

3677
KASER

3677

STATUS OF APPLICATION

Change in POD
Date filed 5-19-77
Date of hearing Dec 15, 1977
Place of hearing The Dalles
Date of order 12-15-77 Vol. 30, page 191
Date for application of water 10-1-79
Proof mailed _____
Proof received _____
Certificate issued JAN 31 1978 Vol. _____, page 45228
JAN 19 1981 43
JAN 19 1981 43

DESCRIPTION OF WATER RIGHT

Name of stream Fifteenmile Cr.
Trib. of _____ County of Wasco
Use irrigation
Quantity of water _____ No. of acres 12^e
Name of ditch _____
Date of priority _____
In name of _____
_____ Adjudication, Vol. _____, page _____
App. No. 4308 Per. No. 2488 Cert. No. 1447
Certificate cancelled _____
Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>5-19-77</u>	<u>80⁰⁰</u>	<u>60626</u>
TOTAL . . .		
<u>12-7-77</u>	<u>\$2 Cert. Fee</u>	<u>transf. from 60626</u>

The Dalles Chronicle \$41.26 on 12/8/77 ck 1827

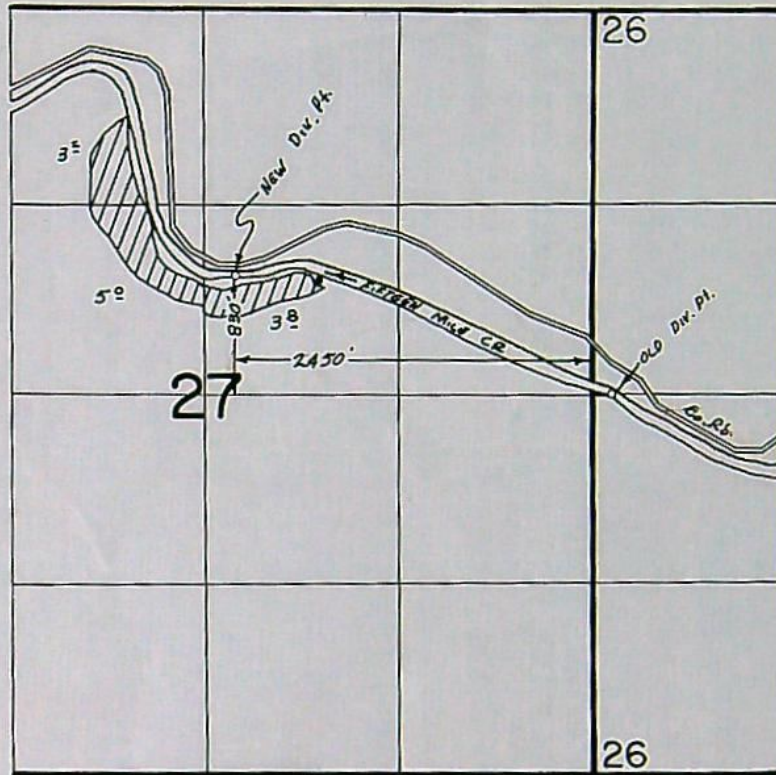
FEES REFUNDED

Date	Amount	Check No.
Exam	20	
POD	15	
Cert	2	
PON	41.26	
	<u>\$ 78.26</u>	<u>\$1.74 excess</u>

REMARKS

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

T.2N. R.14E. W.M.



APPLICATION MAP FOR

CARL KASER

Scale 4" = 1 mile

RECEIVED
MAY 19 1977
WATER RESOURCES DEPT
SALEM, OREGON

Application Map Prepared By
Watermaster District No. 3
Thomas J. Paul

STATE OF OREGON

COUNTY OF

WASCO

CERTIFICATE OF WATER RIGHT

This Is to Certify, That CHAS. BERNARD

c/o Paul W. Childers
of The Dalles, State of Oregon 97058, has made
proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of
Fifteen Mile Creek

a tributary of Columbia River for the purpose of
irrigation of 31.0 acres

under Permit No. 2488 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 5, 1915

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
0.39 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream.
The point of diversion is located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 26, T. 2 N., R. 14 E., W.M.;
132 feet East from W $\frac{1}{4}$ Corner, Section 26

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 and shall be further limited
to a diversion of not to exceed 3 acre feet per acre for each acre irrigated
during the irrigation season 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:

SEE NEXT PAGE

The right to the use of the water for the purposes aforesaid is restricted to the lands or place
of use herein described, and is subject to the existing water law of the State of Oregon,
and to the Water Policy Review Board.

WITNESSE the signature of the Water Resources Director, official

this date, January 17, 1981

James E. Seaton
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 23-1, page 19828

14.2 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
3.0 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
2.8 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
11.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 27
T. 2 N., R. 14 E., W.M.

This certificate is issued to correct and supersede certificate of water right recorded at page 45228, Volume 37, State Record of Water Right Certificates, so as to correctly describe the number of acres irrigated and quantity of water to be appropriated.

The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described., and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed

this date. January 19, 1981

James E. Skerson
Water Resources Director

STATE OF OREGON

COUNTY OF

WASCO

CERTIFICATE OF WATER RIGHT

This Is to Certify, That CHAS. BERNARD

c/o Paul W. Childers
 of The Dalles, State of Oregon, 97058, has made
 proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of
 Fifteen Mile Creek

a tributary of Columbia River for the purpose of
 the irrigation of 28.0 acres

under Permit No. 2488 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 5, 1915

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
 0.38 cubic foot per second or its equivalent in case of rotation. The use here
 under shall conform to any reasonable rotation system ordered by the proper
 State Officer

or its equivalent in case of rotation, measured at the point of diversion from the stream.
 The point of diversion is located in the

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 and shall be further limited
 to a diversion of not to exceed 3 acre feet per acre for each acre irrigated
 during the irrigation season 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:

14.2 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$

3.0 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$

2.8 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$

11.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$

Section 27

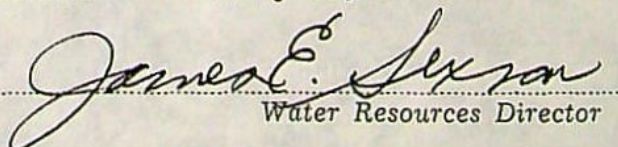
T. 2 N., R. 14 E., W. M.

This certificate describes that portion of the water right confirmed by the prior
 certificate recorded at page 1447, Volume 2, State Record of Water Right
 Certificates, NOT modified by the provisions of an order of the Water Resources
 Director entered on December 15, 1977, approving transfer application No. 3677.
 The issuance of this superseding certificate does not confirm the status of the
 water right in reference to ORS 540.610.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place
 of use herein described. and is subject to the existing minimum flow policies
 established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed

this date. January 31, 1978


 Water Resources Director

780884 (2)

CERTIFICATE OF
WATER RIGHT

STATE OF OREGON

to

ived at day
rk

STATE OF OREGON, }
County of Wasco, } ss

I, SUE A. PROFFITT, County Clerk and ex officio Recorder of Conveyances, in and for said county, do hereby certify that the within instrument of writing was received for record —

MAR 23 12 27 PM '78

and recorded in the —

WATER RIGHTS

records of said County under Micro Film

COMPARED
NUMBER:

780884 (2)

INDEXED

Witness my hand & seal, affixed at The Dalles

SUE A. PROFFITT, County Clerk

By: S. Corley Deputy

Return to Miss. B. B. B.

Address Chas. W. B. B.

STATE OF OREGON

WATER DIVISION NO.

2

COUNTY OF

WASCO

CERTIFICATE OF WATER RIGHT

(For rights perfected under original, enlargement or secondary permits)

This is to Certify, That CHAS. BERNARD

of/o Paul W. Childers, The Dalles, State of Oregon 97058, has made proof to the satisfaction of the STATE WATER BOARD of Oregon, of a right to the use of the waters of Fifteen Mile Creek, a tributary of Columbia River

, for the purpose of the irrigation of ~~45~~ ^{28.0} acres of land

under Permit No. 2488 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon and duly confirmed by order of the STATE WATER BOARD of Oregon, made and entered

of record in the Record of Proceedings of said Board, at Salem, in Volume 1,

at page 245, on the 1st day of May, 1917; that the priority of

the right hereby confirmed dates from June 5, 1915; 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 ~~0.54~~ ^{0.38} cubic foot per second, or its equivalent in case of rotation. The use hereunder shall conform to any reasonable rotation system ordered by the proper State Officer. A description of the lands under such right, and to which the water hereby

confirmed is up to beneficial use 18 acres in the quarter of North of Section Two of Willamette Mer:

~~14.3~~ ^{14.3} ~~18.0~~ acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ - ~~3.2~~
3.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ -
~~2.8~~ ^{2.8} ~~6.0~~ acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ - ~~3.2~~
~~11.2~~ ^{11.2} ~~46.0~~ acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ - ~~5.6~~

Section 27

~~31~~ ³¹ ~~0.36~~ T 2 N, R 14 E, W.M. ~~12~~ ¹² ~~0.16~~

ch water is put Northeast quarter; the Southeast of Northwest quarter in (14) East of

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

Rights to the use of water for power purposes are limited to a period of forty years from the date of priority of the right, as herein set forth, subject to a preference right of renewal under the laws existing at the date of the expiration of the right for power purposes, as hereby confirmed and limited.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 1447, Volume 2, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on Dec 15, 1977, approving transfer application No. 3677.

The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

STATE WATER BOARD

(SEAL OF STATE WATER BOARD)

By JOHN H. LEWIS
State Engineer, President

Attest: M. F. MERS
Secretary

Recorded in State Record of Water Right Certificates, Volume 2, Page 1447

RECEIVED

FEB 10 1978

WATER RESOURCES DEPT.
SALEM, OREGON

NOTICE OF COMPLETION OF CHANGE IN
POINT OF DIVERSION OF WATER FROM FIFTEENMILE CREEK

PURSUANT TO TRANSFER APPLICATION NO. 3677

I, Carl Kaser, hereby certify that completion
of works and use of water to the extent intended within the provisions
of the order of the Water Resources Director approving said water
right transfer application was accomplished by Jan, 1978.

Jan 8 1978
Date

Carl W. Kaser
Signature

(Mail to the Water Resources Department, Salem, Oregon 97310.)

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

WASCO COUNTY

IN THE MATTER OF THE APPLICATION)
OF EVELYN M. AND CARL KASER FOR)
APPROVAL OF A CHANGE IN POINT OF)
DIVERSION OF WATER)
- - - - -

ORDER APPROVING
TRANSFER NO. 3677

On May 19, 1977, an application was filed in the office of the Water Resources Director by Evelyn M. and Carl Kaser for approval of a change in point of diversion from Fifteenmile Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 1447, Volume 2, State Record of Water Right Certificates, in the name of Chas. Bernard, describes a right which includes the use of not to exceed 0.16 cubic foot per second from Fifteenmile Creek for irrigation of a certain 3.8 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 3.2 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ and 5.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27, Township 2 North, Range 14 East, W.M., with a date of priority of June 5, 1915.

Water for the said right is diverted from a point located 132 feet East from the West Quarter Corner of Section 26, being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 26, Township 2 North, Range 14 East, W.M.

The applicants herein, owners of the lands above described, propose to change the point of diversion therefrom, without loss of priority, to a point located 830 feet North and 2450 feet West from the East Quarter Corner of Section 27, being within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 27.

Notice of the application, pursuant to ORS 540.510, 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 October 25; November 1 and 8, 1977.

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

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

NOW, THEREFORE, it hereby is ORDERED that the requested change in point of diversion, as described herein, without loss of priority, is approved.

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

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

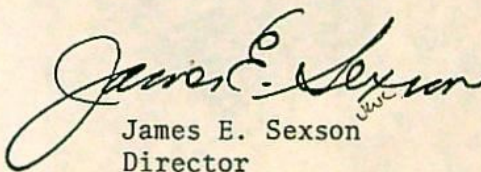
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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

It is FURTHER ORDERED that the construction work shall be completed and the change in point of diversion of water made on or before October 1, 1979.

It is FURTHER ORDERED that the certificate of water right heretofore issued to Chas. Bernard and recorded at page 1447, Volume 2, State Record of Water Right Certificates, is canceled, and in lieu thereof a new certificate be issued covering the balance of the right NOT involved in this proceeding, 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 applicants herein.

Dated at Salem, Oregon, this 15th day of December, 1977.


James E. Sexson
Director

PUBLIC NOTICE

NOTICE OF WATER RIGHT TRANSFER APPLICATION NO. 3677

Notice is given hereby that an application has been filed in the office of the Water Resources Director by Evelyn M. and Carl Kaser for approval of a change in point of diversion from Fifteenmile Creek.

The certificate recorded at page 1447, Volume 2, State Record of Water Right Certificates, in the name of Chas. Bernard, describes a right which includes the use of not to exceed 0.16 cubic foot per second from Fifteenmile Creek for irrigation of a certain 3.8 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 3.2 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ and 5.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27, Township 2 North, Range 14 East, WM, with a date of priority of June 5, 1915.

Water for the said right is diverted from a point located 132 ft. E from the W $\frac{1}{4}$ corner of Sec. 26, being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 26, T 2 N, R 14 E. WM.

The applicants herein, owners of the lands above described, propose to change the point of diversion therefrom, without loss of priority, to a point located 830 ft N and 2450 ft W from the E $\frac{1}{4}$ cor of Sec 27, being within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of said Sec 27.

All persons interested are notified hereby that a hearing will be held at the county courthouse at The Dalles, Oregon, on December 15, 1977, 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 Evelyn M. and Carl Kaser, Route 3, Box 87, The Dalles, OR 97058 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 18th day of October, 1977.

James E. Sexson
Director

Oct. 25, Nov. 1, 8, 1977
No. 1756

Affidavit of Publication

RECEIVED

NOV 28 1977

WATER RESOURCES DEPT

SALEM, OREGON

STATE OF OREGON, }
County of Wasco }

ss.

I, Klea Espy

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

Transfer Application Notice a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for Three successive and consecutive issues in the following issues: Oct. 25, Nov. 1, 8, 1977

Subscribed and sworn to before me this

day of Nov., 1977

Notary Public for Oregon.

My Commission Expires July 31, 1980

PUBLIC NOTICE

NOTICE OF WATER RIGHT TRANSFER APPLICATION NO. 3677

Notice is given hereby that an application has been filed in the office of the Water Resources Director by Evelyn M. and Carl Kaser for approval of a change in point of diversion from Fifteenmile Creek.

The certificate recorded at page 1447, Volume 2, State Record of Water Right Certificates, in the name of Chas. Bernard, describes a right which includes the use of not to exceed 0.16 cubic foot per second from Fifteenmile Creek for irrigation of a certain 3.8 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 3.2 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ and 5.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 27, Township 2 North, Range 14 East, WM, with a date of priority of June 5, 1915.

Water for the said right is diverted from a point located 132 ft. E from the W $\frac{1}{4}$ corner of Sec. 26, being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 26, T 2 N, R 14 E. WM.

The applicants described, the point therefrom, priority, to ft N and 245 cor of Sec 2 SW $\frac{1}{4}$ NE $\frac{1}{4}$

All persons notified here will be held at the house at 7 on Decem a.m. All proposed are, will be and place sections s writing, of on Evelyn Route 3, OR 97058 with the Department together w at least 10 date set f

OBJECTIO
THE APPL
BE APPL

3. I
treat
U.S.
with
the v
said.
streng
4. I

RECEIVED

NOV 28 1977

Affidavit of Publication

WATER RESOURCES DEPT
SALEM, OREGON

STATE OF OREGON, } ss.
County of Wasco

I, Klea Espy

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

Transfer Application Notice a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for Three successive and consecutive issues in the following issues: Oct. 25, Nov. 1, 8, 1977

Klea Espy

Subscribed and sworn to before me this

day of Nov., 1977

J. F. Weybright
Notary Public for Oregon.

My Commission Expires July 31, 1980