

Name Richard Kirkham

By \_\_\_\_\_

Address 9225 Steel Bridge RoadWillamina, OR 97396Change in POUDate filed June 9, 1978

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

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

Date of order 10-11-78 Vol. 31, page 318Date for application of water 10-1-80

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

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

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

3971

## DESCRIPTION OF WATER RIGHT

Name of stream South Yamhill RiverTrib. of \_\_\_\_\_ County of POLK

Use \_\_\_\_\_

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

Name of ditch \_\_\_\_\_

Date of priority Oct. 11, 1938In name of William Schulz

\_\_\_\_\_ Adjudication, Vol. \_\_\_\_\_, page \_\_\_\_\_

App. No. 17629 Per. No. 13313 Cert. No. 20894

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

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

## FEES PAID

Date	Amount	Receipt No.
<u>6-9-78</u>	<u>46.25</u>	<u>3630</u>
TOTAL . . .		
	Cert. Fee	

## FEES REFUNDED

Date	Amount	Check No.

## REMARKS

see file 53036  
Retransfer of this same water right under T-4226

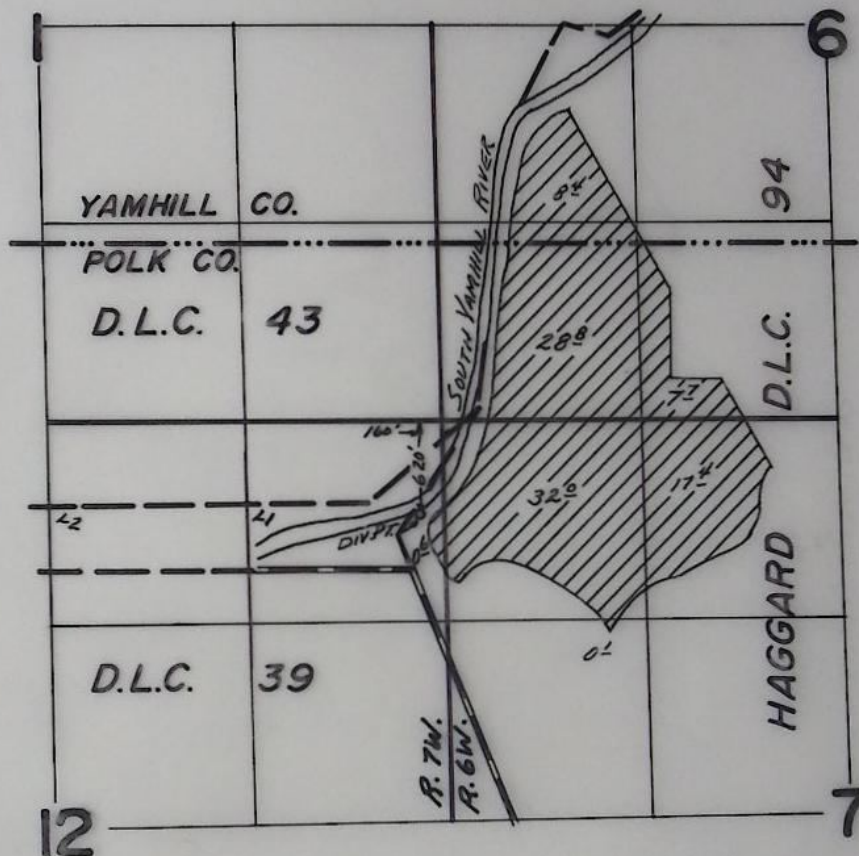
~ Finis ~

W.R.I.S.	
Assembled <u>6-12-85</u> by <u>SKA</u>	
Entered _____ by _____	
Verified _____ by _____	

	INDEX CARDS:	
	Entered	Checked
✓ Name	<u>lg</u>	_____
✓ Stream	<u>lg</u>	_____
✓ Pt. of Div.	<u>lg</u>	_____
✓ Calendar	<u>lg</u>	_____
✓ CHECKED TO RECORDS		
✓ Twp. & Sec.	<u>lg</u>	_____
✓ Deed-vault	<u>lg</u>	_____
✓ Deed-office	<u>lg</u>	_____
✓ Cert. of W.R.	<u>lg</u>	_____
✓ Per. Folder	<u>lg</u>	_____
✓ Chaindex	<u>lg</u>	_____
✓ Cross Ref.	<u>lg</u>	_____
✓ Power Claim	<u>lg</u>	_____
✓ Abstracts	<u>lg</u>	_____



T.6S.R.6&7.W.W.M



**FINAL PROOF SURVEY**  
UNDER

Transfer No. 3971 — (RICHARD KIRKHAM)  
Application No. 17.629... Permit No. 13313...  
IN NAME OF

.....WILLIAM.....SCHULZ.....

Surveyed July 13.. 1954, by T. JONES.....

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

POLK COUNTY

IN THE MATTER OF THE APPLICATION )  
OF RICHARD KIRKHAM FOR APPROVAL )  
OF A CHANGE IN PLACE OF USE OF )  
WATER FROM SOUTH YAMHILL RIVER )  
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ORDER APPROVING  
TRANSFER NO. 3971

On June 9, 1978, an application was filed in the office of the Water Resources Director by Richard Kirkham for approval of a change in place of use from South Yamhill River, pursuant to the provisions of ORS 540.510 to 540.530.

By performance under the provisions of an order of the State Engineer approving water right transfer application No. 3568, a water right now exists for the use of not to exceed 1.18 cubic feet per second of water from South Yamhill River for irrigation of a certain 4.8 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$ , 0.9 acre in NW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 7, Township 6 South, Range 6 West, W.M.; 8.4 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$ , 0.3 acres in NW $\frac{1}{4}$  NE $\frac{1}{4}$ , 6.2 acres in SW $\frac{1}{4}$  NE $\frac{1}{4}$ , 39.6 acres in SE $\frac{1}{4}$  NE $\frac{1}{4}$ , 23.0 acres in NE $\frac{1}{4}$  SE $\frac{1}{4}$  and 11.8 acres in NW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 12, Township 6 South, Range 7 West, W.M., with a date of priority of October 11, 1938.

The authorized point of diversion of record for said right is located within the NE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 12, Township 6 South, Range 7 West, W.M.

The applicant herein proposes to change the place of use therefrom and, without loss of priority, to irrigate in lieu thereof a certain 4.3 acres in NW $\frac{1}{4}$  SW $\frac{1}{4}$ , 30.8 acres in SW $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 6; 15.0 acres in NE $\frac{1}{4}$  NW $\frac{1}{4}$ , 38.8 acres in NW $\frac{1}{4}$  NW $\frac{1}{4}$ , 3.0 acres in SW $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 7, Township 6 South, Range 6 West, W.M.; 3.0 acres in NE $\frac{1}{4}$  NE $\frac{1}{4}$  and 0.1 acre in SE $\frac{1}{4}$  NE $\frac{1}{4}$  of Section 12, Township 6 South, Range 7 West, W.M.

Mr. Clifton R. King, 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 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.

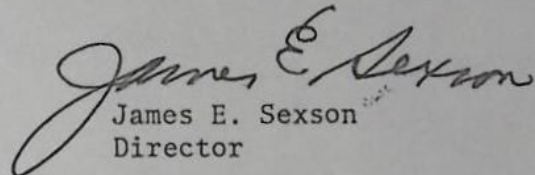
It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1980.

031,0318



It is FURTHER ORDERED that no new certificate of water right be issued as provided by the order of the State Engineer approving transfer application No. 3568; 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 11th day of October, 1978.

  
James E. Sexson  
Director



## STATE OF OREGON

COUNTY OF POLK

## CERTIFICATE OF WATER RIGHT

This Is To Certify, That *Richard Kirkham*  
~~WILLIAM SCHULZ~~  
 9225 Steel Bridge Road  
 of ~~Route 1~~, Willamina, State of Oregon 97396, has made proof  
 to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of  
 South Yamhill River  
 a tributary of Yamhill River for the purpose of  
 irrigation of 95.0 acres  
 under Permit No. 13313 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 11, 1938,

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  
 1.18 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 $\frac{1}{4}$  NE $\frac{1}{4}$ , as projected within Haggard D.L.C. ~~60~~.  
 60, Section 12, Township 6 South, Range 7 West, W. M., 620'S E 160' W from  
 the NE cor Sec 12

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:

T. 6 S., R. 6 W.

Sec. 6 NW SW

SW SW

SE SW

Sec. 7 NE NW

NWNW

SW NW

All w/in  
Haggard

DLC

94

8.4

28.8

7.7

17.4

32.0

0.1

T. 6 S., R. 7 W.

Sec. 12 NE NE

w/in Haggard DLC 60

0.6

TOTAL 95.0

This certificate is issued to confirm a change in place of use and point  
 of diversion approved by an order of the WRD entered 10-11-78 and supersedes  
 certificate of water right recorded on page 20894, Volume 15, SRWRC.



*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       day of       , 19 .  
14th       November       55

LEWIS A. STANLEY       State Engineer

YAMHILL CO.  
POLK CO.

D.L.C. 43

D.L.C. 93

S. Yamhill River

D.W. PO

R. 7 W.  
R. 6 W.

D.L.C. 60

D.L.C. 94

HAGGARD

42

41

40

320

77

84

61

7

12

Surveyed July 13, 1954, by T. Jones.....  
Inspected 1979