

3218

## STATUS OF APPLICATION

Change in point of diversion  
 Date filed 5-5-75  
 Date of hearing \_\_\_\_\_  
 Place of hearing \_\_\_\_\_  
 Date of order 2-24-76 Vol. 26, page 413  
 Date for application of water 10-1-76  
 Proof mailed \_\_\_\_\_  
 Proof received \_\_\_\_\_  
 Certificate issued **MAR 30 1979** Vol. 41, page 47760  
*Be Survey*

## DESCRIPTION OF WATER RIGHT

Name of stream Mill Creek  
 Trib. of \_\_\_\_\_ County of Polk  
 Use irrigation  
 Quantity of water \_\_\_\_\_ No. of acres 12 1/2  
 Name of ditch pump  
 Date of priority July 12, 1945  
 In name of William P. Harris  
 \_\_\_\_\_ Adjudication, Vol. \_\_\_\_\_, page \_\_\_\_\_  
 App. No. 20959 Per. No. 16406 Cert. No. 20966  
 Certificate cancelled \_\_\_\_\_  
 Notation made on record by \_\_\_\_\_

## FEES PAID

Date	Amount	Receipt No.
5-5-75	30.00	46640
5-5-75	45.00 p.d.n.	46641
1-26-76	(45.00 paid)	46641
TOTAL	1.50	
5-5-75	\$1 Cert. Fee	46642

## FEES REFUNDED

Date	Amount	Check No.

## REMARKS

See 20959, 28215, 19959, R-31824, 31885

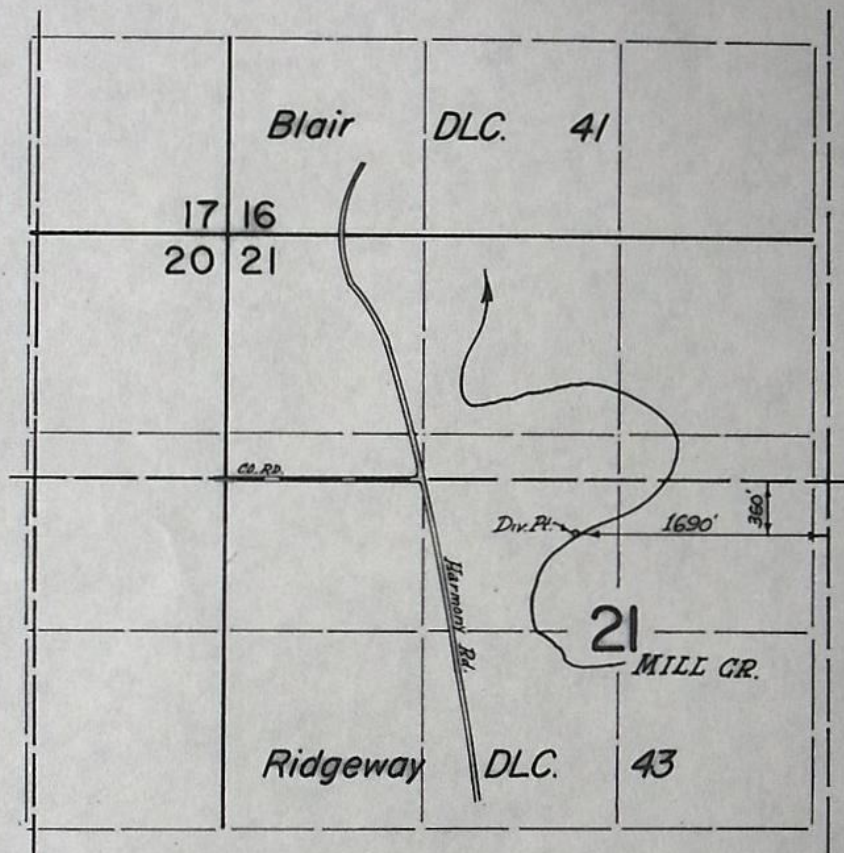
See also T 3217, 3219, 3220

Transfer No 3227 includes balance of right

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



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, 1911, by L. M. Tamm



BEFORE THE STATE ENGINEER 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. 3218

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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 20966, Volume 15, State Record of Water Right Certificates, confirmed a right to the use of not to exceed 0.248 cubic foot per second of water from Mill Creek for the irrigation of, among other lands, 0.7 acre in NE $\frac{1}{4}$  NW $\frac{1}{4}$ , and 12.0 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 21, Township 6 South, Range 6 West, W.M., with a date of priority of July 12, 1945. These lands are irrigated from a point of diversion located 600 feet North and 2400 feet West from the Southeast corner of Blair D.L.C. #41, being within the NE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 21, Township 6 South, Range 6 West, W.M.

The applicant herein, owner of the lands above described, proposes to irrigate these lands from a point of diversion 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.

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. 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 600 feet North and 2400 feet West from the Southeast corner of Blair D.L.C. #41, being within the NE $\frac{1}{4}$  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 the irrigation of 0.7 acre in NE $\frac{1}{4}$  NW $\frac{1}{4}$  and 12.0 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 21, Township 6 South, Range 6 West, W.M., with a date of priority of July 12, 1945, 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 0.159 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.

On February 4, 1976, an order was entered by the Water Resources Director approving a change in point of diversion for the irrigation of the balance of the right not involved in the change authorized herein. Said order also canceled the certificate recorded at Page 20966.

It is FURTHER ORDERED that upon receipt of proof satisfactory to the Water Resources Director of completion of the change in point of diversion authorized herein, a certificate of water right shall be issued to George J. and Herta L. Riggs confirming the change in point of diversion.

Dated at Salem, Oregon this 24th day of February, 1976.

JAMES E. SEXSON  
Director



Dr. *Alm*

DFP-366-~~158~~ 158  
8-8-77 LNF

7060 Harmony Rd

Rt. 1, Box 180, Sheridan 97378

5. Yamhill River

0.159  
0.248 c.f.s.

irrigation of 127 ac.

310 ft. S. and 1530 ft. W. from SE corner of

Las prej. ofn Ridgeway DLC 43

DATE FOR APPLICATION OF WATER 10/1/76

[illegible]



SAME REPORT AS TRANS<sup>#</sup> 3217

HEADS - 30 RB 30 5/16 (All Max)

USE - PASTURE

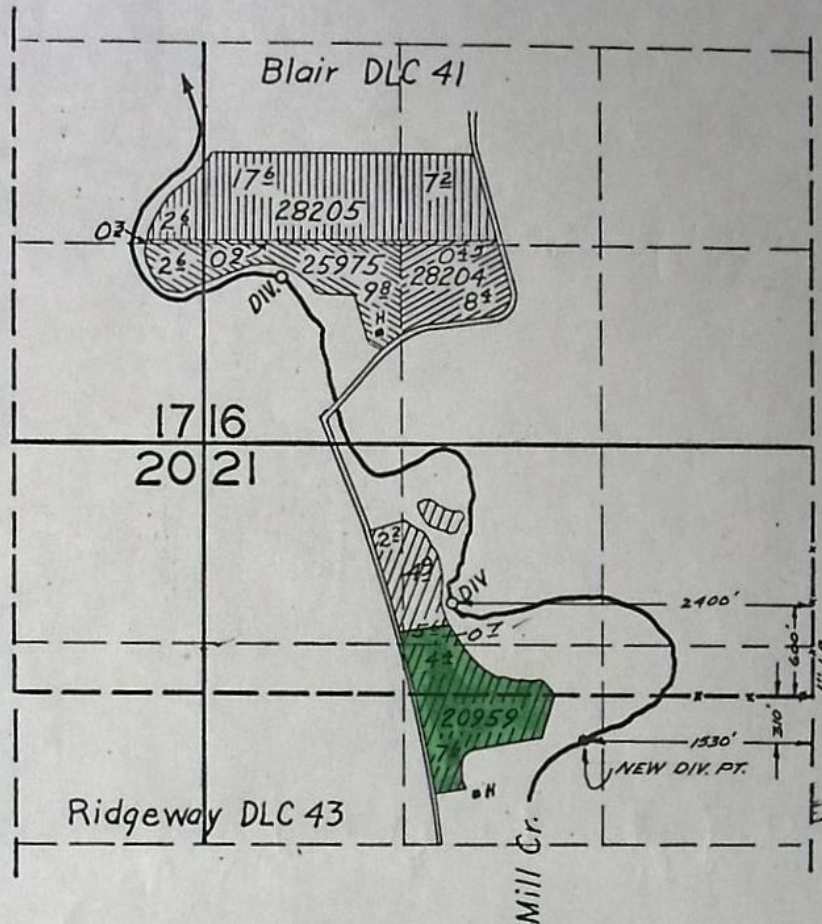
DO WITH 3217, 3219, 3220

Larry Told  
FE  
8/8/77



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

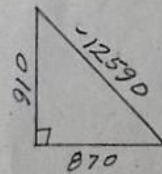
Application No. 25975 Permit No. 20357  
Gerald R. Allen  
Otto Debrick  
Dan O. Blair  
Dan O. Blair

Surveyed July 12, 1954, by T. Jones

DFP-3D-68

T-3218

T-3218





RECEIVED

SEP 3 1976

WATER RESOURCES DEPT.  
PORTLAND, OREGON

Transfer No. 3218

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 24, 1976, approving an application  
for a change in point of diversion of water from Mill Creek

Sept 3 - 76  
Date

Geo. 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



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

August 18, 1976

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

Dear Mr. and Mrs. Riggs:

Enclosed are certified copies of the orders of the Water Resources Director approving your applications for changes in points of diversion of water from Mill Creek.

Also enclosed are notices of completion of construction for each which should be dated, signed and returned to this office when the change in point of diversion has been completed.

Sincerely,

Wayne J. Overcash  
Water Rights Engineer

WJO:whh

Enclosures

cc: Gene McGinnis, Watermaster, Dist. No. 2

Note: Copy of cancelation mailed also.



T-3218

\$ 30.00 Ex & Rec  
150 cert.  
45.00 Notice  
\$ 76.50

**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 PT. of Div.

(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 Irrigation of 12.7 acres  
(Irrigation; Mining; Power; Manufacturing; etc.)

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

4. The point of diversion is located 600 ft. N and 2400 ft. W from the S.E.  
(N. or S.) (E. or W.)

corner of Blair DLC 41 being within the NE 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					0 <sup>7</sup>			12 <sup>0</sup>								

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, 1945

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

of permit 16406



10. Do you hold a water right certificate? yes If so, give number of certificate 20966  
(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? 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 $\frac{1}{4}$	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 310 ft. S and 1530 ft. W from the SE corner of Block DLC 41 being within the SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 21 Tp. 6S R. 6W W. M.,  
(N. or S.) (E. or W.)  
(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

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  
x

Geo. J. Riggs

Herta Louise Riggs  
(Name of applicant)

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

[Notarial Seal]

Ustul R. Gagne  
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.