

ASSIGNED

Name THOMAS G. & MARY PL. MORGAN

By

Address P.O. Box 412
Lafayette, Oregon 97127

Date filed July 23, 1971

Priority July 23, 1971

Action suspended until OK Cert

Returned to applicant

Date of approval September 8, 1972

CONSTRUCTION

Date for beginning September 8, 1973

Date for completion October 1, 1974

Extended to

Date for application of water October 1, 1975

Extended to

PROSECUTION OF WORK

Form "A" filed

Form "B" filed

Form "C" filed completed

FINAL PROOF

Blank mailed APR 8 1975 NOV 12 1975

Proof received DEC 21 1978

Date certificate issued DEC 5 1973

Application NO. 48485

Permit No. 36066

Certificate No. 42776 47143

Stream Index, Page No. 2-90812

Date	Amount	Receipt No.
<u>7-23-71</u>	<u>35.00</u>	<u>24907</u>
<u>11-17-75</u>	<u>\$18.00</u>	<u>50269</u>

FEE REFUNDED

Date	Amount	Check No.
<u>9-22-72</u>	<u>\$5.00</u>	<u>4926</u>

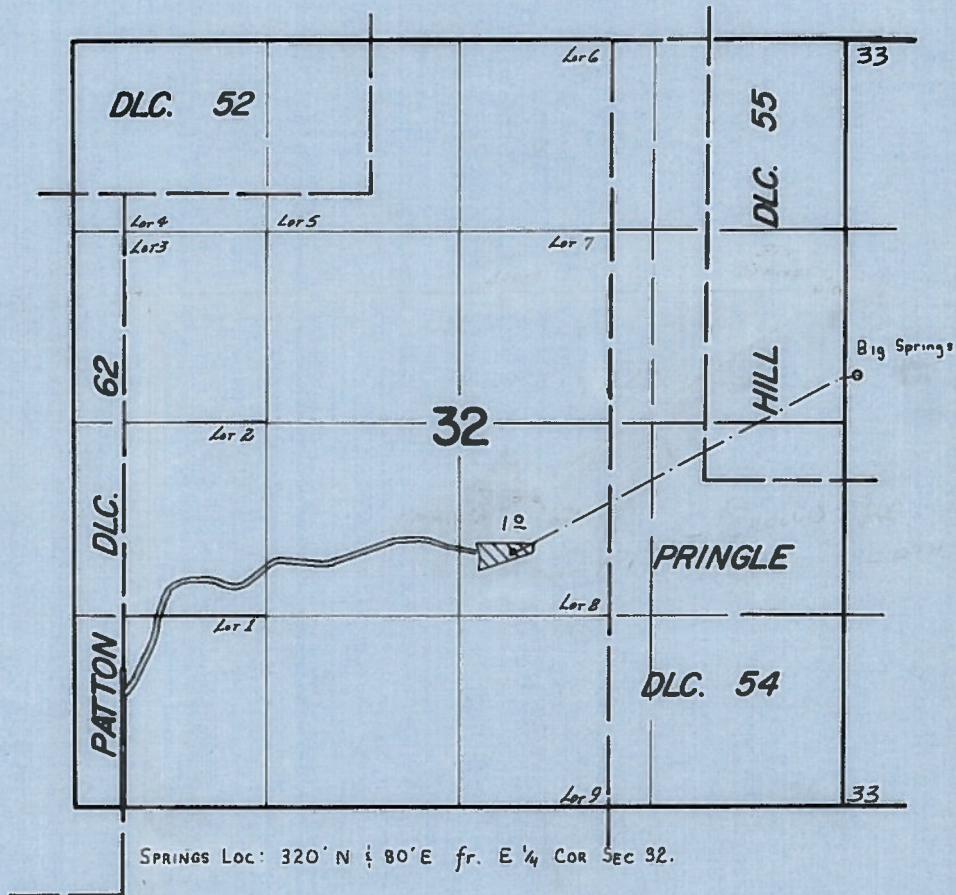
ASSIGNMENTS

Date	To Whom	Address	Volume	Page
<u>9-29-75</u>	<u>Dale B. Smith</u>	<u>P.O. Box 561, Lafayette, OR</u>	<u>5</u>	<u>700</u>

REMARKS

0.023 cfs from Big Springs for irrigation and domestic use for
one family being 0.01 cfs for domestic use and 0.013 cfs for
irrigation of 4.7 acres

T.3S.,R.3W.,WM.



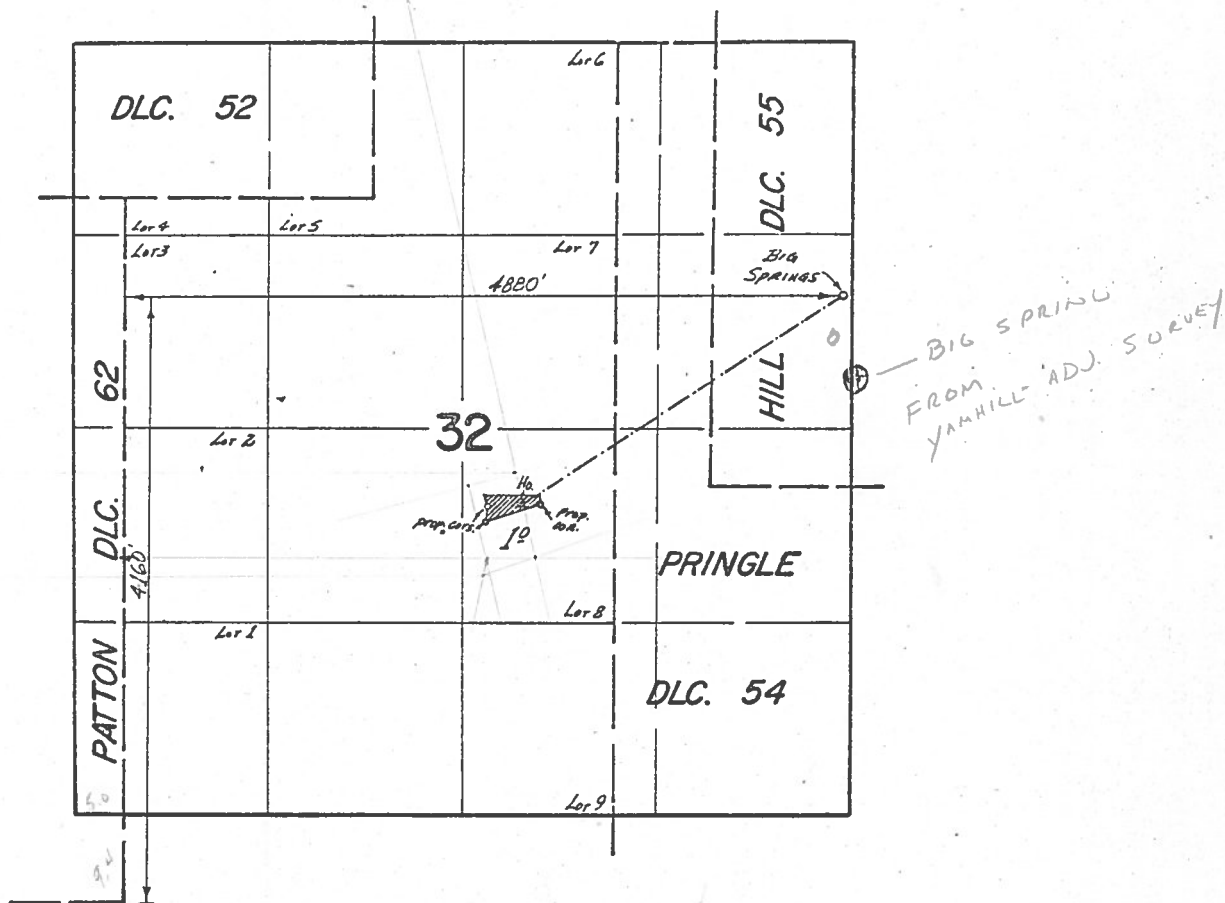
FINAL PROOF SURVEY
UNDER

Application No. 48485 Permit No. 36066
IN NAME OF

DALE B. SMITH

Surveyed SEPT. 17 1973, by L.E. GOULD

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



FINAL PROOF SURVEY
UNDER

Application No. 48485 Permit No. 36066
IN NAME OF

THOMAS G. & MARY P. MORGAN

Surveyed SEPT. 17 1973, by L.E. GOWLD

Abstract of Permit N

P91

Application No. 48485

assigned

Name Thomas G. Morgan & Mary P. Morgan

Address P. O. Box 412 Lafayette, Oregon 97127

Source of water supply Big Springs, TRIB. MILLICAN CR.

Use Irrigation & domestic use for one family

Point of diversion 320' S. of 320' E. from the corner of Sec. 33, T.3 S., R.3 W., W.M., in the County of Yamhill

Number of acres 1.0

DESCRIPTION OF LAND TO BE IRRIGATED OR PLACE OF USE

Twp.	Range	Sec.	NE 1/4				NW 1/4				SW 1/4				SE 1/4			
			NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4	NE 1/4	NW 1/4	SW 1/4	SE 1/4
3S	3W	32	✓															
Lot 8 (NW 1/4 SE 1/4)																		
THIS CERTIFICATE IS ISSUED TO SUPERSEDE																		
CERTIFICATE OF WATER RIGHT RECORDED AT PAGE 42776, VOL. 34, SRWRC																		
SO AS TO CORRECTLY LOCATE THE POINT OF DIVERSION																		
& PLACE OF USE																		
THE ISSUANCE OF ETC; ETC. (DOES NOT CONFIRM)																		

Priority date

July 23, 1971

Amount of water

0.2 c.f.s., being 0.01 c.f.s. for domestic use & 0.1 c.f.s. for irrigation

Time limit to begin construction

September 5, 1973

Time limit to complete construction

10-1-74

extended to

extended to

Time limit to completely apply water

10-1-75

extended to

extended to

Remarks: This appropriation shall be limited to 1/80 of one cubic foot per second or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2 1/2 acre feet per acre for each acre irrigated during the irrigation season of each year, and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

Info: Mrs. Morgan

Big Springs: Located in bottom of steep sided Draw. Has covered concrete basin approx. 5' x 4' x 4' deep. 4" steel pipe runs approx. 100' to old Res. which is no longer used

Pipe: 100' 4" Steel (Spr. to Old Res. & 6" steel pipe)
1320' 6" " Old Res. to beginning of 2" Galv. Pipe)
1320' 2" Galv. Iron (From 6" Steel to W. prop. line)

Pump: $\frac{1}{2}$ H.P. A. O. Smith, 1 ph. 3450 R.P.M.

Dir. Dr. Sears Jet, $1\frac{1}{2}$ " x $\frac{3}{4}$ "

Pressure Tank, 16" Diam. x 32" long.

Pump goes on @ 20 & off @ 40 p.s.i.

Note: Gravity flow (100' Fall) takes water to Morgan House. Above pump increases pressure at house.

Use: Dom. use of one family & irrigation of approx. $\frac{1}{2}$ acre lawn & garden

Irrigation: There 2 taps on main 2" pipe, one approx. 30' S. from house & the other approx. 30' N. & 30' E. from S. E. Cor. Prop.

Pipe: 350' garden hose, & 2 lawn sprinklers.

Tie: To S.E. & S.W. prop. cors. (See L. D.)

I.P. 2x2" post.

Note: The 6" Steel pipe runs on S.W. ~~to another user.~~ No longer used.
" 2" Galv. " " " W. to other uses.

Sept. 17, 1973, L. E. Gould
Field Engineer

WATER RIGHT APPLICATION MAP

FOR:

THOMAS G. and MARY P. MORGAN

412 Lafayette

Rt. 2 (P.O. Box 102, Newberg, Or.)

Dayton, Oregon

RECEIVED
JUL 23 1971
STATE ENGINEER
SALEM, OREGON

RECEIVED
MAY 2 1972
STATE ENGINEER
SALEM, OREGON

RECEIVED
AUG 17 1971
STATE ENGINEER
SALEM, OREGON

Δ = POINT OF DIVERSION BEING
2500' SOUTH & 200' EAST OF
N.E. COR. SEC. 32, T35, R3W

SCALE 1"=400'
JULY 20, 1971

P.O.B. 20' PIPELINE
EASEMENT BEING 10' ON EACH SIDE

N57°01'E
385.4'
5.43 A+
BIG
2500'
SPRINGS
S8°E
385.4'
557°07'W

RECEIVED
MAR 27 1972
STATE ENGINEER
SALEM, OREGON

LOT 17 N, C.S.P-4706
YAMHILL, COUNTY
NW 1/4
SE 1/4
MORGAN
RESIDENCE
HOUSE
S11°44'W
123.57'
S12°59'E
525.17'
S75°06'W
880'
N12°44'W
603.33'
N70°30 1/2'E
381.37'

2" PIPELINE TO MORGAN RES.

PIPELINE FROM
SPRINGS

TO WATERSHED
NE 1/4
SE 1/4

SW 1/4
SE 1/4

SE 1/4
SE 1/4

WATERSHED

LAFAYETTE

Application No. 48485
Permit No. 36066

FIELD COPY

32 33

5 4

PERMIT

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

This is to certify that I have examined the foregoing application and do hereby grant the same, SUBJECT TO EXISTING RIGHTS and the following limitations and conditions:

The right herein granted is limited to the amount of water which can be applied to beneficial use and shall not exceed cubic feet per second measured at the point of diversion from the stream, or its equivalent in case of rotation with other water users, from

The use to which this water is to be applied is Domestic and irrigation
of lawn and garden

If for irrigation, this appropriation shall be limited to of one cubic foot per second or its equivalent for each acre irrigated

and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

The priority date of this permit is

Actual construction work shall begin on or before and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 19.....

Complete application of the water to the proposed use shall be made on or before October 1, 19.....

WITNESS my hand this day of, 19.....

STATE ENGINEER

Superseded
Application No. 48485

Permit No.

PERMIT

TO APPROPRIATE THE PUBLIC
WATERS OF THE STATE
OF OREGON

This instrument was first received in the
office of the State Engineer at Salem, Oregon,
on the 23rd day of July
1921, at 11:15 o'clock A. M.

Returned to applicant:

Approved:

Recorded in book No. of

Permits on page

STATE ENGINEER

Drainage Basin No. 2 page 90812

Fees

Municipal or Domestic Supply—

10. (a) To supply the Property of Thomas G. Morgan
Yamhill County, having a present population of 6 (Six)
(Name of) and an estimated population of 6 (Six) in 1971

(b) If for domestic use state number of families to be supplied One

(Answer questions 11, 12, 13, and 14 in all cases)

11. Estimated cost of proposed works, \$ Not Appl. NO cost
12. Construction work will begin on or before Not Appl. Completed as of this date 7/22/71
13. Construction work will be completed on or before Not Appl. Completed 7/22/71
14. The water will be completely applied to the proposed use on or before Now in use 7/22/71

Thomas G. Morgan
(Signature of applicant)
Mary P. Morgan

Remarks: _____

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

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for completion
correction and completion

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before October 11, 1971
March 30 72
June 12 72

WITNESS my hand this 12th day of August, 1971
2nd February 72
13th April 72

RECEIVED
MAY 2 1972
STATE ENGINEER
SALEM, OREGON

RECEIVED
MAR 27 1972
STATE ENGINEER
SALEM, OREGON

RECEIVED
AUG 17 1971
STATE ENGINEER
SALEM, OREGON

CHRIS L. WHEELER

STATE ENGINEER

By

T. E. Shook
T. E. Shook

ASSISTANT

RECEIVED

900 NE Corner

Superseded
Permit No.

JUL 23 1971 2500 S. of NE corner of Sec 32

STATE ENGINEER
SALEM, OREGON

*APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Oregon

I, Thomas G. And Mary P. Morgan
(Name of applicant) 412 Lafayette
of Route # Dayton (P.O. Box 102 Newberg)
(Mailing address)
State of Oregon, do hereby make application for a permit to appropriate the
following described public waters of the State of Oregon, SUBJECT TO EXISTING RIGHTS:

If the applicant is a corporation, give date and place of incorporation No

1. The source of the proposed appropriation is Big Springs
(Name of stream)
a tributary of Lafayette reservoir + Millican Creek
2. The amount of water which the applicant intends to apply to beneficial use is 1/100 + 1/80th
cubic feet per second. One source
(If water is to be used from more than one source, give quantity from each)

**3. The use to which the water is to be applied is Domestic and Irrigation
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)
of lawn and garden or one acre

4. The point of diversion is located 2500 ft. South and 200 ft. East from the Northeast
corner of Section 32 within the SW 1/4 NW 1/4 Section 32 Township
(N. or S.) (E. or W.)
3 South Range 3 West (Section or subdivision) Mary P. Morgan's
1900 ft NE corner of T.G. Morgan's property.

(If preferable, give distance and bearing to section corner)

(If there is more than one point of diversion, each must be described. Use separate sheet if necessary)
being within the SE 1/4 of SE 1/4 of NE 1/4 of Sec. 32, Tp. 3 S,
(Give smallest legal subdivision) (N. or S.)

R. 3 W, W. M., in the county of Yamhill
(E. or W.)

5. The 6" Pipeline to be 1900 Ft. W.
(Main ditch, canal or pipe line) (Miles or feet)
in length, terminating in the Lafayette Reservoir of Sec. 32, Tp. 3 S,
(Smallest legal subdivision) (N. or S.)

R. 3 W, W. M., the proposed location being shown throughout on the accompanying map.
(E. or W.)

DESCRIPTION OF WORKS

Diversion Works— No work being done will use existing water system

6. (a) Height of dam 3 ft. feet, length on top 15 ft. feet, length at bottom
8 ft. feet; material to be used and character of construction Cement and
steel reinforcement
(Loose rock, concrete, masonry,
rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate Concrete with 6" steel pipe (one)
(Timber, concrete, etc., number and size of openings)

(c) If water is to be pumped give general description No
(Size and type of pump)

(Size and type of engine or motor to be used, total head water is to be lifted, etc.)

*A different form of application is provided where storage works are contemplated.

**Application for permits to appropriate water for the generation of electricity, with the exception of municipalities, must be made to the Hydroelectric Commission. Either of the above forms may be secured, without cost, together with instructions by addressing the State Engineer, Salem, Oregon.

Canal System or Pipe Line—

7. (a) Give dimensions at each point of canal where materially changed in size, stating miles from headgate. At headgate: width on top (at water line) 6" feet; width on bottom 6" feet; depth of water — feet; grade 30 ft. feet fall per one thousand feet.

(b) At 1/4 miles from headgate: width on top (at water line) 2"
feet; width on bottom 2" feet; depth of water 2" feet;
grade 30 ft. feet fall per one thousand feet.

(c) Length of pipe, 1/4 mi ft.; size at intake, 6" in.; size at _____ ft. from intake _____ in.; size at place of use 2" in.; difference in elevation between intake and place of use, 1400 ft. Is grade uniform? yes Estimated capacity, _____ sec. ft.

8. Location of area to be irrigated, or place of use See 32 Tr. 38 R3W

[illegible]

(If more space required, attach separate sheet)

(a) Character of soil Red Clay

(b) Kind of crops raised Nong

Power or Mining Purposes—

9. (a) Total amount of power to be developed theoretical horsepower.

(b) Quantity of water to be used for power sec. ft.

(c) Total fall to be utilized feet.
(Head)

(d) The nature of the works by means of which the power is to be developed

(e) Such works to be located in _____ of Sec. _____,
(Legal subdivision)

Tr. _____, *R.* _____, *W. M.* _____
(No. N. or S.) (No. E. or W.)

(f) Is water to be returned to any stream? _____
(Yes or No)

(g) If so, name stream and locate point of return

....., Sec., Tp. (No. N. or S.) R. (No. E. or W.) W. M.

(h) The use to which power is to be applied is

(i) *The nature of the mines to be served*

48485

October 21, 1975

Dale B. Smith
P. O. Box 561
Lafayette, OR 97127

Dear Mr. Smith:

The assignment of permit numbered 36066 from Thomas G. and Mary P. Morgan to you has been recorded in the records of the Water Resources Department. Our records have been changed accordingly, and the original is enclosed along with our receipt numbered 49711, covering the recording fee of \$2.00 you submitted.

Sincerely,

Robert G. Mucken
Assistant

RGM:tml
Enclosures

STATE OF OREGON

INTEROFFICE MEMO

TO: File 48485

DATE: September 16, 1975

FROM: Tom Shook

SUBJECT: Permit No. 36066

Mr. Dale Smith was in today requesting information regarding permit number 36066. He has purchased the property from the Morgan's who are now separated.

I told him the proof form had to be signed by Mr. and Mrs. Morgan and returned along with the recording fees, otherwise; the right is in jeopardy. Mr. Smith said he would try to contact them. He also took an assignment form.

It may be a couple of months before we have an answer.

Tom

48485

May 14, 1975

Thomas G. & Mary P. Morgan
P. O. Box 412
Lafayette, OR 97127

Dear Mr. and Mrs. Morgan:

On April 8, 1975, we mailed you a copy of a proof of the certificate in connection with the incomplete water right represented by your permit numbered 36066 granting a right to the use of water from Big Springs, together with the instructions that the statement at the bottom of the page be signed and the copy be returned to this office accompanied by the certificate recording fee in the amount of \$1.50.

To date this form has not been received and we are not able to issue the confirming certificate until the signed proof has been submitted with the recording fee.

Very truly yours,

VESTAL R. GARNER
Assistant

VRG:tml

ROBERT W. STRAUB
XXXXXXXXXXXXXXXX

April 8, 1975

Thomas G. & Mary P. Morgan
P. O. Box 412
Lafayette, OR 97127

File No. 48485

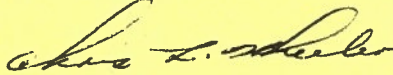
Dear Mr. and Mrs. Morgan:

Enclosed is the final proof in connection with the incomplete water right represented by your permit number 36066.

The data contained in the proof, which is based on an inspection and survey of your project made by a representative of this department, defines the extent to which your water right has been completed within the terms of your permit. The proof should be dated and signed by you and returned to this office.

Upon receipt of the proof, properly executed and accompanied by the statutory recording fee of \$1.50, a certificate of water right will be issued confirming the right thereunder and, after being recorded in the county records, will be forwarded to you.

Very truly yours,



CHRIS L. WHEELER
State Engineer

Form 117

Enclosure
The enclosed map may be retained for your own records.

48485

August 15, 1972

Mr. Thomas G. & Ms. Mary P. Morgan
P. O. Box 412
Lafayette, Oh 97127

Dear Mr. & Ms. Morgan:

This will acknowledge your letter authorizing application numbered 48485 to be amended by inserting domestic to items 3 and 8 and changing item 10 (b) to show one family to be supplied water.

Your application is now in satisfactory form and has been placed with the next group for issuance of a permit.

Very truly yours,

THOMAS E. SHOOK
Assistant

TES:krc

RECEIVED
AUG 10 1972
STATE ENGINEER
SALEM OREGON

August 7, 1972

Thomas E. Shook
State Engineer, Assist.
Salem, Oregon

Dear Sir:

We, Thomas G. Morgan and Mary P. Morgan, do authorize the State Engineer to make the following changes in our application for water rights. File # 48485.

1. Item #3, insert "domestic,"
2. Item #8, insert "domestic," NW Qt SE Qt.
3. Item #10B, delete irrigation, add "one."

Thank you,

Thomas G. Morgan and
Mary P. Morgan

Thomas G. Morgan
Mary P. Morgan

P.O. Box 412
Lafayette, OR
97127

August 4, 1972

48485

Thomas and Mary Morgan
P. O. Box 412
Lafayette, OR 97127

Dear Mr. and Ms. Morgan:

Regarding your telephone call of August 3, 1972, requesting information about application number 48485, it has been brought to my attention that the application is not in satisfactory form.

The superseding application lists 1/100 and 1/80 cubic foot of water per second in Item Number 2, and the map shows a house plus an area to be irrigated. Is it your intent to appropriate water for irrigation as well as for domestic purposes? This is not made clear on the application since only irrigation is listed in Items Number 3 and 8. In the event you wish to appropriate water just for irrigation, Item Number 2 should be amended by deleting the information given and adding 0.025 cubic foot of water per second. On the other hand, if you want to include domestic purposes, Item Number 2 would not have to be changed, but it would be necessary to include "domestic" in Items Number 3 and 8, along with stating the number of families to be supplied water in Item Number 10(b).

If you will notify us as to the course of action you elect, we will retain the application and make the appropriate changes upon your request.

Very truly yours,

THOMAS E. SHOOK
Assistant

30
dg

May 3, 1972

48485

Thomas and Mary Morgan
P. O. Box 412
Lafayette, OR 97127

Dear Mr. and Ms. Morgan:

This will acknowledge your application numbered 48485
and a print of a map, along with a superseding application.

Your application is now in satisfactory form for approval
by the issuance of a permit.

Very truly yours,

THOMAS E. SHOOK
Assistant

dg

April 13, 1972

48485

Thomas and Mary Morgan
P. O. Box 412
Lafayette, OR 97127

Dear Mr. and Ms. Morgan:

This will acknowledge your print of a map and application number 48485.

The blue ink used to complete your application does not reproduce satisfactorily; therefore, I have enclosed a blank application form to be completed and returned along with the original application.

Please note, in Item Number 3 of the application, that you have listed "domestic and irrigation of lawn and garden or one acre" and this is not consistent with the information listed in Item Number 8 or shown on the map. If you intend to irrigate just one acre, this should be listed instead of 4.7 in Item Number 8 and the location of the one acre be shown on the map. If you intend to irrigate 4.7 acres, the reference to "1 acre" should be deleted from Item Number 3.

Item Number 8 must be completed by adding "domestic" by the acreage figure.

I am returning the print of the map and your application for correction and completion. The application is endorsed so that in order to retain its priority date, it must be returned to this office on or before June 12, 1972.

Very truly yours,

THOMAS E. SHOOK
Assistant

dg
Enclosures

February 2, 1972

48485

Thomas and Mary Morgan
P. O. Box 412
Lafayette, OR 97127

Dear Mr. and Ms. Morgan:

This will acknowledge the return of a print of a map and your application numbered 48485.

The information given in Items Number 2 and 3 of the application suggests that you wish to irrigate one acre of land. Please note, however, that 4.7 acres is listed in Item Number 8 as the number of acres to be irrigated within NW 1/4 SE 1/4 of Section 32. If the 4.7 figure is correct, you may increase the amount of water you wish to appropriate for irrigation in Item Number 2 from 1/80 cubic foot of water per second to 5/80 cubic foot of water per second. It would then be necessary to delete the "one acre" as listed in Item Number 3.

The location of the place of domestic use must be listed in Item Number 8 as being within a township, range, section and forty-acre tract.

The dwelling, within which the water will be used, must be located on your map and if you do wish to irrigate only one acre, this one acre must also be clearly shown on the map.

I am returning the map and your application for correction and completion. The application is endorsed so that in order to retain its priority date, it must be returned to this office on or before March 30, 1972.

Very truly yours,

THOMAS E. SHOOK
Assistant

dg
Enclosures

August 12, 1971

48485

Thomas and Mary Morgan
P. O. Box 412
Lafayette, OR 97127

Dear Mr. and Ms. Morgan:

This will acknowledge your application for a permit to appropriate 0.01 cubic foot of water per second from Big Springs for domestic use and the irrigation of 5 acres, a map, legal description, spring description sheet and the fee of \$35 for which our receipt number 24907 is enclosed.

This application has been filed and numbered 48485 and the following discrepancies noted.

You must show a specific quantity of water for each of the two uses listed in Item Number 3. The quantity of 0.01 cubic foot of water per second is sufficient water for one family domestic use and the irrigation of a normal size garden and lawn, but it is not enough for irrigation of 5 acres.

The diversion point is that point where water is taken from a natural channel, not the point where you tap the city pipeline. According to the map, the diversion at the spring is 2500 feet south and 200 feet east from the northeast corner of Section 32 within the SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 33, Township 3 South, Range 3 West and this should be listed in Item Number 4.

Item Number 8 must locate the place of use for domestic purposes as well as the area to be irrigated. According to the map, this is the NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 32, Township 3 South, Range 3 West. You listed 5 acres on the application, but according to the map the property is 4.7 acres. Either the map or the application must be changed so that they agree.

Incidentally, the address on your check differs from the address on your application. Please tell us which is correct.

Thomas and Mary Morgan

Page 2

August 12, 1971

I am returning your applicati n and map for completion, endorsed so that in order to retain its priority date it must be returned to this office on or before October 11, 1971.

Very truly yours,

60

T. E. SHOOK
Assistant

TES:dg
Enclosures

WATER RIGHT APPLICATION MAP

FOR:

THOMAS G. and MARY P. MORGAN

412 Lafayette

Rt. 2 (P.O. Box 102, Newberg, Or.)

Dayton, Oregon

RECEIVED

JUL 23 1971

STATE ENGINEER
SALEM, OREGON

RECEIVED

MAY 2 1972

STATE ENGINEER
SALEM, OREGON

32

28

33

RECEIVED

AUG 17 1971

STATE ENGINEER
SALEM, OREGON

▲ = POINT OF DIVERSION BEING
2500' SOUTH & 200' EAST OF
N.E. COR. SEC. 32, T35, R3W

SCALE 1"=400'

JULY 20, 1971

P.O.B. 20' PIPELINE

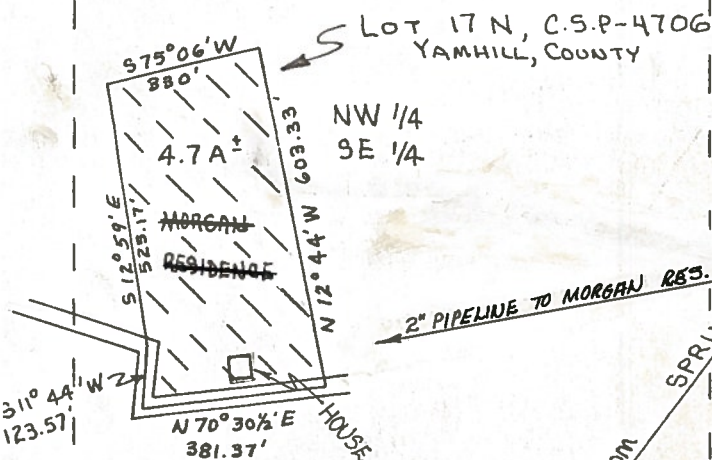
EASEMENT BEING 10' ON EACH SIDE



RECEIVED

MAR 27 1972

STATE ENGINEER
SALEM, OREGON



2" PIPELINE TO MORGAN RES.

PIPELINE FROM SPRINGS

TO WATERSHED
NE ¼
SE ¼

SW ¼
SE ¼

SE ¼
SE ¼

WATERSHED

LAFAYETTE

FILE COPY

Application No. 48485
Permit No. 36066

32

33

5

4

55690

3 August 1977

Bluebird Valley Co-operative
Route 2, Box 249
Dayton, Oregon 97114
Attn: Donald J. King Secretary

Dear Mr. King:

As discussed earlier, before a permit can be issued in approval of your application our records must be cleared so that existing rights are not in conflict with your application. To clear your records, the rights now recorded must be cancelled. If not, your application must be amended.

I have prepared an affidavit of abandonment in the name of Dale B. Smith authorizing the cancellation of a portion of that certificate No. 42776 which was issued in evidence of a right to use 0.01 cubic foot of water per second from Big Springs Creek for the domestic use of one family. This affidavit will not cancel the portion of that right which is for irrigation and a new certificate will be issued for irrigation. Please submit \$2.00 to record the new certificate.

I have prepared a letter authorizing the cancellation of that portion of permit No. 38769 issued to Claud and Carol Bissenette for the use of 0.01 cubic foot of water per second from Big Springs for the domestic use of two families. The stock portion of the permit will not be cancelled.

I have also prepared letters authorizing the cancellation of permit No. 38242 in the name of Robert A. and Donna A. Fisher. Permit No. 39550 in the name of James M. Wood and Permit No. 40426 in the names of Charles E. and Thelma E. Fisher.

If someone does not wish to cancel their rights of record, your application and map must be amended to delete their use.

I am returning your map and application along with the affidavit and letters. Your application is endorsed so that in order to retain its priority date, it must be received in this office on or before October 3, 1977.

Sincerely,

Vestal R. Garner
Water Rights Engineer

COPY

LN/VRG:td
ENC:

A F F I D A V I T

STATE OF OREGON)
County of _____) ss

I, Dale B. Smith, being first duly sworn,
depose and say that I am the owner of a water right and
the land to which it is appurtenant, which is for the use
of not to exceed 0.01 cubic foot of water per second from
Big Springs for the domestic use of one family within

Lot 8 (NW $\frac{1}{4}$ SE $\frac{1}{4}$)
Section 32
T 35, R 3W, W.M.

under a priority date of 23 July 1971, as evidenced by the
certificate recorded at Page 42776, Volume 34, State Record
of Water Right Certificates; that I have abandoned any
and all interests in and to said water right and request same
be cancelled.

IN WITNESS WHEREOF, I have hereunto set
my hand this _____ day of _____, 1977.

Subscribed and sworn to before me this
_____ day of _____, 1977.

Notary Public for Oregon
My commission expires _____

copy

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NOV 17 1975

WATER RESOURCES DEPT.
SALEM, OREGON

STATE OF OREGON

COUNTY OF YAMHILL

Proof of Appropriation of Water

DALE B. SMITH

97127

, State of Oregon

of P. O. Box 561, Lafayette
has applied beneficially the waters of
Big Springs

a tributary of Millican Creek
irrigation of 1.0 acre and domestic use for one family

for the purpose of

under Permit No. 36066 of the State Engineer, and that the use of said waters has been
completed under the terms of said permit; that the priority of the
right dates from July 23, 1971

that the amount of water for the purposes aforesaid, has been actually beneficially used in the
amount of
0.02 cubic foot per second, being 0.01 c.f.s. for domestic use and 0.01 c.f.s.
for irrigation

or its equivalent in case of rotation, measured at the point of diversion from the stream.
The point of diversion is located in the SE $\frac{1}{4}$ NE $\frac{1}{4}$, as projected within Hill DLC 55, Section 32,
T. 3 S., R. 3 W., W. M., 4160 feet North and 4880 feet East from the SE Corner,
Patton DLC 62.

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:

Domestic and 1.0 acre Lot 8 (NW $\frac{1}{4}$ SE $\frac{1}{4}$)
Section 32
T. 3 S., R. 3 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 15 day of November,

1975

Dale B. Smith

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JUL 23 1971

STATE ENGINEER
SALEM, OREGON

17848

Harry R. Kuehne & Evelyn Kuehne, hd/wf,

8/25/48

7/9/46

150.00

Easmt

\$10.00

To

City of Lafayette, - - -

... gtnt an easmt and r/w sit in Y Co, O, ovr the flwg dscbd lands, t/w:

A strip of land 20 ft in width 10.0 ft on ea side of the flwg dscbd cntr ln over present pipe ln.

Baap on the W ln of that crtn 5.43 ac tr reserve around the Lawnsdale spring at a pnt 200.0 ft S 8°00'E frm the NW crnr of sd tr; th along pipe ln as now laid S 88°24'W 338.8 ft to 45° bend in pipe; th S 41°07'W 175.7 ft; th S 22°32'W 155.6 ft; th S 30°39'W 184.3 ft; th S 42°53'W 324.4 ft; th S 48°34'W 349.1 ft; th S 38°33'W (at 105.7 ft reducer coupling frm 4" to 3" and take off for pipe to Kuehne Residence) 155.4 ft; th S 37°19'W 951.0 ft; th S 34°29'W 877.2 ft; th S 31°50'W 332.0 ft; intersect the N bndry of the 123.0 ac tr rsrve for watr shed at a pnt N 48°52'E 353.5 ft frm the 2nd angle in the N bndry of sd tr as abv dscbd, bng 3843.5 ft in length and 20 ft in width, 10.0 ft of ea side of the abv dscbd ln and cntng 1.76 ac, and also the right of ingress & egress to and over the abv dscbd easmt and r/w and over and across the adjctng land of the grantors for the purpose of construction, main-
(over)

See Bk 136 pg 269 for help in locating

tenance and operation thin, and then and there, of pipe ln. R. V. for the conveyance or transportation of water, togethw with such unions, faucets and connections as may be reasonably necessary to accomplish the purpose of transporting water through sd pipe lns frm the spring, known as the Millican Spring, lcted on the lands owned by the grntee at the extreme north end of the abv dscbd r/w.

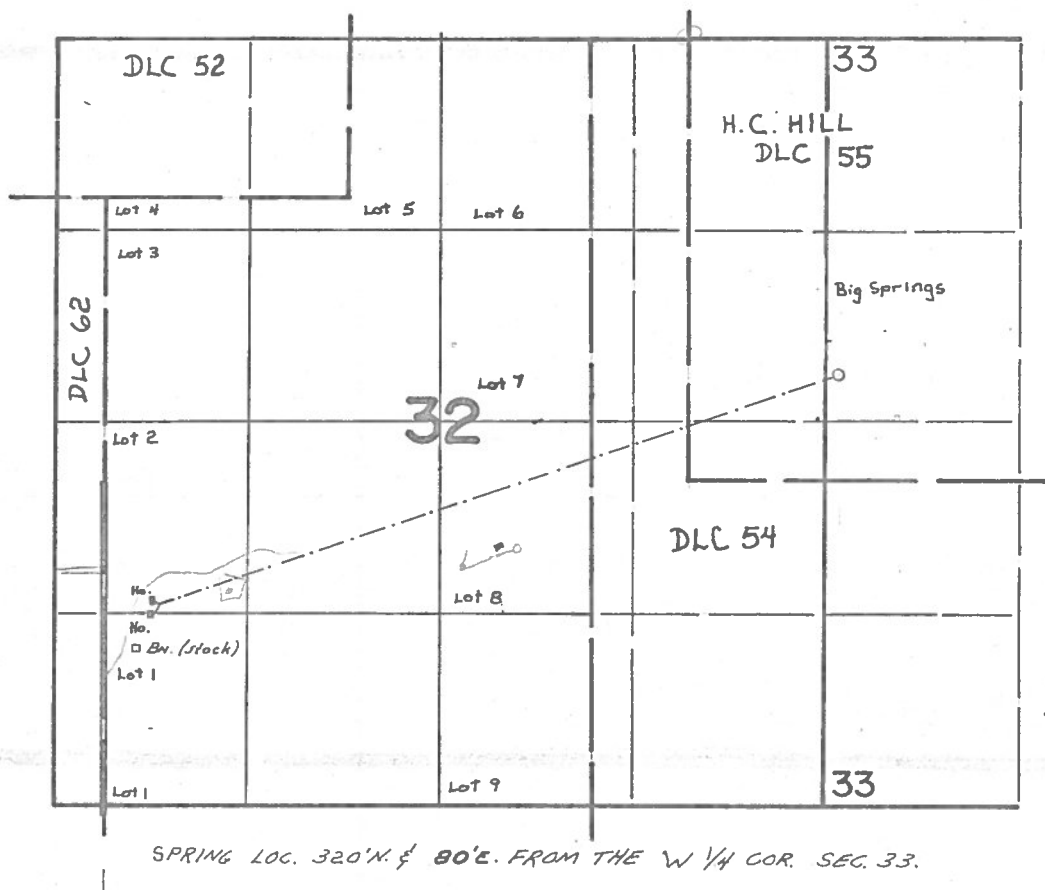
...fro as long as sd easement and r/w is not abandoned or disecontinued for the use and purposes herein set forth, and so lng as sd abandonmt and discontinuance shall not exist for a period of 1 yr or longer, ... is made upon the cons that the City of Lafayette shall at all times permit and furnish a volume of water, free of charge, for the use of the gtntors, their heirs and assigns thru a 1½" pipe ... further grnt to City of Lafayette, O, the right, to enter upon the lands owned by grntors, adjctn to sd r/w for the purpose of constructing ditches, lyng and repairing sd pipe ln and mainting same. ... also grnt use to exstng private rd now lcted on the lands belonging to grntors.

Sig and Ack

\$.55 IR cancelled

Application No. 48486

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



FINAL PROOF SURVEY
UNDER

Application No. 53077 Permit No. 38769
IN NAME OF

CLAUDE W. & CAROL L. BISSONETTE

Surveyed APRIL 16 1976, by L.H. NUNN

YAMHILL - A
DFQ-2LL-211

[Signature]

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JUL 23 1971
STATE ENGINEER
SALEM, OREGON

Application No. 48485

DESCRIPTION OF SPRING

1. Is spring on property of applicant? No
2. If not, give name and address of legal owner. The City of Lafayette Property
3. Have you secured consent of owner to appropriate water from this spring and for construction of pipeline or other works? yes (pipeline in use)
4. If you do not have such consent, do you expect to secure right of way through condemnation? Not Appl.
5. What is the maximum flow from spring? 15 Gal. Plus. Per. Min.
(Gallons per minute or
cubic feet per second)
- What is the minimum flow? 5 Gal. Per. Min.
- Is flow measured or estimated? Est.
6. Does the stream flowing from spring form a well defined natural channel? YES
7. Does the water flow off the lands on which it first arises? YES
8. Give the name of the stream or other body of water into which water from the spring flows. Lafayette Reservoir & Millican Creek
9. If the water from the spring sinks or evaporates before reaching other water, give distance water flows from spring before vanishing.
No
10. Remarks The spring is on a four + acre block of land owned by the city of Lafayette. A six inch pipeline runs to the Reservoir; a two inch line connects from the six inch main to my property. (as shown on map)

Thomas J. Morgan
Mary P Morgan
Signature of Applicant

SC

THIS CONTRACT, Made this 1st day of February

, 19 68, between

JOHN WINTER and LETA WINTER, husband and wife
hereinafter called the seller, and THOMAS G. MORGAN and MARY P. MORGAN, husband and wife
hereinafter called the buyer,WITNESSETH, That in consideration of the stipulations herein contained and the payments to be made
as hereinafter specified, the seller hereby agrees to sell to the buyer and the buyer agrees to purchase from the
seller, the following described real estate, situate in the County of Yamhill

State of Oregon

Beginning at an iron rod in the center of the
roadway, said iron rod being North 2375.21 and East 2468.05 ft. from the Southeast corner
of the Matthew Patten D.L.C., T. 3 S., R. 3 W, W.M. ; said rod also being an angle corner
on the east boundary of a 5 acre tract; thence S. 11° 44' W. 123.57 ft. to an iron rod
in the center of the roadway; thence N. 87° 31' E. 381.37 ft. along the center of the roadway
; thence N. 12° 44' W. 603.33 ft. to an iron pipe; thence S. 75° 06' W. 330 ft. to an iron
rod at the most Northerly corner of a 5 acre tract; thence S. 12° 59' E. 523.17 ft.
to the point of beginning, containing 5 acres, more or less, and subject to rights of the
public over the existing 60 ft. roadway on the South and West boundary
with the right to use a reasonable proportion of existing water supply for
domestic usage at no extra cost

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JUL 23 1971
STATE ENGINEER
SALEM, OREGON

Application No. 48485
Permit No.