

4242 Postma

Name Henry + Agnes Postma

By \_\_\_\_\_

Address 13489 McKee School Rd NE  
Woodburn, OR 97071Change in PODDate filed June 12, 1979

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

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

Date of order 8-20-79 Vol. 32, page 350Date for application of water 10-1-80

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

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

Certificate issued FEB 1 1980 Vol. 42, page 48984  
*include No. on file 55803 also*  
*to survey 9/29*

## REMARKS

4242

## DESCRIPTION OF WATER RIGHT

Name of stream Pudding RiverTrib. of \_\_\_\_\_ County of Marion

Use \_\_\_\_\_

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

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

Date of priority May 3, 1977

In name of \_\_\_\_\_

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

App. No. 55803 Per. No. 41780 Cert. No. 0

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

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

## FEES PAID

Date	Amount	Receipt No.
<u>6-12-79</u>	<u>35.00</u>	<u>11765</u>
TOTAL . . .		
	Cert. Fee	

## FEES REFUNDED

Date	Amount	Check No.

	INDEX CARDS:	
	Entered	Checked
<input checked="" type="checkbox"/> Name	<u>LCJ</u>	_____
<input checked="" type="checkbox"/> Stream	<u>LCJ</u>	_____
<input checked="" type="checkbox"/> Pt. of Div.	<u>LCJ</u>	_____
<input checked="" type="checkbox"/> Calendar	<u>LCJ</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>LCJ</u>	_____
<input type="checkbox"/> Per. Folder	_____	_____
<input type="checkbox"/> Chainindex	_____	_____
<input type="checkbox"/> Cross Ref.	_____	_____
<input checked="" type="checkbox"/> Power Claim	<u>LCJ</u>	_____
<input checked="" type="checkbox"/> Abstracts	<u>LCJ</u>	_____

W.R.I.S.

Assembled 3-6-85 by SPD

Entered \_\_\_\_\_ by \_\_\_\_\_

Verified \_\_\_\_\_ by \_\_\_\_\_

424



BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

MARION COUNTY

IN THE MATTER OF THE APPLICATION )  
OF HENRY & AGNES POSTMA FOR AP- )  
PROVAL OF A CHANGE IN POINT OF )  
DIVERSION OF WATER )  
-----

ORDER APPROVING  
TRANSFER NO. 4242

On June 12, 1979, an application was filed in the office of the Water Resources Director by Henry and Agnes Postma for approval of a change in point of diversion, pursuant to the provisions of ORS 540.510 to 540.530.

Pursuant to the provisions of ORS 537.260(2), proof has been made to the satisfaction of the Water Resources Director that a right has been perfected under the terms of permit No. 41780 in the names of Henry and Agnes Postma, for the use of not to exceed 0.25 cubic foot per second from Pudding River for irrigation of a certain 10.2 acres in the NW $\frac{1}{4}$  NE $\frac{1}{4}$  and 9.8 acres in the NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 28, Township 5 South, Range 1 West, W.M., with a date of priority of May 3, 1977.

Water for the said right is diverted from a point located 220 feet South and 1120 feet West from the North Quarter Corner of Section 28, being within the NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 28, Township 5 South, Range 1 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 680 feet North and 1140 feet West from the North Quarter Corner of Section 28, being within the SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 21, Township 5 South, Range 1 West, W.M.

Mr. Clifton R. King, 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 old point of diversion under the subject right, and shall not exceed 0.25 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:

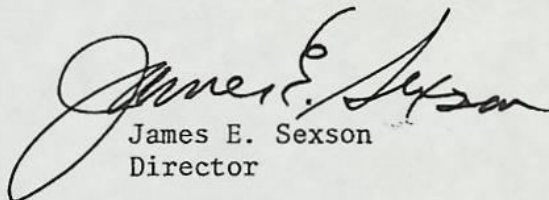
That the diversion works shall include an in line flow meter, a weir, or other suitable device for measuring the water to which the applicant is entitled;

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, 1980.

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, a confirming certificate of water right shall be issued to the applicants herein.

Dated at Salem, Oregon this 20th day of August, 1979.

  
James E. Sexson  
Director



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

WATER RIGHT NO. 1000042421 PERMIT NO. 0 41780 CERTIF. NO. 0048984 NAME: HENRY &amp; AGNES POSTMA

ORIG. NO. 1000558031 PREV. NO. 1000558031 SUPER. NO.

ADDRESS: 13489 MCKEE SCHOOL RD NE

CITY/STATE/ZIP/COUNTY: WOODBURN, OR 97071

24

STREAM-ID 02 1140 0410 0020

RIV. MI.

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

CANCEL YEAR---&gt;

CONSTR. COMPLT---&gt; 09 24 1979 YR. LAST USED-----&gt;

NEXT ACTION DUE--&gt;

PRIORITY-----&gt; 05 03 1977

PUT TO USE-----&gt; 09 24 1979 LAST TRANS. DATE--&gt;

LAST TRANS. TYPE--&gt;

APPLICATION-----&gt; 06 12 1979

SURVEYED-----&gt; 10 03 1979 EXAM. FEE-----&gt; 20.00

RECORDING FEE-----&gt;

15.00

PERMIT ISSUE--&gt; 08 20 1979

CONCURRENCE-----&gt; 10 03 1979 CYCLE STATUS-----&gt;

REPORTED FLAG-----&gt;

CONSTR. STRT.--&gt; 08 20 1979

CERTIFIED-----&gt; 02 01 1980 CORRES. INIT.-----&gt;

CORRES. DATE-----&gt;

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

RIV. MI.

RATE

STATUS S OR P

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

050N 010W 21 C D 02 1140 0410 0020

0.250

V P

 \*\* P.O.D.: 680' N & 1140' W PM N 1/4  
 \*\* COR S 28. CHANGES P.O.D. ALL  
 \*\* OF P-41780. NO CERT.

PLACE-OF-USE DATA:

TWP/SP RNGE SECT QTR/QTR CNTY USE % CNSMTV ACRES STATUS S OR P

050N 010W 28 A B 24 1R 100 10.20 P V

B A 9.80

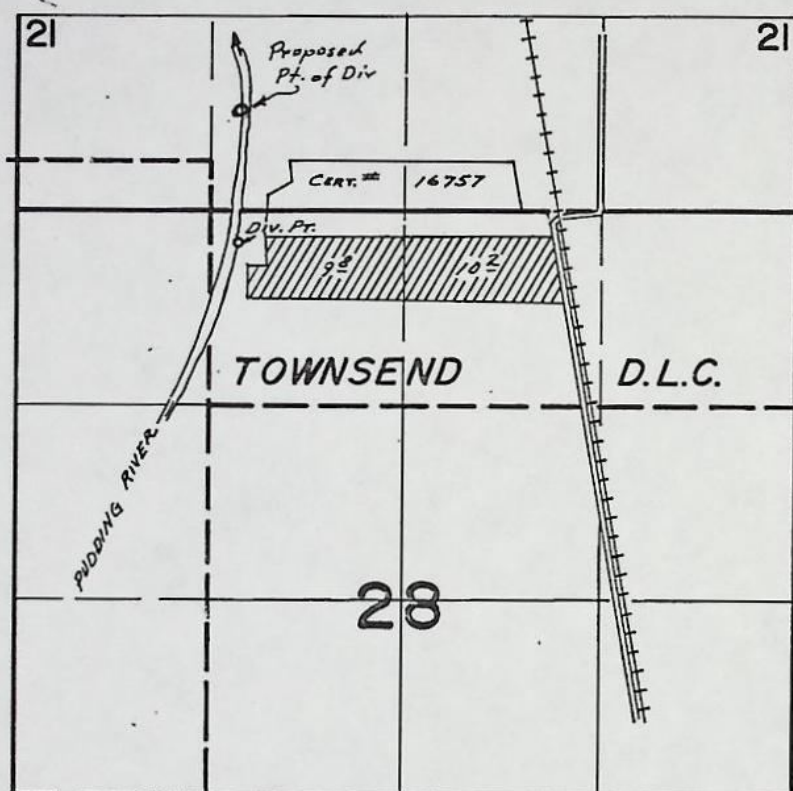
V.D.I.S.

APPROVED 3-6-85 J. SM

EXAMINED

VERIFIED

T. 5S. R. 1W. W.M.

Div. Pt. Loc. - 220' S & 1120' W from N<sup>1</sup>/<sub>4</sub> Cor. Sec. 28

# FINAL PROOF SURVEY UNDER

Application No. 55803... Permit No. 41780...  
IN NAME OF

.....HENRY & AGNES POSTMA.....

Surveyed Aug. 16, 1978, by J.S. Donaldson...

RECEIVED

SEP 24 1979

WATER RESOURCES DEPT  
SALEM, OREGON

NOTICE OF COMPLETION OF CHANGE IN

point of diversion from Pudding River

PURSUANT TO TRANSFER APPLICATION NO. 4342

I, Henry Postma, hereby certify that completion  
of works and use of water to the extent intended within the provisions  
of the order of the Water Resources Director approving said water  
right transfer application was accomplished by Aug 26, 1979.

Sept 20 '79  
Date

Henry Postma  
Signature

(Mail to the Water Resources Department, Salem, Oregon 97310.)

ok  
fig





## *Water Resources Department*

MILL CREEK OFFICE PARK

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

PHONE 378-3066

August 24, 1979

Henry & Agnes Postma  
13489 McKee School Road NE  
Woodburn, Oregon 97071

RE: Files Nos. T-4241, T-4242

Dear Mr. and Mrs. Postma:

Enclosed are certified copies of the orders of the Water Resources Director approving water right transfer applications No. 4241 and 4242 for changes in point of diversion of water from Pudding River.

The time in which to accomplish completion of the works and beneficial use of the water to the extent intended, as authorized by the orders, expires October 1, 1980. Forms for reporting such completion of works and use of water are enclosed for your convenience.

You should give particular attention to the time limit for carrying out the change authorized by the enclosed orders. The water right for any portion of an authorized change in use theretofore made or change in place of use NOT carried out within the time allowed, or within an extension thereof, will be lost. An extension of the time limit can be allowed only upon a showing that diligent effort has been made to complete the actual change within the time allowed.

Sincerely,

Samuel R. Allison  
Supervisor  
Transfer Section

SRA:lcj

cc: Clifton R. King, Watermaster

COPY

REPORT ON INSPECTION UNDER TRANSFER  
OF WATER RIGHT FOR CHANGE IN: POL

POD

POU

USE

Add'l POD

Transfer NO. 4242

County Marion

Old Certificate NO. ~~11777~~ 0

1. Name Hernandez Postma

Address 13429 Mc Kee School Rd. NE Woodburn, OR 97071

2. Source of Supply Pudding River, Trib of

3. Use variation

4. Amount of Water 0.25 cfs Priority Date May 3, 1977

5. Proposed Point of Diversion 680' N + 1140' W from NW Cor of Sec

6. Completion Date 10-1-80

7. Place of Use:

[illegible]



10-3-79

INFO: Henry Postma

All lands irrigated from new Div. #4. as filed  
under the transfer.

Source: Pudding River

Div: Direct

Pump: Century 25 hp @ 3500  
Jacuzzi Cdd 4x3

Pipe: See App'l. 55803 F.P. Report for inventory.  
(Plenty of pipe if no inventory)

Heads: 46 RB 3R  $1\frac{1}{4}$  x 0 (All Max.)

Crop: Corn

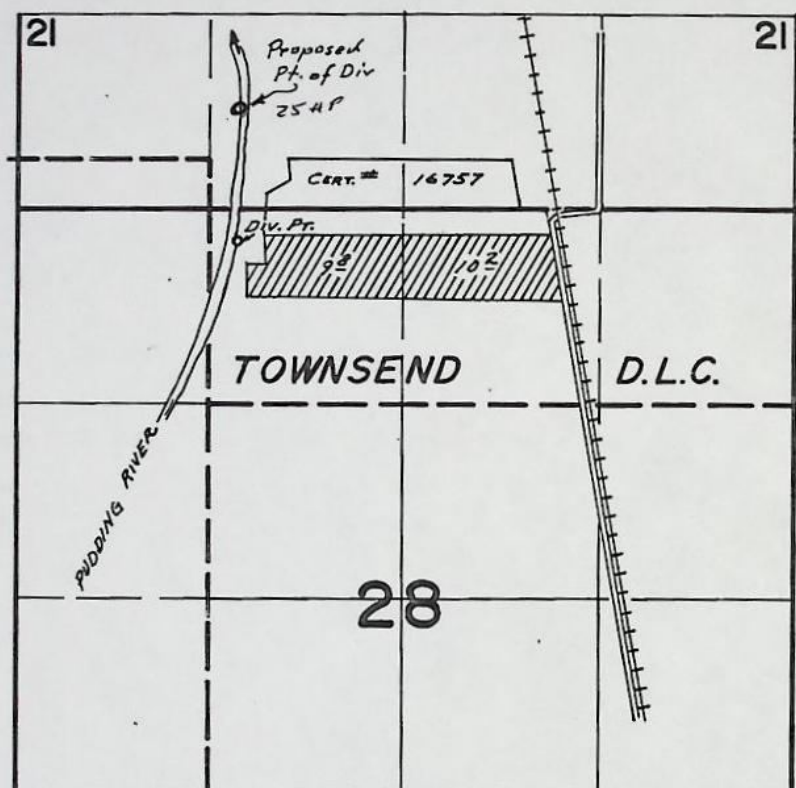
Lift: +15' to +30'

TIE: DFN-ILL-71

*V. E.*

2012 OK  
2/2/79

T. 5S. R. 1W. W.M.

Div. Pt. Loc. - 220' S & 1120' W from N<sup>1</sup>/<sub>4</sub> Cor. Sec. 28

# FINAL PROOF SURVEY UNDER

Application No. 55803... Permit No. 41780...  
IN NAME OF

.....HENRY & AGNES POSTMA.....

Surveyed Aug. 16, 1978, by J.S. Donaldson...



## STATE OF OREGON

COUNTY OF

MARION

RECEIVED

JUL 16 1979

WATER RESOURCES DEPT  
SALEM, OREGON

## Proof of Appropriation of Water

HENRY AND AGNES POSTMA

of 13489 McKee School Rd., NE, Woodburn, State of Oregon, 97071,  
has applied beneficially the waters of  
Pudding River

a tributary of Molalla River  
irrigation of 20.0 acres

for the purpose of

under Permit No. 41780 and that the use of said waters has been completed under the  
terms of said permit; that the priority of the right dates from

May 3, 1977

that the amount of water for the purposes aforesaid, has been actually beneficially used in the  
amount of

0.25 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 Townsend DLC,  
Section 28, T. 5 S., R. 1 W., W. M., 220 feet South and 1120 feet West from the  
NE $\frac{1}{4}$  Corner, Section 28

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, and to which such right is appurtenant, is  
as follows:

10.2 acres NW $\frac{1}{4}$  NE $\frac{1}{4}$   
9.8 acres NE $\frac{1}{4}$  NW $\frac{1}{4}$   
Both as projected within Townsend DLC  
Section 28  
T. 5 S., R. 1 W., W. M.

I have read the above and foregoing proof of appropriation of water; I know the contents  
thereof, and that the facts therein stated are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 12<sup>th</sup> day of July,

1979...

Henry Postma  
Agnes Postma



RECEIVED

JUN 12 1979

WATER RESOURCES DEPT.  
SALEM, OREGON

Application for Transfer of Water Right

To the WATER RESOURCES DIRECTOR OF OREGON:

I, Henry Postma and Agnes Postma  
(Name of applicant)  
of 13409 Mc Kee School Rd NE, Woodburn  
(Mailing address) (City)  
State of Oregon, 97071, 634-2427, do hereby make application for change  
(Zip Code) (Phone number)  
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? YES  
(If not, give name)

2. Was your water right determined by Decree of Court? No 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 41700 Number of certificate none

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 Pudding river

5. What is the date of priority of your water right? May 3 1977

6. The authorized point of diversion is located 220 S. 1130W and W. from the N. 1/4  
(N. or S.) (E. or W.)  
corner of Section 28 being within the NE 1/4 NW 1/4 of Section 28 Tp. 5 S R. 1 W W. M.,  
(No. N. or S.) (No. E. or W.)  
in the county of Marion The name of the ditch used is Pudding river Pump

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

7. The proposed point of diversion is located 680 ft. N and 1140 ft. W from the N. 1/4  
(N. or S.) (E. or W.)  
corner of Section 28 being within the SE 1/4 SW 1/4 of Section 21 Tp. 5 S R. 1 W W. M.,  
(No. N. or S.) (No. E. or W.)  
in the county of Marion The name of the ditch to be used is Pump

(proposed pt. same as allowed by right described by Cert. #22342)



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:

Township North or South	Range E. or W. of Willamette Meridian	Section	List $\frac{1}{4}$ - $\frac{1}{4}$ of Section	Number Acres To Be Irrigated
5 S	1 W	20	NW $\frac{1}{4}$ NE $\frac{1}{4}$	10.2
		20	NE $\frac{1}{4}$ NW $\frac{1}{4}$	9.8

(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

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 $\frac{1}{4}$ - $\frac{1}{4}$ of Section	Number Acres To Be Irrigated

(If more space required, attach separate sheet)

14. Reasons for the proposed changes are .....

*It is easier to get to the river there.*

15. Construction work will be completed on or before *20th of June - 1979*

16. The water will be completely applied to the proposed use on or before *Oct 1 - 1979*

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, *Henry and Agnes Postma*, 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 *12TH* day of *JUNE*, 19*79*.

*Henry Postma*

*Agnes Postma*

(Name of applicant)

Subscribed and sworn to before me this *12TH* day of *JUNE*, 19*79*.

[Notarial Seal]

*James M. Carver*

NOTARY PUBLIC FOR OREGON

My commission expires *8-8-80*





## STATE OF OREGON

## INTEROFFICE MEMO

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: June 20, 1979.FROM: \*\* Clifton R. King, WatermasterSUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4242IN THE NAME OF Henry & Agnes Postma

In my opinion the proposed change in point of diversion from Pudding River  
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 \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\*\*

Clifton R. King  
Watermaster's signature or initials