

STATE OF OREGON

COUNTY OF JOSEPHINE

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

FRANK M. AND ANNA LEROY

of Williams, State of Oregon, 97544, has
a right to the use of the waters of West Fork of Williams Creek

a tributary of Applegate River for the purpose of
irrigation of 8 acres

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Jackson County, and the said decree entered of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 4, at page 1; that the priority of the right thereby confirmed dates from September 8, 1885

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.14 cubic foot per second

The point of diversion is located in the

A description of the place of use under the right, and to which such right is appurtenant, is as follows:

8.0 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 35
T. 38 S., R. 5 W., W. M.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 16324, Volume 13, State Record of Water Right Certificates, ~~NOT modified by the provisions of an order of the Water Resources Director entered on September 12, 1974, approving transfer application No. 2978, and entered on December 8, 1977, approving transfer application No. 3731.~~ The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

And said right shall be subject to all other conditions and limitations contained in said decree. The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the Water Resources Director, affixed

this date March 17, 1978

James E. Sexson

Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 37, page 45295

STATE OF OREGON

COUNTY OF JOSEPHINE

CERTIFICATE OF WATER RIGHT

This Is to Certify, That MELVIN M. TOOTHMAN, successor in interest to Amos and Susie Smith,

of Williams, State of Oregon, has a right to the use of the waters of West Fork Williams Creek

a tributary of Williams Creek for the purpose of irrigation of 14.3 acres and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Jackson County, and the said decree entered of record at Salem, in the Order Record of the STATE ENGINEER, in Volume 16, at page 523; that the priority of the right thereby confirmed dates from December, 1908;

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.203 cubic foot per second.

The point of diversion is located in the NW 1/4 SW 1/4, Sec. 35, T. 38 S., R. 5 W., W.M.

A description of the place of use under the right, and to which such right is appurtenant, is as follows:

3.5 acres in SE 1/4 NE 1/4
10.8 acres in NE 1/4 SE 1/4
subject to that certain easement of road purposes conveyed by Frank M. LeRoy and Anna LeRoy to Henry Norton and Elizabeth M. Norton by deed recorded in Volume 46, Deed Records, Josephine County, Oregon, at Page 125, less and excepting 4 acres heretofore deeded to School District No. 16.
Section 34,
T. 38 S., R. 5 W., W.M.

~~This certificate also contains a change in point of diversion approved by an order of the State Engineer entered May 25, 1951, and recorded at page 1187, Volume 7, Special Order Record pursuant to the provisions of ORS 540-510 to 540-530.~~

And said right shall be subject to all other conditions and limitations contained in said decree. The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this date January 5, 19 66.

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 25, page 32952

STATE OF OREGON

COUNTY OF JOSEPHINE

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

MELVIN M. TOOTHMAN, SUCCESSOR IN INTEREST TO AMOS AND SUSIE SMITH

of Williams, State of Oregon, 97544, has a right to the use of the waters of West Fork Williams Creek

a tributary of Williams Creek for the purpose of irrigation of 3.5 acres

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Jackson County, and the said decree entered of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 16, at page 523; that the priority of the right thereby confirmed dates from December, 1908

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.05 cubic foot per second

The point of diversion is located in the NW 1/4 SW 1/4, Section 35, T. 38 S., R. 5 W., W. M.

A description of the place of use under the right, and to which such right is appurtenant, is as follows:

3.5 acres SE 1/4 NE 1/4 Section 34 T. 38 S., R. 5 W., W. M.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 32952, Volume 25, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on December 8, 1977, approving transfer application No. 3731.

The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

And said right shall be subject to all other conditions and limitations contained in said decree. The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the Water Resources Director, affixed

this date March 17, 19 78

James E. Sexson Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 37, page 45296

STATE OF OREGON

COUNTY OF

JOSEPHINE

CERTIFICATE OF WATER RIGHT

This Is to Certify, That HAROLD DOWLING

of 1261 Oberlin Avenue, San Leandro, State of CA 94577, has
a right to the use of the waters of West Fork Williams Creek

a tributary of Williams Creek for the purpose of
irrigation of 10.8 acres

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
Jackson County, and the said decree entered of record at Salem, in the Order Record of
the WATER RESOURCES DIRECTOR, in Volume 16, at page 523; that the priority of the right
thereby confirmed dates from December 1908

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an
amount actually beneficially used for said purposes, and shall not exceed 0.153 cubic foot
per second; if available at the original point of diversion; NW 1/4 NE 1/4,
Section 3, T39S, R5W, WM; Hartley Ditch - 750 feet South and 1330 feet West
from NE corner Section 3.

The point of diversion is located in the NW 1/4 SW 1/4, Section 35, T38S, R5W, WM;
440 feet North and 750 feet East from SW corner, NW 1/4 SW 1/4, Section 35.

A description of the place of use under the right, and to which such right is appurtenant, is as
follows:

10.8 acres NE 1/4 SE 1/4
Section 34
Township 38 South, Range 5 West, WM

~~This certificate is issued to confirm a change in point of diversion approved
by an order of the Water Resources Director, entered December 8, 1977, and
together with certificate of water right recorded at page 45296, Volume 37,
State Record of Water Right Certificates, supersedes certificate 32952.~~

The issuance of this superseding certificate does not confirm the status of
the water right in regard to the provisions of ORS 540.610 pertaining to
forfeiture or abandonment.

And said right shall be subject to all other conditions and limitations contained in said decree.
The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein
described.

WITNESS the signature of the Water Resources Director, affixed

this date October 13, 1986

/s/ William H. Young
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 50, page 54972

6223D/TS
T-3731

STATE OF OREGON

COUNTY OF

JOSEPHINE

CERTIFICATE OF WATER RIGHT

This Is to Certify, That HAROLD DOWLING

of 1261 Oberlin Avenue, San Leandro, State of CA 94577, has
a right to the use of the waters of West Fork Williams Creek

a tributary of Williams Creek for the purpose of
irrigation of 12.0 acres

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
Jackson County, and the said decree entered of record at Salem, in the Order Record of
the WATER RESOURCES DIRECTOR, in Volume 4, at page 1; that the priority of the right
thereby confirmed dates from September 8, 1885

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an
amount actually beneficially used for said purposes, and shall not exceed 0.2 cubic foot
per second; if available at the original point of diversion; NW 1/4 NE 1/4,
Section 3, T39S, R5W, WM; Hartley Ditch - 750 feet South and 1330 feet West
from NE corner Section 3.

The point of diversion is located in the NW 1/4 SW 1/4, Section 35, T38S, R5W, WM;
440 feet North and 750 feet East from SW corner, NW 1/4 SW 1/4, Section 35.

A description of the place of use under the right, and to which such right is appurtenant, is as
follows:

6.0 acres NE 1/4 SE 1/4
Section 34

6.0 acres NW 1/4 SW 1/4
Section 35
Township 38 South, Range 5 West, WM

~~This certificate is issued to confirm a change in point of diversion approved
by an order of the Water Resources Director entered December 8, 1977, and
together with certificate of water right recorded at page 45295, Volume 37,
State Record of Water Right Certificates, supersedes certificate 16324.~~

The issuance of this superseding certificate does not confirm the status of
the water right in regard to the provisions of ORS 540.610 pertaining to
forfeiture or abandonment.

And said right shall be subject to all other conditions and limitations contained in said decree.
The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein
described.

WITNESS the signature of the Water Resources Director, affixed

this date October 13, 1986

/s/ William H. Young

Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 50, page 54973

6227D/TS
T-3731

RECEIVED

JUL 14 1977

WATER RESOURCES DEPT
SALEM, OREGON

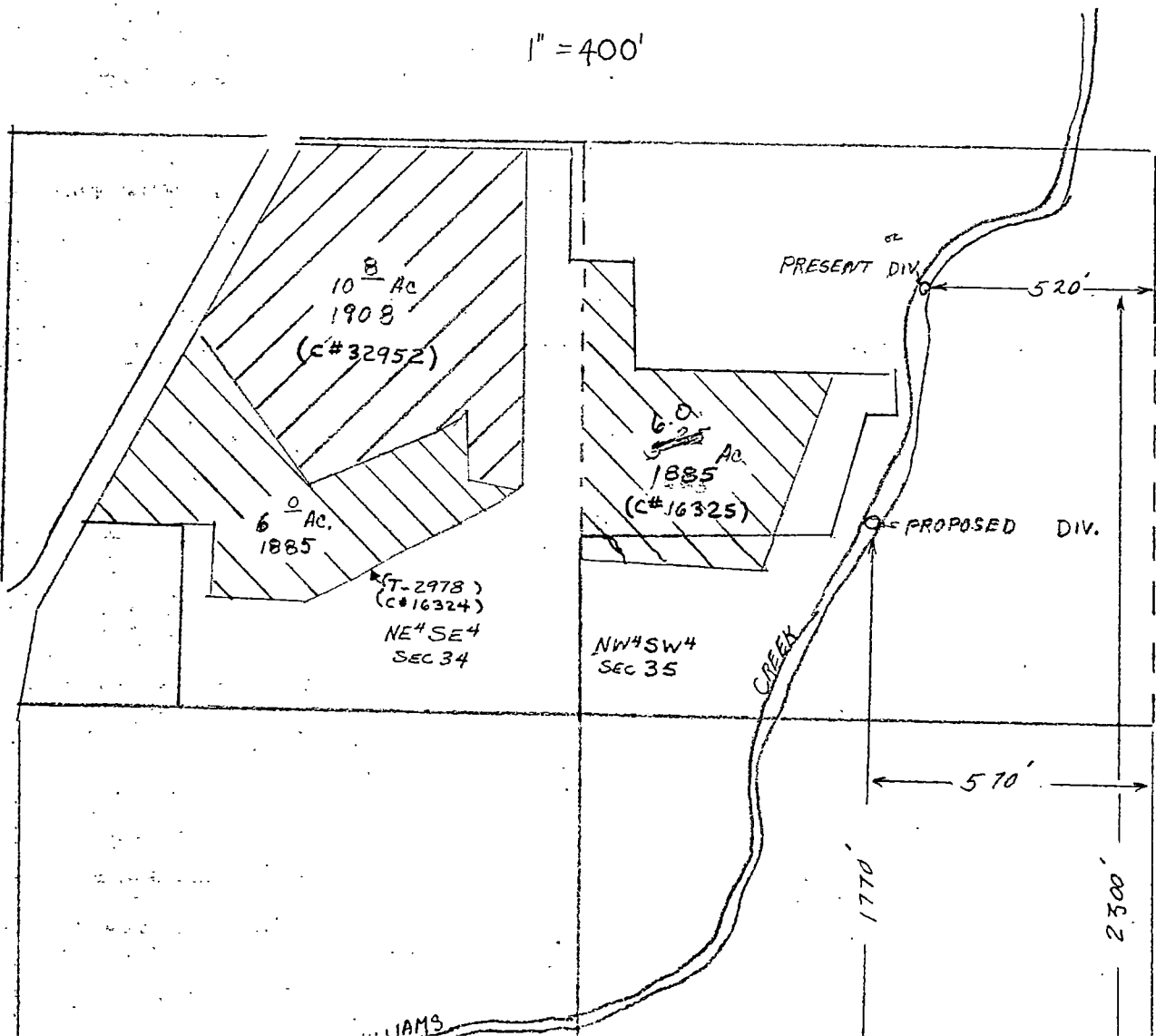
THIS MAP PREPARED BY:

[Signature]

FROM INFORMATION FURNISHED BY
THE APPLICANT.

T 38 S R. 5 W. W. M.

1" = 400'



STATE OF OREGON

COUNTY OF JOSEPHINE

CERTIFICATE OF WATER RIGHT

This Is to Certify, That FRANK M. AND ANNA LEROY

of Williams, State of Oregon, 97544, has
a right to the use of the waters of West Fork of Williams Creek

a tributary of Applegate River for the purpose of
irrigation of 8 acres

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Jackson County, and the said decree entered of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 4, at page 1; that the priority of the right thereby confirmed dates from September 8, 1885

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.14 cubic foot per second

The point of diversion is located in the

A description of the place of use under the right, and to which such right is appurtenant, is as follows:

8.0 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$
Section 35
T. 38 S., R. 5 W., W. M.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 16324, Volume 13, State Record of Water Right Certificates, ~~NOT modified by the provisions of an order of the Water Resources Director entered on September 12, 1974, approving transfer application No. 2978 and entered on December 8, 1977, approving transfer application No. 3731.~~ The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

And said right shall be subject to all other conditions and limitations contained in said decree. The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the Water Resources Director, affixed

this date March 17, 1978

James E. Sexson

Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 37, page 45295

"Superceded by 54972
Cert. No. _____"

STATE OF OREGON

COUNTY OF JOSEPHINE

CERTIFICATE OF WATER RIGHT

This Is to Certify, That MELVIN M. TOOTHMAN, successor in interest to Amos and Susie Smith,

of Williams ⁹⁷⁵¹¹⁴, State of Oregon, has a right to the use of the waters of West Fork Williams Creek

a tributary of Williams Creek for the purpose of irrigation of 14.3 acres and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Jackson County, and the said decree entered of record at Salem, in the Order Record of the STATE ENGINEER, in Volume 16, at page 523; that the priority of the right thereby confirmed dates from December, 1908;

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.203 cubic foot per second.

The point of diversion is located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 35, T. 38 S., R. 5 W., W.M.

A description of the place of use under the right, and to which such right is appurtenant, is as follows:

3.5 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$
10.8 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$

subject to that certain easement of road purposes conveyed by Frank M. LeRoy and Anna LeRoy to Henry Norton and Elizabeth M. Norton by deed recorded in Volume 46, Deed Records, Josephine County, Oregon, at Page 125, less and excepting 4 acres heretofore deeded to School District No. 16.

Section 34,
T. 38 S., R. 5 W., W.M.

~~This certificate also contains a change in point of diversion approved by an order of the State Engineer entered May 25, 1951 and recorded at page 187, Volume 7, Special Order Record pursuant to the provisions of ORS 540.510 to 540.590.~~

And said right shall be subject to all other conditions and limitations contained in said decree. The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this date January 5, 19 66.

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 25, page 32952

STATE OF OREGON

COUNTY OF JOSEPHINE

CERTIFICATE OF WATER RIGHT

This Is to Certify, ThatMELVIN M. TOOTHMAN, SUCCESSOR IN INTEREST
TO AMOS AND SUSIE SMITHof Williams, State of Oregon, 97544, has
a right to the use of the waters of West Fork Williams Creeka tributary of Williams Creek for the purpose of
irrigation of 3.5 acresand that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
Jackson County, and the said decree entered of record at Salem, in the Order Record of
the WATER RESOURCES DIRECTOR, in Volume 16, at page 523; that the priority of the
right thereby confirmed dates from December, 1908that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an
amount actually beneficially used for said purposes, and shall not exceed 0.05 cubic foot
per secondThe point of diversion is located in the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 35, T. 38 S., R. 5 W., W. M.A description of the place of use under the right, and to which such right is appurtenant, is as
follows:3.5 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$
Section 34
T. 38 S., R. 5 W., W. M.

~~This certificate describes that portion of the water right confirmed by the prior
certificate recorded at page 32952, Volume 25, State Record of Water Right
certificates, NOT modified by the provisions of an order of the Water Resources
Director entered on December 8, 1977, approving transfer application No. 3731.~~

The issuance of this superseding certificate does not confirm the status of the
water right in reference to ORS 540.610.And said right shall be subject to all other conditions and limitations contained in said decree.
The right to the use of the water for the purposes aforesaid is restricted to the lands or place of
use herein described.

WITNESS the signature of the Water Resources Director, affixed

this date March 17, 19 78

James E. Sexson
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 37, page 45296

STATE OF OREGON

COUNTY OF

JOSEPHINE

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

HAROLD DOWLING

of 1261 Oberlin Avenue, San Leandro, State of CA 94577, has
a right to the use of the waters of West Fork Williams Creek

a tributary of Williams Creek for the purpose of
irrigation of 10.8 acres

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
Jackson County, and the said decree entered of record at Salem, in the Order Record of
the WATER RESOURCES DIRECTOR, in Volume 16, at page 523; that the priority of the right
thereby confirmed dates from December 1908

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an
amount actually beneficially used for said purposes, and shall not exceed 0.153 cubic foot
per second; if available at the original point of diversion; NW 1/4 NE 1/4,
Section 3, T39S, R5W, WM; Hartley Ditch - 750 feet South and 1330 feet West
from NE corner Section 3.

The point of diversion is located in the NW 1/4 SW 1/4, Section 35, T38S, R5W, WM;
440 feet North and 750 feet East from SW corner, NW 1/4 SW 1/4, Section 35.

A description of the place of use under the right, and to which such right is appurtenant, is as
follows:

10.8 acres NE 1/4 SE 1/4
Section 34
Township 38 South, Range 5 West, WM

~~This certificate is issued to confirm a change in point of diversion approved
by an order of the Water Resources Director entered December 8, 1977, and
together with certificate of water right recorded at page 45296, Volume 37,
State Record of Water Right Certificates, supersedes certificate 32952.~~

The issuance of this superseding certificate does not confirm the status of
the water right in regard to the provisions of ORS 540.610 pertaining to
forfeiture or abandonment.

And said right shall be subject to all other conditions and limitations contained in said decree.
The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein
described.

WITNESS the signature of the Water Resources Director, affixed

this date October 13, 19 86

/s/ William H. Young
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 50, page 54972

6223D/TS
T-3731

STATE OF OREGON

COUNTY OF

JOSEPHINE

CERTIFICATE OF WATER RIGHT

This Is to Certify, That HAROLD DOWLING

of 1261 Oberlin Avenue, San Leandro, State of CA 94577, has
a right to the use of the waters of West Fork Williams Creek

a tributary of Williams Creek for the purpose of
irrigation of 12.0 acres

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
Jackson County, and the said decree entered of record at Salem, in the Order Record of
the WATER RESOURCES DIRECTOR, in Volume 4, at page 1; that the priority of the right
thereby confirmed dates from September 8, 1885

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an
amount actually beneficially used for said purposes, and shall not exceed 0.2 cubic foot
per second; if available at the original point of diversion; NW 1/4 NE 1/4,
Section 3, T39S, R5W, WM; Hartley Ditch - 750 feet South and 1330 feet West
from NE corner Section 3.

The point of diversion is located in the NW 1/4 SW 1/4, Section 35, T38S, R5W, WM;
440 feet North and 750 feet East from SW corner, NW 1/4 SW 1/4, Section 35.

A description of the place of use under the right, and to which such right is appurtenant, is as
follows:

6.0 acres NE 1/4 SE 1/4
Section 34

6.0 acres NW 1/4 SW 1/4
Section 35
Township 38 South, Range 5 West, WM

~~This certificate is issued to confirm a change in point of diversion approved
by an order of the Water Resources Director entered December 8, 1977, and
together with certificate of water right recorded at page 45295, Volume 37,
State Record of Water Right Certificates, supersedes certificate 16324.~~

The issuance of this superseding certificate does not confirm the status of
the water right in regard to the provisions of ORS 540.610 pertaining to
forfeiture or abandonment.

And said right shall be subject to all other conditions and limitations contained in said decree.
The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein
described.

WITNESS the signature of the Water Resources Director, affixed

this date October 13, 1986

/s/ William H. Young

Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 50, page 54973

6227D/TS
T-3731

cert
BE
Sp. Or. v. 25-17

STATE OF OREGON

STATE OF OREGON
COUNTY OF JOSEPHINE T-3731

COUNTY OF JOSEPHINE

CERTIFICATE OF WATER RIGHT

This Is to Certify, That HAROLD DOWLING
Frank M. and Anna Leroy
1261 OBERLIN AVE. CA 94577
of Williams SAN LEANDRO, State of Oregon, has a right to the use of
the waters of ~~Williams~~ ^{West Fork} Williams Creek tr. b ~~Williams Creek~~
^{Appleton River}
for the purpose of irrigation of 20 acres ^{12.0}

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Jackson County, and the said decree entered of record at Salem, in the Order Record of the STATE ENGINEER, in Volume 4, at page 1; that the priority of the right thereby confirmed dates from Sept. 8, 1885;

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.2 cubic foot per second, if available at the original point of diversion; ^{0.2} ba Sec 3 T39SR5W WM,

HARTLEY DITCH - 750'S & 1330'W from NE cor Sec 3

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

- 6.0 acres in NE 1/4 SE 1/4 Section 34, -3.0
- 6.0 acres in NW 1/4 SW 1/4 Section 35, -3.0
- T. 36 S., R. 5 W., W. N.

POD: bc. Sec 35 T38S R5W WM.
400'N & 750'E from SW cor. Sec 35

change in s + s - div.
Sp Or. vol 7, p 137

This certificate is issued to confirm a change in ~~place of use and point of diversion~~ approved by an order of the Water Resources Director entered 12-8-77 and together with certificate of water right recorded at page 45295, Volume 37, SRWRC supersedes certificate of water right recorded at page 16324, Volume 13, SRWRC.

use herein described.

THE ISSUANCE ETC

WITNESS the signature of the State Engineer, affixed

this 30 day of September, 1969.

CHAS. E. STRICKLIN

State Engineer

Recorded in State Record of Water Right Certificates, Volume 13, page 16324

54973

6227D

T-3731

62
BC

T-3731

STATE OF OREGON

COUNTY OF JOSEPHINE

CERTIFICATE OF WATER RIGHT

HAROLD DOWLING

This Is to Certify, That MELVIN M. TOOTHMAN, successor in interest to Amos and Susie Smith, 1261 OBERLIN Ave, of William SAN LEANDRO, State of Oregon, CA 94577, has a right to the use of the waters of ~~West Fork~~ Williams Creek

a tributary of Williams Creek ~~Acres~~ for the purpose of irrigation of ~~12.9~~ acres 10.8 acres and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Jackson County, and the said decree entered of record at Salem, in the Order Record of the STATE ENGINEER, in Volume 16, at page 523; that the priority of the right thereby confirmed dates from December, 1908;

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed ~~0.203~~ cubic foot per second, if available at the original point of 0.153

diversion; ba sec 3 T39S R5W WM, HARTLEY DITCH - 750'S E, 1330'S W from NE cor Sec 3

The point of diversion is located in the NW 1/4, SE 1/4, Sec. 35, T. 38 S., R. 5 W., W.M. 2300' N & 800' E from SW cor Sec 35. A description of the place of use under the right, and to which such right is appurtenant, is as follows:

3.5 acres in SW 1/4 NE 1/4
10.8 acres in NW 1/4 SE 1/4
subject to that certain easement of road purposes conveyed by Frank M. LeRoy and Anna LeRoy to Henry Norton and Elizabeth M. Norton by deed recorded in Volume 46, Deed Records, Josephine County, Oregon, at Page 125, less and excepting 4 acres heretofore deeded to School District No. 16, Section 34, T. 38 S., R. 5 W., W.M.

This certificate also confirms a change in point of diversion approved by an order of the State Engineer entered May 25, 1951 and recorded at page 187, Volume 7, Special Order Record pursuant to the provisions of ORS 540.510 to 540.530.

This certificate is issued to confirm a change in ~~place of use and~~ point of diversion approved by an order of the Water Resources Director entered 12-8-77 and together with certificate of water right recorded at page 45276, Volume 37, SRWRC supersedes certificate of water right recorded at page 32952, Volume 25, SRWRC.

THE ISSUANCE etc

WITNESS the signature of the State Engineer, affixed this date January 5, 1966. CHRIS L. WHEELER State Engineer

Recorded in State Record of Water Right Certificates, Volume 25, page ~~32952~~

54972

T # 3731

POD: bc sec 35 T38S R5W WM
440' N & 750' E from SW cor Sec 35
bc

62231

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

JOSEPHINE COUNTY

IN THE MATTER OF THE APPLICATION)
OF HAROLD DOWLING FOR APPROVAL OF)
A CHANGE IN POINT OF DIVERSION OF)
WATER)

ORDER APPROVING
TRANSFER NO. 3731

On July 14, 1977, an application was filed in the office of the Water Resources Director for approval of a change in point of diversion from West Fork Williams Creek, pursuant to the provisions of ORS 540.510 to 540.530.

As modified in accord with the provisions of the order of the Water Resources Director, entered on September 12, 1974, approving transfer application No. 2978, a portion of the right previously described by the certificate recorded at page 16324, Volume 13, State Record of Water Right Certificates, in the name of Frank M. and Anna Leroy, now exists for the appropriation of not to exceed 0.20 cubic foot per second of water from West Fork of Williams Creek for irrigation of a certain 6.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 34, and 6.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35, Township 38 South, Range 5 West, W.M., with a date of priority of September 8, 1885.

The certificate recorded at page 32952, Volume 25, State Record of Water Right Certificates, in the name of Melvin Toothman, describes a right which includes the use of not to exceed 0.153 cubic foot per second from West Fork Williams Creek for irrigation of 10.8 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 34, Township 38 South, Range 5 West, W.M., with a date of priority of December, 1908.

Water for the said rights is diverted from a point located 2300 feet North and 800 feet East from the Southwest Corner of Section 35, being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 35, Township 38 South, Range 5 West, W.M.

The applicant herein, owner of the lands above described, proposes to change the point of diversion therefrom, without loss of priority, to a point located 1770 feet North and 750 feet East from the Southwest Corner of Section 35, being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of said Section 35.

Mr. Robert B. Steimer, 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 rights.

It is FURTHER ORDERED that the following provisions shall be effective when in the judgement 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;

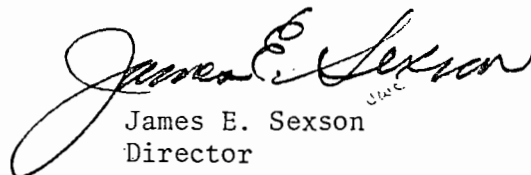
That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

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, 1979.

It is FURTHER ORDERED that the portion of the right previously described by the certificate recorded at page 16324, Volume 13, State Record of Water Right Certificates, in the names of Frank M. and Anna Leroy, involved in the change authorized herein NOT be included in the new certificate to be issued as provided by the order entered on September 12, 1974, approving transfer application No. 2978.

It is FURTHER ORDERED that the certificate of water right heretofore issued to Melvin M. Toothman and recorded at page 32952, Volume 25, State Record of Water Right Certificates, is canceled, and in lieu thereof a new certificate be issued covering the balance of the right NOT involved in this proceeding, 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, confirming certificates of water right shall be issued to the applicant herein.

Dated at Salem, Oregon, this 8th day of December, 1977.


James E. Sexson
Director

JUL 14 1977

WATER RESOURCES DEPT
SALEM, OREGON

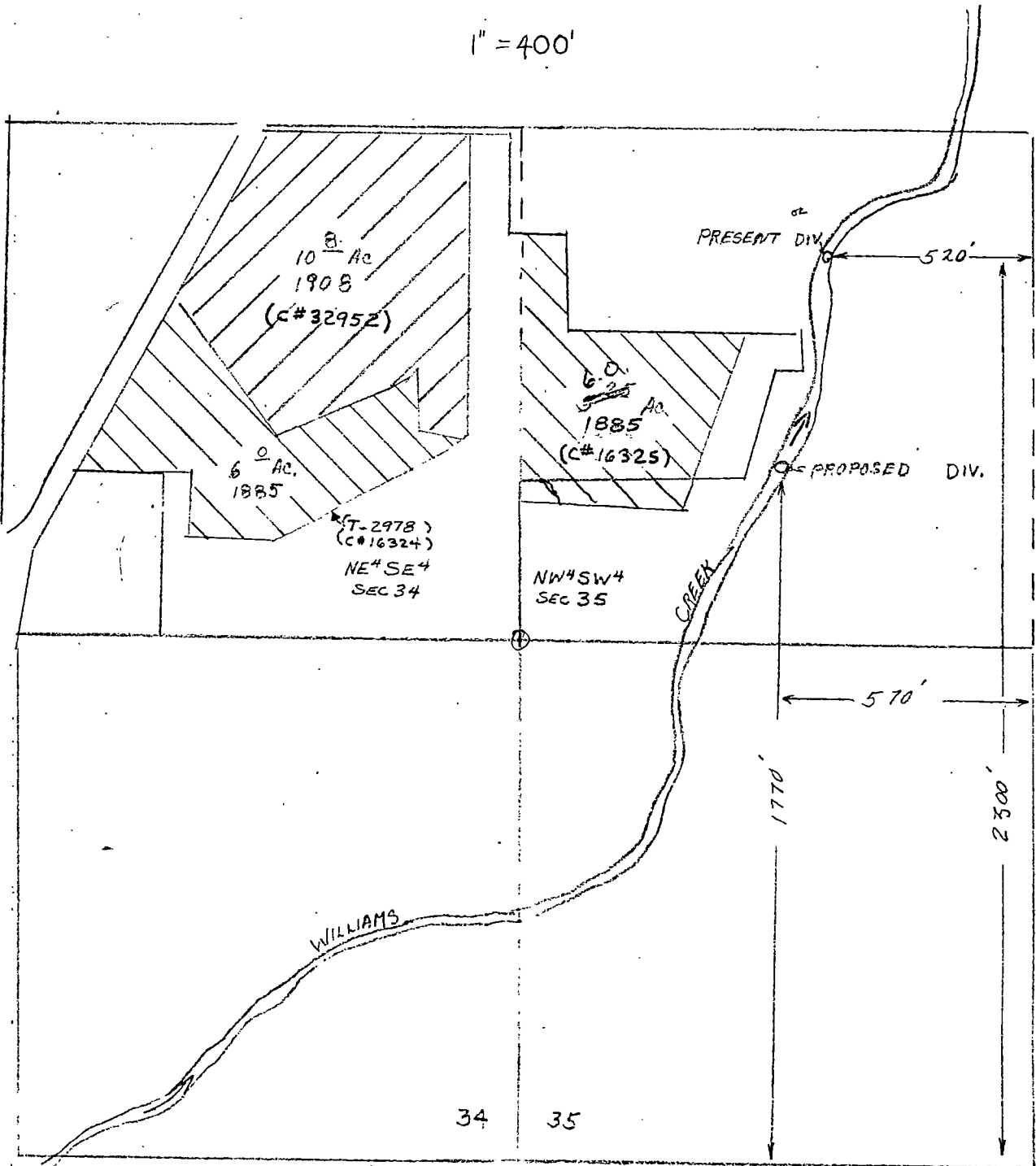
THIS MAP PREPARED BY:

[Signature]

FROM INFORMATION FURNISHED BY
THE APPLICANT.

T 38 S R. 5 W. W. M.

1" = 400'



INFO: NAMES: HAROLD DOWLING
ADDRESS: 1261 OBERLIN AVE
SAN LEANDRO, CA 94577
TALKED TO: MR. DOWLING

SOURCES: WILLIAMS CR.

SYSTEM: PUMP DIRECTLY TO BURIED PVC.

PUMP: MAKE: CORNELL 50 PSI
TYPE: CENT
SUCTION SIZE: 4" $\frac{(7.5)(6.6)}{127.0 + 18} = 0.34 \text{ cfs.}$
DISCHARGE SIZE: 3
MODEL No.: _____ $\frac{(30)(5.0)}{450} = 0.33 \text{ cfs.}$
RATING: _____
MOTOR: MAKE: U.S. MOTORS
TYPE: ELEC
HP: 7 1/2
RPM: 3000
CONNECTED DIRECT OR PULLEYS: _____

SPRINKLER SYSTEM:
MAINLINE: NO. FEET: 5280
SIZE: 4"
TYPE: PVC
LATERALS: NO. FEET: 2000'
SIZE: 3"
TYPE: ALUM
SPRINKLERS: NO. HEADS: 30 BIG GUN
MAKE: RB RB
MODEL #: 30
NOZZLE SIZES: 5/32 7/8
MAXIMUM: 30
IN OPERATION: MEAN PRESSURE: _____
NO. OF HEADS: _____

LIFT: SUCTION: 10'
DISCHARGE: 8'
USE: PASTURE & HAY
DIVERSION: DIRECT

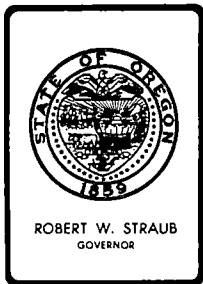
STRUCTURE: _____

TIE: MONUMENTS: 1/6 COR 3RD COR OF NW 1/4 OF SW 1/4
SURVEYED ON: PTS-1980-14A

Bruce Lund
FIELD ENGINEER DATE: 10-7-80

NOTE: _____

ADMINISTRATIVE



Water Resources Department

MILL CREEK OFFICE PARK

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

PHONE 378-3066

January 17, 1980

Harold Dowling
1261 Oberlin Avenue
San Leandro, California 94577

RE: File No. T-3731

Dear Mr. Dowling:

The notice of completion of works and use of water under the provisions of the order of the Water Resources Director approving water right transfer application No. 3731, for a change in point of diversion of water from Williams Creek, was received and, in line with the general practice of this office, a survey will be made at a later date.

Sincerely,

Samuel R. Allison
Supervisor
Transfer Section

SRA:lcj
cc: Robert B. Steimer, Watermaster

COPY

373-3066

T-3731

12 December 1977

Harold Dowling
1261 Oberlin Avenue
San Leandro, California 94577

Dear Mr. Dowling:

Enclosed is a certified copy of the order of the Water Resources Director approving water right transfer application No. 3731, 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, 1978. A form for reporting such completion and use of water is enclosed for your convenience.

Sincerely,

James W. Carver, Jr.
Engineer

JWC:lcj
cc: Robert B. Steiner, Watermaster

Superior Court,
Cert. No. _____

Handwritten initials

STATE OF OREGON

COUNTY OF JOSEPHINE

Sp. Or. V. 25, 97
T-2978

CERTIFICATE OF WATER RIGHT

This Is to Certify, That Frank M. and Anna Leroy

of Williams, State of Oregon ⁹⁷⁵⁴⁴, has a right to the use of

the waters of West Fork of Williams Creek Trib Applegate River

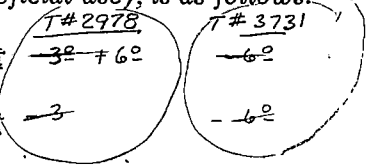
for the purpose of irrigation of ~~20~~ ⁸ acres

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Jackson County, and the said decree entered of record at Salem, in the Order Record of the STATE ENGINEER, in Volume 4, at page 1; that the priority of the right thereby confirmed dates from Sept. 8, 1885;

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed ~~0.34~~ cubic foot per second. 0.14

A description of the lands irrigated under such right, and to which the water is appurtenant (or, if for other purposes, the place where such water is put to beneficial use), is as follows:

~~3 acres in NE 1/4 SE 1/4~~
Section 34,
~~82 1/2 acres in NW 1/4 SW 1/4~~
Section 35,
T. 38 S., R. 5 W., W. M.



0.14 cfs

correct

Change in pt of div. all of above
Sp. Or. Vol 7, p. 187 T-38

Div Pt 2300' N of 800' E from SW Cor Sec 35
being within NW 1/4 SW 1/4 Sec 35, 38 S, 5 W.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 16324, Volume 13, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on Sept. 12, 1974, approving transfer application No. 2978 and " " "Dec 8, 1977, " " " " No. 3731. The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

And said right shall be subject to all other conditions and limitations contained in said decree. The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this 30 day of September, 1979.

JS

STATE OF OREGON

COUNTY OF JOSEPHINE

CERTIFICATE OF WATER RIGHT

This Is to Certify, That MELVIN M. TOOTHMAN, successor in interest to Amos and Susie Smith,

of Williams, State of Oregon, has a right to the use of the waters of West Fork Williams Creek *trib Applegate River*

a tributary of Williams Creek for the purpose of irrigation of ~~14.3 acres~~ **3.5 acres**

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Jackson County, and the said decree entered of record at Salem, in the Order Record of the STATE ENGINEER, in Volume 16, at page 523; that the priority of the right thereby confirmed dates from December, 1908;

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed ~~0.20~~ cubic foot per second. *0.05*

1/80 / 4 1/2

The point of diversion is located in the NE 1/4 SW 1/4, Sec. 35, T. 38 S., R. 5 W., W.M.

A description of the place of use under the right, and to which such right is appurtenant, is as follows:

F-3731

~~10.8 acres in NE 1/4 SE 1/4~~
3.5 acres in SE 1/4 NE 1/4

subject to that certain easement of road purposes conveyed by Frank M. LeRoy and Anna LeRoy to Henry Norton and Elizabeth M. Norton by deed recorded in Volume 46, Deed Records, Josephine County, Oregon, at Page 125, less and excepting 4 acres heretofore deeded to School District No. 16.

Section 34,
T. 38 S., R. 5 W., W.M.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 32952, Volume 25, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on Dec 8, 1977, approving transfer application No. 3731.

The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

And said right shall be subject to all other conditions and limitations contained in said decree. The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the State Engineer, affixed

this date January 5, 19 66.

14. Reasons for the proposed changes are diversion from a point on my own property

15. Construction work will be completed on or before July 1, 1978

16. The water will be completely applied to the proposed use on or before Oct. 1, 1978

Remarks Originally covered under certificates 16324 and 32952, all these lands were involved in Transfer T-38, and evidently no certificate was ever issued. In addition to this, the 6.0 acres of 1885 water in the NE $\frac{1}{4}$ SE $\frac{1}{4}$ Sec. 34 was moved here with transfer 2978.

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, Harold A. Dawkins, 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.

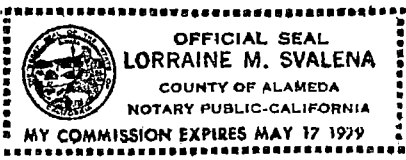
In Witness Whereof, I have hereunto set my hand this 11 day of July, 19 77

Harold A. Dawkins
(Name of applicant)

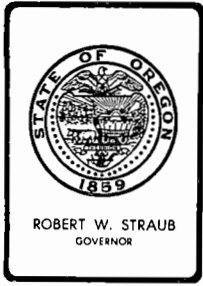
Subscribed and sworn to before me this 11 day of July, 19 77

[Notarial Seal]

Lorraine M. Svalena
Lorraine M. Svalena NOTARY PUBLIC FOR OREGON



My commission expires May 17 1979



Water Resources Department

MILL CREEK OFFICE PARK

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

PHONE 378-3066

T-3731

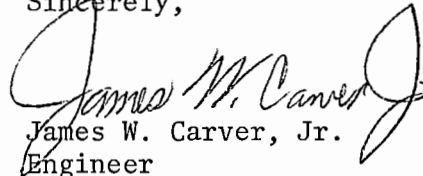
28 November 1977

Harold Dowling
1261 Oberlin Avenue
San Leandro, California 94577

Dear Mr. Dowling:

The processing of your pending water right transfer application No. 3731 will require the issuance of two water right certificates to cover the portions of the two water rights described by the existing certificates but not involved in the proposed change in point of diversion. Please submit an additional \$4.00 for this purpose.

Sincerely,



James W. Carver, Jr.
Engineer

JWC:1cj

RECEIVED

DEC 5 1977

**WATER RESOURCES DEPT
SALEM, OREGON**

DESCRIPTION SHEET

RECEIVED

JUL 14 1977

WATER RESOURCES DEPT
SALEM, OREGON

Beginning at the Quarter Corner common to Sections 34 and 35, Township 38 South, Range 5 West of the Willamette Meridian, Josephine County, Oregon; thence South $89^{\circ} 02' 30''$ West for 650.8 feet to the Easterly right of way line of Williams Highway; thence South $28^{\circ} 22'$ West along said Easterly right of way line for 284.44 feet to a 5/8 inch diameter iron rod and the true point of beginning; thence North $89^{\circ} 02' 30''$ East for 419.09 feet; thence South $00^{\circ} 33' 06''$ East for 640.09 feet; thence South $88^{\circ} 48' 48''$ East for 948.0 feet to a 5/8 inch diameter iron rod set on the Westerly bank of an irrigation ditch; thence North $18^{\circ} 02'$ East along said Westerly irrigation ditch bank for 302.18 feet to a 5/8 inch diameter iron rod; thence South $89^{\circ} 06'$ East for 61 feet to the center line of Williams Creek; thence North $08^{\circ} 00'$ West along said creek center line for 93.78 feet; thence North $22^{\circ} 00'$ East for 175.52 feet to a point which is 380 feet South of the North line of the Southwest Quarter of said Section 35; thence North $89^{\circ} 24' 44''$ East, parallel to the North line of the Southwest Quarter of said Section for 1845.6 feet, more or less, to the East line of the Southwest Quarter of said Section 35; thence South along the East line of said Southwest Quarter for 930 feet, more or less, to the Southeast corner of the Northeast Quarter of the Southwest Quarter of said Section 35; thence South $89^{\circ} 29'$ West along the South line of North Half of the Southwest Quarter for 2627 feet, more or less, to the Southwest corner of the Northwest Quarter of the Southwest Quarter of said Section 35; thence South $88^{\circ} 13' 46''$ West along the South line of the Northeast Quarter of the Southeast Quarter of Section 34 for 909 feet, more or less, to the East line of the property of School District 16 described in Volume 62, Page 497, Josephine County Deed Records; thence North $00^{\circ} 17'$ West along the East line of said property for 417 feet, more or less, to the Northeast corner of said property; thence South $89^{\circ} 22'$ West along the North line of said property for 240.96 feet, more or less, to the Easterly right of way line of the Williams Highway; thence North $29^{\circ} 22'$ East along the chord of a curve to the left, 30.0 feet; thence North $28^{\circ} 22'$ East for 727.30 feet, more or less, to the true point of beginning.

38-5-34	Pt TL 1800	Code Nos. 5 & 6
38-5-35	Pt TL 700	Code Nos. 5 & 6

33438

Order No.

RECEIVED

DESCRIPTION SHEET

JUL 14 1977

WATER RESOURCES DEPT.
SALEM, OREGON

See page 1 for vesting and encumbrances, if any.

Description of the tract of land which is the subject of this report:

Beginning at the Quarter Corner common to Sections 34 and 35, Township 38 South, Range 5 West of the Willamette Meridian, Josephine County, Oregon; thence South $89^{\circ} 02' 30''$ West for 650.8 feet to the Easterly right of way line of Williams Highway; thence South $28^{\circ} 22'$ West along said right of way for 28.52 feet to the true point of beginning; thence continue South $28^{\circ} 22'$ West along said right of way for 255.92 feet to a 5/8 inch diameter iron rod; thence North $89^{\circ} 02' 30''$ East for 419.09 feet; thence South $00^{\circ} 33'$ East for 640.09 feet; thence South $88^{\circ} 48' 48''$ East for 948.0 feet to a 5/8 inch diameter iron rod set on the Westerly bank of an irrigation ditch; thence North $18^{\circ} 02'$ East along said Westerly irrigation ditch bank for 302.18 feet to a 5/8 inch diameter iron rod; thence South $89^{\circ} 06'$ East for 61.0 feet to the center line of Williams Creek; thence North $08^{\circ} 00'$ West along said creek center line for 87.79 feet; thence South $89^{\circ} 24' 44''$ West, parallel to the North line of the South Half of Section 35 for 600.0 feet; thence North $00^{\circ} 33'$ West for 275.0 feet; thence South $89^{\circ} 24' 44''$ West for 149.22 feet; thence North $00^{\circ} 33'$ West for 247.97 feet; thence South $89^{\circ} 02' 30''$ West for 639.59 feet to the true point of beginning.

38-5-34 Pt TL 1800 Code Nos. 5 & 6
38-5-35 Pt TL 700 Code Nos. 5 & 6

34750

Order No.