

Name Preston & Lillian Lundhorst

3895

DESCRIPTION OF WATER RIGHT

FEES PAID

By _____

Address Route 1, Box 181

Defur Or. 97021

Name of stream Fifteenmile Creek

Trib. of _____ County of Wasco

Use irrigation

Quantity of water _____ No. of acres _____

Name of ditch _____

Date of priority _____

In name of _____

Fifteenmile Adjudication, Vol. 7, page 430

App. No. 10754 (2) Per. No. 7301 (2) Cert. No. 6806 (2)

Certificate cancelled _____

Notation made on record by _____

Date	Amount	Receipt No.
3-7-78	35.00	1428
TOTAL . . .		
7-18-78	\$2 Cert. Fee	Trnf fr 3892

FEES REFUNDED

Date	Amount	Check No.
exam 2000		
POD 1500		
	35.00	
Cert Fee 2000		

Change in P.O.D

Date filed March 7, 1978

Date of hearing July 13, 1978

Place of hearing The Dalles

Date of order 9-15-78 Vol. 31, page 233

Date for application of water 10-1-80

Proof mailed _____

Proof received _____

Certificate issued NOV 2 1978 Vol. 39, page 46843

DEC 29 1989

63794

63795

63796

12-31-89 Cert.

OK cert

REMARKS

FINIS

Surveyed 5-6-83

OCT 31 1989 PC mailed - 3895-A, 3895-B, + 3896-C mailed to Lundhorst

W.R.I.S.

Assembled 5-9-85 by SMA

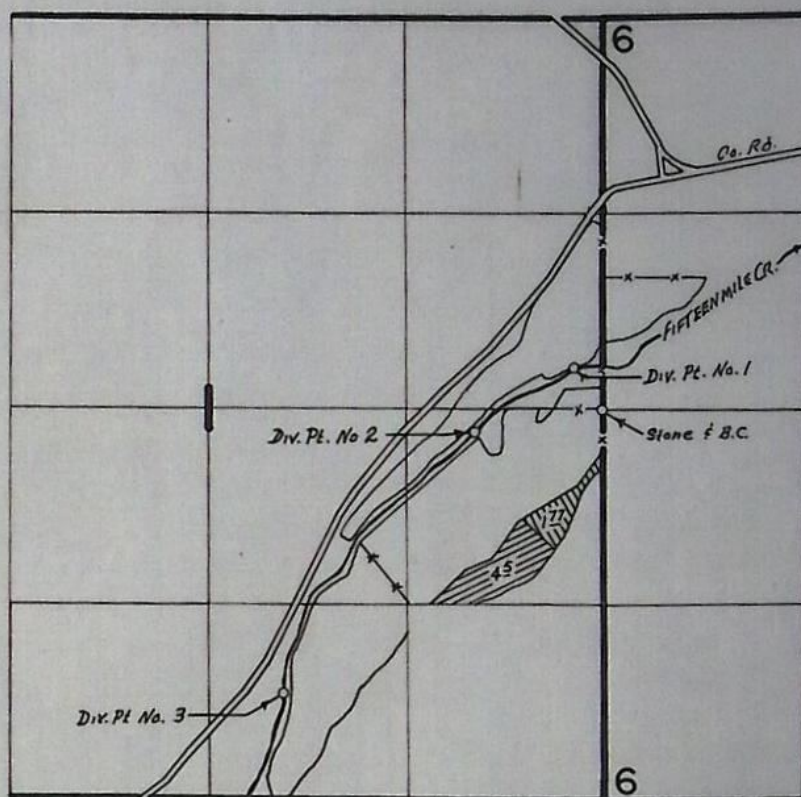
Entered _____ by _____

Verified _____ by _____

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

124

T.2S. R.12&13E. W.M.



Div. Pts. Loc. No. 1 290' N. & 200' W., No. 2 150' S. & 870' W.,
No. 3 1910 S. & 2170' W. All From The E1/4 Cor.
Sec. 1



TRANSFER 3892

TRANSFER 3893

FINAL PROOF SURVEY UNDER

Application No. _____ Transfer Nos. 3892, 3893, 3894, & 3895
Permit No. _____
IN NAME OF

_____ LILLIAN LINDHORST _____

Surveyed May, 6 1983, by T. J. Paul _____

COPY

T. 2S. R. 12E. S. 16

T-3875

Per. No.
5-3910
5-7301
D-5662



Pump point 1: 220' N. & 220' W. from the S.E. corner of the SENE of Section 1
Pump point 2: 180' S. & 860' W. from the S.E. corner of the SENE of Section 1
Pump point 3: 630' N. & 500' E. from the S¹/₄ corner of Section 1
Well located: 420' N. & 20' W. from the S¹/₄ corner of Section 1

STATE OF OREGON

COUNTY OF WASCO

CERTIFICATE OF WATER RIGHT

This Is to Certify, That ~~PRESTON~~ and LILLIAN LINDHORST

of ¹⁸¹ Route 1, Box 111, Dufur, State of ⁹⁷⁰²¹ Oregon, has a right
to the use of the waters of ^{10.8} Fifteen Mile Creek

a tributary of ^{10.8} Columbia River for the purpose of
irrigation of ~~14.0~~ acres
and 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 1875

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.

use T-3893 wording (decree)

The point of diversion is located in the ²⁹⁰ SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 1, T. 2 S., R. 12 E., W. M.,
220 feet North and 160 feet West from E $\frac{1}{2}$ Corner, Section 1.

A description of the place of use under the right, and to which such right is appurtenant, is as
follows:

^{10.8} ~~14.0~~ acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 1
T. 2 S., R. 12 E., W. M.

T-3895
3.2

This certificate describes that portion of the water right confirmed by the prior
certificate recorded at page 40410, Volume 32, State Record of Water Right
Certificates, NOT modified by the provisions of an order of the Water Resources
Director entered on Sept. 15, 1978, approving transfer application No. 3895.

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

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 date

May 24

1974

Chris L. Wheeler
State Engineer

Recorded in State Record of Water Right Certificates, Volume 32, page 40410

T-3895

STATE OF OREGON
COUNTY OF WASCO

Prop. **CERTIFICATE OF WATER RIGHT**

This Is to Certify, That EDGAR N. SMITH

of **Dufur**, 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
Fifteen Mile Creek
a tributary of **Columbia River** for the purpose of
Irrigation
under Permit No. **3910** 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 **August 19, 1918;**

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
0.06 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

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 of one cubic foot per second
per acre, *1/80*

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:

4.5 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 1,
T. 2 S., R. 12 E., W. M. *off on T-3895*

NOTE: These lands are irrigated through the Haverly ditch.

NOTE: This certificate is issued to confirm a change in place of use of water
approved by an Order of the State Engineer entered March 12, 1936, pursuant to
the provisions of Section 116-606, O. C. L. A., and supersedes Certificate of
Water Right heretofore issued to Edgar N. Smith and recorded at Page 3407,
Volume 4, State Record of Water Right Certificates.

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 **7th** day of **December**, **1933**

CHAS. E. STRICKLIN

State Engineer

Recorded in State Record of Water Right Certificates, Volume **14**, page **20238**.

3895 b

3895

STATE OF OREGON

COUNTY OF WASCO

Prop.

CERTIFICATE OF WATER RIGHT

This is to Certify, That ^{Lillian} Edgar H. Smith

of Dufur, 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 Fifteen Mile Creek a tributary of Columbia River for the purpose of Irrigation under Permit No. 7301 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 May 5, 1926;

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 0.03 cubic foot per second;

The use hereunder for irrigation shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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 in case of rotation.

A description of the lands irrigated under the right hereby confirmed, and to which such right is appurtenant (or, if for other purposes, the place where the water is put to beneficial use), is as follows: Five tenths (.5) acres in the Northeast Quarter of the Southeast Quarter (NE $\frac{1}{4}$ SE $\frac{1}{4}$), One and twenty-five hundredths (1.25) acres in the Northwest Quarter of the Southeast Quarter (NW $\frac{1}{4}$ SE $\frac{1}{4}$), Section One (1), Township Two South, Range Twelve East of the Willamette Meridian, being a total of 1.75 acres.

all on T-3895

The right to the use of the water for irrigation purposes 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.

WITNESS the signature of the State Engineer,

affixed this 20th day
of December, 1926.

RHEA LUPER

State Engineer.

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

WASCO COUNTY

IN THE MATTER OF THE APPLICATION)
OF PRESTON & LILLIAN LINDHORST FOR)
APPROVAL OF A CHANGE IN POINT OF)
DIVERSION OF WATER)

ORDER APPROVING
TRANSFER NO. 3895

On March 7, 1978, an application was filed in the office of the Water Resources Director by Preston and Lillian Lindhorst 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 40410, Volume 32, State Record of Water Right Certificates, in the name of Preston and Lillian Lindhorst, describes a right which includes the use of water from Fifteenmile Creek for irrigation of 3.2 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 1, Township 2 South, Range 12 East, W.M., with a date of priority of 1875. Water for this right is diverted from a point located 220 feet North and 160 feet West from the East Quarter Corner of Section 1, being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 1.

The certificate recorded at page 20238, Volume 14, State Record of Water Right Certificates, in the name of Edgar N. Smith, describes a right for the use of not to exceed 0.06 cubic foot per second from Fifteenmile Creek for irrigation of 4.5 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1, Township 2 South, Range 12 East, W.M., with a date of priority of August 19, 1918. Water for this right is diverted, through the Haverly Ditch, from a point of diversion located North 4 degrees 12 minutes East, 228 feet from the Southeast Corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1, being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 1.

The certificate recorded at page 6806, Volume 7, State Record of Water Right Certificates, in the name of Edgar N. Smith, describes a right for the use of not to exceed 0.03 cubic foot per second from Fifteenmile Creek for irrigation of 0.5 acre in NE $\frac{1}{4}$ SE $\frac{1}{4}$ and 1.25 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1, Township 2 South, Range 12 East, W.M., with a date of priority of May 5, 1926. Water for this right is diverted, through the Smith & Roberts Ditch, from a point of diversion located North 80 degrees 51 minutes West, 638 feet from the Southeast Corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1, being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 1.

121, 8733

The applicants herein, owners of the lands above described, propose to change the points of diversion therefrom, without loss of priority, to Pump Site No. 2, located 180 feet South and 860 feet West from the East Quarter Corner of Section 1, being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 1.

Notice of the application, pursuant to ORS 540.520(2), 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 May 23 and 30; and June 6, 1978.

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

No objections having been filed and it appearing that the proposed change in points 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 points of diversion under the subject rights.

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;

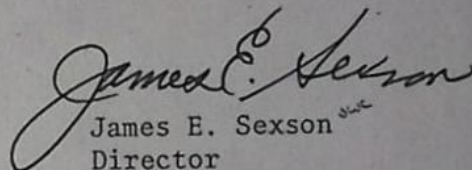
That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

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, 1980.

It is FURTHER ORDERED that the certificates of water right recorded at page 40410, Volume 32; page 20238, Volume 14; and page 6806, Volume 7, State Record of Water Right Certificates, are canceled; and in lieu of said certificate No. 40410, 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, confirming certificates of water right shall be issued to the applicants herein.

Dated at Salem, Oregon this 15th day of September, 1978.


James E. Sexson
Director