

3327

STATUS OF APPLICATION

Change in add'l point of diversion
 Date filed 9-30-75
 Date of hearing _____
 Place of hearing _____
 Date of order 2-27-76 Vol. 26, page 422
 Date for application of water 10-1-76
 Proof mailed _____
 Proof received _____
 Certificate issued AUG 30 1976 Vol. 35, page 43608
May 2, 1980 43 49215
Survey 76

DESCRIPTION OF WATER RIGHT

Name of stream Well
 Trib. of _____ County of Unmilla
 Use irrigation
 Quantity of water _____ No. of acres 70⁰
 Name of ditch _____
 Date of priority July 12, 1965
 In name of Thomas N. Able, Jr.
 _____ Adjudication, Vol. _____, page _____
 App. No. 3161 Per. No. 2974 Cert. No. 35785
 Certificate cancelled _____
 Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>10-29-75</u>	<u>40.00</u>	<u>50089</u>
TOTAL . . .		
<u>2-19-76</u>	<u>4⁰⁰</u> Cert. Fee	<u>50089</u>

FEES REFUNDED

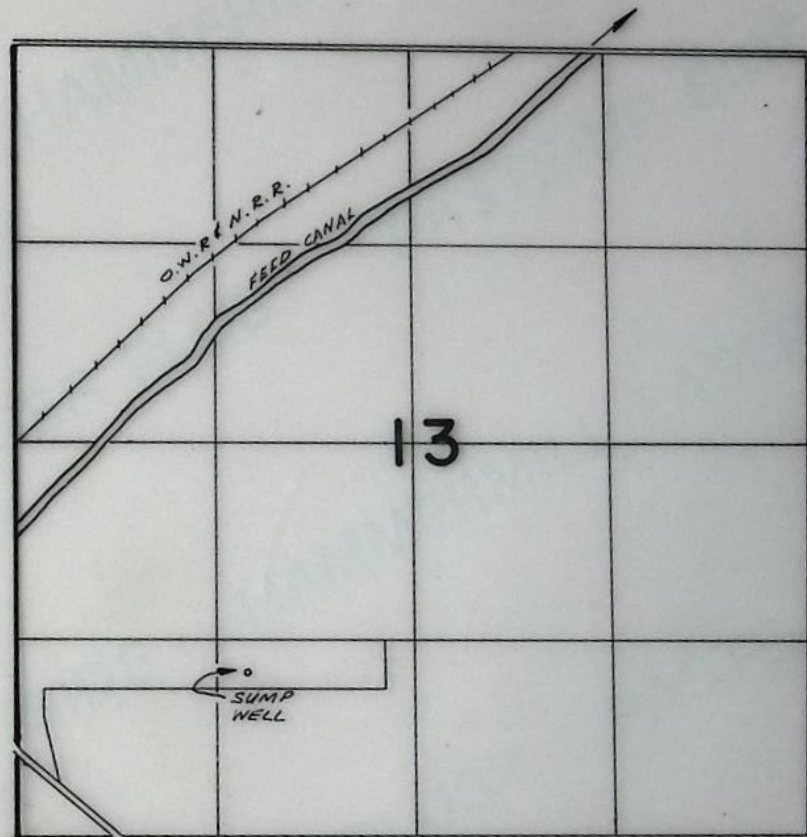
Date	Amount	Check No.
<u>2-19-76</u>	<u>\$1.00</u>	<u>278</u>

REMARKS

See Note in file No. 3161 from U.S.B.

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

T. 4N. R. 28E. W.M.



WELL LOCATED 1100' N. & 1110' W. FROM $5\frac{1}{4}$ COR SEC 13

FINAL PROOF SURVEY
UNDER

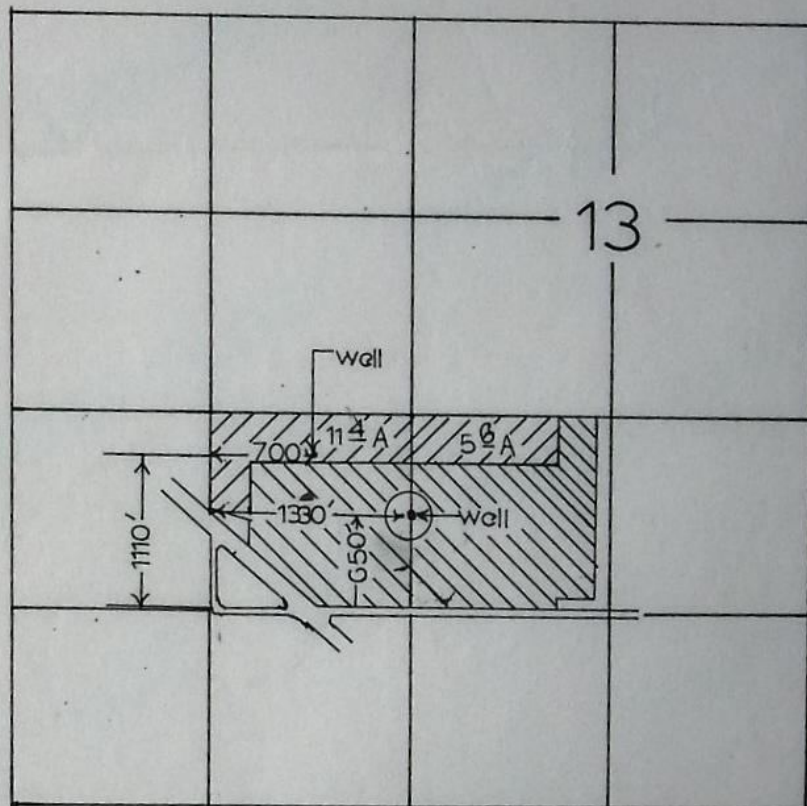
TRANSFER 3327

Application No. Permit No.
IN NAME OF

..... CECIL D. THOMPSON

Surveyed 11-30 1977, by R. BAKWIN

T.4 N. R. 28 E. W.M.



4"=1 Mile

▨ GROUND SERVED BY NEW WELL

▨ GROUND SERVED BY OLD WELL

RECEIVED

SEP 30 1975

WATER RESOURCES DEPT.
SALEM, OREGON

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Umatilla County

IN THE MATTER OF THE APPLICATION OF)
TOM ABLE FOR THE APPROVAL OF A)
CHANGE IN POINT OF DIVERSION OF)
WATER FROM A WELL)

ORDER APPROVING
TRANSFER NO. 3327

On September 30, 1975, Tom Able filed an application in the office of the Water Resources Director for the approval of a change in point of diversion of water from ground water, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Thomas N. Able, Jr. and recorded at Page 35785, Volume 27, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.88 cubic foot per second of water from ground water for the irrigation of, among other lands, 11.4 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ and 5.6 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 13, Township 4 North, Range 28 East, W.M., with a date of priority of July 12, 1965. These lands are irrigated from a well located 650 feet North and 1330 feet East from the Southwest corner of Section 13, being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 13, Township 4 North, Range 28 East, W.M.

The applicant herein, owner of the lands above described, proposes to irrigate these lands from a well to be located 1110 feet North and 700 feet East from the Southwest corner of Section 13, being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 13, Township 4 North, Range 28 East, 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 is no intervening diversion.

Mr. William Bartholomew, Administrator of the Ground Water Division and Mr. William I. Porfily, Watermaster of District Number 5, have filed reports to the effect that the proposed change in point of diversion of water 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 change in point of diversion of water from ground water, to wit:

From a well located 650 feet North and 1330 feet East from the Southwest corner of Section 13, being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 13, Township 4 North, Range 28 East, W.M.

To a well to be located 1110 feet North and 700 feet East from the Southwest corner of Section 13, being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 13, Township 4 North, Range 28 East, W.M.,

for the irrigation of 11.4 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ and 5.6 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 13, Township 4 North, Range 28 East, W.M., with a date of priority of July 12, 1965, 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, 1976.

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 0.21 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 the certificate of water right heretofore issued to Thomas N. Able, Jr. and recorded at Page 35785, Volume 27, State Record Of Water Right Certificates, is canceled, and in lieu thereof a new certificate be issued covering the balance of the lands not involved in this proceeding, and upon receipt of proof satisfactory to the Water Resources Director of completion of the authorized change in point of diversion, a certificate of water right shall be issued confirming the change in point of diversion.

Dated at Salem, Oregon, this 27th day of February, 1976.

/s/ James E. Sexson
Director

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7-3327

JAN 12 1976
WATER RESOURCES DEPT.
SALEM, OREGON

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SEP 30 1975
WATER RESOURCES DEPT.
SALEM, OREGON

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Tom Able

(Name of applicant)

of Rt. 1 Stanfield

(Postoffice)

County of Umatilla

State of Oregon

, do hereby make application for change

Additional

point of Diversion

(In point of diversion; place of use; use heretofore made of the water)

1. The source of present water right is Well

(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 650 ft. N and 1330 ft. E from the S.W.

(N. or S.)

(E. or W.)

corner of Sec. 13

(Section or subdivision)

being within the SW. 1/4 SW. 1/4

of Section 13

Tp. 4N

R. 28E

W. M., in the County of Umatilla

(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
<u>4N</u>	<u>28E</u>	<u>13</u>											<u>11.4</u>	<u>5.6</u>				
													<u>34x4x35x6</u>					

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? July 12, 1965

9. Was your water right acquired by State Engineer's Permit? Yes If so, give number

(Yes or No)

of permit G-2974

10. Do you hold a water right certificate? Yes If so, give number of certificate 35785
(Yes or No)

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

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

12. Is the water right recorded in your name? Yes
(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.

~~Additional~~

14. The proposed point of diversion is located 1110 ft. N and 700 ft. E from the SW
corner of Sec. 13 being within the Sw $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 13 Tp. 4N R. 13E W. M.,
(Smallest legal subdivision) (No. N. or S.) (No. E. or W.)
in the county of Umatilla The name of the ditch to be used is No Name

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? 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 I wish to sell land which will have the new sump.

RECEIVED

AFFIDAVIT OF APPLICANT

STATE OF OREGON,

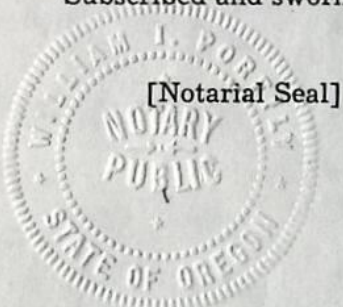
County of Umatilla } ss.

I, Tom Able, 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 29 day of September, 1975

x Tom Able
(Name of applicant)

Subscribed and sworn to before me this 29 day of September, 1975



William L. Pappas
NOTARY PUBLIC FOR OREGON

My commission expires JAN 7, 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.

MM-227

200 AM
TUES

NZ-1MM-227
Tra 11/30/77 RFB

567-5581

- WELL LOC. 1100'N & 1110'W FROM 5/4 COR SEC 13

6. Place of Use DATE FOR APPLICATION OF WATER: 10/1/76

2574P © 3500 CENTURY
CDD BERKELEY 4" X 3"

INFO: CONTACTED CECIL THOMPSON. MR. THOMPSON
IRRIGATES APPROX. 20 ACRES FROM THE SUMP
WELL.

WELL: 60' DEEP, 175' LONG & 90' WIDE. THE WELL
IS AN EXCAVATED SUMP POND WITH PUMP ON
A FLOATING PLATFORM.

PUMP &

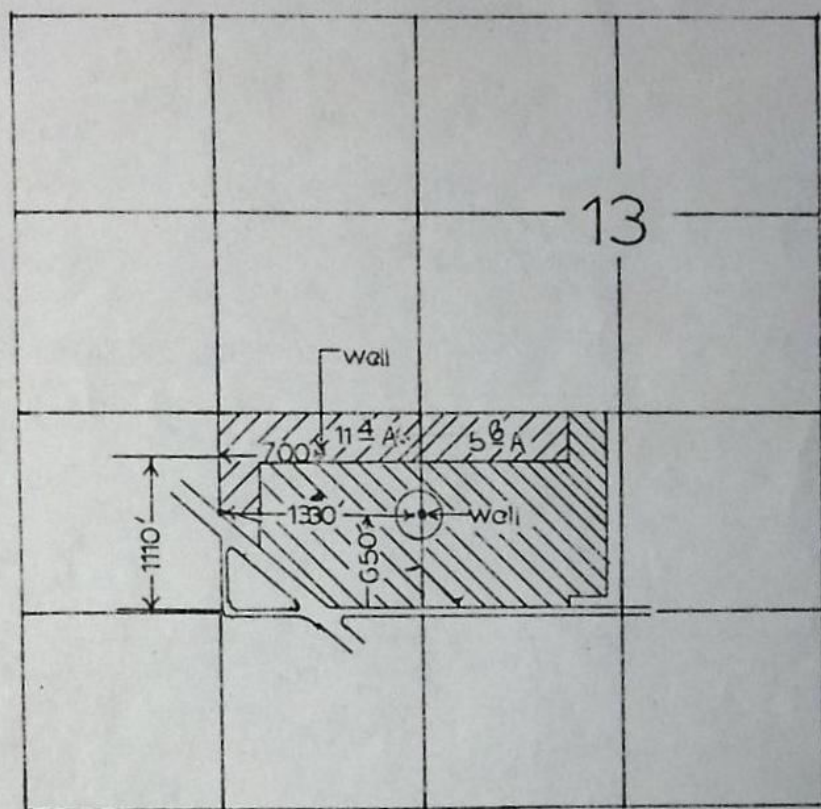
MOTOR: CENTURY 25HP @ 3500 RPM
BERKELEY CDD, 4" X 3"

TIE: NZ-1MM-227

NOVEMBER 29, 1977

Robert J. Brown
FIELD ENGINEER

T.4 N. R. 28 E. W.M.



4"=1 Mile

▨ GROUND SERVED BY NEW WELL .

▨ GROUND SERVED BY OLD WELL

RECEIVED

SEP 3 0 1975

WATER RESOURCES DEPT.
SALEM, OREGON

Transfer No. 3327

NOTICE OF COMPLETION OF CONSTRUCTION

I, CECIL D. THOMPSON 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 Water Resources
Director dated 2-27-76, approving an application
for a change in point of diversion of water from a well.

Nov. 2, 1976

Date

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NOV - 8 1976

WATER RESOURCES DEPT.
SALEM, OREGON

Cecil D. Thompson

Name