

4158

Name Jack D. Frost

By _____

Address Route 1, Box 151Yamhill, OR 97148Change in PODDate filed Feb 15, 1979

Date of hearing _____

Place of hearing _____

Date of order 10-9-79 Vol. 32, page 429Date for application of water complete

Proof mailed _____

Proof received _____

Certificate issued FEB 9 1989 Vol. _____, page 59988

DESCRIPTION OF WATER RIGHT

Name of stream North Yamhill RiverTrib. of _____ County of Yamhill

Use _____

Quantity of water _____ No. of acres _____

Name of ditch _____

Date of priority June 27, 1939In name of Jack D. Frost

_____ Adjudication, Vol. _____, page _____

App. No. 118230 Per. No. 13891 Cert. No. 15582
17594 13290 15574

Certificate cancelled _____

Notation made on record by _____

*Note Cert #15582 cancelled by order approving T-2865**OK cert*

FEES PAID

Date	Amount	Receipt No.
<u>2-15-79</u>	<u>35-</u>	<u>9147</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

REMARKS

See T-4250Surveyed 7/9/84- finish -

W.R.I.S.

Assembled 4-19-85 by SP

Entered _____ by _____

Verified _____ by _____

INDEX CARDS: Entered Checked

TO BE ENTERED WHERE CHECKED	<input checked="" type="checkbox"/>	Name	<u>lg</u>	_____
	<input checked="" type="checkbox"/>	Stream	<u>lg</u>	_____
	<input checked="" type="checkbox"/>	Pt. of Div.	<u>lg</u>	_____
	<input checked="" type="checkbox"/>	Calendar	<u>lg</u>	_____
	<input type="checkbox"/>	Twp. & Rge.	_____	_____
	<input type="checkbox"/>	Decree-vault	_____	_____
	<input type="checkbox"/>	Decree-safe	_____	_____
	<input checked="" type="checkbox"/>	Cert. of W/R	<u>wro</u>	<u>lg</u>
	<input checked="" type="checkbox"/>	Per. Folder	<u>wro</u>	<u>lg</u>
	<input type="checkbox"/>	Chainindex	_____	_____
	<input type="checkbox"/>	Cross Ref.	_____	_____
	<input checked="" type="checkbox"/>	Power Claim	<u>lg</u>	_____
	<input checked="" type="checkbox"/>	Abstracts	<u>lg</u>	_____

Application for Transfer of Water Right

RECEIVED

JUL - 9 1979

WATER RESOURCES DEPT
SALEM, OREGON

To the WATER RESOURCES DIRECTOR OF OREGON:

I, Jack D. Frost

(Name of applicant)

of Route 1, Box 151

(Mailing address)

Yamhill

(City)

State of OREGON

97148

(Zip Code)

(Phone number)

do hereby make application for change
point of diversion

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

(originally: Bob B. Webb)

1. Is the water right recorded in your name? File No. T-2865 in name of Jack D. Frost

(If not, give name)

2. Was your water right determined by Decree of Court? 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 13891 Number of certificate 15582
(A # 18230)

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 North Yamhill River

5. What is the date of priority of your water right? June 27, 1939

6. The authorized point of diversion is located 1700 ft. N and 370 ft. E from the SW

(N. or S.)

(E. or W.)

corner of Sec 5 being within the NW 1/4 SW 1/4 of Section 5 Tp. 3 S R. 4 W W. M.,

(No. N. or S.)

(No. E. or W.)

in the county of YAMHILL The name of the ditch used is pump

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

7. The proposed point of diversion is located #1 - 1620 ft N & 630 ft E /both
#2 - 1650 ft N and 750 ft E from the SW

(N. or S.)

(E. or W.)

corner of Sec 5 being within the NW 1/4 SW 1/4 of Section 5 Tp. 3 S R. 4 W W. M.,

(No. N. or S.)

(No. E. or W.)

in the county of YAMHILL The name of the ditch to be used is pump

NOTE: point of diversion #1 for stock
point of diversion #2 for irrigation

8. The use to which the water is applied is stock use and 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
3 South	4 West	5	NE $\frac{1}{4}$ SW $\frac{1}{4}$	1.6
		5	SE $\frac{1}{4}$ SW $\frac{1}{4}$	1.3
		5	SW $\frac{1}{4}$ SW $\frac{1}{4}$	10.8 & stock
		6	NE $\frac{1}{4}$ SE $\frac{1}{4}$	0.3
		6	SE $\frac{1}{4}$ SE $\frac{1}{4}$	3.2

(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)

Application for Transfer of Water Right

To the WATER RESOURCES DIRECTOR OF OREGON:

I, _____
(Name of applicant)

of _____
(Mailing address) _____ (City)

State of _____, _____, do hereby make application for change
(Zip Code) (Phone number)

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

1. Is the water right recorded in your name? No - Bob B. Webb
(If not, give name)

2. Was your water right determined by Decree of Court? _____ 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 13290 Number of certificate 15574

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 North Yamhill River

5. What is the date of priority of your water right? Sept. 14, 1938

6. The authorized point of diversion is located 1700 ft. N and 370 ft. E from the SW
(N. or S.) (E. or W.)
corner of Sec 5 being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 5 Tp. 3 S R. 4 W W. M.,
(No. N. or S.) (No. E. or W.)
in the county of YAMHILL The name of the ditch used is pump

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

7. The proposed point of diversion is located 1650 ft. N and 750 ft. E from the SW
(N. or S.) (E. or W.)
corner of Sec 5 being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 5 Tp. 3 S R. 4 W W. M.,
(No. N. or S.) (No. E. or W.)
in the county of YAMHILL The name of the ditch to be used is pump

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 1/4-1/4 of Section	Number Acres To Be Irrigated
3 S	4 W	5	NW1/4 SW1/4	6.9
		5	SW1/4 SW1/4	8.0

(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 1/4-1/4 of Section	Number Acres To Be Irrigated

(If more space required, attach separate sheet)

14. Reasons for the proposed changes are

15. Construction work will be completed on or before completed

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

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, Jack D. Frost, 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 5 day of July, 1979.

Signature

(Name of applicant)

Subscribed and sworn to before me this 53 day of July, 1979.

[Notarial Seal]

NOTARY PUBLIC FOR OREGON

My commission expires 3-10-82

14. Reasons for the proposed changes are

15. Construction work will be completed on or before Now completed

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

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

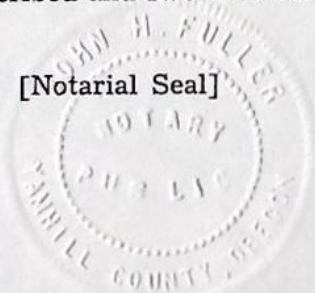
I, Jack D. Frost, the applicant herein, being first duly sworn, depose and say that I have read the above and foregoing application for transfer of water right; that I know the contents thereof and that the statements therein made are true and correct to the best of my knowledge and belief.

In Witness Whereof, I have hereunto set my hand this 5th day of Feb., 1979.

Jack D. Frost
(Name of applicant)

Subscribed and sworn to before me this 5th day of Feb., 1979.

[Notarial Seal]



John H. Fuller
NOTARY PUBLIC FOR OREGON

My commission expires 3-10-82

Superseded
July 9, 1979

T-4158
RECEIVED

FEB 15 1979

WATER RESOURCES DEPT.
SALEM, OREGON

Application for Transfer of Water Right

To the WATER RESOURCES DIRECTOR OF OREGON:

I, Jack D. Frost
(Name of applicant)
of Route 1, Box 151
(Mailing address), Yamhill
(City)
State of Oregon, 97148
(Zip Code), (Phone number), do hereby make application for change
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? File No. T-2865, in the name of Jack D. Frost
(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 13891 Number of certificate 15582

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 North Yamhill River
5. What is the date of priority of your water right? June 27, 1939
6. The authorized point of diversion is located 1700 ft. N and 370 ft. E from the SW
(N. or S.) (E. or W.)
corner of Sec. 5 being within the NW 1/4 SW 1/4 of Section 5 Tp. 3 S R. 4 W W. M.,
(No. N. or S.) (No. E. or W.)
in the county of Yamhill The name of the ditch used is Pump

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

7. The proposed point of diversion is located 1620 ft. N and 630 ft. E from the SW
(N. or S.) (E. or W.)
corner of Sec. 5 being within the NW 1/4 SW 1/4 of Section 5 Tp. 3 S R. 4 W W. M.,
(No. N. or S.) (No. E. or W.)
in the county of Yamhill The name of the ditch to be used is Pump

8. The use to which the water is applied is Stock use

(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
3 S	4 W	5	SW¼ SW¼	Stock Use
As established under the provisions of the order dated February 15, 1974, and recorded at page 110, Volume 24, Special Order Record, approving water right transfer application No. 2865.				

(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 ¼-¼ of Section	Number Acres To Be Irrigated

(If more space required, attach separate sheet)



STATE OF OREGON

INTEROFFICE MEMO

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: April 19, 1979FROM: ** Michael F. Ladd, WatermasterSUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4158IN THE NAME OF Jack D. Frost

In my opinion the proposed change in point of diversion from North Yamhill 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:

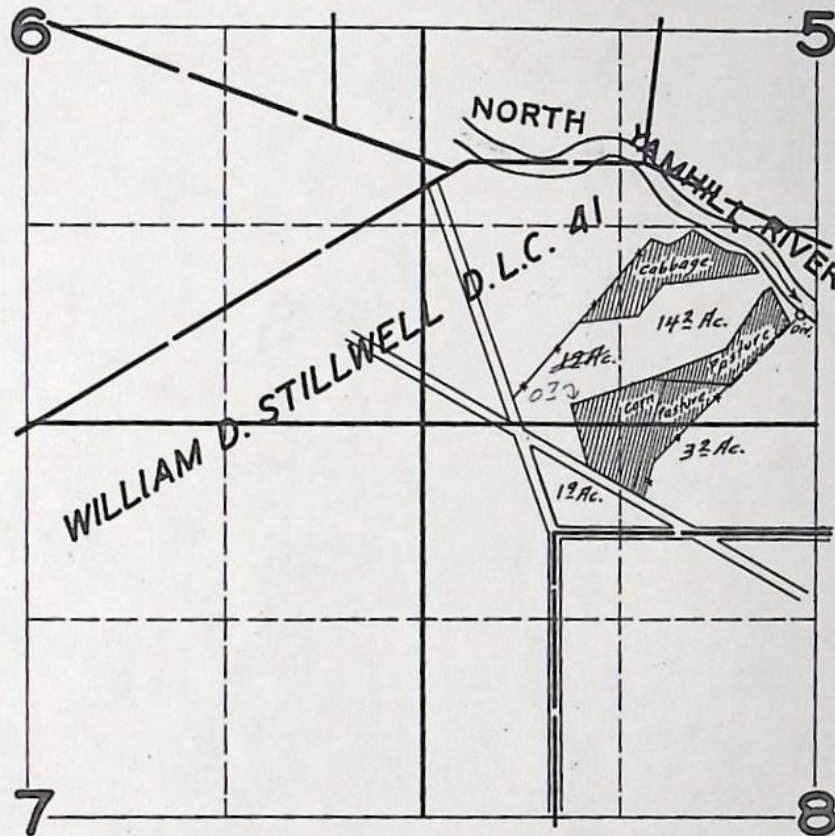
- (1) PRIOR to the diverting of water at the new point of diversion . . .
 X (2) When in the judgment of the watermaster it becomes necessary . . .

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

** Michael F. Ladd
Watermaster's signature or initials

WHO TALK TO

T.3S.R.4W.W.M.



FINAL PROOF SURVEY
UNDER

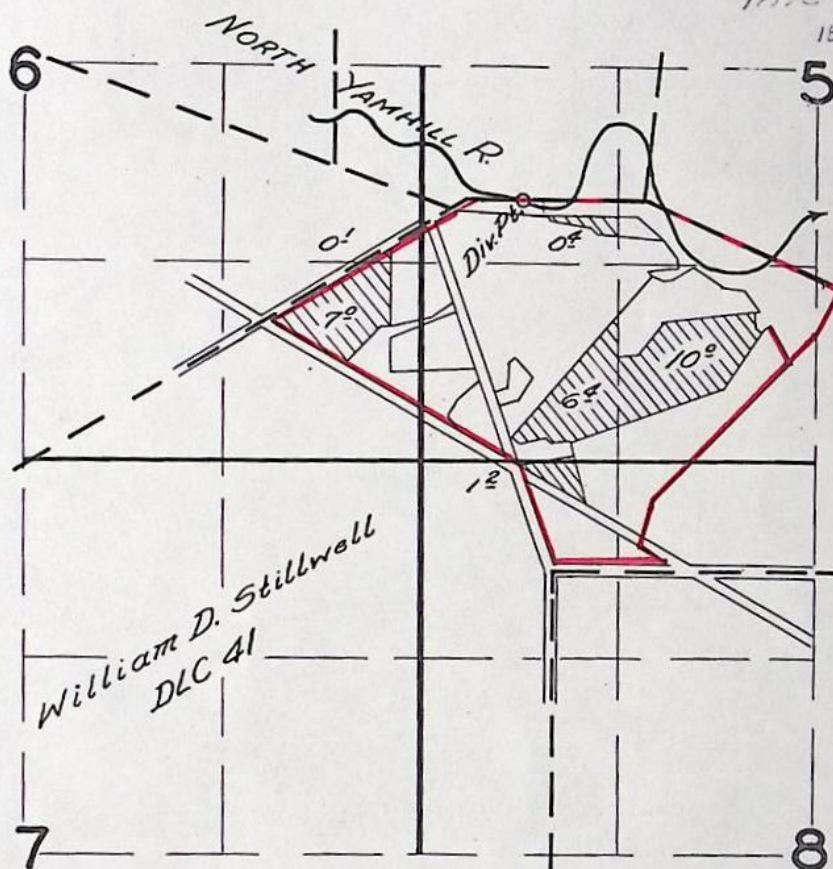
Application No. 17593 Permit No. 13289

IN NAME OF

CHARLES G. BAUER

Surveyed SEP. 6, 1946, by

T.3 S.R. 4W.W.M.



17594 ✓
 17593 ✓
 not involved 22090 ✓
 28292 ✓
 43966 ✓
 18229 — T-2409 not involved
 17592 — T-2865
 18230 — T-2865

17795 not involved
 * 28292 E 1/2 Sec 6
 not involved 43878
 * T-2865

* 17593
 * 28292 NW 1/4 Sec 8
 41736 not involved
 T-2410 not involved
 * T-2409 not involved
 1

FINAL PROOF SURVEY UNDER

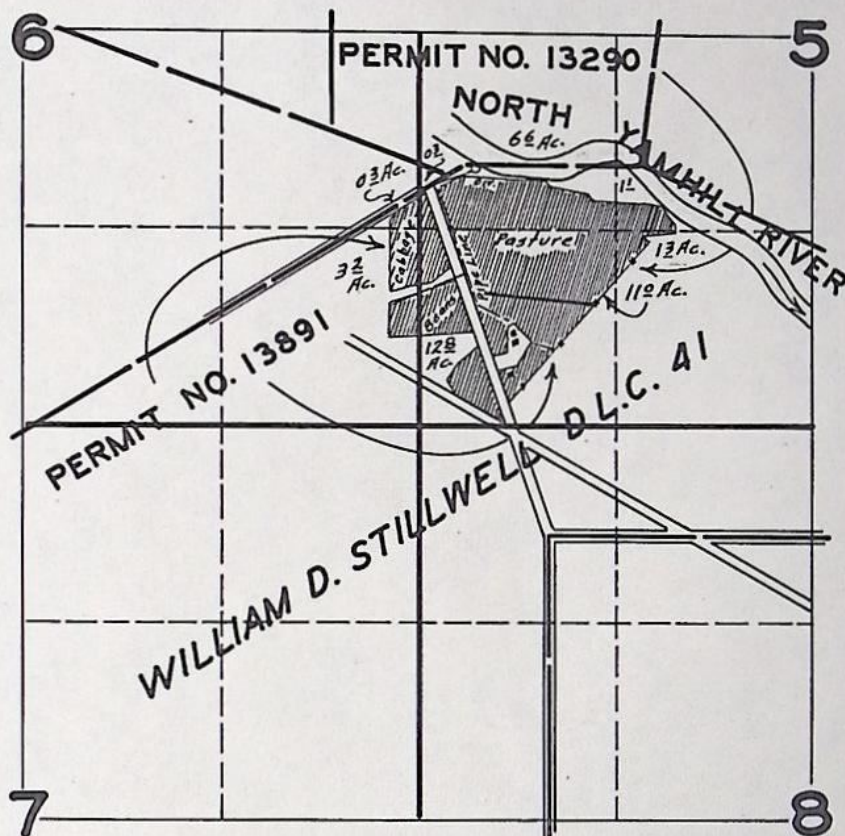
Application No. 28292... Permit No. 22244...
 IN NAME OF

Harry H. Williams

Surveyed May 8, 1958, by M. Bisk

1.6
15.8 (F. 2865 5° to stock)
1.3
0.3
3.2

T.3S.R.4W.W.M.



43966

FINAL PROOF SURVEY

UNDER

Application No. 18230 Permit No. 13891 — C-15582

IN NAME OF

BOB B. WEBB

Surveyed SEP. 6 1946, by



STATE OF OREGON

INTEROFFICE MEMO

Report from
GENE WILLIAMSON
INDICATES NO
INTERVENING
D.O.D.

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: Dec. 19, 1979.FROM: ** Michael F. Ladd, WatermasterSUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4158IN THE NAME OF Jack D. Frost

In my opinion the proposed change in point of diversion of water from N. Yamhill 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 _____

** Michael F. Ladd
Watermaster's signature or initials

N. YAMHILL 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. T002041582 PERMIT NO. 013891 CERTIF. NO.
 ORIG. NO. A000182301 PREV. NO. T002028651 SUPER. NO.
NAME: JACK D. FROSTADDRESS: RT1, BOX 151CITY/STATE/ZIP/COUNTY: YAMHILL, OR 97148 36STREAM-ID 02 1140 0760 0120

RIV. MI.

WM. DIST. 18 W.R. TYPE SA STATUS V

CANCEL YEAR---->

CONSTR. COMPLT--> 10 09 1979

YR. LAST USED-----> _____

NEXT ACTION DUE--> _____

PRIORITY-----> 06 27 1939PUT TO USE-----> 10 09 1979

LAST TRANS. DATE--> _____

LAST TRANS. TYPE--> _____

APPLICATION----> 02 15 1979SURVEYED-----> 07 09 1984EXAM. FEE-----> 20.00RECORDING FEE-----> 15.00PERMIT ISSUE--> 10 09 1979

CONCURRENCE-----> _____

CYCLE STATUS-----> _____

REPORTED FLAG-----> _____

CONSTR. STRT.--> 10 09 1979

CERTIFIED-----> _____

CORRES. INIT.-----> _____

CORRES. DATE-----> _____

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

RIV. MI.

RATE

STATUS S OR P

0305 040W 05 C B 02 1140 0760 01200.280V P
 ** REMARKS; - - - - -
 ** DATED-->
** POD: LV, 1670' N & 630' E FM** SW COR S S; IR, 1650' N & 750' E** FM SW COR S S. CHANGES POD** ALL OF C-15582 & E-2865.
 PLACE-OF-USE DATA:
 TWSNP RNGE SECT QTR/QTR CNTY

USE % CNSMTV ACRES

STATUS S OR P

0305 040W 05 C A 36 1R 100 1.60V PC D1.30C C10.8006 DA0.3006 DD3.2005 C CLV—

**-----

**-----

**-----

W.R.I.S.

Assembled 4-19-85 by SOP

Entered _____ by _____

Verified _____ by _____

N. YAMHILL R,

WR 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. T000041581 PERMIT NO. 013290 CERTIF. NO.NAME: JACK D. FROSTORIG. NO. A000175941 PREV. NO. A000175941 SUPER. NO.ADDRESS: RT1, Box 151CITY/STATE/ZIP/COUNTY: YAMHILL, OR 97148

36

STREAM-ID 02 1140 0760 0120

RIV. MI.

WM. DIST. 18 W.R. TYPE SA STATUS V

CANCEL YEAR--->

CONSTR. COMPLT---> 10 09 1979

YR. LAST USED----->

NEXT ACTION DUE--->

PRIORITY-----> 09 14 1938PUT TO USE-----> 10 09 1979

LAST TRANS. DATE-->

LAST TRANS. TYPE-->

APPLICATION---> 02 15 1979SURVEYED-----> 07 09 1984

EXAM. FEE----->

20.00

RECORDING FEE----->

15.00PERMIT ISSUE---> 10 09 1979

CONCURRENCE----->

CYCLE STATUS----->

REPORTED FLAG----->

CONSTR. STRT.---> 10 09 1979

CERTIFIED----->

CORRES. INIT.----->

CORRES. DATE----->

 POINT-OF-DIVERSION DATA;
 TWP/SP RGE SECT QTR/QTR STREAM-ID

RIV. MI.

RATE

STATUS S OR P

 ** REMARKS;----->
 ** DATED-->
0305 040W 05 CB 02 1140 0760 01200.190V P
 ** POD: 1650' N & 750' E PM SW COR

 ** SS. CHANGES POD ALL OF

 ** C-15574. SEE ALSO T000041582

PLACE-OF-USE DATA:

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

0305 040W 05 CB 36 1R 100 6.90V P
1 1 1 CC 1 1 1 8.00

 **----->
 **----->
 **----->
 **----->

W.R.I.S.

Assembled 7-19-85 by SDA

Entered _____ by _____

Verified _____ by _____

: POD
POU
USE
Add'1 POD

County YAMHILL

1. Name Jack D. Frost

2. Source of Supply North Yamhill River, Trib of

3. Use irrigation & stock - 0.06 - 6-27-39

4. Amount of Water 0.22 cfs; 0.19 cfs = irrigation Priority Date 6-27-39; 9-14-38

5. Proposed Point of Diversion (stock) 1620' N & 630' E from SW Cor of Sec 5; (irrigation)
1650' N & 750' E from SW Cor of Sec 5, both within NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec 5, T 3S, R 4W, WM

6. Completion Date COMPLETED

7. Place of Use:

[illegible]

INFO: Talked To Jack Frost. He showed us what he irrigates, and pointed out the location of the new diversion point.

SOURCE: Pumps directly from N. Yamhill River.

PUMP & PIPE: 40 hp pump. (stated by Mr Frost)
Submersible Pump for stock
4710' 6" Aluminum mainline
4480' 3" AL Lateral
112 RB 30's 3/16 x 0 65 max

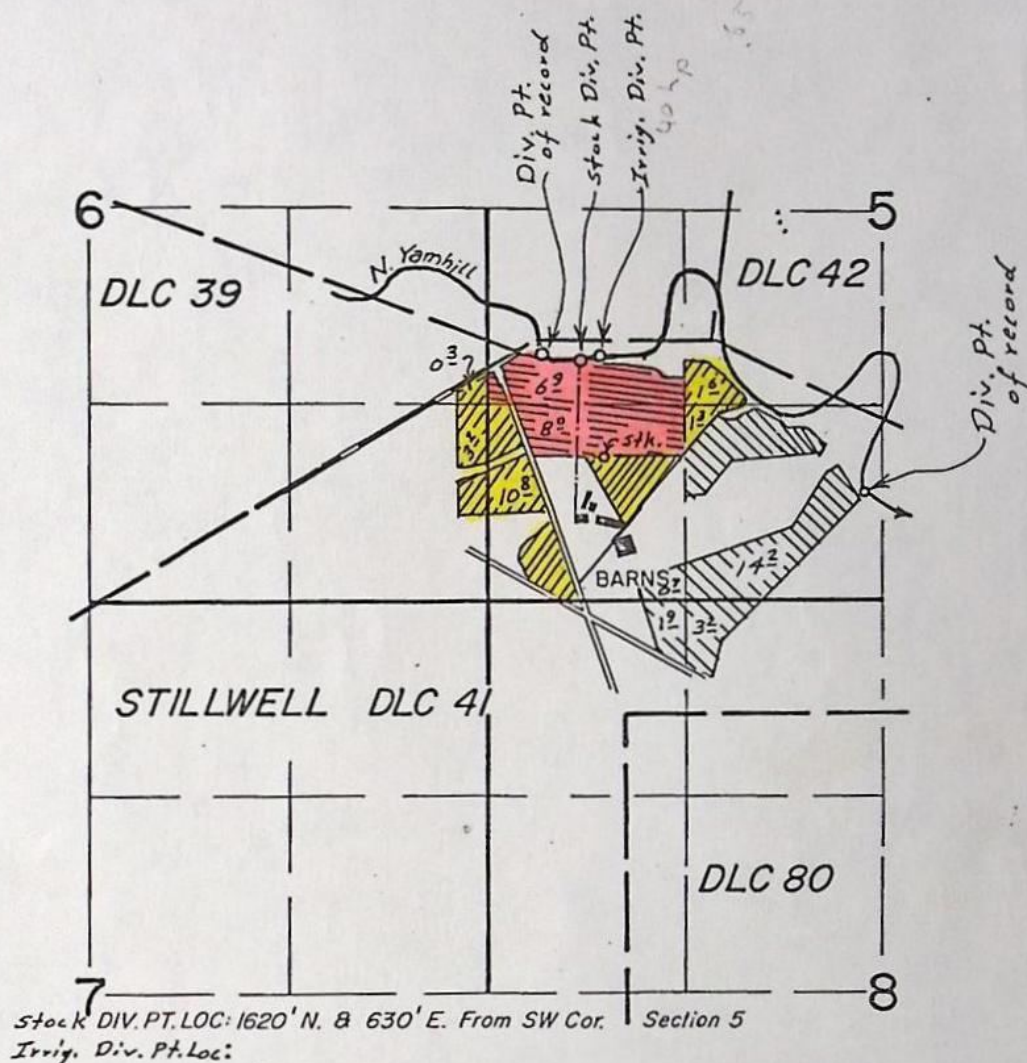
LIFT 30'

USE: Irrigation of pasture, hay and corn.

TIE: DFR-1LL-134

Philip L. Threlkeld
7/10/84 ASST WAE
PAP

T. 3 S., R. 4 W., W. M.



Cert. # 15722



Cert # 15574



Transfer #2865 (old cert #15582)

Pt. of Div of Record located:

1700 ft. N. & 370 ft. E. from S.W. corner of Sec. 5

Pt. of Div of Record located:

750 ft. N. & 2550 E from S.W. corner of Sec 5

THE UNIVERSITY OF CHICAGO

JUL - 9 1979

ER RESOURCES DEPT
SALEM, OREGON

OK C-1

STATE OF OREGON

COUNTY OF YAMHILL

CERTIFICATE OF WATER RIGHT

This Is to Certify, That BOB. B. WEBB

of Route 1, Yamhill, 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 North Yamhill River, a tributary of Yamhill River, a tributary of Willamette River for the purpose of irrigation under Permit No. 13290 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 September 14, 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 0.19 cubic foot per second, if avail

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 5, Township 3 South, Range 4 West, W. M. see page

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:

6.9 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$,
8.0 acres in the SW $\frac{1}{4}$ SW $\frac{1}{4}$,
as projected on Wm. D. Stillwell D.L.C. 41
Section 5,
T. 3 S., R. 4 W., W. M.

Land on which water is to be used is a part of that more explicitly described by appropriator as follows:

A part of the Wm. D. Stilwell Donation Land Claim #41, Notification #1579, in Twp. 3 South, Range 4 West of the Willamette Meridian, in Yamhill County, Oregon, also being a part of the Ben F. Laughlin farm as deeded by him to the United States and now designated as Farm Unit 22 of United States Farm Security Administration Yamhill Farms Project, and more particularly described as follows, to wit: Beginning at a 2" iron pipe at the intersection of the center line of a County road with the North or East right of way line of the Carlton & Coast Railroad, from which the Northwest corner of the Samuel McSween Donation Land Claim, which is also an angle point in the Wm. D. Stilwell Donation Land Claim, bears South 18° 29' 20" East 741.65 feet, and running Thence along the North right of way line of the Carlton & Coast Railroad 1034.30 feet to an iron pipe; Thence North 2° 29' 10" East 905.47 feet to a stone in the center line of the road; Thence North 61° 36' 32" East 699.60 feet to an iron pipe; Thence due East 1076.36 feet to the center line of the Yamhill River; Thence South 38° 26' 27" East 455.59 feet; Thence South 19° 22' 40" West 153.71 feet; Thence South 67° 37' 11" West 91.92 feet; Thence North 62° 06' 10" West 96.18 feet; Thence South 41° 09' 25" West 1451.91 feet to an iron pipe in the center line of the road; Thence South 18° 29' 20" East 180.00 feet to the point of beginning; This unit contains 49.720 acres, more or less.

T-4158A

CHAS. E. STRICKLIN
State Engineer