

V16 P464  
V31 P283  
V31 P347

2602 Paula Howard  
Rt. 2 Box 1000  
Roseburg, Ore. 97470

2602

### STATUS OF APPLICATION

Change in Pt. of Diversion + Place of Use  
Date filed Jan 31, 1972  
Date of hearing  
Place of hearing  
Date of order 10-30-78 Vol. 31, page 349  
Date for application of water completed  
Proof mailed JUN 24 1983  
Proof received 7-18-83  
Certificate issued FEB 10 1984 Vol. 46, page 51846

### DESCRIPTION OF WATER RIGHT

Name of stream Fall Creek  
Trib. of Little River County of Douglas  
Use Irrigation  
Quantity of water No. of acres  
Name of ditch  
Date of priority  
In name of  
Adjudication, Vol., page  
App. No. 25971 Per. No. 22087 Cert. No. 23565  
Certificate cancelled  
Notation made on record by

### FEES PAID

Date	Amount	Receipt No.
1-31-72	30.00	2527024
TOTAL . . .		
	\$1 Cert. Fee	

### FEES REFUNDED

Date	Amount	Check No.
	Exam 15 A Paid 10 A Paid 5 30-	

See 25971 & 13690

to survey 11/78

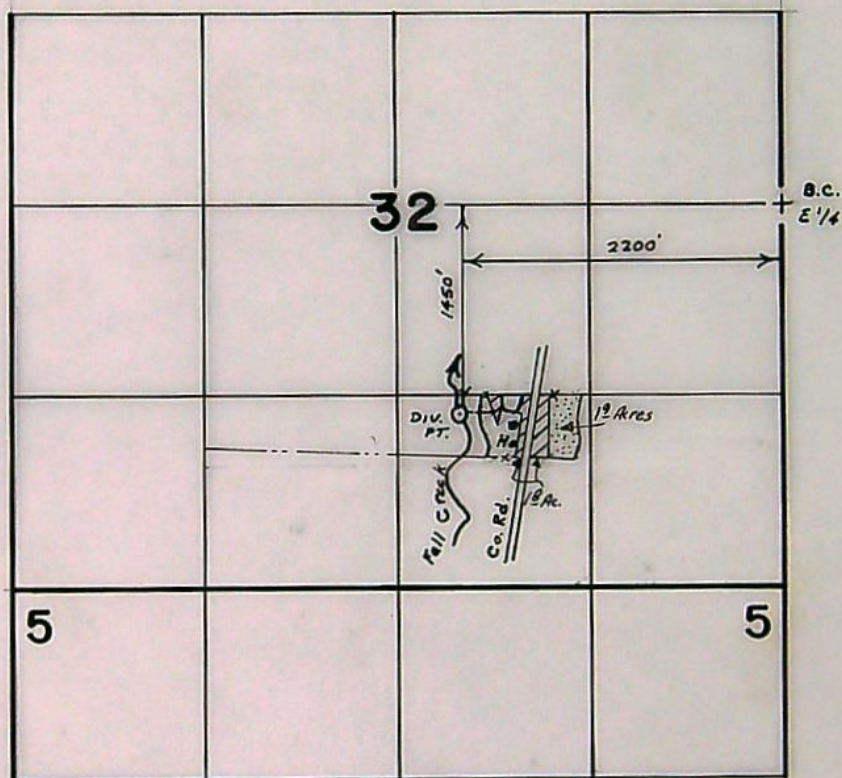
### REMARKS

Cert 23565 (App 25971) was cancelled in entirety  
but affidavit did not support this.

	INDEX CARDS:		Entered	Checked
	TO BE ENTERED WHERE CHECKED			
✓	Name		lg	
✓	Stream		lg	
✓	Pt. of Div.		lg	
✓	Calendar		lg	
✓	CHECKED TO RECORDS		lg	
✓	Twp. & Rge.		lg	
✓	Decree-vault		lg	
✓	Decree safe		lg	
✓	Cert. of W/R		lg	lg
✓	Per. Folder		lg	lg
✓	Chainindex			
✓	Cross Ref.			
✓	Power Claim			
✓	Abstracts		lg	



T. 26 S. , R. 3 W. , W. M.



SCALE 4"=1 mile

**FINAL PROOF SURVEY**  
UNDER

Tr. no. 2602

Application No. .... Permit No. ....  
IN NAME OF

.....ALFRED & NANCY GETTYS.....

Surveyed Mar. 27, 1979, by S. Donaldson..



## STATE OF OREGON

COUNTY OF DOUGLAS

## CERTIFICATE OF WATER RIGHT

Alfred J. Jr. &amp; Nancy Gettys

This Is to Certify, That  
Route 2, Box 1090

PAULA HOWARD

PO Box 468

Glide, OR 97443

~~PAULA HEINZ & L. T. HOWARD~~of ~~Route 1, Box 120, Oakland~~ ROSEBURG, State of Oregon 97470, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Fall Creeka tributary of Little River  
irrigation of 4<sup>3</sup>/<sub>8</sub> acres

for the purpose of

under Permit No. 20687 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 May 22, 1951

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 0.05 cubic foot per second if available at the original point of diversion, SW<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub> Section 32 T. 26 S, R 3W, W.M. 1000 feet North and 325 feet East from the S<sup>1</sup>/<sub>4</sub> Corner Section 32

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<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub> & SE<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>, SE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub> & NW<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>, Section 5, Township 27 South, Range 3 West, W.M., SW<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>, Section 32, Township 26 South, Range 3 West, W.M. 1450 feet South and 2200 feet West from the E<sup>1</sup>/<sub>4</sub> Corner Section 32~~

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 be further limited to a diversion of not to exceed 2<sup>1</sup>/<sub>2</sub> acre feet per acre for each acre irrigated during the irrigation season of each year,

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:

0.05 cfs

~~0.3 acres in the SE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>~~  
4<sup>3</sup>/<sub>8</sub> 10.4 acres in the SW<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>  
Section 32

Township 26 South, Range 3 West, W.M.

9.3 acres in the NW<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>  
8.0 acres in the SW<sup>1</sup>/<sub>4</sub> NE<sup>1</sup>/<sub>4</sub>  
0.1 acres in the NE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>  
0.3 acres in the SE<sup>1</sup>/<sub>4</sub> NW<sup>1</sup>/<sub>4</sub>  
2.6 acres in the SE<sup>1</sup>/<sub>4</sub> SW<sup>1</sup>/<sub>4</sub>  
2.4 acres in the NW<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>  
2.6 acres in the SW<sup>1</sup>/<sub>4</sub> SE<sup>1</sup>/<sub>4</sub>

Section 5

Township 27 South, Range 3 West, W.M.

cancelled

Cancelled-sp. or Rec. Vol. 16 P. 464

All

THIS CERT IS ISSUED TO CONFIRM A CHANGE IN PLACE OF USE AND POINT OF DIVERSION APPROVED BY AN ORDER OF THE WRD ENTERED FEB. 7, 1968 AND TOGETHER WITH ORDERS OF THE WRD ENTERED FEB. 7, 1968 AND OCT. 5, 1978 SUPERSEDE CERT. OF W.R. RECORDED ON PAGE 23565 Vol. 17 SRWRC.

THE ISSUANCE

OES 540.610.

51846

7852-B



BEFORE THE WATER RESOURCES DIRECTOR OF OREGON

DOUGLAS COUNTY

IN THE MATTER OF THE APPLICATION )  
OF PAULA HOWARD FOR APPROVAL OF )  
CHANGES IN PLACE OF USE AND POINT )  
OF DIVERSION OF WATER )  
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ORDER APPROVING  
TRANSFER NO. 2602

On January 31, 1972, an application was filed in the office of the Water Resources Director by Paula Howard for approval of changes in place of use and point of diversion from Fall Creek, pursuant to the provisions of ORS 540.510 to 540.530.

The certificate recorded at page 23565, Volume 17, State Record of Water Right Certificates, in the names of Paula Heinz and L. T. Howard, describes a right which includes the use of not to exceed 0.05 cubic foot per second from Fall Creek for irrigation of a certain 0.3 acre in SE $\frac{1}{4}$  SW $\frac{1}{4}$  and 4.0 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$  of Section 32, Township 26 South, Range 3 West, W.M., with a date of priority of May 22, 1951.

Water for the said right is diverted from a point located 475 feet North and 325 feet East from the South Quarter Corner of Section 32, being within the SW $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 32.

The applicant herein, owner of the lands above described, proposes to change, without loss of priority, the place of use from a certain 0.3 acre in SE $\frac{1}{4}$  SW $\frac{1}{4}$  and 1.5 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 32, described above, to a certain 1.8 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 32; and to irrigate these lands, together with the remaining 2.5 acres in SW $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 32, from a point of diversion located 1060 feet North and 350 feet East from the South Quarter Corner of Section 32, being within the SW $\frac{1}{4}$  SE $\frac{1}{4}$  of said Section 32.

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

No objections having been filed and it appearing that the proposed changes in place of use and 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 changes in place of use and point of diversion of water from Fall Creek, as described herein, without loss of priority, are approved.

JAN 31 1972



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 right.

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

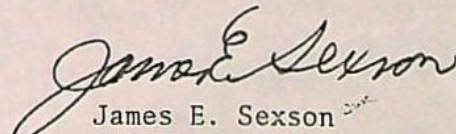
That the type and plans of the measuring device be approved by the watermaster before the beginning of construction work and that the weir or measuring device be installed under the general supervision of said watermaster.

It is FURTHER ORDERED that NO time need be fixed for completion as the changes in place of use and point of diversion of water are completed.

The balance of the water right described by the certificate recorded at page 23565, Volume 17, State Record of Water Right Certificates, was canceled by an order of the State Engineer entered February 7, 1968, and recorded at pages 464 and 465, Volume 16, Special Order Record, as amended by an order of the Water Resources Director entered October 5, 1978, and recorded at page 283, Volume 31, Special Order Record.

It is FURTHER ORDERED that the certificate of water right recorded at page 23565, Volume 17, State Record of Water Right Certificates, is canceled; 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 30th day of October, 1978.

  
James E. Sexson  
Director