

2613 Ralph B. Graham
Rt. 1, Box 178
Monmouth, Ore. 97361

2643

STATUS OF APPLICATION

Change in Place of Use
Date filed MAY 17, 1972
Date of hearing _____
Place of hearing _____
Date of order 9-18-72 Vol. 22, page 211
Date for application of water 10-1-73 ✓
Proof mailed _____
Proof received _____
Certificate issued MAY 21 1975 Vol. 34, page 42168

DESCRIPTION OF WATER RIGHT

Name of stream Soap Creek
Trib. of Luckiamute River County of Polk
Use Irrigation
Quantity of water _____ No. of acres 205
Name of ditch _____
Date of priority July 17, 1961
In name of Ralph B. Graham
_____ Adjudication, Vol. _____, page _____
App. No. 35208 Per. No. 27545 Cert. No. 36019
Certificate cancelled _____
Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>5-17-72</u>	<u>20.10</u>	<u>28404</u>
TOTAL . . .		
<u>3-31-75</u>	<u>1.50</u> \$ Cert. Fee	<u>45916</u>

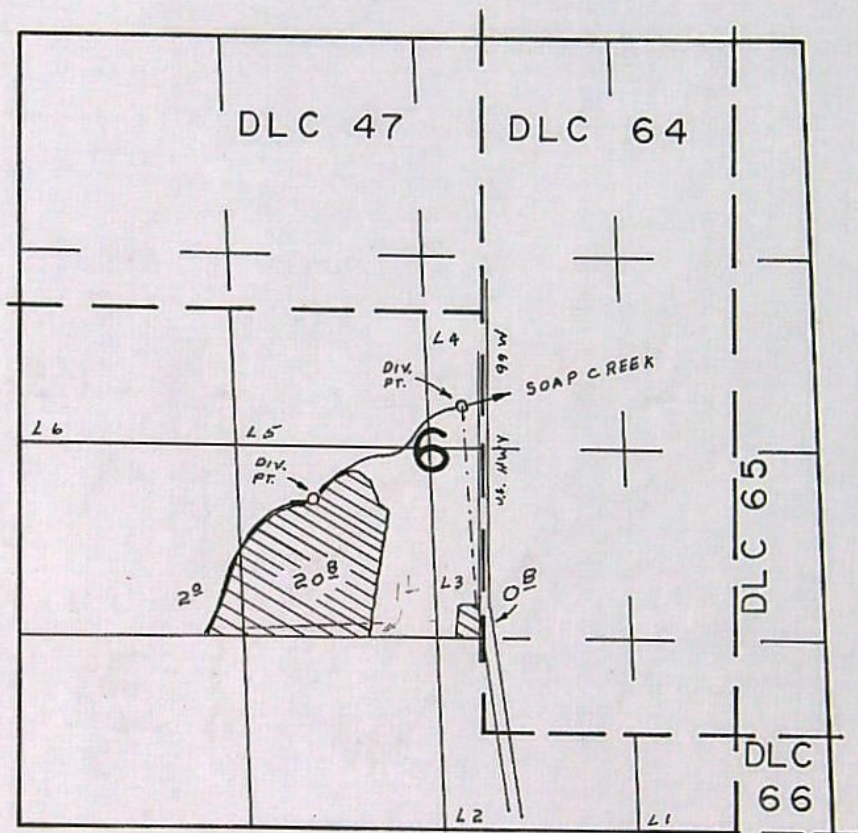
FEES REFUNDED

Date	Amount	Check No.
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REMARKS

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

T.IOS. R.4W. W.M.



FINAL PROOF SURVEY
UNDER

Transfer No. 2643

Application No. _____ Permit No. _____
IN NAME OF _____

RALPH B. GRAHAM

Surveyed JUL 17 1974, by LH NUNN.....

BEFORE THE STATE ENGINEER OF OREGON

Polk County

IN THE MATTER OF THE APPLICATION)
OF RALPH B. GRAHAM FOR THE APPROVAL)
OF A CHANGE IN PLACE OF USE OF WATER)
FROM SOAP CREEK)

ORDER APPROVING
TRANSFER NO. 2643

On May 17, 1972, Ralph B. Graham filed an application in the office of the State Engineer for the approval of a change in place of use of water from Soap Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Ralph B. Graham and recorded at page 36019, Volume 28, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.21 cubic foot per second of water from Soap Creek for the irrigation of 1.4 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ (Lot 4), 0.1 acre in SE $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 5), 13.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ and 6.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ (Lot 3), Section 6, Township 10 South, Range 4 West, W.M., with a date of priority of July 17, 1961.

The applicant herein, owner of the lands above described, proposes to transfer the water right therefrom, without loss of priority, to 19.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ and 1.5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 6, Township 10 South, 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. 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 1.4 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ (Lot 4), 0.1 acre in SE $\frac{1}{4}$ NW $\frac{1}{4}$ (Lot 5), 13.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ and 6.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ (Lot 3), Section 6, Township 10 South, Range 4 West, W.M., with a date of priority of July 17, 1961, be severed therefrom and simultaneously and without loss of priority, transferred to 19.0 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ and 1.5 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ (Lot 3), Section 6, Township 10 South, 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 Ralph B. Graham and recorded at page 36019, Volume 28, 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 Ralph B. Graham confirming the extent to which the water has been applied beneficially.

Dated at Salem, Oregon, this 18th day of September, 1972.

/s/ CHRIS L. WHEELER
State Engineer

STATE OF OREGON

COUNTY OF POLK

CERTIFICATE OF WATER RIGHT

This Is to Certify, That RALPH B. GRAHAM

of Route 1, Box 178, Monmouth, State of Oregon ⁹⁷³⁶¹, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Soap Creek

a tributary of Willamette River for the purpose of irrigation of 20.5 acres

under Permit No. 27545 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 July 17, 1961

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 0.21 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 Lot 4 (SW $\frac{1}{4}$ NE $\frac{1}{4}$), NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 6, T. 10 S., R. 4 W., W. M. Diversion points located below:

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:

19.7 NESW
0.8 Lot 3(NWSE)
Sec 6
T.10S. R.4W. W.M.

~~1.4 acres Lot 4 (SW $\frac{1}{4}$ NE $\frac{1}{4}$)
0.1 acre Lot 5 (SE $\frac{1}{4}$ NW $\frac{1}{4}$)
13.0 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
6.0 acres Lot 3 (NW $\frac{1}{4}$ SE $\frac{1}{4}$)
Section 6
T. 10 S., R. 4 W., W. M.~~

Diversion points located: 2920 feet North and 1850 feet West; ~~2610 feet North and 2250 feet West~~; 2260 feet North and 2880 feet West; All from the ~~most west~~ only SW Corner, Rodgers DLS 66. Lot 1 (SE $\frac{1}{4}$ SE $\frac{1}{4}$) Sec 6

This certificate is issued to confirm a change in Place of use approved by an order of the State Engineer entered Sept. 18, 1972, and supersedes certificate of water right heretofore issued to Ralph B. Graham and recorded at page 36019, Volume 28, State Record of Water Right Certificates.

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 28, page 36019