

22

3:34'7"

DESCRIPTION OF WATER RIGHT

DVA Notification

FEE PAID

Name of stream Willamette River

Trib. of _____ County of Clackamas

Use

Quantity of water No. of acres

Name of ditch

Date of priority

In name of

..... Adjudication, Vol., page

App. No. 23920 Per. No. 18840 Cert. No. 43545

Certificate cancelled

Notation made on record by

REMARKS

SEE TRANSFER 3384 (IT IS TRANSFER TO SAME P.O.)

CARD FOR C DEC 26 1979

W.R.I.S.

Assembled 6-28-92 by 78

Entered _____ by _____

Verified _____ by _____

TO BE ENTERED WHERE CHECKED	INDEX CARDS:	Entered	Checked
<input checked="" type="checkbox"/>	Name	lig	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Stream	lig	<input type="checkbox"/>
<input type="checkbox"/>	Pt. of Div.		<input type="checkbox"/>
<input checked="" type="checkbox"/>	Calendar	lig	<input type="checkbox"/>
	CHECKED TO RECORDS:		
<input checked="" type="checkbox"/>	Twp. & Pge.	lig	<input type="checkbox"/>
<input type="checkbox"/>	Decree-vault		<input type="checkbox"/>
<input type="checkbox"/>	Decree-safe		<input type="checkbox"/>
<input checked="" type="checkbox"/>	Cert. of W/R	lig	<input type="checkbox"/>
<input checked="" type="checkbox"/>	Per. Folder		<input type="checkbox"/>
<input type="checkbox"/>	Chaindex		<input type="checkbox"/>
<input type="checkbox"/>	Cross Ref.		<input type="checkbox"/>
<input type="checkbox"/>	Power Claim		<input type="checkbox"/>
<input checked="" type="checkbox"/>	Abstracts	lig	<input type="checkbox"/>

386

STATE OF OREGON

COUNTY OF

CLACKAMAS

SUPERSEDED

CERTIFICATE NO. 45473

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

R.G. & MARY ANNA BENNETT
CARLETON PARISH PYNN, M.D.

of 31010 PEACH COVE Rd, West Linn, State of Oregon, 97068, has made
proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of
Willamette River

a tributary of Columbia River
irrigating 21.5 acres
of SE

for the purpose of

under Permit No. 18840 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
July 14, 1949

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, if available at the original point of diversion, NE 1/4 Sec 22,
Oil T. 3 S., R. 1 E., W. M.;

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 Sec 22, as projected within G. Brock DLC 46,
Section 22, T. 3 S., R. 1 E., W. M. being 3340 A N. & 2325 A E. from the
S. 1/4 corner section 22

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:

1.3 10.3 acres SW 1/4 NE 1/4
4.0 7.5 acres SE 1/4 NE 1/4
2.3 2.6 acres NE 1/4 SE 1/4
0.9 1.1 acre NW 1/4 SE 1/4

All projected within G. Brock DLC 46
Section 22
T. 3 S., R. 1 E., W. M.

An order of the Water Resources Director

1 Clause

This certificate is issued to confirm a change in point of diversion approved
by an order of the Water Resources Director entered Feb 13, 1978, and
together with certificate 45473, supersedes certificate 43545,
State Record of Water Right Certificates.

The issuance 540.610this date. August 30, 1976James E. Sexson

Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 35, page 43545

T-3847

T-3847

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

CLACKAMAS COUNTY

IN THE MATTER OF THE APPLICATION)
OF R. G. & MARY ANNA BENNETT FOR)
APPROVAL OF A CHANGE IN POINT OF)
DIVERSION OF WATER)

ORDER APPROVING
TRANSFER NO. 3847

On December 7, 1977, an application was filed in the office of the Water Resources Director by R. G. and Mary Anna Bennett for approval of a change in point of diversion from Willamette River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 43545, Volume 35, State Record of Water Right Certificates, in the name of Carleton Parish Pynn, M.D., describes a right which includes the use of not to exceed 0.11 cubic foot per second from Willamette River for the irrigation of 1.3 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 4.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 2.3 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ and 0.9 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 22, Township 3 South, Range 1 East, W.M., with a date of priority of July 14, 1949.

Water for the said right is diverted from a point located 10 feet South and 2310 feet East from the Center Corner of Section 22, being within the NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 22, Township 3 South, Range 1 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 830 feet North and 2310 feet East from the Center Corner of Section 22, being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 22, Township 3 South, Range 1 East, W.M.

Mr. Clayton Gardner, 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, and shall not exceed 0.11 cubic foot per second.

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:

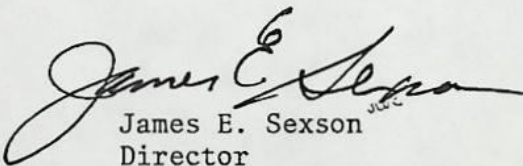
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 the construction work shall be completed and the change in point of diversion of water made on or before October 1, 1979.

It is FURTHER ORDERED that the certificate of water right heretofore issued to Carleton Parish Pynn, M.D., and recorded at page 43545, 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 applicants herein.

Dated at Salem, Oregon this 13th day of February, 1978.


James E. Sexson
Director