

351. Harold N. Andrichson
Route 2, Box 66
Milton, Decatur, Mo. 97862

3501

STATUS OF APPLICATION

Change in place of use
Date filed 12-15-76
Date of hearing _____
Place of hearing _____
Date of order 2-15-77 Vol. 28, page 321
Date for application of water 10-1-78
Proof mailed _____
Proof received DEC 19 1977
Certificate issued SEP 4 1980 Vol. 37, page 43

REMARKS

DESCRIPTION OF WATER RIGHT

Name of stream Dugger
Trib. of _____ County of Umatilla
Use irrigation
Quantity of water _____ No. of acres 1.0
Name of ditch _____
Date of priority _____
In name of _____
Adjudication, Vol. 3, page 123
App. No. _____ Per. No. _____ Cert. No. 1698
Certificate cancelled _____
Notation made on record by _____

FEES PAID

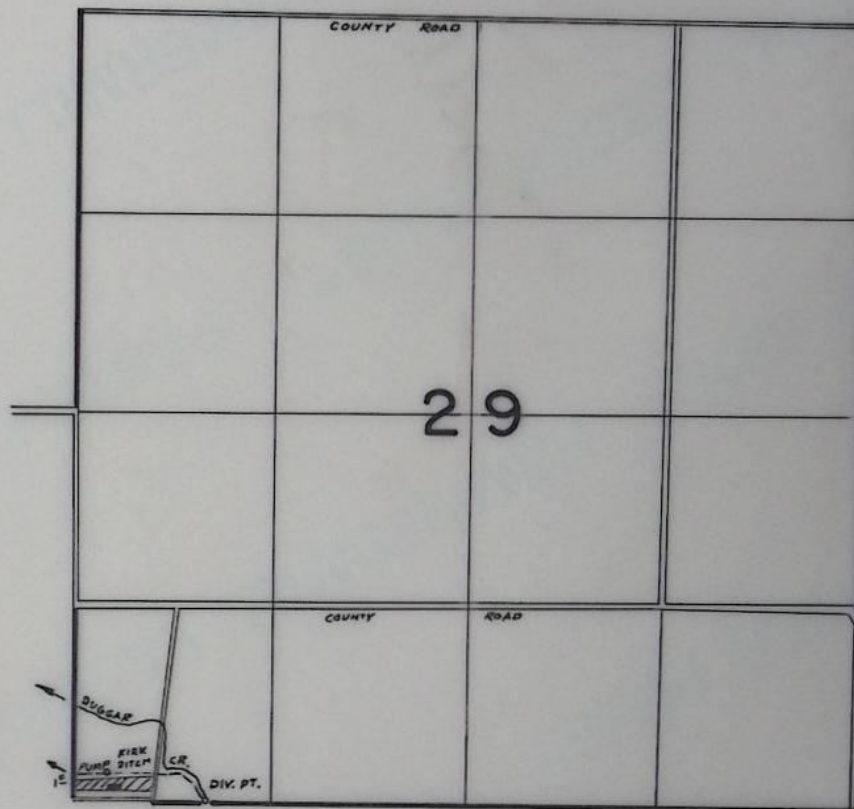
Date	Amount	Receipt No.
<u>12-15-76</u>	<u>30.00</u>	<u>57239</u>
TOTAL . . .	<u>2.00</u>	
<u>1-21-77</u>	Cert. Fee	<u>57679</u>

FEES REFUNDED

Date	Amount	Check No.
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INDEX CARDS:	Entered	Checked
<u>W/H</u> Name	<u>✓</u>	<u>✓</u>
<u>W/H</u> Stream	<u>✓</u>	<u>✓</u>
<u>W/H</u> Pt. of Div.	<u>✓</u>	<u>✓</u>
<u>W/H</u> Calendar	<u>✓</u>	<u>✓</u>
CHECKED TO RECORDS:		
<u>✓</u> Twp. & Rge.	<u>GLS</u>	<u>✓</u>
<u>✓</u> Decree-vault	<u>leg</u>	<u>✓</u>
<u>✓</u> Decree-safe	<u>leg</u>	<u>✓</u>
<u>✓</u> Cert. of W/R	<u>leg</u>	<u>✓</u>
<u>✓</u> Per. Folder	<u>✓</u>	<u>✓</u>
<u>✓</u> Chaindex	<u>✓</u>	<u>✓</u>
<u>✓</u> Cross Ref.	<u>✓</u>	<u>✓</u>
<u>✓</u> Power Claim	<u>✓</u>	<u>✓</u>
<u>✓</u> Abstracts	<u>✓</u>	<u>✓</u>

T. 6N. R. 35E. W.M.



FINAL PROOF SURVEY
UNDER

TRANSFER 3501

Application No. Permit No.
IN NAME OF

..... W. I. HARRIS

Surveyed 9-20 1978., by R. BARWIN

STATE OF OREGON

WATER DIVISION NO. 2 COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

(For Rights which have been confirmed by the Courts)

This is to Certify, That DANIEL J. KIRK
of Freewater State of Oregon has a right to the use of
the waters of Dugger Creek and Spring Branch or Swamp, tributary of Pine Creek,
for the purpose of the irrigation of 151.5 acres of land and stock and domestic use,

and that said right has been confirmed by decree of the Circuit Court, of the State of Oregon for Umatilla County, and the said decree entered of record at Salem, in the Order Record of the ^{STATE WATER BOARD} of the State of Oregon, in Volume 3, at page 321 ; that the priority of the right hereby confirmed dates from the year 1871 for the irrigation of 22 acres, from 1909 for 3.4 acres, from 1900 for 60.5 acres, from 1906 for 36.8 acres, from 1870 for 23.4 acres and from 1903 for 5.4 acres; 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 a rate of flow of 1.89 sec. ft. from May 1st to September 1st of each year or its equivalent in case of rotation; the total quantity diverted during each irrigation season not to exceed 454.5 acre feet.

A description of the lands irrigated under such right, and to which the water hereby confirmed is appurtenant, or, if for other purposes, the place where such water is put to beneficial use, is as follows:

23.2 acres in Southwest quarter of Southwest quarter; 34.8 acres in Southeast quarter of Southwest quarter; Section Twenty-nine (29), 25.6 acres in Southeast quarter of Southeast quarter; 38.4 acres in Northeast quarter of Southeast quarter; 29.5 acres in Southwest quarter of Southeast quarter; Section Thirty (30), Township Six (6) North Range Thirty-five (35) East of Willamette Meridian, in Umatilla County, Oregon.

21.8 acres of the above irrigated from Spring Branch or Swamp, under date of 1906, balance of appropriation from Dugger Creek.

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

WITNESS the seal and signature of the ^{State}
Water Board
affixed this 16th day
of July, 1917.

STATE WATER BOARD

(SEAL OF STATE WATER BOARD)

By JOHN H. LEWIS
State Engineer, President

Attest:

M. F. MERS
Secretary

Recorded in State Record of Water Right Certificates, Volume 3, page 1698 .

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Umatilla County

IN THE MATTER OF THE APPLICATION)
OF GERALD N. HENDRICKSON FOR THE)
APPROVAL OF A CHANGE IN PLACE OF)
USE OF WATER FROM DUGGAR CREEK)

ORDER APPROVING
TRANSFER NO. 3501

On December 15, 1976, Gerald N. Hendrickson filed an application in the office of the Water Resources Director for the approval of a change in place of use of water from Duggar Creek pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right recorded at Page 1698, Volume 2, State Record of Water Right Certificates, in the name of Daniel J. Kirk, describes an existing right of record which includes the use of not to exceed 0.01 cubic foot per second from Duggar Creek for irrigation of a certain 1.0 acre in the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 29, Township 6 North, Range 35 East, W.M., with a date of priority of 1871.

Water for the said right is diverted through the Kirk #4 ditch from a point located 260 feet North and 740 feet East from the Southwest corner, being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 29, Township 6 North, Range 35 East, W.M.

The applicant herein, owner of the lands above described, proposes to change, without loss of priority, the place of use and to irrigate a certain 1.0 acre in the SW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 29, Township 6 North, Range 35 East, W.M.

Mr. William Porfily, Watermaster of District No. 5, 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 from Dugger Creek 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 the certificate of water right heretofore issued to Daniel J. Kirk and recorded at Page 1698, Volume 2, State Record of Water Right Certificates, is canceled, and in lieu thereof a new certificate be issued covering the balance of the right not involved in this proceeding, 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 Gerald N. Hendrickson.

Dated at Salem, Oregon, this 15th day of February, 1977.

/s/ JAMES E. SEXSON
Director