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FEB-11 1977

WATER RESOURCES DEPT  
SALEM, OREGON

STEPHEN VAN TERSEI  
1340 Fruitdale Dr.  
Grants Pass, OR

97526

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JUN 15 1977

WATER RESOURCES DEPT  
SALEM, OREGON

Application for Transfer of Water Right

To the STATE ENGINEER OF OREGON:

I, STEPHEN L VAN TERSEI  
(Name of applicant)

of 220 China Creek Rd (Postoffice), County of Josephine

State of Ore, do hereby make application for change in Point

of diversion

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

West Fork of Williams Creek

1. The source of present water right is W F Wms Cr  
(Name of stream)

2. The use to which the water is applied is irrig  
(Irrigation; Mining; Power; Manufacturing; etc.)

3. The name of the ditch, canal or pipe line is Hoxie

4. The point of diversion is located 1150 ft. S and 1320 ft. E from the NW  
(N. or S.) (E. or W.)

corner of SFC 8 (Section or subdivision) being within the NE 1/4 NW 1/4

of Section 8 Tp. 39S R. 5W W. M., in the County of Josephine  
(No. N. or S.) (No. E. or W.)

5. List the number of acres irrigated in each smallest legal subdivision (40-acre tract) involved in this transfer. If for any other use, indicate 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
39s	5w	8					15 <sup>38</sup>											

NOTE: If you own less than 40-acre tracts, attach a description of your land as it appears in your deed.

0.26 cfs

(Attach separate sheet if necessary)

6. Are you the legal owner of the above described lands? YES  
(If not owner, explain your interest)

7. Has water been used beneficially for the purposes indicated herein during the past 5 years? YES

8. What is the date of priority of your water right? 1880

9. Was your water right acquired by State Engineer's Permit? NO If so, give number  
(Yes or No)

of permit

10. Do you hold a water right certificate? Yes If so, give number of certificate 43772  
(Yes or No)

11. Was your water right determined by State Engineer's order of Determination or Decree of Court?  
If so, give title of proceedings Rogue River Decree  
(Yes or No)

12. Is the water right recorded in your name? No CO. Albert Bigelow  
(If not, give name)

13. I propose to transfer the water right to the following described lands: (Do not answer if your application is for change in point of diversion only.)

Twp.	Range	Sec.	NE 1-4				NW 1-4				SW 1-4				SE 1-4			
			NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$	NE $\frac{1}{4}$	NW $\frac{1}{4}$	SW $\frac{1}{4}$	SE $\frac{1}{4}$

(Attach separate sheet if necessary)

NOTE: Answer questions 14, 15, 16 and 17, if the application is for change in point of diversion.

14. The proposed point of diversion is located 640 ft. S and 2120 ft. E from the NW corner of SEC 8 being within the NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 8 Tp. 39S R. 5W W. M., in the county of JOSEPHINE. The name of the ditch to be used is PIPELINE.

15. Are you the owner of the land on which the proposed point of diversion is to be located? YES

16. If not the owner of the land on which the proposed point of diversion is to be located, give the name and address of owner and submit evidence of your right-of-way for your proposed ditch, canal, or pipe line.

17. Are there any diversions between your present point of diversion and the proposed point of diversion? NO

NOTE: Answer questions 18 and 19 if application is for change in use or place of use.

18. 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)

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

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT

20. Reasons for the proposed changes are

AFFIDAVIT OF APPLICANT

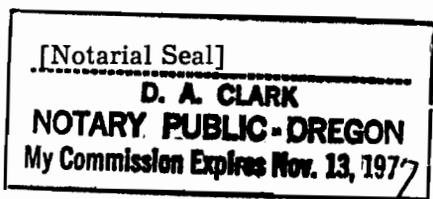
STATE OF OREGON,  
County of JOSEPHINE } ss.

I, STEPHEN L VAN IERSEL, 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 9 day of JUNE, 1977

Stephen L Van Iersel  
(Name of applicant)

Subscribed and sworn to before me this 9 day of JUNE, 1977



D. A. Clark  
NOTARY PUBLIC FOR OREGON

My commission expires 11-13-77

Remarks .....

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.....

THIS APPLICATION MUST BE ACCOMPANIED BY A MAP SHOWING THE LOCATION OF THE POINT OF DIVERSION, PLACE OF USE AND WORKS UTILIZED UNDER THE PRESENT WATER RIGHT. THE MAP SHOULD ALSO SHOW THE NEW POINT OF DIVERSION OR PLACE OF USE, AS THE CASE MAY BE.

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

RECEIVED

JAN 17 1985

POD  
POU  
USE  
Add'l POD WATER RESOURCES DEPT  
SALEM, OREGON

Transfer NO. 3518

County Josephine

Old Certificate NO. 43772

1. Name Stephen L. Van Dersel  
Address 220 China Blvd, Grants Pass, OR 97526
2. Source of Supply West Fork Williams Creek, Trib of \_\_\_\_\_
3. Use irrigation
4. Amount of Water 0.26 cfs Priority Date 1880
5. Proposed Point of Diversion 675' S & 2140' E from NW Cor Sec 8,  
w/in NE 1/4 NW 1/4, Sec 8, T 39 S, R 5 W, W M

PH 701 41633-171-872  
 8-14-84 BDO

6. Completion Date 10-1-79

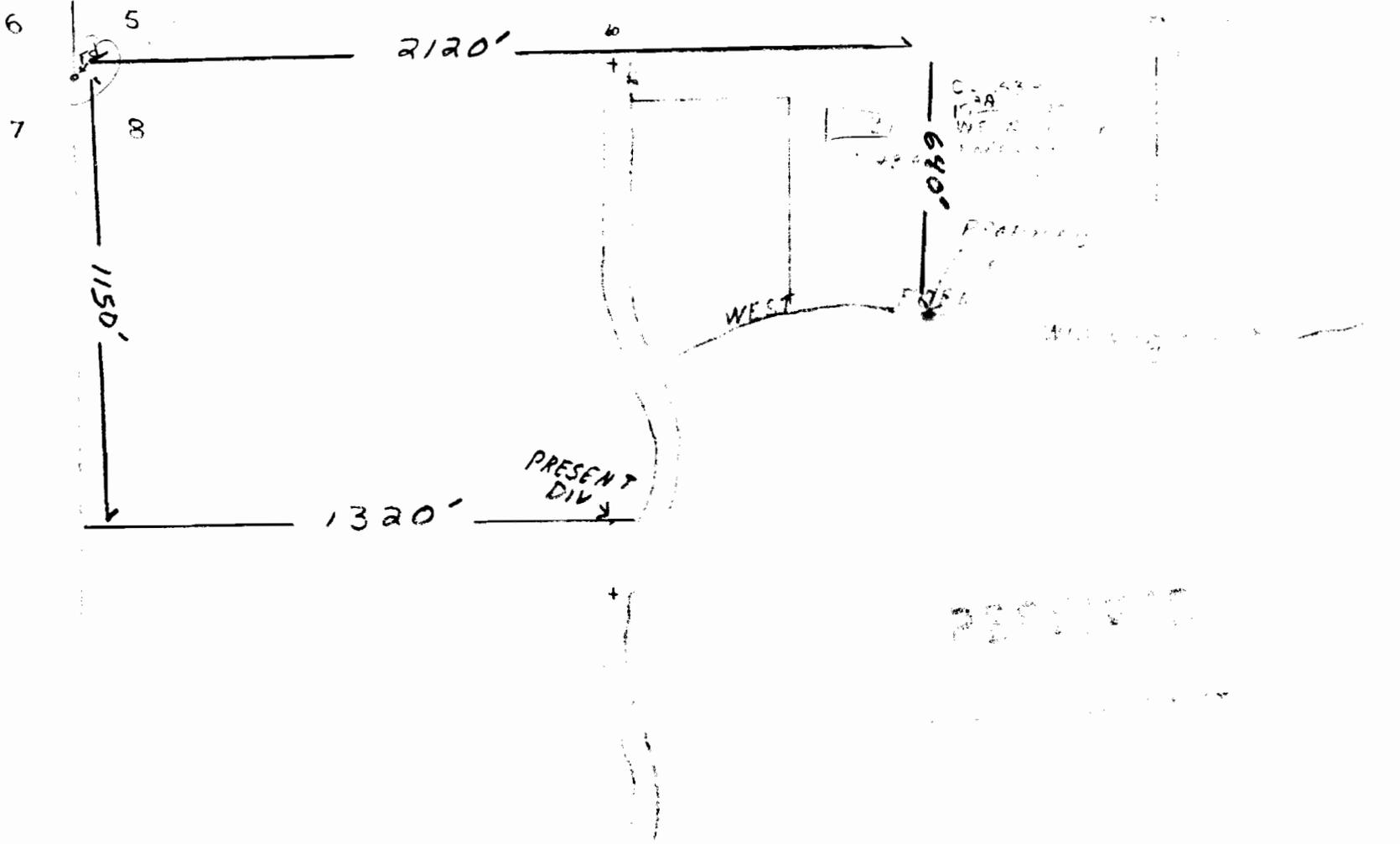
7. Place of Use:

Township	Range	Section	Forty Acre Tract	Use for Which Transfer Made

CT# 45.17 ✓  
 [Signature]  
 [Signature]

SECTION 8 T.39S. R.5W. WM.  
JOSEPHINE COUNTY

SEE MAP 39 5 E



**RECEIVED**  
JAN 14 1985  
WATER RESOURCES DEPT  
SALEM, OREGON

RECEIVED

INFO: NAMES: STEPHEN L. VAN TERSL

ADDRESS: DAVES CAMP ROAD = IRRIGATION

JAN 14 1985

PHILIN: ADDRESS: 220 CHINA CREEK RD., WILLIAMS OR

TALKED TO: INSPECTION  
WATERMASTER'S OFFICE.

WATER RESOURCES DEPT  
77544  
SALEM, OREGON

SOURCES: WEST FORK WILLIAMS CREEK.

SYSTEM DETAIL: PUMPS FROM POOL IN CREEK, THRU PORTABLE  
PIPE LINES TO SPRINKLERS.

DIVERSION: DIRECT DUG-OUT POOL IN CREEK

STRUCTURE: \_\_\_\_\_

PUMP: MAKE: \_\_\_\_\_ (6.60)(20) = 1.18 CFS

TYPE: \_\_\_\_\_ 10' + 101.6

INTAKE SIZE: \_\_\_\_\_ (15)(5.2) = 0.17 C.F.S.

DISCHARGE SIZE: \_\_\_\_\_ 450

MODEL NO: \_\_\_\_\_

RATING: \_\_\_\_\_

MOTOR: MAKE: \_\_\_\_\_

TYPE: \_\_\_\_\_

H.P.: \_\_\_\_\_

RPM: \_\_\_\_\_

POWER CONNECTION: DIRECT PULLEYS: \_\_\_\_\_ (DRIVE PULLEY) ) \_\_\_\_\_ (DRIVEN PULLEY)

DISTRIBUTION SYSTEM:

MAIN LINE: SIZE: 3" LENGTH: 600' TYPE: ALUM

LATERALS: SIZE: 2" LENGTH: 450' TYPE: ALUM

SIZE: \_\_\_\_\_ LENGTH: \_\_\_\_\_ TYPE: \_\_\_\_\_

SPRINKLERS: NO. OF HEADS: 15

MAKE: RB'S 30'S

MODEL NO: 2/32X 9/16

NOZZLE SIZE: 7

MAXIMUM USED: 15

IN OPERATION: MEAN PRESSURE: \_\_\_\_\_

NO. OF HEADS: \_\_\_\_\_

LIFT: SUCTION: 6 1/2'

DISCHARGE: 4 1/2'

USE: ~~WATER~~ ALTALED HAY

TIE: MONUMENTS: 6 1/8 + 1/16 COR. NE COR. SW 1/4 SW 1/4 SEC 5

SURVEYED ON: 41033-179-87R

B. Duja Janice DATE: 8-14-84

~~WATER RIGHTS EXAMINER~~  
ENGINEERING TECH. I



STATE OF OREGON

INTEROFFICE MEMO

TO: File T-3518

DATE: 1/16/85

FROM: Tom S.

SUBJECT: possible adverse report

Sue James said she understood '79 was a dry year & the watermaster's office regulated Williams Creek. As a result, several people were encouraged to file for POD changes.

Since then, she believes ~~most~~ some of the users have not appropriated water. This file describes land probably last irrigated in '79 but maybe in 80 ~~or '81~~ No irrigation in '82, '83, or '84



STATE OF OREGON

INTEROFFICE MEMO

TO: Water Rights Division  
FROM: Watermaster District #14  
SUBJECT: Transfer 3518

DATE: 2/14/85

**RECEIVED**  
FEB 19 1985  
WATER RESOURCES DEPT.  
SALEM, OREGON

Would you please send down a copy of the application map for the above transfer? Ours, if we ever had one, seems to have strayed.

*Sent 2-19-85  
SDB*

378-3066

T-3518

2 August 1977

Stephen L. VanIersel  
220 China Creek Road  
Grants Pass, Oregon 97526

Dear Mr. VanIersel:

Enclosed is a certified copy of the order of the Water Resources Director approving water right transfer application No. 3518 for a change in point of diversion of water from West Fork Williams Creek.

The time in which to accomplish completion of the works and beneficial use of the water to the extent intended, as authorized by the order, expires on October 1, 1979. A form for reporting such completion of works and use of water is enclosed for your convenience.

Sincerely,

James W. Carver, Jr.  
Engineer

JWC:lcj  
cc: Robert Steiner, Watermaster



## WATER RESOURCES DEPARTMENT

714 N.W. "A" STREET • GRANTS PASS, OR • 97526 • Phone 476-8201, Ext. 247

ROBERT W. STRAUB  
GOVERNOR

April 26, 1977

JAMES E. SEXSON  
Director

WATER POLICY REVIEW  
BOARD

EMERY N. CASTLE  
Chairman  
Corvallis

CHAPIN D. CLARK  
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GEORGE H. PROCTOR  
Klamath Falls

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Portland

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Portland

JAMES HILL  
Arch Cape

JEAN FROST  
Portland

Water Resources Department  
1178 Chemeketa Street, N. E.  
Salem, Oregon 97310

Attention: Jim Carver

Re: Transfer 3518  
Cert. 43772

Dear Jim:

The amount transferred by Van Iersel is short by .08 acres. The amount remaining according to our records is 15.38 rather than 15.3. I thought this, though a small amount, might give us trouble in coming out even. We don't have the maps or copy of order or application, but thought it might be well to mention.

It seems that there has been a transfer by Allen Carre from Certificate 40387, transfer 3415, which is an intervening point of diversion and will, as near as I can figure, require advertising for Van Iersel. I don't know if this has been done, but think not.

In my opinion, the above described change in point of diversion may be made without injury to existing rights. I recommend pumping provision #2 be incorporated in the order.

If the .08 acre is included in the order, the only remaining right is the 17 acres in the SW $\frac{1}{4}$  SE $\frac{1}{4}$  Sec. 5, Twp. 39 S., R. 5 W., W. M. This land is being irrigated from an improper point of diversion, as the Hoxie Ditch is no longer being used. The owner is being advised that he is withdrawing water improperly and will have to file a change in point of diversion.

Yours truly,

Robert B. Steimer  
Watermaster, District #14

RBS/sj



STATE OF OREGON

INTEROFFICE MEMO

TO: J. W. Carver

DATE: June 27, 1977

FROM: Robert B. Steimer, Watermaster, Dist. #14 *BS*

SUBJECT: Trans. 3518

Dear Jim:

We received the enclosed check in today's mail without any letter of explanation. I'm sure it's meant to be the recording fee for the issuance of the remaining right certificate.

12021



STATE OF OREGON

INTEROFFICE MEMO

TO: Jim Carver

DATE: June 13, 1977

FROM: Robert B. Steimer *RBS*  
Watermaster, District #14

SUBJECT: Transfer 3518

Enclosed is a transfer which was left with us, and we are forwarding to you. Mr. Van Iersel apparently neglected to sign it previously.

RBS/sj

RECEIVED

JUN 16 1977

WATER RESOURCES DEPT  
SALEM, OREGON

378-3066

April 18, 1977

File T-3518

Stephen L. VanIersel  
220 China Creek Rd.  
Grants Pass, OR 97526

Dear Mr. VanIersel:

This will acknowledge your transfer application for a change in point of diversion of water from the West Fork of Williams Creek for irrigation of a certain 15.3 acres of land within the NE $\frac{1}{4}$  NW $\frac{1}{4}$  of Section 8 as described in the certificate recorded at page 43772, Volume 35, State Record of Water Right Certificates, together with supporting map and payment of fees in the amount of \$35.00 for which our receipt No. 57987 is enclosed.

The application has been filed as transfer application No. 3518. It is noted that the application has not been signed by you before a notary public in the spaces provided on the third page of the application. The application is, therefore, returned herewith for signature.

Approval of the application will require issuance of a remaining rights certificate which makes it necessary that you submit an additional \$2.00 for payment of the county recording fee.

By copy of this letter, we are asking the Watermaster for his usual report on the proposed change.

Sincerely,

James W. Carver, Jr.

JWC:lds  
cc: Bob Steimer, Watermaster

CHANGES IN USE OF WATER: TRANSFER OF WATER RIGHTS

(ORS 540.510 to 540.530)

540.510 APPURTENANCY OF WATER TO PREMISES: RESTRICTIONS ON CHANGE OF USE OR PLACE OF USE: OR POINT OF DIVERSION. All water used in this state for any purpose shall remain appurtenant to the premises upon which it is used and no change in use or place of use of any water for any purpose may be made without compliance with the provisions of ORS 540.520 and 540.530. However, the owner of any water right may, upon compliance with the provisions of ORS 540.520 and 540.530, change the use and place of use, the point of diversion or the use theretofore made of the water in all cases without losing priority of the right theretofore established.

540.520 APPLICATION FOR CHANGE OF USE, PLACE OF USE, OR POINT OF DIVERSION: PUBLIC NOTICE: FILING OF OBJECTIONS. (1) Whenever the owner of a water right for irrigation, domestic use, manufacturing purposes, or other use, for any reason desires to change the place of use, the point of diversion, or the use theretofore made of the water, an application to make such change, as the case may be, shall be filed with the State Engineer. The application shall state the name of the owner, the use theretofore made of the water, a description of the premises upon which the water is used, a description of the premises upon which it is proposed to use the water, the use which is proposed to be made of the water, and the reasons for making the proposed change. (2) Upon the filing of the application the State Engineer shall give notice by publication in a newspaper printed and having general circulation in the county in which the water rights are located, for a period of at least three weeks and not less than one publication each week. The published notice shall set forth the time and place when a hearing shall be had upon the application; provided, that the date fixed for such hearing shall be not less than 30 days after the last publication of the notice. The hearing shall be had in the county where the rights are located. The cost of the publication shall be paid by the applicant in advance to the State Engineer. In applications for only a change in place of use or for a change in the point of diversion of less than one-fourth mile, and where there are no intervening diversions between the old diversion of the applicant and his proposed new diversion, no notice need be published. (3) Any person having objections to the proposed change as set forth in the published notice shall file his objections with the State Engineer at least 10 days previous to the date set for the hearing. If no objections are filed the change may be approved by the State Engineer without a hearing.

540.530 HEARING ON PROPOSED CHANGE: ORDER: NEW CERTIFICATE: APPEAL. At the time fixed for the hearing, if objections are filed, the State Engineer or his authorized assistant shall hear and determine the same. The proceedings shall be summary and informal, but witnesses may be called and testimony taken. If, after hearing or examination, the State Engineer finds that the proposed change can be effected without injury to existing rights, he shall make an order approving the transfer and fixing a time limit within which the application of water may be made to the new use. During the time allowed by the State Engineer for such application of water the right which has been transferred shall not be considered to be abandoned by nonuse.

FEES:

For examining an application for a change in point of diversion, place of use, or use of water - ~~\$15.~~ \$20<sup>00</sup>

In addition, the following fees are required:

- 35 RECORDED
- (A) To transfer water rights for irrigation from one tract of land to another or to transfer to irrigation use from any other use, a minimum fee of \$10 for the first 30 acres or less; 25¢ for each acre in excess of 30 acres. Such fees to be based upon the number of acres to which the water right is transferred.
  - (B) For change in point of diversion - \$15.
  - (C) For a change in place of use or use theretofore made of the water where the use is other than irrigation - \$15.

RECORDED  
INDEXED  
STATE ENGINEER  
DIVISION OF WATER RESOURCES



SECTION 8 T.39S. R.5W. W.M.  
JOSEPHINE COUNTY

1" = 400'

SEE MAP 38 5 5

