

Ph. 581-6554

3488

STATUS OF APPLICATION

Change in placed use  
Date filed 11-8-76  
Date of hearing \_\_\_\_\_  
Place of hearing \_\_\_\_\_  
Date of order 12-15-76 Vol. 28, page 185  
Date for application of water 10-1-78  
Proof mailed \_\_\_\_\_  
Proof received APR 23 1981  
Certificate issued \_\_\_\_\_ Vol. 43, page 49933

REMARKS

DESCRIPTION OF WATER RIGHT

Name of stream unnamed  
Trib. of \_\_\_\_\_ County of LINCOLN  
Use domestic  
Quantity of water \_\_\_\_\_ No. of acres \_\_\_\_\_  
Name of ditch \_\_\_\_\_  
Date of priority \_\_\_\_\_  
In name of \_\_\_\_\_  
\_\_\_\_\_ Adjudication, Vol. \_\_\_\_\_, page \_\_\_\_\_  
App. No. \_\_\_\_\_ Per. No. \_\_\_\_\_ Cert. No. 43270  
Certificate cancelled \_\_\_\_\_  
Notation made on record by \_\_\_\_\_

FEES PAID

Date	Amount	Receipt No.
<u>11-8-76</u>	<u>35.00</u>	<u>56748</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

INDEX CARDS:	Entered	Checked
<u>44</u> Name	<u>✓</u>	
<u>104</u> Stream	<u>✓</u>	
<u>104</u> Pt. of Div.		
<u>104</u> Calendar	<u>✓</u>	
CHECKED TO RECORDS:		
_____ Twp. & Rge.	<u>GLS</u>	
_____ Decree-mult		
_____ Decree-safe		
<u>✓</u> Cert. of W/R	<u>✓</u>	
<u>✓</u> Per. folder	<u>✓</u>	
_____ Chnindex		
_____ Cross Ref.		
<u>✓</u> Power Claim	<u>✓</u>	
<u>✓</u> Abstracts	<u>✓</u>	



## STATE OF OREGON

COUNTY OF

LINCOLN

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That **IRVIN R. PHIFER**

of **5144 36th Ave. SE Salem**, State of **Oregon, 97302**, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of **an unnamed stream**

a tributary of **Alsea River** for the purpose of **domestic use for two families**

under Permit No. **31592** 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 **October 12, 1966** 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 **0.01 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 **NE $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 36, T. 13 S., R. 10 W., W. M., 4500 feet North and 3180 feet West from the SE Corner, Section 36.**

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 ----- of one cubic foot per second per acre,

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:

**NE $\frac{1}{4}$  NW $\frac{1}{4}$   
Lot 6 (NW $\frac{1}{4}$  NW $\frac{1}{4}$ )  
Section 36  
T. 13 S., R. 10 W., W. M.**

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described, and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed

this date.

July 6, 1976

James E. Sexson  
Water Resources Director



BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Marion County

IN THE MATTER OF THE APPLICATION )  
OF IRVIN R. PHIFER FOR THE APPROVAL )  
OF A CHANGE IN PLACE OF USE OF WATER )  
FROM AN UNNAMED STREAM )  
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ORDER APPROVING  
TRANSFER NO. 3488

On November 8, 1976, Irvin R. Phifer filed an application in the office of the Water Resources Director for the approval of a change in place of use of water from an unnamed stream pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right recorded at Page 43270, Volume 35, State Record of Water Right Certificates, in the name of Irvin R. Phifer, describes an existing right of record for the use of not to exceed 0.01 cubic foot per second from an unnamed stream for domestic use for two families, being one residence in NE $\frac{1}{4}$  NW $\frac{1}{4}$  and one residence in Lot 6 (NW $\frac{1}{4}$  NW $\frac{1}{4}$ ), Section 36, Township 13 South, Range 10 West, W.M., with a date of priority of October 12, 1966.

Water for the said right is diverted from a point located 4500 feet North and 3180 feet West from the Southeast corner of Section 36, being within the NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 36, Township 13 South, Range 10 West, W.M.

The applicant herein, owner of the lands above described, proposes to change, without loss of priority, the place of use from the one family residence in NE $\frac{1}{4}$  NW $\frac{1}{4}$  to a new one family residence in Lot 6 (NW $\frac{1}{4}$  NW $\frac{1}{4}$ ) of Section 36, Township 13 South, Range 10 West, W.M.

Mr. Ben Monroe, Watermaster of District No. 18, has filed a statement to the effect that the proposed change in place of use may be made without injury to existing rights.

No objection 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 requested change in place of use described herein, without loss of priority, is approved.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1978.

It is FURTHER ORDERED that 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, the certificate of water right heretofore issued to Irvin R. Phifer and recorded at Page 43270, Volume 35, State Record of Water Right Certificates, be canceled, and in lieu thereof a new confirming certificate of water right shall be issued to Irvin R. Phifer.

Dated at Salem, Oregon, this 15th day of December, 1976.

/s/ JAMES E. SEXSON  
Director