

2604 Paul Schanno
Rt 3 Box 23
The Dalles Ore. 97058

2604

STATUS OF APPLICATION

Change in Point of Diversion
Date filed February 16, 1972
Date of hearing Sept. 28, 1972
Place of hearing The Dalles
Date of order April 16, 1973 Vol. 23, page 97
Date for application of water October 1, 1974
Proof mailed _____
Proof received _____
Certificate issued NOV 21 1973 Vol. 31, page 39608

JAN 21 1980

42 39608 48907

DESCRIPTION OF WATER RIGHT

Name of stream Fifteenmile Creek
Trib. of Columbia River County of Wasco
Use Irrigation
Quantity of water _____ No. of acres 60⁵
Name of ditch Slusher Bros. ditch
Date of priority MARCH 4, 1861
In name of Slusher Brothers
Fifteenmile Creek Adjudication, Vol. 7, page 431
App. No. _____ Per. No. _____ Cert. No. 5666
Certificate cancelled _____
Notation made on record by S+

FEES PAID

Date	Amount	Receipt No.
<u>2-16-72</u>	<u>25.00</u>	<u>27208</u>
<u>6-30-72</u>	<u>30.00 PON</u>	<u>29435</u>
<u>9-12-72</u>	<u>2.54 PON</u>	<u>30643</u>
TOTAL . . .		
<u>9-12-72</u>	<u>3.00</u> <u>\$1 Cert. Fee</u>	<u>30644</u>

FEES REFUNDED

Date	Amount	Check No.
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REMARKS

See T#3696 for Δ POV for part of this right -
(closed)

See T3696 for copy of decree

6-8-77
Action being held pending
determination of Circuit Court
re: 40 lines (determined 1979)

	INDEX CARDS:	Entered	Checked
TO BE ENTERED WHERE CHECKED	Name	_____	_____
	Stream	_____	_____
	Pt. of Div.	_____	_____
	Calendar	_____	_____
	CHECKED TO RECORDS:		
	Twp. & Rge.	_____	_____
	Decree-vault	_____	_____
	Decree-safe	_____	_____
	Cert. of W/R	_____	_____
	Per. Folder	_____	_____
	Chainindex	_____	_____
	Cross Ref.	_____	_____
	Power Claim	_____	_____
	Abstracts	_____	_____

BEFORE THE STATE ENGINEER OF OREGON

Wasco County

IN THE MATTER OF THE APPLICATION)
OF PAUL SCHANNO FOR THE APPROVAL)
OF A CHANGE IN POINT OF DIVERSION)
OF WATER FROM FIFTEENMILE CREEK)

ORDER APPROVING
TRANSFER NO. 2604

On February 16, 1972, Paul Schanno filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from Fifteenmile Creek, pursuant to the provisions of ORS 540.510 to 540.530.

By Decree of the Circuit Court for Wasco County, Oregon, entered March 19, 1924, In the Matter of the Determination of the Relative Rights to the Use of the Waters of Fifteenmile Creek and its Tributaries, a water right was established in the name of Slusher Brothers for the use of the waters of Fifteenmile Creek for the irrigation of, among other lands, 11.4 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, 2.3 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, 26.7 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, and 20.1 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 32, Township 1 South, Range 13 East, W.M., with a date of priority of March 4, 1861, as evidenced by certificate of water right recorded at page 5666, Volume 6, State Record of Water Right Certificates. These lands are irrigated by means of the Slusher Brothers ditch from a point of diversion located 460 feet North and 480 feet East from the SW corner of Section 32, being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 32, Township 1 South, Range 13 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 1680 feet North and 1440 feet West from the SE corner of Section 32, being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 32, Township 1 South, Range 13 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 September 28, 1972 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 August 7, 14, and 22, 1972. 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 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 Fifteenmile Creek, to-wit:

From a point located 460 feet North and 480 feet East from the SW corner of Section 32, being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 32, Township 1 South, Range 13 East, W.M.

To a point to be located 1680 feet North and 1440 feet West from the SE corner of Section 32, being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32, Township 1 South, Range 13 East, W.M.

for the irrigation of 11.4 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, 2.3 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, 26.7 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, and 20.1 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 32, Township 1 South, Range 13 East, W.M., with a date of priority of March 4, 1861, 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, 1974.

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.

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.

By order of the State Engineer entered June 8, 1964, the water rights for the irrigation of 1.6 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 31 and 15.5 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 32, Township 1 South, Range 13 East, W.M., with a date of priority of 1866, were canceled.

It is FURTHER ORDERED that certificate of water right heretofore issued to Slusher Brothers and recorded at page 5666, Volume 6, State Record of Water Right Certificates, is canceled, and in lieu thereof a new certificate be issued covering the balance of the lands not involved in this proceeding 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 Paul Schanno confirming the change in point of diversion.

Dated at Salem, Oregon, this 16th day of April, 1973.

CHRIS L. WHEELER
State Engineer



PARTIAL CANCELLATION

Date June 8, 1964Sp. Or. Vol. 13 Pg. 367Superseded ~~by~~ (Part) byCert. No. 39608Spec. Or. Vol. 13 p. 92
T# 2604

STATE OF OREGON

COUNTY OF WASCO

CERTIFICATE OF WATER RIGHT

This is to Certify, That

Paul Schanno

~~SLUSHER BROTHERS~~of Rt 3 Box 23
The Dalles, State of Oregon 97058 has a right to the use ofthe waters of Fifteen Mile Creek (for Tract #1) and Ramsey Creek, a tributary of
Fifteen Mile Creek (for Tract #2); trib Columbia River
for the purpose of Irrigation of 60.5 acresand that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
Wasco County, and the said decree entered of record at Salem, in the Order
Record of the STATE ENGINEER, in Volume 7, at page 406; that the priority
of the right thereby confirmed dates from March 4, 1861, for Tract #1, and 1866, for
Tract #2;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 Three acre feet per
acre in any irrigation season;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:Tract #1.

Twenty-two (22) acres in the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$),
Eleven and four tenths (11.4) acres in the Northeast Quarter of the Southeast
Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$), Two and three tenths (2.3) acres in the Northwest Quarter of the
Southeast Quarter, Twenty-six and seven tenths (26.7) acres in the Southwest Quarter
of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$) and Twenty and one tenth (20.1) acres in the
Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Thirty-two (32),
Township One (1) South, Range Thirteen (13) East of the Willamette Meridian, being
a total of 82.5 acres.

Tract #2.

Fifteen and five tenths (15.5) acres in the Southwest Quarter of the Southwest
Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Thirty-two (32) and One and six tenths (1.6) acres
in the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Thirty-One
(31), Township One (1) South, Range Thirteen (13) East of the Willamette Meridian,
being a total of 17.1 acres.

Amended by Circuit Court Order
Vol. 18 p 1

15.1 acres NESE

11.5 NWSE

20.7 SWSE

13.2 SESE

Sec 32

T1S R13E WM

This certificate is issued to confirm the change in point of
diversion approved by an order of the WRD entered April 16, 1973
and to correctly describe the place of use as provided in the
Wasco County Circuit Court Order Correcting Decree dated
June 30, 1978 and together with certificate of water right
recorded at page 39608, Vol. 31, SRWRC supersedes certifi-
cate of water right recorded at page 5666, Vol. 6, SRWRC
The issuance etc

C-48907

POD: NESE Sec 32 T1S R13E WM
2290'S & 1300'W from NE cor SENE Sec 32

Canceled

STATE OF OREGON

COUNTY OF WASCO

CERTIFICATE OF WATER RIGHT

This is to Certify, That

SLUSHER BROTHERS

of Dufur ✓, State of Oregon ✓ has a right to the use ofthe waters of Fifteen Mile Creek (for Tract #1) and Ramsey Creek, a tributary of Fifteen Mile Creek (for Tract #2); Trib of Columbia River
for the purpose of Irrigation of 22.0and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
Wasco County, and the said decree entered of record at Salem, in the Order
Record of the STATE ENGINEER, in Volume 7, at page 406; that the priority
of the right thereby confirmed dates from March 4, 1861, for Tract #1, and 1866, for
Tract #2;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 Three acre feet per
acre in any irrigation season;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:Tract #1.Twenty-two (22) acres in the Southeast Quarter of the Southwest Quarter (SE $\frac{1}{4}$ SW $\frac{1}{4}$),
Eleven and four tenths (11.4) acres in the Northeast Quarter of the Southeast
Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$), Two and three tenths (2.3) acres in the Northwest Quarter of the
Southeast Quarter, Twenty-six and seven tenths (26.7) acres in the Southwest Quarter
of the Southeast Quarter (SW $\frac{1}{4}$ SE $\frac{1}{4}$) and Twenty and one tenth (20.1) acres in the
Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Thirty-two (32),
Township One (1) South, Range Thirteen (13) East of the Willamette Meridian, being
a total of 82.5 acres.Tract #2.~~Fifteen and five tenths (15.5) acres in the Southwest Quarter of the Southwest
Quarter (SW $\frac{1}{4}$ SW $\frac{1}{4}$) of Section Thirty-two (32) and One and six tenths (1.6) acres
in the Southeast Quarter of the Southeast Quarter (SE $\frac{1}{4}$ SE $\frac{1}{4}$) of Section Thirty-One
(31), Township One (1) South, Range Thirteen (13) East of the Willamette Meridian,
being a total of 17.1 acres.~~~~Canceled: June 8, 1964~~22.0 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 32
T.1S.R.13E.W.M.And said right shall be subject to all other conditions and limitations
contained in said decree.The right to the use of the water for irrigation purposes is restricted to the lands or place
of use herein described.Certificate of water right issued to Slusher Brothers and recorded at page 5666,Volume 6, State Record of Water Right Certificates, confirms the right to the use of
water for irrigation of 99.6 acres. ^{The right appurtenant to 17.1 acres was canceled by order of}
^{State Engineer entered June 8, 1964} A change in the point of diversion for theirrigation of 60.5 acres was approved by order of the State Engineer entered April 15, 1973.This certificate is issued to confirm the remaining right to the use of water for
irrigation and supersedes the certificate heretofore issued to Slusher Brothers.

39608

RECEIVED
AUG 24 1972

STATE ENGINEER
BUTTE OREGON

Affidavit of Publication

STATE OF OREGON, }
County of Wasco } ss.

Jean Cheadle

I, _____,
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 pub-
lished at The Dalles, in the aforesaid county and state, that the
Notice of Filing

_____ a printed copy of which is
hereto annexed, was published in the entire issue of said
_____ weeks
newspaper for _____ Three _____ successive and consecutive issues
in the following issues: August 7, 14, 22, 1972

Subscribed and sworn to before me this 22

day of August, 1972.

J. F. Weybright
Notary Public for Oregon.

MY COMMISSION EXPIRES JULY 31, 1976



RECEIVED
AUG 24 1972

STATE ENGINEER
SALEM, OREGON

Publication

PUBLIC NOTICE

PUBLIC NOTICE

11.4 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ and 2.3 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, 26.7 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, and 20.1 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 32, Township 1 South, Range 13 East, W.M., with a date of priority of March 4, 1861.

The water is conveyed to these lands by means of the Slusher Brothers Ditch from a point of diversion located 460 feet North and 480 feet East from the SW corner of Section 32, being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 32, Township 1 South, Range 13 East, W.M.

The applicant herein, owner of the lands above described, proposed to irrigate these lands from a point of diversion located 1680 feet North and 1440 feet West from the SE corner of Section 32, being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 32, Township 1 South, Range 13 East, W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at The Dalles, Oregon, on September 28, 1972, 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 Paul Schanno, Route 3 Box 23, 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 31st day of July, 1972.
CHRIS L. WHEELER
State Engineer
Aug. 7, 14, 22, 1972.

and say that I am the principal publisher of the Dalles Chronicle, a newspaper of record published by sections ORS 193.010 and 193.011, annotated; printed and published in said county and state, that the

a printed copy of which is included in the entire issue of said newspaper for the weeks of August 7, 14, 22, 1972

August 7, 14, 22, 1972

Jean Chapple

Subscribed and sworn to before me this 22

of August, 1972.

J. F. Weybright
Notary Public for Oregon.

MY COMMISSION EXPIRES JULY 31, 1976

NOTICE OF FILING APPLICATION FOR A CHANGE IN POINT OF DIVERSION OF WATER

Notice is given hereby that Paul Schanno has filed an application for the approval of a change in point of diversion of the water from Fifteenmile Creek.

In the Fifteenmile Creek Adjudication proceedings, a water right was established in the name of Slusher Brothers for the use of the waters of Fifteenmile Creek for the irrigation of, among other lands,

dt

The Dalles Chronicle

PHONE (503) 296-2141
POST OFFICE BOX 902 4TH AND FEDERAL ST.
THE DALLES, OREGON 97058

RECEIVED
AUG 24 1972
STATE ENGINEER
SALEM OREGON

ESTABLISHED 1890
MEMBER AUDIT BUREAU
OF CIRCULATIONS

State Engineer
Water Resources Dept.
1178 Chemeketa St. N. E.
Salem, Ore. 97310

RECEIVED
SEP 12 1972
STATE ENGINEER
SALEM OREGON

Aug. 22, 1972

Notice of Filing

\$32.54

RECEIVED
AUG 24 1972
STATE ENGINEER
SALEM OREGON

PUBLIC NOTICE

PUBLIC NOTICE

Publication

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Dated at Salem, Oregon, this 31st day of July, 1972.
CHRIS L. WHEELER
State Engineer
Aug. 7, 14, 22, 1972.

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a printed copy of which is included in the entire issue of said newspaper for successive and consecutive issues published on August 7, 14, 22, 1972

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Subscribed and sworn to before me this 22 of August, 1972.

J. L. Wright
Notary Public for Oregon.

MY COMMISSION EXPIRES JULY 31, 1976