

T-10518

T-10518

TEMPORARY

Name Tim RustAddress 77252 Mader Rust Ln
Echo, OR 97826
541-376-8202 541-571-4465Change in POUDate Filed 1/7/2008Initial notice date 1/15/08 1-22-08

DPD issued date

PD issued date

PD notice date

Date of FO 2-26-08 Vol 74 Page 260

C-Date

COBU due date

COBU Received date

Certificate issued

DESCRIPTION OF WATER RIGHT(S)

Name of Stream Butter Creek Spr., Well, Butter CreekTrib. of umatilla River, Butter Cr., umatilla R.Use IR DO LVCounty Morrow

Quantity of water (CFS)

No. of Acres

Name of ditch

App # Butter Cr Decree Per #Cert # 74795PR Date 1904App # 4-496Per # 4-450Cert # 31096PR Date 1952App # 557999Per # 46499

Cert #

PR Date 1978

App #

Per #

Cert #

PR Date

App #

Per #

Cert #

PR Date

FEES PAID		
Date	Amount	Receipt #
1/7/08	317.00	91139

FEES REFUNDED		
Date	Amount	Receipt#

Assignments:

Irrigation District N/AAgent William Portily PO Box 643 Stanfield OR 97875 541 449-1327
541 561-7259

CWRE

CC's list Morrow County, Court House, Heppner OR 97836 205 Northeast 3rd

Water Right Transfer Checklist

Transfer T-10518

Transfer Specialist: Susan Douthit

Transfer Type: Temporary

Applicant Name/Address: Tim Rust 77252 Mader Rust Lane, Echo, OR 97826

Agent Name/Address: William Porfily, PO Box 643 Stanfield, OR. 97875

CWRE Name/Number: None

Rec Landowner Name/Address: None

Irr. District Name/Address: None

Affected Gov'ts Name/Address: Morrow County, Court House, 205 Northeast 3rd, Heppner, OR 97836

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.
☒	☒	Butter Creek Decree	None	74795	☐ Yes ☐ No	
☒	☒	U-496	U-450	31096	☐ Yes ☐ No	
☒	☒	S-57999	S-46499	None	☐ Yes ☐ No	

Key Dates & Initial Actions

Rec'd: <u>1/7/2008</u>	Proposed Action(s): POU POD HST APD USE OTHER: POU	
Fees Pd: <u>317.00</u>	WM District: <u>5</u>	ODFW District: <u>None</u>
Initial Notice: <u>1/15/2008</u>	WM Review sent: <u>1/11/2008</u>	ODFW Review sent: <u>None</u>
Acknowledgement Letter Sent ☒		GW Review sent: <u>1/11/2008</u>

Processing Dates & Actions

Deficiency Contacts: _____

Newspaper Pub Affid Due: _____

☐ not required

DPD Mailed: _____

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: _____	Reviewer: _____
Date: _____	Date: _____	Date: _____
Coordinator: _____	Coordinator: _____	Coordinator: _____
Date: _____	Date: _____	Date: _____
Comments/Special Issues:		

Special Order Volume: Vol 74 Pages 260

Final Order Signature Date: 2-26-08

Notice of FO email'd to processors Susan

Review Checklist**T-10518****Processor: Susan Douthit****Application**

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

Water right subject to transfer

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

Application Map

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

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

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

Ownership

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

Evaluation (materials needed for peer reviewer in bold)

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

Reviews/comments/conditions received?

Headgate

Measuring Devices

Fish Screen Devices

☐ When in the judgment☐ When in the judgment☐☒ Watermaster☐ Prior to diverting☐ Prior to diverting☐ ODFW☐ GW☒ Existing and maintain☒ Existing and maintain

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

February 28, 2008

TIM RUST
77252 MADER RUST LANE
ECHO, OR 97826

Reference: Temporary Transfer 10518

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

The change shall be effective at the end of the 2007 irrigation season. The use shall revert to the authorized place of use at the end of the 2012 irrigation season.

Sincerely,

Sarah Henderson

for Doug Parrow
Natural Resource Specialist

DP:sh

cc: Watermaster #5
William Porfily, Agent

Enclosure

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

In the Matter of Transfer Application	)	FINAL ORDER APPROVING
T-10518, Morrow County	)	TEMPORARY CHANGE IN PLACE OF
	)	USE

Authority

ORS 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to temporarily transfer the place of use and, if necessary to convey the water to the temporary place of use, the point of diversion 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

Tim Rust
77252 Mader Rust Lane
Echo, OR 97826

Agent

William I. Porfily
PO Box 643
Stanfield, OR 97875

Findings of Fact

Background

1. On January 7, 2008, Tim Rust filed an application to temporarily change the place of use under Certificates 74795 and 31096 and water use Permit S-46499 for a period of five years. The Department assigned the application number T-10518.

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

Certificate: 74795 in the name of SUCCESSORS IN INTEREST TO M. S. CORRIGAL
(confirmed by the Butter Creek Decree)

Use: IRRIGATION of 10.0 ACRES

Priority Date: 1904

Rate: 0.20 CUBIC FOOT PER SECOND (cfs)

Source: BUTTER CREEK, tributary to the UMATILLA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
2 N	27 E	WM	28	SE NE	POD #2 - 20 FEET NORTH AND 40 FEET WEST FROM THE W1/4 CORNER OF SECTION 27

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

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 N	27 E	WM	28	SW NE	3.8
2 N	27 E	WM	28	SE NE	6.2

3. Transfer Application T-10518 proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 N	27 E	WM	28	SW NE	10.0

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

Certificate: 31096 in the name of ED TUCKER (TUCKER ECHO RANCH) (perfected under Permit U-450)

Use: SUPPLEMENTAL IRRIGATION of 10.0 ACRES

Priority Date: MAY 7, 1952

Rate: 0.11 CUBIC FOOT PER SECOND (cfs)

Limit/Duty: ONE-EIGHTIETH cfs per acre, not to exceed 3 acre-feet per acre during the irrigation season of each year

Source: A WELL in the BUTTER CREEK BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
2 N	27 E	WM	28	SE NE	280 FEET NORTH AND 50 FEET WEST FROM THE E1/4 CORNER OF SECTION 28

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 N	27 E	WM	28	SW NE	3.8
2 N	27 E	WM	28	SE NE	6.2

5. Transfer Application T-10518 proposes to change the place of use of the right to:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 N	27 E	WM	28	SW NE	10.0

6. The portion of the water use permit to be transferred is as follows:

Permit: S-46499 in the name of JOHN MADISON, AGENT (filed under Application S-57999)

Use: SUPPLEMENTAL IRRIGATION of 10 ACRES

Priority Date: OCTOBER 16, 1978

Rate: 0.20 CUBIC FOOT PER SECOND (cfs)

Limit/Duty: 1/50 cfs per acre, not to exceed 1.0 acre-foot per acre during the irrigation season provided further that the right together with the amount secured under any other right shall not exceed 4 acre-feet per acre during the irrigation season of each year.

Source: BUTTER CREEK, tributary to the UMATILLA RIVER

Season of Use: September 2 – December 30

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
2 N	27 E	WM	28	SE NE	DIVERSION P - 20 FEET NORTH AND 40 FEET WEST FROM THE W1/4 CORNER OF SECTION 27

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 N	27 E	WM	28	SW NE	3.8
2 N	27 E	WM	28	SE NE	6.2

7. Transfer Application T-10518 proposes to change the place of use of the right to:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 N	27 E	WM	28	SW NE	10.0

8. Notice of the application for temporary transfer was published on January 22, 2008, pursuant to ORS 540.520 and OAR 690-380-4000. No comments were filed in response to the notice.
9. Water has been used within the last five years according to the terms and conditions of the rights and water use permit, and there is no information in the record that would demonstrate that the rights and permit are subject to forfeiture under ORS 540.610.
10. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights and permit are present.
11. The proposed change would not result in enlargement of the rights or water use permit.
12. The proposed change would not result in injury to other water rights. This finding is made through an abbreviated review recognizing that the transfer may be revoked under ORS 540.523(6) if the Department later finds that the transfer is causing injury to any existing water right.

Conclusions of Law

The temporary changes in place of use proposed in Transfer Application T-10518 are consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

Now, therefore, it is ORDERED:

13. The changes in place of use proposed in application T-10518 are approved.
14. The former place of use **shall not** be irrigated as part of this water right during the 2008, 2009, 2010, 2011 and 2012 irrigation seasons.
15. The use shall revert to the authorized place of use at the end of the 2012 irrigation season.

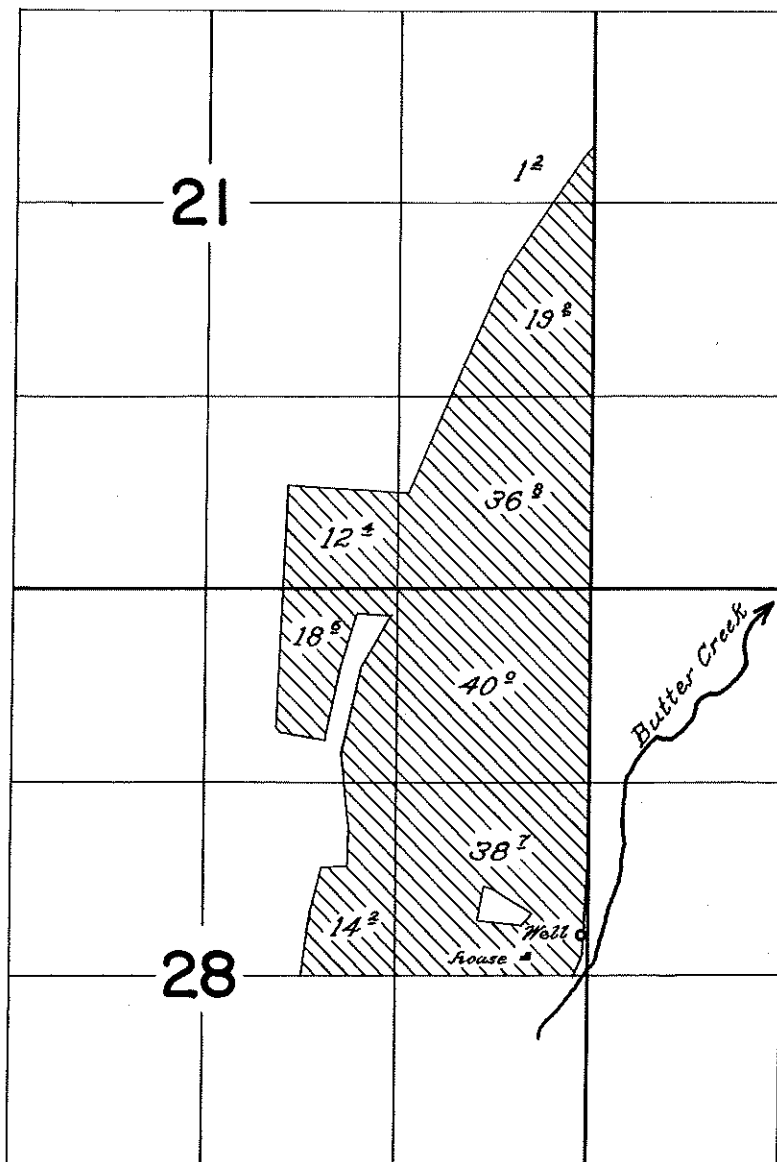
16. The approval of this temporary transfer may be revoked or modified if the Department finds the change causes injury to any existing water right.
17. A subsequent application for permanent transfer of Certificates 74795 and 31096 or water use Permit S-46499 shall be subject to a full and complete review to determine consistency with the requirements of OAR Chapter 690, Division 380. Approval of this temporary transfer does not establish a precedent for approval of a subsequent application filed for a permanent transfer.
18. The use of water at the temporary place of use authorized by this transfer shall be in accordance with the terms and conditions of Certificates 74795 and 31096 and water use Permit S-46499.
19. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.
20. The water user shall maintain the existing headgate and shall make such improvements as may be required by the Department.
21. The water user shall maintain and operate the existing measurement device and shall make such improvements as may be required by the Department.
22. The use of the remaining water right described by Certificates 74795 and 31096 and water use Permit S-46499 shall continue to be in accordance with the terms and conditions of Certificates 74795 and 31096 and water use Permit S-46499.

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


Phillip C. Ward, Director

Mailing Date MAR 03 2008

T.2N. R.27E. W.M.



FINAL PROOF SURVEY
UNDER

Application No. 22-496. Permit No. 22-450
IN NAME OF

Tucker Echo Ranch

Surveyed October 1, 1962, by Thomas R. Lauer

ORIGINALS

Transfer Application and Map

Receipt

Deed or Lot Book Report

Notarized Consent

Evidence of Use Affidavit

Land Use Information Form

Lien Holder Notification *(if applicable)*

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

&

Other Supporting Documentation

RECEIVED

FEB 21 2008

WATER RESOURCES DEPT
SALEM, OREGON

February 5, 2008

SUSAN DOUTHIT
OREGON WATER RESOURCES DEPARTMENT
725 SUMMER STREET NE, SUITE A
SALEM, OR 97301-2430

RE: AFFIDAVITS OF CONSENT FOR TEMPORARY TRANSFER T-10518

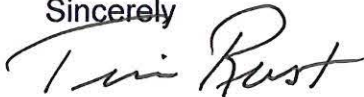
DEAR SUSAN

Enclosed please find four affidavits of consent for the above mentioned temporary transfer. Bill Porfily who assisted us with the transfer application advised us that you requested affidavits from all the owners of the land involved in the transfer.

Thank you for your help and consideration in this process.

Please contact Mr. Porfily at (541) 449-1327 or by e-mail, if you have any other questions or concerns.

Sincerely



Tim Rust

Enclosure

cc: Bill Porfily, P. O. Box 643, Stanfield, OR 97875

AFFIDAVIT OF CONSENT OF WATER RIGHT TRANSFER

State of Oregon)
) SS
County of Umatilla)

RECEIVED

FEB 21 2008

WATER RESOURCES DEPT
SALEM, OREGON

I, L. Franklin Mader, Mailing address 77252 Mader Rust Ln, Echo, OR97826, being first duly sworn, dispose and say:

I hold the Power of Attorney for the managing of farm operations for Clarkston Development Company and William R. Tomlinson and Inez E. Tomlinson holders of 20 percent interest in the property and the appurtenant water rights described in Temporary Water Right Transfer T-10518; and

I representing them though this power of attorney, consent to Temporary Water Right Transfer T-10518.

L. Franklin Mader Feb 5, 08
L. Franklin Mader Date

State of Oregon
County of Umatilla

Subscribed and Sworn to Before Me this 5th day of February, 2008 by

L. Franklin Mader

Mindy Wilson
Notary Public - State of Oregon

My commission expires May 11, 2009



AFFIDAVIT OF CONSENT OF WATER RIGHT TRANSFER

State of Oregon)
) SS
County of Umatilla)

RECEIVED

FEB 21 2008

WATER RESOURCES DEPT
SALEM, OREGON

WE, L. Franklin Mader and C. LaVonne Mader mailing address 77252 Mader Rust Ln., Echo, Or 97826, being first duly sworn, dispose and say:

We are 40 percent owners of the property and the appurtenant water rights involved in Temporary Water Right Transfer T-10518. and

We consent to Temporary Water Right Transfer T-10518.

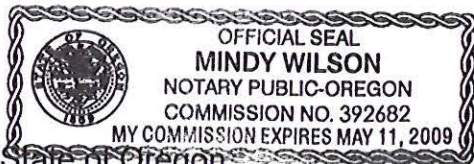
L. Franklin Mader Feb 5 08
L. Franklin Mader Date

C. LaVonne Mader 2-5-08
C. LaVonne Mader Date

State of Oregon
County of Umatilla

Subscribed and Sworn to Before Me this 5th day of February, 2008 by

L. Franklin Mader



State of Oregon
County of Umatilla

Mindy Wilson
Notary Public – State of Oregon

My commission expires May 11, 2009

Subscribed and Sworn to Before Me this 5th day of February, 2008 by

C. LaVonne Mader



Mindy Wilson
Notary Public – State of Oregon

My commission expires May 11, 2009

WATER RESOURCES DEPT
SALEM, OREGON

3522.121
01/31/08

AFFIDAVIT OF CONSENT OF WATER RIGHT TRANSFER

State of Oregon)
) SS
County of Umatilla)

RECEIVED

FEB 21 2008

WATER RESOURCES DEPT
SALEM, OREGON

I, Kirk D. Mader a mailing address P.O. Box 1465

WINNEMUCCA, NV 89446 being first duly sworn, dispose and say:

I am 20 percent owners of the property and the appurtenant water rights involved in Temporary Water Right Transfer T-10518 and

I consent to Temporary Water Right Transfer T-10518

Kirk D. Mader
Kirk D. Mader

FEB 12, 2008
Date

State of ~~Oregon~~ ^{NV} Nevada
County of ~~Umatilla~~ ^{Humboldt} Humboldt

Subscribed and Sworn to Before Me this 12 day of Feb., 2008 by
Kirk D. Mader



Victoria Kepler
Notary Public – State of ~~Oregon~~ Nevada

My commission expires Aug. 15, 09

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **91139**

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

INVOICE # _____

RECEIVED FROM: **MADER RUST INC**

BY: _____

APPLICATION	
PERMIT	
TRANSFER	T-10518

CASH: ☐ CHECK: # **6171** OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ **317.00**

1083 TREASURY 4170 WRD MISC CASH ACCT

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

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

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

WATER RIGHTS:

0201 SURFACE WATER	EXAM FEE \$ _____	0202 \$ _____
0203 GROUND WATER	\$ _____	0204 \$ _____
0205 TRANSFER	\$ 317.00	

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

TREASURY OTHER / RDX

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

RECEIPT: **91139**

DATED: **1/17/08** BY: *[Signature]*

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

- | | |
|--|--|
| ☐ Permanent Transfer | ☐ Instream Transfer |
| ☒ Temporary Transfer | ☐ Permanent |
| • total number of years: <u>5</u> | ☐ Time-Limited |
| (begin year: <u>March 2008</u>) | ☐ Drought Transfer |
| (end year: <u>Oct. 2012</u>) | ☐ Other |

RECEIVED

JAN 07 2008

2. APPLICANT INFORMATION

WATER RESOURCES DEPT
SALEM, OREGON

Name: Tim Rust
First Last

Address: 77252 Mader Rust Ln

Echo OR 97826
City State Zip

Phone: (541)3768202 (541)571-4465
Home Work Other

Fax: _____ E-Mail address: _____

3. AGENT INFORMATION

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

Name: William I. Porfily
First Last

Address: P.O. Box 643

Stanfield OR 97875
City State Zip

Phone: (541)449-1327 (541)561-7259
Home Work Other

Fax: _____ E-Mail address: bporfily@my180.net

- 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.

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.	Butter Creek Decree		74795
2.	U-496	U-450	31096
3.	46499	46499	
64.			
5.			
6.			

- Check **all** proposed change(s) included in this transfer application:

- ☒ Place of Use ☐ Point of Diversion ☐ Additional Point of Diversion
☐ Character of Use ☐ Point of Appropriation ☐ Additional Point of Appropriation
☐ Instream Transfer ☐ Surface Water source to Ground Water source

- Reason(s) for change(s): **To locate water rights on more productive ground.**

RECEIVED

JAN 07 2008

**WATER RESOURCES DEPT
SALEM, OREGON**

5. WATER DELIVERY SYSTEM

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

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

The Well is equipped with a 125hp submersible 900 gpm pump and the Butter Creek pump is a 25 hp centrifugal . These two pump delivered water to 2 1700 foot wheel lines and to 2-1700 foot hand lines

- System capacity: **2 cfs** 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:

N/A

RECEIVED

JAN 07 2008

WATER RESOURCES DEPT
SALEM OREGON

- 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).

Morrow County, Court House , Heppner, OR 97836

8. LAND OWNERSHIP

- Does the applicant own the lands **FROM** which the right is being transferred? ☒ Yes ☐ No

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

Names of Current Landowner(s): _____
First Last

Address: _____

City State Zip

- Does the applicant own the lands **TO** which the right is being transferred?

☒ Yes ☐ No ☐ N/A - NOT APPLICABLE TO INSTREAM TRANSFERS

If "No", provide the following information:

Names of Receiving Landowner(s): _____
First Last

Address: _____

City State Zip

- Check one of the following:

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

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

☐ N/A. (Not applicable. Application is for an Instream Water Right Transfer.)

RECEIVED

JAN 07 2008

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:
- ① In EFU zone or irrigation district,
 - ② Change in place of use only,
 - ③ No structural changes needed, including diversion works, delivery facilities, other structures, *and*
 - ④ Irrigation only.

Fees:

- ☐ Amount enclosed: \$ 317.00
See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0900.

Instream Water Right Transfers, also include:

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

JAN 07 2008

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	Tim Rust an Owner name (print)	12/27/2007 date
 applicant signature	 name (print)	 date

RECEIVED

JAN 07 2008

**WATER RESOURCES DEPT
SALEM OREGON**

Primary Water Right

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: 74795

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

Point of Diversion or Appropriation	Place of Use	Character of Use
☐ 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.) ☐ 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.) ☐ Historic Point of Diversion or Appropriation Change (Unauthorized point of diversion or appropriation used for more than 10 years.) ☐ 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.) ☐ Point of Diversion Change due to Government Action (The old point of diversion or appropriation can no longer be used due to government action.)	☐ All of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.) ☒ 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: ☐ Irrigation ☐ Municipal ☐ Quasi-municipal ☐ Commercial ☐ Industrial ☐ Instream (complete and attach <i>Supplemental Form C</i>) ☐ Domestic (indicate number of households) _____ ☐ Other _____ ☐ Substitution (A supplemental ground water right will be substituted for a primary surface water right.) ☐ Supplemental Use to Primary Use (Primary water right shall be cancelled and the supplemental water right will change to primary use.)

RECEIVED

JAN 07 2008

WATER RESOURCES DEPT
SALEM, OREGON

2. CURRENT WATER RIGHT INFORMATION

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

☒ Certificated Right	<u>74795</u> Certificate Number	<u>Butter Creek Decree</u> Permit Number or Decree Name
☐ Adjudicated, Non-certificated Right	 Name of Decree	 Page Number
☐ Permit for which Proof has been Approved	 Permit Number	 Date Claim of Beneficial Use Submitted
☐ Transferred Right for which Proof has been Filed	 Previous Transfer Number	 Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: Successor in Interest to M.S. Corrigan
- County: Morrow
- Authorized Use(s) to be Affected by Transfer: Irrigation
- Priority Date(s): 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: Butter Creek I

RECEIVED

JAN 07 2008

WATER RESOURCES DEPT
SALEM, OREGON

Tributary to: Umatilla 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? Cert. 31096 & Permit 46499

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: 74795

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

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

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

(i.e., the allowed point(s) of diversion or appropriation listed on the water right that will be affected by the proposed transfer, the "FROM" point(s) of diversion or appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-___)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
	POD #2 Butter Creek 1904	2N	27E	WM	28	SE NE	TL 100	20 ft N & 40 ft W from the W ¼ corner of Section 27

- Does the water right being transferred involve a ground water source(s)?

☐ Yes ☒ No (Surface water source only.)

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

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

or

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

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

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

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

RECEIVED

JAN 07 2008

**WATER RESOURCES DEPT
SALEM, OREGON**

▪ Certificate Number or other identifying number: 74795

*The following information **must be provided** only for those places of use 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 Place of Use to be Affected:

(i.e., the allowed lands listed on the water right that will be affected by the proposed transfer, the "FROM" lands)

[illegible]

RECEIVED

JAN 07 2008

WATER RESOURCES DEPT
SALEM, OREGON

3. PROPOSED CHANGES TO THE WATER RIGHT

- Certificate Number or other identifying number: 74795

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

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

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

☐ N/A – Instream Water Right Transfer

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

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

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

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

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

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

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

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

RECEIVED
JAN 07 2008
WATER RESOURCES DEPT
SALEM OREGON

▪ Certificate Number or other identifying number: 74795

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)
Butter Creek	2N	27E	WM	28	SW NE	TL 100	10.0

Remarks: _____

RECEIVED

JAN 07 2008

**WATER RESOURCES DEPT
SALEM, OREGON**

1st of 2 Supplemental Water Right
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: 31096

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

Point of Diversion or Appropriation	Place of Use	Character of Use
☐ 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.) ☐ 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.) ☐ Historic Point of Diversion or Appropriation Change (Unauthorized point of diversion or appropriation used for more than 10 years.) ☐ 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.) ☐ Point of Diversion Change due to Government Action (The old point of diversion or appropriation can no longer be used due to government action.)	☐ All of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.) ☒ 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: ☐ Irrigation ☐ Municipal ☐ Quasi-municipal ☐ Commercial ☐ Industrial ☐ Instream (complete and attach <i>Supplemental Form C</i>) ☐ Domestic (indicate number of households) _____ ☐ Other _____ ☐ Substitution (A supplemental ground water right will be substituted for a primary surface water right.) ☐ Supplemental Use to Primary Use (Primary water right shall be cancelled and the supplemental water right will change to primary use.)

RECEIVED

JAN 07 2008

WATER RESOURCES DEPT
SALEM, OREGON

2. CURRENT WATER RIGHT INFORMATION

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

☒ Certificated Right	<u>31096</u> Certificate Number	<u>U-450</u> Permit Number or Decree Name
☐ Adjudicated, Non-certificated Right	 Name of Decree	 Page Number
☐ Permit for which Proof has been Approved	 Permit Number	 Date Claim of Beneficial Use Submitted
☐ Transferred Right for which Proof has been Filed	 Previous Transfer Number	 Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: Ed Tucker (Tucker Echo Ranch)
- County: Morrow
- Authorized Use(s) to be Affected by Transfer: Supplemental Irrigation
- Priority Date(s): May 7, 1952

*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: A Well

RECEIVED

JAN 07 2008

WATER RESOURCES DEPT
SALEM, OREGON

Tributary to: Butter Creek

*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? Cert. 74795 & Permit 46499

*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: 31096

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

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

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

(i.e., the allowed point(s) of diversion or appropriation listed on the water right that will be affected by the proposed transfer, the "FROM" point(s) of diversion or appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-___)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
Morr 563 & Morr 50256	A Well May 7, 1952	2N	27E	WM	28	SE NE	TL 100	280 ft N & 50 ft W from the E ¼ corner of Section 28

▪ Does the water right being transferred involve a ground water source(s)?

☐ Yes ☒ No (Surface water source only.)

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

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

or

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

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

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

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

RECEIVED
JAN 07 2008
WATER RESOURCES DEPT
SALEM, OREGON

▪ Certificate Number or other identifying number: 31096

*The following information **must be provided** only for those places of use 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 Place of Use to be Affected:

(i.e., the allowed lands listed on the water right that will be affected by the proposed transfer, the "FROM" lands)

[illegible]

RECEIVED

JAN 07 2008

WATER RESOURCES DEPT
SALEM, OREGON

3. PROPOSED CHANGES TO THE WATER RIGHT

- Certificate Number or other identifying number: 31096

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

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

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

☐ N/A – Instream Water Right Transfer

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

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

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

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

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

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

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

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

RECEIVED

JAN 07 2008

WATER RESOURCES DEPT
SALEM, OREGON

▪ Certificate Number or other identifying number: 31096

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	$\frac{1}{4}$ $\frac{1}{4}$ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
Well	2N	27E	WM	28	SW NE	TL 100	10.0

Remarks: _____

RECEIVED

JAN 07 2008

WATER RESOURCES DEPT
SALEM, OREGON

2nd of 2 Supplemental Water Right
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: Permit 46499

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

Point of Diversion or Appropriation	Place of Use	Character of Use
☐ 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.) ☐ 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.) ☐ Historic Point of Diversion or Appropriation Change (Unauthorized point of diversion or appropriation used for more than 10 years.) ☐ 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.) ☐ Point of Diversion Change due to Government Action (The old point of diversion or appropriation can no longer be used due to government action.)	☐ All of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.) ☒ 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: ☐ Irrigation ☐ Municipal ☐ Quasi-municipal ☐ Commercial ☐ Industrial ☐ Instream (complete and attach <i>Supplemental Form C</i>) ☐ Domestic (indicate number of households) _____ ☐ Other _____ ☐ Substitution (A supplemental ground water right will be substituted for a primary surface water right.) ☐ Supplemental Use to Primary Use (Primary water right shall be cancelled and the supplemental water right will change to primary use.)

RECEIVED

JAN 07 2008

WATER RESOURCES DEPT
SALEM, OREGON

2. CURRENT WATER RIGHT INFORMATION

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

☒ Certificated Right	46499 Certificate Number	Permit Number or Decree Name
☐ Adjudicated, Non-certificated Right	Name of Decree	Page Number
☐ Permit for which Proof has been Approved	Permit Number	Date Claim of Beneficial Use Submitted
☐ Transferred Right for which Proof has been Filed	Previous Transfer Number	Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: John Madison
- County: Morrow
- Authorized Use(s) to be Affected by Transfer: Supplemental Irrigation
- Priority Date(s): October 16, 1978

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: Butter Creek

RECEIVED

JAN 07 2008

WATER RESOURCES DEPT
SALEM, OREGON

Tributary to: Umatilla 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? Certificates 74795 & 31096

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: Permti 46499

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

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

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

(i.e., the allowed point(s) of diversion or appropriation listed on the water right that will be affected by the proposed transfer, the "FROM" point(s) of diversion or appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-____)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
	POD #P Butter Creek 1904	2N	27E	WM	28	SE NE	TL 100	20 ft N & 40 ft W from the W ¼ corner of Section 27

▪ 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

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

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

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

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

RECEIVED
JAN 07 2008
WATER RESOURCES DEPT
SALEM, OREGON

▪ Certificate Number or other identifying number: Permti 46499

*The following information **must be provided** only for those places of use 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 Place of Use to be Affected:

(i.e., the allowed lands listed on the water right that will be affected by the proposed transfer, the "FROM" lands)

[illegible]

RECEIVED

JAN 07 2008

WATER RESOURCES DEPT
SALEM, OREGON

3. PROPOSED CHANGES TO THE WATER RIGHT

- Certificate Number or other identifying number: Permti 46499

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

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

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

☐ N/A – Instream Water Right Transfer

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

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

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

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

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

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

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

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

RECEIVED

JAN 07 2008

WATER RESOURCES DEPT
SALEM, OREGON

▪ Certificate Number or other identifying number: Permti 46499

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)
Well	2N	27E	WM	28	SW NE	TL 100	10.0

Remarks: _____

RECEIVED

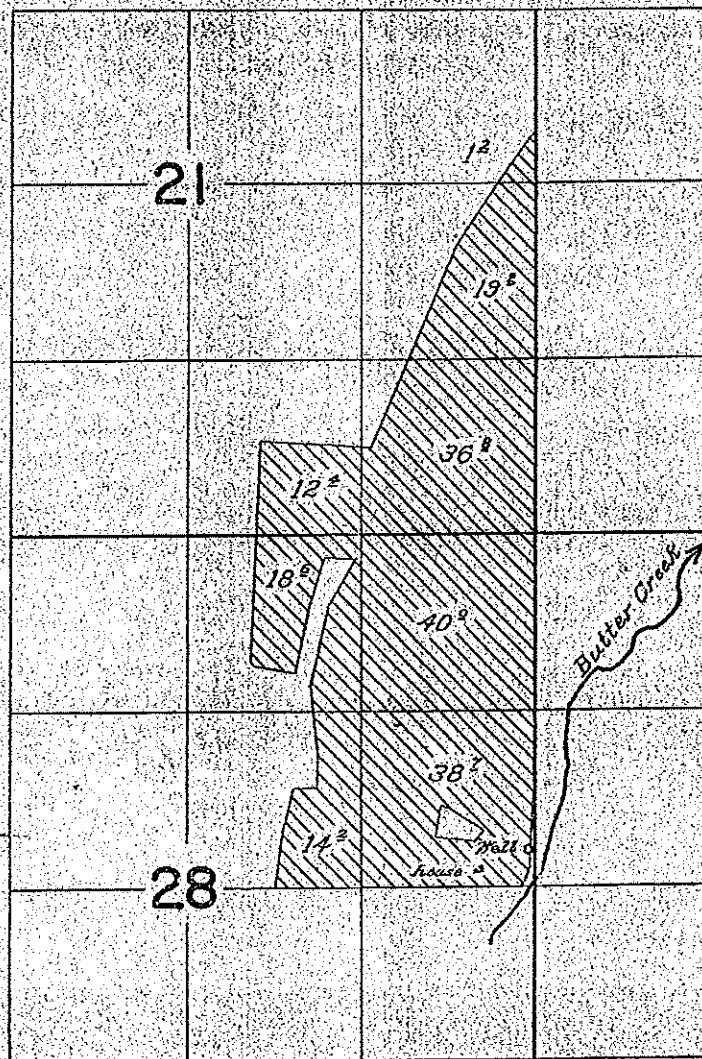
JAN 07 2008

WATER RESOURCES DEPT
SALEM, OREGON

W-450

C-31096

T.2N.R.27E.W.M.



FINAL PROOF SURVEY
UNDER

Application No. 20-496 Permit No. 20-450
IN NAME OF

Tucker Echo Ranch

Surveyed October 1, 1962, by *Harold R. Kuer*



STATE OF OREGON

WORROW AND UMATILLA COUNTIES

PERMIT TO APPROPRIATE THE PUBLIC WATERS

This is to certify that I have examined APPLICATION 57999 and do hereby grant the same SUBJECT TO EXISTING RIGHTS INCLUDING THE APPROPRIATE MINIMUM FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD and the following limitations and conditions:

This permit is issued to John Madison, of Route 1, Box 35, Echo, Oregon 97826, Agent for Frank N. Mueller, Top Cut Feedlots, Inc. by Brent Horn, Lowell Saylor, John Madison, Madison Ranches, Inc. by Gaylord Madison, Frank Pedro, Claude H. Ammon by Bob Hale, Douglas Hale, Glenn Cochran, Jerry Myers, Mike McCarty, Ed Johnson, Frank Mader, Bob Hawkins, Bud Graham, Edward Burl Wattenburger, Jr., Earl W. Wattenburger by Eldon Witherrite, Leo Ashbeck, John B. Correa, Sidney R. Britt and Mabel Vey, for the use of the waters of Butter Creek, a tributary of Umatilla River, for the PURPOSE of supplemental irrigation. The use allowed herein may be made at any time between September 2 and December 30 of each year that water can be put to beneficial use by irrigation, either for immediate crop growth or for forecast requirements to raise soil moisture to field capacity in the soil profile to be utilized by plant growth in the subsequent growing season, that the PRIORITY OF THE RIGHT dates from October 16, 1978, and is limited to the amount of water which can be applied to beneficial use and shall not exceed 108.7 cubic feet per second measured at the point of diversion from the stream, or its equivalent in case of rotation with other water users.

The POINTS OF DIVERSION are to be LOCATED: Diversions A - 1,650 feet North and 100 feet East from the S 1/4 Corner of Section 18, being within the NW 1/4 SE 1/4 of Section 18, Township 3 North, Range 28 East, WM; Diversions B - 10 feet South and 1,800 feet East from the W 1/4 Corner of Section 19, being within the NE 1/4 SW 1/4 of Section 19, Township 3 North, Range 28 East, WM; Diversions C - 2,620 feet North and 620 feet East from the W 1/4 Corner of Section 30, being within the NW 1/4 NW 1/4 of Section 30, Township 3 North, Range 28 East, WM; Diversions D - 320 feet North and 820 feet West from the E 1/4 Corner of Section 25, being within the SE 1/4 NE 1/4 of Section 25, Township 3 North, Range 27 East, WM; Diversions E - 340 feet South and 50 feet West from the N 1/4 Corner of Section 36, being within the NE 1/4 NW 1/4 of Section 36, Township 3 North, Range 27 East, WM; Diversions F - 2,150 feet North and 860 feet East from the Southwest Corner of Section 36, being within the NW 1/4 SW 1/4 of Section 36, Township 3 North, Range 27 East, WM; Diversions G - 1,290 feet South and 80 feet West from the Northeast Corner of Section 2, being within the NE 1/4 NE 1/4 of Section 2, Township 2 North, Range 27 East, WM; Diversions H - 50 feet South and 350 feet West from the E 1/4 Corner of Section 2, being within the NE 1/4 SE 1/4 of Section 2, Township 2 North, Range 27 East, WM; Diversions I - 1,400 feet South and 300 feet East from the N 1/4 Corner of Section 11, being within the SW 1/4 NE 1/4 of Section 11, Township 2 North, Range 27 East, WM; Diversions J - 390 feet North and 150 feet West from the Center Quarter Corner of Section 11, being within the SE 1/4 NW 1/4 of Section 11, Township 2 North, Range 27 East, WM; Diversions K - 970 feet North and 450 feet West from the S 1/4 Corner of Section 11, being within the SE 1/4 SW 1/4 of Section 11, Township 2 North, Range 27 East, WM; Diversions L - 1,430 feet South and 1,630 feet East from the Northwest Corner of Section 14, being within the SE 1/4 NW 1/4 of Section 14, Township 2 North, Range 27 East, WM; Diversions M - 1,090 feet North and 320 feet East from the Southwest Corner of Section 14, being within the SW 1/4 SW 1/4 of Section 14, Township 2 North, Range 27 East, WM; Diversions N - 310 feet North and 260 feet East from the Southwest Corner of Section 14, being within the SW 1/4 SW 1/4 of Section 14, Township 2 North, Range 27 East, WM; Diversions O - 340 feet North and 170 feet East from the W 1/4 Corner of Section 27, being within the SW 1/4 NW 1/4 of Section 27, Township 2 North, Range 27 East, WM.

APPLICATION 57999

PERMIT **46499**

T-9672 ΔPOU (Temp) V.60 p.509

Temp T-8769 ΔPOU
SP V55P.554

T-93504 POU/MRSP 151 p.391
T-9284 ΔPOU
Temp T-2927 ΔPOU

Diverslon P - 20 feet North and 40 feet West from the W 1/4 Corner of Section 27, being within the SE 1/4 NE 1/4 of Section 28, Township 2 North, Range 27 East, WM; Diverslon G - 200 feet North and 1,340 feet West from the Southeast Corner of Section 28, being within the SW 1/4 SE 1/4 of Section 28, Township 2 North, Range 27 East, WM; Diverslon R - 250 feet North and 380 feet East from the W 1/4 Corner of Section 34, being within the SW 1/4 NW 1/4 of Section 34, Township 2 North, Range 27 East, WM; Diverslon S - 2,500 feet North and 380 feet East from the Southwest Corner of Section 34, being within the NW 1/4 SW 1/4 of Section 34, Township 2 North, Range 27 East, WM; Diverslon T - 1,360 feet North and 1,500 feet East from the Southwest Corner of Section 34, being within the NE 1/4 SW 1/4 of Section 34, Township 2 North, Range 27 East, WM; Diverslon U - North 87 degrees 10 minutes East 2,700 feet from the Southwest Corner of Section 34, being within the SE 1/4 SW 1/4 of Section 34, Township 2 North, Range 27 East, WM; Diverslon V - 320 feet South and 2,400 feet West from the Northeast Corner of Section 3, being within the NW 1/4 NE 1/4 of Section 3, Township 1 North, Range 27 East, WM; Diverslon W - 1,500 feet South and 2,030 feet West from the Northeast Corner of Section 3, being within the SW 1/4 NE 1/4 of Section 3, Township 1 North, Range 27 East, WM; Diverslon X - 375 feet North and 1,420 feet West from the Northeast Corner of Section 10, being within the SW 1/4 SE 1/4 of Section 3, Township 1 North, Range 27 East, WM; Diverslon Y - 1,450 feet South and 720 feet West from the Northeast Corner of Section 10, being within the SE 1/4 NE 1/4 of Section 10, Township 1 North, Range 27 East, WM; Diverslon Z - 50 feet North and 1,260 feet West from the E 1/4 Corner of Section 10, being within the SE 1/4 NE 1/4 of Section 10, Township 1 North, Range 27 East, WM; Diverslon AA - 1,620 feet South and 1,280 feet West from the Northeast Corner of Section 15, being within the SE 1/4 NE 1/4 of Section 15, Township 1 North, Range 27 East, WM; Diverslon BB - 2,790 feet North and 500 feet West from the Southeast Corner of Section 15, being within the SE 1/4 NE 1/4 of Section 15, Township 1 North, Range 27 East, WM; Diverslon CC - 700 feet North and 530 feet East from the Southwest Corner of Section 14, being within the SW 1/4 SW 1/4 of Section 14, Township 1 North, Range 27 East, WM; Diverslon DD - South 86 degrees 15 minutes East 3,230 seconds from the W 1/4 Corner of Section 23, being within the NW 1/4 SE 1/4 of Section 23, Township 1 North, Range 27 East, WM; Diverslon EE - 1,540 feet North and 470 feet West from the S 1/4 Corner of Section 24, being within the NE 1/4 SW 1/4 of Section 24, Township 1 North, Range 27 East, WM; Diverslon FF - 960 feet South and 340 feet West from the Northeast Corner of Section 30, being within the NE 1/4 NE 1/4 of Section 30, Township 1 North, Range 28 East, WM; Diverslon GG - 750 feet South and 170 feet West from the Northeast Corner of Section 28, being within the NE 1/4 NE 1/4 of Section 28, Township 1 North, Range 28 East, WM, in the Counties of Morrow and Umatilla.

A description of the PLACE OF USE under the permit, and to which such right is appurtenant, is as follows:

	Frank N. Mueller, Owner
	W.B. Hamilton Decree
	Certificate 2668
Township 3 North	Range 28 East, WM
Section 8	
	NE 1/4 SW 1/4 40.0 acres
	SE 1/4 NW 1/4 40.0 acres
	SW 1/4 NE 1/4 5.0 acres
	NW 1/4 SE 1/4 15.0 acres

APPLICATION 57999

PERMIT **46499**

page three

			Top Cut Feedlot, Inc., Owner				
			R.B. Stanfield Decree				
			Certificate 2691				
Township 3 North	Range 28 East, WM	Section 7	SE 1/4	NE 1/4	19.0 acres		
			NE 1/4	SE 1/4	31.0 acres		
			SW 1/4	SE 1/4	40.0 acres		
			SE 1/4	SE 1/4	16.0 acres		
				Section 8	SW 1/4	NW 1/4	20.0 acres
					NW 1/4	SW 1/4	38.0 acres
				Section 18	NE 1/4	NE 1/4	7.5 acres
					NW 1/4	NE 1/4	40.0 acres
					Lowell Saylor, Owner		
					Jesse Moore Decree		
			Certificate 2679				
Township 3 North	Range 28 East, WM	Section 8	SW 1/4	SW 1/4	40.0 acres		
			SE 1/4	SW 1/4	35.0 acres		
				Section 17	NW 1/4	NW 1/4	40.0 acres
					SW 1/4	NW 1/4	21.5 acres
					SE 1/4	NW 1/4	2.0 acres
					NE 1/4	NW 1/4	28.0 acres
					Wallace A. Thomson Decree		
					Certificate 2696		
		Township 3 North	Range 27 East, WM	Section 36	NE 1/4	NE 1/4	40.0 acres
					NW 1/4	NE 1/4	40.0 acres
SW 1/4	NE 1/4				40.0 acres		
SE 1/4	NE 1/4				40.0 acres		
NE 1/4	NW 1/4				10.0 acres		
SW 1/4	NW 1/4				4.0 acres		
SE 1/4	NW 1/4				40.0 acres		
					Hugh Stanfield Decree		
			Certificate 2690				
Township 3 North	Range 27 East, WM	Section 25	NE 1/4	SE 1/4	38.0 acres		
			NW 1/4	SE 1/4	6.0 acres		
			SW 1/4	SE 1/4	26.0 acres		
			SE 1/4	SE 1/4	40.0 acres		
			J.B. Saylor Decree				
			Certificate 2687				
Township 2 North	Range 27 East, WM	Section 1	NE 1/4	NW 1/4	40.0 acres		
			NW 1/4	NW 1/4	34.0 acres		
Township 3 North	Range 27 East, WM	Section 36	NE 1/4	SW 1/4	40.0 acres		
			NW 1/4	SW 1/4	14.0 acres		
			SW 1/4	SW 1/4	21.0 acres		
			SE 1/4	SW 1/4	40.0 acres		
			NE 1/4	SE 1/4	40.0 acres		
			NW 1/4	SE 1/4	40.0 acres		
			SW 1/4	SE 1/4	40.0 acres		
			SE 1/4	SE 1/4	36.0 acres		

page four

Township 3 North	Range 28 East, WM	Section 30	SW 1/4	SW 1/4	12.0 acres
			SE 1/4	SW 1/4	27.0 acres
		Section 31	NE 1/4	NW 1/4	22.0 acres
			NW 1/4	NW 1/4	38.0 acres
			SW 1/4	NW 1/4	39.0 acres
			SE 1/4	NW 1/4	3.0 acres
			Caroline E. Rogers Decree Certificate 2683		
Township 3 North	Range 28 East, WM	Section 18	SE 1/4	NE 1/4	40.0 acres
			SE 1/4	SW 1/4	11.5 acres
		Section 19	NE 1/4	SE 1/4	36.0 acres
			SW 1/4	SE 1/4	40.0 acres
			NW 1/4	NE 1/4	15.0 acres
			SW 1/4	NE 1/4	3.0 acres
			NE 1/4	NW 1/4	22.0 acres
		Section 19	SE 1/4	NW 1/4	35.0 acres
			Madison Ranch Owner Jesse Moore Decree Certificate 49217		
			NE 1/4	SW 1/4	13.0 acres
			NW 1/4	SW 1/4	13.0 acres
			SW 1/4	SW 1/4	33.0 acres
		Section 30	SE 1/4	SW 1/4	1.4 acres
			NW 1/4	NW 1/4	16.0 acres
Township 3 North	Range 27 East, WM	Section 24	SE 1/4	SE 1/4	6.0 acres
			NE 1/4	NE 1/4	16.0 acres
		Section 25	Hugh Stanfield Decree Certificate 2690		
			SW 1/4	NW 1/4	38.0 acres
Township 3 North	Range 28 East, WM	Section 30	M.S. Corrigan Decree Certificate 22981		
			SE 1/4	NE 1/4	20.4 acres
		Section 25	Frank Pedro, Owner Jesse Moore Decree Transfer 4381, Special Order Volume 33, Page 128		

APPLICATION 57999

PERMIT 46499

page five

Township 3 North	Range 28 East, WM	Section 19	SW 1/4	SW 1/4	2.0 acres
			SE 1/4	SW 1/4	4.6 acres

Section 30	NE 1/4	NW 1/4	40.0 acres
	NW 1/4	NW 1/4	24.0 acres

Claude H. Ammon, Owner
R.N. Stanfield Decree
Certificate 2692

Township 2 North	Range 27 East, WM	Section 1	NE 1/4	NE 1/4	18.0 acres
			NW 1/4	NE 1/4	40.0 acres
			SW 1/4	NE 1/4	39.0 acres
			SE 1/4	NE 1/4	5.0 acres
			SW 1/4	NW 1/4	40.0 acres
			SE 1/4	NW 1/4	40.0 acres
			NE 1/4	SW 1/4	40.0 acres
			NW 1/4	SW 1/4	40.0 acres

Section 2	SE 1/4	NE 1/4	5.0 acres
	NE 1/4	SE 1/4	36.0 acres
	NW 1/4	SE 1/4	6.0 acres

Hale Brothers, Owner
R.N. Stanfield Decree
Certificate 2692

Township 2 North	Range 27 East, WM	Section 1	SW 1/4	SW 1/4	40.0 acres
			SE 1/4	SW 1/4	37.5 acres
			SW 1/4	SE 1/4	2.5 acres

Section 2	SW 1/4	SE 1/4	28.0 acres
	SE 1/4	SE 1/4	40.0 acres

Section 11	NE 1/4	NE 1/4	40.0 acres
	NW 1/4	NE 1/4	40.0 acres
	SW 1/4	NE 1/4	40.0 acres
	SE 1/4	NE 1/4	40.0 acres
	NE 1/4	SW 1/4	40.0 acres

Section 12	NE 1/4	NW 1/4	10.0 acres
	NW 1/4	NW 1/4	40.0 acres
	SW 1/4	NW 1/4	31.0 acres

Glenn Cochran, Owner
Grant Buchanan Decree
Certificate 2655

Township 2 North	Range 27 East, WM	Section 11	NE 1/4	NW 1/4	18.0 acres
			SW 1/4	NW 1/4	1.0 acre
			SE 1/4	NW 1/4	39.0 acres

Jerry Myers, Owner
Susan Thomson Decree
Certificate 2697

page six

Township 2 North	Range 27 East, WM	Section 11	SW 1/4	SW 1/4	20.0 acres
			SE 1/4	SW 1/4	40.0 acres
			NE 1/4	SE 1/4	40.0 acres
			NW 1/4	SE 1/4	40.0 acres
			SW 1/4	SE 1/4	40.0 acres
			SE 1/4	SE 1/4	35.0 acres
		Section 12	NW 1/4	SW 1/4	15.0 acres
		Section 14	NE 1/4	NE 1/4	5.0 acres
			NW 1/4	NE 1/4	30.0 acres
			NE 1/4	NW 1/4	40.0 acres
			NW 1/4	NW 1/4	40.0 acres
		Section 15	NE 1/4	NE 1/4	30.0 acres
					James F. Thomson Decree
			Certificate 2698		
Township 2 North	Range 27 East, WM	Section 10	SE 1/4	SE 1/4	6.0 acres
			Mike McCarty, Owner		
			James A. McCarty Decree		
			Certificate 2675		
Township 2 North	Range 27 East, WM	Section 15	SW 1/4	NE 1/4	24.0 acres
			SE 1/4	NE 1/4	40.0 acres
			NE 1/4	SE 1/4	40.0 acres
			NW 1/4	SE 1/4	38.5 acres
			Elizabeth McCarty Decree		
			Certificate 2676		
Township 2 North	Range 27 East, WM	Section 14	SW 1/4	NE 1/4	13.0 acres
			SW 1/4	NW 1/4	40.0 acres
			SE 1/4	NW 1/4	35.5 acres
			NE 1/4	SW 1/4	18.0 acres
			NW 1/4	SW 1/4	40.0 acres
			SW 1/4	SW 1/4	3.0 acres
			M.S. Corrigan Decree		
			Certificate 22981		
Township 2 North	Range 27 East, WM	Section 15	NE 1/4	SW 1/4	2.5 acres
			SE 1/4	SW 1/4	21.4 acres
			Ed Johnson, Owner		
			C.P. Bowman Decree		
			Certificate 2653		
			Transfer 3491		

APPLICATION 57999

PERMIT

46499

page seven

Township 2 North	Range 27 East, WM	Section 15	SW 1/4	SE 1/4	40.0 acres
			SE 1/4	SE 1/4	40.0 acres
		Section 22	NE 1/4	NE 1/4	40.0 acres
			NW 1/4	NE 1/4	40.0 acres
			SW 1/4	NE 1/4	40.0 acres
			SE 1/4	NE 1/4	35.0 acres
			NE 1/4	NW 1/4	40.0 acres
			NW 1/4	NW 1/4	16.0 acres
			SW 1/4	NW 1/4	37.5 acres
			SE 1/4	NW 1/4	40.0 acres
			NE 1/4	SW 1/4	40.0 acres
			NW 1/4	SW 1/4	40.0 acres
			SW 1/4	SW 1/4	40.0 acres
			SE 1/4	SW 1/4	40.0 acres
			NW 1/4	SE 1/4	37.0 acres
			SW 1/4	SE 1/4	15.0 acres
		Section 27	NE 1/4	NW 1/4	31.0 acres
			NW 1/4	NW 1/4	40.0 acres
			SW 1/4	NW 1/4	34.5 acres
			SE 1/4	NW 1/4	1.5 acres

Frank Mader, Owner
M.S. Corrigal Decree
Certificate 22961

Township 2 North	Range 27 East, WM	Section 21	NE 1/4	SE 1/4	2.5 acres
			SE 1/4	SE 1/4	28.5 acres
		Section 28	NE 1/4	NE 1/4	40.0 acres
			NW 1/4	NE 1/4	8.5 acres
			SW 1/4	NE 1/4	14.3 acres
			SE 1/4	NE 1/4	40.0 acres

Bob Hawkins, Owner
E.P. Jarnian Decree
Certificate 2673

Township 2 North	Range 27 East, WM	Section 28	NE 1/4	SE 1/4	29.6 acres
			NW 1/4	SE 1/4	24.5 acres
			SW 1/4	SE 1/4	23.0 acres
			SE 1/4	SE 1/4	25.0 acres
		Section 33	NE 1/4	NE 1/4	36.0 acres
			NW 1/4	NE 1/4	8.0 acres
			SE 1/4	NE 1/4	32.0 acres

Bud Graham, Owner
A.H. Sunderman Decree
Certificate 44542

Township 2 North	Range 27 East, WM	Section 33	NE 1/4	SE 1/4	11.4 acres
		Section 34	NW 1/4	NW 1/4	6.0 acres
			SW 1/4	NW 1/4	35.0 acres
			SE 1/4	NW 1/4	3.4 acres

Township 2 North	Range 27 East, WM	Section 34	NE 1/4 SW 1/4	32.1 acres
			NW 1/4 SW 1/4	39.2 acres
			SE 1/4 SW 1/4	37.0 acres

Burl J. Wattenburger, Owner
W.J. Wattenburger Decree
Transfer 2944, Special Order
Volume 32, Page 384

Township 2 North	Range 27 East, WM	Section 34	SW 1/4 SE 1/4	33.4 acres
			SE 1/4 SE 1/4	0.4 acre

Township 1 North	Range 27 East, WM	Section 3	NE 1/4 NE 1/4	1.0 acre
			NW 1/4 NE 1/4	20.4 acres
			SW 1/4 NE 1/4	23.8 acres
			SE 1/4 NE 1/4	3.3 acres
			NE 1/4 SE 1/4	10.5 acres
			NW 1/4 SE 1/4	34.7 acres

Mary Wattenburger Decree
Certificate 2706

Township 2 North	Range 27 East, WM	Section 34	SW 1/4 SW 1/4	8.3 acres
------------------	-------------------	------------	---------------	-----------

Earl W. Wattenburger
W.J. Wattenburger Decree
Transfer 3333, Special Order
Volume 32, Page 381

Township 1 North	Range 27 East, WM	Section 3	SW 1/4 SE 1/4	35.3 acres
			SE 1/4 SE 1/4	13.2 acres

		Section 10	NE 1/4 NE 1/4	10.4 acres
			NW 1/4 NE 1/4	32.0 acres
			SW 1/4 NE 1/4	20.0 acres
			SE 1/4 NE 1/4	11.1 acres

Leo Ashback, Owner
T.D. Matthews Decree
Certificate 2674

Township 1 North	Range 27 East, WM	Section 10	NE 1/4 SE 1/4	19.8 acres
			NW 1/4 SE 1/4	27.9 acres
			SW 1/4 SE 1/4	38.1 acres
			SE 1/4 SE 1/4	20.3 acres

		Section 15	NE 1/4 NE 1/4	25.3 acres
			NW 1/4 NE 1/4	14.2 acres

page nine

			John B. Correa, Owner				
			T.D. Matthews Decree				
			Certificate 2674				
Township 1 North	Range 27 East, WM	Section 15	SW 1/4	NE 1/4	1.5 acres		
			SE 1/4	NE 1/4	4.3 acres		
			George W. Vincent Decree				
			Certificate 49074				
			Transfer 4301, Special Order				
			Volume 32, Page 642				
Township 1 North	Range 27 East, WM	Section 14	SW 1/4	NW 1/4	4.0 acres		
			NW 1/4	SW 1/4	22.0 acres		
			SW 1/4	SW 1/4	33.5 acres		
			SE 1/4	SW 1/4	16.0 acres		
		Section 15	SW 1/4	NE 1/4	9.0 acres		
			SE 1/4	NE 1/4	34.0 acres		
			NE 1/4	SE 1/4	20.0 acres		
			SE 1/4	SE 1/4	0.5 acre		
		Section 23	SW 1/4	NE 1/4	12.5 acres		
			NE 1/4	NW 1/4	39.0 acres		
			NW 1/4	NW 1/4	9.0 acres		
			SE 1/4	NW 1/4	13.0 acres		
			Sid Britt, Owner				
			James T. Ayers Decree				
			Certificate 2649				
Township 1 North	Range 27 East, WM	Section 23	SW 1/4	NE 1/4	6.0 acres		
			SE 1/4	NE 1/4	7.5 acres		
			NE 1/4	SE 1/4	30.0 acres		
			NW 1/4	SE 1/4	9.0 acres		
		Section 24	NE 1/4	SW 1/4	5.5 acres		
			NW 1/4	SW 1/4	31.0 acres		
			Mrs. Mabel Vey, Owner				
			Mary A. Barker Decree				
			Certificate 2651				
Township 1 North	Range 27 East, WM	Section 24	SW 1/4	SW 1/4	18.6 acres		
			SE 1/4	SW 1/4	34.6 acres		
			SW 1/4	SE 1/4	20.7 acres		
			SE 1/4	SE 1/4	9.7 acres		
		Section 25	NE 1/4	NE 1/4	36.3 acres		
			NW 1/4	NE 1/4	16.77 acres		
			NE 1/4	NW 1/4	3.8 acres		
Township 1 North	Range 28 East, WM	Section 30	NE 1/4	NE 1/4	10.5 acres		
			NW 1/4	NE 1/4	12.3 acres		
			SE 1/4	NE 1/4	1.7 acres		
			NE 1/4	NW 1/4	25.9 acres		
			NW 1/4	NW 1/4	30.5 acres		

721151

			Mrs. Mabel Vey, Owner Antoine Vey Decree Certificate 2699		
Township 1 North	Range 28 East, WM	Section 28	NE 1/4	NE 1/4	2.5 acres
			NW 1/4	NE 1/4	11.0 acres
			NE 1/4	NW 1/4	10.0 acres
			NW 1/4	NW 1/4	32.5 acres
		Section 29	NE 1/4	NE 1/4	14.0 acres
			NW 1/4	NE 1/4	17.0 acres
			NE 1/4	NW 1/4	12.5 acres
			NW 1/4	NW 1/4	2.5 acres
			SW 1/4	NW 1/4	6.0 acres
			SE 1/4	NW 1/4	5.5 acres

The AMOUNT OF WATER used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to 1/50 of one cubic foot per second per acre, from direct flow and shall be further limited to a diversion of not to exceed 1.0 acre-foot per acre for each acre irrigated during the period from September 2 to December 30, provided further that the right allowed herein, together with the amount secured under any other right existing for the same lands shall not exceed 4.0 acre-feet for each acre irrigated in any one year. The use of water authorized herein shall not establish priority of right as against future appropriations of surface water for beneficial uses or for storage for such beneficial uses, other than similar rights for irrigation from September 2 to December 30, and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

Actual construction work shall begin on or before May 19, 1983 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1984.

Complete application of the water to the proposed use shall be made on or before October 1, 1985.

WITNESS my hand this 19th day of May, 1982.

/s/ JAMES E. SEXSON

WATER RESOURCES DIRECTOR

STATE OF OREGON
COUNTIES OF MORROW AND UMATILLA
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO THE

~~SUCCESSORS IN INTEREST TO M.S. CORRIGAL~~

confirms the right to use the waters of BUTTER CREEK AND SPRINGS, TRIBUTARIES OF THE UMATILLA RIVER in the UMATILLA BASIN for IRRIGATION OF 159.7 ACRES OF LAND, DOMESTIC, AND STOCK USE.

The right has been confirmed by decree of the Circuit Court of the State of Oregon for Umatilla County. The decree is of record at Salem, in the Order Record of the Water Resources Director, in Volume 3, Page 250. The dates of priority are 1884 FOR 1.33 CUBIC FEET PER SECOND; 1895 FOR 1.17 CUBIC FEET PER SECOND; AND 1904 FOR 0.73 CUBIC FOOT PER SECOND.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 3.23 CUBIC FEET PER SECOND or its equivalent in case of rotation.

The points of diversion are located as follows:

SW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 27; SE $\frac{1}{4}$ NE $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 28; SW $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 34; TOWNSHIP 2 NORTH, RANGE 27 EAST, W.M.; SE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 25, SE $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 34; TOWNSHIP 3 NORTH, RANGE 27 EAST, W.M.; POD 1 - 340 FEET NORTH AND 170 FEET EAST FROM THE W $\frac{1}{4}$ CORNER OF SECTION 27; POD 2 - 20 FEET NORTH AND 40 FEET WEST FROM THE W $\frac{1}{4}$ CORNER OF SECTION 27; POD 3 - 200 FEET NORTH AND 1340 FEET WEST FROM THE SOUTHEAST CORNER OF SECTION 28; POD 4 - 250 FEET NORTH AND 380 FEET EAST FROM THE W $\frac{1}{4}$ CORNER OF SECTION 34; POD 5 - 2350 FEET SOUTH AND 840 FEET WEST FROM THE NORTHEAST CORNER OF SECTION 25.

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

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

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$ 8.5 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$ 14.3 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 40.0 ACRES
SECTION 28

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 2.5 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 28.5 ACRES
SECTION 21

TOWNSHIP 2 NORTH, RANGE 27 EAST, W.M.
IN MORROW COUNTY, OREGON

SEE NEXT PAGE

Temporary
Sp. Or. V. 53 p. 721

T-5851.BW

T-8177T-8056

NE¼ SW¼ 2.5 ACRES
SE¼ SW¼ 21.4 ACRES
SECTION 15
TOWNSHIP 2 NORTH, RANGE 27 EAST, W.M.

SE¼ NE¼ 2.0 ACRES
SECTION 25
TOWNSHIP 3 NORTH, RANGE 27 EAST, W.M.
IN UMATILLA COUNTY, OREGON

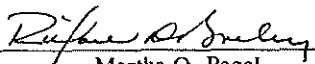
THIS CERTIFICATE IS ISSUED TO CORRECTLY DESCRIBE THE CERTIFICATE
CONDITIONS AND SUPERSEDES CERTIFICATE 74190.

This certificate describes that portion of the water right confirmed by Certificate 22981, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered JANUARY 29, 1987, APPROVING TRANSFER APPLICATION 5851 AND AN ORDER DATED MARCH 6, 1997, CORRECTING TRANSFER 5851.

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

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

WITNESS the signature of the Water Resources Director, affixed JULY 29, 1997.


Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 74795.

STATE OF OREGON
COUNTY OF MORROW
CERTIFICATE OF WATER RIGHT

This Is to Certify, That ED TUCKER (TUCKER ECHO RANCH)

of Echo , State of Oregon , has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of a well

a tributary of Butter Creek (Umatilla River) for the purpose of irrigation of 48.7 acres and supplemental irrigation of 132.4 acres

under Permit No. U-450 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from May 7, 1952,

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 1.96 cubic feet per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 28, T. 2 N., R. 27 E., W. M. Well located 280 feet North and 50 feet West from East $\frac{1}{4}$ corner, Section 28.

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

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

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

	Primary	Supplemental
SE $\frac{1}{4}$ NE $\frac{1}{4}$	1.2 acres	
NE $\frac{1}{4}$ SE $\frac{1}{4}$	16.7 acres	2.5 acres
SW $\frac{1}{4}$ SE $\frac{1}{4}$	12.4 acres	
SE $\frac{1}{4}$ SE $\frac{1}{4}$	8.3 acres	28.5 acres
Section 21		
NW $\frac{1}{4}$ NE $\frac{1}{4}$	10.1 acres	8.5 acres
SW $\frac{1}{4}$ NE $\frac{1}{4}$		14.2 acres
SE $\frac{1}{4}$ NE $\frac{1}{4}$		38.7 acres
NE $\frac{1}{4}$ NE $\frac{1}{4}$		40.0 acres
Section 28		
T. 2 N., R. 27 E., W. M.		

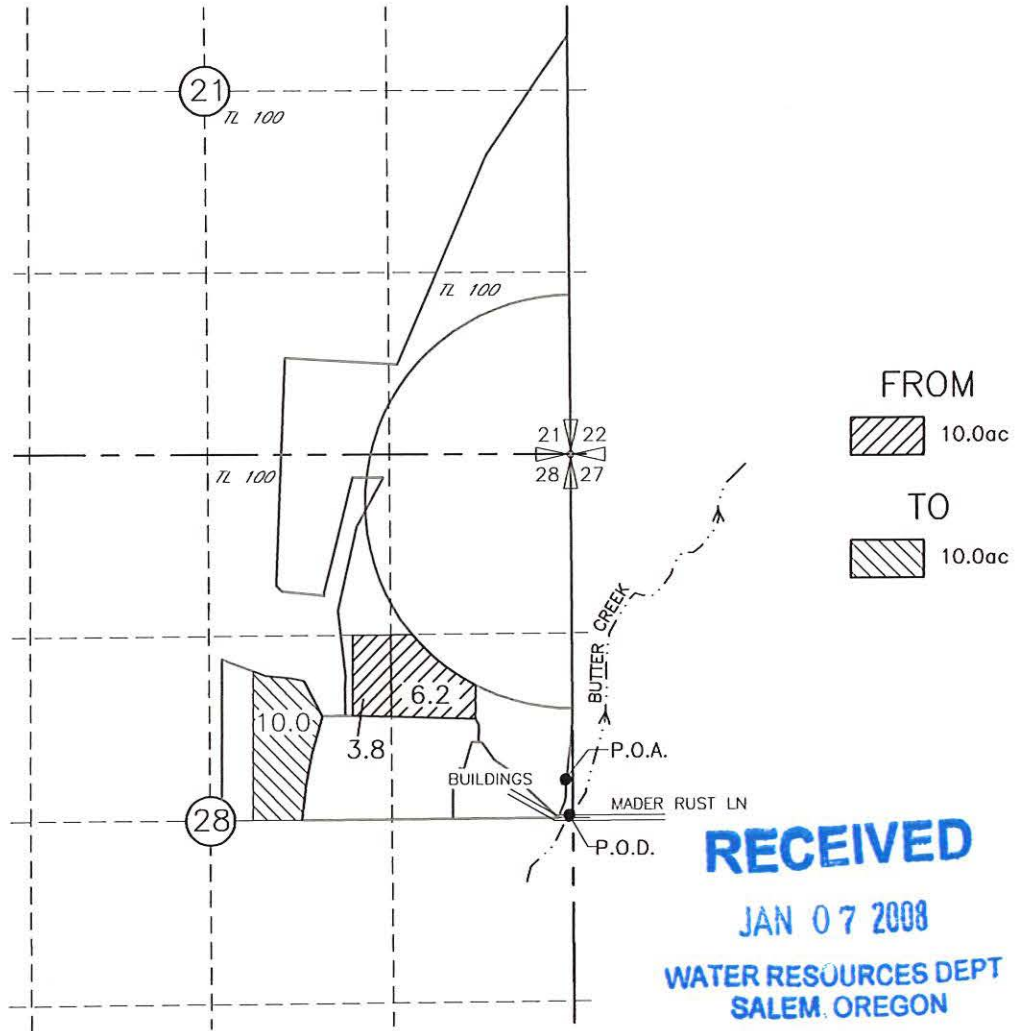
The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this date. JULY 1953

CHRIS I. WHEELER
State Engineer

TIM RUST
5 YEAR TEMPORARY TRANSFER
APPLICATION MAP
INVOLVING CERT'S 74795, 31096
& PERMIT 46499
T2N, R27E, WM
MORROW CO



THE 16.5 ACRES OF CERTIFICATE 74795
ARE DESIGNATED PRIORITY 1904 DURING
THIS TEMPORARY TRANSFER

P.O.D. CERTIFICATE 74795 & PERMIT 46499
LOCATED 20'N AND 40'W FROM THE W $\frac{1}{4}$
CORNER OF SEC 27

P.O.A. CERTIFICATE 31096
LOCATED 280'N AND 50'W FROM THE
E $\frac{1}{4}$ CORNER OF SEC 28

0 1320 2640
SCALE IN FEET

NOTE:
THE PURPOSE OF THIS MAP IS TO IDENTIFY THE APPROXIMATE LOCATION
OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION
RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.

DRAWING: H:\CAD\AG\3522\RUST\3522300RUSTTR.dwg
PRINTED BY: Roger Willard on 12/21/07 07:36 AM

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

State of Oregon)
) ss
County of Morrw)

I, Tim Rust, in my capacity as owner-operator,
mailing address 77252 Mader Rust Ln, Echo, OR 97826
telephone number (541) 376-8202, being first duly sworn depose and say:

1. I attest that:

- ☒ Water was used during the previous five years on the entire authorized place of use of the water right proposed for transfer as described on the accompanying transfer application; **or**
- ☐ The water right was leased instream at some time within the last five years. The instream lease number is as follows: _____; **or**
- ☐ The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.

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

☒ Personal observation ☐ Professional expertise

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

Township		Range		Mer	Sec	¼ ¼ Section	Gov't Lot or DLC	Acres (if applicable)
2	N	27	E	WM	28	SE NE	TL 100	6.2
2	N	27	E	WM	28	SW NE	TL 100	3.8

RECEIVED

JAN 07 2008

WATER RESOURCES DEPT
SALEM, OREGON

4. The water right was exercised for the authorized purpose described below (e.g., crops grown):

Wheat

5. The water delivery system used to apply water as authorized by the right is described below:

The Well is equipped with a 125hp submersible 900 gpm pump and the Butter Creek pump is a 25 hp centrifugal . These two pump delivered water to 2 1700 foot wheel lines and to 2-1700 foot hand lines

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

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

RECEIVED

JAN 07 2008

**WATER RESOURCES DEPT
SALEM, OREGON**

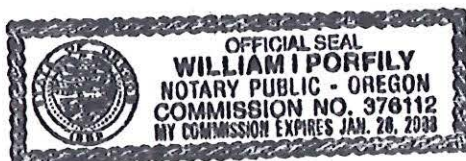
J. Teri Rust
Signature of Affiant

12/27/2007
Date

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

William A. Porfily
Notary Public for Oregon

My Commission Expires: Jan 26, 2008



3	01	Service Address: 125 HP PUMP-BUTTERCREEK					
Rate Type	Service from	Periods To	# of Days	Meter Reading Previous Present		Meter Mult	Kilowatt Hours Used
47A	11/01	12/01	30	20,745	20,746	40	40

Day Time Energy Usage 40 kWh @ \$.04560
 kW Peak Demand .28 kW @ \$3.60000
 Power Factor Adjustment .14 kW @ \$ 3.60

Current Bill Becomes Past Due 12/24/07 Sub Total
 Beginning Balance \$508.53
 Payment Received 11/26/07 Thank You \$508.53 CR

AMOUNT DUE/
CANTIDAD DEBIDA

\$1.82
\$1.01
\$.50

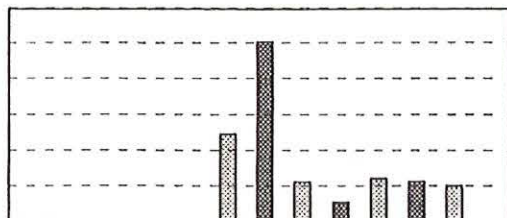
\$3.33
\$508.53
\$508.53 CR

\$3.33

Your Average Daily KWH Usage by Month

Period Ending	Avg Daily Temperature	Total KWH	Average KWH/Day	Cost Per Day
11/07	40	40	1	.11

kWh Use by Month
47,136
39,280
31,424
23,568
15,712
7,856
0



UEC Board Approves Rate Changes. Members may see a rate increase or decrease depending on what type of service they receive. Contact UEC at 541-567-6414 for a free bill comparison to help you understand how your rates may be affected by the changes.

N D J F M A M J J A S O N

9% APR Interest Will Be Charged On Past Due Accounts. All Payments Must Be US Currency.

UEC UMATILLA
ELECTRIC
COOPERATIVE

PREVIOUS MONTHS' AMOUNT DUE	PAYMENTS AND CREDITS (-) SINCE LAST BILLING	CURRENT BILLING
508.53	508.53	3.33

TOTAL AMOUNT DUE/
CANTIDAD TOTAL QUE
SE DEBE

3.33

DAFERBILL 479 12/06/07 12:45 MADER-RUST INC
 750 W. ELM STREET • P.O. BOX 1148 • HERMISTON, OREGON 97838-3148 • PHONE (541) 567-6414 • OREGON 1-800-452-2273 • BOARDMAN (541) 481-2220 • www.umatillaelectric.com

RECEIVED

JAN 07 2008

WATER RESOURCES DEPT
SALEM, OREGON



Mid-Columbia Title Company

205 E. BOARDMAN AVE. / P.O. BOX 290 • BOARDMAN, OR 97818
(541) 481-2280 • FAX (541) 481-3280

LOT BOOK SEARCH

Order No. 6982

Mr. William I. Porfily
POB 643
Stanfield OR 97875

Dear Bill:

WE HAVE SEARCHED OUR TRACT INDICES ON THE FOLLOWING DESCRIBED PROPERTY:

SEE EXHIBIT "A" ATTACHED HERETO---

AND AS OF December 19, 2007, AT 8:00 A.M. THE LAST DEED OF RECORD RUNS TO:

SEE EXHIBIT "B" ATTACHED HERETO---

WE FIND THE FOLLOWING APPARENT ENCUMBRANCES WITHIN 10 YEARS PRIOR TO THE EFFECTIVE DATE HEREIN:

1. The assessment roll and the tax roll disclose that the within described premises were specially assessed as Farm Use Land. If the land has become disqualified for the special assessment under the statute, an additional tax, interest and penalties thereon may be levied for the years in which the land was subject to the special land use assessment.
2. Oil and Gas Lease, including the terms and provisions thereof, recorded August 14, 2006 as Microfilm No. 2007-17410, Morrow County Microfilm Records. By and Between William R. Tomlinson and Inez E. Tomlinson, Trustees of the William and Inez Tomlinson Revocable Trust dated September 24, 1999, as Lessor, and Springfield Oil Company, as Lessee.

RECEIVED

JAN 07 2008

WATER RESOURCES DEPT
SALEM, OREGON

By document recorded February 9, 2007 as Microfilm No. 2007-18685, Morrow County Microfilm Records, the Lessee's interest has been assigned to Savant Resources, LLC.

By document recorded March 29, 2007 as Microfilm No. 2007-18992, Morrow County Microfilm Records, a portion of the Lessee's interest has been assigned as follows: Kurt Constenius, 1%, Paul D. Hess, .50% and Theodore L. Bezzerides and Betty L. Bezzerides, as Joint Tenants, .50%.

3. Oil and Gas Lease, including the terms and provisions thereof, recorded September 1, 2006 as Microfilm No. 2006-17555, Morrow County Microfilm Records. By and between Shannon Lynn Rust, as Lessor and Springfield Oil Company, as Lessee.

By document recorded February 9, 2007 as Microfilm No. 2007-18685, Morrow County Microfilm Records, the Lessee's interest as been assigned to Savant Resources, LLC.

By document recorded March 29, 2007 as Microfilm No. 2007-18992, Morrow County Microfilm Records, a portion of the Lessee's interest has been assigned as follows: Kurt Constenius, 1%, Paul D. Hess, .50% and Theodore L. Bezzerides and Betty L. Bezzerides, as Joint Tenants, .50%.

4. Oil and Gas Lease, including the terms and provisions thereof, recorded September 1, 2007 as Microfilm No. 2006-17756, Morrow County Microfilm Records. By and between L. Franklin Mader aka Franklin Mader and C. LaVonne Mader aka LaVonne Mader, as Lessor and Springfield Oil Company, as Lessee.

By document recorded February 9, 2007 as Microfilm No. 2007-18685, Morrow County Microfilm Records, the Lessee's interest as been assigned to Savant Resources, LLC.

By document recorded March 29, 2007 as Microfilm No. 2007-18992, Morrow County Microfilm Records, a portion of the Lessee's interest has been assigned as follows: Kurt Constenius, 1%, Paul D. Hess, .50% and Theodore L. Bezzerides and Betty L. Bezzerides, as Joint Tenants, .50%.

5. Oil and Gas Lease, including the terms and provisions thereof, recorded September 1, 2006 as Microfilm No. 2006-17557, Morrow County Microfilm Records. By and between Kirk D. Mader, as Lessor and Springfield Oil Company, as Lessee.

By document recorded February 9, 2007 as Microfilm No. 2007-18685, Morrow County Microfilm Records, the Lessee's interest as been assigned to Savant Resources, LLC.

By document recorded March 29, 2007 as Microfilm No. 2007-18992, Morrow County Microfilm Records, a portion of the Lessee's interest has been assigned as follows: Kurt Constenius, 1%, Paul D. Hess, .50% and Theodore L. Bezzerides and Betty L. Bezzerides, as Joint Tenants, .50%.

RECEIVED
JAN 07 2008
WATER RESOURCES DEPT
SALEM, OREGON

6. Oil and Gas Lease, including the terms and provisions thereof, recorded September 29, 2006 as Microfilm No. 2006-17717, Morrow County Microfilm Records. By and between Clarkson Development Company, as Lessor and Springfield Oil Company, as Lessee.

By document recorded February 9, 2007 as Microfilm No. 2007-18685, Morrow County Microfilm Records, the Lessee's interest as been assigned to Savant Resources, LLC.

By document recorded March 29, 2007 as Microfilm No. 2007-18992, Morrow County Microfilm Records, a portion of the Lessee's interest has been assigned as follows: Kurt Constenius, 1%, Paul D. Hess, .50% and Theodore L. Bezzerides and Betty L. Bezzerides, as Joint Tenants, .50%.

NOTE: Taxes for 2006-07

\$10,833.82 Paid in Full

(Account No. [REDACTED])

(Reference No. 1950) (U-1)

NOTE: Taxes for 2006-07

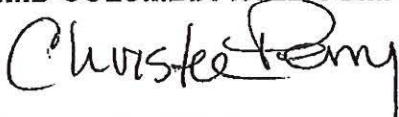
\$2,702.61 Paid in Full

(Account No. [REDACTED])

(Reference No. 1951) (U-2)

THIS IS NOT A COMMITMENT TO ISSUE TITLE INSURANCE, OR A PRELIMINARY TITLE REPORT, and no Examination has been made of the Title to the above described property. The search of our tract indices was limited to apparent monetary encumbrances, and therefore above listings do not include additional matters which may have been disclosed by an examination of the record title. The Liability in connection with this Lot Book Service is expressly limited to the sum paid therefore, and the issuing company will not otherwise be responsible for errors and omissions therein. The charge for this service will not include supplemental reports.

MID-COLUMBIA TITLE COMPANY



CHRISTIE PERRY
Title Officer

RECEIVED

JAN 07 2008

**WATER RESOURCES DEPT
SALEM, OREGON**

EXHIBIT "A"

FOR THE PURPOSES OF THIS REPORT ONLY

A parcel of land located in Township 2 North, Range 27, East of the Willamette Meridian, in the County of Morrow and State of Oregon, described as follows:

Section 21: All.

Section 28: The North Half.

RECEIVED

JAN 07 2008

**WATER RESOURCES DEPT
SALEM, OREGON**

EXHIBIT "B"

VESTING

CLARKSTON DEVELOPMENT COMPANY and WILLIAM R. TOMLINSON, INEZ E. THOMLINSON, Trustees for the William and Inez Tomlinson Revocable Trust dated September 14, 199 as to an undivided 20% interest.

L. FRANKLIN MADER and C. LaVONNE MADER, as tenants in common, an undivided 40% interest.

SHANNON LYNN RUST, as to an undivided 20% interest.

KIRK D. MADER, as to an undivided 20% interest.

RECEIVED

JAN 07 2008

WATER RESOURCES DEPT
SALEM, OREGON

Remit Payment To:

MID-COLUMBIA TITLE COMPANY
P.O. BOX 290
BOARDMAN, OR 97818

INVOICE**Billed To:**

William I. Porfily
bporfily@my180.net

Invoice Date: December 20, 2007**Please Pay Before:** December 20, 2007**Our File Number:** 6982**Your Reference Number:** MADER, ET AL**Property:**

Boardman, OR 97818
Morrow County

Brief Legal:

DESCRIPTION	AMOUNT
Lot Book Search	200.00
Invoice Total Amount Due	\$ 200.00

Dear Bill:

Attached is the lot book search you requested. Thank you very much for your business.

Please refer to our file No. 6982 with your remittance.

RECEIVED

JAN 07 2008

WATER RESOURCES DEPT
SALEM, OREGON

(6982.PFD/6982/2)

A horizontal scale bar labeled "SCALE IN FEET" below it. The bar has major tick marks at 0, 2000, and 4000. There are 10 smaller tick marks between each major tick mark, representing increments of 200 feet.

1.2N. R.2(E. W.M.
MORROW COUNTY
1" = 2000'
SEE MAP 3N 27

RECEIVED

JAN 07 2008

**WATER RESOURCES DEPT
SALEM, OREGON**

T.L. 102 DETAIL

1. 100%	100%
2. 100%	100%
3. 100%	100%
4. 100%	100%
5. 100%	100%
6. 100%	100%
7. 100%	100%
8. 100%	100%
9. 100%	100%
10. 100%	100%
11. 100%	100%
12. 100%	100%

SEE MAP 2N 26

CONCLUSION

..

DETAIL
1"=400
E 1/2 SE 1/4
SEC. 28

Revised
7/25/2006, DLW
2N 27

SEE MAP IN 27



Mid-Columbia Title Company

PRIVACY POLICY

RECEIVED

JAN 07 2008

WATER RESOURCES DEPT
SALEM, OREGON

We Are Committed to Safeguarding Customer Information

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information – particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, we have adopted this Privacy Policy to govern the use and handling of your personal information.

Applicability

This Privacy Policy governs our use of the information which you provide to us. It does not govern the manner in which we may use the information we have obtained from any other source, such as information obtained from a public record or from another person or entity.

Types of Information

Depending upon which of our services you are utilizing, the types of nonpublic personal information that we may collect include:

- Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- Information about your transactions with us, our affiliated companies, or others; and
- Information we receive from a consumer reporting agency.

Use of Information

We request information from you for our own legitimate business purposes and not for the benefit of any nonaffiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for us to provide the product or service you have requested of us; or (2) as permitted by law. We may, however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purpose, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies and escrow companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies, or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

Former Customers

Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

Confidentiality and Security

We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and in accordance with this Privacy Policy. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

Indicate in this column whether or not the item is satisfied.

Temporary Transfer Application – OAR 690-380 3000 & 3100 Completeness Checklist

Applicant's Name: Tim Rust

(Form last revised: March 13, 2007)

Section A – Status of Right

Is this a Water Right that can be transferred?

[OAR 690-380-0100(14)]

NOTE: The Department can accept a Transfer application for any right that is:

- ___ 1) an adjudication with a court decree; *or*
- ___ 2) a certificate that is not cancelled; *or*
- ___ 3) a transfer that's been approved & A COBU has been received by the Department

If the subject right does not fall into any of the above categories, **RETURN** the application & fee to the applicant.

Section B – Type of Change

Is the proposed change(s) allowed under the Temporary Transfer process?

[ORS 540.523]

NOTE: Only **POU** changes are allowed on Temporary Transfers.

UNLESS... POA/POD change is necessary to convey water to the new temp place of use.

OR - Character of Use of storage right (R-xxxxx)

OR - In the Deschutes Basin, a change in Use from irrigation to municipal is allowed.

If the application proposes a change other than those listed above, **RETURN** the application & fee to the applicant.

Section C - Fees

Have the appropriate fees been paid?

Fee Schedule – ORS 536.050(1)(i)

\$175 - Base (1st CFS of water)

+ \$1 - Per acre of land irrigated

+ \$75 - For each cfs or fraction thereof beyond the 1st cfs for non-irrigated land

Total Required Fees: 310.00

Total Fees Paid: 317.00

Fees Due (if any): 0

Refund Due (if any): 7.00

If the applicant has **NOT** submitted the total fees required, **RETURN** the application & deficient fee to the applicant.

Section D – Completeness

Is the Temporary Transfer application complete?

All required elements necessary for a complete temporary transfer application are listed below.

Indicate whether or not the applicant has answered and/or supplied attachments to adequately address each of the following items. If any one of the items is deficient, then the application is incomplete.

NOTE: For reference, the application page number upon which each item is requested is identified.

If the application is **NOT** complete, **RETURN** the application & fee to the applicant.

• Type of transfer application clearly marks Temporary and indicates the number of years. (Page 1)

• Applicant's name, mailing address and contact information. (Page 1)

• Agent's name, mailing address and contact information, if applicable. (Page 1)

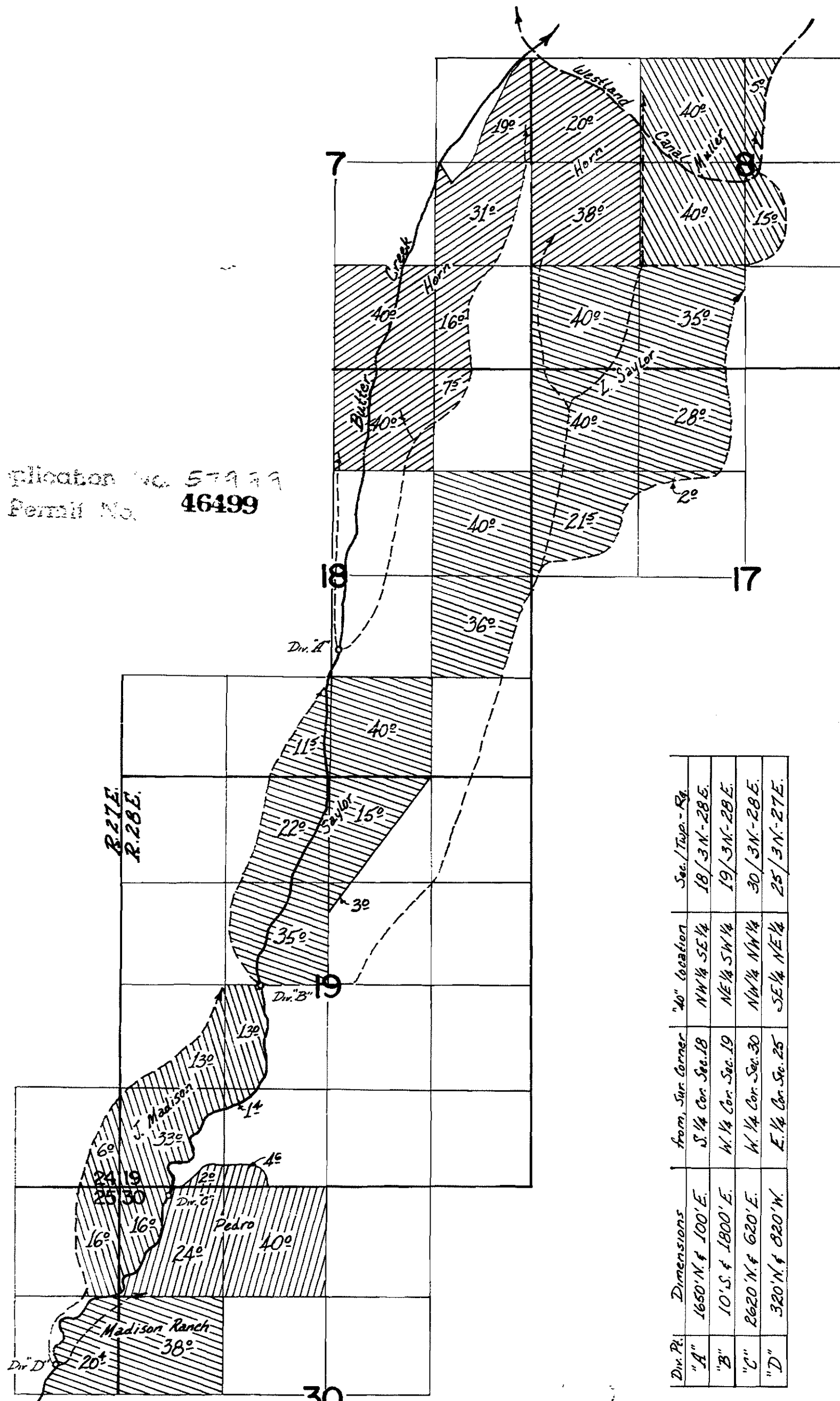
• Are the water rights to be affected by this temporary transfer listed? Yes (Page 2)

If there are multiple water rights listed..... The applicant must supply a separate "set" of Supplemental Form A for each water right to be transferred.

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

OK	Is there a box checked in #2?	(Page 1)
OK	Does the description of POU on page 4 of the supplemental form A application, match authorized POU in question #3?	(Page 1)
OK	In question #4 and #5 are they filled out.	(Page 2)
OK	Is there a box checked in #6?	(Page 2)
OK	Is the #6 supporting documentation included with application?	(Page 2)
OK	Is there an original signature of the notary and notary stamp?	(Page 2)
Return back to Page 3 of transfer application		
none	Affected districts and local governments. If within a district/local government jurisdiction, ensure that name & mailing address is provided. And agreement with district to deliver water to "To" lands	(Page 3)
OK	Is the applicant the Landowner of the "from" and "to" Lands? YES NO If NO..... The applicant must list current landowner name & address. And include a notarized statement granting consent to the transfer from each landowner.	(Page 4)
OK	Who will be responsible for completion of the changes? <i>applicant</i> Is a box checked? If no box is checked the applicant or agent must be contacted.	(Page 4)
OK	- Map..... - if more than 3 rights are included in transfer, is there a separate map for each water right? - If larger than 8 1/2 X 14 - then 3 copies of map is needed & an electronic pdf of map - north arrow size & scale other: _____ - authorized acreage per 1/4 1/4 matches the water right - authorized POD/POA and POU (<i>clearly shown, labeled & matches application listing</i>) - point plotted for the authorized POD/POA agrees with location coordinates on supplemental form A and WR - proposed POD/POA and/or POU (<i>clearly shown, labeled & matches application "proposed" listing</i>) - location coordinates accurately describe the point identified as the proposed POD/POA	(Page 5)
N/A	Land Use form, <i>if applicable</i>. Is the form signed by the local planning department staff? May be needed if the POD/POA or POU is moving a great distance <u>and</u> off of land originally involved in WR.	(Page 5)
N/A	If a groundwater right is involved, are the well logs or a description included.	(Page 5)
OK	Is a copy of the current deed included for the From lands? <i>lot Book</i>	(Page 5)
OK	Signature(s) of applicant(s): Are one of the boxes checked? (not needed for Temporary Transfer) <u>All</u> applicants listed on page 1 of the application <u>must</u> sign the application.	(Page 6)
WRD Completeness Reviewer's Name: <u>S. Henderson</u> Date: <u>1-8-07</u>		

T.3N., R.27&28E.



Application No. 57999
Permit No. 46499

Div. Pt.	Dimensions	from, Sur. Corner	"40" location	Sec./Twp.-Rg.
"A"	1650' N. & 100' E.	S. 1/4 Cor. Sec. 18	NW 1/4 SE 1/4	18 / 3 N.-28 E.
"B"	10' S. & 1800' E.	W. 1/4 Cor. Sec. 19	NE 1/4 SW 1/4	19 / 3 N.-28 E.
"C"	2620' N. & 620' E.	W. 1/4 Cor. Sec. 30	NW 1/4 NW 1/4	30 / 3 N.-28 E.
"D"	320' N. & 820' W.	E. 1/4 Cor. Sec. 25	SE 1/4 NE 1/4	25 / 3 N.-27 E.

R.	Dimensions	From Sec. Corner	"40" Location	Sec./Twp.-Rq.
7"	340' S. & 50' W.	N. 1/4 Cor. Sec. 36	NE 1/4 NW 1/4	36 / 3 N.-27 E.
7"	2150' N. & 860' E.	SW Cor. Sec. 36	NW 1/4 SW 1/4	36 / 3 N.-27 E.
7"	1290' S. & 80' W.	NE Cor. Sec. 2	NE 1/4 NE 1/4	2 / 2 N.-27 E.
1"	50' S. & 350' W.	E. 1/4 Cor. Sec. 2	NE 1/4 SE 1/4	2 / 2 N.-27 E.
7"	1400' S. & 300' E.	N. 1/4 Cor. Sec. 11	SW 1/4 NE 1/4	11 / 2 N.-27 E.
7"	390' N. & 150' W.	North 1/4 Cor. Sec. 11	SE 1/4 NW 1/4	11 / 2 N.-27 E.

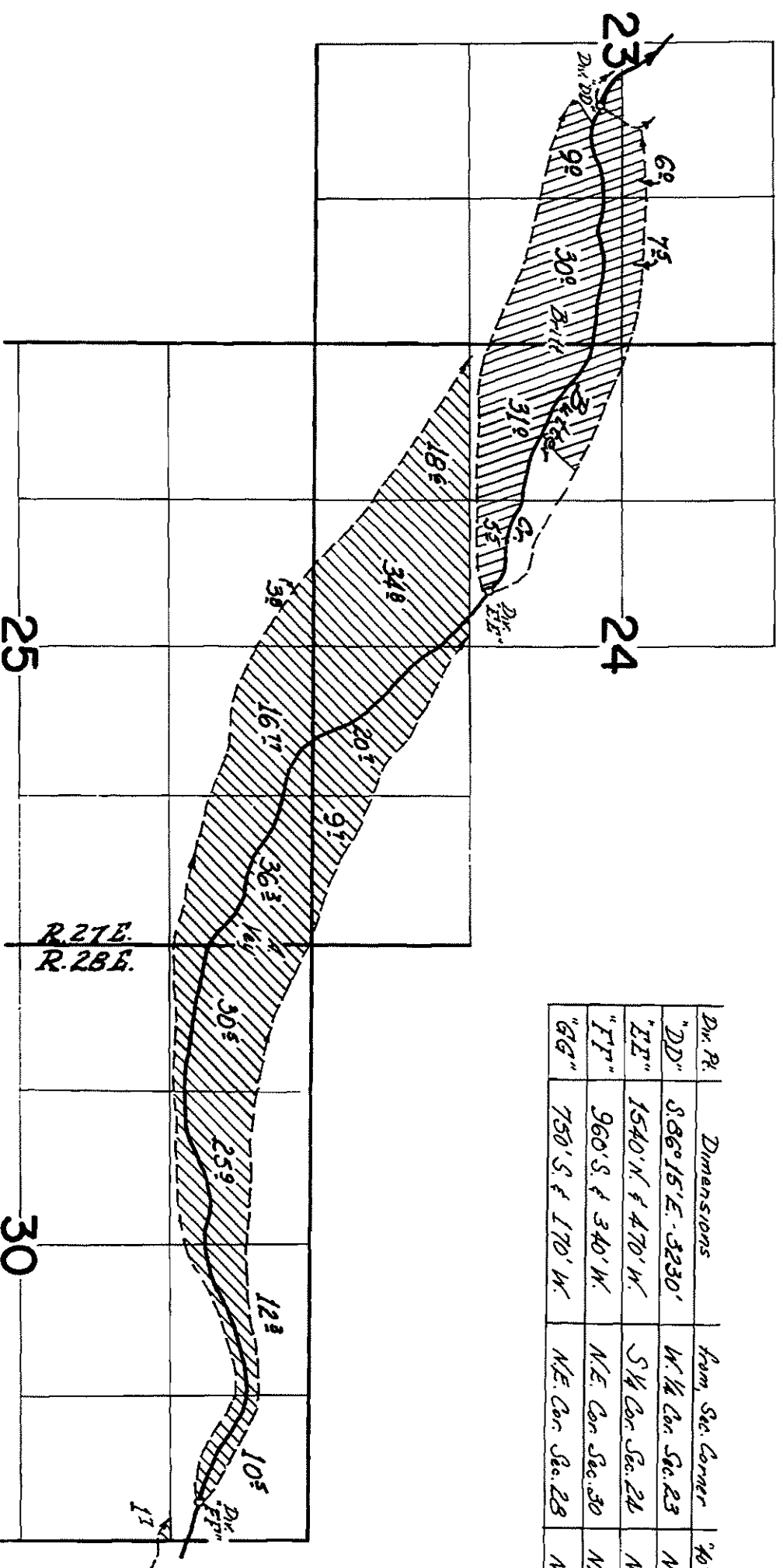
Pt.	Dimensions	from, Sec. Corner	"40" location	Sec./Twp.-Rg.
"7"	340' S. & 50' W.	N. 1/4 Cor. Sec. 36	NE 1/4 NW 1/4	36 / 3 N.-27 E.
"7"	2150' N. & 860' E.	SW. Cor. Sec. 36	NW 1/4 SW 1/4	36 / 3 N.-27 E.
"8"	1290' S. & 80' W.	NE. Cor. Sec. 2	NE 1/4 NE 1/4	2 / 2 N.-27 E.
"I"	50' S. & 350' W.	E. 1/4 Cor. Sec. 2	NE 1/4 SE 1/4	2 / 2 N.-27 E.
"7"	1400' S. & 300' E.	N. 1/4 Cor. Sec. 11	SW 1/4 NE 1/4	11 / 2 N.-27 E.
"	390' N. & 150' W.	Cor. 1/4 Cor. Sec. 11	SE 1/4 NW 1/4	11 / 2 N.-27 E.

66494


$$\frac{N1J}{N2J}$$

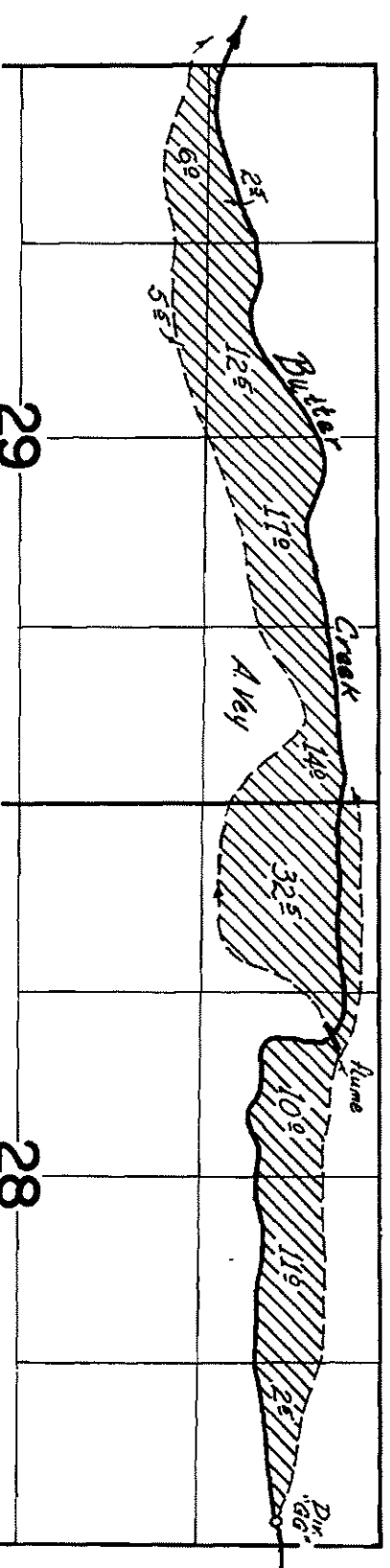
Page 4 of 5

T.1N.,R.27&28E.



Dm. R.	Dimensions	from, Sec. Corner	to, Location	Sec.
"DD"	S. 86° 15' E. 3230'	W. 1/4 Cor. Sec. 23	N. 1/4 Sec. 23	23
"II"	S. 40° N. 4 470' W.	S. 1/4 Cor. Sec. 24	N. 1/4 Sec. 24	24
"IT"	S. 60° S. 4 340' W.	N. E. Cor. Sec. 30	N. E. Sec. 30	30
"GG"	S. 750° S. 4 170' W.	N. E. Cor. Sec. 28	N. E. Sec. 28	28

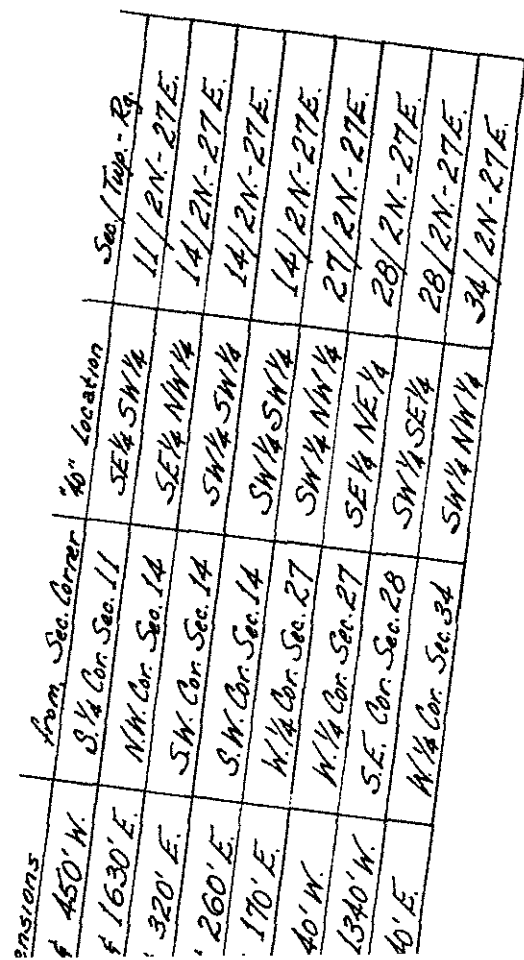
T.1N.,R.28E.



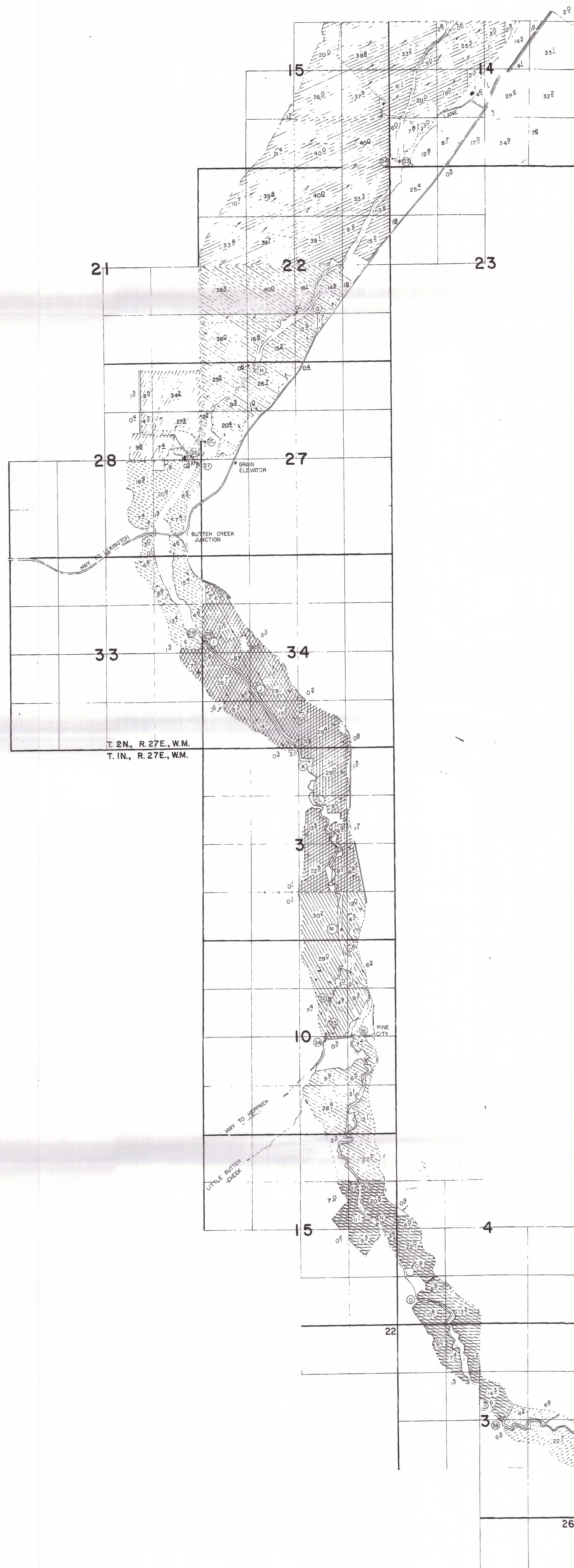
Application No.
Permit No.

pa.

46499



TOWNSHIPS 1 & 2 NORTH, RANGES 27 & 28 EAST, W. M.



NAMES & DIVERSION POINTS

MIKE McCARTY

- 23. DIV. PT. LOCATED 160'N. & 280'E. FROM SW COR. SEC. 14 T.2N., R.27E., W.M.
- 24. DIV. PT. LOCATED 150'N. & 250'E. FROM SW COR. SEC. 14
- 25. DIV. PT. LOCATED 2150'S. & 100'E. FROM N.W. COR. SEC. 27

FRANK MADER

- 26. DIV. PT. LOCATED 90'S. & 100'W. FROM E1/4 COR. SEC. 28

BUD GRAHAM

- I. DIV. PT. LOCATED 110'N. & 250'E. FROM W1/4 COR. SEC. 34
- J. DIV. PT. LOCATED 1100'S. & 1400'E. FROM W1/4 COR. SEC. 34
- 30. DIV. PT. LOCATED 20'N. & 40'W. FROM S1/4 COR. SEC. 34
- 31. DIV. PT. LOCATED 50'N. & 90'W. FROM S1/4 COR. SEC. 34

EARL W. WATTENBURGER

- M. DIV. PT. LOCATED 22'N. & 1150'E. FROM S1/4 COR. SEC. 3 T.1N., R.27E., W.M.
- 35. DIV. PT. LOCATED 40'N. & 1440'E. FROM CENTER COR. SEC. 10
- 37. DIV. PT. LOCATED 1330'S. & 1060'W. FROM NE COR. SEC. 15
- THE FOLLOWING DIV. PTS. ARE FROM L. BUTTER CR. AFTER 37 DUMPS INTO IT.
- 34. DIV. PT. LOCATED 40'S. & 710'E. FROM CENTER COR. SEC. 10
- 33. DIV. PT. LOCATED 60'N. & 740'E. FROM CENTER COR. SEC. 10
- 32. DIV. PT. LOCATED 1020'N. & 830'E. FROM CENTER COR. SEC. 10

JOHN B. CORREA

- N. DIV. PT. LOCATED 2500'S. & 530'W. FROM NE COR. SEC. 15
- O. DIV. PT. LOCATED 700'N. & 560'E. FROM SW COR. SEC. 14
- 38. DIV. PT. LOCATED 30'S. & 610'E. FROM CENTER COR. SEC. 23

JOHN E. CORREA

- G. DIV. PT. LOCATED 1450'N. & 360'E. FROM N1/4 COR. SEC. 27
- H. DIV. PT. LOCATED 180'S. & 1140'W. FROM N1/4 COR. SEC. 27
- 25. DIV. PT. LOCATED 2150'S. & 100'E. FROM NW COR. SEC. 27
- 27. DIV. PT. LOCATED 100'S. & 80'W. FROM E1/4 COR. SEC. 28

BOB HAWKINS

- 28. DIV. PT. LOCATED 310'N. & 20'E. FROM W1/4 COR. SEC. 34
- 29. DIV. PT. LOCATED 320'N. & 40'E. FROM W1/4 COR. SEC. 34

EDWARD BURL WATTENBURGER

- K. DIV. PT. LOCATED 370'S. & 300'E. FROM N1/4 COR. SEC. 3 T.1N., R.27E., W.M.
- L. DIV. PT. LOCATED 1600'S. & 630'E. FROM N1/4 COR. SEC. 3
- 35. DIV. PT. LOCATED 40'N. & 1440'E. FROM CENTER COR. SEC. 10
- 37. DIV. PT. LOCATED 1330'S. & 1060'W. FROM NE COR. SEC. 15
- THE DIVERSION POINT ON L. BUTTER CR. AFTER 37 DUMPS INTO L. BUTTER CR.
- 34. DIV. PT. LOCATED 40'S. & 710'E. FROM CENTER COR. SEC. 10

LEO ASHBECK

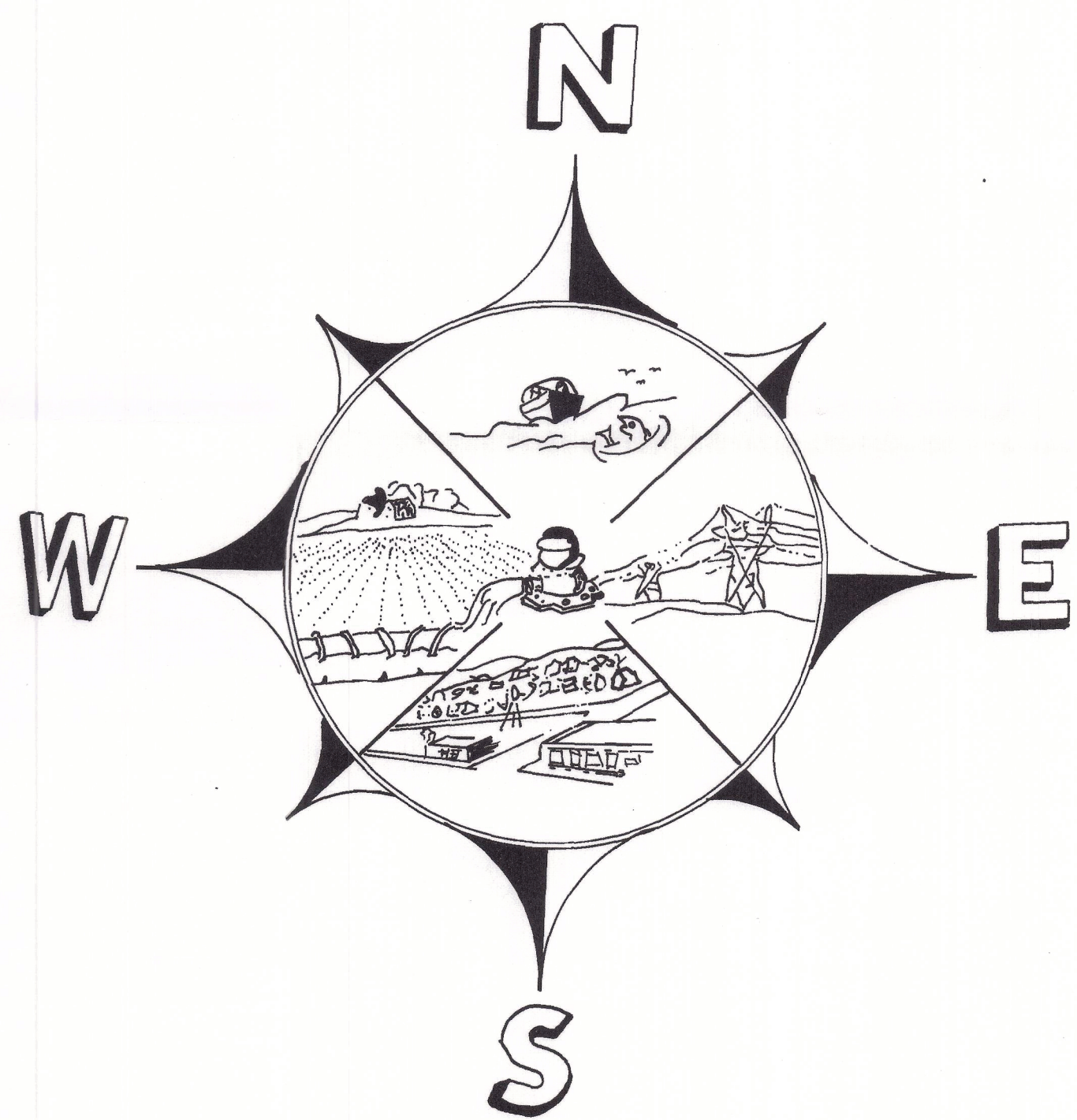
- 36. DIV. PT. LOCATED 1360'S. & 1040'W. FROM NE COR. SEC. 15
- 37. DIV. PT. LOCATED 1330'S. & 1060'W. FROM NE COR. SEC. 15

SID BRITT

- P. DIV. PT. LOCATED 1360'N. & 2250'E. FROM SW COR. SEC. 24
- 39. DIV. PT. LOCATED 1310'N. & 2250'E. FROM SW COR. SEC. 24
- 40. DIV. PT. LOCATED 1300'N. & 2210'E. FROM SW COR. SEC. 24

MABEL VEY

- 41. DIV. PT. LOCATED 730'S. & 590'W. FROM NE COR. SEC. 30 T.1N., R.28E., W.M.
- Q. DIV. PT. LOCATED 770'S. & 580'W. FROM NE COR. SEC. 30
- 42. DIV. PT. LOCATED 400'S. & 630'W. FROM NE COR. SEC. 28



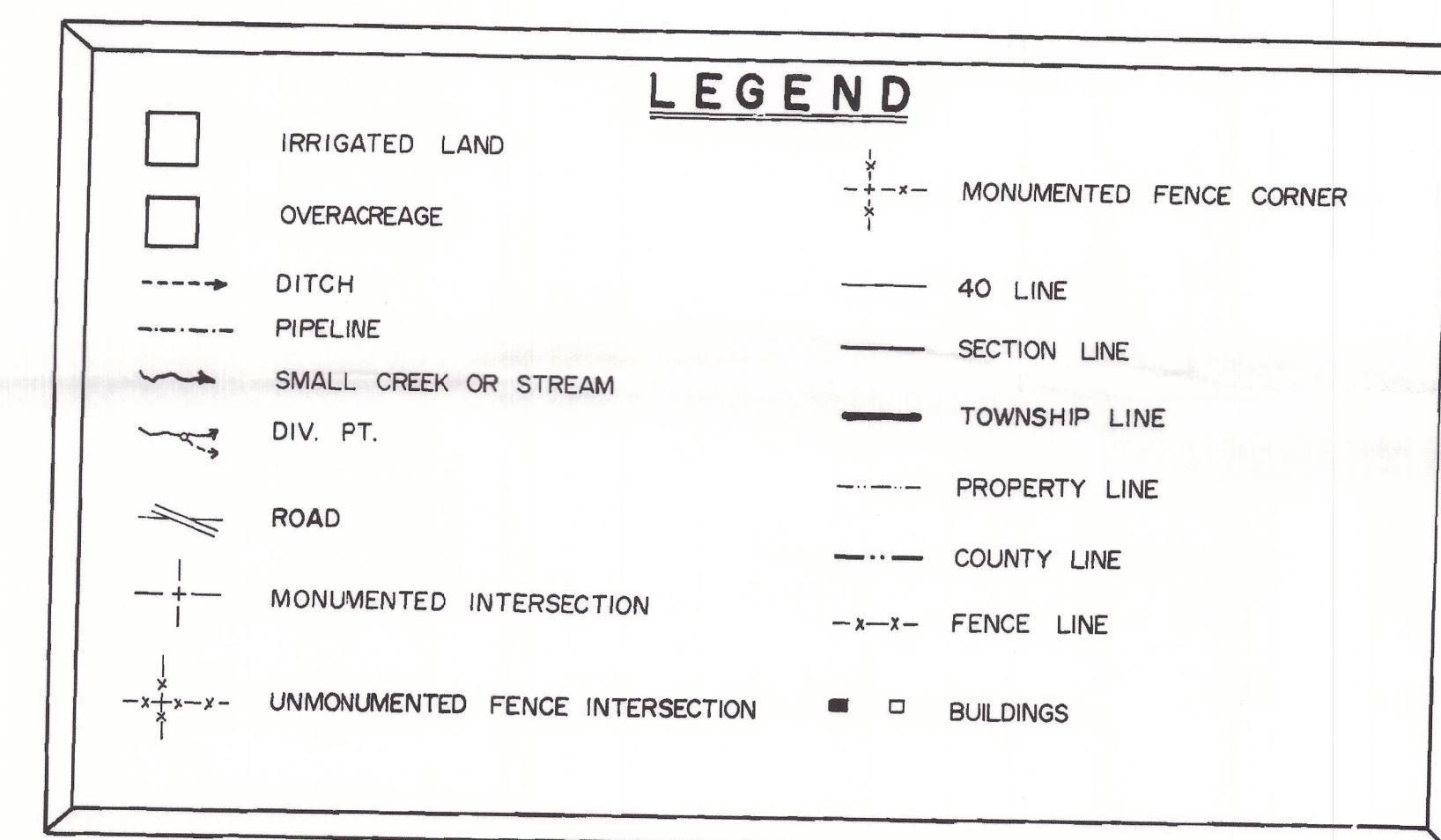
TOWNSHIPS 2 & 3 NORTH,
RANGES 27 & 28 EAST, W. M.

FINAL PROOF SURVEY
UNDER

Application No. 57999 Permit No. 46499
IN NAME OF

FRANK N. MUELLER, NORTH-WEST LIVESTOCK PCA., LOWELL SAYLOR,
JOHN MADISON, JOHN E. CORREA, FRANK PEDRO, CLAUDIE H. AMMON,
DOUGLAS HALE, GLENN COCHRAN, JERRY MYERS, MIKE MCCARTY,
FRANK MADER, BOB HAWKINS, BUD GRAHAM, EARL W. WATTENBURGER
EDWARD BURL WATTENBURGER, JR., LEO ASHBECK, JOHN B. CORREA,
SIDNEY R. BRITT, AND MABEL VEY.

Surveyed 10-25-85 thru 1-8-86, by Vernon Church



NAMES & DITCHES

FRANK N. MUELLER

1. DIV. PT. LOCATED 240'S. & 1320'W. FROM CENTER COR. SEC. 8 T.3N, R.28E.
2. DIV. PT. LOCATED 1290'S. & 1320'W. FROM CENTER COR. SEC. 8

NORTHWEST LIVESTOCK PCA

7. DIV. PT. LOCATED 1320'S. & 1300'E. FROM CENTER COR. SEC. 18

LOWELL SAYLOR

3. DIV. PT. LOCATED 700'N. & 840'E. FROM SW COR. SEC. 8
4. DIV. PT. LOCATED 700'N. & 830'E. FROM SW COR. SEC. 8
5. DIV. PT. LOCATED 1500'S. & 70'E. FROM NW COR. SEC. 17
6. DIV. PT. LOCATED 1500'S. & 60'E. FROM NW COR. SEC. 17
8. DIV. PT. LOCATED 2480'S. & 120'E. FROM NW COR. SEC. 17
9. DIV. PT. LOCATED 1320'S. & 130'E. FROM CENTER COR. SEC. 18
10. DIV. PT. LOCATED 300'S. & 610'E. FROM NW COR. SEC. 19
11. DIV. PT. LOCATED 40'N. & 840'W. FROM CENTER COR. SEC. 19
12. DIV. PT. LOCATED 40'N. & 810'W. FROM CENTER COR. SEC. 19
15. DIV. PT. LOCATED 600'S. & 850'E. FROM NW COR. SEC. 36 T.3N, R.27E.
16. DIV. PT. LOCATED 1280'S. & 100'E. FROM NW COR. SEC. 1 T.2N, R.27E.
17. DIV. PT. LOCATED 1310'S. & 90'E. FROM NW COR. SEC. 1
18. DIV. PT. LOCATED 1320'S. & 90'E. FROM NW COR. SEC. 1

JOHN MADISON-MADISON RANCHES

13. DIV. PT. LOCATED 2300'S. & 730'W. FROM NE COR. SEC. 25 T.3N, R.27E.
- C. DIV. PT. LOCATED 2330'S. & 830'W. FROM NE COR. SEC. 25
14. DIV. PT. LOCATED 2350'S. & 840'W. FROM NE COR. SEC. 25
15. DIV. PT. LOCATED 600'S. & 850'E. FROM NW COR. SEC. 36

FRANK PEDRO

- B. DIV. PT. LOCATED 90'S. & 660'E. FROM NW COR. SEC. 30 T.3N, R.28E.
13. DIV. PT. LOCATED 2300'S. & 730'W. FROM NE COR. SEC. 25 T.3N, R.27E.

CLAUDIE H. AMMON

- D. DIV. PT. LOCATED 210'S. & 510'W. FROM E1/4 COR. SEC. 2 T.2N, R.27E.
19. DIV. PT. LOCATED 1300'N. & 230'W. FROM S1/4 COR. SEC. 11 T.2N, R.27E.

GLENN COCHRAN

- F. DIV. PT. LOCATED 330'N. & 80'W. FROM CENTER COR. SEC. 11 T.2N, R.27E.
20. DIV. PT. LOCATED 1300'N. & 260'W. FROM S1/4 COR. SEC. 11

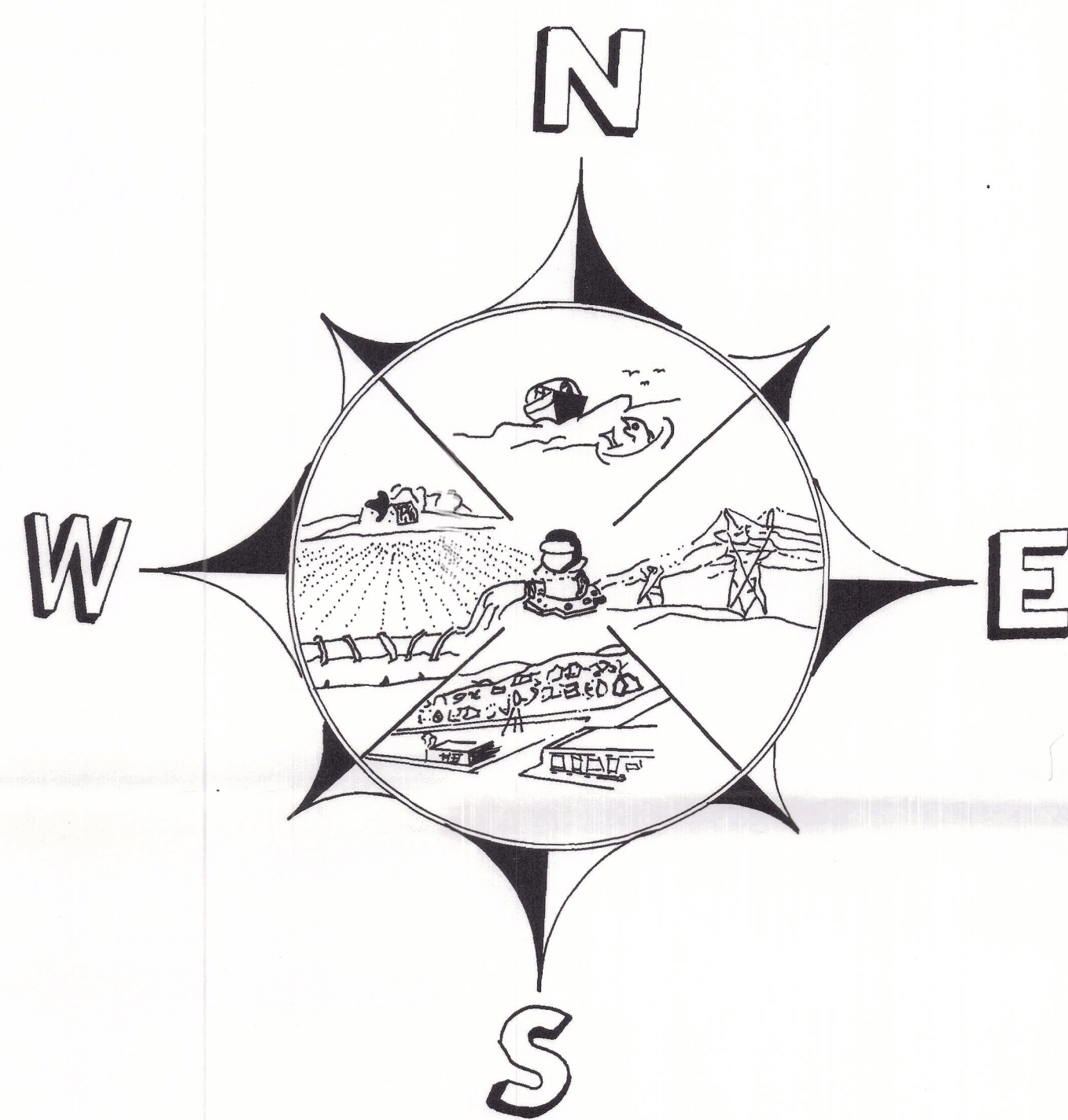
DOUG HALE

- E. DIV. PT. LOCATED 1330'S. & 270'E. FROM N1/4 COR. SEC. 11
19. DIV. PT. LOCATED 1300'N. & 230'W. FROM S1/4 COR. SEC. 11

JERRY MYERS

21. DIV. PT. LOCATED 1300'S. & 1580'E. FROM NW COR. SEC. 14
22. DIV. PT. LOCATED 1300'S. & 1610'E. FROM NW COR. SEC. 14
24. DIV. PT. LOCATED 150'N. & 250'E. FROM SW COR. SEC. 14

NUMBERS MEAN REGULAR DIVERSION POINTS BY WAY OF DITCHES, ALPHABETICAL MEANS PUMPS



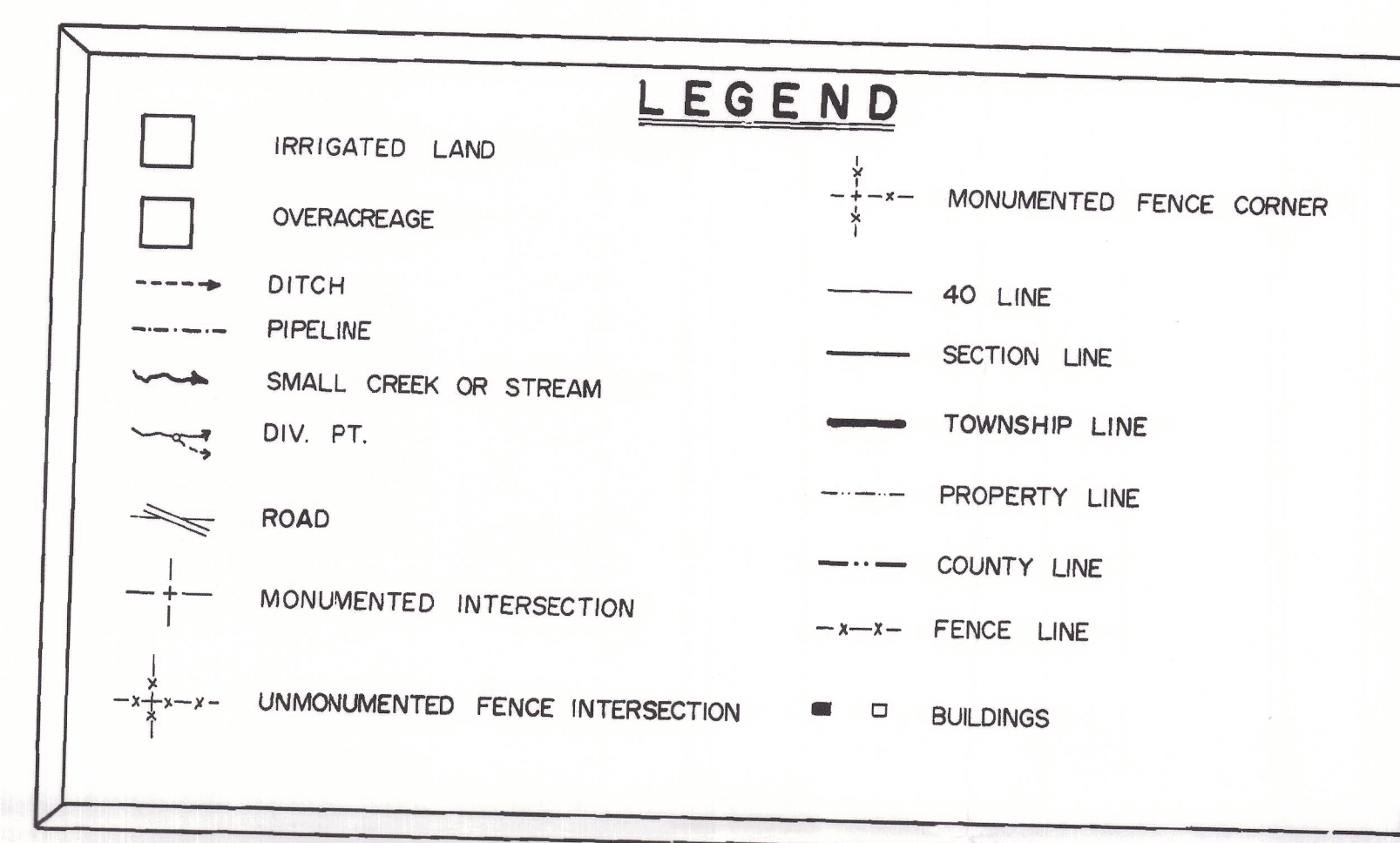
TOWNSHIPS 2 & 3 NORTH,
RANGES 27 & 28 EAST, W. M.

FINAL PROOF SURVEY
UNDER

Application No. 57999 Permit No. 46499
IN NAME OF

FRANK N. MUELLER, NORTHWEST LIVESTOCK PCA., LOWELL SAYLOR,
JOHN MADISON, JOHN E. CORREA, FRANK PEDRO, CLAUSSIE H. AMMON,
DOUGLAS HALE, GLENN COCHRAN, JERRY MYERS, MIKE McCARTY,
FRANK MADER, BOB HAWKINS, BUD GRAHAM, EARL W. WATTENBURGER
EDWARD BURL WATTENBURGER, Jr., LEO ASHBECK, JOHN B. CORREA,
SIDNEY R. BRITT, AND MABEL VEY.

Surveyed 10-25-85 thru 1-8-86, by Vernon Church



NAMES & DITCHES

— FRANK N. MUELLER

1. DIV. PT. LOCATED 240'S & 1320'W. FROM CENTER COR. SEC. 8 T.3N, R.28E
2. DIV. PT. LOCATED 1290'S & 1320'W. FROM CENTER COR. SEC. 8

— NORTHWEST LIVESTOCK PCA

7. DIV. PT. LOCATED 1320'S & 1300'E. FROM CENTER COR. SEC. 18

— LOWELL SAYLOR

3. DIV. PT. LOCATED 700'N & 840'E. FROM SW COR. SEC. 8
4. DIV. PT. LOCATED 700'N & 830'E. FROM SW COR. SEC. 8
5. DIV. PT. LOCATED 1500'S & 70'E. FROM NW COR. SEC. 17
6. DIV. PT. LOCATED 1500'S & 60'E. FROM NW COR. SEC. 17
A. DIV. PT. LOCATED 2480'S & 120'E. FROM NW COR. SEC. 17
8. DIV. PT. LOCATED 1320'S & 1310'E. FROM CENTER COR. SEC. 18
9. DIV. PT. LOCATED 280'S & 590'E. FROM NW COR. SEC. 19
10. DIV. PT. LOCATED 300'S & 610'E. FROM NW COR. SEC. 19
11. DIV. PT. LOCATED 40'N & 840'W. FROM CENTER COR. SEC. 19
12. DIV. PT. LOCATED 40'N & 810'W. FROM CENTER COR. SEC. 19
15. DIV. PT. LOCATED 600'S & 850'E. FROM NW COR. SEC. 36 T.3N, R.27E.
16. DIV. PT. LOCATED 1280'S & 100'E. FROM NW COR. SEC. 1 T.2N, R.27E.
17. DIV. PT. LOCATED 1310'S & 90'E. FROM NW COR. SEC. 1
18. DIV. PT. LOCATED 1320'S & 90'E. FROM NW COR. SEC. 1

— JOHN MADISON-MADISON RANCHES

13. DIV. PT. LOCATED 2300'S & 730'W. FROM NE COR. SEC. 25 T.3N, R.27E.
C. DIV. PT. LOCATED 2330'S & 830'W. FROM NE COR. SEC. 25
14. DIV. PT. LOCATED 2350'S & 840'W. FROM NE COR. SEC. 25
15. DIV. PT. LOCATED 600'S & 850'E. FROM NW COR. SEC. 36

— FRANK PEDRO

B. DIV. PT. LOCATED 90'S & 660'E. FROM NW COR. SEC. 30 T.3N, R.28E.
13. DIV. PT. LOCATED 2300'S & 730'W. FROM NE COR. SEC. 25 T.3N, R.27E.

— CLAUSSIE H. AMMON

D. DIV. PT. LOCATED 210'S & 510'W. FROM NW COR. SEC. 2 T.2N, R.27E.
19. DIV. PT. LOCATED 1300'N & 230'W. FROM NW COR. SEC. 11 T.2N, R.27E.

— GLENN COCHRAN

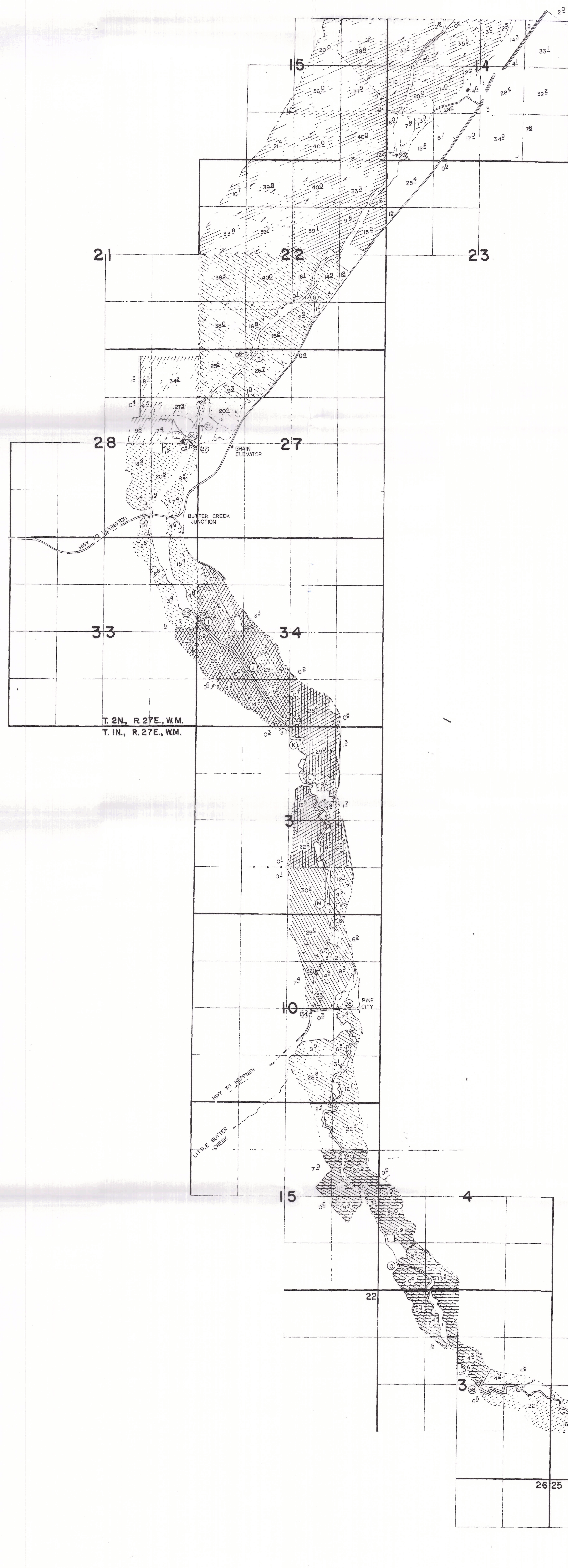
F. DIV. PT. LOCATED 330'N & 80'W. FROM CENTER COR. SEC. 11 T.2N, R.27E.
20. DIV. PT. LOCATED 1300'N & 260'W. FROM NW COR. SEC. 11

— DOUG HALE

E. DIV. PT. LOCATED 1330'S & 270'E. FROM NW COR. SEC. 11
19. DIV. PT. LOCATED 1300'N & 230'W. FROM NW COR. SEC. 11

— JERRY MYERS

21. DIV. PT. LOCATED 1300'S & 1580'E. FROM NW COR. SEC. 14
22. DIV. PT. LOCATED 1300'S & 1610'E. FROM NW COR. SEC. 14
24. DIV. PT. LOCATED 150'N & 250'E. FROM SW COR. SEC. 14



NAMES & DIVERSION POINTS

MIKE McCARTY

23. DIV. PT. LOCATED 160'N. & 280'E. FROM SW COR. SEC. 14 T. 2N., R. 27E., W.M.
24. DIV. PT. LOCATED 150'N. & 250'E. FROM SW COR. SEC. 14
25. DIV. PT. LOCATED 2150'S. & 100'E. FROM N.W. COR. SEC. 27

FRANK MADER

26. DIV. PT. LOCATED 90'S. & 100'W. FROM E. 1/4 COR. SEC. 28

BUD GRAHAM

I. DIV. PT. LOCATED 110'N. & 250'E. FROM W. 1/4 COR. SEC. 34
J. DIV. PT. LOCATED 1100'S. & 1400'E. FROM W. 1/4 COR. SEC. 34
30. DIV. PT. LOCATED 20'N. & 40'W. FROM S. 1/4 COR. SEC. 34
31. DIV. PT. LOCATED 50'N. & 90'W. FROM S. 1/4 COR. SEC. 34

EARL W. WATTENBURGER

M. DIV. PT. LOCATED 28'N. & 1150'E. FROM S. 1/4 COR. SEC. 3 T. 1N., R. 27E., W.M.
35. DIV. PT. LOCATED 40'N. & 1440'E. FROM CENTER COR. SEC. 10
37. DIV. PT. LOCATED 1330'S. & 1060'W. FROM NE COR. SEC. 15
THE FOLLOWING DIV. PTS. ARE FROM L. BUTTER CR. AFTER 37 DUMPS INTO IT.
34. DIV. PT. LOCATED 40'S. & 710'E. FROM CENTER COR. SEC. 10
33. DIV. PT. LOCATED 60'N. & 740'E. FROM CENTER COR. SEC. 10
32. DIV. PT. LOCATED 1020'N. & 830'E. FROM CENTER COR. SEC. 10

JOHN B. CORREA

N. DIV. PT. LOCATED 2500'S. & 530'W. FROM NE COR. SEC. 15
O. DIV. PT. LOCATED 700'N. & 560'E. FROM SW COR. SEC. 14
38. DIV. PT. LOCATED 30'S. & 610'E. FROM CENTER COR. SEC. 23

JOHN E. CORREA

G. DIV. PT. LOCATED 1450'N. & 360'E. FROM N. 1/4 COR. SEC. 27
H. DIV. PT. LOCATED 180'S. & 1140'W. FROM N. 1/4 COR. SEC. 27
25. DIV. PT. LOCATED 2150'S. & 100'E. FROM NW COR. SEC. 27
27. DIV. PT. LOCATED 100'S. & 80'W. FROM E. 1/4 COR. SEC. 28

BOB HAWKINS

28. DIV. PT. LOCATED 310'N. & 20'E. FROM W. 1/4 COR. SEC. 34
29. DIV. PT. LOCATED 320'N. & 40'E. FROM W. 1/4 COR. SEC. 34

EDWARD BURL WATTENBURGER

K. DIV. PT. LOCATED 370'S. & 300'E. FROM N. 1/4 COR. SEC. 3 T. 1N., R. 27E., W.M.
L. DIV. PT. LOCATED 1600'S. & 630'E. FROM N. 1/4 COR. SEC. 3
36. DIV. PT. LOCATED 40'N. & 1440'E. FROM CENTER COR. SEC. 10
37. DIV. PT. LOCATED 1330'S. & 1060'W. FROM NE COR. SEC. 15
THE DIVERSION POINT ON L. BUTTER CR. AFTER 37 DUMPS INTO L. BUTTER CR.
34. DIV. PT. LOCATED 40'S. & 710'E. FROM CENTER COR. SEC. 10

LEO ASHBECK

36. DIV. PT. LOCATED 1360'S. & 1040'W. FROM NE COR. SEC. 15
37. DIV. PT. LOCATED 1370'S. & 1060'W. FROM NE COR. SEC. 15

SID BRITT

P. DIV. PT. LOCATED 1360'N. & 2250'E. FROM SW COR. SEC. 24
39. DIV. PT. LOCATED 1310'N. & 2250'E. FROM SW COR. SEC. 24
40. DIV. PT. LOCATED 1300'N. & 2210'E. FROM SW COR. SEC. 24

MABEL VEY

41. DIV. PT. LOCATED 730'S. & 590'W. FROM NE COR. SEC. 30 T. 1N., R. 28E., W.M.
Q. DIV. PT. LOCATED 770'S. & 580'W. FROM NE COR. SEC. 30
42. DIV. PT. LOCATED 400'S. & 630'W. FROM NE COR. SEC. 28