

3676

STATUS OF APPLICATION

Change in POD, POU
Date filed 5-18-77
Date of hearing Feb 6, 1980
Place of hearing Prineville
Date of order 2-14-80 Vol. 33, page 4
Date for application of water 10-1-81 12-8-80
Proof mailed MAY 14 1984
Proof received DEC 4 1984
Certificate issued 47, page 52

DESCRIPTION OF WATER RIGHT

Name of stream Crooked Riv.
Trib. of _____ County of Crooks
Use irrigation
Quantity of water _____ No. of acres _____
Name of ditch _____
Date of priority _____
In name of S. S. Stearns
Crooked Riv. Adjudication, Vol. 1, page 453
App. No. _____ Per. No. _____ Cert. No. 664
Certificate cancelled _____
Notation made on record by _____
7-1-91 Ves

FEES PAID

Date	Amount	Receipt No.
5-18-77	85 ⁰⁰	60618
1-14-80	24 ⁵⁰	15673
TOTAL . . .		
	Cert. Fee	

Central Oregonian 1042.00 CEF 4001 pd 1-18-80

FEES REFUNDED

Date	Amount	Check No.
	Ex 20 - POW 52 50 POD 15 - PON 42 - <hr/> 129 50 - 85 - <hr/> 44 50 - 20 - <hr/> 24 50	from T-4292

REMARKS

Order entered at #39, #121 added original POD back in.

Form 130 sent JUL 9 1984

finis

~~INDEX CARDS:~~

TO BE ENTERED WHERE CHECKED	INDEX CARDS:	Entered	Checked
<input checked="" type="checkbox"/>	Name	<i>Def</i>	
<input checked="" type="checkbox"/>	Stream	<i>Def</i>	
<input checked="" type="checkbox"/>	Pt. of Div.		
<input checked="" type="checkbox"/>	Calendar	<i>Def</i>	
<input checked="" type="checkbox"/>	CHECKED TO RECORD:		
<input checked="" type="checkbox"/>	Twp. & Rge.	<i>SRO</i>	
<input checked="" type="checkbox"/>	Decree-vault	<i>WJD</i>	
<input checked="" type="checkbox"/>	Decree-safe	<i>SRA</i>	
<input checked="" type="checkbox"/>	Cert. of W & R	<i>Mc</i>	
<input type="checkbox"/>	Per. Folder		
<input type="checkbox"/>	ChainIndex		
<input type="checkbox"/>	Cross Ref.		
<input checked="" type="checkbox"/>	Power Chain	<i>Di</i>	
<input type="checkbox"/>	Abstracts		

Pledge

Belongs in
Jounship
165 156
JD

FINAL PROOF SURVEY
UNDER

TRANSFER NO'S 3676 & 42
Application No. Permit No.
IN NAME OF
WILLIAM H. PLEDGER
Surveyed JUL...19... 1979, by L.H...N...

Surveyed JUL 19 1979, by L.H. NUNN.....

STATE OF OREGON

WATER DIVISION No. 2 COUNTY OF CROOK

CERTIFICATE OF WATER RIGHT

(For Rights which have been confirmed by the Courts)

This is to Certify, That S S Stearns

of Prineville State of Oregon has a right to the use of the waters of Crooked River, a tributary of Deschutes River

for the purpose of the irrigation of 214 acres of land, and stock and domestic use,

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Crook County, and the said decree entered of record at Salem, in the Order Record of the ^{STATE WATER BOARD} of the State of Oregon, in Volume 1, at page 449 ; that the priority of the right hereby confirmed dates from the year 1891,

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 purpose, and shall not exceed a reasonable amount for domestic and stock use, and 3.57 cubic feet per second for irrigation from July 1st to September 15th of each year, the total quantity being limited to six acre feet per acre during each year. The use hereunder shall conform to any reasonable rotation system ordered by the proper state officer.

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

32 acres in the NE $\frac{1}{4}$ of NE $\frac{1}{4}$; 35 acres in the SE $\frac{1}{4}$ of NE $\frac{1}{4}$; 22 acres in the NE $\frac{1}{4}$ of SE $\frac{1}{4}$; 28 acres in the NW $\frac{1}{4}$ of SE $\frac{1}{4}$; 20 acres in the SW $\frac{1}{4}$ of SE $\frac{1}{4}$; 3 acres in the SE $\frac{1}{4}$ of SE $\frac{1}{4}$; Section Thirty-six (36) Township Fifteen (15) South Range Fifteen (15) East of Willamette Meridian; 39 acres in the NW $\frac{1}{4}$ of NW $\frac{1}{4}$; 19 acres in the SW $\frac{1}{4}$ of NW $\frac{1}{4}$; Section Thirty-one (31); 8 acres in the NW $\frac{1}{4}$ of SW $\frac{1}{4}$; 8 acres in the SW $\frac{1}{4}$ of SW $\frac{1}{4}$; Section Thirty (30); all in Township Fifteen (15) South Range Sixteen (16) East of Willamette Meridian, in Crook County, Oregon.

N O R R.

The limited irrigation season set forth herein is in error and should conform to the season as defined in the Decree. See document filed adjacent to Certificate 845.

The right to the use of the water aforesaid hereby confirmed is restricted to the lands or place of use herein described.

Sec 36	NENE	32.00	
	SENE	35.00	
	HESE	22.00	
	NW "	28.00	240
	SW "	20.00	100
	SE "	3.00	
Sec 31	NW NW	39.00	
(SE	SW "	19.00	ARD)
Sec 30	NW SW	8.00	
	SW "	8.00	
		214.00	
		200.00	

WITNESS the seal and signature of the ^{State} Water Board

affixed this 21st day

of September . 19 14.

STATE WATER BOARD

By JOHN H LEWIS
State Engineer, President

Attest:

M F MERS

Secretary

Recorded in State Record of Water Right Certificates, Volume 1, page 664 .

T#3676

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

CROOK COUNTY

IN THE MATTER OF THE APPLICATION OF)
WILLIAM H. PLEDGER FOR APPROVAL OF)
CHANGES IN PLACE OF USE AND POINT)
OF DIVERSION OF WATER)

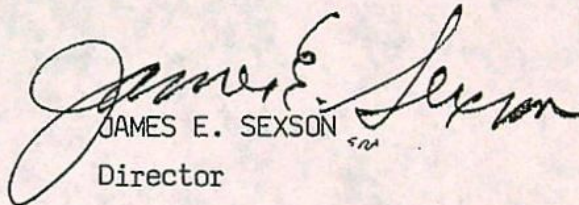
ORDER AMENDING
ORDER APPROVING
TRANSFER NO. 3676

On May 8, 1977, an application was filed in the office of the Water Resources Director by William H. Pledger for approval of changes in place of use and point of diversion of water from Crooked River, pursuant to the provisions of ORS 540.510 to 540.530.

The order of the Water Resources Director entered February 14, 1980, at page 4, Volume 33, Special Order Record of the Water Resources Department, approving transfer application No. 3676, was in error in not stating that the authorized point of diversion was to be retained.

NOW, THEREFORE, it hereby is ORDERED that line 8, paragraph 4, page 4, be amended to read ". . . from the original point of diversion, located 100 feet North and 1500 feet West from the Southeast Corner of Section 1, being within the SW 1/4 SE 1/4 of Section 1, Township 16 South, Range 15 East, W.M. (Swarts Canyon Ditch), and from two additional points of diversion . . ."

Dated at Salem, Oregon this 8th day of December, 1980.


JAMES E. SEXSON
Director

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

CROOK COUNTY

IN THE MATTER OF CANCELLATION)
OF A PORTION OF A WATER RIGHT)
IN THE NAME OF S.S. STEARNS)

O R D E R

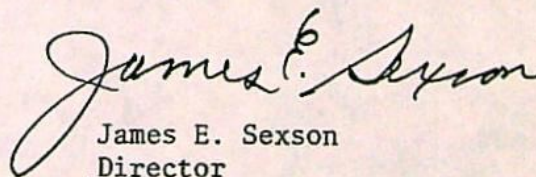
On December 4, 1979, William H. Pledger submitted an affidavit that he is the owner of a certain water right and the lands to which the water right is appurtenant; that he has abandoned any and all interest in and to the said water right and requests the same be canceled.

The water right in question was allowed by Decree of the Circuit Court for Crook County, entered April 13, 1914, in the Matter of the Determination of the Realative Rights to the Use of the Waters of Crooked River, tabulated at page 453, Volume 1, Order Record of the Water Resources Director, in the name of S. S. Stearns, and is a portion of the right described by the certificate recorded at page 664, Volume 1, State Record of Water Right Certificates, in the name of S. S. Stearns, and is for the use of not to exceed 0.23 cubic foot per second of water from Crooked River, with a date of priority of 1891, for irrigation of a certain 4.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ and 10.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 36, Township 15 South, Range 15 East, W.M.

ORS 540.621 provides that "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 said water right, being a portion of the right described by certificate recorded at page 664, Volume 1, State Record of Water Right Certificates, is canceled.

Dated at Salem, Oregon this 14th day of February, 1980.


James E. Sexson
Director

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

CROOK COUNTY

IN THE MATTER OF THE APPLICATION OF)
WILLIAM H. PLEDGER FOR APPROVAL OF)
CHANGES IN PLACE OF USE & POINT OF)
DIVERSION OF WATER)

ORDER APPROVING
TRANSFER NO. 3676

On May 8, 1977, an application was filed in the office of the Water Resources Director by William H. Pledger for approval of changes in place of use and point of diversion of water from Crooked River, pursuant to the provisions of ORS 540.510 to 540.530.

Crooked River Ditch V1P453 S.S. Stearns

The certificate recorded at page 664, Volume 1, State Record of Water Right Certificates, in the name of S. S. Stearns, describes a right which includes the use of not to exceed 3.34 cubic feet per second from Crooked River for irrigation of 32.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, 35.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 22.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, 24.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, 10.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, 3.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 36, Township 15 South, Range 15 East, W.M.; 39.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, 19.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 31; 8.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, 8.0 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 30, Township 15 South, Range 16 East, W.M., with a date of priority of 1891.

Water for the said right is diverted, through the Swart Canyon Ditch, from a point located 100 feet North and 1500 feet West from the Southeast Corner of Section 1, being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1, Township 16 South, Range 15 East, W.M.

The applicant herein, owner of the lands above described, proposes to sever the right therefrom and, without loss of priority, to irrigate in lieu thereof a certain 0.4 acre in SW $\frac{1}{4}$ NW $\frac{1}{4}$, 18.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, 26.4 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 30; 22.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, 9.1 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 31, Township 15 South, Range 16 East, W.M.; 38.4 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, 1.7 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 31.2 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 24.9 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, 9.5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, 5.5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$, 4.4 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 36, Township 15 South, Range 15 East, W.M.; and 85 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, Section 1, Township 16 South, Range 15 East, W.M., from two points of diversion located (1) 1380 feet South and 20 feet West from the Northeast Corner, being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ and (2) 350 feet North and 1820 feet West from the Southeast Corner, being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$, both in Section 36, Township 15 South, Range 15 East, W.M.

Notice of the application, pursuant to ORS 540.520(2), 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 December 13, 20 and 27, 1979.

Mr. Robert F. Main, Jr., Watermaster, has filed a statement to the effect that the proposed changes in place of use and point of diversion may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed changes in place of use and 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 place of use and 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 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:

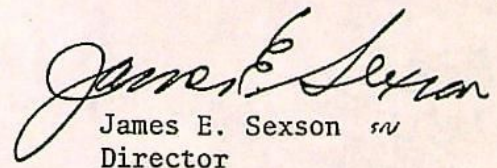
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 the construction work shall be completed and the change in point of diversion of water made and that said water so transferred shall be applied to beneficial use on or before October 1, 1981.

It is FURTHER ORDERED that the certificate recorded at page 664, Volume 1, State Record of Water Right Certificates, is canceled; and 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, a confirming certificate of water right shall be issued to the applicant herein.

Dated at Salem, Oregon this 14th day of February, 1980.


James E. Sexson
Director

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
a printed copy of which is hereto annexed, was publish-

ed in the entire issue of said newspaper for three
successive and consecutive weeks in the following issues

Issue date December 13, 1979

Issue date December 20, 1979

Issue date December 27, 1979

Issue date _____

Issue date _____

The fee charged for the above publication was

\$ 42.00

James O. Smith
Publisher

Subscribed and sworn to before me this 27th

day of December, 1979

Carol Ann Shimp
Notary Public for Oregon

My Commission expires 3-12-83

NOTICE OF WATER RIGHTS TRANSFER APPLICATIONS NOS. 3476 & 4292

The Water Resources Director of Oregon has received and filed applications by William H. Pledger for approval, without loss of priority, of changes in place of use & point of diversion of water.

The certificate recorded at page 664, Volume 1, State Record of Water Right Certificates, in the name of S.S. Stearns, describes a right which includes the use of not to exceed 3.34 cubic feet per second from Crooked River for irrigation of a certain 32.0 ac in NE 1/4 NE 1/4, 35.0 ac in SE 1/4 NE 1/4, 22.0 ac in NE 1/4 SE 1/4, 24.0 ac in NW 1/4 SE 1/4, 10.0 ac in SW 1/4 SE 1/4, 3.0 ac in SE 1/4 SE 1/4, Sec 36, T 15S, R 15E, WM; 39.0 ac in NW 1/4 NW 1/4, 19.0 ac in SW 1/4 NW 1/4, Sec 31, & 8.0 ac in NW 1/4 SW 1/4, 8.0 ac in SW 1/4 SW 1/4, Sec 30, T 15S, R 14E, WM, with a date of priority of 1891. Water for this right is diverted, through the Swart Canyon Ditch, from a point located 100 ft N & 1500 ft W from the SE Corner of Sec 1, being within the SW 1/4 SE 1/4, Sec 1, T 15S, R 15E, WM.

The applicant herein proposes to sever the right therefrom and to irrigate in lieu thereof a certain 0.4 ac in SW 1/4 NW 1/4, 18.0 ac in NW 1/4 SW 1/4, 26.4 ac in SW 1/4 SW 1/4, Sec 30; 22.0 ac in NW 1/4 NW 1/4, 9.1 ac in SW 1/4 NW 1/4, Sec 31, T 15S, R 14E, WM; 38.4 ac in NE 1/4 NE 1/4, 1.7 ac in SW 1/4 NE 1/4, 31.2 ac in SE 1/4 NE 1/4, 24.9 ac in NE 1/4 SE 1/4, 9.5 ac in NW 1/4 SE 1/4, 5.5 ac in SW 1/4 SE 1/4, 4.4 ac in SE 1/4 SE 1/4, Sec 36, T 15S, R 15E, WM; & 8.5 ac in NE 1/4 NW 1/4, Sec 1, T 16S, R 15E, WM, from two points of diversion located (1) 1380 ft S & 20 ft W from the NE corner, being within the SE 1/4 NE 1/4 & (2) 350 ft N & 1820 ft W from the SE Corner, being within the SW 1/4 SE 1/4, both in Sec 36, T 15S, R 15E, WM.

The certificate recorded at page 2928, Volume 4, of said record, in the name of S.S. Stearns, describes a right for the use of not to exceed 0.63 c.f.s. from Crooked R. for irrigation of a certain 12.0 ac in SW 1/4 SE 1/4 & 38.0 ac in SE 1/4 SE 1/4 of Sec 25, T 15S, R 15E, WM, with a date of priority of Feb. 28, 1909. Water for this right is diverted from a point located S 09° 20' W, 28.55 chains from the NE Corner of Sec 36, being within the SE 1/4 NE 1/4, Sec 36, T 15S, R 15E, WM.

The applicant herein proposes to change the point of diversion therefrom to a point located 100 ft N & 1500 ft W from the SE corner of Sec 1, being within the SW 1/4 SE 1/4 of Sec 1, T 16S, R 15E, WM (Swart Canyon Ditch).

Pursuant to ORS 540.520(2), a hearing is scheduled for 9:30 a.m. on Wednesday, February 6, 1980, at the Crook County Courthouse, Prineville, Oregon. Any objection to the proposed changes must be prepared in writing: one copy to be served on the applicant at Roberts Star Rt, Box 100, Prineville, OR 97754; and one copy filed in the office of the Water Resources Director, Salem, OR 97310, together with a \$10 filing fee, at least 10 days prior to the date set for hearing. Rules for filing objections will be furnished upon request.

IF NO OBJECTIONS ARE FILED, THE APPLICATION MAY BE APPROVED BY THE WATER RESOURCES DIRECTOR WITHOUT A HEARING.

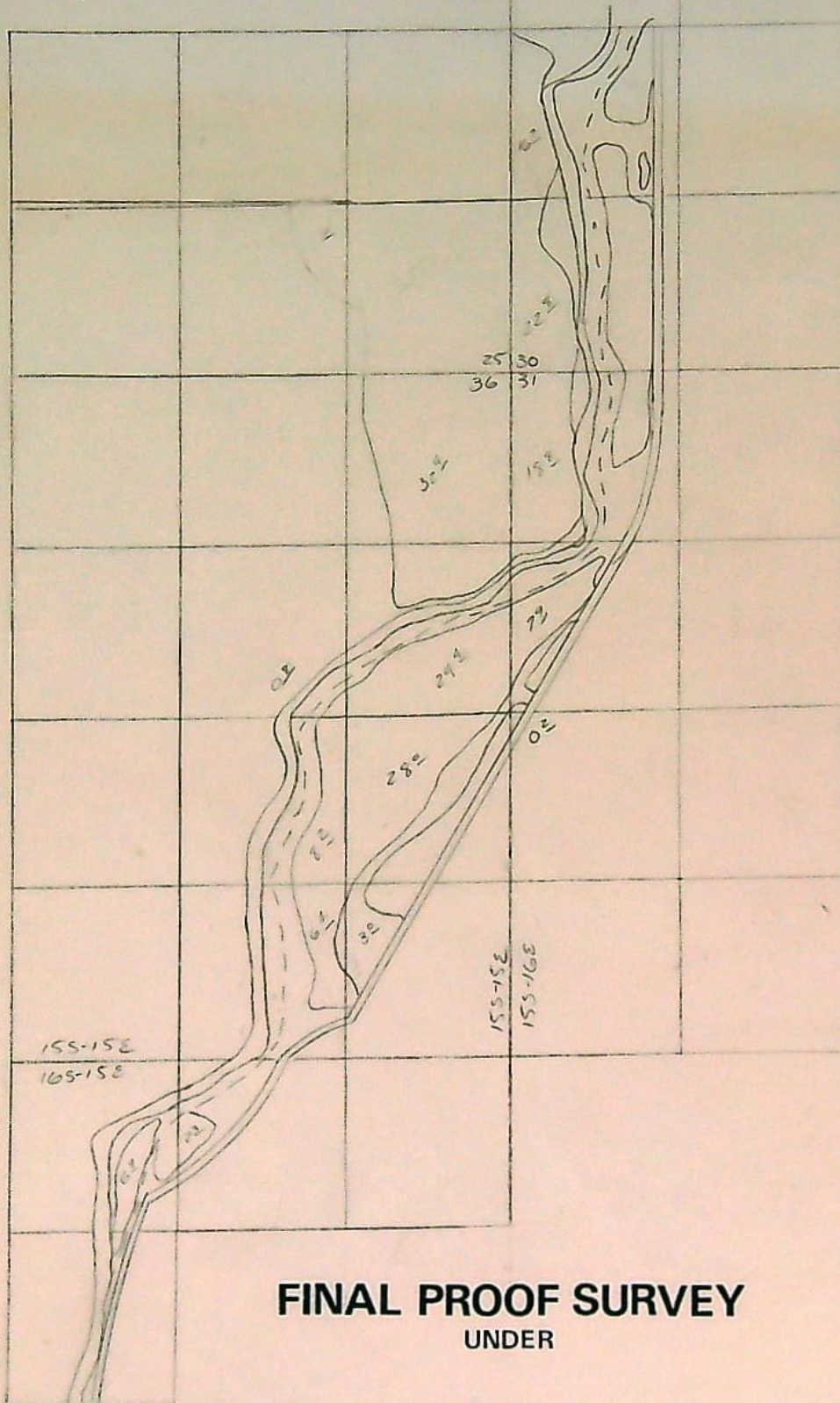
Dated at Salem, Oregon this 10th day of December, 1979.

James E. Sexson, Director

RECEIVED

JAN 7 1980

WATER RESOURCES DEPT
SALEM, OREGON



FINAL PROOF SURVEY **UNDER**

3676

Application No. Permit No.
 IN NAME OF

..... B. H. Pledger

Surveyed 19....., by