

2345 Allen Eaden
Rt. 1, Box 223 J
Cornelius, Ore 97113

2345

STATUS OF APPLICATION

Change in Point of Diversion & Place of Use
Date filed February 26, 1970
Date of hearing _____
Place of hearing _____
Date of order 9-30-70 Vol. 20, page 101
Date for application of water 10-1-71
Proof mailed _____
Proof received _____
Certificate issued MAY 21 1975 Vol. 34, page 42165
To Survey 10/12/70

4-24-75 ves

DESCRIPTION OF WATER RIGHT

Name of stream Unnamed stream
Trib. of Dairy Creek County of Washington
Use Irrigation & Domestic
Quantity of water 0.01 cfs 0.01 cfs No. of acres 0.3
Name of ditch _____
Date of priority August 30, 1940
In name of W.B. Roberts
_____ Adjudication, Vol. _____, page _____
App. No. 18980 Per. No. 14600 Cert. No. 15440
Certificate cancelled _____
Notation made on record by slu

FEES PAID

Date	Amount	Receipt No.
<u>2/26/70</u>	<u>35.00</u>	<u>17875</u>
TOTAL . . .	<u>1.50</u>	<u>45886</u>
<u>3/27/75</u>	\$1 Cert. Fee	

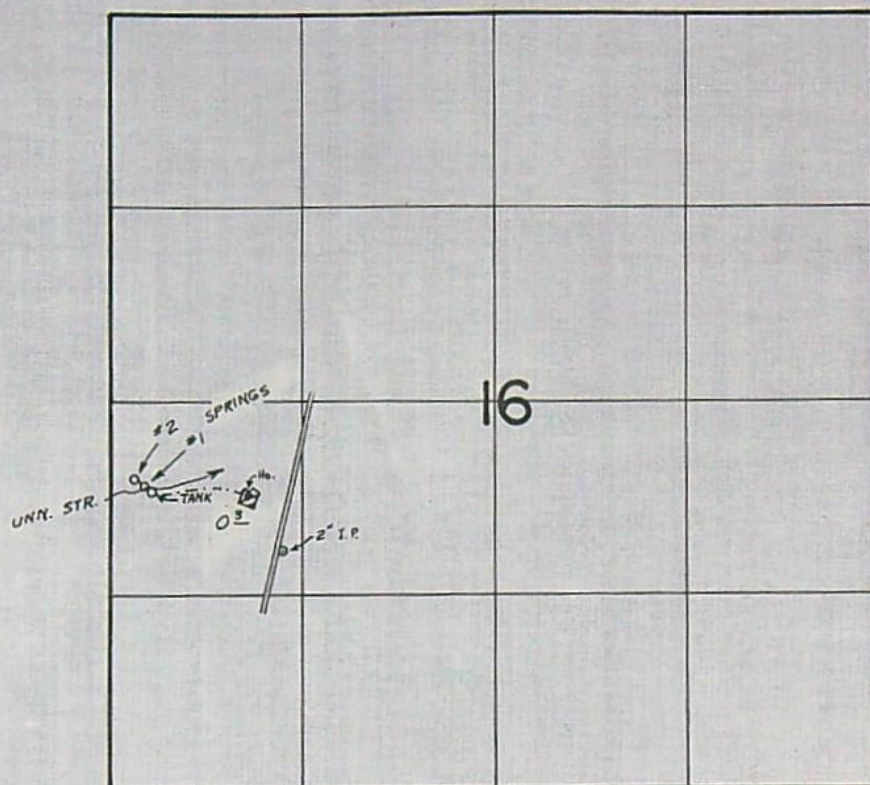
FEES REFUNDED

Date	Amount	Check No.

REMARKS

TO BE ENTERED WHERE CHECKED	INDEX CARDS:		Entered	Checked
☒	Name		<u>slu</u>	
☒	Stream		<u>slu</u>	
☒	Pt. of Div.		<u>slu</u>	
☒	Calendar		<u>slu</u>	
☒	CHECKED TO RECORDS:			
☒	Twp. & Rge.		<u>slu</u>	
☒			<u>slu</u>	
☒	Cert. of W/R		<u>slu</u>	
☒	Per. Folder		<u>slu</u>	
☐	Chainindex			
☐	Cross Ref.			
☐	Power Claim			
☐	Abstracts			

T. 3N.R. 3W. W.M.



SPRING #1 750' N. & 230' E., #2 790' N. & 150' E. FROM SW COR. NW 1/4 SW 1/4 SEC 16

FINAL PROOF SURVEY
UNDER

TRANSFER NO. 2345
Application No. Permit No.
IN NAME OF
ALLEN EADEN

Surveyed JUN 28 19 73, by R.G. MUCKEN

18980
7-2345

REPORT ON INSPECTION UNDER
TRANSFER OF WATER RIGHT FOR
CHANGE IN POINT OF DIVERSION AND
PLACE OF USE OF WATER

647-2748
2:30 P.M.

Transfer No. 2345

County Washington

1. Name Allen Eaden Address Rt. 1, Box 223J, Cornelius, Ore. 97113
2. Source of Supply unnamed stream, Trib. of Daisy Creek
0.01 cfs for irrigation
3. Amount of Water 0.01 cfs for domestic Priority Date August 30, 1940
4. Use irrigation and domestic (one family) BOTH
DIV PTS LOCKSPR #1 250' N & 230' E, #2 790' N & 150' E from SW cor NW 1/4 SW 1/4
5. Proposed Point of Diversion 600 ft. S & 270 ft. E and 600 ft. S & 200 ft. E
BOTH w/in
from the NW corner of Sec. 16 being within the NW 1/4
SW 1/4 of Sec. 16, T. 3 N., R. 3 W., W.M.

6. Place of Use

[illegible]

INFO: Mr. Eaden

There are 2 div. pits now. They are 2 springs which are Ties of the unim. str. the old water right was on.

Have built a new house.

Both springs are tied together & are both used for in. & down.

W. SPRING - On a down, has a 3' perf. tile inserted in a dug-out spot in a steep hillside

E. SPRING - Has a 2' diam. conc. tile set vertically in spring. Spring is about 15' N of creek channel

PIPE - Separate 2" plastic lines leading to a small conc. collecting tank, then 1" plastic to house

200' soakers

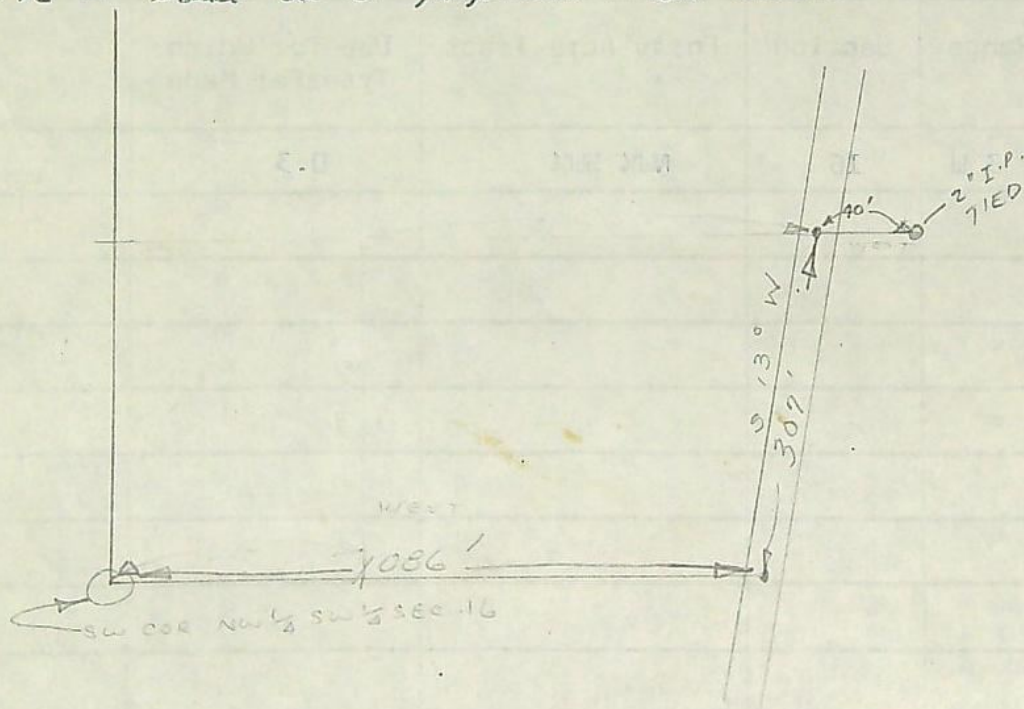
200' garden hose

HDS - 2 good sprinklers may

USE - Don. 1 family & in. of yard & garden

FT - 15' fall, gravity flow

TIE - Don't on S. prop. line - see Below -



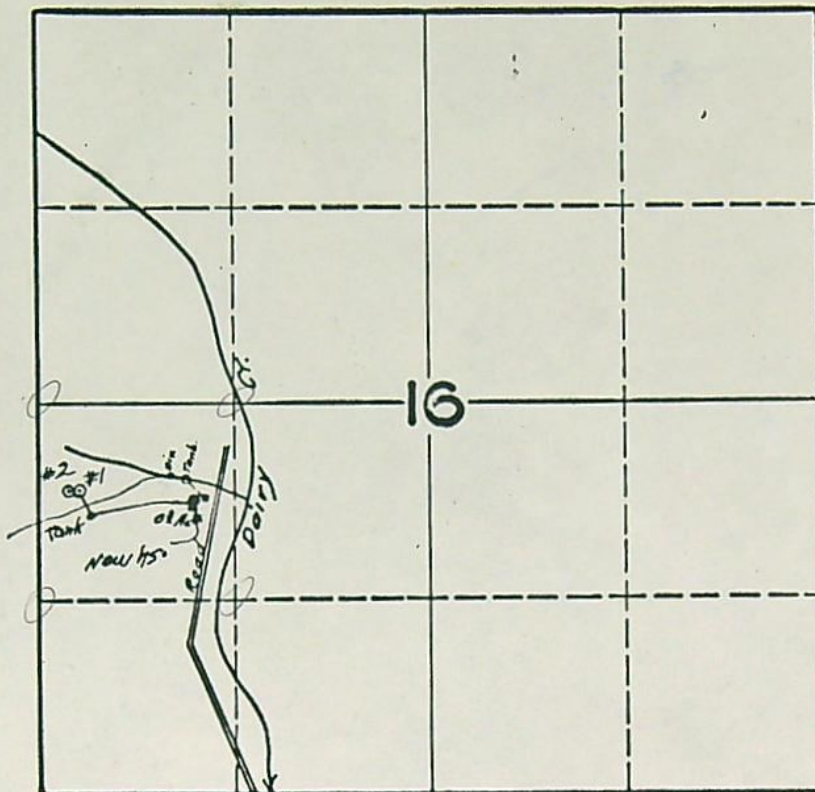
NOTE!!

This is Overseasage.
Eaden wants to claim his area
in. around the house

Side is on S. side. Should 6-28-73
at this.

R. G. Muehlen

T.3N.R.3W.W.M.



FINAL PROOF SURVEY
UNDER

Application No. 18980 Permit No. 14600

IN NAME OF

AUDREY HOFFMAN

Surveyed AUG. 30 1945, by J. C. Russell

BEFORE THE STATE ENGINEER OF OREGON

Washington County

IN THE MATTER OF THE APPLICATION)
OF ALLEN EADEN FOR THE APPROVAL)
OF A CHANGE IN POINT OF DIVERSION)
AND PLACE OF USE OF WATER FROM AN)
UNNAMED STREAM)

ORDER APPROVING
TRANSFER NO. 2345

On February 26, 1970, Allen Eaden filed an application in the office of the State Engineer for the approval of a change in point of diversion and place of use of water from an unnamed stream, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to W. B. Roberts and recorded at page 15440, Volume 13, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.02 cubic foot per second of water from an unnamed stream being 0.01 cubic foot per second of water for domestic use of one family and 0.01 cubic foot per second of water for the irrigation of 0.3 acre in NW¼ SW¼, Section 16, Township 3 North, Range 3 West, W.M., with a date of priority of August 30, 1940. The water is conveyed to these lands from a point of diversion located 490 feet south and 900 feet east from the NW¼ corner of Section 16 being within the NW¼ SW¼ of Section 16, Township 3 North, Range 3 West, W.M.

The applicant herein, contract purchaser of the lands above described, proposes to transfer the water right therefrom, without loss of priority, to domestic use of one family and the irrigation of 0.3 acre in NW¼ SW¼, Section 16, Township 3 North, Range 3 West, W.M. and to convey water to these lands from points of diversion to be located 600 feet south and 270 feet east and 600 feet south and 200 feet east from the NW¼ corner of Section 16 being within the NW¼ SW¼ of Section 16, Township 3 North, Range 3 West, W.M.

Notice by publication as provided by ORS 540.520 was not given in connection with this application for the reason said section provides notice is not required on an application for a change in point of diversion of water of less than one-fourth mile where there are no intervening diversions nor is notice for publication required for a change in place of use of water.

Mr. Clayton J. Gardner, Watermaster of District No. 1, has filed a report to the effect that the proposed change in point of diversion and place of use of water may be made without injury to existing rights.

Otto and Lola A. Solberger, contract sellers of the land involved, have submitted written approval of the change in point of diversion and place of use of water.

No objections having been filed and it appearing that the proposed change in point of diversion and place of use of water may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the change in place of use of water is approved and the water right hereinbefore described as appurtenant to domestic use of one family and the irrigation of 0.3 acre in NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 16, Township 3 North, Range 3 West, W.M., with a date of priority of August 30, 1940, be severed therefrom and simultaneously and without loss of priority transferred to domestic use of one family and the irrigation of 0.3 acre in NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 16, Township 3 North, Range 3 West, W.M.

It is FURTHER ORDERED that the proposed change in point of diversion of water from an unnamed stream, to-wit:

From a point located 490 feet south and 900 feet east from the W $\frac{1}{4}$ corner of Section 16 being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 16, Township 3 North, Range 3 West, W.M.

To a point to be located 600 feet south and 270 feet east from the NW $\frac{1}{4}$ corner of Section 16 being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 16, Township 3 North, Range 3 West, W.M.

To a point to be located 600 feet south and 200 feet east from the NW $\frac{1}{4}$ corner of Section 16 being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 16, Township 3 North, Range 3 West, W.M.

for domestic use of one family and the irrigation of 0.3 acre in NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 16, Township 3 North, Range 3 West, W.M., with a date of priority of August 30, 1940, is approved.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use and the change in point of diversion made on or before October 1, 1971.

It is FURTHER ORDERED that the quantity of water diverted at the new point of diversion shall not exceed the quantity of water that is available at the old point of diversion and shall be limited to 0.01 cubic foot per second for domestic use of one family and 0.01 cubic foot per second for irrigation.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgement of the watermaster it becomes necessary to install headgates and measuring devices.

That the diversion works shall include an in-line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled.

That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

It is FURTHER ORDERED that certificate of water right heretofore issued to Allen Eaden and recorded at page 15440, Volume 13, State Record of Water Right Certificates, is canceled and upon receipt of proof satisfactory to the State Engineer of completion of the authorized change in point of diversion and place of use, a certificate of

water right shall be issued to Allen Eaden confirming the extent to which the water has been applied beneficially and the change in point of diversion.

Dated at Salem, Oregon, this 30th day of September, 1970.

/s/ CHRIS L. WHEELER
State Engineer

RECEIVED
FEB 26 1970
STATE ENGINEER
SALEM, OREGON

RECEIVED
APR 23 1970
STATE ENGINEER
SALEM, OREGON

RECEIVED
MAY 25 1970
STATE ENGINEER
SALEM, OREGON

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Allen Eaden (Name of applicant)

of Route 1, Box 223J, Cornelius (Postoffice), County of Washington

State of Oregon, do hereby make application for change of point of

diversion and place of use

(In point of diversion; place of use; use heretofore made of the water)

1. The source of present water right is unnamed stream, a tributary of Dairy Creek (Name of stream)

2. The use to which the water is applied is (0.01 cfs) (0.01 cfs) Irrigation and Domestic (Irrigation; Mining; Power; Manufacturing; etc.)

3. The name of the ditch, canal or pipe line is

4. The point of diversion is located 490 ft. S and 900 ft. E from the W 1/4 (N. or S.) (E. or W.)

corner of Sec 16 being within the NW 1/4 - SW 1/4 (Section or subdivision)

of Section 16 Tp. 3 N R. 3 W W. M., in the County of Washington (No. N. or S.) (No. E. or W.)

5. List the number of acres irrigated in each smallest legal subdivision (40-acre tract) involved in this transfer. If for any other use, indicate place of use.

Twp.	Range	Sec.	NE 1-4				NW 1-4				SW 1-4				SE 1-4			
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4
3 N	3 W	16										0.3						
												&						
												Dom.						

Land on which water is to be used is a part of the property described more explicitly by the appropriator as follows. The North Half of the Northwest Quarter of the Southwest Quarter, N 1/2 of SW 1/4 of SW 1/4 of Section 16, Township 3 North, Range 3 West of the Willamette Meridian, situate in the County of Washington and State of Oregon, except or less the 1 1/4 acre sold to Vern Chelden, beginning at the Northeast Corner of the above, extending 5 rods south, thence 40 rods west, thence 5 rods north, thence 40 rods east to point of beginning; the tract herein conveyed containing 18 3/4 acres, more or less.

9. Was your water right acquired by State Engineer's Permit? yes If so, give number (Yes or No)

of permit 14600

10. Do you hold a water right certificate? yes If so, give number of certificate 15440
(Yes or No)

11. Was your water right determined by State Engineer's order of Determination or Decree of Court?

no If so, give title of proceedings
(Yes or No)

12. Is the water right recorded in your name? no - W.B. Roberts
(If not, give name)

13. I propose to transfer the water right to the following described lands: (Do not answer if your application is for change in point of diversion only.)

Twp.	Range	Sec.	NE 1-4				NW 1-4				SW 1-4				SE 1-4			
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$
3N	3W	16										0,3						
												Dom.						

Land on which water is to be used is a part of the property described more explicitly by the appropriator as follows. The North Half of the Northwest Quarter of the Southwest Quarter, N $\frac{1}{2}$ of SW $\frac{1}{4}$ of SW $\frac{1}{4}$ of Section 16, Township 3 North, Range 3 West of the Willamette Meridian, situate in the County of Washington and State of Oregon, except or less the $1\frac{1}{4}$ acre sold to Vern Chelden, beginning at the Northeast Corner of the above, extending 5 rods south, thence 40 rods west, thence 5 rods north, thence 40 rods east to point of beginning; the tract herein conveyed containing $18\frac{3}{4}$ acres, more or less.

in the county of Washington The name of the ditch to be used is

15. Are you the owner of the land on which the proposed point of diversion is to be located? no

16. If not the owner of the land on which the proposed point of diversion is to be located, give the name and address of owner and submit evidence of your right-of-way for your proposed ditch, canal, or pipe line.

Otto L. and Lola A. Solberger, Route 3, Box 439, Hillsboro, Oregon

Point of diversion is located on same property as place of use and is being

bought on contract

17. Are there any diversions between your present point of diversion and the proposed point of diversion? No

NOTE: Answer questions 18 and 19 if application is for change in use or place of use.

18. Are the lands from which you propose to transfer your water right free of all encumbrances, including taxes, mortgages, liens, etc.? No
(Answer Yes or No)

19. If not, give below a description of existing encumbrances:

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT
Buying on contract from	Otto & Lola A. Solberger	\$5,550.00

20. Reasons for the proposed changes are Reason for change of diversion is to establish at ~~the~~ spring's source instead of the creek.

Reason for change of place is the old house burned down so built new house up hill 100 ft. from old house location, or to the West.

AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of Washington

ss.

I, Allen Eaden, the applicant herein, being first duly sworn, depose and say that I have read the above and foregoing application for transfer of water right; that I know the contents thereof and that the statements therein made are true and correct to the best of my knowledge and belief.

In Witness Whereof, I have hereunto set my hand this 11 day of February, 1970

Allen Eaden
(Name of applicant)

Subscribed and sworn to before me this 11 day of February, 1970

[Notarial Seal]

Clayton J. Gardner
NOTARY PUBLIC FOR OREGON

My commission expires 12-29-73

Remarks The approximation on the location of the spring is for this reason.

These measurements were measured in with a 100 ft. tape and compass across the existing terrain.

Both Springs #1 and #2 are located 600' south of 1/4 corner of Sections 16 and 17 and #1 Spring is 270' east and #2 Spring is 200' east - The reason for placing the springs in this order is #1 spring is the largest or runs the most water.

THIS APPLICATION MUST BE ACCOMPANIED BY A MAP SHOWING THE LOCATION OF THE POINT OF DIVERSION, PLACE OF USE AND WORKS UTILIZED UNDER THE PRESENT WATER RIGHT. THE MAP SHOULD ALSO SHOW THE NEW POINT OF DIVERSION OR PLACE OF USE, AS THE CASE MAY BE.

NOTICE OF COMPLETE APPLICATION
OF WATER TO BENEFICIAL USE

RECEIVED
OCT 9 1970
STATE ENGINEER
SALEM, OREGON

Transfer No. 2345

I, Allen Eaden hereby certify that
on 3 April, 1966, the water has been applied to the lands to
which the water right was transferred by an order of the State Engineer
dates September 30, 1970, approving an application for a change in place
of use of water from unnamed stream.

6 Oct. 1970
Date

Allen Eaden
Signature

RECEIVED
OCT 9 1970
STATE ENGINEER
SALEM OREGON

Transfer No. 2345

NOTICE OF COMPLETION OF CONSTRUCTION

I, Allen Eaden, hereby certify
that the construction work has been completed and the change in
point of diversion of water made as set forth in the order of
the State Engineer dated September 30, 1970, approving an appli-
cation for a change in point of diversion of water from _____
unnamed stream.

6 Oct 70
Date

Allen Eaden
Name

Application No. _____

DESCRIPTION OF SPRING

1. Is spring on property of applicant? yes
2. If not, give name and address of legal owner. _____

3. Have you secured consent of owner to appropriate water from this spring and for construction of pipeline or other works? yes
4. If you do not have such consent, do you expect to secure right of way through condemnation? _____
5. What is the maximum flow from spring? Aprox. 240 gals per minute
(Gallons per minute or
cubic feet per second)
- What is the minimum flow? 12 gal. per minute
- Is flow measured or estimated? Minimum was measured
max. was estimated
6. Does the stream flowing from spring form a well defined natural channel? yes
7. Does the water flow off the lands on which it first arises? no
8. Give the name of the stream or other body of water into which water from the spring flows. East Dairy Creek
9. If the water from the spring sinks or evaporates before reaching other water, give distance water flows from spring before vanishing.

10. Remarks _____

RECEIVED
FEB 26 1970
STATE ENGINEER
SALEM, OREGON

Allen Eaders
Signature of Applicant

RECEIVED
MAY 25 1970
STATE ENGINEER
SALEM, OREGON

RECEIVED
APR 23 1970
STATE ENGINEER
SALEM, OREGON

T.3N.R.3W.W.M.

