

2700 John J. Klassen
Rt. 3, Box 85
DALLAS, ORE. 97338

2700

STATUS OF APPLICATION

Change in Place of Use
Date filed Sept. 11, 1972
Date of hearing _____
Place of hearing _____
Date of order 1-30-73 Vol. 22, page 421
Date for application of water October 1, 1973
Proof mailed _____
Proof received _____
Certificate issued MAY 21 1975 Vol. 34, page 42156

DESCRIPTION OF WATER RIGHT

Name of stream N. FK. Ash Creek
Trib. of _____ County of Polk
Use Irrigation
Quantity of water _____ No. of acres 150
Name of ditch _____
Date of priority Dec. 10, 1943
In name of John J. Klassen
_____ Adjudication, Vol. _____, page _____
App. No. 20098 Per. No. 15658 Cert. No. 19614
Certificate cancelled _____
Notation made on record by _____

REMARKS

FEES PAID

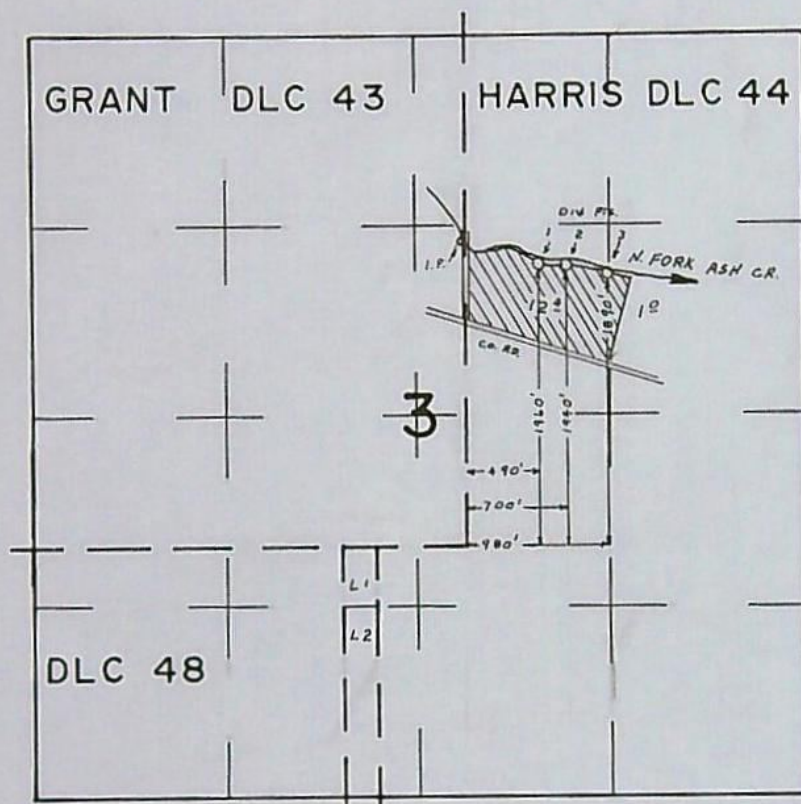
Date	Amount	Receipt No.
<u>9-11-72</u>	<u>\$ 20.00</u>	<u>30599</u>
TOTAL . . .		
<u>6-26-74</u>	<u>1.50</u> Cert. Fee	<u>41573</u>

FEES REFUNDED

Date	Amount	Check No.
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	INDEX CARDS:	Entered	Checked
TO BE ENTERED WILL BE CHECKED	<input checked="" type="checkbox"/> Name	___	___
	<input checked="" type="checkbox"/> Stream	___	___
	<input type="checkbox"/> Pt. of Div.	___	___
	<input type="checkbox"/> Calendar	___	___
	CHECKED TO RECORDS:		
	<input checked="" type="checkbox"/> Twp. & Rge.	<u>do</u>	___
	<input type="checkbox"/> Decree-vault	___	___
	<input type="checkbox"/> Decree-safe	___	___
	<input checked="" type="checkbox"/> Cert. of W/R	<u>st</u>	___
	<input checked="" type="checkbox"/> Per. Folder	<u>st</u>	___
<input type="checkbox"/> Chainindex	___	___	
<input type="checkbox"/> Cross Ref.	___	___	
<input type="checkbox"/> Power Claim	___	___	
<input type="checkbox"/> Abstracts	___	___	

T.8S. R.5W. W.M.



FINAL PROOF SURVEY
UNDER

Transfer No. 2700

Application No. _____ Permit No. _____
IN NAME OF

JOHN J. KLASSEN

Surveyed JUN 13 1974, by L.H. NUNN

STATE OF OREGON

COUNTY OF POLK

CERTIFICATE OF WATER RIGHT

This Is to Certify, That JOHN J. KLASSEN

of Route 3, Box 85, Dallas, State of Oregon 97338, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of North Fork Ash Creek a tributary of Willamette River for the purpose of irrigation of 13.4 acres under Permit No. 15658 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 10, 1943

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 0.19 cubic feet per second,

0.17

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 $\frac{1}{4}$ & SE $\frac{1}{4}$ NE $\frac{1}{4}$, as projected on James Harris DLC #14, Section 3, Township 8 South, Range 5 West, W. M. 1960 ft. N. + 490 ft. E, 1940 ft. N. + 700 ft. E, 1890 ft. N. + 980 ft. E. all from the SE Cor Grant DLC 43

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:

2.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ as projected on James Harris D.L.C. #14
6.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ as projected on James Harris D.L.C. #14
Section 3, Township 8 South, Range 5 West, W.M.

12.4 SW NE
1.0 SE NE
both w/in Harris DLC 44
Sec. 3
T. 8 S. R. 5 W. W. M.

This certificate is issued to confirm a change in Place of use approved by an order of the State Engineer entered Jan 30, 1973, and supersedes certificate of water right heretofore issued to John J. Klassen and recorded at page 19614, Volume 1A, State Record of Water Right Certificates.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this 30th day of April, 1951

CHAS. E. STRICKLIN

State Engineer

Recorded in State Record of Water Right Certificates, Volume 14, page 19614.

BEFORE THE STATE ENGINEER OF OREGON

Polk County

IN THE MATTER OF THE APPLICATION)
OF JOHN J. KLASSEN FOR THE APPROVAL)
OF A CHANGE IN PLACE OF USE OF)
WATER FROM NORTH FORK ASH CREEK)

ORDER APPROVING
TRANSFER NO. 2700

On September 11, 1972, John J. Klassen filed an application in the office of the State Engineer for the approval of a change in place of use of water from North Fork Ash Creek, pursuant to the provisions of ORS 540.510 to 540.530.


Certificate of water right issued to John J. Klassen and recorded at page 19614, Volume 14, State Record of Water Right Certificates, confirms a right to the use of 0.19 cubic foot per second of water from North Fork Ash Creek for the irrigation of 9.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ and 6.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 3, Township 8 South, Range 5 West, W.M., with a date of priority of December 10, 1943.

The applicant herein, owner of the lands above described, proposes to transfer the water right therefrom, without loss of priority, to 11.8 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ and 3.2 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 3, Township 8 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 that said section provides notice is not required on an application for a change in place of use of water.

Mr. Gene McGinnis, Watermaster of District No. 2, 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 9.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ and 6.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 3, Township 8 South, Range 5 West, W.M., with a date of priority of December 10, 1943, be severed therefrom and simultaneously and without loss of priority, transferred to 11.8 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ and 3.2 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 3, Township 8 South, Range 5 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 certificate of water right heretofore issued to John J. Klassen and recorded at page 19614, Volume 14, 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 John J. Klassen confirming the extent to which the water has been applied beneficially.

Dated at Salem, Oregon, this 30th day of January, 1973.

CHRIS L. WHEELER
State Engineer

