

Edmund H. Dwyer  
2020 S.W. 325 Ave  
Hillsboro 97123

3047

STATUS OF APPLICATION

Change in place of use  
Date filed 5-20-74  
Date of hearing \_\_\_\_\_  
Place of hearing \_\_\_\_\_  
Date of order 11-5-75 Vol. 26, page 164  
Date for application of water 10-1-76  
Proof mailed \_\_\_\_\_  
Proof received \_\_\_\_\_  
Certificate issued JAN 29 1978 40, page 47347  
Survey 2/76

DESCRIPTION OF WATER RIGHT

Name of stream Dairy Creek ~~DVA Notification~~  
Trib. of \_\_\_\_\_ County of Washington  
Use irrigation  
Quantity of water \_\_\_\_\_ No. of acres 8.0  
Name of ditch \_\_\_\_\_  
Date of priority July 18, 1941  
In name of Edmund H. Dwyer  
\_\_\_\_\_ Adjudication, Vol. \_\_\_\_\_, page \_\_\_\_\_  
App. No. 19414 Per. No. 14968 Cert. No. 37993  
Certificate cancelled \_\_\_\_\_  
Notation made on record by \_\_\_\_\_

FEES PAID

Date	Amount	Receipt No.
<u>5-20-74</u>	<u>25.00</u>	<u>40177</u>
TOTAL . . .		
<u>5-20-74</u>	<u>1.50</u> Cert. Fee	<u>40178</u>

FEES REFUNDED

Date	Amount	Check No.
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REMARKS

TO BE ENTERED WHERE CHECKED

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

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STATE OF OREGON  
COUNTY OF WASHINGTON  
**CERTIFICATE OF WATER RIGHT**

**This Is to Certify, That**      **EDMUND H. DUYCK**

of 2020 S. W. 325<sup>th</sup> Avenue, Hillsboro, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Dairy Creek

a tributary of Tualatin River for the purpose of  
irrigation of 50.0 acres

under Permit No. 14968 of the State Engineer, 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 July 18, 1941

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 0.625 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 SE $\frac{1}{4}$  SW $\frac{1}{4}$  as projected within Job DLC 50, Section 1, T. 1 S., R. 3 W., W. M. Diversion point located: 120 feet North and 1990 feet East from SW Corner, Section 1.

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:

9.8 acres NW $\frac{1}{4}$  NE $\frac{1}{4}$   
21.2 acres NE $\frac{1}{4}$  NW $\frac{1}{4}$   
19.0 acres NW $\frac{1}{4}$  NW $\frac{1}{4}$   
Section 12  
T. 1 S., R. 3 W., W. M.

This certificate is issued to confirm a change in point of diversion approved by an order of the State Engineer entered November 18, 1966, and supersedes certificate of water right heretofore issued to Emil H. and Anna H. Duyck, and recorded at page 20587, Volume 15, State Record of Water Right Certificates.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this date. December 30, 1971

CHRIS L. WHEELER

State Engineer



BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Washington County

IN THE MATTER OF THE APPLICATION }  
OF EDMUND H. DUYCK FOR THE }  
APPROVAL OF A CHANGE IN PLACE OF }  
USE OF WATER FROM DAIRY CREEK }  
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ORDER APPROVING  
TRANSFER NO. 3047

On May 20, 1974, Edmund H. Duyck filed an application in the office of the Water Resources Director for the approval of a change in place of use of water from Dairy Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Edmund H. Duyck and recorded at page 37993, Volume 30, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.625 cubic foot per second of water from Dairy Creek for the irrigation of, among other lands, 8.0 acres in NW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 12, Township 1 South, Range 3 West, W.M., with a date of priority of July 18, 1941. These lands are irrigated from a point of diversion located 120 feet North and 1990 feet East from the Southwest corner of Section 1, being within the SE $\frac{1}{4}$  SW $\frac{1}{4}$ , Section 1, Township 1 South, Range 3 West, W.M.

The applicant herein, owner of the land above described, proposes to transfer the water right therefrom, without loss of priority, to 8.0 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 11, Township 1 South, Range 3 West, W.M.

Notice by publication as provided by ORS 540.520 was not given in connection with this application for the reason that said section provides notice is not required on an application for a change in place of use of water.

Mr. Clayton J. Gardner, Watermaster of District No. 1, has filed a statement to the effect that the proposed change in place of use of water may be made without injury to existing rights.



The Department of Veterans' Affairs, mortgagor of the property, has given approval to the change in place of use.

No objections 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.

NOW, THEREFORE, it hereby is ORDERED that the change in place of use of water is approved and the water right hereinbefore described as appurtenant to 8.0 acres in NW $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 12, Township 1 South, Range 3 West, W.M., with a date of priority of July 18, 1941, be severed therefrom and simultaneously and without loss of priority transferred to 8.0 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$ , Section 11, Township 1 South, Range 3 West, W.M.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1976.

It is FURTHER ORDERED that certificate of water right heretofore issued to Edmund H. Duyck and recorded at page 37993, Volume 30, State Record of Water Right Certificates, is canceled, and upon receipt of proof satisfactory to the Water Resources Director of application of water to beneficial use, a certificate of water right shall be issued to Edmund H. Duyck confirming the extent to which the water has been applied beneficially, and covering the balance of the lands not involved in this proceeding.

Dated at Salem, Oregon, this 5th day of November, 1975.

/s/ JAMES E. SEXSON  
Director