Certificate 3599 Redescription

- 1. **Certificate 3599:** According to current understanding of how the Public Land Survey subdivisions overlie the surveyed lots of the town of Paisley, Oregon, Lot 3 in Block L, South Addition and Lot 8 in Second South Addition are partly in the NE ¼ of the SW ¼ and mostly in the SE ¼ of the SW ¼ of Section 24, T33S, R18E, W.M.
- 2. Lake County Tax Assessor Map 33-18-24CD shows that Lot 3 in Block L, South Addition, and Lot 8 in Second South Addition to the Town of Paisley comprise the west half of current tax lot 200.

3. The following table describes the place of use description in existing certificate 3599, and a proposed redescription based on the findings above:

Origi	nal Description of Place of Us	se	Proposed Redescription of Place of Use					
Certificate	1/4-1/4	Acres	1/4-1/4	Estimated Acres	Current Tax Lot			
3599	NALot 3 in Block L, South Addition, and Lot 8 in Second South Addition to the Town of Paisley	0.75	NE SW (Paisley Lot 3) SE SW (Paisley Lots 3 & 8)	0.01 0.74	West ½ of 33 18 24CD-200			
	Total:	0.75 acre		Total: 0.75 acre				
	Townsh	ip 33 Sout	th, Range 18 East, Section 2	4				

STATE OF OREGON

24 CD

COUNTY OF

. LAKE

CERTIFICATE OF WATER RIGHT

This is to Certify, That

MRS. SUSIE L. RENEFIEL

Paisley

, State of

Oregon

has a right to the use of

the waters of

Chewaucan River, a tributary of Lake Abert

for the purpose of the irrigation of 0.75 acres of land

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for County, and the said decree entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 5, at page that the priority of the right thereby confirmed dates from 1901

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of 1/25 of a cubic foot per second per acre, and the aggregate quantity set forth below; and said right shall be subject to all other conditions and limitations contained in said decree.

A description of the lands irrigated under such right; and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows: (3.9 acre feet per acre curing each irrigation season, being the period from April 1 to September 15th of each year) Lot 3 in Block 1, South Addition, and Lot 8 in Second South Addition to the Town of Paisley, in Lake County, Oregon.

MAY 2 6 2004

TER RESOURCES DEPT SALEM, OREGON

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

> > WITNESS the seal and signature of the State

Water Board, affixed this 15th

> , 192 2 July

STATE WATER BOARD

(Seal of State Water Board).

By PERCY A. CUPPER

Attest:

of

R. W POTTER

dan

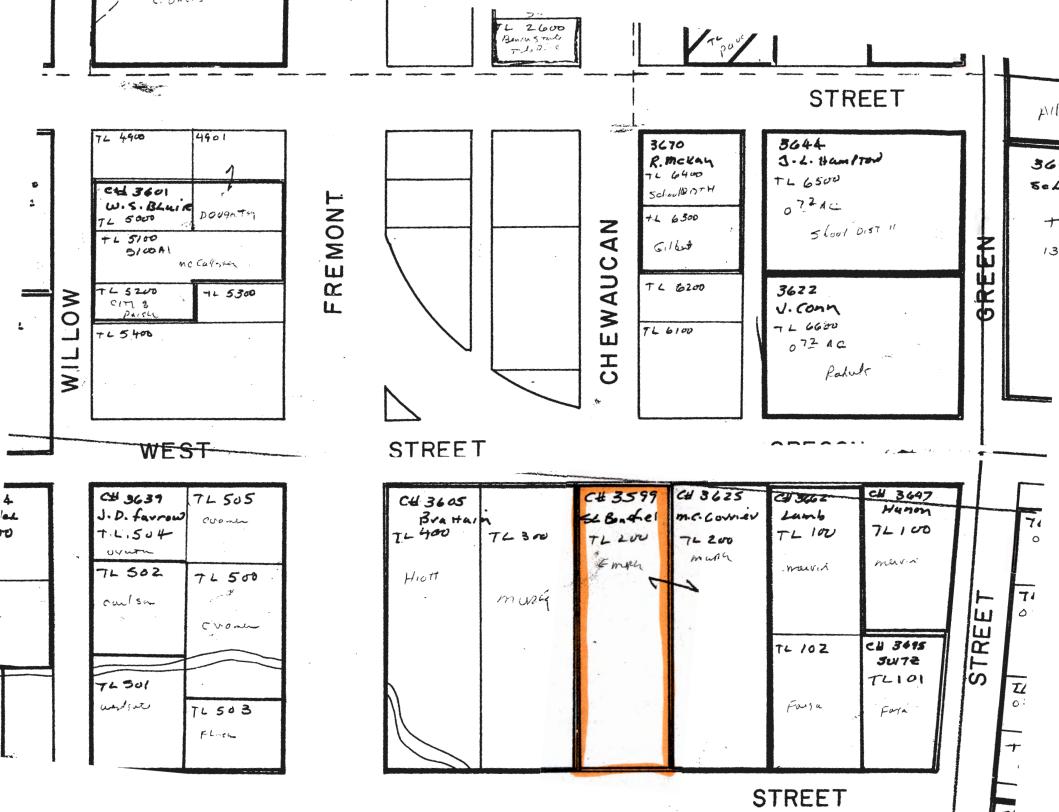
Recorded in State Record of Water Right Certificates, Volume

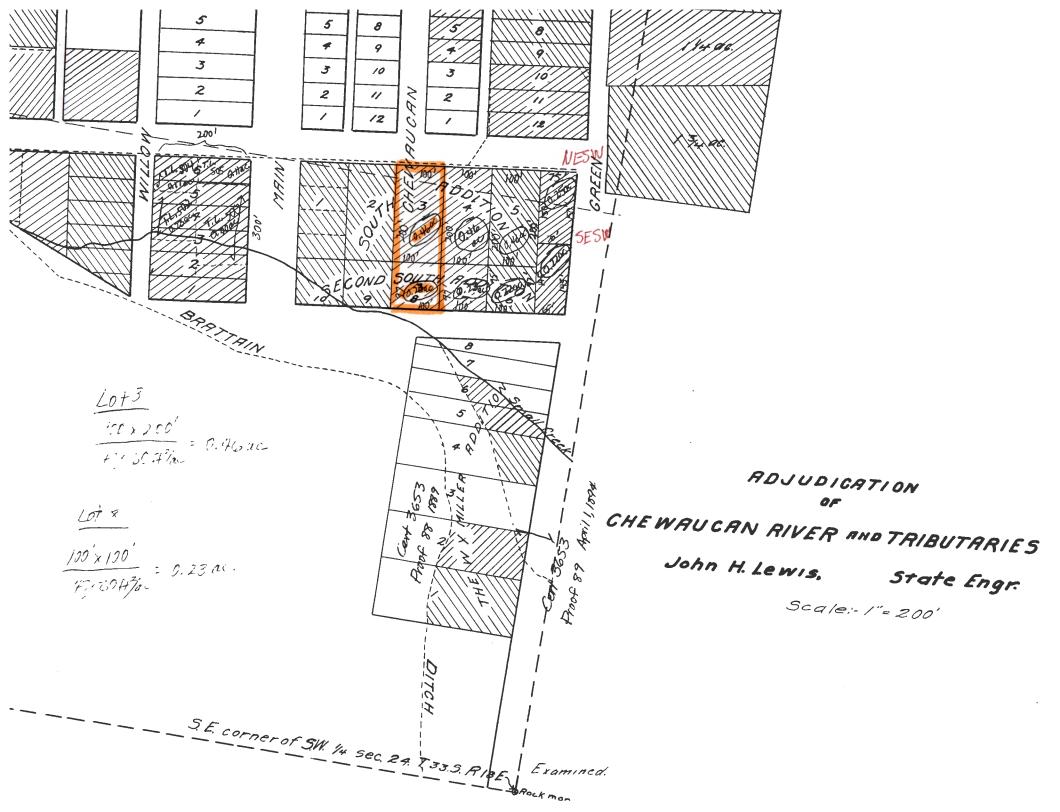
4, page

1-9733

24CD TL 200

Name and Postaffice Address of Appropriator	Date of Relative Priority	Amount Cubic Foot Per Second	Number Acres	Use	Name of Ditch	Stream	Description of Law College
, 6							
P. W. Banister, Paisley, Ore. (Proof 1, Vol. 1)	April 1, 1902	1.53	61	Irrigation	Banister	North Coffee Pot Creek	61 acres in E2 SW2, Sec. 2 T. 34 S. R. 18 E., W.M.
S. S. Banister, Paisley, Ore. (Proof 2, Vol. 1)	1898	0.04	11/2	Irrigation	Small's Gr & Banister Flume from Bagley Ditch	River	le acres in R#2; Sec. 24 T. 33 S. R. 18 H., W.).
Fverina Benefiel, Lakeview, Ore. (Proof 3, Vol. 1)	1892	0.15	6	Irrigation	Chandler	Crooked Creek	Spaces in NV Nat 22 acres in SW NVI, Sec.
(Proof 4, Vol. 1)	1892	0.4	16	Irrigation	Benefiel	Renefiel Creek	T. 37 S., R. 21 F., W.L. 72 acres in STA SWI, Sec. 84 acres in RWI NWI, Sec. T. 37 S. R. 21 F. W.K.
9 Irs. Susie L. Benefie Paisley, Ore. (Proof 5, Vol. 1)	1 1901	0.03	.75	Irrigation	Erell's Green West Etreet Pitol	River	Lot 3, Block L, South Addition, and Lot 8 in Second South Addition to Town of Paisley, Oregon.
Frank M. Beane, Lakeview, Ore. (Proof 6, Vol. 1)	(Permit No	. 788, iz	plicat	ion No. 1547)			•
James M. Bevel, Paisley, Ore. (Proof 7, Vol. 1)	April 15, 1908	0.13	5	Trrigation	Зече1	Iill Greek	5 acres in SEL SWE, Sec. 2. 23 S. R. 18 E. W.L.
W. S. Blair, and Blair Estate, Paisley, Ore. (Proof 8, Vol. 1)	1881	0.03	*	Trrigation	Forth Fork Small's Crand Hotel Paisley, Ditch.		Lots 4 and 5, and Wil of 1 3, Blook A, Town of Paisley, Oregon.
J. S. Franch, Valley Falls, Ore. (Proof 9, Vol. 1)	1886	• 0.83	25	Irrigation & Stock	Pranch Ditches	Willow Creek	11 acres in SEL SEL 12 acres in SEL SEL 2 acres in SEL SEL Sec.
(Proof 10, Vol. 1)	1893	3	120	Irrigation	Branch Ditch and Reservoir	Coyote Cr.	T. 36 S. R. 20 F. W.L. 25 acres in SEE SEE Sec.1 35 acres in SEE SEE Sec.1 30 acres in NEE SEE Sec.2 T. 36 S. R. 20 F. J.L.
H. A. Brattain, Prisley, Cre. (Proof 11, Vol. 1)	1875	0.13	5	Trrigation & Stock	No ditch; overflow from river	Chewaucan River .	5 acres in SW, NEL, Sec. T. 34 S. P. 20 F., Y.F. 268
[Proof 12, Vol. 1]	1901	10.25	410	Irrigation & Stock	Lower Cut- side Canal	Chewaucan Fiver	20 acres in NSI NEI 10 acres in NSI NEI 20 acres in NEI NWI 10 acres in NSI NWI 10 acres in SWI NWI 30 acres in NSI NWI 10 acres in SWI NWI 10 acres in SWI SWI





THIS MAP WAS PREPARED FOR LAKE COUNTY 33 18 24 CD ASSESSMENT PURPOSE ONLY PAISLEY 1"+100" SEE MAP \ 33\ 18 24CA SUMIT SELLT SOO CANCELLED NO. ST STREET STATE HWY NO. 3. NESW : WEST 400 600 800 L10As STREET 029 N. SOUTH 700 0.974s. THIS SKETCH 900 PURPOSE OF CERTAIN PREMI ASSUMED FOR STREET DIMENSIONS AND RY ACTUAL SURV 230 1100 0.46 AL 2209 1200 0.79 As. 1200 2100 \$100 2000 2000 1300 2800 0.784s 1.14 As. HOITIDA DRIV 2700 3501 3 1000 DV232-425 # 1200 1700 0884a GREEN 2500 MAIN 1000

PUBLIC ROAD

SKITS PERIE

Certificate 3605 Redescription

- 1. **Certificate 3605:** Certificate 3605 describes the authorized place of use as 1.4 acres in the NE ½ SW ¼ of Section 24, Township 33 South, Range 18 East of Willamette Meridian, Lake County, Oregon, being Lots 1, 2, 9, and 10, South Addition to the Town of Paisley, Oregon.
- 2. The transfer application depicts the place of use under Certificate 3605 as being 0.7 acres in tax lot 300 and 0.7 acres in tax lot 400, tax map 33 18 24CD. As shown on the current tax assessor's map 33 18 24 CD, these tax lots correspond to Lots 1, 2, 9, and 10, South Addition of the Town of Paisley, Oregon, containing 1,35 acres based on the dimension; of the lots.
- 3. Based on current understanding of how the Public Land Survey subdivisions overlie the surveyed lots of the town of Paisley, Oregon, Lots 1, 2, 9, and 10 of the South Addition of Paisley, Oregon are located entirely within the SE ¼ SW ¼ of Section 24, Township 33 South, Range 18 East. This location is also consistent with the original adjudication map prepared by the State Engineer, leading the Department to conclude that the land to which the right has always been appurtenant should be redescribed as La acres in the SE ¼ SW 1/4 of Section 24, Township 33 South, Range 18 East of Willamette Meridian, Lake County, Oregon, being Lots 1, 2, 9, and 10, South Addition to the Town of Paisley, Oregon.
- 4. Department proposes to clarify the water right record and accurately identify the place of use of water under this right as:

Origina	al Description of Place of Us	se	Proposed Redescription of Place of Use						
Certificate	1/4-1/4	Acres	1/4-1/4	Estimated Acres	Current Tax Lot				
3605	NE SW, being Lots 1, 2, 9, & 10, South Addition to the Town of Paisley	1.40	SE SW, being Lots 1, 2, 9, & 10, South Addition to the Town of Paisley	1.40	33 18 24CD-300 and 400				
	Townsh	ip 33 Sou	th, Range 18 East, Section 2	4	•				

Lot of the Market with a strange

STATE OF OREGON

COUNTY OF

LAKE

CERTIFICATE OF WATER RIGHT

This is to Certify, Than	H. A. BRATTAIN, P.	J. BRATTAIN and Mrs. C.N.
of Paisley , State of	Oregon	has a right to the use o
the waters of Chewaucan Rivor, a	tributary of Lake Aber	t
for the purpose of the irrigation	of 1.4 acres of land,	domestic and stock use

and that eqid right has been confirmed by decree of the Circuit Court of the State of Oregon for County, and the said decree entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume ; that the priority of the right thereby confirmed dates from 1881

that the amount of water to which such right is entitled, for the purposes aforcaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of 1/25 of a cubic foot per second per acre, and the aggregate quantity set forth below; and said right shall be subject to all other conditions and limitations contained in said decree.

A description of the lands irrigated under such right, and to which the water is appurtuant (or, if for other purposes, the place where such water is put to beneficial use), is as follows: (3.9 acre feet per acre during each irrigation season, being the period from April 1 to September 15 of each year) 1.4 acres in the Northeast quarter of Southwest quarter of Section Twenty-four, Township Thirty-three South, Range Eighteen East of Willanette Meridian, lake County, Oregon, being Lots 1,2, 9 and 10, South Addition to the Town of Paisley, Oregon.

All this Actually in SESW

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

WITNESS the seal and signature of the State
Water Board, affixed this 15th day

of July , 1922.

RECEIVED STATE WATER BOARD

(Seal of State Water Board)

By RERCY A. CUPPER

State Engineer, President

Attest:

MAY 2 6 2004

MATERIAL SOURCES DEPT

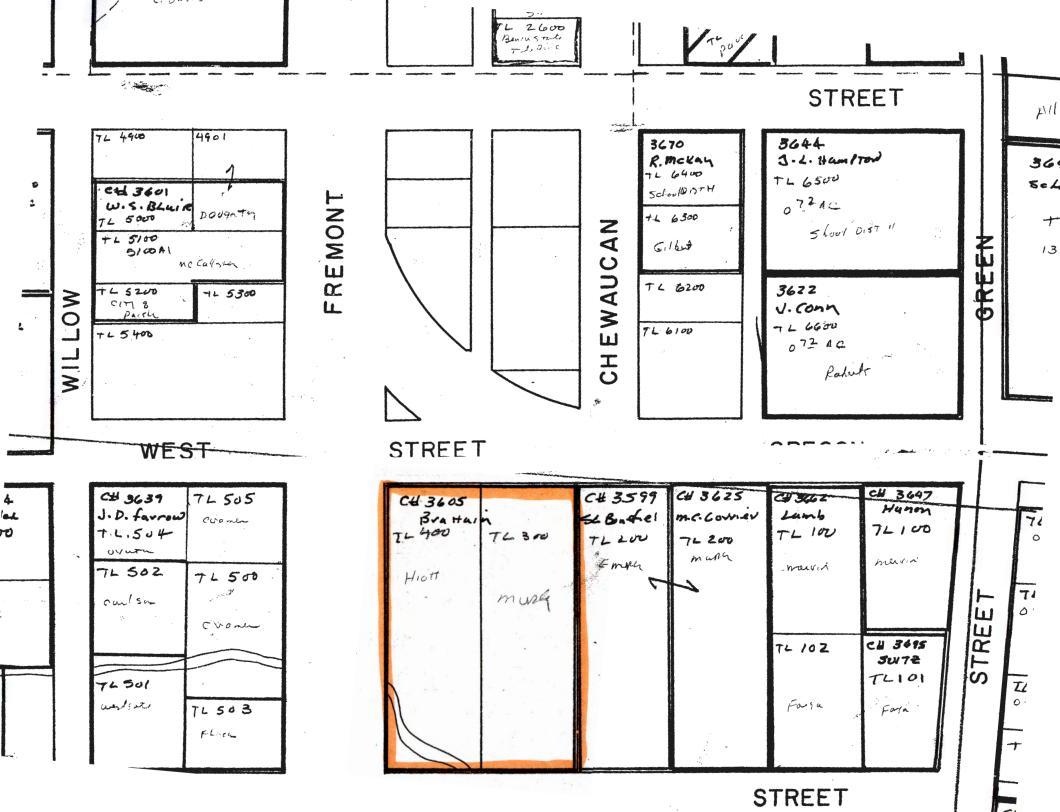
SALEM, OREGON

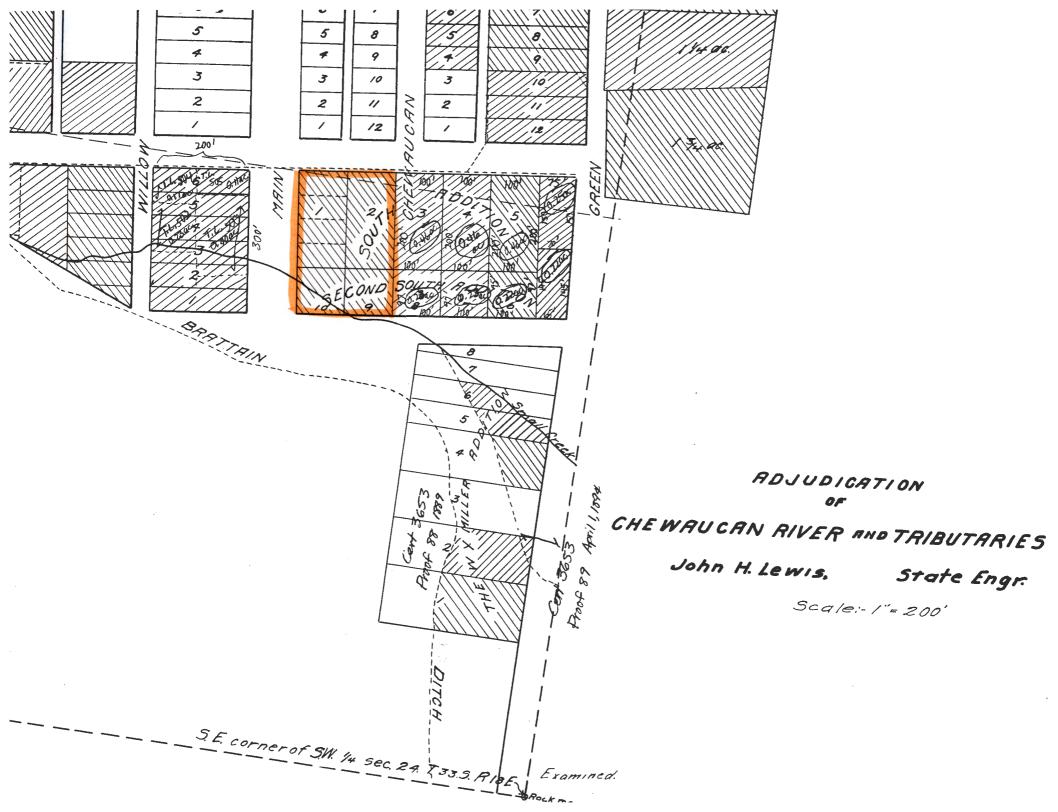
R. W. POTTER

Secretary

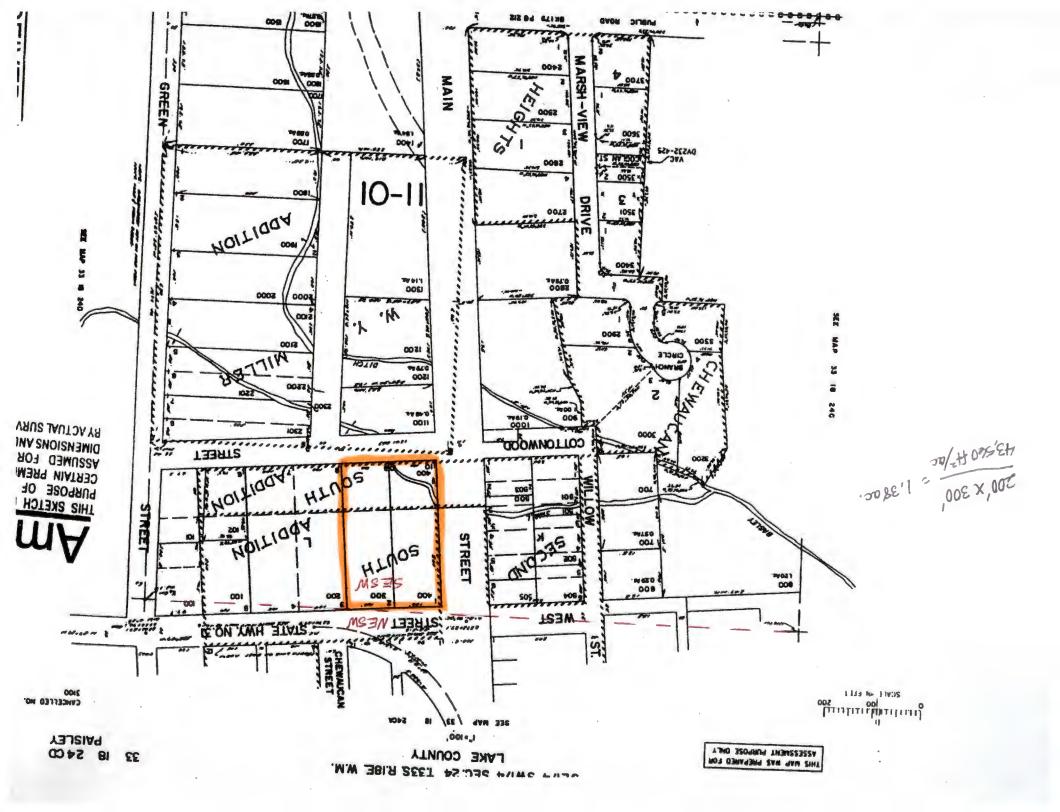
Recorded in State Record of Water Right Certificates, Volume

, p ge 3605





				1			wrome of an experience
		-					30 acres in NW SW 10 acres in SW SW 10 acres in SP SW 20 acres in Ma SE 10 acres in SW SW 32 SE 10 acres in SW SW 32 Sec. 33 10 acres in SW SW 5W 5ec. 34 T. 34 S. R. 20 E. W.M.
H. A. Brattain, P. J. Brattain, and Prs. C. N. Brattain-S (Successors to Fstate of T. J. Brattain, deceased, and Permelia J. Brattain, and H.A. and P. J. Brattain, Partners) Parsley, Ore. (Proof 13, Vol. 1)	1883 mall /8/6	16.9	676	Irrigation, Domestic and Stock	Bagley	Chewaucan River	18 acres in SW NE1 40 acres in SE NE1 39 acres in NE1 30 acres in NE1 32 acres in SW NE1 20 acres in SW SW Sec. 6 20 acres in SW SW Sec. 5 30 acres in NE1 21 acres in SW NE1 22 acres in NE1 32 acres in NE1 32 acres in NE1 32 acres in NE1 33 acres in NE1 34 acres in SW SE 40 acres in NW SE 40 acres in NW SE 40 acres in NW SE 40 acres in SW SE 40 acres in SW SE 40 acres in SW SE 50 acres in SW SE 51 52 acres in SW SE 53 acres in SW SE 54 Sec. 8 55 Sec. 9 56 Sec. 9 57 Acres in NE1 58 Acres in SW SE 58 Sec. 9 58 Sec. 9 59 Sec. 16 50 Acres in NE1 50
H. A. Brattain, P. J. Brattain, and Ers. C. N. Brattain-St (Successors to Permelia J. Brattain Pabley, Oregon. (Proof 14, Vol. 1)		0.04	1.4	Irrigation, Domestic & Stock	Small's Gr. and Brattai Ditch	Chewaucan n River	1.4 acres in NEL SWL, Sec.24 T. 33 S. R. 18 F. W. M. being Lots 1, 2, 9 and 10, South Addition to Town of Paisley, Oregon.
H. A. Brattain, P. J.Brattain, and Mrs. C. N. Brattain— Small (Successors to H. A. Brattain, and H. A. Brattain and P. J. Brattain, Executors of T. J.Brattai Estate) Paisley, Oregon. (Proof 15, Vol. 1)		8.3 7.5 dified b	332- 300 y D /	Irrigation & Stock V.1.5,47	Tast and We Prattain- ZX Ditches	st Crewaucan River	35 acres in NE SE 40 acres in SF NE NE 40 acres in NF NE NE 40 acres in SW NE NE 40 acres in SW NE 40 acres in NW SW 40 acres in NW SW 40 acres in SE SW 35 acres in NE SW 35 acres in NE SE SE Sec. 36 25 acres in NE SE SE Sec. 35 T. 34 S. R. 19 E. W. M. 8 acres in NE NE 8 acres in SW NE 8 acr



Certificate 3625 Redescription

- 1. **Certificate 3625** was issued based on proof Volume 1—Number 45 claiming 0.6 acre. The Department concluded, based on research of the deed records during 1983-1985, that this water right correlated with the eastern part of Tax Lot 200 in Block L of Paisley, Oregon, containing Lot 4 of the South Addition, and Lot 7 of the Second South Addition.
- 2. Certificate 3625 describes the authorized place of use as 0.6 acre in the NE ¼ SW ¼ of Section 24, Township 33 South, Range 18 East of Willamette Meridian, Lake County, Oregon.
- 3. Based on current understanding of how the Public Land Survey subdivisions overlie the surveyed lots of the town of Paisley, Oregon, Lot 4 of the South Addition of the Town of Paisley, Oregon is located partly within the NE¼ SW¼ and SE¼ SW¼ of Section 24, Township 33 South, Range 18 East. Lot 7 of the Second South Addition is in the SE¼ SW¼. This is also consistent with the original adjudication map prepared by the State Engineer, leading the Department to conclude that the land to which the right has always been appurtenant should be redescribed in the NE¼ SW¼ and SE¼ SW 1/4 of Section 24, Township 33 South, Range 18 East of Willamette Meridian, Lake County, Oregon.
- 4. The following table describes the difference between the place of use description in certificate 3625 and a proposed redescription of the place of use based on the findings above:

Original De	escription of Pla	ice of Use	Proposed Redescription of Place of Use					
Certificate	1/4-1/4	Acres	1/4-1/4	Estimated Acres	Current Tax Lot			
3625	NE SW	0.60	NE SW (Paisley Lot 4)	0.01	33 18 24CD-east half of 200			
			SE SW (Paisley Lot 4)	0.41				
ĺ			SE SW (Paisley Lot 7)	0.18				
Total 0.60 ac		0.60 ac	Total	0.60 ac				

Certificate Redescription

- 1. **Certificate#3625, was** issued based on the following proof: Volume 1—Number 45 claiming 0.6 acre. The Department in the 1980s concluded that this water right correlated with the eastern part of Tax Lot 200 in Block L of Paisley, Oregon, containing Lot 4 of the South Addition, and Lot 7 of the Second South Addition.
- 2. Certificate 3625 describes the authorized place of use as 0.6 acre in the NE ¼ SW ¼ of Section 24, Township 33 South, Range 18 East of Willamette Meridian, Lake County, Oregon.
- 3. Based on current understanding of how the Public Land Survey subdivisions overlie the surveyed lots of the town of Paisley, Oregon, Lot 4 of the South Addition of the Town of Paisley, Oregon is located partly within the NE¼ SW¼ and SE¼ SW¼ of Section 24, Township 33 South, Range 18 East. Lot 7 of the Second South Addition is in the SE¼ SW¼. This is also consistent with the original adjudication map prepared by the State Engineer, leading the Department to conclude that the land to which the right has always been appurtenant should be redescribed in the NE¼ SW¼ and SE¼ SW 1/4 of Section 24, Township 33 South, Range 18 East of Willamette Meridian, Lake County, Oregon.
- 4. The east half of Tax Lot 200 appears to include 0.69 acre. Based on the scale of the State Engineer's map dated November 11, 1912, Lot 4 in Block L, South Addition, is estimated to include approximately 0.46 acre, with approximately 0.23 acre in Lot 7. The Department concludes that if the water right has always been appurtenant to Paisley Lots 4 and 7 in Block L, the total acreage in the right under Certificate 3625 may have always been more than the originally estimated 0.6 acre and should be increased to 0.69 acre.

5. The following table describes the difference between the place of use description in certificates 3625, 3647, 3662 and 3695, and a proposed redescription of the place of use based on the Findings above:

Original De	escription of Pla	ice of Use	Proposed Redescription of Place of Use						
Certificate	1/4-1/4	Acres	1/4-1/4	Estimated Acres	Current Tax Lot				
3625	NE SW	0.60	NE SW (Paisley Lot 4)	0.01	33 18 24CD-east half of 200				
			SE SW (Paisley Lot 4)	0.48 2.71					
			SE SW (Paisley Lot 7)	0.23 9.18					
Total		0.60 ac	Total	0.69 ac					

These properties include 0.09 acre more than the water right claimed.

Are Paisley Lots 4 and 7 the property owned by M.C. Currier that was claimed in Proof 45?

The District of the property owned by M.C. Currier that was claimed in Proof 45?

Based of the property owned by M.C. Currier that was claimed in Proof 45?

Based of the property owned by M.C. Currier that was claimed in Proof 45?

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Based of the property owned by M.C. Currier that was claimed in Proof 45?

GLENDER'S HYDRO TECH SERVICES

93291 PIKE LN LAKEVIEW, OREGON 97630 Telephone/Fax (541) 947-4718 Cell (541) 219-0806 E-mail djglender@gooselake.com

MEMO

May 24, 2005

TO:

Dorothy Pedersen

Transfer Specialist

FROM: Dennis R. Glender

RECEIVED

MAY 25 2005

WATER RESOURCES DEPT SALEM, OREGON

SUB. Bagley Ditch Corp POD Transfer 9733

Dorothy,

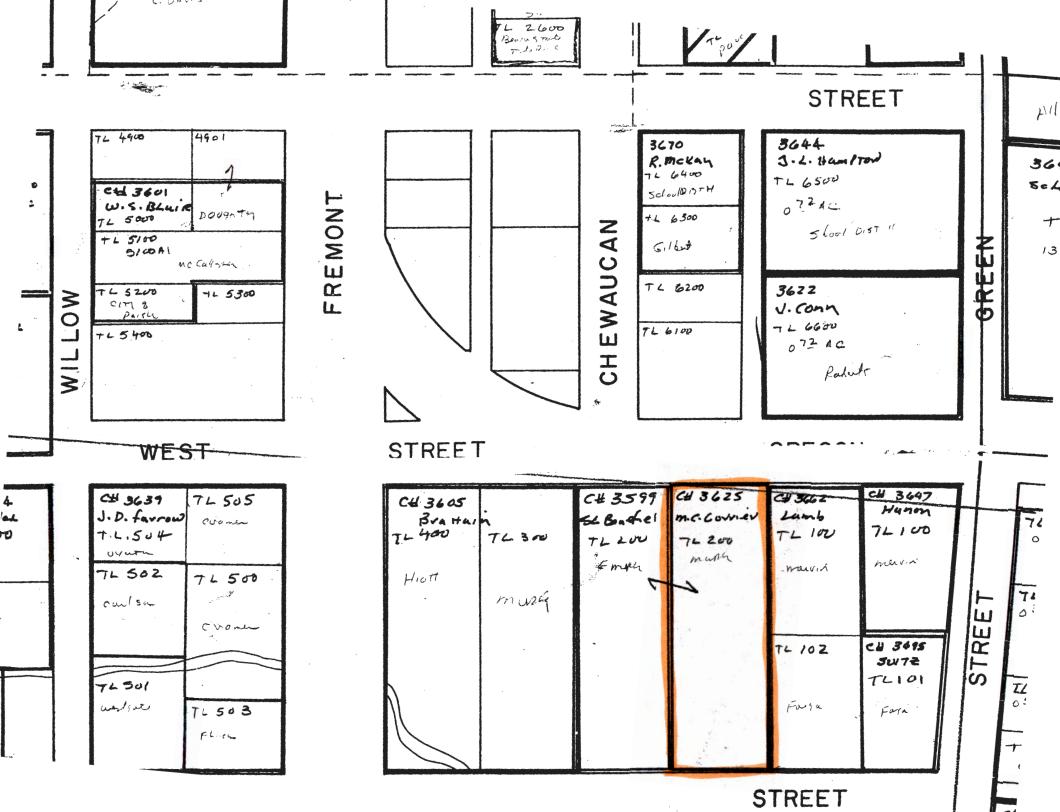
Please find enclosed copies of proof claims 45, 57, 58, 59, 80, 103, 143, 155 & 156. There is an explanation of mix up of proof description of proofs 58 & 59 attached also.

Certificates 3625, 3647, 3662 & 3695.

The locations of these certificates was painstakingly researched in the late 1980's by myself, the Watermaster of District #12 at the time and my office assistant. This is where we determined the water rights to be located. It will take hours of additional time on my part to do the research again. If this information is absolutely vital to the completion of this transfer, perhaps an Oregon Water Resources Staff person could come to Lakeview and do the research seeing how it was the State Engineer's lack of thorough investigation in 1916 in making sure that all claims were correct and locations of use absolutely clear before issuing a Certificate of Water Right.

Certificate 3629 - Agree

Certificate 3631 see attachment to proofs 58 & 59



STATE OF OREGON

24cD

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

This is to Certify, That

M. C. CURRIER

of

Paisley

, State of

Oregon

has a right to the use of

the waters of Chewaucan River, a tributary of Lake Abert

for the purpose of the irrigation of O.6 acres of land, domestic and stock use

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Lake County, and the said decree entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 5, at page 1; that the priority of the right thereby confirmed dates from 1878

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of 1/25 of a cubic foot per second per acre, and the aggregate quantity set forth below; and said right shall be subject to all other conditions and limitations contained in said doorse.

A description of the lands trrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

(3.9 acre feet per acre during each irrigation season, being the period from April 1 to September 15 of each year)

(3.6 acres in the Northeast quarter of Southwest quarter of Section Twenty-four, Township Thirty-three South, Range Eighteen East of Willamette Meridian, in Lake County, Ortgon.

24 CD

TL 200

ECEIVED

MAY 2 6 2004

WATER RESOURCES DEPT

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

WITNESS the seal and signature of the State
Water Board, affixed this 15th day

of

July

, 192 2

STATE WATER BOARD

(Seal of State Water Board) .

By PERCY A. CUPPER

State Engineer, President

Attest:

R. W. POTTER

iecretar_i

Recorded in State Record of Water Right Certificates, Volume

4 , page

8625

Paisley, Oregon. (Proof 40, Vol. 1)		٠,			Small's Cr. and small box flum	River	Lots 5 and 6, Blenk Town of Paisley, Oregon.
363 ²⁰							
Virgil Conn Paisley, Oregon. [Proof 41, Vol. 1)	April, 1900	0.03	3/4	Irrigation	South Fork or Small's Creek and small ditch	River	3/4 acres in NE2 SW2, Sec. T. 33 S. R. 18 E. W. M.
D. B. Conrad and Lettie E. Conrad Paisley, Ore. (Proof 42 Vol. 1) John and Dennis O'Callagha Secasses in interess Vol. 5, p. 41.	1878	1.7	68	Irrigation Donnestic and Stock	Small's Cr and Bagley Ditch	Chewaucan River	10 acres in NF NE 1 35 acres in NW NE 1 13 acres in SW NE 1 10 acres in SE NE NE 5, Sec. 21 T. 33 S. R. 18 E. W. N.
M. C. Currier, Paisley, Ore. (Proof 43, Vol. 1)	1878	4.14	165.6	Irrigation, Domestic & Stock	Innis Slou and Ditches		40 acres in NE SW 40 acres in SW 5W
(Proof 44, Vol. 1)	1878	3.1	124.2	Irrigation, Domestic and Stock	Innis Slou Jones Slou and Fisher Slough	gh	T. 33 S. R. 19 E. W. L. 8 24.6 acres in NE SW2 10 acres in SE SW2 20 acres in SW3 SE 192 acres in SE SE 28.6 acres in SW3 SW2 20 acres in SW3 SW2 20 acres in SW3 SW2 20 acres in SE SW2 20 acres in SE SW2 20 acres in SE SW2 30 SC.21
(Proof 45, Vol. 1)	1878	0.03	•6	Irrigation Domestic and Stock	Branch of	n Chewaucan River	T. 33 S. R. 19 E. W. M. 6 acres in NE SW., Sec. 24 T. 33 S. R. 18 E. W. M.
					Small's Cr		
No C. Currier, and Kittie Bell, Currier Paisley, Oregon. (Proof 46, Vol. 1)	1878	0.03	•7	Irrigation Domestic & Stock	Small's Cr	Chewaucan River	.7 acres in NE SW4, Sec. 34 T. 33 S. R. 18 E. W. L.
/ A. Currier, Paisley, Oregon (Froof 47, Vol. 1)	1906	0.03	1/2	Irrigation and stock	liddle Channel or Fork and Ditch	Chewaucan River	1/2 acre in NET SWT, Sec. 24 T. 33 S. R. 18 E. W. L.
F. N. Curtis, (Perm Valley Falls, Ore. (Proof 48, Vol. 1)	nit #1417) Nov. 29, 1913	(See Fa	ıragraph) Irrigation	F. N. Curti	or Villow Cr	•
H. E. Curtis (Perm Valley Falls, Ore	Now. 29 1913	(See Par	ragraph] Irrigation	H. E. Curti	s Coyote or Willow Creek	
							CHEWAUCAN RIVER 58

Decree - Dec. 2, 1916

INDEX

GLENDER'S HYDRO TECH SERVICES

93291 PIKE LN LAKEVIEW, OREGON 97630 Telephone/Fax (541) 947-4718 Cell (541) 219-0806 E-mail diglender@gooselake.com

MEMO

April 13, 2005

FROM: Dennis R. Glender
SUB. Clarica SUB. Clarification of discrepancies in location of use for Certificate 3625, T-9733

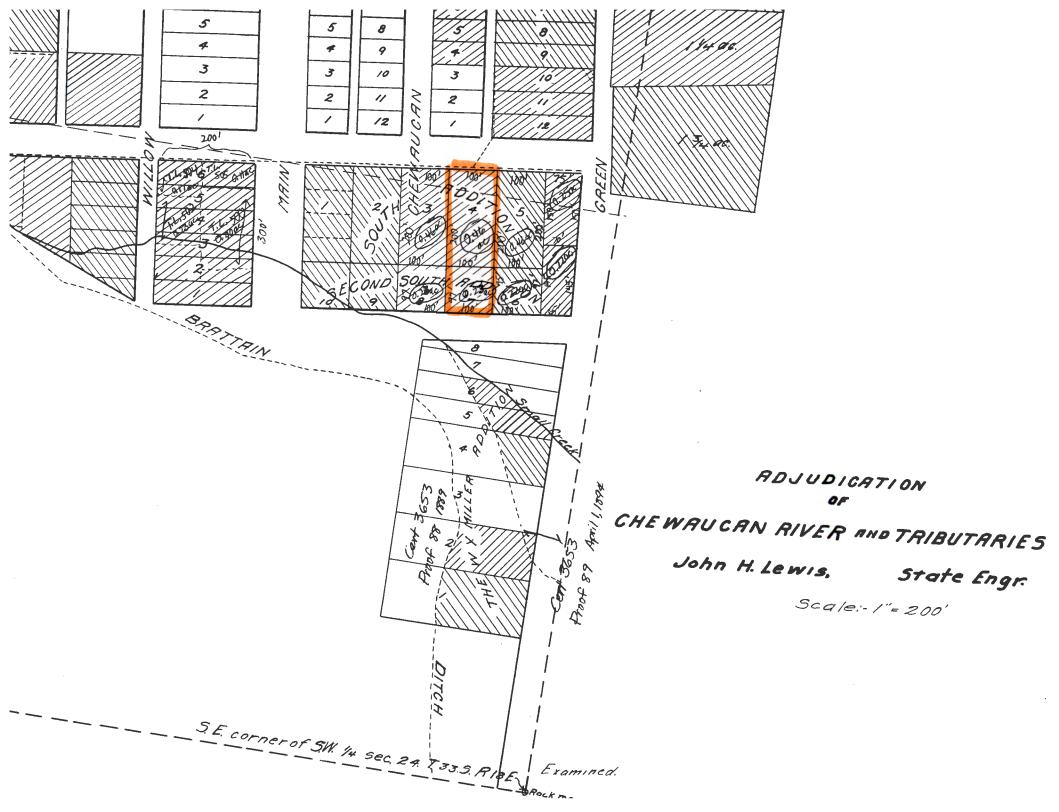
Please find attached Lake County map 33 18 24CD. I have indicated in red the 1/41/4 line between the NE¼ SW¼ and the SE¼ SW¼. As you can see, Tax Lot 200 is mostly contained in the SE¼ SW1/4.

The State Engineer did not require or determine the accuracy of this claim. If we simply call out the location of this right as Tax Lot 200, Section 24CD, T 33 S, R 18 E, WM, Lake County, Oregon, it will be most accurate as to location.

RECEIVED

APR 1 4 2005

WATER RESOURCES DEPT. SALEM, OREGON



DEFUNE THE BURNE UT GUNTHUL UP THE STATE OF TREBON

Water Division No,	CountC	4 RECEIVED
	Vol 1 Proof	- MAY 2/5 2000
	101 - W	ATER RESOURCES
Rights to the Waters of the Chewaucan STATEMENT AN	D PROOF OF CLAI	MANAEM OREGON
and its tributaries, a	in the second second	And the second of the second o
Tributary of Moss (The claimant must submit separate proof as to each ditch through which a	Charles and the second second	_Ditch.
STATE OF OREGON,	at which soweth	1)
Country of Lake		
M.C.Currier of	Paisley	., Oregon,
being called as a witness in support of this Statement of Claim, and be	AND THE PARTY OF T	上文字 可知 的复数数数 ATT 的现在分词可能达到这里 2000年以及1000年以及1000年以及1000年以及1000年的1000年
as follows:		
1. Q.—What is claimant's name and postoffice address? If a coincorporation and the authority by which you make this proof.	rporation, give th	e place of
A. M.C.Currier, Paisley, Oregon		
Address this greatists the biddelicks, the bar reputers about it is respectly.		
(If this proof is made by you as agent or attorney, the written authorization their claimant upon the back hereof.)	efor must be signed	by the
2. Q.—Do you claim a right to the waters of the above named str If from a tributary, give its name.	LAIR NOODE SOME SHOW	100
A. T. do Albert Die Manner der Frank der State der Anderson der State der St		
3. Q.—What is the nature of the right or use on which this claim is based?		
A Trrigation demestic and stock (Irrigation, power, mining, domestic, stock, etc.	Y	
4. Q.—How was such right initiated, or upon what is it based?		PARTIES AND THE STATE OF THE ST
A.— Appropriation, diversion and use (Appropriation, diversion and use, etc.)		The safety agent
5. Q.—State the date of the initiation of such water right. A.— 6. Q.—What steps were taken by this claimant or his predecess.	About 187	8
right? Answer fully, attaching separate sheet if necessary.	A STATE OF THE PARTY OF THE PAR	
A. About the year 1878, claimant's predecesser in	interest dive	rted the water
of Mess Slough, which is the north branch of Small's Creek		a tributary
of the Chewaucan River, and applied the water to the land s	nd raised gard	en thereon
The complete of the second property of the second of the s		
7. Q.—When was water first used for irrigation, or other benefic	ial purposes?	
A About 1878		
8. Q.—State the means of utilizing such water, giving the name commonly known, if a ditch is used.		h vs most
A.— Fleeding the land		
9. Q.—State the interest claimant has in such ditch, with the users interested therein.	names of any oth	er water
A Whetever interest that was equired by the pu	robase of the	land
from the original owners		Ann-wallenger
to 12 - this the off of the freshields of cristington A H.		

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	10.	Q.—S	tate t	he da	te of	the b	eginn	ing of	f cons	truct	ion.	A	Abou	t 18	78	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		
	11.	Q.—S	tate ti	re dat	e of c	omple	etion.	A			.77		Abeu	t 18	78			
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		A.—									*********		•••••••			**************************************		*****
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fe	et; dep	t h				f	eet; g	rade,	or fa	ll per	1000	feet,	******				<i>f</i>	eet.
		Secon	d enla	ırgem	ent_	Widt	h (to	p)			fe	et; wi	dth (botto	m)			
fe	et; de p	th		. 1	**********	f	eet; g	rade,	or fa	ll per	1000	feet,				7	f	eet.
	14.	Q.—S	tate t	he ar	ea of	land	whic	h you	r dit	ch, a	s orig	inally	cons	truct	ed, w	as int	ended	i to
	rigate. 15.	A 7			6 used	for	irrigo	tion,	state	acres	numb	er of	acres	recle	vimed	and	irrigo	ited
th	e first	year.									*.			'			,	
	16. ·	QH	010 17	any	acres	wer	e irri	gated	each	sub	eque1	rt yea	u uj	to	and	inchu	ding.	the
pı	resent 1	A.—		0	,6				*******					, , ,		*****		
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ea	17. ich suc	Q.—H cessiv	ow n	any rgem	acres ent?	were	irrig	ated	after	the	first	enlarg	jemen	t of	said	ditch	? A	fter
						**********								********			,	0,000
***	18.	Q.—G	ive th	e nun	iber (f acr	es irr	igated	unde	er said	l ditcl	h at th	e pre	sent t	ime ir	ı each	sm`al	lest
le,	gal sub	divisi n on	on (4 the pl	0-acre	the S	t), u Hate	sing t Engin	he fo	llowii vhich	rg for	rm. may	(The exami	lands ne at	have the t	been ime o	surve f the	eyed hear	and ing.
Y	our and	swer :	to thi	gues	ation	shoul	d con	form.	to th	08e 7	naps,	unles	8 you	obje	ct to	the s	ame	and
	iswer t															, , ,		
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200	10.34		NE%	NW¼	SW¼	SE¼	NE%	NW¼	sw¼	SE¼	NE¾	NW¼	sw¼	SE¼	NE%	NW¼	8W%	SE%
33	18	24		•••••							0.6							
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19. Q.—State the character of the soil and kind of crops cultivated.

A ... Light sendy Leam. Corn potatoes and other vegetables

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	A Irrigating season extends from March to Octoberand water is used the
ye	er round for domestic and stock purposes
land	21. Q.—What amount of water do you estimate is necessary for the proper irrigation of the ls which you are irrigating or propose to irrigate, or for any other purpose for which a right laimed?
	A 1/24 ef ene cubic fost per second per sore
	22. Q.—Do you accept the maps prepared by the State Engineer as showing correctly the tion of said ditch and the lands irrigated therefrom?
ink.	A.—
hor	28. Q.—If water is used for power, state the total fall utilized and the theoretical (not actual) sepower developed.
	The same of the sa
whe	24. Q:—Describe the nature of the works by which the power is to be developed, the place re located, and state whether the water is returned to the stream after use and at what point.
7.4.	

20. Q.—When does the irrigating season begins and when does it end, and if water is

ana	state	wnetner	atter	use the	water 18	returnea to	the stream	ana ai	wnat	point.	. 212	- G-2.5
17.114 15	1º A	7 Tell	Sec. 2		2"	2				•		
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25. Q.—If for mining purposes, describe the location and character of the mines to be served

26. Q.—If water is used for mining or power purposes, state whether there are any diversions between the point of your diversion and the return of such water to the stream.

***27. Q.—If the right claimed was initiated prior to February 24, 1909, but the water not yet fully applied, state whether such right was initiated by the construction of a new ditch or the enlargement of an existing ditch, and whether storage works are to be constructed.

***29.	Q.—What is the estimated cost of such proposed construction?	A - accessor appropriate to the contract of th
***28.	Q.—Give the length of such proposed ditch. A.—	
4, 3494		man a man man a
2. 4	And the second s	OF LE SECTION OF STATE OF SECTION OF THE SECTION OF

***30. Q.—When are the works intended to be completed? A.—

***31. Q.—State in detail, the number of acres which you propose to irrigate in each smallest legal subdivision (40-acre tract) under such proposed ditch or enlargement, using the following form. The lands at present actually irrigated should be described in answer to question 17. (Attach a separate sheet if necessary.)

Twp: 1	1		NE 1-4			74.64. 1-4.			SW 1-4			9E 1-4						
	Range	Sec.	NEX	NW%	sw¾	SEM	NEW	NW%	sw*	SE%	NEX	NW%	sw _%	SEX	NE%	NW%	sw%	SEX
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rije der 3	33 (3		O al															
Sists			lacc.			1	42 Y.A			**********	July 2.							
				W		7.3					**			gross.			1 1 1	727

while of after and appear Total enterenting which has been companies

4 195		*******************************		******************************	
	ē *	t of construction to do			3
34. Q.—	-What interes	t have you in the land	s irrigated or pl	ace where the wat	er is used?
A		Owner			
	their postoffice	w * *		· · · · · · · · · · · · · · · · · · ·	
A	J.L.Hamp	en,C.B.Campbell,V.	Cenn all of Ba	isley Oregen	
			7 - 47 - 1 - 1 - 1		site of the state of the state of
36. Q	-What additio	nal evidence have you	attached hereto	or submitted hereu	rith?
\$ \$ CA		the property of the contract o			90 m
		, , , , , , , , , , , , , , , , , , ,			A Commence of the second
		# 1000000000000000000000000000000000000			and the second and the second
b 4.					
eparate sheet of the ach smallest lettached to this I here believe.	or sheets. A corporation of the persons owning tight subdivision. Corporation and market eby certify up	space insufficient to properly oration supplying water for in the lands so supplied, with the ertified copies of records and d for identification as Exhibit con oath that the foreg	rigation to lands not is correct description of such evidence as the "A," "B," "C," etc. oing statements (its own, should attach to the lands owned by so claimant may desire to and answers are to	o its proof a com ch such person i submit, should b
			Signature of Clas	imant, or agent me	ulcing proof.
1.1		-	. 0		
ubscribed a	nd sworn to be	efore me this	day of	and I	, 191
			lance.	1. 8/2	
	1	Superintendent of	Water Division N	Vo of State	of Oregon.
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ees paid:		~ , \$ / -		-01	
	V	4	Ames .	1. 8 Tan	
- Tel - 1	Br				
*In case the reasons there ands, with affida the mile (40 hich is irrigate	there is objection to efor, and must, we with of surveyor the chains to one inc	to the official plat the parties ithin thirty days, file with the ereto giving date of survey.	objecting must, when he Division Superinten Such map should be or	No, State giving proof, file a wrident a map of said di n tracing linen, on a so 10-acre legal subdivision,	tten statement of tch and irrigated ale of two inches
the control of the co	cal horsepower equoond falling 8.8 fe a water right has ially applied to be Superintendent was cale of two in 40-acre tract, as ingineer should be rigated. Questions	uals total quantity claimed in est equals one theoretical hors been initiated prior to Februardian use, a map of lands within thirty days from date of ches to the mile (40 chains as well as main canals and gen attached, with date. The sur 26, 27, 28, 29, 30, 31, and 32	spower, or 550 foot plary 24, 1909, and the on the above scale sluf proof, which maps to one inch), and sho eral plans of all imporveys of the State Einrelate only to uncomp	d, times fall in feet, div pounds per second). works are incomplete, hould accompany this s should be drawn on u buld show the area whi reant structures to be bu gineer will show only o pleted rights.	or the water not tatement, or filed niform sheets of the it is proposed filt. The affidavitionstructed works
		AUTHORIZATION	OF AGENT.		
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ate of	***********************	do herebu ma	ke and appoint		
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roof of Clai	for me and in mant, and I he may be made entitled matt	my name, place and ste ereby designate said ag of all process and not er, and said agent is h d lawful agent and atto	ad, to make and s ent as the prope ices in any contes ereby duly autho rney giving and	rubmit the within S r party upon whom st commenced by overized to appear in granting unto my s sary and requisits	tatement and n lawful and r against me, any and all
the within ch contests up power an e premises.	as fully as I r	do and perform all an night or could do if pe fully do by virtue of t	remally mrocent	hereby ratifying an	to be done in id confirming
the within ch contests U power an e premises, I my said a	as fully as I i	ao and perform all an night or could do if pe fully do by virtue of the	rsonally present, i his power.	hereby ratifying ar	d confirming
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Certificate 3653 Redescription

- 1. Certificate 3653: The location of the 3.0 acres under Proof No. 88 needs to be clarified. The Chewaucan River Decree, Vol. 1, page 289, as well as Certificate 3653, list the location as "Lots 1, 2, 3, and 4, Miller's Addition to the Town of Paisley, Oregon". However, Proof 88 has the following description pasted over the section for description of the place of use: "The land owned by claimant of which this statement and proof submitted herein covers a part, is described as follows. Commencing at a point 30 feet North and 30 feet East of the South-west corner of the South-east quarter of Sec. 24, Tp. 33 S. R. 18 E.WM. thence running North 509 feet; thence running Easterly 502 feet, thence running Southerly 522 feet, thence running Westerly 497 feet to the place of beginning. The 3 acres irrigated from the Brattain ditch is in irregular shape lying in the South and West part of said tract. The balance of the tract is irrigated from the Miller Ditch."
- 2. The location of 2.6 acres under Proof 89 is described in the proof form as being another part of the same property described by metes and bounds in Finding 57 above, further delineated as follows: "The 2.6 acres irrigated from Miller Ditch is in irregular shape taking in the North and East lines particularly, and cutting the West line of the land. The balance of said tract is irrigated from the "Brattain Ditch" owned by The Bagley Irrigation Company, as shown by Statement and Proof of Claimant herein filed [Proof 88]. The whole of said 5.6 acres is irrigated.

3. Based on the location statements in Proofs 88 and 89, the place of use should be redescribed as follows when new certificates are issued:

Original I	Description of Plac	e of Use	Proposed Redescription of Place of Use						
Certificate 3653	Legal Description	Acres	1/4-1/4	EstimatedAcres	Current Tax Lot				
Proof 88 (Priority 1889)	Lots 1, 2, 3 and 4, Miller's Addition to the Town of Paisley,	3.00	SW SE	0.13 (not participating in transfer—remaining right certificate to be issued)	33 18 24D-1900				
	Oregon			2.87 to be affected by transfer	33 18 24D-2001				
Proof 89 (Priority April 1, 1894)	SW SE	2.60	SW SE	2.60 to be affected by transfer	West 0.27 ac of 33 18 24D-2002 and remaining part of 33 18 24D-2001				
	To	otal 5.60	Tota	1 5.60					
		Township 3	3 South, Range 1	8 East, Section 24					

STATE OF OREGON

COUNTY OF

CERTIFICATE OF WATER RIGHT

This is to Certify. That

FRANCES E. HOWELL

Lakeview

. State of

Oregon

has a right to the use of

the waters of Chewaucan River, a tributary of Abert Lake .

for the purpose of the irrigation of 5.6 acres of land

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Lake County, and the said decree entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon in Volume 5, at page 1; that the priority of the right thereby confirmed dates from 1889 as to lands under proof? that the priority of the right thereby confirmed dates from 88 and April 1, 1894 as to lands under proof No. 89

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of 1/25 of a cubic foot per second per acre, and the aggregate quantity set forth in connection with each tract described below; and said rights shall be subject to

all other conditions and limitations contained in said decree.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, of for other purposes, the place where such water is put to beneficial use), is as follows:

(Proof No. 88 for the irrigation of 3 acres from Chamacan River, 3.9 acre feet per acre during each irrigation season, being the period from April 1 to September 30 of each year) Lote 1,2,3 and 4, Miller's Addition to the Town of Paisley, in taxe County, Oregon.

(Proof No. 89 for the irrigation of 2.6 acres from Chewaucan River, 3.9 acre feet per acre during each irrigation aeason, being the period from April 1 to September 15 of each year) 2.6 acres in the Southwest quarter of Southeast quarter of Section Twenty-four, Township Thirty-three South, Range Eighteen East of Willamette Meridian, in Lake County, Oregon.

The right to the use of the water for irrigation purposes is restricted to the lands or place

MAY 2 6 2004

ATER RESOURCES DEPT

SALEM SOIL EF State Water Boant)

WITNESS the seal and signature of the State

Water Board, affixed this

July , 192 2

STATE WATER BOARD

PERCY A. CUPPER

State Engineer, President

Attest:

R. W. POTTER

dan .

Recorded in State Record of Water Right Certificates, Volume 4 , page

		1	l	B., / *	Table 2004 3		
H. C. Hotchkiss et al (continued) (Proof 87, Vol. 2) Fower (1 4 765 - Abancism		. 24		Power 38 H.P.			O.5 acres in SW. 13 acres in SE NW 1 acre in NE SW. 10 acres in NE SE 23 acres in NW SE 7.6 acres in SW SE 29 acres in SW SE 20 acres in NW NW 28 acres in NW SW 15.5 acres in NW SW 19.6 acres in SW SE 20.5 acres in SW SE 20.5 acres in SW SE 20.5 acres in SW SE 21.5 acres in SW SE 22.5 acres in SW SE 23.5 acres in SW SE 34.5 Sec.20 35.5 acres in NW SW 5.5 acres in NW SW 5.5 acres in NW SW 5.5 acres in NW SW 7. 35 S. R. 21 E. W. M. Power developed at Concrete Dam across river. Water re-
				1/19/23			turned to river from penstock.
Frances E. Howell, Lakeview, Ore. (Proof 88, Vol. 2) (Proof 89, Vol. 2)	1889 April 1, 1894	0.08	3 2.6	Irrigation Irrigation	Bagley Small's Creek and	Chewaucan River Chewaucan River	Addition to the Town of Paisley, Oregon.
					Ditch		
Smith Guardian) and Frances E. Howell Lakeview, Ore. (Proof 90, Vol. 2)	April 1, 1894	0.13	5	Irrigation	Small's Creek and Liller Ditch	Chewaucan River	5 acres in SE SE, Sec. 24 T. 33 S. R18 E. W. R.
3 ^{1,5} I. O. O. F. #177 Paisley, Ore. (Proof 92, Vol. 2)	April 1, 1908	0.03	1/2	Trrigation	Unnamed ditch	Chewaucan River	Lots 7 and 8, liller Addition to Town of Paisley, Oregon.
Florence Jones, Paisley, Cregon. (Proof 93, Vol. 2)	1878	2.75	110	Irrigation, Domestic and Stock	Small's Creek and Ditches therefrom	Chewaucan River	15 acres in SE SE- 15 acres in SE SE- 40 acres in SE SE- 40 acres in ME NE-, Sec. 30 40 acres in ME NE-, Sec. 31 T. 30 S. R. 10 T. W. M.
(Proof 94, Vol. 2)	1878	9.84	393.6	Irrigation, Domestic and Stock	Innis Slough an Ditches therefrom	l River	160 acres in SV1 80 acres in WE SE, Sec.29 40 acres in NE-SE, Sec.30 33.6 in NE-NE 80 in NE-NE The State of Sec.32 The SS Sec. 19 E. W. Ne
Jones, Paisley, Ore.	1876	0.5	20	Irrigation, Domestic and	Jones Ditch No.	1 to Chew-	ib. 10 acres in ST SW. Sec.31
366 (Proof 96, Vol. 2)	1876	0.5	20	Stock Irrigation	Jones Ditch No.2		b. T. 33 S. R. 19 E. 7.L.
366 (Proof 97, Vol. 2) See PC 87-14 (best of high)	1878 ²⁰⁰ y 31)	5.18	207	Irrigation, Domestic and Stock	Bagle y pitch	Chewaucan River	4 acres in NF NE 1 1 1 2 1 2 1 2 2 2 2 2 2 2 2 2 2 2 2

each succes	sive enlargen	Market with the carrie	N/N/A	profession a				
Copied	from	1 Fro	rof 9	38.	- Va	1002	. 8	20H
Ast PAGE are shown Your answer	cive the months of the control of the plat of this que of your own sim in detail.)	tract tract to the State Exition should chowing such in (Attach s	sprigate sing the p ngineer, i onform to nformation	d unter for following following for which you or those manner. No pro-	may exam ps, unless oof will be	The present lands have ine at the you object	nt time in ea be been sur time of th to the same	e nearing. e and sub-
.1. 1	-	Sec. 2	1-1-1	42-1-1	1		1	20 NOTE:
The land own	ed by cla	iment of	which	this st	atement	and pr	oof sub	Bas+tm
herein cover feet North a quarter of S thense running Meet The 3 acres in the South irrigated from 1912, being interest and corporation by Mr. Gaylon tract since	me 24 Tr me Easter arly 497 irrigated and West om the Mi ng a part being a owning the	1y 502 feet to the from the part of that stockhold a Bagley	the S the S the plan Bratt said t h. The irrigal er in	outh-we WM. the one received he are district. I land we ted from the Bag	est corrections of the bala is pure much de	er of t uning M souther! E. o. To h irreg nee of hased f itch; M igation	he Sout lorth 50 y 522 f where the the tra- rom W.Y. iller or Company	h-east 9 feet; eet, the ipe lyin at is Miller whing an the
tract since	that tim	e.	anty 6	Aears	ago ana	the wa	TOP USEC	i on tha
	7		*****				1 1	1 1
		7 7)						
19. Q.	-State the c	haracter of th	e soil and	kind of c	Total		,,,	acres
p		and sand			sloping	rolling	land.	***************************************
for other p	—When does urposes, duri — April	the irrigating what mon	g season ths is it	begin and used?	when do	IVIE DI	and if water	P. PA
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MAY 2 6 200)4							
WATER RESOURCES SALEM, DREGO				in the starter				
lands which is claimed?	h you are irr	unt of water igating or pro	pose to n	rrigate, or	for any o	onor p.a. p		
A.	1_mins	r inch ur	der si	x inch	pressu	repers	cre.	mastle the
*22. Q. location of	—Do you acc said ditch an	cept the maps ad the lands i	prepared rrigated t	by the stherefrom	State Engr	ineer as si	rowing cor	rectly the

**23. Q.—If water is used for power, state the total fall utilized and the theoretical (not actual) horse power developed.

PEFORE THE BOARD OF CONTROL OF THE STATE OF CREGON --

The state of the second with the second of the second cases, about a sed, and at water in used.	
Water Division No 1 , Loke Count	
In the Matter of the Determination of the Belative STODY S	
Highes to the Waters of a Character of the Waters of the Character of the	
River and its tributaries, a Willer Ditch	
PECEIVE	2
(The claiment must submit separate proof as to each ditch through which a water right is dalmed.)	2/8
THE RESOURCES I	EP
SALEM, CHEGON	
	Edward .
being called as a witness in support of this Statement of Claim, and being first duly sworn, testified	~~~
as follows:	
incorporation and the authority by which you make this proof.	and war a
A. Zranost Ellevall, Lakevier Oragon.	in dayon on '
(If this proof is made by you as agent, or attorney, the written authorization therefor must be signed by the claimant upon the back hereof.)	· · · · · · · · · · · · · · · · · · ·
a O Do one chain a finht to the waters of the above named stream or a tributary thereby:	e photoe
If from a tributary, give its name.	
3. Q. What is the nature of the right or use on which this claim to the waters of said stream	
is pused; section in detail.) (Attach separate sheet if necessary.)	diportion.
Q.—How was such right initiated, or upon what is it basetis as at the time of the realistic	
and industrial (40-dere tract) using the following form. (The lands have been surveyed and	
5. Q.—State the date of the initiation of such water right? A.—April 1,1894	
6. Q. What steps were taken by this claimant or his predecessor in interest to initiate said	
TARREST OF THE STATE OF THE STA	
tapping Small Creek at a point on the West Line of what is now wat	
SE WARREN SOOR SOF CON COM the head of the a regulate the fire	and the same
pleating a wing dam in gold prock and diverting the mater into the div	10.4
16. Q.—How many acres were irrigated each subsequent year up to and including the pres-	
8. Q.—State the means of utuizing such water, giving the name by which the ditch is most	
commonly known, if a ditch is used.	
A The water is utilized by Flooding from the ditch. The name	
by which the ditch is such that with the number of any other water	Veres
nsers interested therein feet; grade, or fall per 1000 feet,	
The second entangement - Wilth (top) feet; width (bottom)	
2.5 seres being separate from that claimant is interested in with	
10. Q.—State the date of the deginning of construction. A. Lest. will (porton)	
11. Q.—State the date of completion? A.— Nov 1.1894. 12. Q.—State the dimensions of the ditch as originally constructed, just below the waste way	
or head gate? A. Willih (top)	
denth Pares feet: grade, or fall in feet per 1000 feet,feet.	

APR 1 4 2005
WATER RESOURCES DEPT.
SALEM, OREGON

	feet; grade or fall t	w lest her 1000 feet	Part of the Advantage of the Control
enlargement, and its limit	as been enlarged, stat	e the date of beamning	and completion of
A State the due of	RESOCATED TO THE TE	riginally constructed, just	below the waste way
· · · · · · · · · · · · · · · · · · ·	The Country of the Co	· · · · · · · · · · · · · · · · · · ·	
feet; depth in course	-Width (top)	feet; width (b	ottom)
2.6 acres berne reper	feet, grade, or	fall per 1000 feet	feet.
Second enlargement	-Width (top)	feet; width	
enfeets denth	TRACES SEE MON	Jeel, wain	(bottom)
insteets depth.	teet; grade, or fall	per 1000 feet,	feet.
Da at 10) the at all men	n tand which your dit	ch, as originally construc	ted, was intended to
Agous A. Agous	d seres	res.	
15. Q.—If water is used	d for irrigation, state	the number of acres red	College AND MICH.
and a second sec	The state of the s		
A. A. Asony J	C POLOS SUCT MOLET	giving the name by some	h the ditch is must
16. Q -How many and	The second of the second beautiful and a second	The said files	
			or incomming the pres-
	E enter	The state of the s	THE COURSE WEEK COMMENTS
			REPORT OF THE
	The state of the s	The state of the s	
17. Q.—How many acres each successive enlargement?	· 在 · · · · · · · · · · · · · · · · · ·	the first enlargement of	said dileks After
"一直是一个一个一个一个一个一个一个一个一个一个一个一个一个一个一个一个一个一个一	WO WATER FRANCE BANK AND ALL AND	The state of the s	
A TANK A CARLO CONTRACTOR OF THE PARTY OF TH	THE PARTY OF THE P	neer ragin :	5***
est legal subdivision (10 acres	of acres iarianted una	er said ditch at the presen	t time in each small-
WIS DUURUH UN END WIND OF ALA		THE LUIL BUILDES ILLIE	IS DEED RUTHONOG AMA
Your answer to this question s mit maps of your own showing	hould conform to those	e maps, unless you object	to the same and sub-
(A:	ttach separate sheet i	f necessary	uch aves not answer
a CATTAL is the nature of	A the Tight Supplied as in	METER CHIEF CO. CHO CO. CHO	GP OF GOOD OFFERING
BUILDING BUILDING CONTRACTOR OF THE PARTY OF	Tel. 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	The second secon	
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transfer.			
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The state of the s	on Willer Dital		
· · · · · · · · · · · · · · · · · · ·	"我们是我们是我们的时间,我们们的一个时间,我们们们的一个人,我们是是一个人的人们的一个人,不是一个人的人们的一个人们是是一个人们的一个人们的一个人们的一个人	Series and Manufacture and Control of the Control o	THE OF THE TR
when by The Bagley Liriga	tion Comment	ted from the Brat	tain Ditch
	to shote of sut		D
THE RESERVE THE PROPERTY OF THE PARTY OF THE	de terbatación ca pe o	Welet 11.4	BOTES

19. Q. State the character of the soil and kind of crops cultivated to a covernment.

20. Q.—When does the irrigating season begin and when does it end, and if water is used for other purposes, during what months is it used?

sand gravely sloping; crops sifelfa grain garden

which a regul is elgimed? *22. Q.—Do you accept the maps prepared by the State Engineer as showing correctly the location of said ditch and the lands irrigated therefrom? **28. Q.—If water is used for power, state the total fall utilized and the theoretical (not actual) horse power developed. with the say Ar rass was an appropriate the principle of 24. Q.—Describe the nature of the works by which the power is to be developed, the place where located, and state whether the water is returned to the stream after use and at what point? Charles and the rest of the contract of the co 25. Q.—If for mining purposes, describe the location and character of the mines to be served and state whether after use the water is returned to the stream and at what point? REST OF STREET, ALL STREET, ASSAULT ON THE SECOND S 26. Q.—If water is used for mining or power purposes, state whether there are any diver-sions between the point of your diversion and the return of such water to the stream. ***27. Q.—If the right claimed was initiated prior to February 24, 1909, but the water not get fully applied, state whether such right was initiated by the construction of a new ditch or the smarrowent, of an existing allers, and whether storage works are to be constructed? A. Box of Lot The MATERIAL ***28. Q.—Give the length of such proposed ditch? ***29. Q. What is the estimated cost of such proposed construction? ***30. Q.—When are the works intended to be completed? ***\$1. Q.—State in detail, the number of acres which you propose to urigate in each smallest legal subdivision (40-acre tract) under such proposed ditch or enlargement, using the following form. The lands at present actually irrigated should be described in answer to question 17. (Attach a separate sheet if necessary.) A-leade in the transfer of the land NE 1-4 NW 1-4 NWE SWILL SEE MEN NWE SWILL SEE NEW NWW SWILL NWW SWILL SWIL NE% C 5.458 12 E 65 1 198 1 (13334 their rea O HEOR 300 CONTRACTOR OF CHICAGO () - Hebraham Miles of dister and seven other constitution was pass southern acres

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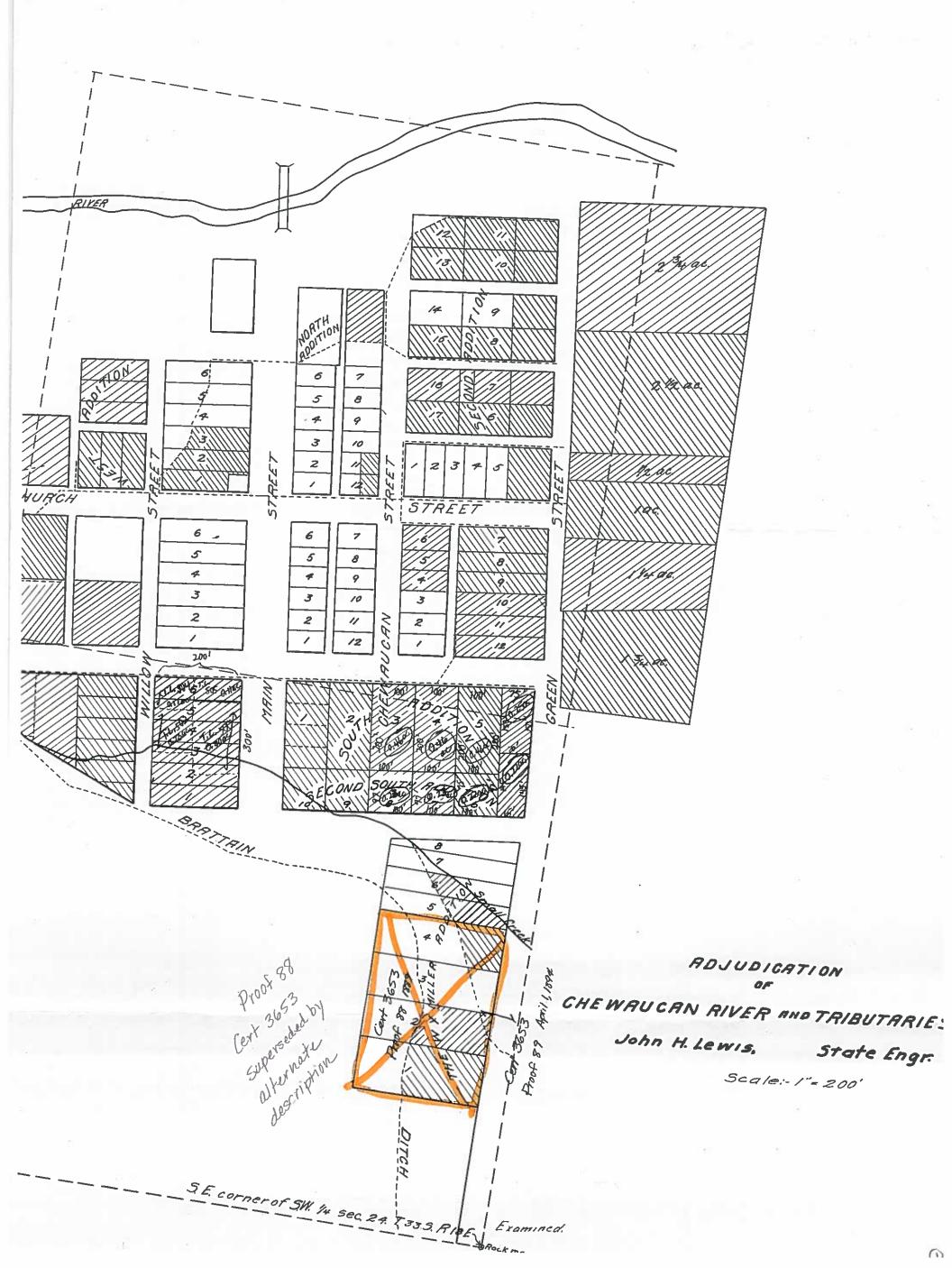
SALEM, OREGON

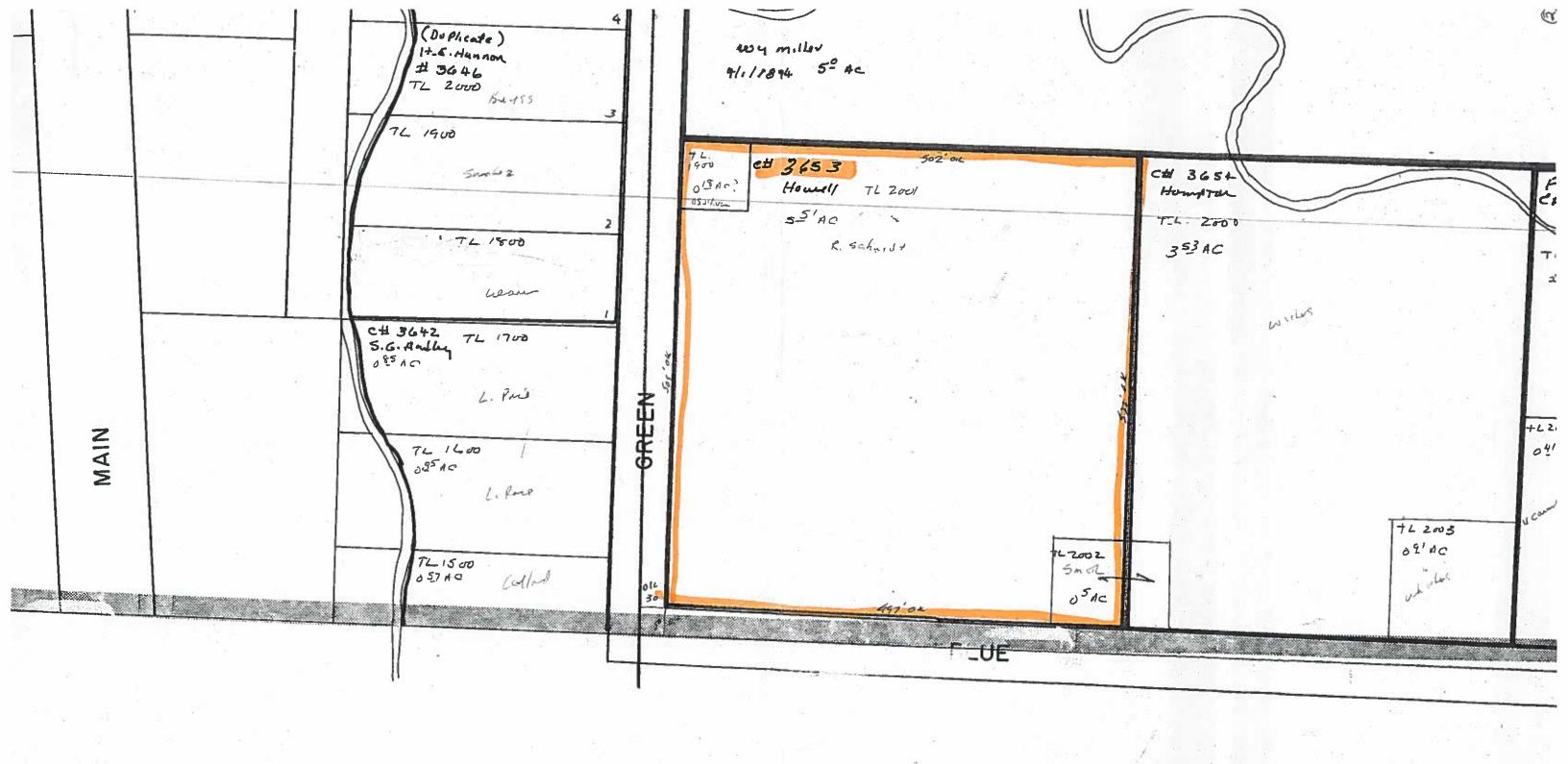
The construction work has been completed to date? A ... Somewhat over one quarter of a mile. ***83. Q.—State the cost of construction to date? A.— Bot 24. Q.—What interest have you in the lands irrigated or place where the water is used? 85. Q. Name at least three witnesses who will substantiate the statements herein made by you? Give their postoffice addresses. A les simple. Parries Patelley Ore June 1816 A THE PROPERTY OF THE PARTY OF Party of Control 36. Q. What additional evidence have you attached hereto or submitted herewith? fif the witness finds the space losifilelent to properly answer any question, as a separate sheat or sheets. A corporation supplying water for friending to lands not its own, at a separate sheat or sheets. A corporation supplying water for friending to lands not supply that the correct description of the lands plate list of the persons owning the lands so supplied, with the correct description of the lands plate list of the persons owning the lands so supplied, with the correct description of the lands plate list of the persons of the lands so supplied with the correct description of the lands plate list of the persons of the lands so supplied the lands of the I hereby certify upon oath that the foregoing statements and answers are true as I verily believe. Signature of Claimant, or agent making proof. (Attach is deparate sheet if necessary.) Subscribed and sworn to before me this 2774 day of "Ast. Q -State in detail; the numb A Charles of the Sales Sales and constructions Superintendent, Water Division No.

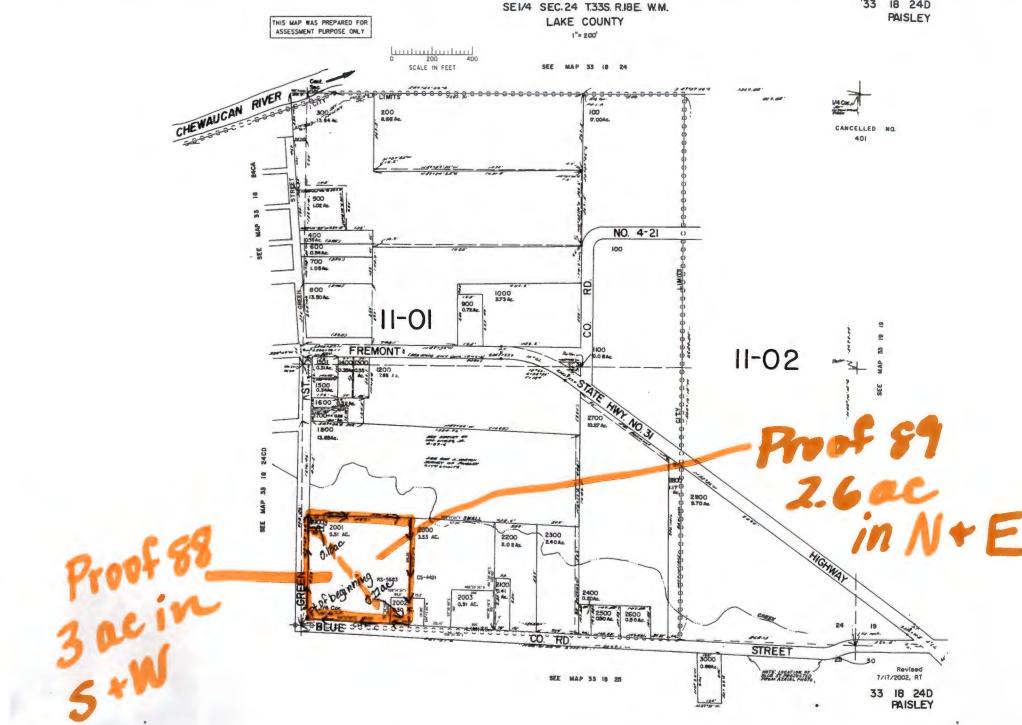
Idial play the parties objecting must, when giving poor days, the with the Division Superintendent is the date of survey. Such man should be on tracing in the market thereon, within seath 10-ucre legal is surjund hard there is objection to the which is irrigated.

**Theoretical horsepower equals total quantity claimed in subto feet per second, cubic foot par second falling 8.8 feet equals one theoretical horsepower, or 550 foot pour where a water right has been initiated prior to February 24, 1909, and the yet or only partially applied to beneficial use, a map of lands on the above scale should with the Division Superintbendagt within thirty days, and date of prior which mines a tracking linen, on a scale of two inches to the mile (40 dhalms to one inch), and should tright in such 40 pers track as well as many samile and general plant of all imported of surveyor or engineer about the attended, with date. The surveys of the State Engine and lands now irrigated. Questions 16, 37, 38, 29, 20, at and 12 relate only to uncomplete AUTHORIZATION OF AGENT, of keview Oregon Prender Estowerd in some way State of Original day, do hereby make and appoints. and attorney for me and in my name, place and stead, to make and submit the within Statement and Proof of Claimant, and I hereby designate said agent as the proper party upon whom lawful and value service may be made of all process and notices in any centest commenced by or analyst me, in the within entitled matter, and said agent is hereby duly authorized to appear in any and all such contests as my true and lawful agent and attorney, giving and granting unto my said attorney full power and authority to do and perform all and every act necessary and requisits to be done in the premises, as fully as I might or could do if personally present, hereby ratifying and confirming all my said agent shall lawfully do by virtue of this power. as builted questioning the special and the set around the se 3.- If which is used for power, state the total fall utilized and the theoretical (not actual) Top. location of said wifer and the lands irritated therefrom

MAP OF PRISLEY, LAKE COUNY, ORE.







Certificate 3662 Redescription

- 1. **Certificate 3662** was issued based on proof Volume 2—Number 103 claiming 0.7 acre in the NE ¹/₄ of the SW ¹/₄ of Section 24.
- 2. The Department concluded that this water right correlated with Lots 5 & 6 of Block L of Paisley, Oregon, South Addition, based on research of the deed records done by the Department in 1983-1985.
- 3. Deed record Vol. 44, page 255 lists sale of Lot 5 in the South Addition of Paisley to E.O. Lamb on May 23, 1912, but indicates a correction in the description in Vol. 47, p. 589, recorded September 1, 1914. The corrected description of the property takes in the majority of Lot 5 and Lot 6 in Block "L" of Paisley.
- 4. Based on current understanding of how the Public Land Survey subdivisions overlie the surveyed lots of the town of Paisley, Oregon, this property is located partly within the NE½ SW¼ and SE½ SW¼ of Section 24, Township 33 South, Range 18 East. This location is also consistent with the original adjudication map prepared by the State Engineer, leading the Department to conclude that the land to which the right has always been appurtenant should be redescribed in the NE½ SW¼ and SE½ SW 1/4 of Section 24, Township 33 South, Range 18 East of Willamette Meridian, Lake County, Oregon. It is estimated that approximately 0.06 acre is in the NE½ SW¼ and 0.64 acre is in the SE¼ SW¼.
- 5. Lake County Tax Assessor Map 33-18-24CD shows the western part of tax lots 100 and 102 roughly coinciding with this area.
- 6. The following table describes the difference between the place of use description in certificate 3662 and a proposed redescription of the place of use based on the above findings:

Estimated Acres O.06 West part of 33 18 24CD-100
-
0.32 West part of 33 18 24CD-100 0.32 West part of 33 18 24CD-100 (majority of Town Lots 5 & 6
0.70
e l

3 1 1

STATE OF OREGON

COUNTY OF

CERTIFICATE OF WATER RIGHT

This is to Certify, That E. O. LAUR

Paisley

. State of

Oregon.

has a right to the use of

the waters of

Chewaucan River, a tributary of Abert Lake

for the purpose of

the irrigation of 0;7 acres of land, domestic and stock use

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for County, and the said decree entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume that the priority of the right thereby confirmed active from

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of 1/25 of a cubic foot per second per acre, and the aggregate quantity set forth below: and said in the land of the second per acre, and the aggregate quantity set forth below; and said right shall be subject to all other conditions and limitations contained in said decree.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

(3.9 acre feet per acre during each irrigation season, being the period from April 1 to September 15 of each year) . 0.7 acres in the Northeast quarter of Southwest quarter of Section Twenty-four, Township Thirty-three South, Range Eighteen East of Willamette Meridian, in Lake County, Oregon.

MAN 2-6 2004

102 100

10.110000

WATER RESOURCES DEPT EM, OREGON

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

> > WITNESS the seal and signature of the State 15th Water Board, affixed this day

July

. 192 2

STATE WATER BOARD

(Seal of State Water Board)

PERCY A. CUPPER

State Sugmeer, President

Attest:

R. W. POTTER

Secretory

Recorded in State Record of Water Right Certificates, Volume

BEFORE THE BOARD OF CONTROL OF THE STATE OF OREGON

Water Division No,	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	Count
In the Matter of the Determination of the Relative		1 big
	A N N N N	10 ,
Rights to the Waters of the Chewaucan	STATEMENT AND	PROOF OF CLAIMANT
Riverand its tributaries, a		Å .
		raak Ditch.
(The claimant must submit separate proof as to ea STATE OF OREGON, County of Lake	ch ditch through which a v	water right is claimed.)
E.O. Lamb	of Pai	sley Oregon,
being called as a witness in support of this Statem		
as follows:	``	
1. Q.—What is claimant's name and postoff incorporation and the authority by which you may		poration, give the place of
A.—R.O.Lamb, Paisley Oregon		
(If this proof is made by you as agent or attorney, the claimant upon the 2. Q.—Do you claim a right to the waters of If from a tributary, give its name.		
3. Q.—What is the nature of the right or use is based?	on which this claim to	the waters of said stream
A. Irrigation demostic and stee (Irrigation, power, m. 4. Q.—How was such right initiated, or upon	ining, domestic, stock, etc.)	
A.— Diversion and use (Appropriation, di	version and use, etc.)	
5. Q.—State the date of the initiation of such 6. Q.—What steps were taken by this claim right? Answer fully, attaching separate sheet if	water right. A.—	
A About 1878 claimant's pre-	decesser in intere	st diverte the water
of Small's Creek, a tributary of the Cher	waucan River and a	pplied the water
to the land and raised crops thereen		
7. Q.—When was water first used for irrigation	,	
A.— About 1878 8. Q.—State the means of utilizing such was commonly known, if a ditch is used.	ter, giving the name l	by which the ditch is most
A Flooding the land	***************************************	
9. Q.—State the interest claimant has in su users interested therein.		
A.—Whatever interest was aquire	d-by-the-purchase-	of the land
from the original owners		RECEIVED
		KECEIVED

MAY 2 5 2005 WATER RESOURCES DEPT SALEM, OREGON

		А.—И	idth (top)	3		*****		feet;	widt	h (bot	tom)			anan n industria		f	eet;
	pth 13. largen	Q.—Ij	said nd its	ditch	has	been ns as	enlar	rged,	fall in state	n feet the c	per 1 date o	of beg	innin	g and	com	pletio	n of e	each
		A.—					*****								VAW-0-0-0-0			
		First	enlarge	ement		idth (top)	,			fe	st; wi	idth (botto	m)			
ee	et; de	pth		•••••		fe	et; g	rade,	or fa	U per	1000	feet,	*******		anne annie		1	eet.
		Second	l enlar	rgeme	ent_	Width	(to)	p)			fe	st; wi	dth (botto	m)			
i a	ate des															•	W.	
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174 *	riante	A.—			7								4					e 15
	15.	Q.—I1										er of	acres	recle	aimed	and	irrigo	ated
he	e first	year.													,			
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	16.	QH	ow me	any o	acres	were	irri	gated	each	subs	sequer	nt yea	ur uz	o to	and	inclu	ding	the
re	esent	Q.—H vear?	ow m	any c	acres	were	irri	gated	each	subs	seque	nt yea	ur uz	o to	and	inclu	ding	the
re	esent	Q.—H year? A.—	orv m	any o	acres	were	irri	gated	each	subs	seque	nt yea	ur u <u>r</u>	o to	and	inclu	ding	the
···	esent	Q.—H vear?	orv m	any o	acres	were	irri	gated	each	subs	seque	nt ye	ur uj	o to	and	inclu	ding	the
	esent	Q.—H year? A.—	oro mo	<i>any</i> (acres	were	irri	gated	each	subs	seque	nt yea	ur uj	o to	and	inclu	ding	the
	17.	Q.—H year? A.—	ow mo	any o	acres 27	were	irri	gated	each	subs	seque	nt yea	ur uj	o to	and	inclu	ding	the
	17.	Q.—H year? A.—	ow mo	any o	acres	were	irrig	gated	after	the	first	enlars	gemen	nt of	said	ditch	? A	the
	17.	Q.—H year? A.—	ow mo	any (acres	were	irrig	gated	after	the	first	nt yea	gemen	o to	and said	ditch	? A	fter
ac	17. ch suc	Q.—H year? A.— Q.—H ccessive A.—	ow mo	any (acres A7 Icres int?	were were	irrig	gated	after	the er said	first ditc)	enlars	gemen	nt of	and said	ditch	? A	fter
eg	17. oh suc	Q.—H year? A.— Q.—H ccessive A.— Q.—G bdivisi on on	ow mo	any o	acres 7 cres mt? ber of trac the S	were were f acre t), us tate E	irrig s irri ing t	gated ated gated he foreer, 1	after unde	the er said	first I ditcl	enlargent at the (The exami	gemen	nt of sent t have	said ime in been ime o	ditch n each surv	? A	the fter lest and ing.
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WATER RESOURCES DEPT SALEM, OREGON

20. 6	When	does	the	irrigating	season.	begin	and	when	does	it	end,	and	ef	water	is us	ed
for other	ourposes,	durin	g w l	nat months	is it use	ed?	5	:			25	4.	•			. ,

ianas v is c <mark>lai</mark> m	phich you are irrigating	water do you estime g or propose to irriga	ite is necessary for the p te, or for any other pur	roper irrigation of the pose for which a righ
*22.	A.— 1/24 of one Q.—Do you accept to tof said ditch and the	the maps prepared b	econd per acre y the State Engineer as from?	showing correctly the
**23. horsepo	A.—Yes Q.—If water is used f wer developed.	for power, state the to	al fall utilized and the t	heoretical (not actual)
24. where l	located, and state wheti	ure of the works by her the water is retur	which the power is to be ned to the stream after	e developed, the place use and at what point
			cation and character of to the stream and at w	
***	A	tts:	opposes and the country opposed and the coloridate weather	ver water to make to make a few and the constituence of the consti
			rposes, state whether the of such water to the str	
***97	pplied, state whether	suck right was initia	r to February 24, 1909, ted by the construction	of a new ditch or the
fully ap		tch, and whether store	ige works are to be cons	structed.

***30. Q.—When are the works intended to be completed? A.—

***31. Q.—State in detail, the number of acres which you propose to irrigate in each smallest legal subdivision (40-acre tract) under such proposed ditch or enlargement, using the following form. The lands at present actually irrigated should be described in answer to question 17. (Attach a separate sheet if necessary.)

				NE	1-4			NW	1-4			sw	1-4			SE	1-4	
Twp.	Range	Sec.	NE%	NW1/4	sw%	SEX	NEX	NW¾	sw¾	SE%	NE%	NW%	sw%	SE%	NE%	NW1/4	sw¼	8E1/4
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Total_____acres

ate?	
* * 33.	Q.—State the cost of construction to date. A.—
34.	Q.—What interest have you in the lands irrigated or place where the water is used?
04.	
35. nu. G	A.—
	A.— V.Conn, S. Benefiel. M.C. Currier all of Paisley Oregon
36.	Q.—What additional evidence have you attached hereto or submitted herewith?
	A

parate sete list tached tached lieve.	the witness finds the space insufficient to properly answer any question, he should attach hereto said answer on sincet or sheets. A corporation supplying water for irrigation to lands not its own, should attach to its proof a comof the persons owning the lands so supplied, with the correct description of the lands owned by each such person in lest legal subdivision. Certified copies of records and such evidence as the claimant may desire to submit, should be to this proof and marked for identification as Exhibit "A," "B," "C," etc. hereby certify upon oath that the foregoing statements and answers are true as I verily
A.* .	& O Lamb
	Signature of Claimant, or agent making proof.
ubscri	bed and sworn to before me this Z gay of January, 1913
	Superintendent of Water Division No
led:	1913.
ses par	760
	Janes filmen
*In e reason ids, with the mil	Superintendent, Water Division No, State of Oregon. case there is objection to the official plat the parties objecting must, when giving proof, file a written statement of affidavit of surveyor thereto giving date of survey. Such map should be on tracing linen, on a scale of two inches regarded.
bic foot tor only th the L cing lin irrigate surveyor d lands:	reigated. secretical horsepower equals total quantity claimed in cubic feet per second, times fall in feet, divided by 8.8 (one per second falling 8.8 feet equals one theoretical horsepower, 2.7 550 foot pounds per second). Where a water right has been initiated prior to February 24, 1909, and the works are incomplete, or the water not y partially applied to beneficial use, a map of lands on the above scale should accompany this statement, or filed division Superintendent within thirty days from date of proof, which maps should be drawn on uniform sheets of en, on a scale of two inches to the mile (40 chains to one inch), and should show the area which it is proposed in each 40-acre tract, as well as main canals and general plans of all important structures to be built. The affidavit or or engineer should be attached, with date. The surveys of the State Engineer will show only constructed works now irrigated. Questions 26, 27, 28, 29, 30, 31, and 32 relate only to uncompleted rights.
h	AUTHORIZATION OF AGENT.
	A.
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d attornoof of lid ser the wech consil power my so	do hereby make and appoint. of
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Cert. 3658. Prof #31.	ee page 4	P) Vn1.5					12 acres in SW4SE4 40 acres in SE4SE4, Sec.31; 6 acres in SW4NE4 40 acres in SW4NW4 28.8 acres in SE4NW4 25.1 acres in NW4SW4 7.5 acres in SW4SW4, Sec.32; Tp. 33 S., R.19 E., W. M.
** (Proof 100, Vol. 2)	1890	6	240	Irrigation and stock	Temporary dams and furrow ditches	Coffee Pot Creek	30 acres in SWANEA 36 acres in SEANEA 12 acres in SEANEA 16 acres in NEASWA 24 acres in NEASWA 10 acres in NEASWA 20 acres in NEASWA 20 acres in NEASWA 20 acres in NEASWA 20 acres in NEANWA 20 acres in SWANWA 21 acres in SWANWA 22 acres in SEANWA 23 acres in SEANWA 24 acres in SEANWA 25 acres in SEANWA 26 acres in SEANWA 27 Sec. 8; 18 E., W. M.
Emma Kelsay and J.S.Kelsay, Paisley, Ore. (Proof 101, Vol. 2)	1893	2.5	100	Irrigation and stock	Not named	Dairy Creek	40 acres in NE ₄ SE ₄ , 20 acres in NW ₄ SE ₄ 40 acres in SE ₄ SE ₄ , Sec. 8; T. 36 S., R. 18 E., W. M.
Don C. LaFont, Creede, Colo. (Proof 102, Vol.2)	1900	0.25	10	Irrigation	Heryford Ditch	Willow Greek	10 acres in SW1SE1, Sec.23; T. 35 S., R. 20 E., W. M.
TE. O. Lamb, Paisley, Ore. (Proof 103, Vol.2)	1878	0.03	.7	Irrigation, domestic and stock	Small's Creek Ditches	Chewaucan River	0.7 acre in $NE_{4}^{1}SW_{4}^{1}$, Sec. 24; Tp. 33 S., R. 18 E., W. M.
M. H. Lauritzen, Paisley, Ore. (Proof 104, Vol. 2)	1878	3.06	122.6	Irrigation, domestic and stock	Fisher's Slough and ditches therefrom	Chewaucan River	34.3 acres in NE1NW1, 36 acres in NW1NW2, 28 acres in SW4NW1, 24.3 acress in SE1NW1, Sec.28; Tp. 33 S., R. 19 E., W. M.
(Proof 105, Vol. 2)	1878	2.4	96	Irrigation, domestic and stock	Innis Slough and ditches therefrom	Chewaucan River	4 acres in NW4NW4, 12 acres in SW4NW4, Sec.28: 40 acres in NE4NE4, 240 acres in SE4NE4, Sec. 29, Tp. 35 S., R. 19 E., W. M.
F. D. Loveless, Lakeview, Ore. (Proof 106, Vol.2)	1875	3.05	122	Irrigation, domestic and stock	Dams and ditches	Loveless Creek	7 acres in NE ₃ NE ₃ , 26 acres in NW ₃ NE ₄ , 40 acres in SW ₃ NE ₄ , 18 acres in SE ₃ NE ₄ , 15 acres in NE ₄ SE ₄ , 18 acres in NW ₄ SE ₄ ,Sec. 12; Tp. 37 S., R. 20 E., W.M.
							290
	······ manner pr.	, w-					CHEWAUCAN RIVER 63 -A

Decree - Dec. 2,1916

INDEX
Section To exec

AND CONTRACTOR

GLENDER'S HYDRO TECH SERVICES

93291 PIKE LN LAKEVIEW, OREGON 97630 Telephone/Fax (541) 947-4718 Cell (541) 219-0806 E-mail djglender@gooselake.com

MEMO

May 24, 2005

TO:

Dorothy Pedersen

Transfer Specialist

FROM: Dennis R. Glender

RECEIVED

MAY 25 2005

WATER RESOURCES DEPT SALEM, OREGON

SUB. Bagley Ditch Corp POD Transfer 9733

Dorothy,

Please find enclosed copies of proof claims 45, 57, 58, 59, 80, 103, 143, 155 & 156. There is an explanation of mix up of proof description of proofs 58 & 59 attached also.

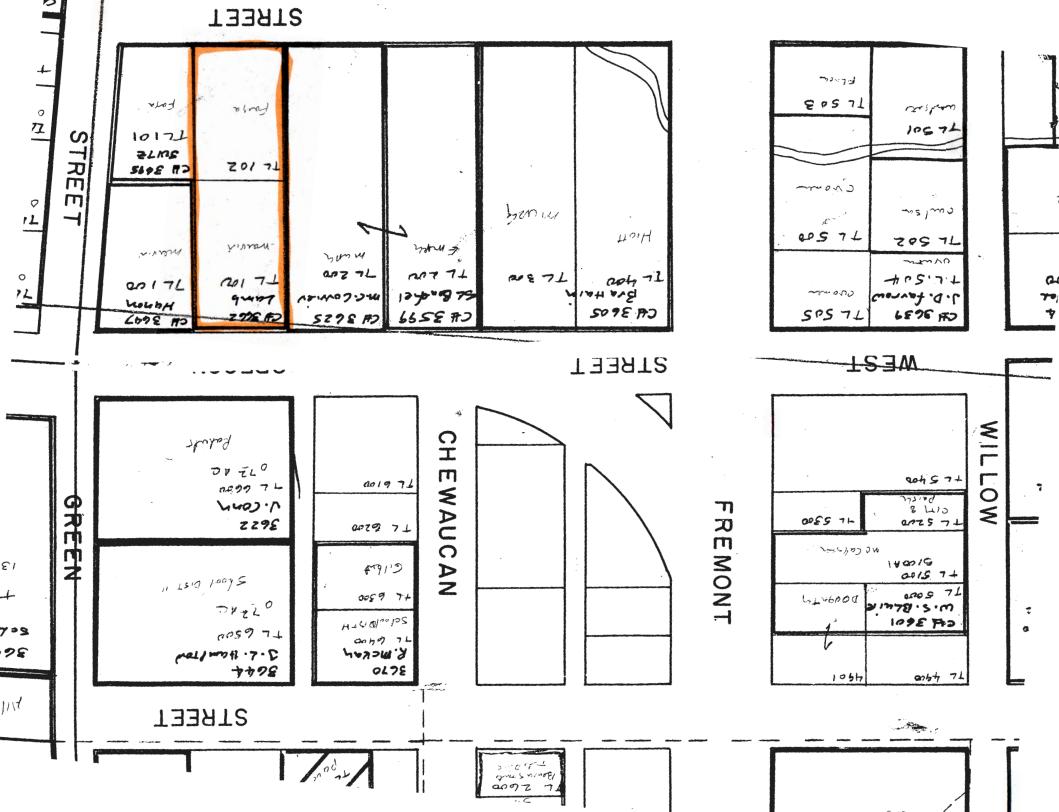
DR. Wah

Certificates 3625, 3647, 3662 & 3695.

The locations of these certificates was painstakingly researched in the late 1980's by myself, the Watermaster of District #12 at the time and my office assistant. This is where we determined the water rights to be located. It will take hours of additional time on my part to do the research again. If this information is absolutely vital to the completion of this transfer, perhaps an Oregon Water Resources Staff person could come to Lakeview and do the research seeing how it was the State Engineer's lack of thorough investigation in 1916 in making sure that all claims were correct and locations of use absolutely clear before issuing a Certificate of Water Right.

Certificate 3629 - Agree

Certificate 3631 see attachment to proofs 58 & 59



GLENDER'S HYDRO TECH SERVICES

93291 PIKE LN LAKEVIEW, OREGON 97630 Telephone/Fax (541) 947-4718 Cell (541) 219-0806 E-mail diglender@gooselake.com

MEMO

March 23, 2005

TO: Certificate 3662

Al. Unh FROM: Dennis R. Glender

RECEIVED

ADD 1 4 2005

SUB. Clarification of discrepancies in location of use for Certificate 3662, T-9733

Please find attached Lake County map 33 18 24CD. The lay of the land is outlined in red. Further study and research reveals that EO Lamb owned lot 5 in 1912. Recorded deeds 44-255 and 47-589 confirm this.

It appears that a small portion of the water right does exist in NE¼ SW¼ and I estimate that to be 0.10 acre on the Merwin property, the remainder is in the SE¼ SW¼ being 0.60 acre, 0.30 acre on the Merwin property and 0.30 acre on the Forga property.

,44 - 255

S.S.Bainster & Clara Bainster his wife

5/15, 12,

W.D.

to

5/15, 12,

E.O. Lamb

5/23, 12, at 3:30 P.M

\$1300.00

b.O. Damo

R.B. Jackson N.P. Lake Co. Ore. (Seal).

S.S.Bainster & Clara Bainster (Seal)

S.S.Bainster & Clara Bainster his wife

G.B.S.C. & C.

J. & D.

NR

R.B. Jackson & L.R. Jones.

Lot 5, in the South Add. to Paisley , Lake Co. Ore.

See val at pary son for Conservior been

1:

.3

of

W.D.

Dergo

S.S. Bainster

6/15.14.

to

BUILDING BENEFIT See below,

.O.Lamb.

9/1, 14, at 11:45 A.M.

\$1.00

On 6/15, 14, S.S.Bainster, Ack. before, E.H.Conser, N.P.Lake County Ore. (Seal).

On 8/20, 14, Clara Bainster, Ack. before, E.H. Conser, N.P. Lake County Ore. (Seal).

S.S.Bainster & Clara Bainster, (Seal).

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See above.

APR 1 4 2005

WATER RESOURCES DEPT. SALEM, OREGON

6.B.S. & C.

W. & D.

E.H. Conser, Willetta L. Conser, W.Y. Miller.

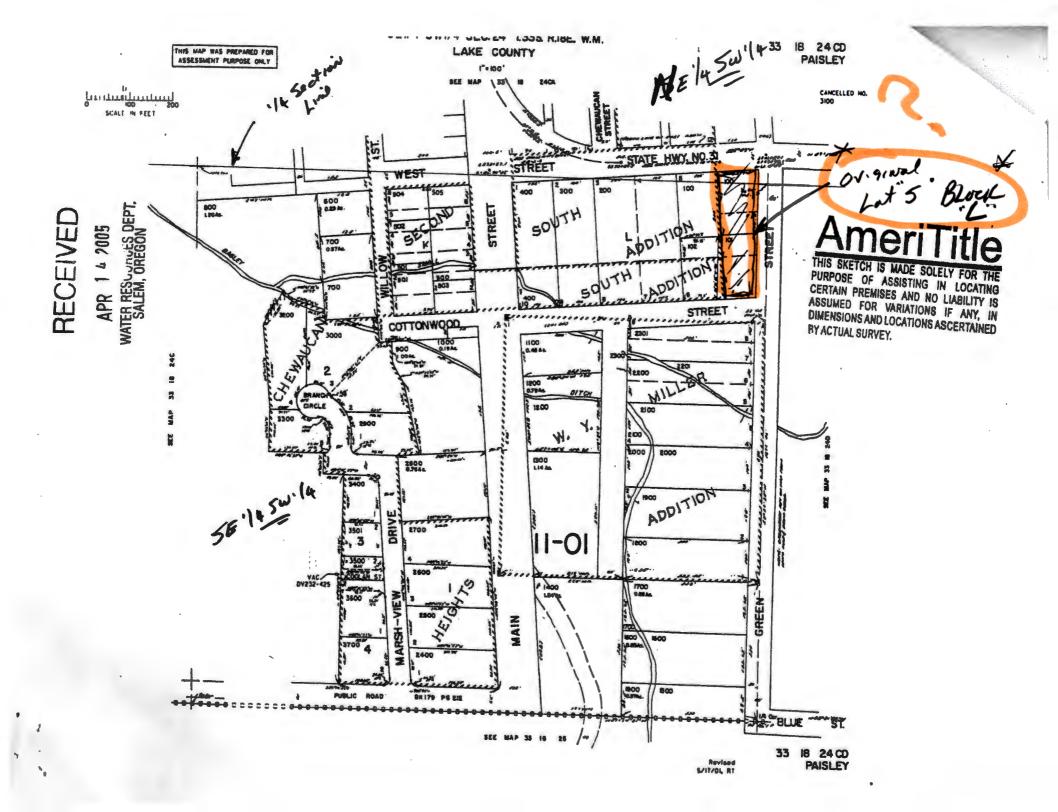
com. at the NWLY cor. of Lot 5, Blk. "L" of the Town of Paisley,

Ore. according to the recorded of the Town of Paisley, thence Sly along the Wly line of said Lot 5, & Lot 6, in Blk. "L" 300 ft. to the Sly line of said Blk. "L" thence Ely along the Sly line of Blk. "L" 73 ft. to a point, thence Nly in a straight line to a point in the Nly line of Blk. "L" 98 ft. Ely from the point of beg. . thence Wly along the said Nly line of Lot 5, Blk. "L", to the place of beg.

this deed is made to correct a deed recorded in Vol 44, page 255

To - TO

9VBH





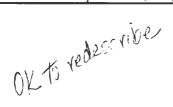
1"= 100°

Certificate 3686 Redescription

1. Certificate 3686: Based on the dimensions given in Proof 143 and current understanding of how the Public Land Survey subdivisions overlie the surveyed lots of the town of Paisley, Oregon, the place of use under Certificate 3686 appears to include some land in the SW SW of Section 24 T33S, R18E as well as land in the NW SW and NE SW.

2. Certificate 3686 is proposed to be re-described as follows:

Original Desc	cription of Place o	of Use	Proposed 1	Redescription of Place of	fUse
Certificate 3686	Legal Description	Acres	1/4-1/4	Estimated Acres	Current Tax Lot
Proof 143 (Priority September 18, 1893)	NE SW	0.50	NE SW	0.66 (not included in transfer)	33 18 24CA-4600 (0.29 ac) 33 18 24CA-4601 (0.18 ac) 33 18 24C-1102 (0.19 ac)
10, 10,0)	NW SW	1.00	NW SW	0.54 transferred	33 18 24C-1101 (0.54 ac)
			SW SW	0.09 transferred	33 18 24C-1101 (0.09 ac)
			SE SW	0.21 (not included in transfer)	33 18 24C-1102 (0.09 ac) 33 18 24CA-4600 (0.12 ac)
	,	Total 1.50 ac	Total	1.50 ac	
		Township 33	South, Ran	ge 18 East, Section 24	



!:

STATE OF OREGON

COUNTY OF

CERTIFICATE OF WATER RIGHT

This is to Certify, That

. GEO. PIKE

Paisley

, State of

Oregon

has a right to the use of

the waters of

Chewaucan River, a tributary of Abert Lake

the irrigation of 1.5 acres of land, domestic and stock use for the purpose of

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for County, and the said decree entered of record at Salem, in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 5 at page September 18, 1893 that the priority of the right thereby confirmed dates from

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of 1/25 of a cubic foot per second per acre, and the aggregate quantity set forth below; and said right shall be subject to all other conditions and limitations centained in said doorse.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:
(3.9 acre feet per acre during each irrigation season, being the period from April 1 to September 15 of each year) 0.5 acres in the Northeast quarter of Southwest quarter and 1 acre in the Northwest quarter of Southwest quarter of Section Twenty-four, Township Thirty-three South, Range Eighteen Rast of Willamette Meridian, in Lake County, Oregon.

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

WITNESS the seal and signature of the State

15th Water Board, affixed this

July

, 192 2

STATE WATER BOARD

(Seal of State Water Board)

PERCY A. CUPPER

State Engineer, President

Attest:

R. W. POTTER

Recorded in State Record of Water Right Certificates, Volume

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MAY 2 6 2004

WATER RESOURCES DEPT SALEM, OREGON

t-9733

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3 b 8 D							
George S. Park, Paisley, Ore. (Proof 136, Vol. 2)	1908	0.03	1.	Irrigation	Small's Creek and Park Elder Flume	Chewaucan River	Starting at the Teva community the intersection of Main & Mill Streets; running W. 480° to point of beginning; thence W. 180° to Small Creek; thence
(Proof 137, Vol. 2)	1908	0.19	72	-			Southeasterly 230 along Small Creek; thence N. 170 to point of beginning, in the Town of Paisley, Oregon.
			72 Sp. Or.	Irrigation	Park Ditch	Chewaucar River	72 acres in NE NW4; Sec.23 T. 33 S. R. 18 E. W. M.
7. B. Parker, Paisley, Ore (Proof 138, Vol. 2)	1878	1 ·	40	Irrigation, Domestic	Small's Creek, loss Slough, and Ditches		35 acres in SV NW Sec.19 T. 33 S. R. 19 E. 7. K.
(11301 103, 401. 2)	1878	0.75	30	Irrigation, Domestic and Stock	therefrom Innis, Jones and Fisher Sloughs, and Ditches	River	20 acres in SE Nº2, Sec. 19 10 acres in SW Nº2, Sec. 20 T. 33 S. R. 19 E. W. L.
(Proof 140, Vol. 2) (Proof 141, Vol. 2)	1878	2.83	20	Trrigation, omestic and Stock Irrigation,	Innis sloug and ditches therefrom Jones Sloug	R iver hChewaucan	15 acres in SE NW, Sec. 19
45				Domestic and Stock	and ditches therefrom	River	20 acres in SE NE Sec.19 20 acres in SE NE Sec.19 27 acres in SE NE Sec.20 T. 33 S. R. 19 E. W. 1.
Paisley, Ore. (Proof 142, Vol. 2)	1883	0.03	.83	Irrigation and Stock	Small's Cr. and Middle Fork	Chewaucar River	0.83 acres in NE2 SW2, Sec.24 0.33 S. R. 18 E. W. N.
Paisley, Ore. (Proof 143, Vol. 2)	Sep t. 18,	0.04	172	domestic and stock	Small's Cr. or South Fork and Ditch	Chewaucan River	1/2 acre in NE SW 1 1 acre in NW SW 3, Sec. 24 T. 33 S. R. 18 E. W.M.
Portland Irrigation Co. 601 Yeon Bldg., Portland, Oregon. by Geo. M. Bailey, Pres (Proof 144, Vol. 2)		graph	10)				
Harriet L. Random Paisley, Oregon. (Proof 145, Vol. 2)	1878	3. 5	140	Irrigation, Domestic and Stock	Bagley ditch	Chewaucan River	30 acres in NE NE NE 30 acres in SE NE 1, Sec. 25 T. 33 S. R. 18 E. W. B. 40 acres in NE SE NE 3, Sec. 30 T. 33 S. R. 19 E. W.L.
C. A. Rehart, Lakeview, Ore. (Proof 146, Vol. 2)	1874	7,22	288 1	Irrigation, Domestic and Stock	Blair, or Rehart Ditch	and Spring trib. to	18.5 acres in NEL NEL 8 3.5 acres in SEL NEL, Sec.1 T. 38 S. R. 20 E. W. L. 4.05 acres in NEL NW 28 acres in NEL NW 10.5 acres in SEL NW 1.05 acres in SEL NW
	Decrae		2 15:				CHEWAUCAN RIVER 68.

Decree - Dec. 2,1916

INDEX

101 2 - Proof 143 BEFORE THE BOARD OF CONTROL OF THE STATE OF OREGON Water Division No. 1, Lake In the Matter of the Determination of the Relative Rights to the Waters of Chemancan STATEMENT AND PROOF OF CLAIMANT and its tributaries, TATE OF OREGON, Lasse! County of ... being called as a witness in support of this Statement of Claim, and being first duly sworn, testified as follows: 1. Q .- What is claimant's name and postoffice address? If a corporation, give the place of scorporation and the authority by which you make this proof. Juke t this proof is made by you as agent or attorney, the written authorization therefor must be signed by the claimant upon the back hereof.) 2. Q.—Do you claim a right to the waters of the above named stream or a tributary thereof? If from a tributary, give its name. 3. Q.—What is the nature of the pight or use on which this claim to the waters of said stroum is based? For Irrigation, domestic and stock use 4. Q.—How was such right initiated, or upon what is it based? - Affrohnation diversion and use oc.) Q.—State the date of the initiation of such water right. A.— DN Step 1841893 Q.—What steps were taken by this claimant or his predecessor in interest to initiate said right? Answer fully, attaching separate sheet if necessary. e and degging 7. Q.—When was water first used for irrigation, or other beneficial purposes? A - Big the clamant in dept 1893, and by melving & Melhers from the spring of 1885 8. Q.—State the means of utilizing such water, giving the name by which the ditch is most commonly known, if a ditch is used. A topiquion of garden and orchard, and for watering live Glock, and for donnes tre State the interest claimant has in such ditch, with the names of any other waterusers interested therein. A- Owner.

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SALEM, OREGON

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MAY 25 2005

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19. Q.—State the character of the soil and kind of crops cultivated.

lawing arden, terries orchard

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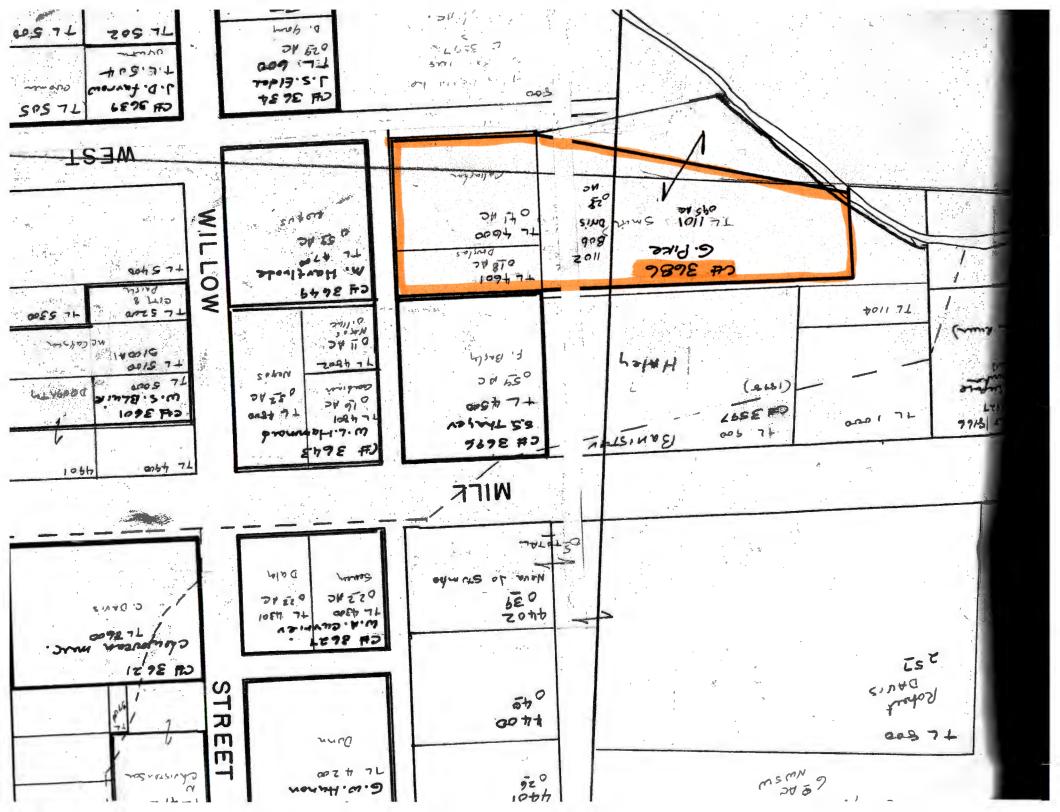
MAY 25 2005 WATER RESOURCES DEPT SALEM, OREGON

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separate plete lis each sm attached	If the witness finds the sheet or sheets. A corp of the persons owning allest legal subdivision. It to this proof and mark I hereby certify w	space insufficient to proporation supplying wate the lands so supplied, v Certified copies of recor- ed for identification as pon oath that the	roperly answer any question of for irrigation to lands nowith the correct description dis and such evidence as the Exhibit "A," "B," "C," eforegoing statement	n, he should attach of its own, should a of the lands owned ne claimant may de it. 8 and answers	ttach to its proof a com- d by each such person in sire to submit, should be are true as I verily
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		Superintend	ent of Water Division	No of	State of Oregon.
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, ,		Superinter	ident, Water Division	No	State of Oregon.
the reas	n case there is objection ons therefor, and must, ith affidavit of surveyor t	to the official plat the within thirty days, file	parties objecting must, will with the Division Supering trees. Such map should be marked thereon, within each	nen giving proof, fill atendent a map of	e a written statement of said ditch and irrigated
which is cubic for yet or constitution with the tracing to irrigate of survey and land	irrigated. Theoretical horsepower est per second falling 8.8 *Where a water right he need to be partially applied to bivision Superintendent linen, on a scale of two testine acent 40-acre tract, yor or engineer should be so now irrigated. Question	equals total quantity classes are equals one theoretical been initiated prior to beneficial use, a map of within thirty days from inches to the mile (40 as well as main canals a attached, with date. as 26, 27, 28, 29, 30, 31,	aimed in cubic feet per secal horsepower, or 550 for the february 24, 1909, and for lands on the above scale date of proof, which may chains to one inch), and and general plans of all in The surveys of the State and 32 relate only to uncompared the state of the st	cond, times fall in to pounds per second the works are incompany ups should accompany ups should show the suportant structures of Engineer will show completed rights.	mplete, or the water not this statement, or filed in on uniform sheets of the which it is proposed to be built. The affidavit only constructed works
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Certificate 3691 Redescription

- 1. Certificate 3691: The legal description in the decree and on Certificate 3691 of lands claimed by School District #11 (SE½ SW½) does not match the clear description of the lands in the map submitted with Proof 151 (NW½ SE½). The location shown in the proof map matches current tax lot 33 14 24D-800 owned by School District #11 and appears to be the location to which the water right under Certificate 3691 has always been appurtenant.
- 2. The water right should be redescribed as 1.8 acres in the NW¼ SE¼, Section 24, Township 33 South, Range 18 East, W.M.

(IL to partacerile)

STATE OF OREGON

COUNTY, OF

LAKE

CERTIFICATE OF WATER RIGHT

of	Paisloy	, State	of .	Oregon		has a right	to the use
he u	vaters of	Chewaucan F	River, a t	ributary of At	ert Lake		
or ti	he purpose of	the irrig	gation of	l.8 acres of 1	land ;		
econ	Lake rd of the STA	Con TE WATER B	onty, and the	scree of the Circ said decree ente s State of Oregon ed dates from	ered of rec n, in Volum	ord at Salem,	in the Ord
mou	nt actually be	meficially used	for said pur	is entitled, for the poses, and shall	not exceed	a rate of	diversion
lņ	r; and said	right shall	be subject	r acre, and the to all other	ne aggreg r conditi	ate quantit ons and lim	y set for itations
nte	lined in sai	d decree.	•				,
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RECEIVED

MAY 2.6 2004

WATER RESOURCES DEP SALEM, OREGON

WITNESS the seal and signature of the State Water Board, affixed this

July

STATE WATER BOARD

(Seal of State Water Board)

By PERCY A CUPPER

Altest:

R. W. POTTER

Recorded in State Record of Water Right Certificates, Volume

DOLLOTTONS 0100	τααο			and Stock	Creek	1	15 acres in No. 1
(Proof 148, Vol. 2] (Proof 149, Vol. 2)	1891	0.5	20	Irrigation, Domestic and Stock	Roush Ditch	Willow Cr.	5 acres in $SE^{\frac{1}{4}}$ $NW_{\frac{1}{4}}^{\frac{1}{4}}$ 1 acres in $SE_{\frac{1}{4}}^{\frac{1}{4}}$ $NW_{\frac{1}{4}}^{\frac{1}{4}}$, Sec. 9 T. 36 S. R. 20 E. 7. K.
Christian Schmidt, and William Schmidt Lakeview, Ore. (Proof 150, Vol.2)	1878 1898	0.83 2.05	33 82	Irrigation	Schmidt Dams and Ditches	Willow Greek	17 acres in ME NW 5 acres in NW 1 NW
School District No. 13 D. B. Conrad, Chairman Paisley, Oregon. (Proof 151, Vol. 2)		0.04	1.8	Irrigation	West St. Ditch, and Small's Creek	Chewaucan River	1.8 acres in SE. SW., Sec. 24 T. 33 S. R. 18 E. W. M.
3692 J. C. Shellhemmer		determine the	Carlotte St.			学品发现价值	
J. C. Shellhammer, Lakeview, Ore. (Froof 152, Vol. 2)	1885	6.48	259	Trrigation	Shellharme Ditches	r Crocked Creek	30 acres in NE NE 10 acres in NE NE 121 acres in NE NE 140 acres in SE NE 140 acres in NE SE 140 acres in NE SE 140 acres in NE SE 140 acres in SE SE 140 acres in SE SE 140 acres in NE SE 140 acres in NE NE 140 acres in
Mary Helen Sherman, Lakeview, Ore. (Proof 153, Vol. 2)	1888	0.38	15	Irrigation, domestic and stock	A. W. Bryan Ditch	it Willow Greek	3 acres in N.E. NW. 12 acres in Lot 4; Sec. 18 T. 36 S. R. 20 E. W. L.
Annetta Sherlock, Paisley, Ore. (Proof 154, Vol. 2)	1900	0.03	1	Domestic and		River	1/5 acres in NEL SW2 4/5 acres in NWE SE2, Sec.24 T. 33 S. R. 18 E. W. N.
Paisley, Ore. (Proof 155, Vol. 2)	1878	0.03	•4	Irrigation, Domestic and Stock	Slough	River	0.4 acre. in ND ₄ SW ₄ , Sec. 24 T. 33 S. R. 18 E. W. N.
[Proof 156, Vol. 2]	1878	0.03	•3	Irrigation, Domestic and Stock	Smell's Cr. Ditch	Chewaucan River	0.3 acre in SE SW , Sec. 24 T. 33 S. R. 18 E. W. M. CHEWAUCAN RIVER 69.
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Decree - Dec 21916

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Certificate 3696 Redescription

- 1. **Certificate 3696:** Certificate 3696 allows 1.0 acre of irrigation, however, Proof 157 for the right claims that the lot in Paisley to which the right is appurtenant is 168½' x 153'. These dimensions exactly match the meets and bounds description of the relevant property (Tax Lot 33 18 24CA-4500), which equals 0.59 acre.
- 2. The right appears to have always been limited to 0.59 acre, and should be redescribed accordingly.
- 3. Current landowners Kathleen A. McAuliffe, Laura M. Davila and Rosanna J. Bagley have submitted affidavits consenting to redescription of the water right as 0.59 acre.



STATE OF OREGON

COUNTY OF

LAKE

CERTIFICATE OF WATER RIGHT

This is to Certify, That . 8. 8. S. THAYER

of Paisley

. State of

Oregon

kas a right to the use of

the waters of

Chewaucan River, a tributary of Abert Lake

for the purpose of

the irrigation of 1 acre of land

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
Lake County, and the said decree entered of record at Salem, in the Order
Record of the STATE WATER BOARD of the State of Oregon, in Volume 5, at page 1;
that the priority of the right thereby confirmed dates from 1898

that the amount of water to which such right is extitled, for the purposes aforesoid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a rate of diversion of 1/25 of a cubic foot per second per acre, and the aggregate quantity set forth below; and said right shall be subject to all other conditions and limitations contained in said decree.

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

(3.9 acre feet per acre during each irrigation season, being the period from April 1 to September 15 of each year)

Paisley, lake County, Oregon:

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MAY 2 6 2004

WATER RESOURCES DEPT SALEM, OREGON

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

WITNESS the seal and signature of the State

Water Board, affixed this

15th

of

, 192 2

STATE WATER BOARD

(Seal of State Water Board)

By PERCY . CUPPER

State Engineer, President

Attest:

R. W. POTTER

Jecreter;

Recorded in State Record of Water Right Certificates, Volume

4 naa

3696

1.9733

500



LOT BOOK SERVICE

Date: March 22, 2004 Fee: \$100.00

Order No.: 0006804 Page 1 of 2

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

In the County of Lake, State of Oregon, as follows:

Beginning at a point 213 feet Westerly from the Northwest corner of Block "A" in the City of Paisley, Lake County, Oregon, on the South side of the extension of Mill Street, and from thence running in a Southerly direction at right angles to said extension of Mill Street and parallel to Willow Street 168.5 feet; thence Westerly at right angles to said last line, 153 feet; thence Northerly at right angles to said last line and parallel with the first line 168.5 feet; thence Easterly at right angles with said last line and along the South line of said extension of Mill Street, 153 feet to the place of beginning.

331824CA-4500 Ref. 8699

fee simple title as of February 26, 2004, at 8:00 a.m. is vested in

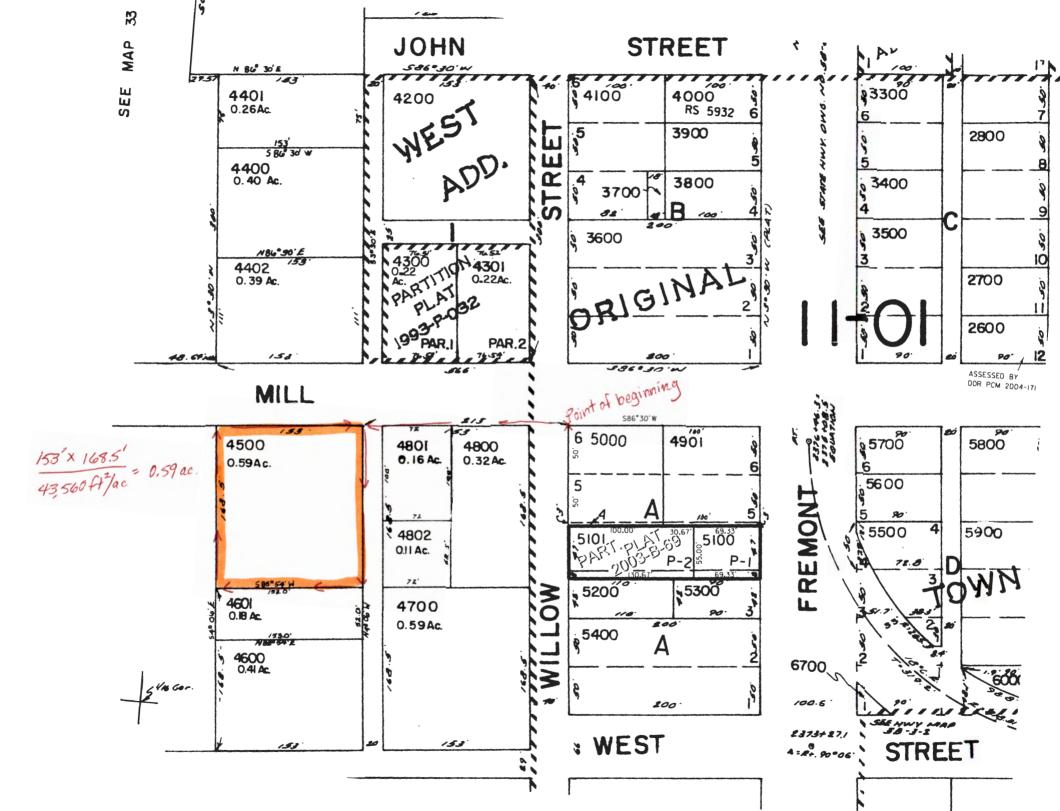
Kathleen A. McAuliffe as to an undivided 1/3 interest; Laura M. Davila, as to an undivided 1/3 interest; Rosanna J. Bagley, as to an undivided 1/3 interest, as tenants in common.

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

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MAY 2 6 2004

WATER RESOURCES DEPT SALEM, OREGON 1.9733



BEFORE THE BOARD OF CONTROL OF THE STATE OF OREGON

	Water Division No. , #1 Count
he M	atter of the Determination of the Relative
	STATEMENT AND PROOF OF CLAIMANT And its tributaries, a tary of Lake Abert Ditch.
TE (The claimant must submit separate proof as to each ditch through which a water right is claimed.) OF OREGON,
nenty	
<u> </u>	S. S. Thayer of Paisley, Oregon,
g cal Mow	led as a witness in support of this Statement of Claim, and being first duly sworn, testified
1. 7	2.—What is claimant's name and postoffice address? If a corporation, give the place of thom and the authority by which you make this proof.
	S. S. Thayer, Faisley, Oregon.
2 (11m (3. (proof is made by you as agent or attorney, the written authorization therefor must be signed by the claimant upon the buck hereof.) 1—Do you claim a right to the waters of the above named stream or a tributary thereof? a tributary, give its name. 1—Tibutary, known as Small creek or South fork, of Chewanca 2—What is the nature of the right or use on which this claim to the waters of said stream
	Irrigation. (Irrigation, power, mining, domestic, stock, etc.)
	1.—How was such right initiated, or upon what is it based? 1.—Diversion and Use.
5. (). ((Appropriation, diversion and use, etc.) 1—State the date of the initiation of such water right. A.—1998 1.—What steps were taken by this claimant or his predecessor in interest to initiate said inswer fully, attaching separate sheet if necessary.
1	Diversion by flume, 8"X 8"X10". From wat is known
	The Bagley Irrigation Dam, At the mouth of said ditch.
. (When was water first used for irrigation, or other beneficial purposes?
	String of 1898. 2—State the means of utilizing such water, giving the name by which the ditch is most landown, if a ditch is used.
	Banister flume. Ales The unter of a
inte	A State the interest claimant had in such ditally with the names of any other water prested therein.
9 eg (Geo. Pike, Mrs. A. Hartelrode, J. R. Hammond,
	on having one fifth interest.

MAY 0 5 2005

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GLENDER'S HYDRO TECH SERVICES

93291 PIKE LN LAKEVIEW, OREGON 97630 Telephone/Fax (541) 947-4718 Cell (541) 219-0806 E-mail djglender@gooselake.com

MEMO

May 4, 2005

TO:

Certificate 3696

FROM: Dennis R. Glender D. L. L.

SUB. Clarification of discrepancies in location of use for Certificate 3696, T-9733.

Please find a copy of the first 2 pages of Proof Claim 157 that was used to issue Certificate 3696.

As you can see, the applicant claimed 1 acre but further described the lot in the town of Paisley as being 168½' x 153' which is 0.59 acre. The State Engineer evidently did not compute the lot size before issuing the certificate.

The applicants have elected to reduce the acreage on the certificate to 0.59 acres. Please find 3 affidavits in this packet authorizing this change.

RECEIVED

MAY 0 5 2005
WATER RESOURCES DEPT SALEM, OREGON

AFFIDAVIT AMENDING WATER RIGHT CERTIFICATE 3696 FROM CHEWAUCAN RIVER, LAKE COUNTY, OREGON

State of Oregon)	
County of	LAKE)ss)	
I, <u>Laura M. Davila</u> in	n my capacity as C	CO-OWNER.	
mailing address 2801	NE Sycamore, B	end OR 97701,	
telephone number (54	1) 388-0855, duly	sworn depose and	i say that I
approve of CORREC "IRRIGATION OF			ICATE 3696 TO READ
T <u>33</u> S, R <u>18</u> E, Section	on <u>24CA</u> , TAX	LOT <u>4500</u> .	
Signature of Affiant	Davila		4-15-05 Date
Signature of Affiant			Date
	Subscribed and S	warn to Before M	E this /Sday of April, 2005
			Notary Public for Oregon
	My Comr	mission Expires	5-23-08



RECEIVED

MAY 0 5 2005 WATER RESOURCES DEPT SALEM, OREGON

AFFIDAVIT AMENDING WATER RIGHT CERTIFICATE 3696 FROM CHEWAUCAN RIVER, LAKE COUNTY, OREGON

State of Oregon)	
County of	LAKE)ss)	
I, Rosanna J. Bagley i	n my capacity as	s CO-OWNER ,	
mailing address PO Bo	x 26, Paisley, C	<u>OR 97636</u> ,	
telephone number (541) 943-3314, duly	y sworn depose a	nd say that I
approve of CORRECT "IRRIGATION OF 0			FICATE 3696 TO READ
T <u>33</u> S, R <u>18</u> E, Section	n <u>24CA</u> , TAX	LOT <u>4500</u> .	
Rasanna J Signature of Affiant	o Bagley		5/2/05 Date
Signature of Affiant			Date
\$	Subscribed and S	Swarn to Before I	ME this <u>2</u> day of <u>Moul</u> , 2005 Linda <u>J. kuempel</u> Notary Public for Oregon
	My Com	mission Expires_	



RECEIVED

MAY 0.5 2005 WATER RESOURCES DEPT SALEM, OREGON

AFFIDAVIT AMENDING WATER RIGHT CERTIFICATE 3696 FROM CHEWAUCAN RIVER, LAKE COUNTY, OREGON

State of California)	
County of	SHASTA)ss)	
I, Kathleen A. McAu	lliffe in my capacity	y as CO-OWN	NER,
mailing address PO B	Sox 1225, Cottonw	ood CA 9602	<u>2-1226</u> ,
telephone number () 347-5881, duly s	sworn depose a	and say that I
approve of CORREC "IRRIGATION OF			ΓΙFICATE 3696 TO READ
T 33 S, R 18 E, Section			
Kathleen a T Signature of Affiant	maulife		4-27-05 Date
Signature of Affiant		_	Date
	Commiss Notary Pu Shas	warn to Before BOND Ion # 1447850 bite - California Ita County coires Oct 28, 2007	e ME this 21 day of April, 2005 Rud Notary Public for Oregon CALIFORNIA
	My Comm	ission Expires	s 10/28/2007
Barrier de Las			RECEIVED

MAY 0 5 2005 WATER RESOURCES DEPT SALEM, OREGON

Certificate 3699 Redescription

- 1. Certificate 3699: 40 acres of water right in the NE¼ NE¼ of Section 6, Township 34 South, Range 19 East, W.M. was claimed on the Proof 98 map for this right, though it was not listed on the tabulation in the proof, decree or Certificate 3699. This appears to be a scrivener's error, because the total number of acres claimed includes 40 more acres than are listed.
- 2. The confirming certificate for the right should correct the listing by including the 40 acres shown on the map in the NE¼ NE¼ of Section 6.

OK to redescribe

STATE OF OREGON

COUNTY OF

CERTIFICATE OF WATER RIGHT

This is to Certify, That ESTATE OF GEO. M. JONES, decembed

Laboview

. State of

Orogon

has a right to the use of

the waters of . Chewaucan River, a tributary of Abert Lake

for the purpose of the irrigation of 38444 mores of land, domestic and stock use

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for County, and the said decree entered of record at Salem; in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 5. , at page 1 that the priority of the right thereby confirmed dates from 1878

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed a gate of diversion of 1/25 of a cubic foot per second per acre, and the aggregate quantity set forth below; and said right shall be subject to all other conditions and limitations contained in said decree.

A description of the lands irrigated under such right, and to which the coater is appur-

tenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

(4.4 acre feet per acre during each irritation season, being the period from April I to September 15 of each year) 55 acres in the Northwest quarter of Northeast quarter; 36 acres in the Southwest quarter of Northeast quarter; 40 acres in the Southeast quarter of Northeast quarter; 40 acres in the Northeast quarter of Southeast quarter; 55 acres in the Northwest quarter of Southeast quarter; 12 acres in the Southwest quarter of Southeast quarter and 40 acres in the Southeast quarter of Southeast quarter of Section Thirty-one: 6 scree in the Southwest quarter of Mortheast quarter; 40 scree in the Southwest quarter of Northwest quarter; 28.8 exces in the Southeast quarter of Northwest quarter; 25.1 sares in the Northwest quarter of Southwest quarter and 7.5 acres in the Southwest quarter of Southwest quarter and 7.5 acres in the Southwest quarter of Southwest quarter and 7.5 acres in the Southwest quarter of Southwest quarter and 7.5 acres in the Southwest quarter of Southwest quarter and 7.5 acres in the Southwest quarter of Southwest quarter of Southwest quarter and 7.5 acres in the Southwest quarter of Southwest qua

This only totals

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MAY 2 6 2004

WATER RESOURCES DEP SALEM, OREGON

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

> WITNESS the seal and signature of the State Water Board, affixed this 16th

July

STATE WATER BOARD

(Seal of State Water Board)

By PERCY As Complete Engineer, Procident

Attest:

1-9733

R. W. POTTER

Recorded in State Record of Water Right Certificates, Volume 4

Estate of Geo.M. Jones, Proof 97, Vol.2, continued.						. 17.77	57 acreal n Ne Nw 1, Sec. 6; 4 acres in NE Nw 1, Sec. 6; T. 34 S., R. 19 E., W. M.
3699 (Proof 98. Vol. 2) Cert. 3658 - Prof #5 (See Court Dece	1878	9.61 8) Val.5	384.4	Irrigation, domestic and stock	Small's Creek and Old Channel	Chewaucan River	36 acres in NW\(\frac{1}{4}\), 36 acres in SW\(\frac{1}{4}\), 40 acres in SF\(\frac{1}{4}\), 40 acres in NF\(\frac{1}{4}\), 40 acres in NF\(\frac{1}{4}\), 33 acres in NW\(\frac{1}{4}\)SF\(\frac{1}{4}\), 12 acres in SW\(\frac{1}{4}\)SF\(\frac{1}{4}\), 40 acres in SF\(\frac{1}{4}\)SF\(\frac{1}{4}\), 6 acres in SW\(\frac{1}{4}\)NF\(\frac{1}{4}\), 40 acres in SW\(\frac{1}{4}\)NF\(\frac{1}{4}\) 40 acres in SW\(\frac{1}{4}\)NW\(\frac{1}{4}\) 28.8 acres in SF\(\frac{1}{4}\)NW\(\frac{1}{4}\) 25.1 acres in NW\(\frac{1}{4}\)SW\(\frac{1}{4}\) 7.5 acres in SW\(\frac{1}{4}\)SW\(\frac{1}{4}\), Sec. 32; Tp. 33 S., R.19 E., W. M.
3658 (Proof 100, Vol. 2)	1890	6	240	Irrigation and stock	Temporary dams and furrow ditches	Coffee Pot Creek	30 acrés in SWANEA 36 acres in SEANEA 12 acres in SEANWA 16 acres in NEASWA 24 acres in NEASWA 10 acres in NEASWA 20 acres in NEASEA 20 acres in NWASEA 20 acres in NWASEA 20 acres in NWANWA 20 acres in NEANWA 21 acres in SWANWA 22 acres in SWANWA 23 acres in SWANWA 24 acres in SEANWA 25 acres in SEANWA 26 acres in SEANWA 27 acres in SEANWA 28 acres in SEANWA 38 acres in SEANWA 39 acres in SEANWA 39 acres in SEANWA 40 acres in S
Emma Kelsay and J.S.Kelsay, Paisley, Ore. (Proof 101, Vol. 2)	1893	2.5	100	Irrigation and stock	Not named	Dairy Creek	40 acres in NE ¹ ₄ SE ¹ ₄ , 20 acres in NW ¹ ₅ SE ¹ ₄ 40 acres in SE ¹ ₄ SE ¹ ₄ , Sec. 8; T. 36 S., R. 18 E., W. M.
Don C. LaFont, Creede, Colo. (Proof 102, Vol.2)	1900	0.25	10	Irrigation	Heryford Ditch	Willow Creek	10 acres in $SW_{4}^{1}SF_{4}^{1}$, Sec.23; T. 35 S., R. 20 E., W. M.
F. O. Lamb, Paisley, Ore. (Proof 103, Vol.2)	1878	0.03	.7	Irrigation, domestic and stock	Small's Creek Ditches	Chewaucan River	0.7 acre in $NE_{4}^{1}SW_{4}^{1}$, Sec. 24; Tp. 33 S., R. 18 E., W. M.
M. H. Lauritzen, Paisley, Ore. (Proof 104, Vol.2)	1878	3.06	122.6	Irrigation, domestic and stock	Fisher's Slough and ditches therefrom	Chewaucan River	34.3 acres in $NE_{4}^{1}NW_{4}^{1}$, 36 acres in $NW_{4}^{1}NW_{4}^{1}$, 28 acres in $SW_{4}^{1}NW_{4}^{1}$, 24.3 acres in $SE_{4}^{1}NW_{4}^{1}$, Sec.21 Tp. 33 S., R. 19 E., W. M.
(Proof 105, Vol.2)	1878	2.4	96	Irrigation, domestic and stock	Innis Slough and ditches therefrom Vol. 10, p. 5	Chewaucan River	4 acres in NW4NW4, 12 acres in SW4NW4, 40 acres in NE4NE4, 940 acres in SE4NE4, Sec. 29, Tp. 33 S., R. 19 E., W. M.
F. D. Loveless, Lakeview, Ore. (Proof 106, Vol.2)	1875	3.05	122	Irrigation, domestic and stock	Dams and ditches	Loveless Creek	7 acres in NE4NE4, 26 acres in NW4NE4, 40 acres in SW4NE4, 18 acres in SE4NE4, 15 acres in NE4SE4, 18 acres in NW4SE4, 18 acres in NW4SE4, 18 acres in NW4SE4.
							290
				1			CHEWAUCAN RIVER 63 -A

GLENDER'S HYDRO TECH SERVICES

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MEMO

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APR 1 4 2005
WATER RESOURCES DEPT.
SALEM, OREGON

March 30, 2005

TO: Certificate 3699

FROM: Dennis R. Glender PR. Hul

SUB. Clarification of discrepancies in location of use for Certificate 3699, T-9733.

Referring to OWRD letter of February 28, 2005

Certificate 3698 is actually Certificate 3699:

Please find a copy of the first 2 pages of Proof Claim 98 that was used to issue Certificate 3699.

As you can see, the applicant claimed 384.4 acres but failed to list 40 acres in the NE¼ NE¼, Section 6, T 34 S, R 19 E, WM. The application map that is part of the proof claim indicates the 40 acres in Section 6. The area indicated is also in an area that cannot help but be irrigated. The State Engineer evidently did not compare the total acres claimed against the location of the irrigation and map before issuing the certificate. We believe this to be a scriveners error.

I now require advise from OWRD on how to repair this deficiency.

Please also find supporting documentation for Tax Lot 300 in this packet.

Documents already submitted do give Me agent status as all of certificate 3699 is included in the authorization and all of Section 6, T 34 S, R 19 E, WM. Is included in the affidavit of use.

HEFORE THE BOARD OF CONTROL OF THE STATE OF OREGON

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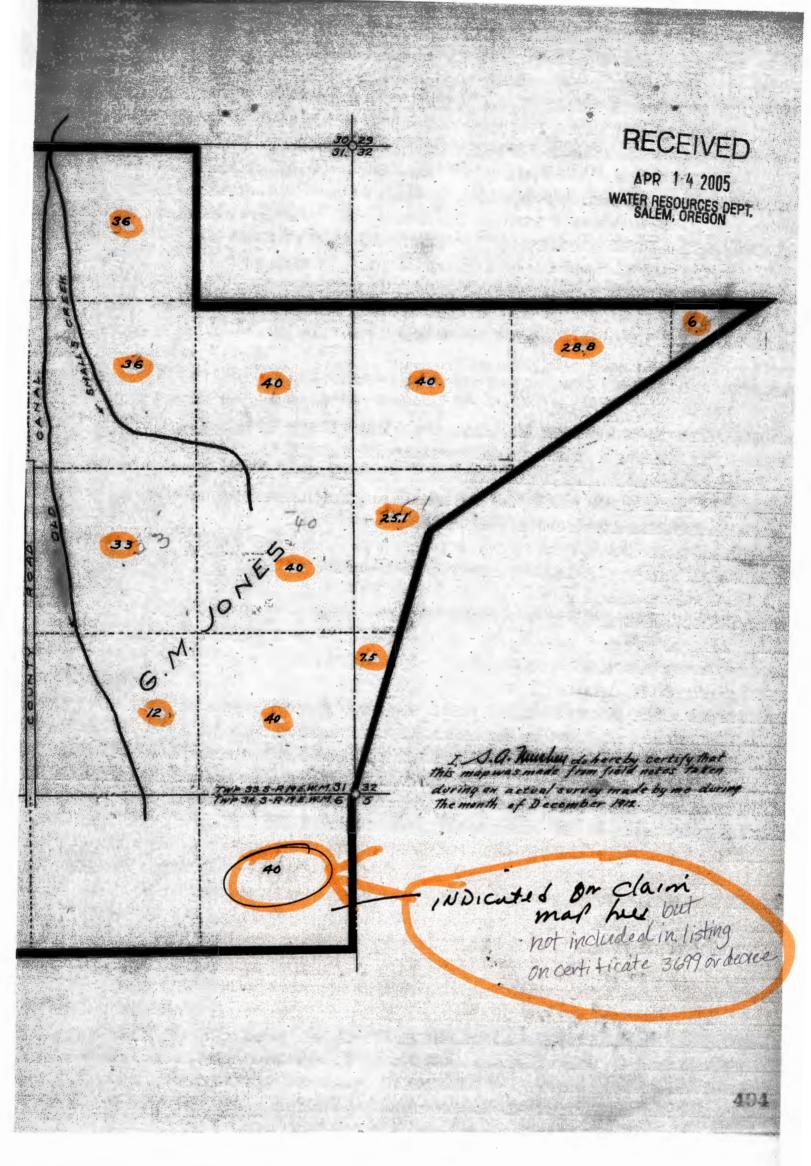
APR 1 4 2005 WATER RESOURCES DEPT. SALEM, OREGON

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