

r/ G. Helm & Gil Helm

P.O. Box 967
a Grande, OR 97850

POD

Jan 25, 1979

hearing May 10, 1979

hearing La Grande

order 1-28-80 Vol. 32, page 673

application of water 10-1-81

nailed

received

cate issued FEB 25 1980 Vol. 42, page

FEB 24 1989

FEB 24 1989

Surveyed 7-9-84

4145

DESCRIPTION OF WATER RIGHT

Name of stream Catherine Creek

Trib. of County of Union

Use

Quantity of water No. of acres 118⁶⁵

Name of ditch Wright-Hempe-Hutchinson

Date of priority 1891, Aug 25, 1961

In name of Mac Wood & R.A. Wilkerson ; Carl G. Helmick

Grande Ronde Riv. Adjudication, Vol. 8, page 106

App. No. 37032 Per. No. 28795 Cert. No. 31644

Certificate cancelled

Notation made on record by

REMARKS

W. R. I. S.

Assembled 7-18-75 2/1

Entered _____ by _____

Verified _____ by _____

FEES PAID

Date	Amount	Receipt No.
1-25-79	35-	8753
2-15-79	50-	9141
TOTAL . . .		
	☐ Cert. Fee	

The Observer 40.2 pd 4-30-79 U# 3319

FEES REFUNDED

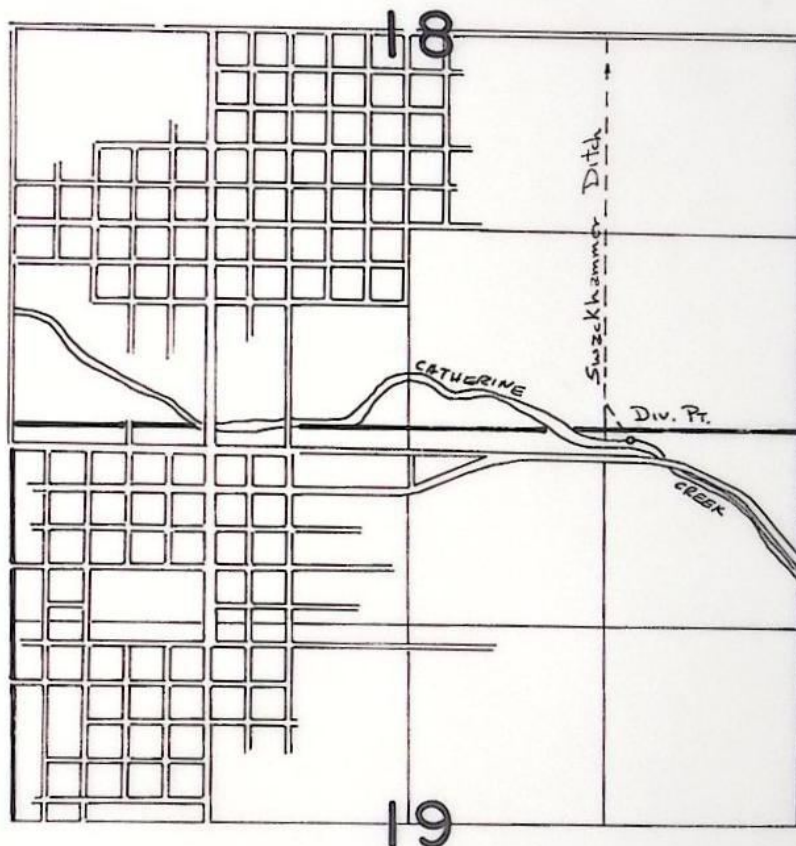
Date	Amount	Check No.
4-30-79	10 ⁰⁰	3321

EX 20 -
POD 15 -
POD 40 -
15 -

TO BE ENTERED WHERE CHECKED	INDEX CARDS:	Entered	Checked
☒	Name	<i>Jcy</i>	☐
☒	Stream	<i>Jcy</i>	☐
☐	Pt. of Div.	☐	☐
☒	Calendar	<i>Jcy</i>	☐
	CHECKED TO RECORDS:		
☒	Twp. & Rge.	<i>WSD</i>	☐
☒	Decree-vault	<i>WSD</i>	☐
☒	Decree-safe	<i>SPB</i>	☐
☒	Cert. of W/R	<i>Jcy</i>	☐
☒	Per. Folder	<i>Jcy</i>	<i>WSD</i>
☐	Chaindex	☐	☐
☐	Cross Ref.	☐	☐
☒	Power Claim	<i>Jcy</i>	☐
☐	Abstracts	☐	☐

CCB

T. 4S., R. 40E., W. M.



SCALE: 1" = 1320'

Div. Pt. LOCATED 60'S. & 1150'W. FROM NE COR. SEC. 19

FINAL PROOF SURVEY
UNDER

TRANSFER 4145

IN NAME OF

.....CARL G. & GILHELM.....

Surveyed ..7.-9..... 1984, by V.L. CHURCH.....

STATE OF OREGON
COUNTY OF UNION
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CARL G. AND GIL HELM
P.O. BOX 967
LAGRANDE, OREGON 97850

confirms the right to use the waters of CATHERINE CREEK, a tributary of GRANDE RONDE RIVER, for the purpose of THE SUPPLEMENTAL IRRIGATION OF 60 ACRES.

The right has been perfected under Permit 28795. The date of priority is AUGUST 25, 1961. The right is limited to not more than 1.5 CUBIC FEET PER SECOND, IF AVAILABLE AT THE ORIGINAL POINT OF DIVERSION; WRIGHT-HEMPE-HUTCHINSON DITCH, SE 1/4 SE 1/4, SECTION 13, T 4 S, R 39 E, W.M. or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

NE 1/4 NE 1/4, SECTION 19, T 4 S, R 40 E, W.M.; SWACKHAMMER DITCH-60 FEET SOUTH AND 1150 FEET WEST FROM NE CORNER SECTION 19.

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-FORTIETH 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 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year, AND THE RIGHT TO USE OF WATER IS LIMITED TO THE PERIOD WHEN THE FLOW OF THE LOWER GRANDE RONDE RIVER IS MORE THAN 300 C.F.S. AT U.S.G.S. GAGE NO. 3325 AND MORE THAN 420 C.F.S. AT THE OREGON-WASHINGTON BORDER.

The right 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, and to which such right is appurtenant, is as follows:

SEE NEXT PAGE

SW 1/4 NE 1/4 40 ACRES
SE 1/4 NE 1/4 20 ACRES
SECTION 12
TOWNSHIP 4 SOUTH, RANGE 39 EAST, W.M.

Recorded in State Record of Water Right Certificates numbered
T-4145.TES

STATE OF OREGON
COUNTY OF UNION
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CARL G. AND GIL HELM
P.O. BOX 967
LAGRANDE, OREGON 97850

confirms the right to use the waters of LITTLE CREEK AND CATHERINE CREEK, a tributary of THE GRANDE RONDE RIVER, for the purpose of THE PRIMARY AND SUPPLEMENTAL IRRIGATION OF 58.65 ACRES.

The right has been confirmed by decree of the Circuit Court of the State of Oregon for UNION County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 8, at page 1. The date of priority is 1891 FROM LITTLE CREEK FOR PRIMARY IRRIGATION AND 1905 FROM CATHERINE CREEK FOR SUPPLEMENTAL IRRIGATION.

The right is limited to not more than THREE ACRE FEET PER ACRE IN ANY IRRIGATION SEASON, DIVERTED AT A RATE OF NOT TO EXCEED ONE-FORTIETH OF A CUBIC FOOT PER SECOND PER ACRE, IF AVAILABLE AT THE ORIGINAL POINT OF DIVERSION HEMPE-WRIGHT-HUTCHINSON DITCH.

The points of diversion are located as follows:

SE 1/4 NE 1/4, NE 1/4 NE 1/4, SECTION 13, T 4 S, R 39 E, W.M.; LITTLE CREEK-DOBBIN DITCH, CATHERINE CREEK-SWACKHAMMER DITCH, 60 FEET SOUTH AND 1150 FEET WEST FROM NE CORNER SECTION 19.

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

NE 1/4 NE 1/4 19.55 ACRES
NW 1/4 NE 1/4 39.10 ACRES
SECTION 12
TOWNSHIP 4 SOUTH, RANGE 39 EAST, W.M.

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered JANUARY 28, 1980, and together with certificate 49084, supersedes certificate 6644, 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 above purpose is restricted to beneficial use on the lands or place of use described and shall be subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director,
affixed this date .

Water Resources Director

Recorded in State Record of Water Right Certificates numbered
T-4145.TES

This certificate is issued to confirm a change in POINT OF DIVERSION approved by an order of the Water Resources Director entered JANUARY 28, 1980 and supersedes certificate 31644, 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 above purpose is restricted to beneficial use on the lands or place of use described. The right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed this date .

Water Resources Director

Recorded in State Record of Water Right Certificates numbered

T-4145

7-9-84 vcc
 ACH-1/11-46

: POD
POU
USE
Add'l POD

County Union

1. Name Carl G. Helm & Gil Helm
Address P.O. Box 967, La Grande, OR 97850

2. Source of Supply ⁽²⁾ Catherine Cr., ⁽¹⁾ Little Cr., Trib of _____

3. Use irrigation

4. Amount of Water (a) 1.5 cfs Priority Date ⁽¹⁾ 1891 ⁽²⁾ March, 1905

5. Proposed Point of Diversion $S 86^{\circ} 30' W$, ~~1000~~ ¹¹⁵⁰ ft from NE Cor
of Sec 19, w/in NE $\frac{1}{4}$ NE $\frac{1}{4}$, Sec 19, T4S, R40E,
W.M. (Swackhammer Ditch)

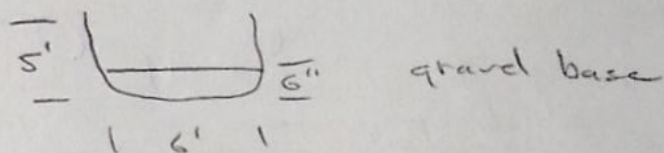
6. Completion Date 10-1-81

7. Place of Use:

[illegible]

200 gpm
1.1 nozzle roll 132

Carl G. & Gil Helm P.O. Box 967 LaGrande Or
Mr Helm claims he floods and pumps from the
Swackhammer ditch. The ditch has to 2-4' screwgates.



His pumping pond is 100' x 50' 15' deep with 200 HP CDD

TIE: 2972

July 9, 1984

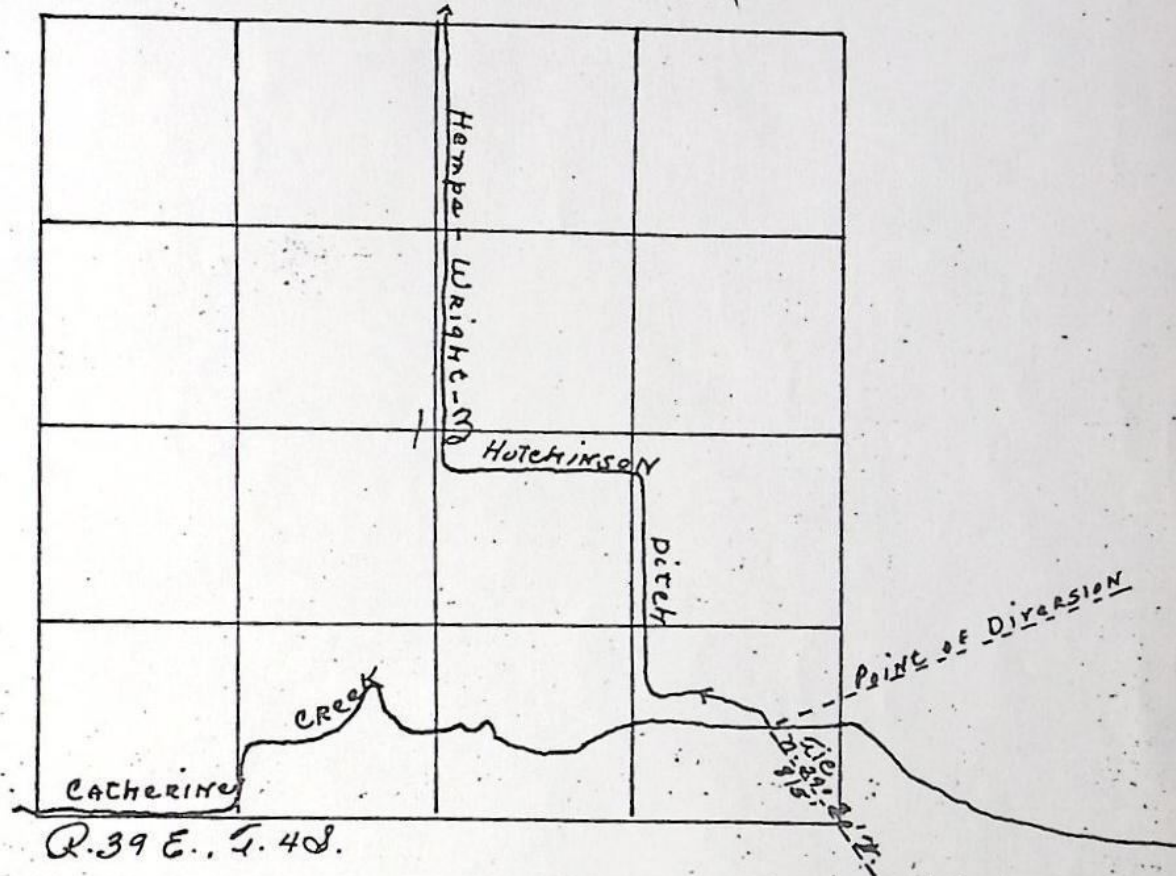
Vernon L Church
WRE.

T-4145

RECEIVED

JAN 25 1979

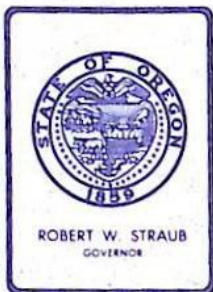
WATER RESOURCES DEPT.
SALEM, OREGON



RECEIVED

JAN 25 1979

WATER RESOURCES DEPT.
SALEM, OREGON



Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066

February 25, 1980

Carl G. Helm & Gil Helm
P.O. Box 967
La Grande, Oregon 97850

RE: File No. T-4145

Gentlemen:

The notice of completion of works and use of water under the provisions of the order of the Water Resources Director approving water right transfer application No. 4145, for a change in point of diversion of water from Catherine Creek, was received and, in line with the general practice of this office, a survey will be made at a later date.

Sincerely,

Samuel R. Allison
Supervisor
Transfer Section

SRA:lcj
cc: H. Boyd Hadden, Watermaster

COPY

BOOK

3 PAGE 648

STATE OF OREGON

5183

COUNTY OF UNION

CERTIFICATE OF WATER RIGHT RECEIVED

This Is to Certify, That CARL G. HELM, JR.

JAN 25 1979

WATER RESOURCES DEPT.
SALEM, OREGON

of West-Jacobson Building, La Grande, 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
Catherine Creek

a tributary of Grande Ronde River
irrigation of 60 acres (supplemental)

for the purpose of

under Permit No. 28795 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 25, 1961,

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
1.5 cubic feet 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 SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 13, T. 4 S., R. 39 E., W. M.

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-fortieth 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 the right to use of water is limited to
the period when the flow of the Lower Grande Ronde River is more than 300 c.f.s.
at USGS Gage No. 3325 and more than 420 c.f.s. at Ore-Wash border,

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:

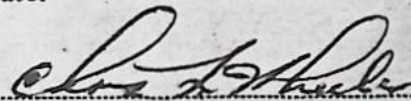
~~40.0 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
20.0 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 12
T. 4 S., R. 39 E., W. M.~~

No RR

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. JUNE 15 1964



State Engineer

Recorded in State Record of Water Right Certificates, Volume 23, page 31644 60399

INDEX

5183

CERTIFICATE OF WATER RIGHT

STATE OF OREGON

to

STATE OF OREGON,

County of Union } ss.

I CERTIFY, that the within was received
and duly recorded by me in Volume 3
of Record of Water Right Certificates, at
page 648 on the 22nd day
of June, 1964
at 1:30 P.M.

DELORIS C. HICKS

County Clerk

By Lucille Courtney
Deputy

RECEIVED
JUN 23 1964
CLERK OF DISTRICT COURT
JUN 23 1964
JUN 23 1964

CARL G. HELM, SR. 1881-1948
CARL G. HELM
ERIC W. VALENTINE

HELM & VALENTINE
LAWYERS
1215 WASHINGTON AVE.
LA GRANDE, OREGON 97850
February 12, 1980

POST OFFICE BOX 967
TELEPHONE:
AREA CODE 503
963-3104

RECEIVED

FEB 14 1980

WATER RESOURCES DEPT
SALEM, OREGON

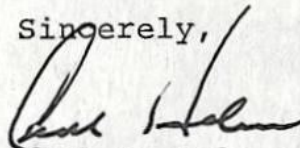
Mr. Samuel R. Allison
Supervisor, Transfer Section
Water Resources Department
555 - 13th Street N.E.
Salem, Oregon 97310

Your Reference: File No. : T4145

Dear Mr. Allison:

Attached is the Notice of Completion of Change in
Point of Diversion in connection with transfer application
No. 4145.

Sincerely,



Carl G. Helm

CGH/bs

Enclosure

MILLERS FALLS
ERASE
COTTON CONTENT



Water Resources Department
MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066

January 29, 1980

Carl G. Helm
Gil Helm
P.O. Box 967
La Grande, Oregon 97850

RE: File No. T-4145

Gentlemen:

Enclosed is a certified copy of the order of the Water Resources Director approving water right transfer application No. 4145 for a change in point of diversion of water from Catherine Creek.

The time in which to accomplish completion of the works and beneficial use of the water to the extent intended, as authorized by the order, expires October 1, 1981. A form for reporting such completion of works and use of water is enclosed for your convenience.

You should give particular attention to the time limit for carrying out the change authorized by the enclosed order. The water right for any portion of an authorized change in use therefore made or change in place of use NOT carried out within the time allowed, or within an extension thereof, will be lost. An extension of the time limit can be allowed only upon a showing that diligent effort has been made to complete the actual change within the time allowed.

Sincerely,

Samuel R. Allison
Supervisor
Transfer Section

SRA:lcj
cc: H. Boyd Hadden, Watermaster

COPY

T-4145

RECEIVED

JAN 25 1979

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

FEB 15 1979

WATER RESOURCES DEPT.
SALEM, OREGON

Application for Transfer of Water Right

To the WATER RESOURCES DIRECTOR OF OREGON:

XXXX We, Carl G. Helm and Gil Helm (Carl G. Helm, III)
(Name of applicant)of P. O. Box 967, La Grande
(Mailing address) (City)State of Oregon, 97850, 963-3104, do hereby make application for change
(Zip Code) (Phone number)in point of diversion
(In point of diversion; place of use; use heretofore made of the water)

Partially - see copies of

1. Is the water right recorded in your name? certificates attached
(If not, give name)2. Was your water right determined by Decree of Court? yes If so, give title of proceedings
(Yes or No)(See Cert. Vol 7, p. 6644) number of certificate3. Was your water right acquired by Water Right Permit? Yes If so, give number
(Yes or No)of permit 28795 Number of certificate 5183-31644

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 Catherine Creek5. What is the date of priority of your water right? various - see certificates attached
*Cert # 6644 - 1925 & Cert # 31644 - Aug. 25, 1961*6. The authorized point of diversion is located 770 ft. N and 470 ft. W from the S.E.
Sec. 13, 4S,
(N. or S.) (E. or W.)corner of 39 EWM being within the SE 1/4 SE 1/4 of Section 13 Tp. 4S R. 39 E W. M.,
(No. N. or S.) (No. E. or W.)in the county of Union The name of the ditch used is Wright-Hempe-Hutchinson

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

S 86°30' W. 1060 feet

7. The proposed point of diversion is located / ft. and / ft. from the N.E.
Sec. 19, T 4S,
(N. or S.) (E. or W.)corner of R 40 E.W.M. being within the NE 1/4 NE 1/4 of Section 19 Tp. 4S R. 40 E. W. M.,
(No. N. or S.) (No. E. or W.)in the county of Union The name of the ditch to be used is Swackhammer

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 $\frac{1}{4}$ - $\frac{1}{4}$ of Section	Number Acres To Be Irrigated
4 S	39 E	12	SW $\frac{1}{4}$ NE $\frac{1}{4}$	40 Cert # 31644
			SE $\frac{1}{4}$ NE $\frac{1}{4}$	20 Cert # 31644
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	39.10 Cert # 6644
			NE $\frac{1}{4}$ NE $\frac{1}{4}$	19.55 Cert # 6644

(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

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 $\frac{1}{4}$ - $\frac{1}{4}$ of Section	Number Acres To Be Irrigated

(If more space required, attach separate sheet)

14. Reasons for the proposed changes areease of application of water.....

15. Construction work will be completed on or beforenone.....

16. The water will be completely applied to the proposed use on or beforeJuly 1, 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, Carl G. Helm, III, 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 6th day of February, 1979.

Carl G. Helm III
(Name of applicant)

Subscribed and sworn to before me this 6th day of February, 1979.

[Notarial Seal]

Dorothy Ambrose
NOTARY PUBLIC FOR OREGON

My commission expires 2/23/81.

RECEIVED
FEB 15 1979
WATER RESOURCES DEPT.
SALEM, OREGON



Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-8453
T-4145 *1*

January 24, 1980

Carl G. Helm, Jr. and Carl G. Helm III
P. O. Box 967
La Grande, Oregon 97850

Dear Sirs,

Enclosed is a copy of the Water Resources Director's order entered January 16, 1980, canceling a part of the water right as evidenced by Decree of Circuit Court for Union County, entered August 3, 1925, in the Matter of the Determination of the Relative Rights of the Use of the Waters of Grande Ronde River, tabulated at Page 106, Volume 8, Order Record of the Water Resources Director, as authorized by your affidavit submitted on April 19, 1979.

Our records have been changed and that part of the water right will be of no force or effect.

Sincerely,

Myron V. Bish, Supervisor
Adjudication Section

MVB:as

Enclosure

cc: Mr. H. Boyd Hadden, Watermaster District #6
(with copy of order)

COPY

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

UNION COUNTY

IN THE MATTER OF CANCELLATION)
OF A PORTION OF A WATER RIGHT)
IN THE NAME OF MAC WOOD AND)
R. A. WILKERSON)

O R D E R

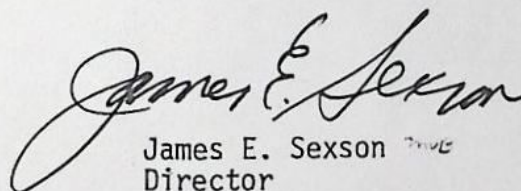
On April 19, 1979, Carl G. Helm, Jr. and Carl G. Helm, III submitted an affidavit that they are the owners of a certain water right and the lands to which the water right is appurtenant; that they have abandoned any and all interest in and to the said water right and request the same be canceled.

The water right in question was established by Decree of Circuit Court for Union County, entered August 8, 1925, in the Matter of the Determination of the Relative Rights to the Use of the Waters of Grande Ronde River, tabulated at Page 106, Volume 8, Order Record of the Water Resources Director in the name of Mac Wood and R. A. Wilkerson, and is a portion of the right described by the certificate recorded at Page 6644, Volume 7, State Record of Water Right Certificates, in the name of Mac Wood and R. A. Wilkerson, and is for the use of not to exceed 1/40 cubic foot per second per acre of water from Little Creek, with a date of priority of 1891, and from Catherine Creek, with a date of priority of 1905, for irrigation of 0.45 acres in W $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ and 0.9 acre in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 12, Township 4 South, Range 39 East, W.M.

ORS 540.621 provides that: "Whenever the owner of a perfected and developed water right certifies under oath to the Water Resources Director that the water right has been abandoned by him and that he desires cancellation thereof, the Water Resources Director shall enter an order canceling the water right."

NOW, THEREFORE, it is hereby ORDERED that the said water right, being a portion of the right described by the certificate recorded at Page 6644, Volume 7, State Record of Water Right Certificates, is canceled.

Dated at Salem, Oregon, this 16th day of January, 1980.


James E. Sexson
Director

RECEIVED

JAN 25 1979

WATER RESOURCES DEPT.
SALEM, OREGON

STATE OF OREGON

COUNTY OF UNION

CERTIFICATE OF WATER RIGHT

This is to Certify, That MAC WOOD and R. A. WILKERSON

of La Grande, State of Oregon has a right to the use of
the waters of Little Creek
for the purpose of Irrigation

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
Union County, and the said decree entered of record at Salem, in the Order
Record of the STATE ENGINEER, in Volume 8, at page 1; that the priority
of the right thereby confirmed dates from 1891

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, diverted at a rate of not to exceed one-fortieth
of a cubic foot per second per acre;

A description of the lands irrigated under such right, and to which the water is appurtenant
(or, if for other purposes, the place where such water is put to beneficial use), is as follows:

~~Forty (40) acres in the Northeast Quarter of the Northeast Quarter (NE $\frac{1}{4}$ NE $\frac{1}{4}$),~~
~~Forty (40) acres in the Northwest Quarter of the Northeast Quarter (NW $\frac{1}{4}$ NE $\frac{1}{4}$),~~
Forty (40) acres in the Northeast Quarter of the Northwest Quarter (NE $\frac{1}{4}$ NW $\frac{1}{4}$),
Section Twelve (12), Township 4 South, Range 39 East of the Willamette Meridian,
being a total of 120 acres.

(NOTE: The above land is also irrigated through Hempe-Wright-Hutchinson ditch
from Catherine Creek under date of March, 1905.)

6644 canceled & RR allowed for in T-4144

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 irrigation purposes is restricted to the lands or place
of use herein described.

WITNESS the signature of the State Engineer,

affixed this 1st day

of November, 1923.

RHEA LUPER
State Engineer.

Recorded in State Record of Water Right Certificates, Volume 7, page 6644.

NOTICE OF WATER RIGHT TRANSFER APPLICATION NO. 4145

Notice is given hereby that an application has been filed in the office of the Water Resources Director by Carl G. Helm and Carl G. Helm, III, for approval of a change in point of diversion from Catherine Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 6644, Volume 7, State Record of Water Right Certificates, in the name of Mac Wood & R. A. Wilkerson, describes a right which includes the use of water from Catherine Cr. for irrigation of 19.55 ac in NE $\frac{1}{4}$ NE $\frac{1}{4}$ & 39.1 ac in NW $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec 12, T 4S, R 39E, WM, with a date of priority of March, 1905.

The certificate recorded at page 31644, Volume 23 of said record, in the name of Carl G. Helm, Jr., describes a right for the use of not to exceed 1.5 cubic foot per second from Catherine Creek for irrigation of 40.0 ac in SW $\frac{1}{4}$ NE $\frac{1}{4}$ & 20.0 ac in SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec 12, T 4S, R 39E, WM, with a date of priority of August 25, 1961.

Water for the said rights is diverted, through the Wright-Hempe-Hutchinson Ditch, from a point located within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec 13, T 4S, R 40E, 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 S 86° 30' W, 1060 ft from the NE Corner of Sec 19, being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec 19, T 4S, R 40E, WM (Swackhammer Ditch).

All persons interested are notified hereby that a hearing will be held at the county courthouse at LaGrande, Oregon on May 10, 1979, 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 Carl G. Helm & Carl G. Helm, III, P.O. Box 967, LaGrande, OR 97850; 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 Dept. upon request.

Dated at Salem, Oregon this 9th day of March, 1979.

James E. Sexson
Director



STATE OF OREGON

INTEROFFICE MEMO

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: Feb. 6, 1979.FROM: ** H. Boyd Hadden, WatermasterSUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4145IN THE NAME OF Carl G. & Gil Helm

In my opinion the proposed change in point of diversion from Catherine Creek
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 _____

RECEIVED

FEB 8 1979

WATER RESOURCES DEPT.
SALEM, OREGON

** H. Boyd Hadden
Watermaster's signature or initials

Affidavit of Publication

STATE OF OREGON, }
COUNTY OF UNION, } ss.

I, Berneva Brazeau, being first duly sworn, depose and say that I am the

principal clerk of **THE OBSERVER**, a newspaper of general circulation as defined by ORS 193.010 and 193.020; printed and published at LaGrande, in the aforesaid county and state; that the . . . Notice of Water Right Transfer . . .

a printed copy of which is hereto annexed was published in the entire issue of said newspaper for . . . 3 . . . successive and consecutive weeks in the following issues: . . . March 16, 23, 30, 1979 . . .

Subscribed and sworn to before me this 30 day of March 19 79

My commission expires August 28, 1981

Notary Public of Oregon

RECEIVED
APR 4 1979
WATER RESOURCES DEPT.
SALEM, OREGON



NOTICE OF WATER RIGHT TRANSFER APPLICATION NO. 4145

Notice is given hereby that an application has been filed in the office of the Water Resources Director by Carl G. Helm and Carl G. Helm, III, for approval of a change in point of diversion from Catherine Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 6644, Volume 7, State Record of Water Right Certificates, in the name of Mac Wood & R.A. Wilkerson, describes a right which includes the use of water from Catherine Cr for irrigation of 19.55 ac in NE 1/4 NE 1/4 & 39.1 ac in NW 1/4 NE 1/4 of Sec 12, T 4S, R 39E, WM, with a date of priority of March, 1905.

The certificate recorded at page 31644, Volume 23 of said record, in the name of Carl G. Helm, Jr., describes a right for the use of not to exceed 1.5 cubic foot per second from Catherine Creek for irrigation of 40.0 ac in SW 1/4 NE 1/4 & 20.0 ac in SE 1/4 NE 1/4 of Sec 12, T 4S, R 39E, WM, with a date of priority of August 25, 1961.

Water for the said rights is diverted, through the Wright-Hempe-Hutchinson Ditch, from a point located within the SE 1/4 SE 1/4 of Sec 13, T 4S, R 40E, 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 S 86° 30' W, 1060 ft from the NE corner of Sec 19, being within the NE 1/4 NE 1/4 of Sec 19, T 4S, R 40E, WM (Swackhammer Ditch).

All persons interested are notified hereby that a hearing will be held at the county courthouse at La Grande, Oregon on May 10, 1979, 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 Carl G. Helm & Carl G. Helm, III, P.O. Box 967, La Grande, OR 97850; 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 Dept. upon request.

Dated at Salem, Oregon this 9th day of March, 1979

James E. Sexson
Director

Publish: March 16, 23, 30, 1979
Legal No. 97

May 2, 1979

Carl G. Helm and Gil Helm
P.O. Box 967
La Grande, Oregon 97850

RE: File No. T-4145

Gentlemen:

The statutory fees and the cost of publication of notice, necessary to your water right transfer application No. 4145, amount to a total of \$75. The total of payments received in connection with the application exceeded this amount by \$10.

Our refund check No. 3321 is enclosed.

Sincerely,

James W. Carver, Jr.
Engineer

JWC:lcj

378-3066

May 2, 1979

The Observer
P.O. Box 1500
LaGrande, Oregon 97850

RE: File No. T-4145

Gentlemen:

Enclosed is our check No. 3319 in the amount of
\$40. in payment of your statement.

Please receipt the enclosed statement and return
it to this office. Thank you.

Sincerely,

James W. Carver, Jr.
Engineer

JWC:lcj

HELM & PETERSEN
LAWYERS

CARL G. HELM, SR. 1881-1948
CARL G. HELM
ROBERT A. PETERSEN

1215 WASHINGTON AVE.
LA GRANDE, OREGON 97850

POST OFFICE BOX 967
TELEPHONE:
AREA CODE 503
963-3104

April 17, 1979

RECEIVED
APR 19 1979
WATER RESOURCES DEPT.
SALEM, OREGON

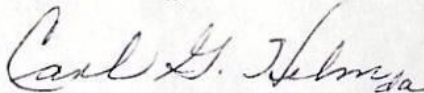
Mr. Wayne J. Overcash
Water Rights Engineer
Water Resources Department
555 13th Street N. E.
Salem, OR 97310

RE: Files Nos. T-4144, T-4145

Dear Mr. Overcash:

Attached in connection with the above files are the affidavits requested in your letter of March 9, 1979.

Sincerely,



Carl G. Helm

da

Attach.



Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066

March 9, 1979

The Observer
P.O. Box S
LaGrande, Oregon 97850

RE: File No. T-4145

Gentlemen:

Enclosed is a notice for publication in the March 16, 23 and 30, 1979 issues of your newspaper.

If, for any reason, the notice cannot be published on the three dates specified above, please return it to this office.

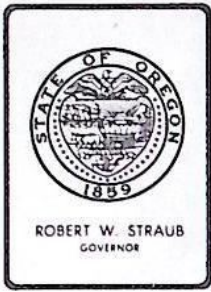
Upon completion, please forward an affidavit of publication and statement for this service to this office.

Sincerely,

Wayne J. Overcash
Water Rights Engineer

WJO:lcj

cc: Carl G. Helm & Carl F. Helm, III
cc: H. Boyd Hadden, Watermaster



Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066

March 9, 1979

Carl G. Helm
P.O. Box 967
LaGrande, Oregon 97850

RE: Files Nos. T-4144, T-4145

Dear Mr. Helm:

Pursuant to our recent telephone discussion in regard to the right involved in transfers Nos. 4144 and 4145, I am enclosing two affidavits which, when properly completed by you, Carl G. Helm, III, and Sherman & Hazel Hawkins before a notary and returned to this office, will provide for clearing our records of that part of the right within the N $\frac{1}{2}$ NE $\frac{1}{4}$ of Section 12, Township 4 South, Range 39 East, W.M., not involved in the transfers.

Sincerely,

Wayne J. Overcash
Water Rights Engineer

WJO:lcj

CARL G. HELM, SR. 1881-1948
CARL G. HELM
ROBERTA A. PETERSEN

HELM & PETERSEN
LAWYERS
1215 WASHINGTON AVE.
LA GRANDE, OREGON 97850
February 12, 1979

POST OFFICE BOX 967
TELEPHONE:
AREA CODE 503
963-3104

RECEIVED
FEB 15 1979
WATER RESOURCES DEPT.
SALEM, OREGON

Mr. Wayne J. Overcash
Water Rights Engineer
Water Resources Department
555 13th Street N.E.
Salem, OR 97310

Your Reference: File No.: T-4145
Our File: Walking H Ranch

Dear Mr. Overcash:

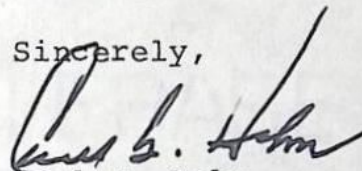
The affidavit of applicant's section of the application has been completed by Gil Helm and the application is returned to you herewith.

A copy of the deeds containing the legal description of the acreage involved are enclosed.

Our check to your order in the amount of \$50.00 to cover the deposit mentioned in your letter is enclosed. We have no preference in newspaper.

Thank you for your consideration.

Sincerely,


Carl G. Helm

CGH/ncc
Enclosures



Water Resources Department

MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066

January 31, 1979

Carl G. and Gil Helm
P.O. Box 967
La Grande, Oregon 97850

RE: File No. T-4145

Gentlemen:

Your water right transfer application for approval of a change in point of diversion of water from Cathering Creek, together with supporting data and payment of fees in the amount of \$35, was received on January 25, 1979. Our receipt No. 8753 is enclosed.

By copy of this letter, we are asking the watermaster for his usual report regarding the proposed change.

The affidavit of applicant section of the application must also be properly completed by Gil Helm.

It will be necessary to submit a copy of your deed containing the legal description of the acreage involved.

The proposed change in point of diversion will move the diversion point more than one-fourth mile along the stream, therefore it is necessary that notice of the proposed change be published at least once each week for three consecutive weeks in a newspaper that is printed and has general circulation in the county where the water right is located. Please submit a deposit of \$50 for this purpose and tell us which newspaper you prefer that we use. Any difference between the deposit and the actual cost will be settled with you upon completion of publication of the notice.

I am returning your application for completion. Please refer any correspondence to file No. T-4145.

Sincerely,

Wayne J. Overcash
Water Rights Engineer

WJO:lcj
cc: H. Boyd Hadden, Watermaster

HELM & PETERSEN
LAWYERS

CARL G. HELM, SR. 1881-1948
CARL G. HELM
ROBERTA. PETERSEN

1215 WASHINGTON AVE.
LA GRANDE, OREGON 97850
January 23, 1979

POST OFFICE BOX 967
TELEPHONE:
AREA CODE 503
963-3104

RECEIVED
JAN 25 1979
WATER RESOURCES DEPT.
SALEM, OREGON

Water Resources Department
Salem, OR 97310

Re: Change in point of diversion -- Helm
Change in point of diversion -- Hawkins
Application for water right -- Hawkins

Gentlemen:

Attached you will find:

58266

(1) An application for permit to appropriate surface water by Sherman E. Hawkins;

T-4144

(2) An application for change in point of diversion by Sherman E. Hawkins; and

T-4145

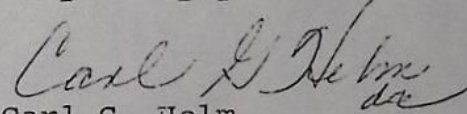
(3) An application for change in point of diversion by Carl G. Helm and Gil Helm.

Please file the applications and advise of any further information which is necessary or further action on the part of the applicant in connection with any application.

Enclosed is our check in the amount of \$100.00 to cover your fees.

Thank you for your cooperation.

Very truly yours,


Carl G. Helm

CGH/ncc
Enclosures

7-01162

A F F I D A V I T

We, Carl G. Helm, Jr., and Carl G. Helm, III, being first duly sworn, depose and say that we are the owners of the $W\frac{1}{2} E\frac{1}{2} NE\frac{1}{4}$ and $W\frac{1}{2} NE\frac{1}{4}$ of Section 12, Township 4 South, Range 39 East, W.M. and that part of the water right appurtenant thereto within the county roads now existing, which is for the appropriation of water from Little Creek, with a date of priority of 1891, and from Catherine Creek, with a date of priority of 1905, for irrigation of 0.45 acres in $W\frac{1}{2} NE\frac{1}{4} NE\frac{1}{4}$ and 0.9 acre in $NW\frac{1}{4} NE\frac{1}{4}$ of said Section 12, as evidenced by the certificate recorded at page 6644, Volume 7, State Record of Water Right Certificates; that we have abandoned any and all interest in and to said water right and request the same be canceled.

IN WITNESS WHEREOF, we have hereunto set our hands this _____ day of _____, 1979.

Subscribed and sworn to before me this ____ day of _____, 1979.

Notary Public for Oregon

My Commission expires:

RECEIVED

FEB 15 1979

WARRANTY DEED WATER RESOURCES DEPT. 62648
SALEM, OREGON

KNOW ALL MEN BY THESE PRESENTS, That Alma B. Schroeder, a single woman, and Harvey D. Schroeder, a single man, in consideration of Ten Dollars and other valuable considerations to them paid by Carl G. Helm, Jr., do hereby grant, bargain, sell and convey unto the said Carl G. Helm, Jr., his heirs and assigns, all the following real property, with the tenements, hereditaments, and appurtenances situated in the County of Union and State of Oregon, bounded and described as follows, to-wit:



The West half of the Northeast quarter, the West half of the East half of the Northeast quarter and the Northeast quarter of the Northwest quarter of Section 12, Township 4 South, Range 39 East W.M. subject to easements and rights of way for county roads, irrigation ditches, telephone and electric transmission lines as the same appear of record or exist on or across said premises.



To have and to hold the above described and granted premises unto the said CARL G. HELM, JR., his heirs and assigns forever.

And Alma B. Schroeder and Harvey D. Schroeder, the grantors above named do covenant to and with the above named grantee, his heirs and assigns that they are lawfully seized in fee simple of the above granted premises, that the above granted premises are free from all encumbrances, except for the lien of that certain mortgage to John Hancock Mutual Life Insurance Company recorded in Book 113 of Mortgages at Page 300, Records of Union County, Oregon, which mortgage the Grantee assumes and agrees to pay, and that they will and their heirs, executors and administrators, shall warrant and forever defend the above granted premises, and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except for the mortgage hereinabove described.

WITNESS our hands and seals this 12th day of July, 1961.



Alma B. Schroeder (SEAL)
Alma B. Schroeder

Harvey D. Schroeder (SEAL)
Harvey D. Schroeder.

STATE OF OREGON)
COUNTY OF UNION) SS



BE IT REMEMBERED, That on this 12th day of July, A.D. 1961, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within

RECEIVED

FEB 15 1979

WATER RESOURCES DEPT.
SALEM, OREGON

named Alma B. Schroeder, a single woman and Harvey D. Schroeder, a single man, who are known to me to be the identical individuals described in and who executed the within instrument and acknowledged to me that they executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal the day and year

last above written.



F. Maxine Cook

Notary Public for Oregon

My Commission Expires: 1-23-62

(Seal) DOCUMENT # 62648 RECORDED July 31, 1961 at 2 P.M.

C. L. GRAHAM, COUNTY CLERK

BY *Lucille Courtney* DEPUTY

STATE OF OREGON

COUNTY OF UNION

BE IT REMEMBERED, That on this 12th day of July, A.D. 1961, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within

45469
RECEIVED

FEB 15 1979

BARGAIN AND SALE DEED **WATER RESOURCES DEPT.
SALEM, OREGON**

CARL G. HELM, also known as Carl G. Helm, Jr., conveys to CARL G. HELM, III
also known as Gil Helm, an undivided forty percent (40%) interest in all that real prop-
erty situate in Union County, Oregon, and described as:

TRACT I

The south half of south half of Section 4; the northeast quarter of northeast quarter and the southeast quarter of southeast quarter of Section 8; all of Section 9; all of Section 16; the northwest quarter of southwest quarter of Section 15; and the east half of Section 17; all being in Township 4 South, Range 40 East of the Willamette Meridian.

TRACT II

The southeast quarter of northwest quarter, the east half of southwest quarter, the west half of southeast quarter, the northeast quarter of southeast quarter, the south half of northeast quarter and the northwest quarter of northeast quarter of Section 8, in Township 4 South, Range 40 East of the Willamette Meridian.

TRACT III

The west half of northeast quarter of southeast quarter of northeast quarter, the southeast quarter of southeast quarter of northeast quarter and the northeast quarter of northeast quarter of southeast quarter of Section 7, Township 4 South, Range 40 East of the Willamette Meridian.

The southwest quarter of northwest quarter and the northwest quarter of southwest quarter, EXCEPTING THEREFROM:
Beginning at the southwest corner of the NW 1/4 of SW 1/4 of Section 8 and running thence North 0°04'50" East 1046.3 feet on the west boundary of said NW 1/4 of SW 1/4; thence South 89°01' East a distance of 641.85 feet; thence South 31°14' East a distance of 326.8 feet; thence South 0°29' West 762.66 feet to the south boundary of the NW 1/4 of SW 1/4 Section 8; thence North 89°31' West 806.22 feet along the south line of said subdivision to the point of beginning in Section 8, Township 4 South, Range 40 East of the Willamette Meridian.

TRACT IV

Southwest quarter of the southeast quarter of Section 6, the north half of the northeast quarter of Section 7, the east half of the northwest quarter of the northwest quarter of Section 7, the northeast quarter of the northwest quarter of Section 7, the north half of the southeast quarter of the northwest quarter of Section 7, all in Township 4 South, Range 40 E.W.M.

RECEIVED

FEB 15 1979

WATER RESOURCES DEPT.
SALEM, OREGON

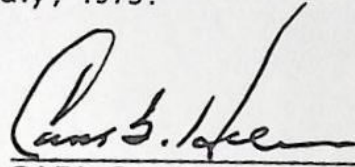
TRACT V

The west half of the east half of the northeast quarter, the
west half of the northeast quarter, Section 12, Township
4 South, Range 39 E.W.M.

Subject to the liens against said property which grantee assumes and agrees
to pay to the extent of his undivided interest therein.

The true and actual consideration for this transfer is none.

DATED this 31st day of July, 1973.



CARL G. HELM

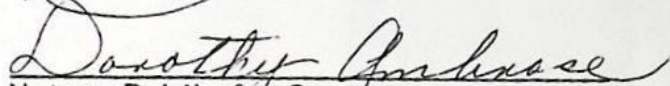
STATE OF OREGON)

ss:

COUNTY OF UNION)

July 31, 1973

Personally appeared the above-named CARL G. HELM and acknowledged the
foregoing instrument to be his voluntary act. Before me:



Notary Public for Oregon

My Commission Expires: 2/23/77



45469

STATE OF OREGON }
County of Union } ss

I certify that the within instrument
of writing was received for record on
the 6th day of
August 1973 at 10:07
o'clock A.M., and recorded on page
 in book Record of
Deeds of said County.
Shirley Palmer County Clerk,
By Deputy.