T-13459

Regular

T-13459

Name Erl McLaughlin

Address 65708 Sunrise Road
Enterprise, OR 97828
Sunriseiron@eoni.com

Change in POU, POD
Date Filed 6-5-2020
Initial notice date 6-16-2020
DPD issued date 1-21-2021
PD issued date 5/5/2021
PD notice date 5/11/2021
Date of FO 7/21/2021 Vol 121 Page 120-27

C-Date 10/01/2022
COBU due date 10/01/2023
COBU Received date
Certificate issued

DESCRIPTION OF WATER RIGHT(s)

Name of Stream Wallowa River ; A Reservoir ; Hurricane Cr/Spr; Spring Cr/Scotch; Hurricane Creek
Trib. of Grande Ronde River ; Wallowa River

Use DO; IR; IS; LV County Wallowa
Quantity of water (CFS) No. of Acres
Name of ditch

App# Decree	Per # V.5 pg. 175	Cert # 7716	PR Date 2/28/1884		
App# S-4401	Per # S-21696	Cert # 9311	PR Date 7/20/1915		
App# S-9519	Per # S-6723	Cert # 9045	PR Date 5/15/1924		
App# S-10028	Per # S-6724	Cert # 9046	PR Date 3/12/1925		
App# Decree	Per # V.5 pg. 175	Cert # 48403	PR Date 11/30/1901		

FEES PAID

Date	Amount	Receipt #
6-5-2020	$4170.00	132696
4-5-2021	$485.86	134885

FEES REFUNDED

Date	Amount	Receipt #

Assignments:

Irrigation District Wallowa Lake Irrigation District

Agent

CWRE

CC's list Alder Slope Ditch Company ; Wallowa County

☐ - Oversized map – Location

Oregon
Kate Brown, Governor

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

July 21, 2021

ERL MCLAUGHLIN
65708 SUNRISE RD
ENTERPRISE, OR 97828

REFERENCE: Transfer Application T-13459

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

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

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

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

If you have any questions related to the approval of this temporary transfer, you may contact your caseworker, Corey Courchane by telephone at (503) 986-0825 or by e-mail at Corey.A.Courchane@oregon.gov.

Sincerely,

Julie Baustian

Julie C. Baustian
Water Right Services Support
Transfers and Conservation Section

cc: David D. Bates, Watermaster Dist. #7 (via email)
Alder Slope Ditch Company
Wallowa County
Wallowa Lake Irrigation District
Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application T-13459, Wallowa County	)))	FINAL ORDER APPROVING A CHANGE IN POINT OF DIVERSION AND PLACES OF USE

Authority

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

Applicant

ERL MCLAUGHLIN
65708 SUNRISE RD
ENTERPRISE, OR 97828

Findings of Fact

1. On June 5, 2020, ERL MCLAUGHLIN filed an application to change the point of diversion and place of use under Certificate 7716, and to change the place of use under Certificates 9045, 9046, 9311, and 48403. The Department assigned the application number T-13459.

2. Notice of the application for transfer was published on June 16, 2020, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.

3. On October 5, 2020, the Department contacted the applicant by written correspondence to notify the applicant of deficiencies in the application. An Evidence of Use Affidavit and supporting documentation was submitted for only Certificate 7716. The application included only one map. Pursuant to OAR 690-380-3100(1)(i), if the proposed transfer involves changes in place of use or character of use for more than three water rights, a separate map shall be provided for each water right. Additionally, Table 2 under Certificates 9045, 9046, and 48403 incorrectly described the places of use being transferred. The Department requested that the deficiencies be resolved by November 5, 2020.

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

4. On October 19, 2020, the applicant submitted a revised Table 2 for Certificates 9045, 9046, and 48403.

5. On October 30, 2020, the Department received Evidence of Use Affidavits and supporting documentation for Certificates 9045, 9046, 9311, and 48403.

6. On November 23, 2020, the Department received a separate map for Certificates 7716, 9311, and 48403, pursuant to OAR 690-380-3100(1)(i).

7. On December 9, 2020, the Department received separate maps for Certificates 9045 and 9046, resolving the deficiencies.

8. On January 21, 2021, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-13459 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of February 22, 2021, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

9. On May 5, 2021, the Department issued a Preliminary Determination proposing to approve Transfer T-13459 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on May 11, 2021, and in the Wallowa County Chieftain newspaper on May 12 and 19, 2021 pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

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

Certificate: 7716 in the name of BIG BEND WATER DITCH COMPANY (confirmed by WALLOWA RIVER (F))
Use: IRRIGATION of 15.8 ACRES
Priority Date: FEBRUARY 1884
Rate: LIMITED TO AN AMOUNT ACTUALLY BENEFICIALLY USED FOR SAID PURPOSES
Limit/Duty: Shall not exceed 1.5 acre feet per acre during any period of thirty days prior to July 31st of each year, and thereafter not to exceed 1.0 acre foot per acre during the entire remainder of the irrigation season.
Source: WALLOWA RIVER, a tributary of the GRANDE RONDE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
Not specified in certificate					

Authorized Place of Use:

IRRIGATION – TRACT NO. 15					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	29	NE SW	10.0
2 S	45 E	WM	29	NW SW	5.8
				Total	15.8

11. The Department received information from the applicant that better describes the location of the authorized points of diversion for Certificate 7716 as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	45 E	WM	31	NE NE	BIG BEND DITCH - 550 FEET SOUTH AND 800 FEET WEST FROM THE NE CORNER OF SECTION 31
3 S	45 E	WM	5	NE NW	DAM - 940 FEET SOUTH AND 1500 FEET EAST FROM THE NW CORNER OF SECTION 5

12. Transfer Application T-13459 proposes to move the authorized points of diversion downstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate distance from original points of diversion in miles (mi.)	
2 S	44 E	WM	24	SE NE	LOWER ALDER SLOPE - 1090 FEET NORTH AND 390 FEET WEST FROM THE E1/4 CORNER OF SECTION 24	BIG BEND DITCH	DAM
						2.9 mi.	4.5 mi.

13. Transfer Application T-13459 also proposes to change the place of use of the right to:

IRRIGATION – TRACT 15					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	44 E	WM	32	SE SE	2.6
1 S	44 E	WM	33	SW SW	13.2
				Total	15.8

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

Certificate: 9045 in the name of ALDER SLOPE DITCH COMPANY (perfected under Permit S-6723)
Use: IRRIGATION of 2.8 ACRES
Priority Date: MAY 15, 1924
Rate: 0.04 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second acre, or its equivalent in case of rotation.
Source: HURRICANE CREEK AND NUMEROUS SPRINGS, AND SPRING CREEKS INCLUDING SCOTCH CREEK, BEING ALL WATERS OF ANY NATURE INTERCEPTED BY CANAL, tributary of WALLOWA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q
2 S	44 E	WM	24	SW NE

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	5	NE NE	1.3

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	5	SE NE	1.5
				Total	2.8

15. The Department received information from the applicant that better describes the location of the authorized points of diversion for Certificate 9045 as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	44 E	WM	24	SE NE	1090 FEET NORTH AND 390 FEET WEST FROM THE E1/4 CORNER OF SECTION 24

16. Transfer Application T-13459 proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	44 E	WM	33	SW SW	2.8

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

Certificate: 9046 in the name of ALDER SLOPE DITCH COMPANY (perfected under Permit S-6724)
Use: SUPPLEMENTAL IRRIGATION of 2.8 ACRES
Priority Date: MARCH 12, 1925
Rate: 0.04 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second acre, or its equivalent in case of rotation.
Source: WALLOWA RIVER, a tributary of GRANDE RONDE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q
2 S	44 E	WM	24	SE NE

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	5	NE NE	1.3
2 S	44 E	WM	5	SE NE	1.5
				Total	2.8

18. The Department received information from the applicant that better describes the location of the authorized points of diversion for Certificate 9046 as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	44 E	WM	24	SE NE	1090 FEET NORTH AND 390 FEET WEST FROM THE E1/4 CORNER OF SECTION 24

19. Transfer Application T-13459 proposes to change the place of use of the right to:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	44 E	WM	33	SW SW	2.8

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

Certificate: 9311 in the name of DOBBIN DITCH COMPANY (perfected under Permit S-2696)
Use: DOMESTIC and SUPPLEMENTAL IRRIGATION of 15.8 ACRES
Priority Date: JULY 20, 1915
Rate: 0.13 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent in case of rotation.
Source: EAGLE CAP RESERVOIR in WALLOWA LAKE

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q
3 S	45 E	WM	5	NW NW

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION AND DOMESTIC					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	29	NE SW	10.0
2 S	45 E	WM	29	NW SW	5.8
				Total	15.8

21. The Department received information from the applicant that better describes the location of the authorized points of diversion for Certificate 9311 as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 S	45 E	WM	5	NW NW	POD 1 - 940 FEET SOUTH AND 1500 FEET EAST FROM THE NW CORNER OF SECTION 5

22. Transfer Application T-13459 proposes to change the place of use of the right to:

SUPPLEMENTAL IRRIGATION AND DOMESTIC					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	44 E	WM	32	SE SE	2.6
1 S	44 E	WM	33	SW SW	13.2
				Total	15.8

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

Certificate: 48403 in the name of ALDER SLOPE DITCH COMPANY (confirmed by WALLOWA RIVER)
Use: IRRIGATION of 5.0 ACRES and DOMESTIC
Priority Date: 4:00 P.M., NOVEMBER 30, 1901

Limit/Duty: Shall not exceed 1.5 acre feet per acre during any period of 30 days prior to July 31st of each year, and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season.

Source: HURRICANE CREEK, a tributary of WALLOWA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 S	44 E	WM	3	NE NE	ALDER SLOPE DITCH - SOUTH 76 DEGREES 02 MINUTES WEST, 49 FEET FROM THE NE CORNER OF SECTION 3

Authorized Place of Use:

IRRIGATION – TRACT NO. 18						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
2 S	44 E	WM	5	NE NE	1	1.3
2 S	44 E	WM	5	SE NE		3.7
					Total	5.0

24. Transfer Application T-13459 proposes to change the place of use of the right to:

IRRIGATION – TRACT NO. 18					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	44 E	WM	33	SW SW	5.0

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

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

26. Water has been used within the last five years according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.

27. A diversion structure and ditch sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-13459.

28. The proposed changes would not result in enlargement of the rights.

29. The proposed changes would not result in injury to other water rights.

30. All other application requirements are met.

Conclusions of Law

The change in point of diversion and change in places of use proposed in Transfer Application T-13459 are consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The change in point of diversion and change in place of use proposed in Transfer Application T-13459 are approved.

2. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 7716, 9045, 9046, 9311, and 48403 and any related decree.

3. Water right Certificates 7716, 9045, 9046, 9311, and 48403 are cancelled. New certificates will be issued describing that portion of the rights not affected by this transfer.

4. The quantity of water, as authorized by Certificate 7716, diverted at the new point of diversion (Lower Alder Slope), shall not exceed the quantity of water lawfully available at the original points of diversion (Dam and Big Bend Ditch).

5. Prior to diverting water, the water user shall install a headgate to control and regulate the quantity of water diverted. The type and plans of the headgate must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department. The water user shall maintain the headgate as required by the Department.

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

7. The former place of use of the transferred rights shall no longer receive water under the rights.

8. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2022.** A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.

9. After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.

Dated in Salem, Oregon on JUL 2 1 2021

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
THOMAS M BYLER, DIRECTOR
Oregon Water Resources Department

Mailing date: JUL 2 2 2021

STATE OF OREGON

COUNTY OF WALLOWA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ALDER SLOPE DITCH COMPANY
ENTERPRISE, OR

confirms the right to use the waters of HURRICANE CREEK, a tributary of WALLOWA RIVER for IRRIGATION of 3407.1 ACRES, DOMESTIC and STOCK.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Wallowa County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 5, at Page 140-143. The date of priority is 4:00 p.m., NOVEMBER 30, 1901.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.5 acre feet per acre during any period of 30 days prior to July 31st of each year, and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season..

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 S	44 E	WM	3	NE NE	ALDER SLOPE DITCH - SOUTH 76 DEGREES 02 MINUTES WEST, 49 FEET FROM THE NE CORNER OF SECTION 3

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

IRRIGATION – TRACT NO. 1						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
2 S	44 E	WM	5	NW NW	4	56.0
2 S	44 E	WM	6	NE NE		8.0
					Total	64.0

IRRIGATION – TRACT NO. 2					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	15	SW SE	10.0
2 S	44 E	WM	15	SE SE	20.0
				Total	30.0

IRRIGATION – TRACT NO. 3					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	15	SW SW	40.0

IRRIGATION – TRACT NO. 4					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	5	NE SE	40.0
2 S	44 E	WM	5	SE SE	40.0
				Total	80.0

IRRIGATION – TRACT NO. 5					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	4	NW SW	39.0
2 S	44 E	WM	4	SW SW	32.5
				Total	71.5

IRRIGATION – TRACT NO. 6					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	16	NE SE	39.5
2 S	44 E	WM	16	NW SE	11.0
2 S	44 E	WM	16	SE SE	21.6
				Total	72.1

IRRIGATION – TRACT NO. 7					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	16	NW NE	30.0
2 S	44 E	WM	16	SW NE	18.0
2 S	44 E	WM	16	SE NW	1.0
				Total	49.0

IRRIGATION – TRACT NO. 8						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
2 S	44 E	WM	6	NE NE	1	48.4
2 S	44 E	WM	6	SW NE		14.0
					Total	62.4

IRRIGATION – TRACT NO. 9					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	9	SE SE	10.0
2 S	44 E	WM	10	SW SE	27.0
2 S	44 E	WM	15	NW NE	40.0
2 S	44 E	WM	15	SW NE	40.0
2 S	44 E	WM	15	NE NW	36.5
				Total	153.5

IRRIGATION – TRACT NO. 10					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	22	SE NW	40.0
2 S	44 E	WM	22	NE SW	21.0
2 S	44 E	WM	22	NW SE	40.0
				Total	101.0

IRRIGATION – TRACT NO. 11						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
2 S	44 E	WM	4	NW NE		15.0
2 S	44 E	WM	4	SW NE		40.0
2 S	44 E	WM	4	NE NW		35.0
2 S	44 E	WM	4	NW NW	4	53.0
2 S	44 E	WM	4	SW NW		40.0
2 S	44 E	WM	4	SE NW		40.0
					Total	223.0

IRRIGATION – TRACT NO. 12					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	9	NE NW	32.5
2 S	44 E	WM	9	NW NW	25.0
2 S	44 E	WM	9	SW NW	10.0
2 S	44 E	WM	9	SE NW	10.0
				Total	77.5

IRRIGATION – TRACT NO. 14					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	15	NW NW	33.0
2 S	44 E	WM	15	SW NW	32.0
2 S	44 E	WM	16	NE NE	37.0
2 S	44 E	WM	16	SE NE	28.0
				Total	130.0

IRRIGATION – TRACT NO. 15					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	22	NE NE	40.0
2 S	44 E	WM	22	NW NE	40.0
2 S	44 E	WM	22	SW NE	40.0
2 S	44 E	WM	22	SE NE	40.0
				Total	160.0

IRRIGATION – TRACT NO. 16					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	10	NW NE	21.5
2 S	44 E	WM	10	SW NE	40.0
2 S	44 E	WM	10	SE NE	38.5
2 S	44 E	WM	10	NW SE	40.0
				Total	140.0

IRRIGATION – TRACT NO. 17					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	3	NE SW	37.0
2 S	44 E	WM	3	SE SW	38.0
2 S	44 E	WM	10	NE NW	40.0
2 S	44 E	WM	10	NW NW	40.0
2 S	44 E	WM	10	SW NW	40.0
2 S	44 E	WM	10	SE NW	40.0
2 S	44 E	WM	10	NE SW	40.0
2 S	44 E	WM	10	NW SW	34.0
2 S	44 E	WM	10	SW SW	40.0
2 S	44 E	WM	10	SE SW	40.0
				Total	389.0

IRRIGATION – TRACT NO. 18						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
1 S	44 E	WM	31	NE SE		20.0
1 S	44 E	WM	32	SE SE		28.0
2 S	44 E	WM	5	NE NE	1	55.2
2 S	44 E	WM	5	SE NE		36.3
					Total	139.5

IRRIGATION – TRACT NO. 19					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	10	NE SE	30.0
2 S	44 E	WM	10	SE SE	40.0
				Total	70.0

IRRIGATION – TRACT NO. 20					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	44 E	WM	31	NE SW	17.0
1 S	44 E	WM	31	SE SW	17.0
1 S	44 E	WM	31	SW SE	26.0
2 S	44 E	WM	6	NW NE	36.5
				Total	96.5

IRRIGATION – TRACT NO. 21					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	9	SW NW	30.0
2 S	44 E	WM	9	SE NW	30.0
2 S	44 E	WM	9	NE SW	15.0
2 S	44 E	WM	9	NW SW	25.0
				Total	100.0

IRRIGATION – TRACT NO. 22					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	44 E	WM	32	NW SE	20.0

IRRIGATION – TRACT NO. 23					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	5	NW SW	39.5
2 S	44 E	WM	5	SW SW	6.0
				Total	45.5

IRRIGATION – TRACT NO. 24					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	5	SW NW	20.0

IRRIGATION – TRACT NO. 25					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	21	NE NE	12.0

IRRIGATION – TRACT NO. 26					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	44 E	WM	31	SE SE	40.0
1 S	44 E	WM	32	NE SW	17.5
1 S	44 E	WM	32	NW SW	26.0
1 S	44 E	WM	32	SW SW	40.0
1 S	44 E	WM	32	SE SW	40.0
1 S	44 E	WM	32	SW SE	40.0
				Total	203.5

IRRIGATION – TRACT NO. 27						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
2 S	44 E	WM	5	NW NE	2	56.4
2 S	44 E	WM	5	SW NE		40.0
2 S	44 E	WM	5	NE NW	3	56.2
2 S	44 E	WM	5	SE NW		40.0
2 S	44 E	WM	5	NE SW		40.0
2 S	44 E	WM	5	SE SW		32.5
2 S	44 E	WM	5	NW SE		40.0
2 S	44 E	WM	5	SW SE		40.0
2 S	44 E	WM	8	NE NE		35.0*
2 S	44 E	WM	8	SE NE		39.0
					Total	419.1

*10.0 acres NE1/4 NE1/4, Section 8, T2S, R44E, WM, is supplemented by Spring Branch of Wagner Creek

IRRIGATION – TRACT NO. 28					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	22	NE SE	22.0
2 S	44 E	WM	22	SW SE	9.5
2 S	44 E	WM	22	SE SE	38.0
2 S	44 E	WM	23	SW SW	40.0
2 S	44 E	WM	26	NE NW	40.0
2 S	44 E	WM	26	NW NW	40.0
2 S	44 E	WM	27	NE NE	37.0
2 S	44 E	WM	27	SE NE	5.0
				Total	231.5

IRRIGATION – TRACT NO. 29					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	8	NW NE	39.5
2 S	44 E	WM	8	SW NE	23.5
2 S	44 E	WM	8	NE NW	2.0
				Total	65.0

IRRIGATION – TRACT NO. 30					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	5	SW NW	20.0
2 S	44 E	WM	6	SW NE	5.0
2 S	44 E	WM	6	SE NE	15.0
				Total	40.0

IRRIGATION – TRACT NO. 31					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	9	NE SW	25.0
2 S	44 E	WM	9	NW SW	15.0
2 S	44 E	WM	9	SW SW	23.0
2 S	44 E	WM	9	SE SW	12.0
				Total	75.0

Requests for changes in place of use of water were approved by Special Orders entered December 20, 1924, January 30, 1931, and June 3, 1931. The following list describes the areas included in the orders:

Vol. 1 P. 158					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	22	NE NW	11.0

Vol. 2 P. 131					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	16	SW NE	5.5

Vol. 2 P. 162					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	15	NW SE	10.0

This certificate describes that portion of water right Certificate 48403, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered JUL 21 2021 approving Transfer Application T-13459.

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 JUL 21 2021.

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
THOMAS M BYLER, DIRECTOR
Oregon Water Resources Department

STATE OF OREGON

COUNTY OF WALLOWA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ALDER SLOPE DITCH COMPANY
ENTERPRISE, OR 97828

confirms the right to use the waters of WALLOWA RIVER, a tributary of GRANDE RONDE RIVER for SUPPLEMENTAL IRRIGATION of 1290.7 ACRES.

This right was perfected under Permit S-6724. The date of priority is MARCH 12, 1925. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 16.16 CUBIC FEET PER SECOND.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q
2 S	44 E	WM	24	SE NE

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

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 acre, or its equivalent in case of rotation.

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

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	44 E	WM	31	NE SE	20.0
1 S	44 E	WM	31	SW SE	3.0
1 S	44 E	WM	31	SE SE	28.0
1 S	44 E	WM	32	NE SW	17.5
1 S	44 E	WM	32	NW SW	26.0
1 S	44 E	WM	32	SW SW	39.0
1 S	44 E	WM	32	SE SW	37.0
1 S	44 E	WM	32	NW SE	20.0
1 S	44 E	WM	32	SW SE	37.0
1 S	44 E	WM	32	SE SE	28.0
2 S	44 E	WM	3	NE SW	37.0
2 S	44 E	WM	3	NW SW	30.0
2 S	44 E	WM	3	SW SW	40.0
2 S	44 E	WM	3	SE SW	38.0
2 S	44 E	WM	4	NW NE	15.0
2 S	44 E	WM	4	SW NE	36.0

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	4	NE NW	35.0
2 S	44 E	WM	4	NW NW	53.0
2 S	44 E	WM	4	SW NW	36.0
2 S	44 E	WM	4	SE NW	40.0
2 S	44 E	WM	4	NW SW	17.0
2 S	44 E	WM	4	SW SW	4.0
2 S	44 E	WM	4	NE SE	40.0
2 S	44 E	WM	4	SE SE	40.0
2 S	44 E	WM	5	NE NE	26.7
2 S	44 E	WM	5	SE NE	1.5
2 S	44 E	WM	9	NE NE	30.0
2 S	44 E	WM	9	NW NE	20.0
2 S	44 E	WM	9	SE NE	18.0
2 S	44 E	WM	9	NE NW	8.0
2 S	44 E	WM	10	NW NE	21.5
2 S	44 E	WM	10	SW NE	40.0
2 S	44 E	WM	10	SE NE	38.5
2 S	44 E	WM	10	NE NW	40.0
2 S	44 E	WM	10	NW NW	40.0
2 S	44 E	WM	10	SW NW	38.0
2 S	44 E	WM	10	SE NW	40.0
2 S	44 E	WM	10	NE SW	38.0
2 S	44 E	WM	10	NW SW	10.0
2 S	44 E	WM	10	SE SW	15.0
2 S	44 E	WM	10	NE SE	30.0
2 S	44 E	WM	10	NW SE	40.0
2 S	44 E	WM	10	SW SE	27.0
2 S	44 E	WM	10	SE SE	40.0
2 S	44 E	WM	15	NW NE	12.0
				Total	1290.7

This certificate describes that portion of water right Certificate 9046, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered JUL 21 2021, approving Transfer Application T-13459.

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.

After the expiration of fifty years from the date of this certificate or on the expiration of any federal power license issued in connection with this right, and after not less than two years notice in writing to the holder hereof, the State of Oregon, or any municipality thereof, shall have the right to take over the dams, plants and other structures and all appurtenances thereto which have been constructed for the purpose of devoting to beneficial use the water rights specified herein, upon condition that before taking possession the State or municipality shall pay not to exceed the fair value of the property so taken, plus such reasonable damages, if any, to valuable, serviceable and dependable property of the holder of this certificate, not taken over, as may be caused by the severance therefrom of the property taken in accordance with the provisions of section 5728, Oregon Laws.

WITNESS the signature of the Water Resources Director, affixed JUL 21 2021.

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
THOMAS M BYLER, DIRECTOR
Oregon Water Resources Department

 Recorded in State Record of Water Right Certificates numbered 95523.

STATE OF OREGON

COUNTY OF WALLOWA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ALDER SLOPE DITCH COMPANY
ENTERPRISE, OR 97828

confirms the right to use the waters of HURRICANE CREEK AND NUMEROUS SPRINGS, AND SPRING CREEKS INCLUDING SCOTCH CREEK, BEING ALL WATERS OF ANY NATURE INTERCEPTED BY CANAL, tributary of WALLOWA RIVER for IRRIGATION and SUPPLEMENTAL IRRIGATION, being a total of 1290.7 ACRES.

This right was perfected under Permit S-6723. The date of priority is MAY 15, 1924. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 16.16 CUBIC FEET PER SECOND.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q
2 S	44 E	WM	24	SW NE

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

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 acre, or its equivalent in case of rotation.

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

IRRIGATION AND SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	44 E	WM	31	NE SE	20.0
1 S	44 E	WM	31	SW SE	3.0
1 S	44 E	WM	31	SE SE	28.0
1 S	44 E	WM	32	NE SW	17.5
1 S	44 E	WM	32	NW SW	26.0
1 S	44 E	WM	32	SW SW	39.0
1 S	44 E	WM	32	SE SW	37.0
1 S	44 E	WM	32	NW SE	20.0
1 S	44 E	WM	32	SW SE	37.0
1 S	44 E	WM	32	SE SE	28.0
2 S	44 E	WM	3	NE SW	37.0
2 S	44 E	WM	3	NW SW	30.0
2 S	44 E	WM	3	SW SW	40.0
2 S	44 E	WM	3	SE SW	38.0

IRRIGATION AND SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	4	NW NE	15.0
2 S	44 E	WM	4	SW NE	36.0
2 S	44 E	WM	4	NE NW	35.0
2 S	44 E	WM	4	NW NW	53.0
2 S	44 E	WM	4	SW NW	36.0
2 S	44 E	WM	4	SE NW	40.0
2 S	44 E	WM	4	NW SW	17.0
2 S	44 E	WM	4	SW SW	4.0
2 S	44 E	WM	4	NE SE	40.0
2 S	44 E	WM	4	SE SE	40.0
2 S	44 E	WM	5	NE NE	26.7
2 S	44 E	WM	5	SE NE	1.5
2 S	44 E	WM	9	NE NE	30.0
2 S	44 E	WM	9	NW NE	20.0
2 S	44 E	WM	9	SE NE	18.0
2 S	44 E	WM	9	NE NW	8.0
2 S	44 E	WM	10	NW NE	21.5
2 S	44 E	WM	10	SW NE	40.0
2 S	44 E	WM	10	SE NE	38.5
2 S	44 E	WM	10	NE NW	40.0
2 S	44 E	WM	10	NW NW	40.0
2 S	44 E	WM	10	SW NW	38.0
2 S	44 E	WM	10	SE NW	40.0
2 S	44 E	WM	10	NE SW	38.0
2 S	44 E	WM	10	NW SW	10.0
2 S	44 E	WM	10	SE SW	15.0
2 S	44 E	WM	10	NE SE	30.0
2 S	44 E	WM	10	NW SE	40.0
2 S	44 E	WM	10	SW SE	27.0
2 S	44 E	WM	10	SE SE	40.0
2 S	44 E	WM	15	NW NE	12.0
				Total	1290.7

This certificate describes that portion of water right Certificate 9045, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered JUL 21 2021, approving Transfer Application T-13459.

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.

After the expiration of fifty years from the date of this certificate or on the expiration of any federal power license issued in connection with this right, and after not less than two years notice in writing to the holder hereof, the State of Oregon, or any municipality thereof, shall have the right to take over the dams, plants and other structures and all appurtenances thereto which have been constructed for the purpose of devoting to beneficial use the water rights specified herein, upon condition that before taking possession the State or municipality shall pay not to exceed the fair value of the property so taken, plus such reasonable damages, if any, to valuable, serviceable and dependable property of the holder of this certificate, not taken over, as may be caused by the severance therefrom of the property taken in accordance with the provisions of section 5728, Oregon Laws.

WITNESS the signature of the Water Resources Director, affixed JUL 21 2021.

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
THOMAS M BYLER, DIRECTOR
Oregon Water Resources Department

STATE OF OREGON

COUNTY OF WALLOWA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DOBBIN DITCH COMPANY and assignees – Silver Lake Ditch Company, Big Bend Water Ditch Company, McCubbin-Craig Ditch Company, Wrenn and Dobbin Ditch Company, Farmers Ditch Company and Creighton Ditch Company
JOSEPH, OR 97846

confirms the right to use the waters of EAGLE CAP RESERVOIR in WALLOWA LAKE, to be constructed under Permit No. R-347, for IRRIGATION, DOMESTIC AND SUPPLEMENTAL IRRIGATION.

This right was perfected under Permit S-2696. The date of priority is JULY 20, 1915. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 117.87 CUBIC FEET PER SECOND.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q
3 S	45 E	WM	5	NW NW

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

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 in case of rotation.

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

IRRIGATION, DOMESTIC, AND SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	45 E	WM	28	SW NE	12.0
1 S	45 E	WM	28	SE NW	25.0
1 S	45 E	WM	28	NE SW	40.0
1 S	45 E	WM	28	NW SW	18.0
1 S	45 E	WM	28	SW SW	14.0
1 S	45 E	WM	28	SE SW	38.0
1 S	45 E	WM	28	NW SE	20.0
1 S	45 E	WM	28	SW SE	20.0
1 S	45 E	WM	32	NE SW	29.0
1 S	45 E	WM	32	SW SW	5.0
1 S	45 E	WM	32	SE SW	40.0
1 S	45 E	WM	32	NE SE	15.0

IRRIGATION, DOMESTIC, AND SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	45 E	WM	32	NW SE	23.0
1 S	45 E	WM	32	SW SE	40.0
1 S	45 E	WM	32	SE SE	20.0
1 S	45 E	WM	33	NE NE	14.0
1 S	45 E	WM	33	NW NE	35.0
1 S	45 E	WM	33	SW NE	40.0
1 S	45 E	WM	33	SE NE	40.0
1 S	45 E	WM	33	NE NW	40.0
1 S	45 E	WM	33	NW NW	11.0
1 S	45 E	WM	33	SW NW	15.0
1 S	45 E	WM	33	SE NW	40.0
1 S	45 E	WM	33	NE SW	40.0
1 S	45 E	WM	33	NW SW	40.0
1 S	45 E	WM	33	SW SW	30.0
1 S	45 E	WM	33	SE SW	40.0
1 S	45 E	WM	33	NE SE	40.0
1 S	45 E	WM	33	NW SE	40.0
1 S	45 E	WM	33	SW SE	40.0
1 S	45 E	WM	33	SE SE	40.0
1 S	45 E	WM	34	SW NW	9.0
1 S	45 E	WM	34	NW SW	28.0
1 S	45 E	WM	34	SW SW	40.0
1 S	45 E	WM	34	SE SW	8.0
2 S	45 E	WM	1	NW NW	3.5
2 S	45 E	WM	1	SW NW	13.0
2 S	45 E	WM	1	SE NW	5.0
2 S	45 E	WM	1	NE SW	12.0
2 S	45 E	WM	1	NW SW	35.0
2 S	45 E	WM	1	SW SW	37.0
2 S	45 E	WM	1	SE SW	28.0
2 S	45 E	WM	1	SW SE	1.0
2 S	45 E	WM	2	NE SW	3.5
2 S	45 E	WM	2	NW SW	34.5
2 S	45 E	WM	2	SW SW	40.00
2 S	45 E	WM	2	SE SW	34.50
2 S	45 E	WM	2	SW SE	25.00
2 S	45 E	WM	2	SE SE	37.50
2 S	45 E	WM	3	NW NE	10.00
2 S	45 E	WM	3	SW NE	20.00
2 S	45 E	WM	3	SE NE	9.00
2 S	45 E	WM	3	NE NW	2.00
2 S	45 E	WM	3	NW NW	30.0
2 S	45 E	WM	3	SW NW	40.0
2 S	45 E	WM	3	SE NW	33.0
2 S	45 E	WM	3	NE SW	40.0
2 S	45 E	WM	3	NW SW	40.0
2 S	45 E	WM	3	SW SW	40.0
2 S	45 E	WM	3	SE SW	40.0
2 S	45 E	WM	3	NE SE	36.0
2 S	45 E	WM	3	NW SE	40.0

IRRIGATION, DOMESTIC, AND SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	3	SW SE	40.0
2 S	45 E	WM	3	SE SE	40.0
2 S	45 E	WM	4	NE NE	28.0
2 S	45 E	WM	4	NW NE	35.0
2 S	45 E	WM	4	SW NE	40.0
2 S	45 E	WM	4	SE NE	32.0
2 S	45 E	WM	4	NW NW	8.5
2 S	45 E	WM	4	SW NW	40.0
2 S	45 E	WM	4	SE NW	18.0
2 S	45 E	WM	4	NE SW	40.0
2 S	45 E	WM	4	NW SW	40.0
2 S	45 E	WM	4	SW SW	40.0
2 S	45 E	WM	4	SE SW	40.0
2 S	45 E	WM	4	NE SE	40.0
2 S	45 E	WM	4	NW SE	40.0
2 S	45 E	WM	4	SW SE	31.0
2 S	45 E	WM	4	SE SE	40.0
2 S	45 E	WM	5	NE NE	23.0
2 S	45 E	WM	5	NW NE	4.5
2 S	45 E	WM	5	SW NE	20.0
2 S	45 E	WM	5	SE NE	40.0
2 S	45 E	WM	5	NE NW	40.0
2 S	45 E	WM	5	NW NW	20.0
2 S	45 E	WM	5	SW NW	7.0
2 S	45 E	WM	5	SE NW	40.0
2 S	45 E	WM	5	NE SW	13.0
2 S	45 E	WM	5	SE SW	15.0
2 S	45 E	WM	5	NE SE	40.0
2 S	45 E	WM	5	NW SE	36.5
2 S	45 E	WM	5	SW SE	40.0
2 S	45 E	WM	5	SE SE	40.0
2 S	45 E	WM	8	NE NE	40.0
2 S	45 E	WM	8	NW NE	40.0
2 S	45 E	WM	8	SW NE	40.0
2 S	45 E	WM	8	SE NE	40.0
2 S	45 E	WM	8	NE NW	26.5
2 S	45 E	WM	8	NW NW	19.0
2 S	45 E	WM	8	SE NW	21.0
2 S	45 E	WM	8	NE SW	39.5
2 S	45 E	WM	8	NW SW	35.0
2 S	45 E	WM	8	SW SW	17.0
2 S	45 E	WM	8	SE SW	39.0
2 S	45 E	WM	8	NE SE	40.0
2 S	45 E	WM	8	NW SE	40.0
2 S	45 E	WM	8	SW SE	40.0
2 S	45 E	WM	8	SE SE	40.0
2 S	45 E	WM	9	NE NE	40.0
2 S	45 E	WM	9	NW NE	40.0
2 S	45 E	WM	9	SW NE	40.0
2 S	45 E	WM	9	SE NE	40.0

IRRIGATION, DOMESTIC, AND SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	9	NE NW	40.0
2 S	45 E	WM	9	NW NW	40.0
2 S	45 E	WM	9	SW NW	40.0
2 S	45 E	WM	9	SE NW	40.0
2 S	45 E	WM	9	NE SW	40.0
2 S	45 E	WM	9	NW SW	40.0
2 S	45 E	WM	9	SW SW	40.0
2 S	45 E	WM	9	SE SW	40.0
2 S	45 E	WM	9	NE SE	40.0
2 S	45 E	WM	9	NW SE	40.0
2 S	45 E	WM	9	SW SE	40.0
2 S	45 E	WM	9	SE SE	40.0
2 S	45 E	WM	10	NE NE	40.0
2 S	45 E	WM	10	NW NE	40.0
2 S	45 E	WM	10	SW NE	26.0
2 S	45 E	WM	10	SE NE	40.0
2 S	45 E	WM	10	NE NW	40.0
2 S	45 E	WM	10	NW NW	40.0
2 S	45 E	WM	10	SW NW	40.0
2 S	45 E	WM	10	SE NW	40.0
2 S	45 E	WM	10	NE SW	39.0
2 S	45 E	WM	10	NW SW	40.0
2 S	45 E	WM	10	SW SW	40.0
2 S	45 E	WM	10	SE SW	33.0
2 S	45 E	WM	10	NE SE	36.0
2 S	45 E	WM	10	NW SE	2.0
2 S	45 E	WM	10	SE SE	26.0
2 S	45 E	WM	11	NE NE	39.5
2 S	45 E	WM	11	NW NE	29.5
2 S	45 E	WM	11	SW NE	1.0
2 S	45 E	WM	11	SE NE	8.0
2 S	45 E	WM	11	NW NW	29.0
2 S	45 E	WM	11	SW NW	16.0
2 S	45 E	WM	11	NW SW	15.5
2 S	45 E	WM	11	SW SW	20.0
2 S	45 E	WM	12	NW NE	5.0
2 S	45 E	WM	12	SW NE	18.5
2 S	45 E	WM	12	NE NW	40.0
2 S	45 E	WM	12	NW NW	40.0
2 S	45 E	WM	12	SW NW	40.0
2 S	45 E	WM	12	SE NW	40.0
2 S	45 E	WM	12	NE SW	40.0
2 S	45 E	WM	12	NW SW	29.5
2 S	45 E	WM	12	SW SW	21.0
2 S	45 E	WM	12	SE SW	37.5
2 S	45 E	WM	12	NW SE	18.5
2 S	45 E	WM	12	SW SE	18.0
2 S	45 E	WM	13	NE NE	6.5
2 S	45 E	WM	13	NE NW	18.0
2 S	45 E	WM	13	NW NW	16.5

IRRIGATION, DOMESTIC, AND SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	13	SW NW	21.5
2 S	45 E	WM	13	SE NW	16.0
2 S	45 E	WM	13	NE SW	9.0
2 S	45 E	WM	13	NW SW	40.0
2 S	45 E	WM	13	SW SW	40.0
2 S	45 E	WM	13	SE SW	10.0
2 S	45 E	WM	14	NW NW	12.0
2 S	45 E	WM	14	SW NW	33.0
2 S	45 E	WM	14	NE SW	20.0
2 S	45 E	WM	14	NW SW	40.0
2 S	45 E	WM	14	SW SW	40.0
2 S	45 E	WM	14	SE SW	40.0
2 S	45 E	WM	15	NE NE	32.0
2 S	45 E	WM	15	SE NE	33.5
2 S	45 E	WM	15	NE NW	30.0
2 S	45 E	WM	15	NW NW	40.0
2 S	45 E	WM	15	SW NW	40.0
2 S	45 E	WM	15	SE NW	30.0
2 S	45 E	WM	15	NE SW	40.0
2 S	45 E	WM	15	NW SW	40.0
2 S	45 E	WM	15	SW SW	40.0
2 S	45 E	WM	15	SE SW	40.0
2 S	45 E	WM	15	NE SE	33.5
2 S	45 E	WM	15	NW SE	31.0
2 S	45 E	WM	15	SW SE	38.0
2 S	45 E	WM	15	SE SE	35.0
2 S	45 E	WM	16	NE NE	40.0
2 S	45 E	WM	16	NW NE	40.0
2 S	45 E	WM	16	SW NE	40.0
2 S	45 E	WM	16	SE NE	40.0
2 S	45 E	WM	16	NE NW	40.0
2 S	45 E	WM	16	NW NW	40.0
2 S	45 E	WM	16	SW NW	40.0
2 S	45 E	WM	16	SE NW	40.0
2 S	45 E	WM	16	NE SW	40.0
2 S	45 E	WM	16	NW SW	40.0
2 S	45 E	WM	16	SW SW	40.0
2 S	45 E	WM	16	SE SW	40.0
2 S	45 E	WM	16	NE SE	40.0
2 S	45 E	WM	16	NW SE	40.0
2 S	45 E	WM	16	SW SE	40.0
2 S	45 E	WM	16	SE SE	40.0
2 S	45 E	WM	17	NE NE	40.0
2 S	45 E	WM	17	NW NE	35.0
2 S	45 E	WM	17	SW NE	32.5
2 S	45 E	WM	17	SE NE	30.0
2 S	45 E	WM	17	NE NW	18.0
2 S	45 E	WM	17	NW NW	37.5
2 S	45 E	WM	17	SW NW	37.0
2 S	45 E	WM	17	SE NW	30.5

IRRIGATION, DOMESTIC, AND SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	17	NE SW	40.0
2 S	45 E	WM	17	NW SW	10.0
2 S	45 E	WM	17	SW SW	18.0
2 S	45 E	WM	17	SE SW	31.0
2 S	45 E	WM	17	NE SE	40.0
2 S	45 E	WM	17	NW SE	40.0
2 S	45 E	WM	17	SW SE	40.0
2 S	45 E	WM	17	SE SE	40.0
2 S	45 E	WM	19	SW NE	40.0
2 S	45 E	WM	19	SE NE	40.0
2 S	45 E	WM	19	SW NW	6.5
2 S	45 E	WM	19	SE NW	40.0
2 S	45 E	WM	19	NE SW	40.0
2 S	45 E	WM	19	NW SW	5.0
2 S	45 E	WM	19	NE SE	40.0
2 S	45 E	WM	19	NW SE	40.0
2 S	45 E	WM	20	NE NE	40.0
2 S	45 E	WM	20	NW NE	40.0
2 S	45 E	WM	20	SW NE	40.0
2 S	45 E	WM	20	SE NE	40.0
2 S	45 E	WM	20	NE NW	40.0
2 S	45 E	WM	20	NW NW	40.0
2 S	45 E	WM	20	SW NW	40.0
2 S	45 E	WM	20	SE NW	40.0
2 S	45 E	WM	20	NE SW	40.0
2 S	45 E	WM	20	NW SW	40.0
2 S	45 E	WM	20	SW SW	40.0
2 S	45 E	WM	20	SE SW	40.0
2 S	45 E	WM	20	NE SE	40.0
2 S	45 E	WM	20	NW SE	40.0
2 S	45 E	WM	20	SW SE	40.0
2 S	45 E	WM	20	SE SE	40.0
2 S	45 E	WM	21	NE NE	40.0
2 S	45 E	WM	21	NW NE	40.0
2 S	45 E	WM	21	SW NE	40.0
2 S	45 E	WM	21	SE NE	40.0
2 S	45 E	WM	21	NE NW	40.0
2 S	45 E	WM	21	NW NW	40.0
2 S	45 E	WM	21	SW NW	40.0
2 S	45 E	WM	21	SE NW	40.0
2 S	45 E	WM	21	NE SW	40.0
2 S	45 E	WM	21	NW SW	40.0
2 S	45 E	WM	21	SW SW	40.0
2 S	45 E	WM	21	SE SW	40.0
2 S	45 E	WM	21	NE SE	40.0
2 S	45 E	WM	21	NW SE	40.0
2 S	45 E	WM	21	SW SE	40.0
2 S	45 E	WM	21	SE SE	40.0
2 S	45 E	WM	22	NE NE	40.0
2 S	45 E	WM	22	NW NE	40.0

IRRIGATION, DOMESTIC, AND SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	22	SW NE	40.0
2 S	45 E	WM	22	SE NE	40.0
2 S	45 E	WM	22	NE NW	40.0
2 S	45 E	WM	22	NW NW	40.0
2 S	45 E	WM	22	SW NW	40.0
2 S	45 E	WM	22	SE NW	40.0
2 S	45 E	WM	22	NE SW	40.0
2 S	45 E	WM	22	NW SW	40.0
2 S	45 E	WM	22	SW SW	40.0
2 S	45 E	WM	22	SE SW	40.0
2 S	45 E	WM	22	NE SE	40.0
2 S	45 E	WM	22	NW SE	40.0
2 S	45 E	WM	22	SW SE	40.0
2 S	45 E	WM	22	SE SE	40.0
2 S	45 E	WM	23	NW NE	13.5
2 S	45 E	WM	23	SW NE	40.0
2 S	45 E	WM	23	SE NE	29.5
2 S	45 E	WM	23	NE NW	40.0
2 S	45 E	WM	23	NW NW	40.0
2 S	45 E	WM	23	SW NW	40.0
2 S	45 E	WM	23	SE NW	38.0
2 S	45 E	WM	23	NE SW	33.0
2 S	45 E	WM	23	NW SW	39.0
2 S	45 E	WM	23	SW SW	32.0
2 S	45 E	WM	23	NE SE	40.0
2 S	45 E	WM	23	NW SE	40.0
2 S	45 E	WM	23	SW SE	37.0
2 S	45 E	WM	23	SE SE	32.0
2 S	45 E	WM	24	NE NW	30.0
2 S	45 E	WM	24	NW NW	38.0
2 S	45 E	WM	24	SW NW	40.0
2 S	45 E	WM	24	SE NW	36.0
2 S	45 E	WM	24	NE SW	36.0
2 S	45 E	WM	24	NW SW	40.0
2 S	45 E	WM	24	SW SW	40.0
2 S	45 E	WM	24	SE SW	17.5
2 S	45 E	WM	25	NE NW	17.0
2 S	45 E	WM	25	NW NW	40.0
2 S	45 E	WM	25	SW NW	37.5
2 S	45 E	WM	25	SE NW	22.0
2 S	45 E	WM	25	NE SW	39.0
2 S	45 E	WM	25	NW SW	40.0
2 S	45 E	WM	25	SW SW	40.0
2 S	45 E	WM	25	SE SW	40.0
2 S	45 E	WM	26	NE NE	13.5
2 S	45 E	WM	26	NW NE	40.0
2 S	45 E	WM	26	SW NE	40.0
2 S	45 E	WM	26	SE NE	17.0
2 S	45 E	WM	26	NE NW	37.5
2 S	45 E	WM	26	NW NW	40.0

IRRIGATION, DOMESTIC, AND SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	26	SW NW	40.0
2 S	45 E	WM	26	SE NW	40.0
2 S	45 E	WM	26	NE SW	40.0
2 S	45 E	WM	26	NW SW	40.0
2 S	45 E	WM	26	SW SW	40.0
2 S	45 E	WM	26	SE SW	40.0
2 S	45 E	WM	26	NE SE	40.0
2 S	45 E	WM	26	NW SE	40.0
2 S	45 E	WM	26	SW SE	40.0
2 S	45 E	WM	26	SE SE	40.0
2 S	45 E	WM	27	NE NE	40.0
2 S	45 E	WM	27	NW NE	40.0
2 S	45 E	WM	27	SW NE	40.0
2 S	45 E	WM	27	SE NE	40.0
2 S	45 E	WM	27	NE NW	40.0
2 S	45 E	WM	27	NW NW	40.0
2 S	45 E	WM	27	SW NW	40.0
2 S	45 E	WM	27	SE NW	40.0
2 S	45 E	WM	27	NE SW	40.0
2 S	45 E	WM	27	NW SW	40.0
2 S	45 E	WM	27	SW SW	40.0
2 S	45 E	WM	27	SE SW	40.0
2 S	45 E	WM	27	NE SE	40.0
2 S	45 E	WM	27	NW SE	40.0
2 S	45 E	WM	27	SW SE	40.0
2 S	45 E	WM	27	SE SE	40.0
2 S	45 E	WM	28	NE NE	40.0
2 S	45 E	WM	28	NW NE	40.0
2 S	45 E	WM	28	SW NE	40.0
2 S	45 E	WM	28	SE NE	40.0
2 S	45 E	WM	28	NE NW	40.0
2 S	45 E	WM	28	NW NW	40.0
2 S	45 E	WM	28	SW NW	40.0
2 S	45 E	WM	28	SE NW	40.0
2 S	45 E	WM	28	NE SW	40.0
2 S	45 E	WM	28	NW SW	40.0
2 S	45 E	WM	28	SW SW	40.0
2 S	45 E	WM	28	SE SW	40.0
2 S	45 E	WM	28	NE SE	40.0
2 S	45 E	WM	28	NW SE	40.0
2 S	45 E	WM	28	SW SE	40.0
2 S	45 E	WM	28	SE SE	40.0
2 S	45 E	WM	29	NE NE	40.0
2 S	45 E	WM	29	NW NE	40.0
2 S	45 E	WM	29	SW NE	40.0
2 S	45 E	WM	29	SE NE	40.0
2 S	45 E	WM	29	NE NW	40.0
2 S	45 E	WM	29	NW NW	40.0
2 S	45 E	WM	29	SW NW	40.0
2 S	45 E	WM	29	SE NW	40.0

IRRIGATION, DOMESTIC, AND SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	29	NE SW	25.0
2 S	45 E	WM	29	NW SW	34.2
2 S	45 E	WM	29	NE SE	40.0
2 S	45 E	WM	29	NW SE	40.0
2 S	45 E	WM	29	SW SE	35.0
2 S	45 E	WM	29	SE SE	32.0
2 S	45 E	WM	32	NE NE	35.5
2 S	45 E	WM	32	SW NE	13.0
2 S	45 E	WM	32	SE NE	38.5
2 S	45 E	WM	32	NE NW	8.0
2 S	45 E	WM	32	SE NW	40.0
2 S	45 E	WM	33	NE NE	40.0
2 S	45 E	WM	33	NW NE	40.0
2 S	45 E	WM	33	SW NE	40.0
2 S	45 E	WM	33	SE NE	40.0
2 S	45 E	WM	33	NE NW	40.0
2 S	45 E	WM	33	NW NW	29.0
2 S	45 E	WM	33	SW NW	26.0
2 S	45 E	WM	33	SE NW	40.0
2 S	45 E	WM	33	NE SW	40.0
2 S	45 E	WM	33	NW SW	16.5
2 S	45 E	WM	33	SW SW	1.5
2 S	45 E	WM	33	SE SW	15.0
2 S	45 E	WM	33	NE SE	40.0
2 S	45 E	WM	33	NW SE	40.0
2 S	45 E	WM	33	SW SE	11.0
2 S	45 E	WM	33	SE SE	5.5
2 S	45 E	WM	34	NE NE	40.0
2 S	45 E	WM	34	NW NE	40.0
2 S	45 E	WM	34	SW NE	40.0
2 S	45 E	WM	34	SE NE	40.0
2 S	45 E	WM	34	NE NW	40.0
2 S	45 E	WM	34	NW NW	40.0
2 S	45 E	WM	34	SW NW	40.0
2 S	45 E	WM	34	SE NW	40.0
2 S	45 E	WM	34	NE SW	40.0
2 S	45 E	WM	34	NW SW	40.0
2 S	45 E	WM	34	SW SW	6.0
2 S	45 E	WM	34	SE SW	33.0
2 S	45 E	WM	34	NE SE	40.0
2 S	45 E	WM	34	NW SE	40.0
2 S	45 E	WM	34	SW SE	40.0
2 S	45 E	WM	34	SE SE	34.0
2 S	45 E	WM	35	NE NE	40.0
2 S	45 E	WM	35	NW NE	40.0
2 S	45 E	WM	35	SW NE	40.0
2 S	45 E	WM	35	SE NE	40.0
2 S	45 E	WM	35	NE NW	40.0
2 S	45 E	WM	35	NW NW	40.0
2 S	45 E	WM	35	SW NW	40.0

IRRIGATION, DOMESTIC, AND SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	35	SE NW	40.0
2 S	45 E	WM	35	NE SW	40.0
2 S	45 E	WM	35	NW SW	40.0
2 S	45 E	WM	35	SW SW	40.0
2 S	45 E	WM	35	SE SW	40.0
2 S	45 E	WM	35	NE SE	40.0
2 S	45 E	WM	35	NW SE	40.0
2 S	45 E	WM	35	SW SE	12.0
2 S	45 E	WM	36	NE NW	40.0
2 S	45 E	WM	36	NW NW	40.0
2 S	45 E	WM	36	SW NW	40.0
2 S	45 E	WM	36	SE NW	40.0
2 S	45 E	WM	36	NW SW	6.5
3 S	45 E	WM	2	NE NW	11.0
3 S	45 E	WM	2	NW NW	37.5
3 S	45 E	WM	3	NE NE	40.0
3 S	45 E	WM	3	NW NE	40.0
3 S	45 E	WM	3	SW NE	20.0
3 S	45 E	WM	3	SE NE	14.5
3 S	45 E	WM	3	NE NW	11.0
				Total	14578.2

This certificate describes that portion of water right Certificate 9311, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered JUL 21 2021, approving Transfer Application T-13459.

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

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

WITNESS the signature of the Water Resources Director, affixed JUL 21 2021.

Liva J. Jaramillo, Transfer and Conservation Section Manager, for
THOMAS M BYLER, DIRECTOR
Oregon Water Resources Department

STATE OF OREGON

COUNTY OF WALLOWA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BIG BEND WATER DITCH COMPANY, a corporation
JOSEPH, OR

confirms the right to use the waters of WALLOWA RIVER, a tributary of the GRANDE RONDE RIVER for IRRIGATION of 3181.7 ACRES of land and DOMESTIC USE, that said right was confirmed by decree of the Circuit Court of the State of Oregon for Wallowa County, said decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 5, at Page 160; that said right as confirmed by said decree has been transferred by order of the State Engineer, entered on January 17, 1928 from use by H. E. and Geo. F. Dawson for power purposes at a planning mill situated west of Block 4, Town of Joseph, Oregon, to use on the lands hereinafter described; that the priority of the right confirmed by said decree and transferred by said order dates from February 1884; that the amount of water to which such right is entitled and is hereby confirmed for the purposes aforesaid is limited to an amount actually beneficially used for said purposes; that said quantity of water, together with the water used under the right of the Big Bend Water Ditch Company as confirmed by decree of the Circuit Court of the State of Oregon for Wallowa County which decree is entered of record at Salem; in the Order Record of the State Water Board of Oregon in Volume 5 at pages 145, 146, 147, and 148, shall not exceed 1 1/2 acre feet per acre during any period of thirty days prior to July 31st of each year, and thereafter not to exceed 1.0 acre foot per acre during the entire remainder of the irrigation season; and said right shall be subject to all other conditions and limitations contained in the decree confirming the rights of said H. E. and Geo. F. Dawson.

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

IRRIGATION – TRACT NO. 1					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	21	NE SE	40.0
2 S	45 E	WM	21	NW SE	40.0
2 S	45 E	WM	21	SW SE	40.0
2 S	45 E	WM	21	SE SE	22.0
				Total	142.0

IRRIGATION – TRACT NO. 2					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	15	NE NW	30.0
2 S	45 E	WM	15	NW NW	40.0
2 S	45 E	WM	10	NE SW	39.0
2 S	45 E	WM	10	NW SW	40.0
2 S	45 E	WM	10	SW SW	40.0
2 S	45 E	WM	10	SE SW	33.0
2 S	45 E	WM	10	NW SE	2.0
				Total	224.0

IRRIGATION – TRACT NO. 3					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	4	NE NE	40.0
2 S	45 E	WM	4	NW NE	40.0
2 S	45 E	WM	4	SW NE	40.0
2 S	45 E	WM	4	SE NE	40.0
2 S	45 E	WM	3	NE NW	35.0
2 S	45 E	WM	3	NW NW	40.0
2 S	45 E	WM	3	SW NW	40.0
2 S	45 E	WM	3	SE NW	40.0
2 S	45 E	WM	3	NW SW	10.0
				Total	325.0

IRRIGATION – TRACT NO. 4					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	4	NE SE	40.00
2 S	45 E	WM	4	NW SE	40.00
2 S	45 E	WM	4	SW SE	31.00
2 S	45 E	WM	4	SE SE	40.00
				Total	151.0

IRRIGATION – TRACT NO. 5					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	15	SW NW	40.0
2 S	45 E	WM	15	SE NW	30.0
2 S	45 E	WM	15	NE SW	40.0
2 S	45 E	WM	15	NW SW	40.0
2 S	45 E	WM	15	NW SE	14.0
				Total	164.0

IRRIGATION – TRACT NO. 6					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	15	SW SW	40.0
2 S	45 E	WM	15	SE SW	40.0
2 S	45 E	WM	15	SW SE	23.0*
2 S	45 E	WM	22	NW NE	40.0
2 S	45 E	WM	22	NE NW	40.0
2 S	45 E	WM	22	NW NW	40.0
2 S	45 E	WM	22	SW NW	40.0
2 S	45 E	WM	22	SE NW	40.0
				Total	303.0

*of the above described land, 15.0 acres in the SW SE of Section 15 is supplemented by water from Farmer's Ditch

IRRIGATION – TRACT NO. 7 (Irrigated from Big Bend Ditch only)					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	29	NE NE	20.0
2 S	45 E	WM	29	SW NE	35.0
2 S	45 E	WM	29	SE NE	40.0
				Total	95.0

IRRIGATION – TRACT NO. 8 (supplemented by Dobbin and Wrenn-Dobbin Ditch)					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	29	NE NE	20.0
2 S	45 E	WM	29	NW NE	40.0
2 S	45 E	WM	29	SW NE	5.0
				Total	65.0

IRRIGATION – TRACT NO. 9					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	3	NE SW	40.0
2 S	45 E	WM	3	NW SW	30.0
2 S	45 E	WM	3	SW SW	40.0
2 S	45 E	WM	3	SE SW	40.0
2 S	45 E	WM	3	NE SE	36.0
2 S	45 E	WM	3	NW SE	40.0
2 S	45 E	WM	3	SW SE	40.0
2 S	45 E	WM	3	SE SE	40.0
				Total	306.0

IRRIGATION – TRACT NO. 10					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	28	NE NW	40.0
2 S	45 E	WM	28	NW NW	40.0
2 S	45 E	WM	28	SW NW	36.0
2 S	45 E	WM	28	SE NW	5.0
2 S	45 E	WM	29	SW NW	10.0
2 S	45 E	WM	29	SE NW	5.0
				Total	136.0

IRRIGATION – TRACT NO. 11 (supplemented by water from Farmers Ditch)					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	5	NE SE	40.0
2 S	45 E	WM	5	NW SE	36.5
2 S	45 E	WM	5	SW SE	40.0
2 S	45 E	WM	5	SE SE	40.0
				Total	156.5

*Supplemented by water from Farmers Ditch

IRRIGATION – TRACT NO. 12					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	8	NE NE	40.0*
2 S	45 E	WM	8	NW NE	40.0*
				Total	80.0

*40.0 acres of the above described land – 10.0 acres in the NE NE and 30.0 acres in the NW NE are supplemented by water from the Dobbins Ditch

IRRIGATION – TRACT NO. 13					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	10	NE NE	40.0
2 S	45 E	WM	10	NW NE	40.0
2 S	45 E	WM	10	SW NE	13.0
2 S	45 E	WM	10	SE NE	40.0*
2 S	45 E	WM	10	NE NW	40.0
2 S	45 E	WM	10	NW NW	40.0
2 S	45 E	WM	10	SW NW	40.0
2 S	45 E	WM	10	SE NW	40.0
				Total	293.0

*of the above described land, 40.0 acres in the SE NE is supplemented by Farmer's Ditch

IRRIGATION – TRACT NO. 14					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	22	NW SW	30.0
2 S	45 E	WM	22	SW SW	5.0
				Total	35.0

IRRIGATION – TRACT NO. 15					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	29	NE SW	25.0
2 S	45 E	WM	29	NW SW	32.2
				Total	57.2

IRRIGATION – TRACT NO. 16 (supplemented by Farmers Ditch)					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	16	NE NE	30.0

*Supplemented by Farmers Ditch

IRRIGATION – TRACT NO. 17					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	5	NE NE	23.0
2 S	45 E	WM	5	NW NE	4.5
2 S	45 E	WM	5	SW NE	20.0
2 S	45 E	WM	5	SE NE	40.0
				Total	87.5

IRRIGATION – TRACT NO. 18					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	4	NE NW	12.0
2 S	45 E	WM	4	NW NW	21.5
2 S	45 E	WM	4	SW NW	40.0
2 S	45 E	WM	4	SE NW	18.0
				Total	91.5

IRRIGATION – TRACT NO. 19					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	9	NE NW	40.0
2 S	45 E	WM	9	NW NW	40.0
2 S	45 E	WM	9	SW NW	40.0
2 S	45 E	WM	9	SE NW	40.0
				Total	160.0

IRRIGATION – TRACT NO. 20					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	9	NE NE	40.0
2 S	45 E	WM	9	NW NE	40.0
2 S	45 E	WM	9	SW NE	40.0
2 S	45 E	WM	9	SE NE	40.0
2 S	45 E	WM	9	NE SE	40.0
2 S	45 E	WM	9	SE SE	40.0
				Total	240.0

IRRIGATION – TRACT NO. 21					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	9	NE SW	10.0
2 S	45 E	WM	9	NW SE	30.0
				Total	40.0

All of the above described lands being in Wallowa County, Oregon

This certificate describes that portion of water right Certificate 7716, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered JUL 21 2021, approving Transfer Application T-13459.

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 JUL 21 2021.

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
THOMAS M BYLER, DIRECTOR
Oregon Water Resources Department

WATER RIGHT TRANSFER COVER SHEET

Transfer: T-13459

Transfer Specialist: Corey

Transfer Type: Regular

Applicant: ERL MCLAUGHLIN 65708 SUNRISE RD ENTERPRISE, OR 97828 Email: Phone:	**Agent:** ☐ N/A UNAVAILABLE Email: Phone:
Irrigation District: ☐ N/A Wallowa Lake Irrigation District Email:	**CWRE:** ☐ N/A Email:
Affected Local Gov'ts: ☐ N/A Alder Slope Ditch Company; Wallowa County Email:	**Affected Tribal Gov't:** ☐ N/A UNAVAILABLE Email:
Current Landowner if other than Applicant: ☐ N/A Email:	**Receiving Landowner:** ☐ N/A Email:

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
☐	Decree	v. 5 pg. 175	7716	☑ Yes ☐ No	95521
☐	S-4401	S-2696	9311	☑ Yes ☐ No	95524
☐	S-9519	S-6723	9045	☑ Yes ☐ No	95522
☐	S-10028	S-6724	9046	☑ Yes ☐ No	95523
☐	Decree	v. 5 pg. 175	48403	☑ Yes ☐ No	95525

Key Dates & Initial Actions:

Rec'd: June 5, 2020	Proposed Action(s): POINT OF DIVERSION; PLACE OF USE	
Fees Pd: 4170.00	WM District: 7	ODFW District:
Initial Public Notice: June 16, 2020	WM Review sent:	ODFW Review sent:
Acknowledgement Letter Sent ☒		GW Review sent: ☐ N/A
County sent cc: of Ack Letter ☒	BOR notified (date): ☐ N/A	
Newspaper quote requested: 3/8/21	Request for news $ sent: 3/29/21	News $ received: 4/5/21
Request to publish sent:	Affidavit of publication received:	Last day of publication:

Wallowa Cty Chieftain

Document	Drafted	Peer Review	Changes Made	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: 12/14/20 Initials: CC	Date: 12/24/20 Initials: Scott	Date: ____ Initials: ____	Date: 1/8/21 Initials: PKS	Date: 1/15/21 Initials: CC	CW Sent: 1/21/2021	N/A
PD	Date: 2/10/21 Initials: CC	Date: 2-11-21 Initials: [illegible]	Date: ____ Initials: [illegible]	Date: 3/2/21 Initials: PKS	Date: ____ Initials: ____	Date: 4/26/21	Date: 5/5/2021
FO	Date: 5/13/21 Initials: CC	Date: 5/17/21 Initials: Scott	Date: ____ Initials: ____	Date: 5/24/21 Initials: PKS	Date: 6/7/21 Initials: CC	Date: 6/30/21	Date: 7/21/2021

Special Issues: _____

Special Order Volume: Vol. _____ Pages _____

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application T-13459, Wallowa County	)))	FINAL ORDER APPROVING A CHANGE IN POINT OF DIVERSION AND PLACES OF USE

Authority

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

Applicant

ERL MCLAUGHLIN
65708 SUNRISE RD
ENTERPRISE, OR 97828

Findings of Fact

1. On June 5, 2020, ERL MCLAUGHLIN filed an application to change the point of diversion and place of use under Certificate 7716, and to change the place of use under Certificates 9045, 9046, 9311, and 48403. The Department assigned the application number T-13459.

2. Notice of the application for transfer was published on June 16, 2020, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.

3. On October 5, 2020, the Department contacted the applicant by written correspondence to notify the applicant of deficiencies in the application. An Evidence of Use Affidavit and supporting documentation was submitted for only Certificate 7716. The application included only one map. Pursuant to OAR 690-380-3100(1)(i), if the proposed transfer involves changes in place of use or character of use for more than three water rights, a separate map shall be provided for each water right. Additionally, Table 2 under Certificates 9045, 9046, and 48403 incorrectly described the places of use being transferred. The Department requested that the deficiencies be resolved by November 5, 2020.

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

4. On October 19, 2020, the applicant submitted a revised Table 2 for Certificates 9045, 9046, and 48403.

5. On October 30, 2020, the Department received Evidence of Use Affidavits and supporting documentation for Certificates 9045, 9046, 9311, and 48403.

6. On November 23, 2020, the Department received a separate map for Certificates 7716, 9311, and 48403, pursuant to OAR 690-380-3100(1)(i).

7. On December 9, 2020, the Department received separate maps for Certificates 9045 and 9046, resolving the deficiencies.

8. On January 21, 2021, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-13459 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of February 22, 2021, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

9. On May 5, 2021, the Department issued a Preliminary Determination proposing to approve Transfer T-13459 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on May 11, 2021, and in the Wallowa County Chieftain newspaper on _____, 2021 pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

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

Certificate: 7716 in the name of BIG BEND WATER DITCH COMPANY (confirmed by WALLOWA RIVER (F))
Use: IRRIGATION of 15.8 ACRES
Priority Date: FEBRUARY 1884
Rate: LIMITED TO AN AMOUNT ACTUALLY BENEFICIALLY USED FOR SAID PURPOSES
Limit/Duty: Shall not exceed 1.5 acre feet per acre during any period of thirty days prior to July 31st of each year, and thereafter not to exceed 1.0 acre foot per acre during the entire remainder of the irrigation season.
Source: WALLOWA RIVER, a tributary of the GRANDE RONDE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
Not specified in certificate					

Authorized Place of Use:

IRRIGATION – TRACT NO. 15					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	29	NE SW	10.0
2 S	45 E	WM	29	NW SW	5.8
				Total	15.8

11. The Department received information from the applicant that better describes the location of the authorized points of diversion for Certificate 7716 as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	45 E	WM	31	NE NE	BIG BEND DITCH - 550 FEET SOUTH AND 800 FEET WEST FROM THE NE CORNER OF SECTION 31
3 S	45 E	WM	5	NE NW	DAM - 940 FEET SOUTH AND 1500 FEET EAST FROM THE NW CORNER OF SECTION 5

12. Transfer Application T-13459 proposes to move the authorized points of diversion downstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate distance from original points of diversion in miles (mi.)	
						BIG BEND DITCH	DAM
2 S	44 E	WM	24	SE NE	LOWER ALDER SLOPE - 1090 FEET NORTH AND 390 FEET WEST FROM THE E1/4 CORNER OF SECTION 24	2.9 mi.	4.5 mi.

13. Transfer Application T-13459 also proposes to change the place of use of the right to:

IRRIGATION – TRACT 15					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	44 E	WM	32	SE SE	2.6
1 S	44 E	WM	33	SW SW	13.2
				Total	15.8

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

Certificate: 9045 in the name of ALDER SLOPE DITCH COMPANY (perfected under Permit S-6723)
Use: IRRIGATION of 2.8 ACRES
Priority Date: MAY 15, 1924
Rate: 0.04 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second acre, or its equivalent in case of rotation.
Source: HURRICANE CREEK AND NUMEROUS SPRINGS, AND SPRING CREEKS INCLUDING SCOTCH CREEK, BEING ALL WATERS OF ANY NATURE INTERCEPTED BY CANAL, tributary of WALLOWA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q
2 S	44 E	WM	24	SW NE

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	5	NE NE	1.3

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	5	SE NE	1.5
				Total	2.8

15. The Department received information from the applicant that better describes the location of the authorized points of diversion for Certificate 9045 as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	44 E	WM	24	SE NE	1090 FEET NORTH AND 390 FEET WEST FROM THE E1/4 CORNER OF SECTION 24

16. Transfer Application T-13459 proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	44 E	WM	33	SW SW	2.8

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

Certificate: 9046 in the name of ALDER SLOPE DITCH COMPANY (perfected under Permit S-6724)
Use: SUPPLEMENTAL IRRIGATION of 2.8 ACRES
Priority Date: MARCH 12, 1925
Rate: 0.04 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second acre, or its equivalent in case of rotation.
Source: WALLOWA RIVER, a tributary of GRANDE RONDE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q
2 S	44 E	WM	24	SE NE

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	5	NE NE	1.3
2 S	44 E	WM	5	SE NE	1.5
				Total	2.8

18. The Department received information from the applicant that better describes the location of the authorized points of diversion for Certificate 9046 as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	44 E	WM	24	SE NE	1090 FEET NORTH AND 390 FEET WEST FROM THE E1/4 CORNER OF SECTION 24

19. Transfer Application T-13459 proposes to change the place of use of the right to:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	44 E	WM	33	SW SW	2.8

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

Certificate: 9311 in the name of DOBBIN DITCH COMPANY (perfected under Permit S-2696)
Use: DOMESTIC and SUPPLEMENTAL IRRIGATION of 15.8 ACRES
Priority Date: JULY 20, 1915
Rate: 0.13 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent in case of rotation.
Source: EAGLE CAP RESERVOIR in WALLOWA LAKE

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q
3 S	45 E	WM	5	NW NW

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION AND DOMESTIC					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	29	NE SW	10.0
2 S	45 E	WM	29	NW SW	5.8
				Total	15.8

21. The Department received information from the applicant that better describes the location of the authorized points of diversion for Certificate 9311 as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 S	45 E	WM	5	NW NW	POD 1 - 940 FEET SOUTH AND 1500 FEET EAST FROM THE NW CORNER OF SECTION 5

22. Transfer Application T-13459 proposes to change the place of use of the right to:

SUPPLEMENTAL IRRIGATION AND DOMESTIC					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	44 E	WM	32	SE SE	2.6
1 S	44 E	WM	33	SW SW	13.2
				Total	15.8

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

Certificate: 48403 in the name of ALDER SLOPE DITCH COMPANY (confirmed by WALLOWA RIVER)
Use: IRRIGATION of 5.0 ACRES and DOMESTIC
Priority Date: 4:00 P.M., NOVEMBER 30, 1901

Limit/Duty: Shall not exceed 1.5 acre feet per acre during any period of 30 days prior to July 31st of each year, and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season.

Source: HURRICANE CREEK, a tributary of WALLOWA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 S	44 E	WM	3	NE NE	ALDER SLOPE DITCH - SOUTH 76 DEGREES 02 MINUTES WEST, 49 FEET FROM THE NE CORNER OF SECTION 3

Authorized Place of Use:

IRRIGATION – TRACT NO. 18						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
2 S	44 E	WM	5	NE NE	1	1.3
2 S	44 E	WM	5	SE NE		3.7
					Total	5.0

24. Transfer Application T-13459 proposes to change the place of use of the right to:

IRRIGATION – TRACT NO. 18					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	44 E	WM	33	SW SW	5.0

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

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

26. Water has been used within the last five years according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.

27. A diversion structure and ditch sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-13459.

28. The proposed changes would not result in enlargement of the rights.

29. The proposed changes would not result in injury to other water rights.

30. All other application requirements are met.

Conclusions of Law

The change in point of diversion and change in places of use proposed in Transfer Application T-13459 are consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The change in point of diversion and change in place of use proposed in Transfer Application T-13459 are approved.

2. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 7716, 9045, 9046, 9311, and 48403 and any related decree.

3. Water right Certificates 7716, 9045, 9046, 9311, and 48403 are cancelled. New certificates will be issued describing that portion of the rights not affected by this transfer.

4. The quantity of water, as authorized by Certificate 7716, diverted at the new point of diversion (Lower Alder Slope), shall not exceed the quantity of water lawfully available at the original points of diversion (Dam and Big Bend Ditch).

5. Prior to diverting water, the water user shall install a headgate to control and regulate the quantity of water diverted. The type and plans of the headgate must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department. The water user shall maintain the headgate as required by the Department.

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

7. The former place of use of the transferred rights shall no longer receive water under the rights.

8. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2022**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.

9. After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.

Dated in Salem, Oregon on

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
THOMAS M BYLER, DIRECTOR
Oregon Water Resources Department

Mailing date: _____

Notice of Preliminary Determination for
Water Right Transfer T-13459

T-13459 filed by Erl McLaughlin, 65708 Sunrise Road, Enterprise, OR 97828, proposes a change in point of diversion and place of use under Certificate 7716, and a change in place of use under Certificates 9045, 9046, 9311, and 48403. Certificate 7716 allows the use of not to exceed 1.5 acre feet per acre during any period of thirty days prior to July 31st of each year, and thereafter not to exceed 1.0 acre foot per acre during the entire remainder of the irrigation season from the Wallowa River in Sec. 31, T2S, R45E, WM, and Sec. 5, T3S, R45E, WM for irrigation in Sec. 29, T2S, R45E, WM. The applicant proposes to move the points of diversion to Sec. 24, T2S, R44E, WM and to change the place of use to Sects. 32 and 33, T1S, R44E, WM. Certificate 9045 allows the use of 0.04 cubic foot per second (cfs) from Hurricane Creek and numerous springs, and spring creeks including Scotch Creek, being all waters of any nature intercepted by canal for irrigation in Sec. 5, T2S, R44E, WM. The applicant proposes to change the place of use to Sec. 33, T1S, R44E, WM. Certificate 9046 allows the use of 0.04 cfs of water from the Wallowa River in Sec. 24, T2S, R44E, WM for supplemental irrigation in Sec. 5, T2S, R44E, WM. The applicant proposes to change the place of use to Sec. 33, T1S, R44E, WM. Certificate 9311 allows the use of 0.13 cfs of water from Eagle Cap Reservoir in Sec. 5, T3S, R45E, WM for supplemental irrigation and domestic in Sec. 29, T2S, R45E, WM. The applicant proposes to change the place of use to Sects. 32 and 33, T1S, R44E, WM. Certificate 48403 allows the use of not to exceed 1.5 acre feet per acre during any period of 30 days prior to July 31st of each year, and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season from Hurricane Creek in Sec. 3, T3S, R44E, WM for irrigation in Sec. 5, T2S, R44E, WM. The applicant proposes to change the place of use to Sec. 33, T1S, R44E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, a protest or standing statement within 30 days after the last date of newspaper publication of this notice, MM/DD/YEAR. Call (503) 986-0815 to obtain additional information. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

IMPORTANT: Due to COVID-19, the Department's office is closed to walk-in services. The Department encourages the submission of protests by U.S. mail. Please consider mailing early to ensure the Department receives the protest by the deadline specified above.

STATE OF OREGON

COUNTY OF WALLOWA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BIG BEND WATER DITCH COMPANY, a corporation
JOSEPH, OR

confirms the right to use the waters of WALLOWA RIVER, a tributary of the GRANDE RONDE RIVER for IRRIGATION of 3181.7 ACRES of land and DOMESTIC USE, that said right was confirmed by decree of the Circuit Court of the State of Oregon for Wallowa County, said decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 5, at Page 160; that said right as confirmed by said decree has been transferred by order of the State Engineer, entered on January 17, 1928 from use by H. E. and Geo. F. Dawson for power purposes at a planning mill situated west of Block 4, Town of Joseph, Oregon, to use on the lands hereinafter described; that the priority of the right confirmed by said decree and transferred by said order dates from February 1884; that the amount of water to which such right is entitled and is hereby confirmed for the purposes aforesaid is limited to an amount actually beneficially used for said purposes; that said quantity of water, together with the water used under the right of the Big Bend Water Ditch Company as confirmed by decree of the Circuit Court of the State of Oregon for Wallowa County which decree is entered of record at Salem; in the Order Record of the State Water Board of Oregon in Volume 5 at pages 145, 146, 147, and 148, shall not exceed 1 1/2 acre feet per acre during any period of thirty days prior to July 31st of each year, and thereafter not to exceed 1.0 acre foot per acre during the entire remainder of the irrigation season; and said right shall be subject to all other conditions and limitations contained in the decree confirming the rights of said H. E. and Geo. F. Dawson.

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

IRRIGATION – TRACT NO. 1					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	21	NE SE	40.0
2 S	45 E	WM	21	NW SE	40.0
2 S	45 E	WM	21	SW SE	40.0
2 S	45 E	WM	21	SE SE	22.0
				Total	142.0

IRRIGATION – TRACT NO. 2					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	15	NE NW	30.0
2 S	45 E	WM	15	NW NW	40.0
2 S	45 E	WM	10	NE SW	39.0
2 S	45 E	WM	10	NW SW	40.0
2 S	45 E	WM	10	SW SW	40.0
2 S	45 E	WM	10	SE SW	33.0
2 S	45 E	WM	10	NW SE	2.0
				Total	224.0

IRRIGATION – TRACT NO. 3					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	4	NE NE	40.0
2 S	45 E	WM	4	NW NE	40.0
2 S	45 E	WM	4	SW NE	40.0
2 S	45 E	WM	4	SE NE	40.0
2 S	45 E	WM	3	NE NW	35.0
2 S	45 E	WM	3	NW NW	40.0
2 S	45 E	WM	3	SW NW	40.0
2 S	45 E	WM	3	SE NW	40.0
2 S	45 E	WM	3	NW SW	10.0
				Total	325.0

IRRIGATION – TRACT NO. 4					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	4	NE SE	40.00
2 S	45 E	WM	4	NW SE	40.00
2 S	45 E	WM	4	SW SE	31.00
2 S	45 E	WM	4	SE SE	40.00
				Total	151.0

IRRIGATION – TRACT NO. 5					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	15	SW NW	40.0
2 S	45 E	WM	15	SE NW	30.0
2 S	45 E	WM	15	NE SW	40.0
2 S	45 E	WM	15	NW SW	40.0
2 S	45 E	WM	15	NW SE	14.0
				Total	164.0

IRRIGATION – TRACT NO. 6					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	15	SW SW	40.0
2 S	45 E	WM	15	SE SW	40.0
2 S	45 E	WM	15	SW SE	23.0*
2 S	45 E	WM	22	NW NE	40.0
2 S	45 E	WM	22	NE NW	40.0
2 S	45 E	WM	22	NW NW	40.0
2 S	45 E	WM	22	SW NW	40.0
2 S	45 E	WM	22	SE NW	40.0
				Total	303.0

*of the above described land, 15.0 acres in the SW SE of Section 15 is supplemented by water from Farmer's Ditch

IRRIGATION – TRACT NO. 7 (Irrigated from Big Bend Ditch only)					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	29	NE NE	20.0
2 S	45 E	WM	29	SW NE	35.0
2 S	45 E	WM	29	SE NE	40.0
				Total	95.0

IRRIGATION – TRACT NO. 8 (supplemented by Dobbin and Wrenn-Dobbin Ditch)					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	29	NE NE	20.0
2 S	45 E	WM	29	NW NE	40.0
2 S	45 E	WM	29	SW NE	5.0
				Total	65.0

IRRIGATION – TRACT NO. 9					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	3	NE SW	40.0
2 S	45 E	WM	3	NW SW	30.0
2 S	45 E	WM	3	SW SW	40.0
2 S	45 E	WM	3	SE SW	40.0
2 S	45 E	WM	3	NE SE	36.0
2 S	45 E	WM	3	NW SE	40.0
2 S	45 E	WM	3	SW SE	40.0
2 S	45 E	WM	3	SE SE	40.0
				Total	306.0

IRRIGATION – TRACT NO. 10					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	28	NE NW	40.0
2 S	45 E	WM	28	NW NW	40.0
2 S	45 E	WM	28	SW NW	36.0
2 S	45 E	WM	28	SE NW	5.0
2 S	45 E	WM	29	SW NW	10.0
2 S	45 E	WM	29	SE NW	5.0
				Total	136.0

IRRIGATION – TRACT NO. 11 (supplemented by water from Farmers Ditch)					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	5	NE SE	40.0
2 S	45 E	WM	5	NW SE	36.5
2 S	45 E	WM	5	SW SE	40.0
2 S	45 E	WM	5	SE SE	40.0
				Total	156.5

*Supplemented by water from Farmers Ditch

IRRIGATION – TRACT NO. 12					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	8	NE NE	40.0*
2 S	45 E	WM	8	NW NE	40.0*
				Total	80.0

*40.0 acres of the above described land – 10.0 acres in the NE NE and 30.0 acres in the NW NE are supplemented by water from the Dobbins Ditch

IRRIGATION – TRACT NO. 13					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	10	NE NE	40.0
2 S	45 E	WM	10	NW NE	40.0
2 S	45 E	WM	10	SW NE	13.0
2 S	45 E	WM	10	SE NE	40.0*
2 S	45 E	WM	10	NE NW	40.0
2 S	45 E	WM	10	NW NW	40.0
2 S	45 E	WM	10	SW NW	40.0
2 S	45 E	WM	10	SE NW	40.0
				Total	293.0

*of the above described land, 40.0 acres in the SE NE is supplemented by Farmer's Ditch

IRRIGATION – TRACT NO. 14					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	22	NW SW	30.0
2 S	45 E	WM	22	SW SW	5.0
				Total	35.0

IRRIGATION – TRACT NO. 15					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	29	NE SW	25.0
2 S	45 E	WM	29	NW SW	32.2
				Total	57.2

IRRIGATION – TRACT NO. 16 (supplemented by Farmers Ditch)					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	16	NE NE	30.0

*Supplemented by Farmers Ditch

IRRIGATION – TRACT NO. 17					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	5	NE NE	23.0
2 S	45 E	WM	5	NW NE	4.5
2 S	45 E	WM	5	SW NE	20.0
2 S	45 E	WM	5	SE NE	40.0
				Total	87.5

IRRIGATION – TRACT NO. 18					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	4	NE NW	12.0
2 S	45 E	WM	4	NW NW	21.5
2 S	45 E	WM	4	SW NW	40.0
2 S	45 E	WM	4	SE NW	18.0
				Total	91.5

IRRIGATION – TRACT NO. 19					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	9	NE NW	40.0
2 S	45 E	WM	9	NW NW	40.0
2 S	45 E	WM	9	SW NW	40.0
2 S	45 E	WM	9	SE NW	40.0
				Total	160.0

IRRIGATION – TRACT NO. 20					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	9	NE NE	40.0
2 S	45 E	WM	9	NW NE	40.0
2 S	45 E	WM	9	SW NE	40.0
2 S	45 E	WM	9	SE NE	40.0
2 S	45 E	WM	9	NE SE	40.0
2 S	45 E	WM	9	SE SE	40.0
				Total	240.0

IRRIGATION – TRACT NO. 21					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	9	NE SW	10.0
2 S	45 E	WM	9	NW SE	30.0
				Total	40.0

All of the above described lands being in Wallowa County, Oregon

This certificate describes that portion of water right Certificate 7716, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered _____, approving Transfer Application T-13459.

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 _____.

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
THOMAS M BYLER, DIRECTOR
Oregon Water Resources Department

STATE OF OREGON

COUNTY OF WALLOWA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ALDER SLOPE DITCH COMPANY
ENTERPRISE, OR 97828

confirms the right to use the waters of HURRICANE CREEK AND NUMEROUS SPRINGS, AND SPRING CREEKS INCLUDING SCOTCH CREEK, BEING ALL WATERS OF ANY NATURE INTERCEPTED BY CANAL, tributary of WALLOWA RIVER for IRRIGATION and SUPPLEMENTAL IRRIGATION, being a total of 1292.7 ACRES.

This right was perfected under Permit S-6723. The date of priority is MAY 15, 1924. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 16.16 CUBIC FEET PER SECOND.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q
2 S	44 E	WM	24	SW NE

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

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 acre, or its equivalent in case of rotation.

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

IRRIGATION AND SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	44 E	WM	31	NE SE	20.0
1 S	44 E	WM	31	SW SE	3.0
1 S	44 E	WM	31	SE SE	28.0
1 S	44 E	WM	32	NE SW	17.5
1 S	44 E	WM	32	NW SW	26.0
1 S	44 E	WM	32	SW SW	39.0
1 S	44 E	WM	32	SE SW	37.0
1 S	44 E	WM	32	NW SE	20.0
1 S	44 E	WM	32	SW SE	37.0
1 S	44 E	WM	32	SE SE	28.0
2 S	44 E	WM	3	NE SW	37.0
2 S	44 E	WM	3	NW SW	30.0
2 S	44 E	WM	3	SW SW	40.0
2 S	44 E	WM	3	SE SW	38.0

IRRIGATION AND SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	4	NW NE	15.0
2 S	44 E	WM	4	SW NE	36.0
2 S	44 E	WM	4	NE NW	35.0
2 S	44 E	WM	4	NW NW	53.0
2 S	44 E	WM	4	SW NW	36.0
2 S	44 E	WM	4	SE NW	40.0
2 S	44 E	WM	4	NW SW	17.0
2 S	44 E	WM	4	SW SW	4.0
2 S	44 E	WM	4	NE SE	40.0
2 S	44 E	WM	4	SE SE	40.0
2 S	44 E	WM	5	NE NE	26.7
2 S	44 E	WM	5	SE NE	1.5
2 S	44 E	WM	9	NE NE	30.0
2 S	44 E	WM	9	NW NE	20.0
2 S	44 E	WM	9	SE NE	18.0
2 S	44 E	WM	9	NE NW	8.0
2 S	44 E	WM	10	NW NE	21.5
2 S	44 E	WM	10	SW NE	40.0
2 S	44 E	WM	10	SE NE	38.5
2 S	44 E	WM	10	NE NW	40.0
2 S	44 E	WM	10	NW NW	40.0
2 S	44 E	WM	10	SW NW	38.0
2 S	44 E	WM	10	SE NW	40.0
2 S	44 E	WM	10	NE SW	38.0
2 S	44 E	WM	10	NW SW	10.0
2 S	44 E	WM	10	SE SW	15.0
2 S	44 E	WM	10	NE SE	30.0
2 S	44 E	WM	10	NW SE	40.0
2 S	44 E	WM	10	SW SE	27.0
2 S	44 E	WM	10	SE SE	40.0
2 S	44 E	WM	15	NW NE	12.0
				Total	1292.7

This certificate describes that portion of water right Certificate 9045, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered _____, approving Transfer Application T-13459.

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.

After the expiration of fifty years from the date of this certificate or on the expiration of any federal power license issued in connection with this right, and after not less than two years notice in writing to the holder hereof, the State of Oregon, or any municipality thereof, shall have the right to take over the dams, plants and other structures and all appurtenances thereto which have been constructed for the purpose of devoting to beneficial use the water rights specified herein, upon condition that before taking possession the State or municipality shall pay not to exceed the fair value of the property so taken, plus such reasonable damages, if any, to valuable, serviceable and dependable property of the holder of this certificate, not taken over, as may be caused by the severance therefrom of the property taken in accordance with the provisions of section 5728, Oregon Laws.

WITNESS the signature of the Water Resources Director, affixed _____.

_____

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
THOMAS M BYLER, DIRECTOR
Oregon Water Resources Department

STATE OF OREGON

COUNTY OF WALLOWA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ALDER SLOPE DITCH COMPANY
ENTERPRISE, OR 97828

confirms the right to use the waters of WALLOWA RIVER, a tributary of GRANDE RONDE RIVER for SUPPLEMENTAL IRRIGATION of 1290.7 ACRES.

This right was perfected under Permit S-6724. The date of priority is MARCH 12, 1925. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 16.16 CUBIC FEET PER SECOND.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q
2 S	44 E	WM	24	SE NE

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

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 acre, or its equivalent in case of rotation.

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

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	44 E	WM	31	NE SE	20.0
1 S	44 E	WM	31	SW SE	3.0
1 S	44 E	WM	31	SE SE	28.0
1 S	44 E	WM	32	NE SW	17.5
1 S	44 E	WM	32	NW SW	26.0
1 S	44 E	WM	32	SW SW	39.0
1 S	44 E	WM	32	SE SW	37.0
1 S	44 E	WM	32	NW SE	20.0
1 S	44 E	WM	32	SW SE	37.0
1 S	44 E	WM	32	SE SE	28.0
2 S	44 E	WM	3	NE SW	37.0
2 S	44 E	WM	3	NW SW	30.0
2 S	44 E	WM	3	SW SW	40.0
2 S	44 E	WM	3	SE SW	38.0
2 S	44 E	WM	4	NW NE	15.0
2 S	44 E	WM	4	SW NE	36.0

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	4	NE NW	35.0
2 S	44 E	WM	4	NW NW	53.0
2 S	44 E	WM	4	SW NW	36.0
2 S	44 E	WM	4	SE NW	40.0
2 S	44 E	WM	4	NW SW	17.0
2 S	44 E	WM	4	SW SW	4.0
2 S	44 E	WM	4	NE SE	40.0
2 S	44 E	WM	4	SE SE	40.0
2 S	44 E	WM	5	NE NE	26.7
2 S	44 E	WM	5	SE NE	1.5
2 S	44 E	WM	9	NE NE	30.0
2 S	44 E	WM	9	NW NE	20.0
2 S	44 E	WM	9	SE NE	18.0
2 S	44 E	WM	9	NE NW	8.0
2 S	44 E	WM	10	NW NE	21.5
2 S	44 E	WM	10	SW NE	40.0
2 S	44 E	WM	10	SE NE	38.5
2 S	44 E	WM	10	NE NW	40.0
2 S	44 E	WM	10	NW NW	40.0
2 S	44 E	WM	10	SW NW	38.0
2 S	44 E	WM	10	SE NW	40.0
2 S	44 E	WM	10	NE SW	38.0
2 S	44 E	WM	10	NW SW	10.0
2 S	44 E	WM	10	SE SW	15.0
2 S	44 E	WM	10	NE SE	30.0
2 S	44 E	WM	10	NW SE	40.0
2 S	44 E	WM	10	SW SE	27.0
2 S	44 E	WM	10	SE SE	40.0
2 S	44 E	WM	15	NW NE	12.0
				Total	1290.7

This certificate describes that portion of water right Certificate 9046, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered _____, approving Transfer Application T-13459.

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.

After the expiration of fifty years from the date of this certificate or on the expiration of any federal power license issued in connection with this right, and after not less than two years notice in writing to the holder hereof, the State of Oregon, or any municipality thereof, shall have the right to take over the dams, plants and other structures and all appurtenances thereto which have been constructed for the purpose of devoting to beneficial use the water rights specified herein, upon condition that before taking possession the State or municipality shall pay not to exceed the fair value of the property so taken, plus such reasonable damages, if any, to valuable, serviceable and dependable property of the holder of this certificate, not taken over, as may be caused by the severance therefrom of the property taken in accordance with the provisions of section 5728, Oregon Laws.

WITNESS the signature of the Water Resources Director, affixed _____.

_____

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
THOMAS M BYLER, DIRECTOR
Oregon Water Resources Department

STATE OF OREGON

COUNTY OF WALLOWA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

DOBBIN DITCH COMPANY and assignees – Silver Lake Ditch Company, Big Bend Water Ditch Company, McCubbin-Craig Ditch Company, Wrenn and Dobbin Ditch Company, Farmers Ditch Company and Creighton Ditch Company
JOSEPH, OR 97846

confirms the right to use the waters of EAGLE CAP RESERVOIR in WALLOWA LAKE, to be constructed under Permit No. R-347, for IRRIGATION, DOMESTIC AND SUPPLEMENTAL IRRIGATION.

This right was perfected under Permit S-2696. The date of priority is JULY 20, 1915. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 117.87 CUBIC FEET PER SECOND.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q
3 S	45 E	WM	5	NW NW

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

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 in case of rotation.

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

Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	45 E	WM	28	SW NE	12.0
1 S	45 E	WM	28	SE NW	25.0
1 S	45 E	WM	28	NE SW	40.0
1 S	45 E	WM	28	NW SW	18.0
1 S	45 E	WM	28	SW SW	14.0
1 S	45 E	WM	28	SE SW	38.0
1 S	45 E	WM	28	NW SE	20.0
1 S	45 E	WM	28	SW SE	20.0
1 S	45 E	WM	32	NE SW	29.0
1 S	45 E	WM	32	SW SW	5.0
1 S	45 E	WM	32	SE SW	40.0
1 S	45 E	WM	32	NE SE	15.0
1 S	45 E	WM	32	NW SE	23.0
1 S	45 E	WM	32	SW SE	40.0

Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	45 E	WM	32	SE SE	20.0
1 S	'45 E	WM	33	NE NE	14.0
1 S	45 E	WM	33	NW NE	35.0
1 S	45 E	WM	33	SW NE	40.0
1 S	45 E	WM	33	SE NE	40.0
1 S	45 E	WM	33	NE NW	40.0
1 S	45 E	WM	33	NW NW	11.0
1 S	45 E	WM	33	SW NW	15.0
1 S	45 E	WM	33	SE NW	40.0
1 S	45 E	WM	33	NE SW	40.0
1 S	45 E	WM	33	NW SW	40.0
1 S	45 E	WM	33	SW SW	30.0
1 S	45 E	WM	33	SE SW	40.0
1 S	45 E	WM	33	NE SE	40.0
1 S	45 E	WM	33	NW SE	40.0
1 S	45 E	WM	33	SW SE	40.00
1 S	45 E	WM	33	SE SE	40.00
1 S	45 E	WM	34	SW NW	9.00
1 S	45 E	WM	34	NW SW	28.00
1 S	45 E	WM	34	SW SW	40.00
1 S	45 E	WM	34	SE SW	8.00
2 S	45 E	WM	1	NW NW	3.50
2 S	45 E	WM	1	SW NW	13.00
2 S	45 E	WM	1	SE NW	5.00
2 S	45 E	WM	1	NE SW	12.00
2 S	45 E	WM	1	NW SW	35.00
2 S	45 E	WM	1	SW SW	37.00
2 S	45 E	WM	1	SE SW	28.00
2 S	45 E	WM	1	SW SE	1.00
2 S	45 E	WM	2	NE SW	3.50
2 S	45 E	WM	2	NW SW	34.50
2 S	45 E	WM	2	SW SW	40.00
2 S	45 E	WM	2	SE SW	34.50
2 S	45 E	WM	2	SW SE	25.00
2 S	45 E	WM	2	SE SE	37.50
2 S	45 E	WM	3	NW NE	10.00
2 S	45 E	WM	3	SW NE	20.00
2 S	45 E	WM	3	SE NE	9.00
2 S	45 E	WM	3	NE NW	2.00
2 S	45 E	WM	3	NW NW	30.0
2 S	45 E	WM	3	SW NW	40.0
2 S	45 E	WM	3	SE NW	33.0
2 S	45 E	WM	3	NE SW	40.0
2 S	45 E	WM	3	NW SW	40.0
2 S	45 E	WM	3	SW SW	40.0
2 S	45 E	WM	3	SE SW	40.0
2 S	45 E	WM	3	NE SE	36.0
2 S	45 E	WM	3	NW SE	40.0
2 S	45 E	WM	3	SW SE	40.0
2 S	45 E	WM	3	SE SE	40.0
2 S	45 E	WM	4	NE NE	28.0
2 S	45 E	WM	4	NW NE	35.0

Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	4	SW NE	40.0
2 S	45 E	WM	4	SE NE	32.0
2 S	45 E	WM	4	NW NW	8.5
2 S	45 E	WM	4	SW NW	40.0
2 S	45 E	WM	4	SE NW	18.0
2 S	45 E	WM	4	SE NW	25.0
2 S	45 E	WM	4	NE SW	40.0
2 S	45 E	WM	4	NW SW	40.0
2 S	45 E	WM	4	SW SW	40.0
2 S	45 E	WM	4	SE SW	40.0
2 S	45 E	WM	4	NE SE	40.0
2 S	45 E	WM	4	NW SE	40.0
2 S	45 E	WM	4	SW SE	31.0
2 S	45 E	WM	4	SE SE	40.0
2 S	45 E	WM	5	NE NE	23.0
2 S	45 E	WM	5	NW NE	4.5
2 S	45 E	WM	5	SW NE	20.0
2 S	45 E	WM	5	SE NE	40.0
2 S	45 E	WM	5	NE NW	40.0
2 S	45 E	WM	5	NW NW	20.0
2 S	45 E	WM	5	SW NW	7.0
2 S	45 E	WM	5	SE NW	40.0
2 S	45 E	WM	5	NE SW	13.0
2 S	45 E	WM	5	SE SW	15.0
2 S	45 E	WM	5	NE SE	40.0
2 S	45 E	WM	5	NW SE	36.5
2 S	45 E	WM	5	SW SE	40.0
2 S	45 E	WM	5	SE SE	40.0
2 S	45 E	WM	8	NE NE	40.0
2 S	45 E	WM	8	NW NE	40.0
2 S	45 E	WM	8	SW NE	40.0
2 S	45 E	WM	8	SE NE	40.0
2 S	45 E	WM	8	NE NW	26.5
2 S	45 E	WM	8	NW NW	19.0
2 S	45 E	WM	8	SE NW	21.0
2 S	45 E	WM	8	NE SW	39.5
2 S	45 E	WM	8	NW SW	35.0
2 S	45 E	WM	8	SW SW	17.0
2 S	45 E	WM	8	SE SW	39.0
2 S	45 E	WM	8	NE SE	40.0
2 S	45 E	WM	8	NW SE	40.0
2 S	45 E	WM	8	SW SE	40.0
2 S	45 E	WM	8	SE SE	40.0
2 S	45 E	WM	9	NE NE	40.0
2 S	45 E	WM	9	NW NE	40.0
2 S	45 E	WM	9	SW NE	40.0
2 S	45 E	WM	9	SE NE	40.0
2 S	45 E	WM	9	NE NW	40.0
2 S	45 E	WM	9	NW NW	40.0
2 S	45 E	WM	9	SW NW	40.0
2 S	45 E	WM	9	SE NW	40.0
2 S	45 E	WM	9	NE SW	40.0

Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	9	NW SW	40.0
2 S	45 E	WM	9	SW SW	40.0
2 S	45 E	WM	9	SE SW	40.0
2 S	45 E	WM	9	NE SE	40.0
2 S	45 E	WM	9	NW SE	40.0
2 S	45 E	WM	9	SW SE	40.0
2 S	45 E	WM	9	SE SE	40.0
2 S	45 E	WM	10	NE NE	40.0
2 S	45 E	WM	10	NW NE	40.0
2 S	45 E	WM	10	SW NE	26.0
2 S	45 E	WM	10	SE NE	40.0
2 S	45 E	WM	10	NE NW	40.0
2 S	45 E	WM	10	NW NW	40.0
2 S	45 E	WM	10	SW NW	40.0
2 S	45 E	WM	10	SE NW	40.0
2 S	45 E	WM	10	NE SW	39.0
2 S	45 E	WM	10	NW SW	40.0
2 S	45 E	WM	10	SW SW	40.0
2 S	45 E	WM	10	SE SW	33.0
2 S	45 E	WM	10	NE SE	36.0
2 S	45 E	WM	10	NW SE	2.0
2 S	45 E	WM	10	SE SE	26.0
2 S	45 E	WM	11	NE NE	39.5
2 S	45 E	WM	11	NW NE	29.5
2 S	45 E	WM	11	SW NE	1.0
2 S	45 E	WM	11	SE NE	8.0
2 S	45 E	WM	11	NW NW	29.0
2 S	45 E	WM	11	SW NW	16.0
2 S	45 E	WM	11	NW SW	15.5
2 S	45 E	WM	11	SW SW	20.0
2 S	45 E	WM	12	NW NE	5.0
2 S	45 E	WM	12	SW NE	18.5
2 S	45 E	WM	12	NE NW	40.0
2 S	45 E	WM	12	NW NW	40.0
2 S	45 E	WM	12	SW NW	40.0
2 S	45 E	WM	12	SE NW	40.0
2 S	45 E	WM	12	NE SW	40.0
2 S	45 E	WM	12	NW SW	29.5
2 S	45 E	WM	12	SW SW	21.0
2 S	45 E	WM	12	SE SW	37.5
2 S	45 E	WM	12	NW SE	18.5
2 S	45 E	WM	12	SW SE	18.0
2 S	45 E	WM	13	NE NE	6.5
2 S	45 E	WM	13	NE NW	18.0
2 S	45 E	WM	13	NW NW	16.5
2 S	45 E	WM	13	SW NW	21.5
2 S	45 E	WM	13	SE NW	16.0
2 S	45 E	WM	13	NE SW	9.0
2 S	45 E	WM	13	NW SW	40.0
2 S	45 E	WM	13	SW SW	40.0
2 S	45 E	WM	13	SE SW	10.0
2 S	45 E	WM	14	NW NW	12.0

Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	14	SW NW	33.0
2 S	45 E	WM	14	NE SW	20.0
2 S	45 E	WM	14	NW SW	40.0
2 S	45 E	WM	14	SW SW	40.0
2 S	45 E	WM	14	SE SW	40.0
2 S	45 E	WM	15	NE NE	32.0
2 S	45 E	WM	15	SE NE	33.5
2 S	45 E	WM	15	NE NW	30.0
2 S	45 E	WM	15	NW NW	40.0
2 S	45 E	WM	15	SW NW	40.0
2 S	45 E	WM	15	SE NW	30.0
2 S	45 E	WM	15	NE SW	40.0
2 S	45 E	WM	15	NW SW	40.0
2 S	45 E	WM	15	SW SW	40.0
2 S	45 E	WM	15	SE SW	40.0
2 S	45 E	WM	15	NE SE	33.5
2 S	45 E	WM	15	NW SE	31.0
2 S	45 E	WM	15	SW SE	38.0
2 S	45 E	WM	15	SE SE	35.0
2 S	45 E	WM	16	NE NE	40.0
2 S	45 E	WM	16	NW NE	40.0
2 S	45 E	WM	16	SW NE	40.0
2 S	45 E	WM	16	SE NE	40.0
2 S	45 E	WM	16	NE NW	40.0
2 S	45 E	WM	16	NW NW	40.0
2 S	45 E	WM	16	SW NW	40.0
2 S	45 E	WM	16	SE NW	40.0
2 S	45 E	WM	16	NE SW	40.0
2 S	45 E	WM	16	NW SW	40.0
2 S	45 E	WM	16	SW SW	40.0
2 S	45 E	WM	16	SE SW	40.0
2 S	45 E	WM	16	NE SE	40.0
2 S	45 E	WM	16	NW SE	40.0
2 S	45 E	WM	16	SW SE	40.0
2 S	45 E	WM	16	SE SE	40.0
2 S	45 E	WM	17	NE NE	40.0
2 S	45 E	WM	17	NW NE	35.0
2 S	45 E	WM	17	SW NE	32.5
2 S	45 E	WM	17	SE NE	30.0
2 S	45 E	WM	17	NE NW	18.0
2 S	45 E	WM	17	NW NW	37.5
2 S	45 E	WM	17	SW NW	37.0
2 S	45 E	WM	17	SE NW	30.5
2 S	45 E	WM	17	NE SW	40.0
2 S	45 E	WM	17	NW SW	10.0
2 S	45 E	WM	17	SW SW	18.0
2 S	45 E	WM	17	SE SW	31.0
2 S	45 E	WM	17	NE SE	40.0
2 S	45 E	WM	17	NW SE	40.0
2 S	45 E	WM	17	SW SE	40.0
2 S	45 E	WM	17	SE SE	40.0
2 S	45 E	WM	19	SW NE	40.0

Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	19	SE NE	40.0
2 S	45 E	WM	19	SW NW	6.5
2 S	45 E	WM	19	SE NW	40.0
2 S	45 E	WM	19	NE SW	40.0
2 S	45 E	WM	19	NW SW	5.0
2 S	45 E	WM	19	NE SE	40.0
2 S	45 E	WM	19	NW SE	40.0
2 S	45 E	WM	20	NE NE	40.0
2 S	45 E	WM	20	NW NE	40.0
2 S	45 E	WM	20	SW NE	40.0
2 S	45 E	WM	20	SE NE	40.0
2 S	45 E	WM	20	NE NW	40.0
2 S	45 E	WM	20	NW NW	40.0
2 S	45 E	WM	20	SW NW	40.0
2 S	45 E	WM	20	SE NW	40.0
2 S	45 E	WM	20	NE SW	40.0
2 S	45 E	WM	20	NW SW	40.0
2 S	45 E	WM	20	SW SW	40.0
2 S	45 E	WM	20	SE SW	40.0
2 S	45 E	WM	20	NE SE	40.0
2 S	45 E	WM	20	NW SE	40.0
2 S	45 E	WM	20	SW SE	40.0
2 S	45 E	WM	20	SE SE	40.0
2 S	45 E	WM	21	NE NE	40.0
2 S	45 E	WM	21	NW NE	40.0
2 S	45 E	WM	21	SW NE	40.0
2 S	45 E	WM	21	SE NE	40.0
2 S	45 E	WM	21	NE NW	40.0
2 S	45 E	WM	21	NW NW	40.0
2 S	45 E	WM	21	SW NW	40.0
2 S	45 E	WM	21	SE NW	40.0
2 S	45 E	WM	21	NE SW	40.0
2 S	45 E	WM	21	NW SW	40.0
2 S	45 E	WM	21	SW SW	40.0
2 S	45 E	WM	21	SE SW	40.0
2 S	45 E	WM	21	NE SE	40.0
2 S	45 E	WM	21	NW SE	40.0
2 S	45 E	WM	21	SW SE	40.0
2 S	45 E	WM	21	SE SE	40.0
2 S	45 E	WM	22	NE NE	40.0
2 S	45 E	WM	22	NW NE	40.0
2 S	45 E	WM	22	SW NE	40.0
2 S	45 E	WM	22	SE NE	40.0
2 S	45 E	WM	22	NE NW	40.0
2 S	45 E	WM	22	NW NW	40.0
2 S	45 E	WM	22	SW NW	40.0
2 S	45 E	WM	22	SE NW	40.0
2 S	45 E	WM	22	NE SW	40.0
2 S	45 E	WM	22	NW SW	40.0
2 S	45 E	WM	22	SW SW	40.0
2 S	45 E	WM	22	SE SW	40.0
2 S	45 E	WM	22	NE SE	40.0

Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	22	NW SE	40.0
2 S	45 E	WM	22	SW SE	40.0
2 S	45 E	WM	22	SE SE	40.0
2 S	45 E	WM	23	NW NE	13.5
2 S	45 E	WM	23	SW NE	40.0
2 S	45 E	WM	23	SE NE	29.5
2 S	45 E	WM	23	NE NW	40.0
2 S	45 E	WM	23	NW NW	40.0
2 S	45 E	WM	23	SW NW	40.0
2 S	45 E	WM	23	SE NW	38.0
2 S	45 E	WM	23	NE SW	33.0
2 S	45 E	WM	23	NW SW	39.0
2 S	45 E	WM	23	SW SW	32.0
2 S	45 E	WM	23	NE SE	40.0
2 S	45 E	WM	23	NW SE	40.0
2 S	45 E	WM	23	SW SE	37.0
2 S	45 E	WM	23	SE SE	32.0
2 S	45 E	WM	24	NE NW	30.0
2 S	45 E	WM	24	NW NW	38.0
2 S	45 E	WM	24	SW NW	40.0
2 S	45 E	WM	24	SE NW	36.0
2 S	45 E	WM	24	NE SW	36.0
2 S	45 E	WM	24	NW SW	40.0
2 S	45 E	WM	24	SW SW	40.0
2 S	45 E	WM	24	SE SW	17.5
2 S	45 E	WM	25	NE NW	17.0
2 S	45 E	WM	25	NW NW	40.0
2 S	45 E	WM	25	SW NW	37.5
2 S	45 E	WM	25	SE NW	22.0
2 S	45 E	WM	25	NE SW	39.0
2 S	45 E	WM	25	NW SW	40.0
2 S	45 E	WM	25	SW SW	40.0
2 S	45 E	WM	25	SE SW	40.0
2 S	45 E	WM	26	NE NE	13.5
2 S	45 E	WM	26	NW NE	40.0
2 S	45 E	WM	26	SW NE	40.0
2 S	45 E	WM	26	SE NE	17.0
2 S	45 E	WM	26	NE NW	37.5
2 S	45 E	WM	26	NW NW	40.0
2 S	45 E	WM	26	SW NW	40.0
2 S	45 E	WM	26	SE NW	40.0
2 S	45 E	WM	26	NE SW	40.0
2 S	45 E	WM	26	NW SW	40.0
2 S	45 E	WM	26	SW SW	40.0
2 S	45 E	WM	26	SE SW	40.0
2 S	45 E	WM	26	NE SE	40.0
2 S	45 E	WM	26	NW SE	40.0
2 S	45 E	WM	26	SW SE	40.0
2 S	45 E	WM	26	SE SE	40.0
2 S	45 E	WM	27	NE NE	40.0
2 S	45 E	WM	27	NW NE	40.0
2 S	45 E	WM	27	SW NE	40.0

Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	27	SE NE	40.0
2 S	45 E	WM	27	NE NW	40.0
2 S	45 E	WM	27	NW NW	40.0
2 S	45 E	WM	27	SW NW	40.0
2 S	45 E	WM	27	SE NW	40.0
2 S	45 E	WM	27	NE SW	40.0
2 S	45 E	WM	27	NW SW	40.0
2 S	45 E	WM	27	SW SW	40.0
2 S	45 E	WM	27	SE SW	40.0
2 S	45 E	WM	27	NE SE	40.0
2 S	45 E	WM	27	NW SE	40.0
2 S	45 E	WM	27	SW SE	40.0
2 S	45 E	WM	27	SE SE	40.0
2 S	45 E	WM	28	NE NE	40.0
2 S	45 E	WM	28	NW NE	40.0
2 S	45 E	WM	28	SW NE	40.0
2 S	45 E	WM	28	SE NE	40.0
2 S	45 E	WM	28	NE NW	40.0
2 S	45 E	WM	28	NW NW	40.0
2 S	45 E	WM	28	SW NW	40.0
2 S	45 E	WM	28	SE NW	40.0
2 S	45 E	WM	28	NE SW	40.0
2 S	45 E	WM	28	NW SW	40.0
2 S	45 E	WM	28	SW SW	40.0
2 S	45 E	WM	28	SE SW	40.0
2 S	45 E	WM	28	NE SE	40.0
2 S	45 E	WM	28	NW SE	40.0
2 S	45 E	WM	28	SW SE	40.0
2 S	45 E	WM	28	SE SE	10.0
2 S	45 E	WM	29	NE NE	40.0
2 S	45 E	WM	29	NW NE	40.0
2 S	45 E	WM	29	SW NE	40.0
2 S	45 E	WM	29	SE NE	40.0
2 S	45 E	WM	29	NE NW	40.0
2 S	45 E	WM	29	NW NW	40.0
2 S	45 E	WM	29	SW NW	40.0
2 S	45 E	WM	29	SE NW	40.0
2 S	45 E	WM	29	NE SW	25.0
2 S	45 E	WM	29	NW SW	40.0
2 S	45 E	WM	29	NE SE	40.0
2 S	45 E	WM	29	NW SE	40.0
2 S	45 E	WM	29	SW SE	35.0
2 S	45 E	WM	29	SE SE	32.0
2 S	45 E	WM	32	NE NE	35.5
2 S	45 E	WM	32	SW NE	13.0
2 S	45 E	WM	32	SE NE	38.5
2 S	45 E	WM	32	NE NW	8.0
2 S	45 E	WM	32	SE NW	40.0
2 S	45 E	WM	33	NE NE	40.0
2 S	45 E	WM	33	NW NE	40.0
2 S	45 E	WM	33	SW NE	40.0
2 S	45 E	WM	33	SE NE	40.0

Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	33	NE NW	40.0
2 S	45 E	WM	33	NW NW	29.0
2 S	45 E	WM	33	SW NW	26.0
2 S	45 E	WM	33	SE NW	40.0
2 S	45 E	WM	33	NE SW	40.0
2 S	45 E	WM	33	NW SW	16.5
2 S	45 E	WM	33	SW SW	1.5
2 S	45 E	WM	33	SE SW	15.0
2 S	45 E	WM	33	NE SE	40.0
2 S	45 E	WM	33	NW SE	40.0
2 S	45 E	WM	33	SW SE	11.0
2 S	45 E	WM	33	SE SE	5.5
2 S	45 E	WM	34	NE NE	40.0
2 S	45 E	WM	34	NW NE	40.0
2 S	45 E	WM	34	SW NE	40.0
2 S	45 E	WM	34	SE NE	40.0
2 S	45 E	WM	34	NE NW	40.0
2 S	45 E	WM	34	NW NW	40.0
2 S	45 E	WM	34	SW NW	40.0
2 S	45 E	WM	34	SE NW	40.0
2 S	45 E	WM	34	NE SW	40.0
2 S	45 E	WM	34	NW SW	40.0
2 S	45 E	WM	34	SW SW	6.0
2 S	45 E	WM	34	SE SW	33.0
2 S	45 E	WM	34	NE SE	40.0
2 S	45 E	WM	34	NW SE	40.0
2 S	45 E	WM	34	SW SE	40.0
2 S	45 E	WM	34	SE SE	34.0
2 S	45 E	WM	35	NE NE	40.0
2 S	45 E	WM	35	NW NE	40.0
2 S	45 E	WM	35	SW NE	40.0
2 S	45 E	WM	35	SE NE	40.0
2 S	45 E	WM	35	NE NW	40.0
2 S	45 E	WM	35	NW NW	40.0
2 S	45 E	WM	35	SW NW	40.0
2 S	45 E	WM	35	SE NW	40.0
2 S	45 E	WM	35	NE SW	40.0
2 S	45 E	WM	35	NW SW	40.0
2 S	45 E	WM	35	SW SW	40.0
2 S	45 E	WM	35	SE SW	40.0
2 S	45 E	WM	35	NE SE	40.0
2 S	45 E	WM	35	NW SE	40.0
2 S	45 E	WM	35	SW SE	12.0
2 S	45 E	WM	36	NE NW	40.0
2 S	45 E	WM	36	NW NW	40.0
2 S	45 E	WM	36	SW NW	40.0
2 S	45 E	WM	36	SE NW	40.0
2 S	45 E	WM	36	NW SW	6.5
3 S	45 E	WM	2	NE NW	11.0
3 S	45 E	WM	2	NW NW	37.5
3 S	45 E	WM	3	NE NE	40.0
3 S	45 E	WM	3	NW NE	40.0

Twp	Rng	Mer	Sec	Q-Q	Acres
3 S	45 E	WM	3	SW NE	20.0
3 S	45 E	WM	3	SE NE	14.5
3 S	45 E	WM	3	NE NW	11.0

This certificate describes that portion of water right Certificate 9311, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered _____, approving Transfer Application T-13459.

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

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

WITNESS the signature of the Water Resources Director, affixed _____.

_____

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
THOMAS M BYLER, DIRECTOR
Oregon Water Resources Department

STATE OF OREGON

COUNTY OF WALLOWA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ALDER SLOPE DITCH COMPANY
ENTERPRISE, OR

confirms the right to use the waters of HURRICANE CREEK, a tributary of WALLOWA RIVER for IRRIGATION of 3407.1 ACRES, DOMESTIC and STOCK.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Wallowa County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 5, at Page 140-143. The date of priority is 4:00 p.m., NOVEMBER 30, 1901.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.5 acre feet per acre during any period of 30 days prior to July 31st of each year, and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season..

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 S	44 E	WM	3	NE NE	ALDER SLOPE DITCH - SOUTH 76 DEGREES 02 MINUTES WEST, 49 FEET FROM THE NE CORNER OF SECTION 3

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

IRRIGATION – TRACT NO. 1						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
2 S	44 E	WM	5	NW NW	4	56.0
2 S	44 E	WM	6	NE NE		8.0
					Total	64.0

IRRIGATION – TRACT NO. 2					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	15	SW SE	10.0
2 S	44 E	WM	15	SE SE	20.0
				Total	30.0

IRRIGATION – TRACT NO. 3					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	15	SW SW	40.0

IRRIGATION – TRACT NO. 4					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	5	NE SE	40.0
2 S	44 E	WM	5	SE SE	40.0
				Total	80.0

IRRIGATION – TRACT NO. 5					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	4	NW SW	39.0
2 S	44 E	WM	4	SW SW	32.5
				Total	71.5

IRRIGATION – TRACT NO. 6					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	16	NE SE	39.5
2 S	44 E	WM	16	NW SE	11.0
2 S	44 E	WM	16	SE SE	21.6
				Total	72.1

IRRIGATION – TRACT NO. 7					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	16	NW NE	30.0
2 S	44 E	WM	16	SW NE	18.0
2 S	44 E	WM	16	SE NW	1.0
				Total	49.0

IRRIGATION – TRACT NO. 8						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
2 S	44 E	WM	6	NE NE	1	48.4
2 S	44 E	WM	6	SW NE		14.0
					Total	62.4

IRRIGATION – TRACT NO. 9					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	9	SE SE	10.0
2 S	44 E	WM	10	SW SE	27.0
2 S	44 E	WM	15	NW NE	40.0
2 S	44 E	WM	15	SW NE	40.0
2 S	44 E	WM	15	NE NW	36.5
				Total	153.5

IRRIGATION – TRACT NO. 10					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	22	SE NW	40.0
2 S	44 E	WM	22	NE SW	21.0
2 S	44 E	WM	22	NW SE	40.0
				Total	101.0

IRRIGATION – TRACT NO. 11						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
2 S	44 E	WM	4	NW NE		15.0
2 S	44 E	WM	4	SW NE		40.0
2 S	44 E	WM	4	NE NW		35.0
2 S	44 E	WM	4	NW NW	4	53.0
2 S	44 E	WM	4	SW NW		40.0
2 S	44 E	WM	4	SE NW		40.0
					Total	223.0

IRRIGATION – TRACT NO. 12					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	9	NE NW	32.5
2 S	44 E	WM	9	NW NW	25.0
2 S	44 E	WM	9	SW NW	10.0
2 S	44 E	WM	9	SE NW	10.0
				Total	77.5

IRRIGATION – TRACT NO. 14					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	15	NW NW	33.0
2 S	44 E	WM	15	SW NW	32.0
2 S	44 E	WM	16	NE NE	37.0
2 S	44 E	WM	16	SE NE	28.0
				Total	130.0

IRRIGATION – TRACT NO. 15					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	22	NE NE	40.0
2 S	44 E	WM	22	NW NE	40.0
2 S	44 E	WM	22	SW NE	40.0
2 S	44 E	WM	22	SE NE	40.0
				Total	160.0

IRRIGATION – TRACT NO. 16					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	10	NW NE	21.5
2 S	44 E	WM	10	SW NE	40.0
2 S	44 E	WM	10	SE NE	38.5
2 S	44 E	WM	10	NW SE	40.0
				Total	140.0

IRRIGATION – TRACT NO. 17					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	3	NE SW	37.0
2 S	44 E	WM	3	SE SW	38.0
2 S	44 E	WM	10	NE NW	40.0
2 S	44 E	WM	10	NW NW	40.0
2 S	44 E	WM	10	SW NW	40.0
2 S	44 E	WM	10	SE NW	40.0
2 S	44 E	WM	10	NE SW	40.0
2 S	44 E	WM	10	NW SW	34.0
2 S	44 E	WM	10	SW SW	40.0
2 S	44 E	WM	10	SE SW	40.0
				Total	389.0

IRRIGATION – TRACT NO. 18						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
1 S	44 E	WM	31	NE SE		20.0
1 S	44 E	WM	32	SE SE		28.0
2 S	44 E	WM	5	NE NE	1	55.2
2 S	44 E	WM	5	SE NE		36.3
					Total	139.5

IRRIGATION – TRACT NO. 19					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	10	NE SE	30.0
2 S	44 E	WM	10	SE SE	40.0
				Total	70.0

IRRIGATION – TRACT NO. 20					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	44 E	WM	31	NE SW	17.0
1 S	44 E	WM	31	SE SW	17.0
1 S	44 E	WM	31	SW SE	26.0
2 S	44 E	WM	6	NW NE	36.5
				Total	96.5

IRRIGATION – TRACT NO. 21					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	9	SW NW	30.0
2 S	44 E	WM	9	SE NW	30.0
2 S	44 E	WM	9	NE SW	15.0
2 S	44 E	WM	9	NW SW	25.0
				Total	100.0

IRRIGATION – TRACT NO. 22					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	44 E	WM	32	NW SE	20.0

IRRIGATION – TRACT NO. 23					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	5	NW SW	39.5
2 S	44 E	WM	5	SW SW	6.0
				Total	45.5

IRRIGATION – TRACT NO. 24					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	5	SW NW	20.0

IRRIGATION – TRACT NO. 25					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	21	NE NE	12.0

IRRIGATION – TRACT NO. 26					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	44 E	WM	31	SE SE	40.0
1 S	44 E	WM	32	NE SW	17.5
1 S	44 E	WM	32	NW SW	26.0
1 S	44 E	WM	32	SW SW	40.0
1 S	44 E	WM	32	SE SW	40.0
1 S	44 E	WM	32	SW SE	40.0
				Total	203.5

IRRIGATION – TRACT NO. 27						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
2 S	44 E	WM	5	NW NE	2	56.4
2 S	44 E	WM	5	SW NE		40.0
2 S	44 E	WM	5	NE NW	3	56.2
2 S	44 E	WM	5	SE NW		40.0
2 S	44 E	WM	5	NE SW		40.0
2 S	44 E	WM	5	SE SW		32.5
2 S	44 E	WM	5	NW SE		40.0
2 S	44 E	WM	5	SW SE		40.0
2 S	44 E	WM	8	NE NE		35.0*
2 S	44 E	WM	8	SE NE		39.0
					Total	419.1

*10.0 acres NE1/4 NE1/4, Section 8, T2S, R44E, WM, is supplemented by Spring Branch of Wagner Creek

IRRIGATION – TRACT NO. 28					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	22	NE SE	22.0
2 S	44 E	WM	22	SW SE	9.5
2 S	44 E	WM	22	SE SE	38.0
2 S	44 E	WM	23	SW SW	40.0
2 S	44 E	WM	26	NE NW	40.0
2 S	44 E	WM	26	NW NW	40.0
2 S	44 E	WM	27	NE NE	37.0
2 S	44 E	WM	27	SE NE	5.0
				Total	231.5

IRRIGATION – TRACT NO. 29					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	8	NW NE	39.5
2 S	44 E	WM	8	SW NE	23.5
2 S	44 E	WM	8	NE NW	2.0
				Total	65.0

IRRIGATION – TRACT NO. 30					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	5	SW NW	20.0
2 S	44 E	WM	6	SW NE	5.0
2 S	44 E	WM	6	SE NE	15.0
				Total	40.0

IRRIGATION – TRACT NO. 31					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	9	NE SW	25.0
2 S	44 E	WM	9	NW SW	15.0
2 S	44 E	WM	9	SW SW	23.0
2 S	44 E	WM	9	SE SW	12.0
				Total	75.0

Requests for changes in place of use of water were approved by Special Orders entered December 20, 1924, January 30, 1931, and June 3, 1931. The following list describes the areas included in the orders:

Vol. 1 P. 158					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	22	NE NW	11.0

Vol. 2 P. 131					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	16	SW NE	5.5

Vol. 2 P. 162					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	15	NW SE	10.0

This certificate describes that portion of water right Certificate 48403, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered _____, approving Transfer Application T-13459.

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 _____.

_____
Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
THOMAS M BYLER, DIRECTOR
Oregon Water Resources Department

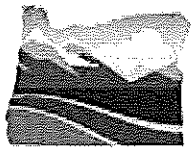
COURCHANE Corey A * WRD

From: BUCHHOLZ Sheila L * WRD
Sent: Wednesday, April 21, 2021 4:17 PM
To: COURCHANE Corey A * WRD; BAUSTIAN Julie C * WRD
Cc: MARTIN Duff A * WRD
Subject: PD T-13459

Corey and Julie,
This has been completed through Data.
Thanks,

Sheila Buchholz
Data Technician 1
725 Summer St. NE, Suite A | Salem, Oregon 97301
Email: Sheila.L.Buchholz@oregon.gov





OREGON WATER RESOURCES DEPARTMENT

Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

Last revised: October 26, 2018
By: Lisa Jaramillo

Transfer / Data Center ROUTE SLIP

(*...in between PD Peer Review and PD issuance*)

1. Transfer Caseworker:

- Attach PD and RR (if any) to the front of the Transfer file and give to Transfer Support

Transfer Number:	**T-13459**
Caseworker:	Corey
Is a Living Certificate Involved? ¤ YES X NO → If **YES**... list Living Certificate number(s) HERE:	
Date delivered to T-Support:	3/8/21

2. Transfer Support:

Date Received from Caseworker:	3/9/2021
¤ Update Transfer/Data Center Tracking Log (*...file sent to Data Center*)	
Date Delivered to Data Center:	3/9/2021

3. Data Center:

Date Received from T-Support:	
¤ WRIS entry and mapping in ARCGIS. Any discrepancies noted? ¤ YES ¤ NO → If **YES**... Data Center routes back to Caseworker for re-review. • Date file sent back to CW for re-review: _____ ¤ Modified **OR** ¤ Determined should not be modified • Date CW returns file to Data Center: _____ • Date WRIS entry & ARCGIS Mapping completed: _____	
Date Delivered to T-Support:	

4. Transfer Support:

Date Received from Data Center:	
¤ Update Transfer/Data Center Tracking Log (*...file received back from Data Center*)	
Date Delivered back to Caseworker:	

Oregon
Kate Brown, Governor

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

March , 2021

ERL MCLAUGHLIN
65708 SUNRISE RD
ENTERPRISE, OR 97828

SUBJECT: Water Right Transfer Application T-13459

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-13459. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

A public notice is being published in the Department's weekly publication and in the Wallowa County Chieftain newspaper, simultaneously with issuance of the Preliminary Determination. The notice initiates a period in which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determination or a standing statement supporting the Department's decision. The protest period will end 30 days after the last date of newspaper publication.

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

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

IMPORTANT: Due to COVID-19, the Department's office is closed to walk-in services. The Department encourages the submission of protests by U.S. mail. Please consider mailing early to ensure the Department receives the protest by the deadline specified above.

Please do not hesitate to contact me, at corey.a.courchane@oregon.gov or (503) 986-0825, if I may be of assistance.

Sincerely,

Corey Courchane
Transfer Specialist
Transfer and Conservation Section

cc: T-13459
David D. Bates, District 7 Watermaster *(via e-mail)*

encs

COORD INITIALS ☐ PR Initials ☐

PRELIMINARY DETERMINATION

Public/Newspaper Notice

CW	N/A		CW	N/A	
☐	☐	Prepare public/newspaper notice using template	☐	☐	Send letter to Applicant/Agent regarding newspaper notice cost
☐		Notice and Letter are "Spellchecked"	☐	☐	Funds received from Applicant/Agent for newspaper notice
☐	☐	Forward Draft Newspaper Notice to Coordinator	☐	☐	Affidavit of Publication Received

Ownership Verification

CW		CW	
☐	The Deed/ROI matches the "from" lands	☐	Compare with current tax lot map
☐	All owners on the Deed/ROI have signed the application	☐	☐ N/A Notarized, signed statement of consent

Document Preparation

CW		CW	
☐	Save DPD document as a new document XXXXX-pd.doc	☐	Hidden Findings unveiled (control "a", select Font, unmark hidden box)
☐	Any substantive changes/amendments as result of DPD ☐ Yes ☐ No If yes, issue revised DPD	☐	Remove "DRAFT" from document title and any extra "carriage" returns
☐	Update the hidden paragraph following the received notice and amendments findings (regarding is authorized to pursue transfer, etc.)	☐	Select the appeals language in the first page footer for the preliminary determination
☐	Protest language is listed following document preparation box	☐	Notice Regarding Service Members is showing
		☐	**Document is "Spell checked"**

Cover Letter

☐	Cover letter prepared	☐	Email addresses checked for accuracy
		☐	**Document is "Spell checked"**

Remaining Right Certificate(s)

☐	Assign certificate #s to all Remaining Right Certificates	☐	**Document is "Spell checked"**
☐	Remaining right Certificate numbers Orig. Cert. # _____ RR Cert. # _____ Orig. Cert. # _____ RR Cert. # _____ Orig. Cert. # _____ RR Cert. # _____ Orig. Cert. # _____ RR Cert. # _____ Orig. Cert. # _____ RR Cert. # _____ Orig. Cert. # _____ RR Cert. # _____	☐	Update Certificates with new Certificate numbers and print

COORD INITIALS ☐ PR Initials ☐

DRAFT PRELIMINARY DETERMINATION

Document Preparation

☐	☐ N/A	Additional Supplemental Review Criteria Checklist attached	
CW		**CW**	
☑	Check tenses (Find and Replace (s), is/are, was/were	☑	Add agent, receiving landowner, if applicable, etc.
☑	Compare authorized PODs/POAs with marked up Certificate	☑	Compare "from" lands with marked up Table 2 of Application and Certificate
☑	Compare Proposed PODs/POAs with Table 1 of Application and Map	☑	Compare Proposed Place of Use with Table 2 of Application and Map

Cover Letter

CW	N/A		CW	N/A	
☑	☐	Correct Name and Address including email address	☑	☐	Attach supporting documents to cover letter ☐ Completed Watermaster Contact Sheet ☐ ODFW Contact sheet
☑	☐	Include email addresses for agent and other interested parties (in cc section) of letter	☐	☑	Any special conditions explained
			☑		**Document is "Spell checked"**

Remaining Right Certificate(s)

☑	Check tenses (Find and Replace (s), is/are, was/were	☑	Table format matches current template
☑	Content format matches original certificate (e.g., rate/duty limitation)	☑	Name and address matches originating certificate Note: Remaining rights can only be issued in the name of the current landowner(s) of the remaining rights IF 1) the Report of Ownership information supplied for the transfer covers all of the remaining right lands (as well as the right being transferred) and 2) the applicant asks for the remaining right to be issued in its name. Otherwise, the name(s) on the remaining right will be the same as the original water right involved in the transfer.
☑	Determination and remaining acres combined match acres under originating certificate?	☑	All water accounted for
☑	Draft all remaining right certificates	☑	**Document is "Spell checked"**

COMMENTS

Data Center Review			
CW		**CW**	
☐	Prepare Route Slip	☐	☐ Prepare Revised DPD if *substantive changes* ***OR*** ☐ Issue Preliminary Determination
☐	File Returned		

COMMENTS

COORD INITIALS ☐ PR Initials ☐

FINAL ORDER			
Document Preparation			
CW		CW	
☐	Save PD document as new document XXXXX-ord-approve.doc	☐	Hidden Findings unveiled (control "a", select Font, unmark hidden box)
☐	Update the hidden paragraph following the received notice and amendments findings (regarding issuance of PD)	☐	Remove "PRELIMINARY DETERMINATION" from document title and replace with "FINAL ORDER", Replace "PROPOSING APPROVAL/DENIAL OF" with APPROVING/DENYING"
☐	Unhide and Select the appeals language in the first page footer for the "Final Order" language; unhide Special Order Volume and page	☐	Change "Determination and Proposed Action" to "Conclusions of Law" and update paragraph
☐	Replace "If application T-XXXXX is approved . . ." with Now, therefore, it is ORDERED:	☐	Select text below "It is ORDERED" section and turn off Italics. Restart numbering at "1".
☐	Delete Protest language, Document preparation box, and Notice Regarding Servicemembers; Insert "Mailing Date: _____"	☐	Final Check: All Conclusions of Law have Findings to support them
		☐	**Document is "Spell checked"**
Remaining Right Certificate			
CW		CW	
☐	Assign Certificate Number from Spreadsheet	☐	Update footer to read: T-XXXXX.rr.YYYYY.ini, where YYYYY is original certificate number, and ini stands for your initials
☐	Input new certificate number on right side of footer	☐	Print on Certificate paper
		☐	**Document is "Spell checked"**

COMMENTS

Determination and Conclusions of Law (Cont'd)	
Based on review of the record, the proposed change(s) would not result in injury to other water rights. ***OR, if denial*** The proposed change(s) would result in the routing of return flows around at least one diversion of other existing water rights, resulting in injury to those rights. **OR** An instream water right, Certificate XXXXX, exists for the reach of the river in which the authorized point of diversion would be moved upstream, and streamflows within the reach are frequently below the levels allocated under the instream water right. Thus, the instream water right would be injured as a result of the proposed change in point of diversion.	The proposed change(s) would not result in injury to other water rights. **OR** The proposed change would result in injury to other water rights. **OR** The proposed change would result in injury to the instream water right. [See consent to injury]
☑ The application is complete. **OR** ☐ The application is incomplete	☑ All other application requirements are met. **OR** ☐ The application is incomplete because . . . _____
Ensure all conditions are carried forward in Order section.	

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☒ N/A **Denial of Transfer (OAR 690-380-4010(3))**		
OAR 690-380-4010(3)(a) Describe the basis for the denial	☐	☐ Injury ☐ Enlargement ☐ Deficiencies not rectified
OAR 690-380-4010(3)(b) Identify conditions or restrictions that, if included in the transfer, would allow approval of the transfer	☐	Examples: consent to injury; amend application to remove well ☐ Yes Approve with conditions _____ _____ _____ _____ _____ _____ ☐ No Must be denied

Additional Conditions and Provisions under Review Criteria (Cont'd)					
CW	N/A		CW	N/A	SAMPLE FINDING
☐	☑	Additional finding for evaluation of comments received and any actions or conditions to address comments	☐	☐	
☐	☑	Add any other special provisions	☐	☐	Additional findings to support determination of additional review criteria listed
☐	☑	Any cancellation/diminishment submitted? ☐ Yes ☐ No	☐	☐	If yes: (See Supplemental Language Document) ☐ Add Authority after 1st paragraph ☐ Add finding(s) to document cancellation/diminishment
☑	☐	Are the existing water rights issued in the name of a District or Bureau of Reclamation? ☐ Yes ☑ No	☐	☐	If yes, a Finding of Fact and an Order item identifying the name in which the confirming certificate will be issued and who is responsible for COBU. Notes: _____ _____ *See "Supplemental Processing Checklist for Transfers within a District"*

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Determination and Conclusions of Law	
FINDINGS	DETERMINATION AND PROPOSED ACTION / CONCLUSIONS OF LAW
Based on review of the evidence submitted, the Department finds the water right(s) has/have been used [within the last five years] **OR** [within the five-year period prior to submittal of the transfer application] according to the terms and conditions of the right(s) and the right(s) is/are not subject to forfeiture.	The right(s) has/have been used [within the past five years] **OR** [within the five-year period prior to submittal of the transfer application] according to the terms and conditions of the right(s). **OR** Confirming water right Certificate XXXXX was issued within the last five years prior to submission of Transfer Application T-XXXXX.
Based on the information submitted [and Department records], a diversion structure and ditch sufficient to use the full amount of water allowed under the existing right(s) were present within the five-year period prior to submittal of the transfer application. **OR** Based on the information submitted [and Department records], a pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right(s) were present within the five-year period prior to submittal of the transfer application.	The Applicant is ready, willing, and able to use the full quantity of water under the right. There is no evidence in the record to suggest the right is subject to forfeiture.
[As conditioned,] the proposed change(s) would not result in enlargement of the right. ***OR, if denial*** The lands currently irrigated under the right would continue to receive water from the same source resulting in enlargement of the right(s).	The proposed change(s) will not enlarge the right. **OR** The proposed change(s) would result in enlargement of the right.

TRANSFER REVIEW Criteria Cont'd (OAR 690-380-4010)

☑	Injury OAR 690-380-4010(2)(d) The proposed transfer would result in injury ☐ Yes ☑ No Notes: _____ _____ (Must make a positive finding of "No injury").	☑	The proposed transfer would result in another, existing water right not receiving previously available water to which it is legally entitled ☑ Watermaster Review. ☐ Yes ☑ No ☐ Groundwater Review. ☐ Yes ☐ No ☐ N/A ☐ ODFW Review. ☐ Yes ☐ No ☐ N/A If yes, can the injury be mitigated? ☐ Yes ☐ No Conditions: _____ _____ Also See Injurious Transfers (690-380-5030 to 5050)
☑	Other requirements OAR 690-380-4010(2)(e) Any other requirements for water right transfers are met.	☐	Attach supplemental criteria checklist for transfer type marked on page 1 ☐ Character of Use ☐ SW to GW ☐ Instream ☐ Supplemental to Primary ☐ Consent to Injury of Instream Water Right

COORD INITIALS ____ PR Initials ____

Additional Findings of Fact

CW	N/A		CW	N/A	SAMPLE FINDING
☑	☐	Add Finding for submission of amended application pages or amended map	☑	☐	On ___, the applicant submitted an amended application page/map clarifying . . . .
☐	☑	Add Finding for timely comments received	☐	☐	On (date), timely comments were received from (name), asserting (issues). The Department has considered the comments and finds: . . . . (do they assert injury/enlargement or forfeiture?)
☐	☑	Add Watermaster Review	☐	☐	*The District ___ Watermaster reviewed the proposed transfer application and concluded the proposed transfer would not result in enlargement of the right or injury to existing water rights. OR would result in injury or enlargement of the right unless it was conditioned . . . .*

COORD INITIALS ____ PR Initials ____

Additional Conditions and Provisions under Review Criteria

CW	N/A		CW	N/A	SAMPLE FINDING
☑	☐	Add Watermaster conditions	☐	☐	*See Supplemental Language* (Measurement devices) or requirements to prevent injury or enlargement
☐	☑	Add ODFW fish screen requirements	☐	☐	*See Supplemental Language* Fish Screen Requirements
☐	☑	Add ground water conditions	☐	☐	*See Groundwater Review / Supplemental Language*

PR Initials ☐

Layered and Supplemental Water Rights (OAR 690-380-2240)					
CW	N/A		CW	N/A	NOTES
☐	☐	OAR 690-380-2240(2) and (3) Transfer of Layered Water Rights and Certificates of Registration (change in use or pou) *See definition of layered in OAR 690-380-0100(4)*	☐	☐	Are there other layered water uses subject transfer, permits or certificates of registration which were **not** included in the application? ☐ Yes ☐ No If yes, provide applicant 30days to: ☐ Submit application for concurrent changes ☐ Submit affidavits for voluntary cancellations ☐ Withdraw the application
☐	☐	OAR 690-380-2240(5) Transfer of Supplemental Irrigation water right separately from associated primary water right. Transfer of supplemental irrigation right may be moved separately from associated primary irrigation right if another primary irrigation right with similar reliability is appurtenant to the lands to which the supplemental right is to be moved.	☐	☐	Does the new primary irrigation water right have similar reliability as the associated primary irrigation water right? ☐ Yes ☐ No Will the supplemental water right be used more than it was when associated with previous primary right? New primary right priority date: _____ Prior primary right priority date: _____ History of regulation? ☐ Yes ☐ No Watermaster Review

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TRANSFER REVIEW Criteria (OAR 690-380-4010)			
CW		CW	DOCUMENTATION
☑	Validity of the Right; Not Forfeited OAR 690-380-4010(2)(a) The right(s) has been used over the past five years according to the terms and conditions of the right and the right is not subject to forfeiture under ORS 540.610.	☑	☑ Evidence of Use & supporting documentation ☐ Confirming Cert issued within last 5 years ☐ Rebuttal to forfeiture (ORS 540.610(2)) _____
☑	Ready, Willing, and Able OAR 690-380-4010(2)(b) The water user is ready, willing and able to use the full amount of water allowed under the right.	☑	☑ Current delivery system description in Part 5 of Application Notes: _____ Delivery system has the capacity to fully divert and use the rate/duty of the right
☑	Enlargement OAR 690-380-4010(2)(c) The proposed transfer would result in enlargement ☐ Yes ☐ No Notes: _____ (Must make a positive finding of "No enlargement").	☑	No expansion of the right: ☑ No greater rate or duty per acre than currently allowed ☐ Cannot increase acreage under the right ☐ Must prevent the original place of use from receiving water from the same source ☐ Cannot divert more water at the new POD or POA than is legally available to that right at the original point of diversion/appropriation See deficient rate right guidance See micro irrigation guidance

BASIC APPLICATION REVIEW and NOTICE (OAR 680-380-3000 and -4000) Cont'd

CW	N/A		CW	N/A	
☐	☑	Supp. Form D or Letter of approval from Irrigation or Water Control District	☑	☐	Evidence of Use is submitted with supporting documentation
☑	☐	Are the supplemental water rights included in the Transfer? ☑ Yes ☐ No If no, are they cancelling? ☐ Yes ☐ No	☑		Map meets criteria of OAR 690-380-3100
☑		Water Use Subject to Transfer (OAR 690-380-0100(14) Is the water right(s) proposed for transfer a water use(s) subject to transfer? ☐ Adjudicated or decreed ☑ Certificated ☐ Water use permit with CBU and proof to satisfaction issued ☐ Transfer app for which an order approving change has been issued and proper proof of the completion of the change has been filed	☑		Any application deficiencies that need to be addressed? ☑ Yes ☐ No Notes: _____

PR Initials ____

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

CW		CW	
☑	From: *Only* the authorized POD's/POA's and POUs involved are listed.	☑	From: Application & certificate tabulations match. *(Mark on appl. and cert. copies and note corrections needed)*
☑	From: Marked on certificate the acreage being affected and remaining by ¼ ¼.	☑	From: Marked on certificate the quantity of water being transferred, cancelled, and remaining
☑	From and To: Print Plat Card(s), check and note conflicts *(change in pou and use only)*	☑	From and To: Compare water right map to Application tabulation (Table 2) to Application map for accuracy

PR Initials ____

Amended Application Pages and Maps

CW	N/A		CW	N/A	Notes/Documentation
☑	☐	Amended Application Pages Rec'd 10/30/20 Amended Application Map Rec'd 11/23/20 12/9/20	☑	☐	☑ Scan new pages ☑ Update WRIS with new pages ☑ Mark replaced pages in red with 'SUPERSEDED' and place in back of file
☐	☑	Did the amendment change the location of the proposed POD or POA? ☐ Yes ☐ No	☐	☐	☐ For POD changes, re-review from Watermaster or other documentation ☐ For POA changes, re-review from GW section

Regular Transfer Review Checklist

T- 13459

Caseworker: Corey

TYPE OF TRANSFER	
✔	POD, APOD or POA, APOA and/or Place of Use (690-380-2110 and 690-380-2200)

Transfers Requiring Supplemental Review Criteria			
☐	Character of Use (690-380-2300)	☐	Surface Water to Ground Water (SW to GW), ORS 540.531, (690-380-2130)
☐	Instream, ORS 537.348, (690-380-2200, 690-380-2300 and 690-077-065 thru 075)	☐	Supplemental Use to Primary Use (S to P), ORS 540.524, (690-380-2320)
☐	Consent to Injury of Instream (CTI) ORS 540.530, (690-380-5050)	*If transfer type not listed above, see separate checklists*	

FILE PREPARATION

CW		CW	
☑	File Assigned (Computer Entry)	☑	All Stakeholders accurately listed in WRIS with email addresses if available, including ☐ Irrigation District ☐ BOR ☐ Tribes Is this a *Living* Certificate? ☐ Yes ☑ No
☑	Is transfer within a district boundary? ☐ Yes ☑ No *If yes, attach "Supplemental Processing Checklist for Transfers with a District" for additional required information.*		
☑	Make Copies and Place in Working File: ☑ Application ☑ Map	☑	Double check all water rights/permits are included in WRIS under Transfer #
☑	Verify all Certificates/Permits are shown in WRIS to be non-cancelled ☑ Print Certificates and Place in Working File	☑	Copy and Place in Working File: ☑ Watermaster Review ☐ Groundwater Review ☐ ODFW Review
☑	Add Working file to T-file	☑	Public Comments Received? ☐ Yes ☑ No If yes, print comments and place in file ☐ Timely ☐ Untimely Notes:
☑	Check Public Comments https://apps.wrd.state.or.us/apps/wr/wr_public_comment_mgmt/default.aspx		

PR Initials

BASIC APPLICATION REVIEW and NOTICE (OAR 680-380-3000 and -4000)

CW	N/A		CW	N/A	
☑		Appropriately signed	☑	☐	Check Area of Interest – Print if needed, include in WRIS stakeholder as interested party
☑		All required Attachments Received	☐	☑	Ditch Co., Irr. Dist and/or BOR sent copies
☑		Appropriate Fees Paid	☐	☑	Overpayment of Fees, Refund Request w/FO
☑	☐	Local Government [County] noticed Copy of Acknowledgment Letter	☑	☐	OWRD Land Use Form matches Tax Lots, is signed by proper official and is **APPROVED** N/A = Must meet all 4 criteria for exemption (OAR 690-380-3000(19)

Oregon
Kate Brown, Governor

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

January , 2021

ERL MCLAUGHLIN
65708 SUNRISE RD
ENTERPRISE, OR 97828

Reference: Water Right Transfer Application T-13459

Your water right transfer is in the first of three phases of processing. Enclosed is a draft of the Department's Preliminary Determination regarding Transfer Application T-13459. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved.

Items needed before the next phase of processing…

1. Please review the draft carefully to see if it accurately reflects the changes you intend to make, and to become familiar with all proposed conditions. **You will need to respond in writing** by the deadline provided below, whether you agree with the proposed action and conditions. Also we will appreciate having you let us know if there are typographical errors that need to be corrected.
2. A report of landownership for the lands to which the water right(s) are appurtenant (the FROM lands) is required. **The report must be prepared by a title company and meet the criteria below.** *(Reports may be called by various names, such as Customer Service Report, Property Analysis Report (PAR), List Pack, Lot Book Report, etc.)*
   a) The title company's report must either be:
      i) prepared within 3 months of the draft Preliminary Determination showing current ownership, or
      ii) prepared within 3 months of recording of a water right conveyance agreement, or
      iii) prepared at any time, but showing ownership at the time a water right conveyance agreement was recorded.
   b) The ownership report shall include:
      i) Date the ownership report was generated or prepared; and
      ii) List of owners at that time; and
      iii) Legal description of the property where the water right to be transferred is currently located.
   c) You will need to submit a notarized statement of consent from any landowner listed in the ownership report who is not already included in the transfer application, or other information such as a water right conveyance agreement, if applicable.
3. Notice of this transfer will need to be published in a newspaper with general circulation in the area where the water rights are currently located. You will be responsible for the charges. Please confirm the Wallowa County Chieftain as the newspaper you prefer to publish in so we can get an accurate estimate of the cost.

Conditions to your water right…

The Watermaster has required a water measurement device(s) at the new diversion point(s) prior to diversion of water. Enclosed is a contact information sheet to assist you in pursuing additional information or approval of the required (or alternate) device(s).

This transfer will require installation of a fish screen at the new diversion point **prior to diversion of water. You may not divert water prior to installation and approval of the fish screen by the Oregon Department of Fish and Wildlife (ODFW).** You may wish to contact the ODFW staff person listed on the enclosed contact sheet for more information about the screen and to determine a reasonable timeline.

Please note the proposed date by which all conditions must be met: October 1, 2022. If the required completion date is insufficient to comply with any of the conditions, you may extend the date at no cost to you during this stage of processing. Please let me know by the comment deadline so we can make the proper arrangements to get you the time you need.

What happens next…

Once the Preliminary Determination is issued a publication period is required. Because there is more than ¼ mile between the new and the authorized points of diversion, the Department will publish notice of the transfer in a local newspaper having a general circulation in the area of the water right at least once per week for two consecutive weeks. You are responsible for sending a check to cover the cost of publication prior to the issuance of the Preliminary Determination and publication of notice.

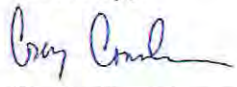
Issuance of the Preliminary Determination will occur shortly after we receive:

1. Your written response to the conditions and proposed action in the draft Preliminary Determination (e-mail is acceptable); and
2. Report of ownership, and affidavits of consent from any landowners shown in the ownership report who have not signed the transfer application.

If we do not receive the items listed above by February , 2021, a Preliminary Determination may be issued denying the application as incomplete.

Please do not hesitate to contact me, at corey.a.courchane@oregon.gov or (503) 986-0825, if I may be of assistance.

Sincerely,



Corey Courchane
Transfer Specialist
Transfer and Conservation Section

cc: Transfer Application file T-13459
David D. Bates, District 7 Watermaster *(via e-mail)*

encs

STATE OF OREGON

COUNTY OF WALLOWA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

BIG BEND WATER DITCH COMPANY, a corporation
JOSEPH, OR

confirms the right to use the waters of WALLOWA RIVER, a tributary of the GRANDE RONDE RIVER for IRRIGATION of 3181.7 ACRES of land and DOMESTIC USE, that said right was confirmed by decree of the Circuit Court of the State of Oregon for Wallowa County, said decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 5, at Page 160; that said right as confirmed by said decree has been transferred by order of the State Engineer, entered on January 17, 1928 from use by H. E. and Geo. F. Dawson for power purposes at a planning mill situated west of Block 4, Town of Joseph, Oregon, to use on the lands hereinafter described; that the priority of the right confirmed by said decree and transferred by said order dates from February 1884; that the amount of water to which such right is entitled and is hereby confirmed for the purposes aforesaid is limited to an amount actually beneficially used for said purposes; that said quantity of water, together with the water used under the right of the Big Bend Water Ditch Company as confirmed by decree of the Circuit Court of the State of Oregon for Wallowa County which decree is entered of record at Salem; in the Order Record of the State Water Board of Oregon in Volume 5 at pages 145, 146, 147, and 148, shall not exceed 1 1/2 acre feet per acre during any period of thirty days prior to July 31st of each year, and thereafter not to exceed 1.0 acre foot per acre during the entire remainder of the irrigation season; and said right shall be subject to all other conditions and limitations contained in the decree confirming the rights of said H. E. and Geo. F. Dawson.

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

IRRIGATION – TRACT NO. 1					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	21	NE SE	40.0
2 S	45 E	WM	21	NW SE	40.0
2 S	45 E	WM	21	SW SE	40.0
2 S	45 E	WM	21	SE SE	22.0
				Total	142.0

IRRIGATION – TRACT NO. 2					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	15	NE NW	30.0
2 S	45 E	WM	15	NW NW	40.0
2 S	45 E	WM	10	NE SW	39.0
2 S	45 E	WM	10	NW SW	40.0
2 S	45 E	WM	10	SW SW	40.0
2 S	45 E	WM	10	SE SW	33.0
2 S	45 E	WM	10	NW SE	2.0
				Total	224.0

STATE OF OREGON

WATER RESOURCES DEPARTMENT

RECEIPT # 134885

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

INVOICE # _____

RECEIVED FROM: McLaughlin Farms Inc.

BY: _____

APPLICATION	
PERMIT	
TRANSFER	T-13459

CASH: ☐ CHECK:# ☒ 3762 ☐ OTHER: (IDENTIFY) _____

TOTAL REC'D $ 485.86

1083 TREASURY 4170 WRD MISC CASH ACCT

0407	COPIES	46118	$
0201	OTHER:	(IDENTIFY) Newspaper Notice	$ 485.86

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	$

		EXAM FEE		RECORD FEE
	WATER RIGHTS:			
0201	SURFACE WATER	$	0202	$
0203	GROUND WATER	$	0204	$
0205	TRANSFER	$		

		EXAM FEE		LICENSE FEE
	WELL CONSTRUCTION			
0218	WELL DRILL CONSTRUCTOR	$	0219	$
	LANDOWNER'S PERMIT		0220	$

_____ OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

_____ OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

_____ TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ $

RECEIPT: 134885 DATED: 4-5-2021 BY: _____

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

RECEIVED
MAY 24 2021
OWRD

IN THE CIRCUIT COURT OF
THE STATE OF OREGON FOR
WALLOWA COUNTY

}AFFIDAVIT OF PUBLICATION

STATE OF OREGON
County of Wallowa } ss

I, Julie Ferdig being duly sworn, depose and say that I am the principal clerk of the publisher of the Wallowa County Chieftain, wallowa.com, a newspaper of general circulation, as defined by ORS 193.010 and 193.020; that the

T-13459-Notice of Preliminary Determinat

a printed copy of which is hereto annexed; was published in the entire issue of said newspaper for **2** successive and consecutive issues in the following issues:
05/12/2021, 05/19/2021

Subscribed and sworn to before me on this **19th day of May, A.D. 2021**

Julie Ferdig

Notary Public of Oregon

OFFICIAL SEAL
AMANDA FREDRICK
NOTARY PUBLIC - OREGON
COMMISSION NO. 975339
MY COMMISSION EXPIRES MAY 30, 2022

Notice of Preliminary Determination for Water Right Transfer T-13459

T-13459 filed by Erl McLaughlin, 65708 Sunrise Road, Enterprise, OR 97828, proposes a change in point of diversion and place of use under Certificate 7716, and a change in place of use under Certificates 9045, 9046, 9311, and 48403. Certificate 7716 allows the use of not to exceed 1.5 acre feet per acre during any period of thirty days prior to July 31st of each year, and thereafter not to exceed 1.0 acre foot per acre during the entire remainder of the irrigation season from the Wallowa River in Sec. 31, T2S, R45E, WM, and Sec. 5, T3S, R45E, WM for irrigation in Sec. 29, T2S, R45E, WM. The applicant proposes to move the points of diversion to Sec. 24, T2S, R44E, WM and to change the place of use to Sects. 32 and 33, T1S, R44E, WM. Certificate 9045 allows the use of 0.04 cubic foot per second (cfs) from Hurricane Creek and numerous springs, and spring creeks including Scotch Creek, being all waters of any nature intercepted by canal for irrigation in Sec. 5, T2S, R44E, WM. The applicant proposes to change the place of use to Sec. 33, T1S, R44E, WM. Certificate 9046 allows the use of 0.04 cfs of water from the Wallowa River in Sec. 24, T2S, R44E, WM for supplemental irrigation in Sec. 5, T2S, R44E, WM. The applicant proposes to change the place of use to Sec. 33, T1S, R44E, WM. Certificate 9311 allows the use of 0.13 cfs of water from Eagle Cap Reservoir in Sec. 5, T3S, R45E, WM for supplemental irrigation and domestic in Sec. 29, T2S, R45E, WM. The applicant proposes to change the place of use to Sects. 32 and 33, T1S, R44E, WM. Certificate 48403 allows the use of not to exceed 1.5 acre feet per acre during any period of 30 days prior to July 31st of each year, and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season from Hurricane Creek in Sec. 3, T3S, R44E, WM for irrigation in Sec. 5, T2S, R44E, WM. The applicant proposes to change the place of use to Sec. 33, T1S, R44E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, a protest or standing statement within 30 days after the last date of newspaper publication of this notice, 05/19/2021. Call (503) 986-0815 to obtain additional information. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

IMPORTANT: Due to COVID-19, the Department's office is closed to walk-in services. The Department encourages the submission of protests by U.S. mail. Please consider mailing early to ensure the Department receives the protest by the deadline specified above.

Legal No. 243636 Published: May 12, 19, 2021

Oregon
Kate Brown, Governor

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

May 5, 2021

ERL MCLAUGHLIN
65708 SUNRISE RD
ENTERPRISE, OR 97828

SUBJECT: Water Right Transfer Application T-13459

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-13459. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

A public notice is being published in the Department's weekly publication and in the Wallowa County Chieftain newspaper, simultaneously with issuance of the Preliminary Determination. The notice initiates a period in which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determination or a standing statement supporting the Department's decision. The protest period will end 30 days after the last date of newspaper publication.

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

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

IMPORTANT: Due to COVID-19, the Department's office is closed to walk-in services. The Department encourages the submission of protests by U.S. mail. Please consider mailing early to ensure the Department receives the protest by the deadline specified above.

Please do not hesitate to contact me, at corey.a.courchane@oregon.gov or (503) 986-0825, if I may be of assistance.

Sincerely,

Corey Courchane
Transfer Specialist
Transfer and Conservation Section

cc: T-13459
David D. Bates, District 7 Watermaster *(via e-mail)*

encs

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application T-13459, Wallowa County	)	PRELIMINARY DETERMINATION
	)	PROPOSING APPROVAL OF A
	)	CHANGE IN POINT OF DIVERSION
	)	AND PLACES OF USE

Authority

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

Applicant

ERL MCLAUGHLIN
65708 SUNRISE RD
ENTERPRISE, OR 97828

Findings of Fact

1. On June 5, 2020, ERL MCLAUGHLIN filed an application to change the point of diversion and place of use under Certificate 7716, and to change the place of use under Certificates 9045, 9046, 9311, and 48403. The Department assigned the application number T-13459.

2. Notice of the application for transfer was published on June 16, 2020, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.

3. On October 5, 2020, the Department contacted the applicant by written correspondence to notify the applicant of deficiencies in the application. An Evidence of Use Affidavit and supporting documentation was submitted for only Certificate 7716. The application included only one map. Pursuant to OAR 690-380-3100(1)(i), if the proposed transfer involves changes in place of use or character of use for more than three water rights, a separate map shall be provided for each water right. Additionally, Table 2 under Certificates 9045, 9046, and 48403 incorrectly described the places of use being transferred. The Department requested that the deficiencies be resolved by November 5, 2020.

4. On October 19, 2020, the applicant submitted a revised Table 2 for Certificates 9045, 9046, and 48403.

Pursuant to OAR 690-380-4030, any person may file a protest or standing statement within 30 days after the last date of publication of notice of this preliminary determination.

5. On October 30, 2020, the Department received Evidence of Use Affidavits and supporting documentation for Certificates 9045, 9046, 9311, and 48403.

6. On November 23, 2020, the Department received a separate map for Certificates 7716, 9311, and 48403, pursuant to OAR 690-380-3100(1)(i).

7. On December 9, 2020, the Department received separate maps for Certificates 9045 and 9046, resolving the deficiencies.

8. On January 21, 2021, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-13459 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of February 22, 2021, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

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

Certificate: 7716 in the name of BIG BEND WATER DITCH COMPANY (confirmed by WALLOWA RIVER (F))
Use: IRRIGATION of 15.8 ACRES
Priority Date: FEBRUARY 1884
Rate: LIMITED TO AN AMOUNT ACTUALLY BENEFICIALLY USED FOR SAID PURPOSES
Limit/Duty: Shall not exceed 1.5 acre feet per acre during any period of thirty days prior to July 31st of each year, and thereafter not to exceed 1.0 acre foot per acre during the entire remainder of the irrigation season.
Source: WALLOWA RIVER, a tributary of the GRANDE RONDE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
Not specified in certificate					

Authorized Place of Use:

IRRIGATION – TRACT NO. 15					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	29	NE SW	10.0
2 S	45 E	WM	29	NW SW	5.8
				Total	15.8

10. The Department received information from the applicant that better describes the location of the authorized points of diversion for Certificate 7716 as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	45 E	WM	31	NE NE	BIG BEND DITCH - 550 FEET SOUTH AND 800 FEET WEST FROM THE NE CORNER OF SECTION 31
3 S	45 E	WM	5	NE NW	DAM - 940 FEET SOUTH AND 1500 FEET EAST FROM THE NW CORNER OF SECTION 5

11. Transfer Application T-13459 proposes to move the authorized points of diversion downstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate distance from original points of diversion in miles (mi.)	
2 S	44 E	WM	24	SW NE	LOWER ALDER SLOPE - 1090 FEET NORTH AND 390 FEET WEST FROM THE E1/4 CORNER OF SECTION 24	BIG BEND DITCH	DAM
						2.9 mi.	4.5 mi.

12. Transfer Application T-13459 also proposes to change the place of use of the right to:

IRRIGATION – TRACT 15					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	44 E	WM	32	SE SE	2.6
1 S	44 E	WM	33	SW SW	13.2
				Total	15.8

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

Certificate: 9045 in the name of ALDER SLOPE DITCH COMPANY (perfected under Permit S-6723)
Use: IRRIGATION of 2.8 ACRES
Priority Date: MAY 15, 1924
Rate: 0.04 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second acre, or its equivalent in case of rotation.
Source: HURRICANE CREEK AND NUMEROUS SPRINGS, AND SPRING CREEKS INCLUDING SCOTCH CREEK, BEING ALL WATERS OF ANY NATURE INTERCEPTED BY CANAL, tributary of WALLOWA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q
2 S	44 E	WM	24	SW NE

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	5	NE NE	1.3
2 S	44 E	WM	5	SE NE	1.5
				Total	2.8

14. The Department received information from the applicant that better describes the location of the authorized points of diversion for Certificate 9045 as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	44 E	WM	24	SE NE	1090 FEET NORTH AND 390 FEET WEST FROM THE E1/4 CORNER OF SECTION 24

15. Transfer Application T-13459 proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	44 E	WM	33	SW SW	2.8

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

Certificate: 9046 in the name of ALDER SLOPE DITCH COMPANY (perfected under Permit S-6724)
Use: SUPPLEMENTAL IRRIGATION of 2.8 ACRES
Priority Date: MARCH 12, 1925
Rate: 0.04 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second acre, or its equivalent in case of rotation.
Source: WALLOWA RIVER, a tributary of GRANDE RONDE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q
2 S	44 E	WM	24	SE NE

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	5	NE NE	1.3
2 S	44 E	WM	5	SE NE	1.5
				Total	2.8

17. The Department received information from the applicant that better describes the location of the authorized points of diversion for Certificate 9046 as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	44 E	WM	24	SE NE	1090 FEET NORTH AND 390 FEET WEST FROM THE E1/4 CORNER OF SECTION 24

18. Transfer Application T-13459 proposes to change the place of use of the right to:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	44 E	WM	33	SW SW	2.8

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

Certificate: 9311 in the name of DOBBIN DITCH COMPANY (perfected under Permit S-2696)
Use: DOMESTIC and SUPPLEMENTAL IRRIGATION of 15.8 ACRES
Priority Date: JULY 20, 1915
Rate: 0.13 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-

EIGHTIETH of one cubic foot per second per acre, or its equivalent in case of rotation.

Source: EAGLE CAP RESERVOIR in WALLOWA LAKE

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q
3 S	45 E	WM	5	NW NW

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION AND DOMESTIC					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	29	NE SW	10.0
2 S	45 E	WM	29	NW SW	5.8
				Total	15.8

20. The Department received information from the applicant that better describes the location of the authorized points of diversion for Certificate 9311 as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 S	45 E	WM	5	NW NW	POD 1 - 940 FEET SOUTH AND 1500 FEET EAST FROM THE NW CORNER OF SECTION 5

21. Transfer Application T-13459 proposes to change the place of use of the right to:

SUPPLEMENTAL IRRIGATION AND DOMESTIC					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	44 E	WM	32	SE SE	2.6
1 S	44 E	WM	33	SW SW	13.2
				Total	15.8

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

Certificate: 48403 in the name of ALDER SLOPE DITCH COMPANY (confirmed by WALLOWA RIVER)

Use: IRRIGATION of 5.0 ACRES and DOMESTIC

Priority Date: 4:00 P.M., NOVEMBER 30, 1901

Limit/Duty: Shall not exceed 1.5 acre feet per acre during any period of 30 days prior to July 31st of each year, and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season.

Source: HURRICANE CREEK, a tributary of WALLOWA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 S	44 E	WM	3	NE NE	ALDER SLOPE DITCH - SOUTH 76 DEGREES 02 MINUTES WEST, 49 FEET FROM THE NE CORNER OF SECTION 3

Authorized Place of Use:

IRRIGATION – TRACT NO. 18						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
2 S	44 E	WM	5	NE NE	1	1.3
2 S	44 E	WM	5	SE NE		3.7
					Total	5.0

23. Transfer Application T-13459 proposes to change the place of use of the right to:

IRRIGATION – TRACT NO. 18					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	44 E	WM	33	SW SW	5.0

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

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

25. Water has been used within the last five years according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.

26. A diversion structure and ditch sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-13459.

27. The proposed changes would not result in enlargement of the rights.

28. The proposed changes would not result in injury to other water rights.

29. All other application requirements are met.

Determination and Proposed Action

The change in point of diversion and change in places of use proposed in Transfer Application T-13459 appear to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the transfer application will be approved.

If Transfer Application T-13459 is approved, the final order will include the following:

1. *The change in point of diversion and change in place of use proposed in Transfer Application T-13459 are approved.*

2. *The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 7716, 9045, 9046, 9311, and 48403 and any related decree.*

3. *Water right Certificates 7716, 9045, 9046, 9311, and 48403 are cancelled. New certificates will be issued describing that portion of the rights not affected by this transfer.*

4. *The quantity of water, as authorized by Certificate 7716, diverted at the new point of diversion (Lower Alder Slope), shall not exceed the quantity of water lawfully available at the original points of diversion (Dam and Big Bend Ditch).*

5. *Prior to diverting water, the water user shall install a headgate to control and regulate the quantity of water diverted. The type and plans of the headgate must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department. The water user shall maintain the headgate as required by the Department.*

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

7. *The former place of use of the transferred rights shall no longer receive water under the rights.*

8. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before* ***October 1, 2022****. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*

9. *After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.*

Dated in Salem, Oregon on MAY 05 2021

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
THOMAS M BYLER, DIRECTOR
Oregon Water Resources Department

This Preliminary Determination was prepared by Corey Courchane. If you have questions about the information in this document, you may reach me at 503-986-0825 or corey.a.courchane@oregon.gov

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

IMPORTANT: Due to COVID-19, the Department's office is closed to walk-in services. The Department encourages the submission of protests by U.S. mail. Please consider mailing early to ensure the Department receives the protest by the deadline specified above.

Notice Regarding Service Members: Active duty servicemembers have a right to stay these proceedings under the federal Servicemembers Civil Relief Act. For more information contact the Oregon State Bar at 800-452-8260, the Oregon Military Department at 503-584-3571, or the nearest United States Armed Forces Legal Assistance Office through http://legalassistance.law.af.mil. The Oregon Military Department does not have a toll free number.

Oregon
Kate Brown, Governor

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

March 29, 2021

ERL MCLAUGHLIN
65708 SUNRISE RD
ENTERPRISE, OR 97828

SUBJECT: Water Right Transfer Application T-13459

Your water right transfer is ready for issuance of the Preliminary Determination, once the Department receives payment for publication of the newspaper notice.

Items needed before the next phase of processing…
At this time you need to:

1. submit a check for $485.86 (to cover cost of publication of the notice), made out to the Oregon Water Resources Department.
2. **write "for T-13459 NOTICE" on the front of your check**, and
3. submit it with the tracking stub at the bottom of this letter.

Mail the check to 725 Summer St. NE, Suite A, Salem, OR 97301-1266, **no later than April 28, 2021**.

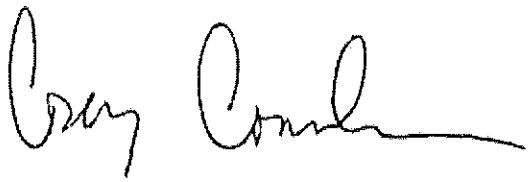
What happens next…
Shortly after receiving payment, the Department will issue the Preliminary Determination, initiate publication in the Wallowa City Chieftain newspaper, and also publish the notice on the Department's weekly notice. Publication of the notice will initiate a protest period during which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determination or a standing statement supporting the Department's decision.

If we do not receive payment for newspaper notice by April 28, 2021, a Preliminary Determination may be issued denying the application as incomplete.

✂- - - -

Please do not hesitate to contact me, at corey.a.courchane@oregon.gov or (503) 986-0825, if I may be of assistance.

Sincerely,



Corey Courchane
Transfer Specialist
Transfer and Conservation Section

cc: T-13459
David D. Bates, District 7 Watermaster *(via e-mail)*

COURCHANE Corey A * WRD

From: PHILLIPS Stacy H * WRD
Sent: Monday, March 29, 2021 8:43 AM
To: STARNES Patrick K * WRD
Cc: COURCHANE Corey A * WRD
Subject: RE: Newspaper Estimate for Transfer Application T-13459

Hey Corey,

I **finally** received a quote for this notice. Total cost will be $485.86.

Thanks,

Stacy H. Phillips
Restoration Program Technician
725 Summer Street NE, Suite A, Salem, OR 97301 | Office: 503-986-0898
Email: stacy.h.phillips@oregon.gov

OREGON WATER RESOURCES DEPARTMENT

Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

From: STARNES Patrick K * WRD <Patrick.K.Starnes@oregon.gov>
Sent: Wednesday, March 10, 2021 10:31 AM
To: PHILLIPS Stacy H * WRD <Stacy.H.Phillips@oregon.gov>
Cc: COURCHANE Corey A * WRD <Corey.A.Courchane@oregon.gov>
Subject: Newspaper Estimate for Transfer Application T-13459

Hi Stacy –

Corey will need a quote for the attached TRANSFER Application notice to run in the Wallowa City Chieftain. Run time is two weeks.

Thanks!

Kelly

****

Kelly Starnes, Transfer Program Analyst
Oregon Water Resources Department
725 Summer St NE Suite A
Salem OR 97301-1271
Telephone: 503-986-0886 Fax: 503-986-0903
E-mail: patrick.k.starnes@oregon.gov

Please Note: Under Oregon Law, messages to and from
this e-mail address may be available to the public.

****

COURCHANE Corey A * WRD

From: BATES David D * WRD
Sent: Friday, February 05, 2021 6:26 PM
To: sunriseiron@eoni.com; COURCHANE Corey A * WRD
Subject: Fwd: Erl McLaughlin
Attachments: 29473.pdf

Corey,

Please see the forwarded email from Wallowa Title Company. Erl is Cc'd on this as well

David Bates
District 7 Watermaster
401 NE 1st ste11
Enterprise, OR 97828
541-398-8172

Get Outlook for iOS

From: jriggs@wallowatitle.com <jriggs@wallowatitle.com>
Sent: Friday, February 5, 2021 4:33:33 PM
To: david.d.bates@wrd.state.or.us <david.d.bates@wrd.state.or.us>
Subject: Erl McLaughlin

Attached please find the following:

1. Lotbook Service No. 29473

We appreciate your business, please give us a call with any questions.

Jody Riggs
Title Officer
Wallowa Title Company
jriggs@wallowatitle.com

109 SE 1st Street
Enterprise, OR 97828
Phone: (541) 426-3829
Fax: (541) 426-4707

CONFIDENTIALITY NOTICE: This electronic message transmission contains information from Wallowa Title Company which may be confidential or privileged. The information is intended to be for the use of the individual or entity named above. If you are not the intended recipient, be aware that any disclosure, copying, distribution or use of the contents of

Wallowa Title Company Since 1907
TITLE INSURANCE • ESCROW
109 SE First Street • Enterprise, Oregon 97828 Phone (541) 426-3829 Fax (541) 426-4707 email: wtc@wallowatitle.com

February 5, 2021

LOT BOOK SERVICE NO. 29473 (JDR)
PROPERTY ADDRESS: Not Addressed
Enterprise, OR 97828

Oregon Water Resource Department
ATTN: David Bates
e-mail: david.d.bates@wrd.state.or.us

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

Township 2 South, Range 44 East of the Willamette Meridian, Wallowa County, Oregon

Section 5: Government Lot 1 and the SE¼NE¼

And as of February 5, 2021, at 8:00 A.M., we find the last deed of record runs to:

ERL MCLAUGHLIN, as to an undivided one-half interest, AND
ERL McLAUGHLIN, Trustee of the Mary ann McLaughlin Family Credit Shelter Trust, as to an undivided one-half interest

We also find the following apparent monetary encumbrances within **TEN YEARS** prior to the effective date hereof:

NONE

We find the following unpaid real property taxes:

NONE (2020-21 taxes paid in full: $494.31 (2S44 5 TL100 Ref#1142)

We have searched our General Index for judgments and state and federal tax liens against the above named Grantees and find:

NONE

THIS IS NOT A TITLE REPORT since no examination has been made of the title to the above described property. Our search for apparent encumbrances was limited to our Tract Indices and therefore, above listings do not include additional matters which might have been disclosed by an examination of the record title. The liability in connection with this Lot Book Service is expressly limited to the sum paid therefor, and Wallowa Title Company will not otherwise be responsible for errors and omissions therein. The charge for this service does not include supplemental reports.

WALLOWA TITLE COMPANY

Jody Riggs
email: jriggs@wallowatitle.com

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FEB 02 2021
OWRD

RECEIVED
FEB 05 2021
OWRD

2/05/21 WALLOWA COUNTY TAX DEPARTMENT

POTENTIAL LIABILITY TAX HISTORY T10200

REF# 1142 REAL MAP/LOT 02S440500 100✓ CODE 219

OWNER MCLAUGHLIN, ERL

C/O

ADDR 65708 SUNRISE RD FEES DUE .00

1 CTY/ST ENTERPRISE OR 97828 TOTAL DUE .00

SITUS CITY ADDRESS INTEREST DATE(CMD-22 TO CHANGE) 021521

YR	M	JV	ASD VAL	TAX AMT -	TAX PD =	TAX DUE +	INT/-DISC =	BAL DUE
20			48722	494.31	494.31			
19			47303	480.95	480.95			
18			45926	467.98	467.98			
17			44588	455.29	455.29			
16			43291	442.82	442.82			
15			42031	430.80	430.80			
14			40807	419.16	419.16			
13			39618	407.69	407.69			
12			38465	396.37	396.37			
11			37345	447.25	447.25			
10			36257	440.28	440.28			
09			35202	428.87	428.87			
TOTALS				10606.06	10606.06			

1-HLP 2-FE 3-PHS 4-JV 5-DET 7-EOJ 8-CLR 9-PRV 10-NXT 13-1/3 14-LEN 16-COM 23-A/I

2/05/21 QX
4:03 POTENTIAL LIABILITY REAL PROPERTY INQUIRY A10100

REF # 2021 R 1142

MAP#	LOT#	A NUM	CODE	PCL	MCL	AP	VA	ZONE	PAR#	Last Viewd %.xxxx	REAL#	PR
02S440500	100		219	550	550	2	VALL	EFU				

OWNER MCLAUGHLIN, ERL
CNTRCT
ADDR 65708 SUNRISE RD

CTY/ST ENTERPRISE OR 97828
SC DEF SITUS:
SITUS:
HOME ID:

YR AP 2010 APPR CW CAROL WATTS
ACRES 93.69 SPC ASM

	RMV	M5 VALUE	TOTAL AV
LAND	520,600	72,330	
IMPROV	0	0	
SUBTOT	520,600	72,330	
LESS EXEMPTIONS:		0	
LESS VET EXEMPT:			
NET VALUES:		72,330	

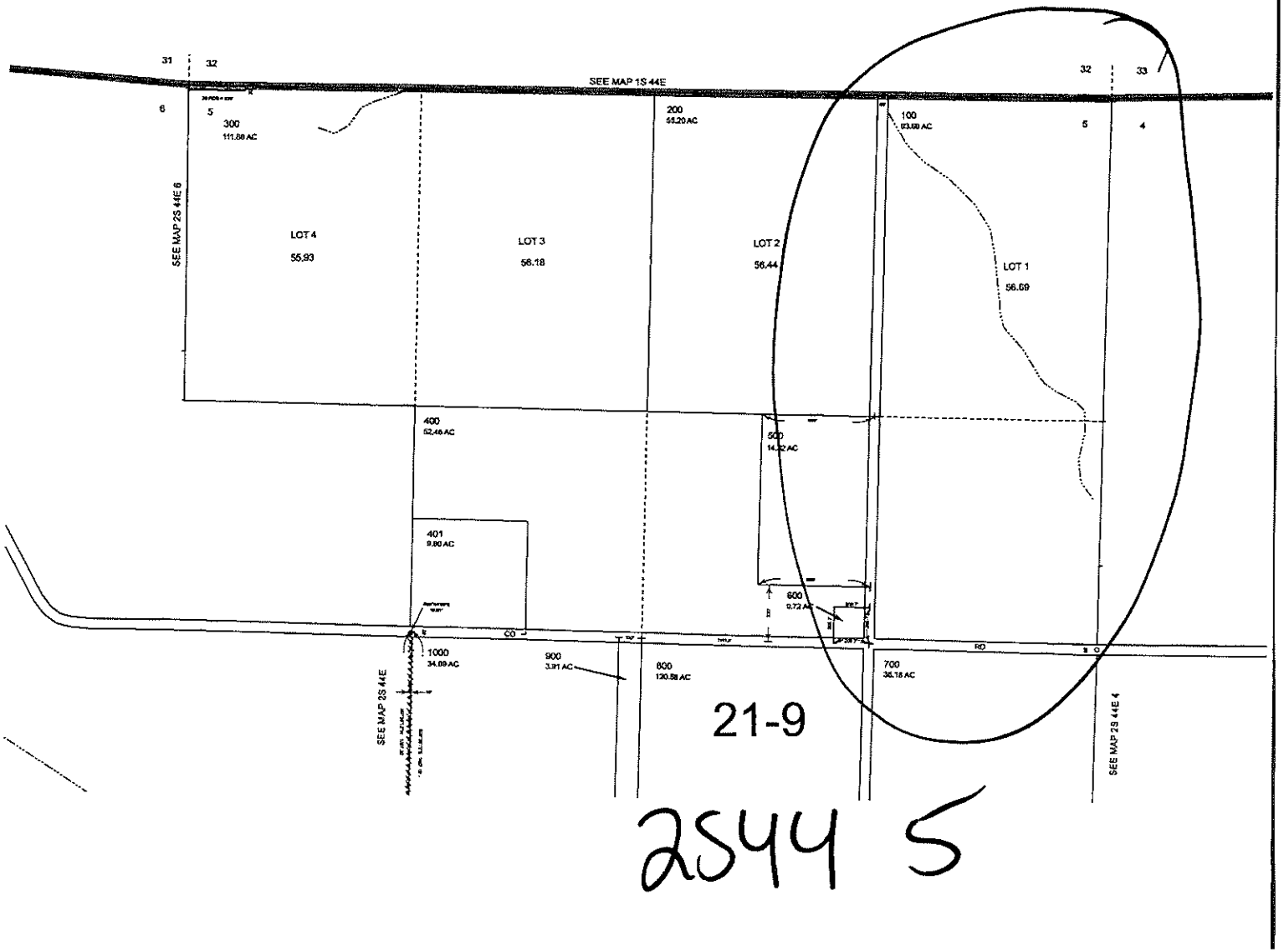
ET ALS
Pg 1 MCLAUGHLIN, ERL TTE
MARY ANN MCLAUGHLIN TRUST CST

ACTION CDS MAPCODE 0219

NOTES
FORMERLY 2S44 1300
*

1-KEY 2-IMP 3-LND 7-EOJ 8-CLR 9-BACK 10-FORWARD 17-JV/TL 22-SALES 23-TAX INQ

RECEIVED
FEB 05 2021
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SEE MAP 1S 44E
SEE MAP 2S 44E 6
SEE MAP 2S 44E
SEE MAP 2S 44E 4
LOT 4
55.93
LOT 3
56.18
LOT 2
56.44
LOT 1
56.69
300
111.88 AC
200
55.20 AC
100
53.69 AC
400
52.46 AC
500
14.32 AC
401
9.80 AC
600
9.72 AC
1000
34.09 AC
900
3.91 AC
800
120.58 AC
700
36.18 AC
CO
RD
21-9
2544 5

WALLOWA TITLE COMPANY
PRIVACY POLICY NOTICE

WE ARE COMMITTED TO SAFEGUARDING CUSTOMER INFORMATION

Title V of the Gramm-Leach-Bliley Act (GLBA) generally prohibits any financial institution, directly or through its affiliates, from sharing nonpublic personal information about you with a nonaffiliated third party unless the institution provides you with a notice of its privacy policies and practices, such as the type of information that it collects about you and the categories of persons or entities to whom it may be disclosed. In compliance with the GLBA, we are providing you with this documents, which notifies you of the privacy policies and practices of WALLOWA TITLE COMPANY.

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.

We may collect nonpublic personal information about you from the following sources:

- ✓ 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 we secure from our files, our affiliated companies or others;
- ✓ Information we receive from a consumer reporting agency; and
- ✓ Information that we receive from others involved in your transaction, such as a real estate agent or lender.

Unless it is specifically stated otherwise in an amended Privacy Policy Notice, no additional nonpublic personal information will be collected about you.

We may disclose any of the above information that we collect about our customers or former customers to our affiliates or to nonaffiliated third parties as permitted by law.

We also may disclose this information about our customers or former customers to the following types of nonaffiliated companies that perform marketing services on our behalf or with whom we have joint marketing agreements:

- Financial service providers such as companies engaged in banking, consumer finance, securities and insurance.
- Non-financial companies such as envelope stuffers and other fulfillment service providers.

WE DO NOT DISCLOSE ANY NONPUBLIC PERSONAL INFORMATION ABOUT YOU TO ANYONE FOR ANY PURPOSE THAT IS NOT SPECIFICALLY PERMITTED BY LAW.

We restrict access to nonpublic personal information about you to those employees who need to know that information to provide products or services to you. We currently maintain physical, electronic and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

***

RECEIVED
FEB 05 2021
OWRD

COURCHANE Corey A * WRD

From: jriggs@wallowatitle.com
Sent: Tuesday, February 02, 2021 3:16 PM
To: COURCHANE Corey A * WRD
Subject: Erl McLaughlin - Water Right Transfer Application T-13459
Attachments: 29427.pdf

Corey,

Per you request in letter dated January 21, 2021, to Erl McLaughlin, attached please find the following:

1. Lotbook Service No. 29427
2. Deeds
3. Partition Plat

I am sending a copy of this report to Erl along with our Invoice.

Have a good afternoon.

We appreciate your business, please give us a call with any questions.

Jody Riggs
Title Officer
Wallowa Title Company
jriggs@wallowatitle.com

109 SE 1st Street
Enterprise, OR 97828
Phone: (541) 426-3829
Fax: (541) 426-4707

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Wallowa Title Company Since 1907
TITLE INSURANCE • ESCROW
109 SE First Street • Enterprise, Oregon 97828 Phone (541) 426-3829 Fax (541) 426-4707 email: wtc@wallowatitle.com

February 2, 2021

LOT BOOK SERVICE NO. **29427 (JDR)**
PROPERTY ADDRESS: **Not Addressed**
Joseph, OR 97846

State of Oregon
Water Resources Department
ATTN: Corey Courchane
e-mail: corey.a.courchane@oregon.gov

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

SEE ATTACHED AND INCORPORATED EXHIBIT A

And as of February 2, 2021, at 8:00 A.M., we find the last deed of record runs to:

WILFRED-SANDRA DAGGETT PROPERTIES, LLC, an Oregon limited liability company

We also find the following apparent monetary encumbrances within **TEN YEARS** prior to the effective date hereof:

NONE

We find the following unpaid real property taxes:

NONE (2020-21 taxes paid in full: $104.94 (2S45 29 TL102 Ref#8570)

We have searched our General Index for judgments and state and federal tax liens against the above named Grantees and find:

NONE

THIS IS NOT A TITLE REPORT since no examination has been made of the title to the above described property. Our search for apparent encumbrances was limited to our Tract Indices and therefore, above listings do not include additional matters which might have been disclosed by an examination of the record title. The liability in connection with this Lot Book Service is expressly limited to the sum paid therefor, and Wallowa Title Company will not otherwise be responsible for errors and omissions therein. The charge for this service does not include supplemental reports.

WALLOWA TITLE COMPANY

Jody Riggs
email: jriggs@wallowatitle.com

Fee: $200.00

cc: Earl McLaughin
65708 Sunrise Rd
Enterprise, OR 97828

RECEIVED
FEB 02 2021
OWRD

EXHIBIT A

A parcel of land situated in the SW¼, Section 29, Township 2 South, Range 45 East of the Willamette Meridian, Wallowa County, Oregon, designated as **PARCEL 2** on Major Partition No. 97-34225 on file and of record in the Office of the County Clerk of said County and State, as conveyed by Deed recorded as Microfiche No. 97-34855, with reference to Survey No. CS 2018-011 on file in the Office of the County Survey of said County and State, described as follows:

EXCEPTING THEREFROM a tract described as: BEGINNING at the Southwest corner of said Parcel 2 on the North bank of the Big Bend Ditch and being monumented by a 5/8 inch diameter iron rod with yellow plastic cap marked 'BGB SURVEY MARKER"; thence South 84°53'58" East, a distance of 30.18 feet (30 feet by Deed) to a 5/8 inch diameter iron rod with yellow plastic cap marked "BROCKAMP LAND SURVEYING PLS 78556"; thence North 01°03'09" West, a distance of 167.01 feet to a point occupied by a railroad tie fence post; thence south 89°23'43" West, a distance of 30.32 feet (30 feet by Deed) to a 5/8 inch diameter iron rod; thence South 01°09'43" East, a distance of 164.01 feet to the point of beginning.

1/27/21 WALLOWA COUNTY TAX DEPARTMENT

POTENTIAL LIABILITY TAX HISTORY T10200

REF# 8570 REAL MAP/LOT 02S452900 102 CODE 61

OWNER WILFRED-SANDRA DAGGETT PRP LLC

C/O

ADDR PO BOX D FEES DUE .00

1 CTY/ST ENTERPRISE OR 97828 TOTAL DUE .00

SITUS CITY ADDRESS INTEREST DATE(CMD-22 TO CHANGE) 021521

YR	M	JV	ASD VAL	TAX AMT -	TAX PD =	TAX DUE	+	INT/-DISC	=	BAL DUE
20			8251	104.94	104.94					
19			8011	102.07	102.07					
18			7831	99.94	99.94					
17			7603	97.21	97.21					
16			7382	94.51	94.51					
15			7167	91.89	91.89					
14			6958	89.36	89.36					
13			6756	86.90	86.90					
12			6559	84.47	84.47					
11			6368	82.14	82.14					
10			6182	80.52	80.52					
09			6002	78.66	78.66					
TOTALS				1858.63	1858.63					

1-HLP 2-FE 3-PHS 4-JV 5-DET 7-EOJ 8-CLR 9-PRV 10-NXT 13-1/3 14-LEN 16-COM 23-A/I

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FEB 0 2 2021
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1/27/21 SG
9:46 POTENTIAL LIABILITY REAL PROPERTY INQUIRY A10100
REF # 2021 R 8570 Last Viewd 1617

MAP#	LOT#	A NUM	CODE	PCL	MCL	AP	VA	ZONE	PAR#	%.xxxx	REAL#	PR
02S452900	102		61	540	540	2	VALL					

OWNER WILFRED-SANDRA DAGGETT PRP LLC ET ALS
CNTRCT
ADDR PO BOX D
CTY/ST ENTERPRISE OR 97828
SC DEF SITUS:
SITUS:
HOME ID:
YR AP 2011 APPR CW CAROL WATTS
ACRES 15.90 SPC ASM

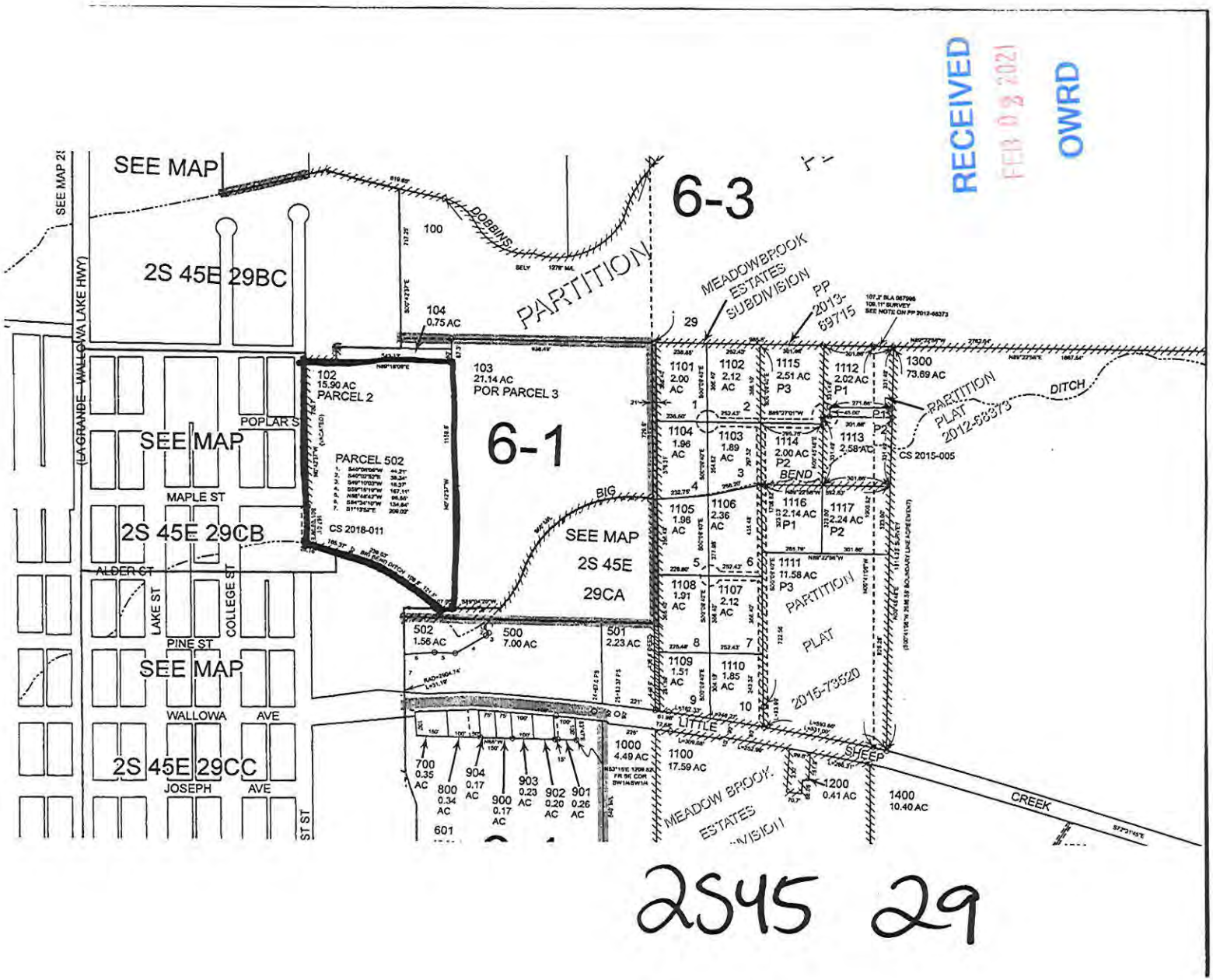
Pg 1

ACTION CDS MAPCODE 0061
LOT LINE ADJUSTMENT
VALUE CHANGE '19

	RMV	M5 VALUE	TOTAL AV
LAND	225,400	11,110	
IMPROV	0	0	
SUBTOT	225,400	11,110	
LESS EXEMPTIONS:		0	
LESS VET EXEMPT:			
NET VALUES:		11,110	

NOTES
PARTN PLAT 97-34225 11W97 CG
6-20 SUBD IN THE WORKS MUST BE
DISQUAL FROM FARM AND
COLLECTED PRIOR TO SIGNATURE
OF SUBD PLAT --AC

1-KEY 2-IMP 3-LND 7-EOJ 8-CLR 9-BACK 10-FORWARD 17-JV/TL 22-SALES 23-TAX INQ


SEE MAP
6-3
PARTITION
DOBBINS
100
104
0.75 AC
2S 45E 29BC
MEADOWBROOK ESTATES SUBDIVISION
PP 2013-59715
29
1300
73.69 AC
RECEIVED
FEB 03 2021
OWRD
(LA GRANDE - WALLOWA LAKE HWY)
POPLAR ST
SEE MAP
102
15.90 AC
PARCEL 2
103
21.14 AC
POR PARCEL 3
6-1
PARCEL 502
PARTITION PLAT 2012-58373
DITCH
CS 2015-005
MAPLE ST
2S 45E 29CB
CS 2018-011
BIG
BEND
SEE MAP
2S 45E
29CA
ALDER CT
LAKE ST
COLLEGE ST
PINE ST
SEE MAP
502
1.56 AC
500
7.00 AC
501
2.23 AC
PARTITION PLAT 2015-73520
WALLOWA
AVE
2S 45E 29CC
JOSEPH
AVE
ST ST
700
0.35 AC
800
0.34 AC
904
0.17 AC
900
0.17 AC
903
0.23 AC
902
0.20 AC
901
0.26 AC
601
1000
4.49 AC
1100
17.59 AC
LITTLE
SHEEP
CREEK
MEADOW BROOK ESTATES
1200
0.41 AC
1400
10.40 AC
2S 45 29

WALLOWA TITLE COMPANY
PRIVACY POLICY NOTICE

WE ARE COMMITTED TO SAFEGUARDING CUSTOMER INFORMATION

Title V of the Gramm-Leach-Bliley Act (GLBA) generally prohibits any financial institution, directly or through its affiliates, from sharing nonpublic personal information about you with a nonaffiliated third party unless the institution provides you with a notice of its privacy policies and practices, such as the type of information that it collects about you and the categories of persons or entities to whom it may be disclosed. In compliance with the GLBA, we are providing you with this documents, which notifies you of the privacy policies and practices of WALLOWA TITLE COMPANY.

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.

We may collect nonpublic personal information about you from the following sources:

- ✓ 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 we secure from our files, our affiliated companies or others;
- ✓ Information we receive from a consumer reporting agency; and
- ✓ Information that we receive from others involved in your transaction, such as a real estate agent or lender.

Unless it is specifically stated otherwise in an amended Privacy Policy Notice, no additional nonpublic personal information will be collected about you.

We may disclose any of the above information that we collect about our customers or former customers to our affiliates or to nonaffiliated third parties as permitted by law.

We also may disclose this information about our customers or former customers to the following types of nonaffiliated companies that perform marketing services on our behalf or with whom we have joint marketing agreements:

- Financial service providers such as companies engaged in banking, consumer finance, securities and insurance.
- Non-financial companies such as envelope stuffers and other fulfillment service providers.

WE DO NOT DISCLOSE ANY NONPUBLIC PERSONAL INFORMATION ABOUT YOU TO ANYONE FOR ANY PURPOSE THAT IS NOT SPECIFICALLY PERMITTED BY LAW.

We restrict access to nonpublic personal information about you to those employees who need to know that information to provide products or services to you. We currently maintain physical, electronic and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

***

071958

Send Tax Statements To:
Wilfred-Sandra Daggett Properties LLC
P.O. Box D
Enterprise, OR 97828

After Recording Return To:
D. Charles Mauritz
111 SW Fifth Avenue, Suite 1500
Portland, Oregon 97204

RECEIVED
FEB 02 2021
OWRD

SPECIAL WARRANTY DEED

Wilfred R. Daggett, Grantor, conveys and specially warrants to Wilfred-Sandra Daggett Properties LLC, an Oregon limited liability company, Grantee, the real property situated in Wallowa County, Oregon, and described on Exhibit A attached hereto.

The said property is free from encumbrances created or suffered by the Grantor except encumbrances of record.

The true consideration for this conveyance is $ NONE.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

DATED this 30th day of October, 2014.

Wilfred R. Daggett

STATE OF OREGON)
) ss.
County of Wallowa)

This instrument was acknowledged before me on October 30, 2014, by Wilfred R. Daggett.

OFFICIAL STAMP
ROSEMARY EDEN GEHRING
NOTARY PUBLIC-OREGON
COMMISSION NO. 925936
MY COMMISSION EXPIRES MARCH 06, 2018

Notary Public for Oregon
My Commission Expires: March 06, 2018

Z:\6808-01\DEED Doc - Deed - Sixteen Acres in Town.doc

071958

EXHIBIT A

(2S45 29 TL102)

A parcel of land situated in the SW¼, Section 29, Township 2 South, Range 45 East of the Willamette Meridian, Wallowa County, Oregon, designated as **PARCEL 2** on Major Partition No. 97-34225 on file and of record in the Office of the County Clerk of said County and State, as conveyed by Deed recorded as Microfiche No. 97-34855.

STATE OF OREGON }
COUNTY OF WALLOWA }

I certify that this instrument was received and recorded in the book of records of said county.

Dana Roberts
Wallowa County Clerk

by: _____ Deputy

DOC#: 00071958
RCPT: 82655 45.00
10/30/2014 1:12 PM
REFUND: .00

Daggett Legal Descriptions - 10/29/14

END OF DOCUMENT

AFTER RECORDING, RETURN TO:
WALLOWA TITLE COMPANY 0
109 SE First Street
Enterprise, OR 97828

079138

SEND TAX STATEMENTS TO:
DEBRA M. SURFACE
33740 SE LUSTED RD
GRESHAM, OR 97080

STATE OF OREGON }
COUNTY OF WALLOWA }
I certify that this instrument was received and recorded in the book of records of said county.

Wallowa County Clerk
by: _____ Deputy

DOC#: 00079138
RCPT: 91879 84.00
11/07/2018 13:50 PM
REFUND: .00

BARGAIN AND SALE DEED

WILFRED-SANDRA DAGGETT PROPERTIES, LLC, an Oregon limited liability company, Grantor, conveys to DEBRA M. SURFACE, Grantee, the following described real property:

A parcel of land situated in the SW¼, Section 29, Township 2 South, Range 45 East of the Willamette Meridian, Wallowa County, Oregon, designated as **a portion of PARCEL 2** on Major Partition No. 97-34225 on file and of record in the Office of the County Clerk of said County and State, as conveyed by Deed recorded as Microfiche No. 97-34855, with reference to Survey No. CS 2018-011 on file in the Office of the County Survey of said County and State, described as follows:

BEGINNING at the Southwest corner of said parcel 2 on the North bank of the Big Bend Ditch and being monumented by a 5/8 inch diameter iron rod with yellow plastic cap marked 'BGB SURVEY MARKER"; thence South 84°53'58" East, a distance of 30.18 feet (30 feet by Deed) to a 5/8 inch diameter iron rod with yellow plastic cap marked "BROCKAMP LAND SURVEYING PLS 78556"; thence North 01°03'09" West, a distance of 167.01 feet to a point occupied by a railroad tie fence post; thence south 89°23'43" West, a distance of 30.32 feet (30 feet by Deed) to a 5/8 inch diameter iron rod; thence South 01°09'43" East, a distance of 164.01 feet to the point of beginning.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

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OWRD

The true consideration for this conveyance is LOT LINE ADJUSTMENT.

DATED this 11th day of October, 2018.

WILFRED-SANDRA DAGGETT PROPERTIES, LLC

By: Sandra Daggett
SANDRA DAGGETT

STATE OF OREGON, County of Wallowa) ss.

The foregoing instrument was acknowledged before me this 11th day of October, 2018, by SANDRA DAGGETT, as Manager of Wilfred-Sandra Daggett Properties, LLC, an Oregon limited liability company.

SARA DAVIS NOTARY PUBLIC STATE OF IDAHO Comm. 34322 Exp. 07/17/2024

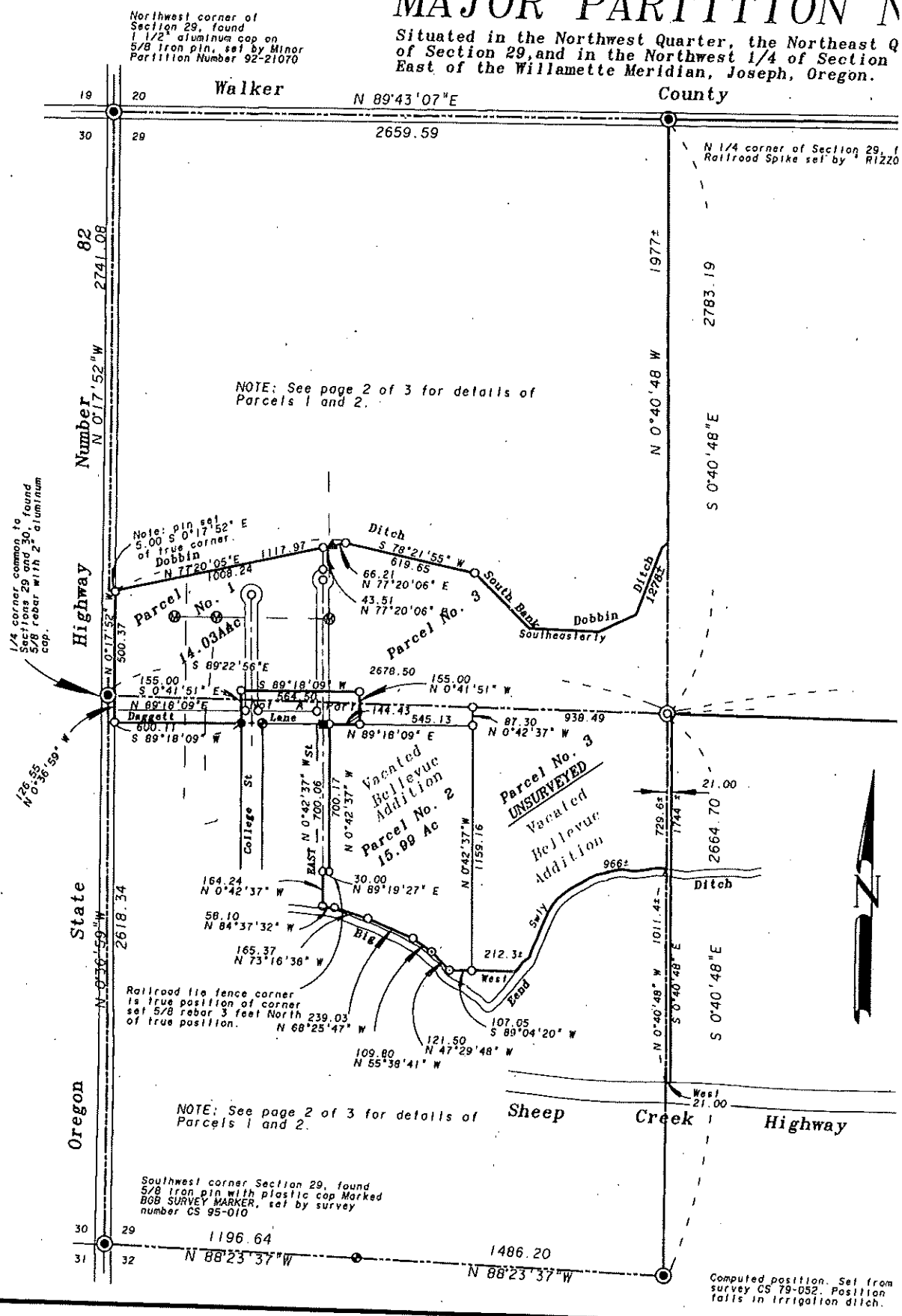
Sara E. Davis
Notary Public for Idaho
My Commission Expires: July 17, 2024

END OF DOCUMENT

Sheet 1 of 4

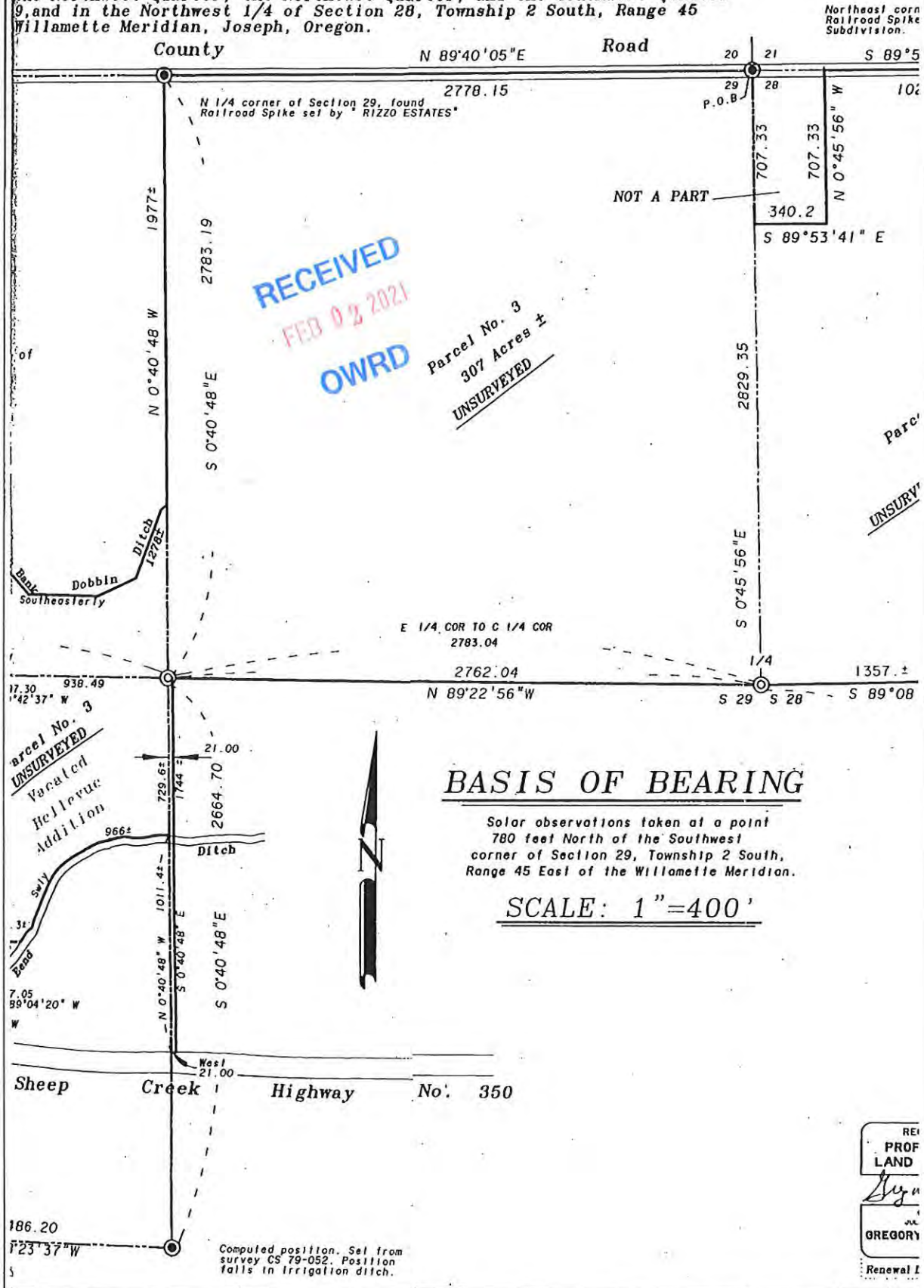
MAJOR PARTITION N

Situated in the Northwest Quarter, the Northeast Q of Section 29, and in the Northwest 1/4 of Section East of the Willamette Meridian, Joseph, Oregon.



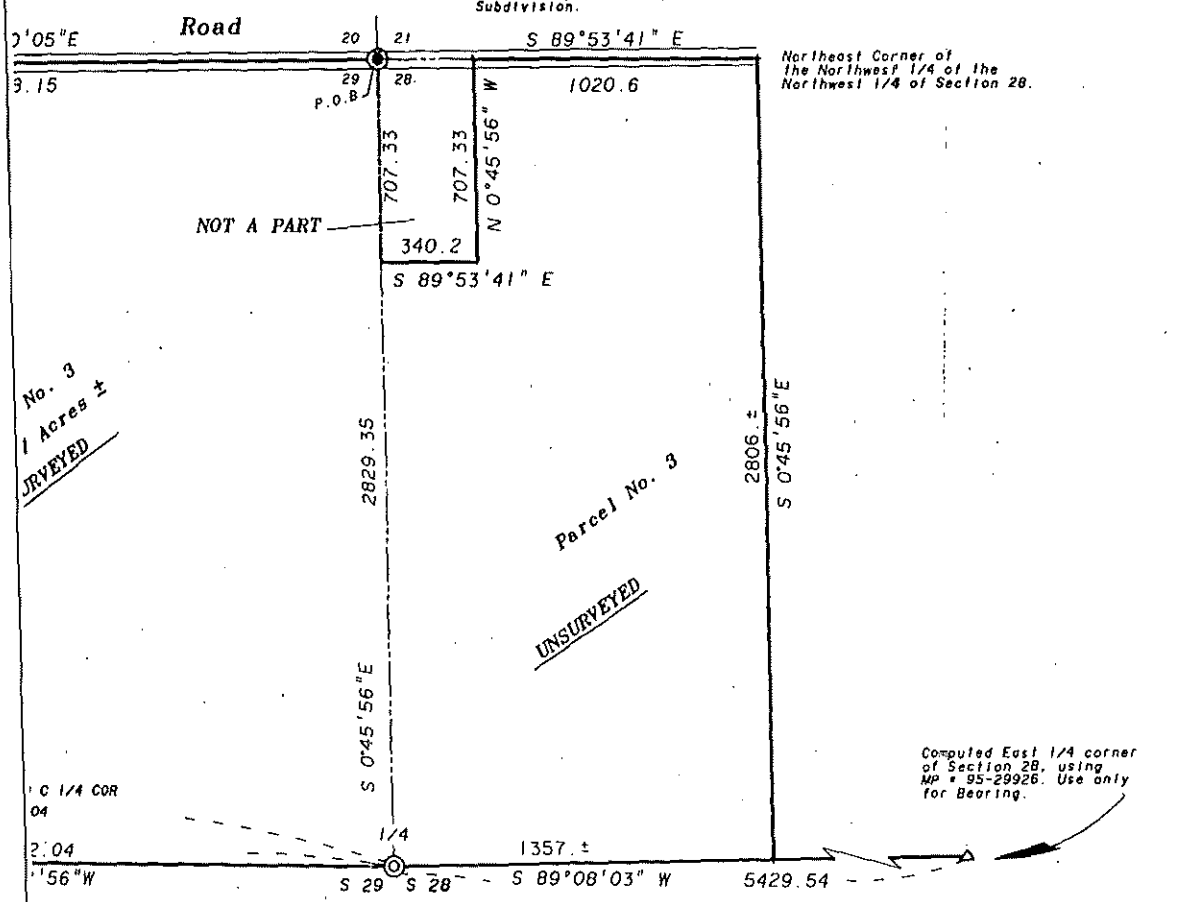
R PARTITION NUMBER 97-34225

the Northwest Quarter, the Northeast Quarter, and the Southwest Quarter 9, and in the Northwest 1/4 of Section 28, Township 2 South, Range 45 Willamette Meridian, Joseph, Oregon.



BER 97-34225

and the Southwest Quarter
ship 2 South, Range 45



SIS OF BEARING

Solar observations taken at a point 780 feet North of the Southwest rner of Section 29, Township 2 South, ge 45 East of the Willamette Meridian.

SCALE: 1"=400'

LEGEND

- Found monument as described
- Found 5/8" iron pin set by survey number CS 79-052
- Found 5/8" iron pin with plastic cap marked BGB SURVEY NUMBER, set by Survey Number CS 95-006
- Found 5/8 rebar set by Survey Number CS 77-014
- Set 5/8"x30" iron pin with plastic cap marked "BGB SURVEY MARKER"
- Found 1/2" galvanized iron pipe set by Survey Number CS 59-001
- Existing manhole
- Set 2 1/2" aluminum pipe with aluminum cap, monumentation record filed separately.
- Computed position
- Easement line
- Centerline
- Aliquot line of Section

REGISTERED
PROFESSIONAL
LAND SURVEYOR
OREGON
JULY 13, 1973
GREGORY T. BLACKMAN
991
Renewal Date Dec. 31, 1997

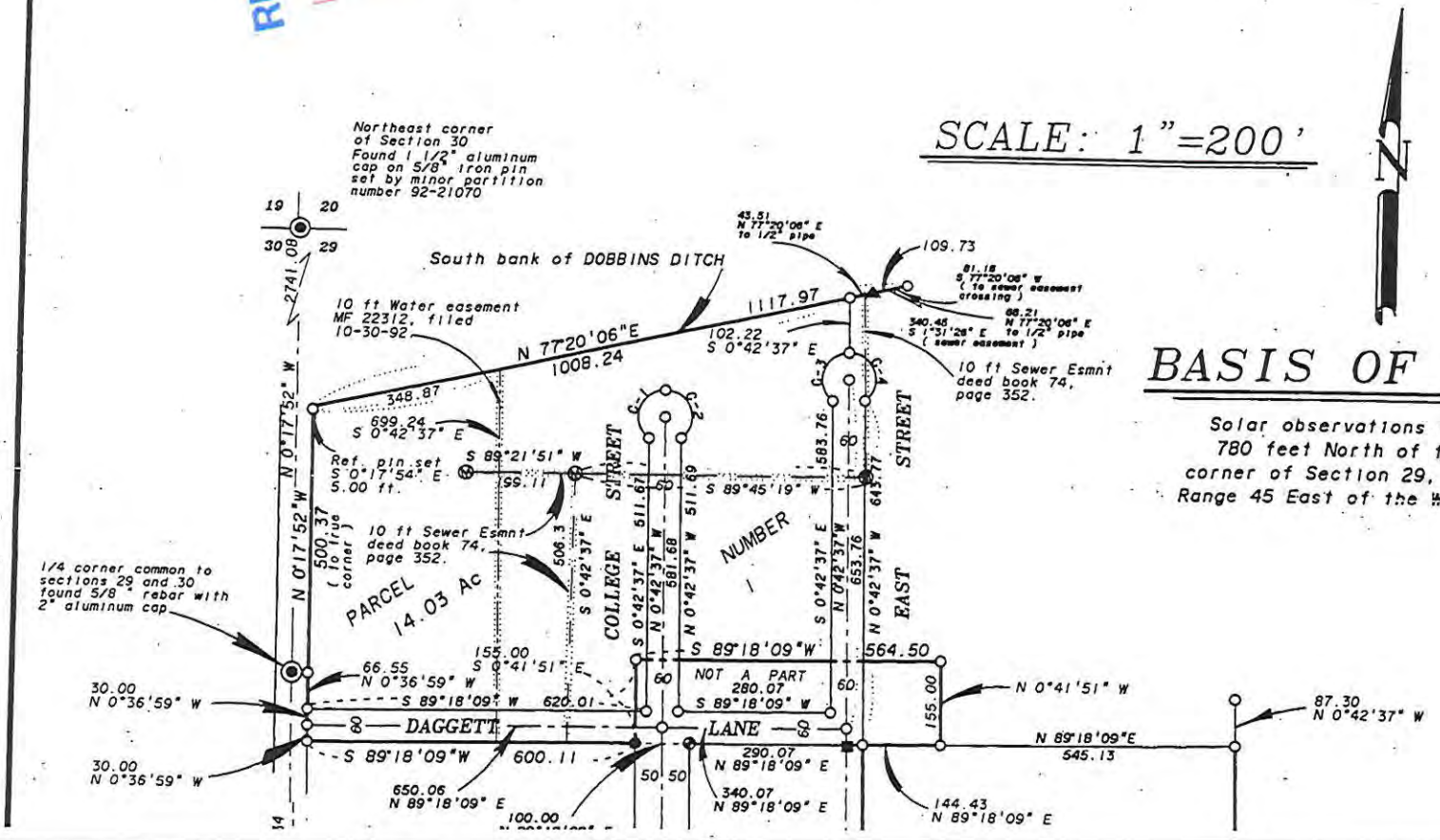
Sheet 2 of 4

MAJOR PARTITION NUMBER 97-34225

Situated in the Northwest Quarter, the Northeast Quarter, and the Southwest Quarter of Section 29, and in the Northwest Quarter of Section 28, Township 2 South, Range 45 East of the Willamette Meridian, Joseph, Oregon.

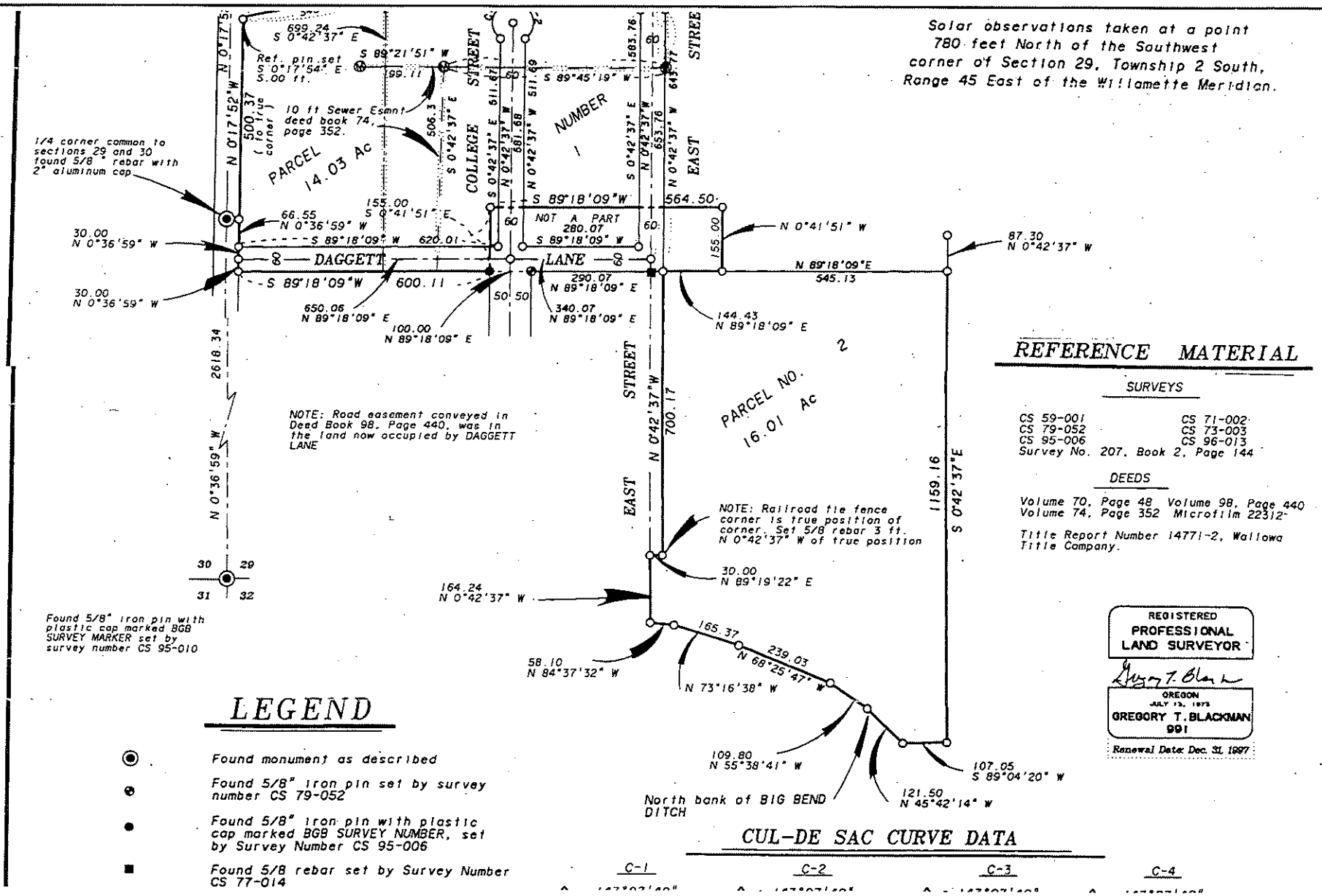
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OWRD

SCALE: 1"=200'



BASIS OF BEARING

Solar observations taken at a point 780 feet North of the Southwest corner of Section 29, Township 2 South, Range 45 East of the Willamette Meridian.



REFERENCE MATERIAL

SURVEYS

CS 59-001 CS 71-002
CS 79-052 CS 73-003
CS 95-006 CS 96-013
Survey No. 207, Book 2, Page 144

DEEDS

Volume 70, Page 48 Volume 98, Page 440
Volume 74, Page 352 Microfilm 22312-

Title Report Number 14771-2, Wallowa Title Company.

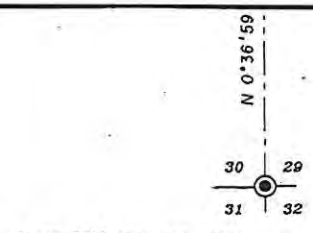
REGISTERED PROFESSIONAL LAND SURVEYOR
OREGON JULY 13, 1973
GREGORY T. BLACKMAN 991
Renewal Date: Dec. 31, 1997

LEGEND

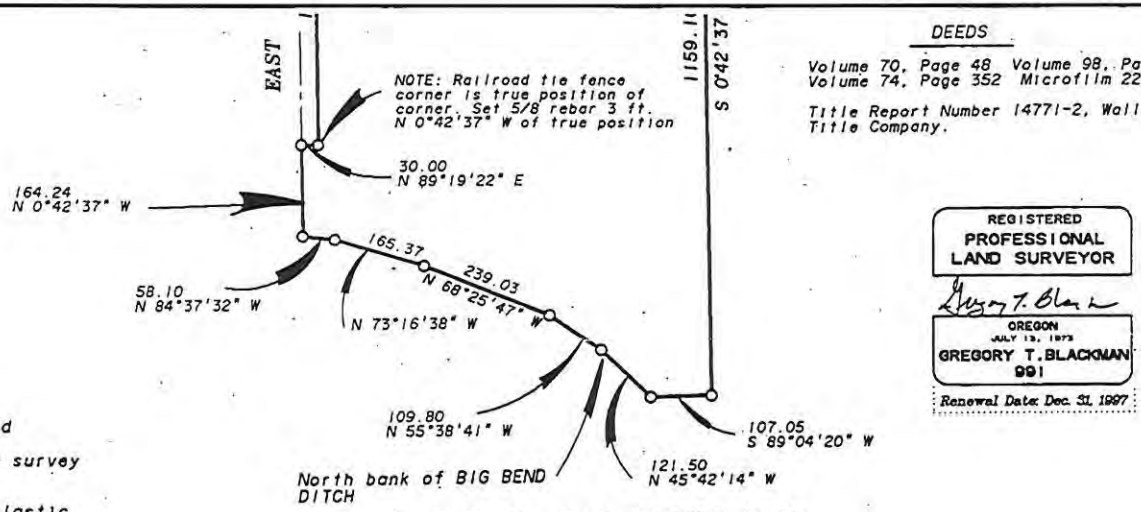
- ◉ Found monument as described
- ⊙ Found 5/8" iron pin set by survey number CS 79-052
- ● Found 5/8" iron pin with plastic cap marked BGB SURVEY NUMBER, set by Survey Number CS 95-006
- ■ Found 5/8 rebar set by Survey Number CS 77-014

CUL-DE SAC CURVE DATA

C-1	C-2	C-3	C-4
Δ 147°07'40"	Δ 147°07'40"	Δ 147°07'40"	Δ 147°07'40"



Found 5/8" iron pin with plastic cap marked BGB SURVEY MARKER set by survey number CS 95-010



DEEDS

Volume 70, Page 48 Volume 98, Page 440
Volume 74, Page 352 Microfilm 22312

Title Report Number 14771-2, Wallowa Title Company.

REGISTERED
PROFESSIONAL
LAND SURVEYOR

OREGON
JULY 13, 1973
GREGORY T. BLACKMAN
991

Renewal Date: Dec. 31, 1997

LEGEND

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- ■ Found 5/8 rebar set by Survey Number CS 77-014
- ○ Set 5/8"x30" iron pin with plastic cap marked "BGB SURVEY MARKER"
- ▲ Found 1/2" galvanized iron pipe set by Survey Number 59-001
- Ⓜ Existing manhole
- Easement line
- — — — — Centerline

CUL-DE SAC CURVE DATA

C-1	C-2	C-3	C-4
Δ = 143°07'48"	Δ = 143°07'48"	Δ = 143°07'48"	Δ = 143°07'48"
R = 50.00 ft.	R = 50.00 ft.	R = 50.00 ft.	R = 50.00 ft.
L = 124.90 ft	L = 124.90 ft	L = 124.90 ft	L = 124.90 ft
Lc= 94.87 ft	Lc= 94.87 ft	Lc= 94.87 ft	Lc= 94.87 ft
S 17°43'29" W	S 19°08'43" E	S 17°43'29" W	S 19°08'42" E

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NARRATIVE

This survey was ordered by Wilfred Daggett, Trustee of the Roy W. Daggett and Ethel Emily Daggett Trust, for the purpose of creating three parcels for distribution to the heirs of the above trust. I establish the East line of Highway 82, 30 feet from the monumented section line as shown on Survey Number CS 96-013. I then establish the South line of the Dobbin Ditch by accepting the existing fence corner at the East line of Highway 82, and driving a line to the found pipe on said South line of ditch set by Survey Number CS 59-001. I then drive a line along this established bearing call distance to the angle point on Dobbin Ditch. The remainder of the ditch is unsurveyed. I establish the East 1/4 corner of Section 29, at the remains of an old fence corner. This fence corner was called in survey 207 survey Book 2, Page 144. I then establish the South 1/4 corner of said section at a point in an irrigation ditch, from a found 1" pipe and monuments along East Hills Subdivision. I then establish the Center 1/4 corner by intersect as per BLM instructions. I establish the North line of BELLEVUE ADDITION by surveys Numbered CS 95-006, CS 79-052. CS 79-052 also established the original centerline of East Street. Survey 84-018 established the South line of Parcel Number 2 at the intersections of Big Bend Ditch. I then establish the parcel that is not included along the North line of BELLEVUE ADDITION by record from the legal description. I create the road extensions of College Street and East Street by extending the respective center lines Northerly as per the request of the owners. Only Parcels 1 and 2 were surveyed and monumented. Parcel 3 is a remaining parcel and I made no attempt to survey this parcel. I find no problems with this survey.

Sheet 3 of 4

Major Partition

Situated in the Northwest Quarte
and the Southwest Quarter of Sec
Northwest Quarter of Section 28,
45, East of the Willamette Merid

SURVEYOR'S CE

I, Gregory T. Blackman, Registered Professional Land Surveyor, hereby certify that I have surveyed and platted this Major Partition Plat, situated in the Northwest Quarter, the Northeast Quarter, and the Southwest Quarter of Section 29, and in the Northwest Quarter of Section 28, Township 2 South, Range 45 East of the Willamette Meridian, the exterior of which being more particularly described as follows:

Beginning at the Northeast corner of Section 29:

Thence; S 0°45'56" E, along the East line of said Section 29, a distance of 707.33 feet to the Southwest corner of the W1/2 of the NW 1/4 of the NW 1/4 of the NW 1/4 of said Section 28;

Thence; S 89°53'41" E, along the south line of said W1/2 of the NW 1/4 of the NW 1/4 of the NW 1/4, a distance of 340.2 feet to the East line of said tract;

Thence; N 0°45'56" W, along the East line of said W1/2 of the NW 1/4 of the NW1/4 of the NW 1/4, a distance of 707.33 feet, to the North line of said Section 28;

Thence; S 89°53'41" E, along said North line of said Section 28, a distance of 1020.6 feet to the Northeast corner of the Northwest Quarter of the Northwest Quarter of said Section 28;

Thence; S 0°45'56" E, along the East line of the West half of the Northwest Quarter, a distance of 2806 feet more or less to the South line of the Northwest Quarter of said Section 28;

Thence; S 89°08'03" W, along said South line of said Northwest Quarter, a distance of 1357 feet to the East 1/4 corner of Said Section 29;

Thence; N 89°22'56" W, along the South line of the Northeast Quarter of said Section 29, a distance of 2762.04 feet to a point 21 feet East of the West line of the Southeast Quarter of Said Section 29;

Thence; S 0°40'48" E, 21 feet distance from and parallel to said West line a distance of 1744 feet to the North line of Oregon State Highway 350;

Thence; West, along said North line of said State Highway 350, a distance of 21.00 feet to the West line of said Southeast Quarter;

Thence; N 0°40'48" E, along said West line of said Southeast Quarter, a distance of 1011.4 feet to the North Bank of BIG BEND DITCH;

Thence; Southwesterly , along said North bank of said BIG BEND DITCH, a distance of 966 feet more or less;

Thence; West a distance of 212.3 feet to a point that is West of the Northeast Corner of Lot 8, Block 30, BELLEVUE ADDITION to the Town of Joseph;

Thence; S 89°04'20" W, a distance of 107.05 feet to the North Bank of BIG BEND DITCH;
Thence; following said North Bank of said ditch the following courses:

N 47°29'48" W, a distance of 121.50 feet;

N 55°38'41" W, a distance of 109.80 feet;

N 68°25'47" W, a distance of 239.03 feet;

N 73°16'38" W, a distance of 165.37 feet;

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Gregory T. Blackman

OREGON
JULY 13, 1973
GREGORY T. BLACKMAN
991

Renewal Date: Dec. 31, 1997

rtition Plat Number 97-34225

the Northwest Quarter, the Northeast Quarter
hwest Quarter of Section 29, and in the
arter of Section 28, Township 2 South, Range
the Willamette Meridian, Joseph, Oregon.

URVEYOR'S CERTIFICATE

N 84°37'32" W, a distance of 58.10 feet, to the Centerline of "EAST STREET":

Thence; N 0°42'37" W, leaving said North bank of said ditch, and along said Centerline, a distance of 164.24 feet:

Thence: N 89°19'27" E, a distance of 30 feet:

Thence: N 0°42'37" W, 30 feet east of and parallel to the Centerline of said East Street, a distance of 700.17 feet to the North line of BELLEVIEW ADDITION:

Thence: N 89°18'09" E, along said North line of said addition, a distance of 144.43 feet to the Southeast corner of the land conveyed to Dan A. DeBoie Trust and Catherine L. Deboie Trust, MF. 95-028964:

Thence: N 0°41'51" W, along said East line of said DeBoie tract, a distance of 155.00 feet to the Northeast Corner of said tract:

Thence: S 89°18'09" W, along said North line of said DeBoie tract, a distance of 564.50 feet to the Northwest corner of said tract:

Thence: S 0°41'51" E, along the West line of said DeBoie tract, a distance of 155.00 feet to the North line of BELLEVUE ADDITION:

Thence: S 89°18'09" E, along said addition, a distance of 600.11 feet, to the East line of Oregon State Highway 82:

Thence: N 0°36'59" W, along said East line of said Highway, a distance of 126.55 feet, to the South line of the Northwest Quarter of said Section 29:

Thence: N 0°17'52" W, along said East line of said Highway, a distance of 500.37 feet to the South bank of the DOBBIN DITCH:

Thence along the south bank of said ditch the following Courses:

Thence: N 77°20'05" E, a distance of 1117.97 feet:

Thence: S 78°21'55 W, a distance of 619.65 feet:

Thence: Southeasterly along said South bank a distance of 1278 feet to the West line of the Northeast Quarter of said Section 29:

Thence N 0°40'48" W, leaving said bank of DOBBIN DITCH, a distance of 1977 feet to the Northwest corner of said Northeast Quarter of Section 29:

Thence: N 89°40'05" E, along said North line of Said Northeast Quarter, a distance of 2778.15 feet to the point of beginning of this description.

Said parcel containing 337 acres more or less.

Said Partition subject to County Roads.

I further depose and say that I made a survey (of Parcels 1 and 2 only)and plat by order of and under the direction of the owners thereof, that all parcel corners and boundary corners, except for Parcel 3, are marked with monuments as indicated on the annexed map in accordance with O.R.S. 92.050 and 92.060.

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Sheet 4 of 4

Major Partitio

Situated in the Northwest Qu
and the Southwest Quarter of
Northwest Quarter of Section
45~~38~~, East of the Willamette M

DEDICATION

Know all people by these presents that we, Wilfred Daggett, Trustee, and Catherine DeBoie, Trustee of the ROY W. DAGGETT TRUST, and the ETHEL EMILY DAGGETT TRUST, are the owners of the land within this partition. Said land being more particularly described in the accompanying Surveyor's Certificate, and Dan A. DeBoie, Trustee of the DAN A. DeBOIE TRUST, and Catherine L. DeBoie, Trustee of the CATHERINE L. DeBOIE TRUST, are the owners of portions of the lands to be dedicated as East Street, College Street, and Daggett Lane, have caused the same to be surveyed and platted as shown on the annexed plat. We do also hereby for ourselves, our heirs and assigns hereby dedicate, donate and convey to the public use forever, the streets right of ways as shown on the annexed map, all in accordance with the provisions of O.R.S. Chapter 92.

Wilfred Daggett
Wilfred Daggett, Trustee

Catherine DeBoie, Trustee
Catherine DeBoie, Trustee

Dan A. DeBoie
Dan A. DeBoie, Trustee

Catherine L. DeBoie, Trustee
Catherine L. DeBoie, Trustee

ACKNOWLEDGEMENT

State of Oregon
SS
County of Wallowa

Know all these people by these presents, on this 16th day of SEPTEMBER 1997, before me a Notary Public in and for said State and County, personally appeared Wilfred Daggett, Catherine Deboie, also known as Catherine L. Deboie, and Dan A. DeBoie, known to me to be the identical persons named in the foregoing instrument, and who acknowledged to me that they executed the same freely and voluntarily.

Mona K. Williams
Notary Public for
the State of Oregon

OFFICIAL SEAL
MONA K. WILLIAMS
NOTARY PUBLIC - OREGON
COMMISSION NO.044206
MY COMMISSION EXPIRES JUNE 25, 1999

Notarial Seal

FILING STAT

Wallowa Count

State of Oregon
SS
County of Wallowa

I do hereby certify that
for record on the 6th
o'clock A. M., and record
Wallowa County records.

Wallowa County Clerk
by

ition Plat Number 97-34225

Northwest Quarter, the Northeast Quarter
st Quarter of Section 29, and in the
er of Section 20, Township 2 South, Range
Willamette Meridian, Joseph, Oregon.

APPROVALS

Wallowa County Assessor

I hereby certify that pursuant to O.R.S. 92.095, a
taxes and all special assessments, fees and other
by the law to be placed on the 1997-1998 tax roll
lien on this partition, or will become a lien duri
but not yet certified to the tax collector for col
paid, ~~None~~.

6 Oct 97
Date

Scot Langton, Wallowa County Asses

Wallowa County Treasurer

I hereby certify that all ad valorem taxes and all
fees and other charges required by law to be place
which became a lien on this partition and that nov
have been paid to me.

6 Oct 1997
Date

Ernestine Kilgore, Wallowa County

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FEB 02 2021
OWRD

Joseph City Council

Approved this 4 day of SEPTEMBER

Shelley S. Curtis

Shelley S. Curtis

Wallowa County Surveyor

Approved this 26TH day of SEPTEMBER, 1

Jack W. Burris

Jack W. Burris, Wallow

NG STATEMENT

Wallowa County Clerk

State of Oregon
SS
County of Wallowa

I do hereby certify that the attached partition plat was received
for record on the 6th day of October, 1997, at 10:42
o'clock A.M., and recorded as document number 97-34225
Wallowa County records.

Wallowa County Clerk
by Dana Roberts, Deputy

Approved this 6th day of October, 1

Benjamin M. Boswell

Benjamin M. Boswell, W

Pat Wortman

Pat Wortman, Commissio

Mike Hayward

Mike Hayward, Commissi

REGISTERED
PROFESSIONAL
LAND SURVEYOR

Gregory T. Blackman

OREGON
JULY 13, 1973
GREGORY T. BLACKMAN
991

Renewal Date: Dec. 31, 1997

She

umber 97-34225

arter

Range

APPROVALS

Wallowa County Assessor

I hereby certify that pursuant to O.R.S. 92.095, all ad valorem taxes and all special assessments, fees and other charges required by the law to be placed on the 1997-1998 tax roll which become a lien on this partition, or will become a lien during the tax year but not yet certified to the tax collector for collection have been paid, ~~or bonded~~.

6 Oct 97
Date

Scot Langton, Wallowa County Assessor

Wallowa County Treasurer

I hereby certify that all ad valorem taxes and all special assessments fees and other charges required by law to be placed on the tax roll which become a lien on this partition and that now are due and payable have been paid to me.

6 Oct 1997
Date

Ernestine Kilgore, Wallowa County Treasurer

Joseph City Council

Approved this 26 day of SEPTEMBER, 1997.

Shelley S. Curtiss
Shelley S. Curtiss, Mayor

Wallowa County Surveyor

Approved this 26TH day of SEPTEMBER, 1997.

Jack W. Burris
Jack W. Burris, Wallowa County Surveyor

Approved this 6th day of October, 1997.

Benjamin M. Boswell
Benjamin M. Boswell, Wallowa County Judge

Pat Wortman
Pat Wortman, Commissioner

Mike Hayward
Mike Hayward, Commissioner

received
10:42
'25

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REGISTERED
PROFESSIONAL
LAND SURVEYOR

Gregory T. Blackman

OREGON
JULY 13, 1978
GREGORY T. BLACKMAN
991

Renewal Date: Dec. 31, 1997

Oregon
Kate Brown, Governor

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

January 21, 2021

ERL MCLAUGHLIN
65708 SUNRISE RD
ENTERPRISE, OR 97828

Reference: Water Right Transfer Application T-13459

Your water right transfer is in the first of three phases of processing. Enclosed is a draft of the Department's Preliminary Determination regarding Transfer Application T-13459. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved.

Items needed before the next phase of processing…

1. Please review the draft carefully to see if it accurately reflects the changes you intend to make, and to become familiar with all proposed conditions. **You will need to respond in writing** by the deadline provided below, whether you agree with the proposed action and conditions. Also we will appreciate having you let us know if there are typographical errors that need to be corrected.
2. A report of landownership for the lands to which the water right(s) are appurtenant (the FROM lands) is required. **The report must be prepared by a title company and meet the criteria below.** *(Reports may be called by various names, such as Customer Service Report, Property Analysis Report (PAR), List Pack, Lot Book Report, etc.)*
   a) The title company's report must either be:
      i) prepared within 3 months of the draft Preliminary Determination showing current ownership, or
      ii) prepared within 3 months of recording of a water right conveyance agreement, or
      iii) prepared at any time, but showing ownership at the time a water right conveyance agreement was recorded.
   b) The ownership report shall include:
      i) Date the ownership report was generated or prepared; and
      ii) List of owners at that time; and
      iii) Legal description of the property where the water right to be transferred is currently located.
   c) You will need to submit a notarized statement of consent from any landowner listed in the ownership report who is not already included in the transfer application, or other information such as a water right conveyance agreement, if applicable.
3. Notice of this transfer will need to be published in a newspaper with general circulation in the area where the water rights are currently located. You will be responsible for the charges. Please confirm the Wallowa County Chieftain as the newspaper you prefer to publish in so we can get an accurate estimate of the cost.

Conditions to your water right…

The Watermaster has required a water measurement device(s) at the new diversion point(s) prior to diversion of water. Enclosed is a contact information sheet to assist you in pursuing additional information or approval of the required (or alternate) device(s).

This transfer will require installation of a fish screen at the new diversion point **prior to diversion of water. You may not divert water prior to installation and approval of the fish screen by the Oregon Department of Fish and Wildlife (ODFW).** You may wish to contact the ODFW staff person listed on the enclosed contact sheet for more information about the screen and to determine a reasonable timeline.

Please note the proposed date by which all conditions must be met: October 1, 2022. If the required completion date is insufficient to comply with any of the conditions, you may extend the date at no cost to you during this stage of processing. Please let me know by the comment deadline so we can make the proper arrangements to get you the time you need.

What happens next…

Once the Preliminary Determination is issued a publication period is required. Because there is more than ¼ mile between the new and the authorized points of diversion, the Department will publish notice of the transfer in a local newspaper having a general circulation in the area of the water right at least once per week for two consecutive weeks. You are responsible for sending a check to cover the cost of publication prior to the issuance of the Preliminary Determination and publication of notice.

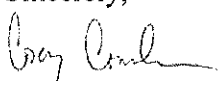
Issuance of the Preliminary Determination will occur shortly after we receive:

1. Your written response to the conditions and proposed action in the draft Preliminary Determination (e-mail is acceptable); and
2. Report of ownership, and affidavits of consent from any landowners shown in the ownership report who have not signed the transfer application.

If we do not receive the items listed above by February 22, 2021, a Preliminary Determination may be issued denying the application as incomplete.

Please do not hesitate to contact me, at corey.a.courchane@oregon.gov or (503) 986-0825, if I may be of assistance.

Sincerely,



Corey Courchane
Transfer Specialist
Transfer and Conservation Section

cc: Transfer Application file T-13459
David D. Bates, District 7 Watermaster *(via e-mail)*

encs

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application T-13459, Wallowa County	)	D R A F T
	)	PRELIMINARY DETERMINATION
	)	PROPOSING APPROVAL OF A
	)	CHANGE IN POINT OF DIVERSION
	)	AND PLACES OF USE

Authority

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

Applicant

ERL MCLAUGHLIN
65708 SUNRISE RD
ENTERPRISE, OR 97828

Findings of Fact

1. On June 5, 2020, ERL MCLAUGHLIN filed an application to change the point of diversion and place of use under Certificate 7716, and to change the place of use under Certificates 9045, 9046, 9311, and 48403. The Department assigned the application number T-13459.

2. Notice of the application for transfer was published on June 16, 2020, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.

3. On October 5, 2020, the Department contacted the applicant by written correspondence to notify the applicant of deficiencies in the application. An Evidence of Use Affidavit and supporting documentation was submitted for only Certificate 7716. The application included only one map. Pursuant to OAR 690-380-3100(1)(i), if the proposed transfer involves changes in place of use or character of use for more than three water rights, a separate map shall be provided for each water right. Additionally, Table 2 under Certificates 9045, 9046, and 48403 incorrectly described the places of use being transferred. The Department requested that the deficiencies be resolved by November 5, 2020.

4. On October 19, 2020, the applicant submitted a revised Table 2 for Certificates 9045, 9046, and 48403.

5. On October 30, 2020, the Department received Evidence of Use Affidavits and supporting documentation for Certificates 9045, 9046, 9311, and 48403.

6. On November 23, 2020, the Department received a separate map for Certificates 7716, 9311, and 48403, pursuant to OAR 690-380-3100(1)(i).

7. On December 9, 2020, the Department received separate maps for Certificates 9045 and 9046, resolving the deficiencies.

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

Certificate: 7716 in the name of BIG BEND WATER DITCH COMPANY (confirmed by WALLOWA RIVER (F))
Use: IRRIGATION of 15.8 ACRES
Priority Date: FEBRUARY 1884
Rate: LIMITED TO AN AMOUNT ACTUALLY BENEFICIALLY USED FOR SAID PURPOSES
Limit/Duty: Shall not exceed 1.5 acre feet per acre during any period of thirty days prior to July 31st of each year, and thereafter not to exceed 1.0 acre foot per acre during the entire remainder of the irrigation season.
Source: WALLOWA RIVER, a tributary of the GRANDE RONDE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
Not specified in certificate					

Authorized Place of Use:

IRRIGATION – TRACT NO. 15					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	29	NE SW	10.0
2 S	45 E	WM	29	NW SW	5.8
				Total	15.8

9. The Department received information from the applicant that better describes the location of the authorized points of diversion for Certificate 7716 as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	45 E	WM	31	NE NE	BIG BEND DITCH - 550 FEET SOUTH AND 800 FEET WEST FROM THE NE CORNER OF SECTION 31
3 S	45 E	WM	5	NE NW	DAM - 940 FEET SOUTH AND 1500 FEET EAST FROM THE NW CORNER OF SECTION 5

10. Transfer Application T-13459 proposes to move the authorized points of diversion downstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate distance from original points of diversion in miles (mi.)	
2 S	44 E	WM	24	SW NE	LOWER ALDER SLOPE - 1090 FEET NORTH AND 390 FEET WEST FROM THE E1/4 CORNER OF SECTION 24	BIG BEND DITCH	DAM
						2.9 mi.	4.5 mi.

11. Transfer Application T-13459 also proposes to change the place of use of the right to:

IRRIGATION – TRACT 15					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	44 E	WM	32	SE SE	2.6
1 S	44 E	WM	33	SW SW	13.2
				Total	15.8

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

Certificate: 9045 in the name of ALDER SLOPE DITCH COMPANY (perfected under Permit S-6723)
Use: IRRIGATION of 2.8 ACRES
Priority Date: MAY 15, 1924
Rate: 0.04 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second acre, or its equivalent in case of rotation.
Source: HURRICANE CREEK AND NUMEROUS SPRINGS, AND SPRING CREEKS INCLUDING SCOTCH CREEK, BEING ALL WATERS OF ANY NATURE INTERCEPTED BY CANAL, tributary of WALLOWA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q
2 S	44 E	WM	24	SW NE

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	5	NE NE	1.3
2 S	44 E	WM	5	SE NE	1.5
				Total	2.8

13. The Department received information from the applicant that better describes the location of the authorized points of diversion for Certificate 9045 as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	44 E	WM	24	SE NE	1090 FEET NORTH AND 390 FEET WEST FROM THE E1/4 CORNER OF SECTION 24

14. Transfer Application T-13459 proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	44 E	WM	33	SW SW	2.8

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

Certificate: 9046 in the name of ALDER SLOPE DITCH COMPANY (perfected under Permit S-6724)
Use: SUPPLEMENTAL IRRIGATION of 2.8 ACRES
Priority Date: MARCH 12, 1925
Rate: 0.04 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second acre, or its equivalent in case of rotation.
Source: WALLOWA RIVER, a tributary of GRANDE RONDE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q
2 S	44 E	WM	24	SE NE

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	44 E	WM	5	NE NE	1.3
2 S	44 E	WM	5	SE NE	1.5
				Total	2.8

16. The Department received information from the applicant that better describes the location of the authorized points of diversion for Certificate 9046 as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	44 E	WM	24	SE NE	1090 FEET NORTH AND 390 FEET WEST FROM THE E1/4 CORNER OF SECTION 24

17. Transfer Application T-13459 proposes to change the place of use of the right to:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	44 E	WM	33	SW SW	2.8

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

Certificate: 9311 in the name of DOBBIN DITCH COMPANY (perfected under Permit S-2696)
Use: DOMESTIC and SUPPLEMENTAL IRRIGATION of 15.8 ACRES
Priority Date: JULY 20, 1915
Rate: 0.13 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent in case of rotation.
Source: EAGLE CAP RESERVOIR in WALLOWA LAKE

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q
3 S	45 E	WM	5	NW NW

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION AND DOMESTIC					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	29	NE SW	10.0
2 S	45 E	WM	29	NW SW	5.8
				Total	15.8

19. The Department received information from the applicant that better describes the location of the authorized points of diversion for Certificate 9311 as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 S	45 E	WM	5	NW NW	POD 1 - 940 FEET SOUTH AND 1500 FEET EAST FROM THE NW CORNER OF SECTION 5

20. Transfer Application T-13459 proposes to change the place of use of the right to:

SUPPLEMENTAL IRRIGATION AND DOMESTIC					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	44 E	WM	32	SE SE	2.6
1 S	44 E	WM	33	SW SW	13.2
				Total	15.8

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

Certificate: 48403 in the name of ALDER SLOPE DITCH COMPANY (confirmed by WALLOWA RIVER)
Use: IRRIGATION of 5.0 ACRES and DOMESTIC
Priority Date: 4:00 P.M., NOVEMBER 30, 1901
Limit/Duty: Shall not exceed 1.5 acre feet per acre during any period of 30 days prior to July 31st of each year, and thereafter not to exceed 1 acre foot per acre during the entire remainder of the irrigation season.
Source: HURRICANE CREEK, a tributary of WALLOWA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 S	44 E	WM	3	NE NE	ALDER SLOPE DITCH - SOUTH 76 DEGREES 02 MINUTES WEST, 49 FEET FROM THE NE CORNER OF SECTION 3

Authorized Place of Use:

IRRIGATION – TRACT NO. 18						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
2 S	44 E	WM	5	NE NE	1	1.3
2 S	44 E	WM	5	SE NE		3.7
					Total	5.0

22. Transfer Application T-13459 proposes to change the place of use of the right to:

IRRIGATION – TRACT NO. 18					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	44 E	WM	33	SW SW	5.0

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

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

24. Water has been used within the last five years according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.

25. A diversion structure and ditch sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-13459.

26. The proposed changes would not result in enlargement of the rights.

27. The proposed changes would not result in injury to other water rights.

28. All other application requirements are met.

Determination and Proposed Action

The change in point of diversion and change in places of use proposed in Transfer Application T-13459 appear to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the transfer application will be approved.

If Transfer Application T-13459 is approved, the final order will include the following:

1. *The change in point of diversion and change in place of use proposed in Transfer Application T-13459 are approved.*

2. *The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 7716, 9045, 9046, 9311, and 48403 and any related decree.*

3. *Water right Certificates 7716, 9045, 9046, 9311, and 48403 are cancelled. New certificates will be issued describing that portion of the rights not affected by this transfer.*

4. *The quantity of water, as authorized by Certificate 7716, diverted at the new point of diversion (Lower Alder Slope), shall not exceed the quantity of water lawfully available at the original points of diversion (Dam and Big Bend Ditch).*

5. *Prior to diverting water, the water user shall install a headgate to control and regulate the quantity of water diverted. The type and plans of the headgate must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department. The water user shall maintain the headgate as required by the Department.*

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

7. *The former place of use of the transferred rights shall no longer receive water under the rights.*

8. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before* ***October 1, 2022****. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*

9. *After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.*

Dated in Salem, Oregon on

D R A F T

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
THOMAS M BYLER, DIRECTOR
Oregon Water Resources Department

This draft Preliminary Determination was prepared by Corey Courchane. If you have questions about the information in this document, you may reach me at 503-986-0825 or corey.a.courchane@oregon.gov

COURCHANE Corey A * WRD

From: BATES David D * WRD
Sent: Wednesday, December 09, 2020 1:46 PM
To: COURCHANE Corey A * WRD
Subject: RE: Transfer maps.
Attachments: Dec 9, Doc 1-Erl-McLaughlin.pdf

Hey Corey,

Sorry I was not able to get back to you. I was in the field with a guy looking over a water system. Just getting back. Please see the attached map that Erl dropped by with me late yesterday. I'm pretty open the rest of today. And I'll be open tomorrow afternoon as well.

-David

From: COURCHANE Corey A * WRD <Corey.A.Courchane@oregon.gov>
Sent: Wednesday, December 09, 2020 8:31 AM
To: BATES David D * WRD <David.D.Bates@oregon.gov>
Subject: RE: Transfer maps.

Good morning David,

I'm available at 10am, does that work?

Corey

From: BATES David D * WRD <David.D.Bates@oregon.gov>
Sent: Wednesday, December 09, 2020 8:12 AM
To: COURCHANE Corey A * WRD <Corey.A.Courchane@oregon.gov>
Subject: Transfer maps.

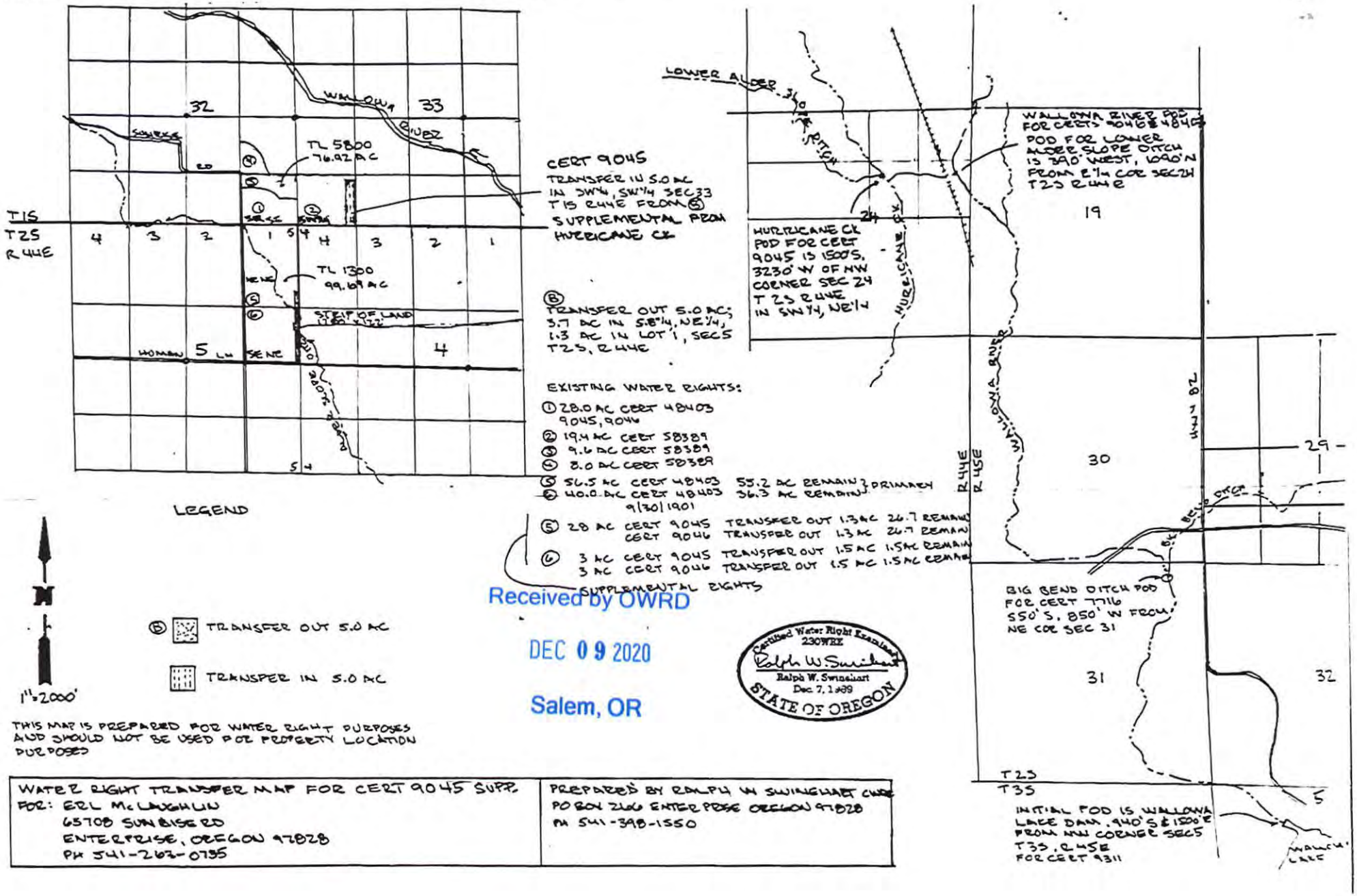
Corey,

I have a couple maps that Erl wanted me to review. I'm going to scan the maps and then would like to have a phone call with you.

What time would work for a phone call?

David Bates
District 7 Watermaster
401 NE 1st ste11
Enterprise, OR 97828
541-398-8172

Get Outlook for iOS



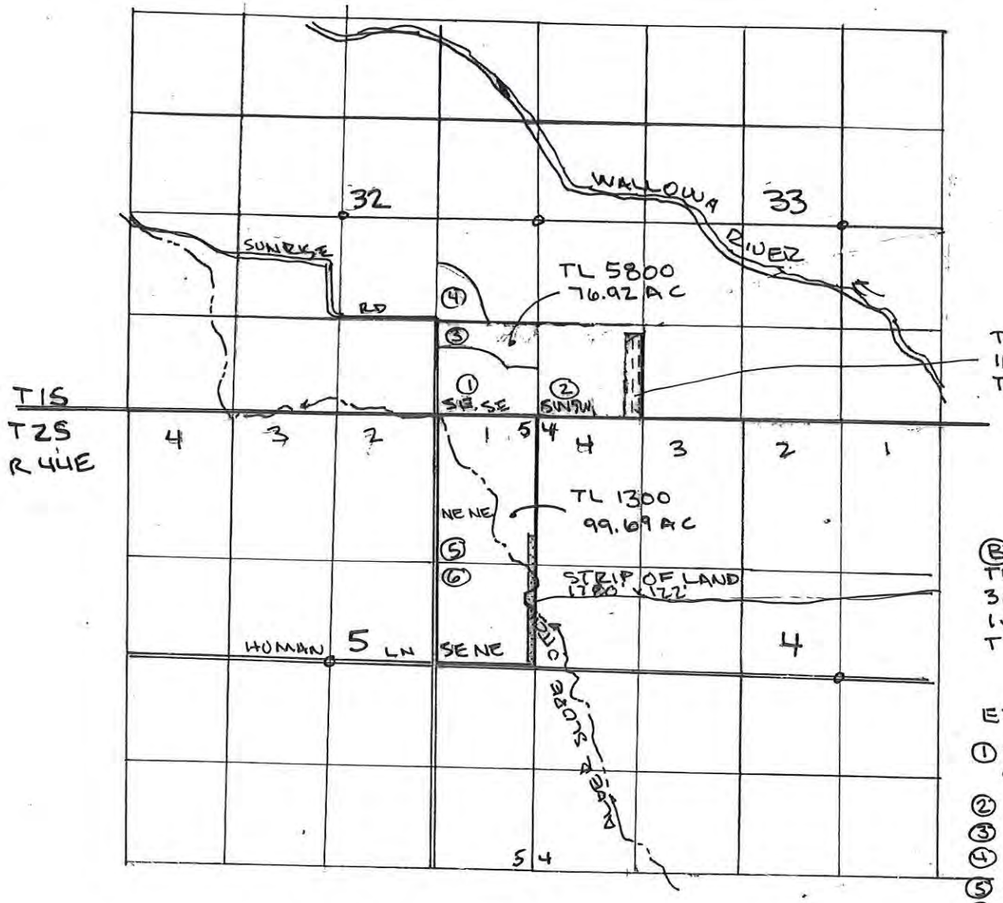
THIS MAP IS PREPARED FOR WATER RIGHT PURPOSES AND SHOULD NOT BE USED FOR PROPERTY LOCATION PURPOSES

Received by OWRD
DEC 09 2020
Salem, OR

Certified Water Right Examiner
230WRE
Ralph W. Swinehart
Ralph W. Swinehart
Dec 7, 1999
STATE OF OREGON

WATER RIGHT TRANSFER MAP FOR CERT 9045 SUPP. FOR: ERL McLAUGHLIN 65708 SUNRISE RD ENTERPRISE, OREGON 97828 PH 541-263-0795	PREPARED BY RALPH W SWINEHART CWRE PO BOX 2166 ENTERPRISE OREGON 97828 PH 541-398-1550

12/23/20 cw
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NOV 23 2020
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(B) TRANSFER OUT 5.0 AC; 3.7 AC IN SE¼, NE¼, 1.3 AC IN LOT 1, SEC 5 T2S, R44E

EXISTING WATER RIGHTS:

① 28.0 AC CERT 48403 9045, 9046
② 19.4 AC CERT 58389
③ 9.6 AC CERT 58389
④ 8.0 AC CERT 58389
⑤ 56.5 AC CERT 48403 — 55.2 AC REMAIN } PRIMARY
⑥ 40.0 AC CERT 48403 — 36.3 AC REMAIN } 9/30/1901

SUPPLEMENTAL RIGHTS

⑤ 28 AC CERT 9045 TRANSFER OUT 1.3 AC 26.7 REMAIN
CERT 9046 TRANSFER OUT 1.3 AC 26.7 REMAIN

⑥ 3 AC CERT 9045 TRANSFER OUT 1.5 AC 1.5 AC REMAIN
3 AC CERT 9046 TRANSFER OUT 1.5 AC 1.5 AC REMAIN

LEGEND

N

1"=2000'

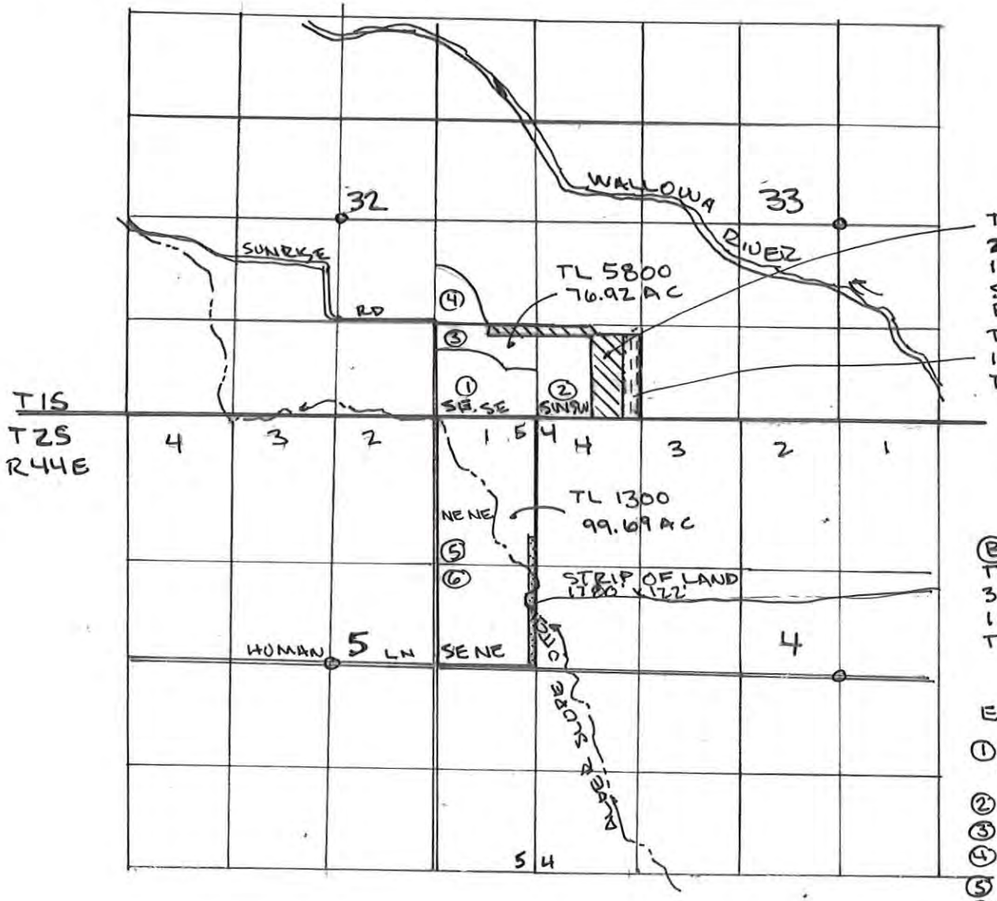
(B) TRANSFER OUT 5.0 AC

TRANSFER IN 5.0 AC

Certified Water Right Examiner
230WRE
Ralph W. Swinehart
Ralph W. Swinehart
Dec. 7, 1989
STATE OF OREGON

THIS MAP IS PREPARED FOR WATER RIGHT PURPOSES AND SHOULD NOT BE USED FOR PROPERTY LOCATION PURPOSES

WATER RIGHT TRANSFER MAP FOR CERT 48403 FOR: ERL McLAUGHLIN 65708 SUNRISE RD ENTERPRISE, OREGON 97828 PH 541-263-0735	PREPARED BY RALPH W SWINEHART CWRE PO BOX 2166 ENTERPRISE OREGON 97828 PH 541-398-1550



TRANSFER IN 15.8 AC;
2.6 AC IN SE¼, SE¼, SEC 32 &
13.2 AC IN SW¼, SW¼
SEC 33, T1S R44E
FROM (A)

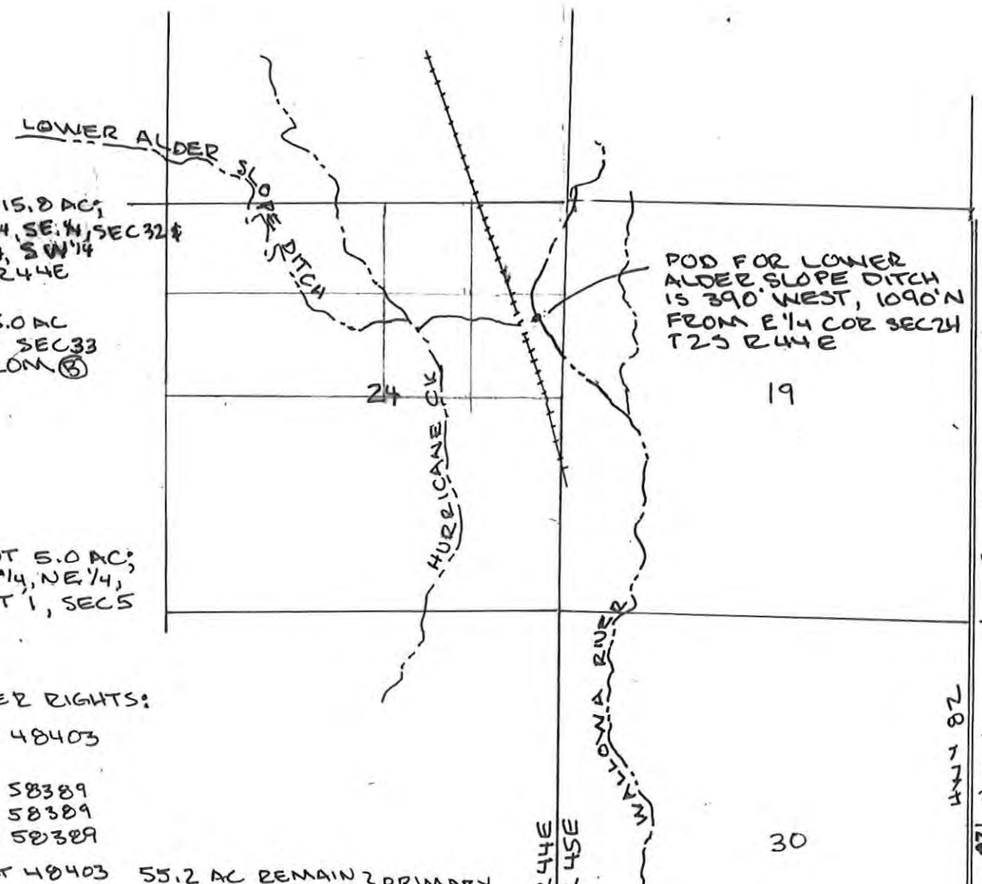
TRANSFER IN 5.0 AC
IN SW¼, SW¼ SEC 33
T1S R44E FROM (B)

(B)
TRANSFER OUT 5.0 AC;
3.7 AC IN SE¼, NE¼,
1.3 AC IN LOT 1, SEC 5
T2S, R44E

EXISTING WATER RIGHTS:

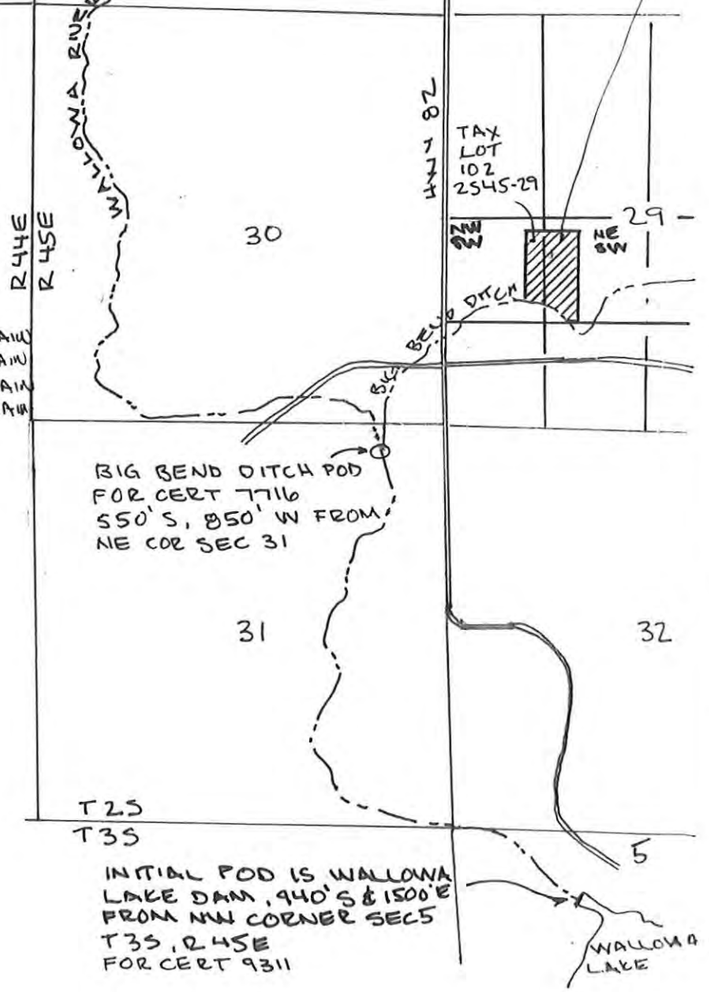
① 28.0 AC CERT 48403
9045, 9046
② 19.4 AC CERT 58389
③ 9.6 AC CERT 58389
④ 8.0 AC CERT 58389
⑤ 56.5 AC CERT 48403 55.2 AC REMAIN } PRIMARY
⑥ 40.0 AC CERT 48403 36.3 AC REMAIN } PRIMARY
9/30/1901

⑤ 28 AC CERT 9045 TRANSFER OUT 1.3 AC 26.7 REMAIN
CERT 9046 TRANSFER OUT 1.3 AC 26.7 REMAIN
⑥ 3 AC CERT 9045 TRANSFER OUT 1.5 AC 1.5 AC REMAIN
3 AC CERT 9046 TRANSFER OUT 1.5 AC 1.5 AC REMAIN
SUPPLEMENTAL RIGHTS



POD FOR LOWER ALDER SLOPE DITCH IS 390' WEST, 1090'N FROM E¼ COR SEC 24 T2S R44E

(A)
TRANSFER OUT 15.8 AC; 5.8 AC IN NW¼ SW¼, 10.0 AC IN NE¼, SW¼ OF SEC 29 T2S R45E
CERT 7716
9/25/1928 PRIMARY
CERT 9311 SUPP.



LEGEND

(A) TRANSFER OUT 15.8 AC

TRANSFER IN 15.8 AC

(B) TRANSFER OUT 5.0 AC

TRANSFER IN 5.0 AC

N

1"=2000'

SUMMARY MAP
TRANSFER CERT 7716 & 48403
FOR REFERENCE ONLY

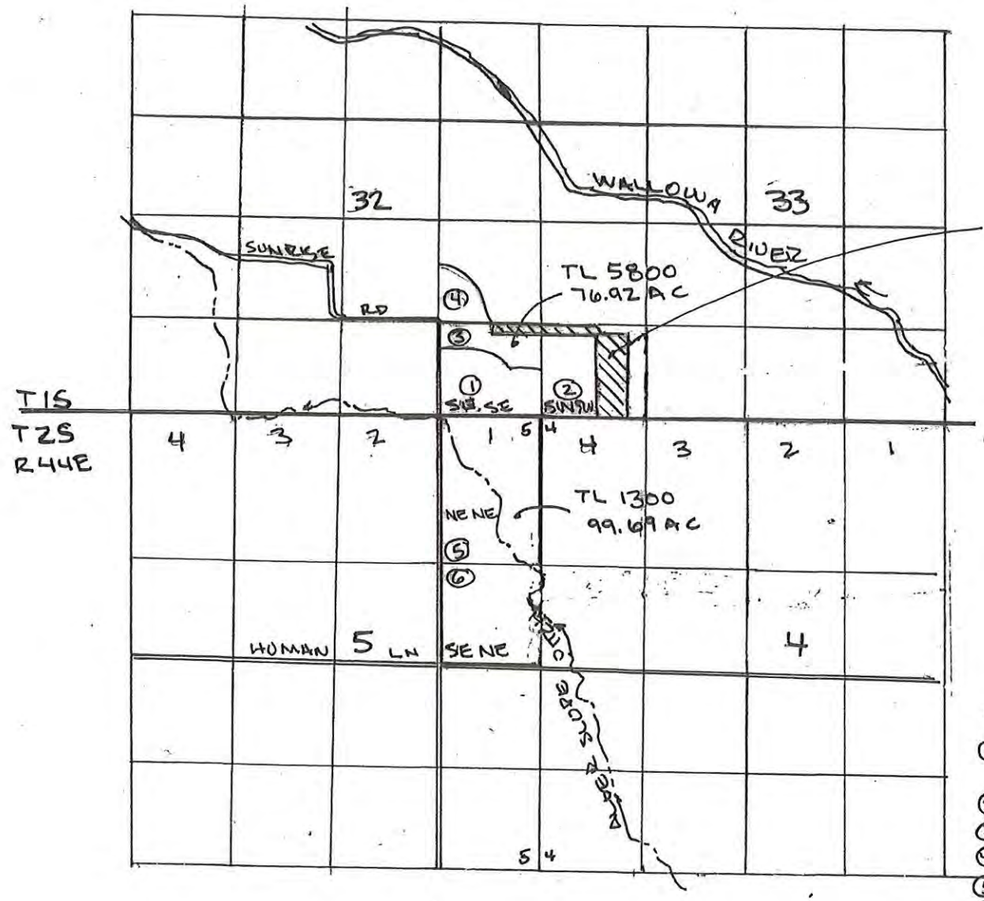
Certified Water Right Examiner
230WRE
Ralph W. Swinehart
Ralph W. Swinehart
Dec. 7, 1989
STATE OF OREGON

THIS MAP IS PREPARED FOR WATER RIGHT PURPOSES AND SHOULD NOT BE USED FOR PROPERTY LOCATION PURPOSES

WATER RIGHT TRANSFER MAP WALLOWA COUNTY FOR: ERL McLAUGHLIN 65708 SUNRISE RD ENTERPRISE, OREGON 97828 PH 541-263-0755	PREPARED BY RALPH W SWINEHART CWRE PO BOX 2066 ENTERPRISE OREGON 97828 PH 541-398-1550

√ 11/3/20 cc

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EXISTING WATER RIGHTS:

① 28.0 AC CERT 48403
9045, 9046
② 19.4 AC CERT 58389
③ 9.6 AC CERT 58389
④ 8.0 AC CERT 58389
⑤ 156.5 AC CERT 48403 55.2 AC REMAIN } PRIMARY
⑥ 40.0 AC CERT 48403 36.3 AC REMAIN }
9/30/1901

SUPPLEMENTAL RIGHTS

⑤ 28 AC CERT 9045 TRANSFER OUT 1.3 AC 26.7 REMAIN
CERT 9046 TRANSFER OUT 1.3 AC 26.7 REMAIN
⑥ 3 AC CERT 9045 TRANSFER OUT 1.5 AC 1.5 AC REMAIN
3 AC CERT 9046 TRANSFER OUT 1.5 AC 1.5 AC REMAIN

LEGEND

Ⓐ TRANSFER OUT 15.8 AC

TRANSFER IN 15.8 AC.

N

1"=2000'

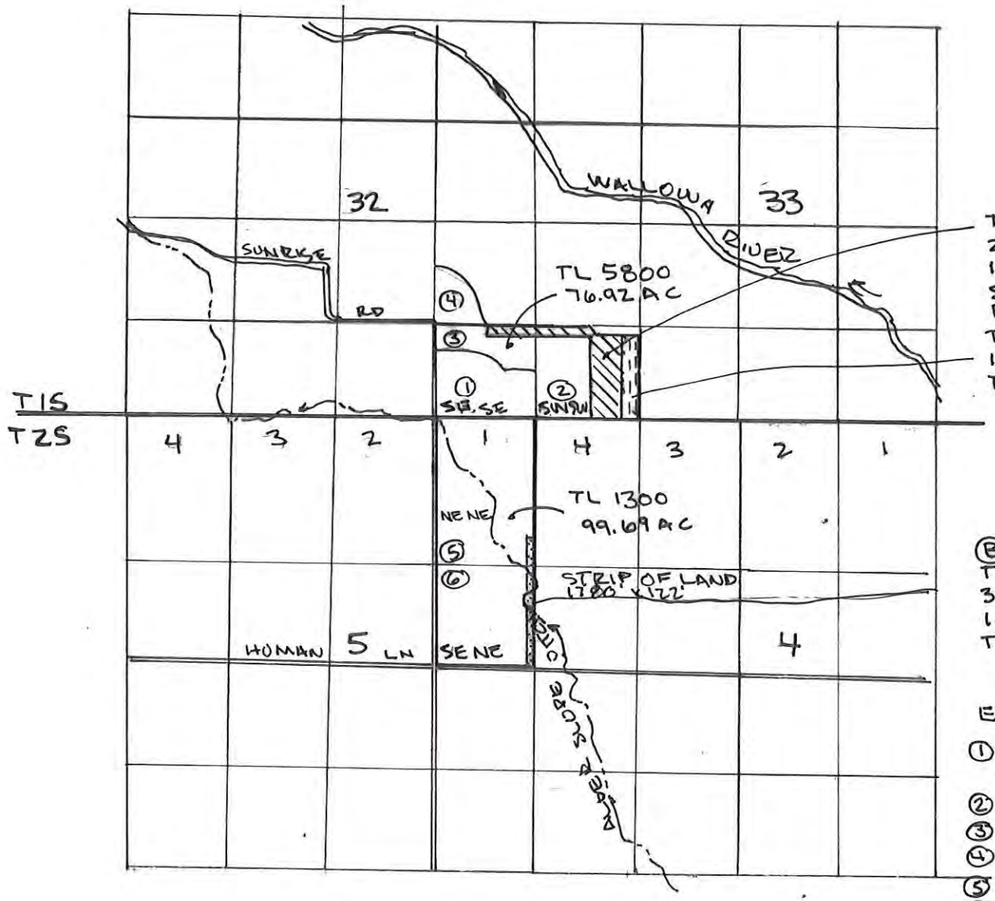
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Certified Water Right Examiner
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Ralph W. Swinehart
Ralph W. Swinehart
Dec. 7, 1989
STATE OF OREGON

WATER RIGHT TRANSFER MAP FOR CERT 7716 FOR: ERL McLAUGHLIN 65708 SUNRISE RD ENTERPRISE, OREGON 97828 PH 541-263-0735	PREPARED BY RALPH W SWINEHART CWRE PO BOX 2166 ENTERPRISE OREGON 97828 PH 541-398-1550

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TRANSFER IN 15.8 AC, 2.6 AC IN SW¼,SW¼, 13.2 AC IN SE¼, SW¼ SEC 32 T 1S R 44E FROM Ⓐ

TRANSFER IN 5.0 AC IN SE¼,SE¼ SEC 32 T 1S R 44E FROM Ⓑ

Ⓑ TRANSFER OUT 5.0 AC, 3.7 AC IN NE¼,NE¼, 1.3 AC IN LOT 1, SEC 5 T 2S, R 44E

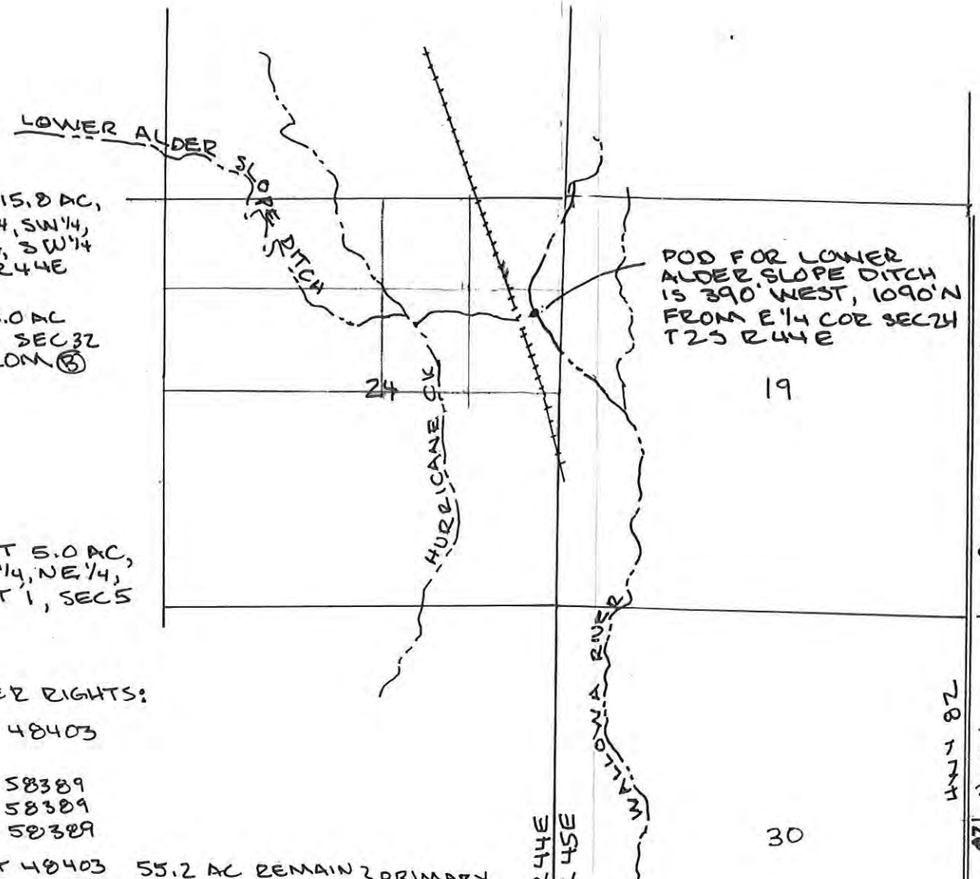
EXISTING WATER RIGHTS:

① 28.0 AC CERT 48403 9045, 9046
② 19.4 AC CERT 58389
③ 9.6 AC CERT 58389
④ 8.0 AC CERT 58389
⑤ 56.5 AC CERT 48403 — 55.2 AC REMAIN
⑥ 40.0 AC CERT 48403 — 36.3 AC REMAIN } PRIMARY
9/30/1901

SUPPLEMENTAL RIGHTS

⑤' 28 AC CERT 9045 TRANSFER OUT 1.3 AC 26.7 REMAIN
CERT 9046 TRANSFER OUT 1.3 AC 26.7 REMAIN

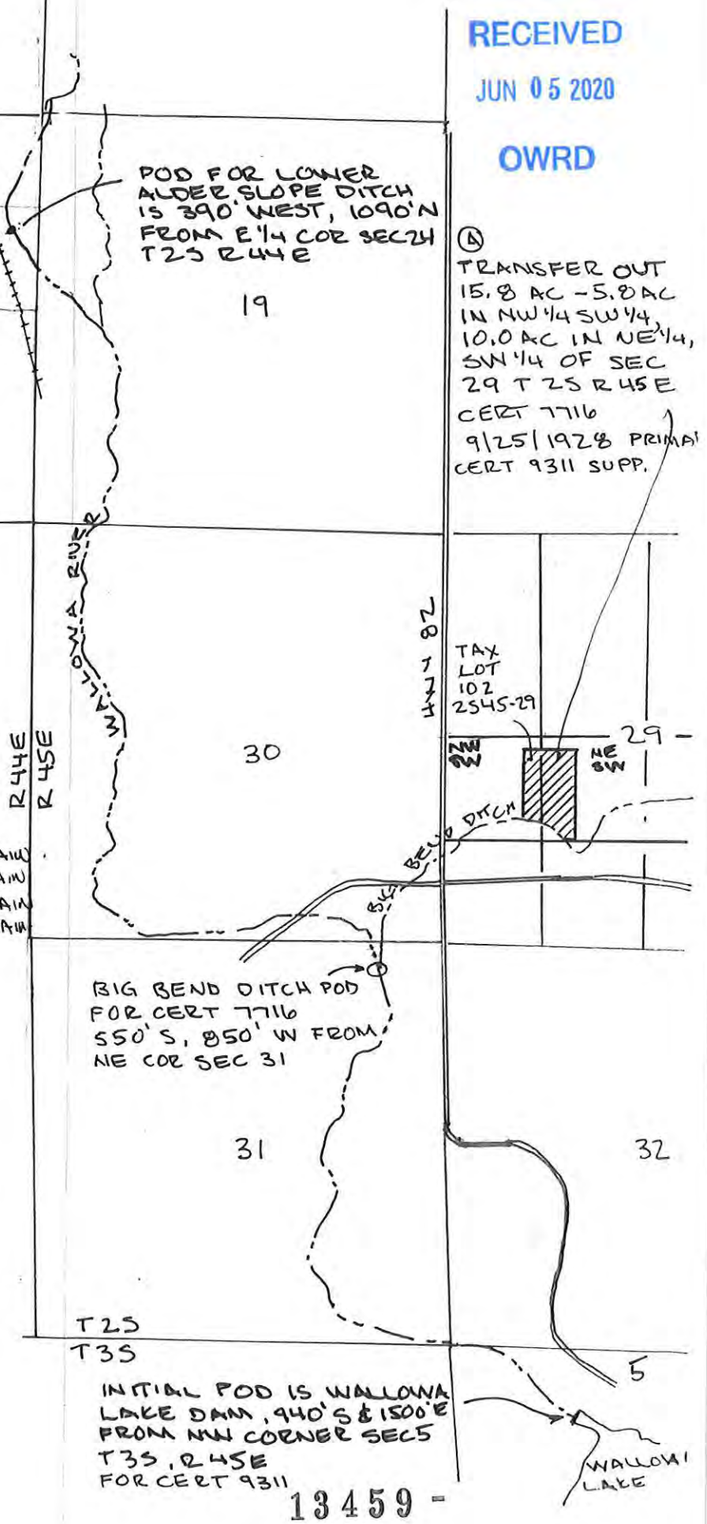
⑥' 3 AC CERT 9045 TRANSFER OUT 1.5 AC 1.5 AC REMAIN
3 AC CERT 9046 TRANSFER OUT 1.5 AC 1.5 AC REMAIN



POD FOR LOWER ALDER SLOPE DITCH IS 390' WEST, 1090' N FROM E¼ COR SEC 24 T 2S R 44E

Ⓐ TRANSFER OUT 15.8 AC – 5.8 AC IN NW¼ SW¼, 10.0 AC IN NE¼, SW¼ OF SEC 29 T 2S R 45E CERT 7716 9/25/1928 PRIMARY CERT 9311 SUPP.

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BIG BEND DITCH POD FOR CERT 7716 550' S, 850' W FROM NE COR SEC 31

INITIAL POD IS WALLOWA LAKE DAM, 940' S & 1500' E FROM NW CORNER SEC 5 T 3S, R 45E FOR CERT 9311

LEGEND

Ⓐ TRANSFER OUT 15.8 AC

TRANSFER IN 15.8 AC

Ⓑ TRANSFER OUT 5.0 AC

TRANSFER IN 5.0 AC

N

1" = 2000'

THIS MAP IS PREPARED FOR WATER RIGHT PURPOSES AND SHOULD NOT BE USED FOR PROPERTY LOCATION PURPOSES

Certified Water Right Examiner
230WRE
Ralph W. Swinehart
Ralph W. Swinehart
Dec. 7, 1989
STATE OF OREGON

WATER RIGHT TRANSFER MAP — WALLOWA COUNTY FOR: ERL McLAUGHLIN 65708 SUNRISE RD ENTERPRISE, OREGON 97828 PH 541-263-0755	PREPARED BY RALPH W SWINEHART CWRE PO BOX 2166 ENTERPRISE OREGON 97828 PH 541-398-1550

Please use and attach additional pages of Table 2 as needed.
See page 6 for instructions.

Do you have questions about how to fill-out the tables?
Contact the Department at 503-986-0900 and ask for Transfer Staff.

Table 2. Description of Changes to Water Right Certificate # 48403

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES. List only that part or portion of the water right that will be changed.												Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.											
Twp	Rng	Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date	
EXAMPLE																							
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
														2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
2	S	44	E	5	NE	NE	1300		1.3	IRR & DOMESTIC		~~1909~~ 1901	POU	1	S	44	E	33	SW	SW	5800		5	IRR		~~1909~~ 1901
2	S	~~43~~	E	5	SE	NE	1300		3.7	IRR & DOMESTIC		~~1909~~ 1901	POU													
TOTAL ACRES:							5							TOTAL ACRES:							5					

Additional remarks: _____.

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TACS

13459 -

Ed McLaughlin 10/19/20

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RECEIVED
OCT 30 2020
OWRD

Please use and attach additional pages of Table 2 as needed.
See page 6 for instructions.

Do you have questions about how to fill-out the tables?
Contact the Department at 503-986-0900 and ask for Transfer Staff.

Table 2. Description of Changes to Water Right Certificate # 9045

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES. List only that part or portion of the water right that will be changed.													PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Proposed Changes (see "CODES" from previous page)	Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date				
EXAMPLE																								
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
														2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
2	S	44	E	4	NE	NE	1300		1.3	Supp Irr		1924	POU	1	S	44	E	33	SW	SW	5800		4.3	Supp Irr		1924
2	S	~~45~~ 44	E	4	NW	SW	102		1.5	Supp Irr		1924	POU													
TOTAL ACRES:									2.8					TOTAL ACRES:								2.8				

Additional remarks: _____.

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OCT 30 2020
OWRD

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Ed McLaughlin 10/19/20

TACS 13459 -

Please use and attach additional pages of Table 2 as needed.
See page 6 for instructions.

Do you have questions about how to fill-out the tables?
Contact the Department at 503-986-0900 and ask for Transfer Staff.

Table 2. Description of Changes to Water Right Certificate # 9046

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES. List only that part or portion of the water right that will be changed.													PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.											
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EXAMPLE																					
2	S	9	E	15	NE NW		100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW NW		500	1	10.0		POD #5	1901
														2	S	9	E	2	SW NW		500		5.0		POD #6	1901
2	S	44	E	4	NE	NE	1300		1.3	Supp Irr		1925	POU	1	S	44	E	33	SW	SW	5800		3.8	Supp Irr		1925
2	S	~~35~~ 44	E	4	NW	SW	102		1.5	Supp Irr		1925	POU													
		EM																								
TOTAL ACRES:									2.8					TOTAL ACRES:								2.8			

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JUN 05 2020
OWRD

Additional remarks:_____.

Ed McLaughlin 10/19/20

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13459 -

Application for Water Right
Transfer
Evidence of Use Affidavit

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

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

RECEIVED
OCT 30 2020
OWRD

State of Oregon)
) ss
County of Wallowa)

I, Joan Story, in my capacity as Manager,
mailing address PO Box D Enterprise, OR 97828
telephone number (541) 432-9580, being first duly sworn depose and say:

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

☒ Personal observation ☐ Professional expertise

2. I attest that:

☐ Water was used during the previous five years on the **entire** place of use for Certificate # _____ ; **OR**

☑ My knowledge is specific to the use of water at the following locations within the last five years:

Certificate #	Township		Range		Mer	Sec	¼ ¼	Gov't Lot or DLC	Acres (if applicable)
9311	2	S	45	E	W.M.	29	NWSW		5.8
9311	2	S	45	E	W.M.	29	NESW		10.0

OR

☐ Confirming Certificate # _____ has been issued within the past five years; **OR**

☐ Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: _____ (Note: If the entire right proposed for transfer was not leased, additional evidence of use is needed for the portion not leased instream.); **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.

☐ Water has been used at the actual current point of diversion or appropriation for more than 10 years for Certificate # _____ (For Historic POD/POA Transfers)

(continues on reverse side)

3. The water right was used for: (e.g., crops, pasture, etc.): pasture

4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

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OCT 30 2020
OWRD

Jan M Story
Signature of Affiant

10/26/2020
Date

Signed and sworn to (or affirmed) before me this 26th day of October, 2020.

OFFICIAL STAMP
Mari Katharine Miller
NOTARY PUBLIC - OREGON
COMMISSION NO. 998357
MY COMMISSION EXPIRES MARCH 30, 2024

Mari Katharine Miller
Notary Public for Oregon

My Commission Expires: March 30, 2024

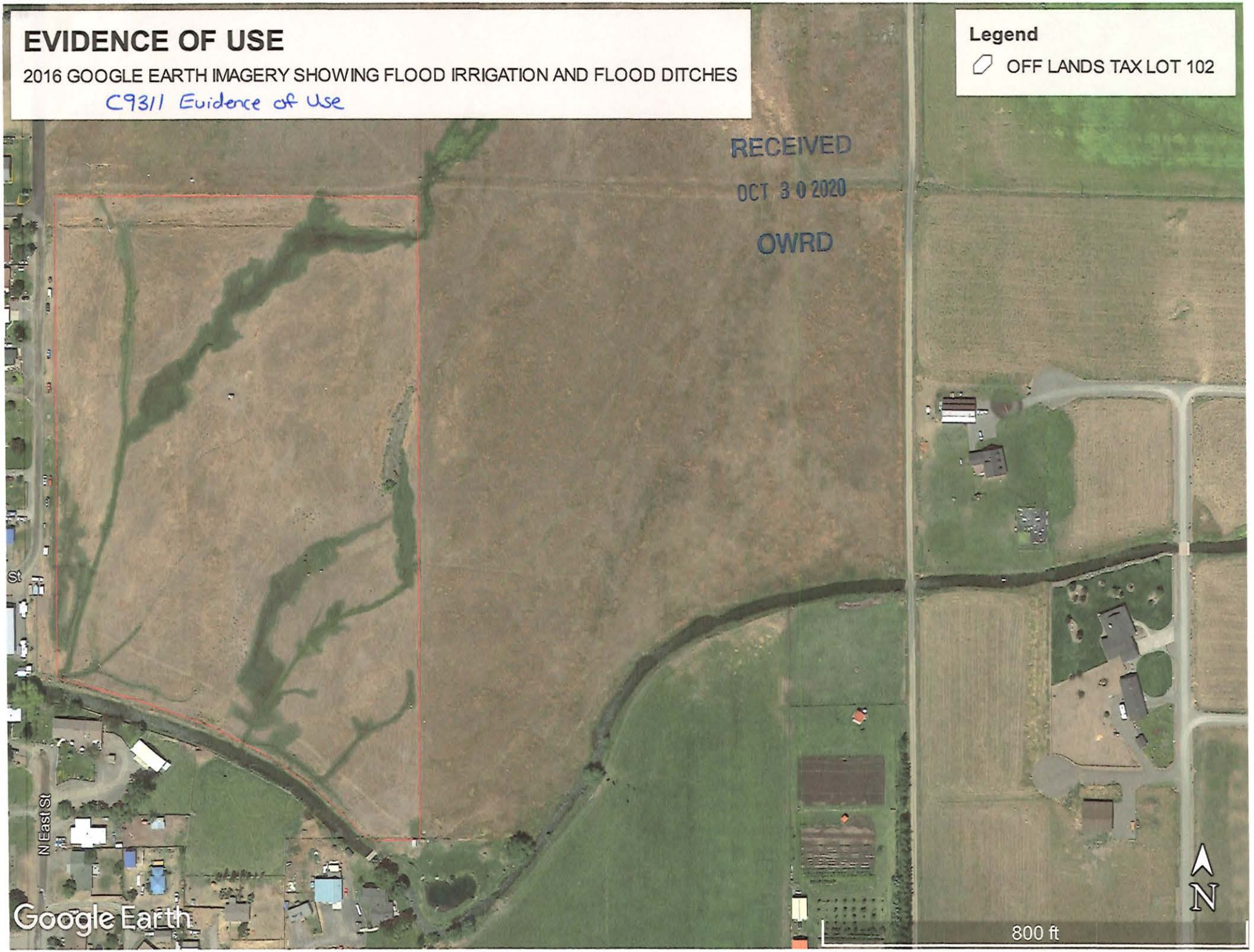
Supporting Documents	Examples
☐ Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of **confirming** water right certificate that shows issue date
☐ Copies of receipts from sales of irrigated crops or for expenditures related to use of water	• Power usage records for pumps associated with irrigation use • Fertilizer or seed bills related to irrigated crops • Farmers Co-op sales receipt
☐ Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	• District assessment records for water delivered • Crop reports submitted under a federal loan agreement • Beneficial use reports from district • IRS Farm Usage Deduction Report • Agricultural Stabilization Plan • CREP Report
☑ Aerial photos containing sufficient detail to establish location and date of photograph	Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added. Sources for aerial photos: OSU –www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terraserver.com
☐ Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

EVIDENCE OF USE

2016 GOOGLE EARTH IMAGERY SHOWING FLOOD IRRIGATION AND FLOOD DITCHES

C9311 Evidence of Use

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OCT 30 2020
OWRD



Application for Water Right
Transfer
Evidence of Use Affidavit

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

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

State of Oregon)
) ss
County of Wallowa)

I, Ed McLaughlin, in my capacity as land owner,
mailing address 65708 Sunrise Rd Enterprise OR 97828
telephone number (541) 263 0755, being first duly sworn depose and say:

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OCT 30 2020
OWRD

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

☒ Personal observation ☐ Professional expertise

2. I attest that:

☐ Water was used during the previous five years on the **entire** place of use for Certificate # _____ ; **OR**

☐ My knowledge is specific to the use of water at the following locations within the last five years:

Certificate #	Township		Range		Mer	Sec	¼ ¼	Gov't Lot or DLC	Acres (if applicable)
9045									

OR

☐ Confirming Certificate # _____ has been issued within the past five years; **OR**

☐ Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: _____ (Note: If the entire right proposed for transfer was not leased, additional evidence of use is needed for the portion not leased instream.); **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.

☐ Water has been used at the actual current point of diversion or appropriation for more than 10 years for Certificate # _____(For Historic POD/POA Transfers)

(continues on reverse side)

3. The water right was used for: (e.g., crops, pasture, etc.): _____

4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

Ed McLaughlin
Signature of Affiant

10/19/20
Date

Signed and sworn to (or affirmed) before me this 19 day of Oct, 2020.

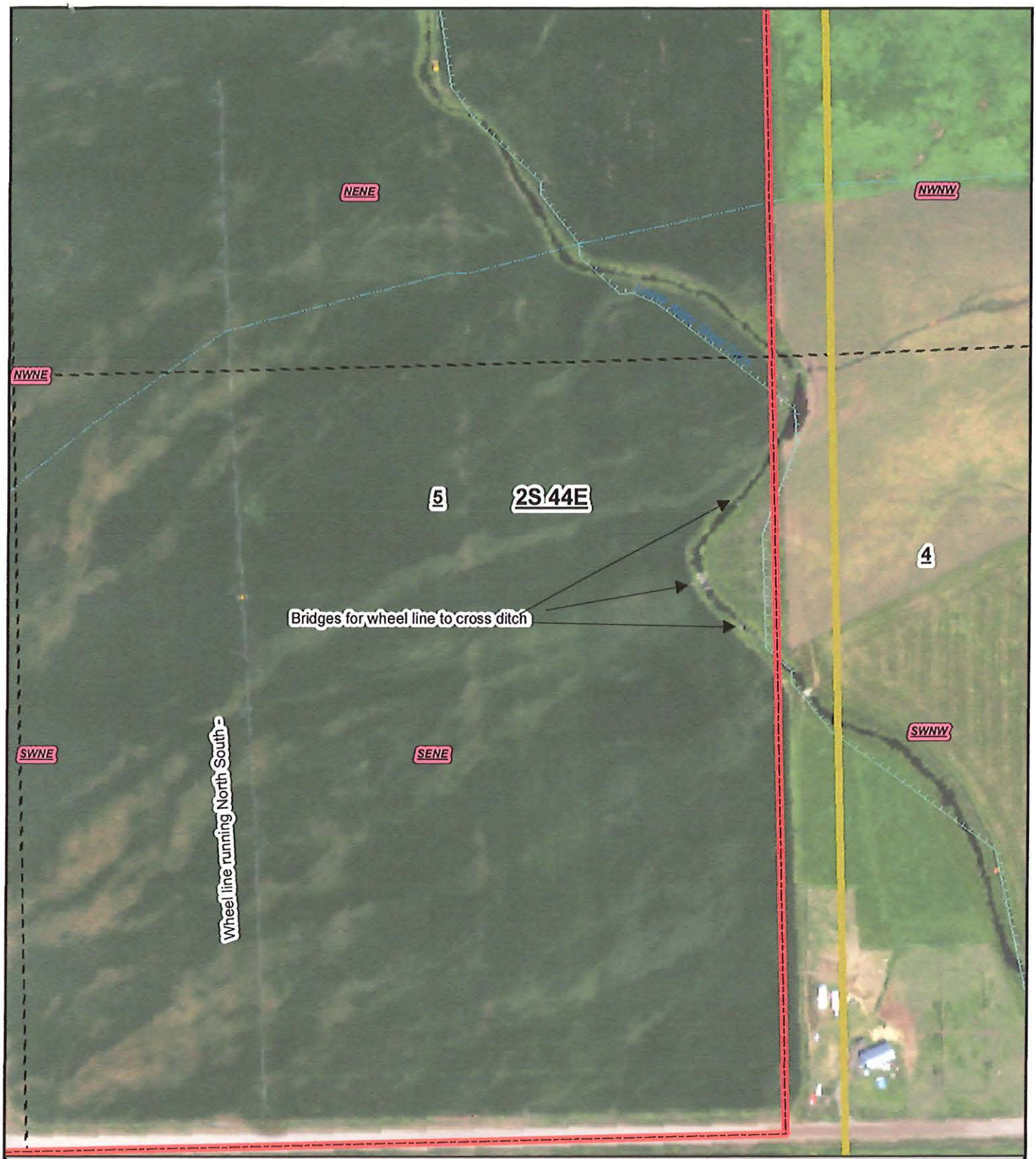
OFFICIAL STAMP
TRACEY ELAINE HALL
NOTARY PUBLIC-OREGON
COMMISSION NO. 963984
MY COMMISSION EXPIRES JULY 12, 2021

Tracey Elaine Hall
Notary Public for Oregon

My Commission Expires: 7/12/21

Supporting Documents	Examples
☐ Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of **confirming** water right certificate that shows issue date
☐ Copies of receipts from sales of irrigated crops or for expenditures related to use of water	• Power usage records for pumps associated with irrigation use • Fertilizer or seed bills related to irrigated crops • Farmers Co-op sales receipt
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☐ Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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OCT 30 2020
OWRD



Erl McLaughlin C9045, C9046, C48403 Evidence of Use - 2016 NAIP Imagery

1:2,666.82

Map Disclaimer:
This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.
This map is not intended to display property lines

Disclaimer: This listing is the result of a manual search of the records of the Watermaster's Plat Cards and the WRIS database. The listing has not been field checked. That a right is of record is no guarantee that is has not been abandoned under the conditions of ORS 540.610. The plat card records of listed by the 40.0 acre quarter-quarter within a section. If the water right listed within a quarter-quarter is on more than one tax lot, this office has not itemized that water rights for each tax lot - only a survey could accurately depict how much of the water rights are on each tax lot.

Legend
- McLaughlin Tax Lot 1300
- 07_TWP
- 07_SEC
- 07_QQ
- Stream, intermittent
- Canal

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OCT 30 2020
OWRD

District 7 Watermaster

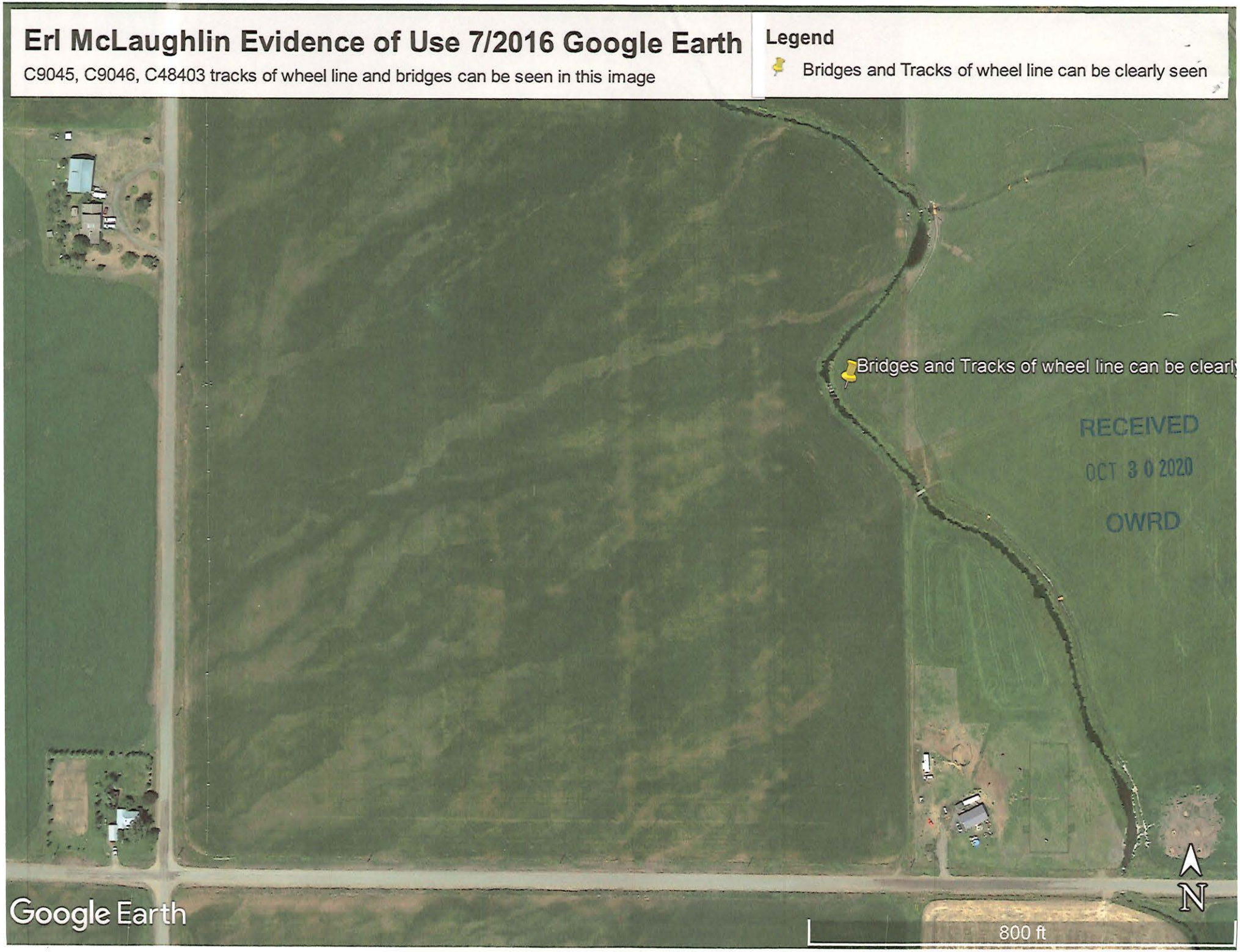
N

Erl McLaughlin Evidence of Use 7/2016 Google Earth

C9045, C9046, C48403 tracks of wheel line and bridges can be seen in this image

Legend

Bridges and Tracks of wheel line can be clearly seen



Application for Water Right
Transfer
Evidence of Use Affidavit

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

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

State of Oregon)
) ss
County of Wallowa)

I, Ed McLaughlin, in my capacity as land owner,
mailing address 65708 Sunrise Rd Enterprise OR 97828
telephone number (541) 263 0755, being first duly sworn depose and say:

RECEIVED
OCT 30 2020
OWRD

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

☒ Personal observation ☐ Professional expertise

2. I attest that:

☐ Water was used during the previous five years on the **entire** place of use for Certificate # _____ ; **OR**

☑ My knowledge is specific to the use of water at the following locations within the last five years:

Certificate #	Township		Range		Mer	Sec	¼ ¼	Gov't Lot or DLC	Acres (if applicable)
48403	2	S	44	E	WM	5	NENE	1	1.3
48403	2	S	44	E	WM	5	SENE		3.7

OR

☐ Confirming Certificate # _____ has been issued within the past five years; **OR**

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(continues on reverse side)

3. The water right was used for: (e.g., crops, pasture, etc.): _____

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OWRD

Eric McLaughlin
Signature of Affiant

10/19/20
Date

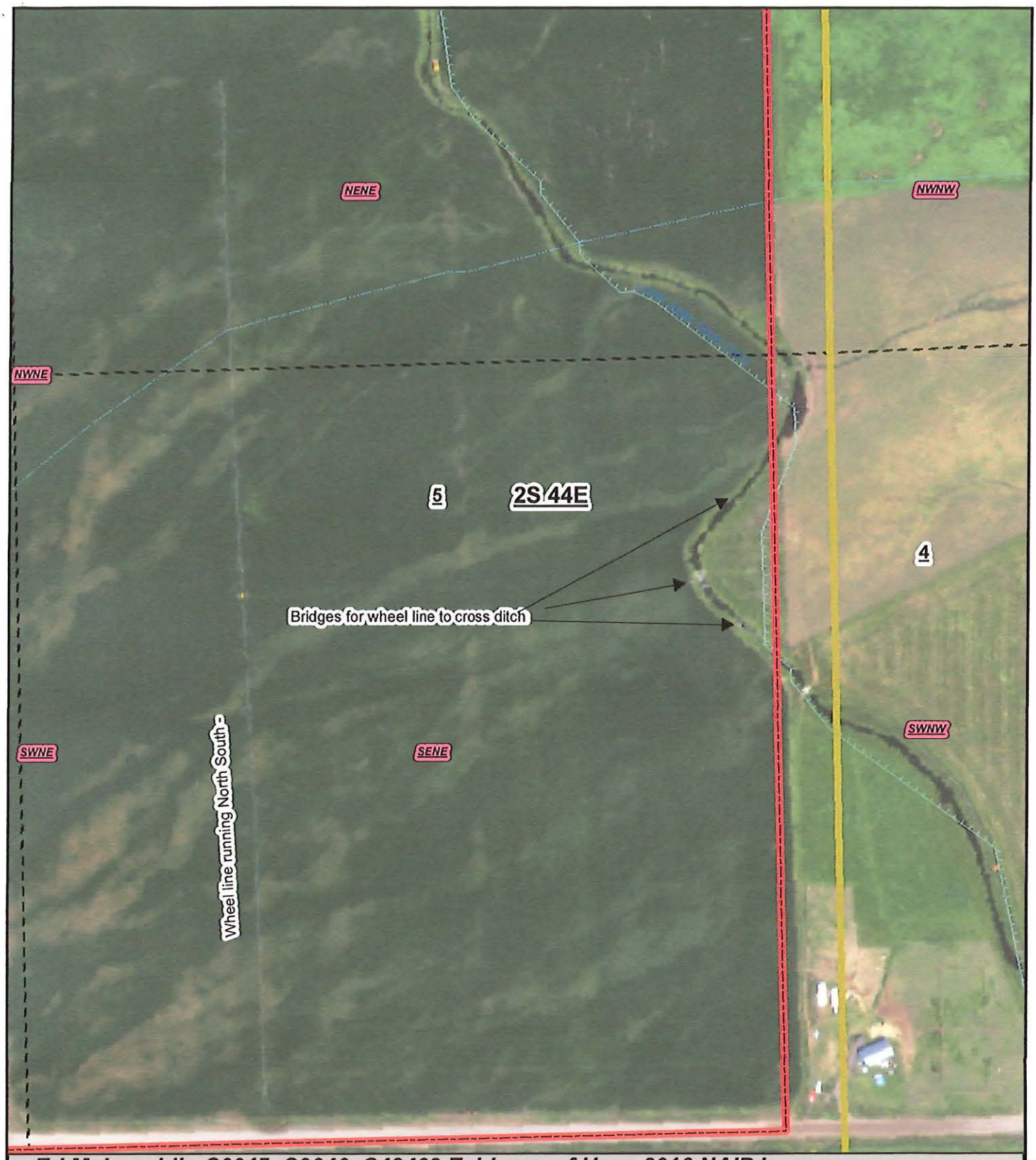
Signed and sworn to (or affirmed) before me this 19 day of Oct, 2020.

OFFICIAL STAMP
TRACEY ELAINE HALL
NOTARY PUBLIC-OREGON
COMMISSION NO. 963984
MY COMMISSION EXPIRES JULY 12, 2021

Tracey Elaine Hall
Notary Public for Oregon

My Commission Expires: 7/12/21

Supporting Documents	Examples
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☐ Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number



Erl McLaughlin C9045, C9046, C48403 Evidence of Use - 2016 NAIP Imagery

1:2,666.82

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Legend
- McLaughlin Tax Lot 1300
- D7_TWP
- D7_SEC
- D7_QQ
- Stream, intermittent
- Canal

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OWRD

District 7 Watermaster

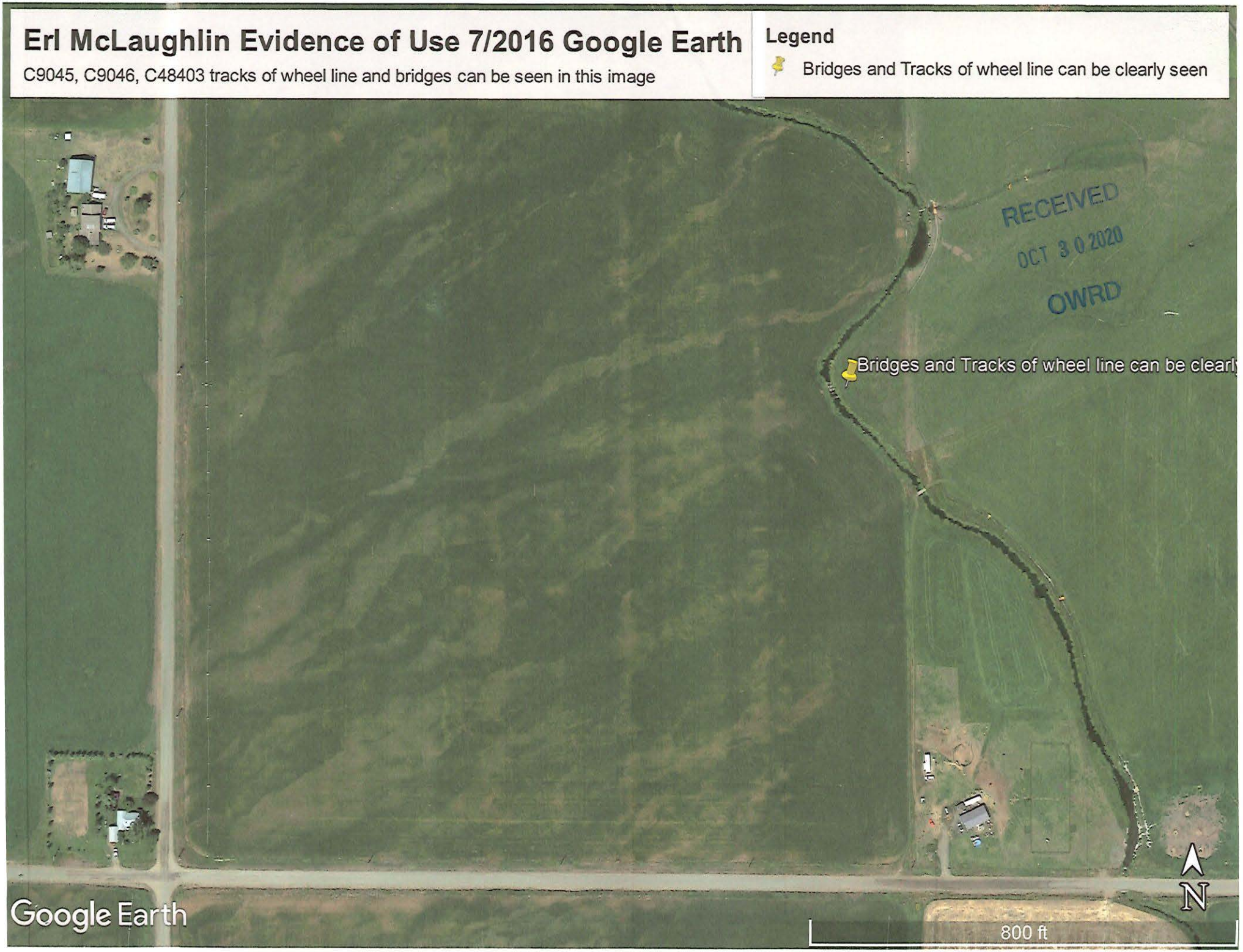
Erl McLaughlin Evidence of Use 7/2016 Google Earth

C9045, C9046, C48403 tracks of wheel line and bridges can be seen in this image

Legend

Bridges and Tracks of wheel line can be clearly seen

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Application for Water Right
Transfer
Evidence of Use Affidavit

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

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

State of Oregon)
) ss
County of Wallowa)

I, Ed McLaughlin, in my capacity as land owner,
mailing address 65708 Sunrise Rd Enterprise OR. 97828
telephone number (541) 263 0755, being first duly sworn depose and say:

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OCT 30 2020
OWRD

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9046									

OR

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(continues on reverse side)

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4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

RECEIVED
OCT 30 2020
OWRD

Eve McLaughlin
Signature of Affiant

10/19/20
Date

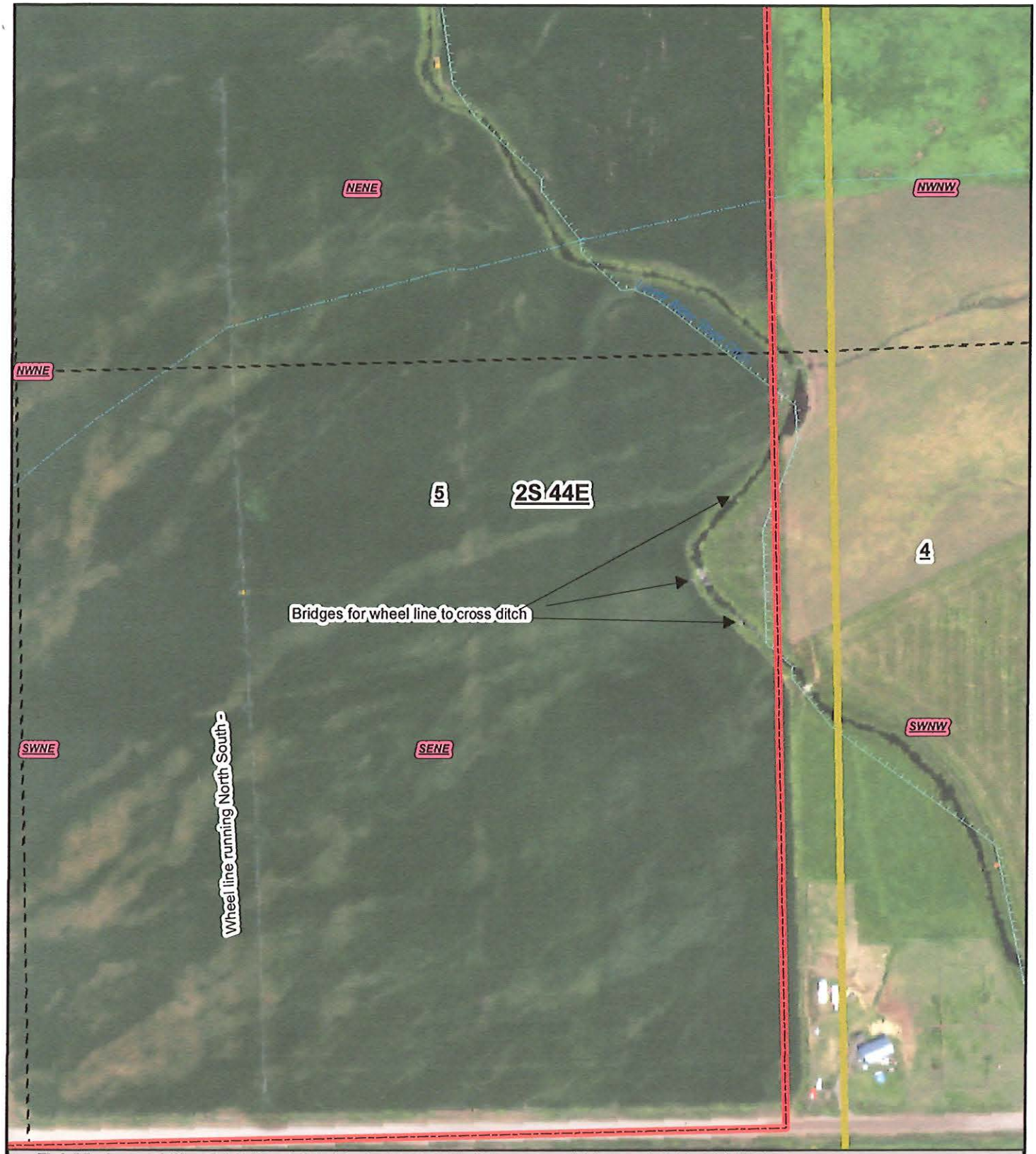
Signed and sworn to (or affirmed) before me this 19 day of Oct, 2020.

OFFICIAL STAMP
TRACEY ELAINE HALL
NOTARY PUBLIC-OREGON
COMMISSION NO. 963984
MY COMMISSION EXPIRES JULY 12, 2021

Tracey Elaine Hall
Notary Public for Oregon

My Commission Expires: 7/12/21

Supporting Documents	Examples
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☐ Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number



Erl McLaughlin C9045, C9046, C48403 Evidence of Use - 2016 NAIP Imagery

1:2,666.82

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Legend
- McLaughlin Tax Lot 1300
- D7_TWP
- D7_SEC
- D7_QQ
- Stream, intermittent
- Canal

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OCT 30 2020
OWRD

District 7 Watermaster

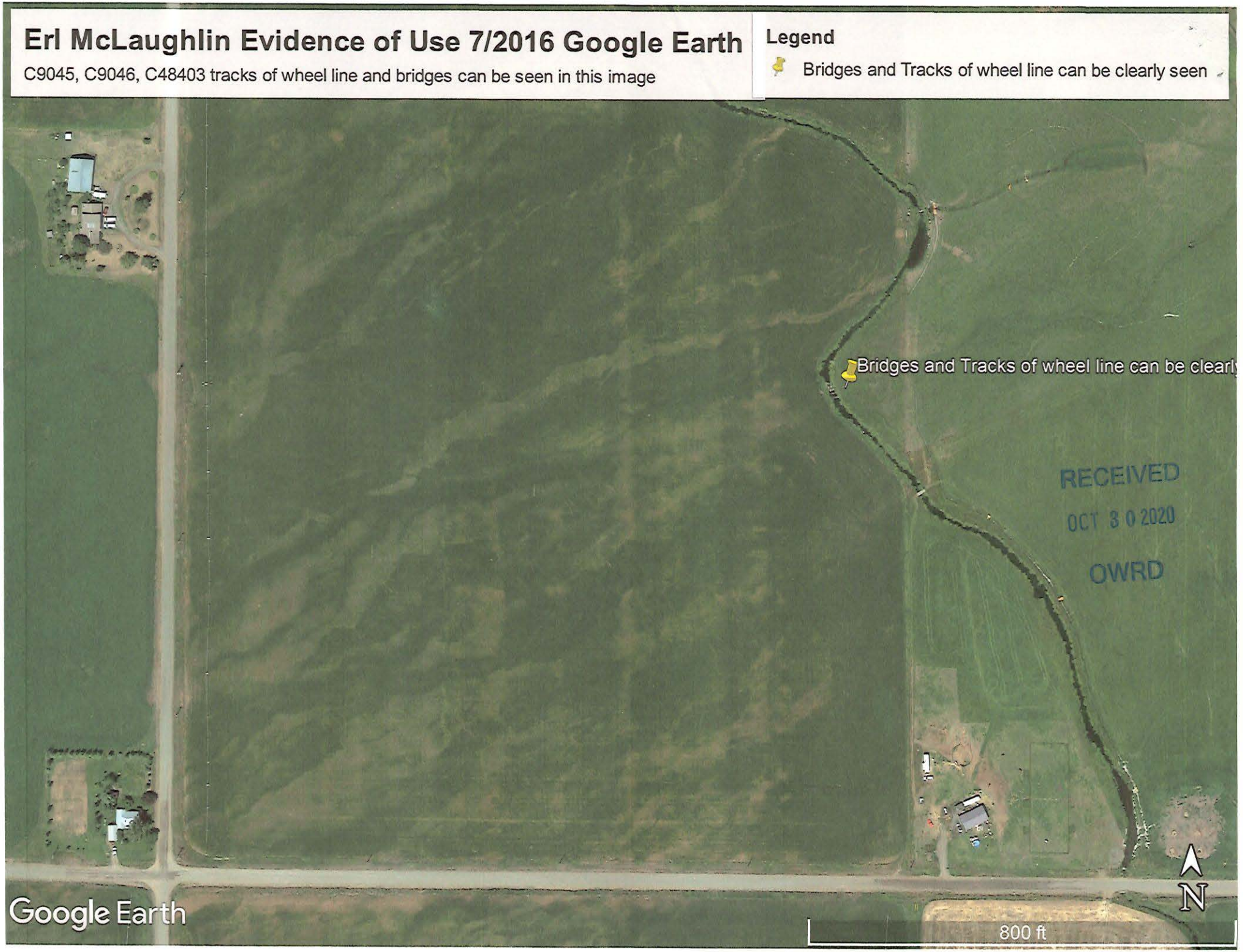
N

Erl McLaughlin Evidence of Use 7/2016 Google Earth

C9045, C9046, C48403 tracks of wheel line and bridges can be seen in this image

Legend

Bridges and Tracks of wheel line can be clearly seen



COURCHANE Corey A * WRD

From: BATES David D * WRD
Sent: Monday, October 19, 2020 3:59 PM
To: COURCHANE Corey A * WRD; sunriseiron@eoni.com
Subject: T-13459 corrections to table 2
Attachments: T-13459-Corrections Table 2.pdf

Corey

Please find the corrections to Table 2 forms as requested in your deficiency letter. Originals will be sent with completed Evidence if Use Affidavits, hopefully before the end of the week.

Sincerely,

David Bates
District 7 Watermaster
401 NE 1st ste11
Enterprise, OR 97828
541-398-8172

Get Outlook for iOS

Please use and attach additional pages of Table 2 as needed.
See page 6 for instructions.

Do you have questions about how to fill-out the tables?
Contact the Department at 503-986-0900 and ask for Transfer Staff.

Table 2. Description of Changes to Water Right Certificate # 9046

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES. List only that part or portion of the water right that will be changed.												Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.											
Twp	Rng	Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date			Twp	Rng	Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
EXAMPLE																								
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	2	SW	NW	500		10.0		POD #5	1901
														2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
2	S	44	E	4	NE	NE	1300		1.3	Supp Irr		1925	POU	1	S	44	E	33	SW	SW	5800		3.8	Supp Irr		1925
2	S	44	E	4	NW	SW	102		1.5	Supp Irr		1925	POU													
		EM																								
TOTAL ACRES:							2.8						TOTAL ACRES:									2.8				

RECEIVED
JUN 05 2020
OWRD

Additional remarks:_____

Ed McLaughlin 10/19/20

Received by OWRD
OCT 19 2020
Salem, OR

13459 -

Please use and attach additional pages of Table 2 as needed.
See page 6 for instructions.

Do you have questions about how to fill-out the tables?
Contact the Department at 503-986-0900 and ask for Transfer Staff.

Table 2. Description of Changes to Water Right Certificate # 9045

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES. List only that part or portion of the water right that will be changed.												Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.											
Twp	Rng	Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date			Twp	Rng	Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
EXAMPLE																								
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1, POD #2	1901	POU/POD	2	S	9	E	15	NW	NW	500		10.0		POD #5	1901
														2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
2	S	44	E	4	NE	NE	1300		1.3	Supp Irr		1924	POU	1	S	44	E	33	SW	SW	5800		4.3	Supp Irr		1924
2	S	44	E	4	NW	SW	102		1.5	Supp Irr		1924	POU													
TOTAL ACRES:							2.8							TOTAL ACRES:							2.8			

Additional remarks:

Received by OWRD
OCT 19 2020
Salem, OR

Ed McLaughlin 10/19/20

13459 -

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JUN 05 2020
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Please use and attach additional pages of Table 2 as needed.
See page 6 for instructions.

Do you have questions about how to fill-out the tables?
Contact the Department at 503-986-0900 and ask for Transfer Staff.

Table 2. Description of Changes to Water Right Certificate # 48403

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES. List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.											
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date	
EXAMPLE																						
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1; POD #2	1901	POU/POD	2	S	9	E	2	SW	NW	500		10.0		POD #5	1901
														2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
2	S	44	E	S	NE	NE	1300		1.3	IRR & DOMESTIC		~~1909~~ 1901	POU	1	S	44	E	33	SW	SW	5800		5	IRR		~~1909~~ 1901
2	S	[illegible]	E	S	SE	NE	1300		3.7	IRR & DOMESTIC		~~1909~~ 1901	POU													
TOTAL ACRES:							5							TOTAL ACRES:									5			

Additional remarks: _____.

Revised 11/6/2019

Permanent Transfer Application Form – Page 9 of 10

Ed McLaughlin 10/19/20

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13459 -

Received by OWRD
OCT 19 2020
Salem, OR

Oregon
Kate Brown, Governor

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

October 5, 2020

Erl McLaughlin
65708 Sunrise Road
Enterprise, OR 97828

REFERENCE: Water Right Transfer Application T-13459

The Department has completed an initial review of your water right transfer application. There are a couple of deficiencies that need to be resolved before we can continue processing your application:

1. The Evidence of Use affidavit and supporting documentation submitted with the application, only identifies Certificate 7716. Evidence of Use affidavits and supporting documentation were not submitted for Certificates 9311, 9045, 9046, and 48403. Pursuant to Oregon Administrative Rule (OAR) 690-380-3000(12), each transfer application shall contain evidence that the water has been used over the past five years in accordance with the terms and conditions of the right or that the right is not subject to forfeiture under ORS 540.610. Since there is more than one right involved with T-13459, an affidavit and supporting documentation needs to be submitted for each right. Please complete and submit an Evidence of Use affidavit and supporting documentation for Certificates 9311, 9045, 9046, and 48403.

2. The application included only one map. Pursuant to OAR 690-380-3100(1)(i), if the proposed transfer involves changes in place of use or character of use for more than three water rights, a separate map shall be provided for each water right. The application map does not clearly identify the water rights associated with Certificates 9045 and 9046. Please provide a separate map for each right involved with Transfer Application T-13459.

3. The "FROM" lands in Table 2 under Certificate 48403, identifies T2S, R45E, WM as the location appurtenant to the water right, and includes a priority date of 1909. However, Certificate 48403 does not authorized the use of water in T2S, R45E, but rather in T2S, R44E. Also, Certificate 48403 has a priority date of 1901. Please verify if Certificate 48403 is the water right you are requesting to make changes to, and revise Table 2 to clearly indicate the authorized place of use and priority date, and resubmit.

4. The "FROM" lands in Table 2 under Certificate 9045 identifies 2.8 acres, however the "TO" lands identifies 4.3 acres. Also the "FROM" lands identifies 1.3 acres located in NENE of Section 4, and 1.5 acres in T2S, R45E. Certificate 9045 does not authorize the use of water in the NENE of Section 4, or T2S, R45E. Please verify the place of use you are requesting for change, and revise Table 2 and resubmit.

5. The "FROM" lands in Table 2 under Certificate 9046 identifies 2.8 acres, however the "TO" lands identifies 3.8 acres. Also the "FROM" lands identifies 1.3 acres located in NENE of Section 4, and 1.5 acres in T2S, R45E. Certificate 9046 does not authorize the use of water in the NENE of Section 4, or T2S, R45E. Please verify the place of use you are requesting for change, and revise Table 2 and resubmit.

If the Department does not receive the above requested materials by November 5, 2020, a Preliminary Determination may be issued denying the application as incomplete.

Please do not hesitate to contact me, at corey.a.courchane@oregon.gov or (503) 986-0825, if I may be of assistance.

Sincerely,



Corey Courchane
Transfer Specialist
Transfer and Conservation Section

cc: David Bates, Watermaster, District 7
Craig Willis, Alder Slope Ditch Company

Oregon Department of Fish and Wildlife
Water Right and Diversion Transfer Comment Form

(ODFW provides to WRD so that WRD can make findings according to statutory requirements.)

Reference Transfer #: T-13459, MCLAUGHLIN Date of review: 8/26/20

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

☐ The Oregon Department of Fish and Wildlife (ODFW) believes this proposed transfer may injure an instream water right(s) on _____*[stream]*, tributary to _____, because _____.

(Please attach any available supporting information.)

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

B. Please check one of the following five boxes related to fish screen requirements pursuant to ORS 540.525 or 540.532:

☒ **1. Screen Maintain**

[Select this option if the new Point of Diversion (POD) requires a fish screen and is currently equipped with an appropriate fish screen that will still be in compliance if the transferred water is diverted from this POD.]

Note: This option will yield the following:

Finding of Fact: The Oregon Department of Fish and Wildlife has determined that a fish screen is necessary at the new point of diversion to prevent fish from entering the diversion and that the diversion is currently equipped with an appropriate fish screen.

Condition: The water user shall operate and maintain an approved fish screen at the new point of diversion. If Oregon Department of Fish and Wildlife (ODFW) determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

☐ **2. Screen Now**

[*Option 2 should generally be selected if listed fish species are present at the point of diversion and/or the originating water right diversion is currently screened. If Option 2 is selected, provide contact information on the "Fish Screening and Passage Information" sheet. The new diversion may be eligible for cost-share.]*

Note: This option will yield the following:

Finding of Fact: The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screen is necessary at the new point of diversion to prevent fish from entering the diversion and that the diversion is not currently equipped with an appropriate fish screen. This diversion may be eligible for screening cost-share funds.

Condition: Prior to diverting water, the water user shall install an approved fish screen at the new point of diversion and shall provide to the OWRD a written statement from Oregon Department of Fish and Wildlife (ODFW) that the installed screen meets the state's criteria, or that ODFW has determined a screen is not necessary.

The water user shall operate and maintain the fish screen at the new point of diversion consistent with ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

Please return all 3 pages to: Transfers Section, Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1266

☐ **3. Screen 2 Year**

*[Option 3 may be checked if the change is from an unscreened diversion to a HISTORIC POD or an existing POD in use for another water right, and cost-share funds are not currently available. It should **NOT** be checked if listed fish species are present at the point of diversion, the originating water right diversion is screened, cost-share funds are currently available, or the diversion is not eligible for ODFW's cost-share program. Please provide contact information on the "Fish Screening and Passage Information" sheet.] If extraordinary circumstances are present, please explain: _____*

Note: This option will yield the following:

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

Condition: By October 1, 20__ [Within **two** years after the date of this order] the water user shall install an approved fish screen at the new point of diversion. The water user may withdraw water at the new point of diversion without a screen until October 1, 20__. The water user shall provide to OWRD a written statement from Oregon Department of Fish and Wildlife (ODFW) that the installed screen meets the state's criteria, or that ODFW has determined a screen is not necessary.

The water user shall maintain and operate the fish screen at the new point of diversion consistent with ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

☐ **4. Screen Future**

[Use this option if fish are not currently present, but might possibly be at some future time.]

Note: This option will yield the following:

Finding of Fact: The Oregon Department of Fish and Wildlife has determined that the diversion is not currently equipped with an appropriate fish screen, but a fish screen may be required in the future at the new point of diversion to prevent fish from entering the diversion.

Condition: The Oregon Department of Fish and Wildlife (ODFW) may require the water user to install an approved fish screen at the new point of diversion within one year after receiving written notification that a fish screen is required. Once installed the water user shall maintain and operate the fish screen at the new point of diversion according to ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

☐ **5. No Screen Needed**

[Check this box if fish are not currently present, and are not expected in the future.]

Danette Faucera

Signature

(503) 947-6092
Phone

Danette Faucera
Printed Name

Water Policy Coordinator
Title

Oregon Department of Fish and Wildlife
Additional Fish Screening and Passage Information for the Applicant

(To be completed by ODFW for WRD to provide to the applicant.)

Transfer #: T-13459, MCLAUGHLIN

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

☒ Fish screening is required as a condition of this transfer. The fish screen must meet ODFW's design, construction, operational and maintenance standards.

Pursuant to ORS 498.306, cost-share funds may be available to assist in the installation of fish screening.

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

ODFW staff name: Nathaniel Ashley

Address: 357 Patterson Bridge Rd

City/State/Zip: John Day, OR 97845

Phone: (541) 575-0561

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

ODFW staff name: Danette Faucera

Address: 4034 Fairview Industrial Dr. SE

City/State/Zip: Salem, OR 97302

Phone: (503) 947-6092

Watermaster Review Form: Water Right Transfer

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

Transfer Application: T-13459

Review Due Date: 07/16/2020

Applicant Name: Erl McLaughlin

Proposed Changes: ☑ POU ☑ POD ☐ POA ☐ USE ☐ OTHER

Reviewer(s): David Bates

Date of Review: 07/06/2020

1. Do you have evidence that the right has not been used in the last 5 years and that the presumption of forfeiture would not likely be rebuttable? ☐ Yes ☑ No If "Yes", attach evidence (e.g. dated aerial photo showing pavement or building on the land for >5 yrs.)

2. Is there a history of regulation on the source that serves this (or these) right(s) that has involved the transferred right(s) and downstream water rights? ☐ Yes ☑ No Generally characterize the frequency of any regulation or explain why regulation has not occurred:

3. Have headgate notices been issued for the source that serves the transferred right(s)?
☐ Yes ☑ No ☐ Records not available.

4. In your estimation, after the proposed change, would distribution of water for the right(s) result in regulation of other water rights that would not have occurred if use under the original right(s) was/were maximized? ☐ Yes ☑ No If "Yes", explain:

5. In your estimation, if the proposed change is approved, are there upstream water rights that would be affected? ☐ Yes ☑ No If "Yes", describe how the rights would be affected and list the rights most affected:

6. Check here ☐ if it appears that downstream water rights benefit from return flows resulting from the current use of the transferred right(s)? If you check the box, generally characterize the locations where the return flows likely occur and list the water rights that benefit most:

☑ N/A

7. For POD changes and instream transfers, check here if there are channel losses between the old and new PODs or within the proposed instream reach? If you check the box, describe and, if possible, estimate the losses:

☑ N/A

8. For instream transfers that propose protection of a reach beyond the mouth of the source stream:
☑ N/A Would the quantity be measureable into the receiving stream consistent with OAR 690-077-0015(8)? ☐ Yes ☐ No

9. For POU changes: ☐ N/A Is it likely the original place of use would continue to receive water from the same source? ☐ Yes ☑ No If "Yes", explain:

10. For POU or USE changes: ☐ N/A In your best judgment, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste?
☐ Yes ☑ No If "Yes", explain:

11. For POU changes that involve micro-irrigation: ☑ N/A
    a. Has the applicant made changes (absent a transfer) to convert to micro-irrigation within the current place of use boundary of the water right proposed for transfer, and previously demonstrated to the Department through monitoring and site inspections by the Watermaster that the proposed transfer will not result in injury or enlargement?
    ☐ Yes ☐ No If "Yes", explain:

b. Has a temporary transfer of this nature been previously filed and approved on the same lands (or portions thereof) as those lands involved in this transfer?

☐ Yes ☑ No If "Yes", answer the following:

i. Were there any problems with more acres being irrigated (or wetted) than were authorized under the temporary transfer? ☐ Yes ☐ No If "Yes", explain:

ii. Did the designated areas that were to remain dry (or not wetted) under the temporary transfer actually remain dry? ☐ Yes ☐ No If "No", explain:

iii. Did the applicant comply with and meet all of the conditions of the temporary transfer? ☐ Yes ☐ No If "No", explain:

iv. Do you have any other observations regarding the temporary transfer?

☐ Yes ☐ No If "Yes", describe:

v. Did the applicant demonstrate to the Department through monitoring and site inspections by the Watermaster that neither injury nor enlargement occurred as a result of the temporary transfer? ☐ Yes ☐ No If "No", explain:

c. To the best of your knowledge, if this transfer is approved, does it appear that:

i. "Injury" will occur to other water rights that share the same source?

☐ Yes ☑ No If "Yes", explain:

ii. "Enlargement" of the water right being transferred will occur?

☐ Yes ☑ No If "Yes", explain:

12. Are there other issues not identified through the above questions that should be considered in determining whether the change "can be effected without injury to other rights"?

☐ Yes ☑ No If "Yes", explain:

13. What alternatives may be available for addressing any issues identified above:

14. Do conditions need to be included in the transfer order to avoid enlargement of the right or injury to other rights? ☐ No ☑ Yes, as checked and provided below:

☐ For POU changes that involve micro-irrigation, provide the monitoring and reporting conditions necessary to prevent injury/enlargement:

☑ A Headgate should be required prior to diverting water.

☐ Measurement Devices for POD or POA: (if this condition is selected, also fill in the top sections of Page 4)

*a. **Before water use may begin** under this order, the water user shall install a **totalizing flow meter***, or, with prior approval of the Director, another suitable measuring device, ☐ at each point of diversion/appropriation (new and existing) **OR** at each new point of diversion/appropriation ☐ with the exception that water rights issued to the Bureau of Reclamation or an irrigation district (or similar entity) are not subject to this condition.*

b. The water user shall maintain the meters or measuring devices in good working order.

c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

☐ Reservoir water use measurement: (if this condition is selected, also fill in the top sections of Page 4)

*a. **Before water use may begin** under this order, the water user shall install **staff gages***, or, with prior approval of the Director, other suitable measuring devices, that measure the entire range and stage between empty and full in each reservoir. Staff gages shall be United States Geological Survey style.*

*b. **Before water use may begin** under this order, if the reservoir is located in channel, weirs or other suitable measuring devices must be installed upstream and downstream of the reservoir, and, an adjustable outlet valve must be installed. The water user shall maintain such devices in good working order. A written waiver may be obtained, if in the judgment of the Director, the installation of weirs or other suitable measuring devices, or the adjustable outlet valve, will provide no public benefit.*

*** The following alternative device(s) should be substituted for the bold, underlined device in the above selected condition:**

☐ Weir
☐ Parshall Flume
☐ Other: ___
☐ Submerged Orifice
☐ Flow Restrictor

Oregon Water Resources Department

Measurement Condition Information for the Applicant

(To be sent with the Draft Preliminary Determination or Final Order)

Transfer #: T-

☐ In order to avoid enlargement of the right or injury to other rights, a will be required to be installed **prior to diversion of water**, as a condition of this transfer:

- ☐ *at each point of diversion/appropriation (new and existing)* ***OR***
- ☐ *at each new point of diversion/appropriation.*

For additional information, or to obtain approval of a different type of measurement device, the applicant should contact the area Watermaster:

Watermaster name:

District:

Address:

City/State/Zip:

Phone:

Email:

Note*: If a device other than the one specified in the Preliminary Determination or Final Order is approved by the Watermaster, fill out and mail the form below to the Salem office.*

****

Approval of an Alternate Measurement Device T-

(to be filled out after consultation with the applicant, or after a site visit)

On behalf of the Director, I authorize use of the following suitable **alternate measurement device**:

_____

_____

_____ _____

Watermaster signature District Date

If this form is used for approval of an alternative measurement device, it must be mailed to:

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

Oregon
Kate Brown, Governor

Water Resources Department
North Mall Office Building
725 Summer St NE, Ste A
Salem, OR 97301
Phone: 503-986-0900
Fax: 503-986-0904
www.Oregon.gov/OWRD

June 16, 2020

ERL MCLAUGHLIN
65708 SUNRISE RD
ENTERPRISE, OR 97828

Reference: Application T-13459

On June 5, 2020, we received your water right Transfer application. The application was accompanied by $4170.00. Our receipt number 132696 is enclosed.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the requested change. A review form will also be sent to Oregon Department of Fish and Wildlife to determine if a fish screen is needed.

This application may require publication of a notice for two consecutive weeks in a newspaper with general circulation in the area where the water right is located. If it is determined that newspaper notice will be required, the Department will prepare the notice and notify you of the cost. You will be responsible for submitting payment to the Department prior to publication of the notice.

Except as provided under ORS 540.510(3) for municipalities, you may not use water in the new place of use or from the new point of diversion until a final order approving the transfer application has been issued by the Department. In order to avoid any possible forfeiture of the water right, you should continue to use the water as described by your existing water right.

If the land is sold before the application is approved, the buyer's consent to the application will be required unless a recorded deed or other legal document clearly established that the water right was not conveyed in the sale.

Refer to the following page for a chart showing the steps and expected timelines for the processing of your application.

If you have any questions, please contact the Transfer Section at (503) 986-0815.

Cc: Watermaster Dist. #7 *(via email)*
Wallowa Lake Irrigation District
Alder Slope Ditch Company
Wallowa County

Enclosure

STATE OF OREGON

WATER RESOURCES DEPARTMENT

RECEIPT # 132696

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

INVOICE # _____

RECEIVED FROM: McLaughlin Farms Inc.

BY: _____

APPLICATION	
PERMIT	
TRANSFER	T-13459

CASH: ☐ CHECK:# ☒ 3517 OTHER: (IDENTIFY) ☐ _____

TOTAL REC'D $ 4,170.00

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 4611D

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

WATER RIGHTS:

		EXAM FEE		RECORD FEE
0201	SURFACE WATER	$	0202	$
0203	GROUND WATER	$	0204	$
0205	TRANSFER	$ 4,170.00		

WELL CONSTRUCTION

		EXAM FEE		LICENSE FEE
0218	WELL DRILL CONSTRUCTOR	$	0219	$
	LANDOWNER'S PERMIT		0220	$

_____ OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

_____ OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

_____ TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ $ _____

RECEIPT: 132696 DATED: 6-5-2020 BY: _____

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

Application for Permanent Water Right Transfer

Part 1 of 5 – Minimum Requirements Checklist

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

This transfer application will be returned if Parts 1 through 5 and all required attachments are not completed and included.

RECEIVED
JUN 05 2020
OWRD

Check all items included with this application. (N/A = Not Applicable)

- [x] Part 1 – Completed Minimum Requirements Checklist.
- [x] Part 2 – Completed Transfer Application Map Checklist.
- [x] Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator. If you have questions, call Customer Service at (503) 986-0801.
- [x] Part 4 – Completed Applicant Information and Signature.
- [x] Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 5 List them here: C7716 & C9311, C9045, C9046, C48403**
  Please include a separate Part 5 for each water right. (See instructions on page 6)

Attachments:

- [x] Completed Transfer Application Map.
- [x] Completed Evidence of Use Affidavit and supporting documentation.
- [x] [ ] N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.)
- [x] [ ] N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district.
- [x] [ ] N/A Oregon Water Resources Department's Land Use Information Form with approval and signature (or signed land use form receipt stub) from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- [ ] [x] N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
- [ ] [x] N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500' from the surface water source and more than 1000' upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability.

(For Staff Use Only)

WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):

___ Application fee not enclosed/insufficient
___ Map not included or incomplete
___ Land Use Form not enclosed or incomplete
___ Evidence of Use Form not enclosed or incomplete
___ Additional signature(s) required
___ Part _____ is incomplete

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Part 2 of 5 – Transfer Application Map

Your transfer application will be returned if any of the map requirements listed

Please be sure that the transfer application map you submit includes all the required items and matches the existing water right map. Check all boxes that apply.

☒ ☐ N/A Certified Water Right Examiner (CWRE) Stamp and Original Signature. For a list of CWREs, see http://apps.wrd.state.or.us/apps/wr/cwre_license_view/. CWRE stamp and signature are not required for substitutions.

☐ ☒ N/A If **more than three** water rights are involved, separate maps are needed for each water right.

☒ Permanent quality printed with dark ink on good quality paper.

☒ The size of the map can be 8½ x 11 inches, 8½ x 14 inches, 11 x 17 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, one extra copy is required.

☒ A north arrow, a legend, and scale.

☒ The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet, the scale of the Final Proof/Claim of Beneficial Use Map (the map used when the permit was certificated), the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet, or a scale that has been pre-approved by the Department.

☒ Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.

☒ Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.

☒ Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.

☒ Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.

☒ Existing place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the water right is being changed, a separate hachuring is needed for lands left unchanged.

☒ ☐ N/A Proposed place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.

☒ Existing point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water right certificate or permit.

☒ ☐ N/A If you are proposing a change in point(s) of diversion or well(s), show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

Part 3 of 5 – Fee Worksheet

FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)			
1	Base Fee (includes one type of change to one water right for up to 1 cfs)	*1*	$1,160
2	Types of change proposed: ☒ Place of Use ☐ Character of Use ☒ Point of Diversion/Appropriation Number of above boxes checked = 2 (2a) Subtract 1 from the number in line 2a = 1 (2b) *If only one change, this will be 0* Multiply line 2b by $930 and enter » » » » » » » » » » » » » »	*2*	930
3	Number of water rights included in transfer 5 (3a) Subtract 1 from the number in 3a above: 4 (3b) *If only one water right this will be 0* Multiply line 3b by $520 and enter » » » » » » » » » » » » » »	*3*	2080
4	Do you propose to add or change a well, or change from a surface water POD to a well? ☒ No: enter 0 » ☐ Yes: enter $410 »	*4*	0
5	Do you propose to change the place of use or character of use? ☐ No: enter 0 on line 5 » » » » » » » » » » » » » » » » » » ☒ Yes: enter the cfs for the portions of the rights to be transferred (see example below*): .4 (5a) Subtract 1.0 from the number in 5a above: _____ (5b) If 5b is 0 or less, enter 0 on line 5 » » » » » » » » » » » » » » If 5b is greater than 0, round up to the nearest whole number: 0 (5c) and multiply 5c by $350, then enter on line 5 » » » » » » » »	*5*	0
6	Add entries on lines 1 through 5 above » » » » » » » » » Subtotal:	*6*	
7	Is this transfer: ☐ necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? ☐ endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 » If no box is applicable, enter 0 on line 7» » » » » » » » » » » » »	*7*	
8	Subtract line 7 from line 6 » » » » » » » » » » » **Transfer Fee:**	***8***	**4170**

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*Example for Line 5a calculation to transfer 45.0 acres of Primary Certificate 12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Certificate 87654 (1/80 cfs per acre) on the same land:

1. For irrigation calculate cfs for each water right involved as follows:
   a. Divide total authorized cfs by total acres in the water right *(for C12345, 1.25 cfs ÷100 ac)*; then multiply by the number of acres to be transferred to get the transfer cfs *(x 45 ac= 0.56 cfs)*.
   b. If the water right certificate does not list total cfs, but identifies the allowable use as 1/40 or 1/80 of a cfs per acre; multiply number of acres proposed for change by either 0.025 (1/40) or 0.0125 (1/80). *(For C87654, 45.0 ac x 0.0125 cfs/ac = 0.56 cfs)*
2. Add cfs for the portions of water rights on all the land included in the transfer; however **do not count cfs for supplemental rights on acreage for which you have already calculated the cfs fee for the primary right on the same land.** The fee should be assessed only once for each "on the ground" acre included in the transfer. *(In this example, blank 5a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 5b would be 0 and Line 5 would then also become 0).*

FEE WORKSHEET for SUBSTITUTION			
1	Base Fee (includes change to one well)	*1*	$840.00
2	Number of wells included in substitution _____ (2a) Subtract 1 from the number in 2a above: _____ (2b) *If only one well this will be 0* Multiply line 2b by $410 and enter » » » » » » » » » » » » »	*2*	
3	Add entries on lines 1 through 2 above » » » » » **Fee for Substitution:**	***3***	

Applicant Information

APPLICANT/BUSINESS NAME			PHONE NO.	ADDITIONAL CONTACT NO.
ERL MCLAUGHIN			541-263-0755	
ADDRESS				FAX NO.
65708 SUNRISE ROAD				
CITY	STATE	ZIP	E-MAIL	
ENTERPRISE	OR	97828	SUNRISEIRON@EONI.COM	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT/BUSINESS NAME			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS				FAX NO.
CITY	STATE	ZIP	E-MAIL	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

Explain in your own words what you propose to accomplish with this transfer application, and why:
POD and POU Transfer water from Big Bend ditch to my land that needs a water right. Also transfer POU only from some ground on my farm served by Lower Alder Slope Ditch.

If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

Check One Box

☑ By signing this application, I understand that, upon receipt of the draft preliminary determination and prior to Department approval of the transfer, I will be required to provide landownership information and evidence that I am authorized to pursue the transfer as identified in OAR 690-380-4010(5); **OR**

☐ I affirm 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; **OR**

☐ I affirm the applicant is an entity with the authority to condemn property and is acquiring by condemnation the property to which the water right proposed for transfer is appurtenant and have supporting documentation.

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By my signature below, I confirm that I understand:

- Prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: Wallowa County Cheiftain.
- Amendments to the application may only be made in response to the Department's Draft Preliminary Determination (DPD). The applicant will have a period of at least 30 days to amend the application to address any issues identified by the Department in the DPD, or to withdraw the application. Note that amendments may be subject to additional fees, pursuant to ORS 536.050.
- Failure to complete an approved change in place of use and/or change in character of use, will result in loss of the water right (OAR 690-380-6010).

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

Erl McLaughlin — Applicant signature
ERL McLaughlin — Print Name (and Title if applicable)
6/2/2020 — Date

_____ — Applicant signature
_____ — Print Name (and Title if applicable)
_____ — Date

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? ☑ Yes ☐ No *If NO, include signatures of all deeded landowners (and mailing and/or e-mail*

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Check the following boxes that apply:

☒ The applicant is responsible for completion of change(s). Notices and correspondence should continue to be sent to the applicant.

☐ The receiving landowner will be responsible for completing the proposed change(s) after the final order is issued. Copies of notices and correspondence should be sent to this landowner.

☐ Both the receiving landowner and applicant will be responsible for completion of change(s). Copies of notices and correspondence should be sent to this landowner and the applicant.

At this time, are the lands in this transfer application in the process of being sold? ☐ Yes ☒ No

If YES, and you know who the new landowner will be, please complete the receiving landowner information table below. If you do not know who the new landowner will be, then a request for assignment will have to be filed for at a later date.

If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. For more information see: https://www.oregon.gov/owrd/WRDFormsPDF/Transfer_Property_Transactions.pdf

RECEIVING LANDOWNER NAME			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS				FAX NO.
CITY	STATE	ZIP	E-MAIL	

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Describe any special ownership circumstances here: _____

☒ Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. **(Tip: Complete and attach Supplemental Form D.)**

IRRIGATION DISTRICT NAME	ADDRESS	
Wallowa Lake Irrigation District	**65196 DOBBIN RD**	
CITY	STATE	ZIP
JOSEPH	**OR**	**97846**

☐ Check here if 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.

ENTITY NAME	ADDRESS	
Alder Slope Ditch Company	**65179 Alder Slope Road**	
CITY	STATE	ZIP
Enterprise	**OR**	**97828**

To meet State Land Use Consistency Requirements, you must list all county, city, municipal corporation, or tribal governments within whose jurisdiction water will be diverted, conveyed or used.

ENTITY NAME	ADDRESS	
WALLOWA COUNTY PLANNING	**101 SOUTH RIVER STREET**	
CITY	STATE	ZIP
ENTERPRISE	**OR**	**97828**

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

Please use a separate Part 5 for each water right being changed. See instructions on page 6 to copy and paste additional Part 5s or to add

CERTIFICATE # 7716

Description of Water Delivery System

System capacity: **~60 CFS** cubic feet per second (cfs) **OR**

_____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. **BIG BEND DIVERTS ~60 CFS. THIS GROUND IS FLOOD FLOOD IRRIGATED BY DITCHES DITRECTLY FROM THE BIG BEND DITCH**

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)
(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼	¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Big Bend Ditch	☒ Authorized ☐ Proposed		2	S	45	E	31	NE	NE		550'SOUTH & 800'WEST FROM THE NE CORNER SECTION 31
Dam	☒ Authorized ☐ Proposed		3	S	45	E	5	NE	NW		940'S $ 1500' E FROM THE NW CORNER SECTION 5
LOWER ALDER SLOPE	☐ Authorized ☒ Proposed		2	S	44	E	24	SW	NE		390' WEST & 1090' NORTH FROM THE EAST 1/4 CORNER SECTION 24
	☐ Authorized ☐ Proposed										

Check all type(s) of change(s) proposed below (change "CODES" are provided in parentheses):

- ☒ Place of Use (POU)
- ☐ Character of Use (USE)
- ☒ Point of Diversion (POD)
- ☐ Additional Point of Diversion (APOD)
- ☐ Surface Water POD to Ground Water POA (SW/GW)
- ☐ Supplemental Use to Primary Use (S to P)
- ☐ Point of Appropriation/Well (POA)
- ☐ Additional Point of Appropriation (APOA)
- ☐ Substitution (SUB)
- ☐ Government Action POD (GOV)

Will all of the proposed changes affect the entire water right?

☐ Yes Complete only the Proposed ("to" or "on" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.

☒ No Complete all of Table 2 to describe the portion of the water right to be changed.

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Please use and attach additional pages of Table 2 as needed.
See page 6 for instructions.

Do you have questions about how to fill-out the tables?
Contact the Department at 503-986-0900 and ask for Transfer Staff.

Table 2. Description of Changes to Water Right Certificate # 7716

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES. List only that part or portion of the water right that will be changed.												Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.											
Twp	Rng	Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date	
EXAMPLE																								
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
														2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
2	S	45	E	29	NE	SW	102		10	IRR & DOMESTIC	POD 1 DAM	1884	POU & POD	1	S	44	E	33	SW	SW	5800		13.2	IRR	Lower POD2 AlderSlope	1884
2	S	45	E	29	NW	SW	102		5.8	IRR & DOMESTIC	POD1 DAM	1884	POU & POD	"	"	"	"	32	SE	SE	5800		2.6	IRR	Lower POD2 AlderSlope	1884
TOTAL ACRES:									15.8					TOTAL ACRES:								15.8				

Additional remarks: **C9311 IS LAYERED WITH THIS PRIMARY WATER RIGHT. SEE SEPARATE PART 5.**

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For Place of Use or Character of Use Changes

Are there other water right certificates, water use permits or ground water registrations associated with the "from" or the "to" lands? ☒ Yes ☐ No

If YES, list the certificate, water use permit, or ground water registration numbers: **C9311 (SUPP), S32669 (SUPP) C2950, .**

Pursuant to ORS 540.510, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

For Substitution (ground water supplemental irrigation will be substituted for surface water primary irrigation)

Ground water supplemental Permit or Certificate # _____;
Surface water primary Certificate # _____.

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # **C2950,**

For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:

☐ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.
Tip: You may search for well logs on the Department's web page at:
http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

☐ Describe the construction of the authorized and proposed well(s) in Table 3 for any wells that do not have a well log. For *proposed wells not yet constructed or built*, provide "a best estimate" for each requested information element in the table. The Department recommends you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

Table 3. Construction of Point(s) of Appropriation

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide the information will delay the processing of your transfer application until it is received. The information is necessary for the department to assess whether the proposed well(s) will access the same source aquifer as the authorized point(s) of appropriation (POA). The Department is prohibited by law from approving POA changes that do not access the same source aquifer.

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-___	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well-specific rate (cfs or gpm). If less than full rate of water right

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Please use a separate Part 5 for each water right being changed. See instructions on page 6 to copy and paste additional Part 5s or to add

CERTIFICATE # 9311

Description of Water Delivery System

System capacity: **118** cubic feet per second (cfs) **OR**

_____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. **C9311 IS DIVERTED BY MANY DITCHES WITHIN WLID. BIG BEND DITCH DIVERTS ~60 CFS. THIS GROUND IS FLOOD FLOOD IRRIGATED BY DITCHES DITRECTLY FROM THE BIG BEND DITCH. THE POINT OF DIVERSION FOR C9311 IS WALLOWA LAKE DAM, THEREFORE NO POD CHANGE IS NEEDED, JUST POU.**

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)
(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
1	☒ Authorized ☐ Proposed		3	S	45	E	5	NW	NW		940' S & 1500' E FROM THE NW CORNER SEC5
	☐ Authorized ☐ Proposed										
	☐ Authorized ☐ Proposed										
	☐ Authorized ☐ Proposed										

Check all type(s) of change(s) proposed below (change "CODES" are provided in parentheses):

- ☒ Place of Use (POU)
- ☐ Character of Use (USE)
- ☐ Point of Diversion (POD)
- ☐ Additional Point of Diversion (APOD)
- ☐ Surface Water POD to Ground Water POA (SW/GW)
- ☐ Supplemental Use to Primary Use (S to P)
- ☐ Point of Appropriation/Well (POA)
- ☐ Additional Point of Appropriation (APOA)
- ☐ Substitution (SUB)
- ☐ Government Action POD (GOV)

Will all of the proposed changes affect the entire water right?

☐ Yes Complete only the Proposed ("to" or "on" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.

☒ No Complete all of Table 2 to describe the portion of the water right to be changed.

Please use and attach additional pages of Table 2 as needed.
See page 6 for instructions.

Do you have questions about how to fill-out the tables?
Contact the Department at 503-986-0900 and ask for Transfer Staff.

Table 2. Description of Changes to Water Right Certificate # 9311

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES. List only that part or portion of the water right that will be changed.												Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.											
Twp	Rng	Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date	
EXAMPLE																								
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
														2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
2	S	45	E	29	NE	SW	102		10	IRR & DOMESTIC	BIG BEND	1884	POU & POD	1	S	44	E	33	SW	SW	5800		13.2	IRR	LOWER ALDER SLOPE	1884
2	S	45	E	29	NW	SW	102		5.8	IRR & DOMESTIC	BIG BEND	1884	POU & POD	"	"	"	"	32	SE	SE	5800		2.6	IRR	LOWER ALDER SLOPE	1884
TOTAL ACRES:							15.8							TOTAL ACRES:								15.8				

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Additional remarks:**C9311 IS SUPPLEMENTAL FROM STORED WATER. NO POD CHANGE IS NEEDED. POU ONLY.**

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Please use a separate Part 5 for each water right being changed. See instructions on page 6 to copy and paste additional Part 5s or to add

CERTIFICATE # 48403

Description of Water Delivery System

System capacity: **100** cubic feet per second (cfs) **OR**

_____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. **UPPER ALDER SLOPE DITCH TO DISTRICT DELIVERY, GRAVITY PIPES, SPRINKLERS AND WHEEL LINES ARE IN PLACE.**

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)
(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼	¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
1	☒ Authorized ☐ Proposed		3	S	45	E	3	NE	NE		SOUTH 76 DEGREES 02 MINUTES WEST 49 FEET FROM THE NE CORNER SECTION 3
	☐ Authorized ☐ Proposed										
	☐ Authorized ☐ Proposed										
	☐ Authorized ☐ Proposed										

Check all type(s) of change(s) proposed below (change "CODES" are provided in parentheses):

- ☒ Place of Use (POU)
- ☐ Character of Use (USE)
- ☐ Point of Diversion (POD)
- ☐ Additional Point of Diversion (APOD)
- ☐ Surface Water POD to Ground Water POA (SW/GW)
- ☐ Supplemental Use to Primary Use (S to P)
- ☐ Point of Appropriation/Well (POA)
- ☐ Additional Point of Appropriation (APOA)
- ☐ Substitution (SUB)
- ☐ Government Action POD (GOV)

Will all of the proposed changes affect the entire water right?

☐ Yes Complete only the Proposed ("to" or "on" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.

☒ No Complete all of Table 2 to describe the portion of the water right to be changed.

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Please use and attach additional pages of Table 2 as needed.
See page 6 for instructions.

Do you have questions about how to fill-out the tables?
Contact the Department at 503-986-0900 and ask for Transfer Staff.

Table 2. Description of Changes to Water Right Certificate # 48403

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES. List only that part or portion of the water right that will be changed.												Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.											
Twp	Rng	Sec	¼ ¼			Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
EXAMPLE																								
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
														2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
2	S	44	E	5	NE	NE	1300		1.3	IRR & DOMESTIC		1909	POU	1	S	44	E	33	SW	SW	5800		5	IRR		1909
2	S	45	E	5	SE	NE	1300		3.7	IRR & DOMESTIC		1909	POU													
TOTAL ACRES:								5					TOTAL ACRES:									5				

Additional remarks:_____.

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13459 -

Certificate # 48403

For Place of Use or Character of Use Changes

Are there other water right certificates, water use permits or ground water registrations associated with the "from" or the "to" lands? ☒ Yes ☐ No

If YES, list the certificate, water use permit, or ground water registration numbers: **9045, 9046 .**

Pursuant to ORS 540.510, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

For Substitution (ground water supplemental irrigation will be substituted for surface water primary irrigation)

Ground water supplemental Permit or Certificate # _____;
Surface water primary Certificate # _____.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:

☐ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.
Tip: You may search for well logs on the Department's web page at:
http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

☐ Describe the construction of the authorized and proposed well(s) in Table 3 for any wells that do not have a well log. For *proposed wells not yet constructed or built*, provide "a best estimate" for each requested information element in the table. The Department recommends you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

Table 3. Construction of Point(s) of Appropriation

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide the information will delay the processing of your transfer application until it is received. The information is necessary for the department to assess whether the proposed well(s) will access the same source aquifer as the authorized point(s) of appropriation (POA). The Department is prohibited by law from approving POA changes that do not access the same source aquifer.

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-___	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well-specific rate (cfs or gpm). If less than full rate of water right

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Please use a separate Part 5 for each water right being changed. See instructions on page 6 to copy and paste additional Part 5s or to add

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CERTIFICATE # 9045

Description of Water Delivery System

System capacity: ~20 cubic feet per second (cfs) **OR**

_____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. **LOWER ALDER SLOPE DITCH TO DISTRICT DELIVERY, GRAVITY PIPES, SPRINKLERS AND WHEEL LINES ARE IN PLACE.**

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)
(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
	☐ Authorized ☐ Proposed							
	☐ Authorized ☐ Proposed							
	☐ Authorized ☐ Proposed							
	☐ Authorized ☐ Proposed							

Check all type(s) of change(s) proposed below (change "CODES" are provided in parentheses):

- ☒ Place of Use (POU)
- ☐ Character of Use (USE)
- ☐ Point of Diversion (POD)
- ☐ Additional Point of Diversion (APOD)
- ☐ Surface Water POD to Ground Water POA (SW/GW)
- ☐ Supplemental Use to Primary Use (S to P)
- ☐ Point of Appropriation/Well (POA)
- ☐ Additional Point of Appropriation (APOA)
- ☐ Substitution (SUB)
- ☐ Government Action POD (GOV)

Will all of the proposed changes affect the entire water right?

☐ Yes Complete only the Proposed ("to" or "on" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.

☒ No Complete all of Table 2 to describe the portion of the water right to be changed.

Please use and attach additional pages of Table 2 as needed.
See page 6 for instructions.

Do you have questions about how to fill-out the tables?
Contact the Department at 503-986-0900 and ask for Transfer Staff.

Table 2. Description of Changes to Water Right Certificate # 9045

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES. List only that part or portion of the water right that will be changed.												Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.											
Twp	Rng	Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date	
EXAMPLE																								
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
														2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
2	S	44	E	4	NE	NE	1300		1.3	Supp Irr		1924	POU	1	S	44	E	33	SW	SW	5800		4.3	Supp Irr		1924
2	S	45	E	4	NW	SW	102		1.5	Supp Irr		1924	POU													
							TOTAL ACRES:		2.8												TOTAL ACRES:		2.8			

Additional remarks:_____.

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For Place of Use or Character of Use Changes

Are there other water right certificates, water use permits or ground water registrations associated with the "from" or the "to" lands? ☒ Yes ☐ No

If YES, list the certificate, water use permit, or ground water registration numbers: **C9046, 48403 .**

Pursuant to ORS 540.510, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

For Substitution (ground water supplemental irrigation will be substituted for surface water primary irrigation)

Ground water supplemental Permit or Certificate # _____;
Surface water primary Certificate # _____.

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:

☐ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.
Tip: You may search for well logs on the Department's web page at:
http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

☐ Describe the construction of the authorized and proposed well(s) in Table 3 for any wells that do not have a well log. For *proposed wells not yet constructed or built*, provide "a best estimate" for each requested information element in the table. The Department recommends you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

Table 3. Construction of Point(s) of Appropriation

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide the information will delay the processing of your transfer application until it is received. The information is necessary for the department to assess whether the proposed well(s) will access the same source aquifer as the authorized point(s) of appropriation (POA). The Department is prohibited by law from approving POA changes that do not access the same source aquifer.

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-___	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well-specific rate (cfs or gpm). If less than full rate of water right

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Please use a separate Part 5 for each water right being changed. See instructions on page 6 to copy and paste additional Part 5s or to add

CERTIFICATE # 9046

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Description of Water Delivery System

System capacity: **~20** cubic feet per second (cfs) **OR**

_____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. **LOWER ALDER SLOPE DITCH TO DISTRICT DELIVERY, GRAVITY PIPES, SPRINKLERS AND WHEEL LINES ARE IN PLACE.**

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)
(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼	¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
1	☒ Authorized ☐ Proposed		2	S	44	E	24	SW	NE		390' WEST & 1090'N FROM THE EAST 1/4 CORNER SECTION 24
	☐ Authorized ☐ Proposed										
	☐ Authorized ☐ Proposed										
	☐ Authorized ☐ Proposed										

Check all type(s) of change(s) proposed below (change "CODES" are provided in parentheses):

- ☒ Place of Use (POU)
- ☐ Character of Use (USE)
- ☐ Point of Diversion (POD)
- ☐ Additional Point of Diversion (APOD)
- ☐ Surface Water POD to Ground Water POA (SW/GW)
- ☐ Supplemental Use to Primary Use (S to P)
- ☐ Point of Appropriation/Well (POA)
- ☐ Additional Point of Appropriation (APOA)
- ☐ Substitution (SUB)
- ☐ Government Action POD (GOV)

Will all of the proposed changes affect the entire water right?

☐ Yes Complete only the Proposed ("to" or "on" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.

☒ No Complete all of Table 2 to describe the portion of the water right to be changed.

Please use and attach additional pages of Table 2 as needed.
See page 6 for instructions.

Do you have questions about how to fill-out the tables?
Contact the Department at 503-986-0900 and ask for Transfer Staff.

Table 2. Description of Changes to Water Right Certificate # 9046

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES. List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp	Rng	Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date				Twp	Rng	Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date	
EXAMPLE																									
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
														2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
2	S	44	E	4	NE	NE	1300		1.3	Supp Irr		1925	POU	1	S	44	E	33	SW	SW	5800		3.8	Supp Irr		1925
2	S	45	E	4	NW	SW	102		1.5	Supp Irr		1925	POU													
TOTAL ACRES:							2.8							TOTAL ACRES:							2.8				

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Additional remarks:_____.

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For Place of Use or Character of Use Changes

Are there other water right certificates, water use permits or ground water registrations associated with the "from" or the "to" lands? ☒ Yes ☐ No

If YES, list the certificate, water use permit, or ground water registration numbers: **C9045, 48403 .**

Pursuant to ORS 540.510, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

For Substitution (ground water supplemental irrigation will be substituted for surface water primary irrigation)

Ground water supplemental Permit or Certificate # _____;
Surface water primary Certificate # _____.

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:

☐ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.
Tip: You may search for well logs on the Department's web page at:
http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

☐ Describe the construction of the authorized and proposed well(s) in Table 3 for any wells that do not have a well log. For *proposed wells not yet constructed or built*, provide "a best estimate" for each requested information element in the table. The Department recommends you consult a licensed well driller, geologist, or certified water right examiner to assist with assembling the information necessary to complete Table 3.

Table 3. Construction of Point(s) of Appropriation

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide the information will delay the processing of your transfer application until it is received. The information is necessary for the department to assess whether the proposed well(s) will access the same source aquifer as the authorized point(s) of appropriation (POA). The Department is prohibited by law from approving POA changes that do not access the same source aquifer.

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-___	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well-specific rate (cfs or gpm). If less than full rate of water right

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Application for Water Right
Transfer
Consent by Deeded Landowner

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

State of Oregon)
)ss
County of Wallowa)

I, Jean Story, in my capacity as Manager of Wilfred-Sandra Daggett Properties, LLC ,

mailing address PO Box D Enterprise, OR ,

telephone number 541-432-9580, duly sworn depose and say that

consent to the proposed change(s) to Water Right Certificate Number 7716

described in a Transfer Application (T-) submitted by Erl McLaughin,
(transfer number, if known)

on the property in tax lot number(s) 102, Section 29, Township 2S, Range 45E, W.M., located at East Street and Daggett Lane.
(site address)

Jean Story
Signature of Affiant Date 5/20/2020

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Signature of Affiant Date

Subscribed and Sworn to before me this 20th day of May, 2020.

OFFICIAL STAMP
Mari Katharine Miller
NOTARY PUBLIC - OREGON
COMMISSION NO. 998357
MY COMMISSION EXPIRES MARCH 30, 2024

Mari Katharine Miller
Notary Public for Oregon

My commission expires March 30, 2024

Revised 9/2/10

13459 -

Application for Water Right
Transfer
Evidence of Use Affidavit

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

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

State of Oregon)
) ss
County of WALLOWA)

I, JEAN STORY, in my capacity as MANGAGER OF WILFRED-SANDRA DAGGETT PROPERTIES LLC,

mailing address PO BOX D, ENTERPRISE, OR 97828

telephone number (541)432-9580, being first duly sworn depose and say:

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

☒ Personal observation ☐ Professional expertise

2. I attest that:

☐ Water was used during the previous five years on the **entire** place of use for Certificate # ____; **OR**

☒ My knowledge is specific to the use of water at the following locations within the last five years:

Certificate #	Township		Range		Mer	Sec	¼ ¼	Gov't Lot or DLC	Acres (if applicable)
7716	2	S	45	E	wm	29	NW SW		5.8
7716	"	"	"	"	"	"	NE SW		10.0

OR

☐ Confirming Certificate # ____ has been issued within the past five years; **OR**

☐ Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: ____ (Note: If the entire right proposed for transfer was not leased, additional evidence of use is needed for the portion not leased instream.); **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.

☐ Water has been used at the actual current point of diversion or appropriation for more than 10 years for Certificate # ____(For Historic POD/POA Transfers)

(continues on reverse side)

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3. The water right was used for: (e.g., crops, pasture, etc.): PASTURE

4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

Jan Story
Signature of Affiant

5/20/2020
Date

Signed and sworn to (or affirmed) before me this 20th day of May, 2020.

OFFICIAL STAMP
Mari Katharine Miller
NOTARY PUBLIC - OREGON
COMMISSION NO. 998357
MY COMMISSION EXPIRES MARCH 30, 2024

Mari Katharine Miller
Notary Public for Oregon

My Commission Expires: March 30, 2024

Supporting Documents	Examples
☐ Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of **confirming** water right certificate that shows issue date
☐ Copies of receipts from sales of irrigated crops or for expenditures related to use of water	• Power usage records for pumps associated with irrigation use • Fertilizer or seed bills related to irrigated crops • Farmers Co-op sales receipt
☐ Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	• District assessment records for water delivered • Crop reports submitted under a federal loan agreement • Beneficial use reports from district • IRS Farm Usage Deduction Report • Agricultural Stabilization Plan • CREP Report
☒ Aerial photos containing sufficient detail to establish location and date of photograph	Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added. Sources for aerial photos: OSU –www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terraserver.com
☐ Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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AGREEMENT TO FURNISH WATER
(McLaughlin)

This Agreement (this "Agreement") to furnish water, effective the 26 day of May, 2020, (the "Effective Date"), is entered into between WALLOWA LAKE IRRIGATION DISTRICT, an Oregon irrigation district formed under the provisions under ORS Chapter 545 ("WLID") and ERL McLAUGHLIN ("McLaughlin").

RECITALS

A. WHEREAS, WLID owns the Wallowa Lake Dam (the "Dam"), which is located at the North end of Wallowa Lake/Eagle Cap Reservoir ("Wallowa Lake") in Wallowa County, Oregon, and which allows for the storage of water in Wallowa Lake.

B. WHEREAS, WLID has a right to use the waters of Wallowa Lake under water rights Certificate Number 9311 issued by the Oregon Water Resources Department (the "Department") for the purposes of irrigation, domestic and supplemental irrigation, with a priority date of July 20, 1915, in an amount not to exceed 118.0 cubic feet per second ("Certificate 9311").

C. WHEREAS, the lands that may be irrigated under Certificate 9311 for purposes of supplemental irrigation (among other lands), include lands located in Township 2 South, Range 45 East, Section 29, NE¼SW¼ and NW¼SW¼, Tax Lot 102 ("Tax Lot 102").

D. WHEREAS, Tax Lot 102 has an appurtenant primary water for irrigation purposes under Certificate Number 7716 issued by the Department.

E. WHEREAS, Tax Lot 102 is located outside the boundaries of WLID, but is irrigable from WLID's system of works.

F. WHEREAS, McLaughlin owns lands outside the boundaries of WLID, but which are irrigated from WLID's system of works and which are described as Township 1 South, Range 44 East, Section 32 and 33, Tax Lot 5800 ("McLaughlin Property").

G. WHEREAS, McLaughlin desires to submit an application to the Department for a permanent transfer of the primary and supplemental water rights described in the foregoing recitals on 15.8 acres from Tax Lot 102 to the McLaughlin Property as represented in Exhibit A attached hereto and incorporated herein by reference.

H. WHEREAS, WLID is authorized under ORS 545.271 to furnish water for lands not included within the district boundaries upon receiving proper compensation and WLID is willing to furnish water so that McLaughlin may irrigate 15.8 acres of the McLaughlin property upon final approval by the Department of the permanent water rights transfer application.

I. WHEREAS, subject to the terms and conditions of this Agreement, WLID consents to transfer of the above-described water rights from Tax Lot 102 to the McLaughlin Property.

Now, therefore, for good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, the parties agree as follows:

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AGREEMENT

1. Incorporation of Recitals. The Recitals above are true and are incorporated into this Agreement as if fully set forth herein.

2. Delivery and Furnishing of Water.

2.1 Water Delivery. Pursuant to the terms of Certificate 9311, WLID will furnish water from Wallowa Lake for the primary and supplemental irrigation of 15.8 acres of the McLaughlin Property in the location depicted generally in Exhibit A attached hereto, which shall be subject to reduction, rationing, and suspension pursuant to Section 2.5.1 ("McLaughlin Water").

2.2 Furnishing of McLaughlin Water; Point of Diversion. So long as McLaughlin has acquired and thereafter maintains a valid and effective water right to use the McLaughlin Water, WLID agrees to furnish the McLaughlin Water each year from Wallowa Lake by delivering the same into the Wallowa River. McLaughlin is solely responsible for the transmission (including, but not limited to, the acquisition of any necessary easements) of the McLaughlin Water from the Wallowa River to the place of use and will bear all related costs liabilities and obligations. McLaughlin will ensure that its water intake and delivery system comply with all applicable laws and regulations. Should McLaughlin wish to change the point of diversion or the place of use of the McLaughlin Water, McLaughlin shall be solely responsible for all costs associated with such changes, including but not limited to securing Department approvals, which changes must not adversely affect WLID members or the obligations of WLID under this Agreement.

2.3 Disclaimer of Warranty; Indemnification. WLID DOES NOT GUARANTEE THE QUALITY OF THE MCLAUGHLIN WATER, AND WLID IS NOT RESPONSIBLE FOR ANY WATER QUALITY TESTING ANALYSIS OR IMPROVEMENT. WLID HEREBY DISCLAIMS ANY WARRANTY, EXPRESS OR IMPLIED, INCLUDING WITHOUT LIMITATION ANY WARRANTY OF FITNESS FOR A PARTICULAR PURPOSE RELATING TO THE QUALITY OF THE WATER STORED AND RELEASED HEREUNDER. ALL WATER IS STORED AND RELEASED HEREUNDER 'AS IS' AND WITH ALL FAULTS.

2.4 Indemnification. McLaughlin, his employees, successors, and assigns hereby release and agree to indemnify, defend and hold harmless WLID, its officers, directors and District members from and against any claims, losses, liabilities and damages (including without limitation reasonable attorney fees) arising out of or in any way relating to: (a) any breach of McLaughlin's obligations pursuant to this Agreement, and (b) McLaughlin's actions related to its diversion and use of the McLaughlin Water or any other water used by McLaughlin from the Wallowa River. McLaughlin's duty to indemnify WLID applies only to claims arising from or related to the period of time that McLaughlin owns the McLaughlin Property. Subsequent owners/assigns of the McLaughlin Property that receive or wish to receive McLaughlin Water shall be subject to the terms of this Agreement and agree, as a condition of receiving the McLaughlin Water, to the same indemnification provided by McLaughlin.

Except as set forth herein, WLID shall indemnify, defend and hold harmless McLaughlin and his employees, successors and assigns from and against any claims, losses, liabilities and damages (including without limitation reasonable attorney fees) arising out of or in any way relating to: (a) the maintenance, use and operation of its system of works; and (b) WLID's release of water to the point of entry into the Wallowa River.

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2.5 Rationing and Suspension of McLaughlin Water

2.5.1 Rationing in the Event of Shortfall, Drought, or Emergency. In the event of a water shortfall, drought or other emergency, or any other unforeseen event beyond the reasonable control of WLID or in the event of a reduction by the Department in the amount of water which may be used pursuant to Certificate 9311, the McLaughlin Water will be rationed according to his existing water rights of record with the Department and McLaughlin will not demand release of the full amount that WLID will furnish pursuant to this Agreement, whether by seeking damages or injunction or by pursuing any administrative process unless otherwise mutually agreed to in writing by all affected parties including without limitation any affected District member.

2.5.2 Suspension of Storage and Delivery During Dam Maintenance, Repair and Restoration. By his signature below, McLaughlin expressly acknowledges and agrees that he fully understands that WLID intends to maintain, repair and replace sections of the Dam that might affect its ability to store water in Wallowa Lake and which, in turn, could affect its ability to release water for an unknown period of time under this Agreement. WLID will use commercially reasonable efforts to perform such maintenance, repair and replacement in such a manner that will minimize any disruption in the storage and release of the McLaughlin Water. McLaughlin expressly acknowledges and agrees that WLID's obligations hereunder shall be suspended for the time and to extent required as necessary for WLID to maintain, repair, replace, and/or rehabilitate all or any portion of the Dam and that the failure of WLID to release the McLaughlin Water during such time period(s) will not constitute or result in a breach of this Agreement.

2.6 Restriction on Transfer of Water Right. McLaughlin and/or any successor shall be prohibited from transferring the McLaughlin Water to any property other than the McLaughlin Property without the express written consent of WLID, which may be granted or denied in WLID's sole discretion.

3. Term. The term of this Agreement shall be perpetual, unless sooner terminated as hereinafter provided or unless Certificate 9311 or McLaughlin's water right is cancelled or modified by the Department in a manner that makes WLID's performance hereunder impracticable, impossible, commercially unreasonable, or unlawful.

4. Annual Assessment.

4.1 Annual Assessment. McLaughlin shall pay an annual assessment, together with any applicable service charge, for the McLaughlin Water, which assessment shall be determined each year by a majority vote of WLID's Board of Directors in accordance with ORS 545.484 and such other applicable provisions of ORS Chapter 545 (the "Annual Assessment").

4.2 Payment of Annual Assessment. Payment of the Annual Assessment and service charge shall be due each year on or before May 1 or such other date established by WLID's Board of Directors. Water will be furnished in accordance with this Agreement so long as the applicable Annual Assessment payment has been made. The Annual Assessment shall be payable at the address of the WLID Secretary/Treasurer, which information shall be provided in the notice of Annual Assessment provided to McLaughlin.

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5. Termination; Other Remedies.

5.1 Termination by WLID. This Agreement may be terminated by WLID upon 30 days' written notice, with a 30-day opportunity to cure, for one or more of the following reasons:

5.1.1 the termination or cancellation, in whole or in part, by the Department of Certificate 9311 or the termination or cancellation by the Department of McLaughlin's water right;

5.1.2 the failure by McLaughlin to timely pay the Annual Assessment as set forth in Section 4; or

5.1.3 the failure by McLaughlin to comply with any other provision of this Agreement.

5.2 Partial Cancellation of McLaughlin's Water Right. Where McLaughlin's water right is limited, reduced, partially cancelled or terminated by the Department, WLID's obligation to furnish McLaughlin with the McLaughlin Water shall be reduced in proportion to the Department's reduction in McLaughlin's Water right.

5.3 Other Remedies. In the event that WLID fails to perform any material obligation hereunder within thirty (30) days following notice from McLaughlin, McLaughlin shall have as his sole and exclusive remedies the following options: (i) specific performance of the terms of this Agreement, or (ii) termination of this Agreement, with a pro rata refund of any payment of his latest Annual Assessment. McLaughlin expressly agrees that such remedies are suitable and adequate and that he is waiving all other remedies at law or in equity including, without limitation, the right to sue for damages or a preliminary or permanent injunction.

5.4 Effect of Termination. If this Agreement is terminated as set forth above, this Agreement shall be of no further effect.

5.5 No Consequential or Other Special Damages. In no event shall any party hereto be liable for any consequential or other special damages in connection with this Agreement.

6. Binding Agreement. Subject to the limitation on assignment in Section 8 below, this Agreement shall be binding upon the parties their heirs, successors and assigns. It shall be the sole responsibility of McLaughlin to inform any purchaser or subsequent owner of his property as to the contents of this Agreement.

7. Force majeure. No party shall be liable for any failure to perform its obligations under this Agreement where such failure is caused by conditions beyond its control including, but not limited to, Acts of Nature (including but not limited to fire, flood, storm, hurricane, drought, or other natural disaster), government restriction (whether federal, state or local), war, invasion, act of foreign enemies, hostilities, vandalism, pandemic or labor dispute.

8. Assignment. McLaughlin may not assign his obligations and/or benefits under this Agreement without the express written consent of WLID, which consent shall not be unreasonably withheld. Specifically, the parties agree that WLID shall consent to an assignment to a buyer or tenant of the McLaughlin Property so long as the buyer or tenant provides WLID with written acknowledgement and acceptance of this Agreement. Upon assignment, any subsequent owner(s) or tenants of the

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McLaughlin Property will be entitled to and obligated by the rights, privileges and obligations of McLaughlin set forth in this Agreement.

9. No Agency Relationship. This Agreement does not create an agency relationship between the parties hereto and does not establish a joint venture or partnership between the parties. Neither party is authorized to bind the other party or represent to any person that the party is an agent of the other.

10. Counterparts. This Agreement may be signed in counterparts.

11. Waivers and Modifications. No waiver or modification of this Agreement shall be binding unless made explicitly in writing and signed by a duly authorized representative of each party. Failure or delay of a party to require performance of any provision of this Agreement shall in no way affect a party's rights to enforce strict compliance with every term or condition of this Agreement, nor shall any waiver by a party of any breach of any provision of this Agreement be held to be a waiver of any succeeding breach of any provision, or as a waiver of the provision itself.

12. Disputes. The rights and obligations of each Party pursuant to this Agreement shall be governed by the laws of the State of Oregon; and venue for the resolution of disputes shall be Wallowa County, Oregon.

13. Attorney fees If suit or action arises out of this Agreement, the prevailing party shall be entitled to recover in addition to costs such sum as the court may adjudge reasonable as attorney fees in arbitration, at trial, on petition for review, and on appeal.

14. Severability. If any court, arbitrator, or arbitration panel finds any provision of this Agreement to be invalid or otherwise unenforceable, that provision will be void to the extent it is contrary to applicable law. However, that finding will not affect the validity of any other provision of this Agreement, and the rest of this Agreement will remain in full force and effect.

15. Entire Agreement and Interpretation.

15.1 Each person signing on behalf of a party represents and warrants that he/she has full authority to do so on behalf of such party and that this Agreement is binding upon said party.

15.2 This is the entire Agreement between the parties regarding the subject matter hereof and supersedes any other prior or contemporaneous agreements or understandings on this subject between the Parties with respect to the subject matter hereof.

15.3 All headings in this Agreement are inserted for convenience or reference only and shall not affect its meaning or interpretation. To the extent captions or paragraph headings are in conflict with the terms herein, the terms shall control.

15.4 The parties hereby agree that the terms of this Agreement are the product of their mutual negotiations, and any ambiguity in such terms is not to be construed against the Party deemed to be the drafter of the Agreement.

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16. Notices. Unless specified otherwise herein, any notice required or permitted under this Agreement shall be given when actually delivered or 48 hours after deposited in United States mail as

certified mail, postage paid, with a return receipt requested, or one (1) business day after delivery by overnight delivery by a generally accepted delivery service such as Federal Express, addressed to the address below or to such other address as may be specified from time to time by either of the parties in writing.

All notices to WLID shall be sent to:

Wallowa Lake Irrigation District
65196 Dobbin Rd.
Joseph, OR 97846
Attn: Joe Dawson

with a copy to:

Knapp Law Office, P.C.
PO Box 236
Enterprise, OR 97828
Attn: Rebecca J. Knapp

All notices to McLaughlin shall be sent to:

Erl McLaughlin
65708 Sunrise Road
Enterprise, OR 97828

WHEREAS, the parties have entered into this Agreement effective as of the Effective Date first stated above.

WALLOWA LAKE IRRIGATION DISTRICT,
an Oregon Irrigation District formed
under the provisions of ORS Chapter 545

By: Dan Butterfield
Dan Butterfield, President

By: Joe Dawson, Secretary
Joe Dawson, Secretary

Erl McLaughlin
ERL MCLAUGHLIN

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Supplemental Form D

Water Right Transfers Within the Boundaries of or Served by an Irrigation District or other Water Supplier (Association, Ditch Co., etc.)

[For transfers submitted under OAR Chapter 690 Division 380]

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

The Department requires non-district applicants to communicate with districts/water suppliers during the planning and preparation of transfer applications involving water rights having a point of diversion or appropriation (POD/POA) or place of use (POU) served by or located within the boundaries of an irrigation district, or other type of water supplier to which assessments are paid. In some cases consent will be required from the district or water supplier.

This form must be included with any transfer application that involves rights served by or located within the boundaries of a district or other type of water supplier.

1. APPLICANT INFORMATION

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NAME			PHONE (HM)
ERL MCCLAUGHLIN			541-263-0755
PHONE (WK)	CELL		FAX
ADDRESS			
65708 SUNRISE RD			
CITY	STATE	ZIP	E-MAIL**
ENTERPRISE	OR	97828	SUNRISEIRON@EONI.COM

2. DISTRICT or WATER SUPPLIER INFORMATION

DISTRICT/WATER SUPPLIER NAME			PHONE (HM)
ALDER SLOPE DITCH COMAPANY Craig Willis/President			541-263-0721
PHONE (WK)	CELL		FAX
			541-426-5915
ADDRESS			
65179 Alder Slope Road			
CITY	STATE	ZIP	E-MAIL**
Enterprise OR.	OR	97828	CWillis@EONI.com

** **By providing an e-mail address, the applicant and/or the district/water supplier consents to receive all correspondence from the Department electronically. Copies of final order documents will also be mailed.**

3. WATER RIGHTS ISSUED IN THE NAME OF, or LOCATED WITHIN, or SERVED BY AN IRRIGATION DISTRICT, OTHER DISTRICT, OR WATER SUPPLIER

a. List the water right(s) involved in this transfer:

	Application / Decree	Permit / Previous Transfer	Certificate	Is the water right in the name of a district, water supplier, or BOR*?
1.		-	7716	YES ☒
2.		-	9311	YES ☒
3.		-	9045 & 9046	YES ☒

Attach additional pages for additional water rights if necessary. **Bureau of Reclamation*

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b. Determine a district's/water supplier's connection to your points of diversion (POD) or appropriation (POA) and places of use (POU). [*You may need to consult with your district/water supplier.*]

CURRENT ASSOCIATIONS *Please answer the following "yes" or "no" questions:*

YES ☒ NO ☐ One or more of the current POD(s) / POA(s) involved in the transfer are served by a district/water supplier or rely on BOR water.

YES ☒ NO ☐ All or a portion of the current POU involved in this proposed transfer receives water for either primary or supplemental irrigation from the district/water supplier; *i.e., the POU is currently layered with a district or BOR water supplied water right(s).*

PROPOSED ASSOCIATIONS *Please answer the following "yes" or "no" questions:*

YES ☒ NO ☐ One or more of the proposed POD(s) / POA(s) involved in the transfer are currently served or will be served by a district/water supplier if the transfer is approved, or rely on BOR water.

YES ☒ NO ☐ All or a portion of the proposed POU involved in this proposed transfer currently receives or will receive either primary or supplemental irrigation from the district/water supplier; *i.e., the POU will be layered with a district/water supplier or BOR water supplied water right(s).*

COMMENTS OR ADDITIONAL INFORMATION TRANSFER FROM LANDS THAT RECEIVE WATER VIA WLID, BUT NOT WITHIN THE WLID BOUNDARY, TO LANDS THAT ARE WITHIN THE SEVICE AREA OF ALDER SLOPE DITCH COMPANY

4. APPLICANT'S SIGNATURE

(1) I certify that I have notified the district/water supplier about the proposed water right transfer application by [check one]:
☒ email, ☐ phone, ☐ postal mail, ☒ in person, or ☐ other (please specify) _____

(2) I certify that to the best of my knowledge the information contained in this Supplemental Form D is true and accurate.

Applicant Signature	Name (print)	Date
Eq McLaughlin	Eri McLaughlin	May 6/2020

5. *(WHEN REQUIRED)* DISTRICT or WATER SUPPLIER CONSENT TO THE PROPOSED WATER RIGHT TRANSFER

District Manager or Water Supplier consent **is required** if any box on this form is marked "YES."

The district/water supplier certifies the following:

(1) The district/water supplier has reviewed the applicant's proposed water right transfer application and maps; and

(2) The district/water supplier consents to the proposed water right transfer application.

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YES ☐ NO ☐ After proof of completion, the confirming water right certificate is to remain in the name of the U.S. Bureau of Reclamation or the district/water supplier.

YES ☐ NO ☐ The district/water supplier will be responsible for submitting the claim of beneficial use prepared by a Certified Water Rights Examiner (CWRE).

Craig Willis - Alder Slope Ditch | Craig Willis President | 5/6/20

Signature of District Manager /Water Supplier | Name (print), Title | Date

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Supplemental Form D

Water Right Transfers Within the Boundaries of or Served by an Irrigation District or other Water Supplier (Association, Ditch Co., etc.)

[For transfers submitted under OAR Chapter 690 Division 380]

OREGON WATER RESOURCES DEPARTMENT

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

The Department requires non-district applicants to communicate with districts/water suppliers during the planning and preparation of transfer applications involving water rights having a point of diversion or appropriation (POD/POA) or place of use (POU) served by or located within the boundaries of an irrigation district, or other type of water supplier to which assessments are paid. In some cases consent will be required from the district or water supplier.

This form must be included with any transfer application that involves rights served by or located within the boundaries of a district or other type of water supplier.

1. APPLICANT INFORMATION

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NAME			PHONE (HM)
ERL MCCLAUGHLIN			541-263-0755
PHONE (WK)	CELL		FAX
ADDRESS			
65708 SUNRISE RD			
CITY	STATE	ZIP	E-MAIL**
ENTERPRISE	OR	97828	SUNRISEIRON@EONI.COM

2. DISTRICT or WATER SUPPLIER INFORMATION

DISTRICT/WATER SUPPLIER NAME			PHONE (HM)
WALLOWA LAKE IRRIGATION DISTRICT			
PHONE (WK)	CELL		FAX
ADDRESS			
65196 DOBBIN RD			
CITY	STATE	ZIP	E-MAIL**
JOSEPH	OR	97846	WALLOWA.LAKE.IRRIGATION@GMAIL.COM

** **By providing an e-mail address, the applicant and/or the district/water supplier consents to receive all correspondence from the Department electronically. Copies of final order documents will also be mailed.**

3. WATER RIGHTS ISSUED IN THE NAME OF, or LOCATED WITHIN, or SERVED BY AN IRRIGATION DISTRICT, OTHER DISTRICT, OR WATER SUPPLIER

a. List the water right(s) involved in this transfer:

	Application / Decree	Permit / Previous Transfer	Certificate	Is the water right in the name of a district, water supplier, or BOR*?
1.		-	7716	YES ☒
2.		-	9311	YES ☒
3.		-		YES ☐

Attach additional pages for additional water rights if necessary. **Bureau of Reclamation*

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b. Determine a district's/water supplier's connection to your points of diversion (POD) or appropriation (POA) and places of use (POU). [*You may need to consult with your district/water supplier.*]

CURRENT ASSOCIATIONS *Please answer the following "yes" or "no" questions:*

YES ☒ NO ☐ One or more of the current POD(s) / POA(s) involved in the transfer are served by a district/water supplier or rely on BOR water.

YES ☒ NO ☐ All or a portion of the current POU involved in this proposed transfer receives water for either primary or supplemental irrigation from the district/water supplier; *i.e., the POU is currently layered with a district or BOR water supplied water right(s).*

PROPOSED ASSOCIATIONS *Please answer the following "yes" or "no" questions:*

YES ☒ NO ☐ One or more of the proposed POD(s) / POA(s) involved in the transfer are currently served or will be served by a district/water supplier if the transfer is approved, or rely on BOR water.

YES ☒ NO ☐ All or a portion of the proposed POU involved in this proposed transfer currently receives or will receive either primary or supplemental irrigation from the district/water supplier; *i.e., the POU will be layered with a district/water supplier or BOR water supplied water right(s).*

COMMENTS OR ADDITIONAL INFORMATION TRANSFER FROM LANDS THAT RECEIVE WATER VIA WLID, BUT NOT WITHIN THE WLID BOUNDARY, TO LANDS THAT ARE WITHIN THE SEVICE AREA OF ALDER SLOPE DITCH COMPANY

4. APPLICANT'S SIGNATURE

(1) I certify that I have notified the district/water supplier about the proposed water right transfer application by [check one]:
☒ email, ☐ phone, ☐ postal mail, ☐ in person, or ☐ other (please specify) _____

(2) I certify that to the best of my knowledge the information contained in this Supplemental Form D is true and accurate.

Applicant Signature	Name (print)	Date

5. *(WHEN REQUIRED)* DISTRICT or WATER SUPPLIER CONSENT TO THE PROPOSED WATER RIGHT TRANSFER

District Manager or Water Supplier consent **is required** if any box on this form is marked "YES."

The district/water supplier certifies the following:

(1) The district/water supplier has reviewed the applicant's proposed water right transfer application and maps; and

(2) The district/water supplier consents to the proposed water right transfer application.

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YES [X] NO [ ] After proof of completion, the confirming water right certificate is to remain in the name of the U.S. Bureau of Reclamation or the district/water supplier.

YES [ ] NO [X] The district/water supplier will be responsible for submitting the claim of beneficial use prepared by a Certified Water Rights Examiner (CWRE).

Signature of District Manager /Water Supplier	Name (print), Title	Date
Dan Butterfield	Dan Butterfield, President	5-28-20

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Land Use Information Form

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

Applicant(s): Erl McLauglin

Mailing Address: 65708 Sunrise Road

City: Enterprise State: OR Zip Code: 97828 Daytime Phone: 541-263-0755

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
1S	44E	33	SWSW	5800	EFU	☒ Diverted	☒ Conveyed	☒ Used	IRR
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	
						☐ Diverted	☐ Conveyed	☐ Used	

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed:

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B. Description of Proposed Use

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

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

Source of water: ☐ Reservoir/Pond ☐ Ground Water ☒ Surface Water (name) WALLOWA RIVER & RESERVOIR

Estimated quantity of water needed: 0.4 ☒ cubic feet per second ☐ gallons per minute ☐ acre-feet

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

Briefly describe:

Transfer from Big Bend ditch to 15.8 acres on my property

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

See bottom of Page 3. →

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For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form. This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s):

☐ Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued

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

Name: Franz Goebel Title: Planning Director

Signature: [signature] Phone: 541 426 4543 Date: 5/4/2020

Government Entity: _____

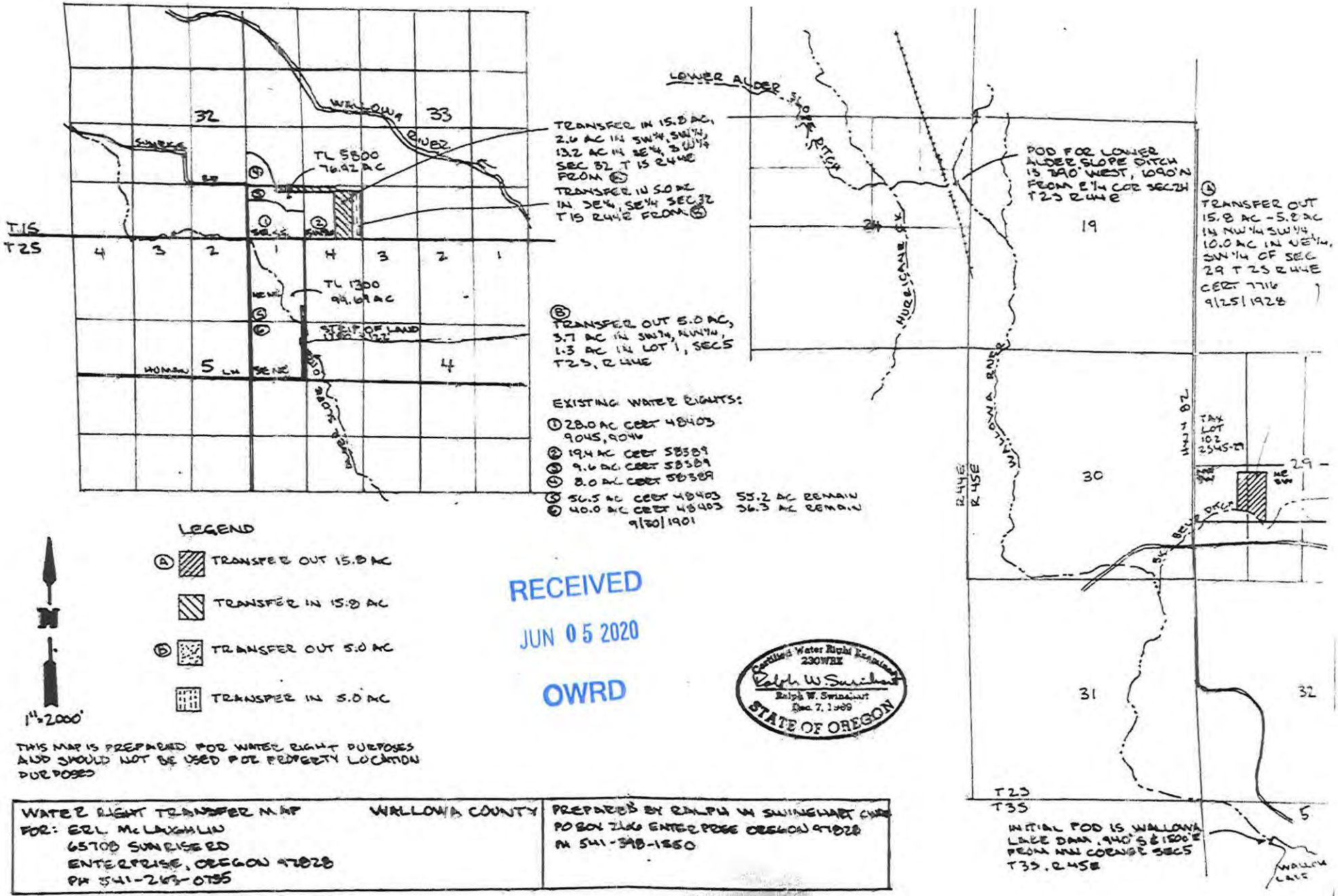
Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use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

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____



THIS MAP IS PREPARED FOR WATER RIGHT PURPOSES AND SHOULD NOT BE USED FOR PROPERTY LOCATION PURPOSES

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Certified Water Right Examiner
230WRE
Ralph W. Swinehart
Ralph W. Swinehart
Dec. 7, 1989
STATE OF OREGON

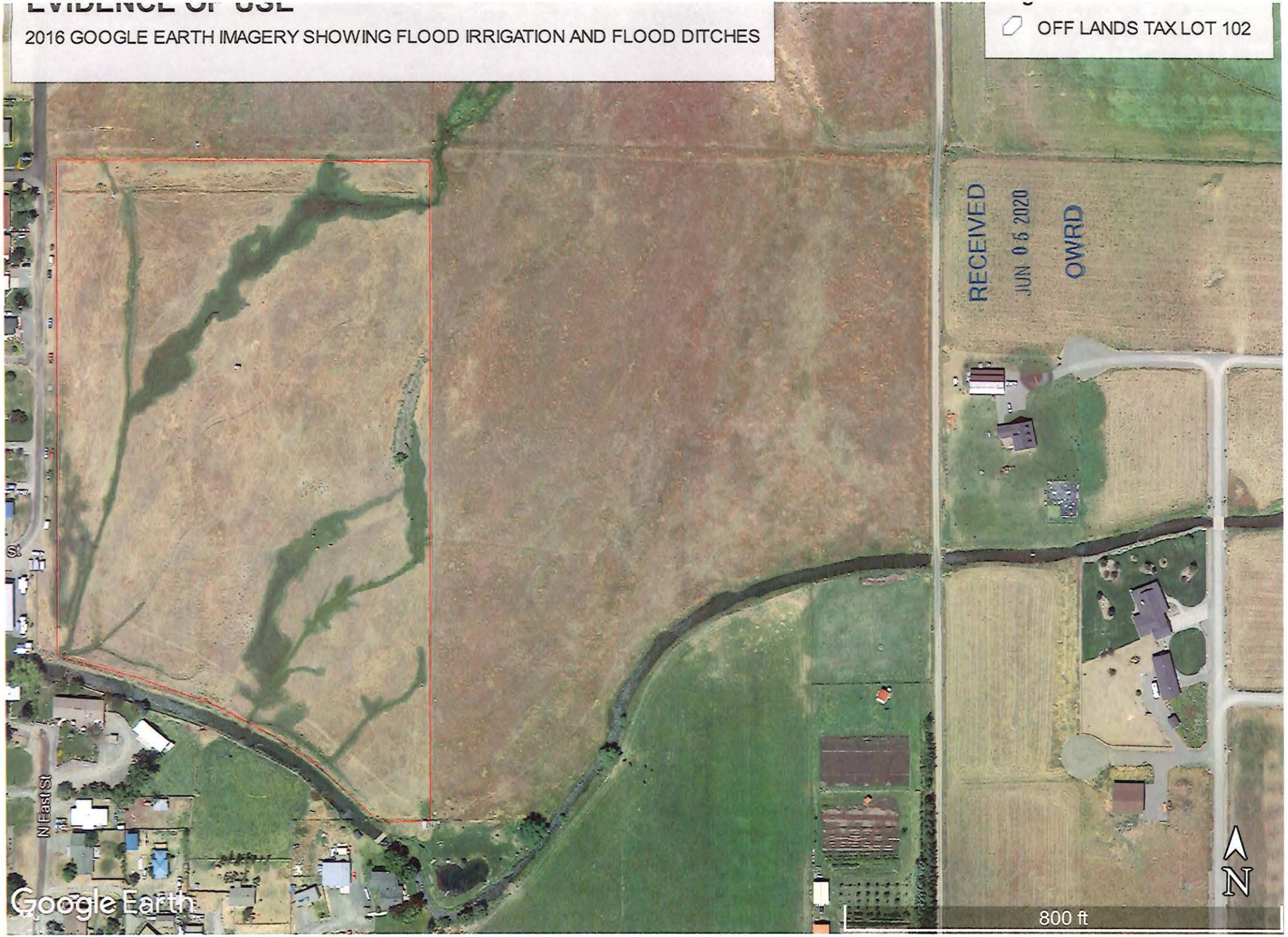
WATER RIGHT TRANSFER MAP WALLOWA COUNTY FOR: EARL McLAUGHLIN 65708 SUNRISE RD ENTERPRISE, OREGON 97828 PH 541-263-0795	PREPARED BY RALPH W SWINEHART CWRE PO BOX 2166 ENTERPRISE OREGON 97828 PH 541-398-1550

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EVIDENCE OF USE

2016 GOOGLE EARTH IMAGERY SHOWING FLOOD IRRIGATION AND FLOOD DITCHES

OFF LANDS TAX LOT 102



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Regular Permanent Water Right Transfer Application Checklist

Checked by JDM **Date** 6/16/20

(If OK, check box to left; if not, fill in the blank)

Certs & acres involved:
Changes:
cfs involved:
Source:

☑ 1. Page 1 of application: Are all attachments that have been checked actually included?
If not, what is missing? _____

☑ 2. Are fees included and correct? Fee paid: CK

If not, the correct fee would be: _____, so the amount missing is: _____

▶ If a Government Action POD change (see: Page 5): NO CHARGE

*NOTE: [POD/APOD, POA/APOA, SW to GW, Gov Action] are all counted as one type
POU is counted as one type
[USE *or* (Supplemental to Primary)] are counted as one type

☑ 3. Page 3 of application: Have all the applicants listed at the top of the page signed?
If no, whose signature is missing? _____

☑ 4. Are all listed certificates or permits shown by WRIS as non-cancelled?
If no, which are cancelled? _____
For each cancelled certificate, if there has been a remaining right certificate issued that covers the lands in the left side of Table 2, list its number _____ and check the #4 box at left on this checklist.

☑ 5. If any certificate is in the name of a "district", is a Supplemental Form D from that district enclosed?
☑ N/A ☐ Form D needed from _____ (district)

6. If all #1-#5 boxes on this checklist are checked (with no remaining deficiencies identified), accept the application. Put this check sheet in the transfer folder. If #1, #2, #3, #4 or #5 on this checklist is deficient, the application cannot be accepted. It should be returned and the deficiencies listed in the "staff" section at the bottom of Application Page 1, unless the applicant or agent can resolve the deficiencies within 2-3 days.

T-13459