

4146

Name Hazel Carleton

By _____

Address _____

Dufur, OR 97058Change in PODDate filed Jan 25, 1979Date of hearing Mar. 29, 1979Place of hearing The DallesDate of order 3-30-79 Vol. 31, page 744Date for application of water completed

Proof mailed _____

Proof received _____

Certificate issued OCT 28 1980 Vol. 43, page 49741

DESCRIPTION OF WATER RIGHT

Name of stream Fifteenmile CreekTrib. of _____ County of Wasco

Use _____

Quantity of water _____ No. of acres 5⁰Name of ditch South DitchDate of priority Jan 6, 1922In name of Dufur Orchard Land Co.

_____ Adjudication, Vol. _____, page _____

App. No. 8234 Per. No. 5325 Cert. No. 4884

Certificate cancelled _____

Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>1-25-79</u>	<u>85 -</u>	<u>8758</u>
TOTAL . . .		
	<u>0 Cert. Fee</u>	

The Dalles Chronicle \$38.50 pd 3-14-79 ck #3170

FEES REFUNDED

Date	Amount	Check No.
<u>3-14-79</u>	<u>11 ⁵⁰</u>	<u>3171</u>

EX 20 -
 POD 15 -
 PON 38.50
73 ⁵⁰

REMARKS

W.R.I.S.

Assembled 7-18-85 by Sol

Entered _____ by _____

Verified _____ by _____

INDEX CARDS:

TO BE ENTERED WHERE CHECKED	Entered	Checked
<input checked="" type="checkbox"/> Name	<u>Og</u>	_____
<input checked="" type="checkbox"/> Stream	<u>Og</u>	_____
<input checked="" type="checkbox"/> Pl. of Div.	<u>Og</u>	_____
<input checked="" type="checkbox"/> Calendar	<u>Og</u>	_____
<input type="checkbox"/> Typ. & Sgs.	_____	_____
<input type="checkbox"/> Decree-vest	_____	_____
<input type="checkbox"/> Decree-sale	_____	_____
<input checked="" type="checkbox"/> Cert. of W/R	<u>Og</u>	_____
<input checked="" type="checkbox"/> Per. Folder	<u>Og</u>	_____
<input type="checkbox"/> Chulindex	_____	_____
<input type="checkbox"/> Cross Ref.	_____	_____
<input checked="" type="checkbox"/> Power Claim	<u>Og</u>	_____
<input type="checkbox"/> Abstracts	_____	_____

: POD
POU
USE
Add'1 POD

County WASCO

1. Name Hazel Carleton
Address Dufur, OR 97058

3. Use irrigation

5. Proposed Point of Diversion 10ft S & 800 ft E from NW Corner of Sec 35, within
NW $\frac{1}{4}$ NW $\frac{1}{4}$, Sec 35, T 1S, R 13E, WM.

6. Completion Date COMPLETED

[illegible]

				SE
			NE	
		223	180	
		NE	SW	
5612				
5663				

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:  (POD)
   POU
   USE
Add'1 POD

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[illegible]

Info: John Clausen, ~~son~~ (grandson) ~~is~~ He say there is only one D.P. now. The other was washed out last year. No power pole is there anymore. He irr. whole place from E. div. pt. Doesn't plan to use other one.

Source: Fifteen mile erk. Div dir through 5" suction.

pump - Westinghouse. 20HP @ 3515 RPM

Goulds CDD 3 1/2" x 3" running 83 psi

Use: Irr. of hay crop + wheat

Equip: pipe - 4" mainline (Alum) - plenty

3" laterals (Alum) - 2400

heads - RB 30 5/32 x 0 (60 used max) 48 psi measured (avg)

Lift: +5 to pump +35 to top (see quad)

Tie: inspection of App map.

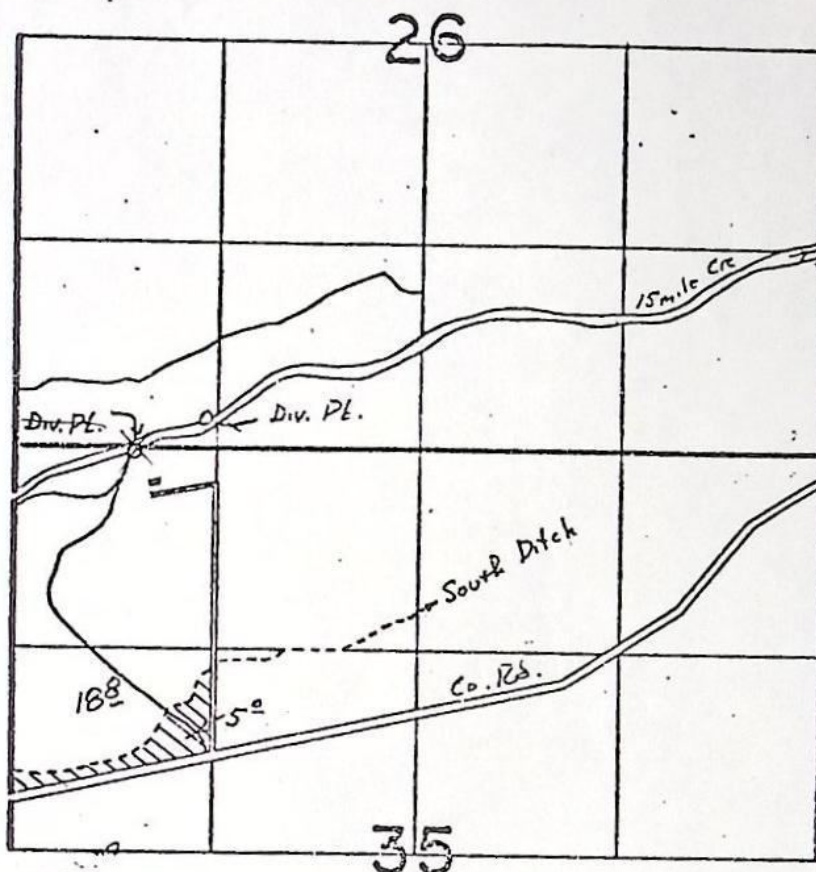
Chris Hughes

FE

6/26/79

T. 1 S. R. 13 E. W.M.

T-4146
RECEIVED
JUL 13 1977
WATER RESOURCES DEPT
SALEM, OREGON



RECEIVED
JAN 25 1979
WATER RESOURCES DEPT.
SALEM, OREGON

Diversion Points Located: 10' S. & 800' E. from the N.W. corner of Sec. 35

Application Map For

CARLETON RANCH

Scale 4" = 1 Mile

T-4146
RECEIVED

JAN 25 1979

**WATER RESOURCES DEPT.
SALEM, OREGON**

Application for Transfer of Water Right

To the WATER RESOURCES DIRECTOR OF OREGON:

I, Hazel Carleton

(Name of applicant)

of

(Mailing address)

Dufur

(City)

State of Oregon

97058

(Zip Code)

(Phone number)

, do hereby make application for change

Point of Diversion

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

1. Is the water right recorded in your name? No Duffur Orchard Land Company

(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 5325 Number of certificate 4884

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 Fifteenmile Creek

5. What is the date of priority of your water right? January 6, 1922

6. The authorized point of diversion is located 220 ft. S and 1050 ft. E from the NW

(N. or S.)

(E. or W.)

corner of Sec 34 being within the NW 1/4 NW 1/4 of Section 34 Tp. 1 S R. 13 E W. M.,

(No. N. or S.)

(No. E. or W.)

in the county of WASCO The name of the ditch used is South Ditch

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

7. The proposed point of diversion is located 10 ft. S and 800 ft. E from the NW

(N. or S.)

(E. or W.)

corner of Section 35 being within the NW 1/4 NW 1/4 of Section 35 Tp. 1 S R. 13 E W. M.,

(No. N. or S.)

(No. E. or W.)

in the county of WASCO The name of the ditch to be used is PUMP

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
1 S	13 E	35	SW $\frac{1}{4}$ NW $\frac{1}{4}$	5.0

(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, 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 are Changing from ditch to a pump

15. Construction work will be completed on or before Complete

16. The water will be completely applied to the proposed use on or before Complete

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, Hazel E. Parleton, 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 24th day of Jan, 1979
Hazel E. Parleton
(Name of applicant)

Subscribed and sworn to before me this 24th day of JANUARY, 1979

[Notarial Seal]



Thomas J. Paul

NOTARY PUBLIC FOR OREGON

My commission expires 3-18-80

STATE OF OREGON

COUNTY OF WASCO

CERTIFICATE OF WATER RIGHT

This is to Certify, That Dufur Orchard Land Company

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. 5325 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 January 6, 1922;

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.

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 (5) acres in the Northwest Quarter of the Northwest Quarter (NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section Thirty-five (35), Township One (1) South of Range Thirteen (13) East of the Willamette Meridian, in Wasco County, Oregon.

See report of Tom Paul, Watermaster, June 10, 1977 in File # 8234
appears location of place of use in error
should be SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec 35.

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 1st day

of February, 1924.

Rhea Luper,
State Engineer.

Recorded in State Record of Water Right Certificates, Volume 5, page 4884.

T-4146

The Dalles Chronicle

PHONE (503) 296-2141

POST OFFICE BOX 902

4TH AND FEDERAL ST.

THE DALLES, OREGON 97058

ESTABLISHED 1890

MEMBER AUDIT BUREAU
OF CIRCULATIONS

Oregon State, Water Resources Dept.
Mill Creek Office Park
555 13th St. N. E.
Salem, Oregon 97310

RECEIVED

FEB 26 1979

WATER RESOURCES DEPT.
SALEM, OREGON

#2468

Feb. 20, 1979

Notice of Water Right Transfer Application

\$38.50

T-4146

PAID	
CHECK NO.	DATE PAID
3170	3/19/79
DISTRIBUTION	
Legal # 2468	

RECEIVED

MAR 20 1979

WATER RESOURCES DEPT.
SALEM, OREGON



STATE OF OREGON

INTEROFFICE MEMO

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: JANUARY 24, 1979.FROM: ** THOMAS J. PAUL**RECEIVED**

JAN 25 1979

WATER RESOURCES DEPT.
SALEM, OREGONSUBJECT: WATER RIGHT TRANSFER APPLICATION NO. T-4146IN THE NAME OF HAZEL CARLTON

In my opinion the proposed change in Point of DIVERSION
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 _____

** Thomas J. Paul
Watermaster's signature or initials

NOTICE OF WATER RIGHT
TRANSFER APPLICATION
NO. 4146

Notice is given hereby that an application has been filed in the office of the Water Resources Director by Hazel Carleton 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 4884, Volume 5, State Record of Water Right Certificates, in the name of Dufur Orchard Land Company, describes a right for the use of not to exceed 0.06 cubic foot per second from Fifteenmile Creek for irrigation of 5 acres in NW 1/4 NW 1/4 of Sec 35, T. 1S, R. 13E, WM, with a date of priority of Jan. 6, 1922. The said location of the irrigate d lands is in error due to a mapping error, said lands being, in fact, in the SW 1/4 NW 1/4 of Sec 35.

The authorized point of diversion of record for said right is located 220 ft S & 1050 ft E from the NW Corner of Sec 34, being within the NW 1/4 NW 1/4 of Sec 34, T. 1S, R. 13E, WM (South Ditch).

The applicant herein, owner of the lands above described, proposes to change the point of diversion therefrom, without loss of priority, to an existing point of diversion located 10 ft S & 800 ft E from the NW Corner of Sec 35, eing within the NW 1/4 NW 1/4 of Sec 35, T. 1S, R. 13E, WM.

All persons interested are notified hereby that a hearing will be held at the county courthouse at The Dalles, Oregon, on March 29, 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 Hazel Carleton, Dufur, OR 97058; 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
1st day of February, 1979.
James E. Sexson, Director
Feb. 6, 13 & 20, 1979
No. 2468

Affidavit of Publication

STATE OF OREGON, } ss.
County of Wasco

I, Mary Harris

being first duly sworn, depose and say that I am the principal clerk of the publisher of The Dalles Chronicle, a newspaper of general circulation, as defined by sections ORS 193.010 and 193.020; Oregon Compiled laws, annotated; printed and published at The Dalles, 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 three successive and consecutive issues in the following issues: Feb. 6, Feb. 13, Feb. 20, 1979

Mary Harris

Subscribed and sworn to before me this 20

day of February, 1979.

J. F. Wright
Notary Public for Oregon.

My Commission Expires July 31, 1980

Affidavit of Publication

STATE OF OREGON, } ss.
County of Wasco

I, Mary Harris

being first duly sworn, depose and say that I am the principal clerk of the publisher of The Dalles Chronicle, a newspaper of general circulation, as defined by sections ORS 193.010 and 193.020; Oregon Compiled laws, annotated; printed and published at The Dalles, 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 weeks newspaper for three successive and consecutive issues in the following issues: Feb. 6, Feb. 13, Feb. 20, 1979

RECEIVED

FEB 26 1979

WATER RESOURCES DEPT.
SALEM, OREGON

ok
Jcy

Mary Harris

Subscribed and sworn to before me this 20

day of February, 1979

J. L. Wright

Notary Public for Oregon.

My Commission Expires July 31, 1980

378-3066

March 16, 1979

The Dalles Chronicle
P.O. Box 902
The Dalles, Oregon 97050

RE: File No. T-4146

Gentlemen:

Enclosed is our check No. 3170 in the amount of
\$38.50 in payment of your statement of February 20, 1979.

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

Sincerely,

James W. Carver, Jr.
Engineer

JWC:lej

378-3066

March 16, 1979

Hazel Carleton
Dufur, Oregon 97058

RE: File No. T-4146

Dear Ms. Carleton:

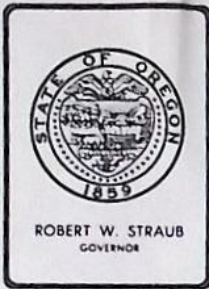
The statutory fees and the cost of publication of notice, necessary to your water right transfer application No. 4146, amount to a total of \$73.50. The total of payments received in connection with the application exceeded this amount by \$11.50.

Our refund check No. 3171 is enclosed.

Sincerely,

James W. Carver, Jr.
Engineer

JWC:lcj



Water Resources Department

MILL CREEK OFFICE PARK

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

PHONE 378-3066

February 1, 1979

Chronicle

P.O. Box 902

The Dalles, Oregon 97058

RE: File No. T-4146

Gentlemen:

Enclosed is a notice for publication in the February 6, 13 and 20, 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: Hazel Carleton

cc: Thomas J. Paul, Watermaster

378-3066

FEle 8234

9 November 1977

Thomas J. Paul, Watermaster
Wasco County Courthouse Annex
Room 205
The Dalles, Oregon 97058

Dear Tom:

With reference to your letter of June 10, 1977, regarding the location of the place of use under the water right described by certificate 4884, I have checked the available records here and agree with your conclusion. (A copy of your letter and other data are enclosed.)

It appears that an application for change in point of diversion would be in order. We could correct the location on the basis of the evidence at hand, in an order approving the change in point of diversion.

Since the change is more than one-fourth mile in distance, the applicant will need to submit a \$50.00 deposit for publication.

Sincerely,

James W. Carver, Jr.
Engineer

JWC:lcj