

3541 J. L. Hendricks
Rt. 2, Box 208
Monmouth, Or 97361
16405 AIRLIE RD.

3541

20/27 75

STATUS OF APPLICATION

Change in point of diversion + place of use
Date filed 2-23-77
Date of hearing 7-7-77
Place of hearing Dallas
Date of order 7-29-77 Vol. 29, page 152
Date for application of water 10-1-79
Proof mailed _____
Proof received _____
Certificate issued DEC 9 1988 Vol. 55, page 58749

DESCRIPTION OF WATER RIGHT

Name of stream Little Lucksumate R.
Trib. of _____ County of Polk
Use irrigation
Quantity of water _____ No. of acres 40 5
Name of ditch _____
Date of priority _____
In name of _____
_____ Adjudication, Vol. _____, page _____
App. No. 27473 Per. No. 21626 Cert. No. 24210
Certificate cancelled _____
Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>2-23-77</u>	<u>47 75</u>	<u>58429</u>
TOTAL . . .		
	No Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

See also T#3542 & 3

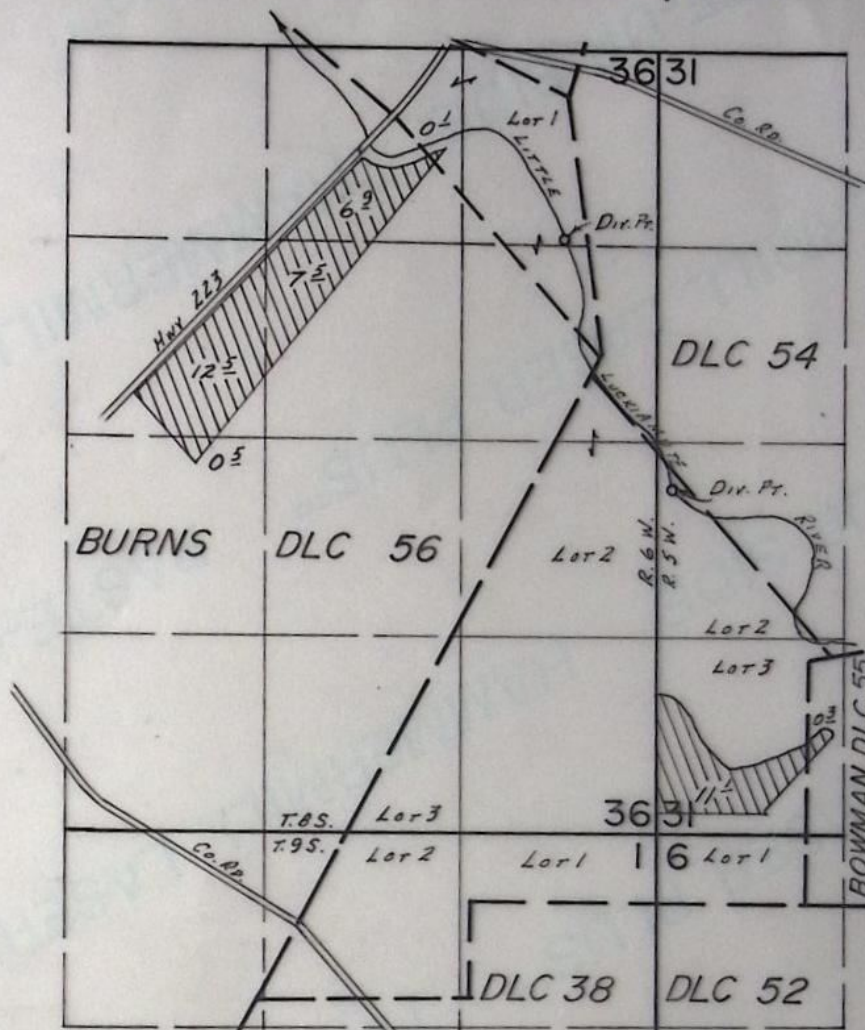
OK art
to survey 3/80

REMARKS

CARD FOR C DEC 26 1979

W.R.I.S.	
Assembled <u>7-8-85</u> by <u>501</u>	
Entered _____ by _____	
Verified _____ by _____	

INDEX CARDS:	Entered	Checked
Name	<u>leg</u>	
Stream	<u>leg</u>	
Pt. of Div.		
Calendar	<u>leg</u>	
CHECKED TO RECORD:		
Two & Reg.	<u>leg</u>	
Deeds & Maps		
Deeds & Maps		
Cert. of W/R	<u>✓</u>	
Per. Folder	<u>✓</u>	
Check list		
Ch. of		
Claim		
Abstracts	<u>leg</u>	



Div. Pts. Loc.: 2330' N. & 80' E FROM SW COR. SEC. 31 & 1280' S.
& 630' W. FROM NE COR. SEC. 36.

SCALE: 1" = 1320'

FINAL PROOF SURVEY

UNDER

Transfer No. 3541

IN NAME OF

J. L. HENDRICKSON

Surveyed Aug. 8 1983, by L.M. TOLL

Proposed Cert.
AF

STATE OF OREGON
COUNTY OF POLK

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

J. L. Hendrickson
~~ELMER KNAUPP~~

of ^{16405 Airlie Rd. Monmouth} ~~Dallas~~, State of Oregon 97361, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Little Luckiamute River

a tributary of Luckiamute River for the purpose of irrigation of ~~40.5~~ ^{38.9} acres.

under Permit No. 21626 of the State Engineer, 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 July 21, 1952,

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 0.50 cubic foot per second, if available at the original point of diversion: NE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 6, T. 9 S., R. 5 W., W.M.

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 $\frac{1}{4}$ SW $\frac{1}{4}$ as projected within Sarah Bowman DLC #51, Section 6, Township 9 South, Range 5 West, W.M. NW $\frac{1}{4}$ SW $\frac{1}{4}$ section 31, T. 8 S., R. 5 W., W.M. and NE $\frac{1}{4}$ NE $\frac{1}{4}$, section 36, T. 8 S., R. 6 W., W.M.; 2330' N & 80' E from SW cor sec 31, 1280' S & 630' W from NE corner sec 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 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 $\frac{1}{2}$ 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 hereby confirmed, and to which such right is appurtenant, is as follows:

11.1 acres lot 3 (SW $\frac{1}{4}$ SW $\frac{1}{4}$)
0.3 acre SW $\frac{1}{4}$ SW $\frac{1}{4}$ sec 31, T. 8 S., R. 5 W., W.M.
Section 31
T. 8 S., R. 5 W., W.M.

0.1 acre lot 1 (NW $\frac{1}{4}$ NE $\frac{1}{4}$)

6.9 acres NW $\frac{1}{4}$ NE $\frac{1}{4}$

7.5 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$

12.5 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$

0.5 acre NE $\frac{1}{4}$ SW $\frac{1}{4}$

all four as proj. w/in Burns DLC 56

2.8 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$

16.5 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$

21.2 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 6

Section 36 All as projected within Sarah Bowman DLC #51

T. 8 S., R. 6 W., W.M. Township 9 South, Range 5 West, W.M.

3 Clause

This certificate is issued to confirm a change in place of use & diversion approved by an order of the Water Resources Director entered July 29, 1977 and supersedes certificate 24210, State Record of Water Right Certificates.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

LEWIS A. STANLEY

State Engineer

58749

T#3541

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

POLK COUNTY

IN THE MATTER OF THE APPLICATION)
OF J. L. HENDRICKSON FOR APPROVAL)
OF CHANGES IN PLACE OF USE AND)
POINT OF DIVERSION OF WATER)
FROM LITTLE LUCKIAMUTE RIVER)

ORDER APPROVING
TRANSFER NO. 3541

On February 23, 1977, an application was filed in the office of the Water Resources Director by J.L. Hendrickson 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.

The certificate recorded at page 24210, Volume 17, State Record of Water Right Certificates, in the name of Elmer Knaupp, describes a right for the use of not to exceed 0.50 cubic foot per second from Little Luckiamute River for irrigation of 2.8 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 16.5 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ and 21.2 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 6, Township 9 South, Range 5 West, W.M., with a date of priority of July 21, 1952.

Water for the said right is diverted from a point located 1600 feet South and 1000 feet East from the Northwest corner of DLC No. 51, being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 6, Township 9 South, Range 5 West, W.M.

The applicant herein, owner of said lands, proposes to sever the right therefrom and, without loss of priority, to irrigate a certain 9.5 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 6.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ and 13.6 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 36, Township 8 South, Range 6 West, W.M., by diversion of water from a point located 1320 feet South and 530 feet West from the Northeast corner of Section 36, being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Section 36; and to irrigate a certain 11.4 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 31, Township 8 South, Range 5 West, W.M., by diversion of water from a point located 2330 feet North and 80 feet East from the Southwest corner of Section 31, being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 31.

Notice of the application, pursuant to ORS 540.510, was published in the Itemizer-Observer, a newspaper printed and having general circulation in Polk County, Oregon, for a period of three weeks in the issues of May 11, 18 and 25, 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 points of diversion shall not exceed the quantity of water available at the old point of diversion under the subject right, and shall not exceed 0.50 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 head-gates 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 the certificate of water right heretofore issued to Elmer Knaupp and recorded at page 24210, Volume 17, State Record of Water Right Certificates, is canceled, 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

NOTICE OF WATER RIGHT
TRANSFER APPLICATIONS
NOS. 3541, 3542 and 3543

Notice is given hereby that J. L. Hendrickson has filed three applications in the office of the Water Resources Director for the approval of changes in place of use and point of diversion from Little Luckiamute River.

(1) The certificate recorded at Page 24210, Vol. 17, State Record of Water Right Certificates, in the name of Elmer Knaupp, describes a right for the use of not to exceed 0.50 cubic foot per second from Little Luckiamute River for irrigation of 2.8 acres in SW 1/4 NE 1/4, 16.5 acres in SE 1/4 NE 1/4 and 21.2 acres in NE 1/4 SE 1/4 of Sec. 8, T. 9 S., R. 5 W., W.M., with a date of priority of July 21, 1952.

Water for the said right is diverted from a point located 1600 ft. S. and 1000 ft. E. from the NW corner of DLC #51, being within the NE 1/4 SW 1/4 of Sec. 6, T. 9 S., R. 5 W., W.M.

By application No. 3541, the applicant herein, owner of said lands, proposes to sever the right therefrom, and without loss of priority, to irrigate a certain 9.5 acres in NW 1/4 NE 1/4, 6.0 acres in SW 1/4 NE 1/4 and 13.6 acres in SE 1/4 NW 1/4 of Sec. 38, T. 8 S., R. 6 W., W.M., by diversion of water from a point located 1320 ft. S. and 530 ft. W. from the NE corner of Sec. 38, being within the NE 1/4 NE 1/4 of said Sec. 38; and to irrigate a certain 11.4 acres in SW 1/4 SW 1/4 of Sec. 31, T. 8 S., R. 5 W., W.M. by diversion of water from a point located 2330 ft. N. and 80 ft. E. from the SW corner of Sec. 31, being within the NW 1/4 SW 1/4 of said Sec. 31.

(2) The certificate recorded at Page 24209, Vol. 17, State Record of Water Right Certificates, in the name of Elmer Knaupp, describes a right for the use of not to exceed 0.48 cubic foot per second from Little Luckiamute River for irrigation of 15.5 acres in SW 1/4 NE 1/4, 0.1 acre in SE 1/4 NE 1/4, 1.1 acres in SE 1/4 NW 1/4, 1.2 acres in NE 1/4 SE 1/4 and 20.6 acres in NW 1/4 SE 1/4 of Sec. 6, T. 9 S., R. 5 W., W.M., with a date of priority of March 7, 1950.

Water for the said right is diverted from a point located 1600 ft. S. and 1000 ft. E. from the NW corner of DLC #51, being within the NE 1/4 SW 1/4 of said Sec. 6.

By application No. 3542 the applicant herein, owner of said lands, proposes to sever the right therefrom, and without loss of priority, to irrigate a certain 1.4 acres in SW 1/4 SW 1/4 of Sec. 31, T. 8 S., R. 5 W.; 19.5 acres in SE 1/4 SE 1/4 of Sec. 38, T. 8 S., R. 6 W.; 9.8 acres in NW 1/4 NW 1/4 of Sec. 6, T. 9 S., R. 5 W.; and 7.6 acres in NE 1/4 NE 1/4 of Sec. 1, T. 9 S., R. 6 W., by diversion of water from a point located 2330 ft. N. and 80 ft. E. from the SW corner of Sec. 38, T. 8 S., R. 5 W., W.M.

(3) The certificate recorded at Page 41727, Vol. 33, State Record of Water Right Certificates, in the name of Dr. C. J. Moser describes a right which includes the use of not to exceed 0.82 cubic foot per second from Little Luckiamute River for irrigation of 12.8 acres in SW 1/4 SW 1/4 of Sec. 31, T. 8 S., R. 5 W.; 19.5 acres in SE 1/4 SE 1/4 of Sec. 38, T. 8 S., R. 6 W.; 9.8 acres in NW 1/4 NW 1/4 of Sec. 6, T. 9 S., R. 5 W.; and 7.7 acres in NE 1/4 NE 1/4 of Sec. 1, T. 9 S., R. 6 W., W.M., with a date of priority of Jan. 17, 1968.

Water for the said right is diverted from a point located 2330 ft. N. and 80 ft. E. from the SW corner of Sec. 31, being within the NW 1/4 SW 1/4 of Sec. 31, T. 8 S., R. 5 W., W.M.

By application No. 3543, the applicant herein, owner of said lands, proposes to sever the right therefrom, and without loss of priority, to irrigate a certain 18.3 acres in SW 1/4 NE 1/4, 16.1 acres in SE 1/4 NE 1/4, 1.0 acre in SE 1/4 NW 1/4, 0.5 acre in NE 1/4 SE 1/4 and 13.9 acres in NW 1/4 SE 1/4 of Sec. 6, T. 9 S., R. 5 W., W.M., by diversion of water from a point located 1600 ft. S. and 1000 ft. E. from the NW corner of DLC #51, being within the NE 1/4 SW 1/4 of said Sec. 6.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Dallas, Oregon, on July 7, 1977, at 9:30 a.m. All objections to the proposed changes, if any there are, will be heard at said time and place. Any and all objections shall be prepared in writing, one copy to be served on J. L. Hendrickson, Route 2, Box 208, Monmouth, Oregon 97361, and one copy filed with the Water Resources Department, Salem, Oregon, 97310, together with a \$10 filing fee, at least 10 days prior to the date set for hearing. IF NO OBJECTION IS FILED, THE APPLICATION MAY BE APPROVED BY THE WATER RESOURCES DIRECTOR WITHOUT A HEARING. Administrative rules pertaining to the filing of a protest will be furnished by the Water Resources Department upon request.

Dated at Salem, Oregon, this 27th Day of April, 1977.

JAMES E. SEKSON
Director

(May 11, 18, 25, 1977)

Affidavit Of Publication

STATE OF OREGON, }
County of Polk } ss.

I, Joseph W. Blaha, being

first duly sworn, depose and say I am the PUBLISHER

of the Polk County Itemizer-Observer, a newspaper of general circulation

as defined by ORS 193.010 and 193.020, printed and published at Dallas in

the aforesaid county and state; that the Water Right Transfer

, a printed copy of which is hereto annexed,

was published in the entire issue of said newspaper for 23

successive and consecutive weeks in the following issues:

May 11, 18, 25, 1977

Subscribed and sworn to before me this 25 day of

May, 1977

Jakuta O. Shier
Notary Public for Oregon.

(My Commission Expires 9/5/78)



NOTICE OF WATER RIGHT TRANSFER
APPLICATIONS NOS.
3541, 3542 and 3543

Notice is given hereby that J. L. Hendrickson has filed three applications in the office of the Water Resources Director for the approval of changes in place of use and point of diversion from Little Lucklamute River.

(1) The certificate recorded at Page 24210, Vol. 17, State Record of Water Right Certificates, in the name of Elmer Knaupp, describes a right for the use of not to exceed 0.50 cubic foot per second from Little Lucklamute River for irrigation of 2.8 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 16.5 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ and 21.2 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 6, T. 8 S., R. 5 W., W.M., with a date of priority of July 21, 1952.

Water for the said right is diverted from a point located 1600 ft. S. and 1000 ft. E. from the NW corner of DLC #51, being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 6, T. 8 S., R. 5 W., W.M.

By application No. 3541, the applicant herein, owner of said lands, proposes to sever the right therefrom, and without loss of priority, to irrigate a certain 8.5 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$, 8.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ and 13.6 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 36, T. 8 S., R. 6 W., W.M., by diversion of water from a point located 1920 ft. S. and 530 ft. W. from the NE corner of Sec. 36, being within the NE $\frac{1}{4}$ NE $\frac{1}{4}$ of said Sec. 36; and to irrigate a certain 11.4 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 31, T. 8 S., R. 5 W., W.M. by diversion of water from a point located 2330 ft. N. and 80 ft. E. from the SW corner of Sec. 31, being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Sec. 31.

(2) The certificate recorded at Page 24209, Vol. 17, State Record of Water Right Certificates, in the name of Elmer Knaupp, describes a right for the use of not to exceed 0.48 cubic foot per second from Little Lucklamute River for irrigation of 15.5 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 0.1 acre in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 1.1 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, 1.2 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ and 20.6 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 6, T. 8 S., R. 5 W., W.M., with a date of priority of March 7, 1950.

Water for the said right is diverted from a point located 1600 ft. S. and 1000 ft. E. from the NW corner of DLC #51, being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Sec. 6.

By application No. 3542 the applicant herein, owner of said lands, proposes to sever the right therefrom, and without loss of priority, to irrigate a certain 1.4 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 31, T. 8 S., R. 5 W.; 19.5 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 36, T. 8 S., R. 6 W.; 9.8 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 6, T. 8 S., R. 5 W.; and 7.8 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 1, T. 9 S., R. 6 W., by diversion of water from a point located 2330 ft. N and 80 ft. E. from the SW corner of Sec. 36, T. 8 S., R. 5 W., W.M.

(3) The certificate recorded at Page 41727, Vol. 33, State Record of Water Right Certificates, in the name of Dr. C. J. Moser describes a right which includes the use of not to exceed 0.62 cubic foot per second from Little Lucklamute River for irrigation of 12.8 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 31, T. 8 S., R. 5 W.; 19.5 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 36, T. 8 S., R. 6 W.; 9.8 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 6, T. 8 S., R. 5 W.; and 7.7 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Sec. 1, T. 9 S., R. 6 W., W.M., with a date of priority of Jan. 17, 1965.

Water for the said right is diverted from a point located 2330 ft. N. and 80 ft. E. from the SW corner of Sec. 31, being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Sec. 31, T. 8 S., R. 5 W., W.M.

By application No. 3543, the applicant herein, owner of said lands, proposes to sever the right therefrom, and without loss of priority, to irrigate a certain 18.3 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 16.1 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 1.0 acre in SE $\frac{1}{4}$ NW $\frac{1}{4}$, 0.5 acre in NE $\frac{1}{4}$ SE $\frac{1}{4}$ and 13.9 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Sec. 6, T. 8 S., R. 5 W., W.M., by diversion of water from a point located 1600 ft. S. and 1000 ft. E. from the NW corner of DLC #51, being within the NE $\frac{1}{4}$ SW $\frac{1}{4}$ of said Sec. 6.

All persons interested are notified hereby that a hearing will be held at the county courthouse at Dallas, Oregon, on June 7, 1977, at 9:30 a.m. All objections to the proposed change, if any there are, will be heard at said time and place. Any and all objections shall be prepared in writing, one copy to be served on J. L. Hendrickson, Route 2, Box 208, Monmouth, Oregon 97361, and one copy filed with the Water Resources Department, Salem, Oregon, 97310, together with a \$10 filing fee, at least 10 days prior to the date set for hearing. IF NO OBJECTION IS FILED, THE APPLICATION MAY BE APPROVED BY THE WATER RESOURCES DIRECTOR WITHOUT A HEARING. Administrative rules pertaining to the filing of a protest will be furnished by the Water Resources Department upon request.

Dated at Salem, Oregon, this 1st day of April, 1977.

JAMES E. SEXSON
Director

(April 13, 20, 1977)

Affidavit Of Publication

STATE OF OREGON, } ss.
County of Polk

I, Joseph W. Blaha, being

first duly sworn, depose and say I am the PUBLISHER

of the Polk County Itemizer-Observer, a newspaper of general circulation

as defined by ORS 193.010 and 193.020, printed and published at Dallas in

the aforesaid county and state; that the Water Right Transfer

T-3541-3542-3543

, a printed copy of which is hereto annexed,

was published in the entire issue of said newspaper for 2

successive and consecutive weeks in the following issues:

April 14, 20, 1977

Subscribed and sworn to before me this 20 day of

April, 1977

Joseph A. Shier
Notary Public for Oregon.

(My Commission Expires 9/5/78)