

3543
 Route 2, Box 208
 Monmouth, Or 97361

3543

20/30
 2-cert fee

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 158
 Date for application of water 10-1-79
 Proof mailed _____
 Proof received _____
 Certificate issued OCT 17 1977 Vol. 36, page 4488
Sept 27, 1980 54 57712

DESCRIPTION OF WATER RIGHT **DVA Notification**

Name of stream Little Luckiamute R.
 Trib. of _____ County of Polk
 Use irrigation
 Quantity of water _____ No. of acres 38[±] 49[±]
 Name of ditch _____
 Date of priority _____
 In name of _____
 _____ Adjudication, Vol. _____, page _____
 App. No. 41792 Per. No. 31286 Cert. No. 41727
 Certificate cancelled _____
 Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
2-23-77	100-	58431
TOTAL . . .		
2-23-77	2 Cert. Fee	58432

Paid Newspaper Polk Co. Democrat 6/10/77 Ch. #1357 *106.93

FEES REFUNDED

Date	Amount	Check No.
6-10-77	\$ 33.07	1358
See T-3542		

Fees Exam 20-
 POD 15-
 POV 15-
 50-

See also T#3541 & 2

to survey 3/80

PON in file 3541

REMARKS

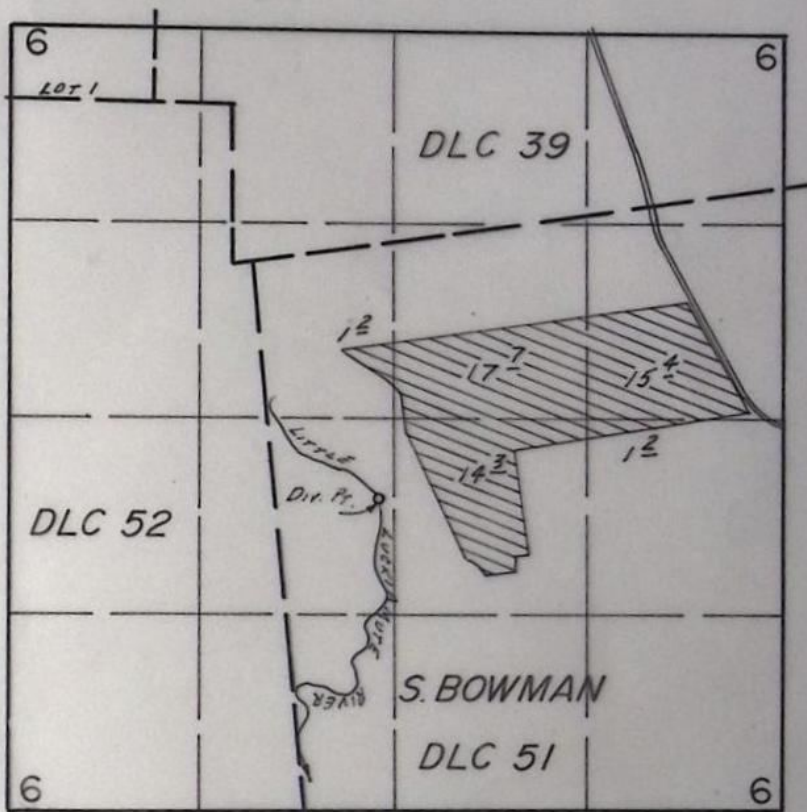
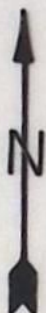
CARD FOR C DEC 26 1979

W.R.I.S.	
Assembled	7-8-85 by SQA
Entered	_____ by _____
Verified	_____ by _____

TO BE ENTERED WHERE CHECKED	INDEX CARDS:	
	Entered	Checked
_____ Name	lgj	_____
_____ Stream	lgj	_____
_____ Pt. of Div.	_____	_____
_____ Calendar	lgj	_____
_____ CHECKED TO RECORDS:		
✓ _____ Top. & Rgs.	lgj	_____
_____ Decree-variant	_____	_____
_____ Decree-site	_____	_____
_____ Cert. of W/R	✓	_____
_____ Per. Folder	✓	_____
_____ Chas. index	_____	_____
_____ Cross Ref.	_____	_____
_____ Power Claim	_____	_____
_____ Abstracts	lgj	_____

435

T.9S., R.5W., W.M.



Dir. Pt. Loc.: 1560 S. & 870 E. FROM NW COR. S. BOWMAN DLC 51.

SCALE: 1" = 1320'

FINAL PROOF SURVEY
UNDER

Transfer No. 3543

IN NAME OF

J. L. HENDRICKSON

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

INSPECTION

BWB

Superseded by
Cert. No. 44888
37712

STATE OF OREGON

COUNTY OF POLK

CERTIFICATE OF WATER RIGHT

This Is to Certify, That **DR. C. J. MOSER**

of **124 NW Midland Avenue, Grants Pass**, State of **Oregon**, 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 61.5 acres**

under Permit No. **31286** 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 **January 17, 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 **0.77 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 **Lot 2 (NW $\frac{1}{4}$ SW $\frac{1}{4}$), Section 31, T. 8 S., R. 5 W., W. M., 2330 feet North and 80 feet East from SW Corner, Section 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 $\frac{1}{2}$ 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:

**12.5 acres Lot 3 (SW $\frac{1}{4}$ SW $\frac{1}{4}$)
0.3 acre SW $\frac{1}{4}$ SW $\frac{1}{4}$
As projected within Bowman DLC 55
Section 31
T. 8 S., R. 5 W., W. M.**

**19.5 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 36
T. 8 S., R. 6 W., W. M.**

**0.1 acre NW $\frac{1}{4}$ NW $\frac{1}{4}$
As projected within Bowman DLC 39
3.0 acres NW $\frac{1}{4}$ NW $\frac{1}{4}$
As projected within Jones DLC 52
9.7 acres Lot 1 (NW $\frac{1}{4}$ NW $\frac{1}{4}$)
Section 6
T. 9 S., R. 5 W., W. M.
7.7 acres Lot 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$)
8.7 acres NE $\frac{1}{4}$ NE $\frac{1}{4}$
As projected within Jones DLC 38
Section 1
T. 9 S., R. 6 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.

WITNESS the signature of the State Engineer, affixed

this date. **February 13, 1975**

.....**Chris L. Wheeler**.....
State Engineer

Recorded in State Record of Water Right Certificates, Volume **33**, page **41727**

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. 3543

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 41727, Volume 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 Luckiamute River for irrigation of 12.8 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 7.7 acres in NE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 1, Township 9 South, Range 6 West, W.M., with a date of priority of January 17, 1966.

Water for the said right is diverted 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.

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 Section 6, Township 9 South, Range 5 West, W.M., by diversion of water 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.

229
2165-
160

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 0.62 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 Dr. C. J. Moser, and recorded at page 41727, Volume 33, 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 the applicant herein.

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

/s/ James E. Sexson
Director