

3641

MT. ANGEL ABBEY

3641

20/10

STATUS OF APPLICATION

Change in place of use
 Date filed 4-25-77
 Date of hearing _____
 Place of hearing _____
 Date of order 9-22-77 Vol. 29, page 371
 Date for application of water 10-1-79
 Proof mailed _____
 Proof received _____
 Certificate issued Sept 27, 1988 Vol. 54, page 57719⁸⁹

to survey 11/77

DESCRIPTION OF WATER RIGHT

Name of stream Abigona Creek
 Trib. of _____ County of Marion
 Use irrigation
 Quantity of water _____ No. of acres 26 ⁵/₅
 Name of ditch _____
 Date of priority _____
 In name of _____
 _____ Adjudication, Vol. _____, page _____
 App. No. 19856 Per. No. 15435 Cert. No. 21149
 Certificate cancelled _____
 Notation made on record by _____

7-1-87 SB

REMARKS

FEES PAID

Date	Amount	Receipt No.
<u>4-25-77</u>	<u>\$ 30.00</u>	<u>59936</u>
TOTAL . . .		
	\$ No. Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

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

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MARION COUNTY

IN THE MATTER OF THE APPLICATION)
OF MT. ANGEL ABBEY FOR APPROVAL)
OF A CHANGE IN PLACE OF USE OF)
WATER FROM ABIQUA CREEK)

ORDER APPROVING
TRANSFER NO. 3641

On April 25, 1977, an application was filed in the office of the Water Resources Director by Mt. Angel Abbey for a change in place of use under an existing water right of record, pursuant to the provisions of ORS 540.510 to 540.530.

26.5
The certificate recorded at page 21149, Volume 15, State Record of Water Right Certificates, in the name of St. Benedict's Abbey, describes a right which includes the use of not to exceed 0.58 cubic foot per second from Abiqua Creek for irrigation of a certain 2.2 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$, 1.1 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, 7.8 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ and 15.4 acres in SE $\frac{1}{4}$ ^{NW}SW $\frac{1}{4}$ of Section 14, Township 6 South, Range 1 West, W.M., with a date of priority of February 25, 1943.

Water for the said right is diverted, through the Walker Ditch, from a point located 725 feet North and 700 feet East from the West quarter corner of Section 24, being within the SW $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 24, Township 6 South, Range 1 West, W.M.

26.5
The applicant herein, owner of the lands above described, proposes to change the place of use therefrom and, without loss of priority, to irrigate in lieu thereof a certain 6.3 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ and 20.2 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 10, Township 6 South, Range 1 West, W.M.

Mr. Keith Palmer, Watermaster, has filed a statement to the effect that the proposed change in place of use may be made without injury to existing rights.

U29
P371-372

No objections having been filed and it appearing that the proposed change in place of use may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested change in place of use as described herein, without loss of priority, is approved.

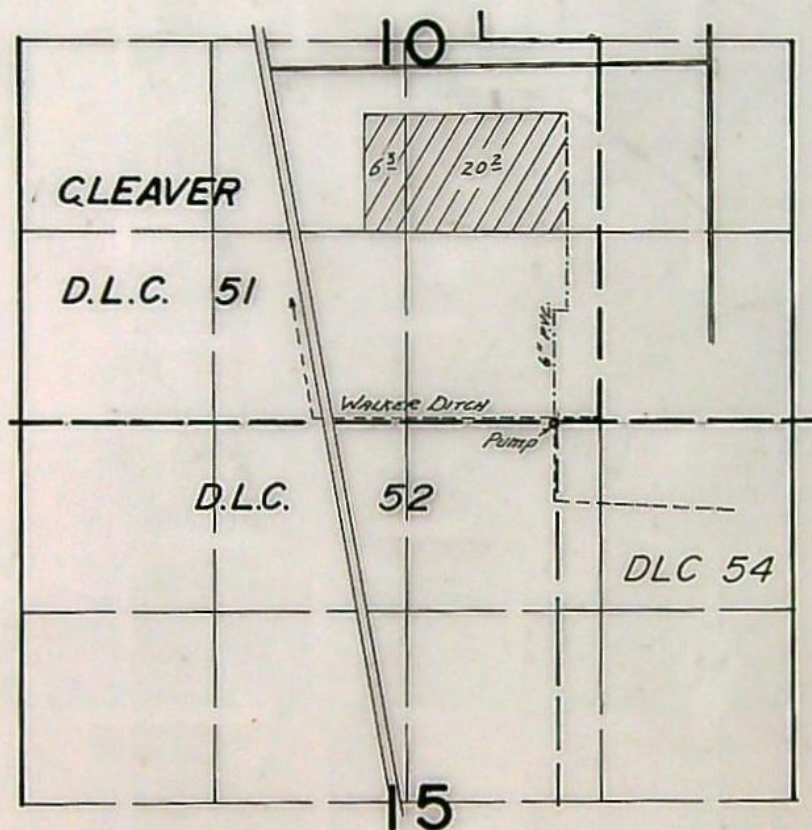
It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1979.

It is FURTHER ORDERED that 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, the certificate of water right heretofore issued to St. Benedict's Abbey and recorded at page 21149, Volume 15, State Record of Water Right Certificates, be canceled, and in lieu thereof a new confirming certificate of water right be issued to the applicant herein.

Dated at Salem, Oregon, this 22nd day of September, 1977.

/s/ James E. Sexson
Director

T. 6S. R. 1W. W.M.



SCALE: 1"=1320'

FINAL PROOF SURVEY
UNDER

Transfer No. 3641

IN NAME OF

MT. ANGEL ABBEY

Surveyed Oct. 2, 1979, by C.R. RODRIGUEZ.

5/7/84
RNB

DFN-144-76

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

This Is to Certify, That *Mt. Angel*
ST. BENEDICT'S ABBEY

of St. Benedict, State of Oregon 97373, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Abiqua Creek a tributary of Pudding River for the purpose of irrigation of 150⁰⁰ acres under Permit No. 15435 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 February 25, 1943.

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 1.64 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 SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 24, Township 6 South, Range 1 West, W. M., 725' N & 700' E from NW $\frac{1}{4}$ corner section 24

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:

6.3 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$ as proj v/in Cleaver D.L.C. 51
 18.8 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$, as projected within B. Cleaver D.L.C. No. 51
 13.2 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$
 242 3.8 acres in the NW $\frac{1}{4}$ SE $\frac{1}{4}$, as projected within B. Cleaver D.L.C. No. 51
 34.8 acres in the SW $\frac{1}{4}$ SE $\frac{1}{4}$, as projected within B. Cleaver D.L.C. No. 51
 11.4 acres in the SE $\frac{1}{4}$ SE $\frac{1}{4}$

Section 10

2.2 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within R. Gibson D.L.C. No. 54
 72 8.8 acres in the S $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within R. Gibson D.L.C. No. 54
 192 26.8 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within R. Gibson D.L.C. No. 54
 151 15.4 acres in the W $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within R. Gibson D.L.C. No. 54
 both as proj Gibson D.L.C. 54

Section 14

11.6 acres in the NE $\frac{1}{4}$ NE $\frac{1}{4}$, as projected within R. Gibson D.L.C. No. 54
 3.2 acres in the N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, as projected within R. Gibson D.L.C. No. 54

Section 15

Township 6 South, Range 1 West, 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.

3 Clause

This certificate is issued to confirm a change in place of use approved and also describes that portion of the water right not modified by an order of the Water Resources Director entered Sept. 23, 1977 and supersedes certificate 21149, 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.

T-3641

T #3641