

Norman C. Kiche  
Route 2, Box 129  
Dayton, O. 45414

3193

STATUS OF APPLICATION

Change in point of diversion  
Date filed 4-4-75  
Date of hearing \_\_\_\_\_  
Place of hearing \_\_\_\_\_  
Date of order 7-27-78 Vol. 31, page 76  
Date for application of water Completed  
Proof mailed \_\_\_\_\_  
Proof received JAN 29 1979  
Certificate issued \_\_\_\_\_ Vol. 40, page 47363  
JAN 29 1979 40 47364  
to survey 7/78

DESCRIPTION OF WATER RIGHT

Name of stream Yamhill River  
Trib. of \_\_\_\_\_ County of Yamhill  
Use irrigation  
Quantity of water \_\_\_\_\_ No. of acres \_\_\_\_\_  
Name of ditch \_\_\_\_\_  
Date of priority \_\_\_\_\_  
In name of \_\_\_\_\_  
Adjudication, Vol. \_\_\_\_\_, page \_\_\_\_\_  
App. No. 27124 31395 Per. No. 21337 24749 Cert. No. 22528 24465  
Certificate cancelled \_\_\_\_\_  
Notation made on record by \_\_\_\_\_

FEES PAID

Date	Amount	Receipt No.
<u>4-4-75</u>	<u>30.00</u>	<u>46016</u>
TOTAL . . .		
<u>1/11/79</u>	<u>4.00 (2)</u> Cert. Fee	<u>8467</u>

FEES REFUNDED

Date	Amount	Check No.
<u>Even 15<sup>00</sup></u>		
<u>POD 15<sup>00</sup></u>		

REMARKS

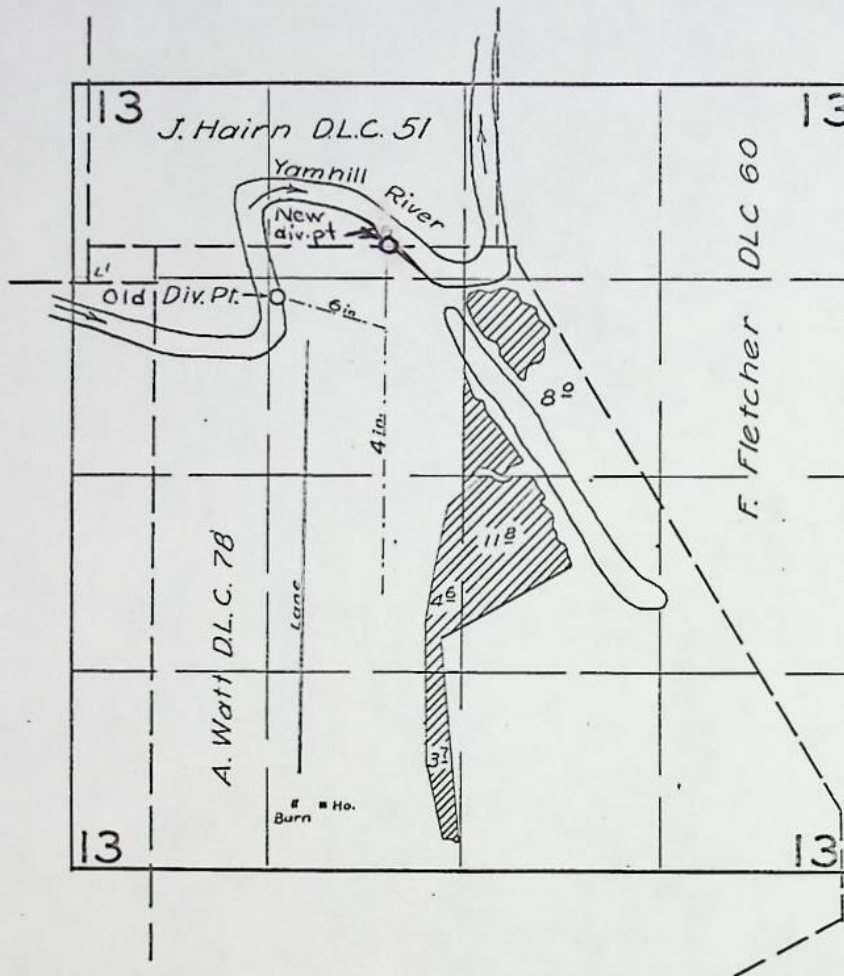
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TO BE ENTERED WHERE CHECKED	INDEX CARDS:		Entered	Checked
<input checked="" type="checkbox"/>	Name		<u>lg</u>	_____
<input checked="" type="checkbox"/>	Stream		<u>lg</u>	_____
<input checked="" type="checkbox"/>	Pt. of Div.		<u>lg</u>	_____
<input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

342

**RECEIVED**  
APR 04 1975  
STATE ENGINEER  
SALEM, OREGON

T.4 S.R.4 W.W.M.



**FINAL PROOF SURVEY**  
UNDER

Application No. 31395... Permit No. 24749...  
IN NAME OF

.....*Marvin D. Williams*.....

Surveyed *Mar. 15*, 1956, by *Tom Bish*.....

27124

T-3193

DFQ-3D-164





STATE OF OREGON

INTEROFFICE MEMO

TO: Benjamin E. Monroe, Watermaster

DATE: July 31, 1978

FROM: Wayne J. Overcash  
Water Rights Engineer

SUBJECT: Order Approving Transfer No. 3193

Due to the vintage of this application for change in point of diversion from Yamhill River, a certified copy is not being sent to the applicant. The file is being set for survey.

lcj

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

YAMHILL COUNTY

IN THE MATTER OF THE APPLICATION )  
OF NORMAN C. RICHE FOR APPROVAL )  
OF A CHANGE IN POINT OF DIVERSION )  
OF WATER FROM YAMHILL RIVER )  
-----

ORDER APPROVING  
TRANSFER NO. 3193

On April 4, 1975, an application was filed in the office of the Water Resources Director by Norman C. Riche for approval of a change in point of diversion from Yamhill River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 22528, Volume 16, State Record of Water Right Certificates, in the name of Marvin D. Williams, describes a right for the use of not to exceed 0.88 cubic foot per second from Yamhill River for irrigation of 0.7 acre in NE $\frac{1}{4}$  NW $\frac{1}{4}$ , 30.1 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$ , 26.6 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$  and 12.6 acres in SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 13, Township 4 South, Range 4 West, W.M., all as projected within A. Watt D.L.C. No. 78, with a date of priority of April 30, 1952.

The certificate recorded at page 24465, Volume 17, State Record of Water Right Certificates, in the name of Marvin D. Williams, describes a right for the use of not to exceed 0.33 cubic foot per second from Yamhill River for irrigation of 8.0 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$ , 4.6 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$ , 3.7 acres in SE $\frac{1}{4}$  SW $\frac{1}{4}$  and 11.8 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 13, Township 4 South, Range 4 West, W.M., all as projected within A. Watt D.L.C. No. 78, with a date of priority of February 27, 1957.

The authorized point of diversion of record for said rights is located 340 feet South and 850 feet East from the Northwest Corner of A. Watt D.L.C. No. 78, being within the SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 13, Township 4 South, Range 4 West, W.M.

The applicant herein proposes to change the point of diversion therefrom, without loss of priority, to a point located 1590 feet East from the Northwest Corner of A. Watt D.L.C. No. 78, being within the NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 13, Township 4 South, Range 4 West, W.M.

Mr. Robert D. Geisler, Assistant Watermaster, has filed a statement 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 requested change in point of diversion, as described herein, without loss of priority, is 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 rights, and shall not exceed 1.21 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:

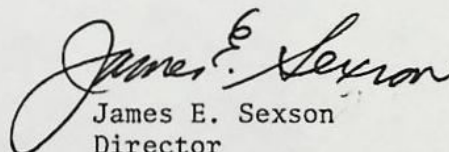
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 change in point of diversion is completed.

It is FURTHER ORDERED that the certificates of water right recorded at page 22528, Volume 16 and page 24465, Volume 17, State Record of Water Right Certificates, are 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, confirming certificates of water right shall be issued to the applicant herein.

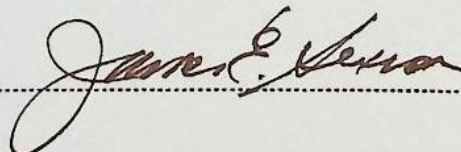
Dated at Salem, Oregon this 27th day of July, 1978.

  
James E. Sexson  
Director

STATE OF OREGON, }  
County of Marion. } ss.

I, ..... James E. Sexson ....., Water Resources Director of the State of Oregon,  
do hereby certify that the foregoing copy of ..... order entered July 27, 1978, and recorded at  
..... page 76, Volume 31, Special Order Record of the Water Resources Department  
.....  
has been compared with the original and that it is a correct transcript therefrom and the whole of  
such original ..... special order ..... as the same appears  
..... of record ..... in my office and custody.

IN WITNESS WHEREOF, I have hereunto set my hand this ..... 27<sup>th</sup> ..... day of  
..... July, 19 78 .....

.....  .....  
Director  
By .....



222-14

472-3349

County YAMHILL

- Inspection  
10/18/78 CLH

C date: completed

[illegible]

Info: Mr. Riche. Land is irrigated as applied.

Source: Yamhill River. Div is dir. through 8" section.

pump - GE 40HP @ 3530 RPM Cornell CDD 3"x2 1/2"

Use: Irrigation of pastureland for stock

Equip: pipe - 5" Alum main  
4" Alum main } plenty  
3" Alum laterals

heads - RB 30WS 1 3/4 x 0 (85 max)

Lift: see quad +50

Tie: Inspection

Chris Hughes

FE

10/18/78

at 45 psi

$$\text{pump} = \frac{(40)(6.61)}{(50) + (114.3)} = 1.61 \text{ cfs.}$$

$$\text{heads} = \frac{(85)(8.1)}{450} = 1.53 \text{ cfs.}$$



BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

YAMHILL COUNTY

IN THE MATTER OF THE APPLICATION )  
OF NORMAN C. RICHE FOR APPROVAL )  
OF A CHANGE IN POINT OF DIVERSION )  
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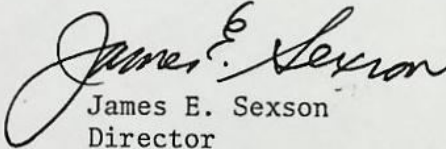
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Dated at Salem, Oregon this 27th day of July, 1978.

  
James E. Sexson  
Director



T-2193

## Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Norman C. Riche  
(Name of applicant)

of Rt. 2, Box 129 Dayton, County of Yamhill  
(Postoffice)

State of Oregon 97114, 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 Yamhill 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 340 ft. S and 850 ft. E from the NW  
(N. or S.) (E. or W.)

corner of A. Watt D.L.C. 78 being within the SE 1/4 NW 1/4  
(Section or subdivision)

of Section 13 Tp. 4S R. 4W W. M., in the County of Yamhill  
(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
Permit 21337	Apr. 30, 1952	4S 4W 13					07			30 <sup>1</sup>	26 <sup>6</sup>			12 <sup>6</sup>				all
Permit 24749	Feb. 27, 1957	4S 4W 13			8 <sup>0</sup>						4 <sup>6</sup>			37		11 <sup>8</sup>		all

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? Contract purchaser  
(If not owner, explain your interest)

7. Has water been used beneficially for the purposes indicated herein during the past 5 years? Yes

Permit 24749 Feb. 27, 1957

8. What is the date of priority of your water right? Permit 21337 April 30, 1952

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

of permit 24749 & 21337



10. Do you hold a water right certificate? Yes If so, give number of certificate 24465  
(Yes or No) 22528

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, Marvin D. Williams  
(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 ~~100 ft. N~~ and 1590 ft. E from the N.W. corner of A. Watt DLC 78 being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$  of Section 13 Tp. 4S R. 4W W. M., in the county of Yamhill. 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.

17. Are there any diversions between your present point of diversion and the proposed point of diversion? Don't believe so

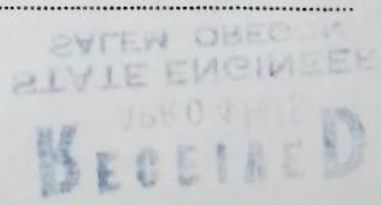
NOTE: Answer questions 18 and 19 if application is for change in use or place of use.

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 old div.pt. location was eroding and new div.pt better alignment & bank.





AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of Marion

} ss.

I, Norman C. Riche, 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 4<sup>th</sup> day of April, 1975.

\* Norman C. Riche  
(Name of Applicant)

Subscribed and sworn to before me this 4<sup>th</sup> day of April, 1975.

[Notarial Seal]

Frederic R. Rich  
NOTARY PUBLIC FOR OREGON

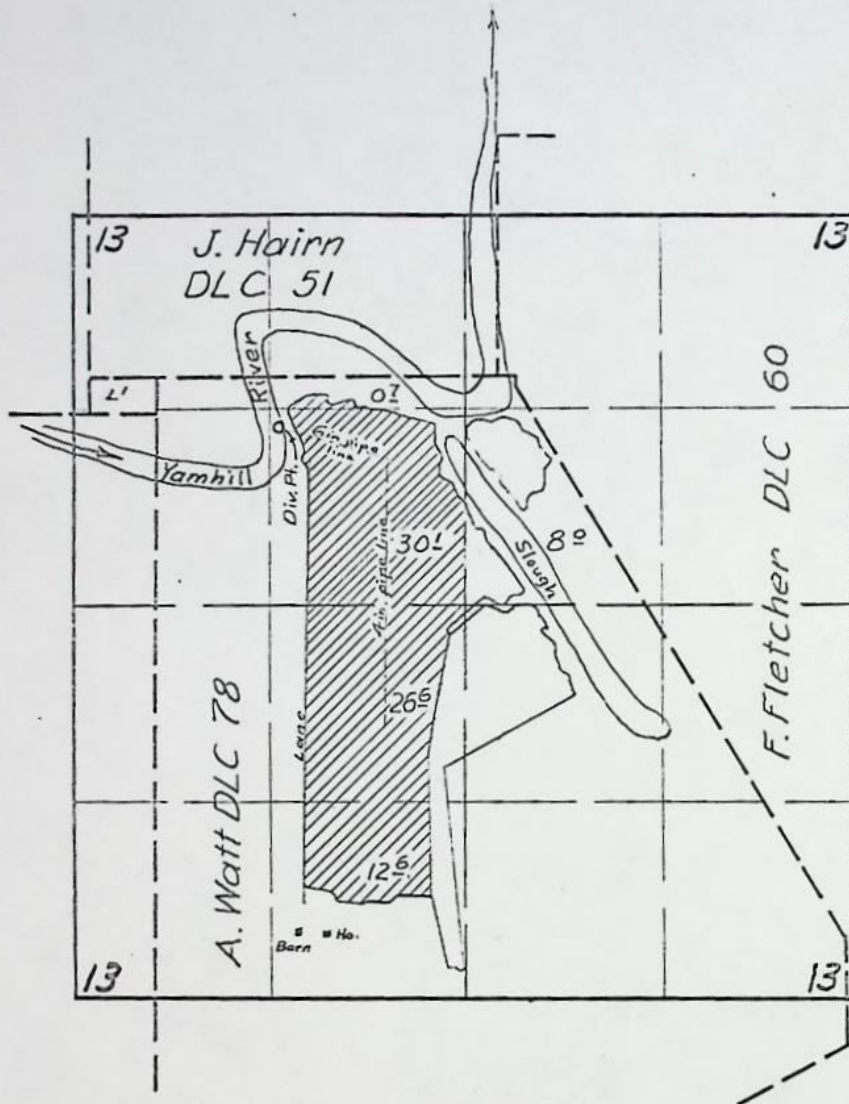
My commission expires Oct. 31, 1976

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.

**RECEIVED**  
APR 04 1975  
STATE ENGINEER  
SALEM, OREGON

T.4 S.R. 4 W. W. M.



**FINAL PROOF SURVEY**  
UNDER

Application No. 27124 Permit No. 21337  
IN NAME OF

Marvin D. Williams

Surveyed 15 Mar. 1956 by M. B. B.

T-2193  
DFQ-3D-164





## STATE OF OREGON

## INTEROFFICE MEMO

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: June 13, 1978.FROM: Bob GeislerSUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 3193IN THE NAME OF Norman C. Riche

In my opinion the proposed change in point of diversion from Yamhill River  
may be made without injury would result in injury\* to existing water rights.

Headgate notices have have not been issued for diversions from the source  
which serves this right.

If for change in point of diversion, is there any intervening point of diversion  
between the authorized and the proposed points of diversion? NO  
(yes or no)

In my opinion the order approving the subject transfer application should include  
the following in regard to the appropriator installing suitable measuring devices  
in the diversion works:

- (1) PRIOR to the diverting of water at the new point of diversion...  
X (2) When in the judgement of the watermaster it becomes necessary...

\* The approval of this transfer application would result in injury to other  
water rights because \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**RECEIVED**

JUN 13 1978

WATER RESOURCES DEPT.  
SALEM, OREGON