

2517 Don H. C. Lowe
Herman F. Hauer
Sandy, Ore. 97055

P.O. Box 217
Sandy, Or 97055

2517

STATUS OF APPLICATION

Change in Character of Use
Date filed May 4, 1971
Date of hearing November 29, 1977
Place of hearing Oregon City
Date of order 11-30-77 Vol. 30, page 116
Date for application of water completed
Proof mailed _____
Proof received JAN 31 1978
Certificate issued Vol. 37, page 45130

to survey 12/1/77

DESCRIPTION OF WATER RIGHT

Name of stream unnamed spring
Trib. of — County of Clackamas
Use from Irrigation to Domestic
Quantity of water _____ No. of acres _____
Name of ditch —
Date of priority March 23, 1932
In name of Amanda I. Lowe
_____ Adjudication, Vol. _____, page _____
App. No. 14529 Per. No. 10554 Cert. No. 23301
Certificate cancelled _____
Notation made on record by sls

FEES PAID

Date	Amount	Receipt No.
5-4-71	37.50	23489
9-20-77	20.00	63966
9-20-77	20.00	63967
TOTAL . . .		
10/28/77	2 nd \$1 Cert. Fee	23489

SANDY POST Pd 10/28/77 \$37.90 on ck #1743

FEES REFUNDED

Date	Amount	Check No.
9/12/79	2.00	3711
10/28/77	\$12.60	1744

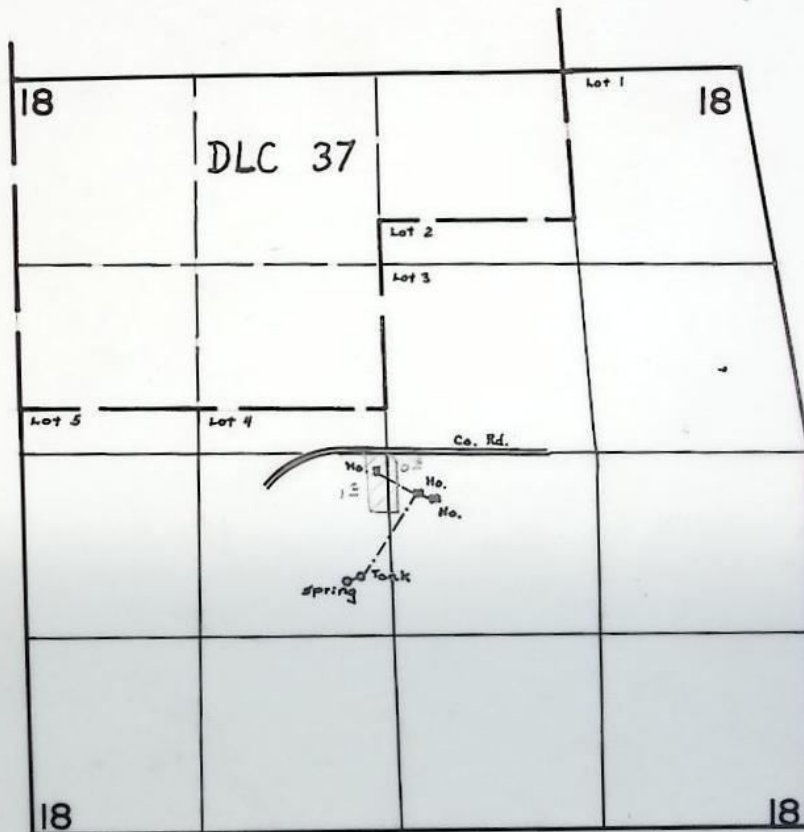
Rec'd 77.50
Exam 15
A Use 10
Cert 2
PON 37.90
64.90

REMARKS

*See 48196
14529*

INDEX CARDS:	Entered	Checked
☒ Name	<i>sls</i>	___
☒ Stream	<i>sls</i>	___
☒ Pt. of Div.	<i>sls</i>	___
☒ Calendar	<i>sls</i>	___
CHECKED TO RECORD:		
☒ Twp. & Rge.	<i>sls</i>	___
☐ Decree-vault	___	___
☐ Decree-safe	___	___
☒ Cert. of W/R	<i>sls</i>	___
☒ Per. Folder	<i>sls</i>	___
☐ Chaindex	___	___
☐ Cross Ref.	___	___
☒ Power Claim	<i>sls</i>	___
☒ Abstracts	<i>sls</i>	___

T.2S., R.5E., W.M.



FINAL PROOF SURVEY

UNDER

Transfer No. 2517

IN NAME OF

DONALD C. LOWE

Surveyed AUG. 15 1977, by R. MUCKEN

RECEIVED
MAY 4 1971
STATE ENGINEER
SALEM, OREGON

RECEIVED
JUL 13 1971
STATE ENGINEER
SALEM, OREGON

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Donald C. Lowe and Herman F. Meyer
(Name of applicant)

of Sandy (Postoffice), County of Clackamas

State of Oregon, do hereby make application for change of use heretofore

made of the water

(In point of diversion; place of use; use heretofore made of the water)

1. The source of present water right is an unnamed spring
(Name of stream)

2. The use to which the water is applied is irrigation
(Irrigation; Mining; Power; Manufacturing; etc.)

3. The name of the ditch, canal or pipe line is no name

4. The point of diversion is located 895' 4" ft. S. and 241' ft. W. from the Center of NW Corner
(N. or S.) (E. or W.)
~~of the NW 1/4 of the SE 1/4 of Sec. 18 - - -~~
corner of NE 1/4 SW 1/4
(Section or subdivision)

of Section 18 Tp. 2S R. 5E W. M., in the County of Clackamas
(No. N. or S.) (No. E. or W.)

5. List the number of acres irrigated in each smallest legal subdivision (40-acre tract) involved in this transfer. If for any other use, indicate place of use.

Twp.	Range	Sec.	NE 1-4				NW 1-4				SW 1-4				SE 1-4			
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4
2S	5E	18									0.56					0.44		
																1		

NOTE: If you own less than 40-acre tracts, attach a description of your land as it appears in your deed.

(Attach separate sheet if necessary)

6. Are you the legal owner of the above described lands? yes
(If not owner, explain your interest)

7. Has water been used beneficially for the purposes indicated herein during the past 5 years? yes

8. What is the date of priority of your water right? March 23, 1932

9. Was your water right acquired by State Engineer's Permit? Yes If so, give number
(Yes or No)
of permit 10554

10. Do you hold a water right certificate? Yes If so, give number of certificate 23301
(Yes or No)

11. Was your water right determined by State Engineer's order of Determination or Decree of Court?

No If so, give title of proceedings
(Yes or No)

12. Is the water right recorded in your name? Amanda I. Lowe
(If not, give name)

13. I propose to transfer the water right to the following described lands: (Do not answer if your application is for change in point of diversion only.)

Twp.	Range	Sec.	NE 1-4				NW 1-4				SW 1-4				SE 1-4			
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$
2S	5E	18									1 Dom					1 Ac	1 Dom	
																(Three houses within this NW $\frac{1}{4}$ Sec.)		

(Attach separate sheet if necessary)

NOTE: Answer questions 14, 15, 16 and 17, if the application is for change in point of diversion.

14. The proposed point of diversion is located _____ ft. _____ and _____ ft. _____ from the _____
(N. or S.) (E. or W.)
corner of _____ being within the _____ of Section _____ Tp. _____ R. _____ W. M.,
(Smallest legal subdivision) (No. N. or S.) (No. E. or W.)
in the county of _____ The name of the ditch to be used is _____

15. Are you the owner of the land on which the proposed point of diversion is to be located? _____

16. If not the owner of the land on which the proposed point of diversion is to be located, give the name and address of owner and submit evidence of your right-of-way for your proposed ditch, canal, or pipe line.

17. Are there any diversions between your present point of diversion and the proposed point of diversion? No

NOTE: Answer questions 18 and 19 if application is for change in use or place of use.

18. Are the lands from which you propose to transfer your water right free of all encumbrances, including taxes, mortgages, liens, etc.? No
(Answer Yes or No)

19. If not, give below a description of existing encumbrances:

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT
Real Estate Mortgage-D. C. Lowe	The Oregon Bank	\$6,500
Real Estate Mortgage-Herman F. Meyer	Mr. Geo. Martin San Diego, Calif.	\$5,600

20. Reasons for the proposed changes are To transfer an existing irrigation right on one acre of ground to domestic use for two houses, one owned by each of the above parties. Prior to the sale of a parcel of property (on which the Meyer house now stands) the water rights were in the name of Lowe only.

AFFIDAVIT OF APPLICANT

STATE OF OREGON,
County of Clackamas } ss.

I, Donald C. Lowe and Herman F. Meyer, the applicant herein, being first duly sworn, depose and say that I have read the above and foregoing application for transfer of water right; that I know the contents thereof and that the statements therein made are true and correct to the best of my knowledge and belief.

In Witness Whereof, I have hereunto set my hand this 3 day of May, 1971.
Donald C. Lowe
Herman F. Meyer
(Name of applicant)

Subscribed and sworn to before me this 3rd day of May, 1971.
J. H. McCulloch
NOTARY PUBLIC FOR OREGON

[Notarial Seal]

My commission expires 8-21-74

Remarks _____

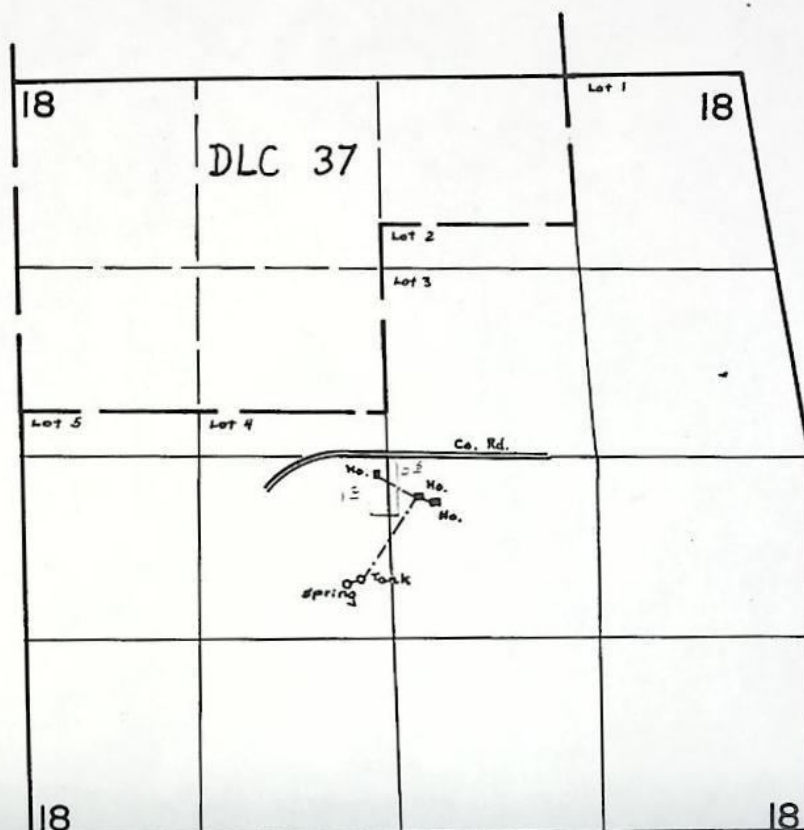
THIS APPLICATION MUST BE ACCOMPANIED BY A MAP SHOWING THE LOCATION OF THE POINT OF DIVERSION, PLACE OF USE AND WORKS UTILIZED UNDER THE PRESENT WATER RIGHT. THE MAP SHOULD ALSO SHOW THE NEW POINT OF DIVERSION OR PLACE OF USE, AS THE CASE MAY BE.

Transfer No. 2517 County CLACKAMAS

5. Proposed Point of Diversion _____

[illegible]

T.2S., R.5E., W.M.



FINAL PROOF SURVEY
UNDER

Transfer No. 2517

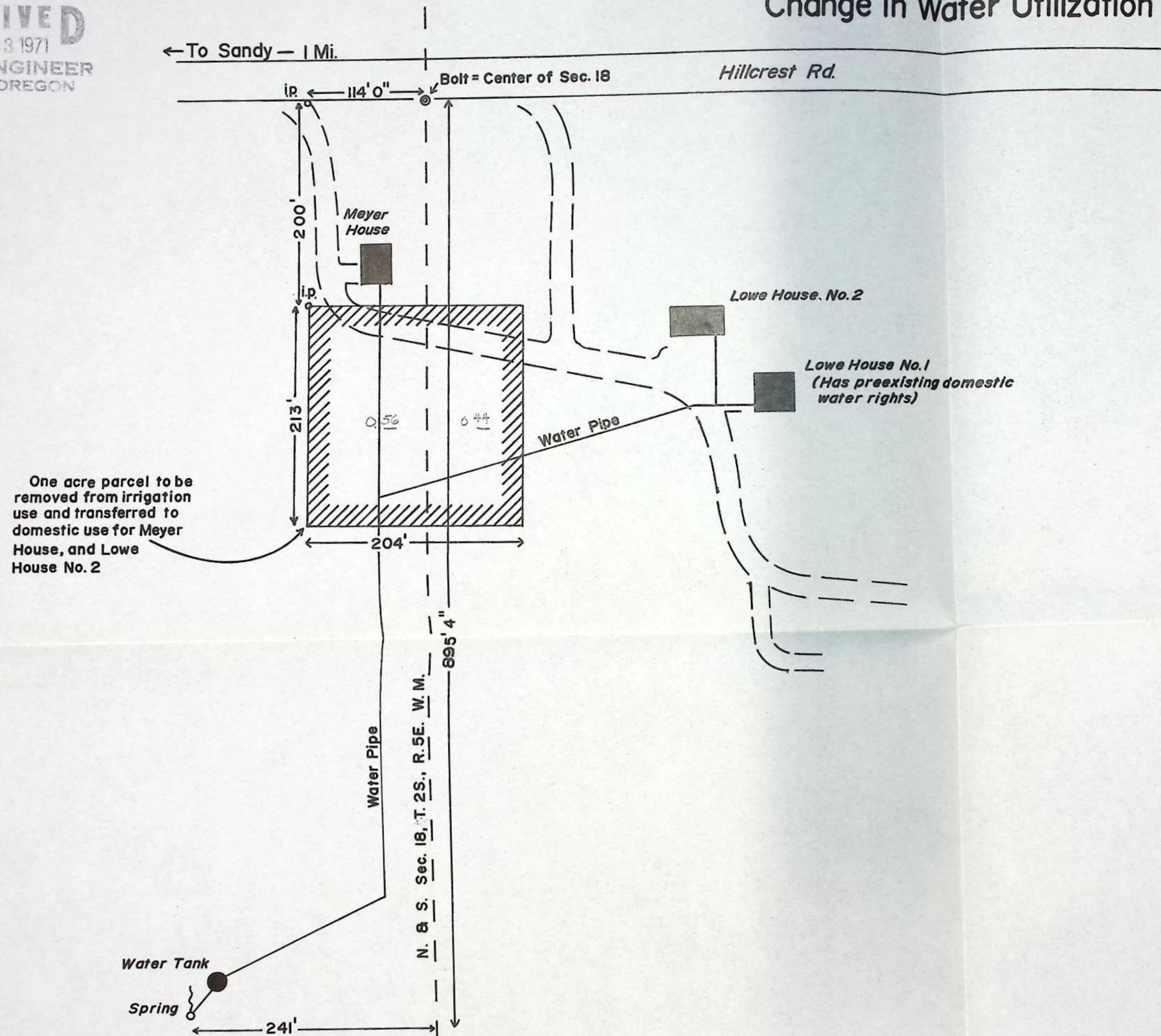
IN NAME OF

DONALD C. LOWE

Surveyed AUG. 15, 1977, by R. MUCKEN

Map to accompany application
by
Lowe & Meyer
for
Change in Water Utilization

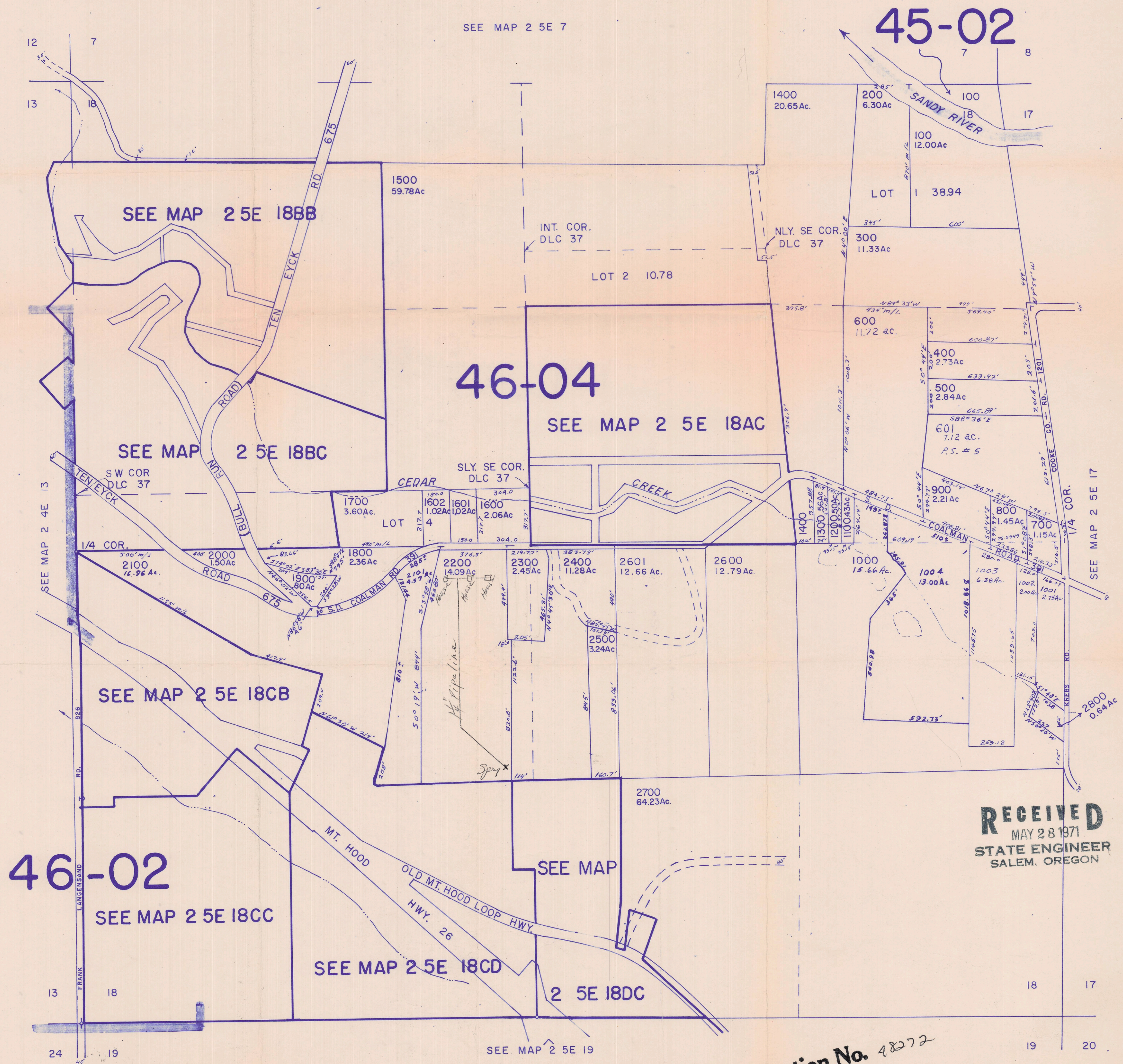
RECEIVED
JUL 13 1971
STATE ENGINEER
SALEM, OREGON



SUBDIVISION
N.W. 1/4, S.E. 1/4, Sec. 18, T. 2S., R. 5E. W. M.

D. C. LOWE
P. O. BOX 217
SANDY, OREGON 97055

D.C.L.



Application No. 48272
Permit No.

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

CLACKAMAS COUNTY

IN THE MATTER OF THE APPLICATION)
OF DONALD C. LOWE AND HERMAN F.)
MEYER FOR APPROVAL OF A CHANGE)
IN PLACE OF USE OF WATER)

ORDER APPROVING
TRANSFER NO. 2517

On May 4, 1971, an application was filed in the office of the Water Resources Director by Donald C. Lowe and Herman F. Meyer for approval of a change in use heretofore made of water from an unnamed spring, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 23301, Volume 16, State Record of Water Right Certificates, in the name of Amanda I. Lowe, describes a right which includes the use of not to exceed 0.01 cubic foot per second from an unnamed spring for irrigation of a certain 0.56 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$ and 0.44 acre in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 18, Township 2 South, Range 5 East, W.M., with a date of priority of March 23, 1932.

Water for the said right is diverted from a point located 895 feet South and 241 feet West from the Center Corner of Section 18, being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 18.

The applicants herein, owners of the lands above described, propose to change the use of water heretofore made, without loss of priority, to hereafter use the water appropriated for domestic use in one residence (Meyer) in NE $\frac{1}{4}$ SW $\frac{1}{4}$ and domestic use in one residence (Lowe) in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 18, being 0.005 cubic foot per second for each residence.

Notice of the application, pursuant to ORS 540.510, was published in the Sandy Post, a newspaper printed and having general circulation in Clackamas County, Oregon, for a period of three weeks in the issues of October 6, 13 and 20, 1977.

Mr. Keith Palmer, Watermaster, has filed a statement to the effect that the proposed change in use heretofore made may be made without injury to existing rights.

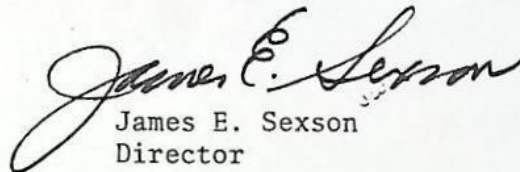
No objections having been filed and it appearing that the proposed change in use heretofore made may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested change in use heretofore made of water from an unnamed spring, as described herein, without loss of priority, is approved.

It is FURTHER ORDERED that no time need be fixed for completion as the change in place of use is completed.

It is FURTHER ORDERED that upon proof satisfactory to the Water Resources Director of completion of works and beneficial use of water to the extent intended under the provisions of this order the certificate of water right recorded at page 23301, Volume 16, State Record of Water Right Certificates, be canceled, and in lieu thereof a new confirming certificate of water right be issued to the applicant herein.

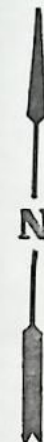
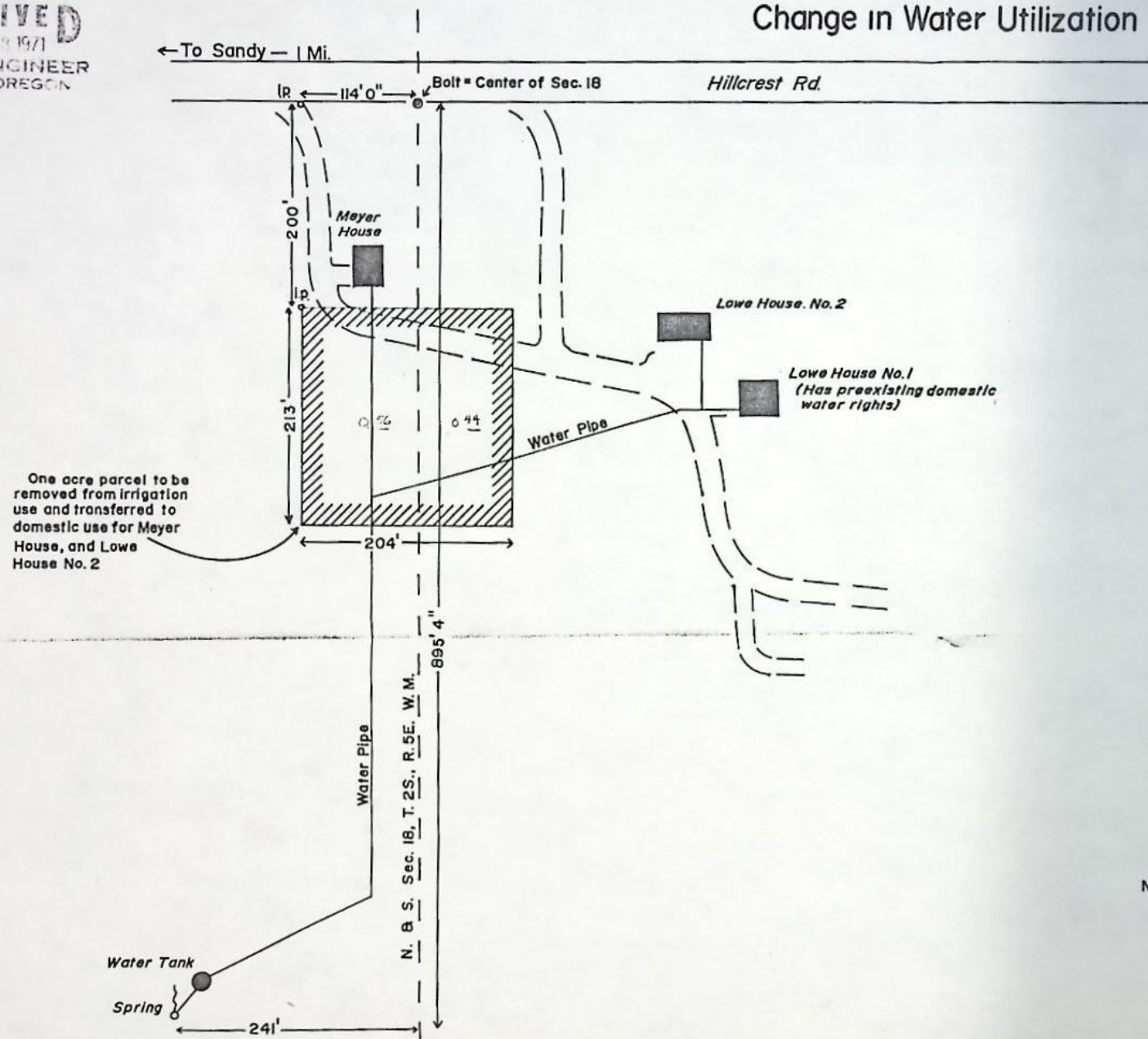
Dated at Salem, Oregon, this 30th day of November, 1977.


James E. Sexson
Director

RECEIVED
JUL 13 1971
STATE ENGINEER
SALEM, OREGON

map to accompany application
by
Lowe & Meyer
for
Change in Water Utilization

T#2517

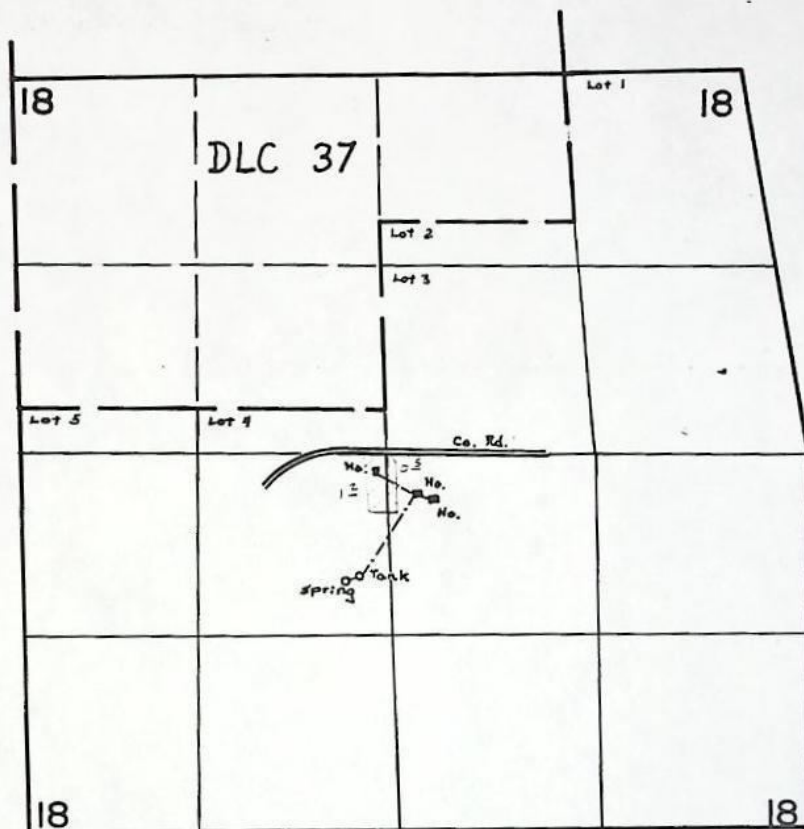


SUBDIVISION
N.W. 1/4, S.E. 1/4, Sec. 18, T. 2S., R. 5E. W.M.

D. C. LOWE
P. O. BOX 217
SANDY, OREGON 97135

J.C.L.

T.2S., R.5E., W.M.



FINAL PROOF SURVEY

UNDER

Transfer No. 2517

IN NAME OF

DONALD C. LOWE

Surveyed AUG. 15 1977, by R. MUCKEN

RECEIVED

OCT 24 1977

WATER RESOURCES DEPT
SALEM, OREGON

**NOTICE OF
WATER RIGHT TRANSFER
APPLICATION NO. 2517**

Notice is given hereby that an application has been filed in the office of the Water Resources Director by Donald C. Lowe and Herman F. Meyer for approval of a change in use heretofore made of water from an unnamed spring.

The certificate recorded at page 23301, Volume 16, State Record of Water Right Certificates, in the name of Amanda I. Lowe, describes a right which includes the use of not to exceed 0.01 cubic foot per second from an unnamed spring for irrigation of a certain 0.56 acre in NE 1/4, SW 1/4 and 0.44 acre in NW 1/4 SE 1/4 of Section 18, Township 2 South, Range 5 East, WM, with a date of priority of March 23, 1932.

Water for the said right is diverted from a point located 895 ft S and 241 ft W from the center corner of Section 18, being within the NE 1/4 SW 1/4 of said Sec 18.

The applicants herein, owners of the lands above described, propose to change the use of water heretofore made, without loss of priority, to hereafter use the water appropriated for domestic use in one residence (Meyer) in NE 1/4 SW 1/4 and domestic use in one residence (Lowe) in NW 1/4 SE 1/4 of said Sec 18, being 0.005 cfs for each residence.

All persons interested are notified hereby that a hearing will be held at the courthouse at Oregon City, Oregon on November 29, 1977, at 9:30 a.m. All objections to the proposed change, if any there are, will be heard at said time and place. Any and all objections shall be prepared in writing, one copy to be served on Donald C. Lowe and Herman F. Meyer, P.O. Box 217, Sandy, OR 97055 and one copy filed with the Water Resources Department, Salem, OR 97310, together with a \$10 filing fee, at least 10 days prior to the date set for hearing. IF NO OBJECTIONS ARE FILED, THE APPLICATION MAY BE APPROVED BY THE WATER RESOURCES DIRECTOR WITHOUT A HEARING. Administrative rules pertaining to the filing of a protest will be furnished by the Water Resources Department upon request.

Dated at Salem, Oregon, this 26th day of September, 1977.
James E. Sexson
Director
Sp-421

STATE OF OREGON
County of Clackamas

ss.

I, Norma Robinson

, being first duly sworn, depose and say that I am the Clerk

of the Sandy Post, a weekly newspaper of general circulation, published at Sandy, in the aforesaid county and state, as defined in ORS 193.010 and 193.020 that

, a printed copy of which is hereto attached was published in regular issues of said newspaper for three successive and consecutive weeks beginning on the 6 day of October 1977 and ending on the 20 day of October 1977.

Subscribed and sworn to before me this 20 day of October 1977.

Norma Robinson
Notary Public for Oregon

My Commission Expires October 1977

Affidavit of Publication

ok copy

NOTICE OF WATER RIGHT TRANSFER APPLICATION NO. 2517

Notice is given hereby that an application has been filed in the office of the Water Resources Director by Donald C. Lowe and Herman F. Meyer for approval of a change in use heretofore made of water from an unnamed spring.

The certificate recorded at page 23301, Volume 16, State Record of Water Right Certificates, in the name of Amanda I. Lowe, describes a right which includes the use of not to exceed 0.01 cubic foot per second from an unnamed spring for irrigation of a certain 0.56 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$ and 0.44 acre in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 18, Township 2 South, Range 5 East, WM, with a date of priority of March 23, 1932.

Water for the said right is diverted from a point located 895 ft S and 241 ft W from the center corner of Section 18, being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Sec 18.

The applicants herein, owners of the lands above described, propose to change the use of water heretofore made, without loss of priority, to hereafter use the water appropriated for domestic use in one residence (Meyer) in NE $\frac{1}{4}$ SW $\frac{1}{4}$ and domestic use in one residence (Lowe) in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Sec 18, being 0.005 cfs for each residence.

All persons interested are notified hereby that a hearing will be held at the courthouse at Oregon City, Oregon on November 29, 1977, at 9:30 a.m. All objections to the proposed change, if any there are, will be heard at said time and place. Any and all objections shall be prepared in writing, one copy to be served on Donald C. Lowe and Herman F. Meyer, P.O. Box 217, Sandy, OR 97055 and one copy filed with the Water Resources Department, Salem, OR 97310, together with a \$10 filing fee, at least 10 days prior to the date set for hearing. IF NO OBJECTIONS ARE FILED, THE APPLICATION MAY BE APPROVED BY THE WATER RESOURCES DIRECTOR WITHOUT A HEARING. Administrative rules pertaining to the filing of a protest will be furnished by the Water Resources Department upon request.

Dated at Salem, Oregon, this 26th day of September, 1977.

James E. Sexson

Director