

Application No. 138
Permit No. 46
Certificate No. 1015

Name W.C. Harding & W.S. Carpenter
By _____
Address Baker City Ore
Date filed _____
Action suspended until _____
Returned to applicant _____
Date completed _____
Date of approval _____

Stream Index, Page No. _____
Application Record, Book No. _____

DVA Modification

FEES PAID		
Date	Amount	Receipt No.
Total		

FEES REFUNDED		
Date	Amount	Check No.

ASSIGNMENTS

Date	To whom	Address	Volume	Page

REMARKS

CONSTRUCTION

Date for beginning _____
Date for completion _____
Extended to _____
Date for application of water _____
Extended to _____

PROSECUTION OF WORK

Form "A" filed _____
Form "B" filed _____
Form "C" filed _____

FINAL PROOF

Blank mailed _____
Proof received _____
Date certificate issued _____
Receipt for recording fee No. _____

NOTICE OF BEGINNING OF CONSTRUCTION

Permit No. 46
Application No. 138

I, Y.S. Carpenter, the holder of Application No. 138, being Irrigating & Domestic Permit No. 46, issued by the State Engineer of the State of Oregon for the appropriation of 5 second feet of the waters of Mill Creek in accordance with the tenor of such permit and the limitations endorsed thereon by the State Engineer, began the actual construction of the works described thereon by the application of water to a beneficial use on the 10 day of July, 1909, being within the time limitation as fixed in said permit for the beginning of construction work.

Two men 7 days teams & man 1/2 day
The appropriator should state the manner of beginning construction work, number of men and teams employed, the amount of work completed up to the date of this statement, and any additional information which may tend to show the beginning of work in good faith.
Work complete

IN WITNESS WHEREOF, I have hereunto set my hand this 1 day of Jan, 1912
Baker Oregon Y.S. Carpenter
(Present Address) (Signature of Applicant.)

Fill out, detach, and mail to the Secretary, Board of Control, Salem, Oregon.

Permit No. 46
Application No. 138

I, Y.S. Carpenter, holder of Application No. 138, being Irrigating & Domestic Permit No. 46, issued by the State Engineer of the State of Oregon for the appropriation of 5 second feet of the waters of Mill Creek in accordance with the tenor of such permit and the limitations endorsed thereon by the State Engineer, have completed the construction of the works described therein for the application of water to a beneficial use on the 1 day of August, 1909, being within the time limitation as fixed in said permit for the completion of construction work.

Remarks: If the works have a less capacity than as described in the permit, or you have definitely abandoned your plan of irrigating any of the lands described in your permit, you should so state in order that our records may not be unnecessarily encumbered.

IN WITNESS WHEREOF, I have hereunto set my hand this 1 day of Jan, 1912
Baker Oregon Y.S. Carpenter
(Present Address) (Signature of Applicant.)

Fill out, detach, and mail to the Secretary, Board of Control, Salem, Oregon. Form D should be used in reporting progress of work if more than one year has been allowed for completion.

July 21-10
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Permit No. 46
Application No. 138

I, Y.S. Carpenter, holder of Application No. 138, being Irrigating & Domestic Permit No. 46, issued by the State Engineer of the State of Oregon for the appropriation of 5 second feet of the waters of Mill Creek in accordance with the tenor of such permit and the limitations endorsed thereon by the State Engineer, have completely applied the water to a beneficial use, on the 1 day of June, 1910 being the time limitation as fixed in said permit for the complete application of water to a beneficial use.

Remarks: The water has not been on all of the land on account of the land ready for crops so that subsequent appropriators may have notice.
about 40 acm not cleared on Harding place

IN WITNESS WHEREOF, I have hereunto set my hand this 1 day of Jan, 1912
Baker Oregon Y.S. Carpenter
(Present Address) (Signature of Applicant.)

Fill out, detach, and mail to the Secretary, Board of Control, Salem, Oregon.

RECEIVED

JUL 24 1991

WATER RESOURCES DEPT.
SALEM, OREGON

DEPARTMENT OF
VETERANS'
AFFAIRS

July 19, 1991

Oregon Department of Water Resources
3850 Portland Rd NE
Salem, OR 97310

The following accounts are now paid-in-full and the Oregon Department of Veterans' Affairs no longer has any interest in the status of the water rights.

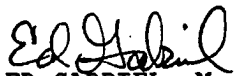
<u>ODVA ACCOUNT#</u>	<u>APPLICATION #</u>	<u>PERMIT#</u>	<u>CERTIFICATE#</u>
C06544	953	571	
	3263	19628	26050
	1343	624	26051
	37241	27841	
	Decree	V16 P188	26508
			31410
			31412
L48319	237	408	10142
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	45384	33883	53086
L59016	T3372		48927
	33514	26508	33794
	64088	63840	39116
	65547	64953	39117
L78585	66700	48106	65734
L85084	10762	7867	15719
	21304	46707	15808
	16497	29882	
L86726	31431	24764	65149
L93204	55748	43324	
M17051	G6945	G6460	56805

BARBARA ROBERTS
Governor



Oregon Veterans' Building
700 Summer Street NE
Salem, OR 97310-1201

M31278	H162 13180 32641	V14 P332 23256 25991	29052
M66779	55856	42257	65294
M69429	G7419	G6922	57622
M70350	G7621	G7092	65925
M75656	7813 61811 17066	5003 45933 12800	6071 12278
P13309	30584 17704	24088 13405	41763 19999
P14154	G7609	G7360	53613
P27618	61672 59876 56597	45965 44995 42555	
P30097	38749 138 7404 G9908 Powder River Dec	28839 46 4686 G9058 V6 P386	38405 1015 3775 Cancelled 4155
P57127	57577	43328	65582
P57479	G2579 G7963 55574	G2414 G7797 48427	
P61541	52636 John Day River	37751 V10 P526	55361 25327



ED GABRIEL, Manager
Appraisal Coordination Unit
373-2369

ab

RECEIVED

NOV 12 1986

HANLEY ENGINEERING

P.O. Box 701, 2043 Main St. BAKER, OREGON 97814

(503) 523-3803

WATER RESOURCES DEPT.
SALEM, OREGON

Consulting Engineers and Surveyors
JAMES D. HANLEY P.E., P.L.S.
Mineral Surveyor
THOMAS J. HANLEY P.E., P.L.S.

November 10, 1986

Wayne J. Overcash
Senior Water Rights Examiner
Water Resources Department
3850 Portland Road N.E.
Salem, Oregon 97310

Re: Frank Spriet Application, File #68879

Dear Mr. Overcash:

The following is in response to the questions you asked in your letter of October 16, 1986. Regarding Webb Tunnel, Mr. Spriet will take control of the water not from the tunnel itself, but from the water flowing out of the stock watering pond that is fed by Webb Tunnel. His diversion will be located downstream of the pond overflow, so as to not influence the level of the pond. The flow out of the pond is a steady 7.0 gallons/minute, year-around, based upon Mr. Spriet's flow measurements. Mr. Spriet does not own the land that Webb Tunnel, the stockwater pond that is fed by Webb Tunnel or the pond's outfall is on.

Mr. Spriet does not wish to claim any part of the water right described in Certificate 1015. We have determined that this water right does not include his property or any other land in Lot 3 of Section 1, T. 9 S., R. 38 E., W.M.

Enclosed is Mr. Spriet's amended Application #68879, (2) Spring Description Sheets (Webb Tunnel pond outfall and Un-named spring) and his amended "Map To Accompany Water Right Application". Also enclosed is Mr. Spriet's warranty deed to his property which includes a legal description of the land upon which the water will be used.

Sincerely,

Tom Hanley

Tom Hanley

cc: Frank Spriet

11. If not, state wherein such map is in error

12. If the dimensions of your ditch or dam do not correspond to those described in your permit, state what changes have been made, giving dimensions of ditch (or other distributing works) None

13. If water is used for power, mining, domestic, municipal, storage, manufacturing, or any other purpose than irrigation, give the extent and method of such use

STATE OF OREGON }
County of Baker } ss.

I, D. B. Moses, U.S. Carpenter, being first duly sworn,

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

IN WITNESS WHEREOF, I have hereunto set my hand this 22nd day of May, 1915

U.S. Carpenter
D. B. Moses

Subscribed and sworn to before me this 22nd day of May, 1915

S. S. Stark
Notary Public for Oregon.

(Notarial Seal)

State of Oregon,)
County of Baker .) SS

I, U.S. Carpenter, being first duly sworn, depose and say that I have read the above and foregoing proof of appropriation of water; that I know the contents thereof; and that the facts therein stated are true.

IN WITNESS WHEREOF, I have hereunto set my hand this ___ day of May, 1915.

Subscribed and sworn to before me this 27 day of May, 1915.

S. S. Stark
Notary public for Oregon.

AFFIDAVIT OF WITNESSES

We *Wm Robinson* and *G G West*
of *Baker Co. Oregon*, being first duly sworn, depose and say that
we are well acquainted with the facts and conditions set forth in the foregoing statement relative
to proof of appropriation of water under Permit No.....; that we and each of us have
been over and upon each tract described in said proof and from such personal inspection, have
knowledge that all necessary ditches, dams and other diversion and distributing works have been
constructed, and water used as stated therein; that we have carefully read such proof of appropria-
tion, and that each and every statement contained therein is true to the best of our knowledge
and belief.

G. G. West

Wm Robinson

Subscribed and sworn to before me this 22nd day of May, 1915

S. S. Stark
Notary Public for Oregon.

(Notarial Seal)

REPORT AND RECOMMENDATIONS TO STATE WATER BOARD
By Representative Taking Proof.

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OFFICE OF STATE WATER BOARD
RECEIVED
JUN 1 1915.
SALEM, - OREGON.

700-10



NOTICE OF INTEREST IN WATER RIGHT

Department of Veterans' Affairs

To: Director of Water Resources 3850 Portland Road N.E. Salem, Oregon 97310	DATE SENT TO WATER RESOURCES FEB 14 1986	DATE REC'D BY WATER RESOURCES RECEIVED FEB 14 1986 WATER RESOURCES DEPT SALEM, OREGON
	DATE RETURNED TO DVA	

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

LOAN NUMBER P30097	FIELD OFFICE ON	COUNTY BAKER	ACREAGE IRRIGATED: ORIGINAL APPRAISAL _____ ACTUAL _____
NAME OF BORROWER (LAST, FIRST, M.I.) COEN, Oscar H			

MAILING ADDRESS _____

COMMENTS _____

Completed by DVA

PROPERTY AND WATER RIGHT INFORMATION

TOWNSHIP	9S	8S	
RANGE	38E	38E	
SECTION	1	35, 36	

Completed by WATER RESOURCES	APPLICATION	NUMBER:	38749	138	7404	69908	powder River Dec
	PERMIT	NUMBER: ACRES: STATUS:	28839	46	4686	69058	Vol 6 P386
	CERTIFICATE	NUMBER: ACRES:	38405 5 Ac PRIM	1015	3775 28 Ac Prim	12 Ac supp 52 Ac supp	4155 22 Ac prim
	IRRIGATION DISTRICT	NUMBER:	18.7 AC SUPP	Part of 70 Ac	Approx 28 Ac Prim covers other property		
	DOMESTIC WATER	NUMBER:		in Lot 465 Sect 1			
	COMMENTS _____						

2-19-86
DVA

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

-15 8538E
Sec 35

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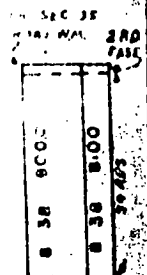
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THIS SKETCH IS MADE SOLELY FOR THE PURPOSE OF ASSISTING IN LOCATING SAID PREMISES AND THE COMPANY ASSUMES NO LIABILITY FOR VARIATIONS IF ANY, IN DIMENSIONS AND LOCATIONS ASCERTAINED BY ACTUAL SURVEY. 8 38 25
SCALE 1

SEE MAP

SEE MAP



CANCELLED
TAX LOTS
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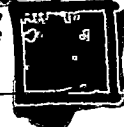
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MAP

8 38 8400

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CRETA



8S 38E

Sec 36

4 2 3 5 1 1 3 0

SEE MAP 8 38

500

900
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THIS SKETCH IS MADE SOLELY FOR THE PURPOSE OF ASSISTING IN LOCATING SAID PREMISES AND THE COMPANY ASSUMES NO LIABILITY FOR VARIATIONS, IF ANY, IN DIMENSIONS AND LOCATIONS ASCERTAINED BY ACTUAL SURVEY.

SCALE 1



DITCH

600
20 00 AC

POLLY

GARDEN

700
10 00 AC

800
28 96 AC

1100
40 00 AC

35



2

SEE MAP

SECTION 1 T9S R38E WM.
BAKER COUNTY
1" = 400'

3005

SEE MAP 6 38 36
AQUEDUCT

FD. 174 COR.

1/3 COR.

400
127.20 ac.

LOT 7 39.48

PART OF PART
TO REMAIN
UNDER MORTGAGE
of
S.P.A.

LOT 6 39.83

LOT 5

300 200
9.30 ac. 8.91 ac.

100
10.01 ac.

37.36

300
40.38 ac.

600
160.52 ac.

CODE S-31

CERTIFICATION	
BY	<i>[Signature]</i>
DATE	<i>5-20-57</i>
BY	
DATE	

TO BE
REMOVED
5-20-57

SEE MAP

9 38 36

June 14, 1916.

Mr. U. S. Carpenter,
1325 Fifth & Grace St.,
Baker, Oregon.

Permit No. 46.

Dear Sir:

Your letter of the 5th instant to Mr. Cochran has been referred to this office for reply. You are advised that certificate No. 1015 was issued May 22, 1916, covering the use of 1.18 second feet of water for the irrigation of 86 acres of land. This certificate was forwarded direct to the County Recorder for record and will probably reach you in the course of a few days.

The issuance of the Water Right Certificate on the permit completes your water right and no further reports need be made to the Board.

Very respectfully,

RS.

M. E. Mers, Secretary.

STATE OF OREGON

WATER DIVISION No. 2

LA GRANDE, OREGON, June 13, 1916.

Miss M. F. Mers.,

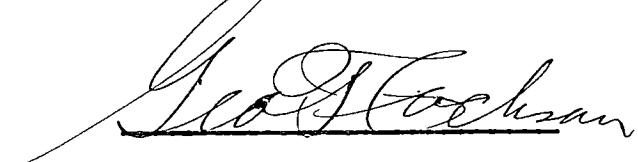
Sect., State Water Board,

Salem, Ore.

Dear Madam:

Herewith I enclose to you a letter from U. S. Carpenter which is self explanatory.

Very truly yours,



Geo. S. Cochran

Superintendent

Enclosure.

OFFICE OF STATE WATER DIVISION
RECEIVED
JUN 14 1916
SALEM, OREGON.

OREGON - SALEM

RECEIVED
OFFICE OF STATE WATER BOARD
JAN 14 1916

118 surface 86 acres

Copy 1015 forward, May 22-16

138-46
208-46

[Faint, mostly illegible handwritten text, possibly bleed-through from the reverse side of the page.]

138-46
208-46
June 6-16

Application No. 138

Nov. 8, 1915.

Mr. Bud Moses,

Baker, Oregon.

Dear Sir:

Enclosed please find my receipt No. 3027

for \$1.00, which amount was transmitted with assignment

of application No. 138, permit No. 46, from A. G.

Harding to yourself. This assignment has been

recorded in the miscellaneous records of this office

and is returned herewith.

Very respectfully,

Percy A. Cupper,

RS.

Acting State Engineer.

Enc.

September 3, 1915.

Mr. D. B. Moses,
Mill Creek, Oregon.

Dear Sir,-

In preparing to issue certificate under Permit No. 46, for which proof of appropriation was submitted, I find that Mr. A. C. Harding, of Baker, Oregon, one of the original applicants, has failed to file a written assignment of his rights in such permit, to you, in the State Engineer's office. The law requires that this be done, before an assignment can be recognized by others than the parties thereto. I enclose approved form of assignment, which should be forwarded to the State Engineer, with the \$1.00 recording fee required by law.

Very respectfully,

Secretary.

Baker Ore.

June 8-15.

Mr. John H. Lewis,
Salem, Ore.

Please find inclosed
receipt from Mr. Cochran
for the amount of \$1. for which
we paid to Mr. Cochran for
~~the~~ recording fee of water
certificate No 76. Please
return the receipt to me as
this fee has been asked
for several times.

U. S. Surveyor

1326 - 5th. St. S. W. corner

Baker Ore.

SALEM - OREGON

JUN 9 1915

RECEIVED

OFFICE OF STATE ENGINEER



100
Pettis

June 1, 1915.

U. S. Carpenter
1325 - 5th and Grace Streets
Baker, Oregon,

Dear Sir:-

Proof of appropriation of water under permit No. 46
has been received and filed in this office. This proof appears
to be in proper form and upon receipt of the \$1.00 recording fee as
required by law, the matter will be presented to the State Water Board
for approval and issuance of certificate.

The certificate when issued will be forwarded to the
County Clerk of Baker County for recording, after which he will
mail the same to you.

Very respectfully,

Assistant Secretary.

T Baker, Oregon,

May 28-1915

Mr John H. Lewis

Salem, Oregon,

Kind Sir,

Please find enclosed papers on the water right of U Carpenter and J. B. Moses (former boarding) of Mill Creek, Baker County Oregon, and please address all communication concerning the same to either Moses or Carpenter as boarding and his property 1325 1/2 N. Moses, Baker, Oregon.

U Carpenter
1325 1/2 N. Moses
Baker, Oregon

OFFICE OF STATE ENGINEER
RECEIVED
MAY 31 1915
SALEM, OREGON.

Application 138.

#14a

January 4, 1912.

Mr. U. S. Carpenter,
Baker, Oregon.

Dear Sir:

I am in receipt of yours of the 1st inst., transmitting forms A, B, and C relating to your permit No. 46, application No. 138. These papers have been forwarded to the Board of Control for future reference. An assignment of Mr. Harding's rights under the permit, to Mr. Moses, should be recorded in this office. The fees for recording same will amount to about \$1.00, depending upon the length of the instrument.

The rights to the use of water from Powder River will be adjudicated some time next season but only a copy of your permit need be filed with the Superintendent of Water Division No. 2, to establish your rights, and even this may not be required. Mr. Geo. F. Cochran, La Grande, Oregon, is Superintendent of Water Division No. 2.

Very respectfully,

John H. Lewis.

State Engineer.

PAC/N

Baker-1-1-12

#14a

OFFICE OF STATE ENGINEER

RECEIVED

JAN 3 1912

SALEM, OREGON.

John H. Lewis

Salem Ore.

Dear Sir

I enclosed please find
form. C + B. & A.

A. C. Harding has sold his
place & interest in the ditch
to a man by the name of
Moser is it necessary to make
any change in the records.

We are ready to make final
proof but do not ^{know} the address
of Sup. Div. Moser. Please say
if it takes witnesses

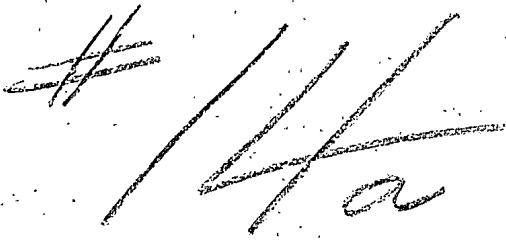
Mill Creek is a tributary to

Powder river and understand
Powder river is going to be
adjudicated soon Will we
have to furnish witnesses
or is the records sufficient
evidence in the adjudication
in our case

Please give me this
information so we may be
able to comply with all the
requirements of the law

Yours Truly
Jed Carpenter
Baker

Oregon

A handwritten signature in dark ink, appearing to be 'H. A.', written in a cursive style.

June 13, 1910.

Mr. U. S. Carpenter,
Baker City, Oregon.

Dear Sir:

I am in receipt of yours of the 10th inst., in regard to the completion of your ditch under Application No. 138, permit No. 46. Mr. F. M. Saxton, Superintendent of Water Division No. 2, Baker City, Oregon, is the person to whom this should have been addressed, as proof of water right is taken by the Division Superintendent. However, proof could not be taken until the water had been completely applied to a beneficial use, but if this has been done, I would suggest that you write or see Mr. Saxton in regard to making proof.

Very respectfully,

State Engineer.

14a
Baker City, Ore.
June 10 - 1910.

Mr. John H. Lewis,
State Engineer,
Baker City, Ore.

I wish to inform you
that the Handley and
Leopold Immigration
records from No. 45
Abolition No. 138 is
complete.

This matter has not been
adjudicated and parties
claiming prior rights are
threatening to start civil suit
if this should do so please
advise us as to what
action we should take.

Respectfully,
W. H. [Name]

July 27th, 1909.

Mr. U.S. Carpenter,
Baker City, Oregon

Dear Sir:

I am returning you herewith application No. 138, of yourself and A.C. Harding, Permit No. 46, approved by me. I am also enclosing, under separate cover, blue print map accompanying the same.

Very respectfully,

PAG/JC.
Encl.
Encl. under separate cover.

State Engineer.

H. A. Baker City, Ore.

June 10-09.

App - 138

Mr. John H. Lewis,

State Engineer

Salmon, Ore.

Dear Sir:

We: A. C. Harding and
W. S. Carpenter wish to
appropriate 200 inches of
water out of Mill Creek
in Baker County, for
irrigation and stock
purposes to be used on
lots No 3-4-5-6 in Sec 1
Township 9. South of range
28 East. And the west
one half of lot No 1 of the
North West quarter of Sec 6

in Township 9, South of
Range 39 East of U.M.
about 160 acres.

We wish to put in our
head gate on or near
the west line of Lot No 3
where it crosses Mill Creek.

This land is described
as lots by the government
being fractional land
Enclose \$21⁰⁰/₁₀₀

Three Dollars (\$3⁰⁰/₁₀₀) for
recording fees. Fifteen Dollars
(\$15⁰⁰/₁₀₀) for the first 100 acres
(\$3⁰⁰/₁₀₀) Three Dollars for 60 acres

J.S. Carpenter Baker lots