

2506

### DESCRIPTION OF WATER RIGHT

Summary 11/4/71

Notation made on record by slw

## FEES PAID

Date	Amount	Receipt No.
3-31-71	25.00	23100
TOTAL . . .	1.50 \$1 Cert. Fee	41187

## FEES REFUNDED

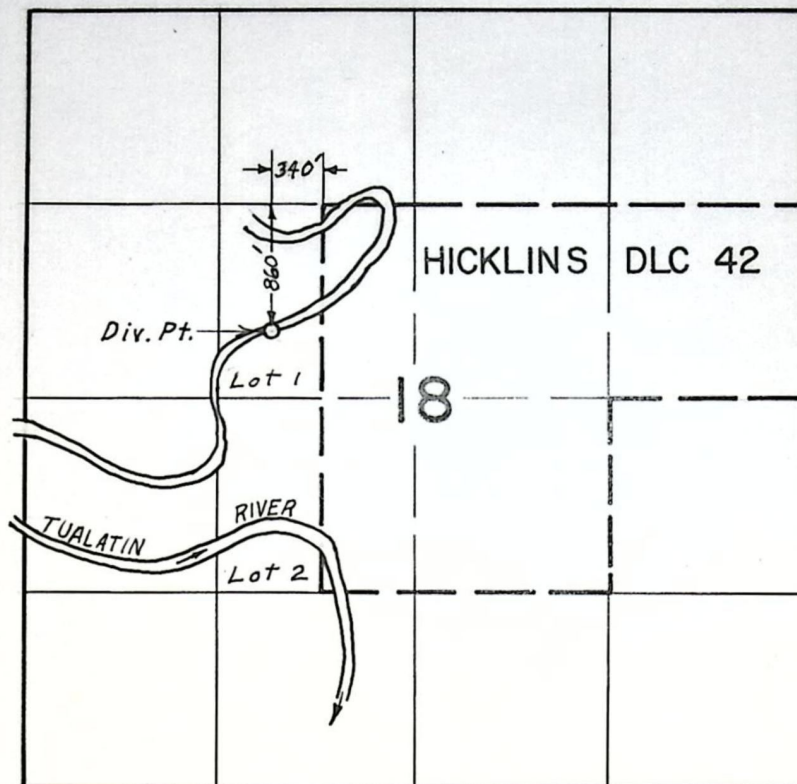
[illegible]

## REMARKS

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



T. 2S.R. 1W. W.M.



**FINAL PROOF SURVEY**  
UNDER

Application No. \_\_\_\_\_ TRANSFER NO. 2506  
Permit No. \_\_\_\_\_  
IN NAME OF

DANIEL DENNIS

Surveyed OCT 4 19.72, by L. GOULD

DFR-4P-53  
Oct. 4, 1972  
L.E.G.  
Filed 3/31/71  
C-date 10/1/71

Drafted  
2-2-73  
D.C.

REPORT ON INSPECTION UNDER  
TRANSFER OF WATER RIGHT FOR  
CHANGE IN POINT OF DIVERSION OF WATER

- Transfer No. 2506 ✓ County Washington ✓
1. Name Daniel Dennis ✓ Address Rt. 4, Box 420, Sherwood, Ore. 97140 ✓
2. Source of Supply Tualatin River ✓, Trib. of ---
3. Amount of Water 0.38 cfs ✓ Priority Date March 12, 1951 ✓
4. Use Irrigation ✓
5. Proposed Point of Diversion 605' N 45° E from the SW corner of SE¼ NW¼ being  
within the <sup>Lot 1</sup> (SE¼ NW¼) of Sec. 18, T. 2 S., R. 1 W., W.M.  
DIV. PT. LOCATED 860 FT. S AND 340 FT. W. FROM N.W. Cor. Hicklins D.L.C. 42
6. Place of Use ---

Township	Range	Section	Forty Acre Tract	Use for Which Transfer Made	
2 S	1 W	18			
T-2506					
25709					
29933					
30869					
48082					



Info: L. J. Shrake (Father in Law)

Div. Pt.: Pumps directly from deep hole in Tualatin River.

Pump: 60 H.P. G. E., 3 ph., 3545 R.P.M.

Dir. Dr. Cornell Cent. 3" x 2 1/2"

Has clock control.

Pipe:

55' 6" Steel

2640' 6" Ortco P.V.C.

750' 4" Plastic Hose ~~on a~~

Heads: 1 Water Winch - 1 1/4" Nozzle.

Operates @ 85 p.s.i.

Lift: Suction 6'-8' Disch. 10'-15'

Crop: Hay, & grain & grass seed

Tie: Div. Pt. Shown on DFR-4P-53

Note: Water Winch drags flexible hose 750' one way from Tap on 6" Main, then it reverses & drags hose 1500' in the opposite direction. 6" P.V.C. is underground with taps every 350'.

Oct. 4, 1972, L. E. Gould  
Field Engineer.



BEFORE THE STATE ENGINEER OF OREGON

Washington County

IN THE MATTER OF THE APPLICATION )  
OF DANIEL DENNIS FOR THE APPROVAL )  
OF A CHANGE IN POINT OF DIVERSION )  
OF WATER FROM TUALATIN RIVER )  
-----

ORDER APPROVING  
TRANSFER NO. 2506

On March 31, 1971, Daniel Dennis filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from Tualatin River, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Elsner Brothers and recorded at page 23027, Volume 16, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.38 cubic foot per second of water from Tualatin River for the irrigation of 0.3 acre in SW $\frac{1}{4}$  NE $\frac{1}{4}$ , 14.1 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$ , 15.4 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$  and 0.2 acre in NW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 18, Township 2 South, Range 1 West, W.M., with a date of priority of March 12, 1951. These lands are irrigated from a point of diversion located 1820 feet south and 350 feet west from the NW corner of Section 18 being within the SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 18, Township 2 South, Range 1 West, W.M.

The applicant herein, contract purchaser of the lands above described, proposes to irrigate these lands from a point of diversion to be located 605' N 45° E from the SW corner of SE $\frac{1}{4}$  NW $\frac{1}{4}$  being within the SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 18, Township 2 South, Range 1 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. Clayton J. Gardner, Watermaster of District No. 1, 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 Tualatin River, to-wit:

From a point located 1820 feet south and 350 feet west from the NW corner of Section 18 being within the SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 18, Township 2 South, Range 1 West, W.M.

To a point to be located 605' N 45° E from the SW corner of SE $\frac{1}{4}$  NW $\frac{1}{4}$  being within the SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 18, Township 2 South, Range 1 West, W.M.

for the irrigation of 0.3 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$ , 14.1 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$ , 15.4 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$  and 0.2 acre in NW $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 18, Township 2 South, Range 1 West, W.M., with a date of priority of March 12, 1951, 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, 1971.

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 0.38 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 Elsner Brothers and recorded at page 23027, Volume 16, 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 Daniel Dennis confirming the change in point of diversion.

Dated at Salem, Oregon, this 23rd day of April, 1971.

/s/ CHRIS L. WHEELER  
State Engineer



## Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Daniel Dennis

(Name of applicant)

of Rt. 4 Box 420 Sherwood, County of Washington

(Postoffice)

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 Tualatin 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

4. The point of diversion is located 1820 ft. S and 350 ft. W from the N $\frac{1}{4}$

(N. or S.)

(E. or W.)

corner of Section 18 being within the SE $\frac{1}{4}$  NW $\frac{1}{4}$

(Section or subdivision)

of Section 18 Tp. 2S R. 1W W. M., in the County of Washington

(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 $\frac{1}{4}$	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	1W	18			0.3					14.1	15.4	0.2						

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? No. Purchase of property  
under contract (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 12, 1951

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

of permit 20250



10. Do you hold a water right certificate? yes If so, give number of certificate 23027  
(Yes or No)

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

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

12. Is the water right recorded in your name? No. Elsner Brothers  
(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.

605'N 45 E

14. The proposed point of diversion is located \_\_\_\_\_ ft. \_\_\_\_\_ and \_\_\_\_\_ ft. \_\_\_\_\_ from the SW  
(N. or S.) (E. or W.)  
corner of SE $\frac{1}{4}$  NW $\frac{1}{4}$  being within the SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 18 Tp. 2S R. 1W W. M.,  
(Smallest legal subdivision) (No. N. or S.) (No. E. or W.)  
in the county of Washington 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? 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.

Contract buyer from Elsner Brothers

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 To complete irrigation system now under construction according to map enclosed with new irrigation permit.

Application for Transfer of Water Right

STATE OF OREGON  
STATE ENGINEER  
MAY 3 1931  
RECEIVED



AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of Multnomah } ss.

I, David Dennis, 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<sup>th</sup> day of March, 1971.

David Dennis  
(Name of applicant)

Subscribed and sworn to before me this 30<sup>th</sup> day of March, 1971.

[Notarial Seal]

Bernice E. V. Seard  
NOTARY PUBLIC FOR OREGON

My commission expires August 12-1974

Remarks Please see new map of proposed relocation of diversion point and  
acreage to be irrigated.

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.

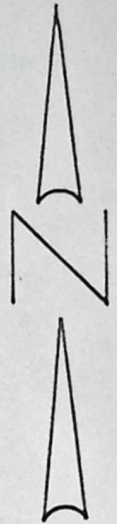
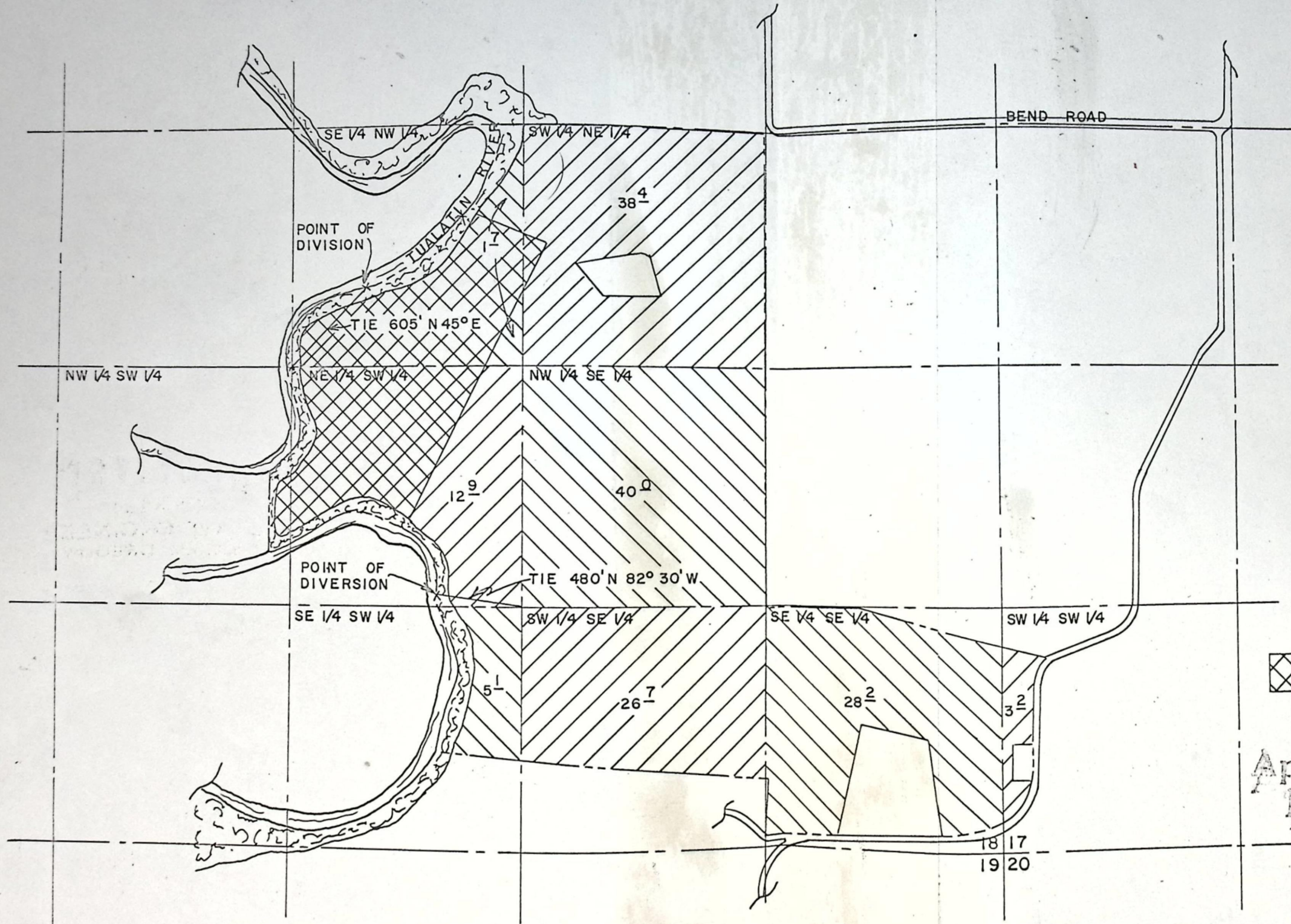


WATER RIGHT MAP

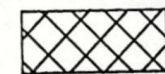
FOR: DANIEL DENNIS  
ROUTE 4, BOX 420  
SHERWOOD, OREGON

TOWNSHIP 2 SOUTH. RANGE 1 WEST, W. M.

SECTIONS 17 & 18



RECEIVED  
MAR 3 1971  
STATE ENGINEER  
SALEM OREGON



EXISTING WATER RIGHT  
APPLICATION #25704  
PERMIT #20250

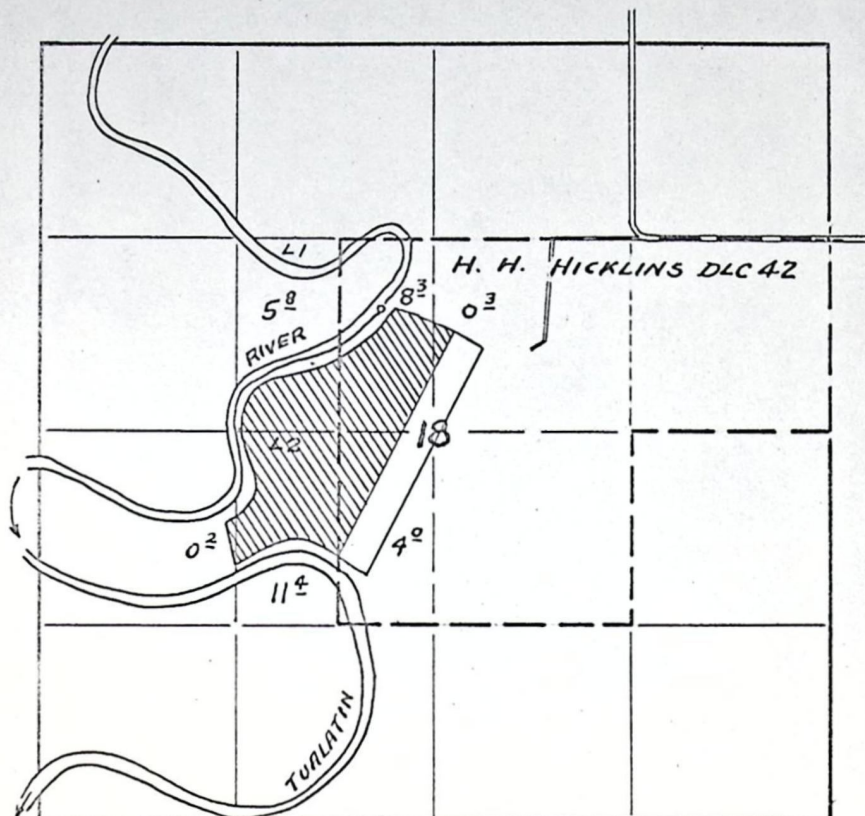
Application No. *T-2506*  
Permit No. *48082*

PREPARED BY PGE CO.

SCALE: 1" = 660 FT.



T.2S. R.1 W. W.M.



# FINAL PROOF SURVEY

UNDER

Application No. 25704 Permit No. 20250

IN NAME OF

ELSNER BROTHERS

Surveyed 5-10 1956, by R.H. WHITBY



Permit No. 20250

23027

Application No. 25704

County Washington

## Proof of Appropriation of Water

RECEIVED  
MAY 29 1957  
STATE ENGINEER  
SALEM, OREGON

1. Name Elsner Brothers 2. Address Rt. 4, Box 419 Sherwood, Oregon  
 3. Source of supply Tualatin River  
 Tributary of \_\_\_\_\_  
 4. Amount of water 0.38 cfs 5. Priority date March 12, 1951  
 6. Use irrigation 1/80th and 2 1/2 a.f.  
in Hicklins DLC #42  
 7. Location of point of diversion SE 1/4 NW 1/4 Sec. 18, Twp. 2 S, Range 1 W, W. M.  
 (Legal Subdivision)  
 8. The description of land given below corresponds to that found in your permit covering land to be irrigated, or, if for other purposes, the place of use.

Township	Range	Section	Legal Subdivision	No. Acres Actually Irrigated
2 S	1 W	18	SW 1/4 NE 1/4 as projected within Hicklins DLC #42	0.3
			SE 1/4 NW 1/4 " " " " " "	8.3
			Lot 1 (SE 1/4 NW 1/4)	5.8
			NW 1/4 SW 1/4	0.2
			Lot 2 (NE 1/4 SW 1/4)	11.4
			NE 1/4 SW 1/4 as projected within Hicklins DLC #42	4.0
				30.0

I have read the above and foregoing proof of appropriation of water; I know the contents thereof, and that the facts therein stated are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 25 day of MAY,

1957

*Elsner Brothers by Dan Elsner*

2148