

John F. and  
June L. Liddicost  
Portola Valley, Calif.

2972

STATUS OF APPLICATION

Change in point of diversion  
Date filed 2-8-74  
Date of hearing \_\_\_\_\_  
Place of hearing \_\_\_\_\_  
Date of order 5-6-74 Vol. 24, page 291  
Date for application of water 10-1-75  
Proof mailed \_\_\_\_\_  
Proof received \_\_\_\_\_  
Certificate issued AUG 30 1976 Vol. 35, page 43555  
JAN 22 1987 51 55437

DESCRIPTION OF WATER RIGHT

Name of stream Pallock Creek  
Trib. of \_\_\_\_\_ County of Douglas  
Use irrigation  
Quantity of water \_\_\_\_\_ No. of acres 3.4  
Name of ditch \_\_\_\_\_  
Date of priority December 19, 1958  
In name of Donne Nerell  
\_\_\_\_\_ Adjudication, Vol. \_\_\_\_\_, page \_\_\_\_\_  
App. No. 32814 Per. No. 25938 Cert. No. 32287  
Certificate cancelled \_\_\_\_\_  
Notation made on record by \_\_\_\_\_

FEES PAID

Date	Amount	Receipt No.
<u>2-8-74</u>	<u>30.00</u>	<u>38592</u>
TOTAL . . .	<u>3.00</u>	
<u>5-2-74</u>	Cert. Fee	<u>39.826</u>

FEES REFUNDED

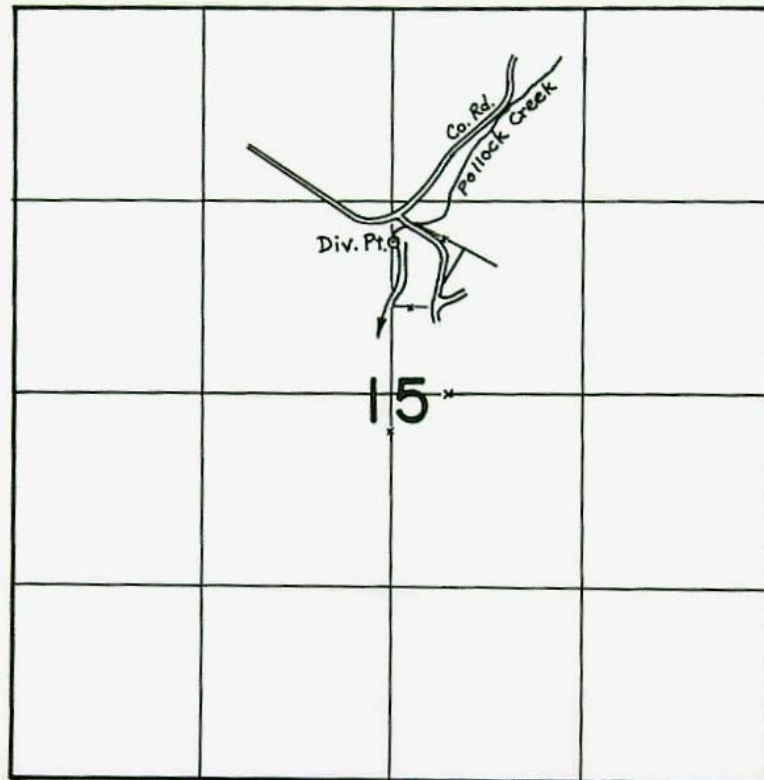
Date	Amount	Check No.

REMARKS

ckd AS per notes

TO BE ENTERED WHEN CHECKED	INDEX CARDS:	Entered	Checked
	<u>WC</u> Name	<u>✓</u>	<u>✓</u>
<u>WC</u>	Stream	<u>✓</u>	<u>✓</u>
<u>WN</u>	Pt. of Div.	<u>✓</u>	<u>✓</u>
	Calendar	<u>✓</u>	<u>✓</u>
	CHECKED TO RECORDS:		
<u>✓</u>	Twp. & Rge.	<u>✓</u>	<u>✓</u>
	Decree-vault	<u>✓</u>	<u>✓</u>
	Decree-safe	<u>✓</u>	<u>✓</u>
<u>WC</u>	Cert. of W/E	<u>✓</u>	<u>✓</u>
<u>WC</u>	Per. Folder	<u>✓</u>	<u>✓</u>
	Chaindex	<u>✓</u>	<u>✓</u>
	Cross Ref.	<u>✓</u>	<u>✓</u>
	Power Claim	<u>✓</u>	<u>✓</u>
	Abstracts	<u>✓</u>	<u>✓</u>

T.24 S. R. 5 W. W.M.



Div. Pt. Located: 1040' N  $\frac{1}{2}$  10'E from C  $\frac{1}{4}$  cor. Sec. 15

SCALE: 4" = 1 mile

**FINAL PROOF SURVEY**  
UNDER

Transfer No. 2972

Application No. .... Permit No. 25938....

IN NAME OF

DAVID REYNOLDS & MARK VINCENT

Surveyed Aug. 1, 1979, by S. Donaldson...



BEFORE THE STATE ENGINEER OF OREGON

Douglas County

IN THE MATTER OF THE APPLICATION  
OF JOHN F. AND JUNE L. LIDDICOAT  
FOR THE APPROVAL OF A CHANGE IN  
POINTS OF DIVERSION OF WATER FROM  
POLLACK CREEK

ORDER APPROVING  
TRANSFER NO. 2972

On February 8, 1974, John F. and June L. Liddicoat filed an application in the office of the State Engineer for the approval of a change in points of diversion of water from Pollack Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Donne Nerell and recorded at page 32287, Volume 24, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.18 cubic foot per second of water from Pollack Creek for the irrigation of, among other lands, 3.4 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 15, Township 24 South, Range 5 West, W.M., with a date of priority of December 19, 1958. These lands are irrigated from a point of diversion located 1400 feet South and 340 feet East from the North  $\frac{1}{4}$  corner of Section 15, being within the SW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 15, Township 24 South, Range 5 West, W.M.

The applicants herein, owners of the lands above described, propose to irrigate these lands from two points of diversion to be located (1) 3780 feet North and 2560 feet West from the Southeast corner of Section 15, being within the SW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 15; and (2) 3470 feet North and 2590 feet West from the Southeast corner of Section 15, being within the SW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 15, all in Township 24 South, Range 5 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. M. John Youngquist, Watermaster of District No. 15, has filed a report to the effect that the proposed change in point of diversion of water from Pollack Creek to the proposed change in point of diversion of water may be made without injury to existing rights.

Barney Nerell, contract seller, has submitted written approval of the proposed change in points of diversion.

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

NOW, THEREFORE, it hereby is ORDERED that the change in point of diversion of water from Pollack Creek, to wit: change in points of diversion.

From a point located 1400 feet South and 340 feet East from the North  $\frac{1}{4}$  corner of Section 15, being within the SW  $\frac{1}{4}$  NE  $\frac{1}{4}$  of Section 15, Township 24 South, Range 5 West, W.M.

To a point to be located 3780 feet North and 2560 feet West from the Southeast corner of Section 15, being within the SW  $\frac{1}{4}$  NE  $\frac{1}{4}$  of Section 15, Township 24 South, Range 5 West, W.M.

And to a point to be located 3470 feet North and 2590 feet West from the Southeast corner of Section 15, being within the SW  $\frac{1}{4}$  NE  $\frac{1}{4}$ , Section 15, Township 24 South, Range 5 West, W.M.

for the irrigation of 3.4 acres in SW  $\frac{1}{4}$  NE  $\frac{1}{4}$ , Section 15, Township 24 South, Range 5 West, W.M., with a date of priority of December 19, 1958, is approved.

It is FURTHER ORDERED that the construction work shall be completed and the change in point of diversion of water made on or before October 1, 1975.

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 0.04 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.

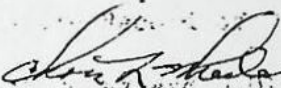


That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

IN THE MATTER OF THE WATER RIGHTS OF THE STATE OF OREGON  
It is FURTHER ORDERED that certificate of water right heretofore issued to Donne Nerell and recorded at page 32287, Volume 24, 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 changes in points of diversion, a certificate that said water right shall be issued to John F. and June L. Iddicoat confirming the changes in points of diversion.

The water right in question is defined by certificate filed to  
Dated at Salem, Oregon, this 6th day of May, 1974.

William Paxton Hagg and recorded at Page 27409, Volume 24, State Record of Water Right Certificates, and is for the appropriation of 10 cubic feet per second of water from an unincorporated area of Section 20, Township 8 North, Range 8 West, 12th.

  
CHRIS L. WHEELER  
State Engineer

ORS 240.621 provides that: "Whenever the owner of a perfected and developed water right certifies under oath to the State Engineer that the water right has been abandoned by him and that he desires cancellation thereof, the State Engineer shall enter an order canceling the water right."

NOW, THEREFORE, it is hereby ORDERED that the water right evidenced by certificate recorded at Page 27409, Volume 24, State Record of Water Right Certificates, is canceled.

Dated at Salem, Oregon this 6th day of May, 1974.

Copy



STATE OF OREGON  
COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

DAVID REYNOLDS

This Is to Certify, That **DOMNE HERRELL**

of **Route 1, Box 805 Oakland**, 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 **Pollock Creek**

a tributary of **Calapooya Creek** for the purpose of irrigation of **3.4** acres

under Permit No. **25938** 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 **December 19, 1958**

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 **0.04** cubic foot per second, if available at the original point of diversion

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the **SW 1/4 NE 1/4, Section 15, T. 24 S., R. 5 W., W. M.** 1400's & 340'E from N 1/4 cor. sec 15

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-eighth** 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 1/2** acre feet per acre for each acre irrigated during the irrigation season of each year; provided further that the right to the use of water is limited to the period when the flow of the water in the **Calapooya Creek** is **12 c.f.s.** or more at its mouth;

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:

**3.4** acres **SW 1/4 NE 1/4** Section 15 T. 24 S., R. 5 W., W. M.

This certificate is issued to confirm a change in **place of use and point of diversion** approved by an order of the Water Resources Director entered **5/6/74** and together with certificate of water right recorded on page **43555**, Volume **35**, SRWRC supersedes certificate of water right recorded on page **32287**, Volume **24**, SRWRC.

The issuance etc

WITNESS the signature of the State Engineer, affixed

this date. August 9, 1965

**DAVID REYNOLDS**

State Engineer

8160D

State Record of Water Right Certificates, Volume 24, page 32287

55437

POD: ca. Sec 15 T24S R5W WM  
1040' N & 10' E from C 1/4 cor Sec 15

cut &  
BC



## STATE OF OREGON

COUNTY OF DOUGLAS

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That DONNE NEREILL

of Route 1, Box 80, Oakland, 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 Pollock Creek

a tributary of Calapooya Creek for the purpose of irrigation of ~~4.1~~ <sup>10.7</sup> acres

under Permit No. 25938 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 December 19, 1958

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 ~~0.18~~ cubic foot per second  
0.14

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 15, T. 24 S., R. 5 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; provided further that the right to the use of water is limited to the period when the flow of the water in the Calapooya Creek is 12 c.f.s. or more at its mouth;

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:

1.4 acres NE $\frac{1}{4}$  NE $\frac{1}{4}$   
6.4 acres NW $\frac{1}{4}$  NE $\frac{1}{4}$   
2.9 ~~6.3~~ acres SW $\frac{1}{4}$  NE $\frac{1}{4}$   
Section 15  
T. 24 S., R. 5 W., W. M.

S-E  
An order of the ~~Water Resources~~ Director entered May 6, 1974 approved a change in points of diversion for the irrigation of ~~4.1~~ <sup>3.4</sup> acres. This certificate is issued to confirm the remaining right not involved in the change and supersedes the certificate heretofore issued to Donne Nerell recorded at page 32287, <sup>41.24,</sup> State Record of Water Right Certificates.

was date. August 9, 1965

ARRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 24, page 32287

C-43555



BEFORE THE STATE ENGINEER OF OREGON

Douglas County

IN THE MATTER OF THE APPLICATION  
OF JOHN F. AND JUNE L. LIDDICOAT  
FOR THE APPROVAL OF A CHANGE IN  
POINTS OF DIVERSION OF WATER FROM  
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Barney Nerell, contract seller, has submitted written approval of the proposed change in points of diversion.

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

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

From a point located 1400 feet South and 340 feet East from the North  $\frac{1}{4}$  corner of Section 15, being within the SW $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 15, Township 24 South, Range 5 West, W.M.

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for the irrigation of 3.4 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 15, Township 24 South, Range 5 West, W.M., with a date of priority of December 19, 1958, is approved.

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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 Donne Nerell and recorded at page 32287, Volume 24, 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 changes in points of diversion, a certificate of water right shall be issued to John F. and June L. Liddicoat confirming the changes in points of diversion.

Dated at Salem, Oregon, this 6th day of May, 1974.

/s/ CHRIS L. WHEELER  
State Engineer