

T-10301

T-10301

RA

Name Confederated Tribes of the Grand Ronde Community

By _____

Address 9665 Grand Ronde Road

Grand Ronde, OR 97347

503 879-2404

Change in POU ~~556~~

Date filed 1-29-07

Date of hearing _____

Place of hearing _____

Date of order 9-27-07 Vol. 73, page 372

Date for application of water _____

Proof mailed _____

Proof received _____

Certificate issued _____ Vol. _____, page _____

83477

DESCRIPTION OF WATER RIGHT

Name of stream South Yamhill River

Trib. of Yamhill River County of Folk + Yamhill

Use IR

Quantity of water _____ No. of acres _____

Name of ditch _____

Date of priority 3/9/1959

In name of Lester Mahurin

_____ Adjudication, Vol. _____, page _____

App. No. 532944 Per. No. 26036 Cert. No. 30833

Certificate cancelled _____

Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
1-29-07	350.00	86031
12-22-10	500.00	101903
1-12-2011	345.00	146714
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Receipt Check No.
1/21/11	500.00	101903 JV

REMARKS

Agent Eric Scott Same Address as above Cell 503 434-2146

Grand Ronde Community Water Association 26690 Highway 18 Grand Ronde OR 97347

NOTICE/WORK Leonard Rydell #116

Public Notice 2/6/07

Reimbursement Authority Contractor: Newton Consultants

COBU MAP # 2167

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **146714**

INVOICE # _____

RECEIVED FROM: Confederated Tribes of Grand Ronde
BY: _____

APPLICATION	
PERMIT	
TRANSFER	<u>T-10301</u>

CASH: CHECK:# 587088 OTHER: (IDENTIFY)

TOTAL REC'D \$ 345.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____
OTHER: (IDENTIFY) \$ _____

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

4270 WRD OPERATING ACCT

MISCELLANEOUS
0407 COPY & TAPE FEES 46111 \$ _____
0410 RESEARCH FEES \$ _____
0408 MISC REVENUE: (IDENTIFY) _____ \$ _____
TC162 DEPOSIT LIAB. (IDENTIFY) _____ \$ _____
0240 EXTENSION OF TIME \$ _____

WATER RIGHTS:		EXAM FEE	RECORD FEE
0201	SURFACE WATER	\$ _____	0202 \$ _____
0203	GROUND WATER	\$ _____	0204 \$ _____
0205	TRANSFER	\$ _____	
WELL CONSTRUCTION		EXAM FEE	LICENSE FEE
0218	WELL DRILL CONSTRUCTOR	\$ _____	0219 \$ _____
	LANDOWNER'S PERMIT		0220 \$ _____

0200 OTHER (IDENTIFY) COB \$ 345.00

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____ CARD# _____
0210 MONITORING WELLS \$ _____ CARD# _____

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD) \$ _____
0231 HYDRO LICENSE FEE (FW/WRD) \$ _____
HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

FUND _____ TITLE _____
OBJ. CODE _____ VENDOR # _____
DESCRIPTION \$ _____

RECEIPT: **146714** DATED: 1-12-2026 BY: Car-D Min

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **86031**

INVOICE # _____

RECEIVED FROM: <u>Central Oregon Tribes et</u>	APPLICATION	
BY: <u>Grand Bank</u>	PERMIT	
	TRANSFER	<u>1-10301</u>
CASH: <input type="checkbox"/>	CHECK: # <u>104301</u>	OTHER: (IDENTIFY) <input type="checkbox"/>
		TOTAL REC'D \$ <u>350.00</u>

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES	\$	
OTHER: (IDENTIFY)	\$	
0243 I/S Lease	0244 Muni Water Mgmt. Plan	0245 Cons. Water

4270 WRD OPERATING ACCT

MISCELLANEOUS		
0407 COPY & TAPE FEES	\$	
0410 RESEARCH FEES	\$	
0408 MISC REVENUE: (IDENTIFY)	\$	
TC162 DEPOSIT LIAB. (IDENTIFY)	\$	
0240 EXTENSION OF TIME	\$	
WATER RIGHTS:		
0201 SURFACE WATER	EXAM FEE \$	0202 RECORD FEE \$
0203 GROUND WATER	\$	0204 \$
0205 TRANSFER	\$ <u>250.00</u>	
WELL CONSTRUCTION		
0218 WELL DRILL CONSTRUCTOR	EXAM FEE \$	0219 LICENSE FEE \$
LANDOWNER'S PERMIT		0220 \$
OTHER (IDENTIFY)		

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE	\$	CARD #
0210 MONITORING WELLS	\$	CARD #
OTHER (IDENTIFY)		

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)	\$
0231 HYDRO LICENSE FEE (FW/WRD)	\$
HYDRO APPLICATION	\$

TREASURY OTHER / RDX

FUND _____	TITLE _____
OBJ. CODE _____	VENDOR # _____
DESCRIPTION _____	\$ _____

RECEIPT: **86031** DATED: 1-29-07 BY: [Signature]

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **101903**

INVOICE # _____

RECEIVED FROM: Confederated Tribes of Grand Ronde
BY: _____

APPLICATION	
PERMIT	
TRANSFER	T-10301

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

172974

TOTAL REC'D \$ 500.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407	COPIES		\$
	OTHER: (IDENTIFY)		\$
0243	I/S Lease	0244 Muni Water Mgmt. Plan	0245 Cons. Water

4270 WRD OPERATING ACCT

MISCELLANEOUS			
0407	COPY & TAPE FEES		\$
0410	RESEARCH FEES		\$
0408	MISC REVENUE: (IDENTIFY)		\$
TC162	DEPOSIT LIAB. (IDENTIFY)		\$
0240	EXTENSION OF TIME <u>for transfer</u>		\$ <u>500.00</u>
WATER RIGHTS:		EXAM FEE	RECORD FEE
0201	SURFACE WATER	\$	0202 \$
0203	GROUND WATER	\$	0204 \$
0205	TRANSFER	\$	
WELL CONSTRUCTION		EXAM FEE	LICENSE FEE
0218	WELL DRILL CONSTRUCTOR	\$	0219 \$
	LANDOWNER'S PERMIT		0220 \$
	OTHER (IDENTIFY)		

0536 TREASURY 0437 WELL CONST. START FEE

0211	WELL CONST START FEE	\$	CARD #
0210	MONITORING WELLS	\$	CARD #
	OTHER (IDENTIFY)		

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233	POWER LICENSE FEE (FWWRD)		\$
0231	HYDRO LICENSE FEE (FWWRD)		\$
	HYDRO APPLICATION		\$

TREASURY OTHER / RDX

FUND	TITLE	
OBJ. CODE	VENDOR #	
DESCRIPTION		\$

RECEIPT: **101903**

DATED: 12-22-10 BY: [Signature]

Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal



Oregon

Tina Kotek, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

www.oregon.gov/owrd

January 15, 2026

Confederated Tribes of the Grand Ronde Community
9615 Grand Ronde Road
Grand Ronde, OR 97347

On January 12, 2026, the Water Resources Department received the Claim of Beneficial Use (COBU) for the following file:

Transfer T-10301

The COBU included a report and map. In the future the Department will review your submittal. 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: <https://www.oregon.gov/owrd/programs/WaterRights/RA/Pages/default.aspx>

Customer Service phone: (503) 986-0900

Enclosed is your receipt for the \$345.00 COBU recording fee.

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

Cc: file T-10301

Checklist for Claims of Beneficial Use Received at CSG Counter

Application #:	WRD Reviewer: Sarah Benham
Transfer #: T-10301	
Date Received: 1/12/2026	
CWRE Name: Leonard Rydell	

Fees Required:

- YES NO A fee of \$345 must accompany this form for permits with priority dates of July 9, 1987, or later. **Priority date of affected water right(s):**
- YES NO A fee of \$345 must accompany this form for any transfer applications submitted July 9, 1987, or later. **Submission date of transfer application:**
1/29/2007

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) **Gerry approved scale**
- Township, range, section, and tax lot numbers (OAR 690-310-0050(4))

Report Review:

- On form 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)
- CWRE stamp and signature (OAR 690-014-0100)
- Signature(s) of all permittee of transfer holder (OAR 690-014-0100)

Groundwater File Review:

- Pump Test not required (Priority Date prior to December 20, 1988) *If no, include pump test flyer w/acknowledgment letter
- Pump Test required (Priority Date on or after December 20, 1988)
- Pump Test submitted
- Pump Test not submitted

Fill in App or Transfer Number

MONEY SLIP			
DATE:	RECEIPT #:		
RECEIVED FROM:	APPLICATION	PERMIT	TRANSFER
CASH <input type="checkbox"/> CHECK # <input type="checkbox"/> OTHER (IDENTIFY) <input type="checkbox"/>	TOTAL RECD: \$		
0083 TREASURY 4178 MISC CABTACOL			
0407 COPIES		\$	
0408 OTHER (IDENTIFY)		\$	
0243 Business Lease	0244 Min Water Right Plat	0245 Cont. Water	
0083 TREASURY 4278 WIND OPERATING ACCT.			
0407 MISCELLANEOUS		\$	
0410 COPY & TAPE FEES	4611	\$	
0410 RESEARCH FEES		\$	
0408 MISC REVENUE (IDENTIFY)		\$	
TC-42 EXPOSURE LINE (IDENTIFY)		\$	
0243 EXTENSION OF TRAIL		\$	
WATER RIGHTS	EXAM FEE		RECORD FEE
0201 SURFACE WATER	\$	0202	\$
0202 GROUND WATER	\$	0204	\$
0205 TRAVELER	\$		\$
0218 WELL CONSTRUCTION	EXAM FEE		RECORD FEE
LANDOWNER'S PERMIT	\$	0219	\$
OTHER (IDENTIFY)	COBU	0220	\$
0220			\$200.00
0083 TREASURY 0487 HYDROELECTRIC			
0223 POWER LICENSE FEE (PWP/PO)	LC NUMBER		
0231 HYDRO LICENSE FEE (PWP/PO)			
HYDRO APPLICATION			

SPECIAL INSTRUCTIONS:

RETURN TO APPLICANT - LETTER ATTACHED

**CLAIM OF
BENEFICIAL USE
for Transfers
Place of Use Only**



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.oregon.gov/OWRD

A fee of \$345 must accompany this form for transfers where the application was submitted on July 9, 1987, or later.

Enter the date the transfer application was submitted:

16 DECEMBER 2025

A separate form shall be completed for each transfer.

This form is subject to revision. Begin each new claim by checking for a new version of this form at:
<https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>

The completion of this form is required by OAR 690-014-0100(1) and 690-014-0110(4).

Please type or print in dark ink. If this form is found to contain errors or omissions, it may be returned to you. **Every item must have a response.** If any requested information does not apply to the claim, insert "NA." **Do not delete or alter any section of this form unless directed by the form.** The Department may require the submittal of additional information from any water user or authorized agent.

"Section 7" of this form is intended to aid in the completion of this form and should not be submitted.

A claim of beneficial use includes both this report and a map. If the map is being mailed separately from this form, please include a note with this form indicating such.

If you have questions regarding the completion of this form, please call 503-986-0900.

The Department has a program that allows it to enter into a voluntary agreement with an applicant for expedited services. Under such an agreement, the applicant pays the cost to hire additional staff that would not otherwise be available. This program means a certificate may be issued in about a month. For more information on this program see:
<https://www.oregon.gov/OWRD/programs/WaterRights/RA/Pages/default.aspx>

SECTION 1

GENERAL INFORMATION

Type of Authorized Change

This Claim is being submitted for a transfer where the only authorized change was a change in place of use.

YES

If additional changes were authorized, you will need to select a different form.

1. File Information

APPLICATION #

T-10301

**Received
JAN 12 2026**

**OWRD
WR**

2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME Confederated Tribes of the Grand Ronde Community		PHONE NO. (503) 879-1922	ADDITIONAL CONTACT NO. Andrew Freeman Project Manager
ADDRESS 9615 Grand Ronde Road			
CITY Grand Ronde	STATE Oregon	ZIP 97347	E-MAIL Andrew.Freeman@GrandRonde.org

If the current property owner is not the transfer holder of record, it is recommended that an assignment be filed with the Department. ***Each transfer holder of record must sign this form.***

3. Transfer holder of record (this may, or may not, be the current property owner)

TRANSFER HOLDER OF RECORD Confederated Tribes of the Grand Ronde Community		
ADDRESS 9615 Grand Ronde Road		
CITY Grand Ronde	STATE OR	ZIP 97347

4. Date of Site Inspection:

December 2025

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

NAME	DATE	ASSOCIATION WITH THE PROJECT
Andrew Freeman	2024-2024	Tribal Project Manager

6. County:

Yamhill and Polk County

7. If any property described in the place of use of the transfer final order is excluded from this report, identify the owner of record for that property (ORS 537.230(5)):

OWNER OF RECORD Confederated Tribes of the Grand Ronde Community		
ADDRESS 9615 Grand Ronde Road		
CITY Grand Ronde	STATE OREGON	ZIP 97347

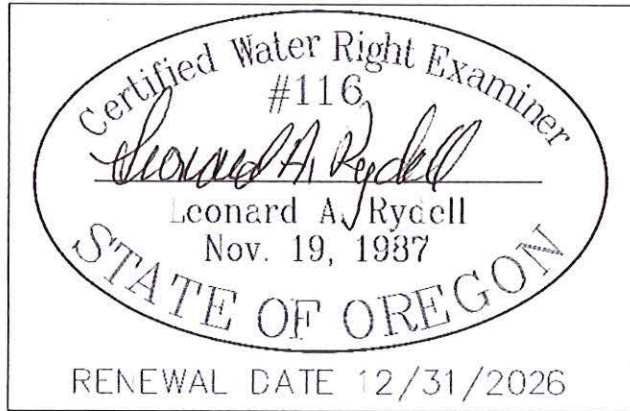
Add additional tables for owners of record as needed

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**SECTION 2
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 LEONARD A. RYDELL		PHONE NO. (503) 781-4138	ADDITIONAL CONTACT NO.
ADDRESS 601 E. Pinehurst Drive			
CITY Newberg	STATE OR	ZIP 97132-1625	E-MAIL LARydell@Teleport.com

Transfer Holder(s) of Record Signature or Acknowledgement

Each transfer holder of record must sign this form in the space provided below.

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	TITLE	DATE
	RYAN WEBB	ENGINEERING & PLANNING MANAGER	1/8/2025

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SECTION 4 CONDITIONS

All conditions contained in the transfer, or any extension final order shall be addressed. Reports that do not address all performance related conditions will be returned.

1. Time Limits:

Describe how the water user has complied with each of the development timelines established in the transfer final order and any extensions of time issued for the transfer:

	DATE FROM TRANSFER	DATE THE AUTHORIZED CHANGE WAS COMPLETED *THIS DATE MUST FALL BETWEEN THE "ISSUANCE DATE" AND THE "COMPLETENESS DATE"
ISSUANCE DATE		
COMPLETENESS DATE FROM ORDER (C)		

* MUST BE WITHIN PERIOD BETWEEN TRANSFER FINAL ORDER, OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO COMPLETE THE CHANGE

2. Is there an extension final order(s)?

NO

If "NO", you may delete the following table.

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

VOLUME	PAGE	DATE EXTENDED TO

3. Measurement Conditions:

a. Does the transfer final order require the installation of a meter or approved measuring device?

NO

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

Reminder: If a meter or approved measuring device was required, the COBU map must indicate the location of the device in relation to the point of diversion or appropriation.

b. Has a meter been installed?

YES

c. Meter Information

POD/POA NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
30833	McCrometer	0-03423	Working	89154	Replaced in 2020

If a meter has been installed, items d through f relating to this section may be deleted.

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JAN 12 2026

4. Other conditions required by the transfer final order:

a. Other conditions?

NO OWRD

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

**SECTION 5
ATTACHMENTS**

Provide a list of any additional documents you are attaching to this report:

ATTACHMENT NAME	DESCRIPTION

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SECTION 6

CLAIM OF BENEFICIAL USE MAP

A 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 polyester 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.

For the purpose of this Claim, the map must identify the developed new place of use. The existing point(s) of diversion or point(s) of appropriation are required to be included on the Claim map, based on the locations described in the transfer final order.

Provide a general description of the survey method used to prepare the map. Examples of possible methods include, but are not limited to, a traverse survey, GPS, or the use of aerial photos. If the basis of the survey is an aerial photo, provide the source, date, series and the aerial photo identification number.

The survey method was by drafting the site to scale and determining the original water right boundary to follow the intent of the original application. Next, the Tribe provided an aerial photo of the site that was marked up showing by a green hatch what areas were irrigated. The from areas were based on the original transfer map by this firm, but some location boundaries were adjusted to reflect actual use.

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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
- Locations of fish screens and/or fish by-pass devices in relationship to point of diversion
- Locations of meters and/or measuring devices in relationship to point of diversion
- Conveyance structures illustrated (pumps, reservoirs, pipelines, ditches, etc.) ***Not required for this type of Claim of Beneficial Use**
- Point(s) of diversion or appropriation (illustrated and coordinates)
- Tax lot boundaries and numbers
- Quarter-Quarters illustrated and named (NE NE, NW NE, etc.)
- Source illustrated if surface water
- Disclaimer ("This map is not intended to provide legal dimensions or locations of property ownership lines")
- Transfer application number
- North arrow
- Legend
- CWRE stamp and signature

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SECTION 7
REFERENCE INFORMATION FOR CWRE USE
(Please DO NOT submit these pages.)

Additional information is available at:

<https://www.oregon.gov/OWRD/programs/WaterRights/COBU/Pages/default.aspx>

Go to "Resources for Water Right Examiners (CWRE)" Page

MS Word Hints

To add rows to a table, click outside the table on the far right and hit enter.

Place cursor here and hit return to add a row

To resolve page numbering issues, go to print preview. Page through the entire document (while in print preview), then print from print preview.

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JAN 12 2026
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BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

OWRD

In the Matter of Transfer Application) FINAL ORDER APPROVING A
T-10301, Polk, Yamhill County) CHANGE IN PLACE OF USE

Authority

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

CONFEDERATED TRIBES OF
THE GRAND RONDE COMMUNITY
9615 GRAND RONDE RD
GRAND RONDE OR 97347-9712

Agent

ERIC SCOTT
9615 GRAND RONDE RD
GRAND RONDE OR 97347-9712

Findings of Fact

Background

1. On January 29, 2007, Eric Scott filed an application on behalf of the Confederated Tribes of The Grand Ronde Community to change the place of use under Certificate 30833. The Department assigned the application number T-10301.

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

Certificate: 30833 in the name of LESTER MAHURIN (perfected under Permit S-26036)

Use: IRRIGATION of 7.24 ACRES

Priority Date: MARCH 9, 1959

Rate: 0.08 CUBIC FOOT PER SECOND

Limit/Duty: ONE-EIGHTIETH cfs per acre, not to exceed 2.5 acre-feet per acre per year

Source: SOUTH YAMHILL RIVER, tributary to YAMHILL RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
6 S	8 W	WM	1	SW SW	NONE SPECIFIED ON CERTIFICATE

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

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JAN 12 2026

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Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
6 S	8 W	WM	1	SW SW	4.42
6 S	8 W	WM	1	SE SW	2.82

3. Application T-10301 proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
6 S	8 W	W.M.	1	SE SW	3.31
6 S	8 W	W.M.	1	NE SW	3.60
6 S	8 W	W.M.	1	NW SW	0.33

4. Notice of the application for transfer was published on February 6, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice, however the Oregon Department of Fish and Wildlife did indicate that no change to fish screening or bypass devices is currently needed at the point of diversion.
5. The transfer application did not include a map meeting current mapping standards, or the standards which were in effect at the time the application was filed, being OAR 690-380-3100.
6. On June 6, 2007, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-10301 to the applicants. The cover letter accompanying the draft Preliminary Determination requested submittal of a revised map, documentation and use and a report of ownership and lien information. On June 19, 2007 the applicants submitted a revised map meeting current mapping standards, and on July 18, 2007 they submitted documentation of use. The applicants requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary land ownership information to demonstrate that the applicant is authorized to pursue the transfer.
7. On August 17, 2007, the Department issued a Preliminary Determination proposing to approve Transfer T-10301 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on August 21, 2007, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.
8. Department review revealed that the Preliminary Determination proposed a diversion rate for the transferred portion of the right (0.09 cfs of the original total 0.5 cfs under the right) that was not proportional to the fraction of the right being affected by the transfer. Eric Scott, agent for the Confederated Tribes of the Grand Ronde Community, was notified. On September 25, 2007 he requested the Department to modify the final order so as to transfer 0.08 cfs, leaving 0.42 cfs for the remaining part of the right.

Transfer Review Criteria [OAR 690-380-4010(2)]

9. Water has been used within the last five years according to the terms and conditions of the right, as modified by temporary transfer T-8801, (Special Order Volume 55, Pages 721-723), and there is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
10. A diversion structure and ditch sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Application T-10301.
11. The proposed change would not result in enlargement of the right.
12. The proposed change would not result in injury to other water rights.

Conclusions of Law

The change in place of use proposed in application T-10301 is consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The change in place of use proposed in application T-10301 is approved.
2. Water right certificate 30833 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.
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 Certificate 30833 and any related decree.
4. The former place of use of the transferred right shall no longer receive water under the right.
5. Prior to diverting water, the water user shall install 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 measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department. The water user shall maintain and operate the measuring device as required by the Department.
6. The approved change shall be completed and full beneficial use of the water shall be made on or before **October 1, 2008**. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
7. When satisfactory proof of the completed changes is received, a new certificate confirming the portion of the right transferred will be issued.

Received
JAN 12 2026

OWRD

Dated at Salem, Oregon this 27 day of September, 2007.



PCW Phillip C. Ward, Director

Mailing date: OCT 01 2007

Andrew Freeman

From: Leonard A. Rydell, PE, PLS, WRE <Larydell@teleport.com>
Sent: Tuesday, December 16, 2025 3:09 PM
To: Andrew Freeman
Subject: Fwd: T-10301 - Map Scale Waiver Approval

Received
JAN 12 2026

Follow Up Flag: Flag for follow up
Flag Status: Flagged

OWRD

****** This message has originated from an **External Source**. Please use proper judgment and caution when opening attachments, clicking links, or responding to this email. ******

Andrew,

For your information.

Thanks,

Leonard

From: CLARK Gerald E * WRD <Gerald.E.CLARK@water.oregon.gov>
To: "larydell@teleport.com" <larydell@teleport.com>
Subject: T-10301 - Map Scale Waiver Approval
Date: Tue, 16 Dec 2025 13:58:35 +0000

Leonard,

I have reviewed a draft of the map that you prepared for the above reference Transfer. The map is drafted at 1" = 300'. I am approving the scale at this time. This scale is acceptable.

Please attach a copy of this message to the Claim.

Have a great day!

Gerry
Gerry Clark

Oregon Water Resources Department
Program Analyst, Certificate Section, Water Right Services Division
725 Summer Street NE, Suite A Salem, OR 97301 | Phone 503-979-9103



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

January 24, 2011

Confederated Tribes of the
Grand Ronde Community
9615 Grand Ronde Road
Grand Ronde, OR 97347-9712

RE: Application for Water Right Transfer Extension T-10301

On December 22, 2010, the Department received your application for an extension of time, along with a check in the amount of \$500.00.

An extension of time application is only needed if you have not met your completion date. Because you have completed your project before your completion date of October 1, 2008, your extension is not required. Therefore, the next step for this transfer application is for a Claim of Beneficial Use and Final Proof Survey to be prepared and submitted to the Department.

However, if you have not submitted a Claim of Beneficial Use by October 1, 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 has not been completed.

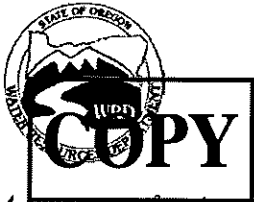
If you have any questions, please contact the transfer section at 503-986-0883 or the water right certificate section at 503-986-0811.

Sincerely,

Sarah Henderson
Executive Support

Cc: Watermaster #16
Fiscal





APPLICATION FOR EXTENSION OF TIME FOR TRANSFER OF WATER RIGHT

Transfer 10301

A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/publication/reports/index.shtml.

To the WATER RESOURCES DIRECTOR OF OREGON: I/We, Confederated Tribes of the Grand Ronde Community

(Name of Applicant) of 9615 Grand Ronde Road, Grand Ronde, (Mailing Address) (City) state of Oregon, 97347-9712, 503-879-2404 (Zip Code) (Phone Number)

do hereby make application for an extension of time within which to complete a change in: point of diversion/appropriation place of use character of use of water under the terms of an order of the Water Resources Director entered on Sept. 27, 2007, approving Transfer 10301, in the name of LESTER MAHURIN for irrigation in the SE, NE and NW Quarters of the SW Quarter of Section 1, T6S, R8W of the Willamette Meridian

(Give location of your property, as shown on the order approving the transfer)

THE FOLLOWING HAS BEEN accomplished toward completion of the change within the time allowed, which expired on October 1, 2008: The area approved by the transfer has been irrigated since the transfer was approved. An extension of time is being requested to complete the Claim of Beneficial Use to finalize the transfer. 7.24 acres as allowed are being irrigated.

(If for irrigation, how many acres total are now irrigated)

TO FULLY COMPLETE the change, it will be necessary to accomplish the following: Submit the Claim of Beneficial Use

I AM UNABLE TO COMPLETE the change under the terms of the order, within the time allowed, because the time limit has expired.

And request that the time for completion be extended to October 1, 2011.

(Signature of applicant)

In order for an application to be complete, it must be accompanied by the required fee. See the Department's fee schedule at www.wrd.state.or.us or call (503) 986-0900.

MAIL COMPLETED APPLICATION AND FEE TO:

Water Resources Department 725 Summer Street NE, Suite A Salem, OR 97301-1271

RECEIVED DEC 22 2010 WATER RESOURCES DEPT SALEM, OREGON



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

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

September 28, 2007

ERIC SCOTT
9615 GRAND RONDE RD
GRAND RONDE OR 97347-9712

Reference: Transfer 10301

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,

for Doug Parrow
Natural Resource Specialist

DP:sh

cc: Watermaster #16
Leonard Rydell, CWRE
Grand Ronde Community Water Association (26690 Hwy 18, Grand Ronde OR 97347)
Lester Mahurin (Route 1, Box 181, Grand Ronde, OR 97347)

Enclosure

RECEIVED

MAY 12 2010

**WATER RESOURCES DEPT
SALEM, OREGON**



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

In the Matter of Transfer Application) FINAL ORDER APPROVING A
T-10301, Polk, Yamhill County) CHANGE IN PLACE OF USE

Authority

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

CONFEDERATED TRIBES OF
THE GRAND RONDE COMMUNITY
9615 GRAND RONDE RD
GRAND RONDE OR 97347-9712

Agent

ERIC SCOTT
9615 GRAND RONDE RD
GRAND RONDE OR 97347-9712

Findings of Fact

Background

1. On January 29, 2007, Eric Scott filed an application on behalf of the Confederated Tribes of The Grand Ronde Community to change the place of use under Certificate 30833. The Department assigned the application number T-10301.

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

Certificate: 30833 in the name of LESTER MAHURIN (perfected under Permit S-26036)

Use: IRRIGATION of 7.24 ACRES

Priority Date: MARCH 9, 1959

Rate: 0.08 CUBIC FOOT PER SECOND

Limit/Duty: ONE-EIGHTIETH cfs per acre, not to exceed 2.5 acre-feet per acre per year

Source: SOUTH YAMHILL RIVER, tributary to YAMHILL RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
6 S	8 W	WM	1	SW SW	NONE SPECIFIED ON CERTIFICATE

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

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
6 S	8 W	WM	1	SW SW	4.42
6 S	8 W	WM	1	SE SW	2.82

3. Application T-10301 proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
6 S	8 W	W.M.	1	SE SW	3.31
6 S	8 W	W.M.	1	NE SW	3.60
6 S	8 W	W.M.	1	NW SW	0.33

4. Notice of the application for transfer was published on February 6, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice, however the Oregon Department of Fish and Wildlife did indicate that no change to fish screening or bypass devices is currently needed at the point of diversion.
5. The transfer application did not include a map meeting current mapping standards, or the standards which were in effect at the time the application was filed, being OAR 690-380-3100.
6. On June 6, 2007, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-10301 to the applicants. The cover letter accompanying the draft Preliminary Determination requested submittal of a revised map, documentation and use and a report of ownership and lien information. On June 19, 2007 the applicants submitted a revised map meeting current mapping standards, and on July 18, 2007 they submitted documentation of use. The applicants requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary land ownership information to demonstrate that the applicant is authorized to pursue the transfer.
7. On August 17, 2007, the Department issued a Preliminary Determination proposing to approve Transfer T-10301 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on August 21, 2007, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.
8. Department review revealed that the Preliminary Determination proposed a diversion rate for the transferred portion of the right (0.09 cfs of the original total 0.5 cfs under the right) that was not proportional to the fraction of the right being affected by the transfer. Eric Scott, agent for the Confederated Tribes of the Grand Ronde Community, was notified. On September 25, 2007 he requested the Department to modify the final order so as to transfer 0.08 cfs, leaving 0.42 cfs for the remaining part of the right.

Transfer Review Criteria [OAR 690-380-4010(2)]

9. Water has been used within the last five years according to the terms and conditions of the right, as modified by temporary transfer T-8801, (Special Order Volume 55, Pages 721-723), and there is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
10. A diversion structure and ditch sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Application T-10301.
11. The proposed change would not result in enlargement of the right.
12. The proposed change would not result in injury to other water rights.

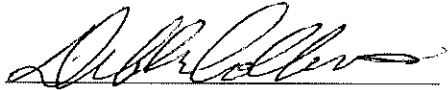
Conclusions of Law

The change in place of use proposed in application T-10301 is consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The change in place of use proposed in application T-10301 is approved.
2. Water right certificate 30833 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.
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 Certificate 30833 and any related decree.
4. The former place of use of the transferred right shall no longer receive water under the right.
5. Prior to diverting water, the water user shall install 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 measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department. The water user shall maintain and operate the measuring device as required by the Department.
6. The approved change shall be completed and full beneficial use of the water shall be made on or before **October 1, 2008**. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
7. When satisfactory proof of the completed changes is received, a new certificate confirming the portion of the right transferred will be issued.

Dated at Salem, Oregon this 27 day of September, 2007.



PCW Phillip C. Ward, Director

OCT 01 2007

Mailing date: _____

STATE OF OREGON

COUNTY OF POLK

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

Lester Mahurin
Route 1, Box 181
Grand Ronde, OR 97347

confirms the right to use the waters of South Yamhill River, a tributary of Willamette River, for IRRIGATION of 39.66 acres.

This right was perfected under Permit S-26036. The date of priority is March 9, 1959. The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 0.42 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 1, Township 6 South, Range 6 South, W.M.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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

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

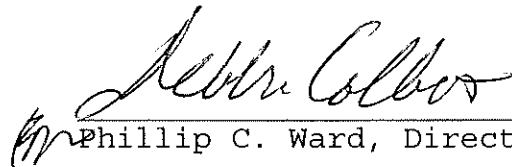
24.58 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
15.08 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
SECTION 1
TOWNSHIP 6 SOUTH, RANGE 8 WEST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 30833, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered SEP 27 2007, approving Transfer Application T-10301.

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

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

WITNESS the signature of the Water Resources Director,
affixed SEP 27 2007.


Phillip C. Ward, Director

Recorded in State Record of Water Right Certificates numbered 83477.

STATE OF OREGON

COUNTY OF POLK

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

Lester Mahurin
Route 1, Box 181
Grand Ronde, OR 97347

confirms the right to use the waters of South Yamhill River, a tributary of Willamette River, for IRRIGATION of 39.66 acres.

This right was perfected under Permit S-26036. The date of priority is March 9, 1959. The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 0.42 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 1, Township 6 South, Range 6 South, W.M.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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

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

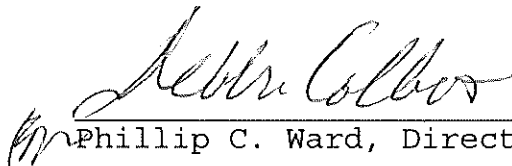
24.58 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
15.08 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
SECTION 1
TOWNSHIP 6 SOUTH, RANGE 8 WEST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 30833, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered SEP 27 2007, approving Transfer Application T-10301.

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

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

WITNESS the signature of the Water Resources Director,
affixed SEP 27 2007.


Phillip C. Ward, Director

Recorded in State Record of Water Right Certificates numbered 83477.

STATE OF OREGON
COUNTY OF POLK
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

Lester Mahurin
Route 1, Box 181
Grand Ronde, OR 97347

confirms the right to use the waters of South Yamhill River, a tributary of Willamette River, for IRRIGATION of 39.66 acres.

This right was perfected under Permit S-26036. The date of priority is March 9, 1959. The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 0.42 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 1, Township 6 South, Range 8 West, W.M.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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

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

24.58 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$

15.08 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$

SECTION 1

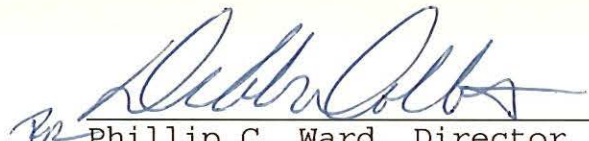
TOWNSHIP 6 SOUTH, RANGE 8 WEST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 30833, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered September 27, 2007, approving Transfer Application T-10301, and supersedes Certificate 83477, previously issued, to correct the location of the point of diversion.

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

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

WITNESS the signature of the Water Resources Director,
affixed October 17, 2007.



Phillip C. Ward, Director

Recorded in State Record of Water Right Certificates numbered 83598.

IMPORTANT
This Map for Assessment
and Taxation Purposes
ONLY

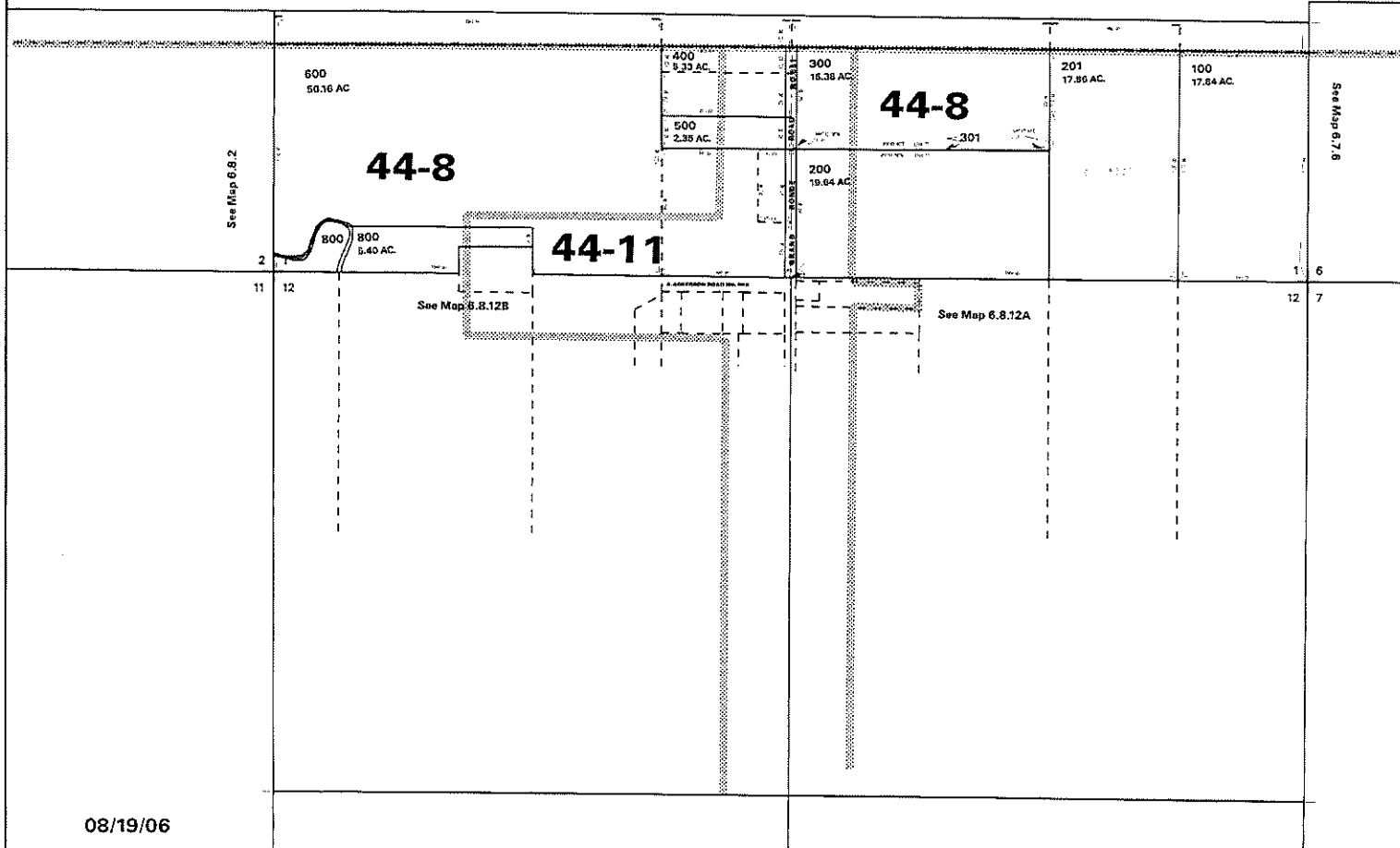
SEC.1 T6S R8W WM
POLK COUNTY

Scale 1" = 400'

6.8.1

Canceled No.

700
801
802





Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

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

September 28, 2007

ERIC SCOTT
9615 GRAND RONDE RD
GRAND RONDE OR 97347-9712

Reference: Transfer 10301


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,

 Doug Parrow
Natural Resource Specialist

DP:sh

cc: Watermaster #16
Leonard Rydell, CWRE
Grand Ronde Community Water Association (26690 Hwy 18, Grand Ronde OR 97347)
Lester Mahurin (Route 1, Box 181, Grand Ronde, OR 97347)

Enclosure

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

In the Matter of Transfer Application) FINAL ORDER APPROVING A
T-10301, Polk, Yamhill County) CHANGE IN PLACE OF USE

Authority

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

CONFEDERATED TRIBES OF
THE GRAND RONDE COMMUNITY
9615 GRAND RONDE RD
GRAND RONDE OR 97347-9712

Agent

ERIC SCOTT
9615 GRAND RONDE RD
GRAND RONDE OR 97347-9712

Findings of Fact

Background

1. On January 29, 2007, Eric Scott filed an application on behalf of the Confederated Tribes of The Grand Ronde Community to change the place of use under Certificate 30833. The Department assigned the application number T-10301.

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

Certificate: 30833 in the name of LESTER MAHURIN (perfected under Permit S-26036)

Use: IRRIGATION of 7.24 ACRES

Priority Date: MARCH 9, 1959

Rate: 0.08 CUBIC FOOT PER SECOND

Limit/Duty: ONE-EIGHTIETH cfs per acre, not to exceed 2.5 acre-feet per acre per year

Source: SOUTH YAMHILL RIVER, tributary to YAMHILL RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
6 S	8 W	WM	1	SW SW	NONE SPECIFIED ON CERTIFICATE

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

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
6 S	8 W	WM	1	SW SW	4.42
6 S	8 W	WM	1	SE SW	2.82

3. Application T-10301 proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
6 S	8 W	W.M.	1	SE SW	3.31
6 S	8 W	W.M.	1	NE SW	3.60
6 S	8 W	W.M.	1	NW SW	0.33

4. Notice of the application for transfer was published on February 6, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice, however the Oregon Department of Fish and Wildlife did indicate that no change to fish screening or bypass devices is currently needed at the point of diversion.
5. The transfer application did not include a map meeting current mapping standards, or the standards which were in effect at the time the application was filed, being OAR 690-380-3100.
6. On June 6, 2007, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-10301 to the applicants. The cover letter accompanying the draft Preliminary Determination requested submittal of a revised map, documentation and use and a report of ownership and lien information. On June 19, 2007 the applicants submitted a revised map meeting current mapping standards, and on July 18, 2007 they submitted documentation of use. The applicants requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary land ownership information to demonstrate that the applicant is authorized to pursue the transfer.
7. On August 17, 2007, the Department issued a Preliminary Determination proposing to approve Transfer T-10301 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on August 21, 2007, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.
8. Department review revealed that the Preliminary Determination proposed a diversion rate for the transferred portion of the right (0.09 cfs of the original total 0.5 cfs under the right) that was not proportional to the fraction of the right being affected by the transfer. Eric Scott, agent for the Confederated Tribes of the Grand Ronde Community, was notified. On September 25, 2007 he requested the Department to modify the final order so as to transfer 0.08 cfs, leaving 0.42 cfs for the remaining part of the right.

Transfer Review Criteria [OAR 690-380-4010(2)]

9. Water has been used within the last five years according to the terms and conditions of the right, as modified by temporary transfer T-8801, (Special Order Volume 55, Pages 721-723), and there is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
10. A diversion structure and ditch sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Application T-10301.
11. The proposed change would not result in enlargement of the right.
12. The proposed change would not result in injury to other water rights.

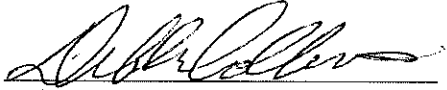
Conclusions of Law

The change in place of use proposed in application T-10301 is consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The change in place of use proposed in application T-10301 is approved.
2. Water right certificate 30833 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.
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 Certificate 30833 and any related decree.
4. The former place of use of the transferred right shall no longer receive water under the right.
5. Prior to diverting water, the water user shall install 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 measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department. The water user shall maintain and operate the measuring device as required by the Department.
6. The approved change shall be completed and full beneficial use of the water shall be made on or before **October 1, 2008**. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
7. When satisfactory proof of the completed changes is received, a new certificate confirming the portion of the right transferred will be issued.

Dated at Salem, Oregon this 27 day of September, 2007.



Phillip C. Ward, Director

BR

OCT 01 2007

Mailing date: _____

STATE OF OREGON

COUNTY OF POLK

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

Lester Mahurin
Route 1, Box 181
Grand Ronde, OR 97347

confirms the right to use the waters of South Yamhill River, a tributary of Willamette River, for IRRIGATION of 39.66 acres.

This right was perfected under Permit S-26036. The date of priority is March 9, 1959. The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 0.42 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 1, Township 6 South, Range 6 South, W.M.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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

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

24.58 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$

15.08 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$

SECTION 1

TOWNSHIP 6 SOUTH, RANGE 8 WEST, W.M.

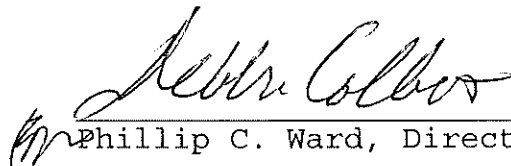
This certificate describes that portion of the water right confirmed by Certificate 30833, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered SEP 27 2007, approving Transfer Application T-10301.

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

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

WITNESS the signature of the Water Resources Director,

affixed SEP 27 2007.


Phillip C. Ward, Director

Recorded in State Record of Water Right Certificates numbered 83477.



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

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

October 31, 2007

Confederated Tribes of the
Grand Ronde Community
Eric Scott
9615 Grand Ronde Road
Grand Ronde, Oregon 97347

RE: Correcting Certificate

Enclosed is a new correcting and superseding Certificate # 83598 issued to correct a scrivener's error involving Transfer T-10301 and Certificate 83477.

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

Sincerely,

Sarah Henderson
Executive Support

enclosure

cc: Watermaster #16
Leanard A Rydell, CWRE
Files (T-10301)



STATE OF OREGON

COUNTY OF POLK

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

Lester Mahurin
Route 1, Box 181
Grand Ronde, OR 97347

confirms the right to use the waters of South Yamhill River, a tributary of Willamette River, for IRRIGATION of 39.66 acres.

This right was perfected under Permit S-26036. The date of priority is March 9, 1959. The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 0.42 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 1, Township 6 South, Range 8 West, W.M.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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

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

24.58 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
15.08 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
SECTION 1
TOWNSHIP 6 SOUTH, RANGE 8 WEST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 30833, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered September 27, 2007, approving Transfer Application T-10301, and supersedes Certificate 83477, previously issued, to correct the location of the point of diversion.

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

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

WITNESS the signature of the Water Resources Director,
affixed October 17, 2007.



Phillip C. Ward, Director

Recorded in State Record of Water Right Certificates numbered 83598.

STATE OF OREGON

COUNTY OF POLK

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

Lester Mahurin
Route 1, Box 181
Grand Ronde, OR 97347

confirms the right to use the waters of South Yamhill River, a tributary of Willamette River, for IRRIGATION of 39.66 acres.

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SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 1, Township 6 South, Range 6 South, W.M.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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24.58 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$

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SECTION 1

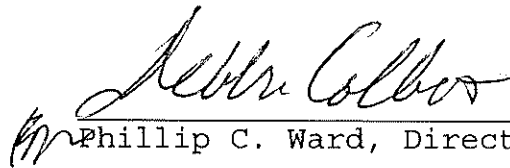
TOWNSHIP 6 SOUTH, RANGE 8 WEST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 30833, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered SEP 27 2007, approving Transfer Application T-10301.

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

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

WITNESS the signature of the Water Resources Director,
affixed SEP 27 2007.


Phillip C. Ward, Director

Recorded in State Record of Water Right Certificates numbered 83477.

Water Right Transfer Checklist

Transfer T-10301

Transfer Specialist: RA-dip

Transfer Type: Regular

Applicant Name/Address: Confederated Tribes of the Grand Ronde Community, 9615 Grand Ronde Road, Grand Ronde, OR 97347

Agent Name/Address: Eric Scott, 9615 Grand Ronde Road, Grand Ronde, OR 97347

CWRE Name/Number: Leonard A. Rydell, #116

Rec Landowner Name/Address: NA

Irr. District Name/Address: Grand Ronde Community Water Association, 26690 Highway 18, Grand Ronde, OR 97347

Affected Gov'ts Name/Address: Confederated Tribes of the Grand Ronde Community, 9615 Grand Ronde Road, Grand Ronde, OR 97347

Commentors: Name/Address: NA

Water Rights Affected

Records Marked	Records Copied	App File No. or Decree Name	Permit No.	Certificate No.	RR/CR Needed	RR/CR Nos.
<input type="checkbox"/>	<input type="checkbox"/>	S-32944	S-26036	30833	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	83477
<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	

Key Dates & Initial Actions

Rec'd: <u>1/29/07</u>	Proposed Action(s): <u>POU</u>	
Fees Pd: <u>350</u>	WM District: <u>16</u>	ODFW District: _____
Initial Notice: <u>2/6/07</u>	WM Review sent: <u>2/1/07</u>	ODFW Review sent: <u>2/1/07</u>
Acknowledgement Letter Sent <input checked="" type="checkbox"/>		GW Review sent: <u>NA</u>

Processing Dates & Actions

Deficiency Contacts: NA

Newspaper Pub Affid Due: _____

not required

DPD Mailed: 6/6/07

Affid of Pub Rec'd: _____

ODFW contact sheet sent with DPD, or N/A

Last Day Published: _____

PD Mailed: _____

Affidavit Reminder Sent: _____

PD Weekly Notice: _____

Reminder Deadline: _____

Preliminary Determination

- | | |
|--------------------------------------------------------|----------------------------------------------------|
| <input type="checkbox"/> Electronic Files uploaded | <input type="checkbox"/> Preliminary Determination |
| <input type="checkbox"/> PD Cover letter | <input type="checkbox"/> Fee Refund Due |
| <input type="checkbox"/> PD Notice | <input type="checkbox"/> Remaining Rights |
| <input type="checkbox"/> File Assigned/ ModPod updated | |

DPD Review (Optional)	PD Review (Salem)	Final Order Review (Salem)
Reviewer: _____	Reviewer: <u>PKS</u>	Reviewer: <u>AKP</u>
Date: _____	Date: <u>8/10/07</u>	Date: <u>9/21/07</u>
Coordinator: _____	Coordinator: <u>AKP</u>	Coordinator: <u>AKP</u>
Date: _____	Date: <u>8/10/07</u>	Date: <u>9/26/07</u>

Comments/Special Issues: Water has not been used on the authorized POU within the last 5 years, but has been used on other lands under temporary transfer T-8801.

This application is being expedited through Reimbursement Authority.

Minor fixes needed to PD - done

Special Order Volume: Vol 73 Pages 372 Final Order Signature Date: SEP 27 2007

Notice of FO email'd to processors dorothy

Application

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

Water right subject to transfer

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

Application Map

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

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

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

Ownership

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

Evaluation (materials needed for peer reviewer in bold)

- application complete** **map** **FPS** evidence of use land-use form
- deed/ROLI **certificate** fees paid well logs **plat card**
- audit** **dpd**

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

Injury: Y N Enlargement: Y N

Conditions to avoid enlargement/injury –

Dorothy Pedersen

From: Dorothy Pedersen
Sent: Friday, September 21, 2007 8:40 AM
To: 'eric.scott@grandronde.org'
Subject: Question about T-10301

Good morning Eric,

In checking over the final order document for T-10301, I discovered a discrepancy in the portioning of the water right diversion rate for Certificate 30833 between the transferred portion and the remaining portion of the right.

The Preliminary Determination stated that 0.09 cfs was being transferred for 7.24 acres. That would leave just 0.41 cfs for the remaining 39.66 acres under the right. If you divide those out, that means the rate per acre being transferred is greater than the rate per acre remaining.

If we transferred 0.08 cfs for the 7.24 acres and left 0.42 cfs for the remaining 39.66 acres, the right would be more evenly divided.

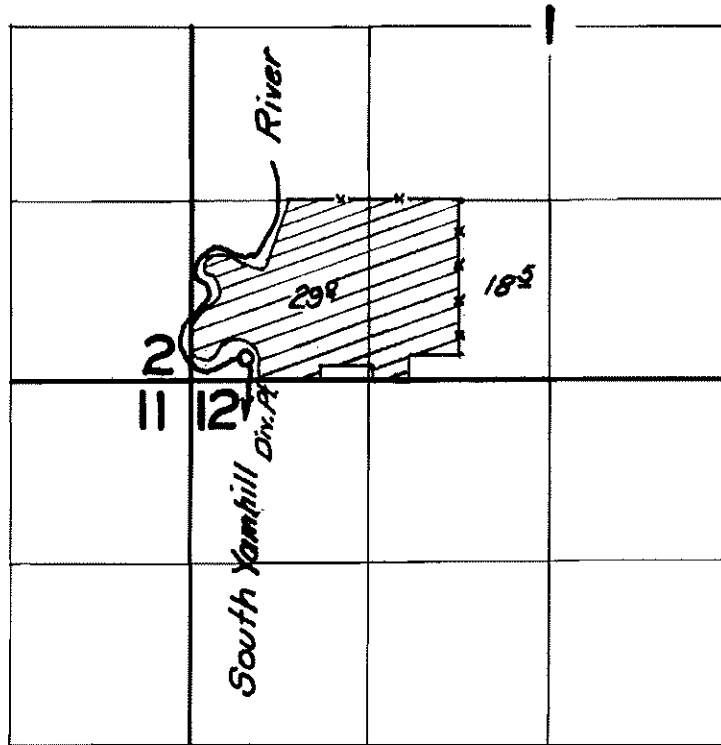
Do you want the final order to change the cfs being transferred to 0.08 cfs, or do you want to leave it at 0.09 cfs as stated in the Preliminary Determination?

I apologize for not catching this discrepancy sooner in the process. Once we receive your instruction, we will proceed to issue the final order, since no protests were received.

Thank you,
Dorothy

Dorothy I. Pedersen
Field Services Division
Oregon Water Resources Department
Dorothy.I.PEDERSEN@wrd.state.or.us
503-986-0890

T.6S. R.8W.W.M.



FINAL PROOF SURVEY
UNDER

Application No. ~~32944~~ Permit No. 26036
IN NAME OF

Lester Mahurin

Surveyed *21 June 1962*, by *Carl R. Baker*

TAX Lot
600

Dorothy Pedersen

From: Eric Scott [Eric.Scott@grandronde.org]
Sent: Tuesday, September 25, 2007 6:02 PM
To: Dorothy Pedersen
Cc: larydell@teleport.com; Lisa Bluelake
Subject: Re: Question about T-10301

Please proceed with option !B'.
Thanks for the clarific(ion.
Eric

Sent using BlackBerry

-----Original Message-----

From: Dorothy Pedersen <pedersdi@wrд.state.or.us>
To: Eric Scott
Sent: Tue Sep 25 16:36:29 2007
Subject: RE: Question about T-10301

Hi Eric,

When a transfer final order is issued, the originating certificate is cancelled. If the transfer only affects a portion of the right, the remaining portion is immediately issued a certificate that carries the same terms and conditions of the original certificate, but reduces the allowed water use proportional to the fraction of the original use that is unaffected by the transfer. Then after completion of the changes, a confirming certificate is issued for the portion of the right that was transferred.

Since the transfer process replaces the original certificate with two "daughter" certificates, each portion of the original right needs to be quantified so that each of the new certificates will describe just that portion of the quantity of water authorized for the respective portion of the right.

Certificate 30833 states that irrigation is limited to the standard maximum rate per acre of 1/80 cfs, however, the certificate only actually allows 0.5 cfs for 46.9 acres. Therefore, it is somewhat "deficient in rate". There is not sufficient water to be able to irrigate all of the acres simultaneously at the rate of 1/80 cfs/acre. Within the place of use described in the certificate, the water could be applied to some of the acreage at a maximum rate of 1/80 cfs, but other acres within the right would need to receive less water in order not to exceed the total maximum cfs.

Each of the daughter certificates will need to define what portion of the original 0.5 cfs is allowed. The Preliminary Determination made the division by granting the full 1/80 cfs per acre for each of the 7.24 acres being transferred (0.09 cfs for 7.24 acres), leaving the remaining 39.66 acre portion of the right even more deficient in cfs/acre than the originating certificate (0.41 cfs for 39.66 acres). This can be allowed if you wish, but the Department's usual practice is to pro-rate the cfs/acre in both the transferred and remaining portions of the right based on the average cfs/acre rate of the original certificate.

"A" below describes how the Preliminary Determination proposed to divide the right. "B" proposes an alternate division in line with the Department's usual practice. Please indicate which way you would prefer:

9/26/2007

A) Transfer 0.09 cfs for 7.24 ac Remainder 0.41 cfs for 39.66 ac
Or
B) Transfer 0.08 cfs for 7.24 ac Remainder 0.42 cfs for 39.66 ac

Don't hesitate to call if you have further questions or wish to discuss this.

Thank you,
Dorothy

Dorothy Pedersen
(503) 986-0890

-----Original Message-----

From: Eric Scott [<mailto:Eric.Scott@grandronde.org>]
Sent: Tuesday, September 25, 2007 10:43 AM
To: Dorothy Pedersen
Cc: Lisa Bluelake
Subject: RE: Question about T-10301

Hello Dorothy

It would be our preference for the final order eliminate the reference to a quantity in the transfer, and list acres only with the standard 1/80th cfs per acre and 0.50 cfs restrictions of the original certificate rather than specify a quantity of water being transferred as it introduces additional restrictions to the allowable use both in the areas transferred to and from. It is entirely conceivable that in different times of different years we may want to irrigate some of our property at different rates depending on the need at the time. There should be no difficulty in the final order allowing this as the irrigation system and land ownership is the same entity.

Eric

-----Original Message-----

From: Dorothy Pedersen [<mailto:pedersdi@wrđ.state.or.us>]
Sent: Friday, September 21, 2007 8:40 AM
To: Eric Scott
Subject: Question about T-10301

Good morning Eric,

In checking over the final order document for T-10301, I discovered a discrepancy in the portioning of the water right diversion rate for Certificate 30833 between the transferred portion and the remaining portion of the right.

The Preliminary Determination stated that 0.09 cfs was being transferred for 7.24 acres. That would leave just 0.41 cfs for the remaining 39.66 acres under the right. If you divide those out, that means the rate per acre being transferred is greater than the rate per acre remaining.

If we transferred 0.08 cfs for the 7.24 acres and left 0.42 cfs for the remaining 39.66 acres, the right would be more evenly divided.

Do you want the final order to change the cfs being transferred to 0.08 cfs, or do you want to leave it at 0.09 cfs as stated in the Preliminary Determination?

I apologize for not catching this discrepancy sooner in the process.

9/26/2007

Once we receive your instruction, we will proceed to issue the final order, since no protests were received.

Thank you,
Dorothy

Dorothy I. Pedersen
Field Services Division
Oregon Water Resources Department
Dorothy.I.PEDERSEN@wrд.state.or.us
503-986-0890



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

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

August 20, 2007

Confederated Tribes of the Grand Ronde Community of Oregon
Attention: Eric Scott
9615 Grand Ronde Rd.
Grand Ronde, OR 97347-9712

SUBJECT: Transfer Application T-10301

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-10301. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

A public notice is being published in the Department's weekly publication simultaneously with issuance of the Preliminary Determination. The notice initiates a 30-day period in which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determination or a standing statement supporting the Department's decision.

If no protest is filed, the Department will issue a Final Order consistent with the Preliminary Determination. You should receive a copy of the Final Order about 30 days after the close of the protest period.

If a protest is filed, the application may be referred to a contested case proceeding. A contested case provides an opportunity for the proponents and opponents of the decision proposed in the Preliminary Determination to present information and arguments supporting their position in a quasi-judicial proceeding.

Sincerely,

Dorothy I. Pedersen
Field Services Division

cc: Mike McCord, District 16 Watermaster
Leonard A. Rydell, CWRE #116

encs

**Notice of Preliminary Determination for
Water Right Transfer T-10301**

T-10301 filed by The Confederated Tribes of the Grand Ronde Community of Oregon, 9615 Grand Ronde Road, Grand Ronde, Oregon 97347-9712, proposes a change in place of use under Certificate 30833. The right allows the use of 0.09 cfs (priority date March 9, 1959) from a diversion in Sec. 1, T6S, R8W, W.M. (Willamette Basin) for irrigation in Sec. 1. The applicant proposes to change the place of use to a different area within Sec. 1, T6S, R8W, W.M.. The Water Resources Department has concluded that the proposed transfer appears to be consistent with the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, with the Department a protest or standing statement within 30 days after the date of final publication of notice in the Department's weekly notice or of this newspaper notice, whichever is later. A protest form and additional information on filing protests may be obtained by calling (503) 986-0881. The last date of newspaper publication is [DATE OF LAST PUBLICATION]. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
6 S	8 W	WM	1	SW SW	4.42
6 S	8 W	WM	1	SE SW	2.82

3. Application T-10301 proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
6 S	8 W	W.M.	1	SE SW	3.31
6 S	8 W	W.M.	1	NE SW	3.60
6 S	8 W	W.M.	1	NW SW	0.33

4. Notice of the application for transfer was published on February 6, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice, however the Oregon Department of Fish and Wildlife did indicate that no change to fish screening or bypass devices is currently needed at the point of diversion.
5. The transfer application did not include a map meeting current mapping standards, or the standards which were in effect at the time the application was filed, being OAR 690-380-3100.
6. On June 6, 2007, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-10301 to the applicants. The cover letter accompanying the draft Preliminary Determination requested submittal of a revised map, documentation and use and a report of ownership and lien information. On June 19, 2007 the applicants submitted a revised map meeting current mapping standards, and on July 18, 2007 they submitted documentation of use. The applicants requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary land ownership information to demonstrate that the applicant is authorized to pursue the transfer.

Transfer Review Criteria [OAR 690-380-4010(2)]

7. Water has been used within the last five years according to the terms and conditions of the right, as modified by temporary transfer T-8801, (Special Order Volume 55, Pages 721-723), and there is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
8. A diversion structure and ditch sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Application T-10301.
9. The proposed change would not result in enlargement of the right.
10. The proposed change would not result in injury to other water rights.

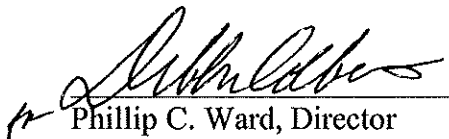
Determination and Proposed Action

The change in place of use proposed in application T-10301 appears to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If application T-10301 is approved, the final order will include the following:

- 1. The change in place of use proposed in application T-10301 is approved.*
- 2. Water right certificate 30833 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.*
- 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 Certificate 30833 and any related decree.*
- 4. The former place of use of the transferred right shall no longer receive water under the right.*
- 5. Prior to diverting water, the water user shall install 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 measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department. The water user shall maintain and operate the measuring device as required by the Department.*
- 6. The approved change shall be completed and full beneficial use of the water shall be made on or before **October 1, 2008**. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*
- 7. When satisfactory proof of the completed changes is received, a new certificate confirming the right transferred will be issued.*

Dated at Salem, Oregon this 17th day of August, 2007.


Phillip C. Ward, Director

This Preliminary Determination was prepared by a Reimbursement Authority contractor. If you have questions about the information in this document, you may reach Dorothy Pedersen at 503-986-0890 or Dorothy.I.Pedersen@wrđ.state.or.us.

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

Jim Newton

From: Dorothy Pedersen [pedersdi@wrd.state.or.us]
Sent: Thursday, July 26, 2007 9:28 AM
To: Jim Newton
Subject: RE: T-10301 Deliverables

Thank you, Jim.

Have a good day,
Dorothy

Dorothy Pedersen
(503) 986-0890

From: Jim Newton [mailto:jnewton@newtonconsultants.com]
Sent: Thursday, July 26, 2007 9:11 AM
To: Dorothy Pedersen
Subject: RE: T-10301 Deliverables

Dorothy,
Attached is the Contact List:

Applicant:
Confederated Tribes of Grand Ronde Community of Oregon
Attention: Eric Scott
9615 Grand Ronde Rd.
Grand Ronde, OR 97347-9712
503-879-2404; fax 503-879-1372
Eric.scott@grandronde.org

C.W.R.E.:
Leonard A. Rydell, P.E., P.L.S., C.W.R.E.
601 Pinehurst Dr.
Newberg, OR 97132-1625
503-538-5700; fax 503-538-9167
larydell@teleport.com

Watermaster:
Mike McCord, District 16 Watermaster
725 Summer St. NE, Suite A
Salem, OR 97301
503-986-0889; fax 503-986-0903
Mike.L.MCCORD@wrd.state.or.us

I thought we had sent you the contact list previously, my apologizes for not sending it before.

Best regards,
~Jim

From: Dorothy Pedersen [mailto:pedersdi@wrd.state.or.us]

8/17/2007

Sent: Thursday, July 26, 2007 8:53 AM
To: Jim Newton
Cc: Salem Opeifa
Subject: RE: T-10301 Deliverables

Hi Jim,

It looks like you have submitted all the electronic deliverables but the contact list. Please email that to me and then send your invoice and processing notes with final deliverable cover letter.


Another project almost complete. Thank you!

Dorothy

Dorothy Pedersen
(503) 986-0890

From: Jim Newton [mailto:jnewton@newtonconsultants.com]
Sent: Wednesday, July 25, 2007 5:23 PM
To: Dorothy Pedersen
Subject: T-10301 Deliverables

Hi Dorothy,
Attached is the PD cover letter, PD notice, and remaining right for transfer T-10301 & certificate 30833.
Let me know if there are any additional items.
Best Regards,
~Jim

James B. Newton
Senior Staff Geologist, GIT
NEWTON 
CONSULTANTS INC.
521 SW 6th Street, Suite 100
Redmond, Oregon 97756
541 504-9960 x235
541 504-9961 fax
jnewton@newtonconsultants.com

DAVID J. NEWTON ASSOCIATES, INC.
1201 S.W. 12th Avenue, Suite 400
PORTLAND, OREGON 97205
(503) 228-7718

JOB T-10301 OWRD-RA
SHEET NO. 1 OF _____
CALCULATED BY JN DATE 4/27/07
CHECKED BY _____ DATE _____
SCALE _____

T-10-301 Cont. Tables of Grand Ronde

Make permanent a temporary transfer that expired
end of irr. season 2005

Cert. 30833 / Permit 26036 (Dr. from S. Yam Hill (val))

- 2005 Temporary Transfer does not apply to this
transfer

- Need a new map that is of proper scale or
a letter of number of scales; signed & stamped!!

Contact List

Applicant: Confederated Tribes of the Grand Ronde
Community of Oregon

9615 Grand Ronde Road

Grand Ronde, OR 97347-9712

503-879-2404 / Fax 503-879-1372

Applicant Agent: Eric Scott

9615 Grand Ronde Rd

Grand Ronde, OR 97347-9712

503-879-1372 / Fax 503-879-1372

eric.scott@grandronde.org

June 6, 2007

Confederated Tribes of the Grand Ronde Community of Oregon
Attention: Eric Scott
9615 Grand Ronde Rd.
Grand Ronde, OR 97347-9712

SUBJECT: Application T-10301

Enclosed find a draft of our Preliminary Determination regarding transfer application T-10301. The draft Preliminary Determination reflects the Department's conclusion that, based on the information currently available, the transfer will be approved, **provided documentation of beneficial use of the right under the terms and conditions of the certificate (such as dated aerial photographs, dedicated power usage records or receipts, etc.) and a map meeting the current OAR 690-380-3100 standards are submitted.** The map included with your application appears to be an unsigned copy of the map, not printed to scale. In addition, to meet the criteria:

1. The map needs to be drawn to one of the standard scales (1" to 400' or 1" to 1320'), or you need to request advance written or email approval of an alternate scale.
2. The map needs to be printed true-to-scale, stamped by a CWRE and signed with an original signature.
3. If the map is larger than 8½" by 14" you will need to submit 3 hard copies and an electronic file in pdf format.

This draft is intended to provide you with an opportunity to comment on our findings and conclusions should you wish to do so. Please review the draft carefully to evaluate whether the document is consistent with your intent in seeking the transfer, and whether you agree with the proposed action.

At this time, you must submit a report of ownership and lien information prepared by a title company within the last three months, as required by OAR 690-380-4010(5). If there are additional lienholders identified in the report that have not previously been notified of the transfer, you must send notice of the transfer to them, and submit copies of each such notice to the Department to document that each lienholder has been informed of the transfer.

Issuance of the Preliminary Determination will occur shortly after we receive both your response to the draft, the revised map, documentation of use and the report of ownership and lien information. You may provide your response in writing or via e-mail.

Please do not hesitate to contact me at 503-986-0890 or Dorothy.I.Pedersen@wrđ.state.or.us if you have questions.

Sincerely,

Dorothy I. Pedersen
Field Services Division

cc: Mike McCord, District 16 Watermaster
Leonard Rydell, CWRE #116

enc

**Notice of Preliminary Determination for
Water Right Transfer T-10301**

T-10301 filed by The Confederated Tribes of the Grand Ronde Community of Oregon, 9615 Grand Ronde Road, Grand Ronde, Oregon 97347-9712, proposes a change in place of use under Certificate 30833. The right allows the use of 0.50 cfs (priority date March 9, 1959) from a diversion in Sec. 1, T6S, R8E, W.M. (Willamette Basin) for irrigation in Sec. 1. The applicant proposes to to change the place of use to Sec. 1, T6S, R8E, W.M.. The Water Resources Department has concluded that the proposed transfer appears to be consistent with the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, with the Department a protest or standing statement within 30 days after the date of final publication of notice in the Department's weekly notice or of this newspaper notice, whichever is later. A protest form and additional information on filing protests may be obtained by calling (503) 986-0881. The last date of newspaper publication is [DATE OF LAST PUBLICATION]. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

July 25, 2007

Confederated Tribes of the Grand Ronde Community of Oregon
Attention: Eric Scott
9615 Grand Ronde Rd.
Grand Ronde, OR 97347-9712

SUBJECT: Transfer Application T-10301

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-10301. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

A public notice is being published in the Department's weekly publication simultaneously with issuance of the Preliminary Determination. The notice initiates a 30-day period in which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determination or a standing statement supporting the Department's decision.

The applicant is responsible for giving public notice of the transfer changes in a local newspaper having a general circulation in the area of the water right. The notice must be published at least once a week for three consecutive weeks. We have prepared the notice for you (enclosed). The deadline for individuals to file protests or standing statements is 30 days after the date of last publication. Please have the newspaper insert the date of last publication in the proper place. After publication, the Department needs to receive an affidavit specifying the dates the notice was published. Typically, the newspaper will prepare and mail an original *affidavit of publication* to the Department, however you will want to request specifically that they do so. The newspaper can mail the affidavit to me at the address above.

If no protest is filed, the Department will issue a Final Order consistent with the Preliminary Determination. You should receive a copy of the Final Order about 30 days after the close of the protest period.

If a protest is filed, the application may be referred to a contested case proceeding. A contested case provides an opportunity for the proponents and opponents of the decision proposed in the Preliminary Determination to present information and arguments supporting their position in a quasi-judicial proceeding.

Sincerely,

Dorothy I. Pedersen
Field Services Division

cc: Mike McCord, District 16 Watermaster
Eric Scott
Leonard A. Rydell, CWRE

encs

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

In the Matter of Transfer Application)
T-10301, Polk, Yamhill County)

D R A F T

PRELIMINARY DETERMINATION
PROPOSING APPROVAL OF A
CHANGE IN PLACE OF USE

Authority

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

ERIC SCOTT
9615 GRAND RONDE RD
GRAND RONDE OR 97347-9712

Findings of Fact

Background

1. On January 29, 2007, Eric Scott filed an application to change the place of use under Certificate 30833. The Department assigned the application number T-10301.
2. The portion of the right to be transferred is as follows:

Certificate: 30833 in the name of LESTER MAHURIN (perfected under Permit S-26036)

Use: IRRIGATION of 7.24 ACRES

Priority Date: MARCH 9, 1959

Rate: 0.09 CUBIC FOOT PER SECOND

Limit/Duty: ONE-EIGHTIETH cfs per acre, not to exceed 2.5 acre-feet per acre per year

Source: SOUTH YAMHILL RIVER, tributary to YAMHILL RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
6 S	8 W	WM	1	SW SW	NONE SPECIFIED ON CERTIFICATE

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
6 S	8 W	WM	1	SW SW	4.42
6 S	8 W	WM	1	SE SW	2.82

3. Application T-10301 proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
6 S	8 W	W.M.	1	SE SW	3.31
6 S	8 W	W.M.	1	NE SW	3.60
6 S	8 W	W.M.	1	NW SW	0.33

4. Notice of the application for transfer was published on February 6, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
5. The transfer application did not include a map meeting current mapping standards, or the standards which were in effect at the time the application was filed, being OAR 690-380-3100. Specifically, the map is not drawn at one of the standard scales and the map does not have a CWRE stamp and original signature.

Transfer Review Criteria [OAR 690-380-4010(2)]

6. Water has been used within the last five years according to the terms and conditions of the rights, and there is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
7. A diversion structure and ditch sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Application T-10301.
8. The proposed change would not result in enlargement of the right.
9. The proposed change would not result in injury to other water rights.

Determination and Proposed Action

The changes in place of use proposed in application T-10301 appear to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000, with the exception that the transfer map does not meet current standards. If a revised map meeting OAR 690-380-3100 standards is submitted and protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

1. *If application T-10301 is approved, the final order will include the following: The changes in place of use proposed in application T-10301 are approved.*
2. *Water right certificate 30833 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.*
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 Certificate 30833 and any related decree.*

4. *The former place of use of the transferred right shall no longer receive water under the right.*
5. *Prior to diverting water, the water user shall install 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 measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department. The water user shall maintain and operate the measuring device as required by the Department.*
6. *The approved changes shall be completed and full beneficial use of the water shall be made on or before October 1, 2012. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*
7. *When satisfactory proof of the completed changes is received, a new certificate confirming the right transferred will be issued.*

Dated at Salem, Oregon this _____ day of _____, 2007.

D R A F T

Phillip C. Ward, Director

This draft Preliminary Determination was prepared by a Reimbursement Authority contractor. If you have questions about the information in this document, you may reach Dorothy Pedersen at 503-986-0890 or Dorothy.I.Pedersen@wrdd.state.or.us.

STATE OF OREGON

COUNTY OF Polk

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

Lester Mahurin
Route 1, Box 181
Grand Ronde, OR 97347

confirms the right to use the waters of South Yamhill River, a tributary of Willamette River, for IRRIGATION of 39.66 acres.

This right was perfected under Permit S-26036. The date of priority is March 9, 1959. The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 0.41 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 1, Township 6 South, Range 6 South, W.M..

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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

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

24.58 acres SW ¼ SW ¼

15.08 acres SE ¼ SW ¼

SECTION 1

TOWNSHIP 6 SOUTH, RANGE 8 WEST, W.M.

This use may be regulated if analysis of data available discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of this right or as those quantities may be subsequently reduced.

This certificate describes that portion of the water right confirmed by Certificate 30833, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered July 25, 2007, approving Transfer Application T-10301.

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

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

WITNESS the signature of the Water Resources Director,

affixed _____.

Phillip C. Ward, Director

Recorded in State Record of Water Right Certificates numbered 30833.

Jim Newton

From: Dorothy Pedersen [pedersdi@wrđ.state.or.us]
Sent: Monday, June 18, 2007 1:04 PM
To: Leonard A. Rydell, PE, PLS, WRE
Subject: RE: Mapping Scale - Transfer T-10301

Leonard,

I have reviewed the map in pdf format that you attached to your email, and agree that use of the alternate scale of 1" to 300' does make sense, considering the particular configuration of the mapped area being transferred. Therefore your request to use the alternate scale is approved.

Please submit one original signed map and 3 hard copies, in addition to the pdf electronic map. If no changes are made, then the pdf file attached to your June 18th email will suffice to meet that portion of the submittal.

Thank you,
Dorothy

Dorothy Pedersen
(503) 986-0890

-----Original Message-----

From: Leonard A. Rydell, PE, PLS, WRE [mailto:larydell@teleport.com]
Sent: Monday, June 18, 2007 12:41 PM
To: Dorothy Pedersen
Cc: cf
Subject: Mapping Scale - Transfer T-10301

Dorothy,

Thank you for your review of the proposed Transfer Map for Transfer T-10301.

The map was drawn at a 1" = 300' scale to allow the maximum scale on an 11" by 17" piece of paper.

A scale of 1" = 300' was chosen as it would more clearly shown the areas transferred to and from than a standard scale of 1" = 400'. A scale of 1" = 1320' would not adequately show the areas that could be interpreted by future users.

Approval of the scale of 1" = 300' is hereby requested.

An electronic copy of the map in PDF format is attached for your review.

Thank you.

Leonard

June 6, 2007

Confederated Tribes of the Grand Ronde Community of Oregon
Attention: Eric Scott
9615 Grand Ronde Rd.
Grand Ronde, OR 97347-9712

SUBJECT: Application T-10301

Enclosed find a draft of our Preliminary Determination regarding transfer application T-10301. The draft Preliminary Determination reflects the Department's conclusion that, based on the information currently available, the transfer will be approved, **provided documentation of beneficial use of the right under the terms and conditions of the certificate (such as dated aerial photographs, dedicated power usage records or receipts, etc.) and a map meeting the current OAR 690-380-3100 standards are submitted.** The map included with your application appears to be an unsigned copy of the map, not printed to scale. In addition, to meet the criteria:

1. The map needs to be drawn to one of the standard scales (1" to 400' or 1" to 1320'), or you need to request advance written or email approval of an alternate scale.
2. The map needs to be printed true-to-scale, stamped by a CWRE and signed with an original signature.
3. If the map is larger than 8½" by 14" you will need to submit 3 hard copies and an electronic file in pdf format.

This draft is intended to provide you with an opportunity to comment on our findings and conclusions should you wish to do so. Please review the draft carefully to evaluate whether the document is consistent with your intent in seeking the transfer, and whether you agree with the proposed action.

At this time, you must submit a report of ownership and lien information prepared by a title company within the last three months, as required by OAR 690-380-4010(5). If there are additional lienholders identified in the report that have not previously been notified of the transfer, you must send notice of the transfer to them, and submit copies of each such notice to the Department to document that each lienholder has been informed of the transfer.

Issuance of the Preliminary Determination will occur shortly after we receive both your response to the draft, the revised map, documentation of use and the report of ownership and lien information. You may provide your response in writing or via e-mail.

Please do not hesitate to contact me at 503-986-0890 or Dorothy.I.Pedersen@wrd.state.or.us if you have questions.

Sincerely,

Dorothy I. Pedersen
Field Services Division

cc: Mike McCord, District 16 Watermaster
Leonard Rydell, CWRE #116

enc

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

In the Matter of Transfer Application)
T-10301, Polk, Yamhill County)
)
)
)

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

Authority

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

ERIC SCOTT
9615 GRAND RONDE RD
GRAND RONDE OR 97347-9712

Handwritten notes:
46.9 Ac
- 7.24

39.66 Ac. Remaining
Right
to
Lester Mahurin

Findings of Fact

Background

1. On January 29, 2007, Eric Scott filed an application to change the place of use under Certificate 30833. The Department assigned the application number T-10301.
2. The portion of the right to be transferred is as follows:

Certificate: 30833 in the name of LESTER MAHURIN (perfected under Permit S-26036)
Use: IRRIGATION of 7.24 ACRES
Priority Date: MARCH 9, 1959
Rate: 0.09 CUBIC FOOT PER SECOND
Limit/Duty: ONE-EIGHTIETH cfs per acre, not to exceed 2.5 acre-feet per acre per year
Source: SOUTH YAMHILL RIVER, tributary to YAMHILL RIVER

Handwritten notes:
0.50 cfs
- 0.09

0.41 cfs Remaining
Right

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
6 S	8 W	WM	1	SW SW	NONE SPECIFIED ON CERTIFICATE

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
6 S	8 W	WM	1	SW SW	4.42
6 S	8 W	WM	1	SE SW	2.82

Handwritten notes:
29.0
- 4.42

24.58
SE SW
17.7
- 2.82

14.88
Remaining Right
2007 SF
- 11204

35.66
OK check

- Application T-10301 proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
6 S	8 W	W.M.	1	SE SW	3.31
6 S	8 W	W.M.	1	NE SW	3.60
6 S	8 W	W.M.	1	NW SW	0.33

- Notice of the application for transfer was published on February 6, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
- The transfer application did not include a map meeting current mapping standards, or the standards which were in effect at the time the application was filed, being OAR 690-380-3100. Specifically, the map is not drawn at one of the standard scales and the map does not have a CWRE stamp and original signature.

Transfer Review Criteria [OAR 690-380-4010(2)]

- Water has been used within the last five years according to the terms and conditions of the rights, and there is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
- A diversion structure and ditch sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Application T-10301.
- The proposed change would not result in enlargement of the right.
- The proposed change would not result in injury to other water rights.

Determination and Proposed Action

The changes in place of use proposed in application T-10301 appear to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000, with the exception that the transfer map does not meet current standards. If a revised map meeting OAR 690-380-3100 standards is submitted and protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

- If application T-10301 is approved, the final order will include the following: The changes in place of use proposed in application T-10301 are approved.*
- Water right certificate 30833 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.*
- 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 Certificate 30833 and any related decree.*

4. *The former place of use of the transferred right shall no longer receive water under the right.*
5. *Prior to diverting water, the water user shall install 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 measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department. The water user shall maintain and operate the measuring device as required by the Department.*
6. *The approved changes shall be completed and full beneficial use of the water shall be made on or before October 1, 2012. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*
7. *When satisfactory proof of the completed changes is received, a new certificate confirming the right transferred will be issued.*

Dated at Salem, Oregon this _____ day of _____, 2007.


D R A F T

Phillip C. Ward, Director

This draft Preliminary Determination was prepared by a Reimbursement Authority contractor. If you have questions about the information in this document, you may reach Dorothy Pedersen at 503-986-0890 or Dorothy.I.Pedersen@wrđ.state.or.us.

Maps

Oregon Water Resources Department



Find Location

Basin
Willamette

Township
Township: S
Range: W
Section:

Find Water Right Application Number

G

Permit Number
G

Cert Number

Claim Number
GR

Tools

-
-
-
-
-
-
-

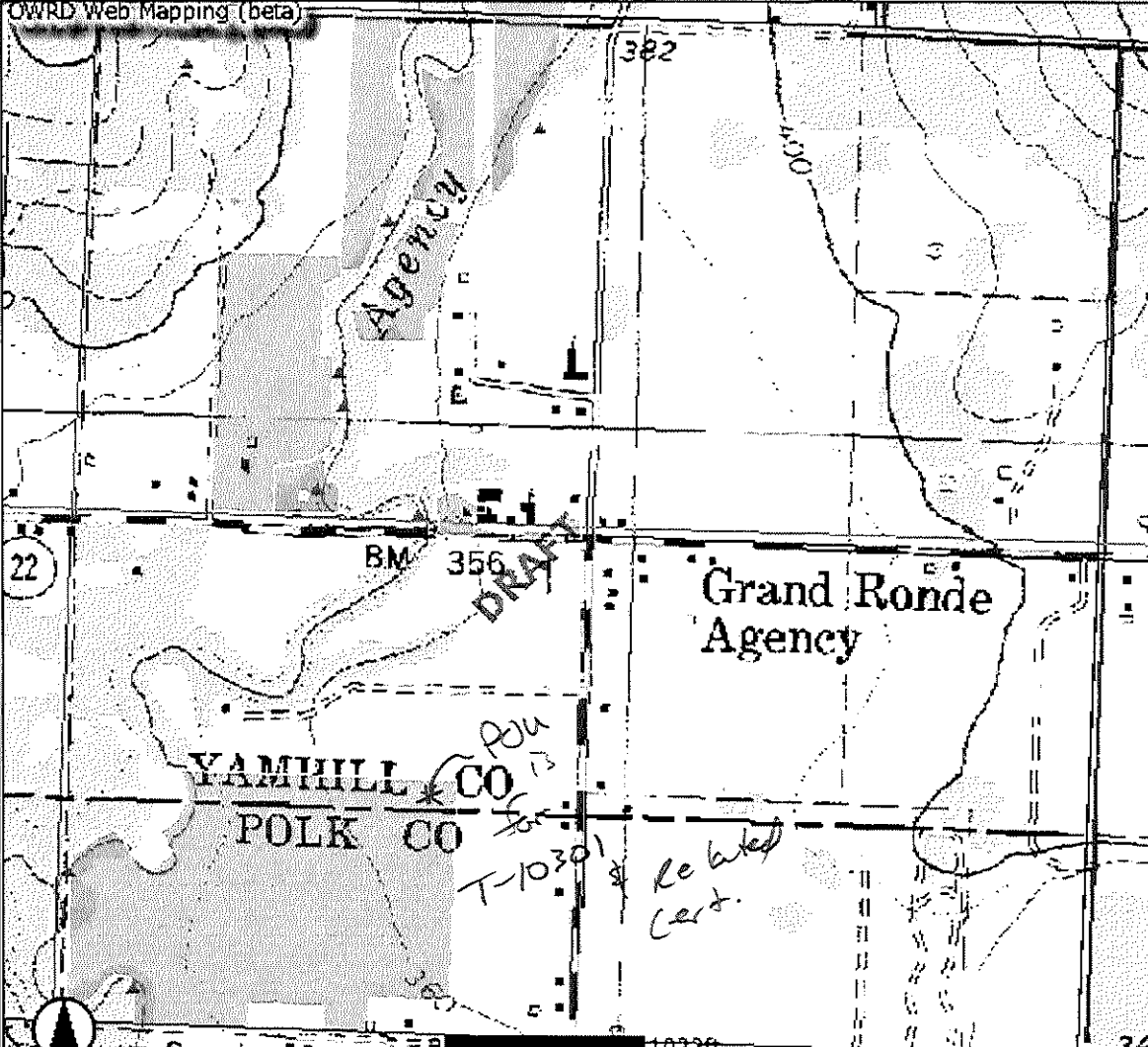


Table of Contents

Layer	Visible
Township	<input checked="" type="checkbox"/>
WAB	<input type="checkbox"/>
Sections	<input checked="" type="checkbox"/>
Point of Diversion	<input checked="" type="checkbox"/>
Place of Use	<input checked="" type="checkbox"/>
Cities	<input checked="" type="checkbox"/>
Major Roads	<input checked="" type="checkbox"/>
Roads	<input type="checkbox"/>
Groundwater Restricted	<input checked="" type="checkbox"/>
Basins	<input type="checkbox"/>
Watermaster Districts	<input type="checkbox"/>
Counties	<input type="checkbox"/>
303D Streams	<input type="checkbox"/>
303D Lakes	<input type="checkbox"/>
Quad Maps	<input checked="" type="checkbox"/>
Aerial Photos	<input type="checkbox"/>
Topography	<input checked="" type="checkbox"/>

Water Right Information Query Results	
Contact Information	Documents <small>View all scanned documents</small>
▼ Current contact information LESTER MAHURIN ▶ RT 1 BOX 181 GRAND RONDE, OR 97347	▶ Application: S 32944 digital map ▶ Permit: S 26036 document , digital map ▶ Certificate: 30833 document , digital map ▶ Order(s) ▶ Transfer(s)
Water Right Information	
Status: Non-Cancelled County: Polk, Yamhill File Folder Location: Salem Watermaster District: 16	
Point(s) of Diversion	
▶ POD 1 - SOUTH YAMHILL RIVER > YAMHILL RIVER	
Place(s) of Use <small>Add TRS grouping</small>	
▶ Use - IRRIGATION (Primary) - 46.9 acres; Priority Date: 3/9/1959	
Water Right Genealogy	
-----Cert:30833 OR *	

[View Water Rights in same Family](#)

[Help understanding and working with the Water Rights Information System](#)

[Report Errors with Water Right Data](#)

[Return to WRIS Query](#)

STATE OF OREGON
COUNTY OF POLK
CERTIFICATE OF WATER RIGHT

This Is to Certify, That **LESTER MAHURIN**

of Route 1, Box 181, Grande Ronde, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of

South Yamhill River

a tributary of Willamette River

for the purpose of

irrigation of 46.9 acres

under Permit No. 26036 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from March 9, 1959,

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

0.50 cubic foot per second

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

The point of diversion is located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 1, T. 6 S., R. 8 W., W. M.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth 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 2 $\frac{1}{2}$ acre feet per acre for each acre irrigated during the irrigation season of each year,

and shall

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

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

29.0 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
17.9 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 1
T. 6 S., R. 8 W., W. M.

RECEIVED

JAN 29 2007

WATER RESOURCES DEPT
SALEM, OREGON

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

WITNESS the signature of the State Engineer, affixed

this date. APRIL - 1 1963

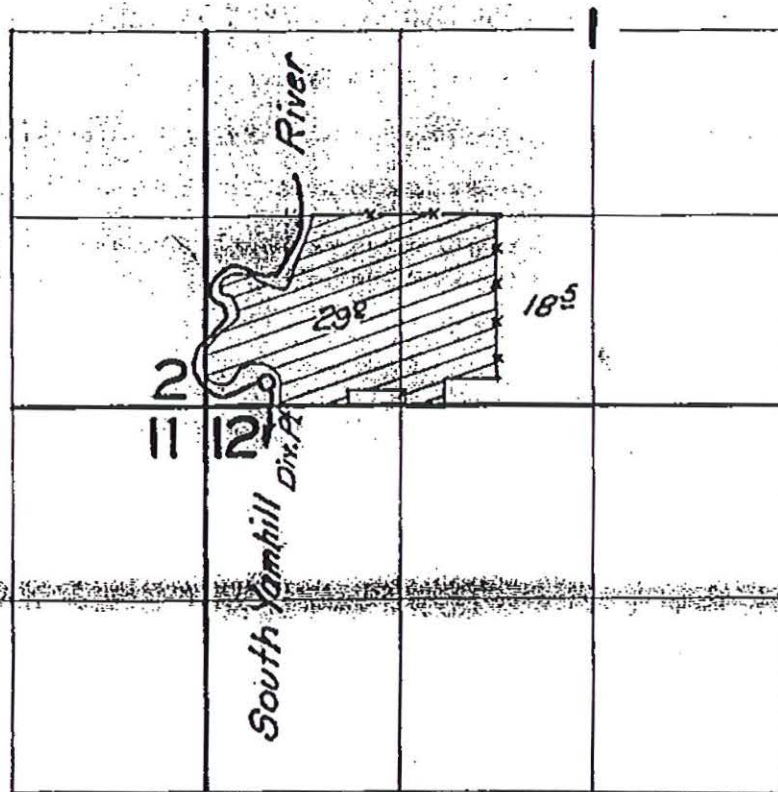
CHRIS L. WHEELER

State Engineer

T 10301

Recorded in State Record of Water Right Certificates, Volume 2, page 333

T.6S. R.8W.W.M



FINAL PROOF SURVEY
UNDER

Application No. 32944. Permit No. 26036.
IN NAME OF

Lester Mahurin

Surveyed 21 June 1962, by Carl R. Baker.

RECEIVED

JAN 29 2007

WATER RESOURCES DEPT
SALEM, OREGON

T 10301

1962-V

The Confederated Tribes of the Grand Ronde Community of Oregon

Executive Office
(503) 879-5211 • FAX: (503) 879-2117
1-800-422-0232

9615 Grand Ronde Road
Grand Ronde, Oregon 97347-9712

Umpqua • Molalla • Rogue River • Kalapuya • Chasta

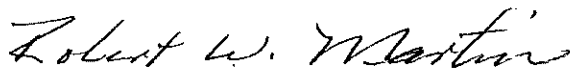
July 2, 2001

Bernadette Williams
Oregon Water Resources Department
158 12th Street NE
Salem, Oregon 97301-4172

Re: Temporary Transfer 8801

Please be advised that the areas from which we are requesting a water right transfer in T6S, R8W, Sections 1, Tax Lot 600 were developed in 1997 for Tribal Administrative facilities. A small storage shed was constructed in 1996, however this area along with areas under hard surface associated with the administrative buildings were leased for in-stream use in 2000. Additionally the education facility and roadways are currently under construction. Prior to construction, this land was irrigated from the South Yamhill River under Permit No. 26036 certificate 30833. To the best of our knowledge, there has not been a lapse in beneficial use of more than five years.

Sincerely,
Confederated Tribes of Grand Ronde



Robert Martin, Executive Officer

Cc: Tribal Council
Eric F. Scott, Director of Public Works

RECEIVED

JUL 06 2001

WATER RESOURCES DEPT.
SALEM, OREGON

STATE OF OREGON

COUNTY OF POLK

ORDER APPROVING A TEMPORARY CHANGE IN PLACE OF USE

Pursuant to ORS 540.523, 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, TEMPORARY TRANSFER 8801 submitted by

THE CONFEDERATED TRIBES OF GRAND RONDE
9615 GRAND RONDE ROAD
GRAND RONDE, OREGON 97347.

The right to be modified, as evidenced by a portion of Certificate 30833, was perfected under Permit 26036 with a date of priority of MARCH 9, 1959. The right allows the use of the SOUTH YAMHILL RIVER, a tributary of the WILLAMETTE RIVER, for IRRIGATION OF 6.65 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.07 cubic foot per second, if available at the authorized point of diversion: SW¼ SW¼, SECTION 1, T 6 S, R 8 W, W.M., or its equivalent in case of rotation, measured at the point of diversion from the source.

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2).

Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005, you may either petition for judicial review or petition the Director for reconsideration of this order.

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-EIGHTIETH 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 2½ acre-feet for each acre irrigated during the irrigation season of each year.

The use shall conform to any reasonable rotation system ordered by the proper state officer.

The authorized place of use is located as follows:

SW¼ SW¼	3.85 ACRES
SE¼ SW¼	2.80 ACRES

SECTION 1

TOWNSHIP 6 SOUTH, RANGE 8 WEST, W.M.

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

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

NE¼ SW¼	2.66 ACRES (ELDER)
NW¼ SW¼	0.63 ACRES (ELDER)
SE¼ SW¼	3.36 ACRES (CLINIC)

SECTION 1

TOWNSHIP 6 SOUTH, RANGE 8 WEST, W.M.


THIS CHANGE TO AN EXISTING WATER RIGHT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. This change is temporary. This change shall be effective upon issuance of this order.
2. The former place of use shall **not** be irrigated as part of this water right during the 2001, 2002, 2003, 2004 and 2005 irrigation seasons.

3. The use shall revert to the authorized place of use at the end of the 2005 irrigation season.
4. The approval of this temporary transfer may be revoked or modified if the Department finds the change causes injury to any existing water right.
5. When required by the Department the water user shall install an in-line flow meter or other suitable device for measuring and recording the quantity of water used. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

WITNESS the signature of the Water Resources

Director, affixed JUL 03 2001.



Paul R. Cleary, Director

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USGS Grand Ronde Agency, Oregon, United States 08 Aug 2000



*- July 18 due of
Use due
- Send w/this into
to Newton*

0 100M

0 100yd

Image courtesy of the U.S. Geological Survey

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Maps

Oregon Water Resources Department

Home Email Print Search Help

Grande Ronde Agency from 1994 aerial photo

OWRD Web Mapping (beta)

Legend

- Township
- Sections
- Points of Diversion (Willamette)
- Roads
 - Ferry
 - Secondary
 - Primary
 - U.S.
 - Interstate
 - State
 - Other
- Groundwater Restricted
 - LIMI
 - CRIT
 - WITH
 - CLAS
 - Other
- Aerial Photos

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

Watermaster Review Form: Water Right Transfer

Transfer Application: T-10301

Review Due Date: 3/2/07

Applicant Name: CTGRC

Proposed Changes: POU POD POA USE OTHER

Reviewer(s): Mike McCord

Date of Review: Mar. 2, 2007

1. Do you have information suggesting that the water rights may be subject to forfeiture?
 Yes No If "Yes", describe the information and indicate if you intend to file a cancellation affidavit or if you need additional time to determine if a cancellation affidavit should be filed: _____
2. Is there a history of regulation on the source that serves the right proposed for transfer that has involved the right and downstream water rights? Yes No Generally characterize the frequency of any regulation or explain why regulation has not occurred:
Regulation of the S. Yamhill would most likely occur because of the ISWR not being met. This water right has a priority date senior to existing ISWR.
3. Check here if it appears that downstream water rights benefit from return flows resulting from the current use of the right? If you check the box, generally characterize the locations where the return flows likely occur and list the water rights that benefit most:

4. Are there upstream water rights that would be affected by the proposed change?
 Yes No If "Yes", describe how the rights would be affected and list the rights most affected: _____
5. For POD changes and instream transfers, check here if there are channel losses between the old and new PODs or within the proposed instream reach? If you check the box, describe and, if possible, estimate the losses: _____
6. Would distribution of water for the right after the proposed change result in regulation of other water rights that would not have occurred if use of the existing right was maximized?
 Yes No If "Yes", explain: _____
7. For POU changes, would the original place of use continue to receive water from the same source? Yes No N/A If "Yes", explain: _____
8. For POU or USE changes, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste? Yes No If "Yes", explain: _____
9. Are there other issues not identified through the above questions? Yes No If "Yes", explain: _____

10. What alternatives may be available for addressing any issues identified above: NA
11. Have headgate notices been issued for the source that serves the right? Yes No
12. What water control and measurement conditions should be included in the transfer:

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

RA

Oregon Department of Fish and Wildlife
Water Right and Diversion Transfer Comment Form
(ODFW provides to WRD so that WRD can make findings according to statutory requirements.)

Reference Transfer #: 10301

A. Please check box if you believe there is a potential for injury to an instream water right.

The Oregon Department of Fish and Wildlife (ODFW) believes this proposed transfer may injure an instream water right(s) on

_____, tributary to _____, Because,
(Stream)

(Please attach any available supporting information.)

Note: This will prompt WRD to further evaluate and make a determination whether the transfer will injure an instream water right. (WRD is the agency that makes the determination of injury to a water right, while ODFW's role is to raise concerns and to evaluate proposed mitigation and net benefit to the resource if WRD requests concurrence with injury to an instream water right.)

B. Please check one of the following four boxes related to requiring a fish screen and/or by-pass device pursuant to ORS 540.525 or 540.532:

1. The new Point of Diversion (POD) requires a fish screening and/or by-pass device and is currently equipped with an appropriate fish screening and/or by-pass device.

Note: This option will yield the following:

Finding of Fact: *The Oregon Department of Fish and Wildlife has determined that a fish screening and/or by-pass device is necessary at the new point of diversion to prevent fish from entering the diversion and/or safely transport fish back to the body of water from which the fish were diverted and that the diversion is currently equipped with an appropriate fish screening and/or by-pass device.*

Condition: *The water user shall maintain and operate a fish screening and/or by-pass device, as appropriate, at the point of diversion consistent with the Oregon Department of Fish and Wildlife's operational and maintenance standards.*

2. The new Point of Diversion (POD) requires a fish screening and/or by-pass device prior to water being diverted. The diversion may be eligible for cost share assistance under ODFW's cost share program.

Option 2 should generally be selected if listed fish species are present at the point of diversion and/or the originating water right diversion is currently screened. If Option 2 is

*Please return all 4 pages to: Transfers Section, Water Resources Department,
725 Summer St. NE, Suite A, Salem, OR 97301-1271*

The electronic version of this form is available at: <http://www1.wrd.state.or.us/msword/ODFWScreen.doc>.

T-10301

selected, provide contact information on the "Fish Screening and Passage Information" sheet. The new diversion may be eligible for cost-share.

Note: This option will yield the following:

Finding of Fact: The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screening and/or by-pass device is necessary at the new point of diversion to prevent fish from entering the diversion and/or safely transport fish back to the body of water from which the fish were diverted and that the diversion is not currently equipped with an appropriate fish screening and/or by-pass device. This diversion may be eligible for screening cost share funds.

Condition: Prior to diverting water, the water user shall install a fish screening and/or by-pass device, as appropriate, at the new point of diversion consistent with the Oregon Department of Fish and Wildlife's (ODFW) design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screen and/or by-pass device meets ODFW's criteria. Prior to submitting a Claim of Beneficial Use, the water user must obtain written approval from ODFW that the required screening and/or by-pass device was installed to the state's criteria. The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.

3. The new Point of Diversion (POD) requires a fish screening and/or by-pass device. However, the diversion may be used for up to two years pending a determination of whether cost share assistance under ODFW's cost share program is available.

If Option 3 is selected, provide contact information on the "Fish Screening and Passage Information" sheet. Except in extraordinary circumstances, Option 3 should NOT be checked if listed fish species are present at the point of diversion, the originating water right diversion is screened, cost-share funds are currently available, or the diversion is not eligible for ODFW's cost-share program. If extraordinary circumstances are present, please explain:

Note: This option will yield the following:

Finding of Fact: The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screening and/or by-pass device is necessary at the new point of diversion to prevent fish from entering the diversion and/or safely transport fish back to the body of water from which the fish were diverted and that the diversion is not currently equipped with an appropriate fish screening and/or by-pass device. Listed fish species are not present at the point of diversion, the originating water right diversion is not screened, cost-share funds are not currently available, and the proposed diversion may be eligible for ODFW's cost-share program. A grace period of two years is appropriate until such time as cost share funds become available to assist in the construction of a fish screening and/or by-pass device. If cost share funds do not become available, the water user must screen within the indicated time period regardless of the availability of cost share funding.

Condition: Within two years after the date of this order, the water user shall install a fish screening and/or by-pass device, as appropriate, at the new point of diversion consistent with the Oregon Department of Fish and Wildlife's (ODFW) design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screen and/or by-pass device meets ODFW's criteria. The water user may withdraw water at the new point of diversion without screening or by-pass devices until two years after the date of this order. Prior to submitting a Claim of Beneficial Use, the water user must obtain written approval from ODFW that the required screening and/or by-pass device was installed to the state's criteria. The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.

T-10301

4. The new Point of Diversion (POD) does not currently require a fish screen and/or by-pass device, however, the permittee may be required in the future to install, maintain, and operate fish screening and/or by-pass devices.

no change in POD

Note: This option will yield the following:

Finding of Fact: The Oregon Department of Fish and Wildlife has determined that a fish screening and/or by-pass device may be required in the future at the new point of diversion to prevent fish from entering the diversion and/or safely transport fish back to the body of water from which the fish were diverted and that the diversion is not currently equipped with an appropriate fish screening and/or by-pass device.

Condition: Within one year after receiving written notification from the Oregon Department of Fish and Wildlife (ODFW) that a fish screening and/or by-pass device is required, the water user shall install a screening and/or by-pass device, as appropriate, at the new point of diversion. The fish screening and/or by-pass device must meet ODFW's design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screening and/or by-pass device meets ODFW's criteria. Once installed the water user shall maintain and operate the fish screening and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.

Danette L. Ehlers

Signature

Danette L. Ehlers

Printed Name

Asst. District Fish Biologist

Title

(771) 673-6013

Phone

Oregon Department of Fish and Wildlife
Additional Fish Screening and Passage Information for the Applicant
(To be completed by ODFW for WRD to provide to the applicant.)

Transfer # 10301

The applicant should be aware that fish screening and passage may be required for certain changes in point of diversion if the boxes below are checked.

- Fish screening and/or fish by-pass devices are required as a condition of this transfer. The fish screen and/or by-pass device must meet ODFW's design, construction, operational and maintenance standards. Fish screening prevents fish from entering the diversion, while a by-pass device safely transports fish back to the body of water from which the fish were diverted.

Pursuant to ORS 498.306, cost share funds may be available to assist in the installation of fish screening and by-pass devices at diversions.

The applicant should contact the ODFW staff below to obtain additional information on the design, construction, operational, and maintenance standards for the required fish screening and/or by-pass device and to obtain information about ODFW's cost sharing program for screening and by-pass devices. **Prior to installation, the water user must obtain written approval from ODFW that the required screening and/or by-pass device meets ODFW's criteria.**

ODFW staff name: _____

Address: _____

City/State/Zip: _____

Phone: (____) _____

- This transfer may trigger requirements for fish passage under ORS 509.585 because a new point of diversion will be constructed, an existing point of diversion's capacity will be increased, or an existing point of diversion will be abandoned. The applicant should contact the ODFW staff below for a determination of whether native migratory fish are or were present at the applicable location, which will determine whether fish passage must be addressed.

ODFW staff name: _____

Address: _____

City/State/Zip: _____

Phone: (____) _____

Oregon Water Resources Department



FAXED

~~7/11/07~~
DJP



State of Oregon
Water Resources Department
725 Summer Street NE, Suite A, Salem, OR. 97301-1271
Phone: 503-986-0900
<http://www.wrd.state.or.us>

FAX TRANSMITTAL

To: Jim Newton

Fax Number: (541) 504-9961

Date: 7/11/07

Pages: 8, including cover sheet

From: Dorothy Pedersen

Phone: 503-986-0890

Comments:

Ownership and lien information for T-10301. Please review while I ask them again for documentation of use. Let me know if the ownership and lien information indicates that all owners ^{for lands in the transfer} are in consent and lienholders ^(if any) have been notified.

Prepare final deliverables based on the assumption we'll get documentation

DIRECTOR'S OFFICE

- Water Resources Commission
- Legislation and Rules
- Public Information

FIELD SERVICES

- Regional Liaisons
- Transfers
- Hydrographics

NORTHWEST REGION

- District 16 Watermaster

ADMINISTRATIVE SERVICES

- Fiscal / Accounting
- Human Resources / Personnel
- Water Development Loan Fund
- Support Services

TECHNICAL SERVICES

- Dam Safety
- Enforcement
- Ground Water
- Information Services
- GIS/Mapping
- Water Use Reporting

Fax: 503-986-0902

WATER RIGHTS *of use.*

- Water Rights Information
- Adjudications
- Hydroelectric
- Certificates / Final Proofs
- Hearings / Contested Cases

Fax: 503-986-0901

Fax: 503-986-0903 or
503-986-0904

Dorothy Pedersen

From: Dorothy Pedersen
Sent: Thursday, May 03, 2007 4:18 PM
To: 'jnewton@newtonconsultants.com'
Subject: RE: T-10301

Jim,

Sorry for the delay in getting back to you.

I looked at the T-10301 application and map and it appears to me that we do have enough information to be able to issue the DPD, but should indicate that a map meeting the requirements must be submitted prior to approval of the transfer. Even though the map labels for acreage are not the way we commonly see them, I think they do work, upon closer examination of the "from" and "to" statements within the quarter quarters. See comments below.

Dorothy

Dorothy Pedersen
 (503) 986-0890

-----Original Message-----

From: jnewton@newtonconsultants.com [mailto:jnewton@newtonconsultants.com]
Sent: Thursday, May 03, 2007 11:28 AM
To: Dorothy Pedersen
Subject: T-10301

Hi Dorothy,

I left you a voicemail on 5/2 to ask you a few questions about the T-10301 transfer request.

The problems we have with the transfer are mostly related to the map and would like to know if you would prefer us to submit a deficiency letter requesting a new/corrected map, or, issue a draft transfer subsequent of receiving a new map prior to final issuance. **Issue the draft PD.**

The main problems with the map are:

-the stamp is not signed by the CWRE; **We need to ask for a signed, copy of the finalized map.**

-the from or to lands are not clearly indicated; **"From" lands are in the darker hatching pattern; "to" lands in the lighter patterns.**

-the acres per 1/4 1/4 are not indicated in the from and to areas; **Yes they are, if we closely read the statements written within the mapped area.**

-the 1/4 1/4 are not called out, and there is only a single indicator of the actual section; **Quarter quarters are labeled, and it appears they are outlined with a combination of fine solid and dashed line patterns. It would be clearer if one type of line could be used for all the section division lines and another type of line for the tax lot lines.**

-the scale is not the recommended scale of 1:400 or 1:1320 (the map is 1:300). **They need to either use one of the standard scales or request approval of an alternate scale in advance of submitting the revised map. It appears that the print that was submitted is not true to the stated scale. If the true-to-scale revised map is larger than 8 1/2" x 14" they will need to submit 3 copies and a digital "pdf" file.**

The other issue with the transfer application is they refer to a previous temporary transfer that expired in 2005 as the basis and would like to make that transfer permanent...the problem with that is the temporary was for 6.65 acres, the new is for 7.24 acres. There probably should not be any reference to the previous temporary transfer. **You are correct. Each transfer application stands on its own. There is not a way to automatically convert a temporary transfer to a**

5/3/2007

permanent one, even if all the acres did match. So, information about the previous transfer is just background information, but not really relevant to the current transfer.

Let me know what you consider the best way to handle the map deficiencies and I can get the associated deliverables out a.s.a.p. You can draft the DPD to approve, but indicate in the cover letter the need to submit a revised map that meets all the OAR 690-380-3100 standards before the transfer will actually be approved.

Best Regards,
~Jim

James B. Newton
Senior Staff Geologist, GIT
Newton Consultants, Inc.
(541) 504-9960 x235
jnewton@newtonconsultants.com

Dorothy Pedersen

From: Dorothy Pedersen
Sent: Tuesday, April 24, 2007 9:44 AM
To: 'jnewton@newtonconsultants.com'
Subject: T-10301 ODFW review

Attachments: 10301-odfw-rev.pdf



10301-odfw-rev.pdf
f (141 KB)

Hi Jim,

Attached is the ODFW review for you to add to the T-10301 file. I believe you already have the watermaster review, but let me know if you don't have it.

Thanks,
Dorothy

Dorothy I. Pedersen
Field Services Division
Oregon Water Resources Department
Dorothy.I.PEDERSEN@wrд.state.or.us
503-986-0890

Dorothy Pedersen

From: Dorothy Pedersen [Dorothy.I.PEDERSEN@wrд.state.or.us]
Sent: Thursday, March 08, 2007 3:30 PM
To: 'jnewton@newtonconsultants.com'
Subject: Watermaster Review for T-10301 (Confederated Tribes of the Grand Ronde Community)

Attachments: 10301-wm-rev.pdf



10301-wm-rev.pdf
(25 KB)

Hi Jim,

Attached is the watermaster review for T-10301. Please forward it to however you have working on that project.

Thank you,
Dorothy

Dorothy I. Pedersen
Field Services Division
Oregon Water Resources Department
Dorothy.I.PEDERSEN@wrд.state.or.us
503-986-0890

**Reimbursement Authority Process
Itemized Estimate Sheet
for
Water Rights Transfer**

Application Number T-10301
Name of Applicant: Confederated Tribes of the Grand Ronde Community

Proposed Timeline

2/6/07	Public Notice (start of 30-day comment period).
3/19/07	Completion of draft preliminary determination--1 week after contracts signed and removal of deficiencies, but not before the end of the Public Notice comment period and receipt of all agency reviews (Watermaster, groundwater and ODFW as applicable).
4/24/07	Deadline for applicant review of draft preliminary determination--30 days or more after draft PD mailed to applicant, depending on issues to be resolved.
5 days after receipt of DPD comments	Completion of contract work: Submittal of PD cover letter, PD public notice (and remaining rights certificates if applicable)--within 5 business days after comments received from applicant that the draft is satisfactory, or after the end of the period for applicant to comment on draft PD and remedy deficiencies.

*For purposes of water right transfers, all deliverables must be in **Microsoft Word** except remaining right certificates for which electronic copies of the existing certificates are currently available in WordPerfect.*

Estimate

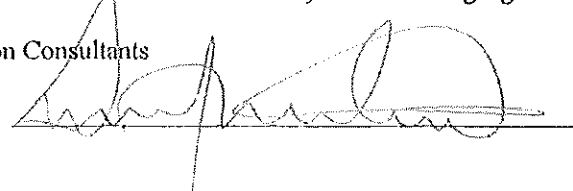
	Item	Time
1	Review of application for completeness.	1.0
2	Review of "From" lands to confirm consistency with existing right(s) and ownership.	2.0
3	Review of "To" lands for conflicts and preparation of draft deficiency letter (if necessary).	2.5
4	Preparation of draft preliminary determination, DPD cover letter and contact list.	2.0
5	Preparation of PD public notice, PD cover letter (and remaining right certificate(s) if necessary), and processing documentation.	3.0
Total Estimated Time:		10.5

(Indicate the estimated amount of time, in ½ hour increments, needed to complete each item listed.)

Prior to preparing an estimate, contact Department staff if work could not be performed consistent with the proposed timeline. In developing the estimate, review the transfer application, transfer map, existing certificate, and final proof map. Pay particular attention to the clarity of the existing rights and the complexity of the request.

Name of Consultant: Newton Consultants

Authorized Representative: _____



Date: _____

02/22/07

Dorothy Pedersen

From: Dorothy Pedersen [Dorothy.I.PEDERSEN@wrд.state.or.us]
Sent: Monday, February 05, 2007 5:14 PM
To: 'David Newton'; 'jnewton@newtonconsultants.com'
Cc: 'Tom Calabrese'; 'nanciesmith@h2ogeo.com'
Subject: T-10301 file packet

Attachments: 10301-dpd template.doc; RR_sw_permit.dot; DPD_cov_approve.dot; DPD_cov_reject.dot; PD_cov_fav_nni.dot; PD_cov_unfav_nni.dot; PD_notice.dot; DeficLet.dot



10301-dpd
mplate.doc (99 KB).



RR_sw_permit.dot
(30 KB)



DPD_cov_approve.
dot (27 KB)



DPD_cov_reject.do
t (28 KB)



PD_cov_fav_nni.do
t (30 KB)



PD_cov_unfav_nni.
dot (30 KB)



PD_notice.dot (29
KB)



DeficLet.dot (27
KB)

Hi David,

A file packet for T-10301 (Confederated Tribes of the Grand Ronde Community) is being sent out to you for estimate.

Attached are templates for your use in the project, assuming you are issued a work order. You'll notice that the DPD template looks quite different from the earlier generation of templates. It has placeholders and links to supplemental language that may be helpful in certain instances. To access the additional information, press "control" and click on the link. In general, if the placeholder relates to an issue that does not apply to your transfer, just delete it. If you have questions, just give me a call or an email.

Thank you,

Dorothy

Dorothy I. Pedersen
Field Services Division
Oregon Water Resources Department
Dorothy.I.PEDERSEN@wrд.state.or.us
503-986-0890

Shipping Checklist for Reimbursement Authority File

File T- 10301 Applicant: Confederated Tribes of the Grand Ronde Community

Agent/Contact: Eric Scott

Ship to Contractor: Newton Consultants

Items included:

- Copy of front of file folder
- Reimbursement Authority Estimate Application
- Transfer Application form
- Transfer map - *need to submit a signed original*
- Evidence of use affidavit
- Supporting documentation for evidence of use - *none submitted - need to request*
- Land-use Information form
- Lot book report (or deed if instream or temporary transfer, or application received before 7/1/03) - *need to request in DPD cover letter*
- Certificate or copy of decree for each right to be transferred
- Final Proof map or decree map for each right to be transferred
- Well logs (if change in POA, SW POD-to-GW POA change)
- Watermaster review (all transfers) *> will send later - ODFW may not comment unless they determine injury would occur from change in return flows*
- ODFW review (if change in POD)
- GW review (if Δ POA, or POD-to-POA change)
- _____
- Final Deliverable cover sheet
- Itemized Estimate sheet for contractor

Additional things to check:

- All regular application processing fees paid
- Reimbursement Authority \$125 fee paid for preparing estimate
- Date of WRD initial Public Notice 2/6/07

Number of sheets copied 24

File contents copied by D. Sroth Date 2/5/07

**Reimbursement Authority
Final Deliverables Cover Sheet
for
Transfers**

Transfer # T-10301

Applicant: Confederated Tribes of the Grande Ronde Community

The following items have been submitted electronically*:

- Contact List
- Draft Preliminary Determination (DPD)
- DPD Cover Letter
- PD Notice
- PD Cover Letter
- Remaining Right Certificates (one for each right that is not entirely affected by the transfer)

***NOTE:** Transfer documents should be submitted in MS Word format preferably, or "rich text" format.

The following items are enclosed:

- Marked copy of transfer application
- (for POU changes) Plat Card Report marked to indicate any other rights on the "From" lands
- (for POU changes) Plat Card Report marked to indicate rights overlapping proposed POU
- Notes or sketches, maps, etc. from evaluation of changes, injury evaluation, etc. that will help document what was considered in reaching the findings and determination in the Preliminary Determination.
- Copies of each certificate that is only partially included in the transfer, marked as needed to show what portion of the right is being affected, and what remains unchanged.

- Signature of Contractor: _____ Date: _____

For WRD use only:

WRD approval by: _____ Date: _____

**Reimbursement Authority Process
Itemized Estimate Sheet
for
Water Rights Transfer**

Application Number T-10301

Name of Applicant: Confederated Tribes of the Grand Ronde Community

Proposed Timeline

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3/19/07	Completion of draft preliminary determination--1 week after contracts signed and removal of deficiencies, but not before the end of the Public Notice comment period and receipt of all agency reviews (Watermaster, groundwater and ODFW as applicable).
4/24/07	Deadline for applicant review of draft preliminary determination--30 days or more after draft PD mailed to applicant, depending on issues to be resolved.
5 days after receipt of DPD comments	Completion of contract work: Submittal of PD cover letter, PD public notice (and remaining rights certificates if applicable)--within 5 business days after comments received from applicant that the draft is satisfactory, or after the end of the period for applicant to comment on draft PD and remedy deficiencies.

For purposes of water right transfers, all deliverables must be in Microsoft Word except remaining right certificates for which electronic copies of the existing certificates are currently available in WordPerfect.

Estimate

	Item	Time
1	Review of application for completeness.	
2	Review of "From" lands to confirm consistency with existing right(s) and ownership.	
3	Review of "To" lands for conflicts and preparation of draft deficiency letter (if necessary).	
4	Preparation of draft preliminary determination, DPD cover letter and contact list.	
5	Preparation of PD public notice, PD cover letter (and remaining right certificate(s) if necessary), and processing documentation.	
Total Estimated Time:		

(Indicate the estimated amount of time, in ½ hour increments, needed to complete each item listed.)

Prior to preparing an estimate, contact Department staff if work could not be performed consistent with the proposed timeline. In developing the estimate, review the transfer application, transfer map, existing certificate, and final proof map. Pay particular attention to the clarity of the existing rights and the complexity of the request.

Name of Consultant: Newton Consultants

Authorized Representative: _____

Date: _____

**WATER RESOURCES DEPARTMENT
REIMBURSEMENT AUTHORITY ESTIMATE APPLICATION**

House Bill 2551(2003 Oregon Laws) authorizes the Oregon Water Resources Department to expedite or enhance regulatory processes voluntarily requested under the agreement. The voluntary agreement can be entered into with any person requesting services and agreeing to pay the Department's costs of providing the service.

The Department has established a pool of qualified contractors to perform expedited services for water right transfers, water right permits extensions, and water right certificates.

The purpose of this application is to obtain an estimate from the next qualified contractor in the appropriate pool. There is a non-refundable application fee of \$125.00 per request. The contractor will provide an estimate of the cost and of the time required to process and develop a recommendation on the request of a: *(check one)*:

<u>REQUEST</u>	<u>TYPE</u>	<u>FILE NUMBER</u>
<input type="checkbox"/>	Transfer Application	T 10301
<input type="checkbox"/>	Certificate Request	_____
<input type="checkbox"/>	Extension of Time Request	_____

<u>Applicant Information</u>		<u>Applicant's Representative/Contact</u>
Name: (Please Print)	CONFEDERATED TRIBES OF GRAND RONDE	ERIC F. SCOTT TRIBAL ENGINEER
Address:	9615 GRAND RONDE RD. GRAND RONDE, OR 97347	SAME
Phone:	.	503-879-2404
Fax		503-879-1372
E-Mail Address:		eric.scott@grandronde.org

I understand the following:

- There is a non-refundable application fee of \$125.00 per request.
- That upon receipt of my non-refundable application fee in the amount of **\$ 125.00**, OWRD will assign my request to the next contractor in the pool of contractors performing expedited services.
- That this fee covers the copying, the mailing cost, as well as the cost for the contractor to evaluate and provide the estimate for processing of the request.
- That OWRD will provide all pertinent information to the assigned contractor within three (3) business days.
- That OWRD will, within fourteen (14) days, notify me in writing of the estimates of costs and time frame for the expedited service.
- That upon receiving the estimates I may agree or decline to enter into a formal contract to pay the estimated cost in advance to initiate the expedited service.
- An incomplete or inaccurate application may delay the process and increase the cost to process my request.
- Expedited processing does not guarantee a favorable review of my request.
- Send completed Application and payment to:

**OWRD – Reimbursement Authority Program
725 Summer St. NE, Suite A
Salem, OR 97301-1266.**

I certify that I am the *(check one)* Applicant Applicant's Representative Other *(Please specify)* _____

Signature:  Name: ERIC F. SCOTT

OWRD USE ONLY

Contractor Assigned: <u>Newton</u>	Total Amount Paid: \$ _____
OWRD Approval: _____	

RECEIVED

Revised: 6/21/2004
JAN 29 2007

**WATER RESOURCES DEPT
SALEM, OREGON**



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

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

June 6, 2007

Confederated Tribes of the Grand Ronde Community of Oregon
Attention: Eric Scott
9615 Grand Ronde Rd.
Grand Ronde, OR 97347-9712

SUBJECT: Application T-10301

Enclosed find a draft of our Preliminary Determination regarding transfer application T-10301. The draft Preliminary Determination reflects the Department's conclusion that, based on the information currently available, the transfer will be approved, **provided documentation of beneficial use of the right under the terms and conditions of the certificate (such as dated aerial photographs, dedicated power usage records or receipts, etc.) and a map meeting the current OAR 690-380-3100 standards are submitted.** The map included with your application appears to be an unsigned copy of the map, not printed to scale. In addition, to meet the criteria:

1. The map needs to be drawn to one of the standard scales (1" to 400' or 1" to 1320'), or you need to request advance written or email approval of an alternate scale.
2. The map needs to be printed true-to-scale, stamped by a CWRE and signed with an original signature.
3. If the map is larger than 8½" by 14" you will need to submit 3 hard copies and an electronic file in pdf format.

This draft is intended to provide you with an opportunity to comment on our findings and conclusions should you wish to do so. Please review the draft carefully to evaluate whether the document is consistent with your intent in seeking the transfer, and whether you agree with the proposed action.

At this time, you must submit a report of ownership and lien information prepared by a title company within the last three months, as required by OAR 690-380-4010(5). If there are additional lienholders identified in the report that have not previously been notified of the transfer, you must send notice of the transfer to them, and submit copies of each such notice to the Department to document that each lienholder has been informed of the transfer.

Issuance of the Preliminary Determination will occur shortly after we receive both your response to the draft, the revised map, documentation of use and the report of ownership and lien information. You may provide your response in writing or via e-mail.

Please do not hesitate to contact me at 503-986-0890 or Dorothy.I.Pedersen@wrđ.state.or.us if you have questions.

Sincerely,

Dorothy I. Pedersen

Dorothy I. Pedersen
Field Services Division

cc: Mike McCord, District 16 Watermaster
Leonard Rydell, CWRE #116

enc

Received 6/19/07

7/15/07

7/4/07

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

In the Matter of Transfer Application)
T-10301, Polk, Yamhill County)

D R A F T

PRELIMINARY DETERMINATION
PROPOSING APPROVAL OF A
CHANGE IN PLACE OF USE

Authority

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

ERIC SCOTT
9615 GRAND RONDE RD
GRAND RONDE OR 97347-9712

Findings of Fact

Background

1. On January 29, 2007, Eric Scott filed an application to change the place of use under Certificate 30833. The Department assigned the application number T-10301.
2. The portion of the right to be transferred is as follows:

Certificate: 30833 in the name of LESTER MAHURIN (perfected under Permit S-26036)

Use: IRRIGATION of 7.24 ACRES

Priority Date: MARCH 9, 1959

Rate: 0.09 CUBIC FOOT PER SECOND

Limit/Duty: ONE-EIGHTIETH cfs per acre, not to exceed 2.5 acre-feet per acre per year

Source: SOUTH YAMHILL RIVER, tributary to YAMHILL RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
6 S	8 W	WM	1	SW SW	NONE SPECIFIED ON CERTIFICATE

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
6 S	8 W	WM	1	SW SW	4.42

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
6 S	8 W	WM	1	SE SW	2.82

3. Application T-10301 proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
6 S	8 W	W.M.	1	SE SW	3.31
6 S	8 W	W.M.	1	NE SW	3.60
6 S	8 W	W.M.	1	NW SW	0.33

4. Notice of the application for transfer was published on February 6, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice, however the Oregon Department of Fish and Wildlife did indicate that no change to fish screening or bypass devices is currently needed at the point of diversion.
5. The transfer application did not include a map meeting current mapping standards, or the standards which were in effect at the time the application was filed, being OAR 690-380-3100.

Transfer Review Criteria [OAR 690-380-4010(2)]

6. Water has been used within the last five years according to the terms and conditions of the rights, and there is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
7. A diversion structure and ditch sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Application T-10301.
8. The proposed change would not result in enlargement of the right.
9. The proposed change would not result in injury to other water rights.

Determination and Proposed Action

The changes in place of use proposed in application T-10301 appear to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If application T-10301 is approved, the final order will include the following:

1. *The changes in place of use proposed in application T-10301 are approved.*
2. *Water right certificate 30833 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.*

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 Certificate 30833 and any related decree.*
4. *The former place of use of the transferred right shall no longer receive water under the right.*
5. *Prior to diverting water, the water user shall install 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 measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department. The water user shall maintain and operate the measuring device as required by the Department.*
6. *The approved changes shall be completed and full beneficial use of the water shall be made on or before October 1, 2008. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*
7. *When satisfactory proof of the completed changes is received, a new certificate confirming the right transferred will be issued.*

Dated at Salem, Oregon this _____ day of _____, 2007.

D R A F T

Phillip C. Ward, Director

This draft Preliminary Determination was prepared by a Reimbursement Authority contractor. If you have questions about the information in this document, you may reach Dorothy Pedersen at 503-986-0890 or Dorothy.I.Pedersen@wrdd.state.or.us.



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

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

February 1, 2007

ERIC SCOTT
CONF. TRIBES OF GRAND RONDE COMM.
9615 GRAND RONDE RD
GRAND RONDE OR 97347-9712

Reference: Transfer 10301

On January 29, 2007 we received your water right transfer application requesting a change in place of use for water from SOUTH YAMHILL RIVER, tributary to YAMHILL RIVER. The application was accompanied by \$350. Our receipt 86031 is enclosed.

By copy of this letter, we are asking the Watermaster for his report regarding the potential for injury to existing water rights which may be caused by the change.

Your application will be examined to determine if additional information is needed. You will be contacted following this examination.

Except as provided under ORS 540.510(3) for municipalities, you may not use water for the new use, in the new place of use or from the new point of diversion until the transfer application has been approved. In order to avoid any possible forfeiture of the water right, you should continue to use the water as described by your existing water right. If the land is sold before the transfer is approved, the buyer's consent to the transfer will be required unless a recorded deed or other legal document clearly established that the water right was not conveyed in the sale.

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

If you have any questions, please call the Transfer Section, (503)986-0883.

cc: Watermaster #16
Leonard Rydell, CWRE
Danette Ehlers, ODFW

enclosure



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

725 Summer Street NE, Suite A

Salem, OR 97301-1271

503-986-0900

FAX 503-986-0904

**Notice of Application for
Water Right Transfer, Temporary Transfer, or Permit Amendment
02/06/2007**

The Department seeks comment on the recently-filed application listed below. Any person may comment on the application. Comments must be received by the Department within 30 days of the date of this notice.

County: POLK/YAMHILL
Transfer: 10301
Water Right: CERT 30833
Priority Date: 03/09/1959
Name: CONFEDERATED TRIBES OF GRAND RONDE COMMUNITY
Address: 9615 GRANDE RONDE RD; GRAND RONDE OR 97347
Change: POU
Source: SOUTH YAMHILL RIVER
Authorized POU: T6S R8W 1
Proposed POU: T6S R8W 1

The holder of a water right may apply to permanently change an existing water use subject to transfer. A transfer application may involve any of the following changes: Point of diversion or appropriation (POD; POA); Additional point of diversion or appropriation (APOD; APOA); Historic POD (HIST); Place of use (POU); Character of use (USE); Instream (ISWR); Substitution (SUB); or Exchange (EXCH).

The holder of a water right subject to transfer may request to temporarily change the place of use of the water for up to 5 years and, if necessary to convey the water, to temporarily change the point of diversion or appropriation.

The holder of a water right permit may apply to change a point of diversion (POD) or appropriation (POA) or to change the place of use (POU).

Any person who provides comments within the comment period will receive a copy of the Department's preliminary determination of whether the application should be approved or rejected after the Department has completed a review of the application and will be provided an opportunity to protest the application and preliminary determination at that time. The Director may presume that the transfer would be allowed by, and compatible with comprehensive plans unless an affected local government informs the Director otherwise within 30 days of this notice. Comments should be sent to the Transfers Section at the Department's Salem office.

TRANSFER CHECK OFF LIST

TRANSFER FILE # 10301
DATE RECEIVED 1-29-07
DATE MONEY SLIPPED 1-29-07
DATE RECEIPTED 1-29-07
VALID WATER RIGHT? Yes No
TEMP ALT AC _____ **IRR DIST** _____ **PERM AMEND** _____ **DIV 15**
TEMP Div 15 _____ **ISWR** _____
LETTER FROM ATTORNEY _____ **YES (PUT INFO ON FRONT COVER)** **NO**
FOLDER FILLED OUT* yes
ENTERED IN DB yes
CONTENTS MARKED yes
COLOR CODED Yes
4 COPIES MADE & STAMPED yes
CERTIFICATE MARKED yes
CERTIFICATE COPIED yes
PULL APPLICATIONS yes
APP FOLDER MARKED yes
FINAL PROOF MAP COPIED yes
PERMIT MARKED no
PERMIT COPIED _____
PERMIT MAP COPIED _____
DECRB MARKED _____
DECRB COPIED _____
ADJUDICATION MAP COPIED _____
ENTRIES CHECKED _____ **CHECKED BY** _____ **INIT FOLDER** _____
PUBLIC NOTICE DATE 2-6-07 (PREPARED & COPIED) yes
LETTER SENT yes Irrigation District no (copy of app & map)
COPY TO WM yes
BLUE FORM TO WM yes Orange Perm Amend/Yellow Temp/Gru Dist/Lav Alt Acr/pink his
COPY TO GW no POA, APOA, or [SW TO GW ONLY(as POD)]
BLUE FORM TO GW no Orange Perm Amend/Yellow Temp/Gru Dist/Lav Alt Acr/pink his
COPY TO CWRE yes
LETTER TO ODFW yes ALL Surface water POU/USE (POD and APOD FISH SCREENS)
TRANSFER SENT TO: Dorothy SW --- NCR --- SCR --- ER

SHRINK DATA IF THERE ARE MANY FILES INVOLVED AND GLUE TO FOLDER

Water Rights Platcard Report

Meridian: WILLAMETTE Township: 6 South Range: 8 West Section: 1 Records per Page: 10

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): Q(160):	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	Unkown QQ
Select Permit:S 41436 * <u>Additional Info:</u> GRAND RONDE DOMESTIC WATER ASSOCIATION App: S52769 Permit: S41436		2/10/1975	DOMESTIC AND LIVESTOCK					*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	
Select Cert:46749 OR * <u>Additional Info:</u> VERNA R LARSEN App: S53057 Permit: S40038 Cert: 46749		4/29/1975	DOMESTIC INCLUDING LAWN AND GARDEN								*													
Select Permit:S 38499 CN <u>Additional Info:</u> GLEN HENRY App: S51006 Permit: S38499		7/31/1973	IRRIGATION CN																				19.4	
Select Permit:S 38499 CN <u>Additional Info:</u> GLEN HENRY App: S51006 Permit: S38499		7/31/1973	IRRIGATION CN																				19	
Select Cert:16854 OR * <u>Additional Info:</u> HAROLD S FAIRBROTHER App: S18532 Permit: S14171 Cert: 16854		1/16/1940	IRRIGATION									3.6												
Select Cert:16980 OR * <u>Additional Info:</u> JOHN H SMITH		9/19/1947	IRRIGATION									13.6		2.4										

Water Rights Platcard Report

Meridian: WILLAMETTE Township: 6 South Range: 8 West Section: 1 Records per Page: 10

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): NE NW SW SE NE NW SW SE NE NW SW SE NE NW SW SE	Q(160): NE NE NE NE NW NW NW NW SW SW SW SW SE SE SE SE										
Select App:P 77498 * Additional Info: JOHN A WILLIAMS App: P77498		12/30/1994	LIVESTOCK															*
Select App:P 78198 * Additional Info: JOHN MEYER App: P78198		12/29/1994	LIVESTOCK															
Select Permit:S 38499 CN Additional Info: GLEN HENRY App: S51006 Permit: S38499		7/31/1973	LIVESTOCK CN															*
Select Cert:63302 OR * Additional Info: ELMER O POND App: S63024 Permit: S46803 Cert: 63302		11/5/1981	LIVESTOCK			4												*
Select Permit:S 41437 * Additional Info: GRAND RONDE DOMESTIC WATER ASSOCIATION App: S52770 Permit: S41437		2/10/1975	QUASI-MUNICIPAL USES															*
Select Cert:68530 CF * Additional Info: GRAND RONDE COMMUNITY WATER ASSOCIATION App: S20041 Permit: S15608 Cert: 68530		9/22/1943	QUASI-MUNICIPAL USES															*

ok
ok

Select **App:G 16000 DN**

Additional Info:
SPIRIT MOUNTAIN WATER LLC
App: G16000

5/1/2003 QUASI-MUNICIPAL USES **DN**

Select **Permit:S 53832 ***

Additional Info:
ERIC SCOTT
App: S85070
Permit: S53832

3/7/2002 QUASI-MUNICIPAL USES

Select **Cert:82986 CF ***

Additional Info:
CONFEDERATED TRIBES OF GRAND RONDE COMMUNITY OF OR
App: S13797
Permit: S9913
Cert: 82986

10/24/1930 QUASI-MUNICIPAL USES

Select **Cert:82987 CF ***

Additional Info:
CONFEDERATED TRIBES OF GRAND RONDE COMMUNITY OF OR
App: S22562
Permit: S17821
Cert: 82987

5/23/1947 QUASI-MUNICIPAL USES

OL

*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*

1 2 3

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

Water Rights Platcard Report

Meridian: WILLAMETTE Township: 6 South Range: 8 West Section: 1 Records per Page: 10

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40):	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Un
							Q(160):	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	
<p><u>Select</u> Cert:82988 CF *</p> <p><u>Additional Info:</u> CONFEDERATED TRIBES OF GRAND RONDE COMMUNITY OF OR App: S16940 Permit: S12689 Cert: 82988</p>		6/15/1937	QUASI-MUNICIPAL USES					*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
<p><u>Select</u> Cert:82989 CF *</p> <p><u>Additional Info:</u> CONFEDERATED TRIBES OF GRAND RONDE COMMUNITY OF OR App: S13686 Permit: S9838 Cert: 82989</p>		8/23/1930	QUASI-MUNICIPAL USES					*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*

1 2 3

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

ORIGINALS

Transfer Application and Map

Amendments/Revisions to Appl & Map

Receipt

Deed or Lot Book Report

Notarized Consent

Evidence of Use Affidavit

Land Use Information Form

Lien Holder Notification *(if applicable)*

Report of Ownership and Lien Info *(if applicable)*

&

Other Supporting Documentation



The Confederated Tribes of the Grand Ronde Community of Oregon

Engineering and Community Development
Phone (503) 879-2442
1-800-422-0232
Fax (503) 879-2482

9615 Grand Ronde Rd.
Grand Ronde, OR 97347

July 6, 2007

Dorothy I. Pedersen, Transfer Specialist
Oregon Water Resources Department
North Mall Office Building
725 Summer Street, NE, Suite A
Salem, Oregon 97301-1266

Re: T-10301

Dorothy

Enclosed are updated Title reports for the subject properties.
Please contact me with any further questions.

Sincerely,

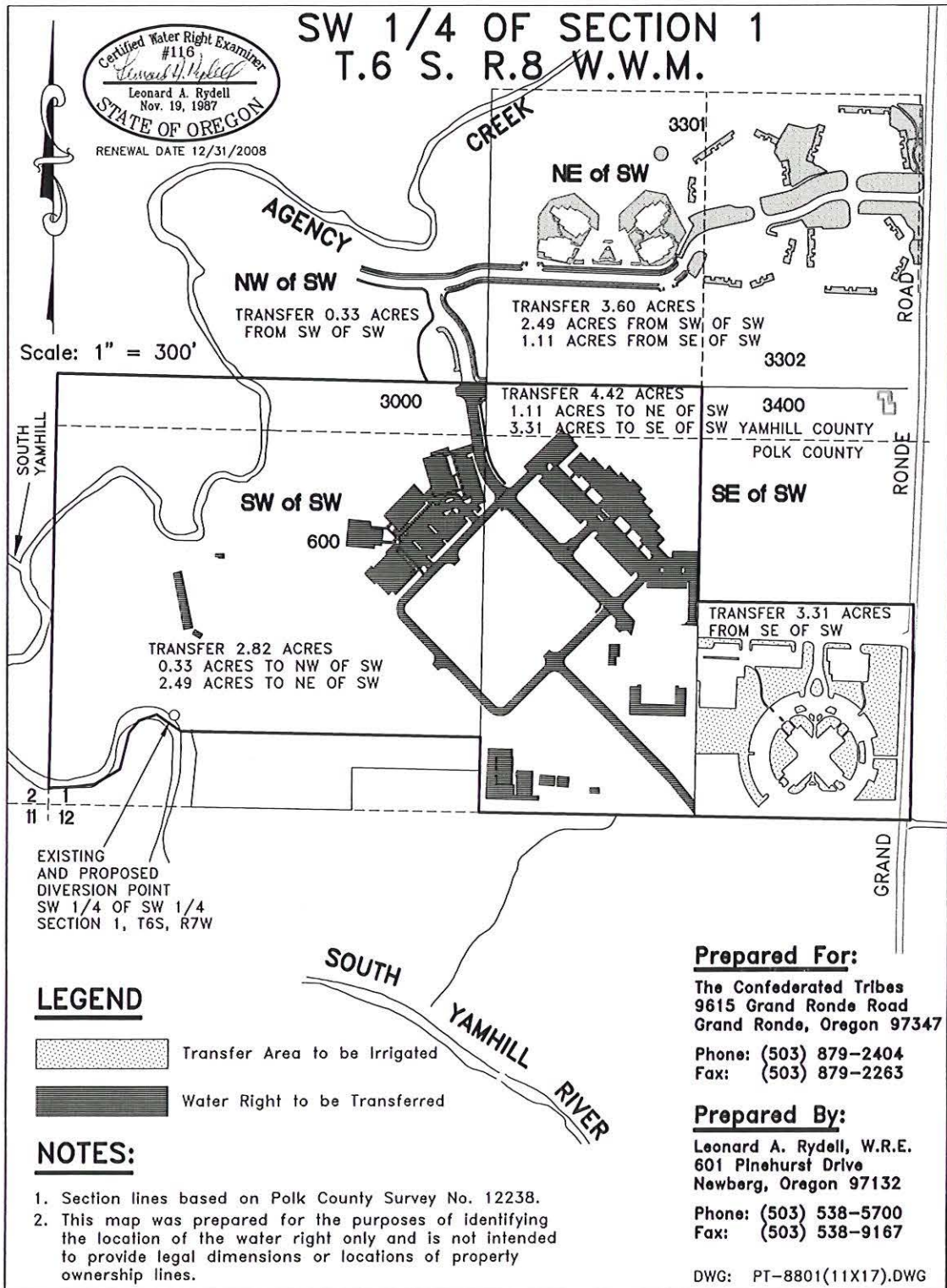
Confederated Tribes of Grand Ronde

Eric F. Scott, PE
Tribal Engineer

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JUL 06 2007
WATER RESOURCES DEPT
SALEM, OREGON

Certified Water Right Examiner
 #116
Leonard A. Rydell
 Leonard A. Rydell
 Nov. 19, 1987
 STATE OF OREGON
 RENEWAL DATE 12/31/2008

SW 1/4 OF SECTION 1
 T.6 S. R.8 W.W.M.



LEGEND

-  Transfer Area to be Irrigated
-  Water Right to be Transferred

NOTES:

1. Section lines based on Polk County Survey No. 12238.
2. This map was prepared for the purposes of identifying the location of the water right only and is not intended to provide legal dimensions or locations of property ownership lines.

Prepared For:

The Confederated Tribes
 9615 Grand Ronde Road
 Grand Ronde, Oregon 97347

Phone: (503) 879-2404
 Fax: (503) 879-2263

Prepared By:

Leonard A. Rydell, W.R.E.
 601 Pinehurst Drive
 Newberg, Oregon 97132

Phone: (503) 538-5700
 Fax: (503) 538-9167

DWG: PT-8801(11X17).DWG

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JUL 06 2007

WATER RESOURCES DEPT
 SALEM, OREGON



First American

First American Title Insurance Company of Oregon
775 NE Evans Street PO Box 1239
McMinnville, OR 97128
Phn - (503)472-4627
Fax - (866)800-7294

YAMHILL COUNTY TITLE UNIT
FAX (866)800-7294

Title Officer: **Patricia Carroll**
(503)472-4627

LOT BOOK SERVICE

The Confederated Tribes of Grand Ronde
9615 Grand Ronde Rd.
Grand Ronde, OR 97347

Order No.: 1039-1058637
June 07, 2007

Attn: Jan Michael Reibach
Phone No.: (503)879-2394 - Fax No.: (503)879-1353
Email: jan.reibach@grandronde.org

Re:

Fee: \$200.00

We have searched our Tract Indices as to the following described property:

The land referred to in this report is described in Exhibit A attached hereto.

and as of June 6, 2007 at 8:00 a.m.

We find that the last deed of record runs to

The United States of America in trust for the Confederated Tribes of the Grand Ronde Community of Oregon

We also find the following apparent encumbrances within ten (10) years prior to the effective date hereof:

1. Taxes for the current fiscal year are reduced by reason of ORS 307.180 Property of Indians (Federal) Exemption. If the exempt status is terminated under the statute prior to July 1, said property will be taxed at 100% of the assessed value.
2. The assessment roll and the tax roll disclose that the within described premises were specially zoned or classified for Farm use. If the land has become or becomes disqualified for such use under the statute, an additional tax or penalty may be imposed.
3. Rights of the public and of governmental bodies in and to that portion of the premises herein described lying below the high water mark of Agency Creek.

First American Title

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JUL 06 2007
WATER RESOURCES DEPT
SALEM, OREGON

- 4. Governmental rights in connection with flood control and propagation of anadromous fish and public rights of fishing and recreational navigation in and to the water, bed and shoreline of the Agency Creek.
- 5. We find no apparent means of ingress or egress to a public road.

We have also searched our General Index for Judgments and State and Federal Liens against the Grantee(s) named above and find:

NONE

We also find the following unpaid taxes and city liens: NONE

NOTE: Taxes for the year 2006-2007 EXEMPT

Tax Amount: \$0.00
Map No.: R6801-03000
Property ID: 245041
Tax Code No.: 30.3

THIS IS NOT a title report since no examination has been made of the title to the above described property. Our search for apparent encumbrances was limited to our Tract Indices, and therefore above listings do not include additional matters which might have been disclosed by an examination of the record title. We assume no liability in connection with this Lot Book Service and will not be responsible for errors or omissions therein. The charge for this service will not include supplemental reports, rechecks or other services.

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JUL 06 2007 JUL 06 2007
WATER RESOURCES DEPT WATER RESOURCES DEPT
SALEM, OREGON SALEM, OREGON

Exhibit "A"

Real property in the County of Yamhill, State of Oregon, described as follows:

All that portion of the following described property lying within Yamhill County, Oregon, to-wit:

A portion of the Southwest one-quarter of the Southwest one-quarter and the West One-Half of the Southeast One-quarter of the Southwest one-quarter of Section 1 in Township 6 South, Range 8 West of the Willamette Meridian in Polk County and Yamhill County, Oregon which is described as follows:

Beginning at an iron rod at the South One-Sixteenth corner common to Sections 1 and 2 in Township 6 South, Range 8 West of the Willamette Meridian in Yamhill County, Oregon; thence South 89° 30' 48" East 1323.84 feet to an iron rod at the Northeast corner of the Southwest one-quarter of the Southwest one-quarter of said Section 1; thence South 89° 59' 35" East, 659.82 feet to an iron rod at the Northeast corner of the West one-half of the Southeast one-quarter of the Southwest one-quarter of said Section 1; thence South 00° 04' 53" East, 1317.37 feet to an iron rod at the Southeast corner of said West one-half of the Southeast one-quarter of the Southwest one-quarter of Section 1; thence North 89° 45' 25" West, 662.97 feet to an iron rod at the Southeast corner of the Southwest one-quarter of the Southwest one-quarter of Section 1; thence North 00° 03' 20" East along the East line of said Southwest one-quarter of the Southwest one-quarter of Section 1 a distance of 231.00 feet to an iron rod; thence North 89° 45' 25" West parallel with the South line of said Section 1 a distance of 824.16 feet to an iron rod and thence continuing North 89° 45' 25" West along the extension of the last mentioned courses a distance of 95.5 feet to a point in the center of the Yamhill River; thence proceeding Westerly along the center of said river the following courses: North 56° 53' 54" West, 91.60 feet; thence South 70° 45' 35" West, 59.21 feet; thence South 39° 34' 30" West, 48.59 feet; thence South 13° 28' 26" West, 114.84 feet; thence South 57° 56' 22" West, 89.25 feet; thence South 82° 20' 13" West, 66.27 feet; thence South 86° 37' 33" West, 75.49 feet to a point on the West line of said Section 1; thence leaving said river centerline and proceeding North 00° 10' 37" East, along said Section line a distance of 1270.26 feet to the point of beginning.

Tax Parcel Number: R6801-03000

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JUL 06 2007

**WATER RESOURCES DEPT
SALEM, OREGON**



First American

First American Title Insurance Company of Oregon

PO Box 451 Dallas, OR 97338

807 Main St, Dallas, OR 97338

Phn - (503)623-5513

Fax - (503)623-5074

POLK COUNTY TITLE UNIT

FAX (503)623-5074

Title Officer: **Larry A. Bick**

(503)623-5513

LOT BOOK SERVICE

Confederated Tribes of Grand Ronde
9615 Grand Ronde Rd
Grand Ronde, OR 97347

Order No.: 7129-1058647

June 08, 2007

Attn: Jan Michael Reibach
Phone No.: (503)879-2394 - Fax No.:
Email:

Re:

Fee: \$275.00

We have searched our Tract Indices as to the following described property:

The land referred to in this report is described in Exhibit A attached hereto.

and as of June 01, 2007 at 8:00 a.m.

We find that the last deed of record runs to

The United States of America, in Trust for the Confederated Tribes of the Grand Ronde Community of Oregon

We also find the following apparent encumbrances within ten (10) years prior to the effective date hereof:

1. Subject property is under public ownership and is tax exempt. Any change in ownership before delivery of assessment roll may result in tax liability. Account No. 286574.
2. Statutory powers and regulations, including levies, assessments, drainage rights and easements of Grand Ronde Sewer.
3. The assessment roll and the tax roll disclose that the within described premises were specially zoned or classified for Farm use. If the land has become or becomes disqualified for such use under the statute, an additional tax or penalty may be imposed.

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SALEM, OREGON**

NOTE: This Lot Book Report does not include a search for Financing Statements filed in the Office of the Secretary of State, or in a county other than the county wherein the premises are situated, and no liability is assumed if a Financing Statement is filed in the Office of the County Clerk covering crops on the premises wherein the lands are described other than by metes and bounds or under the rectangular survey system or by recorded lot and block.

4. Rights of the public and of governmental bodies in and to that portion of the premises herein described lying below the high water mark of Yamhill River.
5. Any adverse claim based upon the assertion that some portion of said land has been removed from or brought within the boundaries thereof by an avulsive movement of the Yamhill River or has been formed by the process of accretion or reliction or has been created by artificial means or has accreted to such portion so created.
6. The rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads and highways.
7. Easement, including terms and provisions contained therein:
Recording Information: April 07, 1980 in Book 148 and Page 192, Book of Records
In Favor of: Lester J. Mahurin
For: roadway and utilities
8. Easement, including terms and provisions contained therein:
Recording Information: May 29, 1980 in Book 149 and Page 510, Book of Records
For: roadways and utilities
9. Easement, including terms and provisions contained therein:
Recording Information: October 25, 1985 in Book 190 and Page 524, Book of Records
In Favor of: Grand Ronde Sanitary District, a political subdivision
10. Easement, including terms and provisions contained therein:
Recording Information: October 25, 1985 in Book 190 and Page 528, Book of Records
In Favor of: Grand Ronde Sanitary District, a political subdivision
11. Easement, including terms and provisions contained therein:
Recording Information: October 25, 1985 in Book 190 and Page 590, Book of Records
In Favor of: Grand Ronde Sanitary District, a political subdivision
For: sewer
12. Unrecorded leases or periodic tenancies, if any.

We have also searched our General Index for Judgments and State and Federal Liens against the Grantee(s) named above and find:

NONE

We also find the following unpaid taxes and city liens:

First American Title

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SALEM, OREGON**

THIS IS NOT a title report since no examination has been made of the title to the above described property. Our search for apparent encumbrances was limited to our Tract Indices, and therefore above listings do not include additional matters which might have been disclosed by an examination of the record title. We assume no liability in connection with this Lot Book Service and will not be responsible for errors or omissions therein. The charge for this service will not include supplemental reports, rechecks or other services.

Exhibit "A"

Real property in the County of Polk, State of Oregon, described as follows:

PARCEL I:

ALL THAT PORTION OF THE FOLLOWING DESCRIBED PROPERTY LYING WITHIN POLK COUNTY, OREGON, TO-WIT:

A PORTION OF THE SOUTHWEST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER AND THE WEST ONE-HALF OF THE SOUTHEAST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SECTION 1 IN TOWNSHIP 6 SOUTH, RANGE 8 WEST OF THE WILLAMETTE MERIDIAN IN POLK COUNTY AND YAMHILL COUNTY, OREGON WHICH IS DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON ROD AT THE SOUTH ONE-SIXTEENTH CORNER COMMON TO SECTIONS 1 AND 2 IN TOWNSHIP 6 SOUTH, RANGE 8 WEST OF THE WILLAMETTE MERIDIAN IN YAMHILL COUNTY, OREGON; THENCE SOUTH 89° 30' 48" EAST 1323.84 FEET TO AN IRON ROD AT THE NORTHEAST CORNER OF THE SOUTHWEST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 1; THENCE SOUTH 89° 59' 35" EAST, 659.82 FEET TO AN IRON AT THE NORTHEAST CORNER OF THE WEST ONE-HALF OF THE SOUTHEAST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 1; THENCE SOUTH 00° 04' 53" EAST, 1317.37 FEET TO AN IRON ROD AT THE SOUTHEAST CORNER OF SAID WEST ONE-HALF OF THE SOUTHEAST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SECTION 1; THENCE NORTH 89° 45' 25" WEST, 662.97 FEET TO AN IRON ROD AT THE SOUTHEAST CORNER OF THE SOUTHWEST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SECTION 1; THENCE NORTH 00° 03' 20" EAST ALONG THE EAST LINE OF SAID SOUTHEAST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SECTION 1 A DISTANCE OF 231.00 FEET TO AN IRON ROD; THENCE NORTH 89° 45' 25" WEST PARALLEL WITH THE SOUTH LINE OF SAID SECTION 1 A DISTANCE OF 824.16 FEET TO AN IRON ROD AND THENCE CONTINUING NORTH 89° 45' 25" WEST ALONG THE EXTENSION OF THE LAST MENTIONED COURSES A DISTANCE OF 95.5 FEET TO A POINT IN THE CENTER OF THE YAMHILL RIVER; THENCE PROCEEDING WESTERLY ALONG THE CENTER OF SAID RIVER THE FOLLOWING COURSES: NORTH 56° 53' 54" WEST, 91.60 FEET; THENCE SOUTH 70° 45' 35" WEST, 59.21 FEET; THENCE SOUTH 39° 34' 30" WEST, 48.59 FEET; THENCE SOUTH 13° 28' 26" WEST, 114.84 FEET; THENCE SOUTH 57° 56' 22" WEST, 89.25 FEET; THENCE SOUTH 82° 20' 13" WEST 66.27 FEET; THENCE SOUTH 86° 37' 33" WEST, 75.49 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 1; THENCE LEAVING SAID RIVER CENTERLINE AND PROCEEDING NORTH 00° 10' 37" EAST, ALONG SAID SECTION LINE A DISTANCE OF 1270.26 FEET TO THE POINT OF BEGINNING.

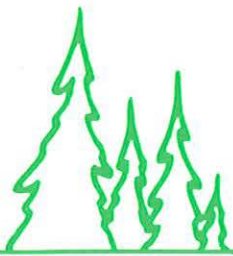
EXCEPTING THERE FROM ANY PORTION LYING WITHIN YAMHILL COUNTY.

PARCEL II:

THE SOUTH HALF OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 1, IN TOWNSHIP 6 SOUTH, RANGE 8 WEST OF THE WILLAMETTE MERIDIAN, POLK COUNTY, OREGON.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN GRAND RONDE ROAD.

Tax Parcel Number: 286574



LEONARD A. RYDELL, P.E., P.L.S., W.R.E. Consulting Civil Engineer - Land Surveyor

601 PINEHURST DRIVE, NEWBERG, OREGON 97132-1625

(503) 538-5700 FAX 538-9167

larydell@teleport.com

18 June 2007

Water Resources Department
North Mall Office Building
725 Summer Street N. E., Suite A
Salem, Oregon 97301-0900

Attn: Dorothy I. Pedersen

Re: Water Rights Transfer T-10301

Dear Dorothy,

Enclosed, for your information and use, please three signed paper copies of the signed Transfer Map for Water Rights Transfer T-10301.

I e-mailed a copy to you also, so you have an electronic copy.

I appreciated you review, and should you have any questions or need any additional information, please call or send an e-mail.

Thank you.

Sincerely yours,

Leonard A. Rydell, P.E., P.L.S., W.R.E.

LAR/lar

encl: as stated

cc: Eric Scott

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JUN 19 2007

WATER RESOURCES DEPT
SALEM, OREGON



The Confederated Tribes of the Grand Ronde Community of Oregon

Engineering and Community Development
Phone (503) 879-2442
1-800-422-0232
Fax (503) 879-2482

9615 Grand Ronde Rd.
Grand Ronde, OR 97347

January 24, 2007

Dorothy I. Pedersen, Transfer Specialist
Oregon Water Resources Department
North Mall Office Building
725 Summer Street, NE, Suite A
Salem, Oregon 97301-1266

Re: Application for Water Right Transfer Cert #30833, Permit 26036
and; Reimbursement Authority Estimate Application for same

Dear Dorothy

Attached you will find the application for transfer of Cert #30833, Permit 26036. I am also requesting an estimate for reimbursement authority to expedite the regulatory process.

If you have any questions, please write or e-mail me at eric.scott@grandronde.org. Alternatively I can be reached by phone at 503-879-2404.

Thank you.

Confederated Tribes of Grand Ronde

Eric F. Scott, PE
Tribal Engineer

Copy: Lisa Bluelake
Leonard Rydell PE, PLS, CWRE
File

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**WATER RESOURCES DEPT
SALEM, OREGON**

T 10301

Umpqua Molalla Rogue River Kalapuya Chasta



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

Application for Water Right Transfer

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "n/a". Please read and refer to the instructions when completing your application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/publication/reports/index.shtml.

APPLICATION FOR:

Please check one

<input checked="" type="checkbox"/> Water Right Transfer	<input type="checkbox"/> Temporary Transfer (number of years _____)	<input type="checkbox"/> Drought Transfer
<input type="checkbox"/> Historic Change in POD	<input type="checkbox"/> Permit Amendment	<input type="checkbox"/> Point of Diversion Change Due to Government Action
<input type="checkbox"/> To Instream Use		
<input type="checkbox"/> Other Transfer		

1. APPLICANT INFORMATION

Name: Confederated Tribes of the Grand Ronde Community of Oregon

Address: 9615 Grand Ronde Road

Grand Ronde Oregon 97347-9712

City State Zip

Phone: (503) 879-2404

Home Work Other

*Fax: (503) 879-1372 *E-Mail address: eric.scott@grandronde.org

**Optional information*

2. AGENT INFORMATION

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

Name: Eric Scott

First Last

Address: 9615 Grand Ronde Road

Grand Ronde Oregon 97347-9712

City State Zip

Phone: (503) 879-2404 Cell (503) 434-2146

Home Work Other

*Fax: (503) 879-1372 *E-Mail address: erics.cott@grandronde.org

**Optional information*

T 10301

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 SALEM, OREGON

3. TYPE OF CHANGE PROPOSED

Please check all that apply

Point of Diversion or Appropriation	Place of Use	Character of Use (n/a for Permit Amendments)
<input type="checkbox"/> Change (The old point of diversion or appropriation will not be used for the portion of the water right affected by the transfer.) <input type="checkbox"/> Additional (Both the old and new points of diversion or appropriation will be used for the portion of the water right affected by the transfer.) <input type="checkbox"/> Historic Point of Diversion (Unauthorized point of diversion used for more than 10 years.) <input type="checkbox"/> Surface Water to Ground Water (A new point of appropriation will be used instead of the old point of diversion and not as an additional point of appropriation.)	<input checked="" type="checkbox"/> All, or a portion, of the right will be exercised at a different location than currently authorized. (Use of water at the current location will be discontinued.) <input type="checkbox"/> Exchange (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)	Proposed new use: <input checked="" type="checkbox"/> Irrigation <input type="checkbox"/> Municipal <input type="checkbox"/> Quasi-municipal <input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Instream (complete Supplemental Form B) <input type="checkbox"/> Domestic (indicate number of households) _____ <input type="checkbox"/> Other _____ <input type="checkbox"/> Substitution (A supplemental ground water right will be substituted for a primary surface water right.)

Reason for changes: The purpose of this application is to make permanent Temporary Transfer 8801 that expires at the end of the 2005 irrigation season.

Describe the **current** water delivery system. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use.

The description must be sufficient to demonstrate that the full quantity of water to be transferred can be conveyed from the authorized source and applied at the authorized location and that the applicant is ready, willing, and able to exercise the right. (Not applicable to applications for Permit Amendments.)

The water delivery system is a 25 foot long 12" diameter perforated collection pipe in an in-stream trench surrounded with 2" drain rock wrapped in filter fabric and covered with large river rock. The collection pipe connects to an off channel wet well, 72" in diameter and 20' in depth. The wet well has a 15 hp Grundfos submersible pump capable of pumping up to 0.50 cfs into an irrigation system that serves several facilities with automatic sprinkler systems (pop up sprinkler heads and drip systems) for established landscaping, and common areas using wade rain type manifolds and multiple impact sprinklers.

System capacity: 0.50 cubic feet per second (cfs)

Attach one or more Evidence of Use Affidavits (Supplemental Form A) demonstrating that each of the right(s) involved in the transfer have been exercised in the last five years or that a presumption of forfeiture for non-use could be rebutted. (Not applicable to applications for Permit Amendments.)

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SALEM, OREGON

1 10301

4. CURRENT WATER RIGHT INFORMATION

A separate page providing the information in this section must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

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

<input checked="" type="checkbox"/> Certificated Right	<u>30833</u> Certificate Number	<u>26036</u> Permit Number or Decree Name
<input type="checkbox"/> Adjudicated, Un-certificated Right	_____ Name of Decree	_____ Page Number
<input type="checkbox"/> Permit for which Proof has been Approved	_____ Permit Number	_____ Date Claim of Beneficial Use Submitted
<input type="checkbox"/> Transferred Right for which Proof has been Filed	_____ Previous Transfer Number	_____ Date Claim of Beneficial Use Submitted
<input type="checkbox"/> Permit for which an Amendment is Requested	_____ Permit Number	_____ Completion Date of Permit

Name on Permit, Certificate, or Decree: Lester Mahurin

County: Polk and Yamhill Authorized Use(s): Irrigation

Are there multiple **Priority Dates** identified on the water right? Yes No
If "Yes", any information provided on Page 4 must identify which priority date is associated with each of the proposed points of diversion/appropriation and places of use. In addition, list those priority dates: _____

Source(s) of Water Listed on Right: South Yamhill River

Tributary to: Willamette River

Are there other **Sources** listed on the water right? Yes No
If "Yes", any information provided on Page 4 must identify which source is associated with each of the proposed points of diversion/appropriation and proposed places of use. In addition, list those other sources: _____

Are there **Other Water Rights** or permits associated with this land? Yes No
If "Yes", what are the Permit or Certificate Numbers? See Remarks Below
Pursuant to ORS 540.510, any right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled.

Remarks: This land is served by the Grand Ronde Water Association's Quasi-Municipal Use Certificate No. 68530. It is also served by the Quasi-Municipal Use Transfers and Permit No.'s T-9049, T-9050, T-9051, T-9052, P-53832 for the limited occasions that the Grand Ronde System needs to be supplemented with additional water.

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5. PROPOSED CHANGES TO THE WATER RIGHT

A separate page providing the information in this section must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Certificate Number or other identifying number from **Section 4:** 30833

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

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

Attach additional copies as necessary to describe locations of other proposed points of diversion or appropriation. Clearly mark each of the additional copies with the appropriate Certificate Number or other identifying number. Not applicable to applications for transfers to instream water rights.

Location of Proposed Place of Use:

Township	Range	Mer	Sec	¼ ¼ Section	Gov't Lot or DLC	Acres (if applicable)	
6	S	8	W	WM	1	SE SW	3.31
6	S	8	W	WM	1	NE SW	3.60
6	S	8	W	WM	1	NW SW	0.33

Attach additional copies as necessary to describe locations of other proposed places of use. Clearly mark each of the additional copies with the appropriate Certificate Number or other identifying number. Not applicable to applications for transfers to instream water rights.

Remarks: The purpose of this transfer is to permanently move irrigation water rights from
developed property within Certificate 30833 to adjoining property developed
and irrigated by the Tribe.

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SALEM, OREGON**

6. AFFECTED DISTRICTS AND LOCAL GOVERNMENTS

Are any of the water rights proposed for transfer located within or served by an irrigation or other water district? Yes No

Will any of the water rights be located within or served by an irrigation or other water district after the proposed transfer? Yes No

Is water for any of the rights supplied under a water service agreement or other contract for stored water with a Federal agency? Yes No

If "Yes", for any of the above, list the name and mailing address of the district and/or agency:
Grand Ronde Community Water Association

26690 Highway 18

Grand Ronde, Oregon 97347

List the name and mailing address of all affected local governments (e.g., county, city, municipal corporation, and tribal governments within whose jurisdiction the rights are located).

1) Confederated Tribes of the Grand Ronde Community, 9615 Grand Ronde Road, Grand Ronde, OR 97347-9712

Note: Affected properties are in trust and are not subject to local jurisdiction

7. LAND OWNERSHIP

Does the applicant own the lands FROM which the right is being transferred? Yes No

If "No", provide the following information. For Temporary Transfers, also include a notarized statement granting consent to the transfer from each of the landowners:

Names of Current Landowner(s): Confederated Tribes of the Grand Ronde Community

Address: 9615 Grand Ronde Road

Grand Ronde Oregon 97347-9712

City

State

Zip

Does the applicant own the lands TO which the right is being transferred? Yes No

If "No", provide the following information:

Names of Receiving Landowner(s):

Address:

City

State

Zip

Check one of the following:

The receiving landowner will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to this landowner.

The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.

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SALEM, OREGON

8. ATTACHMENTS

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


<p>Form A – Evidence of Use Affidavits</p> <p><input checked="" type="checkbox"/> At least one Evidence of Use Affidavit documenting that the right has been used during the last five years or that the right is not subject to forfeiture under ORS 540.610 is attached. The affidavit provided must be the original, not a copy.</p> <p>Form B – Instream Water Right Transfer</p> <p><input type="checkbox"/> Required for instream transfers only.</p> <p>Map</p> <p><input type="checkbox"/> Permanent Water Right Transfer The map must be prepared by a Certified Water Right Examiner and meet the requirements of OAR 690-380-3100 unless a waiver has been granted. The map provided must be the original, not a copy.</p> <p><input type="checkbox"/> Permit Amendment, Temporary Transfer, or Other Application A map meeting the requirements of OAR 690-380-3100 must be included but need not be prepared by a Certified Water Right Examiner.</p> <p>Evidence of Lien Holder Notification</p> <p><input type="checkbox"/> Copies of the written notification of the proposed transfer provided by the applicant to each lien holder, unless the water right has been quit claimed.</p> <p>Recorded Deed</p> <p><input type="checkbox"/> Required for temporary transfers only.</p>	<p>Land Use Information Form:</p> <p><input checked="" type="checkbox"/> Enclosed</p> <p><input type="checkbox"/> Not Required if all of the following are met:</p> <ul style="list-style-type: none"> ① In EFU zone or irrigation district, ② Change in place of use only, ③ No structural changes needed, including diversion works, delivery facilities, other structures, and ④ Irrigation only. <p>Water Well Reports/Well Logs:</p> <p><input type="checkbox"/> The application is for a change in point of appropriation or change from surface water to ground water and copies of all water well reports are attached.</p> <p><input type="checkbox"/> Water well reports are not available and a description of construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed is attached.</p> <p><input checked="" type="checkbox"/> The application is for a surface water transfer and water well reports are not required.</p> <p>Fees:</p> <p><input checked="" type="checkbox"/> Amount enclosed: \$ <u>350</u> See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0900.</p>
------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

9. SIGNATURES

I (we) understand that prior to approval of a permanent transfer and after issuance of a draft preliminary determination by the Department, I (we) must submit:

- (1) A report on ownership and lien information prepared by a title company within the last three months if required under OAR 690-380-3000(18), and
- (2) If I (we) are not the landowners, proof that the landowner or entity to which the water right has been quitclaimed consents to the transfer or that ownership information is not required.

I (we) affirm that the information contained in this application is true and accurate.

 _____ applicant signature	<u>ERIC F. SCOTT</u> _____ name (print)	<u>1/22/07</u> _____ date
_____ applicant signature	_____ name (print)	_____ date

Before submitting your application, be sure you have:

- Answered each question completely.
- Included the required attachments.
- Provided original signatures for all named deed holders or other parties with an interest in the right.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

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JAN 29 2007

T 10301

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

State of Oregon)
) ss
 County of Polk)

I, Eric Scott, in my capacity as Tribal Engineer,
 mailing address 9615 Grand Ronde Road, Grand Ronde, Oregon 97347-9712
 telephone number (503) 879-2404, being first duly sworn depose and say:

1. I attest that:

- Water was used during the previous five years on the entire authorized place of use of the water right proposed for transfer as described on the accompanying transfer application, or
- The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.

2. My knowledge of the exercise or status of the water right is based on (check one):

- Personal observation
- Professional expertise

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

Township		Range		Mer	Sec	¼ ¼ Section	Gov't Lot or DLC	Acres (if applicable)
6	S	8	W	WM	1	SE SW		4.42
6	S	8	W	WM	1	SW SW		2.82

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 JAN 29 2007

T 10301

(continues on reverse side)

**WATER RESOURCES DEPT
 SALEM, OREGON**

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

4. The water right was exercised for the authorized purpose described below (e.g., crops grown):
Irrigation of the Tribal Center, Elder Center and Clinic at the Confederated Tribes of the Grand

Ronde Community under Special Order, Volume 55, Page 721, approving a Temporary Change

in Place of Use.

5. The water delivery system used to apply water as authorized by the right is described below:
The water delivery system is a 25 foot long 12" diameter perforated collection pipe in an in-stream trench ~~surrounded with 2" drain rock wrapped in filter fabric and covered with large river rock.~~ The collection pipe connects to an off channel wet well, 72" in diameter and 20' in depth. The wet well has a 15 hp Grundfos submersible pump capable of pumping up to 0.50 cfs into an irrigation system that serves several facilities with automatic sprinkler systems (pop up sprinkler heads and drip systems) for established landscaping, and common areas using wade rain type manifolds and multiple impact sprinklers.

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

- Copy of a water right certificate that was issued within the last five years (not a remaining right certificate),
- Copies of receipts from sales of irrigated crops or for expenditures relating to the use of water,
- Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers,
- Dated aerial photographs of the lands or other photographs containing sufficient detail to establish the location and date of the photograph,
- Dedicated power usage records or receipts,
- Other: _____

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WATER RESOURCES DEPT
SALEM, OREGON



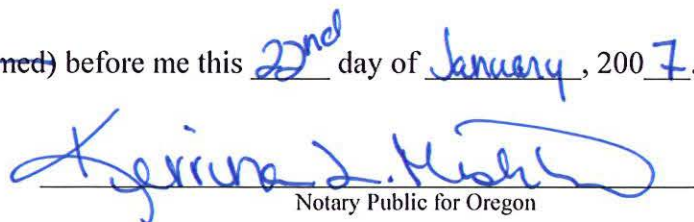
Signature of Affiant

JAN. 27, 2007

Date

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





Notary Public for Oregon

My Commission Expires: 09/16/2010

T 10301

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

Received by email
7/18/07



LEONARD A. RYDELL, P.E., P.L.S., W.R.E. Consulting Civil Engineer - Land Surveyor

601 PINEHURST DRIVE, NEWBERG, OREGON 97132-1625

(503) 538-5700 FAX 538-9167

larydell@teleport.com

17 July 2007

Water Resources Department
North Mall Office Building
725 Summer Street N. E., Suite A
Salem, Oregon 97301-0900

Attn: Dorothy I. Pedersen

Re: Water Rights Transfer T-10301

Dear Dorothy,

This letter is in response to your letter dated 6 June 2007 with a draft "Preliminary Determination" regarding the Confederated Tribes Transfer Application T-10301.

As stated in the letter, the transfer will be approved provided documentation of beneficial use of the right under the terms and conditions of the certificate (such as dated aerial photographs, dedicated power usage records or receipts, etc.) and a map meeting the current OAR 690-380-3100 standards are submitted.

History of the Water Right

On 1 April 1963, the original Certificate 30833 was issued for 46.9 acres for irrigation at 1/80th cfs per acre (calculates 0.563 cfs) but further limited to 0.50 cfs, 2.5 acre feet per year.

On 3 July 2001, a Temporary Transfer for 6.65 acres approved for the 2001-2005 irrigation seasons.

I am personally aware of water usage since 2000 when I first became involved with work at the Government Center. Water usage up until 2001 was by pumping out of the South Yamhill River with a portable electrical irrigation pump and suction line. In August and September 2001, a perforated pipe was buried in the river channel and a wet well with a submersible pump was installed. This pump has a design discharge of 0.50 cfs at a total dynamic head of 146 feet based on the pump curves. Using the Water Resources Department formula, the pump would have a theoretical capacity of 0.68 cfs.

The pump controls are housed in a building with an electrical space heater that has three settings, low, medium and high. According to the Confederated Tribes staff, the heater is left on low whenever there is a danger of frost, generally from mid to late September through mid May. The irrigation season for this site is from 1 April to 30 September of each year.

The dollar amount of the pump meter water bills was supplied by the Confederated Tribes for 2004, 2005 and 2006. Since I did not get a copy of the actual bills, I made an estimate of the power usage and water pumped by the following procedure as shown on the attached spreadsheets:

1. I looked at my Newberg PGE bills for September in 2004, 2005 and 2006 to determine how much of the cost was meter fees, taxes, etc, and deducted that from the cost of the power purchased. The actual bills may have different fees, taxes, etc.
2. As the power purchased is indexed (the first 250 KWH is cheaper), I determined how many KWH were actually purchased at each rate.
3. Using a conversion rate of one KWH equals 1.341 horse power, I calculated that 11.19 KWH would run a 15 HP pump for one hour.
4. Dividing the total KWH's purchased by 11.19 KWH per pump hour, I determined the total hours per month that the pump ran.
4. Since the pump is a submersible pump, I used the Water Resources Department formula and efficiency factor to calculate the pumping capacity, however the original pump specifications state that the pump is to pump 0.5 cfs at a total dynamic head of 146 feet which is probably the actual performance of the pump. In the calculations, I used the Oregon Water Resources Department formula and needed to add 20 psi in the system to get 0.5 cubic feet per second (the quantity allowed under the permit). This results in a total dynamic head of 196 feet. In other words, a real life pump of 15 horsepower pumps what a Oregon Water Resources theoretical pump of 11 horsepower will pump. This enabled a determination of the total Kilowatt Hours used, and since the irrigation season coincides fairly well with the time that the heater is off, a reasonable estimate of the water pumped can be determined.

While I do not know the date that the meter was read, one can note that the bills are substantially larger for the period April through September, with the highest meter readings for August and September. The highest volume pumped appear to be 6.16 acre feet in July, 2005.

In conclusion, based on my knowledge of the site, the pumping and irrigation system and the power usage records supplied by the applicant, the water has been placed to beneficial use at the maximum rate allowed of 0.50 cubic feet per second.

Items 1-3 of the 6 June 2007 Letter - E-mail approval of a mapping scale of 1" = 300' was received from the Water Resources Department on 18 June 2007, and three original copies were mailed and a PDF file was e-mailed that day.

Title Reports - Copies of the title reports and tax maps are attached for the area covered by the original water right and transfer areas.

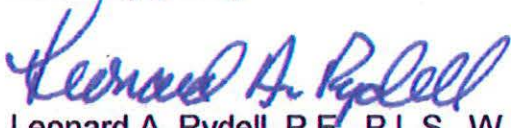
Dorothy I. Pedersen
17 July 2007

Page 3 of 3

Should you have any additional questions or need any additional information, please feel free to contact this firm.

Thank you.

Sincerely yours,



Leonard A. Rydell, P.E., P.L.S., W.R.E.

LAR/lar

encl: as stated

STATE OF OREGON
COUNTY OF POLK
CERTIFICATE OF WATER RIGHT

This Is to Certify, That **LESTER MAHURIN**

of Route 1, Box 181, Grande Ronde, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of

South Yamhill River
a tributary of Willamette River for the purpose of

irrigation of 46.9 acres
under Permit No. 26036 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from March 9, 1959,

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

0.50 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 1, T. 6 S., R. 8 W., W. M.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth 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 2 $\frac{1}{2}$ acre feet per acre for each acre irrigated during the irrigation season of each year,

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

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

29.0 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
17.9 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 1
T. 6 S., R. 8 W., W. M.

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

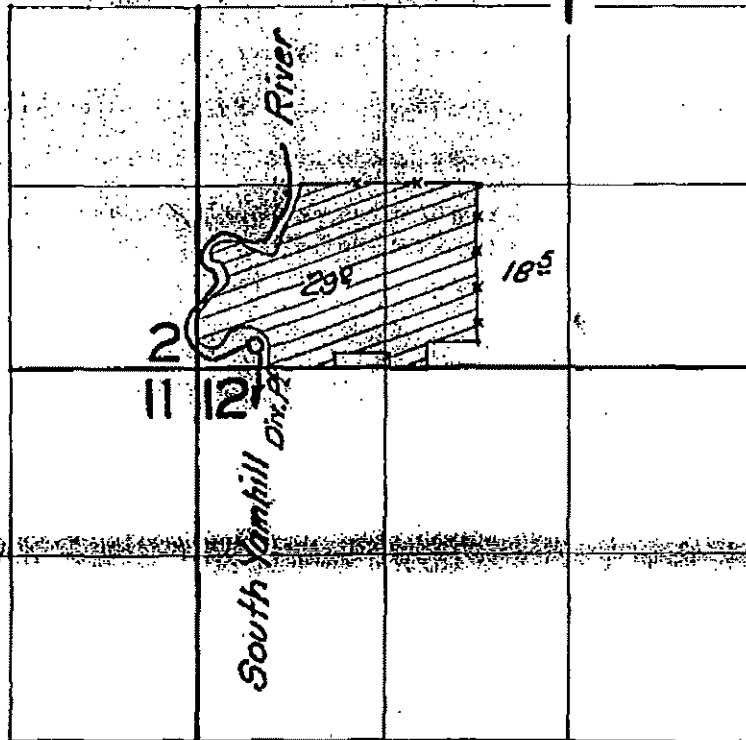
WITNESS the signature of the State Engineer, affixed

this date. APRIL - 1 1963

.....CHRIS L. WHEELER.....
State Engineer

Recorded in State Record of Water Right Certificates, Volume 22, page 333

T.6S. R.8WWM



FINAL PROOF SURVEY
UNDER

Application No. 32944 Permit No. 26036
IN NAME OF

Lester Mahurin

Surveyed 21 June 1962, by Carl R. Baker

STATE OF OREGON

COUNTY OF POLK

ORDER APPROVING A TEMPORARY CHANGE IN PLACE OF USE

Pursuant to ORS 540.523, 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, TEMPORARY TRANSFER 8801 submitted by

THE CONFEDERATED TRIBES OF GRAND RONDE
9615 GRAND RONDE ROAD
GRAND RONDE, OREGON 97347.

The right to be modified, as evidenced by a portion of Certificate 30833, was perfected under Permit 26036 with a date of priority of MARCH 9, 1959. The right allows the use of the SOUTH YAMHILL RIVER, a tributary of the WILLAMETTE RIVER, for IRRIGATION OF 6.65 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.07 cubic foot per second, if available at the authorized point of diversion: SW $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 1, T 6 S, R 8 W, W.M., or its equivalent in case of rotation, measured at the point of diversion from the source.

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2).

Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005, you may either petition for judicial review or petition the Director for reconsideration of this order.

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-EIGHTIETH 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 2¼ acre-feet for each acre irrigated during the irrigation season of each year.

The use shall conform to any reasonable rotation system ordered by the proper state officer.

The authorized place of use is located as follows:

SW¼ SW¼	3.85 ACRES
SE¼ SW¼	2.80 ACRES
SECTION 1	
TOWNSHIP 6 SOUTH, RANGE 8 WEST, W.M.	

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

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

NE¼ SW¼	2.66 ACRES (ELDER)
NW¼ SW¼	0.63 ACRES (ELDER)
SE¼ SW¼	3.36 ACRES (CLINIC)
SECTION 1	
TOWNSHIP 6 SOUTH, RANGE 8 WEST, W.M.	

THIS CHANGE TO AN EXISTING WATER RIGHT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. This change is temporary. This change shall be effective upon issuance of this order.
2. The former place of use shall not be irrigated as part of this water right during the 2001, 2002, 2003, 2004 and 2005 irrigation seasons.

3. The use shall revert to the authorized place of use at the end of the 2005 irrigation season.
4. The approval of this temporary transfer may be revoked or modified if the Department finds the change causes injury to any existing water right.
5. When required by the Department the water user shall install an in-line flow meter or other suitable device for measuring and recording the quantity of water used. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

WITNESS the signature of the Water Resources

Director, affixed JUL 03 2001.


Paul R. Cleary, Director

INTEROFFICE MEMORANDUM

TO: JOHN MERCIER
FROM: AMELIA HAUG
SUBJECT: PGE METER #04357342
DATE: 6/26/2007
CC: ERIC SCOTT

The following are the total monthly charges in 2004 for meter #04357342.

January	\$45.28
February	\$20.40
March	\$14.46
April	\$12.83
May	\$63.67
June	\$68.96
July	\$97.07
August	\$103.79
September	\$36.68
October	\$37.48
November	\$17.29
December	\$21.71

Total	\$539.62
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INTEROFFICE MEMORANDUM

TO: JOHN MERCIER
FROM: AMELIA HAUG
SUBJECT: PGE METER #04357342
DATE: 6/26/2007
CC: ERIC SCOTT

The following are the total monthly charges in 2005 for meter #04357342.

January	\$18.03
February	\$17.53
March	\$46.57
April	\$34.98
May	\$90.20
June	\$69.97
July	\$63.13
August	\$132.82
September	\$112.61
October	\$113.12
November	\$69.57
December	\$55.47

Total	\$824.00
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INTEROFFICE MEMORANDUM

TO: JOHN MERCIER
FROM: AMELIA HAUG
SUBJECT: PGE METER #04357342
DATE: 3/23/2007
CC: ERIC SCOTT

The following are the total monthly charges in 2006 for meter #04357342.

January	\$44.06
February	\$49.85
March	\$42.42
April	\$34.34
May	\$62.28
June	\$73.19
July	\$114.25
August	\$115.44
September	\$93.37
October	\$38.72
November	\$12.91
December	\$4.79
<hr/>	
Total	\$685.62

CTGRC GOVERNMENT CENTER IRRIGATION PUMP

YEAR	BILL MONTH	USE MONTH	BILL	MONTH LOW CHARGE	FUBLIC INCOME	FURPOSE	NET KWH CHARGE	1ST 250 KWH	CHARGE	NEXT KWH	CHARGE	TOTAL KWH	HOURS PUMP RUNS	VOL. PUMFED CU.FT.	VOL. PUMPED AC.FT.	ALLOW PUMPED
2004	JAN	DEC	45.28	(10.00)	(0.33)	(1.32)	33.63	250	15.17	256.00	18.47	506.00	45.24	82,343	1.88	
2004	FEB	JAN	20.40	(10.00)	(0.33)	(0.59)	9.48	156	9.46	0.00	0.00	156.00	13.95	25,294	0.58	
2004	APR	MAR	12.83	(10.00)	(0.33)	(0.37)	2.13	35	2.12	0.00	0.00	35.00	3.13	5,375	0.13	
2004	MAY	APR	63.67	(10.00)	(0.33)	(1.85)	51.49	250	15.17	503.00	36.30	753.00	67.32	122,391	2.80	
2004	JUN	MAY	68.96	(10.00)	(0.33)	(2.01)	56.62	250	15.17	575.00	41.49	825.00	73.76	133,765	3.07	
2004	JUL	JUN	97.07	(10.00)	(0.33)	(2.83)	83.91	250	15.17	953.00	68.77	1,203.00	107.55	195,354	4.48	
2004	AUG	JUL	103.79	(10.00)	(0.33)	(3.02)	90.44	250	15.17	1,043.00	75.26	1,293.00	115.59	209,347	4.81	
2004	SEP	AUG	36.68	(10.00)	(0.33)	(1.07)	25.28	250	15.17	140.00	10.10	390.00	34.87	63,234	1.45	
2004	OCT	SEP	37.48	(10.00)	(0.33)	(1.09)	26.06	250	15.17	151.00	10.90	401.00	35.85	65,318	1.49	
2004	NOV	OCT	17.29	(10.00)	(0.33)	(0.50)	6.46	106	6.43	0.00	0.00	106.00	9.48	17,187	0.39	
2004	DEC	NOV	21.21	(10.00)	(0.33)	(0.62)	10.26	169	10.25	0.00	0.00	169.00	15.11	27,402	0.63	

21.73 117.25

Apr thru Sep Total Ac.Ft.

18.11

2005	JAN	DEC	18.03	(10.00)	(0.33)	(0.53)	7.17	118	6.44	10.00	0.75	128.00	11.44	20,754	0.48	
2005	FEB	JAN	17.53	(10.00)	(0.33)	(0.51)	6.69	110	6.00	9.00	0.67	119.00	10.64	19,295	0.44	
2005	MAR	FEB	46.57	(10.00)	(0.33)	(1.36)	34.88	250	13.64	284.00	21.23	534.00	47.74	86,583	1.99	
2005	APR	MAR	34.98	(10.00)	(0.33)	(1.02)	23.63	250	13.64	134.00	10.02	384.00	34.33	62,262	1.43	
2005	MAY	APR	90.20	(10.00)	(0.33)	(2.63)	77.24	250	13.64	851.00	63.60	1,101.00	98.43	178,516	4.10	
2005	JUN	MAY	69.97	(10.00)	(0.33)	(2.04)	57.60	250	13.64	588.00	43.95	838.00	74.92	135,373	3.12	
2005	JUL	JUN	63.13	(10.00)	(0.33)	(1.84)	50.96	250	13.64	499.00	37.30	749.00	66.96	121,443	2.79	
2005	AUG	JUL	132.82	(10.00)	(0.33)	(3.87)	118.62	250	13.64	1,405.00	105.01	1,655.00	147.96	268,341	6.16	
2005	SEP	AUG	112.61	(10.00)	(0.33)	(3.28)	99.00	250	13.64	1,142.00	85.35	1,392.00	124.44	225,398	5.18	
2005	OCT	SEP	113.12	(10.00)	(0.33)	(3.29)	99.50	250	13.64	1,149.00	85.88	1,399.00	125.07	226,333	5.21	
2005	NOV	OCT	69.57	(10.00)	(0.33)	(2.03)	57.21	250	13.64	583.00	43.57	833.00	74.47	135,362	3.10	
2005	DEC	NOV	55.47	(10.00)	(0.33)	(1.62)	43.52	250	13.64	400.00	29.90	650.00	58.11	105,391	2.42	

36.41 117.25

Apr thru Sep Total Ac.Ft.

26.55

BILL ADJUSTMENTS

RATES	2004	250.00	250 PLUS
BASIC		0.04327	0.04807
TRANSMISSION		0.00320	0.00320
DISTRIBUTION		0.02272	0.02272
BPA RATE		-0.01220	-0.00700
RESOURCE DIFF.		-0.00061	-0.00061
PRIOR EFFIC.		0.00077	0.00077
REG. ADJUST		0.00023	0.00023
CONSERVATION		0.00075	0.00075
REG. CHARGE		0.00057	0.00057
POWER RECOV..		0.00196	0.00196
POWER ADJ.		0.00000	0.00150
TOTAL		0.06066	0.07216

BILL ADJUSTMENTS

RATES	2005	250.00	250 PLUS
BASIC		0.06162	0.06162
TRANSMISSION		0.00324	0.00324
DISTRIBUTION		0.02272	0.02272
BPA RATE		-0.02558	-0.00540
RESOURCE DIFF.		-0.01102	-0.01102
PRIOR EFFIC.		0.00377	0.00077
REG. ADJUST		0.00333	0.00033
CONSERVATION		0.00375	0.00075
REG. CHARGE		0.00357	0.00057
POWER RECOV..		0.00116	0.00116
POWER ADJ.		0.00300	0.00000
TOTAL		0.05456	0.07474

Pump Capacity Calculation Sheet

(Using OWIR Department Designed Formula)
 (hp)(efficiency) / (lift + psi head) = capacity in cfs
 Efficiency:
 Centrifugal = 6.61 70% EFFICIENCY
 Turbine = 7.04 80% EFFICIENCY

Data Entry (fill in underlined blanks)

HP =	<u>15</u>
Efficiency =	<u>6.61</u>
Lift =	<u>146</u>
PSI =	<u>20</u>

Results Calculated

(hp)(efficiency) = 99.15
 Head based on psi = 50.8
 Total dynamic head = 196.8 (head + lift)

Pump Capacity = 0.50 cubic feet per second
 Pump Capacity = 2.6 gallons per minute

CONVERSION 1000 WATTS = 1 KWH = 1.341 HP

$$\frac{15.00 \text{ HP}}{1.34 \text{ HP/KWH}} = 11.19 \text{ KWH}$$

HOURS PUMP RUNS = TOTAL KWH/11.19 KWH PER HOUR

CTGRG GOVERNMENT CENTER IRRIGATION PUMP

YEAR	BILL MONTH	USE MONTH	BILL	MONTH LOW CHARGE	PUBLIC INCOME	PURPOSE	NET KWH CHARGE	1ST 250 KWH	CHARGE	NEXT KWH	CHARGE	TOT/L KWH	HOURS PUMP RUNS	VOL. PUMPED CU.FT.	VOL. PUMPED AC.FT.	A.FLOW PUMPED AC.FT.
2006	JAN	DEC	44.06	(10.00)	(0.33)	(1.28)	32.45	250	13.24	246.00	19.18	496.30	44.34	80,421	1.85	
2006	FEB	JAN	49.85	(10.00)	(0.33)	(1.45)	38.07	250	13.24	318.00	24.79	568.30	50.78	92,095	2.11	
2006	APR	MAR	42.42	(10.00)	(0.33)	(1.24)	30.85	250	13.24	226.00	17.62	476.30	42.55	77,178	1.77	
2006	MAY	APR	34.34	(10.00)	(0.33)	(1.00)	23.01	250	13.24	125.00	9.74	375.30	33.53	60,802	1.40	
2006	JUN	MAY	62.28	(10.00)	(0.33)	(1.81)	50.14	250	13.24	473.00	36.87	723.30	64.64	117,227	2.69	
2006	JUL	JUN	73.19	(10.00)	(0.33)	(2.13)	60.73	250	13.24	609.00	47.47	859.30	76.79	136,278	3.20	
2006	AUG	JUL	114.25	(10.00)	(0.33)	(3.33)	100.59	250	13.24	1,121.00	87.38	1,371.30	122.57	222,293	5.10	
2006	SEP	AUG	115.44	(10.00)	(0.33)	(3.36)	101.75	250	13.24	1,135.00	88.47	1,385.30	123.82	224,563	5.16	
2006	OCT	SEP	93.37	(10.00)	(0.33)	(2.72)	80.32	250	13.24	861.00	67.11	1,111.30	99.32	180,137	4.14	
2006	NOV	OCT	38.72	(10.00)	(0.33)	(1.13)	27.26	250	13.24	180.00	14.03	430.30	38.44	66,720	1.60	
2006	DEC	NOV	12.91	(10.00)	(0.33)	(0.38)	2.20	42	2.22	0.00	0.00	42.30	3.75	6,810	0.16	

29.17 117.25

Apr th'u Sep Total Ac.Ft

21.68

2005	JAN	DEC	18.03	(10.00)	(0.33)	(0.53)	7.17	118	6.44	10.00	0.75	128.30	11.44	20,754	0.48
2005	FEB	JAN	17.53	(10.00)	(0.33)	(0.51)	6.69	110	6.00	9.00	0.67	119.30	10.64	16,295	0.44
2005	MAR	FEB	46.57	(10.00)	(0.33)	(1.36)	34.88	250	13.64	284.00	21.23	534.30	47.74	86,583	1.99
2005	APR	MAR	34.98	(10.00)	(0.33)	(1.02)	23.63	250	13.64	134.00	10.02	384.30	34.33	62,262	1.43
2005	MAY	APR	90.20	(10.00)	(0.33)	(2.63)	77.24	250	13.64	851.00	63.60	1,101.30	98.43	178,516	4.10
2005	JUN	MAY	69.97	(10.00)	(0.33)	(2.04)	57.60	250	13.64	588.00	43.95	838.30	74.92	135,873	3.12
2005	JUL	JUN	63.13	(10.00)	(0.33)	(1.84)	50.96	250	13.64	499.00	37.30	749.30	66.96	121,443	2.79
2005	AUG	JUL	132.82	(10.00)	(0.33)	(3.87)	118.62	250	13.64	1,405.00	105.01	1,655.30	147.96	266,341	6.16
2005	SEP	AUG	112.61	(10.00)	(0.33)	(3.28)	99.00	250	13.64	1,142.00	85.35	1,392.30	124.44	225,698	5.18
2005	OCT	SEP	113.12	(10.00)	(0.33)	(3.29)	99.50	250	13.64	1,149.00	85.88	1,399.30	125.07	226,833	5.21
2005	NOV	OCT	69.57	(10.00)	(0.33)	(2.03)	57.21	250	13.64	583.00	43.57	833.30	74.47	135,062	3.10
2005	DEC	NOV	55.47	(10.00)	(0.33)	(1.62)	43.52	250	13.64	400.00	29.90	650.30	58.11	105,391	2.42

36.41 117.25

Apr th'u Sep Total Ac.Ft

26.55

BILL ADJUSTMENTS

RATES	2006	250.00	250 PLUS:
BASIC	0.08430	0.08149	
TRANSMISSION	0.00324	0.00324	
DISTRIBUTION	0.02272	0.02272	
BPA RATE	-0.03472	-0.00691	
RESOURCE DIFF.	-0.02386	-0.02386	
PRIOR EFFIC.	0.00000	0.00000	
REG. ADJUST	0.00020	0.00020	
CONSERVATION	0.00050	0.00050	
REG. CHARGE	0.00057	0.00057	
POWER RECOV..	0.00000	0.00000	
POWER ADJ.	0.00000	0.00000	
TOTAL	0.05295	0.07795	

BILL ADJUSTMENTS

RATES	2005	250.00	250 PLUS
BASIC	0.06162	0.06162	
TRANSMISSION	0.00324	0.00324	
DISTRIBUTION	0.02272	0.02272	
BPA RATE	-0.02558	-0.00540	
RESOURCE DIFF.	-0.01102	-0.01102	
PRIOR EFFIC.	0.00077	0.00077	
REG. ADJUST	0.00033	0.00033	
CONSERVATION	0.00075	0.00075	
REG. CHARGE	0.00057	0.00057	
POWER RECOV..	0.00116	0.00116	
POWER ADJ.	0.00000	0.00000	
TOTAL	0.05456	0.07474	

Pump Capacity Calculation Sheet

(Using OWR Department Design Formula)

(hp)(efficiency) / (lift + psi head) = capacity in cfs

Efficiency:

Centrifugal = 6.61 70% EFFICIENCY

Turbine = 7.04 80% EFFICIENCY

Data Entry (fill in underlined blanks)

HP =	15
Efficiency =	6.61
Lift =	146
PSI =	20

Results Calculated

(hp)(efficiency) = 99.11
Head based on psi = 50.8
Total dynamic head = 196.8 (head + lift)

Pump Capacity = 0.50 cubic feet per second
Pump Capacity = 26 gallons per minute

CONVERSION 1000 WATTS = 1 KWH = 1.341 HP

$$\frac{15.00 \text{ HP}}{1.34 \text{ HP/KWH}} = 11.19 \text{ KWH}$$

HOURS PUMP RUNS = TOTAL KWH/11.19 KWH PER HOUR



First American

First American Title Insurance Company of Oregon
PO Box 451 Dallas, OR 97338
807 Main St, Dallas, OR 97338
Phn - (503)623-5513
Fax - (503)623-5074

POLK COUNTY TITLE UNIT
FAX (503)623-5074

Title Officer: **Larry A. Bick**
(503)623-5513

LOT BOOK SERVICE

Confederated Tribes of Grand Ronde
9615 Grand Ronde Rd
Grand Ronde, OR 97347

Order No.: 7129-1058647
June 08, 2007

Attn: Jan Michael Reibach
Phone No.: (503)879-2394 - Fax No.:
Email:

Re:

Fee: \$275.00

We have searched our Tract Indices as to the following described property:

The land referred to in this report is described in Exhibit A attached hereto.

and as of June 01, 2007 at 8:00 a.m.

We find that the last deed of record runs to

The United States of America, in Trust for the Confederated Tribes of the Grand Ronde Community of Oregon

We also find the following apparent encumbrances within ten (10) years prior to the effective date hereof:

1. Subject property is under public ownership and is tax exempt. Any change in ownership before delivery of assessment roll may result in tax liability. Account No. 286574.
2. Statutory powers and regulations, including levies, assessments, drainage rights and easements of Grand Ronde Sewer.
3. The assessment roll and the tax roll disclose that the within described premises were specially zoned or classified for Farm use. If the land has become or becomes disqualified for such use under the statute, an additional tax or penalty may be imposed.

NOTE: This Lot Book Report does not include a search for Financing Statements filed in the Office of the Secretary of State, or in a county other than the county wherein the premises are situated, and no liability is assumed if a Financing Statement is filed in the Office of the County Clerk covering crops on the premises wherein the lands are described other than by metes and bounds or under the rectangular survey system or by recorded lot and block.

4. Rights of the public and of governmental bodies in and to that portion of the premises herein described lying below the high water mark of Yamhill River.
5. Any adverse claim based upon the assertion that some portion of said land has been removed from or brought within the boundaries thereof by an avulsive movement of the Yamhill River or has been formed by the process of accretion or reliction or has been created by artificial means or has accreted to such portion so created.
6. The rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads and highways.
7. Easement, including terms and provisions contained therein:
Recording Information: April 07, 1980 in Book 148 and Page 192, Book of Records
In Favor of: Lester J. Mahurin
For: roadway and utilities
8. Easement, including terms and provisions contained therein:
Recording Information: May 29, 1980 in Book 149 and Page 510, Book of Records
For: roadways and utilities
9. Easement, including terms and provisions contained therein:
Recording Information: October 25, 1985 in Book 190 and Page 524, Book of Records
In Favor of: Grand Ronde Sanitary District, a political subdivision
10. Easement, including terms and provisions contained therein:
Recording Information: October 25, 1985 in Book 190 and Page 528, Book of Records
In Favor of: Grand Ronde Sanitary District, a political subdivision
11. Easement, including terms and provisions contained therein:
Recording Information: October 25, 1985 in Book 190 and Page 590, Book of Records
In Favor of: Grand Ronde Sanitary District, a political subdivision
For: sewer
12. Unrecorded leases or periodic tenancies, if any.

We have also searched our General Index for Judgments and State and Federal Liens against the Grantee(s) named above and find:

NONE

We also find the following unpaid taxes and city liens:

THIS IS NOT a title report since no examination has been made of the title to the above described property. Our search for apparent encumbrances was limited to our Tract Indices, and therefore above listings do not include additional matters which might have been disclosed by an examination of the record title. We assume no liability in connection with this Lot Book Service and will not be responsible for errors or omissions therein. The charge for this service will not include supplemental reports, rechecks or other services.

Exhibit "A"

Real property in the County of Polk, State of Oregon, described as follows:

PARCEL I:

ALL THAT PORTION OF THE FOLLOWING DESCRIBED PROPERTY LYING WITHIN POLK COUNTY, OREGON, TO-WIT:

A PORTION OF THE SOUTHWEST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER AND THE WEST ONE-HALF OF THE SOUTHEAST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SECTION 1 IN TOWNSHIP 6 SOUTH, RANGE 8 WEST OF THE WILLAMETTE MERIDIAN IN POLK COUNTY AND YAMHILL COUNTY, OREGON WHICH IS DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON ROD AT THE SOUTH ONE-SIXTEENTH CORNER COMMON TO SECTIONS 1 AND 2 IN TOWNSHIP 6 SOUTH, RANGE 8 WEST OF THE WILLAMETTE MERIDIAN IN YAMHILL COUNTY, OREGON; THENCE SOUTH 89° 30' 48" EAST 1323.84 FEET TO AN IRON ROD AT THE NORTHEAST CORNER OF THE SOUTHWEST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 1; THENCE SOUTH 89° 59' 35" EAST, 659.82 FEET TO AN IRON AT THE NORTHEAST CORNER OF THE WEST ONE-HALF OF THE SOUTHEAST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 1; THENCE SOUTH 00° 04' 53" EAST, 1317.37 FEET TO AN IRON ROD AT THE SOUTHEAST CORNER OF SAID WEST ONE-HALF OF THE SOUTHEAST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SECTION 1; THENCE NORTH 89° 45' 25" WEST, 662.97 FEET TO AN IRON ROD AT THE SOUTHEAST CORNER OF THE SOUTHWEST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SECTION 1; THENCE NORTH 00° 03' 20" EAST ALONG THE EAST LINE OF SAID SOUTHEAST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SECTION 1 A DISTANCE OF 231.00 FEET TO AN IRON ROD; THENCE NORTH 89° 45' 25" WEST PARALLEL WITH THE SOUTH LINE OF SAID SECTION 1 A DISTANCE OF 824.16 FEET TO AN IRON ROD AND THENCE CONTINUING NORTH 89° 45' 25" WEST ALONG THE EXTENSION OF THE LAST MENTIONED COURSES A DISTANCE OF 95.5 FEET TO A POINT IN THE CENTER OF THE YAMHILL RIVER; THENCE PROCEEDING WESTERLY ALONG THE CENTER OF SAID RIVER THE FOLLOWING COURSES: NORTH 56° 53' 54" WEST, 91.60 FEET; THENCE SOUTH 70° 45' 35" WEST, 59.21 FEET; THENCE SOUTH 39° 34' 30" WEST, 48.59 FEET; THENCE SOUTH 13° 28' 26" WEST, 114.84 FEET; THENCE SOUTH 57° 56' 22" WEST, 89.25 FEET; THENCE SOUTH 82° 20' 13" WEST 66.27 FEET; THENCE SOUTH 86° 37' 33" WEST, 75.49 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 1; THENCE LEAVING SAID RIVER CENTERLINE AND PROCEEDING NORTH 00° 10' 37" EAST, ALONG SAID SECTION LINE A DISTANCE OF 1270.26 FEET TO THE POINT OF BEGINNING.

EXCEPTING THERE FROM ANY PORTION LYING WITHIN YAMHILL COUNTY.

PARCEL II:

THE SOUTH HALF OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 1, IN TOWNSHIP 6 SOUTH, RANGE 8 WEST OF THE WILLAMETTE MERIDIAN, POLK COUNTY, OREGON.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN GRAND RONDE ROAD.

Tax Parcel Number: 286574

IMPORTANT
This Map for Assessment
and Taxation Purposes
ONLY

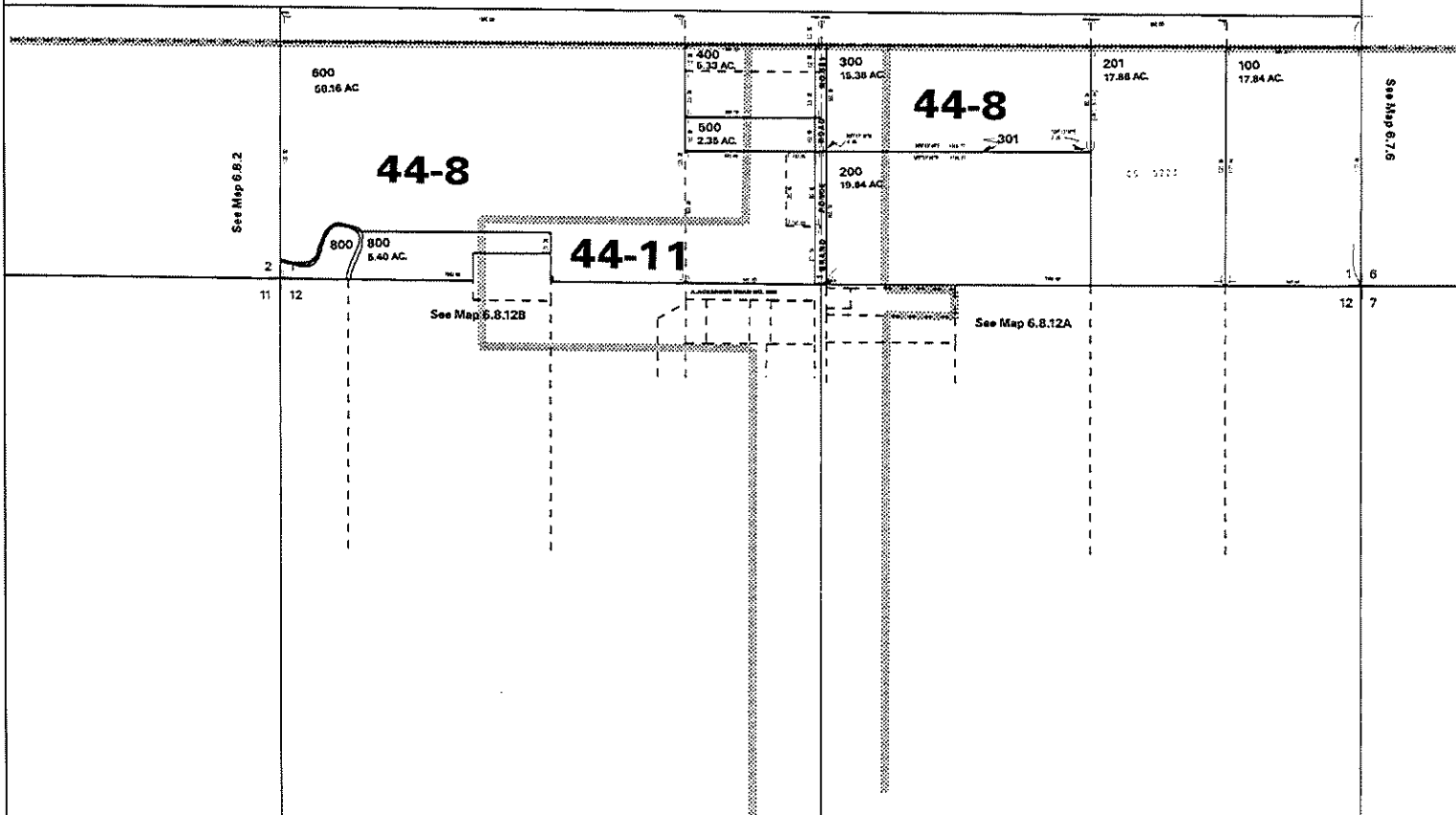
SEC.1 T6S R8W WM
POLK COUNTY

Scale 1" = 400'

6.8.1

Canceled No.

700
801
802



08/19/06

6.8.1



First American

First American Title Insurance Company of Oregon
775 NE Evans Street PO Box 1239
McMinnville, OR 97128
Phn - (503)472-4627
Fax - (866)800-7294

YAMHILL COUNTY TITLE UNIT
FAX (866)800-7294

Title Officer: **Patricia Carroll**
(503)472-4627

LOT BOOK SERVICE

The Confederated Tribes of Grand Ronde
9615 Grand Ronde Rd.
Grand Ronde, OR 97347

Order No.: 1039-1058637
June 07, 2007

Attn: Jan Michael Reibach
Phone No.: (503)879-2394 - Fax No.: (503)879-1353
Email: jan.reibach@grandronde.org

Re:

Fee: \$200.00

We have searched our Tract Indices as to the following described property:

The land referred to in this report is described in Exhibit A attached hereto.

and as of June 6, 2007 at 8:00 a.m.

We find that the last deed of record runs to

The United States of America in trust for the Confederated Tribes of the Grand Ronde Community of Oregon

We also find the following apparent encumbrances within ten (10) years prior to the effective date hereof:

1. Taxes for the current fiscal year are reduced by reason of ORS 307.180 Property of Indians (Federal) Exemption. If the exempt status is terminated under the statute prior to July 1, said property will be taxed at 100% of the assessed value.
2. The assessment roll and the tax roll disclose that the within described premises were specially zoned or classified for Farm use. If the land has become or becomes disqualified for such use under the statute, an additional tax or penalty may be imposed.
3. Rights of the public and of governmental bodies in and to that portion of the premises herein described lying below the high water mark of Agency Creek.

4. Governmental rights in connection with flood control and propagation of anadromous fish and public rights of fishing and recreational navigation in and to the water, bed and shoreline of the Agency Creek.
5. We find no apparent means of ingress or egress to a public road.

We have also searched our General Index for Judgments and State and Federal Liens against the Grantee(s) named above and find:

NONE

We also find the following unpaid taxes and city liens: NONE

NOTE: Taxes for the year 2006-2007 EXEMPT

Tax Amount:	\$0.00
Map No.:	R6801-03000
Property ID:	245041
Tax Code No.:	30.3

THIS IS NOT a title report since no examination has been made of the title to the above described property. Our search for apparent encumbrances was limited to our Tract Indices, and therefore above listings do not include additional matters which might have been disclosed by an examination of the record title. We assume no liability in connection with this Lot Book Service and will not be responsible for errors or omissions therein. The charge for this service will not include supplemental reports, rechecks or other services.

Exhibit "A"

Real property in the County of Yamhill, State of Oregon, described as follows:

All that portion of the following described property lying within Yamhill County, Oregon, to-wit:

A portion of the Southwest one-quarter of the Southwest one-quarter and the West One-Half of the Southeast One-quarter of the Southwest one-quarter of Section 1 in Township 6 South, Range 8 West of the Willamette Meridian in Polk County and Yamhill County, Oregon which is described as follows:

Beginning at an iron rod at the South One-Sixteenth corner common to Sections 1 and 2 in Township 6 South, Range 8 West of the Willamette Meridian in Yamhill County, Oregon; thence South 89° 30' 48" East 1323.84 feet to an iron rod at the Northeast corner of the Southwest one-quarter of the Southwest one-quarter of said Section 1; thence South 89° 59' 35" East, 659.82 feet to an iron rod at the Northeast corner of the West one-half of the Southeast one-quarter of the Southwest one-quarter of said Section 1; thence South 00° 04' 53" East, 1317.37 feet to an iron rod at the Southeast corner of said West one-half of the Southeast one-quarter of the Southwest one-quarter of Section 1; thence North 89° 45' 25" West, 662.97 feet to an iron rod at the Southeast corner of the Southwest one-quarter of the Southwest one-quarter of Section 1; thence North 00° 03' 20" East along the East line of said Southwest one-quarter of the Southwest one-quarter of Section 1 a distance of 231.00 feet to an iron rod; thence North 89° 45' 25" West parallel with the South line of said Section 1 a distance of 824.16 feet to an iron rod and thence continuing North 89° 45' 25" West along the extension of the last mentioned courses a distance of 95.5 feet to a point in the center of the Yamhill River; thence proceeding Westerly along the center of said river the following courses: North 56° 53' 54" West, 91.60 feet; thence South 70° 45' 35" West, 59.21 feet; thence South 39° 34' 30" West, 48.59 feet; thence South 13° 28' 26" West, 114.84 feet; thence South 57° 56' 22" West, 89.25 feet; thence South 82° 20' 13" West, 66.27 feet; thence South 86° 37' 33" West, 75.49 feet to a point on the West line of said Section 1; thence leaving said river centerline and proceeding North 00° 10' 37" East, along said Section line a distance of 1270.26 feet to the point of beginning.

Tax Parcel Number: R6801-03000

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

SECTION 1 T6S R8W W.M.
YAMHILL COUNTY
1" = 400'

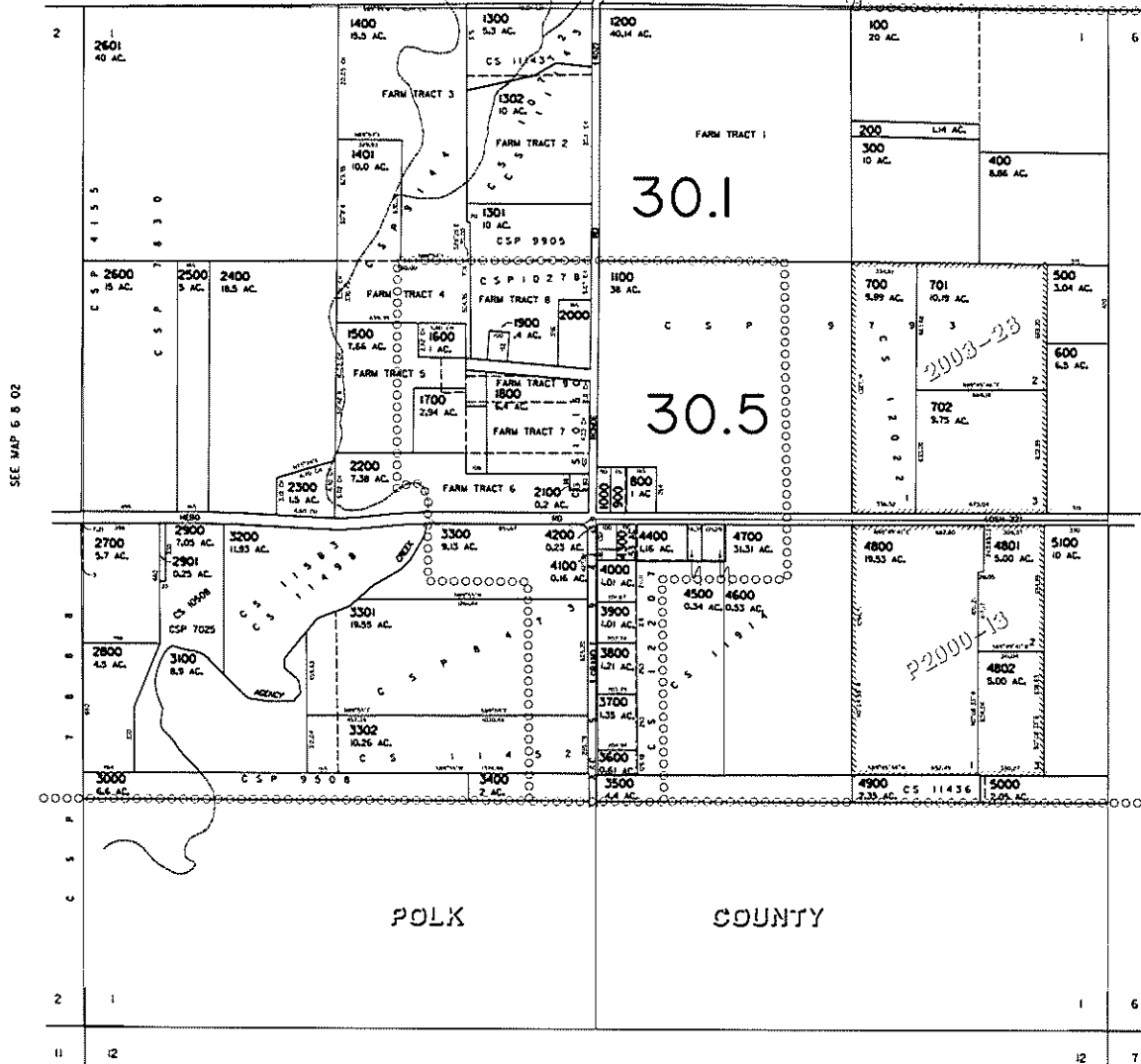
6 8 01

CANCELLED
4990

35 | 36

SEE MAP 5 8 36

SEE MAP 5 7 31



REVISED 7-27-06 50

6 8 01

STATE OF OREGON

COUNTY OF POLK

ORDER APPROVING A TEMPORARY CHANGE IN PLACE OF USE

Pursuant to ORS 540.523, 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, TEMPORARY TRANSFER 8801 submitted by

THE CONFEDERATED TRIBES OF GRAND RONDE
9615 GRAND RONDE ROAD
GRAND RONDE, OREGON 97347.

The right to be modified, as evidenced by a portion of Certificate 30833, was perfected under Permit 26036 with a date of priority of MARCH 9, 1959. The right allows the use of the SOUTH YAMHILL RIVER, a tributary of the WILLAMETTE RIVER, for IRRIGATION OF 6.65 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.07 cubic foot per second, if available at the authorized point of diversion: SW¼ SW¼, SECTION 1, T 6 S, R 8 W, W.M., or its equivalent in case of rotation, measured at the point of diversion from the source.

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2).

Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005, you may either petition for judicial review or petition the Director for reconsideration of this order.

T-8801.BW

Page 1 of 3 Special Order Volume 55, Page 21

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JAN 29 2007

WATER RESOURCES DEPT
SALEM, OREGON

T 10301

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-EIGHTIETH 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 2½ acre-feet for each acre irrigated during the irrigation season of each year.

The use shall conform to any reasonable rotation system ordered by the proper state officer.

The authorized place of use is located as follows:

SW¼ SW¼ 3.85 ACRES
SE¼ SW¼ 2.80 ACRES

SECTION 1
TOWNSHIP 6 SOUTH, RANGE 8 WEST, W.M.

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

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

NE¼ SW¼ 2.66 ACRES (ELDER)
NW¼ SW¼ 0.63 ACRES (ELDER)
SE¼ SW¼ 3.36 ACRES (CLINIC)

SECTION 1
TOWNSHIP 6 SOUTH, RANGE 8 WEST, W.M.

THIS CHANGE TO AN EXISTING WATER RIGHT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. This change is temporary. This change shall be effective upon issuance of this order.
2. The former place of use shall **not** be irrigated as part of this water right during the 2001, 2002, 2003, 2004 and 2005 irrigation seasons.

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WATER RESOURCES DEPT
SALEM, OREGON

3. The use shall revert to the authorized place of use at the end of the 2005 irrigation season.
4. The approval of this temporary transfer may be revoked or modified if the Department finds the change causes injury to any existing water right.
5. When required by the Department the water user shall install an in-line flow meter or other suitable device for measuring and recording the quantity of water used. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

WITNESS the signature of the Water Resources

Director, affixed JUL 03 2001.



Paul R. Cleary, Director

T-8801.BW

Page 3 of 3 Special Order Volume 55, Page 123.

T 10301

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JAN 29 2007

**WATER RESOURCES DEPT
SALEM, OREGON**



Oregon Water Resources Department Land Use Information Form

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, or used only on federal lands.

To Be Completed By Applicant

The following section includes information about proposed water use. This section must be completed by the individual or group that is filing an application for a water right with the Water Resources Department.

A. Applicant

Name: Confederated Tribes of the Grand Ronde Community, Oregon

Address: 9615 Grand Ronde Road

City: Grand Ronde State: OR Zip: 97347 Day Phone: (503) 879-2404

B. Land and Location

Please provide information as requested below for all tax lots on or through which water will be diverted, conveyed, or used. Check "diverted" if water is diverted (taken) from its source on tax lot, "conveyed" if water is conveyed (transported) on tax lot, and "used" if water will be put to beneficial use on tax lot. More than one box may be checked. (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.

Tax Lot I.D.	Plan Designation (e.g. Rural Residential/RR-5)	Water to be: (check all that apply)		
300,6.8.1	Polk County	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used
3100,6.8.	Yamhill County	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used
		<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used

List counties and cities where water is proposed to be diverted, conveyed, or used. POLK AND YAMHILL COUNTIES

C. Description of Water Use

Indicate what the water will be used for. Include the beneficial use (found in the instruction booklet for your water right application) and use the space below to describe the key characteristics of the project.

Beneficial Use(s): Irrigation Area Transfer

Briefly describe: 7.24 acres of irrigation from areas that have been developed is being transferred to new irrigated areas.

D. Source

Indicate the source for the proposed water use:

Reservoir/Pond Ground Water Surface Water South Yamhill River
(source)

E. Quantity

Indicate the estimated quantity of water the use will require:

0.091 CFS GPM Acre-Feet

Receipt for Request for Land Use Information

State of Oregon
Water Resources Department
Commerce Bldg.
158 12th St. NE
Salem, OR 97310-0210
(503)378-8455

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JAN 29 2007

WATER RESOURCES DEPT
SALEM, OREGON

T 10301

For Local Government Use Only

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

A. Allowed Use

Check the appropriate box below and provide requested information.

- Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s); _____ . Go to section B "Approval" below
- Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below.

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

Note: Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action plus accompanying findings is sufficient.)

B. Approval

Please provide printed name and written signature.

Name: Chris Mercier Date: 1/22/07
 Title: Tribal Council Chair Phone: (503) 879-2117
 Signature: [Signature]

C. Additional Comments

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.

Transfer to/from tribal trust lands.
State/Local land use rules do not
apply.

Note: If this form cannot be completed while the applicant waits, sign and detach the receipt stub as instructed below. You will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD will presume the land use associated with the proposed water right is compatible with local comprehensive plans. (See attached letter.)

RECEIVED
 JAN 29 2007

Receipt for Request for Land Use Information

**WATER RESOURCES DEPT
 SALEM, OREGON**

Name of water right applicant: Confederated Tribes of Grand Ronde

This receipt must be signed by a local government representative and returned to the applicant at the time they present this form. This receipt must be included in the application for a water right permit if the local government cannot provide the requested land use information while the applicant waits.

City or County: CONFEDERATED TRIBES OF GRAND RONDE
 Staff contact: Eric Scott, Tribal Engineer Phone: (503) 879-2404

Signature: [Signature] Date: 1/22/07

10301

IMPORTANT
This Map for Assessment
and Taxation Purposes
ONLY

SEC.1 T6S R8W WM
POLK COUNTY

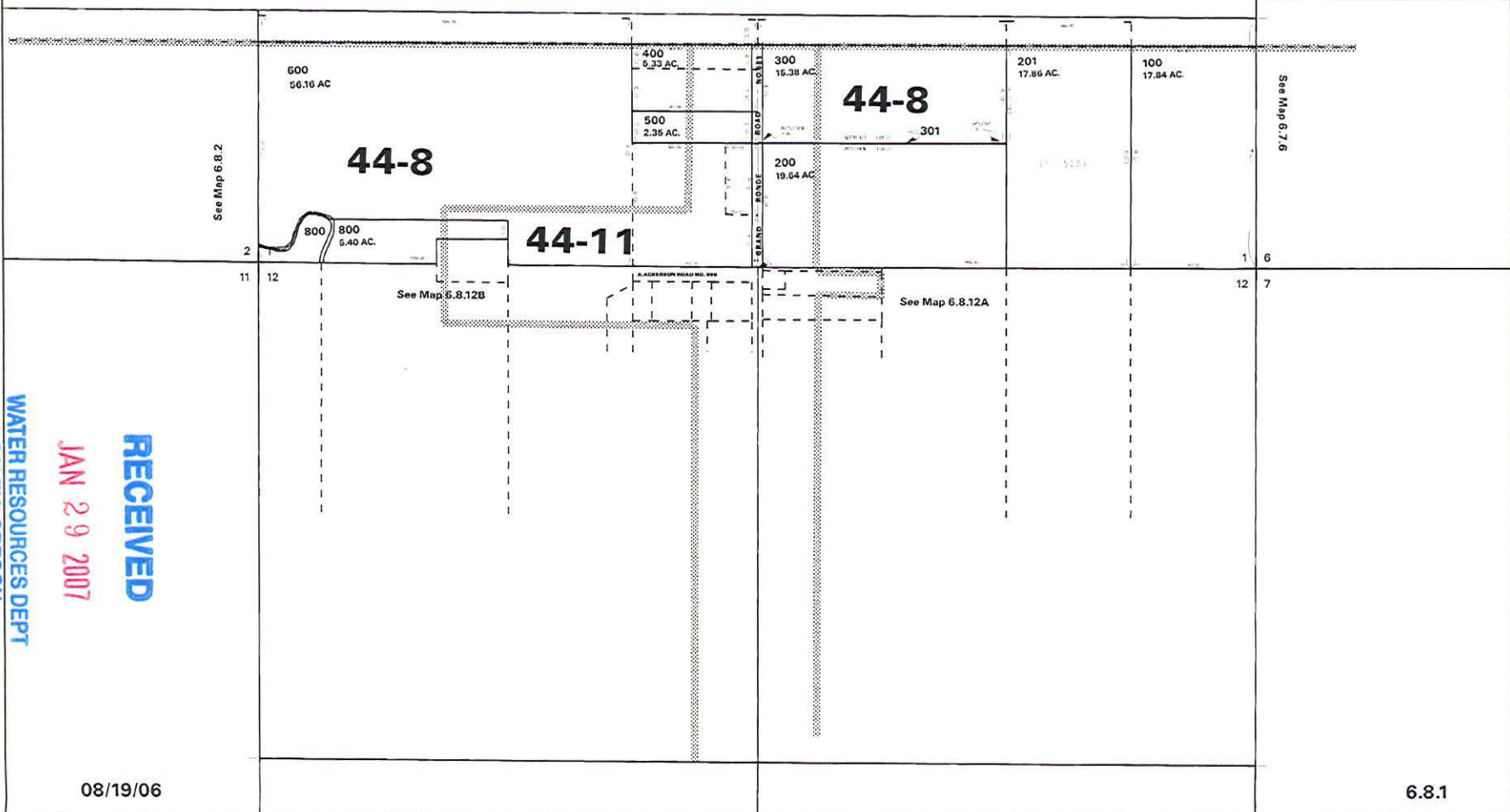
Scale 1" = 400'

6.8.1

T
10301

Canceled No.

700
801
802



RECEIVED
JAN 29 2007
WATER RESOURCES DEPT
SALEM, OREGON

08/19/06

6.8.1

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

SECTION 1 T6S R8W W.M.
YAMHILL COUNTY
1" = 400'

6 8 01

CANCELLED
4990

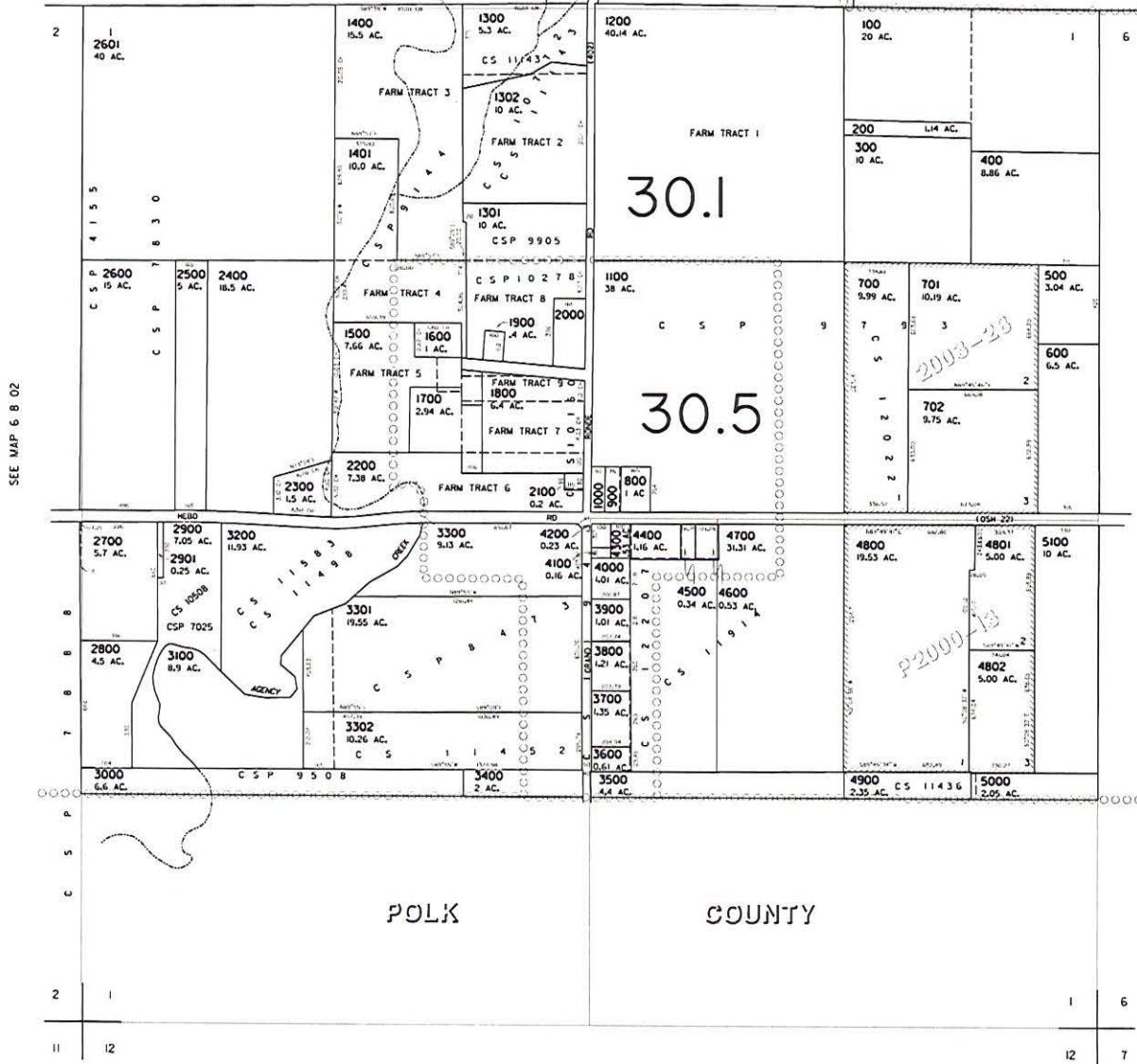
SEE MAP 5 8 36

SEE MAP 5 7 31

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36 | 31

T 10301



SEE MAP 6 8 02

SEE MAP 6 7 06

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JAN 29 2007
WATER RESOURCES DEPT
SALEM, OREGON

REVISED 7-27-06 1/8

6 8 01



First American

First American Title Insurance Company of Oregon

PO Box 451 Dallas, OR 97338

807 Main St, Dallas, OR 97338

Phn - (503)623-5513

Fax - (503)623-5074

POLK COUNTY TITLE UNIT

FAX (503)623-5074

Title Officer: **Larry A. Bick**

(503)623-5513

LOT BOOK SERVICE

Confederated Tribes of Grand Ronde
9615 Grand Ronde Rd
Grand Ronde, OR 97347

Order No.: 7129-1058647

June 08, 2007

Attn: Jan Michael Reibach
Phone No.: (503)879-2394 - Fax No.:
Email:

Re:

Fee: \$275.00

We have searched our Tract Indices as to the following described property:

The land referred to in this report is described in Exhibit A attached hereto.

and as of June 01, 2007 at 8:00 a.m.

We find that the last deed of record runs to

The United States of America, in Trust for the Confederated Tribes of the Grand Ronde Community of Oregon

We also find the following apparent encumbrances within ten (10) years prior to the effective date hereof:

1. Subject property is under public ownership and is tax exempt. Any change in ownership before delivery of assessment roll may result in tax liability. Account No. 286574.
2. Statutory powers and regulations, including levies, assessments, drainage rights and easements of Grand Ronde Sewer.
3. The assessment roll and the tax roll disclose that the within described premises were specially zoned or classified for Farm use. If the land has become or becomes disqualified for such use under the statute, an additional tax or penalty may be imposed.

RECEIVED

JUL 19 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

NOTE: This Lot Book Report does not include a search for Financing Statements filed in the Office of the Secretary of State, or in a county other than the county wherein the premises are situated, and no liability is assumed if a Financing Statement is filed in the Office of the County Clerk covering crops on the premises wherein the lands are described other than by metes and bounds or under the rectangular survey system or by recorded lot and block.

- 4. Rights of the public and of governmental bodies in and to that portion of the premises herein described lying below the high water mark of Yamhill River.
- 5. Any adverse claim based upon the assertion that some portion of said land has been removed from or brought within the boundaries thereof by an avulsive movement of the Yamhill River or has been formed by the process of accretion or reliction or has been created by artificial means or has accreted to such portion so created.
- 6. The rights of the public in and to that portion of the premises herein described lying within the limits of streets, roads and highways.
- 7. Easement, including terms and provisions contained therein:
 Recording Information: April 07, 1980 in Book 148 and Page 192, Book of Records
 In Favor of: Lester J. Mahurin
 For: roadway and utilities
- 8. Easement, including terms and provisions contained therein:
 Recording Information: May 29, 1980 in Book 149 and Page 510, Book of Records
 For: roadways and utilities
- 9. Easement, including terms and provisions contained therein:
 Recording Information: October 25, 1985 in Book 190 and Page 524, Book of Records
 In Favor of: Grand Ronde Sanitary District, a political subdivision
- 10. Easement, including terms and provisions contained therein:
 Recording Information: October 25, 1985 in Book 190 and Page 528, Book of Records
 In Favor of: Grand Ronde Sanitary District, a political subdivision
- 11. Easement, including terms and provisions contained therein:
 Recording Information: October 25, 1985 in Book 190 and Page 590, Book of Records
 In Favor of: Grand Ronde Sanitary District, a political subdivision
 For: sewer
- 12. Unrecorded leases or periodic tenancies, if any.

We have also searched our General Index for Judgments and State and Federal Liens against the Grantee(s) named above and find:

NONE

We also find the following unpaid taxes and city liens:

First American Title

RECEIVED

JUL 19 2007

WATER RESOURCES DEPT
SALEM, OREGON

THIS IS NOT a title report since no examination has been made of the title to the above described property. Our search for apparent encumbrances was limited to our Tract Indices, and therefore above listings do not include additional matters which might have been disclosed by an examination of the record title. We assume no liability in connection with this Lot Book Service and will not be responsible for errors or omissions therein. The charge for this service will not include supplemental reports, rechecks or other services.

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JUL 19 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

Exhibit "A"

Real property in the County of Polk, State of Oregon, described as follows:

PARCEL I:

ALL THAT PORTION OF THE FOLLOWING DESCRIBED PROPERTY LYING WITHIN POLK COUNTY, OREGON, TO-WIT:

A PORTION OF THE SOUTHWEST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER AND THE WEST ONE-HALF OF THE SOUTHEAST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SECTION 1 IN TOWNSHIP 6 SOUTH, RANGE 8 WEST OF THE WILLAMETTE MERIDIAN IN POLK COUNTY AND YAMHILL COUNTY, OREGON WHICH IS DESCRIBED AS FOLLOWS:

BEGINNING AT AN IRON ROD AT THE SOUTH ONE-SIXTEENTH CORNER COMMON TO SECTIONS 1 AND 2 IN TOWNSHIP 6 SOUTH, RANGE 8 WEST OF THE WILLAMETTE MERIDIAN IN YAMHILL COUNTY, OREGON; THENCE SOUTH 89° 30' 48" EAST 1323.84 FEET TO AN IRON ROD AT THE NORTHEAST CORNER OF THE SOUTHWEST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 1; THENCE SOUTH 89° 59' 35" EAST, 659.82 FEET TO AN IRON AT THE NORTHEAST CORNER OF THE WEST ONE-HALF OF THE SOUTHEAST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SAID SECTION 1; THENCE SOUTH 00° 04' 53" EAST, 1317.37 FEET TO AN IRON ROD AT THE SOUTHEAST CORNER OF SAID WEST ONE-HALF OF THE SOUTHEAST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SECTION 1; THENCE NORTH 89° 45' 25" WEST, 662.97 FEET TO AN IRON ROD AT THE SOUTHEAST CORNER OF THE SOUTHWEST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SECTION 1; THENCE NORTH 00° 03' 20" EAST ALONG THE EAST LINE OF SAID SOUTHEAST ONE-QUARTER OF THE SOUTHWEST ONE-QUARTER OF SECTION 1 A DISTANCE OF 231.00 FEET TO AN IRON ROD; THENCE NORTH 89° 45' 25" WEST PARALLEL WITH THE SOUTH LINE OF SAID SECTION 1 A DISTANCE OF 824.16 FEET TO AN IRON ROD AND THENCE CONTINUING NORTH 89° 45' 25" WEST ALONG THE EXTENSION OF THE LAST MENTIONED COURSES A DISTANCE OF 95.5 FEET TO A POINT IN THE CENTER OF THE YAMHILL RIVER; THENCE PROCEEDING WESTERLY ALONG THE CENTER OF SAID RIVER THE FOLLOWING COURSES: NORTH 56° 53' 54" WEST, 91.60 FEET; THENCE SOUTH 70° 45' 35" WEST, 59.21 FEET; THENCE SOUTH 39° 34' 30" WEST, 48.59 FEET; THENCE SOUTH 13° 28' 26" WEST, 114.84 FEET; THENCE SOUTH 57° 56' 22" WEST, 89.25 FEET; THENCE SOUTH 82° 20' 13" WEST 66.27 FEET; THENCE SOUTH 86° 37' 33" WEST, 75.49 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 1; THENCE LEAVING SAID RIVER CENTERLINE AND PROCEEDING NORTH 00° 10' 37" EAST, ALONG SAID SECTION LINE A DISTANCE OF 1270.26 FEET TO THE POINT OF BEGINNING.

EXCEPTING THERE FROM ANY PORTION LYING WITHIN YAMHILL COUNTY.

PARCEL II:

THE SOUTH HALF OF THE EAST HALF OF THE SOUTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 1, IN TOWNSHIP 6 SOUTH, RANGE 8 WEST OF THE WILLAMETTE MERIDIAN, POLK COUNTY, OREGON.

EXCEPTING THEREFROM ANY PORTION LYING WITHIN GRAND RONDE ROAD.

Tax Parcel Number: 286574

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JUL 19 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

IMPORTANT
This Map for Assessment
and Taxation Purposes
ONLY

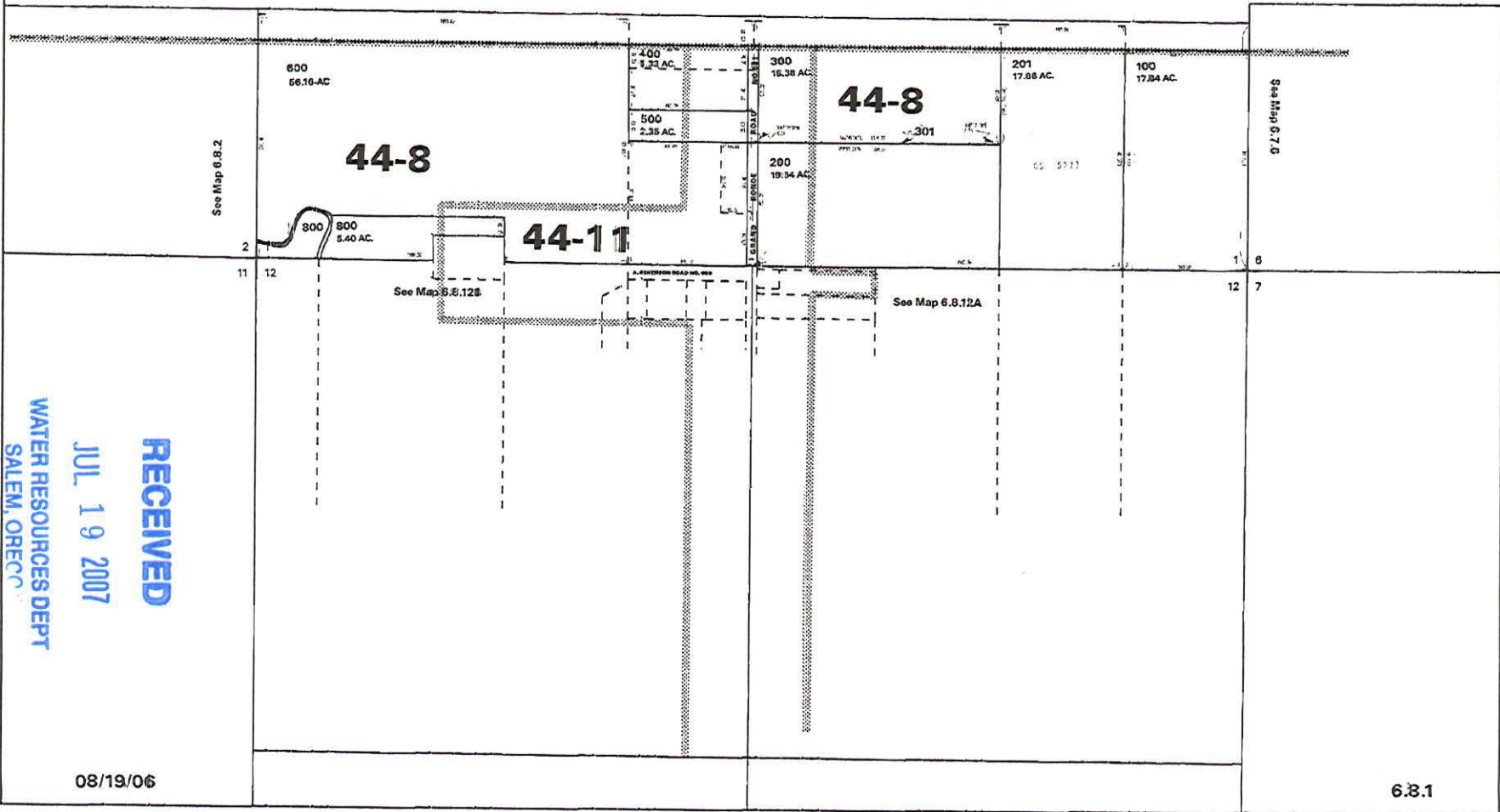
SEC.1 T6S R8W WM
POLK COUNTY

Scale 1" = 400'

6.8.1

Canceled No.

700
801
802



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WATER RESOURCES DEPT
SALEM, OREGON

08/19/06

6.8.1



First American

First American Title Insurance Company of Oregon
775 NE Evans Street PO Box 1239
McMinnville, OR 97128
Phn - (503)472-4627
Fax - (866)800-7294

YAMHILL COUNTY TITLE UNIT

FAX (866)800-7294

Title Officer: **Patricia Carroll**
(503)472-4627

LOT BOOK SERVICE

The Confederated Tribes of Grand Ronde
9615 Grand Ronde Rd.
Grand Ronde, OR 97347

Order No.: 1039-1058637
June 07, 2007

Attn: Jan Michael Reibach
Phone No.: (503)879-2394 - Fax No.: (503)879-1353
Email: jan.reibach@grandronde.org

Re:

Fee: \$200.00

We have searched our Tract Indices as to the following described property:

The land referred to in this report is described in Exhibit A attached hereto.

and as of June 6, 2007 at 8:00 a.m.

We find that the last deed of record runs to

The United States of America in trust for the Confederated Tribes of the Grand Ronde Community of Oregon

We also find the following apparent encumbrances within ten (10) years prior to the effective date hereof:

1. Taxes for the current fiscal year are reduced by reason of ORS 307.180 Property of Indians (Federal) Exemption. If the exempt status is terminated under the statute prior to July 1, said property will be taxed at 100% of the assessed value.
2. The assessment roll and the tax roll disclose that the within described premises were specially zoned or classified for Farm use. If the land has become or becomes disqualified for such use under the statute, an additional tax or penalty may be imposed.
3. Rights of the public and of governmental bodies in and to that portion of the premises herein described lying below the high water mark of Agency Creek.

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JUL 19 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

4. Governmental rights in connection with flood control and propagation of anadromous fish and public rights of fishing and recreational navigation in and to the water, bed and shoreline of the Agency Creek.
5. We find no apparent means of ingress or egress to a public road.

We have also searched our General Index for Judgments and State and Federal Liens against the Grantee(s) named above and find:

NONE

We also find the following unpaid taxes and city liens: NONE

NOTE: Taxes for the year 2006-2007 EXEMPT

Tax Amount:	\$0.00
Map No.:	R6801-03000
Property ID:	245041
Tax Code No.:	30.3

THIS IS NOT a title report since no examination has been made of the title to the above described property. Our search for apparent encumbrances was limited to our Tract Indices, and therefore above listings do not include additional matters which might have been disclosed by an examination of the record title. We assume no liability in connection with this Lot Book Service and will not be responsible for errors or omissions therein. The charge for this service will not include supplemental reports, rechecks or other services.

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**WATER RESOURCES DEPT
SALEM, OREGON**

Exhibit "A"

Real property in the County of Yamhill, State of Oregon, described as follows:

All that portion of the following described property lying within Yamhill County, Oregon, to-wit:

A portion of the Southwest one-quarter of the Southwest one-quarter and the West One-Half of the Southeast One-quarter of the Southwest one-quarter of Section 1 in Township 6 South, Range 8 West of the Willamette Meridian in Polk County and Yamhill County, Oregon which is described as follows:

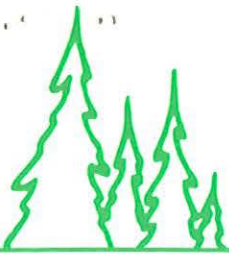
Beginning at an iron rod at the South One-Sixteenth corner common to Sections 1 and 2 in Township 6 South, Range 8 West of the Willamette Meridian in Yamhill County, Oregon; thence South 89° 30' 48" East 1323.84 feet to an iron rod at the Northeast corner of the Southwest one-quarter of the Southwest one-quarter of said Section 1; thence South 89° 59' 35" East, 659.82 feet to an iron rod at the Northeast corner of the West one-half of the Southeast one-quarter of the Southwest one-quarter of said Section 1; thence South 00° 04' 53" East, 1317.37 feet to an iron rod at the Southeast corner of said West one-half of the Southeast one-quarter of the Southwest one-quarter of Section 1; thence North 89° 45' 25" West, 662.97 feet to an iron rod at the Southeast corner of the Southwest one-quarter of the Southwest one-quarter of Section 1; thence North 00° 03' 20" East along the East line of said Southwest one-quarter of the Southwest one-quarter of Section 1 a distance of 231.00 feet to an iron rod; thence North 89° 45' 25" West parallel with the South line of said Section 1 a distance of 824.16 feet to an iron rod and thence continuing North 89° 45' 25" West along the extension of the last mentioned courses a distance of 95.5 feet to a point in the center of the Yamhill River; thence proceeding Westerly along the center of said river the following courses: North 56° 53' 54" West, 91.60 feet; thence South 70° 45' 35" West, 59.21 feet; thence South 39° 34' 30" West, 48.59 feet; thence South 13° 28' 26" West, 114.84 feet; thence South 57° 56' 22" West, 89.25 feet; thence South 82° 20' 13" West, 66.27 feet; thence South 86° 37' 33" West, 75.49 feet to a point on the West line of said Section 1; thence leaving said river centerline and proceeding North 00° 10' 37" East, along said Section line a distance of 1270.26 feet to the point of beginning.

Tax Parcel Number: R6801-03000

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WATER RESOURCES DEPT
SALEM, OREGON



LEONARD A. RYDELL, P.E., P.L.S., W.R.E. Consulting Civil Engineer - Land Surveyor

601 PINEHURST DRIVE, NEWBERG, OREGON 97132-1625

(503) 538-5700 FAX 538-9167

larydell@teleport.com

17 July 2007

Water Resources Department
North Mall Office Building
725 Summer Street N. E., Suite A
Salem, Oregon 97301-0900

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JUL 19 2007

**WATER RESOURCES DEPT
SALEM, OREGO**

Attn: Dorothy I. Pedersen

Re: Water Rights Transfer T-10301

Dear Dorothy,

This letter is in response to your letter dated 6 June 2007 with a draft "Preliminary Determination" regarding the Confederated Tribes Transfer Application T-10301.

As stated in the letter, the transfer will be approved provided documentation of beneficial use of the right under the terms and conditions of the certificate (such as dated aerial photographs, dedicated power usage records or receipts, etc.) and a map meeting the current OAR 690-380-3100 standards are submitted.

History of the Water Right

On 1 April 1963, the original Certificate 30833 was issued for 46.9 acres for irrigation at 1/80th cfs per acre (calculates 0.563 cfs) but further limited to 0.50 cfs, 2.5 acre feet per year.

On 3 July 2001, a Temporary Transfer for 6.65 acres approved for the 2001-2005 irrigation seasons.

I am personally aware of water usage since 2000 when I first became involved with work at the Government Center. Water usage up until 2001 was by pumping out of the South Yamhill River with a portable electrical irrigation pump and suction line. In August and September 2001, a perforated pipe was buried in the river channel and a wet well with a submersible pump was installed. This pump has a design discharge of 0.50 cfs at a total dynamic head of 146 feet based on the pump curves. Using the Water Resources Department formula, the pump would have a theoretical capacity of 0.68 cfs.

The pump controls are housed in a building with an electrical space heater that has three settings, low, medium and high. According to the Confederated Tribes staff, the heater is left on low whenever there is a danger of frost, generally from mid to late September through mid May. The irrigation season for this site is from 1 April to 30 September of each year.

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JUL 19 2007

WATER RESOURCES DEPT
SALEM, OREGO

Dorothy I. Pedersen
17 July 2007

Page 2 of 3

The dollar amount of the pump meter water bills was supplied by the Confederated Tribes for 2004, 2005 and 2006. Since I did not get a copy of the actual bills, I made an estimate of the power usage and water pumped by the following procedure as shown on the attached spreadsheets:

1. I looked at my Newberg PGE bills for September in 2004, 2005 and 2006 to determine how much of the cost was meter fees, taxes, etc, and deducted that from the cost of the power purchased. The actual bills may have different fees, taxes, etc.
2. As the power purchased is indexed (the first 250 KWH is cheaper), I determined how many KWH were actually purchased at each rate.
3. Using a conversion rate of one KWH equals 1.341 horse power, I calculated that 11.19 KWH would run a 15 HP pump for one hour.
4. Dividing the total KWH's purchased by 11.19 KWH per pump hour, I determined the total hours per month that the pump ran.
4. Since the pump is a submersible pump, I used the Water Resources Department formula and efficiency factor to calculate the pumping capacity, however the original pump specifications state that the pump is to pump 0.5 cfs at a total dynamic head of 146 feet which is probably the actual performance of the pump. In the calculations, I used the Oregon Water Resources Department formula and needed to add 20 psi in the system to get 0.5 cubic feet per second (the quantity allowed under the permit). This results in a total dynamic head of 196 feet. In other words, a real life pump of 15 horsepower pumps what a Oregon Water Resources theoretical pump of 11 horsepower will pump. This enabled a determination of the total Kilowatt Hours used, and since the irrigation season coincides fairly well with the time that the heater is off, a reasonable estimate of the water pumped can be determined.

While I do not know the date that the meter was read, one can note that the bills are substantially larger for the period April through September, with the highest meter readings for August and September. The highest volume pumped appear to be 6.16 acre feet in July, 2005.

In conclusion, based on my knowledge of the site, the pumping and irrigation system and the power usage records supplied by the applicant, the water has been placed to beneficial use at the maximum rate allowed of 0.50 cubic feet per second.

Items 1- 3 of the 6 June 2007 Letter - E-mail approval of a mapping scale of 1" = 300' was received from the Water Resources Department on 18 June 2007, and three original copies were mailed and a PDF file was e-mailed that day.

Title Reports - Copies of the title reports and tax maps are attached for the area covered by the original water right and transfer areas.

Dorothy I. Pedersen
17 July 2007

Page 3 of 3

Should you have any additional questions or need any additional information, please feel free to contact this firm.

Thank you.

Sincerely yours,



Leonard A. Rydell, P.E., P.L.S., W.R.E.

LAR/lar

encl: as stated

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JUL 19 2007

WATER RESOURCES DEPT
SALEM, OREGO

STATE OF OREGON
COUNTY OF POLK
CERTIFICATE OF WATER RIGHT

This Is to Certify, That LESTER MAHURIN

of Route 1, Box 181, Grande Ronde , State of Oregon , has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of

South Yamhill River

a tributary of Willamette River

for the purpose of

irrigation of 46.9 acres

under Permit No. 26036 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from March 9, 1959,

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

0.50 cubic foot per second

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

The point of diversion is located in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 1, T. 6 S., R. 8 W., W. M.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth 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 2 $\frac{1}{2}$ acre feet per acre for each acre irrigated during the irrigation season of each year,

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

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

29.0 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
17.9 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 1
T. 6 S., R. 8 W., W. M.

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WATER RESOURCES DEPT
SALEM, OREGO

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

WITNESS the signature of the State Engineer, affixed

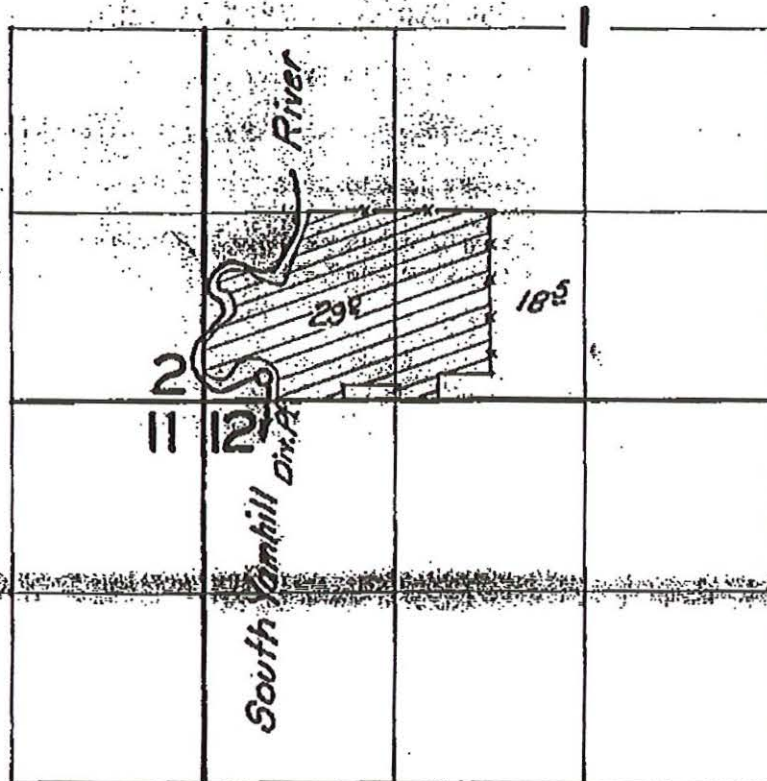
this date. APRIL - 1 1963

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume , page 333

T.6S. R.8W. M.



FINAL PROOF SURVEY
UNDER

Application No. 32944. Permit No. 26036.
IN NAME OF

.....Lester Mahurin.....

Surveyed 21 June 1962, by Carl R. Baker.

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WATER RESOURCES DEPT
SALEM, OREGO

STATE OF OREGON

COUNTY OF POLK

ORDER APPROVING A TEMPORARY CHANGE IN PLACE OF USE

Pursuant to ORS 540.523, 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, TEMPORARY TRANSFER 8801 submitted by

THE CONFEDERATED TRIBES OF GRAND RONDE
9615 GRAND RONDE ROAD
GRAND RONDE, OREGON 97347.

The right to be modified, as evidenced by a portion of Certificate 30833, was perfected under Permit 26036 with a date of priority of MARCH 9, 1959. The right allows the use of the SOUTH YAMHILL RIVER, a tributary of the WILLAMETTE RIVER, for IRRIGATION OF 6.65 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.07 cubic foot per second, if available at the authorized point of diversion: SW¼ SW¼, SECTION 1, T 6 S, R 8 W, W.M., or its equivalent in case of rotation, measured at the point of diversion from the source.

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2).

Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005, you may either petition for judicial review or petition the Director for reconsideration of this order.

T-8801.BW

Page 1 of 3 Special Order Volume 55, Page 21.

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SALEM, OREGON

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-EIGHTIETH 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 2¼ acre-feet for each acre irrigated during the irrigation season of each year.

The use shall conform to any reasonable rotation system ordered by the proper state officer.

The authorized place of use is located as follows:

SW¼ SW¼ 3.85 ACRES
SE¼ SW¼ 2.80 ACRES
SECTION 1
TOWNSHIP 6 SOUTH, RANGE 8 WEST, W.M.

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

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

NE¼ SW¼ 2.66 ACRES (ELDER)
NW¼ SW¼ 0.63 ACRES (ELDER)
SE¼ SW¼ 3.36 ACRES (CLINIC)
SECTION 1
TOWNSHIP 6 SOUTH, RANGE 8 WEST, W.M.

THIS CHANGE TO AN EXISTING WATER RIGHT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. This change is temporary. This change shall be effective upon issuance of this order.
2. The former place of use shall not be irrigated as part of this water right during the 2001, 2002, 2003, 2004 and 2005 irrigation seasons.

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WATER RESOURCES DEPT
SALEM, OREGON

3. The use shall revert to the authorized place of use at the end of the 2005 irrigation season.
4. The approval of this temporary transfer may be revoked or modified if the Department finds the change causes injury to any existing water right.
5. When required by the Department the water user shall install an in-line flow meter or other suitable device for measuring and recording the quantity of water used. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

WITNESS the signature of the Water Resources

Director, affixed JUL 03 2001.



Paul R. Cleary, Director

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WATER RESOURCES DEPT
SALEM, OREGON

INTEROFFICE MEMORANDUM

TO: JOHN MERCIER
FROM: AMELIA HAUG
SUBJECT: PGE METER #04357342
DATE: 6/26/2007
CC: ERIC SCOTT

The following are the total monthly charges in 2004 for meter #04357342.

January	\$45.28
February	\$20.40
March	\$14.46
April	\$12.83
May	\$63.67
June	\$68.96
July	\$97.07
August	\$103.79
September	\$36.68
October	\$37.48
November	\$17.29
December	\$21.71
<hr/>	
Total	\$539.62

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WATER RESOURCES DEPT
SALEM, OREGON

INTEROFFICE MEMORANDUM

TO: JOHN MERCIER
FROM: AMELIA HAUG
SUBJECT: PGE METER #04357342
DATE: 6/26/2007
CC: ERIC SCOTT

The following are the total monthly charges in 2005 for meter #04357342.

January	\$18.03
February	\$17.53
March	\$46.57
April	\$34.98
May	\$90.20
June	\$69.97
July	\$63.13
August	\$132.82
September	\$112.61
October	\$113.12
November	\$69.57
December	\$55.47
<hr/>	
Total	\$824.00

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WATER RESOURCES DEPT
SALEM, OREGON

INTEROFFICE MEMORANDUM

TO: JOHN MERCIER
FROM: AMELIA HAUG
SUBJECT: PGE METER #04357342
DATE: 3/23/2007
CC: ERIC SCOTT

The following are the total monthly charges in 2006 for meter #04357342.

January	\$44.06
February	\$49.85
March	\$42.42
April	\$34.34
May	\$62.28
June	\$73.19
July	\$114.25
August	\$115.44
September	\$93.37
October	\$38.72
November	\$12.91
December	\$4.79
<hr/>	
Total	\$685.62

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WATER RESOURCES DEPT
SALEM, OREGON

CTGRC GOVERNMENT CENTER IRRIGATION PUMP

YEAR	BILL MONTH	USE MONTH	BILL	MONTH LOW CHARGE	INCOME	PUBLIC PURPOSE	NET KWH CHARGE	1ST 250 KWH CHARGE	NEXT KWH CHARGE	TOTAL KWH	HOURS PUMP RUNS	VOL. PUMPED CU.FT.	VOL. PUMPED AC.FT.	ALLOW PUMPED	
2004	JAN	DEC	45.28	(10.00)	(0.33)	(1.32)	33.63	250	15.17	256.00	18.47	506.00	45.24	82,343	1.88
2004	FEB	JAN	20.40	(10.00)	(0.33)	(0.59)	9.48	156	9.46	0.00	0.00	156.00	13.95	25,294	0.58
2004	APR	MAR	12.83	(10.00)	(0.33)	(0.37)	2.13	35	2.12	0.00	0.00	35.00	3.13	5,375	0.13
2004	MAY	APR	63.67	(10.00)	(0.33)	(1.85)	51.49	250	15.17	503.00	36.30	753.00	67.32	122,391	2.80
2004	JUN	MAY	68.96	(10.00)	(0.33)	(2.01)	56.62	250	15.17	575.00	41.49	825.00	73.76	133,765	3.07
2004	JUL	JUN	97.07	(10.00)	(0.33)	(2.83)	83.91	250	15.17	953.00	68.77	1,203.00	107.55	195,354	4.48
2004	AUG	JUL	103.79	(10.00)	(0.33)	(3.02)	90.44	250	15.17	1,043.00	75.26	1,293.00	115.59	209,347	4.81
2004	SEP	AUG	36.68	(10.00)	(0.33)	(1.07)	25.28	250	15.17	140.00	10.10	390.00	34.87	63,234	1.45
2004	OCT	SEP	37.48	(10.00)	(0.33)	(1.09)	26.06	250	15.17	151.00	10.90	401.00	35.85	65,318	1.49
2004	NOV	OCT	17.29	(10.00)	(0.33)	(0.50)	6.46	106	6.43	0.00	0.00	106.00	9.48	17,187	0.39
2004	DEC	NOV	21.21	(10.00)	(0.33)	(0.62)	10.26	169	10.25	0.00	0.00	169.00	15.11	27,402	0.63

21.73 117.25

Apr thru Sep Total Ac.Ft.

18.11

2005	JAN	DEC	18.03	(10.00)	(0.33)	(0.53)	7.17	118	6.44	10.00	0.75	128.00	11.44	20,754	0.48
2005	FEB	JAN	17.53	(10.00)	(0.33)	(0.51)	6.69	110	6.00	9.00	0.67	119.00	10.64	19,295	0.44
2005	MAR	FEB	46.57	(10.00)	(0.33)	(1.36)	34.88	250	13.64	284.00	21.23	534.00	47.74	86,583	1.99
2005	APR	MAR	34.98	(10.00)	(0.33)	(1.02)	23.63	250	13.64	134.00	10.02	384.00	34.33	62,262	1.43
2005	MAY	APR	90.20	(10.00)	(0.33)	(2.63)	77.24	250	13.64	851.00	63.60	1,101.00	98.43	178,516	4.10
2005	JUN	MAY	69.97	(10.00)	(0.33)	(2.04)	57.60	250	13.64	588.00	43.95	838.00	74.92	135,373	3.12
2005	JUL	JUN	63.13	(10.00)	(0.33)	(1.84)	50.96	250	13.64	499.00	37.30	749.00	66.96	121,443	2.79
2005	AUG	JUL	132.82	(10.00)	(0.33)	(3.87)	118.62	250	13.64	1,405.00	105.01	1,655.00	147.96	268,341	6.16
2005	SEP	AUG	112.61	(10.00)	(0.33)	(3.28)	99.00	250	13.64	1,142.00	85.35	1,392.00	124.44	225,398	5.18
2005	OCT	SEP	113.12	(10.00)	(0.33)	(3.29)	99.50	250	13.64	1,149.00	85.88	1,399.00	125.07	226,333	5.21
2005	NOV	OCT	69.57	(10.00)	(0.33)	(2.03)	57.21	250	13.64	583.00	43.57	833.00	74.47	135,362	3.10
2005	DEC	NOV	55.47	(10.00)	(0.33)	(1.62)	43.52	250	13.64	400.00	29.90	650.00	58.11	105,391	2.42

36.41 117.25

Apr thru Sep Total Ac.Ft.

26.55

BILL ADJUSTMENTS

RATES	2004	250.00	250 PLUS
BASIC	0.04327	0.04327	0.04807
TRANSMISSION	0.00320	0.00320	0.00320
DISTRIBUTION	0.02272	0.02272	0.02272
BPA RATE	-0.01220	-0.00700	-0.00700
RESOURCE DIFF.	-0.00061	-0.00061	-0.00061
PRIOR EFFIC.	0.00077	0.00077	0.00077
REG. ADJUST	0.00023	0.00023	0.00023
CONSERVATION	0.00075	0.00075	0.00075
REG. CHARGE	0.00057	0.00057	0.00057
POWER RECOV.	0.00196	0.00196	0.00196
POWER ADJ.	0.00000	0.00150	0.00150
TOTAL	0.06066	0.07216	0.07216

BILL ADJUSTMENTS

RATES	2005	250.00	250 PLUS
BASIC	0.06162	0.06162	0.06162
TRANSMISSION	0.00324	0.00324	0.00324
DISTRIBUTION	0.02272	0.02272	0.02272
BPA RATE	-0.02558	-0.00540	-0.00540
RESOURCE DIFF.	-0.01102	-0.01102	-0.01102
PRIOR EFFIC.	0.00377	0.00377	0.00377
REG. ADJUST	0.00333	0.00333	0.00333
CONSERVATION	0.00375	0.00375	0.00375
REG. CHARGE	0.00357	0.00357	0.00357
POWER RECOV.	0.00116	0.00116	0.00116
POWER ADJ.	0.00300	0.00300	0.00300
TOTAL	0.05456	0.07474	0.07474

Pump Capacity Calculation Sheet

(Using OWIR Department Designed Formula)

(hp)(efficiency) / (lift + psi head) = capacity in cfs

Efficiency:

Centrifugal = 6.61 70% EFFICIENCY

Turbine = 7.04 80% EFFICIENCY

Data Entry (fill in underlined blank(s))

HP =	15
Efficiency =	6.61
Lift =	146
PSI =	20

Results Calculated

(hp)(efficiency) = 99.15
 Head based on psi = 50.8
 Total dynamic head = 196.8 (head + lift)

Pump Capacity = 0.50 cubic feet per second
 Pump Capacity = 2.6 gallons per minute

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JUL 19 2007

**WATER RESOURCES DEPT
 SALEM, OREGON**

CONVERSION 1000 WATTS = 1 KWH = 1.341 HP

$$\frac{15.00 \text{ HP}}{1.34 \text{ HP/KWH}} = 11.19 \text{ KWH}$$

HOURS PUMP RUNS = TOTAL KWH/11.19 KWH PER HOUR

CTGRC GOVERNMENT CENTER IRRIGATION PUMP

YEAR	BILL MONTH	USE MONTH	BILL	MONTH LOW CHARGE	PUBLIC INCOME	PURPOSE	NET KWH CHARGE	1ST 250 KWH		NEXT KWH		TOTAL KWH	HOURS PUMP RUNS	VOL. PUMPED CU.FT.	VOL. PUMPED AC.FT.	A.FLOW PUMPED AC.FT.
								KWH	CHARGE	KWH	CHARGE					
2006	JAN	DEC	44.06	(10.00)	(0.33)	(1.28)	32.45	250	13.24	246.00	19.18	496.00	44.34	80,421	1.85	
2006	FEB	JAN	49.85	(10.00)	(0.33)	(1.45)	38.07	250	13.24	318.00	24.79	568.00	50.78	92,095	2.11	
2006	APR	MAR	42.42	(10.00)	(0.33)	(1.24)	30.85	250	13.24	226.00	17.62	476.00	42.55	77,178	1.77	
2006	MAY	APR	34.34	(10.00)	(0.33)	(1.00)	23.01	250	13.24	125.00	9.74	375.00	33.53	60,802	1.40	
2006	JUN	MAY	62.28	(10.00)	(0.33)	(1.81)	50.14	250	13.24	473.00	36.87	723.00	64.64	117,227	2.69	
2006	JUL	JUN	73.19	(10.00)	(0.33)	(2.13)	60.73	250	13.24	609.00	47.47	859.00	76.79	139,278	3.20	
2006	AUG	JUL	114.25	(10.00)	(0.33)	(3.33)	100.59	250	13.24	1,121.00	87.38	1,371.00	122.57	222,293	5.10	
2006	SEP	AUG	115.44	(10.00)	(0.33)	(3.36)	101.75	250	13.24	1,135.00	88.47	1,385.00	123.82	224,563	5.16	
2006	OCT	SEP	93.37	(10.00)	(0.33)	(2.72)	80.32	250	13.24	861.00	67.11	1,111.00	99.32	180,137	4.14	
2006	NOV	OCT	38.72	(10.00)	(0.33)	(1.13)	27.26	250	13.24	180.00	14.03	430.00	38.44	65,720	1.60	
2006	DEC	NOV	12.91	(10.00)	(0.33)	(0.38)	2.20	42	2.22	0.00	0.00	42.00	3.75	6,810	0.16	

29.17 117.25

Apr th u Sep Total Ac.Ft

21.68

2005	JAN	DEC	18.03	(10.00)	(0.33)	(0.53)	7.17	118	6.44	10.00	0.75	128.00	11.44	20,754	0.48
2005	FEB	JAN	17.53	(10.00)	(0.33)	(0.51)	6.69	110	6.00	9.00	0.67	119.00	10.64	19,295	0.44
2005	MAR	FEB	46.57	(10.00)	(0.33)	(1.36)	34.88	250	13.64	284.00	21.23	534.00	47.74	86,583	1.99
2005	APR	MAR	34.98	(10.00)	(0.33)	(1.02)	23.63	250	13.64	134.00	10.02	384.00	34.33	62,262	1.43
2005	MAY	APR	90.20	(10.00)	(0.33)	(2.63)	77.24	250	13.64	851.00	63.60	1,101.00	98.43	178,516	4.10
2005	JUN	MAY	69.97	(10.00)	(0.33)	(2.04)	57.60	250	13.64	588.00	43.95	838.00	74.92	135,873	3.12
2005	JUL	JUN	63.13	(10.00)	(0.33)	(1.84)	50.96	250	13.64	499.00	37.30	749.00	66.96	121,443	2.79
2005	AUG	JUL	132.82	(10.00)	(0.33)	(3.87)	118.62	250	13.64	1,405.00	105.01	1,655.00	147.96	268,341	6.16
2005	SEP	AUG	112.61	(10.00)	(0.33)	(3.28)	99.00	250	13.64	1,142.00	85.35	1,392.00	124.44	225,698	5.18
2005	OCT	SEP	113.12	(10.00)	(0.33)	(3.29)	99.50	250	13.64	1,149.00	85.88	1,399.00	125.07	226,833	5.21
2005	NOV	OCT	69.57	(10.00)	(0.33)	(2.03)	57.21	250	13.64	583.00	43.57	833.00	74.47	135,062	3.10
2005	DEC	NOV	55.47	(10.00)	(0.33)	(1.62)	43.52	250	13.64	400.00	29.90	650.00	58.11	105,391	2.42

36.41 117.25

Apr th u Sep Total Ac.Ft

26.55

BILL ADJUSTMENTS

RATES	2006	250.00	250 PLUS
BASIC		0.08430	0.08149
TRANSMISSION		0.00324	0.00324
DISTRIBUTION		0.02272	0.02272
BPA RATE		-0.03472	-0.00691
RESOURCE DIFF.		-0.02386	-0.02386
PRIOR EFFIC.		0.00000	0.00000
REG. ADJUST		0.00020	0.00020
CONSERVATION		0.00050	0.00050
REG. CHARGE		0.00057	0.00057
POWER RECOV..		0.00000	0.00000
POWER ADJ.		0.00000	0.00000
TOTAL		0.05295	0.07795

BILL ADJUSTMENTS

RATES	2005	250.00	250 PLUS
BASIC		0.06162	0.06162
TRANSMISSION		0.00324	0.00324
DISTRIBUTION		0.02272	0.02272
BPA RATE		-0.02558	-0.00540
RESOURCE DIFF.		-0.01102	-0.01102
PRIOR EFFIC.		0.00077	0.00077
REG. ADJUST		0.00033	0.00033
CONSERVATION		0.00075	0.00075
REG. CHARGE		0.00057	0.00057
POWER RECOV..		0.00116	0.00116
POWER ADJ.		0.00000	0.00000
TOTAL		0.05456	0.07474

Pump Capacity Calculation Sheet

(Using OWR Department Design d Formula)

(hp)(efficiency) / (lift + psi head) = capacity in cfs

Efficiency:

Centrifugal = 6.61 70% EFFICIENCY

Turbine = 7.04 80% EFFICIENCY

Data Entry (fill in underlined blanks)

H ₂ =	15
Efficiency =	6.61
Lift =	146
Psi =	20

Results Calculated

(hp)(efficiency) = 99.15

Head based on psi = 50.8

Total dynamic head = 196.8 (head + lift)

Pump Capacity = 0.50 cubic feet per second

Pump Capacity = 36 gallons per minute

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JUL 19 2007

**WATER RESOURCES DEPT
 SALEM, OREGON**

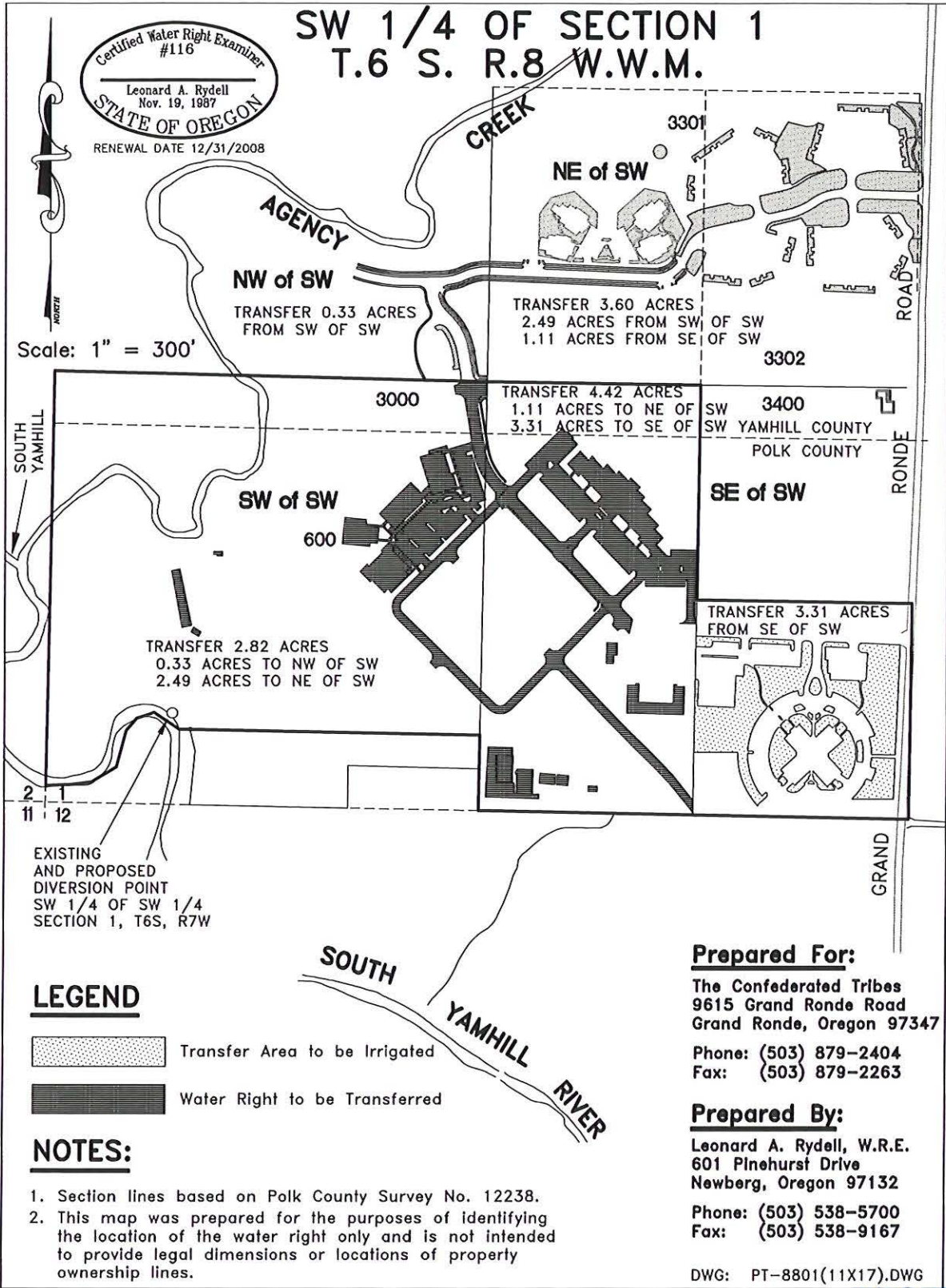
CONVERSION

1000 WATTS = 1 KWH = 1.341 HP

$$\frac{15.00 \text{ HP}}{1.34 \text{ HP/KWH}} = 11.19 \text{ KWH}$$

HOURS PUMP RUNS = TOTAL KWH/11.19 KWH PER HOUR

Superseded



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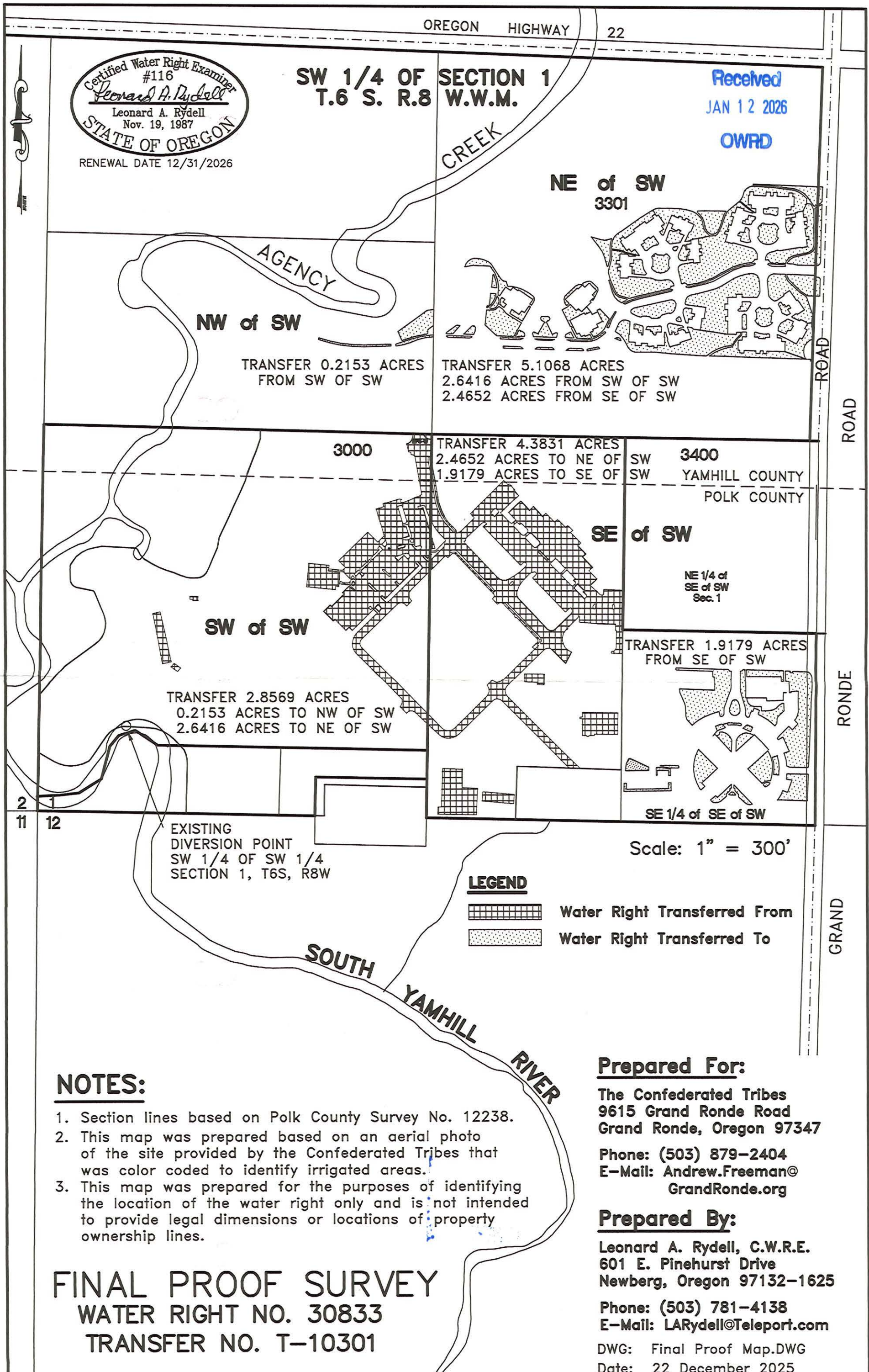
WATER RESOURCES DEPT
SALEM, OREGON

T 10301



**SW 1/4 OF SECTION 1
T.6 S. R.8 W.W.M.**

Received
JAN 12 2026
OWRD



TRANSFER 0.2153 ACRES
FROM SW OF SW

TRANSFER 5.1068 ACRES
2.6416 ACRES FROM SW OF SW
2.4652 ACRES FROM SE OF SW

3000

TRANSFER 4.3831 ACRES
2.4652 ACRES TO NE OF SW
1.9179 ACRES TO SE OF SW

3400

SW SW
YAMHILL COUNTY
POLK COUNTY

SW of SW

TRANSFER 2.8569 ACRES
0.2153 ACRES TO NW OF SW
2.6416 ACRES TO NE OF SW

SE of SW

NE 1/4 of
SE of SW
Sec. 1

TRANSFER 1.9179 ACRES
FROM SE OF SW

SE 1/4 of SE of SW

Scale: 1" = 300'

EXISTING
DIVERSION POINT
SW 1/4 OF SW 1/4
SECTION 1, T6S, R8W

LEGEND

-  Water Right Transferred From
-  Water Right Transferred To

NOTES:

1. Section lines based on Polk County Survey No. 12238.
2. This map was prepared based on an aerial photo of the site provided by the Confederated Tribes that was color coded to identify irrigated areas.
3. This map was prepared for the purposes of identifying the location of the water right only and is not intended to provide legal dimensions or locations of property ownership lines.

**FINAL PROOF SURVEY
WATER RIGHT NO. 30833
TRANSFER NO. T-10301**

Prepared For:

The Confederated Tribes
9615 Grand Ronde Road
Grand Ronde, Oregon 97347
Phone: (503) 879-2404
E-Mail: Andrew.Freeman@
GrandRonde.org

Prepared By:

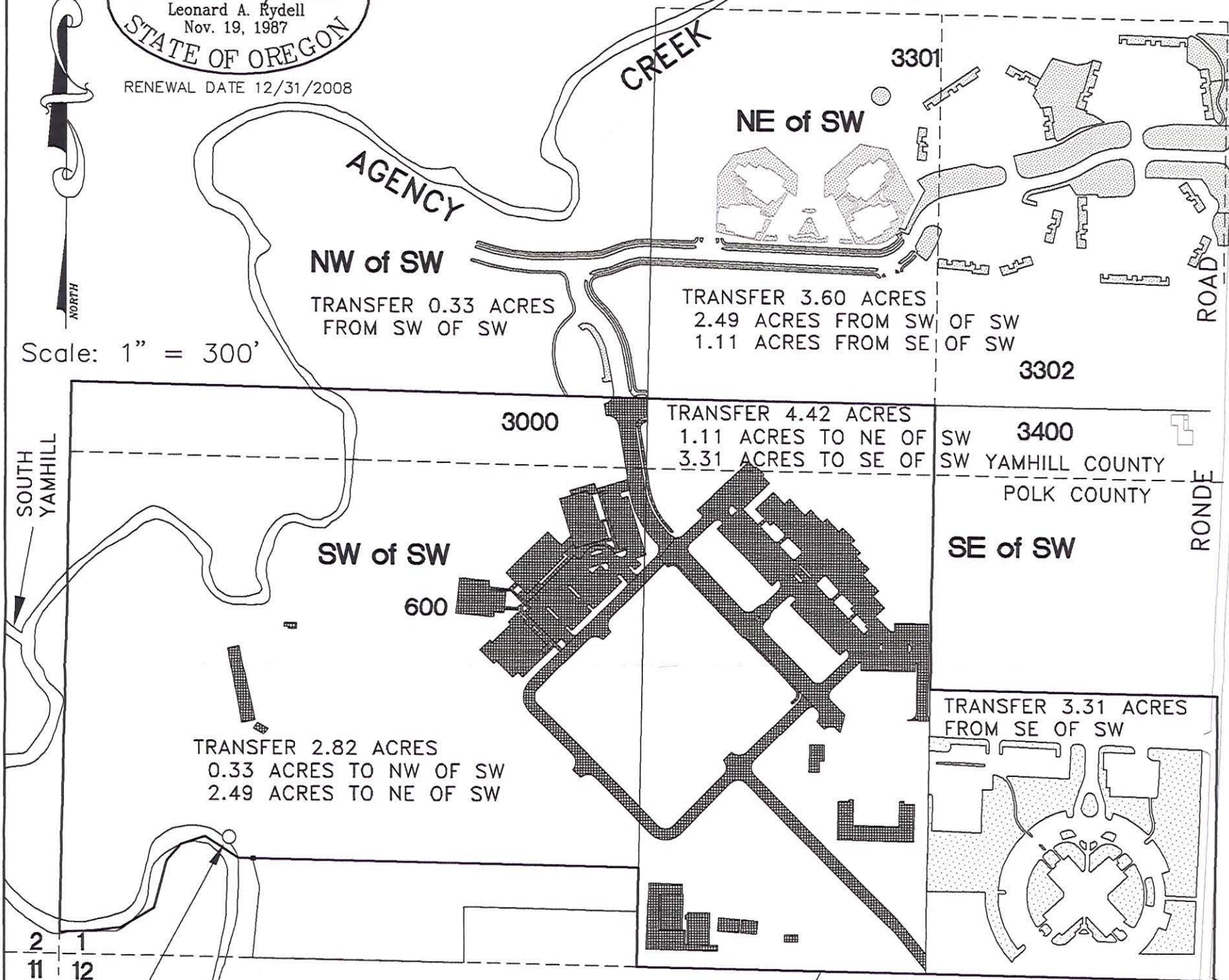
Leonard A. Rydell, C.W.R.E.
601 E. Pinehurst Drive
Newberg, Oregon 97132-1625
Phone: (503) 781-4138
E-Mail: LARydell@Teleport.com
DWG: Final Proof Map.DWG
Date: 22 December 2025

SW 1/4 OF SECTION 1
T.6 S. R.8 W.W.M.

Certified Water Right Examiner
#116
Leonard A. Rydell
Leonard A. Rydell
Nov. 19, 1987
STATE OF OREGON

RENEWAL DATE 12/31/2008

Scale: 1" = 300'



NW of SW
TRANSFER 0.33 ACRES
FROM SW OF SW

NE of SW
TRANSFER 3.60 ACRES
2.49 ACRES FROM SW OF SW
1.11 ACRES FROM SE OF SW



TRANSFER 4.42 ACRES
1.11 ACRES TO NE OF SW
3.31 ACRES TO SE OF SW

SW of SW
TRANSFER 2.82 ACRES
0.33 ACRES TO NW OF SW
2.49 ACRES TO NE OF SW

SE of SW
TRANSFER 3.31 ACRES
FROM SE OF SW

EXISTING
AND PROPOSED
DIVERSION POINT
SW 1/4 OF SW 1/4
SECTION 1, T6S, R7W

LEGEND

-  Transfer Area to be Irrigated
-  Water Right to be Transferred

NOTES:

1. Section lines based on Polk County Survey No. 12238.
2. This map was prepared for the purposes of identifying the location of the water right only and is not intended to provide legal dimensions or locations of property ownership lines.

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JUN 19 2007

WATER RESOURCES DEPT
SALEM, OREGON

Prepared For:

The Confederated Tribes
9615 Grand Ronde Road
Grand Ronde, Oregon 97347

Phone: (503) 879-2404
Fax: (503) 879-2263

Prepared By:

Leonard A. Rydell, W.R.E.
601 Pinehurst Drive
Newberg, Oregon 97132

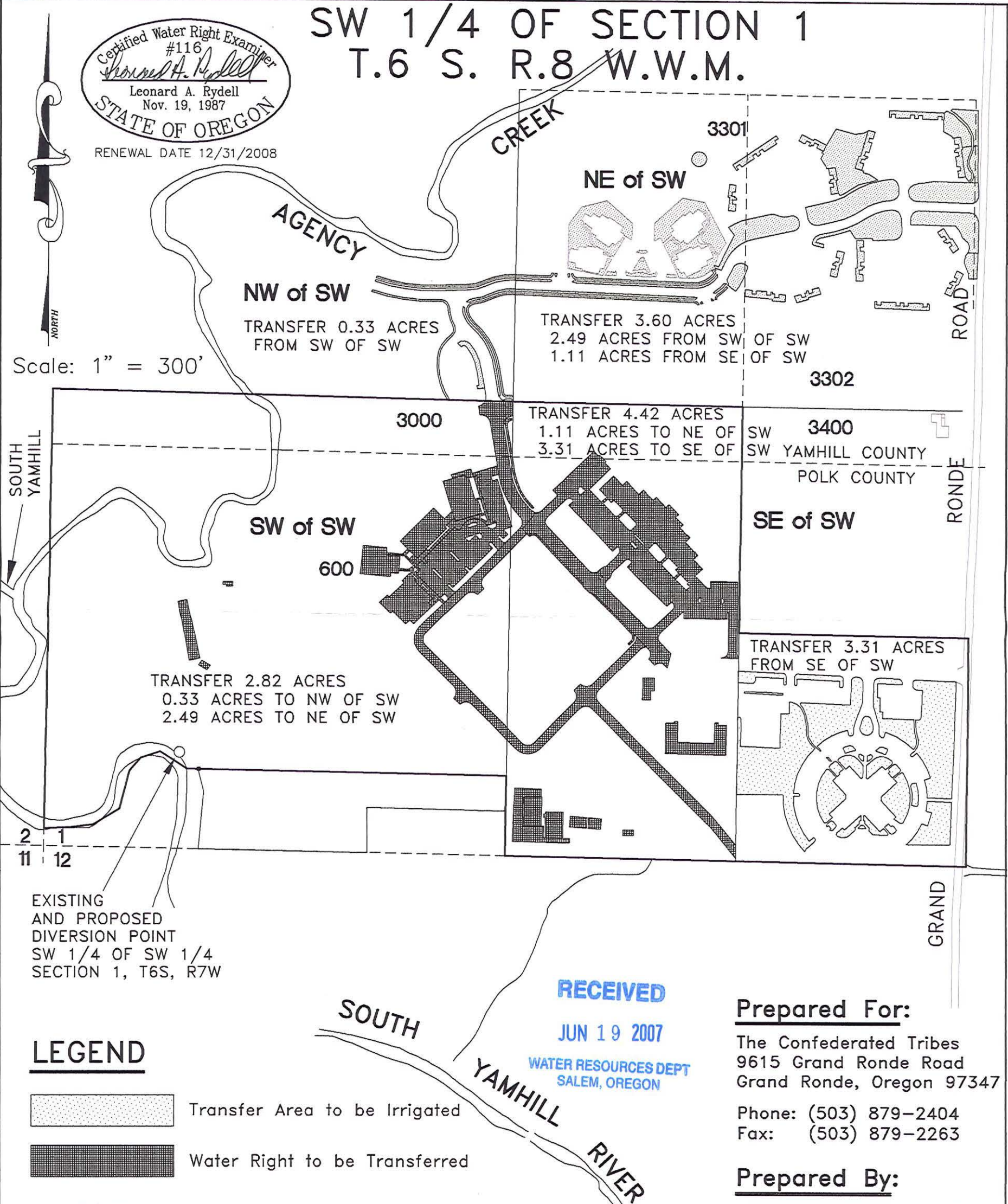
Phone: (503) 538-5700
Fax: (503) 538-9167

DWG: PT-8801(11X17).DWG

Certified Water Right Examiner
#116
Leonard A. Rydell
Leonard A. Rydell
Nov. 19, 1987
STATE OF OREGON

RENEWAL DATE 12/31/2008

SW 1/4 OF SECTION 1
T.6 S. R.8 W.W.M.



Scale: 1" = 300'

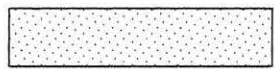
SOUTH
YAMHILL

RONDE

GRAND

EXISTING
AND PROPOSED
DIVERSION POINT
SW 1/4 OF SW 1/4
SECTION 1, T6S, R7W

LEGEND



Transfer Area to be Irrigated



Water Right to be Transferred

NOTES:

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SALEM, OREGON

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