

3540 Phillip A. Hawmans  
Route 1, Box 629  
Dundee, Or

3540

STATUS OF APPLICATION

Change in place of use and point of diversion  
Date filed 2-22-77  
Date of hearing 5-26-77  
Place of hearing McMinnville  
Date of order 7-29-77 Vol. 29, page 149  
Date for application of water 10-1-79  
Proof mailed \_\_\_\_\_

Proof received \_\_\_\_\_  
Certificate issued OCT 17 1977 Vol. 36, page 44923  
AUG 23 1979 42 48519

*to survey 12/77*

DESCRIPTION OF WATER RIGHT

Name of stream Yamhill River  
Trib. of \_\_\_\_\_ County of Yamhill  
Use irrigation  
Quantity of water \_\_\_\_\_ No. of acres 60 <sup>2</sup>  
Name of ditch \_\_\_\_\_  
Date of priority \_\_\_\_\_  
In name of \_\_\_\_\_  
Adjudication, Vol. \_\_\_\_\_, page \_\_\_\_\_  
App. No. 49172 Per. No. 36861 Cert. No. \_\_\_\_\_  
Certificate cancelled \_\_\_\_\_  
Notation made on record by \_\_\_\_\_

FEES PAID

Date	Amount	Receipt No.
<u>2-22-77</u>	<u>54.30</u>	<u>58344</u>
TOTAL . . .		
<u>8-9-79</u>	<u>\$2 Cert. Fee</u>	<u>Transfr 58771 (file 49172)</u>
<u>2-22-77</u>	<u>PON 50.00</u>	<u>38345</u>
<u>6-9-77</u> ck. # <u>1350</u> <u>4.99</u> applied to Payment		
FEES REFUNDED <u>to new paper</u>		

Date	Amount	Check No.
<u>Express P.O.N. 6-9-77</u>	<u>\$45.01</u>	<u>{ See #1352</u>
<u>Express Rec. Fila</u>	<u>\$ 1.55</u>	

#2 cert fee on File 49172 Re#58771

Recd 54.30  
Fees, Exam 20-  
POD 15-  
POV 17.75  
52.75  
\$1.55 excess

REMARKS

Cross Transfer with T#3539

*Final Proof Map 10/4/55304*

W.R.I.S.

Assembled \_\_\_\_\_ by \_\_\_\_\_  
Entered \_\_\_\_\_ by \_\_\_\_\_  
Verified \_\_\_\_\_ by \_\_\_\_\_

INDEX CARDS:	Entered	Checked
Name	<u>lgj</u>	_____
Stream	<u>lgj</u>	_____
Pt. of Div.	_____	_____
Calendar	<u>lgj</u>	_____
CHECKED TO RECORDS:		
✓ Top. & Hgs.	<u>lgj</u>	_____
Decree-ult.	_____	_____
Charge-ult.	_____	_____
0 Cert. of W/R	_____	_____
✓ Per. holder	<u>✓</u>	_____
Chain Index	_____	_____
Cross Ref.	_____	_____
Power Claim	_____	_____
Abstracts	<u>lgj</u>	_____

SP\*70822-119

432

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

YAMHILL COUNTY

IN THE MATTER OF THE APPLICATION )  
OF PHILLIP A. HAWMAN FOR APPROVAL )  
OF A CHANGE IN PLACE OF USE AND )  
POINT OF DIVERSION OF WATER )  
FROM YAMHILL RIVER )

ORDER APPROVING  
TRANSFER NO. 3540

On February 22, 1977, an application was filed in the office of the Water Resources Director by Phillip A. Hawman for changes in place of use and point of diversion under an existing water right of record, pursuant to the provisions of ORS 540.510 to 540.530.

Pursuant to the provisions of ORS 537.260(2) proof has been made to the satisfaction of the Water Resources Director that a right has been perfected under the terms of permit No. 36861, in the name of Phillip A. Hawman, which includes the use of not to exceed 0.75 cubic foot per second from Yamhill River for irrigation of 3.4 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$ , 2.2 acres in SE $\frac{1}{4}$  SW $\frac{1}{4}$ , 5.2 acres in NE $\frac{1}{4}$  SE $\frac{1}{4}$ , 22.0 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$ , 16.0 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$  and 11.4 acres in SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 9, Township 4 South, Range 3 West, W.M., with a date of priority of April 19, 1972.

Water for the said right is diverted from a point located 4530 feet South and 10 feet West from the Northeast corner of Section 9, being within the SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 9, Township 4 South, Range 3 West, W.M.

The applicant herein, owner of the lands above described, proposes to sever the right therefrom and, without loss of priority, to irrigate in lieu thereof a certain 38.0 acres in SW $\frac{1}{4}$  SW $\frac{1}{4}$  and 19.0 acres in SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 9; and 3.2 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 16, Township 4 South, Range 3 West, by a diversion of water from a point located 1440 feet South and 1050 feet West from the Northeast corner of Section 16, being within the SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 16, Township 4 South, Range 3 West. W.M.

V29  
P-146-131

Notice of the application, pursuant to ORS 540.510, was published in the Dayton Tribune, a newspaper printed and having general circulation in Yamhill County, Oregon, for a period of three weeks in the issues of April 7, 14 and 21, 1977.

Mr. Benjamin E. Monroe, Watermaster, has filed a statement to the effect that the proposed changes in place of use and point of diversion may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed changes in place of use and point of diversion may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested changes in place of use and point of diversion as described herein, without loss of priority, are approved.

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 under the subject right, and shall not exceed 0.75 cubic feet per second.

It is FURTHER ORDERED that the following 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 construction work shall be completed and the change in point of diversion of water made and said water so transferred

shall be applied to beneficial use on or before October 1, 1979.

It is FURTHER ORDERED that a 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 the applicant herein.

Dated at Salem, Oregon, this 29th day of July, 1977.

/s/ James E. Sexson  
Director

RECEIVED

Permit A-5M-1-70

49172

use record  
58771  
Bok

MAK 4 1977

STATE OF OREGON

WATER RESOURCES DEPT.  
SALEM, OREGON

COUNTY OF YAMHILL

CERT.

Proof of Appropriation of Water

PHILIP A. HAWMAN

of Route 1, Box 629, Dundee  
has applied beneficially the waters of  
Yamhill River

, State of Oregon, 97115

a tributary of Willamette River  
irrigation of 94.3 acres  
60.2

for the purpose of

under Permit No. 36861 and that the use of said waters has been completed under the  
terms of said permit; that the priority of the right dates from  
April 19, 1972

that the amount of water for the purposes aforesaid, has been actually beneficially used in the  
amount of

1.18 cubic feet per second, if available at the original point of diversion; SE<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub> SEC 9  
0.75 T4S R3W W.M., 4530' S E 10' W from the NE cor SEC 9

or its equivalent in case of rotation, measured at the point of diversion from the stream.  
The point of diversion is located in the #1-SE<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>, Section 9; #2-NW<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>, Section 10,  
T. 4 S., R. 3 W., W. M.; 3530 feet South and 420 feet East; 4530 feet South and  
10 feet West; both from the NE Corner, Section 9.

SE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub> W/IN ALDERMAN D.L.C. 43 SEC 16, T4S R3W.W.M.; 1500' S E 1030' W FROM  
N.E. COR. SEC. 16

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<sup>1</sup>/<sub>2</sub> 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, and to which such right is appurtenant, is  
as follows:

0<sup>2</sup>/<sub>3</sub> NE SE  
7<sup>6</sup>/<sub>16</sub> SE SE  
SEC. 8  
1<sup>2</sup>/<sub>16</sub> NE SW  
1<sup>6</sup>/<sub>16</sub> NW SW  
3<sup>2</sup>/<sub>16</sub> SW SW  
1<sup>2</sup>/<sub>16</sub> SE SW  
SEC. 9  
3<sup>2</sup>/<sub>16</sub> NE NW  
1<sup>6</sup>/<sub>16</sub> NW NW  
SEC. 16  
T4S R3W W.M.

ALL W/IN  
HANNA  
DLC 44

18.4 acres SE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>  
3.4 acres NE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>  
2.2 acres SE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>  
20.4 acres NE<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>  
22.0 acres NW<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>  
16.0 acres SW<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>  
11.4 acres SE<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>  
Section 9

0.5 acre SW<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>  
Section 10  
T. 4 S., R. 3 W., W. M.

This certificate is issued to confirm a change in place of use  
and point of diversion approved by an order of the WRD entered  
July 29, 1977 and together with certificate of water right recorded  
at page 44923 Vol. 36, SRNRC supersedes the water right perfected  
under the terms of permit No. 36861.

AUG 23 1979

48519

RECEIVED

Permit A-5M-1-76

49172

SP-32556-690

MAK 4 1977

WATER RESOURCES DEPT.  
SALEM, OREGON

STATE OF OREGON

COUNTY OF

YAMHILL

# Proof of Appropriation of Water

PHILIP A. HAWMAN

of Route 1, Box 629, Dundee  
has applied beneficially the waters of  
Yamhill River

, State of Oregon, 97115

a tributary of Willamette River  
irrigation of ~~94.3~~ acres  
341

for the purpose of

under Permit No. 36861 and that the use of said waters has been completed under the  
terms of said permit; that the priority of the right dates from  
April 19, 1972

that the amount of water for the purposes aforesaid, has been actually beneficially used in the  
amount of

~~1.18~~ cubic feet per second

0.43

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 1/4~~ <sup>as proj. w/in Alderman DLC 43</sup> SE 1/4, Section 9; ~~NW 1/4~~ <sup>as proj. w/in Alderman DLC 43</sup> NW 1/4, Section 10,  
T. 4 S., R. 3 W., W. M.; ~~3530~~ <sup>420</sup> feet South and ~~420~~ <sup>420</sup> feet East; ~~4530~~ <sup>4530</sup> feet South and  
~~10~~ <sup>420</sup> feet West; both from the NE Corner, Section 9.

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 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, and to which such right is appurtenant, is  
as follows:

18.4 acres SE 1/4 NE 1/4	7 # 3540
<del>3.4 acres NE 1/4 SW 1/4</del>	3 #
<del>2.2 acres SE 1/4 SW 1/4</del>	2 #
<del>20.4 acres NE 1/4 SE 1/4</del>	5 #
<del>22.0 acres NW 1/4 SE 1/4</del>	2 #
<del>16.0 acres SW 1/4 SE 1/4</del>	1 #
<del>11.4 acres SE 1/4 SE 1/4</del>	11 #
Section 9	

0.5 acre SW 1/4 NW 1/4 <sup>as proj w/in Alderman DLC 43</sup>  
Section 10  
T. 4 S., R. 3 W., W. M.

I have read the above and foregoing proof of appropriation of water; I know the contents  
thereof, and that the facts therein stated are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 26 day of Feb.

19 77

Phillip A. Hawman

This certificate describes that portion of the right perfected under the terms  
of water right permit No. 36861, NOT modified by the provisions of an order of  
the Water Resources Director entered on July 29, 1977, approving transfer  
application No. 3540.