

3841 WAHL

Name John & Georgina & Michael Wahl

By _____

Address Box 43
Langlois, OR 97450Change in PODDate filed Nov. 21, 1977Date of hearing —

Place of hearing _____

Date of order 2-8-78 Vol. 30, page 396-7Date for application of water 12-1-79

Proof mailed _____

Proof received _____

Certificate issued OCT 28 1980 Vol. 43, page 49642

3841

DESCRIPTION OF WATER RIGHT

Name of stream LONG TOMTrib. of _____ County of BentonUse IrrigationQuantity of water _____ No. of acres 615

Name of ditch _____

Date of priority Oct. 10, 1967In name of John & Georgina Wahl

_____ Adjudication, Vol. _____, page _____

App. No. 44147 Per. No. 32967 Cert. No. 41966

Certificate cancelled _____

Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>Nov. 21, 1977</u>	<u>\$ 35.00</u>	<u>65136</u>
TOTAL . . .		
	<u>No</u> Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

REMARKS

finis

W.R.I.S.

Assembled 625-85 by SDA

Entered _____ by _____

Verified _____ by _____

INDEX CARDS:

Entered

Checked

TO BE ENTERED WHERE CHECKED

<input checked="" type="checkbox"/>	Name	<u>Scj</u>	_____
<input checked="" type="checkbox"/>	Stream	<u>Scj</u>	_____
<input type="checkbox"/>	Pt. of Div.	_____	_____
<input checked="" type="checkbox"/>	Calendar	<u>SL</u>	_____
CHECKED TO RECORDS:			
<input type="checkbox"/>	Twp. & Rge.	_____	_____
<input type="checkbox"/>	Decree-vault	_____	_____
<input type="checkbox"/>	Decree-safe	_____	_____
<input checked="" type="checkbox"/>	Cert. of W/R	<u>Scj</u>	_____
<input checked="" type="checkbox"/>	Per. Folder	<u>is</u>	_____
<input type="checkbox"/>	Chaindex	_____	_____
<input type="checkbox"/>	Cross Ref.	_____	_____
<input checked="" type="checkbox"/>	Power Claim	<u>Scj</u>	_____
<input type="checkbox"/>	Abstracts	_____	_____

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STATE OF OREGON

COUNTY OF BENTON

CERTIFICATE OF WATER RIGHT

This Is to Certify, That ~~JOHN, GEORGINA, & MICHAEL WAHL~~
~~JOHN & GEORGINA WAHL~~

97450

of Box 43, Langlois, 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 Long Tom Rivera tributary of Willamette River
irrigation of 61.5 acres

for the purpose of

under Permit No. 32969 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 October 10, 1967that 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 0.77 cubic foot per second, if available at the original point of diversion;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 $\frac{1}{4}$ NE $\frac{1}{4}$, Section 25, T. 13 S., R. 5 W., W. M., 390 feet North and 3120 feet East from W $\frac{1}{2}$ Corner, Section 25.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:

7.6 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$
12.9 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
41.0 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$
Section 25
T. 13 S., R. 5 W., W. M.

This certificate is issued to confirm a change in point of diversion approved by an order of the WRD entered 2-8-78 and supersedes certificate of water right recorded at page 41966 Vol. 34 SRWRC.

The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

Chris L. Wheeler

State Engineer

Recorded in State Record of Water Right Certificates, Volume 34, page 41966

C-49642

T# 3741

P.O.D.: SENE Sec 25 T13S R5W WM
 2330'S & 1210' W from NE cor Sec 25

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

Benton County

IN THE MATTER OF THE APPLICATION)
OF JOHN, GEORGINA, AND MICHAEL)
WAHL FOR APPROVAL OF A CHANGE IN)
POINT OF DIVERSION OF WATER _ _ _)

ORDER APPROVING
TRANSFER NO. 3841

On November 21, 1977, an application was filed in the office of the Water Resources Director by John, Georgina, and Michael Wahl for approval of a change in point of diversion from Long Tom River, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at Page 41966, Volume 34, State Record of Water Right Certificates, in the names of John and Georgina Wahl, describes a right for the use of not to exceed 0.77 cubic foot per second from Long Tom River for the irrigation of 7.6 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 12.9 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, and 41.0 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 25, Township 13 South, Range 5 West, W. M., with a date of priority of October 10, 1967.

Water for the said right is diverted from a point located 390 feet North and 3120 feet East from the West Quarter corner of Section 25, being within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 25, Township 13 South, Range 5 West, 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 2250 feet South and 1320 feet West from the Northeast corner of Section 25, being within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 25, Township 13 South, Range 5 West, W. M.

Mr. Gene McGinnis, 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 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 0.77 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:

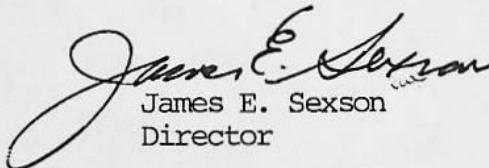
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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 John and Georgina Wahl and recorded at Page 41966, 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 applicants herein.

Dated at Salem, Oregon this 8th day of February, 1978.


James E. Sexson
Director