGHT

Applicant: Oregon Dept. Fish & Wildlife
Mailing Address: 2501 S.W. 1st Ave.
Portland OR 97201 (503) 872-5299
City or town State Zip Phone
Type of change: Change in Use
(In point of diversion; place of use; use heretofore made of the water)

1. WATER RIGHT

- A) Is the water right in your name? No If not, list name below:
(Yes, No) W.J. Townley
- B) Was the water right determined by a court decree? Yes
(Yes, No)
1. If yes, list the title of the proceedings: Grande Ronde Decree
2. Certificate No: 50403
- C) Was the water right acquired by a water permit? NO
(Yes, No)
1. If yes, list the Permit No: _____
2. Certificate No: _____
- D) Date of priority right: 1868, 19____
- E) What are your reasons for the proposed changes? Wetland habitat for wildlife using an existing water right.
- F) The water will be completely applied to the proposed use on or before: June 1st, 1998

2. LOCATION OF AUTHORIZED USE

A) What is the source of water (river, stream, well)? Ladd Creek (West Branch)

B) Describe the authorized point of diversion:

Location in Reference to Survey Corner	1/4, 1/4 of Section	Section	Township	Range
450 FT N. & 110 FT W	SE, SE	36	35	38E

- C) What is the name of the ditch used? Pierce Sawyer
- D) What is the use to which the water is applied? Wildlife Habitat

E) Give the location of the authorized area irrigated or place of use other than for irrigation:

Township	Range	Section	1/4, 1/4 of Section	No. of acres irrigated
3S.	39E	32	NE, SW	37.0
3S.	39E.	32	NW, SW	19.84
3S.	39E.	32	SW, SW	23.00
3S.	39E.	32	SE, SW	37.00

- F) Is the land within an irrigation district? Yes _____ No
If Yes, which district? _____

G) County Union

3. LOCATION OF PROPOSED USE:

NOTE: - Answer question A only if the application is for a change in the point of diversion.

A) Describe the proposed point of diversion:

Location in Reference to Survey Corner	1/4, 1/4 of Section	Section	Township	Range

NOTE: Answer questions B, C, D, and E only if the application is for a change in use or place of use.

B) Are the lands from which you propose to transfer your water right free of all encumbrances? Yes
(Yes, No)

C) If no, give the description below of existing encumbrances:

Encumbrance	Held by	Amount

D) What is the use to which the water will be applied? Wild life Habitat.

E) Give the proposed location of the area irrigated, or place of use if other than for irrigation:

Township	Range	Section	1/4, 1/4 of Section	No. of acres irrigated

4. EXHIBITS

The following exhibits shall be attached to and made part of the application:

- A) A map prepared by a Certified Water Right Examiner showing the location of the present and proposed points of diversion, the authorized and proposed places of use and, if any, lands from the existing right that would not be subject to transfer.
- B) A copy of the current recorded deed to the subject lands.
- C) Affidavits from any other landowners or encumbrance holders with interest in the original water right stating that they have no objection to the proposed transfer.
- D) Evidence that the water has been used within the last five years.

5. NAME AND ADDRESS OF RECEIVING LANDOWNER(S) IF OTHER THAN APPLICANT:

6. REMARKS: Estimated water use is 350.52 AF (3 AF per 116.84 acres). Note: Acreage was determined by reducing original acreage by surface area of ponds.

I (~~we~~) ROBERT O. DODGE FOR ODFW, applicant(s), hereby swear that I (~~we~~) have read the above application for transfer of water right and that the statements made are true and correct. Dated and signed this 10 day of JUNE, 1997.

Robert O. Dodge
(Signature)

(Signature)

Subscribed and sworn to before me

Shirley Obritschke
Notary Public for Oregon

(Notarial Seal)



My commission expires: 9-25-98

COPY

State of Oregon
 WATER RESOURCES DEPARTMENT
 APPLICATION FOR TRANSFER OF WATER RIGHT

Applicant: Oregon Dept. Fish & Wildlife
 Mailing Address: 2501 S.W. 1st Ave.
Portland OR 97201 (503) 872-5299
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2. LOCATION OF AUTHORIZED USE

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- B) Describe the authorized point of diversion:
- | Location in Reference to Survey Corner | 1/4, 1/4 of Section | Section | Township | Range |
|--|---------------------|-----------|-----------|------------|
| <u>450 FT N. & 110 FT W</u> | <u>SE, SE</u> | <u>36</u> | <u>35</u> | <u>38E</u> |
- C) What is the name of the ditch used? Pierce Sawyer
- D) What is the use to which the water is applied? Wildlife Habitat.

E) Give the location of the authorized area irrigated or place of use other than for irrigation:

Township	Range	Section	1/4, 1/4 of Section	No. of acres irrigated
<u>3S.</u>	<u>39E</u>	<u>32</u>	<u>NE, SW</u>	<u>37.0</u>
<u>3S.</u>	<u>39E.</u>	<u>32</u>	<u>NW, SW</u>	<u>19.84</u>
<u>3S.</u>	<u>39E.</u>	<u>32</u>	<u>SW, SW</u>	<u>23.00</u>
<u>3S.</u>	<u>39E.</u>	<u>32</u>	<u>SE, SW</u>	<u>37.00</u>

- F) Is the land within an irrigation district? Yes ___ No
 If Yes, which district? _____
- G) County Union

3. LOCATION OF PROPOSED USE:

NOTE: - Answer question A only if the application is for a change in the point of diversion.

A) Describe the proposed point of diversion:

Location in Reference to Survey Corner	1/4, 1/4 of Section	Section	Township	Range

NOTE: Answer questions B, C, D, and E only if the application is for a change in use or place of use.

B) Are the lands from which you propose to transfer your water right free of all encumbrances? Yes
(Yes, No)

C) If no, give the description below of existing encumbrances:

Encumbrance	Held by	Amount

D) What is the use to which the water will be applied? Wild life Habitat.

E) Give the proposed location of the area irrigated, or place of use if other than for irrigation:

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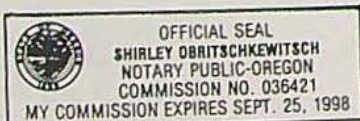
Robert O. Dodge
(Signature)

(Signature)

Subscribed and sworn to before me

(Notarial Seal)

Shirley Obritschkewitsch
Notary Public for Oregon



My commission expires: 9-25-98

State of Oregon
WATER RESOURCES DEPARTMENT
APPLICATION FOR TRANSFER OF WATER RIGHT

COPY

Applicant: Oregon Dept. Fish + Wildlife
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- A) What is the source of water (river, stream, well)? Catherine Creek
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- | Location in Reference to Survey Corner | 1/4, 1/4 of Section | Section | Township | Range |
|--|---------------------|----------|-----------|------------|
| <u>2904' N. + 330' E</u> | <u>SW, SW</u> | <u>3</u> | <u>45</u> | <u>39E</u> |
- C) What is the name of the ditch used? Lower Davis Dam Diversion Ditch
- D) What is the use to which the water is applied? Wildlife Habitat

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Township	Range	Section	1/4, 1/4 of Section	No. of acres irrigated
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<u>3 S.</u>	<u>39 E.</u>	<u>32</u>	<u>NW, SE</u>	<u>29.92</u>
<u>3 S.</u>	<u>39 E.</u>	<u>32</u>	<u>SW SE</u>	<u>40.0</u>
<u>3 S.</u>	<u>39 E.</u>	<u>32</u>	<u>SE SE</u>	<u>36.76</u>

- F) Is the land within an irrigation district? Yes ___ No ✓
 If Yes, which district? _____
- G) County Union

3. LOCATION OF PROPOSED USE:

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

A) Describe the proposed point of diversion:

Location in Reference to Survey Corner	1/4, 1/4 of Section	Section	Township	Range

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B) Are the lands from which you propose to transfer your water right free of all encumbrances? _____ (Yes, No)

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Encumbrance	Held by	Amount

D) What is the use to which the water will be applied? Wild life Habitat

E) Give the proposed location of the area irrigated, or place of use if other than for irrigation:

Township	Range	Section	1/4, 1/4 of Section	No. of acres irrigated

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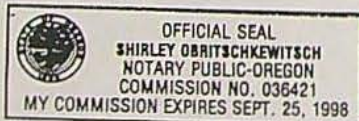
Robert O. Dodge
(Signature)

(Signature)

Subscribed and sworn to before me

Shirley Obritschewitsch
Notary Public for Oregon

(Notarial Seal)



My commission expires: 9-25-98

Platcard Report

Township 3S Range 39E Section 32

					NE				NW				SW				SE					
App# Priority	Permit/ Certificate	Claim/ Decree	Status dlc/lot		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Govt Lot	DLC
i 12/31/1868	-	Grande Ronde River, Consolidated	xfr#: T8681						40.0 IR	40.0 IR												
12/31/1870			xfr#: T8681			20.0 IR																
i 12/31/1868	6610	Grande Ronde River	CN						40.0 IR CN	40.0 IR CN	40.0 IR CN	40.0 IR CN	40.0 IR CN	40.0 IR CN	30.0 IR CN	40.0 IR CN						
12/31/1870			CN		40.0 IR CN	40.0 IR CN	40.0 IR CN	40.0 IR CN									40.0 IR CN	40.0 IR CN	40.0 IR CN	40.0 IR CN		
i 12/31/1868	50403	Grande Ronde River, Consolidated	CN xfr#: T8681						40.0 IR CN	40.0 IR CN	40.0 IR CN	40.0 IR CN	40.0 IR CN	34.0 IR CN	26.0 IR CN	40.0 IR CN						
12/31/1870			CN xfr#: T8681		40.0 IR CN	40.0 IR CN	40.0 IR CN	40.0 IR CN									40.0 IR CN	40.0 IR CN	40.0 IR CN	40.0 IR CN		
i 12/31/1868	80229	Grande Ronde River, Consolidated	xfr#: T8681								40.0 IR	40.0 IR	40.0 IR	34.0 IR	26.0 IR	40.0 IR						
12/31/1870			xfr#: T8681		40.0 IR	20.0 IR	40.0 IR	40.0 IR									40.0 IR	40.0 IR	40.0 IR	40.0 IR		
i G9747 05/19/1980	G8881 -													6.0 IR	4.0 IR							
i G14962 04/02/1999	G13810 -					19.7 IS (s)			40.0 IS (s)	40.0 IS (s)												

Platcard Report

Township 3S Range 39E Section 32

					NE				NW				SW				SE					
App# Priority	Permit/ Certificate	Claim/ Decree	Status dlc/lot		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Govt Lot	DLC
i G15462 03/29/2001	G15159 -														MU	MU						
	03/29/2001														W	W						
i R69563 -	R11512 -											W					W		W			
i R84411 04/17/2000	R12965 -																			FW		
	04/17/2000																				RC	
i R84631 01/04/2001	R13166 -						FI				FI	FI	FI	FI					FI			
	01/04/2001		lot: 2								FI											
	01/04/2001		lot: 3										FI									
	01/04/2001						W				W	W	W	W					W			
	01/04/2001		lot: 2								W											

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Paul R. Cleary, Director
Oregon Water Resources Department • 158 12th ST. NE • Salem, OR 97310 • Phone: (503)378-8455 • Fax: (503)378-2496

Run Time: 3 seconds

Platcard Report

Township 3S Range 39E Section 32

					NE				NW				SW				SE						
App# Priority	Permit/ Certificate	Claim/ Decree	Status dlc/lot		NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Govt Lot	DLC	
i R84631 01/04/2001	R13166 -		lot: 3											W									
i R84632 01/04/2001	R13167 -				FI	FI	FI	FI									FI	FI					
	01/04/2001				W	W	W	W									W	W					
i S69135 06/15/1987	S51560 -												W	W	W	W	W	W	W	W			

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Paul R. Cleary, Director

Oregon Water Resources Department • 158 12th ST. NE • Salem, OR 97310 • Phone: (503)378-8455 • Fax: (503)378-2496

Run Time: 2 seconds

STATE OF OREGON
 COUNTY OF UNION

CANCELED

Cancelled by
 Cert. No. 50403
 Sp. U. v. 33, 376

CERTIFICATE OF WATER RIGHT

This is to Certify, That **W. J. TOWNLEY**

of **Union**, State of **Oregon** has a right to the use of
 the waters of (See below*)

for the purpose of **Irrigation**

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
Union County, and the said decree entered of record at Salem, in the Order
 Record of the STATE ENGINEER, in Volume **8**, at page **1**; that the priority
 of the right thereby confirmed dates from (See below*)

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an
 amount actually beneficially used for said purposes, and shall not exceed **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;

A description of the lands irrigated under such right, and to which the water is appurtenant
 (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

DATE	ACRES	STREAM	DESCRIPTION OF LAND		
*1868	310	Ladd Creek	40 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$		
			40 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$		
			40 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$		
			40 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$		
			40 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$		
			40 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$		
			6 ⁹ Ac CANCELED - 40 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$		
			4 ⁴ Ac CANCELED - 40 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$		
			Section 32,		
			T. 3 S. R. 39 E. W. M.		
1870	900	Catherine Creek	40 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$		
			40 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$		
			40 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$		
			40 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$		
			40 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$		
			40 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$		
			40 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$		
			40 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$		
			40 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$		
			Section 33,		
			40 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$		
			40 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$		
			40 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$		
			40 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$		
			40 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$		
			40 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$		
			40 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$		
40 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$					
Section 32,					
25 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$					
25 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$					
Section 29,					
T. 3 S. R. 39 E. W. M.					
40 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$					
40 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$					
40 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$					
Section 4,					
40 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$					
10 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$					
Section 5,					
T. 4 S. R. 39 E. W. M.					

ORIGINAL
 CERTIFICATE
 6610

(continued)

DATE	ACRES	STREAM	DESCRIPTION OF LAND
1878	50	Hot Lake Spring	30 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 20 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 5, T. 4 S. R. 39 E. W. M.
1884	666.5	Catherine Creek	28 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 40 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 36 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 28, 9 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 31 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 27, 40 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 40 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 33, 36.5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 3.5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 26.5 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 40 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 40 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 16 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 34, T. 3 S. R. 39 E. W. M.

Being a total of 1926.5 acres.

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

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

WITNESS the signature of the State Engineer,

affixed this 1st day

of November, 1926.

.....
RUSA WIPER
State Engineer.

Recorded in State Record of Water Right Certificates, Volume 7, page 6610.

Platcard Report

Township 3S Range 39E Section 32

App# Priority	Permit/ Certificate	Claim/ Decree	Status dlc/lot	NE				NW				SW				SE				Govt Lot	DLC
				NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
i 12/31/1868	-	Grande Ronde River, Consolidated	xfr#: T8681					40.0 IR	40.0 IR												
12/31/1870			xfr#: T8681		20.0 IR																
i 12/31/1868	6610 <i>Cancelled</i>	Grande Ronde River	CN					40.0 IR CN	40.0 IR CN	40.0 IR CN	40.0 IR CN	40.0 IR CN	40.0 IR CN	30.0 IR CN	40.0 IR CN						
12/31/1870			CN	40.0 IR CN	40.0 IR CN	40.0 IR CN	40.0 IR CN									40.0 IR CN	40.0 IR CN	40.0 IR CN	40.0 IR CN		
i 12/31/1868	50403	Grande Ronde River, Consolidated	CN xfr#: T8681					40.0 IR CN	40.0 IR CN	40.0 IR CN	40.0 IR CN	40.0 IR CN	34.0 IR CN	26.0 IR CN	40.0 IR CN						
12/31/1870			CN xfr#: T8681	40.0 IR CN	40.0 IR CN	40.0 IR CN	40.0 IR CN									40.0 IR CN	40.0 IR CN	40.0 IR CN	40.0 IR CN		
i 12/31/1868	80229	Grande Ronde River, Consolidated	xfr#: T8681							40.0 IR CN	40.0 IR CN	40.0 IR CN	34.0 IR CN	26.0 IR CN	40.0 IR CN						
12/31/1870			xfr#: T8681	40.0 IR CN	20.0 IR CN	40.0 IR CN	40.0 IR CN									40.0 IR CN	40.0 IR CN	40.0 IR CN	40.0 IR CN		
i G9747 05/19/1980	G8881 -												6.0 IR	4.0 IR							
i G14962 04/02/1999	G13810 -				19.7 IS (s)			40.0 IS (s)	40.0 IS (s)												

NOT cancelled

Platcard Report

Township 3S Range 39E Section 32

	App# Priority	Permit/ Certificate	Claim/ Decree	Status dlc/lot	NE				NW				SW				SE				Govt Lot	DLC
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE		
i	G15462 03/29/2001	G15159 -																				
	03/29/2001														MU	MU						
i	R69563 -	R11512 -											WI						WI			
i	R84411 04/17/2000	R12965 -																				
	04/17/2000																					
i	R84631 01/04/2001	R13166 -					FI				FI	FI	FI	FI					FI			
	01/04/2001			lot: 2							FI											
	01/04/2001			lot: 3										FI								
	01/04/2001						WI				WI	WI	WI	WI					WI			
	01/04/2001			lot: 2							WI											

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[Return to Platcard Query Screen](#)

Paul R. Cleary, Director

Oregon Water Resources Department • 158 12th ST. NE • Salem, OR 97310 • Phone: (503)378-8455 • Fax: (503)378-2496

Run Time: 4 seconds

Platcard Report

Township 3S Range 39E Section 32

	App# Priority	Permit/ Certificate	Claim/ Decree	Status dlc/lot	NE				NW				SW				SE				Govt Lot	DLC	
					NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
i	R84631 01/04/2001	R13166 -		lot: 3																			
i	R84632 01/04/2001	R13167 -			FI	FI	FI	FI										FI	FI				
	01/04/2001				WI	WI	WI	WI										WI	WI				
i	S69135 06/15/1987	S51560 -											WI	WI	WI	WI	WI	WI	WI	WI			

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Paul R. Cleary, Director

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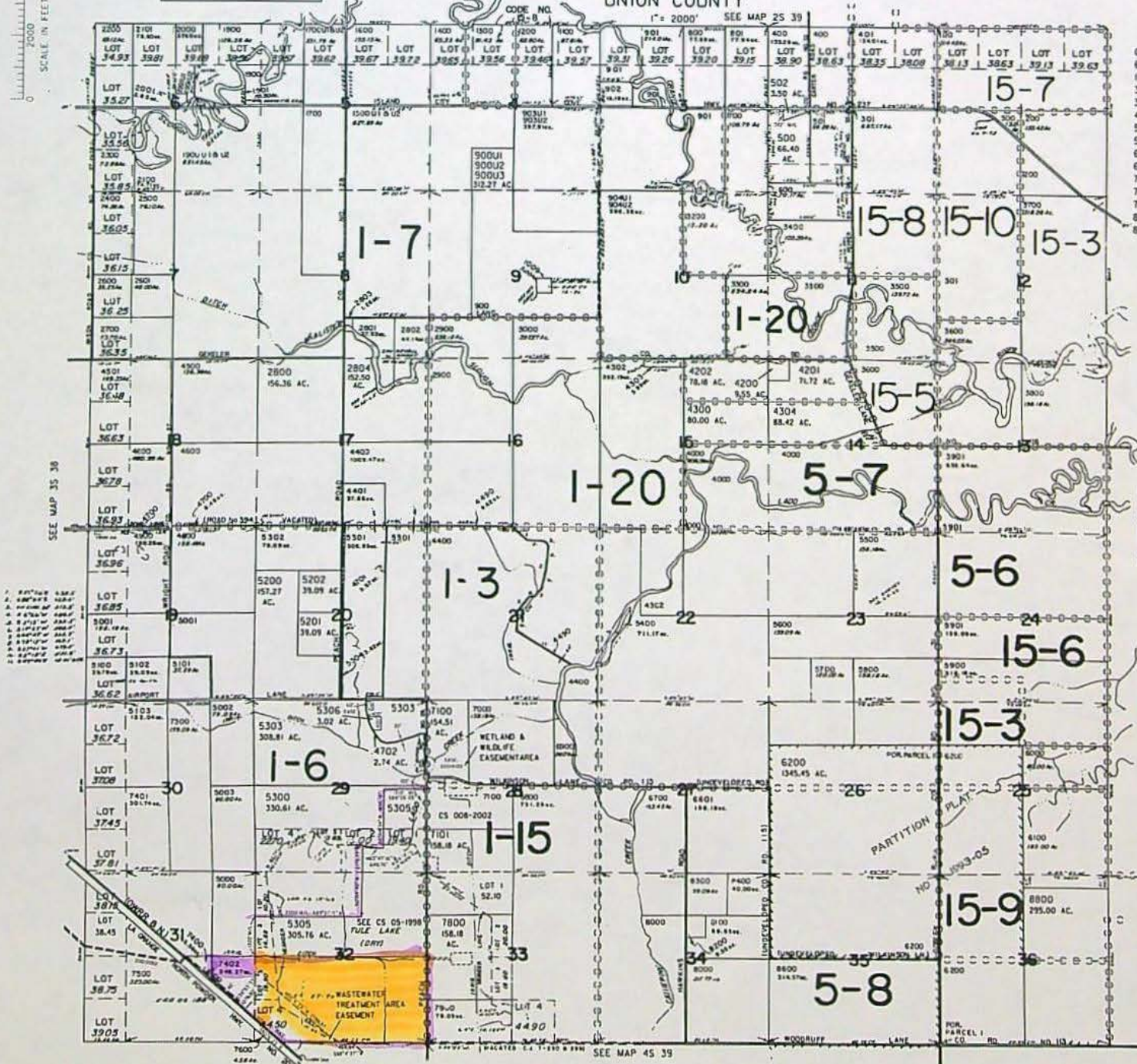
Run Time: 2 seconds

SCALE IN FEET
0 2000 4000

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

T3S R39E W.M.
UNION COUNTY

3S 39



CANCELLED NO.
601
1000 thru 1008
3100
3900
4100
5100M
5302M
6201
6300 thru 6600
7200
7201 thru 7203
7700
8500
8700

1. 1/4 SECTION 1-7
2. 1/4 SECTION 1-20
3. 1/4 SECTION 1-3
4. 1/4 SECTION 1-6
5. 1/4 SECTION 1-15
6. 1/4 SECTION 5-7
7. 1/4 SECTION 5-6
8. 1/4 SECTION 5-8
9. 1/4 SECTION 15-7
10. 1/4 SECTION 15-8
11. 1/4 SECTION 15-10
12. 1/4 SECTION 15-3
13. 1/4 SECTION 15-5
14. 1/4 SECTION 15-6
15. 1/4 SECTION 15-3
16. 1/4 SECTION 15-9

Revised
5/16/2003, 9C

3S 39

TL 7402 ODFW



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97331-4172
503-388-3739
FAX 503-388-8130

INTEROFFICE MEMO

FIELD SERVICES DIVISION
WATER RESOURCES DEPARTMENT

DATE: August 5, 2003

TO: Carrie Jones
Eastern Region Transfer Specialist

FROM: Bernadette Williams *BW*
Transfer Program Coordinator

SUBJECT: Request to "Re-Review" Transfer Application 6990

I am sending this old "problem child" transfer to you to take a look at. Shad Hattan had originally processed it and had a draft final order and remaining right certificate drafted, however, I would like you to take another look at it before we send it to Paul Cleary for signature.

The main reason I am wanting a re-review is that this is one of those transfers changing the character of use to "wildlife management" from irrigation. As you are well aware of in the Malhuer Basin, this can become quite contentious and I would rather make sure we cross our t's and dot our i's before we send it out in case we are called on it.

Thanks for being so patient with me and accepting additional workload so graciously! I truly appreciate it!!

Carrie,
Dont hesitate to call about this one!
Thanks again!

Bernie
[Signature]

**INTEROFFICE MEMO
EASTERN REGION
WATER RESOURCES DEPARTMENT**

TO: Transfer Application File 6990

DATE: August 31, 1998

FROM: Shad Hattan

SUBJECT: Authorization to amend application form, fees due

On August 31, 1998, I spoke with David Larson, Manager, Ladd Marsh Wildlife Area. I spoke with him regarding the intended management of water under transfer application 6990. I recommended and he agreed that the water rights under this transfer need to be made appurtenant to all the wetland area including the ponds. David Larson authorized me to add the place of use change to the transfer application. He will send the additional fees of \$63.90 to Salem to cover the place of use change fees.

Oregon

WATER
RESOURCES
DEPARTMENT

Eastern Region

March 4, 1998

Dave Larson
Oregon Dept. Fish & Wildlife
59116 Pierce Rd.
LaGrande, OR 97850

RE: Transfer 6990

Dear Dave,

As previously discussed, I put together amended applications, a map addendum showing the surface acres of open water derived from 1997 aerial slides from the Farm Service Bureau, and voluntary Affidavits to cancel the irrigation rights under the ponds. The map addendum also clarifies where the specific location of use is believed to be in the West half of the Southwest one quarter.

The amended transfer applications do not need to be notarized. The Affidavits do. I sent 4 total blank Affidavits. Two of them are extra in case you need them. Please look over the information I have sent and let me know if you find any errors. You can either make corrections yourself or call me and I will make them for you.

As we discussed yesterday by phone, please provide a written description of your water delivery system including capacity. In addition to the above mentioned documents, I have enclosed copies of your original application forms, original map, deed, and the packet of information you let me borrow last time I dropped by your office. I would like to finish this up in the next month if possible. I will write up the order and hold it until I get the addendum application forms and Affidavits back. You can keep the rest of the enclosed material. Please forward any information to Bob Dodge that you feel requires his approval and signature. If you have any questions or need additional information, feel free to contact me anytime where indicated in the footer of this page.

Sincerely,



Shad Hattan, Field Water Rights Tech.

Xc: Rick Lusk, Watermaster Dist. 6 (let 2)
Transfer file 6990

Baker County Courthouse
Suite 180
1995 Third Street
Baker City, OR 97814
(541) 523-8224 fax 523-7866
e-mail: Shad.L.HATTAN@wrdd.state.or.us

X-Sender: nunnlh@mailhub.wrd.state.or.us
Date: Wed, 04 Mar 1998 15:28:35 -0800
To: Shad Hattan <Shad.L.HATTAN@wrд.state.or.us>
From: Larry Nunn <Larry.H.NUNN@powder.wrd.state.or.us>
Subject: Re: Type of use transfer Irrigation to Wildlife Habitat
(T-6990)
Cc: Thomas.J.PAUL@wrд.state.or.us

My listing of rates and duties extracted from the decrees shows 1/40th and 3 for the Grande Ronde. You might recheck the decree and talk with Rick and Kent about the rate.

Also my listing for the irrigation season shows no set irrigation season, only when necessary for beneficial use in connection with irrigation.

You might want to consider the following condition:

3. The amount of water to which this right is entitled is limited to an amount actually beneficially used for Wildlife Habitat and shall not exceed 6.68 cubic foot per second, being 3.08 cfs from Ladd Creek, and 3.60 cfs from Catherine Creek, and shall be further limited to a diversion of not to exceed 801.6 acre-feet, being 369.3 AF from Ladd Creek, and 432.3 AF from Catherine Creek, during each year.

This condition sets a rate, duty, and year-round time limit for the wildlife habitat use.

You also might talk to Rick about the need for measuring devices and headgates.

At 01:40 PM 3/4/98 -0800, you wrote:

>Larry,

>

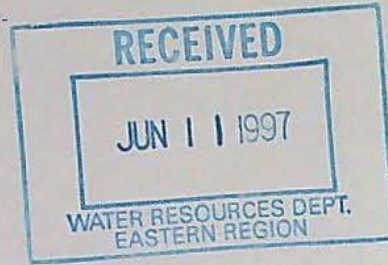
>This is the first type of use transfer I have wrote an order for. This
>transfer involves a water right awarded by the Grande Ronde River Decree.
>There are a couple things about this order for which I have questions. The
>Grande Ronde River Decree does not appear to tie an individual user to a per
>acre rate or a total rate. It does talk about the watermaster creating
>rotation systems so that up to 1/40 cfs per acre can be achieved under the
>rotation arrangement. It also allows use of extra water when it is
>available. The decree does limit the total diversion to 3 acre-feet per
>acre. The certificates issued for this decree mention only the 3 acre-foot
>limitation. Consistent with these prior certificates, my order only
>mentions the acre-foot limitation. Any problems with this?

>

>My second question involves the conditions in the order. What, if any,
>conditions would you recommend for this type of use transfer? I included
>the time limit to completion and am considering the one that states: The
>former place of use shall no longer be irrigated as a part of this water
>right. Since this is sort of true, they are no longer supposed to
>"irrigate", but they are going to use the water right on the same ground as
>the off lands for wildlife habitat which may include growing plants to
>attract wildlife.
>
>If you have time, please look over the attached file named "Order.wpd" and
>let me know if you think I should make changes.
>
>Thanks,
>
>Shad
>
>Attachment Converted: "M:\EUDORA\attach\Order3.wpd"
>

Thanks, Larry

Oregon



DEPARTMENT OF
FISH AND
WILDLIFE

ENGINEERING

June 10, 1997

Mr. Shad Hattan
Field Water Rights Technician
Water Resources Department
Baker County Courthouse, Suite 180
1995 Third Street
Baker City, OR 97814

Re: Transfer 6990

Dear Mr. Hattan:

In response to your correspondence of April 7, 1997 containing comments and recommendations for the referenced transfer, and your meeting with Dave Larson on May 14, 1997, enclosed is a revised application for a transfer of water from Certificate 50403 to wildlife use.

Sincerely,

A handwritten signature in cursive that reads "Robert O. Dodge".

Robert O. Dodge, CWRE
Project Engineer

Enc.

c Water Rights File, Ladd Marsh W.M.A.
Dave Larson

dg

John A. Kitzhaber
Governor



2501 SW First Avenue
PO Box 59
Portland, OR 97207
(503) 872-5299
FAX (503) 872-5632
TDD (503) 872-5259
Internet WWW:http:
//www.dfw.state.or.us/

Oregon

WATER RESOURCES DEPARTMENT

Eastern Region

April 7, 1997

Oregon Dept. Of Fish and Wildlife
Attention Robert O. Dodge
2501 SW 1st Ave.
Portland, OR 97201

RE: Water Right Transfer Application 6990

In an attempt to eliminate a backlog of transfer applications and to provide better customer service, the Oregon Water Resources Department (WRD) has sent outstanding transfer applications to the regional field offices for processing. Among the transfers sent to the Eastern Region Office is transfer 6990 submitted by the Oregon Department of Fish and Wildlife. I have reviewed the application in some detail and have made the following observations.

The application claims authorized irrigation for 300 total acres. According to the State's Water Right Records, 140 acres is for Ladd Creek under priority date 1868 and 160 acres is for Catherine Creek under priority date 1870. Using both your application and the accompanying map, it appears to me that the ODF&W is requesting that 22.2 acres of water right for Ladd Creek be transferred to a new location, and a total of 34.8 acres of water right from Catherine Creek be converted to use in wildlife habitat ponds. I cannot tell if the intent is to fill the ponds with Catherine Creek water or simply to maintain them. Also, it is not clear in your transfer application what you intend to do with the remainder of the water right you claimed on item 2 E) of the application form. The transfer map does not indicate any land with an irrigation right other than the lands to receive a transferred right from Ladd Creek. The transfer map should clearly show the "from" lands, the "to" lands and any remaining rights not being transferred in the affected quarter quarters.

The transfer application contained a statement signed by Robert O. Dodge that "...water has been used from Ladd Creek and Catherine Creek at the Ladd Marsh Wildlife Management Area for wildlife habitat within the past five years as provided under the terms and conditions of Certificate 50403." Certificate 50403 is strictly an irrigation right and makes no provisions for wildlife use. Under Oregon water law, a water right is subject to forfeiture if not used at least once in any consecutive five year period within the last 15 years. Please submit proof that the water right requested in your application has been used for irrigation in the last five years.

It appears that the ODF&W filed a reservoir application and a use application for the ponds shown on the transfer map. The use application was for water from Hot Lake and an unnamed stream. It appears this was done in 1987 and 1988. It appears that proof was made on these ponds about the same time. This evidence suggests that these ponds have been in existence for more than 5 years. Case law and WRD

Baker County Courthouse
Suite 180
1995 Third Street
Baker City, OR 97814
(503) 523-8224

policy does not recognize an open water pond as irrigation. As such, the surface area of these ponds appears to be subject to forfeiture under ORS 540.610. Please provide evidence showing that the land under the subject ponds has been irrigated in the last five years.

There are other problems with the application including incorrect information describing the water right document and discrepancies in the names of the ditches between your application and the court decree. These problems can be fixed once you determine if and how you wish to amend your application.

Enclosed are your application and map. If you wish to amend the application and map, please contact me to discuss what might be done to conform the water rights on Ladd Marsh Wildlife Area to current use. I would be happy to meet with you at our Region Office in Baker City. My address and phone number are in the footer on the first page. You may request that this application be withdrawn. If you withdraw the application, any unearned fees already paid will be returned to you. If I have not heard from you by May 14, 1997, I will assume that you do not wish to withdraw or pursue amendment of this transfer. I will then propose a rejection order to the Water Resources Department Director.

Sincerely,

Shad Hattan, Field Water Rights Technician

xc Dave Larson, ODF&W Ladd Marsh Manager
Rick Lusk, WRD Watermaster District #6
Transfer File 6990

**INTEROFFICE MEMO
EASTERN REGION
WATER RESOURCES DEPARTMENT**

TO: Transfer File 6990 **DATE:** March 31, 1997
FROM: Shad Hattan, Field Water Rights Specialist
SUBJECT: Noted problems with transfer application and map

Today I reviewed this application for deficiencies and/or missing required information.

FINDINGS OF FACT:

Application 6990 requests a "change in use & place of use".

The water right requested in this change involves portions of the right described by water right Certificate 50403. Certificate 50403 supersedes a portion of the rights confirmed by decree by the Circuit Court of the State of Oregon as tabulated in the Grande Ronde decree. The affected rights involve rights for Ladd Creek under priority of 1868 and Catherine Creek under priority of 1870.

The affected water rights in the quarter quarters listed in the application include 160 acres or irrigation from Catherine Creek and 140 acres from Ladd Creek.

An application for 10 ponds was filed approximate to the locations of the ponds shown on the map. The reservoir application is R-69563. Permit R-11512 was issued for this application. An additional application (69135) was filed for two new sources for the ponds and a wildlife type of use. Permit 51560 was issued for this application.

A permit (G-8881) for ground water use for irrigation exists on some of the lands in this application.

ISSUES DISCOVERED:

- 1) The application does not list the specific use change in the type of change area.

- 2) The application does not list the correct title of the proceedings for the court decree.
- 3) The dates of priority are listed on the application but should also identify the source for each priority.
- 4) The application implies that the use change has already occurred. A statement of use for irrigation and a statement providing the actual dates the ponds were built may be needed to determine what irrigation rights are valid.
- 5) The names of the ditches described on the application do not agree with the names stated in the decree.
- 6) The proposed location or place of use section of the application mixes pond use and irrigation use without indicating which is which. Based on comparison with the map, it appears that in the "No. of acres irrigated" column, the application lists the surface area of 6 ponds and irrigation of 22.2 acres. The map shows 4 additional ponds numbered 7-10 not listed on the application. These appear to be for reference only and are not to receive water under this transfer. See permits R-11512 and S-51560.

RECOMMENDATIONS FOR PROCESSING:

Write a letter with my interpretation of what the application appears to be requesting. Ask for confirmation of that interpretation. Solicit information on disposition of the acreage not listed in the new place of use and use (i.e., is the remaining right to be canceled or is it unchanged). Adjust application for noted problems. Adjust the map based on the response above.

June 7, 1993

OREGON DEPARTMENT FISH & WILDLIFE
2501 SW 1ST AVENUE
PORTLAND OR 97201

REFERENCE: Transfer 6990

We have received your Transfer Application requesting approval of a change in place of use, and use for use of water from Catherine and Ladd Creeks for wildlife habitat ponds and irrigation. The application was received with supporting data, map and fees of \$313. Our receipt 100539 is enclosed.

By copy of this letter, we are asking the Watermaster for his usual report regarding the potential for injury to other water rights by approval of your application.

Due to the unusually high number of applications received over the past two years, we are unable to complete the examination for your application at this time. We will endeavor to complete the examination as soon as possible.

Applications are normally examined in the order they are received. If you have an extraordinary need for a decision within the next 90 to 120 days, please advise us, in writing, of the nature of your need.

We will notify you if additional information is needed, or corrections to the application or map are required.

Contact water rights information at 378-3066, if you have questions.

LHN:jh

Enclosure

cc: H. Boyd Hadden, Watermaster, District 6
Robert O. Dodge, CWRE



TL6990

Oregon

RECEIVED

JUN - 1 1993

WATER RESOURCES DEPT.
SALEM, OREGON



DEPARTMENT OF
FISH AND
WILDLIFE

May 5, 1993

Water Resources Department
3850 Portland Road NE
Salem, OR 97310

Re: Water Rights; Ladd Marsh Wildlife Management Area

Gentlemen:

Enclosed is a check for \$313.00 for examination and recording fees for a transfer of water rights at the Ladd Marsh Wildlife Area as follows:

Examination fee	\$ 50.00
Recording fee (place of use)	
10 acres at \$30	30.00
13 acres at \$1.00	13.00
Catherine Creek (Change in use)	100.00
Deposit for Publication of Notice	<u>120.00</u>
	\$313.00

Also enclosed are four prints of the Water Rights Map, a Land Use Information form, Deeds of Ownership and a certification of water use.

Sincerely Yours,

Robert O. Dodge
Robert O. Dodge, CWRE
Project Engineer

Enc.

c Water Rights File, Ladd Marsh WMA

dg



2501 SW First Avenue
PO Box 59
Portland, OR 97207
(503) 229-5400

IN THE MATTER OF
CERTIFICATE NO. 50403

AFFIDAVIT

STATE OF OREGON)
)S.S.
COUNTY OF UNION)

I, David Larson ,being duly sworn, do depose and say as follows:

1. Am the manager of the Ladd Marsh Wildlife Management Area owned by State of Oregon Department of Fish and Wildlife.
2. The following described water right is appurtenant to the property described in the attached deed:
Certificate Number: 50403
Priority Date: 1868 and 1870
Source: Ladd Creek (1868) Catherine Creek (1870)
Type of Use: Irrigation
Place of Use: For Ladd Creek NE¹/₄SW¹/₄ 3.8 acres, NW¹/₄SW¹/₄ 11.3 acres, SW¹/₄SW¹/₄ 0.6 acres, SE¹/₄SW¹/₄ 1.2 acres. For Catherine Creek NE¹/₄SE¹/₄ 6.0 acres, NW¹/₄SE¹/₄ 6.1 acres, SE¹/₄SE¹/₄ 3.8 acres. All are in Section 32, Township 3 South, Range 39 East, WM.
3. Have abandoned any and all right, title and interest in the above described water right and request said right be canceled.

DATED 6/16/98 .

David Larson
Printed name

David C Larson
Signed

Subscribed and sworn before me this 16th day of June , 19 98 .



Sally Nebeker
Notary Public for the State of Oregon
Residing at La Grande, OR
My Commission Expires Sep 6, 1999

Affidavit of Publication

STATE OF OREGON, }
COUNTY OF UNION, }

ss.

I, Geri Hall.....being first duly sworn, depose and say that I am the principal clerk of **THE OBSERVER**, a newspaper of general circulation as defined by ORS 193.010 and 193.020; printed and published at La Grande, in the aforesaid county and state; that the.....Notice of water right transfer 6990

.....
.....
.....
a printed copy of which is hereto annexed was published in the entire issue of said newspaper for . . . 3 . . . successive and consecutive weeks/days in the following issues: July 9, 16, 23, 1998.....

Geri L. Hall

Subscribed and sworn to before me this . . . 23 day of July . . . 19 98 . .

La Wanda K. Laing
Notary Public of Oregon

My commission expires . . . June 18, 2001.....



NOTICE OF WATER RIGHT TRANSFER 6990

Oregon Department of Fish and Wildlife filed an application with the Water Resources Department for a change in use of water as provided by ORS 537.705 and ORS 540.510 to 540.530.

Certificate 50403, in the name of W.J. Townley, includes a right limited to 432.3 acre feet from Catherine Creek, with a priority date of 1870 for irrigation of 144.1 acres and 369.3 acre feet from Ladd Creek, with a priority date of 1868 for irrigation of 123.1 acres.

The points of diversion for this right are for Catherine Creek: in the SW 1/4 NW 1/4, Section 3, T 4 S, R 39 E, WM; for Ladd Creek: in the SE 1/4 SE 1/4, Section 36, T 3 S, R 38 E; WM

The applicant proposes to change the type of use to Wildlife Habitat.

Protests may be filed by persons who think their water right may be injured by this change. Additional information or forms and rules for filing protests are available from the Water Resources Department by calling 541-378-8455. If a protest is filed a hearing may be held.

The last date of publication is July 23, 1998. IF NO PROTEST IS FILED BY JULY 23 + 30 days, THE CHANGE MAY BE APPROVED WITHOUT A HEARING.
Publish: July, 9, 16, 23, 1998
Legal no. 322

1 THE OBSERVER
 P.O. Box 3170
 1406 Fifth Street • LaGrande, Oregon 97850
 (541) 963-3161

2 ACCOUNT
 OREGON WATER RESOURCES
 EASTERN REGION OFFICE

4 BILLING DATE 07/01/98
5 BILLING PERIOD 07/01/98 TO 07/31/98
7 ACCOUNT NO 15064

6 TERMS OF PAYMENT
 TERMS: ALL BILLS ARE DUE AND PAYABLE BY 10th OF MONTH FOLLOWING PURCHASE. ALL PAST DUE AMOUNTS ARE SUBJECT TO A SERVICE CHARGE OF 1% PER MONTH, WHICH IS AN ANNUAL PERCENTAGE RATE OF 18%.

10 DATE	11 BILL CODE	12 13 14 CHARGE OR CREDITS DESCRIPTION/PRODUCT CODE	15 STANDARD ADV. UNIT DIMENSIONS	17 BILLED UNITS	18 RATE	19 GROSS AMOUNT	20 NET AMOUNT
07/09	25	LEGAL #322		6.00	7.05		42.30
07/16	25	LEGAL #322		6.00	7.05		42.30
07/23	25	LEGAL #322		6.00	7.05		42.30

*CHECK SENT
 9/10/98
 M.L.*

23 CASH DISCOUNT
 YOU MAY DEDUCT \$ 1.90 IF BILL IS PAID BY 08/10/98 . TOTAL NET AMOUNT DUE THEREAFTER.

24 AGING			SERVICE CHARGE	TOTAL PAST-DUE
30 DAYS	60 DAYS	90 DAYS		
0.00	0.00	0.00		0.00

25 CONTRACT PERFORMANCE			
EXPIRATION DATE	REQUIREMENT	CURRENT MONTH	CUMULATIVE

22 CURRENT NET AMT. DUE 126.90

PRIOR BALANCE LESS PAYMENTS LESS DISCOUNTS ADJUSTMENTS

TOTAL PAST DUE NET PAST DUE AMT. CURRENT SERVICE CHG 0.00

25 TOTAL NET AMT. DUE \$ 126.90

* SEE REVERSE SIDE FOR LEGEND DESCRIPTION

COPY

**WATER RESOURCES DEPARTMENT
REQUEST FOR DISTRIBUTION OF FUNDS**

TO: Fiscal Services Section

DATE: August 11, 1998

FROM: Shad Hattan

(File Examiner)

Phone: 541-523-8224

Fax: 541-523-7866

SUBJECT: **TRANSFER FILE** - Request for Payment or Refund

TRANSFER FILE #: 6990

RECEIPT #: 100539

Please prepare payment in the amount of \$ 126.90 , made payable to:

Name: The Observer

Address: ~~1406 Fifth Street~~ PO Box 3170

City: LaGrande ST: OR Zip: 97850

These funds are being paid or refunded as a result of (check one):

- File being Rejected / Withdrawn / Misfiled
- Excess fees were collected for application / PON
- Payment of PON
- Protest filing fee
- Other:

Billing Acct# 15064

I have reviewed this distribution request and have determined the request to be justified as to the purpose indicated above. Fiscal Services is hereby authorized to process the requested distribution.

Authorized signature:

Shad Hattan

Date:

8/11/98



WATER DELIVERY SYSTEM DESCRIPTION
LADD MARSH WILDLIFE AREA
WATER RIGHT CERTIFICATE NO. 50403
CATHERINE CREEK

The diversion for this water right on Catherine Creek is designed for 47.2 cfs. The dimensions of the ditch at the point it enters ODFW property is 16 ft. wide with an average depth of 14 inches. There is some vegetation growing in the ditch. Both the ditch and the diversion are adequate to handle the existing water rights.

David Larson

Date: 5/18/98

David C. Larson

Manager, Ladd Marsh Wildlife Area





WATER DELIVERY SYSTEM DESCRIPTION
LADD MARSH WILDLIFE AREA
WATER RIGHT CERTIFICATE NO. 50403
LADD CREEK

The diversion for this water right on Ladd Creek is 3 ft. with the ability to create a 3ft. head. The dimensions of the ditch are 4 ft. wide and an average depth of 20 in. There is very little vegetation growing in the ditch. The smallest culvert on the delivery system is 26 in. with the capability of building a 36 in. head. Both the ditch and the diversion are adequate to handle the existing water rights.

David Larson
David C. Larson
Manager, Ladd Marsh Wildlife Area

Date: 5/18/98



T6990

12130

BARGAIN AND SALE DEED—STATUTORY FORM
INDIVIDUAL GRANTOR

State of Oregon, acting by and through the Director, Water Resources Department,
conveys to State of Oregon, Department of Fish and Wildlife,
Grantee, the following real property situated in Union
County, Oregon, to-wit:

IN TOWNSHIP 3 SOUTH, RANGE 39 EAST OF THE WILLAMETTE MERIDIAN

Section 31: That portion of the southeast quarter lying north of the Oregon-Washington Railroad and Navigation Company's Railroad right-of-way.

Section 32: Government Lots three and four and all that portion of the south half of Section 32 lying within the meander line of Tule Lake; EXCEPTING that portion of said Lot 4 lying on the southwesterly side of the Oregon-Washington Railroad and Navigation Company's Railroad right-of-way; ALSO EXCEPTING said right-of-way.

SUBJECT TO easement for roads, ditches, and utilities as same appear of record or exist on and across said premises. (Continued on reverse.)

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

The true consideration for this conveyance is \$175,000.00, (Here comply with the requirements of ORS 93.030) which is the whole consideration.

Dated this 16th day of October, 1987.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

State of Oregon, Water Resources Department
William H. Young
William H. Young, Director

STATE OF OREGON, County of Marion) ss. September 16, 1987
Personally appeared the above named William H. Young, Director

and acknowledged the foregoing instrument to be his voluntary act and deed.



Before me: *Bruce J. Moyer*
Notary Public for Oregon—My commission expires: 2/25/88

BARGAIN AND SALE DEED
Oregon Water Resources Department
Oregon Fish and Wildlife Department
P. O. Box 59
Portland, OR 97207
GRANTEE'S ADDRESS, ZIP
After recording return to:
Oregon Fish and Wildlife Department
P. O. Box 59
Portland, OR 97207
NAME, ADDRESS, ZIP
Until a change is requested, all tax statements shall be sent to the following address:
Oregon Fish and Wildlife Department
P. O. Box 59
Portland, OR 97207
NAME, ADDRESS, ZIP

12130

SPACE RESERVED FOR RECORDER'S USE

STATE OF OREGON, } ss.
County of Union }
I certify that the within instrument was received for record on the 21 day of Oct, 1987, at 9:00 o'clock A.M., and recorded in book/reel/volume No. 1241 on page or as fee/file/instrument/microfilm/reception No. Record of Deeds of said county.
Witness my hand and seal of County affixed.
Bruce J. Moyer, Co. Clerk
NAME TITLE
By Deputy

RECEIVED
JUN - 1 1993
WATER RESOURCES DEPT.
SALEM, OREGON

3110.25

(Continued from front.)

Excepting and reserving to itself, its successors, and assigns, all minerals, as defined in ORS 273.775(1), and all geothermal resources, as defined in ORS 273.775(2), together with the right to make such use of the surface as may be reasonably necessary for prospecting for, exploring for, mining, extracting, reinjecting, storing, drilling for and removing such minerals and geothermal resources; provided, however, that the rights hereby reserved to use the surface for any of the above activities shall be subordinate to that use of the surface of the premises deeded herein, or any part thereof, being made by the owner thereof on the date the State of Oregon leases its reserved mineral or geothermal resources; in the event such use of the premises by a surface rights owner would be damaged by one or more of the activities described above, then such owner shall be entitled to compensation from the state's lessee to the extent of the diminution in value of the surface rights of owner's interest.



IN THE MATTER OF
CERTIFICATE NO. 50403

AFFIDAVIT

STATE OF OREGON)
)S.S.
COUNTY OF UNION)

I, David Larson ,being duly sworn, do depose and say as follows:

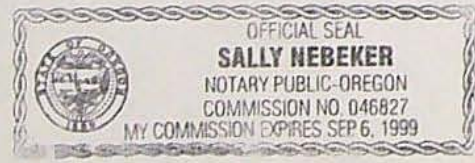
1. Am the manager of the Ladd Marsh Wildlife Management Area owned by State of Oregon Department of Fish and Wildlife.
2. The following described water right is appurtenant to the property described in the attached deed:
Certificate Number: 50403
Priority Date: 1868 and 1870
Source: Ladd Creek (1868) Catherine Creek (1870)
Type of Use: Irrigation
Place of Use: For Ladd Creek NE¼SW¼ 3.8 acres, NW¼SW¼ 11.3 acres, SW¼SW¼ 0.6 acres, SE¼SW¼ 1.2 acres. For Catherine Creek NE¼SE¼ 6.0 acres, NW¼SE¼ 6.1 acres, SE¼SE¼ 3.8 acres. All are in Section 32, Township 3 South, Range 39 East, WM.
3. Have abandoned any and all right, title and interest in the above described water right and request said right be canceled.

DATED 6/16/98 .

David Larson
Printed name

David C. Larson
Signed

Subscribed and sworn before me this 16th day of June , 1998 .



Sally Nebeker
Notary Public for the State of Oregon
Residing at La Grande, OR
My Commission Expires Sep 6, 1999



June 3, 1997

The water subject to the attached applications has been used as provided under the terms and conditions of certificate number 50403 within the last 5 years.

Sincerely,

David C. Larson

David Larson,
Manager, Ladd Marsh Wildlife Area

STATE OF OREGON Union County ss.

On this 4th day of June 1997
personally appeared the above named

David Larson

and acknowledged the foregoing to be

his voluntary act and deed

Before me:

Mary Joan Crapo

Notary Public for Oregon



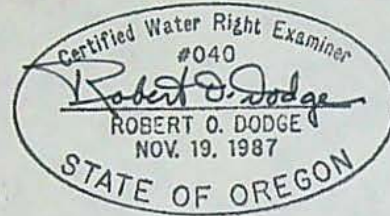
RECEIVED

T6990

JUN - 1 1993

WATER RESOURCES DEPT.
SALEM, OREGON

I certify that water has been used from Ladd Creek and Catherine Creek at the Ladd Marsh Wildlife Management Area for wildlife habitat within the past five years as provided under the terms and conditions of Certificate 50403.



TL6990

Land Use Information Form: Permits, Hydroelectric Licenses, Water Uses in Addition to Classified Uses

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. The Water Resources Department will use this and other information to evaluate the water use application. DO NOT FILL OUT THIS FORM IF water is to be diverted, conveyed, and/or used only on federal lands.

WATER RESOURCES DEPT. SALEM, OREGON

JUN - 1 1993

RECEIVED

Applicant's Name: OREGON DEPT. FISH & WILDLIFE
Address: 2501 S.W. 1ST AVENUE
City: PORTLAND State: OR Zip: 97208 Day Phone: 729-5200

Please provide information as requested below for all tax lots on or through which water will be diverted or used. (Attach extra sheets as necessary.) 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.

Table with 5 columns: Tax Lot or Local I.D.#, Plan Designation/Zoning (e.g. Rural Residential/RR-5), Water Diverted, Water Conveyed, Water Use. Row 1: 3538 7402, A-1 Exclusive Farm Use.

Please list all counties and cities within which water is proposed to be diverted, conveyed, and/or used.

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

For Local Government Use Only

Local government planning officials are to complete the remainder of this form. If this form can not be completed while the applicant waits, please sign and detach the receipt as instructed below. Please mail the completed form directly to the Water Resources Department (3850 Portland Rd. NE, Salem, OR, 97310) within 60 days of the date of receipt as shown below. If the form is not completed within 60 days, the Department may take action to approve the water use.

a) Check the appropriate box below and provide requested information.

[X] 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): 2.02. Go to section b) on reverse side.

[] Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below. Note: Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus any accompanying findings is sufficient.)

Table with 4 columns: Type of Land Use Approvals Needed (e.g.: plan amendments, rezones, conditional use permits, etc.), Cite Most Significant, Applicable Plan Policies & Ordinance Section References, and three boxes for 'Please check the box that applies: Already Obtained, Already Denied, Being Pursued Satisfactorily'.

(over)

Receipt for Request for Land Use Information

WRD Applicant Name: OREGON DEPT. FISH & WILDLIFE LADD MARSH - ...

This receipt must be signed by a local government representative and returned to the applicant for inclusion in the WRD application IF the local government can not provide the above requested land use information while the applicant waits.

City or County:
Staff Contact: Phone:
Signature: Date of Information Request:

(For Local Use Continued)

b) Please provide printed name and written signature.

Name: Hawley Jenkins, II
Title: Planning Director

Date: 3-22-93
Phone: 963-1014

Signature: *Hawley Jenkins, II*

Local governments are invited to express special land use concerns or make recommendations to the Department regarding this proposed use of water below, or on a separate sheet. For additional information call Roberta Jortner or Rick Bastasch at 378-3671.

Additional Comments:

Lined area for additional comments.

Description of Water Use

Note to Applicant: This sheet will provide local planning staff with a basic description of your proposed water use. Please fill out this sheet before bringing the attached land use form to your local planning office. It will help local planning offices complete your land use information form quickly.

Note to Local Planning Officials: Please initial this sheet. Do not separate it from the land use information form. If needed, please make a separate copy for your records.

Applicant Name: OREGON DEPT. FISH & WILDLIFE
 Address: 2501 S.W. 1ST AVE.
PORTLAND, OR. 97201
 Phone: 229-5701

RECEIVED

JUN - 1 1993

WATER RESOURCES DEPT.

SALEM, OREGON

Please indicate what you will use the water for. Check all boxes that apply and fill in the blanks with key characteristics of the project

- Irrigation (crop type, golf course, nursery or greenhouse): WILDLIFE HABITAT
- Livestock (type of livestock, feedlot, slaughterhouse): _____
- Residential (# units, single or multi-family, # lots if partition or subdivision): _____
- Commercial (i.e., retail, office, restaurant, gas station, hotel, service, etc.): _____
- Industrial (i.e., factory, pulp mill, research and development, processing, etc.): _____
- Institutional (i.e., school, library, etc.): _____
- Mining (aggregate, metal, open pit, placer, etc.): _____
- Recreation (park, campsite, pond, etc.): _____
- Fish and Wildlife (pond, hatchery, etc.) WILDLIFE PONDS
- Hydropower (dam, reservoir, power generating or transmitting facilities): _____
- Other (Name and list key characteristics): _____

Indicate sources for the proposed water use below:	Indicate the estimated quantity of water the use will require.
<input checked="" type="checkbox"/> Surface Water Name sources: <u>LADD CREEK</u> <u>CATHERINE CREEK</u>	_____ Cubic feet per second. _____ Gallons per minute. <u>3.0</u> Acre-Feet PER ACRE PER IRRIGATION SEASON <u>22.2</u> AC. IRRIGATION POND 1 = 8 AC. POND 5 = 6.0 AC. " 2 = 2.5 AC. " 6 = 5.0 AC. " 3 = 6.3 AC. " 4 = 7.0 AC.
<input checked="" type="checkbox"/> Reservoir or pond	
<input type="checkbox"/> Ground Water	

wm 6

Oregon

INTEROFFICE MEMO

TO: TRANSFER SECTION

DATE: 7-30-93

WATER
RESOURCES
DEPARTMENT

FROM: WATERMASTER, DISTRICT # 6
GROUNDWATER SECTION
(SIGNATURE) Richard M. Rush

RECEIVED

AUG - 2 1993

WATER RESOURCES DEPT.
SALEM, OREGON

SUBJECT: WATER RIGHT TRANSFER # 6990

A change in POU POD POA USE of water.

In the name(s) of ODFW.

In my opinion (assuming the right is valid), the proposed change MAY BE MADE WITHOUT INJURY WOULD RESULT IN INJURY* to an existing water right.

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

The existing right may not be valid because _____

Headgate notices HAVE HAVE NOT been issued for diversion from the source(s) which serve(s) this right. I don't know

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

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

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

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



1317W

3850 Portland Rd NE
Salem, OR 97310
(503) 378-3739
FAX (503) 378-8130

This was in my office when I started 6-16-93
RML WM #6



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
FAX (503) 378-8130

July 27, 2000

Oregon Department of Fish and Wildlife
Attn: David Larson
59116 Pierce Road
La Grande, Oregon 97850

REFERENCE: Transfer 6990

Per your request, I am following up with a letter to confirm our phone conversation of July 25, 2000. I had indicated to you that the processing of transfer 6990 was about complete and a final order could be issued at any time with one exception. We need additional fees in the amount of \$63.90 to cover the additional acreage requested to be transferred. I have enclosed a copy of a memo from August 31, 1998 that sets out exactly why additional fees are needed.

Please send a check in the amount of \$63.90 made payable to the Water Resources Department with a reference to transfer file 6990. When we receive these fees, I will then issue the final order. If you have any questions, please call me at 1-800-624-3199, ext. 275.

Sincerely,

Bernadette Williams

Bernadette Williams
Water Right Transfer Coordinator

enclosure



STATE OF OREGON
WATER RESOURCES DEPARTMENT
158 12TH ST NE
SALEM, OR 97310
(503) 378-3739

INVOICE # 3219

TO: OREGON DEPT. OF FISH & WILDLIFE
ATTN: ACCOUNTS PAYABLE

9-AUGUST-2000
DATE:

ADDRESS: P.O. BOX 59
PORTLAND OR 97207-0059

CUSTOMER—PLEASE RETURN YELLOW COPY FOR PROPER CREDIT

1
ADDITIONAL FEES FOR WATER
RIGHT TRANSFER #6990
PO#B212153

\$63.90

YOU MUST REFERENCE INVOICE
NUMBER 3219 ON YOUR PAYMENT

SEMS: TCODE 730/731
REF DOC: AR003219 001
PCA 66111 OBJ 0205

electronic transfer 9/21/00
YJB

TOTAL: \$63.90

ATTN: FISCAL SECTION
Please Remit to:
State of Oregon
Water Resources Department
158 12th St. NE
Salem, OR 97310

Contact For Questions:
BERNADETTE WILLIAMS
Phone: (503) 378-8455 ext 275

White/Yellow - Customer Copies
Pink - Receptionist Goldenrod - Fiscal
Blue - Retained by Invoice Preparer

FW
 AUTHORIZATION # _____
 PURCHASING AGENT _____
 DATE _____

PURCHASE ORDER

STATE OF OREGON

SHOW THIS NUMBER ON
 ALL PAPERS AND PACKAGES
 PERTAINING TO THIS ORDER

B 212153

PAGE _____ OF _____

P.O. NO. _____

SHIP TO	OREGON DEPARTMENT OF FISH AND WILDLIFE <i>Ladd Marsh WMA 59116 Pierce Rd La Grande OR 97850</i>	FISCAL YEAR <i>01</i>	REQ. #	P.O. DATE <i>8/2/00</i>
F.O.B.	DELIVERY REQUIRED			COMMODITY CODE

BILL TO	OREGON DEPARTMENT OF FISH AND WILDLIFE P.O. BOX 59, PORTLAND, OREGON 97207-0059	TERMS	NO. INVOICES <i>2</i>
THIS ORDER IS SUBJECT TO THE CONDITIONS STATED HEREON AND ON THE REVERSE SIDE.			AGENCY NO. <i>635</i>

VENDOR <i>Oregon Water Resources Dept. Commerce Building 158 12th Street NE Salem OR 97301-4172</i>	PHONE # <i>503-378-3739</i>	INSTRUCTIONS TO VENDOR ALL INVOICES MUST CARRY THIS PURCHASE ORDER NUMBER. PREPAY ALL TRANSPORTATION CHARGES UNLESS OTHERWISE STATED. IF TRANSPORTATION IS BILLED AS SEPARATE ITEM, RECEIPTED FREIGHT BILL MUST ACCOMPANY INVOICE. STATE IS NOT SUBJECT TO FEDERAL EXCISE TAX.
--	--------------------------------	---

ITEM NO.	DESCRIPTION	ORDERED	QUANTITY UNIT	REC'D	UNIT PRICE	TOTAL PRICE
	<i>Additional Fees for Water Right Transfer # 6990 per Attached Letter.</i>					<i>63.⁹⁰</i>
<div style="border: 2px solid black; padding: 10px; width: fit-content; margin: 0 auto;"> <p style="font-size: 24pt; font-weight: bold; margin: 0;">RECEIVED</p> <p style="font-size: 18pt; margin: 5px 0;">AUG 07 2000</p> <p style="margin: 0;">WATER RESOURCES DEPT. SALEM, OREGON</p> </div>						

RECEIVED BY <i>David C Larson</i>	DATE RECEIVED <i>8/2/00</i>	TOTAL \$ <i>63.⁹⁰</i>
--------------------------------------	--------------------------------	----------------------------------

I certify the above items are within current budget allowances.	PHONE # <i>54 963-4954</i>	I certify these items are authorized by the Dept. of Administrative Services
ORDERED BY <i>David C Larson</i>		AUTHORIZED AGENT
APPROVED BY <i>David C Larson</i>	<i>11</i>	SIGNATURE _____ DATE _____

COST DISTRIBUTION				PURPOSE					
ITEM	DESCRIPTION	ORG. (INDEX) XXXX	O	PROG. (PCA) XXXX	O	OBJECT XXXX	AMOUNT	GRANT XXXXXX	PHASE XX
	<i>Water Right Transfer</i>	<i>46510</i>	<input type="checkbox"/>		<input type="checkbox"/>	<i>6700</i>	<i>63.⁹⁰</i>	<i>108000</i>	<i>13</i>
			<input type="checkbox"/>		<input type="checkbox"/>				
			<input type="checkbox"/>		<input type="checkbox"/>				
			<input type="checkbox"/>		<input type="checkbox"/>				
			<input type="checkbox"/>		<input type="checkbox"/>				

COPY

original given to Fiscal to invoice 8-8-00

COMMENT FORM

Please list below the Application Number of the water use application(s) that are of interest to you. When the technical is completed a report of the technical review of these applications will be delivered to you.

Application #s T6989, T6991, T6993, T6994, T6990

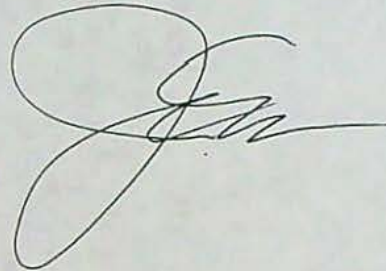
RECEIVED
JUN 9 1993
OREGON WATER RESOURCES DEPT
SALEM, OREGON

Send to:

WaterWatch of Oregon
921 S. W. Morrison #438
Portland, OR 97205

Please include specific comments or concerns. Use additional sheets if necessary.

These transfer applications have the potential to adversely affect existing water rights and the public interest. Please send us copies of the technical reviews of these applications.



Return to:

Oregon Water Resources Department
3850 Portland Road N.E.
Salem, Oregon 97310

This Comment corresponds to the JUN/ 9/1993 Public Notice.

T6990

COPY 1

STATE WARRANT NO. INDICATES CLAIM ALLOWED BY EXECUTIVE DEPARTMENT
AGENCY VOUCHER NO.

046057

AGENCY VOUCHER NO.

DATE 05-13-93

VENDOR NUMBER 0R2045

PAYEE AND ADDRESS

69000 WATER RESOURCES DEPT
3850 PORTLAND RD NE
SALEM OR 97301

AUDITED BY

FISH & WILDLIFE
2501 SW 1ST
PORTLAND OR 97201

ACTION CODE

A 01-12-3
A 01-22-3

78.25
234.75

RECEIVED

JUN - 1 1993

WATER RESOURCES DEPT.
SALEM, OREGON

TOTAL \$313.00

PAYMENT OF: INVOICE 5-5-93 REFERENCE T20872 313.00
NET PAID \$313.00

MESSAGE: WATER RIGHTS; LADD MARSH WILDLIFE MANAGEMENT AREA

ACCOUNT CODING:	AGY	BCH	PROJECT	FUND	BI	COST CENTER	ACCOUNT	AMOUNT
DESCRIPTION	63500	171	108005	619	3	04 34 04 00	933226	234.75
WATER RIGHTS			108005	419	3	04 34 04 00	933226	78.25

NOTICE TO VENDOR

REMITTANCE ADVICE

Enclosed is warrant in full payment of claim listed above. Please refer to Voucher Number indicated if you have any question regarding this payment.

FOR STATE AGENCY USE ONLY

This certifies that the materials, services, cash advanced, or expenses covered by this claim have been furnished, rendered or expended on behalf of the State of Oregon. The provision for payment is made by law and appropriation, the obligation or expenditure is authorized by law and the claim otherwise satisfies the requirements as provided by ORS 293.295. This claim has been approved for payment in the above amount.

By

By

RECEIVED

JUN - 1 1993

WATER RESOURCES DEPT.
SALEM, OREGON



DEPARTMENT OF
FISH AND
WILDLIFE

May 5, 1993

Water Resources Department
3850 Portland Road NE
Salem, OR 97310

Re: Water Rights; Ladd Marsh Wildlife Management Area

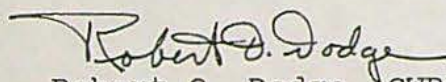
Gentlemen:

Enclosed is a check for \$313.00 for examination and recording fees for a transfer of water rights at the Ladd Marsh Wildlife Area as follows:

Examination fee	\$ 50.00
Recording fee (place of use)	
10 acres at \$30	30.00
13 acres at \$1.00	13.00
Catherine Creek (Change in use)	100.00
Deposit for Publication of Notice	<u>120.00</u>
	\$313.00

Also enclosed are four prints of the Water Rights Map, a Land Use Information form, Deeds of Ownership and a certification of water use.

Sincerely Yours,


Robert O. Dodge, CWRE
Project Engineer

Enc.

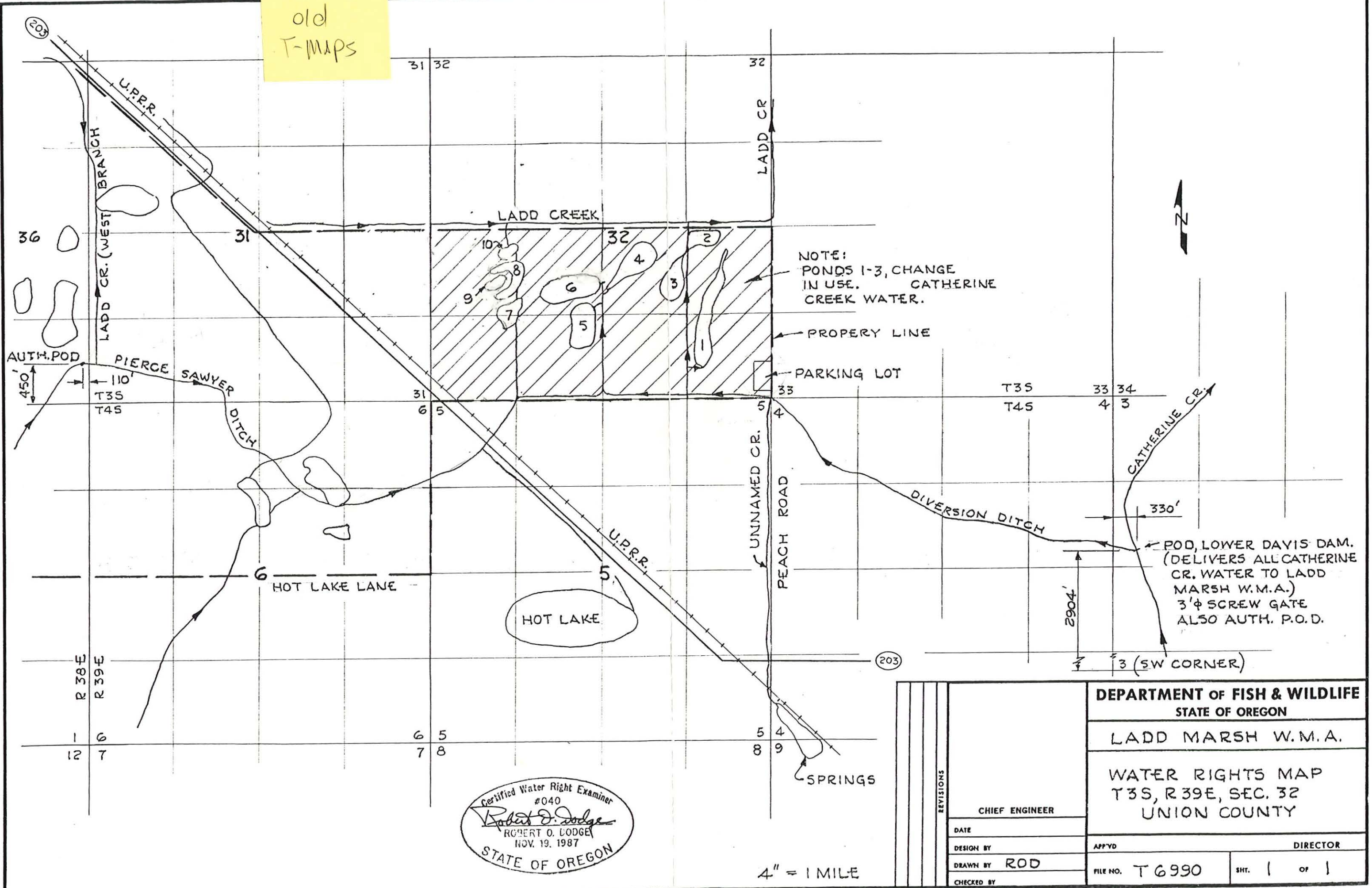
c Water Rights File, Ladd Marsh WMA

dg



2501 SW First Avenue
PO Box 59
Portland, OR 97207
(503) 229-5400

old
T-Maps



NOTE:
PONDS 1-3, CHANGE
IN USE. CATHERINE
CREEK WATER.

PROPERTY LINE
PARKING LOT



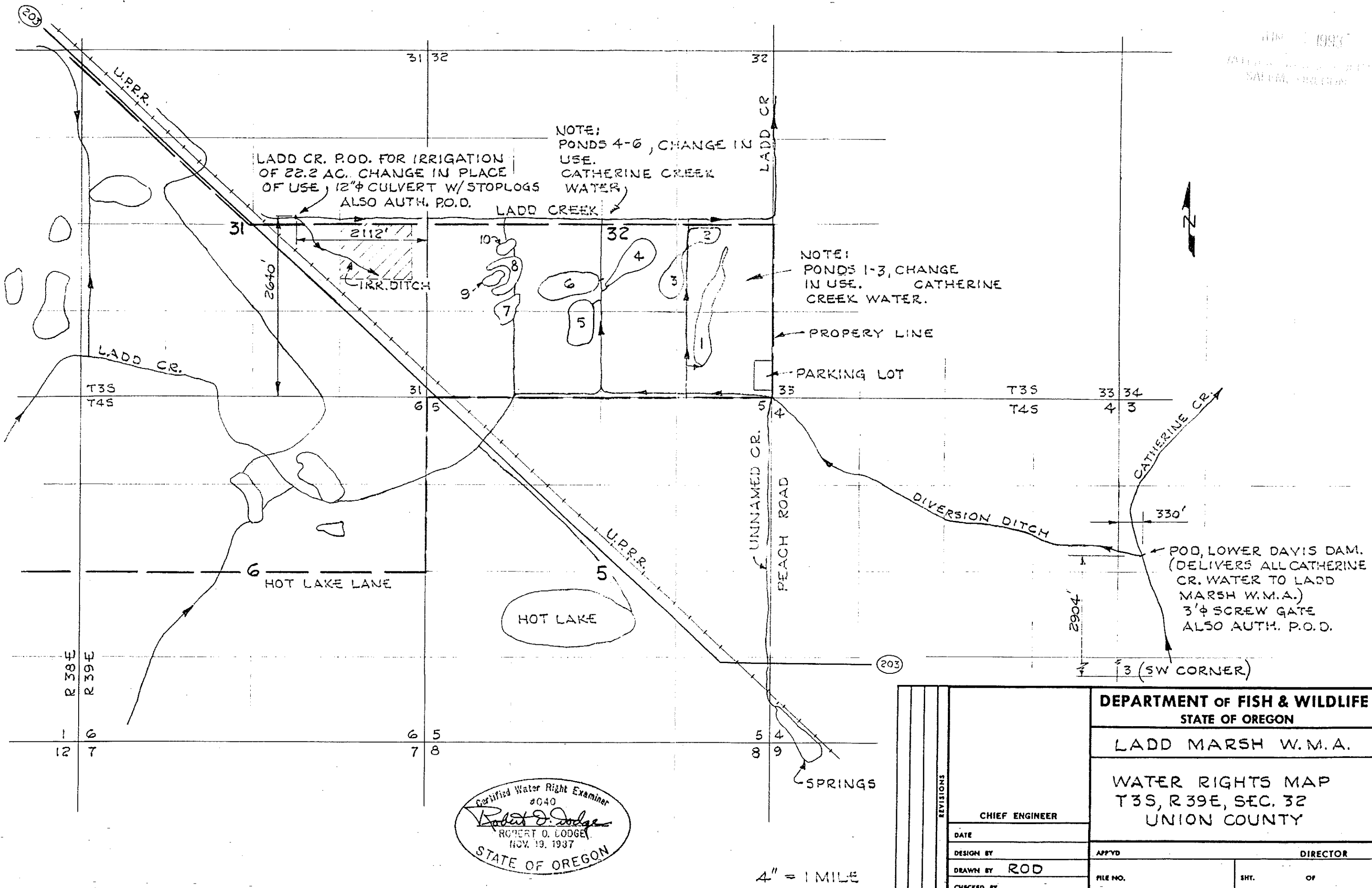
POD, LOWER DAVIS DAM.
(DELIVERS ALL CATHERINE
CR. WATER TO LADD
MARSH W.M.A.)
3'φ SCREW GATE
ALSO AUTH. P.O.D.

Certified Water Right Examiner
#040
Robert O. Lodge
ROBERT O. LODGE
NOV. 19, 1987
STATE OF OREGON

4" = 1 MILE

REVISIONS		DEPARTMENT OF FISH & WILDLIFE STATE OF OREGON	
		LADD MARSH W.M.A.	
CHIEF ENGINEER		WATER RIGHTS MAP T35, R39E, SEC. 32 UNION COUNTY	
DATE	DESIGN BY	APPYD	DIRECTOR
	DRAWN BY ROD	FILE NO. T6990	SHT. 1 OF 1
CHECKED BY			

JUN 1993
WATER RIGHTS SECTION



NOTE:
PONDS 4-6, CHANGE IN
USE.
CATHERINE CREEK
WATER.

NOTE:
PONDS 1-3, CHANGE
IN USE.
CATHERINE
CREEK WATER.

LADD CR. P.O.D. FOR IRRIGATION
OF 22.2 AC. CHANGE IN PLACE
OF USE, 12" φ CULVERT W/STOPLOGS
ALSO AUTH. P.O.D.

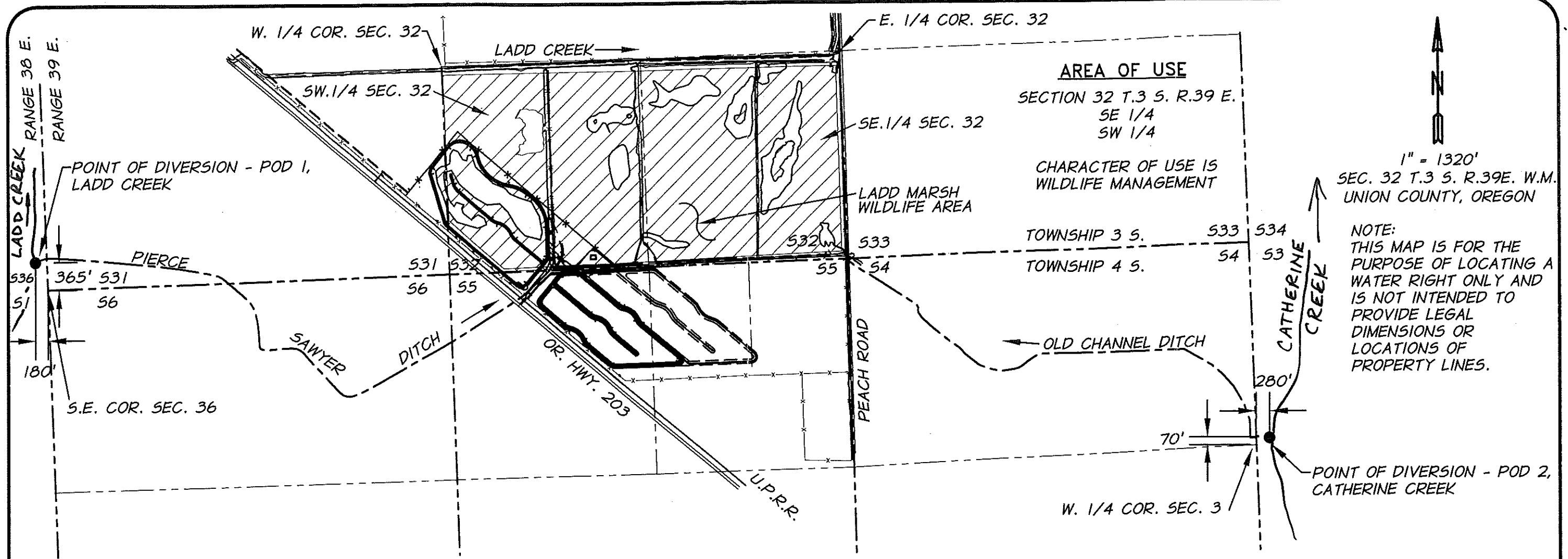
POD, LOWER DAVIS DAM.
(DELIVERS ALL CATHERINE
CR. WATER TO LADD
MARSH W.M.A.)
3' φ SCREW GATE
ALSO AUTH. P.O.D.

Certified Water Right Examiner
#040
Robert O. Lodge
ROBERT O. LODGE
NOV. 19, 1937
STATE OF OREGON

4" = 1 MILE

REVISIONS		DEPARTMENT OF FISH & WILDLIFE	
		STATE OF OREGON	
		LADD MARSH W.M.A.	
		WATER RIGHTS MAP	
		T35, R39E, SEC. 32	
		UNION COUNTY	
		CHIEF ENGINEER	DIRECTOR
DATE		APPROVED	
DESIGN BY		FILE NO.	SHT. OF
DRAWN BY ROD			
CHECKED BY			





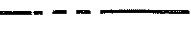

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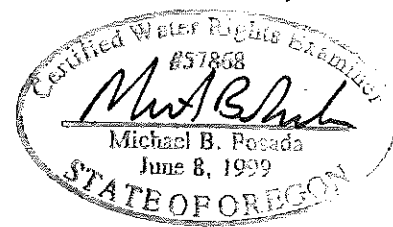


GENERAL NOTES

1. POD1, AT PIERCE SAWYER DITCH IS LOCATED 365 FEET NORTH AND 180 FEET WEST FROM THE S.E. COR. OF SECTION 36, T.3S.,R.39E. IN THE SE 1/4 OF THE SE 1/4 OF SEC. 36. A WEIR IS LOCATED AT POD1.
2. THE FISHSCREEN AND FISH BY PASS DEVICE AT POD1 ARE LOCATED 143' EAST OF POD1 ALONG PIERCE SAWYER DITCH.
3. POD2, AT OLD CHANNEL DITCH IS LOCATED 70 FEET NORTH AND 280 FEET EAST FROM THE WEST 1/4 COR. OF SECTION 3, T.4S.,R.39E. IN THE SW 1/4 OF THE NW 1/4 OF SEC. 3. A WEIR IS LOCATED AT POD2.
4. THE FISHSCREEN AND FISH BY PASS DEVICE AT POD1 ARE ADJACENT TO THE POD IN THE SAME DIVERSION STRUCTURE.

LEGEND

-  TRANSFER # T-6990 AUTHORIZED PLACE OF USE - SW 1/4 SEC. 32 & SE 1/4 SEC. 32. TAX LOT 035 39E #7402.
-  POINT OF DIVERSION - POD 1, LADD CREEK &
-  POINT OF DIVERSION - POD 2, CATHERINE CREEK
-  CENTERLINE DITCH
-  SECTION LINE
-  1/4 SECTION LINE



EXPIRATION DATE 12-31-12
 DATED: 11-21-11


RECEIVED

DEC 08 2011

WATER RESOURCES DEPT
SALEM, OREGON

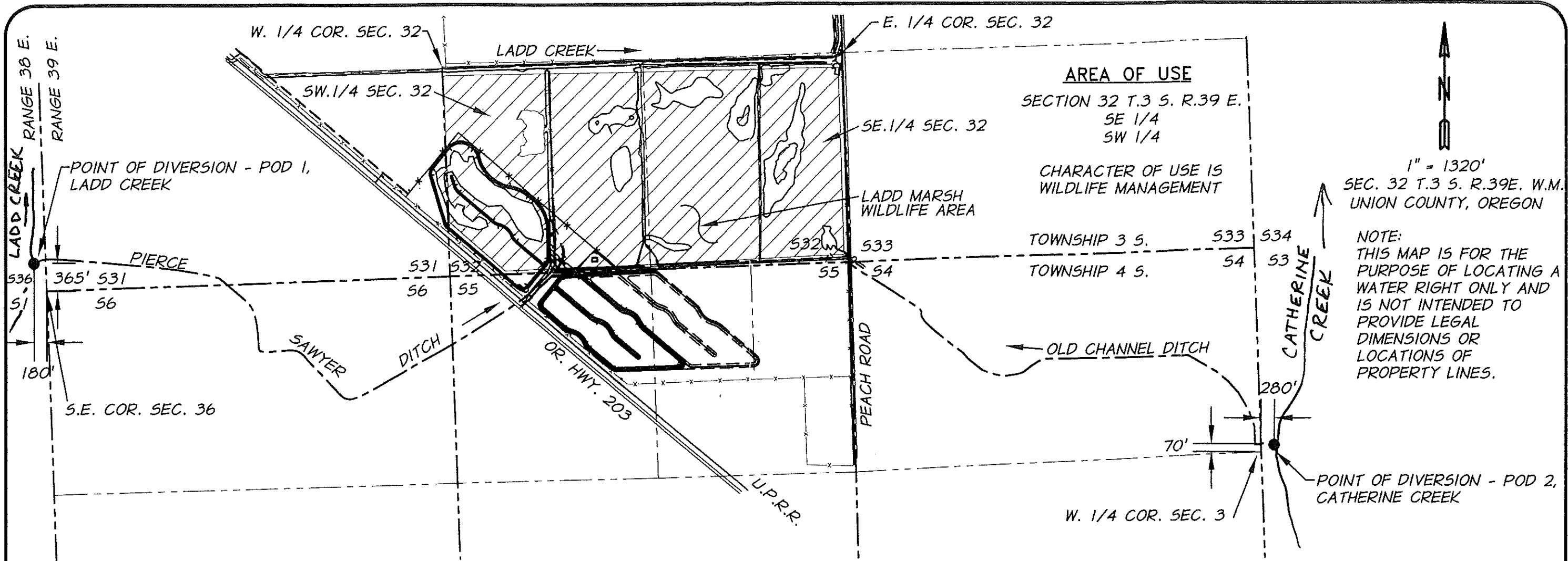
JOB # 2732-21 (217)

DATE OF SURVEY: 09/07/2011

	CLAIM OF BENEFICIAL USE MAP OREGON DEPARTMENT OF FISH & WILDLIFE 2501 SW 1ST AVE. PORTLAND, OR. 97201	FIGURE 1
	TRANSFER T-6990	

COBU Map # 0639

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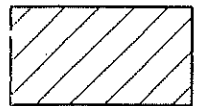



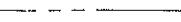
1" = 1320'
 SEC. 32 T.3 S. R.39E. W.M.
 UNION COUNTY, OREGON

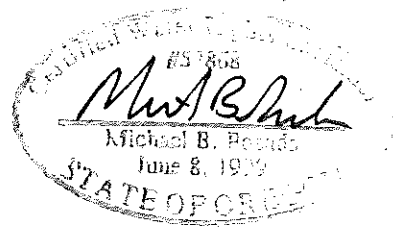
NOTE:
 THIS MAP IS FOR THE
 PURPOSE OF LOCATING A
 WATER RIGHT ONLY AND
 IS NOT INTENDED TO
 PROVIDE LEGAL
 DIMENSIONS OR
 LOCATIONS OF
 PROPERTY LINES.

GENERAL NOTES

1. POD1, AT PIERCE SAWYER DITCH IS LOCATED 365 FEET NORTH AND 180 FEET WEST FROM THE S.E. COR. OF SECTION 36, T.3S.,R.38E. IN THE SE 1/4 OF THE SE 1/4 OF SEC. 36. A WEIR IS LOCATED AT POD1.
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3. POD2, AT OLD CHANNEL DITCH IS LOCATED 70 FEET NORTH AND 280 FEET EAST FROM THE WEST 1/4 COR. OF SECTION 3, T.4S.,R.39E. IN THE SW 1/4 OF THE NW 1/4 OF SEC. 3. A WEIR IS LOCATED AT POD2.
4. THE FISHSCREEN AND FISH BY PASS DEVICE AT POD1 ARE ADJACENT TO THE POD IN THE SAME DIVERSION STRUCTURE.


LEGEND

-  TRANSFER # T-6990
 AUTHORIZED PLACE OF USE -
 SW 1/4 SEC. 32 & SE 1/4 SEC.
 32. TAX LOT 035 39E #7402.
-  POINT OF DIVERSION - POD 1,
 LADD CREEK &
 POINT OF DIVERSION - POD 2,
 CATHERINE CREEK
-  CENTERLINE DITCH
-  SECTION LINE
-  1/4 SECTION LINE



12-31-12
 DATEP: 11-21-11

JOB # 2732-21 (217)
 DATE OF SURVEY: 09/07/2011

	CLAIM OF BENEFICIAL USE MAP OREGON DEPARTMENT OF FISH & WILDLIFE 2501 SW 1ST AVE. PORTLAND, OR. 97201	FIGURE 1
	TRANSFER T-6990	

COBU Map # 0639