

PETITION FOR CHANGE OF POINT OF DIVERSION AND PLACE OF USE OF WATER

FEB 15 1962

TO THE STATE SUPERVISOR OF WATER RESOURCES OF WASHINGTON:

The undersigned, your petitioner, respectfully represents:

AM 7 8 9 10 11 12 1 2 3 4 5 6 PM

First: That he is a user of waters of STONE CREEK under Permit No. _____
(Stream or lake)

Certificate No. 3, decreed right State of Washington, Plaintiff vs. Carmen Alessio,
(Title of case) et al, Defendants
or appropriation made Class 1, Date 1863, by virtue of Court Decree, Cause No. 15409,
(Give date, if prior to June 15th, 1917) STONE CREEK ADJUDICATION

Second: That such right consists of 0.537 C.F.S.
(Cubic feet per second)

Third: That he wishes to change the point of diversion and place of use of such water to the extent of
0.0094
(Cubic feet per second)

Fourth: That the use of such water is for the purpose of irrigation
and that he diverts water from said stream at a point situated in the near the south line
of the SW 1/4 of Section 29, Township 7 N., Range 36 E., W. M.

Fifth: That he wishes to change said point of diversion to a point situated in the SE 1/4
of the NW 1/4 of Section 28, Township 7 N., Range 36 E., W. M., such point being
one mile above
(Distance above or below) the present point of diversion.

Sixth: That the water is being used for irrigation
on the following described land: as described on attached Exhibit "A"; being a part of
lands under Howard R. Keylor right on pages 4 and 5 of Stone Creek Decree,
Cause No. 15409, above referred to and described on attached Exhibit "A-1".

Section 29-32, Township 7 N., Range 36 E., W. M.

Seventh: That he desires to change the place of use of said waters for irrigation
on the following described lands: _____
(Purpose)
description attached as Exhibit "B"

Section 28, Township 7 N., Range 36 E., W. M., Walla Walla County, Wash-
ington, and that such changes can be made without detriment or injury to existing rights or the State's
interest in water, as provided in Section 39, Chapter 117, Session Laws of 1917.

Dated this 12th day of February, 1962.

John A. Benham
(Petitioner)

733 Bryant Avenue
(Post office address)

Walla Walla, Washington

or, will need good exam.
WMB

L

JOHN D. BURROWS
FRANCIS M. BURROWS

TELEPHONE
JACKSON 8-2820
P.O. BOX 1031

WALLA WALLA TITLE COMPANY

AGENT FOR PUGET SOUND TITLE INSURANCE CO.

619 DENNY BUILDING

WALLA WALLA, WASHINGTON

Beginning at a point in a line parallel to and distant 30 feet South of the North line of Section 32 in Township 7 North of Range 36 E.W.M, which point is 150 feet West, measured along said parallel line from the East line of the Northwest quarter of said Section, and running thence South, parallel to said East line, 225 feet; thence West, parallel to said North line, 140 feet; thence North, parallel to said East line, 225 feet; thence East, parallel to said North line, 140 feet to the point of beginning;

ALSO, Beginning at a point in a line parallel to and distant 150 feet West of the East line of the Northwest Quarter of Section 32 in Township 7 North of Range 36 E.W.M, which point is 320 feet South, measured along said East line, from the North line of said Section, and running thence South, parallel to said East line, 69.75 feet; thence West, parallel to said North line, 140 feet; thence North, parallel to said East line 69.75 feet; thence East, parallel to said North line, 140 feet to the point of beginning;

ALSO, beginning at a point in a line parallel to and distant 290 feet West of the East line of the Northwest Quarter of Section 32 in Township 7 North of Range 36 E.W.M., which point is 459.5 feet South, measured along said East line, from the North line of said Section, and running thence West, parallel to said North line, 139 feet; thence North, parallel to said East line, 64.5 feet; thence East, parallel to said North line, 139 feet; thence South, parallel to said East line, 64.5 feet to the point of beginning;

ALSO, Beginning at a point in a line parallel to and distant 290 feet West of the East line of the Northwest Quarter of Section 32 in Township 7 North of Range 36 E.W.M, which point is 200 feet South, measured along said East line, from the North line of said Section, and running thence South, parallel to said East line, 65 feet; thence West, parallel to said North line, 139 feet; thence North, parallel to said East line, 65 feet; thence East, parallel to said North line, 139 feet to the point of beginning.

EXHIBIT "A"

HOWARD R. KEYLOR

1862

1863

40.0

Beginning at the NE corner of the NW $\frac{1}{4}$ of Sec. 32, in Twp. 7 N., R. 36 E. W. M.; running thence along the north and south center line of said section south 40 chains to the center point of said section; thence along the east and west center line of said section west 18 chains; thence North 9° 45' West 25.45 chains to a point in the center of the south channel of Stone Creek where the northerly boundary line of the two tracts of land sold by A. Blackhall to M. Villa run together; thence North 48° 30' East 19.71 chains to a point in the center of Stone Creek; thence following and meandering said creek upward in its center to a point where the northerly boundary line of Section 32 in Twp. 7 N., R. 36 E. W. M. crosses said center line of Stone Creek; thence along said northerly boundary line of said Section 32 east 5.33 chains to the point of beginning, containing 74 acres, more or less.

Also, beginning at the SE corner of the SW $\frac{1}{4}$ of Section 29, Twp 7 N. R. 36 E. W. M. thence west 613 feet; thence north 400 feet; thence north-easterly to a point on east line of said SW $\frac{1}{4}$ 842 feet south of the south line of Orchard Street; thence south to beginning, containing 7 acres, more or less.

EXHIBIT "A-1"

JOHN D. BURROWS
FRANCES M. BURROWS

WALLA WALLA TITLE COMPANY

AGENT FOR PURETY SOUND TITLE INSURANCE CO.

515 DENNY BUILDING

WALLA WALLA, WASHINGTON

TELEPHONE
JACKSON 8-8880
P.O. BOX 1001

John D. Burrows and Frances M. Burrows, property:

Beginning at a point 247.50 feet East of the Southwest corner of Block 6 of Spring Grove Addition No. 1 to the City of Walla Walla, as per plat thereof recorded in Volume B of Plats at page 48, records of Walla Walla County, and running thence East along the South line of said Block 6, a distance of 147.50 feet; thence North 267.00 feet, more or less, to the center of the channel of the West fork of Stone Creek; thence Southwesterly and South along the center line of said West fork of Stone Creek to the point of beginning.

Lab

EXHIBIT "B"

JOHN D. BURROWS
FRANCES M. BURROWS

TELEPHONE
JACKSON 5-2224
P.O. BOX 1021

WALLA WALLA TITLE COMPANY

AGENT FOR PURETY SOUND TITLE INSURANCE CO.
312 DENNY BUILDING
WALLA WALLA, WASHINGTON

February 11, 1960.

RECEIVED
DEPARTMENT OF GENERAL INVESTIGATION

FEB 13 1960

AM 7:30 PM
7:30 AM 11:23 AM 4:15 PM

This Company hereby certifies that the lands described in Attachment A are a part of the land described in Attachment B.

WALLA WALLA TITLE COMPANY,

by

John W. Jensen

President

ATTACHMENT A

Beginning at a point in a line parallel to and distant 30 feet South of the North line of Section 32 in Township 7 North of Range 36 E. W. M., which point is 150 feet West, measured along said parallel line from the East line of the Northwest quarter of said Section, and running thence South, parallel to said East line, 225 feet; thence West, parallel to said North line, 140 feet; thence North, parallel to said Eastline, 225 feet; thence East, parallel to said North line, 140 feet to the point of beginning;

ALSO, Beginning at a point in a line parallel to and distant 150 feet West of the East line of the Northwest Quarter of Section 32 in Township 7 North of Range 36 E.W.M., which point is 320 feet South, measured along said East line, from the North line of said Section, and running thence South, parallel to said East line, 69.75 feet; thence West, parallel to said North line, 140 feet; thence North, parallel to said East line 69.75 feet; thence East, parallel to said North line, 140 feet to the point of beginning;

ALSO, Beginning at a point in a line parallel to and distant 290 feet West of the East line of the Northwest Quarter of Section 32 in Township 7 North of Range 36 E.W.M., which point is 459.5 feet South, measured along said East line, from the North line of said Section, and running thence West, parallel to said North line, 139 feet; thence North, parallel to said East line, 64.5 feet; thence East, parallel to said North line, 139 feet; thence South, parallel to said East line, 64.5 feet to the point of beginning;

ALSO, Beginning at a point in a line parallel to and distant 290 feet West of the East line of the Northwest Quarter of Section 32 in Township 7 North of Range 36 E. W. M., which point is 200 feet South, measured along said East line, from the North line of said Section, and running thence South, parallel to said East line, 65 feet; thence West, parallel to said North line, 139 feet; thence North, parallel to said East line, 65 feet; thence East, parallel to said North line, 139 feet to the point of beginning.

ATTACHMENT B

Beginning at the NE corner of the NW $\frac{1}{4}$ of Sec. 32 in Twp. 7 N., R. 36 E.W.M.; running thence along the north and south center line of said section south 40 chains to the center point of said section; thence along the east and west center line of said section west 18 chains; thence North 9° 45' West 25.45 chains to a point in the center of the south channel of Stone Creek where the northerly boundary line of the two tracts of land sold by A. Blackhall to M. Villa run together; thence North 48° 30' East 19.71 chains to a point in the center of Stone Creek; thence following and meandering said creek upward in its center to a point where the northerly boundary line of Section 32 in Twp. 7 N., R. 36 E. W. M. crosses said center line of Stone Creek; thence along said northerly boundary line of said Section 32 east 5.33 chains to the point of beginning, containing 74 acres, more or less.

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