

STATE OF OREGON
WATER RESOURCES DEPARTMENT
ADJUDICATION SECTION

TO: Reed Marbut
FROM: Don Knauer

DATE: March 30, 1992

SUBJECT: Indorsement of SWR-24

I have completed a review of the registration statement form, map and evidence submitted by the following claimant. I have made a inspection of the property identified in the claim and I have reviewed the WRD records. Based on my review and inspection I suggest the following information be included on the " Notice of Proposed Order " under ORS 539.240 (8):

NAME: William and Ruth Moser
ADDRESS: Box 14
Denio NV 89404

SOURCE: Denio Creek a tributary of Pueblo Slough.

USE: Irrigation.

PRIORITY DATE: 1889

AMOUNT OF WATER FOR EACH CLAIMED USE:

2.68 CFS for irrigation of 107.1 acres.

DIVERSION POINT:

SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 20, T. 41 S., R 35 W., W.M.

PLACE OF USE:

107.1 acres Lot 37
Section 3,
Township 47 N., Range 30 E., M.D.M.

PERIOD OF USE:

The irrigation season is April 1 thru October 31.

FILE C:\WP51\SWR\CLAIMENTS\SWR-0024.0IM

WATER RESOURCES DEPARTMENT

October 1, 1991

To: File SWR-24, Moser, William
From: Don Knauer
Subject: Field Inspection

Mr. Moser told Dwight French and I about the diversion points he uses in Denio Creek. He explained the misunderstanding the CWRE, Chris Palmer, had. This was the reason for two maps and diversion points shown in Nevada.

He drove us around his ranch and showed us the diversion points as shown in Palmer's map dated June 1990 Job #1168-B which the WRD received Nov. 26, 1990.

The diversion point in the SE 1/4 SE 1/4 section 20, T 41 S, R 35 E W.M. controls the water used to flood irrigate the fields in Nevada.

He told us there are no other users of Denio Creek water. I did not see any other possible users.

0853

STATE OF OREGON

INTEROFFICE MEMO

TO: SWR-24 file

DATE: March 12, 1991

FROM: Don Knauer

SUBJECT: SWR-24

FORM REVIEW: #7 the township is listed as south but should be NORTH

MAP REVIEW the township is shown as south but should be NORTH

the first map showed the div. pt. in NEVADA but the second map moved it to Oregon

this area was involved in the Trout Creek court case check the ~~MISC. DECREES~~

*This property
NOT IN Trout Cr
DECREES!*

SURFACE WATER REGISTRATION CHECKLIST

(received after July 18, 1990)

RECEIPT # 68682 & 69355

Basin 18

CHECK ENCLOSURES ✓

CHECK BASIN MAP Dec

UNADJUDICATED AREA ? - Trout Creek Court case !!!

SURFACE WATER REGISTRATION NUMBER 24

ACKNOWLEDGEMENT LETTER overcash

ENTER ON STREAM INDEX overcash

CHECK QUADRANGLE MAP Dec

CHECK GLO PLATS _____

#7 - T47 N

FORM REVIEW

- blanks filled in
- signed
- date received stamped
- date received filled out on back

MAP REVIEW

- diversion point location
- conveyances (pipes, ditch, etc.)
- place of use
- scale
- township, range, section — township is North
- north arrow
- CWRE stamp

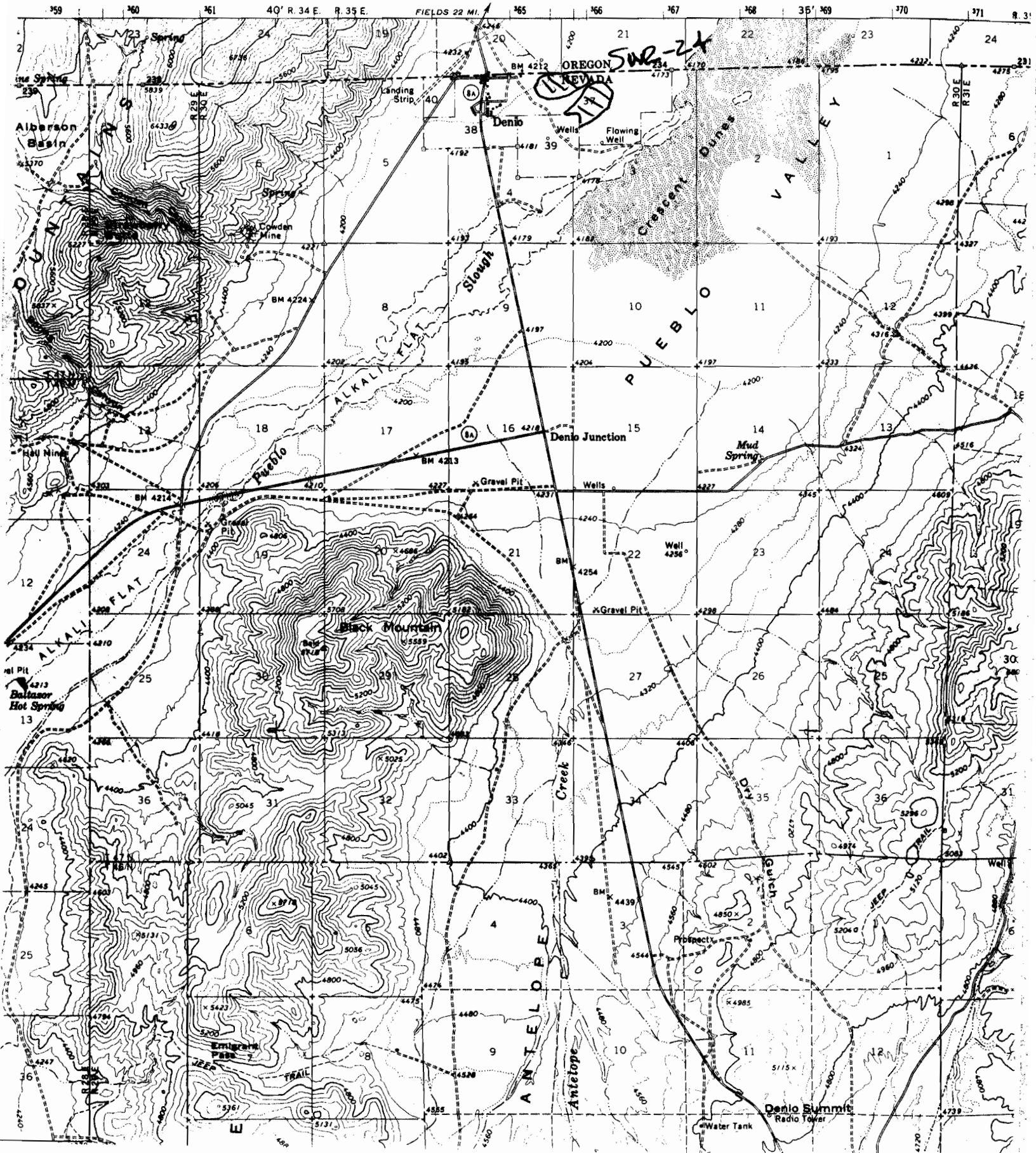
EXISTING WATER RIGHT RECORD CHECK Dec

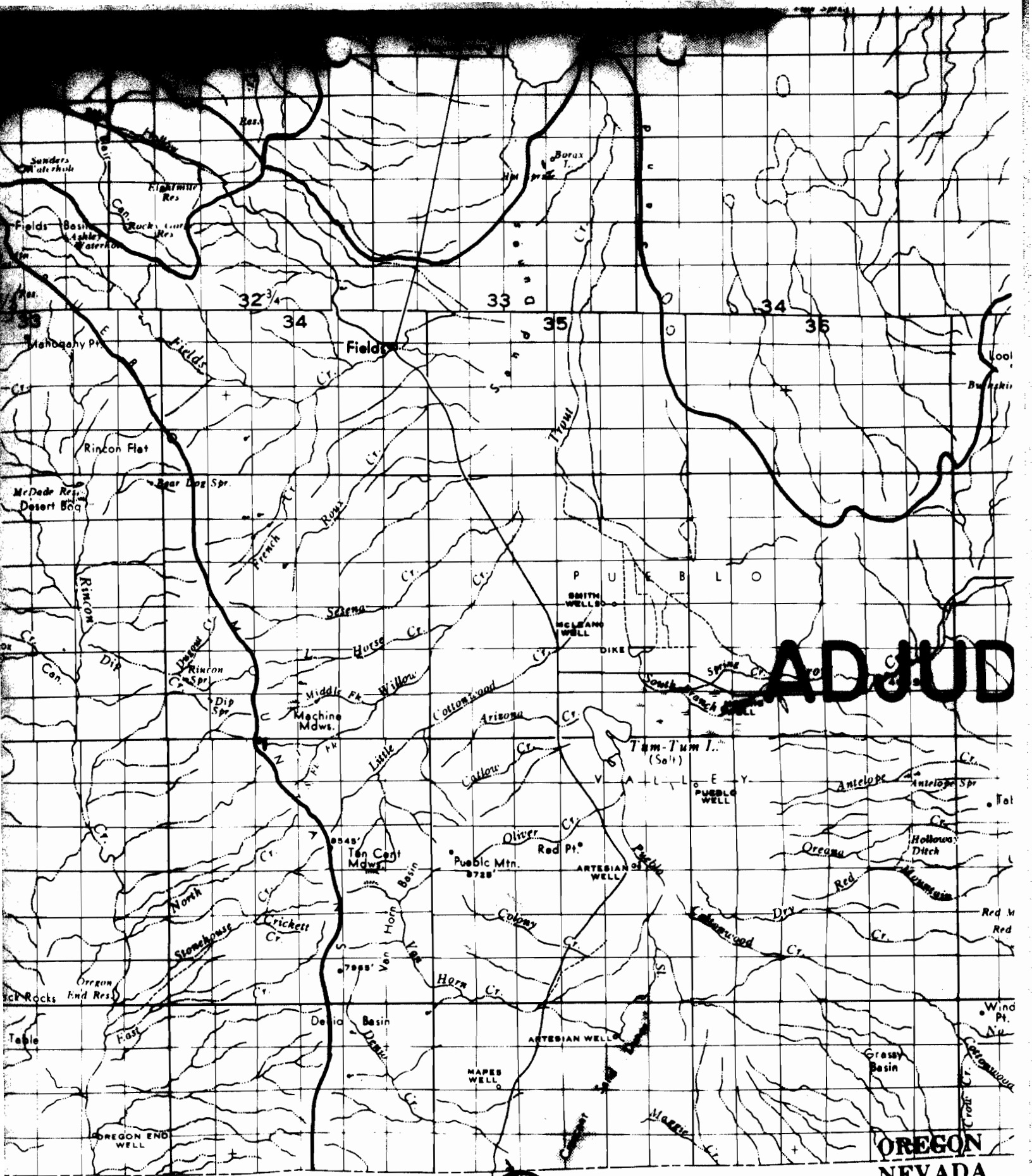
ENTER ON PLAT CARDS overcash



1st map showed div. pt. in
NEVADA! 2nd map
→ MOVE IT TO
OZZON!

BADIN 12





ADJUD



SWR-24

**OREGON
NEVADA**

118 45

To Winnemucca

118 30



Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3066

November 28, 1990

William and Ruth Moser
Box 14
Denio NV 89404

Dear Mr and Mrs Moser:

Reference Files: SWR-4 & SWR-24

This will acknowledge your Registration Statement Claiming a Right to Appropriate Surface Water. Accompanying the Registration Statement was a map. The fees in the amount of \$79.20 were also received for which our receipt numbered 69355 is enclosed. The \$79.20 together with the \$128.80 previously submitted have been credited to this claim. Your Registration Statement has been accepted and numbered SWR-24.

In the near future we will review it and either file it as submitted or return it for completion. We will keep you advised regardless.

Sincerely,

Wayne J Overcash
Senior Water Right Specialist

WJO:tle

enclosure

0700



STATE OF OREGON

INTEROFFICE MEMO

TO: Watermaster #10

DATE: November 28, 1990

FROM: Adjudication Section

SUBJECT: Surface Water Registration

Enclosed are registrations (SWR-23 & SWR-24) that have been filed on pre-1909 surface water uses in your area.

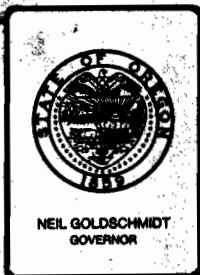
Please comment on the validity of the claims especially as it might relate to:

- priority date,
- quality of water,
- place of use, and
- continuous use without five or more consecutive years of non-use within the past 15 years.

Thank you for your assistance.

tle

0666



Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3066

October 31, 1990

William & Ruth Moser
Box 14
Denio, NV 89404

REFERENCE: File SWR-4

Your registration statement claiming a right to appropriate 2.68 cubic feet per second from Denio Creek for the irrigation of 107.1 acres, does not locate the diversion point in the State of Oregon, was not accompanied with sufficient fees and does not contain sufficient information, so could not be filed. Your registration statement and map are enclosed.

This is to also acknowledge the fees of 129.60 for which our receipt 68682 is enclosed.

The registration statement, as prepared, requires fees of \$208 based on the 107.1 acres to be irrigated. Therefore, an additional fees of \$79.20 would be needed. The fee of 128.80 mentioned in our earlier correspondence was based on the 64.4 acres as noted on the statement submitted in November of 1989.

However, in addition the fees, map and information needed, in order for the file the statement, the point water will be diverted must have been and be located within the State of Oregon.

Item 4 on the registration statement will need to be properly completed. Also, the map to support the application will need to be prepared by a Certified Water Right Examiner.

Of the fees of \$129.60 submitted, \$0.80 is to be credited to your Surface Water Registration-4. The \$128.80 can be credited a new registration statement when received in proper form with the additional fees and the supporting map.

Unless we here from you within thirty (30) days from the date of this letter, we will assume that you will not proceed with the registration statement. A check will be prepared and sent to you in the amount of \$128.80 refunding the unearned fees. If you have any questions, please contact me at 378-3066.

Sincerely,

WAYNE J. OVERCASH
Water Rights Specialist

See
SWR 24

RECEIVED

OCT 29 1990

**WATER RESOURCES DEPT.
SALEM, OREGON**

William Moser
Box 14
Denio, Nevada 89404
October 22, 1990

Mary S. Grainey, Manager
Adjudication Section
Water Resources Department
3850 Portland Road N.E.
Salem, Oregon 97310

re: Surface Water Registration--4

Enclosed is a check in the amount of \$129.60 and a map prepared by a certified water rights examiner as requested in your letter of November, 13, 1989.

The description of our property is:

T 47 S, R 30 E MDM

Tract 37 in Sections 3 and 4

Please advise if there is further information needed.

Sincerely,

William Moser

William Moser

State of Oregon
WATER RESOURCES DEPARTMENT

RECEIVED

OCT 29 1990

WATER RESOURCES DEPT
SALEM, OREGON

REGISTRATION STATEMENT CLAIMING A RIGHT
TO APPROPRIATE SURFACE WATER

Registrant: William and Ruth Moser

Mailing address: Box 14

Street

Denio

Nv

89404

City or town

State

Zip

Phone

1. Sources of water Denio Cr.

Tributary to _____

2. Purpose(s) for which water is used irrigation

(irrigation, power, mining, domestic, stock, etc.)

3. Amount of water used for beneficial purpose 2.68 cfs

(cubic feet per second)

4. Date of the initiation of such water right _____

If the right to be claimed is described by permit, give the permit no. _____, certificate no.

_____, and name it is in _____

5. Describe the appropriate water diversion and distribution system for both the original distribution system and any enlargements:

A) DITCH:

Material Dirt

(dirt, concrete, etc.)

Top width 3 ft. Bottom width 1 ft. Depth 2 ft.

Grade or fall per 1000 feet Varies Capacity Varies
(cubic feet per second)

B) PIPELINE:

Size at intake _____ Size and distance at changes _____

Total fall between intake and place of use _____ Capacity _____

(feet)

(cubic feet per second).

C) PUMP:

Make _____ Type _____

No. _____ Intake size _____ Discharge size _____

Suction head _____ Discharge head _____

Rating: G.P.M. _____ R.P.M. _____ Pressure _____

D) MOTOR:

Type _____ Make _____

H.P. Rating _____ R.P.M. _____

E) CONNECTION:

Direct connected unit _____

If belt driven: Size of drive pulley _____ Driven pulley _____

F) DISTRIBUTION SYSTEM:

Main line: Size _____ Length _____ Kind of pipe _____

Lateral lines: Size _____ Length _____ Kind of pipe _____

Size _____ Length _____ Kind of pipe _____

G) SPRINKLER HEADS:

Make _____ Size of nozzles _____

Number of heads used _____ Capacity of each _____ G.P.M.

Operating pressure _____ lbs.

6. Area of land which your distribution system, as originally constructed, was intended to irrigate:

107.1 acres

7. Location of the area irrigated, or place of use if other than for irrigation:

County of Humboldt County, Nv.

Township	Range	Section	1/4, 1/4 Section	No. of acres Irrigated
M.D.M 47 S	30 E	3,4	tract 37	107.1

NOTE: The lands being irrigated (in this application) are all in the State of Nevada but the Source (Denio Cr.) heads in the State of Oregon.

TOTAL 107.1

8. Location of the point of diversion:

-----1/4-----1/4, Section 3 and 4, T 37 N/S, R 30 E/W. M.D.M.
tract 37

9. If the water use is for power, please state:

A) Gross Head _____ feet

B) Developed THP _____

C) Describe the type of water wheel or turbine and generator used: _____

D) If there is a water power claim, please state the filing number: _____

E) Is water returned to original source? _____ If so, where: _____

-----1/4-----1/4, Section _____, T _____ N/S, R _____ E/W.

10. When does the irrigation season begin and end, and if water is used for other purposes, during what months is it used? April ---October

11. Remarks: _____

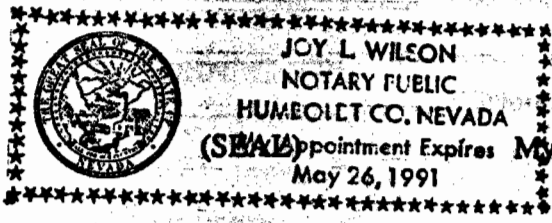
This registration statement must be accompanied by a map prepared by a licensed land surveyor or engineer.

Nevada
State of Oregon)
County of Humboldt) ss.

I, Joy L. Wilson, being first duly sworn, do hereby certify that I have read the Registration Statement and that all of the items therein contained are true to the best of my knowledge and belief.

William Mose Luth Mose
Signature of Registrant

Subscribed and sworn to before me this 25th day of October, 19 90



Joy L. Wilson
Notary Public
May 26, 1991

CERTIFICATE OF REGISTRATION

State of Oregon)
County of _____) ss.

This is to certify that the foregoing Registration Statement was received in the office of the Water Resources Director on the _____ day of _____, 19 ____, at _____ o'clock ____ M., and has been duly recorded in the office in Book No. _____ of Registration Statements on page no. _____.

Witness my hand this _____ day of _____, 19 ____.

Director

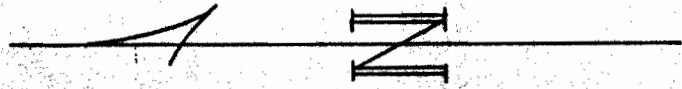
By: _____
Deputy

Fees paid: Irrigation: _____ acres, \$ _____
Power: _____ H.P., \$ _____
Other Uses: _____, \$ _____

Receipt Number: _____; TOTAL \$ _____

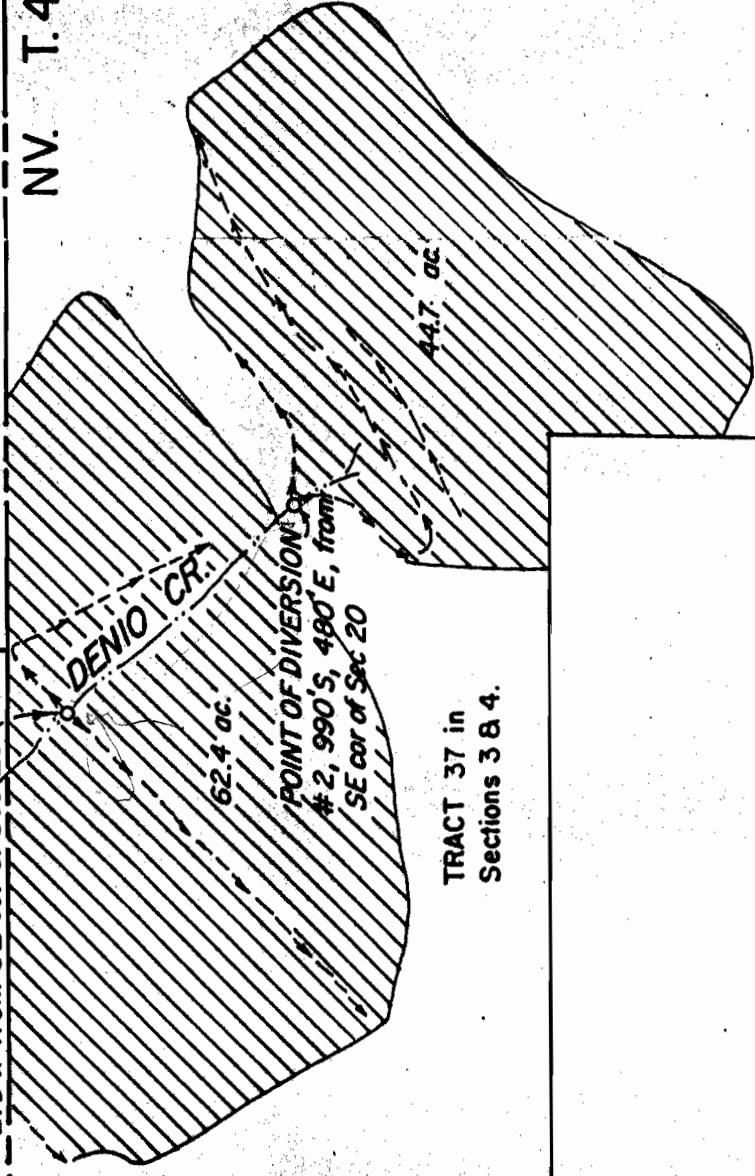
Received: _____, 19 ____.

Water Resources Department



OR. T. 41 S., R. 35 E., W.M.
 NV. T. 47 S., R. 30 E., M.D.M.

POINT OF DIVERSION #1, 200 S.
 210 W from SE cor of Sec 20, 20 21



NOTE

This map is based on a map prepared by H.H. SHELDON, State Water Right Surveyor of Nevada for SANTIAGO MADARIAGA and filed with the STATE ENGINEER of Oregon Feb. 20, 1925 under file no. 08173.

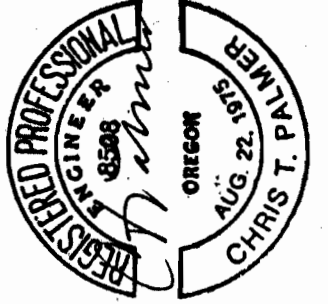
LEGEND

- > Ditch lines
- o Points of Diversion

RECEIVED

OCT 29 1990

WATER RIGHTS MAP		WATER RESOURCES DEPARTMENT SALEM, OREGON	
WILLIAM & RUTH MOSER		JOB: 1168-B	
Scale: 1" = 660'	Date: JUNE 1990	Shl. No. 1	
Dsn:	M.A. PALMER & SONS, INC. ENGINEERING & SURVEYING 254 N. Alder - Box 61 Bums, Oregon 97720		
Dm: CTP	of 1		
Ckd:			





Water Resources Department

3850 PORTLAND ROAD NE, SALEM, OREGON 97310

PHONE 378-3066

November 13, 1989

William & Ruth Moser
Box 14
Denio, NV 89404

Dear Mr. & Mrs. Moser:

Enclosed is your receipt for \$182.00 for Surface Water Registration-4. We need an additional \$0.80 to cover the full cost of the registration.

I am returning your recent Registration Statement because it is incomplete.

The Registration must include:

- . a map prepared by a certified water rights examiner,
- . the description of your property as it appears in your deed, and
- . fees in the amount of \$2.00/acre x 64.4 = \$128.80.

If you return the application with the needed documents and \$129.60, we will record both registrations.

If you have any questions, please contact me at (503) 378-3066.

Sincerely,

MARY S. GRAINEY, Manager
Adjudication Section

MSG:jt

Enclosures

0433j

12960
received 10/29/90
from Moser jr
receipt # 68682

State of Oregon
WATER RESOURCES DEPARTMENT

RECEIVED
NOV 06 1989
WATER RESOURCES DEPT.
SALEM, OREGON

REGISTRATION STATEMENT CLAIMING A RIGHT TO APPROPRIATE SURFACE WATER

Registrant: William and Ruth Moser

Mailing address: Box 14

	Street		
<u>Denio</u>	<u>Nevada</u>	<u>89404</u>	<u>503-495-2209</u>
City or town	State	Zip	Phone

1. Sources of water Denio Creek
Tributary to None

2. Purpose(s) for which water is used irrigation
(irrigation, power, mining, domestic, stock, etc.)

3. Amount of water used for beneficial purpose 64.4 acres 16 cfs.
(cubic feet per second)

4. Date of the initiation of such water right 1890
If the right to be claimed is described by permit, give the permit no. _____, certificate no. _____, and name it is in _____

5. Describe the appropriate water diversion and distribution system for both the original distribution system and any enlargements:

A) DITCH:

Material dirt
(dirt, concrete, etc.)

Top width 3 ft. Bottom width 2 ft. Depth 1 ft.

Grade or fall per 1000 feet 1 ft. Capacity varies
(cubic feet per second)

B) PIPELINE:

Size at intake _____ Size and distance at changes _____

Total fall between intake and place of use _____ Capacity _____
(feet) (cubic feet per second)

C) PUMP:

Make _____ Type _____

No. _____ Intake size _____ Discharge size _____

Suction head _____ Discharge head _____

Rating: G.P.M. _____ R.P.M. _____ Pressure _____

D) MOTOR:

Type _____ Make _____

H.P. Rating _____ R.P.M. _____

E) CONNECTION:

Direct connected unit _____

If belt driven: Size of drive pulley _____ Driven pulley _____

F) DISTRIBUTION SYSTEM:

Main line: Size _____ Length _____ Kind of pipe _____

Lateral lines: Size _____ Length _____ Kind of pipe _____

Size _____ Length _____ Kind of pipe _____

G) SPRINKLER HEADS:

Make _____ Size of nozzles _____

Number of heads used _____ Capacity of each _____ G.P.M.

Operating pressure _____ lbs.

6. Area of land which your distribution system, as originally constructed, was intended to irrigate:

64.4 acres

7. Location of the area irrigated, or place of use if other than for irrigation:

County of Humboldt

Township 47N Range 30E Section 3, 4 1/4, 1/4 Section No. of acres Irrigated

Tract 37 64.4

TOTAL 64.4

8. Location of the point of diversion:

Lot 4 1/4 1/4, Section 20, T 41S N/S, R 35E E/W.

9. If the water use is for power, please state:

A) Gross Head _____ feet

B) Developed THP _____

C) Describe the type of water wheel or turbine and generator used: _____

D) If there is a water power claim, please state the filing number: _____

E) Is water returned to original source? _____ If so, where: _____
_____ 1/4 _____ 1/4, Section _____, T _____ N/S, R _____ E/W.

10. When does the irrigation season begin and end, and if water is used for other purposes, during what months is it used? February-October

11. Remarks: refer to application submitted by Santiago Madariaga, ~~#####~~
and H.H. Sheldon (map) March 4, 1924

This registration statement must be accompanied by a map prepared by a licensed land surveyor or engineer.

State of Oregon)

County of Harney) ss.

I, William Moses & Ruth T. Moses being first duly sworn, do hereby certify that I have read the Registration Statement and that all of the items therein contained are true to the best of my knowledge and belief.

William Moses Ruth T. Moses
Signature of Registrant

Subscribed and sworn to before me this 3rd day of November, 19 89

Bonnie J. Smith
Notary Public

(SEAL)

My commission expires: 4-19-92

CERTIFICATE OF REGISTRATION

State of Oregon)

County of _____) ss.

This is to certify that the foregoing Registration Statement was received in the office of the Water Resources Director on the _____ day of _____, 19 ____, at _____ o'clock ____ M., and has been duly recorded in the office in Book No. _____ of Registration Statements on page no. _____.

Witness my hand this _____ day of _____, 19 ____.

Director By: _____ Deputy

Fees paid: Irrigation: 64.4 acres, \$ 1288
Power: _____ H.P., \$ _____
Other Uses: _____, \$ _____

Receipt Number: _____; TOTAL \$ _____

Received: _____, 19 ____.

SURFACE WATER REGISTRATION STATEMENT CHECK LIST

1. Date Stamped In ✓
2. Receipt ✓
3. Payment Entered and Signed ✓
4. Acknowledgement Letter ✓
5. Enter on Water Right Records
 - A. Stream Index ✓
 - B. Plat Cards ✓
6. Review
 - A. Form
 - B. Map
 - C. Exhibits
7. Records Check
 - A. Conflicting Rights
 - B. Confirming or Conflicting Evidence
8. Letter of Correction, Completion or Acceptance
9. Enter on PARADOX
10. Accepted as OK by WRD

0308j