

Name William and Florence Howell
 By _____
 Address Box 151
Imbler, OR 97841

Date filed June 15, 1979
 Priority 6-15-79-3.48cs / 7-25-79-3.48cs
 Action suspended until DEC 6 1979

Return to applicant _____
 Date of approval AUG 31 1979

CONSTRUCTION

Date for beginning AUG 31 1980
 Date for completion OCT 1 1981
 Extended to _____
 Date for application of water OCT 1 1982
 Extended to _____

PROSECUTION OF WORK

Form "A" filed _____
 Form "B" filed _____
 Form "C" filed May 26, 1981

FINAL PROOF

Blank mailed _____
 Proof received _____
 Date certificate issued NOV 17 1988

Application No. 58785
 Permit No. 44320
 Certificate No. 58084

Stream Index, Page No. 8-12 C

SEE 58786
 R-58787
 58788

FEES PAID

Date	Amount	Receipt No.
6-15-79	75.50	11922
7-25-79	25.30	13028
8-21-79	3.90	Trf fr 58786 Rec 11923

Cert. Fee _____

FEES REFUNDED

Date	Amount	Check No.

ASSIGNMENTS

Date	To Whom	Address	Volume	Page

REMARKS

CARD FOR A SEP 19 1980

WOLF 1979 B10

Form C (690-9-77)

IMPORTANT—This form is a notice to the Water Resources Director that permittee is ready to make final proof to the extent to which the water has actually been applied to the intended use under the terms of the permit. Permittee is cautioned that Certificate of Water Right will be issued based on the extent of the quantity and use as determined by the final proof inspection and survey which will be made in response to the filing of this Form C.

NOTE: In the case of an irrigation permit, this Form C should not be mailed to the Water Resources Department until all of the land described in the permit, which it is intended to irrigate under this permit at any time, has actually been irrigated.

Fill out, detach and mail to the Water Resources Department, Salem, OR 97310, when all of the water has been applied.

Application No. 58785

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

Wm & Florence Howell, the holder of Permit No. 44320
to appropriate the public waters of the state of Oregon, completely applied the waters to a beneficial use in accordance with the terms of said permit, on the April day of 1980.

Remarks: _____

IN WITNESS WHEREOF, I have hereunto set my hand this 26th day of May, 1981

(Signature of Applicant)

(Address)

STATE OF OREGON

COUNTY OF UNION

CERTIFICATE OF WATER RIGHT

RECEIVED

JUN 17 2021

OWRD

THIS CERTIFICATE ISSUED TO

IMBLER FARMS LLC
PO BOX 7
NORTH POWDER OR 97867

confirms the right to the use of water perfected under the terms of Permit S-44320. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point(s) of diversion from the source. The specific limits and conditions of the use are listed below.

SOURCE OF WATER: GRANDE RONDE RIVER AND OLD CHANNEL GRANDE RONDE RIVER RESERVOIR,
CONSTRUCTED UNDER PERMIT R-7844, A TRIBUTARY OF SNAKE RIVER

PURPOSE OR USE: IRRIGATING 93.5 ACRES

MAXIMUM RATE: 1.12 CUBIC FEET PER SECOND

DATE OF PRIORITY: JUNE 15, 1979

The points of diversion/pumping station are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 S	39 E	WM			INAL) - 720 FEET SOUTH AND 50 FEET EAST CORNER, SECTION 28
1 S	39 E	WM			ING STATION (ORIGINAL) - 1380 FEET SOUTH ET EAST FROM NW CORNER, SECTION 28
1 S	39 E	WM			ITIONAL) -3383 FEET SOUTH AND 975 FEET N1/4 CORNER, SECTION 29

The amount of water used for irrigation shall be limited to ONE-FORTIETH of one cubic foot per acre, or its equivalent for each acre irrigated from direct flow and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

The right shall conform to such reasonable rotation system as maybe ordered by the proper state officer.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	39 E	WM	28	SW NE	39.0
1 S	39 E	WM	28	SE NE	37.0
1 S	39 E	WM	28	SE NW	17.5

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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

STATE OF OREGON

COUNTY OF UNION

CERTIFICATE OF WATER RIGHT

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THIS CERTIFICATE ISSUED TO

IMBLER FARMS LLC
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NORTH POWDER OR 97867

confirms the right to the use of water perfected under the terms of Permit S-44320. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point(s) of diversion from the source. The specific limits and conditions of the use are listed below.

SOURCE OF WATER: GRANDE RONDE RIVER AND OLD CHANNEL GRANDE RONDE RIVER RESERVOIR,
CONSTRUCTED UNDER PERMIT R-7844, A TRIBUTARY OF SNAKE RIVER

PURPOSE OR USE: IRRIGATING 93.5 ACRES

MAXIMUM RATE: 1.12 CUBIC FEET PER SECOND

DATE OF PRIORITY: JUNE 15, 1979

The points of diversion/pumping station are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 S	39 E	WM	28	NW NW	POD 1 (ORIGINAL) - 720 FEET SOUTH AND 50 FEET EAST FROM NW CORNER, SECTION 28
1 S	39 E	WM	28	SE NW	POD 3/PUMPING STATION (ORIGINAL) - 1380 FEET SOUTH AND 1600 FEET EAST FROM NW CORNER, SECTION 28
1 S	39 E	WM	29	NW SE	POD 2 (ADDITIONAL) -3383 FEET SOUTH AND 975 FEET EAST FROM N1/4 CORNER, SECTION 29

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-FORTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated from direct flow and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

The right shall conform to such reasonable rotation system as maybe ordered by the proper state officer.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	39 E	WM	28	SW NE	39.0
1 S	39 E	WM	28	SE NE	37.0
1 S	39 E	WM	28	SE NW	17.5

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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

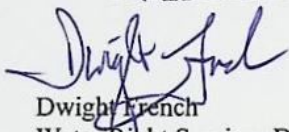
The quantity of water diverted at the additional point of diversion, together with that diverted at the old points of diversion, shall not exceed the quantity of water lawfully available at the original points of diversion.

When required by the Department, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

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. The right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

This certificate is issued to confirm an ADDITIONAL POINT OF DIVERSION approved by an order of the Water Resources Director entered March 24, 2005, at Special Order Volume 63, Page 536, approving Transfer Application T-9546, and together with Certificate 81077, supercedes Certificate 58084, State record of Water Right Certificates.

Issued FEB 12 2021.



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

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JUN 17 2021

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JUN 17 2021

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STATE OF OREGON

COUNTY OF UNION

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

IMBLER FARMS LLC
PO BOX 7
NORTH POWDER OR 97867

confirms the right to the use of water perfected under the terms of Permit S-44321. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point(s) of diversion from the source. The specific limits and conditions of the use are listed below.

SOURCE OF WATER: GRANDE RONDE RIVER TRIBUTARY TO SNAKE RIVER

PURPOSE OR USE: IRRIGATING 185.5 ACRES

MAXIMUM RATE: 2.35 CFS (JUNE 15, 1979) AND 2.29 CFS (JULY 25, 1979)

DATE OF PRIORITY: JUNE 15, 1979 and JULY 25, 1979

The points of diversion/pumping station are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 S	39 E	WM	28	NW NW	POD 1 (ADDITIONAL) - 676 FEET SOUTH AND 2714 FEET EAST FROM N1/4 CORNER, SECTION 28
1 S	39 E	WM	28	SE NW	POD 3/PUMPING STATION (ADDITIONAL) - 1363 FEET SOUTH AND 4213 FEET EAST FROM N1/4 CORNER, SECTION 28
1 S	39 E	WM	29	NW SE	POD 2 (ORIGINAL) -1850 FEET NORTH AND 1630 FEET WEST FROM SE CORNER, SECTION 29

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-FORTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

The right shall conform to such reasonable rotation system as maybe ordered by the proper state officer.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	39 E	WM	28	SW NW	17.6
1 S	39 E	WM	28	NE SW	17.9
1 S	39 E	WM	28	NE SE	32.5
1 S	39 E	WM	28	NW SE	40.0

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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

Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	39 E	WM	28	SW SE	39.6
1 S	39 E	WM	28	SE SE	37.9

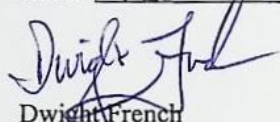
The quantity of water diverted at the additional points of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of water lawfully available at the original point of diversion.

When required by the Department, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

The right to the use of the water for the above purpose is restricted to beneficial use on the place of use described. The right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

This certificate is issued to confirm a change in PLACE OF USE AND ADDITIONAL POINTS OF DIVERSION approved by an order of the Water Resources Director entered March 24, 2005, at Special Order Volume 63, Page 536, approving Transfer Application T-9546, supercedes Certificate 58085, State record of Water Right Certificates.

Issued FEB 12 2021.



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

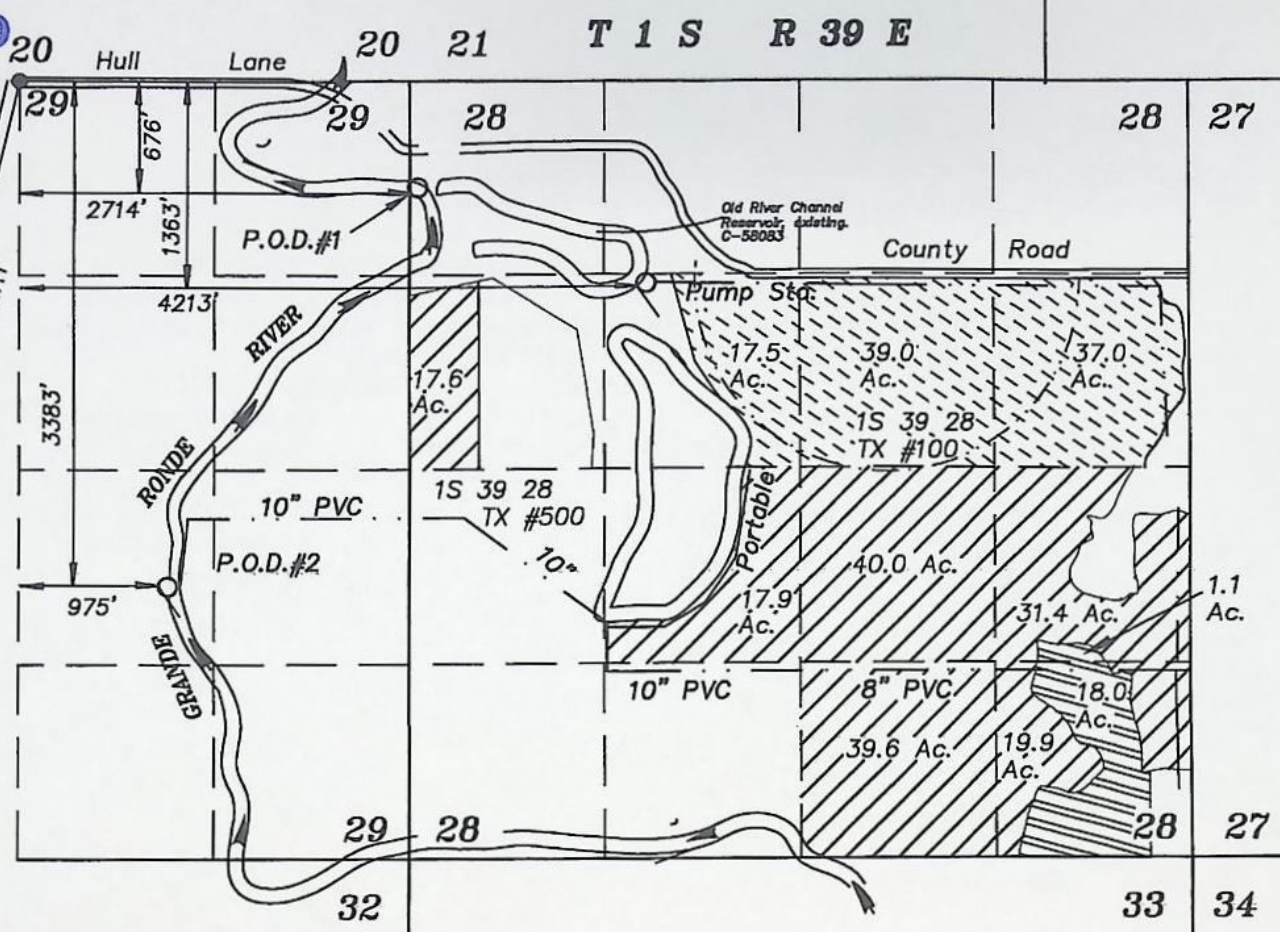
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JUN 17 2021

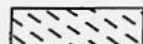
OWRD

JUN 17 2021

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POSITIONS OF P.O.D'S

-  Lands irrigated under Permit number 44321, using P.O.D #2 and additional P.O.D. #1 and #3 which is actually a pump station out of Slough Reservoir.
-  Existing lands transferred under T-9546, and using diversion points #1, #2, and the pump station originally listed as POD #3.
-  Lands irrigated by Permit number 44320, Diversions #1, #2, and 3, which is actually a pump station from res.
-  Mainline

POD #1: S 676' and E 2714' from the North 1/4 corner of Section 29, T1S R39E, Latitude: 45°27'17.7699"N, Longitude: 117°57'07".3461"W.

POD #2: S 3383' and E 975' from the North 1/4 corner of Section 29, T1S R 39E, Latitude 45°26'51.0476"N, Longitude: 117°57'31.7471"W

POD 3, reservoir pump station: S 1363' and E 4213' from the North 1/4 corner of Section 29, T1S R39E: Latitude 45°27'10.9898"N, Longitude 117°56'46.3234"W

September 6, 2017

**CLAIM OF BENEFICIAL USE MAP
FOR LANDS IRRIGATED UNDER T-9546
FOR CHANGE OF PLACE OF USE AND
AN ADDITIONAL POINT OF DIVERSION
FOR
IMBLER FARMS, LLC & AXA EQUITABLE
LIFE INSURANCE COMPANY**

BY

Greg Blackman Water Rights
126 Ridge Drive
LAGRANDE, OREGON 97850

Applicant No. T- 9546

Permit Number

RECEIVED

MAR 07 2018



NOTE: The preparation of this map was for the purpose of identifying the location of the proposed water right and has no intent to provide dimensions or location of property ownership lines. Location information shown hereon was furnished by the applicant.

SCALE: 1"=1320'

RECEIVED

MAR 28 2018

OWRD

OWRD

7/1/21

Oregon

Water Resources Department
Water Right Division
725 Summer St NE Ste A
Salem, OR 97301-1266

PO Box 7

ADDRESS SERVICE REQUESTED



U.S. POSTAGE >> PITNEY BOWES
ZIP 97301 \$ 001.20⁰
02 4W
0000361800

RECEIVED

JUN 17 2021

OWRD

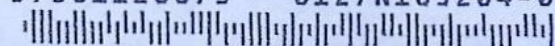
NRK

T-9546
Imbler Farms LLC
PO Box 151
North Powder, OR. 97867

NIXIE 980 SE 1 0106/14/21

RETURN TO SENDER
ATTEMPTED - NOT KNOWN
UNABLE TO FORWARD

BC: 97301126673 0127N165204-00582

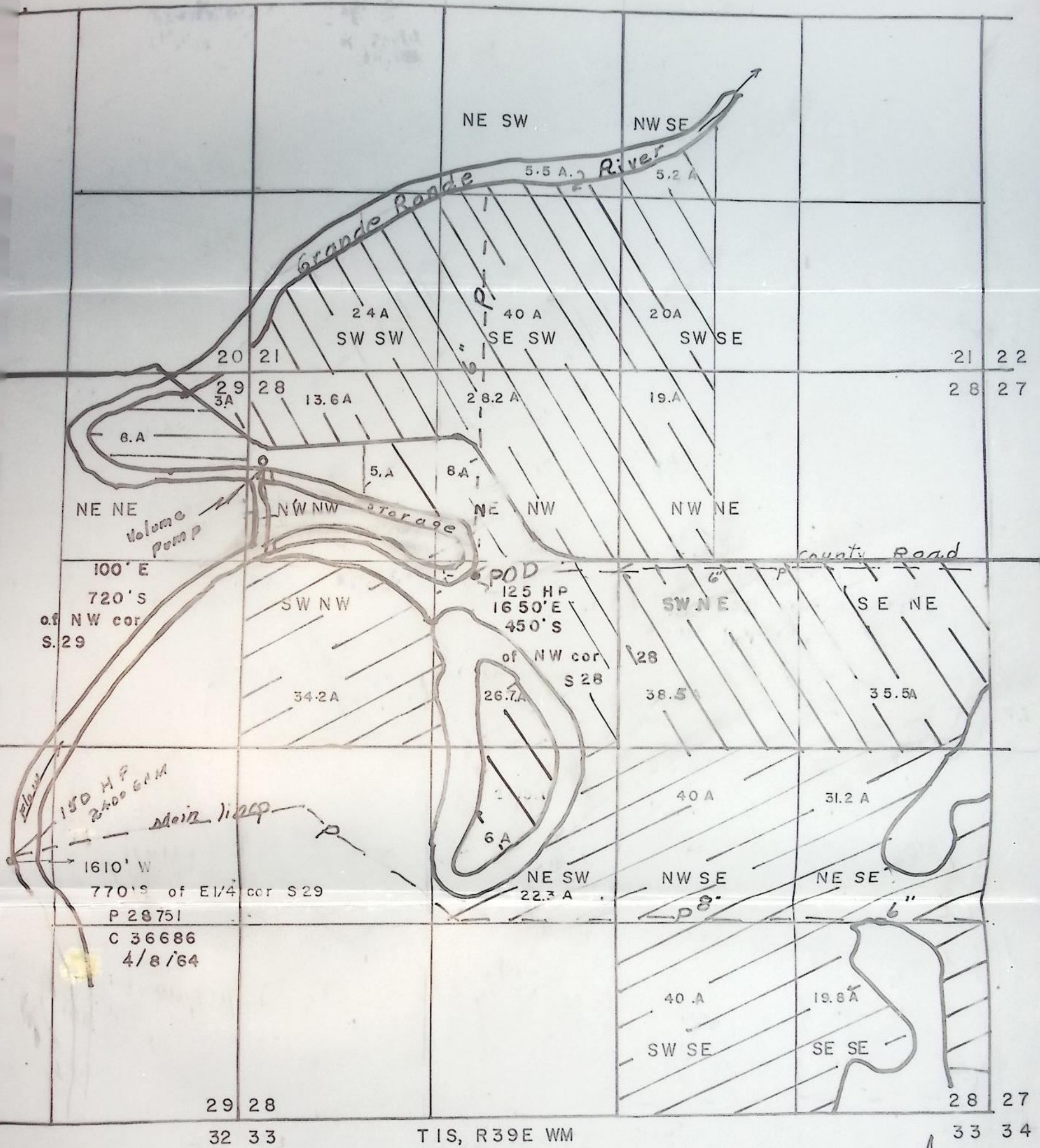


William F. & Florence Howell

Box 151

Imbler, Oregon 97841

125 HA
1650 E
4503



Application No.
Permit No.

58785
58786
R-58787
58788
44381
R 7841
44382

Scale 1" = 660'
From aerial photo AIH-IMM-143
June 1, 1979

RECEIVED
JUN 15 1979
WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

JUL 25 1979

WATER RESOURCES DEPT.
SALEM, OREGON

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

In the Matter of Transfer Application	)	FINAL ORDER APPROVING CHANGE
T-9546, Union County	)	IN POINT OF DIVERSION AND
	)	PLACE OF USE

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

Applicant

Imbler Farms, LLC
P.O. Box 7
North Powder, OR 97867

Findings of Fact

1. Imbler Farms, LLC, filed an application to add an additional point of diversion under Certificate 58084 and to transfer the place of use and add an additional point of diversion under Certificate 58085. The Department assigned the application number T-9546.
2. The first right to be transferred is as follows:

Certificate: 58084 in the name of William and Florence Howell
Use: Irrigation
Priority Date: June 15, 1979
Quantity: 1.12 cfs
Rate/Duty: 1/40 cfs per acre from live flow, not to exceed 3.0 acre-feet per acre
Acres: 93.5
Source: Grande Ronde River and Old Channel Grande Ronde River Reservoir,
tributary to Snake River

Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Lot	DLC	Survey Coordinates
1	S	39	E	W.M.	28	NW NW			720 feet S. & 50 feet E. from NW corner of Sec. 28

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

Township		Range		Meridian	Sec	¼ ¼	Lot	DLC	Survey Coordinates
1	S	39	E	W.M.	28	SE NW			1380 feet S. & 1600 feet E. from NW corner of Sec. 28

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Lot	DLC	Acres
1	S	39	E	W.M.	28	SW NE			39.0
1	S	39	E	W.M.	28	SE NE			37.0
1	S	39	E	W.M.	28	SE NW			17.5

3. Application T-9546 proposes to add a point of diversion to the right approximately 0.93 mile upstream in the Grande Ronde River to:

Township		Range		Meridian	Sec	¼ ¼	Lot	DLC	Survey Coordinates
1	S	39	E	W.M.	29	NW SE			1850' N. and 1630' W. from the SE Corner of Sec. 29

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

Certificate: 58085 in the name of William and Florence Howell

Use: Irrigation

Priority Date: June 15, 1979 and July 25, 1979

Quantity: 2.35 cfs (June 15, 1979) and 2.29 cfs (July 25, 1979)

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

Acres: 185.5

Source: Grande Ronde River, tributary to Snake River

Authorized Point of Diversion:

Township		Range		Meridian	Sec	¼ ¼	Lot	DLC	Survey Coordinates
1	S	39	E	W.M.	29	NW SE			1850' N. and 1630' W. from the SE Corner of Sec. 29

Authorized Place of Use:

Township		Range		Meridian	Sec	¼ ¼	Lot	DLC	Acres	Modification
1	S	39	E	W.M.	28	SW NW			17.6	add POD
1	S	39	E	W.M.	28	SW NW			19.1	POU/ add POD
1	S	39	E	W.M.	28	NE SW			17.9	add POD
1	S	39	E	W.M.	28	NE SE			31.4	add POD
1	S	39	E	W.M.	28	NW SE			40.0	add POD
1	S	39	E	W.M.	28	SW SE			39.6	add POD
1	S	39	E	W.M.	28	SE SE			19.9	add POD

5. Application T-9546 proposes to add two points of diversion to the right approximately 1.2 miles and 0.93 mile downstream respectively, in the Grande Ronde River to:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Survey Coordinates
1	S	39	E	W.M.	28	NW NW	720 feet S & 50 feet E from NW corner of Sec 28
1	S	39	E	W.M.	28	SE NW	1380 feet S & 1600 feet E from NW corner of Sec 28

6. Application T-9546 proposes to change the place of use of the right to:

Township	Range	Meridian	Sec	¼ ¼	Lot	DLC	Acres
1	S	39	E	W.M.	28	NE SE	1.1
1	S	39	E	W.M.	28	SE SE	18.0

7. Notice of the application for transfer was published pursuant to ORS 540.520 and OAR 690-380-4000. No comments were filed in response to the notice.
8. Water has been used within the last five years according to the terms and conditions of the right and no evidence is available that would demonstrate that the right is subject to forfeiture under ORS 540.610.
9. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right are present.
10. The proposed change would not result in enlargement of the right.
11. The proposed change would not result in injury to other water rights.

Conclusions of Law

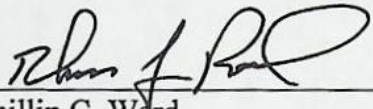
The proposed changes in point of diversion and place of use in application T-9546 are consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

- The change(s) in point of diversion and place of use proposed in application T-9546 are approved.
- Water right certificates 58084 and 58085 are cancelled. A new certificate will be issued describing that portion of the right evidenced by certificate 58084 not involved in this transfer.
- The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificates 58084 and 58085, and any related decree.
- The proposed change shall be completed on or before October 1, 2006.

5. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department by October 1, 2007.
6. The quantity of water diverted at the additional point of diversion, together with that diverted at the old point of diversion, shall not exceed the quantity of water lawfully available at the original point of diversion.
7. When required by the Department, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
8. When satisfactory proof of the completed changes is received, new certificates confirming the rights transferred will be issued.

Dated at Salem, Oregon this 24th day of MARCH, 2005.


Phillip C. Ward
Director

Mailing date: APR 05 2005

STATE OF OREGON
COUNTY OF UNION
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

WILLIAM AND FLORENCE HOWELL
P.O. BOX 151
IMBLER, OREGON 97841

confirms the right to use the waters of GRANDE RONDE RIVER AND OLD CHANNEL GRANDE RONDE RIVER RESERVOIR, CONSTRUCTED UNDER PERMIT R-7844, a tributary of SNAKE RIVER, for IRRIGATION of 167.4 acres.

This right was perfected under Permit 44320. The date of priority is JUNE 15, 1979. The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 2.0 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

NW¼ NW¼, SECTION 28, T 1 S, R 39 E, W.M.; 720 FEET SOUTH AND 50 FEET EAST; PUMP LOCATED - 1380 FEET SOUTH AND 1600 FEET EAST BOTH FROM NW CORNER OF SECTION 28.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FORTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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

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

SE¼ SE¼ 1.2 ACRES
SECTION 20

NE¼ SW¼ 3.7 ACRES
SW¼ SW¼ 29.3 ACRES
SE¼ SW¼ 40.0 ACRES
NW¼ SE¼ 5.8 ACRES
SW¼ SE¼ 20.3 ACRES
SECTION 21

NW¼ NE¼ 21.1 ACRES
NW¼ NW¼ 29.0 ACRES
NW¼ NW¼ 14.6 ACRES
SECTION 28

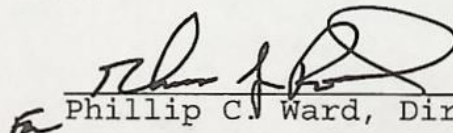
NE¼ NE¼ 2.4 ACRES
SECTION 29
TOWNSHIP 1 SOUTH, RANGE 39 EAST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 58084, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered MAR 24 2005, approving Transfer Application 9546.

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. The right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

WITNESS the signature of the Water Resources Director,
affixed MARCH 24, 2005


Phillip C. Ward, Director

Recorded in State Record of Water Right Certificates numbered 81077.

T-9546.CJ

Page 2 of 2

STATE OF OREGON

COUNTY OF UNION

PROPOSED CERTIFICATE OF WATER RIGHT

WILLIAM AND FLORENCE HOWELL,
of BOX 151, IMBLER, OREGON 97841, has a right to the use of the waters
of GRANDE RONDE RIVER AND OLD CHANNEL GRANDE RONDE RIVER RESERVOIR,
CONSTRUCTED UNDER PERMIT R-7844, a tributary of SNAKE RIVER, for the
purpose of IRRIGATING 259.7 ACRES.

The right has been perfected under Permit 44320. The date of priority
is JUNE 15, 1979. The right is limited to not more than 3.11 cubic
feet per second or its equivalent in case of rotation, measured at the
point of diversion from the source.

The point of diversion is located as follows:

NW 1/4 NW 1/4, SECTION 28, T 1 S, R 39 E, W.M.;
720 FEET SOUTH & 50 FEET EAST; PUMP LOCATED - 1380 FEET SOUTH & 1600
FEET EAST BOTH FROM NW CORNER OF SECTION 28.

The amount of water used for irrigation, together with the amount
secured under any other right existing for the same lands, shall be
limited to ONE-FORTIETH of one cubic foot per second per acre, or its
equivalent for each acre irrigated from direct flow and shall be
further limited to a diversion of not to exceed 3.0 acre-feet per acre
for each acre irrigated during the irrigation season of each year.

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

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

SE 1/4 SE 1/4 1.2 ACRES
SECTION 20

NE 1/4 SW 1/4 3.7 ACRES
SW 1/4 SW 1/4 29.3 ACRES
SE 1/4 SW 1/4 40.0 ACRES
NW 1/4 SE 1/4 5.8 ACRES
SW 1/4 SE 1/4 20.3 ACRES
SECTION 21

NW 1/4 NE 1/4 21.1 ACRES
SW 1/4 NE 1/4 39.0 ACRES
SE 1/4 NE 1/4 37.0 ACRES
NE 1/4 NW 1/4 29.0 ACRES
NW 1/4 NW 1/4 14.6 ACRES
SE 1/4 NW 1/4 17.5 ACRES
SECTION 28

NE 1/4 NE 1/4 2.4 ACRES
SECTION 29

TOWNSHIP 1 SOUTH, RANGE 39 EAST, W.M.

The right to the use of the water for the above purpose is restricted
to beneficial use on the lands or place of use described. The right
is subject to minimum flows established by the Water Resources
Commission with an effective date prior to this right,

Application No. 58785Permit No. 44320

STATE OF OREGON WATER RESOURCES DEPARTMENT

Application for Permit to Appropriate Surface Water

RECEIVED
JUN 15 1979
WATER RESOURCES DEPT.
SALEM, OREGON

I, William and Florence Howell
(Name of Applicant)
of Box 151, Imbler, Oregon- 97841
(Mailing Address) (City)
State of _____, Phone No. 534-5893
(Zip Code) do hereby

make application for a permit to appropriate the following described waters of the State of Oregon:

1. The source of the proposed appropriation is Grande Ronde River & Reservoir

_____, a tributary of Snake

2. The point of diversion is to be located 1450 ft. S and 1650 ft. E
(N. or S.) (E. or W.)
from the NW corner of Section 28, T1S, R39EWM (being in SE $\frac{1}{4}$ NW $\frac{1}{4}$ S28)
(Public Land Survey Corner)

The water will be supplied to POD by a volume pump from Grande Ronde River

(If there is more than one point of diversion, each must be described)
The point of diversion from Grande Ronde River to fill the cut offloop of
old river channel is 50 feet east and 720 feet south of the northwest corner
of Section 28, T1S, R38EWM. being with in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ S 28 T1S R39EWM

_____ being within the _____ $\frac{1}{4}$ of the _____ $\frac{1}{4}$ of
Sec. _____ Tp. _____ R. _____, W. M., in the county of _____ Union
(N. or S.) (E. or W.)

3. Location of area to be irrigated, or place of use if other than irrigation.

Township	Range	Section	List $\frac{1}{4}$ $\frac{1}{4}$ of Section	List use and/or number of acres to be irrigated
1 S	39 E	28	SE $\frac{1}{4}$ NW $\frac{1}{4}$	35.5 37.0
"	"	"	SW $\frac{1}{4}$ NE $\frac{1}{4}$	38.5 39.0
"	"	"	NW $\frac{1}{4}$ NE $\frac{1}{4}$	19.0 21.1
"	"	"	NE $\frac{1}{4}$ NW $\frac{1}{4}$	36.2 29.0
"	"	"	NW $\frac{1}{4}$ NW $\frac{1}{4}$	18.6 14.6
"	"	29	NE $\frac{1}{4}$ NE $\frac{1}{4}$	3.0 2.4
"	"	21	SW $\frac{1}{4}$ SW $\frac{1}{4}$	24.0 29.3
"	"	"	SE $\frac{1}{4}$ SW $\frac{1}{4}$	40.0 40.0
"	"	"	SW $\frac{1}{4}$ SE $\frac{1}{4}$	20.0 20.3
"	"	"	NE $\frac{1}{4}$ SW $\frac{1}{4}$	5.5 3.7
"	"	"	NW $\frac{1}{4}$ SE $\frac{1}{4}$	5.2 5.8
"	"	28	SE $\frac{1}{4}$ NW $\frac{1}{4}$	26.7 17.5
"	"	28	NE $\frac{1}{4}$ SW $\frac{1}{4}$	6.0
			total	278.2 245.1 259.7
		20	SE SE	1.2

Application No. 58785

Permit No. 44320

Permit to Appropriate the Public Waters of the State of Oregon

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

The right herein granted is limited to the amount of water which can be applied to beneficial use and shall not exceed ~~6.96~~ ^{3.11} cubic feet per second measured at the point of diversion from the stream, or its equivalent in case of rotation with other water users, from Grande Ronde River and a reservoir to be constructed under application No. R-58787, permit No. R-7844.

The use to which this water is to be applied is irrigation. ^{259.7 260.9} ~~245.7~~ ACRES

If for irrigation, this appropriation shall be limited to ^{1/40th} of one cubic foot per second or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3 acre feet per acre for each acre irrigated during the irrigation season of each year.

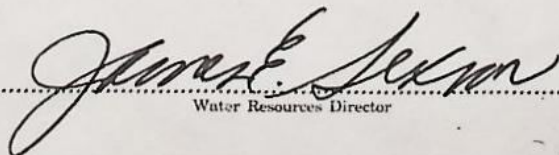
and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

The priority date of this permit is ^{3.11} June 15, 1979 for ~~3.48~~ c.f.s. and July 25, 1979 for ~~3.48~~ c.f.s.

Actual construction work shall begin on or before ~~August 31, 1980~~ and shall thereafter be prosecuted with reasonable diligence and be completed on or before ~~October 1, 1981~~

Complete application of the water to the proposed use shall be made on or before ~~October 1, 1982~~

WITNESS my hand this ^{31st} day of August, 1979


Water Resources Director

FINAL PROOF ON
SURFACE WATER

APPLICATION No. 58786

PERMIT No. 44321

INFOS NAME: William and Florence Howell
ADDRESS: Box 151

TALKED TO: Bill Howell

SOURCES: Granda Ronde River & Reservoir

REMARKS: There is some land in the SE 1/4 that is rocky is irrigated but not ben. Mr. Howell stated he is cleaning it up and it will probably will be ben this fall. The island inside ^{slough} has not been SYSTEM: irrigated within terms was irrigated before per.

~~Div. Pt.~~ The direct pump & the reservoir pump systems ~~can be tied together~~ and have been in the past.

Div. Pt. both are screened suction pipe.

METER: N/A

PUMP: MAKE: DIRECT PUMP
AURORA

TYPE: Turb

SUCTION SIZE:

DISCHARGE SIZE: 10"

MODEL No.:

RATING:

MOTOR: MAKE: Yaskawa

TYPE: 60ct

HP: 150

RPM: 1774

RIVER PUMP to res.

Century 20HP @ 1750 RPM

Berkeley 1250g @ 46' CDD 10" X 6"

res PUMP

Aurora

Turb 400g @ 267' 8"

G.E. 125HP @ 1775 RPM

res. max.
6 days @ 1200 gpm
~~5-10~~

SPRINKLER SYSTEM:

MAINLINE NO. FEET: 1920 200 2320 2300 4900

SIZE 10" 8 10 6 3

TYPE Steel steel PVC PVC PVC

LATERALS NO. FEET: 10060 8060

SIZE: 5 4

TYPE: Wheelline Handline

SPRINKLERS NO. HEADS: 268 252 186

MAKE RB RB

NOZZLE SIZE 7/32 X 0 5/16 X 0

MAXIMUM 194 MAX from res. @ 90 84 wh. 110 ft.

IN OPERATION MEAN PRESSURE:

MAXIMUM NO. OF HEADS:

Direct 66-516 132-7/32 MAX 80psi

120 @ pump.

1500 gpm

LIST: SUCTION

DISCHARGE:

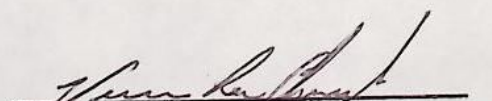
USE: Wheat, pasture

TIE: SURVEYED ON: 7/1 L

CORNER

SURVEY COR. DES.

note
3.11 cfs =
5.4 gpm/ac
DEF.


WATER RIGHTS EXAMINER

DATE: 8-23-83



Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-8131

App # 50375
38621
58785
58786
R-58787

April 16, 1984

1979 B-10

William F. Howell
P. O. Box 151
Imbler, OR 97841

Dear Mr. Howell:

Your request for a release of U.C.C. filing No. 41635 is approved subject to the following conditions:

- 1) Payment of six thousand dollars (\$6,000.00) toward the principal balance of your loan, 1979 B-10;
- 2) Pay all costs incurred by the Department for the release (\$3.75).

Permission for the sale of a part of the security is granted. Please send a copy of the terms of the sale.

If you have any questions, please contact Bud Bartels, Manager of the Water Development Loan Program.

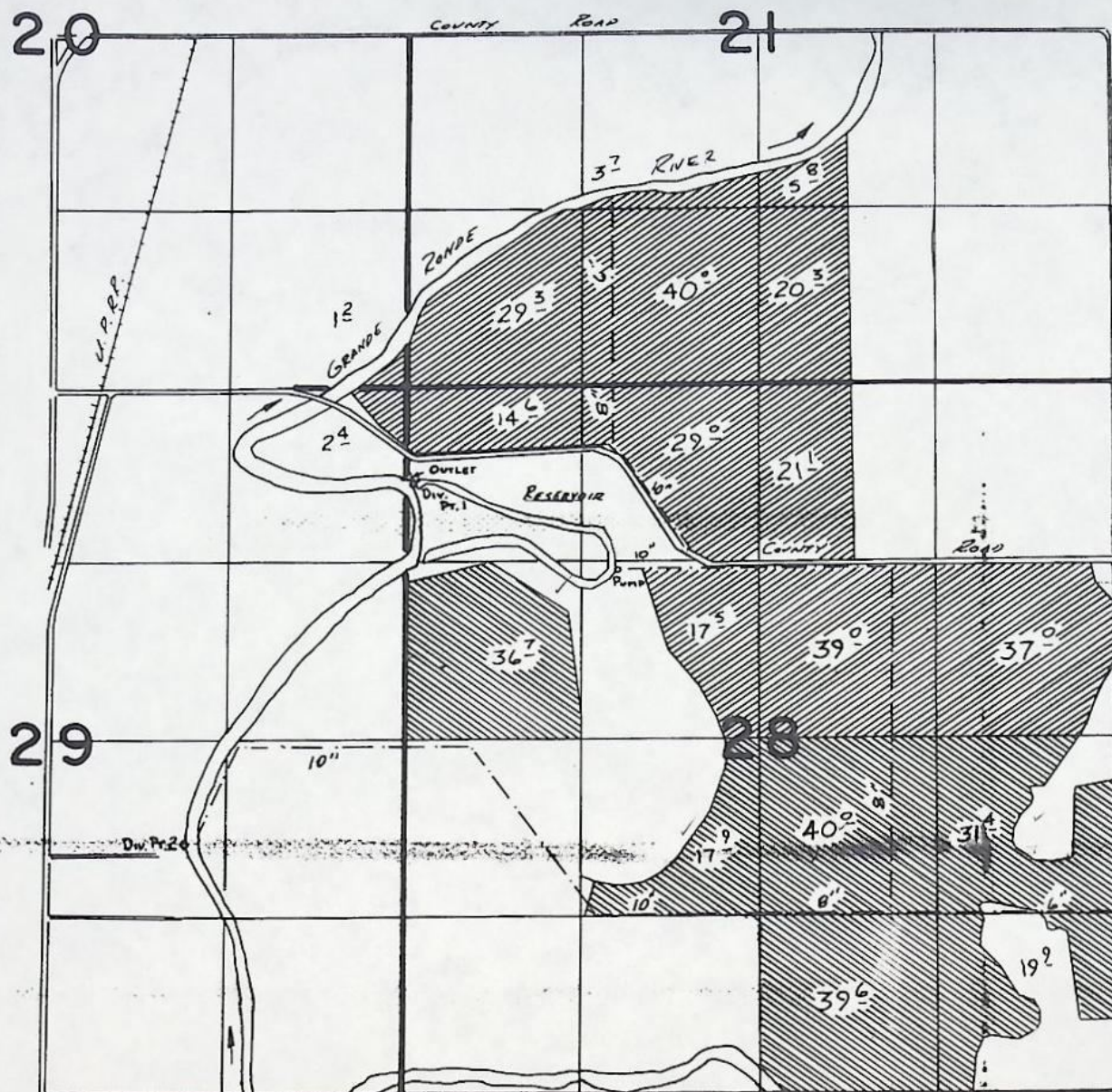
Sincerely,

WILLIAM H. YOUNG
Director

WHY:slv

1802C

T. 1S., R. 39E., W.M.



Div. Pt. 1 Loc: 720'S. & 50'E. FROM NW COR. SEC 28
 Div. Pt. 2 Loc: 1850'N. & 1630'W. FROM SE COR. SEC 29
 PUMP Loc: 1380'S. & 1600'E FROM NW COR. SEC 28

FINAL PROOF SURVEY

UNDER

58785
58786

44320
44321

Application No. **R-58787** Permit No. **R-7844**
 IN NAME OF

WILLIAM B. FLORENCE HOWELL

Surveyed Aug. 23, 1983, by *L.H. Church*

 44321
 44320

INSPECTION REPORT

Bill Howell 1979 B-10

September 22, 1983 Ves Garner

WDLF 1979 B-10

30375

38621

58785

58786

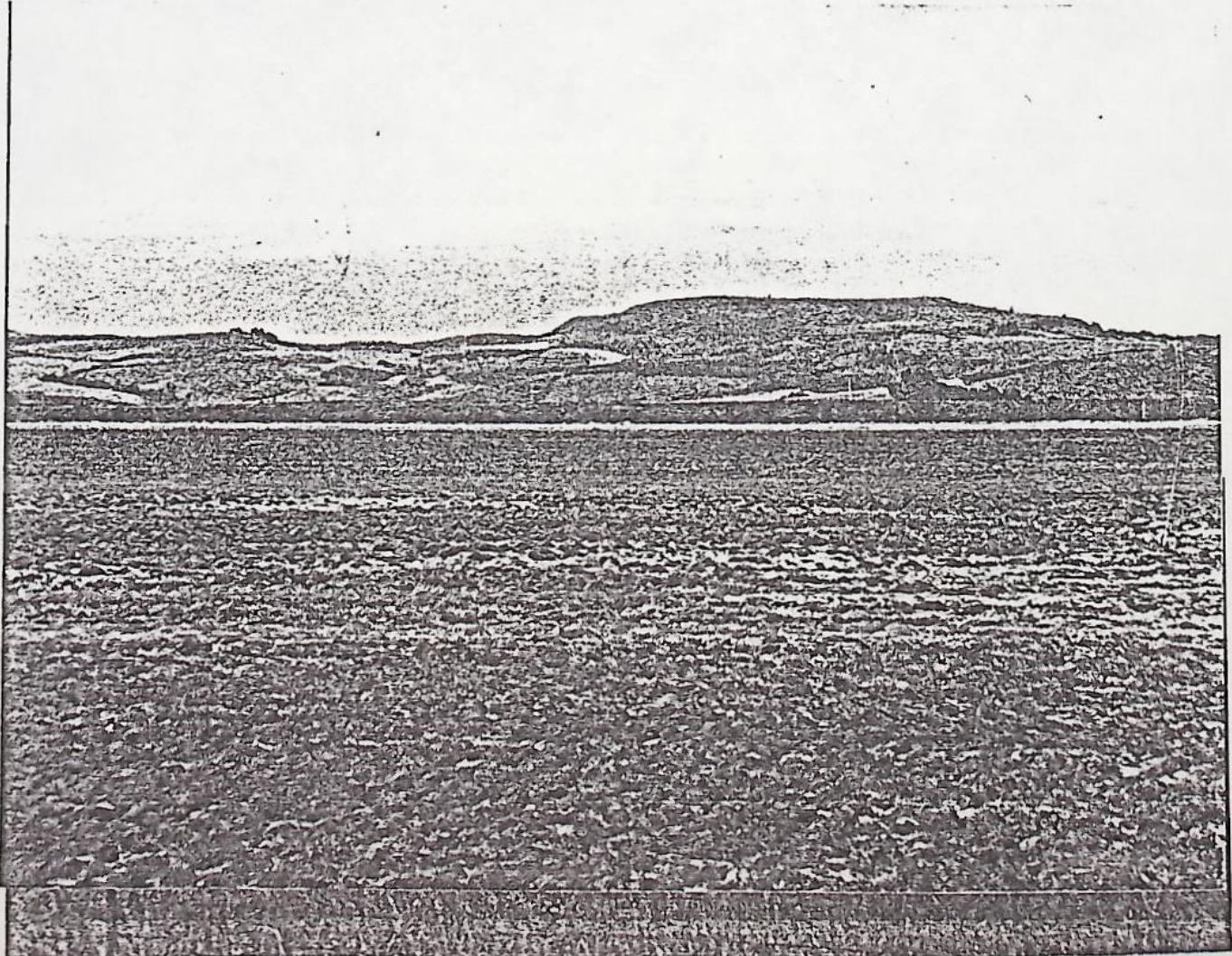
R-58787

On September 22, 1983 I made the annual inspection of Bill Howell's project near Imbler in Union County.

The project is a reservoir, two pumps, buried PVC pipeline, and four wheel lines for irrigation of grain and grass seed crops. The project enlarged an existing system and has been improved on since completion.

Most crops of grass seed had been harvested as well as all grain. It appears the irrigation is completed for the season.

The reservoir pump had been removed. The project appears to be doing well.



Ves will inspect this land again in Oct 80. He found res comp and most of irrigation equip installed on files R-58787, 58786, 58785, & 58788 during Dec 79 inspection. All have valid A's.

Dune

Ves will instruct Howell to submit A forms.



Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE

September 17, 1979

William and Florence Howell
Box 151,
Imbler, OR 97841

R-58787
58785

44320



Water Resources Department
MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066

August 28, 1979

William and Florence Howell
Box 151
Imbler, OR 97841

RE: Files No. 58785, 58786, R-58787 & 58788

Dear Mr. & Mrs. Howell:

Thank you for returning your corrected applications numbered 58785, 58786, R-58787 and 58788, and the map. Also received was the additional permit recording fee of \$25.30 for which our receipt number 13028 is enclosed.

As stated in my letter, \$3.90 has been transferred from application number 58786 to application number 58785.

Also received was the information required to approve construction of your reservoir.

Permits will be issued for use of water from the Grande Ronde River and its tributaries. However, water may not be available during dry periods. The water may be needed to satisfy existing rights or minimum flow standards.

Your applications are now in satisfactory form and will be considered further for the issuance of permits in 30 to 60 days.

Sincerely,

Donald R. Buell
Water Rights Engineer

DRB:slm
Enclosure: Receipt No. 13028
cc: Water Rights Loan Program



Water Resources Department
MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

RECEIVED

JUL 25 1979

WATER RESOURCES DEPT
SALEM, OREGON

PHONE 378-3066

Files 58785, 58786,
R-58787, 58788

July 10, 1979

William and Florence Howell
Box 151
Imbler, OR 97841

Dear Mr. and Mrs. Howell:

We have received your applications. The first is requesting a permit to use 2.91 cubic foot of water per second from the Grande Ronde River for the irrigation of 278.2 acres and has been numbered 58785. Also with this application we received a map and fee of \$75.50 for which our receipt numbered 11922 is enclosed.

The second application is requesting a permit to use 2.79 cubic foot of water per second from the Grande Ronde River for the irrigation of 200.5 acres and was received with fees of \$81.30 for which our receipt numbered 11923 is enclosed. This application has been numbered 58786.

The third application, which has been numbered R-58787, is requesting a permit to construct the old channel Grande Ronde River loop reservoir and store 56.0 acre feet of water from the Grande Ronde River for irrigation. With this application we received supporting data and fees of \$30.00 for which receipt numbered 11924 is enclosed.

The last application is requesting a permit to use 0.10 cubic foot of water per second from the Grande Ronde River for the irrigation of 8.0 acres and has been numbered 58788. With this application we received fees of \$30.00 for which receipt numbered 11925 is enclosed.

There would appear to be a duplication of the coverage between applications numbered 58785 and 58786. In the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 28, application numbered 58786 included 8.0 acres and 5.0 acres respectively. Those acreages have also been included in those $\frac{1}{4}$ sections under application numbered 58785. The application map which you submitted would indicate this should be included under application No. 58785 and not under 58786.

If this is the case, the total acreage to be irrigated under application numbered 58786 would be 187.5 acres, and the fee required for that application would be \$77.40. Application numbered 58785 requires additional permit recording fees of \$29.20; however, if my assumptions are right from the total acreage, \$3.90 can be transferred from application numbered 58786

RECEIVED
JUL 25 1979
WATER RESOURCES DEPT
SALEM, OREGON

July 10, 1979
William and Florence Howell
Page Two

making the additional fees required \$25.30.

Application numbered 58785 should include the reservoir as a source of water under Item #1. Item #2 of this application locates the pumping point from the reservoir in the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 28, and the diversion from the River the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 28. These would appear to be reversed and should be corrected.

Items #7, #8, and #9 should be completed on both applications 58785 and 58786.

The duty of water for irrigation from the Grande Ronde River and its tributaries is 1/40th of one cubic foot per second per acre or 0.025 cubic foot of water per second. You have calculated the amount of water which you requested on your applications as 1/80th c.f.s. per acre. If you so desire, you may apply for the increased amount of water under these applications and receive a different priority date for the additional amount of water on each application.

As you discussed with Gary Oberholtzer of our office, in order for the storage in the reservoir to be approved by him, cross sections of the reservoir will be required if you have not already supplied that information.

I am returning the applications numbered 58785 and 58786 and 58788 for completion and correction. Your applications are endorsed so that in order to retain their priority date, they must be received in this office on or before September 10, 1979.

Sincerely,

Donald R. Buell
DONALD R. BUELL
Water Rights Engineer

DRB:tld

Sirs,
I hope the above deficiencies have been corrected. It was my intention to file for the maximum diversion "1/40 C.F.S. originally. The 1/80 C.F.S. was a mistake on the part of the reading the instructions for filing surface water applications.



Water Resources Department
MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066

Files 58785, 58786,
R-58787, 58788

July 10, 1979

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Box 151
Imbler, OR 97841

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C O P Y

July 10, 1979
William and Florence Howell
Page Two

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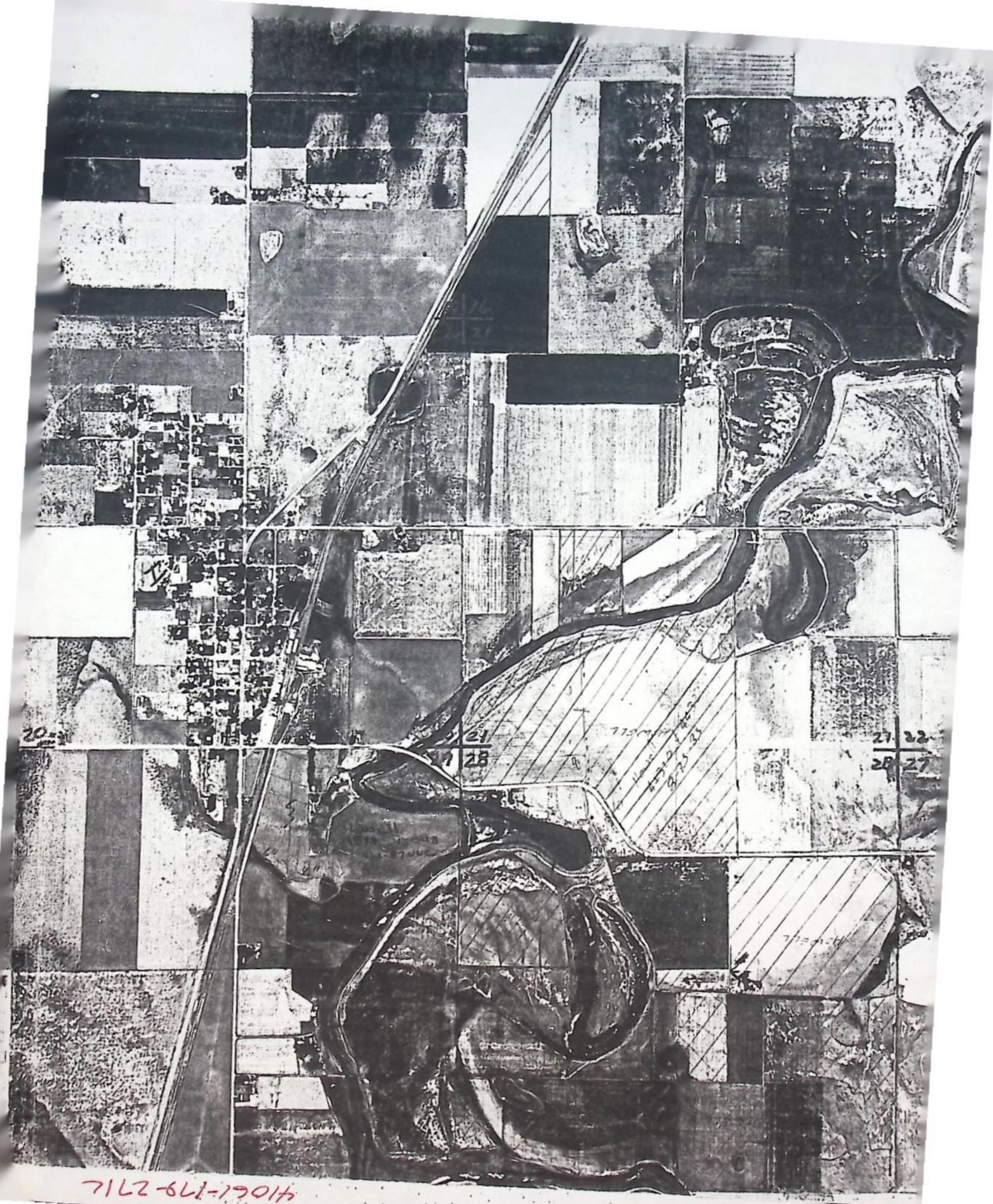
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Sincerely,

DONALD R. BUELL
Water Rights Engineer

DRB:tld



712-61-19014

Number 04602

216⁸⁰ Check _____ M.O. _____ Cash _____

3 Surface *for 278.2 ac = $\frac{20}{55.50}$*
X Reservoir *for 200.5 ac = $\frac{20}{61.30}$*
____ Ground Water *for 8.0 ac = $\frac{20}{10}$*
____ Transfer
____ Copying
____ Assignment *20/10*
____ Extension of Time
____ Certificate Recording fee
____ No Money
____ Other
____ Quadrangle
____ Protest
____ Spring Description
____ Contractors Exam
____ Contractors License
____ Drilling Operator Exam
____ Drilling Operator License