

3512 J. L. Hendrickson
Route 2, Box 208
Monmouth, Or 97361

16405 AIRLIE RD

3542

20/117²⁵

STATUS OF APPLICATION

Change in painty 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 155
Date for application of water 10-1-79
Proof mailed _____
Proof received _____
Certificate issued Sept 27, 1988 Vol. 54, page 57711

DESCRIPTION OF WATER RIGHT

Name of stream Little Lufkin Creek
Trib. of _____ County of Polk
Use irrigation
Quantity of water _____ No. of acres 38⁵
Name of ditch _____
Date of priority _____
In name of _____
_____ Adjudication, Vol. _____, page _____
App. No. 23611 Per. No. 19633 Cert. No. 24209
Certificate cancelled _____
Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>2-23-77</u>	<u>47²⁵</u>	<u>458430</u>
<u>11</u> P.O.N. <u>90⁰⁰</u>		<u>11</u>
TOTAL . . .		
	No Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.
See T-3543		

Fees Exam 20-
POD 15-
POU 12²⁵
47²⁵

See also T# 3541, 3

to survey 3/80

PON in file 3541

WM Report "

CARD FOR C DEC 26 1979

REMARKS

W.R.I.S.

Assembled 7-8-85 by SP4

Entered _____ by _____

Verified _____ by _____

INDEX CARDS:	Entered	Checked
Name	<u>lej</u>	
Stream	<u>lej</u>	
Pt. of Div.		
Calendar	<u>lej</u>	
CHECKED TO REMARKS:		
Trp. & Rgn.	<u>lej</u>	
Deed-vault		
Deed-safe		
Cert. of W/R	<u>✓</u>	
Per. Folder	<u>✓</u>	
Chaindex		
Cross Ref.		
Power Claim	<u>lej</u>	
Abstracts		

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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, 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 38.5 acres under Permit No. 19633 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 March 7, 1950,

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 0.43 cubic foot per second, if available at the original point of diversion:

NE 1/4 SW 1/4, section 6, T. 9 S., R. 5 W., W.M., as proj. within Bowman DLC 51

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 1/4 SW 1/4 as projected within S. Bowman DLC #51, Section 6, Township 9 South, Range 5 West, W.M.
lot 2 (NW 1/4 SW 1/4) section 31, T. 8 S., R. 5 W., W.M.; 2330' N and 80' E from SW corner of sec 31.

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

1.4 acres lot 3 (SW 1/4 SW 1/4)

Section 36, T. 8 S., R. 5 W., W.M.

19.5 acres SE 1/4 SE 1/4 Section 36

T. 8 S., R. 6 W., W.M.

2.7 acres lot 1 (NW 1/4 NW 1/4)

0.1 acre NW 1/4 NW 1/4 as proj. within Bowman DLC 39

Section 6

T. 9 S., R. 5 W., W.M. All as projected within Sarah Bowman DLC #51

2.8 acres lot 1 (NE 1/4 NE 1/4)

Section 1

T. 9 S., R. 6 W., W.M.

15.5 acres SW 1/4 NE 1/4

0.1 acres SE 1/4 NE 1/4

1.1 acres SE 1/4 NW 1/4

1.2 acres NE 1/4 SE 1/4

20.6 acres NW 1/4 SE 1/4

Section 6

Township 9 South, Range 5 West, W.M.

3 Clause

This certificate is issued to confirm a change in place of use and point of diversion approved by an order of the Water Resources Director entered July 29, 1977 and supersedes certificate 24209, 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.

State Engineer

Recorded in State Record of Water Right Certificates, Volume 17, page 24209

T# 3542

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. 3542

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 24209, Volume 17, State Record of Water Right Certificates, in the name of Elmer Knaupp, describes a right for the use of not to exceed 0.48 cubic foot per second from Little Luckiamute 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 Section 6, Township 9 South, Range 5 West, W.M., with a date of priority of March 7, 1950.

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 1.4 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 31, Township 8 South, Range 5 West; 19.5 acres in SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 36, Township 8 South, Range 6 West; 9.8 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 6, Township 9 South, Range 5 West; and 7.8 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 1, Township 9 South, Range 6 West, 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 Section 31, Township 8 South, Range 5 West, W.M.

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435-157

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 0.48 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 24209, 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