

4492

Mr. Gail W. Pressnall

By \_\_\_\_\_

Address Rt. 1, Box 164  
Amity, OR 97101

Change in POD

Date filed May 1, 1980

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

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

Date of order 6-20-80 Vol. 33, page 24

Date for application of water 10-1-81

Proof mailed JAN 13 1999 JAN 29 1999

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

Certificate issued APR 12 1990 Vol. \_\_\_\_\_, page 76085

## DESCRIPTION OF WATER RIGHT

Name of stream Salt Creek

Trib. of \_\_\_\_\_ County of Yamhill

Use irr.

Quantity of water \_\_\_\_\_ No. of acres 16.5

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

Date of priority March 19, 1957

In name of Mr. Ivan Nisly

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

App. No. 31437 Per. No. 24767 Cert. No. 28389

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

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

OK Cert

## REMARKS

See also R-60097 &amp; 60097

## FEES PAID

Date	Amount	Receipt No.
5-1-80	35-	17430
TOTAL . . .		
	Cert. Fee	

## FEES REFUNDED

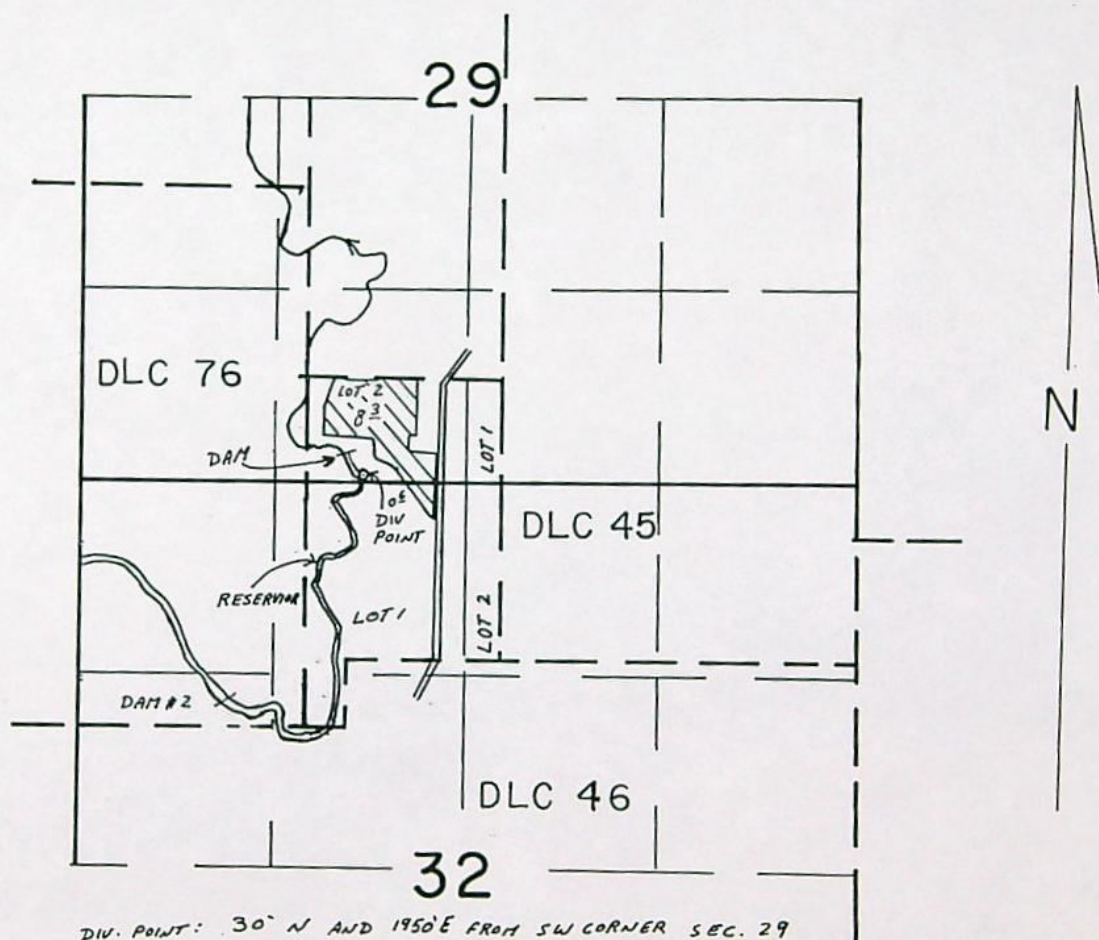
Date	Amount	Check No.

INDEX CARDS:	Entered	Checked
Name	SRA	
State	SRA	
Plat. Div.		
Calendar	log	
Calendar TO RECORD		
Transfer	SRA	
Deed & Vint		
Deed & Vint		
Cal. n. W/R	log	
Cal. n. W/R	log	
Calendar		
Cal. n. W/R		
Cal. n. W/R		
Abstracts	log	

W.R.I.S.	
Assembled	2-15-85 by SRA
Entered	by
Verified	by



T.5S., R.4W., W.M.



SCALE 1" = 1320'

**FINAL PROOF SURVEY**

UNDER

T-4492

R-60096

R-8208

Application No. 60097 Permit No. 45350

IN NAME OF

GAIL W. PRESSNAL

Surveyed AUG 29 1988 by Z. SALEH



THIS MAP PREPARED BY: *In Part*  
*Michael Hadd*

FROM INFORMATION FURNISHED BY  
THE APPLICANT.

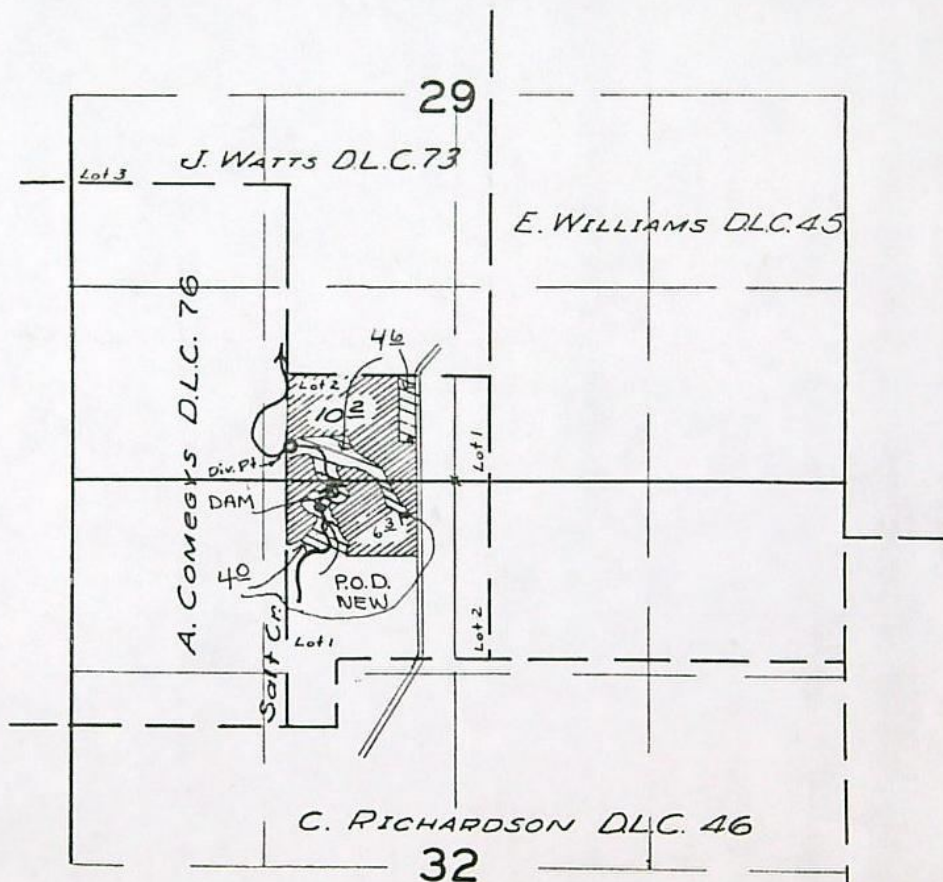
T-4492

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MAY 1 1980

WATER RESOURCES DEPT.  
SALEM, OREGON

T.5 S.R.4 W.W.M.



LAND TO BE IRRIGATED  
UNDER TO WATER RIGHT &  
ALSO SUPPLEMENTAL FROM  
RESERVOIR.

OLD P.O.D. 230' N. & 1500' E. FROM THE SW CORNER SEC. 29 T.5S. R.4. W.W.M.  
NEW P.O.D. 170' S. & 950' W. FROM THE S CORNER SEC. 29 T.5S. R.4. W.W.M.  
950

~~FINAL PROOF SURVEY~~  
UNDER

SUPPLEMENTAL IRRIGATION  
FROM RESERVOIR &  
LAND INVOLVED IN  
THE CHANGE IN  
P.O.D.

Application No. ~~01727~~ Permit No. ~~01707~~  
IN NAME OF

~~Michael Hadd~~  
~~Surveyed and mapped 1900 by Michael Hadd~~



## Add'l POD

County

Address RT 1, Box 164, Anatewa, OR 97101

8. Place of Use:

[illegible]



INFO: I LOCATED NEW DIVERSION POINT ON PHOTO

TIE: 41071-178-21D

Jordan F. Saleh  
F.I.

8-29-88



BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

YAMHILL COUNTY

IN THE MATTER OF THE APPLICATION )  
OF GAIL W. PRESSNALL FOR APPROVAL )  
OF A CHANGE IN POINT OF DIVERSION )  
OF WATER )  
-----

ORDER APPROVING  
TRANSFER NO. 4492

On May 1, 1980, an application was filed in the office of the Water Resources Director by Gail W. Pressnall for approval of a change in point of diversion from Salt Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 28389, Volume 20, State Record of Water Right Certificates, in the name of Mr. Ivan Nisly, describes a right for the use of not to exceed 0.16 cubic foot per second from Salt Creek for irrigation of a certain 10.2 acres in Lot 2 (SE 1/4 SW 1/4), Section 29 and 6.3 acres in Lot 1 (NE 1/4 NW 1/4), Section 32, Township 5 South, Range 4 West, W.M., with a date of priority of March 19, 1957.

Water for the said right is diverted from a point located 230 feet North and 1500 feet East from the Southwest Corner of Section 29, being within the SE 1/4 SW 1/4 of Section 29, Township 5 South, Range 4 West, W.M.

The applicant herein, owner of the lands above described, proposes to change the point of diversion, without loss of priority, to a point located 170 feet South and 950 feet West from the South Quarter Corner of Section 29, being within the NE 1/4 NW 1/4 of Section 32, Township 5 South, Range 4 West, W.M.

Mr. Michael F. Ladd, 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.

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;

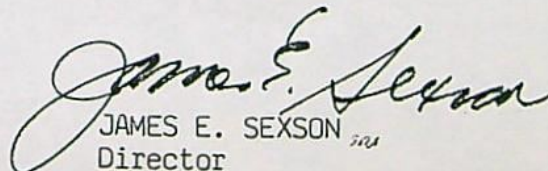
That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

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, 1981.

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 28389, Volume 20, 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 20th day of June, 1980.

  
JAMES E. SEXSON  
Director

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JAN 5 1980

WATER RESOURCES DEPT.  
SALEM, OREGON

NOTICE OF COMPLETION OF CHANGE IN

point of diversion of water from Salt Creek

PURSUANT TO TRANSFER APPLICATION NO. 4492

I, GAIL W. PRESSNAIL, 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 Sept 1, 1980.

Jan 5 1980  
Date

Gail W. Pressnail  
Signature

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

POD in, not irrigated as of 1-81



SALT CR TRIB S YAMHILL

WFT-0982-01

\*\*\* OREGON WATER RESOURCES DEPARTMENT \*\*\*  
\*\*\* WATER RIGHTS DIVISION \*\*\*PAGE 1  
RUN ON: 3/20/81 AT: 9:08

## \*\*\* WATER RIGHT DATA INPUT FORM \*\*\*

WATER RIGHT NO. T000044921 PERMIT NO. 024767 CERTIF. NO.

NAME: GAIL W. PRESSNALL

ORIG. NO. A000314371 FEE: NO A000314371 SUPER. NO.

ADDRESS: RT1, Box 164

CITY/STATE/ZIP/COUNTY: AMITY, OR 97101

36

STREAM-ID 02 1140 0760 0130 090

RIV. MI.

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

CANCEL YEAR--&gt;

CONSTR. COMPLT--&gt; 09 29 1981

YR. LAST USED--&gt;

NEXT ACTION DUE--&gt;

PRIORITY--&gt; 03 19 1957 PUT TO USE--&gt; 09 29 1981

LAST TRANS. DATE--&gt;

LAST TRANS. TYPE--&gt;

APPLICATION--&gt; 05 01 1980 SURVEYED--&gt;

EXAM. FEE--&gt; 20.00

RECORDING FEE--&gt; 15.00

PERMIT ISSUE--&gt; 06 20 1980 CONCURRENCE--&gt;

CYCLE STATUS--&gt;

REPORTED FLAG--&gt;

CONSTR. STRT.--&gt; 06 20 1980 CERTIFIED--&gt;

CORRES. INIT.--&gt;

CORRES. DATE--&gt;

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

RIV. MI.

RATE

STATUS S OR P

\*\* REMARKS: - - - - -  
\*\* DATED-->

0503 040W 32 B A 02 1140 0760 0130 090

0.160

V P

\*\* POD: 170'S & 950' W FM S 1/4 COR  
\*\* S 29. CHANGES POD C-28389.PLACE-OF-USE DATA:  
TWNSP RNGE SECT QTR/QTR CNTY USE % CNSMTV ACRES STATUS S OR P

0503 040W 29 C D 36 1R 100 10.20 V P

| | 32 B A | | 6.30 | |

V.D.I.S.

A-12-15-85 1: SDA

E-12-15-85 1: SDA

V-12-15-85 1: SDA



20.00  
15.00

T-4492

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# Application for Transfer of Water Right

MAY 1 1980

WATER RESOURCES DEPT.  
SALEM, OREGON

To the WATER RESOURCES DIRECTOR OF OREGON:

I, GAIL W. PRESSNALL  
(Name of applicant)  
of Rt 1 Box 164, AMITY  
(Mailing address) (City)  
State of OREGON, 97101, 835-3011, 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? NO, MR. IVAN NISLY  
(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 24767 Number of certificate 28389  
APP # 31437

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 SALT CREEK

5. What is the date of priority of your water right? MARCH 19, 1957

6. The authorized point of diversion is located 230 ft. N and 1500 ft. E from the SW  
(N. or S.) (E. or W.)

corner of 29 being within the SE  $\frac{1}{4}$  SW  $\frac{1}{4}$  of Section 29 Tp. 5S R. 4W W. M.,  
(No. N. or S.) (No. E. or W.)

in the county of YAMHILL 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 170 ft. S and 950 ft. W from the S<sup>1</sup>/<sub>4</sub>  
(N. or S.) (E. or W.)

corner of Sec. 29 being within the NE  $\frac{1}{4}$  NW  $\frac{1}{4}$  of Section 29 Tp. 5S R. 4W W. M.,  
(No. N. or S.) (No. E. or W.)

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



8. The use to which the water is applied is .....  
(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
55	4W	29	SE $\frac{1}{4}$ SW $\frac{1}{4}$	10 <sup>2</sup> L.#2
55	4W	32	NE $\frac{1}{4}$ NW $\frac{1}{4}$	6 <sup>3</sup> L.#1

(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 .....  
(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 HAVE P.O.D. LEGAL

15. Construction work will be completed on or before COMPLETED

16. The water will be completely applied to the proposed use on or before OCT. 1, 1980

Remarks \_\_\_\_\_

THIS APPLICATION PREPARED BY  
Michael J. Ladd  
FROM INFORMATION FURNISHED BY  
THE APPLICANT.

**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, GAIL W. PRESSNALL, 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 1ST day of MAY, 1980.

Gail W. Pressnall  
(Name of applicant)

Subscribed and sworn to before me this 1ST day of MAY, 1980.

[Notarial Seal]

James W. Carter  
NOTARY PUBLIC FOR OREGON

My commission expires 8-8-80





## STATE OF OREGON

## INTEROFFICE MEMO

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: May 16, 1980FROM: \*\* Michael F. Ladd, WatermasterSUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4492IN THE NAME OF Mr. Gail W. Pressnall

In my opinion the proposed change in point of diversion from Salt Creek  
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



Beginning at the Southwest corner of the John Watt Donation Land Claim No. 73 in Township 5 South, Range 4 West of the Willamette Meridian, in Yamhill County Oregon thence South  $2^{\circ} 03'$  West along the east line of the R. S. Coomes Donation Land Claim No. 76 in Township 5 South, Range 4 West of the Willamette Meridian, 18.533 chains to the division line of the donation Land Claim, thence east 20.764 chains to the west line of the Enos C. Williams Donation Land Claim No. 45 in Township 5 South Range 4 West which is also the Southeast corner of Lot 1 and the Northeast corner of Lot 2 of County Survey No. 240, thence North along the West line of said Williams Donation Land Claim 18.203 chains to the Southeast corner of said Watt Donation Land Claim, thence North  $89^{\circ} 06'$  West 20.113 chains to the place of beginning. Excepting therefrom that portion lying Easterly of the County road

RECEIVED  
MAY 1 1980  
WATER RESOURCES DEPT.  
SALEM, OREGON

RECEIVED  
MAR 19 1957  
STATE ENGINEER  
SALEM, OREGON



**RECEIVED**  
SEP 29 1981  
WATER RESOURCES DEPT.  
SALEM, OREGON

NOTICE OF COMPLETION OF CHANGE IN  
point of diversion of water from Salt Creek

PURSUANT TO TRANSFER APPLICATION NO. 4492

I, Gail Pressnall, 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 September 25, 1981.

September 29, 1981  
Date

Gail Pressnall  
Signature

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

OK  
Gail