

COREY

Carl A. Corey

~~Rt. 1 Box 169A~~ Rt. 1 Box 169A  
~~Yamhill, Or 97148~~ Yamhill, OR 97148

STATUS OF APPLICATION

Change in POD  
 Date filed 5-2-77  
 Date of hearing \_\_\_\_\_  
 Place of hearing \_\_\_\_\_  
 Date of order 5-31-77 Vol. 29, page 59  
 Date for application of water 10-1-79  
 Proof mailed \_\_\_\_\_  
 Proof received \_\_\_\_\_  
 Certificate issued JUN 27 1980 Vol. 43, page \_\_\_\_\_

JUN 27 1980

V 43

49301

Summary  
 8-79

3655

DESCRIPTION OF WATER RIGHT

Name of stream North Yamhill River  
 Trib. of \_\_\_\_\_ County of Yamhill  
 Use irrigation  
 Quantity of water \_\_\_\_\_ No. of acres \_\_\_\_\_  
 Name of ditch \_\_\_\_\_  
 Date of priority \_\_\_\_\_  
 In name of \_\_\_\_\_  
 \_\_\_\_\_ Adjudication, Vol. \_\_\_\_\_, page \_\_\_\_\_  
 App. No. 40896 Per. No. 30482 Cert. No. 42146  
 Certificate cancelled \_\_\_\_\_  
 Notation made on record by \_\_\_\_\_

FEES PAID

Date	Amount	Receipt No.
<u>5-2-77</u>	<u>\$ 35.00</u>	<u>60121</u>
TOTAL . . .		
	No. Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

REMARKS

INDEX CARDS:		Entered	Checked
<u>WN</u>	Name	<u>✓</u>	
<u>WH</u>	Stream	<u>✓</u>	
<u>WN</u>	Pt. of Div.	<u>✓</u>	
	Calendar		
CHECKED TO RECORDS:			
<u>xx</u>	Trp. & Rec.		
	Decree-vault		
	Decree-safe		
<u>c</u>	Gen. of W/R	<u>✓</u>	
<u>✓</u>	Per. Folder	<u>✓</u>	
	Choirer	<u>xx</u>	
	Cross Ref.		
	Power Claim		
<u>✓</u>	Abstracts	<u>✓</u>	

54

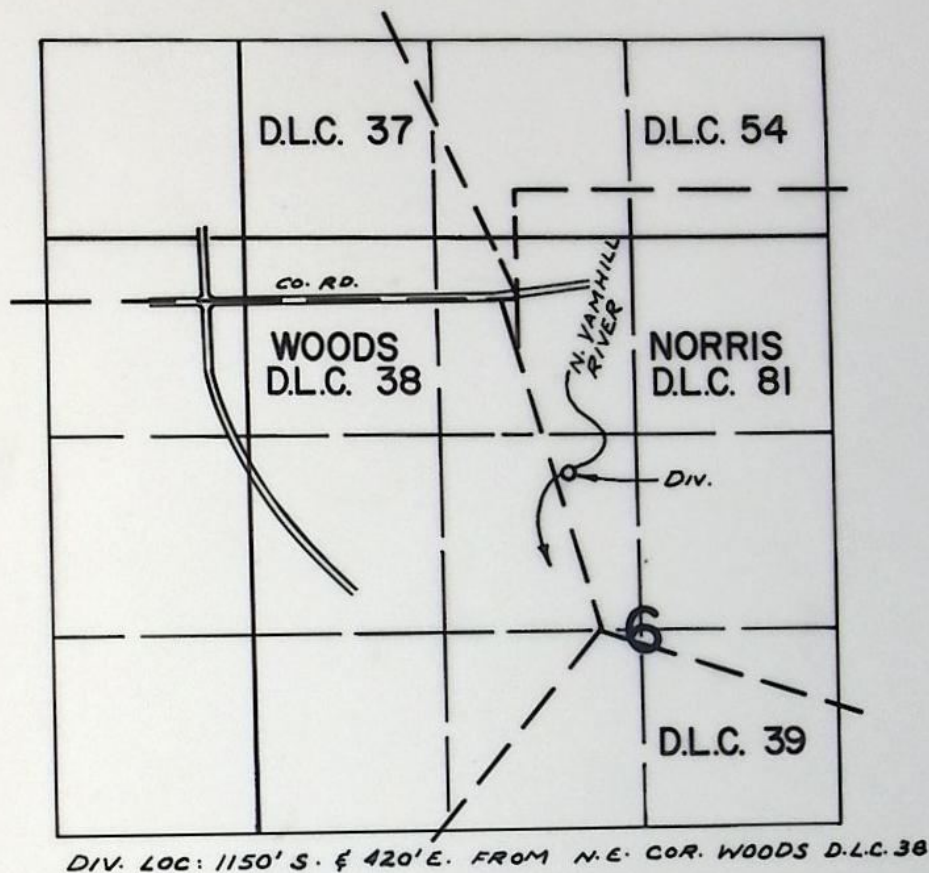


Property has been divided into two parcels

Issue two certificates, one for each parcel. dwe

See above deed & L.D.

T.3S.R.4W.W.M.



**FINAL PROOF SURVEY**  
UNDER

TRANSFER NO. 3655  
Application No. .... Permit No. ....  
IN NAME OF

.....CARL A. COREY.....

Surveyed OCT. 17, 1979., by R. G. MUGKEN







## CONCLUSIONS OF LAW

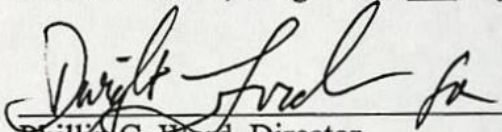
The Director of the Water Resources Department concludes that the portion of the right evidenced by Water Right Certificate 49300 as described in *Findings of Fact #3* has been diminished from primary irrigation to supplemental irrigation.

## ORDER

### IT IS HEREBY ORDERED:

1. Certificate 49300 is canceled;
2. The portion of the water right for irrigation of 1.70 acres as described by Certificate 49300 is diminished from a right for primary irrigation to a right for supplemental irrigation; and the Department shall issue a new and superseding certificate, to confirm the diminution of the right described herein and to describe the unaffected portion of the right.

Dated at Salem, Oregon this 19 day of August, 2005.

  
Phillip C. Ward, Director  
Water Resources Department



This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

STATE OF OREGON

COUNTY OF YAMHILL

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CARL A. COREY  
ROUTE 1, BOX 169-A  
YAMHILL, OREGON 97148

confirms the right to use the waters of NORTH YAMHILL RIVER, a tributary of YAMHILL RIVER, for PRIMARY IRRIGATION OF 30.9 ACRES AND SUPPLEMENTAL IRRIGATION OF 1.7 ACRES.

This right was perfected under Permit 30482. The date of priority is MAY 14, 1965. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.41 CUBIC FOOT PER SECOND (CFS), BEING 0.39 CFS FOR PRIMARY IRRIGATION AND 0.02 CFS FOR SUPPLEMENTAL IRRIGATION, IF AVAILABLE AT THE ORIGINAL POINT OF DIVERSION, NE 1/4 NW 1/4, AS PROJECTED WITHIN NORRIS DLC 81, SECTION 6, TOWNSHIP 3 SOUTH, RANGE 4 WEST, W.M.; 550 FEET SOUTH AND 400 FEET EAST OF THE NE CORNER, WOODS DLC 38, or its equivalent in case of rotation, measured at the point of diversion from the stream.

The point of diversion is located as follows:

SE 1/4 NW 1/4, AS PROJECTED WITHIN NORRIS DLC 81, SECTION 6, TOWNSHIP 3 SOUTH, RANGE 4 WEST, W.M.; 1150 FEET SOUTH AND 420 FEET EAST FROM NE CORNER, WOODS DLC 38.

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. This right is limited to any deficiency in the available supply of any prior right existing for the same land.

40896\_diminish\_49300.GC

Certificate Number 81598



A description of the place of use to which this right is appurtenant is as follows:

PRIMARY IRRIGATION

NE 1/4 NW 1/4 10.4 ACRES

NW 1/4 NW 1/4 9.17 ACRES

SW 1/4 NW 1/4 4.73 ACRES

SE 1/4 NW 1/4 6.6 ACRES

ALL AS PROJECTED WITHIN WOODS DLC 38

SECTION 6

TOWNSHIP 3 SOUTH, RANGE 4 WEST, W.M.

SUPPLEMENTAL IRRIGATION

NW 1/4 NW 1/4 1.63 ACRES

SW 1/4 NW 1/4 0.07 ACRES

BOTH AS PROJECTED WITHIN WOODS DLC 38

SECTION 6

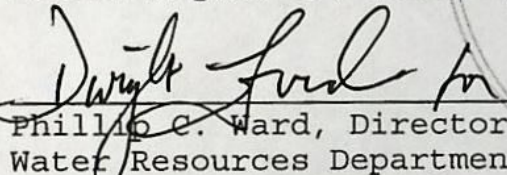
TOWNSHIP 3 SOUTH, RANGE 4 WEST, W.M.

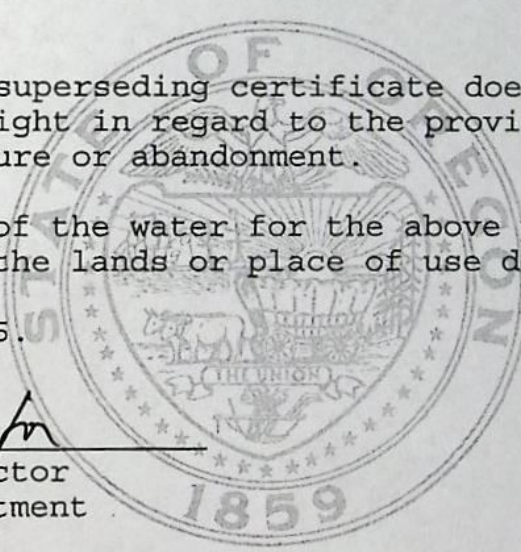
This certificate is issued to confirm diminution of the right modified by provisions of an Order of the Water Resources Department entered August 19, 2005, recorded at Special Order Volume 66, Pages 116 and 117, and supersedes Certificate 49300, State Record of Water Right Certificates.

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.

Issued August 19, 2005.

  
Phillip C. Ward, Director  
Water Resources Department



Recorded in State Record of Water Right Certificates Number 81598.

40896\_diminish\_49300.GC



(A)

STATE OF OREGON  
COUNTY OF YAMHILL

## CERTIFICATE OF WATER RIGHT

This Is to Certify, That **CARL A. COREY**  
of ~~Route 1, Box 169 A~~ ~~7902 SE 92nd, Portland~~ **YAMHILL**, State of ~~Oregon~~ **Oregon** <sup>97208 97148</sup>, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of **North Yamhill River**

a tributary of **Yamhill River** for the purpose of  
irrigation of ~~59.2~~ **32.6** acres

under Permit No. **30482** 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 14, 1965**

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 **0.41 ~~0.74~~ cubic foot per second** if available at the original point of diversion, **NE 1/4 NW 1/4** as projected within **Norris DLC 81**, Section 6, T. 3 S., R. 4 W., W. M. **550 feet South and 400 feet East from NE Corner Woods DLC 38.**

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 NW 1/4~~ <sup>SE 1/4 NW 1/4</sup> as projected within **Norris DLC 81**, Section 6, T. 3 S., R. 4 W., W. M., **550 feet South and 400 feet East from NE Corner, Woods DLC 38.**

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:

10.4 acres NE 1/4 NW 1/4  
10.8 ~~25.3~~ acres NW 1/4 NW 1/4  
4.8 ~~12.8~~ acres SW 1/4 NW 1/4  
6.6 acres SE 1/4 NW 1/4  
All as projected within Woods DLC 38  
Section 6  
T. 3 S., R. 4 W., W. M.

This certificate is issued to confirm a change in point of diversion approved by an order of the WRD entered **MAY 31, 1977** and together with certificate of water right recorded on Page **(B)**, Volume **34**, SRWRC supersedes certificate of water right recorded on Page **42146**, Volume **34**, SRWRC.

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.

WITNESS the signature of the State Engineer, affixed  
this date. **May 2, 1975**

**Chris L. Wheeler**

State Engineer

Recorded in State Record of Water Right Certificates, Volume **34**, page **42146**

**49300**



BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Yamhill County

IN THE MATTER OF THE APPLICATION )  
OF CARL A. COREY FOR APPROVAL OF )  
A CHANGE IN POINT OF DIVERSION OF )  
WATER FROM NORTH YAMHILL RIVER )  
-----

ORDER APPROVING  
TRANSFER NO. 3655

On May 2, 1977, an application was filed in the office of the Water Resources Director by Carl A. Corey for a change in 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 42146, Volume 34, State Record of Water Right Certificates, in the name of Carl A. Corey describes a right for the use of not to exceed 0.74 cubic foot per second from North Yamhill River for irrigation of 10.4 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$ , 25.3 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$ , 12.8 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$  and 6.6 acres in SE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 6, Township 3 South, Range 4 West, W.M.; 3.9 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$  and 0.2 acre in SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 1, Township 3 South, Range 5 West, W.M., with a date of priority of May 14, 1965.

Water for the said right is diverted from a point located 550 feet South and 400 feet East from the Northeast corner of Woods DIC 38, being within the NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 6, Township 3 South, Range 4 West, W.M.

The applicant herein, proposes to change the point of diversion therefrom without loss of priority to a point located 1320<sup>\*</sup> feet South and 250<sup>\*</sup> feet East from the Northeast corner of Woods DIC 38, being within the SE $\frac{1}{4}$  NE $\frac{1}{4}$  of said Section 6.

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

1163' S  $\frac{1}{2}$  378'E by easement<sup>†</sup>  
(2 pumps)



No objection 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 0.74 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 on or before October 1, 1979.

It is FURTHER ORDERED that the certificate of water right heretofore issued to Carl A. Corey and recorded at Page 42146, Volume 34, State Record of Water Right Certificates, is canceled, 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 31st day of May, 1977.

/s/ JAMES E. SEXSON  
Director



STATE OF OREGON  
COUNTY OF YAMHILL

# CERTIFICATE OF WATER RIGHT

**This Is to Certify, That** **CARL A. COREY**

of **7902 SE 92nd, Portland**, **97208**, 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 **North Yamhill River**

a tributary of **Yamhill River** for the purpose of **irrigation of 59.2 acres**

under Permit No. **30482** 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 14, 1965**

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 **0.74 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 **NE $\frac{1}{4}$  NW $\frac{1}{4}$** , as projected within **Norris DLC 81, Section 6, T. 3 S., R. 4 W., W. M., 550 feet South and 400 feet East from NE Corner, Woods DLC 38.**

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:

**10.4 acres NE $\frac{1}{4}$  NW $\frac{1}{4}$**   
**25.3 acres NW $\frac{1}{4}$  NW $\frac{1}{4}$**   
**12.8 acres SW $\frac{1}{4}$  NW $\frac{1}{4}$**   
**6.6 acres SE $\frac{1}{4}$  NW $\frac{1}{4}$**   
**All as projected within Woods DLC 38**  
**Section 6**  
**T. 3 S., R. 4 W., W. M.**

**3.9 acres NE $\frac{1}{4}$  NE $\frac{1}{4}$**   
**0.2 acre SE $\frac{1}{4}$  NE $\frac{1}{4}$**   
**Both as projected within Woods DLC 38**  
**Section 1**  
**T. 3 S., R. 5 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. **May 2, 1975**

**Chris L. Wheeler**

State Engineer