

3001 Patrick A. Ogle
Route 1, Box 150
Independence, Or.

3061

STATUS OF APPLICATION

Change in place of use
Date filed 6-10-74
Date of hearing _____
Place of hearing _____
Date of order 3-9-77 Vol. 28, page 364
Date for application of water 10-1-78
Proof mailed _____
Proof received _____
Certificate issued NOV 28 1977 Vol. 37, page 44996
Feb 25 1980 42 49079
Summary

DESCRIPTION OF WATER RIGHT

Name of stream Luckiisimute R
Trib. of _____ County of Polk
Use irrigation
Quantity of water _____ No. of acres 10.4
Name of ditch _____
Date of priority June 11, 1971
In name of Patrick A. Ogle
_____ Adjudication, Vol. _____, page _____
App. No. 48318 Per. No. 35334 Cert. No. _____
Certificate cancelled _____
Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>6-10-74</u>	<u>25.00</u>	<u>40696</u>
TOTAL . . .		
<u>6-10-74</u>	<u>1.50</u> Cert. Fee	<u>40697</u>

FEES REFUNDED

Date	Amount	Check No.

REMARKS

See T-3060

Carl. fee for remaining
right Cert. to come
from Per. # 35334

TO BE ENTERED WHERE CHECKED	INDEX CARDS:		Entered	Checked
<u>WA</u>	Name	<u>WA</u>	<u>✓</u>	<u> </u>
<u>WA</u>	Stream	<u>WA</u>	<u>✓</u>	<u> </u>
<u>WA</u>	Pt. of Div.	<u>WA</u>	<u>✓</u>	<u> </u>
<u>WA</u>	Calendar	<u>WA</u>	<u>✓</u>	<u> </u>
<u> </u>	CHECKED TO RECORDS:			
<u> </u>	Twp. & Rge.	<u> </u>	<u> </u>	<u> </u>
<u> </u>	Decree-vault	<u> </u>	<u> </u>	<u> </u>
<u> </u>	Decree-safe	<u> </u>	<u> </u>	<u> </u>
<u> </u>	Cert. of W/R	<u> </u>	<u> </u>	<u> </u>
<u> </u>	Per. Folder	<u> </u>	<u> </u>	<u> </u>
<u> </u>	Chaindex	<u> </u>	<u> </u>	<u> </u>
<u> </u>	Cross Ref.	<u> </u>	<u> </u>	<u> </u>
<u> </u>	Power Claim	<u> </u>	<u> </u>	<u> </u>
<u> </u>	Abstracts	<u> </u>	<u> </u>	<u> </u>

STATE OF OREGON

COUNTY OF

POLK

Superseded by
Cert No.

73994

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

PATRICK A. OGLE

CANCELED

of 8025 Parker Road, Independence, State of Oregon 97351, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Luckiamute River

a tributary of Willamette River
irrigation of 10.4 acres

for the purpose of

under Permit No. 35334 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 June 11, 1971

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 0.08 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 NE $\frac{1}{4}$ SW $\frac{1}{4}$, as projected within Vanderpool DLC 63, Section 20, T. 9 S., R. 4 W., W.M.; 10 feet North and 5680 feet West from SE Corner, Vanderpool DLC 63

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:

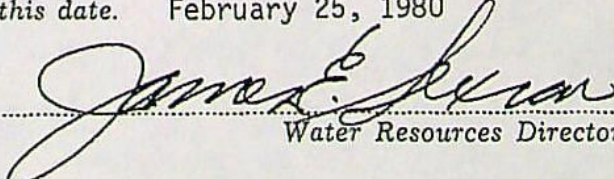
7.8 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
2.6 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
both as projected within Vanderpool DLC 63
Section 20
T. 9 S., R. 4 W., W.M.

This certificate is issued to confirm a change in place of use approved by an order of the Water Resources Director entered March 9, 1977, and together with certificate of water right recorded at page 44996, Volume 37, State Record of Water Right Certificates supersedes the water right established under permit 35334.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed

this date. February 25, 1980


Water Resources Director

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Polk County

IN THE MATTER OF THE APPLICATION)
OF PATRICK A. OGLE FOR THE APPROVAL)
OF A CHANGE IN PLACE OF USE OF WATER)
FROM LUCKIAMUTE RIVER)

ORDER APPROVING
TRANSFER NO. 3061

On June 10, 1974, Patrick A. Ogle filed an application in the office of the Water Resources Director for the approval of a change in place of use of water from Luckiamute River pursuant to the provisions of ORS 540.510 to 540.530.

A water right was established under the provisions of water right Permit No. 35334 in the name of Patrick A. Ogle which includes the use of not to exceed 0.08 cubic foot per second from Luckiamute River for irrigation of 5.7 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ and 4.7 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 21, Township 9 South, Range 4 West, W.M., with a date of priority of June 11, 1971.

Water for the said right is diverted from a point located 10 feet North and 5680 feet West from the Southeast corner of DIC #63, being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 20, Township 9 South, Range 4 West, W.M.

The applicant herein, owner of the lands above described, proposes to sever the right therefrom and without loss of priority and in lieu thereof irrigate a certain 7.8 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ and 2.6 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 20, Township 9 South, Range 4 West, W.M.

Mr. L. Gene McGinnis, Watermaster of District No. 2, has filed a statement to the effect that the proposed change in place of use may be made without injury to existing rights.

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

1977-03-11

NOW, THEREFORE, it hereby is ORDERED that the requested change in place of use of water from Luckiamute River described herein, without loss of priority, is approved.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1978.

It is FURTHER ORDERED that a certificate be issued covering the balance of the right not involved in this proceeding, 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 9th day of March, 1977.

/s/ JAMES E. SEXSON
Director

WATER DIVISION
SALMON FALLS
NOTES