

Name O. E. CARMAN
By _____
Address P. O. Box 223
Vale, Oregon

Date filed February 14, 1955
Priority February 14, 1955
Action suspended until _____

Returned to applicant _____
Date of approval March 21, 1955

CONSTRUCTION

Date for beginning March 21, 1956
Date for completion 10-1-56
Extended to _____

Date for application of water 10-1-57
Extended to _____

PROSECUTION OF WORK

Form "A" filed Begun
Form "B" filed October 31, 1955
Form "C" filed October 31, 1955

FINAL PROOF

Blank mailed _____
Proof received _____
Date certificate issued APR 25 1958

Application No. 29746
Permit No. 23255
Certificate No. 23929

Stream Index, Page No. 10-29
See 0-752

DVA Notification 211729

FEES PAID

Date	Amount	Receipt No.
<u>2-16-55</u>	<u>25.70</u>	<u>3276</u>
<u>3/14/55</u>	<u>0.35</u>	<u>09712</u>
	B. P. Fee	
<u>2/5/58</u>	<u>\$1 Cert. Fee</u>	<u>14968</u>

FEES REFUNDED

Date	Amount	Check No.
------	--------	-----------

ASSIGNMENTS

Date	To Whom	Address	Volume	Page
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REMARKS

1.25 cfs from drainage ditch for supplemental irrigation of 98.8 acres

IMPORTANT—This form is a notice to the State Engineer that permittee is ready to make **final proof** to the extent to which the water has actually been applied to the intended use under the terms of the permit. Permittee is cautioned that Certificate of Water Right will be issued based on the extent of the quantity and use as determined by the **final proof** inspection and survey which will be made in response to the filing of this Form C.

NOTE: In the case of an irrigation permit, this Form C should not be mailed to the State Engineer until all of the land described in the permit, which it is intended to irrigate under this permit at any time, has actually been irrigated.
Fill out, detach and mail to the State Engineer, Salem, Oregon, when all of the water has been applied.

Application No. 29746

NOTICE OF COMPLETE APPLICATION OF WATER TO A BENEFICIAL USE

I, O. E. Gorman, the holder of Permit No. 23255
to appropriate the public waters of the state of Oregon, completely applied the waters to a beneficial use in accordance with the terms of said permit, on the 27 day of October, 1955

Remarks: _____

IN WITNESS WHEREOF, I have hereunto set my hand this 27 day of October, 1955

O. E. Gorman
(Signature of Applicant)

P.O. Box 223 Vale, Ore
(Address)

Form B

Application No. 29746

NOTICE OF COMPLETION OF CONSTRUCTION

I, O. E. Gorman, the holder of Permit No. 23255
to appropriate the public waters of the state of Oregon, completed the construction of the works described therein on the 27 day of October, 1955

Remarks: Due to death the drainage ditch had more less water in 1955 than in 1954 -
If the works have less capacity than described in the permit, or you have definitely abandoned part of the proposed development, you should so state in order that our records may not be unnecessarily encumbered.

when there was more irrigation above.

IN WITNESS WHEREOF, I have hereunto set my hand this 27 day of October, 1955

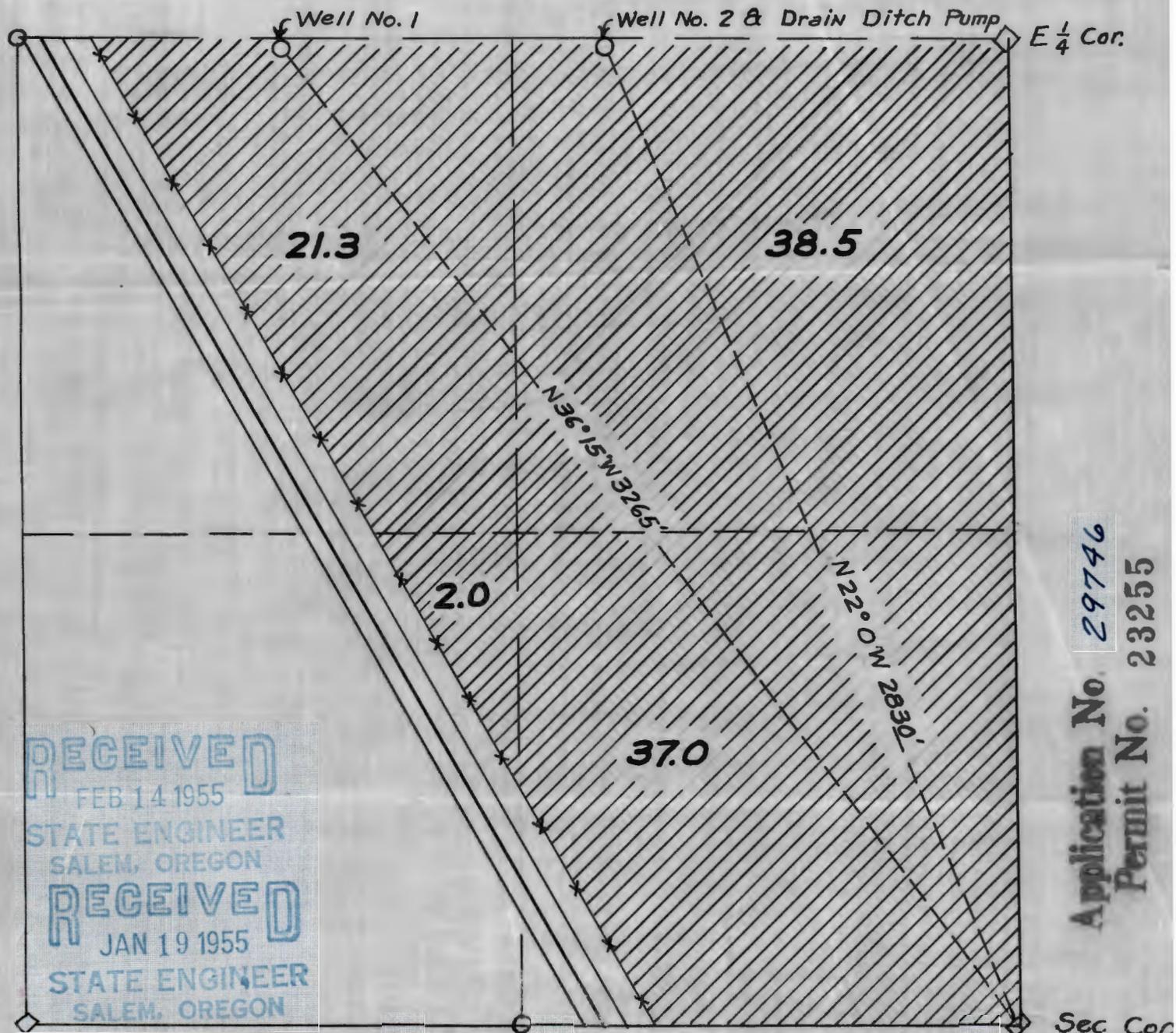
O. E. Gorman
(Signature of Applicant)

P.O. Box 223 Vale, Ore
(Address)

Fill out, detach, and mail to the State Engineer, Salem, Oregon, when construction work is completed.

98.8 Acres to be watered from pumping by

O. E. Carman in the SE $\frac{1}{4}$ Sec. 36 T17S. R. 44E. W.M.



I, Ed Bates of Vale Oregon, do hereby certify that this map was made from notes taken under my immediate supervision on Dec. 3, 1954; that the wells shown on this map are 3265' N36°15'W and 2830' N 22°0'W from the SE Sec Corner

Ed Bates

Permit No. 23255

23929

Application No. 29746

County

RECEIVED
FEB 5 1958

Proof of Appropriation of Water

STATE ENGINEER
SALEM, OREGON

- Name O.E. Carman 2. Address P.O. Box 223, Vale, Oregon
- Source of supply Drainage Ditch
Tributary of Cuerricagoitia Drainage Ditch
- Amount of water 1.25 c.f.s. 5. Priority date February 14, 1955
- Use Supplemental irrigation - 1/40th - 3 a.f. and shall be limited to the water available at the proposed point of diversion, and shall not carry with it the right to compel the continuance of the waste water
- Location of point of diversion NE 1/4 SE 1/4 Sec. 36, Twp. 17 S, Range 44 E, W. M. (Legal Subdivision)
- The description of land given below corresponds to that found in your permit covering land to be irrigated, or, if for other purposes, the place of use.

Township	Range	Section	Legal Subdivision	No. Acres Actually Irrigated
17 S	44 E	36	NE 1/4 SE 1/4	38.5
			NW 1/4 SE 1/4	21.3
			SW 1/4 SE 1/4	2.0
			SE 1/4 SE 1/4	37.0
				98.8

I have read the above and foregoing proof of appropriation of water; I know the contents thereof, and that the facts therein stated are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 14th day of February,

1955

O.E. Carman



NOTICE OF INTEREST IN WATER RIGHT

TO: Director of Water Resources 3850 Portland Road N.E. Salem, Oregon 97310	DATE SENT TO WATER RESOURCES	DATE REC'D BY WATER RESOURCES
	DATE RETURNED TO DVA	

RECEIVED

SEP 23 1987

WATER RESOURCES DEPT.
SALEM, OREGON

This is to notify you of an interest in the following described water right:

Completed by DVA

LOAN NUMBER	FIELD OFFICE	COUNTY	ACREAGE IRRIGATED:
F-11729B	PO	MALHEUR	ORIGINAL APPRAISAL 98.8
NAME OF BORROWER (LAST, FIRST, M.I.)			ACTUAL 98.8
State Owned			
MAILING ADDRESS			
2447 Highway 20 WEST VALE, ORE 97918			
COMMENTS			

PROPERTY AND WATER RIGHT INFORMATION

Completed by WATER RESOURCES

TOWNSHIP	175				
RANGE	44E				
SECTION	36				
APPLICATION NUMBER:	18423	U-752	G-842	G-1318	29746
PERMIT NUMBER:	18547	U-683	G-749	G-1173	23255
PERMIT ACRES:	15	98.8	98.8	98.8	98.8
PERMIT STATUS:					
CERTIFICATE NUMBER:	0	22905	29555	29556	23929
CERTIFICATE ACRES:		98.8	98.8	98.8	98.8
IRRIGATION DISTRICT	Warmspring I.D.				
DOMESTIC WATER					

COMMENTS your # DVA P11729, P-01750-* noted on files. 7/15/88 Scj

The State of Oregon, by and through the Director of Veterans' Affairs, has a security interest in the above-described property and hereby requests that no action be taken to diminish the water right without notifying the Department of Veterans' Affairs, 700 Summer Street, N.E., Salem, Oregon 97310 Attention: Butch Gehley, Operations Compliance Manager.

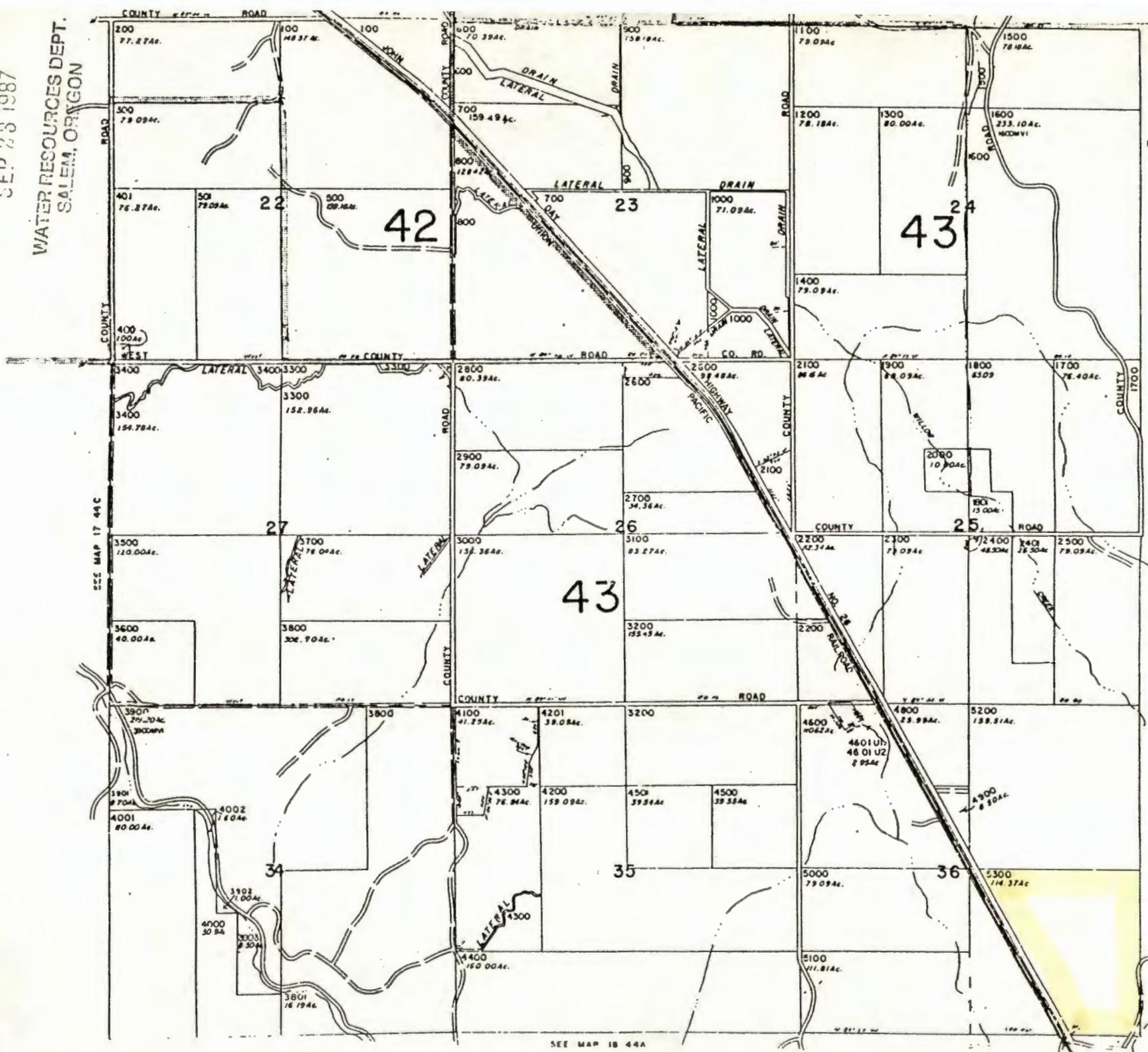
Attachments:

- Legal Descriptions
- Plat Maps
- Please return copy to ODVA
-

RECEIVED

SEP 28 1987

WATER RESOURCES DEPT.
SALEM, OREGON



DEAD NO
4700 U1
4700 U2

SEE MAP 17 45

SEE MAP 18 44A



STATE OF OREGON

INTEROFFICE MEMO

TO: File 29746

DATE: May 29, 1987

FROM: Bruce A. Estes

Baeste

SUBJECT: Status of Certificate 23929

Application 29746 was submitted February 14, 1955 for the irrigation of 98.8 acres. The source was a drainage ditch, tributary of Cuerricagoitia Drainage Ditch. Since this land was within the boundary of Warmsprings Irrigation District and included as a part of permit 4303, permit 23255 was issued as a supplemental supply to 4303. The correspondence in the file does not mention altering application 29746 to supplemental status.

Many years after certificate 23929 was issued we conducted the final proof survey of Warmsprings Irrigation District permit 4303. We found the 98.8 acres in question was not claimed by the District nor had they ever served the land. Therefore permit 23255 was issued as a supplemental supply to only a paper primary right.

Since no valid primary right existed at the time of application or final proof and the application was apparently amended by office staff to supp. status we should consider Certificate 23929 to be the primary source of supply for the 98.8 acres.

cc Larry Powers, Watermaster Dist. #9
Department of Veteran Affairs

Discussed with Larry Jebousek May 26

Parcel I

17 S 44 E Sec 36

4752 2142
 4303 23255
 48051 27321
 288
 50.5 Ac
 Prim
 Warm Springs
 I.D.

U-752
 U-683
 22905
~~288~~
 59.8 Ac
 supp.
 well

Q 842 8 1312
 E 749 8 1000
 29555 29556
 93E
~~59.8 Ac~~
 59.8
 supp.
 well

Parcel II

17 S 44 E Sec 14

18423
 18547
 To Be Surveyed
 67.9 Ac
 Supp

Malheur River
 Sec
 45537
 63 Ac
 Prim

Parcel III

19 S 43 E Sec 12

Malheur River
 Sec.
 Vol 8 pg 284
 cor 47526
 cor 9996
 cor 686
 Prim
 17 Ac

18423
 18547
 To be Surveyed
 17 Ac
 Supp

1398
 E 103
 2351
 17 Ac
 Prim

Parcel IV

18 S 44 E Sec 23

21304
 16707
 15808
 45 Ac
 Supp

10762
 7867
 15719
 45 Ac
 Prim

NOTICE OF INTEREST IN WATER RIGHT

MAR 07 1985

RECEIVED

To: Director of Water Resources
555 13th Street, N.E.
Salem, Oregon 97310

MAR 8 1985
WATER RESOURCES DEPT.
SALEM, OREGON

This is to notify you of an interest in the following described water right:

Loan Number P11729 J
Borrower's Name Hopper, Hollis
Mailing Address _____

Property being served by the water:

Township <u>17 S</u>	Township <u>19 S</u>	Township <u>19 S</u> & 18 S
Range <u>44 E</u>	Range <u>44 E</u>	Range <u>43 E</u> 44 E
Section <u>36</u>	Section <u>14</u>	Section <u>12</u> 23
Tract _____	Tract _____	Tract _____

Water Right Numbers:

Permit Number(s) ~~23255~~ SEC COVER SHEET
Certificate Number(s) 23929
Irrigation District Warm Springs

The State of Oregon, by and through the Director of Veterans' Affairs, has a security interest in the above described property and hereby requests that no action be taken to diminish the water right without notifying the Department of Veterans' Affairs, 700 Summer Street, N.E., Salem, Oregon, 97310.

Attention: Butch Gehley, Property Appraisal Coordinator

Attachments:

- Legal Descriptions
- Plat Map
- Please return copy to ODVA

4-11-85 JWW

TITLE "A"

Land in Malheur County, Oregon, as follows:

111729

I - In Twp. 17 S., R. 44 E., W.M.:
Sec. 36: All that portion of the SE $\frac{1}{4}$ lying East of the right-of-way of the John Day Highway as said highway is now located across said property.

Land in Malheur County, Oregon, as follows:

II - In Twp. 19 S., R. 44 E., W.M.:
Sec. 14: E $\frac{1}{2}$ SE $\frac{1}{4}$,
EXCEPTING THEREFROM the following described parcel:
Beginning at the Northwest corner of said NE $\frac{1}{4}$ SE $\frac{1}{4}$;
thence S. 89° 53' 00" E., along the North boundary thereof,
370.00 feet;
thence S. 0° 00' 40" W., parallel to the West boundary of said NE $\frac{1}{4}$ SE $\frac{1}{4}$, 588.65 feet;
thence N. 89° 53' 00" W., parallel to the North boundary thereof,
370.00 feet to a point on the West boundary of said NE $\frac{1}{4}$ SE $\frac{1}{4}$;
thence N. 0° 00' 40" E., 588.65 feet to the point of beginning.
SUBJECT to existing County Road right of way.

TITLE "B"

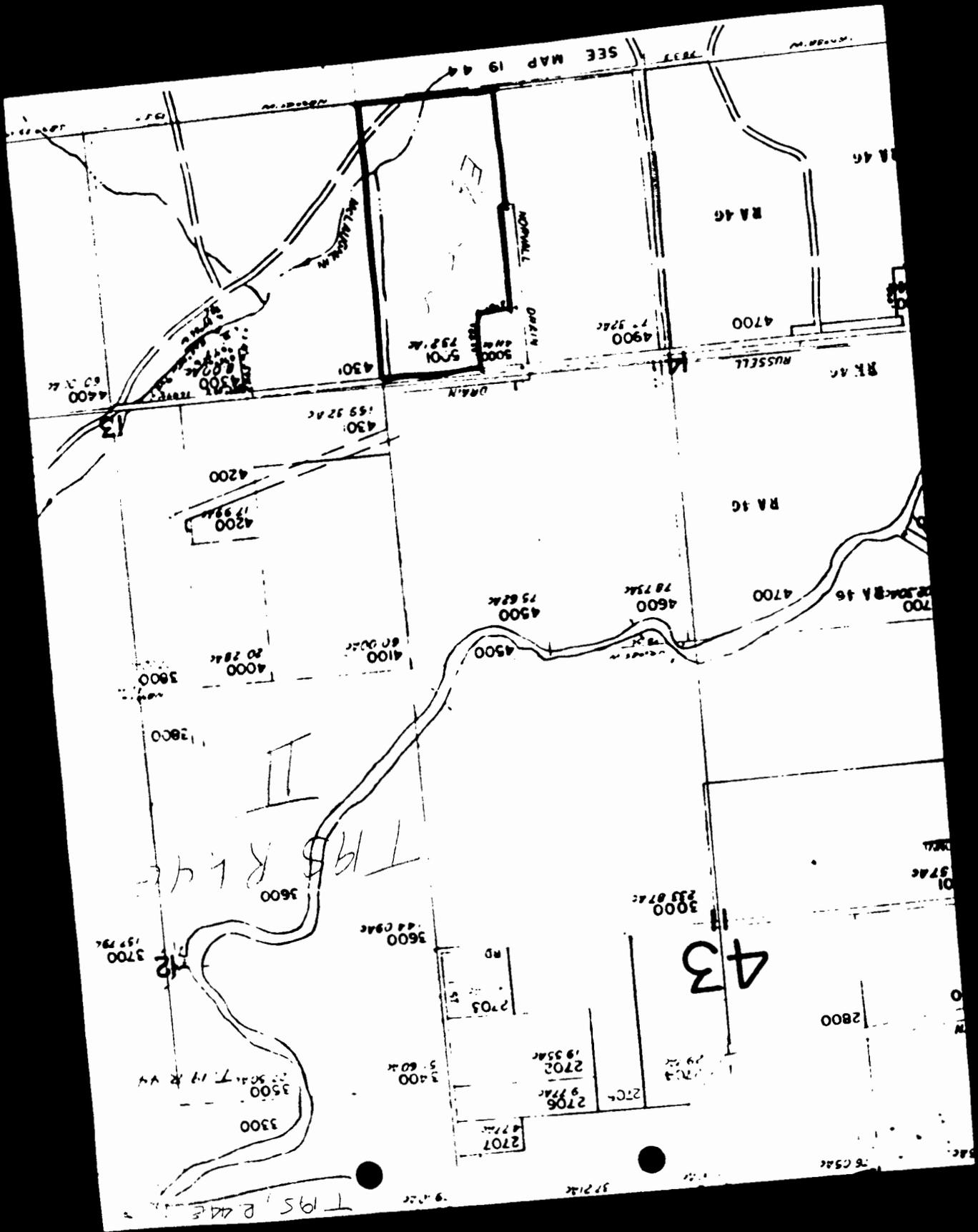
Land in Malheur County, Oregon, as follows:

III - In Twp. 19 S., R. 43 E., W.M.:
Sec. 12: All that portion of the W $\frac{1}{2}$ SE $\frac{1}{4}$ lying and being South and East of the Central Oregon Highway and lying and being North and East of a line described as follows:
Beginning at a point which is located 889.9 feet North and 263.1 feet East of the South quarter corner of said Sec. 12;
thence S. 61° 10' E., 367 feet;
thence S. 55° 0' E., 929 feet to a point on the East line of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 12.

TITLE "C"

Land in Malheur County, Oregon, as follows:

IV - In Twp. 18 S., R. 44 E., W.M.:
Sec. 23: W $\frac{1}{2}$ SE $\frac{1}{4}$,
EXCEPTING THEREFROM those certain parcels of land conveyed to the County of Malheur, State of Oregon, for Highway right of way in Deeds recorded in Book 35, Page 160-1 and Book 53, Page 14.
FURTHER EXCEPTING those certain parcels of land conveyed to the United States of America, for lateral rights of way in Deeds recorded in Book 35, Page 251, and Book 46, Page 170.



LAND
T. 19 R. 43

12

DRAIN

T. 19 R. 43

DRAIN

ROAD

T 19 S R 43 E

III

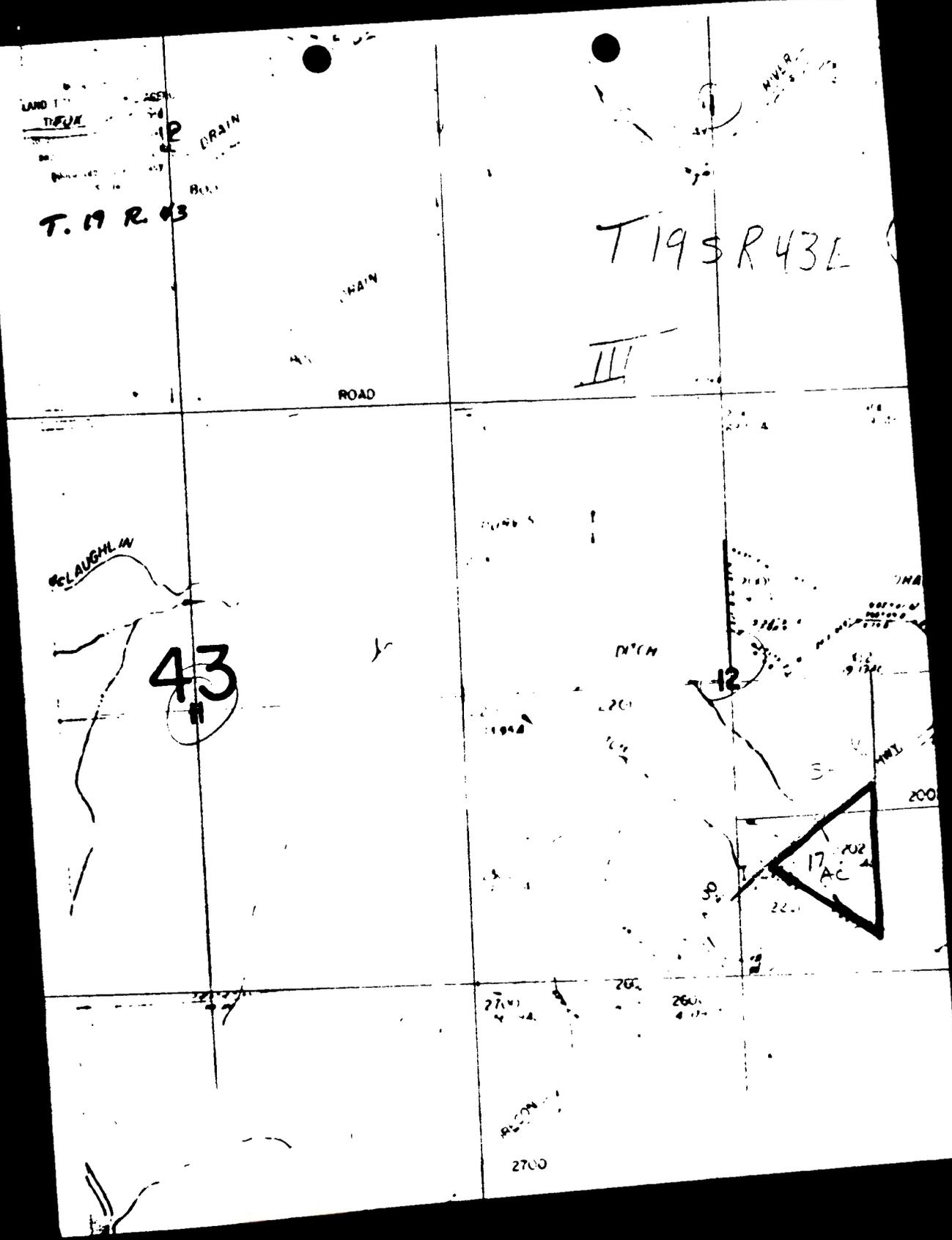
McLAUGHLIN

43

12

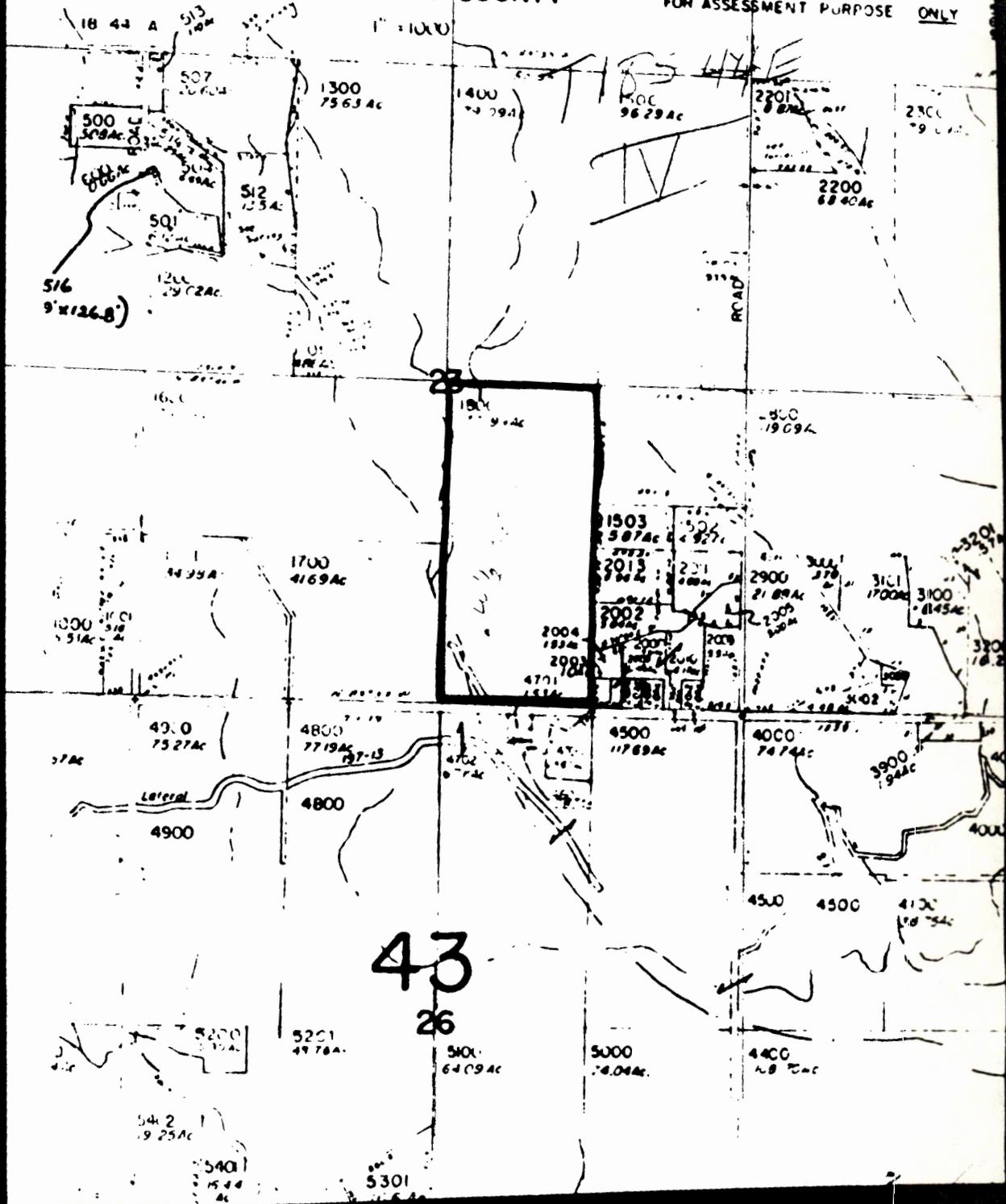
17 AC

2700



SE 1/4 18S R44E W.M.
MALHEUR COUNTY

FOR ASSESSMENT PURPOSE ONLY



378-3066

File 29746
G-1318

May 31, 1977

Swan, Butler & Looney, P. C.
P. O. Box 430
Vale, OR 97918

Attention: H. Clifford Looney

Dear Mr. Looney:

Enclosed is a print of the map which supported the Permit No. 23255 along with a print of a letter from the file relating to Permit No. 23255 addressed to Mr. O. E. Carman from the Warm Springs Irrigation District.

Our receipt No. 60808 covering the copying fee of \$1.10 is also enclosed.

Sincerely,

Wayne J. Overcash
Water Rights Engineer

WJO:clb

LAW OFFICES

SWAN, BUTLER & LOONEY, P. C.

CHARLES W. SWAN
ROB'T. D. BUTLER
H. CLIFFORD LOONEY

POST OFFICE BOX 430
VALE, OREGON 97918
AREA CODE 503 • PHONE 473-3111

May 23, 1977

Mr. Wayne Overcash
Water Resources Department
1178 Chemeketa St. N. E.
Salem, Oregon 97310

Re: Copies on Permit No. 23255

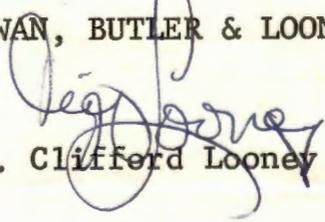
Dear Mr. Overcash:

Please find enclosed our check for \$1.10 for the copy fee as per your telephone request of May 20.

Thank you for your assistance.

Very truly yours,

SWAN, BUTLER & LOONEY, P.C.


H. Clifford Looney

HCL:fr
Encl.

RECEIVED
MAY 26 1977
WATER RESOURCES DEPT
SALEM, OREGON

10760

LAW OFFICES

SWAN, BUTLER & LOONEY, P. C.

CHARLES W. SWAN
ROBT. D. BUTLER
H. CLIFFORD LOONEY

POST OFFICE BOX 430
VALE, OREGON 97918
AREA CODE 503 • PHONE 473-3111

May 4, 1977

Mr. Chris Wheeler
State Water Resources Department
State Engineer
1178 Chemeketa St., N. E.
Salem, Oregon 97310

RECEIVED
MAY 10 1977
WATER RESOURCES DEPT
SALEM, OREGON

Re: Abstract of permit No. 23255

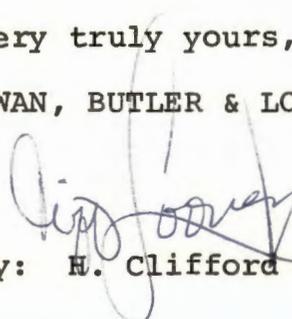
Gentlemen:

Could you please send us a copy of the plat for the above water right and copies of any records which supplement the water right, including comments of the applicants or others regarding permission to use the land or property rights of another for a dam, slue or point of diversion.

Thank you for your assistance. We will be happy to pay any fee you charge for this service.

Very truly yours,

SWAN, BUTLER & LOONEY, P.C.


By: H. Clifford Looney

HCL:mg
Enc/

*1/10
Called Mr. Looney's Sec.
She will see about
sending \$1.10 for copies*

January 28, 1958

Mr. O. E. Carman
P. O. Box 223
Vale, Oregon

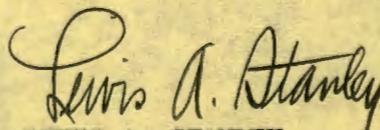
Dear Mr. Carman:

Enclosed is the final proof in connection with the 23255 incomplete water right represented by your permit No. 23255 granting a right to the use of 1.25 c.f.s. of the waters of a drainage ditch for supplemental irrigation.

The data contained in the proof, which is based on an inspection and survey of your project made by a representative of this department, defines the extent to which your water right has been completed within the terms of the permit. The proof should be dated, and signed by you on the bottom of the page.

Upon receipt of the signed proof accompanied by the statutory recording fee in the amount of \$1, a certificate of water right will be issued confirming the right thereunder and will be forwarded to you; after recording in Malheur County.

Very truly yours,



LEWIS A. STANLEY
State Engineer

Form 117
Enclosure

ld

January 28, 1958

Mr. O. E. Carman
P. O. Box 223
Vale, Oregon

Dear Mr. Carman:

Through oversight we had not included the proof form in connection with your Permit No. 23255 at the time papers in connection with Permit No. U-683 were mailed.

Our field engineer picked up the necessary data and we have completed the proof form and are enclosing it for signature. Our field engineer has accepted the map which you submitted with your original application and this proof form agrees with the permit.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Trevor Jones, Assistant

TJ:ld
enc. final proof

O. E. CARMAN

P. O. Box 223

VALE, OREGON

RECEIVED
JAN 27 1958
STATE ENGINEER
SALEM, OREGON

Jan., 25, 1958.

Mr. Lewis A. Stanley,
State Engineer,
Salem, Ore.

Dear Mr. Stanley:

We are wondering about our permit 23255, file 29746. We began application of water under this permit at the time we applied under permit U 683 and each year since. We have been under the impression that the inspection of U*683 also covered permit 29746.

Yours truly,

O. E. Carman

U-752
29746

October 30, 1956

Mr. O. E. Carman
P. O. Box 223
Vale, Oregon

Dear Mr. Carman:

In response to your letter of October 18, it is not entirely clear what you are doing. However, if it is a new and separate drainage ditch with the source of water therefrom, it would require making of an entirely new application.

For your convenience in so doing, I am enclosing a form together with a copy of the Rules and Regulations of the State Engineer in which you will find instructions for preparing the application, requirements of the accompanying map and a complete list of the statutory fees.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Chris L. Wheeler, Assistant

GLW:eh
enclosures-2

Carman
Jersey Farm

RECEIVED
OCT 22 1956
STATE ENGINEER
SALEM, OREGON

Mr. Lewis A. Stanley,
State Engineer,
Salem, Ore -
Dear Mr. Stanley -

Vale, Oregon

Oct. 18, 1956

Re - to Permit
23 755 - file 29746 and permit
U683, file U757.

Pumps used in
the well and drainage ditch do
drain the sufficiently - To better
drainage of the land we have run
a short drainage ditch from near
center west edge of the land east
some 400 or 500 feet taking water to
a pump - this pump is giving
better drainage to a considerable part of the
100 acres - We would like to file on
the water for supplemental water right -
Kindly advise how

to do so if you will,

O. E. Carman

November 2, 1955

Mr. O. E. Carman
P. O. Box 223
Vale, Oregon

Dear Mr. Carman:

This will acknowledge receipt of your notice to the effect that complete application of water has been made under Permit No.

~~Pursuant~~ to your report and in line with the general practice of this office, a survey will be made at a later date. After this survey, proof may be made and certificate issued covering the actual use of water as found by the engineer. In the case of irrigation, any lands described in the permit that have not been irrigated will be automatically eliminated from the water right.

In the meantime, the permit which you hold will be valid evidence of the water right in question so long as you continue to use the water.

Very truly yours,

Lewis A. Stanley

LEWIS A. STANLEY
State Engineer



March 21, 1955

29746

Mr. O. E. Carman
P. O. Box 223
Vale, Oregon

Dear Mr. Carman:

29746, Permit No. 23255 and print.

U-752
29746

March 8, 1955

Mr. O. E. Carman
P. O. Box 223
Vale, Oregon

Dear Mr. Carman:

This will acknowledge receipt of an application for a permit to appropriate $1\frac{1}{2}$ second feet of water from a drain ditch for irrigation, map and check in the amount of \$25.70, for which our receipt No. 3276 is enclosed.

The application has been examined, given our file No. 29746 and appears to be in satisfactory form.

Application No. U-752 for a permit to construct two wells and appropriate therefrom 2 second feet of water for irrigation also appears to be in satisfactory form.

Very truly yours,

LEWIS A. STANLEY
State Engineer

By
Chris L. Wheeler, Assistant

CLW:bc

Enc.

WARMSPRINGS IRRIGATION DIST.

VALE, OREGON

January 3, 1955

RECEIVED
JAN 19 1955
STATE ENGINEER
SALEM, OREGON

Mr. O. E. Carman
Vale, Oregon

Dear Mr. Carman:

Enclosing herewith action taken on your request to construct wells and pump water from a drain ditch for the irrigation of land in the Willowcreek area.

Minutes of the Board of Directors of the Warm Springs Irrigation District at their regular meeting held in their office on January 3, 1955.

Mr. O. E. Carman requested permission to pump water from wells drilled upon his land also to pump water from a drain ditch constructed by him. Mr. Carman stated the State Engineer requires permission from the Board of Directors stating they have no objection to pumping before a permit would be issued.

So therefore Director Stacey made the following motion.

Motion granting permission to Mr. O. E. Carman to pump water from wells and from the Drain ditch constructed by him on to land in Section 36 Township 17 South, Range 44 E.W.M. Motion seconded by Director Girvin and upon vote of all members was carried and so ordered.

I Theron K. Richardson, Secretary of the Warm Springs Irrigation District certify the above motion was passed by the Board of Directors at their regular meeting on January 3, 1955.



Theron K. Richardson
Secretary

BBC-5N-50

Permit No. 23255 ✓

Application No. 29746 ✓

County Malheur

Preliminary Data for Proof of Appropriation of Water

- Name O. E. Carman 2. Address P. O. Box 223; Vale, Oregon
- Source of supply a drainage ditch
Tributary of Cuerricagoitia Drainage Ditch
- Amount of water 1.25 cfs 5. Priority date February 14, 1955 ✓
- Use supplemental irrigation 1/40th and 3 a/f/ during the irrigation season
~~of each year; provided further that the amount of water allowed herein, together with the amount secured under any other right existing for the same lands shall not exceed the limitation allowed herein, and shall also be limited to the water available at the proposed point of diversion, and shall not carry with it the right to compel the continuance of the waste water, and shall be still further limited to a diversion of not to exceed 1.25 cfs NE 1/4 SE 1/4~~
- Location of point of diversion NE 1/4 SE 1/4 Sec. 36 Tp. 17 S Rg. 44 E, W. M.
(Legal Subdivision)
- The description of land given below corresponds to that shown in the permit covering land to be irrigated, or, if for other purposes, the place of use.

Township	Range	Section	Legal Subdivision	No. Acres Described in Permit	No. Acres Actually Irrigated
17 S	44 E	36	2 NW 1/4 SE 1/4	21.3 ✓	
			1 NE 1/4 SW 1/4	38.5 ✓	
			2 SW 1/4 SE 1/4	2.0 ✓	
			4 SE 1/4 SE 1/4	37.0 ✓	
				98.8	

Land on which water is to be used is part of the property described by appropriator as follows:

Inspection Sept. 19 1955
A.D. Burt

REPORT OF PERSON MAKING INSPECTION

Description of works:

Drain Ditch: $\pm 25^\circ$ wide x 12° deep.

Pump in place as shown on Appl. map.

Pump: Parma Water Lifter, Belt dr.; Pulleys are $10'' \times 4\frac{1}{2}''$, 2° centers, 2 V-Belts, $5''$ disch. pipe.

Motor: G. E., 1 Phase, 3 HP. 1710 RPM

Water is pumped from drain ditch into "spreader" ditches, land is flooded from North to south.

Fall of land = $\pm 3^\circ$ per 1000'

See map G1318 also

I,, do hereby certify that I have made an inspection of the works described herein and in Permit No., on the 16 day of Sept., 1956, and found the foregoing statements and descriptions of works to be accurate. In my opinion the appropriation has been completed to the extent of and I recommend the issuance of water right certificate for this amount.

(Quantity of water in second-feet or acre-feet)

NOTICE TO INSPECTORS

If conditions do not justify the above report by you, please return this form without your signature, with a full report by letter.

C. O. Bartel
Field Engineer

(Title)