

INSPECTION REPORT

Ansel Marshall 1981 A-31

July 24, 1985 Ves Garner

On July 24, 1985 I made the annual inspection of Ansel Marshall's project near Burns in Harney County. No one was contacted

The project is to be two wells and pump to provide supplemental irrigation of about 320 acres of hay, grain, and pasture land.

Wells and pumps are installed as previously reported.

It does not appear that either of the two wells completed have been used. The north well still needs a fuel tank and controls.

The crops are again real weedy and poor.

cc: Water Rights
G-10578

INSPECTION REPORT
Ansel Marshall 1981 A-31
June 3, 1985 Ves Garner

On June 3, 1985 I inspected Ansel Marshall's project near Burns in Harney County.

The project is to be two wells and pump to provide supplemental irrigation of about 320 acres of hay, grain, and pasture land.

Wells and pumps are installed as previously reported.

It does not appear that either of the two wells completed have been used. The north well still needs a fuel tank and controls.

The crops are again real weedy and poor.

Ves Garner

CC: Water Rights

~~G-10578~~

WDLF 1981 A-31
G-10578



Water Resources Department

MILL CREEK OFFICE PARK

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

PHONE 378-8131

November 1, 1983

Ansel Marshall
P. O. Box 1187
Burns, OR 97720

Subject: Water Development Loan No. 1981 A-31

Dear Mr. Marshall:

On October 16, 1981 you submitted a request for payment of services and materials for your water development project. Your request for funds was documented by a contract from Aqua-Sales, Inc. in Burns for the following equipment.

Location: Well in NE 1/4 NW 1/4, Sec. 26, T. 22 S., R. 30 E., W.M.

- 1 - 50 hp turbine 900 gpm at 160' tdh open flow
- 1 - 50 hp motor
- 1 - 8" x 16 1/2" discharge head
- 140' 8" x 2 1/2" x 1 1/2" O.T. & shaft
- 1 - used bowles
- 1 - 50 hp panel
- 1 - kvar capacitor
- surge capacitor & lightning arrestor
- install equipment
- wire in equipment
- 1 - service pole

Location: Well in SE 1/4 SW 1/4, Sec. 26, T. 22 S., R. 30 E., W.M.

- 500 gpm at 160' tdh
- 1 - 30 hp sub pump & motor
- 180' #6-3 wire
- 160' 4" x 21' pipe
- 1 - 4" x 12" well cap
- 1 - 4" tee
- 1 - 4" plug
- 1 - 4" gate valve
- 1 - 4" x 10' pipe
- 1 - 30 hp panel
- 1 - surge & lightning arrestor
- 1 - kvar capacitor
- install equipment
- wire in controls
- 1 - service pole

Ansel Marshall
November 1, 1983
Page Two

You requested \$18,602.00 to complete the purchase and installation of this equipment. The payment request was approved and a check was issued to you and Aqua-Sales, Inc. on October 23, 1981.

Field inspections revealed that no installation of equipment was begun until after August 9, 1983 and as of October 13, 1983 still has not been completed. The field inspection on October 13, 1983 showed the following used equipment being installed at the well in Section 26:

Motor: International Harvester
345 cubic inch V8 engine
Model UV 549
Serial #5615

Angle Drive: U. S. Electric Corp.
90° gear drive
rated 150 hp @ 1760 rpm
serial #1367191

Pump: Fairbanks Morse Turbine
Serial #PN710
6" discharge

No equipment was found at the well in Section 36 at the time of the field inspection.

The above equipment is a substantial departure from that listed in the Aqua-Sales contract and for which loan funds were advanced. All project equipment must be documented as to cost. Documentation must be in the form of receipts or paid invoices from Aqua-Sales, Inc.

Also included in the loan funds disbursed to you and Aqua-Sales, Inc. were costs for performing pump tests on two wells. These costs must also be documented with receipts or paid invoices.

If this information is not received by November 11, 1983 the Department will begin legal action to correct the default as per letter of September 12, 1983.

Sincerely,

William H. Young

WILLIAM H. YOUNG
Director

WHY:slv
9016B

INSPECTION REPORT

Ansel Marshall 1981 A-31

October 13 & 14, 1983

On the morning of October 13, 1983 I met with Ansel Marshall and inspected his project near Burns.

The project is to be two wells and two pumps to provide supplemental irrigation of hay and grain crops.

The two wells were constructed and tested in the fall of 1981. The north well yielded 900 gpm and the south well yielded 550 gpm. Pumps were not installed during 1982 and still not as of August 9, 1983.

This date the south well is unchanged, a pump has not been installed. Marshall said a 30 horsepower submersible pump is to be installed today.

At the north well, I found a propane powered pump had been installed but the total installation is not complete. Marshall said he elected propane over electricity because the power company wanted more than \$8000 to install power lines and more than \$3000 annual minimum. A fuel tank, valving and emergency controls will complete the installation. It has not been tested yet.

Summary

Motor: International Harvester
345 cubic inch V8 engine
Model UV 549
Serial #5615

Angle Drive: U.S. Electric Corp.
90° gear drive
rated 150 hp @ 1760 rpm
Serial #1367191

Pump: Fairbanks Morse Turbine
Serial #PN710
6" discharge

INSPECTION REPORT

Ansel Marshall, 1981 A-31

October 13 & 14, 1983 - Ves Garner

Page Two

Note:

Marshall said all of the equipment was obtained from Aqua Sales in Burns.

All of the north well equipment is used but is supposed to be in good condition.

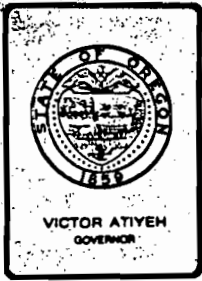
Appearance would indicate poor to fair condition. Marshall said the pump was

new three stage 12 inch.

Note:

I returned to Marshall's at 5:30 pm on the 13th and again at 8:00 a.m. on the

14th and the south pump had not been installed.



Water Resources Department

MILL CREEK OFFICE PARK

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

PHONE 378-2983

September 12, 1983

Ansel and Martina Marshall
Post Office Box 1187
Burns, OR 97720

Re: Water Resources Department Loan 1981 A-31

Dear Mr. and Mrs. Marshall:

Your loan is both delinquent as extended and out of compliance with the loan agreement for the reason that two of the required pumps have not yet been installed even though the loan proceeds were received some time ago.

I met with the assistant attorney general assigned to our department to discuss your file. He recommended that you be given until October 12, 1983 to bring your loan in compliance in all respects. He also strongly recommended that if that deadline is not met that the department immediately review its alternatives and commence the appropriate action, probably foreclosure proceedings.

Sincerely,

CHRIS L. WHEELER
Deputy Director

CLW:slv
8339B

CC: Larry Thomson, Assistant Chief Counsel
Dale Pallin, Aqua Sales, Inc.

INSPECTION REPORT

Ansel Marshall 1981 A-31
August 9, 1983 Ves Garner

On August 9, 1983 I inspected Ansel Marshall's project near Burns.

The project was to have been three wells and three pumps. Two wells have been constructed (numbers 1 and 3) but pumps have not been installed.

The land around the north well (number 1) is farmed and flood irrigated from Silvies River. Crops are hay and grain. The land around the south well (number 3) does not appear to have been ^{cul}activated for some time.

I attempted to locate Mr. Marshall but could not. I had hoped to find out his plan to complete the project.

August 18, 1983

I phoned Aqua Sales and spoke to Dale Pallen, President. I asked Mr. Pallen if Marshall had purchased pumps for his wells. He said he had and came in with a check for \$20,682 made jointly to him and Marshall. He said "since not all of the money was his", he endorsed the check and gave it back to Marshall who, in turn, gave Pallen a check for the correct amount owed Aqua Sales. Pallen said Marshall's check bounced; therefore, he has not been paid so has not installed the pumps. He said he thought Marshall used the \$20,682 for a land payment. I then referred him to Bud.

Ves Garner

INSPECTION REPORT

Ansel Marshall 1981 A-31

On October 14, 1982 I met with Ansel Marshall to inspect his irrigation project near Burns in Harney County. Mr. Marshall accompanied me on my inspection.

The project consists of constructing two wells and the purchase and installation of two turbine pumps. The project serves about 324 acres as a supplemental flood irrigation water source.

There has been no change since the last inspection. Mr. Marshall said that the pumps are purchased and stored at Aqua Sales in Burns. He also said that it was too wet this spring to get equipment in to set pumps and the Silvies River provided adequate water this year. He expects to set pumps after barley is harvested.

The land near the southern well was seeded to oats for hay. The land near the northern well was seeded to barley. Both crops looked good.

Well in Sec 26



by William

ber 14, 1982

INSPECTION REPORT

Ansel Marshall 1981 A-31

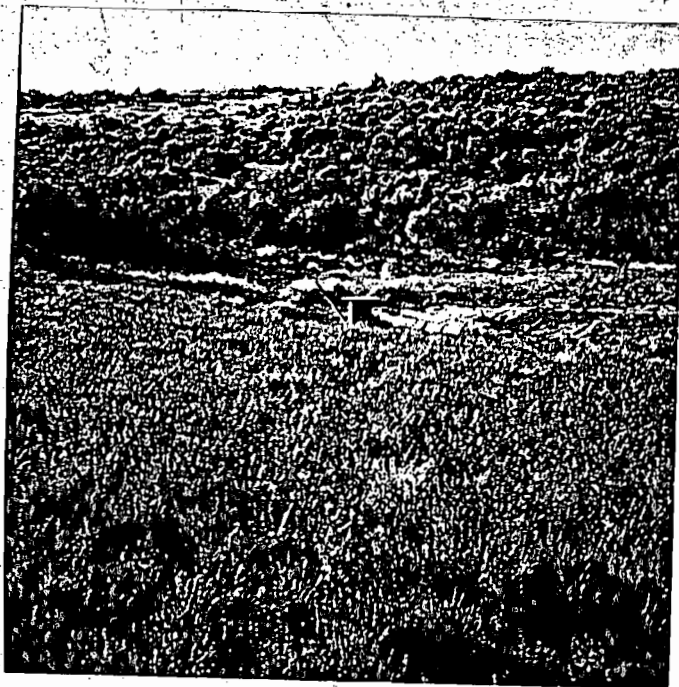
June 14, 1982 Ves Garner

The evening of June 14 I again inspected Ansel Marshall's project near Burns in Harney County. No one was on the project or contacted during the inspection.

I inspected the southerly well first and found it unfinished. The pump, motor, power, etc. is yet to be installed. The land has not been cultivated.

I again attempted to locate the north well but could not find it in the tall grass. It did not appear the electrical service or even the pump was installed.

About 1/2 the area near the north well is farmed in spring grain. No irrigation system was apparent.



INSPECTION REPORT

Ansel Marshall 1981 A-31

10/28/81 Ves Garner

On October 28, 1981 I attempted to contact Mr. Marshall to inspect his project near Burns in Harney County.

I arrived at his home about 7:15 a.m. Lights were on in the house and I found an old man who was feeding stock. He said Mr. Marshall was in the house. I rang the bell, beat on the door, and even yelled. No one answered even though I could hear movement in the house.

I attempted to locate the northerly well but could not find it. The southerly well is the same as last inspected.

INSPECTION REPORT
Ansel Marshall #237

On July 22, 1981, I met with Ansel Marshall to inspect his irrigation project near Burns in Harney County. Mr. Marshall did not accompany me on my inspection.

The project consists of constructing three wells, and installing three turbine pumps.

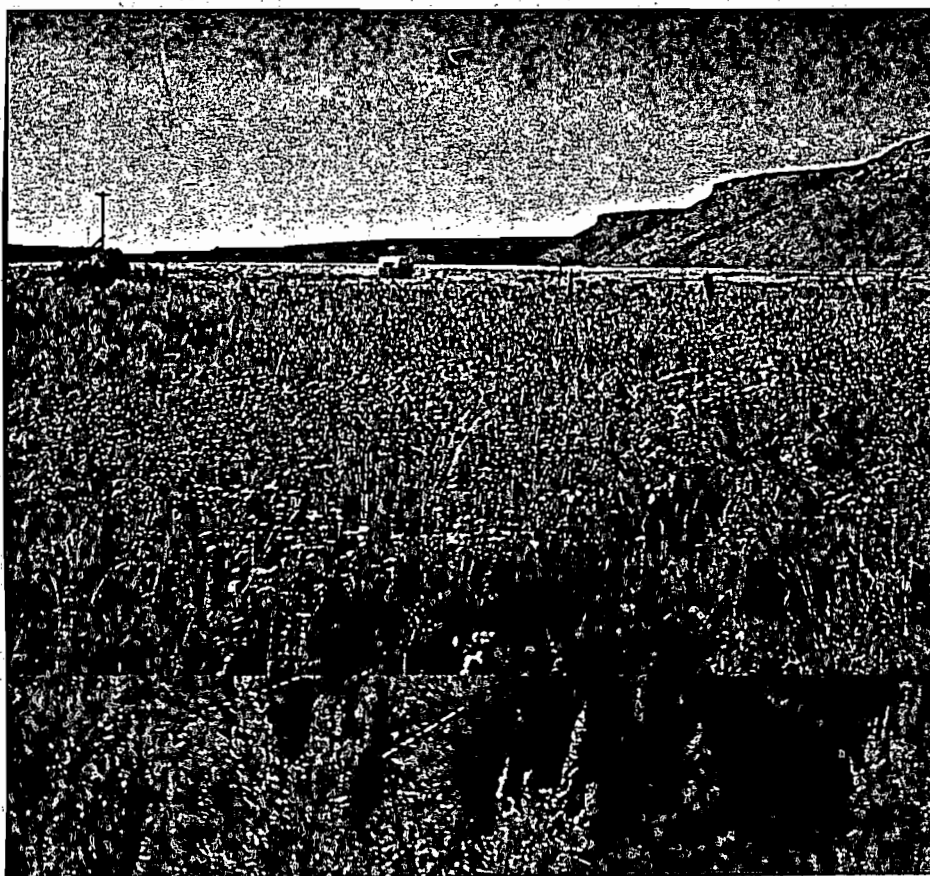
As of this date, the northern well (well No. 1) is being drilled by a cable drill rig (no. 782). The well is said to be 140' deep. The middle well (well No. 2) is not drilled and Mr. Marshall said that he didn't think he would have it drilled at present. Well #3, the southern well has been completed and is said to be 150' deep with a static water level of 50'.

Further inspections will be necessary.

ENGINEER: Greg Williams

Dated July 22, 1981.

PROJECT LAND Sec. 26
FROM Well #1 looking S.E.



INSPECTION REPORT
Ansel Marshall 1981 A-
5/1/81 V.G.

On May 1, 1981 I inspected the project of Ansel Marshall near Burns. I did not attempt to contact Mr. Marshall since it did not appear that any work had been done.

That portion of the project in Section 26 appears to be good farm land now primarily in meadow hay and pasture. There seems to be two farm houses on or near the project land. It did not appear construction of the well had begun.

That portion of the project in the north portion of Section 36 is now unimproved pasture with sage brush in it. If this land had been previously irrigated, there is little evidence. There are two houses located at the NW end of this parcel.

A very old cable tool drill rig on a military style chassis appears to be set up on well No. 2. It appears that this rig may have been there for several years. I do not believe this rig is actively drilling a well.

That portion of the project in the southern part of Section 36 is primarily in sage brush. Maybe the northern portion had been improved and irrigated but not recently. This portion of the project has a mobile home on it. Construction of the well has not started.



Water Resources Department

MILL CREEK OFFICE PARK

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

PHONE 378-8131

November 1, 1983

Ansel Marshall
P. O. Box 1187
Burns, OR 97720

Subject: Water Development Loan No. 1981 A-31

Dear Mr. Marshall:

On October 16, 1981 you submitted a request for payment of services and materials for your water development project. Your request for funds was documented by a contract from Aqua-Sales, Inc. in Burns for the following equipment.

Location: Well in NE 1/4 NW 1/4, Sec. 26, T. 22 S., R. 30 E., W.M.

- 1 - 50 hp turbine 900 gpm at 160' tdh open flow
- 1 - 50 hp motor
- 1 - 8" x 16 1/2" discharge head
- 140' 8" x 2 1/2" x 1 1/2" O.T. & shaft
- 1 - used bowles
- 1 - 50 hp panel
- 1 - kvar capacitor
- surge capacitor & lightning arrestor
- install equipment
- wire in equipment
- 1 - service pole

Location: Well in SE 1/4 SW 1/4, Sec. 26, T. 22 S., R. 30 E., W.M.

- 500 gpm at 160' tdh
- 1 - 30 hp sub pump & motor
- 180' #6-3 wire
- 160' 4" x 21' pipe
- 1 - 4" x 12" well cap
- 1 - 4" tee
- 1 - 4" plug
- 1 - 4" gate valve
- 1 - 4" x 10' pipe
- 1 - 30 hp panel
- 1 - surge & lightning arrestor
- 1 - kvar capacitor
- install equipment
- wire in controls
- 1 - service pole

Ansel Marshall
November 1, 1983
Page Two

You requested \$18,602.00 to complete the purchase and installation of this equipment. The payment request was approved and a check was issued to you and Aqua-Sales, Inc. on October 23, 1981.

Field inspections revealed that no installation of equipment was begun until after August 9, 1983 and as of October 13, 1983 still has not been completed. The field inspection on October 13, 1983 showed the following used equipment being installed at the well in Section 26:

Motor: International Harvester
345 cubic inch V8 engine
Model UV 549
Serial #5615

Angle Drive: U. S. Electric Corp.
90° gear drive
rated 150 hp @ 1760 rpm
serial #1367191

Pump: Fairbanks Morse Turbine
Serial #PN710
6" discharge

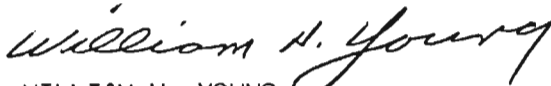
No equipment was found at the well in Section 36 at the time of the field inspection.

The above equipment is a substantial departure from that listed in the Aqua-Sales contract and for which loan funds were advanced. All project equipment must be documented as to cost. Documentation must be in the form of receipts or paid invoices from Aqua-Sales, Inc.

Also included in the loan funds disbursed to you and Aqua-Sales, Inc. were costs for performing pump tests on two wells. These costs must also be documented with receipts or paid invoices.

If this information is not received by November 11, 1983 the Department will begin legal action to correct the default as per letter of September 12, 1983.

Sincerely,



WILLIAM H. YOUNG
Director

WHY:slv
9016B



STATE OF OREGON

INTEROFFICE MEMO

TO: Water Resources Bookkeeper

DATE: 6-10-83

FROM: DCH
Authorizing Examiner

TO DEB ADERMONA
Sent 7-6-83 Dch

SUBJECT: Request for Refund Check

Please refund \$ 28⁰⁰ to ANSELL & MARTINA MARSHALL
file no. 6-10578, receipt no. 33404. These funds are refunded

due to:

- Application rejected
- Application withdrawn
- Excess fees collected for application
- File closed
- Other: _____

June 23, 1983

Ansell and Martina Marshall
PO Box 1187
Burns, OR 97720

G-10578

G-10048

A refund check in the amount of \$28 will be sent
to you as soon as our bookkeeper can prepare it.

378-3066
or
1-800-452-7813
(message line)

April 14, 1983

Ansell and Martina Marshall
PO Box 1187
Burns, OR 97720

Dear Mr. and Mrs. Marshall:

REFERENCE: File G-10578

Thank you for returning Application G-10578 and the accompanying map.

Your application was returned to you and was endorsed so that in order to retain its priority date, it was to have been received in this office on or before March 25, 1983. The new priority date of your application is April 11, 1983, the date it was received.

Your application is now in satisfactory form and will be considered for issuance of a permit with the next group to be processed.

Sincerely,

CHRIS L. HUGHES
Senior Water Rights Examiner

CLHwpc

0056/S
6019B



Water Resources Department
MILL CREEK OFFICE PARK

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

PHONE 378-3066 or
1-800-452-7813
(message line)

April 7, 1983

Ansell and Martina Marshall
PO Box 1187
Burns, OR 97720

Dear Mr. and Mrs. Marshall:

REFERENCE: File G-10578

Your Application G-10578 which was returned to you has not been received. It was endorsed so that in order to retain its priority date, it must have been received in this office on or before March 25, 1983.

Your application has lost its priority, but may be reinstated with a new priority date when it is again received.

Sincerely,

Stephen C. Brown
Senior Water Rights Examiner

SCB:jvm

cc: Ves Garner, WDLF - 1981, A31

378-3066
or
1-800-452-7813
(message line)

January 25, 1983

Ansel and Mertina Marshal
PO Box 1187
Burns, OR 97720

Dear Mr. and Mrs. Marshal:

REFERENCE: File G-10578

Thank you for the return of Application G-10578 along with the accompanying map.

Item 3 of the application indicates land to be irrigated in the SW 1/4 SW 1/4 of Section 26, however, the map does not indicate any land in that quarter-quarter section. It appears that the quarter-quarter section should be described as the SW 1/4 SE 1/4.

The 3.0 acres described as being supplemental in the NE 1/4 SW 1/4 of Section 36, is not covered by an existing right. You should amend Item 3 and the map to indicate this application is for primary irrigation in this quarter-quarter section.

I am returning your application and map for correction and completion. The application is endorsed so that in order to retain its priority date it must be received in this office on or before March 25, 1983.

Sincerely,

STEPHEN C. BROWN
Senior Water Rights Examiner

SCB:wpc

enclosures

4586B



Water Resources Department

MILL CREEK OFFICE PARK

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

PHONE 378-3066 or
1-800-452-7813
(message line)

November 16, 1982

Ansell and Martina Marshall
PO Box 1187
Burns, OR 97720

Dear Mr. and Mrs. Marshall:

REFERENCE: File G-10578

Your application now describing the proposed use of 5.4 cubic feet of water per second from two wells for the supplemental irrigation of 324.0 acres, along with the supporting map, has again been reviewed. Our Receipt 33404 acknowledging the additional recording fees submitted in the amount of \$258.80 is enclosed.

There are some discrepancies between what you indicate as having primary irrigation and what our records show. Listed below are the locations where these discrepancies lie:

Our records show primary

Section 26	NW $\frac{1}{4}$ NE $\frac{1}{4}$	34.9 acres
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	0.0 acres
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	35.0 acres
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	33.0 acres
Section 36	NE $\frac{1}{4}$ SW $\frac{1}{4}$	0.0 acres
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	11.7 acres
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	18.86 acres

Township 22 South, Range 30 East, WM

Only the lands which have primary rights existing may receive supplemental water. You should amend your application to indicate primary and supplemental to agree with what our records show.

It will be required for you to revise your map to indicate the location of the acreage that is to receive primary water and the location of the land to receive supplemental water.

Ansell and Martina Marshall
November 16, 1982
page two

If the application is to be in both names as appear on page one,
both signatures must appear on page three.

I am returning the application and map for correction and completion.
The application is endorsed so that in order to retain its priority
date, it must be received in this office on or before January 17, 1983.

Sincerely,

Stephen C. Brown
Senior Water Rights Examiner

SCB:tw
enclosures
cc: Bill Beal, Watermaster
Ves Garner, Water Development Loan Program

ATTENTION: STEPHEN C. BROWN
SENIOR WATER RIGHTS EXAMINER

RECEIVED
OCT 27 1982
WATER RESOURCES DEPT.
SALEM, OREGON

We hope this will put everything in order.
Enclosed is a copy of the one that was lost.
We crossed out the well that was not drilled and
called #3 well #2 well on the new copy we are submitting.

Ansel & Martina Marshall

#237

Copy of application that was sent in
and apparently lost in the mail.

RECEIVED

OCT 27 1982

**WATER RESOURCES DEPT.
SALEM, OREGON**

STATE OF OREGON WATER RESOURCES DEPARTMENT

RECEIVED

Application for a Permit to Appropriate Ground Water

OCT 27 1982
WATER RESOURCES DEPT.
SALEM, OREGON

I, Ansell & Martina Marshall
(Name of Applicant)

of P.O. Box 1187 BURNS
(Mailing Address) (City)

State of ORE 97720 Phone No. 573-6255 do hereby
(Zip Code)

make application for a permit to appropriate the following described ground waters of the State of Oregon:

1. The development will consist of 3 Wells

(Give number of wells, tile lines, infiltration galleries, etc.)

having a diameter of 14" and an estimated depth of 175 feet.
1260 South 1620 East

2. The well or other source is to be located 1120' ft. South and 1120' ft. East
NW Sec 26 being WITHIN NE NW of Sec 26 T22S R 30E
from the NW corner of Sec 36 NE NE
(Public Land Survey Corner)

#3 200' North 1260' East From SW Cor. Sec. 36 being within SE, SW of Sec 36 T22S R 30E
(If there is more than one well, each must be described)

being within the 1/4 of the 1/4 of

Sec. 36 Tp. 22N R. 30E, W. M., in the county of HARNEY

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

Township	Range	Section	List 1/4 1/4 of Section	List use and/or number of acres to be irrigated
T22S	30E	26	NE NE	3.0 - S
"	"	"	NW NE	35.0 - S
"	"	"	NE NW	23.0 - S
"	"	"	SE NW	16.0 - S
"	"	"	SW NE	28.0 - S
"	"	"	NE SW	3.0 - S
"	"	"	NE SE	35.0 - S
"	"	"	NW SE	37.0 - S
"	"	"	SW SE	36.0 - S
"	"	"	SE SE	37.0 - S 252.00
"	"	36	NE NW	0.0 - S
"	"	"	NW NW	0.0 - S
"	"	"	SE NW	17.0 - S (4.5 P-125 S)
"	"	"	SW SE	2.0 - S 28.00
"	"	"	NE SW	3.0 - S
"	"	"	SE SW	18.0 - S
"	"	"	NW SE	22.0 - S
"	"	"	SW SE	26.0 - S
T23S	"	1	NE NW	5.0 - S
"	"	"	NW NE	2.0 - S 28.00

251 TOTAL

4. It is estimated that 525 feet of the well will require Steel casing.
(Kind)

5. Depth to water table is estimated 175 Well drilled by Bill Wilk. Am.
(Foot) Will drill the wells.

6. The amount of water which the applicant intends to apply to beneficial use is 5.4 cubic feet per second or 4.2 gallons per minute. ~~4.2~~ - ~~1.5~~

7. The use to which the water is to be applied is Flood irrigation

8. If the flow to be utilized is artesian, the works to be used for the control and conservation of the supply when not in use must be described.

9. If the location of the well, or other development work is less than one-fourth mile from a natural stream channel, give the distance to the channel and the difference in elevation between the stream bed and the ground surface at the source of development.

10. DESCRIPTION OF WORKS

Include length and dimensions of supply ditch or pipeline, size and type of pump and motor, type of irrigation system to adequately describe the proposed distribution system.

open "V" Type ditches and smaller Feeder ditches to irrigate the property

11. Construction work will begin on or before April 1 - 1981

12. Construction work will be completed on or before Sept 1 - 1981

13. The water will be completely applied to the proposed use on or before SEPT 15 1981

14. If the ground water supply is supplemental to an existing supply, identify the supply and existing water right. Silvies River Decree

Remarks: The well driller will start about April 15, 1981

Most ditches are all ready built and used by water from the Silver river

This permit, when issued, is for the beneficial use of water. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

Ansel Marshall
Signature of Applicant

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for

In order to retain its priority, this application must be returned to the Water Resources Director with corrections on or before, 19

WITNESS my hand this day of, 19

Water Resources Director

By

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the day of, 19, at o'clock M.

Application No.


Permit No.

RESOURCES DEPARTMENT

INTEROFFICE MEMO

To: File G-10578

Date: September 28, 1982

From:  Stephen C. Brown
Senior Water Rights Examiner

Subject: Mrs. A. Marshall called in today and stated that a check in the amount of \$258.80 and the ammended application and map was forwarded to this office on August 18, 1982.

In reviewing our reciepts, there was no indication that the check was recieved. Mrs. Marshall was told we would hold action on the application for 30 days from this date to allow her to complete a new application and submitthe said application to us along with the supporting data.



Water Resources Department

MILL CREEK OFFICE PARK

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

PHONE 378-3066 or
1-800-452-7813
(message line)

September 14, 1982

Ansell and Martina Marshall
PO Box 1187
Burns, OR 97720

Dear Mr. and Mrs. Marshall:

REFERENCE: File G-10578

Since you have not returned Application G-10578 or replied to correspondence regarding it, I assume you have reconsidered the matter of your proposed use of water and will not resubmit your application.

If we do not hear from you within thirty days from the date of this letter, your application will be rejected without further notice and the \$103.20 unearned permit recording fee will be returned.

Sincerely,

Stephen C. Brown
Senior Water Rights Examiner

SCB:tw

cc: Water Development Loan Program



Water Resources Department

MILL CREEK OFFICE PARK

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

PHONE 378-3066 or
1-800-452-7813
(message line)

July 9, 1982

Ansell and Martina Marshall
PO Box 1187
Burns, OR 97720

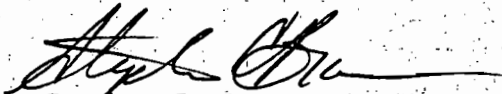
Dear Mr. and Mrs. Marshall:

REFERENCE: File G-10578

Your Application G-10578 which was returned to you has not been received. It was endorsed so that in order to retain its priority date, it must have been received in this office on or before July 6, 1982.

Your application has lost its priority, but may be reinstated and given a new priority date as of the date it is next received.

Sincerely,


Stephen C. Brown
Senior Water Rights Examiner

SCB:tw

378-3066 or
1-800-452-7813
(message line)

May 3, 1982

Ansell and Martina Marshall
PO Box 1187
Burns, OR 97720

Dear Mr. and Mrs. Marshall:

REFERENCE: File G-10578

Your application describing the proposed use of 5.9 cubic feet of water per second from three wells for the irrigation and supplemental irrigation of 352.0 acres, along with the supporting map, has been reviewed.

There are some discrepancies between what you indicate as having primary irrigation and what our records show. Listed below are the locations where these discrepancies lie:

Our records show primary

Section 26	NW $\frac{1}{4}$ NE $\frac{1}{4}$	34.9	acres
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	0.0	acres
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	35.0	acres
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	33.0	acres

Section 36	NE $\frac{1}{4}$ NW $\frac{1}{4}$	5.8	acres
	NE $\frac{1}{4}$ SW $\frac{1}{4}$	0.0	acres
	SE $\frac{1}{4}$ SW $\frac{1}{4}$	11.7	acres
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	18.86	acres

Township 22 South, Range 30 East, WM

Only the lands which have primary rights existing may receive supplemental water. You should amend your application to indicate primary and supplemental to agree with what our records show.

Your map must be revised to indicate the location of the acreage that is to receive primary water and the location of the land to receive supplemental water.

The total acreage to receive water as described by your application and map is 352.0 acres, not 351.0 acres as described by the total amount in Item 3.

Ansell and Martina Marshall

May 3, 1982

page two

A new fee schedule, enacted by the Legislature became effective August 19, 1981. Under the new fee schedule, the required fees for your application are: examination fee of \$40 and a permit recording fee for irrigation of \$362, for a total of \$402. Since you submitted \$143 with the application, an additional \$258.80 will be required.

If the application is to be in both names as appears on page one, both signatures must appear on page three.

I am returning the application and map for correction and completion. The application is endorsed so that in order to retain its priority date, it must be received in this office on or before July 6, 1982.

Sincerely,

Stephen C. Brown
Senior Water Rights Examiner

SCB:tw
enclosures



Water Resources Department

MILL CREEK OFFICE PARK

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

PHONE 378-3066
or
1-800-452-7813
(message line)

Ansell and Martina Marshall
PO Box 1187
Burns, OR 97720

Dear Mr. and Mrs. Marshall:

REFERENCE: File G-10578

We have received your application for use of water for flood irrigation purposes along with the supporting data and fees. Our Receipt 27788 is enclosed. Your application has been filed and assigned number G-10578.

Because of the many applications which have been filed in recent months, we are temporarily behind in our processing. Your application will be examined in detail as soon as possible. We will contact you if we need any additional information. If a permit is required to satisfy the conditions of a loan or land sale or if other emergency conditions exist, please let us know and we will attempt to process your application in the shortest possible time.

After examining your application, a permit may be issued without further correspondence if no additional information is required and it does not conflict with existing rights. The proposed appropriation will be subject to the Water Policy Review Board's Basin Program Statements, existing minimum flows, and demands of prior rights during periods of low water.

Thank you for your patience.

Sincerely,

RALPH H. JACKSON
Supervisor, Application/Permit Section
Water Rights Division

RHJ:wpc
enclosure
0427A/1
7713A

COPY



G 10578

Water Resources Department

MILL CREEK OFFICE PARK

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

PHONE 378-3066

February 4, 1981

Ansel and Martina ~~Marshall~~
P. O. Box 1187
Burns, Oregon, 97720

Dear Mr. and Mrs. Marshall:

Your application for a permit to appropriate 1760 gallons of water per minute from three wells for irrigation of 320 acres was not accompanied with the required fees, so could not be filed.

The application requires the examination fee of \$20.00 and recording fees, based upon the the 320 acres listed, in the amount of \$67.00. Therefore, a total of \$87.00 is needed.

In addition to locating each well by distances from section corners, it is also necessary to list the $\frac{1}{4}$ - $\frac{1}{4}$ section where each well is located. If there is insufficient space in Item 2, you may refer to the remark section and give the required information.

Item 3 must be completed by listing the acreage in each $\frac{1}{4}$ - $\frac{1}{4}$ section to be irrigated. If separate lands will be irrigated from each well, the acreage to be irrigated from each well must be listed separately.

The amount of water you wish to appropriate from each well must be noted in Item 6.

If the water from the wells will be used to make up deficiencies in supply that may occur in the primary supplies covered under existing rights, the use should be noted as supplemental irrigation in Item 7.

Items 10, 11, 12, and 13 must be completed and it will be necessary for both of you to sign the application on the third page.

Your application must be supported by a map showing the project. Pages 3 and 4 of the enclosed booklet relative to ground water applications briefly explains the requirements for your supporting maps. Unless you have had experience in preparing maps, it is

Ansel and Martina Marshall
February 4, 1981
Page 2

advisable to secure technical assistance in drawing the required map.

I am returning your application and legal descriptions. I am also enclosing a blank application form you may complete and submit.

Sincerely,

Wayne J. Overcash
Water Rights Engineer

WJO/jw

Enclosures

TOWNSHIP 22 S RANGE 30 E W. M. SECTION 26

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT			
6	1	2	5									3	4					
ACREAGE IN LOT OR				LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT IF								OTHER THAN 40 ACRES						
474 ¹ 37 ⁵ 356 ⁰ 444 ⁴												40						
2 ²																Decree, Vol 9	Page 182	
474 ¹ 444 ⁴																Decree, Vol 9	Page 151	
323-356				30 2 16				40 35 33 37				Decree, Vol 9	Page 158					
								4 ² 31 ² 27 ⁸				31595	24922	28860				
								2 8 5 8 12 ²				G-2088	G-1917	35132				
								4 ² 31 ² 27 ⁸				Supplemental	G-1917	35132				
3 ⁰ 35 ² 28 ⁰				23 ⁰				16 ⁰ 3 ⁰				35 37 36 37	G-10578 ^{suppl.}					
3 ⁰ 36 ⁰ 28 ⁰				23 ⁰				16 ⁰ 3 ⁰				35 37 36 37						

TOWNSHIP 22 S RANGE 30 E W. M. SECTION 36

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT			
9	3	8		2	10	1	11					4	7	5	6			
ACREAGE IN LOT OR				LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT IF								OTHER THAN 40 ACRES						
38 ⁰ 40				42 ⁰ 40								40 44 ⁰ 356 ⁰						
Lot 3 10												Lot 21 9-255				Decree, Vol 9	Page 141	
Lot 8 40 38 21 ⁰ 40												Power				Decree, Vol 9	Page 141	
				Lot 10 58 ⁰ 61 ⁵				12 ⁵				Lot 7 40 98 ⁶ 35 ⁶				Decree, Vol 9	Page 151	
3 ⁰								12 ⁵				18 ⁰				Decree, Vol 9	Page 204	
				6 ⁰ 2 ⁰								22 ⁰ 21 ⁰				G-10578 ^{suppl.}		
																G-10578		

TOWNSHIP 23 S RANGE 30 E W. M. SECTION 1

NE				NW				SW				SE				APPLICATION NUMBER	PERMIT NUMBER	CERTIFICATE NUMBER
LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT	LOT			
1	2			3	4													
ACREAGE IN LOT OR				LEGAL SUBDIVISION AS SHOWN ON GOVERNMENT PLAT IF								OTHER THAN 40 ACRES						
40 ⁰ 40 ¹				40 ⁰ 40 ³														
35-85				9.1 5												Decree, Vol 9	Page 141	
36 ⁵												30 9				Decree, Vol 9	Page 140	
Demolition 24 ⁸ 9 ² 10 ⁰												26 ⁵ 22 ⁷				U-134	U-126	20245
6 ²																U-251	U-223	20244
34-2353-4-3000																Min. Jan	G-1470	G-1417
																G-6685	G-6090	6
																G-8971	G-8453	6
2				5												G-10578 ^{suppl.}		

Harkey, Lena B.
Burns, Oregon
(Continued)

1886

2.00

160

Irrigation

Sweck

Main

40 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
40 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$
40 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$
40 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 6,
T. 25 S. R. 51 E. W. M.

Harkey, Mrs. Mary J.
Burns, Oregon

1886

2.00

160

Irrigation

Harkey

Main

40 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$
40 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$
40 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
40 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 6,
T. 25 S. R. 51 E. W. M.

Harney Valley Dam Ditch 1886
and Irrigation Co.,
a corporation by
Simon Lewis, Pres.

14.30

1144.15

Irrigation

H. V. D. D.
and I.
Co. East

16 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$
40 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$
57 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 24,
55 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$
40 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$
56 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 25,
(Owned by Henry
Vulgamore, successor
in interest to Melvin
Penwick)
40 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$
40 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
61.9 acres in W $\frac{1}{2}$ SW $\frac{1}{4}$ (Lot 2)
40 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$
25 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$
40 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$
25 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 23, - 15
40 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$
58 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ (Lot 9)
21.05 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ (Lot 8)
40 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 26,
(Owned by J. C. Foley)

47.47 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ (Lot 6)
44.4 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ (Lot 5)
Section 26,
(Owned by Pacific Livestock
Company).
15.75 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ (Lot 6)

28 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$
29 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$
58.58 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ (Lot 5)
40 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 25,
T. 22 S. R. 50 E. W. M.
(Owned by Simon Lewis)

20 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$
28 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$
40 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$
40 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 32,
T. 22 S. R. 51 E. W. M.

SILVIES RIVER - 79

* T-4944 add'l Ad

* 14.2
* 23.7
* 17.0
* 55.0
Owned by
H. V. D. D. & I. Co. East

* 2.5

Year	Acres	Section	Use	Owner	Notes
(Continued)					
(Land in Section five also irrigated from Foley Slough through Lampshire ditch (Owned by J. J. Lampshires.)					
Harney Valley Dam Ditch and Irrigation Co.	1886	4.62	369	Irrigation	H. V. D.D. & I. Co. West Main Savage Slough
					40 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 40 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 5, T. 23 S. R. 51 E. W. M.
					52.5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ (Lot 1) 55.6 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ (Lot 2)
					50 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 2 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 16 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ (Lot 5) 55 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 55 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 57 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 28, (Owned by M. B. Hayes successor in interest of Ora Hill)
					10.6 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 1) 18 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 18 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 29.3 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 2) 54 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 25, T. 22 S. R. 50 E. W. M. (Owned by Henry Vulgamore)
					<i>part owned by Cowing</i>
Harney Valley Improvement Company, By Wm. Hanley, Pres. Burns, Oregon.	1907	2.00	160	Irrigation Dams	5:3 Acres Canceled Sp. Or. Rec. Vol. 26 P. 17 Poison Creek
					40 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ (Under contract of sale to Harvey B. Gouldin)
	1909	1.00	80		40 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ (Under contract of sale to Frank Whiting)
	1909	2.00	160		40 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 40 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 40 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ (Under contract of sale to Ralph E. Peabody)
	1909	1.00	80		40 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ (Under contract of sale to James Smith)
	1909	2.00	160		40 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ 40 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 40 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ (Under contract of sale to John H. Culp)
					Section 3, T. 23 S. R. 51 E. W. M.
					SILVIES RIVER - 80.

Brown, N. & Sons (Continued)	1905	3.00	240	Irrigation	Foley slough ditch	Main Foley slough	40 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 40 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 40 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 24, T. 25 S. R. 51 E. W. M.
Mary Bunyard, Administratrix of the Estate of James H. Bunyard, deceased, Successor in interest, Burns, Oregon.	1889	165.95		Irrigation	Marrs, Co.	Main	41.15 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 6) 41.52 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 7) 40 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 45.50 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ (Lot 2)
	1898		318.70	Irrigation	Marrs. Co.	Main	40 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ 40 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 40 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 1, T. 24 S. R. 51 E. W. M. 59.84 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ (Lot 1) 59.84 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ (Lot 8) 59.51 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ (Lot 7) 59.51 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ (Lot 2) Section 7, T. 24 S. R. 52 E. W. M.
Burns Flour Milling Co., a corp.	1884		57.2	Irrigation	Burns Flour Mill Co.	Main	10 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ (Lot 5) 11.7 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 17 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 9 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ (Lot 4) 25.5 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ (Lot 5) Section 36, T. 22 S. R. 50 E. W. M.
	1901		26.7	Irrigation	Burns Flour Mill Co.	Main	3.5 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ (Lot 1) 8.5 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ (Lot 2) 9.7 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 5) 5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 4) Section 1, T. 25 S. R. 50 E. W. M.
Power Claim #106 <i>Cancelled - See Sp. Or. Vol. 9, p. 173</i>	1884			Power 159 H. P.	Burns Flour Mill Co.	Main	Place of use of power: Lot 5, Section 36, T. 22 S. R. 50 E. W. M.
Bulkeley, E. C. Burns, Oregon. (Grant)	1887	1.00	5 60	Irrigation	Bulkeley	Mountain Creek	20 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 15 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 15 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 10 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ 5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 32 T. 18 S. R. 32 E. W. M.
Byrd, Julian, Burns, Oregon	1900	1.00	80	Irrigation	Dams and ditches	Poison Creek	10 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 50 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 4, 50 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 10 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 5, T. 22 S. R. 51 E. W. M.

SILVIES RIVER - 65.

Priority	Per Record	Acres	Description	Location	Section	T. S. R. E. W. M.
Oct. 1, 1892		18	Irrigation	Trout Creek	Trout Creek Silvies River	18 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 18, T. 19 S. R. 32 E. W. M.
1899		60	Irrigation	Dams and ditches	Hall Creek	25 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 28, 20 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 36, 15 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 25, T. 18 S. R. 31 E. W. M.
1905		30	Irrigation	Old ditch	Spring Creek	10 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 7, 10 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 18, T. 19 S. R. 32 E. W. M.
1899		55	Irrigation	Payne Creek	Payne Creek	50 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 17, 5 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 17, T. 18 S. R. 31 E. W. M. 15 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 18, T. 18 S. R. 31 E. W. M. 5 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 20, T. 18 S. R. 31 E. W. M.
1887		2.4	Irrigation		Silvies	2.4 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ Section 28, T. 22 S. R. 30 E. W. M.
(Note: The balance of the land described by claimants in this claim is tabulated under the Harney Valley Dam, ditch & Irrigation Company.)						
1888		471	Irrigation	Warm Springs Hotchkiss and Thornburg	Silvies and Warm Springs	40 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 28 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 55 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 51 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 57 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 20 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 40 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 40 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 36, T. 23 S. R. 30 E. W. M.
1885		1280	Irrigation	Potter Swamp Dam and Sage Hen Creek Ditches	Silvies and Sage Hen	40 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 40 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ 40 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ Section 12, 40 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 40 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ 40 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 15, T. 24 S. R. 30 E. W. M.

(Continued)
(Harney)
(Grant)

(Harney)

(Grant)

(Harney)

That Part of water involving Warm Springs Transferred Sp. Or. Vol. 2 p. 221
Also Amended Sp. Or. Vol. 2 p. 221

SILVIES RIVER -105

182

DECREE ON MANDATE 12-22-28
Recorded Vol. 100 p. 208

DECREE CORR. ERROR 4-19-32
Recorded Vol. 16 p. 201

INDEX
Section T. 2 & R. 9.

ORDER CORR. DECREE 10-31-31
Recorded Vol. 16 p. 199

STATE OF OREGON WATER RESOURCES DEPARTMENT **RECEIVED**

Application for a Permit to Appropriate Ground Water **OCT 27 1982**

WATER RESOURCES DEPT.
SALEM, OREGON

J, ANSEL & MARTINA MARSHALL

(Name of Applicant)

of P.O. BOX 1187 BURNS
(Mailing Address) (City)

State of OREGON, 97720 Phone No. 573-6255 or 382-4224 do hereby
(Zip Code)

make application for a permit to appropriate the following described ground waters of the State of Oregon:

1. The development will consist of 2 Wells (two)
(Give number of wells, tile lines, infiltration galleries, etc.)

having a diameter of 14" and an estimated depth of 175 feet.
1-1250' South 1620 East

2. The well or other source is to be located 1250 ft. South and 1620 ft. East
(N. or S.) (E. or W.)

from the NW corner of Section 26 being with NE NW of Sec. 26 twp 225 R 30E
(Public Land Survey Corner)

200' North 1360' East from SW Cor. Sec. 36 being within SE, SW of Sec 36, T225, R30E
(If there is more than one well, each must be described)

being within the 1/4 of the 1/4 of

Sec. 30 & 1 Tp. 22 S & 23 S R. 30 E, W. M., in the county of HARNEY

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

Township	Range	Section	List 1/4 1/4 of Section	List use and/or number of acres to be irrigated
Twp 225	30E	26	NE NE	3.0 --S
"	"	"	NW NE	.1 --p
"	"	"	NE NW	34.9 --S
"	"	"	SE NW	23.0 --S
"	"	"	SW NE	16 --S
"	"	"	NE SW	28.0 --S
"	"	"	NE SE	3.0 --p
"	"	"	NW SE	35.0 --S
"	"	"	SW SE	2.0 --p
"	"	"	SE SE	35.0 --S
"	"	"		4.8 --p
"	"	"		31.2 --S
"	"	"		37.0 ^S total 253 acres

Township	Range	Section	List 1/4 1/4 of Section	List use and/or number of acres to be irrigated
TWP 22S	30 E	36	NE SW	3.0 p
"	"	"	SE SW	6.3 --p
"	"	"	NW SE	11.72 --s
"	"	"	SW SE	18.86 --s
"	"	"		3.14 --p
"	"	"		21.0 S
TWP 23 S	"	1	NE NW	5.0 S
"	"	1	NW NE	2.0 S
				<u>2.0 S</u> total 71 acres

4. It is estimated that 525 feet of the well will require STEEL casing.
(Kind)

5. Depth to water table is estimated 175 Well drilled by BILL WILLIAMS DRILLING CO.
(Feet) REDMOND, OREGON

6. The amount of water which the applicant intends to apply to beneficial use is5.4..... cubic feet per second or gallons per minute.

#1 --4.2
#2 1.2

7. The use to which the water is to be applied is flood irrigation

8. If the flow to be utilized is artesian, the works to be used for the control and conservation of the supply when not in use must be described.

9. If the location of the well, or other development work is less than one-fourth mile from a natural stream channel, give the distance to the channel and the difference in elevation between the stream bed and the ground surface at the source of development.

6. The amount of water which the applicant intends to apply to beneficial use is cubic feet per second or gallons per minute.

7. The use to which the water is to be applied is

8. If the flow to be utilized is artesian, the works to be used for the control and conservation of the supply when not in use must be described.

9. If the location of the well, or other development work is less than one-fourth mile from a natural stream channel, give the distance to the channel and the difference in elevation between the stream bed and the ground surface at the source of development.

10. **DESCRIPTION OF WORKS**

Include length and dimensions of supply ditch or pipeline, size and type of pump and motor, type of irrigation system to adequately describe the proposed distribution system.

~~Open "V" type ditches and smaller Feeder ditches to irrigate the property~~

11. Construction work will begin on or before April, 1981

12. Construction work will be completed on or before Sept. 1981

13. The water will be completely applied to the proposed use on or before Sept. 15, 1981

14. If the ground water supply is supplemental to an existing supply, identify the supply and existing water right. Silvies River Decree

11. Construction work will begin on or before April 1, 1981.....

12. Construction work will be completed on or before Sept . 1981.....

13. The water will be completely applied to the proposed use on or before Sept. 15, 1981.....

14. If the ground water supply is supplemental to an existing supply, identify the supply and existing water right. Silvies River Decree.....

Application No. ~~237~~ G-10578.....

Permit No.....

Remarks: The well driller will start about April 15, 1981.....

Most ditches are already built and used by water from the Silvies River

.....
.....
.....
.....
.....

This permit, when issued, is for the beneficial use of water. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

Ansel Marshall
Signature of Applicant
Ansel Marshall

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for.....correction and completion.....

In order to retain its priority, this application must be returned to the Water Resources Director with corrections on or before.....January 17, March 25....., 1983.....

WITNESS my hand this 25th day of January 83
16th day of November, 19 82

James E. Sexson Water Resources Director

By *[Signature]*
Stephen C. Brown

WATER RESOURCES DEPT.
SALEM, OREGON
RECEIVED
DEC 29 1982
RECEIVED
APR 11 1983
WATER RESOURCES DEPT.
SALEM, OREGON

This instrument was first received in the office of the Water Resources Director at Salem, Oregon, on the

27th day of October, 19 1982, at 8 o'clock

A.M.

Application No. G-10578

Permit No.

Permit to Appropriate the Public Waters of the State of Oregon

This is to certify that I have examined the foregoing application and do hereby grant the same, SUBJECT TO EXISTING RIGHTS INCLUDING THE EXISTING MINIMUM FLOW POLICIES ESTABLISHED BY THE WATER POLICY REVIEW BOARD and the following limitations and conditions:

The right herein granted is limited to the amount of water which can be applied to beneficial use and shall not exceed 4.05 cubic feet per second measured at the point of diversion from the well or source of appropriation, or its equivalent in case of rotation with other water users, from two wells, being 3.16 cfs from Well # 1 and 0.89 cfs from Well # 2

The use to which this water is to be applied is irr & supp irr

If for irrigation, this appropriation shall be limited to 1/30 of one cubic foot per second 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;

Supp. clause

and shall be subject to such reasonable rotation system as may be ordered by the proper state officer. The well shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works constructed shall include an air line and pressure gauge or an access port for measuring line, adequate to determine water level elevation in the well at all times. The permittee shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.

The priority date of this permit is April 11, 1983

Actual construction work shall begin on or before and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19

Complete application of the water to the proposed use shall be made on or before October 1, 19

WITNESS my hand this day of, 19

Handwritten initials and signature

Abstract of Permit

This is to certify that I have examined APPLICATION **G-10578** and do hereby grant the same SUBJECT TO EXISTING RIGHTS and the following limitations and conditions:

This permit is issued to **Ansel and Martina Marshall of PO Box 1187, Burns, Oregon 97720, phone 573-6255 or 382-4224, for use of the waters from two wells, being 3.16 cubic feet per second from Well 1 and 0.89 cfs from Well 2**

for the PURPOSE of **irrigation and supplemental irrigation**

that the PRIORITY OF THE RIGHT dates from **April 11, 1983**

and is limited to the amount of water which can be applied to beneficial use and shall not exceed **4.05 cfs**

measured at the point of diversion from the **wells**, or its equivalent in case of rotation with other water users.

The well is to be LOCATED: **Well 1 - 1250 feet South and 1620 feet East from the Northwest Corner of Section 26, being within the NE 1/4 NW 1/4 of Section 26, Township 22 South, Range 30 East, WM; Well 2 - 200 feet North and 1360 feet East from the Southwest Corner, Section 36, being within the SE 1/4 SW 1/4 of Section 36, Township 22 South, Range 30 East, WM, being within ***
A description of the PLACE OF USE under the permit, and to which such right is appurtenant, is as follows:

*** Sections 30 and 1, Townships 22 and 23 South, Range 30 East, WM, in the County of Harney.**

SEE NEXT PAGE

The well shall be constructed in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works constructed shall include an air line and pressure gauge or an access port for measuring line, adequate to determine water level elevation in the well at all times. The permittee shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.

Actual construction work shall begin on or before **June 13, 1984**, and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19**84**.

Complete application of the water to the proposed use shall be made on or before October 1, 19**85**.

Witness my hand this **13th** day of **June**, 19**83**.

WATER RESOURCES DIRECTOR

This permit is for the beneficial use of water. By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan. It is possible that the land use you propose may not be allowed if it is not in keeping with the goals and the acknowledged plan. Your city or county planning agency can advise you about the land-use plan in your area.

840015

				<u>Primary</u>
Township 22 South, Range 30 East, WM	Section 26	NW 1/4	NE 1/4	0.10 acre
		NE 1/4	SW 1/4	3.00 acres
		NW 1/4	SE 1/4	2.00 acres
		SW 1/4	SE 1/4	4.80 acres
	Section 36	NE 1/4	SW 1/4	3.00 acres
		SE 1/4	SW 1/4	6.30 acres
		NW 1/4	SE 1/4	3.14 acres
				<u>Supplemental</u>
Township 22 South, Range 30 East, WM	Section 26	NE 1/4	NE 1/4	3.00 acres
		NW 1/4	NE 1/4	34.90 acres
		SW 1/4	NE 1/4	28.00 acres
		NE 1/4	NW 1/4	23.00 acres
		SE 1/4	NW 1/4	16.00 acres
		NE 1/4	SE 1/4	35.00 acres
		NW 1/4	SE 1/4	35.00 acres
	Section 36	SW 1/4	SE 1/4	31.20 acres
		SE 1/4	SE 1/4	37.00 acres
		SE 1/4	SW 1/4	11.70 acres
		NW 1/4	SE 1/4	18.86 acres
		SW 1/4	SE 1/4	21.00 acres
		NE 1/4	NW 1/4	5.00 acres
		NW 1/4	NE 1/4	2.00 acres
Township 23 South, Range 30 East, WM	Section 1			

The AMOUNT OF WATER used for irrigation, together with the amount secured under any other right existing for the same lands shall be limited to 1/80 of one cubic foot per second per acre, 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, provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein, and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

RECEIVED

APR 11 1983

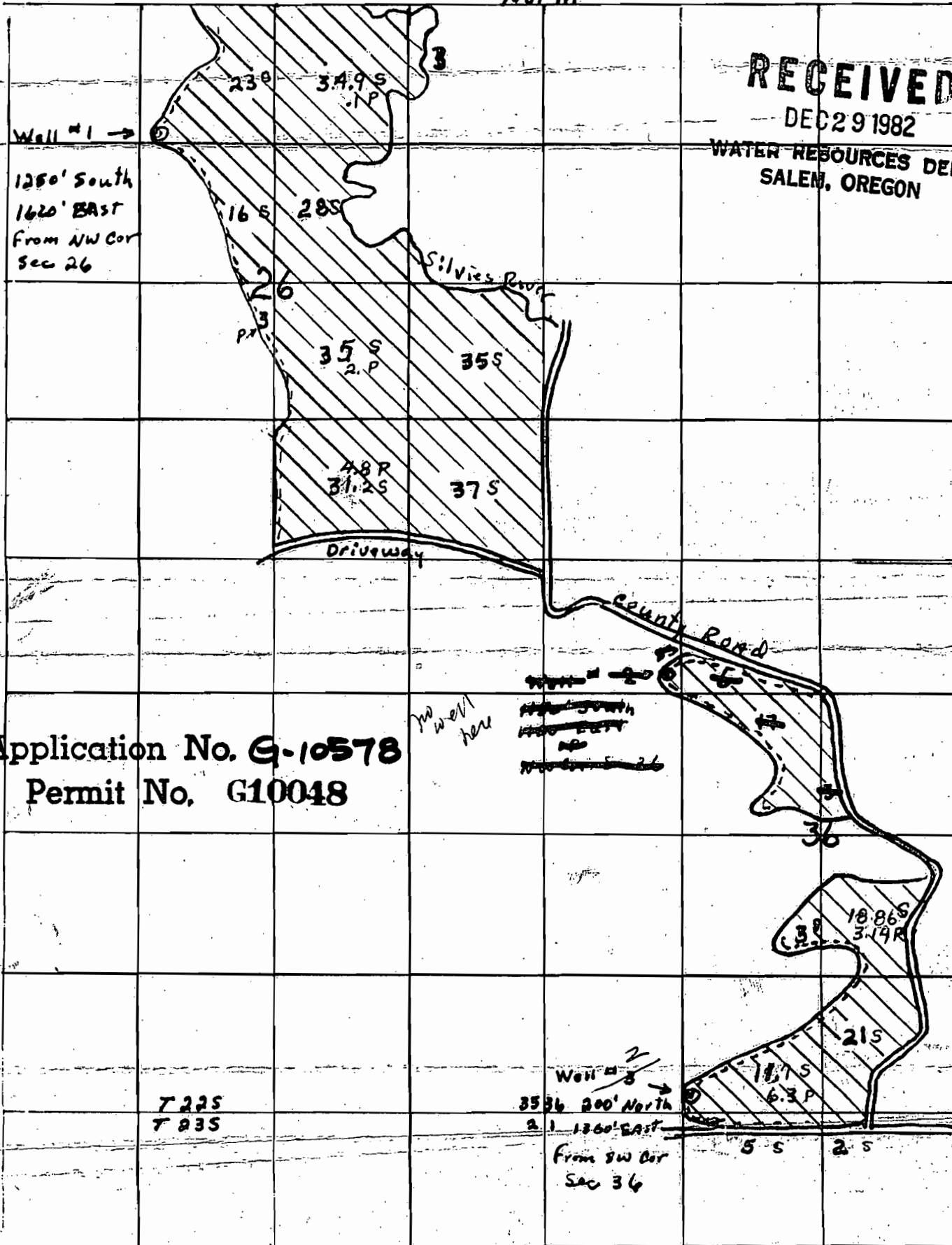
WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

OCT 27 1982

WATER RESOURCES DEPT.
SALEM, OREGON

North



Well #1 →
1250' South
1620' EAST
From NW Cor
Sec 26

RECEIVED
DEC 29 1982
WATER RESOURCES DEPT.
SALEM, OREGON

Application No. G-10578
Permit No. G10048

No well here

~~Well #2~~
~~1250' South~~
~~1620' EAST~~
~~From NW Cor~~
~~Sec 26~~

7225
7835

Well #2 →
3536 200' North
21 1360' EAST
From SW Cor
Sec 36

RECEIVED

APR 11 1983

WATER RESOURCES DEPT.
SALEM, OREGON

RECEIVED

OCT 27 1982

WATER RESOURCES DEPT.
SALEM, OREGON

