

3537 Arnold Hildebrandt
Route 1, Box 116
Darien, 27114

3537

STATUS OF APPLICATION

Change in point of diversion and place of use
Date filed 2-18-77
Date of hearing 6-8-77
Place of hearing Mc Minnville
Date of order 6-15-77 Vol. 29, page 90
Date for application of water 10-1-79

Proof mailed _____

Proof received _____

Certificate issued APR 24 1987 Vol. 51, page 56178

Sept 27, 1988

54

57696

to survey 1/80

DESCRIPTION OF WATER RIGHT

Name of stream Lambert Slough
Trib. of _____ County of Yamhill
Use irrigation
Quantity of water _____ No. of acres 245
Name of ditch _____
Date of priority _____

In name of _____

_____ Adjudication, Vol. _____, page _____

App. No. 43588 Per. No. 32593 Cert. No. 39570

Certificate cancelled _____

Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>2-18-77</u>	<u>45.00</u>	<u>58313</u>
TOTAL . . .		
<u>6-9-77</u>	<u>\$2.00</u> Cert. Fee	

PON 2-18-77 50.00 58314
Paid newspaper \$33.18 acc ch. # 1350
FEES REFUNDED

Date	Amount	Check No.
<u>6-9-77</u>	<u>14.82</u>	<u>1354</u>

Exam 20-
POV 10-
POD 15-
45.00

REMARKS

See file 3536

CARD FOR C DEC 26 1979

W.R.I.S.	
Assembled <u>7-3-85</u> by <u>SM</u>	
Entered _____ by _____	
Verified _____ by _____	

INDEX CARDS:	Entered	Checked
Name	<u>lcy</u>	
Stream	<u>lcy</u>	
Pt. of Div.		
Calendar	<u>lcy</u>	
CHECKED TO RECORDS:		
Twp. & Rge.	<u>lcy</u>	
Decree-vault		
Decree-safe		
Cert. of W/R	<u>✓</u>	
Per. Folder	<u>✓</u>	
Chsindex		
Cross Ref.		
Power Claim		
Abstracts	<u>lcy</u>	

FOR 2000
DATE TUES 4-8 TIME 808 AM
FROM JIM SCHUETTE
FIRM CWRE
PHONE (FAX) 585-1856
☐ FAX PH 585-5578
☐ MOBILE ★

TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL	<input checked="" type="checkbox"/>
RETURNED YOUR CALL	<input type="checkbox"/>	WILL CALL AGAIN	<input type="checkbox"/>
CAME TO SEE YOU	<input type="checkbox"/>	RUSH	<input type="checkbox"/>
WANTS TO SEE YOU	<input type="checkbox"/>	SPECIAL ATTENTION	<input type="checkbox"/>
WAITING TO SEE YOU	<input type="checkbox"/>	HOLDING LINE	<input type="checkbox"/>

MESSAGE HLDR BRD.

T- 3537

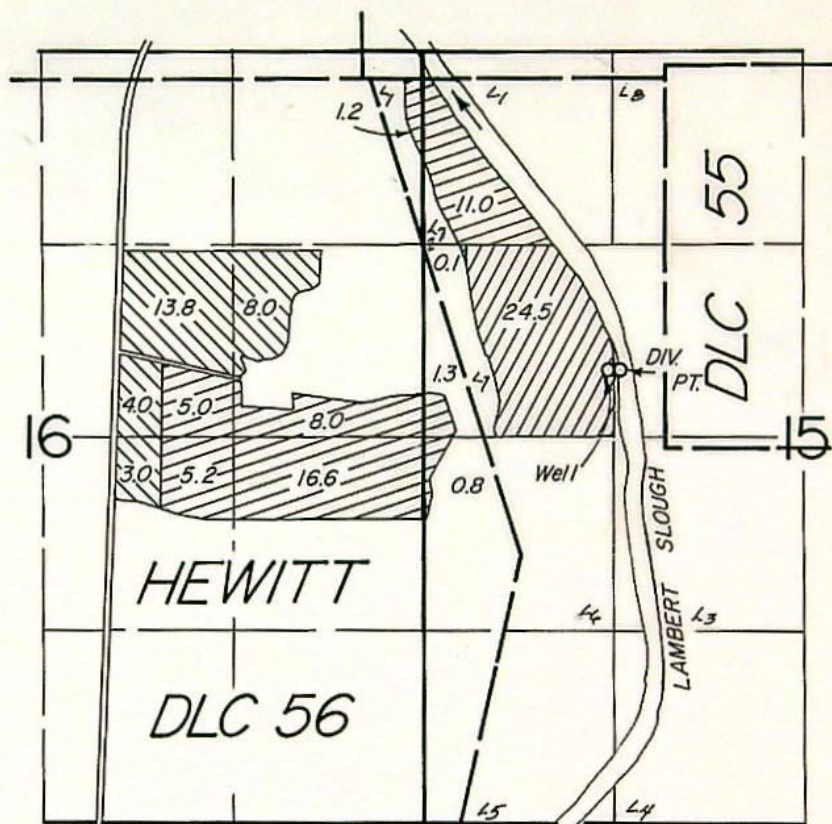
FAX ⊕ MAP

SIGNED _____

 FORM 4007
MADE IN U.S.A.

MESSAGE

T.5S.,R.3W.,W.M.



Div. Pts. Loc.: Lambert Slough - 2180 H.S. & 1380 H.E.;
Well - 2180 H.S. & 1300 H.E.; Both from the NW Cor Sec 15

FINAL PROOF SURVEY UNDER

Transfer No. 3537

55270

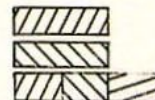
41627

Application No. G-7783 Permit No. G-7205

IN NAME OF

Arnold & Roger Hildebrandt

Surveyed MAY 28, 1980, by *[Signature]*



STATE OF OREGON

COUNTY OF

YAMHILL

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

ARNOLD HILDEBRANDT AND
H. B. OR LYLA M. STEINGRUDE

of Route 1, Dayton, State of OR 97114, has made
proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of
Lambert Slough

a tributary of Willamette River for the purpose of
irrigation of 21.9 acres

under Permit No. 32593 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
May 11, 1967
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
0.27 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 1 (NW 1/4 NW 1/4), Lot 2 (NW 1/4 NW 1/4),
Section 22, T5S, R3W, WM; 190 feet South and 600 feet East; 670 feet South and
480 feet East from NE corner, Angell DLC 57.

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 2.5 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:

SEE NEXT PAGE

56178

4.4 acres SW 1/4 SW 1/4 as projected within Hewitt DLC 56
Section 15

2.7 acres SE 1/4 SE 1/4 as projected within Hewitt DLC 56
Section 16

14.8 acres Lot 3 (SW 1/4 NW 1/4)
Section 22
Township 5 South, Range 3 West, WM

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 39570, Volume 31, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on June 15, 1977, approving transfer application 3537.

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.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described. and is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed

this date. April 24, 1987

/s/ William H. Young

Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 51 , page 56178

STATE OF OREGON
COUNTY OF YAMHILL
CERTIFICATE OF WATER RIGHT

THIS IS TO CERTIFY, that ARNOLD HILDEBRANDT, of ROUTE 1, BOX 116, DAYTON, OREGON 97114, has a right to the use of the waters of LAMBERT SLOUGH, a tributary of WILLAMETTE RIVER, for the purpose of IRRIGATING 24.5 ACRES.

The right has been perfected under Permit 32593. The date of priority is MAY 11, 1967. The right is limited to not more than 0.31 CUBIC FOOT PER SECOND IF AVAILABLE AT THE ORIGINAL POINT OF DIVERSION: LOT 2 (NW 1/4 NW 1/4) SECTION 22, T 5 S, R 3 W, W.M. or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

SE 1/4 NW 1/4, SECTION 15, T 5 S, R 3 W, W.M.; 2180 FEET SOUTH AND 1380 FEET EAST FROM NW CORNER SECTION 15.

The amount of water used for irrigation, together with the amount secured under any other right existing for the 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 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

The right 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:

LOT 7 (SW 1/4 NW 1/4) 24.5 ACRES
SECTION 15
TOWNSHIP 5 SOUTH, RANGE 3 WEST, W.M.

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 JUNE 15, 1977, and together with certificate 56178, supersedes certificate 39570, 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.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The right is subject to minimum flows established by the Water Resources Commission with an effective date prior to this right.

WITNESS the signature of the Water Resources Director, affixed this date SEPTEMBER 27, 1988.

/s/ WILLIAM H. YOUNG
Water Resources Director

Recorded in State Record of Water Right Certificates numbered 57696

T-3537

STATE OF OREGON
COUNTY OF YAMHILL
CERTIFICATE OF WATER RIGHT

This Is to Certify, That **ARNOLD HILDEBRANDT & H. B. or LYLA M. STEINGRUBE** ⁹⁷¹¹⁴ 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 Lambert Slough

a tributary of Willamette River
irrigation of 46.4 acres

for the purpose of

under Permit No. 32593 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 May 11, 1967

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 0.58 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 1 (NW $\frac{1}{4}$ NW $\frac{1}{4}$), Lot 2 (NW $\frac{1}{4}$ NW $\frac{1}{4}$), Section 22, T. 5 S., R. 3 W., W. M.; 190 feet South and 600 feet East: 670 feet South and 480 feet East from NE Corner, Angell DLC 57.

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:

4.4 acres SW $\frac{1}{4}$ SW $\frac{1}{4}$
As projected within Hewitt DLC 56
Section 15

2.7 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
As projected within Hewitt DLC 56
Section 16

7.9 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
16.6 acres Lot 2 (NW $\frac{1}{4}$ NW $\frac{1}{4}$)
14.8 acres Lot 3 (SW $\frac{1}{4}$ NW $\frac{1}{4}$)
Section 22
T. 5 S., R. 3 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. November 21, 1973

Chris L. Wheeler

State Engineer

Recorded in State Record of Water Right Certificates, Volume 31, page 39570

T #3537

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Yamhill County

IN THE MATTER OF THE APPLICATION }
OF ARNOLD HILDEBRANDT FOR APPROVAL }
OF A CHANGE IN PLACE OF USE AND }
POINT OF DIVERSION OF WATER FROM }
LAMBERT SLOUGH }

ORDER APPROVING
TRANSFER NO. 3537

On February 18, 1977, an application was filed in the office of the Water Resources Director by Arnold Hildebrandt 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 39570, Volume 31, State Record of Water Right Certificates, in the names of Arnold Hildebrandt and R. B. or Lyla M. Steingrube, describes a right which includes the use of not to exceed 0.31 cubic foot per second from Lambert Slough for irrigation of 7.9 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ and 16.6 acres in Lot 2 (NW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 22, Township 5 South, Range 3 West, W.M., with a date of priority of May 11, 1967.

Water for the said right is diverted from a point located 670 feet South and 480 feet East from the Northeast corner of Angell DLC #57, being within Lot 2 (NW $\frac{1}{4}$ NW $\frac{1}{4}$) of said Section 22.

The applicant herein, owner of the lands above described, proposes to change the place of use and point of diversion, and without loss of priority, to irrigate in lieu thereof a certain 24.5 acres in Lot 7 (SW $\frac{1}{4}$ NW $\frac{1}{4}$) of Section 15, Township 5 South, Range 3 West, W.M., by diversion of water from a point located 2040 feet South and 1350 feet East from the Northwest corner of Section 15, being within the SE $\frac{1}{4}$ NW $\frac{1}{4}$ of said Section 15.

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 14, 21 and 28, 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 objection 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 described herein, without loss of priority, are approved.

It is FURTHER ORDERED that the quantity of water diverted at the new point of diversion, together with that diverted at the old 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 0.31 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 Arnold Hildebrandt and H. B. or Lyla M. Steingrube and recorded at Page 39570, Volume 31, 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 15th day of June, 1977.

/s/ JAMES E. SEXSON
Director

Public Notice

NOTICE OF WATER RIGHT TRANSFER APPLICATION NO. 3537

Notice is given hereby that Arnold Hildebrandt has filed an application in the office of the Water Resources Director for the approval of a change in place of use and point of diversion from Lambert Slough.

The certificate recorded at Page 39570, Vol. 31, State Record of Water Right Certificates, in the names of Arnold Hildebrandt and H.B. or Lyla M. Steingrube, describes a right which includes the use of not to exceed 0.31 cubic foot

per second from Lambert Slough for irrigation of 7.9 acres in NE 1/4 NW 1/4 and 16.6 acres in Lot 2 (NW 1/4 NW 1/4) of Sec. 22, T. 5 S., R. 3 W., W.M., with a date of priority of May 11, 1967.

Water for the said right is diverted from a point located 670 ft. S. and 480 ft. E. from the NE corner of Angell DLC #57, being within Lot 2 (NW 1/4 NW 1/4) of said Sec. 22.

The applicant herein, owner of the lands above described, proposes to change the place of use and point of diversion, and without loss of priority, to irrigate in lieu thereof a certain 24.5 acres in Lot 7 (SW 1/4 NW 1/4) of Sec. 15, T. 5 S., R. 3 W., W.M., by diversion of water from a

point located 2040 ft. S. and 1350 ft. E. from the NW corner of Sec. 15, being within the SE 1/4 NW 1/4 of said said Sec. 15.

All persons interested are notified hereby that a hearing will be held at the county courthouse at McMinnville, Oregon, on June 8, 1977, at 1:30 p.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 Arnold Hildebrandt, Rt. 1, Box 116, Dayton, Oregon 97114, 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

Published April 14, 21, 28, 1977.

The Dayton Tribune

RECEIVED

Affidavit of Publication MAY - 6 1977

WATER RESOURCES DEPT
SALEM, OREGON

ss.

TZEN, being first duly sworn, depose and say:

er of THE DAYTON TRIBUNE, a weekly newspaper of
ed in Sections 1-609 and 1-610, Oregon Compiled Laws
shed at Dayton in the aforesaid county and state; that

WATER RIGHT

APPLICATION #3537

ereunto annexed, was published in the entire issue of said
uccessive and consecutive weeks in the following issues
1977

Subscribed and sworn to before me this 5th day of May, 1977

Richard Freelon
Notary Public for Oregon

My Commission Expires: 5/8/80

Public Notice

NOTICE OF WATER RIGHT TRANSFER APPLICATION NO. 3537

Notice is given hereby that Arnold Hildebrandt has filed an application in the office of the Water Resources Director for the approval of a change in place of use and point of diversion from Lambert Slough.

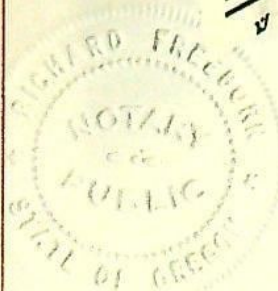
The certificate recorded at Page 39570, Vol. 31, State Record of Water Right Certificates, in the names of Arnold Hildebrandt and H.B. or Lyla M. Steingrube, describes a right which includes the use of not to exceed 0.31 cubic foot

per second from Lambert Slough for irrigation of 7.5 acres.

NW 1/4 and
(NW 1/4 NW 1/4)
R. 3 W.,

priority of
Water for
diverted from
S. and 480
corner of A
within Lot 2
Sec. 22.

The application
the lands ab
es to change
point of div
of priority, t
a certain 24
NW 1/4) of S
W. M., by c



The Dayton Tribune

RECEIVED

Affidavit of Publication MAY - 6 1977

WATER RESOURCES DEPT
SALEM, OREGON

STATE OF OREGON, }
County of Yamhill. } ss.

I, EDWINA MEITZEN, being first duly sworn, depose and say:

That I am the publisher of THE DAYTON TRIBUNE, a weekly newspaper of general circulation, as defined in Sections 1-609 and 1-610, Oregon Compiled Laws Annotated, printed and published at Dayton in the aforesaid county and state; that

the NOTICE OF WATER RIGHT

TRANSFER APPLICATION #3537

a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for 3 successive and consecutive weeks in the following issues

APRIL 14, 21, 28, 1977

Edwina Meitzen

Subscribed and sworn to before me this 5th day of May, 1977

Richard Freckson
Notary Public for Oregon

My Commission Expires: 5/8/80