

4268 Vaughn

Name William A. Vaughn

4268

DESCRIPTION OF WATER RIGHT

By \_\_\_\_\_

Address Old Hwy 99N, Box 30D  
Glendale, OR 97442

Name of stream Cow Creek

Trib. of \_\_\_\_\_ County of Douglas

Use irrigation

Quantity of water \_\_\_\_\_ No. of acres 4<sup>e</sup>

Name of ditch Cow Cr. Irrig. Co. Ditch, Inc.

Date of priority 1901

In name of Opal Jarvis

Cow Creek Adjudication, Vol. 13, page 507

App. No. \_\_\_\_\_ Per. No. \_\_\_\_\_ Cert. No. 14554

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

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

Change in POU

Date filed August 2, 1979

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

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

Date of order 4-29-80 Vol. 33, page 167

Amended 6-29-81 Vol. 34, page 649  
Date for application of water completed

Proof mailed \_\_\_\_\_

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

Certificate issued OCT 28 1980 Vol. 43, page 49657

RR NOV 17 1983 46  
MAY 25 1990

51724  
64314

5-21-90 cert

REMARKS

March 20, 1990 PC mailed

WRIS  
Assembled 3-19-85 by SM  
Entered \_\_\_\_\_ by \_\_\_\_\_  
Verified \_\_\_\_\_ by \_\_\_\_\_

FEES PAID

Date	Amount	Receipt No.
<u>8-2-79</u>	<u>45-</u>	<u>13206</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

TO BE ENTERED WHERE CHECKED	<input checked="" type="checkbox"/> INDEX CARDS:	Entered	Checked
	<input checked="" type="checkbox"/> Name	<u>SRB SRB</u>	_____
	<input checked="" type="checkbox"/> Stream	<u>SRB SRB</u>	_____
	<input checked="" type="checkbox"/> Pt. of Div.	<u>SRB</u>	_____
	<input checked="" type="checkbox"/> Calendar	<u>SRB</u>	_____
	<input checked="" type="checkbox"/> CHECKED TO RECORDS:		
	<input checked="" type="checkbox"/> Twp. & Rge.	<u>SRB SRB</u>	_____
	<input checked="" type="checkbox"/> Decree-vault	<u>SRB SRB</u>	_____
	<input checked="" type="checkbox"/> Decree-safe	<u>SRB SRB</u>	_____
	<input checked="" type="checkbox"/> Cert. of W/R	<u>SRB SRB</u>	_____
	<input type="checkbox"/> Per. Folder	_____	_____
	<input type="checkbox"/> Chaindex	_____	_____
	<input type="checkbox"/> Cross Ref.	_____	_____
	<input type="checkbox"/> Power Claim	_____	_____
	<input checked="" type="checkbox"/> Abstracts	<u>SRB SRB</u>	_____

CCB

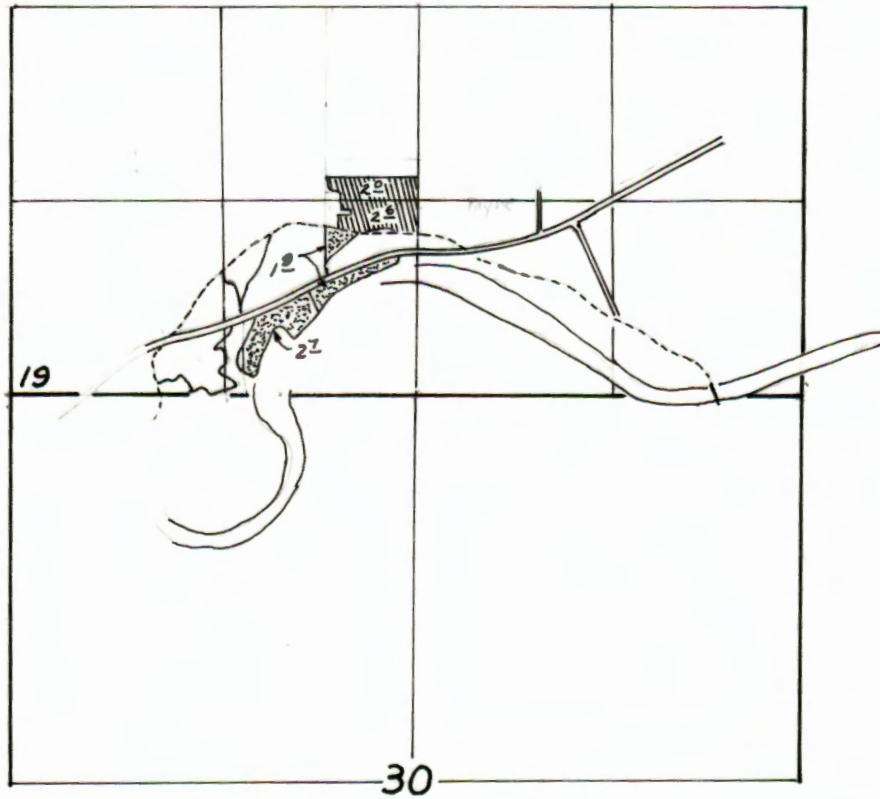
T-4268

RECEIVED

AUG 2 - 1979

WATER RESOURCES DEPT  
SALEM, OREGON

T. 32 S. R. 5 W. W.M.



Scale: 4" = 1 mile

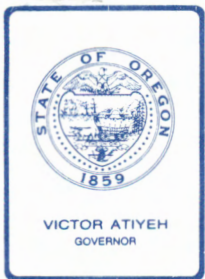


Place of Use of Record



Proposed Place of Use

Cow Creek files:  
Original map is 8 1/2 x 11  
surveyed by C.A.C. in 1941



## *Water Resources Department*

### MILL CREEK OFFICE PARK

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

This certificated water right is appurtenant to the specific plan of use where it was established and belongs to the legal owner of the land.

The right exists only for the amount of water needed for the specific use and place of use described in the water right documents.

To change the place of use, point of diversion, or type of use of the water, an application must be filed with the Water Resources Director for approval of the proposed change.

Any portion of this water right is forfeited if allowed to go unused for five or more consecutive years. Also, the right may be lost at any time by an intentional act by the owner that would make the right unusable.

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DOUGLAS COUNTY

IN THE MATTER OF THE APPLICATION )  
OF WILLIAM A. VAUGHN FOR )  
APPROVAL OF A CHANGE IN PLACE OF )  
USE OF WATER )  
-----

ORDER AMENDING  
ORDER APPROVING  
TRANSFER 4268

On August 2, 1979, an application was filed in the office of the Water Resources Director by William A. Vaughn for approval of a change in place of use of water from Cow Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The order of the Water Resources Director entered April 29, 1980, at page 167, Volume 33, Special Order Record, approving Transfer 4268, was in error in allowing 0.115 cubic foot per second from Cow Creek.

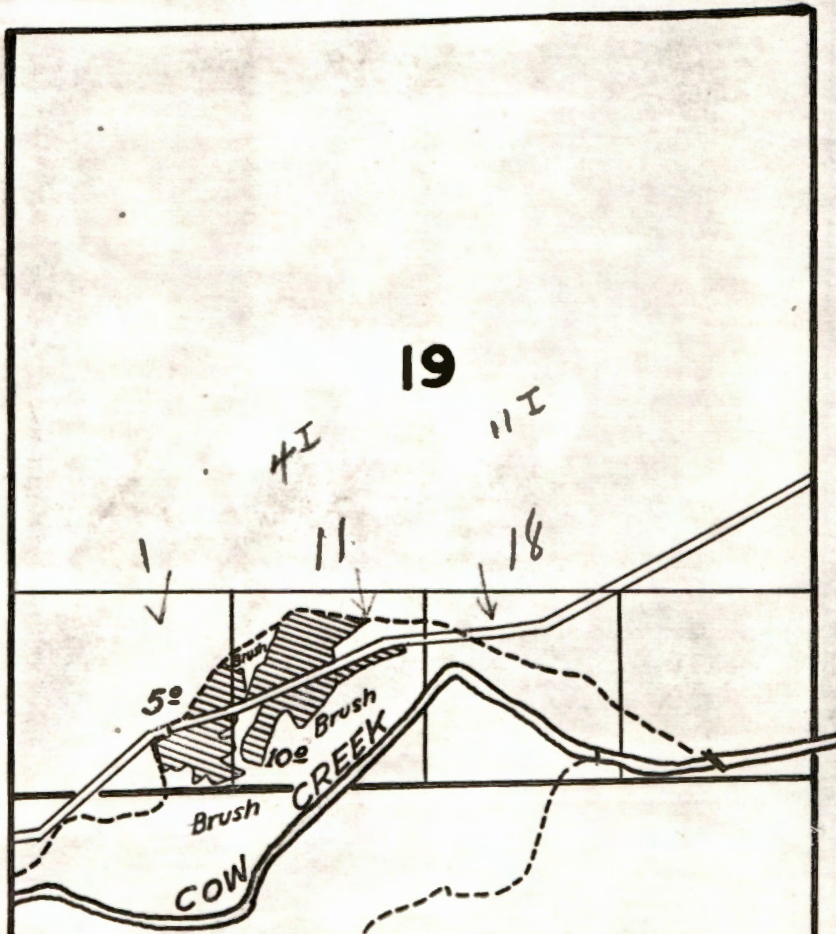
The amount of water that should be allowed is 3.8 Miners Inches (0.096 cfs).

NOW, THEREFORE, it hereby is ORDERED that line 3, paragraph 2, page 167 of said Volume 33 be amended to allow 3.8 Miners Inches of water from Cow Creek.

It is FURTHER ORDERED that the certificate recorded at page 49657, Volume 43, State Record of Water Right Certificates, is cancelled; and in lieu thereof a new certificate be issued allowing the use of 8.7 Miners Inches of water from Cow Creek for irrigation of 5.0 acres in SW 1/4 SW 1/4 and 5.4 acres in SE 1/4 SW 1/4, Section 19, Township 32 South, Range 5 West, WM; and a confirming certificate of water right be issued to the applicant herein.

Dated at Salem, Oregon this 29th day of June, 1981.

  
JAMES E. SEXSON  
Director



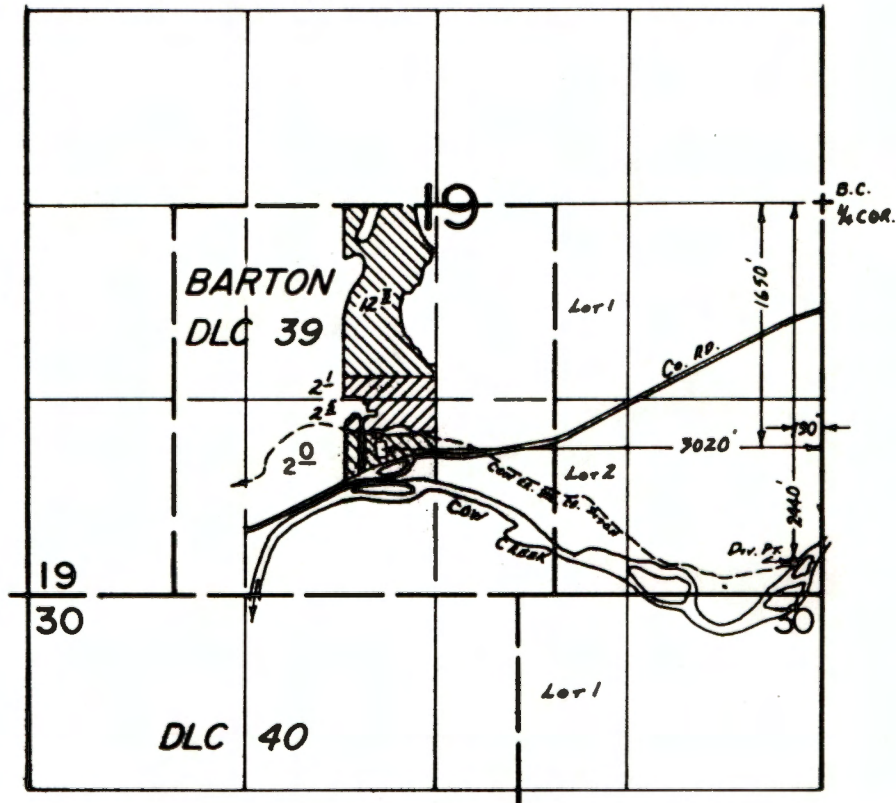
Surveyed June 10, 1941 C.A.C.

**30**

Cow Creek Supp. Findings  
 April 28, 1942

T. 32 S., R. 5W.

T. 32S., R. 5W., W.M.



 Tr. 4268

 Per. 40371

SCALE: 4" = 1 MILE

**FINAL PROOF SURVEY**  
UNDER

Transfer No. .... 4268

R-53760

R-6435

Application No. .... 53761 Permit No. 40371

IN NAME OF

..... WILLIAM A. VAUGHN

..... JUN. 4 87 J. M. SCHMORDE  
Surveyed Oct. 15..... 1979, by J. S. DONALDSON

REVISED: JAN. 4, 1988 JK

Dove Co. 76-68-12  
ETS

*Bill*

STATE OF OREGON  
COUNTY OF DOUGLAS  
PROPOSED CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

WILLIAM A. VAUGHN  
OLD HWY 99N, BOX 30D  
GLENDALE, OREGON 97442

confirms the right to use the waters of COW CREEK, a tributary of SOUTH UMPQUA RIVER, for the purpose of IRRIGATING 4.6 ACRES.

The right has been confirmed by decree of the Circuit Court of the State of Oregon for DOUGLAS County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 14, at page 202. The date of priority is 1901.

The right is limited to not more than 3.8 MINERS INCHES.

The point of diversion is located as follows:

SE 1/4 SE 1/4, SECTION 19, T 32 S, R 5 W, W.M.; 2440 FEET SOUTH & 190 FEET WEST FROM THE EAST 1/4 CORNER OF SECTION 19.

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

NE 1/4 SW 1/4 2.1 ACRES  
SE 1/3 SW 1/4 2.5 ACRES  
BOTH AS PROJECTED WITHIN DLC 39  
SECTION 19  
TOWNSHIP 32 SOUTH, RANGE 5 WEST, W.M.

This certificate is issued to confirm a change in PLACE OF USE approved by orders of the Water Resources Director entered APRIL 29, 1980 AND JUNE 29, 1981, and together with certificate 51724, supersedes certificate 14554, State Record of Water Right Certificates.

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.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described and shall be subject to all other conditions and limitations contained in said decree.

BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DOUGLAS COUNTY

IN THE MATTER OF THE APPLICATION )  
OF WILLIAM A. VAUGHN FOR APPROVAL )  
OF A CHANGE IN PLACE OF USE OF )  
WATER )  
-----

ORDER APPROVING  
TRANSFER NO. 4268

On August 2, 1979, an application was filed in the office of the Water Resources Director by William A. Vaughn for approval of a change in place of use of water from Cow Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 14554, Volume 12, State Record of Water Right Certificates, in the name of Opal Jarvis, describes a right which includes the use of not to exceed 0.115 cubic foot per second from Cow Creek for irrigation of a certain 4.6 acres in SE 1/4 SW 1/4 of Section 19, Township 32 South, Range 5 West, W.M., with a date of priority of 1901.

Water for the said right is diverted, through the Cow Creek Irrigation Company Ditch, from a point located 80 Feet North and 630 feet West from the Southeast Corner of Section 19, being within the SE 1/4 SE 1/4 of Section 19, Township 32 South, Range 5 West, W.M.

The applicant herein, proposes to sever the right therefrom and, without loss of priority, to irrigate in lieu thereof a certain 2.0 acres in NE 1/4 SW 1/4 and 2.6 acres in SE 1/4 SW 1/4 of Section 19, Township 32 South, Range 5 West, W. M.

Mr. M. John Youngquist, Watermaster, has filed a statement to the effect that the proposed change in place of use may be made without injury to existing rights.

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



STATE OF OREGON

COUNTY OF DOUGLAS

PROPOSED CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

WILLIAM A. VAUGHN  
OLD HWY 99N, BOX 30D  
GLENDALE, OREGON 97442

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The right has been confirmed by decree of the Circuit Court of the State of Oregon for DOUGLAS County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 14, at page 202. The date of priority is 1901.

The right is limited to not more than 3.8 MINERS INCHES.

The point of diversion is located as follows:

SE 1/4 SE 1/4, SECTION 19, T 32 S, R 5 W, W.M.; 2440 FEET SOUTH & 190 FEET WEST FROM THE EAST 1/4 CORNER OF SECTION 19.

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

NE 1/4 SW 1/4 2.1 ACRES  
SE 1/3 SW 1/4 2.5 ACRES  
BOTH AS PROJECTED WITHIN DLC 39  
SECTION 19  
TOWNSHIP 32 SOUTH, RANGE 5 WEST, W.M.

This certificate is issued to confirm a change in PLACE OF USE approved by orders of the Water Resources Director entered APRIL 29, 1980 AND JUNE 29, 1981, and together with certificate 51724, supersedes certificate 14554, State Record of Water Right Certificates.

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.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described and shall be subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director, affixed this date .

*delete*

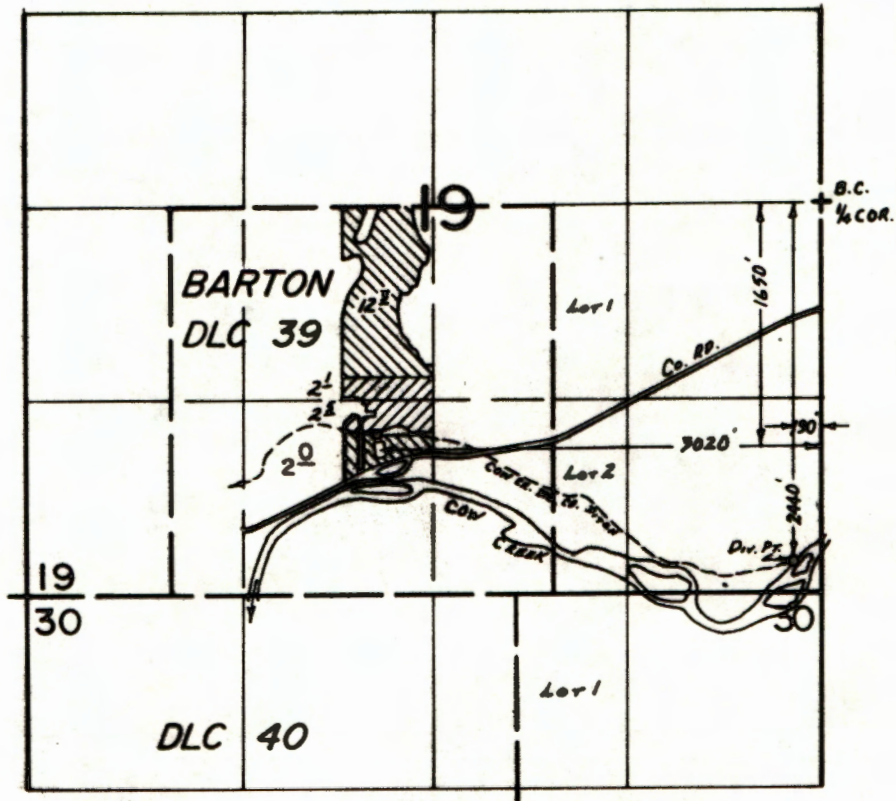
\_\_\_\_\_  
Water Resources Director

Recorded in State Record of Water Right Certificates numbered

T-4268.BE

*OK*

T. 32S., R. 5W., W.M.



 Tr. 4268

 Per. 40371

SCALE : 4" = 1 MILE

**FINAL PROOF SURVEY**  
UNDER

Transfer No. ....4268

R-53760

R-6435

Application No. ....53761 Permit No. 40371.....

IN NAME OF

.....WILLIAM A. VAUGHN.....

JUN. 4 87 J. M. SCHMORDE  
Surveyed Oct. 15..... 19.79., by J.S. DONALDSON

REVISED: JAN. 4, 1988 JK

Dove Co. 76-68-R  
273

*Bill B*



SEE FIELD REPORT IN A. #53761

Jan 2

1901

1901

1901

Complete

1901

1901

1901

1901

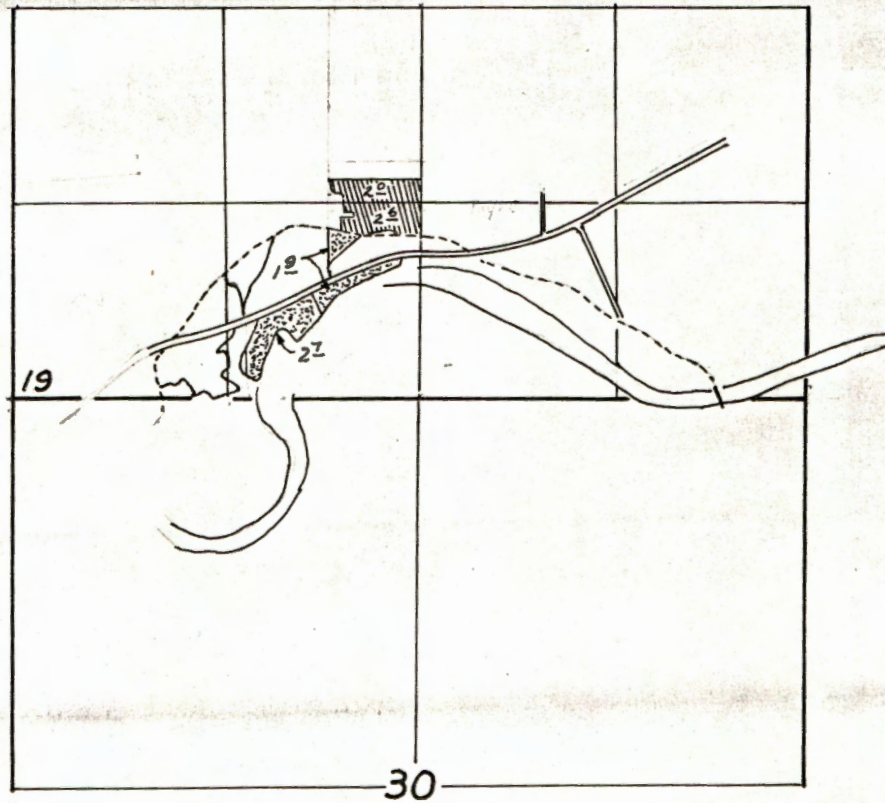
T-4268

RECEIVED

AUG 2 - 1979

WATER RESOURCES DEPT  
SALEM, OREGON

T. 32 S. R. 5 W. W.M.



Scale: 4" = 1 mile



Place of Use of Record



Proposed Place of Use

Cow Creek files:  
original map is 8 1/2 x 11  
surveyed by C.A.C. in 1991

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

It is FURTHER ORDERED that NO time need be fixed for completion as the change in place of use is completed.

It is FURTHER ORDERED that the certificate recorded at page 14554, Volume 12, 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, a confirming certificate of water right shall be issued to the applicant herein.

Dated at Salem, Oregon this 29th day of April, 1980.



JAMES E. SEXSON *ms*

Director

by CHRIS L. WHEELER

Deputy Director

STATE OF OREGON  
COUNTY OF DOUGLAS  
PROOF OF APPROPRIATION OF WATER

RECEIVED  
APR 14 1986  
WATER RESOURCES DEPT  
SALEM, OREGON

Name: WILLIAM A. VAUGHN

Address: Old Highway 99N, Box 30D, Glendale, Oregon 97442

Source of Supply: Cow Creek

Permit:

Transfer: 4268

Tributary of: South Umpqua river

Amount of Water: 3.8 miners inches

Priority Date: 1901

Use: irrigation of 4.6 acres

Location and Point of Diversion: SE 1/4 SE 1/4, Section 19, T32S, R5W, WM;  
2440 feet South and 190 feet West from  
East 1/4 Corner, Section 19.

The description of land given below and as shown on the attached map corresponds to that found to be irrigated:

2.1 acres NE 1/4 SW 1/4  
2.5 acres SE 1/4 SW 1/4  
Section 19  
Township 32 South, Range 5 West, WM

I have read the above and foregoing proof of appropriation of water defining the extent of use of water under the change of place of use of water approved by the order of the Water Resources Director entered April 25, 1980; I know the contents thereof, and that the facts therein stated are true.

IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day  
of \_\_\_\_\_, 198\_\_.

\_\_\_\_\_  
Legal owner of the above described lands

## STATE OF OREGON

COUNTY OF

DOUGLAS

## CERTIFICATE OF WATER RIGHT

**This Is to Certify, That** OPAL JARVIS

of Portland, State of Oregon, has  
a right to the use of the waters of  
Cow Creek

a tributary of South Umpqua River for the purpose of  
irrigation of 10.4 acres

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for  
Douglas County, and the said decree entered of record at Salem, in the Order Record of  
the WATER RESOURCES DIRECTOR, in Volume 14, at page 202; that the priority of the right  
thereby confirmed dates from 1901

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 8.7 miners inches  
during the irrigation season from April 1 to October 1 of each year.

The point of diversion is located in the SE $\frac{1}{4}$  SE $\frac{1}{4}$ , Section 19, T32S, R5W, WM; 80 feet  
North and 630 feet West from SE Corner, Section 19.

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

5.0 acres SW $\frac{1}{4}$  SW $\frac{1}{4}$   
5.4 acres SE $\frac{1}{4}$  SW $\frac{1}{4}$   
Section 19  
Township 32 South, Range 5 West, WM

This certificate describes that portion of the water right confirmed by the  
prior certificate recorded at page 49657, Volume 43, State Record of Water Right  
Certificates, NOT modified by the provisions of an order of the Water Resources  
Director entered on June 29, 1981 amending Transfer Application 4268.

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.

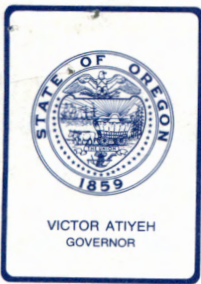
WITNESS the signature of the Water Resources Director, affixed

this date November 17, 1983

  
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 46, page 51724





## Water Resources Department

JUSTICE BUILDING, Rm. 103, ROSEBURG, OREGON 97470 PHONE 440-4255

RECEIVED  
APR 14 1986  
WATER RESOURCES DEPT.  
SALEM, OREGON

April 10, 1986

### MEMO

TO: Ves Garner

FROM: Gary L. Ball, Watermaster *GLB*  
District #15

SUBJECT: Cow Creek Irrigating Company and William Vaughn

On April 3rd, I met with Chet Smith, Secretary of the Company, to show him the materials you had forwarded. He indicated the major changes to the channel occurred during the 1974 flood on Cow Creek. (It was more severe than the 1964-1965 flood). He further said that when they installed the ditch the next year, it was necessary to "extend" the ditch through fresh alluvial material (sand and gravel) to get water into the ditch and that they closely followed the old channel of Cow Creek. (This seems to be born out in the maps). Also, at the time, it certainly did not appear to them that this would be a "permanent extension" of the ditch. I asked Chet whether or not he thought the flood protection from Galesville Reservoir would make it permanent, and he thought not. Indeed, Galesville would have spilled during the 1974 event and there is substantial additional inflow downstream from the dam. I did not pursue the matter further, in view of the proposed administrative rule.

In way of comment on the proposed rule, I would question the limitation to a 1/4-1/4 section. If a person's diversion happened to be within 10 feet of a 1/4-1/4 line, a meander could force him to file for a transfer if it was necessary for him to move as little as 20 feet to compensate. I would rather see it limited to a distance from his original POD (e.g., 1/4 mile either way).

On the same day, I met with Mr. Vaughn regarding his dissatisfaction with the final proof survey. He did not have any problems with the transfer map, but thought the Cow Creek Irrigation Company ditch should be mentioned in the proof. He really did not have a problem with the reservoir proof. He does not, however, as stated in his letter, divert live flow into the reservoir. According to him, the reservoir area was a slough at one time and fill was brought in to drain the land. I,

therefore, have no doubt but what the "reservoir" is hydraulically connected to the creek and is, therefore, filled from Cow Creek. On this basis, he signed the reservoir proof and I am forwarding it, along with the other proofs (which need correction).

He does have, as you suspected, a problem with the land between the ditch and creek not being surveyed. He also thinks that most of the areas cut out along his north and west lines should have been included. He also would like the pipeline to be shown if possible. I would, therefore, recommend that Mike and Jim survey these particular features at their earliest convenience.

GLB:s1



## STATE OF OREGON

## INTEROFFICE MEMO

TO: Gary Ball, Watermaster District 15                      DATE: March 10, 1986

FROM: Ves Garner, Senior Water Rights Examiner

SUBJECT: Cow Creek Irrigating Company and William A. Vaughn

I was of the opinion the change made by Cow Creek Irrigating Company was a one-time occurrence and not an annual occurrence as indicated by your memo. It appeared from the Vaughn final proof survey and map that the ditch had actually been extended 530+ feet upstream to intersect the channel of Cow Creek at a new location. Surveys of 1941 and 1963 show the diversion in the same original location. Surveys of 1979 and 1984 show the diversion at its present location. I suspect the major change occurred with the high water of 1964-1965. The placement of their diversion dam in the stream is not an issue.

The location of the original diversion point was determined by examination of the 1941 survey made to determine the vested rights of Cow Creek. The survey is a part of the record and a part of the rights. A 1963 final proof survey regarding a change in point of diversion for Chester Smith under S-127 also fixes the point of diversion to a specific location for the ditch.

The need for filing an application for change in point of diversion on a meandering stream has been discussed extensively, and we are considering the adoption of an administrative rule to resolve the issue. A draft of the rule follows. Please note the application is not required, but may be accepted in the event of a one-time change.

## D R A F T

690-015-015 An application for change in point of diversion is not required for a diversion point to follow the movements of a naturally changing stream channel if the diversion point stays within the same quarter-quarter section and the change does not move the diversion point upstream or downstream beyond the diversion point of another appropriator.

The Company can submit the application for change in point of diversion listing the various lands and rights involved. I was not aware of this when I wrote Mr. Smith and suggested each user make application for change. This may have some bearing on future decisions regarding this.

Regarding Mr. Vaughn, he submitted an application requesting a permit to store water from Cow Creek by diversion into Cow Creek Irrigating Company ditch then pumping from the ditch into his reservoir. He said he would pump from the reservoir onto his land using the same pump. We approved his request and issued permit R-6435.

Memo to Gary Ball  
March 10, 1986  
Page Two

On October 15, 1979, J. S. Donaldson contacted Mr. Vaughn and made the final proof survey and customary report. Apparently, Mr. Vaughn does not remember the visit some six years ago. Donaldson reported a system much the same as Vaughn requested in his application.

Vaughn doesn't say what his complaint with the map is but I suspect some confusion between land under transfer 4268 and permit 40371. I also note from the application he intended to irrigate 2.0 acres between the ditch and county road. Donaldson did not report or map land in this location as irrigated or not.

- 1) Another couple points of possible confusion: when transfer application 4268 was examined it was found to conflict with permit 40371 insofar as Cow Creek was concerned. We requested an affidavit of abandonment on the 4.6 acres under transfer which may have been an error since stored water could still be used as supplemental. Since considerably less than 30 acres was found, I choose to restore the option to use stored water on the south 4.6 acres. Donaldson's report would indicate this to be the case.
- 2) Donaldson reports a portable pipeline system. Now Vaughn seems to think we should show the location of a buried pipeline on the map. Please help us locate it.

Following copies enclosed: Applications R-53760, 53761, 1941 Survey of point of diversion, Donaldson's reports and map, proof for R-6435, 40371, and 4268, Vaughn's letter, Order S-127.

We can do the following:

1. Cancel permit R-6435 if Cow Creek water not stored.
2. Delete south 4.6 acres from proof under permit 40371.
3. Prepare a new proof and map for Cow Creek only.
4. The new map to be prepared based upon your inspection and contact with Mr. Vaughn (what does he want?).
5. Add land to the proof if all elements of proof are present. (B date 10/1/78, C date 10/1/79).
6. Mr. Vaughn could sign the proofs as is.

Your report and recommendation would be appreciated.

VG:slv  
Enclosures  
3403D

T-4268  
R-53760  
S3761

Tom:-

Please review 1986 Correspondence these files

Ball's memo 4/10 indicates Mike would (should) conduct a new final prog survey, but maybe Mike not directed to do so?

Its unfortunate that Vaugh needs to be contacted again but it appears to be the only way.

We should make Mike aware of the situation, he and Ball should discuss the matter, and make the necessary ~~and~~ changes and usual report.

maybe send field forms, maps, ~~memo~~ memos etc to Mike - set file up for survey - with 90 reminder to make sure they get done this season or ASAP

Yes.

February 25, 1986

Chester A. Smith, Jr.  
Secretary-Treasurer  
Cow Creek Irrigating Company  
1137 Autumn Lane  
Glendale, Oregon 97442

Dear Mr. Smith:

It has recently come to our attention that Cow Creek has changed channel location by moving southerly in the vicinity of the diversion for Cow Creek Irrigating Company. Since this shift in channel occurred, the irrigating company has relocated their point of diversion from Cow Creek by moving approximately 500 feet upstream.

The water right records for the various users of the water from the ditch describe the point of diversion at its original location.

The water right records should be updated for the various users who obtain their water from the ditch to describe the new location of the point of diversion.

You might inform the users of the ditch at a company meeting or by a mailing from the company.

I am enclosing an application for change of an existing water right. An application must be submitted for each separate perfected water right receiving water from the ditch. Since numerous applications may be needed, additional forms can be obtained from the Watermaster's Office in Roseburg, or you may request the number needed and we will gladly mail them to you. If additional information regarding this change is needed, the Watermaster can also be of assistance. The Watermaster for your vicinity is Gary Ball, Room 104, Justice Building in Roseburg.

Sincerely,

VESTAL R. GARNER  
Senior Water Rights Examiner

VRG:lcj  
3139D  
cc: Garv L. Ball. Watermaster. District 15

cow CR TRIB S UMPQUA

WR T-0982-C1

\*\*\* OREGON WATER RESOURCES DEPARTMENT \*\*\*  
\*\*\* WATER RIGHTS DIVISION \*\*\*  
\*\*\* WATER RIGHT DATA INPUT FORM \*\*\*

WATER RIGHT NO. T0000 42681 PERMIT NO. 013507 CERTIF. NO.  
ORIG. NO. L000145541 PREV. NO. C000145541 SUPER. NO.

NAME: WILLIAM A. VAUGHN  
ADDRESS: OLD HWY 99, BOX 30D  
CITY/STATE/ZIP/COUNTY: GLENDALE, OR 97442 10

STREAM-ID 161250 0900 0400 RIV.MI. WM.DIST. 15 W.R. TYPE SC STATUS ✓

CANCEL YEAR--->	CONSTR.COMPLT--> <u>04 29 1980</u>	YR.LAST USED----->	---	NEXT ACTION DUE-->	---
PRIORITY-----> <u>12 3, 1901</u>	PUT TO USE-----> <u>04 29 1980</u>	LAST TRANS.DATE-->	---	LAST TRANS.TYPE-->	---
APPLICATION---> <u>08 02 1979</u>	SURVEYED----->	EXAM.FEE----->	<u>20.00</u>	RECORDING FEE----->	<u>25.00</u>
PERMIT ISSUE--> <u>04 29 1980</u>	CONCURRENCE----->	CYCLE STATUS----->	---	REPORTED FLAG----->	---
CONSTR.STRT.--> <u>04 29 1980</u>	CERTIFIED-----> <u>11 17 1983</u>	CORRES.INIT.----->	---	CORRES.DATE----->	---

POINT-OF-DIVERSION DATA:  
 TWNSP RNGE SECT QTR/QTR STREAM-ID RIV.MI. RATE STATUS S OR P

3205 050W 19 D D 16 1250 0900 0400 0.096 ✓ P

\*\* REMARKS; ----->  
 \*\* DATED-->  
 \*\* ORDER AMENDED 6-29-81. See RV 39, p 649.  
 \*\* POD: Cow CR I.C. DITCH, 80' N, E  
 \*\* 630' W FM SE COR S 19.  
 \*\* RPC-57724  
 \*\* ----->  
 \*\* ----->  
 \*\* ----->

PLACE-OF-USE DATA:  
 TWNSP RNGE SECT QTR/QTR CNTY USE % CNSMTV ACRES STATUS S OR P

3205 050W 19 C A 10 1R 100 2.00 ✓ P  
                  C D                    |                    |                    |                    |                    |  
  2.60                    |                    |

W.R.I.S.

Assembled 3-19-85 by Sed  
 Entered \_\_\_\_\_ by \_\_\_\_\_  
 Verified \_\_\_\_\_ by \_\_\_\_\_

STATE OF OREGON

COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

This Is to Certify, That OPAL JARVIS

of Portland, State of Oregon, has a right to the use of the waters of Cow Creek

a tributary of for the purpose of irrigation of 10.4 acres

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Douglas County, and the said decree entered of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 14, at page 202 that the priority of the right thereby confirmed dates from 1901

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 7.8 miners inches during the irrigation season from April 1 to October 1 of each year 8.7

The point of diversion is located in the SE 1/4 SE 1/4, Section 19, T. 32 S., R. 5 W., W.M.; 80 feet North and 630 feet West from SE corner, Section 19.

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

5.0 acres SW 1/4 SW 1/4
5.4 acres SE 1/4 SW 1/4
Section 19
T. 32 S., R. 5 W., W.M.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 44554, Volume 43, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on April 29, 1980, approving transfer application No. 4268.

49657 43
639-87 amending

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 October 28, 19 80.

Deputy Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 43, page 49657

0 51724





## *Water Resources Department*

MILL CREEK OFFICE PARK

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

PHONE 378-3066

July 9, 1981

William A. Vaughn  
Old Highway 99N, Box 30D  
Glendale, Oregon 97442

REFERENCE: File T-4268

Enclosed is a certified copy of the order of the Water Resources Director amending the order approving your Water Right Transfer Application 4268. Please keep this order with the original order in your permanent records.

Sincerely,

*Samuel R. Allison*

SAMUEL R. ALLISON  
Supervisor  
Transfer Section

SRA:lcj  
cc: Watermaster, District 15

1-800-452-7813  
378-3066

April 30, 1980

William A. Vaughn  
Old Hwy 99N, Box 30S  
Glendale, OR 97442

REFERENCE: File Number T-4268

Enclosed is a certified copy of the Water Resources Director  
approving your water right transfer application.

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:avs  
cc: M. John Youngquist, Watermaster  
File  
0772A

Superseded by 49657 51724  
Cert. No.

STATE OF OREGON

COUNTY OF Douglas

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

WILLIAM A. VAUGHN  
~~Opal Jarvis~~

OLD HWY 99N, BOX 30D Glendale

of ~~Portland~~, State of Oregon 97442, has a right to the use of

the waters of Cow Creek

trib South Umpqua River

for the purpose of Irrigation of 4.6 acres

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Douglas County, and the said decree entered of record at Salem, in the Order Record of the STATE ENGINEER, in Volume 14, at page 202; that the priority of the right thereby confirmed dates from 1901

3.8

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 12.5 miners inches during the irrigation season from April 1 to October 1 of each year.

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:

NE  
2.1 → 5 acres in ~~SW~~ SW<sub>4</sub>,  
2.5 → 10 acres in ~~SE~~ SE<sub>4</sub>,  
Section 19,  
T. 32 S., R. 5 W., W. M.

DIV. PT. - SE 1/4 SE 1/4, Section 19, T32S, R5W, W.M; 2440 feet South and 190 feet west from the East 1/4 Corner, Section 19

~~And said right shall be subject to all other conditions and limitations contained in said decree.~~

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 April 25, 1980 and together with certificate of water right recorded at page 51724, Volume 46, State Record of Water Right Certificates, supersedes certificate of water right recorded at page 14554, Volume 12, State Record of Water Right Certificates

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.

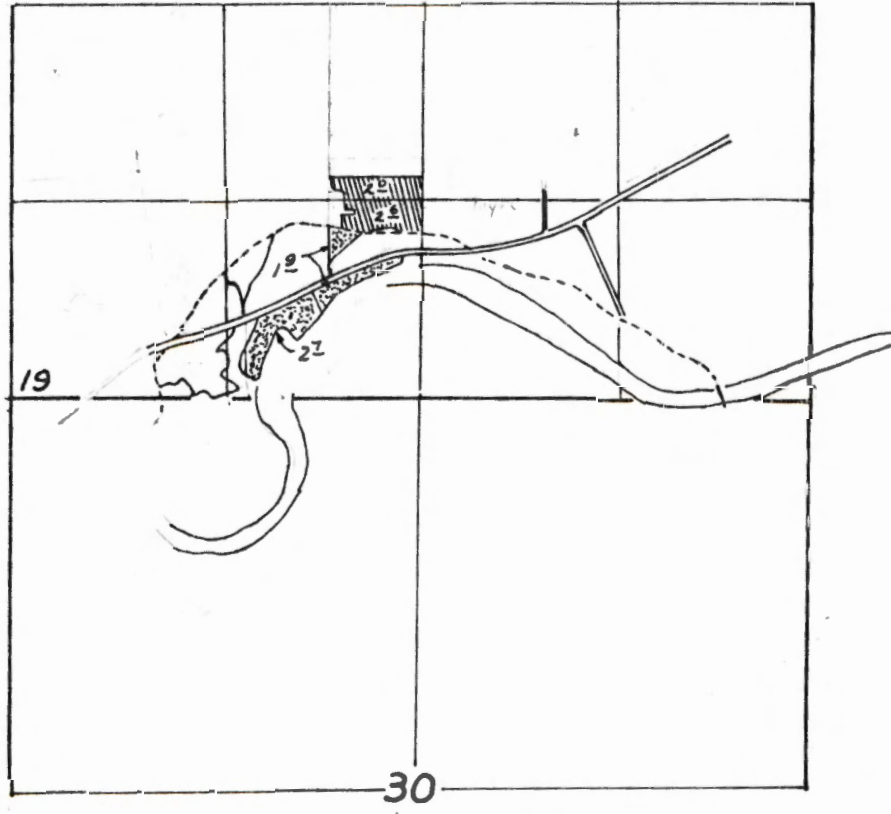
Recorded in State Record of Water Right Certificates, Volume 12, page 14554.

31280



T-4268

T-4268

T. 32 S. R. 5 W. W.M.



Scale: 4" = 1 mile

-  Place of Use of Record
-  Proposed Place of Use

RECEIVED

AUG 2 - 1979

WATER RESOURCES DEPT  
SALEM, OREGON

Application for Transfer of Water Right

T-4268

To the WATER RESOURCES DIRECTOR OF OREGON:

I, William A. Vaughn (Name of applicant)

of Old Hwy 99 N. Box 30D (Mailing address), Glendale (City)

State of Oregon (Zip Code) 97442, 832-2715 (Phone number), do hereby make application for change

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

1. Is the water right recorded in your name? Opal Jarvis (If not, give name)

2. Was your water right determined by Decree of Court? Yes (Yes or No) If so, give title of proceedings

Supplemental Findings April 28, 1942 V13 P507 number of certificate 14554  
Cow Cr. Adjudication 14 202

3. Was your water right acquired by Water Right Permit? (Yes or No) If so, give number of permit Number of certificate

NOTE: If the entire right of record is not directly involved in the requested change, only that part of the right that is directly involved should be considered in answering the balance of the questions on this form.

4. The source of water is Cow Cr.

5. What is the date of priority of your water right? 1901

6. The authorized point of diversion is located 80 ft. N (N. or S.) and 630 ft. W (E. or W.) from the SE corner of Sec. 19 being within the SE 1/4 SE 1/4 of Section 19 Tp. 32S R. 5W W. M., (No. N. or S.) (No. E. or W.) in the county of Douglas The name of the ditch used is Cow Cr. Irrig. Co. Ditch Inc.

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

7. The proposed point of diversion is located ..... ft. (N. or S.) and ..... ft. (E. or W.) from the ..... corner of ..... being within the ..... 1/4 ..... 1/4 of Section ..... Tp. .... R. .... W. M., (No. N. or S.) (No. E. or W.) in the county of ..... The name of the ditch to be used is .....

8. The use to which the water is applied is Irrigation  
(Irrigation, Mining, Power, Manufacturing, etc.)

Location of area irrigated, or place of use if other than irrigation:

Township North or South	Range E. or W. of Willamette Meridian	Section	List ¼-¼ of Section	Number Acres To Be Irrigated
32 S	5W	19	SE ¼ SW ¼	1.9
32 S	5W	19	SE ¼ SW ¼	2.7

(If more space required, attach separate sheet)

9. Are you the legal owner of the above described lands? I own 1.9 A., Douglas Kirkland owns 2.7 A.  
(If not owner, explain your interest)

10. To your knowledge, has any portion of the water right above described undergone a period of five or more consecutive years of nonuse? No  
(Yes or No)

NOTE: Answer questions 11, 12 and 13 if application is for change in use or place of use.

11. Are the lands from which you propose to transfer your water right free of all encumbrances, including taxes, mortgages, liens, etc.? Yes  
(Answer Yes or No)

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

NATURE OF ENCUMBRANCE	HELD BY	AMOUNT

13. The use to which the water is to be applied is Irrigation  
(Irrigation, power, mining, manufacturing, domestic supplies, etc.)

Location of area to be irrigated, or place of use if other than irrigation:

Township North or South	Range E. or W. of Willamette Meridian	Section	List ¼-¼ of Section	Number Acres To Be Irrigated
32 S	5W	19	NE ¼ SW ¼	2.0
32 S	5W	19	SE ¼ SW ¼	2.6

(If more space required, attach separate sheet)

14. Reasons for the proposed changes are to place old right on alfalfa field.

15. Construction work will be completed on or before completed

16. The water will be completely applied to the proposed use on or before completed.

Remarks I hereby authorize the cancellation of 4.6 A. of my  
Water Right App. No. 53761.

I will submit a statement from Mr. Kirkland saying  
he has no objection to this transfer as soon as I can get ahold of him.

**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, William A. Vaughn, 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 31<sup>st</sup> day of July, 1979.

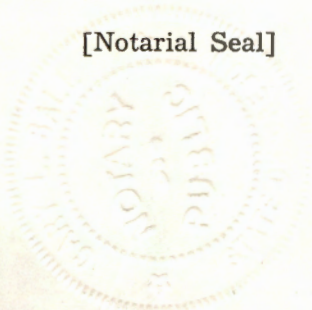
William A. Vaughn  
(Name of applicant)

Subscribed and sworn to before me this 31<sup>st</sup> day of July, 1979.

[Notarial Seal]

Garyl Ball  
NOTARY PUBLIC FOR OREGON

My commission expires Aug. 20, 1982



STATE OF OREGON

COUNTY OF Douglas

CERTIFICATE OF WATER RIGHT

This Is to Certify, That Opal Jarvis

of Portland, State of Oregon, has a right to the use of

the waters of Cow Creek

10.4

for the purpose of Irrigation ~~0.674~~ acres

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for Douglas County, and the said decree entered of record at Salem, in the Order Record of the STATE ENGINEER, in Volume 14, at page 202; that the priority of the right thereby confirmed dates from 1901.

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 ~~12.5~~ miners inches <sup>8.7</sup> during the irrigation season from April 1 to October 1 of each year.

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:

5.4 5 acres in SW 1/4 SW 1/4, 10 acres in SE 1/4 SW 1/4, Section 19, T. 32 S., R. 5 W., W. M.

~~4.676~~ - ~~0.115~~ cfs

AS

And said right shall be subject to all other conditions and limitations contained in said decree.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 14554, Volume 12, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on April 29, 1980, approving transfer application No. 4268.

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

of November, 19403

CHAS. E. STRICKLIN State Engineer.

Recorded in State Record of Water Right Certificates, Volume 12, page 14554.

C-49657

T-4268

POD: SE 1/4 SE 1/4, Sec 19, T 32 S, R 5 W, W M, 80 ft N of 630 ft W from the SE corner of Sec 19.





## STATE OF OREGON

## INTEROFFICE MEMO

TO: M. John Youngquist, Watermaster

DATE: September 13, 1979

FROM: Sam Allison, Transfer Engineer

SUBJECT: Transfer File No. ~~4286~~

9268

Please have Mr. Vaughn sign the enclosed affidavit canceling the water right on the 4.6 acres that he is transferring the 1901 water right to. We can then identify the specific lands involved in the transfer/cancellation.

*Phoned watermaster's office 1-14-80, asked Elaine  
to call Mr Vaughn, get him to send in the affidavit.  
SAB*

lcj

A F F I D A V I T

I, William A. Vaughn, 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 0.058 cubic foot per second of water from Cow Creek and reservoir for the irrigation of 2.0 acres in the NE $\frac{1}{4}$  SW $\frac{1}{4}$  and 2.6 acres in the SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Section 19, Township 32 South, Range 5 West, W.M., with a priority date of November 14, 1975, as evidenced by Water Resources Department permit No. 40371; that I have abandoned any and all interest in and to said water right and request the same be canceled.

IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of \_\_\_\_\_, 1979.

\_\_\_\_\_

Subscribed and sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, 1979.

\_\_\_\_\_

Notary Public for Oregon

My Commission expires:



RECEIVED

AUG 20 1979

TO: TRANSFERS, WATER RIGHTS DIVISION

DATE: August 17, 1979

FROM: \*\* M. John Youngquist, Watermaster

WATER RESOURCES DEPT  
SALEM, OREGON

SUBJECT: WATER RIGHT TRANSFER APPLICATION NO. 4268

IN THE NAME OF William A. Vaughn

In my opinion the proposed change in place of use of water from Cow Creek.

MAY BE MADE WITHOUT INJURY ~~WOULD RESULT IN INJURY\*~~ to an existing water right.

Headgate notices ~~HAVE~~ HAVE NOT been issued for diversion from the sources which serves this right.

If for change in point of diversion, is there any intervening point of diversion between the authorized and the proposed points of diversion?

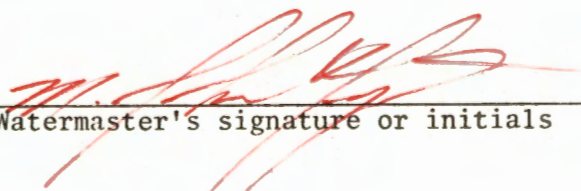
NO  
(yes or no)

In my opinion, the order approving the subject transfer application should include the following in regard to the appropriator installing suitable measuring devices in the diversion works:

- \_\_\_ (1) PRIOR to the diverting of water at the new point of diversion . . .
- X (2) When in the judgment of the watermaster it becomes necessary . . .

\* The approval of this transfer application would result in injury to other water rights because \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\*\*   
Watermaster's signature or initials

T-4268

RECEIVED

AUG 14 1979

WATER RESOURCES DEPT  
SALEM, OREGON

To whom it may concern:

I *Joseph E. Fisher*, have no  
objection to Mr. William Vaughn's proposed change in place  
of use under Certificate No. 14554.

IN WITNESS WHEREOF, I have hereunto set my hands  
this 5<sup>th</sup> day of August, 1979.

Subscribed and sworn to before me this \_\_\_\_\_  
\_\_\_\_\_ day of \_\_\_\_\_, 1979.

\_\_\_\_\_  
Notary Public of Oregon

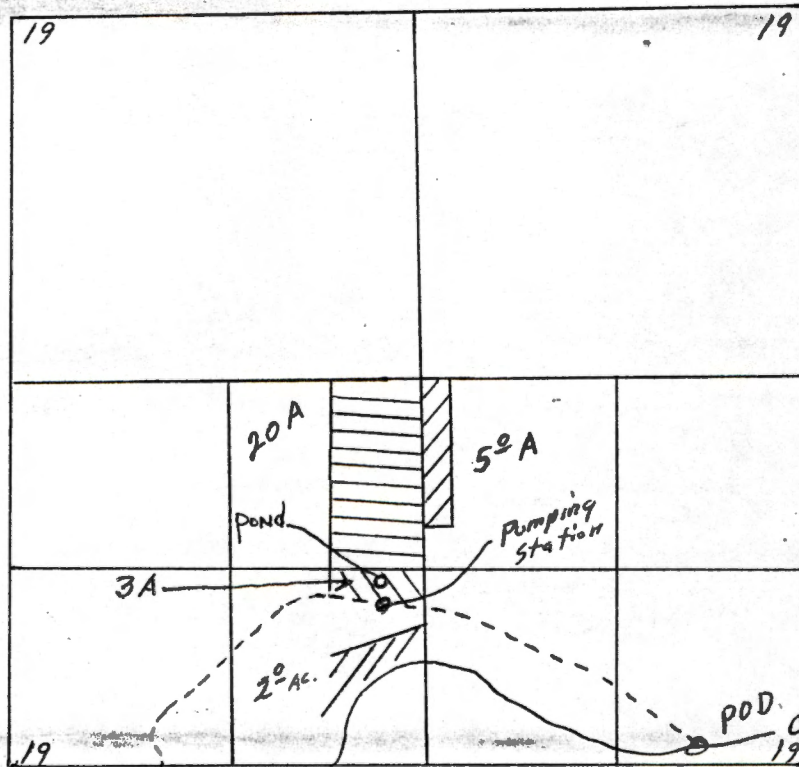
My Commission expires \_\_\_\_\_

RECEIVED

NOV 14 1975

WATER RESOURCES DEPT.  
SALEM, OREGON

T. 32 S. R 5 W. W. M.  
Scale 1" = 1320'



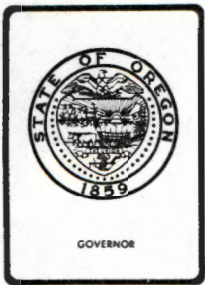
Cow Creek  
Irrigation Ditch

P.O.D. located 110' N. & 760' W from  
the SE Cor. of Sec. 19. Resi - 1240' N  
& 2920' W from SE Cor. Sec. 19

THIS MAP PREPARED BY: F.P.C.  
FROM INFORMATION FURNISHED BY THE  
APPLICANT.

Application No. R-53760 &  
53761  
Permit No. R 6435 &

40371



## *Water Resources Department*

MILL CREEK OFFICE PARK

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

PHONE 378-3066

August 16, 1979

William A. Vaughn  
Old Hwy 99N, Box 30D  
Glendale, Oregon 97442

RE: File No. T-4268

Dear Mr. Vaughn:

Your water right transfer application for approval of a change in place of use of water from Cow Creek, together with supporting data and fees in the amount of \$45, was received on August 2, 1979. Our receipt No. 13206 is enclosed.

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

When examination of the application and supporting data has been completed, you will be advised of any matters requiring your further attention prior to consideration of the application for approval.

Please refer any correspondence to file No. T-4268.

Sincerely,

Samuel R. Allison  
Supervisor  
Transfer Section

SRA:lcj  
cc: M. John Youngquist, Watermaster