

89-111-26  
Rt. 3, Box 216  
Scio, Ore 97374

2531

# STATUS OF APPLICATION

Change in Point of Diversion  
Date filed June 3, 1971  
Date of hearing August 25, 1971  
Place of hearing Albany, Oregon  
Date of order 8-25-71 Vol. 21, page 204  
Date for application of water 10-1-72  
Proof mailed \_\_\_\_\_

Proof received \_\_\_\_\_

Certificate issued FEB 4 1975 Vol. 33, page 41631 Not Issued

Aug. 5, 81 44

To Summary 9/14/71

12-15-85 50162

# DESCRIPTION OF WATER RIGHT

Name of stream Roaring River  
Trib. of - County of Linn  
Use Irrigation  
Quantity of water 0.27 cfs No. of acres 21.5  
Name of ditch -  
Date of priority January 17, 1939  
In name of Roman & Lea Tekela & Rufus Larkowski  
Adjudication, Vol. \_\_\_\_\_, page \_\_\_\_\_  
App. No. 17749 Per. No. 13506 Cert. No. 31672  
Certificate cancelled \_\_\_\_\_  
Notation made on record by slu

# FEES PAID

Date	Amount	Receipt No.
6-3-71	25.00	23794
6-3-71	30.00 PON	23795
TOTAL . . .		
9-4-74	1.50 \$1 Cert. Fee	42783

# FEES REFUNDED

Date	Amount	Check No.
7-30-71	\$5.90 Pub. plat	4342

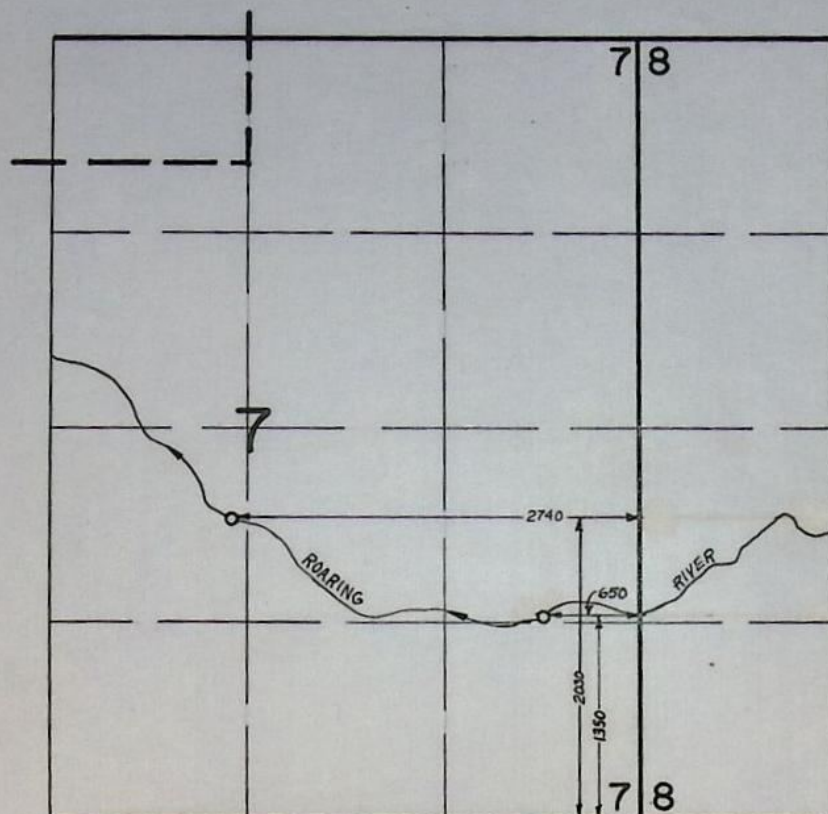
# REMARKS

See also R-75 - acreage under chpt of div to be included when cert is issued  
confirming ch in 2531. Acreage will be same as first cert  
except for div p-  
★ R-75 acreage, same lands as involved with S. Santiam adj.  
proof no. 98 in the name of Geo. & Dorris M. Sebitts - This acreage  
0.8 ac. SW<sup>4</sup>SE<sup>4</sup> & 7.7 ac. SE<sup>4</sup>SE<sup>4</sup> will be cancelled if adj. claim allowed.

	INDEX CARDS:		Entered	Checked
TO BE ENTERED WHERE 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>	___
	<input checked="" type="checkbox"/>	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	___	___
	<input checked="" type="checkbox"/>	Chainindex	___	___
	<input checked="" type="checkbox"/>	Cross Ref.	___	___
	<input checked="" type="checkbox"/>	Power Claim	___	___
	<input checked="" type="checkbox"/>	Abstracts	___	___



T.I.S.R.I.E.W.M.



**FINAL PROOF SURVEY**  
UNDER

TRANSFER NO. 2531 f R-75

Application No. \_\_\_\_\_ Permit No. \_\_\_\_\_  
IN NAME OF

GEORGE & DORIS SEBITS

Surveyed JUNE 9 1972, by D. BUELL





## *Water Resources Department*

### MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 1-800-542-7813  
378-8453

May 28, 1980

George S. and Doris M. Sebits  
41782 Fish Hatchery Drive  
Scio, Oregon 97374

Dear Mr. and Mrs. Sebits

REFERENCE: Files numbered I7749 and T-2531

As according to our telephone conversation on May 27, 1980, I am sending to you an affidavit to cancel a portion of an irrigation right initiated by permit number 13506 and evidenced by certificate number 15398 under priority of January 17, 1939. This portion being 0.8 acre in the SW 1/4 SE 1/4, and 7.7 acres in the SE 1/4 SE 1/4 Section 7, T11S, R1E, WM is included in your statement and proof of claim for the South Santiam adjudication proceedings. This claimed right in the adjudication proceedings was allowed a right by Decree of the Circuit Court for irrigation of 0.8 acre in the SW 1/4 SE 1/4 and 15.5 acres in the SE 1/4 SE 1/4 Section 7, T11S, R1E, WM with a date of priority of 1906.

We are ready at this time to issue a certificate for these adjudicated rights, but before issuing the certificate for your 1906 right, the record must be cleared for that part of the 1939 permit right which is included within the adjudicated right.

A superseding certificate will also be issued to you for the remainder of the right not canceled under Permit 13506 with the priority date of January 17, 1939.

It would be greatly appreciated if you would promptly execute the enclosed affidavit before a notary Public and return it.

If you have any questions concerning this, please let me know. My phone number is 378-8453 or I would be glad to personally meet with you or your representative.

Myron V. Bish, Supervisor  
Adjudication Section

MVB:kaa  
1095A

COPY



LINN COUNTY

IN THE MATTER OF CANCELLATION )  
 OF A PORTION OF A WATER RIGHT )  
 IN THE NAME OF TEKEKLA, ROMAN, )  
 LEO AND RUFUS LARKOWSKI )  
 -----

O R D E R

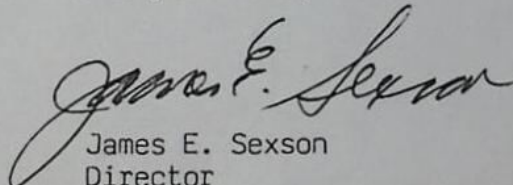
On June 2, 1980, George S. and Doris M. Sebitts submitted an affidavit that they are the owners of a certain water right and the lands to which the water right is appurtenant; that they have abandoned any and all interest in and to the said water right and request the same be canceled.

The water right in question is a portion of the right described by the certificate recorded at page 15398, Volume 13, State Record of Water Right Certificates, in the names of Tekekla, Roman, Leo and Rufus Larkowski, and transfer number R-75, in the name of Virgil G. Rogers, and is for the use of not to exceed 0.11 cubic foot per second of water from Roaring Creek, with a date of priority of January 17, 1939, for irrigation of a certain 0.8 acre in SW 1/4 SE 1/4, and 7.7 acres in SE 1/4 SE 1/4 of Section 7, Township 11 South, Range 1 East, W.M.

ORS 540.621 provides that: "Whenever the owner of a perfected and developed water right certifies under oath to the Water Resources Director that the water right has been abandoned by him and that he desires cancellation thereof, the Water Resources Director shall enter an order canceling the water right."

NOW, THEREFORE, it hereby is ORDERED that the said water right, being a portion of the right described by the certificate recorded at page 15398, Volume 13, State Record of Water Right Certificates, and being the right described by transfer number R-75, is canceled.

Dated at Salem, Oregon, this 24th day of June, 1980.

  
 James E. Sexson  
 Director



BEFORE THE STATE ENGINEER OF OREGON

Linn County

IN THE MATTER OF THE APPLICATION )  
OF GEORGE S. AND DORIS M. SEBITS )  
FOR THE APPROVAL OF A CHANGE IN )  
POINT OF DIVERSION OF WATER FROM )  
ROARING RIVER )  
----- )

ORDER APPROVING  
TRANSFER NO. 2531

On June 3, 1971, George S. and Doris M. Sebits filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from Roaring River, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Tekekla, Roman, Leo and Rufus Larkowski and recorded at page 31672, Volume 23, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.27 cubic foot per second of water from Roaring River for the irrigation of 16.9 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$ , 4.2 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$ , and 0.4 acre in SW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 7, Township 11 South, Range 1 East, W.M., with a date of priority of January 17, 1939. These lands are irrigated from a point of diversion located 1920 feet north and 1100 feet east from the SW corner of Section 8 being within the NW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 8, Township 11 South, Range 1 East, W.M.

The applicants herein, owners of the lands above described, propose to irrigate these lands from a point of diversion to be located 1825 feet north and 2300 feet west from the SE corner of Section 7 being within the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 7, Township 11 South, Range 1 East, W.M.

Notice of the filing of the application was given by publication setting forth a time and place certain for hearing objections to the proposed change in point of diversion of water, if any there were, namely: at the county courthouse in Albany, Oregon, on August



25, 1971, at 9:30 a.m. The notice was published in the Greater Oregon, a newspaper printed and having general circulation in Linn County, Oregon, for a period of three weeks in the issues of July 2, 9, and 16, 1971. The date set for hearing in said notice was not less than thirty days after the last publication of the notice.

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 Roaring River, to-wit:

From a point located 1920 feet north and 1100 feet east from the SW corner of Section 8 being within the NW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 8, Township 11 South, Range 1 East, W.M.

To a point to be located 1825 feet north and 2300 feet west from the SE corner of Section 7 being within the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 7, Township 11 South, Range 1 East, W.M.

for the irrigation of 16.9 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$ , 4.2 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$ , and 0.4 acre in SW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 7, Township 11 South, Range 1 East, W.M., with a date of priority of January 17, 1939, 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 0.27 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 Tekekla, Roman, Leo and Rufus Larkowski and recorded at page 31672, Volume 23, 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 George S. and Doris M. Sebitts confirming the change in point of diversion.

Dated at Salem, Oregon, this 25<sup>th</sup> day of August, 1971.

/s/ CHRIS L. WHEELER  
State Engineer



✓

DFM-444-27  
6-9-72  
HAB  
TII

Transfer No. 2531 County Linn

6. Place of Use --- DIV. PT. LOCATED 2710 FT. W AND 2030 FT. S From the SECOR SEC 7  
DIV. PT. LOCATED 650 FT W AND 1370 FT S From the SECOR SEC 7

[illegible]



INFO: MR SEBITS

DIV. PT: DIR. DIV. FROM ROARING RIVER

MOTOR: US 20 hp @ 3500 rpm 3φ

PUMP: BERKELEY MOO# B3ZPL 4"x3" C.O.D.,  
RATED 400 gpm @ 155 ft. hd,

PIPE: 450 FT. 4" ALUM

1320 FT. 3" ALUM

HEADS: 33 Raintrol #200  $\frac{1}{64}$ " X  $\frac{3}{32}$ "

runs all at one setting

LIFT: 11 TO 23 FT

CROP: PASTURE

NOTE: W'LY FIELD SURVEYED ON OFM-4LL-27

(not hachured) IRRIGATED FROM THIS DIV. PT.

SURVEY ON OFM-4LL-27

USE F.P. MAP UNDER A#17749 FOR SCALE.

Ronald R Buell  
Field Engineer  
6-9-72



September 14, 1971

2531

George S. and Doris M. Sebits  
Route 3, Box 216  
Scio, Oregon 97374

Dear Mr. and Mrs. Sebits:

I have your notice advising that construction work has been completed as required in our order approving your application for a change in point of diversion of water from Roaring River.

In line with the general practice of this office, a survey will be made at a later date.

Very truly yours,

Trevor Jones  
Assistant

slv



RECEIVED  
SEP 14 1971  
STATE ENGINEER  
SALEM OREGON

Transfer No. 2531

NOTICE OF COMPLETION OF CONSTRUCTION

I, GEORGE S SEBITS, hereby certify  
that the construction work has been completed and the change in  
point of diversion of water made as set forth in the order of  
the State Engineer dated August 25, 1971, approving an appli-  
cation for a change in point of diversion of water from \_\_\_\_\_  
Roaring River.

September 6 1971  
Date

[Signature]  
Name



**NOTICE OF FILING  
APPLICATION FOR A  
CHANGE IN POINT OF  
DIVERSION OF WATER**

Notice is given hereby that George S. and Doris M. Sebitts have filed an application for the approval of a change in point of diversion of water from Roaring River.

Certificate of water right issued to Roman and Leo Tekelka and Rufus Larkowski and recorded at page 316/2, Volume 23, State Record of Water Right Certificates, confirms a right to the use of 0.27 cubic foot per second of water from Roaring River for the irrigation of 16.9 acres in NE 1/4 SW 1/4, 4.2 acres in NW 1/4 SE 1/4 and 0.4 acre in SW 1/4 SE 1/4, Sec. 7, T. 11 S., R. 1 E., W.M., with a date of priority of January 17, 1939. These lands are irrigated from a point of diversion located 1920 ft. N and 1100 ft. E from the SW corner of Sec. 8 being within the NW 1/4 SW 1/4 of Sec. 8, T. 11 S., R. 1 E., W.M.

The applicants herein, owners of the lands above described, propose to irrigate these lands from a point of diversion to be located 1825 ft. N and 2300 ft. W from the SE corner of Sec. 7 being within the NW 1/4 SE 1/4 of Sec. 7, T. 11 S., R. 1 E., W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Albany, Oregon, on August 25, 1971, 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 George S. and Doris M. Sebitts, Rt. 3, Box 216, Scio, Oregon, and one copy filed with the State Engineer, Salem, Oregon, together with a \$5 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 State Engineer without a hearing. Administrative rules pertaining to the filing of a protest will be furnished by the State Engineer upon request.

Dated at Salem, Oregon, this 24th day of June, 1971.

CHRIS L. WHEELER  
State Engineer

GREATER OREGON  
July 2, 9, 16, 1971

**RECEIVED**

JUL 29 1971

STATE ENGINEER  
SALEM OREGON

**AFFIDAVIT OF PUBLICATION**

STATE OF OREGON,  
COUNTY OF LINN

)  
) SS.  
)

I, J. P. Howard, being first duly sworn, depose and say that I am the publisher of the Greater Oregon, a newspaper of general circulation, as defined by Sections 1-509, 1-510, Oregon Code; printed and published at Albany, Oregon, in the aforesaid County and State; that the

NOTICE OF FILING APPLICATION FOR A CHANGE IN POINT  
OF DIVERSION OF WATER

hereto annexed was published in the entire issue of said newspaper for three successive and consecutive weeks in the following issues, July 2, 9, 16, 1971

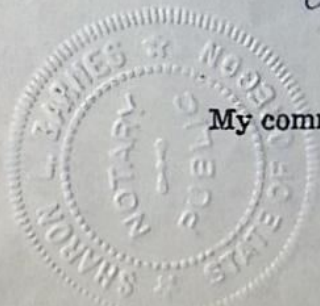
J. P. Howard

Subscribed and sworn to before me this 28th

day of July, 1971

Sharon L. Baenes  
Notary Public for Oregon

My commission expires 10-9-73





ROGER H. REID  
ATTORNEY AT LAW  
4TH & WASHINGTON  
P. O. BOX 665  
ALBANY, OREGON 97321

RECEIVED  
MAY 14 1971  
STATE ENGINEER  
SALEM, OREGON

May 13, 1971

Mr. Traver Jones  
Oregon State Engineer's Office  
Public Service Building  
Salem, Oregon 97310

Dear Mr. Jones:

Re: Roaring River Ranch

Perhaps you recall our conversation concerning the Permit No. 30156 and 13506. We are preparing an application for a permit, and we desire to retain the two points of diversion. We plan to file a new application to cover most of the ranch and to overlap the above application.

We have a description for one point of diversion which is described as:

---Five (5) feet South and 600 feet West from the Northeast corner of the Southeast quarter of the Southeast quarter, Township 11 South, Range 1 East.

We do not have a legal of the other diversion which is presently being used. I am requesting a description of this diversion point so that I may fill out the application for permit.

My client, George S. Sebitts, is returning from California and will be here on May 18, 1971. If you could have the description to me by May 18, it would certainly be appreciated.

Thank you very much for your courtesy. If there are any questions, please call me collect.

Very truly yours,

ROGER H. REID

RHR:slb

*Revised  
5-14-71  
X*



## Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, George S. Sebitts and Doris M. Sebitts  
(Name of applicant)

of Route 3 Box 216  
(Postoffice), County of Linn

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 Roaring River  
(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 Roaring River

4. The point of diversion is located 1920 ft. North and 1100 ft. East from the Southwest  
(N. or S.) (E. or W.)

corner of Section 8 being within the NW Quarter of the SW Quarter  
(Section or subdivision)

of Section 8 Tp. 11 South R. 1 East W. M., in the County of Linn  
(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
11 S.	1 E	7									16 <sup>9</sup>					4 <sup>2</sup>	0 <sup>4</sup>	

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? January 17, 1939

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

of permit 13506



10. Do you hold a water right certificate? Yes If so, give number of certificate 31672 ✓  
(Yes or No)

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

No

(Yes or No)

If so, give title of proceedings

12. Is the water right recorded in your name? Roman & Leo Tekekla and Rufus Larkowski ✓  
(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 $\frac{1}{4}$

(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 1825 ft North and 2300 ft West from the Southeast corner of Section 7 being within the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 7 Tp. 11 S R. 1 E W. M.,  
(N. or S.) (E. or W.)  
(Smallest legal subdivision) (No. N. or S.) (No. E. or W.)  
in the county of Linn The name of the ditch to be used is pump

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.

N/A

17. Are there any diversions between your present point of diversion and the proposed point of diversion? Yes - My Own

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

20. Reasons for the proposed changes are Avoid maintenance of long ditch. Diversion point is not on land owned by applicant.



AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of Linn

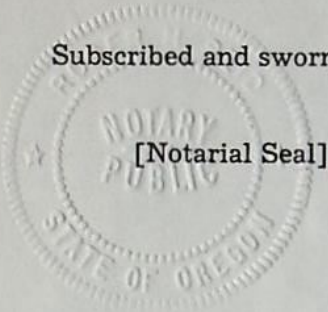
} ss.

I, George S. Sebitts and Doris M. Sebitts, 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 2nd day of June, 1971

Doris M. Sebitts  
(Name of applicant)

Subscribed and sworn to before me this 2nd day of June, 1971



[Notarial Seal]

[Signature]  
NOTARY PUBLIC FOR OREGON  
My commission expires 7-5-73

Remarks Publish in Greater Oregon

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.



NOTICE OF FILING APPLICATION FOR A  
CHANGE IN POINT OF DIVERSION OF WATER

Notice is given hereby that George S. and Doris M. Sebitts have filed an application for the approval of a change in point of diversion of water from Roaring River.

Certificate of water right issued to Roman and Leo Tekekla and Rufus Larkowski and recorded at page 31672, Volume 23, State Record of Water Right Certificates, confirms a right to the use of 0.27 cubic foot per second of water from Roaring River for the irrigation of 16.9 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$ , 4.2 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$  and 0.4 acre in SW $\frac{1}{4}$  SE $\frac{1}{4}$ , Sec. 7, T. 11 S., R. 1 E., W.M., with a date of priority of January 17, 1939. These lands are irrigated from a point of diversion located 1920 ft. N and 1100 ft. E from the SW corner of Sec. 8 being within the NW $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 8, T. 11 S., R. 1 E., W.M.

The applicants herein, owners of the lands above described, propose to irrigate these lands from a point of diversion to be located 1825 ft. N and 2300 ft. W from the SE corner of Sec. 7 being within the NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Sec. 7, T. 11 S., R. 1 E., W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Albany, Oregon, on August 25, 1971, 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 George S. and Doris M. Sebitts, Rt. 3, Box 216, Scio, Oregon, and one copy filed with the State Engineer, Salem, Oregon, together with a \$5 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 State Engineer without a hearing. Administrative rules pertaining to the filing of a protest will be furnished by the State Engineer upon request.

Dated at Salem, Oregon, this 24<sup>th</sup> day of June, 1971.

CHRIS L. WHEELER  
State Engineer



## STATE OF OREGON

COUNTY OF LINN

## CERTIFICATE OF WATER RIGHT

**This Is to Certify, That TEKEKLA, ROMAN, LEO AND RUFUS LARKOWSKI**

of Route 3, Scio, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Roaring Creek, a part of water to be diverted through channel of Milkey Creek for convenience

a tributary of Crabtree Creek  
irrigation

for the purpose of

under Permit No. 13506 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 January 17, 1939,

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 0.27 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 $\frac{1}{4}$ , Section 7, and NW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 8, T. 11 S., R. 1 E., W. M., from Roaring Creek; SW $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 7, T. 11 S., R. 1 E., W. M., from Milkey Creek.

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:

16.9 acres NE $\frac{1}{4}$  SW $\frac{1}{4}$   
4.2 acres NW $\frac{1}{4}$  SE $\frac{1}{4}$   
0.4 acre SW $\frac{1}{4}$  SE $\frac{1}{4}$

Section 7

T. 11 S., R. 1 E., W. M.

Certificate of water right issued to Tekekla, Roman, Leo & Rufus Larkowski and recorded at page 15398, Volume 13, State Record of Water Right Certificates, confirms a right to the use of water for irrigation of 30.0 acres. Subsequently, the point of diversion for the irrigation of 8.5 acres was transferred by order of the State Engineer entered May 14, 1964. This certificate is issued to confirm the remaining right to the use of water for irrigation and supersedes the certificate heretofore issued to Tekekla, Roman, Leo & Rufus Larkowski.

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 date. JUNE 26 1964

CHRIS L. WHEELER

State Engineer