

2466

STATUS OF APPLICATION

Change in Point of Diversion
Date filed December 9, 1970
Date of hearing _____
Place of hearing _____
Date of order 8-9-72 Vol. 22, page 150
Date for application of water _____
Proof mailed _____
Proof received _____
Certificate issued _____ Vol. 30, page 38282

FEB 4 1975

33

41641

2-10-7508

DESCRIPTION OF WATER RIGHT

Name of stream Rock Creek
Trib. of — County of Yamhill
Use Irrigation
Quantity of water _____ No. of acres 0.36
Name of ditch —
Date of priority May 5, 1952
In name of Noah A. Wright
_____ Adjudication, Vol. _____, page _____
App. No. 27142 Per. No. 21349 Cert. No. 28143
Certificate cancelled _____
Notation made on record by slw

FEES PAID

Date	Amount	Receipt No.
<u>12-09-70</u>	<u>25.00</u>	<u>21887</u>
		<u>2</u>
TOTAL . . .		
<u>12-09-70</u>	<u>\$2 Cert. Fee</u>	<u>21888</u>
<u>1-13-75</u>	<u>.50</u>	<u>44752</u>
<u>9-25-75</u>	<u>2.00</u>	<u>49671</u>
	FEES REFUNDED	

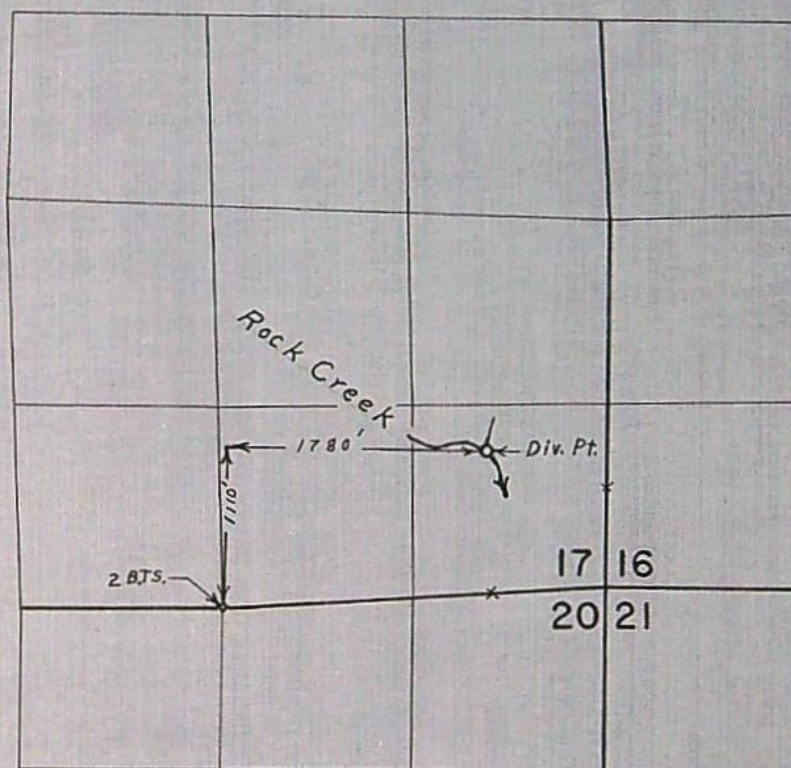
Date	Amount	Check No.
<u>9-13-79</u>	<u>2.00</u>	<u>3719</u>

REMARKS

Assignment of part of right involved in transfer is in file

TO BE ENTERED WHERE CHECKED	INDEX CARDS:		Entered	Checked
<input checked="" type="checkbox"/>	Name		<u>sl</u>	
<input checked="" type="checkbox"/>	Stream		<u>sl</u>	
<input type="checkbox"/>	Pt. of Div.			
<input checked="" type="checkbox"/>	Calendar		<u>sl</u>	
CHECKED TO RECORDS:				
<input checked="" type="checkbox"/>	Twp. & Rge.		<u>sl</u>	<u>9</u>
<input type="checkbox"/>	Decree-vault			
<input type="checkbox"/>	Decree-safe			
<input checked="" type="checkbox"/>	Cert. of W/R		<u>sl</u>	
<input checked="" type="checkbox"/>	Per. Folder			<u>sl</u>
<input type="checkbox"/>	Chainindex			
<input type="checkbox"/>	Cross Ref.			
<input type="checkbox"/>	Power Claim			
<input type="checkbox"/>	Abstracts			

T.5 S. R.6 W. W.M.



FINAL PROOF SURVEY
UNDER

Application No. Transfer No. 2466
Permit No.

IN NAME OF

NOAH A. WRIGHT

Surveyed May 1, 1974, by L. E. Gould

BEFORE THE STATE ENGINEER OF OREGON

Yamhill County

IN THE MATTER OF THE APPLICATION)
OF NOAH A. WRIGHT FOR THE APPROVAL)
OF A CHANGE IN POINT OF DIVERSION)
OF WATER FROM ROCK CREEK)

ORDER APPROVING
TRANSFER NO. 2466

On December 9, 1970, Noah A. Wright filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from Rock Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Noah A. Wright and recorded at page 28143, Volume 20, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.06 cubic foot per second of the waters of Rock Creek for the irrigation of, among other lands, 0.36 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 17, Township 5 South, Range 6 West, W.M., with a date of priority of May 5, 1952. These lands are irrigated by means of a pump located at a point of diversion 350 feet North and 825 feet West from the SE corner of Section 17, being within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17, Township 5 South, Range 6 West, W.M.

The applicant herein, owner of the lands above described, proposes to convey water to these lands by means of a pump to be located at a point of diversion 880 feet North and 780 feet West from the SE corner of Section 17, being within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17, Township 5 South, Range 6 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.

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

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

NOW, THEREFORE, it hereby is ORDERED that the proposed change in point of diversion of water from Rock Creek, to-wit:

From a point located 350 feet North and 825 feet West from the SE corner of Section 17, being within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17, Township 5 South, Range 6 West, W.M.

To a point to be located 880 feet North and 780 feet West from the SE corner of Section 17, being within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 17, Township 5 South, Range 6 West, W.M.

for the irrigation of 0.36 acre in SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 17, Township 5 South, Range 6 West, W.M., with a date of priority of May 5, 1952, is approved.

It is FURTHER ORDERED that no time need be fixed for completion as the change in the point of diversion is completed and the new diversion in operation.

It is FURTHER ORDERED that the quantity of water diverted at the new point of diversion shall not exceed the quantity of water available at the old point of diversion, and shall not exceed 0.004 cubic foot per second.

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 Noah A. Wright and recorded at page 28143, Volume 20, State Record of Water Right Certificates is canceled and in lieu thereof a new certificate be issued covering the balance of the lands not involved in this proceeding and upon receipt of proof satisfactory to the State Engineer of completion of the authorized change in point of diversion, a certificate of water right shall be issued to Noah A. Wright confirming the change in point of diversion.

Dated at Salem, Oregon, this 9th day of August, 1972.

/s/ CHRIS L. WHEELER
State Engineer

STATE OF OREGON

COUNTY OF YAMHILL

CERTIFICATE OF WATER RIGHT

This Is to Certify, That NOAH A. WRIGHT

of Rt. 2, Sheridan, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Rock Creek, a tributary of Yamhill River for the purpose of irrigation of ~~4.4~~ acres 4.04 acres

under Permit No. 21349 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from May 5, 1952

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed ~~0.06~~ cubic foot per second

0.05

or its equivalent in case of rotation, measured at the point of diversion from the stream.

The point of diversion is located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 17, T. 5 S., R. 6 W., W.M.

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 one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2 $\frac{1}{2}$ acre feet per acre for each acre irrigated during the irrigation season of each year,

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

4.04
~~4.4~~ acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
 Section 17
 T. 5 S., R. 6 W., W.M.

Certificate of water right issued to Noah A. Wright and recorded at page 28143, Volume 20, State Record of Water Right Certificates, confirms the right to the use of water for irrigation of ~~4.40~~ ^{4.40} acres. A change in the right to the use of water ^{in point of diversion} appurtenant to 0.36 acres was approved by order of the State Engineer entered August 9, 1972. This certificate is issued to confirm the remaining right to the use of water for irrigation and supersedes the certificate heretofore issued to ~~the~~ Noah A. Wright.

LEWIS A. STANLEY

State Engineer

Recorded in State Record of Water Right Certificates, Volume 20, page 28143

Superseded by

Cert. No. 38782Trs. Sp. Or. V. 22 p. 15

STATE OF OREGON

COUNTY OF YAMHILL

CERTIFICATE OF WATER RIGHT

This Is to Certify, That NOAH A. WRIGHT

of Rt. 2, ^{607 1/2} Sheridan, State of Oregon ⁹⁷³⁷⁸, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Rock Creek a tributary of Yamhill River for the purpose of irrigation of ~~4.4~~ ^{0.36} acres

under Permit No. 21349 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from May 5, 1952

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed ~~0.08~~ ^{0.01} cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 17, T. 5 S., R. 6 W., W.M.

1110 ft. N. & 1780 ft. E. from S $\frac{1}{4}$ Cor Sec 17

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 one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2 $\frac{1}{2}$ acre feet per acre for each acre irrigated during the irrigation season of each year,

and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

0.36

~~4.4~~ acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 17
T. 5 S., R. 6 W., W.M.

This certificate is issued to confirm a change in Pt. of Div. approved by an order of the State Engineer entered Aug 9, 1972, and ^{Together with} 38782 Vol. 30 supersedes certificate of water right heretofore issued to Noah A Wright and recorded at page 28143, Volume 20, State Record of Water Right Certificates.

this date. FEBRUARY 10 1964

LEWIS A. STANLEY

State Engineer