

359 D. C. Maize  
 Mainline Ranch  
 Post, Ore. 97752

**STATUS OF APPLICATION**

Change in Point of Diversion  
 Date filed April 14, 1970  
 Date of hearing March 25, 1971  
 Place of hearing Prineville, Oregon  
 Date of order 12-16-77 Vol. 30, page 193  
 Date for application of water Completed  
 Proof mailed MAR 29 1984  
 Proof received DEC 4 1984 47  
 Certificate issued DEC 4 1984 Vol. 47, page 52520

**DESCRIPTION OF WATER RIGHT**

Name of stream South Fork Crooked River  
 Trib. of - County of Crook  
 Use Irrigation  
 Quantity of water - No. of acres 94 3/4  
 Name of ditch -  
 Date of priority April 5, 1950  
 In name of E Miles Mayfield  
 Adjudication, Vol. -, page -  
 App. No. 24578 Per. No. 21721 Cert. No. 24090  
 Certificate cancelled -  
 Notation made on record by slu

**FEEES PAID**

Date	Amount	Receipt No.
4/14/70	25.00	18288
4/14/70	35.00 PON	18290
3-3-71	9.63 PON	22844
TOTAL 12/16/77	10.00	22842
3-3-71	\$1 Cert. Fee	22843

*22842 \$100 paid from 1232*

**FEEES REFUNDED**

Date	Amount	Check No.

**REMARKS**

33016, 158, 24578 ? Form 130 sent JUL 2 1984

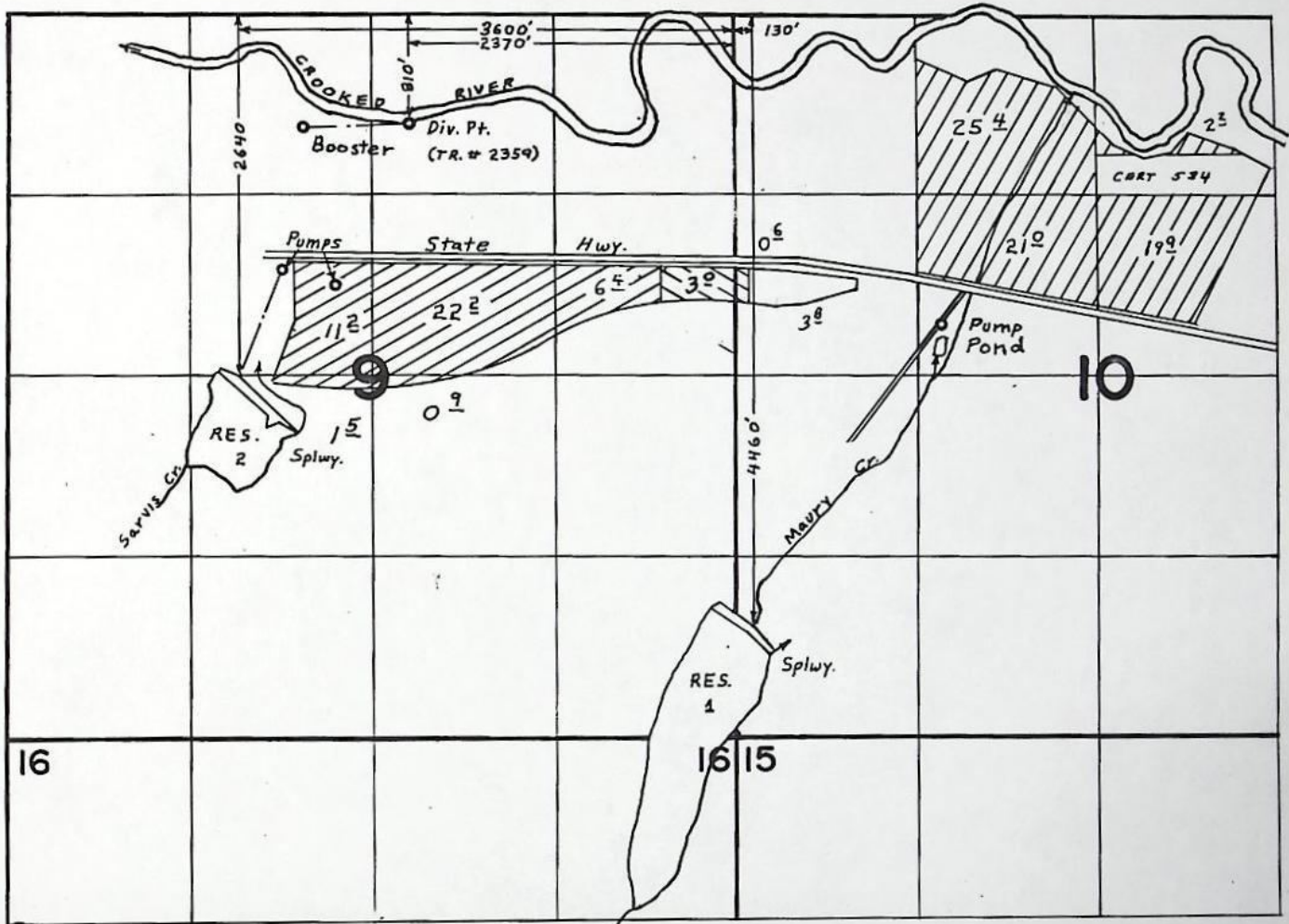
F.P. MAP in FILE 4284B

TO BE ENTERED WHEN CHECKED	INDEX CARDS:	
	Entered	Checked
<input checked="" type="checkbox"/> Name	lij	---
<input checked="" type="checkbox"/> Stream	lij	---
<input checked="" type="checkbox"/> Pt. of Div.	lij	---
<input checked="" type="checkbox"/> Calendar	lij	---
<input checked="" type="checkbox"/> Twp. & Rge.	lij	---
<input checked="" type="checkbox"/> Decree-vault	lij	---
<input checked="" type="checkbox"/> Decree-safe	lij	---
<input checked="" type="checkbox"/> Cert. of W/R	lij	lij
<input checked="" type="checkbox"/> Per. Meter	lij	lij
<input type="checkbox"/> Chaindex	---	---
<input type="checkbox"/> Cross Ref.	---	---
<input checked="" type="checkbox"/> Power Claim	lij	---
<input checked="" type="checkbox"/> Abstracts	lij	---

65



# T.17S. R.21E., W.M.



App'l. 42848

App'l. 46461



Primary



Supplemental

Transfer No. 2359

## FINAL PROOF SURVEY

UNDER

R-42847

R-4871

42848

32025

46461

34710

Application No. R-46462 Permit No. R-5534...

IN NAME OF

LES SCHWAB TIRE CENTERS, INC.

Surveyed JUL 11 12 1978, by J. S. DONALDSON

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

CROOK COUNTY

IN THE MATTER OF THE APPLICATION )  
OF D. C. MAINE FOR APPROVAL OF A )  
CHANGE IN POINT OF DIVERSION OF )  
WATER FROM CROOKED RIVER )  
-----

ORDER APPROVING  
TRANSFER NO. 2359

On April 14, 1970, an application was filed in the office of the Water Resources Director by D. C. Maine for approval of a change in point of diversion from Crooked River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 24090, Volume 17, State Record of Water Right Certificates, in the name of F. Miles Mayfield, describes a right which includes the use of not to exceed 1.21 cubic feet per second from Crooked River for primary irrigation of 7.0 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$ , 38.2 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$ , 6.0 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$  and 5.2 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 9; and supplemental irrigation of 10.0 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 8, Township 17 South, Range 21 East. W.M., with a date of priority of April 5, 1950.

Water for the said right is diverted from a point located 960 feet South and 790 feet West from the Northeast Corner of Section 9, being within the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 9.

The applicant herein, owner of the lands above described, proposes to change the point of diversion therefrom, without loss of priority to a point located 950 feet South and 2560 feet West from the Northeast Corner of Section 9, being within the NW $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 9.

Notice of the application, pursuant to ORS 540.510, was published in the Central Oregonian, a newspaper printed and having general circulation in Crook County, Oregon, for a period of three weeks in the issues of January 28; February 4 and 11, 1971.

Mr. Bruce A. Estes, Watermaster, has filed a statement to the effect that the proposed change in point of diversion may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed change in point of diversion may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested change in point



of diversion, as described herein, without loss of priority, is approved.

It is FURTHER ORDERED that the quantity of water diverted at the new point of diversion shall not exceed the quantity of water available at the old point of diversion under the subject right.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgment of the watermaster it becomes necessary to install headgates and measuring devices:

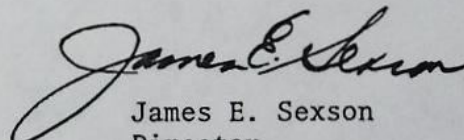
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

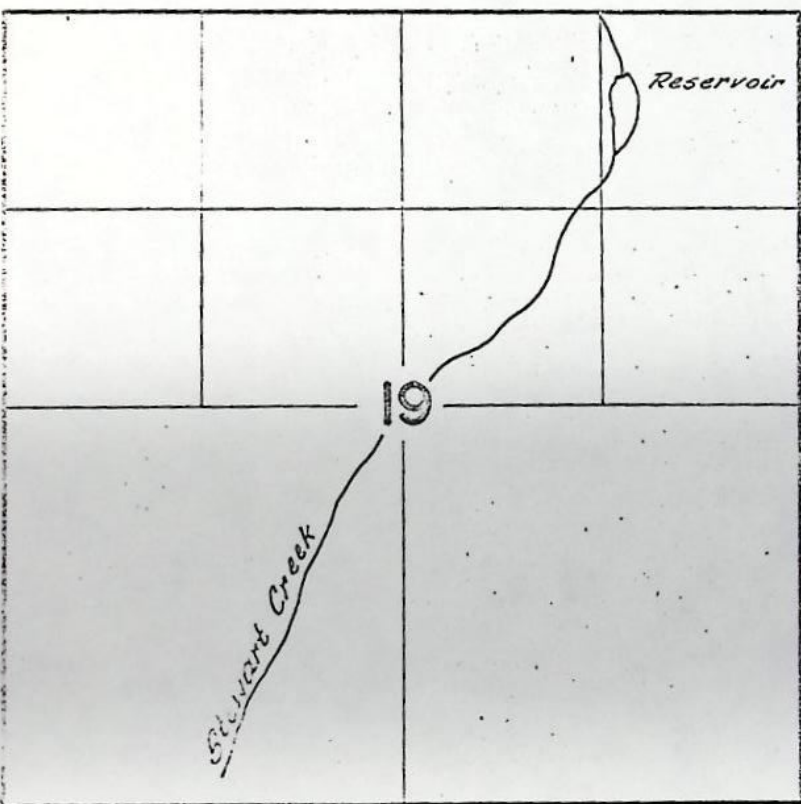
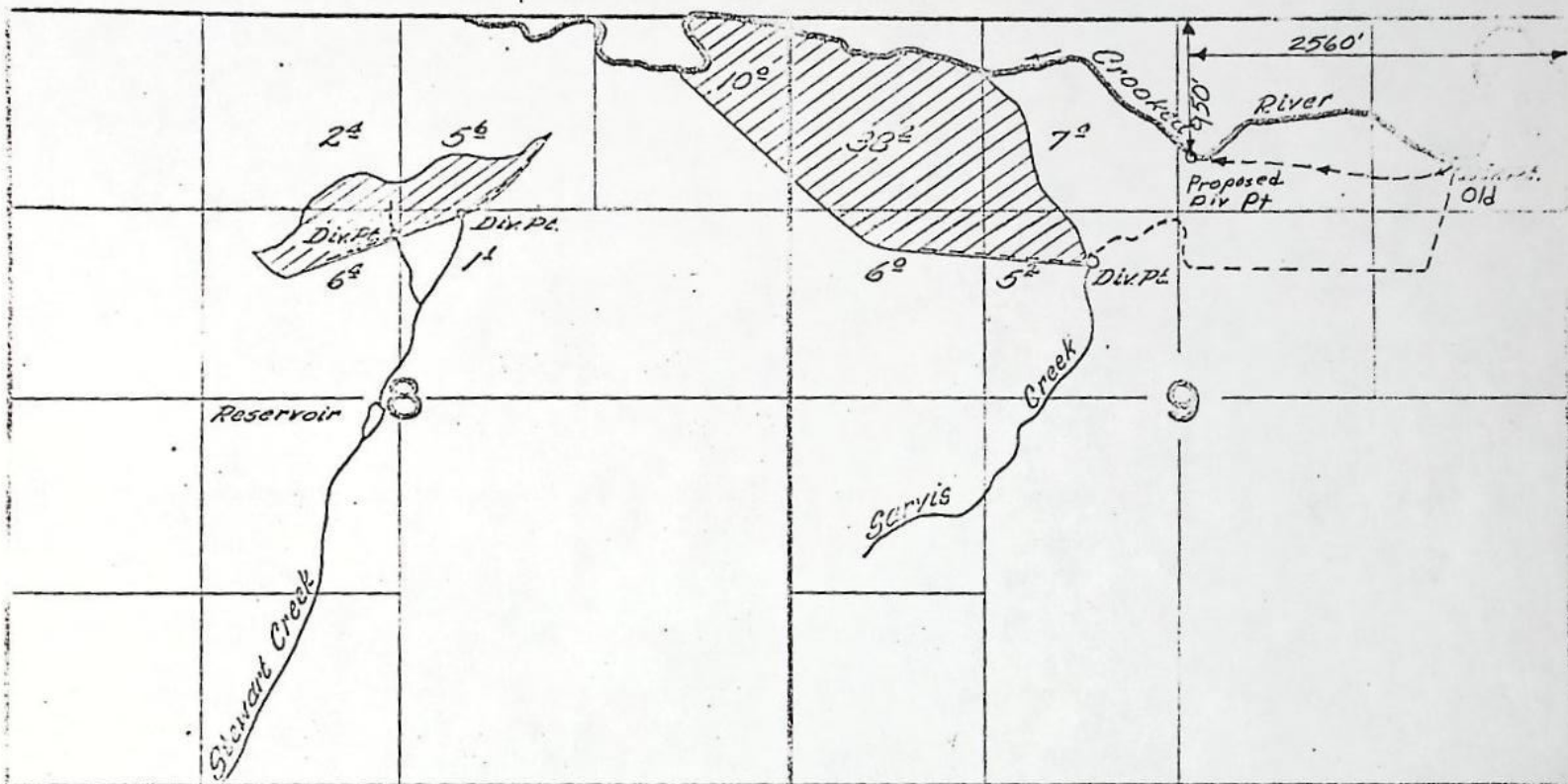
That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

It is FURTHER ORDERED that no time need be fixed for completion as the change in point of diversion is completed.

It is FURTHER ORDERED that upon proof satisfactory to the Water Resources Director of completion of works and beneficial use of water to the extent intended under the provisions of this order the certificate of water right heretofore issued to F. Miles Mayfield and recorded to page 24090, Volume 17, State Record of Water Right Certificates, be canceled, and in lieu thereof a new confirming certificate of water right shall be issued to the applicant herein.

Dated at Salem, Oregon, this 16th day of December, 1977.

  
James E. Sexson  
Director



T.17S.R.21E.W.M.

FINAL PROOF SURVEY

R-24576 R-1422  
 R-24577 R-1423  
 Application No. 24578 Permit No. 21721

IN NAME OF  
E. Miles Mayfield  
 Surveyed Aug. 5, 1957, by C.C. Brant

DCV-131-35



## STATE OF OREGON

COUNTY OF

CROOK

## CERTIFICATE OF WATER RIGHT

*This Is to Certify, That*LES SCHWAB TIRE CENTERS, INC  
dba L. S. RANCH

Tr 2359

of P. O. Box 667, Prineville, State of Oregon 97754, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of South Fork Crooked River, Stewart Creek, Sarvis Creek and 2 reservoirs constructed under Permits R-1422 and R-1423 a tributary of Crooked River for the purpose of irrigation of 63.9 acres and supplemental irrigation of 18.0 acres

under Permit No. 21721 and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from April 5, 1950

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 1.81 cubic feet per second being 0.50 cfs from Sarvis Creek, 0.10 cfs from Stewart Creek and reservoirs, and 1.21 cfs from Crooked River, if available at the original point of diversion in the NE 1/4 NE 1/4, Section 9, T17S, R12E, WM or its equivalent in case of rotation, measured at the point of diversion from the stream.

The point of diversion is located in the SW 1/4 NE 1/4, SE 1/4 NW 1/4, NE 1/4 SW 1/4, Section 8; NW 1/4 NE 1/4, SE 1/4 NW 1/4, Section 9; NE 1/4 NE 1/4 Section 19; T17S, R21E, WM; Crooked River diversion point located 810 feet South and 2,370 feet West from the NE Corner Section 9

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-fortieth of one cubic foot per second per acre, or its equivalent for each acre irrigated from direct flow and shall be further limited to a diversion of not to exceed 4 acre-feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage from reservoirs constructed under Permits R-1422 and R-1423

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

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

SEE NEXT PAGE

SARVIS CREEK and CROOKED RIVER

PRIMARY

7.0 acres NE 1/4 NW 1/4  
38.2 acres NW 1/4 NW 1/4  
6.0 acres SW 1/4 NW 1/4  
5.2 acres SE 1/4 NW 1/4  
Section 9

SUPPLEMENTAL

10. acres NE 1/4 NE 1/4  
Section 8

STEWART CREEK and RESERVOIRS

PRIMARY

1.1 acres SW 1/4 NE 1/4  
6.4 acres SE 1/4 NW 1/4  
Section 8

SUPPLEMENTAL

5.6 acres NW 1/4 NE 1/4  
2.4 acres NE 1/4 NW 1/4  
Section 8

Township 17 South, Range 21 East, WM

This certificate is issued to confirm a change in point of diversion approved by an order of the Water Resources Director entered December 16, 1977 and supersedes certificate of water right recorded at page 24090, Volume 17, State Record of Water Right Certificates.

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







Info: Denny Denton mgr LS Ranch  
Water is being used from new div. pt.

Source: Crooked River

Div: Pumps directly from river

Pumps & Motors ~~from~~

(one on river  
and one booster pump)

2 - Century 25hp @ 3500 rpm.  
Pacific CDD 4" x 3"

Pipe: 6" steel (buried)  
4" alum main  
3600' 3" alum lat

$$\frac{(2)(25)(6.61)}{10 + 140} = 2.20$$

Heads: 120 RB 30 3/16 all max

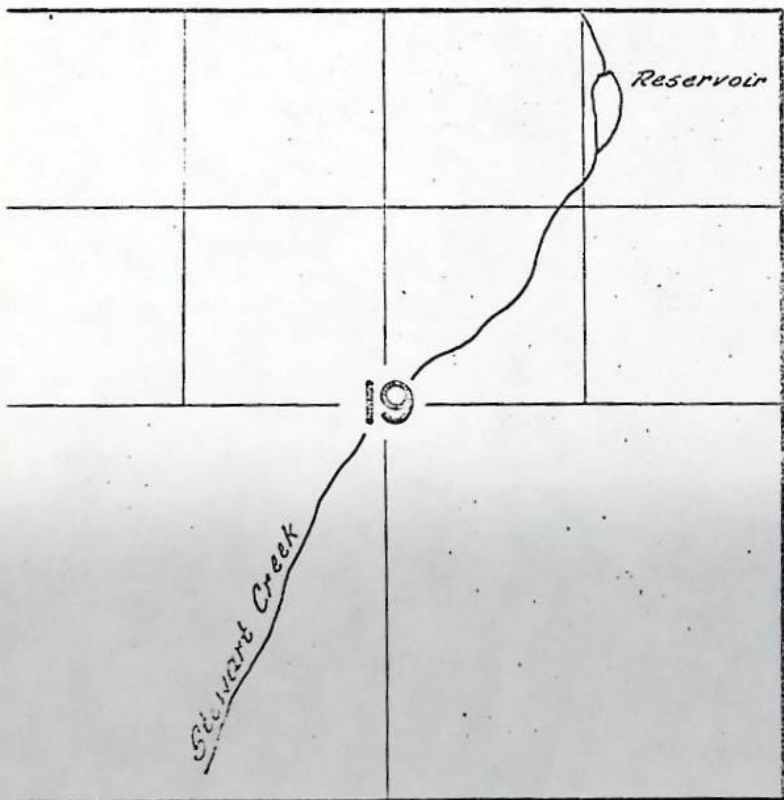
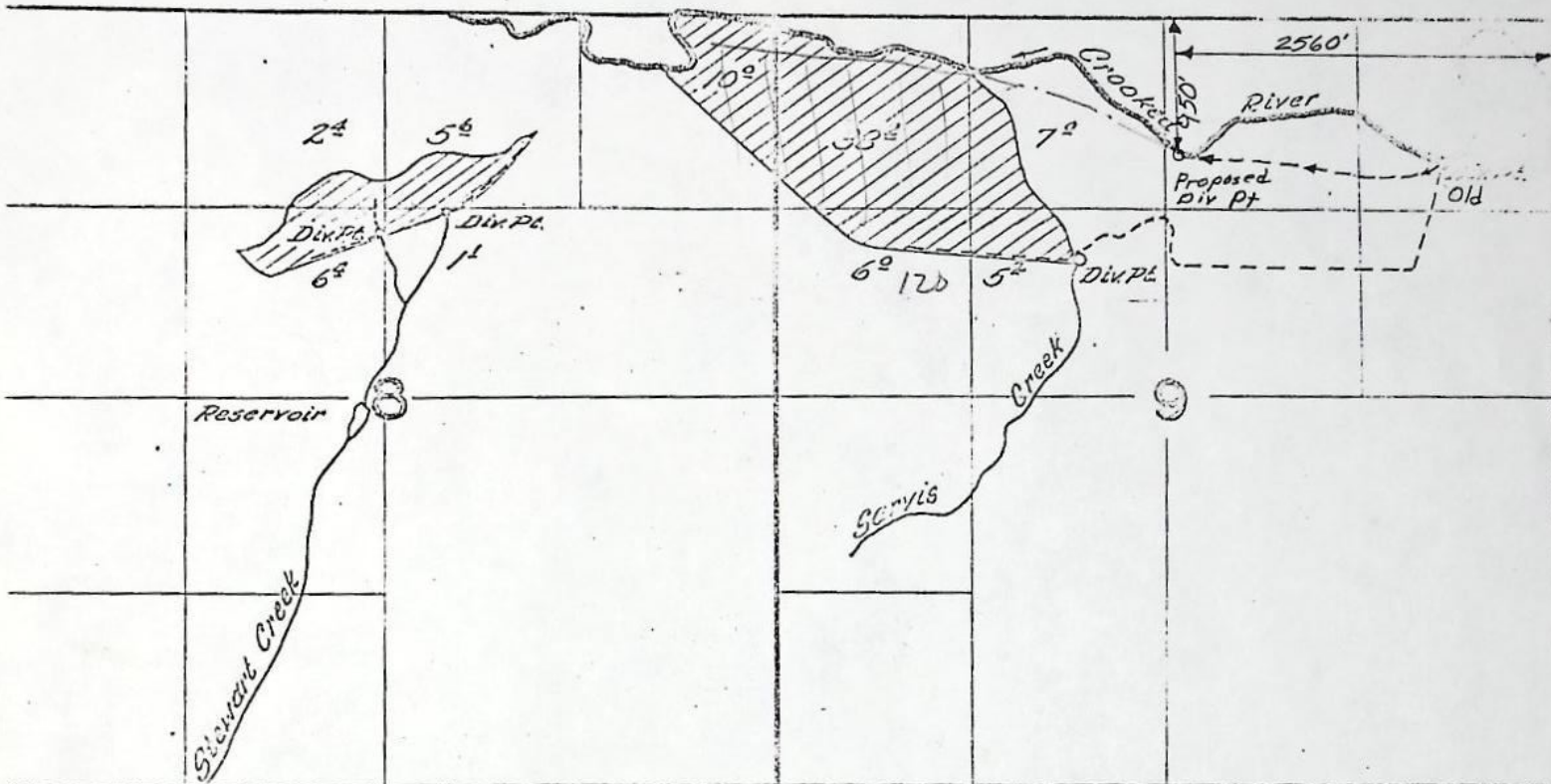
$$\frac{(120)(6.8)}{450} = 1.81 \text{ cfs}$$

Lift: 0 to +10

crop: Hay & Pasture

tie: PTS 197B-A-2 & DCY-13H-25  
~~tie~~

Steve Donaldson  
FE 7-12-78



T.17S.R.21E.W.M.

FINAL PROOF SURVEY

R-24576  
R-24577

R-1422  
R-1423

Application No. 24578 Permit No. 21721

IN NAME OF

E. Miles Mayfield

Surveyed Aug. 5, 1957, by C. O. B. [Signature]

DCY-134-25



RECEIVED  
MAR 11 1970

STATE ENGINEER  
SALEM, OREGON

RECEIVED  
APR 14 1970

STATE ENGINEER  
SALEM, OREGON

RECEIVED  
JUL 15 1970

STATE ENGINEER  
SALEM, OREGON

T 2357

RECEIVED  
SEP 14 1970

STATE ENGINEER  
SALEM, OREGON

RECEIVED  
DEC 21 1970

STATE ENGINEER  
SALEM, OREGON

### Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, D. C. MAINE (MAINLINE RANCH)  
(Name of applicant)

of POST, OREGON, County of CROOK  
(Postoffice)

State of OREGON, do hereby make application for change

IN POINT OF DIVERSION  
(In point of diversion; place of use; use heretofore made of the water)

1. The source of present water right is SOUTH FORK CROOKED RIVER  
(Name of stream)

2. The use to which the water is applied is IRRIGATION & SUPPL. IRR.  
(Irrigation; Mining; Power; Manufacturing; etc.)

3. The name of the ditch, canal or pipe line is DITCH

4. The point of diversion is located 960 ft. S and 790 ft. W from the N.E.  
(N. or S.) (E. or W.)

corner of SECTION 9 being within the NE 1/4 NE 1/4  
(Section or subdivision)

of Section 9 Tp. 17S R. 21E W. M., in the County of CROOK  
(No. N. or S.) (No. E. or W.)

5. Give the number of acres irrigated in each smallest legal subdivision (40-acre tract). Only show the acreage which is being transferred. If the water is used for power, mining or other use, show place of use.

Twp.	Range	Sec.	NE 1-4				NW 1-4				SW 1-4				SE 1-4			
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4
<del>17S</del>	<del>R21E</del>	9					<del>76<sup>2</sup></del>	<del>38<sup>2</sup></del>	<del>6<sup>2</sup></del>	<del>12<sup>2</sup></del>								
		<del>8</del>																
17S	R21E	9					7 <sup>2</sup>	38 <sup>2</sup>	6 <sup>2</sup>	5 <sup>2</sup>								
		8																

NOTE: If you own less than 40-acre tracts, attach a description of your land as it appears in your deed.

\* Supplemental (Attach separate sheet if necessary)

6. Are you the legal owner of the above described lands? Yes  
(If not owner, explain your interest)

7. What is the priority date of your water right? April 5, 1950

8. Was your water right acquired by State Engineer's Permit? Yes If so, give number  
(Yes or No)

of permit 21721



9. Do you hold a water right certificate? Yes If so, give number of certificate Pg. 24090  
(Yes or No)

10. Was your water right determined by State Engineer's order of Determination or Decree of Court?

No If so, give title of proceedings  
(Yes or No)

11. Is the water right recorded in your name? NO, F. Miles May Field  
(If not, give name)

12. I propose to transfer the water right to the following described lands: (Do not answer if your application is for change in point of diversion only.)

Twp.	Range	Sec.	NE 1-4				NW 1-4				SW 1-4				SE 1-4			
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$

(Attach separate sheet if necessary)

NOTE: Do not answer questions 13, 14 and 15, if the application is not for change in point of diversion.

13. The proposed point of diversion is located 950 ft. S and 2560 ft. W from the NE corner of Sec 9 being within the NW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 9 Tp. 17S R. 21E W. M., in the county of Crook. The name of the ditch to be used is \_\_\_\_\_  
(Smallest legal subdivision) (N. or S.) (E. or W.) (No. N. or S.) (No. E. or W.)

14. Are you the owner of the land on which the proposed point of diversion is to be located? Yes

15. If not the owner of the land on which the proposed point of diversion is to be located, give the name and address of owner and submit evidence of your right-of-way for your proposed ditch, canal, or pipe line.

16. Are there any diversions between your present point of diversion and the proposed point of diversion? NO

NOTE: Do not answer questions 17 and 18 if application is for change in point of diversion only.

17. Are the lands from which you propose to transfer your water right free of all encumbrances, including taxes, mortgages, liens, etc.? Yes  
(Answer Yes or No)

18. If not, give below a description of existing encumbrances:

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT

19. Reasons for the proposed changes are CHANGING METHOD OF IRRIGATION  
From Flood To Sprinkler Pump will be located on the River  
+ A Pipe line will lead directly to the field



AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of DESCHUTES

} ss.

I, DEWITT C. MAINE, the applicant herein, being first duly sworn, depose and say that I have read the above and foregoing application for transfer of water right; that I know the contents thereof and that the statements therein made are true and correct to the best of my knowledge and belief.

In Witness Whereof, I have hereunto set my hand this 5 day of MARCH, 1970

De Witt C. Maine  
(Name of applicant)

Subscribed and sworn to before me this 5 day of MARCH, 1970

[Notarial Seal]

Hobert C. Stur  
NOTARY PUBLIC FOR OREGON

My commission expires MAY 17, 1973

Remarks .....

.....  
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.....

This application must be accompanied by a map showing the location of the point of diversion, place of use and works utilized under the present water right. The map should also show the new point of diversion or place of use, as the case may be.



RECEIVED  
FEB 18 1971  
STATE ENGINEER  
SALEM, OREGON

# Affidavit of Publication

STATE OF OREGON, )  
COUNTY OF CROOK, )

I, James O. Smith, being first duly sworn, depose and say that I am the owner, editor, publisher, manager, advertising manager, principal clerk of the CENTRAL OREGONIAN, printer or his foreman of the CENTRAL OREGONIAN, a newspaper of general circulation, as defined by ORS 193.010 and 193.020; printed and published at Prineville, in the aforesaid county and state; that the Notice of Filing Applications For Changes in Points of Diversion of Water a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for 3 successive and consecutive weeks in the following issues

Issue date January 28, 1971

Issue date February 4, 1971

Issue date February 11, 1971

Issue date \_\_\_\_\_

Issue date \_\_\_\_\_

The fee charged for the above publication was

\$ 44.63

James O. Smith  
Publisher

Subscribed and sworn to before me this 11th

day of February, 1971

Beverly S. Thomas  
Notary Public for Oregon

My Commission expires July 13, 1974

## NOTICE OF FILING APPLICATIONS FOR CHANGES IN POINTS OF DIVERSION OF WATER

Notice is given hereby that D. C. Maine has filed applications for the approval of changes in points of diversion of water from Crooked River and South Fork Crooked River.

Certificate of water right issued to E. W. Nelson and recorded at page 399, Volume 1, State Record of Water Right Certificates, confirms a right to the use of 1.5 cubic feet per second of water from Crooked River for the irrigation of 40.0 acres in SW1/4 NW1/4, 40.0 acres in SE1/4 NW1/4 and 40.0 acres in NE1/4 SW1/4, Sec. 12, T. 17 S., R. 21 E., W.M., with a date of priority of June 30, 1909. These lands are irrigated by means of the Horseshoe Irrigation Company Ditch from a point of diversion located 665 ft. S. and 2620 ft. E from the NW corner of Sec. 22 being within the NE1/4 NW1/4 of Sec. 22, T. 17 S., R. 22 E., W. M.

The applicant herein, owner of the lands above described, proposes to irrigate these lands from a point of diversion to be located 1320 ft. S and 2024 ft. W from the NE corner of Sec. 11 being within the SW 1/4 NE1/4 of Sec. 11, T. 17 S., R. 21 E., W.M.

Certificate of water right issued to F. Miles Mayfield and recorded at page 24090, Volume 17, State Record of Water Right Certificates, confirms a right to the use of 1.21 cubic feet per second of water from South Fork Crooked River for the irrigation and supplemental irrigation of, among other lands, 7.0 acres in NE1/4 NW1/4, 38.2 acres in NW1/4 NW1/4, 6.0 acres in SW1/4 NW1/4, 5.2 acres in SE1/4 NW1/4, Sec. 9, and 10.0 acres in NE1/4 NE1/4, Sec. 8, T. 17 S., R. 21 E., W.M., with a date of priority of April 5, 1950. These lands are irrigated from a point of di-

version located 960 ft. S. and 790 ft. W from the NE corner of Sec. 9 being within the NE1/4 NE1/4 of Sec. 9, T. 17 S., R. 21 E., W.M.

The applicant herein, owner of the lands above described, proposes to irrigate these lands from a point of diversion to be located 950 ft. S and 2560 ft W from the NE corner of Sec. 9 being within the NW1/4 NE1/4 of Sec. 9, T. 17 S., R. 21 E., W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Prineville, Oregon, on March 25, 1971, at 9:30 a.m. All objections to the proposed change, if any there are, will be heard at said time and place. Any and all objections shall be prepared in writing, one copy to be served on D. C. Maine, Mainline Ranch, Post, Oregon 97752, and one copy filed with the State Engineer, Salem, Oregon, together with a \$5 filing fee at least 10 days prior to the date set for hearing. If no objections are filed, the application may be approved by the State Engineer without a hearing.

Dated at Salem, Oregon, this 22nd day of January, 1971.  
CHRIS L. WHEELER  
State Engineer

38,3940