

Name Tom De Armond

4093

DESCRIPTION OF WATER RIGHT

By

Address Rt. 1 Box 505

Hubbard Cr. 97032

Change in USE

Date filed Nov. 8, 1978

Date of hearing Jan 31, 1979

Place of hearing Salem

Date of order 1-29-79 Vol. 31, page 609

Date for application of water Completed

Proof mailed

Proof received

Certificate issued JAN 19 1981 Vol. 43, page 49603
JAN 19 1981 43 49603

Name of stream unnamed stream & reservoir

Trib. of _____ County of Marion

Use

Quantity of water No. of acres

Name of ditch _____

Date of priority Aug 29, 1946 & Aug 20, 1953

In name of Arthuer R Zehner

Adjudication, Vol. _____, page _____

App. No. P-28723 Per. No. P-1559 Cert. No. 24501

Certificate cancelled _____

Notation made on record by

FEES PAID

Date	Amount	Receipt No.
11/18/78	85.00	7585
TOTAL . . .		
	0 Cert. Fee	
Statesman Journal \$50.00 pd 1/16/79 ck #2989		

FEES REFUNDED

[illegible]

EX 20
USE 15
PON 50

85

REMARKS

* Notify File G-9005 when affidavits are received and when order is entered for Transf.

W.R.I.S.

Assembled 7-8-85 by SM

Entered _____ by _____

Verified _____ by _____

TO BE ENTERED WHERE CHECKED	INDEX CARDS:	Entered	Checked
✓	Name	OCJ	✓
✓	Stream	OCJ	✓
✓	Pt. of Div.	OCJ	✓
✓	Calendar	OCJ	✓
✓	CHECKED TO RECORDS	OCJ	✓
✓	Twp. & Hqs.	OCJ	✓
✓	Deer-e-vault	OCJ	✓
✓	Deer-e-safe	OCJ	✓
✓	Cont. of W/R	OCJ	✓
✓	Per. Folder	OCJ	✓
✓	Ch. Index	OCJ	✓
✓	Ch. Ref.	OCJ	✓
✓	Ch. Claim	OCJ	✓
✓	Abstracts	OCJ	✓

T. 4 S. R. 1 W. W.M.



FINAL PROOF SURVEY

UNDER

R28723

R-1559

Application No. 28724 Permit No. 22610

IN NAME OF

ARTHUR R. ZEHNER

Surveyed MAR. 18, 1957, by C.O. BARTELS

STATE OF OREGON

COUNTY OF

MARION

CERTIFICATE OF WATER RIGHT

This Is to Certify, That TOM DeARMOND

of 11463 Broadacres Road NE, Hubbard, State of Oregon 97032, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of an unnamed stream and reservoir

a tributary of Mill Creek
wildlife

for the purpose of

under Permit No. 17260 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 August 29, 1946
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 0.08 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 W. Rhodde DLC 57, Section 33, T. 4 S., R. 1 W., W.M.; 800 feet West from SE Corner, Rhodde DLC 57

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 ----- of one cubic foot per second per acre,

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:

SEE NEXT PAGE

Lot 1 (NE $\frac{1}{4}$ NW $\frac{1}{4}$)

Lot 2 (NW $\frac{1}{4}$ NW $\frac{1}{4}$)

NE $\frac{1}{4}$ NW $\frac{1}{4}$

NW $\frac{1}{4}$ NW $\frac{1}{4}$

both as projected within Rhodde DLC 57

Section 33

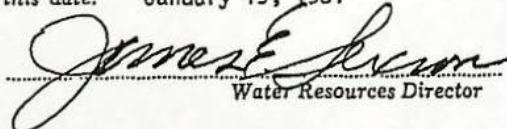
T. 4 S., R. 1 W., W. M.

Certificate of water right recorded at page 20761, Volume 15, State Record of Water Right Certificates, confirmed the right to the use of water for the irrigation of 10.0 acres. The right to the use of water for irrigating 4.0 acres was canceled by an order of the Water Resources Director entered on January 29, 1979. This certificate is issued to confirm a change in use of water approved by an order of the Water Resources Director entered January 31, 1979, and supersedes certificate 20761.

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described, and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed

this date. January 19, 1981


Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 43 , page 49803

STATE OF OREGON

COUNTY OF MARION

CERTIFICATE OF WATER RIGHT

This Is to Certify, That TOM DeARMOND

of 11463 Broadacres Road NE, Hubbard, State of Oregon 97032, has made
proof to the satisfaction of the Water Resources Director, of a right to store the waters of
an unnamed stream, tributary Mill Creek, appropriated under Permit No. 17260

for the purposes of
wildlife
under Reservoir Permit No. R-1559, and that said right to store said waters has been
perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed
dates from August 20, 1953,

that the amount of water entitled to be stored each year under such right, for the purposes afore-
said, shall not exceed 14.3 acre-feet

The reservoir is located in

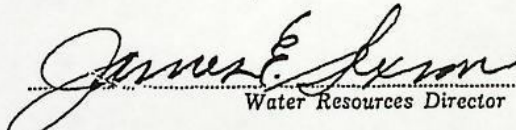
Lot 1 (NE $\frac{1}{4}$ NW $\frac{1}{4}$)
Lot 2 (NW $\frac{1}{4}$ NW $\frac{1}{4}$)
NE $\frac{1}{4}$ NW $\frac{1}{4}$
NW $\frac{1}{4}$ NW $\frac{1}{4}$

both as projected within Rhodde DLC 57
Section 33
T. 4 S., R. 1 W., W.M.

This certificate is issued to confirm a change in use of water approved by an
order of the Water Resources Director entered on January 31, 1979, and
supersedes certificate of water right recorded at page 24501, Volume 17,
State Record of Water Right Certificates.

WITNESS the signature of the Water Resources Director, affixed

this date, January 19, 1981


Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 43, page 49804

102205

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MARION COUNTY

IN THE MATTER OF THE APPLICATION)
OF TOM DeARMOND FOR APPROVAL OF)
A CHANGE IN USE OF WATER)
- - - - -

ORDER APPROVING
TRANSFER NO. 4093

On November 8, 1978, an application was filed in the office of the Water Resources Director by Tom DeArmond for approval of a change in use heretofore made of stored water in a reservoir and from an unnamed stream, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 24501, Volume 17, State Record of Water Right Certificates, in the name of Arthur R. Zehner, describes a right for storage of not to exceed 14.3 acre feet of water from an unnamed stream for the purpose of irrigation, with a priority date of August 20, 1953, the reservoir being located in Lots 1 and 2 and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ and NW $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within Rodde D.L.C. No. 57 of Section 33, Township 4 South, Range 1 West, W.M.

The certificate recorded at page 20761, Volume 15 of said record, in the name of Arthur R. Zehner, describes a right which includes the use of not to exceed 0.08 cubic foot per second from an unnamed stream for irrigation of 6.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ as projected within Rodde D.L.C. No. 57 of Section 33, Township 4 South, Range 1 West, W.M., with a date of priority of August 29, 1946.

The authorized point of diversion of record for said rights is located 800 feet West from the Southeast Corner of Rodde D.L.C. No. 57, being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 33, Township 4 South, Range 1 West, W.M.

The applicant herein proposes to change the use for which the 14.3 acre feet of water has been stored and the use heretofore made of the 0.08 cubic foot per second of water from the unnamed stream and, without loss of priority, to hereafter store said 14.3 acre feet of water from the unnamed stream in said reservoir for wildlife and to hereafter use said 0.08 cubic foot per second of water from the unnamed stream during the irrigation season of each year for maintaining the said reservoir for wildlife.

Notice of the application, pursuant to ORS 540.520(2), was published in The Oregon Statesman, a newspaper printed and having general circulation in Marion County, Oregon, for a period of three weeks in the issues of December 9, 16 and 23, 1978.

V3119609

Mr. Clifton R. King, Watermaster, has filed a statement to the effect that the proposed change in use heretofore made of water may be made without injury to existing rights.

No objections having been filed and it appearing that the proposed change in use heretofore made of water may be made without injury to existing rights, the application should be approved.

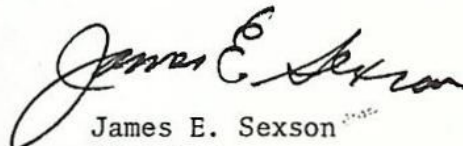
NOW, THEREFORE, it hereby is ORDERED that the requested change in use heretofore made of water, as described herein, without loss of priority, is approved.

It is FURTHER ORDERED that NO time need be fixed for completion as the change in use heretofore made of water is completed.

The order of the Water Resources Director entered January 29, 1979, provided for cancellation of that portion of the right described by certificate of water right recorded at page 20761, Volume 15, State Record of Water Right Certificates, NOT involved in this transfer proceeding; therefore,

It is FURTHER ORDERED that the certificate of water right recorded at page 20761, Volume 15, 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 January, 1979.


James E. Sexson
Director

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MARION COUNTY

IN THE MATTER OF CANCELLATION)
OF A PORTION OF A WATER RIGHT)
IN THE NAME OF ARTHUR R. ZEHNER)

O R D E R

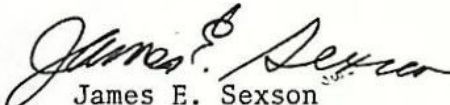
On November 27, 1978, Arthur R. Zehner and Tom DeArmond submitted affidavits that they are the owner and contract purchaser of a certain water right and the lands to which the water right is appurtenant; that they have abandoned any and all interest in and to the said water right and request the same be canceled.

The water right in question is a portion of the right described by the certificate recorded at page 20761, Volume 15, State Record of Water Right Certificates, in the name of Arthur R. Zehner, and is for the use of not to exceed 0.05 cubic foot per second of water from an unnamed stream, with a date of priority of August 29, 1946, for irrigation of 4.0 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within W. Rhodde D.L.C. No. 57, of Section 33, Township 4 South, Range 1 West, W.M.

ORS 540.621 provides that: "Whenever the owner of a perfected and developed water right certifies under oath to the Water Resources Director that the water right has been abandoned by him and that he desires cancellation thereof, the Water Resources Director shall enter an order canceling the water right."

NOW, THEREFORE, it hereby is ORDERED that the said water right, being a portion of the right described by the certificate recorded at page 20761, Volume 15, State Record of Water Right Certificates, is canceled.

Dated at Salem, Oregon this 29th day of January, 1979.


James E. Sexson
Director

U31, P600

UN STR → MILL CR → PUDDING R

WRT-0982-C1

*** OREGON WATER RESOURCES DEPARTMENT ***
*** WATER RIGHTS DIVISION ***
*** WATER RIGHT DATA INPUT FORM ***

PAGE 1
RUN ON: 3/20/81 AT: 9:08

WATER RIGHT NO. 1000040931 PERMIT NO. 017260 CERTIF. NO.
ORIG. NO. 1000219271 PREV. NO. 1000219271 SUPER. NO.

NAME: TOM DE ARMOND

ADDRESS: RT1, BOX 505

CITY/STATE/ZIP/COUNTY: HUBBARD, OR 97032

24

STREAM-ID 02114004100020090

RIV. MI.

WM. DIST. 16 W.R. TYPE SA STATUS V

CANCEL YEAR---

CONSTR. COMPLT--> 01 31 1979

YR. LAST USED----->

NEXT ACTION DUE-->

PRIORITY-----> 08 29 1946

PUT TO USE-----> 01 31 1979

LAST TRANS. DATE-->

LAST TRANS. TYPE-->

APPLICATION--> 11 08 1978

SURVEYED----->

EXAM. FEE-----> 2000

RECORDING FEE-----> 15.00

PERMIT ISSUE--> 01 31 1979

CONCURRENCE----->

CYCLE STATUS----->

REPORTED FLAG----->

CONSTR. STRT.--> 01 31 1979

CERTIFIED----->

CORRES. INIT.----->

CORRES. DATE----->

POINT-OF-DIVERSION DATA;
TWNSP RNGE SECT QTR/QTR STREAM-ID

RIV. MI.

RATE

STATUS S OR P

** REMARKS;----->
** DATED-->

** ROD: 800' W FM SE COR RODDE

** DUC ST. CHANGES USE PART OF

** C-20761. REC-49803.

**----->

**----->

**----->

**----->

PLACE-OF-USE DATA;
TWNSP RNGE SECT QTR/QTR CNTY USE % CNSMTV ACRES STATUS S OR P

040S 010W 33 B A 24 W1 100 -

✓ P

B B

W.R.I.S.

Assembled 7-8-85 by SBA

Entered by

Verified by

UN RES, → MILL CR - 7 PUDDING R

NR T-0982-C1

*** OREGON WATER RESOURCES DEPARTMENT ***
*** WATER RIGHTS DIVISION ***
*** WATER RIGHT DATA INPUT FORM ***

PAGE 1
RUN ON: 3/20/81 AT: 9:08

WATER RIGHT NO. 1000040932 PERMIT NO. OR1559 CERTIF. NO.
ORIG. NO. R020287251 PREV. NO. R020287251 SUPER. NO.

NAME: TOM DE ARMAND

ADDRESS: RT 1, BOX 505

CITY/STATE/ZIP/COUNTY: HUBBARD, OR 97032

24

STREAM-ID 021140 0410 0020 040 —

RIV. MI.

WM. DIST. 16 W.R. TYPE SR STATUS V

CANCEL YEAR--->

CONSTR. COMPLT---> 01 31 1979 YR. LAST USED---> —

NEXT ACTION DUE---> —

PRIORITY-----> 08 20 1953

PUT TO USE-----> 01 31 1979 LAST TRANS. DATE---> —

LAST TRANS. TYPE---> —

APPLICATION---> 11 08 1978

SURVEYED----->

EXAM. FEE-----> 20.00

RECORDING FEE-----> 15.00

PERMIT ISSUE---> 01 31 1979

CONCURRENCE----->

CYCLE STATUS-----> —

REPORTED FLAG-----> —

CONSTR. STRT.---> 01 31 1979

CERTIFIED----->

CORRES. INIT.-----> —

CORRES. DATE-----> —

POINT-OF-DIVERSION DATA:
TWNSP RNGE SECT QTR/QTR STREAM-ID

RIV. MI. RATE

STATUS S OR P

** REMARKS; - - - - -
** DATED--->

** ROD: 800' W FM SE COR RODDE

** D.L.C. 57. CHANGES USE PART

** OF C-29501. R.R.C-49804.

**-----

**-----

**-----

**-----

PLACE-OF-USE DATA:
TWNSP RNGE SECT QTR/QTR CNTY USE % CNSMTV ACRES STATUS S OR P

040S 010W 33 B A 24 W1 100 — V P

1 1 1 B B 1 1 1 1 1

W.R.I.S.

Assembled 4-8-85 by SM

Entered by

Verified by


```

:   POD
   POU
  USE
Add'1 POD

```

County MARION

1. Name Tom DeArmond 11403 Broadview Rd NE
Address Rt 1, Box 505, Hubbard, OR 97032

3. Use irrigation

5. Proposed Point of Diversion _____

7. Place of Use:

[illegible]

Aug. 29. 79

Info. Mr. DeArmond.

The Res. is filled with algae & debris.

The dam is ~~an~~ earth filled and in good shape but there is 5-12" trees on the down slope side of it.

Source - Unnamed Stream & Reservoir.

Use - Maintenance of reservoir for wildlife.

Res. has never been stocked. Mr. DeArmond said there is several wild ducks ~~that~~ that frequently ~~habitate~~ ^{inhabit} the Reservoir.

THE SPILLWAY OF THE RES. SHOULD BE MAINTAINED AS WELL AS TREES REMOVED FROM DAM. THE CONTROL WORKS FOR DRAINING RESERVOIR IS ~~SEE~~ PRESENTLY INOPERATIVE.

SEE PREVIOUS F.P. INSPECTION REPORT FOR ADDITIONAL INFO

AlBour
F.E.

T. 4 S. R. 1 W. W.M.



FINAL PROOF SURVEY

UNDER

R-28723

R-1559

Application No. 28724 Permit No. 22610

IN NAME OF

ARTHUR R. ZEHNER

Surveyed MAR. 18, 1957, by C.O. BARTELS

Application for Transfer of Water Right

To the WATER RESOURCES DIRECTOR OF OREGON:

I, Tom DeArmand (Name of applicant)
 of Rt. 1 Box 505 (Mailing address), Hubbard (City),
 State of Oregon, 97032 (Zip Code), 981-0319 (Phone number), do hereby make application for change
in use heretofore made of water
 (In point of diversion; place of use; use heretofore made of the water)

1. Is the water right recorded in your name? No Arthur R. Zehner
 (If not, give name)

2. Was your water right determined by Decree of Court? Yes If so, give title of proceedings
 (Yes or No)

number of certificate

3. Was your water right acquired by Water Right Permit? Yes If so, give number
 (Yes or No)
 of permit 17260ER1559 Number of certificate 20761E24501

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 an unnamed stream and reservoir
August 29, 1946 for Cert. # 20761

5. What is the date of priority of your water right? August 20, 1953 for Cert. # 24501

6. The authorized point of diversion is located — ft. — (N. or S.) and 800 ft. W (E. or W.) from the SE
 corner of DLC No. 57 being within the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 33 Tp. 4S R. 1W W. M.,
 (No. N. or S.) (No. E. or W.)
 in the county of Marion The name of the ditch used is

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

7. The proposed point of diversion is located — ft. — (N. or S.) and — ft. — (E. or W.) from the —
 corner of — being within the — $\frac{1}{4}$ — $\frac{1}{4}$ of Section — Tp. — R. — W. M.,
 (No. N. or S.) (No. E. or W.)
 in the county of — The name of the ditch to be used is

exam 20⁰⁰
 use 15⁰⁰
35⁰⁰
 deposit 50⁰⁰
85⁰⁰

irrigation - Cert. # 20761

8. The use to which the water is applied is storage for irrigation - Cert # 24501
(Irrigation, Mining, Power, Manufacturing, etc.)

Location of area 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
4 S	1 W	33	NW¼ NW¼	6.0 acres (0.08 cfs)
4 S	1 W	33	N½ NW¼	storage of 14.3 a.f.

(If more space required, attach separate sheet)

9. Are you the legal owner of the above described lands? No - buying under
contract from Arthur R. Zehner (If not owner, explain your interest)
(Statement by Zehner that proposed change 3/2/75 12-4-75)

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.? Yes
(Answer Yes or No)

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

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT

13. The use to which the water is to be applied is storage & maintaining pond for wildlife
(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
4 S	1 W	33	N½ NW¼	Reservoir

(If more space required, attach separate sheet)

14. Reasons for the proposed changes are Plan to irrigate lands by the

use of water from a well instead of the stream & reservoir.

15. Construction work will be completed on or before completed

16. The water will be completely applied to the proposed use on or before in use now by wildlife

Remarks Will authorize cancellation of balance rights described by

certificate 20761 and the right described by certificate 24500.

publish in Oregon Statesman

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, Tom De Armond, 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 8th day of Nov., 1978.

Tom DeArmond
(Name of applicant)

Subscribed and sworn to before me this 8th day of November, 1978.

[Notarial Seal]

Victor R. Hauer
NOTARY PUBLIC FOR OREGON

My commission expires May 25, 1982



STATE OF OREGON

INTEROFFICE MEMO

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: 12-7, 1978.

FROM: ** Clifton R. King, Watermaster

SUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4093

IN THE NAME OF Tom DeArmond

In my opinion the proposed change in use heretofore made from a reservoir & an un'd str.
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? _____
(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

**

Watermaster's signature or initials

NOTICE OF WATER RIGHT
TRANSFER APPLICATION
NO. 4083

Notice is given hereby that an application has been filed in the office of the Water Resources Director by Tom DeArmond for approval of a change in use heretofore made of stored water in a reservoir & from an unnamed stream, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 24501, Volume 17, State Record of Water Right Certificates, in the name of Arthur R. Zehner, describes a right for storage of not to exceed 14.3 acre feet of water from an unnamed stream for the purpose of irrigation; the reservoir being located in Lots 1 & 2 and the NE 1/4 NW 1/4 & NW 1/4 NW 1/4, as projected within Rodde DLC No. 57 of Sec 33, T 4S, R 1W, WM, with a date of priority of Aug. 20, 1953.

The certificate recorded at page 20761, Volume 15 of said record, in the name of Arthur R. Zehner, describes a right which includes the use of not to exceed 0.08 cubic foot per second from an unnamed stream for irrigation of 6.0 ac in NW 1/4 NW 1/4 as projected within Rodde DLC No. 57 of Sec 33, T 4S, R 1W, WM, with a date of priority of Aug. 29, 1946.

The authorized point of diversion of record for said rights is located 800 ft W from the SE Corner of Rodde DLC No. 57, being within the NE 1/4 BW 1/4 of Sec 33, T 4S, R 1W, WM.

The applicant herein proposes to change the use for which the 14.3 ac ft of water has been stored & the use heretofore made of the 0.08 cfs of water from the stream and, without loss of priority, to hereafter store said 14.3 ac ft of stored water from the unnamed stream in said reservoir for wildlife & to hereafter use said 0.08 cfs of water from the unnamed stream during the irrigation season of each year for maintaining said reservoir for wildlife.

Any persons interested are notified hereby that a hearing will be held at the county courthouse at Salem, Oregon, on January 31, 1979, at 9:30 a.m. All objections to the proposed change, if any there are, will be heard at said time and place. Any and all objections shall be prepared in writing: One copy to be served on Tom DeArmond, Rt 1, Box 505, Hubbard, OR 97032; and one copy filed with the Water Resources Department, Salem, OR 97310, together with a \$10 filing fee, at least 10 days prior to the date set for hearing. IF NO OBJECTIONS ARE FILED, THE APPLICATION MAY BE APPROVED BY THE WATER RESOURCES DIRECTOR WITHOUT A HEARING. Administrative rules pertaining to the filing of a protest will be furnished by the Water Resources Dept. upon request.

Dated at Salem, Oregon this 6th day of December, 1978.

James E. Sexson
Director

SJ Dec. 9, 16, 23, 1978

Affidavit of Publication

STATE OF OREGON, }
County of Marion, } ss.

RECEIVED

JAN 3 1979

WATER RESOURCES DEPT.
SALEM, OREGON

I, Lela McAllister, being first duly sworn, depose and say that I am the principal clerk

of The Oregon Statesman ☐

of The Capital Journal ☐ , a newspaper of general circulation as

of The Statesman Journal ☒ defined by sections 193.010 to 193.110,

Oregon Revised Statutes; printed and published at Salem in the aforesaid county and state; that the, Notice of Water Right Transfer

.....a printed copy of which is hereby annexed, was published in the entire issue of said newspaper for three successive and

consecutive times in the following issues: Dec. 9, 16, 23, 1978

Subscribed and sworn to me this 27

day of Dec. 19 78

Lela McAllister
Notary Public for Oregon

My commission expires 4/29/81

SM/AC150R-1177/H



Water Resources Department
MILL CREEK OFFICE PARK

555 13th STREET N.E., SALEM, OREGON 97310

PHONE 378-3066

November 29, 1978

Tom DeArmond
Route 1, Box 505
Hubbard, Oregon 97032

RE: File No. T-4093

RECEIVED
DEC 4 1978
WATER RESOURCES DEPT.
SALEM, OREGON

Dear Mr. DeArmond:

We received the affidavits providing for cancellation of that part of the water rights described by certificates 24500 and 20761 not involved in your proposed transfer No. 4093. Those parts of the water rights requested to be canceled will be of no further force or effect.

Upon receipt of a statement signed by Arthur R. Zehner advising that he is in agreement with your proposed changes, as described in your transfer application No. 4093, we will prepare the notice for publication.

Sincerely,

Wayne J. Overcash
Water Rights Engineer

WJO:lcj

I Arthur R. Zehner agree to the proposed changes by Tom DeArmond as described in transfer application No. 4093.

Signed Arthur Zehner