

Name Alfred L. Triplett

By _____

Address 327 College Ave.McMinnville, OR 97128Change in Place of UseDate filed July 31, 1979

Date of hearing _____

Place of hearing _____

Date of order 10-15-79 Vol. 32, page 440Date for application of water 10-1-81Proof mailed DEC 27 1984

Proof received _____

Certificate issued APR 25 1985 Vol. 48, page 53014

DVA Notification

4264

DESCRIPTION OF WATER RIGHT

Name of stream SpringTrib. of Yamhill River County of YamhillUse DomesticQuantity of water 0.01 cfs No. of acres _____

Name of ditch _____

Date of priority August 5, 1971In name of Alfred L. Triplett

_____ Adjudication, Vol. _____, page _____

App. No. 48539 Per. No. 36926 Cert. No. 44428

Certificate cancelled _____

Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>7-31-79</u>	<u>\$ 35.00</u>	<u>13115</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

REMARKS

Card for C NOV 20 1981

Form 130 sent FEB 27 1985

TO BE ENTERED WHERE CHECKED	INDEX CARDS:		Entered	Checked
☒	Name		<u>log</u>	
☒	Stream		<u>log</u>	
☒	Pl. of Div.		<u>log</u>	
☒	Calendar		<u>log</u>	
☒	Twp. & Rge.		<u>SRA</u>	
☒	Deed-vault			
☒	Deed-safe			
☒	Cert. of W/R		<u>SRA</u>	
☒	Per. Folder		<u>SRA</u>	
☒	Chainindex			
☒	Cross Ref.			
☒	Power Claim			
☒	Abstracts		<u>log</u>	

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

YAMHILL COUNTY

IN THE MATTER OF THE APPLICATION)
OF ALFRED L. TRIPLETT FOR APPROVAL)
OF A CHANGE IN PLACE OF USE OF)
WATER FROM A SPRING)

ORDER APPROVING
TRANSFER NO. 4264

On July 31, 1979, an application was filed in the office of the Water Resources Director by Alfred L. Triplett for approval of a change in place of use of water from a spring, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 44428, Volume 36, State Record of Water Right Certificates, in the name of Alfred L. Triplett, describes a right for the use of not to exceed 0.01 cubic foot per second from spring No. 1, a tributary of Yamhill River, for domestic use for two families including the irrigation of lawn and garden not to exceed $\frac{1}{2}$ acre in area, with a date of priority of August 5, 1971.

Water for the said right is diverted from a point located 190 feet South and 530 feet West from the Northeast Corner of the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 34, being within the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 34, Township 2 South, Range 5 West, W.M.

The applicant herein, owner of the lands above described, proposes to change the place of use therefrom, without loss of priority, to (a) domestic use for one family including irrigation of lawn and garden not to exceed $\frac{1}{2}$ acre located in the NW $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 34; and (b) domestic use for one family (no irrigation) located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 34, Township 2 South, Range 5 West, W.M.

Mr. Michael F. Ladd, Watermaster, has filed a statement to the effect that the proposed changes in place of use may be made without injury to existing rights.

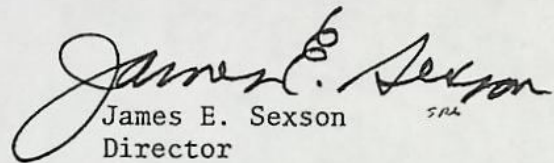
No objections having been filed and it appearing that the proposed changes in place of use may be made without injury to existing rights, the application should be approved.

NOW, THEREFORE, it hereby is ORDERED that the requested changes in place of use, as described herein, without loss of priority, are approved.

It is FURTHER ORDERED that said water so transferred shall be applied to beneficial use on or before October 1, 1981.

It is FURTHER ORDERED that the certificate recorded at page 44428, Volume 36, 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 15th day of October, 1979.


James E. Sexson
Director

Application for Transfer of Water Right

To the WATER RESOURCES DIRECTOR OF OREGON:

I, Alfred L. Triplett

(Name of applicant)

of 327 College Ave.

(Mailing address)

McMinnville

(City)

State of Oregon

97128

(Zip Code)

472-6129

(Phone number)

, do hereby make application for change

in place of use

(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 36426 Number of certificate 44428
(A# 48534)

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 Spring No. 1

5. What is the date of priority of your water right? August 5, 1971

6. The authorized point of diversion is located 190 ft. S and 530 ft. E from the NE

(N. or S.)

(E. or W.)

corner of NW 1/4 SE 1/4 of Sec. 34 being within the NW 1/4 SE 1/4 of Section 34 Tp. 2 S R. 5 W W. M.,

(No. N. or S.)

(No. E. or W.)

in the county of Yamhill The name of the ditch used is N/A

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

7. The proposed point of diversion is located _____ ft. _____ and _____ ft. _____ from the _____

(N. or S.)

(E. or W.)

corner of _____ being within the _____ 1/4 _____ 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 _____

8. The use to which the water is applied is Domestic use for two families, including the irrigation of lawn and garden not to exceed 1/2 acre in area (Irrigation, power, mining, 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
2 S	5 W	34	NW1/4 SE1/4	Dom. (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.? No
(Answer Yes or No)

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

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT
Mortgage held by United Finance		\$30,000 +

13. The use to which the water is to be applied is Same
(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
(A) 2 S	5 W	34	NW1/4 SE1/4	Domestic use for one family, including irrigation of not to exceed 1/2 acre in area of lawn and garden.
(B) 2 S	5 W	34	SW1/4 NE1/4	Domestic use for one family (no irrigation)

(If more space required, attach separate sheet)

14. Reasons for the proposed changes are Subdividing property and want best water rights
on houses as proposed.

15. Construction work will be completed on or before October, 1980

16. The water will be completely applied to the proposed use on or before October, 1981

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, Alfred L. Triplett, 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 31st day of July, 1979.

Alfred L. Triplett
(Name of applicant)

Subscribed and sworn to before me this 31st day of July, 1979.

[Notarial Seal]

James W. Carver
NOTARY PUBLIC FOR OREGON

My commission expires 8-8-80

POD
POU
USE
Add'1 POD

County Yamhill

Old Certificate No. 44428

1. Name Alfred L. Triplett

Address 327 College Ave, McMinnville, OR 97128

2. Source of Supply spring #1, Trib of N. Yamhill R.

3. Use dom, use one family, incl 2 ac l & g

4. Amount of Water ~~then~~ 0.01 cfs 0.008 cfs

5. Priority Date 8-5-1971

6. Proposed Point of Diversion NW¹SE⁴ Sec. 34, T. 2 S., R. 5 W., WM;
190' So. & 530' W. from the NE Cor. NW¹SE⁴ Sec. 34

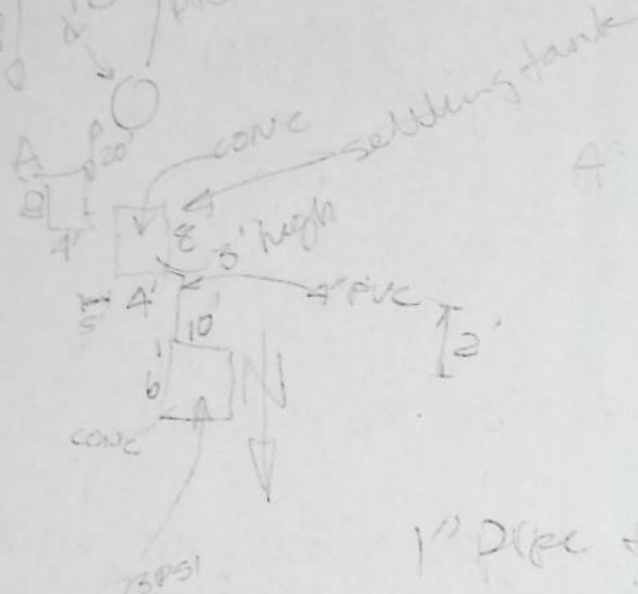
7. Completion Date 10-1-81

8. Place of Use:

[illegible]

conc box in spr

60' 4" CMP / PVC 4"



As Fed. 200' 300' max?

Kinman

1" pipe to ~~sewer~~

YAMHILL/WP

OCT 25 1985

NOTICE OF INTEREST IN WATER RIGHT

To: Director of Water Resources -
555 13th Street, N.E.
Salem, Oregon 97310

RECEIVED

OCT 25 1985

WATER RESOURCES DEPT
SALEM, OREGON

This is to notify you of an interest in the following described water right:

Loan Number

P-52750

Borrower's Name

Kinman, Michael R.

Mailing Address

Property being served by the water:

Township

2 S

Township

Township

Range

5 W

Range

Range

Section

34

Section

Section

Tract

Tract

Tract

Water Right Numbers:

T 4264

Permit Number(s)

Certificate Number(s)

53014

~~Irrigation District~~

DOMESTIC SPRING (1/8 mile east of property,
Domestic use / family - lawn & garden irrigation not to exceed 1/2 acre

The State of Oregon, by and through the Director of Veterans' Affairs, has a security interest in the above described property and hereby requests that no action be taken to diminish the water right without notifying the Department of Veterans' Affairs, 700 Summer Street, N.E., Salem, Oregon, 97310.

DM
10-29-85

Attention: Butch Gehley, Appraisal Coordinator

Attachments:

- ☒ Legal Descriptions
☒ Tax Lot Maps
☐ Please return copy to ODVA

Permit No. _____

Transfer No. 4264

County YAMHILL

PROOF OF APPROPRIATION OF WATER

1. Name Michael Kinman 2. Address Route 1, Box 81-C
Yamhill, OR 97148
3. Source of Supply Spring #1
Tributary of North Yamhill River
4. Amount of water 0.008 cfs 5. Priority date August 5, 1971
6. Use domestic use for one family including irrigation of 1/2 acre lawn and garden.
7. Location of point of diversion NW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec.34, T2S, R5W, WM; 190 feet South and
530 feet West from the NE Corner NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 34
8. The description of land given below and as shown on the attached map corresponds to that found to be irrigated:

NW $\frac{1}{4}$ SE $\frac{1}{4}$
Section 34
Township 2 South, Range 5 West, WM

I have read the above and foregoing proof of appropriation of water defining the extent of use of water under the change of place of use approved by the order of the Water Resources Director entered October 15, 1979; I know the contents thereof, and that the facts therein stated are true.

IN WITNESS WHEREOF, I have hereunto set my hand this 2 day of January 19 85.

Michael R. Kinman
Legal Owner of the above described lands

RECEIVED
JAN 4 1985
WATER RESOURCES DEPT
SALEM, OREGON



Water Resources Department

MILL CREEK OFFICE PARK

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

PHONE 378-3066

May 4, 1979

Alfred L. Triplett
327 College Avenue
McMinnville, Oregon 97128

RE: File No. 48534

Dear Mr. Triplett:

Your applications for transfer of water right and for a permit to appropriate surface water were not accompanied by sufficient fees; therefore they could not be filed. Our receipt No. 10599 is enclosed showing the \$15 which you submitted as being placed in a pending account to be either refunded or credited to an acceptable application.

The water right perfected under the terms of your permit No. 36426 is for use of 0.01 cubic foot of water per second from spring No. 1 for domestic supplies for two families including irrigation of lawn and garden not to exceed $\frac{1}{2}$ acre in area as now described by the certificate issued to you and recorded at page 44428, Volume 36, State Record of Water Right Certificates. The location of the two house sites allowed use of water are as illustrated on the enclosed copy of the related final proof map.

If you wish to change the place of use from the house site designated as "West Ho." on our final proof map as mentioned in our recent telephone discussion, the enclosed transfer application which I have partially completed in pencil may be properly completed and submitted. If you agree with the penciled entries, they should be done in ink or typed and it will be necessary for you to also complete items No. 11, 12, 14, 15 and 16. The affidavit of applicant section must be properly completed before a notary. The transfer application will require the \$20 examination fee in addition to the \$15 recording fee you have submitted.

It will be necessary to submit a map showing the proposed house site to be supplied water. It may be best to show the location of the house site to be supplied on the enclosed final proof map and submit it to support the application.

The right involved also included the irrigation of lawn and garden not to exceed $\frac{1}{2}$ acre in area as mentioned above. You should show on the map the location of the lawn and garden area that was irrigated under the

Triplett
File No. 48534
page 2

terms of the permit and indicate in the remarks section if it is intended to retain this irrigation portion of the right or transfer it to the new location.

If other parties wish to establish rights to use of water from the spring, it may be best for them to submit their own application for permit describing the projects they wish to carry out. We can furnish the proper application forms upon request.

I am returning the two applications and map you submitted.

Sincerely,

Wayne J. Overcash
Water Rights Engineer

WJO:lcj

NO letter
required. Jg 11-23-81

RECEIVED
NOV 23 1981
WATER RESOURCES DEPT.
SALEM, OREGON

NOTICE OF COMPLETION OF CHANGE IN

Flow from a spring
PURSUANT TO TRANSFER APPLICATION NO. 4264

I, ALFRED L. TRIPLETT, 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 70-1, 1980

House in NW 1/4 SE 1/4 (Miller)

11-23-81
Date

Alfred L. Triplett
Signature

OK Jg

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

Please! Cancel T4264 for the house
SW NE (house B)



Water Resources Department

MILL CREEK OFFICE PARK

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

PHONE 378-8508

December 27, 1984

Michael Kinman
Route 1, Box 81-C
Yamhill, OR 97148

REFERENCE: File T-4264

Enclosed is the Proof of Appropriation of Water under your Water Right Transfer 4264.

The data contained in the proof is based on an inspection and survey of your project made by a representative of this office. It defines the extent to which use of water has been completed within the terms of the transfer. The proof should be carefully examined, dated and signed, then returned to this office.

You may keep the map print for your records.

Sincerely,

THOMAS E. SHOOK
Senior Water Rights Examiner

TES:wpc

4611A/2



STATE OF OREGON

INTEROFFICE MEMO

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: OCT 10, 1979.FROM: ** Michael F. Ladd, WatermasterSUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4264IN THE NAME OF Alfred L. Triplett

In my opinion the proposed change in place of use of water from spring No. 1.

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 _____

** M. F. L.
Watermaster's signature or initials