

4065

Name Charles D. & Beverly G. Anderson

By \_\_\_\_\_

Address P.O. Box 107

Prairie City Or. 97869

Change in POD

Date filed October 5, 1978

Date of hearing \_\_\_\_\_

Place of hearing \_\_\_\_\_

✓ Date of order 11-15-78 Vol. 31, page 413

Date for application of water 10-1-80

Proof mailed \_\_\_\_\_

Proof received \_\_\_\_\_

Certificate issued \_\_\_\_\_ Vol. \_\_\_\_\_, page \_\_\_\_\_

DESCRIPTION OF WATER RIGHT

Name of stream Indian Creek

Trib. of John Day River County of Grant

Use irrigation

Quantity of water \_\_\_\_\_ No. of acres 11.5

Name of ditch unnamed

Date of priority 1881

In name of C. E. Ridgeway

John Day Riv. Adjudication, Vol. 10, page 590

App. No. \_\_\_\_\_ Per. No. \_\_\_\_\_ Cert. No. 25755

Certificate cancelled \_\_\_\_\_

Notation made on record by \_\_\_\_\_

FEEES PAID

Date	Amount	Receipt No.
<u>10-5-78</u>	<u>35.00</u>	<u>6569</u>
TOTAL . . . .		
	Cert. Fee	

FEEES REFUNDED

Date	Amount	Check No.

*to sur 12/80 - done*

*9-19-83*

REMARKS

CARD FOR C NOV 4 1980

SEE T-5349 A POD 7<sup>0</sup>-ac

Part Cancelled Sp. Or V37, p 527

W.R.I.S.	
Assembled <u>6-19-89</u> by <u>SPH</u>	
Entered _____ by _____	
Verified _____ by _____	

TO BE ENTERED WHERE CHECKED	INDEX CARDS:	Entered	Checked
	✓ Name	<u>lgj</u>	_____
	✓ Stream	<u>lgj</u>	_____
	_____ Pt. of Div.	_____	_____
	✓ Calendar	<u>lgj</u>	_____
	CHECKED TO RECORD:		
	✓ Twp. & Rge.	<u>lgj</u>	_____
	✓ Decree-vault	<u>wp</u>	<u>lgj</u>
	✓ Decree-suff	<u>lgj</u>	_____
	✓ Cert. of W.R.	<u>wp</u>	_____
_____ Per. Folder	_____	_____	
_____ Chainer	_____	_____	
_____ Cross Ref.	_____	_____	
✓ Power Claim	_____	_____	
_____ Abstracts	<u>lgj</u>	_____	

To File:

Talked to Jerry Rodgers 7-26-83. He will talk to the new owner, & if he is serious about irrigating, we will accept an application to change POD from T-4065 to his new point.

SRB

Does this order need  
a remaining right  
for the pod - with;

18.4 AC SWSE

2.0 NESE

34.5 NWSE

25.5 SESE

?

No.

T-1254

got cancelled  
out.



RECEIVED

8-31-81

WATER RESOURCES DEPT.  
SALMON DIVISION

Info: inspection ~~this is not~~ the ditch  
flows around the land however direct  
application of water by flooding does not  
look possible. Surveyed the POD. The  
occupants are renters who only have been  
on the property for a couple of months.  
Could not contact Anderson.

Source: Indian Creek

Use: irrigation

Crop: pasture

Tid: PYS-1981-B

ABrown

FE

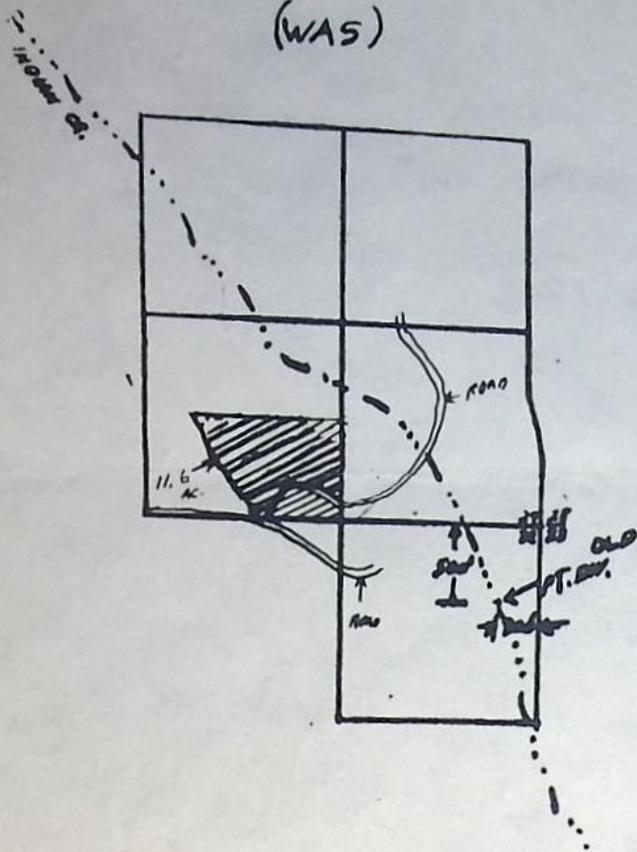
7-6-1983 INSPECTION WITH RAYMOND ~~FEAR~~ POTTER WHO TOOK POSSESSION OF  
PROPERTY IN 6-82. HE STATED THAT HE HAS NOT YET IRRIGATED GROUND.  
RENTERS OCCUPIED LAND IN 1981 & 1ST HALF 1982. INDIAN CREEK NOW FLOWS ~~AROUND~~  
ALONG ROUTE OF PROPOSED DITCH. THIS CHANNEL WAS DREDGED SOMETIME BETWEEN  
THE FILING OF THE TRANS. AND 6-1982. PRESENTLY THERE IS NO METHOD  
OF IRRIGATING THE LAND, POTTER STATED HE WANTED TO MOVE THE PROPOSED  
DIV. PT. SURVEY OF DIV. PT. BY STEVE BROWN IS VOID, THAT DITCH DOES NOT  
SERVE THIS LAND (PTS-1981-B)

7-7-1983

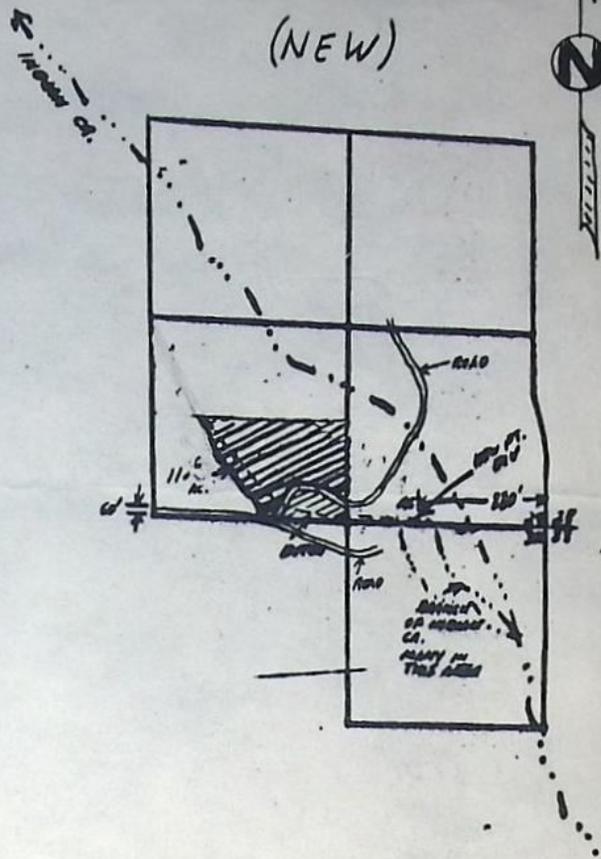
Gabriel Potter  
ASST. WATERMASTER  
DIST. 4.

T. 13 S. R. 33 E.

(WAS)



(NEW)



APPLICATION MAP FOR  
CHARLES D. + BEVERLY G. ANDERSON

APPROVED

x Charles D Anderson  
 x Beverly G Anderson

THIS MAP PREPARED BY:

Charles D. Defatt 6-2-78

FROM INFORMATION FURNISHED BY  
THE APPLICANT.

RECEIVED

OCT 5 1978

WATER RESOURCES DEPT.  
SALEM, OREGON

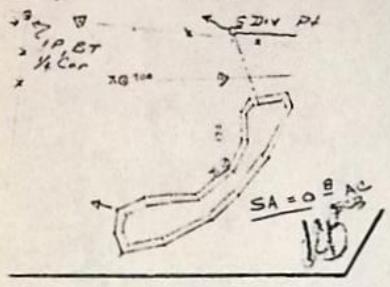
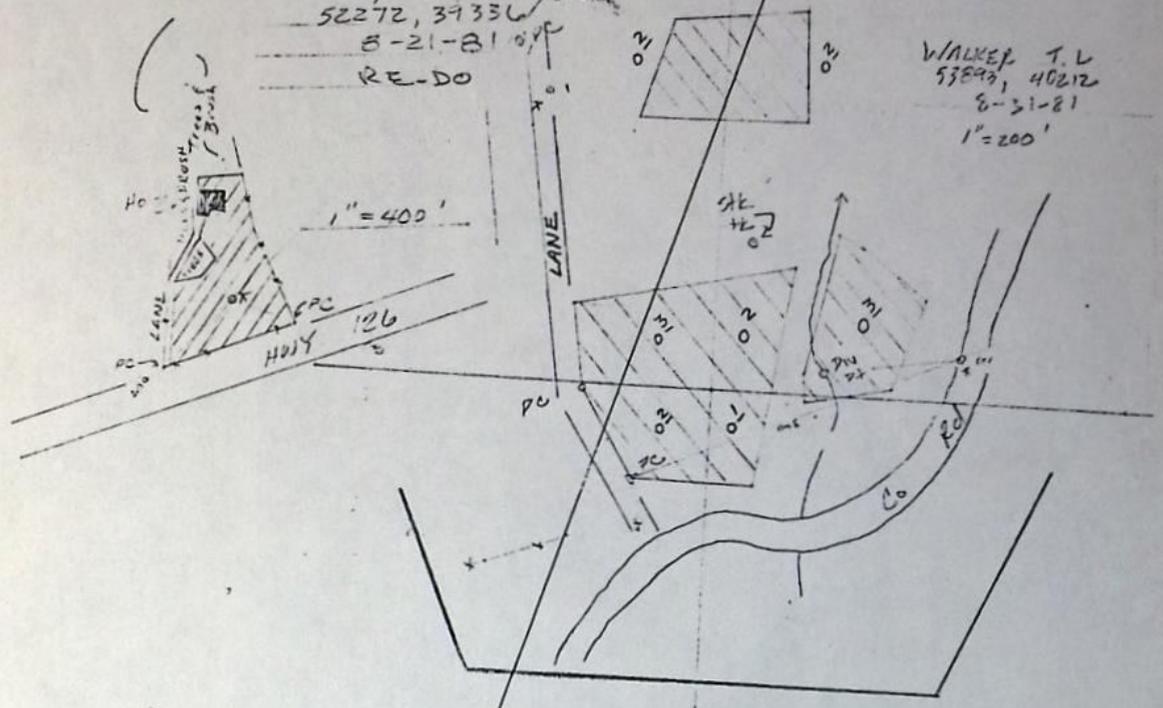
# PTS 1981-B

SAME SURVEY

BROWN, D.J.  
R 57178 R 7937  
57179 44415  
8-11-81  
1" = 400'

ALLEN, T.F. & D.F.  
52272, 39336  
8-21-81  
RE-DO

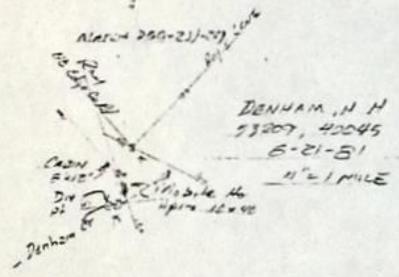
WALKER, T.L.  
53893, 40212  
8-31-81  
1" = 200'



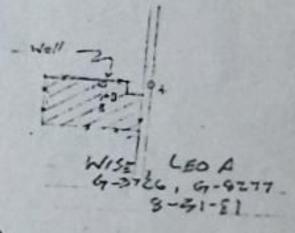
1/4 242

MILL  
Div. Pt

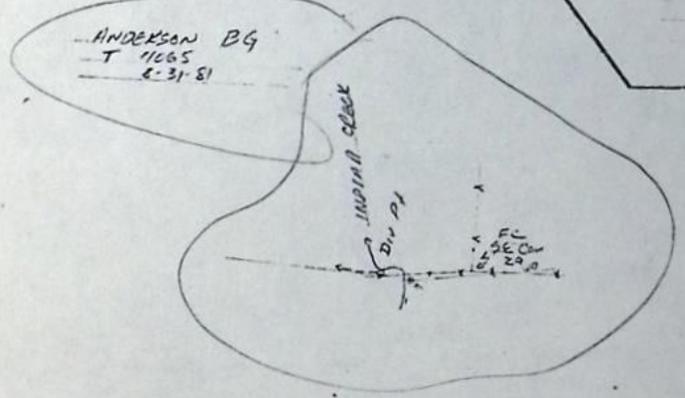
100, ME  
28532  
8-81



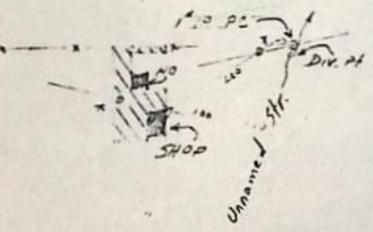
ANDERSON B.G.  
T 11665  
8-31-81



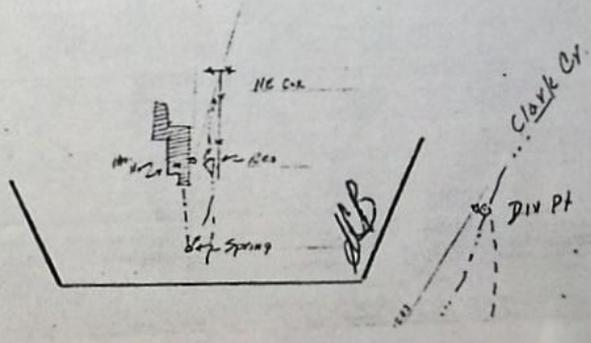
HORSON, M.P.  
56646, 42405  
8-20-81



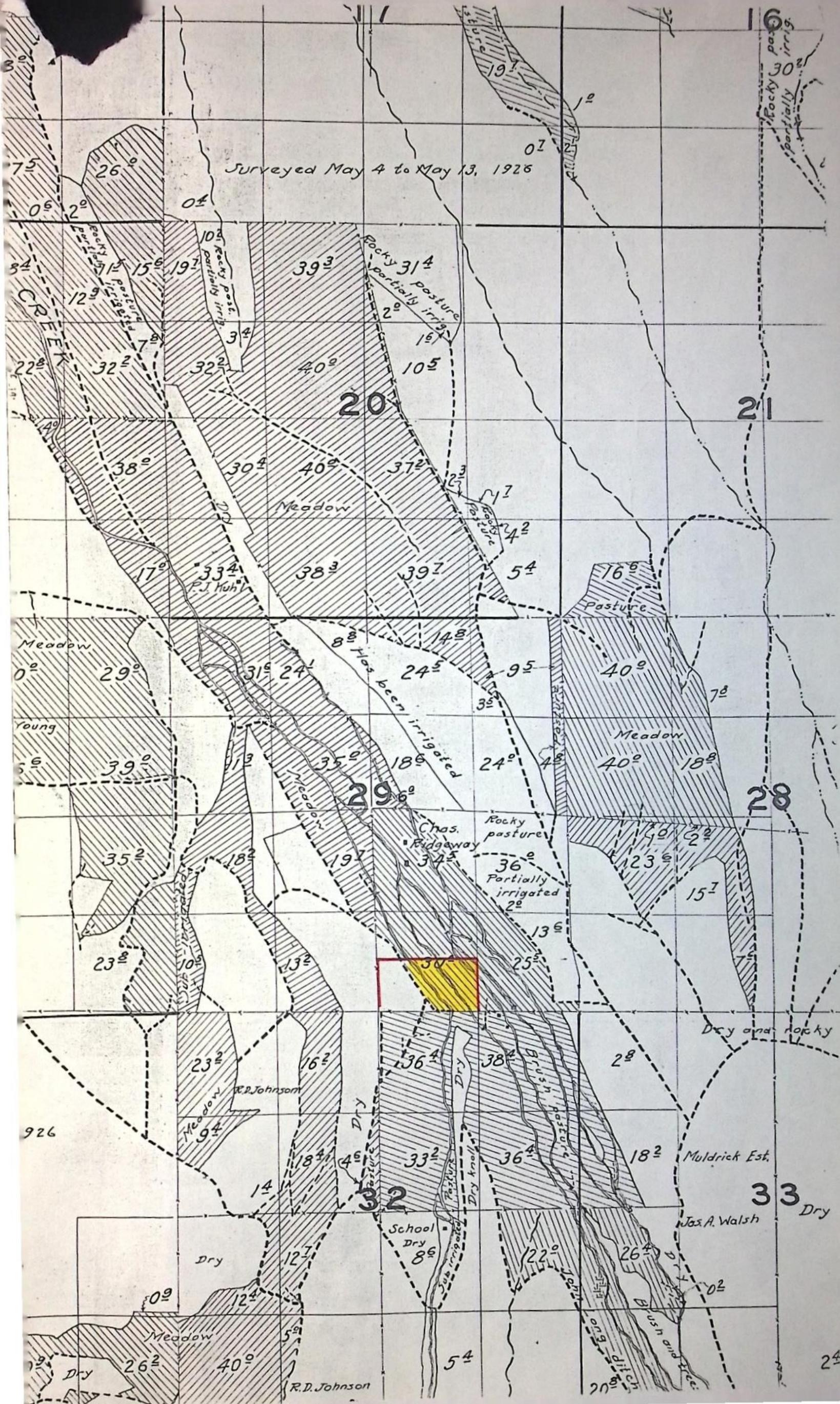
1" = 400'



BECKLE  
2-5176 R-6205  
51765 37155  
2-22-81



Surveyed May 4 to May 13, 1926



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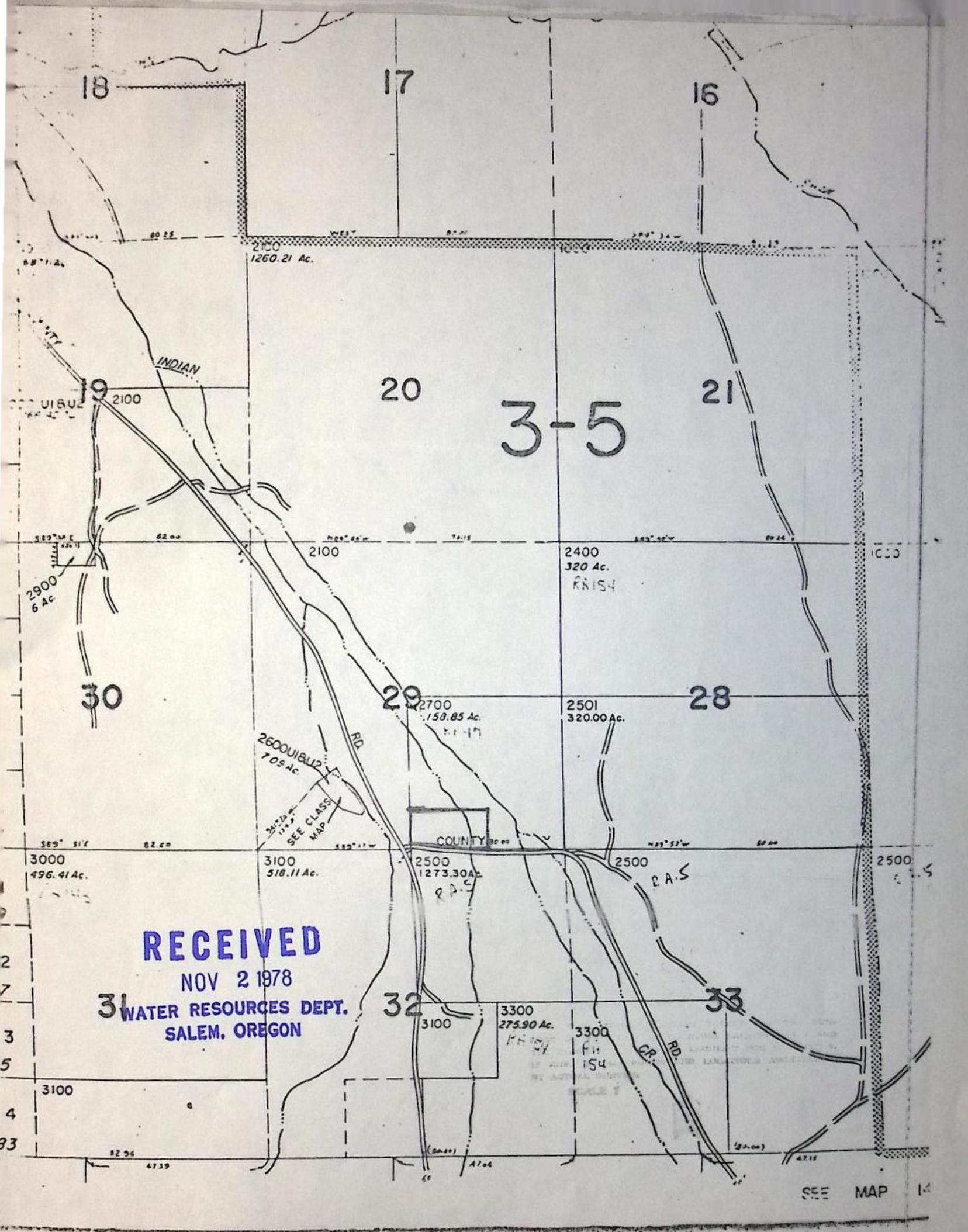
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45494  
BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

GRANT COUNTY

IN THE MATTER OF THE APPLICATION )  
OF CHARLES D. & BEAVERLY G. )  
ANDERSON FOR APPROVAL OF A CHANGE )  
IN POINT OF DIVERSION OF WATER )  
-----

ORDER APPROVING  
TRANSFER NO. 4065

On October 5, 1978, an application was filed in the office of the Water Resources Director by Charles D. and Beverly G. Anderson for approval of a change in point of diversion from Indian Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 25755, Volume 17, State Record of Water Right Certificates, in the name of C. E. Ridgeway, describes a right which includes the use of water from Indian Creek for irrigation of a certain 11.6 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 29, Township 13 South, Range 33 East, W.M., with a date of priority of 1881.

The authorized point of diversion of record for said right, as allowed by the provisions of an order of the State Engineer entered March 7, 1969, approving transfer No. L-89, is located 500 feet South and 300 feet West from the Southeast Corner of Section 29, being within the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 32, Township 13 South, Range 33 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 60 feet North and 880 feet West from the Southeast Corner of Section 29, being within the SE $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 29, Township 13 South, Range 33 East, W.M.

Mr. Jerry Rodgers, 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 original point of diversion under the subject right, located 550 feet South and 940 feet East from the

VER 0-43

West Quarter Corner of Section 3, being within the NW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 3, Township 14 South, Range 33 East, W.M.

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:

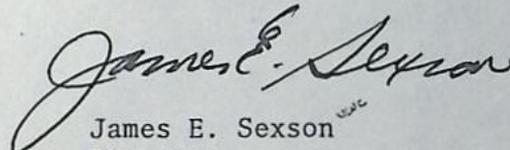
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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, 1980.

It is FURTHER ORDERED that the portion of the right involved in the change authorized herein NOT be included in the new certificate to be issued as provided by the order entered March 7, 1969, approving transfer application No. L-89; and upon receipt of 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 15th day of November, 1978.

  
James E. Sexson  
Director

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NOV 2 1978

WATER RESOURCES DEPT.  
SALEM, OREGON

RECEIVED

OCT 5 1978

WATER RESOURCES DEPT.  
SALEM, OREGON

Application for Transfer of Water Right

To the WATER RESOURCES DIRECTOR OF OREGON:

I, Charles D. & Beverly G. Anderson

(Name of applicant)

of P. O. Box 107

(Mailing address)

Prairie City,

(City)

State of Oregon

97869

(Zip Code)

820-4419

(Phone number)

do hereby make application for change

in point of diversion.

(In point of diversion; place of use; use heretofore made of the water)

1. Is the water right recorded in your name? NO Daniel Hugh Langenfeld

(If not, give name)

2. Was your water right determined by Decree of Court? YES If so, give title of proceedings

(NOTE) is now on Tran. L-89

John Day Adjudication

number of certificate C-25755

3. Was your water right acquired by Water Right Permit? NO If so, give number

(Yes or No)

of permit ..... Number of certificate .....

NOTE: If the entire right of record is not directly involved in the requested change, only that part of the right that is directly involved should be considered in answering the balance of the questions on this form.

4. The source of water is Indian Creek

5. What is the date of priority of your water right? 1881

6. The authorized point of diversion is located 500 ft. S. and 300 ft. W. from the SE corner of 29 being within the NE 1/4 NE 1/4 of Section 32 Tp. 13 S. R. 33 E. W. M., in the county of Grant. The name of the ditch used is unnamed ditch

NOTE: Answer question if the application is for change in point of diversion.

7. The proposed point of diversion is located 60 ft. N. and 880 ft. W. from the SE corner of 29 being within the SE 1/4 SE 1/4 of Section 29 Tp. 13 S. R. 33 E. W. M., in the county of Grant. The name of the ditch to be used is Indian Cr.

8. The use to which the water is applied is Irrigation  
(Irrigation, Mining, Power, Manufacturing, etc.)

Location of area irrigated, or place of use if other than irrigation:

RECEIVED  
 NOV 2 1938  
 WATER RESOURCES DEPT.  
 SALEM, OREGON

Township North or South	Range E. or W. of Willamette Meridian	Section	List ¼-¼ of Section	Number Acres To Be Irrigated
13 S.	33 E.	29	SW ¼ SE ¼	11.6
"	"	"	"	"

(If more space required, attach separate sheet)

9. Are you the legal owner of the above described lands? YES  
(If not owner, explain your interest)

10. To your knowledge, has any portion of the water right above described undergone a period of five or more consecutive years of nonuse? NO  
(Yes or No)

NOTE: Answer questions 11, 12 and 13 if application is for change in use or place of use.

11. Are the lands from which you propose to transfer your water right free of all encumbrances, including taxes, mortgages, liens, etc.? .....  
(Answer Yes or No)

12. If not, give below a description of existing encumbrances:

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT
Mortgage	Dept. of Veterans Affairs State Or.	\$62,000.

13. The use to which the water is to be applied is .....  
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

Location of area to be irrigated, or place of use if other than irrigation:

Township North or South	Range E. or W. of Willamette Meridian	Section	List ¼-¼ of Section	Number Acres To Be Irrigated

(If more space required, attach separate sheet)

14. Reasons for the proposed changes are Transfer L-89 was applied for (see Special Order Vol. 18 P 95, an easment across neighbors lands to use the point of diversion that was intended could not be obtained, so will have to establish new point of diversion, in order to aquire water to irrigate my lands, also point of diversion applied for in above Special Order was not feasible.

15. Construction work will be completed on or before Completed

16. The water will be completely applied to the proposed use on or before Completed

Remarks .....

.....

.....

.....

.....

**NOTE:** THIS APPLICATION MUST BE ACCOMPANIED BY A MAP OR MAPS SHOWING THE BEFORE AND AFTER LOCATIONS OF THE POINT OF DIVERSION AND/OR PLACE OF USE, AS THE CASE MAY BE.

**AFFIDAVIT OF APPLICANT**

I, Charles D Anderson Beverly Anderson, the applicant herein, being first duly sworn, depose and say that I have read the above and foregoing application for transfer of water right; that I know the contents thereof and that the statements therein made are true and correct to the best of my knowledge and belief.

In Witness Whereof, I have hereunto set my hand this 30<sup>th</sup> day of Oct., 1978

Charles Anderson  
(Name of applicant)

Subscribed and sworn to before me this 30<sup>th</sup> day of October, 1978.

C. David Denis  
NOTARY PUBLIC FOR OREGON

[Notarial Seal]



My commission expires 1/11/81

**LAND Title Company**  
of Grant County, Inc.

103 WEST MAIN STREET

JOHN DAY, OREGON 97845

December 2nd, 1977

**RECEIVED**

NOV 2 1978

WATER RESOURCES DEPT.  
SALEM, OREGON

PHONE (503) 575-1529

L. A. GROEN, PRESIDENT

SUPPLEMENTAL  
PRELIMINARY REPORT ONLY

No liability is assumed hereunder  
until full Policy Premium has been paid.

Our No. G-5004, R.A. 47  
(Langenfeld-Anderson)

Ranch & Town Real Estate  
P. O. Box 391  
Prairie City, Oregon 97869

*Dave, We have  
sent copies of this supplemental  
report to Buyer, Seller, and  
2 copies to State Vets.*

Dear Dave:

We are prepared to issue Title Insurance (Pioneer National Insurance Company) in the usual form insuring the title to the land hereinafter described.

Dated as of: NOVEMBER 29th, 1977 at 8:00 a.m.

LAND TITLE COMPANY

By: Dennis L. Watterson  
Dennis L. Watterson, Title Officer

Vestee:

DANIEL LANGENFELD, also known as DAN LANGENFELD, also known as DANIEL H. LANGENFELD, and HILDA LANGENFELD, also known as HILDA I. LANGENFELD, husband and wife.

Description:

Land in Grant County, Oregon, as follows:

In Twp. 13 S., R. 33 E., W.M.:

Sec. 29: A tract of land situated in the S $\frac{1}{2}$ SE $\frac{1}{4}$  described as follows:  
Beginning at a point where the North right of way line of the County Road intersects the West line of the said SW $\frac{1}{4}$ SE $\frac{1}{4}$  of Sec. 29; said point being N. 0° 41' 07" W. 60.00 feet from the South quarter corner of said Sec. 29;  
thence N. 0° 41' 07" W., along the said West line of the SW $\frac{1}{4}$ SE $\frac{1}{4}$  of Sec. 29, 634.25 feet;  
thence S. 89° 30' 51" E. 1326.65 feet;  
thence S. 0° 41' 07" E. 694.25 feet to the South line of said Sec. 29;  
thence N. 89° 30' 51" W., along the said South line of Sec. 29, 408.69 feet to the North right of way line of said County Road;  
thence along said North right of way line as follows:  
along an 815.64 foot radius curve left (the long chord of which bears N. 78° 27' 27" W. 312.84 feet) 314.79 feet;  
N. 89° 30' 51" W. 612.15 feet to the point of beginning.

All according to Map of Survey No. 489 as filed in the Office of the Grant County Surveyor.

# LAND Title Company of Grant County, Inc.

103 WEST MAIN STREET

JOHN DAY, OREGON 97845

## RECEIVED

NOV 2 1978

WATER RESOURCES DEPT.  
SALEM, OREGON

L. A. GROEN, PRESIDENT

PHONE (503) 575-1529

PAGE "2"--Ranch & Town Real Estate

December 2nd, 1977

Re: G-5004, R.A. 47 (Langenfeld-Anderson)

Subject to the usual printed exceptions, and:

- ✓ 1. RIGHT OF WAY EASEMENT to California-Pacific Utilities Company, a corp., dated Sept. 25, 1950, recorded Dec. 18, 1950 in Book 61, Page 482, Deeds, over and upon the W $\frac{1}{2}$ SE $\frac{1}{4}$  of Sec. 29, Twp. 13 S., R. 33 E., W.M.
- ✓ 2. EASEMENT from Philip J. Kuhl, Jr. and Margaret R. Kuhl, husband and wife, and Echo E. Kuhl, a widow, to Daniel H. Langenfeld and Hilda Langenfeld, his wife, dated Oct. 27, 1959, recorded Nov. 12, 1959 in Book 82, Page 136, Deeds, granting the right to use the present farm road over and across the E $\frac{1}{2}$ SW $\frac{1}{4}$  of Sec. 29, Twp. 13 S., R. 33 E., W.M., from the Easterly boundary of the present County Road running in an Easterly direction to the Langenfeld Ranch located in the SE $\frac{1}{4}$  of Sec. 29, Twp. 13 S., R. 33 E., W.M., Grant County, Oregon, for the purpose of ingress and egress.  
NOTE: The exact location of this road is unknown.
- ✓ 3. DEED to Forrest Winegard and Mary Winegard, husband and wife, dated April 12, 1968, recorded April 16, 1968 in Book 99, Page 1, Deeds, conveying an easement for a ditch right of way as now constructed and to be constructed from the West boundary of the SE $\frac{1}{4}$  of Sec. 29, Twp. 13 S., R. 33 E., W.M., extending East to Indian Creek and being in the SE $\frac{1}{4}$  of Sec. 29, Twp. 13 S., R. 33 E., W.M.
- ✓ 4. As disclosed by the tax rolls, the premises herein described have been zoned or classified for farm use. At any time that said land is disqualified for such use, the property will be subject to additional taxes or penalties and interest.
- ✓ 5. MORTGAGE, including its terms and provisions, from Daniel Langenfeld, also known as Dan Langenfeld, also known as Daniel H. Langenfeld, and Hilda Langenfeld, also known as Hilda I. Langenfeld, husband and wife, to The Federal Land Bank of Spokane, a corp., dated Aug. 12, 1976, recorded Aug. 17, 1976 in Book 46, Page 82, Mortgages, securing payment of a note for \$95,000.00, as provided therein.  
NOTE: Includes other property.
- ? 6. DISTRAINT WARRANT No. 06845 against DANIEL LANGENFELD and HILDA LANGENFELD, husband and wife, in favor of Oregon State Department of Revenue, filed Jan. 21, 1977 in Book 1, Page 25, State and County Lien Docket of Grant County, Oregon; 1975 Tax (Personal) \$3,097.62; Penalty, \$154.88; Interest, \$309.77; Recording fee, \$3.00.
- ? 7. TRANSCRIPT OF JUDGMENT from Harney County, against DAN LANGENFELD and HILDA LANGENFELD, in favor of Richard B. & Lena Jane Joyce, received, filed and docketed in the Grant County Clerk's Office Nov. 2, 1977 in Book "L", Page 56, Judgment Lien Docket; Judgment, \$22,400.00; Costs, \$176.80; Attorney Fees, \$10,453.33; plus interest at 10% for 1974 and thereafter until said \$22,400.00 is paid.
8. The County Road along the Southerly boundary line of this property is not a deeded right of way.
9. TAXES for the fiscal year 1977-78 in the amount of \$279.46, add interest. (Code 2-5 (12-33) 2700.) Will need to be segregated.



STATE OF OREGON

INTEROFFICE MEMO

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: 10-27, 1978

FROM: \*\* Jerry Rodgers, Watermaster

SUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4065  
IN THE NAME OF Charles & Beverly Anderson

RECEIVED  
OCT 30 1978  
WATER RESOURCES DEPT.  
SALEM, OREGON

In my opinion the proposed change in point of diversion from Indian Creek  
MAY BE MADE WITHOUT INJURY WOULD RESULT IN INJURY\* to an existing water right.

Headgate notices HAVE HAVE NOT been issued for diversion from the sources which serves this right.

If for change in point of diversion, is there any intervening point of diversion between the authorized and the proposed points of diversion? NO  
(yes or no)

In my opinion, the order approving the subject transfer application should include the following in regard to the appropriator installing suitable measuring devices in the diversion works:

- (1) PRIOR to the diverting of water at the new point of diversion . . .
- (2) When in the judgment of the watermaster it becomes necessary . . .

\* The approval of this transfer application would result in injury to other water rights because \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\*\* Jerry Rodgers  
Watermaster's signature or initials

BEFORE THE STATE ENGINEER OF OREGON

Grant County

IN THE MATTER OF THE APPLICATION )  
OF DANIEL HUGH LANGENFELD FOR THE )  
APPROVAL OF A CHANGE IN POINT OF )  
DIVERSION OF WATER FROM INDIAN )  
CREEK )

ORDER APPROVING  
TRANSFER NO. L-69

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On June 22, 1967, Daniel Hugh Langenfeld filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from Indian Creek, pursuant to the provisions of ORS 540.510 to 540.530.

By Decree of the Circuit Court for Grant County, Oregon entered November 16, 1956, In the Matter of the Determination of the Relative Rights to the Use of the Waters of John Day River and Its Tributaries, a water right was established in the name of C. E. Ridgeway for the use of the waters of Indian Creek for the irrigation of, among other lands, 2.0 acres in NE $\frac{1}{4}$  SE $\frac{1}{4}$ , 34.5 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$ , 30.0 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$  and 25.5 acres in SE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 29, Township 13 South, Range 33 East, W.M., with a date of priority of 1881. This right was confirmed by certificate recorded at page 25755, Volume 18, State Record of Water Right Certificates. This land is irrigated by means of the Halls Ditch, the point of diversion being located 550 feet south and 940 feet east from the W $\frac{1}{2}$  corner of Section 3 being within the NW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 3, Township 14 South, Range 33 East, W.M.

The applicant herein, owner of the lands above described, proposes to irrigate these lands from a point of diversion to be located 500 feet south and 300 feet west from the SE corner of Section 29 being within the NE $\frac{1}{4}$  NE $\frac{1}{4}$ , of Section 32, Township 13 South, Range 33 East, W.M.

Notice of the filing of the application was given by publication setting forth a time and place certain for hearing objections to the proposed change in point of diversion of water, if any there were, namely:

at the county courthouse in Canyon City, Oregon, on July 24, 1968, at 9:30 a.m. The notice was published in the Blue Mountain Eagle, a newspaper printed and having general circulation in Grant County, Oregon, for a period of three weeks in the issues of May 30, June 6 and 13, 1968. The date set for hearing in said notice was not less than thirty days after the last publication of the notice.

Mr. Wayne J. Overcash, Watermaster, of District No. 4, has filed a report to the effect that the proposed change in point of diversion of water may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed point of diversion of water may be established without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the change in point of diversion of water from Indian Creek, to-wit:

From a point located 550 feet south and 940 feet east from the  $W\frac{1}{4}$  corner of Section 3 being within the  $NE\frac{1}{4}$   $SW\frac{1}{4}$  of Section 3, Township 14 South, Range 33 East, W.M.

To a point to be located 500 feet south and 300 feet west from the SE corner of Section 29 being within the  $NE\frac{1}{4}$   $NE\frac{1}{4}$  of Section 32, Township 13 South, Range 33 East, W.M.

for the irrigation of 2.0 acres in  $NE\frac{1}{4}$   $SE\frac{1}{4}$ , 34.5 acres in  $NW\frac{1}{4}$   $SE\frac{1}{4}$ , 30.0 acres in  $SW\frac{1}{4}$   $SE\frac{1}{4}$  and 25.5 acres in  $SE\frac{1}{4}$   $SE\frac{1}{4}$ , Section 29, Township 13 South, Range 33 East, W.M., is approved.

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, 1969.

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 and shall not exceed  $1/40$  cubic foot per second per acre irrigated to June 1 and  $1/60$  cubic foot per second per acre

thereafter; further limited to one acre foot per calendar month to June 1 and four acre feet per acre during season April 1 to September 30, measured at point of diversion.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgement 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 certificate of water right heretofore issued to C. E. Ridgeway and recorded at page 25755, Volume 18, State Record of Water Right Certificates, is canceled, and in lieu thereof a new certificate be issued covering the balance of the lands not involved in this proceeding, and upon receipt of proof satisfactory to the State Engineer of completion of the authorized change in point of diversion, a certificate of water right shall be issued to Daniel Hugh Langenfeld confirming said change in point of diversion.

Dated at Salem, Oregon, this 7th day of March, 1969.

/s/ CHRIS L. WHEELER  
State Engineer