

3229

STATUS OF APPLICATION

Change in point of diversion
Date filed 5-19-75
Date of hearing _____
Place of hearing _____
Date of order 12-18-75 Vol. 26, page 232
Date for application of water 10-1-76
Proof mailed _____
Proof received _____
Certificate issued JUN 9 1978 Vol. 38, page 45843

Saturday 8/76
6-12-78 Don

DESCRIPTION OF WATER RIGHT

Name of stream John Day River
Trib. of _____ County of Wheeler
Use irrigation
Quantity of water _____ No. of acres 2⁰
Name of ditch _____
Date of priority June 21, 1927
In name of Mrs. Blanche Hill

Adjudication, Vol. _____, page _____
App. No. 11572 Per. No. 8011 Cert. No. 9059
Certificate cancelled _____
Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
5-19-75	30.00	46896
TOTAL . . .		
5-12-78	\$2 Cert. Fee	2877

FEES REFUNDED

Date	Amount	Check No.
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REMARKS

W.R.I.S.

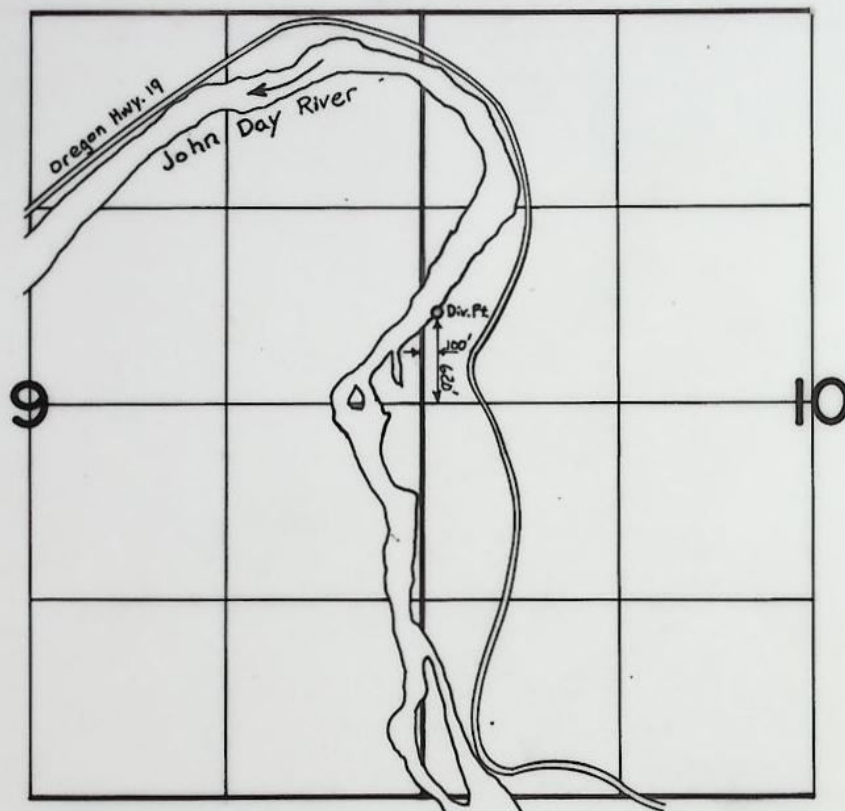
Assembled 7-16-81 by SL

Entered _____ by _____

Verified _____ by _____

INDEX CARDS:		Entered	Checked
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<input checked="" type="checkbox"/>	Stream	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	Pt. of Div.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	Calendar	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
CHECKED TO RECORDS:			
<input checked="" type="checkbox"/>	Top. & Ego.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	Decease-vault	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	Decease-safe	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	Cert. of W/R	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	Pen. Folder	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	Chaindex	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	Cross Ref.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	Power Claim	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
<input checked="" type="checkbox"/>	Abstracts	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>

T.9S., R.25E., W.M.



FINAL PROOF SURVEY
UNDER

Transfer No. 3229
IN NAME OF

EUGENE TROST

Surveyed AUG. 21, 1976, by D. NORBY

CHANGE IN POINT OF DIVERSION

Transfer No. 3229

County

wheeler
~~Glenn~~

1. Name Eugene Trost Address Rt. 3, Box 473, Aurora 97002
2. Source of Supply John Day River, Trib. of _____
3. Amount of Water 0.03 c.f.s. Priority Date June 21, 1927
4. Use irrigation of 80 acres
5. Proposed Point of Diversion 620 ft N 100° E
990 ft. N. from the West $\frac{1}{4}$ corner of Sec. 10,
being within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Sec. 10, T. 9 S., R. 25 E., W.M.
6. Place of Use ~~DATE FOR APPLICATION OF WATER: 10/1/76~~

[illegible]

INFO- MR. TROST said that he had to change the div. pt. because the river changed and got to be so far to pump. This is the same pt that he uses to irr. 20+ more acres which he recently filed on.

SOURCE- John Day River

DIV. PT. - Direct

MOTOR- G.E. 10 HP @ 3520

PUMP- Rain flow Cent. D.D. 2x1½

PIPE - about 1000'. 4" Alum.

" 1000' 3" Alum

HEAD - 25 RB 40 3/16 x 1/8
all max

LIFT - + 10

CROP - Alfalfa

TIE - Photo DOV-4JJ-176

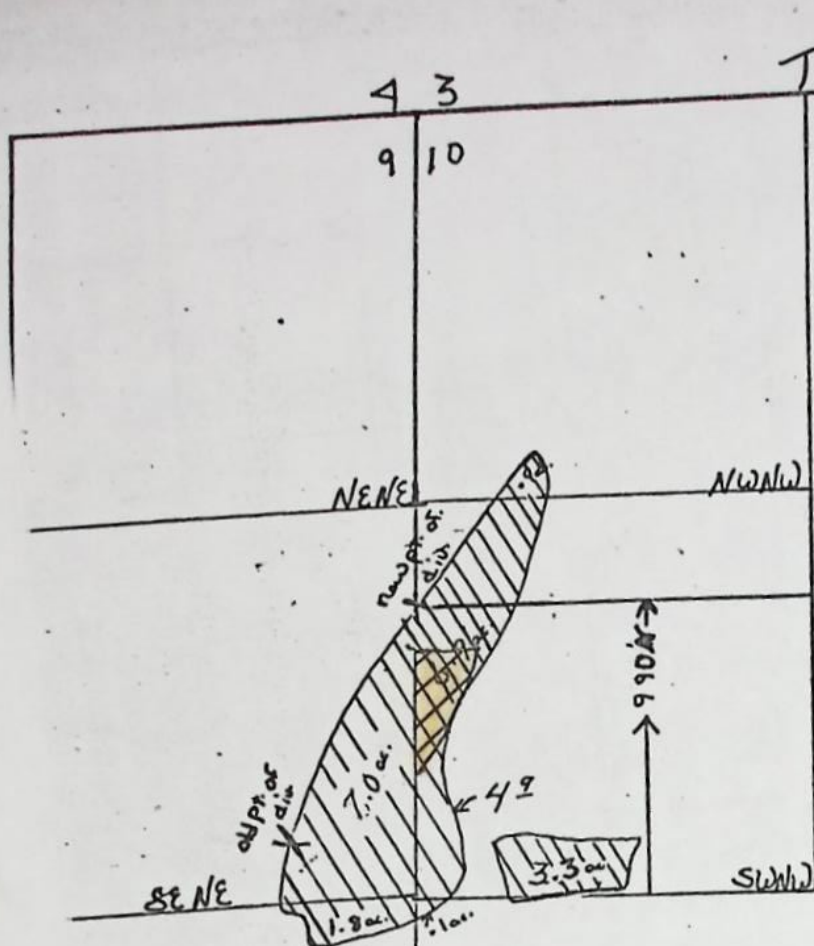
David Norby
TE
8-21-76

MAY 19 1973
STATE ENGINEER
SALEM, OREGON

RECEIVED

JUL 28 1975

WATER RESOURCES DEPT.
SALEM, OREGON



///

New application

covered by
Cart. 9059

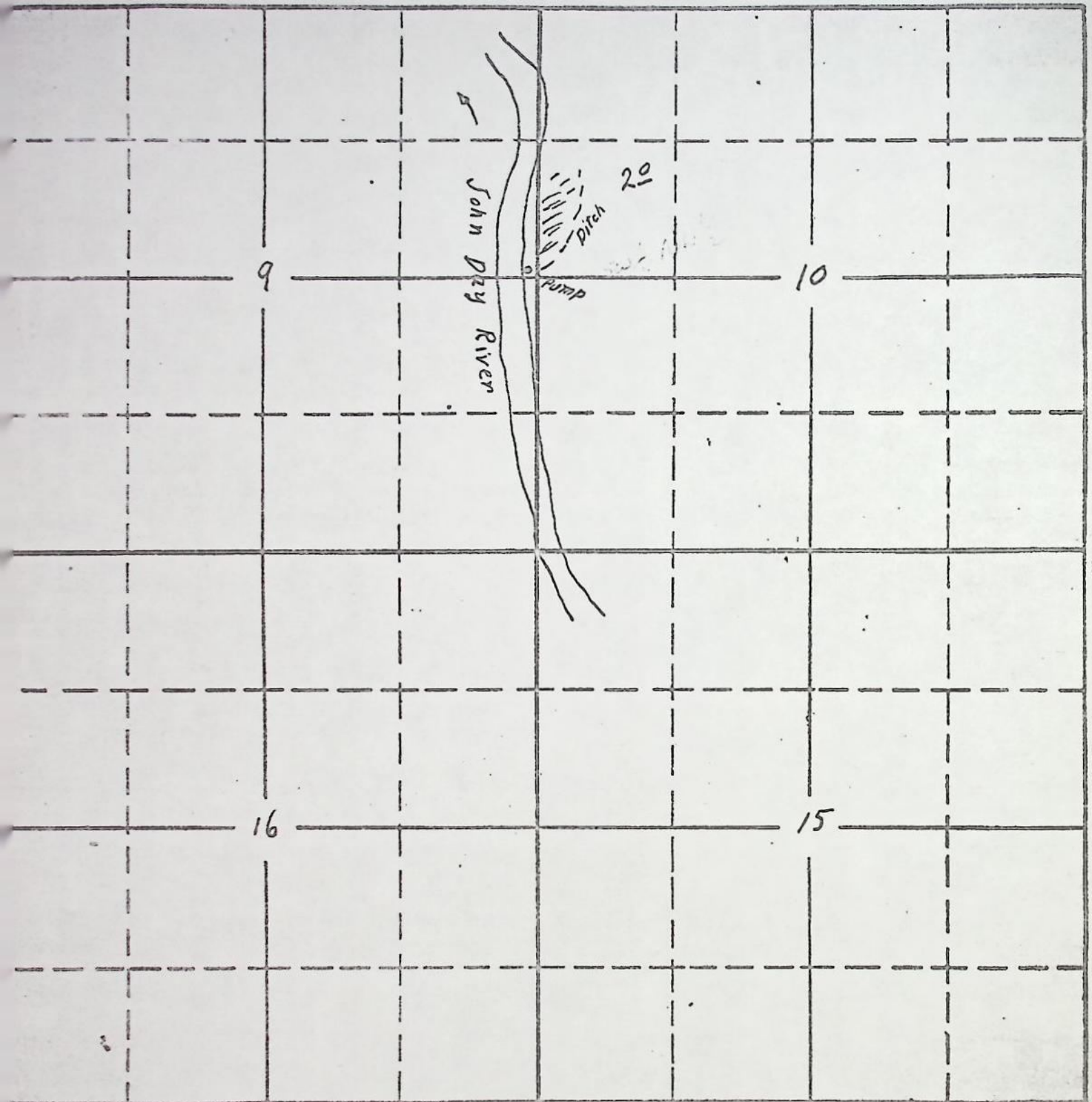
Application No. T-3229 E' 53149
Permit No.

TOWNSHIP 9S, RANGE 12E, W. M.

MAY 19 1975
STATE ENGINEER
SALEM, OREGON

North

East



South

Map to accompany Application No. T-3229
Application of Permit No. 8011
Mrs. Blanch Hill

APPLICATION No. 11572
PERMIT No. 8011

T-3229

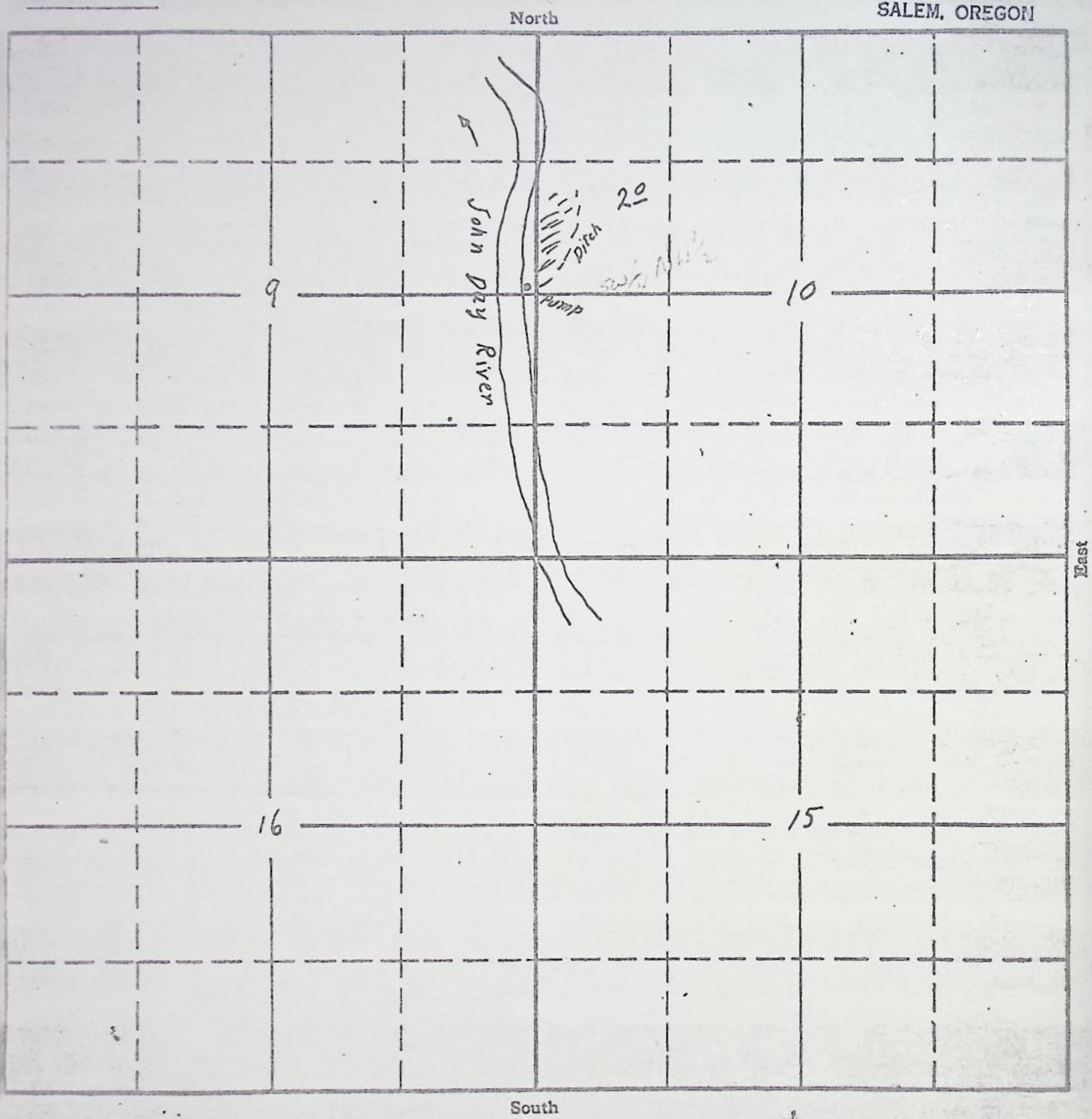
SECTION

P- 8011

RECEIVED

TOWNSHIP 9S, RANGE 25E, W. M.

MAY 19 1975
STATE ENGINEER
SALEM, OREGON



Map to accompany
Application of
Mrs. Blanch Hill

Application No. T-3229
Permit No.

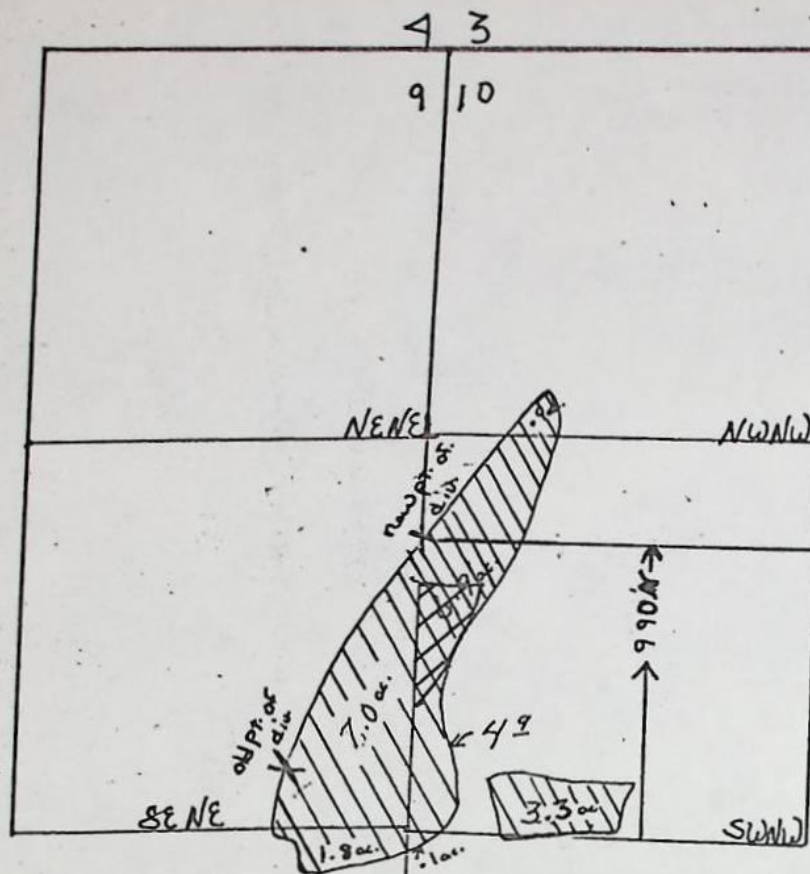
APPLICATION No. 11572
PERMIT No. 8011

T-3229

Sections 9 & 10

MAY 19 1975
STATE ENGINEER
SALEM, OREGON

T. 9 S. R. 25 E. W. m.



RECEIVED

JUL 28 1975

WATER RESOURCES DEPT.
SALEM, OREGON



New application



Covered by
Cert. 9059

Application No. T-3229 & 53149
Permit No.

Scale - 8" = 1 mile

RECEIVED

JUN 1 1976

WATER RESOURCES DEPT.
SALEM, OREGON

Transfer No. 3229

NOTICE OF COMPLETION OF CONSTRUCTION

I, Eugene Trust, hereby certify
that the construction work has been completed and the change in
point of diversion of water made as set forth in the order of
the ^{Water Resources Director} ~~State Engineer~~ dated December 18 1975
~~August 1976~~, approving an appli-
cation for a change in point of diversion of water from 50' N 140'
West from East 1/4 Section 9. within SE 1/4 NE 1/4 Section 9 T9S R25E W.M.

June 1 1976
Date

Eugene Trust
Name

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Clackamas County

IN THE MATTER OF THE APPLICATION }
OF EUGENE TROST FOR THE APPROVAL }
OF A CHANGE IN POINT OF DIVERSION }
OF WATER FROM JOHN DAY RIVER }

ORDER APPROVING
TRANSFER NO. 3229

On May 19, 1975, Eugene Trost filed an application in the office of the Water Resources Director for the approval of a change in point of diversion of water from John Day River, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Blanche Hill and recorded at Page 9059, Volume 8, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.03 cubic foot per second of water from John Day River for the irrigation of 2.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 10, Township 9 South, Range 25 East, W.M., with a date of priority of June 21, 1927. These lands are irrigated from a point of diversion located 50 feet North and 140 feet West from the East quarter-corner of Section 9, being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$, Section 9, Township 9 South, Range 25 East, W.M.

The applicant herein, owner of the lands above described, proposes to irrigate these lands from a point of diversion to be located 990 feet North from the West quarter-corner of Section 10, being within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 10, Township 9 South, Range 25 East, W.M.

Notice by publication as provided by ORS 540.520 was not given in connection with this application for the reason said section provides notice is not required on an application for a change in point of diversion of water of less than one-fourth mile where there is no intervening diversion.

Mr. Robert Main, Jr., Watermaster of District No. 4, has filed a report to the effect that the proposed change in point of diversion of water 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 change in point of diversion of water from John Day River, to wit:

From a point located 50 feet North and 140 feet West from the East quarter-corner of Section 9, being within the $SE\frac{1}{4}$ $NE\frac{1}{4}$ of Section 9, Township 9 South, Range 25 East, W.M.

To a point to be located 990 feet North from the West quarter-corner of Section 10, being within the $SW\frac{1}{4}$ $NW\frac{1}{4}$ of Section 10, Township 9 South, Range 25 East, W.M.

for the irrigation of 2.0 acres in $SW\frac{1}{4}$ $NW\frac{1}{4}$, Section 10, Township 9 South, Range 25 East, W.M., with a date of priority of June 21, 1927, 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, and shall not exceed 0.03 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 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 the construction work shall be completed and the change in point of diversion of water made on or before October 1, 1976.

It is FURTHER ORDERED that the certificate of water right heretofore issued to Blanche Hill and recorded at Page 9059, Volume 8, State Record of Water Right Certificates, is canceled, and upon receipt of proof satisfactory to the Water Resources Director of completion of the authorized change in point of diversion, a certificate of water right shall be issued to Eugene Trost confirming the change in point of diversion.

Dated at Salem, Oregon, this 18th day of December, 1975.

/s/ JAMES E. SEXSON
Director

RECEIVED

MAY 19 1975
STATE ENGINEER
SALEM, OREGON

T-3229

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, Eugene Trast
(Name of applicant)

of Route 3, Box 473 Aurora
(Postoffice), County of Clackamas,

State of Oregon 97002, do hereby make application for change in point of diversion

(In point of diversion; place of use; use heretofore made of the water)

1. The source of present water right is John Day River
(Name of stream)

2. The use to which the water is applied is Irrigation
(Irrigation; Mining; Power; Manufacturing; etc.)

3. The name of the ditch, canal or pipe line is pump

4. The point of diversion is located 50 ft. N. and 140 ft. W. from the E $\frac{1}{2}$
(N. or S.) (E. or W.)

corner of Section 9 being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$
(Section or subdivision)

of Section 9 Tp. 9 S. R. 25 E. W. M., in the County of Wheeler
(No. N. or S.) (No. E. or W.)

5. List the number of acres irrigated in each smallest legal subdivision (40-acre tract) involved in this transfer. If for any other use, indicate place of use.

Twp.	Range	Sec.	NE 1-4				NW 1-4				SW 1-4				SE 1-4			
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$
9 S.	25 E.	10							2.0									

NOTE: If you own less than 40-acre tracts, attach a description of your land as it appears in your deed.

(Attach separate sheet if necessary)

6. Are you the legal owner of the above described lands? Yes
(If not owner, explain your interest)

7. Has water been used beneficially for the purposes indicated herein during the past 5 years? Yes

8. What is the date of priority of your water right? June 21, 1927

9. Was your water right acquired by State Engineer's Permit? Yes If so, give number
(Yes or No)

of permit 8011

10. Do you hold a water right certificate? Yes If so, give number of certificate 9059
(Yes or No)

11. Was your water right determined by State Engineer's order of Determination or Decree of Court?

No If so, give title of proceedings No
(Yes or No)

12. Is the water right recorded in your name? No - Mrs. Blanche Hill
(If not, give name)

13. I propose to transfer the water right to the following described lands: (Do not answer if your application is for change in point of diversion only.)

Twp.	Range	Sec.	NE 1-4				NW 1-4				SW 1-4				SE 1-4			
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$

(Attach separate sheet if necessary)

NOTE: Answer questions 14, 15, 16 and 17, if the application is for change in point of diversion.

14. The proposed point of diversion is located 990 ft. N and 0 ft. from the W $\frac{1}{2}$
(N. or S.) (E. or W.)
corner of Sec. 10 being within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 10 Tp. 9 S. R. 25 E. W. M.,
(Smallest legal subdivision) (No. N. or S.) (No. E. or W.)
in the county of Wheeler The name of the ditch to be used is

15. Are you the owner of the land on which the proposed point of diversion is to be located? Yes

16. If not the owner of the land on which the proposed point of diversion is to be located, give the name and address of owner and submit evidence of your right-of-way for your proposed ditch, canal, or pipe line.

17. Are there any diversions between your present point of diversion and the proposed point of diversion? No

NOTE: Answer questions 18 and 19 if application is for change in use or place of use.

18. Are the lands from which you propose to transfer your water right free of all encumbrances, including taxes, mortgages, liens, etc.?
(Answer Yes or No)

19. If not, give below a description of existing encumbrances:

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT

20. Reasons for the proposed changes are Change to Sprinklers

AFFIDAVIT OF APPLICANT

STATE OF OREGON,
County of Grant } ss.

I, Eugene Trost, the applicant herein, being first duly sworn, depose and say that I have read the above and foregoing application for transfer of water right; that I know the contents thereof and that the statements therein made are true and correct to the best of my knowledge and belief.

In Witness Whereof, I have hereunto set my hand this 12th day of May, 1975.

Eugene Trost
(Name of applicant)

Subscribed and sworn to before me this 12th day of May, 1975.

[Notarial Seal]

Robert F. Main, Jr.
NOTARY PUBLIC FOR OREGON

My commission expires April 1, 1979

Remarks _____

THIS APPLICATION MUST BE ACCOMPANIED BY A MAP SHOWING THE LOCATION OF THE POINT OF DIVERSION, PLACE OF USE AND WORKS UTILIZED UNDER THE PRESENT WATER RIGHT. THE MAP SHOULD ALSO SHOW THE NEW POINT OF DIVERSION OR PLACE OF USE, AS THE CASE MAY BE.