

3303

STATUS OF APPLICATION

Change in point of diversion
Date filed 8-25-75
Date of hearing August 22, 1978
Place of hearing Hood River
Date of order 9-5-78 Vol. 31, page 177
Date for application of water Completed
Proof mailed _____
Proof received _____
Certificate issued _____ Vol. _____, page _____

to survey 9/78
Note separate cert to John D. Billodeau for
the 9.5 ac in NW 1/4 SE 1/4, Sec 5 (Cert Rec fee of \$2.00 rec'd Rec # 55980)

REMARKS

Map E-30-11

DESCRIPTION OF WATER RIGHT

Name of stream Swiswell Creek
Trib. of _____ County of Hood River
Use irrigation
Quantity of water _____ No. of acres 79³
Name of ditch Halliday
Date of priority _____
In name of _____
Hood River Adjudication, Vol. 6, page 237
App. No. 4589 Per. No. 15018 Cert. No. 20369
Certificate cancelled _____
Notation made on record by _____

FEES PAID

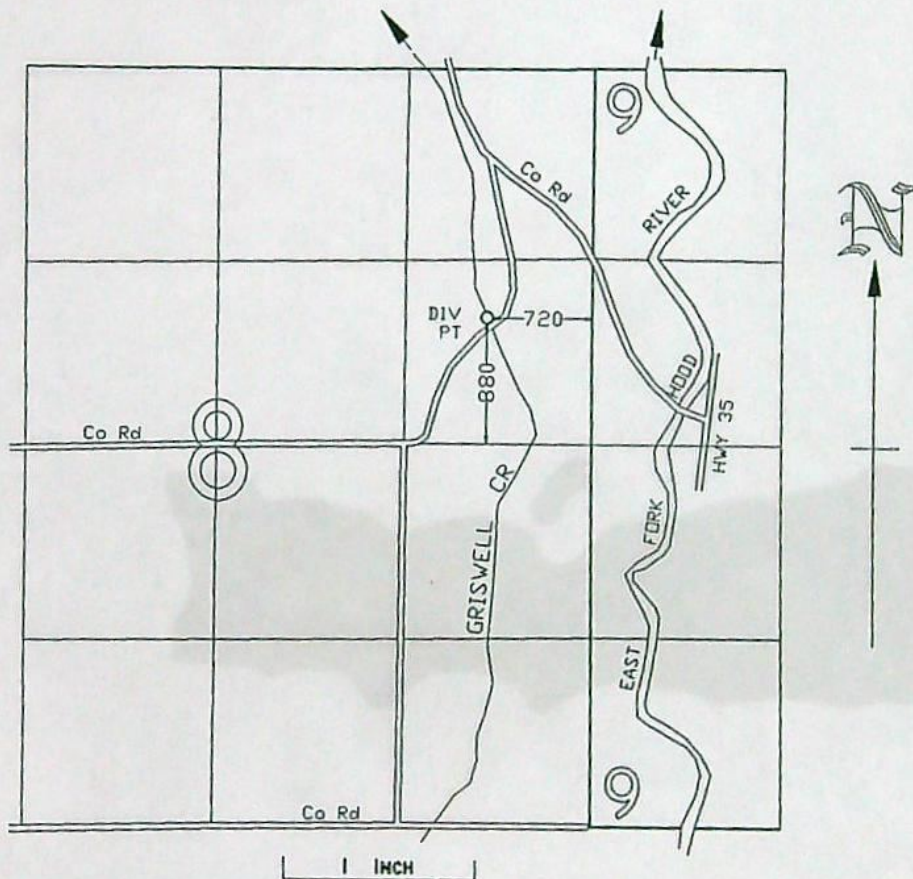
Date	Amount	Receipt No.
<u>8-25-75</u>	<u>35.00</u>	<u>49146</u>
<u>8-25-75</u>	<u>49.00 per</u>	<u>49149</u>
TOTAL . . .		
<u>5-13-76</u>	<u>2⁰⁰</u> Cert. Fee	<u>52513</u>
<u>Hood River News #45.34 pd 8-14-78 CK #2538</u>		

FEES REFUNDED

Date	Amount	Check No.
<u>8-14-78</u>	<u>3⁶⁶</u>	<u>2539</u>
Ex	<u>20 -</u>	
POD	<u>15 -</u>	
Cert	<u>2 -</u>	
PON	<u>45³⁴</u>	
	<u>62³⁴</u>	

INDEX CARDS:	Entered	Checked
<input checked="" type="checkbox"/> Name	<u>lgj</u>	_____
<input checked="" type="checkbox"/> Stream	<u>lgj</u>	_____
<input type="checkbox"/> Pt. of Div.	_____	_____
<input checked="" type="checkbox"/> Calendar	<u>lgj</u>	_____
CHECKED TO REC.		
<input type="checkbox"/> Twp. & Rge.	<u>lgj</u>	_____
<input checked="" type="checkbox"/> Decree-vault	<u>lgj</u>	_____
<input checked="" type="checkbox"/> Decree-safe	<u>lgj</u>	_____
<input checked="" type="checkbox"/> Cert. of W/R	<u>lgj</u>	_____
<input checked="" type="checkbox"/> Per. Folder	<u>lgj</u>	_____
<input type="checkbox"/> Chaindex	_____	_____
<input type="checkbox"/> Cross Ref.	_____	_____
<input type="checkbox"/> Power Chom	_____	_____
<input checked="" type="checkbox"/> Abstracts	<u>lgj</u>	_____

T. 1 S., R. 10 E., W.M.



SCALE: 1 INCH = 1320 FEET

FINAL PROOF SURVEY
UNDER

TRANSFER APPLICATION No. 3303
IN NAME OF

MIDDLE FORK IRRIGATION DISTRICT

SURVEYED JUNE, 1980, BY R.G. MUCKEN AND L.H. TOLL

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

HOOD RIVER COUNTY

IN THE MATTER OF THE APPLICATION)
OF MIDDLE FORK IRRIGATION DIS-)
TRICT FOR APPROVAL OF CHANGES IN)
POINT OF DIVERSION OF WATER)

ORDER APPROVING
TRANSFER NO. 3303

On August 25, 1975, an application was filed in the office of the Water Resources Director by Middle Fork Irrigation District for approval of changes in point of diversion from Griswell Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 20369, Volume 15, State Record of Water Right Certificates, in the name of Middle Fork Irrigation District, describes a right which includes the use of not to exceed 0.87 cubic foot per second from Griswell Creek for irrigation of a certain 23.8 acres in Section 32, Township 1 North, Range 10 East, W.M., and a certain 24.1 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 12.3 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 7.2 acres in S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, 2.1 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ and 0.3 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5, Township 1 South, Range 10 East, W.M., with a date of priority of June 16, 1924.

The said certificate listed the location of the said 23.8 acres in Section 32 as: 0.2 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 8.4 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ and 15.2 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$; however, a resurvey of the lands by employees of the Water Resources Director revealed the listing to be in error and that the correct description for the said 23.8 acres is: 7.8 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, 15.6 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ and 0.4 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$.

The certificate recorded at page 14959, Volume 12, State Record of Water Right Certificates, in the name of Ziba Dimmick, describes a right which includes the use of water from Griswell Creek for stock and for irrigation of 9.5 acres in N $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5, Township 1 South, Range 10 East, W.M., with a date of priority of 1899.

The diversion points of record for water from Griswell Creek for said rights are located: (a) 1030 feet South and 920 feet West from the East Quarter Corner of Section 8, being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 8, Township 1 South, Range 10 East, W.M., and/or (b) 350 feet North and 1430 feet West from the Southeast Corner of Section 5, being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5, Township 1 South, Range 10 East, W.M.

The applicant herein proposes to change the point of diversion therefrom and, without loss of priority, to hereafter divert water at a point located 910 feet North and 590 feet East from the Southwest Corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 8, being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 8, Township 1 South, Range 10 East, W.M.

Notice of the application, pursuant to ORS 540.520(2), was published in The Hood River News, a newspaper printed and having general circulation in Hood River County, Oregon, for a period of three weeks in the issues of June 29; July 6 and 13, 1978.

Mr. Thomas J. Paul, Watermaster, has filed a statement to the effect that the proposed changes in point of diversion may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed changes 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 changes in point of diversion, as described herein, without loss of priority, are 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 points 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 changes in point of diversion are completed.

The balance of the water right described by the certificate issued to Middle Fork Irrigation District and recorded at page 20369, Volume 15, State Record of Water Right Certificates, NOT involved in this proceeding, was canceled by order of the Water Resources Director entered June 8, 1976, and recorded at page 251, Volume

U31, P178

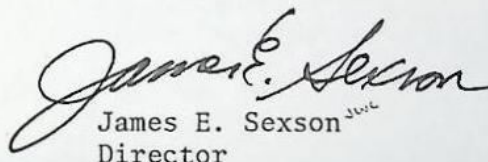
27, Special Order Record, as amended by a subsequent order entered June 19, 1978, and recorded at page 741, Volume 31, Special Order Record; therefore,

It is FURTHER ORDERED that the certificate of water right recorded at page 20369 of said Volume 15, is canceled and upon proof satisfactory to the Water Resources Director of completion of the changes in point of diversion authorized herein, a new confirming certificate of water right shall be issued to Middle Fork Irrigation District.

The balance of the water right described by the certificate of water right issued to Ziba Dimmick and recorded at page 14959, Volume 12, State Record of Water Right Certificates, NOT involved in this proceeding, was canceled by order of the Water Resources Director entered January 9, 1976, and recorded at page 280, Volume 26, Special Order Record. The said order also provided for cancellation of said certificate of water right; therefore,

It is FURTHER ORDERED that upon proof satisfactory to the Water Resources Director of completion of the changes in point of diversion authorized herein, a new confirming certificate of water right shall be issued to John D. Billodeau.

Dated at Salem, Oregon this 5th day of September, 1978.


James E. Sexson
Director

V31, P179

STATE OF OREGON

COUNTY OF HOOD RIVER

PROPOSED CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

THOMAS AND BARBARA PURDIE
8000 JORDON ROAD
PARKDALE, OREGON 97041

confirms the right to use the waters of GRISWELL CREEK, a tributary of EAST FORK HOOD RIVER, for IRRIGATION OF 9.5 ACRES AND STOCK WATER.

This right was confirmed by decree of the Circuit Court of the State of Oregon for HOOD RIVER County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 6, at Page 237. The date of priority is 1899.

The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.119 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SE 1/4 OF NE 1/4, SECTION 8, T. 1 S., R. 10 E., W.M., BEING
880 FEET SOUTH AND 620 FEET WEST FROM EAST 1/4 CORNER, SECTION 8.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3 acre-feet for each acre irrigated during the irrigation season of each year.

The use shall conform to any reasonable rotation system ordered by the proper state officer.

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

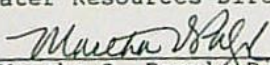
9.5 ACRES AND STOCK WATER
NW 1/4 OF SE 1/4
SECTION 5
T. 1 S., R. 10 E., W.M.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in said decree.

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered Sept. 5, 1978 and recorded in Volume 31, Page 177. This certificate also describes that portion of the water right not canceled by an order of the Water Resources Director entered June 9, 1976, and recorded in Volume 26, Page 177. This certificate supersedes certificate 14959, 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.

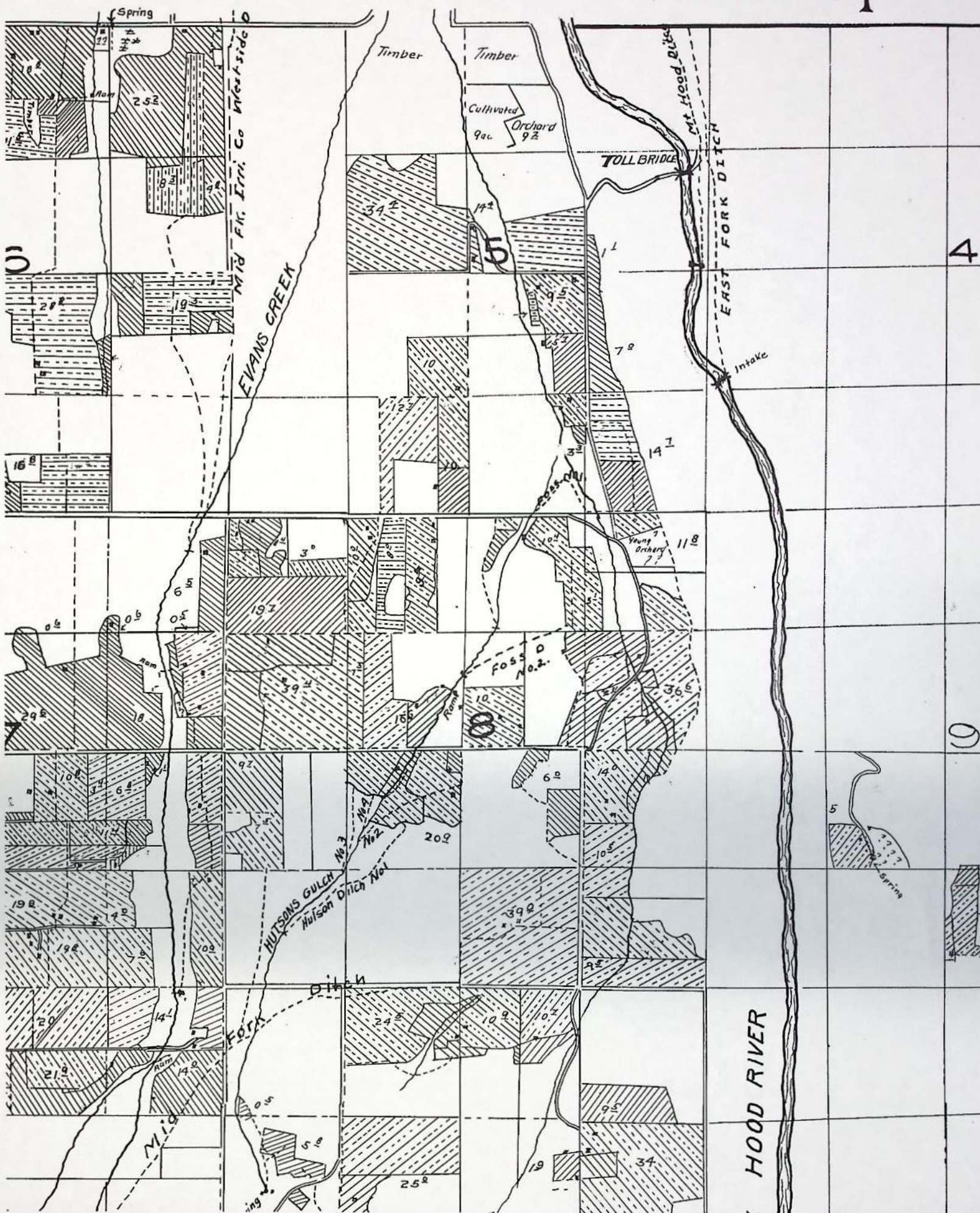
Witness the signature of the Water Resources Director,
affixed JUN 19 1997


Martha O. Pagel, Director

Recorded in State Record of Water Right Certificates numbered 74266.

14959.SRS.

↑
N

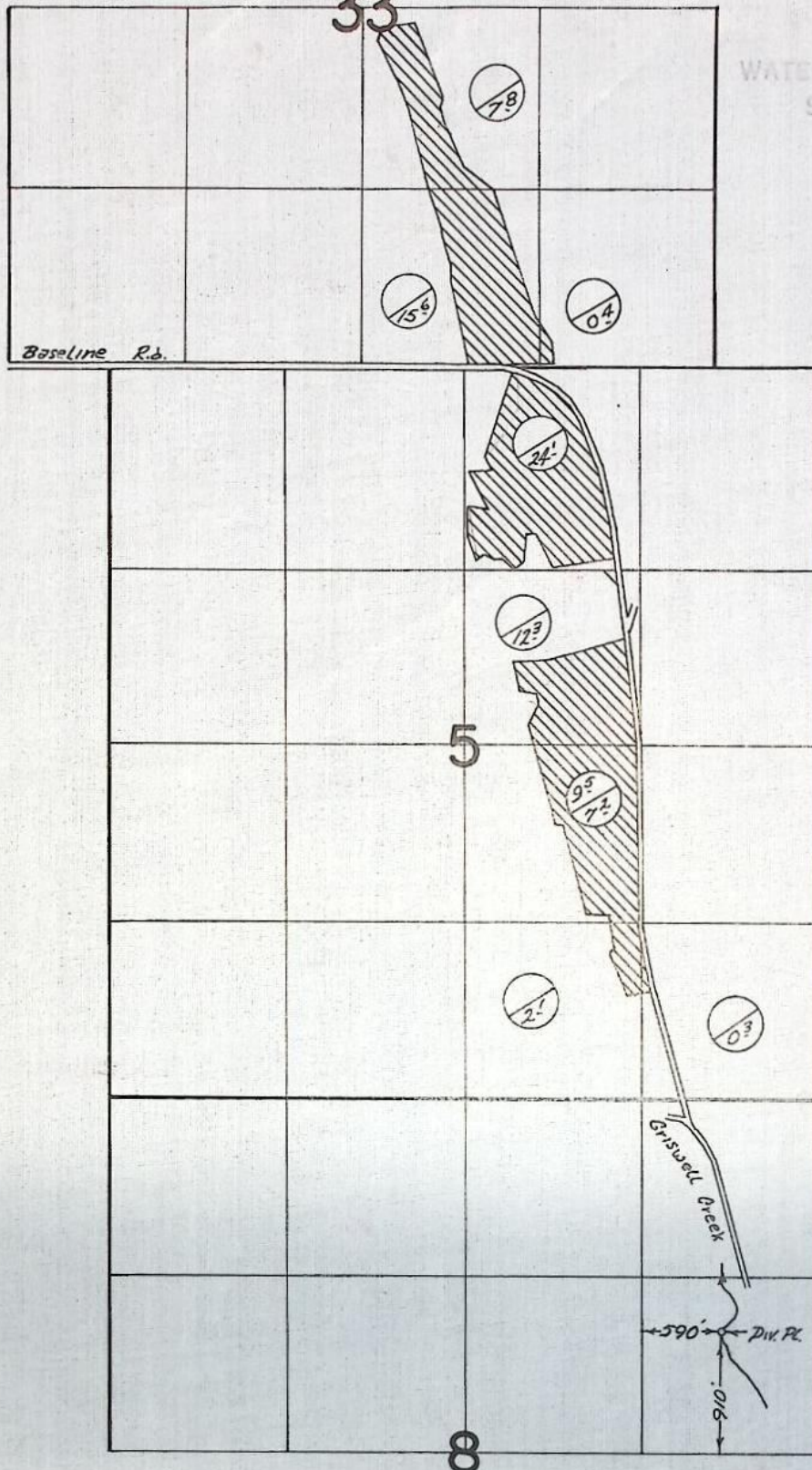


T.IN.&IS.R.IOE.W.M.

RECEIVED

AUG 25 1975

WATER RESOURCES DEPT.
SALEM, OREGON



RE - DRAFT of PERMIT 15018

MAP FOR CHANGE IN POINT OF DIVERSION
IN THE NAME
OF
MIDDLE FORK IRRIGATION DISTRICT

Certificate No. 14959
Permit No. 15018

T-3303



STATE OF OREGON

INTEROFFICE MEMO

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: June 22, 1978.FROM: Thomas J. Paul, WatermasterSUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 3303
IN THE NAME OF Middle Fork Irrigation District**RECEIVED**
JUN 28 1978
WATER RESOURCES DEPT.
SALEM, OREGON

In my opinion the proposed change in point of diversion from Griswell Creek
may be made without injury ~~would result in injury*~~ to existing water rights.

Headgate notices have have not been issued for diversions from the source
which serves this right.

If for change in point of diversion, is there any intervening point of diversion
between the authorized and the proposed points of diversion? No
(yes or no)

In my opinion the order approving the subject transfer application should include
the following in regard to the appropriator installing suitable measuring devices
in the diversion works:

- (1) PRIOR to the diverting of water at the new point of diversion...
 9 (2) When in the judgement of the watermaster it becomes necessary...

* The approval of this transfer application would result in injury to other
water rights because _____

Public Notices

NOTICE OF WATER RIGHT TRANSFER APPLICATION NO. 3303

Notice is given hereby that an application has been filed in the office of the Water Resources Director by Middle Fork Irrigation District for approval of changes in point of diversion from Griswell Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 20369, Volume 15, State Record of Water Right Certificates, in the name of Middle Fork Irrigation District, describes a right which includes the use of not to exceed 0.87 cubic foot per second from Griswell Creek for irrigation of a certain 23.8 acres in Sec 32, T 1N, R 10E, WM., & a certain 21.1 ac in NW 1/4 NE 1/4, 12.3 ac in SW 1/4 NE 1/4, 7.2 ac in S 1/2 NW 1/4 SE 1/4, 2.1 ac in SW 1/4 SE 1/4 & 0.3 ac in SE 1/4 SE 1/4, Sec 5, T 1S, R 10E, WM, with a priority date of June 16, 1924.

The said certificate listed the location of the said 23.8 ac in Sec 32 as: 0.2 ac in NE 1/4 SW 1/4, 8.4 ac in NW 1/4 SE 1/4 & 15.2 ac in SW 1/4 SE 1/4; however, a resurvey of the lands by employees of the Water Resources Director revealed the listing to be in error & that the correct description for the said 23.8 ac is: 7.8 ac in NW 1/4 SE 1/4, 15.6 ac in SW 1/4 SE 1/4 & 0.4 ac in SE 1/4 SE 1/4.

The certificate recorded at page 14959, Volume 12, State Record of Water Right Certificates, in the name of Ziba Dimmick, describes a right which includes the use of water from Griswell Creek for irrigation of 9.5 ac in N 1/2 NW 1/4 SE 1/4 of Sec 5, T 1S, R 10E, WM, with a date of priority of 1899.

The diversion points of record for water from Griswell Creek for said rights are located: (a) 1030 ft S & 920 ft W from the E 1/4 Corner of Sec 8, being within the NE 1/4 SE 1/4 of Sec 8, T 1S, R 10E, WM and/or (b) 350 ft N & 1430 ft W from the SE Corner of Sec 5, being within the SW 1/4 SE 1/4 of Sec 5, T 1S, R 10E, WM.

The applicant herein proposes to change the point of diversion therefrom and, without loss of priority, to hereafter divert water at a point located 910 ft N & 590 ft E from the SW Corner of the SE 1/4 NE 1/4 of Sec 8, being within the SE 1/4 NE 1/4 of Sec 8, T 1S, R 10E, WM.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Hood River, Oregon, on August 22, 1978, 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 Middle Fork Irrigation District, PO Box 91, Parkdale, OR 97047; and one copy filed with the Water Resources Department, Salem, OR 97310, together with a \$10 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 WATER RESOURCES DIRECTOR WITHOUT A HEARING. Administrative rules pertaining to the filing of a protest will be furnished by the Water Resources Department upon request.

Dated at Salem, Oregon this 21st day of June, 1978.

James E. Sexson
Director
26-28,31

Affidavit of Publication

STATE OF OREGON
COUNTY OF HOOD RIVER

ss.

I, Vickie Bancroft

being first duly sworn, depose and say that I am the Secretary of THE HOOD RIVER NEWS, a newspaper of general circulation printed and published at Hood River in the aforesaid county and state, as defined by ORS 193.010 and 193.020; and

that NOTICE-Water Right Transfer Application #3303 a printed copy of which is hereto annexed, was published in the entire issue of said

newspaper for Three

successive and consecutive weeks in the following issues.

June 29 and July 6 & 13, 1978

Vickie Bancroft
13th

Subscribed and sworn to before me this

day of July, 1978

Carl V. Kees

Notary Public for Oregon

(My Commission Expires June 22, 1981)

AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of Hood River

ss.

I, Middle Fork Irrigation District, 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 21st day of August, 1975.

MIDDLE FORK IRRIGATION DISTRICT

R. W. Pegg, Chairman (Name of applicant)

Subscribed and sworn to before me this 22 day of August, 1975.

[Notarial Seal]

Wallace G. Sutton
NOTARY PUBLIC FOR OREGON

My commission expires April 18, 1979

Remarks The remainder of the land under Permit 15018 not listed on this transfer is to be cancelled.

I JOHN BILLODEAU AM IN AGREEMENT WITH THIS TRANSFER CHANGING MY POINT OF DIVERSION ON GRISWELL CREEK

I DO WANT TO HAVE A CERTIFICATE OF WATER RIGHT ISSUED IN MY NAME AFTER THIS IS FINALIZED.

John D. Billodeau

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.

Superseded by

Cert. No.

STATE OF OREGON

ORIGINAL
Canceled Sp. Cr. Rec. Vol. 26 P. 280

COUNTY OF HOOD RIVER

CERTIFICATE OF WATER RIGHT

This Is to Certify, That **Ziba Dimmick**of **Walla Walla**, State of **Washington**, has a right to the use ofthe waters of **Griswell Creek**for the purpose of **Irrigation, domestic and stock**

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for **Hood River** County, and the said decree entered of record at Salem, in the Order Record of the STATE ENGINEER, in Volume **6**, at page **200**; that the priority of the right thereby confirmed dates from **1899**

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 **one-eightieth of one cubic foot per second per acre, or its equivalent in case of rotation**, and that the total quantity diverted during the irrigation season shall not exceed **three acre feet per acre, measured at the point of diversion.**

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:

**9.5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 5
T. 1 S., R. 10 E., W. M.**

John D Billodeau

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 the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this **1st** day of **May**, 19**17**.**CHAS. E. STRICKLIN**

State Engineer

Recorded in State Record of Water Right Certificates, Volume **12**, page **14959**

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Hood River County

IN THE MATTER OF THE)
CANCELATION OF A WATER)
RIGHT IN THE NAME OF)
ZIBA DIMMICK)

O R D E R

On December 18, 1975, John D. Billodeau submitted an affidavit that he is the owner of a water right and the lands to which the right is appurtenant; that he has abandoned any and all interest in and to said water right and requests the same to be canceled.

The water right in question is for the use of the waters of Griswell Creek for domestic use within the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 5, Township 1 South, Range 10 East, W.M., with a date of priority of 1899, and is evidenced by certificate of water right recorded at page 14959, Volume 12, State Record of Water Right Certificates in the name of Ziba Dimmick.

That part of the water right evidenced by said certificate for the use of the waters of Griswell Creek for stock use and the irrigation of 9.5 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 5, Township 1 South, Range 10 East, W.M., with a date of priority of 1899, is not in question in this proceeding.

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

NOW, THEREFORE, it hereby is ORDERED that the right for the use of the waters of Griswell Creek for domestic use in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 5, Township 1 South, Range 10 East, W.M., with a date of priority of 1899, is canceled.

It is FURTHER ORDERED that the certificate of water right recorded at page 14959, Volume 12, State Record of Water Right Certificates, is canceled,

and in lieu thereof a certificate be issued to John D. Billodeau covering that part of the water right not in question which is for the use of the waters of Griswell Creek, with a date of priority of 1899, for stock use and the irrigation of 9.5 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 5, Township 1 South, Range 10 East, W.M.

Dated at Salem, Oregon this 9th day of January, 1976.

/s/ JAMES E. SEXSON
Water Resources Director

Canceled Sp.Or.Rec.Vol. 26 P. 280

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

A F F I D A V I T

RECEIVED

DEC 18 1975

WATER RESOURCES DEPT.
SALEM, OREGON

STATE OF OREGON)
)
County of Hood River)

ss.

I, John D. Billodeau, being first duly sworn,
depose and say that I am the owner of the following described land:


Tax Lot #2600, T1S R10E Section 5

Township 1S Range 10 East W.M. and

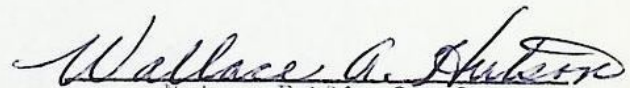
the water right appurtenant thereto, which is for the use of not to
exceed 1/80th cubic foot per second for each acre irrigated of the

waters of Griswell Creek as established by Decree of the
Circuit Court for Hood River County, entered October 24, 1921, in the
name of Ziba Dimmick, with a priority date of 1899; said domestic
portion of this right having not been exercised in the past five or more
years and that I have abandoned said domestic use, and request the same
be cancelled.

IN WITNESS WHEREOF, I have hereunto set my hand this 11
day of Dec, 1975.



Subscribed and sworn to before me this 11 day of Dec, 1975


Notary Public for Oregon

My commission expires April 18, 1979



WATER RESOURCES DEPARTMENT

1178 CHEMEKETA STREET N.E. • SALEM, OREGON • 97310 • Phone 378-8453

ROBERT W. STRAUB
GOVERNOR

May 25, 1976

John D. Billodeau
Route 1, Box 613
Parkdale, OR 97047

Dear Mr. Billodeau:

Enclosed is a corrected copy of the Water Resources Director's order entered January 9, 1976, canceling a part of the water right evidenced by the certificate recorded at page 14959, Volume 12, State Record of Water Right Certificates, as authorized by your affidavit submitted December 18, 1975. On page 1, paragraph 5, line 2, the order was corrected to read "NW $\frac{1}{4}$ SE $\frac{1}{4}$."

Also enclosed is our receipt number 52513 in the amount of \$2.00 for certificate recording fees. After the remaining right certificate has been recorded in the county records, it will be forwarded to you.

Very truly yours,

Myron V. Bish
Engineer
Adjudication Section

MVB:cjw

Enclosures

STATE OF OREGON
COUNTY OF HOOD RIVERSuperseded by
Cert. No.

CERTIFICATE OF WATER RIGHT

This Is To Certify, That MIDDLE FORK IRRIGATION DISTRICT

of **Parkdale**, State of **Oregon**, has made proof
to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of
Griswell Creek
a tributary of **East Fork Hood River** for the purpose of
irrigation
under Permit No. **15018** of the State Engineer, 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 **June 16, 1924**

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

1.41 cubic foot per second,

0.54
0.87

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 $\frac{1}{4}$ SE $\frac{1}{4}$, Section 5; NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 8, Township
1 South, Range 10 East, W. M.

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-eightieth** of one cubic foot per second
per acre, or its equivalent for each acre irrigated throughout the irrigation
season from April 1st to November 1st of each year,

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:

0.2 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$	} Resurvey showed error in location of irrigated Lands.
7.8 8.4 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$	
15.6 15.2 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$	
0.4 Section 32 SE $\frac{1}{4}$ SE $\frac{1}{4}$	
Township 1 North, Range 10 East, W. M.	
24.1 24.9 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ - 0.8	} cancelled Sp or page 251, Vol 27
12.3 12.6 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ - 0.3	
1.1 acre in NE $\frac{1}{4}$ NW $\frac{1}{4}$ - 1.1	
1.4 acre in NE $\frac{1}{4}$ SE $\frac{1}{4}$ - 1.4	
7.2 21.3 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ - 14.1	
2.1 5.6 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ - 2.9	
0.3 11.7 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ - 11.4	
Section 5	
11.5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ - 11.5	
Section 8	

Township 1 South, Range 10 East, W. M.

Recorded in State Record of Water Right Certificates Volume 15, page 20369

CL.

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

HOOD RIVER COUNTY

IN THE MATTER OF THE CANCELLATION)
OF A WATER RIGHT IN THE NAME OF)
MIDDLE FORK IRRIGATION DISTRICT)

ORDER AMENDING
ORDER

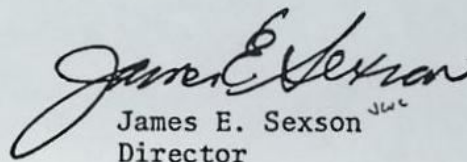
The order of the Water Resources Director, entered June 8, 1976, and recorded at page 251, Volume 27, Special Order Record, in the above entitled matter, contained an error in the final paragraph as a result of a clerical error in preparation of said order.

The final paragraph of said order provides: "NOW, THEREFORE, it hereby is ORDERED that the right for the use of not to exceed 0.54 cubic foot per second of the waters of Griswell Creek for the irrigation of 0.8 acre in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 0.3 acre in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 1.1 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, 1.4 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, 4.6 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, 2.9 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, 11.4 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 5, and 11.5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 8, Township 1 South, Range 10 East, W.M., with a date of priority of June 16, 1924, is canceled." (Emphasis supplied.)

The order should have provided: "... 14.1 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$...".

NOW, THEREFORE, it hereby is ORDERED that the final paragraph of the order of the Water Resources Director, entered on June 8, 1976, in the above entitled matter, and recorded at page 251, Volume 27, Special Order Record, be, and the same hereby is, amended to provide: "NOW, THEREFORE, it hereby is ORDERED that the right for the use of not to exceed 0.54 cubic foot per second of the waters of Griswell Creek for the irrigation of 0.8 acre in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 0.3 acre in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 1.1 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, 1.4 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, 14.1 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, 2.9 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, 11.4 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 5; and 11.5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 8, Township 1 South, Range 10 East, W.M., with a date of priority of June 16, 1924, is cancelled."

Dated at Salem, Oregon this 19th day of June, 1978.


James E. Sexson
Director

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Hood River County

IN THE MATTER OF THE CANCELIATION)
OF A WATER RIGHT IN THE NAME OF)
MIDDLE FORK IRRIGATION DISTRICT)

O R D E R

On August 4, 1975, Cecil J. and Helen Snow, on August 4, 1975, Donald L. and Theresa S. Gardner, on August 19, 1975, Clifton G. and Bertha Fay Snow, on October 30, 1975, Donald R. and Janette Hoff, on October 30, 1975, Vernon B. and Emma S. Momberg, on October 30, 1975, First National Bank of Oregon, Portland, Oregon, on October 30, 1975, Rene F. and Jeanne M. Farwig, on October 30, 1975, Dale C. and Mary J. Blumenthal, on December 18, 1975, John D. Billodeau and on December 18, 1975, Donald N. and Mary Peterson submitted affidavits that they are the owners and contract purchasers of a water right and the lands to which the right is appurtenant; that they have abandoned any and all interest in and to said water right and request the same to be canceled.

On January 9, 1976, notice was given by certified mail in accordance with the provisions of ORS 540.631 to 540.650 to James A. and Grace Eckes, Helen L. Hewitt, Richard L. Roberts, and Hood River County Board of Commissioners as owners and/or occupants of the land to which a water right hereinafter described is appurtenant of the Water Resources Director's intention to cancel said right.

The water right in question is for the use of not to exceed 0.54 cubic foot per second of the waters from Griswell Creek for the irrigation of 0.8 acre in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 0.3 acre in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 1.1 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, 1.4 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, 14.1 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, 2.9 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, 11.4 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 5, and 11.5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 8, Township 1 South, Range 10 East, W.M., with a date of priority of June 16, 1924, and is evidenced by

435⁰¹

certificate of water right recorded at Page 20369, Volume 15, State Record of Water Right Certificates.

That part of the water right evidenced by said certificate for the appropriation of not to exceed 0.87 cubic foot per second of the waters of Griswell Creek for irrigation of 7.8 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, 15.6 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, 0.4 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 33, Township 1 North, Range 10 East, W.M., 24.1 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 12.3 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 7.2 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, 2.1 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, 0.3 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 5, Township 1 South, Range 10 East, W.M., with a date of priority of June 16, 1924, is not in question in this proceeding. 698 (2)

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

That part of the above described water right in question which is not subject to cancellation under the provisions of ORS 540.621 may be canceled under the provisions of ORS 540.641 which provides for the cancellation of the water right if no protest is filed within the 60 day period immediately following the notice. No protest having been filed against the proposed cancellation of the water right in question within the 60 day period immediately following the notice, the water right should be canceled under provisions of ORS 540.621 (1).

NOW, THEREFORE, it hereby is ORDERED that the right for the use of not to exceed 0.54 cubic foot per second of the waters of Griswell Creek for the irrigation of 0.8 acre in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 0.3 acre in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 1.1 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, 1.4 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, 4.6 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, 2.9 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, 14.1 acres

(1) 435
(2) 698
Original right = 1133

11.4 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 5, and 11.5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 8,
Township 1 South, Range 10 East, W.M., with a date of priority of June 16,
1924, is canceled.

Dated at Salem, Oregon, this 8th day of June, 1976.

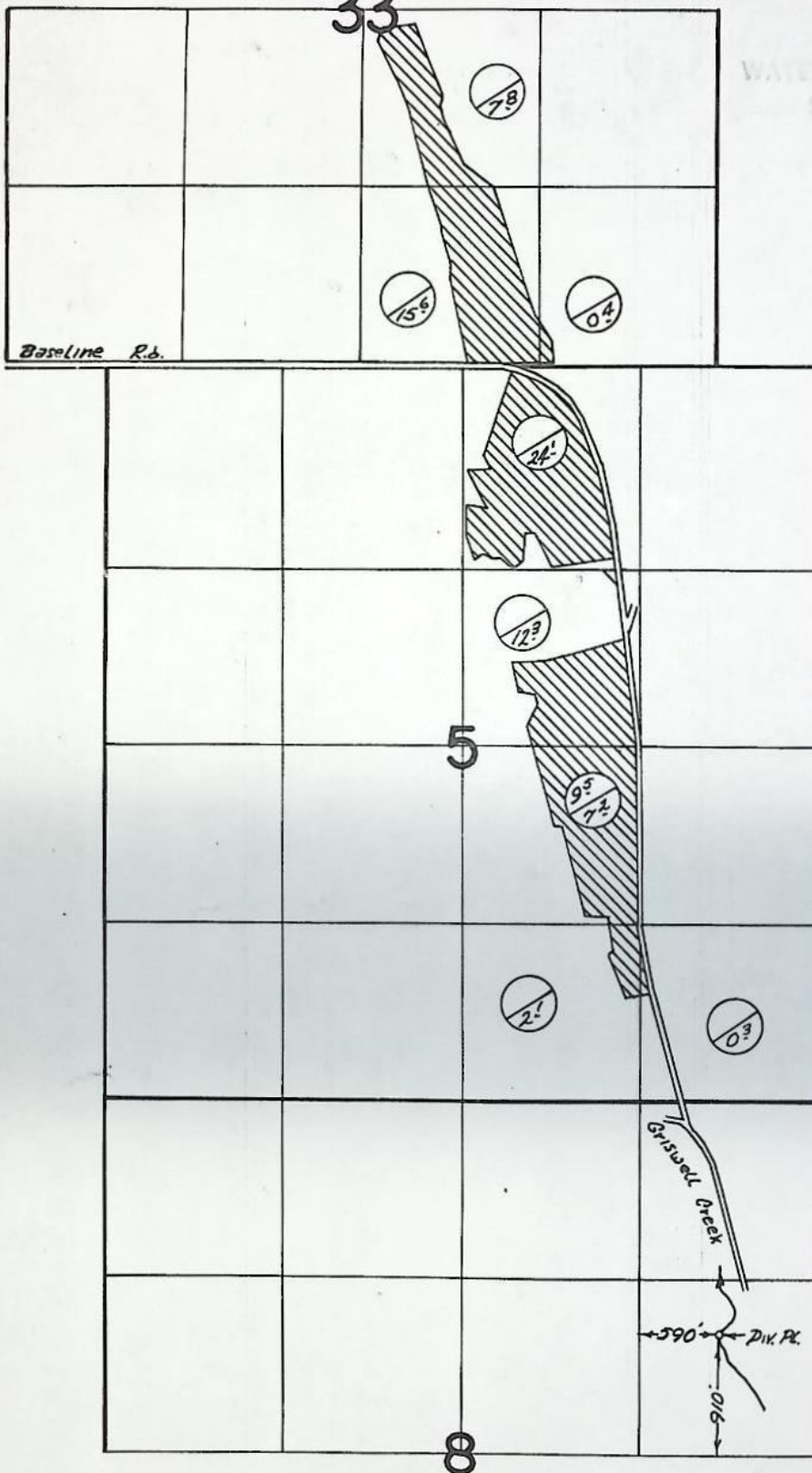
/s/ JAMES E. SEXSON
Director

T.1N.81S.R.10E.W.M.

RECEIVED

AUG 25 1975

WATER RESOURCES DEPT.
SALEM, OREGON



T#3303

Div. Pt. "To"

✓ Certificate No. 14957
✓ Permit No. 15018

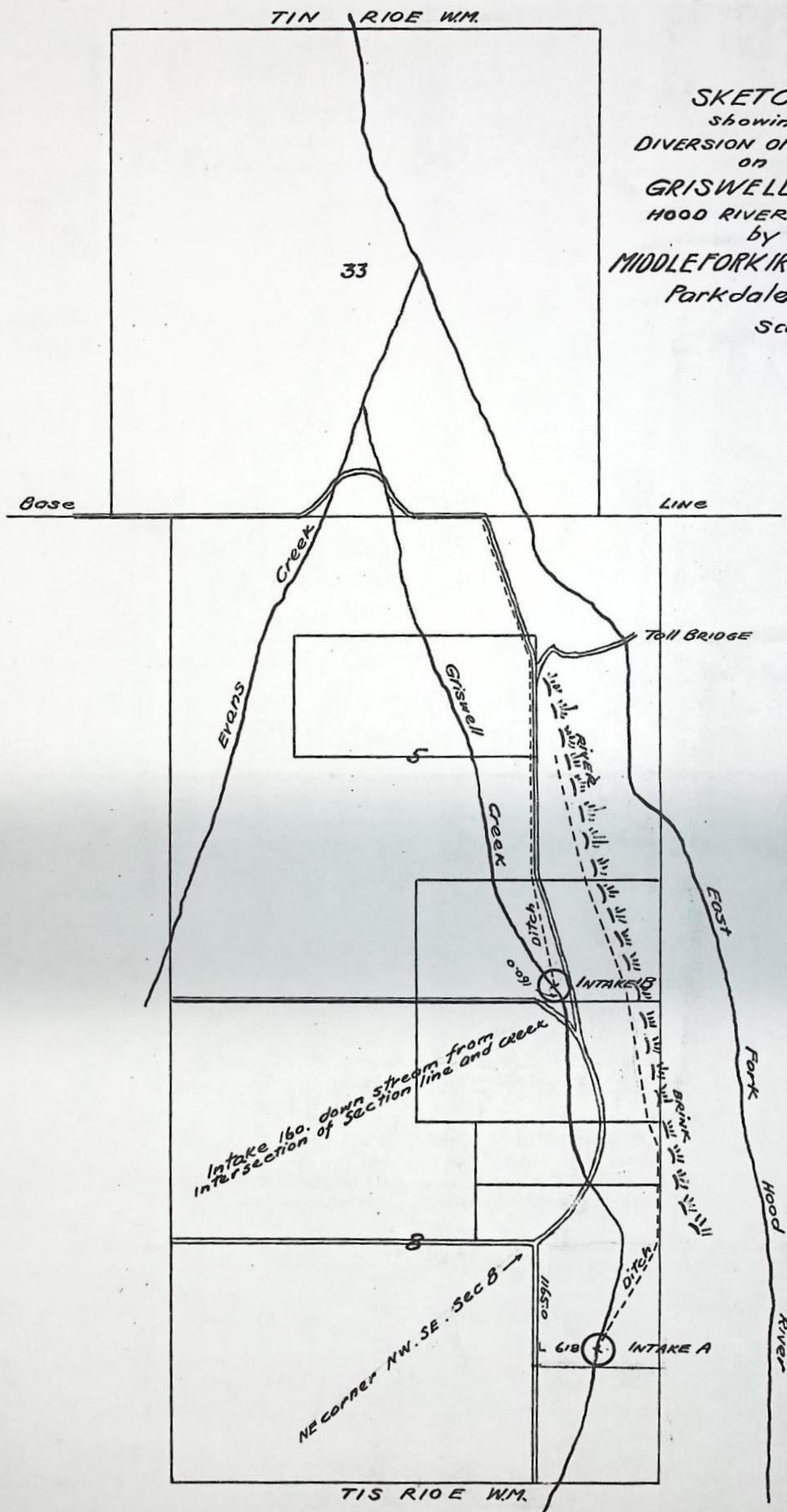
RE-DRAFT of PERMIT 15018

MAP FOR CHANGE IN POINT OF DIVERSION
IN THE NAME
OF

MIDDLE FORK IRRIGATION DISTRICT

T-3303

SKETCH
 showing
 DIVERSION OF WATER
 on
 GRISWELL CREEK
 HOOD RIVER COUNTY
 by
 MIDDLEFORK IRRIGATION DISTRICT
 Parkdale, Ore.
 Scale 4" to mile



T# 3303
 Div. Pt.
 "From"

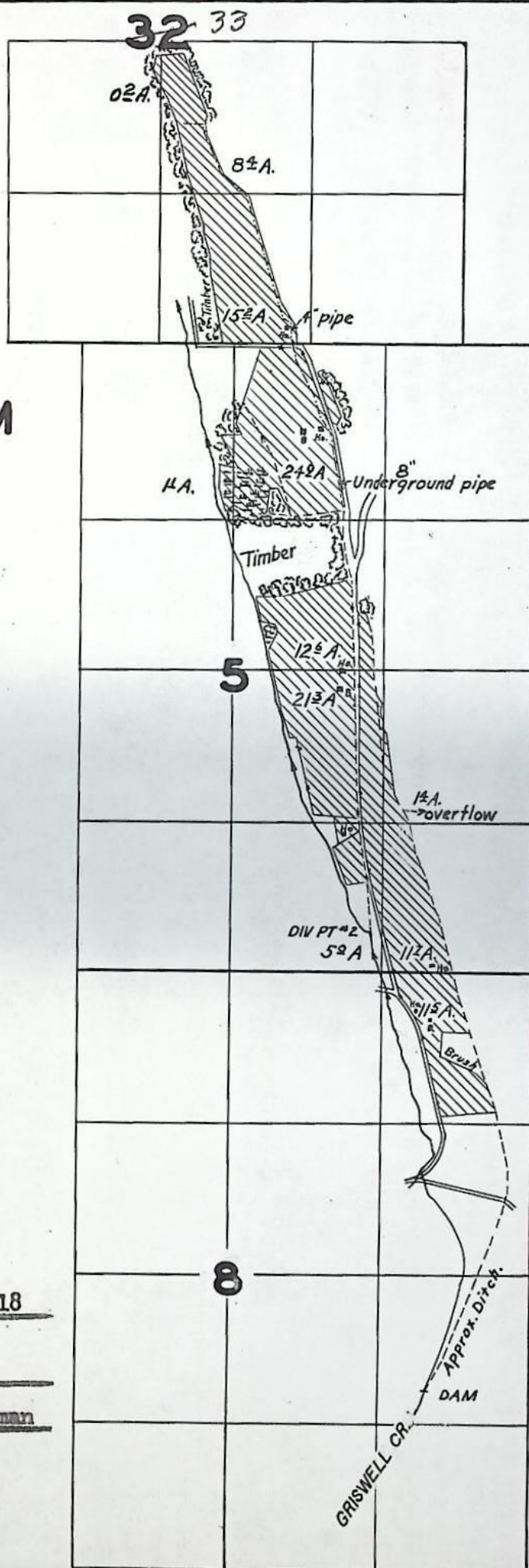
T.IN & IS.R.IO E.WM



FINAL PROOF SURVEY
UNDER

Application No. 9589 Permit No. 15018
IN NAME OF
MIDDLE FORK IRRIGATION DISTRICT

Surveyed June 10 1953, by H. L. Coffman



[illegible]

RECEIVED

AUG 25 1975

WATER RESOURCES DEPT.
SALEM, OREGON

T-3303

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Middle Fork Irrigation District
(Name of applicant)of Parkdale, County of Hood River
(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 Griswell Creek
(Name of stream)2. The use to which the water is applied is Irrigation - & stock
(Irrigation; Mining; Power; Manufacturing; etc.)3. The name of the ditch, canal or pipe line is Perkins & Richmond ditch -- 1899
(Coffman 6/10/53 map) Jordan lateral & Greenwood lateral
1030 ft S. and 920 ft W. from the East 1/4 6/16/244. The point of diversion is located 350 ft. N. and 1430 ft. W. from the Northeast
(N. or S.) (E. or W.)corner of Section 8 being within the SW $\frac{1}{4}$, SE $\frac{1}{4}$, Sec 5, & NE $\frac{1}{4}$ SE $\frac{1}{4}$
(Section or subdivision) of Sec 8of Section 8 Tp. 1S R. 10E W. M., in the County of Hood River
(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 $\frac{1}{4}$	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 $\frac{1}{4}$
<u>1N</u>	<u>10E</u>	<u>33</u>									<u>(6-16-24)</u>					<u>7.8</u>	<u>15.6</u>	<u>0.4</u>
<u>1S</u>	<u>10E</u>	<u>5</u>		<u>24.1</u>	<u>12.3</u>						<u>(6-16-24)</u>					<u>7.2</u>	<u>2.1</u>	<u>0.3</u>
<u>"</u>	<u>"</u>	<u>"</u>									<u>(1899)</u>					<u>Stock</u> <u>9.5</u>		

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? No Middle Fork Irrigation District
(If not owner, explain your interest)7. Has water been used beneficially for the purposes indicated herein during the past 5 years? Yes8. What is the date of priority of your water right? # 1 1899 for 9.5 acres, June 16, 1924 # 2
for the remainder9. Was your water right acquired by State Engineer's Permit? Yes If so, give number
(Yes or No)of permit 15018

10. Do you hold a water right certificate? Yes If so, give number of certificate 20369
(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 Hood River
(Yes or No)

12. Is the water right recorded in your name? Cert. 14959 is in the name of Ziba Dimmick,
Permit #15018 is in the name of Middle Fork Irrigation District

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 910 ft. N and 590 ft. E from the SW
(N. or S.) (E. or W.)
corner of SE $\frac{1}{2}$, NE $\frac{1}{4}$ being within the SE $\frac{1}{2}$, NE $\frac{1}{4}$ of Section 8 Tp. 1S R. 10E W. M.,
(Smallest legal subdivision) (No. N. or S.) (No. E. or W.)
in the county of Hood River The name of the ditch to be used is Halliday

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? No

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.? Yes
(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 TO give sufficient pressure to lands involved
under water rights.

AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of Hood River

} ss.

I, Middle Fork Irrigation District, 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 21st day of August, 1975

MIDDLE FORK IRRIGATION DISTRICT

R. W. Pegg, Chairman (Name of applicant)

Subscribed and sworn to before me this 22 day of August, 1975

[Notarial Seal]

Wallace G. Shotton
NOTARY PUBLIC FOR OREGON

My commission expires April 18, 1979

Remarks The remainder of the land under Permit 15018 not listed on this transfer is to be cancelled.

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.

NOTICE OF WATER RIGHT TRANSFER APPLICATION NO. 3303

Notice is given hereby that an application has been filed in the office of the Water Resources Director by Middle Fork Irrigation District for approval of changes in point of diversion from Griswell Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 20369, Volume 15, State Record of Water Right Certificates, in the name of Middle Fork Irrigation District, describes a right which includes the use of not to exceed 0.87 cubic foot per second from Griswell Creek for irrigation of a certain 23.8 acres in Sec 32, T 1N, R 10E, WM, & a certain 21.1 ac in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 12.3 ac in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 7.2 ac in S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, 2.1 ac in SW $\frac{1}{4}$ SE $\frac{1}{4}$ & 0.3 ac in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec 5, T 1S, R 10E, WM, with a priority date of June 16, 1924.

The said certificate listed the location of the said 23.8 ac in Sec 32 as: 0.2 ac in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 8.4 ac in NW $\frac{1}{4}$ SE $\frac{1}{4}$ & 15.2 ac in SW $\frac{1}{4}$ SE $\frac{1}{4}$; however, a resurvey of the lands by employees of the Water Resources Director revealed the listing to be in error & that the correct description for the said 23.8 ac is: 7.8 ac in NW $\frac{1}{4}$ SE $\frac{1}{4}$, 15.6 ac in SW $\frac{1}{4}$ SE $\frac{1}{4}$ & 0.4 ac in SE $\frac{1}{4}$ SE $\frac{1}{4}$.

The certificate recorded at page 14959, Volume 12, State Record of Water Right Certificates, in the name of Ziba Dimmick, describes a right which includes the use of water from Griswell Creek for irrigation of 9.5 ac in N $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec 5, T 1S, R 10E, WM, with a date of priority of 1899.

The diversion points of record for water from Griswell Creek for said rights are located: (a) 1030 ft S & 920 ft W from the E $\frac{1}{2}$ Corner of Sec 8, being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec 8, T 1S, R 10E, WM and/or (b) 350 ft N & 1430 ft W from the SE Corner of Sec 5, being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec 5, T 1S, R 10E, WM.

The applicant herein proposes to change the point of diversion therefrom and, without loss of priority, to hereafter divert water at a point located 910 ft N & 590 ft E from the SW Corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec 8, being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec 8, T 1S, R 10E, WM.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Hood River, Oregon, on August 22, 1978, 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 Middle Fork Irrigation District, PO Box 91, Parkdale, OR 97047; and one copy filed with the Water Resources Department, Salem, OR 97310, together with a \$10 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 WATER RESOURCES DIRECTOR WITHOUT A HEARING. Administrative rules pertaining to the filing of a protest will be furnished by the Water Resources Department upon request.

Dated at Salem, Oregon this 21st day of June, 1978.

James E. Sexson
Director

386-1234

386-2345



Hood River News

Printers & Publishers Since 1905

409 OAK STREET

HOOD RIVER, OREGON 97031

State of Oregon
Water Resources Dept.
Mill Creek Office Park
555 - 13th St. N. E.
Salem, Oregon 97310

RECEIVED

AUG 18 1978

WATER RESOURCES DEPT.
SALEM, OREGON

IN THE MATTER OF....

NOTICE-Water Right Transfer Application #3303

PUBLISHED: June 29 and July 6 & 13, 1978

Total \$45.34

PAID

AUG 17 1978

HOOD RIVER NEWS, INC.
Per *[Signature]*

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WATER RESOURCES DEPT.
SALEM, OREGON

386-1234

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SALEM, OREGON

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The certificate recorded at page 20369, Volume 15, State Record of Water Right Certificates, in the name of Middle Fork Irrigation District, describes a right ~~XXX~~ which includes the use of not to exceed 0.87 cubic foot per second from Griswell Creek for

irrigation of a certain 23.8 acres in Section 32, T 1 N, R 10 E, W.M. and a certain 21.1 ac in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 12.3 ac in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 7.2 ac in S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, 2.1 ac in SW $\frac{1}{4}$ SE $\frac{1}{4}$ and 0.3 ac in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 5, T 1 S, R 10 E, W.M., with a priority date of June 16, 1924.

The said certificate listed the location of the ^{said} 23.8 acres in ~~main~~ Section 32 as: 0.2 ac in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 8.4 ac in NW $\frac{1}{4}$ SE $\frac{1}{4}$ and 15.2 ac in SW $\frac{1}{4}$ SE $\frac{1}{4}$. However, a resurvey of the lands by employees of the Water Resources Director revealed the ~~XXXX~~ listing to be in error and that the correct description for the said 23.8 acres is: 7.8 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, 15.6 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ and 0.4 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$.

The certifi~~f~~ate recorded at page 14959, Volume 12, State Record of Water Right Certificates, in the name of Ziba Dimmick, describes a right which includes the use of water from Griswell Creek for irrigation of 9.5 ac in N $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 5, T 1 S, R 10 E, W.M., with a date of priority of 1899.

The diversion points of record for water from Griswell Creek for said rights are located: (a) 1030 ft S and 920 ft W from the E $\frac{1}{4}$ Corner of Sec. 8, being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 8, T 1 S, R 10 E, W.M. and/or (b) 350 ft N and 1430 ft W from the SE Corner of Sec. 5, being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 5, T 1 S, R 10 E, W.M.

The applicati~~on~~ herein proposes to change the point of diversion therefrom and, without loss of priority, to hereafter divert the water at a point located 910 ft N and 590 ft E from the SW Corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 8, being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 8, T 1 S, R 10 E, W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Hood River, Oregon, on Aug 22, 1978, 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 P.O. Box 91, Parkdale, OR 97047 and one copy filed with the Water Resources Department, Salem, Oregon, 97310, together with a \$10 filing fee, at least 10 days prior to the date set for hearing. IF NO OBJECTIONS ARE FILE, THE APPLICATION MAY BE APPROVED BY THE WATER RESOURCES DIRECTOR WITHOUT A HEARING. Administrative rules pertaining to the filing of a protest will be furnished by the Water Resources Department upon request.

Dated at Salem, Oregon, this _____ day of _____, 1978.

JAMES E. SEXSON
Director

Publish in Hood River News

WE NEED ~~HAVE~~ WATERMASTER'S REPORT

PO Box 390
97031

June 29, July 6, 13
Thurs