

2485 Edith L. Miller
902 S 11th St
The Dalles, Ore 97058

2485

STATUS OF APPLICATION

Change in Point of Diversion
Date filed February 10, 1971
Date of hearing June 1, 1971
Place of hearing The Dalles, Ore
Date of order 6-2-71 Vol. 21, page 110
Date for application of water 10-1-72
Proof mailed _____
Proof received _____
Certificate issued MAR 17 1978 Vol. 37, page 45346

Survey 10/6/71
Survey 2-19-78

DESCRIPTION OF WATER RIGHT **DVA Notification**

Name of stream Mill Creek
Trib. of — County of Wasco
Use Irrigation
Quantity of water see order No. of acres 48
Name of ditch Hazen
Date of priority 1865
In name of George Miller
Mill Creek Adjudication, Vol. 8, page 124
App. No. _____ Per. No. _____ Cert. No. 5706
Certificate cancelled _____
Notation made on record by slu

FEES PAID

Date	Amount	Receipt No.
<u>2-10-71</u>	<u>25.00</u>	<u>22632</u>
<u>3-26-71</u>	<u>30.00</u> <u>PON</u>	<u>23060</u>
TOTAL . . .		
<u>4-22-71</u>	<u>\$1 Cert. Fee</u>	
<u>11-7-75</u>	<u>1.00</u>	<u>50187</u>

FEES REFUNDED

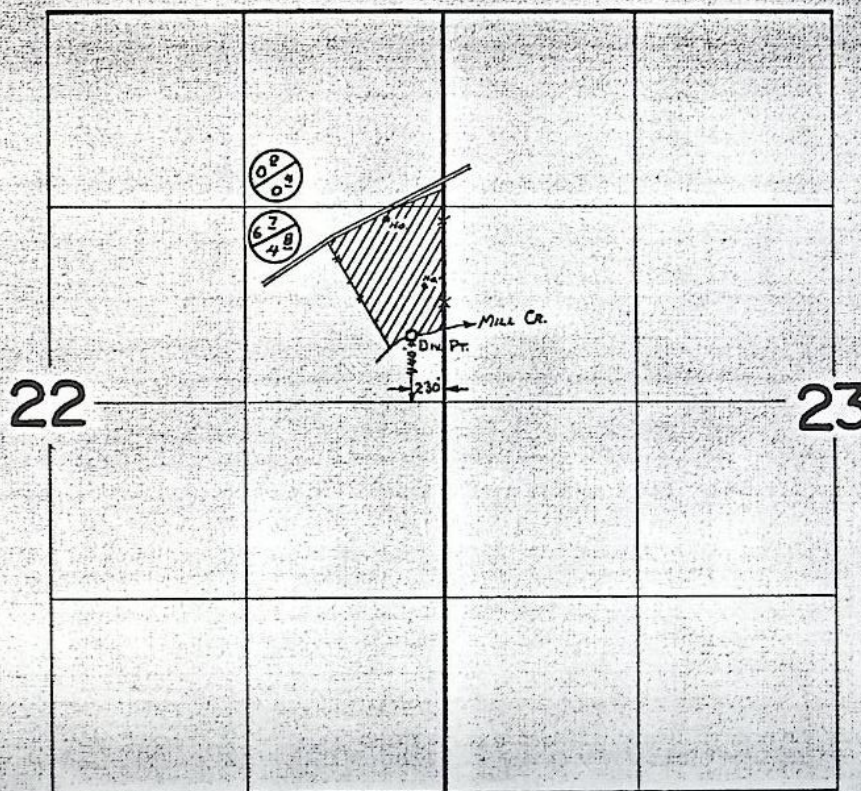
Date	Amount	Check No.
<u>4-22-71</u>	<u>\$8.46</u>	<u>4219</u>

REMARKS

11-7-75
Assigned to Melvin C. Doyle, Rt. 2, Box 71, The Dalles, Oregon 97058
220-A Rendleton
97001
Vol 5 P 715

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

T.1N.,R.12E.,W.M.



A - PERMIT 35947 ALREALE
B - CERT. 5706 ALREALE

FINAL PROOF SURVEY
UNDER

Transfer No. 2485
Application No. 47945 Permit No. 35947
IN NAME OF

MELVIN C. DOYLE

Surveyed APRIL 26, 1974, by D. NORBY
APRIL 6, 1976 R. G. Mucken



NOTICE OF INTEREST IN WATER RIGHT

To: Director of Water Resources 3850 Portland Road N.E. Salem, Oregon 97310		DATE SENT TO WATER RESOURCES <div style="font-size: 1.5em; font-weight: bold;">6-13-86</div> DATE RETURNED TO DVA	DATE REC'D BY WATER RESOURCES <div style="font-size: 1.5em; font-weight: bold;">RECEIVED</div> JUN 17 1986 WATER RESOURCES DEPT. SALEM, OREGON
---	--	--	--

This is to notify you of an interest in the following described water right:

LOAN NUMBER	FIELD OFFICE	COUNTY	ACREAGE IRRIGATED:
L80640	CL	Wasco	ORIGINAL APPRAISAL _____
NAME OF BORROWER (LAST, FIRST, M.I.)			ACTUAL _____
Doyle, Melvin C.			
MAILING ADDRESS			
COMMENTS			

PROPERTY AND WATER RIGHT INFORMATION

TOWNSHIP	1 N		
RANGE	12 E		
SECTION	22		

APPLICATION	NUMBER:	47945	T 2485	
PERMIT	NUMBER:	35947		
	ACRES:			
CERTIFICATE	NUMBER:	45345	45346	
	ACRES:	6.7 AC	6 AC	
IRRIGATION DISTRICT	NUMBER:			
DOMESTIC WATER	NUMBER:			

COMMENTS

6-25-86

The State of Oregon, by and through the Director of Veterans' Affairs, has a security interest in the above-described property and hereby requests that no action be taken to diminish the water right without notifying the Department of Veterans' Affairs, 700 Summer Street, N.E., Salem, Oregon 97310 Attention: Butch Gehley, Operations Compliance Manager.

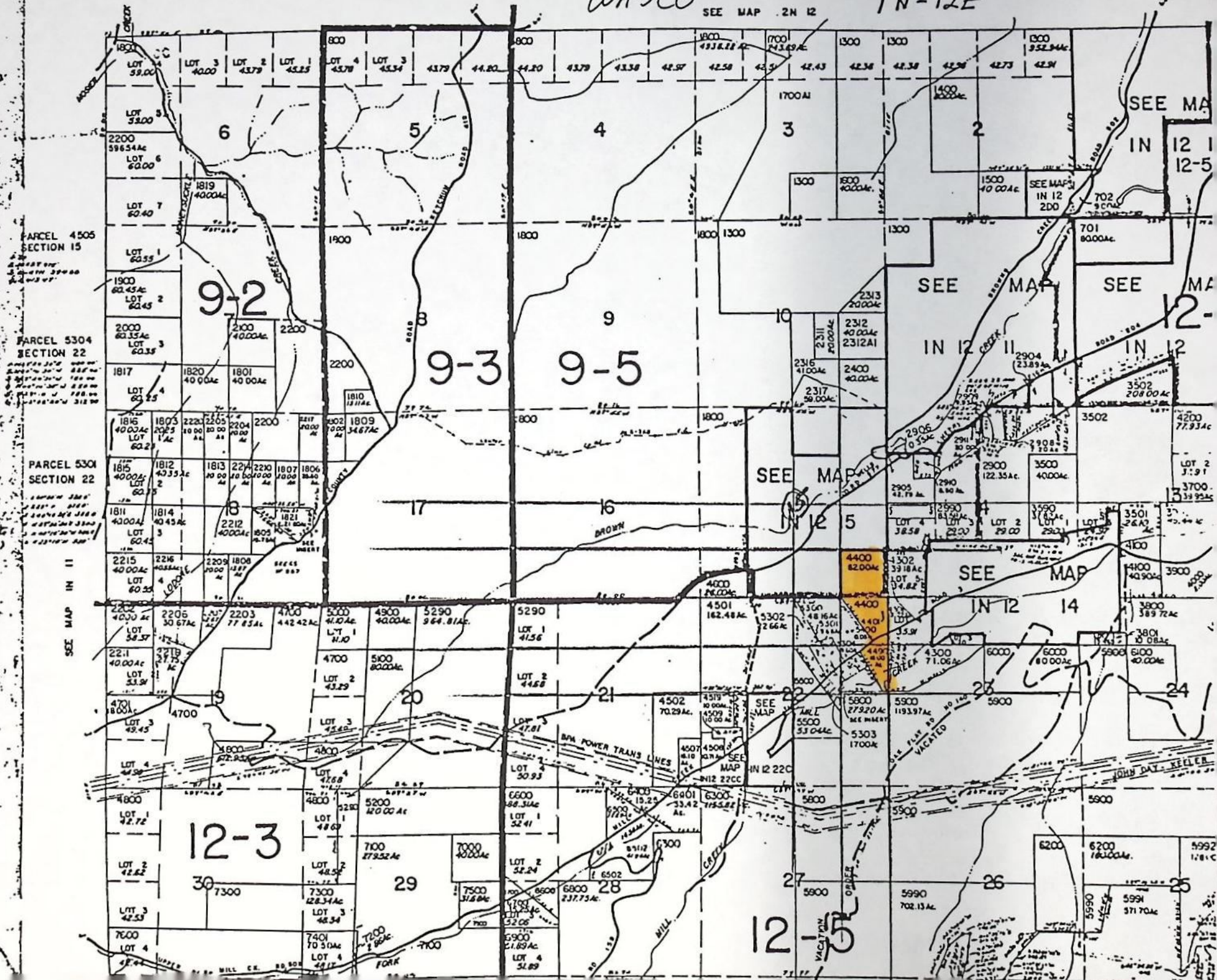
Attachments:

☒ Legal Descriptions
 ☒ Plat Maps
 ☐ Please return copy to ODVA
 ☐

WASCO

SEE MAP 2N 12

1N-12E



PTS 1974-A
4-26-74
DMN
RE-CHECK
4-6-76
R-G.M.
C-date

Transfer No. 2485

1. Name Edith L. Miller Address 903 E. 11th St., The Dalles, Ore.

2. Source of Supply Mill Creek, Trib. of ---

3. Amount of Water see order Priority Date 1865

4. Use Irrigation

5. Proposed Point of Diversion 475 ft. N & 267 ft. W from the E $\frac{1}{4}$ corner of Sec. 22

being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 22, T. 1 N., R. 12

E., W.M.

6. Place of Use ---

[illegible]

INFO; MR. DOYLE - NEW OWNER OF PROPERTY.

METHOD OF IRRIGATION CHANGED FROM FLOODING
TO SPRINKLING A FEW YEARS AGO.

FOR COMPLETE REPORT OF EQUIP. SEE APP. 47945

David Horby

F.E.

4-26-74

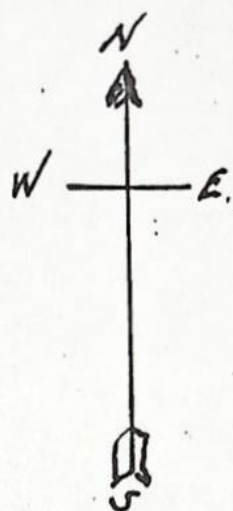
Same Dir. Pt. as before

4-6-76

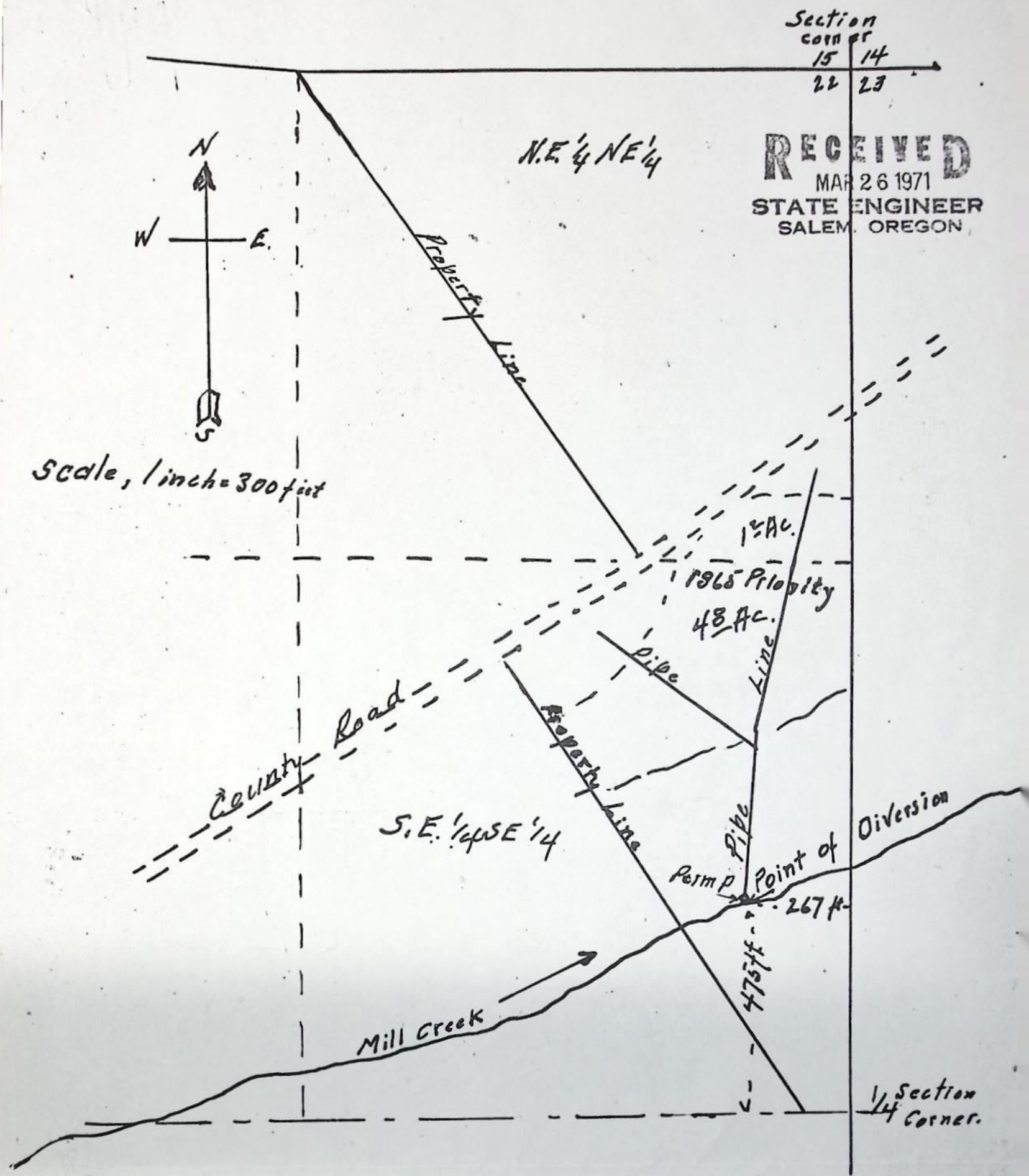
R.G.M.

Section
corner
15 14
22 23

RECEIVED
MAR 26 1971
STATE ENGINEER
SALEM, OREGON



Scale, 1 inch = 300 feet



Application for a change in Point of Diversion
from Mill Creek, in section 22, T.1 N. R. 12 E. W. M.
in Wasco County, Oregon. By Mrs. Edith Miller,
902 East 11th Street, The Dalles, Oregon. 97058.
Transfer No. 2485.
Drawn by Roger J. Wilhelm.

[Signature]

BEFORE THE STATE ENGINEER OF OREGON

Wasco County

IN THE MATTER OF THE APPLICATION)
OF EDITH L. MILLER FOR THE APPROVAL)
OF A CHANGE IN POINT OF DIVERSION)
OF WATER FROM MILL CREEK)

ORDER APPROVING
TRANSFER NO. 2485

On February 10, 1971, Edith L. Miller filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from Mill Creek, pursuant to the provisions of ORS 540.510 to 540.530.

By Decree of the Circuit Court for Wasco County, Oregon, entered May 17, 1924, In the Matter of the Determination of the Relative Rights to the Use of the Waters of Mill Creek and its Tributaries, a water right was established in the name of George Miller for the use of the waters of Mill Creek for the irrigation of 1.2 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ and 4.8 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 22, Township 1 North, Range 12 East, W.M., with a date of priority of 1865. This right is evidenced by certificate recorded at page 5706, Volume 6, State Record of Water Right Certificates. These lands are irrigated by means of the Hazen Ditch from a point of diversion located 2062 feet north and 2495 feet east from the SW corner of Section 22 being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 22, Township 1 North, Range 12 East, W.M.

The applicant herein, owner of the lands above described, proposes to irrigate these lands from a point of diversion to be located 475 feet north and 267 feet west from the E $\frac{1}{4}$ corner of Section 22 being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 22, Township 1 North, Range 12 East, W.M.

Notice of the filing of the application was given by publication setting forth a time and place certain for hearing

objections to the proposed change in point of diversion of water, if any there were, namely: at the county courthouse in The Dalles, Oregon, on June 1, 1971, at 9:30 a.m. The notice was published in The Dalles Chronicle, a newspaper printed and having general circulation in Wasco County, Oregon, for a period of three weeks in the issues of April 5, 12, and 19, 1971. The date set for hearing in said notice was not less than thirty days after the last publication of the notice.

Mr. William I. Porfily, Watermaster of District No. 3, has filed a report to the effect that the proposed change in point of diversion of water may be made without injury to existing rights.

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

NOW, THEREFORE, it hereby is ORDERED that the change in point of diversion of water from Mill Creek, to-wit:

From a point located 2062 feet north and 2495 feet east from the SW corner of Section 22 being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 22, Township 1 North, Range 12 East, W.M.

To a point to be located 475 feet north and 267 feet west from the E $\frac{1}{4}$ corner of Section 22 being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 22, Township 1 North, Range 12 East, W.M.

for the irrigation of 1.2 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ and 4.8 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 22, Township 1 North, Range 12 East, W.M., with a date of priority of 1865, is approved.

It is FURTHER ORDERED that the construction work shall be completed and the change in point of diversion of water made on or before October 1, 1972.

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 and shall not exceed one-sixtieth

of a cubic foot per second per acre during the irrigation season from April 1st to October 1st.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgement 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.

The right for the appropriation of not to exceed one-sixtieth of a cubic foot per second per acre during the irrigation season from April 1st to October 1st from a spring for irrigation of 3.5 acres in SE¼ NE¼, Section 22, Township 1 North, Range 12 East, W.M., with a date of priority of 1865, was canceled by an order of the State Engineer entered April 22, 1971.

It is FURTHER ORDERED that certificate of water right heretofore issued to George Miller and recorded at page 5706, Volume 6, State Record of Water Right Certificates, is canceled and upon receipt of proof satisfactory to the State Engineer of completion of the authorized change in point of diversion, a certificate of water right shall be issued to Edith Miller confirming said change in point of diversion.

Dated at Salem, Oregon, this 2nd day of June, 1971.

/s/ CHRIS L. WHEELER
State Engineer

not to exceed 1/60th BEFORE THE STATE ENGINEER OF OREGON from April 1st
to October 1st of the water of Mill Creek in Wasco County for the irrigation of

IN THE MATTER OF)
THE CANCELATION)
OF A WATER RIGHT)

O R D E R

On April 15, 1971, Edith L. Miller submitted an affidavit that
she is the legal owner of a water right and the lands to which the right is
appurtenant; that she has abandoned any and all interest in and to said
water right and request the same to be canceled.

The water right in question is for the use of not to exceed 1/60th
of one cubic foot per second per acre from April 1st to October 1st; of the
water of a spring for the irrigation of 3.5 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section
22, Township 1 North, Range 12 East, W.M., with a date of priority of 1865,
and is evidenced by certificate of water right issued in the name of George
Miller and recorded at Page 5706, Volume 6, State Record of Water Right
Certificates.

That part of the water right evidenced by said certificate for
the appropriation of not to exceed 1/60th of one cubic foot per second per
acre from April 1st to October 1st of the waters of Mill Creek for irrigation
of 4.8 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and 1.2 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 22, Town-
ship 1 North, Range 12 East, W.M., with a date of priority of 1865, is not
in question.

ORS 540.621 provides that: "Whenever the owner of a perfected and
developed water right certifies under oath to the State Engineer that the
water right has been abandoned by him and that he desires cancelation thereof,
the State Engineer shall enter an order canceling the water right."

NOW, THEREFORE, it hereby is ORDERED that the right for the use of

not to exceed 1/60th of one cubic foot per second per acre from April 1st to October 1st; of the water of a spring for the irrigation of 3.5 acres in the SE 1/4 NE 1/4, Section 22, Township 1 North, Range 12 East, W.M., with a date

of priority of 1865, is canceled.

Dated at Salem, Oregon, this 22nd day of April, 1971.

ENGINEER

CHRIS L. WHEELER
State Engineer

The above entitled matter now comes on for the consideration of the State Engineer, who is advised that:

The holders of the following water right permits issued by the State Engineer have submitted applications for extensions of time limits within which to complete the construction work and make complete application of water to beneficial use under their respective water right permits:

The State Engineer is authorized under the provisions of ORS 537.230 to grant extensions of time for good cause shown, within which to complete work of perfect a right under a water right permit.

The statements of the applications for extensions filed regarding the completion of the projects indicate that each has shown such reasonable diligence as entitles him to an extension of time; and

No protest or objections to the granting of an extension under any of the following permits have been filed by any subsequent permit holders;

NOW, THEREFORE, it hereby is ORDERED that extensions of time are granted as follows:

NAME	PERMIT NUMBER	TO COMPLETE WORK	TO EXTEND WATER
Russell H. & Jessie Parker Cross Bay-North Bend Water Board	G-1200	October 1, 1971	October 1, 1971
Russell H. & Jessie L. Parker Harvestville Water System, Inc.	G-1380	October 1, 1971	October 1, 1971
Lower Chenoweth Water Dist.	G-1950	October 1, 1971	October 1, 1971
Scraper Hill Water Co.-o	G-2127	October 1, 1971	October 1, 1971
City of Eugene	G-2148	October 1, 1971	October 1, 1971
City of Corvallis	G-2570	October 1, 1971	October 1, 1971

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Edith L. Miller, surviving widow of George L. Miller, deceased
(Name of applicant)

of _____, County of Wasco
(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 Mill Creek, situated in Wasco County, Oregon
(Name of stream)
2. The use to which the water is applied is Irrigation
(Irrigation; Mining; Power; Manufacturing; etc.)
3. The name of the ditch, canal or pipe line is ditch formerly called Hazen-Miller ditch
4. The point of diversion is located 2062 ft. North and 2495 ft. East from the Southwest corner of Section 22 being within the NE 1/4 SW 1/4
(N. or S.) (E. or W.)

of Section 22 Tp. 1 N. R. 12 E W. M., in the County of Wasco
(No. N. or S.) (No. E. or W.)

5. List the number of acres irrigated in each smallest legal subdivision (40-acre tract) involved in this transfer. If for any other use, indicate 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
1 N	12	22 ^E	1.2			4.8												

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

(Attach separate sheet if necessary)

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

7. Has water been used beneficially for the purposes indicated herein during the past 5 years? Yes

8. What is the date of priority of your water right? 1865

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

of permit _____

* In the Matter of Determination of Waters of Mill Creek and its Tributaries, a Tributary of Columbia River (Circuit Court of the State of Oregon for Wasco County) Proof No. 38.

10. Do you hold a water right certificate? No If so, give number of certificate 5706
(Yes or No)

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

Yes If so, give title of proceedings 5-17-24
(Yes or No)

12. Is the water right recorded in your name? George Miller
(If not, give name)

13. 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: Answer questions 14, 15, 16 and 17, if the application is for change in point of diversion.

14. The proposed point of diversion is located 475 ft. North and 267 ft. West from the East $\frac{1}{4}$
(N. or S.) (E. or W.)
corner of Section 22 being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 22 Tp. 1 N. R. 12 E. W. M.,
(Smallest legal subdivision) (No. N. or S.) (No. E. or W.)
in the county of Wasco The name of the ditch to be used is

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

16. 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.

17. Are there any diversions between your present point of diversion and the proposed point of diversion? Yes

NOTE: Answer questions 18 and 19 if application is for change in use or place of use.

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

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

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT

20. Reasons for the proposed changes are present point of diversion was used
under gravity flow system through old ditch. New point of diversion
will permit pumping directly from Creek which is a more efficient
method of utilizing the water flow.

AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of Wasco } ss.

I, Edith L. Miller, 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 12th day of November, 19 70.

Edith L. Miller
(Name of applicant)

Subscribed and sworn to before me this 12th day of November, 19 70.

[Notarial Seal]

Donald E. Hensler
NOTARY PUBLIC FOR OREGON

My commission expires January 15, 1974

Remarks

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
OCT 5 1971
STATE ENGINEER
SALEM OREGON

Transfer No. 2485

NOTICE OF COMPLETION OF CONSTRUCTION

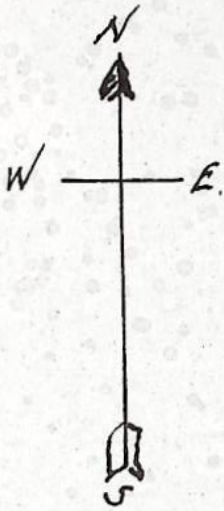
I, Edith L. Miller, hereby certify
that the construction work has been completed and the change in
point of diversion of water made as set forth in the order of
the State Engineer dated June 2, 1971, approving an appli-
cation for a change in point of diversion of water from _____
Mill Creek.

October 4, 1971
Date

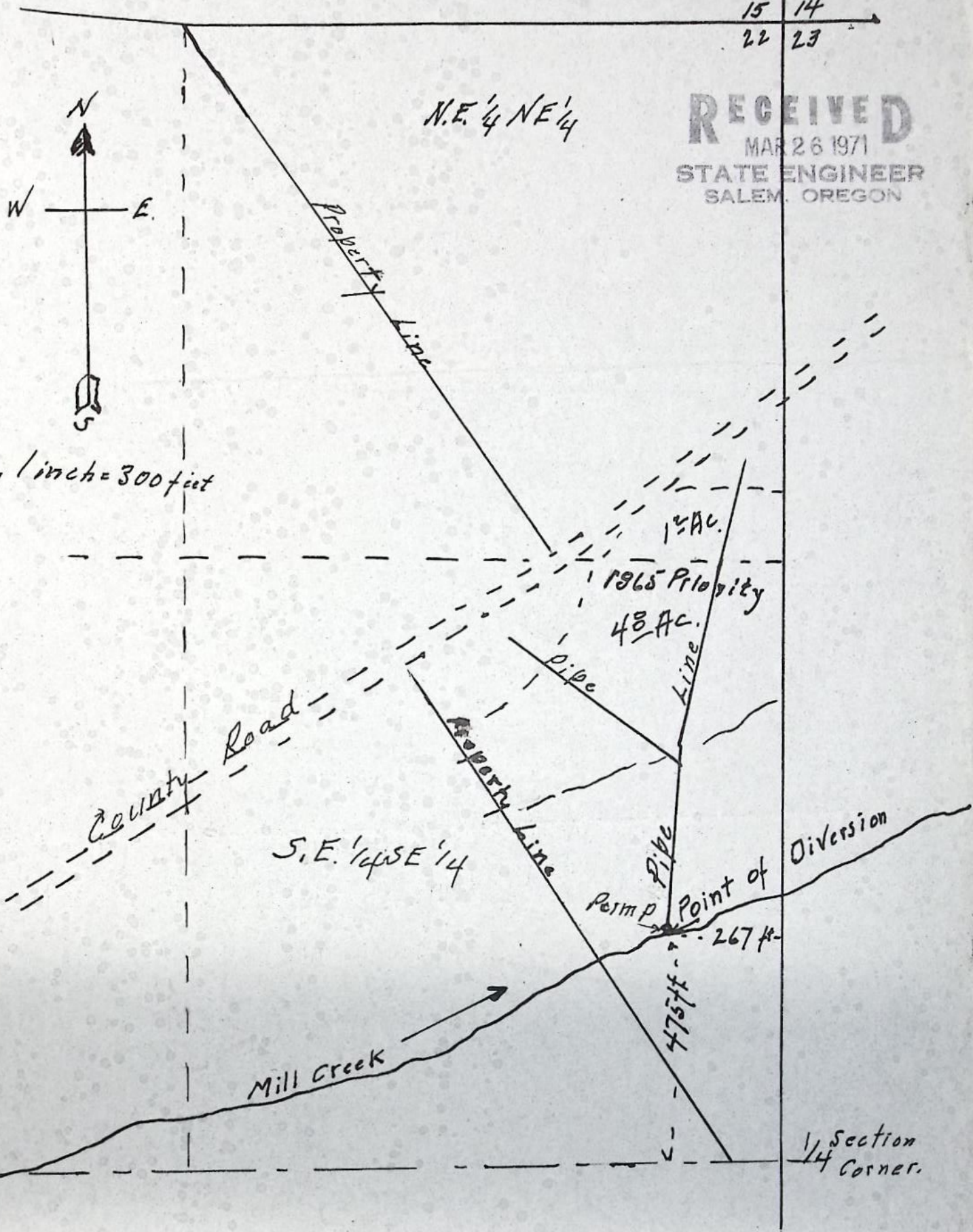
Edith L. Miller
Name

Section
corner
15 14
22 23

RECEIVED
MAR 26 1971
STATE ENGINEER
SALEM, OREGON



Scale, 1 inch = 300 feet



Application for a change in Point of Diversion
from Mill Creek, in section 22, T.1. N. R. 12 E. W. M.
in Wasco County, Oregon. By Mrs. Edith Miller,
902 East 11th Street, The Dalles, Oregon. 97058.
Transfer No. 2485.

Drawn by Roger J. Wilhelm.

OF FILING APPLICA-
A CHANGE IN POINT
RSION OF WATER

Notice is given hereby that Edith L. Miller has filed an application for the approval of a change in point of diversion of water from Mill Creek.

In the Mill Creek Adjudication proceedings, a water right was established in the name of George Miller for the use of the waters of Mill Creek for the irrigation of, among other lands, 1.2 acres in NE $\frac{1}{4}$, NE $\frac{1}{4}$, and 4.8 acres in SE $\frac{1}{4}$, NE $\frac{1}{4}$, Section 22, T. 1N., R. 12 E., W.M., with a date of priority of 1865. These lands are irrigated by means of the Hazen Ditch from a point of diversion located 2062 ft. N and 2495 ft. E. from the SW corner of Sec. 22 being within the NE $\frac{1}{4}$, SW $\frac{1}{4}$ of Sec. 22, T. 1 N., R. 12 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 475 ft. N and 267 ft. W from the E $\frac{1}{4}$ corner of Sec. 22 being within the SE $\frac{1}{4}$, NE $\frac{1}{4}$ of Sec. 22, T. 1 N., R. 12 E., W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at The Dalles, Oregon, on June 1, 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 Edith L. Miller, 902 E. 11th St., The Dalles, Oregon, 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. Administrative rules pertaining to the filing of a protest will be furnished by the State Engineer upon request.

Dated at Salem, Oregon, this 30th day of March, 1971.

CHRIS L. WHEELER
State Engineer
April 5, 12, 19, 1971

RECEIVED
APR 22 1971
STATE ENGINEER
SALEM, OREGON

Affidavit of Publication

STATE OF OREGON, } ss.
County of Wasco

I, Donna Rhodes

being first duly sworn, depose and say that I am the principal clerk of the publisher of The Dalles Chronicle, a newspaper of general circulation, as defined by sections ORS 193.010 and 193.020; Oregon Compiled laws, annotated; printed and published at The Dalles, in the aforesaid county and state, that the

Notice
a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for Three weeks successive and consecutive issues in the following issues: April 5, 12, 19, 1971

Subscribed and sworn to before me this 19 day of April, 1971.

J. F. Weisbright
Notary Public for Oregon.

My Commission Expires July 25, 1972

RECEIVED

FEB 10 1971

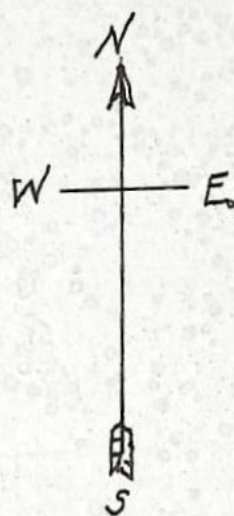
STATE ENGINEER
SALEM, OREGON

Superceded

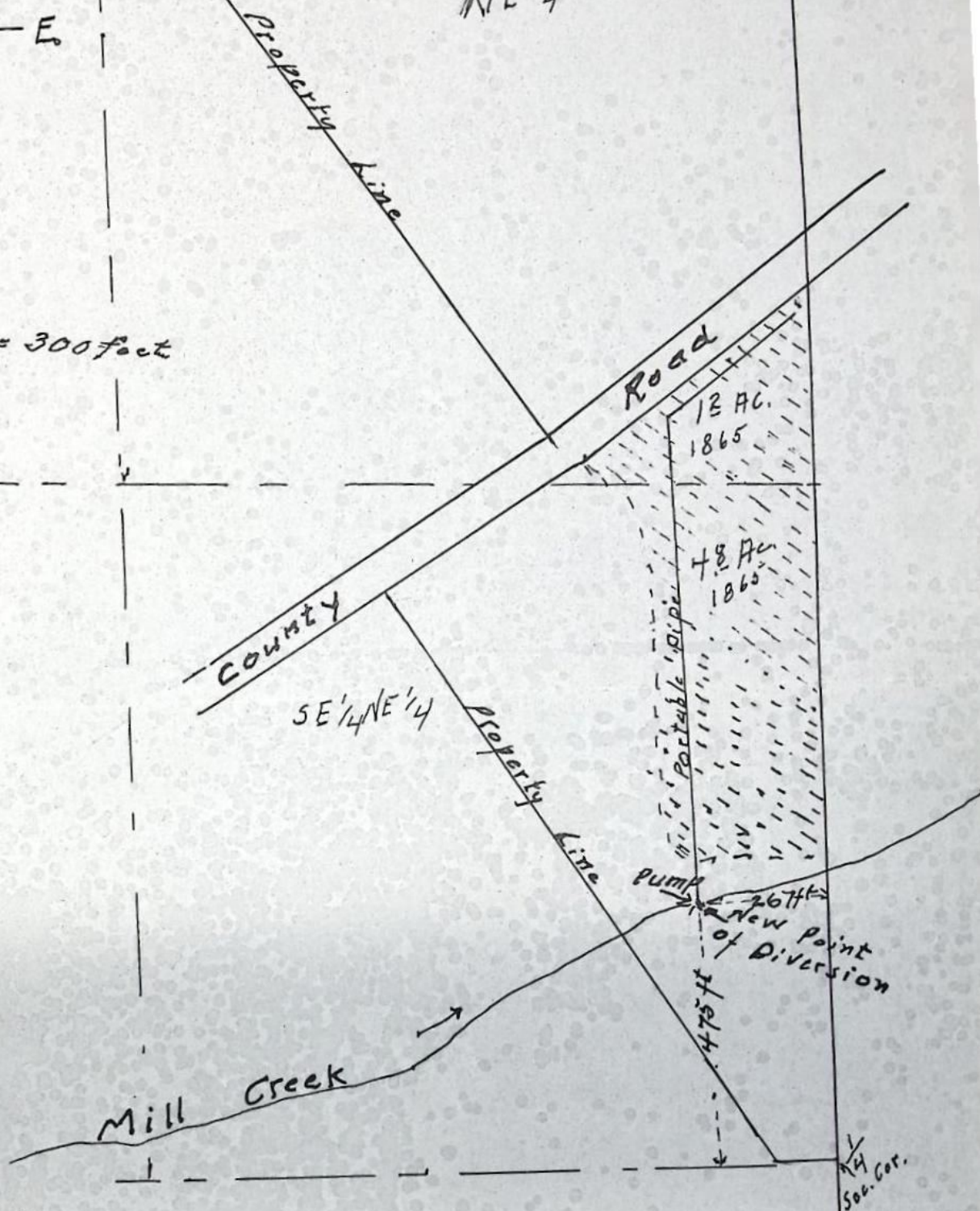
NE 1/4 NE 1/4

Sec. Cor.

15 14
22 23



Scale: 1 inch = 300 feet



Application for a change in Point of
Diversion by Mrs. Edith W. Miller, 902 East 11th
Street, The Dalles, Oregon, 97058.

In Section 22, T. 1 N., R. 12 E. W. M in Wasco County, Oregon.
Drawn by Roger J. Wilhelm, January 26, 1971.

