

2874

2874 Morgan & Engle, Inc.
 State 3, Box 3680
 Roseburg, Ore. 97470

STATUS OF APPLICATION

Change in Point of Diversion
 Date filed August 3, 1973
 Date of hearing _____
 Place of hearing _____
 Date of order 1-2-74 Vol. 24, page 18-20
 Date for application of water 10-1-74
 Proof mailed _____
 Proof received _____
 Certificate issued AUG 30 1976 Vol. 35, page 43553
Survey

DESCRIPTION OF WATER RIGHT

Name of stream So. Umpqua River
 Trib. of _____ County of Douglas
 Use Irrigation
 Quantity of water _____ No. of acres 121 1/4
 Name of ditch _____
 Date of priority April 18, 1962
 In name of G.W. Tipton
 _____ Adjudication, Vol. _____, page _____
 App. No. 37557 Per. No. 27985 Cert. No. 33717
 Certificate cancelled _____
 Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
8-3-73	31.50	35912
TOTAL . . .		
8-3-73	1.50 Cert. Fee	35913

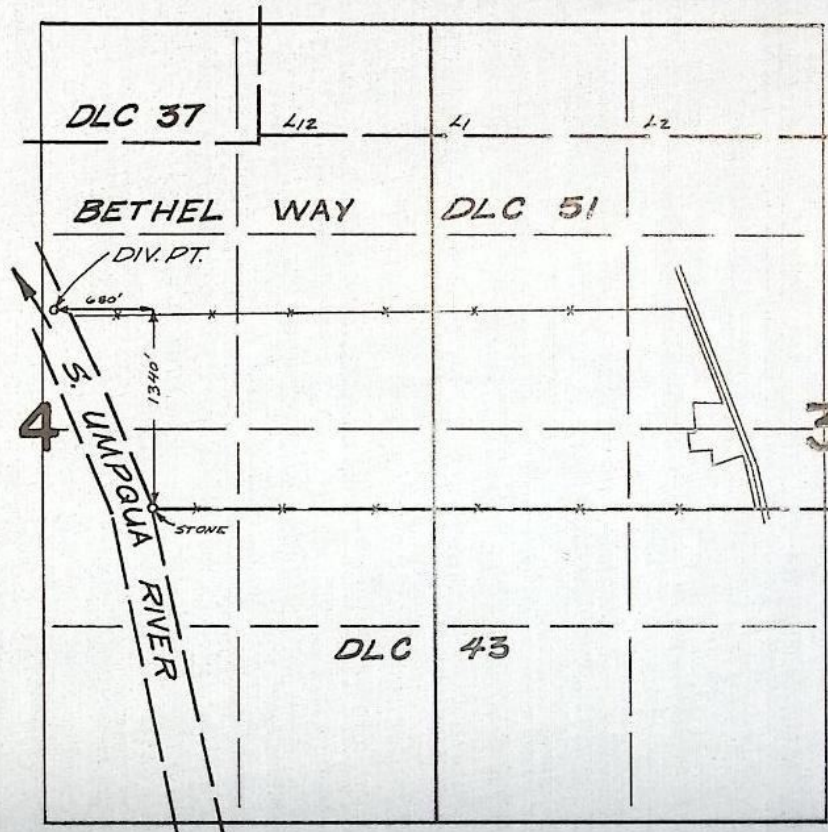
FEES REFUNDED

Date	Amount	Check No.

REMARKS

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

T.27S.R.6W.W.M.



FINAL PROOF SURVEY
UNDER

TRANSFER NO. 2874
Application No. _____ Permit No. _____
IN NAME OF

MORGAN and ENGLE, Inc.

Surveyed JUNE 20 1974, by L.M. TOLL

STATE OF OREGON

COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

This Is to Certify, That G. W. TIPTON

of Route 2, Box 451, Roseburg, 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 South Umpqua River

a tributary of Umpqua River
irrigation of 121.4 acres

for the purpose of

under Permit No. 27985 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 April 18, 1962

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 1.25 cubic feet 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 $\frac{1}{4}$, as projected within Way DIC 51, Section 4, T. 27 S., R. 6 W., W. M. Diversion point located 660 feet North and 260 feet West from the SW Corner DIC 51.

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 $\frac{1}{2}$ acre feet per acre for each acre irrigated during the irrigation season of each year; provided further that the right to use of water is limited to the period when the flow of the South Umpqua River is more than 60 c.f.s. at its mouth;

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:

24.0 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$ as projected within Way DIC 51
9.2 acres SE $\frac{1}{4}$ NW $\frac{1}{4}$ as projected within Way DIC 51
8.4 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$ as projected within Way DIC 51
16.0 acres NW $\frac{1}{4}$ SW $\frac{1}{4}$ as projected within Way DIC 51
Section 3

16.0 acres SW $\frac{1}{4}$ NE $\frac{1}{4}$ as projected within Way DIC 51
24.0 acres SE $\frac{1}{4}$ NE $\frac{1}{4}$ as projected within Way DIC 51
16.0 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$ as projected within Way DIC 51
7.8 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$ as projected within Way DIC 51
Section 4

T. 27 S., R. 6 W., W. M.

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 13, 1967

CHRIS L. WHEELER

State Engineer

BEFORE THE STATE ENGINEER OF OREGON

Douglas County

IN THE MATTER OF THE APPLICATION
OF MORGAN AND ENGLE, INCORPORATED,
FOR THE APPROVAL OF A CHANGE IN
POINT OF DIVERSION OF WATER FROM
SOUTH UMPQUA RIVER

ORDER APPROVING
TRANSFER NO. 2874

On August 3, 1973, Morgan and Engle, Incorporated, filed an application in the office of the State Engineer for the approval of a change in point of diversion of water from South Umpqua River, pursuant to the provisions of ORS 540.510 to 540.530.

Certificate of water right issued to G. W. Tipton and recorded at page 33717, Volume 25, State Record of Water Right Certificates, confirms a right to the use of not to exceed 1.25 cubic feet per second of water from South Umpqua River for the irrigation of 24.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, 9.2 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, 8.4 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 16.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 3, 16.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 24.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 16.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, and 7.8 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 4, Township 27 South, Range 6 West, W.M., with a date of priority of April 18, 1962. These lands are irrigated from a point of diversion located 660 feet North and 260 feet West from the Southwest corner of Way D.L.C. #51, being within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 4, Township 27 South, Range 6 West, W.M.

The applicants herein, owners of the lands above described, propose to irrigate these lands from a point of diversion to be located 1320 feet North and 560 feet West from the Southwest corner of Way D.L.C. #51, being within the SW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 4, Township 27 South, Range 6 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 of water 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 change in point of diversion of water from South Umpqua River, to wit:

From a point located 660 feet North and 260 feet West from the Southwest corner of Way D.L.C. #51, being within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 4, Township 27 South, Range 6 West, W.M.

To a point to be located 1320 feet North and 560 feet West from the Southwest corner of Way D.L.C. #51, being within the SW $\frac{1}{4}$ NE $\frac{1}{4}$ of Section 4, Township 27 South, Range 6 West, W.M.

for the irrigation of 24.0 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$, 9.2 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$, 8.4 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$, 16.0 acres in NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 3, 16.0 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$, 24.0 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$, 16.0 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$, and 7.8 acres in NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 4, Township 27 South, Range 6 West, W.M., with a date of priority of April 18, 1962, 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, 1974.

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 1.25 cubic feet 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 G. W. Tipton and recorded at page 33717, Volume 25, 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 Morgan and Engle, Incorporated, confirming the change in point of diversion.

Dated at Salem, Oregon, this 2nd day of January, 1974.

/s/ CHRIS L. WHEELER
State Engineer