

3217 George J. & Martha L. Regg  
Route 1, Box 180  
Clinton, 97378

3217

STATUS OF APPLICATION

Change in point of diversion  
Date filed 5-5-75  
Date of hearing \_\_\_\_\_  
Place of hearing \_\_\_\_\_  
Date of order 2-23-76 Vol. 26, page 409  
Date for application of water 10-1-76  
Proof mailed \_\_\_\_\_  
Proof received \_\_\_\_\_  
Certificate issued MAR 30 1979 Vol. 41, page 47761  
Survey 11/76

DESCRIPTION OF WATER RIGHT

Name of stream Mill Creek  
Trib. of \_\_\_\_\_ County of Colk  
Use fish culture  
Quantity of water 2.01 cfs No. of acres Fish Culture  
Name of ditch Pump  
Date of priority September 20, 1957  
In name of Wm. P. Harris  
\_\_\_\_\_ Adjudication, Vol. \_\_\_\_\_, page \_\_\_\_\_  
App. No. 31885 Per. No. 25131 Cert. No. 29569  
Certificate cancelled \_\_\_\_\_  
Notation made on record by \_\_\_\_\_

FEES PAID

Date	Amount	Receipt No.
<u>5-5-75</u>	<u>30.00</u>	<u>46643</u>
TOTAL . . .		
<u>5-5-75</u>	<u>1.50</u> Cert. Fee	<u>46644</u>

FEES REFUNDED

Date	Amount	Check No.

REMARKS

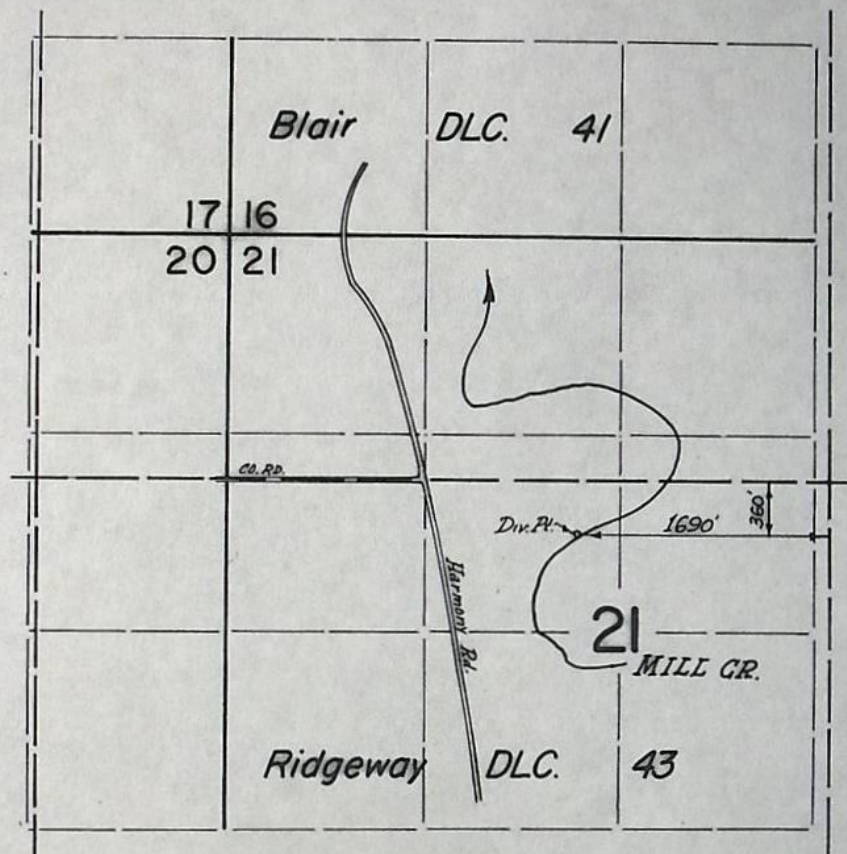
See 20959 See also T 3218-3219-3220  
28215  
19959  
R-31884  
31885

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

24



T.6S.,R.6W.,W.M.



**FINAL PROOF SURVEY**  
UNDER

Transfer Nos. 3217, 3218, 3219, & 3220

Application No. .... Permit No. ....

IN NAME OF

GEORGE J. & HERTA L. RIGGS

Surveyed Aug. 8, 1977, by L.M. Tarkenton



DFP-3LL-158  
8-8-77 LMT

7060 County P  
HARMONY RD

- 175 Proj. w/IN RIDGEWAY DLC 43

[illegible]



INFO- MR. RIGGS - SHOWED US DIV. PT.

DIV- PUMPS DIRECTLY FROM MIN. CREEK

PUMP- BECKER DDC 2'1/2 x 2"

MOTOR- CENTURY 15 H.P @ 3500 RPM

PIPE - ~~ATTACHES~~ WATER THRU IRRIGATION PIPE

1500' 3" ALUM MAIN

1200' 8" LAT.

~~HEADS - 30 RB 30 3/10 ALL MAY~~

USE - FISH CULTURE

LIFT - + 30

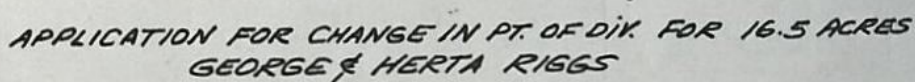
TIE - DFR 3CL - 158

NOTES DO WITH <sup>TRANS.</sup> 3218, 3219, 3220

Larry T. Jell  
FE  
8/8/77



RECEIVED  
MAY 5 1975  
STATE ENGINEER  
WASHINGTON



Surveyed April 7... 1958, by R.H. Whitby...

970  
077  
062  
166  
✓  
✓  
✓

16.5

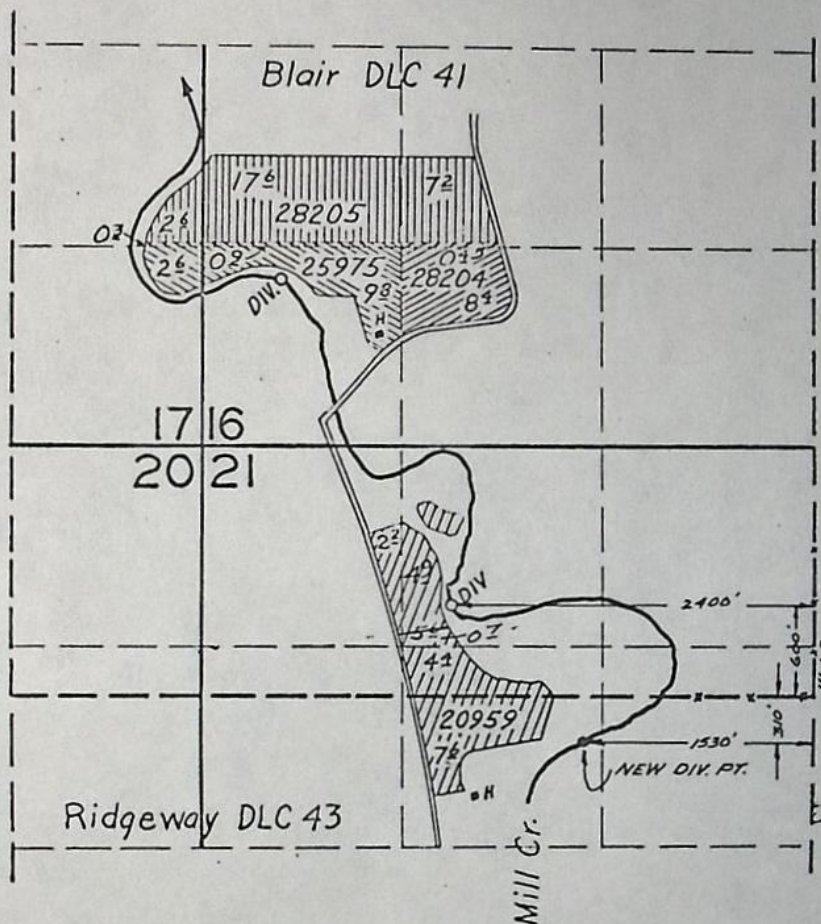
(28)

T-3220



T.6S.R.6W.WM

RECEIVED  
MAY 5 1975  
STATE ENGINEER  
SALEM, OREGON



TRANSFER APPLICATION FOR CHANGE IN PT. of DIV.  
FOR 12.7 ACRES FOR GEORGE & HERTA RIGGS

# FINAL PROOF SURVEY

Application No. 20959 Permit No. 20357  
Gerald R. Allen  
Otto Debrick  
Dan O. Blair  
Dan O. Blair

Surveyed July 12, 1954, by T. Jones

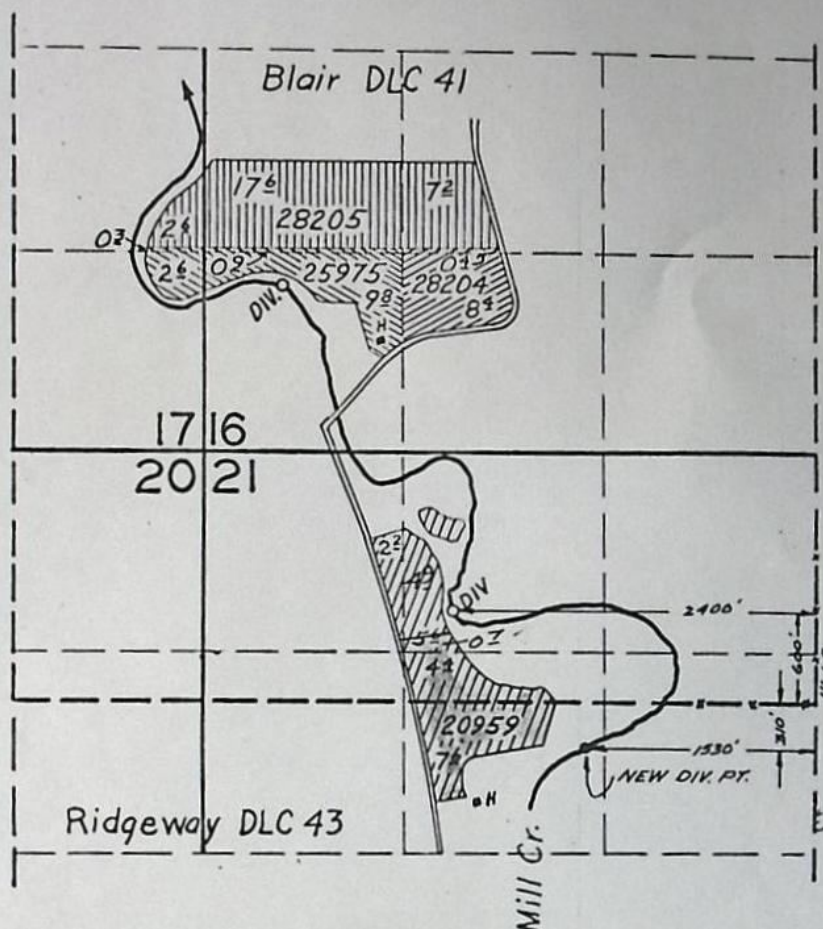
DFP-3D-63

T-3218



T.6S.R.6W. WM

RECEIVED  
MAY 5 1975  
STATE ENGINEER  
SALEM, OREGON



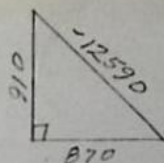
TRANSFER APPLICATION FOR CHANGE IN PT. of DIV.  
FOR 12.7 ACRES FOR GEORGE & HERTA RIGGS

### FINAL PROOF SURVEY

	20959	161.06
	28205	221.93
	28204	221.92
Application No.	25975	Permit No. 20357
Gerald R. Allen		
Otto DeBrick		
Dan O. Blair		
Dan O. Blair		

Surveyed July 12, 1954, by T. Jones

DFP-3D-68



T-3218

RECEIVED

SEP 3 1976

Transfer No. 3217

WATER RESOURCES DEPT.  
OREGON

NOTICE OF COMPLETION OF CONSTRUCTION

I, George J. & Herta L. Riggs 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 February 23, 1976, approving an application  
for a change in point of diversion of water from Mill Creek

Sept-3-76  
Date

George J. Riggs  
Herta L. Riggs  
Name



T-3217  
T-3218  
T-3219  
T-3220

November 18, 1976

George J. and Herta L. Riggs  
Route 1, Box 180  
Sheridan, Oregon 97378

Dear Mr. and Mrs. Riggs:

I have your notice advising that construction work has been completed as required in our orders approving your applications for changes in points of diversion from Mill Creek.

In line with the general practice of this office, surveys will be made at a later date.

Sincerely,

James W. Carver, Jr.  
Engineer

JWC:whh



BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Polk County

IN THE MATTER OF THE APPLICATION OF )  
GEORGE J. AND HERTA L. RIGGS FOR THE )  
APPROVAL OF A CHANGE IN POINT OF )  
DIVERSION OF WATER FROM MILL CREEK )

ORDER APPROVING  
TRANSFER NO. 3217

-----  
On May 5, 1975, George J. and Herta L. Riggs filed an application in the office of the Water Resources Director for the approval of a change in point of diversion of water from Mill Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to William P. Harris and recorded at Page 29569, Volume 21, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.01 cubic foot of water per second from an unnamed draw and 0.01 cubic foot of water per second from Mill Creek for maintenance of the reservoir constructed under permit number R-2075 for fish culture in SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 21, township 6 South, Range 6 West, W.M., with a date of priority of September 20, 1957. The reservoir is located in the channel of the unnamed draw and water is diverted from Mill Creek at a point located 580 feet South and 1850 feet West from the Southeast corner of Blair D.L.C. #41, being within the SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 21, Township 6 South, Range 6 West, W.M.

The applicants herein, owners of the reservoir site above described, propose to divert water from Mill Creek at a point to be located 310 feet South and 1530 feet West from the Southeast corner of Blair D.L.C. #41, being within the SE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 21, Township 6 South, Range 6 West, 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 less than one-fourth mile where there is no intervening diversion.

Mr. Gene McGinnis, Watermaster of District No. 2, has filed a report 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 Mill Creek, to wit:

From a point located 580 feet South and 1850 feet West from the Southeast corner of Blair D.L.C. #41, being within the SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 21, Township 6 South, Range 6 West, W.M.

To a point to be located 310 feet South and 1530 feet West from the Southeast corner of Blair D.L.C. #41, being within the SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 21, Township 6 South, Range 6 West, W.M.,

for maintenance of the reservoir constructed under Permit No. R-2075, for fish culture in the SE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 21, Township 6 South, Range 6 West, W.M., with a date of priority of September 20, 1957, 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 from Mill Creek shall not exceed the quantity of water available at the old point of diversion, and shall not exceed 0.01 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 William P. Harris and recorded at Page 29569, Volume 21, State Record of Water Right Certificates, is canceled, 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 to George J. and Herta L. Riggs confirming the change in point of diversion and confirming the right to the use of water from the unnamed draw not involved in the change.

Dated at Salem, Oregon, this 23rd day of February, 1976.

James E. Sexson  
Director



**RECEIVED**  
MAY 5 1975  
STATE ENGINEER  
SALEM, OREGON

# Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, George J & Herta L. Riggs  
(Name of applicant)

of RT 1 Box 180 Sheridan, County of Polk  
(Postoffice)

State of Oregon 97378, 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 Mill Creek  
(Name of stream)

2. The use to which the water is applied is fish culture  
(Irrigation; Mining; Power; Manufacturing; etc.)

3. The name of the ditch, canal or pipe line is pump

4. The point of diversion is located 580 ft. S and 1850 ft. W from the SE  
(N. or S.) (E. or W.)

corner of Blair DLC 41 being within the SE 1/4 NW 1/4  
(Section or subdivision)

of Section 21 Tp. 6S R. 6W W. M., in the County of Polk  
(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
6S	6W	21								X	fish culture							

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? September 20, 1957

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

of permit 25131



10. Do you hold a water right certificate? Yes If so, give number of certificate 29569  
(Yes or No)

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

No

(Yes or No)

If so, give title of proceedings

12. Is the water right recorded in your name? No - William P Harris  
(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 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

(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 310 ft. S and 1530 ft. W from the SE  
(N. or S.) (E. or W.)  
corner of Blair DC41 being within the SE 1/4 NW 1/4 of Section 21 Tp. 6S R. 6W W. M.,  
(Smallest legal subdivision) (No. N. or S.) (No. E. or W.)  
in the county of Polk The name of the ditch to be used is Pump

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.? Yes  
(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 Consolidate all points of diversion to a common point

MAILED 10-11-1968

RECEIVED



AFFIDAVIT OF APPLICANT

STATE OF OREGON,

County of

Marion

} ss.

I, George J. and Herta L. Riggs, 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 5<sup>th</sup> day of May, 1975.

x

George J. Riggs

x

Herta Louise Riggs

(Name of applicant)

Subscribed and sworn to before me this 5<sup>th</sup> day of May, 1975.

[Notarial Seal]

Vestal R. Stinner

NOTARY PUBLIC FOR OREGON

My commission expires May 12, 1978

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.



STATEMENT

# The Polk County Itemizer-Observer

Polk County's Official Newspaper

Telephone 623-2373, P.O. Box 108, Dallas, Oregon

Water Resources Dept.  
1178 Chemeketa St. NE  
Salem, OR 97310

3218

Notice of Hearing...Diver. of Water  
76 lines, 3 times

**RECEIVED**

FEB - 9 1976

WATER RESOURCES DEPT.  
SALEM, OREGON

46 44

*22 2/6/76*

**RECEIVED**

DEC 18 1975

WATER RESOURCES DEPT.  
SALEM, OREGON

Commercial Printing