

3069 Craig E. Engstrom  
Newberry  
Oregon

21

3069

STATUS OF APPLICATION

Change in place of use and point of diversion  
Date filed 6-26-74  
Date of hearing \_\_\_\_\_  
Place of hearing \_\_\_\_\_  
Date of order 3-16-78 Vol. 30, page 464  
Date for application of water completed  
Proof mailed JUN 5 1979  
Proof received JUL 23 1979  
Certificate issued 8-6-79 Vol. 41, page 48422  
to survey 318

DESCRIPTION OF WATER RIGHT

Name of stream Springbrook Creek  
Trib. of \_\_\_\_\_ County of Yamhill  
Use irrigation  
Quantity of water \_\_\_\_\_ No. of acres 200  
Name of ditch \_\_\_\_\_  
Date of priority September 15, 1948  
In name of L. W. Moser  
\_\_\_\_\_ Adjudication, Vol. \_\_\_\_\_, page \_\_\_\_\_  
App. No. 23425 Per. No. 18800 Cert. No. 21687  
Certificate cancelled \_\_\_\_\_  
Notation made on record by \_\_\_\_\_

FEES PAID

Date	Amount	Receipt No.
<u>6/26/74</u>	<u>40<sup>00</sup></u>	<u>41555</u>
TOTAL . . .		
<u>7-10-79</u>	<u>2.00</u> Cert. Fee	<u>12731</u>

FEES REFUNDED

Date	Amount	Check No.

REMARKS

See 23425  
Form 130 sent JUL 6 1979

	INDEX CARDS:		Entered	Checked
	TO BE ENTERED WHERE CHECKED			
<input checked="" type="checkbox"/>	Name		<u>lg</u>	_____
<input checked="" type="checkbox"/>	Stream		<u>lg</u>	_____
<input checked="" type="checkbox"/>	Pt. of Div.		<u>lg</u>	_____
<input checked="" type="checkbox"/>	Calendar		<u>lg</u>	_____
<input checked="" type="checkbox"/>	CHECKED TO RECORDS:			
<input checked="" type="checkbox"/>	Top. & Bgs.		<u>lg</u>	_____
<input checked="" type="checkbox"/>	Deed-vault		<u>lg</u>	_____
<input checked="" type="checkbox"/>	Dams-safe		<u>lg</u>	_____
<input checked="" type="checkbox"/>	Cons. of W/R		<u>lg</u>	_____
<input checked="" type="checkbox"/>	For. Sales		<u>lg</u>	_____
<input checked="" type="checkbox"/>	Subdiv.		<u>lg</u>	_____
<input checked="" type="checkbox"/>	Unsubd.		<u>lg</u>	_____
<input checked="" type="checkbox"/>	Power Claims		<u>lg</u>	_____
<input checked="" type="checkbox"/>	Abstracts		<u>lg</u>	_____

590



STATE OF OREGON  
COUNTY OF YAMHILL

# CERTIFICATE OF WATER RIGHT

This Is to Certify, That ~~L. W. MOSER~~ Craig Eagle son

Box 162-E  
of Route #2, Newberg, State of Oregon 97132, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of an unnamed stream a tributary of Willamette River for the purpose of irrigation of 20.0 acres under Permit No. 18800 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 September 15, 1948 ✓

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 0.25 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 NW $\frac{1}{4}$  SE $\frac{1}{4}$ , As projected within McKern DLC #56, Section 21, Township 3 South, Range 2 West, W.M. ~~being~~ 2140' N. 180' E. from S $\frac{1}{4}$  Cor Sec 21

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:

0.2 0.5 acres in the NE $\frac{1}{4}$  SW $\frac{1}{4}$  As projected within Luke McKern DLC #56  
12.4 0.4 acres in the SE $\frac{1}{4}$  SW $\frac{1}{4}$  As projected within Luke McKern DLC #56  
6.9 10.9 acres in the NW $\frac{1}{4}$  SE $\frac{1}{4}$  As projected within Luke McKern DLC #56  
8.2 acres in the SW $\frac{1}{4}$  SE $\frac{1}{4}$  As projected within Luke McKern DLC #56  
Section 21  
Township 3 South, Range 2 West, W.M.

This certificate is issued to confirm a change in place of use and point of diversion approved by an order of the WRD entered 3-16-78 and supersedes certificate of water right recorded on page 21687, Volume 16, SRWRC.

20 chains, thence West 18.63 chains, thence South 20 chains to the point of beginning

*The issuance of this superseding cert etc*

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 21st day of September, 1956

LEWIS A. STANLEY

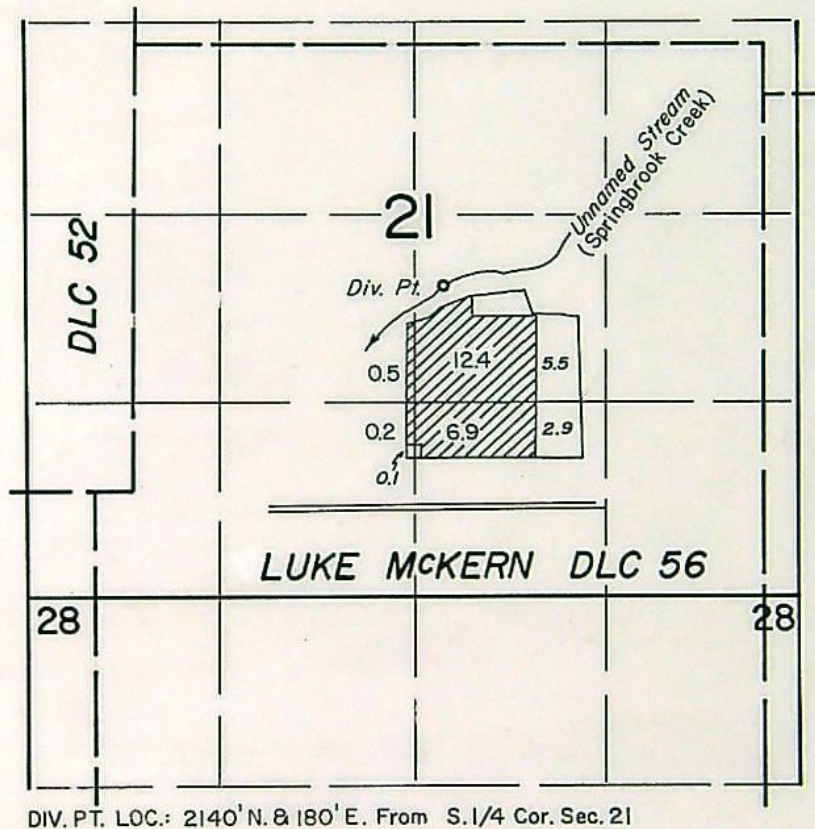
State Engineer

Recorded in State Record of Water Right Certificates, Volume 16, page 21687

48422



T. 3 S., R. 2 W., W.M.



**FINAL PROOF SURVEY**  
UNDER

TRANSFER NO. 3069

IN NAME OF  
**CRAIG EAGLESON**

Surveyed MAY 3, 1978, by L. NUNN



BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

YAMHILL COUNTY

IN THE MATTER OF THE APPLICATION OF )  
CRAIG EAGLESON FOR APPROVAL OF )  
CHANGES IN PLACE OF USE AND POINT OF )  
DIVERSION OF WATER )  
- - - - -

ORDER APPROVING  
TRANSFER NO. 3069

On June 26, 1974, an application was filed in the office of the Water Resources Director by Craig Eagleson for approval of changes in place of use and point of diversion from Springbrook Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 21687, Volume 16, State Record of Water Right Certificates, in the name of L. W. Moser, describes a right for the use of not to exceed 0.25 cubic foot per second from an unnamed stream for irrigation of a certain 0.5 acre in NE $\frac{1}{4}$  SW $\frac{1}{4}$ , 0.4 acre in SE $\frac{1}{4}$  SW $\frac{1}{4}$ , 10.9 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$  and 8.2 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$ , all as projected within Luke McKern D.L.C. No. 56, of Section 21, Township 3 South, Range 2 West, W.M., with a date of priority of September 15, 1948.

Water for the said right is diverted from a point located 2000 feet North and 50 feet East from the South Quarter Corner of Section 21, being within the NW $\frac{1}{4}$  SE $\frac{1}{4}$ , as projected within Luke McKern D.L.C. No. 56, of Section 21, Township 3 South, Range 2 West, W.M.

The applicant herein, owner of the lands above described, proposes to change the place of use, without loss of priority, from a certain 0.2 acre in SE $\frac{1}{4}$  SW $\frac{1}{4}$  and 2.3 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 21 and to irrigate in lieu thereof a certain 1.5 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$  and 1.0 acre in SW $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 21.

The applicant herein also proposes to change the point of diversion therefrom, without loss of priority, to a point located 2200 feet North and 350 feet East from the South Quarter Corner of Section 21, being within the NW $\frac{1}{4}$  SE $\frac{1}{4}$ , as projected within Luke McKern D.L.C. No. 56, of said Section 21 for the irrigation of the 0.5 acre in NE $\frac{1}{4}$  SW $\frac{1}{4}$ , 0.2 acre in SE $\frac{1}{4}$  SW $\frac{1}{4}$ , 12.4 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$  and 6.9 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 21, Township 3 South, Range 2 West, W.M.

Mr. Clayton Gardner, Watermaster, has filed a statement to the effect that the proposed changes in place of use and point of diversion may be made without injury to existing rights.



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

NOW, THEREFORE, it hereby is ORDERED that the requested changes in place of use and point of diversion, as described herein, without loss of priority, are approved.

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 under the subject right, and shall not exceed 0.25 cubic foot per second.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgment 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 no time need be fixed for completion as the changes in place of use and point of diversion are completed.

It is FURTHER ORDERED that the certificate of water right heretofore issued to L. W. Moser and recorded at page 21687, Volume 16, State Record of Water Right Certificates is canceled, and 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, a confirming certificate of water right shall be issued to the applicant herein.

Dated at Salem, Oregon, this 16th day of March, 1978.

James E. Sexson <sup>dec</sup>  
Director