

T-10504

SCANNED

T-10504

APR 29 2026

Name Brian + Lisa Silvey

Address 52802 Reservation Rd
Maupin, OR 97037

Change in POU
Date Filed 12-19-2007
Initial notice date 1-8-08
DPD issued date _____
PD issued date _____
PD notice date _____
Date of FO 2-10-09 Vol 77 Page 234

C-Date _____
COBU due date _____
COBU Received date 12/26/2018
Certificate issued _____

Assignments: REC'D FEB 21 2008 *[Signature]*

Irrigation District Juniper Flat District Improvement Co, 82529 Hwy 216 Maupin, OR 97037

Agent Bruce Estes, Estes Surveys, LLC 60382 Arnold Mkt, Rd Bend OR 97702
541-382-7391
CWRE Bruce Estes #1
CC's list Wasco County RLO: Manuel Pinheiro 52801 Reservation Rd
Maupin OR 97037

- Oversized map - Location

DESCRIPTION OF WATER RIGHT(S)

Name of Stream Clear CR, Roy CR, A Reservoir / Clear LK Res

Trib. of White R, Clear CR, Clear LK / White River

Use LU Tr Pond M, ST

County Wasco

Quantity of water (CFS) _____

No. of Acres _____

Name of ditch _____

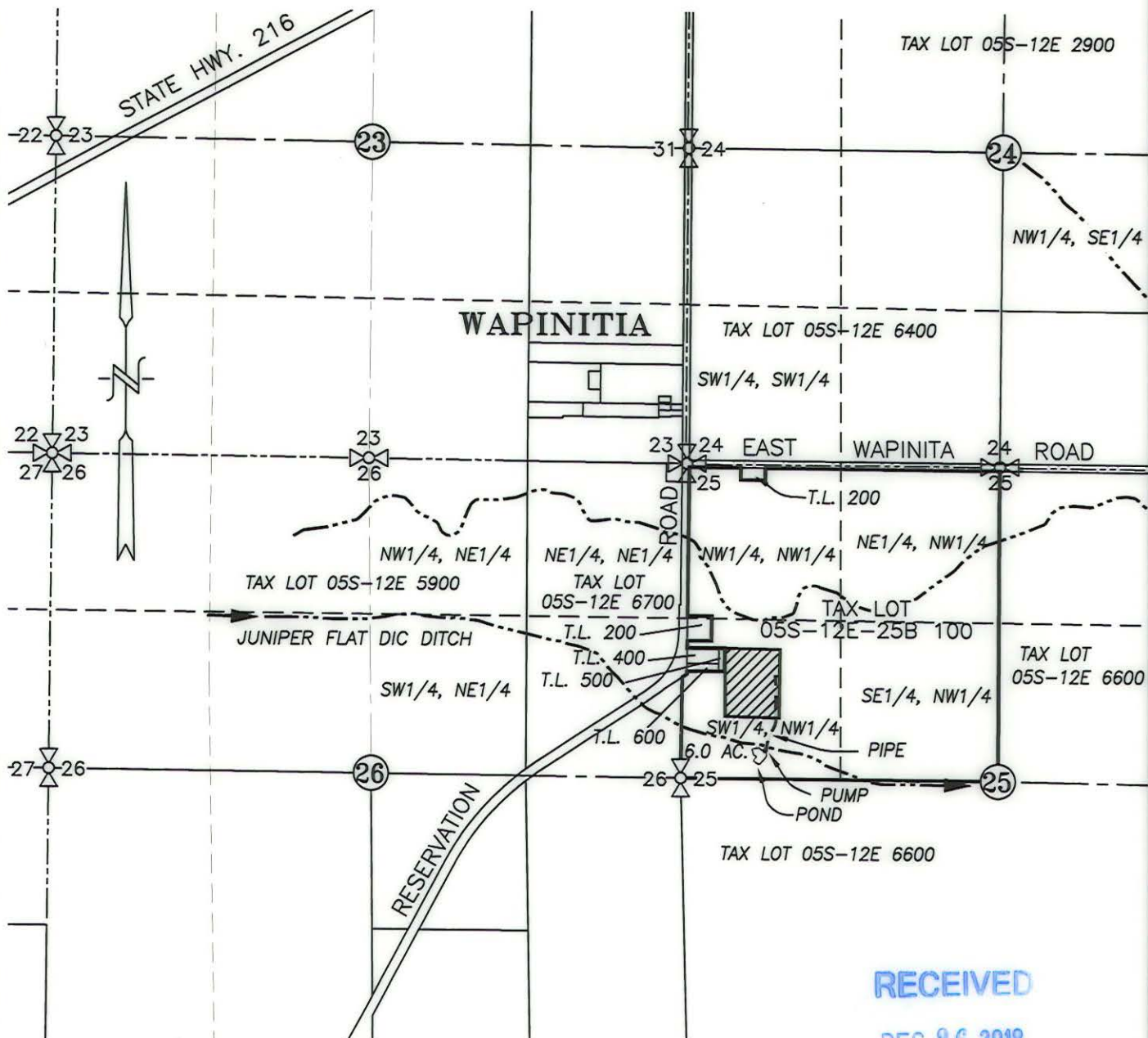
App #	Per #	Cert #	PR Date
App # <u>32044</u>	Per # <u>25275</u>	Cert # <u>77326</u>	PR Date <u>1904</u>
App # _____	Per # _____	Cert # <u>76961</u> ^{sup}	PR Date <u>1915</u>
App # _____	Per # _____	Cert # _____	PR Date _____
App # _____	Per # _____	Cert # _____	PR Date _____

Superseded by C# 77733

Date	FEES PAID	
	Amount	Receipt #
<u>12/19/07</u>	<u>350.00</u>	<u>90956</u>
<u>12/19/07</u>	<u>250.00</u>	<u>90987</u>




Date	FEES REFUNDED	
	Amount	Receipt #

SECTION 25, TWP.5 S. RANGE 12 E. W.M.
WASCO COUNTY, OREGON

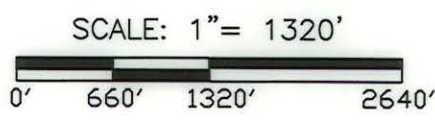


RECEIVED
DEC 26 2018
OWRD

LEGEND :

-  TRANSFERRED IN AREA = 6.0 ACRES
-  EXISTING PIPELINE
-  STREAM WITH DIRECTIONAL FLOW

CLAIM OF BENEFICIAL USE MAP



TRANSFER No. 10504

IN THE NAME OF:
MANUEL AND KATHLEEN PINHEIRO

DATE: SEPTEMBER 24, 2018



EXPIRES: 06/30/2020

BY: **TENNESON ENGINEERING CORP.**
3775 CRATES WAY
THE DALLES, OREGON. 97058
PH. 541-296-9177
FAX 541-296-6657

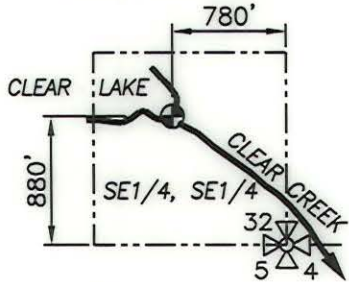


NOTE:
"THIS MAP IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES."

WASCO COUNTY, OREGON

CLEAR LAKE RESERVOIR DIVERSION

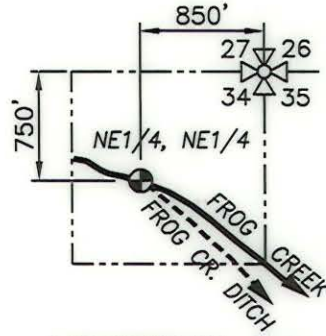
T.4S., R.9E., W.M.



SECTION 32

FROG CREEK DIVERSION

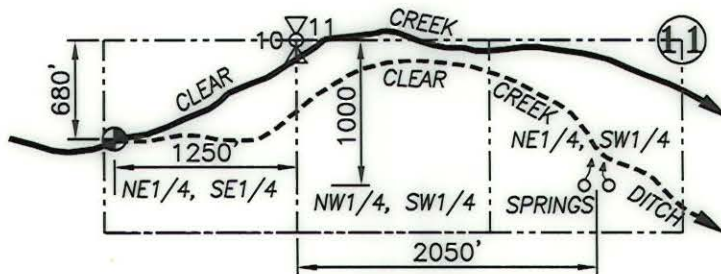
T.4S., R.9E., W.M.



SECTION 34

CLEAR CREEK DIVERSION

T.5S., R.9E., W.M.



SECTIONS 10 AND 11

LEGEND :

- DIVERSION POINT
- STREAM WITH DIRECTIONAL FLOW

RECEIVED

DEC 26 2018

OWRD

CLAIM OF BENEFICIAL USE MAP

SCALE: 1" = 1320'



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IN THE NAME OF:

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3775 CRATES WAY
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PH. 541-296-9177
FAX 541-296-6657



EXPIRES: 06/30/2020

NOTE:

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Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

August 19, 2019

JUNIPER FLAT DISTRICT IMPROVEMENT COMPANY
82529 HIGHWAY 216
MAUPIN OR 97037

Reference: Transfer Application T-10504

Enclosed is a copy of the Determination of Satisfactory Proof of Completion for Transfer Application T-10504.

If you have any questions related to the completion of this Claim of Beneficial Use, you may contact Ann Reece, by telephone at 503-986-0858 or by e-mail at ann.l.reece@oregon.gov.

Sincerely,

Kerry Kavanagh
Certificate Reimbursement Authority Program
Certificates

cc: Bob Wood, Watermaster Dist. # 3 (via email)
Ann Reece, District Transfer Advisor (via email)

File T-10504

Manuel & Kathleen Pinheiro, PO Box 438, The Dalles, OR 97058

Paul Brace, 2520 Sevenmile High Road, The Dalles, OR 97058

Herbert Snodgrass, PO Box 325, Maupin, OR 97037

Larry Toll, CWRE, 3775 Crates Way, The Dalles, OR 97058

Enclosure

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

In the Matter of the Completion of a Change in Place of Use Under Transfer Application T-10504, Wasco County)))	DETERMINATION OF SATISFACTORY PROOF OF COMPLETION FOR A PERMANENT TRANSFER FOR A DISTRICT
--	-------------	---

Authority

Oregon Administrative Rule (OAR) 690-380-6030 describes the documentation that must be filed with the Department in order to provide proof of use.

OAR 690-380-6040 provides in pertinent part that satisfactory proof shall be (a) a determination by the Department that application of water to beneficial use under the terms of the transfer final order was completed to the extent authorized, or (b) a determination by the Department that the application of water to a beneficial use under the terms of the transfer final order was completed to an extent less than authorized.

Oregon Revised Statute (ORS) 540.530(2)(a) authorizes the Department to issue or modify a certificate of water right upon satisfactory proof of completion of the change or changes authorized by a final order approving a permanent transfer for an irrigation district.

Order Issued To:

JUNIPER FLAT DISTRICT IMPROVEMENT COMPANY
82529 HWY 216
MAUPIN, OR 97037

Findings of Fact

1. On February 10, 2009, the Department signed a final order, which was mailed on February 24, 2009, and recorded in Special Order Volume 77, Pages 234-237, approving Transfer Application T-10504 involving Certificates 77326 and 77733. The final order established October 1, 2010, as the date for completion of the authorized change in place of use.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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

2. On December 26, 2018 the Department received a Claim of Beneficial Use (CBU) and associated maps from the applicant for Transfer Application T-10504 satisfying the requirements for providing proof of use under OAR 690-380-6030 for 77326 and 77733.
3. The Department reviewed the CBU and maps submitted by the applicant for Transfer Application T-10504.
4. The proposed place of use for Certificate 77326 as approved in the final order for Transfer Application T-10504, and as recorded in Special Order Volume 77, Pages 234-237 is shown in Table 1, below:

Table 1:

PRIMARY IRRIGATION & STOCK					
Twp	Rng	Mer	Sec	Q-Q	Acres
5 S	12 E	WM	25	SW NW	6.0

5. The proposed place of use for Certificate 77333 as approved in the final order for Transfer Application T-10504, and as recorded in Special Order Volume 77, Pages 234-237 is shown in Table 2, below:

Table 2:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
5 S	12 E	WM	25	SW NW	6.0

6. Based on the review of evidence submitted by the applicant, the Department finds that the application of water to beneficial use under the terms of the final order approving the changes for T-10504 was completed to the extent authorized in the transfer as described in Table 1 and Table 2.

Conclusions of Law

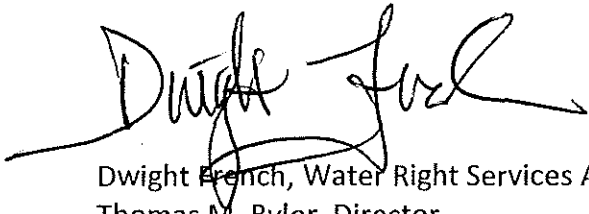
1. The Applicant has submitted proof of use pursuant to OAR 690-380-6030.
2. Application of water to a beneficial use under the terms of the transfer final order has been made to the extent shown in Tables 1 and 2, above.
3. The applicant has demonstrated proof of completion under T-10504 to the satisfaction of the Department.

4. The Department is authorized to issue or modify irrigation district water rights involved in transfer T-10504 consistent with this determination of satisfactory proof of completion.

Now, therefore, it is ORDERED:

1. Water right Certificates 77326 and 77733 are modified as shown in Table 1 and Table 2, above. The Department will issue superseding certificates describing these rights when it determines it is necessary for record keeping.

Dated in Salem, Oregon on AUG 19 2019



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

Mailing date: AUG 19 2019

Mailing List for PROPOSED Determination of Satisfactory Proof (DSP)

Transfer Application: T-10504

Certificates: 77326 (Living Certificate)
77733 (Living Certificate)

Copies Mailed	
by:	<u>TM</u> (STAFF)
on:	<u>8/19/2019</u> (DATE)

Certificate Holder / Water User: (include copy of map)

JUNIPER FLAT DISTRICT IMPROVEMENT COMPANY – Water right holder of record
82529 HIGHWAY 216
MAUPIN OR 97037

MANUEL AND KATHLEEN PINHEIRO – Receiving Landowners in TFO
PO BOX 438
THE DALLES OR 97058

PAUL BRACE – Land owner – Map No. 05S12 E25B 00100 00
2520 SEVENMILE HIGH ROAD
THE DALLES OR 97058

HERBERT SNODGRASS – Listed in COBU as manager
PO BOX 325
MAUPIN OR 97037

Copies of DSP to be sent to:

1. Watermaster District #: 3 – Bob Wood via email (include cover letter)
2. Sarah Henderson (Paper)
3. Ann Reece, District Transfer Advisor (via email – include cover letter)
4. File

Other persons to receive copies: (include map):

CWRE:
LARRY TOLL
3775 CRATES WAY
THE DALLES OR 97058



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

August 19, 2019

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Sincerely,

Kerry Kavanagh
Certificate Reimbursement Authority Program
Certificates

cc: Bob Wood, Watermaster Dist. # 3 (via email)
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File T-10504

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Herbert Snodgrass, PO Box 325, Maupin, OR 97037

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FOR THE
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5. The proposed place of use for Certificate 77333 as approved in the final order for Transfer Application T-10504, and as recorded in Special Order Volume 77, Pages 234-237 is shown in Table 2, below:

Table 2:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
5 S	12 E	WM	25	SW NW	6.0

6. Based on the review of evidence submitted by the applicant, the Department finds that the application of water to beneficial use under the terms of the final order approving the changes for T-10504 was completed to the extent authorized in the transfer as described in Table 1 and Table 2.

Conclusions of Law

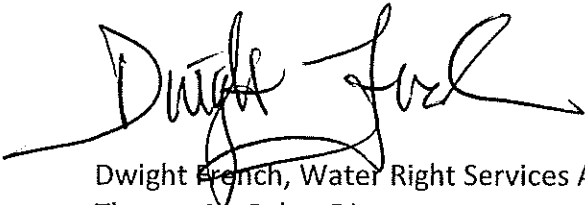
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Now, therefore, it is ORDERED:

1. Water right Certificates 77326 and 77733 are modified as shown in Table 1 and Table 2, above. The Department will issue superseding certificates describing these rights when it determines it is necessary for record keeping.

Dated in Salem, Oregon on AUG 19 2019



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

Mailing date: AUG 19 2019

Completion Checklist for Claims of Beneficial Use for
POST JULY 1, 2004 Claims

Application #	WRD Reviewer <i>Kerry Kavanaugh</i>
Transfer # <i>T-10504</i>	Claim Logged <i>YES</i>
Date Received <i>12-26-2018</i>	Oversized Map # <i>MA</i>
CWRE Name <i>Larry Toll</i>	

2 map sheets

- Map Review: *Larry toll, Representative TFO issued 2-10-2009*
Chate = 10-1-2010
- Map on polyester film (OAR 690-014-0170(1) & 310-0050(1)(b))
 - Application & permit #; or transfer # (OAR 690-014-0100(1)) *Receiving landowner = Manager elkhathleen*
 - Disclaimer (OAR 690-014-0170(5)) *portion cert 77326 - A POU - 1st 6.0 ac - 1st cert*
 - North arrow (OAR 690-310-0050(2)(c)) *portion cert 77733 - A POU - 1st 6.0 ac - 1st cert*
 - CWRE stamp and signature (OAR 690-014 & 310-0050) *or "living certs"*
 - Appropriate scale (1" = 1320', 1" = 400', or the original full-size scale of the county assessor map) (014 & 310) *& stock*
 - Township, range, section, and tax lot numbers (OAR 690-310-0050(4))
 - Source illustrated if surface water (OAR 690-014-0170(3))
 - Point(s) of diversion or appropriation (illustrated) (OAR 690-014(4) & 690-310-0050)
 - Point(s) of diversion or appropriation (coordinates) (OAR 690-014(4) & 690-310-0050)
 - Conveyance structures illustrated (pump, pipelines, ditches, etc.) (OAR 690-310-0050)
 - Description of the location, in relation to the point of diversion or appropriation, of any fish screens, by-pass devices, and measuring devices required (OAR 690-014-0170(4)) *When required*
 - Place of use (1/4 1/4, or projected 1/4 1/4 lines within DLCs, or Gov Lots; if irrigation, # of acres in each subdivision; if for domestic or human consumption, location of dwelling or spigot) (OAR 690-310-0050, 690-014, 690-380-6010)

- Report Review: *Corbu - 12 of 6.0 ac -*
- On form or format provided by the Department (OAR 690-014-0100(1))
 - Application & permit #; or transfer # (OAR 690-014)
 - Ownership information (OAR 690-014) *- per coron: Paul Brace*
 - Date of survey (OAR 690-014)
 - Person interviewed (OAR 690-014)
 - County (OAR 690-014) *WKS CO*

POU only

- Description of conveyances system (from POD to POU) (OAR 690-014-0100)
- Source(s) of water (OAR 690-014-0100)
- Place of use location (OAR 690-014-0100)
- Type of use (OAR 690-014-0100)
- Extent of use (OAR 690-014-0100)
- Rate and Duty (OAR 690-014-0100)
- Diversion rate for each use (OAR 690-014-0100)
- Diversion works description (pump make, serial model, capacity, and description) (OAR 690-014-0100)
- System capacity (OAR 690-014-0100)
 - Calculated capacity of system (required)
 - Measured amount of use (optional)
- Permit/Transfer Final Order Conditions (OAR 690-014-0100)
 - Time limits
 - Initial water level measurements
 - Annual static water level measurements
 - Measurement, recording, and reporting
 - Meter/measuring device
 - Water use reporting
 - Fish screening and/or by-pass
 - Pump test (ground water)
 - Other *TFO - when required, install, maintain & operate inflow meter, weir or OSMD*

MA

? TFO - maintain existing headgate & make required improvements

Conditions from Extension Final Order and/or Water Management Conservation Plan

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

DEF = deficient
N/A = Not Applicable

Certificate Issuance Processing Checklist

Map and COBU reviewed
 Conflict check Any Conflicts? No
 Check for ownership

Check Area of Interest YES NO
Identified Party _____

Staff Recommendations:

_____ Proof to the Satisfaction has been established to the extent as described in the permit or transfer order.
 Proof to the Satisfaction has been not been established to the full extent as described in the permit or transfer order and the right should be limited as follows: Cert 77726 IR & stock
CO COBU only describes IR of Cert 77733 -
_____ Proof to the Satisfaction has not been established for the following reasons: _____
Proposed Actions:
_____ Send letter requesting the following items/information: _____
_____ Send letter recommending extension to cure deficiencies: _____

Can certificate be processed further?
_____ Yes

If "Yes":
_____ Proposed
_____ Final Certificate # _____

Mailing list:
Proposed: "Living Certs"
Final:

COBU
- no mention of stock
- no mention of maintenance of existing headgate

QUESTION
1 - prepare FO - as 2 certs are "living" certs - checked w/ Gary



Oregon
Kate Brown, Governor

Water Resources Department
725 Summer St-NE, Suite A
Salem, OR 97301
(503) 986-0900
Fax (503) 986-0904

August , 2019

JUNIPER FLAT DISTRICT IMPROVEMENT COMPANY
82529 HIGHWAY 216
MAUPIN OR 97037

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Sincerely,

Kerry Kavanagh
Certificate Reimbursement Authority Program
Certificates

cc: Bob Wood, Watermaster Dist. # 3 (via email)
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Enclosure

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**Certificates: 77326 (Living Certificate)
77733 (Living Certificate)**

Copies Mailed	
by:	_____
	(STAFF)
on:	_____
	(DATE)

Certificate Holder / Water User: (include copy of map)

JUNIPER FLAT DISTRICT IMPROVEMENT COMPANY – Water right holder of record
82529 HIGHWAY 216
MAUPIN OR 97037

MANUEL AND KATHLEEN PINHEIRO – Receiving Landowners in TFO
PO BOX 438
THE DALLES OR 97058

PAUL BRACE – Land owner – Map No. 05S12 E25B 00100 00
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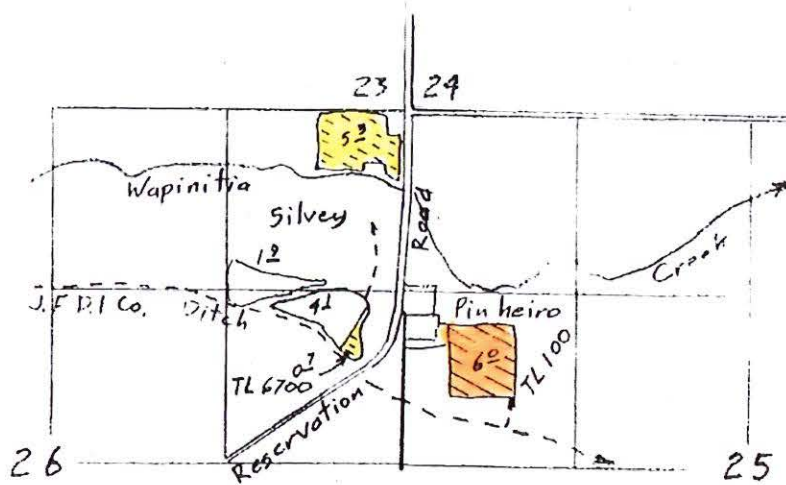
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1. Watermaster District #: 3
2. Sarah Henderson (Paper)
3. Ann Reece (email)
4. File

Other persons to receive copies: (include map):

CWRE:
LARRY TOLL
3775 CRATES WAY
THE DALLES OR 97058

T. 5 S., R. 12 E., W. M.



- ☺ From 6⁰ acres
- 🟠 To 6⁰ acres
- Remain in place 6⁰ acres

Transfer Application Map
from Silvey to Pinheiro
(Juniper Flat District Improvement Co.)

RECEIVED

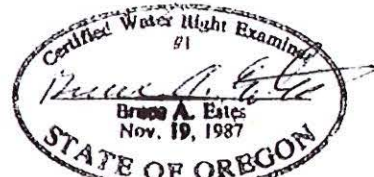
DEC 19 2007

WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED

OCT 25 2007

WATER RESOURCES DEPT
SALEM, OREGON



Renewal Dec 31, 2007

1 10504

This map is for the purpose of
locating a water right only
and has no intent to provide
legal dimensions or the location
of property lines.

ESTES SURVEYS

PO Box 17519 60362 Arnold Rd
Salem, OR 97306-7519 Bend, OR 97702
(503) 585-7593 (541) 382-7391

2nd originating right

STATE OF OREGON

COUNTY OF WASCO

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JUNIPER FLAT DISTRICT IMPROVEMENT COMPANY
53333 RESERVATION ROAD
MAUPIN, OR 97037

confirms the right to use the waters of CLEAR LAKE RESERVOIR, CONSTRUCTED UNDER PERMIT R-2106, a tributary of WHITE RIVER, for SUPPLEMENTAL IRRIGATION OF 2,101.64 ACRES AND MAINTENANCE OF STOCK PONDS (5.85 ACRE EQUIVALENTS).

This right was perfected under Permit 25275. The date of priority is NOVEMBER 11, 1915. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 11,660 ACRE-FEET STORED WATER ONLY or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SE¼ SE¼, SECTION 32, T. 4 S., R. 9 E., W.M.; 1,390 FEET SOUTH AND 480 FEET WEST FROM E¼ CORNER, SECTION 32.

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 4.2 ACRE-FEET FOR EACH ACRE IRRIGATED OR ACRE EQUIVALENT DURING THE IRRIGATION SEASON OF EACH YEAR.

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

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

SUPPLEMENTAL IRRIGATION

	<u>TAX</u>		
<u>OTR/OTR</u>	<u>LOT</u>	<u>ACRES</u>	<u>LANDOWNER</u>
NE/SE	7200	1.50	MCELHERON
SW/SE	7200	23.60	MCELHERON
SE/SE	7200	35.70	MCELHERON
SECTION 14			
SW/NE	9300	2.50	TOM MORELLI
SE/NE	9300	5.60	TOM MORELLI
NE/NW	7600	0.90	MAYHEW

<u>OTR/QTR</u>	<u>TAX</u> <u>LOT</u>	<u>ACRES</u>	<u>LANDOWNER</u>
SW/SW	9200	1.50	TOM MORELLI
SE/SW	9200	9.90	TOM MORELLI
NE/SE	9400	23.80	TOM MORELLI
NW/SE	9400	19.00	TOM MORELLI
SW/SE	9400	10.40	TOM MORELLI
SE/SE	9400	2.80	TOM MORELLI
SECTION 22			
NE/NE	7200	18.40	MCELHERON
NW/NE	7200	10.80	MCELHERON
SW/SW	9500	22.70	DELCO
SE/SW	9500	24.30	DELCO
SECTION 23			
NE/NW	6500	34.00	LARSELL
SE/NW	6500	36.00	LARSELL
SECTION 24			
SE/NE	9700	1.30	HARTH
NW/SW	9900	15.40	MAYHEW
SW/SW	9900	19.40	MAYHEW
SECTION 25			
NE/SE	9900	12.90	MAYHEW
NW/SE	9900	2.60	MAYHEW
SW/SE	9900	2.70	MAYHEW
SE/SE	9900	35.30	MAYHEW
SECTION 26			
NW/NE	9501	33.50	TIM MORELLI
SW/NE	9501	1.60	TIM MORELLI
NE/NW	9200	6.00	TOM MORELLI
NE/SW	10100	22.00	TIM MORELLI
SW/SW	10100	13.80	TIM MORELLI
SE/SW	10100	6.60	TIM MORELLI
NW/SE	10100	20.50	TIM MORELLI
SECTION 27			
NE/SW	10600	7.00	V. WOODSIDE
NW/SW	10600	3.50	V. WOODSIDE
SW/SW	10600	11.60	V. WOODSIDE
SE/SW	10600	7.40	V. WOODSIDE

SECTION 29

<u>OTR/OTR</u>	<u>TAX LOT</u>	<u>ACRES</u>	<u>LANDOWNER</u>
NE/SE	10600	0.90	V. WOODSIDE
SE/SE	10600	1.00	V. WOODSIDE
SECTION 30			
NE/NE	10800	10.50	GUTZLER
SW/NE	10800	3.50	GUTZLER
SE/NE	10800	10.90	GUTZLER
SW/NW	10700	11.20	ENDERSBY
SECTION 31			
NW/NW	10800	2.70	GUTZLER
NE/SE	10900	13.30	PAULSON
NW/SE	10900	6.00	PAULSON
SE/NE	10900	8.50	PAULSON
SECTION 32			
NE/SW	10900	17.50	PAULSON
SE/SW	10900	20.20	PAULSON
SW/SW	10900	5.50	PAULSON
SECTION 33			
NW/NW	11100	15.70	RECKMAN
NW/SW	11100	3.80	RECKMAN
NW/SW	11101	1.90	ODEM
SW/NW	11100	0.50	RECKMAN
SW/SW	11101	2.10	ODEM
SECTION 34			
NE/SE	11400	12.30	MAYHEW
SE/SW	11400	0.30	MAYHEW
SW/SE	11400	9.80	MAYHEW
SE/SE	11400	34.30	MAYHEW
SECTION 35			
NE/SE	11500	24.80	MAYHEW
NW/SE	11500	15.80	MAYHEW
SW/SE	11500	25.80	MAYHEW
SE/SE	11500	33.00	MAYHEW
SECTION 36			

TOWNSHIP 4 SOUTH, RANGE 13 EAST, W.M.

<u>OTR/QTR</u>	<u>TAX LOT</u>	<u>ACRES</u>	<u>LANDOWNER</u>
NE/NE	3700	30.90	MARSH
SE/NE	3700	28.10	MARSH
SECTION 19			
NW/NW	3300	32.30	MARSH
SW/NW	3300	30.40	MARSH
NW/SW	3300	8.30	MARSH
SECTION 20			
NE/SW	4200	1.10	HARTH
NW/SW	4200	0.60	HARTH
SECTION 30			
NE/SW	4302	20.8	DULING
NW/SE	4302	8.7	DULING
SW/SE	4302	10.00	DULING
SECTION 31			
TOWNSHIP 4 SOUTH, RANGE 14 EAST, W.M.			

NW/SW	1701	7.00	ENDERSBY
SECTION 13			
SE/NE	2700	0.10	DODGE
NE/SW	2400	3.00	ODFW
SE/SW	2400	19.34	ODFW

SECTION 24			
SE/NE	1900	5.00	HAMMOND
NE/SW	100	1.00	MUNCIE

SECTION 25			
TOWNSHIP 5 SOUTH, RANGE 11 EAST, W.M.			

SW/NE	100	4.00	MCCORKLE
NE/NW	201	3.70	V. WOODSIDE
NW/NW	201	0.90	V. WOODSIDE
SW/NW	201	7.90	V. WOODSIDE
SE/NW	100	7.40	MCCORKLE
SE/NW	201	1.10	V. WOODSIDE
NW/SE	100	6.00	MCCORKLE

SECTION 1

<u>OTR/OTR</u>	<u>TAX</u> <u>LOT</u>	<u>ACRES</u>	<u>LANDOWNER</u>
NW/SW	400	14.40	HACHLER
SW/SW	400	0.80	HACHLER
SECTION 2			
NE/SE	400	9.90	HACHLER
SE/SE	400	4.90	HACHLER
SECTION 3			
SE/SE	1700	10.40	AMBROSE
SECTION 8			
NW/SW	1700	12.90	AMBROSE
SW/SW	1700	6.70	AMBROSE
SECTION 9			
SW/SW	2200	12.40	ENDERSBY
SE/SW	2200	9.60	ENDERSBY
SECTION 11			
NW/NW	2100	31.80	MCLEOD
SW/NW	2100	27.50	MCLEOD
SE/NW	2100	7.70	MCLEOD
SECTION 12			
NE/NE	2300	6.30	ENDERSBY
SE/NE	2300	4.40	ENDERSBY
NE/SW	2600	3.20	WILLIAMSON
NW/SW	2600	9.60	WILLIAMSON
SECTION 13			
NW/NE	3103	0.50	GROCE
SE/NE	2600	7.20	WILLIAMSON
NE/NW	3103	10.50	GROCE
SW/SE	3100	9.30	CLAYMIER
SE/SE	3100	12.00	CLAYMIER
SECTION 14			
SW/SW	3502	14.00	DODGE
SW/SW	3502	1.20	DODGE
SE/SW	3502	39.80	DODGE
SECTION 18			
SE/SW	3790	20.00	CONFEDERATED TRIBES
SECTION 19			
SE/NE	3403	5.00	CAPPS
SECTION 20			

<u>OTR/OTR</u>	<u>TAX LOT</u>	<u>ACRES</u>	<u>LANDOWNER</u>
NE/SE	3900	14.60	HUNDLEY
NW/SE	3900	1.40	HUNDLEY
SE/SE	3900	4.34	HUNDLEY
SECTION 21			
NW/NW	3200	15.50	S. WOODSIDE
SW/NW	3200	9.23	S. WOODSIDE
NE/SE	3100	2.70	L. WOODSIDE
SW/SE	4000	10.00	JONES & ROSS
SE/SE	3100	16.20	L. WOODSIDE
SECTION 22			
NE/NE	2703	15.00	ASCHOFF
NW/NE	3100	11.50	CLAYMIER
NE/NW	3100	16.40	CLAYMIER
NW/NW	3100	12.68	CLAYMIER
SW/NW	3100	3.40	CLAYMIER
SE/NW	3100	1.20	CLAYMIER
SW/SW	4100	4.50	L. WOODSIDE
SE/SW	4100	4.60	L. WOODSIDE
SECTION 23			
NW/NW	2702	5.00	CARTER
SW/NW	2702	10.00	CARTER
SE/SE	4400	0.50	DULING
SECTION 24			
SW/NE	4500	11.80	L. WOODSIDE
SECTION 25			
NE/NE	4900	7.20	PINHEIRO
SE/NE	4900	4.80	PINHEIRO
NE/NW	4100	13.50	L. WOODSIDE
NW/NW	4100	21.60	L. WOODSIDE
NW/SE	5200	2.00	BEEBE
SECTION 26			
NE/NE	4100	6.40	L. WOODSIDE
NE/SW	5500	6.00	HAMMER
NW/SW	5500	0.70	HAMMER
NW/SE	5500	2.80	HAMMER
SE/SE	5600	10.00	TOLENTINO

SECTION 27

<u>OTR/OTR</u>	<u>TAX</u> <u>LOT</u>	<u>ACRES</u>	<u>LANDOWNER</u>
NW/NW	6100	0.30	DODGE
SW/SE	6400	1.50	FILBIN
SECTION 29			
SE/SE	6300	11.10	BLAKE
SECTION 30			
NW/NE	6501	18.50	FILBIN
SECTION 32			
NW/NE	7300	12.00	DODGE
NW/NW	6000	18.90	BLAKE
SECTION 33			
TOWNSHIP 5 SOUTH, RANGE 12 EAST, W.M.			

NE/NE	500	11.60	MAYHEW
SE/SW	600	7.50	LARKIN/INGRAM
SECTION 2			
NE/NW	800	12.90	GABEL & LARKIN
NE/NW	801	20.60	FOSBERG
NW/NW	801	25.20	FOSBERG
NW/NW	900	12.20	GABEL & LARKIN
SW/NW	900	14.90	GABEL & LARKIN
SE/NW	800	20.00	GABEL & LARKIN
NW/SW	1000	1.00	BOTHWELL
SECTION 3			
NE/NE	1100	11.60	FOSBERG
NW/NE	802	11.60	FOSBERG
SECTION 4			
NE/NW	1300	20.00	CARTER
SE/NW	1300	2.40	CARTER
SW/SW	1300	3.20	CARTER
SE/SW	1300	16.10	CARTER
SW/SE	1300	19.50	CARTER
SE/SE	1300	11.80	CARTER
SECTION 5			
SW/NW	1400	2.00	WALTERS
NE/SW	1400	8.10	WALTERS
NW/SW	1400	1.60	WALTERS
SW/SW	1400	12.70	WALTERS

<u>OTR/OTR</u>	<u>TAX</u> <u>LOT</u>	<u>ACRES</u>	<u>LANDOWNER</u>
SE/SW	1400	2.60	WALTERS
NE/SE	1400	5.40	WALTERS
NW/SE	1400	13.30	WALTERS
SW/SE	1400	0.80	WALTERS
SE/SE	1400	0.50	WALTERS
SECTION 7			
SW/NW	1500	1.90	L. WOODSIDE
NW/SW	1500	15.10	L. WOODSIDE
SW/SW	2000	24.20	R. KELLY & HAWTHORNE
SE/SW	2000	0.60	R. KELLY & HAWTHORNE
SECTION 8			
SW/NE	2200	7.40	KELLY
SW/NW	2200	14.60	KELLY
SE/NW	2200	8.70	KELLY
NE/SW	2200	7.80	KELLY
SECTION 9			
NW/NE	600	15.50	LARKIN/INGRAM
NE/NW	600	10.50	LARKIN/INGRAM
SECTION 11			
NW/NW	2000	0.20	R. KELLY
SECTION 17			
SE/SE	4100	0.25	FOSBERG
SECTION 18			
NE/NE	3700	11.60	ENDERSBY
NW/NE	3700	7.80	ENDERSBY
SW/NE	3700	4.00	ENDERSBY
SE/NE	4500	6.60	TOM MORELLI
NW/SE	4500	0.70	TOM MORELLI
SECTION 20			
NW/NW	3700	0.10	ENDERSBY
SW/NW	4500	7.70	TOM MORELLI
SW/SW	4600	5.40	HAMMER
SE/SW	4600	6.00	HAMMER
SE/SE	4600	15.10	HAMMER
SECTION 21			
NW/NW	5200	1.00	LYLE GABEL & LORRAINE
SECTION 28			

SW/NW	5700	13.20	LYLE GABEL & LORRAINE
NE/SW	5700	3.40	LYLE GABEL & LORRAINE
NW/SW	5700	7.40	LYLE GABEL & LORRAINE

SECTION 30

TOWNSHIP 5 SOUTH, RANGE 13 EAST, W.M.

MAINTENANCE OF STOCK PONDS (ACRE EQUIVALENTS)

<u>TAX</u>			
<u>QTR/QTR</u>	<u>LOT</u>	<u>ACRES</u>	<u>LANDOWNER</u>
NE/NW	7600	0.10	MAYHEW
			SECTION 22
SE/NE	9700	1.70	HARTH
			SECTION 25
SE/SW	10700	0.30	ENDERSBY
			SECTION 30

TOWNSHIP 4 SOUTH, RANGE 13 EAST, W.M.

NE/SW	4200	0.30	HARTH
			SECTION 30

TOWNSHIP 4 SOUTH, RANGE 14 EAST, W.M.

NE/SW	100	0.30	MUNCIE
			SECTION 25

TOWNSHIP 5 SOUTH, RANGE 11 EAST, W.M.

SE/SE	1200	0.20	L. WOODSIDE
			SECTION 23

TOWNSHIP 5 SOUTH, RANGE 12 EAST, W.M.

NW/SW	3600	0.20	CARTER
			SECTION 17

NE/NE	2002	1.00	A. STREELMAN
SE/SE	4100	0.75	FOSBERG
			SECTION 18

NE/NE	3400	1.00	H. STRELLMAN
			SECTION 21

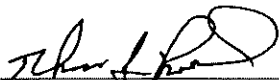
TOWNSHIP 5 SOUTH, RANGE 13 EAST, W.M.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in said permit.

This certificate corrects scrivener's errors in the certificate recorded at page 76969, State Record of Water Right Certificates, and supersedes Certificate 76969.

This certificate confirms orders of the Director recorded in Special Order Volume 34, page 389 (Transfer 4685); Volume 35, page 26 (Transfer 4977); Volume 36, page 213 (Transfer 5010); Volume 36, page 338 (Transfer 5057); Volume 37, page 50 (Transfer 5175); Volume 37, page 115 (Transfer 5194); Volume 37, page 443 (Transfer 5284); Volume 38, page 151 (Amending Transfer 5284); Volume 39, page 187 (Transfer 5055); Volume 40, page 104 (Transfer 5759); and entered on June 18, 2001, and recorded in Special Order Volume 55, page 606, approving a petition by JUNIPER FLAT DISTRICT IMPROVEMENT COMPANY under ORS 541.329 for mapping water rights within a district.

Witness the signature of the Water Resources Director, affixed SEP 25 2001.



for Paul Cleary, Director

1st engineering right

STATE OF OREGON

COUNTY OF WASCO

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JUNIPER FLAT DISTRICT IMPROVEMENT COMPANY
53333 RESERVATION ROAD
MAUPIN, OR 97037

confirms the right to use the waters of DIRECT FLOW FROM CLEAR CREEK AND FROG CREEK AND STORAGE OF 1400 ACRE FEET IN CLEAR LAKE RESERVOIR, a tributary of WHITE RIVER, for IRRIGATION OF 2101.64 ACRES, STOCK, AND MAINTENANCE OF STOCK PONDS (5.85 ACRE EQUIVALENTS).

This right was confirmed by decree of the Circuit Court of the State of Oregon for WASCO COUNTY. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 14 & 18, at Page 398 & 252. The date of priority is JULY 1, 1903 FOR DIRECT FLOW FROM CLEAR CREEK AND FROG CREEK, AND AUGUST 19, 1904, FOR STORAGE IN CLEAR LAKE RESERVOIR.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed ONE ACRE FOOT PER ACRE OR ACRE EQUIVALENT DURING ANY 30-DAY PERIOD UP TO JULY 1ST OF EACH YEAR AND NOT TO EXCEED 3 ACRE FEET PER ACRE OR ACRE EQUIVALENT DURING ANY IRRIGATION SEASON; PROVIDED, THAT THE RATE OF FLOW SHALL NOT EXCEED 1/40 OF A SECOND FOOT PER ACRE OR ACRE EQUIVALENT UP TO JULY 1ST OF EACH YEAR AND THEREAFTER NOT TO EXCEED 1/80 OF A SECOND FOOT PER ACRE OR ACRE EQUIVALENT, EXCEPT IN CASE OF ROTATION.

The point of diversion is located as follows:

NE¼ NE¼, SECTION 34, T. 4 S., R. 9 E., W. M. FROM FROG CREEK; NW¼ SE¼, SECTION 10, T. 5 S., R. 9 E., W.M. FROM CLEAR CREEK; CLEAR LAKE RESERVOIR DAM IS IN THE SE¼ SE¼, SECTION 32, T. 4 S., R. 9 E., W.M.

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

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

IRRIGATION AND STOCK

<u>QTR/QTR</u>	<u>TAX</u> <u>LOT</u>	<u>ACRES</u>	<u>LANDOWNER</u>
NE/SE	7200	1.50	MCELHERON
SW/SE	7200	23.60	MCELHERON
SE/SE	7200	35.70	MCELHERON
SECTION 14			
SW/NE	9300	2.50	TOM MORELLI
SE/NE	9300	5.60	TOM MORELLI
NE/NW	7600	0.90	MAYHEW
SW/SW	9200	1.50	TOM MORELLI
SE/SW	9200	9.90	TOM MORELLI
NE/SE	9400	23.80	TOM MORELLI
NW/SE	9400	19.00	TOM MORELLI
SW/SE	9400	10.40	TOM MORELLI
SE/SE	9400	2.80	TOM MORELLI
SECTION 22			
NE/NE	7200	18.40	MCELHERON
NW/NE	7200	10.80	MCELHERON
SW/SW	9500	22.70	DELCO
SE/SW	9500	24.30	DELCO
SECTION 23			
NE/NW	6500	34.00	LARSELL
SE/NW	6500	36.00	LARSELL
SECTION 24			
SE/NE	9700	1.30	HARTH
NW/SW	9900	15.40	MAYHEW
SW/SW	9900	19.40	MAYHEW
SECTION 25			
NE/SE	9900	12.90	MAYHEW
NW/SE	9900	2.60	MAYHEW
SW/SE	9900	2.70	MAYHEW
SE/SE	9900	35.30	MAYHEW
SECTION 26			
NW/NE	9501	33.50	TIM MORELLI
SW/NE	9501	1.60	TIM MORELLI
NE/NW	9200	6.00	TOM MORELLI
NE/SW	10100	22.00	TIM MORELLI

<u>QTR/QTR</u>	<u>TAX</u> <u>LOT</u>	<u>ACRES</u>	<u>LANDOWNER</u>
SW/SW	10100	13.80	TIM MORELLI
SE/SW	10100	6.60	TIM MORELLI
NW/SE	10100	20.50	TIM MORELLI
SECTION 27			
NE/SW	10600	7.00	V. WOODSIDE
NW/SW	10600	3.50	V. WOODSIDE
SW/SW	10600	11.60	V. WOODSIDE
SE/SW	10600	7.40	V. WOODSIDE
SECTION 29			
NE/SE	10600	0.90	V. WOODSIDE
SE/SE	10600	1.00	V. WOODSIDE
SECTION 30			
NE/NE	10800	10.50	GUTZLER
SW/NE	10800	3.50	GUTZLER
SE/NE	10800	10.90	GUTZLER
SW/NW	10700	11.20	ENDERSBY
SECTION 31			
SE/NE	10900	8.50	PAULSON
NW/NW	10800	2.70	GUTZLER
NE/SE	10900	13.30	PAULSON
NW/SE	10900	6.00	PAULSON
SECTION 32			
NE/SW	10900	17.50	PAULSON
SW/SW	10900	5.50	PAULSON
SE/SW	10900	20.20	PAULSON
SECTION 33			
NW/NW	11100	15.70	RECKMAN
SW/NW	11100	0.50	RECKMAN
NW/SW	11100	3.80	RECKMAN
NW/SW	11101	1.90	ODEM
SW/SW	11101	2.10	ODEM
SECTION 34			
SE/SW	11400	0.30	MAYHEW
NE/SE	11400	12.30	MAYHEW
SW/SE	11400	9.80	MAYHEW

<u>QTR/QTR</u>	<u>TAX</u> <u>LOT</u>	<u>ACRES</u>	<u>LANDOWNER</u>
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SE/SE	11400	34.30	MAYHEW
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SECTION 35

NE/SE	11500	24.80	MAYHEW
NW/SE	11500	15.80	MAYHEW
SW/SE	11500	25.80	MAYHEW
SE/SE	11500	33.00	MAYHEW

SECTION 36

TOWNSHIP 4 SOUTH, RANGE 13 EAST, W.M.

NE/NE	3700	30.90	MARSH
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SE/NE	3700	28.10	MARSH
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SECTION 19

NW/NW	3300	32.30	MARSH
SW/NW	3300	30.40	MARSH
NW/SW	3300	8.30	MARSH

SECTION 20

NE/SW	4200	1.10	HARTH
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NW/SW	4200	0.60	HARTH
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SECTION 30

NE/SW	4302	20.80	DULING
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NW/SE	4302	8.70	DULING
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SW/SE	4302	10.00	DULING
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SECTION 31

TOWNSHIP 4 SOUTH, RANGE 14 EAST, W.M.

NW/SW	1701	7.00	ENDERSBY
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SECTION 13

SE/NE	2700	0.10	DODGE
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NE/SW	2400	3.00	ODFW
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SE/SW	2400	19.34	ODFW
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SECTION 24

SE/NE	1900	5.00	HAMMOND
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NE/SW	100	1.00	MUNCIE
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SECTION 25

TOWNSHIP 5 SOUTH, RANGE 11 EAST, W.M.

<u>OTR/OTR</u>	<u>TAX</u>	<u>LOT</u>	<u>ACRES</u>	<u>LANDOWNER</u>
SW/NE	100	4.00	MCCORKLE	
NE/NW	201	3.70	V. WOODSIDE	
NW/NW	201	0.90	V. WOODSIDE	
SW/NW	201	7.90	V. WOODSIDE	
SE/NW	100	7.40	MCCORKLE	
SE/NW	201	1.10	V. WOODSIDE	
NW/SE	100	6.00	MCCORKLE	
SECTION 1				
NW/SW	400	14.40	HACHLER	
SW/SW	400	0.80	HACHLER	
SECTION 2				
NE/SE	400	9.90	HACHLER	
SE/SE	400	4.90	HACHLER	
SECTION 3				
SE/SE	1700	10.40	AMBROSE	
SECTION 8				
NW/SW	1700	12.90	AMBROSE	
SW/SW	1700	6.70	AMBROSE	
SECTION 9				
SW/SW	2200	12.40	ENDERSBY	
SE/SW	2200	9.60	ENDERSBY	
SECTION 11				
NW/NW	2100	31.80	MCLEOD	
SW/NW	2100	27.50	MCLEOD	
SE/NW	2100	7.70	MCLEOD	
SECTION 12				
NE/NE	2300	6.30	ENDERSBY	
SE/NE	2300	4.40	ENDERSBY	
NE/SW	2600	3.20	WILLIAMSON	
NW/SW	2600	9.60	WILLIAMSON	
SECTION 13				
NW/NE	3103	0.50	GROCE	
SE/NE	2600	7.20	WILLIAMSON	
NE/NW	3103	10.50	GROCE	
SW/SE	3100	9.30	CLAYMIER	

<u>QTR/OTR</u>	<u>TAX</u>	<u>LOT</u>	<u>ACRES</u>	<u>LANDOWNER</u>
SE/SE	3100	12.00	CLAYMIER	
			SECTION 14	
SW/SW	3502	1.20	DODGE	
SW/SW	3502	14.00	DODGE	
SE/SW	3502	39.80	DODGE	
			SECTION 18	
SE/SW	3790	20.00	CONFEDERATED TRIBES	
			SECTION 19	
SE/NE	3403	5.00	CAPPS	
			SECTION 20	
NE/SE	3900	14.60	HUNDLEY	
NW/SE	3900	1.40	HUNDLEY	
SE/SE	3900	4.34	HUNDLEY	
			SECTION 21	
NW/NW	3200	15.50	S. WOODSIDE	
SW/NW	3200	9.23	S. WOODSIDE	
NE/SE	3100	2.70	L. WOODSIDE	
SW/SE	4000	10.00	JONES & ROSS	
SE/SE	3100	16.20	L. WOODSIDE	
			SECTION 22	
NE/NE	2703	15.00	ASCHOFF	
NW/NE	3100	11.50	CLAYMIER	
NE/NW	3100	16.40	CLAYMIER	
NW/NW	3100	12.68	CLAYMIER	
SW/NW	3100	3.40	CLAYMIER	
SE/NW	3100	1.20	CLAYMIER	
SW/SW	4100	4.50	L. WOODSIDE	
SE/SW	4100	4.60	L. WOODSIDE	
			SECTION 23	
NW/NW	2702	5.00	CARTER	
SW/NW	2702	10.00	CARTER	
SE/SE	4400	0.50	DULING	
			SECTION 24	
SW/NE	4500	11.80	L. WOODSIDE	
			SECTION 25	

<u>QTR/QTR</u>	<u>LOT</u>	<u>ACRES</u>	<u>LANDOWNER</u>	
NE/NE	4900	7.20	PINHEIRO	5.3
SE/NE	4900	4.80	PINHEIRO	0.7
NE/NW	4100	13.50	L. WOODSIDE	
NW/NW	4100	21.60	L. WOODSIDE	
NW/SE	5200	2.00	BEEBE	
SECTION 26				
NE/NE	4100	6.40	L. WOODSIDE	
NE/SW	5500	6.00	HAMMER	
NW/SW	5500	0.70	HAMMER	
NW/SE	5500	2.80	HAMMER	
SE/SE	5600	10.00	TOLENTINO	
SECTION 27				
NW/NW	6100	0.30	DODGE	
SW/SE	6400	1.50	FILBIN	
SECTION 29				
SE/SE	6300	11.10	BLAKE	
SECTION 30				
NW/NE	6501	18.50	FILBIN	
SECTION 32				
NW/NE	7300	12.00	DODGE	
NW/NW	6000	18.90	BLAKE	
SECTION 33				

TOWNSHIP 5 SOUTH, RANGE 12 EAST, W.M.

NE/NE	500	11.60	MAYHEW	
SE/SW	600	7.50	LARKIN/INGRAM	
SECTION 2				
NE/NW	800	12.90	GABEL & LARKIN	
NE/NW	801	20.60	FOSBERG	
NW/NW	801	25.20	FOSBERG	
NW/NW	900	12.20	GABEL & LARKIN	
SW/NW	900	14.90	GABEL & LARKIN	
SE/NW	800	20.00	GABEL & LARKIN	
NW/SW	1000	1.00	BOTHWELL	
SECTION 3				

<u>OTR/OTR</u>	<u>TAX</u> <u>LOT</u>	<u>ACRES</u>	<u>LANDOWNER</u>
NE/NE	1100	11.60	FOSBERG
NW/NE	802	11.60	FOSBERG
SECTION 4			
NE/NW	1300	20.00	CARTER
SE/NW	1300	2.40	CARTER
SW/SW	1300	3.20	CARTER
SE/SW	1300	16.10	CARTER
SW/SE	1300	19.50	CARTER
SE/SE	1300	11.80	CARTER
SECTION 5			
SW/NW	1400	2.00	WALTERS
NE/SW	1400	8.10	WALTERS
NW/SW	1400	1.60	WALTERS
SW/SW	1400	12.70	WALTERS
SE/SW	1400	2.60	WALTERS
NE/SE	1400	5.40	WALTERS
NW/SE	1400	13.30	WALTERS
SW/SE	1400	0.80	WALTERS
SE/SE	1400	0.50	WALTERS
SECTION 7			
SW/NW	1500	1.90	L. WOODSIDE
NW/SW	1500	15.10	L. WOODSIDE
SW/SW	2000	24.20	R. KELLY & HAWTHORNE
SE/SW	2000	0.60	R. KELLY & HAWTHORNE
SECTION 8			
SW/NE	2200	7.40	KELLY
SW/NW	2200	14.60	KELLY
SE/NW	2200	8.70	KELLY
NE/SW	2200	7.80	KELLY
SECTION 9			
NW/NE	600	15.50	LARKIN/INGRAM
NE/NW	600	10.50	LARKIN/INGRAM
SECTION 11			
NW/NW	2000	0.20	R. KELLY
SECTION 17			

<u>TAX</u>			
<u>QTR/QTR</u>	<u>LOT</u>	<u>ACRES</u>	<u>LANDOWNER</u>
SE/SE	4100	0.25	FOSBERG
SECTION 18			
NE/NE	3700	11.60	ENDERSBY
NW/NE	3700	7.80	ENDERSBY
SW/NE	3700	4.00	ENDERSBY
SE/NE	4500	6.60	TOM MORELLI
NW/SE	4500	0.70	TOM MORELLI
SECTION 20			
NW/NW	3700	0.10	ENDERSBY
SW/NW	4500	7.70	TOM MORELLI
SW/SW	4600	5.40	HAMMER
SE/SW	4600	6.00	HAMMER
SE/SE	4600	15.10	HAMMER
SECTION 21			
NW/NW	5200	1.00	LYLE GABEL & LORRAINE
SECTION 28			
SW/NW	5700	13.20	LYLE GABEL & LORRAINE
NE/SW	5700	3.40	LYLE GABEL & LORRAINE
NW/SW	5700	7.40	LYLE GABEL & LORRAINE
SECTION 30			

TOWNSHIP 5 SOUTH, RANGE 13 EAST, W.M.

MAINTENANCE OF STOCK PONDS (ACRE EQUIVALENTS)

<u>TAX</u>			
<u>QTR/QTR</u>	<u>LOT</u>	<u>ACRES</u>	<u>LANDOWNER</u>
NE/NW	7600	0.10	MAYHEW
SECTION 22			
SE/NE	9700	1.70	HARTH
SECTION 25			
SE/SW	10700	0.30	ENDERSBY
SECTION 30			

TOWNSHIP 4 SOUTH, RANGE 13 EAST, W.M.

NE/SW	4200	0.30	HARTH
SECTION 30			

TOWNSHIP 4 SOUTH, RANGE 14 EAST, W.M.

<u>QTR/QTR</u>	<u>LOT</u>	<u>ACRES</u>	<u>TAX</u>	<u>LANDOWNER</u>
NE/SW	100	0.30	MUNCIE	
SECTION 25 TOWNSHIP 5 SOUTH, RANGE 11 EAST, W.M.				
SE/SE	1200	0.20	L. WOODSIDE	
SECTION 23 TOWNSHIP 5 SOUTH, RANGE 12 EAST, W.M.				
NW/SW	3600	0.20	CARTER	
SECTION 17				
NE/NE	2002	1.00	A. STREELMAN	
SE/SE	4100	0.75	FOSBERG	
SECTION 18				
NE/NE	3400	1.00	H. STRELLMAN	
SECTION 21 TOWNSHIP 5 SOUTH, RANGE 13 EAST, W.M.				

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in said decree.

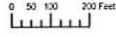
This certificate corrects scrivener's errors in the certificate recorded at page 76968, State Record of Water Right Certificates, and supersedes Certificate 76968.

This certificate confirms order of the Director recorded in Special Order Volume 34, page 389 (Transfer 4685); Volume 35, page 26 (Transfer 4977); Volume 36, page 213 (Transfer 5010); Volume 36, page 338 (Transfer 5057); Volume 37, page 50 (Transfer 5175); Volume 37, page 115 (Transfer 5194); Volume 37, page 443 (Transfer 5284); Volume 38, page 151 (Amending Transfer 5284); Volume 39, page 187 (Transfer 5055); Volume 40, page 104 (Transfer 5759); entered June 18, 2001, and recorded in Special Order Volume 55, page 606, approving a petition by JUNIPER FLAT DISTRICT IMPROVEMENT COMPANY under ORS 541.329 for mapping water rights within a district.

Witness the signature of the Water Resources Director, affixed SEP 25 2001.


 For Paul Cleary, Director

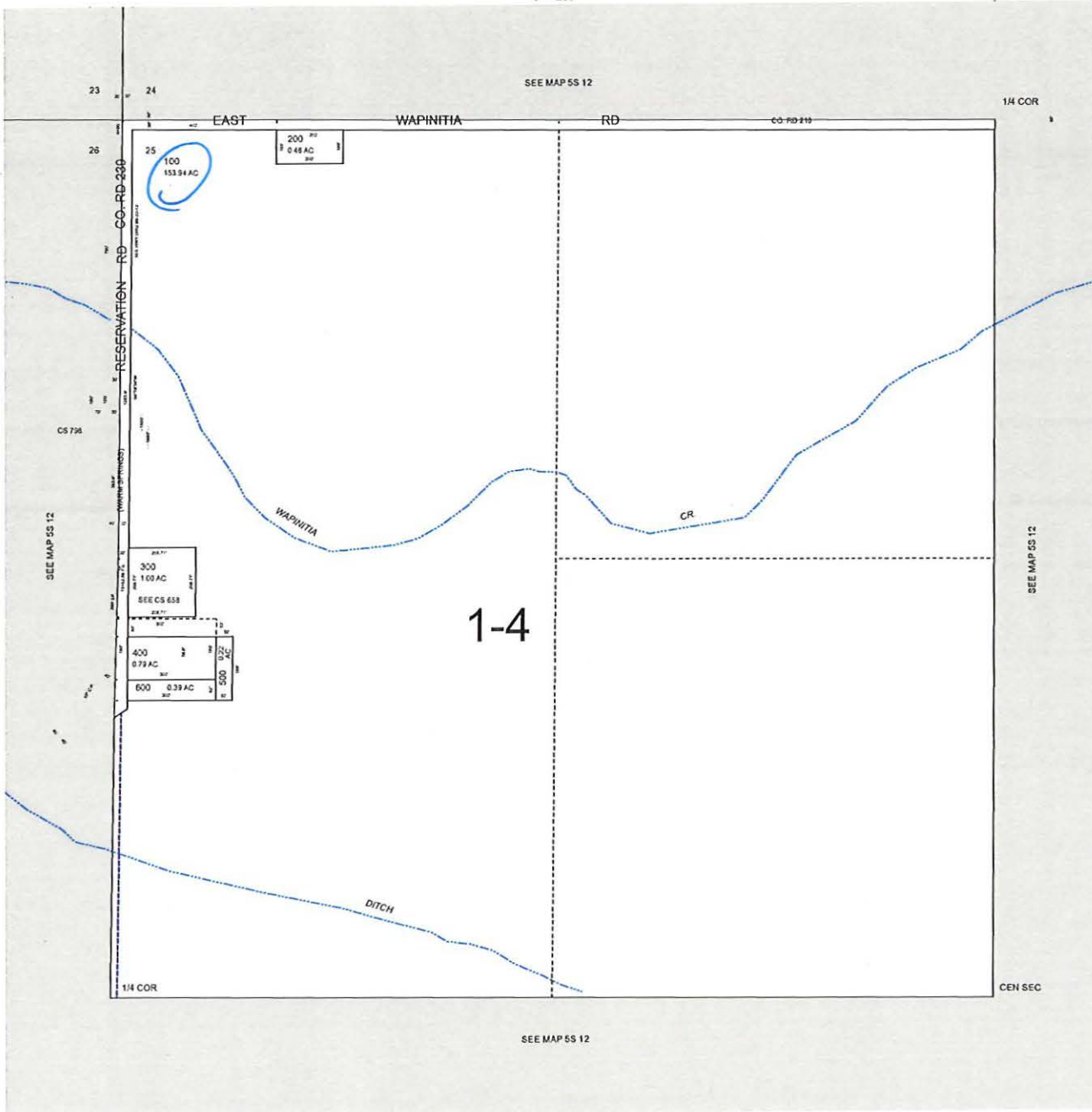
THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY



N.W. 1/4 SEC. 25 T. 5S. R. 12E. W.M.
WASCO COUNTY
1" = 200'

05S12E25B

12/20/13



05S12E25B



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The Dalles, OR 97058
541-506-2540

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Results Message: 3 records returned from your search input.

Parcel Number	Name	Location Address
13013	BRACE PAUL A	52801 RESERVATION RD, MAUPIN, OR 97037
71665	PINHEIRO MANUEL DUTRA	52801 RESERVATION RD, MAUPIN, OR 97037
71665	LADIGES-PINHEIRO KATHLEEN M	52801 RESERVATION RD, MAUPIN, OR 97037

landowner

manufactured structure

manufactured structure

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Property Account Summary

Manuel Pinheiro
Kathleen Pinheiro

7/29/2019

Account Number	██████████	Property Address	52801 RESERVATION RD , MAUPIN, OR 97037
----------------	------------	------------------	---

General Information

Alternate Property #	05S12 E25B 00100 00
Property Description	SECTION 25 TOWNSHIP 5S RANGE 12E QUARTER B PRCL 100MapTax Lot: 05S12 E25B 00100 00
Property Category	Manufactured Structure - Personal
Status	Inactive
Tax Code Area	
Remarks	

Tax Rate

Description	Rate
Total Rate	

Property Characteristics

No Property Characteristics Found

Related Properties

No Related Properties Found

Property Values

Value Type	Tax Year 2018	Tax Year 2017	Tax Year 2016	Tax Year 2015	Tax Year 2014

Assessed Value Regular (AVR)					
Total Exemption Amount Regular (EAR)					
Taxable Value Regular (TVR)					
MKLND + SAMKL (MKLTL)					
MKIMP + SAMKI (MKITL)					
Real MKT Total (MKTTL)					
Market Land (MKLND)					
Display Only (M5SAV)					
Market Improvement(MKIMP)					
SA Por Only-Exc Val Not Incl (SAVL)					
Market Portion BMAV + EAV (MAVMK)					
Exception Base Value NEWCN+OEV (EBV)					
Exception Assessed Value (EAV)					

Active Exemptions

No Exemptions Found

Events

Effective Date	Entry Date-Time	Type	Remarks
No Events Found			

Tax Balance

No Available Tax Charges Information for this Property at the Moment.

[Installments Payable/Paid for Tax Year\(Enter 4-digit Year, then Click-Here\):](#) 2018

Receipts

Date	Receipt No.	Charged	Amount Due	Tendered	Change
No Receipts Found					

Sales History

Transfer Date	Receipt Date	Recording Number	Sale Amount	Excise Number	Deed Type	Transfer Type	Other Parcels
No Sales History Found							

Property Details

Living Area Sq Ft	Manf Struct Size	Year Built	Improvement Grade	Stories	Bedrooms	Full Baths	Half Baths

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Property Account Summary

Paul A Bruce

7/29/2019

Account Number	██████	Property Address	52801 RESERVATION RD , MAUPIN, OR 97037
----------------	--------	------------------	---

General Information

Alternate Property #	05S12 E25B 00100 00
Property Description	SECTION 25 TOWNSHIP 5S RANGE 12E QUARTER B PRCL 100MapTax Lot: 05S12 E25B 00100 00
Property Category	Land &/or Buildings
Status	Active, Locally Assessed, Use Assessed
Tax Code Area	14
Remarks	

Tax Rate

Description	Rate
Total Rate	13.7463

Property Characteristics

Potential Additional Tax	
Property Class Category	551: EFU IMPR or FARM EFU IMPR
Neighborhood	607: AA6/VA7 RURAL
Change property ratio	4XX Rural Tract, Farm & Forest
Acreage	153.940
Year Built	1903
Mobile Home ID	152883
Mobile Home Serial No.	G3G6010FD2N2457

Related Properties

No Related Properties Found

Property Values

Value Type	Tax Year 2018	Tax Year 2017	Tax Year 2016	Tax Year 2015	Tax Year 2014
Assessed Value Regular (AVR)	\$118,234	\$114,760	\$112,107	\$109,122	\$106,233
Total Exemption Amount Regular (EAR)					
Taxable Value Regular (TVR)	\$118,234	\$114,760	\$112,107	\$109,122	\$106,233
MKLND + SAMKL (MKLTL)	\$110,600	\$104,010	\$124,400	\$108,260	\$108,620
MKIMP + SAMKI (MKITL)	\$191,270	\$166,640	\$125,370	\$133,370	\$112,030
Real MKT Total (MKTTL)	\$301,870	\$270,650	\$249,770	\$241,630	\$220,650
Market Land (MKLND)					
Display Only (M5SAV)	\$43,100	\$40,540	\$47,080	\$43,150	\$42,860
Market Improvement(MKIMP)	\$191,270	\$166,640	\$125,370	\$133,370	\$112,030
SA Por Only-Exc Val Not Incl (SAVL)	\$23,340	\$22,630	\$22,660	\$22,280	\$21,920
Market Portion BMAV + EAV (MAVMK)	\$94,894	\$92,130	\$89,447	\$86,842	\$84,313
Exception Base Value NEWCN+OEV (EBV)					
Exception Assessed Value (EAV)					

Active Exemptions

No Exemptions Found

Events

Effective Date	Entry Date-Time	Type	Remarks
04/11/2018	06/11/2018 10:28:00	Recording Processed	Property Transfer Filing No.: 5945, STATUTORY WARRANTY DEED, Recording No.: 2018001295 04/11/2018 by jasonw
04/09/2015	07/13/2015 17:26:00	Recording Processed	Property Transfer Filing No.: 2018, STATUTORY WARRANTY DEED, Recording No.: 2015001297 04/09/2015 by jasonw

Tax Balance

No charges are currently due. If you believe this is incorrect, please contact the Wasco County Tax Office at 541-506-2540.

[Installments Payable/Paid for Tax Year\(Enter 4-digit Year, then Click-Here\):](#) 2018

Receipts

Date	Receipt No.	Charged	Amount Due	Tendered	Change
11/28/2018 14:00:00	458555	\$1,632.50	\$12,614.93	\$12,614.93	\$0.00
04/12/2018 14:20:00	443797	\$5,720.78	\$5,720.78	\$5,720.78	\$0.00
11/18/2014 00:00:00	386925	\$1,538.02	\$1,538.02	\$1,491.88	\$0.00

OREGON SECRETARY OF STATE
 Corporation Division

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Business Entity Data

03-12-2019
13:49

Registry Nbr	Entity Type	Entity Status	Jurisdiction	Registry Date	Next Renewal Date	Renewal Due?
040205-17	DDINP	ACT	OREGON	04-22-1938	04-22-2019	YES
Entity Name	JUNIPER FLAT DISTRICT IMPROVEMENT COMPANY					
Foreign Name						

Online Renewal:

[Renew Online](#)

[Click here to generate and print an annual report.](#)

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Associated Names

Type	PPB	PRINCIPAL PLACE OF BUSINESS			
Addr 1	82529 HIGHWAY 216				
Addr 2					
CSZ	MAUPIN	OR	97037	Country	UNITED STATES OF AMERICA

Please click [here](#) for general information about registered agents and service of process.

Type	AGT	REGISTERED AGENT	Start Date	09-13-2007	Resign Date	
Name	TIMOTHY	MORELLI				
Addr 1	82529 HIGHWAY 216					
Addr 2						
CSZ	MAUPIN	OR	97037	Country	UNITED STATES OF AMERICA	

Type	MAL	MAILING ADDRESS			
Addr 1	82529 HIGHWAY 216				
Addr 2					
CSZ	MAUPIN	OR	97037	Country	UNITED STATES OF AMERICA

Type	PRE	PRESIDENT		Resign Date	
-------------	-----	-----------	--	--------------------	--

Name	TIMOTHY		MORELLI		
Addr 1	55805 JUNIPER FLAT RD				
Addr 2					
CSZ	MAUPIN	OR	97037	Country	UNITED STATES OF AMERICA



Type	SEC	SECRETARY		Resign Date	
Name	JOY		GABEL		
Addr 1	57714 TYGH VALLEY RD				
Addr 2					
CSZ	TYGH VALLEY	OR	97063	Country	UNITED STATES OF AMERICA

[New Search](#) [Printer Friendly](#) Name History

Business Entity Name	Name Type	Name Status	Start Date	End Date
JUNIPER FLAT DISTRICT IMPROVEMENT COMPANY	EN	CUR	04-22-1938	

Please [read](#) before ordering [Copies](#).

[New Search](#) [Printer Friendly](#) Summary History

Image Available	Action	Transaction Date	Effective Date	Status	Name/Agent Change	Dissolved By
	ANNUAL REPORT	04-18-2018		FI		
	AMENDED ANNUAL REPORT	05-19-2017		FI		
	AMENDED ANNUAL REPORT	05-11-2016		FI		
	ANNUAL REPORT	04-16-2015		FI		
	ANNUAL REPORT	04-11-2014		FI		
	ANNUAL REPORT PAYMENT	04-11-2013		SYS		
	ANNUAL REPORT PAYMENT	04-12-2012		SYS		
	ANNUAL REPORT PAYMENT	04-12-2011		SYS		
	ANNUAL REPORT PAYMENT	04-06-2010		SYS		
	ANNUAL REPORT PAYMENT	04-21-2009		SYS		
	ANNUAL REPORT PAYMENT	04-08-2008		SYS		
	CHANGE OF REGISTERED AGENT/ADDRESS	09-13-2007		FI	Agent	



NCR

Search Criteria

Meridian: Wilamette Township: 5 South Range: 12 East Section: 25 Records per Page: 100 Search Platcards Maps! [Learn about](#) [View Map](#)

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	00400 Q1400 F	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	Unknown	OO	
Select Cert:91446 CF *		1/25/1952	INDUSTRIAL/MANUFACTURING USES					*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*		
Additional Info: COUNTY OF WASCO, PUBLIC WORKS DEPARTMENT App: S26314 Permit: S20346 Cert: 91446																										
Select Cert:76968 OR CN			IRRIGATION	CN																						
Additional Info: JUNIPER FLAT DISTRICT IMPROVEMENT CO. Decree: WHITE RIVER Cert: 76968																										
Select Permit: S 54068 *		5/14/1990	IRRIGATION						5.9	1.5																
Additional Info: JUNIPER FLAT DISTRICT IMPROVEMENT CO. App: S60453 Permit: S54068																										
Select Cert:77326 CF (RR) *	T12185, T10504, T12953, T10936, T13058	7/1/1903	IRRIGATION								11.8			6												
Additional Info: JUNIPER FLAT DISTRICT IMPROVEMENT CO. Decree: WHITE RIVER Cert: 77326																										
Select Cert:15525 OR CN	T2516		IRRIGATION, LIVESTOCK AND DOMESTIC	CN																						
Additional Info: JUNIPER FLAT DISTRICT IMPROVEMENT CO. Decree: DESCHUTES RIVER (F) Cert: 15525																										
Select Cert:48850 CF CN			IRRIGATION, LIVESTOCK AND DOMESTIC	CN																						
Additional Info: JUNIPER FLAT DISTRICT IMPROVEMENT CO. Decree: WHITE RIVER Cert: 48850																										
Select Inchoate: T 2516 (REG) CN			IRRIGATION, LIVESTOCK AND DOMESTIC	CN																						
Additional Info: RAYMOND A CRABTREE Decree: DESCHUTES RIVER (F)																										
Select Cert:23487 OR CN			LIVESTOCK	CN																						
Additional Info: JUNIPER FLAT DISTRICT IMPROVEMENT CO. App: S25235 Permit: S19563 Cert: 23487																										
Select Cert:76968 OR CN			LIVESTOCK	CN																						
Additional Info: JUNIPER FLAT DISTRICT IMPROVEMENT CO. Decree: WHITE RIVER Cert: 76968																										
Select Cert:76970 CF CN			LIVESTOCK	CN																						
Additional Info: JUNIPER FLAT DISTRICT IMPROVEMENT CO. App: S25235 Permit: S19563 Cert: 76970																										
Select Cert:77734 CF *			LIVESTOCK																							
Additional Info: JUNIPER FLAT DISTRICT IMPROVEMENT CO. App: S25235 Permit: S19563 Cert: 77734																										
Select Cert:82692 OR *		6/26/1979	ROAD CONSTRUCTION					*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	
Additional Info: COUNTY OF WASCO, WASCO COUNTY COURTHOUSE App: S58344 Permit: S44210 Cert: 82692																										
Select Cert:51099 OR CN		11/11/1915	SUPPLEMENTAL IRRIGATION (Supplmt)	CN																						
Additional Info: JUNIPER FLAT DISTRICT IMPROVEMENT CO. App: S32044 Permit: S25275 Cert: 51099																										
Select Cert:51539 OR CR CN		11/11/1915	SUPPLEMENTAL IRRIGATION (Supplmt)	CN																						
Additional Info: JUNIPER FLAT DISTRICT IMPROVEMENT CO. App: S32044 Permit: S25275 Cert: 51539																										
Select Cert:77733 CF (RR) *	T10504, T7491, T12953, T10936, T12185, T13058	11/11/1915	SUPPLEMENTAL IRRIGATION (Supplmt)																							
Additional Info: JUNIPER FLAT DISTRICT IMPROVEMENT CO. App: S32044 Permit: S25275 Cert: 77733																										

Acres Legend: 12 25 Regular acreage -42-26 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



**Oregon Water Resources Department
Water Rights Information Query**

T-10504

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Contact Information

(Click to Collapse...)

Transfer Information

(Click to Collapse...)



▼ **Current contact information**

- AGENT:
ESTES SURVEYS LLC
- ▶ BRUCE ESTES
60382 ARNOLD MARKET RD
BEND, OR 97702
- APPLICANT:
BRIAN SILVEY
52802 RESERVATION RD
MAUPIN, OR 97037
- APPLICANT:
LISA SILVEY
52802 RESERVATION RD
MAUPIN, OR 97037
- RECEIVING LAND OWNER:
KATHLEEN PINHEIRO
52801 RESERVATION ROAD
MAUPIN, OR 97037
- RECEIVING LAND OWNER:
MANUEL PINHEIRO
52801 RESERVATION ROAD
MAUPIN, OR 97037

▼ **Status**

- ▶ **Type:** Regular
- ▶ **Status:** Approved
- ▶ **Begin Date:** n/a
- ▶ **End Date:** n/a

▼ **Proposed Action**

- ▶ **Place of Use**

▼ **Orders associated with rights in the transfer**

<u>Volume-Page</u>	<u>Signature</u>	<u>Description</u>
▶ 77-234	2/10/2009	APPROVING POU T-10504

All Scanned Documents

(Click to Collapse...)

Records per page:

<u>Document Type</u>	<u>Document Title</u>	<u>Date</u>	<u>Remarks</u>
Final Order	Approving POU T-10504	2/10/2009	VOLUME 77 PAGE 234
Transfer Map	T-12623 Maps and amended map	3/27/2017	AMENDED MAP ADDED 6/30/17, 8/10/17, AND 1/8/18

Processing History

(Click to Collapse...)

Staff Person Responsible: no caseworker currently assigned

<u>Process Step</u>	<u>Date Initiated</u>	<u>Date Completed</u>	<u>Comments</u>
Received	12/19/2007	12/19/2007	
Transfer Initial Comment Period	12/25/2007	12/25/2007	
Watermaster Review	1/7/2008	1/18/2008	
File Assigned	1/7/2008	12/15/2008	
Draft PD Issued	8/22/2008	8/22/2008	
File Assigned	12/15/2008	2/10/2009	
PD Issued	12/26/2008	12/26/2008	
PD Weekly Public Notice	1/6/2009	1/6/2009	
Final Order Issued	2/10/2009	2/10/2009	
Completion Due (C Date)	10/1/2010	10/1/2010	
CBU Due	10/1/2011	10/1/2011	

CBU Received 1/14/2019 1/14/2019

Rights this impacts (Click to Collapse...)

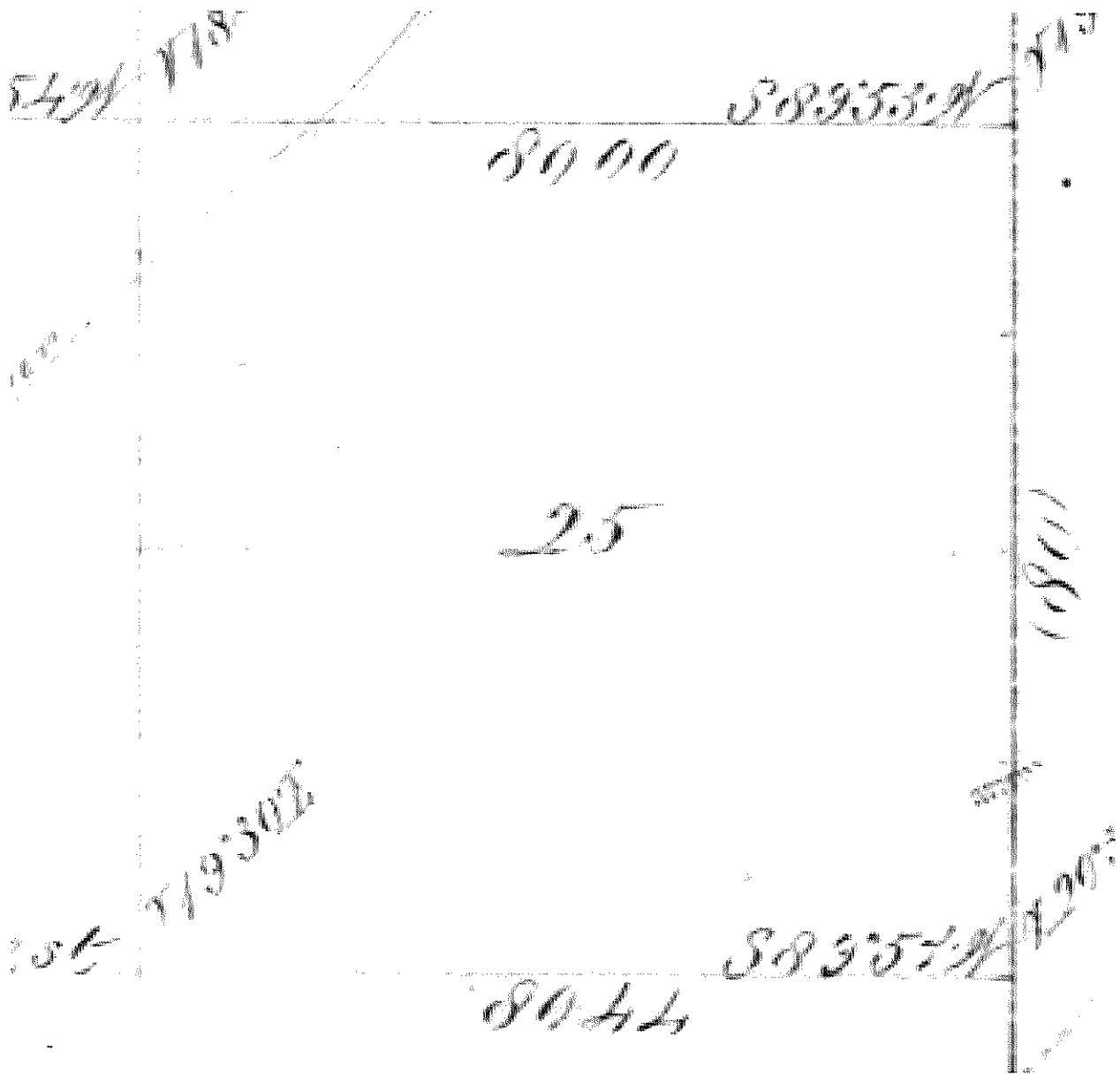
	Application	Permit	Certificate	Decree	Claim
Cert:77326 CR CN			77326	WHITE RIVER	
Cert:77733 CF CR CN	S32044	S25275	77733		
Cert:77733 CF CN	S32044	S25275	77733		
Cert:77326 CF (RR) *			77326	WHITE RIVER	
Cert:77733 CF (RR) *	S32044	S25275	77733		

Results of the transfer (Click to Collapse...)

n/a

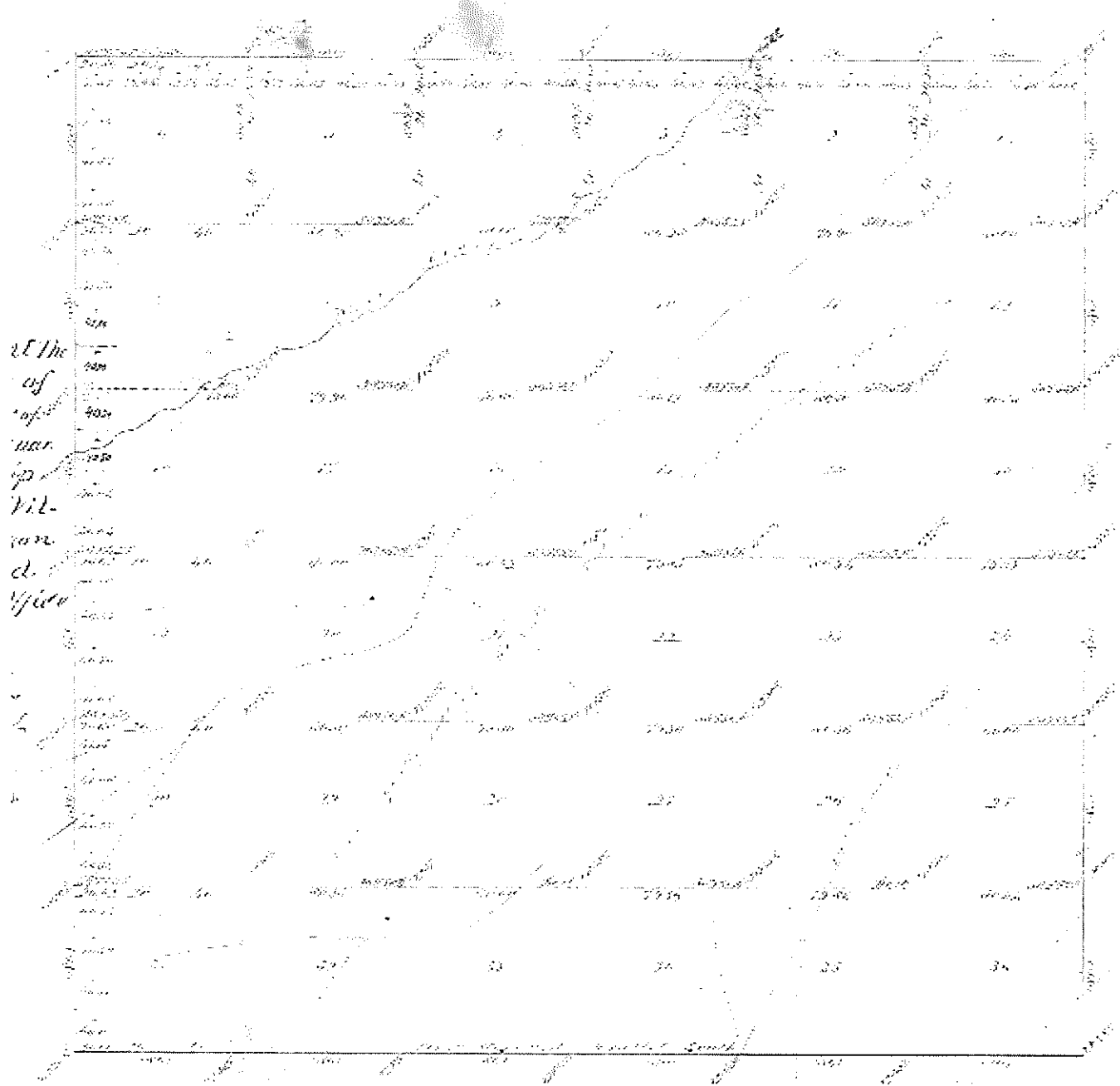
Report Errors with Water Right Data

Portion Cadastral Survey T5S, R12E, W.M. - 1861-01-29:



Cadastral Survey T5S, R12E, W.M. - 1861-01-29:

Township 5S, Range 12E, East Willamette Division.





Search

Search:

Application:

Permit:

Certificate:

Claim:

Transfer:

Snap ID:

POD Source:

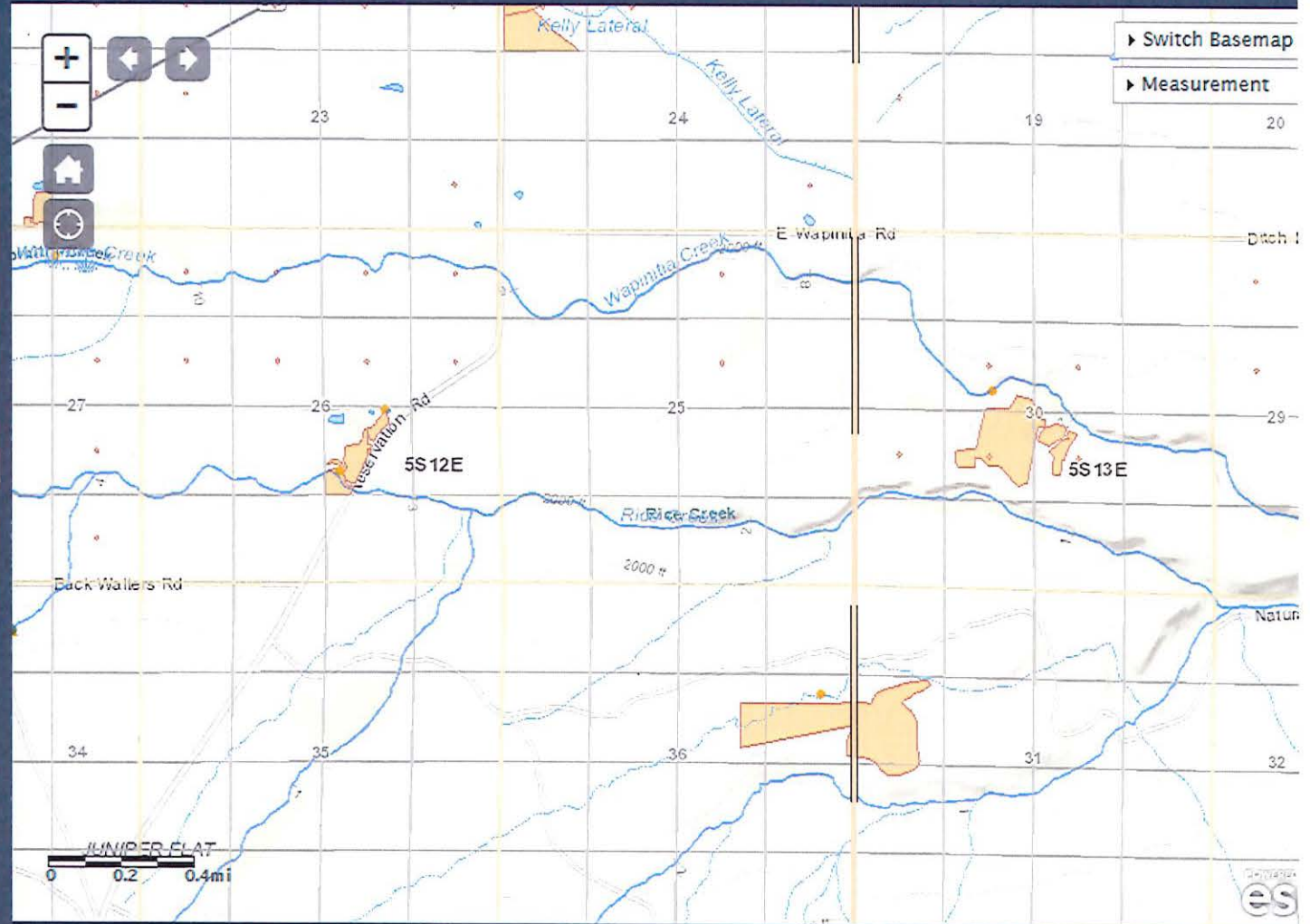
Irr. District:

(Draw box on map.)

Points of Diversion: (Count: 0)

Places of Use: (Count: 2)

- Identify Non-Water Right Features
- Tax Lots
- Layers
- Tools



POD POU Irrigation Districts AOI **WR By Time**

All Fields Search...

#	ID (select)	Organization	Website	Data Source



Search

Search: TRS

Public Land Survey System

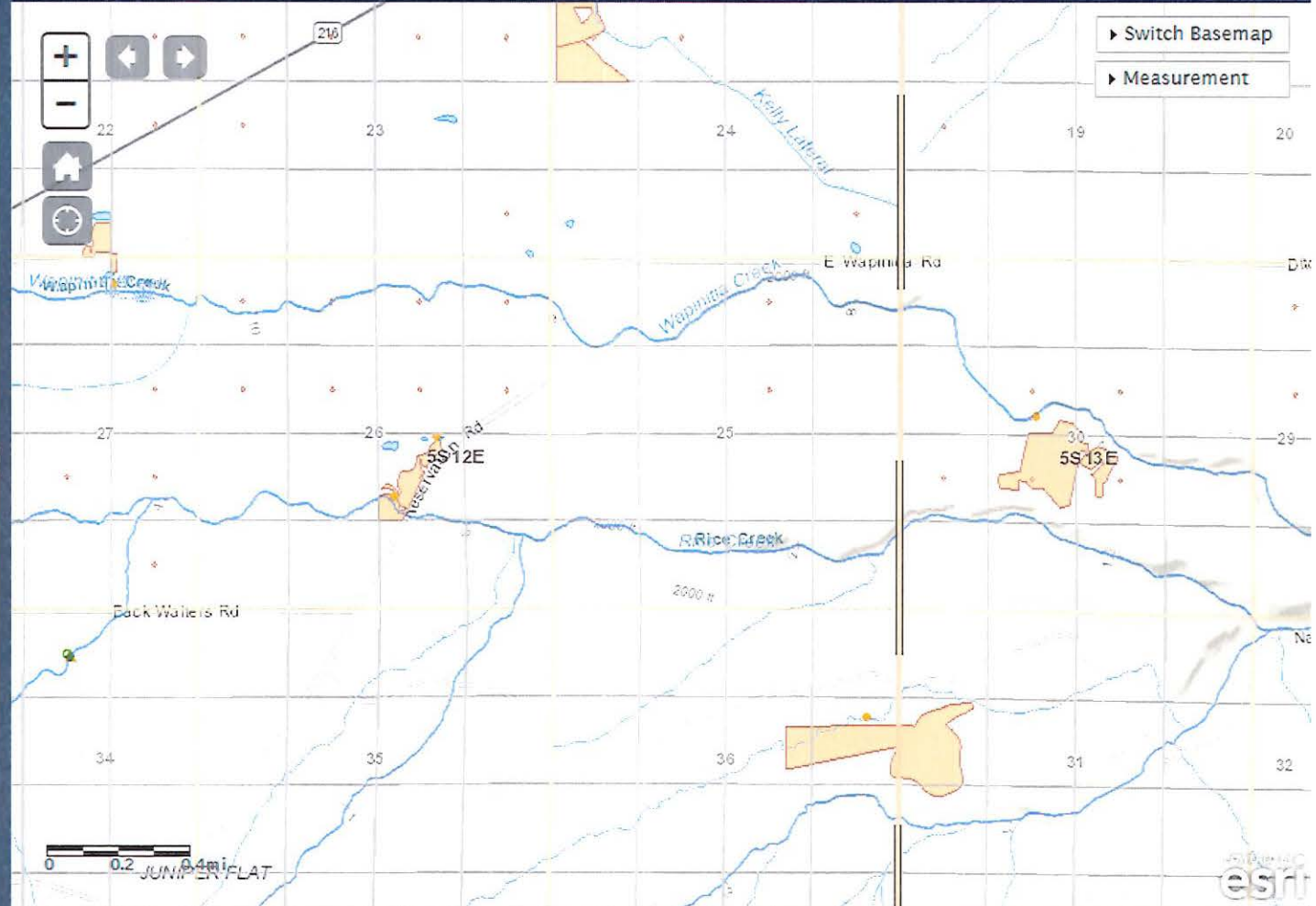
Meridian: WM

Township: 5 N S

Range: 12 W E

Section: 25 (optional)

(Draw box on map.)



- Identify Non-Water Right Features
- Tax Lots
- Layers
- Tools

POD POU Irrigation Districts AOI WR By Time

Q: All Fields Search...

#	ID (select)	WRIS	Zoom	Water Right	Water Type	First Name	Last Name	Company	Use Desc.	Priority Date	Supp.	Application
1	19042	(Details) Map WR		Cert:13428 OR * DO	SW			U.S. WALLOWA WHI...	DOMESTIC	05/27/1940 -		S 18742 ^
2	20097	(Details) Map WR		Cert:14529 OR * DO	SW			U.S. WALLOWA WHI...	DOMESTIC	06/05/1941 -		S 19354 v

1-4 of 14

Application # Permit # Transfer
 Juniper Flat District RA# R12620-
 Improvement Company 19 # T-
 10504

**Reimbursement Authority Process
 Itemized FINAL Sheet
 for
 Certificates**

	New Est. Time (hr)	Multiplier	Total Est Hours	Individual	Hourly Rate	New Est. Cost	Date/Act. Time
1. Review Claim of Beneficial Use report & map	2.25	31%	2.95	Kerry	\$63.81	\$ 188.08	
2. Conflict Check	0.50	31%	0.66	Kerry	\$63.81	\$ 41.80	
3. Prep of def. letter - contingency time	0.00	31%	0.00	Kerry	\$63.81	\$ -	
4. Prep of 2 orders (2 orig. certificates are "living")	5.25	31%	6.88	Kerry	\$63.81	\$ 438.85	
5a. Peer review	0.50		0.50	Gerry	\$60.64	\$ 30.32	
5b. Peer review	0.40		0.40	Dwight	\$90.30	\$ 36.12	
5d. Peer review	1.00	26%	1.26	Ann	\$53.15	\$ 66.97	
6. Project Management -	4.50	31%	5.90	Kerry	\$63.81	\$ 376.16	
7b. Water right data record update	1.25	31%	1.64	Support-Tonya	\$29.28	\$ 47.95	
7b. Water right data record update	0.00		0.00	Data Tech	\$38.16	\$ -	
Total	15.65		20.17		Sub Total	\$1,226	

10%
 Overhead \$122.62
TOTAL \$1,349

\$ 4 OVER (\$1349 LESS \$1345).

Transfer
T-
10504

Application #

Permit #

Juniper Flat District
Improvement Company

RA# R12620-
19

**Reimbursement Authority Process
Itemized Estimate Sheet
for
Certificates**

	New Est. Time (hr)	Multiplier	Total Est Hours	Individual	Hourly Rate	New Est. Cost	Date/Act. Time
1. Review Claim of Beneficial Use report & map	1.00	31%	1.31	Kerry	69.51 \$62.53	\$ 81.91	7-28-2011 1.35
2. Conflict Check	0.50	31%	0.66	Kerry	\$62.53	\$ 40.96	7-26-2011 0.5
3. Prep of def. letter - contingency time	0.75	31%	0.98	Kerry	\$62.53	\$ 61.44	
4. Prep of 2 orders (2 orig. certificates are "living")	4.00	31%	5.24	Kerry	\$62.53	\$ 327.66	7-27-2011 3.75 0.5
5a. Peer review	1.00		1.00	Gerry	\$59.36	\$ 59.36	7-27-2011 0.5
5b. Peer review	0.40		0.40	Dwight	\$86.61	\$ 34.64	8-10-2011 0.4
5d. Peer review	1.50	26%	1.89	Gerry	459.15 \$59.36	\$ 112.19	9-5-2011 1.0
6. Project Management -	4.00	31%	5.24	Kerry	\$62.53	\$ 327.66	4-9-11-7-26-5-26-8-15-2011 0.5 1.0 0.5 0.75 0.75
7b. Water right data record update	1.00	31%	1.31	Support-Kerry	429.28 \$62.53	\$ 81.91	8-6-2011 1.25
7b. Water right data record update	2.50		2.50	Data Tech	\$38.16	\$ 95.40	N/A → DSP
Total	16.65		20.53		Sub Total	\$1,223	
					10% Overhead	\$122.31	
					TOTAL	\$1,345	

TFO for T-10504 issued 12-10-2009 - C date = 10-1-2011 (Volume 77, Page 234)

2 certificates: Cert 77326 & Cert 77733 - change in POU

portion Cert 77326 - 1 AF, 3.0 AF, not exceed 1/40 cfs per ac... IR of 6.0 ac & stock from Clear Cr & Frog Cr -RR Cert

portion Cert 77733 - 4.2 AF from Clear Lake Reservoir for IS of 6.0 acres - RR Cert

TFO conditions:

-- when required, install, maintain & operate an in-line flow merter, weir, or other suitable measuring device

--- shall maintain the existing headgate and shall make improvements

COBU - no mention of STOCK

-- no mention of maintaining existing headgate

Living Cert 77326 → issued
Living Cert 77733 → 8-19-11.

KAVANAGH Kerry L * WRD

From: Larry Toll <Ltoll@tennesoneng.com>
Sent: Thursday, August 15, 2019 10:54 AM
To: KAVANAGH Kerry L * WRD; kasnod1@frontier.com
Subject: RE: Certificate RA Project R12620-19 for Juniper Flat District Improvement Company involving transfer application T-10504 -- please review draft determination of satisfactory proof of completion

Kerry,

Sorry I ended being away from the office. I have reviewed your proposed order and it looks good to me even if this a little late. Thank you for your assistance in getting this completed.

Larry

Larry Toll, P.E., W.R.E.
Tenneson Engineering Corporation
3775 Crates Way
The Dalles, OR 97058
Telephone: 541-296-9177
Fax: 541-296-6657
E-mail: ltoll@tennesoneng.com

From: KAVANAGH Kerry L * WRD [mailto:Kerry.L.Kavanagh@oregon.gov]
Sent: Tuesday, August 06, 2019 2:46 PM
To: kasnod1@frontier.com; Larry Toll
Subject: Certificate RA Project R12620-19 for Juniper Flat District Improvement Company involving transfer application T-10504 -- please review draft determination of satisfactory proof of completion

Hello Herbert and Larry,

Please find attached to this email the draft determination of satisfactory proof of completion for a permanent transfer for a district for transfer application T-10504.

Please review the draft determination of satisfactory proof and compare it to the transfer final order for accuracy and completeness.

For your convenience, here is a link to information regarding transfer application T-10504 in the Department's Water Rights Information System (WRIS) database:

https://apps.wrd.state.or.us/apps/wr/wrinfo/wr_transfer_centric.aspx?transfer_nbr=10504&transfer_char=T

Click on "77-234" under Volume-Page to view the transfer final order.

Please provide me your comments or edits by August 14, 2019, should you have any. Because the claim of beneficial use demonstrated Proof to the Satisfaction of the Director to the full extent described in the transfer order for both portions of the two originating certificates, I will issue the determination of satisfactory proof soon. I am providing you this courtesy email with the opportunity to review the draft determination of satisfactory proof prior to issuance – if you do see any errors, I would greatly appreciate if you let me know as soon as possible.

I will be out of the office from August 8th – August 12th. I will return to the office on Tuesday, August 13, 2019.

Again, if I don't hear from you by August 14, 2019, I will issue the final determination of satisfactory proof of completion for transfer application T-10504.

Let me know if you have any questions.

Thanks,
Kerry

Kerry Kavanagh | Reimbursement Authority, Certificates, Water Right Services Division

Oregon Water Resources Department | 725 Summer St. NE, Suite A, Salem, Oregon 97301

Voice 503.986.0927 | Fax 503.986.0901

Email: Kerry.L.Kavanagh@oregon.gov Web: <http://oregon.gov/ORWD>

KAVANAGH Kerry L * WRD

From: KAVANAGH Kerry L * WRD
Sent: Tuesday, August 06, 2019 2:46 PM
To: kasnod1@frontier.com; 'ltoll@tennesoneng.com'
Subject: Certificate RA Project R12620-19 for Juniper Flat District Improvement Company involving transfer application T-10504 -- please review draft determination of satisfactory proof of completion
Attachments: 10504-ord-dsp-dist-juniper flat dist improve co_DRAFT-2019-08-06.pdf

Hello Herbert and Larry,

Please find attached to this email the draft determination of satisfactory proof of completion for a permanent transfer for a district for transfer application T-10504.

Please review the draft determination of satisfactory proof and compare it to the transfer final order for accuracy and completeness.

For your convenience, here is a link to information regarding transfer application T-10504 in the Department's Water Rights Information System (WRIS) database:

https://apps.wrd.state.or.us/apps/wr/wrinfo/wr_transfer_centric.aspx?transfer_nbr=10504&transfer_char=T

Click on "77-234" under Volume-Page to view the transfer final order.

Please provide me your comments or edits by August 14, 2019, should you have any. Because the claim of beneficial use demonstrated Proof to the Satisfaction of the Director to the full extent described in the transfer order for both portions of the two originating certificates, I will issue the determination of satisfactory proof soon. I am providing you this courtesy email with the opportunity to review the draft determination of satisfactory proof prior to issuance – if you do see any errors, I would greatly appreciate if you let me know as soon as possible.

I will be out of the office from August 8th – August 12th. I will return to the office on Tuesday, August 13, 2019.

Again, if I don't hear from you by August 14, 2019, I will issue the final determination of satisfactory proof of completion for transfer application T-10504.

Let me know if you have any questions.

Thanks,
Kerry

Kerry Kavanagh | Reimbursement Authority, Certificates, Water Right Services Division

Oregon Water Resources Department | 725 Summer St. NE, Suite A, Salem, Oregon 97301

Voice 503.986.0927 | Fax 503.986.0901

Email: Kerry.L.Kavanagh@oregon.gov Web: <http://oregon.gov/ORWD>

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

In the Matter of the Completion of a Change
in Place of Use Under Transfer Application
T-10504, Wasco County

)
)
)
DETERMINATION OF SATISFACTORY
PROOF OF COMPLETION FOR A
PERMANENT TRANSFER FOR A DISTRICT

Authority

Oregon Administrative Rule (OAR) 690-380-6030 describes the documentation that must be filed with the Department in order to provide proof of use.

OAR 690-380-6040 provides in pertinent part that satisfactory proof shall be (a) a determination by the Department that application of water to beneficial use under the terms of the transfer final order was completed to the extent authorized, or (b) a determination by the Department that the application of water to a beneficial use under the terms of the transfer final order was completed to an extent less than authorized.

Oregon Revised Statute (ORS) 540.530(2)(a) authorizes the Department to issue or modify a certificate of water right upon satisfactory proof of completion of the change or changes authorized by a final order approving a permanent transfer for an irrigation district.

Order Issued To:

JUNIPER FLAT DISTRICT IMPROVEMENT COMPANY
82529 HWY 216
MAUPIN, OR 97037

Findings of Fact

1. On February 10, 2009, the Department signed a final order, which was mailed on February 24, 2009, and recorded in Special Order Volume 77, Pages 234-237, approving Transfer Application T-10504 involving Certificates 77326 and 77733. The final order established October 1, 2010, as the date for completion of the authorized change in place of use.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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

2. On December 26, 2018 the Department received a Claim of Beneficial Use (CBU) and associated maps from the applicant for Transfer Application T-10504 satisfying the requirements for providing proof of use under OAR 690-380-6030 for 77326 and 77733.
3. The Department reviewed the CBU and maps submitted by the applicant for Transfer Application T-10504.
4. The proposed place of use for Certificate 77326 as approved in the final order for Transfer Application T-10504, and as recorded in Special Order Volume 77, Pages 234-237 is shown in Table 1, below:

Table 1:

PRIMARY IRRIGATION & STOCK					
Twp	Rng	Mer	Sec	Q-Q	Acres
5 S	12 E	WM	25	SW NW	6.0

5. The proposed place of use for Certificate 77333 as approved in the final order for Transfer Application T-10504, and as recorded in Special Order Volume 77, Pages 234-237 is shown in Table 2, below:

Table 2:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
5 S	12 E	WM	25	SW NW	6.0

6. Based on the review of evidence submitted by the applicant, the Department finds that the application of water to beneficial use under the terms of the final order approving the changes for T-10504 was completed to the extent authorized in the transfer as described in Table 1 and Table 2.

Conclusions of Law

1. The Applicant has submitted proof of use pursuant to OAR 690-380-6030.
2. Application of water to a beneficial use under the terms of the transfer final order has been made to the extent shown in Tables 1 and 2, above.
3. The applicant has demonstrated proof of completion under T-10504 to the satisfaction of the Department.

4. The Department is authorized to issue or modify irrigation district water rights involved in transfer T-10504 consistent with this determination of satisfactory proof of completion.

Now, therefore, it is ORDERED:

1. Water right Certificates 77326 and 77733 are modified as shown in Table 1 and Table 2, above. The Department will issue superseding certificates describing these rights when it determines it is necessary for record keeping.

Dated in Salem, Oregon on _____

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

Mailing date: _____

KAVANAGH Kerry L * WRD

From: KAVANAGH Kerry L * WRD
Sent: Monday, April 15, 2019 9:51 AM
To: kasnod1@frontier.com; 'ltoll@tennesoneng.com'
Subject: Certificate RA Agreement R12620-19 for Juniper flat District Improvement Company involving transfer application T-10504
Attachments: RA contract executed_T-10504.pdf; RA contract receipt_T-10504.pdf

Hello Herbert and Larry,

Attached are copies of the fully executed Applicant's Agreement signed by the required parties and a receipt for the monies paid for these expedited services. The agreement details the terms and conditions that a work order was issued for the expedited services you requested.

If you have any questions, please call me.

Thanks,
Kerry

Kerry Kavanagh | Reimbursement Authority, Certificates, Water Right Services Division

Oregon Water Resources Department | 725 Summer St. NE, Suite A, Salem, Oregon 97301
Voice 503.986.0927 | Fax 503.986.0901
Email: Kerry.L.Kavanagh@oregon.gov Web: <http://oregon.gov/ORWD>

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 # **129487**

INVOICE # _____

RECEIVED FROM: Mickey L Snodgrass
 BY: Herbert E Snodgrass

APPLICATION _____
 PERMIT _____
 TRANSFER T-10504

CASH: CHECK: # 3042 OTHER: (IDENTIFY) _____

TOTAL REC'D \$ 1,345.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 47126 R12620-19 \$ _____
0408 OTHER: (IDENTIFY) Reimbursement Authority \$ 1,345.00

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	\$		

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 (FWWRD) \$ _____
 0231 HYDRO LICENSE FEE (FWWRD) \$ _____
 HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

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

RECEIPT: **129487** DATED: 4/8/19 BY: CWJethrick



**OREGON WATER RESOURCES DEPARTMENT
CERTIFICATE REIMBURSEMENT AUTHORITY
APPLICANT'S AGREEMENT**

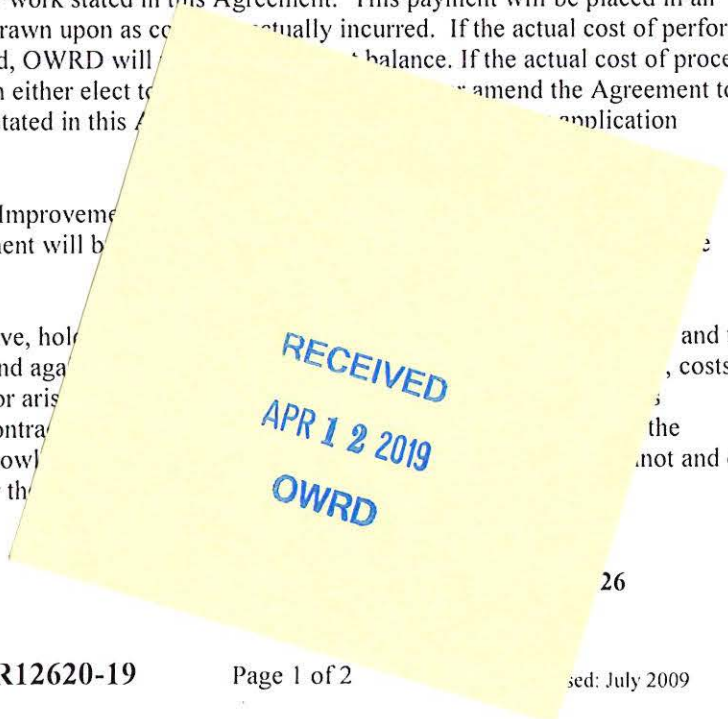


Contract Number: **R12620-19**

This Agreement is between the **Oregon Water Resources Department**, hereafter OWRD, and **Juniper Flat District Improvement Company**, hereafter Applicant, hereafter known together as the parties.


OWRD Information	Applicant's Information	Applicant's Representative
Project Contact: Kerry Kavanagh Reimbursement Authority Oregon Water Resources Department	Name: Herbert Snodgrass Company: Juniper Flat District Improvement Company	Name: Larry Toll Title: Representative Company: Tenneson Engineering
725 Summer Street NE Salem, OR 97301-1271 Phone: 503-986-0927 Email: Kerry.L.Kavanagh@state.or.us	Address: 82529 Hwy 216 Maupin, OR 97037	Address: 3775 Crates Way The Dalles, OR 97058 Phone: 541-296-9177 Email: ltoll@tennesoneng.com

- Purpose.** The purpose of this Agreement is to expedite the processing of the **Claim of Beneficial Use**. (Transfer Application Number: T-10504)
- Authority.** ORS 536.055 authorizes the OWRD to enter into a voluntary agreement with any applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.
- Restrictions.** Juniper Flat District Improvement Company and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
- Effective Date and Duration.** Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service has been received by OWRD.
- Consideration.** Juniper Flat District Improvement Company shall pay OWRD in advance for actual costs incurred by OWRD. Juniper Flat District Improvement Company agrees to pay the full amount of **\$1345** to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to pay the difference or amend the Agreement to reflect the increase in cost. The costs stated in this Agreement are for processing and filing fees.
- Confidentiality.** Juniper Flat District Improvement Company understands that information acquired by OWRD under this Agreement will be considered public records.
- Indemnity.** Applicant shall defend, save, hold OWRD, its officers, employees, and agents from and against all claims, costs and expenses of any nature resulting from or arising out of the expedited service. The Applicant acknowledges that OWRD does not guarantee a favorable review under the



8. **Termination.** Applicant may request to terminate this agreement only in writing at any time during the process. The Applicant agrees to pay for the work done by the Reimbursement Authority personnel up until the time of the written termination request. OWRD, upon receiving such written termination request from the Applicant, will refund any unspent balance after paying the Reimbursement Authority personnel for the work done.
9. **Funds Authorized and Available.** By its execution of this Agreement, Applicants certifies that sufficient funds are authorized and available to cover the expenditures contemplated by this Agreement.
10. **Duration of Estimate.** The Estimate of Time to complete the work is no later than one hundred and twenty days (120) days once this Agreement has been fully executed and payment of the estimated cost deposited. However, this estimate is contingent on the Applicant's expeditious resolution of any deficiency and may be affected by the Department's work load. This Estimate of Time may become null and void after thirty (30) days from the date the Applicant's Agreement is mailed. If the Applicant's Agreement is not received by the Department within thirty (30) days of mailing the Agreement, the Applicant may need to re-apply for a new estimate.
11. **Completion Date.** OWRD, by the execution of this Agreement does not guarantee the completion date indicated in this Agreement. Completion date is only an estimate and may be affected by the Department's workload, issues arising from the processing of the requested services and Applicant's timely response to requests for additional information.
12. **Captions.** The captions or headings in this Agreement are for the convenience only and in no way define limit or describe the scope or intent of any provision of this Agreement.
13. **Amendment and Merger.** The terms of this Agreement shall not be waived, altered, modified, supplemented or amended in any manner whatsoever, except by written instrument signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements or representations, oral or written, not specified herein regarding this Agreement.
14. **Signatures.** All parties, by the authorized representative's signature below, hereby acknowledge that they have read this Agreement, understand it and agree to be bound by its terms and conditions.

Applicant: 
 Name: Herbert Snodgrass
 Company: Juniper Flat District Improvement Company
 Date: 3/20/2019

For OWRD: 
 Name: Kerry Kavanagh
 Water Right Services Division
 Date: 4-12-19

Mail signed Agreement to:

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

PCA 47126

KAVANAGH Kerry L * WRD

From: kasnod1@frontier.com
Sent: Tuesday, April 09, 2019 5:41 PM
To: ltoll@tennesoneng.com; KAVANAGH Kerry L * WRD
Subject: Re: RA Certificate Estimate R12620-19 for Juniper Flat District Improvement Company involving transfer application T-10504

Apologies, I found the signed copy in my files. I will be sending in the mail tomorrow.

Regards,
Herb Snodgrass
(541)980-8697

On Tuesday, April 9, 2019, 12:12:10 PM PDT, KAVANAGH Kerry L * WRD <Kerry.L.Kavanagh@oregon.gov> wrote:

Sorry – please see the last attachment - which is the receipt for \$1,345.00.

Kerry

From: KAVANAGH Kerry L * WRD
Sent: Tuesday, April 09, 2019 12:10 PM
To: kasnod1@frontier.com
Cc: ltoll@tennesoneng.com; KAVANAGH Kerry L * WRD
Subject: FW: RA Certificate Estimate R12620-19 for Juniper Flat District Improvement Company involving transfer application T-10504

Hello Herbert and Larry,

The Department received check number 5042 in the amount of \$ 1,345.00 and the first page of the two-page Applicant's Agreement yesterday. Unfortunately, I cannot execute the agreement without the signed contract; page two of the agreement was not included in the envelope along with the check and page one of the agreement.

I will accept payment at this time and hold the file until we receive page two of the agreement, signed and dated by Herbert Snodgrass or another representative of Juniper Flat District Improvement Company.

I have attached a pdf of the receipt and page one of the agreement that we received yesterday, April 8, 2019.

I have also attached a pdf of a blank agreement – which includes both pages.

Let me know if you have any questions.

Kerry

Kerry Kavanagh | Reimbursement Authority, Certificates, Water Right Services Division

Oregon Water Resources Department | 725 Summer St. NE, Suite A, Salem, Oregon 97301

Voice 503.986.0927 | Fax 503.986.0901

Email: Kerry.L.Kavanagh@oregon.gov Web: <http://oregon.gov/ORWD>

From: kasnod1@frontier.com [mailto:kasnod1@frontier.com]

Sent: Friday, April 05, 2019 12:45 PM

To: Gary Ericson; Larry Toll

Cc: KAVANAGH Kerry L * WRD

Subject: Re: RA Certificate Estimate R12620-19 for Juniper Flat District Improvement Company involving transfer application T-10504

Hi Larry,

I needed to have the Juniper Flat Ditch Board review the information. The meeting was held yesterday, Thursday - 4/4/19. I'm planning on having the paperwork in the mail on Monday, 4/8/19. Please contact me on my cell phone, (541)984-8697, if the urgency for completion escalates.

Thank you for the follow up,

Herb

On Thursday, April 4, 2019, 1:22:43 PM PDT, Larry Toll <Ltoll@tennesoneng.com> wrote:

Herb and Gary,

Have you reviewed the Reimbursement Authority contract from OWRD yet. I emailed this out to you March 14, 2019. I then mailed the hard copies of the documents to Herb on March 18, 2019 because his printer was not working. This estimate is only good for 30 days. Let me know if you have any questions. See Kerry's reminder email below.

Larry

Larry Toll, P.E., W.R.E.

Tenneson Engineering Corporation

3775 Crates Way

The Dalles, OR 97058

Telephone: 541-296-9177

Fax: 541-296-6657

E-mail: ltoll@tennesoneng.com

From: KAVANAGH Kerry L * WRD [mailto:Kerry.L.Kavanagh@oregon.gov]

Sent: Thursday, April 04, 2019 1:12 PM

To: Larry Toll

Subject: FW: RA Certificate Estimate R12620-19 for Juniper Flat District Improvement Company involving transfer application T-10504

Hello Larry,

I was wondering if you have had the opportunity to review the agreement and estimated cost to review the claim of beneficial use as noted in my March 12, 2019 email.

Please keep in mind that the estimated cost is typically "good for" 30 days.

Thank you,

Kerry

Kerry Kavanagh | Reimbursement Authority, Certificates, Water Right Services Division

Oregon Water Resources Department | 725 Summer St. NE, Suite A, Salem, Oregon 97301

Voice 503.986.0927 | Fax 503.986.0901

Email: Kerry.L.Kavanagh@oregon.gov Web: <http://oregon.gov/ORWD>

From: KAVANAGH Kerry L * WRD

Sent: Tuesday, March 12, 2019 2:28 PM

To: 'ltoll@tennesoneng.com'

Subject: RA Certificate Estimate R12620-19 for Juniper Flat District Improvement Company involving transfer application T-10504

Hello Larry,

Please find the attached estimate and agreement to review the claim of beneficial use. If the proposed agreement is acceptable to you and the water user, please ask Herbert Snodgrass of Juniper Flat District Improvement Company to return a signed copy to our office along with the payment of the estimated cost to review the claim of beneficial use.

If you have any questions, please call me.

Thanks,

Kerry

Kerry Kavanagh | Reimbursement Authority, Certificates, Water Right Services Division

Oregon Water Resources Department | 725 Summer St. NE, Suite A, Salem, Oregon 97301

Voice 503.986.0927 | Fax 503.986.0901

Email: Kerry.L.Kavanagh@oregon.gov Web: <http://oregon.gov/ORWD>

KAVANAGH Kerry L * WRD

From: KAVANAGH Kerry L * WRD
Sent: Tuesday, April 09, 2019 12:12 PM
To: kasnod1@frontier.com; ltoll@tennesoneng.com
Cc: KAVANAGH Kerry L * WRD
Subject: FW: RA Certificate Estimate R12620-19 for Juniper Flat District Improvement Company involving transfer application T-10504
Attachments: RA contract_T-10504_first page only-2019-04-08.pdf; RA contract_T-10504_first page only-2019-04-08.pdf; RA contract_T-10504.pdf; RA contract receipt_T-10504.pdf

Sorry – please see the last attachment - which is the receipt for \$1,345.00.

Kerry

From: KAVANAGH Kerry L * WRD
Sent: Tuesday, April 09, 2019 12:10 PM
To: kasnod1@frontier.com
Cc: ltoll@tennesoneng.com; KAVANAGH Kerry L * WRD
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Hello Herbert and Larry,

The Department received check number 5042 in the amount of \$ 1,345.00 and the first page of the two-page Applicant's Agreement yesterday. Unfortunately, I cannot execute the agreement without the signed contract; page two of the agreement was not included in the envelope along with the check and page one of the agreement.

I will accept payment at this time and hold the file until we receive page two of the agreement, signed and dated by Herbert Snodgrass or another representative of Juniper Flat District Improvement Company.

I have attached a pdf of the receipt and page one of the agreement that we received yesterday, April 8, 2019.

I have also attached a pdf of a blank agreement – which includes both pages.

Let me know if you have any questions.

Kerry

Kerry Kavanagh | Reimbursement Authority, Certificates, Water Right Services Division

Oregon Water Resources Department | 725 Summer St. NE, Suite A, Salem, Oregon 97301
Voice 503.986.0927 | Fax 503.986.0901
Email: Kerry.L.Kavanagh@oregon.gov Web: <http://oregon.gov/ORWD>

From: kasnod1@frontier.com [mailto:kasnod1@frontier.com]
Sent: Friday, April 05, 2019 12:45 PM
To: Gary Ericson; Larry Toll
Cc: KAVANAGH Kerry L * WRD
Subject: Re: RA Certificate Estimate R12620-19 for Juniper Flat District Improvement Company involving transfer application T-10504

Hi Larry,

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Thank you for the follow up,
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Herb and Gary,

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Larry

Larry Toll, P.E., W.R.E.

Tenneson Engineering Corporation

3775 Crates Way

The Dalles, OR 97058

Telephone: 541-296-9177

Fax: 541-296-6657

E-mail: ltoll@tennesoneng.com

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Email: Kerry.L.Kavanagh@oregon.gov Web: <http://oregon.gov/ORWD>

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If you have any questions, please call me.

Thanks,

Kerry



OREGON WATER RESOURCES DEPARTMENT
CERTIFICATE REIMBURSEMENT AUTHORITY
APPLICANT'S AGREEMENT



Contract Number: **R12620-19**

This Agreement is between the **Oregon Water Resources Department**, hereafter OWRD, and **Juniper Flat District Improvement Company**, hereafter Applicant, hereafter known together as the parties.

OWRD Information	Applicant's Information	Applicant's Representative
Project Contact: Kerry Kavanagh Reimbursement Authority Oregon Water Resources Department	Name: Herbert Snodgrass Company: Juniper Flat District Improvement Company	Name: Larry Toll Title: Representative Company: Tenneson Engineering
725 Summer Street NE Salem, OR 97301-1271 Phone: 503-986-0927 Email: Kerry.L.Kavanagh@state.or.us	Address: 82529 Hwy 216 Maupin, OR 97037	Address: 3775 Crates Way The Dalles, OR 97058 Phone: 541-296-9177 Email: ltoll@tennesoneng.com

1. **Purpose.** The purpose of this Agreement is to expedite the processing of the **Claim of Beneficial Use**. (Transfer Application Number: T-10504)
2. **Authority.** ORS 536.055 authorizes the OWRD to enter into a voluntary agreement with any applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.
3. **Restrictions.** Juniper Flat District Improvement Company and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
4. **Effective Date and Duration.** Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service has been received by OWRD.
5. **Consideration.** Juniper Flat District Improvement Company shall pay OWRD in advance for actual costs incurred by OWRD. Juniper Flat District Improvement Company agrees to pay the full amount of **\$1345** to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost. The costs stated in this Agreement do not include the statutory application processing and filing fees.
6. **Confidentiality.** Juniper Flat District Improvement Company agrees that any information provided to or acquired by OWRD under this Agreement will be subject to the Oregon Public Records Law and shall be considered public records.
7. **Indemnity.** Applicant shall defend, save, hold harmless, and indemnify the State of Oregon, OWRD, and their officers, employees, and agents from and against all claims, suits, actions, losses, damages, liabilities, costs and expenses of any nature resulting from or arising out of, or relating to the activities of Applicant or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the expedited service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.

PCA 47126

8. **Termination.** Applicant may request to terminate this agreement only in writing at any time during the process. The Applicant agrees to pay for the work done by the Reimbursement Authority personnel up until the time of the written termination request. OWRD, upon receiving such written termination request from the Applicant, will refund any unspent balance after paying the Reimbursement Authority personnel for the work done.
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11. **Completion Date.** OWRD, by the execution of this Agreement does not guarantee the completion date indicated in this Agreement. Completion date is only an estimate and may be affected by the Department's workload, issues arising from the processing of the requested services and Applicant's timely response to requests for additional information.
12. **Captions.** The captions or headings in this Agreement are for the convenience only and in no way define limit or describe the scope or intent of any provision of this Agreement.
13. **Amendment and Merger.** The terms of this Agreement shall not be waived, altered, modified, supplemented or amended in any manner whatsoever, except by written instrument signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements or representations, oral or written, not specified herein regarding this Agreement.
14. **Signatures.** All parties, by the authorized representative's signature below, hereby acknowledge that they have read this Agreement, understand it and agree to be bound by its terms and conditions.

Applicant: _____
 Name: Herbert Snodgrass
 Company: Juniper Flat District Improvement Company
 Date: _____

For OWRD: _____
 Name: Kerry Kavanagh
 Water Right Services Division
 Date: _____

Mail signed Agreement to:

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

PCA 47126

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**OREGON WATER RESOURCES DEPARTMENT
 CERTIFICATE REIMBURSEMENT AUTHORITY
 APPLICANT'S AGREEMENT
 Contract Number: R12620-19**

RECEIVED
 APR 08 2019
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PCA 47126

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**OREGON WATER RESOURCES DEPARTMENT
CERTIFICATE REIMBURSEMENT AUTHORITY
APPLICANT'S AGREEMENT**



Contract Number: **R12620-19**

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PCA 47126

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14. **Signatures.** All parties, by the authorized representative's signature below, hereby acknowledge that they have read this Agreement, understand it and agree to be bound by its terms and conditions.

Applicant: _____
 Name: Herbert Snodgrass
 Company: Juniper Flat District Improvement Company
 Date: _____

For OWRD: _____
 Name: Kerry Kavanagh
 Water Right Services Division
 Date: _____

Mail signed Agreement to:

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

PCA 47126

STATE OF OREGON
WATER RESOURCES DEPARTMENT

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

RECEIPT # **129284**

INVOICE # _____

RECEIVED FROM: **Mickey L Snodgrass**
 BY: **Herbert E Snodgrass**

APPLICATION	
PERMIT	
TRANSFER	T-10504

CASH: CHECK# **5036** OTHER: (IDENTIFY)

TOTAL REC'D \$ **125.00**

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES	4126 R12620-19	\$
0408 OTHER:	(IDENTIFY) Reimbursed Activity	\$ 125.00

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	\$		\$
0205 TRANSFER	\$	0204	\$

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: **129284**

DATED: **3/8/19** BY: **[Signature]**



**OREGON WATER RESOURCES DEPARTMENT
CERTIFICATE REIMBURSEMENT AUTHORITY
ESTIMATE APPLICATION**

ORS 536.055 authorizes the Oregon Water Resources Department to expedite or enhance regulatory processes voluntarily requested under the agreement.

The purpose of this application is to obtain estimates of the cost and time required to process a Certificate Request. A separate estimate application is required for each application and/or transfer number. There is a non-refundable application fee of \$125.00 per request.

<u>REQUEST</u>	<u>TYPE</u>	<u>FILE NUMBER</u>
<input checked="" type="checkbox"/>	Certificate Request	Application Number _____ Permit Number _____ Transfer Number/Permit Amendment (if applicable) <u>10504</u>

Please send copy of correspondence to Larry Toll, as he is advising on the process

	Applicant Information	Applicant's Representative/Contact
Name:	<u>Juniper Flat District Improvement Company</u>	<u>Tenneson Engineering, Attn: Larry Toll</u>
Address:	<u>82529 Hwy 216</u>	<u>3775 Crates Way</u>
	<u>Maupin, OR 97037</u>	<u>The Dalles, OR 97058</u>
Phone:	_____	<u>541-296-9177</u>
Fax:	_____	_____
E-Mail Address:	_____	<u>ltoll@tennesoneng.com</u>

I certify that I (check one):

- I have previously filed a Claim of Beneficial Use
- I am attaching the Claim of Beneficial Use with this request and have included the appropriate claim fee.

I understand the following:

- That upon receipt of my non-refundable application fee in the amount of **\$ 125.00**, OWRD will, within fourteen (14) days, notify me in writing of the estimates of cost and time frame for the expedited service.
- That this fee covers the reimbursement authority staff to evaluate and provide the estimate for processing of the request.
- That upon receiving the estimate 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 Claim of Beneficial Use 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:

**Oregon Water Resources Department
Certificate Reimbursement Authority Program
725 Summer St. NE, Suite A
Salem, OR 97301-1271**

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I certify that I am the (check one):

- Applicant
- Applicant's Representative
- Other (Please specify) _____

Name: Herbert Snodgrass

Signature: Herbert Snodgrass

OWRD USE ONLY: Reimbursement Authority Number: R12620-19

CLARK Gerald E * WRD

From: CLARK Gerald E * WRD
Sent: Thursday, April 12, 2018 10:52 AM
To: 'Larry Toll'
Subject: RE: Transfer 10504

Larry,

When we look at a transfer that involves an irrigation district water right where we consider their right as a "living certificate", once the Claim is reviewed we issue an order confirming the change rather than a certificate. As a CWRE, you will still prepare a Claim as normal, the outcome is just different. An order is issued as opposed to a certificate. Once the order confirming the change is issued, transfer could be filed.

Due to the current workload, if they wish to file their transfer sooner rather than later, they will want to consider the Reimbursement Authority process.

As it relates to your question about meters. On older permits where the condition stated "meter", a dedicated electrical meter would count as a meter for purposes of compliance for demonstration of beneficial use. The Watermaster could at any time require that the water user install some other type of meter.

Because a "totalizing flow meter" is a specific type of meter, we cannot consider a dedicated electrical meter as meeting the condition.

As you have indicated, the water user is desiring to use the dedicated electrical meter as the back-up meter to verify the readings from the totalizing flow meter. I will look further, but I do not believe that I have a copy of the equation that you are looking for to convert electrical usage to water usage. If I find something I will send it to you.

Gerry

Gerry Clark
Water Right Services Division
Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301

Phone: 503-986-0811

From: Larry Toll [mailto:Ltoll@tennesoneng.com]
Sent: Thursday, April 12, 2018 10:05 AM
To: CLARK Gerald E * WRD
Subject: Transfer 10504

Gerry,

I have clients that wish to file a transfer to move the 6.0 acre from the "TO" location under Transfer 10504. After looking at WRIS I see that the Claim of Beneficial Use has not been filed so that would be step one. This water right is part of Juniper Flat DIC and the certificates of water right were not cancelled in the transfer order. New certificates will be issued when determined necessary.

I can do the COBU, what might the process be to get to where we could file the new transfer?

On another process, back before OWRD made the wording on permits to require totalizing flow meters the use of a dedicated electric meter could qualify as the meter. Also at that time very few permits required reporting of any kind. I seem to remember that OWRD had a brief description on how one might rate the electric meter so the total volume of water could be calculated. I am looking for that brief description of how to rate a electric meter.

The client I am working with is not trying to replace the totalizing flow meter that they are required to have. They have been having trouble with keeping a flow meter running at one of their sites. The electric meter always seems work as seen by the monthly bill so they thought they could rate the electric meter as a back up and as a check of the flow meter. Logically we can come up with a process to rate the meter but we were looking for a process already described.

Thanks,

Thanks,

Larry

Larry Toll, P.E., W.R.E.
Tenneson Engineering Corporation
3775 Crates Way
The Dalles, OR 97058
Telephone: 541-296-9177
Fax: 541-296-6657
E-mail: ltoll@tennesoneng.com

**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.wrd.state.or.us

A fee of \$200 must accompany this form for any transfer final orders including a water right with a priority date of July 9, 1987, or later.

Example – A transfer involves 5 rights and one of the rights has a priority date of July 9, 1987, or later, the fee is required.

Claims received without the correct fee of \$200 will be returned.

Priority dates of this transfer are 7/1/1903, 8/19/1904, and 11/11/1915. No Fee Required.

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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: http://www.oregon.gov/owrd/pages/wr/cwre_info.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 and ask for the Certificate Section.

The Department has a program that allows it to enter into a voluntary agreement with an applicant for expedited services. Under such an agreement, the applicant pays the cost to hire additional staff that would not otherwise be available. This program means a certificate may be issued in about a month. For more information on this program see:

http://www.oregon.gov/owrd/pages/mgmt_reimbursement_authority.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 NO

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

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1. File Information

APPLICATION # T-10504

2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME Paul Brace		PHONE No.	ADDITIONAL CONTACT No.	
ADDRESS 2520 Sevenmile High Road				
CITY The Dalles	STATE OR	ZIP 97058	E-MAIL	

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 Manuel and Kathleen Pinheiro				
ADDRESS PO Box 438				
CITY The Dalles	STATE OR	ZIP 97058		

4. Date of Site Inspection:

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

NAME	DATE	ASSOCIATION WITH THE PROJECT
Herb Snodgrass	9/24/2018	Knew how the property was irrigated and a member of Juniper Flat District Improvement Company

6. 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(4)):

OWNER OF RECORD		
ADDRESS		
CITY	STATE	ZIP

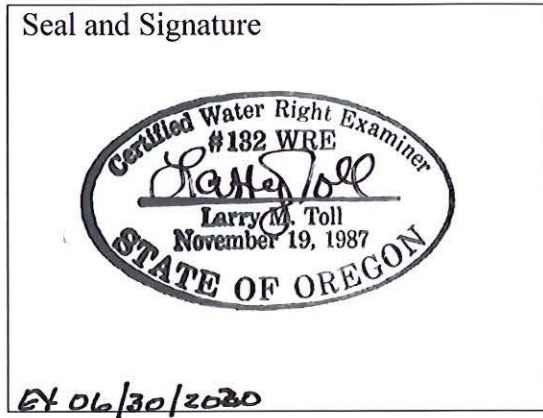
Add additional tables for owners of record as needed

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 Larry Toll		PHONE No. 541-296-9177	ADDITIONAL CONTACT No.	
ADDRESS 3775 Crates Way				
CITY The Dalles	STATE OR	ZIP 97058	E-MAIL	

Transfer Holder 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
	Manuel Pinheiro		12/16/18
	Kathleen Pinheiro		12/16/18

SECTION 3

EXTENT OF CHANGE COMPLETED

1. Claim Summary – Authorized Use:

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If Irrigation or Nursery Use:

DEC 26 2018

THE # OF ACRES ALLOWED	THE # OF ACRES DEVELOPED
6.0	6.0

OWRD

If the new use(s) was not irrigation or nursery:

NEW USE(S)	WAS THE NEW PLACE OF USE DEVELOPED TO THE FULL EXTENT AUTHORIZED UNDER THE ORDER? (INCLUDE THE LOCATION OF THE DEVELOPED PLACE USE ON THE CLAIM MAP)
	YES NO <u>NA</u>

2. Variations:

Was the use developed differently from what was authorized by the transfer final order? YES NO

If yes, describe below.

(e.g. "The order authorized a change in place of use for 40 acres. The water user only developed 38 acres.")

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:

Transfers and extension final orders contain the date when the full beneficial use of water was to be made:

	DATE FROM TRANSFER	DATE THE NEW USE WAS MADE TO THE FULL PLACE OF USE *THIS DATE MUST FALL BETWEEN THE "ISSUANCE DATE" AND THE "FULL USE MADE DATE"
ISSUANCE DATE	2/10/2009	
COMPLETENESS DATE FROM ORDER (C)	10/1/2010	Land irrigated summer of 2010

2. Measurement Conditions:

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

YES NO

Juniper Flat DIC has weirs to measure the rate water is diverted into their ditches and weirs to measure water delivered to most of the water users in the district.

3. Other conditions required by the transfer final order:

a. Other conditions?

YES NO

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

--

**SECTION 5
ATTACHMENTS**

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

ATTACHMENT NAME	DESCRIPTION
Claim Map	

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.

Mapped using aerial photos of the area and existing Juniper Flat DIC maps showing PLS.

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
- 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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Google Maps Walters Corner



3

OWRD





Oregon
Kate Brown, Governor

Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301
(503) 986-0900
Fax (503) 986-0904

January 14, 2019

MANUEL PINHEIRO
KATHLEEN PINHEIRO
52801 RESERVATION ROAD
MAUPIN, OR 97037

On December 26, 2018, the Water Resources Department received the Claim of Beneficial Use (COBU) for the following Transfer(s):

T-10504

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

If you are interested in having your COBU reviewed sooner, you may pay to have your file processed immediately, using the Reimbursement Authority program, which is described at:

<https://www.oregon.gov/OWRD/programs/WaterRights/RA/Pages/Certificate.aspx>

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

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

cc: file
Larry Toll, CWRE

Checklist for Claims of Beneficial Use Received at CSG Counter

Application #	WRD Reviewer <i>Jerry Clark</i>
Transfer # <i>10504</i>	
Date Received <i>12/26/2018</i>	
CWRE Name <i>Larry Toll</i>	

Priority Date: *1903, 1904, 1915*

Fees Required:

YES NO A fee of \$200 must accompany this form for permits with priority dates of July 9, 1987, or later.

YES **NO** A fee of \$200 must accompany this form for any transfers including a water right with a priority date of July 9, 1987, or later.

Example – A transfer involves 5 rights and one of the rights has a priority date of July 9, 1987, or later, the fee is required.

Fill in App or Transfer Number

Map Review:

- Map on polyester film (OAR 690-014-0170(1) & 310-0050(1)(b))
- Application & permit #; or transfer # (OAR 690-014-0100(1))
- Disclaimer (OAR 690-014-0170(5))
- North arrow (OAR 690-310-0050(2)(c))
- CWRE stamp and signature (OAR 690-014 & 310-0050)
- Appropriate scale (1" = 1320', 1" = 400', or the original full-size scale of the county assessor map) (014 & 310)
- Township, range, section, and tax lot numbers (OAR 690-310-0050(4))

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)

MONEY SLIP

DATE: _____ RECEIPT #: _____

RECEIVED FROM: _____ APPLICATION PERMIT TRANSFER

CASH CHECK # _____ OTHER (IDENTIFY) _____ TOTAL REC'D \$ _____

0178 TREASURY 4178 MISC CASH ACCT.

0407 COPIES _____ \$ _____

0408 OTHER (IDENTIFY) _____ \$ _____

0243 Instrum Lease 0244 Min Water Mgmt Plan 0245 Cons Water

0403 TREASURY 4270 WRD OPERATING ACCT.

MISCELLANEOUS *4611*

0407 COPY & TAPE FEES \$ _____ \$ _____

0410 RESEARCH FEES \$ _____ \$ _____

0408 MISC REVENUE (IDENTIFY) \$ _____ \$ _____

TC182 DEPOSIT LIAB (IDENTIFY) \$ _____ \$ _____

0240 EXTENSION OF TIME \$ _____ \$ _____

WATER RIGHTS

6001 SURFACE WATER EXAM FEE RECORD FEE

6002 GROUND WATER \$ _____ \$ _____

6006 TRANSFER \$ _____ \$ _____

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR EXAM FEE RECORD FEE

LANDOWNER'S PERMIT \$ _____ \$ _____

0200 OTHER (IDENTIFY) *COBU* \$200.00

0407 TREASURY 0407 HYDROELECTRIC

0218 POWER LICENSE FEE (PWRP) LIC NUMBER \$ _____ \$ _____

0219 HYDRO LICENSE FEE (PWRP) \$ _____ \$ _____

HYDRO APPLICATION \$ _____ \$ _____

SPECIAL INSTRUCTIONS:

RETURN TO APPLICANT - LETTER ATTACHED

Groundwater File Review:

Pump Test Required? YES NO *NA* Pump Test Submitted? YES NO*

*If no, include pump test flyer w/acknowledgment letter



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ENGINEERING CORPORATION
 CONSULTING ENGINEERS • SURVEYORS • PLANNERS

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3775 CRATES WAY
 THE DALLES, OR 97058

PHONE (541) 296-9177
 FAX (541) 296-6657

OWRD

LETTER OF TRANSMITTAL

TO: Oregon Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266

Date	12/20/2018	Work Order #	15158
Attention			
RE:			
Transfer 10504			

ENCLOSED ARE THE FOLLOWING:

QUANTITY	DESCRIPTION
1	(8 pgs) CLAIM OF BENEFICIAL USE FOR T-10504
1	(2 pgs) 8-1/2" x 14" mylar—CLAIM MAP

THESE ARE TRANSMITTED (as checked below)

- | | | |
|---------------------------------------|--|--|
| <input type="checkbox"/> For approval | <input type="checkbox"/> As requested | <input checked="" type="checkbox"/> Filing/Recording |
| <input type="checkbox"/> For your use | <input type="checkbox"/> Approved as noted | <input type="checkbox"/> For your review & comment |

CHARGES

Remarks:	SF Blueline	
	SF Mylar	
	Xerox	
	Tube, Mailer, Etc.	
	P & H	
	TOTAL	

PICKED UP BY:
 DELIVERED BY:
 COPY TO: Manuel Pinheiro w/ enclosures

BY: Larry M. Toll, CWRE

If enclosures are not as noted, please notify us at once.



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

COPY

January 4, 2008

BRIAN & LISA SILVEY
52802 RESERVATION ROAD
MAUPIN, OR 97037

Reference: Transfer 10504

On December 19, 2007 we received your water right transfer application requesting place of use. The application was accompanied by \$600.00. Our receipt 90986 90987 is enclosed.

By copy of this letter, we are asking the Watermaster for a 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. A number of other transfer applications are also awaiting review. As a result, it may be some time before we are able to process your application. If you wish to have your application processed more quickly, you may want to consider use of the Department's reimbursement authority. Under this authority an applicant may receive expedited review by paying the full cost for a pre-qualified contractor to process the applications. For more information on the Reimbursement Authority program, see our website at http://www.wrd.state.or.us/OWRD/mgmt_reimbursement.shtml or call the transfer section.

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 # 3
CWRE # 1
Juniper Flat District Improvement Co.
Bruce Estes
Wasco County
Manuel Pinheiro
File

enclosure



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

COPY

Application for Water Right Transfer

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "N/A" to indicate "Not Applicable." As you complete this form, please refer to notes and guidance included on the application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

1. TYPE OF TRANSFER APPLICATION

Please check one

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

2. APPLICANT INFORMATION

Name: Brian & Lisa Silvey
First Last

Address: 52802 Reservation Rd,
Maupin, OR 97037
City State Zip

Phone: _____
Home Work Other

Fax: _____ E-Mail address: _____

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WATER RESOURCES DEPT
 SALEM, OREGON

3. AGENT INFORMATION

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

Name: Bruce Estes, Estes Surveys, LLC
First Last

Address: 60382 Arnold Mkt. Rd,
Bend OR 97702
City State Zip

Phone: _____
Home Work Other

Fax: _____ E-Mail address: estesurveysllc@msu.com

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

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WATER RESOURCES DEPT
 SALEM, OREGON

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

- List **all** water rights to be affected by this transfer. Indicate the certificate, permit, decree or other identifying number(s) in the table below: *(Attach additional pages as necessary.)*

	Application / Decree	Permit / Previous Transfer	Certificate
1.	White River		77326
2.	Clear ³²⁰⁴⁴ Lake Res.	25275	76969 Supplemental
3.			
4.			
5.			
6.			

- Attach a separate Supplemental Form A (Description of Proposed Change(s) to a Water Right) for **each** water right listed above.
- Check **all** proposed change(s) included in this transfer application:
 - Place of Use Point of Diversion Additional Point of Diversion
 - Character of Use Point of Appropriation Additional Point of Appropriation
 - Instream Transfer Surface Water source to Ground Water source
- Reason(s) for change(s): _____

5. WATER DELIVERY SYSTEM

- Describe the **current** water delivery system or the system that **was in place** at some time within the last 5 years. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. If the transfer involves multiple rights that have independent systems, describe each system separately.

The description must be sufficient to demonstrate that the full quantity of water to be transferred can be conveyed from the authorized source and applied at the authorized location and that the applicant is ready, willing, and able to exercise the right.

Direct delivery from Juniper Flat Dist.
Improvement Co main canal south of Wapinitia
Creek. Gravity irrigation on farm

- System capacity: 0.5 cubic feet per second (cfs). If the transfer involves multiple rights that have independent systems, describe the capacity for each system separately.

6. EVIDENCE OF BENEFICIAL WATER USE

- Attach one or more **Evidence of Use Affidavits** (Supplemental Form B) demonstrating that each of the right(s) involved in the transfer have been exercised in the last five years in accordance with the terms and conditions of the right or that a presumption of forfeiture for non-use could be rebutted. The Evidence of Use Affidavit(s) **must include supporting documentation** such as the following:
 - ▶ Copies of receipts from sales of irrigated crops or for expenditures relating to use of water;
 - ▶ Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers;
 - ▶ Dated aerial photographs of the lands or other photographs containing sufficient detail to establish location and date of the photograph; *or*
 - ▶ If the right has **not** been used during the past five years, documentation that the presumption of forfeiture would be rebutted under ORS 540.610(2).

7. AFFECTED DISTRICTS AND LOCAL GOVERNMENTS

- Are any of the water rights proposed for transfer located within or served by an irrigation or other water district? Yes No
- Will any of the water rights be located within or served by an irrigation or other water district after the proposed transfer? Yes No
- Is water for any of the rights supplied under a water service agreement or other contract for stored water with a federal agency or other entity? Yes No

If "Yes", for any of the above, list the name and mailing address of the district, agency and/or entity:

Juniper Flat District Improvement Co.

82529 Hwy 216

Maupin, OR 97037

- 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).

Wasco County

The Dalles, OR

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WATER RESOURCES DEPT
SALEM OREGON

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DEC 19 2007 FS

WATER RESOURCES DEPT
SALEM OREGON

9. ATTACHMENTS

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

Supplemental Form A –

Description of Proposed Change(s) to a Water Right

- A separate Supplemental Form A is enclosed for each water right to be affected by this transfer.

Supplemental Form B –

Evidence of Use Affidavit(s)

- At least one Evidence of Use Affidavit documenting that the right has been used during the last five years or that the right is not subject to forfeiture under ORS 540.610 is attached. The affidavit provided must be the original (not a copy), and
- The Evidence of Use Affidavit must be accompanied by supporting documentation.

Map

- 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.
- Temporary Transfer or Historical POD Change*
A map meeting the requirements of OAR 690-380-3100 must be included but need not be prepared by a Certified Water Right Examiner.

Water Well Report(s)/Well Log(s):

- 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.
- 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.
- N/A. The application does not involve a change in point of appropriation or a change from surface water to ground water, so water well reports are not required.)

Land Use Information Form:

- Enclosed; *or*
- Not Required if all of the following are met:
 - ❶ In EFU zone or irrigation district,
 - ❷ Change in place of use only,
 - ❸ No structural changes needed, including diversion works, delivery facilities, other structures, *and*
 - ❹ Irrigation only.

Fees:

- Amount enclosed: \$ _____
See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0900.

Instream Water Right Transfers, also include: *NA*

Supplemental Form C –

Instream Water Right Transfer

- Complete this form to describe the desired nature and attributes for the proposed instream water right.

Temporary Transfers, also include:

Recorded Deed:

- The applicant must submit a copy of the current deed of record for the land from which the authorized place of use or point of diversion/appropriation is being moved

Affidavit of Consent:

- If the applicant is NOT the owner of record for the land from which the authorized place of use or point of diversion/appropriation is being moved, a notarized statement from the actual owner of record consenting to the proposed transfer must be submitted.

RECEIVED RECEIVED

DEC 19 2007

OCT 25 2007

WATER RESOURCES DEPT
SALEM, OREGON

WATER RESOURCES DEPT
SALEM OREGON

Before submitting your application to the Department, be sure you have:

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

10. SIGNATURES

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

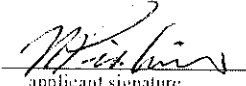
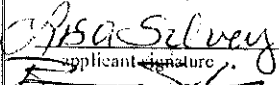

In accordance with OAR 690-380-3000(13)(a), I (we) understand that prior to Department approval of a permanent transfer and upon my receipt of a draft Preliminary Determination for the proposed transfer, I (we) will be required [pursuant to OAR 690-380-4010(5)] to provide the following landownership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

- (a) A report of ownership and lien information that has been prepared by a title company *within the last three months;*
- (b) A copy of written notification of the proposed transfer provided by the applicant to all lien holders on the subject lands unless the report of ownership and lien information shows that a water right conveyance agreement has been recorded for the subject lands. *If a water right conveyance agreement has been recorded for the subject lands, a copy of the agreement and identification of the owner of the lands at the time the agreement was recorded must be submitted; and*
- (c) If the landowner identified in the report of ownership and lien information is not the applicant, a notarized statement consenting to the transfer (*attached*) signed by the landowner identified in the report or an authorized representative of the entity to whom the interest in the water right has been conveyed as identified in a water right conveyance agreement or other documentation demonstrating that the applicant is authorized to pursue the transfer in the absence of the consent of the landowner.

I (we) affirm that the applicant is a municipality, as defined in ORS 540.510(3)(b), and that the right is in the name of the municipality or a predecessor. Therefore, pursuant to OAR 690-380-3000(13)(b), the applicant is **NOT** required to provide the above described report of ownership and lien information.

I (we) affirm that the applicant is an entity with the authority to condemn property and is acquiring the property to which the water right proposed for transfer is appurtenant by condemnation. Documentation is provided with this application supporting this statement. Therefore, pursuant to OAR 690-380-3000(13)(c), the applicant is **NOT** required to provide the above described report of ownership and lien information. (*NOTE: Such an entity may only apply for a transfer under this subsection if it has filed a condemnation action to acquire the property.*)

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

 applicant signature	Manuel D. Pinheiro name (print)	10/23/07 date
 applicant signature	Lisa Silvey name (print)	12-15-07 date
 applicant signature	Brian Silvey name (print)	12/15/07 date

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

List only one water right per page. A separate Supplemental Form A must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

▪ Certificate Number or other identifying number: 77326

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

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

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2. CURRENT WATER RIGHT INFORMATION

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

<input type="checkbox"/> Certificated Right	<u>77326</u> Certificate Number	<u>White River</u> Permit Number or Decree Name
<input type="checkbox"/> Adjudicated, Non-certificated Right	_____ Name of Decree	_____ Page Number
<input type="checkbox"/> Permit for which Proof has been Approved	_____ Permit Number	_____ Date Claim of Beneficial Use Submitted
<input type="checkbox"/> Transferred Right for which Proof has been Filed	_____ Previous Transfer Number	_____ Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: Juniper Flat Dist. Improvement Co.
- County: Wasco
- Authorized Use(s) to be Affected by Transfer: irrigation
- Priority Date(s): 7/1/1903 & 8/19/1904

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

- Source(s) of Water to be Affected by Transfer: Clear Creek,
Frog Creek & Clear Lake Res.
- Tributary to: White River

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

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

- Are there **Other Water Rights**, Permits or Ground Water Registrations associated with this land?
 Yes No N/A – No Change in Place of Use or Character of Use

If "Yes", what are the Permit, Registration or Certificate Numbers? 76969

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

▪ Certificate Number or other identifying number: 77326

The following information **must be provided only** for those points of diversion or appropriation that are involved in the transfer (i.e., list only the portion of the water right you propose to transfer.) Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed: NA
 (i.e., the allowed point(s) of diversion or appropriation listed on the water right that will be affected by the proposed transfer, the "FROM" point(s) of diversion or appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)

- Does the water right being transferred involve a ground water source(s)?
 Yes No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

A. Supply a copy of the well log(s) for each point of appropriation that is **clearly labeled** and associated with the corresponding well in the table above and on the accompanying application map. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)

or

B. If a well log is **not** available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.

Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no well log is available.)
 Wells in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map. NA

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth

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▪ Certificate Number or other identifying number: 77326

3. PROPOSED CHANGES TO THE WATER RIGHT

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

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

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

N/A - Instream Water Right Transfer

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

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

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

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

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

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

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

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth

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

List only one water right per page. A separate Supplemental Form A must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

▪ Certificate Number or other identifying number: 76969

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

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

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2. CURRENT WATER RIGHT INFORMATION

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

<input type="checkbox"/> Certified Right	<u>76969</u> Certificate Number	<u>25275</u> Permit Number or Decree Name
<input type="checkbox"/> Adjudicated, Non-certificated Right	_____ Name of Decree	_____ Page Number
<input type="checkbox"/> Permit for which Proof has been Approved	_____ Permit Number	_____ Date Claim of Beneficial Use Submitted
<input type="checkbox"/> Transferred Right for which Proof has been Filed	_____ Previous Transfer Number	_____ Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: Juniper Flat Dist. Imp. Co.
- County: Wasco
- Authorized Use(s) to be Affected by Transfer: irrigation
- Priority Date(s): 11/1/1915

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

- Source(s) of Water to be Affected by Transfer: Clear Lake Res

Tributary to: White River

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

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

- Are there **Other Water Rights**, Permits or Ground Water Registrations associated with this land?
 Yes No N/A – No Change in Place of Use or Character of Use

If "Yes", what are the Permit, Registration or Certificate Numbers? 77326

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

▪ Certificate Number or other identifying number: 76969

The following information **must be provided only** for those points of diversion or appropriation that are involved in the transfer (i.e., list only the portion of the water right you propose to transfer.) Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed: NA
 (i.e., the allowed point(s) of diversion or appropriation listed on the water right that will be affected by the proposed transfer, the "FROM" point(s) of diversion or appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)

- Does the water right being transferred involve a ground water source(s)?
 Yes No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

- A. Supply a copy of the well log(s) for each point of appropriation that is clearly labeled and associated with the corresponding well in the table above and on the accompanying application map. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)
- or
- B. If a well log is not available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.

Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no well log is available.)
 Wells in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map. NA

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth

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▪ Certificate Number or other identifying number: 76969

3. PROPOSED CHANGES TO THE WATER RIGHT

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

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

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

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

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

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

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

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

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

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

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth

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Last revised: October 13, 2006

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

List only one water right per page. A separate Supplemental Form A must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

▪ Certificate Number or other identifying number: 77326 & 76969 (supplemental)

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

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

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2. CURRENT WATER RIGHT INFORMATION

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

<input checked="" type="checkbox"/> Certificated Right	<u>77326</u> Certificate Number	<u>76969</u> Permit Number or Decree Name
<input type="checkbox"/> Adjudicated, Non-certificated Right	_____ Name of Decree	_____ Page Number
<input type="checkbox"/> Permit for which Proof has been Approved	_____ Permit Number	_____ Date Claim of Beneficial Use Submitted
<input type="checkbox"/> Transferred Right for which Proof has been Filed	_____ Previous Transfer Number	_____ Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: Juniper Flat Dist. Improvement Co.
- County: Wasco
- Authorized Use(s) to be Affected by Transfer: irrigation
- Priority Date(s): C-77326 7/1/1903 & 8/19/1904 C-76969 11/11/1915

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

- Source(s) of Water to be Affected by Transfer: C-77326 - Clear Creek, Frog Creek & Clear Lake Res. C-76969 - Clear Lake Res.

Tributary to: White River

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

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

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

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

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

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

▪ Certificate Number or other identifying number: 77326 & 76969

The following information **must be provided only** for those points of diversion or appropriation that are involved in the transfer (i.e., list only the portion of the water right you propose to transfer.) Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed: NA
(i.e., the allowed point(s) of diversion or appropriation listed on the water right that will be affected by the proposed transfer, the "FROM" point(s) of diversion or appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-)	Source and Priority Date	Township	Range	Mer	Sec	¼¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)

- Does the water right being transferred involve a ground water source(s)?
 Yes No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

A. Supply a copy of the well log(s) for each point of appropriation that is clearly labeled and associated with the corresponding well in the table above and on the accompanying application map. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)

or

B. If a well log is not available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.

Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no well log is available.)

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

NA

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth

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▪ Certificate Number or other identifying number: 77326 & 76969

3. PROPOSED CHANGES TO THE WATER RIGHT

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

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

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

N/A - Instream Water Right Transfer

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

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

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

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

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

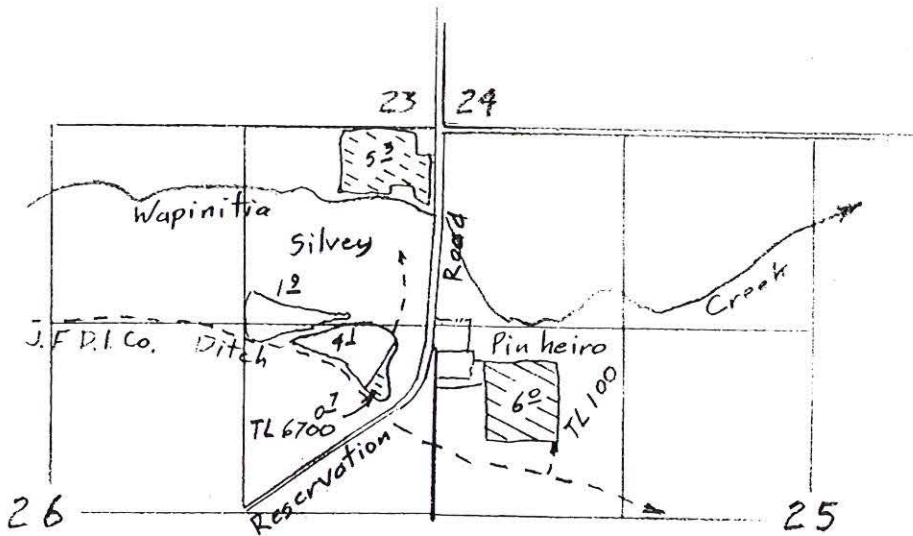
Construction of Proposed Point(s) of Appropriation or Well(s) **NA**

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

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
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T. 5 S., R. 12 E., W.M.



- ☺ From 6⁰ acres
- ⊗ To 6⁰ acres
- Remain in place 6⁰ acres

Transfer Application Map
from Silvey to Pinheiro

(Juniper Flat District Improvement Co.)

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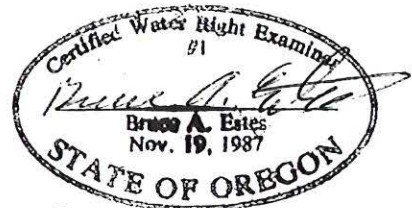
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Renewal Dec 31, 2007

1 10504

This map is for the purpose of
locating a water right only
and has no intent to provide
legal dimensions or the location
of property lines.

ESTES SURVEYS

PO Box 17519
Salem, OR 97306-7519
(503) 585-7593

60382 Arnold Rd
Bend, OR 97702
(541) 382-7391

CODY STATE OF OREGON

COUNTY OF WASCO

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JUNIPER FLAT DISTRICT IMPROVEMENT COMPANY
53333 RESERVATION ROAD
MAUPIN, OR 97037

confirms the right to use the waters of CLEAR LAKE RESERVOIR, CONSTRUCTED UNDER PERMIT R-2106, a tributary of WHITE RIVER, for SUPPLEMENTAL IRRIGATION OF 2,101.64 ACRES AND MAINTENANCE OF STOCK PONDS (5.85 ACRE EQUIVALENTS).

This right was perfected under Permit 25275. The date of priority is NOVEMBER 11, 1915. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 11,660 ACRE-FEET STORED WATER ONLY or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 32, T. 4 S., R. 9 E., W.M.; 1,390 FEET SOUTH AND 480 FEET WEST FROM E $\frac{1}{4}$ CORNER, SECTION 32.

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 4.2 ACRE-FEET FOR EACH ACRE IRRIGATED OR ACRE EQUIVALENT DURING THE IRRIGATION SEASON OF EACH YEAR.

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

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

SUPPLEMENTAL IRRIGATION

	<u>TAX</u>		
<u>OTR/QTR</u>	<u>LOT</u>	<u>ACRES</u>	<u>LANDOWNER</u>
NE/SE	7200	1.50	MCELHERON
SW/SE	7200	23.60	MCELHERON
SE/SE	7200	35.70	MCELHERON
			SECTION 14
SW/NE	9300	2.50	TOM MORELLI
SE/NE	9300	5.60	TOM MORELLI
NE/NW	7600	0.90	MAYHEW
SW/SW	9200	1.50	TOM MORELLI
SE/SW	9200	9.90	TOM MORELLI
NE/SE	9400	23.80	TOM MORELLI
NW/SE	9400	19.00	TOM MORELLI
SW/SE	9400	10.40	TOM MORELLI
SE/SE	9400	2.80	TOM MORELLI
			SECTION 22
NE/NE	7200	18.40	MCELHERON
NW/NE	7200	10.80	MCELHERON

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SALEM, OREGON

<u>OTR/OTR</u>	<u>TAX LOT</u>	<u>ACRES</u>	<u>LANDOWNER</u>
SW/SW	9500	22.70	DELCO
SE/SW	9500	24.30	DELCO
SECTION 23			
NE/NW	6500	34.00	LARSELL
SE/NW	6500	36.00	LARSELL
SECTION 24			
SE/NE	9700	1.30	HARTH
NW/SW	9900	15.40	MAYHEW
SW/SW	9900	19.40	MAYHEW
SECTION 25			
NE/SE	9900	12.90	MAYHEW
NW/SE	9900	2.60	MAYHEW
SW/SE	9900	2.70	MAYHEW
SE/SE	9900	35.30	MAYHEW
SECTION 26			
NW/NE	9501	33.50	TIM MORELLI
SW/NE	9501	1.60	TIM MORELLI
NE/NW	9200	6.00	TOM MORELLI
NE/SW	10100	22.00	TIM MORELLI
SW/SW	10100	13.80	TIM MORELLI
SE/SW	10100	6.60	TIM MORELLI
NW/SE	10100	20.50	TIM MORELLI
SECTION 27			
NE/SW	10600	7.00	V. WOODSIDE
NW/SW	10600	3.50	V. WOODSIDE
SW/SW	10600	11.60	V. WOODSIDE
SE/SW	10600	7.40	V. WOODSIDE
SECTION 29			
NE/SE	10600	0.90	V. WOODSIDE
SE/SE	10600	1.00	V. WOODSIDE
SECTION 30			
NE/NE	10800	10.50	GUTZLER
SW/NE	10800	3.50	GUTZLER
SE/NE	10800	10.90	GUTZLER
SW/NW	10700	11.20	ENDERSBY
SECTION 31			
NW/NW	10800	2.70	GUTZLER
NE/SE	10900	13.30	PAULSON
NW/SE	10900	6.00	PAULSON
SE/NE	10900	8.50	PAULSON
SECTION 32			
NE/SW	10900	17.50	PAULSON
SE/SW	10900	20.20	PAULSON
SW/SW	10900	5.50	PAULSON
SECTION 33			
NW/NW	11100	15.70	RECKMAN
NW/SW	11100	3.80	RECKMAN
NW/SW	11101	1.90	ODOM

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<u>OTR/QTR</u>	<u>TAX LOT</u>	<u>ACRES</u>	<u>LANDOWNER</u>
SW/NW	11100	0.50	RECKMAN
SW/SW	11101	2.10	ODOM

SECTION 34

NE/SE	11400	12.30	MAYHEW
SE/SW	11400	0.30	MAYHEW
SW/SE	11400	9.80	MAYHEW
SE/SE	11400	34.30	MAYHEW

SECTION 35

NE/SE	11500	24.80	MAYHEW
NW/SE	11500	15.80	MAYHEW
SW/SE	11500	25.80	MAYHEW
SE/SE	11500	33.00	MAYHEW

SECTION 36

TOWNSHIP 4 SOUTH, RANGE 13 EAST, W.M.

NE/NE	3700	30.90	MARSH
SE/NE	3700	28.10	MARSH

SECTION 19

NW/NW	3300	32.30	MARSH
SW/NW	3300	30.40	MARSH
NW/SW	3300	8.30	MARSH

SECTION 20

NE/SW	4200	1.10	HARTH
NW/SW	4200	0.60	HARTH

SECTION 30

NE/SW	4302	20.8	DULING
NW/SE	4302	8.7	DULING
SW/SE	4302	10.00	DULING

SECTION 31

TOWNSHIP 4 SOUTH, RANGE 14 EAST, W.M.

NW/SW	1701	7.00	ENDERSBY
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SECTION 13

SE/NE	2700	0.10	DODGE
NE/SW	2400	3.00	ODFW
SE/SW	2400	19.34	ODFW

SECTION 24

SE/NE	1900	5.00	HAMMOND
NE/SW	100	1.00	MUNCIE

SECTION 25

TOWNSHIP 5 SOUTH, RANGE 11 EAST, W.M.

SW/NE	100	4.00	MCCORKLE
NE/NW	201	3.70	V. WOODSIDE
NW/NW	201	0.90	V. WOODSIDE
SW/NW	201	7.90	V. WOODSIDE
SE/NW	100	7.40	MCCORKLE

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WATER RESOURCES DEPT
SALEM, OREGON

<u>OTR/QTR</u>	<u>TAX</u>	<u>LOT</u>	<u>ACRES</u>	<u>LANDOWNER</u>
SE/NW	201	1.10		V. WOODSIDE
NW/SE	100	6.00		MCCORKLE
SECTION 1				
NW/SW	400	14.40		HACHLER
SW/SW	400	0.80		HACHLER
SECTION 2				
NE/SE	400	9.90		HACHLER
SE/SE	400	4.90		HACHLER
SECTION 3				
SE/SE	1700	10.40		AMBROSE
SECTION 8				
NW/SW	1700	12.90		AMBROSE
SW/SW	1700	6.70		AMBROSE
SECTION 9				
SW/SW	2200	12.40		ENDERSBY
SE/SW	2200	9.60		ENDERSBY
SECTION 11				
NW/NW	2100	31.80		MCLEOD
SW/NW	2100	27.50		MCLEOD
SE/NW	2100	7.70		MCLEOD
SECTION 12				
NE/NE	2300	6.30		ENDERSBY
SE/NE	2300	4.40		ENDERSBY
NE/SW	2600	3.20		WILLIAMSON
NW/SW	2600	9.60		WILLIAMSON
SECTION 13				
NW/NE	3103	0.50		GROCE
SE/NE	2600	7.20		WILLIAMSON
NE/NW	3103	10.50		GROCE
SW/SE	3100	9.30		CLAYMIER
SE/SE	3100	12.00		CLAYMIER
SECTION 14				
SW/SW	3502	14.00		DODGE
SW/SW	3502	1.20		DODGE
SE/SW	3502	39.80		DODGE
SECTION 18				
SE/SW	3790	20.00		CONFEDERATED TRIBES
SECTION 19				
SE/NE	3403	5.00		CAPPS
SECTION 20				
NE/SE	3900	14.60		HUNDLEY
NW/SE	3900	1.40		HUNDLEY
SE/SE	3900	4.34		HUNDLEY
SECTION 21				
NW/NW	3200	15.50		S. WOODSIDE
SW/NW	3200	9.23		S. WOODSIDE
NE/SE	3100	2.70		L. WOODSIDE

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<u>OTR/QTR</u>	<u>TAX LOT</u>	<u>ACRES</u>	<u>LANDOWNER</u>
SW/SE	4000	10.00	JONES & ROSS
SE/SE	3100	16.20	L. WOODSIDE
SECTION 22			
NE/NE	2703	15.00	ASCHOFF
NW/NE	3100	11.50	CLAYMIER
NE/NW	3100	16.40	CLAYMIER
NW/NW	3100	12.68	CLAYMIER
SW/NW	3100	3.40	CLAYMIER
SE/NW	3100	1.20	CLAYMIER
SW/SW	4100	4.50	L. WOODSIDE
SE/SW	4100	4.60	L. WOODSIDE
SECTION 23			
NW/NW	2702	5.00	CARTER
SW/NW	2702	10.00	CARTER
SE/SE	4400	0.50	DULING
SECTION 24			
SW/NE	4500	11.80	L. WOODSIDE
SECTION 25			
NE/NE	4900	7.20	PINHEIRO
SE/NE	4900	4.80	PINHEIRO
NE/NW	4100	13.50	L. WOODSIDE
NW/NW	4100	21.60	L. WOODSIDE
NW/SE	5200	2.00	BEEBE
SECTION 26			
NE/NE	4100	6.40	L. WOODSIDE
NE/SW	5500	6.00	HAMMER
NW/SW	5500	0.70	HAMMER
NW/SE	5500	2.80	HAMMER
SE/SE	5600	10.00	TOLENTINO
SECTION 27			
NW/NW	6100	0.30	DODGE
SW/SE	6400	1.50	FILBIN
SECTION 29			
SE/SE	6300	11.10	BLAKE
SECTION 30			
NW/NE	6501	18.50	FILBIN
SECTION 32			
NW/NE	7300	12.00	DODGE
NW/NW	6000	18.90	BLAKE
SECTION 33			
TOWNSHIP 5 SOUTH, RANGE 12 EAST, W.M.			
NE/NE	500	11.60	MAYHEW
SE/SW	600	7.50	LARKIN/INGRAM
SECTION 2			
NE/NW	800	12.90	GABEL & LARKIN
NE/NW	801	20.60	FOSBERG
NW/NW	801	25.20	FOSBERG
NW/NW	900	12.20	GABEL & LARKIN

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<u>QTR/QTR</u>	<u>TAX</u>	<u>LOT</u>	<u>ACRES</u>	<u>LANDOWNER</u>
SW/NW	900	14.90	GABEL & LARKIN	
SE/NW	800	20.00	GABEL & LARKIN	
NW/SW	1000	1.00	BOTHWELL	
SECTION 3				
NE/NE	1100	11.60	FOSBERG	
NW/NE	802	11.60	FOSBERG	
SECTION 4				
NE/NW	1300	20.00	CARTER	
SE/NW	1300	2.40	CARTER	
SW/SW	1300	3.20	CARTER	
SE/SW	1300	16.10	CARTER	
SW/SE	1300	19.50	CARTER	
SE/SE	1300	11.80	CARTER	
SECTION 5				
SW/NW	1400	2.00	WALTERS	
NE/SW	1400	8.10	WALTERS	
NW/SW	1400	1.60	WALTERS	
SW/SW	1400	12.70	WALTERS	
SE/SW	1400	2.60	WALTERS	
NE/SE	1400	5.40	WALTERS	
NW/SE	1400	13.30	WALTERS	
SW/SE	1400	0.80	WALTERS	
SE/SE	1400	0.50	WALTERS	
SECTION 7				
SW/NW	1500	1.90	L. WOODSIDE	
NW/SW	1500	15.10	L. WOODSIDE	
SW/SW	2000	24.20	R. KELLY & HAWTHORNE	
SE/SW	2000	0.60	R. KELLY & HAWTHORNE	
SECTION 8				
SW/NE	2200	7.40	KELLY	
SW/NW	2200	14.60	KELLY	
SE/NW	2200	8.70	KELLY	
NE/SW	2200	7.80	KELLY	
SECTION 9				
NW/NE	600	15.50	LARKIN/INGRAM	
NE/NW	600	10.50	LARKIN/INGRAM	
SECTION 11				
NW/NW	2000	0.20	R. KELLY	
SECTION 17				
SE/SE	4100	0.25	FOSBERG	
SECTION 18				
NE/NE	3700	11.60	ENDERSBY	
NW/NE	3700	7.80	ENDERSBY	
SW/NE	3700	4.00	ENDERSBY	
SE/NE	4500	6.60	TOM MORELLI	
NW/SE	4500	0.70	TOM MORELLI	
SECTION 20				
NW/NW	3700	0.10	ENDERSBY	
SW/NW	4500	7.70	TOM MORELLI	

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 SALEM, OREGON

<u>QTR/QTR</u>	<u>TAX LOT</u>	<u>ACRES</u>	<u>LANDOWNER</u>
SW/SW	4600	5.40	HAMMER
SE/SW	4600	6.00	HAMMER
SE/SE	4600	15.10	HAMMER
SECTION 21			
NW/NW	5200	1.00	LYLE GABEL & LORRAINE
SECTION 28			
SW/NW	5700	13.20	LYLE GABEL & LORRAINE
NE/SW	5700	3.40	LYLE GABEL & LORRAINE
NW/SW	5700	7.40	LYLE GABEL & LORRAINE
SECTION 30			

TOWNSHIP 5 SOUTH, RANGE 13 EAST, W.M.

MAINTENANCE OF STOCK PONDS (ACRE EQUIVALENTS)

<u>QTR/QTR</u>	<u>TAX LOT</u>	<u>ACRES</u>	<u>LANDOWNER</u>
NE/NW	7600	0.10	MAYHEW
SECTION 22			
SE/NE	9700	1.70	HARTH
SECTION 25			
SE/SW	10700	0.30	ENDERSBY
SECTION 30			

TOWNSHIP 4 SOUTH, RANGE 13 EAST, W.M.

NE/SW	4200	0.30	HARTH
SECTION 30			

TOWNSHIP 4 SOUTH, RANGE 14 EAST, W.M.

NE/SW	100	0.30	MUNCIE
SECTION 25			

TOWNSHIP 5 SOUTH, RANGE 11 EAST, W.M.

SE/SE	1200	0.20	L. WOODSIDE
SECTION 23			

TOWNSHIP 5 SOUTH, RANGE 12 EAST, W.M.

NW/SW	3600	0.20	CARTER
SECTION 17			
NE/NE	2002	1.00	A. STREELMAN
SE/SE	4100	0.75	FOSBERG
SECTION 18			
NE/NE	3400	1.00	H. STREELMAN
SECTION 21			

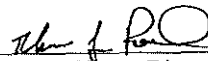
TOWNSHIP 5 SOUTH, RANGE 13 EAST, W.M.

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The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in said permit.

This certificate confirms orders of the Director recorded in Special Order Volume 34, page 389 (Transfer 4685); Volume 35, page 26 (Transfer 4977); Volume 36, page 213 (Transfer 5010); Volume 36, page 338 (Transfer 5057); Volume 37, page 50 (Transfer 5175); Volume 37, page 115 (Transfer 5194); Volume 37, page 443 (Transfer 5284); Volume 38, page 151 (Amending Transfer 5284); Volume 39, page 187 (Transfer 5055); Volume 40, page 104 (Transfer 5759); and entered on 1002 8 I NNC, and recorded in Special Order Volume 55, page 606, approving a petition by JUNIPER FLAT DISTRICT IMPROVEMENT COMPANY under ORS 541.329 for mapping water rights within a district. This certificate supersedes certificate 51539.

Witness the signature of the Water Resources Director, affixed JUN 1 8 2001.


for Paul Cleary, Director

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SALEM, OREGON

JFDIC3111.S32044.SRS

Recorded in State Record of Water Right Certificates numbered 76969.

STATE OF OREGON

COUNTY OF WASCO

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JUNIPER FLAT DISTRICT IMPROVEMENT COMPANY
53333 RESERVATION ROAD
MAUPIN, OR 97037

confirms the right to use the waters of DIRECT FLOW FROM CLEAR CREEK AND FROG CREEK AND STORAGE OF 1400 ACRE FEET IN CLEAR LAKE RESERVOIR, a tributary of WHITE RIVER, for IRRIGATION OF 2101.64 ACRES, STOCK, AND MAINTENANCE OF STOCK PONDS (5.85 ACRE EQUIVALENTS).

This right was confirmed by decree of the Circuit Court of the State of Oregon for WASCO COUNTY. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 14 & 18, at Page 398 & 252. The date of priority is JULY 1, 1903 FOR DIRECT FLOW FROM CLEAR CREEK AND FROG CREEK, AND AUGUST 19, 1904, FOR STORAGE IN CLEAR LAKE RESERVOIR.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed ONE ACRE FOOT PER ACRE OR ACRE EQUIVALENT DURING ANY 30-DAY PERIOD UP TO JULY 1ST OF EACH YEAR AND NOT TO EXCEED 3 ACRE FEET PER ACRE OR ACRE EQUIVALENT DURING ANY IRRIGATION SEASON; PROVIDED, THAT THE RATE OF FLOW SHALL NOT EXCEED 1/40 OF A SECOND FOOT PER ACRE OR ACRE EQUIVALENT UP TO JULY 1ST OF EACH YEAR AND THEREAFTER NOT TO EXCEED 1/80 OF A SECOND FOOT PER ACRE OR ACRE EQUIVALENT, EXCEPT IN CASE OF ROTATION.

The point of diversion is located as follows:

NE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 34, T. 4 S., R. 9 E., W. M. FROM FROG CREEK; NW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 10, T. 5 S., R. 9 E., W.M. FROM CLEAR CREEK; CLEAR LAKE RESERVOIR DAM IS IN THE SE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 32, T. 4 S., R. 9 E., W.M.

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

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

IRRIGATION AND STOCK

<u>QTR/QTR</u>	<u>TAX</u> <u>LOT</u>	<u>ACRES</u>	<u>LANDOWNER</u>
NE/SE	7200	1.50	MCELHERON
SW/SE	7200	23.60	MCELHERON
SE/SE	7200	35.70	MCELHERON
SECTION 14			
SW/NE	9300	2.50	TOM MORELLI
SE/NE	9300	5.60	TOM MORELLI
NE/NW	7600	0.90	MAYHEW
SW/SW	9200	1.50	TOM MORELLI
SE/SW	9200	9.90	TOM MORELLI
NE/SE	9400	23.80	TOM MORELLI
NW/SE	9400	19.00	TOM MORELLI
SW/SE	9400	10.40	TOM MORELLI
SE/SE	9400	2.80	TOM MORELLI
SECTION 22			
NE/NE	7200	18.40	MCELHERON
NW/NE	7200	10.80	MCELHERON
SW/SW	9500	22.70	DELCO
SE/SW	9500	24.30	DELCO
SECTION 23			
NE/NW	6500	34.00	LARSELL
SE/NW	6500	36.00	LARSELL
SECTION 24			
SE/NE	9700	1.30	HARTH
NW/SW	9900	15.40	MAYHEW
SW/SW	9900	19.40	MAYHEW
SECTION 25			
NE/SE	9900	12.90	MAYHEW
NW/SE	9900	2.60	MAYHEW
SW/SE	9900	2.70	MAYHEW
SE/SE	9900	35.30	MAYHEW
SECTION 26			
NW/NE	9501	33.50	TIM MORELLI
SW/NE	9501	1.60	TIM MORELLI
NE/NW	9200	6.00	TOM MORELLI
NE/SW	10100	22.00	TIM MORELLI

<u>QTR/QTR</u>	<u>TAX</u> <u>LOT</u>	<u>ACRES</u>	<u>LANDOWNER</u>
SW/SW	10100	13.80	TIM MORELLI
SE/SW	10100	6.60	TIM MORELLI
NW/SE	10100	20.50	TIM MORELLI
SECTION 27			
NE/SW	10600	7.00	V. WOODSIDE
NW/SW	10600	3.50	V. WOODSIDE
SW/SW	10600	11.60	V. WOODSIDE
SE/SW	10600	7.40	V. WOODSIDE
SECTION 29			
NE/SE	10600	0.90	V. WOODSIDE
SE/SE	10600	1.00	V. WOODSIDE
SECTION 30			
NE/NE	10800	10.50	GUTZLER
SW/NE	10800	3.50	GUTZLER
SE/NE	10800	10.90	GUTZLER
SW/NW	10700	11.20	ENDERSBY
SECTION 31			
SE/NE	10900	8.50	PAULSON
NW/NW	10800	2.70	GUTZLER
NE/SE	10900	13.30	PAULSON
NW/SE	10900	6.00	PAULSON
SECTION 32			
NE/SW	10900	17.50	PAULSON
SW/SW	10900	5.50	PAULSON
SE/SW	10900	20.20	PAULSON
SECTION 33			
NW/NW	11100	15.70	RECKMAN
SW/NW	11100	0.50	RECKMAN
NW/SW	11100	3.80	RECKMAN
NW/SW	11101	1.90	ODEM
SW/SW	11101	2.10	ODEM
SECTION 34			
SE/SW	11400	0.30	MAYHEW
NE/SE	11400	12.30	MAYHEW
SW/SE	11400	9.80	MAYHEW

<u>QTR/OTR</u>	<u>TAX</u> <u>LOT</u>	<u>ACRES</u>	<u>LANDOWNER</u>
SE/SE	11400	34.30	MAYHEW

SECTION 35

NE/SE	11500	24.80	MAYHEW
NW/SE	11500	15.80	MAYHEW
SW/SE	11500	25.80	MAYHEW
SE/SE	11500	33.00	MAYHEW

SECTION 36

TOWNSHIP 4 SOUTH, RANGE 13 EAST, W.M.

NE/NE	3700	30.90	MARSH
SE/NE	3700	28.10	MARSH

SECTION 19

NW/NW	3300	32.30	MARSH
SW/NW	3300	30.40	MARSH
NW/SW	3300	8.30	MARSH

SECTION 20

NE/SW	4200	1.10	HARTH
NW/SW	4200	0.60	HARTH

SECTION 30

NE/SW	4302	20.80	DULING
NW/SE	4302	8.70	DULING
SW/SE	4302	10.00	DULING

SECTION 31

TOWNSHIP 4 SOUTH, RANGE 14 EAST, W.M.

NW/SW	1701	7.00	ENDERSBY
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SECTION 13

SE/NE	2700	0.10	DODGE
NE/SW	2400	3.00	ODFW
SE/SW	2400	19.34	ODFW

SECTION 24

SE/NE	1900	5.00	HAMMOND
NE/SW	100	1.00	MUNCIE

SECTION 25

TOWNSHIP 5 SOUTH, RANGE 11 EAST, W.M.

<u>QTR/OTR</u>	<u>TAX</u>	<u>LOT</u>	<u>ACRES</u>	<u>LANDOWNER</u>
SW/NE	100	4.00	MCCORKLE	
NE/NW	201	3.70	V. WOODSIDE	
NW/NW	201	0.90	V. WOODSIDE	
SW/NW	201	7.90	V. WOODSIDE	
SE/NW	100	7.40	MCCORKLE	
SE/NW	201	1.10	V. WOODSIDE	
NW/SE	100	6.00	MCCORKLE	
			SECTION 1	
NW/SW	400	14.40	HACHLER	
SW/SW	400	0.80	HACHLER	
			SECTION 2	
NE/SE	400	9.90	HACHLER	
SE/SE	400	4.90	HACHLER	
			SECTION 3	
SE/SE	1700	10.40	AMBROSE	
			SECTION 8	
NW/SW	1700	12.90	AMBROSE	
SW/SW	1700	6.70	AMBROSE	
			SECTION 9	
SW/SW	2200	12.40	ENDERSBY	
SE/SW	2200	9.60	ENDERSBY	
			SECTION 11	
NW/NW	2100	31.80	MCLEOD	
SW/NW	2100	27.50	MCLEOD	
SE/NW	2100	7.70	MCLEOD	
			SECTION 12	
NE/NE	2300	6.30	ENDERSBY	
SE/NE	2300	4.40	ENDERSBY	
NE/SW	2600	3.20	WILLIAMSON	
NW/SW	2600	9.60	WILLIAMSON	
			SECTION 13	
NW/NE	3103	0.50	GROCE	
SE/NE	2600	7.20	WILLIAMSON	
NE/NW	3103	10.50	GROCE	
SW/SE	3100	9.30	CLAYMIER	

<u>QTR/OTR</u>	<u>TAX</u> <u>LOT</u>	<u>ACRES</u>	<u>LANDOWNER</u>
SE/SE	3100	12.00	CLAYMIER
SECTION 14			
SW/SW	3502	1.20	DODGE
SW/SW	3502	14.00	DODGE
SE/SW	3502	39.80	DODGE
SECTION 18			
SE/SW	3790	20.00	CONFEDERATED TRIBES
SECTION 19			
SE/NE	3403	5.00	CAPPS
SECTION 20			
NE/SE	3900	14.60	HUNDLEY
NW/SE	3900	1.40	HUNDLEY
SE/SE	3900	4.34	HUNDLEY
SECTION 21			
NW/NW	3200	15.50	S. WOODSIDE
SW/NW	3200	9.23	S. WOODSIDE
NE/SE	3100	2.70	L. WOODSIDE
SW/SE	4000	10.00	JONES & ROSS
SE/SE	3100	16.20	L. WOODSIDE
SECTION 22			
NE/NE	2703	15.00	ASCHOFF
NW/NE	3100	11.50	CLAYMIER
NE/NW	3100	16.40	CLAYMIER
NW/NW	3100	12.68	CLAYMIER
SW/NW	3100	3.40	CLAYMIER
SE/NW	3100	1.20	CLAYMIER
SW/SW	4100	4.50	L. WOODSIDE
SE/SW	4100	4.60	L. WOODSIDE
SECTION 23			
NW/NW	2702	5.00	CARTER
SW/NW	2702	10.00	CARTER
SE/SE	4400	0.50	DULING
SECTION 24			
SW/NE	4500	11.80	L. WOODSIDE
SECTION 25			

<u>QTR/QTR</u>	<u>TAX</u>	<u>LOT</u>	<u>ACRES</u>	<u>LANDOWNER</u>
NE/NE	4900	7.20	PINHEIRO	
SE/NE	4900	4.80	PINHEIRO	
NE/NW	4100	13.50	L. WOODSIDE	
NW/NW	4100	21.60	L. WOODSIDE	
NW/SE	5200	2.00	BEEBE	
SECTION 26				
NE/NE	4100	6.40	L. WOODSIDE	
NE/SW	5500	6.00	HAMMER	
NW/SW	5500	0.70	HAMMER	
NW/SE	5500	2.80	HAMMER	
SE/SE	5600	10.00	TOLENTINO	
SECTION 27				
NW/NW	6100	0.30	DODGE	
SW/SE	6400	1.50	FILBIN	
SECTION 29				
SE/SE	6300	11.10	BLAKE	
SECTION 30				
NW/NE	6501	18.50	FILBIN	
SECTION 32				
NW/NE	7300	12.00	DODGE	
NW/NW	6000	18.90	BLAKE	

SECTION 33
TOWNSHIP 5 SOUTH, RANGE 12 EAST, W.M.

NE/NE	500	11.60	MAYHEW
SE/SW	600	7.50	LARKIN/INGRAM
SECTION 2			
NE/NW	800	12.90	GABEL & LARKIN
NE/NW	801	20.60	FOSBERG
NW/NW	801	25.20	FOSBERG
NW/NW	900	12.20	GABEL & LARKIN
SW/NW	900	14.90	GABEL & LARKIN
SE/NW	800	20.00	GABEL & LARKIN
NW/SW	1000	1.00	BOTHWELL

SECTION 3

<u>QTR/QTR</u>	<u>TAX</u>	<u>LOT</u>	<u>ACRES</u>	<u>LANDOWNER</u>
NE/NE	1100	11.60	FOSBERG	
NW/NE	802	11.60	FOSBERG	
SECTION 4				
NE/NW	1300	20.00	CARTER	
SE/NW	1300	2.40	CARTER	
SW/SW	1300	3.20	CARTER	
SE/SW	1300	16.10	CARTER	
SW/SE	1300	19.50	CARTER	
SE/SE	1300	11.80	CARTER	
SECTION 5				
SW/NW	1400	2.00	WALTERS	
NE/SW	1400	8.10	WALTERS	
NW/SW	1400	1.60	WALTERS	
SW/SW	1400	12.70	WALTERS	
SE/SW	1400	2.60	WALTERS	
NE/SE	1400	5.40	WALTERS	
NW/SE	1400	13.30	WALTERS	
SW/SE	1400	0.80	WALTERS	
SE/SE	1400	0.50	WALTERS	
SECTION 7				
SW/NW	1500	1.90	L. WOODSIDE	
NW/SW	1500	15.10	L. WOODSIDE	
SW/SW	2000	24.20	R. KELLY & HAWTHORNE	
SE/SW	2000	0.60	R. KELLY & HAWTHORNE	
SECTION 8				
SW/NE	2200	7.40	KELLY	
SW/NW	2200	14.60	KELLY	
SE/NW	2200	8.70	KELLY	
NE/SW	2200	7.80	KELLY	
SECTION 9				
NW/NE	600	15.50	LARKIN/INGRAM	
NE/NW	600	10.50	LARKIN/INGRAM	
SECTION 11				
NW/NW	2000	0.20	R. KELLY	
SECTION 17				

<u>QTR/QTR</u>	<u>TAX</u>	<u>LOT</u>	<u>ACRES</u>	<u>LANDOWNER</u>
SE/SE	4100	0.25	FOSBERG	
			SECTION 18	
NE/NE	3700	11.60	ENDERSBY	
NW/NE	3700	7.80	ENDERSBY	
SW/NE	3700	4.00	ENDERSBY	
SE/NE	4500	6.60	TOM MORELLI	
NW/SE	4500	0.70	TOM MORELLI	
			SECTION 20	
NW/NW	3700	0.10	ENDERSBY	
SW/NW	4500	7.70	TOM MORELLI	
SW/SW	4600	5.40	HAMMER	
SE/SW	4600	6.00	HAMMER	
SE/SE	4600	15.10	HAMMER	
			SECTION 21	
NW/NW	5200	1.00	LYLE GABEL & LORRAINE	
			SECTION 28	
SW/NW	5700	13.20	LYLE GABEL & LORRAINE	
NE/SW	5700	3.40	LYLE GABEL & LORRAINE	
NW/SW	5700	7.40	LYLE GABEL & LORRAINE	
			SECTION 30	

TOWNSHIP 5 SOUTH, RANGE 13 EAST, W.M.

MAINTENANCE OF STOCK PONDS (ACRE EQUIVALENTS)

<u>QTR/QTR</u>	<u>TAX</u>	<u>LOT</u>	<u>ACRES</u>	<u>LANDOWNER</u>
NE/NW	7600	0.10	MAYHEW	
			SECTION 22	
SE/NE	9700	1.70	HARTH	
			SECTION 25	
SE/SW	10700	0.30	ENDERSBY	
			SECTION 30	

TOWNSHIP 4 SOUTH, RANGE 13 EAST, W.M.

NE/SW	4200	0.30	HARTH
			SECTION 30

TOWNSHIP 4 SOUTH, RANGE 14 EAST, W.M.

		<u>TAX</u>			
<u>QTR/OTR</u>	<u>LOT</u>	<u>ACRES</u>	<u>LANDOWNER</u>		
NE/SW	100	0.30	MUNCIE		
SECTION 25					
TOWNSHIP 5 SOUTH, RANGE 11 EAST, W.M.					
SE/SE	1200	0.20	L. WOODSIDE		
SECTION 23					
TOWNSHIP 5 SOUTH, RANGE 12 EAST, W.M.					
NW/SW	3600	0.20	CARTER		
SECTION 17					
NE/NE	2002	1.00	A. STREELMAN		
SE/SE	4100	0.75	FOSBERG		
SECTION 18					
NE/NE	3400	1.00	H. STRELLMAN		
SECTION 21					
TOWNSHIP 5 SOUTH, RANGE 13 EAST, W.M.					

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in said decree.

This certificate corrects scrivener's errors in the certificate recorded at page 76968, State Record of Water Right Certificates, and supersedes Certificate 76968.

This certificate confirms order of the Director recorded in Special Order Volume 34, page 389 (Transfer 4685); Volume 35, page 26 (Transfer 4977); Volume 36, page 213 (Transfer 5010); Volume 36, page 338 (Transfer 5057); Volume 37, page 50 (Transfer 5175); Volume 37, page 115 (Transfer 5194); Volume 37, page 443 (Transfer 5284); Volume 38, page 151 (Amending Transfer 5284); Volume 39, page 187 (Transfer 5055); Volume 40, page 104 (Transfer 5759); entered June 18, 2001, and recorded in Special Order Volume 55, page 606, approving a petition by JUNIPER FLAT DISTRICT IMPROVEMENT COMPANY under ORS 541.329 for mapping water rights within a district.

Witness the signature of the Water Resources Director, affixed SEP 25 2001.


 for Paul Cleary, Director

JFDIC3111.D15525.SRS

Recorded in State Record of Water Right Certificates numbered 77326.



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
12/25/07**

The Department seeks comment on the recently-filed application listed below. Any person may comment on the application. Comments must be received by the Department within 30 days of the date of this notice. The Director may presume that the transfer would be allowed by, and compatible with comprehensive plans unless an affected local government informs the Director otherwise within 30 days of this notice.

County: WASCO
Transfer: 10504
Water Right: CERT 77326,76969
Priority Date: 1903,1904,1915
Name: BRIAN AND LISA SILVEY
Address: 52802 RESERVATION RD MAUPIN OR 97037
Change: POU
Source: CLEAR CR/FROG CR/CLEAR LK RES
Authorized POU: T5S R12E 26
Proposed POU: T5S R12E 25

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

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

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

Any person who provides comments within the comment period will receive a copy of the Department's preliminary determination of whether the application should be approved or rejected after the Department has completed a review of the application and will be provided an opportunity to protest the application and preliminary determination at that time. Comments should be sent to the Transfers Section at the Department's Salem office.



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

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

February 23, 2009

BRIAN & LISA SILVEY
52802 RESERVATION ROAD
MAUPIN, OR 97037

REFERENCE: Transfer Application T-10504

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

The time allowed to complete the transfer is specified in the final order. YOU SHOULD GIVE PARTICULAR ATTENTION TO THE TIME LIMIT. The water right for any portion of the authorized change in character of use or change in place of use NOT carried out within the time allowed will be lost.

An extension of the time limit can be allowed only upon a showing that diligent effort has been made to complete the actual change(s) within the time allowed.

You are required to hire a Certified Water Rights Examiner (CWRE) to complete a Claim of Beneficial Use report and map which must be submitted to this Department within one year of the date you complete the change(s) or within one year of the completion date authorized in the transfer final order, whichever occurs first.

If you have any questions related to the approval of this transfer, you may contact me by telephone at (503) 986-0883 or by e-mail at Sarah.A.Henderson@wrp.state.or.us.

Sincerely,

Sarah Henderson
Executive Support
Field Services Division

cc: Watermaster Dist. #3
Bruce Estes, Agent
Manuel & Kathleen Pinheiro, Receiving Landowners
Juniper Flat District Improvement Company

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application)	FINAL ORDER
T-10504, Wasco County)	APPROVING 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.

Applicants

Brian & Lisa Silvey
52802 Reservation Rd.
Maupin, Or 97037

Receiving Landowners

Manuel D. Pinheiro
Kathleen Pinheiro
52801 Reservation Rd.
Maupin, Or 97037

Agent

Bruce Estes, CWRE
Estes Surveys, LLC
60382 Arnold Market Rd.
Bend, OR 97702

Findings of Fact

Background

1. On December 19, 2007, Brian and Lisa Silvey filed an application to change the place of use under portions of Certificate 77326 and Certificate 77733 (which superseded Certificate 76969). The Department assigned the application number T-10504.
2. The portion of the first right (primary) to be transferred is as follows:
Certificate: 77326 in the name of JUNIPER FLAT DISTRICT IMPROVEMENT CO.
(confirmed by White River decree)
Use: IRRIGATION of 6.0 ACRES and STOCK
Priority Date: JULY 1, 1903 for direct live flow from Clear Creek and Frog Creek, and AUGUST 19, 1904 from storage from Clear Lake Reservoir

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may 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.

Limit/Duty: ONE ACRE-FOOT PER ACRE or ACRE EQUIVALENT during any 30-day period up to JULY 1st of EACH YEAR and not to exceed 3.0 ACRE-FEET PER ACRE or ACRE EQUIVALENT during any irrigation season; PROVIDED, that the RATE OF FLOW SHALL NOT EXCEED ONE-FORTIETH of one cubic foot per second (cfs) per acre or acre equivalent up to JULY 1st of each year and thereafter NOT TO EXCEED ONE-EIGHTIETH of one cfs per acre or acre equivalent, except in case of rotation.

Source: Direct flow from CLEAR CREEK and FROG CREEK, and storage from CLEAR LAKE RESERVOIR, all tributaries of WHITE RIVER

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	¼ ¼	Source	Survey Coordinates
4 S	9 E	WM	34	NE NE	FROG CREEK	not specified
5 S	9 E	WM	10	NW SE	CLEAR CREEK	not specified
4 S	9 E	WM	32	SE SE	CLEAR LAKE RESERVOIR DAM	not specified

Authorized Place of Use:

PRIMARY IRRIGATION & STOCK					
Twp	Rng	Mer	Sec	¼ ¼	Acres
5 S	12E	WM	26	NE NE	5.3
5 S	12E	WM	26	SE NE	0.7
TOTAL:					6.0

3. Transfer Application T-10504 proposes to change the place of use of the above described primary water right to:

PRIMARY IRRIGATION & STOCK					
Twp	Rng	Mer	Sec	¼ ¼	Acres
5 S	12E	WM	25	SW NW	6.0
TOTAL:					6.0

4. The portion of the second right (supplemental) to be transferred is as follows:

Certificate: 77733 in the name of JUNIPER FLAT DISTRICT IMPROVEMENT CO. (perfected under Permit 25275)

Use: SUPPLEMENTAL IRRIGATION of 6.0 ACRES

Priority Date: NOVEMBER 11, 1915

Limit/Duty: A DIVERSION OF 4.2 ACRE-FEET for each acre irrigated or acre equivalent during the irrigation season of each year

Source: CLEAR LAKE RESERVOIR (constructed under Permit R-2106), a tributary of WHITE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q - Q	Survey Coordinates
4 S	9 E	WM	32	SE SE	1390 FEET SOUTH AND 480 FEET WEST FROM THE E¼ CORNER OF SECCION 32

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q - Q	Acres
5 S	12E	WM	26	NE NE	5.3
5 S	12E	WM	26	SE NE	0.7
TOTAL:					6.0

5. Transfer Application T-10504 proposes to change the place of use of the above described supplemental water right to:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	¼ ¼	Acres
5 S	12E	WM	25	SW NW	6.0
TOTAL:					6.0

6. Notice of the application for transfer was published on December 25, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
7. On August 22, 2008, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-10504 to the applicant. The draft Preliminary Determination set forth a deadline of September 21, 2008, for the applicant to respond. The applicant requested that the Department proceed with the issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
8. On December 26, 2008, the Department issued a Preliminary Determination proposing to approve Transfer T-10504 and mailed a copy to the applicants. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on January 6, 2009, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

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

9. 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.
10. A diversion structure and ditch sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-10504.
11. The proposed change would not result in enlargement of the rights.
12. The proposed change would not result in injury to other water rights.

Conclusions of Law

The change in place of use proposed in Transfer Application T-10504 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 Transfer Application T-10504 is approved.
2. Water right Certificates 77326 and 77733 are modified. The Department will issue superseding certificates describing the rights when it determines that is necessary for record keeping. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 77326 and 77733, and any related decree.
3. The former place of use of the transferred rights shall no longer receive water under the rights.
4. When required by the Department, the water user shall install, maintain and operate 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.
5. The water user shall maintain the existing headgate and shall make such improvements as may be 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, 2010**. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the Receiving Landowners, MANUEL D. & KATHLEEN PINHEIRO, to the Department within one year after the deadline for completion of the change and full beneficial use of the water. The claim must be received in Salem on or before **October 1, 2011**.

Dated at Salem, Oregon this 10th day of February 2009.

William E. Feby
By Phillip C. Ward, Director

Mailing date: FEB 24 2009



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-10504

Review Due Date: 2-5-2008

Applicant Name: Brian and Lisa Silvey

Proposed Changes: POU POD POA USE OTHER

Reviewer(s): Robert Wood

Date of Review: Jan. 18, 2008

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 has not been necessary to date.
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: I'm not aware of any return flow issues.
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: N/A
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: N/A

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

Water Right Transfer Checklist

Transfer T-10504

Transfer Specialist: Ken Dowden

Transfer Type: Regular ▲ POU

Applicant Name/Address: Brian & Lisa Silvey 52802 Reservation Rd. Maupin, OR 97037

Agent Name/Address: Bruce Estes, Estes Surveys, LLC 60382 Arnold Mkt, Rd Bend OR 97702

CWRE Name/Number: Bruce Estes #1

Rec Landowner Name/Address: Manuel Pinheiro 52801 Reservation Rd., Maupin, OR 97037

Irr. District Name/Address: Juniper Flat District Improvement Co 82529 Swy 216 Maupin OR 97037

Affected Gov'ts Name/Address: Wasco County Planning Dept 2705 E 6th St. The Dalles OR 97058

Commentors: Name/Address: None

Water Rights Affected

Records Marked	Records Copied	App File No. or Decree Name	Permit No.	Certificate No.	RR/CR Needed	RR/CR Nos.
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<u>White River Decree</u>	<u>n/a</u>	<u>77326</u>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<u> </u>
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<u>32044</u>	<u>25275</u>	<u>76969</u>	<input type="checkbox"/> Yes <input type="checkbox"/> No	<u> </u>
<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	

District living certs

Key Dates & Initial Actions

Rec'd: <u>12/19/2007</u>	Proposed Action(s): POU POD HST APOD USE OTHER: <u>POU</u>	
Fees Pd: <u>600</u>	WM District: <u>3</u>	ODFW District: <u>None</u>
Initial Notice: <u>1/8/2007</u>	WM Review sent: <u>1/7/2008</u>	ODFW Review sent: <u>None</u>
Acknowledgement Letter Sent <input checked="" type="checkbox"/>	GW Review sent: <u>None</u>	

Processing Dates & Actions

Deficiency Contacts:

Newspaper Pub Affid Due: N/A

not required

DPD Mailed: 8/22/2008

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

Electronic Files uploaded

Preliminary Determination

PD Cover letter

Fee Refund Due

PD Notice

Remaining Rights

File Assigned/ ModPod updated

DPD Review (Optional)	PD Review (Salem)	Final Order Review (Salem)
Reviewer: _____	Reviewer: <u> </u>	Reviewer: <u> </u>
Date: _____	Date: <u>12-24-08</u>	Date: <u>2-6-09</u>
Coordinator: _____	Coordinator: _____	Coordinator: _____
Date: _____	Date: _____	Date: _____

Comments/Special Issues:

Layered Primary & Suppl. rights being moved to new place of use.

Special Order Volume: Vol 76 Pages 234 Final Order Signature Date: 2-10-09

Notice of FO email'd to processors Ken/mike/Lisa

NOTE:

Certs are in the name of Juniper Flat Dist. Improvement Co. - Make sure they get copies of the PD & FO.

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/decree maps for the rights. Application map matches certificate FPS.
- Have necessary aerial photos.

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

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

Ownership

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

Evaluation (materials needed for peer reviewer in bold)

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

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

Injury: Y N Enlargement: Y N

Conditions to avoid enlargement/injury -



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

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

December 29, 2008

pd Noticed
1-6-09

BRIAN & LISA SILVEY
52802 RESERVATION ROAD
MAUPIN, OR 97037

SUBJECT: Transfer Application T-10504

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-10504. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department.

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

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

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

Please do not hesitate to contact me at (503) 986-0880 or Lisa.J.Jaramillo@wrд.state.or.us if I may be of assistance.

Sincerely,

Lisa J. Jaramillo
Field Services Division

cc: **Transfer T-10504**
Bob Wood, District 3 Watermaster
Manuel & Kathleen Pinheiro, 52801 Reservation Road, Maupin, OR 97037
Bruce Estes, CWRE, Estes Surveys, LLC, 60382 Arnold Market Road, Bend, OR 97702
Juniper Flat District Improvement Company, 53333 Reservation Road, Maupin, OR 97037

encs



thereafter NOT TO EXCEED ONE-EIGHTIETH of one cfs per acre or acre equivalent, except in case of rotation.

Source: Direct flow from CLEAR CREEK and FROG CREEK, and storage from CLEAR LAKE RESERVOIR, all tributaries of WHITE RIVER

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	¼ ¼	Source	Survey Coordinates
4 S	9 E	WM	34	NE NE	FROG CREEK	not specified
5 S	9 E	WM	10	NW SE	CLEAR CREEK	not specified
4 S	9 E	WM	32	SE SE	CLEAR LAKE RESERVOIR DAM	not specified

Authorized Place of Use:

PRIMARY IRRIGATION & STOCK					
Twp	Rng	Mer	Sec	¼ ¼	Acres
5 S	12E	WM	26	NE NE	5.3
5 S	12E	WM	26	SE NE	0.7
TOTAL:					6.0

3. Transfer Application T-10504 proposes to change the place of use of the above described primary water right to:

PRIMARY IRRIGATION & STOCK					
Twp	Rng	Mer	Sec	¼ ¼	Acres
5 S	12E	WM	25	SW NW	6.0
TOTAL:					6.0

4. The portion of the second right (supplemental) to be transferred is as follows:

Certificate: 77733 in the name of JUNIPER FLAT DISTRICT IMPROVEMENT CO.
(perfected under Permit 25275)

Use: SUPPLEMENTAL IRRIGATION of 6.0 ACRES

Priority Date: NOVEMBER 11, 1915

Limit/Duty: A DIVERSION OF 4.2 ACRE-FEET for each acre irrigated or acre equivalent during the irrigation season of each year

Source: CLEAR LAKE RESERVOIR (constructed under Permit R-2106), a tributary of WHITE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q - Q	Survey Coordinates
4 S	9 E	WM	32	SE SE	1390 FEET SOUTH AND 480 FEET WEST FROM THE E¼ CORNER OF SECION 32

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q - Q	Acres
5 S	12E	WM	26	NE NE	5.3
5 S	12E	WM	26	SE NE	0.7
TOTAL:					6.0

- Transfer Application T-10504 proposes to change the place of use of the above described supplemental water right to:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	¼ ¼	Acres
5 S	12E	WM	25	SW NW	6.0
TOTAL:					6.0

- Notice of the application for transfer was published on December 25, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
- On August 22, 2008, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-10504 to the applicant. The draft Preliminary Determination set forth a deadline of September 21, 2008, for the applicant to respond. The applicant requested that the Department proceed with the issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

Transfer Review Criteria [OAR 690-380-4010(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 rights were present within the five-year period prior to submittal of Transfer Application T-10504.
- The proposed change would not result in enlargement of the rights.
- The proposed change would not result in injury to other water rights.

Determination and Proposed Action

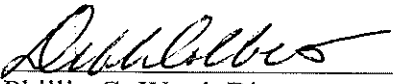
The change in place of use proposed in Transfer Application T-10504 appears to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If Transfer Application T-10504 is approved, the final order will include the following:

- The change in place of use proposed in Transfer Application T-10504 is approved.*
- Water right Certificates 77326 and 77733 are modified. The Department will issue superseding certificates describing the rights when it determines that is necessary for record keeping. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 77326 and 77733, and any related decree.*

3. *The former place of use of the transferred rights shall no longer receive water under the rights.*
4. *When required by the Department, the water user shall install, maintain and operate 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.*
5. *The water user shall maintain the existing headgate and shall make such improvements as may be 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, 2010**. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the Receiving Landowners, MANUEL D. & KATHLEEN PINHEIRO, to the Department within one year after the deadline for completion of the change and full beneficial use of the water. The claim must be received in Salem on or before **October 1, 2011**.*

Dated at Salem, Oregon this 26th day of December 2008.


By Phillip C. Ward, Director

This Preliminary Determination was prepared by Ken Dowden. If you have questions about the information in this document, you may reach me at 541-278-5456 or Ken.D.Dowden@wrд.state.or.us.

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

**Notice of Final Order for
Water Right Transfer T-10504**

T-10504 filed by Brian and Lisa Silvey, 52802 Reservation Road, Maupin, OR 97037, proposes to change the place of use under portions of two existing water rights. Certificate 77326 (priority dates of July 1, 1903/direct flow and August 19, 1904/storage) allows the use of 1/40th of one cubic foot per second (cfs) until July 1st of each year, and 1/80th of one cfs thereafter, from diversions on Clear Creek (NW¼ SE¼, Sec 10, T5S, R9E, W.M.) Frog Creek (NE¼ NE¼, Sec 34, T4S, R9E, W.M.), and from storage from Clear Lake Reservoir (SE¼ SE¼, Sec 32, T4S, R9E, W.M.) for primary irrigation of 6.0 acres in the E ½ NE ¼, Sec. 26, T5S, R12E, W.M. Certificate 77733 (priority date of November 11, 1915) allows the use 4.2 acre-feet from Clear Lake Reservoir for supplemental irrigation of 6.0 acres in the E ½ NE ¼, Sec. 26, T5S, R12E, W.M. The applicant proposes to change the place of use to 6.0 acres of primary and supplemental irrigation in the SW¼ NW¼, Sec 25, T5S, R12E, 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.



Oregon

Theodore R. Kulongoski, Governor

file copy

Water Resources Department
North Central Region
116 S.E. Dorian Avenue
Pendleton, OR 97801
Phone (541) 278-5456
FAX (541) 278-0287

November 7, 2008

BRIAN & LISA SILVEY
52802 RESERVATION RD.
MAUPIN, OR 97037

SUBJECT: Application T-10504

I am continuing my review of your transfer application for a CHANGE IN PLACE OF USE within the Juniper Flat District Improvement Company. I have attempted to get in touch with you but to no avail.

On August 22, 2008, the Department sent out a draft of the Preliminary Determination (dPD) for you to review. The Department's proposal to approve the transfer is based on conclusions that your proposed change would not injure any other existing water rights or be an enlargement of the water rights.

As described in the Department's August 22, 2008 cover letter accompanying the dPD, we identified the requirement to submit a report of ownership and lien information prepared by a title company within the last three months, required by our administrative rule OAR 690-380-4010(5). Again, as noted on the signature page 6 of your transfer application, you agreed to provide landownership information and evidence demonstrating you were authorized to pursue the transfer. On September 30, 2008, we did receive from you a copy of the Lot Book Report prepared by Amerititle for your property. The report however described the following:

a "Beneficial interest of the above lien [Deed of Trust: Sunset Mortgage] and was assigned by an Assignment of Deed of Trust..." to an Assignee named: > **Flagstar Bank, FSB.**

Any such report that identifies a lien holder(s), encumbrance or other party who may potentially have an interest in the transfer must be notified of the transfer. If there are lien holders, you must send notice of the transfer to them and submit copies of each such notice to the Department to document that each lien holder has been informed of the transfer.

On October 15, 2008, I received an e-mail from your neighbor and receiving landowner, Kathleen Pinheiro, in which she stated that you [Lisa] had e-mailed a copy of proof that she [you] sent a letter to Flagstar Bank. My immediate reply by e-mail to Kathleen was that the Department had not received this document by e-mail or by regular mail, nor was it found in the file folder, and, to please re-send the copy.

To conclude, the Department will endeavor to move forward and issue the Preliminary Determination as soon as we receive both your written response to the Preliminary Determination and the proof of notice to Flagstar Bank, FSB. If we do not receive your response and proof of notice by December 8, 2008, a Preliminary Determination may be issued denying the application as incomplete.

Please do not hesitate to contact me here in Pendleton at (541) 278-5456, or by my e-mail address which is Ken.D.Dowden@wrđ.state.or.us if I may be of further assistance or answer any questions regarding the above required information.

Sincerely,



Ken Dowden
Field Services Division

cc: Bob Wood, District #3 Watermaster
Bruce Estes, CWRE → address: 60382 Arnold Market Rd, Bend, OR 97702
Manuel & Kathleen Pinheiro → address: 52801 Reservation Rd., Maupin OR 97037



Oregon

Theodore R. Kulongoski, Governor

file COPY
Water Resources Department
North Central Region
116 S.E. Dorian Avenue
Pendleton, OR 97801
Phone (541) 278-5456
FAX (541) 278-0287

BRIAN & LISA SILVEY
52802 RESERVATION RD
MAUPIN, OR 97037

August 22, 2008

SUBJECT: Application T-10504

Please find enclosed a draft of our Preliminary Determination regarding transfer application T-10504. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved. This draft is intended to provide you with an opportunity to comment on our findings and conclusions should you wish to do so. Please review the draft carefully to evaluate whether the document is consistent with your intent in seeking the transfer, and whether you agree (*in writing*) 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). As required on Page 7 of your transfer application under "8. ATTACHMENTS", and in the signature block, a report of ownership and lien information is now to be submitted prior to the next document being sent out by the Department. This report may describe any lien holders or other parties who may potentially have an interest in the transfer request. 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 written response and the report of ownership and lien information. If we do not receive your response and the report by September 21, 2008, a Preliminary Determination may be issued denying the application as incomplete.

You may provide your response in writing or via e-mail.

→ My e-mail address is Ken.D.Dowden@wr.d.state.or.us.

If you should have any questions regarding the information being requested, please feel free to contact me here in Pendleton at (541) 278-5456.

Sincerely,

Ken Dowden
Field Services Division

cc: Bob Wood, District 3 Watermaster
Manuel & Kathleen Pinheiro → address: 52801 Reservation Road, Maupin, OR 97875
Bruce Estes, CWRE → address: 60382 Arnold Mkt. Rd, Bend, OR 97702

enc

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

In the Matter of Transfer Application
T-10504, Wasco County

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)
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)
)

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

BRIAN & LISA SILVEY
52802 RESERVATION RD.
MAUPIN, OR 97037

Receiving Landowner

MANUEL D. & KATHLEEN PINHEIRO
52801 RESERVATION RD.
MAUPIN, OR 97037

Agent

BRUCE ESTES, ESTES SURVEYS, LLC
60382 ARNOLD MARKET RD.
BEND, OR 97702

Findings of Fact

Background

1. On December 19, 2007, Brian and Lisa Silvey filed an application to change the place of use under Certificates 77326, 76969 and 77733. The Department assigned the application number T-10504.
2. The portion of the primary right and its two supplemental rights to be transferred are as follows:
Certificate: 77326 in the name of JUNIPER FLAT DISTRICT IMPROVEMENT CO.
(confirmed by White River decree)
Use: IRRIGATION of 6.0 ACRES
Priority Date: JULY 1, 1903 for direct live flow from Clear Creek and Frog Creek, and AUGUST 19, 1904 from storage from Clear Lake Reservoir
Limit/Duty: ONE ACRE-FOOT PER ACRE or ACRE equivalent during any 3-dday period up to JULY 1st of EACH YEAR and not to exceed 3 ACRE-FEET PER ACRE OR ACRE equivalent during any irrigation season; PROVIDED, that the RATE OF FLOW SHALL NOT EXCEED ONE-FORTIETH of one cubic foot per second (cfs) per acre or acre

equivalent up to JULY 1st of each year and thereafter NOT TO EXCEED ONE-EIGHTIETH of one cfs per acre or acre equivalent, EXCEPT IN CASE OF ROTATION.

Source: direct flow from CLEAR CREEK and FROG CREEK, and STORAGE from CLEAR LAKE RESERVOIR, tributaries of WHITE RIVER

Certificate: 76969 in the name of JUNIPER FLAT DISTRICT IMPROVEMENT CO. (perfected under Permit 25275)

Use: SUPPLEMENTAL IRRIGATION of 6.0 ACRES

Priority Date: NOVEMBER 11, 1915

Limit/Duty: A DIVERSION OF 4.2 ACRE-FEET for each acre irrigated or acre equivalent during the irrigation season of each year

Source: CLEAR LAKE RESERVOIR (constructed under Permit R-2106), tributary of WHITE RIVER

Certificate: 77733 in the name of JUNIPER FLAT DISTRICT IMPROVEMENT CO. (perfected under Permit 25275)

Use: SUPPLEMENTAL IRRIGATION of 6.0 ACRES

Priority Date: NOVEMBER 11, 1915

Limit/Duty: A DIVERSION OF 4.2 ACRE-FEET for each acre irrigated or acre equivalent during the irrigation season of each year

Source: CLEAR LAKE RESERVOIR (constructed under Permit R-2106), tributary of WHITE RIVER

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q - Q	Source	Survey Coordinates
4 S	9 E	WM	34	NE NE	FROG CREEK	-- not specified
5 S	9 E	WM	10	NW SE	CLEAR CREEK	-- not specified
4 S	9 E	WM	32	SE SE	CLEAR LAKE RESERVOIR	-- not specified

Authorized Places of Use:

Primary Irrigation (IR) / Supplemental Irrigation (IS)							
Twp	Rng	Mer	Sec	Q - Q	Certificate (acres)		
					77326 (IR)	76969 (IS)	77733 (IS)
5 S	12 E	WM	26	NE NE	5.3	5.3	5.3
5 S	12 E	WM	26	SE NE	0.7	0.7	0.7
TOTAL:					6.0	6.0	6.0

3. Application T-10504 proposes to change the place of use of the above described water rights to:

Primary Irrigation (IR) / Supplemental Irrigation (IS)							
Twp	Rng	Mer	Sec	Q - Q	Certificate (acres)		
					77326 (IR)	76969 (IS)	76 969 (IS)
5 S	12 E	WM	25	SW NW	6.0	6.0	6.0
TOTAL:					6.0	6.0	6.0

4. Notice of the application for transfer was published on December 25, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.

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

5. Water has been used within the last five years according to the terms and conditions of the right, and there is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
6. A diversion structure and ditch sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Application T-10504.
7. The proposed change would not result in enlargement of the rights.
8. The proposed change would not result in injury to other water rights.

Determination and Proposed Action

The change PLACE OF USE proposed in application T-Error! Reference source not found. 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-10504 is approved, the final order will include the following:

1. *The change in place of use proposed in application T-10504 is approved.*
2. *Water right certificates 77326, 76969 and 77733 are modified. The Department will issue a superseding certificate describing the right when it determines that is necessary for record keeping. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 77326, 76969 and 77733 and any related decree.*
3. *The former places of use of the transferred rights shall no longer receive water under the rights.*
4. *When required by the Department, the water user shall install, maintain and operate 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.*
5. *The water user shall maintain the existing headgate and shall make such improvements as may be 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, 2009**. A Claim of Beneficial Use prepared by a Certified Water*

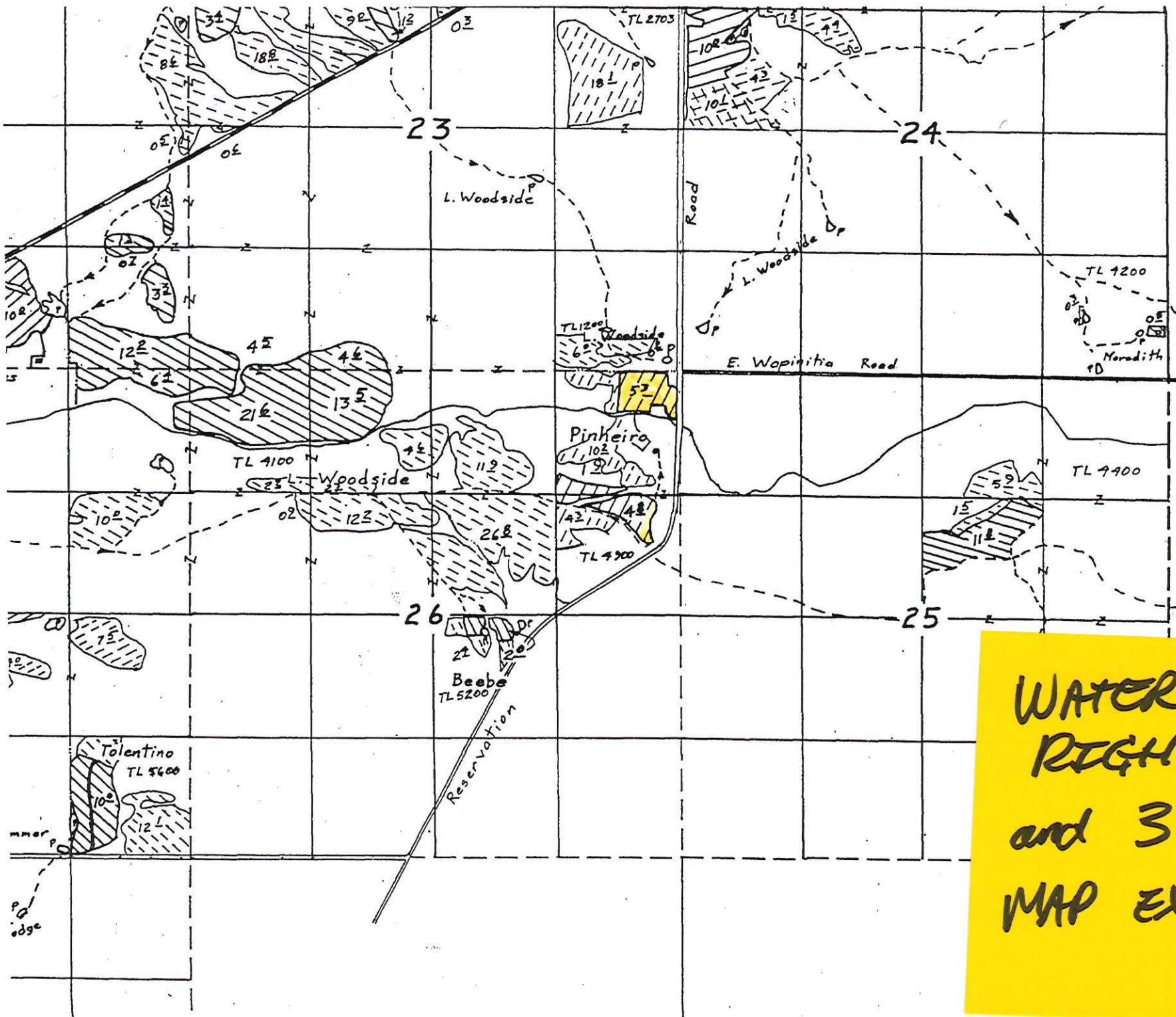
Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.

Dated at Salem, Oregon this _____ day of _____ 2008.

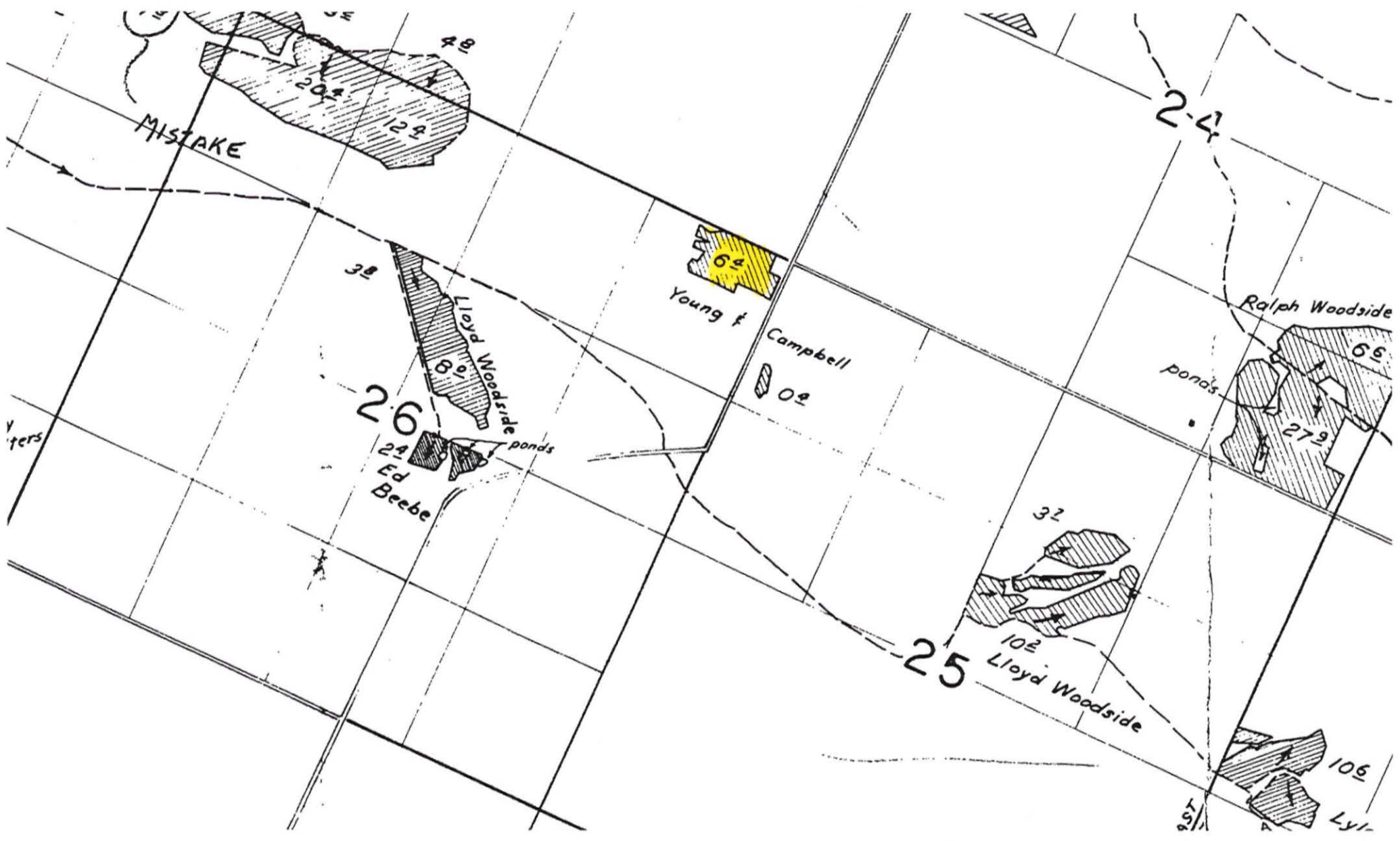
D R A F T

Phillip C. Ward, Director

This draft Preliminary Determination was prepared by Ken Dowden. If you have questions about the information in this document, you may reach me at 541-278-5456 or Ken.D.Dowden@wrд.state.or.us.



WATER
RIGHTS
and 3111
MAP EXCERPT



Water Rights Platcard Report

"FROM" lands

Meridian: WILLAMETTE Township: 5 South Range: 12 East Section: 26 Records per Page: 6 Search

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	Unknown QQ
Select Cert:34937 OR *		6/12/1964	IRRIGATION																				8.8	
Additional Info: ED & MARGARET BEEBE App: S39957 Permit: S29838 Cert: 34937																								
Select Cert:76968 OR CN			IRRIGATION	CN				7.2			4.8	13.5	21.6										2	
Additional Info: JUNIPER FLAT DISTRICT IMPROVEMENT CO. Decree: WHITE RIVER Cert: 76968																								
Select Cert:77326 CR CN	T7491		IRRIGATION	CN				7.2			4.8	13.5	21.6										2	
Additional Info: JUNIPER FLAT DISTRICT IMPROVEMENT CO. Decree: WHITE RIVER Cert: 77326																								
Select Cert:77326 CR *	T10504		IRRIGATION					7.2			4.8	13.5	21.6										2	
Additional Info: JUNIPER FLAT DISTRICT IMPROVEMENT CO. Decree: WHITE RIVER Cert: 77326																								
<i>NER</i> Select Permit:S 54068 *		5/14/1990	IRRIGATION					18.2	11.9	26.8	4.3	6.9	2.2	0.9	12.2								2.4	
Additional Info: JUNIPER FLAT DIST. IMPROVEMENT CO. App: S60453 Permit: S54068																								
Select Cert:15525 OR CN	T2516		IRRIGATION, LIVESTOCK AND DOMESTIC	CN				15			5	15											2	
Additional Info: JUNIPER FLAT DISTRICT IMPROVEMENT CO. Decree: DESCHUTES RIVER (F) Cert: 15525																								

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: 5 South Range: 12 East Section: 26 Records per Page: 6

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): Q(160)	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Unknown	
								NE	NE	NE	NE	NW	NW	NW	NW	SW	SW	SW	SW	SE	SE	SE	SE	SE	SE
<u>Select</u> Cert:48850 CF CN Additional Info: JUNIPER FLAT DISTRICT IMPROVEMENT CO. Decree: WHITE RIVER Cert: 48850			IRRIGATION, LIVESTOCK AND DOMESTIC	CN				±0		7-8		±2-8	20-2		3-4									2	
<u>Select</u> Inchoate: T 2516 (REG) CN Additional Info: RAYMOND A CRABTREE Decree: DESCHUTES RIVER (F)			IRRIGATION, LIVESTOCK AND DOMESTIC	CN				(±5)			(±5)	(±5)												(±2)	
<u>Select</u> Cert:23487 OR CN Additional Info: JUNIPER FLAT DISTRICT IMPROVEMENT CO. App: S25235 Permit: S19963 Cert: 23487			LIVESTOCK	CN				*				*												*	
<u>Select</u> Cert:76968 OR CN Additional Info: JUNIPER FLAT DISTRICT IMPROVEMENT CO. Decree: WHITE RIVER Cert: 76968			LIVESTOCK	CN				*			*	*	*											*	
<u>Select</u> Cert:76970 CF CN Additional Info: JUNIPER FLAT DISTRICT IMPROVEMENT CO. App: S25235 Permit: S19963 Cert: 76970			LIVESTOCK	CN																				*	
<u>Select</u> Cert:77734 CR * Additional Info: JUNIPER FLAT DISTRICT IMPROVEMENT CO. App: S25235 Permit: S19963 Cert: 77734			LIVESTOCK																					*	

Acreege Legend: 12.25 Regular acreege ±2.25 Acreege is on a canceled right (12.25) Acreege is part of a transfer and has not been proven up on yet (inchoate) [12.25] Acreege has been suspended * Acreege is not specified

Water Rights Platcard Report

Meridian: WILLAMETTE Township: 5 South Range: 12 East Section: 26 Records per Page: 6 Search

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 Cert:82692 OR * Additional Info: COUNTY OF WASCO App: S58344 Permit: S44210 Cert: 82692		6/26/1979	ROAD CONSTRUCTION					*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	
Select Cert:51099 OR CN Additional Info: JUNIPER FLAT DISTRICT IMPROVEMENT CO. App: S32044 Permit: S25275 Cert: 51099		11/11/1915	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	CN						7-8		12-8	20-2		3-4							2		
Select Cert:51539 CR CN Additional Info: JUNIPER FLAT DISTRICT IMPROVEMENT CO. App: S32044 Permit: S25275 Cert: 51539		11/11/1915	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	CN						7-8		12-8	20-2		3-4							2		
Select Cert:77733 CR CN Additional Info: JUNIPER FLAT DISTRICT IMPROVEMENT CO. App: S32044 Permit: S25275 Cert: 77733	T7491	11/11/1915	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	CN				7-2			4-8	13-5	21-6									2		
Select Cert:77733 CR * Additional Info: JUNIPER FLAT DISTRICT IMPROVEMENT CO. App: S32044 Permit: S25275 Cert: 77733		11/11/1915	SUPPLEMENTAL IRRIGATION (Suppl'mtl)					7-2			4-8	13-5	21-6									2		

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: 5 South Range: 12 East Section: 25 Records per Page: 6 Search

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 Cert:76968 OR CN <u>Additional Info:</u> JUNIPER FLAT DISTRICT IMPROVEMENT CO. Decree: WHITE RIVER Cert: 76968			IRRIGATION	CN						11.8														
Select Cert:77326 CR CN <u>Additional Info:</u> JUNIPER FLAT DISTRICT IMPROVEMENT CO. Decree: WHITE RIVER Cert: 77326	T7491		IRRIGATION	CN						11.8														
Select Cert:77326 CR * <u>Additional Info:</u> JUNIPER FLAT DISTRICT IMPROVEMENT CO. Decree: WHITE RIVER Cert: 77326	T10504		IRRIGATION							11.8														
Select Permit:S 54068 * <u>Additional Info:</u> JUNIPER FLAT DIST. IMPROVEMENT CO. App: S60453 Permit: S54068		5/14/1990	IRRIGATION						5.9	1.5														
Select Cert:15525 OR CN <u>Additional Info:</u> JUNIPER FLAT DISTRICT IMPROVEMENT CO. Decree: DESCHUTES RIVER (F) Cert: 15525	T2516		IRRIGATION, LIVESTOCK AND DOMESTIC	CN				1		10			2					10						
Select Cert:48850 CF CN <u>Additional Info:</u> JUNIPER FLAT DISTRICT IMPROVEMENT CO. Decree: WHITE RIVER Cert: 48850			IRRIGATION, LIVESTOCK AND DOMESTIC	CN						3			2											

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

No Conflicts w/ Existing Rights

Water Rights Platcard Report

Meridian: WILLAMETTE Township: 5 South Range: 12 East Section: 25 Records per Page: 6 Search

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	Unknown QQ
Select Inchoate: T 2516 (REG) CN Additional Info: RAYMOND A CRABTREE Decree: DESCHUTES RIVER (F)			IRRIGATION, LIVESTOCK AND DOMESTIC	CN				(+)		(+0)			(-2)				(+0)							
Select Cert:23487 OR CN Additional Info: JUNIPER FLAT DISTRICT IMPROVEMENT CO. App: S25235 Permit: S19963 Cert: 23487			LIVESTOCK	CN				*		*			*				*							
Select Cert:76968 OR CN Additional Info: JUNIPER FLAT DISTRICT IMPROVEMENT CO. Decree: WHITE RIVER Cert: 76968			LIVESTOCK	CN						*														
Select Cert:76970 CF CN Additional Info: JUNIPER FLAT DISTRICT IMPROVEMENT CO. App: S25235 Permit: S19963 Cert: 76970			LIVESTOCK	CN																	*			
Select Cert:77734 CR * Additional Info: JUNIPER FLAT DISTRICT IMPROVEMENT CO. App: S25235 Permit: S19963 Cert: 77734			LIVESTOCK																		*			
Select Cert:82692 OR * Additional Info: COUNTY OF WASCO App: S58344 Permit: S44210 Cert: 82692		6/26/1979	ROAD CONSTRUCTION					*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*

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

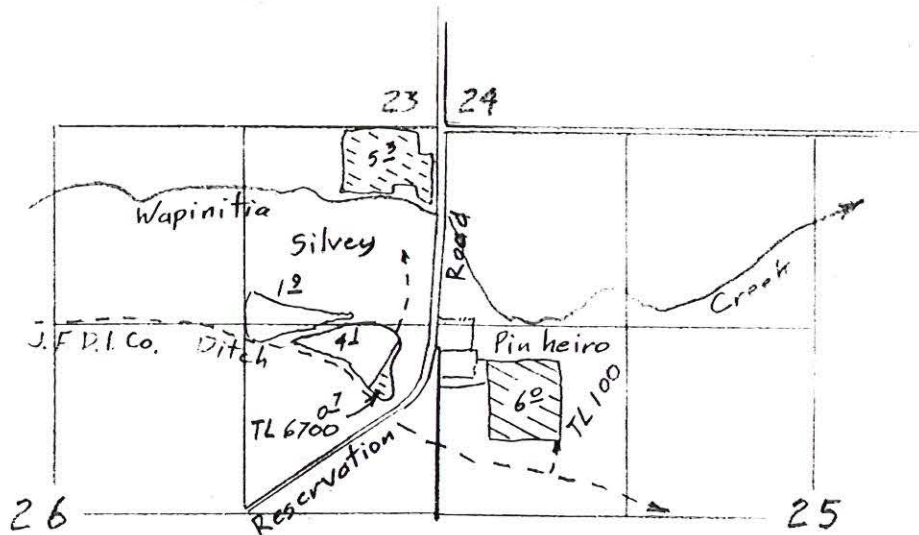
Water Rights Platcard Report

Meridian: WILLAMETTE Township: 5 South Range: 12 East Section: 25 Records per Page: 6

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): Q(150):	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
<u>Select</u> Cert:51099 OR CN Additional Info: JUNIPER FLAT DISTRICT IMPROVEMENT CO. App: S32044 Permit: S25275 Cert: 51099		11/11/1915	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	CN						3														
<u>Select</u> Cert:51539 CR CN Additional Info: JUNIPER FLAT DISTRICT IMPROVEMENT CO. App: S32044 Permit: S25275 Cert: 51539		11/11/1915	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	CN						3														
<u>Select</u> Cert:77733 CR CN Additional Info: JUNIPER FLAT DISTRICT IMPROVEMENT CO. App: S32044 Permit: S25275 Cert: 77733	T7491	11/11/1915	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	CN						11.8														
<u>Select</u> Cert:77733 CR * Additional Info: JUNIPER FLAT DISTRICT IMPROVEMENT CO. App: S32044 Permit: S25275 Cert: 77733		11/11/1915	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	CN						11.8														

Acreage Legend: 12.25 Regular acreage ±2.25 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

T. 5 S., R. 12 E., W. M.



- ⊖ From 6⁰ acres
- ⊕ To 6⁰ acres
- Remain in place 6⁰ acres

MISSTAG:
 > NORTH ARROW
 > SCAGE
 > P.O.D - SOURCE OF WATER

Transfer Application Map
 from Silvey to Pinheiro

(Juniper Flat District Improvement Co.)

RECEIVED

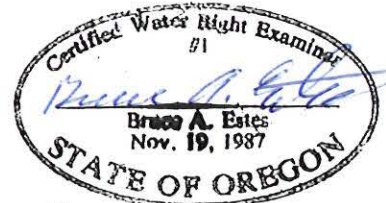
DEC 19 2007

WATER RESOURCES DEPT
 SALEM, OREGON

RECEIVED

OCT 25 2007

WATER RESOURCES DEPT
 SALEM, OREGON



Renewal Dec 31, 2007

1 10504

This map is for the purpose of locating a water right only and has no intent to provide legal dimensions or the location of property lines.

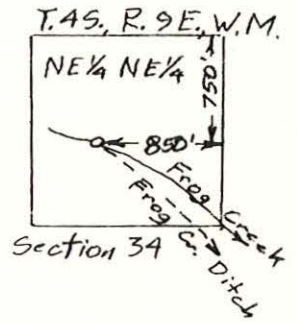
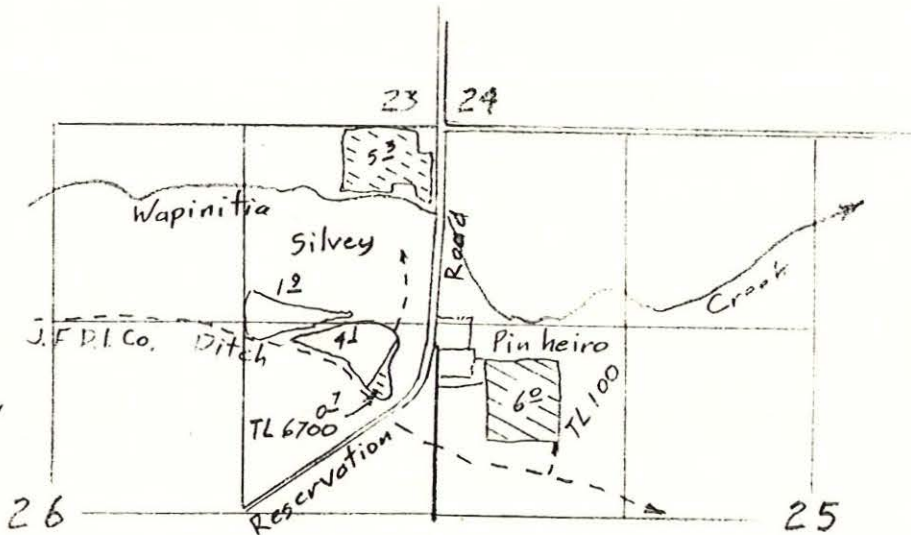
ESTES SURVEYS

PO Box 17519 60362 Arnold Rd
 Salem, OR 97306-7519 Bend, OR 97702
 (503) 585-7593 (541) 382-7391

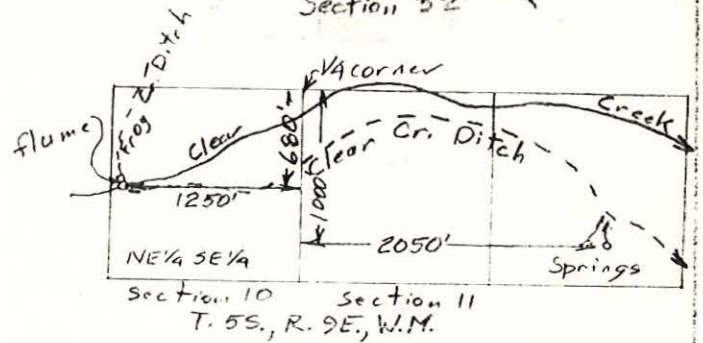
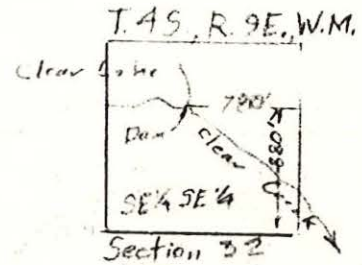
T. 5 S., R. 12 E., W.M.



Scale 1"=1320'
(4"=1 mile)



- ☹ From 6⁰ acres
- ⊗ To 6⁰ acres
- Remain in place 6⁰ acres



Transfer Application Map
for
Silvey to Pinheiro
(Juniper Flat District Improvement Co.)

T-10504



Renewal Dec 31, 2009

This map is for the purpose of
locating a water right only
and has no intent to provide
legal dimensions or the location
of property lines.

ESTES SURVEYS
 PO Box 17519 60362 Arnold Rd
 Salem, OR 97306-7519 Bend, OR 97702
 (503) 585-7593 (541) 382-7391

Amended 28 Aug. 08

Ken Dowden

From: Kathleen and Manuel Pinheiro [katnman@gmail.com]
Sent: Tuesday, December 09, 2008 9:25 PM
To: Ken Dowden
Subject: Fwd: letter saying you agree to transfer Ken hasn't received yet.

Hello Ken,
Here is what Lisa and Brian sent to me. Hope this helps.
Kathleen

----- Forwarded message -----

From: <silvey@gte.net>
Date: Tue, Dec 9, 2008 at 8:52 PM
Subject: RE: letter saying you agree to transfer Ken hasn't received yet.
To: Kathleen and Manuel Pinheiro <katnman@gmail.com>
Cc: silvey@gte.net

December 9, 2008

Ken Dowden,

"Looks great, please continue with the transfer".

Thank You,

Brian Silvey
Lisa Silvey

On Tue, Dec 9, 2008 at 1:56 PM, Kathleen and Manuel Pinheiro wrote:

Hi Lisa,
Here's the email I rec'd from Ken. Looks like you guys can just email him and it will be done.
Thanks. Kathleen. Left a message on your cell that I would or you can call me tonite. 12-9 Tues.

I have not received the confirmation and "go ahead" letter from the Silveys yet.

As requested in the last paragraph of page one of my November 7, 2008 letter to the Silveys,
and as mentioned in my November 25th e-mail to you.

"..... all the Department needs now is the "looks great, please continue with our transfer"
letter from the Silveys."

Please refer to the 1st paragraph in the cover letter dated August 22, 2008 in which I ask the
applicant to look over the enclosed draft of the Preliminary Determination and determine
whether
they agree with everything and want to continue. This simple one sentence statement must be
in writing.

12/10/2008

November 19, 2008

Flagstar Bank, FSB
ATTN: Residential Mortgage Accounts
Loan No:
5151 Corporate Drive
Troy, MI 48098

Oregon Water Resources Department
ATTN: Ken Dowden
OWRD Application T-10504
116 SE Dorian Avenue
Pendleton, OR 97801

RE: CLARIFICATION OF IRRIGATION WATER TRANSFER

The purpose of this letter is to clarify the application of a transfer of 6 acres of irrigation water from the place of use of the Silvey parcel of land to the place of use of the Pinheiro parcel of land.

For ease of comprehension, the following descriptions will be used to describe the parcels of land referred to herein:

SILVEY hereinafter will represent the parcel of farm land owned by Brian and Lisa Silvey, located at 52802 Reservation Road, Maupin, Oregon, 97037, County of Wasco, Tax Lot 4900, Assessors Parcel No. 5S 12 06700. (Exhibit A)

PINHEIRO hereinafter will represent the parcel of farm land owned by Manuel and Kathleen Pinheiro, located at 52801 Reservation Road, Maupin, Oregon, 97037, County of Wasco, Tax Lot 4500, Assessors Parcel No. Unknown

In July 2002 Brian and Lisa Silvey purchased the 6700 tract of land from Pinheiro's. At the time of sale, Lot 6700 was allocated with a total of 12 acres of water rights through Juniper Flat District Improvement Company. (Exhibit B) The Silvey purchase agreement clearly states only 6 acres of the total 12 acres of water rights allocated on Lot 6700 would be included in the sale of property. The remaining 6 acres would continue under the ownership of Pinheiro. Upon completion of the purchase, 6 acres of water rights allocated on tract 6700 were transferred to Silvey ownership. (Exhibit C). Thus, leaving the remaining 6 acres of water rights to continue under Pinheiro ownership.

The current application for a transfer of 6 acres of water rights from Silvey tract to Pinheiro tract is only a transfer of the PLACE OF USE of 6 of the existing 12 acres of water rights that are currently allocated on Lot 6700. This application does NOT include a transfer or sale of ownership of any water rights. Both parties continue to hold ownership of their historical and existing 6 acres of water rights.

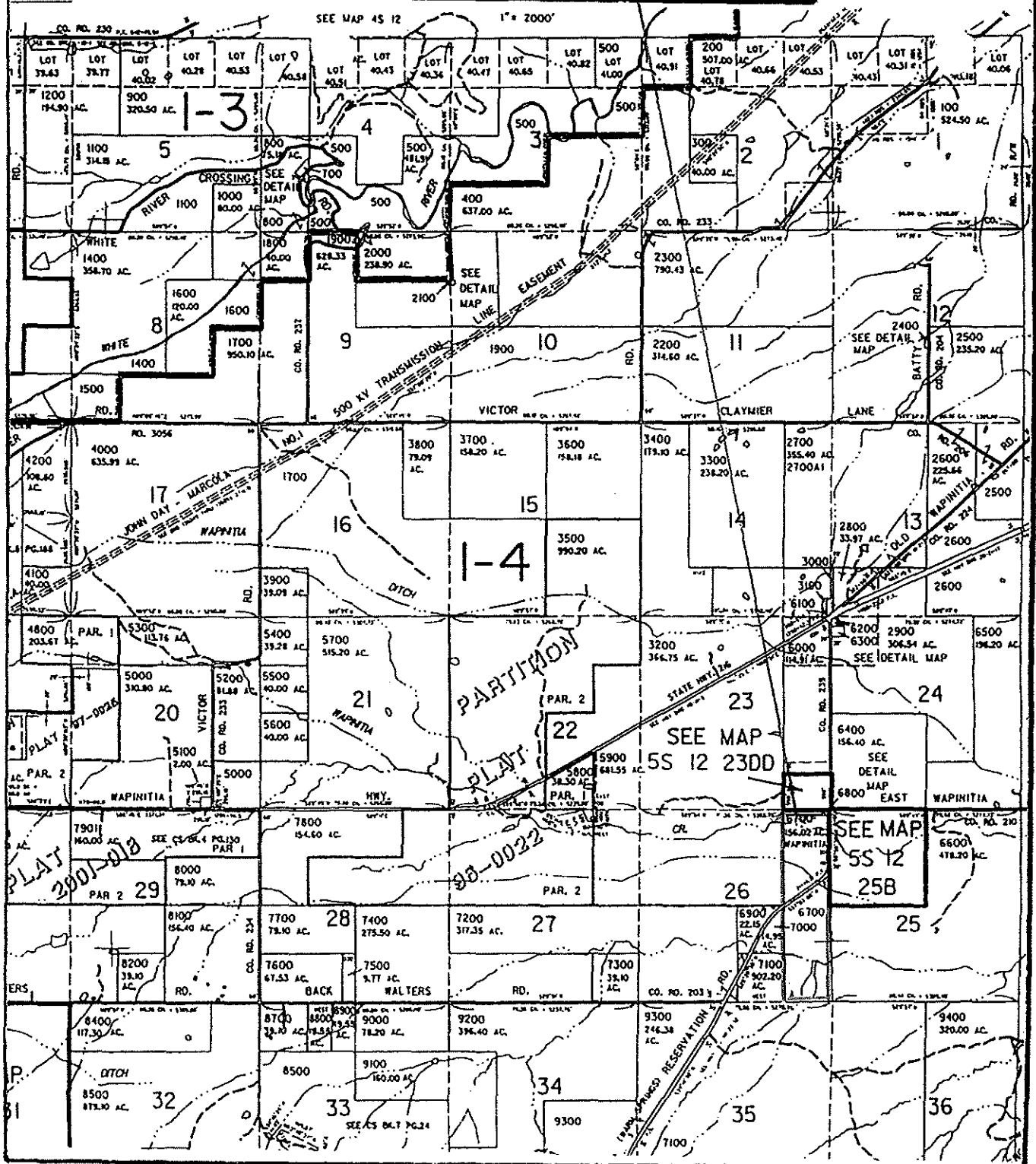
I hope this letter helps to clarify the transfer and expedite the application process. If any parties have any questions or require additional clarification, please contact Robert Wood, Watermaster, Oregon Water Resources Department at (541) 506-2650.

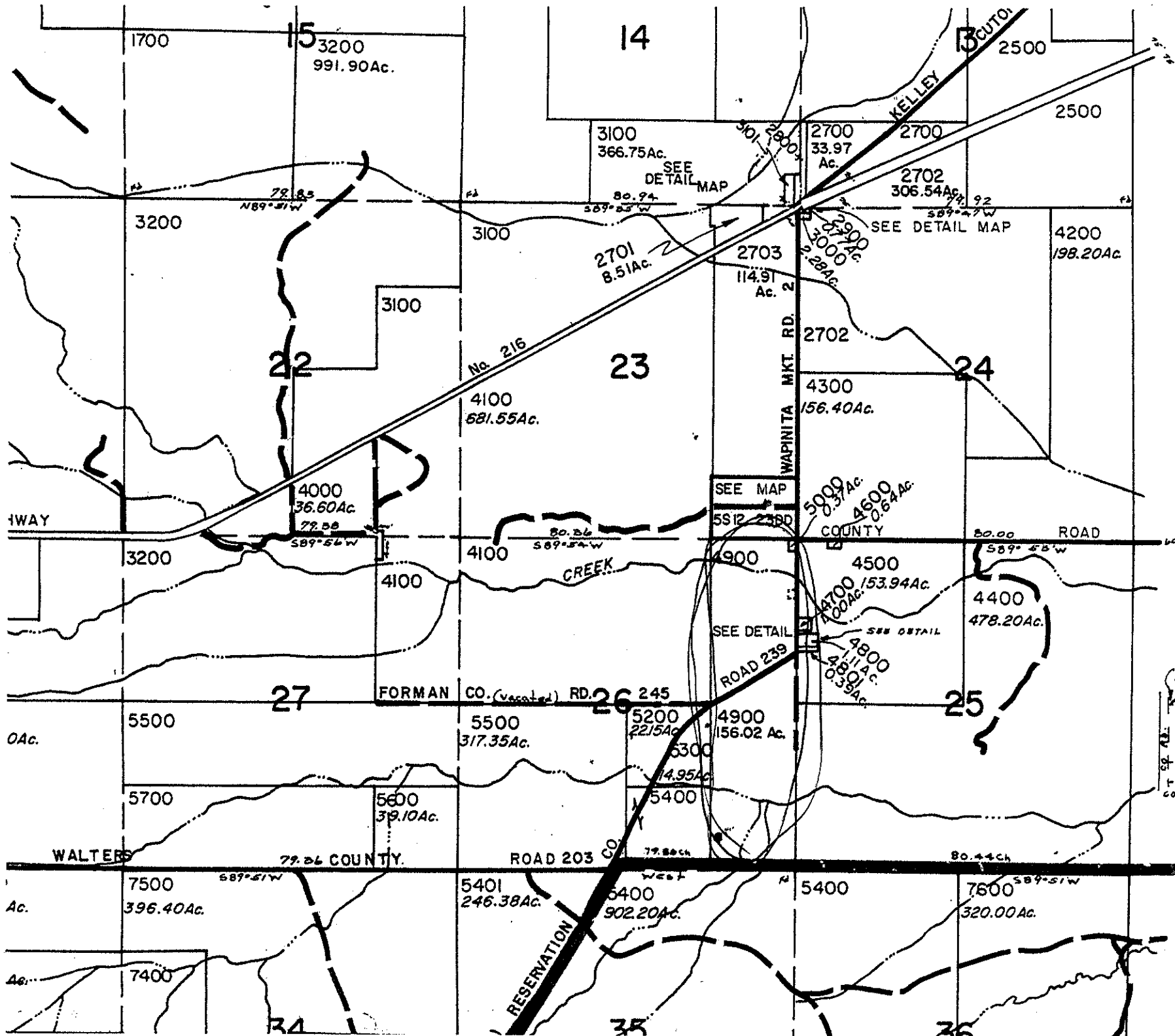
Thank You.


Lisa Silvey

Cc: Manuel and Kathleen Pinheiro, 52801 Reservation Road, Maupin, OR 97037
Robert Wood, District #3 Water Master,
Oregon Water Resources Department, 2705 E. Second Street, The Dalles, OR 97058

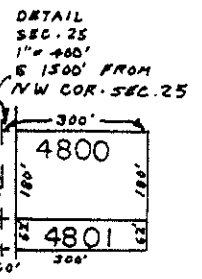
THE SILVAY PURCHASE





SEE MAP 5S 13

EXA-2



STATE OF OREGON

COUNTY OF WASCO

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JUNIPER FLAT DISTRICT IMPROVEMENT COMPANY
53333 RESERVATION ROAD
MAUPIN, OR 97037

confirms the right to use the waters of DIRECT FLOW FROM CLEAR CREEK AND FROG CREEK AND STORAGE OF 1400 ACRE FEET IN CLEAR LAKE RESERVOIR, a tributary of WHITE RIVER, for IRRIGATION OF 2101.64 ACRES, STOCK, AND MAINTENANCE OF STOCK PONDS (5.85 ACRE EQUIVALENTS).

This right was confirmed by decree of the Circuit Court of the State of Oregon for WASCO COUNTY. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 14 & 18, at Page 398 & 252. The date of priority is JULY 1, 1903 FOR DIRECT FLOW FROM CLEAR CREEK AND FROG CREEK, AND AUGUST 19, 1904, FOR STORAGE IN CLEAR LAKE RESERVOIR.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed ONE ACRE FOOT PER ACRE OR ACRE EQUIVALENT DURING ANY 30-DAY PERIOD UP TO JULY 1ST OF EACH YEAR AND NOT TO EXCEED 3 ACRE FEET PER ACRE OR ACRE EQUIVALENT DURING ANY IRRIGATION SEASON; PROVIDED, THAT THE RATE OF FLOW SHALL NOT EXCEED 1/40 OF A SECOND FOOT PER ACRE OR ACRE EQUIVALENT UP TO JULY 1ST OF EACH YEAR AND THEREAFTER NOT TO EXCEED 1/80 OF A SECOND FOOT PER ACRE OR ACRE EQUIVALENT, EXCEPT IN CASE OF ROTATION.

The point of diversion is located as follows:

NE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 34, T. 4 S., R. 9 E., W. M. FROM FROG CREEK; NW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 10, T. 5 S., R. 9 E., W.M. FROM CLEAR CREEK; CLEAR LAKE RESERVOIR DAM IS IN THE SE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 32, T. 4 S., R. 9 E., W.M.

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

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

Exhibit
B-1

<u>QTR/OTR</u>	<u>LOT</u>	<u>ACRES</u>	<u>LANDOWNER</u>
NE/NE	4900	7.20	PINHEIRO
SE/NE	4900	4.80	PINHEIRO
NE/NW	4100	13.50	L. WOODSIDE
NW/NW	4100	21.60	L. WOODSIDE
NW/SE	5200	2.00	BEEBE
SECTION 26			
NE/NE	4100	6.40	L. WOODSIDE
NE/SW	5500	6.00	HAMMER
NW/SW	5500	0.70	HAMMER
NW/SE	5500	2.80	HAMMER
SE/SE	5600	10.00	TOLENTINO
SECTION 27			
NW/NW	6100	0.30	DODGE
SW/SE	6400	1.50	FILBIN
SECTION 29			
SE/SE	6300	11.10	BLAKE
SECTION 30			
NW/NE	6501	18.50	FILBIN
SECTION 32			
NW/NE	7300	12.00	DODGE
NW/NW	6000	18.90	BLAKE

SECTION 33

TOWNSHIP 5 SOUTH, RANGE 12 EAST, W.M.

NE/NE	500	11.60	MAYHEW
SE/SW	600	7.50	LARKIN/INGRAM
SECTION 2			
NE/NW	800	12.90	GABEL & LARKIN
NE/NW	801	20.60	FOSBERG
NW/NW	801	25.20	FOSBERG
NW/NW	900	12.20	GABEL & LARKIN
SW/NW	900	14.90	GABEL & LARKIN
SE/NW	800	20.00	GABEL & LARKIN
NW/SW	1000	1.00	BOTHWELL

SECTION 3

*Exhibit
B-2*

7005 3110 0003 1402 6292

U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage	\$.42
Certified Fee	2.70
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$ 3.12



Sent To: Flagstar Bank FSB
 Street, Apt. No. or PO Box No. 5151 Corporate Drive
 City, State, ZIP+4 Troy MI 48098

PS Form 3800, June 2002 See Reverse for Instructions

Certified Copy to
mortgage (Lein Holder)



LOT BOOK REPORT

Order Number :26427
Fee : \$150.00

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

SEE ATTACHED LEGAL DESCRIPTION

and dated as of September 11, 2008 at 8:00 a.m.

We find that the last deed of record runs to:

Brian D. Silvey and Lisa M. Silvey

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

1. Taxes for the year 2008-09: A lien not yet due and payable.
2. Deed of Trust, subject to the terms and provisions thereof, given to secure an indebtedness with interest thereon:

Dated	:July 9, 2002
Recorded	:July 16, 2002
Microfilm No.	:20023709 (Records of Wasco County, Oregon)
Amount	:\$205,200.00
Grantor	:Brian D. Silvey and Lisa M. Silvey
Trustee	:AmeriTitle
Beneficiary	:Sunset Mortgage

Beneficial interest of the above lien was assigned by an Assignment of Deed of Trust, subject to the terms and provisions thereof:

Recorded	:July 16, 2002
Microfilm No.	:20023710 (Records of Wasco County, Oregon)
Assignee	:Flagstar Bank, FSB

We have also searched our General Index for judgments and state and federal tax liens against the above named grantees and find the following:

None

We also find the following unpaid taxes:

None

REC'D SEP 30 2008

PARCEL 1:

The East half of the East half of Section 26, in Township 5 South of Range 12 East of the Willamette Meridian, SAVE AND EXCEPT that tract conveyed to Mary Elizabeth Barzee by deed recorded in Volume 60 of Wasco County Deed of Records at page 201, described as:

Commencing at the Northeast corner of the Northeast quarter of said Section 26; thence running South 160 feet; thence West 130 feet; thence North 160 feet; thence East 130 feet to the place of beginning, and ALSO SAVE AND EXCEPT that tract conveyed to the United States of America by deed recorded in Volume 76 of Wasco County Deed Records at page 508 and described as beginning at a point 790 feet South of the Northeast corner of said Section 26: running thence West 100 feet; thence South 100 feet; thence East 100 feet; thence North 100 feet to the place of beginning.

EXCEPTING that portion thereof conveyed by deed, from J.C. Cubic and Edina Cubic, husband and wife, and Marian Pennington, a single person, to Wasco County, a political subdivision of the State of Oregon, dated October 24, 1961 and recorded November 3, 1961 in Deed Book 144, page 515.

PARCEL 2:

A tract of land in Wapinitia, Wasco County, Oregon, within the Southeast quarter of Northeast quarter of Northeast quarter, Section 26, Township 5 South, Range 12 East of the Willamette Meridian, more particularly described as follows:

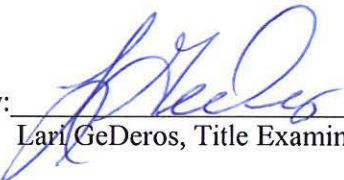
Beginning at a point 790 feet South of the Northeast corner of said Section; thence 100 feet West; thence 100 feet South; thence 100 feet East; thence 100 feet North to the point of beginning.

SUBJECT to a state road located on the East 30 feet of said property.

REGU SEP 00 2008

NOTE: This Lot Book Report is being made with the understanding that it does not represent any form of title insurance and is not a commitment for a policy of insurance. The information provided herein is not a full examination of the subject property. Further, if any person, corporation or entity of any kind should use this report as a basis to produce a title insurance product, it should be understood that it is clearly outside of Oregon law. Any liability hereunder is limited to the amount paid for said report.

AmeriTitle

By:  _____
Lari GeDeros, Title Examiner

"Superior Service with Commitment and Respect for Customers and Employees"

VICTOR

80.12 CH. = 5287.92'

60'

589°31'W

CLAYMIER

REC'D SEP 30 2006

LANE

COMPLIMENTS OF N
AMBRISTE

589°34'W

80.38 CH. = 5305.80'

3700
158.20 AC.

N89°54'W
3600
158.18 AC.
(52)

3400
179.10 AC.
(14)

80.10 CH. = 5286.60'
3300
238.20 AC.
(13)

2700
355.40 AC.
2700A
(26)

This sketch is furnished for information purposes only to assist in property location with references to street and other parcels. No responsibility is made as to the accuracy and the company assumes no liability for any loss occurring as a result of reliance thereon.

2600
225.88 AC.
2500

15

3500
990.20 AC.

14

2800
33.97 AC.

13 WAPINITIA
2600
225.88 AC.

1-4

N89°57'W
79.83 CH. = 5268.78'

80.94 CH. = 5342.40'

3000
3100
(37)
(38)

2600
(31)

PARTITION

3200
366.75 AC.

23

6100
(57)

24

6500
80.00 AC.

PAR. 2

SEE MAP
5S 12 23DD

6200
2900
6300
306.54 AC.
SEE DETAIL MAP

POR P2

22

5900
681.55 AC.

6400
156.40 AC.
(45)

SEE
DETAIL
MAP
EAST
(30)

CS 14-141
WAPINITIA POR P3 RD.

PLAT

PAR. 1

5800
38.30 AC.

589°54'W 80.36 CH. = 5303.76'

6700
156.02 AC.
WAPINITIA
(23)

SEE MAP
5S 12
25B
(46)

79.92 CH. = 5274.72'
CO. RD. 210

98-0022

PAR. 2

7200
317.35 AC.
(11) 27

26

6900
22.15 AC.
(55)

7000
(47)

25

6600
478.20 AC.

RD. 589°51'W

7300
39.10 AC.
(3)

CO. RD. 203

7100
897.75 AC.
WEST
(53)

80.44 CH. = 5309.40'

9400
320.00 AC.

9200
396.40 AC.

79.36 CH. = 5237.76'

9300
246.38 AC.

589°57'W

34

9300
(53)

PARTITION

35 PLAT

36



(WARM SPRINGS) RESERVATION
SEE HWY DRG 88-22-12
547.12' M/L

003-0017

TROY L



Box C Ranch
Manuel and Kathleen Pinheiro
52801 Reservation Rd.
Maupin, OR 97037

(541) 328 - 6363 (message)
(541) 993 - 4171 (cell) Manuel
(541) 993 - 4172 (cell) Kathleen
E-mail - katman@gmail.com

September 26, 2008
5 fax pages.

Application T-10504

Good Morning,

Lisa Silvey just received this from the title company. They did not send it to you just gave it to her.

Hopefully this is what you need to complete your end of the "red tape".

Let me know if there is anything else that we or the Silveys are required to do.

Thanks.

A handwritten signature in cursive script that reads "Kathleen".

Kathleen Pinheiro

Order Number: 0026427

Page 1



Serving Wasco & Sherman Counties

LOT BOOK REPORT

Order Number :26427

Fee : \$150.00

We have searched our Tract Indices as to the following described property:***SEE ATTACHED LEGAL DESCRIPTION*****and dated as of September 11, 2008 at 8:00 a.m.****We find that the last deed of record runs to:*****Brian D. Silvey and Lisa M. Silvey*****We also find the following apparent encumbrances within ten years prior to the effective date hereof:**

1. Taxes for the year 2008-09: A lien not yet due and payable.
2. Deed of Trust, subject to the terms and provisions thereof, given to secure an indebtedness with interest thereon:

Dated	:July 9, 2002
Recorded	:July 16, 2002
Microfilm No.	:20023709 (Records of Wasco County, Oregon)
Amount	:\$205,200.00
Grantor	:Brian D. Silvey and Lisa M. Silvey
Trustee	:AmeriTitle
Beneficiary	:Sunset Mortgage

Beneficial interest of the above lien was assigned by an Assignment of Deed of Trust, subject to the terms and provisions thereof:

Recorded	:July 16, 2002
Microfilm No.	:20023710 (Records of Wasco County, Oregon)
Assignee	:Flagstar Bank, FSB

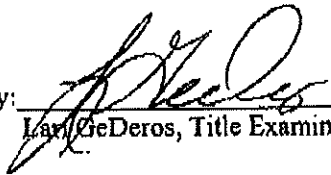
We have also searched our General Index for judgments and state and federal tax liens against the above named grantees and find the following:**None****We also find the following unpaid taxes:****None**

Page 2

NOTE: This Lot Book Report is being made with the understanding that it does not represent any form of title insurance and is not a commitment for a policy of insurance. The information provided herein is not a full examination of the subject property. Further, if any person, corporation or entity of any kind should use this report as a basis to produce a title insurance product, it should be understood that it is clearly outside of Oregon law. Any liability hereunder is limited to the amount paid for said report.

AmeriTitle

By:


Larry GeDeros, Title Examiner

"Superior Service with Commitment and Respect for Customers and Employees"

Page 3

PARCEL 1:

The East half of the East half of Section 26, in Township 5 South of Range 12 East of the Willamette Meridian, SAVE AND EXCEPT that tract conveyed to Mary Elizabeth Barzee by deed recorded in Volume 60 of Wasco County Deed of Records at page 201, described as:

Commencing at the Northeast corner of the Northeast quarter of said Section 26; thence running South 160 feet; thence West 130 feet; thence North 160 feet; thence East 130 feet to the place of beginning, and ALSO SAVE AND EXCEPT that tract conveyed to the United States of America by deed recorded in Volume 76 of Wasco County Deed Records at page 508 and described as beginning at a point 790 feet South of the Northeast corner of said Section 26: running thence West 100 feet; thence South 100 feet; thence East 100 feet; thence North 100 feet to the place of beginning.

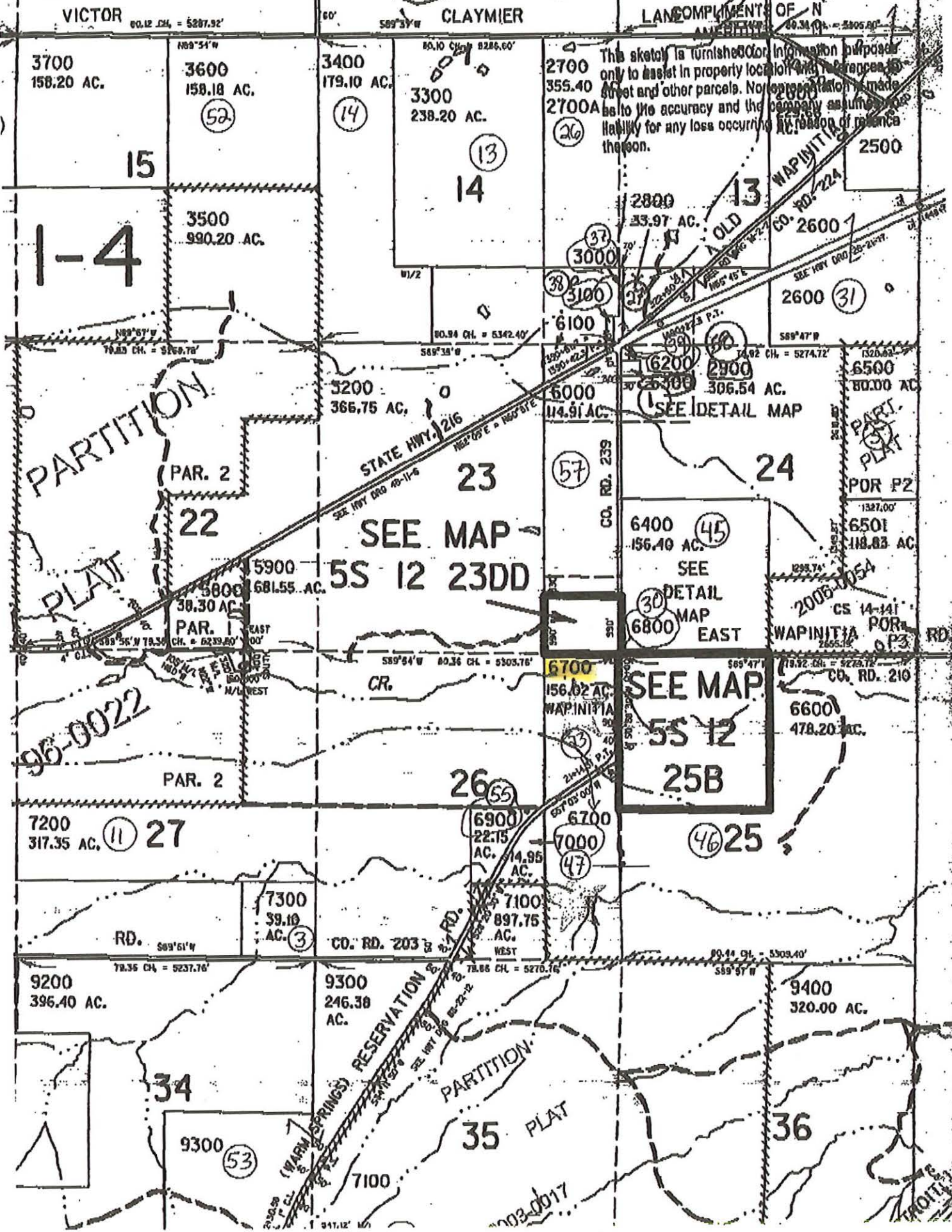
EXCEPTING that portion thereof conveyed by deed, from J.C. Cubic and Edina Cubic, husband and wife, and Marian Pennington, a single person, to Wasco County, a political subdivision of the State of Oregon, dated October 24, 1961 and recorded November 3, 1961 in Deed Book 144, page 515.

PARCEL 2:

A tract of land in Wapinitia, Wasco County, Oregon, within the Southeast quarter of Northeast quarter of Northeast quarter, Section 26, Township 5 South, Range 12 East of the Willamette Meridian, more particularly described as follows:

Beginning at a point 790 feet South of the Northeast corner of said Section; thence 100 feet West; thence 100 feet South; thence 100 feet East; thence 100 feet North to the point of beginning.

SUBJECT to a state road located on the East 30 feet of said property.



VICTOR
60.12 CH. = 5287.92'

CLAYMIER

LANE COMPLIMENTS OF N AMERIT

3700
158.20 AC.

3600
158.18 AC.

3400
179.10 AC.

3300
238.20 AC.

2700
355.40 AC.
2700A

This sketch is furnished for information purposes only to assist in property location with reference to street and other parcels. No representation is made as to the accuracy and the company assumes no liability for any loss occurring as a result of reliance thereon.

15

14

13

1-4

3500
990.20 AC.

2800
33.97 AC.

2500

2600

2600

PARTITION
PLAT

5200
366.75 AC.

6100

6200

6500
80.00 AC.

STATE HWY. 216

23

24

SEE MAP
5S 12 23DD

6400
156.40 AC.

SEE
DETAIL
MAP
EAST

6501
118.83 AC.

PAR. 2
22

5900
681.55 AC.

SEE MAP
5S 12
25B

6700
156.02 AC.

6600
478.20 AC.

96-0022

PAR. 2

26

25

7200
317.35 AC.

6900
22.15 AC.

7000

RD. 589'61'W

7300
59.10 AC.

CO. RD. 203

7100
897.75 AC.

9200
396.40 AC.

9300
246.38 AC.

9400
320.00 AC.

34

35

36

9300

7100

WARM SPRINGS RESERVATION

PARTITION

PLAT

003-0017

Ken Dowden

From: Ken Dowden
Sent: Friday, September 26, 2008 12:29 PM
To: 'Kathleen and Manuel Pinheiro'
Subject: Lot Book Report
Attachments: Div 380-4010.doc; notification to lien holder.doc

Hi Kathleen,

I received the faxed copy of the Lot Book Report and see that there is a lien and the beneficial interest was assigned to the:

FLAGSTAR BANK, FSB

As per the attached administrative rule dealing with transfers, required is that the Silveys "notify" the lienholder/bank of this transfer.

The other attached document is an example of such a notice. The Silveys must provide me with the proof that this notice was sent. This is usually done by a one sentence statement that you mailed it out on such and such a date, and recommend highly "CERTIFIED MAIL", and attach a copy/receipt of that certified mailing to the statement you send in.

Sorry for the inconvenience, but lien holders must be notified, if there is one.

Also, as left in the voice mail message, please send in the original Lot Book Report, and please keep a copy for your records.

Thanks for your patience here.

Ken Dowden
N.C. Region Transfer Specialist
Oregon Water Resources Department
116 S.E. Dorion Ave.
Pendleton, Oregon 97801
ph# (541) 278-5456



Please think before you print.

September 26, 2008

ABC Mortgage Company
141414 Main Street
Somewhere, OR 97801

REFERENCE: Water Right Transfer (T-10504) for Brian D. and Lisa M. Silvey

To Whom It May Concern:

We are the owners of land involved in a water right transfer application that proposes to change the place of use of portions of Juniper Flat District Improvement Co. water rights to across the road. Our property is located on tax lot 6700 in the E½ of the NE¼ of Section 26, Township 5 South, Range 12 East, WM, Wasco County, Oregon.

Consistent with Oregon Administrative Rule (OAR) 690-380-4010 (5), we are required to notify in writing any lien holder that may have an interest in the property involved in the transfer.

If you have any questions, you may contact us at (541) ____ - ____, or you may contact Ken Dowden, Transfer Specialist, with the Oregon Water Resources Department at (541) 278-5456.

Sincerely,

Brian D. and Lisa M. Silvey

690-380-4010 Preliminary Determination

- (1) After the conclusion of the public comment period described in OAR 690-380-4000(4), the Department shall prepare a preliminary determination of whether the application should be approved or denied taking into account comments received in response to the notice provided under OAR 690-380-4000 and the considerations described in section (2) of this rule.
- (2) The Department's preliminary determination shall include an assessment of whether:
 - (a) The right has been used over the past five years according to the terms and conditions of the right and that the right is not subject to forfeiture under ORS 540.610;
 - (b) The water user is ready, willing and able to use the full amount of water allowed under the right;
 - (c) The proposed transfer would result in enlargement;
 - (d) The proposed transfer would result in injury; and
 - (e) Any other requirements for water right transfers are met.
- (3) For a preliminary determination that indicates that an application should be denied, the preliminary determination shall:
 - (a) Describe the basis for the denial; and
 - (b) Identify any conditions or restrictions that, if included in the transfer, would allow approval of the transfer.
- (4) The Department shall provide a copy of the draft preliminary determination to the applicant and provide the applicant a period of at least 30 days to amend the application to address any issues identified by the Department in the preliminary determination, including the quantity of water to be transferred, or to withdraw the application.
- (5) For permanent transfers under OAR 690-380-2000, upon receipt of the draft preliminary determination, an applicant other than an entity that meets the criteria described in OAR 690-380-3000(13)(b) or (c) shall submit the following information to demonstrate that the applicant is authorized to pursue the transfer:
 - (a) A report of ownership and lien information as defined in OAR 690-380-0100(10) for the land to which the water right is appurtenant that has been prepared within the prior three months;
 - (b) A copy of a written notification of the proposed transfer provided by the applicant to all lien holders on the subject lands *unless* the report on ownership and lien information shows that a water right conveyance agreement has been recorded for the subject lands; and
 - (c) If the landowner identified in the report of ownership and lien information is not the applicant, a notarized statement consenting to the transfer by the landowner identified in the report or an authorized representative of the entity to whom the interest in the water right has been conveyed as identified in a water right conveyance agreement or other documentation demonstrating that the applicant is authorized to pursue the transfer in the absence of the consent of the landowner.
- (6) The draft preliminary determination shall constitute the notification of the Department's intent to cancel a supplemental right required under OAR 690-380-2250.
- (7) If the applicant amends the application or provides additional information in support of approval of the application, the Department shall revise the draft preliminary determination as appropriate.

Stat. Auth.: ORS 536.025 & 536.027

Stats. Implemented: ORS 540.510 - 540.532

Hist.: WRD 2-2003, f & cert. ef. 5-1-03; WRD 8-2004, f. & cert. ef. 11-5-04; WRD 5-2006, f. & cert. ef. 10-6-06

Ken Dowden

From: Ken Dowden
Sent: Wednesday, October 15, 2008 12:02 PM
To: 'Kathleen and Manuel Pinheiro'
Subject: RE: T-10504

Hi Kathleen, I have searched my e-mail and looked into the file again and do not see this "proof of notice" sent in by Lisa.....

Please have her re-submit it again if possible, but prefer that she follow up by sending it in the mail as well.

Thanks Kathleen for being the go-between.

From: Kathleen and Manuel Pinheiro [mailto:katnman@gmail.com]
Sent: Wednesday, October 15, 2008 10:15 AM
To: Ken Dowden
Subject: Re: T-10504

Good Morning,
Lisa said she emailed you a copy of proof that she sent a letter to Flagstar Bank.
How are things progressing now?
Again thanks for your time on this.
Kathleen Pinheiro

On Fri, Oct 10, 2008 at 8:31 AM, Ken Dowden <dowdenkd@wrд.state.or.us> wrote:
It appears that we are still awaiting the proof of notice to the lien holder (Flagstar Bank).

From: Kathleen and Manuel Pinheiro [mailto:katnman@gmail.com]
Sent: Thursday, October 09, 2008 4:28 PM
To: Ken Dowden
Subject: T-10504

Hello,
Just checking in to see how application is going.
Thanks for your time.
Kathleen Pinheiro

Ken Dowden

From: Kathleen and Manuel Pinheiro [katnman@gmail.com]
Sent: Saturday, November 01, 2008 9:35 PM
To: Ken Dowden
Subject: Re: T-10504

T-10504
 Hello Ken,
 As far as Lisa sending the certified letter to you I really don't know all I have is what she said she did.

But hopefully this letter will clarify the agreement between Lisa and Brian Silvey and myself related to the original 12-acre water rights.

In 2002 I owned both tax lots in Wapinitia and due to a divorce settlement one-tax lot and 6 acre water rights were sold to Brian and Lisa Silvey. At that time the irrigation district did not foresee a problem with my 6-acre water rights staying on the Silvey side as I was farming their field until my field was ready.

During this period of time I paid the irrigation district for my 6 shares and the Silvey's paid for their 6 shares. I have filed for the transfer for the 6 acres that I own to be located in my field adjacent to their property formally my property.

During this period, the Juniper Flat Irrigation District has acknowledged this move and also we had Bruce Estes survey the location to which the water will be located. All this information has been forwarded to you. The Silverys cannot tell their bank that they are transferring 6 acres to us as they only have 6 acres not 12 acres on their contract.

I hope this clarifies the mix-up so you can progress on the transfer.

Please keep me informed how things are progressing.

Sincerely
 Manuel Pinherio

On Wed, Oct 29, 2008 at 1:39 PM, Ken Dowden <dowdenkd@wrd.state.or.us> wrote:
 Hmmm, I was gone yesterday, but the mail just came, and received nothing.....

When did she send it?

From: Kathleen and Manuel Pinheiro [mailto:katnman@gmail.com]
Sent: Tuesday, October 28, 2008 2:53 PM
To: Ken Dowden
Subject: T-10504

Hello Ken,
 Here I am again,
 How are things progressing now. Lisa said she sent you the copy you needed.
 Kathleen



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 30, 2007

Manuel Pinheiro
52801 Reservation Road
Maupin, Oregon 97037

RE: Water Right Transfer Application for Brian and Lisa Silvey

The department received the water right transfer application on October 25, 2007 with a check in the amount of \$350.00. We are unable to accept this application at this time. The reasons are listed below.

1. A separate Supplemental Form A must be completed for each certificate, even if it is the supplemental water right. On the A-1 supplemental form you included both 77326 and supplemental 76969 certificates on one form. I have enclosed two additional forms for you to complete with each water right certificate on one form each.
2. Because Brian and Lisa Silvey are the named applicants for this water right transfer, they must sign the application on page 6.
3. The fees for this transfer application will be \$600.00. The base fee for one change is \$400.00 plus any additional water right certificate associated with the land being transferred, including supplemental is an additional \$200.00. Therefore, this water right transfer application will need an additional \$250.00 submitted with the original check.
4. **Please review the entire new application and make sure that every line is answered or "N/A" is applied. Incomplete applications will be returned.**

We are returning the application and check to Manuel Pinheiro. You may re-submit the application once these items have been fixed. If you have any questions, please contact me at 503-986-0883.

Sincerely,

Sarah Henderson
Executive Support

Cc: Bob Wood, Watermaster
Brian & Lisa Silvey, Applicants
Bruce Estes, Agent
Fiscal

RECEIVED

DEC 19 2007

WATER RESOURCES DEPT
SALEM, OREGON

1 10504



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

COPY

January 4, 2008

BRIAN & LISA SILVEY
52802 RESERVATION ROAD
MAUPIN, OR 97037

Reference: Transfer 10504

On December 19, 2007 we received your water right transfer application requesting place of use. The application was accompanied by \$600.00. Our receipt 90986 90987 is enclosed.

By copy of this letter, we are asking the Watermaster for a 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. A number of other transfer applications are also awaiting review. As a result, it may be some time before we are able to process your application. If you wish to have your application processed more quickly, you may want to consider use of the Department's reimbursement authority. Under this authority an applicant may receive expedited review by paying the full cost for a pre-qualified contractor to process the applications. For more information on the Reimbursement Authority program, see our website at http://www.wrd.state.or.us/OWRD/mgmt_reimbursement.shtml or call the transfer section.

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 # 3
CWRE # 1
Juniper Flat District Improvement Co.
Bruce Estes
Wasco County
Manuel Pinheiro
File

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
12/25/07**

The Department seeks comment on the recently-filed application listed below. Any person may comment on the application. Comments must be received by the Department within 30 days of the date of this notice. The Director may presume that the transfer would be allowed by, and compatible with comprehensive plans unless an affected local government informs the Director otherwise within 30 days of this notice.

County: WASCO
Transfer: 10504
Water Right: CERT 77326,76969
Priority Date: 1903,1904,1915
Name: BRIAN AND LISA SILVEY
Address: 52802 RESERVATION RD MAUPIN OR 97037
Change: POU
Source: CLEAR CR/FROG CR/CLEAR LK RES
Authorized POU: T5S R12E 26
Proposed POU: T5S R12E 25

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

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

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

Any person who provides comments within the comment period will receive a copy of the Department's preliminary determination of whether the application should be approved or rejected after the Department has completed a review of the application and will be provided an opportunity to protest the application and preliminary determination at that time. Comments should be sent to the Transfers Section at the Department's Salem office.

T-10504

ORIGINALS

Transfer Application and Map ✓

Amendments/Revisions to Appl & Map

Receipt ✓

~~Deed or Lot Book Report~~

ROLL

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

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

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

RECEIPT # **90987**

INVOICE # _____

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

RECEIVED FROM: <u>Manuel Pinheiro</u>	APPLICATION
BY: <u>Kathleen Ladiges-Pinheiro</u>	PERMIT
	TRANSFER <u>T-10504</u>
CASH: <input type="checkbox"/> CHECK:# _____ OTHER: (IDENTIFY) _____	TOTAL REC'D \$ <u>250.00</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 RECORD FEE \$
0205 TRANSFER	\$ <u>250.00</u>	

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR	EXAM FEE \$	0219 LICENSE FEE \$
LANDOWNER'S PERMIT		0220 LICENSE FEE \$
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: **90987**

DATED: 12/19/07 BY: [Signature]

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

**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 # **90986**

INVOICE # _____

RECEIVED FROM: <u>Manuel Pinheiro</u>	APPLICATION
BY: <u>Kathleen Ladiges-Pinheiro</u>	PERMIT
	TRANSFER <u>T-10504</u>
CASH: <input type="checkbox"/> CHECK: # <u>1507</u> <input checked="" type="checkbox"/> OTHER: (IDENTIFY) _____	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 \$
0203 GROUND WATER	EXAM FEE 0204 \$
0205 TRANSFER	EXAM FEE \$ <u>350.00</u>
WELL CONSTRUCTION	
0218 WELL DRILL CONSTRUCTOR	EXAM FEE 0219 \$
LANDOWNER'S PERMIT	0220 \$
OTHER (IDENTIFY) _____	

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

RECEIPT: **90986** DATED: 12/19/07 BY: L. Parille

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



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

Application for Water Right Transfer

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "N/A" to indicate "Not Applicable." As you complete this form, please refer to notes and guidance included on the application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

1. TYPE OF TRANSFER APPLICATION

Please check one

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

2. APPLICANT INFORMATION

Name: Brian & Lisa Silvey
First Last

Address: 52802 Reservation Rd,
Maupin, OR 97037
City State Zip

Phone: _____
Home Work Other

Fax: _____ E-Mail address: _____

RECEIVED

OCT 25 2007

WATER RESOURCES DEPT
 SALEM, OREGON

3. AGENT INFORMATION

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

Name: Bruce Estes, Estes Surveys, LLC
First Last

Address: 60382 Arnold Mkt. Rd,
Bend OR 97702
City State Zip

Phone: _____
Home Work Other

Fax: _____ E-Mail address: estesurveysllc@msu.com

ORIGINAL

he following:
 copies of correspondence to Applicant; or
 ce to Applicant. Send copies of correspondence to Agent.

RECEIVED

DEC 19 2007

WATER RESOURCES DEPT
 SALEM, OREGON

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

- List **all** water rights to be affected by this transfer. Indicate the certificate, permit, decree or other identifying number(s) in the table below: *(Attach additional pages as necessary.)*

	Application / Decree	Permit / Previous Transfer	Certificate
1.	White River		77326
2.	Clear ³²⁰⁴⁴ Lake Res.	25275	76969 Supplemental
3.			
4.			
5.			
6.			

- Attach a separate Supplemental Form A (Description of Proposed Change(s) to a Water Right) for **each** water right listed above.
- Check **all** proposed change(s) included in this transfer application:
 - Place of Use Point of Diversion Additional Point of Diversion
 - Character of Use Point of Appropriation Additional Point of Appropriation
 - Instream Transfer Surface Water source to Ground Water source
- Reason(s) for change(s): _____

5. WATER DELIVERY SYSTEM

- Describe the **current** water delivery system **or** the system that **was in place** at some time **within the last 5 years**. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. If the transfer involves multiple rights that have independent systems, describe each system separately.

The description must be sufficient to demonstrate that the full quantity of water to be transferred can be conveyed from the authorized source and applied at the authorized location and that the applicant is ready, willing, and able to exercise the right.

Direct delivery from Juniper Flat Dist.
Improvement Co main canal south of Wapinitia
Creek. Gravity irrigation on farm

- System capacity: 0.5 cubic feet per second (cfs). If the transfer involves multiple rights that have independent systems, describe the capacity for each system separately.

6. EVIDENCE OF BENEFICIAL WATER USE

- Attach one or more **Evidence of Use Affidavits** (Supplemental Form B) demonstrating that each of the right(s) involved in the transfer have been exercised in the last five years in accordance with the terms and conditions of the right or that a presumption of forfeiture for non-use could be rebutted. The Evidence of Use Affidavit(s) **must include supporting documentation** such as the following:
 - ▶ Copies of receipts from sales of irrigated crops or for expenditures relating to use of water;
 - ▶ Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers;
 - ▶ Dated aerial photographs of the lands or other photographs containing sufficient detail to establish location and date of the photograph; *or*
 - ▶ If the right has **not** been used during the past five years, documentation that the presumption of forfeiture would be rebutted under ORS 540.610(2).

7. AFFECTED DISTRICTS AND LOCAL GOVERNMENTS

- Are any of the water rights proposed for transfer located within or served by an irrigation or other water district? Yes No
- Will any of the water rights be located within or served by an irrigation or other water district after the proposed transfer? Yes No
- Is water for any of the rights supplied under a water service agreement or other contract for stored water with a federal agency or other entity? Yes No

If "Yes", for any of the above, list the name and mailing address of the district, agency and/or entity:

Juniper Flat District Improvement Co.
82529 Hwy 216
Maupin, OR 97037

- 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).

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9. ATTACHMENTS

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

Supplemental Form A –

Description of Proposed Change(s) to a Water Right

A separate Supplemental Form A is enclosed for each water right to be affected by this transfer.

Supplemental Form B – Evidence of Use Affidavit(s)

At least one Evidence of Use Affidavit documenting that the right has been used during the last five years or that the right is not subject to forfeiture under ORS 540.610 is attached. **The affidavit provided must be the original (not a copy), and**

The Evidence of Use Affidavit must be accompanied by supporting documentation.

Map

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.

Temporary Transfer or Historical POD Change
A map meeting the requirements of OAR 690-380-3100 must be included but need not be prepared by a Certified Water Right Examiner.

Water Well Report(s)/Well Log(s):

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.

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.

N/A. The application does not involve a change in point of appropriation or a change from surface water to ground water, so water well reports are not required.)

Land Use Information Form:

Enclosed; *or*

Not Required if all of the following are met:

- Ⓛ In EFU zone or irrigation district,
- Ⓜ Change in place of use only,
- Ⓨ No structural changes needed, including diversion works, delivery facilities, other structures, *and*
- Ⓩ Irrigation only.

Fees:

Amount enclosed: \$ _____
See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0900.

Instream Water Right Transfers, also include: N/A

Supplemental Form C –

Instream Water Right Transfer

Complete this form to describe the desired nature and attributes for the proposed instream water right.

Temporary Transfers, also include:

Recorded Deed:

The applicant must submit a copy of the current deed of record for the land from which the authorized place of use or point of diversion/appropriation is being moved.

Affidavit of Consent:

If the applicant is **NOT** the owner of record for the land from which the authorized place of use or point of diversion/appropriation is being moved, a notarized statement from the actual owner of record consenting to the proposed transfer must be submitted.

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Before submitting your application to the Department, be sure you have:

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

10. SIGNATURES

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




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

- (a) A report of ownership and lien information that has been prepared by a title company *within the last three months*;
- (b) A copy of written notification of the proposed transfer provided by the applicant to all lien holders on the subject lands unless the report of ownership and lien information shows that a water right conveyance agreement has been recorded for the subject lands. *If a water right conveyance agreement has been recorded for the subject lands, a copy of the agreement and identification of the owner of the lands at the time the agreement was recorded must be submitted; and*
- (c) If the landowner identified in the report of ownership and lien information is not the applicant, a notarized statement consenting to the transfer (*attached*) signed by the landowner identified in the report or an authorized representative of the entity to whom the interest in the water right has been conveyed as identified in a water right conveyance agreement or other documentation demonstrating that the applicant is authorized to pursue the transfer in the absence of the consent of the landowner.

I (we) affirm that the applicant is a municipality, as defined in ORS 540.510(3)(b), and that the right is in the name of the municipality or a predecessor. Therefore, pursuant to OAR 690-380-3000(13)(b), the applicant is NOT required to provide the above described report of ownership and lien information.

I (we) affirm that the applicant is an entity with the authority to condemn property and is acquiring the property to which the water right proposed for transfer is appurtenant by condemnation. Documentation is provided with this application supporting this statement. Therefore, pursuant to OAR 690-380-3000(13)(c), the applicant is NOT required to provide the above described report of ownership and lien information. (*NOTE: Such an entity may only apply for a transfer under this subsection if it has filed a condemnation action to acquire the property.*)

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

 applicant signature	Manuel D. Pinheiro name (print)	10/23/07 date
 applicant signature	Lisa Silvey name (print)	12-15-07 date
 applicant signature	Brian Silvey name (print)	12/15/07 date

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

List only one water right per page. A separate Supplemental Form A must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

■ Certificate Number or other identifying number: <u>77326</u>
--

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

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

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2. CURRENT WATER RIGHT INFORMATION

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

<input type="checkbox"/> Certificated Right	<u>77326</u> Certificate Number	<u>White River</u> Permit Number or Decree Name
<input type="checkbox"/> Adjudicated, Non-certificated Right	_____ Name of Decree	_____ Page Number
<input type="checkbox"/> Permit for which Proof has been Approved	_____ Permit Number	_____ Date Claim of Beneficial Use Submitted
<input type="checkbox"/> Transferred Right for which Proof has been Filed	_____ Previous Transfer Number	_____ Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: Juniper Flat Dist. Improvement Co.
- County: Wasco
- Authorized Use(s) to be Affected by Transfer: irrigation
- Priority Date(s): 7/1/1903 & 8/19/1904

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

- Source(s) of Water to be Affected by Transfer: Clear Creek,
Frog Creek & Clear Lake Res.
- Tributary to: White River

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

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

- Are there **Other Water Rights**, Permits or Ground Water Registrations associated with this land?
 Yes No N/A – No Change in Place of Use or Character of Use

If "Yes", what are the Permit, Registration or Certificate Numbers? 76969

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

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WATER RIGHTS DIVISION
 1110 S. W. 5TH AVENUE
 PORTLAND, OREGON 97204

▪ Certificate Number or other identifying number: 77326

The following information **must be provided only** for those points of diversion or appropriation that are involved in the transfer (i.e., list only the portion of the water right you propose to transfer.) Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below **only** if the information is reflected on the existing water right.

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed: *NA*
 (i.e., the allowed point(s) of diversion or appropriation listed on the water right that will be affected by the proposed transfer, the "FROM" point(s) of diversion or appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-_____)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)

- Does the water right being transferred involve a ground water source(s)?
 Yes No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

A. Supply a copy of the well log(s) for each point of appropriation that is **clearly labeled** and associated with the corresponding well in the table above and on the accompanying application map. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)

or

B. If a well log is **not** available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.

Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no well log is available.)

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

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth

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▪ Certificate Number or other identifying number: 77326

3. PROPOSED CHANGES TO THE WATER RIGHT

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

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

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

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

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

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

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

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

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

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

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth

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Water Right Transfer Supplemental Form A

DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

List only **one** water right per page. A **separate Supplemental Form A** must be completed for **each** certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

■ Certificate Number or other identifying number: <u>76969</u>
--

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

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

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2. CURRENT WATER RIGHT INFORMATION

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

<input type="checkbox"/> Certificated Right	<u>76969</u> Certificate Number	<u>25275</u> Permit Number or Decree Name
<input type="checkbox"/> Adjudicated, Non-certificated Right	_____ Name of Decree	_____ Page Number
<input type="checkbox"/> Permit for which Proof has been Approved	_____ Permit Number	_____ Date Claim of Beneficial Use Submitted
<input type="checkbox"/> Transferred Right for which Proof has been Filed	_____ Previous Transfer Number	_____ Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: Juniper Flat Dist. Imp. Co.
- County: Wasco
- Authorized Use(s) to be Affected by Transfer: irrigation
- Priority Date(s): 11/1/1915

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

- Source(s) of Water to be Affected by Transfer: Clear Lake Res

Tributary to: White River

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

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

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

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

If "Yes", what are the Permit, Registration or Certificate Numbers? 77326

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

▪ Certificate Number or other identifying number: 76969

The following information **must be provided only** for those points of diversion or appropriation that are involved in the transfer (i.e., list only the portion of the water right you propose to transfer.) Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed: NA
(i.e., the allowed point(s) of diversion or appropriation listed on the water right that will be affected by the proposed transfer, the "FROM" point(s) of diversion or appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-___)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)

- Does the water right being transferred involve a ground water source(s)?
 Yes No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

- A. Supply a copy of the well log(s) for each point of appropriation that is clearly labeled and associated with the corresponding well in the table above and on the accompanying application map. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)
- or
- B. If a well log is **not** available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.

Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no well log is available.)
Wells in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map. NA

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth

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▪ Certificate Number or other identifying number: 76969

3. PROPOSED CHANGES TO THE WATER RIGHT

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

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

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

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

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

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

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

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

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

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

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth

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

List only one water right per page. A separate Supplemental Form A must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

▪ Certificate Number or other identifying number: 77326 & 76969 (supplemental)

I. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

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




2. CURRENT WATER RIGHT INFORMATION

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

<input checked="" type="checkbox"/> Certificated Right	<u>77326</u> Certificate Number	<u>White River</u> <u>25275</u> Permit Number or Decree Name
<input type="checkbox"/> Adjudicated, Non-certificated Right	_____ Name of Decree	_____ Page Number
<input type="checkbox"/> Permit for which Proof has been Approved	_____ Permit Number	_____ Date Claim of Beneficial Use Submitted
<input type="checkbox"/> Transferred Right for which Proof has been Filed	_____ Previous Transfer Number	_____ Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: Juniper Flat Dist. Improvement Co.
- County: Wasco
- Authorized Use(s) to be Affected by Transfer: irrigation
- Priority Date(s): C-77326 7/1/1903 & 8/19/1904 C-76969 11/11/1915

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

- Source(s) of Water to be Affected by Transfer: C-77326 - Clear Creek, Frog Creek & Clear Lake Res. C-76969 - Clear Lake Res.

Tributary to: White River

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

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

- Are there **Other Water Rights, Permits or Ground Water Registrations** associated with this land?
 Yes No N/A - No Change in Place of Use or Character of Use

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

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

▪ Certificate Number or other identifying number: 77326 & 76969

The following information **must be provided only** for those points of diversion or appropriation that are involved in the transfer (i.e., list only the portion of the water right you propose to transfer.) Attach additional pages as necessary.

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed: NA
(i.e., the allowed point(s) of diversion or appropriation listed on the water right that will be affected by the proposed transfer, the "FROM" point(s) of diversion or appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-____)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)

▪ Does the water right being transferred involve a ground water source(s)?

Yes No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

A. Supply a copy of the well log(s) for each point of appropriation that is **clearly labeled** and associated with the corresponding well in the table above and on the accompanying application map. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)

or

B. If a well log is **not** available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.

Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no well log is available.)
Wells in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map. **NA**

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth

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▪ Certificate Number or other identifying number: 77326 & 76969

3. PROPOSED CHANGES TO THE WATER RIGHT

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

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

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

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

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

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

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

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

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

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

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
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▪ Certificate Number or other identifying number: 77326 & 76969

Describe proposed changes to the water right involving place of use. Information described below should accurately correspond to the proposed place of use shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Place of Use: (i.e., the "TO" lands) N/A - Instream Water Right Transfer
(NOTE: Complete this table only if a Change in Place of Use is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
Clean Co, Frog Co & Clear Lake Res 1903, 1904 & 1915	5S	12E		25	SWNW	100	60

Remarks: C-77326 & C-76969 both listed on this supplemental form A because they are inseparable and cover the same land.

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

State of Oregon)
County of Wasco) ss

1. Lisa Silvey, in my capacity as owner
mailing address 52802 Reservation Rd, Maupin, OR 97037
telephone number (541) 328-6369, being first duly sworn depose and say:

1. I attest that:

- Water was used during the previous five years on the entire authorized place of use of the water right proposed for transfer as described on the accompanying transfer application, or
- The water right was leased instream at some time within the last five years. The instream lease number is as follows: _____; or
- The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.

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

- Personal observation
- Professional expertise

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

Township	Range	Mer.	Sec.	¼ ¼ Section	Gov't Lot or DLC	Acres (if applicable)
5 S	12 E		26	NENE		5 ³
5 S	12 E		26	SENE		0 ⁷

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

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4. The water right was exercised for the authorized purpose described below (e.g., crops grown):
irrigation of hay & pasture

5. The water delivery system used to apply water as authorized by the right is described below:
Gravity irrigation to land near JFDI Co. ditch/
canal and piped to land north of Wapinitia Co.

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

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

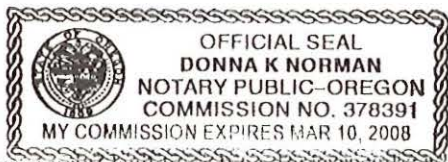
Arza Silvey
Signature of Affiant

6-26-07
Date

Signed and sworn to (or affirmed) before me this 26th day of JUNE, 20 07

State of Oregon, County of Wasco.

Donna K. Norman
Notary Public for Oregon



My Commission Expires: March 10, 2008

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

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

State of Oregon)
County of Wasco) ss

I, Manuel Pinheiro, in my capacity as former owner of Silver place,
mailing address 52801 Reservation Rd., Maupin, OR 97037
telephone number (541) 328-6363, being first duly sworn depose and say:

1. I attest that:

- Water was used during the previous five years on the entire authorized place of use of the water right proposed for transfer as described on the accompanying transfer application; or
- The water right was leased instream at some time within the last five years. The instream lease number is as follows: _____; or
- The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.

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

- Personal observation
- Professional expertise

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

Township	Range	Mer	Sec	¼ ¼ Section	Gov't Lot or DLC	Acres (if applicable)
5 S	12 E		26	NENE		53
5 S	12 E		26	SENE		07

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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 hay & pasture

5. The water delivery system used to apply water as authorized by the right is described below:

Gravity irrigation to land near J.F.D.I.Co ditch/
canal and piped to land north of Wapinitra Co.

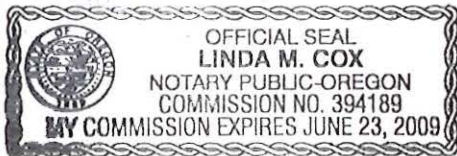
6. One or more of the following documentation supporting the above statements is attached:

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

[Signature]
Signature of Affiant

6-13-07
Date

Signed and sworn to (or affirmed) before me this 13 day of June, 2007



[Signature]
Notary Public for Oregon

My Commission Expires: June 23 2009

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

Juniper Flat District Improvement Co. Inc.
82529 Hwy 216
Maupin, Or. 97037
541-395-9705

September 7, 2007

Mr. Pinheiro:

The Board of Directors has come to a conclusion on your request for the move of water from the present location to the new location described in your application.

We have approved this change subject to the following conditions:

1. The property owner will be responsible for 2 head gates and a JFDIC approved measuring devise to measure water going onto the property. Access to water must be delivered through the head gates and measuring devise.
2. The property owner will be responsible for all ditches, ponds and other means of using the water on his/her own property, excluding the delivery ditch.
3. Juniper Flat District Improvement will have access to the ditch delivering water to the said property.
4. Juniper Flat District Improvement will be responsible for maintaining and repairing the ditch delivering water to the property. This includes repairing the leak in the ditch and removal of Juniper trees and brush impeding the flow of water.

Sincerely,



Tim Morelli, Chairman

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AUTO PARTS

THE DALLES NAPA AUTO PARTS
101 EAST 2ND STREET
P O BOX 557 541-296-9103
THE DALLES OREGON 97058

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Part Number	PLN	Description	Quantity	Price	Net	Total
4L870W	NBH	FHP BELT ()	1	33.72	23.42	23.42

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Invoice # **828131**

CHECK
Customer Copy

Sold To: 00000
Cash Sale Customer
Thank You For Your Business
NOW OPEN 7-DAYS A WEEK TO
CHECK# 1029/8239

Delivery:
Attn:

Store: 500007940
Employee: #23 Seth G.
Sales Rep: #19 Salesman 1.

Date 04/11/05 Time 12:59

Acc. Day: 11

Subtotal 23.42
Tax 0% TAXTABLE 1 0.00

TOTAL -----> 23.42

CHECK

Tax Exemption:
PO#
Terms:

Signature

ALL GOODS RETURNED MUST BE
ACCOMPANIED BY THIS INVOICE

NEW STORE HOURS
MONDAY - SAT 7:30 - 6:00
SUNDAY 10:00 - 3:00

T 10504

THANK YOU FOR SHOPPING AT
BIG R REDMOND
(541) 548-4095

IN HOUSE REPAIR SHOP
OPEN TUESDAY - SATURDAY.
4/21/05 2:17 LACEY 133 SALE

735627	4	EA	89.95	EA	N
32"x330' FIELD FENCE COMMERC				359.80	
735106	50	EA	3.00	EA	N
5-1/2" T-POST GREEN/WHITE	1.			150.00	
735604	3	EA	43.95	EA	N
2pt. x12.5ga OK PREMIUM ASTM A				131.85	
440000	1	EA	26.50	EA	N
BALER TWINE:BIG R, CTN 9500'SY				26.50	
814790	2	EA	2.63	EA	N
OPEN END CHAIN SNAP GALV 1/2"				5.26	
115248	1	EA	4.44	EA	N
50 PC "0" RING ASSORTMENT				4.44	

SUB-TOTAL: 677.85 TAX: TOTAL: 677.85
 CK#001050 ABA# CK AMT: 677.85

==>> JRN# C22438 CUST # *6

677.85
 677.85
 677.85

677.85
 677.85
 677.85

DATE: 4/21/05
 TIME: 2:17
 CASHIER: LACEY



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ROUND BUTTE SEED GROWERS, INC.

www.info@rbseed.com

REMIT TO:

P.O. Box 117
Culver, Oregon 97734
Phone: (541) 546-5222
Fax: (541) 546-2237

63353 Nels Anderson
Bend, Oregon 97701
Phone: (541) 385-7001
Fax: (541) 617-9843

2137 NW Industrial Park Rd
Prineville, Oregon 97754
Phone: (541) 447-5609
Fax: (541) 447-1403

AGRICULTURAL CHEMICALS • SEED GRAINS • GRASS SEEDS • FERTILIZERS

INVOICE NUMBER 093779
INVOICE DATE 10/25/05
DATE SHIPPED 10/25/05

PAGE NUMBER 1 OF 1
10/25/05 3:46 pm

BILL TO:

MANUEL PINHEIRO
541-328-6363

SHIP TO:

CASH CUSTOMER

CUSTOMER	CHECK #	SCALE #	ORDER #	S. P.	INVOICE TERMS		
CASH	RM7962/1172			HD	Cash Only		
QUANTITY	ITEM #	DESCRIPTION	REF #	PRICE	TOT	PREPAID	TOTAL
200,000 POUNDS	RESAWN W1005	PESTO-RANGE DRYLAND MIX		2.350	POUNDS		470.00

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THANK YOU FOR YOUR BUSINESS

INVOICE TOTAL 470.00
Less PREPAYMENTS 0.00
Less PAYMENTS 451.20
Less DISCOUNT 18.80

LESS DISCOUNT OF 18.80
IF PAID BY 10/25/05

DUE BY 10/25/05 0.00
0.00

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Bank of America



MANUEL D PINHEIRO
KATHLEEN LADIGES-PINHEIRO

Page 3 of 5
Statement Period
03-30-06 through 04-26-07
Number of checks enclosed
B 18 0 A P 18

Regular Checking Additions and Subtractions

Date Posted	Amount(\$)	Resulting Balance(\$)	Transaction
-------------	------------	-----------------------	-------------

3 Warriors Market is where we buy our cereal. We use a debit card for each transaction so the receipts received paid in time this is last years spring. Of course we spent more and if you need more we can provide the same as this bank statement for different dates.

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04-18	50.00		CheckCard 0416 3-Warriors Market Warm Springs OR 24455016107710917194129
04-18	36.45		CheckCard 0416 3-Warriors Market Warm Springs OR 24455016107710017194236
			Manuel Pinheiro
			BkofAmerica Redmond OR
			BkofAmerica Redmond OR
			Les Schwab Bill Payment
			Centurytel Bill Payment
			US Cellular Bill Payment

1 10504

Store: 1

7/22/2005

Cashier: Lane

Page 1



Wheatacres Irrigation

3012 East Second Street
The Dalles, OR 97058
541-298-5331
email: frogs@wheatacres.com
website: www.wheatacres.com

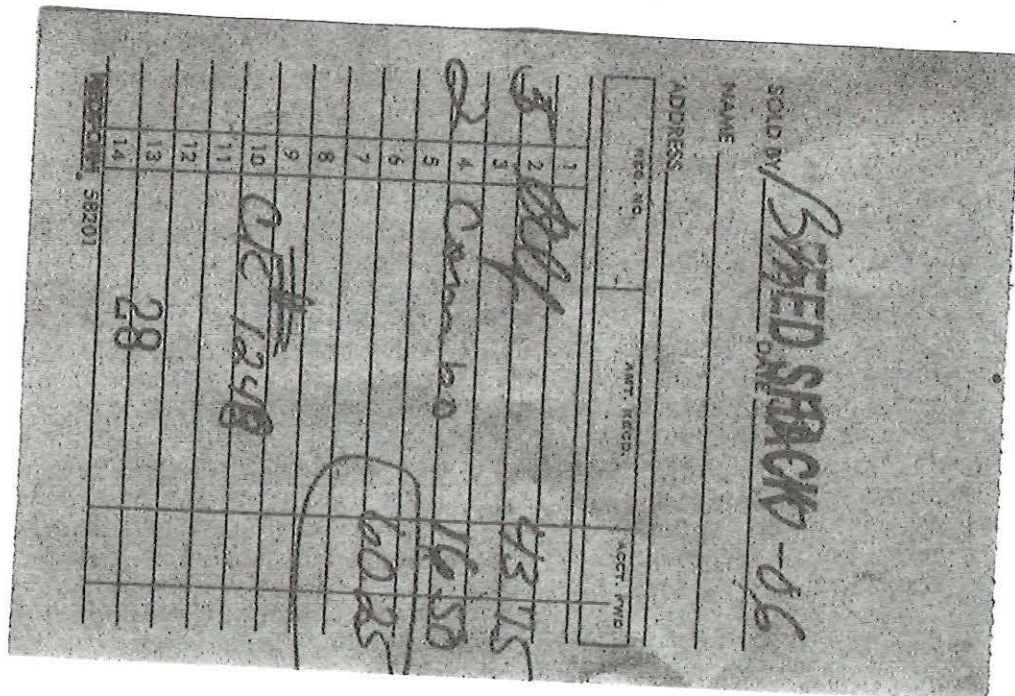
Bill To: CASH SALE
CASH SALES (CASH OR CHECK)
CASH SALE,

DESCRIPTION 1	DESCRIPTION 2	ATTR	SIZE	DISC %	TYPE	QTY	PRICE	EXT PRICE	TAX
PSDRAMM SYPHON	DRAMM SYPHONJECT *SIPHO					1	\$14.29	\$14.29	
						1 Item(s)	Subtotal:	\$14.29	
						OR - NO TAX	0.000 % Tax:	+ \$0.00	
								RECEIPT TOTAL:	\$14.29

Payment Taken: \$20.00

Change Given: \$5.71

Cash : \$ 20.00



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Juniper Flat Dist. Improvement Co.

82529 Hwy 216
Maupin, OR 97037

INVOICE

Invoice Number: 557
Invoice Date: 1/15/06
Page: 1

Voice: 541-395-9705
Fax:

Bill To:
Manuel Pinheiro 52801 Reservation Rd. Maupin, OR 97037

Customer ID: pinheiro, manuel

Customer PO	Payment Terms	Sales Rep ID	Due Date
	Net Due		1/15/06

Description	Amount
Maint. fee	210.00
SOD Pmt.	18.00
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Subtotal	228.00
Sales Tax	
Total Invoice Amount	228.00
Payment/Credit Applied	
TOTAL	228.00

Check/Credit Memo No:

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Oregon Water Resources Department
Land Use Information Form

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

Applicant Name: Brian & Lisa Silvey
Mailing Address: 52802 Reservation Rd.
City: Maupin State: OR Zip: 97037 Day Phone:

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

A. Land and Location

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

Table with 8 columns: Township, Range, Section, 1/4, Tax Lot #, Plan Designation, Water to be (Diverted, Conveyed, Used), Proposed Land Use. Handwritten entry: 5S 12E 2 SWNW 100, Rural Residential/RR-5, [X] Diverted [X] Conveyed [X] Used, irrigation.

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

B. Description of Proposed Use

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

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

Source of water: [X] Reservoir/Pond [] Ground Water [X] Surface Water (name) Clear Cr., Frog Cr., Springs
Clear Lake Res.

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

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

Briefly describe: turn out from J.F.P.I. Co. canal to field.
Gravity irrigation on farm

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

Receipt for Request for Land Use Information

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

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SALEM OREGON

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For Local Government Use Only

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

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

Please check the appropriate box below and provide the requested information

Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): _____

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

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

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

WASCO COUNTY LUDO SECTION 3.210.B.1

Name: ERIC JONES Title: ASSOCIATE PLANNER
 Signature: [Signature] Phone: (541) 506-2560 Date: 10/17/2007
 Government Entity: WASCO COUNTY PLANNING DEPT.

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

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**WATER RESOURCES DEPT
 SALEM, OREGON**

Receipt for Request for Land Use Information

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

Manuel Pinheiro

52801 Reservation Road, Maupin, OR 97037
(541) 328 - 6363 (message) (541) 993 - 4171 (cell)
katnman@centurytel.net

October 23, 2007

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

To Whom It May Concern:

Enclosed you will find the transfer application for 6 ac water rights from my former field (sold to Silvey) to another field that I own.

Enclosed is the fee of \$350.00.



Manuel Pinheiro

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STATE OF OREGON

COUNTY OF WASCO

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JUNIPER FLAT DISTRICT IMPROVEMENT COMPANY
53333 RESERVATION ROAD
MAUPIN, OR 97037

confirms the right to use the waters of DIRECT FLOW FROM CLEAR CREEK AND FROG CREEK AND STORAGE OF 1400 ACRE FEET IN CLEAR LAKE RESERVOIR, a tributary of WHITE RIVER, for IRRIGATION OF 2101.64 ACRES, STOCK, AND MAINTENANCE OF STOCK PONDS (5.85 ACRE EQUIVALENTS).

This right was confirmed by decree of the Circuit Court of the State of Oregon for WASCO COUNTY. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 14 & 18, at Page 398 & 252. The date of priority is JULY 1, 1903 FOR DIRECT FLOW FROM CLEAR CREEK AND FROG CREEK, AND AUGUST 19, 1904, FOR STORAGE IN CLEAR LAKE RESERVOIR.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed ONE ACRE FOOT PER ACRE OR ACRE EQUIVALENT DURING ANY 30-DAY PERIOD UP TO JULY 1ST OF EACH YEAR AND NOT TO EXCEED 3 ACRE FEET PER ACRE OR ACRE EQUIVALENT DURING ANY IRRIGATION SEASON; PROVIDED, THAT THE RATE OF FLOW SHALL NOT EXCEED 1/40 OF A SECOND FOOT PER ACRE OR ACRE EQUIVALENT UP TO JULY 1ST OF EACH YEAR AND THEREAFTER NOT TO EXCEED 1/80 OF A SECOND FOOT PER ACRE OR ACRE EQUIVALENT, EXCEPT IN CASE OF ROTATION.

The point of diversion is located as follows:

NE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 34, T. 4 S., R. 9 E., W. M. FROM FROG CREEK; NW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 10, T. 5 S., R. 9 E., W.M. FROM CLEAR CREEK; CLEAR LAKE RESERVOIR DAM IS IN THE SE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 32, T. 4 S., R. 9 E., W.M.

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

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

JFDIC3111.D15525.SRS

Page 1 of 10

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IRRIGATION AND STOCK

<u>QTR/QTR</u>	<u>TAX</u>	<u>LOT</u>	<u>ACRES</u>	<u>LANDOWNER</u>
NE/SE	7200	1.50		MCELHERON
SW/SE	7200	23.60		MCELHERON
SE/SE	7200	35.70		MCELHERON
SECTION 14				
SW/NE	9300	2.50		TOM MORELLI
SE/NE	9300	5.60		TOM MORELLI
NE/NW	7600	0.90		MAYHEW
SW/SW	9200	1.50		TOM MORELLI
SE/SW	9200	9.90		TOM MORELLI
NE/SE	9400	23.80		TOM MORELLI
NW/SE	9400	19.00		TOM MORELLI
SW/SE	9400	10.40		TOM MORELLI
SE/SE	9400	2.80		TOM MORELLI
SECTION 22				
NE/NE	7200	18.40		MCELHERON
NW/NE	7200	10.80		MCELHERON
SW/SW	9500	22.70		DELCO
SE/SW	9500	24.30		DELCO
SECTION 23				
NE/NW	6500	34.00		LARSELL
SE/NW	6500	36.00		LARSELL
SECTION 24				
SE/NE	9700	1.30		HARTH
NW/SW	9900	15.40		MAYHEW
SW/SW	9900	19.40		MAYHEW
SECTION 25				
NE/SE	9900	12.90		MAYHEW
NW/SE	9900	2.60		MAYHEW
SW/SE	9900	2.70		MAYHEW
SE/SE	9900	35.30		MAYHEW
SECTION 26				
NW/NE	9501	33.50		TIM MORELLI
SW/NE	9501	1.60		TIM MORELLI
NE/NW	9200	6.00		TOM MORELLI
NE/SW	10100	22.00		TIM MORELLI

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<u>QTR/QTR</u>	<u>TAX</u> <u>LOT</u>	<u>ACRES</u>	<u>LANDOWNER</u>
SW/SW	10100	13.80	TIM MORELLI
SE/SW	10100	6.60	TIM MORELLI
NW/SE	10100	20.50	TIM MORELLI
SECTION 27			
NE/SW	10600	7.00	V. WOODSIDE
NW/SW	10600	3.50	V. WOODSIDE
SW/SW	10600	11.60	V. WOODSIDE
SE/SW	10600	7.40	V. WOODSIDE
SECTION 29			
NE/SE	10600	0.90	V. WOODSIDE
SE/SE	10600	1.00	V. WOODSIDE
SECTION 30			
NE/NE	10800	10.50	GUTZLER
SW/NE	10800	3.50	GUTZLER
SE/NE	10800	10.90	GUTZLER
SW/NW	10700	11.20	ENDERSBY
SECTION 31			
SE/NE	10900	8.50	PAULSON
NW/NW	10800	2.70	GUTZLER
NE/SE	10900	13.30	PAULSON
NW/SE	10900	6.00	PAULSON
SECTION 32			
NE/SW	10900	17.50	PAULSON
SW/SW	10900	5.50	PAULSON
SE/SW	10900	20.20	PAULSON
SECTION 33			
NW/NW	11100	15.70	RECKMAN
SW/NW	11100	0.50	RECKMAN
NW/SW	11100	3.80	RECKMAN
NW/SW	11101	1.90	ODEM
SW/SW	11101	2.10	ODEM
SECTION 34			
SE/SW	11400	0.30	MAYHEW
NE/SE	11400	12.30	MAYHEW
SW/SE	11400	9.80	MAYHEW

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<u>QTR/QTR</u>	<u>TAX</u> <u>LOT</u>	<u>ACRES</u>	<u>LANDOWNER</u>
SE/SE	11400	34.30	MAYHEW

SECTION 35

NE/SE	11500	24.80	MAYHEW
NW/SE	11500	15.80	MAYHEW
SW/SE	11500	25.80	MAYHEW
SE/SE	11500	33.00	MAYHEW

SECTION 36

TOWNSHIP 4 SOUTH, RANGE 13 EAST, W.M.

NE/NE	3700	30.90	MARSH
SE/NE	3700	28.10	MARSH

SECTION 19

NW/NW	3300	32.30	MARSH
SW/NW	3300	30.40	MARSH
NW/SW	3300	8.30	MARSH

SECTION 20

NE/SW	4200	1.10	HARTH
NW/SW	4200	0.60	HARTH

SECTION 30

NE/SW	4302	20.80	DULING
NW/SE	4302	8.70	DULING
SW/SE	4302	10.00	DULING

SECTION 31

TOWNSHIP 4 SOUTH, RANGE 14 EAST, W.M.

NW/SW	1701	7.00	ENDERSBY
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SECTION 13

SE/NE	2700	0.10	DODGE
NE/SW	2400	3.00	ODFW
SE/SW	2400	19.34	ODFW

SECTION 24

SE/NE	1900	5.00	HAMMOND
NE/SW	100	1.00	MUNCIE

SECTION 25

TOWNSHIP 5 SOUTH, RANGE 11 EAST, W.M.

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<u>QTR/OTR</u>	<u>LOT</u>	<u>TAX ACRES</u>	<u>LANDOWNER</u>
SW/NE	100	4.00	MCCORKLE
NE/NW	201	3.70	V. WOODSIDE
NW/NW	201	0.90	V. WOODSIDE
SW/NW	201	7.90	V. WOODSIDE
SE/NW	100	7.40	MCCORKLE
SE/NW	201	1.10	V. WOODSIDE
NW/SE	100	6.00	MCCORKLE
SECTION 1			
NW/SW	400	14.40	HACHLER
SW/SW	400	0.80	HACHLER
SECTION 2			
NE/SE	400	9.90	HACHLER
SE/SE	400	4.90	HACHLER
SECTION 3			
SE/SE	1700	10.40	AMBROSE
SECTION 8			
NW/SW	1700	12.90	AMBROSE
SW/SW	1700	6.70	AMBROSE
SECTION 9			
SW/SW	2200	12.40	ENDERSBY
SE/SW	2200	9.60	ENDERSBY
SECTION 11			
NW/NW	2100	31.80	MCLEOD
SW/NW	2100	27.50	MCLEOD
SE/NW	2100	7.70	MCLEOD
SECTION 12			
NE/NE	2300	6.30	ENDERSBY
SE/NE	2300	4.40	ENDERSBY
NE/SW	2600	3.20	WILLIAMSON
NW/SW	2600	9.60	WILLIAMSON
SECTION 13			
NW/NE	3103	0.50	GROCE
SE/NE	2600	7.20	WILLIAMSON
NE/NW	3103	10.50	GROCE
SW/SE	3100	9.30	CLAYMIER

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<u>QTR/QTR</u>	<u>TAX</u>	<u>LOT</u>	<u>ACRES</u>	<u>LANDOWNER</u>
SE/SE	3100	12.00	CLAYMIER	
			SECTION 14	
SW/SW	3502	1.20	DODGE	
SW/SW	3502	14.00	DODGE	
SE/SW	3502	39.80	DODGE	
			SECTION 18	
SE/SW	3790	20.00	CONFEDERATED TRIBES	
			SECTION 19	
SE/NE	3403	5.00	CAPPS	
			SECTION 20	
NE/SE	3900	14.60	HUNDLEY	
NW/SE	3900	1.40	HUNDLEY	
SE/SE	3900	4.34	HUNDLEY	
			SECTION 21	
NW/NW	3200	15.50	S. WOODSIDE	
SW/NW	3200	9.23	S. WOODSIDE	
NE/SE	3100	2.70	L. WOODSIDE	
SW/SE	4000	10.00	JONES & ROSS	
SE/SE	3100	16.20	L. WOODSIDE	
			SECTION 22	
NE/NE	2703	15.00	ASCHOFF	
NW/NE	3100	11.50	CLAYMIER	
NE/NW	3100	16.40	CLAYMIER	
NW/NW	3100	12.68	CLAYMIER	
SW/NW	3100	3.40	CLAYMIER	
SE/NW	3100	1.20	CLAYMIER	
SW/SW	4100	4.50	L. WOODSIDE	
SE/SW	4100	4.60	L. WOODSIDE	
			SECTION 23	
NW/NW	2702	5.00	CARTER	
SW/NW	2702	10.00	CARTER	
SE/SE	4400	0.50	DULING	
			SECTION 24	
SW/NE	4500	11.80	L. WOODSIDE	
			SECTION 25	

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<u>QTR/QTR</u>	<u>TAX</u>	<u>LOT</u>	<u>ACRES</u>	<u>LANDOWNER</u>
NE/NE	4900	7.20	PINHEIRO	
SE/NE	4900	4.80	PINHEIRO	
NE/NW	4100	13.50	L. WOODSIDE	
NW/NW	4100	21.60	L. WOODSIDE	
NW/SE	5200	2.00	BEEBE	
SECTION 26				
NE/NE	4100	6.40	L. WOODSIDE	
NE/SW	5500	6.00	HAMMER	
NW/SW	5500	0.70	HAMMER	
NW/SE	5500	2.80	HAMMER	
SE/SE	5600	10.00	TOLENTINO	
SECTION 27				
NW/NW	6100	0.30	DODGE	
SW/SE	6400	1.50	FILBIN	
SECTION 29				
SE/SE	6300	11.10	BLAKE	
SECTION 30				
NW/NE	6501	18.50	FILBIN	
SECTION 32				
NW/NE	7300	12.00	DODGE	
NW/NW	6000	18.90	BLAKE	

SECTION 33
TOWNSHIP 5 SOUTH, RANGE 12 EAST, W.M.

NE/NE	500	11.60	MAYHEW	
SE/SW	600	7.50	LARKIN/INGRAM	
SECTION 2				
NE/NW	800	12.90	GABEL & LARKIN	
NE/NW	801	20.60	FOSBERG	
NW/NW	801	25.20	FOSBERG	
NW/NW	900	12.20	GABEL & LARKIN	
SW/NW	900	14.90	GABEL & LARKIN	
SE/NW	800	20.00	GABEL & LARKIN	
NW/SW	1000	1.00	BOTHWELL	

SECTION 3

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<u>QTR/QTR</u>	<u>TAX</u>	<u>LOT</u>	<u>ACRES</u>	<u>LANDOWNER</u>
NE/NE	1100	11.60	FOSBERG	
NW/NE	802	11.60	FOSBERG	
SECTION 4				
NE/NW	1300	20.00	CARTER	
SE/NW	1300	2.40	CARTER	
SW/SW	1300	3.20	CARTER	
SE/SW	1300	16.10	CARTER	
SW/SE	1300	19.50	CARTER	
SE/SE	1300	11.80	CARTER	
SECTION 5				
SW/NW	1400	2.00	WALTERS	
NE/SW	1400	8.10	WALTERS	
NW/SW	1400	1.60	WALTERS	
SW/SW	1400	12.70	WALTERS	
SE/SW	1400	2.60	WALTERS	
NE/SE	1400	5.40	WALTERS	
NW/SE	1400	13.30	WALTERS	
SW/SE	1400	0.80	WALTERS	
SE/SE	1400	0.50	WALTERS	
SECTION 7				
SW/NW	1500	1.90	L. WOODSIDE	
NW/SW	1500	15.10	L. WOODSIDE	
SW/SW	2000	24.20	R. KELLY & HAWTHORNE	
SE/SW	2000	0.60	R. KELLY & HAWTHORNE	
SECTION 8				
SW/NE	2200	7.40	KELLY	
SW/NW	2200	14.60	KELLY	
SE/NW	2200	8.70	KELLY	
NE/SW	2200	7.80	KELLY	
SECTION 9				
NW/NE	600	15.50	LARKIN/INGRAM	
NE/NW	600	10.50	LARKIN/INGRAM	
SECTION 11				
NW/NW	2000	0.20	R. KELLY	
SECTION 17				

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<u>TAX</u>			
<u>QTR/QTR</u>	<u>LOT</u>	<u>ACRES</u>	<u>LANDOWNER</u>
SE/SE	4100	0.25	FOSBERG
SECTION 18			
NE/NE	3700	11.60	ENDERSBY
NW/NE	3700	7.80	ENDERSBY
SW/NE	3700	4.00	ENDERSBY
SE/NE	4500	6.60	TOM MORELLI
NW/SE	4500	0.70	TOM MORELLI
SECTION 20			
NW/NW	3700	0.10	ENDERSBY
SW/NW	4500	7.70	TOM MORELLI
SW/SW	4600	5.40	HAMMER
SE/SW	4600	6.00	HAMMER
SE/SE	4600	15.10	HAMMER
SECTION 21			
NW/NW	5200	1.00	LYLE GABEL & LORRAINE
SECTION 28			
SW/NW	5700	13.20	LYLE GABEL & LORRAINE
NE/SW	5700	3.40	LYLE GABEL & LORRAINE
NW/SW	5700	7.40	LYLE GABEL & LORRAINE
SECTION 30			

TOWNSHIP 5 SOUTH, RANGE 13 EAST, W.M.

MAINTENANCE OF STOCK PONDS (ACRE EQUIVALENTS)

<u>TAX</u>			
<u>QTR/QTR</u>	<u>LOT</u>	<u>ACRES</u>	<u>LANDOWNER</u>
NE/NW	7600	0.10	MAYHEW
SECTION 22			
SE/NE	9700	1.70	HARTH
SECTION 25			
SE/SW	10700	0.30	ENDERSBY
SECTION 30			

TOWNSHIP 4 SOUTH, RANGE 13 EAST, W.M.

NE/SW	4200	0.30	HARTH
SECTION 30			

TOWNSHIP 4 SOUTH, RANGE 14 EAST, W.M.

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 SALEM, OREGON

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TAX
QTR/QTR LOT ACRES LANDOWNER

NE/SW 100 0.30 MUNCIE

SECTION 25

TOWNSHIP 5 SOUTH, RANGE 11 EAST, W.M.

SE/SE 1200 0.20 L. WOODSIDE

SECTION 23

TOWNSHIP 5 SOUTH, RANGE 12 EAST, W.M.

NW/SW 3600 0.20 CARTER

SECTION 17

NE/NE 2002 1.00 A. STREELMAN

SE/SE 4100 0.75 FOSBERG

SECTION 18

NE/NE 3400 1.00 H. STREELMAN

SECTION 21

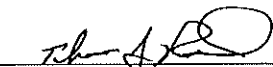
TOWNSHIP 5 SOUTH, RANGE 13 EAST, W.M.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in said decree.

This certificate corrects scrivener's errors in the certificate recorded at page 76968, State Record of Water Right Certificates, and supersedes Certificate 76968.

This certificate confirms order of the Director recorded in Special Order Volume 34, page 389 (Transfer 4685); Volume 35, page 26 (Transfer 4977); Volume 36, page 213 (Transfer 5010); Volume 36, page 338 (Transfer 5057); Volume 37, page 50 (Transfer 5175); Volume 37, page 115 (Transfer 5194); Volume 37, page 443 (Transfer 5284); Volume 38, page 151 (Amending Transfer 5284); Volume 39, page 187 (Transfer 5055); Volume 40, page 104 (Transfer 5759); entered June 18, 2001, and recorded in Special Order Volume 55, page 606, approving a petition by JUNIPER FLAT DISTRICT IMPROVEMENT COMPANY under ORS 541.329 for mapping water rights within a district.

Witness the signature of the Water Resources Director, affixed SEP 25 2001.



 Paul Cleary, Director

JFDIC3111.D15525.SRS

Recorded in State Record of Water Right Certificates numbered 77326.

STATE OF OREGON

COUNTY OF WASCO

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JUNIPER FLAT DISTRICT IMPROVEMENT COMPANY
53333 RESERVATION ROAD
MAUPIN, OR 97037

confirms the right to use the waters of CLEAR LAKE RESERVOIR, CONSTRUCTED UNDER PERMIT R-2106, a tributary of WHITE RIVER, for SUPPLEMENTAL IRRIGATION OF 2,101.64 ACRES AND MAINTENANCE OF STOCK PONDS (5.85 ACRE EQUIVALENTS).

This right was perfected under Permit 25275. The date of priority is NOVEMBER 11, 1915. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 11,660 ACRE-FEET STORED WATER ONLY or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SE¼ SE¼, SECTION 32, T. 4 S., R. 9 E., W.M.; 1,390 FEET SOUTH AND 480 FEET WEST FROM E¼ CORNER, SECTION 32.

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 4.2 ACRE-FEET FOR EACH ACRE IRRIGATED OR ACRE EQUIVALENT DURING THE IRRIGATION SEASON OF EACH YEAR.

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

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

SUPPLEMENTAL IRRIGATION

<u>OTR/OTR</u>	<u>TAX</u> <u>LOT</u>	<u>ACRES</u>	<u>LANDOWNER</u>
NE/SE	7200	1.50	MCELHERON
SW/SE	7200	23.60	MCELHERON
SE/SE	7200	35.70	MCELHERON
SECTION 14			
SW/NE	9300	2.50	TOM MORELLI
SE/NE	9300	5.60	TOM MORELLI
NE/NW	7600	0.90	MAYHEW
SW/SW	9200	1.50	TOM MORELLI
SE/SW	9200	9.90	TOM MORELLI
NE/SE	9400	23.80	TOM MORELLI
NW/SE	9400	19.00	TOM MORELLI
SW/SE	9400	10.40	TOM MORELLI
SE/SE	9400	2.80	TOM MORELLI
SECTION 22			
NE/NE	7200	18.40	MCELHERON
NW/NE	7200	10.80	MCELHERON

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<u>OTR/OTR</u>	<u>TAX</u> <u>LOT</u>	<u>ACRES</u>	<u>LANDOWNER</u>
SW/SW	9500	22.70	DELCO
SE/SW	9500	24.30	DELCO
SECTION 23			
NE/NW	6500	34.00	LARSELL
SE/NW	6500	36.00	LARSELL
SECTION 24			
SE/NE	9700	1.30	HARTH
NW/SW	9900	15.40	MAYHEW
SW/SW	9900	19.40	MAYHEW
SECTION 25			
NE/SE	9900	12.90	MAYHEW
NW/SE	9900	2.60	MAYHEW
SW/SE	9900	2.70	MAYHEW
SE/SE	9900	35.30	MAYHEW
SECTION 26			
NW/NE	9501	33.50	TIM MORELLI
SW/NE	9501	1.60	TIM MORELLI
NE/NW	9200	6.00	TOM MORELLI
NE/SW	10100	22.00	TIM MORELLI
SW/SW	10100	13.80	TIM MORELLI
SE/SW	10100	6.60	TIM MORELLI
NW/SE	10100	20.50	TIM MORELLI
SECTION 27			
NE/SW	10600	7.00	V. WOODSIDE
NW/SW	10600	3.50	V. WOODSIDE
SW/SW	10600	11.60	V. WOODSIDE
SE/SW	10600	7.40	V. WOODSIDE
SECTION 29			
NE/SE	10600	0.90	V. WOODSIDE
SE/SE	10600	1.00	V. WOODSIDE
SECTION 30			
NE/NE	10800	10.50	GUTZLER
SW/NE	10800	3.50	GUTZLER
SE/NE	10800	10.90	GUTZLER
SW/NW	10700	11.20	ENDERSBY
SECTION 31			
NW/NW	10800	2.70	GUTZLER
NE/SE	10900	13.30	PAULSON
NW/SE	10900	6.00	PAULSON
SE/NE	10900	8.50	PAULSON
SECTION 32			
NE/SW	10900	17.50	PAULSON
SE/SW	10900	20.20	PAULSON
SW/SW	10900	5.50	PAULSON
SECTION 33			
NW/NW	11100	15.70	RECKMAN
NW/SW	11100	3.80	RECKMAN
NW/SW	11101	1.90	ODOM

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SALEM, OREGON

<u>OTR/QTR</u>	<u>TAX</u> <u>LOT</u>	<u>ACRES</u>	<u>LANDOWNER</u>
SW/NW	11100	0.50	RECKMAN
SW/SW	11101	2.10	ODOM
SECTION 34			
NE/SE	11400	12.30	MAYHEW
SE/SW	11400	0.30	MAYHEW
SW/SE	11400	9.80	MAYHEW
SE/SE	11400	34.30	MAYHEW
SECTION 35			
NE/SE	11500	24.80	MAYHEW
NW/SE	11500	15.80	MAYHEW
SW/SE	11500	25.80	MAYHEW
SE/SE	11500	33.00	MAYHEW
SECTION 36			

TOWNSHIP 4 SOUTH, RANGE 13 EAST, W.M.

NE/NE	3700	30.90	MARSH
SE/NE	3700	28.10	MARSH
SECTION 19			
NW/NW	3300	32.30	MARSH
SW/NW	3300	30.40	MARSH
NW/SW	3300	8.30	MARSH
SECTION 20			
NE/SW	4200	1.10	HARTH
NW/SW	4200	0.60	HARTH
SECTION 30			
NE/SW	4302	20.8	DULING
NW/SE	4302	8.7	DULING
SW/SE	4302	10.00	DULING
SECTION 31			

TOWNSHIP 4 SOUTH, RANGE 14 EAST, W.M.

NW/SW	1701	7.00	ENDERSBY
SECTION 13			
SE/NE	2700	0.10	DODGE
NE/SW	2400	3.00	ODFW
SE/SW	2400	19.34	ODFW
SECTION 24			
SE/NE	1900	5.00	HAMMOND
NE/SW	100	1.00	MUNCIE
SECTION 25			

TOWNSHIP 5 SOUTH, RANGE 11 EAST, W.M.

SW/NE	100	4.00	MCCORKLE
NE/NW	201	3.70	V. WOODSIDE
NW/NW	201	0.90	V. WOODSIDE
SW/NW	201	7.90	V. WOODSIDE
SE/NW	100	7.40	MCCORKLE

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<u>OTR/QTR</u>	<u>TAX</u> <u>LOT</u>	<u>ACRES</u>	<u>LANDOWNER</u>
SE/NW	201	1.10	V. WOODSIDE
NW/SE	100	6.00	MCCORKLE
SECTION 1			
NW/SW	400	14.40	HACHLER
SW/SW	400	0.80	HACHLER
SECTION 2			
NE/SE	400	9.90	HACHLER
SE/SE	400	4.90	HACHLER
SECTION 3			
SE/SE	1700	10.40	AMBROSE
SECTION 8			
NW/SW	1700	12.90	AMBROSE
SW/SW	1700	6.70	AMBROSE
SECTION 9			
SW/SW	2200	12.40	ENDERSBY
SE/SW	2200	9.60	ENDERSBY
SECTION 11			
NW/NW	2100	31.80	MCLEOD
SW/NW	2100	27.50	MCLEOD
SE/NW	2100	7.70	MCLEOD
SECTION 12			
NE/NE	2300	6.30	ENDERSBY
SE/NE	2300	4.40	ENDERSBY
NE/SW	2600	3.20	WILLIAMSON
NW/SW	2600	9.60	WILLIAMSON
SECTION 13			
NW/NE	3103	0.50	GROCE
SE/NE	2600	7.20	WILLIAMSON
NE/NW	3103	10.50	GROCE
SW/SE	3100	9.30	CLAYMIER
SE/SE	3100	12.00	CLAYMIER
SECTION 14			
SW/SW	3502	14.00	DODGE
SW/SW	3502	1.20	DODGE
SE/SW	3502	39.80	DODGE
SECTION 18			
SE/SW	3790	20.00	CONFEDERATED TRIBES
SECTION 19			
SE/NE	3403	5.00	CAPPS
SECTION 20			
NE/SE	3900	14.60	HUNDLEY
NW/SE	3900	1.40	HUNDLEY
SE/SE	3900	4.34	HUNDLEY
SECTION 21			
NW/NW	3200	15.50	S. WOODSIDE
SW/NW	3200	9.23	S. WOODSIDE
NE/SE	3100	2.70	L. WOODSIDE

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<u>OTR/QTR</u>	<u>TAX</u> <u>LOT</u>	<u>ACRES</u>	<u>LANDOWNER</u>
SW/SE	4000	10.00	JONES & ROSS
SE/SE	3100	16.20	L. WOODSIDE
SECTION 22			
NE/NE	2703	15.00	ASCHOFF
NW/NE	3100	11.50	CLAYMIER
NE/NW	3100	16.40	CLAYMIER
NW/NW	3100	12.68	CLAYMIER
SW/NW	3100	3.40	CLAYMIER
SE/NW	3100	1.20	CLAYMIER
SW/SW	4100	4.50	L. WOODSIDE
SE/SW	4100	4.60	L. WOODSIDE
SECTION 23			
NW/NW	2702	5.00	CARTER
SW/NW	2702	10.00	CARTER
SE/SE	4400	0.50	DULING
SECTION 24			
SW/NE	4500	11.80	L. WOODSIDE
SECTION 25			
NE/NE	4900	7.20	PINHEIRO
SE/NE	4900	4.80	PINHEIRO
NE/NW	4100	13.50	L. WOODSIDE
NW/NW	4100	21.60	L. WOODSIDE
NW/SE	5200	2.00	BEEBE
SECTION 26			
NE/NE	4100	6.40	L. WOODSIDE
NE/SW	5500	6.00	HAMMER
NW/SW	5500	0.70	HAMMER
NW/SE	5500	2.80	HAMMER
SE/SE	5600	10.00	TOLENTINO
SECTION 27			
NW/NW	6100	0.30	DODGE
SW/SE	6400	1.50	FILBIN
SECTION 29			
SE/SE	6300	11.10	BLAKE
SECTION 30			
NW/NE	6501	18.50	FILBIN
SECTION 32			
NW/NE	7300	12.00	DODGE
NW/NW	6000	18.90	BLAKE
SECTION 33			
TOWNSHIP 5 SOUTH, RANGE 12 EAST, W.M.			
NE/NE	500	11.60	MAYHEW
SE/SW	600	7.50	LARKIN/INGRAM
SECTION 2			
NE/NW	800	12.90	GABEL & LARKIN
NE/NW	801	20.60	FOSBERG
NW/NW	801	25.20	FOSBERG
NW/NW	900	12.20	GABEL & LARKIN

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<u>OTR/QTR</u>	<u>TAX</u> <u>LOT</u>	<u>ACRES</u>	<u>LANDOWNER</u>
SW/NW	900	14.90	GABEL & LARKIN
SE/NW	800	20.00	GABEL & LARKIN
NW/SW	1000	1.00	BOTHWELL
SECTION 3			
NE/NE	1100	11.60	FOSBERG
NW/NE	802	11.60	FOSBERG
SECTION 4			
NE/NW	1300	20.00	CARTER
SE/NW	1300	2.40	CARTER
SW/SW	1300	3.20	CARTER
SE/SW	1300	16.10	CARTER
SW/SE	1300	19.50	CARTER
SE/SE	1300	11.80	CARTER
SECTION 5			
SW/NW	1400	2.00	WALTERS
NE/SW	1400	8.10	WALTERS
NW/SW	1400	1.60	WALTERS
SW/SW	1400	12.70	WALTERS
SE/SW	1400	2.60	WALTERS
NE/SE	1400	5.40	WALTERS
NW/SE	1400	13.30	WALTERS
SW/SE	1400	0.80	WALTERS
SE/SE	1400	0.50	WALTERS
SECTION 7			
SW/NW	1500	1.90	L. WOODSIDE
NW/SW	1500	15.10	L. WOODSIDE
SW/SW	2000	24.20	R. KELLY & HAWTHORNE
SE/SW	2000	0.60	R. KELLY & HAWTHORNE
SECTION 8			
SW/NE	2200	7.40	KELLY
SW/NW	2200	14.60	KELLY
SE/NW	2200	8.70	KELLY
NE/SW	2200	7.80	KELLY
SECTION 9			
NW/NE	600	15.50	LARKIN/INGRAM
NE/NW	600	10.50	LARKIN/INGRAM
SECTION 11			
NW/NW	2000	0.20	R. KELLY
SECTION 17			
SE/SE	4100	0.25	FOSBERG
SECTION 18			
NE/NE	3700	11.60	ENDERSBY
NW/NE	3700	7.80	ENDERSBY
SW/NE	3700	4.00	ENDERSBY
SE/NE	4500	6.60	TOM MORELLI
NW/SE	4500	0.70	TOM MORELLI
SECTION 20			
NW/NW	3700	0.10	ENDERSBY
SW/NW	4500	7.70	TOM MORELLI

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	<u>TAX</u>		
<u>OTR/QTR</u>	<u>LOT</u>	<u>ACRES</u>	<u>LANDOWNER</u>
SW/SW	4600	5.40	HAMMER
SE/SW	4600	6.00	HAMMER
SE/SE	4600	15.10	HAMMER
			SECTION 21
NW/NW	5200	1.00	LYLE GABEL & LORRAINE
			SECTION 28
SW/NW	5700	13.20	LYLE GABEL & LORRAINE
NE/SW	5700	3.40	LYLE GABEL & LORRAINE
NW/SW	5700	7.40	LYLE GABEL & LORRAINE
			SECTION 30

TOWNSHIP 5 SOUTH, RANGE 13 EAST, W.M.

MAINTENANCE OF STOCK PONDS (ACRE EQUIVALENTS)

	<u>TAX</u>		
<u>QTR/QTR</u>	<u>LOT</u>	<u>ACRES</u>	<u>LANDOWNER</u>
NE/NW	7600	0.10	MAYHEW
			SECTION 22
SE/NE	9700	1.70	HARTH
			SECTION 25
SE/SW	10700	0.30	ENDERSBY
			SECTION 30
			TOWNSHIP 4 SOUTH, RANGE 13 EAST, W.M.
NE/SW	4200	0.30	HARTH
			SECTION 30
			TOWNSHIP 4 SOUTH, RANGE 14 EAST, W.M.
NE/SW	100	0.30	MUNCIE
			SECTION 25
			TOWNSHIP 5 SOUTH, RANGE 11 EAST, W.M.
SE/SE	1200	0.20	L. WOODSIDE
			SECTION 23
			TOWNSHIP 5 SOUTH, RANGE 12 EAST, W.M.
NW/SW	3600	0.20	CARTER
			SECTION 17
NE/NE	2002	1.00	A. STREELMAN
SE/SE	4100	0.75	FOSBERG
			SECTION 18
NE/NE	3400	1.00	H. STREELMAN
			SECTION 21
			TOWNSHIP 5 SOUTH, RANGE 13 EAST, W.M.

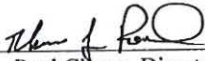
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The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in said permit.

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This certificate confirms orders of the Director recorded in Special Order Volume 34, page 389 (Transfer 4685); Volume 35, page 26 (Transfer 4977); Volume 36, page 213 (Transfer 5010); Volume 36, page 338 (Transfer 5057); Volume 37, page 50 (Transfer 5175); Volume 37, page 115 (Transfer 5194); Volume 37, page 443 (Transfer 5284); Volume 38, page 151 (Amending Transfer 5284); Volume 39, page 187 (Transfer 5055); Volume 40, page 104 (Transfer 5759); and entered on 1002 8 1 NNC, and recorded in Special Order Volume 55, page 606, approving a petition by JUNIPER FLAT DISTRICT IMPROVEMENT COMPANY under ORS 541.329 for mapping water rights within a district. This certificate supersedes certificate 51539.

Witness the signature of the Water Resources Director, affixed JUN 1 8 2001.


for Paul Cleary, Director

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Recorded in State Record of Water Right Certificates numbered 76969.