

Name Leo R. Barclay

By _____

Address Rt 3 Box 625 Danio, NevadaCorvallis, OR 97330Change in P O UDate filed 9-8-77

Date of hearing _____

Place of hearing _____

Date of order 9-30-77 Vol. 29, page 391Date for application of water 10-1-79Proof mailed APR 27 1992

Proof received _____

Certificate issued JAN 15 2004 Vol. _____, page 80533

Notation made on record by _____

4/22/2004 W. H. H. H. 159 P 277 80677OK Cert 6/29/92

DESCRIPTION OF WATER RIGHT

Name of stream A. Well DVA NotificationTrib. of _____ County of HarneyUse IrrQuantity of water _____ No. of acres 69²

Name of ditch _____

Date of priority June 25, 1964In name of Thomas W. Hall

Adjudication, Vol. _____, page _____

App. No. G 2907 Per. No. G 2706 Cert. No. 36755 80533 80677

Certificate cancelled _____

FEES PAID

Date	Amount	Receipt No.
<u>9-8-77</u>	<u>\$ 40 -</u>	<u>63736</u>
TOTAL . . .		
	No Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.
	Exam <u>20</u>	
	POU <u>20</u>	
	<u>40</u>	

REMARKS

Do with G-8199 & G-8431
map in the cabinet -
CARD FOR C DEC 26 1979

W.R.I.S.

Assembled 6-27-85 by SHB

Entered _____ by _____

Verified _____ by _____

INDEX CARDS:	Entered	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>	
CHECKED TO RECORDS:		
<input checked="" type="checkbox"/> Twp. & Rge.	<u>lg</u>	
<input checked="" type="checkbox"/> Deed-vault	<u>lg</u>	
<input checked="" type="checkbox"/> Deed-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"/> Chaindex	<u>lg</u>	
<input checked="" type="checkbox"/> Cross Ref.	<u>lg</u>	
<input checked="" type="checkbox"/> Power Claim	<u>lg</u>	
<input checked="" type="checkbox"/> Abstracts	<u>lg</u>	

Applicant owns entirety of right under C# 36755

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STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

LEO R. BARCLAY
13549 FIELD-DENIO ROAD
FIELDS, OREGON 97710

confirms the right to use the waters of WELL NO. 1 AND 2 in the TROUT CREEK BASIN for IRRIGATION OF 138.2 ACRES.

This right was perfected under Permit G-2706. The date of priority is JUNE 25, 1964. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.73 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

WELL NO. 1 - SW 1/4 SW 1/4, SECTION 16, TOWNSHIP 41 SOUTH, RANGE 35 EAST, W.M.; 50 FEET NORTH AND 50 FEET EAST FROM THE SW CORNER OF SECTION 16; AND

WELL NO. 2 - SW 1/4 SW 1/4, SECTION 16, TOWNSHIP 41 SOUTH, RANGE 35 EAST, W.M.; 10 FEET NORTH AND 1150 FEET EAST FROM THE SW CORNER OF SECTION 16.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is 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 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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

NE 1/4 SW 1/4	13.5 ACRES
NW 1/4 SW 1/4	13.5 ACRES
SW 1/4 SW 1/4	40.0 ACRES
SE 1/4 SW 1/4	40.0 ACRES
NW 1/4 SE 1/4	7.9 ACRES
SW 1/4 SE 1/4	23.3 ACRES

SECTION 16

TOWNSHIP 41 SOUTH, RANGE 35 EAST, W.M.

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the 60 days of the date of service.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

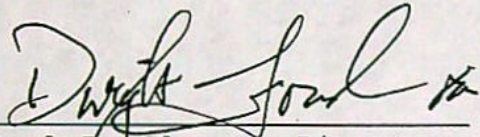
The well shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.

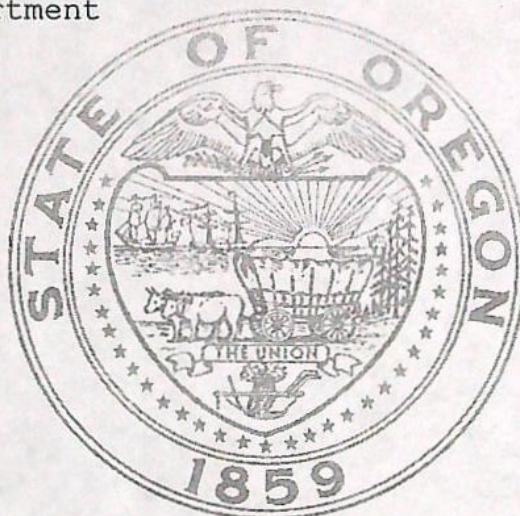
This certificate is issued to describe that part of the right not involved in this change and confirms a change in PLACE OF USE approved by an order of the Water Resources Director entered SEPTEMBER 30, 1977, and supersedes Certificate 36755, State Record of Water Right Certificates.

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 use water for the above purpose is restricted to beneficial use on the lands or place of use described.

Issued April 22, 2004.


Paul R. Cleary, Director
Water Resources Department



Recorded in State Record of Water Right Certificates Number 80677.

T-3771.SB

STATE OF OREGON
COUNTY OF HARNEY
CERTIFICATE OF WATER RIGHT

*Withdrawn
3-11-2004*

THIS CERTIFICATE ISSUED TO

LEO R. BARCLAY
13549 FIELD-DENIO ROAD
FIELDS, OREGON 97710

confirms the right to use the waters of WELL #1 in the TROUT CREEK BASIN for IRRIGATION OF 138.2 ACRES.

This right was perfected under Permit G-2706. The date of priority is JUNE 25, 1964. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.73 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the well.

The well is located as follows:

SW 1/4 SW 1/4, SECTION 16, TOWNSHIP 41 SOUTH, RANGE 35 EAST, W.M.; 50 FEET NORTH AND 50 FEET EAST FROM THE SW CORNER OF SECTION 16.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is 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 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

SW 1/4 SW 1/4	0.4 ACRE
NE 1/4 SW 1/4	12.4 ACRES
NW 1/4 SW 1/4	17.3 ACRES
SW 1/4 SW 1/4	37.6 ACRES
SE 1/4 SW 1/4	40.0 ACRES
NW 1/4 SE 1/4	7.2 ACRES
SW 1/4 SE 1/4	23.3 ACRES

SECTION 16
TOWNSHIP 41 SOUTH, RANGE 35 EAST, W.M.

This is a final order in other than contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review of the order must be filed within the 60 days of the date of service.

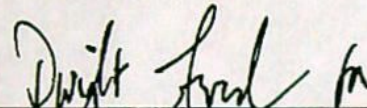
The well shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon.

This certificate is issued to describe that part of the right not involved in this change and confirms a change in PLACE OF USE approved by an order of the Water Resources Director entered SEPTEMBER 30, 1977, and supersedes Certificate 36755, 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 use water for the above purpose is restricted to beneficial use on the lands or place of use described.

Issued January 15, 2004.


Paul R. Cleary, Director
Water Resources Department



*Withdrawn
Sp or V59 Page 277
11 MAR 2004*

Recorded in State Record of Water Right Certificates Number 80533.

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

HARNEY COUNTY

IN THE MATTER OF THE APPLICATION OF)
LEO R. BARCLAY FOR APPROVAL OF A)
CHANGE IN PLACE OF USE OF GROUND-)
WATER FROM A WELL)

ORDER APPROVING
TRANSFER NO. 3771

On September 8, 1977, an application was filed in the office of the Water Resources Director by Leo R. Barclay for a change in place of use under an existing water right of record, pursuant to the provisions of ORS 537.705.

The certificate recorded at page 36755, Volume 28, State Record of Water Right Certificates, in the name of Thomas W. Hall, describes a right which includes the use of not to exceed 0.87 cubic foot per second from a well for irrigation of a certain 27.2 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, 6.3 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, 14.3 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ and 21.4 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 16, Township 41 South, Range 35 East, W.M., with a date of priority of June 25, 1964.

Water for the said right is diverted from a well located 50 feet North and 50 feet East from the Southwest corner of Section 16, being within the SW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 16.

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 1.0 acre in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 26.8 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$, 11.0 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$ and 30.4 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ of said Section 16.

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

No objections having been filed and it appearing that the proposed change

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P371-392

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 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 Thomas W. Hall and recorded at page 36755, Volume 28, 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 30th day of September, 1977.

/s/ James E. Sexson
Director

STATE OF OREGON

COUNTY OF HARNEY

CERTIFICATE OF WATER RIGHT

This Is to Certify, That THOMAS W. HALL

of General Delivery, Denio, State of Nevada, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of a well

a tributary of Trout Creek for the purpose of irrigation of 138.2 acres

under Permit No. G-2706 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 June 25, 1964

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 1.73 cubic feet 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 $\frac{1}{4}$ SW $\frac{1}{4}$, Section 16, T. 41 S., R. 35 E., W. M. Well located: 50 feet North and 50 feet East from SW Corner, Section 16.

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 3 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:

			out	in	NFW
out to T 3771					
27.6	27.6 acres	SW $\frac{1}{4}$ NW $\frac{1}{4}$	-27.2		0.4
6.3	6.3 acres	SE $\frac{1}{4}$ NW $\frac{1}{4}$	-6.3		0
14.3	14.8 acres	NE $\frac{1}{4}$ SW $\frac{1}{4}$	-14.3	+1.0	1.5
21.4	38.7 acres	NW $\frac{1}{4}$ SW $\frac{1}{4}$	-21.4		17.3
	37.6 acres	SW $\frac{1}{4}$ SW $\frac{1}{4}$			37.6
	13.2 acres	SE $\frac{1}{4}$ SW $\frac{1}{4}$		+26.8	40.0
	Section 16				
69.6A	T. 41 S., R. 35 E., W. M.				
		NW SE		+ 11.0	11.0
.87cf.		SW SE		+ 30.4	30.4
					138.2

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. June 16, 1970

CHRIS L. WHEELER

State Engineer