

3469 Withers N. Robison
Alder Creek Route
Fossil, Or. 97230

3469

STATUS OF APPLICATION

Change in point of diversion
Date filed 8-26-76
Date of hearing 11-23-76
Place of hearing Fossil
Date of order 2-23-77 Vol. 28, page 335
Date for application of water 10-1-78
Proof mailed _____
Proof received _____
Certificate issued FEB 24 1989 Vol. _____, page 60396

to survey 9/77

DESCRIPTION OF WATER RIGHT

Name of stream Alder Creek
Trib. of _____ County of Wheeler
Use irrigation
Quantity of water _____ No. of acres _____
Name of ditch _____
Date of priority _____
In name of _____
John Day Adjudication, Vol. 10, page 531
App. No. _____ Per. No. _____ Cert. No. 25363
Certificate cancelled _____
Notation made on record by _____

FEEES PAID

Date	Amount	Receipt No.
<u>8-26-76</u>	<u>35.00</u>	<u>55736</u>
<u>9-13-76</u>	<u>45.00 P.O.N.</u>	<u>55979</u>
<u>11-10-76</u>	<u>6.33 P.O.N.</u>	<u>56795</u>
TOTAL . . .		
	Cert. Fee	
<u>The Times Journal \$51.33 ck. # 964 11/12/76</u>		

FEEES REFUNDED

Date	Amount	Check No.

Fees 20 -
POD 15 -
\$35.00

REMARKS

map in 41229

W.R.I.S.

Assembled 8-16-84 by SJA

Entered _____ by _____

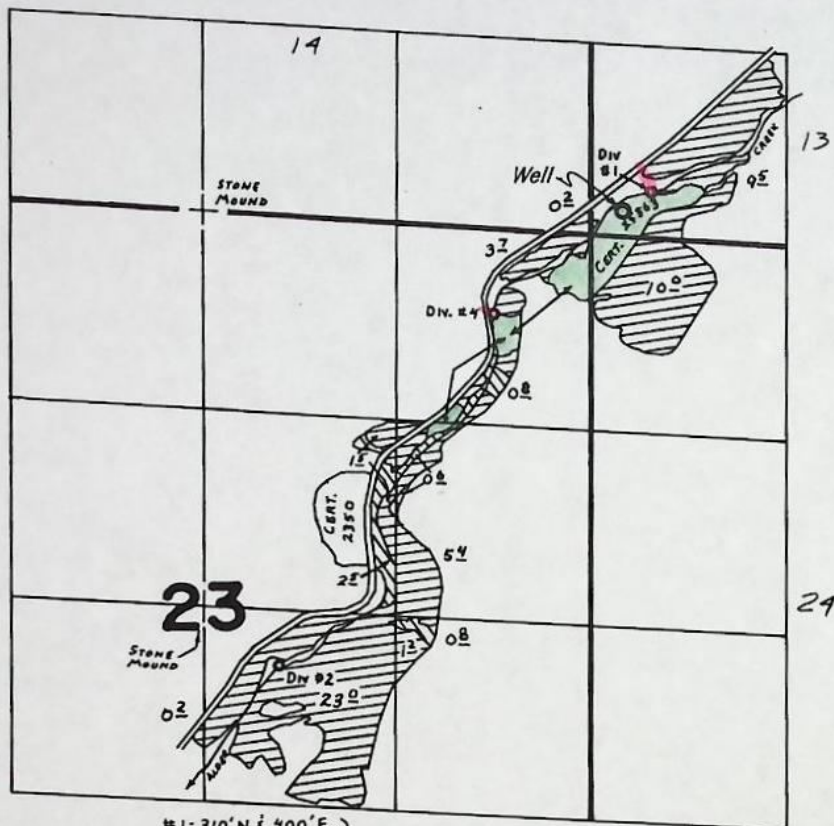
Verified _____ by _____

INDEX CARDS:	Entered	Checked
<u>WH</u> Name	☒	☐
<u>WH</u> Stream	☒	☐
<u>WH</u> Pt. of Div.	☒	☐
<u>WH</u> Calendar	☒	☐
CHECKED TO RECORDS:		
<u>0</u> Twp. & Rge.	☐	☐
<u>✓</u> Decree-vault	☒	☐
<u>✓</u> Decree-map	☒	☐
<u>✓</u> Cert. of W/R	☒	☐
<u> </u> Per. Folder	☐	☐
<u> </u> Calendar	☐	☐
<u> </u> Cross Ref.	☐	☐
<u> </u> Power Claim	☐	☐
<u> </u> Abstracts	☒	☐

234

T8S. R23E. WM.

COPY



Div. Pts. Loc: #1-310°N. 400°E. } ALL FROM NE. COR. SEC. 23.
 #2-3060°S. 2100°W. }
 #4-580°S. 650°W. }

APP. # 41229
 APP. # 52798

Well Loc: 150°N. 9 210°E from NE Corner Section 23

FINAL PROOF SURVEY UNDER

TRANSFER NO. 3469

G-7426
 52798

G-6925
 39852

Application No. 41229 Permit No. 30826

IN NAME OF

ARTHUR ROBISON

Surveyed AUG. 6 1974, by L. H. NUNN

JUNE 6 1975

L. TOLL

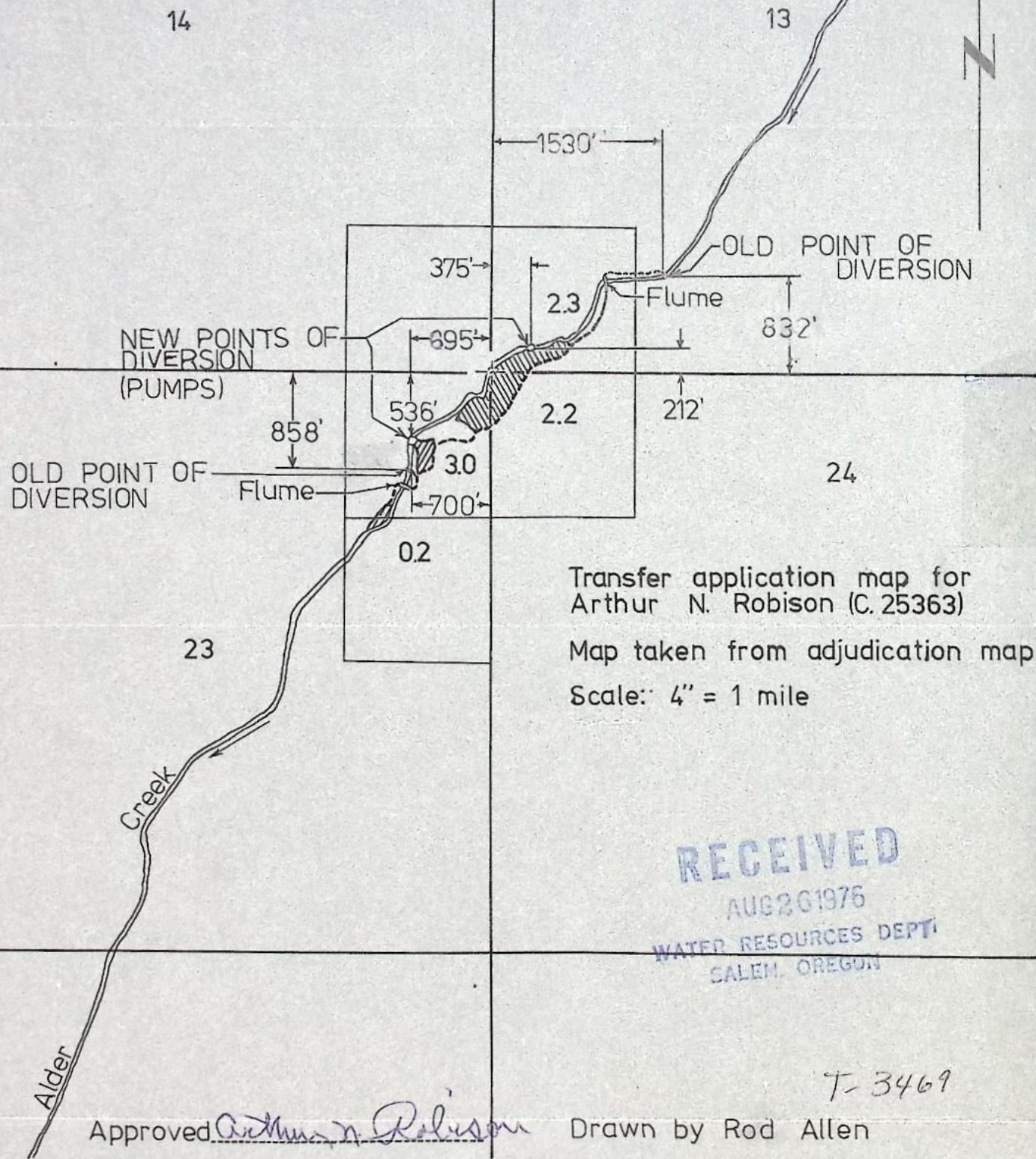
AUG 25 1976

D. NORBY

AUG. 14, 1979

Al Brown

TOWNSHIP 8 SOUTH, RANGE 23 EAST,
WILLAMETTE MERIDIAN



Transfer application map for
Arthur N. Robison (C. 25363)

Map taken from adjudication map

Scale: 4" = 1 mile

RECEIVED

AUG 26 1976

WATER RESOURCES DEPT
SALEM, OREGON

T-3469

Approved *Arthur N. Robison*

Drawn by Rod Allen

(Agrees w/ Adj. Maps)

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Wheeler County

IN THE MATTER OF THE APPLICATION
OF ARTHUR N. ROBINSON FOR THE
APPROVAL OF A CHANGE IN POINT OF
DIVERSION OF WATER FROM ALDER CREEK

ORDER APPROVING
TRANSFER NO. 3469

On August 26, 1976, Arthur N. Robinson filed an application in the office of the Water Resources Director for the approval of a change in point of diversion of water from Alder Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Nettie I. Hunt and recorded at Page 25363, Volume 17, State Record of Water Right Certificates, confirms a right to the use of water from Alder Creek for the irrigation of 2.3 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 13, 3.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, and 0.2 acre in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 23, and 2.2 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 24, Township 8 South, Range 23 East, W.M., with a date of priority of 1894.

These lands are irrigated from 2 points of diversion located (1) 832 feet North and 1530 feet East and (2) 858 feet South and 700 feet West from the Southwest corner of Section 13, being within the (1) SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 13, and (2) NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 23, Township 8 South, Range 23 East, W.M.

The applicant herein, owner of the lands above described, proposes to irrigate these lands from 2 points of diversion to be located (1) 212 feet North and 375 feet East and (2) 536 feet South and 695 feet West from the Southwest corner, Section 13, being within the (1) SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 13, and (2) NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 23, Township 8 South, Range 23 East, W.M.

Notice of the application, pursuant to ORS 540.510, was published in the Gilliam Wheeler Times Journal, a newspaper printed and having general

circulation in Wheeler County, Oregon, for a period of three weeks in the issues of October 1, 8 and 15, 1976.

Mr. Robert F. Main, Jr., Watermaster of District No. 4, has filed a statement to the effect that the proposed changes in point of diversion may be made without injury to existing rights.

No objection having been filed and it appearing that the proposed changes 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 changes in point of diversion from Alder Creek described herein, without loss of priority, is approved.

It is FURTHER ORDERED that the quantity of water diverted at the new points of diversion shall not exceed the quantity of water available at the old points of diversion under the subject right.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgement of the watermaster it becomes necessary to install head-gates 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 construction work shall be completed and the change in point of diversion of water made on or before October 1, 1978.

It is FURTHER ORDERED that the certificate of water right heretofore issued to Nettie I. Hunt and recorded at Page 25363, Volume 17, State Record of Water Right Certificates, is 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, a confirming certificate of water right shall be issued to Arthur N. Robinson.

Dated at Salem, Oregon, this 23rd day of February, 1977.

/s/ JAMES E. SEXSON
Director

Gibraltar Onion Skin

MILLERS FALLS

ALL COTTON

AFFIDAVIT OF PUBLICATION

STATE OF OREGON, COUNTY OF GILLIAM, ss:

I, Jean Gilliam
being first duly sworn, depose and say that I am the
..... Editor of the
GILLIAM-WHEELER TIMES-JOURNAL, a newspa-
per of general circulation as defined by Sections 1-509,
1-510, Oregon Code; printed and published at Condon in
the aforesaid county and state; that the
.. Notice of Filing Application, a printed
copy of which is hereto annexed, was published in the
entire issue of said newspaper for³.....
successive and consecutive weeks in the following is-
sues:

..... October 1, 8 and 15, 1976

..... Jean Gilliam

Subscribed and sworn to before me this 1st

day of November, 19 76

..... Volney Thomas
Notary Public for Oregon

(My commission expires Feb. 4, 1978)

Legal Notice

**NOTICE OF FILING APPLICATION
FOR A CHANGE IN POINT OF
DIVERSION FROM ALDER CREEK**

Notice is given hereby that Arthur N. Robinson has filed an application for the approval of a change in point of diversion from Alder Creek.

Certificate of water right issued to Nettie I. Hunt and recorded at Page 25363, Vol. 17, State Record of Water Right Certificates, confirms a right to the use of water from Alder Creek for the irrigation of, among other lands, 2.3 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 13, 3.0 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$, and 0.2 acre in SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 23, and 2.2 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 24, T. 8 S., R. 23 E., W.M., with a date of priority of 1894.

These lands are irrigated from 2 points of diversion located (1) 832 ft. N. and 1530 ft. E. and (2) 858 ft. S. and 700 ft. W. from the SW corner of Section 13, being within the (1) SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 13, and (2) NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 23, T. 8 S., R. 23 E., W.M.

The applicant herein, owner of the lands above described, proposes to irrigate these lands from 2 points of diversion to be located (1) 212 ft. N. and 375 ft. E. and (2) 536 ft. S. and 695 ft. W. from the SW corner, Section 13, being within the (1) SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 13, and (2) NE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 23, T. 8 S., R. 23 E., W.M.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Fossil, Oregon, on November 23, 1976, 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 Arthur N. Robinson, Alder Creek Route, Fossil, Or., 97830, and one copy filed with the Water Resources Department, Salem, Oregon 97310, together with a \$10 filing fee, at least 10 days prior to the date set for hearing. If no objection is filed, the application may be approved by the Water Resources Director without a hearing. Administrative rules pertaining to the filing of a protest will be furnished by the Water Resources Department upon request.

Dated at Salem, Oregon, this 20th day of September, 1976.

JAMES E. SEXSON
Director

Published October 1, 8 and 15, 1976.

TJ-147

RECEIVED

NOV - 3 1976

WATER RESOURCES DEPT
SALEM, OREGON

RECEIVED
AUG 26 1976
WATER RESOURCES DEPT
SALEM, OREGON

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Arthur N. Robison
(Name of applicant)

of Alder Cr. Rt., Fossil
(Postoffice), County of Wheeler,

State of Oregon 97830, 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 Alder Cr.
(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
upper: 832' N. and 1530' E.
lower: 858' S. 700' W.

4. The point of diversion is located ft. and ft. from the S.W.
(N. or S.) (E. or W.)

corner of section 13 being within the upper: SE $\frac{1}{4}$ SW $\frac{1}{4}$
UPPER: sec. 13 (Section or subdivision)
lower: sec. 23

of Section 8 S. 23 E. W. M., in the County of Wheeler
(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 $\frac{1}{4}$
✓ 8 S.	23 E.	13											2.3					
✓		23	3.0			0.2												
✓		24						2.2										

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? 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? 1894

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

10. Do you hold a water right certificate? yes If so, give number of certificate 25363 Vol. 17
(Yes or No)

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

yes If so, give title of proceedings John Day Decree
(Yes or No)

12. Is the water right recorded in your name? no; Nettie I. Hunt

(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 upper: 212' N and 375' E
lower: 536' S and 700' W
upper: SW $\frac{1}{4}$ SW $\frac{1}{4}$ (N. or S.) 13 (E. or W.) from the SW
corner of sec. 13 being within the lower: NE $\frac{1}{2}$ NE $\frac{1}{2}$ of Section 23 Tp. 8S R. 23E W. M.,
(Smallest legal subdivision) (No. N. or S.) (No. E. or W.)
in the county of Wheeler 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? 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 changing from flood system to
a sprinkler system.

AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of Wheeler

} ss.

I, Arthur N. Robison, 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 23rd day of August, 1976

Arthur N. Robison
(Name of applicant)

Subscribed and sworn to before me this 23rd day of August, 1976

[Notarial Seal]

Robert F. Manning
NOTARY PUBLIC FOR OREGON

My commission expires April 1, 1979

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.

Transfer No. 3469

NOTICE OF COMPLETION OF CONSTRUCTION

I, Arthur N. Robison 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 Feb. 23, 1977, approving an application
for a change in point of diversion of water from ALDER CREEK
_____.

March 24, 1977
Date

ARTHUR N. ROBISON
Name

RECEIVED

MAR 28 1977

WATER RESOURCES DEPT.,
SALEM, OREGON

OK JWC

NOV-30-202
8-10-79
JLB
40
375-145
Near corner
Transfer No.

County **WHEELER**

- 21 - 6 cases
- 2-36" DIM Case

[illegible]

AUGUST 14, 1979

INFO: MR ROBINSON

SOURCE: ALDER CREEK

DIVERIONS: #1 - A 6" DIA Steel pipe diverts
WATER INTO " SMALL POND AND THEN RE-PUMPED,

PUMP: GE 10 HP AT 3530 RPM
CORNELL DDC 2 1/4" x 1 1/2"

DIVERSION #2 - A 6" DIA STEEL PIPE DIVERTS
WATER INTO ANOTHER POND THEN RE-PUMPED

GE 5 HP AT 3500 RPM

CORNELL DDC 1 1/2" x 1 1/2"

PIPE: 2000' - 3' - LATERAL ALUM

1300' - 6' STEEL MAIN

HEADS: 50 - RB's 30's 9/64 x 3/32 30 MAX

USE: IRRIGATION

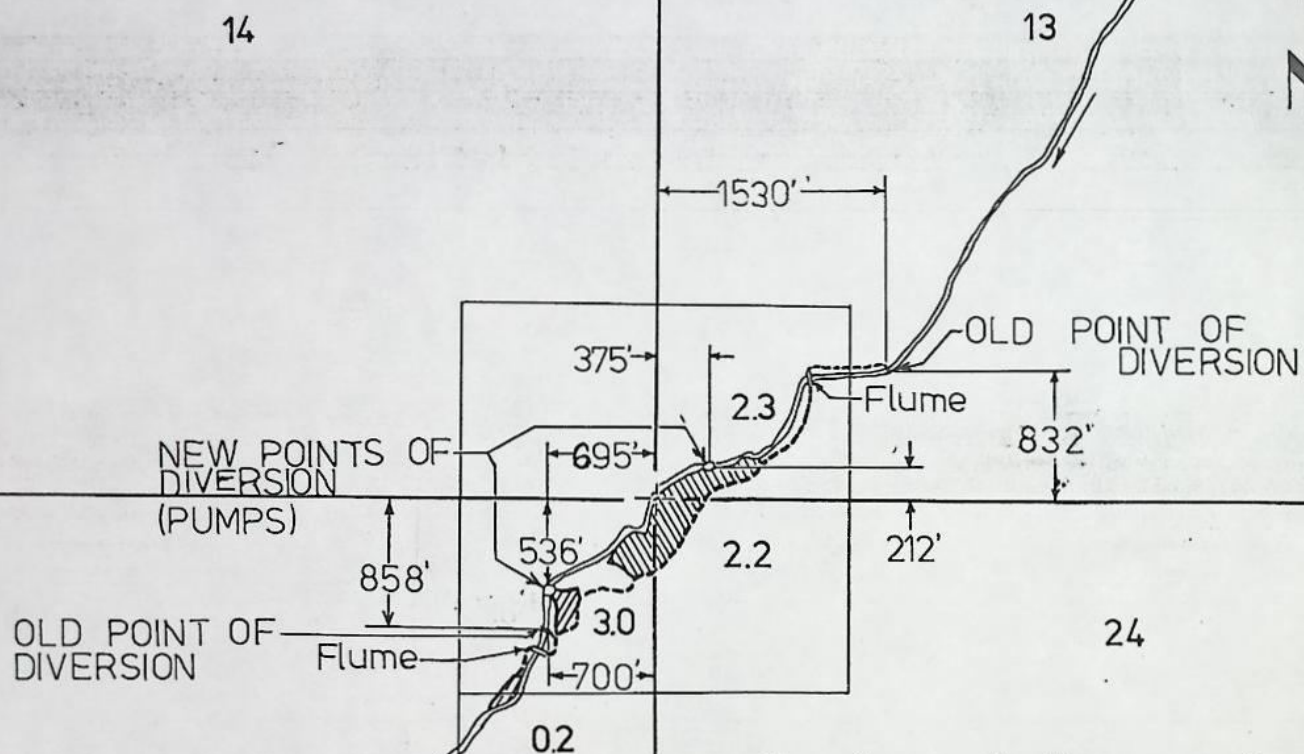
CROP: ALFALEA, PASTURE

LIFT: DIV. #1 - Suction 5 ft Discharge 0 to + 30 to 40 ft
DIV #2. " " 0 to + 20 ft

TIE DOU-3N-202

AC Brown
FIELD ENGINEER

TOWNSHIP 8 SOUTH, RANGE 23 EAST,
WILLAMETTE MERIDIAN



Transfer application map for
Arthur N. Robison (C. 25363)

Map taken from adjudication map

Scale: 4" = 1 mile

RECEIVED

AUG 26 1976

WATER RESOURCES DEPT
SALEM, OREGON

Approved

Arthur N. Robison

Drawn by Rod Allen

T-3469

(Agrees w/ Adj Map)