

Name Joe Dean & Betty Oliver
 By _____
 Address Star Route, Box 310
Pendleton, Oregon 97801

3933

DESCRIPTION OF WATER RIGHT

Name of stream Wild Horse Creek
 Trib. of _____ County of Umatilla
 Use _____
 Quantity of water _____ No. of acres _____
 Name of ditch _____
 Date of priority Apr. 20, 1915
 In name of G. W. Chamberlin
 _____ Adjudication, Vol. _____, page _____
 App. No. 4212 Per. No. 2430 Cert. No. 2749
 Certificate cancelled _____
 Notation made on record by _____

Change in POD
 Date filed April 17, 1978
 Date of hearing July 12, 1978
 Place of hearing Pendleton
 Date of order 7-27-78 Vol. 31, page 87
 Date for application of water completed
 Proof mailed _____
 Proof received _____
 Certificate issued DEC 31 1985 Vol. 48, page 53645

FEEES PAID

Date	Amount	Receipt No.
<u>4-17-78</u>	<u>80-</u>	<u>2241</u>
TOTAL . . .		
	<u>0 Cert. Fee</u>	

East Oregonian #34,83 paid 6-9-78 ck # 2325

FEEES REFUNDED

Date	Amount	Check No.
<u>6-9-78</u>	<u>10.17</u>	<u>2324</u>

Ex 20 -
 POD 15 -
 POW 34 83
69 83

REMARKS

Surveyed 1/30/84

W.R.I.S.

Assembled 5-15-85 by SA

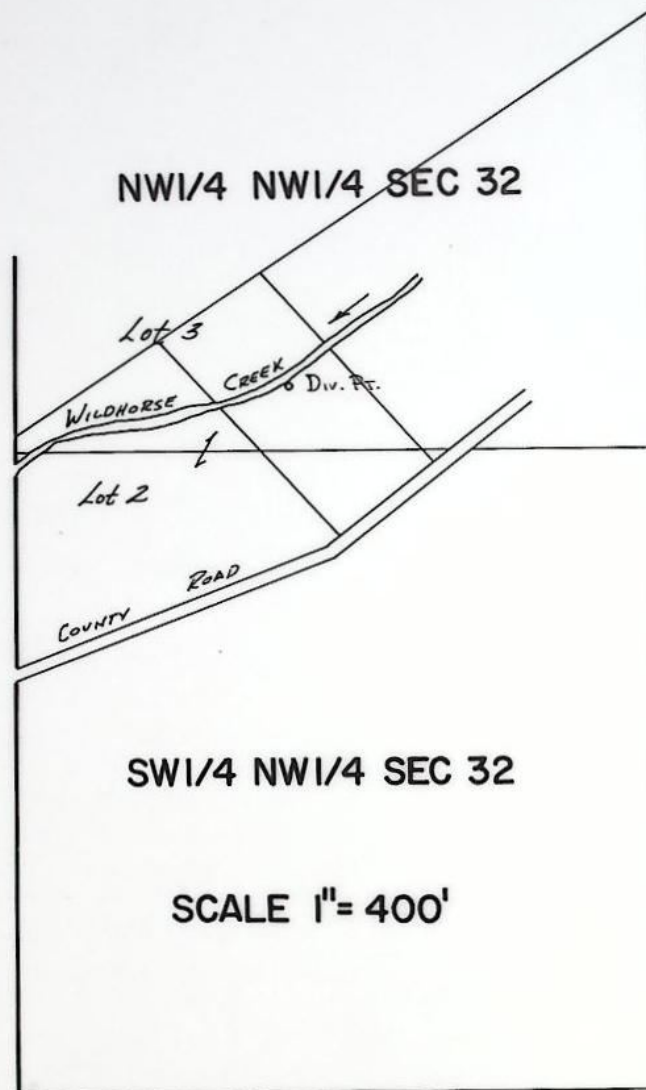
Entered _____ by _____

Verified _____ by _____

TO BE ENTERED WHERE CHECKED	INDEX CARDS:	Entered	Checked
☒	Name	lgj	_____
☒	St. la	lgj	_____
☒	Pl. or Div.	_____	_____
☒	Calendar	lgj	_____
☐	CH. TO RECORDS:	lgj	_____
☐	Top. or ge.	_____	_____
☐	... vault	_____	_____
☐	Declar. safe	_____	_____
☒	Cert. of W/R	lgj	_____
☒	Per. or older	lgj	_____
☐	Ch. index	_____	_____
☐	Cross Ref.	_____	_____
☒	Power Claim	_____	_____
☐	Abstracts	_____	_____

CCB

T. 3N., R. 33E., W. M.



Div. Pt. Loc: 1450' N. + 560' E FROM W $\frac{1}{4}$ COR. SECTION 32

FINAL PROOF SURVEY
UNDER

TRANSFER 3933

IN NAME OF

JOE DEAN & BETTY A. OLIVER

Surveyed Jan. 30, 1984, by V. Church

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

UMATILLA COUNTY

IN THE MATTER OF THE APPLICATION)
OF JOE DEAN & BETTY OLIVER FOR)
APPROVAL OF A CHANGE IN POINT OF)
DIVERSION OF WATER)

ORDER APPROVING
TRANSFER NO.3933

On April 17, 1978, an application was filed in the office of the Water Resources Director by Joe Dean and Betty A. Oliver for approval of a change in point of diversion of water from Wildhorse Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 2749, Volume 4, State Record of Water Right Certificates, in the name of G. W. Chamberlain, describes a right which includes the use of not to exceed 0.02 cubic foot per second from Wildhorse Creek for irrigation of 1.26 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ and 0.3 acre in SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 32, Township 3 North, Range 33 East, W.M., with a date of priority of April 20, 1915.

The authorized point of diversion for said right is located 240 feet South and 1560 feet East from the Northwest Corner of Section 32, being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 32, Township 3 North, Range 33 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 1150 feet South and 400 feet East from the Northwest Corner of Section 32, being within the NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 32, Township 3 North, Range 33 East, W.M.

Notice of the application, pursuant to ORS 540.520(2), was published in the East Oregonian, a newspaper printed and having general circulation in Umatilla County, Oregon, for a period of three weeks in the issues of May 17, 24 and 31, 1978.

Mr. William I. Porfily, 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, and shall not exceed 0.02 cubic foot per second.

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 change in point of diversion of water is completed.

The order of the Water Resources Director entered July 27, 1978, approving transfer application No. 2393, provided for cancellation of the certificate of water right recorded at page 2749, Volume 4, State Record of Water Right Certificates, and issuance of a new certificate covering the balance of the right NOT involved in the transfer proceedings; therefore,

Ad

UMATILLA

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

JOE DEAN & BETTY A. OLIVER
~~G. W. OLIVERLAIN~~

of **310** **STAR RT.** Box **723**, Pendleton, State of **Oregon 97801**, has made proof to the satisfaction of the STATE WATER BOARD of Oregon, of a right to the use of the waters of **Wild Horse Creek**, a tributary of **Umatilla River**

and stock use under Permit No. 2430 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 351, on the 14th day of April, 1920; that the priority of the right hereby confirmed dates from April 20, 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 0.020 cubic feet per second, if available at the original point of diversion, or its equivalent in case of rotation. The use of the water 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 appurtenant, or, if for other purposes, the place where such water is put to beneficial use, is as follows: 2.86 acres in the Southeast quarter of Northeast quarter of Section Thirty-one; 2.94 acres in the Northeast quarter of Northwest quarter; 8.05 acres in the Northwest quarter of Northwest quarter and 2.99 acres in the Southwest quarter of Northwest quarter of Section Thirty-two, Township Three North, Range Thirty-three East of Willamette Meridian, in Umatilla County, Oregon.

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

This certificate is issued to confirm a change in point of diversion approved by an order of the WR Director entered 7-27-98, pursuant to transfer application 3933.

The issuance of this certificate does not confirm ... etc

of April , 1920.

STATE WATER BOARD

(SEAL OF 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 2749

53645

T-3936 T-3923 T-3922 T-3921

P.O.D. → 1450' N. & 560' E. from the W 1/4 Cor. Sec 32
(Lot 2 (NW 1/4) Sec 32, T. 3 N., R. 33 E., W 1/4)

in lot 1 (NE 1/4 NW 1/4) Sec 32, T 3N, R 33E, 11M.
240' S. & 150' E from the NW Cor, Sec 32.

12890

RECEIVED

JUN 2 1978

WATER RESOURCES DEPT.
SALEM, OREGON

IN THE _____ COURT OF THE
STATE OF OREGON FOR UMATILLA COUNTY

AFFIDAVIT OF
PUBLICATION OF

Equity
Law

} No. _____

STATE OF OREGON, } ss.
County of Umatilla

I, Beverly Krosting being first duly
sworn, depose and say that I am the principal clerk of the publisher of the East
Oregonian, a newspaper of general circulation, as defined by ORS 193.010
and 193.020; printed and published at Pendleton in the aforesaid county and
state; that the EO- 716 Notice of water right transfer application
no. 3933

a printed copy of which is hereto annexed, was published in the entire issue
of said newspaper for 3 successive and consecutive insertion in
the following issues:

May 17th, 24th & 31st., 19 78

Beverly Krosting

Subscribed and sworn to before me this 31st day of

May, 19 78

Patricia A. Carpenter

Notary Public of Oregon

MY COMMISSION EXPIRES
SEPT. 8, 1980

EO-716
NOTICE OF WATER
RIGHT TRANSFER
APPLICATION NO. 3933
Notice is given hereby that an
application has been filed in the of-
fice of the Water Resources Direc-
tor by Joe Dean and Betty A.
Oliver for approval of a change in
point of diversion from Wild Horse
Creek, pursuant to the provisions
of ORS 540.510 to 540.530.
The certificate recorded at page
2749, Volume 4, State Record of
Water Right Certificates, in the
name of G.W. Chamberlain, de-
scribes a right which includes the
use of not to exceed 0.02 cubic foot
per second from Wild Horse Creek
for irrigation of a certain 1.26 ac in
NW1/4 NW1/4 and 0.03 ac in SW1/4
NW1/4 of Sec 32, T 3N, R 33E, WM,
with a date of priority of April 20,
1915.
The authorized point of diver-
sion for said right is located 240 ft
S & 1560 ft E from the NW Corner
of Sec 32, being within the NE1/4
NW1/4 of Sec 32, T 3N, R 33E, WM.
The applicants herein, owners of
the lands above described, pro-
pose to change the point of diver-
sion therefrom, without loss of
priority, to a point located 1150 ft S
& 400 ft E from the NW Corner of
Sec 32, being within the NW1/4
NW1/4 of Sec 32, T 3N, R 33E, WM.
All persons interested are
notified hereby that a hearing will
be held at the county courthouse at
Pendleton, Oregon, on July 12,
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 Joe Dean & Betty
A. Oliver, Star Route, Box 310,
Pendleton, OR 97801; 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 APPLICA-
TION MAY BE APPROVED BY
THE WATER RESOURCES
DIRECTOR WITHOUT A HEAR-
ING. Instructions regarding the
filing of a protest will be furnished
by the Water Resources Depart-
ment upon request.
Dated at Salem, Oregon, this
11th day of May, 1978.
James E. Sexson
Director
May 17, 24, 31, 1978