

STATUS OF APPLICATION

Change in Point of Diversion
 Date filed August 30, 1972
 Date of hearing _____
 Place of hearing _____
 Date of order 1-8-73 Vol. 22, page 389
 Date for application of water Oct 1, 1973
 Proof mailed _____
 Proof received _____
 Certificate issued MAR 5 1975 Vol. 33, page 41778

DESCRIPTION OF WATER RIGHT

Name of stream Wolf Creek
 Trib. of _____ County of Josephine
 Use Fish Pond
 Quantity of water 1.0 cfs No. of acres _____
 Name of ditch _____
 Date of priority MARCH 8, 1946
 In name of Henry Speaker
 _____ Adjudication, Vol. _____, page _____
 App. No. 21466 Per. No. 16838 Cert. No. 15353
 Certificate cancelled _____
 Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>8/30/72</u>	<u>25.00</u>	<u>30440</u>
TOTAL . . .		
<u>2-10-75</u>	<u>1.50</u> Cert. Fee	<u>45180</u>

FEES REFUNDED

Date	Amount	Check No.

REMARKS

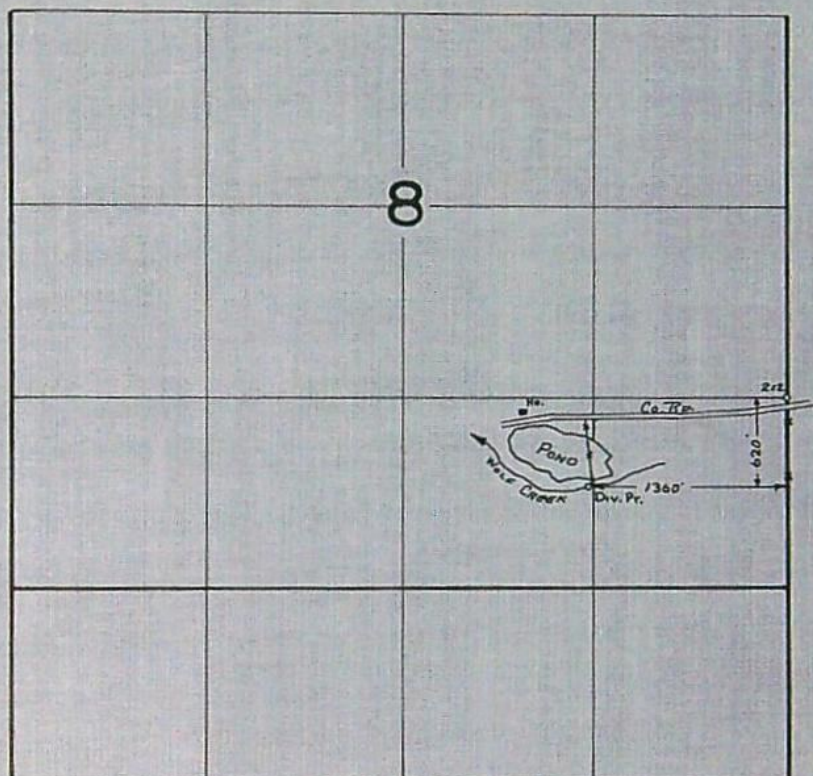
New Owner: CLARION + Thelma Cushman
12701 Strathmore Dr.
Garden Grove, CA 92640

W.R.I.S.

Assembled 8/23/85 by LLK
 Entered _____ by _____
 Verified _____ by _____

TO BE ENTERED WHERE CHECKED	INDEX CARDS:	Entered	Checked
☒	Name	<u>st</u>	
☒	Stream	<u>st</u>	
☒	Pl. of Div.		
☒	Calendar	<u>st</u>	
CHECKED TO RECORDS:			
☒	Twp. & Rge.	<u>st</u>	
☒	Decree-vault		
☒	Decree-safe		
☒	Cert. of W/R	<u>st</u>	
☒	Per. folder	<u>st</u>	
☒	Chainindex		
☒	Cross Ref.		
☒	Power Claim		
☒	Abstracts		

T.33S.,R.5W.,W.M.



FINAL PROOF SURVEY
UNDER

Transfer No. 2694
Application No. _____ Permit No. _____
IN NAME OF

CLARION AND THELMA CUSHMAN

Surveyed SEPT. 20 1974, by L. Toth

Application No. 21466

STATE OF OREGON
COUNTY OF JOSEPHINE
CERTIFICATE OF WATER RIGHT

RECEIVED

APR 26 2004

WATER RESOURCES DEPT
SALEM, OREGON

This Is to Certify, That CLARION & THELMA CUSHMAN
92640
of 12701 Stratmore Drive, Garden Grove, State of California, has made application
to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of
Wolf Creek

a tributary of Grave Creek
Fish pond

for the purpose of

under Permit No. 16838 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 March 8, 1946

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
1.0 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 $\frac{1}{4}$ SE $\frac{1}{4}$, Section 8, T. 33 S., R. 5 W., W. M.,
620 feet South and 1360 feet West from NE Corner, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 8.

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 _____ of one cubic foot per second
per acre,

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:

SW $\frac{1}{4}$ SE $\frac{1}{4}$
SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 8
T. 33 S., R. 5 W., W. M.

This certificate is issued to confirm a change in point of diversion approved by
an order of the State Engineer entered January 8, 1973, and supersedes certificate
of water right heretofore issued to Henry Speaker and recorded at page 15353,
Volume 13, State Record of Water Right Certificates.

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. March 5, 1975

Chris L. Wheeler

State Engineer

Recorded in State Record of Water Right Certificates, Volume 33, page 41778

STATE OF OREGON

COUNTY OF JOSEPHINE

CERTIFICATE OF WATER RIGHT

This Is to Certify, That Clarion & Thelma Cushman
~~HENRY SPEAKER~~
12701 Stratmore Dr.
 of ~~Wolf Creek~~ Garden Grove, State of ~~Oregon~~ California 92640, has made proof
 to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of
~~Wolf Creek~~
 a tributary of ~~Grave Creek~~ Fish Pond for the purpose of
 under Permit No. 16838 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 March 8, 1946
 ;
 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
1.0 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 1/4~~ SE 1/4 Section 8, Township 33 South,
 Range 5 West, W. M. 620 ft. S. & 1360 ft. W from NE Cor. SE 1/4 SE 1/4 Sec 8

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 cubic foot per second
 per acre,

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:

SW 1/4 SE 1/4
SE 1/4 SE 1/4
 Section 8

T. 33 S., R. 5 W., W.M.

This certificate is issued to confirm a change in Pt. of Div. approved by an
 order of the State Engineer entered Jan 8, 1973, and supersedes certificate of
 water right heretofore issued to Henry Speaker and recorded at page 15353,
 Volume 13, State Record of Water Right Certificates.

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 15th day of March, 194 8.

CHAS. E. STRICKLIN
 State Engineer

Recorded in State Record of Water Right Certificates, Volume 13, page 15353

BEFORE THE STATE ENGINEER OF OREGON

Josephine County

IN THE MATTER OF THE APPLICATION)
OF HENRY SPEAKER FOR THE APPROVAL)
OF A CHANGE IN POINT OF DIVERSION)
OF WATER FROM WOLF CREEK)

ORDER APPROVING
TRANSFER NO. 2694

On August 30, 1972, Henry Speaker filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from Wolf Creek, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to Henry Speaker and recorded at page 15353, Volume 13, State Record of Water Right Certificates, confirms a right to the use of not to exceed 1.0 cubic foot per second of water from Wolf Creek for fish pond within SW $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 8, Township 33 South, Range 5 West, W.M., with a date of priority of March 8, 1946. Water is diverted from a point located 700 feet North and 700 feet West from the SE corner of Section 8 being within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 8, Township 33 South, Range 5 West, W.M.

The applicant herein, owner of the lands above described, proposes to divert water from a point to be located 125 feet North from the SE corner of the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 8, Township 33 South, Range 5 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. Robert B. Steimer, Watermaster of District No. 14, 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 Wolf Creek, to-wit:

From a point located 700 feet North and 700 feet West from the SE corner of Section 8 being within the SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 8, Township 33 South, Range 5 West, W.M.

To a point to be located 125 feet North from the SE corner of the N $\frac{1}{2}$ of the SW $\frac{1}{4}$ SE $\frac{1}{4}$ being within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$ of Section 8, Township 33 South, Range 5 West, W.M.

for a fish pond within the SW $\frac{1}{4}$ SE $\frac{1}{4}$ and SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 8, Township 33 South, Range 5 West, W.M., with a date of priority of March 8, 1946, 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, 1973.

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 1.0 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 Henry Speaker and recorded at page 15353, Volume 13, State Record of Water Right Certificates, is canceled 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 Henry
Speaker confirming the change in point of diversion.

Dated at Salem, Oregon, this 8th day of January, 1973.

CHRIS L. WHEELER
State Engineer