

2412 Gerald S. & Mary Lee Brady
Azalea, Oregon 97101

2412

STATUS OF APPLICATION

Change in ~~Additional Point of Diversion~~
Date filed July 2, 1970
Date of hearing
Place of hearing
Date of order 1-20-71 Vol. 20, page 354
Date for application of water 10-1-71
Proof mailed
Proof received FEB 26 1971
Certificate issued FEB 26 1971 Vol. 29, page 37361
To Survey 5/27/71
MAY 24 1977 UOI. 36 p9. 44369

DESCRIPTION OF WATER RIGHT

Name of stream Cow Creek
Trib. of County of Douglas
Use Irrigation
Quantity of water 0.14 cfs No. of acres 24.8
Name of ditch
Date of priority November 2, 1927
In name of Oscar Head
Adjudication, Vol. page
App. No. 11826 Per. No. 8227 Cert. No. 12315
Certificate cancelled
Notation made on record by slw
Tracing in file no. 47155

FEES PAID

Date	Amount	Receipt No.
7/2/70	25.00	19923
TOTAL		
7/22/70	2 Cert. Fee	20113

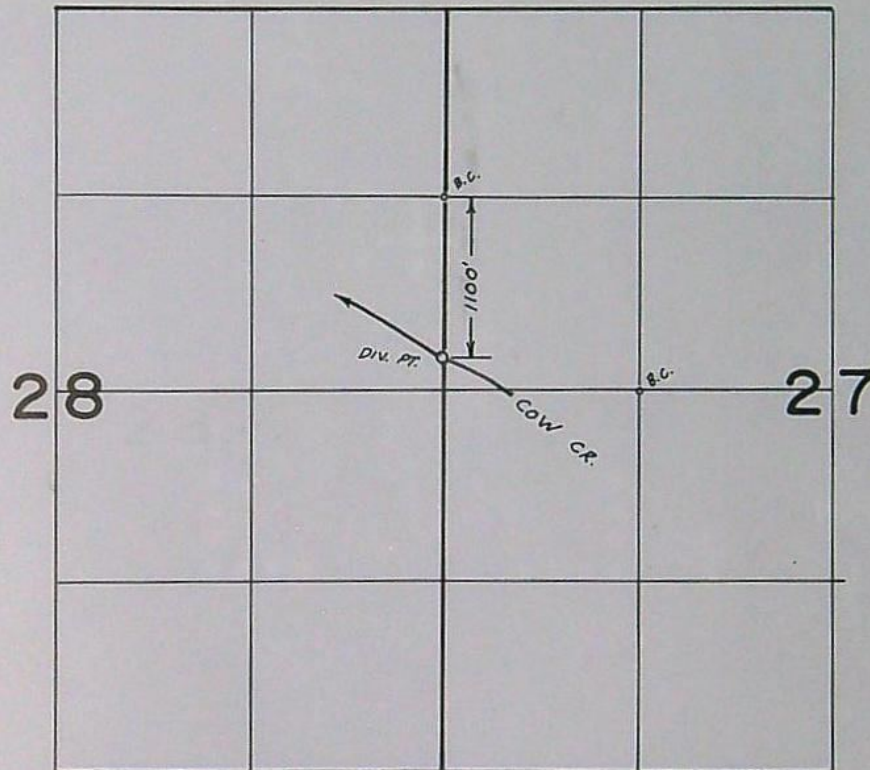
FEES REFUNDED

Date	Amount	Check No.

REMARKS

TO BE ENTERED WHERE CHECKED	INDEX CARDS:		Entered	Checked
<input checked="" type="checkbox"/>	Name		slw	
<input checked="" type="checkbox"/>	Stream		slw	
<input checked="" type="checkbox"/>	Pt. of Div.		slw	
<input checked="" type="checkbox"/>	Calendar		slw	
<input checked="" type="checkbox"/>	CHECKED TO RECORDS:			
<input checked="" type="checkbox"/>	Twp & Rge.		20	
<input type="checkbox"/>	Decree-vault			
<input type="checkbox"/>	Decree-safe			
<input checked="" type="checkbox"/>	Cert. of W/R		slw	
<input checked="" type="checkbox"/>	Per. Folder		slw	
<input type="checkbox"/>	Chainindex			
<input type="checkbox"/>	Cross Ref.			
<input type="checkbox"/>	Power Claim			
<input type="checkbox"/>	Abstracts			

T.31S. R.4W. W.M.



FINAL PROOF SURVEY
UNDER

TRANSFER NO. 2412

Application No. _____ Permit No. _____
IN NAME OF

GERALD S. & MARY LEE BRADY

Surveyed JULY 16, 1976, by L.H. NUNN

BEFORE THE STATE ENGINEER OF OREGON

Douglas County

IN THE MATTER OF THE APPLICATION)
OF GERALD S. AND MARY LEE BRADY)
FOR THE APPROVAL OF A CHANGE IN)
POINT OF DIVERSION OF WATER FROM)
COW CREEK)

ORDER APPROVING
TRANSFER NO. 2412

On July 2, 1970, Gerald S. and Mary Lee Brady filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from Cow Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Oscar Head and recorded at page 12315, Volume 11, State Record of Water Right Certificates, confirms a right to the use of not to exceed 0.82 cubic foot per second of water from Cow Creek for the irrigation of, among other lands, 0.4 acre in SW $\frac{1}{4}$ NW $\frac{1}{4}$, 2.4 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 27, 4.2 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ and 3.8 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 28, Township 31 South, Range 4 West, W.M., with a date of priority of November 2, 1927. These lands are irrigated from a point of diversion located S 73° E 625 feet from the W $\frac{1}{4}$ corner of Section 27 being within the NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27, Township 31 South, Range 4 West, W.M.

The applicant herein, owner of the lands above described, proposes to irrigate these lands from a point of diversion to be located N 1° W 125 feet from the W $\frac{1}{4}$ corner of Section 27 being within the SE $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 27, Township 31 South, Range 4 West, W.M.

Notice by publication as provided by ORS 540.520 was not given in connection with this application for the reason said section provides notice is not required on an application for a change in point of diversion of water of less than one-fourth mile where there are no intervening diversions.

Mr. M. John Youngquist, Watermaster of District No. 15, has filed a report 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 proposed change in point of diversion of water from Cow Creek, to-wit:

From a point located S 73° E 625 feet from the NW¼ corner of Section 27 being within the NW¼ SW¼ of Section 27, Township 31 South, Range 4 West, W.M.

To a point to be located N 1° W 125 feet from the W¼ corner of Section 27 being within the SE¼ NE¼ of Section 27, Township 31 South, Range 4 West, W.M.

for the irrigation of 0.4 acre in SW¼ NW¼, 2.4 acres in NW¼ SW¼, Section 27, 4.2 acres in SE¼ NE¼ and 3.8 acres in NE¼ SE¼, Section 28, Township 31 South, Range 4 West, W.M., with a date of priority of November 2, 1927, is approved.

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, 1971.

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 and shall not exceed 0.14 cubic foot per second.

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 certificate of water right heretofore issued to Oscar Head and recorded at page 12315, Volume 11, State Record of Water Right Certificates, is canceled and in lieu thereof a new certificate be issued covering the balance of the lands not involved in this proceeding and upon receipt of proof satisfactory to the State Engineer of completion of the authorized change in point of diversion, a certificate of water right shall be issued to Gerald S. and Mary Lee Brady confirming the change in point of diversion.

Dated at Salem, Oregon, this 20th day of January, 1971.

/s/ CHRIS L. WHEELER
State Engineer

Superseded by

Cert. No. 37361Trs. Sp. Or. V. 11354
Trs. No. 2412

STATE OF OREGON

COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

This Is to Certify, That

Gerald S & Mary Lee Brady~~OSCAR HEAD~~Cow Creek Rd Box 42of Azalia, State of Oregon 97410, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Cow Creeka tributary of South Umpqua River
the Irrigation 10.8 acres

for the purpose of

under Permit No. 8227 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from November 2, 1927;that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.14 cubic foot per second0.14SE⁴NE⁴Sec 28 or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the ~~SW¹NE⁴ of Section 34, and SE¹SW¹, NE¹SW¹ and NW¹SW¹ of Section 27, Township 31 South, Range 4 West, W. M. 5 1100'S from the~~
NE¹ cor SE⁴NE⁴ Sec 28The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eighth of one cubic foot per second per acre, or its equivalent for each acre irrigated 2 1/2and shall conform to such reasonable rotation system as may be ordered by the proper state officer.
A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

~~6.8 acres in the SW¹NE¹~~
~~0.6 acres in the SE¹NW¹~~
~~0.2 acres in the NE¹NW¹~~
~~2.2 acres in the NW¹NE¹~~
~~Section 34~~
0.4 ~~4.8~~ acres in the SW¹NW¹
2.4 ~~12.0~~ acres in the NW¹SW¹
~~5.6 acres in the NE¹SW¹~~
~~24.8 acres in the SE¹SW¹~~
~~Section 27~~
~~4.2 acres in the SE¹NE¹~~
~~3.8 acres in the NE¹SE¹~~
~~Section 28~~
1.5 ~~0~~ acres in the NW¹NE¹
 Township 31 South, Range 4 West, W. M.

This certificate is issued to confirm a change in ~~place of use and~~ point of diversionapproved by an order of the ~~Water Resources Director~~ entered Jan 20, 1971together with cert 37361and ¹supersedes certificate of water right issued to 12315

STATE OF OREGON

COUNTY OF DOUGLAS TO YALUOD

CERTIFICATE OF WATER RIGHT

This Is to Certify, That OSCAR HEAD

of ~~State of~~ Azalia, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Cow Creek

a tributary of South Umpqua River for the purpose of Irrigation of 54.2 acres

under Permit No. 8227, of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from November 2, 1927;

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.68 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 34, and SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27, Township 31 South, Range 4 West, W. M.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated

and shall conform to such reasonable rotation system as may be ordered by the proper state officer. A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

6.8 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$
0.6 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$
0.2 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$
2.2 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$

Section 34

4.4 4.8 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$
9.6 12.0 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$

5.6 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$
24.8 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$

Section 27

~~4.2 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$~~

~~3.8 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$~~

Section 28

Township 31 South, Range 4 West, W. M.

Certificate of water right issued to Oscar Head and recorded at page 12315,

Volume 11, State Record of Water Right Certificates, confirms the right to the use of water for irrigation of 65.0 acres. A change in the right to the use of water

appurtenant to irrigation of 10.8 acres was approved changed by order of the State Engineer entered January 20,

19 27. This certificate is issued to confirm the remaining right to the use of water for

irrigation and supersedes the certificate heretofore issued to Oscar Head.

Recorded in State Record of Water Right Certificates, Volume 11, page 12315

82
65

x 0.644
54.2

x 0.136
10.8

37361

STATE OF OREGON

COUNTY OF

DOUGLAS

CERTIFICATE OF WATER RIGHT

This Is to Certify, That OSCAR HEAD

of Azalia, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Cow Creek

a tributary of South Umpqua River for the purpose of Irrigation

under Permit No. 8227 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from November 2, 1927;

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.82 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 34, and SE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ SW $\frac{1}{4}$ and NW $\frac{1}{4}$ SW $\frac{1}{4}$ of Section 27, Township 31 South, Range 4 West, W. M.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated

and shall conform to such reasonable rotation system as may be ordered by the proper state officer. A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

6.8 acres in the SW $\frac{1}{4}$ NE $\frac{1}{4}$
 0.6 acres in the SE $\frac{1}{4}$ NW $\frac{1}{4}$
 0.2 acres in the NE $\frac{1}{4}$ NW $\frac{1}{4}$
 2.2 acres in the NW $\frac{1}{4}$ NE $\frac{1}{4}$
 Section 34
 4.8 acres in the SW $\frac{1}{4}$ NW $\frac{1}{4}$
 12.0 acres in the NW $\frac{1}{4}$ SW $\frac{1}{4}$
 5.6 acres in the NE $\frac{1}{4}$ SW $\frac{1}{4}$
 24.8 acres in the SE $\frac{1}{4}$ SW $\frac{1}{4}$
 Section 27
 4.2 acres in the SE $\frac{1}{4}$ NE $\frac{1}{4}$
 3.8 acres in the NE $\frac{1}{4}$ SE $\frac{1}{4}$
 Section 28
 Township 31 South, Range 4 West, W. M.

U. 11 p. 123105

