

2539 Albert Hookstra
Rt. 1 Box 221
Otis, Ore. 97368

2539

STATUS OF APPLICATION

Change in Point of Diversion
Date filed July 7, 1971
Date of hearing _____
Place of hearing _____
Date of order 11-15-71 Vol. 21, page 289
Date for application of water 10-1-72
Proof mailed _____
Proof received _____
Certificate issued MAR 9 1977 Vol. _____, page 44198
11-29-72 Survey
OK Cert.

DESCRIPTION OF WATER RIGHT

Name of stream Baxter Creek
Trib. of - County of Lincoln
Use Domestic
Quantity of water 0.01 cfs No. of acres -
Name of ditch -
Date of priority May 18, 1953
In name of Frank S. Murray
_____ Adjudication, Vol. _____, page _____
App. No. 28424 Per. No. 22277 Cert. No. 20950
Certificate cancelled _____
Notation made on record by slu

FEES PAID

Date	Amount	Receipt No.
<u>7-7-71</u>	<u>25.00</u>	<u>24668</u>
TOTAL . . .		
<u>12-20-76</u>	<u>\$1 Cert. Fee</u>	<u>57295</u>

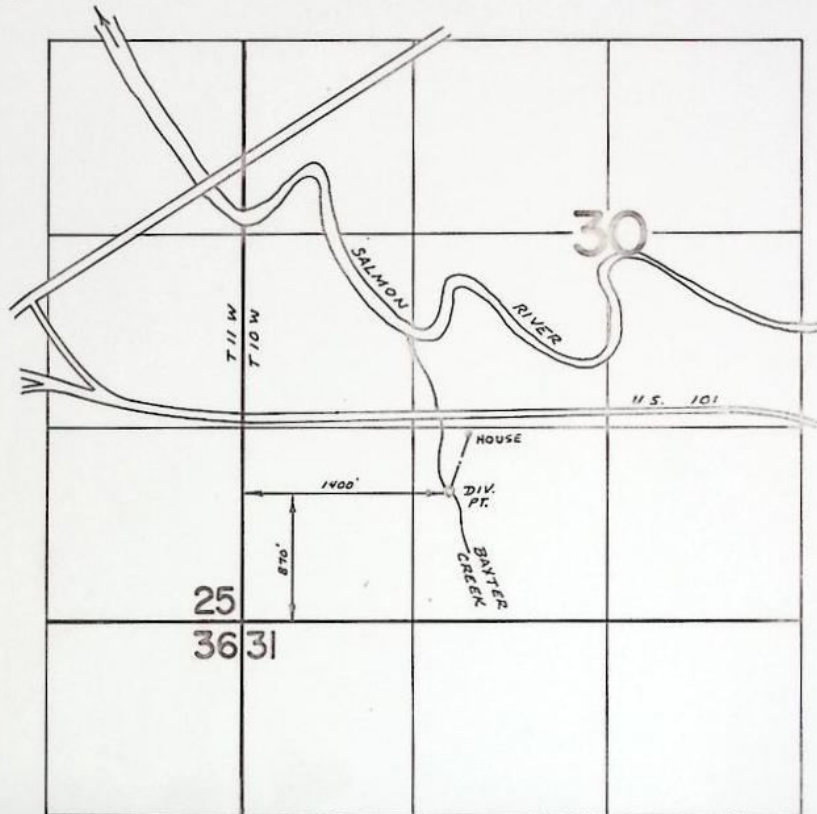
FEES REFUNDED

Date	Amount	Check No.

REMARKS

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

T.6S., R.10W., W.M.



FINAL PROOF SURVEY
UNDER

Transfer No. 2539

Application No. _____ Permit No. _____
IN NAME OF

ALBERT HOOKSTRA

Surveyed July 15 1974, by D. Norby

REPORT ON INSPECTION UNDER
TRANSFER OF WATER RIGHT FOR

County Lincoln

1238 14 STREET ANCHORAGE 99501

- [illegible]

INFO - RENTORS

SOURCE - BAXTER CREEK

DIV. PT - 3' wide concrete DAM.

INTAKE PIPE IS BURIED IN POOL THAT IS FORMED AND COVERED W/ GRAVEL.

MOTOR - SEARS
1/2 HP

PUMP - SEARS
JET
1x 3/4

PIPE - 1" PLASTIC

LIFT - +10 to -15

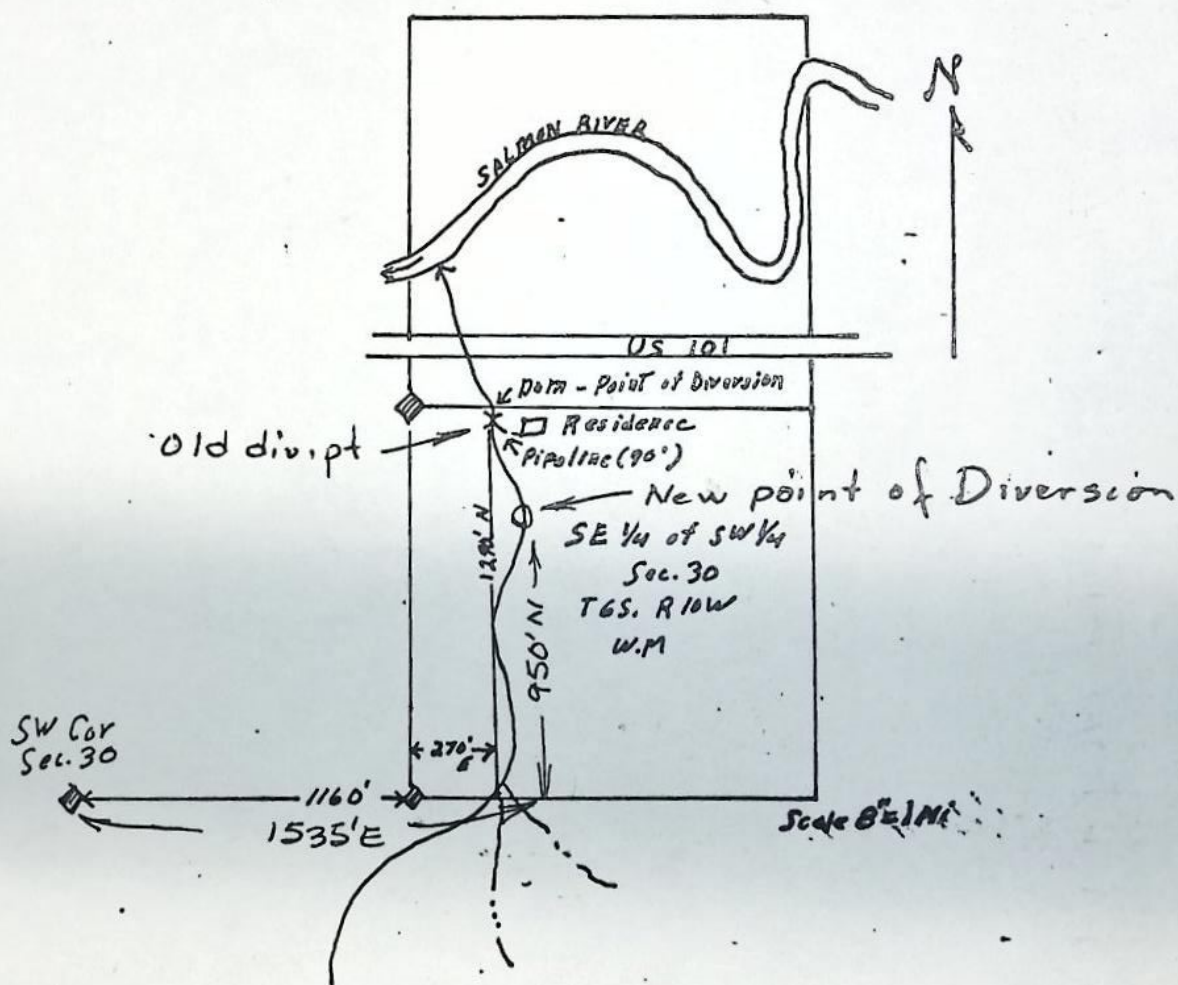
USE - DOM. 1 FAMILY

TIE - PHOTO 41091 - 172-148

David Norby
L.E.
7-15-74

MAP of PROPOSED DOMESTIC WATER SUPPLY

Located in SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec 30, T6S, R10W.
W.M.





STATE ENGINEER

WATER RESOURCES DEPARTMENT

1178 CHEMEKETA STREET N.E. • SALEM, OREGON • 97310 • Phone 378-3739

TOM McCALL
GOVERNOR

CHRIS L. WHEELER
State Engineer

November 10, 1971

File No.

Mr. Trevor Jones, Assistant
State Engineer
1178 Chemeketa St. N.E.
Salem, Oregon 97310

Dear Mr. Jones:

Albert Hookstra has filed an application for the approval of a change in point of diversion of water from Baxter Creek in the Salmon drainage in Lincoln County.

It appears that the change may be made without inquiry to existing rights.

Provision 2 relative to the installation of measuring devices should be incorporated into the order.

Very truly yours,

Vestal R. Garner
Watermaster District 2

VRG:jrk

BEFORE THE STATE ENGINEER OF OREGON

Lincoln County

IN THE MATTER OF THE APPLICATION)
OF ALBERT HOOKSTRA FOR THE AP-)
PROVAL OF A CHANGE IN POINT OF)
DIVERSION OF WATER FROM BAXTER)
CREEK)

ORDER APPROVING
TRANSFER NO. 2539

On July 7, 1971, Albert Hookstra filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from Baxter Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Frank S. Murray and recorded at page 20950, Volume 15, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.01 cubic foot per second of water from Baxter Creek for domestic use for one family in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 30, Township 6 South, Range 10 West, W.M., with a date of priority of May 18, 1953. The water is conveyed to these lands from a point of diversion located 1290 feet north and 270 feet east from the SW corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 30 being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 30, Township 6 South, Range 10 West, W.M.

The applicant herein, owner of the lands above described, proposes to convey water to these lands from a point of diversion to be located 950 feet north and 1535 feet east from the SW corner of Section 30 being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 30, Township 6 South, Range 10 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. Vestal R. Garner, Watermaster of District No. 2, has filed a report to the effect that the proposed change in point of diversion may be made without injury to existing rights.

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

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

From a point located 1290 feet north and 270 feet east from the SW corner of the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 30 being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 30, Township 6 South, Range 10 West, W.M.

To a point to be located 950 feet north and 1535 feet east from the SW corner of Section 30 being within the SE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 30, Township 6 South, Range 10 West, W.M.

for domestic use for one family in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 30, Township 6 South, Range 10 West, W.M., with a date of priority of May 18, 1953, 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, 1972.

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 0.01 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.

It is FURTHER ORDERED that certificate of water right heretofore issued to Frank S. Murray and recorded at page 20950, Volume 15, State Record of Water Right Certificates, is canceled and upon receipt of proof satisfactory to the State Engineer of completion of the authorized change in point of diversion, a certificate of water right shall be issued to Albert Hookstra confirming the change in point of diversion.

Dated at Salem, Oregon, this 15th day of November, 1971.

/s/ CHRIS L. WHEELER
State Engineer

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Albert Hookstra
(Name of applicant)

of Rte 1 Box 221 Otis
(Postoffice), County of Lincoln

State of Oregon, do hereby make application for change in point of diversion

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

1. The source of present water right is Baxter Creek
(Name of stream)

2. The use to which the water is applied is Domestic for one family (0.01 c.f.s.)
(Irrigation; Mining; Power; Manufacturing; etc.)

3. The name of the ditch, canal or pipe line is unnamed

4. The point of diversion is located 1290 ft. N and 270 ft. E from the SW
(N. or S.) (E. or W.)

corner of SE 1/4 SW 1/4 of Section 30 being within the SE 1/4 SW 1/4
(Section or subdivision)

of Section 30 Tp. 6S R. 10W W. M., in the County of Lincoln
(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
6S	10W	30												Dom				

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

(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? May 18, 1953

9. Was your water right acquired by State Engineer's Permit? Yes If so, give number
(Yes or No)
22277
of permit

Vol. 15

10. Do you hold a water right certificate? Yes If so, give number of certificate 20950
(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? No - - Frank S. Murray
(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 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

(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 950 ft. N and 1535 ft. E from the SW corner of Sec. 30 being within the SE 1/4 SW 1/4 of Section 30 Tp. 6S R. 10W W. M., in the county of Lincoln. The name of the ditch to be used is
(N. or S.) (E. or W.) (Smallest legal subdivision) (No. N. or S.) (No. E. or W.)

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

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.? (Answer Yes or No)

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

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT

20. Reasons for the proposed changes are More convenient and better fall.

AFFIDAVIT OF APPLICANT

STATE OF Alaska }
Third Judicial District } ss.
County of _____

I, Albert Hookstra, Olga Hookstra, 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 30 day of June, 1971.

Albert Hookstra
(Name of applicant)

Subscribed and sworn to before me this 30th day of June, 1971.

[Notarial Seal] John E. Smith
NOTARY PUBLIC FOR ~~OREGON~~ Alaska

My commission expires 10-9-74

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.

MAP of PROPOSED DOMESTIC WATER SUPPLY

Located in SE $\frac{1}{4}$ of SW $\frac{1}{4}$ of Sec 30, T6S, R10W.
W.M.

