

3987

Name Cecil & Charlotte L. Crowe

By \_\_\_\_\_

Address Rt 2 Box 1102Estacada, OR 97023Change in PODDate filed July 3, 1978Date of hearing Sept. 6, 1978Place of hearing Oregon CityDate of order 9-15-78 Vol. 31, page 242Date for application of water completed

Proof mailed \_\_\_\_\_

Proof received \_\_\_\_\_

Certificate issued SEP 29 1978 Vol. 39, page 46543MAR 30 1979  
MAY 19 198947685  
61172

Notation made on record by \_\_\_\_\_

## DESCRIPTION OF WATER RIGHT

Name of stream Clear CreekTrib. of \_\_\_\_\_ County of ClackamasUse Irr.Quantity of water \_\_\_\_\_ No. of acres 7.0

Name of ditch \_\_\_\_\_

Date of priority Feb. 23, 1950In name of John C. McKenzie

\_\_\_\_\_ Adjudication, Vol. \_\_\_\_\_, page \_\_\_\_\_

App. No. 24455 Per. No. 20682 Cert. No. 43738

Certificate cancelled \_\_\_\_\_

## FEES PAID

Date	Amount	Receipt No.
7-3-78	35.00	4581
7-3-78	P.O.N. 50.00	4581
TOTAL . . .		
7-3-78	\$2 Cert. Fee	4581

The Enterprise Courier #3499 pd 8-14-78 ck#2544  
2-58-79 \$2.00 cert fee 9371

## FEES REFUNDED

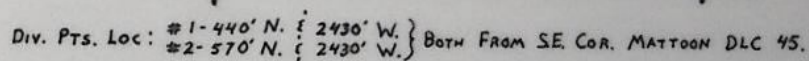
Date	Amount	Check No.
8-14-78	15.01	2545

Ex 20  
 POD 15  
 Cert 2  
 PON 34.99  
71.99

## REMARKS

TO BE ENTERED WHERE CHECKED	INDEX CARDS:		Entered	Checked
✓	Name		lcj	
✓	Stream		lcj	
✓	Pt. of Div.		lcj	
✓	Calendar		lcj	
✓	Twp. & Rge.		lcj	
✓	Letter-vault			
✓	Decree-safe			
✓	Cert. of W/R		lcj	
✓	For. Index		lcj	
✓	Chain-index			
✓	Cross Ref.			
✓	Power Claim			
✓	Abstracts		lcj	





Transfer No. T-3987  
Application No. \_\_\_\_\_ Permit No. \_\_\_\_\_  
IN NAME OF  
**CECIL & CHARLOTTE L. CROWE**

DFK-10769



BEFORE THE WATER RESOURCES DIRECTOR OF OREGON  
CLACKAMAS COUNTY

IN THE MATTER OF THE APPLICATION )  
OF CECIL & CHARLOTTE L. CROWE FOR )  
APPROVAL OF A CHANGE IN POINT OF )  
DIVERSION OF WATER )  
-----

ORDER APPROVING  
TRANSFER NO. 3987

On July 3, 1978, an application was filed in the office of the Water Resources Director by Cecil and Charlotte L. Crowe for approval of a change in point of diversion of water from Clear Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 43738, Volume 35, State Record of Water Right Certificates, in the name of John C. McKenzie, describes a right which includes the use of not to exceed 0.09 cubic foot per second from Clear Creek for irrigation of 3.0 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$  and 4.0 acres in NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 10, Township 3 South, Range 3 East, W.M., with a date of priority of February 23, 1950.

The authorized point of diversion of record for said right is located 780 feet North and 2200 feet West from the Southeast Corner of Section 10, being within the SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 10, Township 3 South, Range 3 East, W.M.

The applicants herein, owners of the lands above described, propose to change the point of diversion therefrom, without loss of priority, to a point located 2450 feet North and 3400 feet West from the Southeast Corner of Section 10, being within the NE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 10, Township 3 South, Range 3 East, W.M.

Notice of the application, pursuant to ORS 540.520(2), was published in the Enterprise-Courier, a newspaper printed and having general circulation in Clackamas County, Oregon, for a period of three weeks in the issues of July 17, 24 and 31, 1978.

Mr. Clifton R. King, Watermaster, has filed a statement to the effect that the proposed change in point of diversion may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed change in 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 change in point of diversion, as described herein, without loss of priority, is 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.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgment of the watermaster it becomes necessary to install headgates and measuring devices:

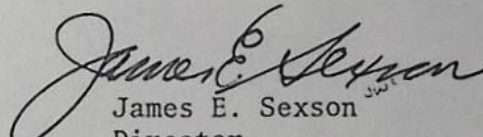
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 NO time need be fixed for completion as the change in point of diversion is completed.

It is FURTHER ORDERED that the certificate of water right recorded at page 43738, Volume 35, 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 September, 1978.

  
James E. Sexson  
Director

1243



## STATE OF OREGON

COUNTY OF

CLATSOP

## CERTIFICATE OF WATER RIGHT

OK Cert  
AE  
(corrects PDD  
coordinates for  
drafting  
error)

This Is to Certify, That CECIL &amp; CHARLOTTE L. CROME

of Rt. 2, Box 1102, Tatalada, State of Oregon, 97023, has made  
proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of  
Clear Creek

a tributary of Clatsop River  
irrigation of 7.0 acres

for the purpose of

under Permit No. 20682 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  
February 23, 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  
0.09 cubic foot per second

or its equivalent in rate 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 Mattoon DLC 45,  
Section 10, T. 3 S., R. 3 E., W. N., No. 1-440 feet North and 2430 feet West  
from the SE Corner, Mattoon DLC 45

450

2530

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:

3.0 acres SE $\frac{1}{4}$  NW $\frac{1}{4}$   
4.0 acres NE $\frac{1}{4}$  SW $\frac{1}{4}$   
Both as projected within Mattoon DLC 45  
Section 10  
T. 3 S., R. 3 E., W. N.

This certificate is issued to confirm a change in point of diversion approved  
by an order of the Water Resources Director entered September 15, 1978 and  
together with certificate of water right recorded on Page 46543, Volume 39,  
State Record of Water Right Certificates supersedes certificate of water right  
recorded on Page 43738, Volume 35, State Record of Water Right Certificates.  
The issuance of this superseding certificate does not confirm the status of the  
water right in reference to ORS 540.610.

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 the existing minimum flow policies established by the  
Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed

this date March 30, 1979

*James C. Seyer*  
Water Resources Director



3085/53

STATE OF OREGON  
COUNTY OF CLACKAMAS  
**CERTIFICATE OF WATER RIGHT**

**This Is to Certify, That JOHN C. MCKENZIE**

of Rt. 2 Box 131, Estacada, State of Oregon, 97023, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Clear Creek, unnamed stream, and reservoir constructed under Permit No. R-626

a tributary of Clackamas River, for the purpose of primary irrigation of 54.4 acres and supplemental irrigation of 20.0 acres

under Permit No. 20682 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 February 23, 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 0.925 c.f.s. cubic feet per second; being 0.915 c.f.s. from Clear Creek and 0.01 c.f.s. from unnamed stream and reservoir constructed under Permit No. R-626

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SW 1/4 SW 1/4, as projected within Norton DLC 46, Section 11; SW 1/4 SW 1/4, as projected within R. Mattoon DLC 47, Section 10, T. 3 S., R. 3 E., W. M.

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 from direct flow 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 from direct flow and storage from reservoir constructed under Permit No. R-626;

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

1.005 - 0.08 = 0.925  
0.915  
73.4



7# 3987

Primary Irrigation from Clear Creek

~~2.0 acres NE $\frac{1}{4}$  SW $\frac{1}{4}$  - 30~~  
~~4.0 acres NW $\frac{1}{4}$  SW $\frac{1}{4}$  - 40~~  
~~Both projected within R. Mattoon DLC 45~~

- 57.8 acres NE $\frac{1}{4}$  SW $\frac{1}{4}$
- 0.3 acre SE $\frac{1}{4}$  SW $\frac{1}{4}$
- 2.4 acres NE $\frac{1}{4}$  SE $\frac{1}{4}$
- 8.1 acres NW $\frac{1}{4}$  SE $\frac{1}{4}$
- 24.0 acres SW $\frac{1}{4}$  SE $\frac{1}{4}$
- 12.9 acres SE $\frac{1}{4}$  SE $\frac{1}{4}$

All projected within R. Mattoon DLC 47 <sup>21</sup>

Section 10

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

Primary Irrigation from Unnamed Stream and Reservoir <sup>24</sup>

1.0 acre SE $\frac{1}{4}$  SE $\frac{1}{4}$

As projected within R. Mattoon DLC 47 <sup>9</sup>

Section 10

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

Supplemental Irrigation from Clear Creek <sup>20</sup>

- 3.0 acres NE $\frac{1}{4}$  SE $\frac{1}{4}$
- 10.0 acres NW $\frac{1}{4}$  SE $\frac{1}{4}$
- 4.0 acres SW $\frac{1}{4}$  SE $\frac{1}{4}$
- 3.0 acres SE $\frac{1}{4}$  SE $\frac{1}{4}$

All projected within R. Mattoon DLC 47 <sup>1</sup>

Section 10

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

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 43738, Volume 35, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on Sept 15, 1976, approving transfer application No. 3987.

The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

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 the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed

this date. October 18, 1976

.....James E. Sexson.....  
Water Resources Director

46543



NOTICE OF WATER RIGHT  
TRANSFER APPLICATION

No. 3987

Notice is given hereby that an application has been filed in the office of the Water Resources Director by Cecil & Charlotte L. Crowe for approval of a change in point of diversion of water from Clear Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 43738, Volume 35, State Record of Water Right Certificates, in the name of John C. McKenzie, describes a right which includes the use of not to exceed 0.09 cubic foot per second from Clear Cr. for irrigation of 3.0 ac in SE 1/4 NW 1/4 & 4.0 ac in NE 1/4 SW 1/4 of Sec. 3, T3S, R 3E, WM, with a date of priority of Feb. 23, 1950.

The authorized point of diversion for said right is located 780 ft N & 2200 ft W from the SE Corner of Sec 10, being within the SW 1/4 SE 1/4 of Sec 10, T 3S, R 3E, WM.

The applicants herein, owners of the lands above described, propose to change the point of diversion therefrom, without loss of priority, to a point located 2450 ft N & 3400 ft W from the SE Corner of Sec 10, being within the NE 1/4 SW 1/4 of Sec 10, T 3S, R 3E, WM.

All interested persons are notified hereby that a hearing will be held at the county courthouse at Oregon City, Oregon, on September 6, 1978, 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 Cecil & Charlotte L. Crowe, Rt 2, Box 1102, Estacada, OR 97023; and one copy filed with the Water Resources Department, Salem, OR 97310, together with a \$10 filing fee, at least 10 days prior to the date set for hearing. IF NO OBJECTIONS ARE 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 11th day of July, 1978.

JAMES E. SEXSON  
Director

(July 17, 24, 31, 1978)

Legal No. 4066

# Affidavit of Publication

State of Oregon,

County of Clackamas

} ss.

I, Kristi Busch, being first duly sworn, depose and say that I am the principal clerk of the owner, of ENTERPRISE-COURIER, a newspaper of general circulation, as defined by ORS 193.010 and 193.020; printed and published at Oregon City in the aforesaid county and state; that the

Notice of Water right transfer

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:

July 17, 24, 31, 1978

Kristi Busch

Subscribed and sworn to before me this 31st

day of July, 19 78

Kathy Smith  
Notary Public of Oregon.

My commission expires 30th day of

January, 19 81



RECEIVED

AUG 3 1978

WATER RESOURCES DEPT.  
SALEM, OREGON

OK  
by

Barbs

LIGHT  
ATION

## Affidavit of Publication

State of Oregon, }  
County of Clackamas } ss.

I, Kristi Busch, being first duly sworn, depose and say that I am the principal clerk of the owner, of ENTERPRISE-COURIER, a newspaper of general circulation, as defined by ORS 193.010 and 193.020; printed and published at Oregon City in the aforesaid county and state; that the

Notice of Water right transfer

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:

July 17, 24, 31, 1978

Kristi Busch

Subscribed and sworn to before me this 31st

day of July, 19 78

Kathy Smith  
Notary Public of Oregon.

My commission expires 30th day of  
January, 19 81