

2663 Matthew S Kemper
Rt. 2, Box 332-D
Forest Grove, Ore. 97116

2663

STATUS OF APPLICATION

Change in Place of use
Date filed June 5, 1972
Date returned for further data _____
Date application completed _____
Notice for publication mailed _____
Date notice published _____
Date of hearing _____
Place of hearing _____
Date of order Aug 4, 1972 Vol. 22, page 142
Date of application of water 10-1-73
Proof mailed _____
Proof received _____
Certificate issued MAR 27 1975 Vol. 33, page 41946

DESCRIPTION OF WATER RIGHT

Name of stream Little Beaver
Trib. of Gales Creek County of Washington
Use Irrigation + Stock
Quantity of water 0.28 cfs No. of acres 150
Name of ditch Irrigation unnamed
Date of priority Dec. 17, 1923
In name of John E. Timmerman
_____ Adjudication, Vol. _____, Page _____
App. No. 9305 Per No. 6153 Cert. No. 5045
Certificate cancelled _____
Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>6-5-72</u>	<u>20.00</u>	<u>28668</u>
Total	<u>1.50</u>	
<u>3-12-75</u>	<u>\$1 Cert. Fee</u>	<u>45622</u>

FEES REFUNDED

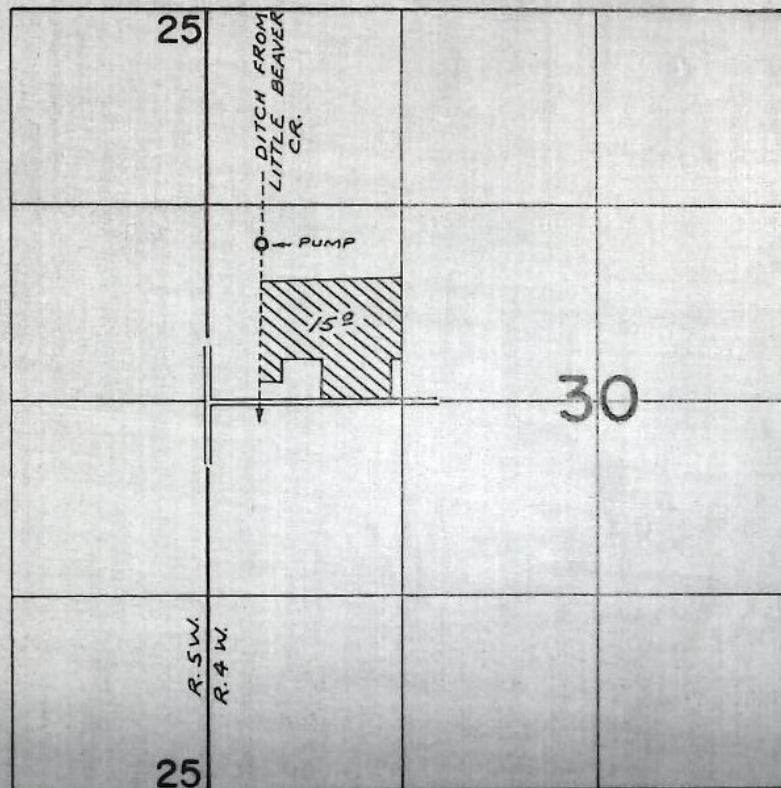
Date	Amount	Check No.
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REMARKS

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

1014

T.2N.R.4&5W.W.M.



FINAL PROOF SURVEY
UNDER

TRANSFER NO. 2663
Application No. Permit No.
IN NAME OF

.....MATTHEW S. KEMPER.....

Surveyed APR. 5, 1974, by R. MUCKEN

STATE OF OREGON

COUNTY OF WASHINGTON

CERTIFICATE OF WATER RIGHT

Matthew S. Kemper

*Pt. 2 Box 332-D
Forest Grove*

This is to Certify, That

John E. Timmerman

of Banks, 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 Little Beaver Creek a tributary of Gales Creek for the purpose of irrigation and stock under Permit No. 6153 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 17, 1923; *of 15.0 acres*

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 0.28 cubic foot per second;

The use hereunder for irrigation shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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 in case of rotation.

A description of the lands irrigated under the right hereby confirmed, and to which such right is appurtenant (or, if for other purposes, the place where the water is put to beneficial use), is as follows: Four (4) acres in the Northwest Quarter of the Northwest Quarter (NW¹/₄ NW¹/₄) and Eleven (11) acres in the Southwest Quarter of the Northwest Quarter (SW¹/₄ NW¹/₄) of Section Thirty (30), Township Two (2) North, Range Four (4) West of the Willamette Meridian, in Washington County, Oregon, being a total of 15 acres.

*15.0 ac SW NW
Sec 30
T.2N.R.4W.W.M.*

Div. PT: - NW NW Sec 30 T2N R4W W.M.

This certificate is issued to confirm a change in Place of use approved by an order of the State Engineer entered Aug 4, 1972, and supersedes certificate of water right heretofore issued to John E. Timmerman and recorded at page 5045, Volume 5, State Record of Water Right Certificates.

affixed this 1st day of May, 1924.
Rhea Luper
State Engineer.

Recorded in State Record of Water Right Certificates, Volume 5, page 5045

BEFORE THE STATE ENGINEER OF OREGON

Washington County

IN THE MATTER OF THE APPLICATION)
OF MATTHEW S. KEMPER FOR THE)
APPROVAL OF A CHANGE IN PLACE OF)
USE OF WATER FROM LITTLE BEAVER)
CREEK)

ORDER APPROVING
TRANSFER NO. 2663

On June 5, 1972, Matthew S. Kemper filed an application in the office of the State Engineer for the approval of a change in place of use of water from Little Beaver Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to John E. Timmerman and recorded at page 5045, Volume 5, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.28 cubic foot per second of waters of Little Beaver Creek, for stock use and irrigation of 4.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ and 11.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 30, Township 2 North, Range 4 West, W.M., with a date of priority of December 17, 1923.

The applicant herein, owner of the lands above described, proposes to transfer the water right therefrom, without loss of priority, to 15.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 30, Township 2 North, Range 4 West, W.M.

Notice by publication as provided by ORS 540.520 was not given in connection with this application for the reason that said section provides notice is not required on an application for a change in place of use of water.

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

No objections having been filed and it appearing that the proposed change in 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 proposed change in place of use of water is approved and the water right hereinbefore described as appurtenant to 4.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ and 11.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 30, Township 2 North, Range 4 West, W.M., with a date of priority of December 17, 1923, be severed therefrom and simultaneously and without loss of priority transferred to 15.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 30, Township 2 North, Range 4 West, W.M.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1973.

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 John Timmerman and recorded at page 5045, Volume 5, State Record of Water Right Certificates, is canceled and upon receipt of proof satisfactory to the State Engineer of application of water to beneficial use, a certificate of water right shall be issued to Albert Jesse confirming the extent to which the water has been applied beneficially.

Dated at Salem, Oregon, this 4th day of August, 1972.

/s/

CHRIS L. WHEELER
State Engineer