

Name William H. Pledger

4292

DESCRIPTION OF WATER RIGHT

By _____
Address Robert Star Route, Box 100
Prineville, OR 97754

Name of stream Crooked River

Trib. of _____ County of Crook

Use irrigation

Quantity of water _____ No. of acres _____

Name of ditch _____

Date of priority Feb 28, 1909

In name of S.S. Stearns

_____ Adjudication, Vol. _____, page _____

App. No. 533 Per. No. E-39 Cert. No. 2928

Certificate cancelled _____

Notation made on record by _____

Change in POD

Date filed Sept 7, 1979

Date of hearing Feb 6, 1980

Place of hearing Prineville

Date of order 2-14-80 Vol. 33, page 6

Date for application of water 10-1-81

Proof mailed _____

Proof received _____

Certificate issued JUN 7 1983 Vol. 46, page 51560

to Survey 3/80

REMARKS

W.R. I S.	
Assembled	<u>3-21-85</u> by <u>SDA</u>
Entered	_____ by _____
Verified	_____ by _____

FEES PAID

Date	Amount	Receipt No.
<u>9-7-79</u>	<u>35⁰⁰</u>	<u>13993</u>
<u>12-4-79</u>	<u>20⁰⁰</u>	<u>15215</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

*EX 20 -
POD 15 -
35 -*

INDEX CARDS:

Entered

Checked

TO BE ENTERED WHERE CHECKED	☒	Name	<u>leg</u>	_____
	☒	Stream	<u>leg</u>	_____
	☒	Pt. of Div.	<u>leg</u>	_____
	☒	Calendar	<u>leg</u>	_____
	☒	Twp. & Rge.	<u>5126</u>	_____
	☒	Decree-vault	_____	_____
	☒	Decree-safe	_____	_____
	☒	Cert. of W/R	<u>SP4</u>	_____
	☒	Per. Folder	<u>leg</u>	_____
	☒	Chainindex	<u>leg</u>	_____
	☒	Cross Ref.	_____	_____
	☒	Power Claim	<u>leg</u>	_____
	☒	Abstracts	<u>leg</u>	_____

420

5
30
36
31

R.15E.
R.16E.

CROOKED RIVER

RICE-BALDWIN DITCH

TR. NO. S-93

PERMIT E-39

5260'

1960'

1550'

ORE. HWY 27

MAIN CANAL

STEPPED

OLD

T.15S.
T.16S.

FINAL PROOF SURVEY
UNDER

TRANSFER NO'S 3676 & 4292

Application No. Permit No.
IN NAME OF

WILLIAM H. PLEDGER

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

TRANSFER NO'S 3676 & 4292
Application No. Permit No.
IN NAME OF

WILLIAM H. PLEDGER

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

STATE OF OREGON

COUNTY OF

CROOK

CANCELED

CERTIFICATE OF WATER RIGHT

This Is to Certify, That WILLIAM H. PLEDGER

of Robert Star Route, Box 100, Prineville, State of Oregon 97754, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Crooked River

a tributary of Deschutes River for the purpose of irrigation of 50.0 acres

under Permit No. E-39 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 rights hereby confirmed dates from February 28, 1909

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 0.63 cubic foot per second if available at the original point of diversion; SE 1/4 NE 1/4, Section 36, T15S, R15E, WM, South 9 degrees 20 minutes West, 28.55 chains from NE Corner, Section 36.

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SW 1/4 SE 1/4, Section 1, T16S, R15E, WM; 100 feet North and 1,500 feet West from SE Corner, Section 1

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,

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: 12.0 acres SW 1/4 SE 1/4
38.0 acres SE 1/4 SE 1/4

Section 25
Township 15 South, Range 15 East, WM

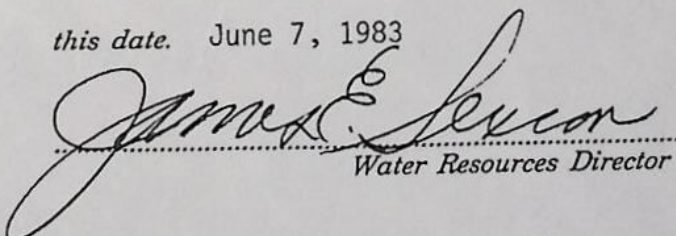
This certificate is issued to confirm a change in point of diversion approved by an order of the Water Resources Director entered February 14, 1980 and supersedes certificate of water right recorded at page 2928, Volume 4, State Record of Water Right Certificates.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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. June 7, 1983


Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 46, page 51560
Canceled Sp.Or.Rec.Vol. 47 p. 320

5096B

Superseded by
Cert. No. 65326

T-6192 Δ P0D

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON
CROOK COUNTY

IN THE MATTER OF THE APPLICATION)
OF WILLIAM H. PLEDGER FOR APPROVAL)
OF A CHANGE IN POINT OF DIVERSION)
OF WATER FROM CROOKED RIVER)
- - - - -

ORDER APPROVING
TRANSFER NO. 4292

On September 7, 1979, an application was filed in the office of the Water Resources Director by William H. Pledger for approval of a change in point of diversion from Crooked River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 2928, Volume 4, State Record of Water Right Certificates, in the name of S. S. Stearns, describes a right for the use of not to exceed 0.63 cubic foot per second from Crooked River for irrigation of a certain 12.0 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ and 38.0 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 25, Township 15 South, Range 15 East, W.M., with a date of priority of February 28, 1909.

Water for the said right is diverted from a point located South 09 degrees 20 minutes West, 28.55 chains from the Northeast Corner of Section 36, being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36, Township 15 South, Range 15 East, W.M.

The applicant herein, owner of the lands above described, proposes to change the point of diversion therefrom, without loss of priority, to 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. (Swart Canyon Ditch).

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 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

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:

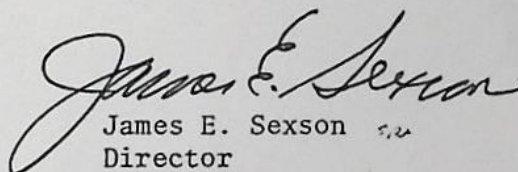
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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, 1981.

2928 It is FURTHER ORDERED that the certificate of water right recorded at page 2982, 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 applicant herein.

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


James E. Sexson
Director

*** OREGON WATER RESOURCES DEPARTMENT ***
 *** WATER RIGHTS DIVISION ***
 *** WATER RIGHT DATA INPUT FORM ***

WATER RIGHT NO. 1000042921 PERMIT NO. 000E39 CERTIF. NO. 0051560
 ORIG. NO. A000005331 PREV. NO. A000005331 SUPER. NO.

NAME: WILLIAM H. PLEDGER

ADDRESS: ROBERT STAR RT, BOX 100

CITY/STATE/ZIP/COUNTY: PRINEVILLE, OR 97754

07

STREAM-ID 05 1980 1170

RIV. MI.

WM. DIST. 11 W.R. TYPE SA STATUS V

CANCEL YEAR--->

CONSTR. COMPLT--->

YR. LAST USED----->

NEXT ACTION DUE-->

PRIORITY-----> 02 28 1909

PUT TO USE----->

LAST TRANS. DATE-->

LAST TRANS. TYPE-->

APPLICATION---> 09 07 1979

SURVEYED-----> 04 07 1980

EXAM. FEE-----> 20.00

RECORDING FEE-----> 15.00

PERMIT ISSUE--> 02 14 1980

CONCURRENCE----->

CYCLE STATUS----->

REPORTED FLAG----->

CONSTR. STRT.---> 02 14 1980

CERTIFIED-----> 06 07 1983

CORRES. INIT.----->

CORRES. DATE----->

POINT-OF-DIVERSION DATA;
 TWP/SP RGE SECT QTR/QTR STREAM-ID

RIV. MI.

RATE

STATUS S OR P

160S 150E 01 D C 05 1980 1170

0.630

V

P

** REMARKS;----->
 ** DATED-->

** POD: 100' N & 1500' W FM SE

** COR S L. CHANGES POD ALL OF

** C-2928.

PLACE-OF-USE DATA:
 TWP/SP RGE SECT QTR/QTR CNTY USE % CNSMTV ACRES STATUS S OR P

150S 150E 2S D C 07 1R 100 12.00 V P

D D

38.00

**----->

**----->

**----->

**----->

W.R.I.S.

Assembled 3-21-85 by SCH

Entered _____ by _____

Verified _____ by _____

: POD
POU
USE
Add'l POD

NOV 10 1980
WATER RESOURCES DEPT
SALEM, OREGON

County *Crook*

1. Name William H. Pledger
Address Robert Star Route, Box 100, Prineville, OR 97754

2. Source of Supply Crooked River, Trib of

3. Use irrigation of

4. Amount of Water 0.63 cfs Priority Date Feb 28, 1909

5. Proposed Point of Diversion 100 ft N & 1500 ft W From the SE corner of Section 1, being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1, T16S, R15E, U.M.

6. Completion Date 10-1-81

7. Place of Use:

[illegible]

Info: Mr. Pledger

DN: Stearns Dam, 150' long x 5' dp
Headgate - 48" oval cnp (48" wide)

Use: From dam, water runs in ditch northerly, crosses the river in a pipe,
then is used to flood the Pledger land west of the river.

Tie: PTS 11-1979-A surveyed 7-19-79

Notes: Dam still in use as described above

See Cr. Riv. Direct Form unit report for
Pledger

4-28-80
Larry H. Funn
Field Engineer

1979

DEC 1979

WATER RESOURCES DEPT

WATER RESOURCES DEPT
SALEM, OREGON

SALEM, OREGON

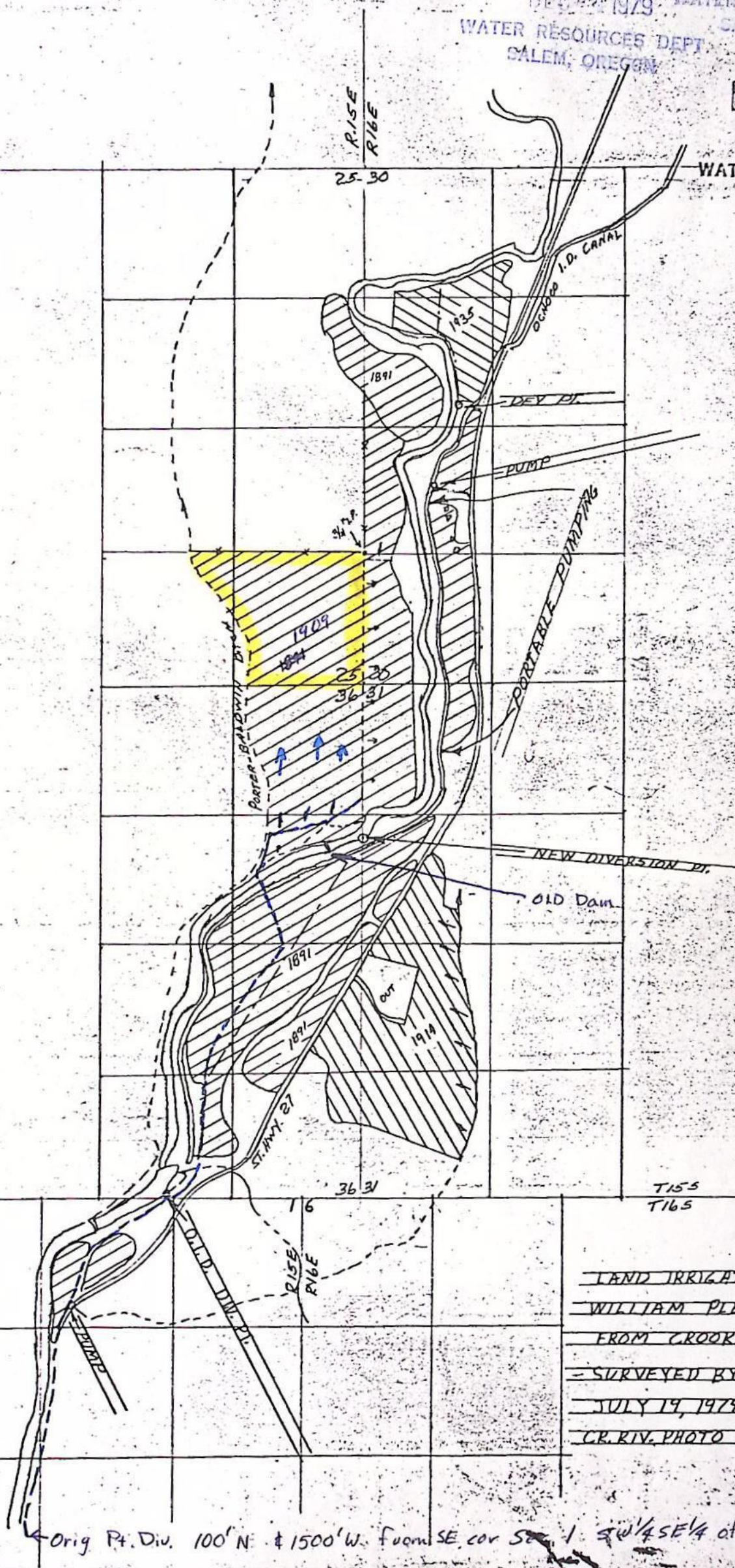
RECEIVED

JUL 25 1979

WATER RESOURCES DEPT

SALEM, OREGON

T-4292



LAND IRRIGATED BY
WILLIAM PLEDGER
FROM CROOKED RIVER
- SURVEYED BY L.H. NUNN
JULY 19, 1979
CR. RIV. PHOTO 153-15 & 16 E

← Orig. Pt. Div. 100' N. & 1500' W. from SE cor sec 1 SW 1/4 SE 1/4 of sec 1 T16SR15E

Pledger, William H. & Felicia

Cracked River Project

15-15-25 SW NE
 5 1/2 SE
 - 36 E 1/2 NE
 SW NE
 SE 1/4
 15-16-30 NW 1/4
 W 1/2 SW 1/4
 - 31 W 1/2 NW 1/4
 W 1/2 SW 1/4
 16-15-1 NW 1/4 NE 1/4

version 25 Stearns Dam, 150' long x 5' dp. Headgate - 48" comp oval,
 48" of wide dimension.

Ochoa I.D. Headworks, then pump from O.I.D. canal.

The other two points pump directly from the river.

mp 5: 2x Century 15 Hp @ 3500

Pacific CDD 3x2

Century 7 1/2 Hp @ 3450

Pacific CDD 4x3

2x Marathon 25 Hp @ 3510

Cornell CDD 4x3

Century 5 Hp @ 3450

Pacific CDD 4x3 (Volume)

Century 25 Hp @ 3510

Pacific CDD 5x4 (450 gpm @ 124)

facts: 3/16 nozzels, runs about 275 or more. He has much more
 equipment.

marks: All of the land on the east side of the river is
 sprinkled. The land on the west side is flooded.

Mr. Pledger is claiming 3 priorities. The land
 west of the highway is all 1891 (with 1914 suppl.) except
 for the NW 1/4 of sec. 30, between the O.I.D. canal and
 the river which is 1935 (with 1914 suppl.). The land east
 of the highway is 1914.

On the land east of the highway, Mr. Pledger has
 cleared more land which he intends to include under
 the 1914 water.

Cr. Riv. 15S - 15E 16E

7-19-79
 Larry D. Quinn
 Field Engineer

REPORT ON INSPECTION UNDER TRANSFER
OF WATER RIGHT FOR CHANGE IN: ☒ POD
☒ POU
☒ USE
Add'l POD

Transfer NO. 3676 ~~433pb~~

County Cook

Old Certificate NO. 64

1. Name William H. Plocher

Address Robert Stas Rt, Bannock, Idaho 8797154

2. Source of Supply Crooked River, Trib of

3. Use irrigation of 1872

4. Amount of Water 3.13 ~~3.34 cfs~~ Priority Date 1991

5. Proposed Point of Diversion (1) 1550'S 40' W from E corner SE NE

(2) 5260'S 1960' W from N corner SW SE, Sec 36

T15S, R15E, 10M

6. Completion Date 10-1-77

7. Place of Use:

Township	Range	Section	Forty Acre Tract	Use for Which Transfer Made
15S	16E	30	SW NW	24 <u>10.9</u>
		30	NW SW	17 <u>15.4</u>
		30	SW SW	26.4 <u>22.7</u>
		31	NW NW	22.0 <u>18.0</u>
		31	SW NW	4 <u>7.9</u>
15S	15E	36	NENE	30.4 <u>32.4</u>
			SW NE	17 <u>0.0</u>
			SE NE	21 <u>24.4</u>
			NENE	21.1 <u>28.0</u>
			NW SE	9.5 <u>8.2</u>
			SW SE	1.5 <u>6.4</u>
			SE SE	4.2 <u>3.0</u>
16S	15E	Sec 1	NE NW	1.5 <u>8.0</u>
				<u>200.0</u> <u>187.7</u>

Info: Mr. Pledger

Stearns Dam, 150' long x 5' dp - Headgate - 48' circ oval (48' wide)
OLD ~~by~~ Headworks, then pump from OLD canal
#3 pump from river

ups: 2x Century 15 Hp @ 3500

Pacific CDP 3x2

Century 5 Hp @ 3450

Pacific CDP 4x3 (Volume)

Century 7 1/2 Hp @ 3450

Pacific CDP 4x3

Century 25 Hp @ 3510

Pacific CDP 5x4 (450 gpm @ 124')

2x Marathon 25 Hp @ 3510

Cornell CDP 4x3

eds: 3/16 nozzles, runs about 275 or more - He has more equip

marks: All of the land on the east side of the river is sprinkled. The
land on the west side is flooded.

The Stearns Dam covers the land in the NE NW, sec. 1 & the land
west of the river. The OLD canal covers the land in the W 1/2 SW 1/4, sec. 30,
& NW 1/4 NW 1/4, sec. 31, East of the canal. The river & pump covers the rest
of the land east of the river.

S & Cr. Riv. Photo for land, OLD div & riv. div. PFS 11-1979-A for Stearns
Dam.

See info from F.P. survey 7-19-79. Re-inspected 4-7-80 by asst. Wm
with no apparent change

4-7-80

Larry D. Furrer
Field Engineer

RECEIVED
FEB 26 1980
WATER RESOURCES DEPT
SALEM, OREGON

NOTICE OF COMPLETION OF CHANGE IN

Point of diversion of water from Crooked River
PURSUANT TO TRANSFER APPLICATION NO. 4292

I, WILLIAM H REDGER, 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 2-25-, 1980

2-25-1980
Date

William H Redger
Signature

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

ok
Jix

35⁰⁶

RECEIVED

RECEIVED

DEC - 4 1979

SEPT - 1979

WATER RESOURCES DEPT WATER RESOURCES DEPT
SALEM, OREGON SALEM, OREGON

Application for Transfer of Water Right

T-4292

To the WATER RESOURCES DIRECTOR OF OREGON:

I, William H. Pledger

(Name of applicant)

of Robert Star Rt. Box 100

(Mailing address)

Prineville

(City)

State of Oregon97754

(Zip Code)

447-5982

(Phone number)

do hereby make application for change

Point of div.

(In point of diversion; place of use; use heretofore made of the water)

1. Is the water right recorded in your name? No S.S. Stearns

(If not, give name)

2. Was your water right determined by Decree of Court? No If so, give title of proceedings

(Yes or No)

number of certificate

3. Was your water right acquired by Water Right Permit? Yes If so, give number

(Yes or No)

of permit E-39 Number of certificate 2928

NOTE: If the entire right of record is not directly involved in the requested change, only that part of the right that is directly involved should be considered in answering the balance of the questions on this form.

4. The source of water is Crooked River trib of Deschutes River5. What is the date of priority of your water right? Feb 28, 1909N. 90° 20' E. 28.55 chains to the Cor of sec. 25 & 36

6. The authorized point of diversion is located _____ ft. _____ and _____ ft. _____ from the _____

(N. or S.)

(E. or W.)

corner of _____ being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 36 Tp. 15 S R. 15 E W. M.,

(No. N. or S.)

(No. E. or W.)

in the county of Creek The name of the ditch used is _____

NOTE: Answer question if the application is for change in point of diversion.

7. The proposed point of diversion is located 100 ft. N and 1500 ft. W from the SE

(N. or S.)

(E. or W.)

corner of Sec 1 being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 1 Tp. 16 S R. 15 E W. M.,

(No. N. or S.)

(No. E. or W.)

in the county of Creek The name of the ditch to be used is Swart Payton Ditch

8. The use to which the water is applied is Irrigation
(Irrigation, Mining, Power, Manufacturing, etc.)

Location of area irrigated, or place of use if other than irrigation:

Township North or South	Range E. or W. of Willamette Meridian	Section	List 1/4-1/4 of Section	Number Acres To Be Irrigated
15 S	15 E	25	SW 1/4 SE 1/4	12 ⁰⁰
			SE 1/4 SE 1/4	38 ⁰⁰

(If more space required, attach separate sheet)

9. Are you the legal owner of the above described lands? Yes
(If not owner, explain your interest)

10. To your knowledge, has any portion of the water right above described undergone a period of five or more consecutive years of nonuse? No
(Yes or No)

NOTE: Answer questions 11, 12 and 13 if application is for change in use or place of use.

11. Are the lands from which you propose to transfer your water right free of all encumbrances, including taxes, mortgages, liens, etc.? No
(Answer Yes or No)

12. If not, give below a description of existing encumbrances:

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT
Mortgage Harry I Stearns Est.	Stearns Est.	68,000 ⁰⁰

13. The use to which the water is to be applied is Irrigation
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

Location of area to be irrigated, or place of use if other than irrigation:

Township North or South	Range E. or W. of Willamette Meridian	Section	List 1/4-1/4 of Section	Number Acres To Be Irrigated

(If more space required, attach separate sheet)

14. Reasons for the proposed changes are Dam has been gone for many years
and has been irrigated from the new pod ~~and~~

15. Construction work will be completed on or before Sept 6, 1979

16. The water will be completely applied to the proposed use on or before Sept 6, 1979

Remarks

NOTE: THIS APPLICATION MUST BE ACCOMPANIED BY A MAP OR MAPS SHOWING THE BEFORE AND AFTER LOCATIONS OF THE POINT OF DIVERSION AND/OR PLACE OF USE, AS THE CASE MAY BE.

AFFIDAVIT OF APPLICANT

I, William H. Bridger, the applicant herein, being first duly sworn, depose and say that I have read the above and foregoing application for transfer of water right; that I know the contents thereof and that the statements therein made are true and correct to the best of my knowledge and belief.

In Witness Whereof, I have hereunto set my hand this 6 day of Sept, 1979

William H. Bridger
(Name of applicant)

Subscribed and sworn to before me this 6TH day of Sept, 1979

[Notarial Seal]

W. C. Kauff
NOTARY PUBLIC FOR OREGON

My commission expires 4-01-83

THIS APPLICATION PREPARED BY:

Dwene Clark
FROM INFORMATION FURNISHED BY
THE APPLICANT.

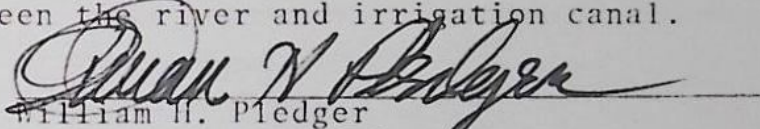
T-4292
T-3676

A F F I D A V I T

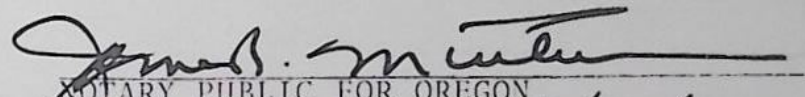
WATER RIGHTS DEPT.
SALEM, OREGON

STATE OF OREGON)
) ss.
County of Crook)

I, WILLIAM H. PLEDGER, being first duly sworn, depose and say that I am the owner of the following described lands: as shown on the transfer map and the water rights appurtenant thereto, which is for the use of not to exceed 1/60 of one cubic foot per second per acre of the waters of the Crooked River, a tributary of the Deschutes River, for the irrigation as noted on Transfer #3676, with a date of priority of 1891, as evidenced by Decree of water right issued in the name of S. S. Stearns and recorded at Volume 1, Page 453, Crooked River Decree, or Volume 1, Page 664, State Record of Water Right Certificates; that I have abandoned any and all interest as shown on T-3676. The lands to be abandoned is located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ and SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 36, Township 14 South, Range 15 E.W.M., the described property being between the river and irrigation canal.


William H. Pledger

SUBSCRIBED AND SWORN to before me this 3rd day of Dec.,
1979.


NOTARY PUBLIC FOR OREGON
My Commission Expires: 3/31/81



STATE OF OREGON

INTEROFFICE MEMO

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: Dec 11, 1979FROM: ** Robert F. Main, Jr., Watermaster

RECEIVED

DEC 19 1979

SUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4292WATER RESOURCES DEPT
SALEM, OREGONIN THE NAME OF William H. Pledger

In my opinion the proposed change in POD of water from Crooked River
MAY BE MADE WITHOUT INJURY WOULD RESULT IN INJURY* to an existing water right.

Headgate notices HAVE HAVE NOT been issued for diversion from the sources which serves this right.

If for change in point of diversion, is there any intervening point of diversion between the authorized and the proposed points of diversion? Yes
(yes or no)

In my opinion, the order approving the subject transfer application should include the following in regard to the appropriator installing suitable measuring devices in the diversion works:

- (1) PRIOR to the diverting of water at the new point of diversion . . .
 X (2) When in the judgment of the watermaster it becomes necessary . . .

* The approval of this transfer application would result in injury to other water rights because _____

**

Watermaster's signature or initials