

Name Preston E. Lillian Lindhorst

3894

DESCRIPTION OF WATER RIGHT

By _____

Address Route 1, Box 181Refux Or. 97021Change in P.O.D.Date filed March 7, 1978Date of hearing July 13, 1978Place of hearing The DallesDate of order 9-15-78 Vol. 31, page 231Date for application of water 10-1-80

Proof mailed _____

Proof received _____

Certificate issued NOV 13 1989 Vol. 53, page 62742Name of stream Fifteenmile CreekTrib. of _____ County of WascoUse irrigationQuantity of water _____ No. of acres 60

Name of ditch _____

Date of priority May 24, 1919In name of E. D. Roberts

_____ Adjudication, Vol. _____, page _____

App. No. 6539 Per. No. 4095 Cert. No. 3418

Certificate cancelled _____

Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>3-7-78</u>	<u>35.00</u>	<u>1429</u>
TOTAL . . .		
	<u>0 Cert. Fee</u>	

FEES REFUNDED

Date	Amount	Check No.
<u>Exam 2000</u>		
<u>P.O.D. 1500</u>		
	<u>3500</u>	

REMARKS

Surveyed 5-6-83— finish — 8 Dec 89

W.P.I.S.	
Assembled	<u>5-9-85</u> by <u>SK</u>
Entered	_____ by _____
Verified	_____ by _____

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 checked="" type="checkbox"/>	Pt. of Div.		<u>lg</u>	
<input checked="" type="checkbox"/>	Calendar		<u>lg</u>	
<input type="checkbox"/>	CHECKED TO RECORDS:			
<input 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>WU</u>	<u>lg</u>
<input checked="" type="checkbox"/>	Per. Folder		<u>WU</u>	
<input type="checkbox"/>	Chainindex			
<input type="checkbox"/>	Cross Ref.			
<input checked="" type="checkbox"/>	Power Claim		<u>lg</u>	
<input checked="" type="checkbox"/>	Abstracts		<u>lg</u>	

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. 3894

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 3418, Volume 4, State Record of Water Right Certificates, in the name of E. D. Roberts, describes a right for the use of not to exceed 0.08 cubic foot per second from Fifteenmile Creek for irrigation of 6.0 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 May 24, 1919.

Water for the said right is diverted, through the Roberts Ditch, from a point 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 Section 1, Township 2 South, Range 12 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 220 feet North and 220 feet West from the Southeast Corner of the SE $\frac{1}{4}$ NE $\frac{1}{4}$, being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 1, Township 2 South, Range 12 East, W.M. (Pump No. 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 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:

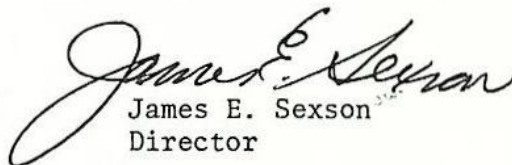
That the diversion works shall include an in line flow meter, a weir or other suitable device for measuring the water to which the applicant is entitled;

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, 1980.

It is FURTHER ORDERED that the certificate of water right heretofore issued to E. D. Roberts and recorded at page 3418, Volume 4, 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 applicants herein.

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


James E. Sexson
Director

STATE OF OREGON

COUNTY OF WASCO

CERTIFICATE OF WATER RIGHT

This is to Certify, That *Lillian Lindhorst*
E. D. ROBERTS *owner* of said

of Route No. 1, Dufur, State of Oregon, has made proof to the satisfaction of the STATE WATER BOARD of Oregon, of a right to the use of the waters of

a tributary of Columbia River Fifteen Mile Creek for the purpose of irrigation under Permit No. 4095 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 410, on the 17th day of October, 1921 that the priority of the right hereby confirmed dates from May 24, 1919

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 0.08 cubic feet per second, or its equivalent in case of rotation. The use hereunder for irrigation shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the lands 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:

6 acres in the Southeast quarter of Northeast quarter of Section One Township Two South, Range Twelve East of Willamette Meridian, in Wasco County, Oregon.

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 seal and signature of the State

Water Board, affixed this 17th day of October, 1921

(Seal of State Water Board) STATE WATER BOARD

By PERCY A. CUPPER
 State Engineer, President

Attest: R. W. POTTER
 Secretary

Recorded in State Record of Water Right Certificates, Volume 4, page 3418

T-3894